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WHEREAS, the following findings of fact are offered:

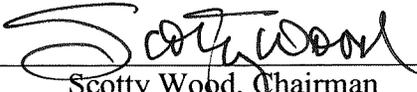
1. The monument sign complies with all requirements of LDC Sections 30 and 33 and as approved by the Design Review Board; and
2. The proposed deviation would not decrease buffers or open space required by the Land Development Code.
3. Clear sight visibility is maintained at the intersections of Atlantic Gulf Boulevard and US 41 and at the driveway into the property from southbound US 41.
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 for the deviation is approved for a ten foot (10') setback in lieu of five feet (5'), subject to the following conditions:

1. The terms and conditions of the original Zoning Resolution (Z-97-050) and Development Order DOS 2014-00079 remain in full force, except as modified herein.
2. The requested five foot (5') setback is not approved, but instead a deviation for the monument sign setback of ten feet (10') is approved, provided the sign location is in substantial compliance with attached Exhibit "B" Site Plan, Drawing Number C-06.
3. 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.

PASSED AND DULY ADOPTED this 17th day of May, 2016.

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



Scotty Wood, Chairman

Attest:

By: 

Kathy Hall, MMC, Village Clerk

94 Reviewed for legal sufficiency

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By: *Nancy Stroud*
Nancy Stroud, Esq., Land Use Counsel

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101 **Vote:**

102 Scotty Wood Yes No

103 David Crawford Yes No

104 Ned Dewhirst Yes No

105 Anthony Gargano Yes No

106 Marlene Naratil Yes No

107 Roger Strelow Yes *Absent* No

108 James Tatoes Yes No

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111 Exhibits

112 A. Legal Description

113 B. Site Plan

114 C. US 41 Clear Site Distance Plan

EXHIBIT A

LEGAL DESCRIPTION:

TAKEN FROM INSTRUMENT NUMBER 2013000287266

A TRACT OR PARCEL OF LAND LYING IN SECTION 4, TOWNSHIP 47 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER OF SECTION 4; THENCE NORTH 88°25'47" EAST ALONG THE EAST-WEST QUARTER SECTION LINE FOR 118.32 FEET TO AN INTERSECTION WITH THE WESTERLY RIGHT-OF-WAY OF U.S. 41 (TAMIAMI TRAIL, S.R. 46, 200 FEET WIDE); THENCE NORTH 08°41'21" WEST ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 208.27 FEET TO A POINT OF CURVE TO THE RIGHT HAVING A RADIUS OF 2932.79 FEET AND A CENTRAL ANGLE OF 10°13'21"; THENCE ALONG THE ARC OF SAID CURVE AND SAID WESTERLY RIGHT-OF-WAY LINE FOR 623.28 FEET; THENCE NORTH 88°28'00" WEST LEAVING SAID WESTERLY RIGHT-OF-WAY LINE ALONG A RADIAL LINE TO SAID CURVE FOR 284.32 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 88°28'00" WEST FOR 108.18 FEET TO A POINT ON A CURVE TO THE RIGHT HAVING A RADIUS OF 3326.79 FEET, A CENTRAL ANGLE OF 01°18'17", CHORD BEARING NORTH 04°11'38" EAST, A CHORD DISTANCE OF 78.89 FEET; THENCE ALONG THE ARC OF SAID CURVE AND ALONG SAID COMMON LINE FOR 78.89 FEET TO A POINT OF TANGENT (AS MEASURED CONCENTRIC TO AND LYING 382.60 FEET WESTERLY TO SAID RIGHT-OF-WAY LINE); THENCE NORTH 04°51'17" EAST FOR 781.38 FEET; THENCE NORTH 85°08'43" WEST FOR 15.60 FEET; THENCE NORTH 04°51'17" EAST FOR 50.00 FEET; THENCE SOUTH 85°08'43" EAST FOR 408.00 FEET TO SAID WESTERLY RIGHT-OF-WAY LINE; THENCE SOUTH 04°51'17" WEST ALONG SAID RIGHT-OF-WAY LINE FOR 537.09 FEET; THENCE NORTH 85°08'43" WEST LEAVING SAID WESTERLY RIGHT-OF-WAY LINE FOR 283.46 FEET; THENCE SOUTH 04°51'17" WEST FOR 348.46 FEET TO THE POINT OF BEGINNING.

PARCEL SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN)

BEARINGS ARE BASED ON THE EAST-WEST QUARTER SECTION LINE OF SECTION 4, TOWNSHIP 47 SOUTH, RANGE 25 EAST AS BEARING N 88°25'47" E.

