1 2 3	RESOLUTION NO. PZB 2019 - 05 ADMINISTRATIVE VARIANCE ADD2019-E003					
4 5	ADMINISTRATIVE APPROVAL VILLAGE OF ESTERO, FLORIDA					
6 7 8	WHEREAS, Anna Micci (representing the owners) has filed an application with the Village of Estero for the following Administrative Variance:					
9 10 11 12	Variance from Land Development Code Section 34-268(a)(1)(f) to reduce a required side building setback from 5.0 feet to 4.91 feet.					
13 14 15	WHEREAS , the property is located at 10124 North Silver Palm Drive in the Copper Oaks Residential Planned Development along Three Oaks Parkway, and moreparticularly described as Strap Number 26-46-25-E4-3100B.0300; and					
16 17 18 19	WHEREAS, the subject property is designated Urban Community on the Future Land Use Map in the Village of Estero Comprehensive Plan; and					
20 21 22	WHEREAS, the property was previously rezoned to Residential Planned Development (RPD) by the adoption of Resolution No. Z-04-020; and					
23 24 25	WHEREAS, the Land Development Code provides for consideration of an Administrative Variance to legitimize buildings and structures that are not compliant with current setback regulations and can be proven to be permitted; and					
26 27 28 29	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					
30 31 32 33	WHEREAS, the Applicant is requesting an Administrative Variance from Land Development Code Section 34-268(a)(1)(f); and					
34	WHEREAS, the following Findings of Fact are offered:					
35 36 37 38	1. The existing east side setback for the referenced residential structure is 4.91 feet, whereas 5.0 feet is required by Resolution Z-04-020.					
39 40 41	2. The residential structure is existing and has received a Certificate of Occupancy from the Lee County Building Department.					
42 43 44 45	3. The granting of the requested variance will not detrimentally affect adjacent properties or the public because the residential structure is existing and the setback reduction is minimal.					

46	NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for					
47	an Administrative Variance to reduce of the minimum east side setback from 5.0 feet to					
48	4.91 feet is approved, with the following conditions:					
49			_			
50	1. The variance is limited to the existing single-family dwelling, as shown on the					
51	Boundary Survey by Online Land Surveyors, Inc. dated May 7, 2019.					
52						
53	2. The terms and conditions of the current zoning resolution for Copper Oaks					
54	remain in full force and effect, with the exception of this requested setback					
55	reduction	1.				
56						
57	PASSED A	ND DULY A	DOPTED this	<u>20th day of August,</u> 2019.		
58						
59				PLANNING & ZONING BOARD		
60				VILLAGE OF ESTERO, FL		
61						
62						
63	.			Scotty Wood, Chairman		
64	Attest:					
65						
66	Dvv					
67 68	By: Kathy Hall, MMC, Village Clerk					
69	Kamy Han, Min	nc, village c	JICIK			
70						
71	Reviewed for legal sufficiency:					
72	ite viewed for legar	same reme y.				
73						
74	By:					
75	By: Nancy Stroud, E	sq., Land Us	e Attorney			
76	·	-	•			
77	Vote:					
78						
79	Scotty Wood	Yes	No			
80	Tim Allen, PhD	Yes	No			
81	Anthony Gargano	Yes	No			
82	Robert King	Yes	No			
83	Marlene Naratil	Yes	No			
84	James Tatooles	Yes	No			
85 86	John Yarbrough	Yes	No			
86 87	Exhibit: A - Survey	7				
0/	LAMOR. A - Survey					