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

WHEREAS, an application was filed by the property owner, Anna A. Pagani, East Trail Holdings, LLC, to rezone a 1.29± acre parcel from Residential Single-Family (RS-1) to Commercial Planned Development (CPD) in reference to Leeland Heights CPD; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Donna Marie Collins, was advertised and held on August 14, 2025; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2023-00043 and recommended APPROVAL of the request; and

WHEREAS, a second public hearing was advertised and held on October 8, 2025 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 1.29± acre parcel from RS-1 to CPD, to allow up to 12,000 square feet of commercial use.

The property is located in the Central Urban Future Land Use Category and is legally described in attached Exhibit A and the vicinity map of the subject property is attached as Exhibit B. The request is APPROVED, SUBJECT TO the conditions specified in Section B below.

SECTION B. CONDITIONS

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. Master Concept Plan and Approved Development Parameters

Master Concept Plan (MCP). Development must be consistent with the MCP entitled "Leeland Heights CPD Master Concept Plan" prepared by Bowman dated March 29, 2024, except where modified by conditions below. (Exhibit C)

Compliance with Lee Plan and Land Development Code (LDC). Development must comply with the Lee Plan and LDC, except where deviations are approved herein. Amendments to the MCP, conditions, or deviations require further development approvals.

Approved Development Parameters. The 1.29-acre property may be developed with up to 12,000 square feet of commercial land uses consistent with the schedule of permitted uses set forth in Condition 2.

2. Schedule of Permitted Uses and Property Development Regulations

a. Permitted Uses

Administrative Offices
ATM (Automatic Teller Machine)
Banks and Financial Establishments, Group I
Boat Parts Store (Outdoor Display Prohibited and Installation Services Prohibited)
Business Services, Group I
Contractors and Builders, Group I
Daycare Center, Adult, Child
Drugstore, Pharmacy
Entrance Gates and Gatehouse
Essential Services
Essential Service Facilities, Group I
Excavation, Water Retention
Food Stores, Groups I, II (Outdoor Display Prohibited)
Hardware Store (Outdoor Display Prohibited)
Hobby, Toy and Game Shops
Household and Office Furnishings, Groups I, II
Medical Office
Personal Services, Groups I, II, and III
Pet Shop
Pharmacy
Restaurants, Groups I, II, and III
Signs
Specialty Retail Shop, Groups I, II, and III (Outdoor Display Prohibited)
Studios
Temporary Uses (Structures Prohibited in Parking Areas)
Used Merchandise Stores, Groups I, II (Outdoor Display Prohibited)
Variety Store

b. Property Development Regulations

Minimum Area and Dimensions:
Minimum Lot Size: 10,000 Square Feet
Minimum Lot Width: 75 Feet
Minimum Lot Depth: 100 Feet
Minimum Setbacks:
Street: Leeland Heights Boulevard: 15 Feet Lee Boulevard: 25 Feet
Side: 25 Feet
Maximum Height: 35 Feet
Maximum Lot Coverage: 40%

3. Open Space

Development Order plans must reflect 22% open space (0.29 acres) consistent with the MCP.

4. Amplified Sound

Amplified sound is prohibited.

5. Parking

Temporary Structures, storage containers, and equipment may not be located on parking spaces necessary to support the primary use of the property.

6. South and West Buffer

The south and west buffers must include an eight-foot masonry wall with landscape materials installed between the wall and the property line. The landscape buffer will include the eight-foot wall, seven trees every 100 linear feet with a double staggered hedgerow, and 33 ground cover plantings. Palms will comprise up to 25% of the buffer tree requirement. The hedge must be 48 inches high at installation and maintained at 72 inches in height.

SECTION C. 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)
Exhibit C: The Master Concept Plan

SECTION D. FINDINGS AND CONCLUSIONS

Based upon its review, the Board of County Commissioners adopts the recommendation of the Hearing Examiner, including the following findings and conclusions:

1. The requested Leeland Heights CPD is consistent with the Lee Plan. Lee Plan Goals 2, 4, 6, 60, 61, 77, 95, 125, 158, 159; Objectives 2.1, 4.1, 6.1, 25.8, 77.2, 126.2, and Policies 1.1.3, 1.6.5, 2.2.1, 6.1.1, 6.1.3, 6.1.4, 6.1.5, 6.1.6, 6.1.7, 25.6.2, 25.8.1, 25.8.4, 25.9.2, 39.1.3, 135.9.5, 135.9.6, Lee Plan Maps 1-A, 1-B, 1-C, 2-A, 3-C, 3-D, 4-A, 4-B, 4-E, Table 1(b).

