

ORDINANCE NO. 3937

**AN ORDINANCE
To Be Entitled:**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FORT MYERS, FLORIDA, REZONING 21.43 ACRES, MORE OR LESS, FROM SINGLE-FAMILY (RS-6) ZONING DESIGNATION TO COMMERCIAL INTENSIVE (CI) ZONING DESIGNATION, LOCATED NORTH OF STATE ROAD 82, EAST OF FORUM BOULEVARD, AND WEST OF BUCKINGHAM ROAD; PROVIDING FOR SEVERABILITY, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS: Judy and Monte Flint, Deborah Jo Wyatt Stotter and Monte C. Flint, and Milton Dallas Flint, owners, requested rezoning 21.43 acres, more or less, located at 7760, 7780, and 7800 Lightard Knott Lane from Single-Family (RS-6) Zoning Designation to Commercial Intensive (CI) Zoning Designation as an amendment to the Official Zoning Map attached as Exhibit A and made a part here of; and

WHEREAS: Two (2) public hearings with due public notice have been held on rezoning the 21.43 acres, more or less, located at 7760, 7780, and 7800 Lightard Knott Lane; one hearing held before the Planning Board at its regular meeting on December 1, 2021 and one hearing held before City Council at its regular meeting held on January 31, 2022, to inform the public and receive objections, recommendations, and comments; and

WHEREAS: The comments and objections received from all persons, agencies, or governments have been duly considered.

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**NOW, THEREFORE, BE IT ENACTED BY THE CITY COUNCIL OF
THE CITY OF FORT MYERS, FLORIDA, that:**

1. The City of Fort Myers hereby amends the Official Zoning Map of the City of Fort Myers by changing the zoning designation from the Single-Family (RS-6) Zoning Designation to the Commercial Intensive (CI) Zoning Designation for 21.43 acres, more or less, located at 7760, 7780, and 7800 Lightard Knott Lane, as described in Exhibit B.

2. In exercise of its authority the City Council has determined it necessary to amend the Official Zoning Map as shown on Exhibit A to insure that the Official Zoning Map is in full compliance with the Laws of the State of Florida; to preserve and enhance present advantages; encourage the most appropriate use of land, water and resources consistent with the public interest; and deal effectively with future problems that may result from the use and development of land within the City of Fort Myers.

3. The Official Zoning Map shall have the legal status as set forth in Florida Statutes and is subject to the Land Development Regulations of the City.

4. All approvals shall be binding upon the owners, developers, successors and assigns.

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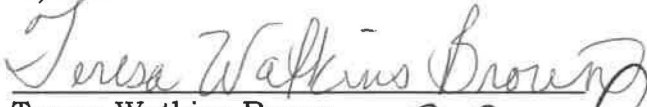
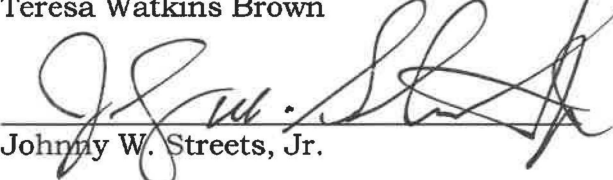



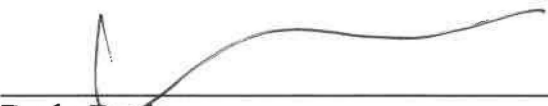
5. Notices of public hearings were published in a newspaper of general circulation in accordance with the law.

6. Severability. If for any reason any provision, paragraph, word, section or article of this ordinance is invalidated by any court of competent jurisdiction, the remaining provisions, paragraphs, words, and sections shall not be affected and shall continue in full force and effect.

7. Effective Date. This ordinance shall become effective immediately upon adoption.

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PASSED IN PUBLIC SESSION of the City Council of the City of Fort Myers, Florida, on January 31, 2022.


<u>yes</u>	 Teresa Watkins Brown
<u>yes</u>	 Johnny W. Streets, Jr.
<u>yes</u>	 Terolyn P. Watson
<u>yes</u>	 Liston D. Bochette, III
<u>yes</u>	 Fred Burson
<u>yes</u>	 Darla Benk Council Members

APPROVED on January 31, 2022.

<u>yes</u>	 Kevin B. Anderson Mayor
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FILED in the Office of the City Clerk on January 31, 2022.

