

Final Action Agenda/Minutes are supplemented by audio and video recordings of the meetings, as well as transcripts. Video recordings of Village Council meetings from June 8, 2016 forward, as well as agendas, staff reports, resolutions, ordinances, and other documents related to the meetings can be viewed online at <https://estero-fl.gov/agendas/> at the corresponding meeting date.

APPROVED SEPTEMBER 9, 2020

FINAL ACTION AGENDA/MINUTES

VILLAGE COUNCIL ZONING HEARING

**Village of Estero Council Chambers
9401 Corkscrew Palms Circle
Estero, FL 33928
July 15, 2020 9:30 a.m.**

1. CALL TO ORDER

INVOCATION: Pastor Todd Weston – River of Life Assembly of God

PLEDGE OF ALLEGIANCE: Led by Mayor Bill Ribble

ROLL CALL: Present: Mayor Bill Ribble - District 1, Vice Mayor Katy Errington - District 4, Councilmember Howard Levitan (via teleconference) - District 2, Councilmember Jon McLain - District 3, Councilmember Jim Boesch - District 5, Councilmember Nick Batos - District 6, and Councilmember Jim Wilson (via teleconference) - District 7.

Also present: Village Manager Steve Sarkozy, Village Land Use Counsel Nancy Stroud, Community Development Director Mary Gibbs, Principal Planner Matthew Noble, Village Deputy Clerk Tammy Duran, and Executive Assistant to the Village Manager Carol Sacco

2. PUBLIC COMMENT ON NON-AGENDA ITEMS

In Person

Nolen Rollins– Chamber of Commerce

3. ORDINANCE SECOND READING AND PUBLIC HEARING - SOUTH ESTERO COMMERCIAL CENTER:

Ordinance No. 2020-04 An Ordinance of the Village Council of the Village of Estero, Florida, approving with conditions an amendment to the South Estero Commercial Center Commercial Planned Development to allow for Medical Office as a use on the 1.14 acre lot (lot 4) located on the east side of US 41, 700 feet south of the Corkscrew Road intersection and Corkscrew Village shopping center; providing for conflicts; providing for severability; and providing an effective date.

Mayor Ribble provided information regarding Council business and quasi-judicial hearings. All audience members and staff providing testimony for all hearings were sworn in by Land Use Counsel Stroud. There were no ex-parte communications or conflicts of interest noted.

Staff Presentation/Comments:

Mary Gibbs, Community Development Director

Presentation/Comments:

Gary Muller, AICP – Johnson Engineering

Council Questions or Comments:

Councilmembers Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble

Public Comment: None.

Motion: Move to adopt Ordinance No. 2020-04 with staff conditions and the additional conditions that building repainting will be in accordance with the Pattern Book, and the handicap parking spaces will be in proximity to the doors. Also, there is an additional Finding of Fact that there is no increase in intensity of use as defined in the Land Development Code.

Motion by: Vice Mayor Katy Errington

Seconded by: Councilmember Jim Boesch

Action: Move to adopt Ordinance No. 2020-04 with staff conditions and the additional conditions that building repainting will be in accordance with the Pattern Book, and the handicap parking spaces will be in proximity to the doors. Also, there is an additional Finding of Fact that there is no increase in intensity of use as defined in the Land Development Code.

Vote: (Roll Call)

Aye: Councilmembers Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble

Nay:

Abstentions:

**4. ORDINANCE SECOND READING AND PUBLIC HEARING - 8111
BROADWAY EAST REZONING:**

Ordinance No. 2020-03 An Ordinance of the Village Council of the Village of Estero, Florida, approving with conditions a rezoning from Agriculture (AG-2) to Commercial Planned Development with deviations, to allow a commercial development on property located at 8111 Broadway East, east of US 41 and north of Estero United Methodist Church consisting of approximately 1 acre; providing for conflicts; providing for severability; and providing an effective date.

Mayor Ribble provided information regarding Council business and quasi-judicial hearings. All audience members and staff providing testimony for all hearings were sworn in by Land Use Counsel Stroud. There were no ex-parte communications or conflicts of interest noted.

Staff Presentation/Comments:

Mary Gibbs, Community Development Director
Matthew Noble, Principal Planner

Presentation/Comments:

Jeff Wright, Esq., Henderson, Franklin, Starnes & Holt
Veronica Martin, Senior Planner, TDM Consulting
David Kulsveen, Landesco PLLC
Jeff Forsythe, Lee & Associates

Council Questions or Comments:

Councilmembers Levitan, McLain, Boesch, Batos, Wilson, Vice Mayor Errington, and Mayor Ribble

Public Comment: None.

Motion: Move to adopt Ordinance No. 2020-03 with staff conditions and the additional revisions under schedule of uses: removal of Restaurants, Groups I, II, & III, and Consumption on Premises, specify retail use only for Lawn and Garden Supply Stores, specify hours of operation to include deliveries, Open storage specify only retail merchandise, modification of Pattern Book for the north elevation must be improved to match other three facades, and handicap parking will be reviewed at time of Development Order for code compliance.

Motion by: Councilmember Nick Batos

Seconded by: Councilmember Jim Boesch

Action: Adopt Ordinance No. 2020-03 with staff conditions and the additional revisions: under schedule of uses: removal of Restaurants, Groups I, II, & III, and Consumption on Premises, specify retail use only for Lawn and Garden Supply Stores, specify hours of operation to include deliveries, Open storage specify only retail merchandise, modification of Pattern Book for the north elevation must be improved to match other three facades, and handicap parking will be reviewed at time of Development Order for code compliance.

Vote: (Roll Call)
Aye: Councilmembers Levitan, Boesch, Batos, and Mayor Ribble
Nay: Councilmembers Wilson, McLain, and Vice- Mayor Errington
Abstentions:

5. ADJOURNMENT 11:43 am

ATTEST:

By: 
Steve Sarkozy, Acting Village Clerk

(td/SS)

VILLAGE OF ESTERO, FLORIDA

By: 
Bill Ribble, Mayor