



kwiktag®

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## BOARD OF COUNTY COMMISSIONERS

Bob Janes  
District One

A. Brian Bigelow  
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Ray Judah  
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Tammy Hall  
District Four

Frank Mann  
District Five

Donald D. Stilwell  
County Manager

David M. Owen  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

Date: September 5, 2008

Case Number: CPA2006-00003

Case Name: Olga Community Plan

Request: Amend the Future Land Use Map series, Map 1, Page 1 of 6, for specified parcels located east of South Olga Road fronting SR 80 containing approximately 95 acres from Suburban and Rural to the Commercial and Conservation Lands Future Land Use Map categories.

Location: The property is located in Sections 23, 27, and 28 of Township 43 South Range 26 East. The property is located east of South Olga Road, West of Linwood Avenue and North of State Road 80.

**PROPERTY OWNER'S  
REPRESENTATIVE:**

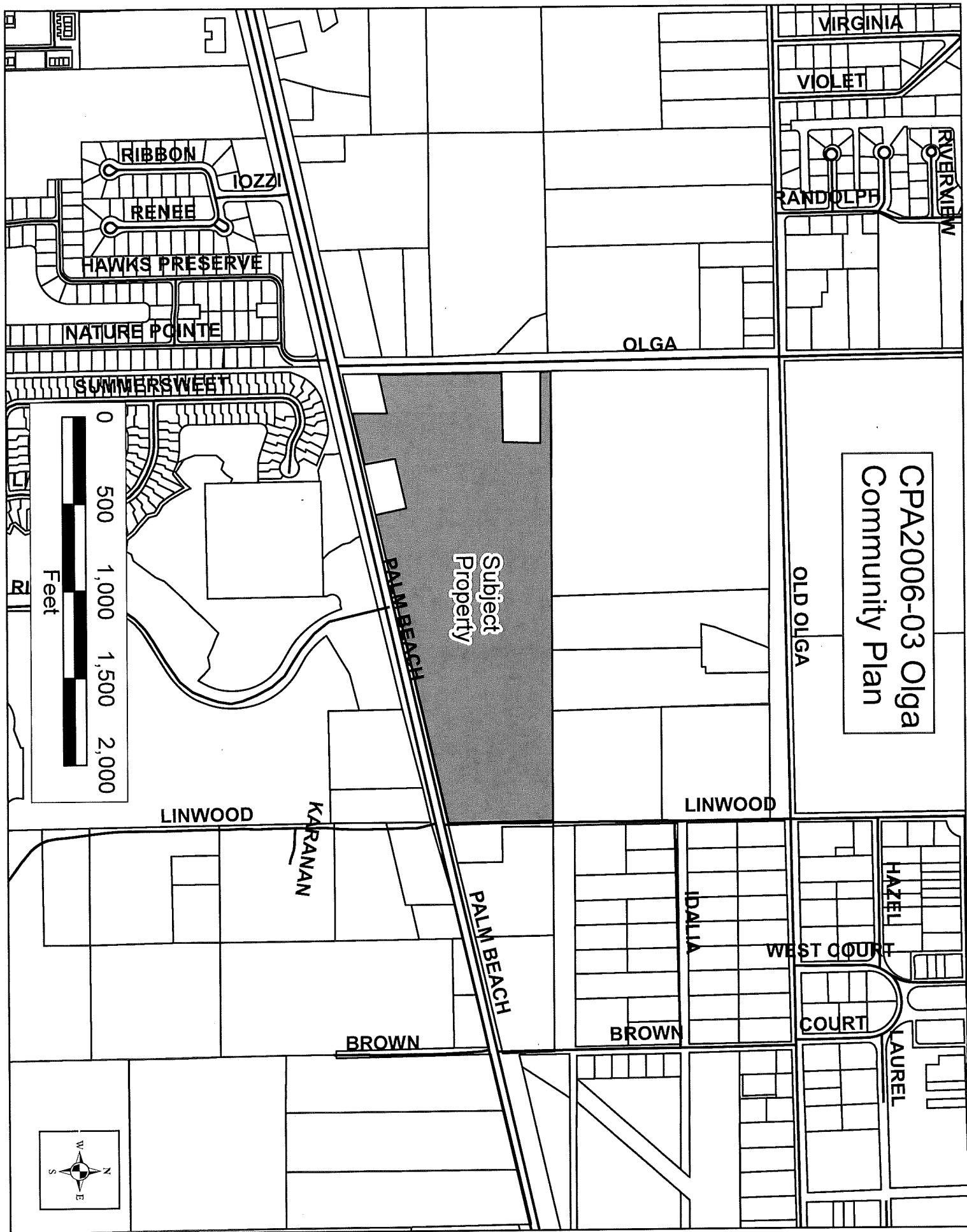
Delisi Fitzgerald, Inc.  
1500 Royal Palm Square Blvd.  
Fort Myers, FL 33919

Lee County Planner: Jim Mudd  
(239) 533-8180

The file may be reviewed Monday through Friday between the hours of 8:00 am and 4:30 pm at the Lee County, Planning Division, 1500 Monroe St., Fort Myers, FL 33901. Call (239) 533-8585 for additional information.

This is a courtesy notice. Please review the New-Press for Local Planning Agency meeting notices.

This case is anticipated to be reviewed by the Local Planning Agency on: 8:30 AM,  
September 22, 2008



Post by September 8th, 2008

PLANNING SIGN PICKUP SHEET

LEE COUNTY LOCAL PLANNING AGENCY MEETING

September 22nd 2008

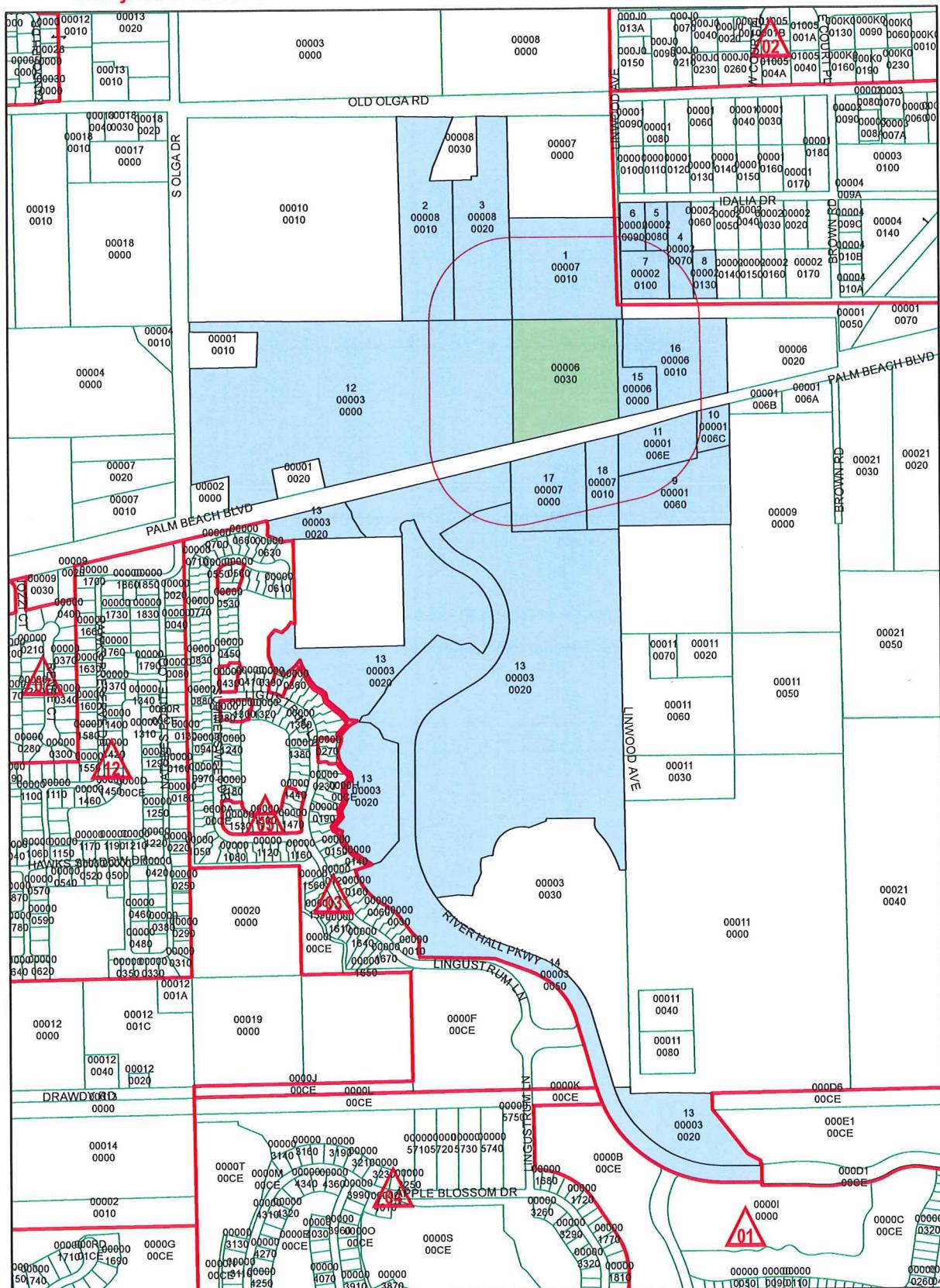
DATE	SIGNATURE	PLANNER	CASE NUMBER	CASE NAME
9/5/08		Jim Mudd	CPA2006-03	Olga Community Plan (Byrus property)

Please return to Internal Services Secretary: Janet Miller

# VARIANCE REPORT

9/5/2008

Subject Parcels : 1 Affected Parcels : 18 Buffer Distance : 500 ft



27-43-26-00-00006.0030

950 475 0 950 Feet



# Lee County Property Appraiser

**Kenneth M. Wilkinson, C.F.A.**

**GIS Department / Map Room**

Phone: (239) 533-6159 • Fax: (239) 533-6139 • eMail: MapRoom@LeePA.org

## VARIANCE REPORT

**Date of Report:** September 05, 2008  
**Buffer Distance:** 500 ft  
**Parcels Affected:** 18  
**Subject Parcel:** 27-43-26-00-00006.0030

<b>OWNER NAME AND ADDRESS</b>	<b>STRAP AND LOCATION</b>	<b>LEGAL DESCRIPTION</b>	<b>Map Index</b>
ALVAREZ ANTHONY B + VICKI L 15400 OLD OLGA RD ALVA FL 33920	22-43-26-00-00007.0010 LINWOOD AVE ALVA FL 33920	S 1/2 OF THE E 1/2 OF THE SE 1/4 OF THE SW 1/4	1
PEREZ HARRIET ABRAMS 10736 LIMON TREE CT LEHIGH ACRES FL 33936	22-43-26-00-00008.0010 15200 OLD OLGA RD ALVA FL 33920	W 1/2 OF SE 1/4 OF SW 1/4 LES 8.0020 + 8.0030	2
PRINS RICHARD A + DEBORAH K PO BOX 60967 FORT MYERS FL 33906	22-43-26-00-00008.0020 15350 OLD OLGA RD ALVA FL 33920	PART OF E1/2 OF W1/2 OF SE1/4 OF SW1/4 OR 2467/ 2003	3
RADEMAKERS ROBERT R + VIRGINIA 15550 IDALIA DR ALVA FL 33920	22-43-26-03-00002.0070 15550 IDALIA DR ALVA FL 33920	IDALIA ANNEX PB 3 PG 44 BLK 2 LOTS 7 + 12	4
MARTIN JOSEPH P 15530 IDALIA DR ALVA FL 33920	22-43-26-03-00002.0080 15530 IDALIA DR ALVA FL 33920	IDALIA ANNEX BLK 2 PB 3 PG 44 LOT 8	5
SHIRK KIMBERLY 15500 IDALIA DR ALVA FL 33920	22-43-26-03-00002.0090 15500 IDALIA DR ALVA FL 33920	IDALIA ANNEX PB 3 PG 44 BLK 2 LOT 9	6
HARRELL REX R 1981 LINWOOD AVE ALVA FL 33920	22-43-26-03-00002.0100 1981 LINWOOD AVE ALVA FL 33920	IDALIA ANNEX PB 3 PG 44 BLK 2 LOTS 10 + 11	7
ENGLE ELVIN R + JERRI S 15580 IDALIA DR ALVA FL 33920	22-43-26-03-00002.0130 ACCESS UNDETERMINED ALVA FL 33920	IDALIA ANNEX BLK 2 PB 3 PG 44 LOT 13	8
ROBERTS RICHARD A + KAREN M 2211 LINWOOD AV ALVA FL 33920	27-43-26-00-00001.0060 2211 LINWOOD AVE ALVA FL 33920	W1/2 OF NW1/4 OF NE1/4 S SR80 + OR 1971/1196LESS PARC 6A THRU 6E	9
RITCHIE RONALD M 6750 DANIELS RD NAPLES FL 34109	27-43-26-00-00001.006C 15630 PALM BEACH BLVD ALVA FL 33920	PARL IN NE 1/4 S OF SR 80 DESC IN OR 1495 PG 1664 + 1931/468 LESS W 1/2	10
RITCHIE RONALD M 6750 DANIELS RD NAPLES FL 34109	27-43-26-00-00001.006E 15500 PALM BEACH BLVD ALVA FL 33920	W1/2 OF NW1/4 OF NE1/4 SO SR 80 DESC IN OR 2569 PG 3966	11
R + D CATTLE COMPANY LLC 4618 W SYLVAN RAMBLE ST TAMPA FL 33609	27-43-26-00-00003.0000 ACCESS UNDETERMINED ALVA FL 33920	PARL IN SEC 27 AS DESC IN OR 976 PG 551 + OR 976 PG 549 LESS OR 3327 PGS 4816-44 OR3965/1821	12
HAWKS HAVEN DEVELOPERS LLC 10739 DEERWOOD PARK BLVD STE 300 JACKSONVILLE FL 32256	27-43-26-00-00003.0020 ACCESS UNDETERMINED ALVA FL 33920	PARL IN SEC 27 AS DESC IN OR 4429 PG 2959 LESS INST#2005-189275 + SUBD	13
RIVER HALL CDD RIZZETTA AND COMPANY INC 3434 COLWELL AVE STE 200 TAMPA FL 33614	27-43-26-00-00003.0050 RESERVED RIVER HALL FL	PARL IN SEC 27 AS DESC IN INST#2005-189275	14

<u>OWNER NAME AND ADDRESS</u>	<u>STRAP AND LOCATION</u>	<u>LEGAL DESCRIPTION</u>	<u>Map Index</u>
TERRELL WILLIAM M 2081 LINWOOD AVE ALVA FL 33920	<b>27-43-26-00-00006.0000</b> 2081 LINWOOD AVE ALVA FL 33920	NE1/4-NE1/4-NW1/4LESRDSE1/ 4-NE1/4-NW1/4-NOFRDN1/2-NW 1/4-NE1/4-N OF RD LESS 6.001 + OR 4725/1017	15
MARTIN KEVIN L + PO BOX 3179 NORTH FORT MYERS FL 33918	<b>27-43-26-00-00006.0010</b> 2080 LINWOOD AVE ALVA FL 33920	FR N1/4 COR E20 FT TO POB THEN E 609 FT THEN S 342.85 FT W 418 FT	16
WALKER ROBERT E 15930 OLD OLGA RD ALVA FL 33920	<b>27-43-26-00-00007.0000</b> 15400 PALM BEACH BLVD ALVA FL 33920	SE 1/4 OF NE 1/4 OF NW 1/4 S OF ROAD LESS E 200 FT	17
DENOVA PROSPERO 15460 PALM BEACH BLVD ALVA FL 33920	<b>27-43-26-00-00007.0010</b> 15460 PALM BEACH BLVD ALVA FL 33920	PARL IN SE 1/4 OF NE 1/4 OF NW 1/4 E ALG NS 1/4 SEC 764.38 FT DES OR 1819/1122	18

**18 RECORDS PRINTED**

22-43-26-00-00007.0010  
 ALVAREZ ANTHONY B + VICKI L  
 15400 OLD OLGA RD  
 ALVA, FL 33920

22-43-26-00-00008.0020  
 PRINS RICHARD A + DEBORAH K  
 PO BOX 60967  
 FORT MYERS, FL 33906

22-43-26-03-00002.0080  
 MARTIN JOSEPH P  
 15530 IDALIA DR  
 ALVA, FL 33920

22-43-26-03-00002.0100  
 HARRELL REX R  
 1981 LINWOOD AVE  
 ALVA, FL 33920

27-43-26-00-00001.0060  
 ROBERTS RICHARD A + KAREN M  
 2211 LINWOOD AV  
 ALVA, FL 33920

27-43-26-00-00001.006E  
 RITCHIE RONALD M  
 6750 DANIELS RD  
 NAPLES, FL 34109

27-43-26-00-00003.0020  
 HAWKS HAVEN DEVELOPERS LLC  
 10739 DEERWOOD PARK BLVD  
 STE 300  
 JACKSONVILLE, FL 32256

27-43-26-00-00006.0000  
 TERRELL WILLIAM M  
 2081 LINWOOD AVE  
 ALVA, FL 33920

27-43-26-00-00007.0000  
 WALKER ROBERT E  
 15930 OLD OLGA RD  
 ALVA, FL 33920

22-43-26-00-00008.0010  
 PEREZ HARRIET ABRAMS  
 10736 LIMON TREE CT  
 LEHIGH ACRES, FL 33936

22-43-26-03-00002.0070  
 RADEMAKERS ROBERT R + VIRGINIA  
 15550 IDALIA DR  
 ALVA, FL 33920

22-43-26-03-00002.0090  
 SHIRK KIMBERLY  
 15500 IDALIA DR  
 ALVA, FL 33920

22-43-26-03-00002.0130  
 ENGLE ELVIN R + JERRI S  
 15580 IDALIA DR  
 ALVA, FL 33920

27-43-26-00-00001.006C  
 RITCHIE RONALD M  
 6750 DANIELS RD  
 NAPLES, FL 34109

27-43-26-00-00003.0000  
 R + D CATTLE COMPANY LLC  
 4618 W SYLVAN RAMBLE ST  
 TAMPA, FL 33609

27-43-26-00-00003.0050  
 RIVER HALL CDD  
 RIZZETTA AND COMPANY INC  
 3434 COLWELL AVE STE 200  
 TAMPA, FL 33614

27-43-26-00-00006.0010  
 MARTIN KEVIN L +  
 PO BOX 3179  
 NORTH FORT MYERS, FL 33918

27-43-26-00-00007.0010  
 DENOVA PROSPERO  
 15460 PALM BEACH BLVD  
 ALVA, FL 33920

Post by September 8th, 2008

PLANNING SIGN PICKUP SHEET

LEE COUNTY LOCAL PLANNING AGENCY MEETING

September 22nd 2008

DATE	SIGNATURE	PLANNER	CASE NUMBER	CASE NAME
	Morris-DePew ASOC.	Jim Mudd	CPA2006-03	Olga Community Plan (R&D Property)
9/5/08	Shirley M. Miller			

Please return to Internal Services Secretary: Janet Miller



## BOARD OF COUNTY COMMISSIONERS

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District One

A. Brian Bigelow  
District Two

Ray Judah  
District Three

Tammy Hall  
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Frank Mann  
District Five

Donald D. Stilwell  
County Manager

David M. Owen  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

Hearing Date: September 22, 2008  
Case Number: CPA2006-00003  
Case Name: Olga Community Plan  
Request: Amend the Future Land Use Map series, Map 1, Page 1 of 6, for specified parcels located east of South Olga Road fronting SR 80 containing approximately 95 acres from Suburban and Rural to the Commercial and Conservation Lands Future Land Use Map categories.  
Location: The property is located in Sections 23, 27, and 28 of Township 43 South Range 26 East. The property is located east of South Olga Road, West of Linwood Avenue and North of State Road 80.

### PROPERTY OWNER'S REPRESENTATIVE:

Michael Ciccarone  
Fowler Whit Boggs Banker P. A.  
2235 First Street  
Fort Myers, FL 33901-3086

Lee County Planner: Jim Mudd  
(239) 533-8180

The file may be reviewed Monday through Friday between the hours of 8:00 am and 4:30 pm at the Lee County, Planning Division, 1500 Monroe St., Fort Myers, FL 33901. Call (239) 533-8585 for additional information.

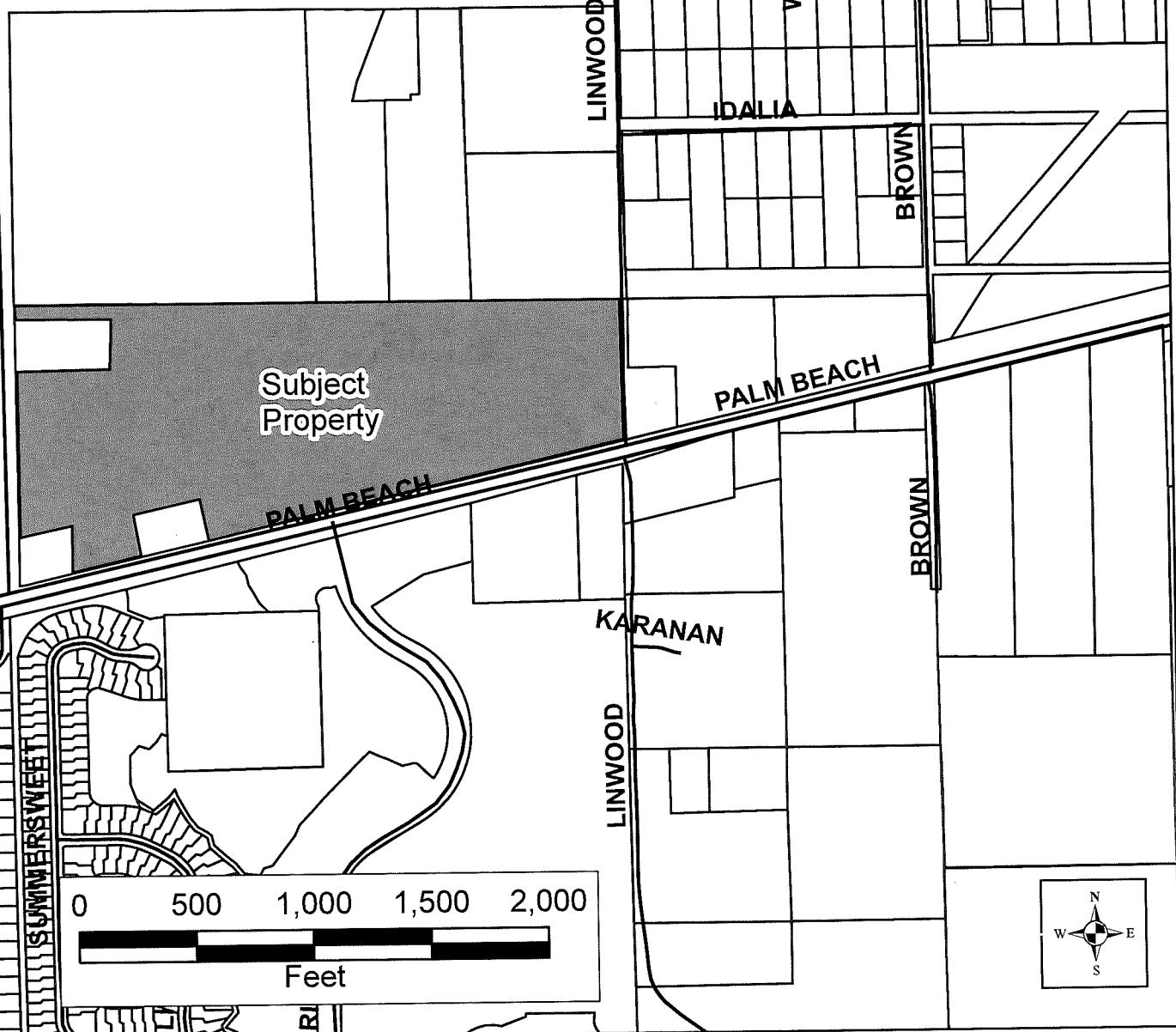
This is a courtesy notice. Please review the New-Press for Local Planning Agency meeting notices.

This case is anticipated to be reviewed by the Local Planning Agency on: 8:30 AM, September 22, 2008



## CPA2006-03 Olga Community Plan

OLD OLGA



**MORRIS-DEPEW ASSOCIATES, INC.**

ENGINEERS • PLANNERS • SURVEYORS

LANDSCAPE ARCHITECTS

2914 Cleveland Avenue • Fort Myers, FL 33901

(239) 337-3993 Office • (239) 337-3994 Fax

#LC26000330

**LETTER OF TRANSMITTAL**

**TO:** Lee County Community Development  
1500 Monroe Street  
Fort Myers, FL 33901

**DATE:** September 5, 2008 **MDA PROJECT NO.:** 07029.p3

**ATTENTION:** Mr. Matt Noble *CPA 2007-00050*

**RE:** CPA2007-00050, R & D Cattle Company

We are sending you  Attached  Under separate cover **VIA Hand Delivery** the following items:

Copies	Date	No.	Description
1	9/5/08		Variance report
1	9/5/08		FDOT letter
1	9/5/08		Conservation land use

These are transmitted as checked below:

For approval  Approved as submitted  
 For your use  Approved as noted  
 As requested  Returned for corrections  
 For review and comment  
 For bids due

Resubmit \_\_\_\_\_ copies for approval  
 Submit \_\_\_\_\_ copies for distribution  
 Return \_\_\_\_\_ corrected prints  
  
 Prints returned after loan to M-DA

**REMARKS:** Should you have any questions or concerns please contact me.

Thank you.

**COPY TO:** File

**SIGNED:** \_\_\_\_\_

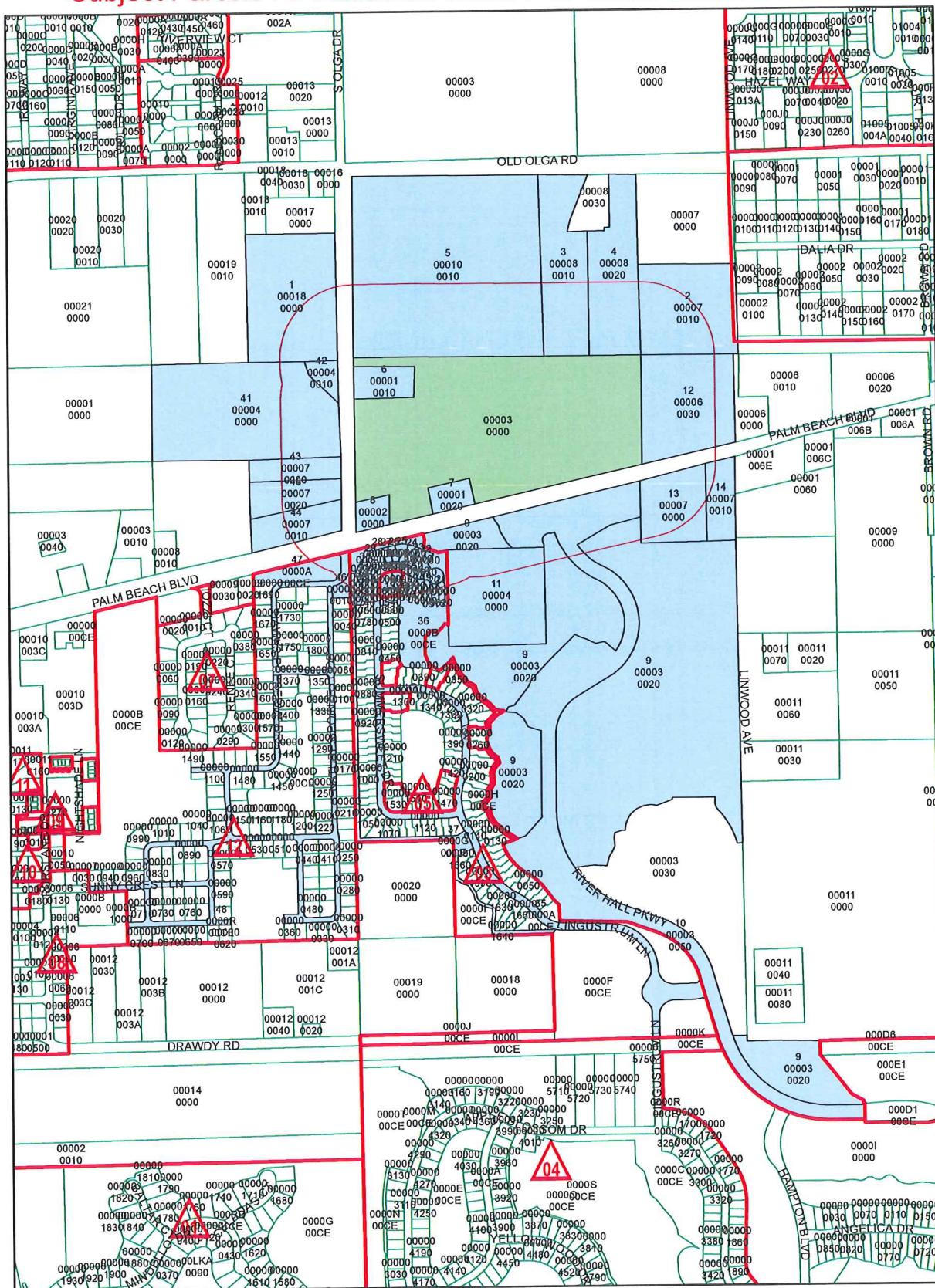
DWD/smh \_\_\_\_\_

David W. Depew, PhD, AICP President

# VARIANCE REPORT

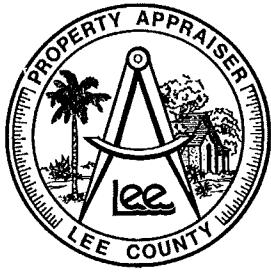
9/5/2008

Subject Parcels : 1 Affected Parcels : 48 Buffer Distance : 500 ft



27-43-26-00-00003.0000

1,100    550    0    1,100 Feet



# Lee County Property Appraiser

**Kenneth M. Wilkinson, C.F.A.**

## GIS Department / Map Room

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### VARIANCE REPORT

**Date of Report:** September 05, 2008  
**Buffer Distance:** 500 ft  
**Parcels Affected:** 48  
**Subject Parcel:** 27-43-26-00-00003.0000

<b>OWNER NAME AND ADDRESS</b>	<b>STRAP AND LOCATION</b>	<b>LEGAL DESCRIPTION</b>	<b>Map Index</b>
SERRANO ROMEO F 14890 OLD OLGA RD FORT MYERS FL 33905	21-43-26-00-00018.0000 2355 S OLGA DR FORT MYERS FL 33905	THE S 862 FT OF THE E 1/2 OF SE 1/4 OF SE 1/4 OF SEC 21	1
ALVAREZ ANTHONY B + VICKI L 15400 OLD OLGA RD ALVA FL 33920	22-43-26-00-00007.0010 LINWOOD AVE ALVA FL 33920	S 1/2 OF THE E 1/2 OF THE SE 1/4 OF THE SW 1/4	2
PEREZ HARRIET ABRAMS 10736 LIMON TREE CT LEHIGH ACRES FL 33936	22-43-26-00-00008.0010 15200 OLD OLGA RD ALVA FL 33920	W 1/2 OF SE 1/4 OF SW 1/4 LES 8.0020 + 8.0030	3
PRINS RICHARD A + DEBORAH K PO BOX 60967 FORT MYERS FL 33906	22-43-26-00-00008.0020 15350 OLD OLGA RD ALVA FL 33920	PART OF E1/2 OF W1/2 OF SE1/4 OF SW1/4 OR 2467/ 2003	4
HOWARD BOBBY H + MAZIE 2360 S OLGA DR FORT MYERS FL 33905	22-43-26-00-00010.0010 2360 S OLGA DR FORT MYERS FL 33905	PAR IN SW1/4 OF SW1/4 DESC OR 2384/730 + OR 4244/4865 + 4867 LESS RD RW + DITCH	5
OLGA BAPTIST CHURCH INC GARY PINKLEY 2364 S OLGA DR FORT MYERS FL 33905	27-43-26-00-00001.0010 2364 S OLGA DR FORT MYERS FL 33905	W 420 FT OF N260 FT IN NW 1/4 OF NW 1/4 E OF SR 31 LESS N 50 FT	6
HAN JIAN BAI 1628 SE 13TH TER CAPE CORAL FL 33990	27-43-26-00-00001.0020 15131 PALM BEACH BLVD ALVA FL 33920	PARL IN NW 1/4 OF NW 1/4 N OF SR 80 DESC IN OR 1021 PG 255	7
MCQUAGGE ROBERT C TR 1235 WALES DR FORT MYERS FL 33901	27-43-26-00-00002.0000 15031 PALM BEACH BLVD ALVA FL 33920	W 240 FT OF S 210 FT N OF SR 80 & E OF SR 31 IN NW 1/4 OF NW 1/4	8
HAWKS HAVEN DEVELOPERS LLC 10739 DEERWOOD PARK BLVD STE 300 JACKSONVILLE FL 32256	27-43-26-00-00003.0020 ACCESS UNDETERMINED ALVA FL 33920	PARL IN SEC 27 AS DESC IN OR 4429 PG 2959 LESS INST#2005-189275 + SUBD	9
RIVER HALL CDD RIZZETTA AND COMPANY INC 3434 COLWELL AVE STE 200 TAMPA FL 33614	27-43-26-00-00003.0050 RESERVED RIVER HALL FL	PARL IN SEC 27 AS DESC IN INST#2005-189275	10
HOFMEISTER SCOTT L + 108 BARBARA ST LOUISVILLE CO 80027	27-43-26-00-00004.0000 15180 PALM BEACH BLVD ALVA FL 33920	NE 1/4 OF SW 1/4 OF NW 1/4	11
BJZ LLC 9592 WINDSOR CLUB CIR FORT MYERS FL 33905	27-43-26-00-00006.0030 CORNER LOT ALVA FL 33920	NE14-NE1/4-NW1/4LESRDSE1/4 -NE1/4-NW1/4-NOFRDN1/2-NW 1/4-NE1/4-N OF RD LES6.001	12
WALKER ROBERT E 15930 OLD OLGA RD ALVA FL 33920	27-43-26-00-00007.0000 15400 PALM BEACH BLVD ALVA FL 33920	SE 1/4 OF NE 1/4 OF NW 1/4 S OF ROAD LESS E 200 FT	13
DENOVA PROSPERO 15460 PALM BEACH BLVD ALVA FL 33920	27-43-26-00-00007.0010 15460 PALM BEACH BLVD ALVA FL 33920	PARL IN SE 1/4 OF NE 1/4 OF NW 1/4 E ALG NS 1/4 SEC 764.38 FT DES OR 1819/1122	14

<b>OWNER NAME AND ADDRESS</b>	<b>STRAP AND LOCATION</b>	<b>LEGAL DESCRIPTION</b>	<b>Map Index</b>
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-00000.0530</b> 2088 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 LOT 53	15
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-00000.0570</b> 2030 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 LOT 57	16
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-00000.0580</b> 2024 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 LOT 58	17
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-00000.0590</b> 2018 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 LOT 59	18
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-00000.0600</b> 2012 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 LOT 60	19
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-00000.0610</b> 2006 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 LOT 61	20
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-00000.0620</b> 2000 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 LOT 62	21
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-00000.0630</b> 2017 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 LOT 63	22
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-00000.0640</b> 2023 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 LOT 64	23
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-00000.0650</b> 2029 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 LOT 65	24
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-00000.0660</b> 2035 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 LOT 66	25
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-00000.0670</b> 2041 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 LOT 67	26
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-00000.0680</b> 2047 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 LOT 68	27
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-00000.0690</b> 2053 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 LOT 69	28
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-00000.0700</b> 2059 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 LOT 70	29
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-00000.0710</b> 2065 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 LOT 71	30
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-00000.0720</b> 2071 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 LOT 72	31
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-00000.0730</b> 2077 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 LOT 73	32

<b>OWNER NAME AND ADDRESS</b>	<b>STRAP AND LOCATION</b>	<b>LEGAL DESCRIPTION</b>	<b>Map Index</b>
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-00000.0740</b> 2063 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 LOT 74	33
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-00000.0750</b> 2089 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 LOT 75	34
CASCADES AT RIVER HALL ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-0000A.00CE</b> RIGHT OF WAY FL	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 TRACT A	35
CASCADES AT RIVER HALL ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-0000B.00CE</b> SUBMERGED FL	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 TRACT B	36
CASCADES AT RIVER HALL ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-03-0000G.00CE</b> CASCADES @ RIVER HALL TRACT G FL	CASCADES AT RIVER HALL PH 1 DESC IN INST#2005-166035 TRACT G	37
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-05-00000.0540</b> 2082 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1A DESC IN INST#2006-361359 LOT 54	38
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-05-00000.0550</b> 2050 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1A DESC IN INST#2006-361359 LOT 55	39
LEVITT + SONS AT HAWKS HAVEN ANDREW J BOLNICK 1 SE 3RD AVE STE 1980 MIAMI FL 33131	<b>27-43-26-05-00000.0560</b> 2036 SUMMERSWEET DR ALVA FL 33920	CASCADES AT RIVER HALL PH 1A DESC IN INST#2006-361359 LOT 56	40
LEE COUNTY DIST SCHOOL BOARD 2855 COLONIAL BLVD FORT MYERS FL 33966	<b>28-43-26-00-00004.0000</b> 2369 S OLGA DR FORT MYERS FL 33905	N 1/2 OF NE 1/4 OF NE 1/4 LESS RD + LESS 4.001	41
HOLY CROSS ORTHODOX CHURCH 2365 S OLGA DR FORT MYERS FL 33905	<b>28-43-26-00-00004.0010</b> 2365 S OLGA DR FORT MYERS FL 33905	PARL IN N E 1/4 OF N E 1/4 OF N E 1/4 AS DESC IN OR 1341 PG 2078	42
ADKINS DAVID + LINDA E 2375 S OLGA DR FORT MYERS FL 33905	<b>28-43-26-00-00007.0000</b> 2375 S OLGA DR FORT MYERS FL 33905	N 150 FT OF SE 1/4 OF NE 1/4 OF NE 1/4 LESS RD R/W E	43
JOHN J DAVIS FORT MYERS LLC 2612 HIBISCUS PL FORT LAUDERDALE FL 33301	<b>28-43-26-00-00007.0010</b> 2395 S OLGA DR FORT MYERS FL 33905	PARL LYING IN E 1/2 OF NE 1/4 N OF SR 80 AS DESC IN OR 3905 PG 4536	44
ADKINS DAVID + LINDA E 2385 S OLGA DR FORT MYERS FL 33905	<b>28-43-26-00-00007.0020</b> 2385 S OLGA DR FORT MYERS FL 33905	S E 1/4 OF N E 1/4 OF N E 1/4 N OF SR 80 LESS N 150 FT S 214.7 FT + RD E	45
REYES MARCELA + JOSE 2372 NATURE POINTE LOOP FORT MYERS FL 33905	<b>28-43-26-12-00000.0010</b> 2372 NATURE POINTE LOOP FORT MYERS FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 LOT 1	46
HAWKS PRESERVE HOMEOWNER ASSN PO BOX 1058 LEHIGH ACRES FL 33970	<b>28-43-26-12-0000A.00CE</b> COMMON ELEMENT FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 TRACT A	47
HAWKS PRESERVE HOMEOWNER ASSN PO BOX 1058 LEHIGH ACRES FL 33970	<b>28-43-26-12-0000R.00CE</b> RIGHT OF WAY FL 33905	HAWKS PRESERVE DESC IN PB 78 PGS 6-11 TRACT R	48

**48 RECORDS PRINTED**



## *Florida Department of Transportation*

CHARLIE CRIST  
GOVERNOR

STEPHANIE KOPELOUSOS  
SECRETARY

### **MEMORANDUM**

**Date:** August 4, 2008

**To:** Rae Ann Boylan, Boylan Environmental

**From:** Sonshine Dupree, District One Drainage  
for Carl Spirio, District Drainage Engineer *Pls*

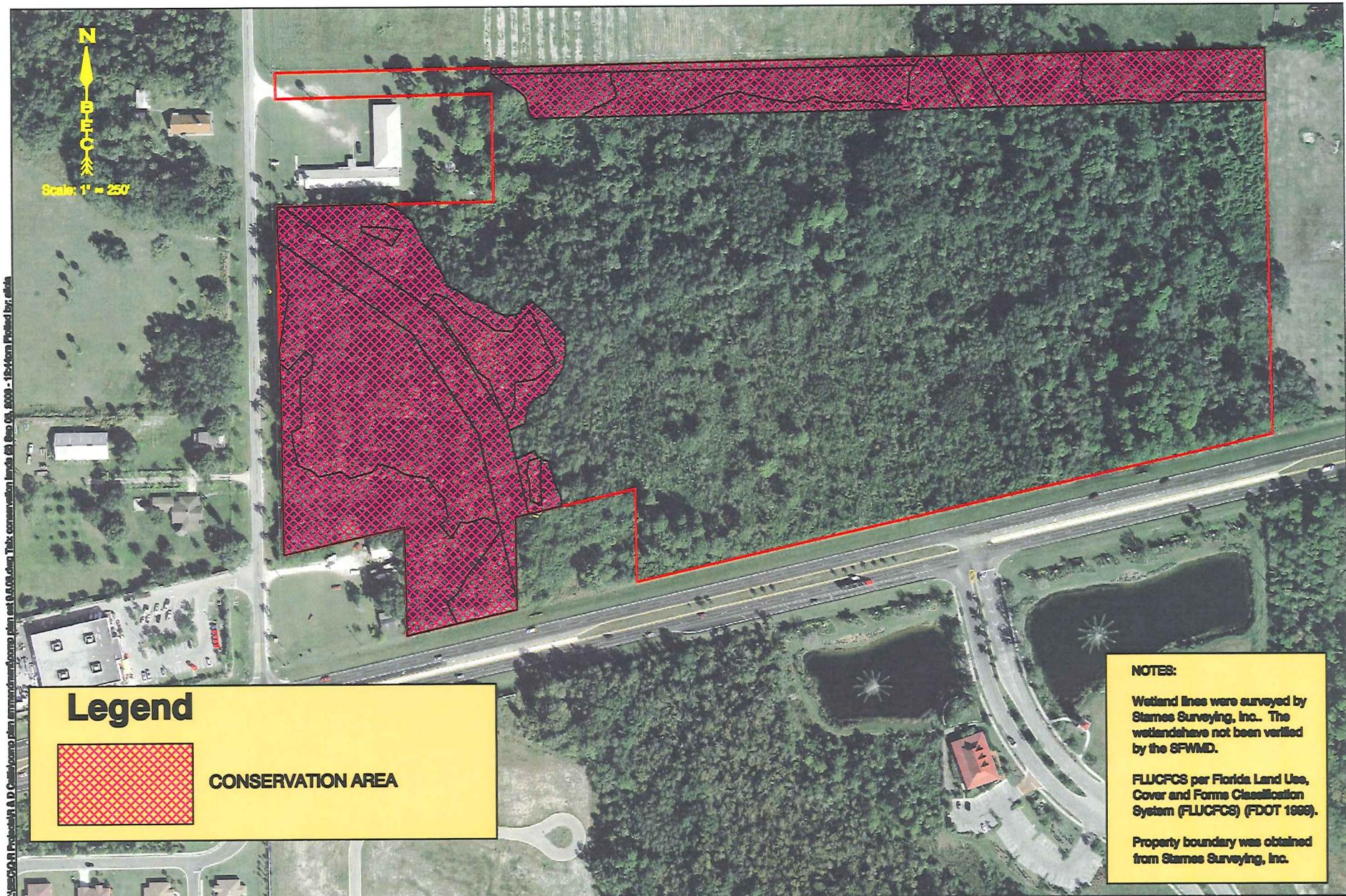
**Copies:** Ralph Bond, R&D Cattle Co.

**Subject:** **SR 80, Palm Beach Blvd.**  
**12020 M.P 11.270 – M.P. 11.802**

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The FDOT Drainage dept is fine with relocating the drainage easement for the above subject, however, the easement is to be maintained and preserved by Ralph Bond at R & D Cattle Co.

If you should need any other assistance, please call.



21-43-26-00-00018.0000  
 SERRANO ROMEO F  
 14890 OLD OLGA RD  
 FORT MYERS, FL 33905

22-43-26-00-00008.0010  
 PEREZ HARRIET ABRAMS  
 10736 LIMON TREE CT  
 LEHIGH ACRES, FL 33936

22-43-26-00-00010.0010  
 HOWARD BOBBY H + MAZIE  
 2360 S OLGA DR  
 FORT MYERS, FL 33905

27-43-26-00-00001.0020  
 HAN JIAN BAI  
 1628 SE 13TH TER  
 CAPE CORAL, FL 33990

27-43-26-00-00003.0020  
 HAWKS HAVEN DEVELOPERS LLC  
 10739 DEERWOOD PARK BLVD  
 STE 300  
 JACKSONVILLE, FL 32256

27-43-26-00-00004.0000  
 HOFMEISTER SCOTT L +  
 108 BARBARA ST  
 LOUISVILLE, CO 80027

27-43-26-00-00007.0000  
 WALKER ROBERT E  
 15930 OLD OLGA RD  
 ALVA, FL 33920

27-43-26-03-00000.0530  
 LEVITT + SONS AT HAWKS HAVEN  
 ANDREW J BOLNICK  
 1 SE 3RD AVE STE 1980  
 MIAMI, FL 33131

27-43-26-03-00000.0580  
 LEVITT + SONS AT HAWKS HAVEN  
 ANDREW J BOLNICK  
 1 SE 3RD AVE STE 1980  
 MIAMI, FL 33131

27-43-26-03-00000.0600  
 LEVITT + SONS AT HAWKS HAVEN  
 ANDREW J BOLNICK  
 1 SE 3RD AVE STE 1980  
 MIAMI, FL 33131

22-43-26-00-00007.0010  
 ALVAREZ ANTHONY B + VICKI L  
 15400 OLD OLGA RD  
 ALVA, FL 33920

22-43-26-00-00008.0020  
 PRINS RICHARD A + DEBORAH K  
 PO BOX 60967  
 FORT MYERS, FL 33906

27-43-26-00-00001.0010  
 OLGA BAPTIST CHURCH INC  
 GARY PINKLEY  
 2364 S OLGA DR  
 FORT MYERS, FL 33905

27-43-26-00-00002.0000  
 MCQUAGGE ROBERT C TR  
 1235 WALES DR  
 FORT MYERS, FL 33901

27-43-26-00-00003.0050  
 RIVER HALL CDD  
 RIZZETTA AND COMPANY INC  
 3434 COLWELL AVE STE 200  
 TAMPA, FL 33614

27-43-26-00-00006.0030  
 BJZ LLC  
 9592 WINDSOR CLUB CIR  
 FORT MYERS, FL 33905

27-43-26-00-00007.0010  
 DENOVA PROSPERO  
 15460 PALM BEACH BLVD  
 ALVA, FL 33920

27-43-26-03-00000.0570  
 LEVITT + SONS AT HAWKS HAVEN  
 ANDREW J BOLNICK  
 1 SE 3RD AVE STE 1980  
 MIAMI, FL 33131

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 LEVITT + SONS AT HAWKS HAVEN  
 ANDREW J BOLNICK  
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 MIAMI, FL 33131

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 MIAMI, FL 33131

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 ANDREW J BOLNICK  
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 MIAMI, FL 33131

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 LEVITT + SONS AT HAWKS HAVEN  
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 MIAMI, FL 33131

27-43-26-03-0000A.00CE  
 CASCADES AT RIVER HALL  
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 MIAMI, FL 33131

27-43-26-03-0000G.00CE  
 CASCADES AT RIVER HALL  
 ANDREW J BOLNICK  
 1 SE 3RD AVE STE 1980  
 MIAMI, FL 33131

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 LEVITT + SONS AT HAWKS HAVEN  
 ANDREW J BOLNICK  
 1 SE 3RD AVE STE 1980  
 MIAMI, FL 33131

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 LEVITT + SONS AT HAWKS HAVEN  
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 MIAMI, FL 33131

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 LEVITT + SONS AT HAWKS HAVEN  
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 MIAMI, FL 33131

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 LEVITT + SONS AT HAWKS HAVEN  
 ANDREW J BOLNICK  
 1 SE 3RD AVE STE 1980  
 MIAMI, FL 33131

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 LEVITT + SONS AT HAWKS HAVEN  
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 LEVITT + SONS AT HAWKS HAVEN  
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27-43-26-03-0000B.00CE  
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 LEVITT + SONS AT HAWKS HAVEN  
 ANDREW J BOLNICK  
 1 SE 3RD AVE STE 1980  
 MIAMI, FL 33131

27-43-26-05-00000.0560  
 LEVITT + SONS AT HAWKS HAVEN  
 ANDREW J BOLNICK  
 1 SE 3RD AVE STE 1980  
 MIAMI, FL 33131

28-43-26-00-00004.0000  
LEE COUNTY DIST SCHOOL BOARD  
2855 COLONIAL BLVD  
FORT MYERS, FL 33966

28-43-26-00-00004.0010  
HOLY CROSS ORTHODOX CHURCH  
2365 S OLGA DR  
FORT MYERS, FL 33905

28-43-26-00-00007.0000  
ADKINS DAVID + LINDA E  
2375 S OLGA DR  
FORT MYERS, FL 33905

28-43-26-00-00007.0010  
JOHN J DAVIS FORT MYERS LLC  
2612 HIBISCUS PL  
FORT LAUDERDALE, FL 33301

28-43-26-00-00007.0020  
ADKINS DAVID + LINDA E  
2385 S OLGA DR  
FORT MYERS, FL 33905

28-43-26-12-00000.0010  
REYES MARCELA + JOSE  
2372 NATURE POINTE LOOP  
FORT MYERS, FL 33905

28-43-26-12-0000A.00CE  
HAWKS PRESERVE HOMEOWNER ASSN  
PO BOX 1058  
LEHIGH ACRES, FL 33970

28-43-26-12-0000R.00CE  
HAWKS PRESERVE HOMEOWNER ASSN  
PO BOX 1058  
LEHIGH ACRES, FL 33970

**CPA2006-00003**  
**OLGA**  
**BoCC SPONSORED**  
**AMENDMENT**  
**TO THE**

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**LEE COUNTY COMPREHENSIVE PLAN**

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**THE LEE PLAN**

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**LPA Public Hearing Document**  
**for the**  
**September 22, 2008 Public Hearing**

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*Lee County Planning Division*  
*1500 Monroe Street*  
*P.O. Box 398*  
*Fort Myers, FL 33902-0398*  
*(239) 533-8585*

**September 10, 2008**

LEE COUNTY  
DIVISION OF PLANNING  
STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
CPA2006-00003



Text Amendment



Map Amendment

<input checked="" type="checkbox"/> This Document Contains the Following Reviews:	
<input checked="" type="checkbox"/>	Staff Review
	Local Planning Agency Review and Recommendation
	Board of County Commissioners Hearing for Transmittal
	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: September 10, 2008

**PART I - BACKGROUND AND STAFF RECOMMENDATION**

**A. SUMMARY OF APPLICATION**

**1. SPONSOR/APPLICANT:**

**A. SPONSOR:**

LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING

**B. APPLICANT**

THE EAST LEE COUNTY COUNCIL  
ON BEHALF OF THE OLGA COMMUNITY PLANNING PANEL

**2. REQUEST:**

Amend the Future Land Use Element of the Lee Plan to add a new Goal, Objective, and Policies specific to the Olga community, located within the Caloosahatchee Shores planning area. Amend Map 1 of the Lee Plan page 1 of 6, the Future Land Use Map. Amend map 1, Page 2 of 6, Special Treatment Areas.

## **Goal 26: Olga Community.**

To capture and maintain Olga's heritage and rural character while allowing new development to "fit in" the following objectives and policies will be implemented to direct the new density and intensities for the Olga Community. For the purpose of this Goal, the Olga Community boundaries are generally defined by Caloosahatchee River on the north, Old Olga Road as it intersects SR 80 at its most eastern point on the east, SR 80 (aka Palm Beach Boulevard) on the south and Old Olga Road at the intersection of Buckingham Road/SR 80/Old Olga Road intersection to the west along with an imaginary line north to the Caloosahatchee River.

**Objective 26:** Olga's Future Land Use Map reflects the vision and desires of the Olga Community. Any land use regulations, comprehensive plan changes, County regulated amendments or project developments imposed by Lee County will consider the Olga's Land Use Map prior to making any decisions.

**Policy 26.1:** All new development on Old Olga Road from the western intersection of SR 80 and Old Olga Road east to the eastern intersection of Old Olga Road and SR 80 will be required to install eight-foot (8') wide bicycle and pedestrian facilities along the length of the property line. The community will work with the Lee County Bike and Pedestrian Committee to get a retrofit project prioritized.

**Policy 26.2:** Suburban land use designations within the community will be strongly encouraged to develop at one dwelling unit per acre. If one dwelling unit per acre is not possible new developments will match the surrounding density and intensity. Wherever possible, all new developments will maintain a one acre minimum lot size.

**Policy 26.3:** Parcels located on the north side of SR 80, bound on the west by South Olga Drive and on the east by the intersection of Old Olga Road/SR 80 will be allowed to develop as Outlying Suburban. Those parcels are identified will be required to develop under specific development standards and are identified as follows:

<u>28-43-26-00-00001.0030</u>	<u>27-43-26-00-00006.0010</u>
<u>28-43-26-00-00001.0050</u>	<u>27-43-26-00-00006.0000</u>
<u>28-43-26-00-00003.0010</u>	<u>27-43-26-00-00006.0020</u>
<u>28-43-26-00-00008.0010</u>	<u>27-43-26-00-00001.0050</u>
<u>28-43-26-00-00008.0000</u>	<u>27-43-26-00-00001.0070</u>
<u>28-43-26-00-00007.0010</u>	<u>27-43-26-00-00013.0000</u>
<u>27-43-26-00-00002.0000</u>	<u>23-43-26-00-00012.0010</u>
<u>27-43-26-00-00003.0000</u>	<u>23-43-26-00-00011.001A</u>
<u>27-43-26-00-00001.0020</u>	<u>23-43-26-00-00011.0000</u>
<u>27-43-26-00-00006.0030</u>	<u>23-43-26-00-00011.001B</u>
<u>23-43-26-00-00011.0010</u>	<u>23-43-26-00-00005.0000</u>

**Policy 26.4:** Commercial land uses will not be permitted into single-family neighborhoods unless the neighborhood is consulted and approves.

**Policy 26.5:** Any new commercial projects must be a Commercial Planned Development and may not have a residential component unless it matches the abutting residential density.

**Policy 26.6:** Development intensity will gradient from the center to the edge suitable to integrate surrounding land uses.

**Policy 26.7:** Parking lots will be internal to the building structures with buildings lining or shielding the parking lot from the street and neighborhood.

**Policy 26.8:** Parking space requirements will be reduced by one half in order to provide more open space and less impervious surfaces on the site.

**Policy 26.9:** Canopy trees must be planted in all parking areas in order to provide shade

**Policy 26.10:** Developments will utilize the principals of Crime Prevention through Environmental Design (CPTED).

**Policy 26.11:** The minimum commercial building setbacks will be as follows:

- a. Street: 40 feet
- b. Side: 30 feet
- c. Rear: 50 feet

**Policy 26.12:** No Automobile oriented uses will be permitted. This includes drive-thrus, automotive sales and repair, drive-ins and other similar businesses.

**Policy 26.13:** As feasible, developers will work with Lee Tran to provide bus stops to encourage public transit access to their site.

**Policy 26.14:** Floor Area Ratios (FAR) maximums will be 0.10. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by 10 equals the size of the building.

**Policy 26.15:** Open Space Requirements:

- a. Parcels less than five (5) acres (Small Projects) will provide 30% open space.
- b. Parcels between five (5) and ten (10) acres will provide 40% open space.
- c. Parcels more than ten (10) acres will provide 50% open space.

**Policy 26.16:** Building and project designs must ensure that internal street systems are designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development.

**Policy 26.17:** Project access will not be permitted from a residential street unless no other access can be obtained.

**Policy 26.18:** Heritage trees will be preserved or relocated on-site.

**Policy 26.19:** The development of the parcel located at the northeast quadrant of South Olga Drive and SR 80 (aka Strap # 27-43-26-00-00003.000) will incorporate a collector road that will align north to the northern boundary of the property line, turn west following the northern boundary of the property line and connect to South Olga Drive. The cost of such improvements will be borne by the developer. In addition to the roadway, there will be a 100 foot wide landscape buffer on the northern boundary of the property separating the commercial use from the community. No connections from any parcel north of this location will connect to the proposed roadway.

**Policy 26.20:** The community will support a collector road connection from South Olga Drive west to the intersection of Old Olga Road and Caribbean Drive. The construction of such the roadway connection will be at the developer's expense as properties along the proposed roadway are built.

**Policy 26.21:** Wherever possible, maintain the integrity of the natural environment when developing property especially when significant tree canopies or natural habitats can be integrated into the site design.

**Policy 26.22:** When undertaking streetscape improvements, new private construction and building rehabilitation, place utility lines underground where it is economically feasible and where practical to improve visual qualities.

## **B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:**

**1. RECOMMENDATION:** Planning staff recommends that the Board of County Commissioners transmit this proposed amendment as follows:

### **Goal 26: Olga Community.**

To capture and maintain Olga's heritage and rural character while allowing new development to "fit in" the following objectives and policies will be implemented to direct the new density and intensities for the Olga Community. For the purpose of this Goal, the Olga Community boundaries are generally defined by Caloosahatchee River on the north, Old Olga Road as it intersects SR 80 at its most eastern point on the east, SR 80 (aka Palm Beach Boulevard) on the south and Old Olga Road at the intersection of Buckingham Road/SR 80/Old Olga Road intersection to the west along with an imaginary line north to the Caloosahatchee River.

**Objective 26:** Olga's Future Land Use Map reflects the vision and desires of the Olga Community. Any land use regulations, comprehensive plan changes, County regulated amendments or project developments imposed by Lee County will consider the Olga's Land Use Map prior to making any decisions.

**Policy 26.1:** All new development requiring a development order on Old Olga Road from the western intersection of SR 80 and Old Olga Road east to the eastern intersection of Old Olga Road and SR 80 will be required to install eight-foot (8') wide bicycle and pedestrian facilities along one side of the length of the property line. The bicycle and pedestrian facility will be required on the east and south side of Old Olga Road from the western intersection of Old Olga Road and SR 80

to the intersection of Old Olga Road and South Olga Road and on the north side of Old Olga Road from the intersection of Old Olga Road and South Olga Road to the eastern intersection of Old Olga Road and SR 80. The community will work with the Lee County Bike and Pedestrian Committee to get a retrofit project prioritized.

**Policy 26.5:** Any new commercial projects must be a Commercial Planned Development and may not have a residential component unless it matches the abutting residential density.

**Policy 26.6:** Development density and intensity will gradient from the center to the edge suitable to integrate surrounding land uses.

**Policy 26.7:** Parking lots will be internal to the building structures with buildings lining or shielding the parking lot from the street and neighborhood.

**Policy 26.8:** If deemed appropriate by the Director of Zoning, parking space requirements may be reduced by up to one half in order to provide more open space and less impervious surfaces on the site .

**Policy 26.9:** Canopy trees must be planted in all parking areas in order to provide shade.

**Policy 26.11:** The minimum commercial building setbacks will be as follows:

- a. Street: 40 feet
- b. Side: 30 feet
- c. Rear: 50 feet

**Policy 26.12:** The Olga Community discourages automobile oriented uses. This includes drive-thrus, automotive sales and repair, drive-ins and other similar businesses.

**Policy 26.14:** Floor Area Ratios (FAR) maximums will be 0.25. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by 10 equals the size of the building.

**Policy 26.15:** Open Space Requirements:

- a. Projects less than five (5) acres (Small Projects) will provide 30% open space.
- b. Projects between five (5) and ten (10) acres will provide 40% open space.
- c. Projects more than ten (10) acres will provide 50% open space.

**Policy 26.16:** Building and project designs must ensure that internal street systems are designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development.

**Policy 26.17:** Commercial access will not be permitted from a local street unless no other access can be obtained.

**Policy 26.18:** Heritage trees, as defined in Sec. 10-415 of the Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

**Policy 26.20:** The community will support a collector road connection from South Olga Drive west to the intersection of Old Olga Road and Caribbean Drive. If constructed the roadway connection will be at the developer's expense as properties along the proposed roadway are built.

**Policy 26.21:** Projects must be designed to maintain the integrity of the natural environment when developing property, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must be integrated into the site design.

**Policy 26.22:** When undertaking streetscape improvements, new private construction and building rehabilitation, place utility lines underground where it is economically feasible and where practical to improve visual qualities.

Staff understands that there is community support for the proposed FLUM amendment, but there are technical difficulties with the proposal that will cause segments of roadways to reach level of service "F". Staff cannot recommend approval of a land use change that intensifies development on a road segment that is projected to fail. If the Board of County Commissioners decides to transmit the language there will still be concurrency issues at the time of rezoning, development order review, and building permit issuance.

## **2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

- The residents of Olga developed the Olga Community Plan over a period of several years.
- The Olga Community Planning Panel, through the East Lee County Council, hired a planning consultant, DRMP, to help them write their plan.
- The Olga Community Plan was submitted to Lee County in November, 2007.
- The Olga Community Plan is intended to add additional policies to Goal 21 of the Lee Plan specific to the area known as Olga.
- A follow-up meeting was held on August 2, prior to the meeting of the Local Planning Agency to further refine policy language and to address the proposal for a Future Land Use Map change from Rural and Suburban to Commercial for two parcels located east of South Olga Road.
- At the August 2, 2008 public meeting, the residents that were present voted in support of the Future Land Use map change from Suburban and Rural to Commercial. If that change is recommended for transmittal staff recommends including Conservation Lands on wetland and upland habitat as depicted on the attached Exhibit A.

- One segment of the three-mile radius around the site of the Proposed Future Land Use map change is projected to operate at level of service “F” in the year 2030 both with and without the proposed land use change, on SR 80/Palm Beach Boulevard from SR 31 to Tropic Avenue.
- Another segment that is projected to operate at level of service “C” without the proposed Future Land Use map change falls to level of service “F” with the addition of the project, on SR 80/Palm Beach Boulevard from Buckingham Road to the eastern end of Old Olga Road.
- If adopted this amendment will add a new Goal, Objective and Policies to the Lee Plan and will amend the FLUM, Map 1, Page 1 of 6, from Rural and Suburban to Commercial and Conservation Lands on two parcels located east of South Olga Road and fronting SR 80, and will amend Map 1, Page 2 of 6 Special Treatment Areas.

## C. BACKGROUND INFORMATION

The Olga Community Plan was undertaken by the Olga Community Planning Panel working as a sub-group of the East Lee County Council. The planning area encompasses that portion of the Caloosahatchee Shores planning area generally located between the east and west intersections of Old Olga Road and SR 80 north to the Caloosahatchee River. The community plan was financed, in part, with \$25,000 of community planning funds from Lee County.

The Olga Community Plan was submitted to the County in November, 2007. In addition to Goal 21 of the Lee Plan for Caloosahatchee Shores, the Olga community plan will add an additional Goal, Objective, and Policies specific to the Olga Planning area generally described in the above paragraph.

The Olga Community Planning Panel, East Lee County Council, and residents of Olga continued work on refining the Olga policies after they were submitted to the County. This report reflects those refinements. One major change is the proposed designation of a new Commercial Future Land Use Category east of South Olga Road for two parcels of land comprising approximately 48 acres. A maximum Floor Area Ratio (FAR) of 0.25 would be allowed.

## A. STAFF DISCUSSION

This new Goal for Olga is intended to express the communities desire to protect and maintain the existing character of the Olga Community, and to assure that new development maintains that character. This new Goal, as revised by staff in strike-through/double-underline format reads as follows:

### **Goal 26: Olga Community.**

To capture and maintain Olga’s heritage and rural character while allowing new development to “fit in” the following objectives and policies will be implemented to direct the new density and intensities for the Olga Community. For the purpose of this Goal, the Olga Community boundaries are generally defined by Caloosahatchee River on the north, Old Olga Road as it intersects SR 80 at its most eastern point on the east, SR 80 (aka Palm Beach Boulevard) on the south and Old Olga Road at the

intersection of Buckingham Road/SR 80/Old Olga Road intersection to the west along with an imaginary line north to the Caloosahatchee River.

**Objective 26:** Olga's Future Land Use Map reflects the vision and desires of the Olga Community. Any land use regulations, comprehensive plan changes, County regulated amendments or project developments imposed by Lee County will consider the Olga's Land Use Map prior to making any decisions.

**Policy 26.1:** All new development requiring a development order on Old Olga Road from the western intersection of SR 80 and Old Olga Road east to the eastern intersection of Old Olga Road and SR 80 will be required to install eight-foot (8') wide bicycle and pedestrian facilities along one side of the length of the property line. The bicycle and pedestrian facility will be required on the east and south side of Old Olga Road from the western intersection of Old Olga Road and SR 80 to the intersection of Old Olga Road and South Olga Road and on the north side of Old Olga Road from the intersection of Old Olga Road and South Olga Road to the eastern intersection of Old Olga Road and SR 80. The community will work with the Lee County Bike and Pedestrian Committee to get a retrofit project prioritized.

*At a community meeting on August 2, 2008, the meeting participants voted in favor of changing Policy to require an 8 foot wide bicycle and pedestrian facility on one side of Old Olga Road at the location indicated above. Staff recommends adding new development "requiring a development order". That will remove the requirement of building the facility from owners constructing a single-family home, or that are adding an addition to an existing home. Staff recommends transmittal of Goal 26, Objective 26, and Policy 26.1 as revised above.*

**Policy 26.2:** Suburban land use designations within the community will be strongly encouraged to develop at one dwelling unit per acre. If one dwelling unit per acre is not possible new developments will match the surrounding density and intensity. Wherever possible, all new developments will maintain a one acre minimum lot size.

*Policy 26.2 essentially downgrades the existing development potential of property classified as urban, with a standard maximum density of 6 dwelling units per acre to a rural designation with a maximum density of 1 dwelling unit per acre. There is potential Bert J. Harris liability rising out of this policy.*

**Policy 26.3:** Parcels located on the north side of SR 80, bound on the west by South Olga Drive and on the east by the intersection of Old Olga Road/SR 80 will be allowed to develop as Outlying Suburban. Those parcels are identified will be required to develop under specific development standards and are identified as follows:

<u>28-43-26-00-00001.0030</u>	<u>27-43-26-00-00006.0010</u>
<u>28-43-26-00-00001.0050</u>	<u>27-43-26-00-00006.0000</u>
<u>28-43-26-00-00003.0010</u>	<u>27-43-26-00-00006.0020</u>
<u>28-43-26-00-00008.0010</u>	<u>27-43-26-00-00001.0050</u>
<u>28-43-26-00-00008.0000</u>	<u>27-43-26-00-00001.0070</u>
<u>28-43-26-00-00007.0010</u>	<u>27-43-26-00-00013.0000</u>

<u>27-43-26-00-00002.0000</u>	<u>23-43-26-00-00012.0010</u>
<u>27-43-26-00-00003.0000</u>	<u>23-43-26-00-00011.001A</u>
<u>27-43-26-00-00001.0020</u>	<u>23-43-26-00-00011.0000</u>
<u>27-43-26-00-00006.0030</u>	<u>23-43-26-00-00011.001B</u>
<u>23-43-26-00-00011.0010</u>	<u>23-43-26-00-00005.0000</u>

Policy 26.3 identifies parcels located north of SR 80, from South Olga Road on the west to the eastern intersection of Old Olga Road and SR 80. With the exception of approximately 26 Acres of Suburban FLUM category located within one of the above parcels, the remaining area in that parcel and all other parcels listed above are in the Rural FLUM category. This policy would allow a maximum of three dwelling units per acre in a FLUM category that is limited in the Lee Plan to 1 dwelling unit per acre. The policy also requires those properties to develop under specific development standards, although no standards are in place and no standards are proposed. At a community meeting on August 2, 2008, the meeting participants voted in favor of deleting Policy 26.3.

Furthermore, the Outlying Suburban FLUM category allows for neighborhood commercial development. The parcels located east of Linwood Avenue may not be deep enough to allow for anything other than a typical "strip commercial" development similar to what is located along U.S. 41 and along Lee Boulevard. Staff does not recommend transmittal of Policy 26.2.3.

**Policy 26.4: Commercial land uses will not be permitted into single-family neighborhoods unless the neighborhood is consulted and approves.**

Although the neighborhood does not have authority to approve or deny zoning changes, Policy 26.5 below requires new commercial projects to be part of a Commercial Planned Development. Policy 21.6.3 requires the owner or agent for any Planned Development request within the Caloosahatchee Shores community to hold one public informational meeting. That requirement covers the Olga planning area.

**Policy 26.5: Any new commercial projects must be a Commercial Planned Development and may not have a residential component unless it matches the abutting residential density.**

Staff has no objection to Policy 26.5.

**Policy 26.6: Development density and intensity will gradient from the center to the edge suitable to integrate surrounding land uses.**

The intent of this policy is to prevent abrupt differences in densities and intensities of adjacent land uses. This is something that zoning staff evaluates when addressing compatibility. Staff does not object to Policy 26.6.

**Policy 26.7: Parking lots will be internal to the building structures with buildings lining or shielding the parking lot from the street and neighborhood.**

Similar requirements are in place for projects located in Estero.

**Policy 26.8:** If deemed appropriate by the Director of Zoning, parking space requirements will may be reduced by up to one half in order to provide more open space and less impervious surfaces on the site .

*Policy 26.8 would allow a reduction in parking by up to one-half of the required parking spaces by administrative action if deemed appropriate by the Director of Zoning. Requests would be evaluated on a case-by-case basis.*

**Policy 26.9:** Canopy trees must be planted in all parking areas in order to provide shade.

*Policy 26.9 will be an additional requirement to what is required by the Land Development Code. Land Development Code amendments will be required to implement this policy. Staff has no objections.*

**Policy 26.10:** Developments will utilize the principles of Crime Prevention through Environmental Design (CPTED).

*Department of Community Development staff does not review plans for compliance with CPTED standards during the rezoning process or during Development Order review and has no guidelines to follow to accomplish that review. Policy 4.3.3 l. of the Lee Plan addresses CPTED and Land Development Code amendments will be required to implement that policy. Staff does not recommend transmittal of Policy 26.10.*

**Policy 26.11:** The minimum commercial building setbacks will be as follows:

- a. Street: 40 feet
- b. Side: 30 feet
- c. Rear: 50 feet

*The setback requirements in Policy 26.11 are not unusual for commercial development and staff has no objection to this policy.*

**Policy 26.12:** No Automobile oriented uses will be permitted. The Olga Community discourages automobile oriented uses. This includes drive-thrus, automotive sales and repair, drive-ins and other similar businesses.

*Policy 26.12, as revised, indicates the Olga resident's desire to maintain the character of their community by discouraging automobile oriented uses in their community. Staff does not object to this policy.*

**Policy 26.13:** As feasible, developers will work with Lee Tran to provide bus stops to encourage public transit access to their site.

*It is beyond the scope of the Lee Plan to require developers to work with Lee Tran to determine the location of bus stops. Lee Tran has professional staff that make the determination of where bus stops should be located along their routes.*

**Policy 26.14:** Floor Area Ratios (FAR) maximums will be 0.1025. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by 10 equals the size of the building.

*A floor Area Ratio of 0.1 would generally make commercial development not viable. A workable ratio is 0.25, whereby 1/4 of the size of the site may be used for floor area.*

**Policy 26.15: Open Space Requirements:**

- a. Parcels Projects less than five (5) acres (Small Projects) will provide 30% open space.
- b. Parcels Projects between five (5) and ten (10) acres will provide 40% open space.
- c. Parcels Projects more than ten (10) acres will provide 50% open space.

*The open space requirements in Policy 26.15 are substantial, but staff has no objection. Staff recommends revising Policy 26.15 to not include the word parcel to describe the open space requirements. Staff recommends revising the language as shown above to avoid conflicts with large, individual single-family land owners. The Land Development Code will need to be revised to avoid conflicts and specifically implement this policy through the development order process. Staff recommends transmittal of Policy 26.15 as revised.*

**Policy 26.16:** Building and project designs must ensure that internal street systems are designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development.

*Staff has no objection to Policy 26.16.*

**Policy 26.17:** Commercial access will not be permitted from a residential local street unless no other access can be obtained.

*Policy 39.1.4 states: Main access points from new development will not be established where traffic is required to travel through areas with significantly lower densities or intensities (e.g. multifamily access through single-family areas, or commercial access through residential areas) except where adequate mitigation can be provided.*

*Lee County does not recognize residential or commercial streets. DOT staff recommends changing "residential" to "local". Staff has no objection to Policy 26.17 as revised.*

**Policy 26.18:** Heritage trees, as defined in Sec. 10-415 of the Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

*Heritage trees are defined in Sec. 10-415 Open Space, and this policy can be enforced. Very large trees may not be able to be relocated. Staff recommends transmittal of Policy 26.18 as revised.*

**Policy 26.19:** The development of the parcel located at the northeast quadrant of South Olga Drive and SR 80 (aka Strap # 27-43-26-00-00003.000) will incorporate a collector road that will align north to the northern boundary of the property line, turn west following the northern boundary of the property line and connect to South Olga Drive. The cost of such improvements will be borne by the developer. In addition to the roadway, there will be a 100 foot wide landscape buffer on the northern boundary of the property separating the commercial use from the community. No connections from any parcel north of this location will connect to the proposed roadway.

*Staff discourages identifying specific parcels in the Lee Plan. The Department of Transportation staff has indicated they do not object to the road being built through the above mentioned property, but does not support its construction and will not pay for the road, or provide impact fee credits for its construction. The subject property will require rezoning before any commercial development can occur on the site, and issues of road construction and buffering are more appropriately addressed during the rezoning process.*

**Policy 26.20:** The community will support a collector road connection from South Olga Drive west to the intersection of Old Olga Road and Caribbean Drive. The If constructed ion of such the roadway connection will be at the developer's expense as properties along the proposed roadway are built.

*Staff's recommended changes to Policy 26.20 reflect the fact that the County is not requiring the construction of the collector road on the site. The County does not object to the construction of the road at the expense of the developer and a road may benefit commercial development on that site, but does not believe that road will provide any significant benefit to the County.*

**Policy 26.21:** Projects must be designed to Wherever possible, maintain the integrity of the natural environment when developing property, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must can be integrated into the site design.

*Staff supports Policy 26.21 as revised by Environmental Sciences staff.*

**Policy 26.22:** When undertaking streetscape improvements, new private construction and building rehabilitation, place utility lines underground where it is economically feasible and where practical to improve visual qualities.

*Policy 26.22 encourages, but does not require placing utility lines underground. Staff does not object.*

#### **PROPOSED CHANGE TO THE FUTURE LAND USE MAP:**

In addition to adding a new Goal, Objectives, and Policies to the Lee Plan specific to the Olga Community, CPA 2006-00003 will change the Future Land Use Map for parcels located east of South Olga Road fronting SR 80 containing approximately 48 acres from Suburban and Rural to the Commercial Future Land Use Map category and Conservation Lands. The site is not designated as a Floodway Area on the new Flood Insurance Rate Map effective August 28, 2008. The Conservation Lands are depicted on the attached map, the remainder of the site will be Commercial.

One segment in the three mile radius around the project is projected to operate at level of service "F" in the year 2030 both with and without this project, on SR 80 from SR 31 to Tropic Avenue. Another segment that is projected to operate at level of service "C" without the project but falls to level of service "F" with the addition of the project, on SR 80 from Buckingham Road to the eastern end of Old Olga Road.

There is no improvement identified in the 2030 Plan to address the projected failure of the segment of SR 80 from Buckingham Road to the eastern end of Old Olga Road created by the addition of this amendment. Absent an identified means of paying for such improvements and their subsequent inclusion in the Financially Feasible Plan, DOT staff cannot recommend approval of a land use change that intensifies development on a road segment that is projected to fail. See the attached Department of Transportation Memo.

**PART III - LOCAL PLANNING AGENCY  
REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: September 22, 2008

**A. LOCAL PLANNING AGENCY REVIEW**

**B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT  
SUMMARY**

**1. RECOMMENDATION:**

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

**C. VOTE:**

<b>NOEL ANDRESS</b>	_____
<b>LES COCHRAN</b>	_____
<b>RONALD INGE</b>	_____
<b>JACQUE RIPPE</b>	_____
<b>CARLETON RYFFEL</b>	_____
<b>RAE ANN WESSEL</b>	_____
<b>LELAND TAYLOR</b>	_____

**PART IV - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: \_\_\_\_\_

**A. BOARD REVIEW:**

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

**C. VOTE:**

<b>A. BRIAN BIGELOW</b>	_____
<b>TAMMARA HALL</b>	_____
<b>ROBERT P. JANES</b>	_____
<b>RAY JUDAH</b>	_____
<b>FRANKLIN B. MANN</b>	_____

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,  
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: \_\_\_\_\_

**A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS**

**B. STAFF RESPONSE**

**PART VI - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: \_\_\_\_\_

**A. BOARD REVIEW:**

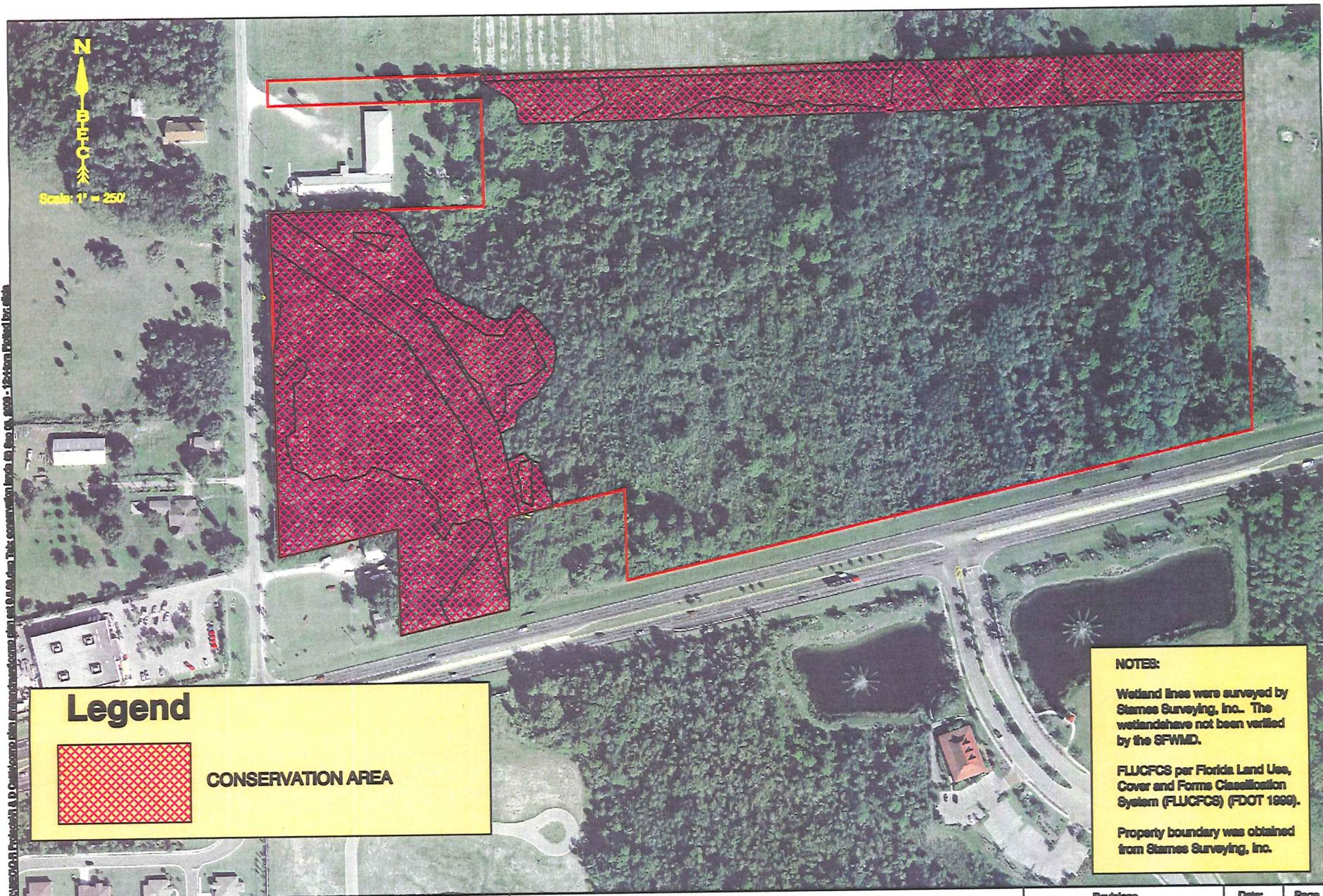
**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

**C. VOTE:** \_\_\_\_\_

<b>A. BRIAN BIGELOW</b>	_____
<b>TAMMARA HALL</b>	_____
<b>ROBERT P. JANES</b>	_____
<b>RAY JUDAH</b>	_____
<b>FRANKLIN B. MANN</b>	_____





DEPARTMENT OF  
TRANSPORTATION

## Memo

To: Paul O'Connor, Planning Director

From: David Loveland, Public Works Operations Manager, Planning *DML*

Date: September 10, 2008

Subject: **CPA 2006-03 (Olga Community Plan)**

The Department of Transportation has reviewed the above-referenced privately-initiated amendment, involving a text change to add a new Goal, Objective and Policies specific to the Olga community, as well as a Future Land Use Map change of approximately 48 acres east of South Olga Road fronting SR 80 from Suburban and Rural to Commercial and Conservation Lands. We had previously commented on a small portion of the land use change known as Byrus (CPA 2007-60), in a memo to you dated March 31, 2008.

Regarding the proposed Goal, Objective and Policies, DOT staff has only two comments. First, DOT had previously commented on a draft of Policy 26.1, and are in agreement with the version as proposed to be revised by Planning staff. Our understanding is that the policy as revised by Planning staff would read as follows:

*POLICY 26.1: All new development requiring a development order on Old Olga Road from the western intersection of SR 80 and Old Olga Road east to the eastern intersection of Old Olga Road and SR 80 will be required to install eight-foot (8') wide bicycle and pedestrian facilities along one side of the length of the property line. The sidewalk will be required on the east and south side of Old Olga Road from the western intersection of Old Olga Road and SR 80 to the intersection of Old Olga Road and South Olga Road and on the north side of Old Olga Road from the intersection of Old Olga Road and South Olga Road to the eastern intersection of Old Olga Road and SR 80. The community will work with the Lee County Bike and Pedestrian Committee to get a retrofit project prioritized.*

The second proposed policy that is a concern is Policy 26.17. The policy indicates that commercial access will not be permitted from a residential street, but the County does not classify streets as "residential" or "commercial". The street categories recognized in the Land Development Code are either arterials, collectors, or local streets, and many serve dual functions in terms of the uses that access them. DOT staff suggests that the word "local" be substituted for the word "residential" in the policy, as follows:

*POLICY 26.17: Commercial access will not be permitted from a residential local street unless no other access can be obtained.*

Regarding the land use change, Planning staff indicated that the proposed change would allow approximately 391,515 square feet of commercial use on the site. The property is located within Traffic Analysis Zone (TAZ) 1305, and we converted the above square footage into the model input variables for that zone, adding 978 commercial employees. We then reran the Lee County MPO's 2030 Financially Feasible Plan FSUTMS travel demand model.

Examining the three-mile radius around the project, there is one segment projected to operate at level of service "F" in the year 2030 both with and without the proposed land use change, on SR 80/Palm Beach Boulevard from SR 31 to Tropic Avenue. In addition, there is another segment that is projected to operate at level of service "C" without the project but falls to level of service "F" with the addition of the project, on SR 80/Palm Beach Boulevard from Buckingham Road to the eastern end of Old Olga Road.

The MPO's 2030 Needs Plan does identify a potential improvement to address the segment that fails even without the amendment, in the form of 6-laning SR 80 from SR 31 to Buckingham Road. This improvement is identified as contingent upon the identification of additional funding beyond the traditional sources projected for the Financially Feasible Plan, noting that it is a Strategic Intermodal System (SIS) facility. There is no improvement identified in the 2030 Plan to address the projected failure of the segment of SR 80 from Buckingham Road to the eastern end of Old Olga Road created by the addition of this amendment. Absent an identified means of paying for such improvements and their subsequent inclusion in the Financially Feasible Plan, DOT staff cannot recommend approval of a land use change that intensifies development on a road segment that is projected to fail.

Please let me know if you need any additional information.

cc:      Donna Marie Collins  
          Jim Mudd

**CPA2006-03  
OLGA  
BoCC SPONSORED  
AMENDMENT  
TO THE**

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**LEE COUNTY COMPREHENSIVE PLAN**

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**THE LEE PLAN**

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**BoCC Public Hearing Document  
for the  
February 25<sup>th</sup>, 2009 Adoption Hearing**

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*Lee County Planning Division  
1500 Monroe Street  
P.O. Box 398  
Fort Myers, FL 33902-0398  
(239) 533-8585*

**January 16, 2009**

**LEE COUNTY  
DIVISION OF PLANNING  
STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
CPA2006-00003**



Text Amendment



Map Amendment

This Document Contains the Following Reviews:	
✓	Staff Review
✓	Local Planning Agency Review and Recommendation
✓	Board of County Commissioners Hearing for Transmittal
✓	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: September 10, 2008

**PART I - BACKGROUND AND STAFF RECOMMENDATION**

**A. SUMMARY OF APPLICATION**

**1. SPONSOR/APPLICANT:**

**A. SPONSOR:**

LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING

**B. APPLICANT**

THE EAST LEE COUNTY COUNCIL  
ON BEHALF OF THE OLGA COMMUNITY PLANNING PANEL

**2. REQUEST:**

Amend the Future Land Use Element of the Lee Plan to add a new Goal, Objective, and Policies specific to the Olga community located within the Caloosahatchee Shores planning area. Amend the Future Land Use Map series, Map 1, Page 1 of 6, for specified parcels located east of South Olga Road fronting SR 80 containing approximately 48.7 acres from Suburban and Rural to the Commercial and Conservation Lands Future Land Use Map categories. Amend the Future Land Use series, Map 1, Page 2 of 6, Special Treatment Areas, to indicate that a new Goal specific to the Olga Community has been adopted.

**THE BOARD OF COUNTY COMMISSIONERS VOTED TO TRANSMIT THE FOLLOWING LANGUAGE AND FUTURE LAND USE MAP CHANGE TO THE DEPARTMENT OF COMMUNITY AFFAIRS:**

**Goal 26: Olga Community.**

To capture and maintain Olga's heritage and rural character while allowing new development to "fit in" the following objectives and policies will be implemented to direct the new density and intensities for the Olga Community. For the purpose of this Goal, the Olga Community boundaries are generally defined by Caloosahatchee River on the north, Old Olga Road as it intersects SR 80 at its most eastern point on the east, SR 80 (aka Palm Beach Boulevard) on the south and Old Olga Road at the intersection of Buckingham Road/SR 80/Old Olga Road intersection to the west along with an imaginary line north to the Caloosahatchee River.

**Objective 26:** Olga's Future Land Use Map reflects the vision and desires of the Olga Community. Any land use regulations, comprehensive plan changes, County regulated amendments or project developments imposed by Lee County will consider the Olga's Land Use Map prior to making any decisions.

**Policy 26.1:** All new development requiring a development order on Old Olga Road from the western intersection of SR 80 and Old Olga Road east to the eastern intersection of Old Olga Road and SR 80 will be required to install eight-foot (8') wide bicycle and pedestrian facilities along one side of the length of the property line. The bicycle and pedestrian facility will be required on the east and south side of Old Olga Road from the western intersection of Old Olga Road and SR 80 to the intersection of Old Olga Road and South Olga Road and on the north side of Old Olga Road from the intersection of Old Olga Road and South Olga Road to the eastern intersection of Old Olga Road and SR 80. The community will work with the Lee County Bike and Pedestrian Committee to get a retrofit project prioritized.

