

ADMINISTRATIVE AMENDMENT (PD) ADD2014-00147

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Joshua Parra, DVM, Florida Veterinary Referral Center filed an application for an administrative amendment to a Mixed Use Planned Development on a project known as Shoppes of Estero to add the use of "Animal Clinic" within the planned development on property located at 21700 South Tamiami Trail, described more particularly as:

LEGAL DESCRIPTION: In Section 33, Township 46 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in Resolution Number Z-98-029 (with subsequent amendments in ADD2003-00184, Resolution Z-04-068, ADD2003-00157, Resolution Z-06-011, ADD2006-00224, and ADD2007-00155); and

WHEREAS, the subject property is located in the Suburban Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the subject property is shown to be outside of a FEMA regulatory floodway; 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 request is to allow the addition of the use of Animal Clinic as a permitted use within the planned development limiting this use to not allow any outdoor pens, enclosures, or dog runs; and

WHEREAS, the request was presented to the Estero Community in a public informational meeting before the Estero Planning Panel on July 21, 2014; and

WHEREAS, the Panel concluded they were in favor of the proposal agreeing that this should be handled by Lee County as an administrative amendment conditioned with no outside kennels or runs and would comply with the Estero architectural standards; 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, the use is similar in nature to other uses already allowed within the planned development; and

WHEREAS, it is found that the addition of the use of Animal Clinic will not increase density or intensity within the development; will not decrease buffers or open space required by the LDC; will not underutilize public resources or infrastructure; will not reduce total open space, buffering, landscaping or preservation areas; and will not otherwise adversely impact on surrounding land uses as conditioned.

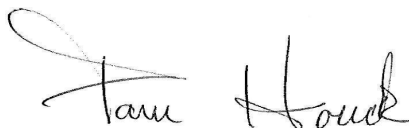
NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval to add the use of "Animal Clinic" within the Mixed Use Planned Development is **APPROVED, subject to the following conditions:**

1. **The terms and conditions of the original zoning resolution (Z-98-029), as amended, remain in full force and effect.**
2. **This amendment does not change or amend the current approved Master Concept Plan.**
3. **The Schedule of Uses is hereby amended to add:**

Animals: Clinic (df) (with outdoor pens/kennels, enclosures, and dog runs prohibited)

4. **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Director may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

DULY PASSED AND ADOPTED ON 8/19/2014

BY: 

Electronically Signed by
Pam Houck, Director
Division of Zoning
Department of Community Development

APPROVED
ADD2014-00147
Chick Jakacki, Planner
Lee Co Division of Zoning
8/13/2014

EXHIBIT A

LEGAL DESCRIPTION

PARCEL 1, PARADISE SHOPPES OF ESTERO, A PARCEL IN A SUBDIVISION, LOCATED IN SECTION 33, TOWNSHIP 46 SOUTH, RANGE 25 EAST, ACCORDING TO THE PLAT THEREOF ON FILE AND RECORDED IN INSTRUMENT NUMBER 2007-106415 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

STRAP NUMBER

33-46-25-28-00001.0000