1	VILLAGE OF ESTERO, FLORIDA		
2	ZONING		
3	ORDINANCE NO. 2017 - 01		
4			
5	AN ORDINANCE OF THE VILLAGE COUNCIL OF THE		
6	VILLAGE OF ESTERO, FLORIDA, APPROVING AN		
7	AMENDMENT TO THE COMMUNITY FACILITIES		
8	PLANNED DEVELOPMENT WITH DEVIATIONS TO		
9	ALLOW FOR RECONFIGURATION OF THE MASTER		
10	CONCEPT PLAN FOR PROPERTY LOCATED AT US 41		
11	CONSISTING OF APPROXIMATELY 12.97 ACRES;		
12	PROVIDING FOR SEVERABILITY; AND PROVIDING		
13	AN EFFECTIVE DATE.		
14			
15	WHEREAS, Estero United Methodist Church (the "Applicant") filed an		
16	amendment to the Planned Development Zoning to reconfigure the Master Concept Plan for a		
17	property located at US 41 and Broadway, Estero, FL, consisting of approximately 12.97 acres		
18	(the "Property"); and		
19			
20	WHEREAS, the Property has multiple STRAP numbers and is legally described in		
21	Exhibit A attached hereto; and		
22			
23	WHEREAS, the Applicant requested an amendment to the Community Facilities		
24	Planned Development District; and		
25			
26	WHEREAS, the Applicant has requested the prior deviations approved by Lee County		
27	when the property was rezoned in 2012; and		
28			
29	WHEREAS, the public information meeting was held on April 19, 2016 and after a		
30	duly noticed public hearing held on November 15, 2016, the Planning and Zoning Board		
31	recommended approval with conditions of the amendment, including the deviations; and		
32			
33	WHEREAS, a duly noticed first reading was held before the Village Council on		
34	January 4, 2017; and		
35			
36	WHEREAS, a duly noticed second reading and public hearing was held before the		
37	Village Council on January 18, 2017, at which time the Village Council gave consideration to		
38	the evidence presented by the Applicant and the Village staff, the recommendations of the		
39	Planning and Zoning Board and the comments of the public.		
40			
41	NOW, THEREFORE, be it ordained by the Village Council of the Village of Estero,		
42	Florida:		
43			
44			
45			
	Zoning Ordinance No. 2017-01 Page 1 of 6		

Zoning Ordinance No. 2017-01 Case No. DCI 2016E-03 Estero United Methodist Church

46 <u>Section 1.</u> Rezoning.

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The Village Council approves the amendment to the Community Facilities Planned
 Development District, to allow the reconfiguration of buildings and site plan, subject
 to the following conditions and deviations.

Section 2. Conditions.

1. The development of this project must be consistent with the one-page Master Concept Plan entitled, "ESTERO UNITED METHODIST CHURCH", MASTER CONCEPT PLAN stamped Received December 29, 2016. The development must comply with all of the requirements of the LDC at the time of development order approval. If approved by the Village Council, the plan amendment will allow a maximum of 78,148 square feet of building space including 1,000 seats of sanctuary space within two buildings. The maximum height of all buildings is 35 feet.

- 2. The previously approved rezoning approval for the subject site (Lee County Resolution Z-12-010) remains in effect except for conditions #1 and #3.
- 3. Turn Lane
 - Due to the existing speed limit of 50 mph on US-41/Tamiami Trail, a northbound right turn lane shall be provided into the proposed new ingress egress opening prior to issuance of a certificate of compliance for the first development order.
- 70 4. Community Amenity
 - The community Focal Point / Shaded Seating Area shall be designed substantially in conformance with the Pattern Book. The plans will be reviewed by the Design Review Board prior to issuance of a development order.
 - 5. Uses and Site Development Regulations:
 - Schedule of Uses
- 78 Accessory Uses and Structures
- 79 Administrative Offices
- 80 Caretaker's residence, limited to Building #18 as depicted on the MCP
 - Community garden in accordance with LDC Section 34-1716
- 82 Essential Services
- 83 Essential services facilities, Group I
- 84 Excavation: Water retention
- 85 Fences, Walls
- 86 Parking lot: accessory