**Policy 26.5:** Any new commercial projects must be a Commercial Planned Development and may not have a residential component unless it matches the abutting residential density.

**Policy 26.6:** Development density and intensity will gradient from the center to the edge suitable to integrate surrounding land uses.

**Policy 26.7:** Parking lots will be internal to the building site with buildings lining or shielding the parking lot from the street and neighborhood.

**Policy 26.8:** If deemed appropriate by the Director of Zoning, parking space requirements may be reduced by up to one half in order to provide more open space and less impervious surfaces on the site.

**Policy 26.9:** Canopy trees must be planted in all parking areas in order to provide shade.

**Policy 26.11:** The minimum commercial building setbacks will be as follows:

- a. Street: 40 feet
- b. Side: 30 feet
- c. Rear: 50 feet

**Policy 26.12:** The Olga Community discourages automobile oriented uses. This includes drive-thrus, automotive sales and repair, drive-ins and other similar businesses.

**Policy 26.14:** Floor Area Ratios (FAR) maximums will be 0.25. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by 4 equals the floor area of the building.

**Policy 26.15:** Open Space Requirements:

- a. Projects less than five (5) acres (Small Projects) will provide 30% open space.
- b. Projects between five (5) and ten (10) acres will provide 40% open space.
- c. Projects more than ten (10) acres will provide 50% open space.

**Policy 26.16:** Building and project designs must ensure that internal street systems are designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development.

**Policy 26.18:** Heritage trees, as defined in Sec. 10-415 of the Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

**Policy 26.20:** The community will support a collector road connection from South Olga Drive west to the intersection of Old Olga Road and Caribbean Drive. If constructed the roadway connection will be at the developer's expense as properties along the proposed roadway are built.

**Policy 26.21:** Projects must be designed to maintain the integrity of the natural environment when developing property, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must be integrated into the site design.

**Policy 26.22:** When undertaking streetscape improvements, new private construction and building rehabilitation, place utility lines underground where it is economically feasible and where practical to improve visual qualities.

The Board of County Commissioners voted to transmit a Future Land Use Map change from Suburban and Rural to Commercial and Conservation Lands to the Department of Community Affairs as recommended by staff (see attached map).

The following language was submitted by the community for consideration by staff, the LPA and the Board of County Commissioners:

**Goal 26: Olga Community.**

To capture and maintain Olga's heritage and rural character while allowing new development to "fit in" the following objectives and policies will be implemented to direct the new density and intensities for the Olga Community. For the purpose of this Goal, the Olga Community boundaries are generally defined by Caloosahatchee River on the north, Old Olga Road as it intersects SR 80 at its most eastern point on the east, SR 80 (aka Palm Beach Boulevard) on the south and Old Olga Road at the intersection of Buckingham Road/SR 80/Old Olga Road intersection to the west along with an imaginary line north to the Caloosahatchee River.

**Objective 26:** Olga's Future Land Use Map reflects the vision and desires of the Olga Community. Any land use regulations, comprehensive plan changes, County regulated amendments or project developments imposed by Lee County will consider the Olga's Land Use Map prior to making any decisions.

**Policy 26.1:** All new development on Old Olga Road from the western intersection of SR 80 and Old Olga Road east to the eastern intersection of Old Olga Road and SR 80 will be required to install eight-foot (8') wide bicycle and pedestrian facilities along the length of the property line. The community will work with the Lee County Bike and Pedestrian Committee to get a retrofit project prioritized.

**Policy 26.2:** Suburban land use designations within the community will be strongly encouraged to develop at one dwelling unit per acre. If one dwelling unit per acre is not possible new developments will match the surrounding density and intensity. Wherever possible, all new developments will maintain a one acre minimum lot size.

**Policy 26.3:** Parcels located on the north side of SR 80, bound on the west by South Olga Drive and on the east by the intersection of Old Olga Road/SR 80 will be allowed to develop as Outlying Suburban. Those parcels are identified will be required to develop under specific development standards and are identified as follows:

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<u>28-43-26-00-00001.0050</u>	<u>27-43-26-00-00006.0000</u>
<u>28-43-26-00-00003.0010</u>	<u>27-43-26-00-00006.0020</u>
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<u>28-43-26-00-00008.0000</u>	<u>27-43-26-00-00001.0070</u>
<u>28-43-26-00-00007.0010</u>	<u>27-43-26-00-00013.0000</u>
<u>27-43-26-00-00002.0000</u>	<u>23-43-26-00-00012.0010</u>
<u>27-43-26-00-00003.0000</u>	<u>23-43-26-00-00011.001A</u>
<u>27-43-26-00-00001.0020</u>	<u>23-43-26-00-00011.0000</u>
<u>27-43-26-00-00006.0030</u>	<u>23-43-26-00-00011.001B</u>
<u>23-43-26-00-00011.0010</u>	<u>23-43-26-00-00005.0000</u>

**Policy 26.4:** Commercial land uses will not be permitted into single-family neighborhoods unless the neighborhood is consulted and approves.

**Policy 26.5:** Any new commercial projects must be a Commercial Planned Development and may not have a residential component unless it matches the abutting residential density.

**Policy 26.6:** Development intensity will gradient from the center to the edge suitable to integrate surrounding land uses.

**Policy 26.7:** Parking lots will be internal to the building structures with buildings lining or shielding the parking lot from the street and neighborhood.

**Policy 26.8:** Parking space requirements will be reduced by one half in order to provide more open space and less impervious surfaces on the site.

**Policy 26.9:** Canopy trees must be planted in all parking areas in order to provide shade

**Policy 26.10:** Developments will utilize the principals of Crime Prevention through Environmental Design (CPTED).

**Policy 26.11:** The minimum commercial building setbacks will be as follows:

- a. Street: 40 feet
- b. Side: 30 feet
- c. Rear: 50 feet

**Policy 26.12:** No Automobile oriented uses will be permitted. This includes drive-thrus, automotive sales and repair, drive-ins and other similar businesses.

**Policy 26.13:** As feasible, developers will work with Lee Tran to provide bus stops to encourage public transit access to their site.

**Policy 26.14:** Floor Area Ratios (FAR) maximums will be 0.10. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by 10 equals the size of the building.

**Policy 26.15:** Open Space Requirements:

- a. Parcels less than five (5) acres (Small Projects) will provide 30% open space.
- b. Parcels between five (5) and ten (10) acres will provide 40% open space.
- c. Parcels more than ten (10) acres will provide 50% open space.

**Policy 26.16:** Building and project designs must ensure that internal street systems are designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development.

**Policy 26.17:** Project access will not be permitted from a residential street unless no other access can be obtained.

**Policy 26.18:** Heritage trees will be preserved or relocated on-site.

**Policy 26.19:** The development of the parcel located at the northeast quadrant of South Olga Drive and SR 80 (aka Strap # 27-43-26-00-00003.000) will incorporate a collector road that will align north to the northern boundary of the property line, turn west following the northern boundary of the property line and connect to South Olga Drive. The cost of such improvements will be borne by the developer. In addition to the roadway, there will be a 100 foot wide landscape buffer on the northern boundary of the property separating the commercial use from the community. No connections from any parcel north of this location will connect to the proposed roadway.

**Policy 26.20:** The community will support a collector road connection from South Olga Drive west to the intersection of Old Olga Road and Caribbean Drive. The construction of such the roadway connection will be at the developer's expense as properties along the proposed roadway are built.

**Policy 26.21:** Wherever possible, maintain the integrity of the natural environment when developing property especially when significant tree canopies or natural habitats can be integrated into the site design.

**Policy 26.22:** When undertaking streetscape improvements, new private construction and building rehabilitation, place utility lines underground where it is economically feasible and where practical to improve visual qualities.

The Board of County Commissioners voted to transmit a Future Land Use Map change from Suburban and Rural to Commercial and Conservation Lands for approximately 48.7 acres of land located north of SR 80 and east of South Olga Road (see attached map).

## **B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:**

**1. RECOMMENDATION:** Planning staff recommends that the Board of County Commissioners transmit this proposed amendment as follows:

### **Goal 26: Olga Community.**

To capture and maintain Olga's heritage and rural character while allowing new development to "fit in" the following objectives and policies will be implemented to direct the new density and intensities for the Olga Community. For the purpose of this Goal, the Olga Community boundaries are generally defined by Caloosahatchee River on the north, Old Olga Road as it intersects SR 80 at its most eastern point on the east, SR 80 (aka Palm Beach Boulevard) on the south and Old Olga Road at the intersection of Buckingham Road/SR 80/Old Olga Road intersection to the west along with an imaginary line north to the Caloosahatchee River.

**Objective 26:** Olga's Future Land Use Map reflects the vision and desires of the Olga Community. Any land use regulations, comprehensive plan changes, County regulated amendments or project developments imposed by Lee County will consider the Olga's Land Use Map prior to making any decisions.

**Policy 26.1:** All new development requiring a development order on Old Olga Road from the western intersection of SR 80 and Old Olga Road east to the eastern intersection of Old Olga Road and SR 80 will be required to install eight-foot (8') wide bicycle and pedestrian facilities along one side of the length of the property line. The bicycle and pedestrian facility will be required on the east and south side of Old Olga Road from the western intersection of Old Olga Road and SR 80 to the intersection of Old Olga Road and South Olga Road and on the north side of Old Olga Road from the intersection of Old Olga Road and South Olga Road to the eastern intersection of Old Olga Road and SR 80. The community will work with the Lee County Bike and Pedestrian Committee to get a retrofit project prioritized.

**Policy 26.5:** Any new commercial projects must be a Commercial Planned Development and may not have a residential component unless it matches the abutting residential density.

**Policy 26.6:** Development density and intensity will gradient from the center to the edge suitable to integrate surrounding land uses.

**Policy 26.7:** Parking lots will be internal to the building structures with buildings lining or shielding the parking lot from the street and neighborhood.

**Policy 26.8:** If deemed appropriate by the Director of Zoning, parking space requirements may be reduced by up to one half in order to provide more open space and less impervious surfaces on the site.

**Policy 26.9:** Canopy trees must be planted in all parking areas in order to provide shade.

**Policy 26.11:** The minimum commercial building setbacks will be as follows:

- a. Street: 40 feet
- b. Side: 30 feet
- c. Rear: 50 feet

**Policy 26.12:** The Olga Community discourages automobile oriented uses. This includes drive-thrus, automotive sales and repair, drive-ins and other similar businesses.

**Policy 26.14:** Floor Area Ratios (FAR) maximums will be 0.25. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by 10 equals the size of the building.

**Policy 26.15:** Open Space Requirements:

- a. Projects less than five (5) acres (Small Projects) will provide 30% open space.
- b. Projects between five (5) and ten (10) acres will provide 40% open space.

c. Projects more than ten (10) acres will provide 50% open space.

**Policy 26.16:** Building and project designs must ensure that internal street systems are designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development.

**Policy 26.17:** Commercial access will not be permitted from a local street unless no other access can be obtained.

**Policy 26.18:** Heritage trees, as defined in Sec. 10-415 of the Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

**Policy 26.20:** The community will support a collector road connection from South Olga Drive west to the intersection of Old Olga Road and Caribbean Drive. If constructed the roadway connection will be at the developer's expense as properties along the proposed roadway are built.

**Policy 26.21:** Projects must be designed to maintain the integrity of the natural environment when developing property, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must be integrated into the site design.

**Policy 26.22:** When undertaking streetscape improvements, new private construction and building rehabilitation, place utility lines underground where it is economically feasible and where practical to improve visual qualities.

Staff understands that there is community support for the proposed FLUM amendment, but there are technical difficulties with the proposal that will cause segments of roadways to reach level of service "F". Staff cannot recommend approval of a land use change that intensifies development on a road segment that is projected to fail. If the Board of County Commissioners decides to transmit the language there will still be concurrency issues at the time of rezoning, development order review, and building permit issuance.

## 2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The residents of Olga developed the Olga Community Plan over a period of several years.
- The Olga Community Planning Panel, through the East Lee County Council, hired a planning consultant, DRMP, to help them write their plan.
- The Olga Community Plan was submitted to Lee County in November, 2007.
- The Olga Community Plan is intended to add additional policies to Goal 21 of the Lee Plan specific to the area known as Olga.

- A follow-up meeting was held on August 2, prior to the meeting of the Local Planning Agency to further refine policy language and to address the proposal for a Future Land Use Map change from Rural and Suburban to Commercial for two parcels located east of South Olga Road.
- At the August 2, 2008 public meeting, the residents that were present voted in support of the Future Land Use map change from Suburban and Rural to Commercial. If that change is recommended for transmittal staff recommends including Conservation Lands on wetland and upland habitat as depicted on the attached Exhibit A.
- One segment of the three-mile radius around the site of the Proposed Future Land Use map change is projected to operate at level of service "F" in the year 2030 both with and without the proposed land use change, on SR 80/Palm Beach Boulevard from SR 31 to Tropic Avenue.
- Another segment that is projected to operate at level of service "C" without the proposed Future Land Use map change falls to level of service "F" with the addition of the project, on SR 80/Palm Beach Boulevard from Buckingham Road to the eastern end of Old Olga Road.
- If adopted this amendment will add a new Goal, Objective and Policies to the Lee Plan and will amend the FLUM, Map 1, Page 1 of 6, from Rural and Suburban to Commercial and Conservation Lands on two parcels located east of South Olga Road and fronting SR 80, and will amend Map 1, Page 2 of 6 Special Treatment Areas.

## C. BACKGROUND INFORMATION

The Olga Community Plan was undertaken by the Olga Community Planning Panel working as a sub-group of the East Lee County Council. The planning area encompasses that portion of the Caloosahatchee Shores planning area generally located between the east and west intersections of Old Olga Road and SR 80 north to the Caloosahatchee River. The community plan was financed, in part, with \$25,000 of community planning funds from Lee County.

The Olga Community Plan was submitted to the County in November, 2007. In addition to Goal 21 of the Lee Plan for Caloosahatchee Shores, the Olga community plan will add an additional Goal, Objective, and Policies specific to the Olga Planning area generally described in the above paragraph.

The Olga Community Planning Panel, East Lee County Council, and residents of Olga continued work on refining the Olga policies after they were submitted to the County. This report reflects those refinements. One major change is the proposed designation of a new Commercial Future Land Use Category east of South Olga Road for two parcels of land comprising approximately 48 acres. A maximum Floor Area Ratio (FAR) of 0.25 would be allowed.

## A. STAFF DISCUSSION

This new Goal for Olga is intended to express the communities desire to protect and maintain the existing character of the Olga Community, and to assure that new development maintains that character. This new Goal, as revised by staff in strike-through/double-underline format reads as follows:

## **Goal 26: Olga Community.**

To capture and maintain Olga's heritage and rural character while allowing new development to "fit in" the following objectives and policies will be implemented to direct the new density and intensities for the Olga Community. For the purpose of this Goal, the Olga Community boundaries are generally defined by Caloosahatchee River on the north, Old Olga Road as it intersects SR 80 at its most eastern point on the east, SR 80 (aka Palm Beach Boulevard) on the south and Old Olga Road at the intersection of Buckingham Road/SR 80/Old Olga Road intersection to the west along with an imaginary line north to the Caloosahatchee River.

**Objective 26:** Olga's Future Land Use Map reflects the vision and desires of the Olga Community. Any land use regulations, comprehensive plan changes, County regulated amendments or project developments imposed by Lee County will consider the Olga's Land Use Map prior to making any decisions.

**Policy 26.1:** All new development requiring a development order on Old Olga Road from the western intersection of SR 80 and Old Olga Road east to the eastern intersection of Old Olga Road and SR 80 will be required to install eight-foot (8') wide bicycle and pedestrian facilities along one side of the length of the property line. The bicycle and pedestrian facility will be required on the east and south side of Old Olga Road from the western intersection of Old Olga Road and SR 80 to the intersection of Old Olga Road and South Olga Road and on the north side of Old Olga Road from the intersection of Old Olga Road and South Olga Road to the eastern intersection of Old Olga Road and SR 80. The community will work with the Lee County Bike and Pedestrian Committee to get a retrofit project prioritized.

*At a community meeting on August 2, 2008, the meeting participants voted in favor of changing Policy to require an 8 foot wide bicycle and pedestrian facility on one side of Old Olga Road at the location indicated above. Staff recommends adding new development "requiring a development order". That will remove the requirement of building the facility from owners constructing a single-family home, or that are adding an addition to an existing home. Staff recommends transmittal of Goal 26, Objective 26, and Policy 26.1 as revised above.*

**Policy 26.2:** Suburban land use designations within the community will be strongly encouraged to develop at one dwelling unit per acre. If one dwelling unit per acre is not possible new developments will match the surrounding density and intensity. Wherever possible, all new developments will maintain a one acre minimum lot size.

*Policy 26.2 essentially downgrades the existing development potential of property classified as urban, with a standard maximum density of 6 dwelling units per acre to a rural designation with a maximum density of 1 dwelling unit per acre. There is potential Bert J. Harris liability rising out of this policy.*

**Policy 26.3:** Parcels located on the north side of SR 80, bound on the west by South Olga Drive and on the east by the intersection of Old Olga Road/SR 80 will be allowed to develop

as Outlying Suburban. Those parcels are identified will be required to develop under specific development standards and are identified as follows:

<u>28-43-26-00-00001.0030</u>	<u>27-43-26-00-00006.0010</u>
<u>28-43-26-00-00001.0050</u>	<u>27-43-26-00-00006.0000</u>
<u>28-43-26-00-00003.0010</u>	<u>27-43-26-00-00006.0020</u>
<u>28-43-26-00-00008.0010</u>	<u>27-43-26-00-00001.0050</u>
<u>28-43-26-00-00008.0000</u>	<u>27-43-26-00-00001.0070</u>
<u>28-43-26-00-00007.0010</u>	<u>27-43-26-00-00013.0000</u>
<u>27-43-26-00-00002.0000</u>	<u>23-43-26-00-00012.0010</u>
<u>27-43-26-00-00003.0000</u>	<u>23-43-26-00-00011.001A</u>
<u>27-43-26-00-00001.0020</u>	<u>23-43-26-00-00011.0000</u>
<u>27-43-26-00-00006.0030</u>	<u>23-43-26-00-00011.001B</u>
<u>23-43-26-00-00011.0010</u>	<u>23-43-26-00-00005.0000</u>

*Policy 26.3 identifies parcels located north of SR 80, from South Olga Road on the west to the eastern intersection of Old Olga Road and SR 80. With the exception of approximately 26 Acres of Suburban FLUM category located within one of the above parcels, the remaining area in that parcel and all other parcels listed above are in the Rural FLUM category. This policy would allow a maximum of three dwelling units per acre in a FLUM category that is limited in the Lee Plan to 1 dwelling unit per acre. The policy also requires those properties to develop under specific development standards, although no standards are in place and no standards are proposed. At a community meeting on August 2, 2008, the meeting participants voted in favor of deleting Policy 26.3.*

*Furthermore, the Outlying Suburban FLUM category allows for neighborhood commercial development. The parcels located east of Linwood Avenue may not be deep enough to allow for anything other than a typical "strip commercial" development similar to what is located along U.S. 41 and along Lee Boulevard. Staff does not recommend transmittal of Policy 26.2.3.*

**Policy 26.4: Commercial land uses will not be permitted into single-family neighborhoods unless the neighborhood is consulted and approves.**

*Although the neighborhood does not have authority to approve or deny zoning changes, Policy 26.5 below requires new commercial projects to be part of a Commercial Planned Development. Policy 21.6.3 requires the owner or agent for any Planned Development request within the Caloosahatchee Shores community to hold one public informational meeting. That requirement covers the Olga planning area.*

**Policy 26.5: Any new commercial projects must be a Commercial Planned Development and may not have a residential component unless it matches the abutting residential density.**

*Staff has no objection to Policy 26.5.*

**Policy 26.6: Development density and intensity will gradient from the center to the edge suitable to integrate surrounding land uses.**

The intent of this policy is to prevent abrupt differences in densities and intensities of adjacent land uses. This is something that zoning staff evaluates when addressing compatibility. Staff does not object to Policy 26.6.

**Policy 26.7:** Parking lots will be internal to the building structures with buildings lining or shielding the parking lot from the street and neighborhood.

Similar requirements are in place for projects located in Estero.

**Policy 26.8:** If deemed appropriate by the Director of Zoning, parking space requirements will may be reduced by up to one half in order to provide more open space and less impervious surfaces on the site.

Policy 26.8 would allow a reduction in parking by up to one-half of the required parking spaces by administrative action if deemed appropriate by the Director of Zoning. Requests would be evaluated on a case-by-case basis.

**Policy 26.9:** Canopy trees must be planted in all parking areas in order to provide shade.

Policy 26.9 will be an additional requirement to what is required by the Land Development Code. Land Development Code amendments will be required to implement this policy. Staff has no objections.

**Policy 26.10:** Developments will utilize the principals of Crime Prevention through Environmental Design (CPTED).

Department of Community Development staff does not review plans for compliance with CPTED standards during the rezoning process or during Development Order review and has no guidelines to follow to accomplish that review. Policy 4.3.3 l. of the Lee Plan addresses CPTED and Land Development Code amendments will be required to implement that policy. Staff does not recommend transmittal of Policy 26.10.

**Policy 26.11:** The minimum commercial building setbacks will be as follows:

- a. Street: 40 feet
- b. Side: 30 feet
- c. Rear: 50 feet

The setback requirements in Policy 26.11 are not unusual for commercial development and staff has no objection to this policy.

**Policy 26.12:** No Automobile oriented uses will be permitted. The Olga Community discourages automobile oriented uses. This includes drive-thrus, automotive sales and repair, drive-ins and other similar businesses.

Policy 26.12, as revised, indicates the Olga resident's desire to maintain the character of their community by discouraging automobile oriented uses in their community. Staff does not object to this policy.

**Policy 26.13:** As feasible, developers will work with Lee Tran to provide bus stops to encourage public transit access to their site.

*It is beyond the scope of the Lee Plan to require developers to work with Lee Tran to determine the location of bus stops. Lee Tran has professional staff that make the determination of where bus stops should be located along their routes.*

**Policy 26.14:** Floor Area Ratios (FAR) maximums will be 0.1025. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by 10 equals the size of the building.

*A floor Area Ratio of 0.1 would generally make commercial development not viable. A workable ratio is 0.25, whereby 1/4 of the size of the site may be used for floor area.*

**Policy 26.15: Open Space Requirements:**

- a. Parcels Projects less than five (5) acres (Small Projects) will provide 30% open space.
- b. Parcels Projects between five (5) and ten (10) acres will provide 40% open space.
- c. Parcels Projects more than ten (10) acres will provide 50% open space.

*The open space requirements in Policy 26.15 are substantial, but staff has no objection. Staff recommends revising Policy 26.15 to not include the word parcel to describe the open space requirements. Staff recommends revising the language as shown above to avoid conflicts with large, individual single-family land owners. The Land Development Code will need to be revised to avoid conflicts and specifically implement this policy through the development order process. Staff recommends transmittal of Policy 26.15 as revised.*

**Policy 26.16:** Building and project designs must ensure that internal street systems are designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development.

*Staff has no objection to Policy 26.16.*

**Policy 26.17:** Commercial access will not be permitted from a residential local street unless no other access can be obtained.

*Policy 39.1.4 states: Main access points from new development will not be established where traffic is required to travel through areas with significantly lower densities or intensities (e.g. multifamily access through single-family areas, or commercial access through residential areas) except where adequate mitigation can be provided.*

*Lee County does not recognize residential or commercial streets. DOT staff recommends changing "residential" to "local". Staff has no objection to Policy 26.17 as revised.*

**Policy 26.18:** Heritage trees, as defined in Sec. 10-415 of the Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

*Heritage trees are defined in Sec. 10-415 Open Space, and this policy can be enforced. Very large trees may not be able to be relocated. Staff recommends transmittal of Policy 26.18 as revised.*

**Policy 26.19:** The development of the parcel located at the northeast quadrant of South Olga Drive and SR 80 (aka Strap # 27-43-26-00-00003.000) will incorporate a collector road that will align north to the northern boundary of the property line, turn west following the northern boundary of the property line and connect to South Olga Drive. The cost of such improvements will be borne by the developer. In addition to the roadway, there will be a 100 foot wide landscape buffer on the northern boundary of the property separating the commercial use from the community. No connections from any parcel north of this location will connect to the proposed roadway.

*Staff discourages identifying specific parcels in the Lee Plan. The Department of Transportation staff has indicated they do not object to the road being built through the above mentioned property, but does not support its construction and will not pay for the road, or provide impact fee credits for its construction. The subject property will require rezoning before any commercial development can occur on the site, and issues of road construction and buffering are more appropriately addressed during the rezoning process.*

**Policy 26.20:** The community will support a collector road connection from South Olga Drive west to the intersection of Old Olga Road and Caribbean Drive. The If construction of such the roadway connection will be at the developer's expense as properties along the proposed roadway are built.

*Staff's recommended changes to Policy 26.20 reflect the fact that the County is not requiring construction of the collector road on the site. The County does not object to the construction of the road at the expense of the developer and a road may benefit commercial development on that site, but does not believe that road will provide any significant benefit to the County.*

**Policy 26.21:** Projects must be designed to Wherever possible, maintain the integrity of the natural environment when developing property, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must can be integrated into the site design.

*Staff supports Policy 26.21 as revised by Environmental Sciences staff.*

**Policy 26.22:** When undertaking streetscape improvements, new private construction and building rehabilitation, place utility lines underground where it is economically feasible and where practical to improve visual qualities.

*Policy 26.22 encourages, but does not require placing utility lines underground. Staff does not object.*

#### **PROPOSED CHANGE TO THE FUTURE LAND USE MAP:**

In addition to adding a new Goal, Objectives, and Policies to the Lee Plan specific to the Olga Community, CPA 2006-00003 will change the Future Land Use Map for parcels located east of South Olga Road fronting SR 80 containing approximately 48 acres from Suburban and Rural to the Commercial Future Land Use Map category and Conservation Lands. The site is not designated as a Floodway Area on the new Flood Insurance

Rate Map effective August 28, 2008. The Conservation Lands are depicted on the attached map, the remainder of the site will be Commercial.

One segment in the three mile radius around the project is projected to operate at level of service "F" in the year 2030 both with and without this project, on SR 80 from SR 31 to Tropic Avenue. Another segment that is projected to operate at level of service "C" without the project but falls to level of service "F" with the addition of the project, on SR 80 from Buckingham Road to the eastern end of Old Olga Road.

There is no improvement identified in the 2030 Plan to address the projected failure of the segment of SR 80 from Buckingham Road to the eastern end of Old Olga Road created by the addition of this amendment. Absent an identified means of paying for such improvements and their subsequent inclusion in the Financially Feasible Plan, DOT staff cannot recommend approval of a land use change that intensifies development on a road segment that is projected to fail. See the attached Department of Transportation Memo.

## **PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: September 22, 2008

### **A. LOCAL PLANNING AGENCY REVIEW**

Following a presentation by staff covering a review of the staff report and an explanation of staff's recommendations, the LPA opened the meeting to public comment. Several members of the public spoke in favor of the amendment, including the Future Land Use Map change and some spoke about specific policies but did not indicate that they were for or against transmittal of the amendment. General questions and answers ensued between the LPA and staff. Staff recommended that the LPA change an error in Policy 26.14 and look closely at Policy 26.17 pertaining to commercial access.

### **B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY**

#### **1. RECOMMENDATION:**

A motion was made to transmit CPA 2006-00003 as recommended by staff with the following changes:

1. Policy 26.7: Parking lots will be internal to the building structures site with buildings lining or shielding the parking lot from the street and neighborhood.
2. Policy 26.14: Floor Area Ratios (FAR) maximums will be 0.1025. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by 10 4 equals the size floor area of the building.
3. Policy 26.17: Commercial access will not be permitted from a residential local street unless no other access can be obtained.
4. The motion also included transmitting this amendment including the Future Land Use Map change from Suburban and Rural to Commercial and Conservation Lands as depicted on the map attached to their packet.

Because the Future Land Use Map amendment was included in the motion, one LPA member stated he would support the motion, but with reservation because he felt that sooner or later the County would have to address funding. Although a community may want something, it does not mean the County can fund it. However, since this amendment had the support of the community and they have worked on it for a long time; he agreed to support the motion with reservation.

Speaking about the Future Land Use Map change, Mr. Andress explained his reason for supporting the motion is because there is a lengthy process that an applicant must go through before he actually gets a development order and there are checks and balances that are built into the system that allows for all of this to take place. The LPA is only charged with looking at whether this is an appropriate place for commercial. In his opinion, it is an appropriate place and the community recognizes that as well.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as advanced by staff.

**C. VOTE:**

<b>NOEL ANDRESS</b>	<u>AYE</u>
<b>LES COCHRAN</b>	<u>AYE</u>
<b>RONALD INGE</b>	<u>AYE</u>
<b>JACQUE RIPPE</b>	<u>AYE</u>
<b>CARLETON RYFFEL</b>	<u>AYE</u>
<b>RAE ANN WESSEL</b>	<u>AYE</u>
<b>LELAND TAYLOR</b>	<u>ABSENT</u>

**PART IV - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: October 22, 2008

**A. BOARD REVIEW:**

Planning staff gave a brief presentation and explained that staff agreed with the LPA recommendation with the exception of the Future Land Use Map (FLUM) amendment. Staff told the Board that the amendment had the potential of causing the SR 80 link between the intersection of Buckingham Road and the eastern intersection of Old Olga to go from a Level of Service "C" to a Level of Service "F". For that reason staff did not support transmittal of the FLUM amendment. Staff told the Board that there was community support for the FLUM amendment.

The applicant's representative, one of the affected property owners, and residents in the community spoke in favor of the amendment as recommended by the LPA, including the FLUM amendment. One resident spoke in favor of the text amendment, but did not have an opinion on the FLUM amendment.

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

**Motion to transmit CPA 2006-00003 text amendment as recommended by the Local Planning Agency, and the FLUM amendment as recommended by staff, including the conservation lands.**

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

The Board accepted the findings of fact as advanced by staff and the LPA.

**C. VOTE:**

<b>A. BRIAN BIGELOW</b>	<u>AYE</u>
<b>TAMMARA HALL</b>	<u>AYE</u>
<b>ROBERT P. JANES</b>	<u>AYE</u>
<b>RAY JUDAH</b>	<u>AYE</u>
<b>FRANKLIN B. MANN</b>	<u>AYE</u>

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,  
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: January 16, 2009

**A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS**

The DCA ORC report contained the following Objection and Comments:

*A proposed amendment to the Future Land Use Element to establish a new goal, objective, and policies for the Olga Community Plan within the Caloosahatchee Shores area of the Fort Myers Shores Planning Community. In addition, a Future Land Use Map (FLUM) amendment to change 48.7 acres from Suburban and Rural to Commercial and Conservation Lands located along State Road 80 in the Olga Community area. The Department raises the following objection and comment to the proposed Amendment 2006-03:*

Objection (Transportation Facilities): *The proposed FLUM Amendment 2006-03 is not supported by a road segment transportation analysis (including assumptions, data sources, and description of methodologies used) for the five-year and long-term planning time frames addressing the following: (1) the number of peak hour vehicle trips generated by the maximum development potential allowed by the FLUM amendment; (2) the impact of the peak hour vehicle trips on the projected operating level of service of potentially impacted roadways; (3) the need for road improvements (scope, timing and cost of improvements) or other planning alternatives to maintain the adopted level of service standards for roadways; (4) coordination of the road improvement or other planning alternatives with the Future Land Use Element, Transportation Element (including Future Transportation Map), and Capital Improvements Element, and implementation through the Five-Year Schedule of Capital Improvements; and (5) coordination of the road improvements with the plans of the Florida Department of Transportation and the Metropolitan Planning Organization.*

*Rules 9J-5.005(2) and (5), 9J-5.019(3)(f, g, h and I); 9J-5.019(5)(a and b); 9J-5.016(1)(a); 9J-5.016(2)(b, c and f); 9J-5.016(4), F.A.C.; and Sections 163.3175; 163.3177(2), (3), (8), and (10); 163.3177(6)(a and j); 163.3177(6)(h)1 and 2, F.S.*

Recommendation: *Revise the amendment to include the data and analysis necessary to support the FLUM amendment and demonstrate coordination of land use with the planning for transportation facilities as well as coordination with the Transportation Element and Capital Improvements Element. Revise the Transportation Element, Capital Improvements Element, and Future Land Use Element, as necessary, to be consistent with and supported by the data and analysis and to achieve internal consistency with the FLUM. The Five-Year Schedule of Capital Improvements should be revised to include any needed improvements to maintain the adopted level of service within the five-year planning time frame. Include data and analysis demonstrating coordination of the amendment with the plans of the Florida Department of Transportation and the Metropolitan Planning Organization. Revise the amendment, as necessary, to be consistent with and supported by the data and analysis. The plan should be revised to include strategies to address any deficiencies projected for the long-range planning timeframe.*

Comments: The proposed Policy 26.14 contains a typographical error which states the intensity standard is FAR 0.25 rather than 0.25. In addition, the proposed Policy 26.14 should be clarified to state the land uses to which the intensity standard applies. For example, it is not clear whether the intensity standard is intended to apply to residential uses. The policies should be revised to address these comments.

The proposed Policy 26.12 states that "The Olga Community discourages automobile oriented uses." The proposed Policy 26.12 does not establish meaningful and predictable guidelines addressing whether automobile oriented uses are prohibited or allowed. The proposed Policy 26.12 should be revised to establish the guidelines.

## B. STAFF RESPONSE

A response to the transportation objection from jmb transportation engineering, inc. is attached to this report.

Policy 26.14 is intended to apply to the Commercial Future Land Use category that is being created by this amendment and has been revised as follows with the changes to the transmitted language shown in double underline format.

**POLICY 26.14:** Floor Area Ratios (FAR) maximums in the Commercial Future Land Use Category located north of SR 80 and east of South Olga Road will be 0.25. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by 4 equals the floor area of the building.

The typographical error has been corrected and staff recommends revising Policy 26.12 as follows:

**Policy 26.12:** The Olga Community discourages automobile oriented uses. This includes drive-thrus, automotive sales and repair, drive-ins and other similar businesses. Land development regulations will be adopted to reflect the Olga planning community preference to curtail commercial uses accommodating or promoting vehicle traffic, such as drive-ins, drive-thrus as an accessory use, auto repair/service businesses and similar uses.

## C. STAFF RECOMMENDATION

The site of the FLUM amendment from Rural to Commercial has an FDOT outfall ditch and easement running through the R&D cattle site and the owner has requested that the outfall ditch and easement be relocated to the eastern edge of the property. FDOT has agreed to the relocation if the easement is maintained (see attached memo from FDOT). Planning staff, Environmental Sciences, and Natural Resources have agreed to the relocation if it is demonstrated that the new ditch alignment will maintain the hydrological connection and capacity existing at its present location. Staff recommends the Board adopt the following policy regarding the ditch relocation.

**POLICY 26.23:** The FDOT outfall ditch easement and drainage ditch located on the R&D Cattle site as described in Lee County Deed Book 175, Page 445 may be relocated within the Commercial Future Land Use area immediately north of River Hall if it is demonstrated that the new ditch alignment will maintain the hydrological connection and capacity existing at its present location. The appropriateness of the ditch realignment must be demonstrated based upon sound engineering

principals prior to rezoning or development approval, whichever occurs first. The easement establishing the new alignment must be reviewed and approved by Lee County and all other applicable regulatory agencies prior to recording.

Staff believes DCA's objection and comments have been adequately addressed and recommend the Board adopt CPA2006-03 Olga text and map amendment with the new Policy 26.23 and the changes to Policy 26.14 and Policy 26.12 as shown above.

**PART VI - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: February 25<sup>th</sup>, 2009

**A. BOARD REVIEW:**

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

**C. VOTE:**

<b>A. BRIAN BIGELOW</b>	_____
<b>TAMMARA HALL</b>	_____
<b>ROBERT P. JANES</b>	_____
<b>RAY JUDAH</b>	_____
<b>FRANKLIN B. MANN</b>	_____

**jmb transportation engineering, inc.**  
*traffic/transportation engineering & planning*

February 3, 2009

Mr. James Mudd, AICP  
Principal Planner, Planning Division  
Lee County Department of Community Development  
1500 Monroe Avenue  
Fort Myers, Florida 33901-5500

**Re: Comp Plan Amendment for Lee County (DCA 09-1)  
Amendment 2006-03 – Olga Community Plan**

Dear Mr. Mudd:

Regarding the Department of Community Affairs' review comments, dated January 16, 2009, I offer the following response concerning Amendment 2006-03.

**A. Amendment 2006-03**

1. Objection (Transportation Facilities): The proposed FLUM Amendment 2006-03 is not supported by a road segment transportation analysis including assumptions, data sources, and description of methodologies used for the five-year and long-term planning timeframes addressing the following: (1) the number of peak hour vehicle trips generated by the maximum development potential allowed by the FLUM amendment; (2) the impact of the peak hour vehicle trips on the projected operating level of service of potentially impacted roadways; (3) the need for road improvements or other planning alternatives to maintain the adopted level of service standards for roadways; (4) coordination of the road improvements or other planning alternatives with the Future Land Use Element, Transportation Element (including Future Transportation Map), and Capital Improvements Element, and implementation through the Five-Year Schedule of Capital Improvements; and (5) coordination of the road improvements with the plans of the Florida Department of Transportation and the Metropolitan Planning Organization.

**Response:**

*The assumptions, data sources and description of methodologies used for the five-year timeframe were included in the amendment application. The five-year horizon information was contained within the transportation response reports. The long-term planning timeframe (i.e., 2030 horizon) was addressed by Lee County Department of Transportation (LDOT). LDOT provided a description of their assumptions and methodology within the staff report, dated September 10, 2008. The information contained within the transportation response reports and LDOT's staff report did address the following:*

(1) Peak hour trip generation calculations were performed for the proposed commercial land use based upon the maximum and most-intense development scenario (i.e., 391,515 s.f. of mixed commercial). The trip generation computations are provided in the transportation response reports that were submitted as part of the amendment application. The five-year horizon trip generations were determined based upon the ITE Trip Generation Manual. The long-term horizon trip generations were determined by Lee County Department of Transportation using the FSUTMS Travel Model.

(2) The impact due to the land use change on the five-year projected roadway level of service was based upon project build-out conditions. It was determined that all roadway links within a 3-mile radius of the site would operate at acceptable levels of service for the five-year horizon. The level of service results are provided in the transportation response reports. The impact due to the land use change on the long-term projected roadway level of service was determined by LDOT using the FSUTMS Travel Model. LDOT determined that all roadway links within a 3-mile radius of the site would operate at acceptable levels of service for the 2030 horizon, except for State Road 80.

As determined by LDOT

**S.R. 80 (w. of Buckingham Road)** will fail for 2030 traffic conditions regardless of the project.

LOS "D" capacity = 1,950 vehicles per hour, peak direction  
2030 w/o project = 2,286 vph (exceeds max by 336 vph)  
2030 w/ project = 2,348 vph (exceeds max by 398 vph)

**S.R. 80 (Buckingham to Old Olga Road)** will fail for 2030 traffic conditions due to project development.<sup>3</sup>

LOS "D" capacity = 1,950 vehicles per hour, peak direction  
2030 w/o project = 1,777 vph (remaining capacity is 173 vph)  
2030 w/ project = 2,000 vph (exceeds max by 50 vph)

(3) It was concluded that in order to maintain acceptable levels of service for the five-year horizon, no roadways improvements would be required. As concluded by LDOT, in order to maintain acceptable levels of service for the 2030 horizon, State Road 80 will need to be widened from its current four-lane configuration to a six-lane configuration.

(4) There are no identified roadway improvements that are warranted through the five-year horizon. Therefore, no coordination with the Five-Year Schedule of Capital Improvements is needed.

(5) There are no identified roadway improvements that are warranted through the five-year horizon. Therefore, no coordination with the Florida Department of Transportation or the Metropolitan Planning Organization is needed.

Regarding DCA's comment to include strategies to address any deficiencies projected for the long-range planning timeframe, please consider the following response.

Response:

*The only identified 2030 transportation deficiency was State Road 80. LDOT determined that the road (west of Old Olga Road) will need to be widened to six-lanes in order to maintain the adopted level of service. To date, no funding program for the six-laning of State Road 80 has been established.*

*It should be noted that the 2030 transportation deficiency was determined based upon the projections provided by the FSUTMS<sup>1</sup> travel model assuming the development of 391,515 s.f. of commercial use<sup>2</sup>.*

*The assumptions used in the model for the "with" and "without" change analysis are flawed on three points. One is that the 391,515 s.f. "with" number is grossly unrealistic. The site planning for this property shows that it would be virtually impossible to fit more than 180,000 s.f. into any kind of feasible commercial development. The 345,250 s.f. number, which was dictated by Staff instructions to R&D's planner, results in traffic generation numbers which are almost double what actually could result in a worst case real world scenario. If the commercial intensity is reduced approximately 87,000 s.f. then the only link that fails would be S.R. 80 (west of Buckingham Road).*

*The second flaw in the analysis is the assumption that traffic generation "without" the change would be virtually zero because the land is zoned for agricultural use. However, that is incorrect because the current land use designations of Suburban and Rural do permit rezoning to commercial uses. In short, even without a change in the land use categories the real world "without" number will not be zero. The model assumes unrealistic numbers on both the bottom and on the top end of the difference between the two scenarios and this leads one to the third flaw, which is that there is no difference.*

*The change in land use designations will allow no more development intensity in the "after" potential size than in the current "before" potential size. The difference is not in the number of square feet of commercial uses; rather, it is in the type of commercial uses, i.e., general versus rural commercial uses on the eastern part of the property. The difference in trip generation rates between the two is negligible.*

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<sup>1</sup>FSUTMS is the Florida Standard Urban Transportation Model Structure. It is the standard traffic demand model used throughout the State of Florida.

<sup>2</sup>Of this number, 46,265 s.f. are allocated for the Byrus property which is east of and adjacent to the R&D property. The allocation for the R&D property is 345,250 s.f.

**jmb**

*The following development conditions are offered as a strategy to address the "potential" 2030 transportation deficiency that was identified by LDOT.*

- a.) Prior to any development that occurs on the subject property, the applicant will be required to obtain zoning approval. During the zoning phase, the project will be required to submit a traffic impact statement that will address all on-site and off-site transportation deficiencies. Construction funding will need to be identified or a solution to the transportation deficiencies will need to be identified.*
- b.) Once zoning approval has been acquired, then development permits will need to be acquired. At this phase, the development order and/or the concurrency certificate will not be issued unless construction funding is committed or a resolution to the transportation deficiency has been achieved.*
- c.) In conjunction with the applicable Lee County Government permits, the project will be required to obtain a driveway connection permit from the Florida Department of Transportation. FDOT will not issue a permit that result in the degradation of the S.R. 80's adopted level of service standard.*

*Therefore, it can be concluded that no development will occur on the subject property unless the identified transportation deficiencies are resolved. This condition will be enforced regardless of whether the land use amendment is approved.*

Should you have any questions concerning this matter, feel free to contact me.

Sincerely,  
JMB Transportation Engineering, Inc.

*Jim Banks*  
James M. Banks, P.E.  
President



## *Florida Department of Transportation*

CHARLIE CRIST  
GOVERNOR

STEPHANIE KOPELOUSOS  
SECRETARY

### **MEMORANDUM**

**Date:** August 4, 2008

**To:** Rae Ann Boylan, Boylan Environmental

**From:** Sonshine Dupree, District One Drainage  
for Carl Spirio, District Drainage Engineer

**Copies:** Ralph Bond, R&D Cattle Co.

**Subject:** SR 80, Palm Beach Blvd.  
12020 M.P 11.270 – M.P. 11.802

*Pls*

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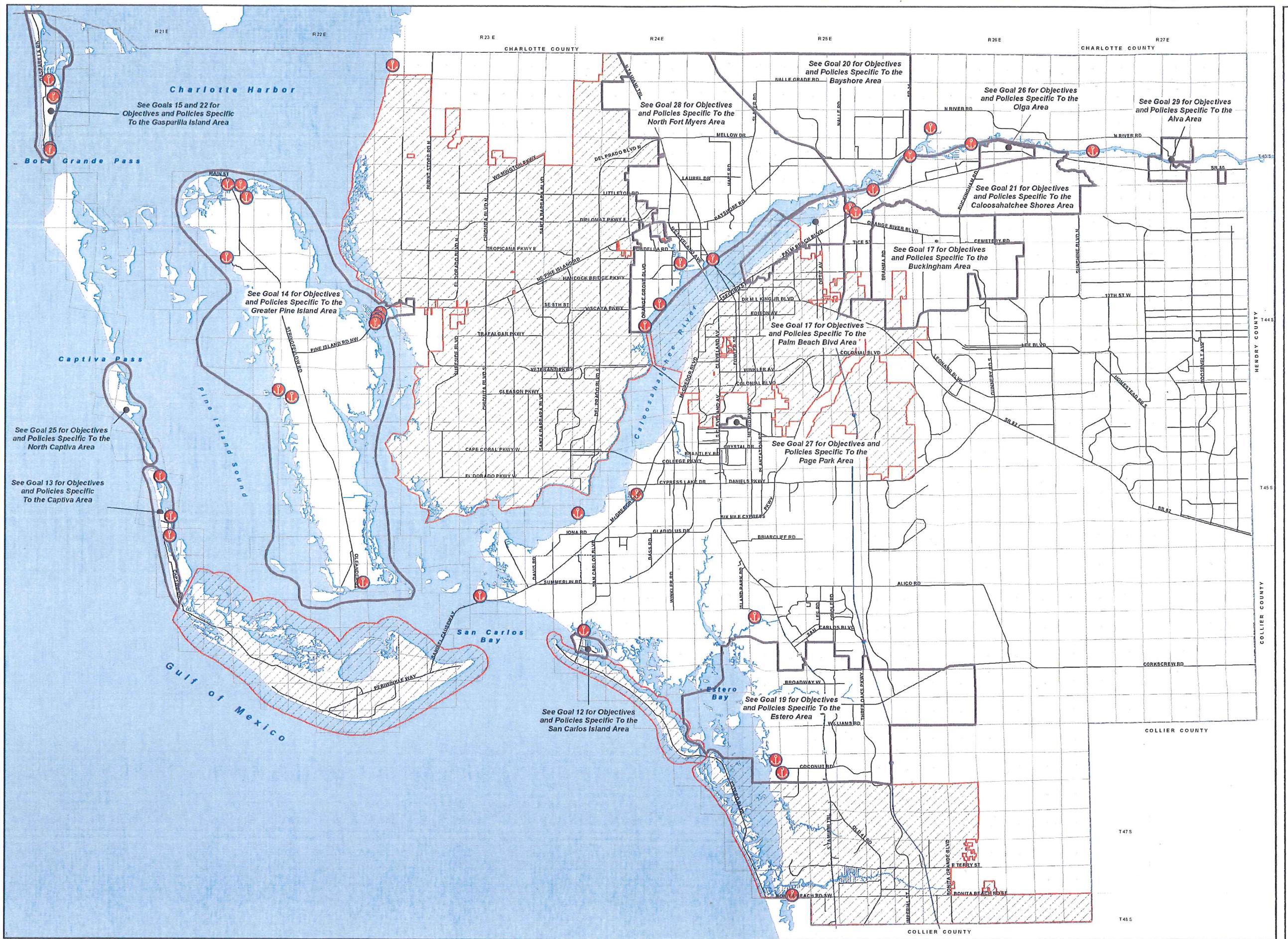
The FDOT Drainage dept is fine with relocating the drainage easement for the above subject, however, the easement is to be maintained and preserved by Ralph Bond at R & D Cattle Co.

If you should need any other assistance, please call.

# PROPOSED SPECIAL TREATMENT AREAS MAP

## Legend

- Water Dependent Overlay
- Community Planning Areas
- City Limits



 **LEE COUNTY**  
SOUTHWEST FLORIDA  
DIVISION OF PLANNING



1 0 5 0 1 2 3 4  
Miles

Map Generated: January, 2009  
City Limits current to date of map generation

Last Amended: August 13, 2007  
Amended by Ordinance No.  
02-02, 03-01, 03-02, 03-04, 03-21, 07-09

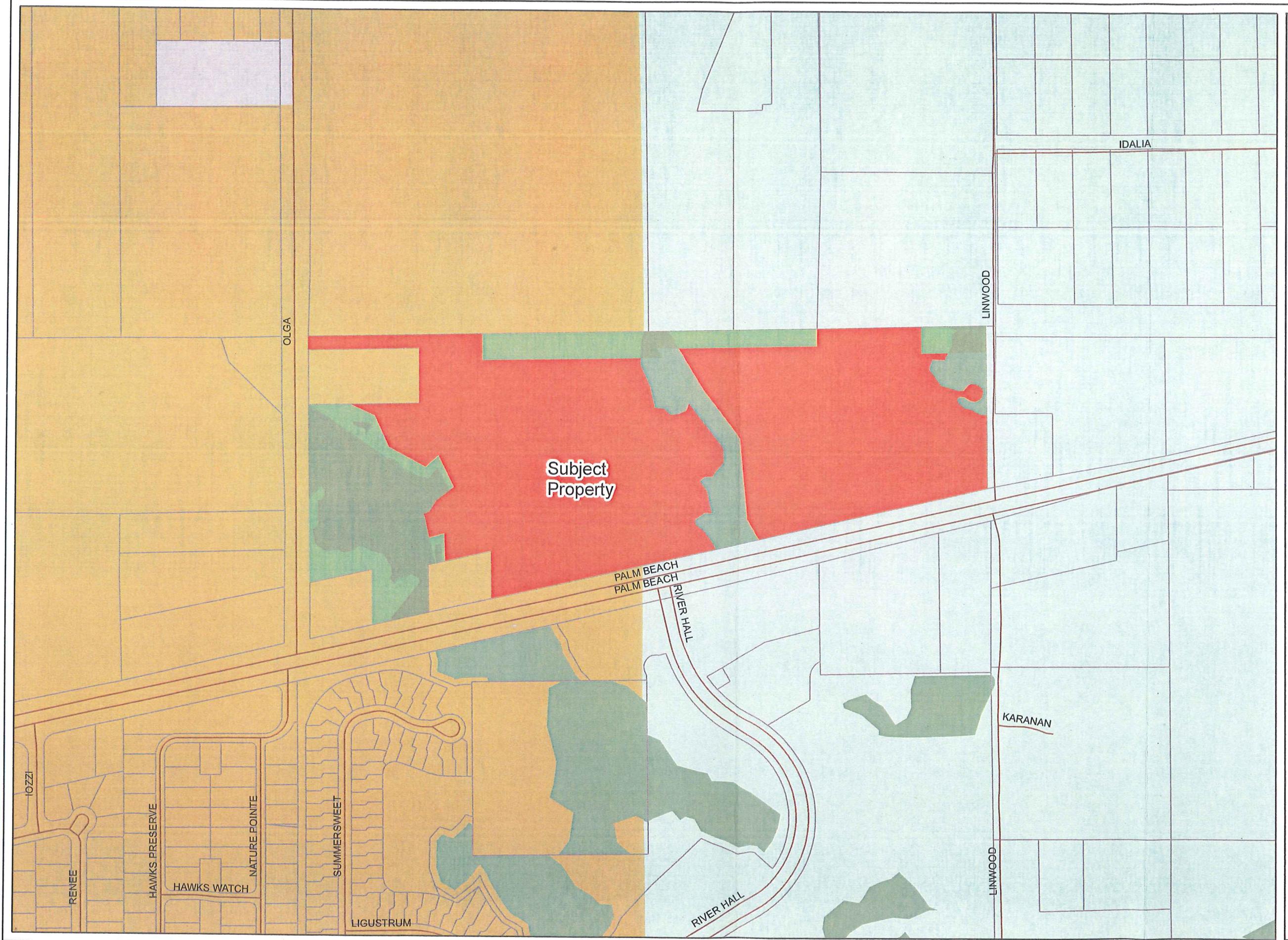
**Proposed  
Lee Plan Map 1  
Page 2 of 6**

# CPA2006-03 OLGA COMMUNITY PLAN

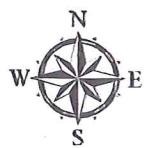
Board Transmitted  
Proposed  
Future Land Use Map

Proposed Commercial  
Proposed Conservation Lands  
Wetlands  
Proposed Conservation Lands  
Upland

Wetlands  
Rural  
Suburban  
Public Facilities



LEE COUNTY  
SOUTHWEST FLORIDA  
DIVISION OF PLANNING



Map Generated: February 2009

**CPA2006-00003  
OLGA  
BoCC SPONSORED  
AMENDMENT  
TO THE**

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**LEE COUNTY COMPREHENSIVE PLAN**

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**THE LEE PLAN**

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**BoCC Public Hearing Document  
for the  
October 22, 2008 Transmittal Hearing**

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*Lee County Planning Division  
1500 Monroe Street  
P.O. Box 398  
Fort Myers, FL 33902-0398  
(239) 533-8585*

**October 8, 2008**

LEE COUNTY  
DIVISION OF PLANNING  
STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
CPA2006-00003



Text Amendment



Map Amendment

<input checked="" type="checkbox"/>	<b>This Document Contains the Following Reviews:</b>
<input checked="" type="checkbox"/>	<b>Staff Review</b>
<input checked="" type="checkbox"/>	<b>Local Planning Agency Review and Recommendation</b>
	<b>Board of County Commissioners Hearing for Transmittal</b>
	<b>Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report</b>
	<b>Board of County Commissioners Hearing for Adoption</b>

STAFF REPORT PREPARATION DATE: September 10, 2008

**PART I - BACKGROUND AND STAFF RECOMMENDATION**

**A. SUMMARY OF APPLICATION**

**1. SPONSOR/APPLICANT:**

**A. SPONSOR:**

LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING

**B. APPLICANT**

THE EAST LEE COUNTY COUNCIL  
ON BEHALF OF THE OLGA COMMUNITY PLANNING PANEL

**2. REQUEST:**

Amend the Future Land Use Element of the Lee Plan to add a new Goal, Objective, and Policies specific to the Olga community located within the Caloosahatchee Shores planning area. Amend the Future Land Use Map series, Map 1, Page 1 of 6, for specified parcels located east of South Olga Road fronting SR 80 containing approximately 48.7 acres from Suburban and Rural to the Commercial and Conservation Lands Future Land Use Map categories. Amend the Future Land Use series, Map 1, Page 2 of 6, Special Treatment Areas, to indicate that a new Goal specific to the Olga Community has been adopted.

## **Goal 26: Olga Community.**

To capture and maintain Olga's heritage and rural character while allowing new development to "fit in" the following objectives and policies will be implemented to direct the new density and intensities for the Olga Community. For the purpose of this Goal, the Olga Community boundaries are generally defined by Caloosahatchee River on the north, Old Olga Road as it intersects SR 80 at its most eastern point on the east, SR 80 (aka Palm Beach Boulevard) on the south and Old Olga Road at the intersection of Buckingham Road/SR 80/Old Olga Road intersection to the west along with an imaginary line north to the Caloosahatchee River.

**Objective 26:** Olga's Future Land Use Map reflects the vision and desires of the Olga Community. Any land use regulations, comprehensive plan changes, County regulated amendments or project developments imposed by Lee County will consider the Olga's Land Use Map prior to making any decisions.

**Policy 26.1:** All new development on Old Olga Road from the western intersection of SR 80 and Old Olga Road east to the eastern intersection of Old Olga Road and SR 80 will be required to install eight-foot (8') wide bicycle and pedestrian facilities along the length of the property line. The community will work with the Lee County Bike and Pedestrian Committee to get a retrofit project prioritized.

**Policy 26.2:** Suburban land use designations within the community will be strongly encouraged to develop at one dwelling unit per acre. If one dwelling unit per acre is not possible new developments will match the surrounding density and intensity. Wherever possible, all new developments will maintain a one acre minimum lot size.

**Policy 26.3:** Parcels located on the north side of SR 80, bound on the west by South Olga Drive and on the east by the intersection of Old Olga Road/SR 80 will be allowed to develop as Outlying Suburban. Those parcels are identified will be required to develop under specific development standards and are identified as follows:

28-43-26-00-00001.0030	27-43-26-00-00006.0010
28-43-26-00-00001.0050	27-43-26-00-00006.0000
28-43-26-00-00003.0010	27-43-26-00-00006.0020
28-43-26-00-00008.0010	27-43-26-00-00001.0050
28-43-26-00-00008.0000	27-43-26-00-00001.0070
28-43-26-00-00007.0010	27-43-26-00-00013.0000
27-43-26-00-00002.0000	23-43-26-00-00012.0010
27-43-26-00-00003.0000	23-43-26-00-00011.001A
27-43-26-00-00001.0020	23-43-26-00-00011.0000
27-43-26-00-00006.0030	23-43-26-00-00011.001B
23-43-26-00-00011.0010	23-43-26-00-00005.0000

**Policy 26.4:** Commercial land uses will not be permitted into single-family neighborhoods unless the neighborhood is consulted and approves.

**Policy 26.5:** Any new commercial projects must be a Commercial Planned Development and may not have a residential component unless it matches the abutting residential density.

**Policy 26.6:** Development intensity will gradient from the center to the edge suitable to integrate surrounding land uses.

**Policy 26.7:** Parking lots will be internal to the building structures with buildings lining or shielding the parking lot from the street and neighborhood.

**Policy 26.8:** Parking space requirements will be reduced by one half in order to provide more open space and less impervious surfaces on the site.

**Policy 26.9:** Canopy trees must be planted in all parking areas in order to provide shade

**Policy 26.10:** Developments will utilize the principals of Crime Prevention through Environmental Design (CPTED).

**Policy 26.11:** The minimum commercial building setbacks will be as follows:

- a. Street: 40 feet
- b. Side: 30 feet
- c. Rear: 50 feet

**Policy 26.12:** No Automobile oriented uses will be permitted. This includes drive-thrus, automotive sales and repair, drive-ins and other similar businesses.

**Policy 26.13:** As feasible, developers will work with Lee Tran to provide bus stops to encourage public transit access to their site.

**Policy 26.14:** Floor Area Ratios (FAR) maximums will be 0.10. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by 10 equals the size of the building.

**Policy 26.15:** Open Space Requirements:

- a. Parcels less than five (5) acres (Small Projects) will provide 30% open space.
- b. Parcels between five (5) and ten (10) acres will provide 40% open space.
- c. Parcels more than ten (10) acres will provide 50% open space.

**Policy 26.16:** Building and project designs must ensure that internal street systems are designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development.

**Policy 26.17:** Project access will not be permitted from a residential street unless no other access can be obtained.

**Policy 26.18:** Heritage trees will be preserved or relocated on-site.

**Policy 26.19:** The development of the parcel located at the northeast quadrant of South Olga Drive and SR 80 (aka Strap # 27-43-26-00-00003.000) will incorporate a collector road that will align north to the northern boundary of the property line, turn west following the northern boundary of the property line and connect to South Olga Drive. The cost of such improvements will be borne by the developer. In addition to the roadway, there will be a 100 foot wide landscape buffer on the northern boundary of the property separating the commercial use from the community. No connections from any parcel north of this location will connect to the proposed roadway.

**Policy 26.20:** The community will support a collector road connection from South Olga Drive west to the intersection of Old Olga Road and Caribbean Drive. The construction of such the roadway connection will be at the developer's expense as properties along the proposed roadway are built.

**Policy 26.21:** Wherever possible, maintain the integrity of the natural environment when developing property especially when significant tree canopies or natural habitats can be integrated into the site design.

**Policy 26.22:** When undertaking streetscape improvements, new private construction and building rehabilitation, place utility lines underground where it is economically feasible and where practical to improve visual qualities.

## B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:

**1. RECOMMENDATION:** Planning staff recommends that the Board of County Commissioners transmit this proposed amendment as follows:

### **Goal 26: Olga Community.**

To capture and maintain Olga's heritage and rural character while allowing new development to "fit in" the following objectives and policies will be implemented to direct the new density and intensities for the Olga Community. For the purpose of this Goal, the Olga Community boundaries are generally defined by Caloosahatchee River on the north, Old Olga Road as it intersects SR 80 at its most eastern point on the east, SR 80 (aka Palm Beach Boulevard) on the south and Old Olga Road at the intersection of Buckingham Road/SR 80/Old Olga Road intersection to the west along with an imaginary line north to the Caloosahatchee River.

**Objective 26:** Olga's Future Land Use Map reflects the vision and desires of the Olga Community. Any land use regulations, comprehensive plan changes, County regulated amendments or project developments imposed by Lee County will consider the Olga's Land Use Map prior to making any decisions.

**Policy 26.1:** All new development requiring a development order on Old Olga Road from the western intersection of SR 80 and Old Olga Road east to the eastern intersection of Old Olga Road and SR 80 will be required to install eight-foot (8') wide bicycle and pedestrian facilities along one side of the length of the property line. The bicycle and pedestrian facility will be required on the east and south side of Old Olga Road from the western intersection of Old Olga Road and SR 80 to the intersection of Old Olga Road and South Olga Road and on the north side of Old Olga Road from the intersection of Old Olga Road and South Olga Road to the eastern intersection of Old Olga Road and SR 80. The community will work with the Lee County Bike and Pedestrian Committee to get a retrofit project prioritized.

**Policy 26.5:** Any new commercial projects must be a Commercial Planned Development and may not have a residential component unless it matches the abutting residential density.

**Policy 26.6:** Development density and intensity will gradient from the center to the edge suitable to integrate surrounding land uses.

**Policy 26.7:** Parking lots will be internal to the building structures with buildings lining or shielding the parking lot from the street and neighborhood.

**Policy 26.8:** If deemed appropriate by the Director of Zoning, parking space requirements may be reduced by up to one half in order to provide more open space and less impervious surfaces on the site.

**Policy 26.9:** Canopy trees must be planted in all parking areas in order to provide shade.

**Policy 26.11:** The minimum commercial building setbacks will be as follows:

- a. Street: 40 feet
- b. Side: 30 feet
- c. Rear: 50 feet

**Policy 26.12:** The Olga Community discourages automobile oriented uses. This includes drive-thrus, automotive sales and repair, drive-ins and other similar businesses.

**Policy 26.14:** Floor Area Ratios (FAR) maximums will be 0.25. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by 10 equals the size of the building.

**Policy 26.15:** Open Space Requirements:

- a. Projects less than five (5) acres (Small Projects) will provide 30% open space.
- b. Projects between five (5) and ten (10) acres will provide 40% open space.
- c. Projects more than ten (10) acres will provide 50% open space.

**Policy 26.16:** Building and project designs must ensure that internal street systems are designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development.

**Policy 26.17:** Commercial access will not be permitted from a local street unless no other access can be obtained.

**Policy 26.18:** Heritage trees, as defined in Sec. 10-415 of the Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

**Policy 26.20:** The community will support a collector road connection from South Olga Drive west to the intersection of Old Olga Road and Caribbean Drive. If constructed the roadway connection will be at the developer's expense as properties along the proposed roadway are built.

**Policy 26.21:** Projects must be designed to maintain the integrity of the natural environment when developing property, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must be integrated into the site design.

**Policy 26.22:** When undertaking streetscape improvements, new private construction and building rehabilitation, place utility lines underground where it is economically feasible and where practical to improve visual qualities.

Staff understands that there is community support for the proposed FLUM amendment, but there are technical difficulties with the proposal that will cause segments of roadways to reach level of service "F". Staff cannot recommend approval of a land use change that intensifies development on a road segment that is projected to fail. If the Board of County Commissioners decides to transmit the language there will still be concurrency issues at the time of rezoning, development order review, and building permit issuance.

## **2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

- The residents of Olga developed the Olga Community Plan over a period of several years.
- The Olga Community Planning Panel, through the East Lee County Council, hired a planning consultant, DRMP, to help them write their plan.
- The Olga Community Plan was submitted to Lee County in November, 2007.
- The Olga Community Plan is intended to add additional policies to Goal 21 of the Lee Plan specific to the area known as Olga.
- A follow-up meeting was held on August 2, prior to the meeting of the Local Planning Agency to further refine policy language and to address the proposal for a Future Land Use Map change from Rural and Suburban to Commercial for two parcels located east of South Olga Road.
- At the August 2, 2008 public meeting, the residents that were present voted in support of the Future Land Use map change from Suburban and Rural to Commercial. If that change is recommended

for transmittal staff recommends including Conservation Lands on wetland and upland habitat as depicted on the attached Exhibit A.

- One segment of the three-mile radius around the site of the Proposed Future Land Use map change is projected to operate at level of service “F” in the year 2030 both with and without the proposed land use change, on SR 80/Palm Beach Boulevard from SR 31 to Tropic Avenue.
- Another segment that is projected to operate at level of service “C” without the proposed Future Land Use map change falls to level of service “F” with the addition of the project, on SR 80/Palm Beach Boulevard from Buckingham Road to the eastern end of Old Olga Road.
- If adopted this amendment will add a new Goal, Objective and Policies to the Lee Plan and will amend the FLUM, Map 1, Page 1 of 6, from Rural and Suburban to Commercial and Conservation Lands on two parcels located east of South Olga Road and fronting SR 80, and will amend Map 1, Page 2 of 6 Special Treatment Areas.

## C. BACKGROUND INFORMATION

The Olga Community Plan was undertaken by the Olga Community Planning Panel working as a sub-group of the East Lee County Council. The planning area encompasses that portion of the Caloosahatchee Shores planning area generally located between the east and west intersections of Old Olga Road and SR 80 north to the Caloosahatchee River. The community plan was financed, in part, with \$25,000 of community planning funds from Lee County.

The Olga Community Plan was submitted to the County in November, 2007. In addition to Goal 21 of the Lee Plan for Caloosahatchee Shores, the Olga community plan will add an additional Goal, Objective, and Policies specific to the Olga Planning area generally described in the above paragraph.

The Olga Community Planning Panel, East Lee County Council, and residents of Olga continued work on refining the Olga policies after they were submitted to the County. This report reflects those refinements. One major change is the proposed designation of a new Commercial Future Land Use Category east of South Olga Road for two parcels of land comprising approximately 48 acres. A maximum Floor Area Ratio (FAR) of 0.25 would be allowed.

## A. STAFF DISCUSSION

This new Goal for Olga is intended to express the communities desire to protect and maintain the existing character of the Olga Community, and to assure that new development maintains that character. This new Goal, as revised by staff in strike-through/double-underline format reads as follows:

### **Goal 26: Olga Community.**

To capture and maintain Olga’s heritage and rural character while allowing new development to “fit in” the following objectives and policies will be implemented to direct the new density and intensities for the Olga Community. For the purpose of this Goal, the Olga Community boundaries are generally

defined by Caloosahatchee River on the north, Old Olga Road as it intersects SR 80 at its most eastern point on the east, SR 80 (aka Palm Beach Boulevard) on the south and Old Olga Road at the intersection of Buckingham Road/SR 80/Old Olga Road intersection to the west along with an imaginary line north to the Caloosahatchee River.

**Objective 26:** Olga's Future Land Use Map reflects the vision and desires of the Olga Community. Any land use regulations, comprehensive plan changes, County regulated amendments or project developments imposed by Lee County will consider the Olga's Land Use Map prior to making any decisions.

**Policy 26.1:** All new development requiring a development order on Old Olga Road from the western intersection of SR 80 and Old Olga Road east to the eastern intersection of Old Olga Road and SR 80 will be required to install eight-foot (8') wide bicycle and pedestrian facilities along one side of the length of the property line. The bicycle and pedestrian facility will be required on the east and south side of Old Olga Road from the western intersection of Old Olga Road and SR 80 to the intersection of Old Olga Road and South Olga Road and on the north side of Old Olga Road from the intersection of Old Olga Road and South Olga Road to the eastern intersection of Old Olga Road and SR 80. The community will work with the Lee County Bike and Pedestrian Committee to get a retrofit project prioritized.

*At a community meeting on August 2, 2008, the meeting participants voted in favor of changing Policy to require an 8 foot wide bicycle and pedestrian facility on one side of Old Olga Road at the location indicated above. Staff recommends adding new development "requiring a development order". That will remove the requirement of building the facility from owners constructing a single-family home, or that are adding an addition to an existing home. Staff recommends transmittal of Goal 26, Objective 26, and Policy 26.1 as revised above.*

**Policy 26.2:** Suburban land use designations within the community will be strongly encouraged to develop at one dwelling unit per acre. If one dwelling unit per acre is not possible new developments will match the surrounding density and intensity. Wherever possible, all new developments will maintain a one acre minimum lot size.

*Policy 26.2 essentially downgrades the existing development potential of property classified as urban, with a standard maximum density of 6 dwelling units per acre to a rural designation with a maximum density of 1 dwelling unit per acre. There is potential Bert J. Harris liability rising out of this policy.*

**Policy 26.3:** Parcels located on the north side of SR 80, bound on the west by South Olga Drive and on the east by the intersection of Old Olga Road/SR 80 will be allowed to develop as Outlying Suburban. Those parcels are identified will be required to develop under specific development standards and are identified as follows:

28-43-26-00-00001.0030	27-43-26-00-00006.0010
28-43-26-00-00001.0050	27-43-26-00-00006.0000
28-43-26-00-00003.0010	27-43-26-00-00006.0020
28-43-26-00-00008.0010	27-43-26-00-00001.0050

28-43-26-00-00008.0000	27-43-26-00-00001.0070
28-43-26-00-00007.0010	27-43-26-00-00013.0000
27-43-26-00-00002.0000	23-43-26-00-00012.0010
27-43-26-00-00003.0000	23-43-26-00-00011.001A
27-43-26-00-00001.0020	23-43-26-00-00011.0000
27-43-26-00-00006.0030	23-43-26-00-00011.001B
23-43-26-00-00011.0010	23-43-26-00-00005.0000

*Policy 26.3 identifies parcels located north of SR 80, from South Olga Road on the west to the eastern intersection of Old Olga Road and SR 80. With the exception of approximately 26 Acres of Suburban FLUM category located within one of the above parcels, the remaining area in that parcel and all other parcels listed above are in the Rural FLUM category. This policy would allow a maximum of three dwelling units per acre in a FLUM category that is limited in the Lee Plan to 1 dwelling unit per acre. The policy also requires those properties to develop under specific development standards, although no standards are in place and no standards are proposed. At a community meeting on August 2, 2008, the meeting participants voted in favor of deleting Policy 26.3.*

*Furthermore, the Outlying Suburban FLUM category allows for neighborhood commercial development. The parcels located east of Linwood Avenue may not be deep enough to allow for anything other than a typical "strip commercial" development similar to what is located along U.S. 41 and along Lee Boulevard. Staff does not recommend transmittal of Policy 26.2.3.*

**Policy 26.4: Commercial land uses will not be permitted into single-family neighborhoods unless the neighborhood is consulted and approves.**

*Although the neighborhood does not have authority to approve or deny zoning changes, Policy 26.5 below requires new commercial projects to be part of a Commercial Planned Development. Policy 21.6.3 requires the owner or agent for any Planned Development request within the Caloosahatchee Shores community to hold one public informational meeting. That requirement covers the Olga planning area.*

**Policy 26.5: Any new commercial projects must be a Commercial Planned Development and may not have a residential component unless it matches the abutting residential density.**

*Staff has no objection to Policy 26.5.*

**Policy 26.6: Development density and intensity will gradient from the center to the edge suitable to integrate surrounding land uses.**

*The intent of this policy is to prevent abrupt differences in densities and intensities of adjacent land uses. This is something that zoning staff evaluates when addressing compatibility. Staff does not object to Policy 26.6.*

**Policy 26.7: Parking lots will be internal to the building structures with buildings lining or shielding the parking lot from the street and neighborhood.**

*Similar requirements are in place for projects located in Estero.*

**Policy 26.8: If deemed appropriate by the Director of Zoning, parking space requirements will be reduced by up to one half in order to provide more open space and less impervious surfaces on the site.**

*Policy 26.8 would allow a reduction in parking by up to one-half of the required parking spaces by administrative action if deemed appropriate by the Director of Zoning. Requests would be evaluated on a case-by-case basis.*

**Policy 26.9: Canopy trees must be planted in all parking areas in order to provide shade.**

*Policy 26.9 will be an additional requirement to what is required by the Land Development Code. Land Development Code amendments will be required to implement this policy. Staff has no objections.*

**Policy 26.10: Developments will utilize the principles of Crime Prevention through Environmental Design (CPTED).**

*Department of Community Development staff does not review plans for compliance with CPTED standards during the rezoning process or during Development Order review and has no guidelines to follow to accomplish that review. Policy 4.3.3 l. of the Lee Plan addresses CPTED and Land Development Code amendments will be required to implement that policy. Staff does not recommend transmittal of Policy 26.10.*

**Policy 26.11: The minimum commercial building setbacks will be as follows:**

- a. Street: 40 feet
- b. Side: 30 feet
- c. Rear: 50 feet

*The setback requirements in Policy 26.11 are not unusual for commercial development and staff has no objection to this policy.*

**Policy 26.12: No Automobile oriented uses will be permitted. The Olga Community discourages automobile oriented uses. This includes drive-thrus, automotive sales and repair, drive-ins and other similar businesses.**

*Policy 26.12, as revised, indicates the Olga resident's desire to maintain the character of their community by discouraging automobile oriented uses in their community. Staff does not object to this policy.*

**Policy 26.13: As feasible, developers will work with Lee Tran to provide bus stops to encourage public transit access to their site.**

*It is beyond the scope of the Lee Plan to require developers to work with Lee Tran to determine the location of bus stops. Lee Tran has professional staff that make the determination of where bus stops should be located along their routes.*

**Policy 26.14:** Floor Area Ratios (FAR) maximums will be 0.1025. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by 10 equals the size of the building.

*A floor Area Ratio of 0.1 would generally make commercial development not viable. A workable ratio is 0.25, whereby 1/4 of the size of the site may be used for floor area.*

**Policy 26.15:** Open Space Requirements:

- a. Parcels Projects less than five (5) acres (Small Projects) will provide 30% open space.
- b. Parcels Projects between five (5) and ten (10) acres will provide 40% open space.
- c. Parcels Projects more than ten (10) acres will provide 50% open space.

*The open space requirements in Policy 26.15 are substantial, but staff has no objection. Staff recommends revising Policy 26.15 to not include the word parcel to describe the open space requirements. Staff recommends revising the language as shown above to avoid conflicts with large, individual single-family land owners. The Land Development Code will need to be revised to avoid conflicts and specifically implement this policy through the development order process. Staff recommends transmittal of Policy 26.15 as revised.*

**Policy 26.16:** Building and project designs must ensure that internal street systems are designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development.

*Staff has no objection to Policy 26.16.*

**Policy 26.17:** Commercial access will not be permitted from a residential local street unless no other access can be obtained.

*Policy 39.1.4 states: Main access points from new development will not be established where traffic is required to travel through areas with significantly lower densities or intensities (e.g. multifamily access through single-family areas, or commercial access through residential areas) except where adequate mitigation can be provided.*

*Lee County does not recognize residential or commercial streets. DOT staff recommends changing "residential" to "local". Staff has no objection to Policy 26.17 as revised.*

**Policy 26.18:** Heritage trees, as defined in Sec. 10-415 of the Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

*Heritage trees are defined in Sec. 10-415 Open Space, and this policy can be enforced. Very large trees may not be able to be relocated. Staff recommends transmittal of Policy 26.18 as revised.*

**Policy 26.19:** The development of the parcel located at the northeast quadrant of South Olga Drive and SR 80 (aka Strap # 27-43-26-00-00003.000) will incorporate a collector road that will align north to the northern boundary of the property line, turn west following the northern boundary of the property line and connect to South Olga Drive. The cost of such improvements will be borne by the developer. In addition to the roadway, there will be a 100 foot wide landscape buffer on the northern boundary of the property separating the commercial use from the community. No connections from any parcel north of this location will connect to the proposed roadway.

*Staff discourages identifying specific parcels in the Lee Plan. The Department of Transportation staff has indicated they do not object to the road being built through the above mentioned property, but does not support its construction and will not pay for the road, or provide impact fee credits for its construction. The subject property will require rezoning before any commercial development can occur on the site, and issues of road construction and buffering are more appropriately addressed during the rezoning process.*

**Policy 26.20:** The community will support a collector road connection from South Olga Drive west to the intersection of Old Olga Road and Caribbean Drive. The If constructed ion of such the roadway connection will be at the developer's expense as properties along the proposed roadway are built.

*Staff's recommended changes to Policy 26.20 reflect the fact that the County is not requiring construction of the collector road on the site. The County does not object to the construction of the road at the expense of the developer and a road may benefit commercial development on that site, but does not believe that road will provide any significant benefit to the County.*

**Policy 26.21:** Projects must be designed to Wherever possible, maintain the integrity of the natural environment when developing property, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must can be integrated into the site design.

*Staff supports Policy 26.21 as revised by Environmental Sciences staff.*

**Policy 26.22:** When undertaking streetscape improvements, new private construction and building rehabilitation, place utility lines underground where it is economically feasible and where practical to improve visual qualities.

*Policy 26.22 encourages, but does not require placing utility lines underground. Staff does not object.*

#### **PROPOSED CHANGE TO THE FUTURE LAND USE MAP:**

In addition to adding a new Goal, Objectives, and Policies to the Lee Plan specific to the Olga Community, CPA 2006-00003 will change the Future Land Use Map for parcels located east of South Olga Road fronting SR 80 containing approximately 48 acres from Suburban and Rural to the Commercial Future Land Use Map category and Conservation Lands. The site is not designated as a Floodway Area on the new Flood Insurance

Rate Map effective August 28, 2008. The Conservation Lands are depicted on the attached map, the remainder of the site will be Commercial.

One segment in the three mile radius around the project is projected to operate at level of service "F" in the year 2030 both with and without this project, on SR 80 from SR 31 to Tropic Avenue. Another segment that is projected to operate at level of service "C" without the project but falls to level of service "F" with the addition of the project, on SR 80 from Buckingham Road to the eastern end of Old Olga Road.

There is no improvement identified in the 2030 Plan to address the projected failure of the segment of SR 80 from Buckingham Road to the eastern end of Old Olga Road created by the addition of this amendment. Absent an identified means of paying for such improvements and their subsequent inclusion in the Financially Feasible Plan, DOT staff cannot recommend approval of a land use change that intensifies development on a road segment that is projected to fail. See the attached Department of Transportation Memo.

## PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: September 22, 2008

### A. LOCAL PLANNING AGENCY REVIEW

Following a presentation by staff covering a review of the staff report and an explanation of staff's recommendations, the LPA opened the meeting to public comment. Several members of the public spoke in favor of the amendment, including the Future Land Use Map change and some spoke about specific policies but did not indicate that they were for or against transmittal of the amendment. General questions and answers ensued between the LPA and staff. Staff recommended that the LPA change an error in Policy 26.14 and look closely at Policy 26.17 pertaining to commercial access.

### B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

#### 1. RECOMMENDATION:

A motion was made to transmit CPA 2006-00003 as recommended by staff with the following changes:

1. Policy 26.7: Parking lots will be internal to the building structures site with buildings lining or shielding the parking lot from the street and neighborhood.
2. Policy 26.14: Floor Area Ratios (FAR) maximums will be 0.4025. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by 10,400 equals the size floor area of the building.
3. Policy 26.17: Commercial access will not be permitted from a residential local street unless no other access can be obtained.
4. The motion also included transmitting this amendment including the Future Land Use Map change from Suburban and Rural to Commercial and Conservation Lands as depicted on the map attached to their packet.

Because the Future Land Use Map amendment was included in the motion, one LPA member stated he would support the motion, but with reservation because he felt that sooner or later the County would have to address funding. Although a community may want something, it does not mean the County can fund it. However, since this amendment had the support of the community and they have worked on it for a long time; he agreed to support the motion with reservation.

Speaking about the Future Land Use Map change, Mr. Andress explained his reason for supporting the motion is because there is a lengthy process that an applicant must go through before he actually gets a development order and there are checks and balances that are built into the system that allows for all of this to take place. The LPA is only charged with looking at whether this is an appropriate place for commercial. In his opinion, it is an appropriate place and the community recognizes that as well.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as advanced by staff.

**C. VOTE:**

<b>NOEL ANDRESS</b>	<u>AYE</u>
<b>LES COCHRAN</b>	<u>AYE</u>
<b>RONALD INGE</b>	<u>AYE</u>
<b>JACQUE RIPPE</b>	<u>AYE</u>
<b>CARLETON RYFFEL</b>	<u>AYE</u>
<b>RAE ANN WESSEL</b>	<u>AYE</u>
<b>LELAND TAYLOR</b>	<u>ABSENT</u>

**PART IV - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: October 22, 2008

**A. BOARD REVIEW:**

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

**C. VOTE:**

<b>A. BRIAN BIGELOW</b>	_____
<b>TAMMARA HALL</b>	_____
<b>ROBERT P. JANES</b>	_____
<b>RAY JUDAH</b>	_____
<b>FRANKLIN B. MANN</b>	_____

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,  
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: \_\_\_\_\_

**A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS**

**B. STAFF RESPONSE**

**PART VI - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: \_\_\_\_\_

**A. BOARD REVIEW:**

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

**C. VOTE:** \_\_\_\_\_

**A. BRIAN BIGELOW** \_\_\_\_\_  
**TAMMARA HALL** \_\_\_\_\_  
**ROBERT P. JANES** \_\_\_\_\_  
**RAY JUDAH** \_\_\_\_\_  
**FRANKLIN B. MANN** \_\_\_\_\_

**CPA2006-03  
OLGA  
BoCC SPONSORED  
AMENDMENT  
TO THE**

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**LEE COUNTY COMPREHENSIVE PLAN**

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**THE LEE PLAN**

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**BoCC Adoption Document**

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*Lee County Planning Division  
1500 Monroe Street  
P.O. Box 398  
Fort Myers, FL 33902-0398  
(239) 533-8585*

**February 25, 2009**

**LEE COUNTY  
DIVISION OF PLANNING  
STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
CPA2006-00003**



Text Amendment



Map Amendment

<b>This Document Contains the Following Reviews:</b>	
✓	Staff Review
✓	Local Planning Agency Review and Recommendation
✓	Board of County Commissioners Hearing for Transmittal
✓	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
✓	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: September 10, 2008

**PART I - BACKGROUND AND STAFF RECOMMENDATION**

**A. SUMMARY OF APPLICATION**

**1. SPONSOR/APPLICANT:**

**A. SPONSOR:**

LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING

**B. APPLICANT**

THE EAST LEE COUNTY COUNCIL  
ON BEHALF OF THE OLGA COMMUNITY PLANNING PANEL

**2. REQUEST:**

Amend the Future Land Use Element of the Lee Plan to add a new Goal, Objective, and Policies specific to the Olga community located within the Caloosahatchee Shores planning area. Amend the Future Land Use Map series, Map 1, Page 1 of 6, for specified parcels located east of South Olga Road fronting SR 80 containing approximately 48.7 acres from Suburban and Rural to the Commercial and Conservation Lands Future Land Use Map categories. Amend the Future Land Use series, Map 1, Page 2 of 6, Special Treatment Areas, to indicate that a new Goal specific to the Olga Community has been adopted.

**THE BOARD OF COUNTY COMMISSIONERS VOTED TO TRANSMIT THE FOLLOWING LANGUAGE AND FUTURE LAND USE MAP CHANGE TO THE DEPARTMENT OF COMMUNITY AFFAIRS:**

**Goal 29: Olga Community.**

To capture and maintain Olga's heritage and rural character while allowing new development to "fit in" the following objectives and policies will be implemented to direct the new density and intensities for the Olga Community. For the purpose of this Goal, the Olga Community boundaries are generally defined by Caloosahatchee River on the north, Old Olga Road as it intersects SR 80 at its most eastern point on the east, SR 80 (aka Palm Beach Boulevard) on the south and Old Olga Road at the intersection of Buckingham Road/SR 80/Old Olga Road intersection to the west along with an imaginary line north to the Caloosahatchee River.

**Objective 29:** Olga's Future Land Use Map reflects the vision and desires of the Olga Community. Any land use regulations, comprehensive plan changes, County regulated amendments or project developments imposed by Lee County will consider the Olga's Land Use Map prior to making any decisions.

**Policy 29.1:** All new development requiring a development order on Old Olga Road from the western intersection of SR 80 and Old Olga Road east to the eastern intersection of Old Olga Road and SR 80 will be required to install eight-foot (8') wide bicycle and pedestrian facilities along one side of the length of the property line. The bicycle and pedestrian facility will be required on the east and south side of Old Olga Road from the western intersection of Old Olga Road and SR 80 to the intersection of Old Olga Road and South Olga Road and on the north side of Old Olga Road from the intersection of Old Olga Road and South Olga Road to the eastern intersection of Old Olga Road and SR 80. The community will work with the Lee County Bike and Pedestrian Committee to get a retrofit project prioritized.

**Policy 29.5:** Any new commercial projects must be a Commercial Planned Development and may not have a residential component unless it matches the abutting residential density.

**Policy 29.6:** Development density and intensity will gradient from the center to the edge suitable to integrate surrounding land uses.

**Policy 29.7:** Parking lots will be internal to the building site with buildings lining or shielding the parking lot from the street and neighborhood.

**Policy 29.8:** If deemed appropriate by the Director of Zoning, parking space requirements may be reduced by up to one half in order to provide more open space and less impervious surfaces on the site .

**Policy 29.9:** Canopy trees must be planted in all parking areas in order to provide shade.

**Policy 29.11:** The minimum commercial building setbacks will be as follows:

- a. Street: 40 feet
- b. Side: 30 feet
- c. Rear: 50 feet

**Policy 29.12:** The Olga Community discourages automobile oriented uses. This includes drive-thrus, automotive sales and repair, drive-ins and other similar businesses.

**Policy 29.14:** Floor Area Ratios (FAR) maximums will be 0.25. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by 4 equals the floor area of the building.

**Policy 29.15:** Open Space Requirements:

- a. Projects less than five (5) acres (Small Projects) will provide 30% open space.
- b. Projects between five (5) and ten (10) acres will provide 40% open space.
- c. Projects more than ten (10) acres will provide 50% open space.

**Policy 29.16:** Building and project designs must ensure that internal street systems are designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development.

**Policy 29.18:** Heritage trees, as defined in Sec. 10-415 of the Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

**Policy 29.20:** The community will support a collector road connection from South Olga Drive west to the intersection of Old Olga Road and Caribbean Drive. If constructed the roadway connection will be at the developer's expense as properties along the proposed roadway are built.

**Policy 29.21:** Projects must be designed to maintain the integrity of the natural environment when developing property, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must be integrated into the site design.

**Policy 29.22:** When undertaking streetscape improvements, new private construction and building rehabilitation, place utility lines underground where it is economically feasible and where practical to improve visual qualities.

The Board of County Commissioners voted to transmit a Future Land Use Map change from Suburban and Rural to Commercial and Conservation Lands to the Department of Community Affairs as recommended by staff (see attached map).

The following language was submitted by the community for consideration by staff, the LPA and the Board of County Commissioners:

**Goal 29: Olga Community.**

To capture and maintain Olga's heritage and rural character while allowing new development to "fit in" the following objectives and policies will be implemented to direct the new density and intensities for the Olga Community. For the purpose of this Goal, the Olga Community boundaries are generally defined by Caloosahatchee River on the north, Old Olga Road as it intersects SR 80 at its most eastern point on the east, SR 80 (aka Palm Beach Boulevard) on the south and Old Olga Road at the intersection of Buckingham Road/SR 80/Old Olga Road intersection to the west along with an imaginary line north to the Caloosahatchee River.

