



For Internal Use Only

Case _____

Date _____

Tel. (239) 574-0553
Fax (239) 574-0591
P.O. Box 150027
Cape Coral, FL 33915-0027

REZONING APPLICATION

NOTE TO APPLICANT: The completed application must be legible, and all items must be provided at the time of submission.

REZONING REQUIREMENTS

1. **Applicant's portion of request shall be typewritten, and signature notarized.**
 - All forms (Application, Acknowledgement Form, Authorization to Represent) must be signed by the property owner or the applicant. If the Authorized Representative is an attorney, the application and the Acknowledgement Form may be signed by the attorney and an Authorization to Represent Form is not required.
 - If there are any deed restrictions on the property, a copy of the restrictions will be required.
2. **Letter of intent stating the actual request and why the request is being made.**
3. **Certified survey done within past six (6) months MAY be required.**
4. **If the subject property is within 500 feet of any County properties, the applicant must provide a typewritten list of all affected property owners within the area. The list must be prepared in label format and contain the following information; name, address, city, and zip-code.**
5. **Please refer to Rezones Section 3.4.6. (page 7) for additional required documentation.**

NOTE: In addition to the application fee, all required advertising costs are to be paid by the applicant (ORD 39-03, Sec. 3.4.6.). Advertising costs will be billed and must be paid prior to hearing.

Following the approval of your request, the applicant shall be responsible for paying the City to electronically record the final signed Resolution or Ordinance with the Lee County Clerk of Court. Until this fee is paid, restrictions on the issuance of any City permits will remain on the affected property that will prevent the city from issuing any applicable building permits, site plans, certificates of use, or certificates of occupancy for any property covered by the Resolution or Ordinance.

It is required that applicant and/or representative attend both the hearing examiner and city council meetings.



**DEPARTMENT OF DEVELOPMENT SERVICES
CITY PLANNING DIVISION**

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REZONE REQUEST

FEE \$2,050.00 first 3 acres plus \$220.00 each additional acre over 3 up to 20 acres; \$22.00 per acre over the first 20 acres. In addition to the application fee, all required advertising costs are to be paid by the applicant (ORD 39-03, Sec. 3.4.6). Advertising costs will be billed and must be paid prior to hearing.

PROPERTY INFORMATION

Location/Address 1011 SW 4TH TER CAPE CORAL FL 33991

Strap Number 15-44-23-C2-03623.0460 Unit 49 Block 3623 Lot (s) 46+47

Plat Book 17 Page 153 Future Land Use SF

Current Zoning CC Proposed Zoning SF

PROPERTY OWNER (S) INFORMATION

Owner SYNERGY HOMES LLC Address 581 NW MERCANTILE PL STE 106

Phone 239-443-6923 City PORT SAINT LUCIE

Email S.JUNKIN@SYNERGYHOMESFL.COM State FL Zip 34986

Owner _____ Address _____

Phone _____ City _____

Email _____ State _____ Zip _____

APPLICANT INFORMATION (If different from owner)

Applicant _____ Address _____

Phone _____ City _____

Email _____ State _____ Zip _____

AUTHORIZED REPRESENTATIVE INFORMATION (If Applicable)

Representative SARAH JUNKIN Address 6640 TAYLOR RD # 111

Phone 239-443-6923 City PUNTA GORDA

Email S.JUNKIN@SYNERGYHOMESFL.COM State FL Zip 33950



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If the owner does not own the property in his/her personal name, the owner must sign all applicable forms in his/her corporate capacity.

(ALL SIGNATURE MUST BE NOTARIZED)

The owner of this property, or the applicant agrees to conform to all applicable laws of the City of Cape Coral and to all applicable Federal, State, and County laws and certifies that all information supplied is correct to the best of their knowledge.

SYNERGY HOMES LLC
CORPORATION/COMPANY NAME (IF APPLICABLE)

RYAN DAVIS - AUTHORIZED AGENT
OWNER'S NAME (TYPE OR PRINT)

Ryan Davis
OWNER'S SIGNATURE

OWNER'S NAME (TYPE OR PRINT)

OWNER'S SIGNATURE

APPLICANT NAME (TYPE OR PRINT)

APPLICANT SIGNATURE

I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.

