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RESOLUTION NO. PZB 2020 – 01
CONSUMPTION ON PREMISES COP2019-E002

ADMINISTRATIVE APPROVAL
VILLAGE OF ESTERO, FLORIDA

WHEREAS, Janus American Services Corporation (“applicant”) filed an application for a Consumption on Premises for a 4COP-S Alcoholic Beverage License for an outdoor seating area at the **Springhill Suites by Marriott Hotel**; and

WHEREAS, the property is located at 10370 Corkscrew Commons Drive and is described more particularly as:

STRAP NUMBER: 35-46-25-E1-34000.011R; and

LEGAL DESCRIPTION: Estero Interstate Commerce Park, Unit 1, Lot 11R; and

WHEREAS, the subject property is zoned Commercial Planned Development (CPD) and is designated Transitional Mixed Use on the Future Land Use Map in the Village of Estero Comprehensive Plan; and

WHEREAS, the Village of Estero Land Development Code Section 34-1264 provides for certain administrative approvals for consumption on premises; and

WHEREAS, consumption on premises was already approved in the indoor bar area of the hotel; and

WHEREAS, the applicant proposes to serve alcohol in the outdoor seating pool and amenity area; and

WHEREAS, the following findings of fact are offered:

1. The approval of consumption on premises in the outdoor pool and amenity area will not have a detrimental impact on surrounding properties.
2. The premises are suitable in regard to their location, site characteristics and intended purpose.
3. The Planning and Zoning Board has taken this action at a duly-constituted public hearing after due public notice.

45 **NOW, THEREFORE, IT IS HEREBY DETERMINED** that the application for
46 administrative approval for consumption on premises is approved, subject to the following
47 conditions:

- 48
- 49 1. Approval is limited to a 4COP-S license only. If any other type of license is
50 warranted, a new approval is required, in accordance with the Land Development
51 Code.
 - 52
 - 53 2. The Consumption on Premises outdoors is limited to the outdoor seating area
54 indicated on the site plan date stamped "Received December 3, 2019".
 - 55
 - 56 3. The hours of operation for sale and service of alcohol are restricted to 4:00 p.m. to
57 11:00 p.m. daily, indoors and outdoors.
 - 58
 - 59 4. Outdoor entertainment is not requested and is not allowed without a new approval
60 by the Planning and Zoning Board.
 - 61
 - 62 5. If it is determined that inaccurate or misleading information was provided to
63 staff or the Planning and Zoning Board, or if this decision does not comply with
64 the LDC when rendered, then, at any time, the Planning and Zoning Board may
65 issue a modified decision that complies with the Code or revoke the decision. If
66 the approval is revoked, the applicant may acquire the necessary approvals by
67 filing an application for public hearing in accordance with Chapter 34 of the
68 Land Development Code.
 - 69

70 **PASSED AND DULY ADOPTED** this 21st day of January, 2020.

71
72 **VILLAGE OF ESTERO, FLORIDA**
73 **PLANNING AND ZONING BOARD**

74
75
76
77 _____
78 Scotty Wood, Chairman

79 Attest:

80
81 By: _____
82 Kathy Hall, MMC, Village Clerk

83
84
85 Reviewed for legal sufficiency

86
87
88 By: _____
89 Nancy Stroud, Esq., Land Use Attorney

92 **Vote:**
93 Scotty Wood Yes ___ No ___
94 Tim Allen, PhD Yes ___ No ___
95 Anthony Gargano Yes ___ No ___
96 Marlene Naratil Yes ___ No ___
97 James Tatooles Yes ___ No ___
98 John Yarbrough Yes ___ No ___
99
100 Exhibits:
101 A - Site Plan