**RESOLUTION OF THE TOWN COUNCIL OF**
**THE TOWN OF FORT MYERS BEACH FLORIDA**
**RESOLUTION NUMBER 16-39**
**VAR16-0008 – Best Western Sign Variance**

**WHEREAS**, applicant Noel Davies, authorized agent for FMB Associates LP is requesting a variance from Section 30-153(b)(1) of the Town of Fort Myers Beach Land Development Code; and

**WHEREAS**, the applicant has indicated that the STRAP number for the subject property is 24-46-23-W3-00400.0090 and the legal description of the subject property is attached as *Exhibit A*; and

**WHEREAS**, the subject property is located at 684 Estero Boulevard Fort Myers Beach, FL 33931, zoned Commercial Resort on the Official Zoning Map and the Mixed Residential and Recreation category of the Future Land Use Map of the Comprehensive Plan of the Town of Fort Myers Beach, Florida; and

**WHEREAS**, a public hearing on this matter was legally advertised and held before the Local Planning Agency (LPA) on October 11, 2016; and

**WHEREAS**, at the hearing the LPA gave full and complete consideration to the request of Applicant, recommendations of staff, the documents in the file, and the testimony of all interested persons, as required by Fort Myers Beach Land Development Code (LDC) Section 34-87; and

**WHEREAS**, on November 7, 2016, the Town Council held a duly advertised public hearing to fully consider the request of the Applicant, the recommendations of Town staff and the LPA, the documents in the record, and testimony of all interested persons as required LDC Section 34-87.

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Fort Myers Beach, Florida, as follows:

1. <u>Determination.</u>

Based upon the recommendations, testimony, and evidence presented by Town staff, LPA, and interested parties, the Town Council approves the following:

*Variance*. (VAR16-0008) The Town Council grants **APPROVAL** of a variance from Section 30-153(b)(1) of the LDC to allow a maximum **55±** square foot wall sign on the subject property.

2. Conditions.

a. *Approval of this variance does not exempt the subject property from any other provisions of LDC Chapter 30.*

b. *The Maximum square footage of the wall sign on the Best Western motel building facing Estero Boulevard is limited to 55 square feet as provided in Exhibit B.*

c. *The sign will be located generally consistent with the location depicted on the site plan (see Exhibit C).*

3. Findings and Conclusions of Law.

In accordance with LDC Sections 34-87 for granting a variance, the Town Council finds as follows:

1. There **are** exceptional or extraordinary conditions or circumstances that are inherent to the property in question.

2. The conditions justifying the variance **are not** the result of actions of the applicant taken after the adoption of the regulation in question.

3. The variance requested **is** the minimum variance that will relieve the applicant of an unreasonable burden caused by the application of the regulation to the property in question.

4. The granting of the variance **will not** be injurious to the neighborhood or otherwise detrimental to the public welfare.

5. The conditions or circumstances on the specific piece of property for which the variance is sought **are not** of so general or recurrent a nature as to make it more reasonable and practical to amend the regulation in question.

The foregoing Resolution was adopted by the Town Council upon a motion by Council Member Hosafros and seconded by Council Member Cerededa and upon being put to a vote, the result was as follows:

| | |
|---|---|
| Dennis C. Boback, Mayor | aye |
| Summer Stockton, Vice Mayor | aye |
| Tracey Gore | aye |
| Rexann Hosafros | aye |
| Anita Cereceda | aye |

DULY PASSED AND ADOPTED THIS 7th day of November, 2016, by the Town Council of the Town of Fort Myers Beach.