**Objective 29:** Olga's Future Land Use Map reflects the vision and desires of the Olga Community. Any land use regulations, comprehensive plan changes, County regulated amendments or project developments imposed by Lee County will consider the Olga's Land Use Map prior to making any decisions.

**Policy 29.1:** All new development on Old Olga Road from the western intersection of SR 80 and Old Olga Road east to the eastern intersection of Old Olga Road and SR 80 will be required to install eight-foot (8') wide bicycle and pedestrian facilities along the length of the property line. The community will work with the Lee County Bike and Pedestrian Committee to get a retrofit project prioritized.

**Policy 29.2:** Suburban land use designations within the community will be strongly encouraged to develop at one dwelling unit per acre. If one dwelling unit per acre is not possible new developments will match the surrounding density and intensity. Wherever possible, all new developments will maintain a one acre minimum lot size.

**Policy 29.3:** Parcels located on the north side of SR 80, bound on the west by South Olga Drive and on the east by the intersection of Old Olga Road/SR 80 will be allowed to develop as Outlying Suburban. Those parcels are identified will be required to develop under specific development standards and are identified as follows:

<u>28-43-26-00-00001.0030</u>	<u>27-43-26-00-00006.0010</u>
<u>28-43-26-00-00001.0050</u>	<u>27-43-26-00-00006.0000</u>
<u>28-43-26-00-00003.0010</u>	<u>27-43-26-00-00006.0020</u>
<u>28-43-26-00-00008.0010</u>	<u>27-43-26-00-00001.0050</u>
<u>28-43-26-00-00008.0000</u>	<u>27-43-26-00-00001.0070</u>
<u>28-43-26-00-00007.0010</u>	<u>27-43-26-00-00013.0000</u>
<u>27-43-26-00-00002.0000</u>	<u>23-43-26-00-00012.0010</u>
<u>27-43-26-00-00003.0000</u>	<u>23-43-26-00-00011.001A</u>
<u>27-43-26-00-00001.0020</u>	<u>23-43-26-00-00011.0000</u>
<u>27-43-26-00-00006.0030</u>	<u>23-43-26-00-00011.001B</u>
<u>23-43-26-00-00011.0010</u>	<u>23-43-26-00-00005.0000</u>

**Policy 29.4:** Commercial land uses will not be permitted into single-family neighborhoods unless the neighborhood is consulted and approves.

**Policy 29.5:** Any new commercial projects must be a Commercial Planned Development and may not have a residential component unless it matches the abutting residential density.

**Policy 29.6:** Development intensity will gradient from the center to the edge suitable to integrate surrounding land uses.

**Policy 29.7:** Parking lots will be internal to the building structures with buildings lining or shielding the parking lot from the street and neighborhood.

**Policy 29.8:** Parking space requirements will be reduced by one half in order to provide more open space and less impervious surfaces on the site.

**Policy 29.9:** Canopy trees must be planted in all parking areas in order to provide shade

**Policy 29.10:** Developments will utilize the principals of Crime Prevention through Environmental Design (CPTED).

**Policy 29.11:** The minimum commercial building setbacks will be as follows:

- a. Street: 40 feet
- b. Side: 30 feet
- c. Rear: 50 feet

**Policy 29.12:** No Automobile oriented uses will be permitted. This includes drive-thrus, automotive sales and repair, drive-ins and other similar businesses.

**Policy 29.13:** As feasible, developers will work with Lee Tran to provide bus stops to encourage public transit access to their site.

**Policy 29.14:** Floor Area Ratios (FAR) maximums will be 0.10. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by 10 equals the size of the building.

**Policy 29.15:** Open Space Requirements:

- a. Parcels less than five (5) acres (Small Projects) will provide 30% open space.
- b. Parcels between five (5) and ten (10) acres will provide 40% open space.
- c. Parcels more than ten (10) acres will provide 50% open space.

**Policy 29.16:** Building and project designs must ensure that internal street systems are designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development.

**Policy 29.17:** Project access will not be permitted from a residential street unless no other access can be obtained.

**Policy 29.18:** Heritage trees will be preserved or relocated on-site.

**Policy 29.19:** The development of the parcel located at the northeast quadrant of South Olga Drive and SR 80 (aka Strap # 27-43-26-00-00003.000) will incorporate a collector road that will align north to the northern boundary of the property line, turn west following the northern boundary of the property line and connect to South Olga Drive. The cost of such improvements will be borne by the developer. In addition to the roadway, there will be a 100 foot wide landscape buffer on the northern boundary of the property separating the commercial use from the community. No connections from any parcel north of this location will connect to the proposed roadway.

**Policy 29.20:** The community will support a collector road connection from South Olga Drive west to the intersection of Old Olga Road and Caribbean Drive. The construction of such the roadway connection will be at the developer's expense as properties along the proposed roadway are built.

**Policy 29.21:** Wherever possible, maintain the integrity of the natural environment when developing property especially when significant tree canopies or natural habitats can be integrated into the site design.

**Policy 29.22:** When undertaking streetscape improvements, new private construction and building rehabilitation, place utility lines underground where it is economically feasible and where practical to improve visual qualities.

The Board of County Commissioners voted to transmit a Future Land Use Map change from Suburban and Rural to Commercial and Conservation Lands for approximately 48.7 acres of land located north of SR 80 and east of South Olga Road (see attached map).

## **B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:**

**1. RECOMMENDATION:** Planning staff recommends that the Board of County Commissioners transmit this proposed amendment as follows:

### **Goal 29: Olga Community.**

To capture and maintain Olga's heritage and rural character while allowing new development to "fit in" the following objectives and policies will be implemented to direct the new density and intensities for the Olga Community. For the purpose of this Goal, the Olga Community boundaries are generally defined by Caloosahatchee River on the north, Old Olga Road as it intersects SR 80 at its most eastern point on the east, SR 80 (aka Palm Beach Boulevard) on the south and Old Olga Road at the intersection of Buckingham Road/SR 80/Old Olga Road intersection to the west along with an imaginary line north to the Caloosahatchee River.

**Objective 29:** Olga's Future Land Use Map reflects the vision and desires of the Olga Community. Any land use regulations, comprehensive plan changes, County regulated amendments or project developments imposed by Lee County will consider the Olga's Land Use Map prior to making any decisions.

**Policy 29.1:** All new development requiring a development order on Old Olga Road from the western intersection of SR 80 and Old Olga Road east to the eastern intersection of Old Olga Road and SR 80 will be required to install eight-foot (8') wide bicycle and pedestrian facilities along one side of the length of the property line. The bicycle and pedestrian facility will be required on the east and south side of Old Olga Road from the western intersection of Old Olga Road and SR 80 to the intersection of Old Olga Road and South Olga Road and on the north side of Old Olga Road from the intersection of Old Olga Road and South Olga Road to the eastern intersection of Old Olga Road and SR 80. The community will work with the Lee County Bike and Pedestrian Committee to get a retrofit project prioritized.

**Policy 29.5:** Any new commercial projects must be a Commercial Planned Development and may not have a residential component unless it matches the abutting residential density.

**Policy 29.6:** Development density and intensity will gradient from the center to the edge suitable to integrate surrounding land uses.

**Policy 29.7:** Parking lots will be internal to the building structures with buildings lining or shielding the parking lot from the street and neighborhood.

**Policy 29.8:** If deemed appropriate by the Director of Zoning, parking space requirements may be reduced by up to one half in order to provide more open space and less impervious surfaces on the site .

**Policy 29.9:** Canopy trees must be planted in all parking areas in order to provide shade.

**Policy 29.11:** The minimum commercial building setbacks will be as follows:

- a. Street: 40 feet
- b. Side: 30 feet
- c. Rear: 50 feet

**Policy 29.12:** The Olga Community discourages automobile oriented uses. This includes drive-thrus, automotive sales and repair, drive-ins and other similar businesses.

**Policy 29.14:** Floor Area Ratios (FAR) maximums will be 0.25. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by 10 equals the size of the building.

**Policy 29.15:** Open Space Requirements:

- a. Projects less than five (5) acres (Small Projects) will provide 30% open space.
- b. Projects between five (5) and ten (10) acres will provide 40% open space.

c. Projects more than ten (10) acres will provide 50% open space.

**Policy 29.16:** Building and project designs must ensure that internal street systems are designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development.

**Policy 29.17:** Commercial access will not be permitted from a local street unless no other access can be obtained.

**Policy 29.18:** Heritage trees, as defined in Sec. 10-415 of the Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

**Policy 29.20:** The community will support a collector road connection from South Olga Drive west to the intersection of Old Olga Road and Caribbean Drive. If constructed the roadway connection will be at the developer's expense as properties along the proposed roadway are built.

**Policy 29.21:** Projects must be designed to maintain the integrity of the natural environment when developing property, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must be integrated into the site design.

**Policy 29.22:** When undertaking streetscape improvements, new private construction and building rehabilitation, place utility lines underground where it is economically feasible and where practical to improve visual qualities.

Staff understands that there is community support for the proposed FLUM amendment, but there are technical difficulties with the proposal that will cause segments of roadways to reach level of service "F". Staff cannot recommend approval of a land use change that intensifies development on a road segment that is projected to fail. If the Board of County Commissioners decides to transmit the language there will still be concurrency issues at the time of rezoning, development order review, and building permit issuance.

## **2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

- The residents of Olga developed the Olga Community Plan over a period of several years.
- The Olga Community Planning Panel, through the East Lee County Council, hired a planning consultant, DRMP, to help them write their plan.
- The Olga Community Plan was submitted to Lee County in November, 2007.
- The Olga Community Plan is intended to add additional policies to Goal 21 of the Lee Plan specific to the area known as Olga.

- A follow-up meeting was held on August 2, prior to the meeting of the Local Planning Agency to further refine policy language and to address the proposal for a Future Land Use Map change from Rural and Suburban to Commercial for two parcels located east of South Olga Road.
- At the August 2, 2008 public meeting, the residents that were present voted in support of the Future Land Use map change from Suburban and Rural to Commercial. If that change is recommended for transmittal staff recommends including Conservation Lands on wetland and upland habitat as depicted on the attached Exhibit A.
- One segment of the three-mile radius around the site of the Proposed Future Land Use map change is projected to operate at level of service “F” in the year 2030 both with and without the proposed land use change, on SR 80/Palm Beach Boulevard from SR 31 to Tropic Avenue.
- Another segment that is projected to operate at level of service “C” without the proposed Future Land Use map change falls to level of service “F” with the addition of the project, on SR 80/Palm Beach Boulevard from Buckingham Road to the eastern end of Old Olga Road.
- If adopted this amendment will add a new Goal, Objective and Policies to the Lee Plan and will amend the FLUM, Map 1, Page 1 of 6, from Rural and Suburban to Commercial and Conservation Lands on two parcels located east of South Olga Road and fronting SR 80, and will amend Map 1, Page 2 of 6 Special Treatment Areas.

## **C. BACKGROUND INFORMATION**

The Olga Community Plan was undertaken by the Olga Community Planning Panel working as a sub-group of the East Lee County Council. The planning area encompasses that portion of the Caloosahatchee Shores planning area generally located between the east and west intersections of Old Olga Road and SR 80 north to the Caloosahatchee River. The community plan was financed, in part, with \$25,000 of community planning funds from Lee County.

The Olga Community Plan was submitted to the County in November, 2007. In addition to Goal 21 of the Lee Plan for Caloosahatchee Shores, the Olga community plan will add an additional Goal, Objective, and Policies specific to the Olga Planning area generally described in the above paragraph.

The Olga Community Planning Panel, East Lee County Council, and residents of Olga continued work on refining the Olga policies after they were submitted to the County. This report reflects those refinements. One major change is the proposed designation of a new Commercial Future Land Use Category east of South Olga Road for two parcels of land comprising approximately 48 acres. A maximum Floor Area Ratio (FAR) of 0.25 would be allowed.

## **A. STAFF DISCUSSION**

This new Goal for Olga is intended to express the communities desire to protect and maintain the existing character of the Olga Community, and to assure that new development maintains that character. This new Goal, as revised by staff in strike-through/double-underline format reads as follows:

## **Goal 29: Olga Community.**

To capture and maintain Olga's heritage and rural character while allowing new development to "fit in" the following objectives and policies will be implemented to direct the new density and intensities for the Olga Community. For the purpose of this Goal, the Olga Community boundaries are generally defined by Caloosahatchee River on the north, Old Olga Road as it intersects SR 80 at its most eastern point on the east, SR 80 (aka Palm Beach Boulevard) on the south and Old Olga Road at the intersection of Buckingham Road/SR 80/Old Olga Road intersection to the west along with an imaginary line north to the Caloosahatchee River.

**Objective 29:** Olga's Future Land Use Map reflects the vision and desires of the Olga Community. Any land use regulations, comprehensive plan changes, County regulated amendments or project developments imposed by Lee County will consider the Olga's Land Use Map prior to making any decisions.

**Policy 29.1:** All new development requiring a development order on Old Olga Road from the western intersection of SR 80 and Old Olga Road east to the eastern intersection of Old Olga Road and SR 80 will be required to install eight-foot (8') wide bicycle and pedestrian facilities along one side of the length of the property line. The bicycle and pedestrian facility will be required on the east and south side of Old Olga Road from the western intersection of Old Olga Road and SR 80 to the intersection of Old Olga Road and South Olga Road and on the north side of Old Olga Road from the intersection of Old Olga Road and South Olga Road to the eastern intersection of Old Olga Road and SR 80. The community will work with the Lee County Bike and Pedestrian Committee to get a retrofit project prioritized.

*At a community meeting on August 2, 2008, the meeting participants voted in favor of changing Policy to require an 8 foot wide bicycle and pedestrian facility on one side of Old Olga Road at the location indicated above. Staff recommends adding new development "requiring a development order". That will remove the requirement of building the facility from owners constructing a single-family home, or that are adding an addition to an existing home. Staff recommends transmittal of Goal 29, Objective 29, and Policy 29.1 as revised above.*

**Policy 29.2:** Suburban land use designations within the community will be strongly encouraged to develop at one dwelling unit per acre. If one dwelling unit per acre is not possible new developments will match the surrounding density and intensity. Wherever possible, all new developments will maintain a one acre minimum lot size.

*Policy 29.2 essentially downgrades the existing development potential of property classified as urban, with a standard maximum density of 6 dwelling units per acre to a rural designation with a maximum density of 1 dwelling unit per acre. There is potential Bert J. Harris liability rising out of this policy.*

**Policy 29.3:** Parcels located on the north side of SR 80, bound on the west by South Olga Drive and on the east by the intersection of Old Olga Road/SR 80 will be allowed to develop

as Outlying Suburban. Those parcels are identified will be required to develop under specific development standards and are identified as follows:

<u>28-43-26-00-00001.0030</u>	<u>27-43-26-00-00006.0010</u>
<u>28-43-26-00-00001.0050</u>	<u>27-43-26-00-00006.0000</u>
<u>28-43-26-00-00003.0010</u>	<u>27-43-26-00-00006.0020</u>
<u>28-43-26-00-00008.0010</u>	<u>27-43-26-00-00001.0050</u>
<u>28-43-26-00-00008.0000</u>	<u>27-43-26-00-00001.0070</u>
<u>28-43-26-00-00007.0010</u>	<u>27-43-26-00-00013.0000</u>
<u>27-43-26-00-00002.0000</u>	<u>23-43-26-00-00012.0010</u>
<u>27-43-26-00-00003.0000</u>	<u>23-43-26-00-00011.001A</u>
<u>27-43-26-00-00001.0020</u>	<u>23-43-26-00-00011.0000</u>
<u>27-43-26-00-00006.0030</u>	<u>23-43-26-00-00011.001B</u>
<u>23-43-26-00-00011.0010</u>	<u>23-43-26-00-00005.0000</u>

*Policy 29.3 identifies parcels located north of SR 80, from South Olga Road on the west to the eastern intersection of Old Olga Road and SR 80. With the exception of approximately 26 Acres of Suburban FLUM category located within one of the above parcels, the remaining area in that parcel and all other parcels listed above are in the Rural FLUM category. This policy would allow a maximum of three dwelling units per acre in a FLUM category that is limited in the Lee Plan to 1 dwelling unit per acre. The policy also requires those properties to develop under specific development standards, although no standards are in place and no standards are proposed. At a community meeting on August 2, 2008, the meeting participants voted in favor of deleting Policy 29.3.*

*Furthermore, the Outlying Suburban FLUM category allows for neighborhood commercial development. The parcels located east of Linwood Avenue may not be deep enough to allow for anything other than a typical "strip commercial" development similar to what is located along U.S. 41 and along Lee Boulevard. Staff does not recommend transmittal of Policy 29.2.3.*

**Policy 29.4: Commercial land uses will not be permitted into single-family neighborhoods unless the neighborhood is consulted and approves.**

*Although the neighborhood does not have authority to approve or deny zoning changes, Policy 29.5 below requires new commercial projects to be part of a Commercial Planned Development. Policy 21.6.3 requires the owner or agent for any Planned Development request within the Caloosahatchee Shores community to hold one public informational meeting. That requirement covers the Olga planning area.*

**Policy 29.5: Any new commercial projects must be a Commercial Planned Development and may not have a residential component unless it matches the abutting residential density.**

*Staff has no objection to Policy 29.5.*

**Policy 29.6: Development density and intensity will gradient from the center to the edge suitable to integrate surrounding land uses.**

*The intent of this policy is to prevent abrupt differences in densities and intensities of adjacent land uses. This is something that zoning staff evaluates when addressing compatibility. Staff does not object to Policy 29.6.*

**Policy 29.7:** *Parking lots will be internal to the building structures with buildings lining or shielding the parking lot from the street and neighborhood.*

*Similar requirements are in place for projects located in Estero.*

**Policy 29.8:** *If deemed appropriate by the Director of Zoning, parking space requirements will may be reduced by up to one half in order to provide more open space and less impervious surfaces on the site.*

*Policy 29.8 would allow a reduction in parking by up to one-half of the required parking spaces by administrative action if deemed appropriate by the Director of Zoning. Requests would be evaluated on a case-by-case basis.*

**Policy 29.9:** *Canopy trees must be planted in all parking areas in order to provide shade.*

*Policy 29.9 will be an additional requirement to what is required by the Land Development Code. Land Development Code amendments will be required to implement this policy. Staff has no objections.*

**Policy 29.10:** *Developments will utilize the principals of Crime Prevention through Environmental Design (CPTED).*

*Department of Community Development staff does not review plans for compliance with CPTED standards during the rezoning process or during Development Order review and has no guidelines to follow to accomplish that review. Policy 4.3.3 l. of the Lee Plan addresses CPTED and Land Development Code amendments will be required to implement that policy. Staff does not recommend transmittal of Policy 29.10.*

**Policy 29.11:** *The minimum commercial building setbacks will be as follows:*

- a. Street: 40 feet
- b. Side: 30 feet
- c. Rear: 50 feet

*The setback requirements in Policy 29.11 are not unusual for commercial development and staff has no objection to this policy.*

**Policy 29.12:** *No Automobile oriented uses will be permitted. The Olga Community discourages automobile oriented uses. This includes drive-thrus, automotive sales and repair, drive-ins and other similar businesses.*

*Policy 29.12, as revised, indicates the Olga resident's desire to maintain the character of their community by discouraging automobile oriented uses in their community. Staff does not object to this policy.*

**Policy 29.13:** As feasible, developers will work with Lee Tran to provide bus stops to encourage public transit access to their site.

*It is beyond the scope of the Lee Plan to require developers to work with Lee Tran to determine the location of bus stops. Lee Tran has professional staff that make the determination of where bus stops should be located along their routes.*

**Policy 29.14:** Floor Area Ratios (FAR) maximums will be 0.1025. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by 10 equals the size of the building.

*A floor Area Ratio of 0.1 would generally make commercial development not viable. A workable ratio is 0.25, whereby 1/4 of the size of the site may be used for floor area.*

**Policy 29.15: Open Space Requirements:**

- a. Parcels Projects less than five (5) acres (Small Projects) will provide 30% open space.
- b. Parcels Projects between five (5) and ten (10) acres will provide 40% open space.
- c. Parcels Projects more than ten (10) acres will provide 50% open space.

*The open space requirements in Policy 29.15 are substantial, but staff has no objection. Staff recommends revising Policy 29.15 to not include the word parcel to describe the open space requirements. Staff recommends revising the language as shown above to avoid conflicts with large, individual single-family land owners. The Land Development Code will need to be revised to avoid conflicts and specifically implement this policy through the development order process. Staff recommends transmittal of Policy 29.15 as revised.*

**Policy 29.16:** Building and project designs must ensure that internal street systems are designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development.

*Staff has no objection to Policy 29.16.*

**Policy 29.17:** Commercial access will not be permitted from a residential local street unless no other access can be obtained.

*Policy 39.1.4 states: Main access points from new development will not be established where traffic is required to travel through areas with significantly lower densities or intensities (e.g. multifamily access through single-family areas, or commercial access through residential areas) except where adequate mitigation can be provided.*

*Lee County does not recognize residential or commercial streets. DOT staff recommends changing "residential" to "local". Staff has no objection to Policy 29.17 as revised.*

**Policy 29.18:** Heritage trees, as defined in Sec. 10-415 of the Land Development Code, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

*Heritage trees are defined in Sec. 10-415 Open Space, and this policy can be enforced. Very large trees may not be able to be relocated. Staff recommends transmittal of Policy 29.18 as revised.*

**Policy 29.19:** *The development of the parcel located at the northeast quadrant of South Olga Drive and SR 80 (aka Strap # 27-43-26-00-00003.000) will incorporate a collector road that will align north to the northern boundary of the property line, turn west following the northern boundary of the property line and connect to South Olga Drive. The cost of such improvements will be borne by the developer. In addition to the roadway, there will be a 100 foot wide landscape buffer on the northern boundary of the property separating the commercial use from the community. No connections from any parcel north of this location will connect to the proposed roadway.*

*Staff discourages identifying specific parcels in the Lee Plan. The Department of Transportation staff has indicated they do not object to the road being built through the above mentioned property, but does not support its construction and will not pay for the road, or provide impact fee credits for its construction. The subject property will require rezoning before any commercial development can occur on the site, and issues of road construction and buffering are more appropriately addressed during the rezoning process.*

**Policy 29.20:** *The community will support a collector road connection from South Olga Drive west to the intersection of Old Olga Road and Caribbean Drive. The If construction of such the roadway connection will be at the developer's expense as properties along the proposed roadway are built.*

*Staff's recommended changes to Policy 29.20 reflect the fact that the County is not requiring construction of the collector road on the site. The County does not object to the construction of the road at the expense of the developer and a road may benefit commercial development on that site, but does not believe that road will provide any significant benefit to the County.*

**Policy 29.21:** *Projects must be designed to Wherever possible, maintain the integrity of the natural environment when developing property, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must can be integrated into the site design.*

*Staff supports Policy 29.21 as revised by Environmental Sciences staff.*

**Policy 29.22:** *When undertaking streetscape improvements, new private construction and building rehabilitation, place utility lines underground where it is economically feasible and where practical to improve visual qualities.*

*Policy 29.22 encourages, but does not require placing utility lines underground. Staff does not object.*

#### **PROPOSED CHANGE TO THE FUTURE LAND USE MAP:**

In addition to adding a new Goal, Objectives, and Policies to the Lee Plan specific to the Olga Community, CPA 2006-00003 will change the Future Land Use Map for parcels located east of South Olga Road fronting SR 80 containing approximately 48 acres from Suburban and Rural to the Commercial Future Land Use Map category and Conservation Lands. The site is not designated as a Floodway Area on the new Flood Insurance

Rate Map effective August 28, 2008. The Conservation Lands are depicted on the attached map, the remainder of the site will be Commercial.

One segment in the three mile radius around the project is projected to operate at level of service "F" in the year 2030 both with and without this project, on SR 80 from SR 31 to Tropic Avenue. Another segment that is projected to operate at level of service "C" without the project but falls to level of service "F" with the addition of the project; on SR 80 from Buckingham Road to the eastern end of Old Olga Road.

There is no improvement identified in the 2030 Plan to address the projected failure of the segment of SR 80 from Buckingham Road to the eastern end of Old Olga Road created by the addition of this amendment. Absent an identified means of paying for such improvements and their subsequent inclusion in the Financially Feasible Plan, DOT staff cannot recommend approval of a land use change that intensifies development on a road segment that is projected to fail. See the attached Department of Transportation Memo.

## **PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: September 22, 2008

### **A. LOCAL PLANNING AGENCY REVIEW**

Following a presentation by staff covering a review of the staff report and an explanation of staff's recommendations, the LPA opened the meeting to public comment. Several members of the public spoke in favor of the amendment, including the Future Land Use Map change and some spoke about specific policies but did not indicate that they were for or against transmittal of the amendment. General questions and answers ensued between the LPA and staff. Staff recommended that the LPA change an error in Policy 29.14 and look closely at Policy 29.17 pertaining to commercial access.

### **B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY**

#### **1. RECOMMENDATION:**

A motion was made to transmit CPA 2006-00003 as recommended by staff with the following changes:

1. Policy 29.7: Parking lots will be internal to the building structures site with buildings lining or shielding the parking lot from the street and neighborhood.
2. Policy 29.14: Floor Area Ratios (FAR) maximums will be 0.1025. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by 104 equals the size floor area of the building.
3. Policy 29.17: Commercial access will not be permitted from a residential local street unless no other access can be obtained.
4. The motion also included transmitting this amendment including the Future Land Use Map change from Suburban and Rural to Commercial and Conservation Lands as depicted on the map attached to their packet.

Because the Future Land Use Map amendment was included in the motion, one LPA member stated he would support the motion, but with reservation because he felt that sooner or later the County would have to address funding. Although a community may want something, it does not mean the County can fund it. However, since this amendment had the support of the community and they have worked on it for a long time; he agreed to support the motion with reservation.

Speaking about the Future Land Use Map change, Mr. Andress explained his reason for supporting the motion is because there is a lengthy process that an applicant must go through before he actually gets a development order and there are checks and balances that are built into the system that allows for all of this to take place. The LPA is only charged with looking at whether this is an appropriate place for commercial. In his opinion, it is an appropriate place and the community recognizes that as well.

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as advanced by staff.

**C. VOTE:**

<b>NOEL ANDRESS</b>	<b>AYE</b>
<b>LES COCHRAN</b>	<b>AYE</b>
<b>RONALD INGE</b>	<b>AYE</b>
<b>JACQUE RIPPE</b>	<b>AYE</b>
<b>CARLETON RYFFEL</b>	<b>AYE</b>
<b>RAE ANN WESSEL</b>	<b>AYE</b>
<b>LELAND TAYLOR</b>	<b>ABSENT</b>

**PART IV - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: October 22, 2008

**A. BOARD REVIEW:**

Planning staff gave a brief presentation and explained that staff agreed with the LPA recommendation with the exception of the Future Land Use Map (FLUM) amendment. Staff told the Board that the amendment had the potential of causing the SR 80 link between the intersection of Buckingham Road and the eastern intersection of Old Olga to go from a Level of Service "C" to a Level of Service "F". For that reason staff did not support transmittal of the FLUM amendment. Staff told the Board that there was community support for the FLUM amendment.

The applicant's representative, one of the affected property owners, and residents in the community spoke in favor of the amendment as recommended by the LPA, including the FLUM amendment. One resident spoke in favor of the text amendment, but did not have an opinion on the FLUM amendment.

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

**1. BOARD ACTION:**

**Motion to transmit CPA 2006-00003 text amendment as recommended by the Local Planning Agency, and the FLUM amendment as recommended by staff, including the conservation lands.**

**2. BASIS AND RECOMMENDED FINDINGS OF FACT:**

The Board accepted the findings of fact as advanced by staff and the LPA.

**C. VOTE:**

<b>A. BRIAN BIGELOW</b>	<b>AYE</b>
<b>TAMMARA HALL</b>	<b>AYE</b>
<b>ROBERT P. JANES</b>	<b>AYE</b>
<b>RAY JUDAH</b>	<b>AYE</b>
<b>FRANKLIN B. MANN</b>	<b>AYE</b>

## **PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS, RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: January 16, 2009

### **A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS**

The DCA ORC report contained the following Objection and Comments:

*A proposed amendment to the Future Land Use Element to establish a new goal, objective, and policies for the Olga Community Plan within the Caloosahatchee Shores area of the Fort Myers Shores Planning Community. In addition, a Future Land Use Map (FLUM) amendment to change 48.7 acres from Suburban and Rural to Commercial and Conservation Lands located along State Road 80 in the Olga Community area. The Department raises the following objection and comment to the proposed Amendment 2006-03:*

*Objection (Transportation Facilities):* *The proposed FLUM Amendment 2006-03 is not supported by a road segment transportation analysis (including assumptions, data sources, and description of methodologies used) for the five-year and long-term planning time frames addressing the following: (1) the number of peak hour vehicle trips generated by the maximum development potential allowed by the FLUM amendment; (2) the impact of the peak hour vehicle trips on the projected operating level of service of potentially impacted roadways; (3) the need for road improvements (scope, timing and cost of improvements) or other planning alternatives to maintain the adopted level of service standards for roadways; (4) coordination of the road improvement or other planning alternatives with the Future Land Use Element, Transportation Element (including Future Transportation Map), and Capital Improvements Element, and implementation through the Five-Year Schedule of Capital Improvements; and (5) coordination of the road improvements with the plans of the Florida Department of Transportation and the Metropolitan Planning Organization.*

*Rules 9J-5.005(2) and (5), 9J-5.019(3)(f, g, h and I); 9J-5.019(5)(a and b); 9J-5.016(I)(a); 9J-5.016(2)(b, c and f); 9J-5.016(4), F.A.C.; and Sections 163.3175; 163.3177(2), (3), (8), and (10); 163.3177(6)(a and j); 163.3177(6)(h)1 and 2, F.S.*

*Recommendation:* *Revise the amendment to include the data and analysis necessary to support the FLUM amendment and demonstrate coordination of land use with the planning for transportation facilities as well as coordination with the Transportation Element and Capital Improvements Element. Revise the Transportation Element, Capital Improvements Element, and Future Land Use Element, as necessary, to be consistent with and supported by the data and analysis and to achieve internal consistency with the FLUM. The Five-Year Schedule of Capital Improvements should be revised to include any needed improvements to maintain the adopted level of service within the five-year planning time frame. Include data and analysis demonstrating coordination of the amendment with the plans of the Florida Department of Transportation and the Metropolitan Planning Organization. Revise the amendment, as necessary, to be consistent with and supported by the data and analysis. The plan should be revised to include strategies to address any deficiencies projected for the long-range planning timeframe.*

Comments: The proposed Policy 29.14 contains a typographical error which states the intensity standard is FAR 0.25 rather than 0.25. In addition, the proposed Policy 29.14 should be clarified to state the land uses to which the intensity standard applies. For example, it is not clear whether the intensity standard is intended to apply to residential uses. The policies should be revised to address these comments.

The proposed Policy 29.12 states that "The Olga Community discourages automobile oriented uses." The proposed Policy 29.12 does not establish meaningful and predictable guidelines addressing whether automobile oriented uses are prohibited or allowed. The proposed Policy 29.12 should be revised to establish the guidelines.

## B. STAFF RESPONSE

A response to the transportation objection from jmb transportation engineering, inc. is attached to this report.

Policy 29.14 is intended to apply to the Commercial Future Land Use category that is being created by this amendment and has been revised as follows with the changes to the transmitted language shown in double underline format.

**POLICY 29.14:** Floor Area Ratios (FAR) maximums in the Commercial Future Land Use Category located north of SR 80 and east of South Olga Road will be 0.25. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by 4 equals the floor area of the building.

The typographical error has been corrected and staff recommends revising Policy 29.12 as follows:

**Policy 29.12:** The Olga Community discourages automobile oriented uses. This includes drive-thrus, automotive sales and repair, drive-ins and other similar businesses. Land development regulations will be adopted to reflect the Olga planning community preference to curtail commercial uses accommodating or promoting vehicle traffic, such as drive-ins, drive-thrus as an accessory use, auto repair/service businesses and similar uses.

## C. STAFF RECOMMENDATION

The site of the FLUM amendment from Rural to Commercial has an FDOT outfall ditch and easement running through the R&D cattle site and the owner has requested that the outfall ditch and easement be relocated to the eastern edge of the property. FDOT has agreed to the relocation if the easement is maintained (see attached memo from FDOT). Planning staff, Environmental Sciences, and Natural Resources have agreed to the relocation if it is demonstrated that the new ditch alignment will maintain the hydrological connection and capacity existing at its present location. Staff recommends the Board adopt the following policy regarding the ditch relocation.

**POLICY 29.23:** The FDOT outfall ditch easement and drainage ditch located on the R&D Cattle site as described in Lee County Deed Book 175, Page 445 may be relocated within the Commercial Future Land Use area immediately north of River Hall if it is demonstrated that the new ditch alignment will maintain the hydrological connection and capacity existing at its present location. The appropriateness of the ditch realignment must be demonstrated based upon sound engineering

principals prior to rezoning or development approval, whichever occurs first. The easement establishing the new alignment must be reviewed and approved by Lee County and all other applicable regulatory agencies prior to recording.

Staff recommends the Board adopt the remainder of the amendment as previously transmitted to DCA.

Staff believes DCA's objection and comments have been adequately addressed and recommend the Board adopt CPA2006-03 Olga text and map amendment with the new Policy 29.23 and the changes to Policy 29.14 and Policy 29.12 as shown above.

**PART VI - BOARD OF COUNTY COMMISSIONERS  
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: February 25<sup>th</sup>, 2009

**A. BOARD REVIEW:** Staff gave a brief presentation and changed its recommendation for Policy 29.12 and recommended that the Board not adopt the policy. Staff explained that they thought Policy 29.12 was too vague and recommended the Board decide what uses would be allowed through either revisions to the Land Development Code or at the time of rezoning. After receiving public comment in support of the amendment and following a brief discussion by the Board, the Board voted to adopt the amendment as recommended by staff.

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

- 1. BOARD ACTION:** The Board voted to not adopt Policy 29.12 and to adopt the remainder of this amendment as previously transmitted to DCA and to adopt Policy 29.23 as recommended by staff.
  
- 2. BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of fact as advanced by staff and the Local Planning Agency.

**C. VOTE:**

<b>A. BRIAN BIGELOW</b>	<b>AYE</b>
<b>TAMMARA HALL</b>	<b>AYE</b>
<b>ROBERT P. JANES</b>	<b>AYE</b>
<b>RAY JUDAH</b>	<b>AYE</b>
<b>FRANKLIN B. MANN</b>	<b>AYE</b>

# jmb transportation engineering, inc.

*traffic/transportation engineering & planning*

February 3, 2009

Mr. James Mudd, AICP  
Principal Planner, Planning Division  
Lee County Department of Community Development  
1500 Monroe Avenue  
Fort Myers, Florida 33901-5500

**Re: Comp Plan Amendment for Lee County (DCA 09-1)  
Amendment 2006-03 – Olga Community Plan**

Dear Mr. Mudd:

Regarding the Department of Community Affairs' review comments, dated January 16, 2009, I offer the following response concerning Amendment 2006-03.

**A. Amendment 2006-03**

1. Objection (Transportation Facilities): The proposed FLUM Amendment 2006-03 is not supported by a road segment transportation analysis including assumptions, data sources, and description of methodologies used for the five-year and long-term planning timeframes addressing the following: (1) the number of peak hour vehicle trips generated by the maximum development potential allowed by the FLUM amendment; (2) the impact of the peak hour vehicle trips on the projected operating level of service of potentially impacted roadways; (3) the need for road improvements or other planning alternatives to maintain the adopted level of service standards for roadways; (4) coordination of the road improvements or other planning alternatives with the Future Land Use Element, Transportation Element (including Future Transportation Map), and Capital Improvements Element, and implementation through the Five-Year Schedule of Capital Improvements; and (5) coordination of the road improvements with the plans of the Florida Department of Transportation and the Metropolitan Planning Organization.

*Response:*

*The assumptions, data sources and description of methodologies used for the five-year timeframe were included in the amendment application. The five-year horizon information was contained within the transportation response reports. The long-term planning timeframe (i.e., 2030 horizon) was addressed by Lee County Department of Transportation (LDOT). LDOT provided a description of their assumptions and methodology within the staff report, dated September 10, 2008. The information contained within the transportation response reports and LDOT's staff report did address the following:*

(1) Peak hour trip generation calculations were performed for the proposed commercial land use based upon the maximum and most-intense development scenario (i.e., 391,515 s.f. of mixed commercial). The trip generation computations are provided in the transportation response reports that were submitted as part of the amendment application. The five-year horizon trip generations were determined based upon the ITE Trip Generation Manual. The long-term horizon trip generations were determined by Lee County Department of Transportation using the FSUTMS Travel Model.

(2) The impact due to the land use change on the five-year projected roadway level of service was based upon project build-out conditions. It was determined that all roadway links within a 3-mile radius of the site would operate at acceptable levels of service for the five-year horizon. The level of service results are provided in the transportation response reports. The impact due to the land use change on the long-term projected roadway level of service was determined by LDOT using the FSUTMS Travel Model. LDOT determined that all roadway links within a 3-mile radius of the site would operate at acceptable levels of service for the 2030 horizon, except for State Road 80.

As determined by LDOT

**S.R. 80 (w. of Buckingham Road)** will fail for 2030 traffic conditions regardless of the project.

LOS "D" capacity = 1,950 vehicles per hour, peak direction  
2030 w/o project = 2,286 vph (exceeds max by 336 vph)  
2030 w/ project = 2,348 vph (exceeds max by 398 vph)

**S.R. 80 (Buckingham to Old Olga Road)** will fail for 2030 traffic conditions due to project development.<sup>3</sup>

LOS "D" capacity = 1,950 vehicles per hour, peak direction  
2030 w/o project = 1,777 vph (remaining capacity is 173 vph)  
2030 w/ project = 2,000 vph (exceeds max by 50 vph)

(3) It was concluded that in order to maintain acceptable levels of service for the five-year horizon, no roadways improvements would be required. As concluded by LDOT, in order to maintain acceptable levels of service for the 2030 horizon, State Road 80 will need to be widened from its current four-lane configuration to a six-lane configuration.

(4) There are no identified roadway improvements that are warranted through the five-year horizon. Therefore, no coordination with the Five-Year Schedule of Capital Improvements is needed.

(5) There are no identified roadway improvements that are warranted through the five-year horizon. Therefore, no coordination with the Florida Department of Transportation or the Metropolitan Planning Organization is needed.

Regarding DCA's comment to include strategies to address any deficiencies projected for the long-range planning timeframe, please consider the following response.

Response:

*The only identified 2030 transportation deficiency was State Road 80. LDOT determined that the road (west of Old Olga Road) will need to be widened to six-lanes in order to maintain the adopted level of service. To date, no funding program for the six-laning of State Road 80 has been established.*

*It should be noted that the 2030 transportation deficiency was determined based upon the projections provided by the FSUTMS<sup>1</sup> travel model assuming the development of 391,515 s.f. of commercial use<sup>2</sup>.*

*The assumptions used in the model for the "with" and "without" change analysis are flawed on three points. One is that the 391,515 s.f. "with" number is grossly unrealistic. The site planning for this property shows that it would be virtually impossible to fit more than 180,000 s.f. into any kind of feasible commercial development. The 345,250 s.f. number, which was dictated by Staff instructions to R&D's planner, results in traffic generation numbers which are almost double what actually could result in a worst case real world scenario. If the commercial intensity is reduced approximately 87,000 s.f. then the only link that fails would be S.R. 80 (west of Buckingham Road).*

*The second flaw in the analysis is the assumption that traffic generation "without" the change would be virtually zero because the land is zoned for agricultural use. However, that is incorrect because the current land use designations of Suburban and Rural do permit rezoning to commercial uses. In short, even without a change in the land use categories the real world "without" number will not be zero. The model assumes unrealistic numbers on both the bottom and on the top end of the difference between the two scenarios and this leads one to the third flaw, which is that there is no difference.*

*The change in land use designations will allow no more development intensity in the "after" potential size than in the current "before" potential size. The difference is not in the number of square feet of commercial uses; rather, it is in the type of commercial uses, i.e., general versus rural commercial uses on the eastern part of the property. The difference in trip generation rates between the two is negligible.*

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<sup>1</sup>FSUTMS is the Florida Standard Urban Transportation Model Structure. It is the standard traffic demand model used throughout the State of Florida.

<sup>2</sup>Of this number, 46,265 s.f. are allocated for the Byrus property which is east of and adjacent to the R&D property. The allocation for the R&D property is 345,250 s.f.

**jmb**

*The following development conditions are offered as a strategy to address the "potential" 2030 transportation deficiency that was identified by LDOT.*

- a.) Prior to any development that occurs on the subject property, the applicant will be required to obtain zoning approval. During the zoning phase, the project will be required to submit a traffic impact statement that will address all on-site and off-site transportation deficiencies. Construction funding will need to be identified or a solution to the transportation deficiencies will need to be identified.*
- b.) Once zoning approval has been acquired, then development permits will need to be acquired. At this phase, the development order and/or the concurrency certificate will not be issued unless construction funding is committed or a resolution to the transportation deficiency has been achieved.*
- c.) In conjunction with the applicable Lee County Government permits, the project will be required to obtain a driveway connection permit from the Florida Department of Transportation. FDOT will not issue a permit that result in the degradation of the S.R. 80's adopted level of service standard.*

*Therefore, it can be concluded that no development will occur on the subject property unless the identified transportation deficiencies are resolved. This condition will be enforced regardless of whether the land use amendment is approved.*

Should you have any questions concerning this matter, feel free to contact me.

Sincerely,  
JMB Transportation Engineering, Inc.

*Jim Banks*  
James M. Banks, P.E.  
President



## *Florida Department of Transportation*

CHARLIE CRIST  
GOVERNOR

STEPHANIE KOPELOUSOS  
SECRETARY

### MEMORANDUM

**Date:** August 4, 2008

**To:** Rae Ann Boylan, Boylan Environmental

**From:** Sonshine Dupree, District One Drainage  
for Carl Spirio, District Drainage Engineer

**Copies:** Ralph Bond, R&D Cattle Co.

**Subject:** *Pls*  
SR 80, Palm Beach Blvd.  
12020 M.P 11.270 – M.P. 11.802

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The FDOT Drainage dept is fine with relocating the drainage easement for the above subject, however, the easement is to be maintained and preserved by Ralph Bond at R & D Cattle Co.

If you should need any other assistance, please call.

## Memo

To: Paul O'Connor, Planning Director

From: David Loveland, Public Works Operations Manager, Planning *DML*

Date: September 10, 2008

Subject: **CPA 2006-03 (Olga Community Plan)**

The Department of Transportation has reviewed the above-referenced privately-initiated amendment, involving a text change to add a new Goal, Objective and Policies specific to the Olga community, as well as a Future Land Use Map change of approximately 48 acres east of South Olga Road fronting SR 80 from Suburban and Rural to Commercial and Conservation Lands. We had previously commented on a small portion of the land use change known as Byrus (CPA 2007-60), in a memo to you dated March 31, 2008.

Regarding the proposed Goal, Objective and Policies, DOT staff has only two comments. First, DOT had previously commented on a draft of Policy 26.1, and are in agreement with the version as proposed to be revised by Planning staff. Our understanding is that the policy as revised by Planning staff would read as follows:

*POLICY 26.1: All new development requiring a development order on Old Olga Road from the western intersection of SR 80 and Old Olga Road east to the eastern intersection of Old Olga Road and SR 80 will be required to install eight-foot (8') wide bicycle and pedestrian facilities along one side of the length of the property line. The sidewalk will be required on the east and south side of Old Olga Road from the western intersection of Old Olga Road and SR 80 to the intersection of Old Olga Road and South Olga Road and on the north side of Old Olga Road from the intersection of Old Olga Road and South Olga Road to the eastern intersection of Old Olga Road and SR 80. The community will work with the Lee County Bike and Pedestrian Committee to get a retrofit project prioritized.*

The second proposed policy that is a concern is Policy 26.17. The policy indicates that commercial access will not be permitted from a residential street, but the County does not classify streets as "residential" or "commercial". The street categories recognized in the Land Development Code are either arterials, collectors, or local streets, and many serve dual functions in terms of the uses that access them. DOT staff suggests that the word "local" be substituted for the word "residential" in the policy, as follows:

*POLICY 26.17: Commercial access will not be permitted from a residential local street unless no other access can be obtained.*

Regarding the land use change, Planning staff indicated that the proposed change would allow approximately 391,515 square feet of commercial use on the site. The property is located within Traffic Analysis Zone (TAZ) 1305, and we converted the above square footage into the model input variables for that zone, adding 978 commercial employees. We then reran the Lee County MPO's 2030 Financially Feasible Plan FSUTMS travel demand model.

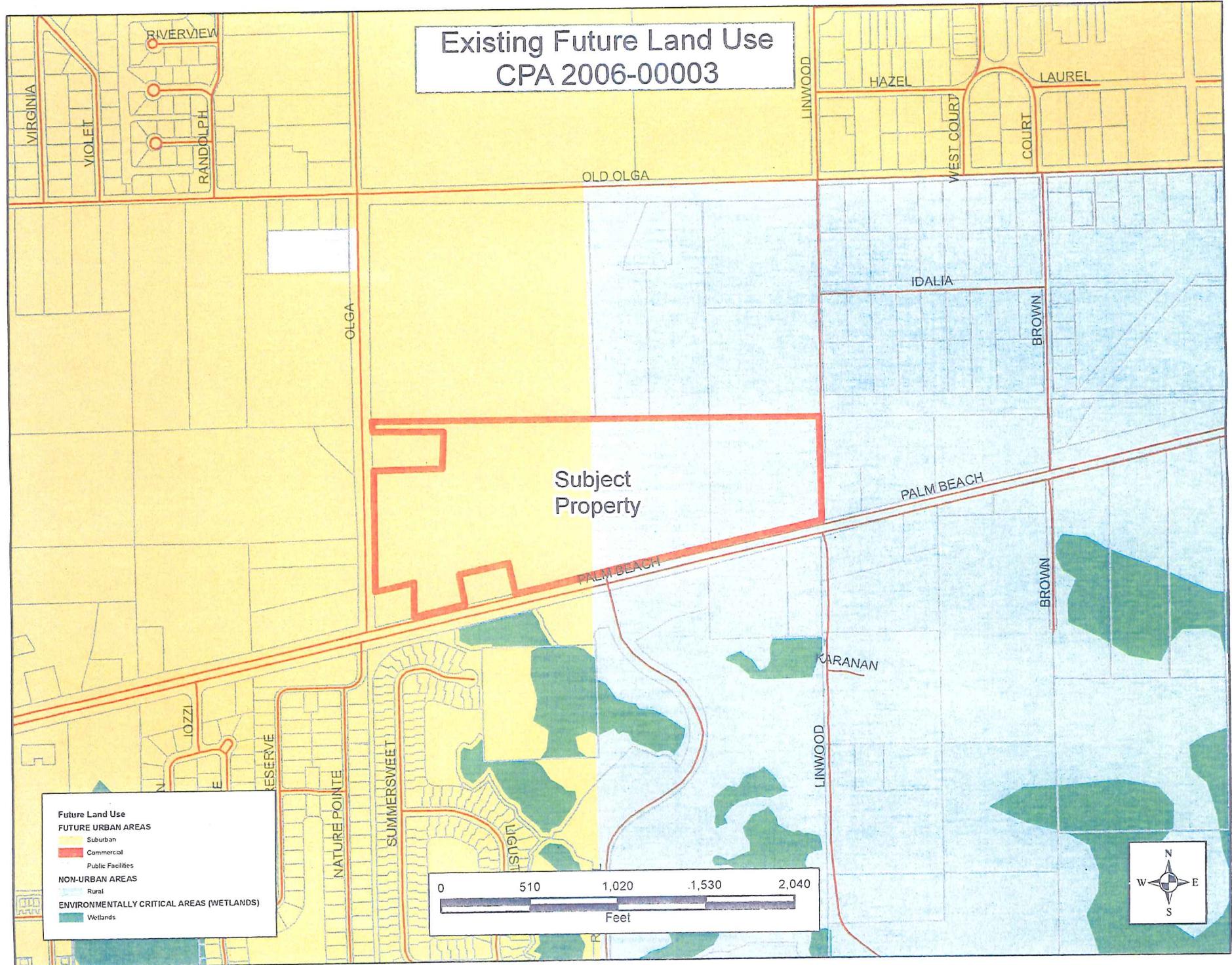
Examining the three-mile radius around the project, there is one segment projected to operate at level of service "F" in the year 2030 both with and without the proposed land use change, on SR 80/Palm Beach Boulevard from SR 31 to Tropic Avenue. In addition, there is another segment that is projected to operate at level of service "C" without the project but falls to level of service "F" with the addition of the project, on SR 80/Palm Beach Boulevard from Buckingham Road to the eastern end of Old Olga Road.

The MPO's 2030 Needs Plan does identify a potential improvement to address the segment that fails even without the amendment, in the form of 6-laning SR 80 from SR 31 to Buckingham Road. This improvement is identified as contingent upon the identification of additional funding beyond the traditional sources projected for the Financially Feasible Plan, noting that it is a Strategic Intermodal System (SIS) facility. There is no improvement identified in the 2030 Plan to address the projected failure of the segment of SR 80 from Buckingham Road to the eastern end of Old Olga Road created by the addition of this amendment. Absent an identified means of paying for such improvements and their subsequent inclusion in the Financially Feasible Plan, DOT staff cannot recommend approval of a land use change that intensifies development on a road segment that is projected to fail.

Please let me know if you need any additional information.

cc:      Donna Marie Collins  
            Jim Mudd

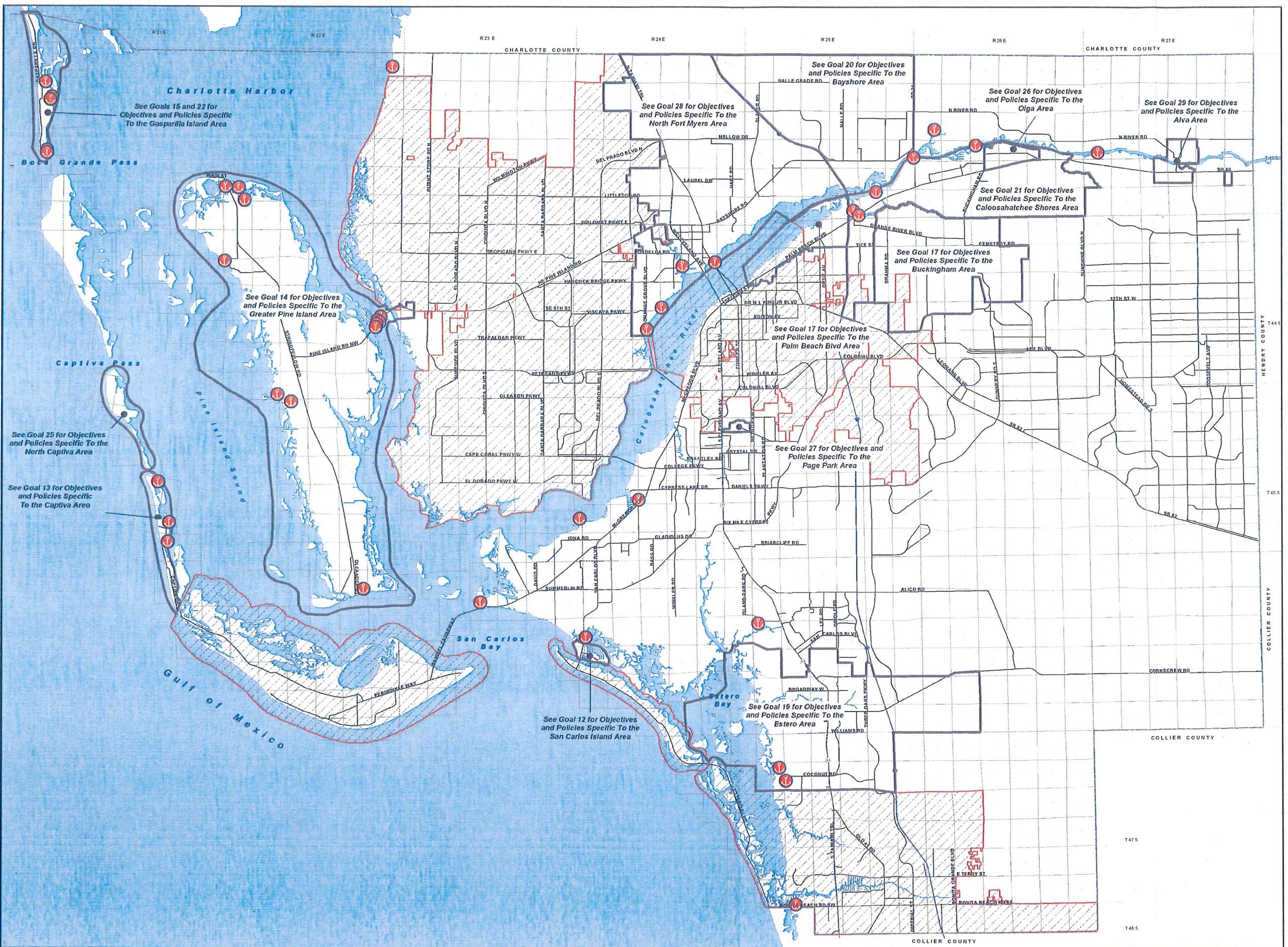
## Existing Future Land Use CPA 2006-00003



# PROPOSED SPECIAL TREATMENT AREAS MAP

## Legend

- Water Dependent Overlay
- Community Planning Areas
- City Limits



 **LEE COUNTY**  
SOUTHWEST FLORIDA  
DIVISION OF PLANNING

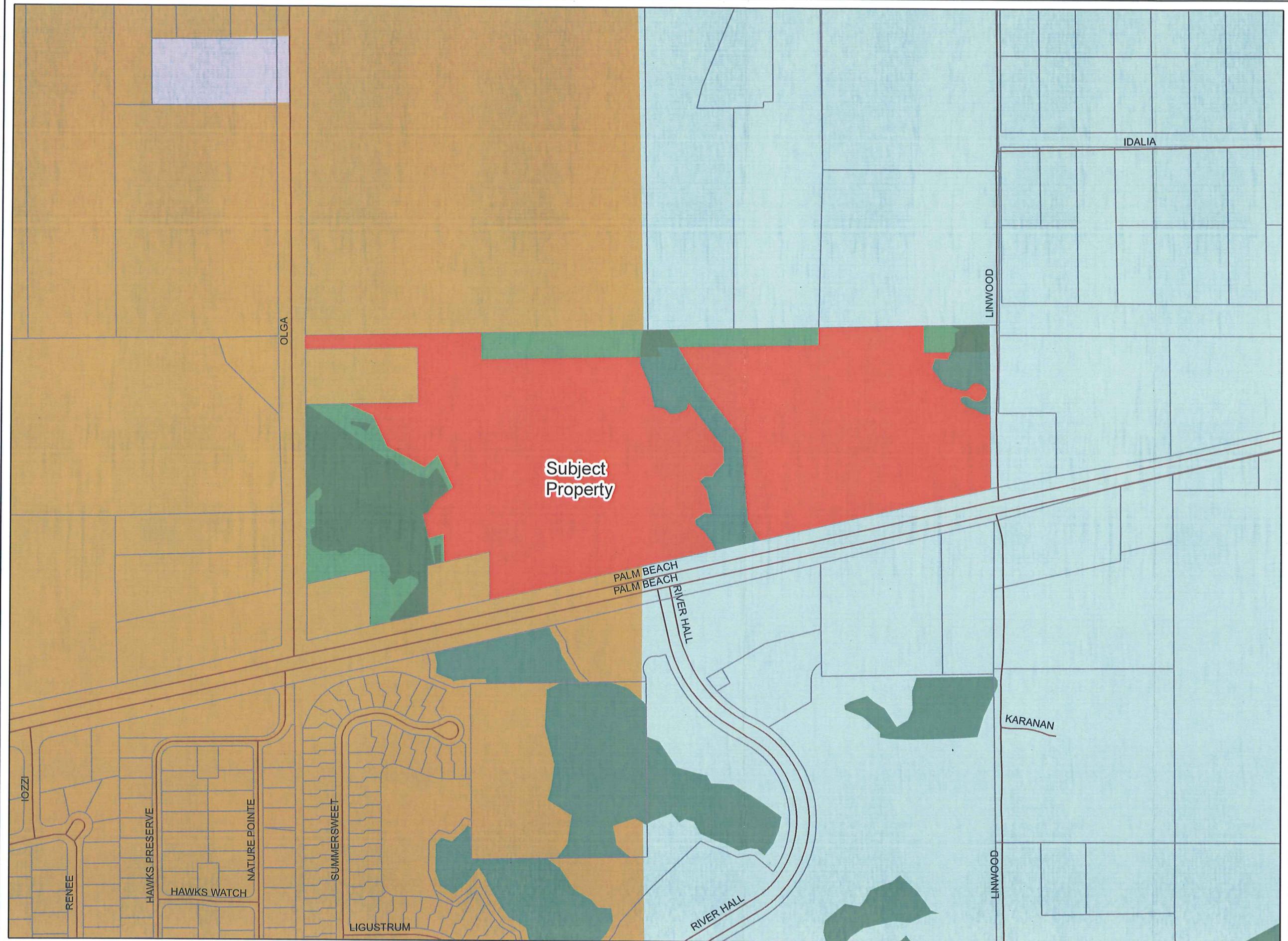


Map Generated: January, 2009  
City Limits current to date of map generation

Last Amended: August 13, 2007  
Amended by Ordinance No.  
02-02, 03-01, 03-02, 03-04, 03-21, 07-09

**Proposed  
Lee Plan Map 1  
Page 2 of 6**

**CPA2006-03**  
**OLGA**  
**COMMUNITY**  
**PLAN**  
Proposed  
Future Land Use Map



LEE COUNTY  
SOUTHWEST FLORIDA  
DIVISION OF PLANNING



0 80 160 320 480 640  
Feet

Map Generated: February 2009

LEE COUNTY ORDINANCE NO. 09-10  
(Olga Community Plan)  
(CPA2006-03)

**AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT CPA2006-03 (PERTAINING TO THE OLGA COMMUNITY PLAN) APPROVED DURING THE COUNTY'S 2007/2008 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT AND MAPS; PURPOSE AND SHORT TITLE; LEGAL EFFECT OF "THE LEE PLAN"; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.**

WHEREAS, the Lee County Comprehensive Plan ("Lee Plan") Policy 2.4.1 and Chapter XIII, provides for adoption of amendments to the Plan in compliance with State statutes and in accordance with administrative procedures adopted by the Board of County Commissioners ("Board"); and,

WHEREAS, the Board, in accordance with Section 163.3181, Florida Statutes, and Lee County Administrative Code 13-6, provide an opportunity for private individuals to participate in the plan amendment public hearing process; and,

WHEREAS, the Lee County Local Planning Agency ("LPA") held a public hearing pursuant to Florida Statutes and the Lee County Administrative Code on September 22, 2008; and,

WHEREAS, the Board held a public hearing for the transmittal of the proposed amendment on October 22, 2008. At that hearing, the Board approved a motion to send, and did later send, proposed amendment CPA2006-03 pertaining to the Olga Community Planning effort to the Florida Department of Community Affairs ("DCA") for review and comment; and,

WHEREAS, at the October 22, 2008 meeting, the Board announced its intention to hold a public hearing after the receipt of DCA's written comments commonly referred to as the "ORC Report." DCA issued their ORC Report on January 16, 2009; and,

WHEREAS, at a public hearing on February 25, 2009, the Board moved to adopt the proposed amendment to the Lee Plan adopting the Olga Community Plan as more particularly set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:**

## SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code 13-6, conducted public hearings to review proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt the amendments to the Lee Plan discussed at those meetings and approved by a majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as hereby amended, will continue to be the "Lee Plan." **This amending ordinance may be referred to as the "2007/2008 Regular Comprehensive Plan Amendment Cycle CPA2006-03 Olga Community Plan Ordinance."**

## SECTION TWO: ADOPTION OF LEE COUNTY'S 2007/2008 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE

The Lee County Board of County Commissioners hereby amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting an amendment, as revised by the Board of County Commissioners on February 25, 2009, known as CPA2006-03. CPA2006-03 amends the Plan to incorporate the recommendations of the Olga Community by adding a new Goal, Objective, and Policies specific to the Olga community located within the Caloosahatchee Shores planning area as set forth below. The Lee Plan Future Land Use Map is also amended as reflected on attached Exhibit A.

The corresponding Staff Reports and Analysis, along with all attachments for this amendment are adopted as "Support Documentation" for the Lee Plan.

### **Goal 29: Olga Community.**

To capture and maintain Olga's heritage and rural character while allowing new development to "fit in" the following objectives and policies will be implemented to direct the new density and intensities for the Olga Community. For the purpose of this Goal, the Olga Community boundaries are generally defined by Caloosahatchee River on the north, Old Olga Road as it intersects SR 80 at its most eastern point on the east, SR 80 (aka Palm Beach Boulevard) on the south and Old Olga Road at the intersection of Buckingham Road/SR 80/Old Olga Road intersection to the west along with an imaginary line north to the Caloosahatchee River.

**Objective 29.1: Olga's Future Land Use Map reflects the vision and desires of the Olga Community. Any land use regulations, comprehensive plan changes, County regulated amendments or project developments imposed by Lee County will consider the Olga's Land Use Map prior to making any decisions.**

**Policy 29.1.1: All new development requiring a development order on Old Olga Road from the western intersection of SR 80 and Old Olga Road east to the eastern intersection of Old Olga Road and SR 80 will be required to install eight-foot (8') wide bicycle and pedestrian facilities along one side of the length of the property line. The bicycle and pedestrian facility will be required on the east and south side of Old Olga Road from the western intersection of Old Olga Road and SR 80 to the intersection of Old Olga**

Road and South Olga Road; and, on the north side of Old Olga Road from the intersection of Old Olga Road and South Olga Road to the eastern intersection of Old Olga Road and SR 80. The community will work with the Lee County Bike and Pedestrian Committee to get a retrofit project prioritized.

**Policy 29.1.2:** Any new commercial projects must be a Commercial Planned Development and may not have a residential component unless it matches the abutting residential density.

**Policy 29.1.3:** Development density and intensity will gradient from the center to the edge suitable to integrate surrounding land uses.

**Policy 29.1.4:** Parking lots will be internal to the building site with buildings lining or shielding the parking lot from the street and neighborhood.

**Policy 29.1.5:** If deemed appropriate by the Director of Zoning, parking space requirements may be reduced by up to one half in order to provide more open space and less impervious surfaces on the site.

**Policy 29.1.6:** Canopy trees must be planted in all parking areas in order to provide shade.

**Policy 29.1.7:** The minimum commercial building setbacks will be as follows:

- a. Street: 40 feet
- b. Side: 30 feet
- c. Rear: 50 feet

**Policy 29.1.8:** Floor Area Ratios (FAR) maximums will be in the Commercial Future Land Use Category located north of SR 80 and east of South Olga Road 0.25. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by four equals the floor area of the building.

**Policy 29.1.9:** Open Space Requirements:

- a. Projects less than five acres (Small Projects) will provide 30% open space.
- b. Projects between five and ten acres will provide 40% open space.
- c. Projects more than ten acres will provide 50% open space.

**Policy 29.1.10:** Building and project designs must ensure that internal street systems are designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development.

**Policy 29.1.11:** Heritage trees, as defined in Land Development Code Sec. 10-415, will be preserved or when possible, may be relocated on-site. If a heritage tree must be removed from the site then a replacement tree with a minimum 20-foot height must be planted within an appropriate open space.

**Policy 29.1.12:** The community will support a collector road connection from South Olga Drive west to the intersection of Old Olga Road and Caribbean Drive. If constructed the roadway connection will be at the developer's expense as properties along the proposed roadway are built.

**Policy 29.1.13:** Projects must be designed to maintain the integrity of the natural environment when developing property, especially when significant tree canopies or natural habitats exist on the parcel. These natural features must be integrated into the site design.

**Policy 29.1.14:** When undertaking streetscape improvements, new private construction and building rehabilitation, place utility lines underground where it is economically feasible and where practical to improve visual qualities.

**Policy 29.1.15:** The FDOT outfall ditch easement and drainage ditch located on the R&D Cattle site is described in Lee County Deed Book 175, Page 445 may be relocated within the Commercial Future Land Use area immediately north of River Hall if it is demonstrated that the new ditch alignment will maintain the hydrological connection and capacity existing at its present location. The appropriateness of the ditch realignment must be demonstrated based upon sound engineering principals prior to rezoning or development approval, whichever occurs first. The easement establishing the new alignment must be reviewed and approved by Lee County and all other applicable regulatory agencies prior to recording.

### **SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"**

No public or private development will be permitted except in conformity with the Lee Plan. All land development regulations and land development orders must be consistent with the Lee Plan as amended.

### **SECTION FOUR: GEOGRAPHIC APPLICABILITY**

The Lee Plan is applicable throughout the unincorporated area of Lee County, Florida, except in those unincorporated areas included in joint or interlocal agreements with other local governments that specifically provide otherwise.

## SECTION FIVE: SEVERABILITY

The provisions of this ordinance are severable and it is the intention of the Board of County Commissioners of Lee County, Florida, to confer the whole or any part of the powers herein provided. If any of the provisions of this ordinance are held unconstitutional by a court of competent jurisdiction, the decision of that court will not affect or impair the remaining provisions of this ordinance. It is hereby declared to be the legislative intent of the Board that this ordinance would have been adopted had the unconstitutional provisions not been included therein.

## SECTION SIX: INCLUSION IN CODE, CODIFICATION, SCRIVENERS' ERROR

It is the intention of the Board of County Commissioners that the provisions of this ordinance will become and be made a part of the Lee County Comprehensive Land Use Plan. Sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or other appropriate word or phrase in order to accomplish this intention; and regardless of whether inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered. The correction of typographical errors that do not affect the intent, may be authorized by the County Manager, or his or her designee, without need of public hearing, by filing a corrected or recodified copy with the Clerk of the Circuit Court.

## SECTION SEVEN: EFFECTIVE DATE

The plan amendments adopted herein are not effective until a final order is issued by the DCA or Administrative Commission finding the amendment in compliance with Section 163.3184(9), Florida Statutes, or until the Administrative Commission issues a final order determining the adopted amendment to be in compliance in accordance with 163.3184(10), Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before the amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status. A copy of such resolution will be sent to the DCA, Bureau of Local Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

Commissioner Hall made a motion to adopt the foregoing ordinance, seconded by Commissioner Mann. The vote was as follows:

Robert P. Janes	Aye
Brian Bigelow	Aye
Ray Judah	Aye
Tammara Hall	Aye
Frank Mann	Aye

DONE AND ADOPTED this 25th day of February 2009.

ATTEST:  
CHARLIE GREEN, CLERK

LEE COUNTY  
BOARD OF COUNTY COMMISSIONERS

BY: Marcia Wilson  
Deputy Clerk

BY: Ray Judah  
Ray Judah, Chairman

DATE: 2/25/09

Approved as to form by:

Dawn E. Lehner  
Dawn E. Perry-Lehner  
County Attorney's Office

EXHIBIT  
A - Future Land Use Map

State of Florida  
County of Lee

I, Charlie Green, Clerk of the Circuit Court  
for Lee County, Florida, do hereby certify  
this document to be a true and correct copy  
of the original document filed in the  
Minutes Department.

Given under my hand and official seal at  
Fort Myers, Florida, this 6th day of  
March, A.D. 2009

CHARLIE GREEN, CLERK

By: Marcia Wilson  
Deputy Clerk

**CPA2006-03  
OLGA  
COMMUNITY  
PLAN**

Board Transmitted  
Proposed  
Future Land Use Map

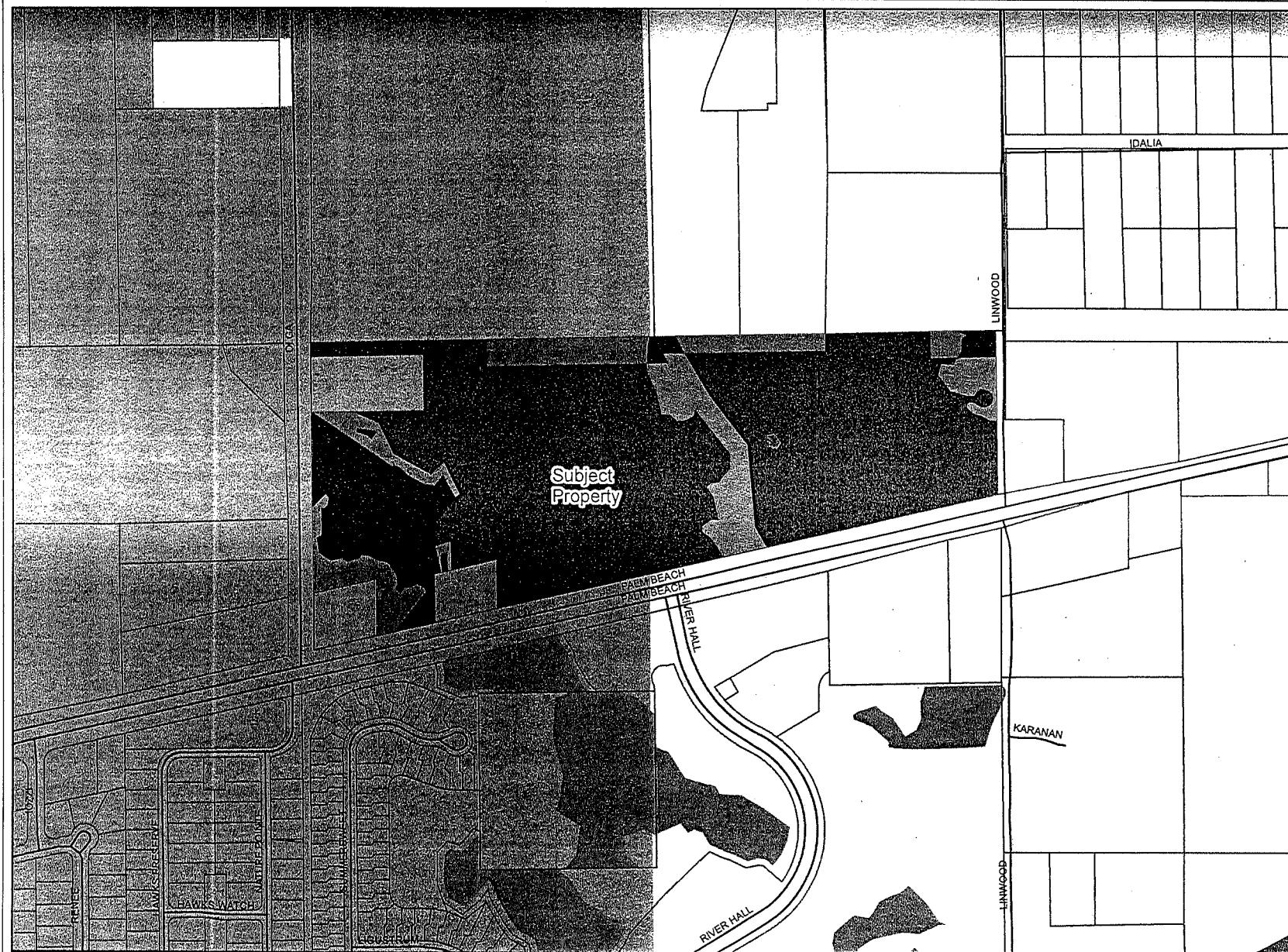
- Proposed Commercial
- Proposed Conservation Lands  
Wetlands
- Proposed Conservation Lands  
Upland
- Wetlands
- Rural
- Suburban
- Public Facilities

LEE COUNTY  
SOUTHWEST FLORIDA  
DEPARTMENT OF PLANNING



0 80 160 320 480 640  
Feet

Map Generated: February 2009



**EXHIBIT A**



## OLGA COMMUNITY PLAN

### Supplemental Goals, Objectives and Policies To the Caloosahatchee Shores Community Plan



Prepared By:  
Dyer, Riddle, Mills & Precourt, Inc.  
1404 Dean Street, Suite 300  
Fort Myers, FL 33901

## Olga Community Plan

### Supplemental Goals, Objectives and Policies To the Caloosahatchee Shores Community Plan



## *Plan Acknowledgment*

### **Plan Acknowledgment**

The Olga Community has been very passionate in preserving the existing character of the neighborhood. The results of the Olga Overlay have provided a mechanism for this to happen. The Olga land use map and commercial land use regulations are a result of close work between Dyer, Riddle, Mills and Precourt, Inc. and the residents of the Olga community. Public involvement in this project has allowed the Olga land use map and the commercial land use regulations to directly reflect the needs of the community. They were not developed for the community, but rather by the community. The Olga land use map that the residents developed prior to Dyer, Riddle, Mills and Precourt, Inc's involvement was the basis for the finalized Olga land use map.

### **Lee County Board of County Commissioners**

Bob Janes, Lee County Commissioner District 1  
Brian Bigelow, Lee County Commissioner District 2  
Ray Judah, Lee County Commissioner District 3  
Tammy Hall, Lee County Commissioner District 4  
Frank Mann, Lee County Commissioner District 5

### **East Lee County Council**

Jim Mathisen, Chair  
Douglas Vaught, Past Chair  
Janet Tripp, Secretary  
Jim Green, Member  
Gordon Brandt, Member  
Grady Miars, Member  
Paul Martin, Member  
Kris Cella, Member

### **Olga Community Planning Sub Committee**

Bob Reige  
Cherie Schneider  
Ed Kimball  
Glenn Chagrin  
Gloria Moff  
Janet Jones  
Jerry Kaemmerer  
Jim Green  
Rosalie Prestarri  
Sharron Lamely  
Bill Byrus

### **Lee County Community Development Department**

Jim Mudd, AICP, Community Planner/County Liaison

Prepared by:

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1404 Dean Street, Suite 300  
Fort Myers, Florida 33901  
(239) 344-0050

## *Plan Introduction*

## **Introduction**

The Olga community is located in East Lee County north of State Road 80 (a.k.a. SR 80 and Palm Beach Boulevard), south of the Caloosahatchee River within the Lee County Fort Myers Shores Planning Community and the Caloosahatchee Shores Community. According to the 2000 US Census, Olga was primarily developed between 1960 and 1989. Olga's community boundaries are the Caloosahatchee River on the north, Old Olga Road as it intersects SR 80 at its most eastern point on the east, SR 80 on the south and Old Olga Road at the intersection of Buckingham Road/SR 80/Old Olga Road intersection to the west along with an imaginary line north to the Caloosahatchee River. See Exhibit A for Olga Map.

Olga is located approximately 5.8 miles east from I-75 and approximately 6.4 miles west from Alva. It has a rural character with an overall density of less than one unit per acre with lot sizes varying between  $\frac{1}{4}$  acre to 5, 10 and more acre parcels maintaining a consistent agricultural feel. The area has not seen the significant development within its boundaries that other areas of Lee County have experienced.

With the exception of Old Olga Road, the community's only collector road, the roads are considered local roads and are in most cases physically limited for future widening. They are mostly two-lane, narrow roads, some barely wide-enough to allow a car passing in both directions simultaneously, helping to contribute to the rural character of Olga.



Old Olga Road

The roadways possess open drainage systems, utilizing roadside swales and ditches with no curbs or sidewalks. With no sidewalks in place, it is commonplace for pedestrian travel to be on the roads throughout the community. Though most roadways are narrow,

it has not proven hazardous to pedestrians due to the low traffic volume throughout the area. Most of the vehicular traffic taking place within Olga consists of travel by residents and not through traffic.



Old Olga Road facing west

Parcels throughout the community vary in size ranging from less than one acre with the majority greater than 8 acres in size. Parcels in the community west of Linwood Avenue and south of Old Olga Road are larger than those north of the Olga Mall, and are utilized primarily for agricultural uses.

Parcels north of Old Olga Road and west of South Olga Drive contain most of the multi-family residential units in the community. These parcels also happen to be the smallest, typically less than an acre in size.

Parcels east of Linwood Avenue follow the above trends with the parcels containing a mix of residential uses and agricultural uses. This results in parcels that are one acre or less for residential uses and those parcels as large as nine acres being used for agricultural purposes.

## **Planning Community**

Olga lies within the Fort Myers Shores Planning Community in the Lee Plan. The Lee Plan describes the Fort Myers Shores Planning Community as *“located south of the Caloosahatchee River, east of Hickey Creek and north of the Orange River; and, along I-75 west of the Buckingham Rural Community Preserve, north of SR 82 and east of the City of Fort Myers. This community contains two distinct areas: Caloosahatchee Shores, located east of I-75, and Palm Beach Boulevard, located west of I-75. This area also has a mixture of future land use designations. The majority of the land is designated Suburban, Outlying Suburban, Rural or Urban Community; however, there are some lands designated Intensive Development, Central Urban, Public Facilities, Industrial interchange Area and General Interchange.”*

*Caloosahatchee Shores: This community is located south of the Caloosahatchee River, west of Hickey’s Creek and north of the Orange River; and along I-75 east to the Buckingham Rural Community Preserve, north of SR 82 and west of I-75. This community contains three neighborhoods: Fort Myers Shores, Olga and the Riverdale neighborhood around the intersection of Buckingham Road and SR 80. The Caloosahatchee Shores planning community has a more rural character, but is anticipated to grow substantially over the life of this plan [Lee Plan]. This area also has a mixture of future land use designations. The majority of land use designations are Suburban, Outlying Suburban, Rural or Urban Community; however, there are some lands designated public facility and industrial interchange.*

*Due to the rapid rise in population and limitations on commercial development in surrounding communities, the amount of commercial buildings will more than double by 2020. Currently, this community contains commercial outlets which accommodate the needs of its residents as well as those from neighboring communities such as Alva, Bayshore and Buckingham. Shopping areas in this community are concentrated along the SR 80 Corridor with specific commercial nodes for higher intensity development to satisfy resident’s primary commercial needs. During the life of this plan [Lee Plan], Fort Myers Shores will continue to develop a commercial/employment center for the adjacent communities.*

*Palm Beach Boulevard: The Palm Beach Boulevard Community actually encompasses part of the City of Fort Myers and is bound by Billy’s Creek on the west and south, I-75 on the east and Caloosahatchee River on the north. This is one of the older urban areas of Lee County and Fort Myers, and it has experienced significant demographic and economic change over the last decade. The future vision is of an attractive, mixed-use community with an abundance of employment and shopping opportunities. Palm Beach Boulevard will be improved with medians and landscaping, and an effort will be made to renovate and beautify aging commercial centers along the corridor. Opportunities for mixed use developments within obsolete commercial centers and a general upgrading of the housing stock will be a priority.”*

## *Population and Demographics*

## **Population and Demographics**

According to the 2000 Census Bureau the Olga community is approximately 1,190 acres in size and incorporates approximately 780 people, 402 dwelling units and 639 families. The population density is less than one person (0.65 persons) per acre with a household density average of approximately 1/3 of a unit (0.34) per acre.

The racial makeup of the area is 95% white with the remaining 5 percent make up of African American, American Indian/Alaska Native, Asian and some other race.

There are 402 dwelling units in the community with an average household size of 2.39 persons per household only slightly lower than the typical household size of Lee County (2.47 persons per household). Of the 402 units, over 63% are owner occupied, 20.8% renter occupied, and 15.9% of the housing units are vacant. The median age is 42.2 years old supporting the fact that almost 82% of the community is made up of families.

The age of the population is about equally spread over all age groups.

Table 1

Age Range	Percent of Population
Under 20	21.7 %
21-24	5.7 %
25-44	22.8 %
45-64	28.3 %
65 +	21.3 %

## *Evolution of Olga Community Plan*

## **Evolution of the Olga Community Plan**

As previously mentioned, the Olga Community is located within the Caloosahatchee Shores Community. The boundaries of the Caloosahatchee Shores Community are east of I-75, south of the Caloosahatchee River, west of Hickey Creek, and north of Orange River. Residential neighborhoods and agricultural lands make up the majority of land use in the Caloosahatchee Shores Community. It is contiguous to the Buckingham Rural Preserve Area. See Exhibit B for the Caloosahatchee Shores Map.

A Caloosahatchee Shores Community Plan was adopted by the Lee County Board of County Commissioners in 2003. This community plan was a joint partnership between Lee County Department of Community Development, East Lee County Council, and the Caloosahatchee Shores Community. The planning firm of Vanasse Daylor completed the plan with the assistance of the community residents and submitted the final report to Lee County in September 2002. Lee County subsequently reviewed and approved the plan with the incorporation of the plan's goals, objectives and policies into the Lee Plan in October 2003. The plan's goals, objectives, and policies provide direction on land use and infrastructure decisions.

In December of 2006 Dyer, Riddle, Mills, and Precourt, Inc. was hired by the East Lee County Council on behalf of the Lee County Department of Community Development to develop Land Development Regulations for the Caloosahatchee Shores Community. Through this process it became evident that due to the uniqueness of the Olga community, more specific regulations in addition to the Caloosahatchee Shores Land Development Regulations.

The Olga Community has become an overlay area within the Caloosahatchee Shores Community. The Land Development Regulations for Caloosahatchee Shores will still apply to Olga, but additional regulations specific to Olga should be implemented as well. In a joint decision by Lee County, the East Lee County Council and Dyer, Riddle, Mills and Precourt, Inc. it was determined that the best way to address Olga's specific issues was to implement an Olga land use map. During the previous year (2005) the community banded together to create such a land use map. The land use map defines the uses permitted throughout the community by re-designating areas for Future Land Use categories. This not only defines where residential and commercial development should be encouraged, but would define what types of residential and commercial development would be permitted.

## **Today's Conditions**

The development that Olga/Caloosahatchee Shores has experienced over recent years has triggered a change in the character of the community. This once highly rural and agricultural community now possesses many characteristics of a suburban community. Many property owners have begun to take notice of the increased development interest in the area and the possibility to maximize the potential of their properties for commercial or residential development. Over the last five years there have been less than ten (10)

Residential/Mixed Use Planned Developments with approximately 4,899 units either approved or in various stages of the approval process. Two major developments that have changed the face of the area are River Hall and the Veranda, both significantly increasing the population and commercial uses in the area. Additionally, there are a number of projects in the conceptual stages. Shown in the tables below are a number of projects located within Olga, SR 31 and the Caloosahatchee Shores area.

In addition to the residential component of community development, there have been numerous commercial developments that have been constructed along SR 80. Commercial nodes can now be seen at such intersections of Buckingham Road and SR 80 as well as at SR-31 and SR 80.

Caloosahatchee Shores Area

Project Name	Approved (A) or Pending (P)	Acreage	Units per Acre	# of Residential Units Approved or Proposed	Square Footage of Retail/Commercial Approved	# of units built	Square Footage built
Veranda	A	1,455.56	1.21	1,654	242,000		109,014
River Hall RPD	A	1,978.44	1.01	1,999			
River Hall CPD*	A	27.05	N/A	N/A	45,000	N/A	
Leeward Yacht Club	A	19.36	18.08	350	30,000		
Orange River Landings	P	24.4	10	244 multi-family	N/A	N/A	N/A
Florida Community Bank	A	7.51	N/A	N/A	62,000	N/A	62,000
Caloosa Ridge	P	20	6	120 multi-family	Office	N/A	N/A
River Pointe	P	39.9	3.5	140 single family			
Alva Shores	P	11.7	3.41	40 multi-family	Boat Storage		

\* Commercial Planned Development (CPD)

In addition, the following projects have been approved or are pending in the Olga Community:

Project Name	Approved (A), or Pending (P), or Withdrawn (W)	Acreage	Units Per Acre	# of Residential Units Approved or Proposed	Square Footage of Retail/Commercial Approved	# of units built	Square Footage Built
Caloosa Estates	A	91.71	1	92	N/A	0	N/A
Caloosa Meadows	W	35.7	1.68	60	N/A	0	N/A

Finally, within the SR 31 area, there are the following projects either approved or pending:

Project Name	Approved (A) or Pending (P)	Acreage	Units Per Acre	# of Residential Units Approved or Proposed	Square Footage of Retail/Commercial Approved	# of units built	Square Footage Built
SR 31 Multi-Family	P	21.07	2.84	60 multi-family	N/A	N/A	N/A
Marina 31	A	4.06	N/A		Water Craft Storage and 9 unit Motel	N/A	N/A
Marina Del Lago	A	49.62	2.82	140 single family	N/A	0	N/A
Hwy 80/31 CPD	P	16.07	N/A	N/A	185,000	N/A	N/A
SR 80 CPD	A	24.66	N/A	N/A	200,000	N/A	0

## *Future Development*

## **Future Development**

The Olga Community contains large tracts of land that are currently utilized for agricultural purposes. The residential component of the community is low density, creating a rural character. The residents of the Olga Community have expressed a strong desire to maintain their rural character of the community, especially with all of the current and future development.

The Future Land Use Map designations within Olga provide support for the community to sustain its rural character. The majority of Olga has a Future Land Use designation of either Suburban or Rural. The Suburban land use designation allows a range of one to six dwelling units per acre while the rural land use designation allows one dwelling unit per acre. The remaining Future Land Use designation in Olga is Public Facilities, used exclusively for publicly owned lands (Franklin Locks). See Exhibit C for the existing Future Land Use Map.

The residents of the Olga Community have expressed their strong desire to limit all future development to no more than one dwelling unit per acre. There are currently two residential projects within Olga, one approved and one pending. The first project, known as Caloosahatchee Estates, is located north of Old Olga Road between South Olga Drive and Linwood Avenue. It was approved as a Residential Planned Development consisting of 91.7 acres with 92 residential units for a density of one (1) dwelling unit per acre. The developer's initial request brought the community together to negotiate with the developer for one unit per acre to be consistent with the community character. The neighborhood rallied together presenting testimony to the Hearing Examiner and again at the Lee County Board of County Commissioner meeting successfully reducing the density to one (1) dwelling unit per acre. This was a wake up call to the community that developers had "discovered" the area. Over the next couple of years, developers brought forward a number of proposals to the East Lee County Council for review and comments. The neighborhood has been very vocal that any new developments have to be one unit per acre or less in order to gain support from the Council and the community.

The second project is known as Caloosa Meadows for which an application for a Residential Planned Development was submitted in 2006. The developer has withdrawn their proposal for 60 residential units to be located on approximately 37.5 acres, a density of 1.68 dwelling units per acre.

The two projects mentioned above are the only projects within the past 5 years that have been submitted within the Olga Community. Some landowners along SR 80 between South Olga Drive and Old Olga Road and SR 80 East have expressed their intent to develop their land for commercial uses. Still others have expressed that although they have no current plans for the commercial development of their lands, they may be interested in commercial development in the future. In either case, it appears that there is a high possibility for future commercial development within Olga, especially along the north side of SR 80.

Currently, there are only a handful of properties in Olga with a commercial use. One of the most active commercial centers, East Gate Square incorporates a Winn-Dixie Supermarket as the anchor with smaller support uses located in the northeast quadrant of the western intersection of SR 80/Old Olga Road/Buckingham Road. The next largest commercial use is the Tractor Supply Company located in the northwest quadrant of the intersection of SR 80 and South Olga Drive. Finally, there is a minor commercial use located at the southwest intersection of South Olga Drive and Old Olga Road, known as the Olga Mall.

The current commercial uses in Olga support a rural community according to the Lee Plan. Currently there is one project within Olga requesting commercial planned development. The property is located at the western corner of the eastern intersection of SR 80 and Old Olga Road and has applied for a rezoning from Ag-2 to Commercial Planned Development (CPD). Initial discussions between the applicant and the East Lee County Council the applicant indicated their desire to either have a mobile home sales center or a restaurant on this 2.16 acre site.

During later discussions, the community has indicated that they would prefer a restaurant at this location instead of a mobile home sales center. It is the community's opinion that a mobile home sales center would be inconsistent with the rural character and uniqueness of the area.

