

RESOLUTION NUMBER Z-26-012

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

WHEREAS, Crown Key Investments, LLC filed an application to rezone a 0.49± acre parcel from Single Family Residential (RS-1) to Commercial Planned Development (CPD) in reference to 601 Leeland Rezone; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Donna Marie Collins, was advertised and held on June 25, 2026; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case # DCI2025-00022 and recommended approval of the request with conditions; and

WHEREAS, a second public hearing was advertised and held on August 19, 2026, 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 0.49± acre parcel from RS-1 to CPD, to convert an existing 1,238 square foot residence to 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 and deviations specified in Sections B and C 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 Development Parameters

Master Concept Plan (MCP). Development must be substantially consistent with the MCP entitled 601 Leeland Heights Blvd West, prepared by Gulf Coast Design Professionals, Inc. (Exhibit C)

Lee Plan and Land Development Code (LDC). Development must comply with the Lee Plan and LDC, except where deviations have been approved herein. Future amendments to the MCP, conditions, or deviations will be subject to further review and approval.

Approved Development Parameters. Development intensity is limited to the 1,238 square foot existing building.

2. **Schedule of Uses and Property Development Regulations**

a. **Schedule of Uses**

- Accessory Uses and Structures
- Administrative Office
- Auto Repair & Service Group 1 (limited to Auto Detailing)
- Cleaning and Maintenance Services
- Contractor and Builders, Group I
- Day Care Center, Child Adult (Limited to the Existing Building Area)
- Restaurant, Fast Food, with Drive-Thru (Limited to Pick up Window, no intercom system)
- Drugstore, Pharmacy
- Fence, Wall
- Hardware Store
- Household and Office Furnishings, Groups I and II
- Business Services, Group I
- Medical Office
- Post Office
- Temporary Uses
- Food store, Group I
- Storage, Indoor Only
- Signs

b. **Property Development Regulations**

Minimum Lot Area and Dimensions

Lot Area	0.49 acres
Width (feet)	228 feet
Depth (feet)	110 feet

Minimum Setbacks

Street (feet)	25 feet
Side (interior) feet	15 feet
Side (Street) in feet	15 feet
Rear (feet)	15 feet
Building Separation (feet)	Determined by LDC/Building Code and or Fire Code
Perimeter (feet)	15 feet

3. Cross Access Easement

Development order plans must depict stub outs to facilitate interconnection between the adjacent parcels to the east and west. Stub outs must be located in a recorded cross access easement to provide cross access to adjacent parcels if redeveloped with commercial uses.

4. Buffers

Development order submittals must depict perimeter buffers with a five-foot-wide planting area outside easements.

5. Hours of Operation

Hours of operation are limited to 5 A.M. to 9 P.M. Monday through Sunday.

SECTION C. DEVIATIONS

1. Driveway Separation. Deviation (1) seeks relief from the LDC § 10-285(a), which requires driveway separation of 330 feet on arterial roadways in future urban areas with speed limits of less than 45 miles per hour, to allow a 187-linear foot separation from Connecticut Road on Leeland Heights Boulevard W to maintain the greatest separation possible given available property frontage. This deviation is APPROVED, SUBJECT TO Condition 3.

2. Buffers. Deviation (2) seeks relief from the LDC § 33-1405(c)(3), which requires commercial uses abutting single-family residential uses to provide a buffer 25 feet in width with seven trees, a double hedge row, and 33 groundcovers per 100 linear feet, to allow a 15-foot buffer to the north and a 13-foot buffer to the east and west while meeting LDC planting specifications. This deviation is APPROVED, SUBJECT TO the following condition:

Development order submittals must depict perimeter buffers with a five-foot-wide planting area outside easements.

3. Plant Installation and Maintenance Standards. Deviation (3) seeks relief from the LDC § 10-421(a)(2), which requires buffer trees and shrubs to be planted in an area equal to one-half the required buffer width, with a minimum planted width of five feet, to allow buffers and easements to overlap by more than half and provide a minimum 5 feet of planting area. This deviation is APPROVED, SUBJECT TO the following condition:

Development order submittals must depict perimeter buffers with a five-foot-wide planting area outside easements.

