

19.50

NOTICE OF ACTION ON PETITION TO DESIGNATE A HISTORIC RESOURCE

YOU ARE HEREBY NOTIFIED that on May 5, 1994, the Lee County Historic Preservation Board voted to:

- Approve
- Approve with conditions stated below
- Deny

3603420

A Petition to Designate the individual historic resource described below as:

Burgess Island
(HD District 94-04-06)

The designation is subject to the following conditions (if any):

See ATTACHMENT A.

This historic resource is described as follows:

RECORD VERIFIED - CHARLIE GREEN, CLERK
By: SUSAN THOMPSON

Address: Burgess Island

STRAP No.: 35-43-21-00-00001.0000; 26-43-21-00-00003.0000

Legal Description: Government Lot 2, Parcel in S 1/2 Sec 26, Tsp 43 R, 21 and Government Lots 1 + 2 Pt Swamp Sec 35 Twp 43 R21.

A copy of this Notice of Action on Petition to Designate Burgess Island (HD District 94-04-06) and the Resolution regarding this petition is attached and will be recorded in the public records of Lee County, Florida.

I HEREBY certify that a copy of this notice and the accompanying resolution has been furnished to the following persons or entities:

- Burgess Island Associates Inc.--Property Owner
- Mary Gibbs--Director, Department of Community Development
- Bob Stewart--Director, Division of Codes & Building Services
- Charlie Green--Clerk of Court
- George Crawford--Director, DOT&E
- Ken Wilkinson--Property Appraiser



 Signature of Historic Preservation Board Chairman

Designation No. HD District 94-04-06

RESOLUTION DESIGNATING

HISTORIC RESOURCE (HD District 94-04-06)

WHEREAS, the Lee County Historic Preservation Board is authorized by Lee County Land Development Code (hereafter referred to as LDC) Chapter 22, Historic Preservation, to consider requests to designate archaeological resources and buildings, and structures and sites and districts as historic resources in order to preserve these resources from uncontrolled alteration or destruction; and

WHEREAS, a request has been filed to designate Burgess Island Historic District located at Burgess Island, unincorporated Lee County, Florida, as a historic resource; and

WHEREAS, a designation report meeting the requirements of LDC Chapter 22 was filed with the Board on April 7, 1994; and

WHEREAS, Notice of Intent to designate Burgess Island as a historic resource was mailed by certified mail, return receipt requested, on April 11, 1994, to Tom Munz, Burgess Island Associates, 520 Wilson Road, Annapolis, MD 21401 and to Tom Munz, Burgess Island Associates, P.O. Box 2336, Pineland, FL 33945. Burgess Island Associates is the property owner.

WHEREAS, Notice of Intent to designate was advertised on April 27, 1994 for a public hearing on May 5, 1994.

WHEREAS, the Board has determined that the Burgess Island Historic District meets the criteria for designation set forth in LDC Chapter 22.

NOW, THEREFORE, BE IT RESOLVED BY THE LEE COUNTY HISTORIC PRESERVATION BOARD THAT:

1. The Lee County Historic Preservation Board approves the petition to designate, as a historic resource, Burgess Island -- HD District 94-04-06 subject to the conditions set forth in Attachment A.
2. All provisions of LDC Chapter 22 as may be hereafter amended, renumbered or replaced, applicable to a designated historic resource shall apply to this property (Burgess Island -- HD District 94-04-06).
3. This Resolution and the Notice of Action on Petition to Designate Burgess Island (HD District 94-04-06) shall be recorded in the Public Records of Lee County, Florida within twenty-five (25) days of the date the Resolution is signed, unless a timely appeal of the Board's decision as reflected in this Resolution, is filed.

Resolution Designating Historic Resource HD District 94-04-06

The foregoing Resolution was adopted by the Lee County Historic Preservation Board upon a motion by Chauncey Goss, and seconded by Ernest Hall; and two amendments to the motion by Chauncey Goss, which were seconded by Creighton Sherman and, upon being put to a vote, the result was as follows:

Chauncey Goss	<u>AYE</u>
Ernest Hall	<u>AYE</u>
Eugene Schmitt	<u>AYE</u>
Creighton Sherman	<u>AYE</u>
Linda Sickler Robinson	<u>AYE</u>
Annette Guilfoyle	<u>ABSENT</u>
Toni Ferrell	<u>ABSENT</u>

DULY PASSED AND ADOPTED this 5th day of May, A.D., 1994.

ATTEST:

LEE COUNTY
HISTORIC PRESERVATION BOARD

BY: *Gloria M. Seigo*
As Clerk for the Lee County
Historic Preservation Board

BY: *Linda Sickler Robinson*
Chairman

DATE: *13 MAY 94*

Approved as to form by:

Patricia A. White
County Attorney's Office

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ATTACHMENT A

BURGESS ISLAND
(HD District 94-04-06)

CONDITIONS OF DESIGNATION

This designation has been approved with the condition that, initially, the entire island will be designated; however, after the developer obtains the Development Order, a new STRAP number and legal description will be created which will more narrowly encompass the area where the structures are located and that will be the future district. The new district boundaries shall be subject to Historic Preservation Board approval and the purpose of this review shall be to insure the protection of the historic resources and not to regulate new construction.

CHARLIE GREEN LEE CIV. PL.
94 JUN -3 PM 4:09