*Proposed Olga*

*Future Land Use Map*

### **Proposed Olga Future Land Use Map**

The Olga residents have been very active in the planning and development process taking place in the community. The residents are determined to protect their rural way of life from the expanding development. The community has been involved with all major residential projects taking place in Olga from beginning stages.

Currently, each new development proposal must present their project to the community prior to proceeding to the Hearing Examiner for a public hearing. For the community, this meeting is the first opportunity to learn about the project and to negotiate density and intensity with the developer. This is a tedious process requiring the community to be ever vigilant in attending the East Lee County Council meetings. However and more importantly, it puts the community in an adverse role with the development community.

It is the community's opinion that all new residential developments should compliment the existing neighborhood, where one dwelling unit per acre is the standard. Typically, density is calculated by dividing the number of proposed dwelling units by the number of acres. For example, as previously discussed in the Caloosahatchee Estates was approved for 92 units on 91.7 acres. The community is proposing a minimum lot size of one acre, where the density is calculated after the project's infrastructure, open space and amenities are determined.

In 2005 the community began working on a Future Land Use Map that would define the development permitted throughout the community by re-designating areas on the Future Land Use Map. This not only defines where residential and commercial developments are appropriate, but what types of residential and commercial development will be permitted. This map consists of areas defined by land use as well as permitted density. It also includes the locations of proposed roads and sidewalks and is the basis of the land use map developed by Dyer, Riddle, Mills and Precourt, Inc. See Exhibit D for the community's proposed Future Land Use Map.

To restrict residential development to one unit per acre, the majority of the land within Olga is designated Rural on the proposed land use map. The Rural land use designation is areas the community feels are most vulnerable and appropriate for low density residential development. These areas currently abut low density residential or agricultural that does not have densities over one unit per acre.

The northeast quadrant of the western intersection of Old Olga Road/SR 80/Buckingham Road is currently and is proposed to be designated a Mixed Use Overlay. This quadrant is currently designated as a Commercial Node on Map 19 of the Lee Plan. The commercial designation at the intersection is appropriate for Neighborhood Commercial, which allows up to 100,000 square feet of commercial uses. Due to its location (the intersection of SR 80, a major arterial and Old Olga Road a collector road the proposed higher densities and intensities are more appropriate at this intersection. This designation encourages mixed use developments that adhere to the principals of Smart Growth and New Urbanism. Just as the name implies, the overlay is intended to provide a mix of

uses; residential, commercial and retail on one parcel and have the ability to capture vehicular trips on site and to concentrate a high density count within the project.

The Olga residents recognize that although commercial use within the community should be kept to a minimum, the Olga residents recognize that commercial uses along SR 80 are necessary. To address this issue, the Neighborhood Commercial Overlay was created for the parcels abutting the north side of SR 80. This designation does not require these parcels to be developed commercially it merely identifies parcels on which commercial uses will be permitted. Residential and agricultural uses will still be permitted under this designation.

The intention of the overlay is to place development restrictions on the commercial uses permitted in the overlay by maintaining those commercial uses that are appropriate and complimentary to a rural community. This includes limiting the size of the structures, the types of commercial uses and development design standards. Exhibit E outlines the complete list of commercial development standards.

The proposed land use map suggests expanding the number of Public Facilities parcels within the community to include all parcels currently owned by public entities.

The northwest area, bound by Marilyn Lane on the west, Old Olga Road on the south and Riverside Drive to the north and east, has been designated Suburban, as it was identified by the community as suitable for higher densities. Parcels in this designation are allowed densities ranging from one to six units per acre. Most of the parcels in this area are currently developed as single and multifamily homes.

A key issue in the development of the land use map is the location and type of new roadways. Initially, the community proposed a new road to run east/west from Old Olga Road to South Olga Drive along the northern property line of the Lee County Schools property. An additional road proposed to run north/south from SR 80 to Old Olga Road would bisect a privately owned parcel located at the northeast quadrant of the intersection of South Olga Drive and SR 80. This parcel is identified from the Lee County Property Appraiser's information as Strap Number 27-43-26-00-00003.0000 (The Parcel). The north/south road would connect to SR 80 and would be aligned to River Hall Parkway to create a four way intersection. The road connection would provide a signalized access point for the community traveling east from Olga. When warranted, this intersection will be signalized as required by the Development Order for River Hall PUD.

There are few existing north/south roadways in Olga to relieve traffic access from Old Olga Road and SR 80 (see Exhibit F). South Olga Drive, Inwood Avenue, Brown Road, Linwood Avenue, and Pine Avenue are narrow two-lane local roads and are the only north/south corridors connecting SR 80 to Old Olga Road and the community. Many residents were concerned that an additional collector road might lead to increased development and densities throughout Olga. The collector road connection through the center of the community would allow increased circulation and the ability to allow more density in the community based on new levels of service impacts. Residents expressed

concerns that the improved vehicular circulation would make properties more suitable for development and give incentives for property owners to develop their land at higher density above one dwelling unit per acre.

The issue of the proposed new roads and their locations became so debated that a public meeting was scheduled on Saturday, June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) to discuss the road configurations through the community. Meeting notices were sent to all Olga residents, as well as noticed in the News-Press, to discuss and vote on the topic of including proposed roads on the Olga land use map.

The meeting notice to each property owner included a cover letter describing the purpose of the meeting along with a sample ballot containing four options for the residents to vote on (Exhibit G) at the meeting. The ballot displayed the four options and described the pros and cons of each scenario.

### **Option One**

Option 1

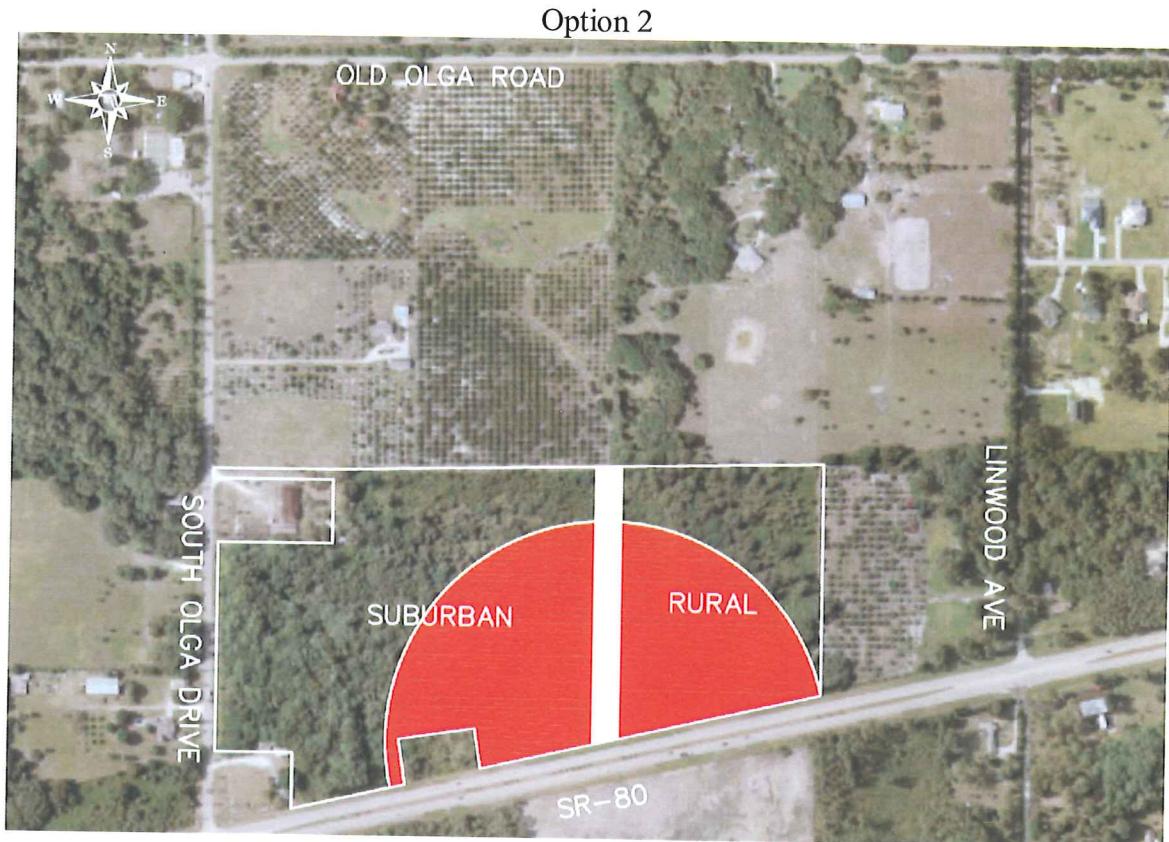


Option one proposed no change to the current community road configuration. The roadway system would remain the same as it currently exists. This option meant property owner(s) would develop their land on their own and provide the allowable access only to their properties.

The internal roadway would be classified as a private dead-end road and would terminate at the northern boundary of The Parcel providing internal access only. The "Commercial Development" on the site would be a minor commercial use because it is located at an intersection of a private road and an arterial road. No more than 30,000 square feet of

“Commercial Development” would be allowed. The property owner has agreed to preserve a 100 foot wide buffer on the northern property line.

### Option Two



Option two proposed the intersection of the proposed road intersecting SR 80 should be designated as a commercial node in Map 19 of the Lee Plan to allow the property located north of the intersection to be developed at a Neighborhood Commercial level.

The Parcel owner will work with Lee County to designate the internal roadway as a “collector road” according to the Lee County Comprehensive Plan (the Lee Plan) and this location on the commercial node map. This would allow a Neighborhood Commercial Development on the site since the project would access a collector and will connect to an arterial (SR 80). Neighborhood Commercial Development permits a range of 30,000 to 100,000 square feet of “Commercial Development” uses. The Parcel owner agreed to preserve a 100 foot wide buffer on the northern property line.

### **Option Three**

Option 3



Option three proposed a new roadway running north from the intersection of River Hall Parkway and SR 80 then turning west at the northern property line of the parcel, continuing west past South Olga Drive, and ending at Old Olga Road at the intersection of Caribbean Boulevard. Connecting the new roadway to Caribbean Boulevard (currently a collector road) would allow the proposed road to be classified as a collector road.

The internal project access road would be designated as a collector road and turn to the west at the northern boundary of the property and connect to South Olga Drive (a collector road). Neighborhood Commercial Districts are allowed in the Suburban designated area and as discussed in Option 2 permits a range of 30,000 to 100,000 square feet of "Commercial Development". The Parcel owner had agreed to preserve a 100 foot wide buffer on the northern property line.

#### Option 4

Option 4



Option four proposed a road running north from the intersection of River Hall Parkway and SR 80 to Old Olga Road.

Option four would be developed the same as Option three as it is based on the development criteria within Suburban land use, at the neighborhood commercial node a range of 30,000 to 100,000 square feet of "Commercial Development". The variable in this option is the internal project access road would connect SR 80 to Old Olga Road. The developer of the northern residential property (located at the southeast corner of Old Olga Road and South Olga Drive) could petition to connect to the internal road and ultimately out to SR 80. This would provide the road to be designated as a collector road with direct access to the Olga Community.

A fifth option was introduced at the meeting by one of the residents (Exhibit H). This option was presented at the meeting by a local property owner.

After the options were explained and questions were addressed, Olga property owners were asked to vote for one of the options. In order to track each ballot a label displaying the parcel identification number, property address, and property owner name was affixed to each ballot and the property owner was asked to sign the ballot prior to submitting it (Exhibit I for sample ballot). This ensured that only one vote was cast for each property. Some Olga residents expressed concern that their neighbors were interested in voting but

were unable to attend the meeting. Neighborhood representatives worked with Dyer, Riddle, Mills and Precourt, Inc. to collect ballots from residents who were unable to attend the meeting. Ballots were accepted until Friday, June 15, 2007.

A total of 114 ballots were collected and validated. The results of the voting were as follows:

Option	Votes
1	7
2	7
3	77
4	18
5	5

Meeting minutes, sign-in sheets and voting ballots are shown in Exhibit J.

As the vote tally shows, Option Three was the community's clear choice. Option Three proposed a new roadway running north from the intersection of River Hall Parkway and SR 80 then turning west at the northern property line of the parcel, continuing west past South Olga Drive, and ending at Old Olga Road at the intersection of Caribbean Boulevard. Connecting the new roadway to Caribbean Boulevard (currently a collector road) will allow the proposed road to be classified a collector road.

In accordance with the Community's selection, the proposed Future Land Use Map incorporates the new road configuration as identified in Option Three of the voting. See Exhibit D for the proposed map.

*Record  
Of  
Olga Community  
Meetings*

## **Meetings**

In order to accomplish the coordination of an Olga Community Plan, Dyer, Riddle, Mills and Precourt, Inc. worked with the East Lee County Council and the Olga Planning Sub-Committee. All the meetings were advertised in the News Press and were open to the public. All attendees signed in at the meeting, meeting minutes were taken and the meetings were audio recorded. The purpose of the meetings was to work with the residents to develop an awareness of the community's issues and concerns. The Olga Planning Sub-Committee meetings were held on the following dates and locations:

- Wednesday, December 6, 2006 at 2029 Clarke Avenue
- Tuesday, January 16, 2007 at 2029 Clarke Avenue
- Thursday, February 15, 2007 at Olga Community Center, 2325 South Olga Drive
- Thursday, March 15, 2007 at Olga Baptist Church, 2364 South Olga Drive
- Thursday, March 29, 2007 at Olga Baptist Church, 2364 South Olga Drive
- Saturday, June 9, 2007 at United Methodist Church of Olga/Fort Myers Shores (Grace Church), 14036 Matanzas Drive

The sign in sheets and meeting minutes for the meetings are attached as Exhibit K.

*Amending  
Lee Plan  
Incorporating  
Olga's  
Goals, Objectives and Policies*

**Goal \_\_\_\_ : Olga Community.**

To capture and maintain Olga's heritage and rural character while allowing new development to "fit in" the following objectives and policies will be implemented to direct the new density and intensities for the Olga Community. For the purpose of this Goal, the Olga Community boundaries are generally defined by Caloosahatchee River on the north, Old Olga Road as it intersects SR 80 at its most eastern point on the east, SR 80 (aka Palm Beach Boulevard) on the south and Old Olga Road at the intersection of Buckingham Road/SR 80/Old Olga Road intersection to the west along with an imaginary line north to the Caloosahatchee River.

**Objective\_\_:** Olga's Future Land Use Map reflects the vision and desires of the Olga Community. Any land use regulations, comprehensive plan changes, County regulated amendments or project developments imposed by Lee County shall consider the Olga's Land Use Map prior to making any decisions.

**Policy \_\_:** The community shall work with the Lee County Bike and Pedestrian Committee to develop and install eight foot (8') wide sidewalk/bikepaths within the existing right-of-way of Old Olga Road from SR 80 at the intersection of SR 80/Old Olga Road/Buckingham Road north and east to the intersection of SR 80/Old Olga Road.

**Policy \_\_:** Suburban land use designations within the community shall be strongly encouraged to develop at one dwelling unit per acre. If one dwelling unit per acre is not possible new developments shall match the surrounding density and intensity. Wherever possible, all new developments shall maintain a one acre minimum lot size.

**Policy \_\_:** Parcels located on the north side of SR 80, bound on the west by South Olga Drive and on the east by the intersection of Old Olga Road/SR 80 shall be allowed to develop as Outlying Suburban. Those parcels are identified will be required to develop under specific development standards and are identified as follows:

28-43-26-00-00001.0030	27-43-26-00-00006.0010
28-43-26-00-00001.0050	27-43-26-00-00006.0000
28-43-26-00-00003.0010	27-43-26-00-00006.0020
28-43-26-00-00008.0010	27-43-26-00-00001.0050
28-43-26-00-00008.0000	27-43-26-00-00001.0070
28-43-26-00-00007.0010	27-43-26-00-00013.0000
27-43-26-00-00002.0000	23-43-26-00-00012.0010
27-43-26-00-00003.0000	23-43-26-00-00011.001A
27-43-26-00-00001.0020	23-43-26-00-00011.0000
27-43-26-00-00006.0030	23-43-26-00-00011.001B
23-43-26-00-00011.0010	23-43-26-00-00005.0000

**Standard \_\_:** Commercial land uses will not be permitted into single family neighborhoods unless the neighborhood is consulted and approves.

**Standard \_\_:** Any new commercial projects must be a Commercial Planned Development and may not have a residential component unless it matches the abutting residential density.

**Standard \_\_:** Development intensity will gradient from the center to the edge suitable to integrate surrounding land uses.

**Standard \_\_:** Parking lots shall be internal to the building structure with buildings lining or shielding the parking lot from the street and neighborhood.

**Standard \_\_:** Parking space requirements will be reduced by one half in order to provide more open space and less impervious surfaces on the site.

**Standard \_\_:** Canopy trees must be planted in all parking areas in order to provide shade

**Standard \_\_:** Developments shall utilize the principals of Crime Prevention through Environmental Design (CPTED).

**Standard \_\_:** The minimum building setbacks shall be as follows:

- a. Street: 40 feet
- b. Side: 30 feet
- c. Rear: 50 feet

**Standard \_\_:** No automobile oriented uses will be permitted. This includes drive-thrus, automotive sales and repair, drive-ins and other similar businesses.

**Standard \_\_:** As feasible, developers shall work with Lee Tran to provide bus stops to encourage public transit access to their site.

**Standard \_\_:** Floor Area Ratios (FAR) maximums shall be 0.10. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by 10 equals the size of the building.

**Standard \_\_:** Open Space Requirements:

- a. Parcels less than five (5) acres (Small Projects) shall provide 30% open space.
- b. Parcels between five (5) and ten (10) acres shall provide 40% open space.
- c. Parcels more than ten (10) acres shall provide 50% open space.

**Standard \_\_:** Building and project designs must ensure that internal street systems are designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development.

**Standard \_\_:** Project access shall not be from a residential street.

**Standard \_\_:** Mature trees shall be preserved or relocated on-site.

**Policy \_\_:** The development of the parcel located at the northeast quadrant of South Olga Drive and SR 80 (aka Strap # 27-43-26-00-00003.000) shall incorporate a collector road that will align north to the northern boundary of the property line, turn west following the northern boundary of the property line and connect to South Olga Drive. The cost of such improvements shall be borne by the developer. In addition to the roadway, there shall be a 100 foot wide landscape buffer on the northern boundary of the property separating the commercial use from the community. No connections from any parcel north of this location shall connect to the proposed roadway.

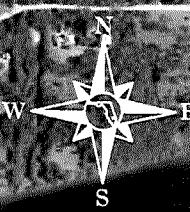
**Policy \_\_:** The community will support a collector road connection from South Olga Drive west to the intersection of Old Olga Road and Caribbean Drive. The construction of such roadway connection shall be at the developer's expense as properties along the proposed roadway are built.

**Policy \_\_:** Wherever possible, maintain the integrity of the natural environment when developing property especially when significant tree canopies or natural habitats can be integrated into the site design.

**Policy \_\_:** When undertaking streetscape improvements, new private construction and building rehabilitation, place utility lines underground where it is economically feasible and where practical to improve visual qualities.



# OLGA COMMUNITY

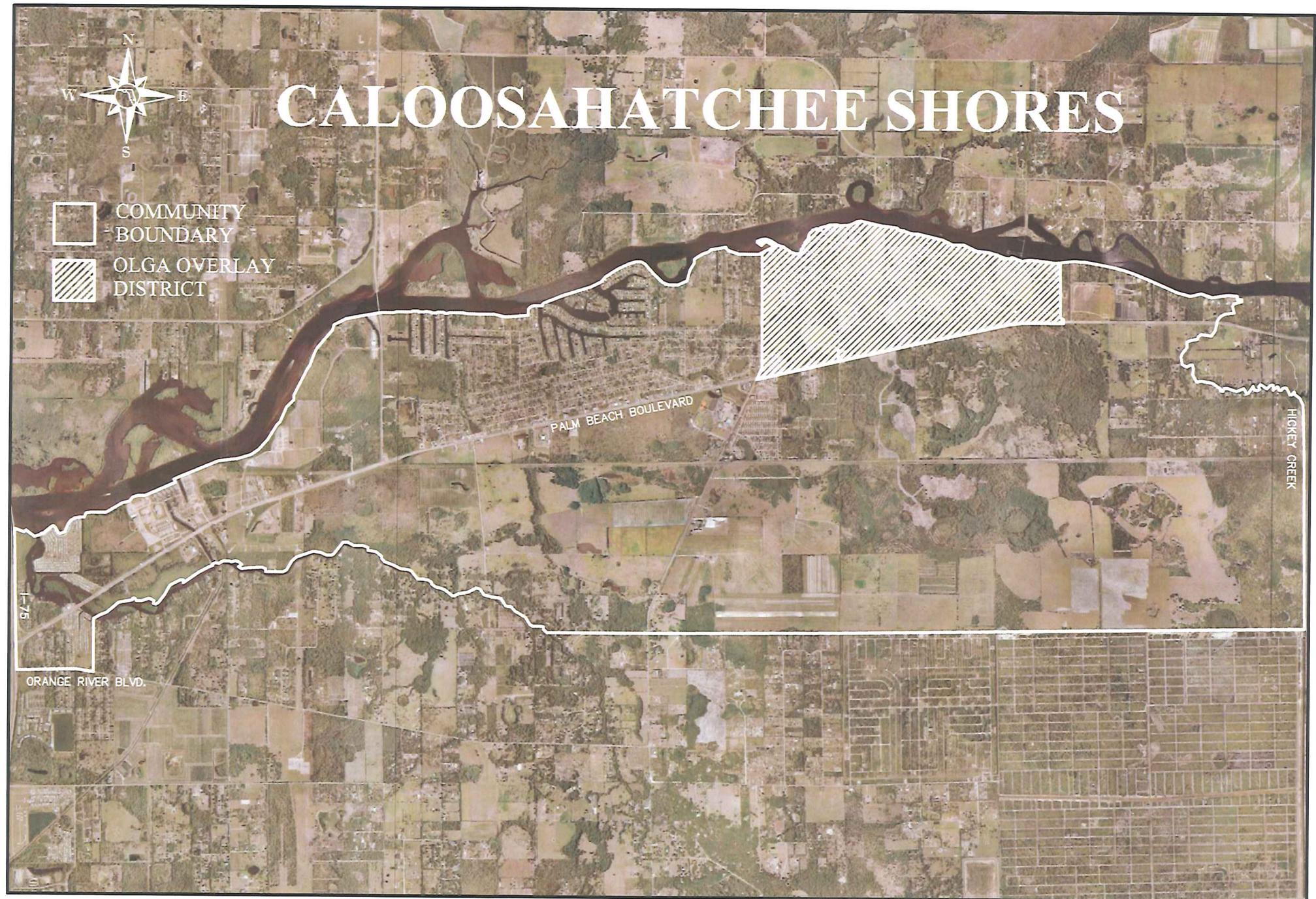


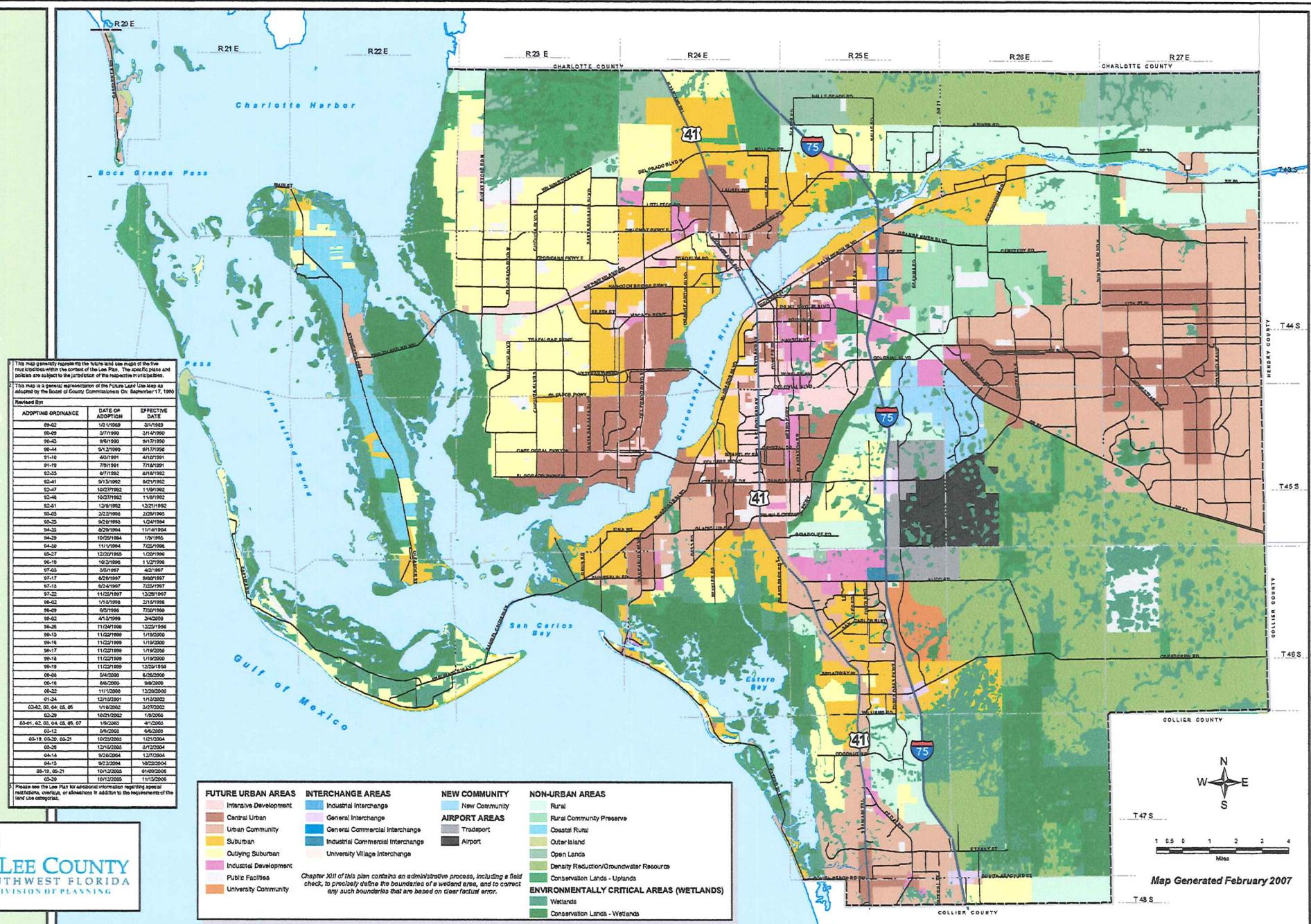
SOUTH OLGA DRIVE

LINWOOD AVE.

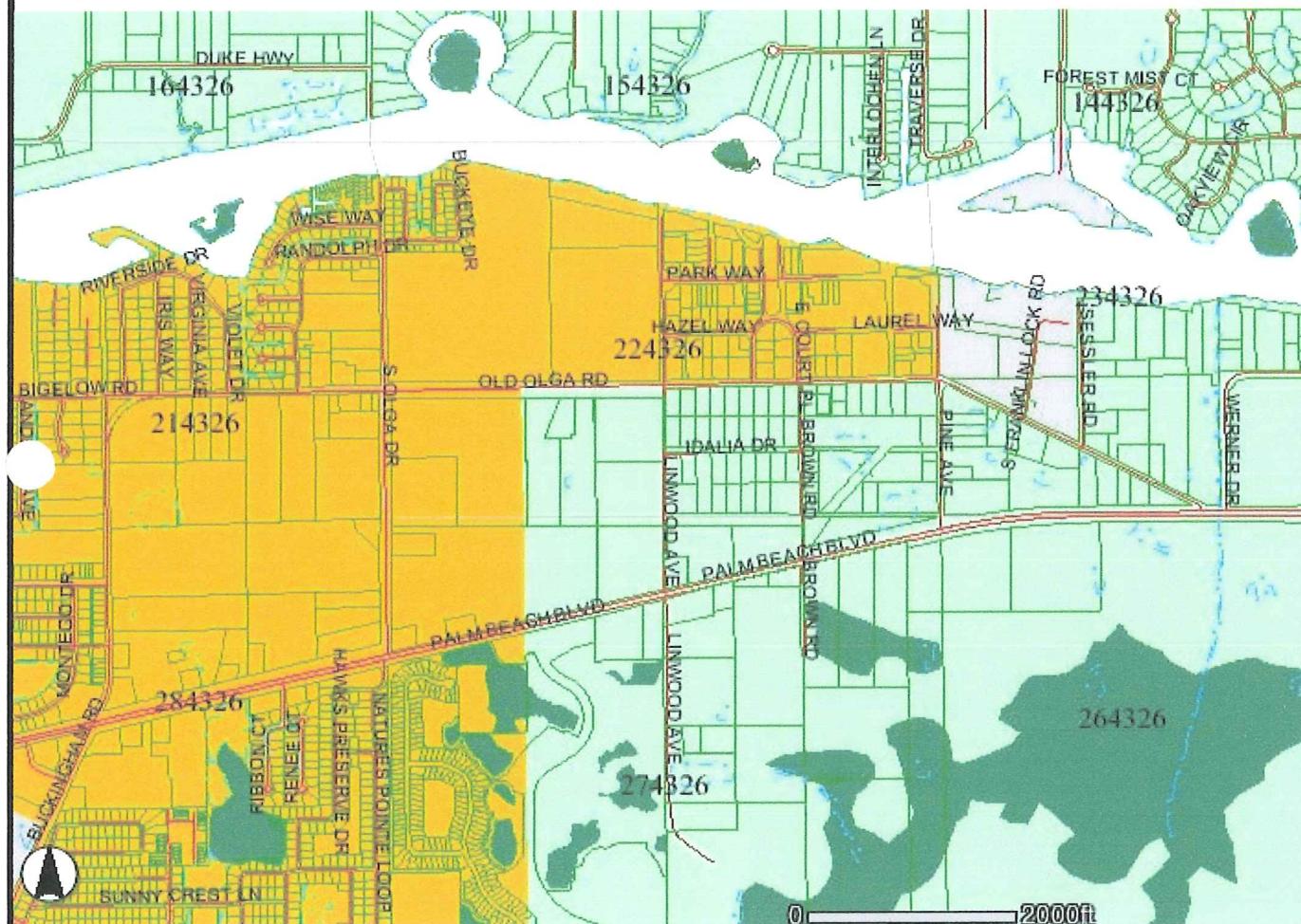
OLD OLGA ROAD

OLD OLGA ROAD

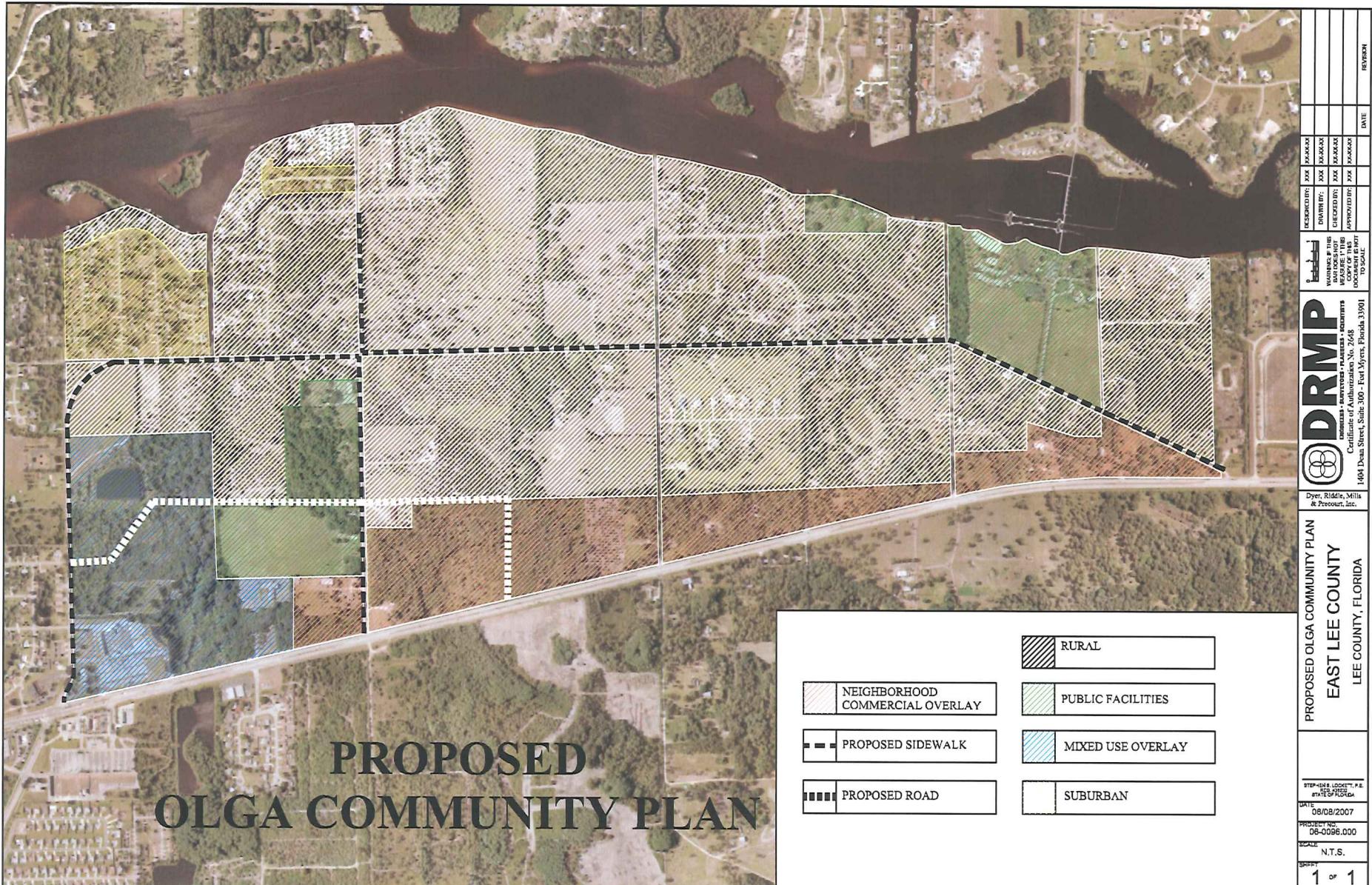




## Lee County Map



# PROPOSED OLGA COMMUNITY PLAN



**PROPOSED  
OLGA COMMUNITY PLAN  
COMMERCIAL DEVELOPMENT STANDARDS MATRIX**  
June 9, 2007

Proposed Development Standards	
Vision Statements	<p>Study area boundaries are one parcel deep fronting the north side of SR 80 bound on the west by South Olga Road and on the east by the intersection of Old Olga Road and SR 80. They include the following parcels (see map attached for pictorial view):</p> <p>28-43-26-00-00001.0030  28-43-26-00-00001.0050  28-43-26-00-00003.0010  28-43-26-00-00008.0010  28-43-26-00-00008.0000  28-43-26-00-00007.0010  27-43-26-00-00002.0000  27-43-26-00-00003.0000  27-43-26-00-00001.0020  27-43-26-00-00006.0030  27-43-26-00-00006.0000  27-43-26-00-00006.0010  27-43-26-00-00006.0020  27-43-26-00-00001.0050  27-43-26-00-00001.0070  27-43-26-00-00013.0000  23-43-26-00-00012.0010  23-43-26-00-00011.001A  23-43-26-00-00011.0000  23-43-26-00-00011.001B  23-43-26-00-00011.0010  23-43-26-00-00005.0000</p>
	Commercial land uses will not intrude into single family neighborhoods unless the neighborhood is consulted and approves.
	Must be a Commercial Planned Development and may not have a residential component unless it matches the abutting residential density.
	Development intensity will gradient from the center to the edge suitable to integrate surrounding land uses.
	Parking lots shall be internal to the building structure with buildings lining or shielding the

	<p>parking lot from the street and neighborhood.</p>
	<p>Parking space requirements will be reduced by one half in order to provide more open space and less impervious surfaces on the site.</p>
	<p>Development shall utilize the principals of Crime Prevention Through Environmental Design (CPTED)</p>
Minimum County Code for Commercial:  Street: varies Side: 15 feet Rear: 20 feet	<p>The minimum building setbacks shall be as follows:</p> <ol style="list-style-type: none"> <li>Street: 40 feet</li> <li>Side: 30 feet</li> <li>Rear: 50 feet</li> </ol>
	<p>No automobile oriented uses will be allowed. No drive-throughs. No drive-ins.</p>
	<p>As feasible, developer shall work with Lee Tran to provide a bus stop location in the project.</p>
	<p>Floor Area Ratios maximums shall be .10. FAR represents the relationship of the size of a building to its site area. Calculated by taking the size of the parcel in square feet divided by 10 equals the size of the building.</p>
Sec. 10 – 415(a)  Small Project – 20% Large Projects – 30% <i>Small development</i> less than 10 ac in land area and less than 2 ac of impervious <i>Large development</i> 10 ac or more in land area or 2 ac or more of impervious	<p>Open Space Requirements:</p> <ol style="list-style-type: none"> <li>Small Projects A: Parcels less than 5 acres shall provide 30% open space.</li> <li>Small Projects B: Parcels between 5 – 10 acres shall provide 40% open space.</li> <li>Large Projects: Parcels more than 10 acres shall provide 50% open space.</li> </ol>
County Code – Buffers  Type A: 5 feet Type B,C, D: 15 feet Type E: 30 feet	<p>The underlying land development standards from Chapter 33 for Caloosahatchee Shores shall apply to buffers, landscaping, etc.</p> <p>Buffers:</p> <p>Type A: 10 feet Type B, C,D: 20 feet Type E: 30 feet</p>
	<p>Building and project designs must ensure that internal street systems are designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development.</p>
Sec. 10-415(b)  Large developments with existing indigenous native vegetation communities must provide 50 percent of their open space percentage requirement through the onsite preservation of existing native vegetation communities.	<p>Small Projects A and Small Projects B with existing indigenous native vegetation must provide 35% of their open space percentage requirement through the onsite preservation of existing native vegetation.</p> <p>Projects over 10 acres will adhere to the current Lee County Code.</p>



Dyer, Riddle, Mills  
& Precourt, Inc.

**Principals**

Wayne D. Chalifoux  
Donaldson K. Barton, Jr.  
Lucius J. Cushman, Jr.  
Jon S. Meadows  
Stephen L. Precourt  
Lawrence L. Smith, Jr.  
William T. Stone

June 1, 2007

**Subject: Public Meeting to Discuss and Vote On  
The Olga Community Planning Overlay**

**To all Property Owners, Residents and Interested Parties:**

**Please be advised that a public meeting is scheduled for all residents, property owners and interested parties in the Olga Community for Saturday, June 9, 2007 from 9:00 a.m. to 1:00 p.m. at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) located at 14036 Matanzas Drive, Fort Myers, Florida 33905.**

The purpose of this meeting is to review and discuss the Olga Community Planning Overlay and for all property owners, residents and interested parties of Olga to provide final input and comment on the community planning effort for the Olga Community. Additionally, the parties will cast a vote with regard to the proposed level of intensities allowed for future commercial development to be developed upon those properties located on the north side of and that front directly on State Road 80, lying between South Olga Drive and the Old Olga Road/State Road 80 intersection. There will also be a vote on what level of intensity should be permitted and roadway access provided for the 36± acres located at the northeast corner of South Olga Drive and State Road 80. The following information is being provided to give you a historical perspective of the events leading up to and which mandate some of the actions outlined in this letter. We have also provided the attached definitions to help define and explain some of the major points of discussion provided herein.

In December of 2006, the East Lee County Council hired the planning consultant, DRMP, Inc., to develop land development regulations for the Palm Beach Boulevard and the Caloosahatchee Shores Communities. The Caloosahatchee Shores Community is the area of Lee County located east of I-75, south of the Caloosahatchee River, west of Hickey Creek, and north of Orange River.

In addition to the land development regulations for Palm Beach Boulevard and Caloosahatchee Shores, DRMP was requested to review the previously submitted Olga community's goals, objectives and policies leading to the development of an independent overlay for the community.

Once approved by the Olga residents, the Olga Community, Planning Overlay will be incorporated as a sub-area to the Caloosahatchee Shores Community Plan that was previously adopted by the Lee County Board of County Commissioners in 2006 and incorporated in the Lee County Comprehensive Plan (Lee Plan). The Lee Plan is the

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Suite 300  
Fort Myers, FL 33901  
Phone : 239.344.0050  
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Boca Raton, Florida  
Charlotte, North Carolina  
Chitney, Florida  
Columbia, South Carolina  
DeLand, Florida  
Ft. Myers, Florida  
Gainesville, Florida  
Jacksonville, Florida  
Lakeland, Florida  
Norcross, Georgia  
Palm Coast, Florida  
Panama City Beach, Florida  
Pensacola, Florida  
Punta Gorda, Florida  
Tallahassee, Florida  
Tampa, Florida

1.800.375.3767  
www.drmpl.com

roadmap for future development in the County over the next 25 years. It provides goals, objectives and policies for which all development in the County must adhere to.

From these goals, objectives and policies land development regulations are developed which govern the specific development criteria allowed within the various zoning districts of Lee County. Chapter 33 of the Land Development Code is the specific development regulations specific to Caloosahatchee Shores and Palm Beach Boulevard. These development regulations are currently being developed by DRMP and the East Lee County Council for future adoption. In addition to the specific regulations to CS Planning Community, there are zoning regulations that all properties within Lee County must comply with.

These Zoning regulations are known as the "Zoning Code" and are located in Chapter 34 of the Lee County Land Development Code. These regulations prescribe the specific development criteria, i.e., building setbacks, building height, parking requirements, etc. which are specific to each individual zoning district. Site construction regulations for each development are prescribed in Chapter 10 of the Lee County Land Development Code and known as the "Development Standards".

Since January 2007 the Olga Planning Sub committee has conducted a series of workshops and meetings to develop the Olga Community Planning Overlay. As outlined in the first paragraph of this letter, the upcoming meeting on Saturday, June 9 will be held to finalize the items listed.

One issue is the development of the 36-acre parcel located at the northeast corner of South Olga Drive and S.R. 80. The property owner has been working with the Olga Planning Sub-Committee to establish criteria for the development of the property. The key factor in determining the level of development allowed on the property is how the internal roadway will be classified by Lee County in the Lee Plan. The location of the entrance road can also provide new access from S.R.80 to other areas of Olga. The attached options illustrate four separate options on which there will be a vote. The voting procedures will be in accordance with instructions provided by the Lee County Attorney's Office.

Your attendance is important to the community planning process so please try to attend the meeting.

Should you have any questions or need any additional information, please contact me at the number below.

Sincerely,  
**Dyer, Riddle, Mills & Precourt, Inc.**

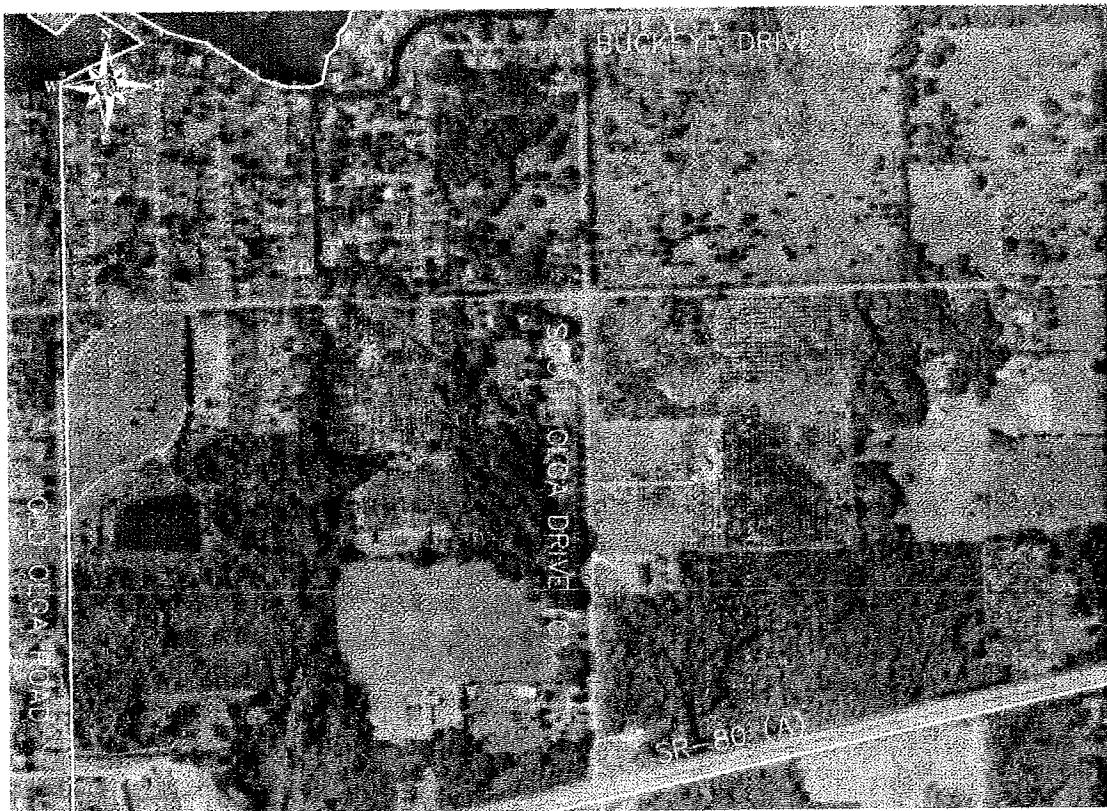
Vincent Franceschelli  
Project Planner  
239.344.0050  
[vfranceschelli@drmp.com](mailto:vfranceschelli@drmp.com)

## DEFINITIONS:

### Road Descriptions:

1. Arterial (A) – A street or highway primarily intended to carry large volumes of through traffic from one city to another. An arterial example is S.R.-80.
2. Collector (C) – Streets that collect traffic from intersecting local streets and move traffic to the nearest arterial. Collector streets provide access from local streets to arterial streets. An example is South Olga Drive providing access from local streets such as Buckeye Drive to S.R.-80.
3. Local (L) – Streets that serve the access needs of predominately residential properties. A local street provides access from individual properties to collector streets. Local streets are not intended to provide through traffic. An example of a local street in Olga is Buckeye Drive.

Shown below is a graphic depiction of the road descriptions.



### Commercial Development:

4. Commercial Development - The following are considered commercial development: shopping centers, free-standing retail or service establishments, restaurants, convenience food stores, automobile dealerships, gas stations, car washes, and other

commercial development generating large volumes of traffic. The following are not considered commercial development: banks and savings and loan establishments without drive-in facilities, hotels and motels, marinas, industrial, warehouse, or wholesale development, or general, medical or professional offices.

5. Commercial Node (CN) – An intersection deemed by Lee County to be consistent with the standards of Neighborhood Commercial Development or Community Commercial Development. The intersections throughout Lee County are illustrated in the Lee Plan. See definitions for Neighborhood Commercial Development and Community Commercial Development for requirements. The closest commercial node in the Olga area is at the intersection of S.R.-80 and Buckingham Road. It was determined by Lee County that this intersection meets neighborhood commercial center standards.
6. Community Commercial Development (CCD) – Provides sale of convenience goods and personal services such as food, drugs, and hardware items, as well as clothing, variety items, appliances and furniture. CCD's are located at the intersection of two arterials. The site area ranges from 10 to 35 acres. Gross floor area ranges from 100,000 square feet to 400,000 square feet.
7. Minor Commercial Development (MCD) - Provide sale of convenience goods and services and located on or near the intersection of a local and collector, local and arterial, or collector and collector roads. The site area can range from two acres or less. The permitted floor area should not exceed 30,000 square feet.
8. Neighborhood Commercial Development (NCD) – Provide sale of convenience goods and personal services such as food, drugs, sundries, and hardware items, and located at the intersection of a collector and arterial or arterial and arterial roads. The site area can range from 2 to 10 acres. Gross floor area can range from 30,000 square feet to 100,000 square feet.

**Future Land Use Categories:**

9. Rural – Areas intended to remain low density residential, agricultural, and have minimal non-residential land uses needed to serve the rural community. These areas are not programmed to receive urban-type capital improvements and they can anticipate a continued level of public services below that of urban areas. Maximum density is 1 unit per acre.
10. Suburban – Areas predominantly residential appropriate to protect existing or emerging residential neighborhoods. These areas provide housing near the more urban areas but not a full mix of land uses that are typical to urban areas. Density ranges from 1 to 6 units per acre with no bonus densities above 6 units per acre allowed.

As identified on page 2 of the letter, we discussed the property located at the northeast corner of South Olga Drive and S.R.-80. The access to this property will impact the Olga Community depending upon the classification of the internal project roadway. On this and the following pages are four (4) separate options for consideration. Below are various development scenarios with a list of pro's and con's to each scenario. The pro/con list is provided as food for thought and by no means represents a complete list.

### **OPTION 1: NO CHANGE**



The internal roadway will be classified as a private dead-end road and will terminate at the northern boundary of the property and will be used for internal access only. This will limit "Commercial Development" on the site to a minor commercial use because it is located at an intersection of a private road and an arterial road. No more than 30,000 square feet of "Commercial Development" will be allowed. The property owner will preserve a 100 foot wide buffer on the northern property line.

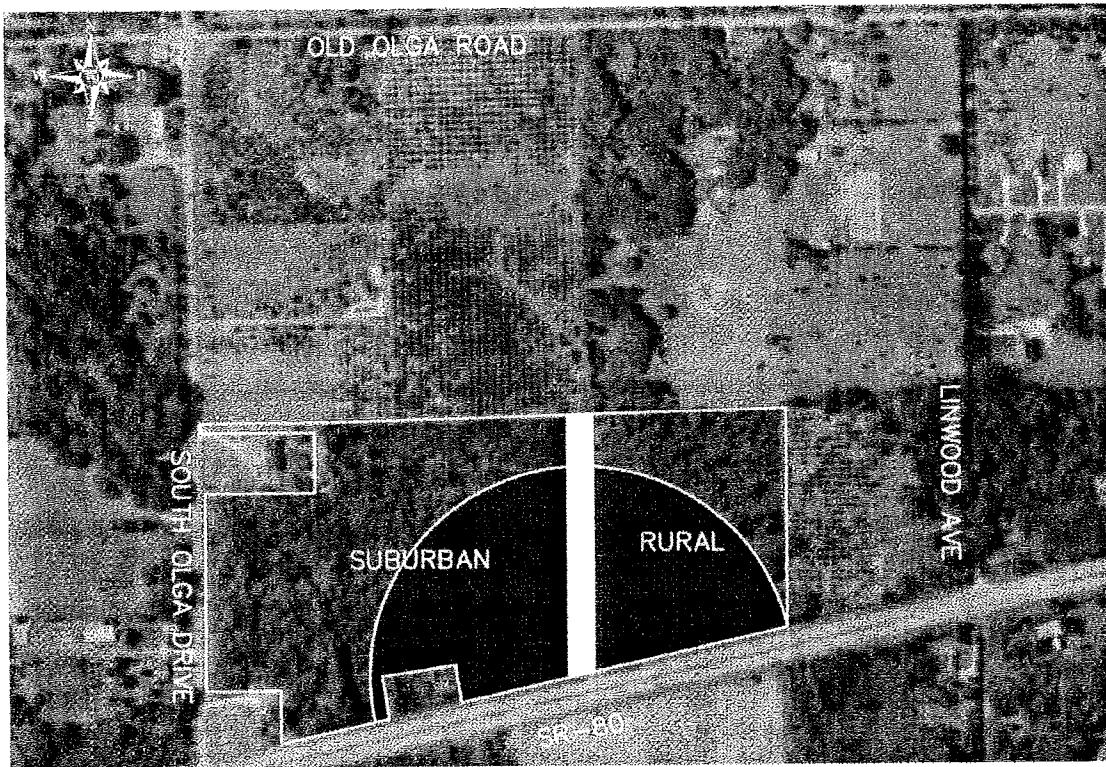
#### **PROS**

- "Commercial Development" limited to 30,000 square feet
- Traffic will only access the site from S.R.-80
- Will provide enhanced buffer along northern property line
- No neighborhood access to S.R.-80 from private access road
- Will provide extensive landscape buffer between residential and commercial

#### **CONS**

- Possibility of vacant residential properties to the north connecting to private road and access to S.R.-80
- No neighborhood access to S.R.-80 from private access road.

## **OPTION 2: COMMERCIAL NODE**



The property owner would work with Lee County to designate the internal roadway as a "collector road" according to the Lee County Comprehensive Plan (the Lee Plan) and this location on the commercial node map. This will allow a Neighborhood Commercial Development on the site since the project would access a collector and will connect to an arterial (S.R.-80). Neighborhood Commercial Development permits a range of 30,000 to 100,000 square feet of "Commercial Development" uses. The property owner will preserve a 100 foot wide buffer on the northern property line.

### **PROS**

- May provide access to S.R.-80 from vacant residential properties north of the parcel
- May provide site with left-turn in and out access to S.R.-80
- Limit access to S.R.-80, no neighborhood access
- Will provide enhanced landscape buffer along northern property line

### **CONS**

- Will allow more commercial development square footage to be developed than Option 1
- May allow residential access to the site and S.R.-80 from vacant residential properties to the north
- No neighborhood access to S.R.-80

### **OPTION 3: COLLECTOR ROAD TO SOUTH OLGA DRIVE**



The internal project access road would be designated as a collector road and turn to the west at the northern boundary of the property and connect to South Olga Drive (a collector road). As in all the options, this parcel is split between the Future Land Use Categories of Suburban and Rural designation (see above). Neighborhood Commercial Districts are allowed in the Suburban designated area and as discussed in Option 2 permits a range of 30,000 to 100,000 square feet of "Commercial Development". The property owner will preserve a 100 foot wide buffer on the northern property line.

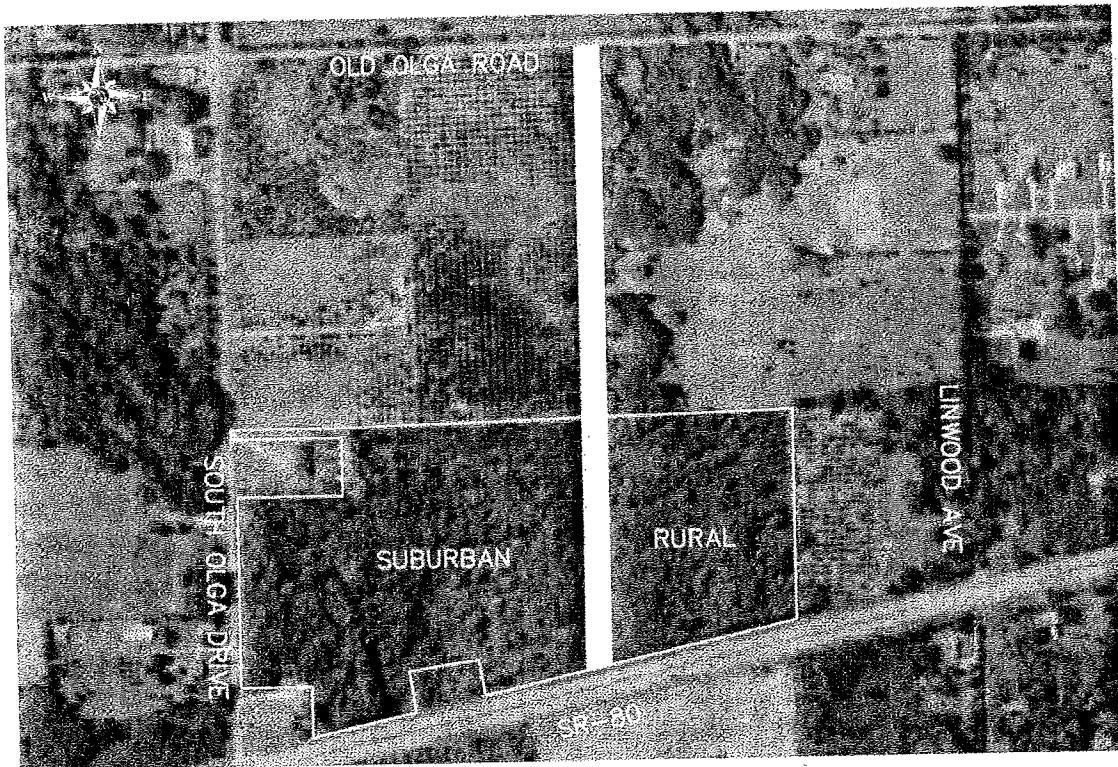
#### **PROS**

- May provide left-turn in and out access to S.R.-80 from neighborhood north of parcel
- Will eliminate possibility of access between S.R.-80 and vacant residential lots to the north
- Will allow neighborhood to access site without going out to S.R.-80
- Will provide enhanced landscape buffer along northern property line

#### **CONS**

- Will allow more commercial development than is currently allowed
- Will allow traffic to enter and exit the site from South Olga Drive
- Traffic will not be kept internal to the site
- Increased traffic on South Olga Drive

## **OPTION 4: COLLECTOR ROAD TO OLD OLGA ROAD**



Option 4 would be developed the same as Option 3 as it is based on the development criteria within Suburban land use, at the neighborhood commercial node a range of 30,000 to 100,000 square feet of "Commercial Development". The variable in this option is the internal project access road would connect S.R.-80 to Old Olga Road. The developer of the northern residential property could petition to connect to the internal road and ultimately out to S.R.-80. The property owner will preserve a 100 foot wide buffer on the northern property line.

### **PROS**

- May provide left-turn in and out access for neighborhood to S.R.-80
- Will allow neighborhood to access site without going out to S.R.-80
- Will provide enhanced buffer along northern property line
- Will provide an additional north/south road for the neighborhood to access S.R.-80

### **CONS**

- Will provide access for vacant properties to the north to S.R.-80
- Will allow traffic for the site to access the neighborhood
- Could allow property north and at the southeast corner of South Olga Drive and Old Olga Road to request more density than 1 unit per acre.

Jim Green  
6/9/2007

## Olga Plan Option 5 - Draft

Note: Yes/No votes may be taken on each paragraph and sub-option.

### A. Proposed Olga Vision Statement to be added to the Lee Plan

Objective: In order to maintain Olga's status as the most historic and rural community in the Caloosahatchee Shores Plan area, the following policies will be applicable to the Olga community as reflected on the Olga Vision Map (*Rosalie's map updated to reflect consensus changes and to exclude any reference to parcel 27-43-26-00-00003.0000*).

Policy: The Olga Vision Map reflects the vision of the residents of Olga for their community. All requests for rezonings, comp plan amendments, CIP projects and other regulatory changes by the Board of County Commissioners will take this map into consideration.

Standard 1: It is envisioned that any new residential development in Olga be approved at no more than one unit per acre with the following exceptions:

Parcel 27-43-26-00-00003.0000

**(specify any other areas or parcels as reflected in our proposed changes to the LUP).**

Standard 2: Commercial development is not objectionable on land parcels that touch SR80 that are east of 650 feet west of Linwood Avenue. Mixed use is encouraged. Land parcels in this designated area that request commercial zoning are envisioned to be required to meet architectural, landscaping and intensity development standards that shall be developed by the Olga community.

Standard 3: A new Town Center/Retail Village which encourages mixed use is envisioned on Old Olga Drive immediately north of the Winn Dixie.

Standard 4: It is envisioned commercial development in Olga be limited to the Olga Mall, the Town Center/Retail Village described in Standard 3 and parcels adjacent to SR80.

Standard 5: A sidewalk/bike path at least 8' wide is envisioned on the east and south side of Old Olga Road from SR 80 to its intersection with South Olga Drive, and on the north side of Old Olga Road for the remainder of its entire length, and on the west side of South Olga Drive from SR80 to Old Olga Road.

Standard 6: Landscaping with oak trees is envisioned on roads and sidewalks/bike paths in Olga by relocating existing trees from within Olga whenever possible.

Standard 7: An expanded community center/park is envisioned on the thirteen acres to the south of the existing community center.

Standard 8: Designation of the Olga Mall as a historical site is envisioned.

Standard 9: A new road with public access is envisioned to connect the River Hall/SR80 intersection (envisioned signalized) with the entrance to Caloosahatchee Estates on Old Olga Road. The road is desirable to accommodate the combination of current and new resident traffic, offset the anticipated closure of mediation cuts at South Olga Drive and Linwood Avenue,

Jim Green  
6/9/2007

and provide signalized access to busy SR80. ***Sub option: adjacent sidewalk/bike path***

**Standard 10:** A new road is envisioned commencing at Old Olga Road at the proposed Town Center/Retail Village, through South Olga Road on the south side of the expanded park, and separating the new school from the park, then (***Sub-Option A) through to the new north-south road proposed in Standard 9 above. Sub-Option B: Continue road through to Linwood Ave. Sub-Option C: add adjacent sidewalk/bike path.***

**Standard 11:** The Olga Community Club will be notified of any proposed rezoning or comp plan amendments in the Olga Community.

### **B. Proposed Changes to the Lee Plan Land Use Map**

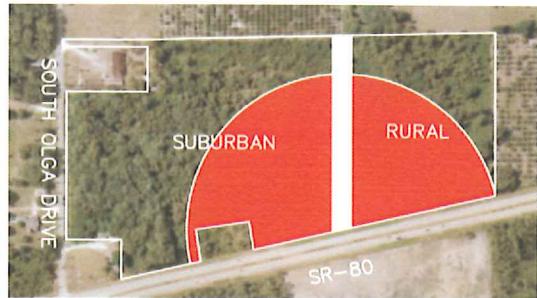
1. Designate the 90- acre "Caloosahatchee Estates" parcel and the parcel adjacent in the northeast corner "Rural".
2. Designate parcels bounded by S. Olga, Linwood and Old Olga that do not touch SR-80, excluding church property, "Rural".
3. (My understanding) the Rural Land Use Category does not permit commercial use other than "agriculture related". Add a statement along the following lines with respect to all land parcels that touch SR 80 east of 650 feet west of Linwood Avenue: "The Lee Plan is amended to permit commercial use that is other than agriculture-related in this designated area providing that commercial development on these parcels comply with Olga architectural, landscaping and intensity standards" (to be developed by the community).
4. Designate the land parcel immediately north of the Winn Dixie "Sub- Outlying Suburban" This permits commercial development of the Town Center & Retail Village referenced in the Vision Statement. Require that commercial development on these parcels comply with architectural, landscaping and intensity standards to be developed by the community.
5. Designate other land north of the Winn Dixie between Old Olga and South Olga (excluding school site, proposed park expansion, community center and Olga Mall) either:
  - a. Sub-Outlying Suburban: only 2 residential units/acre
  - b. **OR:** Rural: only one residential unit per acre.
6. Designate "acreage" land adjacent to and west of South Olga Drive
  - a. Sub-Outlying Suburban: only 2 residential units/acre
  - b. **OR:** Rural: only one residential unit per acre.

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

Option      1      2      3      4      (circle one)

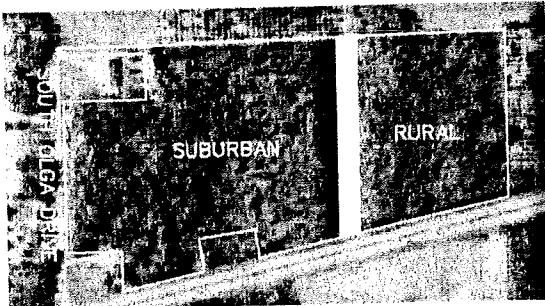
---

Property Owner/Representative (with proper documentation) Signature

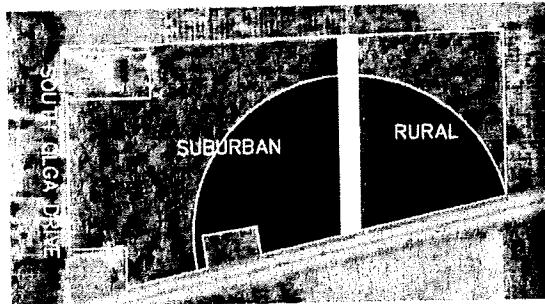
## ***Exhibit J***

## VOTING BALLOT

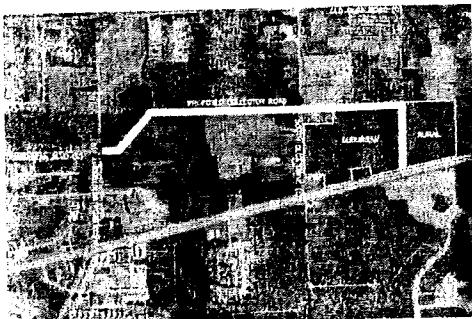
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



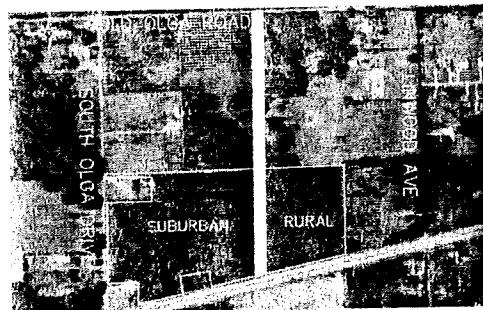
**Option 1:** No Change



**Option 2:** Commercial Node



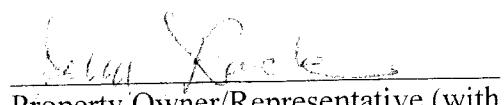
**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I prefer the following to be included in the Olga Community Planning Overlay:

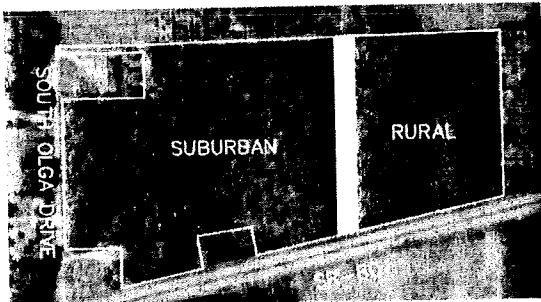
Option  1  2  3  4 (circle one)

  
Property Owner/Representative (with proper documentation) Signature

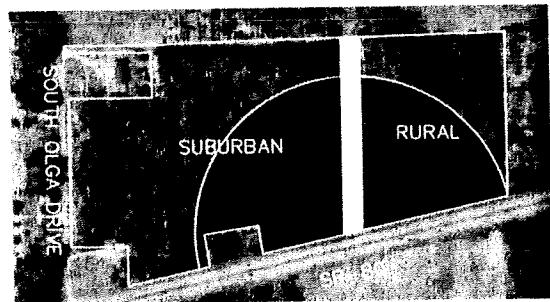
JOHN J. + BERNADETTE ROCHE  
2012 S OLGA DR SE #11  
FORT MYERS, FL 33905  
21-43-26-10-00000.0110

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



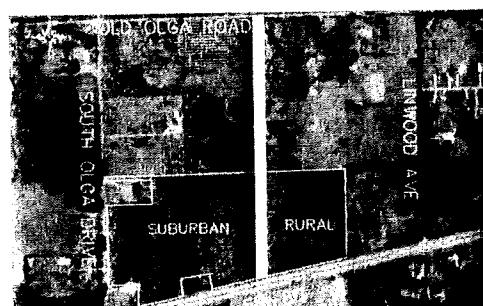
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard

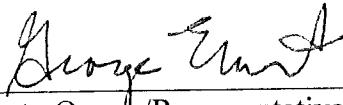


**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

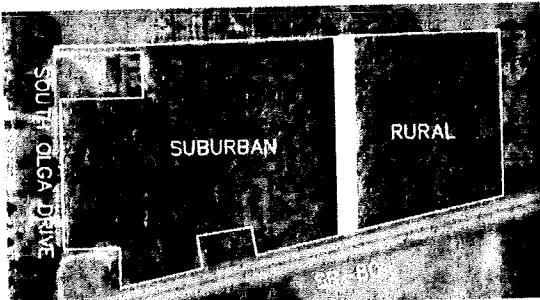
Option  2    3    4    (circle one)

EMMERT GEORGE R  
2243 MARILYN LN  
FORT MYERS, FL 33905  
21-43-26-02-0000D.0080

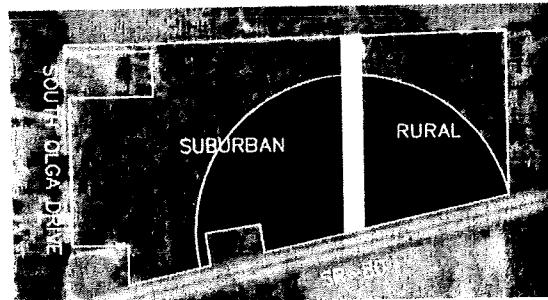
  
\_\_\_\_\_  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



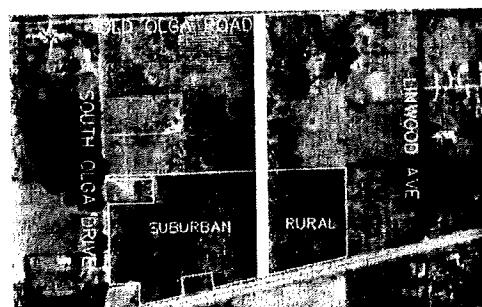
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I

FRANCES DONOHUE, owning property at 14931 RANDOLPH DR.  
prefer the following to be included in the Olga Community Planning Overlay:

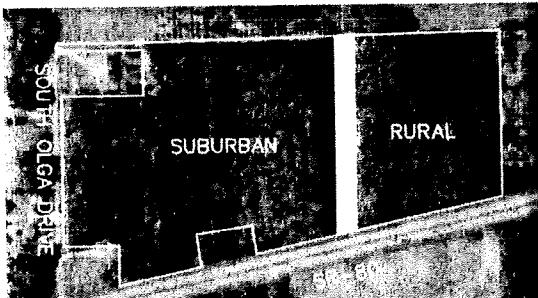
Option  1 2 3 4 (circle one)

DONOHUE FRANCES  
14931 RANDOLPH DR  
FORT MYERS, FL 33905  
21-43-26-04-0000A.0350

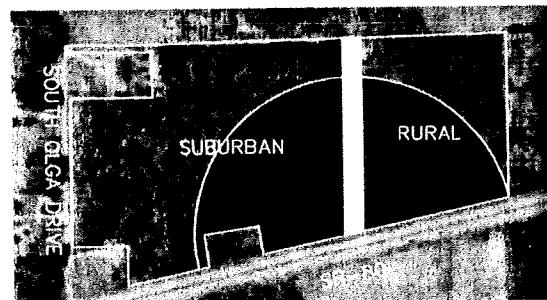
Frances Donohue 6/9/07  
Property Owner/Representative (with  
proper documentation) Signature

## **VOTING BALLOT**

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



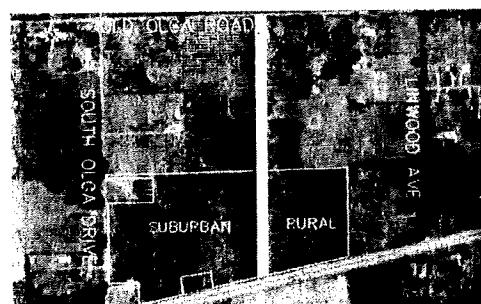
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Bryan M Miller, owning property at 15650 Idalia Drive, Alva, FL  
prefer the following to be included in the Olga Community Planning Overlay:

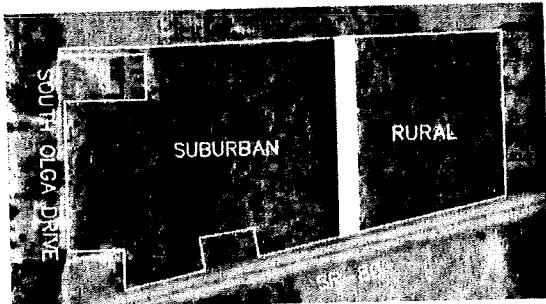
Option  1   2   3   4   (circle one)

MILLER BRYAN M + BARBARA J  
15650 IDALIA DR  
ALVA, FL 33920  
22-43-26-03-00002.0160

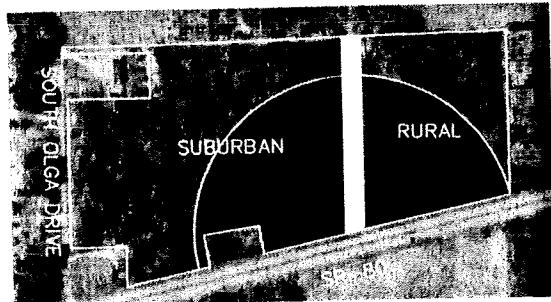
Bryan M Miller  
Property Owner/Representative (with  
proper documentation) Signature

## **VOTING BALLOT**

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Bryan M Miller, owning property at 15650 Idalia Drive, Alva, FL  
prefer the following to be included in the Olga Community Planning Overlay:

Option  1    2    3    4    (circle one)

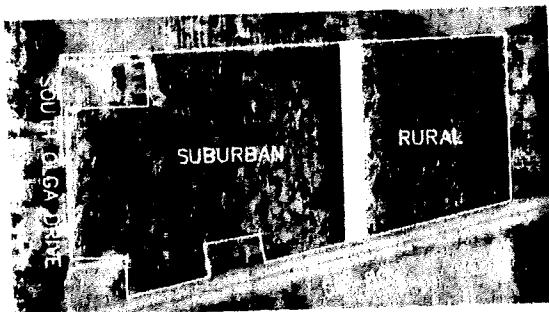
Bryan M Miller

Property Owner/Representative (with proper documentation) Signature

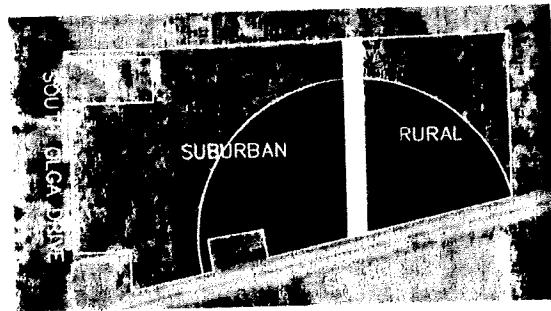
MILLER BRYAN M + BARBARA J  
15650 IDALIA DR  
ALVA, FL 33920  
22-43-26-03-00002.0030

## VOTING BALLOT

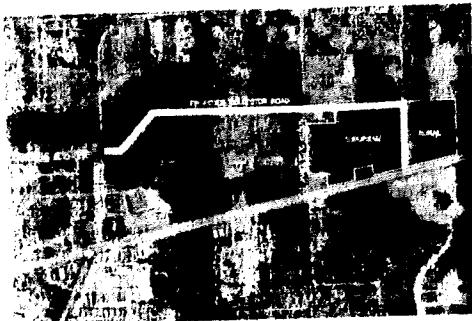
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



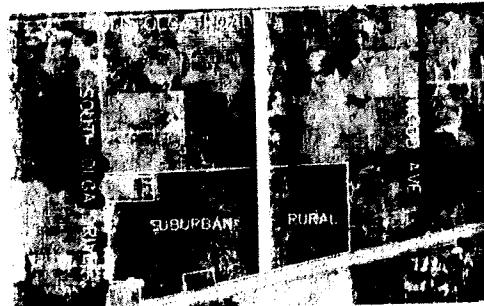
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Terrell Sletten, owning property at \_\_\_\_\_  
prefer the following to be included in the Olga Community Planning Overlay:

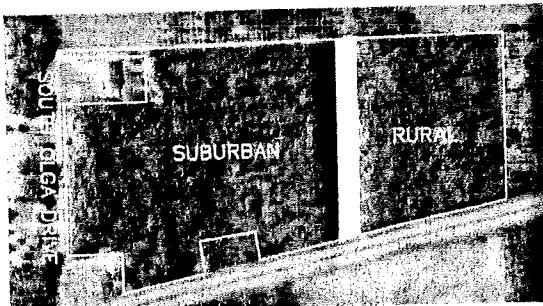
Option  1  2  3  4 (circle one)

SLETTEN TERRELL G + MARVA K  
660 PECK  
FORT MYERS, FL 33919  
23-43-26-00-00005.0110

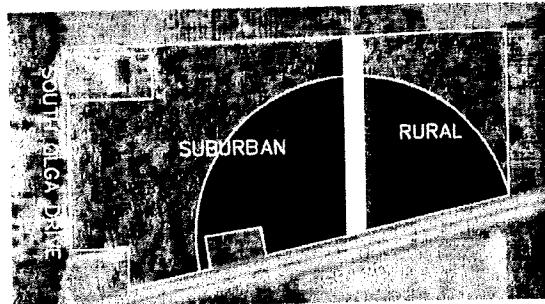
Terrell Sletten  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

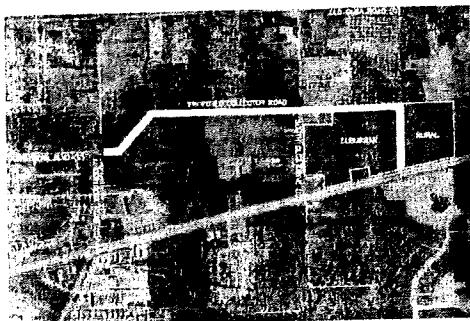
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



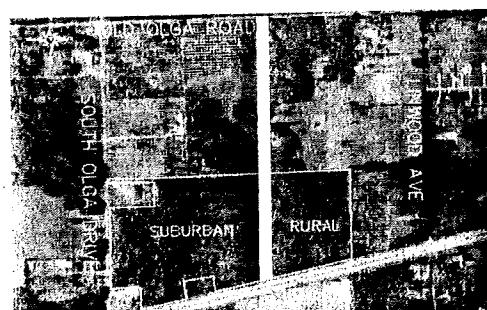
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

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Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

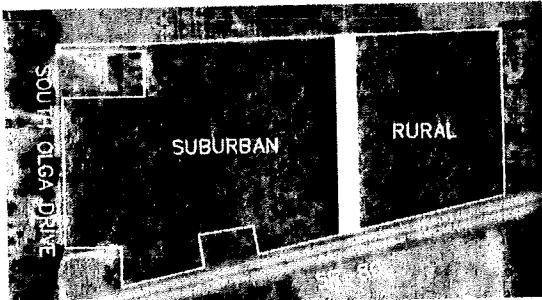
Option  1  2  3  4 (circle one)

STARKEY R + CHRISTINA  
1141 LABELLE VISTA SE  
FORT MYERS, FL 33905  
22-43-26-06-00000.0570

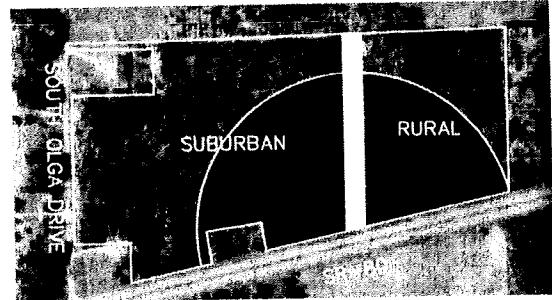
*Christina Starkey*  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

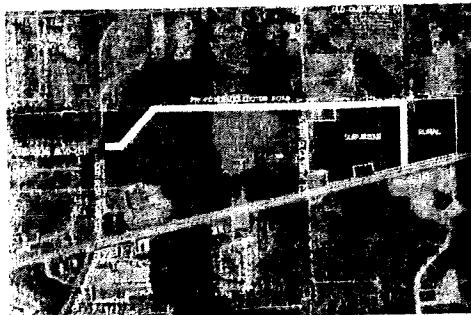
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
William R. White, owning property at 15004 Buckeye Dr. Ft. Myers, FL 33905, prefer the following to be included in the Olga Community Planning Overlay:

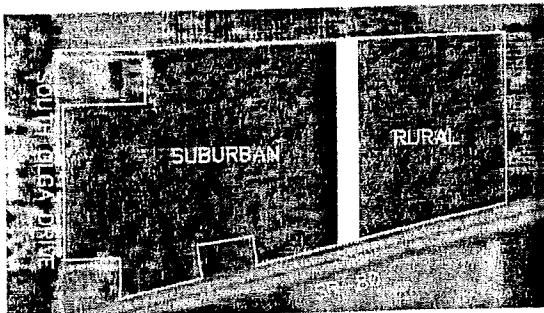
Option    1    2    3    4    (circle one)

WHITE WILLIAM R  
15004 BUCKEYE DR  
FORT MYERS, FL 33905  
22-43-26-05-00000.0090

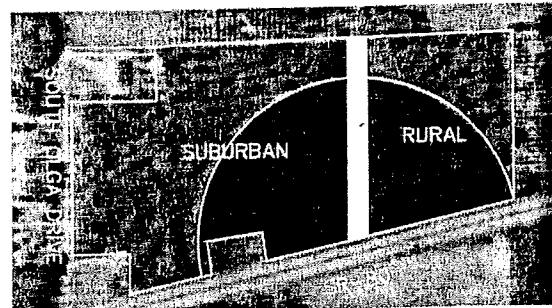
William R. White  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

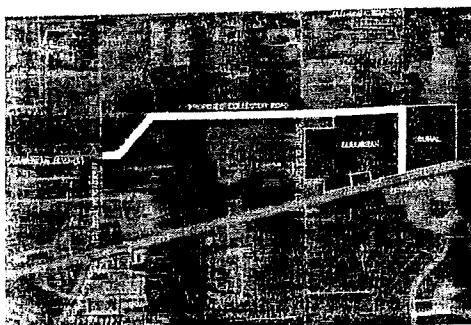
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



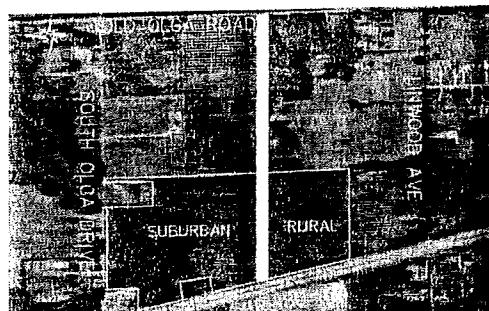
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

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Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I Mark Hemming, owning property at 14931 WISE WY prefer the following to be included in the Olga Community Planning Overlay:

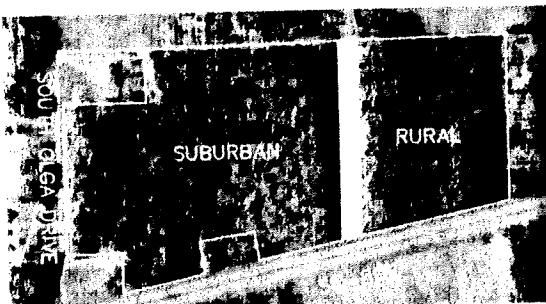
Option  1  2  3  4 (circle one)

HEMMING MARK  
14931 WISE WY  
FORT MYERS, FL 33905  
21-43-26-07-00000.0620

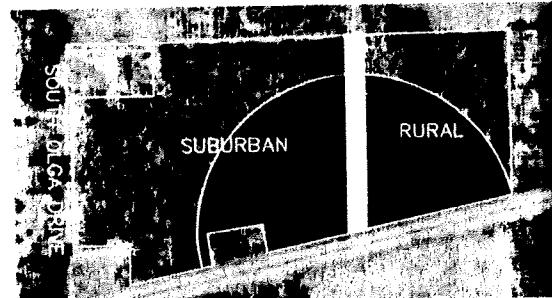
Mark Hemming  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I, Zellasteen Conway, owning property at 1950 Pine Avenue prefer the following to be included in the Olga Community Planning Overlay:

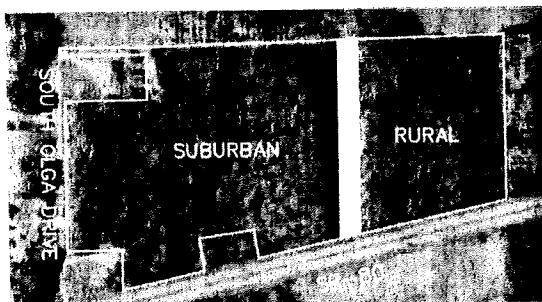
Option    1    2    3    4    (circle one)

CONWAY ZELLASTEEN  
1950 PINE AVE  
ALVA, FL 33920  
22-43-26-03-00004.0140

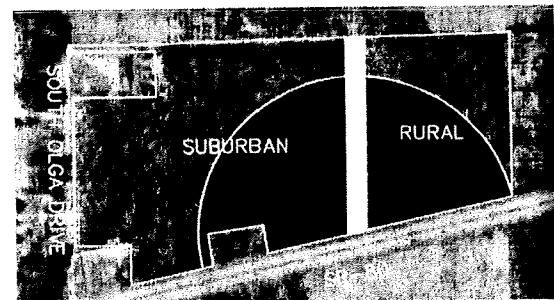
Zellasteen Conway  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

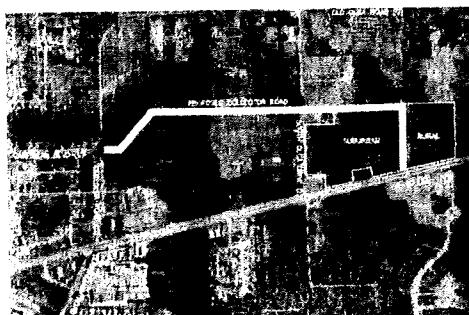
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Zellasteen Conway, owning property at 1950 Pine Ave  
prefer the following to be included in the Olga Community Planning Overlay:

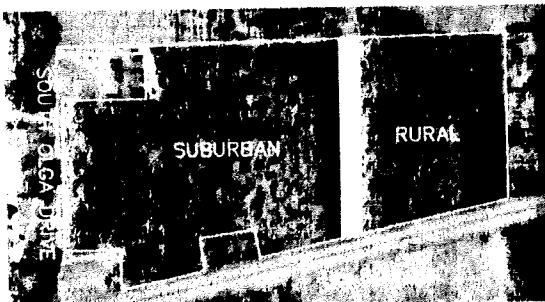
Option    1    2    3    4    (circle one)

CONWAY ZELLASTEEN  
1950 PINE AV  
ALVA, FL 33920  
22-43-26-03-00003.0100

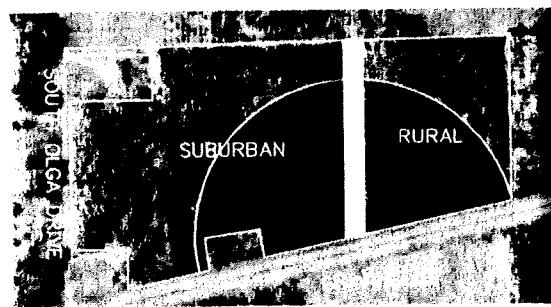
Zellasteen Conway  
Property Owner/Representative (with  
proper documentation) Signature

## **VOTING BALLOT**

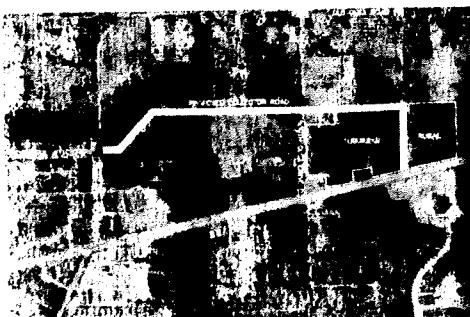
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



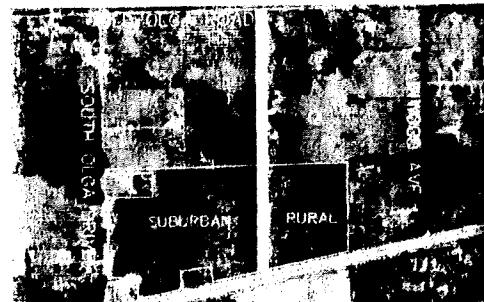
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Zellasteen Conway owning property at 1950 Pine Avenue  
prefer the following to be included in the Olga Community Planning Overlay:

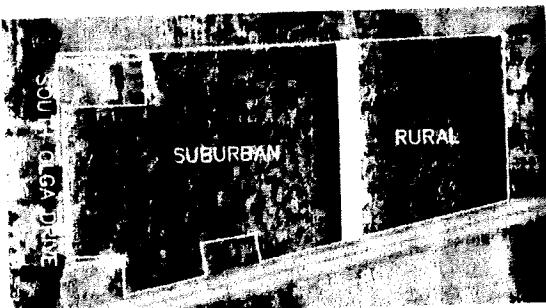
Option 1  2  3  4 (circle one)

CONWAY ZELLASTEEN  
1950 PINE AV  
ALVA, FL 33920  
27-43-26-00-00001.0050

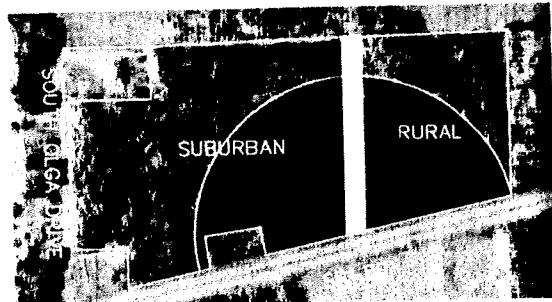
Zellasteen Conway  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

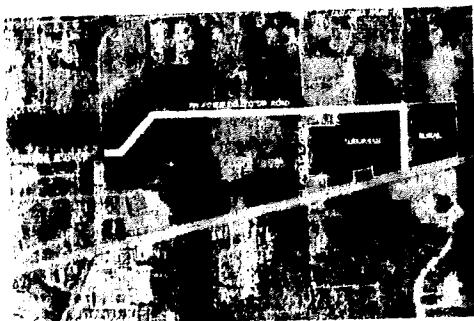
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Zellasteen Conway, owning property at 1950 Pine Ave  
prefer the following to be included in the Olga Community Planning Overlay:

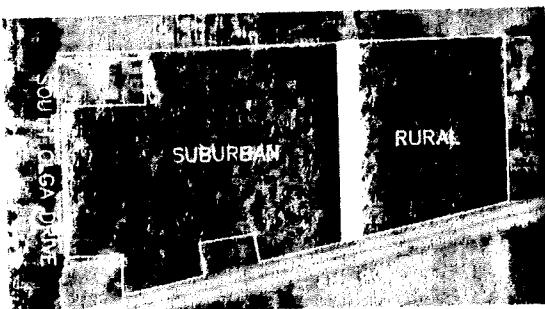
Option 1  2 3 4 (circle one)

CONWAY ZELLASTEEN  
1950 PINE AV  
ALVA, FL 33920  
27-43-26-00-00001.0070

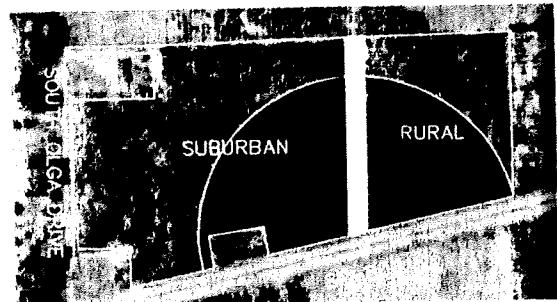
Zellasteen Conway  
Property Owner/Representative (with  
proper documentation) Signature

## **VOTING BALLOT**

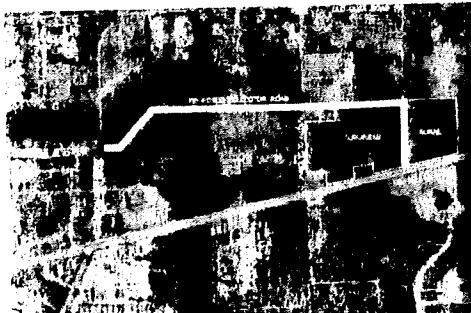
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga  
Road and Caribbean Boulevard**



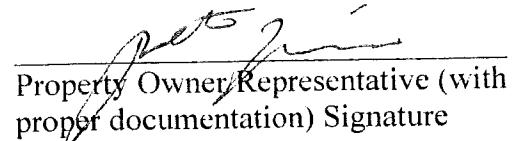
**Option 4: Collector Road to Old Olga  
Road**

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Peter Zielinski, owning property at 15980 Old Olga Rd  
prefer the following to be included in the Olga Community Planning Overlay:

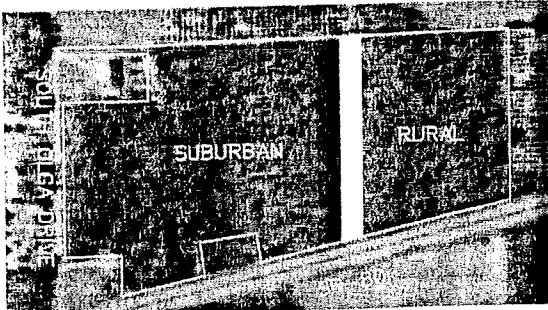
Option    1     2    3    4    (circle one)

ZIELINSKI PETER J + MARY Z  
15980 OLD OLGA RD  
ALVA, FL 33920  
22-43-26-03-00003.0020

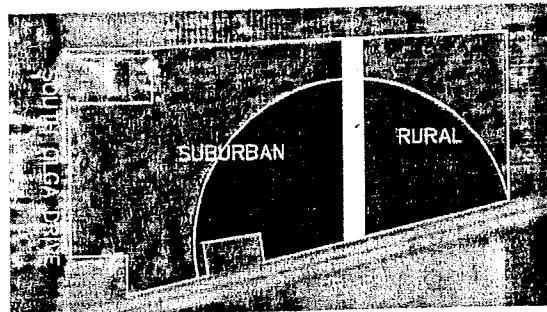
  
Property Owner Representative (with  
proper documentation) Signature

## VOTING BALLOT

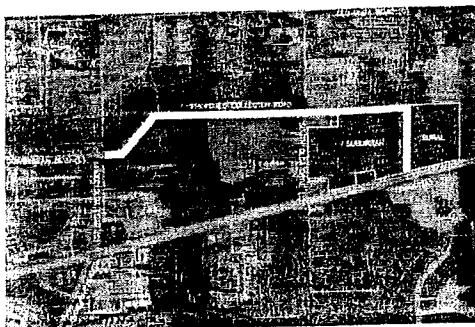
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



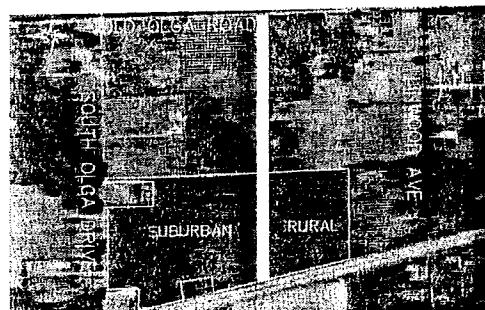
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



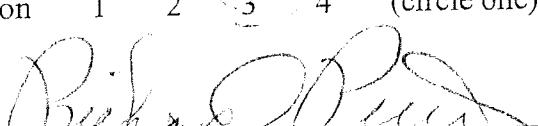
**Option 4:** Collector Road to Old Olga Road

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

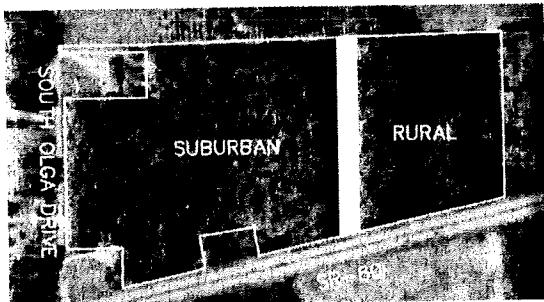
Option    1    2    3    4    (circle one)

PRINS RICHARD A + DEBORAH K  
PO BOX 60967  
FORT MYERS, FL 33906  
22-43-26-00-00008.0020

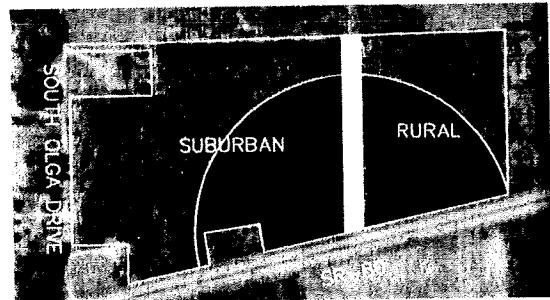
  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



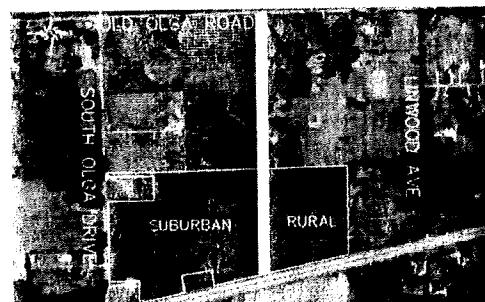
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
\_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

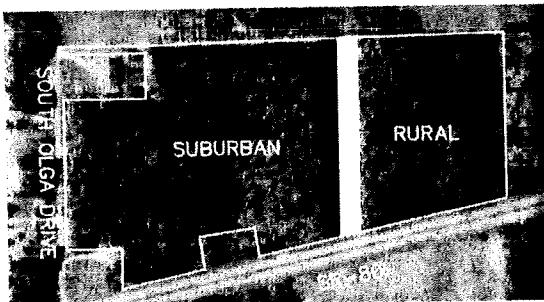
Option    1    2    3    4    (circle one)

ANDERSON RAPHAEL A TR  
14991 OLD OLGA RD SE  
FORT MYERS, FL 33905  
21-43-26-00-00014.0000

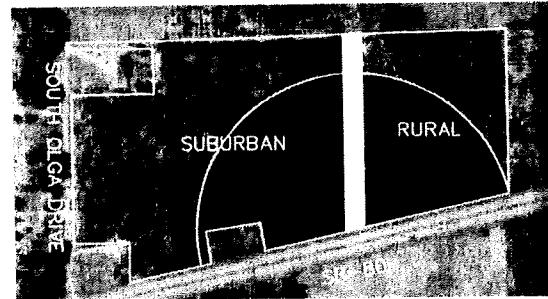
Anderson Raphael A. TR  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I

Francis Gatturra, owning property at 2265 S. OLGA DR  
prefer the following to be included in the Olga Community Planning Overlay:

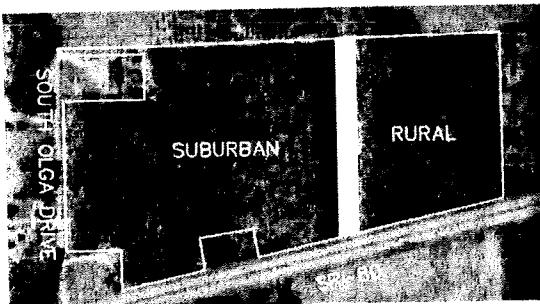
Option    1    2    3    4    (circle one)

F. Gatturra  
Property Owner/Representative (with  
proper documentation) Signature

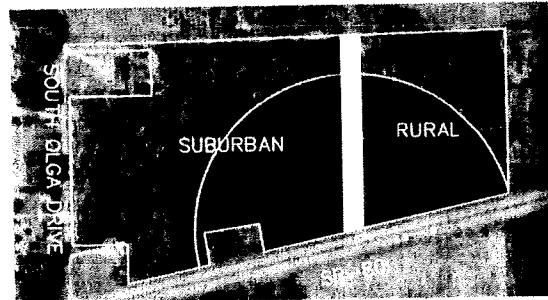
GATTURNA FRANCIS P + BETH  
2265 S OLGA DR  
FORT MYERS, FL 33905  
21-43-26-00-00013.0020

## **VOTING BALLOT**

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
*Ralph Lamely*, owning property at 2261 S. OLGA DR.  
prefer the following to be included in the Olga Community Planning Overlay:

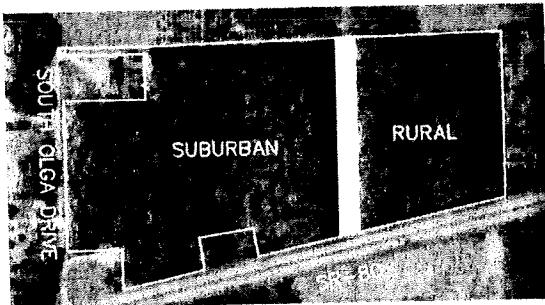
Option    1    2    3    4    (circle one)

LAMELY RALPH J + SHARRON J  
2261 S OLGA DR  
FORT MYERS, FL 33905  
21-43-26-00-00011.0000

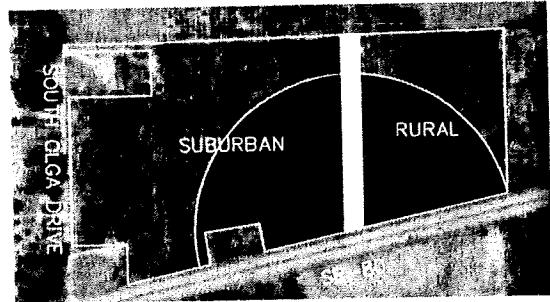
*Ralph Lamely*  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

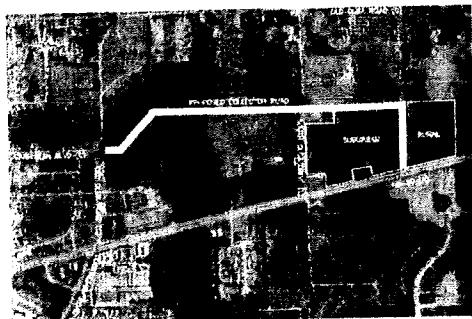
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



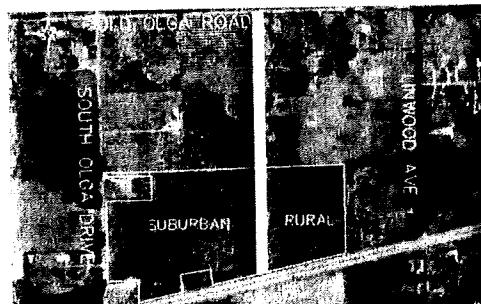
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
KEVIN KELLEY, owning property at 15008 BUCKLEY OR  
prefer the following to be included in the Olga Community Planning Overlay:

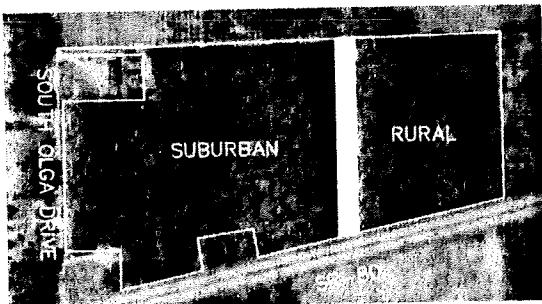
Option    1    2    3    4    (circle one)

KELLEY KEVIN F  
13512 CARIBBEAN BLVD  
FORT MYERS, FL 33905  
22-43-26-05-00000.0110

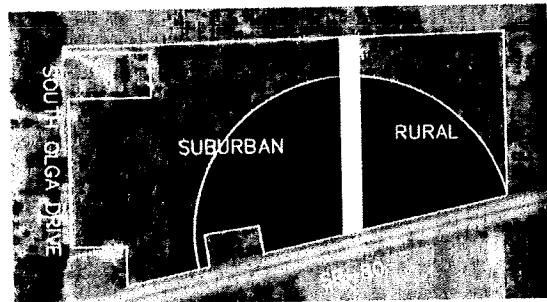
Kevin Kelley  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Robert L. Retter, owning property at 15033 Buckeye Dr  
prefer the following to be included in the Olga Community Planning Overlay:

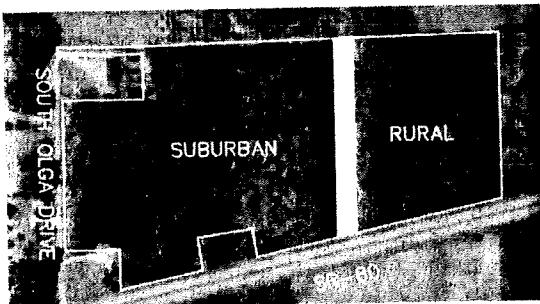
Option    1    2    (3)    4    (circle one)

RETTER ROBERT L + BETTY JEAN  
15033 BUCKEYE DR  
FORT MYERS, FL 33905  
22-43-26-05-00000.0400

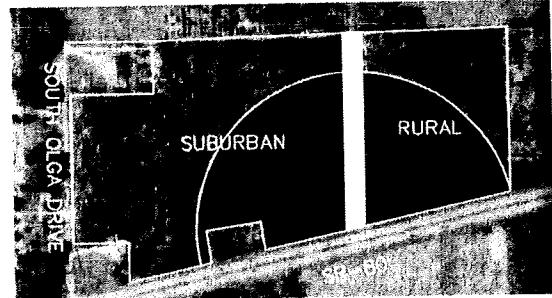
Robert L. Retter  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
J. Swindler, owning property at 15046 BUCKEYE DR  
prefer the following to be included in the Olga Community Planning Overlay:

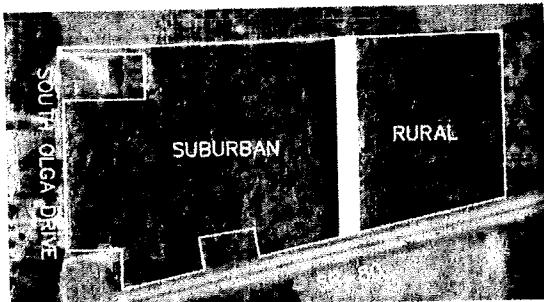
Option    1    2    3    4    (circle one)

SWINDLER JAMES S + PHYLLIS L  
15046 BUCKEYE  
FORT MYERS, FL 33905  
22-43-26-05-00000.0200

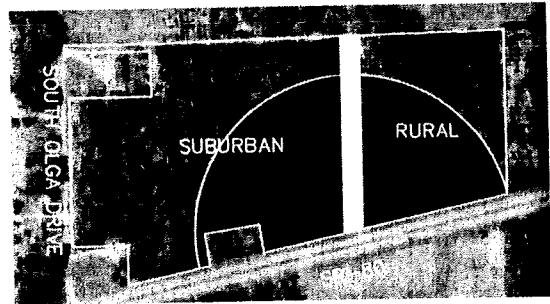
James S Swindler  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

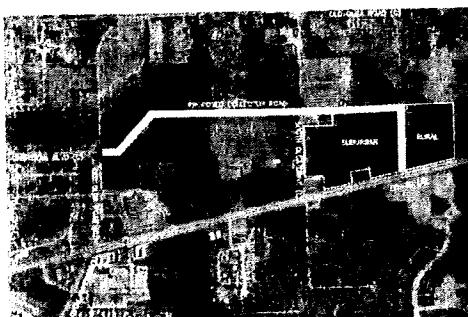
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Joseph Suhrie, owning property at 14910 WISE WAY  
prefer the following to be included in the Olga Community Planning Overlay:

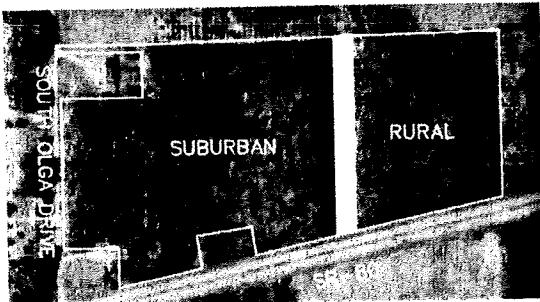
Option    1    2    3    4    (circle one)

SUHRIE CONSTANCE + JOSEPH W/H  
14910 WISE WAY  
FORT MYERS, FL 33905  
21-43-26-07-0000A0070

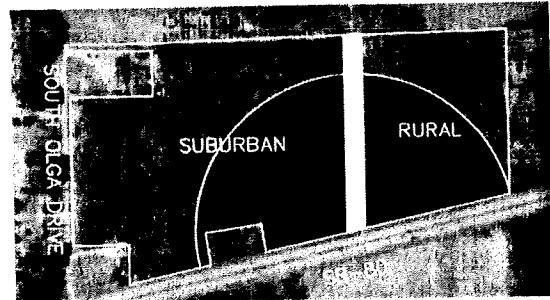
Joseph Suhrie  
Property Owner/Representative (with  
proper documentation) Signature

## **VOTING BALLOT**

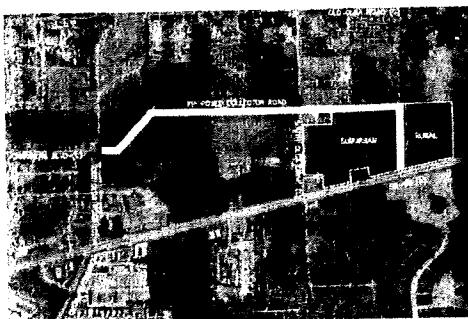
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



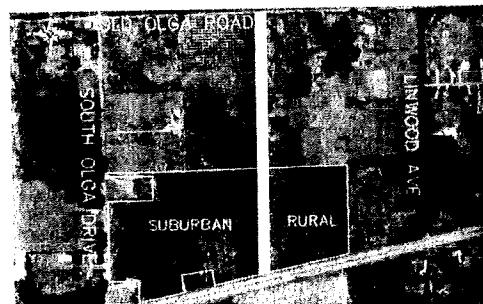
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Stephanie Ostrowski, owning property at 2028 S. Olga Dr.  
prefer the following to be included in the Olga Community Planning Overlay:

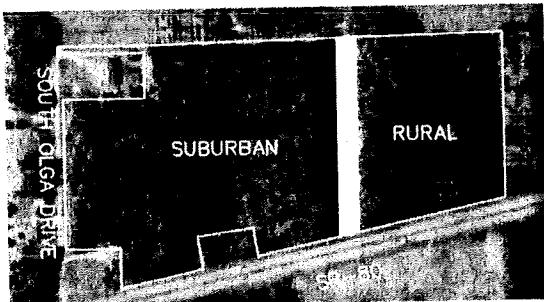
Option    1    2     3    4    (circle one)

OSTROWSKI STEPHANIE J  
2028 S OLGA DR  
FORT MYERS, FL 33905  
22-43-26-06-00000.0730

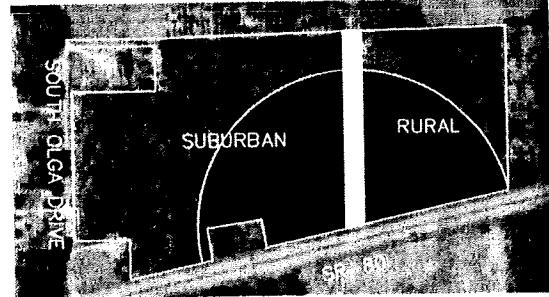
Stephanie Ostrowski  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



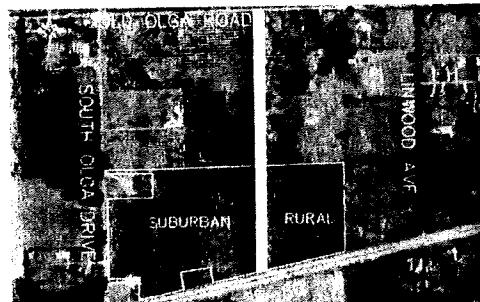
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**

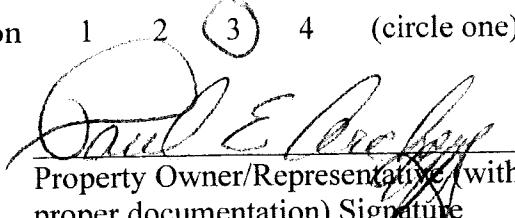


**Option 4: Collector Road to Old Olga Road**

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

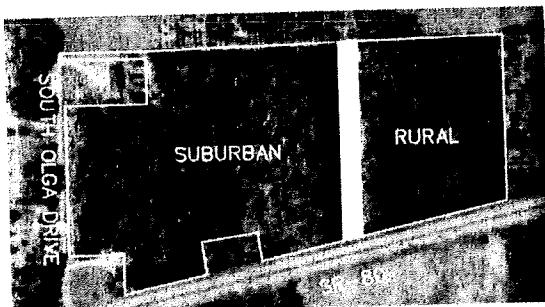
Option    1    2     3    4    (circle one)

  
Property Owner/Representative (with proper documentation) Signature

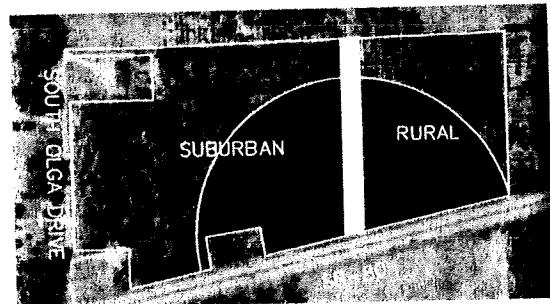
ARCHEY PAUL E  
1710 PINE AV  
ALVA, FL 33920  
22-43-26-02-000L0.0020

## VOTING BALLOT

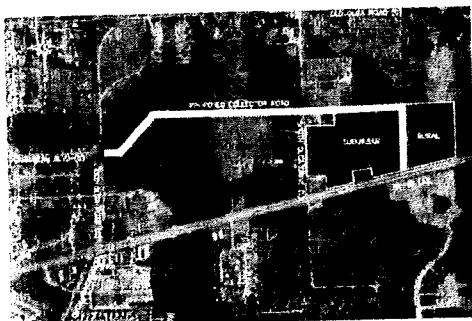
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



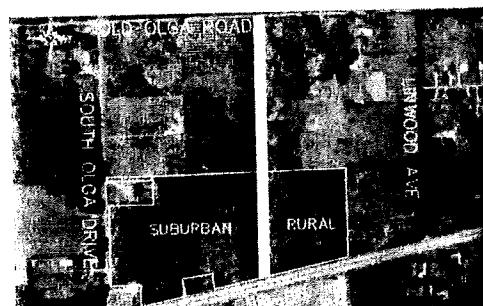
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



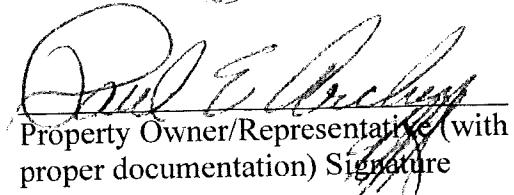
**Option 4: Collector Road to Old Olga Road**

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

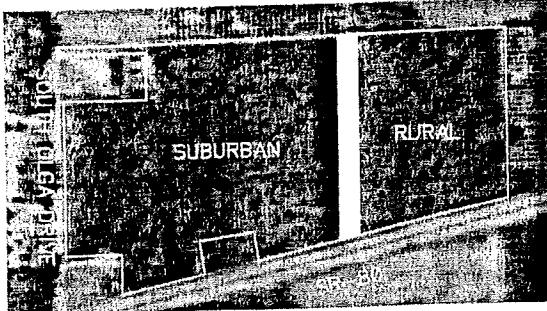
Option  1  2  3  4 (circle one)

ARCHEY P E + JACKIE L  
1710 PINE AVE  
ALVA, FL 33920  
22-43-26-02-000L0.0010

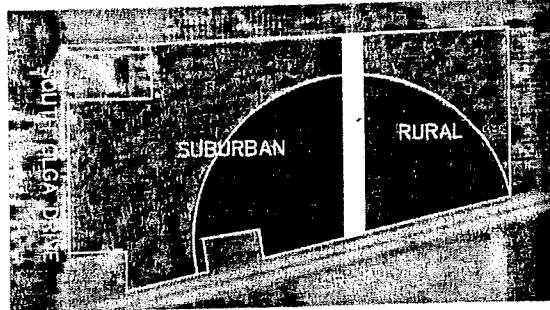
  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

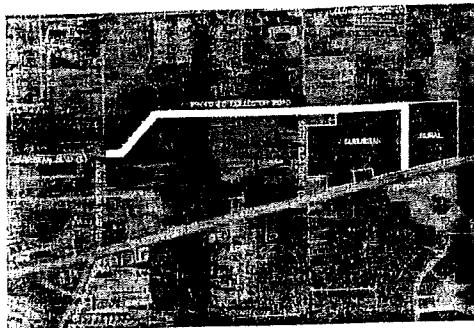
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



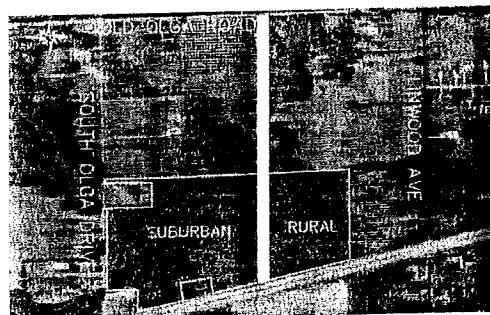
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I

Roger G. Stanton, Jr., owning property at 14801 Riverview Ct, Fort Myers, FL 33905 prefer the following to be included in the Olga Community Planning Overlay:

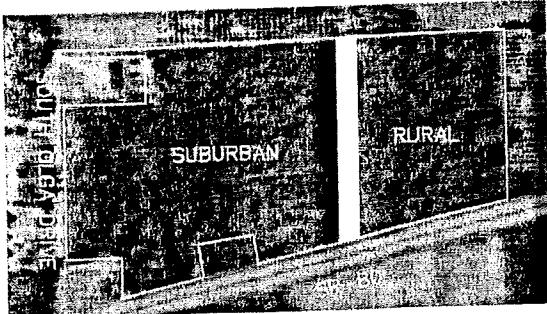
Option    1    2    3    4    (circle one)

STANTON ROGER G JR  
14801 RIVERVIEW CT  
FORT MYERS, FL 33905  
21-43-26-04-0000A.0410

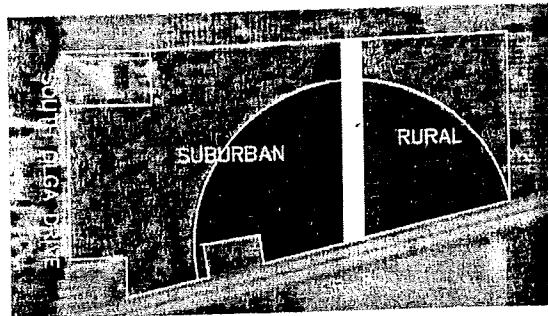
Roger G. Stanton, Jr. 6/13/2007  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

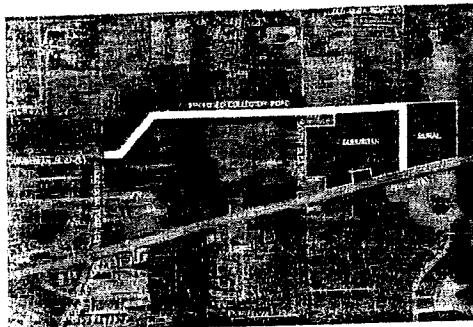
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



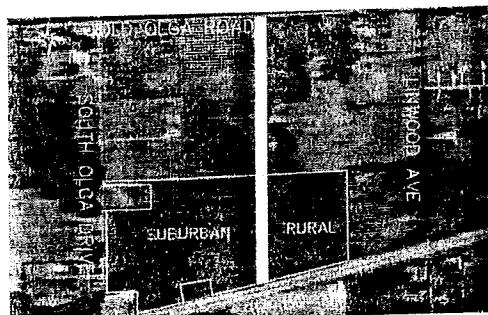
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Charles Colburn, owning property at 14807 Riverview Ct  
prefer the following to be included in the Olga Community Planning Overlay:

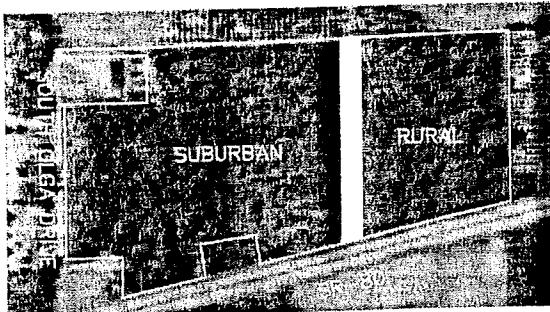
Option    1    2    3    4    (circle one)

COLBURN CHARLES G + TRICIA L  
14807 RIVERVIEW CT  
FORT MYERS, FL 33905  
21-43-26-04-0000A.0400

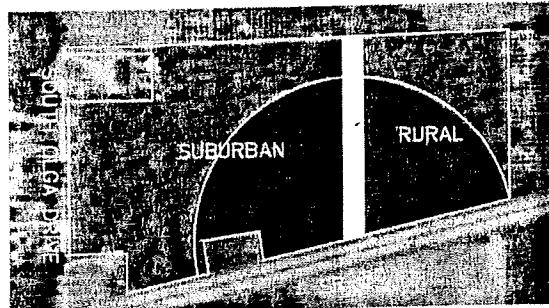
Charles Colburn  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

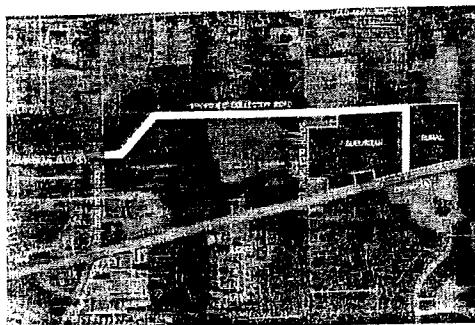
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



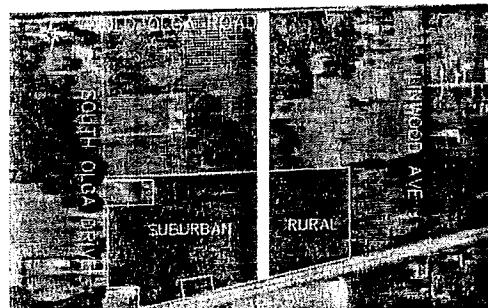
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Al Mosquera, owning property at 14813 Riverview Ct.  
prefer the following to be included in the Olga Community Planning Overlay:

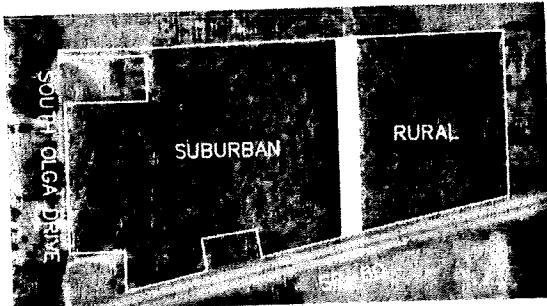
Option    1    2    3    4    (circle one)

MOSQUERA ALFONSO  
14813 RIVERVIEW CT  
FORT MYERS, FL 33905  
21-43-26-04-0000A.0390

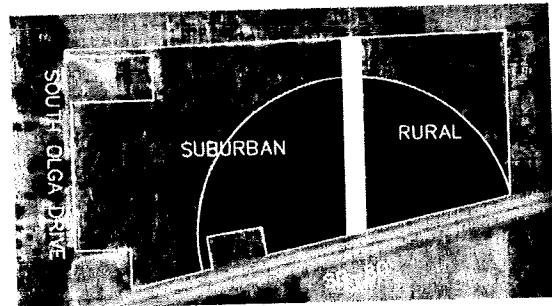
Al Mosquera  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



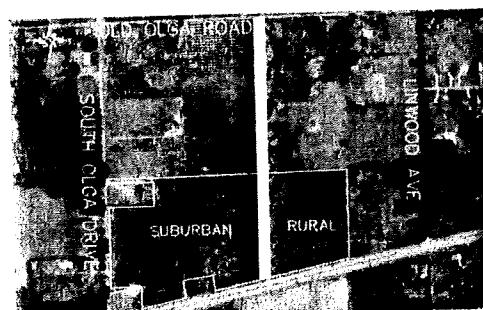
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I HUGHES JOHN + JANIS, owning property at 17181 PALM BEACH BLVD prefer the following to be included in the Olga Community Planning Overlay:

Option    1    2    3    4    (circle one)

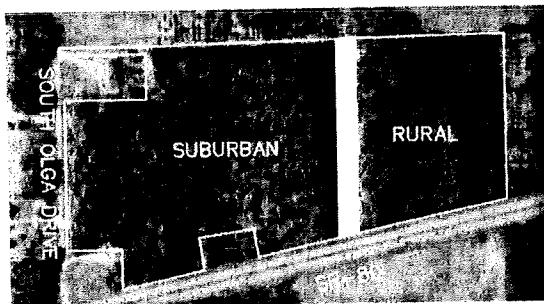
HUGHES JOHN + JANIS  
17181 PALM BEACH BLVD  
ALVA, FL 33920

32-43-26-00-00003.0000

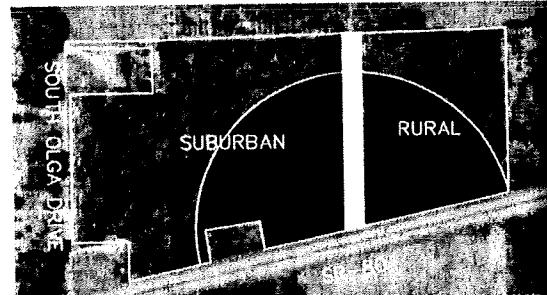
*Hughes John + Janis*  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

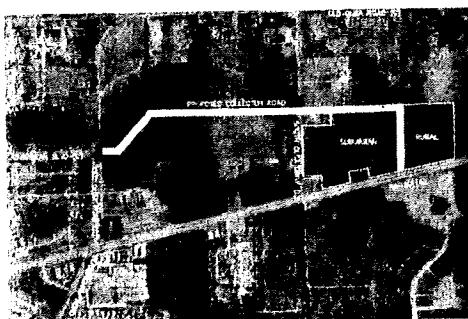
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



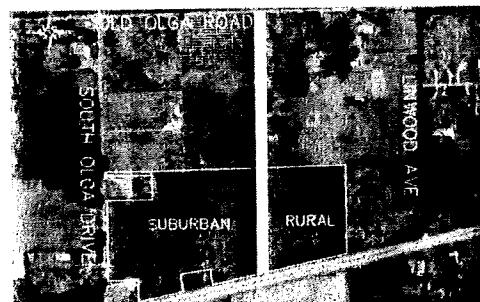
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
HUGHES Janis + John, owning property at 17181 PLAM BEACH BLVD  
prefer the following to be included in the Olga Community Planning Overlay:

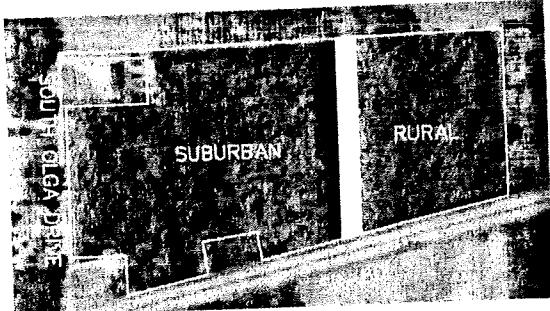
Option    1    2    3    4    (circle one)

HUGHES JANIS + JOHN  
17181 PLAM BEACH BLVD  
ALVA, FL 33920  
22-43-26-05-00000.0260

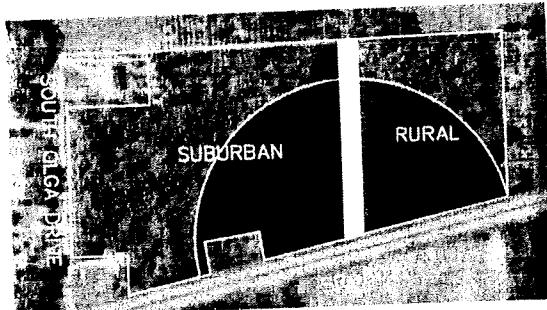
*[Signature]*  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

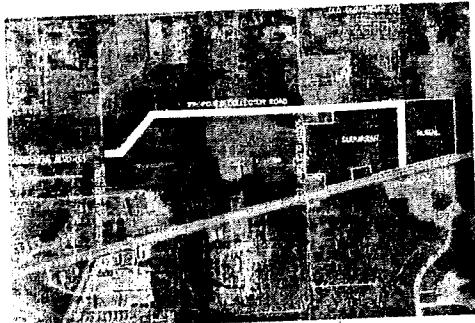
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



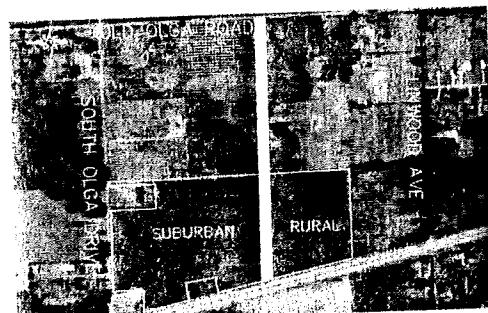
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

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Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
LAWRENCE A MACHAK owning property at 15078 BUCKEYE  
prefer the following to be included in the Olga Community Planning Overlay:

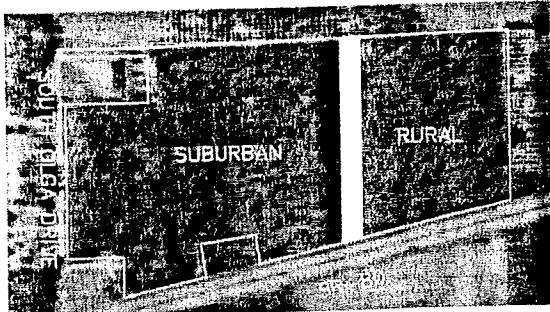
Option    1    2    3    4    (circle one)

MACHAK LAWRENCE A  
15078 BUCKEYE DR  
FORT MYERS, FL 33905  
22-43-26-05-00000.0280

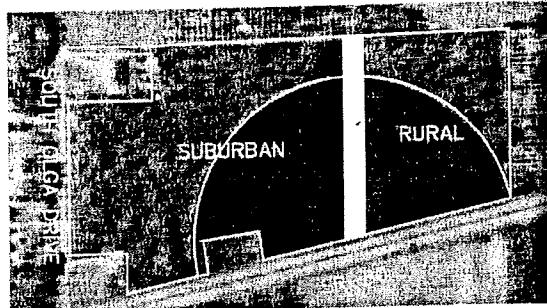
Lawrence A Machak  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

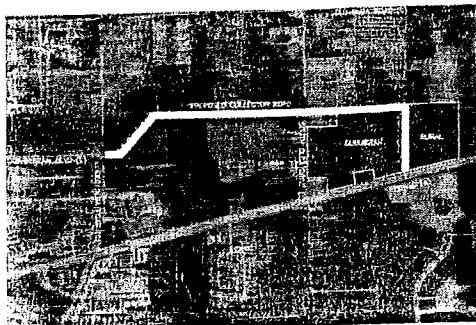
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



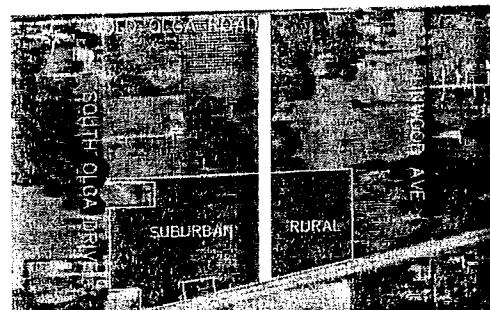
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Head Michael W + Jalanie J, owning property at 15062 BUCKEYE DR  
prefer the following to be included in the Olga Community Planning Overlay:

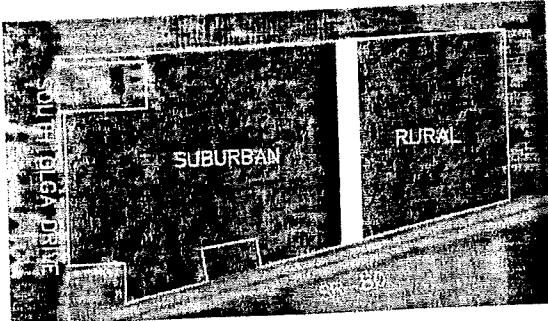
Option    1    2    3    4    (circle one)

HEAD MICHAEL W + JALANIE J  
15062 BUCKEYE DR  
FORT MYERS, FL 33905  
22-43-26-00-00001.0240

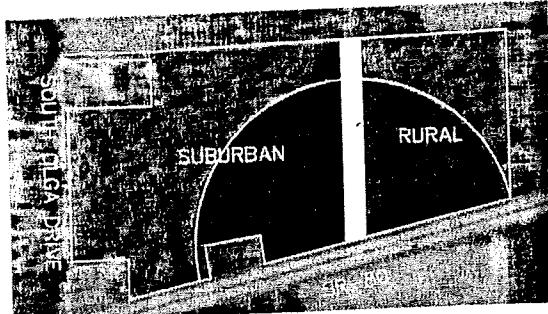
Jalanie J. Head  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

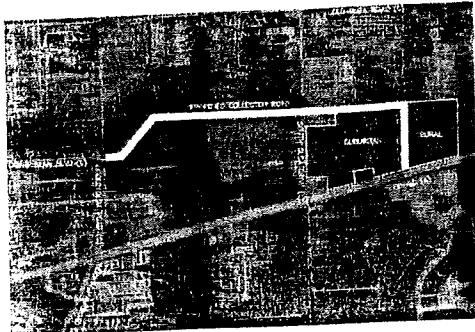
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



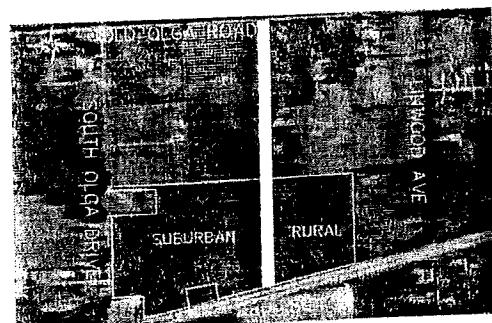
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I Robert L. Retter, owning property at 15033 Buckeye Dr. prefer the following to be included in the Olga Community Planning Overlay:

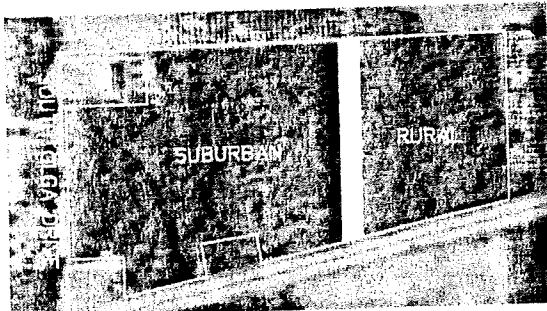
Option    1    2     3    4    (circle one)

RETTER ROBERT L + BETTY JEAN  
15033 BUCKEYE DR  
FORT MYERS, FL 33905  
22-43-26-05-00000.0400

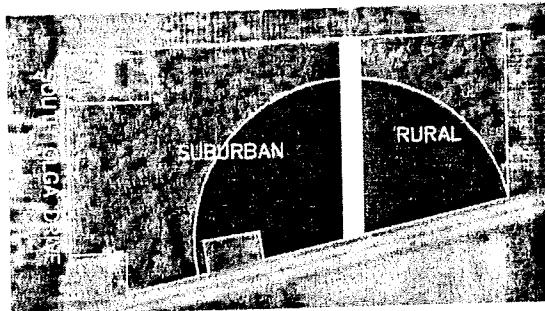
Robert L. Retter  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

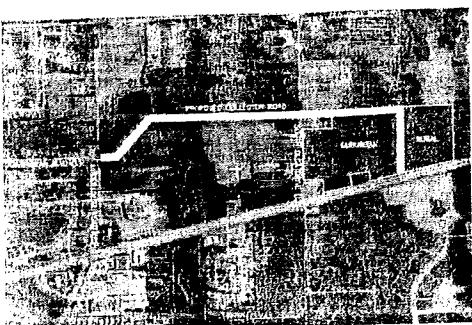
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



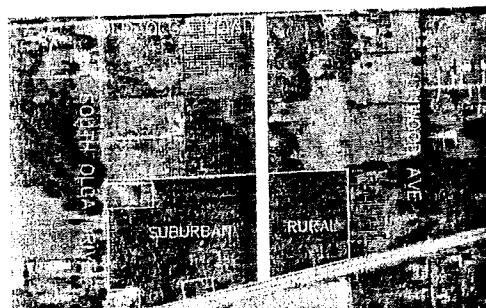
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Teresa M. Miller, owning property at 15051 BUCKEYE DR.  
prefer the following to be included in the Olga Community Planning Overlay!

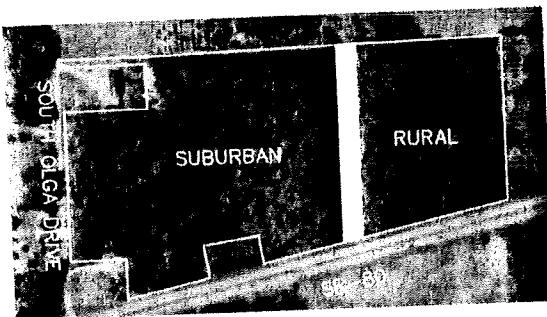
Option    1    2    3    4    (circle one)

MILLER TERESA M  
15051 BUCKEYE DR  
FORT MYERS, FL 33905  
22-43-26-05-00000.0550

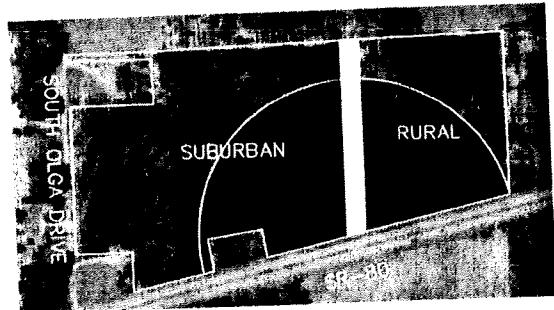
*Teresa M. Miller*  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

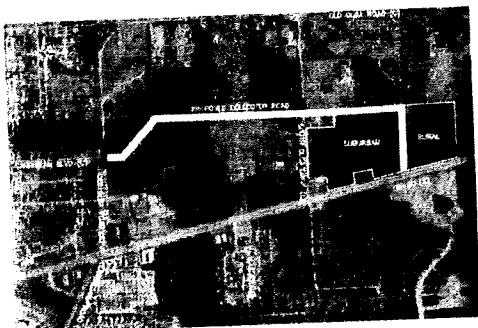
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Thomas Graves, owning property at 15002 Buckeye Dr  
prefer the following to be included in the Olga Community Planning Overlay:

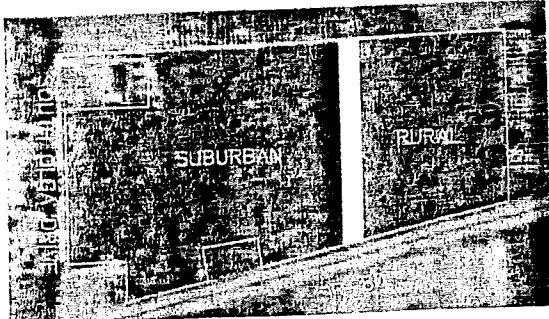
Option    1    2    3    4    (circle one)

GRAVES THOMAS E  
15002 BUCKEYE DR  
FORT MYERS, FL 33905  
22-43-26-04-00000.0080

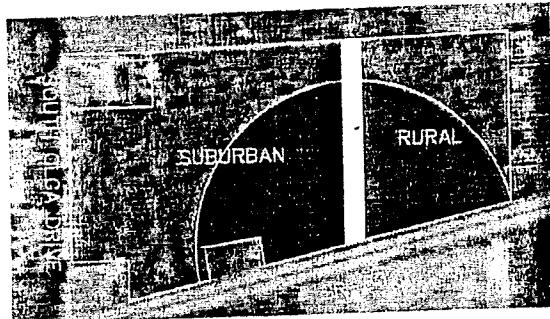
Thomas E Graves  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

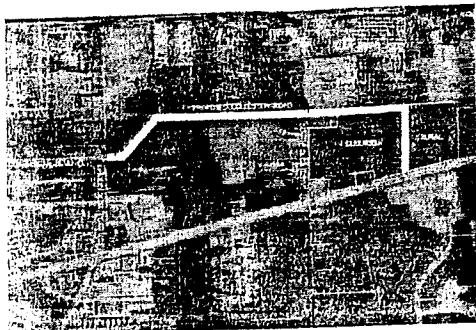
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



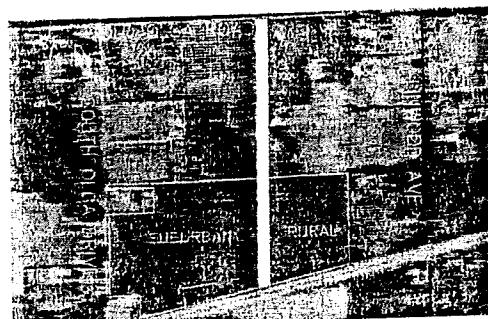
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I, Keith C. Osterbrock, owning property at 2225 Randolph Dr. S1 prefer the following to be included in the Olga Community Planning Overlay:

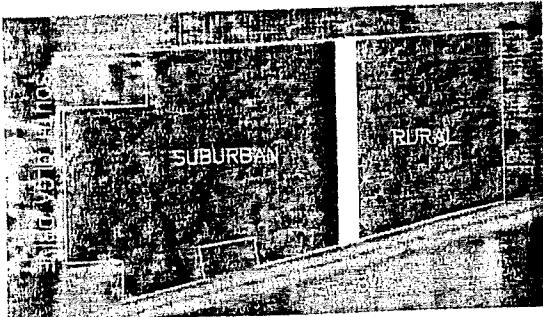
Option    1    2    3    4    (circle one)

OSTERBROCK KEITH C  
2225 RANDOLPH DR  
FORT MYERS, FL 33905  
21-43-26-03-00015.0000

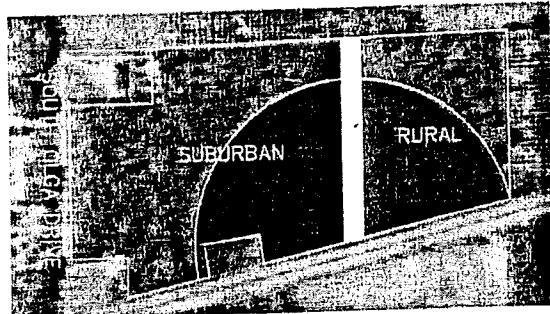
Keith C. Osterbrock  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

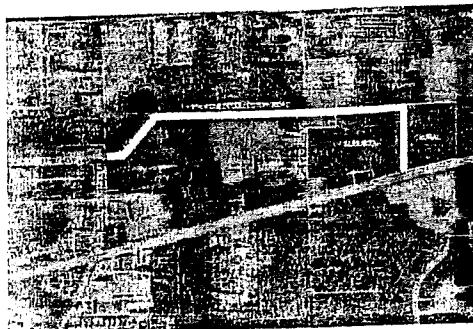
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



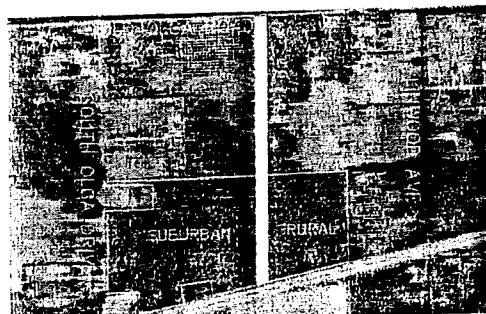
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Thomas F. Peppers, owning property at 2249 Violet Dr.  
prefer the following to be included in the Olga Community Planning Overlay:

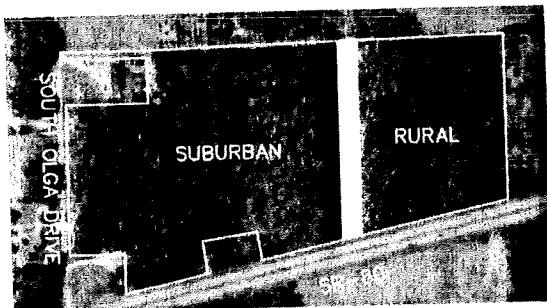
Option    1    2    3    4    (circle one)

PEPPERS THOMAS F  
2249 VIOLET DR  
FORT MYERS, FL 33905  
21-43-26-02-0000B.0090

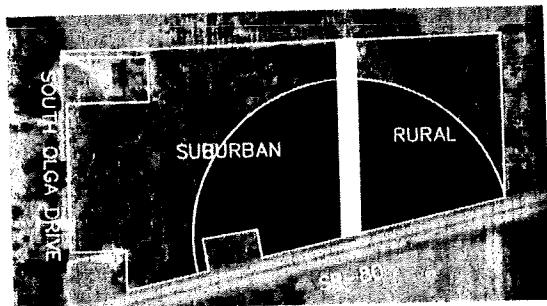
Thomas F. Peppers  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

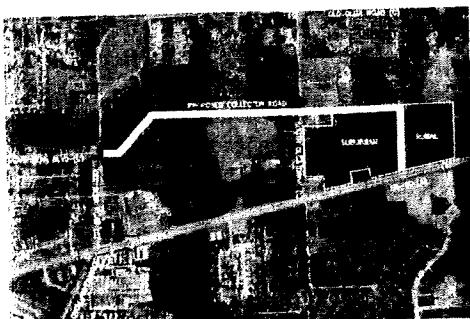
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
ROBERT BEAVERS, owning property at 14802 RIVERVIEW CT  
prefer the following to be included in the Olga Community Planning Overlay:

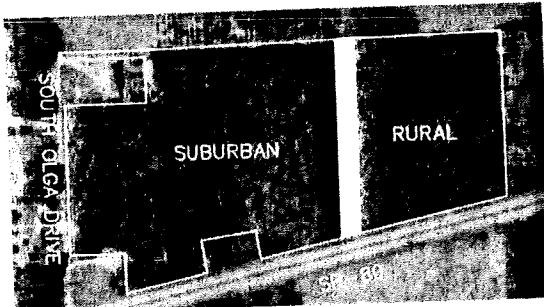
Option    1    2    3    4    (circle one)

Robert Beavers  
Property Owner/Representative (with  
proper documentation) Signature

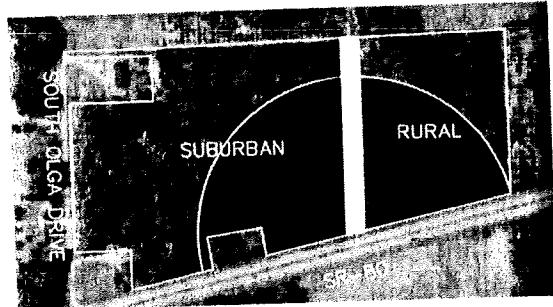
BEAVERS ROBERT D + ALMA A  
14802 RIVERVIEW CT  
FORT MYERS, FL 33905  
21-43-26-04-0000A.0420

## **VOTING BALLOT**

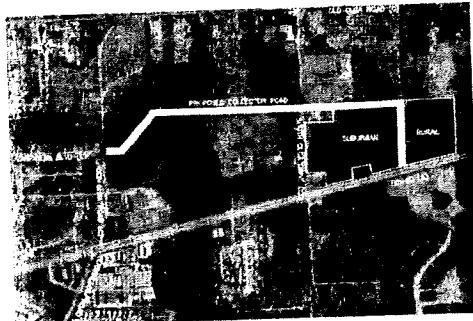
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



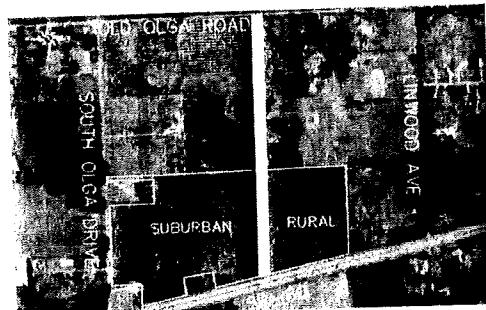
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
R + D Cattle Company, LLC, owning property at STRAP # BELOW  
prefer the following to be included in the Olga Community Planning Overlay:

Option    1    2    3    4    (circle one)

R + D CATTLE COMPANY LLC  
4618 W SYLVAN RAMBLE ST  
TAMPA, FL 33609  
27-43-26-00-00003.0000

Property Owner/Representative (with proper documentation) Signature

**R & D CATTLE COMPANY, LLC**

To whom it may concern:

This letter shall authorize Attorney Michael J. Ciccarone, of the Law Firm of Goldstein, Buckley, Cechman, Rice & Purtz, P.A., located at 1515 Broadway, Fort Myers, Florida 33901, to vote on behalf of R & D Cattle Company, LLC, on any and all matters arising in the course of the meeting which is being held on June 9, 2007 with respect to the proposed Olga Community Plan.

Signed this \_\_\_\_\_ Day of June 2007.

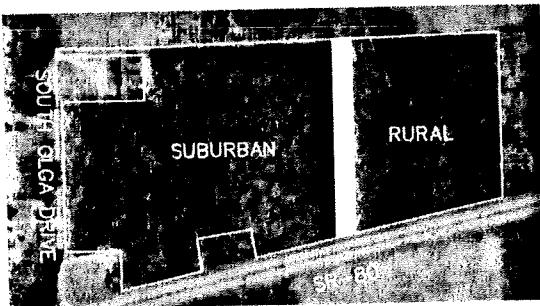
**R & D CATTLE COMPANY, LLC**

BY: 

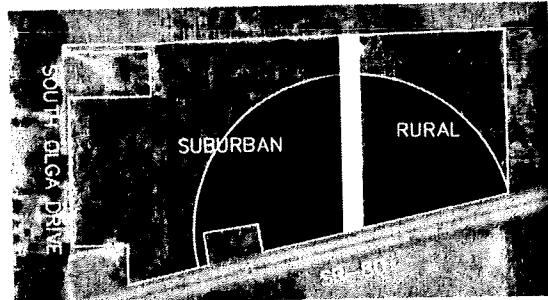
Ralph Bond, Managing Member

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



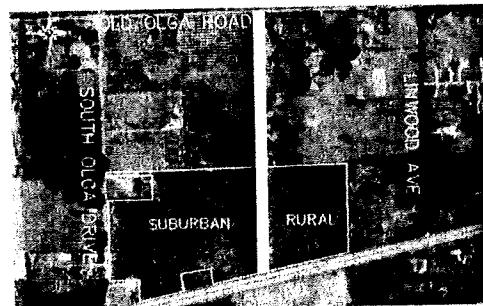
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

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Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

Option    1    2    3    4    (circle one)

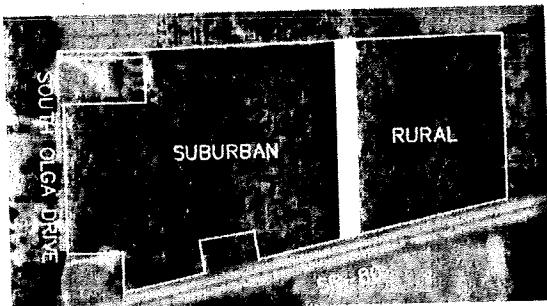
*Doris M. Brown*

Property Owner/Representative (with proper documentation) Signature

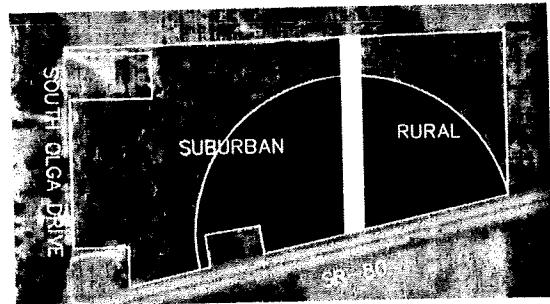
BROWN DORIS M  
1071 LA BELLE VISTA DR  
FORT MYERS, FL 33905  
22-43-26-06-00000.0640

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



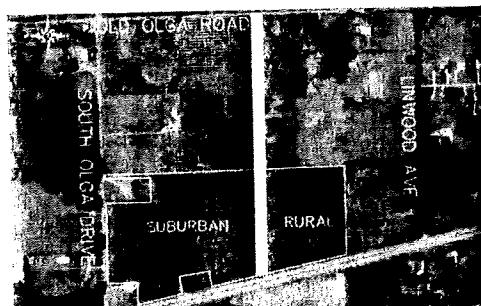
**Option 1: No Change**



**Option 2: Commercial Node**



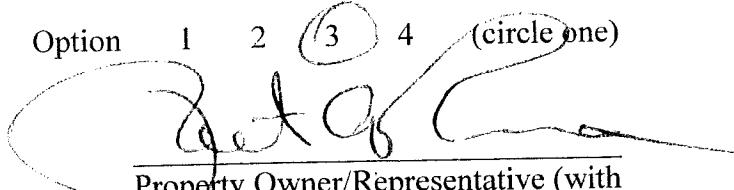
**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Robert A. Parks, owning property at 15560 Old Olga Rd  
prefer the following to be included in the Olga Community Planning Overlay:

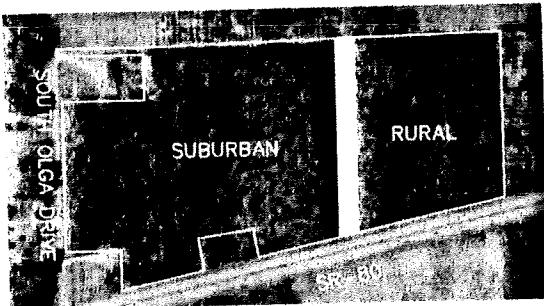
Option  1  2  3  4 (circle one)

  
Property Owner/Representative (with proper documentation) Signature

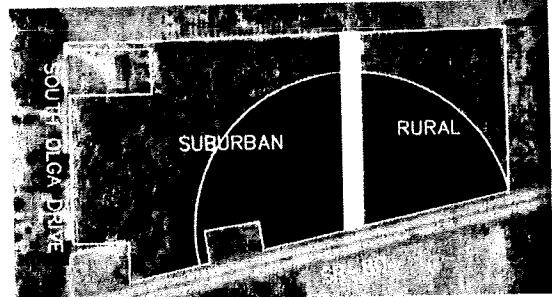
PARKS ROBERT A III + LINDA  
15560 OLD OLGA RD  
ALVA, FL 33920  
22-43-26-03-00001.0080

## VOTING BALLOT

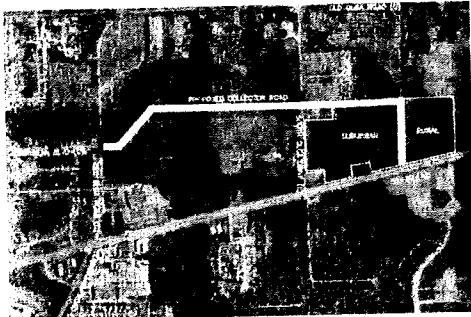
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



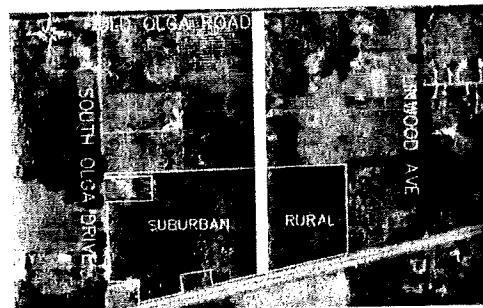
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

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Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I Sally J. Potter, owning property at 15054 BUCKEYE DR. FORT MYERS, FL prefer the following to be included in the Olga Community Planning Overlay:

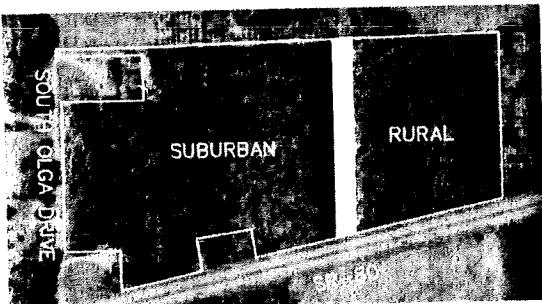
Option    1    2     3    4    (circle one)

POTTER SALLY J  
15054 BUCKEYE DR  
FORT MYERS, FL 33905  
22-43-26-05-00000.0220

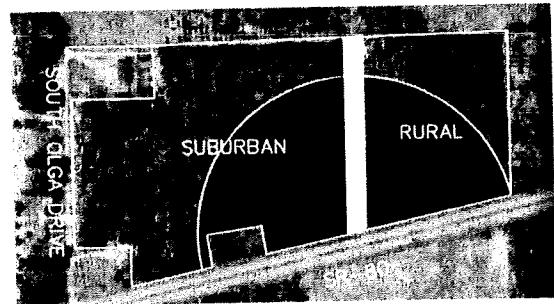
Sally J. Potter  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



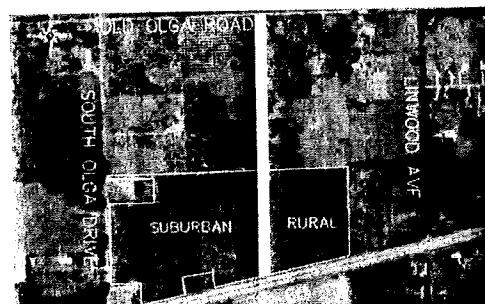
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

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Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I

WALTER S. MAYS, owning property at 14910 OLD OLGA RD. prefer the following to be included in the Olga Community Planning Overlay:

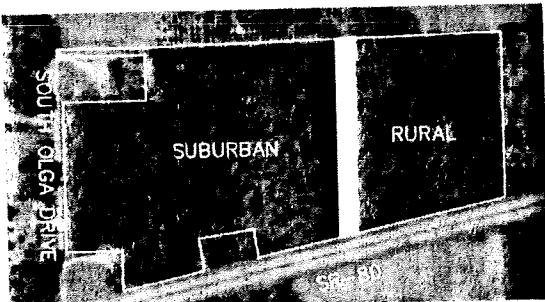
Option    1    2    3    4    (circle one)

MAYS WALTER SCOTT  
14910 OLD OLGA RD  
FORT MYERS, FL 33905  
21-43-26-00-00018.0040

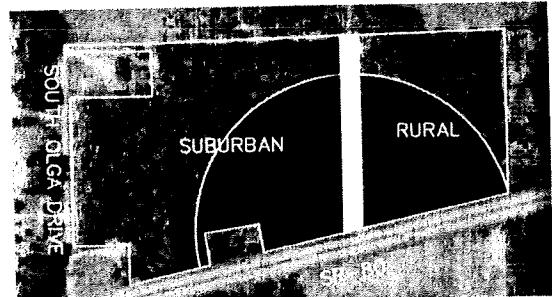
Walter S. Mays  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

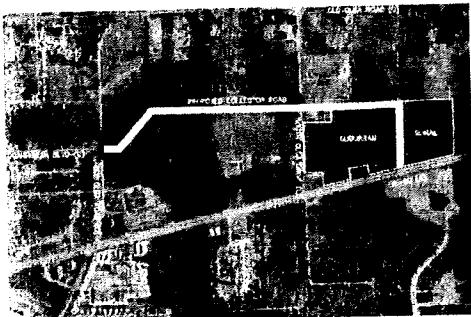
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



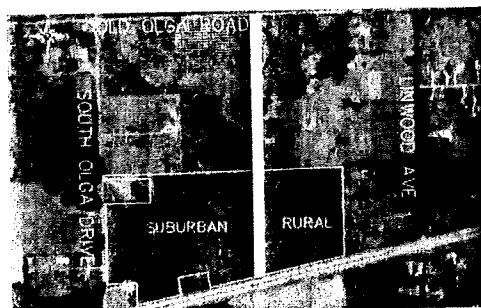
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
TAD MILLER, owning property at 2034 CLARKE AVE  
prefer the following to be included in the Olga Community Planning Overlay:

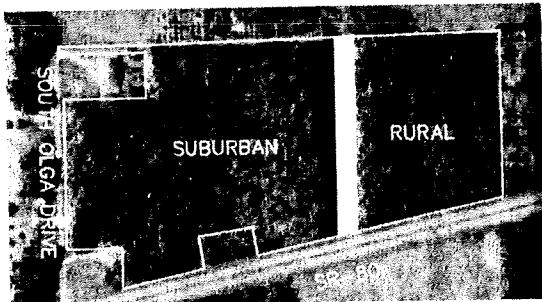
Option    1    2    3    4    (circle one)

TAD MILLER  
Property Owner/Representative (with proper documentation) Signature

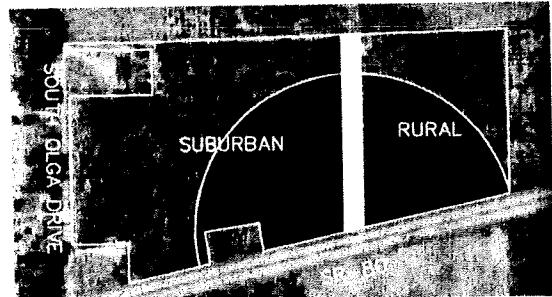
MILLER TAD  
2034 CLARKE AVE  
FORT MYERS, FL 33905  
22-43-26-05-00000.0420

## VOTING BALLOT

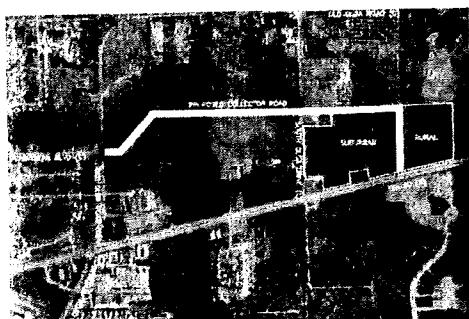
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



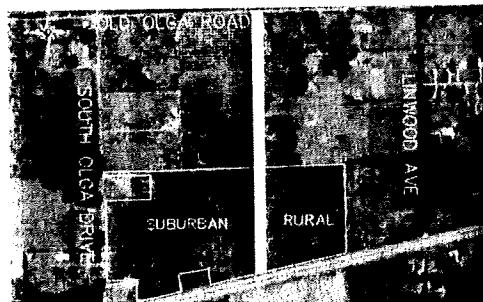
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

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Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I

TAD MILLER, owning property at 15005 Breckinridge Dr prefer the following to be included in the Olga Community Planning Overlay:

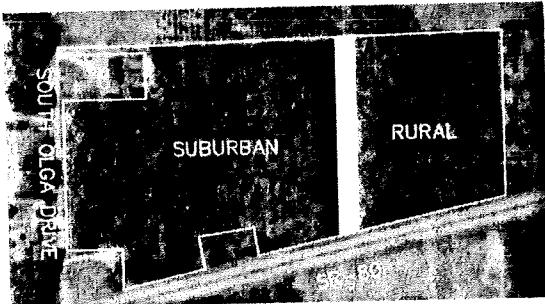
Option    1    2     4    (circle one)

Tad Miller  
Property Owner/Representative (with proper documentation) Signature

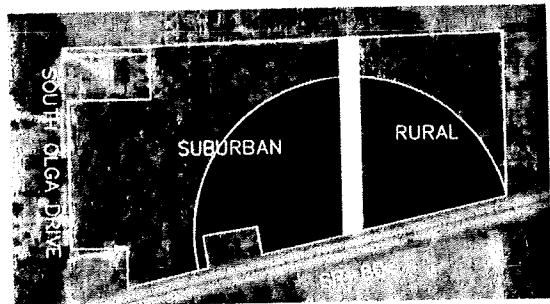
MILLER TAD K  
2034 CLARKE AVE  
FORT MYERS, FL 33905  
22-43-26-06-00000.0650

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



Option 1: No Change



Option 2: Commercial Node



Option 3: Collector Road to Old Olga  
Road and Caribbean Boulevard



Option 4: Collector Road to Old Olga  
Road

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Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Bobby H Howard, owning property at 2360 S. Olga Dr. Ft Myers  
prefer the following to be included in the Olga Community Planning Overlay:

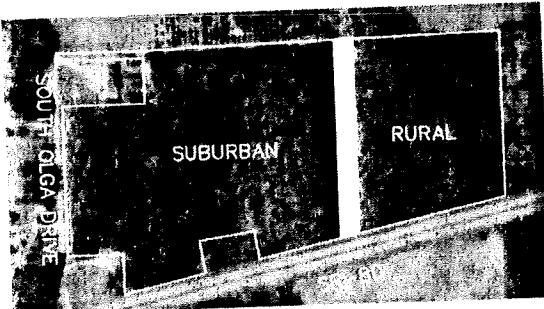
Option    1    2    3    4    (circle one)

HOWARD BOBBY H + MAZIE  
2360 S OLGA DR  
FORT MYERS, FL 33905  
22-43-26-00-00010.0010

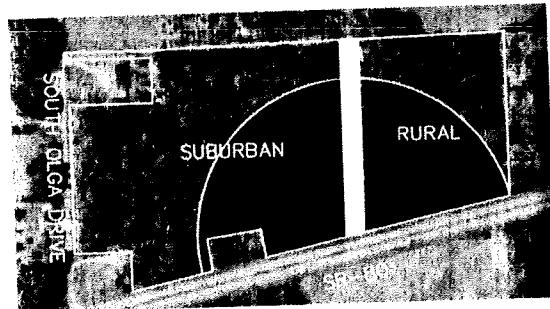
Property Owner/Representative (with  
proper documentation) Signature

## **VOTING BALLOT**

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I Charles W and Julianne S. Potter, owning property at 2020 Clarke Ave prefer the following to be included in the Olga Community Planning Overlay:

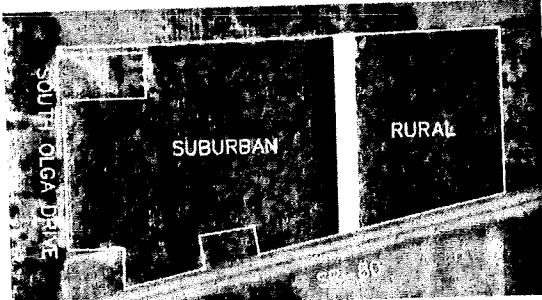
Option    1    2    3    4    (circle one)

POTTER CHARLES W + JULIANNE S  
2020 CLARKE AV  
FORT MYERS, FL 33905  
22-43-26-05-00000.0450

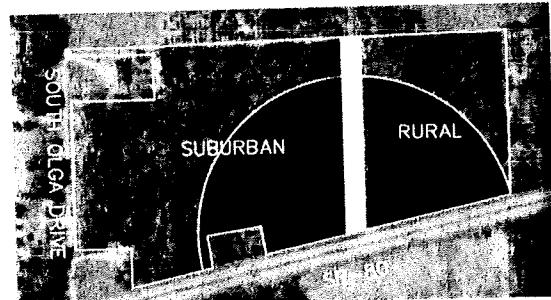
*Charles W. Potter*  
Property Owner/Representative (with proper documentation) Signature  
*Julianne S. Potter*

## VOTING BALLOT

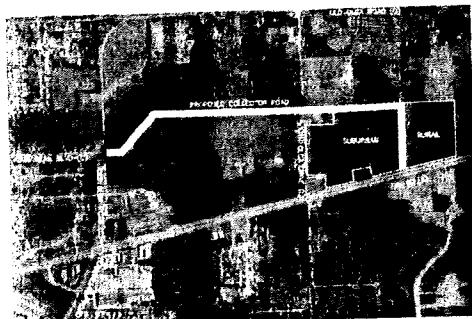
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I, William D BYRUS, owning property at 1861 Sessler Rd, prefer the following to be included in the Olga Community Planning Overlay:

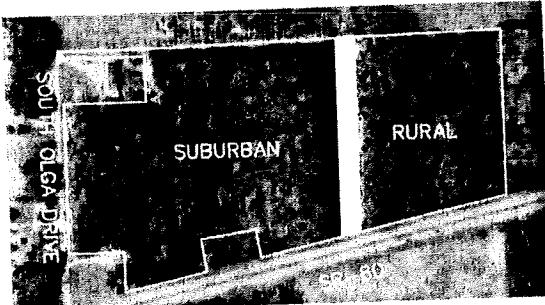
Option    1    2    3    4    (circle one)

William D BYRUS  
Property Owner/Representative (with proper documentation) Signature

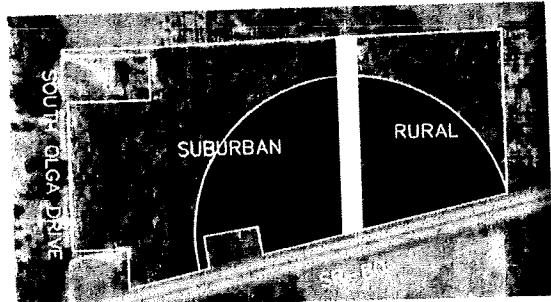
BYRUS WILLIAM D + DIANE L  
1861 SESSLER RD  
ALVA, FL 33920  
23-43-26-00-00005.011A

## VOTING BALLOT

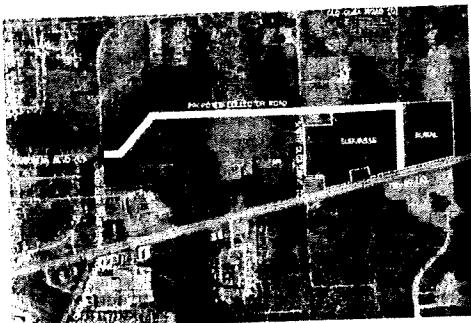
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**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I, Wm C. Byrus, owning property at 16251 Baby Beach Blvd. prefer the following to be included in the Olga Community Planning Overlay:

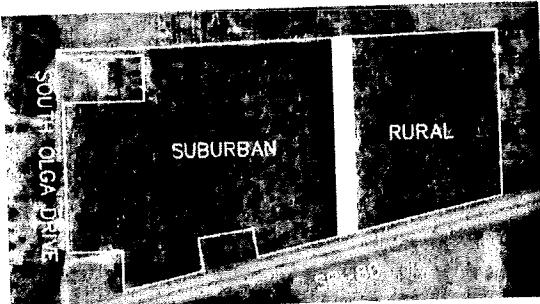
Option    1    2    3    4    (circle one)

Wm C. Byrus  
Property Owner/Representative (with proper documentation) Signature

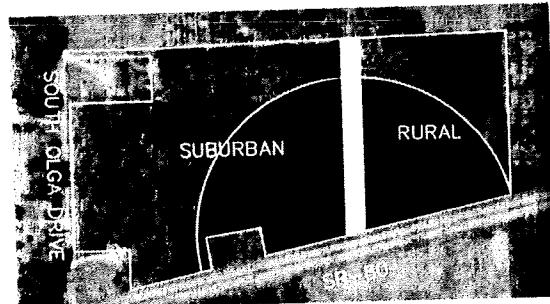
BYRUS WM C + BETTY D  
9592 WINDSOR CLUB CIR  
FORT MYERS, FL 33905  
23-43-26-00-00011.001A

## **VOTING BALLOT**

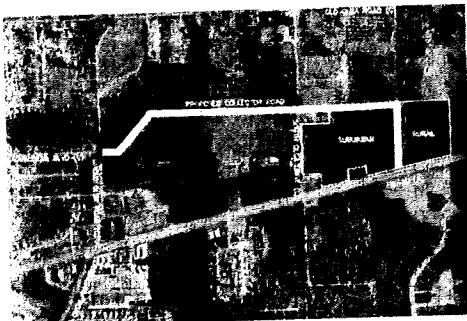
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**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Wiley C. Byers (BJZ LLC), owning property at 1111441 Bypass (BJZ LLC),  
prefer the following to be included in the Olga Community Planning Overlay:

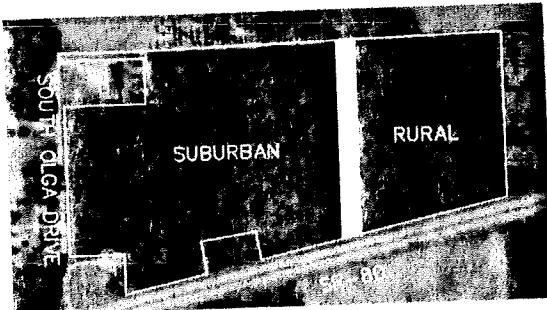
Option    1    2     3    4    (circle one)

Wiley C. Byers  
Property Owner/Representative (with proper documentation) Signature

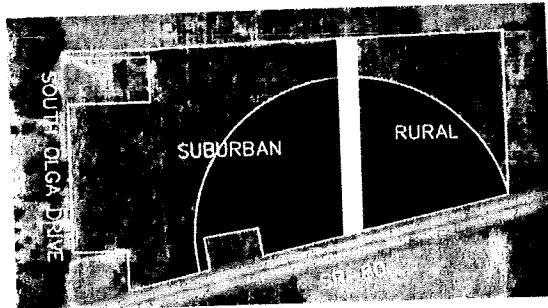
BJZ LLC  
9592 WINDSOR CLUB CIR  
FORT MYERS, FL 33905  
27-43-26-00-00006.0030

## VOTING BALLOT

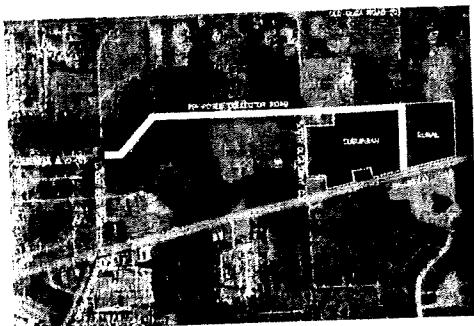
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



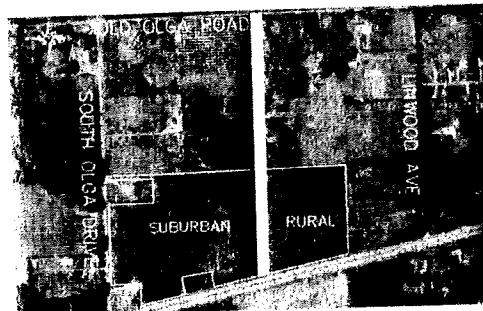
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



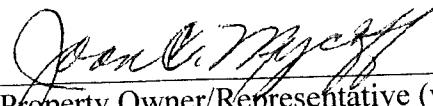
**Option 4: Collector Road to Old Olga Road**

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Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

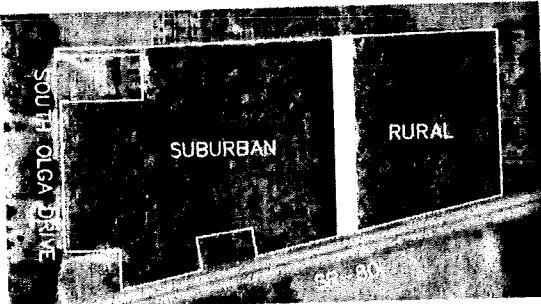
Option    1    2    3    4    (circle one)

MYCOFF JOAN  
14808 RIVERVIEW CT  
FORT MYERS, FL 33905  
21-43-26-04-0000A.0430

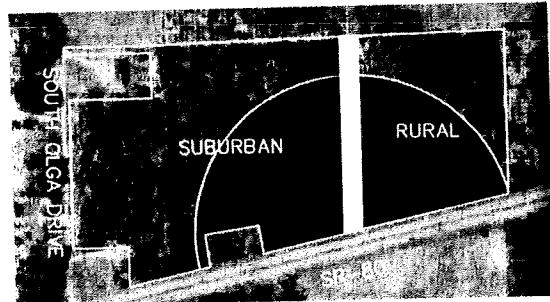
  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

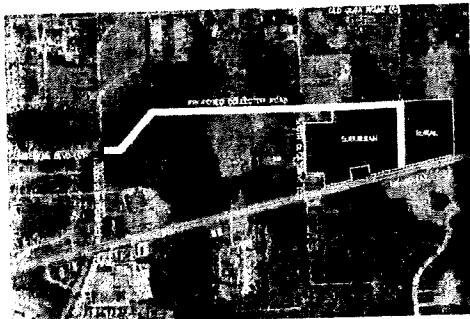
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