STATE OF FLORIDA

COUNTY OF CHARLOTTE

Sworn to (or affirmed) and subscribe before me, by means of physical presence or online notarization, this 6th day of JUNE, 2024 by RYAN DAVIS who is personally known to me or produced _____ as identification.

Exp Date: 6/20/26 Commission Number: HH 278322

Signature of notary Public: *Angela Newman*

Printed Name of Notary Public: ANGELA NEWMAN





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AUTHORIZATION TO REPRESENT PROPERTY OWNER(S)

PLEASE BE ADVISED THAT SARAH JUNKIN
(Name of person giving presentation)

IS AUTHORIZED TO REPRESENT ME IN THE REQUEST BEFORE THE HEARING EXAMINER AND CITY COUNCIL.

UNIT 49 BLOCK 3623 LOT(S) 46+47 SUBDIVISION _____

OR LEGAL DESCRIPTION CAPE CORAL UNIT 49 BLK 3623 PB 17 PG 153 LOTS 46 + 47

LOCATED IN THE CITY OF CAPE CORAL, COUNTY OF LEE, FLORIDA.

RYAN DAVIS - AUTHORIZED AGENT
PROPERTY OWNER (Please Print)

Ryan Davis
PROPERTY OWNER (Signature & title)

PROPERTY OWNER (Please Print)

PROPERTY OWNER (Signature & title)

STATE OF FLORIDA

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Exp Date: 6/20/26 Commission Number: HH 278322

Signature of notary Public:

Angela Newman

Printed Name of Notary Public:

ANGELA NEWMAN



Note: Please list all owners. If a corporation, please supply the City Planning Division with a copy of corporation papers.



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ACKNOWLEDGEMENT FORM

I have read and understand the above instructions. Hearing date(s) will be confirmed when I receive a copy of the Notice of Public Hearing stipulating the day and time of any applicable hearings.

I acknowledge that I, or my representative, must attend any applicable meetings scheduled for the Hearing Examiner and City Council.

I will have the opportunity at the hearing to present information pertaining to my request that may not be included in my application.

I understand any decision rendered by the CITY shall be subject to a thirty (30) day appeal period. Any work performed within the thirty (30) day time frame or during the APPEAL process will be completed at the applicant's risk.

I understand I am responsible for all fees, including advertising and recording costs. All fees are to be submitted to the City of Cape Coral with the application.

By submitting this application, I acknowledge and agree that I am authorizing the City of Cape Coral to inspect the subject property and to gain access to the subject property for inspection purposes reasonably related to this application and/or the permit for which I am applying.

I hereby acknowledge that I have read and understood the above affidavit on the 6th Day of June, 2024.

SYNERGY HOMES LLC
CORPORATION/COMPANY NAME

RYAN DAVIS - AUTHORIZED AGENT
OWNER'S NAME (TYPE or PRINT)

Ry. Davis
OWNER'S SIGNATURE

STATE OF FLORIDA

COUNTY OF CHARLOTTE

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Exp Date: 6/20/26 Commission Number: HH278322

Signature of notary Public:

Angela Newman

Printed Name of Notary Public:

ANGELA NEWMAN





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DOCUMENTARY EVIDENCE (LDC, Section 3.1.11F.6)

A copy of all documentary evidence shall be made available to the decision-making body or the Hearing Examiner and to staff no later than three business days prior to the hearing of the application. This requirement includes information that the applicant intends to present at public hearing.

I have read the above requirement and agree to comply with this provision.

RYAN DAVIS - AUTHORIZED AGENT

Ryan Davis
OWNER/APPLICANT SIGNATURE

OWNER/APPLICANT
(PLEASE TYPE OR PRINT)

(SIGNATURE MUST BE NOTARIZED)

STATE OF FLORIDA
COUNTY OF CHARLOTTE

Sworn to (or affirmed) and subscribe before me, by means of physical presence or online notarization, this 6th day of JUNE, 2024 by RYAN DAVIS who is personally known to me or produced _____ as identification.

Exp Date: 6/20/24 Commission Number: HH278322



Signature of Notary Public: *Angela Newman*

Printed Name of Notary Public: ANGELA NEWMAN

Letter of Intent

Synergy Homes LLC is requesting the rezoning of 1011 SW 4th Ter Cape Coral FL 33991 to the proposed zoning of Single Family. The Future Land Use has been approved for Single Family in November 2023 (FLUM22-000030).

