

**PUBLIC COMMENT CARD : Entry # 26271**

**Comments must be received by noon one day before the actual meeting and they will be distributed to the Council/Board but will not be read at the meeting.**

**Choose The Meeting You Are Commenting On**

Planning Zoning and Design Board Meeting

**Name**

Elizabeth Serowka

**Address**

4110 Centerpointe Dr  
Suite 207  
Fort Myers 33916  
United States  
[Map It](#)

**Community**

Adjoining Property Owners at Via Coconut

**Email**

[eserowka@semgulf.com](mailto:eserowka@semgulf.com)

**Phone**

(239) 275-6060

**Representing**

Seminole Gulf Railway

**Date**

10/20/2021

**Agenda Item No. or Topic**

DCI2019-E003

**Comments**

Seminole Gulf Railway opposes drainage use of the Via Coconut Mixed Use Development as for it violates an agreement composed between the railroad and Lee County. The drainage point meets at railroad property and uses a pipe that was initially created for use of Simon Property Group in 2004. In 2007, the agreement was properly transferred to Lee County through a new agreement--all parties consenting.

At present, the agreement composed and executed in 2007 states "The rights conferred under this Agreement are the privilege of Licensee (Lee County) only, and no assignment or transfer may be made without the prior consent and written agreement of Licensor (Seminole Gulf Railway)." Lee County may not allow the Via Coconut Mixed Use Development to use this drainage point without the permission of Seminole Gulf Railway. It is imperative an alternate solution is found as for Seminole Gulf Railway recognizes these development plans as a violation of agreement.

## Notes



### **Admin Notification (ID: 5e70ca9c71a8d)**

added October 11, 2021 at 12:12 pm

WordPress successfully passed the notification email to the sending server.

TO: VILLAGE OF ESTERO COUNCIL MEMBERS

1. 10-19-2021

ATTN: Matthew A. Noble

10-19-2021

RE: CASE NO.: DCI2019-E003:

Zoning Case Public hearing Case #: DCI2019-E003

Case Name: Via Coconut Mixed Use Ester Planned Development

**VOTE NO ON THIS PROPOSAL IN ITS ENTIRETY.**

- **Retain the Village with a Vision zoning: do not cause ill-advised zoning changes at the behest of builders whose interests may be diametrically opposed that of the Village Plan.**
- **Vote NO against newly built packed obsolescence proposed by this Builder(s).**
- **Vote NO against a church (any church) on this tract. -**
- **Proposed “packing” improvements onto the site will bring enormous increases vehicular traffic, air and noise pollution at all hours of the day and evenings reducing the value of the hereditaments of this neighborhood, and the future nursing home on Corkscrew at Sandy Lane.**

**Vote NO! The proposed density will cause unintended consequences on the uses within our new Estero River future park, our 60 acre Estero Park and not least, our High School and undeveloped tracts on Williams and Via Coconut at further variance from our Village With A Vision Plan.**

**The rotary at the intersection of Williams and Via Coconut will have to be enlarged to be safe and will require the taking of land.**

**I believe this development, at odds with the Village's Vision, is a very inviting start towards instant obsolescence in the core of our Village: It embraces maximum placement of “improvements” on the 19 acres that are plain-vanilla construction ideas of the 1950's at best. **Vote No!:** Build within existing building codes. That was why so many worked so hard to create them...for us, not builders primary interest: maximum profit.!**

**Sincerely,**

**Jane McNew Moran  
Genova  
21460 Strada Nuova Circle  
289-433-0399**