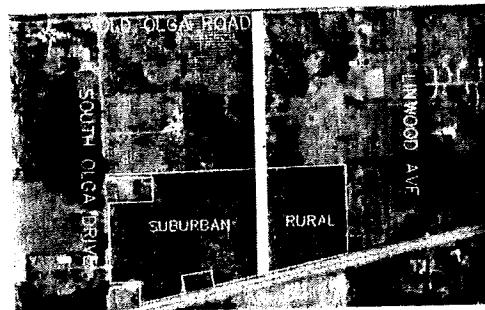
**Option 1:** No Change



**Option 2:** Commercial Node



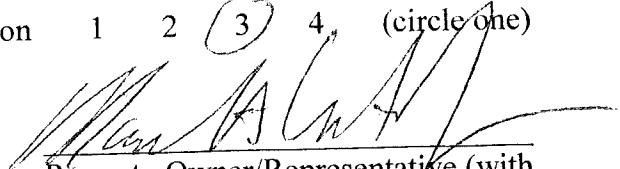
**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Martin A. Blotz, owning property at 2197 RANDOLPH DR 33905 prefer the following to be included in the Olga Community Planning Overlay:

Option    1    2    3    4    (circle one)

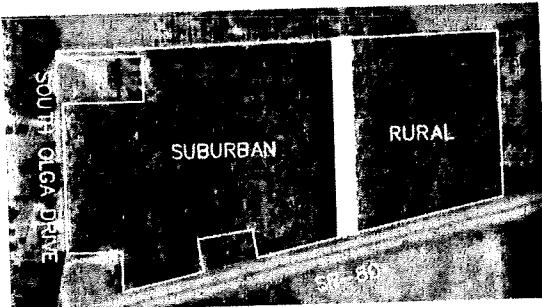


Property Owner/Representative (with proper documentation) Signature

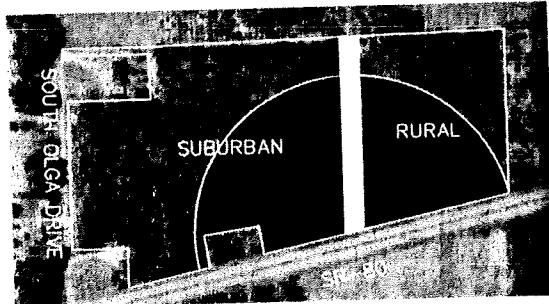
UNTCH MARTIN A JR + KATHLEEN  
2197 RANDOLPH DR  
FORT MYERS, FL 33905  
21-43-26-04-0000A.0490

## VOTING BALLOT

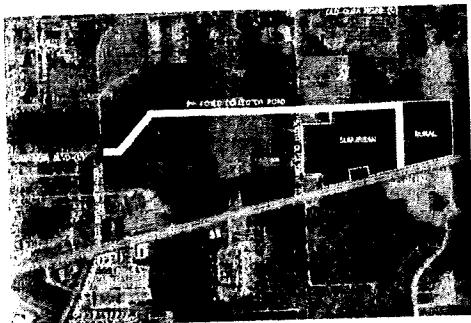
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



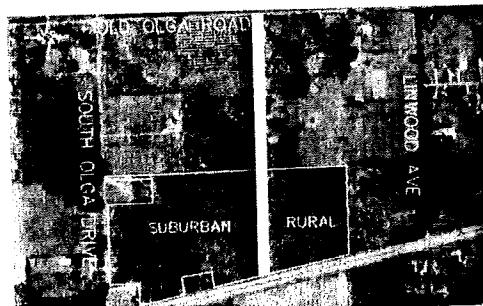
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
ELIZABETH HERRINGTON, owning property at 14950 RANDOLPH DR.  
prefer the following to be included in the Olga Community Planning Overlay:

Option    1    2    3    4    (circle one)

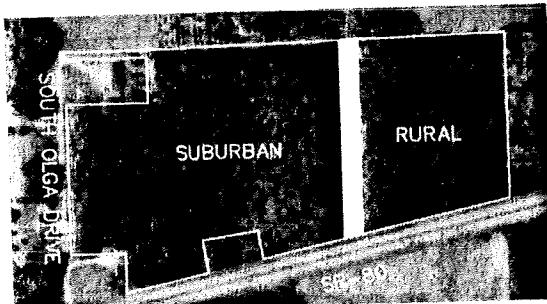
Frankie H. Herring Jr. (HHSB#11)

Property Owner/Representative (with proper documentation) Signature

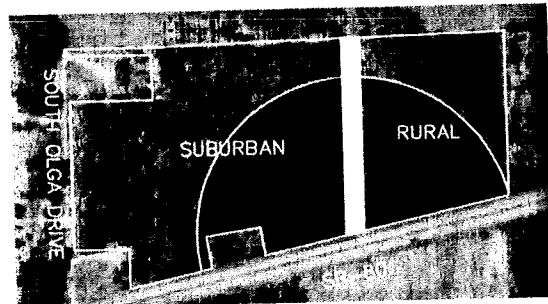
HERRINGTON ELIZABETH CO TR +  
14950 RANDOLPH DR  
FORT MYERS, FL 33905  
21-43-26-04-0000A.054A

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



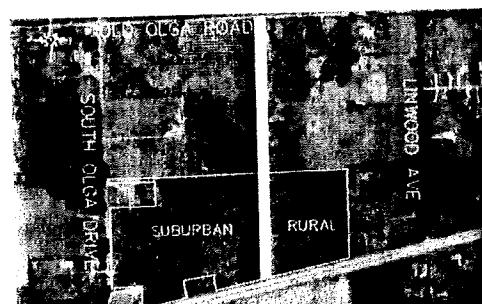
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

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Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I George D. Lehman, owning property at 14900 WISE WY, FORT MYERS, FL 33905 prefer the following to be included in the Olga Community Planning Overlay:

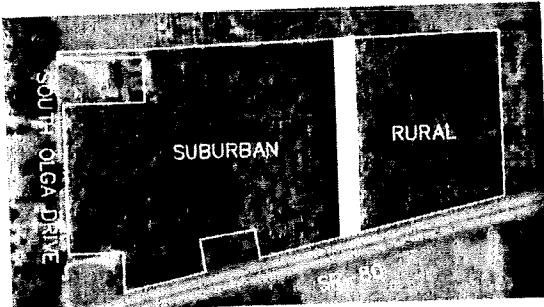
Option    1    2    3    4    (circle one)

LEHMAN GEORGE D TR +  
14900 WISE WY  
FORT MYERS, FL 33905  
21-43-26-07-0000A.0020

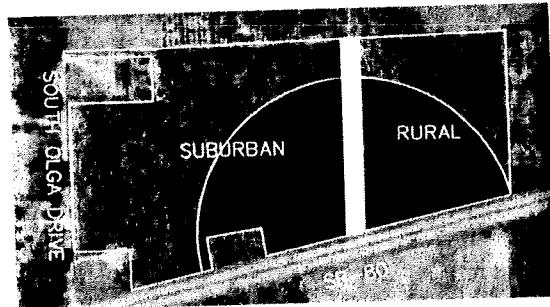
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

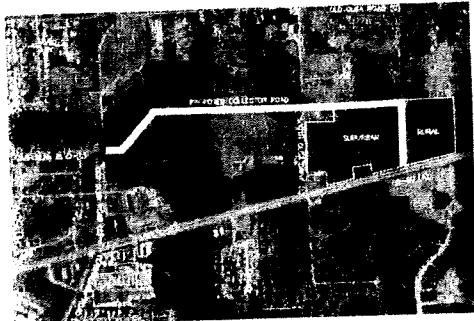
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard

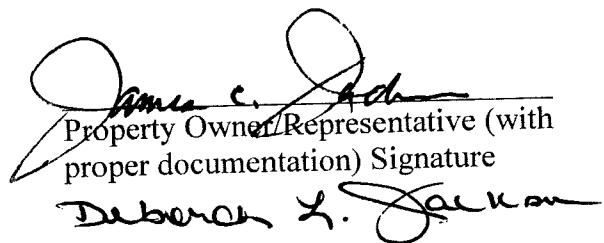
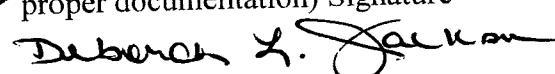


**Option 4:** Collector Road to Old Olga Road

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Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I James C. & Deborah L. Jackson owning property at 2032 S. OLGA Dr. prefer the following to be included in the Olga Community Planning Overlay:

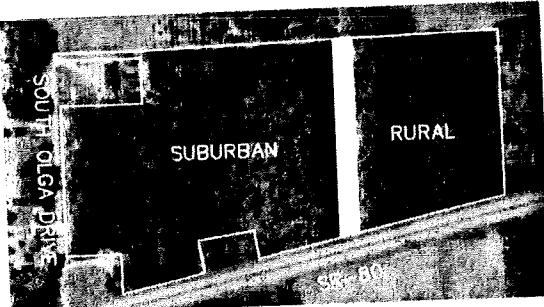
Option    1    2     3    4    (circle one)

  
Property Owner/Representative (with proper documentation) Signature  


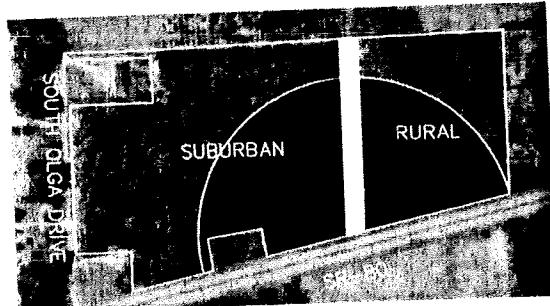
JACKSON JAMES C + DEBORAH L  
2032 S OLGA DR  
FORT MYERS, FL 33905  
22-43-26-06-00000.0740

## VOTING BALLOT

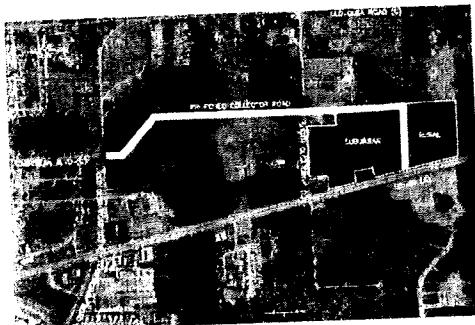
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Ronald W. Stockton, owning property at 2109 Wenola Ct  
prefer the following to be included in the Olga Community Planning Overlay:

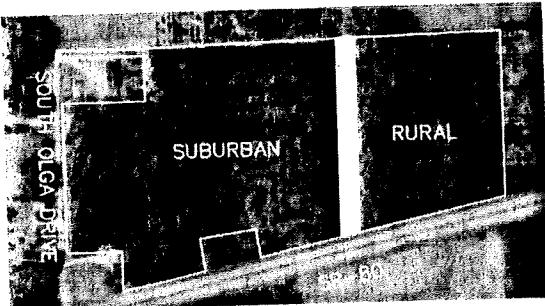
Option    1    2    3    4    (circle one)

STOCKTON RONALD W  
2109 WENOLA CT  
FORT MYERS, FL 33905  
21-43-26-07-000A.0080

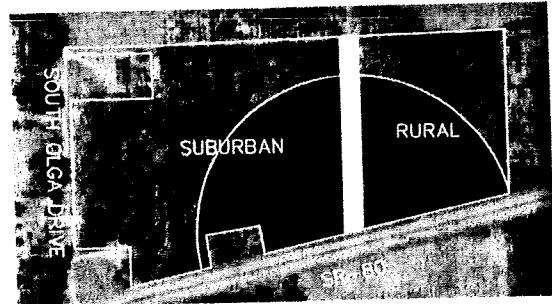
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

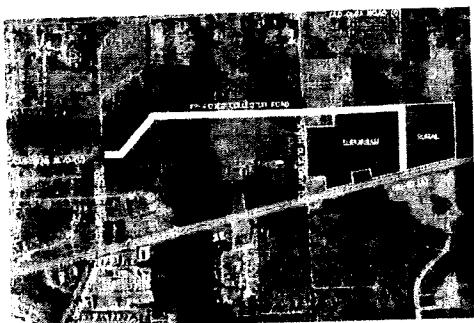
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



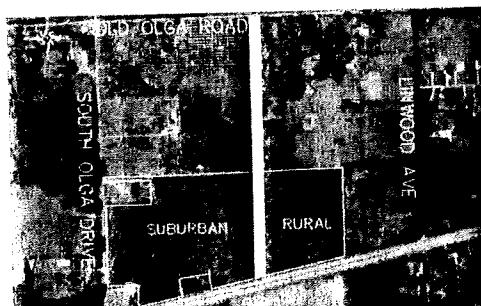
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

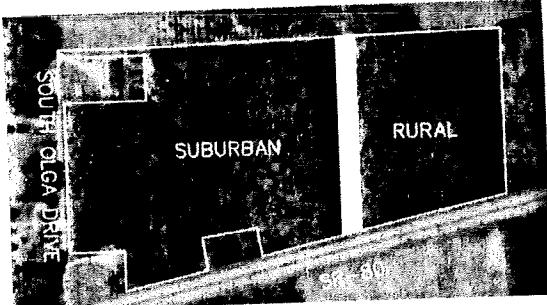
Option    1    2    3    4    (circle one)

JOHNSON GLENWOOD P + CAROL A  
14952 RANDOLPH DR  
FORT MYERS, FL 33905  
21-43-26-04-0000A.0540

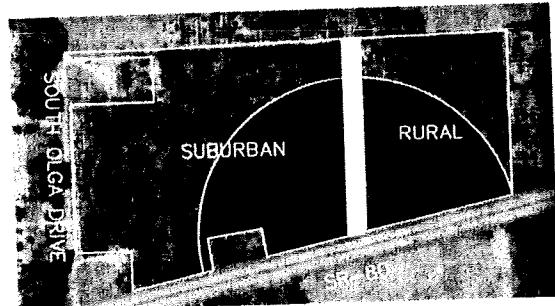
*Carl A Johnson*  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



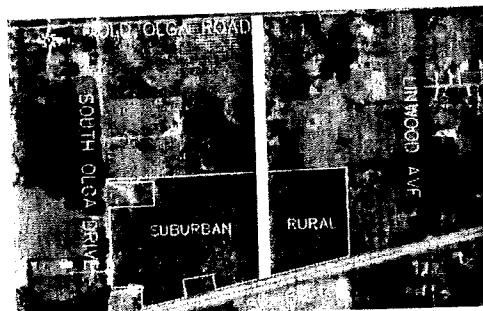
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Kathy S. Johnson, owning property at 15098 BUCKEYE DR.  
prefer the following to be included in the Olga Community Planning Overlay:

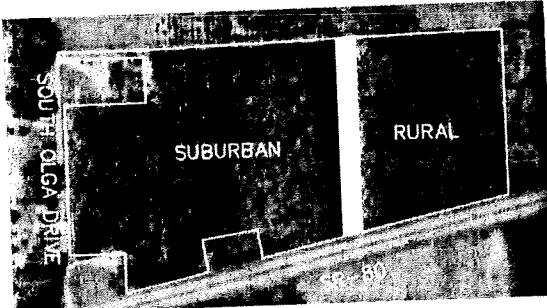
Option    1    2    3    4    (circle one)

JOHNSON KATHY S  
15098 BUCKEYE DR  
FORT MYERS, FL 33905  
22-43-26-05-00000.0330

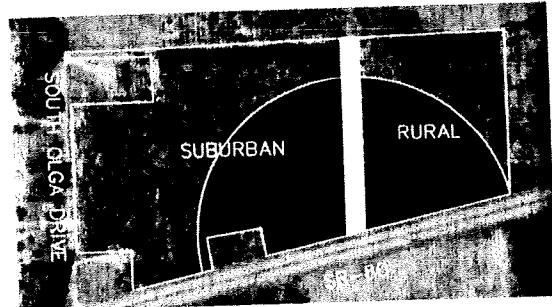
Kathy S. Johnson  
Property Owner/Representative (with  
proper documentation) Signature

## **VOTING BALLOT**

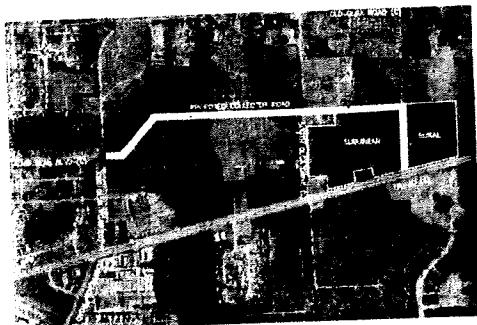
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



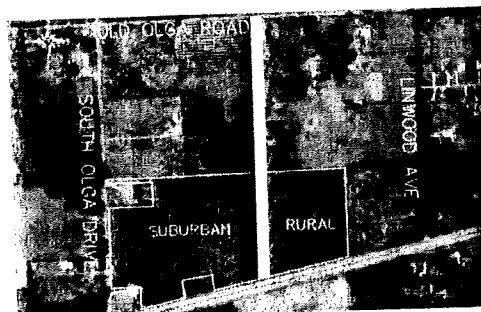
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

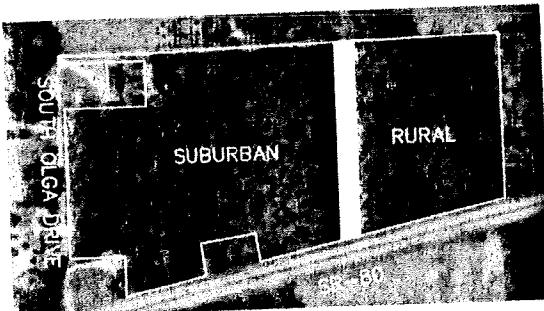
Option    1    2     3    4    (circle one)

REIGE ROBERT D  
15570 OLD OLGA RD  
ALVA, FL 33920  
22-43-26-03-00001.0070

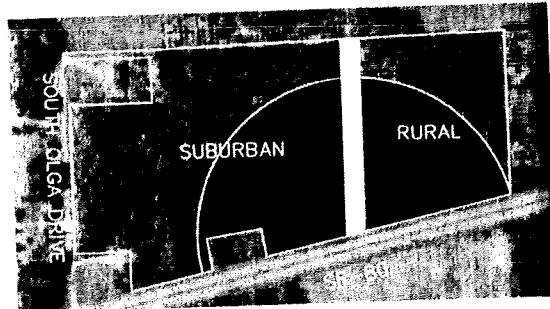
  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

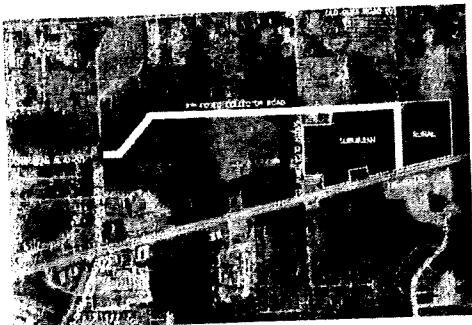
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



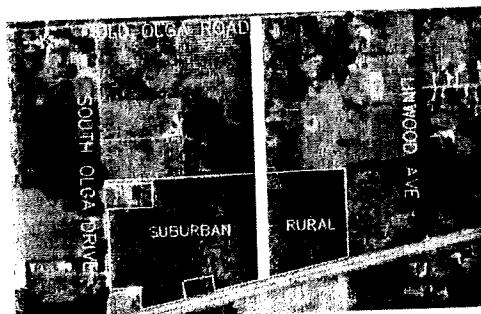
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

Option    1    2    3    4    (circle one)

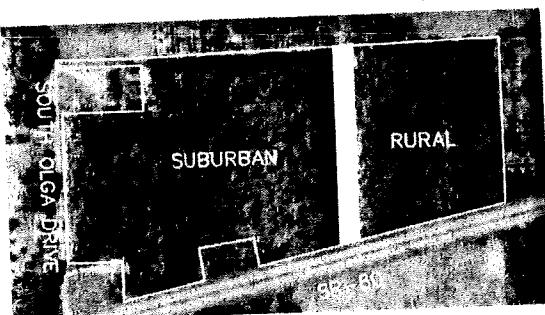
*Frank O. Emmert*

Property Owner/Representative (with proper documentation) Signature

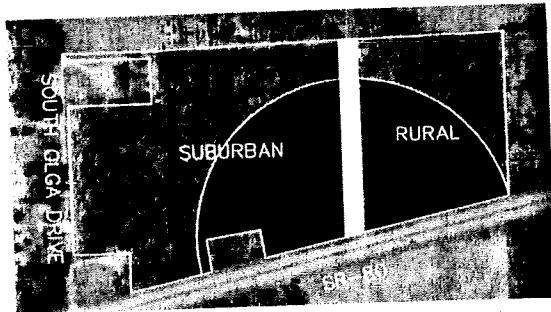
EMMERT FRANK O TR +  
9833 N MIAMI AVE  
MIAMI, FL 33150  
21-43-26-02-0000E.0060

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



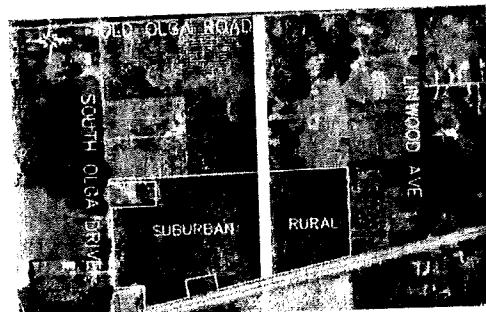
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

Option    1    2    3    4    (circle one)

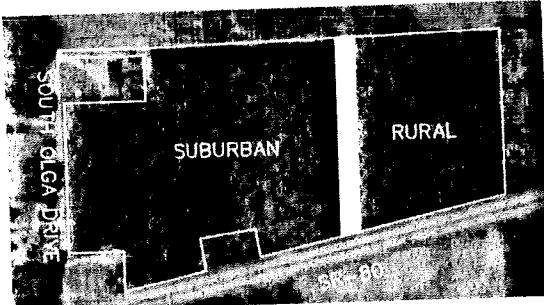
*Frank Emmert*

Property Owner/Representative (with proper documentation) Signature

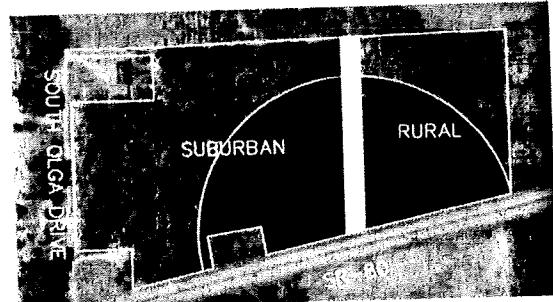
EMMERT FRANK O TR 1/4 +  
9833 N MIAMI AVE  
MIAMI, FL 33150  
21-43-26-02-0000E.0030

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



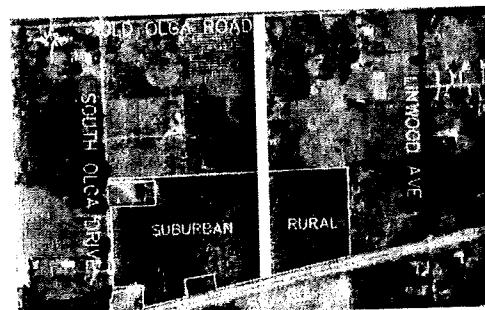
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**

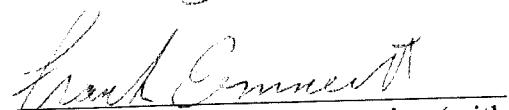


**Option 4: Collector Road to Old Olga Road**

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Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I , owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

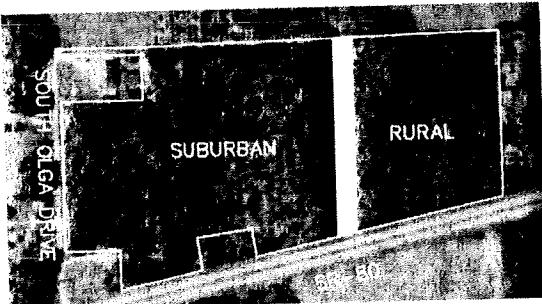
Option    1    2    3    4    (circle one)

  
\_\_\_\_\_  
Property Owner/Representative (with proper documentation) Signature

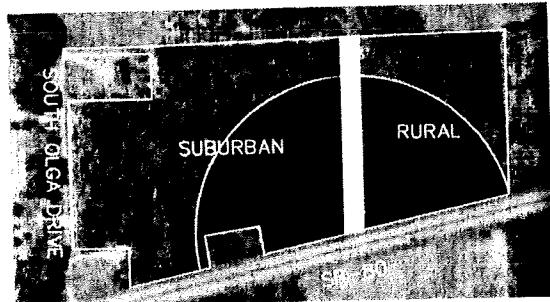
EMMERT FRANK O TR +  
9833 N MIAMI AVE  
MIAMI, FL 33150  
21-43-26-02-0000E.0040

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

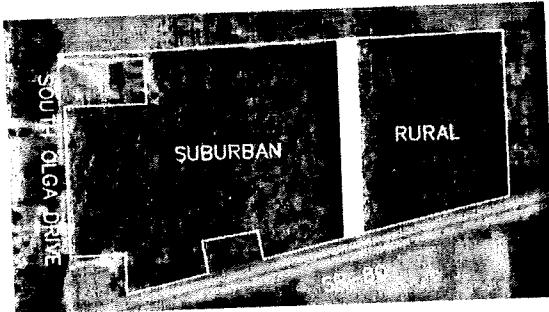
Option    1    2    3    4    (circle one)

EMMERT FRANK O TR +  
9833 N MIAMI AVE  
MIAMI, FL 33150  
21-43-26-02-0000D.0150

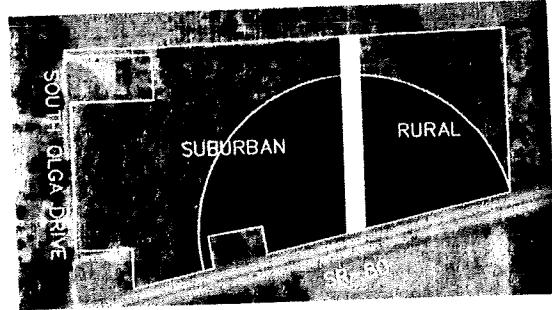
Frank Emmert  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

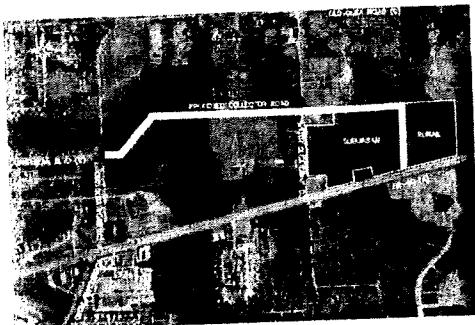
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



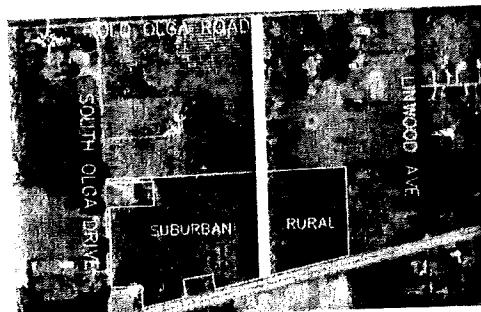
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I, Lucinda Bell, owning property at 14802 Randolph Ct, prefer the following to be included in the Olga Community Planning Overlay:

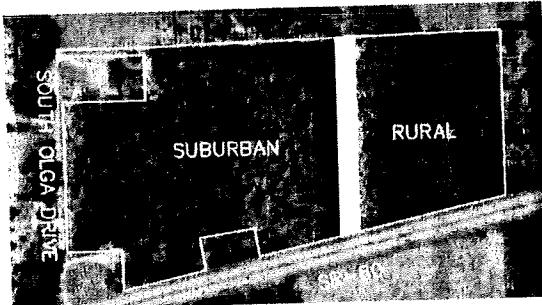
Option    1    2    3    4    (circle one)

BELL LUCINDA ANNE  
14802 RANDOLPH CT  
FORT MYERS, FL 33905  
21-43-26-03-00020.0000

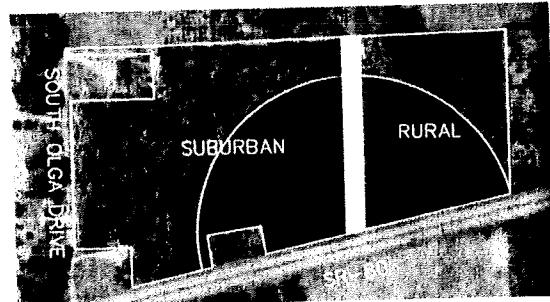
Lucinda A. Bell  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

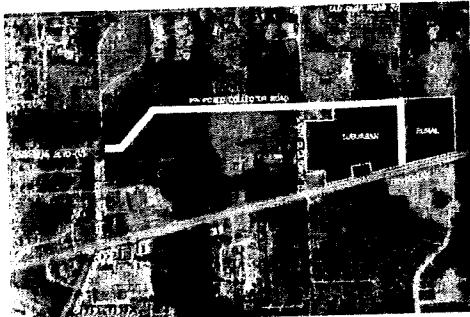
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

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Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Thomas Baker, owning property at 20340 BUCK CREST LN  
prefer the following to be included in the Olga Community Planning Overlay:

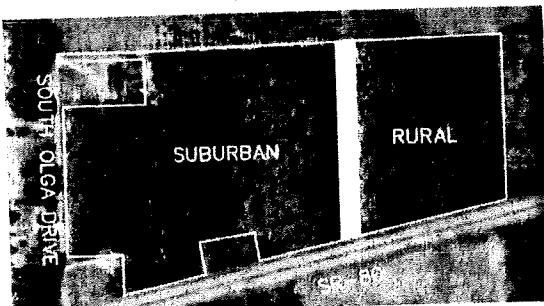
Option    1    2    3    4    (circle one)

BAKER FAMILY PARTNERS  
20340 BUCK CREST LN  
ALVA, FL 33920  
21-43-26-02-00021.0000

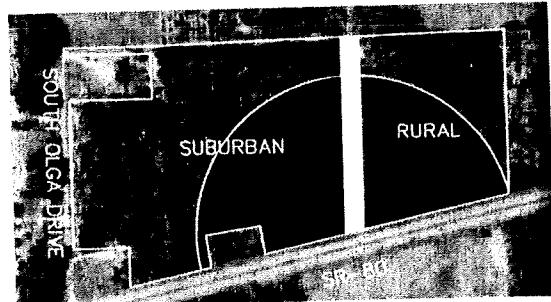
Thomas Baker  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

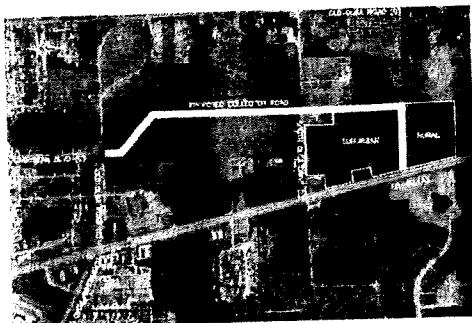
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Barbara L. Ware, owning property at 16401 River Mist Ln  
prefer the following to be included in the Olga Community Planning Overlay:

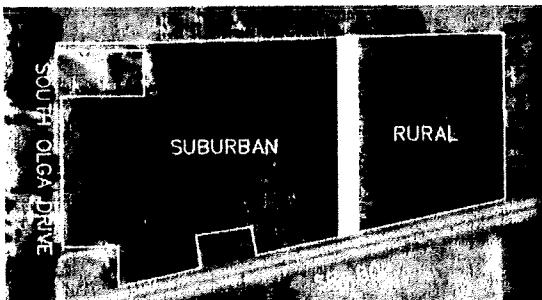
Option  1  2  3  4 (circle one)

WARE BILLY J SR + BARBARA L  
16401 RIVER MIST LN  
ALVA, FL 33920  
23-43-26-00-00005.190

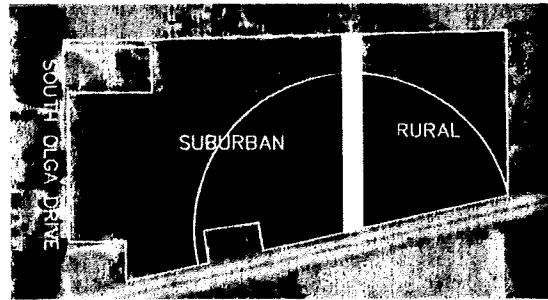
Barbara L. Ware  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



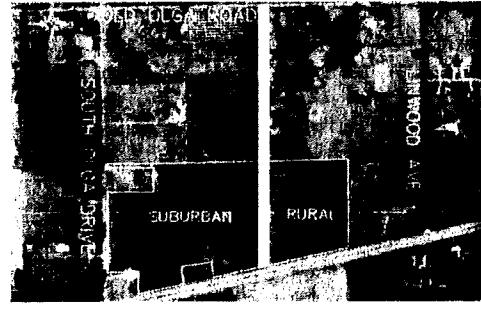
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

*see attached*

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

Option    1    2    3    4    (circle one)

LEE COUNTY DIST SCHOOL BOARD  
2055 CENTRAL AV  
FORT MYERS, FL 33901  
28-43-26-00-00004.0000

Property Owner/Representative (with proper documentation) Signature

## **Vincent Franceschelli**

**From:** Teston, Susan M. [SusanMTe@LeeSchools.Net]  
**Sent:** Wednesday, June 06, 2007 3:35 PM  
**To:** Vincent Franceschelli  
**Subject:** Vote for the School District

Vincent:

Pursuant our telephone conversation of June 6, 2007, as a representative for the School District of Lee County it is our favor to vote for Option 3: Collector to South Olga Drive. The property located to the west of they subject is owned by the School District of Lee County with the intention of building a middle school there in the future. It is also favorable for the busing to have access to this site and allow for traffic to flow out onto SR 80 from the adjacent neighborhood. The fact that the property could be slated for commercial use does not adversely effect the school site.

Respectfully,



**Susan Teston**  
Community Development Planner  
Planning, Growth & School Capacity  
[susanmte@leeschools.net](mailto:susanmte@leeschools.net)  
(239) 335-1415

06/09/07

Barbara Ware is auth  
to cast my vote. And  
call 239 621-9044.  
Robert E. Walker

Living on June 9,

...ers shores (Grace Church) and  
ss and by letter. Please vote for the one Option  
the Olga Community Planning Overlay

Barbara,

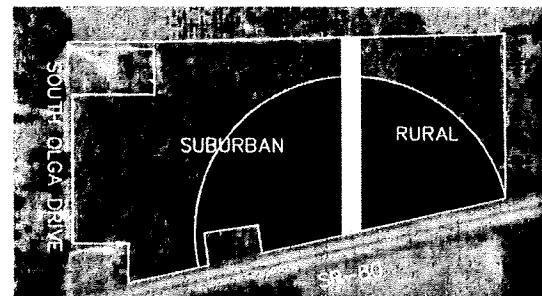
I think I like  
option 3.

Call of questions

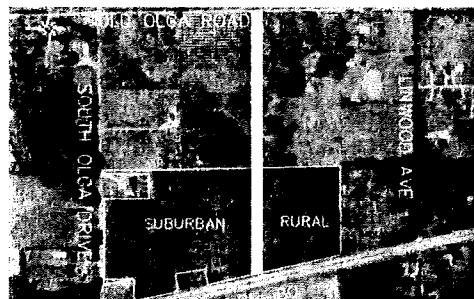
Sheet

If you notice  
this letter say I  
you may be able to  
vote for me

**Option 3: Collector Road to Old Olga  
Road and Caribbean Boulevard**



**Option 2: Commercial Node**



**Option 4: Collector Road to Old Olga  
Road**

Assuming that the owner of the subject property enters into a binding commitment to  
limit future development to one of the four options shown above, I

Robert Walker, owning property at 15930 Old Olga Rd.  
prefer the following to be included in the Olga Community Planning Overlay:

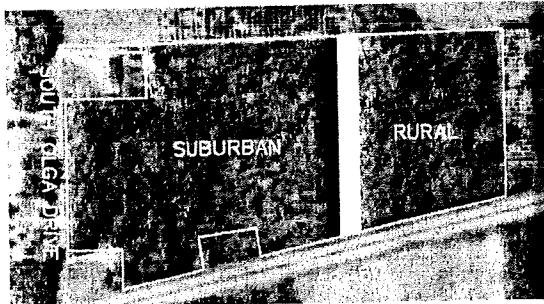
Option 1 2 3 4 (circle one)

Robert Walker  
By Barbara L. Ware  
Property Owner/Representative (with  
proper documentation) Signature

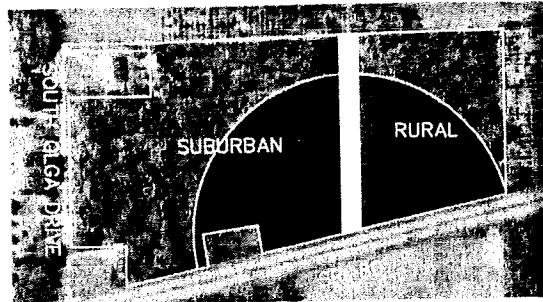
WALKER ROBERT E  
15930 OLD OLGA RD  
ALVA, FL 33920  
22-43-26-03-00003.0040

## VOTING BALLOT

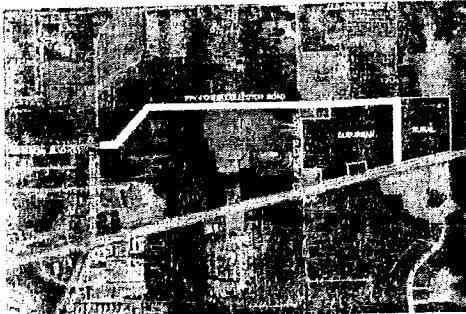
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



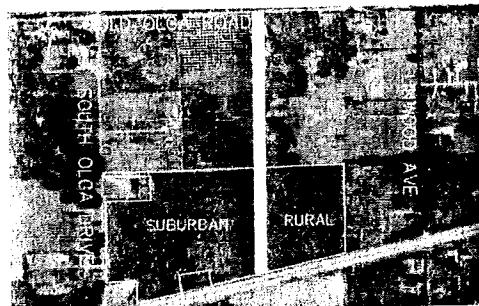
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I

DAVID O. MONTGOMERY, SR., owning property at 2249 IRIS WAY, S.E., FORT MYERS, FL 33905, prefer the following to be included in the Olga Community Planning Overlay: None of the above

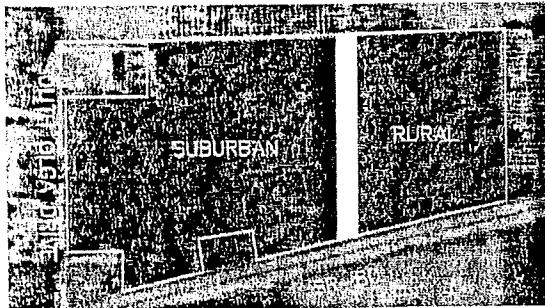
Option  1  2  3  4 (circle one)

Property Owner/Representative (with proper documentation) Signature

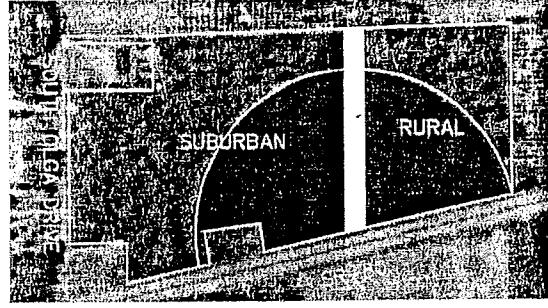
MONTGOMERY DAVID O SR  
2249 IRIS WAY  
FORT MYERS, FL 33905  
21-43-26-02-0000D.0090

## VOTING BALLOT

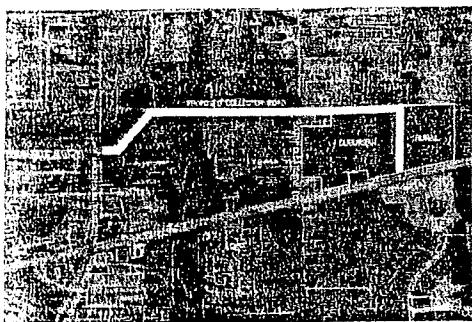
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



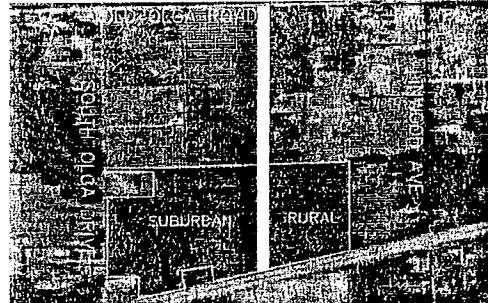
Option 1: No Change



Option 2: Commercial Node



Option 3: Collector Road to Old Olga Road and Caribbean Boulevard



Option 4: Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
GEORGE MEUKOW, owning property at 14802 Oakwood Court  
prefer the following to be included in the Olga Community Planning Overlay:

Option    1    2    3    4    (circle one)

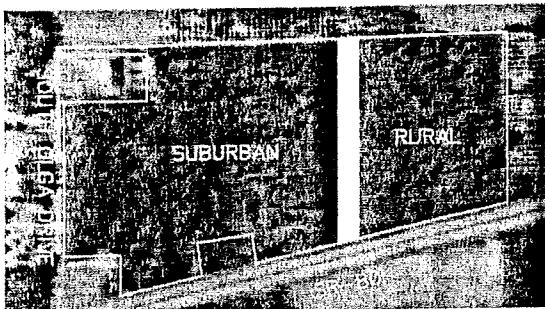
MEUKOW GEORGE TR L/E  
14802 OAKWOOD CT  
FORT MYERS, FL 33905  
21-43-26-03-00010.0000

Property Owner/Representative (with  
proper documentation) Signature

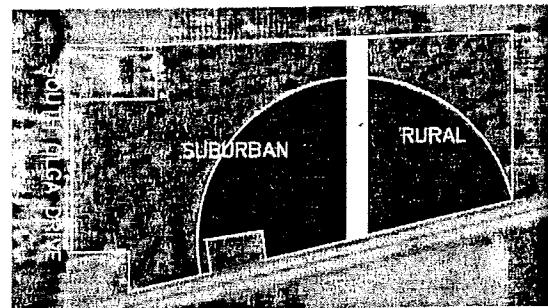
*George Meukow*

## VOTING BALLOT

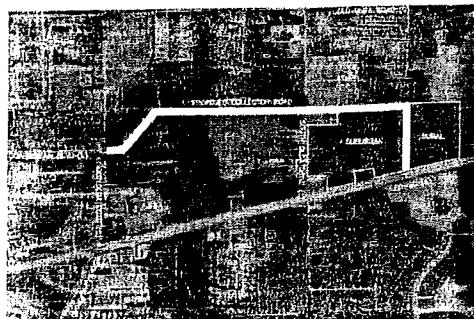
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



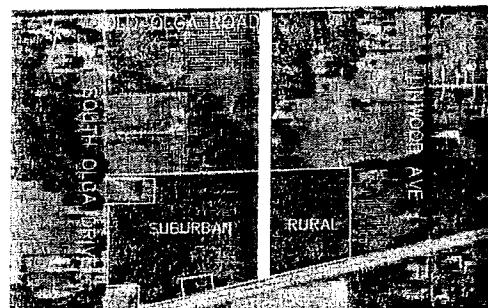
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

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Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

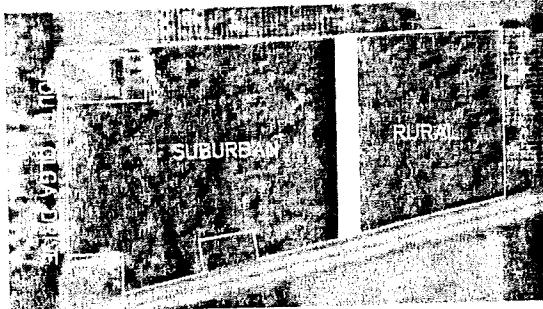
Option    1    2     3    4    (circle one)

GOODNIGHT ALAN G + JOAN C  
PO BOX 50984  
FORT MYERS, FL 33902  
21-43-26-03-00028.0000

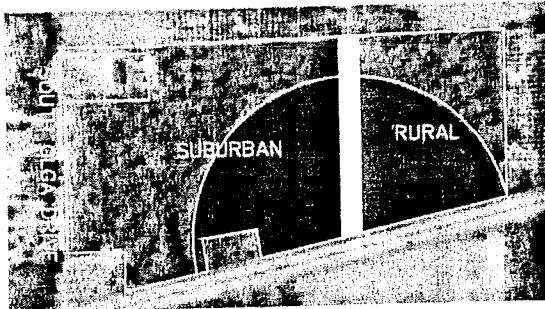
  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

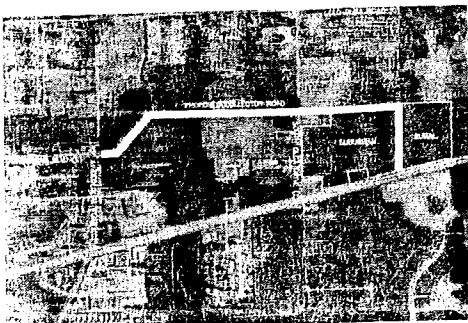
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



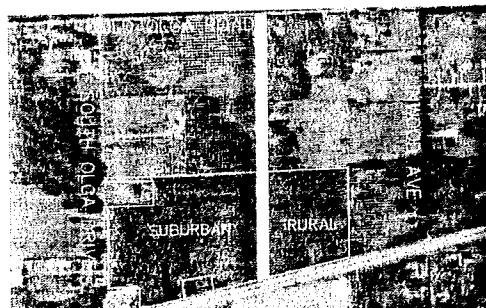
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

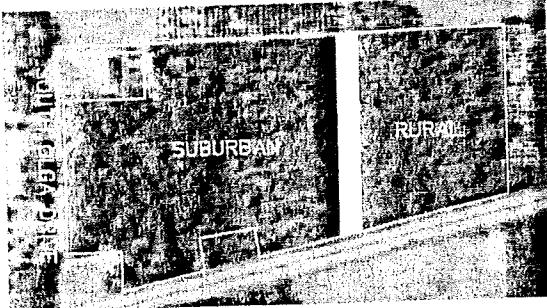
Option      1      2      3      4      (circle one)

GOODNIGHT ALAN G + JOAN C  
PO BOX 50984  
FORT MYERS, FL 33994  
21-43-26-03-00027.0000

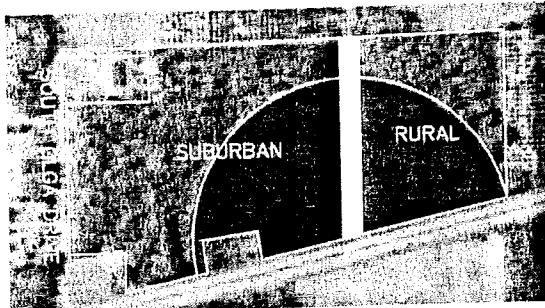
*Alan Goodnight*  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

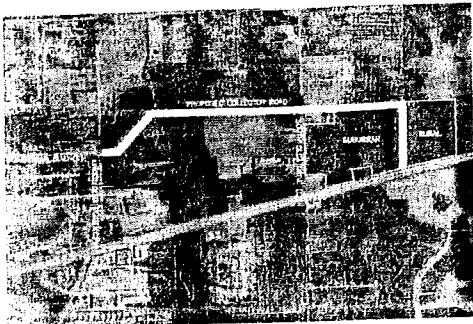
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



Option 1: No Change



Option 2: Commercial Node



Option 3: Collector Road to Old Olga  
Road and Caribbean Boulevard



Option 4: Collector Road to Old Olga  
Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I, James M. Conn, owning property at 1111 Labelle Vista, prefer the following to be included in the Olga Community Planning Overlay:

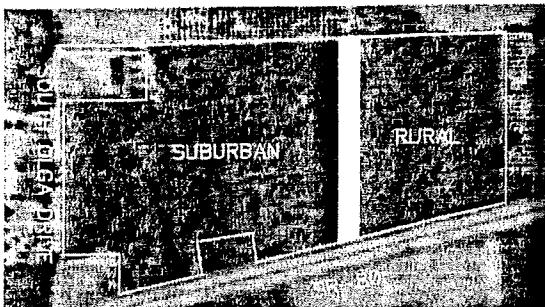
Option    1    2    3    4    (circle one)

CONNON JAMES M + GAIL V  
1111 LABELLE VISTA DR  
FORT MYERS, FL 33905  
22-43-26-06-00000.0600

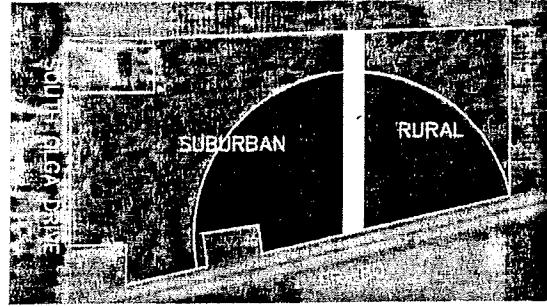
James M. Conn  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

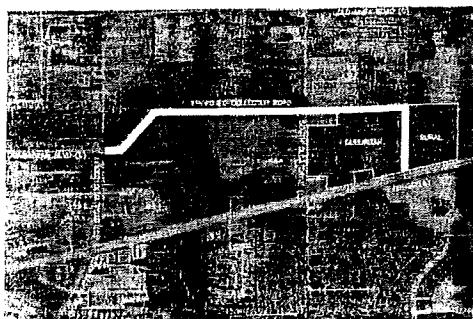
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



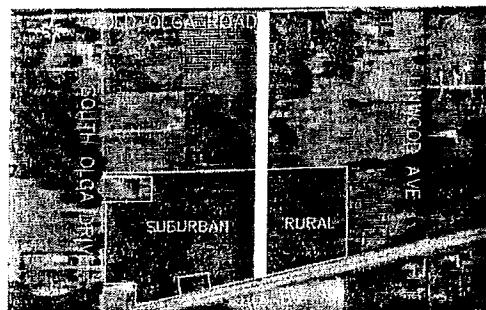
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Sherie Shobe & Shobe, owning property at 2207 Randolph Dr. Fort Myers, FL 33905  
prefer the following to be included in the Olga Community Planning Overlay:

Option    1    2    3    4    (circle one)

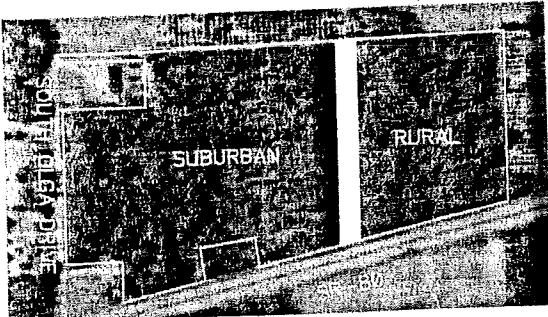
Sherie Shobe

Property Owner/Representative (with proper documentation) Signature

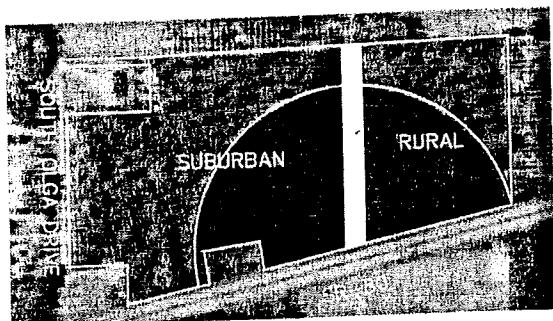
BARRAN SHOBE  
2207 RANDOLPH DR  
FORT MYERS, FL 33905  
21-43-26-04-0000A.0470

## VOTING BALLOT

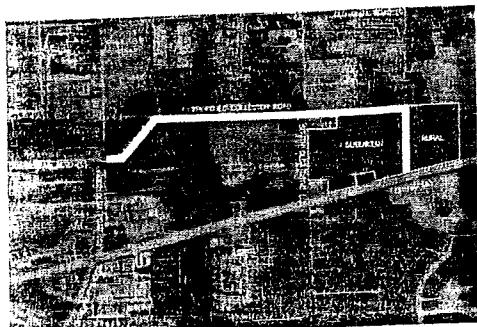
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



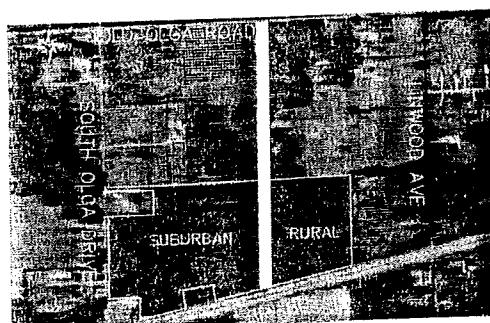
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
W E GENTON, owning property at 14814 Randolph Ct SE  
prefer the following to be included in the Olga Community Planning Overlay:

Option    1    2    3    4    (circle one)

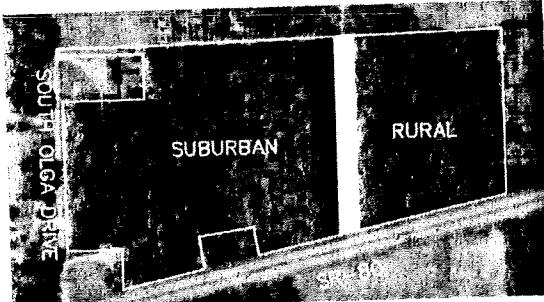
William E Genton

Property Owner/Representative (with proper documentation) Signature

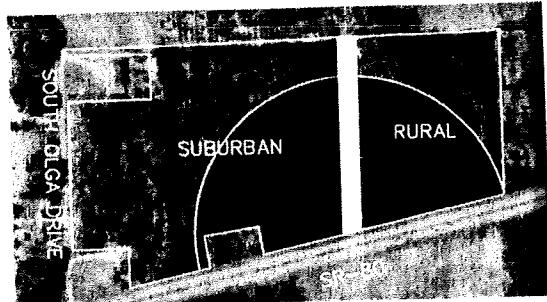
GENTON W E + KATHY L  
14814 RANDOLPH CT  
FORT MYERS, FL 33905  
21-43-26-03-00022.0000

## **VOTING BALLOT**

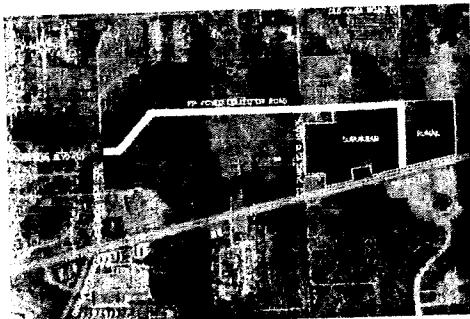
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



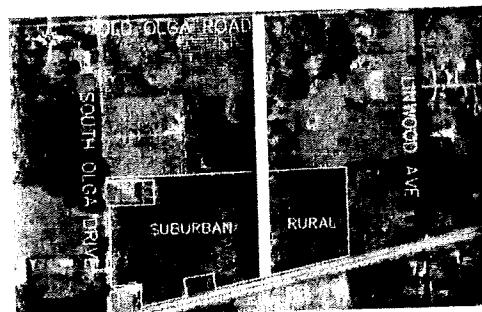
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
MATTHEW D. SARSFIELD, owning property at 1500 BUCKEYE DRIVE  
prefer the following to be included in the Olga Community Planning Overlay:

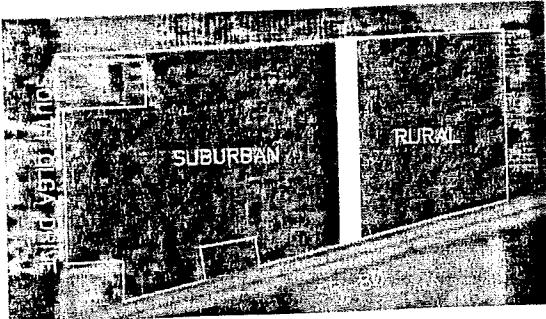
Option    1    2    3    4    (circle one)

SARSFIELD MATTHEW D  
PO BOX 2633  
CLEWISTON, FL 33440  
22-43-26-05-00000.0130

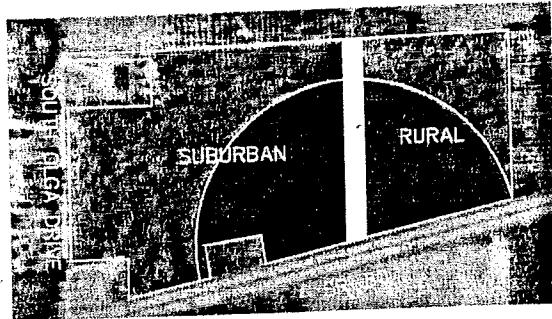
Matthew D. Sarsfield  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

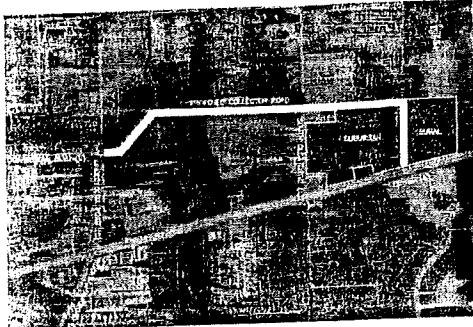
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



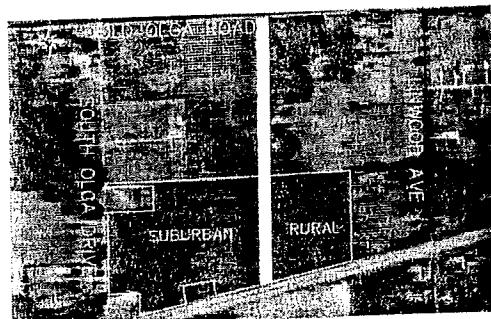
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Richard D. Hemry, owning property at 14903 WISE WAY  
prefer the following to be included in the Olga Community Planning Overlay:

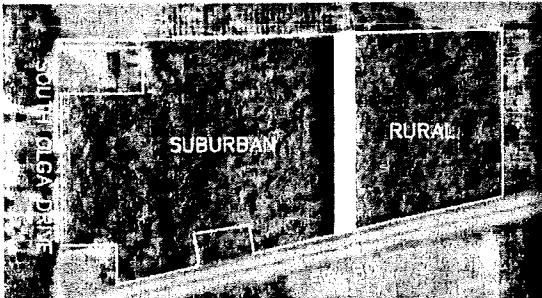
Option    1    2    3    4    (circle one)

HEMRY RICHARD D  
14903 WISE WAY  
FORT MYERS, FL 33905  
21-43-26-07-0000A.0060

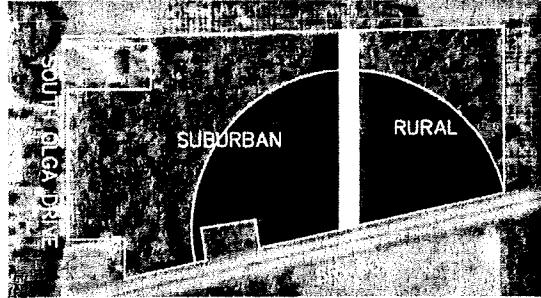
Richard D. Hemry  
Property Owner/Representative (with  
proper documentation) Signature

## **VOTING BALLOT**

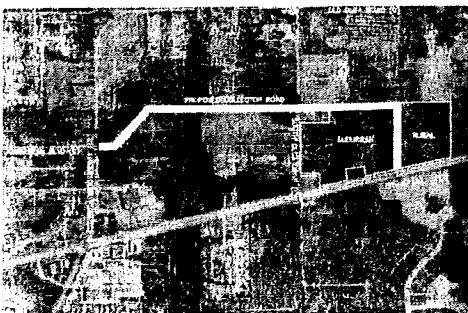
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



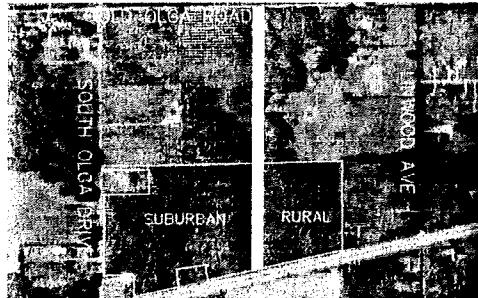
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I

PAULA & FRANK F. LINK, owning property at 15075 BUCKEYE DR., prefer the following to be included in the Olga Community Planning Overlay:

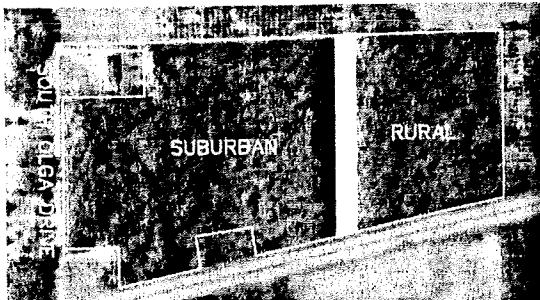
Option  1  2  3  4 (circle one)

Paula A. Link  
Frank F. Link  
Property Owner/Representative (with proper documentation) Signature

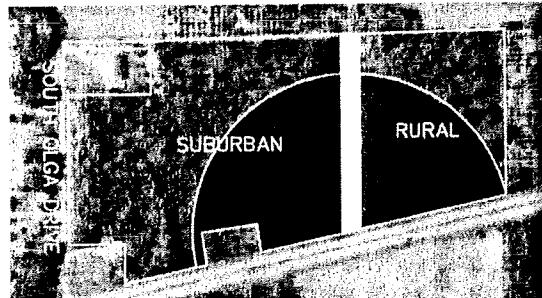
LINK FRANK F + PAULA A  
15075 BUCKEYE DRIVE  
FORT MYERS, FL 33905  
22-43-26-05-00000.0490

## VOTING BALLOT

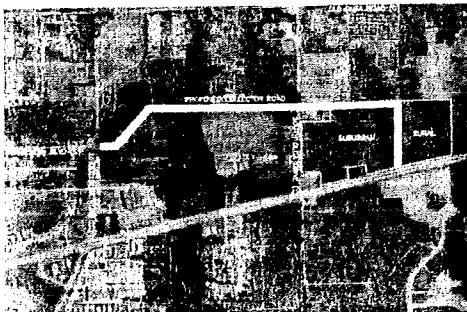
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



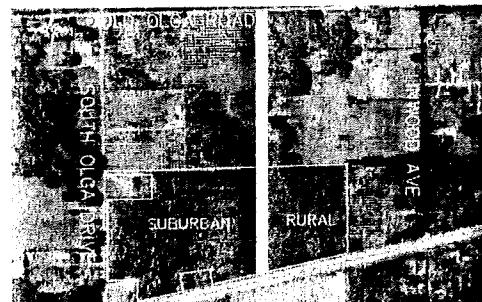
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I Michael J. Weingart, owning property at 2014 CLARKE AVE. prefer the following to be included in the Olga Community Planning Overlay:

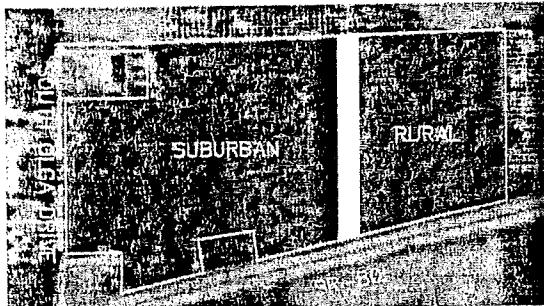
Option    1    2    3    4    (circle one)

WEINGART MICHAEL J  
2014 CLARKE AVE  
FORT MYERS, FL 33905  
22-43-26-05-00000.0460

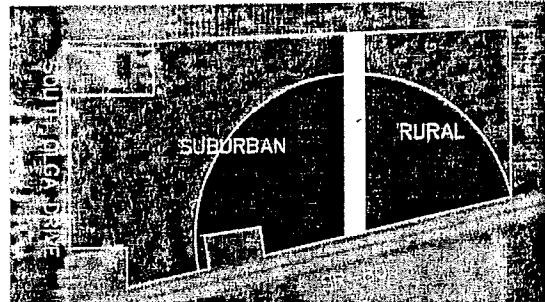
Michael J. Weingart  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

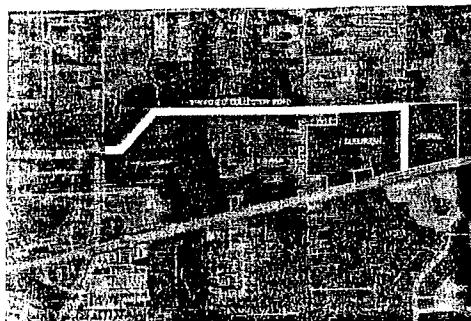
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



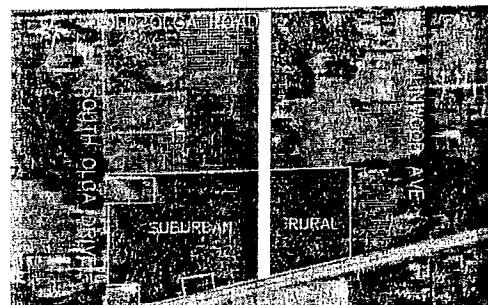
Option 1: No Change



Option 2: Commercial Node



Option 3: Collector Road to Old Olga Road and Caribbean Boulevard



Option 4: Collector Road to Old Olga Road

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Neil Gutherie, owning property at 1891 Pine Ave.  
prefer the following to be included in the Olga Community Planning Overlay:

Option    1    2    3    4    (circle one)

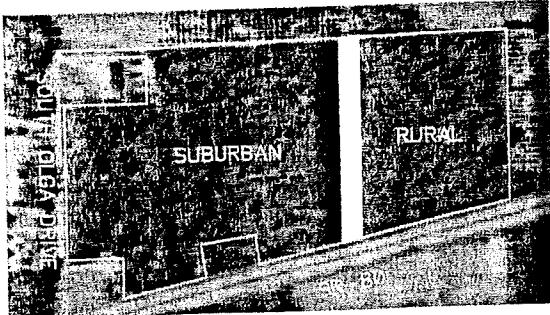
GUTHERIE NEIL + PATRICIA  
1891 PINE AV  
ALVA, FL 33920  
23-43-26-00-00014.0000

*Owner*

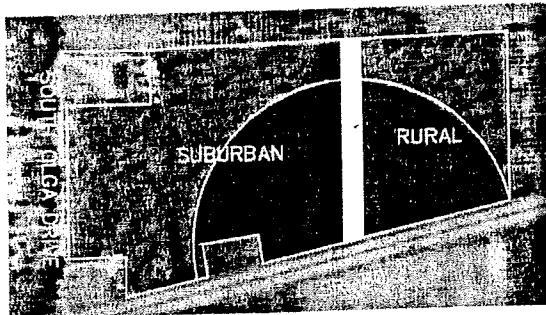
*R. G.*  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

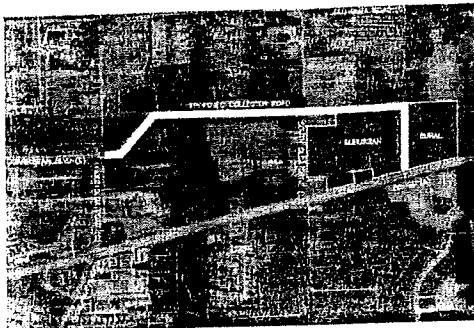
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



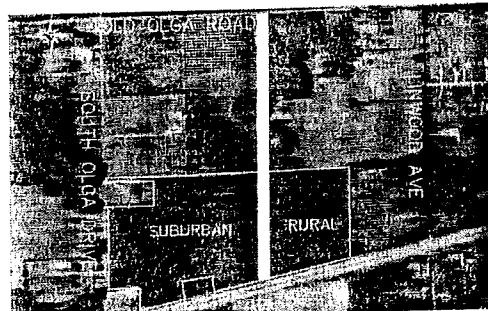
Option 1: No Change



Option 2: Commercial Node



Option 3: Collector Road to Old Olga Road and Caribbean Boulevard



Option 4: Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
BLACKBURN JOSEPH E III + SUSAN, owning property at 14819 OAKWOOD CT  
prefer the following to be included in the Olga Community Planning Overlay:

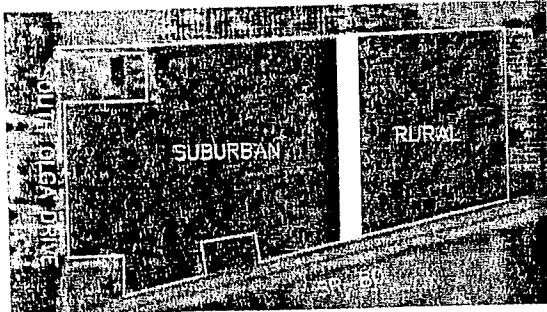
Option    1    2    3    4    (circle one)

BLACKBURN JOSEPH E III + SUSAN  
14819 OAKWOOD CT  
FORT MYERS, FL 33905  
21-43-26-03-00006.0000

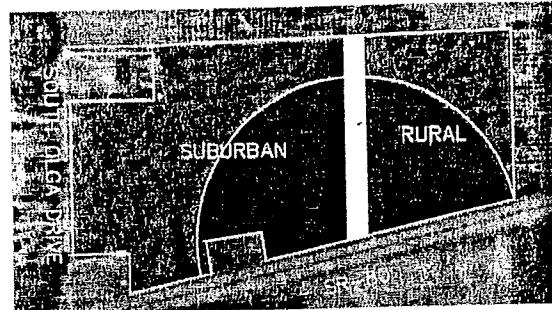
*Susan Blackburn*  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

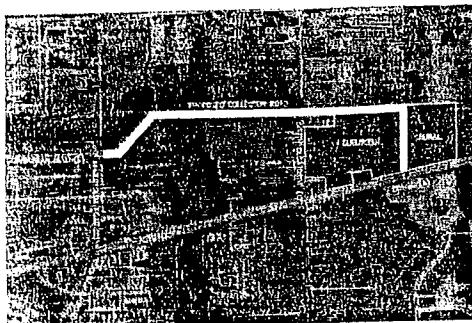
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



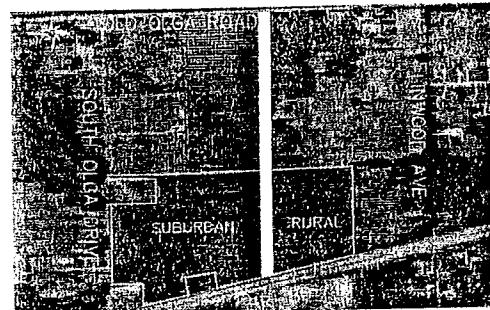
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I Margaret Pipkins, owning property at 2255 S. Olga Dr. prefer the following to be included in the Olga Community Planning Overlay:

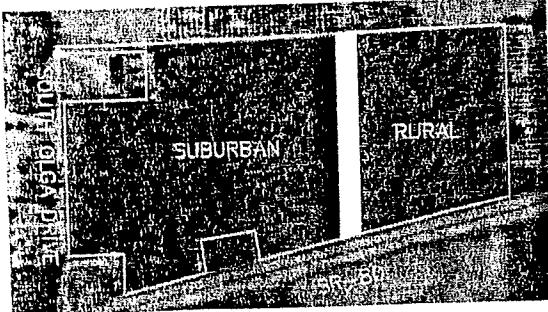
Option    1    2    3    4    (circle one)

PIPKINS MARGARET K TR  
2255 OLGA DR S  
FORT MYERS, FL 33905  
21-43-26-00-00011.0020

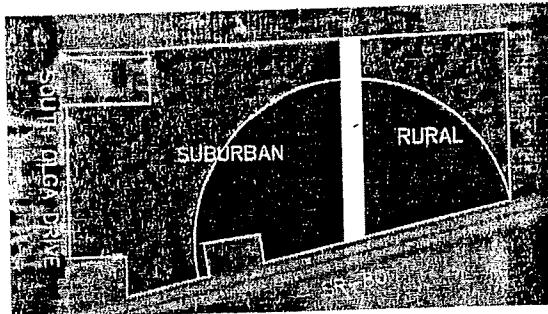
Margaret K Pipkins  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

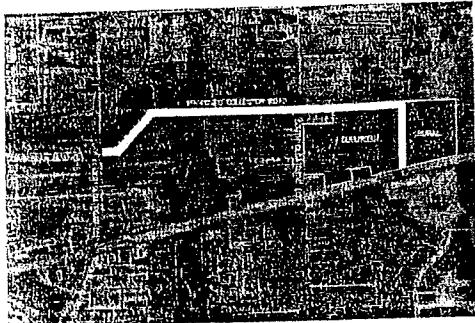
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



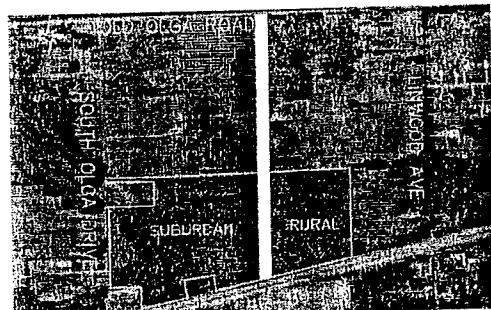
Option 1: No Change



Option 2: Commercial Node



Option 3: Collector Road to Old Olga Road and Caribbean Boulevard

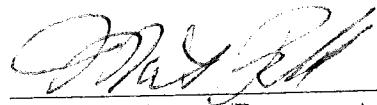


Option 4: Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
MARTIN POSTAL, owning property at 14819 RIVERVIEW CT.  
prefer the following to be included in the Olga Community Planning Overlay:

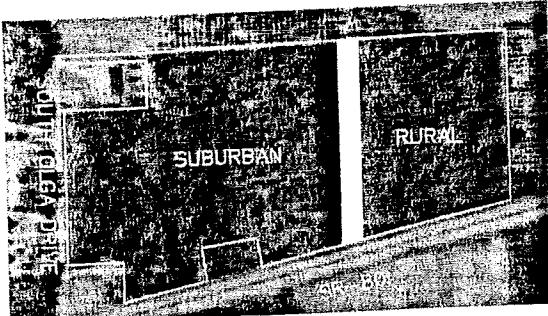
Option    1    2    3    4    (circle one)

POSTAL MARTIN L  
14819 RIVERVIEW CT  
FORT MYERS, FL 33905  
21-43-26-04-0000A.0380

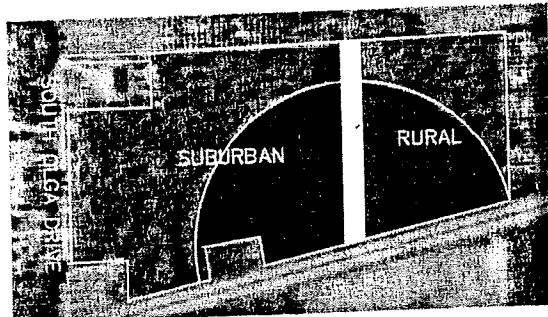
  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

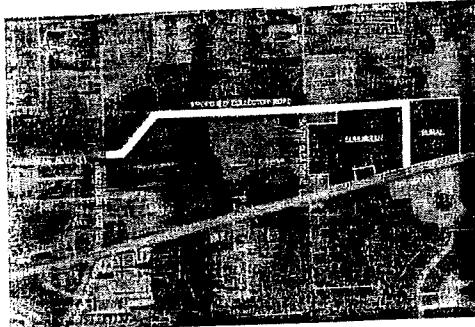
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



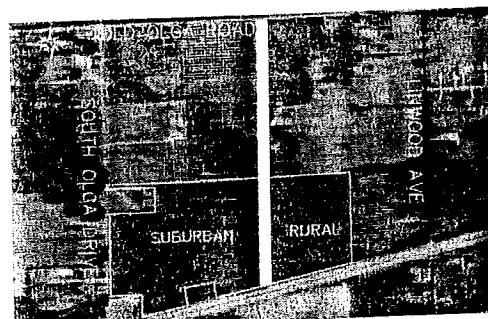
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I Michael D. Bertsch, owning property at 14795 Old Olga Rd, prefer the following to be included in the Olga Community Planning Overlay:

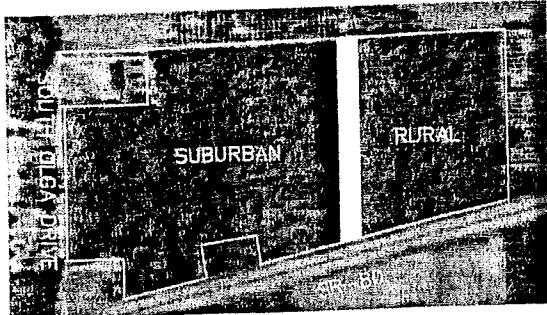
Option    1    2    3    4    (circle one)

BERTSCH MICHAEL D + JANA  
14795 OLD OLGA RD  
FORT MYERS, FL 33905  
21-43-26-02-0000B.0110

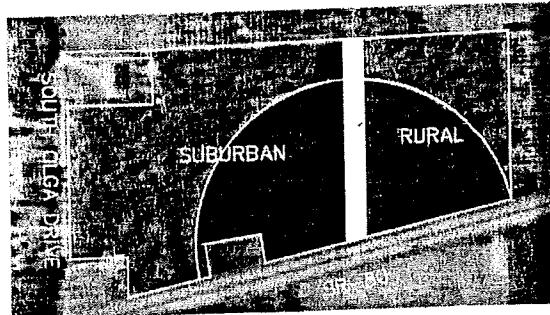
  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

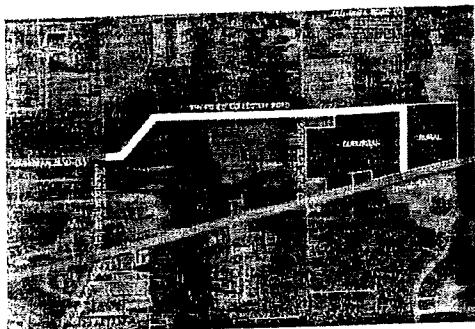
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



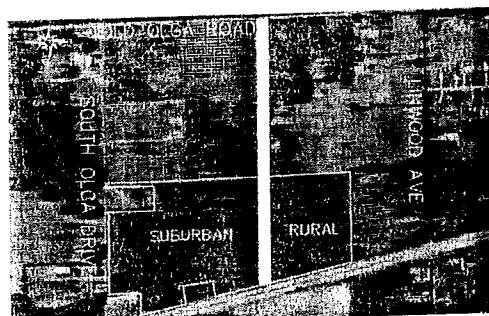
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

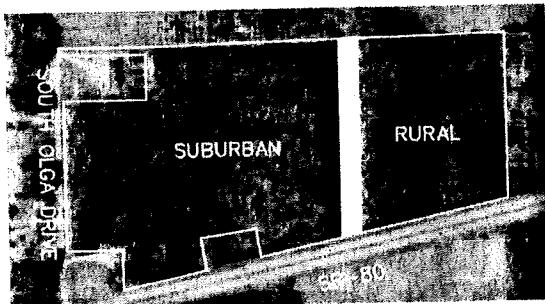
Option    1    2     3    4    (circle one)

ADAMS ERAINA M  
14820 RANDOLPH CT  
FORT MYERS, FL 33905  
21-43-26-03-00023.0000

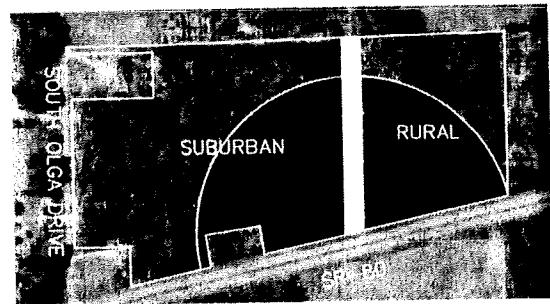
  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



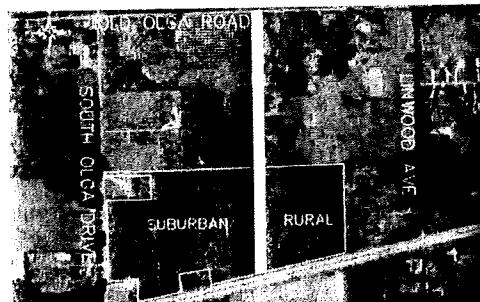
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

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Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

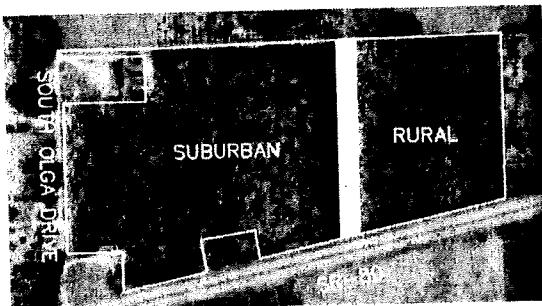
Option    1    2     3    4    (circle one)

SIMPSON KENT PROPERTIES INC  
3949 EVANS AV #403  
FORT MYERS, FL 33901  
28-43-26-00-00008.0010

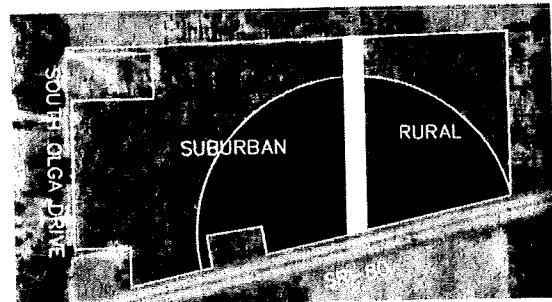
*Cal Sprow, Simpson-Kent Properties Inc*  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



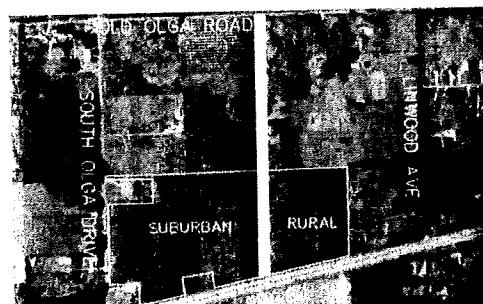
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

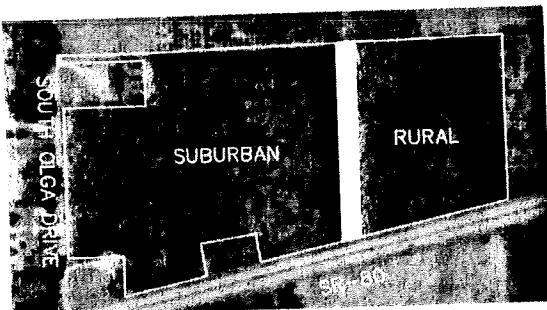
Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

Option  1  2  3  4 (circle one)

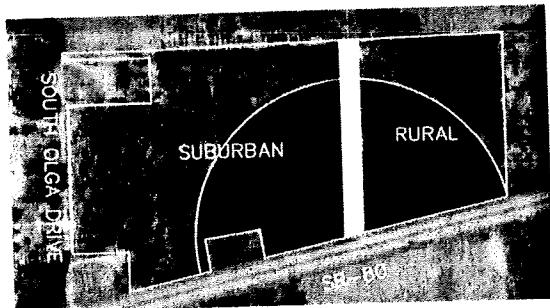
*Carl Ghezzi, Simpson-Kent Properties Inc*  
\_\_\_\_\_  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



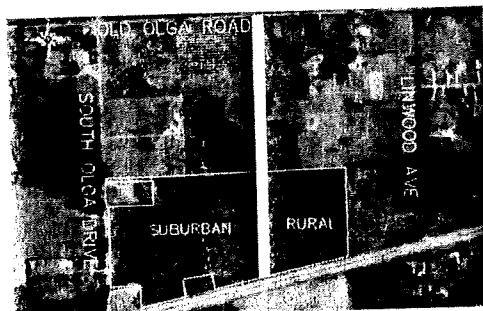
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

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Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

Option    1    2    (3)    4    (circle one)

*Carl Gero, for Simpson - Kent Properties Inc*  
\_\_\_\_\_  
Property Owner/Representative (with proper documentation) Signature

SIMPSON KENT PROPERTIES INC  
3949 EVANS AV #403  
FORT MYERS, FL 33901  
28-43-26-00-00003.0010

**2007 FOR PROFIT CORPORATION  
ANNUAL REPORT**

DOCUMENT # P04000136673

1. Entity Name  
SIMPSON-KENT PROPERTIES, INC.



Principal Place of Business  
3949 EVANS AVE SUITE 403  
FT MYERS, FL 33901

Mailing Address  
3949 EVANS AVE SUITE 403  
FT MYERS, FL 33901

**DO NOT WRITE IN THIS SPACE**

6. Name and Address of Current Registered Agent

GRECO, CARL  
3949 EVANS AVE SUITE 403  
FT MYERS, FL 33901

01082007 No Chg-P CR2E034 (11/05)

4. FEI Number 20-1660958	Applied For Not Applicable
5. Certificate of Status Desired	<input type="checkbox"/> \$8.75 Additional Fee Required

**DO NOT WRITE  
IN THIS SPACE**

8. The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida. I am familiar with, and accept the obligations of registered agent.

SIGNATURE: *Tom Davis*

Signature, typed or printed name of registered agent and title if applicable

(NOTE: Registered Agent signature required when reinstating)

4-Mar-07

DATE

FILE NOW!!! FEE IS \$150.00  
After May 1, 2007 Fee will be \$550.00

9. Election Campaign Financing  
Trust Fund Contribution.  \$5.00 May Be  
Added to Fees

10.

OFFICERS AND DIRECTORS

TITLE NAME STREET ADDRESS CITY-ST-ZIP	D GRECO, CARL 3949 EVANS AVE SUITE 403 FT MYERS, FL 33901
--	--

000000657536  
03/15/07-00003-023 150.00

TITLE NAME STREET ADDRESS CITY-ST-ZIP
--

**DO NOT WRITE  
IN THIS SPACE**

12. I hereby certify that the information supplied with this filing does not qualify for the exemptions contained in Chapter 119, Florida Statutes. I further certify that the information indicated on this report or supplemental report is true and accurate and that my signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears in Block 10 or Block 11 if changed, or on an attachment with an address, with all other like empowered.

