

**MEMORANDUM**  
FROM THE  
**DEPARTMENT OF**  
**COMMUNITY DEVELOPMENT**

DATE: September 14, 2007

TO: Board of County Commissioners

FROM:   
Mary Gibbs, Director

RE: Walk-On for September 18, 2007 Board Meeting

Per the Board's action at the September 11, 2007 Board Meeting, the attached Bluesheet, Number 20071855, needs to be a Walk-On for the September 18, 2007 regular Board Meeting.

**Lee County Board Of County Commissioners  
Agenda Item Summary**

**Blue Sheet No. 20071855**

**1. ACTION REQUESTED/PURPOSE:**

PLEASE RUSH - WALKON FOR 9/18 ! (1) Consider options for possible rezoning moratorium in the southeast Density Reduction Groundwater Resource (DR/GR) area of Lee County and direct staff to draft an ordinance and schedule a public hearing based on the option chosen. (2) Direct staff to draft an ordinance and schedule a public hearing prohibiting accepting new privately initiated comprehensive plan amendments in southeast DR/GR for two year period as voted on at the 9/11 Board of County Commissioners meeting. (#20071855-COMMUNITY DEVELOPMENT)

**2. FUNDING SOURCE:**

N/A

**3. WHAT ACTION ACCOMPLISHES:**

Allows sufficient time to prepare a master plan for the area without having to review rezonings and comprehensive plan amendments at the same time.

**4. MANAGEMENT RECOMMENDATION:** Option 2 below for rezonings

**5. Departmental Category:** <DeptCategory>

**6. Meeting Date:** 9/18/07

**7. Agenda:**

Walk-On

**8. Requirement/Purpose:** *(specify)*

- Statute
- Ordinance
- Admin Code
- Other

**9. Request Initiated**

**Commissioner:**

**Department:** COMMUNITY DEVELOPMENT

**Division:** Zoning

**By:** Mary Gibbs

**10. Background:**

As a follow up to the September 11th commission meeting, the Board requested this item be further discussed and potential options be brought back for consideration. There are 2 specific items included: rezonings and comprehensive plan amendments. With regard to the rezoning issue, there are several options that could be utilized to limit rezonings in the southeast DR/GR area while the planning effort is underway. Options are listed below:

1. Continue to accept applications for rezonings and process as usual.
2. Do not accept new rezoning applications, including amendments, but continue to process all applications already submitted.
3. Do not accept new rezoning applications and do not process the ones that are already submitted but insufficient.
4. Do not accept new rezoning applications and do not process any applications including rezonings, special exceptions, development orders, permits, etc.
5. Do not accept applications for certain rezonings, for example, mines but not residential use, or vice versa.
6. Do not accept new rezoning applications but continue to accept other cases such as amendments to planned development rezonings as long as they do not increase the intensity of use.

A list of rezoning cases that have already been submitted is attached, along with a map for further information. As of September 14th, there are 10 total cases (7 mines, 1 DRI, 1 special exception for a tower and one rezoning from IPD to AG) in the southeast DR/GR.

With regard to comprehensive plan amendments, the prohibition should apply to new, privately initiated

**11. Required Review:**

<Signature>	<Signature>	<Signature>	<Signature>	<Signature>	<Signature>
<Department>	<Department>	<Department>	<Department>	<Department>	<Department>
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<Department>	<Department>	<Department>	<Department>	<Department>	<Department>

**12. Commission Action:**

amendments. Staff recommends a two year limit for accepting any applications. There is only one application in process (The Fountains) which is a comprehensive plan amendment, DRI and rezoning application. The prohibition could exempt The Fountains as discussed at the September 11th BCC meeting.