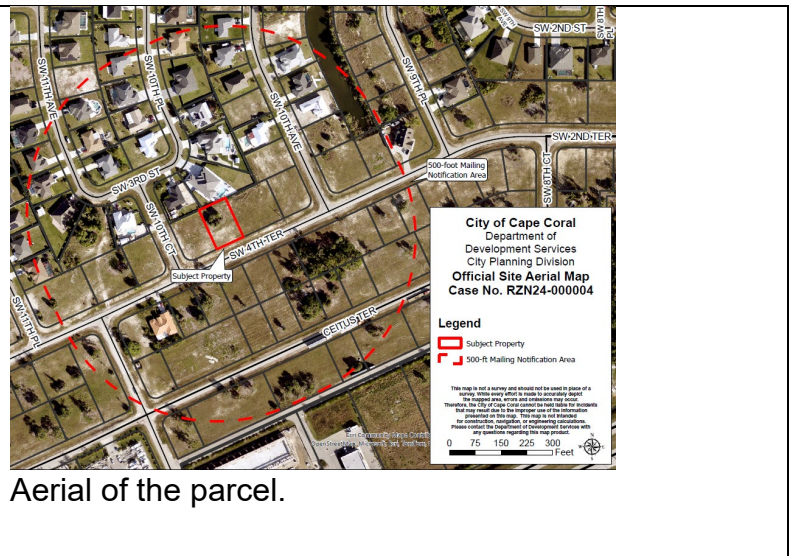
**PLANNING DIVISION STAFF REPORT
RZN24-000004**

Staff Report prepared by Candise Forde, Planner

<p>SITE ADDRESSES 1011 Southwest 4th Terrace Block 3623, Lots 46-47, Unit 49</p>	<p>APPLICANT Sarah Junkin, Authorized Representative for Synergy Homes</p> <p>OWNERS Synergy Homes LLC</p>
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SUMMARY OF REQUEST

The applicant is requesting a rezone from Commercial Corridor (CC) to Single-Family Residential (R-1) for one site in Block 3623, Lots 46 and 47. The requested zoning change involves one parcel that is 10,624 square feet.



STAFF RECOMMENDATION: Approval

<p>Positive Aspects of Application:</p>	<p>This rezone will bring the zoning into consistency with the Single-Family future land use classification.</p>
<p>Negative Aspects of Application:</p>	<p>This rezone will result in a small loss of commercial corridor land.</p>
<p>Mitigating Factors:</p>	<p>The site has small area, lacks frontage on a collector or arterial roadway, and is surrounded by single-family homes and vacant lots.</p>

SITE INFORMATION

Location: 1011 Southwest 4th Terrace,

STRAP Numbers: 15-44-23-C2-03623.0460

Site Area: ~10,624 square feet

Site:	Future Land Use	Zoning
Current:	Single-Family (MF)	Commercial Corridor (CC)
Proposed:	N/A	Single-Family Residential (R-1)
	Surrounding Future Land Use	Surrounding Zoning
North:	Single Family	R-1
South:	Single-family	CC
East:	Pine Island Road District	CC
West:	Pine Island Road District	CC

Urban Service

Area: Transition

City Water/Sewer: Yes

Access: The site has frontage on Southwest 4th Terrace, which is a local street.

FINDINGS OF FACT

The rezone area consists of a parcel in Block 3623 in central Cape Coral. The site is ~10,624 square feet and is currently cleared with little to no vegetation. The site has frontage on Southwest 4th Terrace, which is approximately 900 feet north of Pine Island Road.

Surrounding uses include single family residences to the north of the site and vacant parcels to the east, south and west. The subject parcel has access to municipal water and sewer.

Originally, the site had a Single-Family/Multi-Family (SM) future land use classification until 2000. In 2000 the Future Land Use Classification was amended to Commercial/Professional (CP), and in 2002 to the Pine Island Road District (PIRD). In 2023, the subject parcel had the future land use classification amended from Pine Island Road District (PIRD) to Single Family Residential (SF) by ORD 79-23.

The property has been zoned Corridor (CORR) or Commercial Corridor (CC) dating back to 2004.

Building permits for a single-family home were filed with the City in 2022 and 2024 (BLDR22-001533 and BRC24-000413, respectively). Neither permit was reviewed, however, because new single-family homes are prohibited in the CC District.