87	Place of worship, limited to a 1,000 seat sanctuary
----	---

- 88 Recreation Facilities: private on-site
- 89 Religious facilities
- 90 Signs, in accordance with Chapter 30 and Chapter 33
- 91 Schools, non-commercial
- 92 Storage, indoor
- 93 Temporary uses, permitted in accordance with LDC Section 34-3041
 - Used merchandise stores, Group I, Limited to Parcel #1
- 95 96

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Site Development Regulations

Parcel #1	Minimum lot area:	2.31 +/- acres
	Minimum width:	220 +/- feet
	Minimum depth:	413 +/- feet
Parcel #2	Minimum lot area:	10.66 +/- acres
	Minimum width:	853 +/- feet
	Minimum depth:	528 +/- feet
	Minimum building setbacks:	Street: 25 feet
		Side: 15 feet
		Rear: 15 feet
	Maximum building separation:	20 feet
*********	Maximum building height:	35 feet
	Maximum lot coverage:	20%
	Maximum open space:	34.8% (4.51 +/- acres)

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101

- 99 6. <u>No Blasting</u>
- 100 No development blasting is permitted as part of this project.
- 102 7. Sewer and septic

- 108 8. Lighting
- 109 Lighting of the subject property must be in compliance with the Land Development 110 Code. Lighting of the Recreational fields and loudspeakers shall be prohibited.
- 111

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- 112
- 113

Zoning Ordinance No. 2017-01 Case No. DCI 2016E-03 Estero United Methodist Church

¹⁰³The project will be required to connect to the sewer system as required by current or104future Village code. Annual septic tank inspections will be conducted and submitted105to the Village community development director to ensure that the septic system is106functioning properly.

