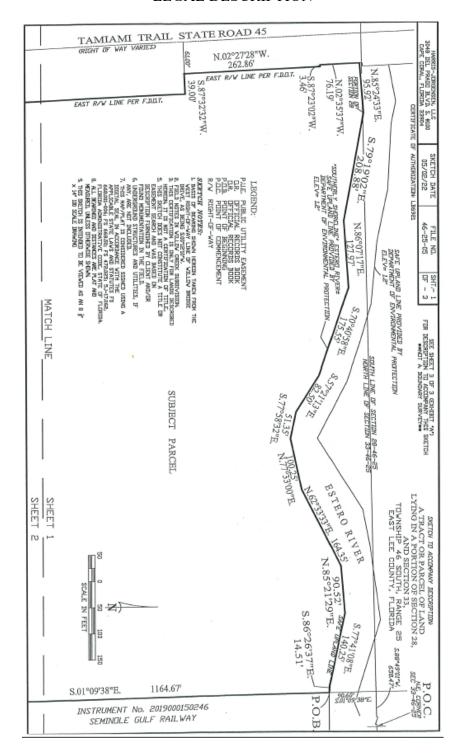
1	VILLAGE OF ESTERO, FLORIDA
2	ZONING
3	ORDINANCE NO. 2022-08
4	
5	AN ORDINANCE OF THE VILLAGE COUNCIL OF THE
6	VILLAGE OF ESTERO, FLORIDA, CONSIDERING A
7	REZONING FROM MIXED-USE PLANNED
8	DEVELOPMENT (MPD) AND AGRICULTURE (AG-2) TO
9	PARKS AND COMMUNITY FACILITIES (PCF) FOR A
10	31.5 ACRE PROPERTY AT THE NORTHEAST CORNER
11	OF US 41 AND CORKSCREW ROAD; PROVIDING FOR
12	CONFLICTS; PROVIDING FOR SEVERABILITY; AND
13	PROVIDING AN EFFECTIVE DATE.
14	
15	WHEREAS, the Village of Estero (the "Applicant") has filed for a rezoning on
16	properties located at 8661, 8761, 8741, 8751, 8791, and 8801 Corkscrew Road ("Property")
17	for Estero on the River MPD and Happehatchee Parcel; and
18	
19	WHEREAS, the Property STRAP numbers are 33-46-25-E2-U1926.2390,33-46-25-
20	E2-U1936.2400, 33-46-25-E2-U1937.2384, 33-46-25-E2-U1936-2375, 33-46-25-E2-
21	U1941.2390, and 33-46-25-E2-U1948-2389. The properties are legally described in Exhibit
22	A attached hereto; and
23	
24	WHEREAS, the Applicant requested a rezoning from Mixed-Use Planned
25	Development (MPD) and Agriculture (AG) to Parks and Community Facilities (PCF) (Case
26	number REZ 2022-E001); and
27	WWW.DD. 11 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2
28	WHEREAS, a public information meeting was held on May 10, 2022 at the Planning,
29	Zoning, and Design Board; and
30	WITEDEAG . 11 1 11 1 1 1 1 1 1 2 0000 1 DI
31	WHEREAS, at a duly noticed public hearing held on June 14, 2022 the Planning,
32	Zoning, and Design Board recommended approval of the rezoning request; and
33	
34	WHEREAS, a duly noticed first reading and public hearing was held before the
35	Village Council on July 6, 2022; and
36	W/TIEDE 46 - 1-1
37	WHEREAS, a duly noticed second reading and public hearing was held before the
38	Village Council on, 2022 at which time the Village Council gave consideration
39 40	to the evidence presented by the Applicant and the Village staff, the recommendations of the Planning, Zoning, and Design Board and the comments of the public.
40 41	rianning, Zonnig, and Design Board and the comments of the public.

