

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, an application was filed by the property owner, Holding Assets, LLC, to rezone an 8.4± acre parcel from Multiple-Family Residential (RM-2) to Commercial (C-2) in reference to 128 Beth Stacey Blvd; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Amanda L. Rivera, was advertised and held on August 20, 2020; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #REZ2019-00021 and recommended APPROVAL of the Request; and

WHEREAS, a second public hearing was advertised and held on November 4, 2020 before the Lee County Board of Commissioners; and,

WHEREAS, the Lee County Board of Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to rezone an 8.4± acre parcel from RM-2 to C-2.

The property is located in the Central Urban Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED.

SECTION B. EXHIBITS:

The following exhibits are attached to this resolution and incorporated by reference:

- Exhibit A: Legal description of the property
- Exhibit B: Zoning Map (with the subject parcel indicated)

SECTION C. FINDINGS AND CONCLUSIONS:

Based upon its review, the Board of County Commissioners adopts the recommendation of the Hearing Examiner, including the following findings and conclusions, and finds the requested C-2 zoning district:

1. Is consistent with the Lee Plan. See Lee Plan Vision Statement Paragraph 17 (Lehigh Acres Planning Community), Lee Plan Goals 1, 2, 6, 25, Objective 2.1, 2.2, 11.1, 11.2, 25.1, 25.2, 25.6, and Policies 1.1.3, 1.7.6, 2.1.1, 2.2.1, 5.1.5, 6.1.1, 6.1.4, 6.1.7, 11.2.4, 25.1.1, 25.1.2, 25.1.3, 25.6.1, Maps 1, 6, 16 and Table 1(b);

2. Will meet or exceed the performance and location standards for the uses allowed in the C-2 zoning district. See Lee Plan Objectives 2.1, 2.2, 11.1 and Policy 2.1.2;
3. Is compatible with existing and planned uses in the surrounding area. See Lee Plan Objective 2.1, 11.1, Policies 1.1.3, 2.1.1, 5.1.5, 6.1.4, 11.2.4;
4. Provides sufficient access to support development intensity. Expected impacts on transportation facilities will be addressed by existing county regulations;
5. Will not adversely affect environmentally critical or sensitive areas or natural resources on the property; and
6. Will be served by adequate urban services. See Lee Plan Glossary, Goal 4, Objective 2.2, 11.1, Policies 1.1.3, 2.2.1, 6.1.7, Standards 4.1.1, 4.1.2.

SECTION D. SCRIVENER'S ERRORS

The Board intends that this resolution can be renumbered or relettered and typographical errors that do not affect the intent and are consistent with the Board's action can be corrected with the authorization of the County Manager or his designee, without the need for a public hearing.

Commissioner Mann made a motion to adopt the foregoing resolution, seconded by Commissioner Manning. The vote was as follows:

Adopted by unanimous consent.

John Manning	Aye
Cecil Pendergrass	Aye
Raymond Sandelli	Aye
Brian Hamman	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 4th day of November 2020.

ATTEST:
LINDA DOGGETT, CLERK

BY: Melissa Butler
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Brian Hamman
Brian Hamman, Chair

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

Joseph A. Adams
Joseph A. Adams
Assistant County Attorney
County Attorney's Office



RECEIVED
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SKETCH AND DESCRIPTION

YELLOWTAIL CANAL EXTENSION

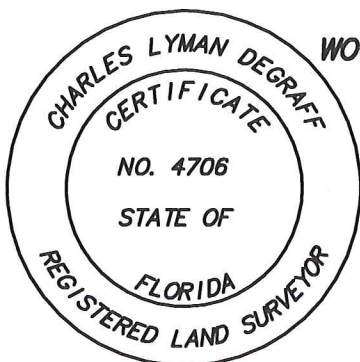
LEGAL DESCRIPTION:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY RIGHT-OF-WAY LINE OF WOODWARD COURT AND THE EASTERLY RIGHT-OF-WAY LINE OF BETH STACEY BOULEVARD AS SHOWN ON THE PLAT OF PARKWOOD III, SECTION 31, TOWNSHIP 44 SOUTH, RANGE 27 EAST, A SUBDIVISION OF LEHIGH ACRES, LEE COUNTY, FLORIDA, RECORDED IN PLAT BOOK 28, AT PAGE 94 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH 00°20'28" EAST, ALONG THE EASTERLY RIGHT-OF-WAY OF BETH STACEY BOULEVARD, A DISTANCE OF 1,826.45 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF YELLOWTAIL CANAL EXTENSION; THENCE NORTH 89°13'37" EAST, ALONG SAID CANAL, A DISTANCE OF 200.00 FEET, TO THE WESTERLY RIGHT-OF-WAY LINE OF YELLOWTAIL CANAL EXTENSION; THENCE SOUTH 00°20'28" WEST, ALONG SAID CANAL, A DISTANCE OF 1,828.28 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF WOODWARD COURT; THENCE SOUTH 89°45'00" WEST, ALONG WOODWARD COURT, A DISTANCE OF 199.97 FEET, TO THE POINT OF BEGINNING, SAID PARCEL OF LAND CONTAINING 8.4 ACRES, MORE OR LESS.

APPROVED
REZ2019-00021
Daniel Munt, Planner
Lee County DCD
6/15/2020

CERTIFIED TO:
SPECTRUM ENGINEERING
LEE COUNTY, FLORIDA

NOT A SURVEY



WOODWARD BOULEVARD S89°45'00"W

WOODWARD COURT

Charles
DeGraff

(SIGNED)
CHARLES L. DEGRAFF
DATE SIGNED APRIL 23, 2020.

