

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

WHEREAS, Patrick C. Hunt, filed an application on behalf of the property owner, George and Claudette Bent, to rezone a 1.0-acre parcel of land from Residential Single-Family (RS-1) to Neighborhood Commercial (CN-3) in reference to Gunnery Road Commercial.

WHEREAS, a public hearing was advertised and held on March 3, 2004, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #REZ2003-00032; and

WHEREAS, a second public hearing was advertised and held on April 5, 2004, 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 a 1.0-acre parcel from RS-1 to CN-3. The property is located in the Central Urban Land Use Category and is legally described in attached Exhibit A. The request is APPROVED.

SECTION B. EXHIBITS AND STRAP NUMBER:

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

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

The applicant has indicated that the STRAP numbers for the subject property are: 04-45-26-01-00014.0010, 04-45-26-01-00014.0020, and 04-45-26-01-00014.0030.

SECTION C. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
2. The rezoning, as approved:

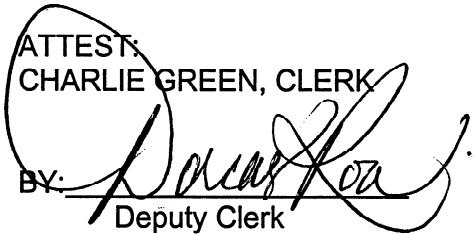
- a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,
 - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,
 - c. is compatible with existing or planned uses in the surrounding area; and,
 - d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,
 - e. will not adversely affect environmentally critical areas or natural resources.
3. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Judah, seconded by Commissioner Janes and, upon being put to a vote, the result was as follows:

Robert P. Janes	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Andrew W. Coy	Aye
John E. Albion	Aye

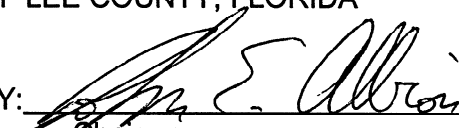
DULY PASSED AND ADOPTED this 5th day of April, 2004.

ATTEST:
CHARLIE GREEN, CLERK

BY: 

Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: 

Chairman

Approved as to form by:



Dawn E. Perry-Lehnert
County Attorney's Office



EXHIBIT "A"
LEGAL DESCRIPTION
Property located in Lee County, Florida

EXHIBIT "A"

DESCRIPTION AS FURNISHED BY CLIENT
LOTS 1, 2, 3 AND 4, BLOCK 14 OF LEHIGH ACRES, UNIT 3
SUBDIVISION AS PER THE MAP OR PLAT THEREOF RECORDED IN
PLAT BOOK 15, PAGE 100 PF THE PUBLIC RECORDS OF LEE
COUNTY, FLORIDA.

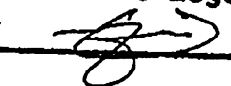
Applicant's Legal Checked
by  DEC. 2003

EXHIBIT B

