

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

WHEREAS, an application was filed by the property owner, Mother & Sons Real Estate Inc., to rezone 1.30± acres of land from Commercial (C-2) and Commercial Planned Development (CPD) to Commercial Planned Development (CPD), in reference to Nowack CPD; and,

WHEREAS, a public hearing was advertised and held on June 23, 2010, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2009-00038; and

WHEREAS, a second public hearing was advertised and held on September 20, 2010, before the Lee County Board of Commissioners, who 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 1.30± acres of land from C-2 and CPD to CPD. The proposed project consists of an existing 2,996 s/f building, an existing 1,964 s/f building and a proposed 2,762 s/f building, with a mix of commercial office and retail uses. Maximum height proposed is 1 story/35 feet. No development blasting is proposed. The development is connected to public potable water service, and currently utilizes an on-site sewage treatment system. The property is located in the Suburban Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. The development of this project must be substantially consistent with the 2-page Master Concept Plan (MCP) entitled "Master Concept Plan, Nowack CPD," Sheet 1 dated 10/09/09, last revised 06/01/10; Sheet 2 dated 12/28/09, last revised 03/26/10, both date-stamped "Received Sep 23 2010, Community Development," and attached hereto as Exhibit C, except as modified by the conditions below

The development must comply with all the requirements of the Lee County LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.