ATTEST:

By: _____
Michelle D. Mayher, Town Clerk

TOWN OF FORT MYERS BEACH

By: _____
Dennis C. Boback, Mayor

Approved as to form by:

By: _____
Dawn E. Perry-Lehnert,
Town Attorney

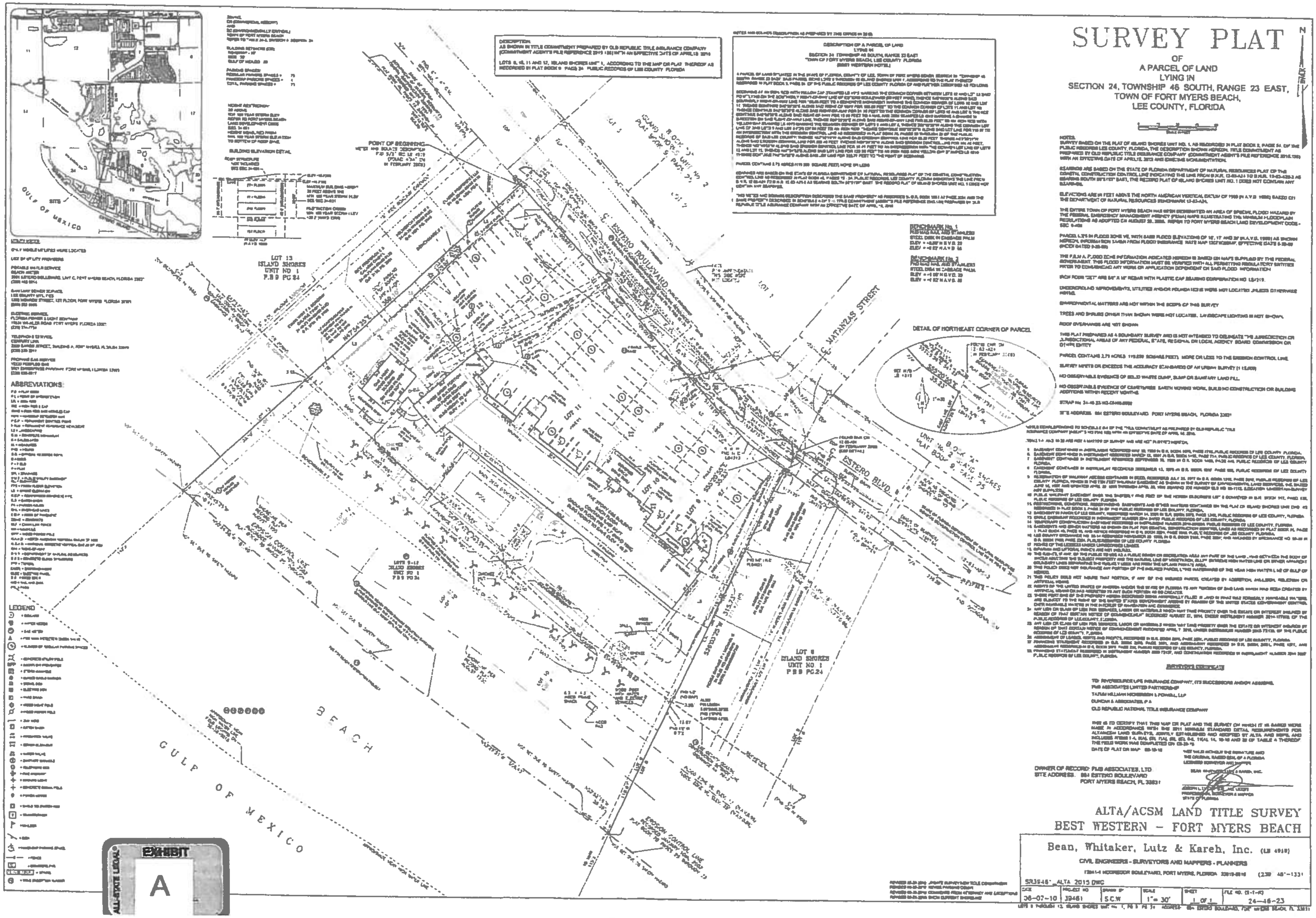

SURVEY PLAT
OF
A PARCEL OF LAND
LYING IN
SECTION 24, TOWNSHIP 46 SOUTH, RANGE 23 EAST,
TOWN OF FORT MYERS BEACH,
LEE COUNTY, FLORIDA
N
GULF OF MEXICO
BEACH
ESTERO BOULEVARD
ESTERO BLVD.
MATANZAS STREET
LOT 13
ISLAND SHORES
UNIT NO 1
P.B 9 PG.24
LOT 8
ISLAND SHORES
UNIT NO 1
P.B 9 PG.24
POINT OF BEGINNING
DETAIL OF NORTHEAST CORNER OF PARCEL
ABBREVIATIONS:
LEGEND
ALTA/ACSM LAND TITLE SURVEY
BEST WESTERN – FORT MYERS BEACH
Bean, Whitaker, Lutz & Kareh, Inc.
SR3646 ALTA 2015 DWG
36-07-10
39461
S.C.W