ANALYSIS

Staff reviewed this application based on the review criteria found in LDC, Section 3.4.6 for evaluating rezones.

1. *Whether the proposed zoning district is consistent with the City Comprehensive Plan;*

The proposed Single-Family Residential (R-1) District is consistent with the current future land use classification of Single-Family (SF). The Residential Estate (RE) zoning district is also consistent with the SF Future Land Use classification, however, the RE District requires a minimum area of 40,000 square feet. The site is less than 40,000 square feet and does not meet this criterion.

2. *Whether the full range of uses allowed in the proposed zoning district will be compatible with existing uses in the area under consideration;*

Surrounding uses include a mix of single-family homes to the north and vacant parcels to the east, south and west. The nearest commercial development is about 530 feet to the south.

Uses allowed in the R-1 District will be compatible with the surrounding area that consists of single-family homes and vacant sites.

3. *Whether the range of uses allowed in the proposed zoning district will be compatible with existing and potential uses in the area under consideration;*

The R-1 District allows single-family uses. The site is currently vacant, as are parcels to the east, south and west. Development of the site in question will be a single-family residence, whereas the properties to the east, south and west will have commercial development. When the adjacent parcels are developed for commercial uses compatible with the CC zoning, they will include enhancements as outlined in the LDC sections for architecture, lighting, landscaping, and screening requirements.

4. *Whether the proposed zoning district will serve a community need or broader public purpose;*

The rezone will result in a minimal loss of commercial land. However, with the lack of collector and arterial frontage and small size of the parcel, the site by itself is a poor candidate for commercial development. The proposed zoning will be compatible with surrounding properties and will allow the site to be developed consistent with the future land use classification of this property.

5. *The characteristics of the proposed rezone area are suitable for the uses permitted in the proposed zoning district; and*

The site is relatively small and is adjacent to existing single-family dwellings to the north. The site is on a local street that lacks both visibility and convenient access to the public.

The likelihood of property assembly to occur in the future appears poor. For these reasons, the site appears best suited for the development of a single-family home.

6. *Whether a zoning district other than the district requested will create fewer potential adverse impacts to existing uses in the surrounding area.*

According to Policy 1.15 of the Comprehensive Plan, the SF future land use designation has two zoning districts that are consistent, the R-1 District and the Residential Estate (RE) District. However, the RE District requires a minimum of 40,000 square feet, which the subject parcel lacks.

Impact of the Proposed Rezone on Fire and Police Services

Based on the requested rezone, staff assumes the remaining site will be developed with a single-family dwelling.

Fire and Police Department staff were contacted to determine the proposed impact of the rezone on fire and police services. Those anticipated impacts are reported below.

Fire Department personnel reported Fire Station #8 will be responding to service calls for the subject parcels. The number of calls generated annually is anticipated to be less than 15. The rezone will create a low impact on fire services attributed to a call volume increase.

Police Department personnel reported the subject parcel is part of the Southwest District, Zone 3. Minimal impact to service demands is anticipated. Less than a 1% increase to recorded calls for service in Zone 3 are anticipated. This small increase in the number of calls is statistically insignificant citywide.

Since the rezone area consists of only one parcel, the impact to emergency services is anticipated to be minimal.

Comprehensive Plan:

Consistency with the Comprehensive Plan:

The rezone is consistent with the following goals and policies in the Comprehensive Plan.

Future Land Use Element

Policy 1.15, Table 1. Staff comment: Both the Single-Family Residential (R-1) and Residential Estate (RE) Districts are identified in Table 1 as being consistent with the Single Family FLUC.

Policy 1.15.b: Single-Family Residential: Densities up to 4.4 units per acre are permitted in this zoning district. Staff comment: The R-1 District only permits a maximum density of 4.4 units

per acre and the RE District only permits a maximum density of 1.1 units per acre.

Housing Element

GOAL: *To provide good quality housing in safe, clean neighborhoods, offering a broad choice of options in both type (single family and multi-family) and tenure (owner and renter occupied) to meet the needs of present and future residents of the City, regardless of age or income status.* **Staff comment:** Although the City has many single-family homes and numerous undeveloped lots zoned for such development, adding another single-family residential lot offers minimal benefit to the community. Additionally, the site's size makes it unsuitable for commercial development.