2. As conditioned, the CPD:

   a. Is consistent with the LDC. LDC Chapters 2, 10, 33, and 34.

   b. Is compatible with existing or planned uses in the surrounding area. Lee Plan Goals 2, 6, Objectives 2.1, 2.2, and Policies 1.1.3, 5.1.5, 6.1.4, 39.1.3, 135.9.5, 135.9.6; LDC §§ 34-411, 34-413.

c. Provides sufficient road access to support proposed development intensity. Lee Plan Objectives 25.8, 39.1, Policies 6.1.4, 6.1.5, 25.8.1, 38.1.1, 39.1.1, 39.2.1.

d. Expected impacts on transportation facilities will be addressed by County regulations and conditions of approval. Lee Plan Objectives 25.8, 39.1, Policies 6.1.5, 38.1.1, 25.8.1, 38.1.5, 39.1.3, 39.2.1; LDC §§ 2-261 *et seq.*, 34-411(d) and (e).

e. Will not adversely affect environmentally sensitive areas or natural resources. Lee Plan Goals 60, 63, 77, 125, Objectives 77.2, 126.2, Policies 6.1.6, 25.9.2, 60.1.1, 61.3.6, 125.1.2, 125.1.3, 126.2.1, and Standard 4.1.4; and

f. Public services and infrastructure will be available to serve the development. Goals 2, 4, 6, 25, 95, Objectives 2.1, 2.2, 4.1, 6.1, 25.8, 158.3, Policies 1.1.3, 2.2.1, 4.1.1, 4.1.2, 6.1.4, 25.8.1, 25.9.2, 39.2.1, 65.2.1, 158.3.1, 160.1.1, Standards 4.1.1, 4.1.2.

3. The proposed uses are appropriate at the location. Lee Plan Goals 2, 6, 25; Objectives 2.1, 2.2, Policies 1.1.3, 2.1.1, 2.1.2, 6.1.7, 6.1.8, 25.6.2, 25.9.2, 39.1.3, 135.9.6, Lee Plan Table 1(b).

4. The County regulations and recommended conditions provide sufficient safeguards to protect the public interest and relate to impacts expected from the proposed development. Lee Plan Goals 25, 125, Objectives 77.2, 126.2, Policies 5.1.5, 6.1.4, 53.1.5, 56.1.4, 126.2.1, 135.9.6: LDC §§ 34-377(a)(3), 34-411 and 34-932(c).

5. The request includes no deviations from County regulations.

6. The project will be served by urban services and infrastructure. Lee Plan Goals 2, 25, 95, Objectives 2.1, 2.2, Policies 1.1.3, 2.2.1, 4.1.1, 4.1.2.

SECTION E. 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 designee, without the need for a public hearing.

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

Adopted by unanimous consent.

Kevin Ruane	Absent
Cecil L Pendergrass	Aye
David Mulicka	Aye
Brian Hamman	Aye
Mike Greenwell	Absent

DULY PASSED AND ADOPTED this 8th day of October 2025.

