

**VILLAGE OF ESTERO, FLORIDA  
ZONING  
ORDINANCE NO. 2025-15**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE  
VILLAGE OF ESTERO, FLORIDA, APPROVING WITH  
CONDITIONS A REZONING FROM AGRICULTURE  
(AG) TO RESIDENTIAL SINGLE FAMILY (RSF) FOR A  
0.34+/- ACRE TRIANGULAR PARCEL LOCATED AT  
4741 BROADWAY W, EAST OF ESTERO RIVER  
HEIGHTS AND THE EXISTING 100-FOOT FPL RIGHT  
OF WAY AND WEST OF CRANBROOK HARBOR ;  
PROVIDING FOR SEVERABILITY; AND PROVIDING  
AN EFFECTIVE DATE.**

**WHEREAS**, Charles and Sandra Cooper (the “Applicants”), filed an application to rezone the property located at 4741 Broadway W, consisting of approximately 0.34 acres; and

**WHEREAS**, the Property STRAP number is 29-46-25-E4-U1690.2484 and the Property is legally described in Exhibit A attached hereto; and

**WHEREAS**, the Applicants requested a rezoning from Agriculture (AG) to Residential Single Family (RSF) (Case Number REZ2025-E001); and

**WHEREAS**, a noticed Public Information Meeting was held on July 8, 2025 at the Planning Zoning and Design Board; and

**WHEREAS**, at a duly noticed public hearing held on November 18, 2025, the Planning Zoning and Design Board recommended approval of the request with a condition; and

**WHEREAS**, a duly noticed first reading was held before the Village Council on December 17, 2025; and

**WHEREAS**, a duly noticed second reading and public hearing was held before the Village Council on January 21, 2026, at which time the Village Council gave consideration to the evidence presented by the Applicant and the Village staff, the recommendations of the Planning Zoning and Design Board and the comments of the public.

**NOW, THEREFORE**, be it ordained by the Village Council of the Village of Estero, Florida;

**Section 1.     Approval.**

The Village Council approves the rezoning from Agriculture (AG) to Residential Single-Family (RSF).

**Section 2.     Conditions.**

48  
49 1. Drainage Easement  
50

51 The applicants must execute a 22.5-foot drainage easement on the west side of the  
52 property in favor of the Village. This easement will provide continuity with the  
53 existing easement created by the Cranbrook Harbor plat of the drainage ditch  
54 running from Broadway W to the Estero River, parallel to the FPL Right of Way  
55 (former Seminole railroad track property). The easement shall be in a form  
56 approved by the Village Attorney and shall be delivered to the Village for recording  
57 prior to the effective date of the Rezoning Ordinance.  
58

59 **Section 3. Findings and Conclusions.**  
60

61 Based upon an analysis of the application and the standards for approval in the Land  
62 Development Code, and the conditions of approval, the Council finds and concludes  
63 that the rezoning:  
64

65 **1. Is consistent with and furthers the goals, objective, and policies of the**  
66 **Comprehensive Plan and all other Village adopted plans.**  
67

68 *The proposed rezoning from AG to RSF is consistent with the Village Neighborhood*  
69 *1 land use category.*  
70

71 **2. Is not in conflict with any portion of the LDC;**  
72

73 *The proposed rezoning meets the LDC requirements.*  
74

75 **3. Addresses a demonstrated community need;**  
76

77 *The applicant will record a 22.5-foot drainage easement on the west side of the*  
78 *property which would provide continuity with the existing easement running from*  
79 *Broadway W to the Estero River, parallel to the FPL Right of Way.*  
80

81 **4. Is compatible with existing and proposed uses surrounding the subject land,**  
82 **and is the appropriate zoning district for the land;**  
83

84 *The proposed rezoning from AG to RSF would allow the construction of a single-*  
85 *family home, which is more appropriate than agricultural use.*  
86

87 **5. Would result in a logical and orderly development pattern;**  
88

89 *The proposed rezoning is an infill area.*  
90

91 **6. Would not adversely affect the property values in the area;**  
92

93                   *The proposed amendment should not adversely affect property values in the area.*

- 94  
95           **7. Would result in development that is adequately served by public facilities**  
96           **(road, potable water, wastewater, solid waste, storm water, schools, parks,**  
97           **police, and fire and emergency medical facilities);**

98  
99                   *The proposed rezoning would result in the development of a single-family residence*  
100                  *that would be served by public facilities because the infrastructure is existing.*

