

NOVEMBER 18, 2013

The Zoning Meeting of the Board of Lee County Commissioners was held this date with the following Commissioners present:

- Cecil L Pendergrass, Chairman
- Larry Kiker, Vice-Chairman
- John E. Manning
- Brian Hamman
- Frank B. Mann

The Chairman called the meeting to order at 9:30 a.m.

COMPREHENSIVE PLAN AMENDMENTS TRANSMITTAL HEARING

1. CPA2013-00003 – RSW REVISED AIRPORT LAYOUT PLAN – MAP 3F

Managing Assistant County Attorney Michael Jacob approved as to legal form and sufficiency, the Affidavit of Publication. Planning Division Planner Peter Blackwell stated this is to replace the existing Airport Development Plan for the International Airport with an updated Plan. Both the Local Planning Agency and Planning Staff recommend transmittal of this amendment. The Chairman called for public comment; however, no one came forward. Commissioner Manning moved approval, seconded by Commissioner Kiker, called and carried.

2. CPA2013-00005 – UNIVERSITY COMMUNITY DRI REQUIREMENT

Managing Assistant County Attorney Michael Jacob approved as to legal form and sufficiency, the Affidavit of Publication. Community Development Principal Planner Brandon Dunn stated this is to amend Policy 18.1.5, Policy 18.1.16, Policy 18.1.16.6 and Policy 18.2.2 to make the Lee Plan consistent with State requirements that prohibit local governments from requiring Development of Regional Impact (DRI) review for projects that don't meet or exceed state established thresholds. The Chairman called for public comment and the following came forward:

Charles Basinait of Henderson, Franklin Law Firm

Commissioner Manning moved approval, seconded by Commissioner Mann, called and carried.

A COPY OF THE HEARING EXAMINER'S RECOMMENDATION IS ON FILE IN THE MINUTES OFFICE.

CASE NUMBER: DCI2012-00045

NAME: CYPRESS VILLAGE

REQUEST: Rezone 9.53 acres from Agriculture (AG-2) to Residential Planned Development (RPD) to allow 92 residential units consisting of 8 buildings, 40 feet in height, with a clubhouse and swimming pool.

LOCATION: Property is located at 12031 & 12091 J V Parker Lane, South Fort Myers Planning Community, Lee County, Florida.t

PROPERTY OWNER'S REPRESENTATIVE: Rusty O'Neill, Quattrone & Associates, Inc.

Community Development Principal Planner Alvin "Chip" Block reviewed the request, noted that both Staff and Hearing Examiner (HE) recommended approval with conditions, and stated there were no Participants of Record. Brief Board discussion ensued with Mr. Block available to respond to questions. William Rusty O'Neill, the applicant, stated that he would respond to questions if there were any. The Chairman called for public comment, however no one came forward. Commissioner Manning moved approval subject to inclusion of the Staff Memorandum, seconded by Commissioner Hamman, called and carried.

RESOLUTION NO. Z- 13-025

CASE NUMBER: DCI2013-00006

NAME: WAL-MART 7024 IONA FORT MYERS

REQUEST: Rezone 21.85 acres from C-1A, CC and CPD to CPD to allow development of up to 154,749 square feet of floor are and 3,086 square feet of outdoor garden center, with maximum building height of 45 feet.

LOCATION: Property is located at 11320 Summerlin Square Drive, 17105 and 17175 San Carlos Boulevard, Iona/McGregor Planning Community, Lee County, Florida.

PROPERTY OWNER'S REPRESENTATIVE: Attorney Neale Montgomery, Pavese Law Firm

Community Development Principal Planner Alvin "Chip" Block reviewed the request, noted that both Staff and Hearing Examiner (HE) recommended approval with conditions, and stated there were five (5) Participants of Record. Brief Board discussion ensued with Mr. Block responding to Board questions. Attorney Neale Montgomery representing the applicant provided a brief presentation, and stated that she would respond to questions if there were any. The Chairman called on the Participants of Record and the following came forward:

Planning Coordinator for Fort Myers Beach Joshua R. Overmyer

Commissioner Manning moved approval, seconded by Commissioner Kiker, called and carried.

[RESOLUTION NO. Z-13-021](#)

The Chairman adjourned the meeting at 9:50 a.m.

ATTEST:
LINDA DOGGETT, CLERK

Deputy Clerk

Chairman, Lee County Commission