ATTEST:
KEVIN C. KARNES
CLERK OF CIRCUIT COURT

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

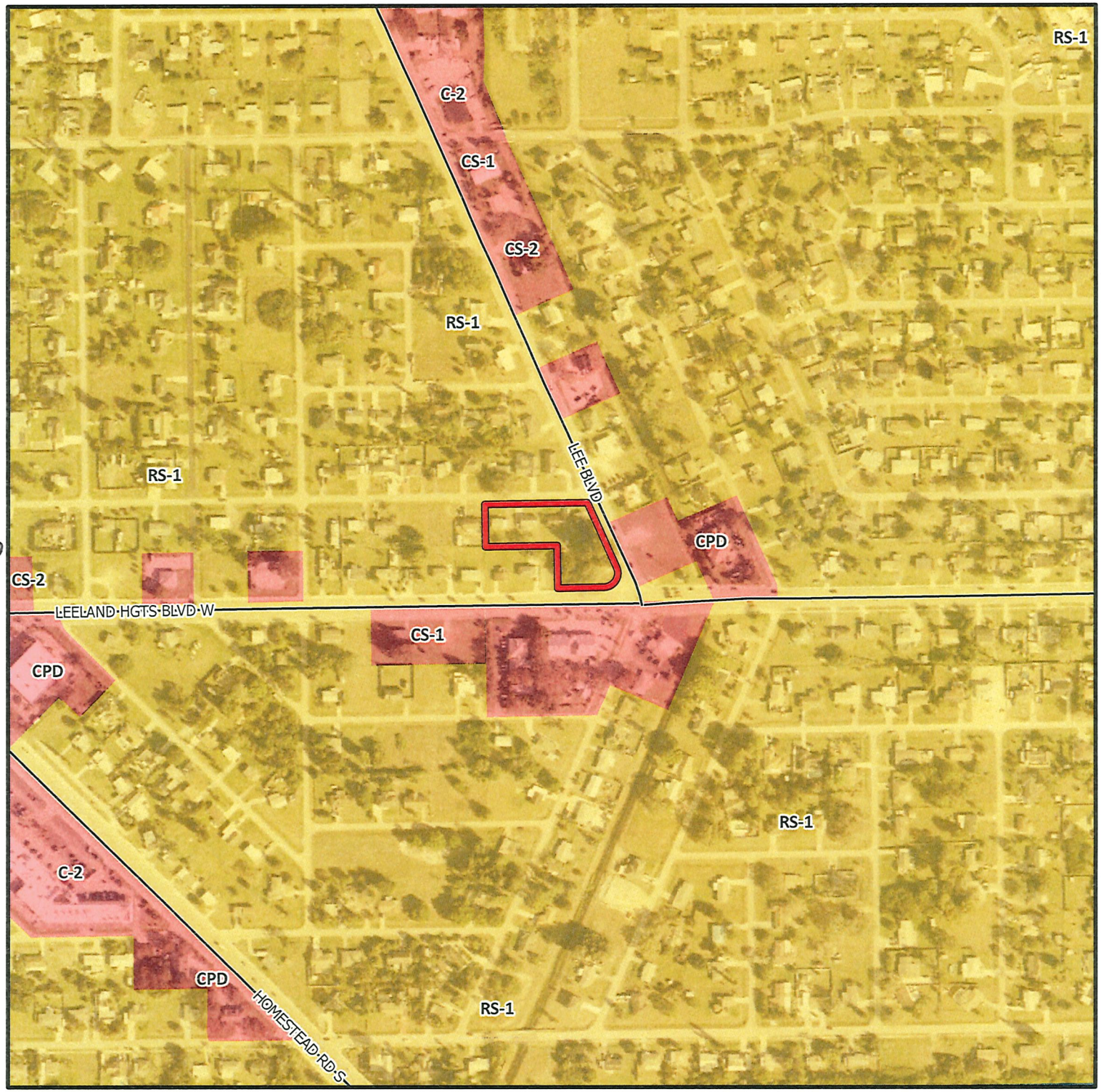
BY: _____
Chair/Vice-Chair

Commissioner Cecil L. Pendergrass, Chairman
Lee County Board of County Commissioners
District 2