Client
HANANIA
AUTOMOTIVE GROUP
 7220 BLANDING BLVD
 JACKSONVILLE, FL 32244

Project
COCONUT POINT HONDA

Issued For
 LEE COUNTY DEVELOPMENT
 ORDER

Issued On: 10-17-14

Revisions

| REV. NO. | DATE | DESCRIPTION |
|----------|----------|---|
| 1 | 11-18-14 | APPROVED BY |
| 2 | 12-14-14 | PER LEE COUNTY COMMENTS |
| 3 | 12-31-14 | PER LEE COUNTY COMMENTS |
| 4 | 1-13-15 | PER LEE COUNTY COMMENTS |
| 5 | 1-14-15 | PER LEE COUNTY COMMENTS |
| 6 | 2-21-15 | MINOR CHANGES TO Dwg. |
| 7 | 1-14-15 | CHANGE ELEVATIONS AT GARAGE DOORS |
| 8 | 1-28-15 | UPON 10' LIGHTING |
| 9 | 1-23-15 | ACCED GATE |
| 10 | 2-18-15 | ACCESS TO W/LOW PARKING LOT |
| 11 | 4-16-15 | IMPROVEMENTS TO DAMAGE RESISTANT BY 3" HERE |
| 12 | 4-16-15 | IMPROVEMENTS TO DAMAGE RESISTANT BY 3" HERE |



Drawing Data

Drawing Title

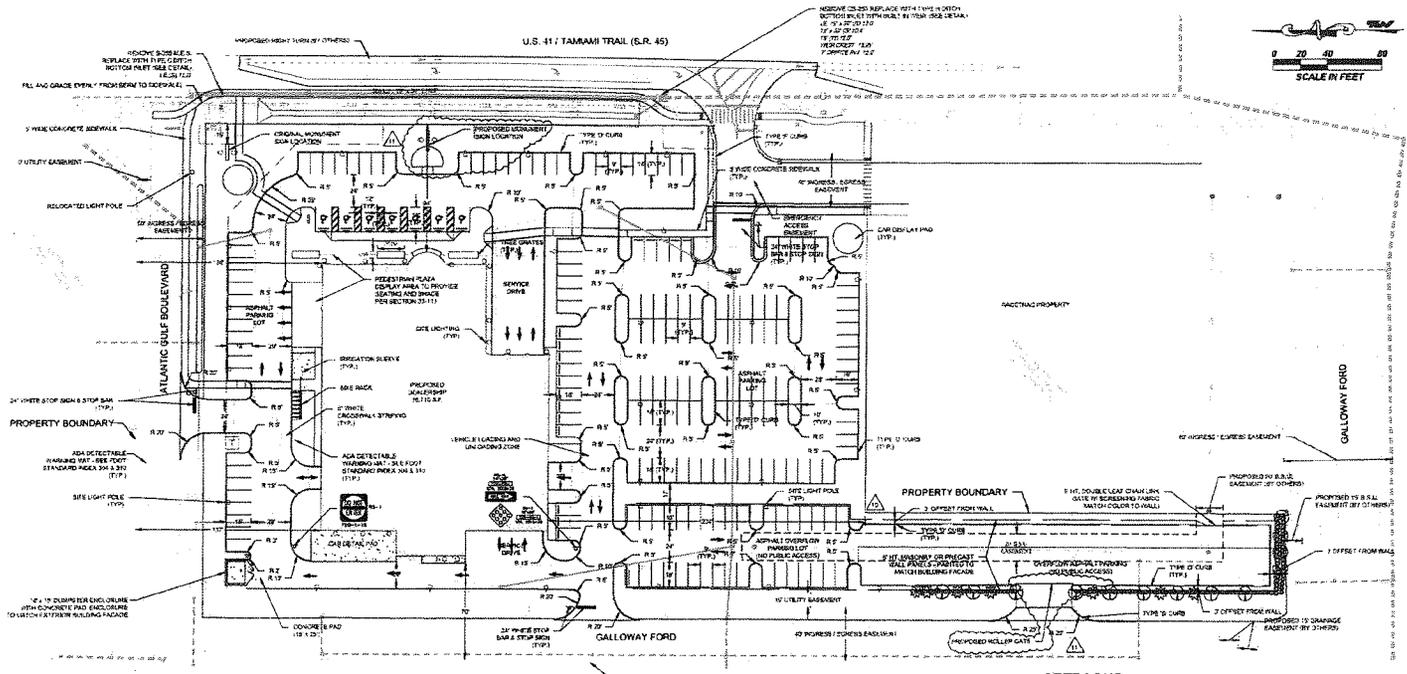
SITE PLAN

Drawing Number

C-06

TKW Project No.: 14703.00

EXHIBIT B



LEE PLAN CONSISTENCY:
 THE PROPOSED AUTO DEALERSHIP IS CONSISTENT WITH THE SUBURBAN COMMUNITY LAND USE CATEGORY OF THE COMPREHENSIVE PLAN 173 PROPOSED LOCATION, AS PART OF THE ESTERO GREENS CDP IS CONSISTENT WITH THE INTENSIFIED AND GENERAL USES SET FORTH IN THE LEE PLAN.