114	9. Architecture
115	Development must include a unified "Old Florida" architectural theme for all buildings,
116	subject to review by the Design Review Board, as shown in the Pattern Book.
117	Subject to review by the Design Review Dourd, to shown in the ration Dook.
118	10. Buffers
119	Buffers are as shown on the Master Concept Plan. The buffers on the south parcel
120	(Parcel #2) shall be installed as part of the first Development Order. At the time of a
120	development order for Phase 3 (Building 3), the Highland Avenue buffers will be
121	reviewed by the Design Review Board for possible required enhanced plantings.
122	reviewed by the Design Review Board for possible required enhanced plantings.
124	11. Heritage Tree Preservation
125	To ensure protection of the native trees located on Parcel #2:
126	a. Prior to local development order approval for Parcel #2, the landscape plans
127	must depict preservation for the three Heritage Oak Trees.
128	b. The four trees that are proposed to be removed will be replaced with four 20-
129	foot tall trees of same species.
130	c. Prior to issuance of a vegetation removal permit, the preserved trees must be
131	staked and field verified for appropriate protection measures (such as root pruning, tree
132	barricades and root barriers) by a certified arborist.
133	
134	12. Monument Signage
135	The monument sign will be designed to be consistent with code and the architectural
136	theme of the buildings, and in substantial conformance with the "Signage Concepts"
137	plan sheet Exhibit-1. A sign application shall be submitted in conjunction with the
138	development order and reviewed by the Design Review Board prior to issuance of a
139	Certificate of Compliance for the development order.
140	
141	13. Thrift Store Signage
142	Prior to a certificate of compliance for the first development order, the existing thrift
143	store sign must be removed. The owner may apply for a sign permit meeting current
144	code requirements for a sign to be placed on the north parcel, subject to Design Review
145	Board Approval.
146	
147	14. Outdoor Storage
148	Outdoor storage is not allowed, except for the three Boy Scout trailers which will be
149	relocated away from US-41 to an alternate location where they will not be visible from
150	the US-41 right-of-way.
151	
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153	15. Developn	nent	
154	Development must comply with the Pattern Book, Exhibit B, including the attached		
155	written description of Old Florida Style.		
156	written description of Old Florida Style.		
157	16. Deviation	ns	
158			
159	The prior deviations are approved as conditioned in Zoning Resolution Z-12-010.		
	G (* 2		
160	Section 3.	Findings and Conclusions.	
161	Deced when	an analyzic of the application and the standards for approval in the Land	
162	-	an analysis of the application and the standards for approval in the Land	
163	-	Code, staff has proposed the following Findings of Fact for review for	
164	the rezoning	request:	
165	1 The small	and has more ited and institution for the Dismond Davalanment	
166		cant has provided sufficient justification for the Planned Development	
167	Amendment	by demonstrating compliance with the Land Development Code.	
168	0 The sector	at an analitized is consistent with the standards in the Community	
169		ct, as conditioned, is consistent with the standards in the Community	
170		nned Development district and compatible with existing or planned uses	
171	in the surrour	iding area.	
172	2 The man	adverse as conditioned, and announcer into at the subject location	
173	3. The propos	sed uses, as conditioned, are appropriate at the subject location.	
174	4 171	non de la conditione to the one of depent more ide sufficient sefermends to the	
175		mended conditions to the amendment provide sufficient safeguards to the	
176	*	at and are reasonably related to impacts on the public's interest created by	
177	or expected n	rom the proposed development.	
178	5 The marrie	welv ennered deviations have no additional impact on the revised site	
179	-	ously approved deviations have no additional impact on the revised site	
180	plan.		
181	Section 4	E-1.1.1.14	
182	Section 4.	Exhibits.	
183 184	The fellowin	g exhibits are attached to this Ordinance and incorporated by reference:	
184	The following	g exhibits are attached to this ordinance and incorporated by reference.	
185	Exhibit A	Legal Description	
180	Exhibit B	Pattern Book stamped received January 11, 2017	
187	EXHIBIT D	Fattern Book stamped received January 11, 2017	
189	Section 5.	Conflicts.	
190	Section 5.	Conflicts.	
190	All sections	or part of Sections of the Code of Ordinances, all Ordinances or parts of	
191	Ordinances a	and all Resolutions, or parts of Resolutions, in conflict with this Ordinance	
192	shall be renea	led to the extent of such conflict upon the effective date of this Ordinance.	
193	shan be repea	ned to the extent of such control upon the effective date of this of unance.	
194			
195			
190			

Zoning Ordinance No. 2017-01 Case No. DCI 2016E-03 Estero United Methodist Church

