

**VILLAGE OF ESTERO, FLORIDA
ZONING
ORDINANCE NO. 2025-06**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE
VILLAGE OF ESTERO, FLORIDA, APPROVING WITH
CONDITIONS REZONING FOR PROPERTY BOUNDED BY
THE SEMINOLE GULF RAILWAY ROW ON THE WEST,
BROADWAY AVENUE EAST ON THE NORTH, SANDY LANE
ON THE EAST AND 20920/922 SANDY LANE ON THE SOUTH,
ALL IN THE VILLAGE OF ESTERO, FLORIDA; PROVIDING
FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE
DATE.**

WHEREAS, LENNAR HOMES, LLC, represented by RESPEC Company, LLC. (the “Applicant”), filed an application to rezone property on 7.34+/- acres (the “Property”) for a 17-lot single family residential development; and

WHEREAS, the property consists of two (2) separate parcels and are legally described in Exhibit D attached hereto, and

WHEREAS, the 5.54 +/- acre parcel is zoned Residential Planned Development as approved by Lee County Board of County Commissioners on February 19, 2007 by Zoning Resolution Z-06-073; and

WHEREAS, the 2.183 +/- acre parcel is zoned Agricultural; and

WHEREAS, both properties are now under the jurisdiction of the Village of Estero; and

WHEREAS, the zoning case number is DCI2024-E008; and

WHEREAS, the Applicant proposes a 17-lot single family development, with a Master Concept Plan, supplemental Pattern Book, and two deviations; and

WHEREAS, a noticed Public Information Meeting was held on October 29, 2024 at the Planning Zoning and Design Board; and

WHEREAS, a duly noticed public hearing was held at the Planning Zoning and Design Board on May 13, 2025; and

WHEREAS, a duly noticed first reading was held before the Village Council on June 4, 2025; and

WHEREAS, a duly noticed second reading and public hearing was held before the Village Council on June 18 , 2025, at which time the Village Council gave consideration 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.

48 **NOW, THEREFORE**, be it ordained by the Village Council of the Village of Estero,
49 Florida:

50
51 **Section 1. Rezoning.**
52

53 The Village Council approves the rezoning from Agricultural and Residential Planned
54 Development to Residential Planned Development with the following conditions.
55

56 **Section 2. Conditions.**
57

58 1. Master Concept Plan
59

60 The development of this project must be consistent with the Master Concept Plan titled
61 “Mayfair Village Master Concept Plan” date stamped received May 28, 2025, attached as
62 Exhibit A. If changes to the Master Concept Plan are subsequently pursued, appropriate
63 approvals will be necessary.
64

65
66 2. Typical Sections
67

68 The development of this project must be consistent with the cross-section document
69 entitled “Mayfair Village Typical Sections” date stamped received May 28, 2025, attached
70 as Exhibit B. This development shall provide an 8-foot-wide sidewalk easement to the
71 Village of Estero along Broadway Avenue East as shown by cross-sections A, B, and C. If
72 changes to the Typical Sections are subsequently pursued, appropriate approvals will be
73 necessary
74

75 3. Pattern Book
76

77 The development of this project must be substantially consistent with the Pattern Book
78 entitled “Mayfair Village RPD Pattern Book” date stamped received May 28, 2025,
79 attached as Exhibit C. If changes to the Pattern Book are subsequently pursued, appropriate
80 approvals will be necessary.
81

82 4. Prior Zoning Resolution
83

84 Lee County Zoning Resolution Z-06-073 shall be null and void.
85

86
87 5. Approved Uses
88

89 The following limits apply to the project and uses:
90

- 91 a. Residential Single Family Detached (limited to 17 dwelling units)
92 b. Fences and walls
93 c. Accessory Uses

94 6. Site Development Regulations

- 95
- 96 a. Minimum Lot Area: 6,500 sq. ft.
- 97 b. Minimum Lot Width: 60 feet
- 98 c. Minimum Lot Depth: 120 feet
- 99 d. Minimum Front Setback: 20 feet
- 100 e. Minimum Rear Setback: 15 feet
- 101 f. Minimum Side Setback: 5 feet
- 102 g. Maximum Building Height: 35 feet (2 stories)
- 103 h. Single-family homes on the 2 lots immediately adjacent to Broadway Ave East
- 104 shall be restricted to single story with the garages located on the south side of the
- 105 respective lots.
- 106

107 7. Environmental Conditions

- 108
- 109 a. Prior to Development Order approval, Applicant shall furnish an approved
- 110 Florida Fish and Wildlife tortoise relocation permit.
- 111
- 112 b. The project shall meet all flood regulations of the Village of Estero in force at the
- 113 time of Development Order approval.
- 114
- 115 c. No pile driving or blasting shall be permitted during infrastructure or home
- 116 construction.
- 117
- 118 d. The Developer shall work with the Village of Estero and cooperate in potential
- 119 cost-sharing agreements related to the Broadway Avenue West sewer project.
- 120
- 121 e. Surface Water Management dedication and maintenance covenants shall be
- 122 provided prior to Development Order approval.
- 123

124 8. Transportation Conditions

- 125
- 126 a. Secondary Emergency Access to the south is required to be constructed in
- 127 conformance with the Fire Code.
- 128

129 9. Concurrency

130

131 Approval of this rezoning does not constitute a finding that the proposed project meets

132 the concurrency requirements in the Village of Estero LDC. The developer is required

133 to demonstrate compliance with all mandatory concurrency requirements prior to the

134 approval of the Development Order.