43 Florida	NOW, THEREFORE, be it ordained by the Village Council of the Village of Estero, ::
44 45	Section 1. Rezoning.
46 47 48 49	The Village Council approves the rezoning from Mixed-Use Planned Development (MPD) and Agriculture (AG-2) to Parks and Community Facilities (PCF).
50 51 52	Section 2. Findings and Conclusions.
	Based upon an analysis of the application and the standards for approval in the Land Development Code, the Council finds and concludes the proposal:
56 57 58	1. Is consistent with and furthers the goals, objective, and policies of the Comprehensive Plan and all other Village adopted plans.
	2. Is not in conflict with any portion of the LDC.
61 62	3. Addresses a demonstrated community need.
63 64 65	4. Is compatible with existing and proposed uses surrounding the subject land and is the appropriate zoning district for the land.
66 67	5. Would result in a logical and orderly development pattern.
68 69	6. Would not adversely affect the property values in the area.
70 71	7. Would result in development that is adequately served by public facilities.
72 73	8. Would not result in significantly adverse impacts on the natural environment.
74	9. Is compatible with existing or planned uses in the surrounding area.
75 76	Section 3. Exhibits.
77 78	The following exhibit is attached to this Ordinance and incorporated by reference:
79 80	Exhibit A Legal Description and Sketch
81 82	Section 4. Severability.
83 84	Should any section, paragraph, sentence, clause, phrase or other part of this Ordinance subsequent to its effective date be declared by a court of competent jurisdiction to be

85	invalid, such decision shall not affect the validity of this Ordinance as a whole or an					
86	portion thereof, other than the part so declared to be invalid.					
87	_	_				
88	Section 5. Effective Date.					
89						
90	This Ordinance shall take effect immediately upon adoption.					
91						
92	PASSED on first reading this 6 th day of July, 2022.					
93						
94				LAGE COUNCIL of the Village of Estero		
95	Florida on second reading	this da	y of	, 2022.		
96						
97						
98	Attest:			VILLAGE OF ESTERO, FLORIDA		
99						
00						
01	7			7		
)2	By: Carol Sacco, Village O	N1 1		By: Katy Errington, Mayor		
)3	Carol Sacco, Village C	lerk		Katy Errington, Mayor		
)4	D: 1 f 1 fc -: -					
5 6	Reviewed for legal sufficient	ency:				
0 7						
18 19	D.,,					
.0	By: Nancy E. Stroud, Villa	age I and Use	Attorney			
1	mancy E. Stroud, Villa	ige Land Ose	Auomey			
2						
3	Vote:	AYE	NAY			
4	Mayor Errington	7 1 1 1 /	1 1/1 1			
5	Vice Mayor McLain					
16	Councilmember Ribble					
17	Councilmember Fiesel					
8	Councilmember Boesch					
9	Councilmember Ward					
20	Councilmember Wilson					
21						

EXHIBIT A LEGAL DESCRIPTION



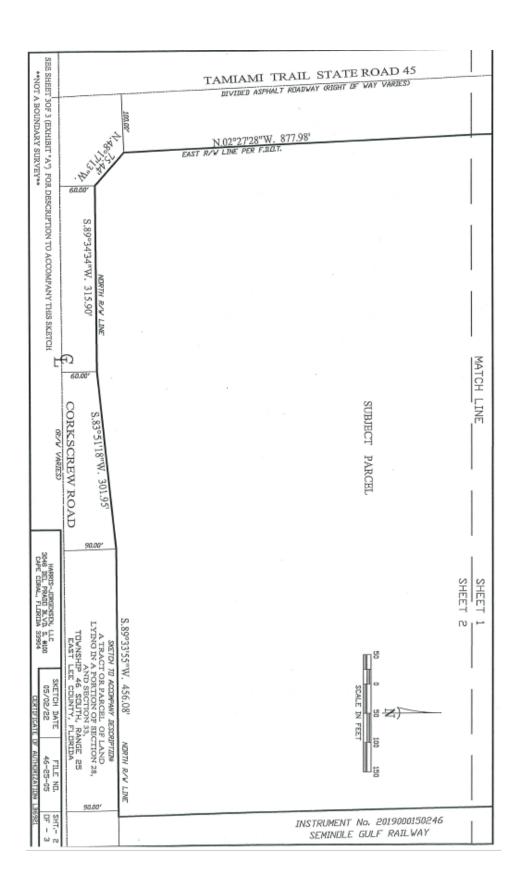


EXHIBIT "A"

