

ADMINISTRATIVE AMENDMENT (PD) ADD2022-00158

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, ACLC Properties, LLC filed an application for an administrative amendment to a Commercial Planned Development on a project known as Nino's Pizzeria to amend the Master Concept Plan (MCP) to allow for a secondary ingress and egress to the site and some minor revisions to the MCP on property located at 18767 S Tamiami Trail, described more particularly as:

LEGAL DESCRIPTION: In Section 17, Township 46 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned by Resolution Z-99-043 and was subsequently amended by ADD2003-00142 and ADD2014-00038; and

WHEREAS, the subject property is located in the Urban Community Future Land Use Category as designated by the Lee Plan and is located in the Mixed Use Overlay; 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 applicant proposes to provide a secondary access to the site via Canterfield Boulevard, a private road; and

WHEREAS, the applicant has provided easement documents necessary to allow this connection; and

WHEREAS, the applicant is also proposing to increase the area of outdoor seating area; and

WHEREAS, the applicant is proposing to add 11 additional parking spaces and relocate the existing solid waste collection area; and

WHEREAS, this project was reviewed by the Lee County Development Services Section and Department of Transportation and was recommended for approval; 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.

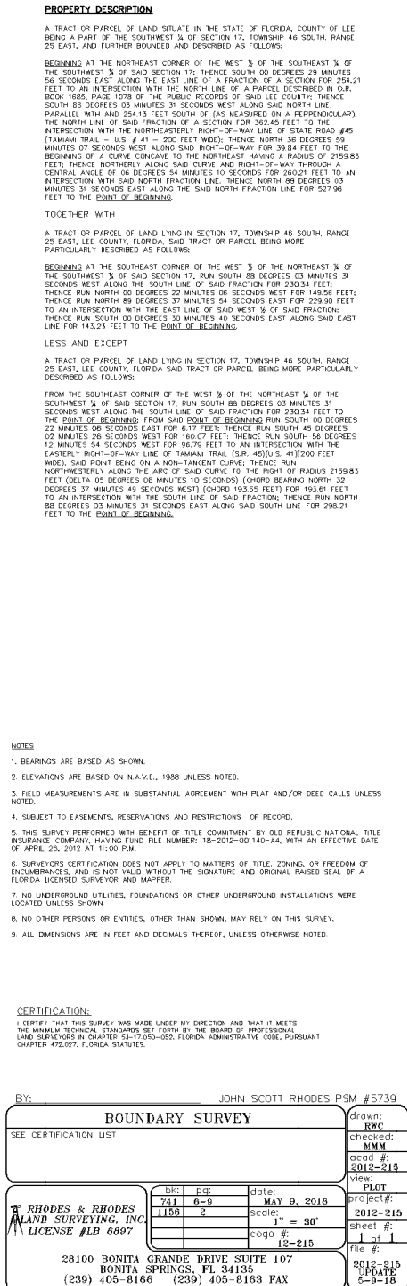
NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to the Commercial Planned Development to amend the Master Concept Plan is **APPROVED subject to the following conditions:**

