

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

WHEREAS, an application was filed by the property owner, Pennington Developments, LLC to rezone a .96± acre parcel from Residential Two-Family Conservation (TFC-2) to Residential Multi-Family (RM-2), in reference to Pennington Rezoning 2; and

WHEREAS, a public hearing was advertised and held on September 28, 2006, before the Lee County Zoning Hearing Examiner, Diana M. Parker, who gave full consideration to the evidence in the record for Case #REZ2006-00026; and,

WHEREAS, a second public hearing was advertised and held on March 19, 2007, 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 .96 ± acre parcel from TFC-2 to RM-2. Water and Wastewater services will be provided by Lee County Utilities. 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 (with the subject parcel indicated)

The applicant has indicated that the STRAP number for the subject property is:
12-45-24-01-0000G.0090

SECTION E. 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:

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- 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 available and adequate to serve the proposed land use.

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

Robert P. Janes	Aye
Brian Bigelow	Aye
Ray Judah	Aye
Tammara Hall	Aye
Frank Mann	Absent

DULY PASSED AND ADOPTED this 19th day of March, 2007.

ATTEST:
CHARLIE GREEN, CLERK

BY: *Lisa J. Purice*
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: *Robert P. Janes*
Robert P. Janes
Chair



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Approved as to form by:

Robert D. Spickerman
Robert D. Spickerman
County Attorney's Office

CASE NO: REZ2006-00026

Legal Description

LOTS 9 AND 10, BLOCK "G", PAGE PARK, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 8, PAGE 92 IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

Applicant's Legal Checked
by HA 7-28-06

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JUN 12 2006

COMMUNITY DEVELOPMENT

REZ 20 6-00026

REZ2006-00026

Zoning Map

9/8/2006