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

_____
Michael D. Jacob
Deputy County Attorney
County Attorney's Office

EXHIBIT B



DCI2023-00043

Zoning

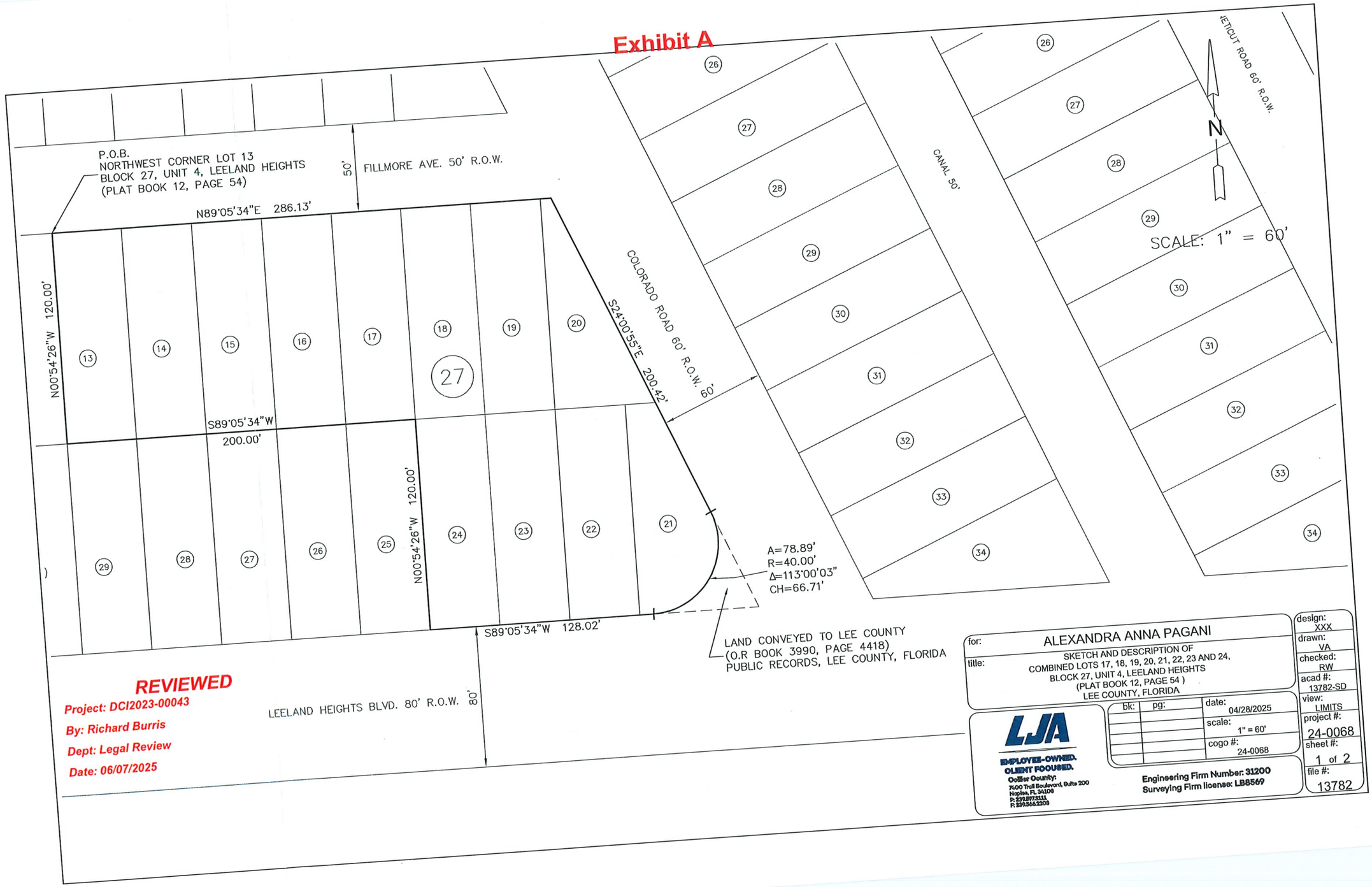
Subject Property

N
W E
S

0 500
Feet

Lee County
Southwest Florida

Exhibit A



REVIEWED
Project: DCI2023-00043
By: Richard Burris
Dept: Legal Review
Date: 06/07/2025

for: ALEXANDRA ANNA PAGANI

title: SKETCH AND DESCRIPTION OF
COMBINED LOTS 17, 18, 19, 20, 21, 22, 23 AND 24,
BLOCK 27, UNIT 4, LEELAND HEIGHTS
(PLAT BOOK 12, PAGE 54)
LEE COUNTY, FLORIDA

LJA
EMPLOYEE-OWNED.
CLIENT FOCUSED.
Collier County:
7400 Trail Boulevard, Suite 200
Naples, FL 34108
P: 239.597.3111
F: 239.566.2203

bk:	pg:	date: 04/28/2025
		scale: 1" = 60'
		cogo #: 24-0068

Engineering Firm Number: 31200
Surveying Firm license: LB8569

design:	XXX
drawn:	VA
checked:	RW
acad #:	13782-SD
view:	LIMITS
project #:	24-0068
sheet #:	1 of 2
file #:	13782

DESCRIPTION OF COMBINED LOTS 13–24, BLOCK 27, UNIT 4, LEELAND HEIGHTS

BEGINNING AT THE NORTHWEST CORNER OF LOT 13, BLOCK 27, UNIT 4, LEELAND HEIGHTS, AS RECORDED IN PLAT BOOK 12, PAGE 54, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

