

**RESOLUTION OF THE LOCAL PLANNING AGENCY OF THE
TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 2008-41**

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

WHEREAS, the LPA is statutorily responsible for the review of proposed land development regulations, land development codes, or amendments thereto, and for making recommendations to the Town Council as to the consistency of such proposals with the adopted Comprehensive Plan (Plan); and

WHEREAS, Section 34-120(4) of the Town Land Development Code (LDC) states that the LPA will review proposed LDC amendments and make recommendations to the Town Council regarding their consistency with the Plan, and

WHEREAS, Section 34-120 (12) of the LDC states that the LPA will aid Town officials charged with the direction of projects or improvements embraced within the Plan and generally promote the realization of the Plan; and

WHEREAS, Section 34-120 (14) of the LDC states that the LPA will perform any other duties which lawfully may be assigned to it by Town Council; and

WHEREAS, at its meeting of September 30, 2008, and following proper notice, the LPA reviewed various issues related to refuse containers as codified in LDC Section 6-11 and related matters set forth in LDC Section 34-1174.

IT IS HEREBY RESOLVED BY THE LPA OF THE TOWN OF FORT MYERS BEACH, FLORIDA as follows:

1. The LPA recommends that the existing Land Development Code language regarding refuse containers is written appropriately and does not require revision.
2. The LPA recommends that the Town proceed with enforcement as prescribed in the Land Development Code.

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

Dennis Weimer, Chair aye
Evie Barnes aye
Joanne Shamp aye
Joe Yerkes aye

Alan Mandel, Vice Chair aye
Rochelle Kay aye
Bill Van Duzer aye

DULY PASSED AND ADOPTED THIS 30th day of September, 2008.

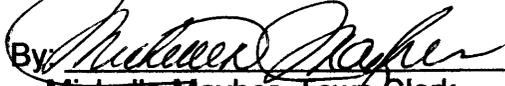
LPA of the Town of Fort Myers Beach

By: 
Dennis Weiner, LPA Chair

Approved as to legal sufficiency:

By: 
Anne Dalton, Esquire
LPA Attorney

ATTEST:

By: 
Michelle Mayher, Town Clerk