

ADMINISTRATIVE AMENDMENT (PD) ADD2004-00020

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Equity One (Summerlin) Inc. filed an application for administrative approval to a Commercial Planned Development on a project known as Summerlin Square to allow an extension for the temporary golf driving range to December 31, 2008 for property located at 17105 San Carlos Blvd., described more particularly as:

LEGAL DESCRIPTION: In Section 07, Township 46 South, Range 24 East, Lee County, Florida:

Refer to Exhibit A

WHEREAS, the property was originally rezoned in case number 91-11-26-DCI-1 (with subsequent amendments in case numbers 96-12-085-13A.01.02); and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, Condition 2.a of Resolution Z-91-108 provides that the "golf driving range use shall be temporary only, and limited to five (5) years in duration" (approved on January 6, 1992); and

WHEREAS, Condition 2 of Administrative Amendment PD-96-066 approved an extension limited to four (4) years from the date of that approval (January 8, 1998); and

WHEREAS, the second extension expired on January 8, 2002 at which time the use was to cease and desist since another extension had not been granted; and

WHEREAS, the golf driving range has continued to operate without the appropriate zoning approvals; and

WHEREAS, complaints have been received and violations have been cited related to the maintenance and upkeep of the netting at the golf driving range in the years 2000 through 2004; and

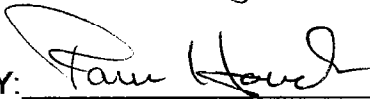
WHEREAS, this request seeks a second extension of the permitted life of the temporary golf driving range to December 31, 2008; and

WHEREAS, it is found that the proposed amendment to extend for a second time may potentially have an adverse impact on surrounding land uses; and

WHEREAS, if it is the intent of the property owner to continue seeking these extensions to allow the driving range to continue as a permitted rather than a temporary use, then amendment of the original zoning deleting Condition 2.a. of Resolution Z-91-108 through a public hearing would be the most appropriate remedy.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Commercial Planned Development is **DENIED**.

DULY SIGNED this 5th day of May, A.D., 2004.

BY: 
Pam Houck, Director
Division of Zoning
Department of Community Development

ADD2004-00020

PROPERTY DESCRIPTION
EXHIBIT "A"

IN SECTION 07, TOWNSHIP 46 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA:

LOT 4, SUMMERLIN SQUARE SUBDIVISION, AS RECORDED IN PLAT
BOOK 49, PAGE 72, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

Applicant's Legal Checked
by *My* 30 JAN 04