197	Section 6. Sev	erability.			
198					
199	Should any section, paragraph, sentence, clause, phrase or other part of this Ordinance				
200	subsequent to its effective date be declared by a court of competent jurisdiction to be				
201	invalid, such decision shall not affect the validity of this Ordinance as a whole or any				
202	portion thereof, other than the part so declared to be invalid.				
203					
204	Section 7. Effe	Section 7. Effective Date.			
205					
206	This Ordinance shall be effective immediately upon adoption.				
207					
208	PASSED on first r	eading this 4th day of January, 2017.			
209					
210	PASSED AND AD	OOPTED BY THE VILLAGE COUNCIL of the Village of Estero,			
211	Florida this 18th day of Jan	uary, 2017.			
212					
213	Attest:	VILLAGE OF ESTERO, FLORIDA			
214		11.			
215	11	x Ant			
216	Bur KAthing A.A.	U By: Nectory Dilos			
216	By. Sinchyson	By: Nection Dice			
217	By: <u>Kathy Ha</u> Kathy Hall, MMC, Vi	Ilage Clerk Nicholas Batos, Mayor			
	Kathy Hall, MMC, Vi	llage Clerk Nicholas Batos, Mayor			
217 218 219	Kathy Hall, MMC, Vi	Ilage Clerk Nicholas Batos, Mayor			
217 218 219 220	Kathy Hall, MMC, Vi Reviewed for legal sufficie				
217 218 219					
217 218 219 220 221 222	Reviewed for legal sufficient	ency:			
217 218 219 220 221	Reviewed for legal sufficient	ency:			
217 218 219 220 221 222 223 223 224		ency:			
217 218 219 220 221 222 223	Reviewed for legal sufficient	ency:			
217 218 219 220 221 222 223 224 225 226	Reviewed for legal sufficient	age Land Use Attorney AYE, NAY			
217 218 219 220 221 222 223 224 225 226 227	Reviewed for legal sufficient By: <u>Juney E.</u> Nancy E. Stroud, Ville Vote: Mayor Batos	age Land Use Attorney AYE, NAY			
217 218 219 220 221 222 223 224 225 226 227 228	Reviewed for legal sufficient By: <u><u><u>Marcu</u></u> E. <u>7</u> Nancy E. Stroud, Ville Vote: Mayor Batos Vice Mayor Levitan</u>	age Land Use Attorney AYE, NAY			
217 218 219 220 221 222 223 224 225 226 227 228 229	Reviewed for legal sufficient By: <u>Mancy E.</u> Nancy E. Stroud, Villa Vote: Mayor Batos Vice Mayor Levitan Councilmember Boesch	age Land Use Attorney AYE, NAY			
217 218 219 220 221 222 223 224 225 226 227 228 229 230	Reviewed for legal sufficient By: <u>Mancy E.</u> Nancy E. Stroud, Ville Vote: Mayor Batos Vice Mayor Levitan Councilmember Boesch Councilmember Brown	age Land Use Attorney AYE, NAY			
217 218 219 220 221 222 223 224 225 226 227 228 229 230 231	Reviewed for legal sufficient By: <u>Juney E.</u> Nancy E. Stroud, Ville Vote: Mayor Batos Vice Mayor Levitan Councilmember Boesch Councilmember Brown Councilmember Brown	age Land Use Attorney AYE, NAY			
217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232	Reviewed for legal sufficient By: <u><u><u>Uuren</u> E.</u> Nancy E. Stroud, Ville Vote: Mayor Batos Vice Mayor Levitan Councilmember Boesch Councilmember Brown Councilmember Brown Councilmember Errington Councilmember Ribble</u>	age Land Use Attorney AYE, NAY			
217 218 219 220 221 222 223 224 225 226 227 228 229 230 231	Reviewed for legal sufficient By: <u>Juney E.</u> Nancy E. Stroud, Ville Vote: Mayor Batos Vice Mayor Levitan Councilmember Boesch Councilmember Brown Councilmember Brown	AYE NAY			

Zoning Ordinance No. 2017-01 Case No. DCI 2016E-03 Estero United Methodist Church

Page 6 of 6

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EXHIBIT A

PROPERTY DESCRIPTION:

THAT PORTION OF THE NORTHWEST 1 OF THE SOUTHEAST 1 OF SECTION 26, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND THAT PORTION OF OAK RIDGE SUBDIVISION PER THE PLAT THEREOF RECORDED IN PLAT BOOK 8, PAGE 37, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL #1

