

46 **WHEREAS**, the subject property is designated as Urban Community on the
47 Future Land Use Map of the Village of Estero Comprehensive Plan; and

48
49 **WHEREAS**, The Village of Estero Transitional Land Development Code (LDC)
50 provides for certain administrative changes to planned development master concept plans
51 and planned unit development final development plans, and

52
53 **WHEREAS**, the applicant desires to allow one monument sign along US 41 to be
54 set back 10 feet from the property line; and

55
56 **WHEREAS**, the applicant desires to provide 73 parking spaces; and

57
58 **WHEREAS**, the applicant desires to provide 16 parking stalls with a depth of 16
59 feet located in the westerly parking lot; and

60
61 **WHEREAS**, the applicant made a public presentation to the Planning and Zoning
62 Board on September 22, 2015; and

63
64 **WHEREAS**, the applicant made a public presentation to the Design Review
65 Board on September 23, 2015; and

66
67 **WHEREAS**, the Design Review Board approved the changes to the site plan on
68 October 28, 2015 and recommended that the Planning Board and Zoning Board approve
69 the requests; and

70
71 **WHEREAS**, under the provisions of Ordinance 2015-01 of the Village of Estero,
72 the Planning and Zoning Board has been delegated the authority to make determinations
73 with respect to all applications for administrative actions; and

74
75 **WHEREAS**, the following findings of fact are offered:

- 76
77 1. The monument sign complies with all aspects for the requirements of
78 LDC Sections 30 and 33 as approved by the Design Review Board;
79 and
80
81 2. The applicant has met three of the conditions listed per LDC 34-2020
82 (c) (3) for a maximum parking reduction of 10%; and
83
84 3. The parking stall depth reduction does not impair vehicles from safely
85 entering and exiting the parking area; and
86
87 4. The proposed deviations comply with the requirements of Section 34-
88 380 (b) of the LDC for amending a previously approved Master
89 Concept Plan, as they do not decrease buffers or open space required
90 by the Land Development Code, do not adversely impact surrounding
91 land uses, do not result in substantial underutilization of public

92 resources and infrastructure committed to the support to the
93 development, and do not decrease preservation areas.

94
95 5. The proposed parking deviations comply with the requirements of
96 Section 34-2020 (d) (2) of the LDC for an administrative approval, as
97 there is no apparent deleterious effect upon surrounding properties or
98 the immediate neighborhood, they do not have an adverse impact on
99 the public health, safety and welfare, the proposed use is not solely
100 dependent on vehicular traffic and no part of a parking lot is intended
101 to satisfy required parking requirements for another use unless the
102 peak parking demands occur at different times.

103
104 6. The Planning and Zoning Board has taken this action at a duly
105 constituted public hearing after due public notice.

106
107 **NOW, THEREFORE, IT IS HEREBY DETERMINED** that the application for
108 administrative approval for three deviations is APPROVED, subject to the following
109 conditions:

- 110
111 1. The terms and conditions of the original Zoning Resolution (Z-02-009) remain in
112 full force, except as modified herein.
113
114 2. The deviation for the monument sign setback of 10 feet is approved, provided the
115 site layout is in substantial compliance with the attached Site Plan and Site Layout
116 Plan Sheet No. C-5 stamped by the Engineer on 11/23/2015 marked as Exhibit B.
117
118 3. The deviation for a maximum parking space reduction of 10% is approved,
119 provided the site layout is in substantial compliance with the attached Site Plan
120 and Site Layout Plan Sheet No. C-5 stamped by the Engineer on 11/23/2015
121 marked as Exhibit B.
122
123 4. The deviation for a parking stall reduction for 16 parking spaces is approved,
124 provided the site layout is in substantial compliance with the attached Site Plan
125 and Site Layout Plan Sheet No. C-5 stamped by the Engineer on 11/23/2015
126 marked as Exhibit B. A two (2) foot clear area or two (2) foot grass area must be
127 provided in each parking stall to allow for vehicle overhang.
128
129 5. If it is determined that inaccurate or misleading information was provided to staff
130 or the Planning and Zoning Board or if this decision does not comply with the
131 LDC when rendered, then, at any time, the Planning and Zoning Board may issue
132 a modified decision that complies with the Code or revoke the decision. If the
133 approval is revoked, the applicant may acquire the necessary approvals by filing
134 an application for public hearing in accordance with Chapter 34.
135
136
137

138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185

PASSED AND DULY ADOPTED this 15th day of December, 2015.

**VILLAGE OF ESTERO, FLORIDA
PLANNING AND ZONING BOARD**



Roger Strelow, Chairman

Attest:

By: Kathy Hall
Kathy Hall, MMC, Village Clerk

Reviewed for legal sufficiency

By: Nancy Stroud
Nancy Stroud, Esq.

Vote:

Roger Strelow	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Ryan Binkowski	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
David Crawford	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Ned Dewhirst	Yes <input checked="" type="checkbox"/>	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"/>

Exhibit

A. Legal Description

Resolution No. PZB 2015-12
CASE NO. ADD2015-E003

EXHIBIT A

LEGAL DESCRIPTION

A PORTION OF OUTPARCEL C-D AND A PORTION OF OUTPARCEL E, BLOCK "A",
COCONUT TRACE, A SUBDIVISION, LOCATED IN SECTION 09, RANGE 47 EAST,
TOWNSHIP 25 SOUTH, ACCORDING TO THE PLAT THEREOF ON FILE AND
RECORDED AS INSTRUMENT NUMBER 2006000423660, OF THE PUBLIC
RECORDS OF LEE COUNTY, FLORIDA

STRAP NO

04-47-25-35-0000A.00C0

04-47-25-35-0000A.00E0