

1 **RESOLUTION NO. 2023-03**

2 **PLANNING ZONING AND DESIGN BOARD**

3
4 **GENOVA ZONING AMENDMENT**

5
6 **VILLAGE OF ESTERO, FLORIDA**
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9 **WHEREAS**, Genova One and Genova Two Associations, and Genova Partners, LLC
10 filed an application for an amendment to the Estero Planned Development for a project known
11 as **Genova**, to modify Deviation 6 of Ordinance 2016-08 and Administrative Amendment
12 ADD2021-E001 to eliminate the manned 24-hour gate operation, to instead install a “virtual”
13 automated gate; and
14

15 **WHEREAS**, the property is located at the southeast corner of Corkscrew Road and
16 Via Coconut Point Road and described more particularly as 21471 Strada Nuova Circle; and
17

18 **WHEREAS**, the property was rezoned with the adoption of Ordinance 2016-08 and
19 was amended by Ordinance 2022-16 and ADD2021-E001; and
20

21 **WHEREAS**, the subject property is designated as Village Center on the Future Land
22 Use Map of the Village of Estero Comprehensive Plan; and
23

24 **WHEREAS**, The Land Development Code (LDC) provides for the Planning Zoning
25 and Design Board to review and decide minor amendments to Planned Developments; and
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27 **WHEREAS**, on May 9, 2023 a Public Informational Meeting was held by the
28 Planning Zoning and Design Board; and
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30 **WHEREAS**, a duly noticed public hearing was held on July 25, 2023 to review the
31 application; and
32

33 **WHEREAS**, the following findings of fact are offered:
34

- 35 1. The application is/is not consistent with the general criteria of the Village Center
36 Land Use category as described in Section 3.707.B. of the Land Development
37 Code.
38
- 39 2. The automated “virtual” gate will/will not be located so as to provide adequate
40 stacking distance for 5 vehicles.
41
- 42 3. Trucks will be able to turn around on the egress side of the gate, per Deviation 6
43 of Ordinance 2016-08.
44
- 45 4. The Planning Zoning and Design Board has taken this action at a duly
46 constituted public hearing after due public notice.

47 **NOW, THEREFORE, IT IS HEREBY DETERMINED** that the application
48 for the zoning amendment is/is not approved to allow installation of an automated “virtual”
49 gate, subject to the following conditions (no conditions are necessary if the amendment is not
50 approved):

- 51
- 52 1. The terms and conditions of Zoning Ordinances 2016-08 and 2022-16 remain in
53 full force, except as modified herein.
 - 54
 - 55 2. Administrative Amendment ADD2021-E001 is revoked and null and void.
 - 56
 - 57 3. The location of the gate is per the attached drawing.
 - 58
 - 59 4. Deviation 6(c) of Ordinance 2016-08 is amended as shown in strike-thru below:
60
61 (a) Entrance gates be located a minimum of 100 feet from the existing intersecting
62 street, to allow the gates to be located 85± feet from the intersecting street; and
63
64 (b) The gate to be designed in such a manner to allow a minimum of five vehicles
65 to safely pull-off the intersecting street while waiting to enter, to allow a minimum
66 of four vehicles to safely pull-off the intersecting street while waiting to enter are
67 denied.
68
69 (c) A paved turn-around, having a turning radius sufficient to accommodate a U-
70 turn for a single unit truck vehicle per the AASHTO Green Book must be provided
71 on the ingress side of the gate, to allow a turn-around to be provided after the gate
72 is approved, conditioned on the requirement that the gate must ~~be manned 24 hours~~
73 ~~a day~~ to allow trucks to turn around on the egress side of the gate
74
 - 75 5. The guardhouse must remain as an architectural element of the project.
 - 76
 - 77 6. If the Village determines that there is a vehicle stacking safety issue, the applicant
78 must propose a solution satisfactory to staff, or staff will schedule this for review
79 at PZDB which may issue a modified decision that complies with the Code or
80 revoke the decision in accordance with the Land Development Code.

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82 **PASSED AND DULY ADOPTED** this 25th day of July, 2023.

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85 **VILLAGE OF ESTERO, FLORIDA**
86 **PLANNING ZONING AND DESIGN BOARD**

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90 _____
91 Scotty Wood, Chairman
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Attest:

By: _____
Carol Sacco, Village Clerk

Reviewed for legal sufficiency

By: _____
Nancy Stroud, Esq.

Vote:

Scotty Wood	Yes ___	No ___
Anthony Gargano	Yes ___	No ___
Kristin Jeannin	Yes ___	No ___
Barry Jones	Yes ___	No ___
Michael Sheeley	Yes ___	No ___
Jim Tatooles	Yes ___	No ___
Jim Wallace	Yes ___	No ___