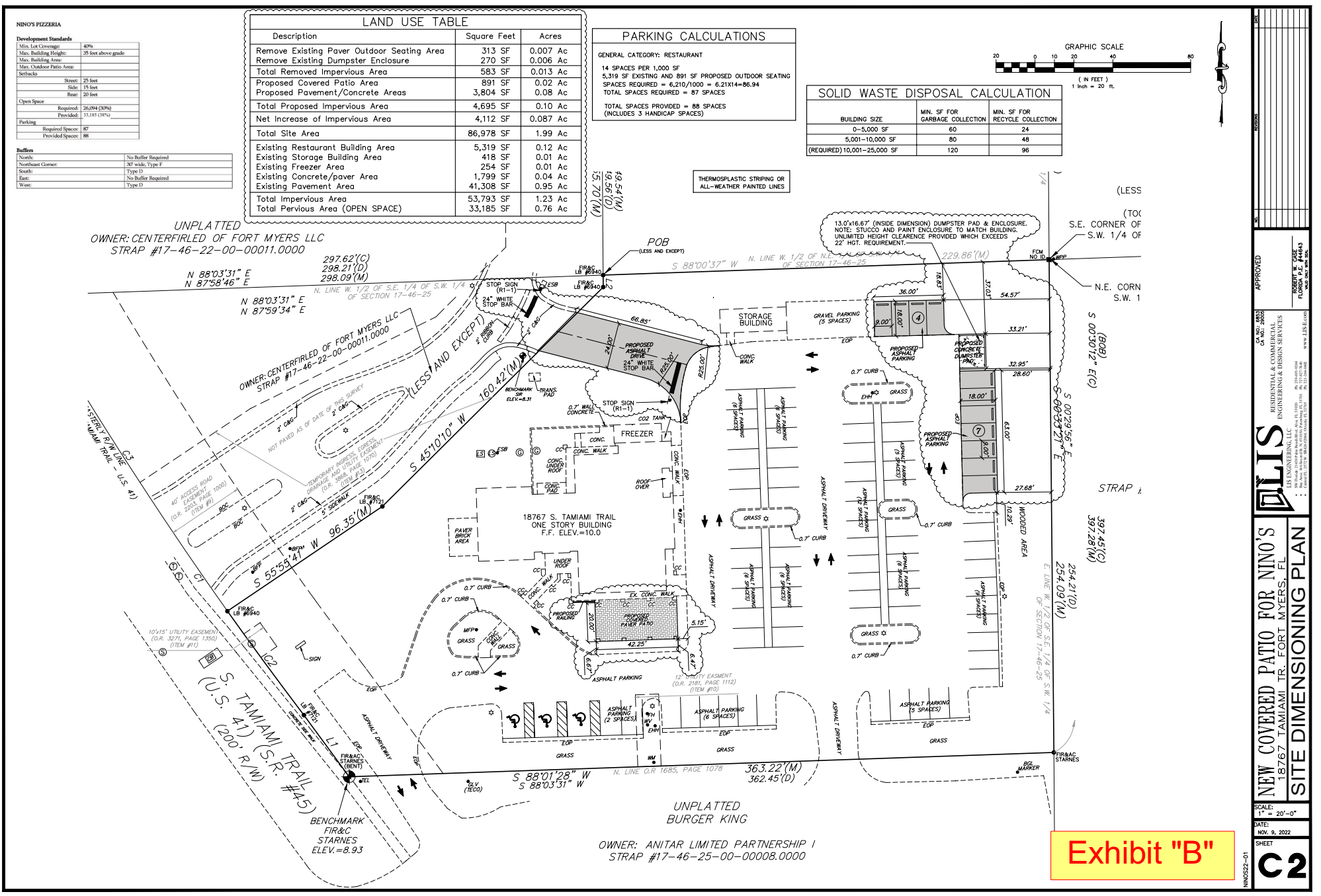
1. **The Development must be in compliance with the amended Master Concept Plan, dated November 9, 2022. Master Concept Plan for ADD2022-00158 is hereby APPROVED and adopted. A copy is attached hereto as Exhibit “B”.**
2. **The terms and conditions of the original zoning resolutions remain in full force and effect, except as amended herein.**
3. **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 6/16/2023

Anthony R. Rodriguez, AICP, CPM, Zoning Manager

Attachments: **Exhibit “A” Legal Description**
 Exhibit “B” Master Concept Plan





APPROVED

CA NO. 1855

CA NO. 2855

RESIDENTIAL & COMMERCIAL ENGINEERING & DESIGN SERVICES

LLS ENGINEERING, LLC

18767 TAMIAHI TR. FORT MYERS, FL

NEW COVERED PATIO FOR NINO'S

18767 TAMIAHI TR. FORT MYERS, FL

SITE DIMENSIONING PLAN

SCALE: 1" = 20'-0"

DATE: NOV. 9, 2022

SHEET

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