

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, an application was filed by the property owner, Gladiolus K & R Partners, LLC, 10± acres from Agricultural (AG-2) to Commercial Planned Development (CPD), in reference to The Villages on Gladiolus; and,

WHEREAS, a public hearing was advertised and held on April 9, 2009, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2006-00102; and

WHEREAS, a second public hearing was advertised and held on June 29, 2009, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to rezone 10± acres from AG-2 to CPD with a maximum of 29,999 square feet of commercial retail, 128,000 square feet of office; or 29,999 square feet commercial retail, 78,000 square feet office and 120-unit hotel. Maximum height requested is two (2) stories/35 feet for office and retail and four (4) stories/50 feet for a hotel. No development blasting is requested. The development will connect to public potable water and sanitary sewer service. The property is located in the Urban Community Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. The development of this project must be consistent with the 1-page Master Concept Plan (MCP) entitled "MASTER CONCEPT PLAN, GLADIOLUS VILLAGE" date-stamped "Received Jul 07 2009 Community Development," attached hereto as Exhibit C, except as modified by the conditions below.

This development must comply with all requirements of the LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.