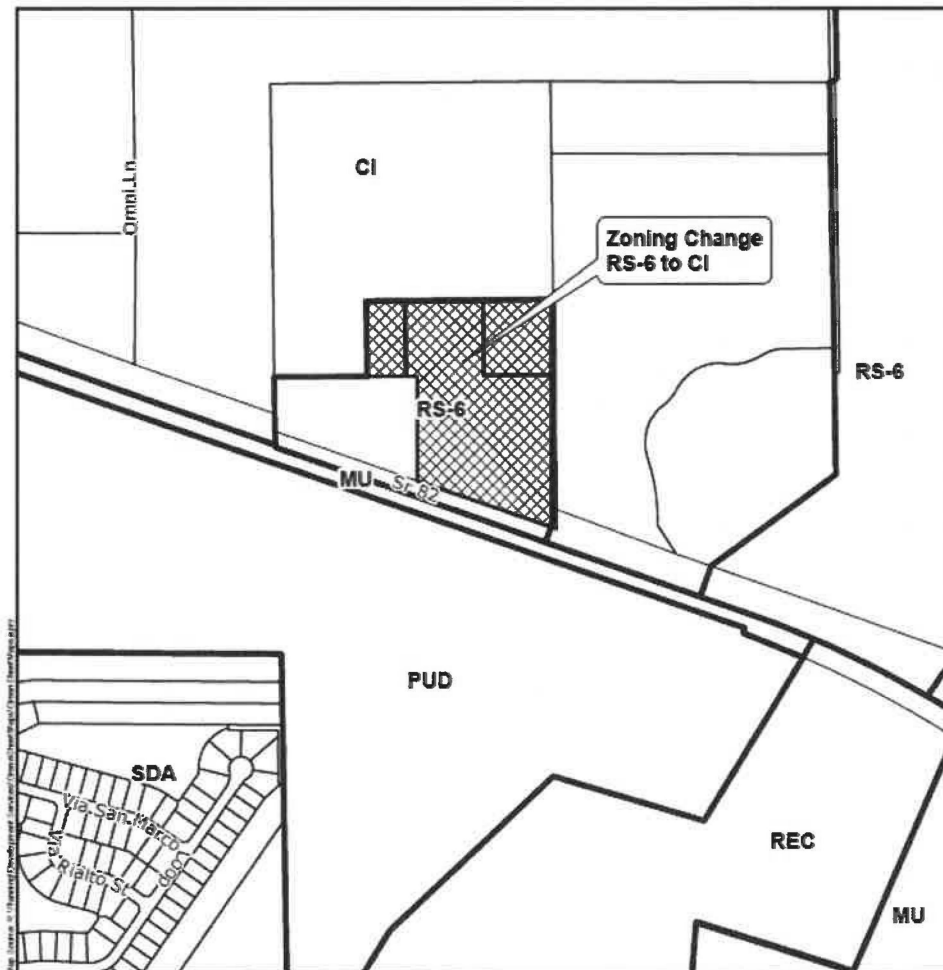


 Gwen Carlisle, MMC City Clerk
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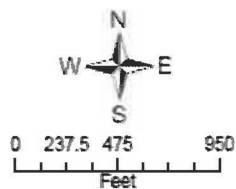
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EXHIBIT A ZONING MAP

City of Fort Myers
Zoning Map: RZ21-0008
Parcels: 10254175, 10254174, 10254173



- Zoning District
- Item Location
- Parcel Lines



Date: 11/18/2021

Map for reference only and is not a survey. The City of Fort Myers makes no claims or guarantees about the accuracy or currency of the information contained on this map, and expressly disclaims liability for errors and omissions. Source: City of Fort Myers - GIS

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EXHIBIT B LEGAL DESCRIPTION

Parcel 0010:

A tract or parcel of land lying in the east half (E-1/2) of the southwest quarter (SW-1/4) of Section 23, Township 44 South, Range 25 East, Lee County, Florida which tract or parcel is described as follows:

Beginning at the concrete monument marking the intersection of the east line of said fraction of a section and the northeasterly line 75 feet from the centerline of Immokalee Road, State Road No. 82, run N 00° 53' 30" W along the east line of said fraction of a section, along the easterly line of a roadway easement 50 feet wide for 710.00 feet; thence run N 89° 36' 26" W along the north line of a roadway easement 30 feet wide for 330.00 feet; thence run N 00° 53' 30" W for 350.00 feet; thence run N 89° 36' 26" W for 360.00 feet; thence run S 00° 53' 30" E for 350.00 feet to an intersection with the north line of said roadway easement; thence run S 89° 36' 26" E along said north line of said roadway easement 30 feet wide, extending to the east line of said fraction of a section, for 50.00 feet; thence run S 00° 53' 30" E parallel with the east line of said fraction of a section for 487.18 feet to an intersection with said northeasterly line of Immokalee Road; thence run S 70° 33' 13" E along said northeasterly line for 682.37 feet to the Point of Beginning.