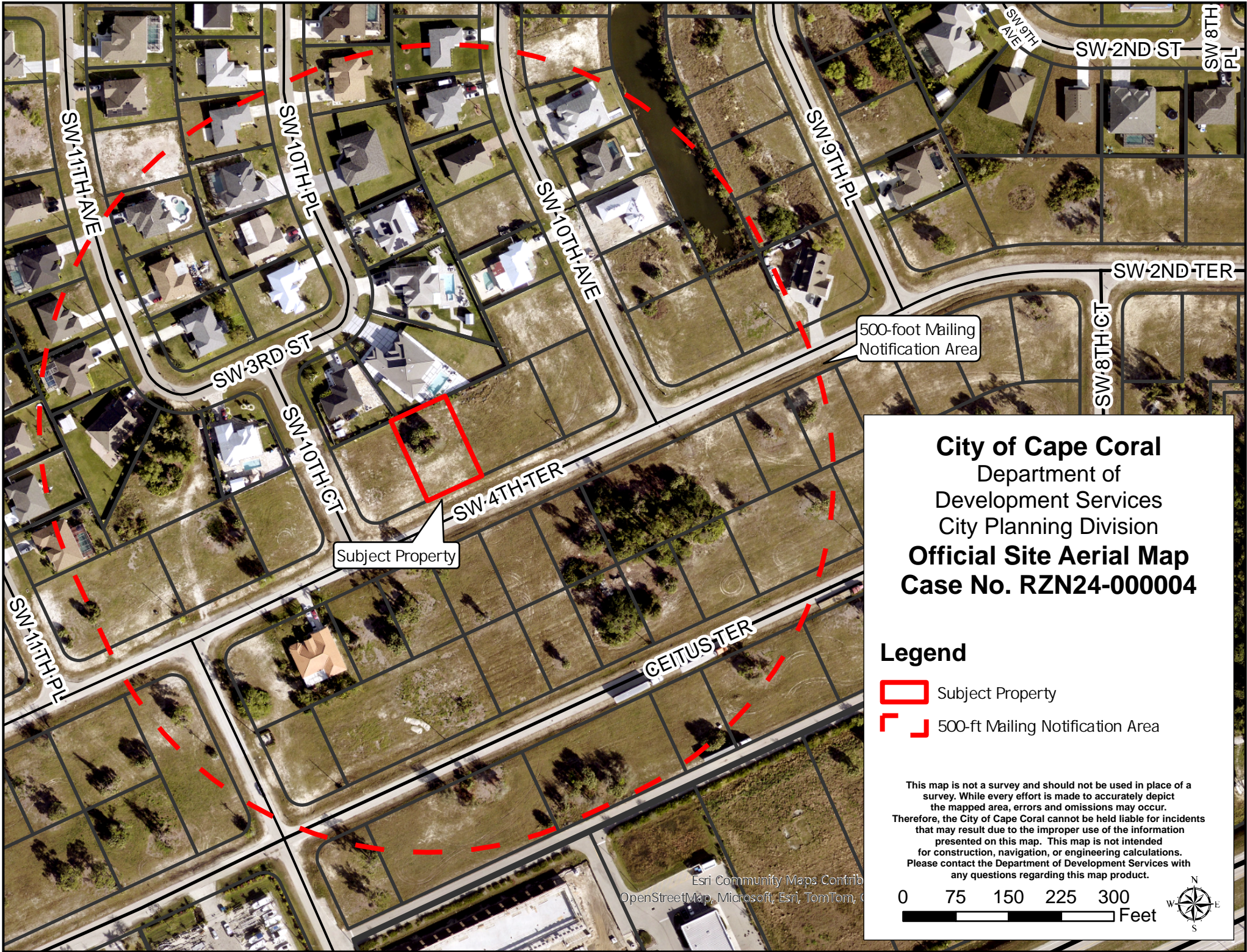
ECONOMIC DEVELOPMENT MASTER PLAN ANALYSIS

The rezone is neither supported by or in conflict with the City Economic Development Master Plan. The site is not within an Economic Opportunity Area.

RECOMMENDATION



Staff recommends **approval** of the rezone request.

