

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

WHEREAS, James Ink PE C/O Inkwerks Coastal Design filed an application on behalf of the property owners, Andrea and Ted Dickey (67%) and Bridget Dickey for Roxann Dickey Trust (33%) to rezone a 3.38± acre parcel from Agricultural (AG-2) to Community Commercial (CC) in reference to 18351 North Tamiami Trail Rezoning; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Timothy Jones, was advertised and held on September 26, 2019; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #REZ2019-00006 and recommended APPROVAL of the Request; and

WHEREAS, a second public hearing was advertised and held on December 4, 2019 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 a 3.38± acre parcel from AG-2 to CC.

The property is located in the Suburban 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:

1. Complies with the Lee Plan;
2. Meets the requirements of the LDC and other applicable County regulations;
3. Is compatible with existing and planned uses in the surrounding area;
4. Will provide access sufficient to support the proposed development intensity;

5. The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval;
6. Will not adversely affect environmentally critical or sensitive areas and natural resources; and
7. Will be served by urban services, defined in the Lee Plan.

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 Pendergrass made a motion to adopt the foregoing resolution, seconded by Commissioner Sandelli. 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 December 2019.

ATTEST:
LINDA DOGGETT, CLERK

BY: Joyce Townsend
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
MINUTES OFFICE
2019 DEC 11 PM 5:19

● = (FIR) FOUND IRON ROD
 ● = (FOR) FOUND CAPPED 5/8" IRON ROD LB #3590
 ● = (FCM) FOUND CONCRETE MONUMENT
 ⊕ = (BM) BENCHMARK
 ● = FOUND PCP (PK&DISK LB #3590)
 □ = (SCM) SET CONC. MONUMENT LB #3590
 ○ = (SCR) SET CAPPED 1/2" IRON ROD LB #3590
 ⊙ = SET NAIL (AS NOTED)
 □ = TELEPHONE RISER
 □ = CATV RISER
 □ = ELECTRIC BOX
 ☀ = LIGHT POLE
 ○ = UTILITY POLE
 — = GUY WIRE
 ⊕ = PARKING METER
 ① = TELEPHONE MANHOLE
 ② = ELECTRIC MANHOLE
 ⊕ = GAS VALVE
 ◇ = WATER METER
 ✕ = WATER VALVE
 ⦿ = FIRE HYDRANT
 ⊗ = IRRIGATION VALVE
 ⊙ = WELL
 ▭ = CATCH BASIN
 ▭ = MITERED END SECTION
 ⊙ = STORM MANHOLE
 ⊕ = SIGN
 ⊙ = SANITARY SEWER MANHOLE
 △ = SANITARY SEWER CLEANOUT
 ⊕ = SANITARY SEWER VALVE
 ⊕ = CENTERLINE
 ☁ = TREE
 ✕ = PALM
 ☁ = OAK
 ☀ = PINE
 ✕ = SPOT ELEVATION
 BOC = BACK OF CURB
 (C) = CALCULATED
 CBS = CONCRETE BLOCK STRUCTURE
 CMP = CORRUGATED METAL PIPE
 CONC = CONCRETE
 (D) = DEED
 DB = DEED BOOK
 DE = DRAINAGE EASEMENT
 DUE = DRAINAGE AND UTILITY EASEMENT
 ERCP = ELLIPTICAL REINFORCED CONC. PIPE
 EOP = EDGE OF PAVEMENT
 EOW = EDGE OF WATER
 FDH = FOUND DRILL HOLE
 FF EL. = FINISHED FLOOR ELEVATION
 FNAIL = FOUND NAIL
 FPK = FOUND PK NAIL
 FPKD = FOUND PK NAIL & DISK
 FPL = FLORIDA POWER AND LIGHT CO.
 IE = INVERT ELEVATION
 (M) = MEASURED
 MH = MANHOLE
 ORB = OFFICIAL RECORD BOOK
 (P) = PLAT
 PB = PLAT BOOK
 PG = PAGE
 POB = POINT OF BEGINNING
 POC = POINT OF COMMENCEMENT
 PP = POWER POLE
 PUE = PUBLIC UTILITY EASEMENT
 RCP = REINFORCED CONCRETE PIPE
 R.E. = RIM ELEVATION
 R.R. = RAILROAD
 SNAIL = SET NAIL
 SPK = SET PK NAIL
 SPKD = SET PK NAIL & DISK
 SR = STATE ROAD
 TBM = TEMPORARY BENCHMARK
 TOB = TOP OF BANK
 TOE = TOE OF SLOPE
 U.S.A. = UNITED STATES OF AMERICA

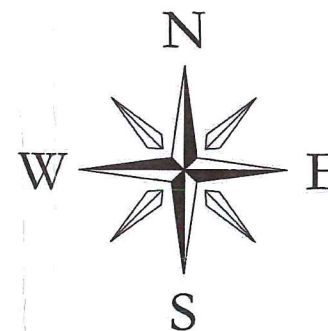
Applicant's Survey Checked
by DMA 6/25/19

