

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

WHEREAS, an application was filed by the property owner, Russ Attree, President, % IAD Capital Corporation, to rezone a 7.46± acre parcel from Agriculture (AG-2) to Light Industrial (IL) in reference to Industrial Commerce Park; and,

WHEREAS, a public hearing was advertised and held on October 6, 2004, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #REZ2004-00011; and

WHEREAS, a second public hearing was advertised and held on November 15, 2004, 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 a 7.46± acre parcel from AG-2 to IL. The property is located in the Industrial Development Land Use Category and is legally described in attached Exhibit A. The request is APPROVED.

SECTION B. EXHIBITS AND STRAP NUMBER:

The following exhibits are attached to this resolution and incorporated by reference:

- Exhibit A: Legal description of the property
- Exhibit B: Zoning Map (with the subject parcel indicated)

The applicant has indicated that the STRAP number for the subject property is:

20-43-25-00-00002.0010

SECTION C. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
2. The rezoning, as approved:

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- a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,
- b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,
- c. is compatible with existing or planned uses in the surrounding area; and,
- d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,
- e. will not adversely affect environmentally critical areas or natural resources.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Janes, seconded by Commissioner Judah and, upon being put to a vote, the result was as follows:

Robert P. Janes	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Andrew W. Coy	Absent
John E. Albion	Aye

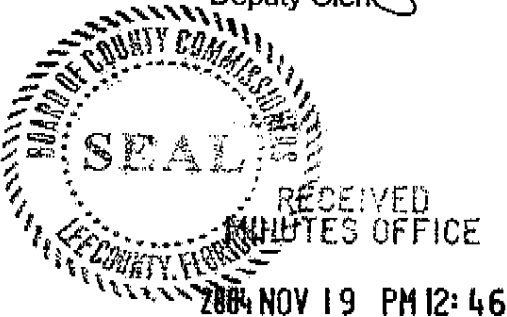
DULY PASSED AND ADOPTED this 15th day of November 2004.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

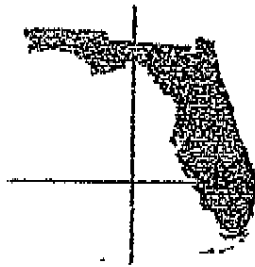
BY: *[Signature]*
Deputy Clerk

BY: *[Signature]*
Chairman



Approved as to form by:
[Signature]
County Attorney's Office

EXHIBIT A



METRON
SURVEYING & MAPPING, LLC
LAND SURVEYORS • PLANNERS

RECEIVED
MAY 19 2004

PERMIT COUNTER

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 20, TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING A PART OF THE PARCELS AS DESCRIBED IN OFFICIAL RECORD BOOK 2424, PAGE 917, OFFICIAL RECORD BOOK 2331, PAGE 4762, OFFICIAL RECORD BOOK 2110, PAGE 3706 AND OFFICIAL RECORD BOOK 1858, PAGE 867 PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE WESTERLYMOST CORNER OF LOT 20, I-75/BAYSHORE ROAD INDUSTRIAL PARK AS RECORDED IN PLAT BOOK 34 PAGES 42-45, SAID LEE COUNTY PUBLIC RECORDS, SAID CORNER BEING ON THE NORTHEASTERLY RIGHT OF WAY LINE OF THE SEABOARD COAST LINE RAILROAD (100' WIDE); THENCE N.45°40'50"W. ALONG SAID RAILROAD RIGHT OF WAY LINE, FOR 570.66 FEET TO A FOUND 1/2" IRON ROD AND CAP PLS# 4631; THENCE N.89°36'27"E. ALONG SAID RAILROAD RIGHT OF WAY, FOR 14.21 FEET TO A FOUND 1/2" IRON ROD AND CAP PLS# 4631; THENCE N.45°40'50"W. ALONG SAID RAILROAD RIGHT OF WAY (120' WIDE), FOR 148.41 FEET TO A FOUND 1/2" IRON ROD AND CAP PLS# 4631, BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE N.45°44'55"W. ALONG SAID RAILROAD RIGHT OF WAY, FOR 1,754.97 FEET TO A FOUND 5/8" IRON ROD AND FDOT CAP, BEING AT AN INTERSECTION WITH THE SOUTHWESTERLY RIGHT OF WAY LINE OF INTERSTATE NO. 75 (WIDTH VARIES); THENCE N.89°36'57"E. ALONG SAID RIGHT OF WAY LINE, FOR 120.80 FEET TO A FOUND 5/8" IRON ROD AND F.D.O.T. CAP, BEING AT AN INTERSECTION WITH A CURVE TO THE LEFT, TO WHICH A RADIAL LINE BEARS S.41°13'10"W., HAVING: A RADIUS OF 3937.71 FEET, A CENTRAL ANGLE OF 19°29'33", A CHORD BEARING OF S.58°31'37"E. AND A CHORD LENGTH OF 1,333.20 FEET; THENCE ALONG THE ARC OF SAID CURVE AND SAID RIGHT OF WAY LINE, AN ARC LENGTH OF 1,339.65 FEET TO A FOUND 1/2" IRON ROD AND CAP PLS# 4631; THENCE S.00°05'16"W. ALONG A NON-RADIAL LINE, FOR 529.38 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 325,141 SQUARE FEET OR 7.46 ACRES, MORE OR LESS.

SAID PARCEL SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).

METRON SURVEYING & MAPPING, LLC
FLORIDA CERTIFICATE OF AUTHORIZATION LB# 7071

Applicant's Legal Checked
by [Signature] 4/02/2004

[Signature]

4-5-2004

SCOTT M. SHORE
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5743

SHEET 1 OF 1

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REZ 2004-00011

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