BEGINNING AT THE NORTHEAST CORNER OF BLOCK A, OAK RIDGE SUBDIVISION AS RECORDED IN PLAT BOOK 8, PAGE 37; THENCE RUN S.00"27'45"E. ALONG THE EASTERLY LINE OF SAID OAK RIDGE SUBDIVISION, A DISTANCE OF 220,00 FEET TO THE SOUTHEAST CORNER OF LOT 37, BLOCK "A" AND A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF LORDS WAY(60 FOOT RIGHT-OF-WAY); THENCE RUN S.89*43'33"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE AND THE SOUTH LINE OF SAID BLOCK "A", A DISTANCE OF 413.63 FEET TO THE SOUTHWEST CORNER OF LOT 28, BLOCK "A" OF SAID OAK RIDGE SUEDIVISION: THENCE RUN N.00"34'32"W. ALONG THE WESTERLY LINE OF SAID LOT 28, BLOCK "A", A DISTANCE OF 110.00 FEET TO THE CENTERLINE OF A 20 FOOT ALLEY; THENCE RUN S.89"43'33"W. ALONG SAID CENTERLINE, A DISTANCE OF 80.98 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 45(WIDTH VARIES) AND A POINT OF A NON-TANGENTIAL CIRCULAR CURVE CONCAVE WESTERLY; THENCE RUN NORTHWESTERLY ALONG THE ARC OF SAID CURVE TO THE LEFT, HAVING A RADIUS OF 1789.02 FEET, THROUGH A CENTRAL ANGLE OF 03"35'10", SUBTENDED BY A CHORD OF 110,70 FEET AT A BEARING OF N.06*44'09"W. FOR A DISTANCE OF 110.72 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF BROADWAY AVENUE(70 FOOT RIGHT-OF-WAY) AS OCCUPIED AND THE NORTHERLY LINE OF SAID OAK RIDGE SUBDIVISION; THENCE RUN N.89°43'33"E ALONG SAID SOUTHERLY RIGHT-OF-WAY AND NORTHERLY LINE OF SAID OAK RIDGE SUBDIVISION, A DISTANCE OF 506.92 FEET TO THE POINT OF BEGINNING.

OCI 2011-00010

KRIS A. SLOSSER, STATE OF FLORIDA, (P.S.M. #5560) APPROVED

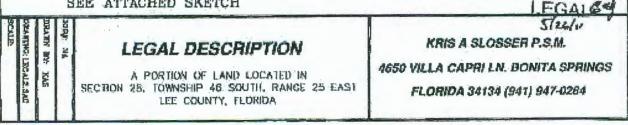


Exhibit A

EXHIBITS 11 Satisfy

PROPERTY DESCRIPTION:

THAT PORTION OF THE NORTHWEST & OF THE SOUTHEAST & OF SECTION 28, TOWNSHIP 46 SOUTH, RANGE 25 EAST AND THAT PORTION OF OAK RIDGE SUBDIVISION PER THE PLAT THEREOF RECORDED IN PLAT BOOK 8, PAGE 37, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