1" = 30'
1 OF 1
24-46-23

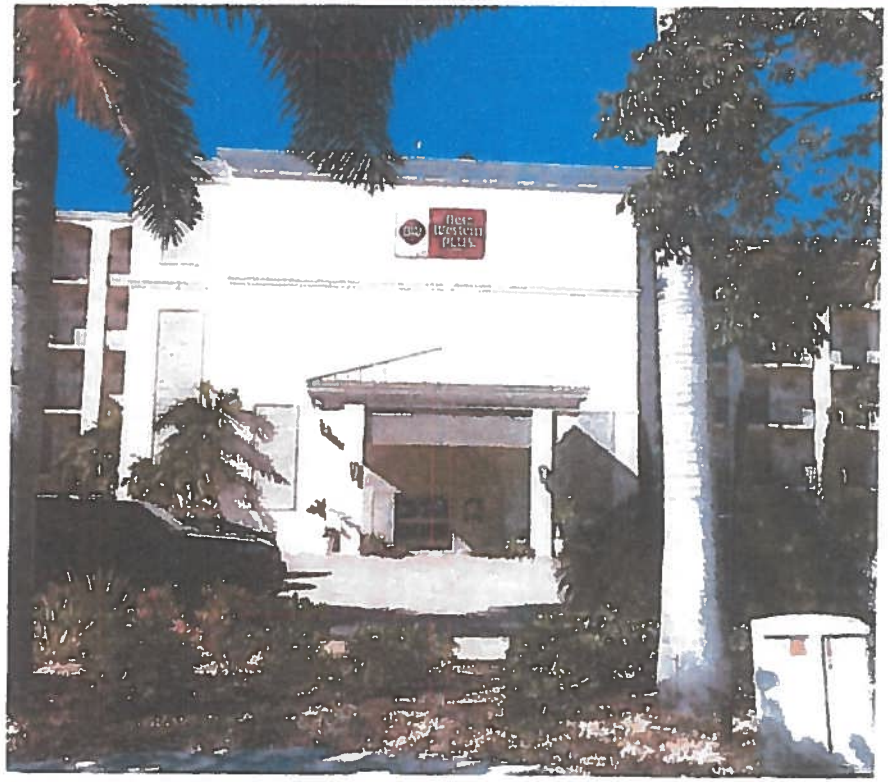
EXHIBIT
A

EXHIBIT

B

## EXISTING

**Description:** Channel Letters
**Qty of faces:** 1
**Dimensions:** ~2'-6" H x ~14'-3" W x ~5'-6" OAH
**Attachment Method:** Raceway Mounted
**Illumination:** Internally Illuminated



## PROPOSED

**Description:** Wall Sign
**Qty of faces:** 1
**Dimensions:** ~5'-5 3/4" H x ~10'-0 7/16" W
**Attachment Method:** Flush Mounted
**Illumination:** Internally Illuminated

H-55

CUMMINGS

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CUSTOMER APPROVAL: _____

DATE: _____

| | DATE | BY | | DATE | BY |
|---|---|---|---|---|---|
| Rev. #1 | | | Rev. #4 | | |
| Rev. #2 | | | Rev. #5 | | |
| Rev. #3 | | | Rev. #6 | | |