Candise Forde, Planner
239-242-3204, cforde@capecoral.gov



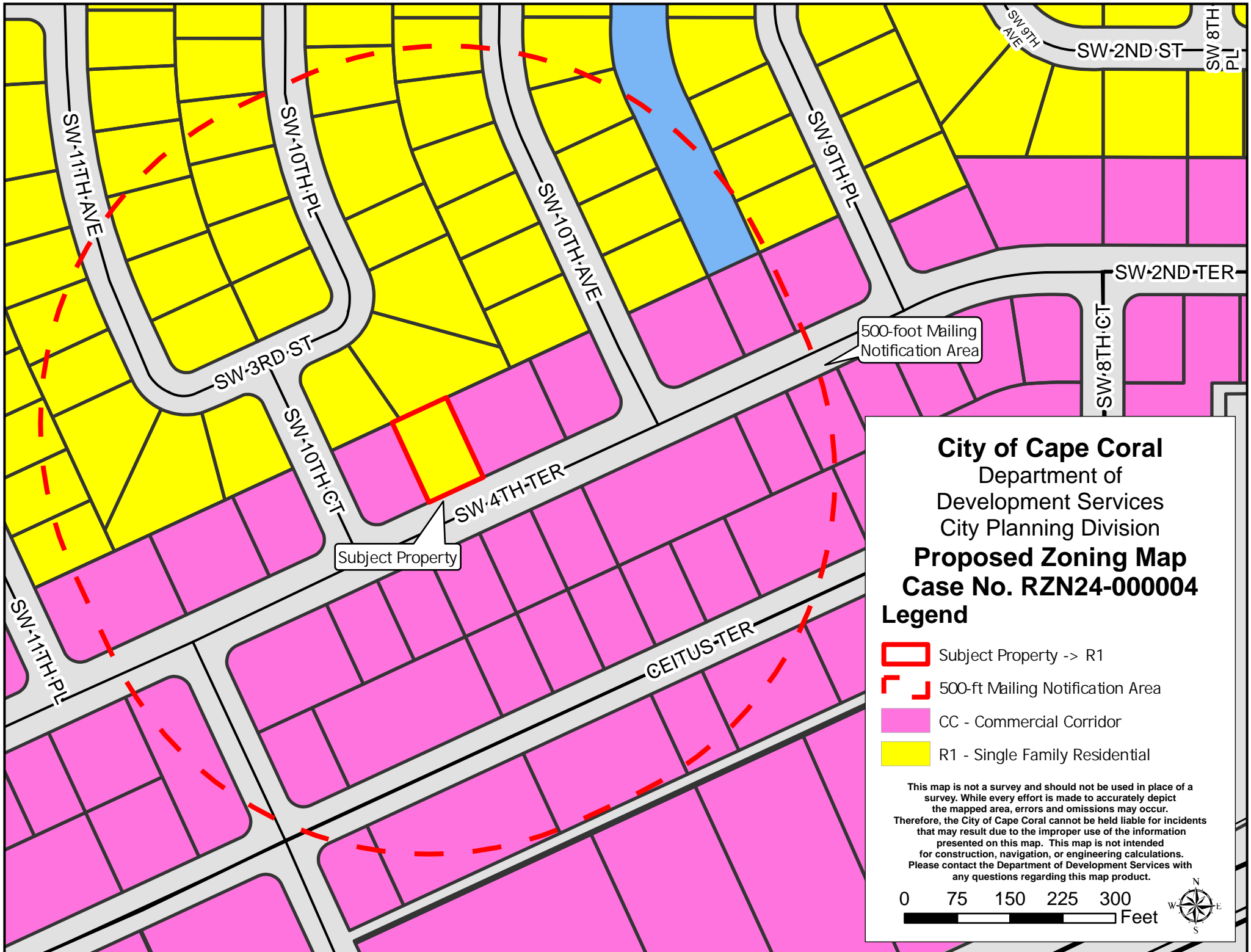
City of Cape Coral
Department of
Development Services
City Planning Division
Official Site Aerial Map
Case No. RZN24-000004

Legend

-  Subject Property
-  500-ft Mailing Notification Area

This map is not a survey and should not be used in place of a survey. While every effort is made to accurately depict the mapped area, errors and omissions may occur. Therefore, the City of Cape Coral cannot be held liable for incidents that may result due to the improper use of the information presented on this map. This map is not intended for construction, navigation, or engineering calculations. Please contact the Department of Development Services with any questions regarding this map product.



