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**VILLAGE OF ESTERO, FLORIDA  
ZONING  
ORDINANCE NO. 2022-02**

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**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE  
VILLAGE OF ESTERO, FLORIDA, CONSIDERING AN  
AMENDMENT TO THE COMMERCIAL PLANNED  
DEVELOPMENT, SPECIFICALLY DEVIATION 3, FOR  
REPLACEMENT SIGNAGE FOR MIROMAR OUTLETS  
PROPERTY LOCATED AT THE NORTHEAST  
QUADRANT OF I-75 AND CORKSCREW ROAD,  
CONSISTING OF APPROXIMATELY 75 ACRES;  
PROVIDING FOR CONFLICTS; PROVIDING FOR  
SEVERABILITY; AND PROVIDING AN EFFECTIVE  
DATE.**

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**WHEREAS**, MIROMAR OUTLETS WEST LLC represented by Paula McMichael, Hole Montes, Inc. (the “Applicant”), filed an application for an amendment to the Commercial Planned Development (CPD) for a property located at 10801 Corkscrew Road, and known as **Miromar Outlets**, Estero, FL, consisting of approximately 75 acres (the “Property”); and

**WHEREAS**, the Property STRAP numbers are 25-46-25-E4-270M6.0010; 26-46-25-E3-2700A.0000; 26-46-25-E3-270M1.0000; and

**WHEREAS**, the legal description is:

Miromar Factory Outlet, located in a portion of Sections 25, 26 and 35, Township 46 South, Range 25 East, Lee County, Florida, according to the plat thereof on file and recorded in Plat Book 72, Pages 41 to 50, of the public records of Lee County, Florida.

**WHEREAS**, the property was rezoned to CPD in Lee County Resolution Z-95-094 which approved a deviation to project signage; and

**WHEREAS**, the Applicant requested an amendment to the Commercial Planned Development District (CPD) Deviation 3, (Case number DCI2021-E002); and

**WHEREAS**, the Applicant is requesting to replace four project identification signs with four new signs; and

**WHEREAS**, the applicant requests modifications to the deviation for four replacement signs; and

**WHEREAS**, a noticed public information meeting was held on July 13, 2021 at the Planning, Zoning and Design Board; and

47           **WHEREAS**, at a duly noticed public hearing held on April 12, 2022, the Planning,  
48 Zoning and Design Board vote resulted in a 4-4 tie on a motion to approve, resulting in no  
49 recommendation for approval; and

50  
51           **WHEREAS**, a duly noticed first reading was held before the Village Council on May  
52 4, 2022; and

53  
54           **WHEREAS**, a duly noticed second reading and public hearing was held before the  
55 Village Council on June 15, 2022, at which time the Village Council gave consideration to the  
56 evidence presented by the Applicant and the Village staff, the action of the Planning, Zoning  
57 and Design Board and the comments of the public.

58  
59           **NOW, THEREFORE**, be it ordained by the Village Council of the Village of Estero,  
60 Florida:

61  
62           **Section 1.**     **Rezoning.**

63  
64           The Village Council approves with conditions/disapproves the rezoning amendment to  
65 revise Deviation 3 of Resolution Z-95-094 for four project identification signs subject  
66 to the following conditions.

67  
68           **Section 2.**     **Conditions.**

- 69  
70           1. This Amendment applies only to the deviation for the four project identification  
71 signs. All other conditions of Resolution Z-95-094 and prior zoning resolutions  
72 applicable to the property remain in full force and effect.  
73  
74           2. Development of this project must be consistent with the Miromar Outlet Sign  
75 Package Pattern Book dated April 25, 2022.  
76  
77           3. Deviation 3 of Zoning Resolution Z-05-094, Relief from LDC Section 30-153(2)a,  
78 Identification Sign, is amended to allow the following: (The language below  
79 replaces Deviation 3 language in Resolution Z-95-094 and the Deviation 3 language  
80 on the Master Concept Plan.)  
81  
82                 a. Three on-site identification signs, 26 feet in height, copy area not to  
83 exceed 200 square feet per sign. Minimum setback from road right-  
84 of-way is 15 feet on Ben Hill Griffin Parkway and 0 feet from  
85 Corkscrew Road.  
86  
87                 b. One on-site identification sign, 78 feet in height, located a minimum  
88 of 15 feet from the road right-of-way. Copy area not to exceed 500  
89 square feet and minimum setback from I-75 is 15 feet.  
90

- 91 c. Signs must be consistent with the Pattern Book and compatible with  
92 the outlet mall’s architecture.  
93  
94 d. This deviation is approved with the condition that the signs are  
95 restricted to the display of the name of the outlet mall.  
96

97 **Section 4. Findings and Conclusions.**

98  
99 Based upon an analysis of the application and the standards for approval in the Land  
100 Development Code, and the conditions of approval, the Council finds and concludes as  
101 follows:  
102

103 The Deviation as revised:

- 104  
105 1. Will/will not improve the quality of the proposed development under review;  
106 2. Will/will not preserve and promote the general intent of the LDC to protect the  
107 public health, safety and welfare;  
108 3. Will/will not be compatible with uses on surrounding property; and  
109 4. Will/will not create an undue burden on essential public facilities.  
110

111 **Section 5. Exhibit.**

112  
113 The following exhibit is attached to this Ordinance and incorporated by reference:  
114

115 Exhibit A: Sign Package Pattern Book titled “Miromar Outlet Sign Amendment”  
116 dated April 25, 2022.

117 **Section 6. Severability.**

118  
119 Should any section, paragraph, sentence, clause, phrase or other part of this Ordinance  
120 after its effective date be declared by a court of competent jurisdiction to be invalid,  
121 such decision shall not affect the validity of this Ordinance as a whole or any portion  
122 thereof, other than the part so declared to be invalid.  
123

124 **Section 7. Effective Date.**

125  
126 This Ordinance shall take effect immediately upon adoption.

127  
128 **PASSED** on first reading this 4th day of May, 2022.

129  
130 **PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero,  
131 Florida on second reading this 15<sup>th</sup> day of June, 2022.

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134 Attest:

**VILLAGE OF ESTERO, FLORIDA**

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By: \_\_\_\_\_  
Carol Sacco, Village Clerk

By: \_\_\_\_\_  
Katy Errington, Mayor

Reviewed for legal sufficiency:

By: \_\_\_\_\_  
Nancy E. Stroud, Village Land Use Attorney

Vote:	AYE	NAY
Mayor Errington	_____	_____
Vice Mayor McLain	_____	_____
Councilmember Ribble	_____	_____
Councilmember Fiesel	_____	_____
Councilmember Boesch	_____	_____
Councilmember Ward	_____	_____
Councilmember Wilson	_____	_____