

Dear Property Owner:

I am writing in regard to a parcel of property located at 13500 Riverside Center Ct. Fort Myers, FL 33912. The property is designated on the plat for Riverside Center as Parcel A-1. The property is currently zoned Commercial Planned Development (CPD). The property was zoned in 1998 with a list of permitted uses.

I am the owner of Bayside Pet Resorts and currently in contract to purchase parcel A-1. As a part of the most recent zoning change approval, and as identified on attached exhibit, Animal clinic/kennel has been added to the approved list of land uses for Parcel A-1. Our project requires a deviation from Lee County's code Section 34-1322 for Enclosure for facilities. As a result, an Administrative Amendment for the variation is required. The closest residences are approximately 900 ft away from the property.

The county has requested a written response within the next 30 days from your receipt of this letter with any objections. If you do not have any objection to this impending change, no action is required.

If you have any questions or concerns with the above amendment, please do not hesitate to contact Bob Huff at [Robert@huffprop.com](mailto:Robert@huffprop.com) or [tyler@huffprop.com](mailto:tyler@huffprop.com). We would appreciate the opportunity to speak or meet with you to address any objections or questions you may have.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Robert L. Huff (Bob)". The signature is written in a cursive, flowing style.

Robert L. Huff  
President and Owner of Bayside Pet Resort  
5311 Hidden Harbor Rd,  
Sarasota, FL 34242

ADMINISTRATIVE AMENDMENT (PD) ADD2022-00045

ADMINISTRATIVE AMENDMENT  
LEE COUNTY, FLORIDA

WHEREAS, Bayside Pet Resort and Spa, Inc. filed an application for an administrative amendment to a Commercial Planned Development on a project known as Bayside Pet Resort for the addition to the Schedule of Uses on Parcel A-1 of an animal clinic or kennel with outdoor runs (i.e., a pet resort) on property located at 13500 Riverside Center Court, described more particularly as:

LEGAL DESCRIPTION: In Section 21, Township 45 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in Resolution Z-98-025 (with subsequent amendments in Resolution Z-02-069 and ADD2012-00125); and

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

WHEREAS, 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 application proposes to amend the approved Schedule of Uses to permit the addition of an animal clinic or kennel with outdoor runs; and

WHEREAS, Lee County Land Development Code Section 34-1322(2)a provides the minimum lot size for any animal clinic, kennel or boarding facility which contains outdoor pens, cages, runs or exercise facilities is 2.0 acres and the subject property has a size of 2.4 acres; and

WHEREAS, Lee County Land Development Code Section 34-1322(2)b provides no portion of any pen, cage, run or other outdoor exercise facility shall be located closer than 200 feet to any abutting lot or parcel under separate ownership, or from any street right-of-way line or easement and the applicant will be required to demonstrate compliance with this separation requirement at the time of local development order; 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 administrative approval for an amendment to the Commercial Planned Development is **APPROVED**.

**Approval is subject to the following conditions:**

1. The terms and conditions of the original Resolution Number Z-98-025 and as amended by Resolution Number Z-02-069 and case number ADD2012-00125 remain in full force and effect, except as amended herein.
2. The Schedule of Uses set forth in Section B.2.a. of Resolution Z-98-025 for Parcels A & A-I , is amended by adding animal clinic or kennel with outdoor runs or exercise facilities, as set forth below.

**Parcels "A" & "A-I":**

**Administrative Offices**

**Animal clinic or kennel with outdoor runs or exercise facilities, limited to Parcel A-I, subject to LDC Section 34-1321 et seq.**

**Assisted Living Facility**

**Banks & Financial Institutions, Group 1 (With Drive-Through facility, without an amplified speaker system, and the drive-through is limited to Parcel A-I)**

**Business Services, Group 1**

**Caretakers Residence**

**Contractor and Builders, Group 1**

**Communication Tower (up to 100 feet)**

**Day Care Center, Adult & Child Only in conjunction with Religious Facilities**

**Emergency Operations Center**

**Excavation, water retention**

**Fences & walls**

**Insurance Companies**

**Medical Offices**

**Parking Lot, accessory**

**Place of Worship**

**Religious Facilities**

3. The Minimum Setbacks set forth in Section B2b. of Resolution Z-98-025 is amended by adding the following language:

**Minimum Setbacks:**

**Additional Setbacks:**

**West Property Line of Parcel "C":**

**50 feet for structures with a maximum height of 35 feet**

**150 feet for structures with a height between 35 and 45 feet; (45 feet is the maximum allowable height)**

**South Property Line of Parcels "B" and "C" 30 feet**

4. 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 4/19/2022

Anthony R. Rodriguez, AICP, Zoning Manager

**List of Exhibits**

**Exhibit "A" - Legal Description**

**Exhibit "B" - Prior Zoning Approvals (Resolution Z-98-025, Resolution Z-02-069, and ADD2021-00125)**

**EXHIBIT A**

**LEGAL DESCRIPTION**

**LOT 3, RIVERSIDE CENTER, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 72,  
PAGE 13, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.**

**STRAP NO. 06-45-25-11-00000.0030**

**REVIEWED  
ADD2022-00045  
Rick Burris, Principal  
Planner  
Lee County DCD/Planning  
4/8/2022**

DANIELS PARK HOMEOWNERS ASSN  
PO BOX 1058  
LEHIGH ACRES FL 33970

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