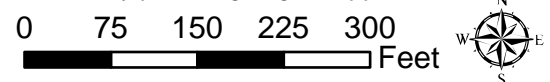


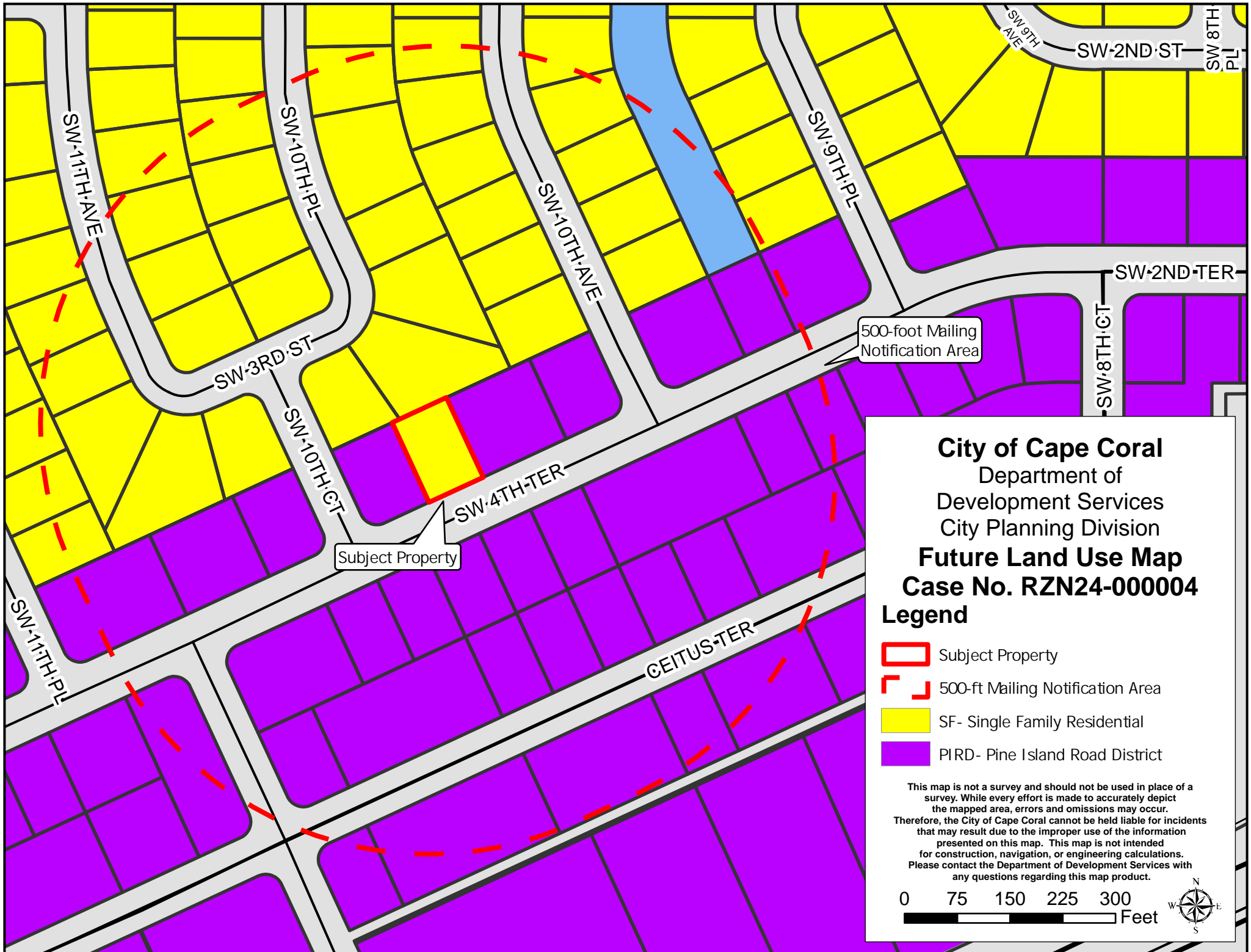
City of Cape Coral
 Department of
 Development Services
 City Planning Division
Proposed Zoning Map
Case No. RZN24-000004

Legend

- Subject Property -> R1
- 500-ft Mailing Notification Area
- CC - Commercial Corridor
- R1 - Single Family Residential

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City of Cape Coral
 Department of
 Development Services
 City Planning Division
Future Land Use Map
Case No. RZN24-000004