- 101  
102           **8. Would not result in significantly adverse impacts on the natural environment**  
103           **including, but not limited to, water, air, noise, storm water management,**  
104           **wildlife, vegetation, wetlands, environmentally critical areas, and the natural**  
105           **functioning of the environment;**

106  
107                   *The proposed rezoning would not have an adverse impact on the natural*  
108                  *environment. The proposed drainage easement will benefit the existing stormwater*  
109                  *management system.*

- 110  
111           **9. Is compatible with existing or planned uses in the surrounding uses;**

112  
113                   *On balance, the proposed use is compatible with the general surrounding area. The*  
114                  *proposed rezoning will allow the construction of a single-family residence which is*  
115                  *consistent with the property's future land use Village Neighborhood I designation.*

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117           **Section 5. Exhibits.**

118  
119           The following exhibits are attached to this Ordinance and incorporated by reference:

120  
121           Exhibit A   Legal Description of Property

122  
123           **Section 6. Severability.**

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125           Should any section, paragraph, sentence, clause, phrase, or other part of this Ordinance  
126           subsequent to its effective date be declared by a court of competent jurisdiction to be  
127           invalid, such decision shall not affect the validity of this Ordinance as a whole or any  
128           portion thereof, other than the part so declared to be invalid.

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130           **Section 7. Effective Date.**

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132           This Ordinance shall take effect immediately upon adoption.

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134           **PASSED** on first reading this 17<sup>th</sup> day of December 2025.

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136           **PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero,  
137           Florida on second reading this 21<sup>st</sup> day of January 2026.

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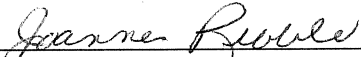
Attest:

**VILLAGE OF ESTERO, FLORIDA**

By:

  
Carol Sacco, Village Clerk

By:

  
Joanne Ribble, Mayor

Reviewed for legal sufficiency:

By:

  
Nancy E. Stroid, Village Land Use Attorney

Vote:

AYE

NAY

Mayor Ribble

X

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Vice Mayor Zaluki

X

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Councilmember Fayhee

X

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Councilmember Hunt

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Councilmember Lopez

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Councilmember McLain

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Councilmember Ward

X

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# Exhibit A

Sept. 24, 2025  
Revised as per  
Staff Review Comments  
(08-09-25)

MICHAEL YOUNG LAND SURVEYING  
18714 SPRUCE DRIVE W.  
FORT MYERS, FL. 33967  
YOUNG@SURVEYING@AOL.COM  
TELEPHONE 239-267-1700

## BOUNDARY SURVEY

FILE NO: 24267  
SURVEY DATE: 10-03-24

PROPERTY ADDRESS:  
4741 BROADWAY W  
ESTERO, FLORIDA 33928

### LEGAL DESCRIPTION:

Beginning at the Northeast corner of the Northwest quarter of the Southwest quarter of Section 29, Township 46 South, Range 25 East, Lee County, Florida; running thence on a straight line in a Westerly direction along the North boundary line of said Northwest quarter a distance of 132.8 feet to intersection with the East right-of-way line of Seaboard All Florida Railway; running thence on a straight line in a southeasterly direction along the said right-of-way line of said Railway a distance of 380.5 feet to intersection with the East boundary line of the said Northwest quarter of the Southwest quarter; running thence on a straight line in a Northerly direction along said East boundary line of said Northwest quarter a distance of 356.5 feet to the Northeast corner of said Northwest quarter of the Southwest quarter and the Point of Beginning.

### LEGAL DESCRIPTION: FOR THE PURPOSES OF REZONING: A6 TO RSF

Beginning at the Northeast corner of the Northwest quarter of the Southwest quarter of Section 29, Township 46 South, Range 25 East, Lee County, Florida; said point lies at the Northwest corner of Lot 1, CRANBROOK HARBOR, Plat Book 32, Pages 143 and 144, public records, Lee County, Florida; thence S 88°28'27" W along the North line of said Northwest quarter a distance of 105.41 feet to intersection with the East right-of-way line of Seaboard All Florida Railway; thence S 21°18'05" E along the said right-of-way line of said Railway a distance of 298.79 feet to intersection with the East boundary line of the said Northwest quarter of the Southwest quarter and Westerly line of Lot 7 of said CRANBROOK HARBOR; thence N 00°38'46" W along said East boundary line of said Northwest quarter of the Southwest quarter and said Westerly line of Lot 7 and Lot 1 a distance of 281.20 feet to the Northeast corner of said Northwest quarter of the Southwest quarter and the Point of Beginning. Containing 14818.65 square feet, more or less.