THENCE NORTH 89°05'34" EAST ALONG THE NORTHERLY LINES OF LOTS 13–20 A DISTANCE OF 286.13 FEET; THENCE SOUTH 24°00'55" EAST, A DISTANCE OF 200.42 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, WHOSE RADIUS POINT BEARS SOUTH 66°02'18" WEST 40.00 FEET, THENCE ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 113°00'03" AN ARC DISTANCE OF 78.89 FEET; THENCE SOUTH 89°05'34" WEST ALONG THE SOUTH LINE OF LOTS 21–24 A DISTANCE OF 128.02 FEET TO AN INTERSECTION WITH THE WEST LINE OF LOT 24; THENCE NORTH 00°54'26" WEST ALONG THE WEST LINE OF SAID LOT 24 A DISTANCE OF 120.00 FEET TO AN INTERSECTION WITH THE SOUTHEAST CORNER OF LOT 17; THENCE SOUTH 89°05'34" WEST ALONG THE SOUTH LINE OF SAID LOT 13–17 A DISTANCE OF 200.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID LOT 13; THENCE NORTH 00°54'26" WEST ALONG SAID WEST LINE OF LOT 13 A DISTANCE OF 120.00 FEET TO AN INTERSECTION WITH THE NORTH LINE OF LOTS 13–20; TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

CONTAINING 56,117.51 SQUARE FEET OF LAND MORE OR LESS.
SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.

GENERAL NOTES:

1. DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.
2. P.O.B. = POINT OF BEGINNING.
3. P.O.C. = POINT OF COMMENCEMENT.
4. R.O.W. = RIGHT–OF–WAY.
5. BEARINGS ARE BASED ON THE FLORIDA STATE PLAN COORDINATE SYSTEM.

ROBERT WARDWELL LICENSE No. 7576 STATE OF FLORIDA PROFESSIONAL SURVEYOR & MAPPER

LJA ENGINEERING

BY: ROBERT WARDWELL, P.S.M. #7576

Robert Wardwell

Digitally signed by Robert Wardwell
DN: CN=Robert Wardwell, O=Robert Wardwell, L=Naples, S=Florida, C=US
Date: 2025.04.29 13:56:54-04'00'

REVIEWED
Project: DCI2023-00043
By: Richard Burris
Dept: Legal Review
Date: 06/07/2025

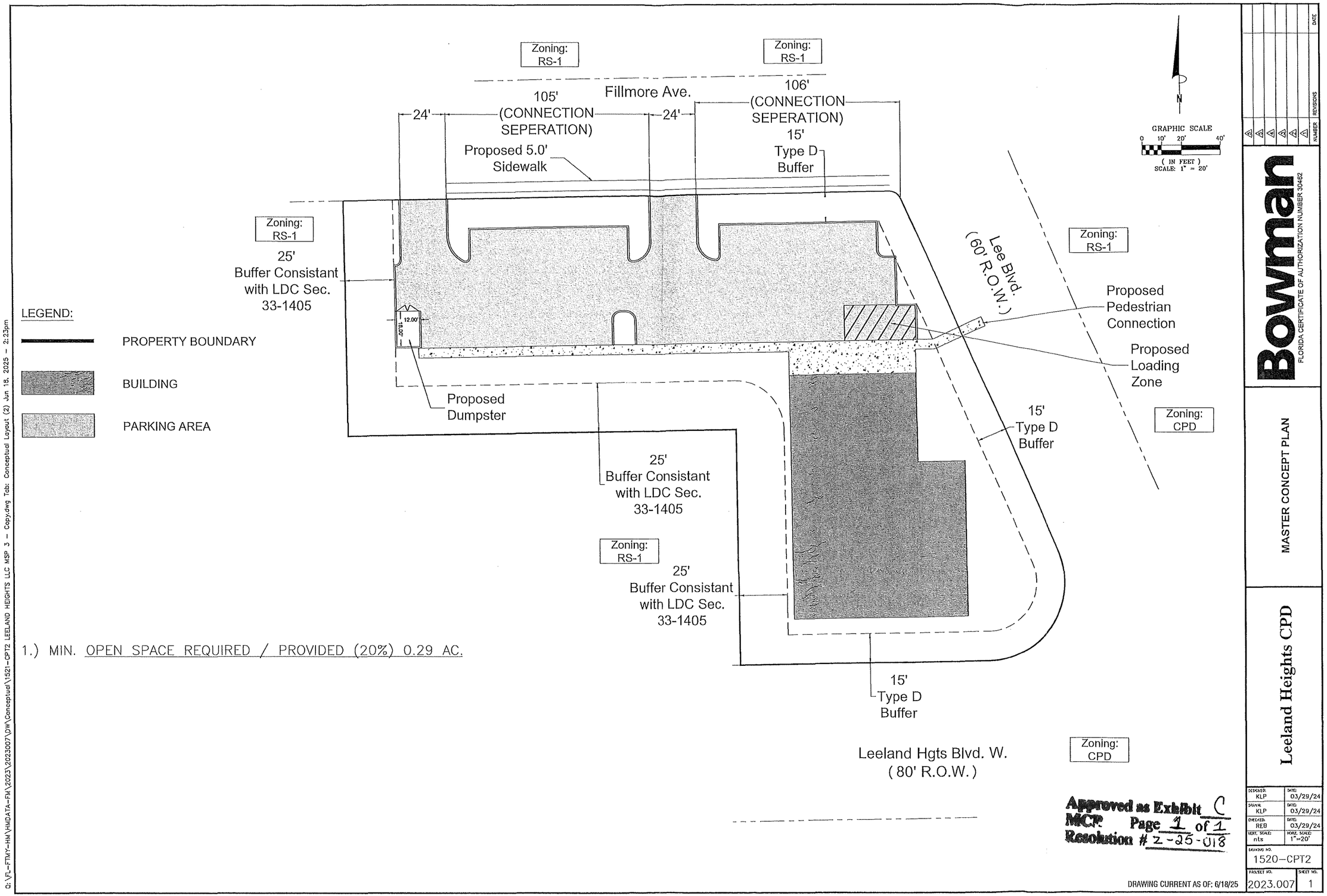
for:	ALEXANDRA ANNA PAGANI
title:	SKETCH AND DESCRIPTION OF COMBINED LOTS 17, 18, 19, 20, 21, 22, 23 AND 24, BLOCK 27, UNIT 4, LEELAND HEIGHTS (PLAT BOOK 12, PAGE 54) LEE COUNTY, FLORIDA