Attachments

# Pending Rezoning and Comprehensive Plan Applications in Southeast DR/GR September 14, 2007

<p><b>DCI2005-00117</b></p> <p>Corkscrew Road</p> <ul style="list-style-type: none"> <li>• Rezone 255 acres to RPD for mining and 24 single-family residences.</li> </ul>	<p><b>Golfrock</b></p>	<p>received 12/29/05 insufficient</p>
<p><b>DCI2006-00007</b></p> <p>22951 Corkscrew Rd</p> <ul style="list-style-type: none"> <li>• Rezone 318 acres from AG-2 to IPD to allow the use of an Excavation, mining operation (specifically a fill dirt operation).</li> </ul>	<p><b>Estero Group IPD</b></p>	<p>received 2/1/06 continued to September 18 &amp; 27, and October 9, 2007</p>
<p><b>DCI2006-00026</b></p> <p>Corkscrew Road</p> <ul style="list-style-type: none"> <li>• Rezone 1,365.5± acres from Agricultural District, AG-2 to IPD to allow the use of an Excavation, mining operation (Construction Materials Mining Operation) with a proposed depth of 110 feet.</li> </ul>	<p><b>Corkscrew Excavation</b></p>	<p>received 3/21/06 insufficient</p>
<p><b>DCI2005-00105</b></p> <p>Alico Road</p> <ul style="list-style-type: none"> <li>• Amend the existing Industrial Planned Development zoning to allow dewatering as part of the mining operations, wetland impacts and phasing changes.</li> </ul>	<p><b>Ft Myers Harper Mine</b></p>	<p>received 11/2/05 tentative Hearing Examiner date: 10/3/07</p>
<p><b>CPA2006-00001</b> <b>DCI2006-00029</b> <b>DRI2006-00001</b></p> <p>South of SR 82</p> <p>Proposed DRI, Rezoning and Comprehensive Plan Amendment on 2,769 acres (zoned Agricultural) for a multi-use project, including 1,381 single-family dwelling units; 2,834 multi-family dwelling units; 900,000 square feet of floor area for office/retail; 1.5 million square feet of floor area for warehouse/distribution; 350-room hotel with conference; 18 hole golf course; public facilities such as libraries, fire station, post office, sheriff and other civic needs; elementary, middle school; and community park facility</p>	<p><b>The Fountains</b></p>	<p>received 1/18/06 (sufficient) received 3/28/06 (insufficient) received 1/18/06 (insufficient)</p>

**REZ2006-00046**

**Ginn**

received 12/12/06  
tentative Hearing Examiner date:  
10/31/07

Corkscrew Road. East of Ben Hill Griffin

- Request to rezone 29.5+/- acres from IPD to AG

**DCI2007-00017**

**Ibis Lakes Estates RPD**

received 3/9/07  
insufficient

SR 82

- Rezone 92.58 Acres from AG-2 to RPD to allow for the use of the property as an Excavation, mining operation with a maximum depth of 40 feet) and then converting the completed mining operation to a residential development of 9 dwelling units with a maximum building height of 2 stories, 35 feet.

**DCI2007-00005**

**Schwab Materials II**

received 1/18/07  
insufficient

19500 Corkscrew Road

- Rezone 600± acres from Agricultural District (AG-2) to Industrial Planned Development (IPD) and approval of a General Mining Permit to allow an excavation, mining operation (construction materials mining operation) with a maximum depth of 95 feet or the first confining layer, whichever occurs first.

**DCI2007-00047**

**Cypress Bay MPD**

received 7/18/07  
insufficient

Corkscrew Road

- Rezone 1,153.75 acres from AG-2 to MPD to allow for the development and use of an Excavation, mining use and residential development of up to 106 dwelling units.