SIGNATURE: *Tom Davis*

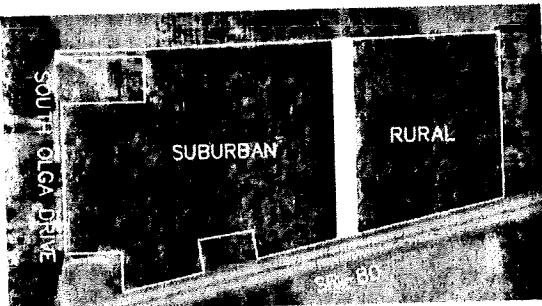
SIGNATURE AND TYPED OR PRINTED NAME OF SIGNING OFFICER OR DIRECTOR

4-Mar-07 2392746600

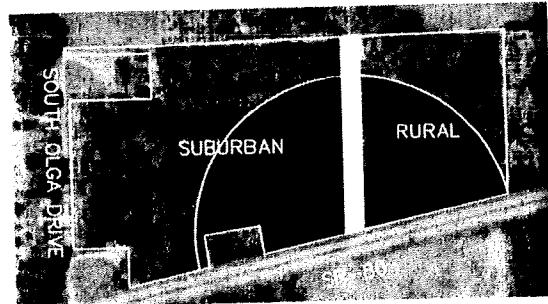
Date Daytime Phone #

## **VOTING BALLOT**

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



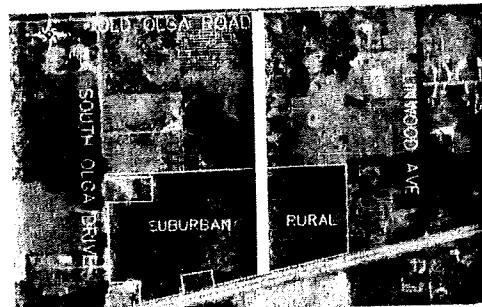
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Stanley G. Wise, owning property at 2235-21 Virginia Ave.  
prefer the following to be included in the Olga Community Planning Overlay:

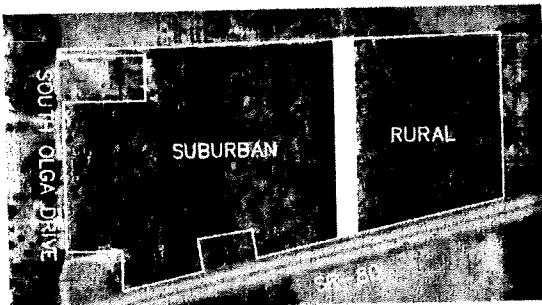
Option    1    2    3    4    (circle one)

WISE STANLEY G 2/9INT ETAL T/C  
14938 WISE WAY SE  
FORT MYERS, FL 33905  
21-43-26-02-0000C.0050

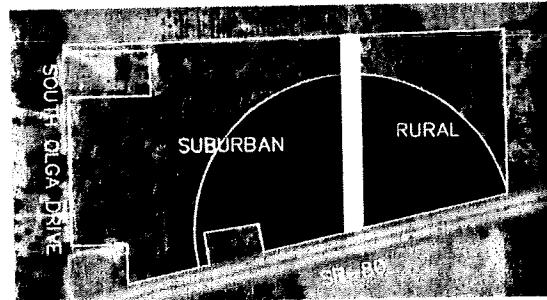
Stanley G. Wise  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



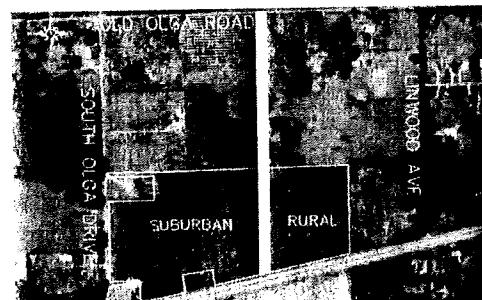
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Stanley, B. Wise, owning property at 14952-7 Wise Way Lot  
prefer the following to be included in the Olga Community Planning Overlay:

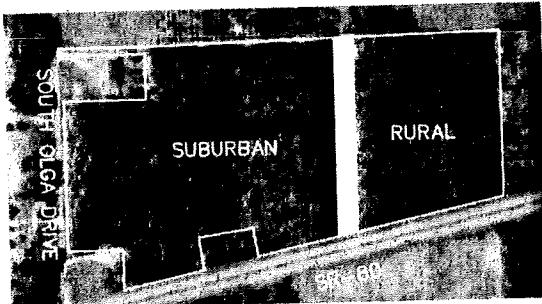
Option    1    2    3    4    (circle one)

WISE NORMA J TR 3/9 INT ETAL  
14938 WISE WAY SE  
FORT MYERS, FL 33905  
21-43-26-07-0000B.0020

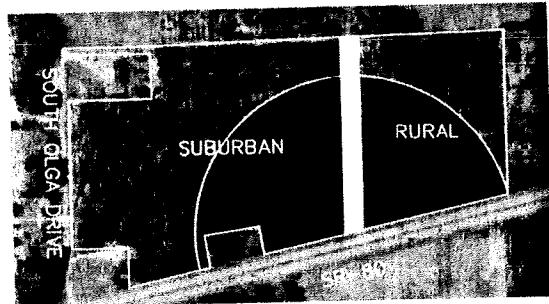
Stanley, B. Wise  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

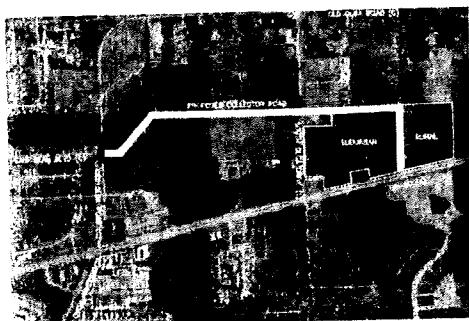
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I Stanley, George, owning property at 14938-40-42-44 WISE WAY prefer the following to be included in the Olga Community Planning Overlay:

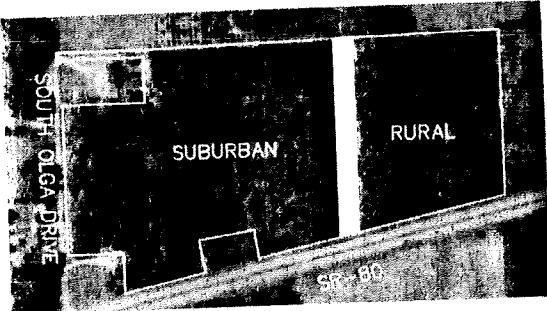
Option    1    2    3    4 (circle one)

Stanley, George  
Property Owner/Representative (with proper documentation) Signature

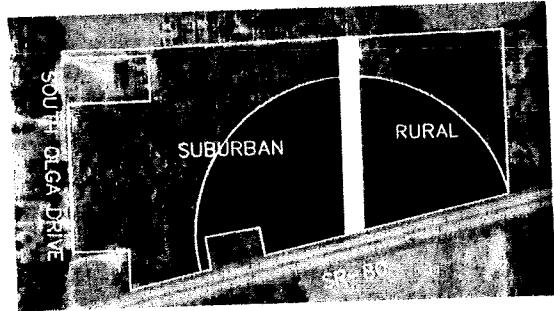
WISE NORMA J TR 3/9 INT ETAL  
14938 WISE WAY  
FORT MYERS, FL 33905  
21-43-26-07-0000B.0040

## VOTING BALLOT

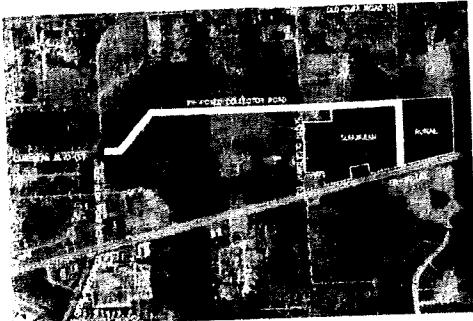
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



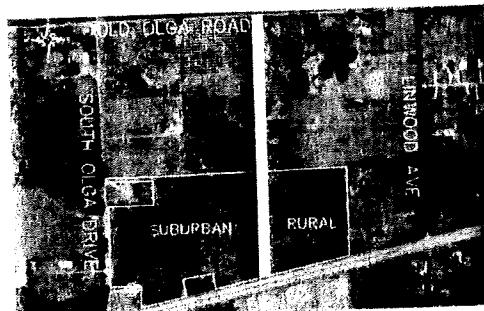
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I, Norma Wise, owning property at 14938 Old Olga Road, Acuary, prefer the following to be included in the Olga Community Planning Overlay:

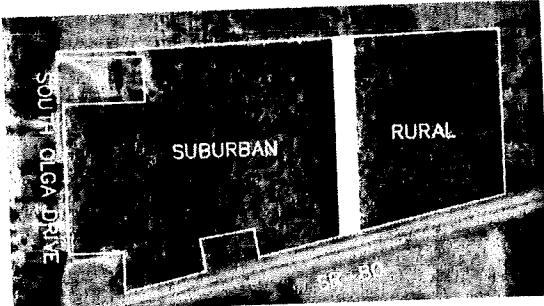
Option    1    2    3    4 (circle one)

Norma Wise  
Property Owner/Representative (with proper documentation) Signature

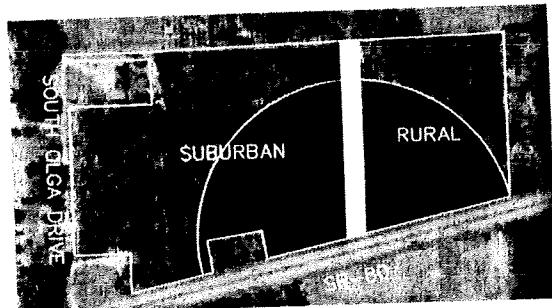
WISE NORMA 1/3 INT ETAL  
14938 WISE WAY SE  
FORT MYERS, FL 33905  
21-43-26-00-00021.0000

## VOTING BALLOT

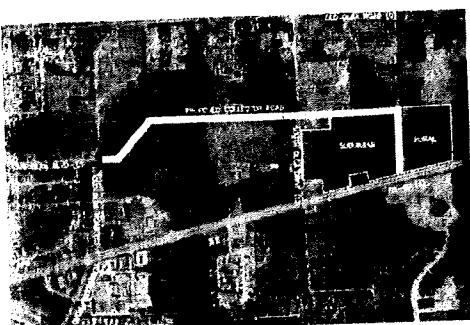
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



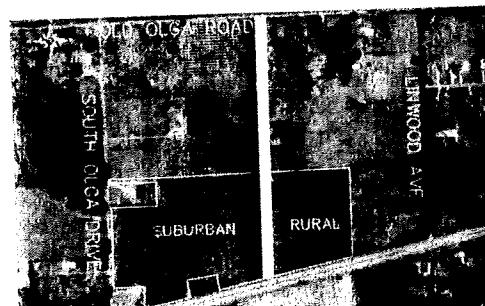
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I prefer the following to be included in the Olga Community Planning Overlay:

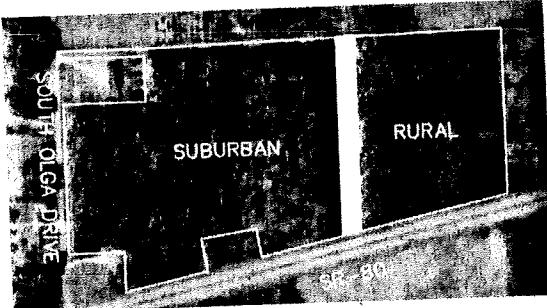
Option    1    2    3    4    (circle one)

*Stanley M. Wiese*  
Property Owner/Representative (with proper documentation) Signature

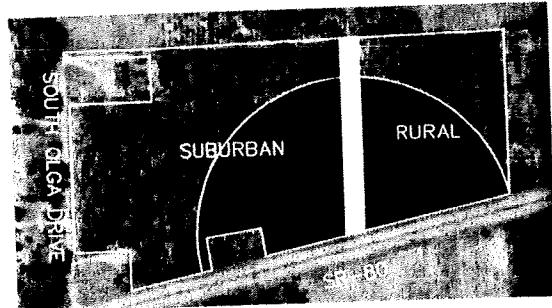
WISE NORMA 1/3 INT ETAL  
14938 WISE WAY SE  
FORT MYERS, FL 33905  
21-43-20-00-0002L10010

## VOTING BALLOT

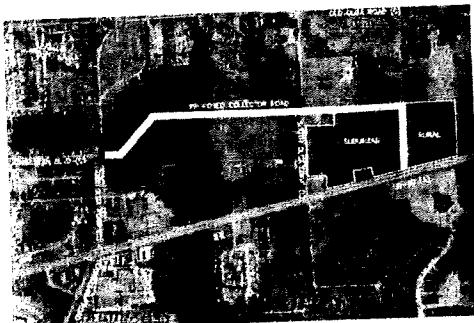
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga  
Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga  
Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Stanley, Jr., Inc., owning property at Officer Old Olga Rd Access  
prefer the following to be included in the Olga Community Planning Overlay:

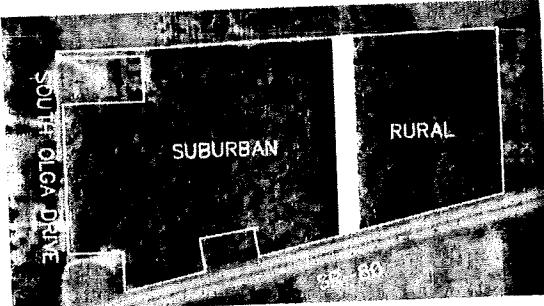
Option    1    2    3    4 (circle one)

Stanley, Jr., Inc.  
Property Owner/Representative (with  
proper documentation) Signature

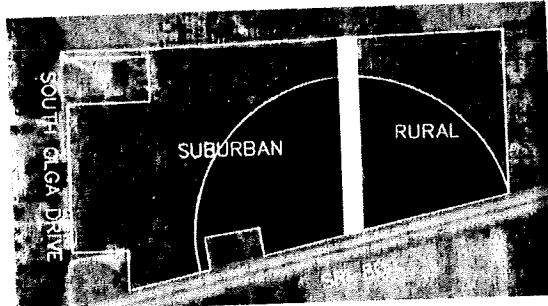
WISE NORMA 1/3 INT ETAL  
14938 WISE WAY SE  
FORT MYERS, FL 33905  
21-43-26-00-00023.0000

## VOTING BALLOT

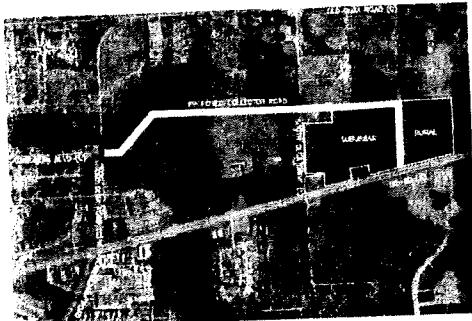
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



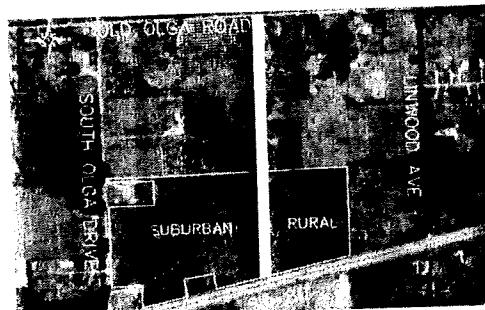
Option 1: No Change



Option 2: Commercial Node



Option 3: Collector Road to Old Olga Road and Caribbean Boulevard



Option 4: Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I Stanley G. Wise prefer the following to be included in the Olga Community Planning Overlay:

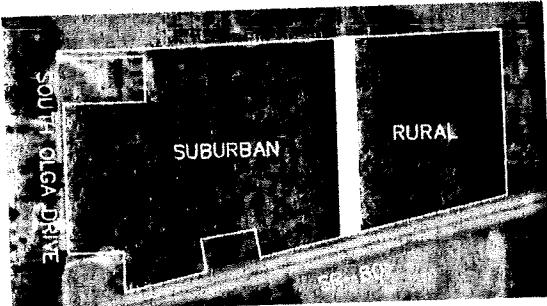
Option    1    2    3    4    (circle one)

Stanley G. Wise  
Property Owner/Representative (with proper documentation) Signature

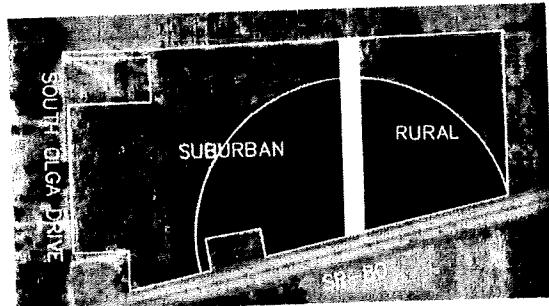
WISE STANLEY G TR  
14938 WISE WAY S E  
FORT MYERS, FL 33905  
21-43-26-07-0000B.0000

## **VOTING BALLOT**

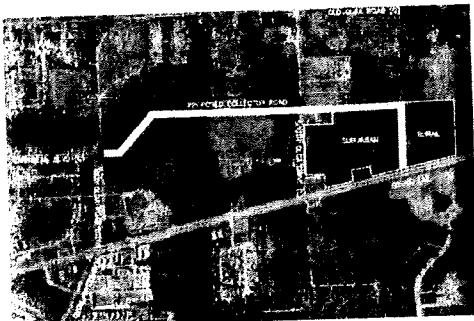
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



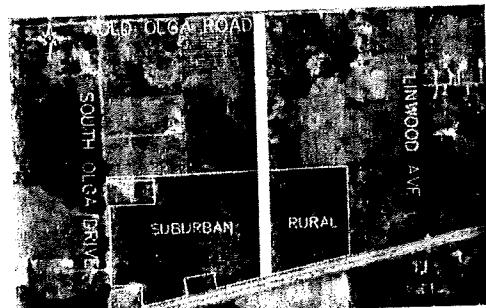
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I, Wise, Inc., Wise Way 1st,  
14938 Wise Way SE, owning property at 14938 Wise Way 1st,  
prefer the following to be included in the Olga Community Planning Overlay:

Option    1    2    3    4    (circle one)

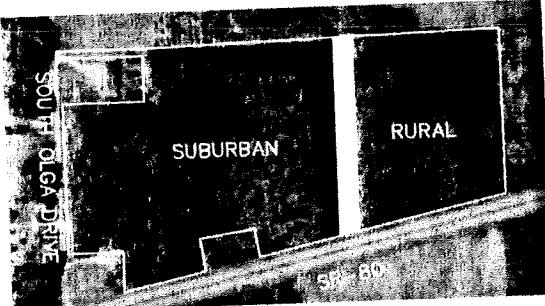
WISE NORMA J TR 3/9 INT ETAL  
14938 WISE WAY SE  
FORT MYERS, FL 33905  
21-43-26-07-0000B.0010

Property Owner/Representative (with proper documentation) Signature

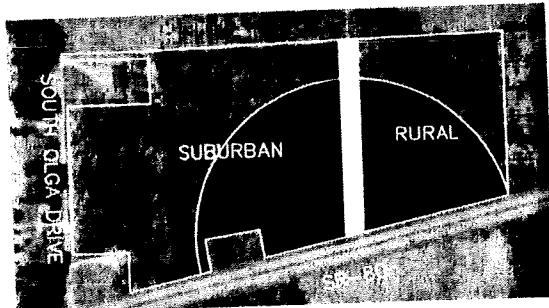
At the June 9, 2007 Olga Community Meeting there was no Option circled on this ballot. Per a phone conversation with Stan Wise at 3:00 PM on June 19, 2007, Mr. Wise stated to me, Vincent Franceschelli, a Project Planner with Dyer, Riddle, Mills, and Precourt, that it was his intent to circle Option 4. Therefore, this ballot will be counted as a vote for Option 4.

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Stanley G. Wise, owning property at 14948.50 Wise Way  
prefer the following to be included in the Olga Community Planning Overlay:

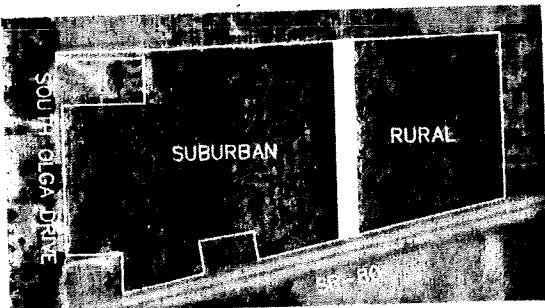
Option    1    2    3    4    (circle one)

Stanley G. Wise  
Property Owner/Representative (with  
proper documentation) Signature

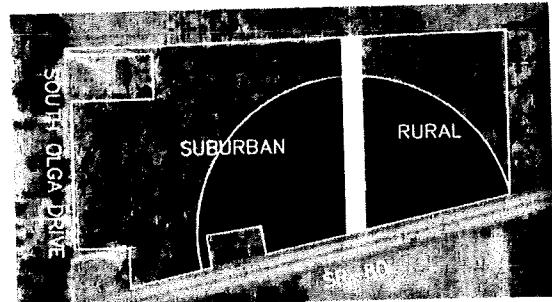
WISE STANLEY G TR  
14961 LAKE OLIVE DR  
FORT MYERS, FL 33919  
21-43-26-07-0000B.0030

## VOTING BALLOT

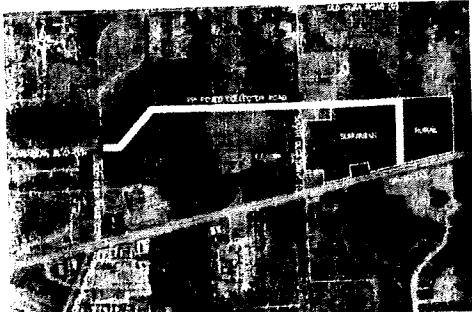
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



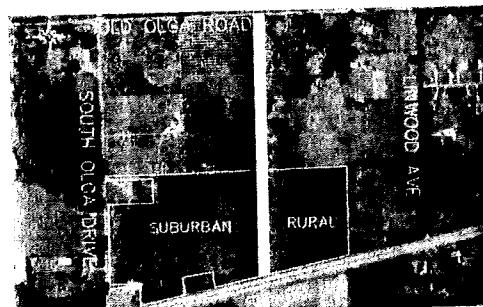
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Stanley DeShong, Agent, owning property at 14919-21 Old Olga  
prefer the following to be included in the Olga Community Planning Overlay:

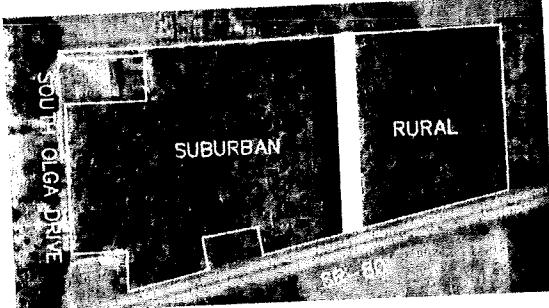
Option    1    2    3    4    (circle one)

DESHONG JAMES A III + JOANNA G  
14961 LAKE OLIVE DR  
FORT MYERS, FL 33905  
21-43-26-07-00000.0640

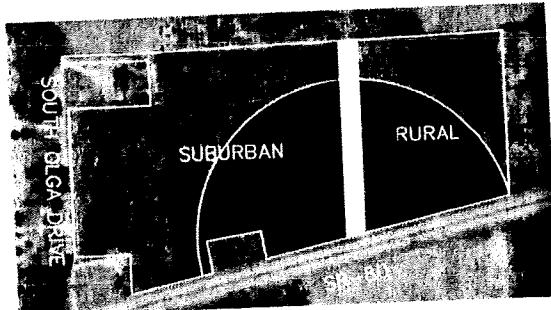
Stanley DeShong  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



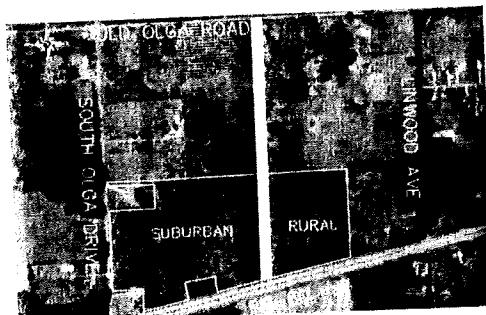
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I Stanley B. Wise, Agent, owning property at 14930 SR 21-30, Wis. Way prefer the following to be included in the Olga Community Planning Overlay:

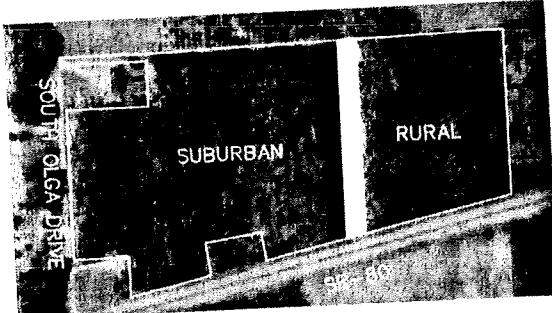
Option    1    2    3     4 (circle one)

WISE NORMA J TR  
PO BOX 9531  
OWENSBORO, KY 42302  
21-43-26-07-0000A.0160

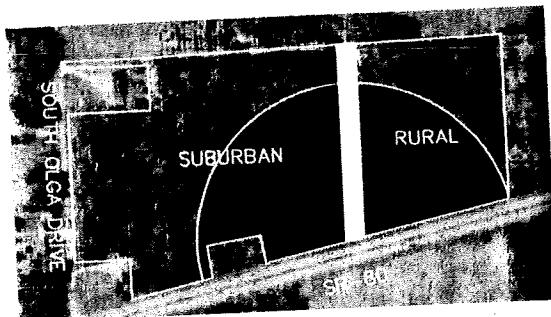
Stanley B. Wise  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

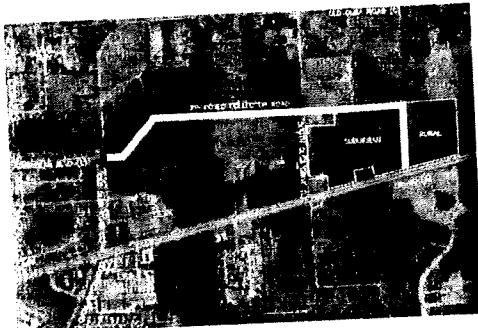
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



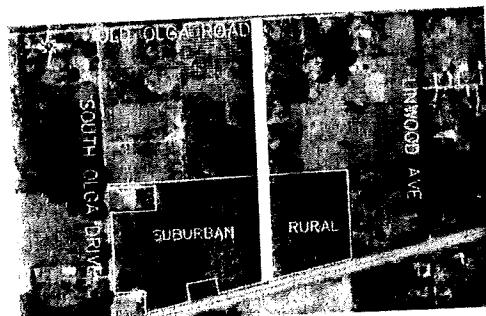
Option 1: No Change



Option 2: Commercial Node



Option 3: Collector Road to Old Olga Road and Caribbean Boulevard



Option 4: Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Stanley G + Gyla Ann owning property at 14949 Randolph Dr  
prefer the following to be included in the Olga Community Planning Overlay:

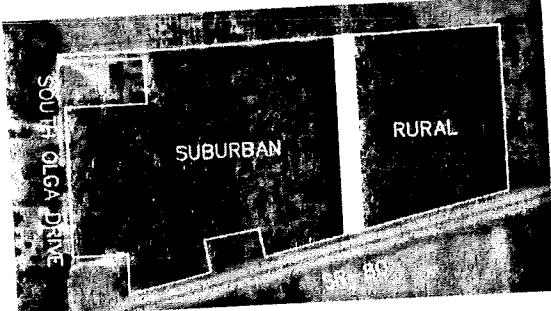
Option    1    2    3     4 (circle one)

WISE STANLEY G + GYLA ANN  
14949 RANDOLPH DR  
FORT MYERS, FL 33905  
21-43-26-04-0000A.0320

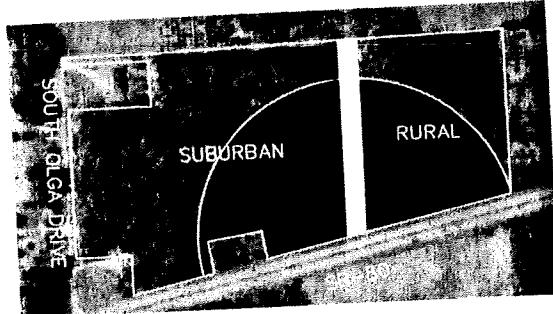
Stanley G + Gyla Ann  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



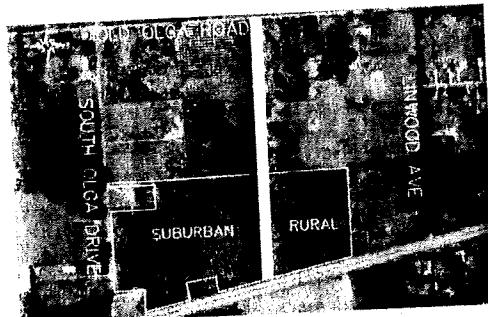
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Stanley G. Wise, owning property at 14938 Wise Way SE  
prefer the following to be included in the Olga Community Planning Overlay:

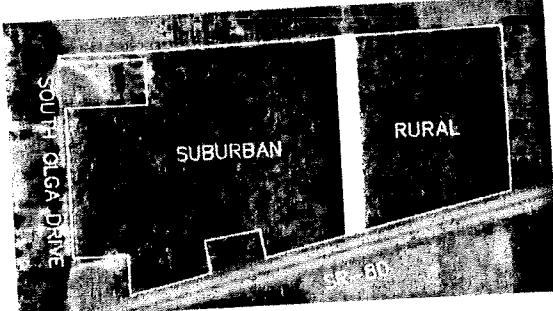
Option    1    2    3    4    (circle one)

Stanley G. Wise  
Property Owner/Representative (with  
proper documentation) Signature

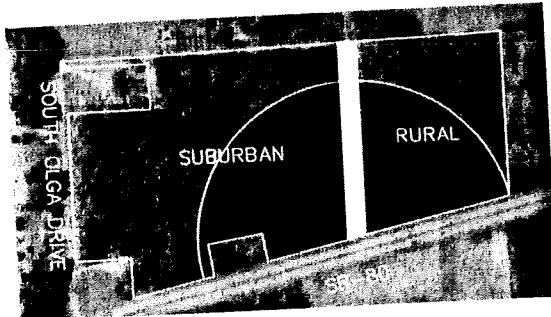
WISE STANLEY G  
14938 WISE WAY SE  
FORT MYERS, FL 33905  
21-43-26-07-0000A.0000

## VOTING BALLOT

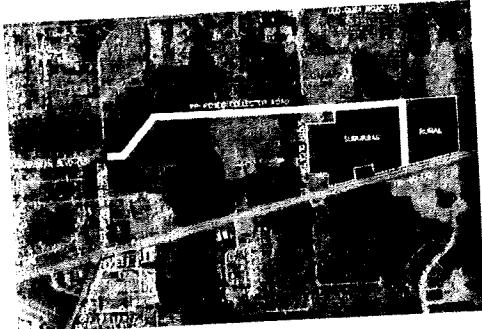
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



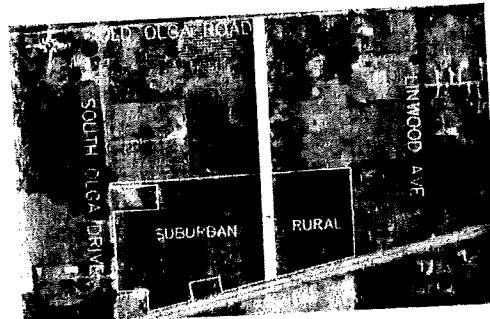
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, Stanley G. Geise,  
Stanley G. Geise, owning property at 14938 WISE WY SE,  
prefer the following to be included in the Olga Community Planning Overlay:

Option    1    2    3    4 (circle one)

WISE STANLEY G  
14938 WISE WY SE  
FORT MYERS, FL 33905  
21-43-26-07-0000A.0150

Stanley G. Geise  
Property Owner/Representative (with  
proper documentation) Signature

**Wise Realty, Wise Built Homes**  
**Stanley G. Wise, Realtor-Builder**  
**14938 Wise Way      Fort Myers, FL 33905**  
**Office: (239) 694-2052      Email: stanwise@earthlink.net**

**EXHIBIT "A"**

The following listing of Olga properties owned by members of the Wise Family has been prepared for use in the discussion and authorization of voting rights on issues to be presented at the Public Meeting to be held on June 9, 2007 regarding the Olga Community Planning Overlay. Please see attached Owners' authorizations for Stanley G. Wise to exercise the voting rights on all the listed properties.

<b>Property Description or Location:</b>	<b>Lee County Tax Roll</b>	<b>Ownership Detail:</b>
	STRAP #s	

**Wise Family Partnership Properties:**

28 Acre Parcel Old Olga Rd		The Wise Family Partnership properties are owned in undivided interests as follows: Norma J. Wise Trust, 1/3 Interest by Patrick Ireland, TTEE, Stanley G. Wise, 2/9 Interest Nancy J. Russell, 2/9 Interest Joanna DeShong, 2/9 Interest
Lake parcel 10 acres	21-43-26-00-00021.0000	
Curve parcel 8 acres	21-43-26-00-00022.0010	
Back parcel <u>10</u> acres	21-43-26-00-00023.0000	
28 Acres total:		
Virginia Avenue Duplex	21-43-26-02-0000C.0050	
Wise Way: Lot B Properties:		
East Vacant Lot	21-43-26-07-0000B.0010	
West Vacant Lot	21-43-26-07-0000B.0020	
14938-40-42-44 Wise Way rental & office	21-43-26-07-0000B.0040	

**Nancy Russell Properties:**

14972-74-76 Wise Way	21-43-26-07-0000B.0000	Nancy Russell, 100%, by Stanley G. Wise, TTEE
----------------------	------------------------	--

**Stanley G. Wise & Gyla Wise Properties:**

14949 Randolph Drive home	21-43-26-04-0000A.0320	Stanley G. & Gyla A. Wise, h&w
Wise Way Lot 81	21-43-26-07-0000A.0150	Stanley G. Wise, 100%
Boat Basin Parcel	21-43-26-07-0000A.0000	Stanley G. Wise, 100%

**Joanna DeShong Properties:**

14948-50 Wise Way Duplex	21-43-26-07-0000B.0030	Joanna DeShong, 100%, by Stanley G. Wise, TTEE
--------------------------	------------------------	---

**James DeShong & Joanna DeShong Properties:**

14919-21 Wise Way Duplex	21-43-26-07-00000.0640	James A. III and Joanna Deshong, h&w
--------------------------	------------------------	--------------------------------------

**Norma J. Wise Trust, Patrick Ireland Trustee, Properties:**

14930-32-34-36 Wise Way rental	21-43-26-07-0000B.0030	Norma J. Wise Trust, 100% by Patrick Ireland, TTEE
--------------------------------	------------------------	---

**Wise Realty**  
**Wise Built Homes**  
**Stanley G. Wise, Realtor-Builder**  
**14938 Wise Way**  
**Fort Myers, FL 33905**  
**Office: (239) 694-2052**  
**Email: stanwise@earthlink.net**

TO WHOM IT MAY CONCERN:

RE: Olga Community Planning Overlay  
Voting Authorization for Stanley G. Wise

Let it be known to all concerned that Stanley G. Wise, who resides at 14949 Randolph Drive, Fort Myers, FL 33905, is hereby by authorize to discuss and represent any and all interests that I (we) have as property owners in the Olga Community and may execute any and all rights to vote on the issues to be presented for consideration regarding the above subject, at the public meeting to be held on Saturday, June 9, 2007 from 9 a.m. to 1:00 p.m. at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) located at 14036 Matanzas Drive, Fort Myers, Florida 33905.

The attached "Exhibit A" lists the properties owned by members of the Wise Family and the ownership interests relative to each property located in the Olga Community and pertains to and is specific to this authorization.

STATE OF FLORIDA

COUNTY OF LEE

Signature of applicant: Stanley G. Wise  
Sworn to (or affirmed) and subscribed before me this 7th day of  
JUNE, 2007, by STANLEY G. WISE

Notary Public-State of FLORIDA

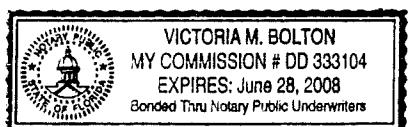
sign VICTORIA M BOLTON

print VICTORIA M BOLTON

Personally Known ✓; OR Produced Identification       

Type of Identification Produced:       

Affix Seal Below:



**Wise Realty**  
**Wise Built Homes**  
**Stanley G. Wise, Realtor-Builder**  
14938 Wise Way  
Fort Myers, FL 33905  
Office: (239) 694-2052  
Email: [stamwise@earthlink.net](mailto:stamwise@earthlink.net)

TO WHOM IT MAY CONCERN:

RE: Olga Community Planning Overlay  
Voting Authorization for Stanley G. Wise

Let it be known to all concerned that Stanley G. Wise, who resides at 14949 Randolph Drive, Fort Myers, FL 33905, is hereby by authorize to discuss and represent any and all interests that I (we) have as property owners in the Olga Community and may execute any and all rights to vote on the issues to be presented for consideration regarding the above subject, at the public meeting to be held on Saturday, June 9, 2007 from 9 a.m. to 1:00 p.m. at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) located at 14036 Matanzas Drive, Fort Myers, Florida 33905.

The attached "Exhibit A" lists the properties owned by members of the Wise Family and the ownership interests relative to each property located in the Olga Community and pertains to and is specific to this authorization.

STATE OF Florida

COUNTY OF Lee

Signature of applicant: Nancy J. Russell

Sworn to (or affirmed) and subscribed before me this 7 day of

June, 2007, by Nancy J. Russell  
Nancy Russell

Notary Public-State of Florida:

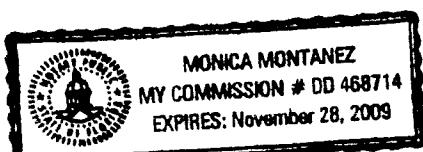
sign Monica Montanez

print Monica Montanez

Personally Known  OR Produced Identification \_\_\_\_\_

Type of Identification Produced: \_\_\_\_\_

Affix Seal Below:



*Wise Realty*  
*Wise Built Homes*  
*Stanley G. Wise, Realtor-Builder*  
*14938 Wise Way*  
*Fort Myers, FL 33905*  
*Office: (239) 694-2052*  
*Email: [stanwise@earthlink.net](mailto:stanwise@earthlink.net)*

TO WHOM IT MAY CONCERN:

RE: Olga Community Planning Overlay  
Voting Authorization for Stanley G. Wise

Let it be known to all concerned that Stanley G. Wise, who resides at 14949 Randolph Drive, Fort Myers, FL 33905, is hereby by authorize to discuss and represent any and all interests that I (we) have as property owners in the Olga Community and may execute any and all rights to vote on the issues to be presented for consideration regarding the above subject, at the public meeting to be held on Saturday, June 9, 2007 from 9 a.m. to 1:00 p.m. at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) located at 14036 Matanzas Drive, Fort Myers, Florida 33905.

The attached "Exhibit A" lists the properties owned by members of the Wise Family and the ownership interests relative to each property located in the Olga Community and pertains to and is specific to this authorization.

STATE OF FLORIDA

COUNTY OF LEE

Signature of applicant: Joanna Gale Deshong  
Sworn to (or affirmed) and subscribed before me this 7th day of  
JUNE, 2007, by JOANNA GALE DESHONG

Notary Public-State of FLORIDA

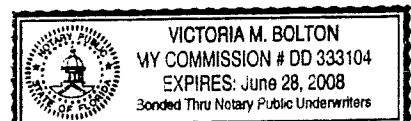
sign VICTORIA M BOLTON

print VICTORIA M BOLTON

Personally Known       ; OR Produced Identification ✓

Type of Identification Produced: FL Driver's license

Affix Seal Below: D252-427-61-709-0



VICTORIA M. BOLTON

MY COMMISSION # DD 333104

EXPIRES: June 28, 2008

Bonded Thru Notary Public Underwriters

*Wise Realty*  
*Wise Built Homes*  
*Stanley G. Wise, Realtor-Builder*  
*14938 Wise Way*  
*Fort Myers, FL 33905*  
*Office: (239) 694-2052*  
*Email: stanwise@earthlink.net*

TO WHOM IT MAY CONCERN:

RE: Olga Community Planning Overlay  
Voting Authorization for Stanley G. Wise

Let it be known to all concerned that Stanley G. Wise, who resides at 14949 Randolph Drive, Fort Myers, FL 33905, is hereby authorized to discuss and represent any and all interests that I (we) have as property owners in the Olga Community and may execute any and all rights to vote on the issues to be presented for consideration regarding the above subject, at the public meeting to be held on Saturday, June 9, 2007 from 9 a.m. to 1:00 p.m. at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) located at 14038 Matanzas Drive, Fort Myers, Florida 33905.

The attached "Exhibit A" lists the properties owned by members of the Wise Family and the ownership interests relative to each property located in the Olga Community and pertains to and is specific to this authorization.

STATE OF KY  
COUNTY OF AT LARGE  
Signature of applicant: Patrick Ireland, TTEE (seal)  
Norma J. Wise Trust, Patrick Ireland, TTEE

Sworn to (or affirmed) and subscribed before me this 8<sup>th</sup> day of  
June, 2008, by Patrick Ireland.

Notary Public State of Kentucky:

sign Nancy C Jackson

print NANCY C JACKSON

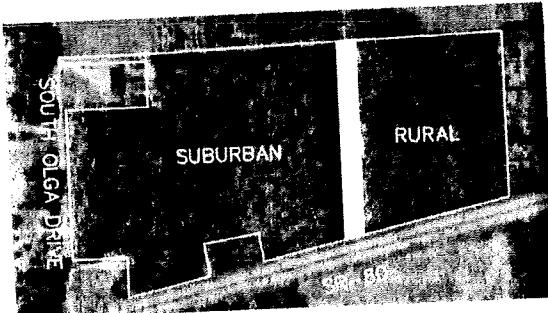
Personally Known X; OR Produced Identification \_\_\_\_\_

Type of Identification Produced: \_\_\_\_\_

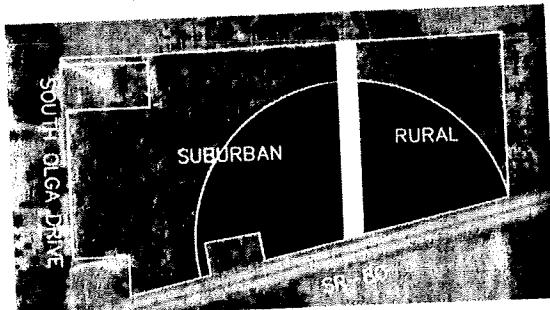
Affix Seal Below:

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



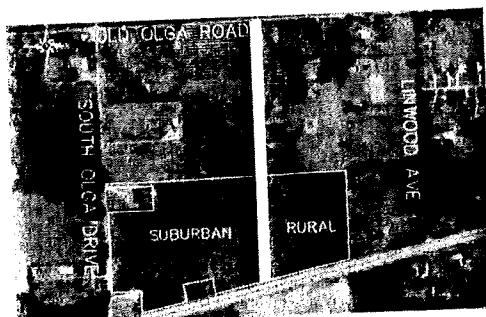
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I Harriette C. Turner, owning property at 2231 Randolph Dr. prefer the following to be included in the Olga Community Planning Overlay:

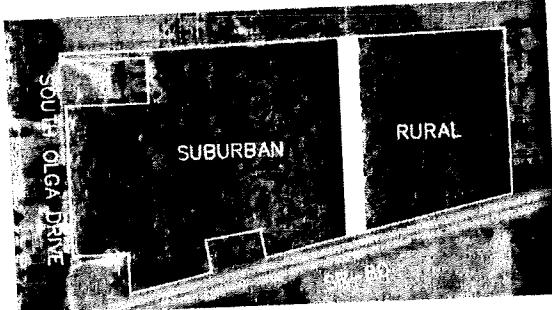
Option    1    2    3     4    (circle one)

TURNER HARRIETTE CATHERINE TR  
2231 RANDOLPH DR  
FORT MYERS, FL 33905  
21-43-26-03-00014.0000

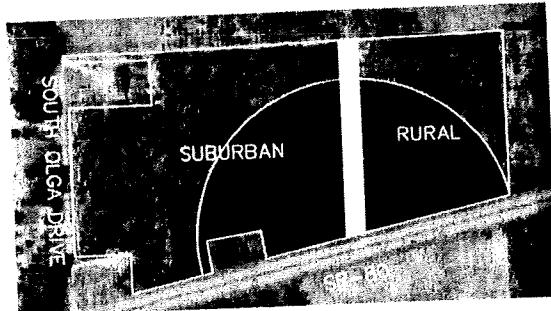
Harriette C. Turner  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



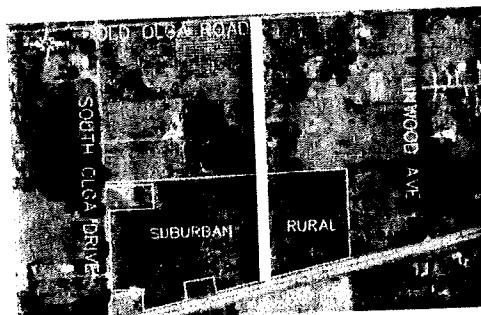
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

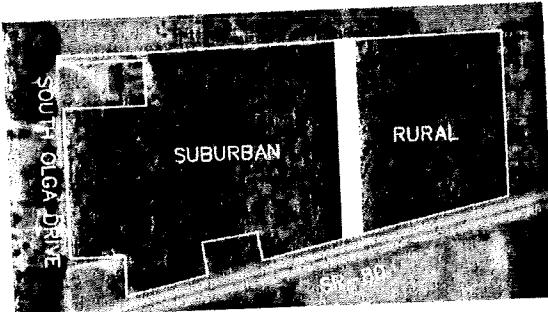
Option    1    2    3     4 (circle one)

TERRELL WILLIAM M  
2081 LINWOOD AVE  
ALVA, FL 33920  
27-43-26-00-00006.0000

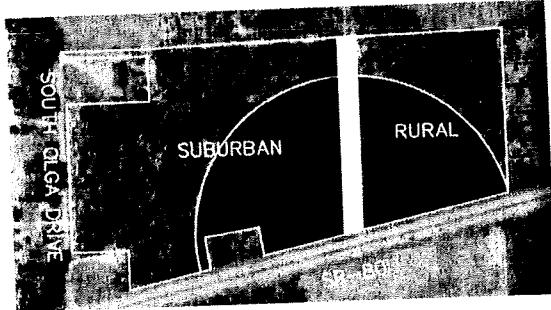
*Wm M. Terrell*  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

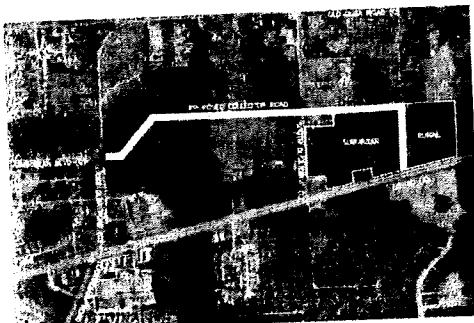
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I, Edith Yachup, owning property at 14814 Oakwood Ct. prefer the following to be included in the Olga Community Planning Overlay:

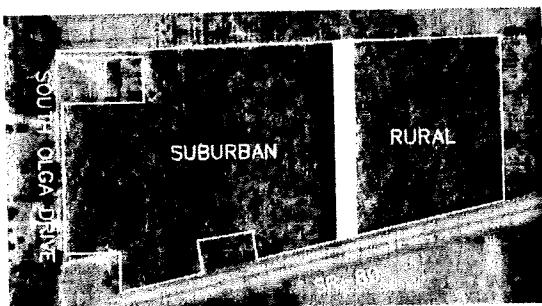
Option    1    2    3     4 (circle one)

YACHUP EDITH  
14814 OAKWOOD CT  
FORT MYERS, FL 33905  
21-43-26-03-00012.0000

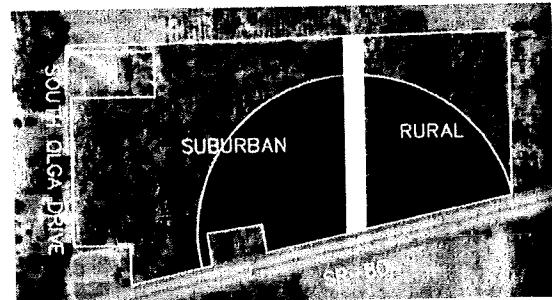
Edith Yachup  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



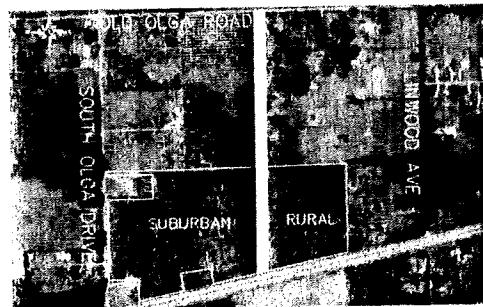
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

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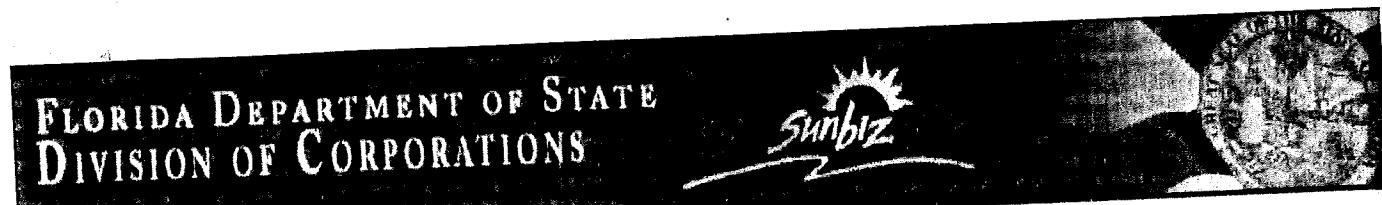
Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I

Joyce Bradley, owning property at 16141 Palm BEACH BLVD  
prefer the following to be included in the Olga Community Planning Overlay:

Option    1    2    3     4 (circle one)

GLENCHAGRIN LAND INVESTMENTS  
16141 PALM BEACH BLVD  
ALVA, FL 33920  
23-43-26-00-00012.0010

Joyce Bradley  
Property Owner/Representative (with  
proper documentation) Signature



FLORIDA DEPARTMENT OF STATE  
DIVISION OF CORPORATIONS

Sunbiz

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Events Name History Entity Name Search

## Detail by Entity Name

### Florida Profit Corporation

GLEN CHAGRIN, INC.

#### Filing Information

Document Number P02000058230  
FEI Number 760702045  
Date Filed 05/28/2002  
State FL  
Status ACTIVE  
Effective Date NONE  
Last Event AMENDMENT  
Event Date Filed 04/14/2005  
Event Effective Date NONE

#### Principal Address

16141 PALM BEACH BLVD  
ALVA FL 33920

Changed 03/01/2006

#### Mailing Address

P O BOX 51169  
FT MYERS FL 33994

Changed 03/01/2006

#### Registered Agent Name & Address

BRADLEY, JOYCE  
16141 PALM BEACH BLVD  
ALVA FL 33920 US

Name Changed: 04/14/2005

Address Changed: 03/01/2006

#### Officer/Director Detail

##### Name & Address

Title PST

BRADLEY, JOYCE  
16141 PALM BEACH BLVD  
ALVA FL 33920

### Annual Reports

#### **Report Year Filed Date**

2005	04/11/2005
2006	03/01/2006
2007	02/05/2007

### Document Images

02/05/2007 -- ANNUAL REPORT

03/01/2006 -- ANNUAL REPORT

04/14/2005 -- Amendment

04/11/2005 -- ANNUAL REPORT

11/12/2004 -- Amendment and Name Change

04/07/2004 -- ANNUAL REPORT

01/29/2003 -- ANNUAL REPORT

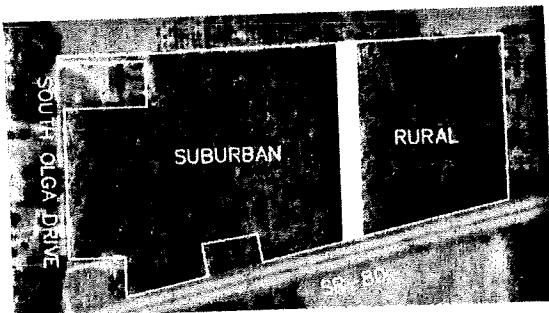
05/28/2002 -- Domestic Profit

**Note: This is not official record. See documents if question or conflict.**

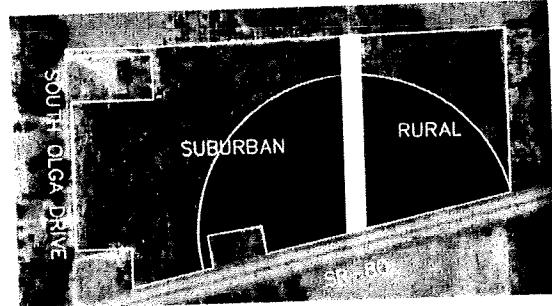
[Home](#) [Contact us](#) [Document Searches](#) [E-Filing Services](#) [Forms](#) [Help](#)  
[Copyright and Privacy Policies](#)  
Copyright © 2007 State of Florida, Department of State.

## VOTING BALLOT

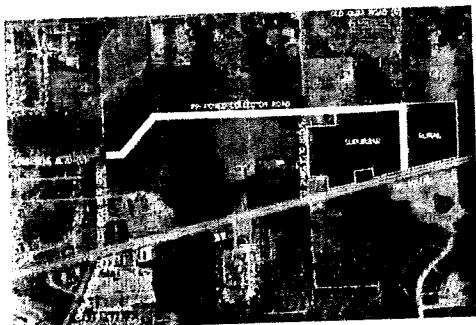
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

OPTION 5!

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
JAMES W. GREEN, owning property at 144 NUE  
prefer the following to be included in the Olga Community Planning Overlay:

Option 1 2 3 4 (circle one)

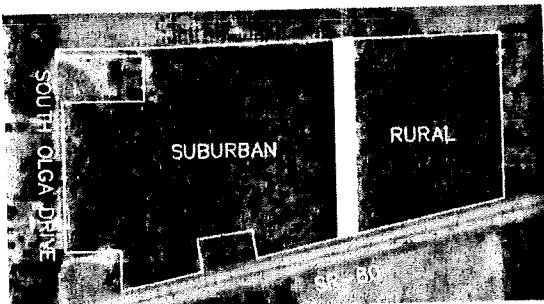
James W. Green

Property Owner/Representative (with proper documentation) Signature

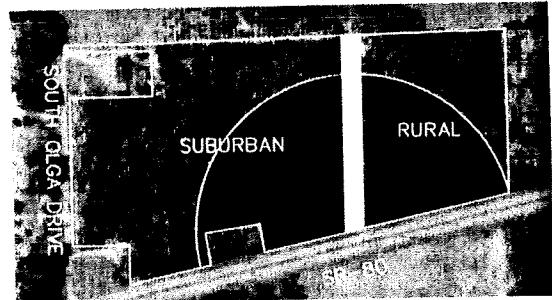
GREEN JAMES W  
PO BOX 218  
ALVA, FL 33920  
22-43-26-02-0000F.0040

## VOTING BALLOT

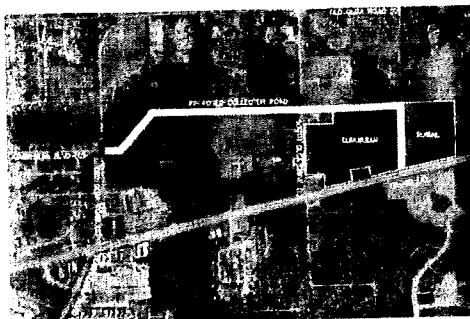
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



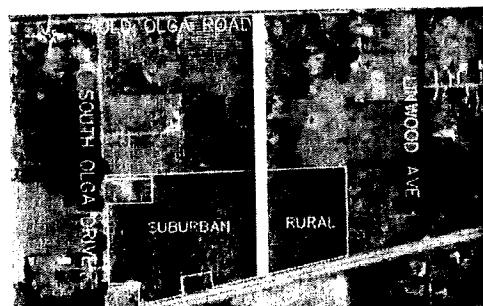
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
David LEAS, owning property at 2215 VIRGINIA AVE  
prefer the following to be included in the Olga Community Planning Overlay:

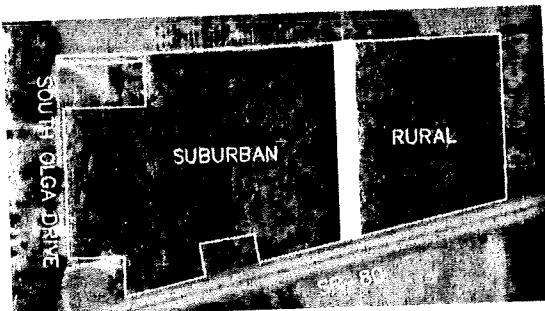
Option  1  2  3  4  5 (circle one)

LEAS DAVID SETTLE  
2215 VIRGINIA AVE  
FORT MYERS, FL 33905  
21-43-26-02-0000C.0030

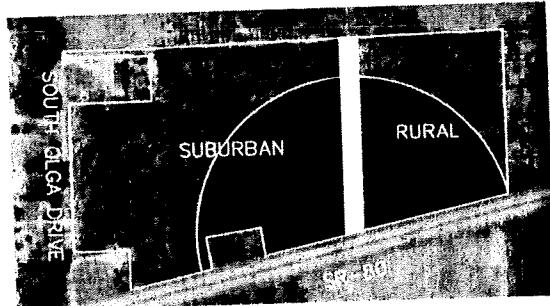
  
Property Owner/Representative (with proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Kimberly Kay Geist, owning property at 2226 Violet Drive SE  
prefer the following to be included in the Olga Community Planning Overlay:

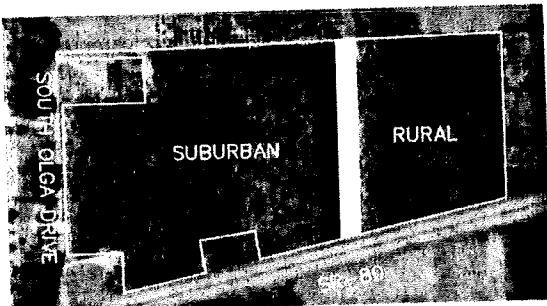
Option    1    2    3    4    (circle one) 5

GRISE KIMBERLY KAY  
2226 VIOLET DR  
FORT MYERS, FL 33905  
21-43-26-02-0000A.0020

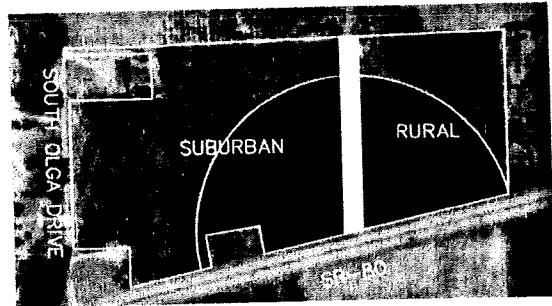
Kimberly Kay Geist  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I, Kenneth D. Hill, owning property at 14539 RIVERSIDE DR SE, prefer the following to be included in the Olga Community Planning Overlay:

Option    1    2    3    4    (circle one)

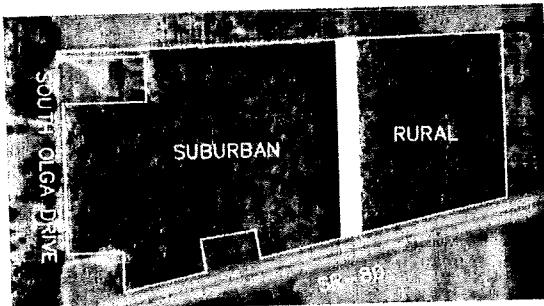
Kenneth D. Hill 5

Property Owner/Representative (with proper documentation) Signature

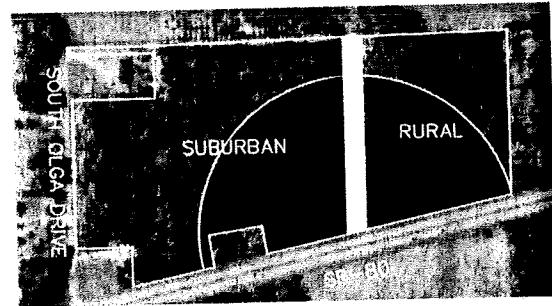
HILL KENNETH D + WINNIE R  
14539 RIVERSIDE DR SE  
FORT MYERS, FL 33905  
21-43-26-02-0000C.0010

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



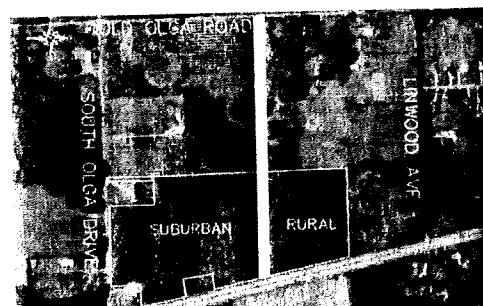
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga  
Road and Caribbean Boulevard**



**Option 4: Collector Road to Old Olga  
Road**

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I \_\_\_\_\_, owning property at \_\_\_\_\_, prefer the following to be included in the Olga Community Planning Overlay:

Option    1    2    3    4    (circle one)

BURIK JOHN T  
2235 VIRGINIA AVE  
FORT MYERS, FL 33905  
21-43-26-02-0000C.0060

*John T. Burik*  
\_\_\_\_\_  
Property Owner/Representative (with  
proper documentation) Signature

## Olga Plan Option 5 - Draft

Note: Yes/No votes may be taken on each paragraph and sub-option.

### A. Proposed Olga Vision Statement to be added to the Lee Plan

Objective: In order to maintain Olga's status as the most historic and rural community in the Caloosahatchee Shores Plan area, the following policies will be applicable to the Olga community as reflected on the Olga Vision Map (*Rosalie's map updated to reflect consensus changes and to exclude any reference to parcel 27-43-26-00-00003.0000*).

Policy: The Olga Vision Map reflects the vision of the residents of Olga for their community. All requests for rezonings, comp plan amendments, CIP projects and other regulatory changes by the Board of County Commissioners will take this map into consideration.

Standard 1: It is envisioned that any new residential development in Olga be approved at no more than one unit per acre with the following exceptions:

Parcel 27-43-26-00-00003.0000

**(specify any other areas or parcels as reflected in our proposed changes to the LUP).**

Standard 2: Commercial development is not objectionable on land parcels that touch SR80 that are east of 650 feet west of Linwood Avenue. Mixed use is encouraged. Land parcels in this designated area that request commercial zoning are envisioned to be required to meet architectural, landscaping and intensity development standards that shall be developed by the Olga community.

Standard 3: A new Town Center/Retail Village which encourages mixed use is envisioned on Old Olga Drive immediately north of the Winn Dixie.

Standard 4: It is envisioned commercial development in Olga be limited to the Olga Mall, the Town Center/Retail Village described in Standard 3 and parcels adjacent to SR80.

Standard 5: A sidewalk/bike path at least 8' wide is envisioned on the east and south side of Old Olga Road from SR 80 to its intersection with South Olga Drive, and on the north side of Old Olga Road for the remainder of its entire length, and on the west side of South Olga Drive from SR80 to Old Olga Road.

Standard 6: Landscaping with oak trees is envisioned on roads and sidewalks/bike paths in Olga by relocating existing trees from within Olga whenever possible.

Standard 7: An expanded community center/park is envisioned on the thirteen acres to the south of the existing community center.

Standard 8: Designation of the Olga Mall as a historical site is envisioned.

Standard 9: A new road with public access is envisioned to connect the River Hall/SR80 intersection (envisioned signalized) with the entrance to

Caloosahatchee Estates on Old Olga Road. The road is desirable to accommodate the combination of current and new resident traffic, offset the anticipated closure of mediation cuts at South Olga Drive and Linwood Avenue,

Jim Green  
6/9/2007

and provide signalized access to busy SR80. ***Sub option: adjacent sidewalk/bike path***

Standard 10: A new road is envisioned commencing at Old Olga Road at the proposed Town Center/Retail Village, through South Olga Road on the south side of the expanded park, and separating the new school from the park, then ***(Sub-Option A) through to the new north-south road proposed in Standard 9 above. Sub-Option B: Continue road through to Linwood Ave. Sub-Option C: add adjacent sidewalk/bike path.***

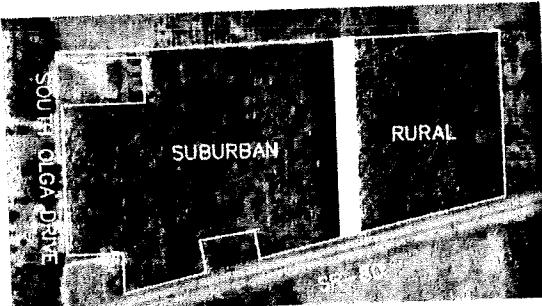
Standard 11: The Olga Community Club will be notified of any proposed rezoning or comp plan amendments in the Olga Community.

## **B. Proposed Changes to the Lee Plan Land Use Map**

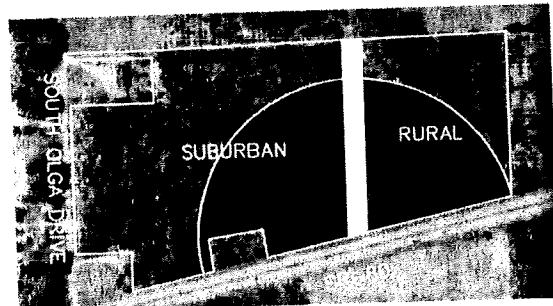
1. Designate the 90- acre "Caloosahatchee Estates" parcel and the parcel adjacent in the northeast corner "Rural".
2. Designate parcels bounded by S. Olga, Linwood and Old Olga that do not touch SR-80, excluding church property, "Rural".
3. (My understanding) the Rural Land Use Category does not permit commercial use other than "agriculture related". Add a statement along the following lines with respect to all land parcels that touch SR 80 east of 650 feet west of Linwood Avenue: "The Lee Plan is amended to permit commercial use that is other than agriculture-related in this designated area providing that commercial development on these parcels comply with Olga architectural, landscaping and intensity standards" (to be developed by the community).
4. Designate the land parcel immediately north of the Winn Dixie "Sub- Outlying Suburban" This permits commercial development of the Town Center & Retail Village referenced in the Vision Statement. Require that commercial development on these parcels comply with architectural, landscaping and intensity standards to be developed by the community.
5. Designate other land north of the Winn Dixie between Old Olga and South Olga (excluding school site, proposed park expansion, community center and Olga Mall) either:
  - a. Sub-Outlying Suburban: only 2 residential units/acre
  - b. **OR:** Rural: only one residential unit per acre.
6. Designate "acreage" land adjacent to and west of South Olga Drive
  - a. Sub-Outlying Suburban: only 2 residential units/acre
  - b. **OR:** Rural: only one residential unit per acre.

## VOTING BALLOT

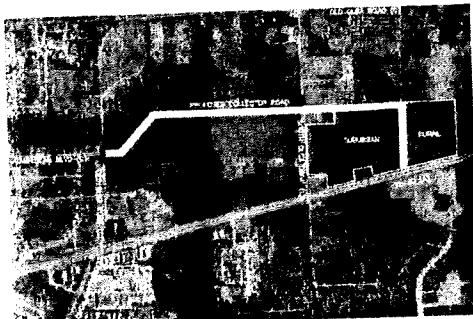
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



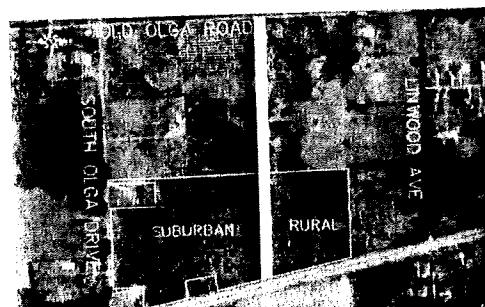
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Janet L. Jones, owning property at 1801 Brown Rd  
prefer the following to be included in the Olga Community Planning Overlay:

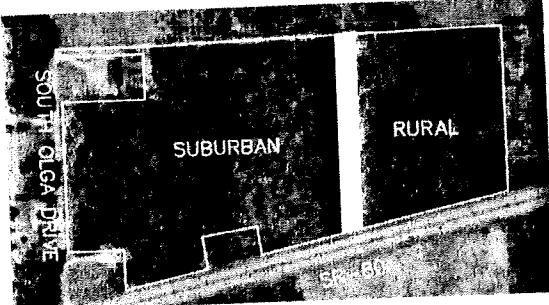
Option    1    2    3    4    (circle one)

JONES DONALD E + JANET L  
1801 BROWN RD  
ALVA, FL 33920  
22-43-26-03-00001.0180

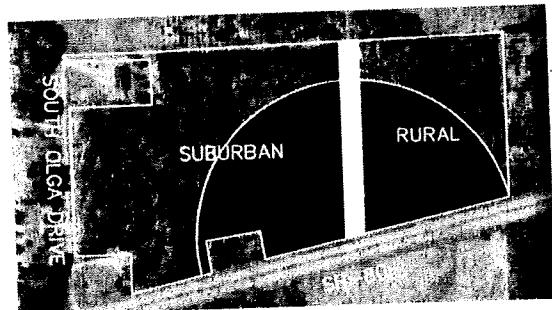
Janet L. Jones  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



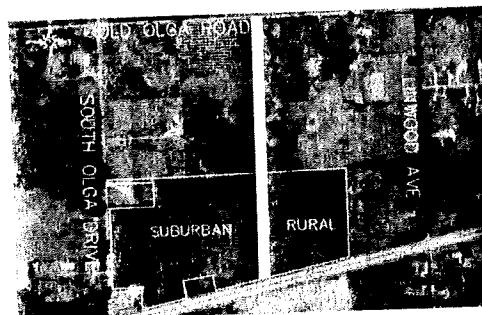
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I Jane t Lee Jones, owning property at 1801 Brown Rd prefer the following to be included in the Olga Community Planning Overlay:

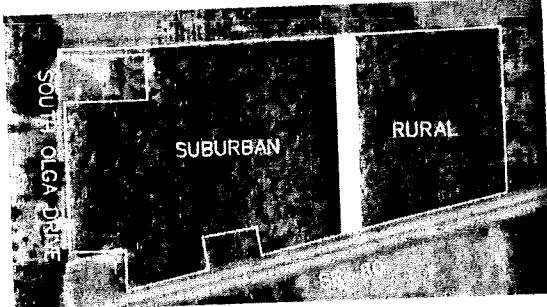
Option    1    2    3    4    (circle one)

JONES JANET LEE  
1801 BROWN RD  
ALVA, FL 33920  
22-43-26-03-00003.0090

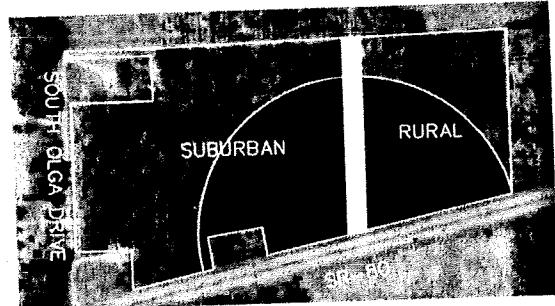
Jane t Lee Jones  
Property Owner/Representative (with  
proper documentation) Signature

## VOTING BALLOT

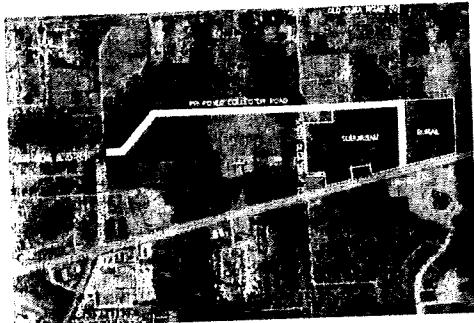
The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



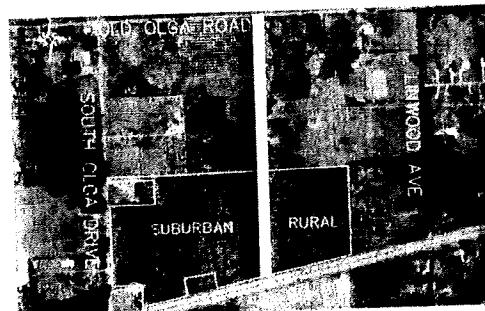
**Option 1:** No Change



**Option 2:** Commercial Node



**Option 3:** Collector Road to Old Olga Road and Caribbean Boulevard



**Option 4:** Collector Road to Old Olga Road

---

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Arthur J. Townley, owning property at 14931 Old Olga Dr. Ft. Myers, FL  
prefer the following to be included in the Olga Community Planning Overlay:

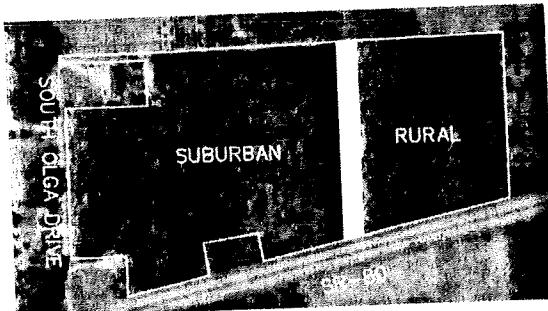
Option    1    2    3    4    (circle one)

TOWNLEY ARTHUR J TOWNLEY III +  
PO BOX 2452  
FORT MYERS BEACH, FL 33932  
21-43-26-00-00013.0010

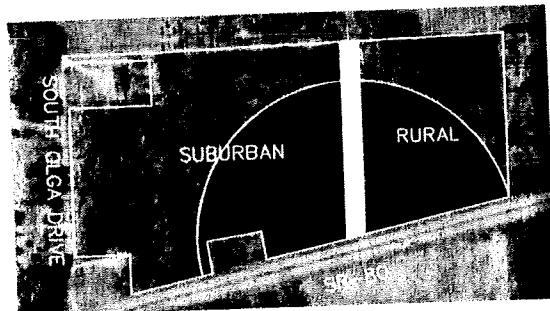
atj  
Property Owner/Representative (with  
proper documentation) Signature

## **VOTING BALLOT**

The following are four options for the access to the R & D Cattle Company, LLC (STRAP #27-43-26-00-00003.0000) property located in the northeast quadrant of the intersection of SR-80 and South Olga Drive presented at a community meeting on June 9, 2007 at the United Methodist Church of Olga/Fort Myers Shores (Grace Church) and after being duly noticed in the News Press and by letter. Please vote for the one Option that you would prefer to be included in the Olga Community Planning Overlay



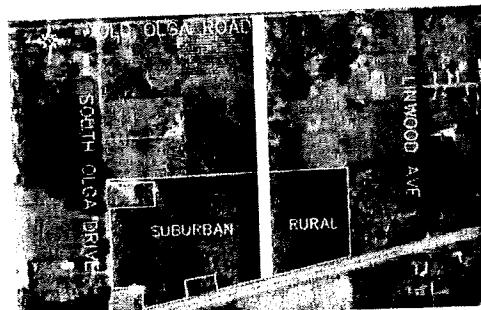
**Option 1: No Change**



**Option 2: Commercial Node**



**Option 3: Collector Road to Old Olga Road and Caribbean Boulevard**

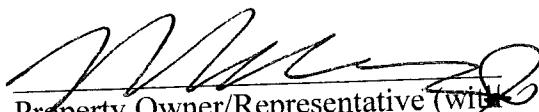


**Option 4: Collector Road to Old Olga Road**

Assuming that the owner of the subject property enters into a binding commitment to limit future development to one of the four options shown above, I  
Ralph L Alvarez, owning property at 15082 Buckeye Dr.  
prefer the following to be included in the Olga Community Planning Overlay:

Option    1    2     3    4    (circle one)

ALVAREZ RALPH JR  
15082 BUCKEYE DR  
FORT MYERS, FL 33905  
22-43-26-05-00000.0290

  
Property Owner/Representative (with  
proper documentation) Signature

**Olga Sub-Committee to the East Lee County Council  
Meeting Minutes  
Wednesday, December 6, 2006 at 6:30 PM**

**ATTENDEES:**

Glen Chagrin - (239) 691-0055 - [pbgf141@yahoo.com](mailto:pbgf141@yahoo.com)  
Jerry Kaemmerer - (239) 728-2047 - [j.kaemmerer@att.net](mailto:j.kaemmerer@att.net)  
Rosalie Prestanni - (239) 410-7270 - [j.kaemmerer@att.net](mailto:j.kaemmerer@att.net)  
Sharron Lamely - (239) 690-8398 - [hdhotbikes@earthlink.net](mailto:hdhotbikes@earthlink.net)  
John McRae - (239) 690-2641 - [johnmrae@earthlink.net](mailto:johnmrae@earthlink.net)  
Bob Reige - (239) 481-0421 - [baselinesurvey@comcast.net](mailto:baselinesurvey@comcast.net)  
Gloria Moff - (239) 481-0421 - [glorihamoff@comcast.net](mailto:glorihamoff@comcast.net)  
Cherie Schneider - (239) 694-4003 - [cherswfl@yahoo.com](mailto:cherswfl@yahoo.com)

**Staff -**

Mike Roeder - Consoer Knott - 334-2722 - [mroeder@knott-law.com](mailto:mroeder@knott-law.com)  
Vince Franceschelli - DRMP - 344-0050 - [vfranceschelli@drmp.com](mailto:vfranceschelli@drmp.com)  
Elly Soto McKuen - DRMP - 344-0050 - [emckuen@drmp.com](mailto:emckuen@drmp.com)

**I. Olga Overlay**

- A. Rosalie Prestanni displayed "Olga Community Plan" map showing the community's overlay preferences. It was concluded that this map can be recognized as the preferences of the community as a whole
- B. The southern boundary is recognized by the community as SR-80.
- C. The residents do not like gated communities in the Olga community.
- D. DRMP left maps displaying approved and proposed development projects in the area.
- E. The residents do not want to density increase in the area. They do not want to keep all development out, they want to keep it consistent with the character of the neighborhood.

**II. Land Owners**

- A. Glen Chagrin does not foresee any changes to the use of his land in the near future, but adds it is a possibility down the line.
- B. Discussion of desires by Stu Silver to add commercial development to his property.
- C. The residents want all commercial to remain along SR-80, and for it to remain under a footprint of 120,000 square feet.
- D. Bill Byres property is proposed to have commercial in the front and residential in the back.
- E. The residents would like the developers of future projects in Olga to have to present to the East Lee County Council and gain their approval.

**III. Proposed Road Improvements**

- A. Residents would like to see a road built from Old Olga Road to Palm Beach Boulevard between South Olga Road and Linwood Road.

- B. Residents fear it may bring more development. The residents do not want to see increased traffic.
- C. The residents believe this road is needed to alleviate the increased traffic that will be produced from River Hall and future approved developments in Olga.
- D. The future median plan for Palm Beach Boulevard will change access points to area. A map of the plan is to be brought to the next meeting by DRMP.
- E. DRMP left a map displaying the possible road extensions for Sunshine Boulevard and Luckett Road.

**IV. Schedule**

- A. The next meeting will take place on January 16, 2007 at Rosalie Prestanni's house at 6:30 PM.
- B. This meeting is to be advertised in the News-Press.
- C. DRMP will have a draft ready for the residents, as well as any exhibits needed.

**V. Adjourn**

- A. The meeting adjourned at 8:15 PM.

**Olga Sub-Committee to the East Lee County Council  
Meeting Minutes  
Tuesday, January 16, 2007 at 6:30 PM**

**ATTENDEES:**

Jerry Kaemmerer - (239) 728-2047 - [j.kaemmerer@att.net](mailto:j.kaemmerer@att.net)  
Rosalie Prestanni - (239) 410-7270 - [j.kaemmerer@att.net](mailto:j.kaemmerer@att.net)  
Sharron Lamely - (239) 690-8398 - [hdhotbikes@earthlink.net](mailto:hdhotbikes@earthlink.net)  
Bob Reige - (239) 481-0421 - [baselinesurvey@comcast.net](mailto:baselinesurvey@comcast.net)  
Cherie Schneider - (239) 694-4003 - [cherswfl@yahoo.com](mailto:cherswfl@yahoo.com)  
Ed Kimball - (239) 694-2822 - [kimball@netzero.com](mailto:kimball@netzero.com)  
Janet Jones - (239) 728-3311 - [alvall@earthlink.net](mailto:alvall@earthlink.net)  
Jim Green - (239) 728-5481 - [jgreen@cyberstreet.com](mailto:jgreen@cyberstreet.com)

Staff -

Mike Roeder - Consoer Knott - 334-2722 - [mroeder@knott-law.com](mailto:mroeder@knott-law.com)  
Vince Franceschelli - DRMP - 344-0050 - [vfranceschelli@drmp.com](mailto:vfranceschelli@drmp.com)  
Elly Soto McKuen - DRMP - 344-0050 - [emckuen@drmp.com](mailto:emckuen@drmp.com)

**I. Olga Overlay**

- A. DRMP presented an overlay map representing the community's map that was given to DRMP in the December 6, 2006 meeting.
- B. DRMP discussed current densities and possible future densities for the areas on the map.
- C. It was concluded that the community needs more involvement from the landowners along Palm Beach Boulevard. A separate meeting will try to be arranged with those landowners to get their input, to be arranged by DRMP and Rosalie Prestarri.
- D. The land behind the Winn Dixie was discussed, with the notion that it had been purchased by Lee County Schools.

**II. LDC Comparison**

- A. Density for the Olga area was agreed upon to be 1 unit or less.
- B. Maximum building height is not to exceed 35' even with the Planned Development process, or two stories.
- C. Landscaping and buffers were discussed showing that DRMP proposes increased buffering and landscaping.
- D. Ed Kimball presented a matrix comparing current Lee code, current Estero code, and the language found in the current Caloosahatchee Shores Community Plan.

**III. Schedule**

- A. The next meeting will take place on March 12, 2007 at Rosalie Prestanni's house at 6:30 PM.
- B. This meeting is to be advertised in the News-Press.

12/4 2/9a

NAME

PHONE

EMAIL

Gen CHAGREN	(239) 691-0055	pbgf141@yahoo.com
Ernest Klemmer	239 7228-2047	J.Klemmer@ATT.NET
Rosalia Preston	239 410-2210	
Sharron Lamely	239-690-8398	hahotbikes@earthlink.net
John McRae	690-2641	johnmcrae@earthlink.net
BOB REIGE	481-0421	BASELINE SURVEY@COMCAST.NET
GLORIA MOFF	481-0421	GLORIA.MOFF@COMCAST.NET
Cherie Schneider	644-4003	Cherswell@yahoo.com

C. DRMP will have a draft ready for the residents, as well as any exhibits needed.

**IV. Adjourn**

A. The meeting adjourned at 8:15 PM.

Olga Meeting 1/16/07

	Name	Phone	Address	E-Mail
①	Janet Jones	728-3311	1801 Brown Rd Alva FL 33920	alvall@earthlink.net
	Jim Griezen	728-5481	P O Box 216 Alva FL 33920	link@net
	Jerry Klemmer	728-2047	J.Klemmer@ATT.NET	Jgreen@cyberstreet.com
	Bob Reige	481-0481	15570 OLD BAY RD	
	Rosalie Prestakki	728-2047	2027 CLARK AVE	thothotbikes@earthlink.net
	Sharron Lamely	690-8398	2261 S. Olga Dr.	
	Janice Schneidler	694-4623	Olga Hall 3rd fl	Janice@schneidler.com
	Ed Klemmer	728-7812	2252 VAUS RD	Klemmer@att.net
				FatMug3 33105

**Olga Sub-Committee to the East Lee County Council  
Meeting Minutes  
Thursday, February 15, 2007 at 6:00 PM**

**ATTENDEES:**

Jerry Kaemmerer - (239) 728-2047 - [j.kaemmerer@att.net](mailto:j.kaemmerer@att.net)  
Rosalie Prestanni - (239) 410-7270 - [j.kaemmerer@att.net](mailto:j.kaemmerer@att.net)  
Sharron Lamely - (239) 690-8398 - [hdhotbikes@earthlink.net](mailto:hdhotbikes@earthlink.net)  
Bob Reige - (239) 481-0421 - [baselinesurvey@comcast.net](mailto:baselinesurvey@comcast.net)  
Cherie Foster - (239) 694-4003 - [cherswfl@yahoo.com](mailto:cherswfl@yahoo.com)  
Ed Kimball - (239) 694-2822 - [kimball@netzero.com](mailto:kimball@netzero.com)  
Janet Jones - (239) 728-3311 - [alvall@earthlink.net](mailto:alvall@earthlink.net)  
Jim Green - (239) 728-5481 - [jgreen@cyberstreet.com](mailto:jgreen@cyberstreet.com)  
Becky Zoeller - (239) 454-7223 - [becky@bztec.com](mailto:becky@bztec.com)  
Bill Byrus - (239) 694-2287 - [wcbyrus@aol.com](mailto:wcbyrus@aol.com)  
Beth Byrus - (239) 694-2287 - [wcbyrus@aol.com](mailto:wcbyrus@aol.com)  
Glen Chagrin - (239) 691-0081 - [pbgf141@yahoo.com](mailto:pbgf141@yahoo.com)  
Janet Tripp - (239) 694-4336 - [jtripp21@juno.com](mailto:jtripp21@juno.com)  
William Byrus - (239) 694-0184 - [bbyrus@hotmail.com](mailto:bbyrus@hotmail.com)  
Tom Eicas - (239) 362-1737 - [peoplesnavy@hotmail.com](mailto:peoplesnavy@hotmail.com)  
Marty Unch - (239) 690-9874 - [mau@raet.com](mailto:mau@raet.com)

Staff -

Mike Roeder - Consoer Knott - 334-2722 - [mroeder@knott-law.com](mailto:mroeder@knott-law.com)  
Vince Franceschelli - DRMP - 344-0050 - [vfranceschelli@drmp.com](mailto:vfranceschelli@drmp.com)  
Elly Soto McKuen - DRMP - 344-0050 - [emckuen@drmp.com](mailto:emckuen@drmp.com)  
Kenneth Griffith - DRMP - 334-0050 - [kgriffith@drmp.com](mailto:kgriffith@drmp.com)

**I. Olga Overlay**

- A. DRMP presented an overlay map representing the community's map that was given to DRMP in the December 6, 2006 meeting along with aerials of the Olga Community
- B. DRMP discussed the intention of the map and the intentions of the meeting, and the processes of advertising for the meeting.
- C. DRMP opened the floor to any land owners.

**II. Property Owner Discussion**

- A. A representative for R&D Cattle Company LLC presented a map depicting a future layout of 100,000 square foot commercial and 60,000 square foot office. He discussed the open space, proposed roads, and possible uses and site layouts.
- B. Ed Kimball discussed that the commercial nodes in Caloosahatchee Shores have been identified and this area would be creating a new one.
- C. Discussion of new roads brought about mixed opinions as to what effects they would bring to the community including increased traffic and increased densities.

- D. Bill Byrus discussed his intentions to connect to R&D Cattle Company's property via a new road. He also stated that he intends to have site plans drawn for his property.
- E. Glen Chagrin discussed the extent of the future commercial use on Palm Beach Boulevard, and brought up a discussion on how far back commercial should go.

**III. Closing**

- A. DRMP presented an overview of what was discussed by each property owner that spoke.
- B. DRMP proposed a second meeting of this kind be held, and that the date would be determined later in the week.

**IV. Adjourn**

- A. The meeting adjourned at 8:15 PM.

