

ORDINANCE NO. 20-03

AN ORDINANCE OF THE TOWN OF FORT MYERS BEACH, FLORIDA, APPROVING AN AMENDMENT TO 0.17+/- ACRES OF THE CURRENT ZONING MAP FOR A PROPERTY LOCATED 2639-2641 ESTERO BOULEVARD FORT MYERS BEACH FROM RESIDENTIAL COMMERCIAL (RC) ZONING DISTRICT TO INSTITUTIONAL (IN) ZONING DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR CONFLICTS OF LAW; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Town of Fort Myers Beach filed application to rezone the property comprising 0.17+/- acres (located at 2639-2641 Estero Blvd; Strap number 19-46-24-W3-0020C.0180), from Residential Conservation (RC) to Institutional (IN); and

WHEREAS, at a public hearing on December 10, 2019, LPA gave full and complete consideration of the request, recommendation of approval by staff, the documents in the public record, and the testimony of all interested parties; and recommended approval by a 7-0 vote; and

WHEREAS, on January 21, 2020 Town Council held a duly advertise reading of this Ordinance to fully consider the ordinance, recommendation of the LPA, staff, and testimony of the public and interested parties at 9 a.m. as required by Section 166.041(3)(c)2., *Fla. Stat.*, and Section 34-85 of the Fort Myers Beach Land Development Code (LDC); and

NOW THEREFORE IT IS HEREBY ORDAINED BY THE TOWN OF FORT MYERS BEACH AS FOLLOWS:

Section 1. The above recitals are true, correct, incorporated herein by this reference, and hereby adopted as the legislative and administrative findings of the Town Council.

Section 2. The property located at 2639-2641 Estero Blvd. (strap number 19-46-24-W3-0020C.0180), comprising 0.17+/- acres is rezoned from Residential Conservation (RC) to Institutional (IN). The Town Council finds this rezoning is consistent with the Town Comprehensive Plan, the Town's Land Development Code, and furthers the health, safety and welfare of the Town's residents, business owners and visitors.

Section 3. Whenever the requirements or provisions of this Ordinance are in conflict with the requirements or provisions of any other lawfully adopted ordinance or statute, the most restrictive requirements will apply.

Section 4. If any Section or portion of this Ordinance proves to be invalid, unlawful, or unconstitutional, it will not invalidate or impair the validity, force, or effect of any other Section or part of this Ordinance.

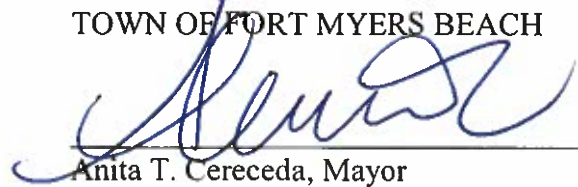
Section 5. This Ordinance will take effect immediately upon adoption by the Town Council.

The foregoing Ordinance was adopted by the Town Council upon a motion by Vice Mayor Murphy and seconded by Council Member Butcher and upon being put to a roll call vote, the result was as follows:

Anita Cereceda, Mayor	aye
Ray Murphy, Vice Mayor	aye
Joanne Shamp, Councilmember	aye
Rexann Hosafros, Councilmember	aye
Bruce Butcher, Councilmember	aye

ADOPTED this 18th day of February, 2020 by the Town Council of the Town of Fort Myers Beach, Florida.

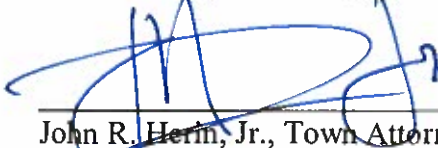
TOWN OF FORT MYERS BEACH


Anita T. Cereceda, Mayor

ATTEST:


Michelle D. Mayher, Town Clerk

APPROVED AS TO FORM AND LEGAL SUFFICIENCY FOR THE USE
AND RELIANCE OF THE TOWN OF FORT MYERS BEACH ONLY:


John R. Herin, Jr., Town Attorney

This Ordinance was filed in the Office of the Town Clerk on this 3rd day of March 2020.