

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS

OF LEE COUNTY, FLORIDA

WHEREAS, Laguna Woods, has properly filed an application for: In the PUD district: a) one year extension of the preliminary PUD plan approval per Section 606.C.6; and b) retain the special exception for permanent project identification sign on a piece of property located on U.S. 41, between Pine Street and Broadway, described more particularly as;

Section 29, Township 46S, Range 25E, Lee County, Florida.

The east one-half (1/2) of the northeast one-fourth (1/4) and the east one-half (1/2) of the northwest one-fourth (1/4) of the northeast one-fourth (1/4) of Section 29, Township 46S, Range 25 East, consisting of approximately 100 acres all in Lee County, Florida.

WHEREAS, E.L. Brackin, Jr., the owner of the subject parcel has given proper authorization to Benjamin Pratt to act as his agent, and has given him the authority to pursue this zoning action; and,

WHEREAS, a public hearing was legally and properly held before the Lee County Zoning Board, with full consideration of all the evidence available to the Zoning Board; and,

WHEREAS, the Lee County Zoning Board fully reviewed the matter and recommended to approve the one year extension with the three conditions: 1) The site plan must be modified

exception for a sign based on the findings that the Lee County Zoning Board feels that the financial and engineering requirements involved in a project of this magnitude has just cause for a one year extension.

WHEREAS, an appeal was timely filed by an aggrieved person/the Division of Community Development; and,

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Board of County Commissioners; and,

WHEREAS, the Board of County Commissioners considered the recommendations of the Staff, the Local Planning Authority, the Zoning Board, the documents on file with the County, and the testimony of all interested persons,

The Board of County Commissioners after full and complete consideration of the matter does hereby make the following findings of fact:

LEGISLATIVE HISTORY: The L.P.A. found the request to be consistent with the Comprehensive Plan. The Zoning Board denied the special exception for the sign and granted the one-year extension with four conditions recommended by Staff. Staff explained that the regulations provided that a one-year extension shall be granted by the Zoning Board "for cause shown." Based upon the application, the requested extension is for "finalizing financial arrangements for the planned unit development; engineering work for the P.U.D. in process but not complete." Staff could not recommend approval of the request in the absence of Board direction that such reasons would qualify as "cause shown". In the event that the Board found that the applicant shows cause to be granted the extension, Staff recommended four conditions to be attached to bring several aspects of the project into conformance with the current standards. Mr. Arnold spoke for the owner, and indicated that the basis for their requested extension was not strictly financial reasons. He indicated that there had also been considerable engineering done as well as ongoing planning and that the project was expected to be ready for development by February, 1985. The applicant's engineer also pointed out that the projected development at eight units per acre was significantly less than what it was originally zoned for.

1. The plan must be modified to preserve the cypress heads and the denser stands of pine trees;
2. Final PUD approval will be subject to the Development Standards Regulations and other development regulations in effect at that time;
3. Parkland dedication will be required in conformance with County policies; and
4. The permanent project identification sign is permitted as part of the planned unit development;

and b) grants the requested special exception for permanent identification sign.

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon motion by Commissioner Roberts, and seconded by Commissioner Fussell, and upon being put to a vote, was as follows:

Porter J. Goss	Aye
Roland Eastwood	Aye
Roland Roberts	Aye
Bill Fussell	Aye
Melvin Morgan	Aye

DULY PASSED AND ADOPTED this 15th day of October, A.D., 1984.

ATTEST:
LOIS KURTZ, AD INTERM CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY:

Mary Amment
Deputy Clerk

BY:

R. Eastwood
Chairman