

RESOLUTION OF THE LOCAL PLANNING AGENCY OF  
THE TOWN OF FORT MYERS BEACH, FLORIDA  
RESOLUTION NUMBER 2008-22

A RESOLUTION OF THE LOCAL PLANNING AGENCY OF FORT MYERS BEACH, FLORIDA:

WHEREAS, First Central Investment Corporation, through its registered agent Lawrence A. Yax ("Applicant"), has requested to rezone 0.51 acres from Commercial Planned Development (CPD) to a new Commercial Planned Development (CPD) to alter the boundaries of the current Edison Beach House CPD zoning district, to allow further development of the subject property, and to allow deviations for additional height and intensity as depicted on its new Master Concept Plan.

WHEREAS, the subject property is located at 830 Estero Boulevard, Fort Myers Beach, Lee County, Florida; and

WHEREAS, the applicant's original zoning to CPD was approved by Town Resolution 97-14, and subsequently amended by Town Resolution 01-14; and

WHEREAS, the Applicant has indicated the property's current STRAP number is: 24-46-23-W3-00400.0010, with the legal description attached hereto and incorporated herein by reference as Exhibit "A"; and

WHEREAS, a public hearing was legally advertised and held before the Local Planning Agency (LPA) on June 3, 2008; and

WHEREAS, the LPA gave full and complete consideration to the recommendations of 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:

The LPA recommends that the Town Council **APPROVE** the Applicant's request to rezone its CPD to a new CPD subject to the five (5) conditions and no deviations set forth with specificity below.

**A. CONDITIONS**

1. Development must be consistent with the one-page Master Concept Plan stamped "Received February 22, 2008" for case FMBDCI2007-0002, attached as Exhibit "B", except as modified by conditions below. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

2. The following limits apply to the project and uses:

a. Schedule of Uses

Residential:

Dwelling Unit, Caretaker (one unit, existing only)