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WHEREAS, the following findings of fact are offered:

1. The proposed amendment does not increase density or intensity within the development; and
2. The proposed amendment does not decrease buffers or open space required by the Land Development Code; and
3. The applicant has demonstrated that there is sufficient parking to support the proposed and existing uses on Tract 2B; and
4. The Planning and Zoning Board has taken this action at a duly constituted public hearing after due public notice.

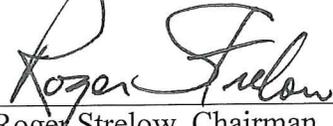
NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval is APPROVED, subject to the following conditions:

1. The terms and conditions of the original zoning resolution (Z-05-039) remain in full force and effect. No changes have been approved to the originally adopted Master Concept Plan.
2. Condition 2a. of Zoning Resolution Z-05-039 is hereby amended to add the following use for Tract 2B:
 - a. Place of Worship
3. No worship services may be scheduled between the hours of 8:00 AM and 5:00 PM, Monday through Friday.
4. If it is determined that inaccurate or misleading information was provided to staff or the Planning and Zoning Board or if this decision does not comply with the LDC when rendered, then, at any time, the Planning and Zoning Board may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.

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PASSED AND DULY ADOPTED this 21st day of July, 2015.

VILLAGE OF ESTERO, FLORIDA
PLANNING AND ZONING BOARD



Roger Strelow, Chairman

Attest:

By: 
Kathy Hall, MMC
Village Clerk

Reviewed for legal sufficiency

By: 
Nancy Stroud, Esq.

Vote:

Roger Strelow	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
David Crawford	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Ned Dewhirst	Yes <u>absent</u>	No <input type="checkbox"/>
Marlene Naratil	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Jeff Maas	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Scotty Wood	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Ryan Binkowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

Exhibits:

- A – Legal Description
- B – Master Concept Plan

EXHIBIT A

Banks Engineering

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

APPROVED
ADD2015-00098
Chick Jakacki, Planner
Lee Co Division of Zoning
6/12/2015

DESCRIPTION
OF A
PARCEL OF LAND
LYING IN
SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

(15.63 ACRE PARCEL)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST, SAID LEE COUNTY, FLORIDA, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

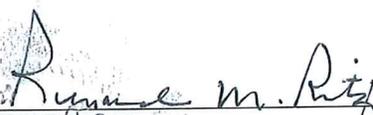
COMMENCING AT THE SOUTHWEST CORNER OF THE ESTATES AT ESTERO RIVER, A SUBDIVISION RECORDED IN PLAT BOOK 76, PAGES 82 THROUGH 85 OF THE PUBLIC RECORDS OF SAID LEE COUNTY; THENCE S.89°50'12"E. ALONG THE SOUTH LINE OF SAID SUBDIVISION FOR 757.16 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE S.89°50'12"E. ALONG THE SOUTH LINE OF SAID SUBDIVISION FOR 1202.86 FEET TO THE SOUTHEAST CORNER OF SAID SUBDIVISION; THENCE S.01°07'24"E. FOR 554.87 FEET TO AN INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF CORKSCREW ROAD (S.R. S-850); THENCE S.89°37'03"W. ALONG SAID RIGHT-OF-WAY FOR 304.66 FEET; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY S.86°45'18"W. FOR 200.25 FEET; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY S.89°37'03"W. FOR 557.88 FEET TO THE SOUTHEAST CORNER OF TAKING 100-3 AS RECORDED IN OFFICIAL RECORD BOOK 3487, PAGES 379 THROUGH 382 OF THE PUBLIC RECORDS OF SAID LEE COUNTY; THENCE N.77°01'36"W. ALONG THE NORTHERLY LINE OF SAID TAKING FOR 43.29 FEET; THENCE CONTINUE ALONG SAID NORTHERLY LINE S.89°37'03"W. FOR 98.00 FEET; THENCE N.01°07'24"W. FOR 566.33 FEET TO THE **POINT OF BEGINNING**

PARCEL CONTAINS 15.63 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY OF RECORD AND TAKING 100-3 AS RECORDED IN OFFICIAL RECORD BOOK 3487, PAGES 379 THROUGH 382 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

ASSUMED NORTH BASED ON THE WEST LINE OF THE ESTATES AT ESTERO RIVER, A SUBDIVISION RECORDED IN PLAT BOOK 76, PAGES 82 THROUGH 85 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AS BEARING S.01°11'39"E.

