

RESOLUTION OF THE TOWN COUNCIL OF
THE TOWN OF FORT MYERS BEACH, FLORIDA
RESOLUTION NUMBER 03- 21

WHEREAS, Axel and Cornelia Schulz the property owners have requested a Special exception for a Bed & Breakfast in the residential conservation zoning district; and,

WHEREAS, the subject property is located at 926 & 932 Third Street, Fort Myers Beach, and the applicant has indicated the property's STRAP number is: 24-46-23-W3-0030B.0030 and the legal description is as follows:

LOTS 3 AND 4, BLOCK 'B', MATANZAS VIEW SUBDIVISION, PLAT BOOK 9, PAGE 40, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; 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 and recommended approval of the Applicant's Special exception request with the following conditions;

1. The special exception is limited to a total of 6 guest units
2. The owner of operator must live in 1 of the 6 guest units whenever guests are present.
3. Parking for automobiles of the owner or operator and all guests must be accommodated within the subject property only. No use of right-of-way for parking is approved.
4. Prior to seeking building permits for the "proposed new dining area with sundeck above", the developer must combine the existing platted lots into one lot or record as part of the local development order for the bed and breakfast inn.

NOW, THEREFORE, BE IT RESOLVED BY THE FORT MYERS BEACH TOWN COUNCIL, that the Council APPROVES the requested special exception.

FINDINGS AND CONCLUSIONS:

The following findings and conclusions were made in conjunction with the approval of the requested modification:

1. The applicant did demonstrate compliance with the Fort Myers Beach Comprehensive Plan.
2. The applicant did demonstrate compliance with the Land Development Code of the Town of Fort Myers Beach.
3. The applicant did demonstrate compliance with the other applicable town ordinances or codes.

4. That the Special Exception, as conditioned, is consistent-with the goals, objectives, policies and intent of the Fort Myers Beach Comprehensive Plan..

5. That the Special Exception, as conditioned, meets all performance and locational standards set forth for the proposed use.

SUBJECT TO THE FOLLOWING CONDITIONS:

1. The special exception is limited to a total of 6 guest units , no more than 4 in each of the existing buildings.
2. The owner of operator must live in 1 of the 6 guest units whenever guests are present.
3. Parking for automobiles of the owner or operator and all guests must be accommodated within the subject property only. No use of right-of-way for parking is approved.
4. Prior to seeking building permits for the "proposed new dining area with sundeck above", the developer must combine the existing platted lots into one lot or record as part of the local development order for the bed and breakfast inn.

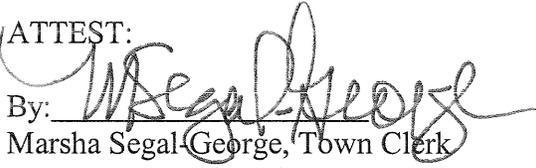
The foregoing resolution was adopted by the Fort Myers Beach Town Council

upon being put to a vote, the result was as follows:

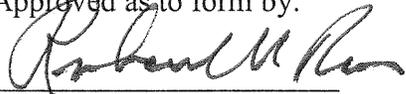
Howard Rynearson	aye
Daniel Hughes	aye
Bill Thomas	aye
W. H. "Bill" Van Duzer	aye
Terry Cain	aye

ADOPTED this 9th day of June, 2003.

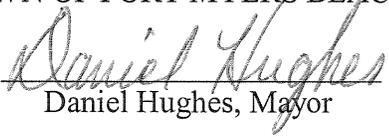
ATTEST:

By: 
Marsha Segal-George, Town Clerk

Approved as to form by:


Richard V.S. Roosa, Town Attorney

TOWN OF FORT MYERS BEACH

By: 
Daniel Hughes, Mayor