1	<b>RESOLUTION NO. PZB 2020-03</b>					
2	ADMINISTRATIVE VARIANCE ADD2020-E001					
3						
4	VILLAGE OF ESTERO, FLORIDA					
5 6	WHEDEAS Ambor D. Mondool: Eag (concounting the owners) has filed on					
7	<b>WHEREAS,</b> Amber R. Mondock, Esq. (representing the owners) has filed an application with the Village of Estero for the following Administrative Variance:					
8	appreation with the vinage of Estero for the following Administrative variable.					
9	Variance from Land Development Code Section 34-268(a)(1)(f) to					
10	reduce the east and west a side building setbacks from 5.0 feet to 2.5					
11	feet on the east and 2.3 on the west.					
12						
13	WHEREAS, the property is located at 9863 Bay Meadow in the Brooks and more					
14	particularly described as STRAP number 10-47-25-E2-1200A.0370; and					
15						
16	WHEREAS, the subject property is designated Village Neighborhood 1 on the					
17	Future Land Use Map in the Village of Estero Comprehensive Plan; and					
18						
19	WHEREAS, the property was previously rezoned to Mixed Planned					
20	Development (MPD) by the adoption of Resolution No. Z-97-037 and Z-99-076; and					
21						
22	WHEREAS, the Land Development Code provides for consideration of an					
23	Administrative Variance to legitimize buildings and structures that are not compliant with					
24	current setback regulations and can be proven to be permitted; and					
25						
26	WHEREAS, under the provisions of Ordinance 2015-01 of the Village of Estero,					
27	the Planning and Zoning Board has been delegated the authority to make determinations					
28	with respect to all applications for administrative actions; and					
29 30	WHEREAS the Applicant is requesting an Administrative Variance from Land					
31	<b>WHEREAS,</b> the Applicant is requesting an Administrative Variance from Land Development Code Section 34-268(a)(1)(f); and					
32	Development code Section $3+200(a)(1)(1)$ , and					
33	WHEREAS, the following Findings of Fact are offered:					
34	W HERE AS, the following I mangs of I det die offered.					
35	1. The existing east and west side yard setbacks for the referenced residential					
36	accessory structure are 2.5 feet for the east and 2.3 for the west, whereas 5.0					
37	feet is required by Resolution Z-99-076.					
38						
39	2. The pool enclosure and decking structure is existing and has received a permit					
40	from the Lee County Building Department in 2001.					
41						
42	3. The granting of the requested variance will not detrimentally affect adjacent					
43	properties or the public because the residential accessory structure has been					
44	existing since 2001.					
45						
46						

47	NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for						
48	an Ad	an Administrative Variance to reduce the minimum east side setback from 5.0 feet to 2.5					
49	feet and the west side setback from 5.0 feet 2.3 feet is approved, with the following						
50	condit	conditions:					
51							
52	1.	1. The variance is limited to the existing accessory structure, (pool enclosure and					
53		pool decking) as shown on the survey by Target Surveying, LLC, dated December					
54		12, 2019.	~				
55							
56	2.	The terms an	d conditions of	of the current zo	oning resolution for The Brooks at		
57		Bonita Springs remain in full force and effect, with the exception of this requested					
58	setback reduction.						
59							
60		PASSED AN	ND DULY AI	<b>DOPTED</b> this 2	21 <sup>st</sup> day of <u>January</u> , 2020.		
61				-			
62					PLANNING & ZONING BOARD		
63					VILLAGE OF ESTERO, FL		
64					,		
65							
66					Scotty Wood, Chairman		
67	Attest	:			•		
68							
69							
70	By:						
71	Kathy Hall, MMC, Village Clerk						
72							
73							
74	Review	wed for legal s	sufficiency				
75							
76	D						
77	By:	ancy Stroud, I	- <b>T</b> 1 T T				
78 70	IN	ancy Stroud, I	Esq., Land Use	e Attorney			
79	¥7-4						
80	Vote:	Weed	Var	Na			
81	Tim A	Wood	Yes	No			
82 83		ny Gargano	Yes Yes	No No			
83 84		ne Naratil	Yes	No			
85		Tatooles	Yes	No			
86		arbrough	Yes	No			
80 87	JOIII 1	arorougn	105	<u> </u>			
88	Exhibi	its <sup>.</sup>					
89	A - Su						
07	11 50						