A lot or parcel or land lying in Section 16, Township 43 South, Range 24 East, which lot or parcel is described as follows: From the Southeast corner of said Section 16 run East along the South line of Section 15 in said township and range for 46.46 feet to the Westerly right-of-way line of the Tamiami Trail (State Road 45); thence run N 26°07'10"W along said right-of-way line, 100 feet from the center line for 1,900 feet to the point of beginning of the lands hereby conveyed. From said point of beginning continue N 26°07'10"W along said right-of-way line for 300 feet; thence run S 63°52'50"W along a perpendicular to said right-of-way line for 491.3 feet; thence deflect left 90°00 and run S 26°07'10"E parallel to end 9 feet Northeasterly from the centerline of an electric power transmission line for 300 feet; thence run N 63°52'50"W perpendicular to said right-of-way line for 491.3 feet to the point of beginning.

Subject to easements, restrictions and reservations of record.

NOTES:

1. THIS SURVEY BASED ON A TITLE REPORT BY ATTORNEYS' FUND TITLE SERVICES, LLC FILE #705724 DATED FEBRUARY 15, 2019.
2. BEARINGS SHOWN HEREON BASED ON THE STATE PLANE COORDINATE SYSTEM (FLORIDA WEST ZONE) WITH THE SOUTHEASTERLY R.O.W. LINE OF US 41 BEING NORTH 26°07'10" WEST.
3. IMPROVEMENTS OTHER THAN THOSE SHOWN NOT LOCATED ON THIS SURVEY.
4. SUBJECT TO ALL EASEMENTS, RESERVATIONS, RESTRICTIONS & RIGHTS OF WAY OF RECORD.
5. THIS PROPERTY IS IN ZONE X AS SHOWN ON COMMUNITY PANEL #12071C0260F EFFECTIVE DATE 8/28/2008.



40 0 40
SCALE REZ 20

RECEIVED
JUN 14 2019

COMMUNITY DEVELOPMENT

BOUNDARY-SURVEY

3.38-ACRE-PARCEL

FOR
TED-DICKEY
C/O-LCEI

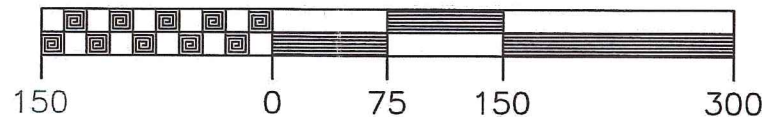
Job No.: 890040
DWG. File No.: 870040-BS
Scale: 1"=40'
S/T/R: 16/43/24
SHT. 10F1

