

**AGENDA ITEM SUMMARY SHEET**  
**VILLAGE COUNCIL MEETING**  
**December 18, 2024**

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**Agenda Item:**

Mayfair Village Property – Request from Lennar for Council to rescind the requirement of a Notice of Future Road Construction that was recorded in the Lee County Public Records in 2007.

Motion to adopt Resolution No. 2024-23

**Background:**

In 2007, Lee County rezoned a 5.5-acre parcel located on East Broadway, east of the railroad right-of-way and west of Sandy Lane, to a Residential Planned Development for a 16-lot single family subdivision. As part of the zoning, a condition was imposed about the County’s intention to construct a collector road on the west 100-feet of the property (Sandy Lane replacement) and requiring a recorded notice in the public records to apprise potential future homeowners. The condition is below:

*4. Transportation Conditions*

- a. The developer must prepare and record a notice which advises prospective purchaser of lots within Mayfair Village of Lee County’s intention to construct a collector road on the west 100 feet of the subject parcel prior to the approval of any development orders for the project. The notice must be recorded as a standalone document (i.e., not merely as a page in a larger homeowner document). The plat for Mayfair Village must also contain a reference to “Future Collector Road” on the tract identified as “Future Tract w/Drainage Accommodations” on the Master Concept Plan.*

The proposed collector road was to be a replacement of Sandy Lane and would also extend north from this property, through the Cascades development and connecting to Estero Parkway (see attached map). The County plans at one time showed the road extending north into San Carlos Park. The County did not construct this road and the road is not included in the Village’s Capital Improvements Plan, nor is it in the Lee County Long Range Transportation Plan.

No other properties have this notice of future road construction requirement, although the Cascades has a future right-of-way shown on their zoning Master Concept Plan.

**Description:**

The property has not been developed and Lennar is the contract purchaser. Lennar approached the Village about the recorded notice as they believe it affects the title of the parcel.

If the Council agrees the zoning will still need to be amended to accommodate the applicant's new plan and to delete the reservation shown on the Master Concept Plan.

**Action Requested:**

Motion to adopt Resolution No. 2024-23

**Process and Timeline:**

Lennar is preparing an application to rezone the property and adjacent property from Agriculture and Residential Planned Development to Residential Planned Development. The application will be reviewed by Planning Zoning and Design Board and Village Council at a later date.

**Financial Impact:**

No financial impact to the Village of this action.

**Prepared by: Mary Gibbs**

**Attachments:**

1. Location Map of Subject Property and Proposed Road Extension
2. Resolution No. 2024-23
3. Recorded Notice of Future Road Construction
4. Lee County Zoning Resolution Z-06-073