ESTERO GREENS:

| EXISTING | ACRES | SQ. FT. |
|--|---------------|-------------|
| COCONUT POINT FORD (06-47-28-00-0001.0002) | 37.204 | S.F. |
| 41 INVESTMENTS LLP (04-47-25-09-0001.0020) | 2.872 | S.F. |
| PROPOSED BAY TRAC (06-47-28-00-0001.0003) | 8.108 | S.F. |
| SUB-TOTAL | 48.104 | S.F. |

PROPOSED

| COCONUT POINT FORD (06-47-28-00-0001.0002) | ACRES | SQ. FT. |
|--|---------------|-------------|
| | 39.710 | S.F. |
| TOTAL: | 78.814 | S.F. |

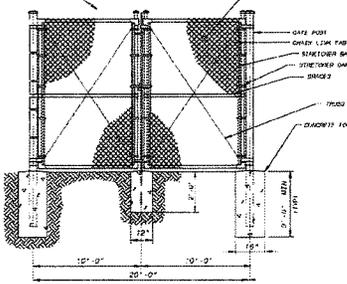
ALLOWED PER ZONING RESOLUTION: 250,000 S.F.

SOLID WASTE CALCULATIONS:

| | |
|---|-----------------|
| TRA DRIVE | 1,270.710 SF |
| PER LDC 10.2(1) (M. BUILDING) 125,000 SF ARE REQUIRED TO PROVIDE THE FOLLOWING: | |
| 215 S.F. FOR FIRST 25,000 S.F. | 215 SF |
| 3.0 S.F. FOR EACH ADDITIONAL 1,000 S.F. | 48 SF |
| TOTAL AREA REQUIRED | 263 SF |
| PROVIDED AREA (118' x 15') | 1,770 SF |

NOTE:
 UNDERMIN OVER-HEAD CLEARANCE OF 22 FEET AND 10 WIDE UNDERSTRUCTURE ACCESS HAS BEEN PROVIDED

BUILDING HEIGHT:
 MAX. 28' ABOVE GRADE



SETBACKS:

| REQUIRED | PROVIDED |
|-------------------|----------|
| STREET (R.3 - 47) | 25' |
| STREET (INTERNAL) | 15' |
| REAR | 23' |

PARKING CALCULATIONS:

| USES | PARKING REQUIREMENTS | REQUIRED SPACES |
|--------|-------------------------------------|--|
| RETAIL | ESTABLISHMENT = 30,710 (UNDER ROOF) | 1 SPACE PER 750 S.F. FLOOR AREA (11,700) = 17 |
| | | 1 SPACE PER 1,000 SF OF DECK STORAGE (2,100) = 2 |
| | | 4 SPACES PER SERVICE BAY (18 BAYS - 75 EMPLOYEES) = 70 |
| | | 118 |
| | HANANIA'S REQUIREMENTS | 17 REQUIRED |
| | PARKING PROVIDED | 118 PROVIDED |
| | OVERFLOW PARKING | 27 PROVIDED |
| | | 145 (MAX CAP) |
| | | 224 |

- LEGEND**
- DISCREETIVE PARKING OR STAMPED CONCRETE
 - ASPHALT
 - CONCRETE SIDEWALK
 - 6" CONCRETE PAD

RECORD DRAWING, BASED ON SURVEY OF POINTS, CONTROL AND OTHER DATA PROVIDED BY ALL SURVEY FIRM SURVEYING, INC. (THEY CORRECTED THE SURVEYING, INC. THEY CORRECTED THE SURVEYING, INC.)

REVIEWED BY: [Signature] DATE: [Blank]

PROJECT BY: [Blank]
 DATE: [Blank]
 DRAWING NO.: [Blank]
 SHEET NO.: [Blank]

Client
HANANIA
AUTOMOTIVE GROUP
 7220 BLANDING BLVD
 JACKSONVILLE, FL 32244

Project
COCONUT POINT HONDA

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Revisions

| REV. NO. | DATE | DESCRIPTION |
|----------|----------|------------------------------------|
| 1 | 11-10-14 | ACCORDING PI |
| 2 | 12-10-14 | PER LEE COUNTY COMMENTS |
| 3 | 12-31-14 | PER LEE COUNTY COMMENTS |
| 4 | 1-7-15 | PER LEE COUNTY COMMENTS |
| 5 | 1-8-15 | PER LEE COUNTY COMMENTS |
| 6 | 2-3-15 | REVISIONS CHANGES TO D.O. |
| 7 | 1-8-15 | CHANGE ELEVATIONS AT DAMAGE CORNER |
| 8 | 7-23-15 | UPONED LIGHTING |
| 9 | 5-25-15 | ELEVATION NEGATIVE'S |
| 10 | 10-28-15 | REVISIONS |
| 11 | 11-18-15 | ELEVATION ADJUSTMENTS |