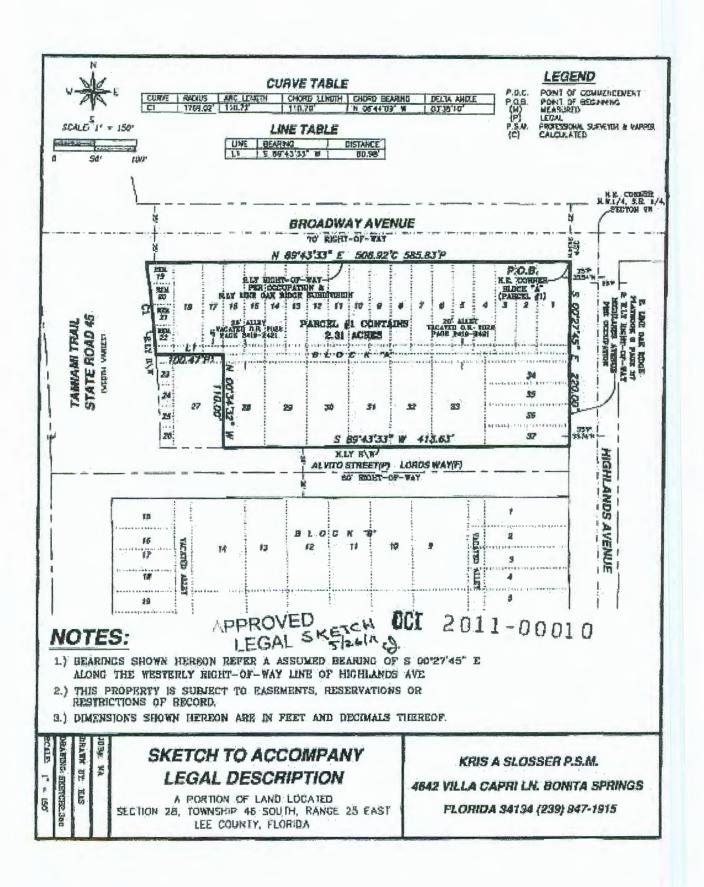
COMMENCING AT THE NORTHEAST CORNER OF BLOCK A. OAK RIDGE SUBDIVISION AS RECORDED IN PLAT BOOK 8, PAGE 37; THENCE RUN S.00'27'45"E. ALONG THE EASTERLY LINE OF SAID OAK RIDGE SUBDIVISION, A DISTANCE OF 280,00 FEET TO THE NORTHEAST CORNER OF BLOCK "8" OF SAID OAK RIDGE SUBDIVISION AND THE POINT OF BEGINNING; THENCE CONTINUE S.00'27'45"E. ALONG SAID EASTERLY LINE, A DISTANCE OF 853.94 FEET TO A POINT ON THE NORTHERLY LINE OF MARSHALL'S ESTERO RIVER GROYES UNIT 1, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 12, PAGE 131 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN S.87'55'29W. ALONG SAID NORTHERLY LINE, A DISTANCE OF 528.42 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF STATE ROAD 45(MDTH VARIES) PARCEL 108 AS DESCRIBED IN INSTRUMENT #2006000221391 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA: THENCE RUN N.01'02'28"W. ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 143,14 FEET: THENCE RUN N.0217'19"W. ALONG SAID EASTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 447.70 FEET TO A POINT ON THE NORTHERLY LINE OF THE UNDIVIDED TRACT AS SHOWN ON THE PLAT OF SAID OAK RIDGE SUBDIVISION; THENCE RUN S.89'43'33"W. ALONG SAID NORTHERLY LINE AND SAID RIGHT-OF-WAY LINE AS DESCRIBED IN INSTRUMENT #2006000221391, A DISTANCE OF 0.25 FEET; THENCE RUN N:01'02'28"W. ALONG THE EASTERLY RIGHT-OF-WAY LINE OF SAID STATE ROAD 45(WIDTH VARIES) A DISTANCE OF 280.03 FEET TO A POINT ON THE NORTHERLY LINE OF SAID BLOCK "B" AND A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF LORDS WAY(60 FOOT RIGHT-OF-WAY); THENCE RUN N.89'43'33"E, ALONG SAID NORTHERLY LINE OF SAID BLOCK "B" AND SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 547 01 FEET OF THE O O OT O POINT OF BEGINNING. PARCEL CONTAINS 10.66 ACRES + \-.

AFAMAN EA LEGAN

2311

KRIS A. SLOSSER, STATE OF FLORIDA, (P.S.M. #5560) SEE ATTACHED SKETCH

SCALE	SCALE-	DRAMA BY	WH SHOT	LEGAL DESCRIPTION	KRIS A SLOSSER P.S.M.
	LEGALICIA	KAS	A PORTION OF LAND LOCATED IN SECTION 28, TOWNSHIP 46 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA	4660 VILLA CAPRI LN. BONITA SPRINGS FLORIDA 34134 (841) 947-0284	



