

RESOLUTION OF THE LOCAL PLANNING AGENCY OF  
THE TOWN OF FORT MYERS BEACH, FLORIDA  
RESOLUTION NUMBER 2008-01

WHEREAS, the existence of the Local Planning Agency (LPA) is mandated by Florida Statutes Section 163.3174 and the LPA is statutorily responsible for the review of proposed land development regulations, land development codes, or amendments thereto, and for making recommendations to the Town Council as to the consistency of such proposals with the adopted Comprehensive Plan (Plan); and

WHEREAS, Section 34-120(4) of the Town Land Development Code (LDC) states that the LPA will review proposed LDC amendments and make recommendations to the Town Council regarding their consistency with the Plan, and

WHEREAS, at its meeting of November 19, 1007, the Town Council directed the LPA at the LPA's earliest availability to (1) consider an abatement of enforcement of the LDC provisions concerning off-site open house real estate sign restrictions and (2) review and make recommendations regarding an amendment to the LDC regarding such signs, including occupation of a property for "open house" purposes by owner or authorized representative and permission to have such signs only during the hours between 7:00 am and 7:00 pm; and

WHEREAS, on January 15, 2008, the LPA held a public workshop to consider the issues raised by Town Council as set forth above and received input from realtors located on Fort Myers Beach.

IT IS HEREBY RESOLVED BY THE LPA OF THE TOWN OF FORT MYERS BEACH, FLORIDA as follows:

1. The LPA recommends, as a matter of policy, that the Town Council direct the Town Manager to make the enforcement of LDC Section 30-151(f)(7) regarding real estate open house signs a low priority for Town Code Enforcement staff for a period of six (6) months, effective upon passage of the Town Council resolution addressing this matter.

2. The LPA hereby requests further direction from the Town Council as to proposed changes to LDC Section 30-151(f)(7) and LDC Section 30-5 regarding real estate open house signs prior to the LPA conducting a hearing thereupon.

The foregoing Resolution was adopted by the LPA upon a motion by LPA Member Mandel and seconded by LPA Member Simon, and upon being put to a vote, the result was as follows:

Tom Babcock aye  
Evie Barnes aye  
Rochelle Kay nay  
Dennis Weimer aye

Alan Mandel aye  
Bob Raymond aye  
Bob Simon aye

DULY PASSED AND ADOPTED THIS 15th day of January, 2008.

LPA of the Town of Fort Myers Beach

By:   
Tom Babcock, LPA Chair

Approved as to legal sufficiency:

ATTEST:

By:   
Anne Dalton, Esquire, LPA Attorney

By:   
Michelle Mayher, Town Clerk