Parcel 0020:

A tract or parcel of land lying in the east half (E-1/2) of the southwest quarter (SW-1/4) of Section 23, Township 44 South, Range 25 East, Lee County, Florida which tract or parcel is described as follows:

From the concrete monument marking the intersection of the east line of said fraction of a section and the northeasterly line, 75 feet from the centerline, of Immokalee Road (State Road No. 82) run N 70° 33' 13" W along said northeasterly line of Immokalee Road for 682.37 feet; thence run N 00° 53' 30" W parallel with the east line of said fraction of a section along the centerline of a roadway easement, 60 feet wide, for 487.18 feet to an intersection with the centerline of a roadway easement, 60 feet wide; thence run S 89° 36' 26" E along said centerline for 310 feet to the Point of Beginning of the herein described parcel. From said Point of Beginning continue S 89° 36' 26" E along said centerline for 330.0 feet to an intersection with the east line of said fraction of a section; thence run N 00° 53' 30" W along said east line for 350 feet; thence run N 89° 36' 26" W for 330.0 feet; thence run S 00° 53' 30" E parallel with said east line for 350 feet to the Point of Beginning. Bearings mentioned are from assuming the East line of said fraction of a section to bear N 00° 53' 30" W.

Parcel 0030:

A tract or parcel of land lying in the east half (E-1/2) of the southwest quarter (SW-1/4) of Section 23, Township 44 South, Range 25 East, Lee County, Florida which tract or parcel is described as follows:

From the concrete monument marking the intersection of the east line of said fraction of a section and the northeasterly line 75 feet from the centerline of Immokalee Road State Road No. 82, run N 00° 53' 30" W along the east line of said fraction of a section and along the east line of a roadway easement 50 feet wide for 710.00 feet, thence run N 89° 36' 26" W along the north line of a roadway easement 30 feet wide for 680.00 feet to the Point of Beginning. From said Point of Beginning continue N 89° 36' 26" W along the north line of said roadway easement 30 feet wide for 90.00 feet to the end of said road easement; thence continue N 89° 36' 26" W for 90.00 feet; thence run N 00° 53' 30" W parallel for 350.00 feet; thence run S 89° 36' 26" E for 180.00 feet; thence run S 00° 53' 30" E parallel with the east line of said fraction of a section for 350.00 feet to the Point of Beginning. Bearings are from assuming the east line of said fraction of a section to bear N 00° 53' 30" W.

Parcel 0040:

A tract or parcel of land lying in the east half (E-1/2) of the southwest quarter (SW-1/4) of Section 23, Township 44 South, Range 25 East, Lee County, Florida which tract or parcel is described as follows:

From the intersection of the east line of said fraction and the northeasterly right-of-way line of Immokalee Road (75.00 feet from the centerline) run N 00° 53' 30" W, along said east line for 710.00 feet; thence run N 89° 36' 26" W along the northerly line of a 30.00 feet wide roadway easement for 640.00 feet to the Point of Beginning. From said Point of Beginning run S 00° 53' 30" E parallel to said east line for 487.18 feet to an intersection with said northeasterly right-of-way line of Immokalee Road; thence run N 70° 33' 13" W along said right-of-way for 695.72 feet to an intersection with the west line of said east half (E-1/2) of the southwest quarter (SW-1/4); thence run N 00° 50' 46" W along said west line for 260.00 feet to an intersection with a line which bears N 89° 36' 26" W from the Point of Beginning; thence run S 89° 36' 26" E along said line for 512.30 feet to the northwest corner of aforesaid 30.00 feet wide roadway easement; thence continue S 89° 36' 26" E along the north line said easement for 140.00 feet to the Point of Beginning. Bearings mentioned are from assuming the East line of said fraction of a section to bear N 00° 53' 30" W.