DESCRIPTION PREPARED May 25, 2004


RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009
DATE SIGNED: 5-29-2015

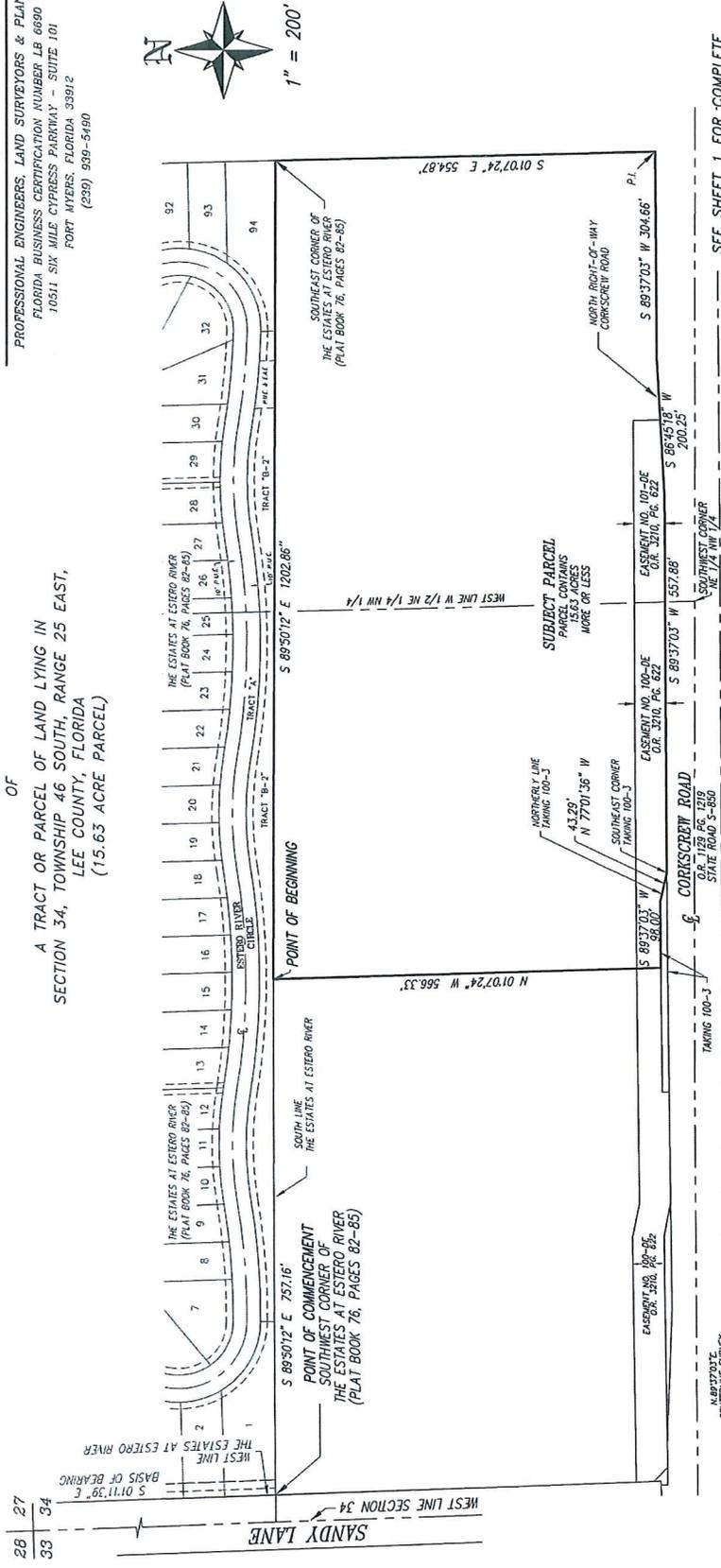
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SKETCH OF DESCRIPTION

Banka Engineering

PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS
 FLORIDA BUSINESS CERTIFICATION NUMBER LB 6690
 10511 SIX MILE CYPRESS PARKWAY - SUITE 101
 FORT MYERS, FLORIDA 33912
 (239) 909-5190

OF
 A TRACT OR PARCEL OF LAND LYING IN
 SECTION 34, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
 LEE COUNTY, FLORIDA
 (15.63 ACRE PARCEL)



NOTES:

- 1.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, RIGHTS-OF-WAY OF RECORD, AND TAKING 100-3 AS RECORDED IN OFFICIAL RECORD BOOK 3487, PAGES 379 THROUGH 382 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.
- 2.) ASSUMED NORTH BASED ON THE WEST LINE OF THE ESTATES AT ESTERO RIVER, A SUBDIVISION RECORDED IN PLAT BOOK 76, PAGES 82-85 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA AS BEARING S.01°11'39\"E.

LEGEND:

- PG. INDICATES PAGE
- NO. INDICATES NUMBER
- ☒ INDICATES CENTERLINE
- P.I. INDICATES POINT OF INTERSECTION
- O.R. INDICATES OFFICIAL RECORDS BOOK
- P.U.E. INDICATES PUBLIC UTILITY EASEMENT
- E.A.E. INDICATES EMERGENCY ACCESS EASEMENT

SEE SHEET 1 FOR COMPLETE METES AND BOUNDS DESCRIPTION.
 THIS SKETCH OF DESCRIPTION IS NOT A BOUNDARY SURVEY

Richard M. Ritz
 RICHARD M. RITZ
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATION NO. 4008
 - DATE SIGNED 5-29-2015
 - THIS LEGAL DESCRIPTION AND SKETCH IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL INSTRUMENT SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED 05-26-04
 SHEET 2 OF 2

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