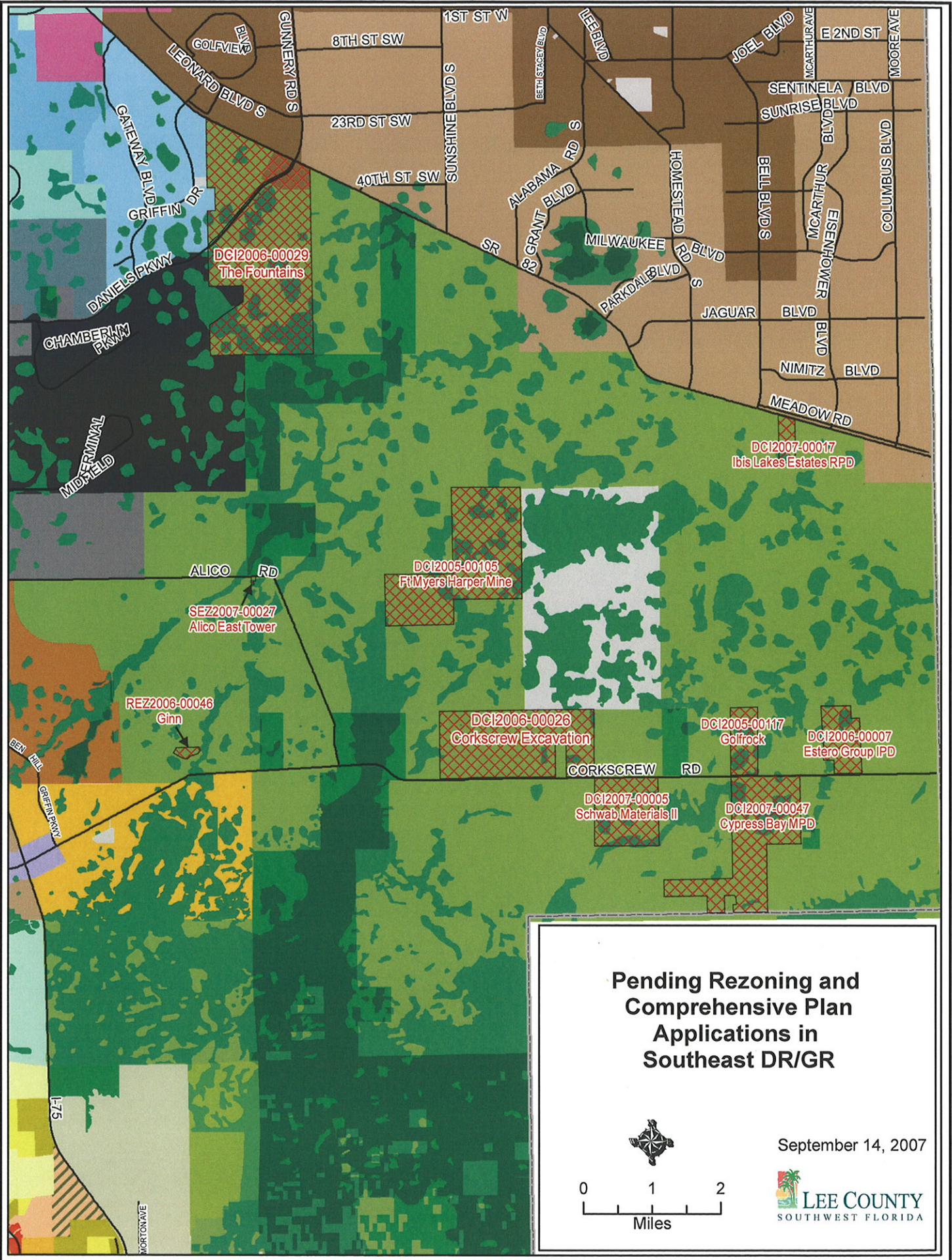
**SEZ2007-00027**

**Alico East**

received 7/20/07  
insufficient

14100 Alico Road

- Application for installation of a Stealth Wireless facility.



DCI2006-00029  
The Fountains

DCI2007-00017  
Ibis Lakes Estates RPD

DCI2005-00105  
Ft Myers Harper Mine

SEZ2007-00027  
Alico East Tower

REZ2006-00046  
Ginn

DCI2006-00026  
Corkscrew Excavation

DCI2005-00117  
Golfrock

DCI2006-00007  
Estero Group IPD

DCI2007-00005  
Schwab Materials II

DCI2007-00047  
Cypress Bay MPD

