

RESOLUTION NO. PZB 2018-03

ADMINISTRATIVE AMENDMENT ADD2017-E012

**ADMINISTRATIVE APPROVAL
VILLAGE OF ESTERO, FLORIDA**

WHEREAS, Com Terra Development, LLC, (“applicant”) filed an application for a Final Zoning Plan Approval and one deviation for a Commercial Planned Development for a project known as **Coconut Square Lot 5 Hotel** to allow development of a 128 room hotel with amenities on 2.6± acres at 23400 Walden Center Drive; and

WHEREAS, the property is located at the southwest corner of Coconut Road and US 41, Village of Estero, and described more particularly as: Strap Number: 09-47-25-E3-31000.0050; and

WHEREAS, the property was originally rezoned with the adoption of Resolution Number Z-94-014 and was amended by Resolution Z-97-073; and

WHEREAS, the subject property is designated as Village Center on the Future Land Use Map of the Village of Estero Comprehensive Plan; and

WHEREAS, The Land Development Code (LDC) provides for certain administrative changes to planned development master concept plans and planned unit development final development plans which includes Final Zoning Plan Approval; and

WHEREAS, LDC Section 10-261 (a) requires a 750 square foot trash enclosure; and

WHEREAS, the applicant seeks a 288 square foot trash enclosure rather than the required 750 square foot trash enclosure; and

WHEREAS, on January 16, 2018 a Public Informational Meeting was held by the Planning and Zoning Board; and

WHEREAS, Condition #1 of Resolution Z-94-014 requires a Final Plan Approval for local development orders located in the Pelican Landing Commercial Planned Development and Residential Planned Development zoning district; and

WHEREAS, under the provisions of Ordinance 2015-01 of the Village of Estero, the Planning and Zoning Board has been delegated the authority to make determinations with respect to all applications for administrative actions; and

WHEREAS, the following findings of fact are offered:

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1. The Final Zoning Plan is compliant with the allowed uses, development parameters, and conditions in Resolutions Z-94-014 and Z-97-073.
 2. The Final Zoning Plan is compliant with the Pelican Landing DRI Development Order.
 3. The deviation is consistent with the general intent of the LDC to protect the public, health, safety and welfare.
 4. The Planning and Zoning Board has taken this action at a duly constituted public hearing after due public notice.

59 **NOW, THEREFORE, IT IS HEREBY DETERMINED** that the application for
60 Final Plan Approval with one deviation for the Coconut Square Lot 5 Hotel is approved,
61 subject to the following conditions:
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1. The terms and conditions of Zoning Resolutions Z-94-014 and Z-97-073 remain in full force, except as modified herein.
 2. The development of the hotel and amenities must be in substantial compliance with the 1-page Master Concept Plan/Final Zoning Plan, by DeLisi Fitzgerald, Inc., stamped received on January 26, 2018.
 3. The deviation from Section 10-261 of the Land Development Code for a 288 square foot trash enclosure is approved.
 4. If it is determined that inaccurate or misleading information was provided to staff or the Planning and Zoning Board or if this decision does not comply with the LDC when rendered, then at any time the Planning and Zoning Board may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may seek the necessary approvals by filing an application for public hearing in accordance with Chapter 34.

80 **PASSED AND DULY ADOPTED** this 20th day of February, 2018.
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83 **VILLAGE OF ESTERO, FLORIDA**
84 **PLANNING AND ZONING BOARD**
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88 _____
89 Scotty Wood, Chairman
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91 Attest:
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94 By: _____

95 Kathy Hall, MMC, Village Clerk

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98 Reviewed for legal sufficiency

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101 By: _____

102 Nancy Stroud, Esq., Land Use Attorney

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105 **Vote:**

106 Scotty Wood Yes___ No___

107 William Campos Yes___ No___

108 Anthony Gargano Yes___ No___

109 Robert King Yes___ No___

110 Marlene Naratil Yes___ No___

111 Jim Tatooles Yes___ No___

112 John Yarbrough Yes___ No___