

**VILLAGE OF ESTERO, FLORIDA
ZONING
ORDINANCE NO. 2025-15**

**AN ORDINANCE OF THE VILLAGE COUNCIL OF THE
VILLAGE OF ESTERO, FLORIDA, APPROVING WITH
CONDITIONS A REZONING FROM AGRICULTURE
(AG) TO RESIDENTIAL SINGLE FAMILY (RSF) FOR A
0.34+/- ACRE TRIANGULAR PARCEL LOCATED AT
4741 BROADWAY W, EAST OF ESTERO RIVER
HEIGHTS AND THE EXISTING 100-FOOT FPL RIGHT
OF WAY AND WEST OF CRANBROOK HARBOR ;
PROVIDING FOR SEVERABILITY; AND PROVIDING
AN EFFECTIVE DATE.**

WHEREAS, Charles and Sandra Cooper (the "Applicants"), filed an application to rezone the property located at 4741 Broadway W, consisting of approximately 0.34 acres; and

WHEREAS, the Property STRAP number is 29-46-25-E4-U1690.2484 and the Property is legally described in Exhibit A attached hereto; and

WHEREAS, the Applicants requested a rezoning from Agriculture (AG) to Residential Single Family (RSF) (Case Number REZ2025-E001); and

WHEREAS, a noticed Public Information Meeting was held on July 8, 2025 at the Planning Zoning and Design Board; and

WHEREAS, at a duly noticed public hearing held on November 18, 2025, the Planning Zoning and Design Board recommended approval of the request with a condition; and

WHEREAS, a duly noticed first reading was held before the Village Council on December 17, 2025; and

WHEREAS, a duly noticed second reading and public hearing was held before the Village Council on January 21, 2026, 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.

NOW, THEREFORE, be it ordained by the Village Council of the Village of Estero, Florida;

Section 1. Approval.

The Village Council approves the rezoning from Agriculture (AG) to Residential Single-Family (RSF).

Section 2. Conditions.

48
49 1. Drainage Easement
50

51 The applicants must execute a 22.5-foot drainage easement on the west side of the
52 property in favor of the Village. This easement will provide continuity with the
53 existing easement created by the Cranbrook Harbor plat of the drainage ditch
54 running from Broadway W to the Estero River, parallel to the FPL Right of Way
55 (former Seminole railroad track property). The easement shall be in a form
56 approved by the Village Attorney and shall be delivered to the Village for recording
57 prior to the effective date of the Rezoning Ordinance.
58

59 **Section 3. Findings and Conclusions.**
60

61 Based upon an analysis of the application and the standards for approval in the Land
62 Development Code, and the conditions of approval, the Council finds and concludes
63 that the rezoning:
64

65 1. **Is consistent with and furthers the goals, objective, and policies of the
66 Comprehensive Plan and all other Village adopted plans.**
67

68 *The proposed rezoning from AG to RSF is consistent with the Village Neighborhood
69 I land use category.*

70 2. **Is not in conflict with any portion of the LDC;**
71

72 *The proposed rezoning meets the LDC requirements.*

73 3. **Addresses a demonstrated community need;**
74

75 *The applicant will record a 22.5-foot drainage easement on the west side of the
76 property which would provide continuity with the existing easement running from
77 Broadway W to the Estero River, parallel to the FPL Right of Way.*

78 4. **Is compatible with existing and proposed uses surrounding the subject land,
79 and is the appropriate zoning district for the land;**
80

81 *The proposed rezoning from AG to RSF would allow the construction of a single-
82 family home, which is more appropriate than agricultural use.*

83 5. **Would result in a logical and orderly development pattern;**
84

85 *The proposed rezoning is an infill area.*

86 6. **Would not adversely affect the property values in the area;**
87

93 *The proposed amendment should not adversely affect property values in the area.*

94

95 **7. Would result in development that is adequately served by public facilities**

96 **(road, potable water, wastewater, solid waste, storm water, schools, parks,**

97 **police, and fire and emergency medical facilities);**

98

99 *The proposed rezoning would result in the development of a single-family residence*

100 *that would be served by public facilities because the infrastructure is existing.*

101

102 **8. Would not result in significantly adverse impacts on the natural environment**

103 **including, but not limited to, water, air, noise, storm water management,**

104 **wildlife, vegetation, wetlands, environmentally critical areas, and the natural**

105 **functioning of the environment;**

106

107 *The proposed rezoning would not have an adverse impact on the natural*

108 *environment. The proposed drainage easement will benefit the existing stormwater*

109 *management system.*

110

111 **9. Is compatible with existing or planned uses in the surrounding uses;**

112

113 *On balance, the proposed use is compatible with the general surrounding area. The*

114 *proposed rezoning will allow the construction of a single-family residence which is*

115 *consistent with the property's future land use Village Neighborhood I designation.*

116

Section 5. Exhibits.

117

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

119

120 Exhibit A Legal Description of Property

121

Section 6. Severability.

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123 Should any section, paragraph, sentence, clause, phrase, or other part of this Ordinance

124 subsequent to its effective date be declared by a court of competent jurisdiction to be

125 invalid, such decision shall not affect the validity of this Ordinance as a whole or any

126 portion thereof, other than the part so declared to be invalid.

127

Section 7. Effective Date.

128

129 This Ordinance shall take effect immediately upon adoption.

130

131 **PASSED** on first reading this 17th day of December 2025.

132

133 **PASSED AND ADOPTED BY THE VILLAGE COUNCIL** of the Village of Estero,

134 Florida on second reading this 21st day of January 2026.

138
139 Attest: **VILLAGE OF ESTERO, FLORIDA**
140
141
142 By: _____
143 Carol Sacco, Village Clerk
144
145
146 Reviewed for legal sufficiency:
147
148
149 By: _____
150 Nancy E. Stroud, Village Land Use Attorney
151
152
153 Vote: AYE NAY
154
155 Mayor Ribble _____ _____
156 Vice Mayor Zaluki _____ _____
157 Councilmember Fayhee _____ _____
158 Councilmember Hunt _____ _____
159 Councilmember Lopez _____ _____
160 Councilmember McLain _____ _____
161 Councilmember Ward _____ _____
162