

RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE
TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 2009-01

WHEREAS, the existence of the Local Planning Agency (LPA) is mandated by Florida Statutes Section 163.3174; and

WHEREAS, the Local Planning Agency (LPA) is statutorily responsible under Chapter 163, Florida Statutes, and the Town of Fort Myers Land Development Code (LDC)_Section 34-120 for the review of proposed land development regulations, land development codes, or amendments thereto, and for making recommendations to the Town Council with regard thereto and performing such other reviews as are requested by the Town Council; and

WHEREAS, following proper notice and as required under Florida Statute and the LDC, the LPA conducted public hearings on February 24, 2009 and March 10, 2009 to consider proposed Town Ordinance 09-01 to establish a procedure within Chapter 10 of the LDC to vacate Town-owned interests in real property; and

WHEREAS, a copy of said Ordinance 09-01 is attached hereto as Exhibit A and is hereby incorporated by reference.

NOW THEREFORE BE IT RESOLVED, that the LPA **recommends/does not recommend** Town Council approval and adoption of Town Ordinance 09-01 to amend Chapter 10 of the Town LDC to create procedures for vacating Town-owned interests in real property within the Town of Fort Myers Beach, Florida.

In addition, the LPA advises the Town Council that three (3) members of the LPA voted in favor of requiring two (2) appraisals of the property and three (3) members voted against such requirement. The motion failed and the enclosed draft Ordinance contains a requirement for only one (1) appraisal.

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

Dennis Weimer, Chair
Evie Barnes
Joanne Shamp

Alan Mandel, Vice Chair
Rochelle Kay
Bill Van Duzer

Joe Yerkes

DULY PASSED AND ADOPTED THIS 10th day of March, 2009.

LPA of the Town of Fort Myers Beach

By: _____

Dennis Weimer, LPA Chair

Approved as to legal sufficiency:

ATTEST:

By: _____

Anne Dalton, Esquire
LPA Attorney

By: _____

Michelle Mayher, Town Clerk