

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

WHEREAS, James Ryan, represented by Evergreen Enterprises on a project known as Pirate Place properly filed an application for a rezoning from AG-2 district to TF-1; and

WHEREAS, the subject property is located at 26435 Old 41 Road, Bonita Springs, described more particularly as:

LEGAL DESCRIPTION: In Section 26, Township 47 South, Range 25 East, Lee County, Florida:

The East Half (E½) of the Northeast Quarter (NE¼) of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of Section 26, Township 47 South, Range 25 East.

WHEREAS, James Ryan, owner of the subject parcel, properly authorized Stephanie Keyes, AICP, Inc., and Evergreen Enterprises, to act as agents to pursue this zoning application; and

WHEREAS, a public hearing was legally and properly advertised to be held before the Lee County Hearing Examiner on October 2, 1990, and later deferred to December 11, 1990; and

WHEREAS, prior to the hearing, gopher tortoises were discovered on the property, and the hearing subsequently was deferred to a date uncertain in order for the applicant and staff to determine alternative action; and

WHEREAS, on July 27, 1992 the applicant withdrew the application for a rezoning to TF-1, in order to submit an application for an alternative request and project; and

NOW, THEREFORE, BE IT RESOLVED that the act of withdrawing the application for a rezoning from AG-2 to TF-1 does effectively nullify the request of this hearing (Case No. 90-10-2-Z-3) and the AG-2 zoning remains in full force and effect.

Approved as to form by:

Charles R. Gault 7/28/92
Lee County Zoning Division