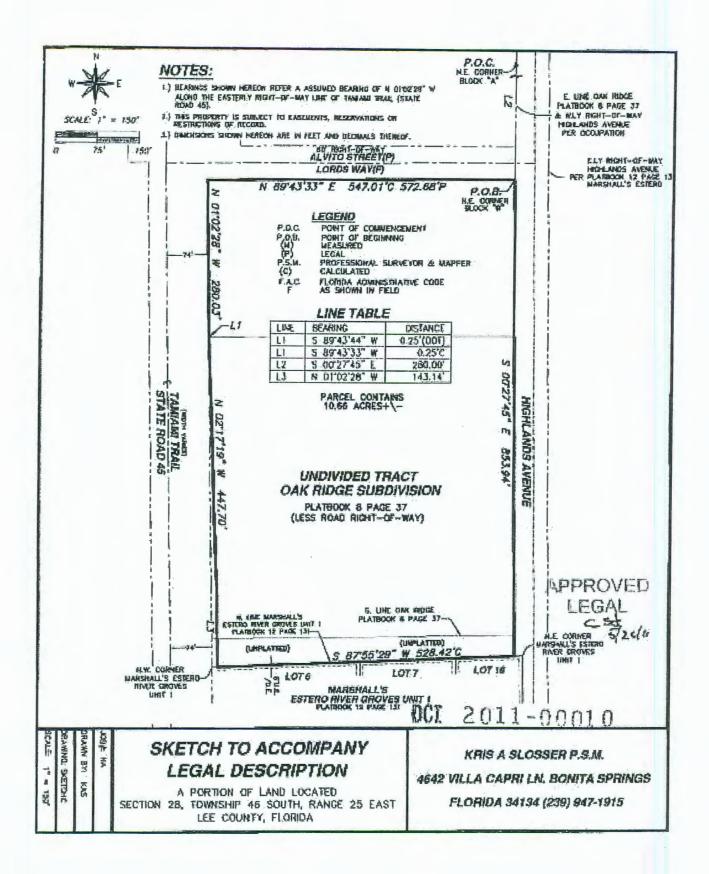


EXHIBIT B

PATTERN BOOK

Estero United Methodist Church

JANUARY, 2017





Disney & Associates, PA

Architecture and Planning Naples, Florida



PEDESTRIAN CONNECTION PLAN





ESTERO UNITED METHODIST CHURCH

US-41 (S TAMIAMI TRAIL)

ARCHITECTURE



ARCHITECTURE - STYLE

Old Florida architectural design is characterized by wide verandas, metal roofs, lap siding, covered walkways or patios, exposed or celebrated structural ornamentation, plantation shutter accents, subtle color palette, gabled or hipped roofs, large or numerous windows, simplistic details and geometries. In Florida, this type, dating from around the turn of the 19th century, is found in the rural countryside and in the farmlands. The architectural characteristics that distinguish this type are wood-frame construction, an elevated first floor, a large attached front porch, horizontal wood siding in both the exterior and interior, double-hung vertical windows and a steep roof.

Future buildings within the Estero United Methodist Church property will follow this architectural style. Lap siding exterior facades and hipped metal roofs will be utilized. Covered entries will be incorporated where possible. Elevations for Building 2 are included to demonstrate the proposed architecture for that building, which will also be followed on future buildings.

ESTERO UNITED METHODIST CHURCH



2 SOUTH ELEVATION



EAST ELEVATION



ARCHITECTURE - ELEVATIONS

LANDSCAPING



LANDSCAPING - BUFFERS

US-41 Buffer:

30' Type E Buffer, 10 trees and 30 shrubs (single row hedge) per 100 lf w/ additional Hedge Row and Berm (Berm only required where parking abuts R.O.W.)

Lords Way Buffer:

15' Type D buffer: 5 Trees per 100 If and Double Hedge

Broadway Buffer:

20' Type D buffer: 5 Trees per 100 lf and Double Hedge

Highlands Buffer:

20' Type D buffer: 5 Trees per 100 lf and Double Hedge

West Commercial Buffer (Parcel 1): 15' Type B buffer: 5 Trees per 100 If and Double Hedge

- South Commercial Buffer (Parcel 1):
 15' Type B buffer: 5 Trees per 100 If and Double Hedge
- South Commercial Buffer (Parcel 2):
 5' Type A buffer: 5 Trees per 100 lf

LANDSCAPING - PLAN



LANDSCAPING – SIGN DETAILS



LANDSCAPING - SEATING AREA DETAILS