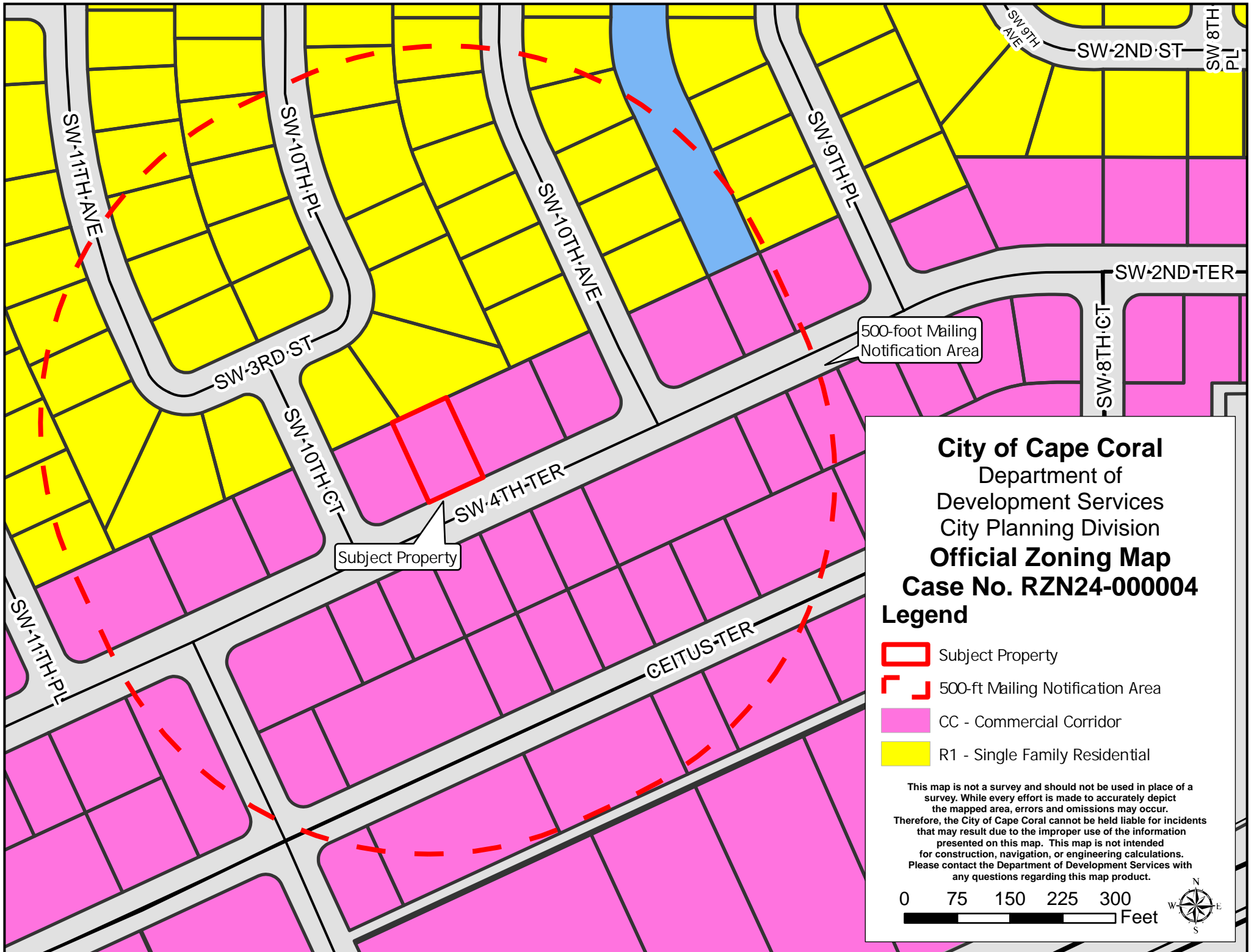
Legend

- Subject Property
- 500-ft Mailing Notification Area
- SF- Single Family Residential
- PIRD- Pine Island Road District

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0 75 150 225 300

Feet



500-foot Mailing Notification Area

Subject Property

City of Cape Coral
 Department of
 Development Services
 City Planning Division
Official Zoning Map
Case No. RZN24-000004

Legend

- Subject Property
- 500-ft Mailing Notification Area
- CC - Commercial Corridor
- R1 - Single Family Residential

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0 75 150 225 300 Feet