### NOTES:

- 1) DIMENSIONS ARE IN FEET AND DECIMALS THEREOF AND ARE TAKEN FROM THE RECORDED DEED UNLESS OTHERWISE NOTED.
- 2) BEARINGS SHOWN HEREON ARE ASSUMED AND BASED ON North boundary line of the NW quarter of the SW quarter of Section 29, Township 46 South, Range 25 East TO BEAR N 88°28'27" E.
- 3) LEGAL DESCRIPTION, AS SHOWN, WAS PROVIDED BY CLIENT.
- 4) ONLY IMPROVEMENTS SHOWN WERE LOCATED.
- 5) UNDERGROUND UTILITIES WERE NOT LOCATED.
- 6) PARCEL SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS RIGHT-OF-WAYS OF RECORD.
- 7) ABSTRACT NOT REVIEWED AND OPINION OF TITLE NOT DETERMINED.
- 8) ELEVATIONS, IF SHOWN, ARE BASED ON NORTH AMERICAN VERTICAL DATUM 1988 (NAVD88).
- 9) THE PARCEL SHOWN HEREON LIES IN FLOOD ZONE AEELIO & AS SHOWN ON FLOOD INSURANCE RATE MAP 130340 0579 C, EFFECTIVE DATE 11-17-22.
- 10) REVISIONS:
  - a) ADDED EASEMENTS 7-25-25
  - b) CHANGED WIDTH OF DRAINAGE EASEMENT AND WROTE A NEW LEGAL DESCRIPTION 9-23-25

THIS SURVEY NOT VALID WITHOUT THE DIGITAL SIGNATURE AND EMBOSSED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Michael S Young Digitally signed by Michael S Young  
Date: 2025.09.24 14:25:14 -0400

MICHAEL S. YOUNG  
PROFESSIONAL SURVEYOR AND MAPPER  
LS 6230

DATE SIGNED  
9-24-2025



### CERTIFIED TO:

Cooper, Sandra S. and Charles M.

### LEGEND:

A/C = AIR CONDITIONER  
C/C = CONCRETE  
C/CALCATED  
C/P = CONCRETE PAD  
C/TN = CABLE TELEVISION SERVICE BOX  
DE = DRAINAGE EASEMENT  
D/W = DRIVEWAY  
E = ELECTRIC SERVICE BOX  
EL = ELEVATION  
F = FIELD  
F/R = FOUND IRON ROD  
F/P = FOUND IRON PIPE  
F/RD = FOUND RAIL & DISK  
M = MEASURED  
NAVD88 = NORTH AMERICAN VERTICAL DATUM 1988  
H/O = HUMBLE  
O/S = OFFSET  
O/R = OFFICIAL RECORDS  
P = PLAT  
P/B = POINT OF BEGINNING  
P/C = POINT OF COMMENCEMENT  
P/E = PUBLIC UTILITY EASEMENT  
R/O = RIGHT-OF-WAY  
RCP = REINFORCED CONCRETE PIPE  
S/R = SET 1/2" IRON ROD & CAP LS 6230  
SND = SET NAIL & DISK LS 6230  
T/S = APPROXIMATE TOP OF BANK  
T/S = TELEPHONE SERVICE BOX

□ = LIGHT POLE  
□ = POWER POLE  
□ = WATER METER  
□ = UNDERGROUND TELEPHONE BOX  
□ = CABLE TELEVISION SERVICE BOX  
□ = FIRE HYDRANT  
■ = FOUND CONCRETE MONUMENT  
● = FOUND IRON ROD  
○ = FOUND RAIL  
○ = SET NAIL & TAIL LS 6230  
○ = SET 1/2" IRON ROD & CAP LS 6230  
□ = WATER VALVE  
□ = TRANSFORMER  
□ = SANITARY MANHOLE  
□ = WELL HEAD  
□ = APPROX. CENTER OF SEPTIC DRAIN  
--- = WOODEN PRIVACY FENCE  
--- = CHAIN LINK FENCE  
--- = OVERHEAD POWER LINES  
--- = CENTURINE SHALE  
--- = TOP OF BANK  
Δ = CENTRAL ANGLE  
R = RADIUS  
L = ARC LENGTH

