

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46

RESOLUTION NO. PZB 2018-01

ADMINISTRATIVE AMENDMENT ADD2017-E008

**ADMINISTRATIVE APPROVAL
VILLAGE OF ESTERO, FLORIDA**

WHEREAS, West Bay Club Community Association, Inc., (“applicant”) filed an application for a Final Zoning Plan Approval and one deviation for a Residential Planned Development for a project known as the West Bay Dog Park to allow development of a dog park and other recreational amenities including pickle ball and bocce ball courts on 3± acres at West Bay Club;

WHEREAS, the property is located at the corner of Williams Road and Kings Road, Village of Estero, and described more particularly as: Strap Number: 05-47-25-E1-07000.001A; and

WHEREAS, the property was originally rezoned with the adoption of Resolution Number Z-96-005 [with subsequent amendments in case numbers FPA98-087, PD-98-003, FPA-98-088, ADD1999-00056, ADD2002-00042, ADD2003-00182, ADD2005-00022, Z-05-010, ADD2006-00043, ADD2008-00076, Z-09-030 and ADD2011-00087]; and; and

WHEREAS, the subject property is designated as Suburban 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 34-2017 (a) (2) requires paved parking spaces; and

WHEREAS, the applicant seeks grass parking spaces rather than paved parking spaces; and

WHEREAS, on November 14, 2017 a Public Informational Meeting was held by the Planning and Zoning Board; and

WHEREAS, Condition #2 of Resolution Z-96-005 requires a Final Plan Approval for local development orders with vertical development; 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:

47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91

1. The proposed dog park and recreation area will not decrease buffers and will not reduce open space required by the Land Development Code.
2. The proposed dog park and recreation area will not adversely impact environmentally critical areas or natural resources.
3. The proposed deviation for grass parking as conditioned will reduce the total amount of impervious coverage.
4. As conditioned the proposed dog park and other recreational amenities including pickle ball and bocce ball courts will be compatible with the surrounding area.
5. The Final Zoning Plan is compliant with Resolution Z-96-005 and the Land Development Code.
6. The Planning and Zoning Board has taken this action at a duly constituted public hearing after due public notice.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for Final Plan Approval with one deviation for the West Bay Club Dog Park is approved, subject to the following conditions:

1. The terms and conditions of the original Zoning Resolution (Z-96-005) remain in full force, except as modified herein.
2. The development of the dog park and other recreational amenities must be in substantial compliance with the 4-page Final Zoning Plan, by Johnson Engineering, stamped received on November 21, 2017.
3. No outdoor lighting is permitted for the dog park and other recreational amenities including the pickle ball and bocce ball courts.
4. In order to prevent adverse impacts from noise and lights, the hours of operation will be 8:00 am to dusk.
5. The deviation for grass parking is approved with the conditions that:
 - a. Parking aisles are to be constructed with asphalt.
 - b. Individual grass parking spaces must include a concrete parking block.

92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131

6. 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 acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.

PASSED AND DULY ADOPTED this 16th day of January, 2018.

**VILLAGE OF ESTERO, FLORIDA
PLANNING AND ZONING BOARD**

Scotty Wood, Chairman

Attest:

By: _____
Kathy Hall, MMC, Village Clerk

Reviewed for legal sufficiency

By: _____
Nancy Stroud, Esq.

Vote:

Scotty Wood	Yes ___	No ___
William Campos	Yes ___	No ___
Anthony Gargano	Yes ___	No ___
Robert King	Yes ___	No ___
Marlene Naratil	Yes ___	No ___
Jim Tatoes	Yes ___	No ___
John Yarbrough	Yes ___	No ___