bk:	pg:	
		date: 04/28/2025
		scale: 1" = 60'
		cogo #: 24-0068

design:	XXX
drawn:	VA
checked:	RW
acad #:	13782-SD
view:	LIMITS
project #:	24-0068
sheet #:	2 of 2
file #:	13782

LJA
EMPLOYEE-OWNED.
CLIENT FOCUSED.
Collier County:
7600 Trail Boulevard, Suite 200
Naples, FL 34108
P: 239.972.3111
F: 239.566.2203

Engineering Firm Number: 31200
Surveying Firm license: LB8569



1.) MIN. OPEN SPACE REQUIRED / PROVIDED (20%) 0.29 AC.

Approved as Exhibit C
MCP Page 1 of 1
Resolution # Z-25-018

DRAWING CURRENT AS OF: 6/18/25

NUMBER	REVISIONS	DATE

Bowman
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 30462

MASTER CONCEPT PLAN

Leeland Heights CPD

DESIGNED: KLP	DATE: 03/29/24
DRAWN: KLP	DATE: 03/29/24
CHECKED: REB	DATE: 03/29/24
VERT. SCALE: n/a	HORZ. SCALE: 1"=20'

DRAWING NO. 1520-CPT2

PROJECT NO. 2023.007 | SHEET NO. 1

G:\FL-FTMY-HM\HMDATA-FM\2023\2023007\DWG\Conceptual\1521-CPT2 LEELAND HEIGHTS LLC MSP 3 - Copy.dwg Tab: Conceptual Layout (2) Jun 18, 2025 - 2:23pm

MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY

DATE: October 8, 2025

TO: Commissioner Kevin Ruane
Chair, Board of County Commissioners

FROM: Michael D. Jacob
Deputy County Attorney

RE: BOCC ZONING RESOLUTION FROM THE OCTOBER 8, 2025 MEETING
ZONING RESOLUTION Z-25-018, CASE #DCI2023-00043
LEELAND HEIGHTS CPD

Attached is the original resolution adopted by the Board at the October 8, 2025 zoning meeting. The resolution has been reviewed and approved as to form and is ready for the Chair's signature. After the Chair signs the resolution, please forward to the Minutes Department for attestation and further processing.

Thank you for your assistance with respect to the above. Should you have any questions, please do not hesitate to contact me.

MDJ/les

Attachment

Via e-mail only: Anthony Rodriguez, Zoning Manager, Community Development
Claudia Curtin, County Clerk & Records Management Manager

MB 10-15-25

RECEIVED
MINUTES OFFICE
2025 OCT 10 PM 3:38