Digitally signed by Charles DeGraff
DN: c=US, st=Florida, l=DeBary, o=Charles DeGraff Land Surveyor, cn=Charles DeGraff, email=charles.degraff@gmail.com
Date: 2020.04.23 11:25:33 -04'00'

SECTION 31, TOWNSHIP 44 SOUTH, RANGE 27 EAST

PARKWOOD II
PLAT BOOK 28, PAGE 84

PARKWOOD III
PLAT BOOK 28, PAGE 94

POINT OF BEGINNING

BETH STACEY BOULEVARD

N89°13'37"E

200.00'

1826.45'

1828.28'

8.4 ACRES

N0°20'28"E

S0°20'28"W

199.97'

YELLOWTAIL CANAL EXTENSION

The seal appearing on this document was authorized by Charles DeGraff PSM 4706 on April 23, 2020.

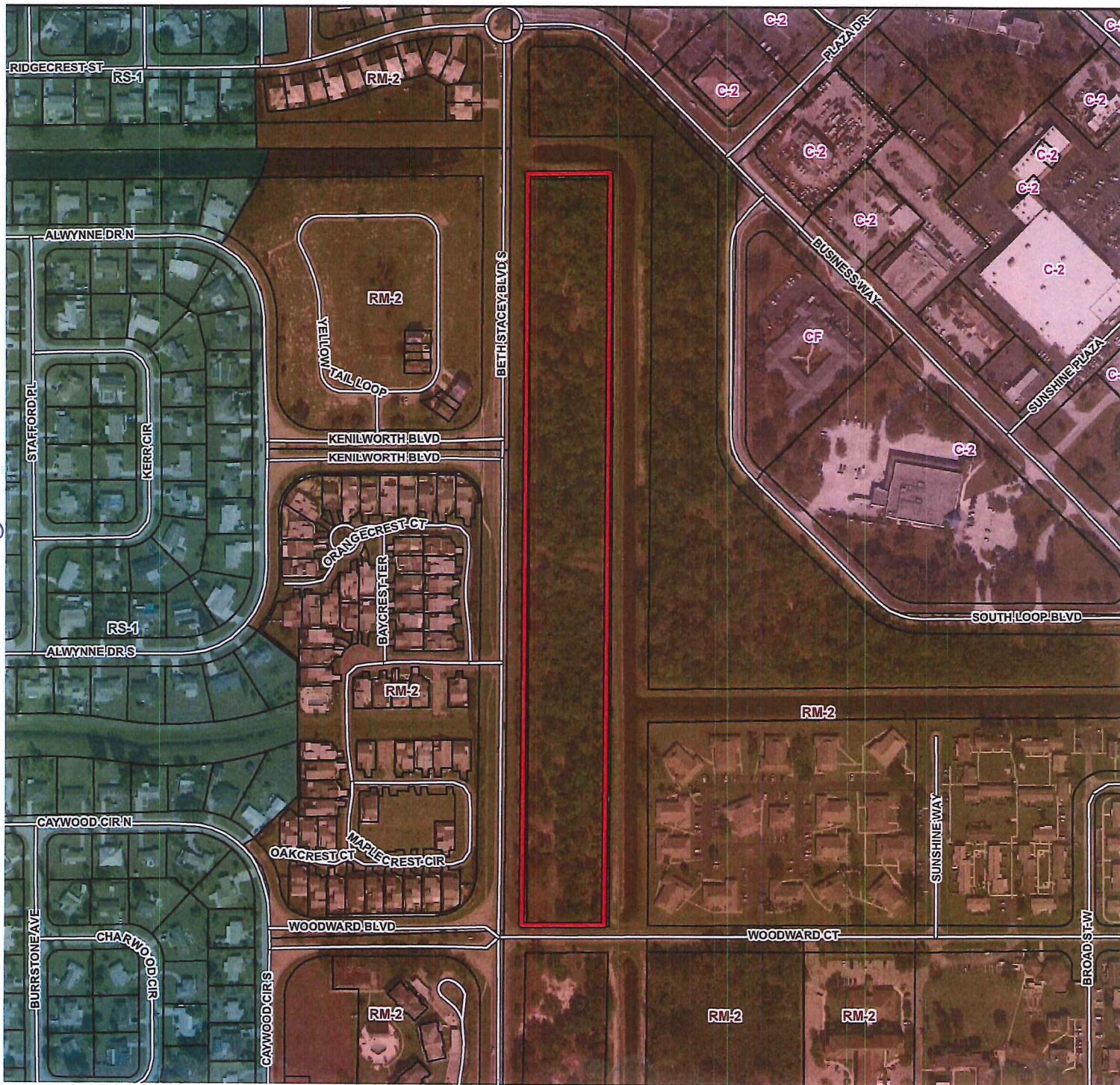
LIS Land Surveying, LLC
d.b.a. S & H Land Survey Co.

LB 1057

21430 Palm Beach Blvd., Alva, Florida 33920
2572 West State Road 426, Oviedo, Florida 32765

Phone (239) 693-9244
Phone (239) 693-9828 FAX

EXHIBIT A



REZ2019-00021 Zoning

Legend

 Subject Parcel



0 200
Feet