Drawing Data

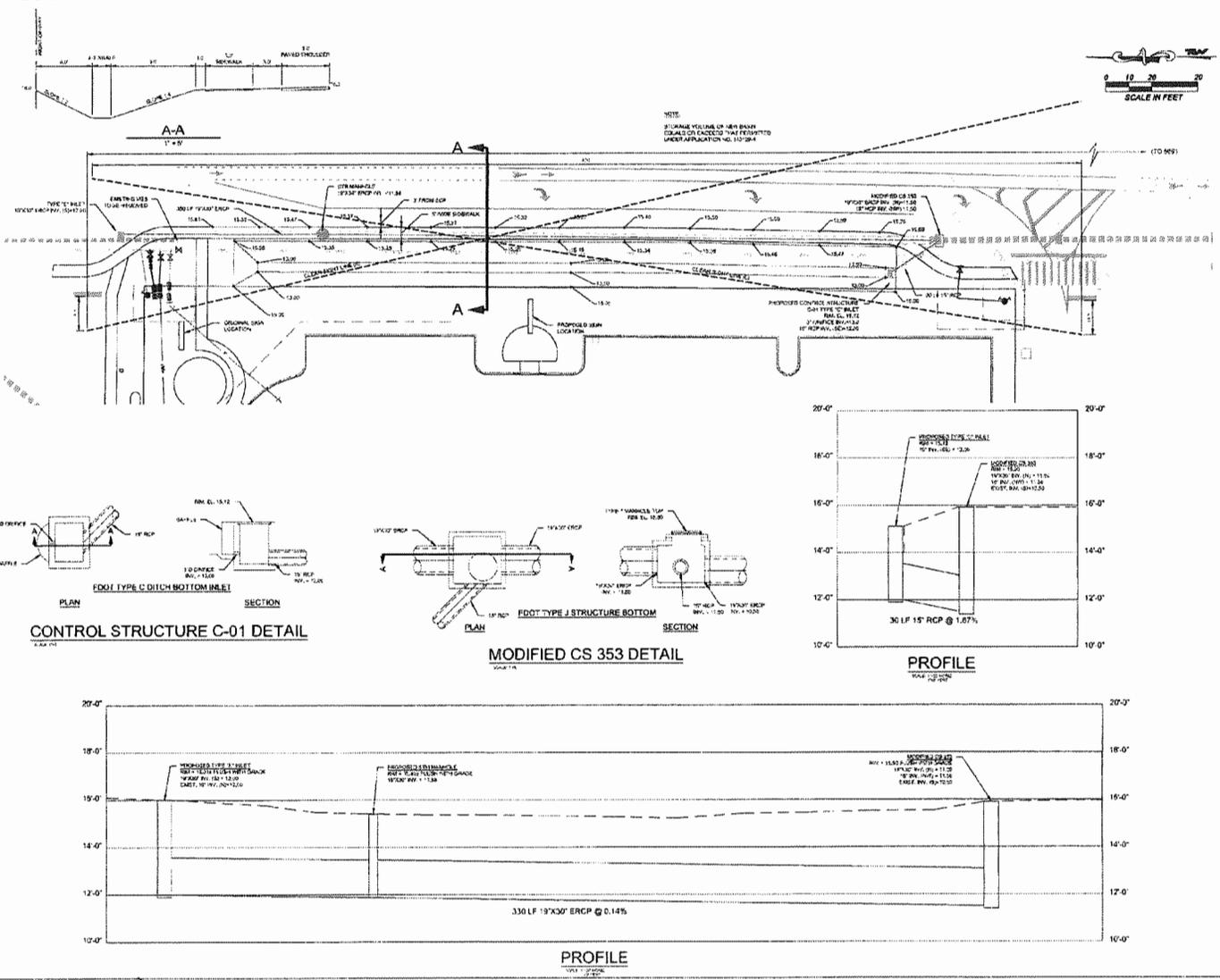
Drawing Title
 US 41 CLEAR SIGHT
 DISTANCE PLAN FOR
 PROPOSED HONDA
 MONUMENT SIGN

Drawing Number

D-1

TKW Project No.: 14703.00

EXHIBIT C



Title Block
 Project No.
 Drawing Title
 Drawing Number
 Date
 Author
 Checker
 Engineer
 Professional Engineer Seal
 State of Florida License No. 12157
 Exp. 12/31/16