1		<b>RESOLUTION NO. PZB 2019 – 07</b>
2		VARIANCE 2017-E002
3		
4		VILLAGE OF ESTERO, FLORIDA
5		
6		EREAS, CHHLCA Investments, LLC has filed an application with the
7	•	Estero for variances from the Land Development Code for the FBC Home
8	Concept Sa	les and Display business:
9		
10	1.	Section 33-351 Landscape Buffer - reducing width from 20 feet to 10 feet
11		along US 41, and from 20 feet to 5 feet along Trailside Drive.
12	2	
13	2.	Section 34-845 <u>Setbacks for Buildings</u> - reducing 25 feet rear and street
14		building setback to a minimum of 15.5 feet from Trailside Drive, and from
15		25 feet to 14.4 feet from US 41.
16	2	$C_{1}$ ( $C_{1}$ ) $C_{2}$ ( $C_{1}$ ) $C_{2}$ ( $C_{1}$ ) $C_{2}$ ( $C_{2}$ ) $C_{2}$ ) $C_{2}$ ( $C_{2}$ ) $C_{2}$ ( $C_{2}$ ) $C_{2}$ ) $C_{2}$ ( $C_{2}$ ) $C_{2}$ ( $C_{2}$ ) $C_{2}$ ) $C_{2}$ ) $C_{2}$ ( $C_{2}$ ) $C_$
17 18	3.	Section 34-2192(a) <u>Setbacks for Buildings</u> - required 25-foot street setback
18 19		for commercial buildings from edge of right-of-way or easement line for local streets and arterial or collector streets without frontage, to 15.5 feet
20		from Trailside Drive and 14.4 feet from US 41.
20		from franside Drive and 14.4 feet from 0.5 41.
22	4.	Section 34-3004 Outdoor Display of Merchandise for Sale or Rent -
23	-1.	requiring a 25-foot setback from a street right-of-way and a 10-foot setback
24		from property line, to a 5-foot setback along Trailside Drive and a 10-foot
25		setback along US 41.
26		
27	WH	EREAS, the property is .4 acres, located at 20170 S. Tamiami Trail, Estero,
28		the west side of the intersection of US 41 and Trailside Drive. The subject
29		RAP number is 28-46-25-E1-U1866.2534; and
30	1 1 2	
31	WH	EREAS, the subject property is designated Suburban and Urban Community
32	on the Futur	re Land Use Map in the Village of Estero Comprehensive Plan; and
33		
34	WH	EREAS, the property is zoned Commercial (C-1); and
35		
36		EREAS, the business is currently operating under a code violation
37		) for not obtaining a "use permit", and for insufficient site buffer
38	requirement	ts; and
39		
40	WH	EREAS, the proposed business is granite sales; and
41		
42		EREAS, the applicant has also filed for a Limited Development Order and
43	use permit;	and
44		

45			· 1		dinance 2015-01 of the Village of Estero,
46					ated the authority to make determinations
47	with respec	et to varia	nces that are	not part of a re	zoning request; and
48 49	W/I	IFDFAG	the Dlennin	na and Zanina	- Doord marrierroad this measured at a duly
49 50			al hearing and		g Board reviewed this request at a duly
51					
52	1.	± .	L	1	fficient justification to meet its burden to
53		-			variance criteria outlined in Section
54		34-145	(3)(a-3) of th	e Land Develo	pment Code.
55					
56	2.				xtraordinary conditions inherent to the
57		propert	y that create	a hardship on t	he property owner.
58 50	2	<b>T1</b>			
59	3.	-	-		ed for the variances by maximizing the
60		propos	ed use of the	101.	
61 62	4.	The rea	mulations do	not onlise on i	unreasonable burden, as the owner has a
62 63	4.		0	ise of the prope	
64		current	icasonable t	ise of the prope	aty.
65	NO	W THE	<b>REFORE</b> f	he Planning and	d Zoning Board resolves that the variance
66	application	·	-	lie i laining and	a Zonnig Board resorves that the variance
00	appnoation				
67					
67 68	PAS	SSED AN	ND DULY A	<b>DOPTED</b> this	<u>20<sup>th</sup> day of August</u> , 2019.
	PAS	SSED AI	ND DULY A	<b>DOPTED</b> this	<u>20<sup>th</sup></u> day of <u>August</u> , 2019.
68	PAS	SSED AN	ND DULY A	<b>DOPTED</b> this	VILLAGE OF ESTERO, FLORIDA
68 69 70 71	PAS	SSED AN	ND DULY A	<b>DOPTED</b> this	
68 69 70 71 72	PAS	SSED AN	ND DULY A	<b>DOPTED</b> this	VILLAGE OF ESTERO, FLORIDA
68 69 70 71 72 73		SSED AN	ND DULY A	<b>DOPTED</b> this	VILLAGE OF ESTERO, FLORIDA PLANNING AND ZONING BOARD
68 69 70 71 72 73 74	PAS Attest:	SSED AN	ND DULY A	<b>DOPTED</b> this	VILLAGE OF ESTERO, FLORIDA
68 69 70 71 72 73 74 75	Attest:	SSED AN	ND DULY A	<b>DOPTED</b> this	VILLAGE OF ESTERO, FLORIDA PLANNING AND ZONING BOARD
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68 69 70 71 72 73 74 75 76 77	Attest: By:	Hall, MN	IC, Village C		VILLAGE OF ESTERO, FLORIDA PLANNING AND ZONING BOARD
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