Site ID# 16116

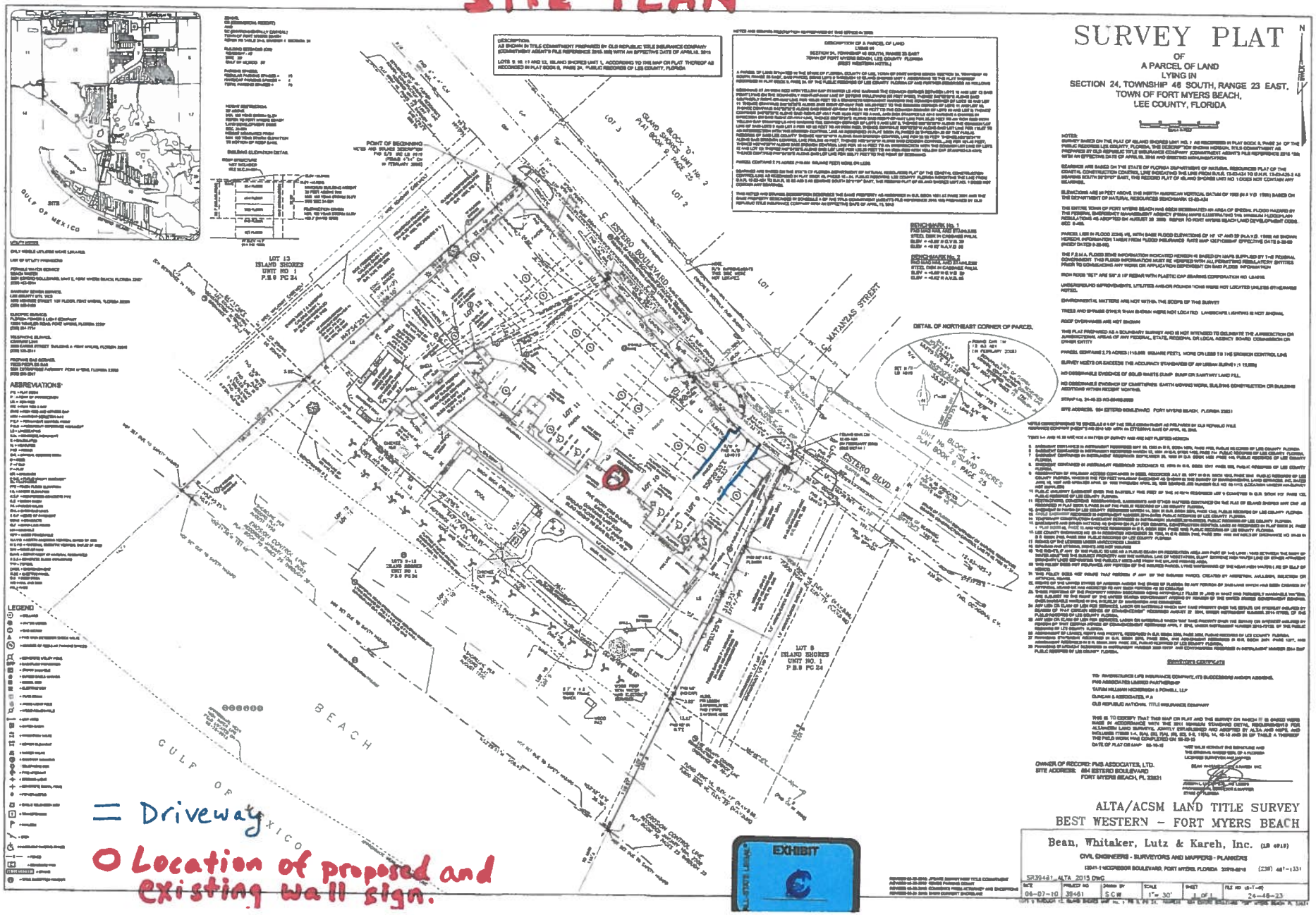
B/W PLUS Beach Resort
684 Estero Blvd
Fort Myers Beach, FL 33931

DRAWING NO: D-ORDER#063866.03

ARTIST: AAAJ DATE: 08/30/16

SHEET 1 OF 3

# SITE PLAN




= Driveway

O Location of proposed and existing wall sign.