

RESOLUTION OF THE LOCAL PLANNING AGENCY OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 2001- 10

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF FORT MYERS BEACH

WHEREAS, Boykin Hotel Properties, L.P. in ref. To Captiva Useppa Property has filed a request to rezone from RM-2 to Mixed Planned Development (MPD) to permit a maximum of 43 hotel/time share units, accessory uses and limited consumption on premises, not to exceed 72 feet in height above base flood elevation on 1.84 total acres of land; and

WHEREAS, the subject property is located at 275 Estero Blvd., Fort Myers Beach, Florida, and is described more particularly as:

LEGAL DESCRIPTION: In Section 24, Township 46 South, Range 23 East, Lee County, Florida:

WHEREAS, the applicant has indicated the property's current STRAP number is: 24-46-23-W1-00700.0350; and

WHEREAS, a public hearing was legally advertised and held before the Local Planning Agency (LPA) on May 15, and,

WHEREAS, the LPA gave full and complete consideration to the recommendations of the Staff, the documents in the file, and the testimony of all interested persons.

NOW, THEREFORE BE IT RESOLVED BY THE LPA OF THE TOWN OF FORT MYERS BEACH, FLORIDA as follows:

That the LPA recommends that the Town Council approve the Applicant's request for rezoning with the 4 deviations requested by the Applicant and with the following conditions;

- 1] That the development is limited to 7 stories above flood with 42 units, not to exceed 49,000 square feet and that the height is limited to 72 feet above flood.
- 2] That the 6 foot beach easement is moved from the center to the west side.

Pursuant to this recommendation, the LPA finds the following;

1. The Applicant has proven entitlement to the rezoning by demonstrating compliance with the Town's Comprehensive Plan, the Land Development Code and other applicable codes and regulations.
2. The requested zoning does meet or exceed all performance and locational standards set forth for the potential uses allowed by the request and is consistent with the densities, intensities and general uses set forth in the comprehensive Plane. Further the deviations sought do enhance the objectives of the planned development.

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

Jennifer Kaestner	absent
Dave Smith	no
Jane Plummer	no
Betty Simpson	absent
Roxie Smith	abstain
Bill Van Duzer	yes
Jodi Hester	yes
Linda Beasley	no
Harold Huber	yes

DULY PASSED AND ADOPTED THIS 15th day of April, 2001.

ATTEST:

By: 

Marsha Segal-George
Secretary to the LPA

LPA of the Town of Fort Myers Beach

By: 

Roxie Smith, Chairman