DESCRIPTION TO ACCOMPANY SKETCH:

A TRACT OR PARCEL OF LAND LYING IN A PORTION OF SECTION 28, AND SECTION 33,

TOWNSHIP 46 SOUTH, RANGE 25 EAST LEE COUNTY, FLORIDA

SEE SHEETS 1 AND 2 OF 3 FOR SKETCH TO ACCOMPANY THIS DESCRIPTION

NOT A BOUNDARY SURVEY

DESCRIPTION:

A PLOT OR PARCEL OF LAND LYING IN A PORTION OF SECTIONS 28 AND 33, TOWNSHIP 46 SOUTH RANGE 25 EAST, LEE COUNTY, FLORIDA, SAID PLOT OR PARCEL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING FROM THE NORTHEAST CORNER OF SAID SECTION 33; THENCE RUN S.88°49'01"W, ALONG THE NORTH LINE OF SAID SECTION 33, FOR 658.47 FEET; THENCE RUN S.01°09'38"E. TO A POINT LYING ALONG THE THE SOUTHERLY SHORELINE OF THE ESTERO RIVER, FOR 90.60 FEET; THENCE CONTINUE S.01°09'38"E. TO A POINT LYING ALONG THE NORTH RIGHT OF WAY LINE OF CORKSCREW ROAD, FOR 1164.57 FEET; THENCE RUN ALONG SAID NORTH RIGHT OF WAY LINE OF CORKSCREW ROAD THE FOLLOWING BEARINGS AND DISTANCES; S.89°33'55"W. FOR 456.08 FEET, S.835118"W. FOR 301.95 FEET, S.89°34'34"W. FOR 315.90 FEET; THENCE RUN N.48°17'13"W. TO A POINT ALONG THE EAST RIGHT OF WAY LINE TAMIAMI TRAIL (ALSO KNOWN AS S.R. № 45) FOR 75.44 FEET; THENCE CONTINUE ALONG SAID EAST RIGHT OF WAY LINE, N.02°27'28"W. FOR 877.98 FEET; THENCE RUN S.87°32'32"W. FOR 39.00 FEET; THENCE RUN N.02°27'28"W. FOR 262.86 FEET; THENCE RUN S.87°23'02"W. FOR 3.46 FEET; THENCE RUN N.02°35'37"W. TO A POINT ALONG THE AFORESAID SOUTHERLY SHORELINE OF THE ESTERO RIVER, FOR 76.19 FEET; THENCE RUN ALONG THE SAID SOUTHERLY SHORELINE OF THE ESTERO RIVER THE FOLLOWING BEARING AND DISTANCES: N.85°24'33"E. FOR 95.92 FEET, S.79°19'02"E. FOR 208.88 FEET, N.86°07'17"E. FOR 127.97 FEET, S.70°40'58"E. FOR 175.55 FEET, S.57°21'13"E. FOR 82.50 FEET, N.77°33'00"E. FOR 100.25 FEET, N.62°33'33"E. FOR 164.35 FEET, N.85°21'29"E. FOR 90.52 FEET, S.77°41'08"E. FOR 140.25 FEET, S.86°26'37"E. FOR 14.51 FEET TO THE POINT OF BEGINNING.

CONTAINING: 1,371,461.78 SQ. FT, OR 31.48 ACRES, MORE OR LESS.

Digitally signed by Phillip M Phillip M Mould, Mould, P.S.M. P.S.M. 6515 State of 6515 State of Florida Date: 2022.05.05 08:52:55 -04'00'

Florida

PHILLIP M. MOULD

SHEET 3 DF 3

PROFESSIONAL SURVEYOR AND MAPPER LS6515 - STATE OF FLORIDA

05/05/2022

CERTIFICATE OF AUTHORIZATION: LB6921

HARRIS-JORGENSEN, LLC 3048 DEL PRADO BLVD. S. #100

CAPE CORAL, FLORIDA 33904 (239)-257-2624

129 130