EXHIBIT A

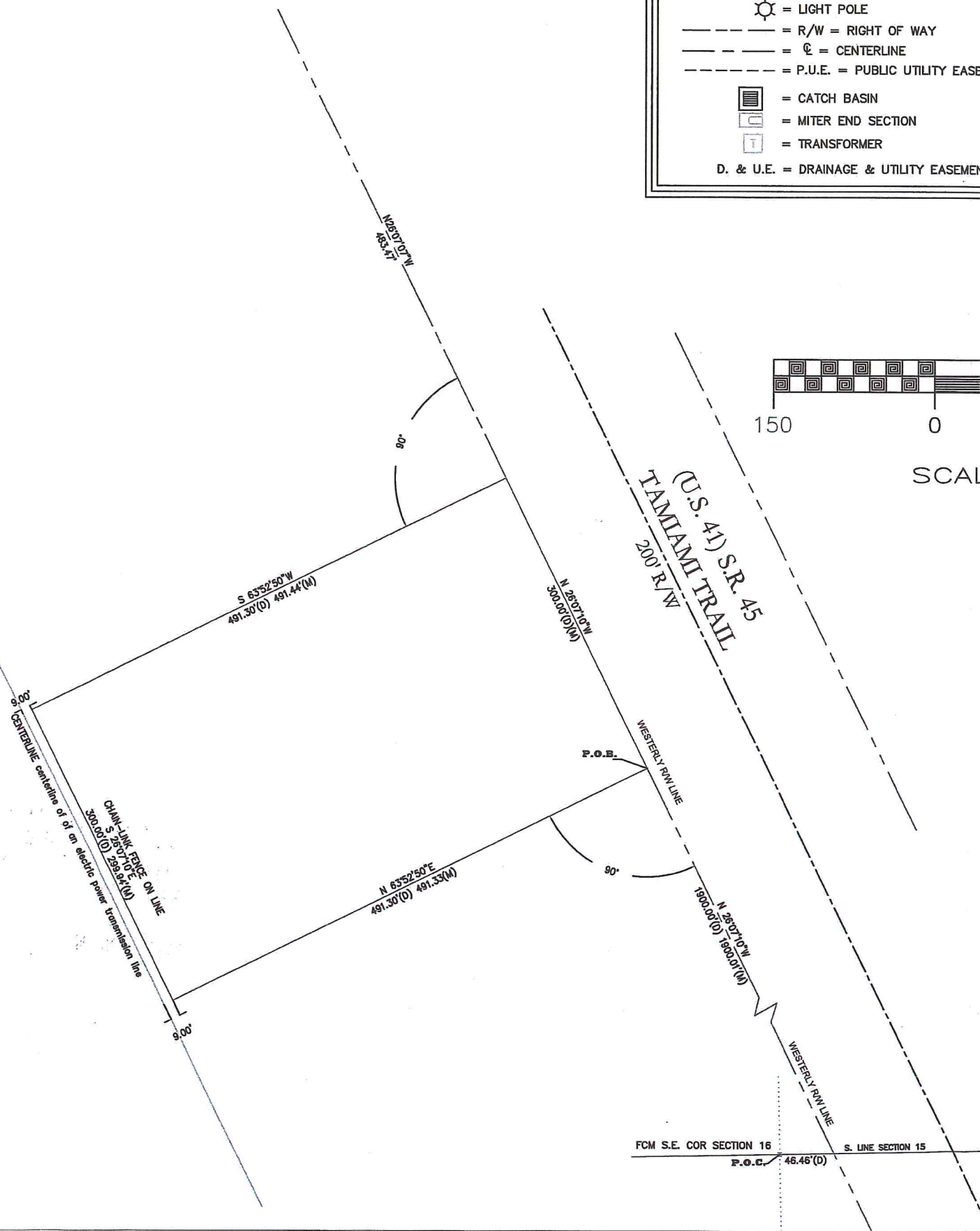
Applicant's Legal Checked
by DM 6/25/19

LEGEND

- | | |
|---|-------------------------------------|
| ● = IRON PIN FOUND | WV = WATER VALVE |
| ○ = IRON PIN WITH CAP SET LB# 3590 | WM = WATER METER |
| ■ = PRM = PERMANENT REFERENCE MONUMENT | ⊙ = FIRE HYDRANT |
| ⊕ = DRILL HOLE SET | ⊕ = UTS-UNITED TELEPHONE SYSTEM BOX |
| ⊙ = PCP = PERMANENT CONTROL POINT | ⊕ = CABLE TELEVISION BOX |
| ⊙ = LIGHT POLE | ⊕ = ELECTRIC SERVICE BOX |
| --- = R/W = RIGHT OF WAY | N & T = NAIL AND TIN TAB |
| --- = CL = CENTERLINE | F.F. EL. = FINISHED FLOOR ELEVATION |
| --- = P.U.E. = PUBLIC UTILITY EASEMENT | C.B.S. = CONCRETE BLOCK STRUCTURE |
| ■ = CATCH BASIN | (P) = PLAT |
| ■ = MITER END SECTION | (M) = MEASURED |
| ■ = TRANSFORMER | FB = FIELD BOOK |
| D. & U.E. = DRAINAGE & UTILITY EASEMENT | PB = PLAT BOOK |
| | PG = PAGE |



SCALE: 150



JOB NUMBER: 870040.00

Prepared by:



LEE COUNTY ENGINEERING INC.

600 SUNNYSIDE COURT
FORT MYERS, FLORIDA 33919
PHONE (239)768-0077

EDDIE E. NEESE
PROFESSIONAL LAND SURVEYOR
FLORIDA REGISTRATION NO. 2653

BOUNDARY SKETCH & LEGAL DESCRIPTION

A lot or parcel or land lying in Section 16, Township 43 South, Range 24 East, which lot or parcel is described as follows: From the Southeast corner of said Section 16 run East along the South line of Section 15 in said township and range for 46.46 feet to the Westerly right-of-way line of the Tamiami Trail (State Road 45); thence run N 26°07'10"W along said right-of-way line, 100 feet from the center line for 1,900 feet to the point of beginning of the lands hereby conveyed. From said point of beginning continue N 26°07'10"W along said right-of-way line for 300 feet; thence run S 63°52'50"W along a perpendicular to said right-of-way line for 491.3 feet; thence deflection left 90°00' and run S 26°07'10"E parallel to end 9 feet Northeast from the centerline of of an electric power transmission line for 300 feet; thence run N 63°52'50"W perpendicular to said right-of-way line for 491.3 feet to the point of beginning.

Subject to easements, restrictions and reservations of record.

Revised 6-13-19 per Lee County Review

SCALE: 1" = 150' DATE DRAWN: 3-27-19

DATE OF SURVEY: 4-1-19

FIELD BOOK 42, PAGE 55

DRAWN BY: DOC

CHECKED BY: EN

FILE = 870040 SKETCH

RECEIVED
JUN 14 2019
REZ 2019-00006

REZ2019-00006 Zoning

Legend

 Subject Parcel



0 200
Feet

