THIS ADD HAS BEEN SUPERSEDED BY ADD2020-00027(A) DATED 10/5/2020

ADMINISTRATIVE AMENDMENT (PD) ADD2020-00027

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, TDM Consulting, Inc., on behalf of Jeff Darragh/Worthington of Renaissance, LLC, filed an application for an administrative amendment to the Renaissance South Residential Planned Development (RPD) to add Rooming House to the approved Schedule of Uses and to clarify the property development regulations on property located at 12771-821 Renaissance Way, described more particularly as:

LEGAL DESCRIPTION: In Section 15, Township 45 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned by Resolution Z-02-008A and was subsequently amended by ADD2002-00102 and ADD2002-00180; and

WHEREAS, the subject property is located in the Outlying Suburban and Wetlands Future Land Use Categories as designated by the Lee Plan; and

WHEREAS, the applicant has filed a request to add Rooming House, as defined in the Lee County Land Development Code (LDC), to the approved Schedule of Uses for the Residential Planned Development to facilitate the development of on-site guest accommodations to support a proposed golf academy associated with the existing Club at Renaissance (see Exhibit "B"); and

WHEREAS, the guest accommodations are proposed to consist of a maximum of eight double-occupancy bedroom suites with common indoor and outdoor living areas to accommodate a maximum of 16 lodgers (see Exhibit "C"); and

WHEREAS, LDC Section 34-620 allows the Director to determine whether uses not specifically contemplated by the LDC are permitted by right or by special exception in a particular zoning district based upon the placement of similar listed uses in the various districts; and

WHEREAS, the proposed guest accommodations are not specifically contemplated by the Land Development Code, and the Director has determined that the use contemplated by the request is most similar to Rooming House as defined in LDC Section 34-2; and

WHEREAS, the proposed guest accommodations are subject to the density requirements of the Lee County Comprehensive Plan (the Lee Plan); and

WHEREAS, a maximum of 500 dwelling units are permitted in the Renaissance Residential Planned Development and 388 dwelling units have been permitted to date (see Exhibit "B"); and

WHEREAS, the proposed guest accommodations are equivalent to four additional dwelling units pursuant to LDC Section 34-1414(c)(2), and the request will conform to the density requirements of the Lee Plan; and

WHEREAS, the subject property is an irregularly-shaped parcel that exhibits a curvilinear, meandering boundary along the north, east and south; and

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WHEREAS, the applicant has filed a request to clarify and amend the property development regulations for the subject property, which is identified as the Clubhouse Parcel, to establish a reduced setback to the existing golf course (see Exhibit "B"); and

WHEREAS, the applicant has provided a sworn affidavit and correspondence from the Homeowner's Association demonstrating compliance with LDC Section 34-201(a)(1)c (see Exhibit "D"); and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for an amendment to the Renaissance South Residential Planned Development (RPD) to add Rooming House to the approved Schedule of Uses and to clarify the property development regulations is **APPROVED, subject to the following conditions:**

1. **Condition 2.a of Resolution Z-02-008A (Schedule of Uses) is hereby amended to include the following use:**

   Rooming House, limited to on-site guest accommodations on the Clubhouse Parcel (Tract H) in accordance with Condition 3

2. **Condition 2.b of Resolution Z-02-008A (Site Development Regulations) is hereby amended as follows:**

Minimum Lot Size:	Clubhouse Parcel
Lot Width	As depicted on MCP
Lot Depth	As depicted on MCP
Lot Area	As depicted on MCP
Maximum Building Height	35 feet/two stories

Minimum Setbacks:

Front (street)	25 feet
Side	15 feet
Rear (golf course)	~~25~~15 feet (5 feet for accessory structures)
Waterbody	25 feet (10 feet for accessory structures - except as permitted by Deviation 9 of Resolution Z-02-008A

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3. **On-site guest accommodations (Rooming House)**

   a. The on-site guest accommodations (Rooming House) is permitted to contain a maximum of eight (8) double-occupancy guest suites to accommodate a maximum of 16 lodgers.

   b. Occupancy of the on-site guest accommodations (Rooming House) is limited to members and guests of the Renaissance Golf Club. The occupancy of the on-site guest accommodations (Rooming House) by the general public is prohibited.

   c. Prior to local development order approval for the proposed on-site guest accommodations (Rooming House), the applicant, its successors or assigns, must provide written notice of the application to develop the on-site guest accommodations (Rooming House) to all parcel owners of record of within the Renaissance North Residential Planned Development and the Renaissance South Residential Planned Development. The written notice must provide a phone number and email address for complaints related to operation of the proposed facility after its opening. The applicant, its successors or assigns, must furnish a copy of this notice with Certified Mail Return Receipts to the Zoning Manager and Development Services Manager prior to the issuance of a Local Development Order to satisfy this condition.

   d. If the contact information for the registration of complaints is changed, then a new notice providing updated contact information must be provided in accordance with this condition.

4. **The terms and conditions of the original zoning resolution and subsequent amendments thereto remain in full force and effect.**

5. **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Zoning Manager may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

Duly passed, adopted, and electronically signed on 9/22/2020

Audra Ennis, Zoning Manager

List of Exhibits
Exhibit A: Legal Description
Exhibit B: Request Narrative
Exhibit C: Architectural Floor Plan and Renderings
Exhibit D: Sworn Affidavit and Homeowner's Association Correspondence