135

136 10. Hurricane Preparedness

137

138 A Hurricane Preparedness Plan or mitigation will be required at time of local

139 development order per Land Development Code, Sections 7-504 and 7-505.

140 11. Subdivision Plat

141
142 Prior to issuance of building permits on individual lot, except for model homes, a
143 Subdivision Plat of the subject property that creates no more than 17 lots must be
144 submitted, reviewed, and approved.
145

146 12. Land Development Code (LDC)

147
148 Where the Village LDC is referenced in these conditions of approval for
149 implementation of the condition at the time of development order issuance, the LDC
150 in effect at the time of the local development order shall be applicable.
151

152 13. Electric Power

153
154 As agreed to by the applicant, the developer shall be responsible to provide
155 underground residential electric service to the existing drop at 20590 Sandy Lane.
156

157 **Section 3. Deviations.**

- 158
159 1. Deviation 1 seeks relief from the Estero LDC Section 5-304.A.1.A. requirement
160 regarding minimum center-to-center roadway connection separation distance of 330 on
161 collector roads, to allow for a roadway connection of 293 feet on Broadway Avenue
162 East.
163

164 Deviation 1 is approved.
165

- 166 2. Deviation 2 seeks relief from Estero LDC Section 5-304.A.4.C. which specifies two
167 means of ingress/egress to residential developments of more than five acres, to allow
168 to one primary ingress/egress and a secondary emergency access.
169

170 Deviation 2 is approved.
171

172 **Section 4. Findings and Conclusions.**

173
174 Based upon an analysis of the application and the standards for approval in the Land
175 Development Code, and the conditions of approval, the Council finds and concludes as
176 follows:
177

- 178 1. The Planned Development Amendment as conditioned will be consistent with the
179 goals, objectives, and policies of the Comprehensive Plan.
180
181 2. The Planned Development Amendment as conditioned will not conflict with any
182 portion of the Land Development Code.
183
184 3. The Planned Development Amendment will address a community need.
185

- 186 4. The Planned Development Amendment as conditioned will be compatible with existing
187 and planned uses surrounding the subject land.
188
- 189 5. The Planned Development Amendment will result in a logical and orderly development
190 pattern.
191
- 192 6. The Planned Development Amendment will not adversely affect the property values in
193 the area.
194
- 195 7. The Planned Development Amendment will result in development that is adequately
196 served by public facilities (roads, potable water, wastewater, solid waste, storm water,
197 schools, parks, police, and fire and emergency medical facilities).
198
- 199 8. The Planned Development Amendment as conditioned will not result in significantly
200 adverse impacts on the natural environment including, but not limited to, water, air,
201 noise, storm water management, wildlife, vegetation, wetlands, and the natural
202 functioning of the environment.
203
- 204 9. The Planned Development Amendment is compatible with existing or planned uses in
205 the surrounding area.
206

207 **Section 5. Exhibits.**
208

209 The following exhibits are attached to this Ordinance and incorporated by reference:
210

211 Exhibit A “Mayfair Village Master Concept Plan” date stamped received May 28, 2025
212

213 Exhibit B “Mayfair Village Typical Sections” date stamped received May 28, 2025
214

215 Exhibit C “Mayfair Village RPD Pattern Book” date stamped received May 28, 2025
216

217 Exhibit D Legal Description
218

219 **Section 6. Severability.**
220

221 Should any section, paragraph, sentence, clause, phrase, or other part of this Ordinance
222 subsequent to its effective date be declared by a court of competent jurisdiction to be
223 invalid, such decision shall not affect the validity of this Ordinance as a whole or any
224 portion thereof, other than the part so declared to be invalid.
225

226 **Section 7. Effective Date.**
227

228 This Ordinance shall take effect immediately upon adoption.
229

230 **PASSED** on first reading the 4th day of June, 2025.
231

PASSED AND ADOPTED BY THE VILLAGE COUNCIL of the Village of Estero,
Florida on second reading this 18th day of June, 2025.

Attest:

VILLAGE OF ESTERO, FLORIDA

By: _____
Carol Sacco, Village Clerk

By: _____
Joanne Ribble, Mayor

Reviewed for legal sufficiency:

By: _____
Nancy E. Stroud, Village Land Use Attorney

Vote: AYE NAY

Mayor Ribble	_____	_____
Councilmember Hunt	_____	_____
Councilmember McLain	_____	_____
Councilmember Fayhee	_____	_____
Councilmember Lopez	_____	_____
Councilmember Ward	_____	_____
Vice Mayor Zalucki	_____	_____