4. Street Right-of-Way Buffer Landscaping. Deviation (4) seeks relief from the LDC § 34-1353(e)(1), which requires landscaping adjacent to rights-of-way to be located within a landscape buffer that is a minimum of 25 feet in width, to allow a 15-foot Type D buffer along the south property line in compliance with LDC §10-416(d)(4). This deviation is APPROVED, SUBJECT TO the following condition:

Development order submittals must depict perimeter buffers with a five-foot-wide planting area outside easements.

SECTION D. 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 E. 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 CPD is consistent with the Lee Plan. Lee Plan Goals 2, 4, 6, 25, 39, 70, 77, 95, 158, 159, 160, Objectives 2.1, 2.2, 4.1, 6.1, 25.6, 25.8, 39.1, 77.2, 126.2, 158.2, 158.3, 159.2, and Policies 1.1.3, 2.1.1, 2.1.2, 2.2.1, 2.2.2, 5.1.5, 6.1.1, 6.1.3, 6.1.4, 6.1.5, 6.1.6, 6.1.7, 17.1.1, 17.1.3, 25.6.1, 25.6.2, 25.8.4, 25.9.1, 25.9.2, 135.9.5, 135.9.6, 158.2.1, 159.1.4, Standards 4.1.1, 4.1.2, Lee Plan Maps 1-A, 1-B, 2-A, 2-B, 3-D, Table 1(b).
2. As conditioned, the CPD:
 - a. Is consistent with the LDC or qualifies for deviations. LDC Chapters 2, 10, 33, and 34.
 - b. Is compatible with existing or planned uses in the surrounding area. Lee Plan Objectives 2.1, 2.2, 25.6, and Policies 1.1.3, 2.1.1, 5.1.5, 6.1.4, 25.6.2, 135.9.5, 135.9.6; LDC §§ 34-411, 34-413.
 - c. Provides sufficient road access to support proposed development intensity. Lee Plan Objective 39.1, Policies 6.1.5, 39.2.1, 43.1.1, 158.3.1.
 - d. Expected impacts on transportation facilities will be addressed by County regulations and conditions of approval. Lee Plan Objectives 25.8, 39.1, 95.3, Policies 6.1.5, 38.1.1, 25.8.4, 38.1.1, 39.1.1, 39.2.1, 43.1.1, 43.1.3, 158.3.1; LDC §§ 2-261 *et seq.*, 34-411.
 - e. Will not adversely affect environmentally sensitive areas or natural resources. Lee Plan Goals 60, 61, 77, Objectives 77.2, 126.2, Policies 6.1.6, 6.1.3.11, 126.2.1; and
 - f. Public services and infrastructure will be available to serve the development. Goals 2, 4, 6, 70, 95, Objectives 2.1, 2.2, 4.1, Policies 2.2.1, 6.1.4, 25.9.1, 25.9.2, 35.3.1, Standards 4.1.1, 4.1.2.
3. The proposed uses are appropriate at the location. Lee Plan Goals 2, 4, 6, 25; Objectives 2.1, 2.2, 25.6, Policies 1.1.3, 2.1.1, 2.1.2, 5.1.5, 6.1.4, 6.1.7, 6.1.8, 25.6.1, 25.6.2, 135.9.5, 135.9.6, 158.2.1.

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 Policies 5.1.5, 6.1.4, 53.1.5, 56.1.4, 135.9.5, 135.9.6: LDC §§ 34-377(a)(3), 34-411 and 34-932(c).

SECTION F. 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.

Exhibit A

CASE NUMBER: DCI2025-00022

LEGAL DESCRIPTION

Lot 31, Block 1, Unit 20, Lehigh Acres, A Subdivision lying in Sections 32, Township 44 South, Range 27 East, According to the Map or Plat Thereof on file in the Office of the Clerk of Circuit Court, Recorded in Plat Book 10, Pages 86-89, Public Records Of Lee County, Florida.

STRAP NUMBER

32-44-27-L3-20001.0310

REVIEWED

Project: DCI2025-00022

By: Richard Burris

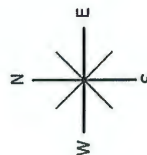
Dept: Legal Review

Date: 11/20/2025

DCI2025-00022

Zoning

 Subject Property



0 500
Feet



Exhibit "B"

Approved as Exhibit C
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