Principals

Wayne D. Chalifoux  
Donaldson K. Burton, Jr.  
Lucius J. Cushman, Jr.  
Jon S. Meadows  
Stephen L. Precourt  
Lawrence L. Smith, Jr.  
William T. Stone

## Sign In

DRMP Job #:		Date:	2/15/07			
Subject:	<i>Olga Property Owner meeting</i>					
Please <u>sign in</u> or <u>initial</u> next to your name. Attendees confirmed in advance have been listed. Thank you for your participation!						
<b>Attendees:</b>						
Name:	Address:	Phone:	E-mail Address:			
Lesley Fuller	1610 S. Hermitage Rd	454-7223	becky@bztec.com			
Bill & Beth Cyrus	9592 Vendee Hill Circle	694-2287	dcbyrd@msn.com			
Conn CHAGrin	16141 P. B.B.	691-0081	dcg141@yahoo.com			
Janet Jones	1801 Brown Rd	708-3311	ajv611@earthlink.net			
Rosalie Prestakri	2029 CLARK AVE	728-2047	—			
Jerry Kaemmerer	2029 Clark Ave	410-7270	J.Kaemmerer@AT&T.net			
Bob Reige	15570 OLD OLGA ROAD	481-0421	BRIGLINGSURVE@COMCAST.NET			
Janet Tripp	2190 SANTIAGO LANE	694-4336	Jtripp21@juno.com			
ED Kimball	2253 DAVIS BLVD	694-7822	KIMELK@NETZERO.NET			
MIKE ROBER	1625 HENDRY ST.	334-2722	MIROADER@KNOTT-LAW.COM			
WILL BYRUS	1861 Sesser Rd	694-0184	WBYRUS@Hotmail.com			
Sharron Lamelv	2261 S. Clark Dr.	690-8398	hdhotbikes@earthlink.net			

**Olga Sub-Committee to the East Lee County Council  
Meeting Minutes  
Thursday, March 15, 2007 at 6:00 PM**

**ATTENDEES:**

Jerry Kaemmerer - (239) 728-2047 - [j.kaemmerer@att.net](mailto:j.kaemmerer@att.net)  
Rosalie Prestanni - (239) 410-7270 - [j.kaemmerer@att.net](mailto:j.kaemmerer@att.net)  
Bob Reige - (239) 481-0421 - [baselinesurvey@comcast.net](mailto:baselinesurvey@comcast.net)  
Cherie Foster - (239) 694-4003 - [cherswfl@yahoo.com](mailto:cherswfl@yahoo.com)  
Ed Kimball - (239) 694-2822 - [kimball@netzero.com](mailto:kimball@netzero.com)  
Janet Jones - (239) 728-3311 - [alvall@earthlink.net](mailto:alvall@earthlink.net)  
Jim Green - (239) 728-5481 - [igreen@cyberstreet.com](mailto:igreen@cyberstreet.com)  
Bill Byrus - (239) 694-2287 - [wcbyrus@aol.com](mailto:wcbyrus@aol.com)  
Beth Byrus - (239) 694-2287 - [wcbyrus@aol.com](mailto:wcbyrus@aol.com)  
Glen Chagrin - (239) 691-0081 - [pbqf141@yahoo.com](mailto:pbqf141@yahoo.com)  
William Byrus - (239) 694-0184 - [bbyrus@hotmail.com](mailto:bbyrus@hotmail.com)  
Stu Silver - (239) 768-1234 - [stu@sssrealty.com](mailto:stu@sssrealty.com)  
Fran Silver - (239) 768-1234  
Pete Zielinski - (239) 707-4611  
Teen Conway - (239) 694-3570 - [jimteen1@earthlink.net](mailto:jimteen1@earthlink.net)  
William Terrell - (239) 694-2654  
Tad Miller - (239) 281-6692 - [tadeotadeo@earthlink.net](mailto:tadeotadeo@earthlink.net)  
Matt Miller - (239) 872-0690  
Bob McQuagge - (239) 939-0728

Staff -

Mike Roeder - Consoer Knott - 334-2722 - [mroeder@knott-law.com](mailto:mroeder@knott-law.com)  
Vince Franceschelli - DRMP - 344-0050 - [vfranceschelli@drmp.com](mailto:vfranceschelli@drmp.com)  
Elly Soto McKuen - DRMP - 344-0050 - [emckuen@drmp.com](mailto:emckuen@drmp.com)

**I. Olga Overlay**

- A. DRMP presented an overlay map representing the community's map that was given to DRMP in the December 6, 2006 meeting along with aerials of the Olga Community
- B. DRMP discussed the intention of the map and the intentions of the meeting, and the processes of advertising for the meeting.
- C. DRMP opened the floor to any land owners.

**II. Property Owner Discussion**

- A. The following residents voiced the desire to allow commercial uses on their land, with or without specific intentions or plans at this time or even commercial intentions for the future: Bob McQuagge, Simpson Kent, Glen Chagrin, Stu Silver, Zellasteen Conway.
- B. The majority agreed that commercial uses should be maintained for properties fronting SR-80
- C. The parcels designated for commercial land uses are any parcel fronting SR-80, only one parcel deep. This will be permissible with restrictions and guidelines for commercial uses.

**III. Closing**

- A. DRMP staff summarized the intent of the meeting and the results from the commercial desire of the landowners present.
- B. DRMP informed the residents of the next Olga Sub-Committee Meeting to take place at the Olga Baptist Church on March 29 at 6:00.

**IV. Adjourn**

- A. The meeting adjourned at 8:15 PM.

Principals

Wayne D. Chalifoux  
Donaldson K. Barton, Jr.  
Lucius J. Cushman, Jr.  
Jon S. Meadows  
Stephen L. Precourt  
Lawrence L. Smith, Jr.  
William T. Stone

## Sign In

DRMP Job #:		Date:	3/15/07	
Subject:	Olga Property Owner's Meeting 2			
<p>Please <u>sign in</u> or <u>initial</u> next to your name. Attendees confirmed in advance have been listed. Thank you for your participation!</p>				
Attendees:	Name:	Address:	Phone:	
	Bill Byrus	9582 Windsor Club Circle Offices 33705	694-2287	WBByrus@AOL.com
	BETTY BYRUS	11	11	11
	Janet Jones	1801 Brown Rd. 33920	728-3311	janva11@earthlink.net
	Jim Green	PO Box 218 Alva FL 33420	728-5461	jgreen@floridastreets.com
	MIKE REEDER	1625 HENDRY ST FM 33951	334-2922	MIKE.REEDER@KNOTT-LAW.COM
	BOB REIGE	15570 OLD OLGA RD RD	486-0421	BOB@BASOLINESURVEY.COM @ COMCAST.NET
	Jerry Klemmer	15010 Buckeye Dr	231-4107270	J.Klemmer@BTT.NET 510-235-9407.COM
	Stu Silver	603 E CENTER RD	768-1234	STU@555REALESTATE.COM
	FLAN SILVER	FL. MCGREGOR 33987	768-1234	FLAN@555REALESTATE.COM
	Pete Zielinski	15980 old olga Rd	707-4611	
	Jim Green Survey	1950 Pine Ave Alva - 33420	694-3570	JimGreen1@earthlink.net
	Bill Byrus JR	1861 Session Rd, Alva	694-0189	bbyrus@bellsouth.net

Principals

Wayne D. Chalifoux  
Donaldson K. Barton, Jr.  
Lucius F. Cushman, Jr.  
Jon S. Meadows  
Stephen L. Precourt  
Lawrence L. Smith, Jr.  
William T. Stone

## Sign In

DRMP Job #:		Date:	35/MARCH 07
Subject:	Noa Property Owners meeting 2		
<i>Please sign in or initial next to your name. Attendees confirmed in advance have been listed. Thank you for your participation!</i>			
Attendees:	Name:	Address:	Phone:
	Wm M. Terrell	2081 Linwood Ave.	694-2654
	JAO Miller	2034 Clarke Ave	281-6692
	MATT Miller	P.O. Box 818	872-0690
	Bob McQuarrie	1235 WALTERS DR FT MYERS, FL 3390	939-0728
	ED Krambar	2253 DAVIS BLUD FT. MYERS, FL 33905	694-7822
	Rosalie Prestarri	2029 CLARK AV FT MYERS FL 33905	728-2047
	Glen Chagrin	16141 PBB	691-0081
	Jim Mathisew	1670 WERNER DR	225-1353
	Cherie Foster	2319 S. Olga Dr.	694-4003

**Olga Sub-Committee to the East Lee County Council  
Meeting Minutes  
Thursday, March 29, 2007 at 6:30 PM**

**ATTENDEES:**

See Attached Sign-In Sheet

Staff -

Mike Roeder - Consoer Knott - 334-2722 - [mroeder@knott-law.com](mailto:mroeder@knott-law.com)

Vince Franceschelli - DRMP - 344-0050 - [vfranceschelli@drmp.com](mailto:vfranceschelli@drmp.com)

Elly Soto McKuen - DRMP - 344-0050 - [emckuen@drmp.com](mailto:emckuen@drmp.com)

**I. Project Overview**

- A. DRMP presented an overlay map representing the community's map that was given to DRMP in the December 6, 2006, as well as an overlay map for displaying commercial land uses fronting SR-80.
- B. DRMP discussed the intention of the map and the intentions of the meeting.
- C. DRMP opened the floor to any discussion pertaining to the land use maps.

**II. Commercial Land Use Discussion**

- A. Residents discussed the allowance of commercial land uses on all parcels fronting SR-80.
- B. A representative for Ralph Bond discussed the intentions for his land as well as intentions of the proposed road.
- C. Residents discussed possible requests for increased density if the proposed road is put in the map.
- D. The residents voted on whether or not to designate all parcels fronting SR-80 as commercial land use, with a 33 to 0 response in favor of commercial land uses with restrictions and guidelines.
- E. The residents voted on whether or not to include the proposed north/south road, with a 24-15 response to not include the road.

**III. Closing**

- A. DRMP staff summarized the intent of the meeting and the results from the commercial desire of the residents present.
- B. The Olga Sub-committee declared they would like to discuss this further at an Olga Pot Luck Dinner.

**IV. Adjourn**

- A. The meeting adjourned at 8:45 PM.

129

# Sign-In Sheet NAME & HOW TO REACH NAME

Bill Byers

Butter Bequest

Becky Zeller

Mike Roeder

Jim Green

Janet Jones

David Vann

Eli Egli

Sharron Lamely

Ed Kimball

Rosalie Prestarki

Kauf Family

Bob Kauf

TAO Miller

TAO@TAO@comThink.net

Steve Chapman 691-0081 PBGF141@YAHOO.COM

Stan Wise 694-2052 STANWIS@comThink.net

Mark Brown 694-7960 MDB@Procommail.com

Charles & Julie Potter 673-5116 239-693-5116  
2020 Clark Dr. Ft. Myers 33905

HOEHR Charles 694-3299 LOEHR2113@YAHOO.COM

George Lehman 683-7862 14902 Wisc Way Ft Myers

Duane Horne 14903 Wisc Way Ft Myers

R.H. GARRAT 2256 River Rd. Ft. Ft. Myers

FRANK FAMMERT 674-2072 Frosen@YAHOO.COM

send to George Emment 674-4358 1245 1st St. Ft. Myers

1625 1st St. Ft. Myers 33901

# Sign In Sheet: Name, Phone, + E-mail

BOB REIGS

GLORIA MOFF

TEEN CONWAY

Teena Zielinski

Pete Zielinski

JANET TRIPP ELCC Planning

JIM MATHISEN ELCC

Marge Mathisen

Jerry Kaemmerer Olga Planning

GARY PINKLEY

DION BARRETT NIGHT VIEW newspaper 534-4880

—DNY PIZARRO

NINA PIZARRO — read copy board out

15551 Idaho Drive

Alva, NC 33920

TOM ECAS

Wetaskiwin, Day Well

ROBERT PARKS Robert1351@EarthLink.net (read copy)

GLEN JOHNSON 14352 RANDOLPH DR.

FRANK & BETTY MATCHNER 14950 RANDOLPH DR.

**Olga Community Overlay Plan Meeting  
Meeting Minutes  
Saturday, June 9, 2007 at 9:00 AM**

**ATTENDEES:**

See Attached Sign-In Sheet

Staff -

Ken Griffith - DRMP - 334-0050 - [kgriffith@drmp.com](mailto:kgriffith@drmp.com)  
Vince Franceschelli - DRMP - 344-0050 - [vfranceschelli@drmp.com](mailto:vfranceschelli@drmp.com)  
Elly Soto McKuen - DRMP - 344-0050 - [emckuen@drmp.com](mailto:emckuen@drmp.com)

**I. Meeting Overview**

- A. Elly McKuen discussed the background of the Olga Community Overlay, how it fits in with the Caloosahatchee Shores Plan, and the results of previous Olga Community meetings.
- B. Elly McKuen presented 4 Options for the access to the property owned by R & D Cattle Company located in the northeast quadrant of the intersection of SR-80 and South Olga Drive.
- C. Elly McKuen answered questions that the community had pertaining to the 4 Options.
- D. Elly McKuen discussed the difference between a property's zoning designation and future land use designation. She also explained the characteristics of the different road classifications and how the classification of the road on the R & D Cattle Company property can affect the amount of commercial square footage permitted on the site and how it could affect the Olga Community.

**II. 4 Voting Options**

- A. Mike Ciccarone, a representative for R & D Cattle Company, presented further insight to the 4 Options and how they relate to the subject property.
- B. Mike Ciccarone explained that his client did not care which option the community chose, so long as the community agreed on one option.
- C. Jim Green presented a Fifth Option for the Community to consider. He urged the Community not to consider the other 4 options.
- D. Ken Griffith asked Jim Green to allow DRMP to finish presenting the 4 options, and Jim Green asked for it to be noted that he did not finish presenting his ideas for the Fifth Option.

**III. Voting Process**

- A. A voting ballot was given to each property owner with a label on it displaying the owner's name, property address, and parcel identification number.
- B. The ballots were distributed to the Olga residents. The residents in attendance returned their votes, while some ballots were taken to residents who could not attend the meeting.

C. Elly McKuen explained that voting ballots would be accepted until Friday, June 15, 2007.

**IV. Adjourn**

A. The meeting adjourned at 11:45 AM.

Principals

Wayne D. Chalifoux  
Donaldson K. Barton, Jr.  
Lucius J. Cushman, Jr.  
Jon S. Meadows  
Stephen L. Precourt  
Lawrence L. Smith, Jr.  
William T. Stone

# Sign In Non Property Owner

DRMP Job #:	06-0096-000	Date:	6-9-07
Subject:	<b>OLGA COMMUNITY PLAN</b>		
<i>Please sign in or initial next to your name. Attendees confirmed in advance have been listed. Thank you for your participation!</i>			
Attendees:			
Name:	Address:	E-mail Address:	
ED Kimball	2253 Davis Blvd	Kimball@olga.org	
James Tapp	2190 Sandbar Ave	Jtapp@olga.org	
Karen Twite			
Jim & Yvonne Mathison	1620 Werner Dr.	jmathison@olga.org	
Terri Hassan	2233 Vista Dr	terrih@olga.org	
Alyne Hyde Post	14910 Old Olga Rd. F	alynehyde@olga.org	
Joel Maynard	2019 Clarke Ave		
Edward Rau	2019 Clarke Ave		
George Erment	2245 Iris Way		

Principals

Wayne D. Chalifoux  
Donaldson K. Barton, Jr.  
Lucius J. Cushman, Jr.  
Jon S. Meadows  
Stephen L. Precourt  
Lawrence L. Smith, Jr.  
William T. Stone

①

# Sign In Property Owner

DRMP Job #:	06-0096.000	Date:	6-9-07
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Subject:	OLGA COMMUNITY PLAN
----------	---------------------

Please sign in or initial next to your name. Attendees confirmed in advance have been listed. Thank you for your participation!

Attendees:		
------------	--	--

Name:	Address:	E-mail Address:
Becky Zoeller	16105 Fernridge Rd	
Gloria Moff	15570 Old Olga Rd. Miramar	
David Lantz	2215 Virginia Ave Ft Myers	
Kimberly Grise	2226 Violet Drive SE	
Stanley R. Wylie	14949 Randolph Dr. # 1000	stanley@earthlink.net
Troy Miller	2034 Clarke Ave	Troy@earthlink.net
Walter Gray	14910 OLD OLGA. Rd	
Francis Guttorm	17105 S. Olga Dr. Ft Myers	
FRANK EMMERT	9833 N. Miami Ave. Miami, FL 33126	
Lucinda Bell	14802 Randolph Ct.	
Mary Edmonds	17360 Ligold Rd.	

Principals  
Wayne D. Chalifoux  
Donaldson K. Barton, Jr.  
Lucius J. Cushman, Jr.  
Jon S. Meadows  
Stephen L. Precourt  
Lawrence L. Smith, Jr.  
William T. Stone

**Sign In**

Property Owner

2

Principals

Wayne D. Chalifoux  
Donaldson K. Barton, Jr.  
Locus J. Cushman, Jr.  
Jon S. Meadows  
Stephen L. Precourt  
Lawrence L. Smith, Jr.  
William T. Stone

3

# Sign In Property Owners

DRMP Job #:	06-0096.000	Date:	6-9-07			
Subject:	OLGA COMMUNITY PLAN					
Please <u>sign in</u> or <u>initial</u> next to your name. Attendees confirmed in advance have been listed. Thank you for your participation!						
<b>Attendees:</b>						
Name:	Address:	E-mail Address:				
<u>George</u>	<u>2490 Santiago Dr.</u>	<u>George</u>				
<u>Bobby Award</u>	<u>2360 S Olga Dr.</u>					
<u>Manie Award</u>	<u>2360 S. Olga Dr.</u>					
<u>Pat Miller</u>	<u>15650 Edalia Drive</u>					
<u>Robert Parks</u>	<u>15560 Old Olga Rd</u>	<u>Robert1351@EARTHLINK.NET</u>				
<u>Sally Potter</u>	<u>15054 Buckeye Dr</u>	<u>Beachinbear5@comcast.net</u>				
<u>Jim Green</u>	<u>PO BOX 218 Ft. Myers 33920</u>	<u>greenj@cyberstate.com</u>				
<u>Cherie Foster</u>	<u>Olga Hall 2319 S. Olga Dr</u>	<u>Cherie.foster@juno.com</u>				
<u>Robert McGinnis</u>		<u>GK144@comcast.net</u>				
<u>Bill Byrus</u>	<u>9592 Windsor Club Circle FM 33905</u>	<u>WCBYRUS@AOL.COM</u>				
<u>Karen Townley</u>	<u>14931 Old Olga Rd. Ft Myers, FL 33905</u>					

Principals  
Wayne D. Chalifoux  
Donaldson K. Barton, Jr.  
Lucius J. Cushman, Jr.  
Jon S. Meadows  
Stephen L. Precourt  
Lawrence L. Smith, Jr.  
William T. Stone

(4)

## Sign In Property Owner

DRMP Job #:	06-0096. 000	Date:	6-9-07
Subject:	OLGA COMMUNITY PLAN		
<i>Please sign in or initial next to your name. Attendees confirmed in advance have been listed. Thank you for your participation!</i>			
Attendees:	Name:	Address:	E-mail Address:
	Betty Byrus	9592 WINDSOR CLUB FT MYERS	
	Beth Jones	Box 9908 Naples	
	Becky Zoeller	SHERMATTICE FT MYERS	
	Tim Giedeman	2261 QUBBEN DRIVE	
	Julie Potter	2020 Clarke Ave	
	Chris Potter	2020 Clarke Ave	
	Marc Anderson	14937 OLD OLGA RD.	
	Barbara Ware	16401 River Mill Lane	
	Bob & Kathy Johnson	15098 Buckeye Dr., FT MYERS, FL	
	Martia Untch	2197 Brookside Dr. FM PC	marcia.rae.com
	Bob Reiske	15570 OLD OLGA RD.	

Principals  
Wayne D. Chalifoux  
Donaldson K. Barton, Jr.  
Lucius J. Cushman, Jr.  
Jon S. Meadows  
Stephen L. Precourt  
Lawrence L. Smith, Jr.  
William T. Stone

(5)

## Sign In Property Owners

DRMP Job #:	06-0096.000	Date:	6-9-07
Subject:	OLGA COMMUNITY PLAN		
<i>Please sign in or initial next to your name. Attendees confirmed in advance have been listed. Thank you for your participation!</i>			
Attendees:			
Name:	Address:	E-mail Address:	
FRANK MATCHNER	14950 RANDOLPH DR. 33905		
Mark & Doreen Brown	1071 LORRAINE VILLA		
Janet Jones	1801 Brown Rd	janet.jones@link.net	
Edith Yachup	14814 Oakwood Ct.		
Therriette C. Jones	2231 Randolph Dr.		
Arthur J. Courtney	14931 Old Olga Rd. 33905		
ROBERT BEAVERS	14802 RIVERVIEW CT 33905		
Carol Johnson	14952 Randolph Dr 33905		
Ken Hill	14539 Riverside Dr 33905		
George & Debra Johnson	14900 Wise Way 33905		
John Stach	7109 WOODSIDE DR 33905		

Principals

Wayne D. Chalifoux  
Donaldson K. Barton, Jr.  
Lucius J. Cushman, Jr.  
Jon S. Meadows  
Stephen L. Precourt  
Lawrence L. Smith, Jr.  
William T. Stone

*PROPERTY OWNER*  
**Sign In**

6

DRMP Job #:	06-0096 . 000	Date:	6-9-07
Subject:	<b>DLGA COMMUNITY PLAN</b>		
<i>Please sign in or initial next to your name. Attendees confirmed in advance have been listed. Thank you for your participation!</i>			
Attendees:			
Name:	Address:	E-mail Address:	
James C. Jackson	2032 S. DLGADR	JJD2032@EMBARQMAIL.COM	11
Deborah L. Jackson	2032 S DLGA DR.		
Constance R. Sullivan	14910 Wiseway		
Joseph S. Sullivan	" "		
Car Alvarez	15082 Buckeye Dr.		
Stephanie Sullivan	2028 S. Olga Drive	stephani.sullivan@comcast.net	
Brett Sullivan	2028 S. Olga Drive		
Sharron Lamely	2261 S. Olga Dr.		
Beth Jones	PO Box 9908 Naples FL	Sharronddo257@aol.com	
Wm M. Terrell	2081 Linwood Ave.		
KEVIN KELLEY	15008 BUCKEYE DR		

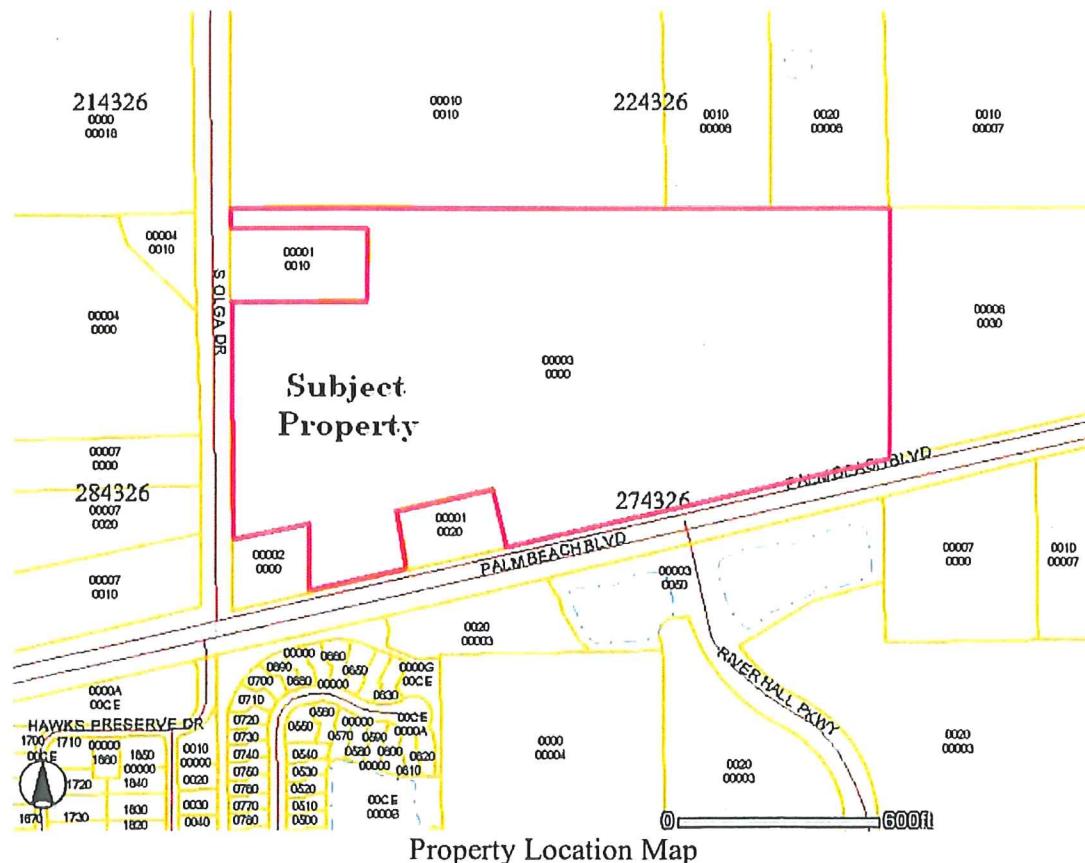


## Lee Plan FLUM Amendment Supplemental Data and Analysis

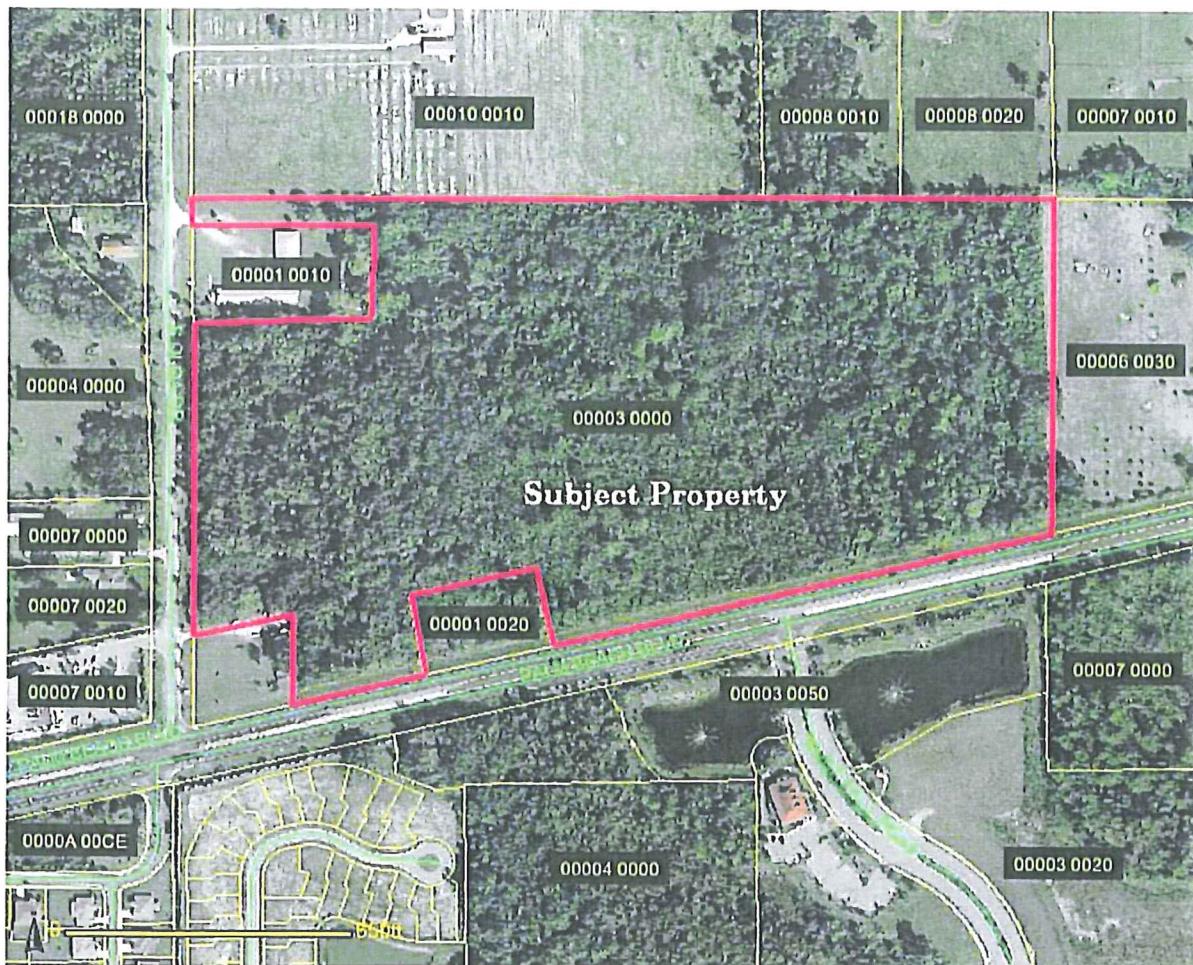
Property: 27-43-26-00-00003.0000  
Owner of Record: R & D Cattle Company, LLC  
c/o Michael J. Ciccarone, Esq.  
2235 First Street  
Fort Myers, FL 33901

## Background

The proposed Lee Plan FLUM amendment is to change a property of +/- 37.6 acres from Suburban (+/- 25 acres) and Rural (+/- 12.6 acres) to Commercial (+/- 33.0 acres) and Wetlands (+/- 4.6 acres). The subject property is located on the north side of S. R. 80, east of South Olga Road, and is zoned AG-2.



2914 Cleveland Avenue, Fort Myers, Florida 33901 Telephone: (239) 337-3993 Fax: (239) 337-3994  
327 Office Plaza, Suite 202, Tallahassee, Florida 32301 Telephone: (850) 224-6688 Fax: (850) 224-6689  
408 West University Avenue, Suite PH, Gainesville, Florida 32601 Telephone: (352) 378-3450 Fax: (352) 379-0385  
Toll Free: (866) 337-7341



Aerial Photograph of Subject Property

Currently, the subject property contains an estimated 20.4 acres of upland 'Suburban' designated property. The environmental analysis suggests that there are 4.6 acres of wetlands within the area currently designated as Suburban. There are an estimated 12.6 acres of 'Rural' designated lands within the property boundaries. River Hall Parkway, the roadway intersecting S. R. 80/Palm Beach Boulevard on the south side across from the subject property, is proposed to be extended through the property and ultimately connected to South Olga Drive, serving as a collector road. At maximum development options, and assuming the severing of the subject property into 2 development tracts, this translates into the following development potentials:

A. Residential Option:

1. 20.4 acres (Suburban) X 6 dwelling units/acre = 122.4 dwelling units
2. 4.6 acres (wetlands) X 1/20 dwelling units/acre = 0.23 dwelling units
3. 12.6 acres (Rural) X 1 dwelling unit/acre = 12.6 dwelling units
4. Total residential units = 135.23 dwelling units

B. Commercial Option:

1. 33 acres (Suburban/Rural—2 parcels) = 200,000 SF
- 2.) 4.6 acres (Wetlands)—No commercial development allowed
- 3.) Total potential commercial development = 200,000 SF

By changing the FLUM category to Commercial there is an overall reduction of potential impacts associated with residential development of the subject property. Commercial uses are proposed to be limited to a floor area ratio of 0.25, or a total of 359,370 SF.

#### Commercial Development

- 1.) 33 acres (Commercial) X 0.25 FAR = 359,370 SF commercial uses
- 2.) 4.6 acres (Wetlands)—No commercial development allowed
- 3.) Total potential commercial development = 359,370 SF
- 4.) Differential = 159,370 SF

#### Impact Analysis

According to a study performed by Stearns and Wheeler, LLC, for the Mashpee Sewer Commission (Mashpee, MA, April, 2007), potable water use for commercial activities are estimated at 81.5 gallons per day (GPD) per 1,000 SF of floor area. Based upon this estimate, potable water demand for 200,000 SF of commercial floor area will be 16,300 GPD. For 359,370 SF of commercial floor area potable water demand will be +/- 29,300 GPD. There will be an increase in potable water demand, comparing commercial development in the pre- and post-amendment scenarios, of 13,000 GPD.

Wastewater treatment facilities demand will be similarly increased in the post-amendment scenario. Estimating demand for wastewater treatment services at 90% of the potable water demand, a 359,370 SF development will generate demand for 26,370 GPD of wastewater treatment; a 200,000 SF commercial development will generate demand for 14,670 GPD of wastewater treatment. This represents an increase of 11,700 GPD of wastewater treatment demand in the post-amendment situation.

According to the Florida Administrative Code (64E-6.008, FAC), wastewater treatment demand for residential use ranges between 100 and 400 GPD, depending upon the number of bedrooms in a dwelling unit. Assuming that the residential units which could be constructed on the subject property will average 3 bedrooms per dwelling unit, wastewater treatment demand will be 300 GPD per unit. In the pre-amendment situation, with an estimated development capacity of 135 dwelling units, there is an estimated demand of 40,500 GPD of wastewater treatment capacity associated with full development of the subject property.

Using the same 135 dwelling units as the estimate for full development of the subject property, and assuming that wastewater treatment demand is 90% of potable water demand, 45,000 GPD of potable water will be required to support the pre-amendment development potential.

Thus, although a comparison of commercial to commercial in the pre- and post-amendment situations yields increase demand for potable water and wastewater treatment services, a comparison of the residential option in the pre-amendment situation with the commercial development option in the post-amendment situation yields a significant reduction in demand for both potable water and wastewater treatment. For potable water, commercial development of the subject property at 359,370 SF would result in a decrease of 15,700 GPD of potable water demand; wastewater treatment demand would decline by an estimated 14,130 GPD. This

represents a significant reduction in demand that would result from the approval of the proposed amendment.

Analysis of stormwater facilities is similar for all scenarios related to development. Based upon prior demand for stormwater treatment systems, 15% of the uplands will be required for construction of adequate stormwater treatment facilities. Based upon the developable acreage, 4.95 acres or 215,622 SF will be required for a stormwater management system.

For large residential projects, open space requirements amount to 40% of the total area of the site. Based upon the total site size of 37.6 acres, this means 15.04 acres or 655,142 SF would remain as open space. According to the U. S. Census, Lee County currently has 2.31 persons per household. For the 135 dwelling units, this yields a total of +/- 312 persons that would be living on the property at full build-out in the pre-amendment scenario. The Lee Plan indicates that park demand is calculated at 6 acres/1000 persons for regional parks and 0.8 acres/1000 persons for community parks. This means that in the pre-amendment development scenario there will be a demand generated for 1.87 acres of regional parks and 0.25 acres of community parks.

Open space for the subject property, as a commercial development, will be in accordance with the locally applicable development regulations. Lee County requires not less than 30% open space for development of this size, yielding an open space estimate of 9.9 acres or 431,244 SF. Thus there would be a decline in the required amount of open space required for commercial development as compared to residential development. However, it is noted that there are no demand estimates associated with commercial development for regional or community parks. Thus, demand for these facilities would be reduced by 1.87 acres and 0.25 acres if the parcel were to be developed as commercial.

### **Lee Plan Consistency**

As a commercial parcel, it is estimated that 312 fewer persons would be accommodated at maximum FLUM build-out should the amendment be approved. It is anticipated that the change in population accommodation is small enough that overall projections will not be affected.

In the Fort Myers Shores planning community, there are 1,810 total acres of Suburban designated property and 1,400 acres of Rural designated property. According to Lee County's calculations, 1,240 acres of the Suburban property are developed, with 570 acres remaining; 339 acres of the Rural property are developed and 1,061 acres remain undeveloped. This amounts to a development ratio of 69% for the Suburban property and 24% of the Rural property. The proposed change will reduce the total Suburban designation in this planning community to 1,785, and reduce the undeveloped Suburban property to 545 acres. The ratio of developed property to undeveloped property will remain at 69%. For the Rural category, approval of the amendment would result in reduction of the total acreage to 1,387, and the developed property ratio also remains at 24%. Although there is no calculation related to Wetlands or Conservation Lands for this planning community, approval of the amendment would also result in designation of +/- 4.6 acres of property now designated Suburban to a designation of Wetlands.

Currently there are 400 acres of commercially designated lands in the Fort Myers Shores planning community. Of the 400 acres, 236 acres are developed commercially, leaving 164

acres remaining for additional commercial development. However, as the Commercial land use category is a relatively new designation, there are no acres in this planning community in the Commercial category. The designation of the subject property to the Commercial category will establish that land use as part of the overall community characteristics anticipated to manage and direct growth over the Lee Plan's current time horizon.

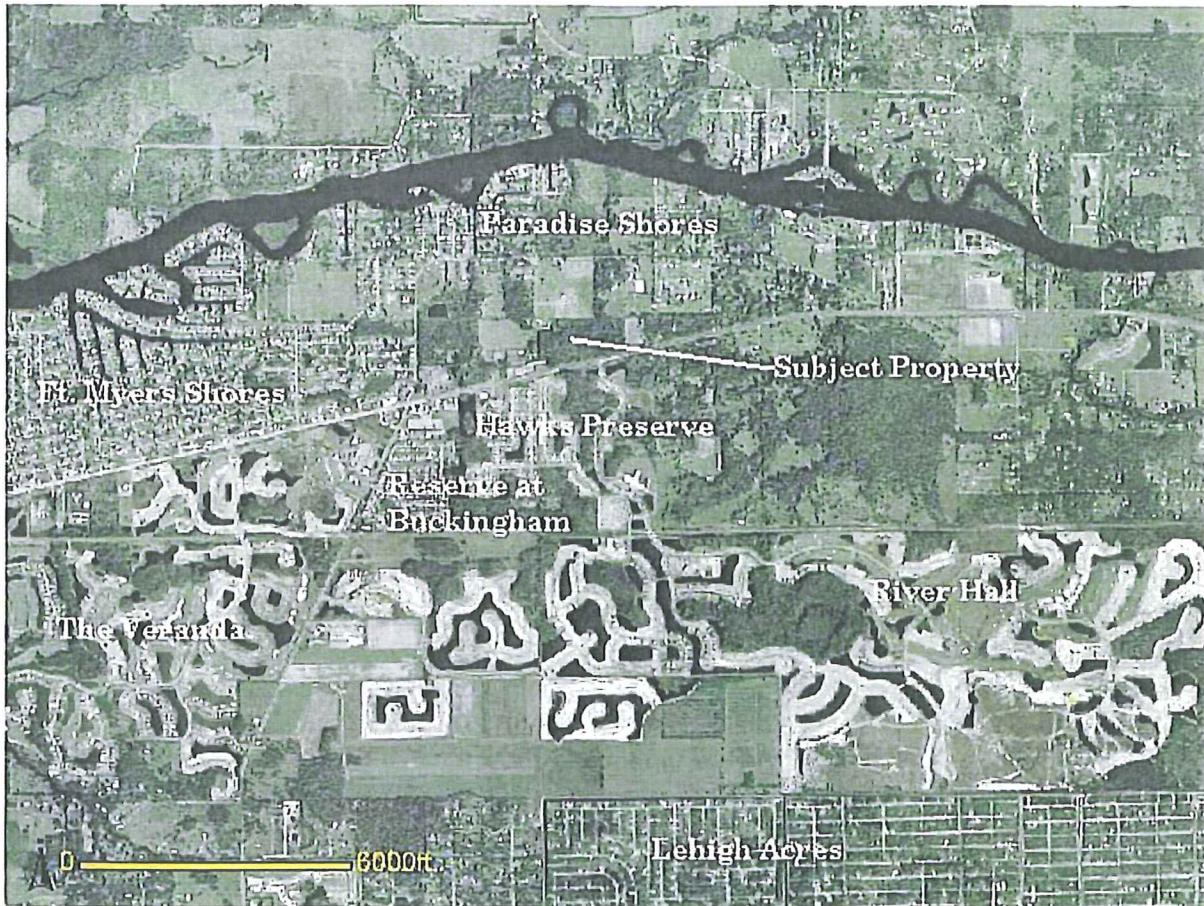
The designation to which the majority of the property is proposed to be designated is 'Commercial' with a FAR limitation of 0.25. Policy 1.1.10 states, "The Commercial areas are located in close proximity to existing commercial areas or corridors accommodating employment centers, tourist oriented areas, and where commercial services are necessary to meet the projected needs of the residential areas of the County. These areas are specifically designated for commercial uses. Residential uses, other than bona fide caretaker residences, are not permitted in this future land use category except to the extent provided in Chapter XIII of the Plan. The Commercial areas are areas where residential uses are not expected or compatible due to the nature of the surrounding land uses and their location along major travel corridors. The commercial designation is intended for use where residential development would increase densities in areas such as the Coastal High Hazard Areas of the County or areas such as Lehigh Acres where residential uses are abundant and existing commercial areas serving the residential needs are extremely limited.

The requisite infrastructure needed for commercial development is generally planned or in place. New developments in this category must connect to a potable water and sanitary sewer system. Commercial retail developments, hotels and motels, banks, all types of office development, research and development, public, and other similar development will predominate in the Commercial areas. Limited light industrial uses are also permitted, excluding outdoor storage type uses. Any redesignation of land to the Commercial land use category should occur along major travel corridors and at road intersections. The planned development rezoning process must be used to prevent adverse impacts to the surrounding areas and to ensure that appropriate site development regulations are incorporated into the development plans of each site. A maximum Floor Area Ratio (FAR) of 1 will be used as an index of intensity of development in the commercial category. Development in this future land use category is not required to comply with the site location criteria provided in Goal 6 when appropriate site development regulations are incorporated into the planned development."

Providing a focus for commercial activities, improved access across S. R. 80, and addressing employment and service needs for the area, the re-designation of the subject property to Commercial should serve to provide an anchor for the east end of the Olga community while acting to provide necessary functions to the rural, agricultural lands to the east and Lehigh Acres to the south. Additionally, S. R. 80 is a major transportation corridor, and the subject property will exist at the intersection of an arterial roadway and 2 collectors (1 existing and 1 proposed).

In addition to the designation of Commercial, a portion of the site is targeted for designation as Wetlands. Objective 1.5 indicates that Lee County will, "Designate on the Future Land Use Map those lands that are identified as Wetlands in accordance with F.S. 373.019(17) through the use of the unified state delineation methodology described in FAC Chapter 17-340, as ratified and amended in F.S. 373.4211." Wetlands mapping has been undertaken for the subject property,

and the naturally occurring and environmentally sensitive lands on the westerly portion of the site are proposed for designation in accordance with Lee Plan Objective 1.5.



Subject Property with Surrounding Development

As described in the Vision Statement of the Lee County Plan, the Fort Myers Shores Planning Community "is located south of the Caloosahatchee River, east of Hickey Creek, and north of the Orange River; and, along I-75 west of the Buckingham Rural Community Preserve, north of SR 82 and east of the City of Fort Myers. This community contains four areas: Fort Myers Shores, Morse Shores, Tice and Olga. The Fort Myers Shores, Morse Shores, and Tice areas are similar in character and will have similar development patterns for the next 20 years. The Olga area has a more rural/historic character and is anticipated to grow slightly slower than the other areas of this community. This area also has a mixture of future land use designations. The majority of the land is designated Suburban, Rural, or Urban Community; however, there are some lands designated Intensive Development, Central Urban, Public Facilities, Industrial Interchange Area, and General Interchange. The population of the Fort Myers Shores community is also expected to grow from a 1996 population of 12,000 to approximately 14,000. However, the amount of commercial building is expected to nearly double by 2020 and the amount of industrial land is expected to increase by 10 fold. Currently, this community contains commercial outlets which accommodate the needs of its residents as well as those from

neighboring communities such as Alva and Buckingham. There are two major shopping areas in this community to satisfy resident's primary commercial needs. The residents of this community still utilize commercial establishments in the more urbanized areas for much of their commercial needs. During the life of this plan this community will develop as a commercial/employment center for the adjacent communities which will retain their rural character."

The Olga section of the Fort Myers Shores Planning Community is the area in which this property is located. As described in the vision statement, the need for residential and commercial units in this community is expected to increase by the year 2020 due to the number of residents locating to this area to live and work. This community has several amenities that offer residents close access to Interstate 75 and close proximity to downtown Fort Myers. In addition, as noted in the vision statement, the Fort Myers Shores Planning Community will offer residents of this and surrounding communities a commercial center for shopping and business needs. Therefore, the change in the subject property's designation from Suburban and Rural, as currently exists, to Commercial and Wetlands, would be consistent with the Plan's vision for this area. Furthermore, this re-designation will address the growing demand for the availability of commercial businesses and residential units in the Fort Myers Shores Community.

An analysis has been undertaken (see above) related to the Acreage Allocation Table found in the Lee Plan. Policy 1.7.6 states, "The Planning Communities Map and Acreage Allocation Table (see Map 16 and Table 1(b) and Policies 1.1.1 and 2.2.2) depicts the proposed distribution, extent, and location of generalized land uses for the year 2030. Acreage totals are provided for land in each Planning Community in unincorporated Lee County. No final development orders or extensions to final development orders will be issued or approved by Lee County which would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded." As noted above the modifications to the land use designation of the subject property are so slight as to have no effect upon the overall percentages of developed lands in each category. Yet, the location of the subject property will permit the overall creation of a neighborhood retail/service node consistent with the Commercial Site Location Policies and Map 19 of the Lee Plan.

Objective 2.1 suggests that, "Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities." Utilization of the +/- 33 acres of developable uplands on the site will serve to promote the establishment of an urban boundary, and assist in preventing sprawl patterns from developing in the Olga community.

Objective 2.2 indicates that Lee County will, "Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in F.S.163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance." Urban services are, or will be, available to the subject property when required for development. The property will ultimately serve to enhance the system of collector roadways,

and is located at the intersection of a collector and an arterial roadway. Serving as a boundary between the more urban development to the west and the rural and agricultural activities to the east, the property will assist in the definition of the urban boundary and promote compact development patterns.

Objective 2.4 indicates that Lee County will, on a regular basis, examine the Future Land Use Map in light of new information and changed conditions. When changed or changing conditions suggest adjustments are needed, necessary modifications are made. Clearly the increased residential demand in the area suggest that adjustments to the FLUM are warranted. Viewing the subject property as the location of a new collector road intersection with S. R. 80 permits consideration of the site as a potential commercial location intended to service the commercial needs for the developing suburban population.

Part of the ongoing analysis of the FLUM involves the evolution of the carrying capacity of the various areas designated on the FLUM. Objective 2.11 indicates that the County will attempt to calculate that carrying capacity and integrate the concept into planning strategies. The property has all the various urban services available to it, is centrally located to provide retail and service related commercial activities, can establish the basis for an improved collector road system in this developing area, and is ideally situated to intercept evolving demand, thus minimizing the number of arterial trips required for community support. In this fashion it supports the Lee Plan policies related to provision of functionally related land uses intended to support surrounding development.

Goal 11 of the Lee Plan was adopted to insure that appropriate water, sewer, traffic, and environmental review standards are considered in reviewing rezoning applications and are met prior to issuance of a county development order. Urban services are or will be available to the subject property at the time of development, and the proposed amendment will designate environmentally sensitive lands on the westerly portion of the property into the Wetlands designation. This will serve to protect and preserve the environmental values associated with that portion of the site.

This subject property is within the Fort Myers Shores Fire district with a fire/EMS station not more than 4.75 miles from the site on Palm Beach Boulevard and Kaune Baucom Road. The Lee County Sheriff Department, which is located within 2 miles of the property on Palm Beach Blvd., will provide police protection. LeeTran, the County's public transportation system, has a bus route along Palm Beach Blvd that stops approximately 1/4 mile west of the subject property at Old Olga Road. The nearby presence of other public facilities such as schools and parks are important in that it demonstrates the evolving nature of the development node of which this site is a part. There is a proposed school site directly west of the site, across South Olga Drive. Additionally, Riverdale High School is approximately 1 mile from the site.

Goal 21 establishes the Caloosahatchee Shores planning community, stating that Lee County recognizes the efforts, "To protect the existing character, natural resources and quality of life in Caloosahatchee Shores, while promoting new development, redevelopment and maintaining a more rural identity for the neighborhoods east of I-75 by establishing minimum aesthetic requirements, planning the location and intensity of future commercial and residential uses, and

providing incentives for redevelopment, mixed use development and pedestrian safe environments. This Goal and subsequent objectives and policies apply to the Caloosahatchee Shores boundaries as depicted on Map 1, page 2 of 5 in the Appendix.” As part of the ongoing planning efforts, Objective 21.2 indicates that “Existing and future county regulations, land use interpretations, policies, zoning approvals, and administrative actions should be undertaken in an effort to promote the goal of commercial redevelopment along SR 80 and increased commercial opportunities to service the needs of the Caloosahatchee Shores community and surrounding areas. County regulations should attempt to ensure that commercial areas maintain a unified and pleasing aesthetic/visual quality in landscaping, architecture, lighting and signage. Commercial land uses must be designed to be compatible with and further the historic character and identity of existing rural Old Florida and Florida Vernacular styles of architecture and the historic identity of Olga.” The Commercial designation requires that development be undertaken in the form of a planned development, allowing review and specification of design criteria that will serve to implement this Objective.

Additionally, Policy 21.2.4 indicates that, “Commercial developments within the Caloosahatchee Shores Community must provide interconnect opportunities with adjacent commercial uses in order to minimize access points onto primary road corridors; and residential developments should provide interconnect opportunities with commercial areas, including but not limited to bike paths, pedestrian access ways and equestrian trails.” The development of the subject property will coincide with the construction of an additional collector road, connecting S. R. 80 with South Olga Drive. This will greatly enhance the neighborhood interconnections in this area, minimizing access points onto the primary roadway.

The approval of this amendment will also serve to designate +/- 4.6 acres of the site as Wetlands. According to Goal 107 Lee County is committed, “To manage the county's wetland and upland ecosystems so as to maintain and enhance native habitats, floral and faunal species diversity, water quality, and natural surface water characteristics.” Additionally, Goal 114 states that the County will, “... maintain and enforce a regulatory program for development in wetlands that is cost-effective, complements federal and state permitting processes, and protects the fragile ecological characteristics of wetland systems.” As part of Goal 114, Objection 114.1 states, “The natural functions of wetlands and wetland systems will be protected and conserved through the enforcement of the county's wetland protection regulations and the goals, objectives, and policies in this plan. "Wetlands" include all of those lands, whether shown on the Future Land Use Map or not, that are identified as wetlands in accordance with F.S. 373.019(17) through the use of the unified state delineation methodology described in FAC Chapter 17-340, as ratified and amended by F.S. 373.4211.” Overall, the designation of the +/- 4.6 acres of wetlands on the westerly portion of the site will serve to implement these goals and their associated Objectives.

### **Sprawl Analysis**

A comprehensive plan that promotes urban sprawl will promote, allow, or designate for development, substantial areas to develop as low-intensity, low-density, or single-use development or uses in excess of demonstrated need. Development of the subject property, must be considered in conjunction with the recognition that residential and rural, agricultural development is anticipated in close proximity to the subject property. The designation of an area that can be converted to non-residential uses demonstrates that the proposal is not for single-use

development, but rather serves to provide necessary non-residential uses to the established and evolving neighborhood. There are existing and proposed public schools proximate to the site, large residential developments, and limited commercial opportunities. Establishment of the subject property as a commercial location serves to provide needed diversity to the Olga community.

The second criteria of urban sprawl in a plan is that it promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while leaping over undeveloped lands which are available and suitable for development. A review of the larger aerial photograph above is sufficient to demonstrate that significant urban development has occurred in the vicinity of the subject property. Further, it is clear that there are no suitable lands, possessing the necessary access to infrastructure, for the type of community-scale commercial development contemplated for the subject property anywhere else in the Olga community.

Sprawl also is characterized by policies that promote, allow, or designate urban development in radial, strip, isolated or ribbon patterns generally emanating from existing urban developments. Development of the subject property would establish a commercial node, clearly define the urban-rural boundary, promote clustered development, protect open space and natural resources, and concentrate development in areas most suitable for its location. Radial, strip, isolated, or ribbon development patterns would not be consistent with the application of Lee Plan provisions to the subject property or to the adopted community-based Goals, Objectives, and Policies.

Sprawl also, is a result of premature or poorly planned conversion of rural land to other uses, fails adequately to protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems. The applicable Lee Plan provisions, as applied to the subject property, include mandates for the protection of natural systems, including setbacks, buffers, use restrictions, open space requirements, preservation and conservation provisions, and design regulations. Thus, this sprawl indicator is inapplicable to the proposed amendment.

Policies promoting urban sprawl fail to adequately protect adjacent agricultural areas and activities, including silviculture, and including active agricultural and silvicultural activities as well as passive agricultural activities and dormant, unique and prime farmlands and soils. As noted above, setbacks, buffers, and performance criteria have been incorporated into the Lee Plan development parameters in order to provide protection to adjoining uses. The proposed amendment serves to provide a strong demarcation between the evolving Olga community and the rural uses located to the east.

The proposed amendment will maximize use of existing public facilities and services and will maximize use of future public facilities and services. As noted above, all urban services are available to the subject property at this time, and the establishment of a commercial node will service the surrounding residential development, providing the necessary diversity for the Olga community.

Related to the question of infrastructure extension is the sprawl indicator that states urban sprawl policies allow for land use patterns or timing which disproportionately increase the cost in time, money and energy, of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government. As noted above, the County has determined that capacity to service the subject property exists currently. The Olga community and the County Staff have also identified the need for additional commercial development opportunities as being critical to the continued economic development of the area.

According to the Rule, the future land use map and policies will promote sprawl if they fail to provide a clear separation between rural and urban uses. However, the subject property clearly delineates the buffers, setbacks, and use limitations required for maintaining a boundary between properties so designated and adjoining parcels with different uses, especially those to the east that are designated for rural activities.

Sprawl also tends to discourage or inhibit infill development or the redevelopment of existing neighborhoods and communities. Since the type of development proposed for the subject property is non-existent anywhere else in the Olga community, and could not occur based upon the land use patterns that have evolved, it cannot be argued that designation of the subject property discourages infill development or redevelopment of the kind of non-residential development anticipated for the subject property properties.

The Rule also states that sprawl policies fail to encourage an attractive and functional mix of uses. However, the establishment of commercial uses on the subject property serves to provide needed commercial opportunities for the community at large. Further, design requirements mandate establishment of functional open space, preservation of environmentally sensitive wetlands, and establish design parameters to govern the style of development that emerges on the subject property.

Finally, sprawl policies are those that result in poor accessibility among linked or related land uses and result in the loss of significant amounts of functional open space. Part of the specific elements of the current designation proposal includes the establishment of rights of way connecting S. R. 80 with South Olga Drive. The anticipated road corridors will provide an additional north-south connections to the State highway network and provide alternate routes to existing facilities. Further, the subject property provisions for preservation of functional open space, preservation and conservation of regionally significant natural resources, and creation of open space requirements for future development serve to demonstrate that these sprawl indicators do not apply to the current proposed amendment.

It is also noted that 9J-5.006(h) states, "The comprehensive plan must be reviewed in its entirety to make the determinations in (5)(g) above. Plan amendments must be reviewed individually and for their impact on the remainder of the plan. However, in either case, a land use analysis will be the focus of the review and constitute the primary factor for making the determinations. Land use types cumulatively (within the entire jurisdiction and areas less than the entire jurisdiction, and in proximate areas outside the jurisdiction) will be evaluated based on density, intensity, distribution and functional relationship, including an analysis of the distribution of urban and

rural land uses.” When such an analysis is undertaken (as it has herein) it is clear that the proposed designation is not sprawl, but rather part of a continuing effort on the part of Lee County to accommodate the demand for community based commercial development. The subject property designation for the subject properties serves to further advance the adopted Goals, Objectives, and Policies of the County’s Comprehensive Plan.

9J5.006(i) goes on to state that, “Each of the land use factors in (5)(h) above will be evaluated within the context of features and characteristics unique to each locality. These include:

1. Size of developable area.
2. Projected growth rate (including population, commerce, industry, and agriculture).
3. Projected growth amounts (acres per land use category).
4. Facility availability (existing and committed).
5. Existing pattern of development (built and vested), including an analysis of the extent to which the existing pattern of development reflects urban sprawl.
6. Projected growth trends over the planning period, including the change in the overall density or intensity of urban development throughout the jurisdiction.
7. Costs of facilities and services, such as per capita cost over the planning period in terms of resources and energy.
8. Extra-jurisdictional and regional growth characteristics.
9. Transportation networks and use characteristics (existing and committed).
10. Geography, topography and various natural features of the jurisdiction.”

As demonstrated in this analysis, when each of these factors are considered, in the context of the full range of applicable Lee Plan Goals, Objectives, and Policies, the subject property cannot be considered as sprawl, but rather as the logical extension of the County’s ongoing development efforts undertaken for its localized communities.

Further, 9J5.006(j) states, “Development controls in the comprehensive plan may affect the determinations in (5)(g) above. The following development controls, to the extent they are included in the comprehensive plan, will be evaluated to determine how they discourage urban sprawl:

1. Open space requirements.
2. Development clustering requirements.
3. Other planning strategies, including the establishment of minimum development density and intensity, affecting the pattern and character of development.
4. Phasing of urban land use types, densities, intensities, extent, locations, and distribution over time, as measured through the permitted changes in land use within each urban land use category in the plan, and the timing and location of those changes.
5. Land use locational criteria related to the existing development pattern, natural resources and facilities and services.
6. Infrastructure extension controls, and infrastructure maximization requirements and incentives.
7. Allocation of the costs of future development based on the benefits received.
8. The extent to which new development pays for itself.

9. Transfer of development rights.
10. Purchase of development rights.
11. Planned unit development requirements.
12. Traditional neighborhood developments.
13. Land use functional relationship linkages and mixed land uses.
14. Jobs-to-housing balance requirements.
15. Policies specifying the circumstances under which future amendments could designate new lands for the urbanizing area.
16. Provision for new towns, rural villages or rural activity centers.
17. Effective functional buffering requirements.
18. Restriction on expansion of urban areas.
19. Planning strategies and incentives which promote the continuation of productive agricultural areas and the protection of environmentally sensitive lands.
20. Urban service areas.
21. Urban growth boundaries.
22. Access management controls."

A review of the provisions of the subject property, in conjunction with the Plan as a whole, demonstrates that all of the applicable 22 factors referenced are addressed. And, as 9J-5.006(k) indicates that these 22 land use types and land use combinations will be evaluated within the context of the features and characteristics of the locality, it is clear that the proposed designation is not urban sprawl. Additionally, the Rule notes that if a local government has in place a comprehensive plan already found to be in compliance, as is the case with the County, the Department shall not find a plan amendment to be not in compliance on the issue of discouraging urban sprawl solely because of pre-existing indicators if the amendment does not exacerbate existing indicators of urban sprawl within the jurisdiction.

#### **Effect Upon Adjoining Local Governments**

There should be no appreciable impacts upon any adjoining local government as a result of the proposed change.

#### **Consistency with State and Regional Policy Plans**

As proposed, the amendment will serve to implement State Policy Plan provisions, as applicable, including Sections 187.201(9)(b)1, 187.201(9)(b)3, 187.201(9)(b) 7, 187.201(15)(a), 187.201(15)(b)3, 187.201(15)(b)6, 187.201(17)(b)(1), 187.201(19)(b)2, & 15. These policies relate to preservation of environmental values, efficient provision of infrastructure, protection of highway capacity, and implementation of adopted policies related to land use and growth management. For a more detailed discussion, please see the applicable sections above.

The proposed amendment will also serve to implement the Regional Policy Plan, specifically in the areas of natural resource protection and the promotion of livable communities. Goal 2 of the Natural Resources section of the Regional Policy Plan states, "The diversity and extent of the Region's protected natural systems will increase consistently beyond that existing in 2001." Designation of +/- 4.6 acres of wetlands on the westerly portion of the site serves to advance this regional Goal.

Goal 4 of the Regional Policy Plan, Natural Resources section indicates that local governments

will support, "Livable communities designed to improve quality of life and provide for the sustainability of our natural resources." The provision of community commercial facilities in the Olga area will serve to create opportunities for retail, service, and employment activities for the residents, thus serving to advance the 'livable community' concept in this area of the County.

### **Conclusion**

The proposed amendment is consistent with all applicable Lee Plan Goals, Objectives and Policies. Additionally, the basis for adopting this amendment is supported by the State Comprehensive Plan and the Regional Policy Plan. All required infrastructure is in existence and the development will not cause concurrency difficulties. The conversion of the property from residential uses to commercial uses results in a decrease in demand for potable water and wastewater treatment facilities. Finally, the establishment of commercial uses on the subject property, in conjunction with the preservation of wetlands extant on the site, serves to provide neighborhood options for retail, service, and employment activities.

<b>Fort Myers Shores</b>		<b>Allocation</b>	<b>Existing</b>	<b>Remaining</b>
R B e s F u t u r e n t L a n d A c C a t e a g e r y	Intensive Development	20	9	11
	Central Urban	225	195	30
	Urban Community	637	284	353
	Suburban	1,810	1,240	570
	Outlying Suburban	40	3	37
	Sub-Outlying Suburban	367	0	367
	Commercial	0	0	0
	Industrial Development	0	0	0
	Public Facilities	0	0	0
	University Community	0	0	0
	Industrial Interchange	0	0	0
	General Interchange	0	0	0
	General/Commercial Interchange	0	1	(1)
	Industrial/Commercial Interchange	0	0	0
	University Village Interchange	0	0	0
	New Community	0	0	0
	Airport	0	0	0
	Tradeport	0	0	0
	Rural	1,400	339	1,061
Density Reduction/Groundwater Resource	Rural Community Preserve	0	0	0
	Coastal Rural	0	0	0
	Outer Islands	1	1	0
	Open Lands	0	0	0
	Conservation Lands Upland	0	0	0
	Wetlands	0	0	0
	Conservation Lands Wetland	0	0	0
	<b>Total Residential</b>	<b>4,500</b>	<b>2,072</b>	<b>2,428</b>
	<b>Commercial</b>	<b>400</b>	<b>236</b>	<b>164</b>
	<b>Industrial</b>	<b>400</b>	<b>58</b>	<b>342</b>
<b>Non Regulatory Allocations</b>				
Active Agriculture	Public	2,000	2,301	(301)
	550	554	(4)	
	2,500	2,387	113	
	1,142	1,018	124	
	226	2,888	(2,662)	
	<b>Total</b>	<b>11,718</b>	<b>11,514</b>	<b>204</b>
<b>Population Distribution</b>		<b>30,861</b>	<b>14,415</b>	<b>16,446</b>

[back to Planning Communities Map](#)

Mobile Home Park		
(a) Per single wide mobile home space, less than 4 single wide spaces connected to a shared onsite system	250	
(b) Per single wide mobile home space, 4 or more single wide spaces are connected to a shared onsite system	225	
(c) Per double wide mobile home space, less than 4 double wide mobile home spaces connected to a shared onsite system	300	
(d) Per double wide mobile home space, 4 or more double wide mobile home spaces connected to a shared onsite system	275	
Office building	15	
per employee per 8 hour shift or per 100 square feet of floor space, whichever is greater	15	
Transient Recreational Vehicle Park		
(a) Recreational vehicle space for overnight stay, without water and sewer hookup per vehicle space	50	
(b) Recreational vehicle space for overnight stay, with water and sewer hookup per vehicle space	75	
Service stations per water closet		
(a) Open 16 hours per day or less	250	
(b) Open more than 16 hours per day	325	
Shopping centers without food or laundry per square foot of floor space	0.1	
Stadiums, race tracks, ball parks per seat	4	
Stores per bathroom	100	
Swimming and bathing facilities, public per person	10	
Theatres and Auditoriums, per seat	4	
Veterinary Clinic		
(a) Per practitioner	250	
(b) Add per employee per 8 hour shift	15	
(c) Add per kennel, stall or cage	20	
Warehouse		
(a) Add per employee per 8 hour shift	15	
(b) Add per loading bay	100	
(c) Self-storage, per unit (up to 200 units)	1	
INSTITUTIONAL:		
Churches per seat which includes kitchen wastewater flows unless meals prepared on a routine basis	3	
If meals served on a regular basis add per meal prepared	5	
Hospitals per bed which does not include kitchen wastewater flows add per meal prepared	200	
Nursing, rest homes, adult congregate living facilities per bed which does not include kitchen wastewater flows add per meal prepared	5	
Parks, public picnic (a) With toilets only per person	4	
(b) With bathhouse, showers & toilets per person	10	
Public institutions other than schools and hospitals per person which does not include kitchen wastewater flows add per meal prepared	100	
Schools per student (a) Day-type	10	
(b) Add for showers	4	

TABLE I  
For System Design  
ESTIMATED SEWAGE FLOWS

TYPE OF GALLONS ESTABLISHMENT PER DAY	
COMMERCIAL:	
Airports, bus terminals, train stations, port & dock facilities, Bathroom waste only	
(a) Per passenger	4
(b) Add per employee per 8 hour shift	15
Barber & beauty shops per service chair	75
Bowling alley bathroom waste only per lane	50
Country club	
(a) Per resident	100
(b) Add per member or patron	25
(c) Add per employee per 8 hour shift	15
Doctor and Dentist offices	
(a) Per practitioner	250
(b) Add per employee per 8 hour shift	15
Factories, exclusive of industrial wastes gallons per employee per 8 hour shift	
(a) No showers provided	15
(b) Showers provided	25
Flea Market open 3 or less days per week	
(a) Per non-food service vendor space	15
(b) Add per food service-establishment using single service articles only per 100 Square feet of floor space	50
(c) Per limited food service establishment	25
(d) For flea markets open more than 3 days per week estimated flows shall be doubled	
Food operations	
(a) Restaurant operating 16 hours or less per day per seat	40
(b) Restaurant operating more than 16 hours per day per seat	60
(c) Restaurant using single service articles only and operating 16 hours or less per day per seat	20
(d) Restaurant using single service articles only and operating more than 16 hours per day per seat	35
(e) Bar and cocktail lounge per seat	20
add per pool table or video game	15
(f) Drive-in restaurant per car space	50
(g) Carry out only, including caterers	
1. Per 100 square feet of floor space	50
2. Add per employee per 8 hour shift	15
(h) Institutions per meal	5
(i) Food Outlets excluding deli's, bakery, or meat department per 100 square feet of floor space	10
1. Add for deli per 100 square feet of deli floor space	40
2. Add for bakery per 100 square feet of bakery floor space	40
3. Add for meat department per 100 square feet of meat department floor space	75
4. Add per water closet	200
Hotels & motels	
(a) Regular per room	100
(b) Resort hotels, camps, cottages per room 200	
(c) Add for establishments with self service laundry facilities per machine	750

(c) Add for cafeteria	4
(d) Add for day school workers	15
(e) Boarding-type	75
Work/construction camps, semi-permanent per worker	50

RESIDENTIAL:

Residences

(a) Single or multiple family per dwelling unit	
1 Bedroom with 750 sq. ft. or less of building area	100
2 Bedrooms with 751-1200 sq. ft. of building area	200
3 Bedrooms with 1201-2250 sq. ft. of building area	300
4 Bedrooms with 2251-3300 sq. ft. of building area	400

For each additional bedroom or each additional 750 square feet of building area or fraction thereof in a dwelling unit, system sizing shall be increased by 100 gallons per dwelling unit.

(b) Other per occupant

Footnotes to Table I:

1. For food operations, kitchen wastewater flows shall normally be calculated as 66 percent of the total establishment wastewater flow.

2. Systems serving high volume establishments, such as restaurants, convenience stores and service stations located near interstate type highways and similar high-traffic areas, require special sizing consideration due to expected above average sewage volume. Minimum estimated flows for these facilities shall be 3.0 times the volumes determined from the Table I figures.

3. For residences, the volume of wastewater shall be calculated as 50 percent blackwater and 50 percent graywater.

4. Where the number of bedrooms indicated on the floor plan and the corresponding building area of a dwelling unit in Table II do not coincide, the criteria which will result in the greatest estimated sewage flow shall apply.

5. Convenience store estimated sewage flows shall be determined by adding flows for food outlets and service stations as appropriate to the products and services offered.

6. Estimated flows for residential systems assumes a maximum occupancy of two persons per bedroom. Where residential care facilities will house more than two persons in any bedroom, estimated flows shall be increased by 50 gallons per each additional occupant.

(2) Minimum effective septic tank capacity shall be determined from Table II. However, where multiple family dwelling units are jointly connected to a septic tank system, minimum effective septic tank capacities specified in the table shall be increased 75 gallons for each dwelling unit connected to the system. With the exception noted in Rule 64E-6.013(2)(a), all septic tanks shall be multiple chambered or shall be placed in series to achieve the required effective capacity. The use of an approved outlet filter device shall be required. Outlet filters shall be installed within or following the last septic tank or septic tank compartment before distribution to the drainfield. The outlet filter device requirement includes blackwater tanks, but does not include graywater tanks or grease interceptors or laundry tanks. Outlet filter devices shall be placed to allow accessibility for routine maintenance. Utilization and sizing of outlet filter devices shall be in accordance with the manufacturers' recommendations. The approved outlet filter device shall be installed in accordance with the manufacturers' recommendations. The Bureau of Onsite Sewage Programs shall approve outlet filter devices per the department's Policy on Approval Standards For Onsite Sewage Treatment And Disposal Systems Outlet Filter Devices, August 1999, which is herein incorporated by reference.

TABLE II  
SEPTIC TANK AND PUMP TANK CAPACITY

AVERAGE SEWAGE FLOW GALLONS/DAY	SEPTIC TANK MINIMUM EFFECTIVE CAPACITY GALLONS	PUMP TANK MINIMUM EFFECTIVE CAPACITY GALLONS	
		Residential	Commercial
0-200	900	150	225
201-300	900	225	375
301-400	1050	300	450
401-500	1200	375	600
501-600	1350	450	600
601-700	1500	525	750
701-800	1650	600	900
801-1000	1900	750	1050
1001-1250	2200	900	1200
1251-1750	2700	1350	1900
1751-2500	3200	1650	2700
2501-3000	3700	1900	3000

3001-3500	4300	2200	3000
3501-4000	4800	2700	3000
4001-4500	5300	2700	3000
4501-5000	5800	3000	3000

(3) Where a separate graywater tank and drainfield system is used, the minimum effective capacity of the graywater tank shall be 250 gallons with such system receiving not more than 75 gallons of flow per day. For graywater systems receiving flows greater than 75 gallons per day, minimum effective tank capacity shall be based on the average daily sewage flow plus 200 gallons for sludge storage. Design requirements for graywater tanks are described in Rule 64E-6.013(2). Where separate graywater and blackwater systems are utilized, the size of the blackwater system can be reduced, but in no case shall the blackwater system be reduced by more than 25 percent. However, the minimum capacity for septic tanks disposing of blackwater shall be 900 gallons.

(4) Where building codes allow separation of discharge pipes of the residence to separate stubouts and where lot sizes and setbacks allow system construction, the applicant may request a separate laundry waste tank and drainfield system. Where an aerobic treatment unit is used, all blackwater, graywater and laundry waste flows shall be consolidated and treated by the aerobic treatment unit. Where a residential laundry waste tank and drainfield system is used:

(a) The minimum laundry waste trench drainfield absorption area for slightly limited soil shall be 75 square feet for a one or two bedroom residence with an additional 25 square feet for each additional bedroom. If an absorption bed drainfield is used the minimum drainfield area shall be 100 square feet with an additional 50 square feet for each additional bedroom over two bedrooms. The DOH county health department shall require additional drainfield area based on moderately limited soils and other site specific conditions, which shall not exceed twice the required amount of drainfield for a slightly limited soil.

(b) The laundry waste interceptor shall meet requirements of Rule 64E-6.013(2) and (9).

(c) The drainfield absorption area serving the remaining wastewater fixtures in the residence shall be reduced by 25 percent.

(5) The minimum absorption area for standard subsurface drainfield systems, graywater drainfield systems, and filled systems shall be based on estimated sewage flows and Table III so long as estimated sewage flows are 200 gallons per day or higher. When estimated sewage flows are less than 200 gallons per day, system size shall be based on a minimum of 200 gallons per day.

TABLE III  
For Sizing of Drainfields Other Than Mounds

U.S. DEPARTMENT OF AGRICULTURE SOIL TEXTURAL CLASSIFICATION	SOIL TEXTURE LIMITATION (PERCOLATION RATE)	MAXIMUM SEWAGE LOADING RATE		ABSORPTION SURFACE IN GALLONS PER SQUARE FOOT PER DAY	TRENCH BED
		1.20	0.80		
Sand; Coarse Sand not associated with a seasonal water table of less than 48 inches; and Loamy Coarse Sand	Slightly limited (Less than 2 min/inch)				
Loamy Sand; Sandy Loam; Coarse Sandy Loam; Fine Sand	Slightly limited (2-4 min/inch)	0.90	0.70		
Loam; Fine Sandy Loam; Silt Loam; Very Fine Sand; Very Fine Sandy Loam; Loamy Fine Sand; Loamy Very Fine Sand; Sandy Clay Loam	Moderately limited (5-10 min/inch)	0.65	0.35		
Clay Loam; Silty Clay	Moderately limited (Greater than 15 min/inch but not exceeding 30 min/inch)	0.35	0.20		
Loam; Sandy Clay; Silty Clay; Silt	Severely limited (Greater than 30 min/inch)			Unsatisfactory for standard subsurface system	
Clay; Organic Soils; Hardpan; Bedrock					

Coarse Sand with an estimated wet season high water table within 48 inches of the bottom of the proposed drainfield; Gravel or Fractured Rock or Oolitic Limestone	Severely limited (Less than 1 min/inch and a water table less than 4 feet below the drainfield)	Unsatisfactory for standard subsurface system
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Footnotes to Table III:

1. U.S. Department of Agriculture major soil textural classification groupings and methods of field identification are explained in Rule 64E-6.016. Laboratory sieve analysis of soil samples may be necessary to confirm field evaluation of specific soil textural classifications. The USDA Soil Conservation Service "Soil Textural Triangle" shall be used to classify soil groupings based on the proportion of sand, silt and clay size particles.

2. The permeability or percolation rate of a soil within a specific textural classification may be affected by such factors as soil structure, cementation and mineralogy. Where a percolation rate is determined using the falling head percolation test procedure described in the United States Environmental Protection Agency Design Manual for Onsite Wastewater Treatment and Disposal Systems, October, 1980, incorporated by reference into this rule, the calculated percolation test rate shall be used with Table III and evaluated by the DOH county health department with other factors such as history of performance of systems in the area in determining the minimum sizing for the drainfield area.

3. When all other site conditions are favorable, horizons or strata of moderately or severely limited soil may be replaced with slightly limited soil or soil of the same texture as the satisfactory slightly limited permeable layer lying below the replaced layer. The slightly limited permeable layer below the replaced layer shall be identified within the soil profile which was submitted as part of the permit application. The resulting soil profile must show complete removal of the moderately or severely limited soil layer being replaced and must be satisfactory to a minimum depth of 54 inches beneath the bottom surface of the proposed drainfield. The width of the replacement area shall be at least 2 feet wider and longer than the drain trench and for absorption beds shall include an area at least 2 feet wider and longer than the proposed bed. Drainfields shall be centered in the replaced area. Where at least 33 percent of the moderately limited soils at depths greater than 54 inches below the bottom of the drainfield have been removed to the depth of slightly limited soil, drainfield sizing shall be based on the following sewage loading rates. Where severely limited soils are being removed at depths greater than 54 inches below the bottom of the drainfield, 100 percent of the severely limited soils at depths greater than 54 inches shall be removed down to the depth of an underlying slightly limited soil. Maximum sewage loading rates for standard subsurface systems installed in replacement areas shall be 0.90 gallons per square foot per day for trench systems and 0.70 gallons per square foot per day for absorption beds in slightly limited soil textures. Where moderately limited soil materials are found beneath the proposed drainfield, and where system sizing is based on that moderately limited soil, soil replacements of less than 33% may be permitted.

4. Where coarse sand, gravel, or oolitic limestone directly underlies the drainfield area, the site shall be approved provided a minimum depth of 42 inches of the rapidly percolating soil beneath the bottom absorption surface of the drainfield and a minimum 12 inches of rapidly percolating soil contiguous to the drainfield sidewall absorption surfaces, is replaced with slightly limited soil material. Where such replacement method is utilized, the drainfield size shall be determined using a maximum sewage application rate of 0.80 gallons per square foot per day of drainfield in trenches and 0.70 gallon per square foot per day for drainfield absorption beds.

5. Where more than one soil texture classification is encountered within a soil profile and it is not removed as part of a replacement, drainfield sizing for standard subsurface drainfield systems and fill drainfield systems shall be based on the most restrictive soil texture encountered within 24 inches of the bottom of the drainfield absorption surface.

(6) All materials incorporated herein may be obtained by contacting the department.

*Specific Authority 381.0011(4), (13), 381.006, 381.0065(3)(a), 489.553 FS. Law Implemented 154.01, 381.001(2), 381.0011(4), 381.0012, 381.0025, 381.0061, 381.0065, 381.0067, 386.041, 489.553 FS. History—New 12-22-82, Amended 2-5-85, Formerly 10D-6.48, Amended 3-17-92, 1-3-95, Formerly 10D-6.048, Amended 11-19-97, 3-22-00, 9-5-00.*

**64E-6.009 Alternative Systems.**

When approved by the DOH county health department, alternative systems may, at the discretion of the applicant, be utilized in circumstances where standard subsurface systems are not suitable or where alternative systems are more feasible. Unless otherwise noted, all rules pertaining to siting, construction, and maintenance of standard subsurface systems shall apply to alternative systems. In addition, the DOH county health department may, using the criteria in Section 64E-6.004(4), require the submission of plans prepared by an engineer registered in the State of Florida, prior to considering the use of any alternative system. The DOH county health department shall require an engineer registered in the state of Florida to design a system having a total absorption area greater than 1000 square feet and shall require the design engineer to certify that the installed system complies with the approved design and installation requirements.

The means for reducing these concentrations and ultimately the TN loadings to the coastal embayments will be discussed in subsequent reports.

The MEP analysis generated wastewater flow estimates using average water use data for the years 1997 through 1999 (for Mashpee), 2000 (for Falmouth), or 1998-2000 (for Sandwich and Barnstable). The same data was used for the purposes of the WNMP analysis. However, the relevant data was obtained for *all* parcels in the Town of Mashpee. The same analysis methods used by MEP were followed for the WNMP analysis in order to obtain consistent flow and loading estimates PPA-wide. The following discussion describes the data and estimates used.

#### A. Development of Existing Wastewater Flows

- For properties with water consumption data, 90 percent of a property's water use is estimated to become wastewater.
- Properties without water consumption data were assigned an average water use based on either MEP assumptions or the land use type. The MEP reports used the following assumptions in their analysis:

TABLE 7-1  
MEP WATER USE ASSUMPTIONS <sup>(1)</sup>

Land Use Type	Water Use	Wastewater Flow
Residential	154 gpd	90% of water use
Commercial/Industrial	81.5 gpd/1000 sq. ft. of building	90% of water use

(1) From Table IV-4 of the MEP technical reports.

The following table summarizes the water use estimates used in this Report for the wastewater analysis. These averages are based on existing water users in Town. Obtaining an average for a commercial use category was desirable to obtain a more accurate estimate of nitrogen loading within the Town.

## **EPA 625/R-00/008-Chapter 3**

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### **Chapter 3: Establishing treatment system performance requirements**

- 3.1 Introduction**
- 3.2 Estimating wastewater characteristics**
- 3.3 Estimating wastewater flow**
- 3.4 Wastewater quality**
- 3.5 Minimizing wastewater flows and pollutants**
- 3.6 Integrating wastewater characterization and other design information**
- 3.7 Transport and fate of wastewater pollutants in the receiving environment**
- 3.8 Establishing performance requirements**

#### **3.1 Introduction**

This chapter outlines essential steps for characterizing wastewater flow and composition and provides a framework for establishing and measuring performance requirements. Chapter 4 provides information on conventional and alternative systems, including technology types, pollutant removal effectiveness, basic design parameters, operation and maintenance, and estimated costs. Chapter 5 describes treatment system design and selection processes, failure analysis, and corrective measures.

This chapter also describes methods for establishing and ensuring compliance with wastewater treatment performance requirements that protect human health, surface waters, and ground water resources. The chapter describes the characteristics of typical domestic and commercial wastewaters and discusses approaches for estimating wastewater quantity and quality for residential dwellings and commercial establishments. Pollutants of concern in wastewaters are identified, and the fate and transport of these pollutants in the receiving environment are discussed. Technical approaches for establishing performance requirements for onsite systems, based on risk and environmental sensitivity assessments, are then presented. Finally, the chapter discusses performance monitoring to ensure sustained protection of public health and water resources.

#### **3.2 Estimating wastewater characteristics**

Accurate characterization of raw wastewater, including daily volumes, rates of flow, and associated pollutant load, is critical for effective treatment system design. Determining treatment system performance requirements, selecting appropriate treatment processes, designing the treatment system, and operating the system depends on an accurate assessment of the wastewater to be treated. There are basically two types of onsite system wastewaters--residential and nonresidential. Single-family households, condominiums, apartment houses, multifamily households, cottages, and resort residences all fall under the category of residential dwellings. Discharges from these dwellings consist of a number of individual waste streams generated by water-using activities from a variety of plumbing fixtures and appliances. Wastewater flow and quality are influenced by the type of plumbing fixtures and appliances, their extent and frequency of use, and other factors such as the characteristics of the residing family, geographic location, and water supply (Anderson and Siegrist, 1989; Crites and Tchobanoglou, 1998; Siegrist, 1983).

A wide variety of institutional (e.g., schools), commercial (e.g., restaurants), and industrial establishments and facilities fall into the nonresidential wastewater category. Wastewater generating activities in some nonresidential establishments are similar to those of residential dwellings. Often, however, the wastewater from nonresidential establishments is quite different from that from residential dwellings and should be characterized carefully before Onsite Wastewater Treatment System (OWTS) design. The characteristics of wastewater generated in some types of nonresidential establishments might prohibit the use of conventional systems without changing wastewater loadings through advanced pretreatment or accommodating elevated organic loads by increasing the size of the subsurface wastewater infiltration system (SWIS). Permitting agencies should note that some commercial and large-capacity septic systems (systems serving 20 or more people, systems serving commercial facilities such as automotive repair shops) might be regulated under USEPA's Class V Underground Injection Control Program (see <http://www.epa.gov/safewater/uic/classv.html>).

In addition, a large number of seemingly similar nonresidential establishments are affected by subtle and often intangible influences that can cause significant variation in wastewater characteristics. For example, popularity, price, cuisine, and location can produce substantial variations in wastewater flow and quality among different restaurants (University of Wisconsin, 1978). Nonresidential wastewater characterization criteria that are easily applied and accurately predict flows and pollutant loadings are available for only a few types of establishments and are difficult to develop on a national basis with any degree of confidence. Therefore, for existing facilities the wastewater to be treated should be characterized by metering and sampling the current wastewater stream. For many existing developments and for almost any new development, however, characteristics of nonresidential wastewaters should be estimated based on available data. Characterization data from similar facilities already in use can provide this information.

#### **3.3 Estimating wastewater flow**

The required hydraulic capacity for an OWTS is determined initially from the estimated wastewater flow. Reliable data on existing and projected flows should be used if onsite systems are to be designed properly and cost-effectively. In situations where onsite wastewater flow data are limited or unavailable, estimates should be developed from water consumption records or other information. When using water meter readings or other water use records, outdoor water use should be subtracted to develop wastewater flow estimates. Estimates of outdoor water use can be derived from discussions with residents on car washing, irrigation, and other outdoor uses during the metered period under review, and studies conducted by local water utilities, which will likely take into account climatic and other factors that affect local outdoor use.

Accurate wastewater characterization data and appropriate factors of safety to minimize the possibility of system failure

are required elements of a successful design. System design varies considerably and is based largely on the type of establishment under consideration. For example, daily flows and pollutant contributions are usually expressed on a per person basis for residential dwellings. Applying these data to characterize residential wastewater therefore requires that a second parameter, the number of persons living in the residence, be considered. Residential occupancy is typically 1.0 to 1.5 persons per bedroom; recent census data indicate that the average household size is 2.7 people (U.S. Census Bureau, 1998). Local census data can be used to improve the accuracy of design assumptions. The current onsite code practice is to assume that maximum occupancy is 2 persons per bedroom, which provides an estimate that might be too conservative if additional factors of safety are incorporated into the design.

For nonresidential establishments, wastewater flows are expressed in a variety of ways. Although per person units may also be used for nonresidential wastewaters, a unit that reflects a physical characteristic of the establishment (e.g., per seat, per meat served, per car stall, or per square foot) is often used. The characteristic that best fits the wastewater characterization data should be employed (University of Wisconsin, 1978).

When considering wastewater flow it is important to address sources of water uncontaminated by wastewater that could be introduced into the treatment system. Uncontaminated water sources (e.g., storm water from rain gutters, discharges from basement sump pumps) should be identified and eliminated from the OWTS. Leaking joints, cracked treatment tanks, and system damage caused by tree roots also can be significant sources of clear water that can adversely affect treatment performance. These flows might cause periodic hydraulic overloads to the system, reducing treatment effectiveness and potentially causing hydraulic failure.

### 3.3.2 Nonresidential wastewater flows

For nonresidential establishments typical daily flows from a variety of commercial, institutional, and recreational establishments are shown in tables 3-4 to 3-6 (Crites and Tchobanoglou, 1998; Tchobanoglou and Burton, 1991). The typical values presented are not necessarily an average of the range of values but rather are weighted values based on the type of establishment and expected use. Actual monitoring of specific wastewater flow and characteristics for nonresidential establishments is strongly recommended. Alternatively, a similar establishment located in the area might provide good information. If this approach is not feasible, state and local regulatory agencies should be consulted for approved design flow guidelines for nonresidential establishments. Most design flows provided by regulatory agencies are very conservative estimates based on peak rather than average daily flows. These agencies might accept only their established flow values and therefore should be contacted before design work begins.

**Table 3-4. Typical wastewater flow rates from commercial sources<sup>a,b</sup>**

Facility	Unit	Flow, gallons/unit/day		Flow, liters/unit/day	
		Range	Typical	Range	Typical
Airport	Passenger	2-4	3	8-15	11
Apartment house	Person	40-80	50	150-300	190
Automobile service station <sup>c</sup>	Vehicle served Employees	8-15 9-15	12 13	30-57 34-57	45 49
Bar	Customer Employees	1-5 10-16	3 13	4-19 38-61	11 49
Boarding house	Person	25-60	40	95-230	150
Department store	Toilet room Employee	400-600 8-15	500 10	1,500- 2,300 30-57	1,900 38
Hotel	Guest Employee	40-60 8-13	50 10	150-230 30-49	190 38
Industrial building (sanitary waste only)	Employee	7-16	13	26-61	49
Laundry (self-service)	Machine Wash	450-650 45-55	550 50	1,700- 2,500 170-210	2,100 190
Office	Employee	7-16	13	26-61	49
Public lavatory	User	3-6	5	11-23	19
Restaurant (with toilet)	Meal Customer	2-4 8-10	3 9	8-15 30-38	11 34
Conventional Short order Bar/cocktail lounge	Customer	3-8 2-4	6 3	11-30 8-15	23 11
Shopping center	Employee Parking Space	7-13 1-3	10 2	26-49 4-11	38 8
Theater	Seat	2-4	3	8-15	11

<sup>a</sup>Some systems serving more than 20 people might be regulated under USEPA's Class V Underground Injection Control (UIC) Program. See <http://www.epa.gov/safewater/uic.html> for more information.

<sup>b</sup>These data incorporate the effect of fixtures complying with the U.S. Energy Policy Act (EPACT) of 1994.

<sup>c</sup>Disposal of automotive wastes via subsurface wastewater infiltration systems is banned by Class V UIC regulations to protect ground water. See <http://www.epa.gov/safewater/uic.html> for more information.

Source: Crites and Tchobanoglou, 1998.

**Table 5-2:**  
**Guide for Non-Residential Water Demand**

Type of Establishment	Water Used (gpd)
Airport (per passenger)	3 - 5
Apartment, multiple family (per resident)	50
Bathhouse (per bather)	10
Boardinghouse (per boarder)	50
Additional kitchen requirements for nonresident boarders	10
Camp:	
Construction, semipermanent (per worker)	50
Day, no meals served (per camper)	15
Luxury (per camper)	100 - 150
Resort, day and night, limited plumbing (per camper)	50
Tourist, central bath and toilet facilities (per person)	35
Cottage, seasonal occupancy (per resident)	50
Club:	
Country (per resident member)	100
Country (per nonresident member present)	25
Factory (gallons per person per shift)	15 - 35
Highway rest area (per person)	5
Hotel:	
Private baths (2 persons per room)	50
No private baths (per person)	50
Institution other than hospital (per person)	75 - 125
Hospital (per bed)	250 - 400
Lawn and Garden (per 1000 sq. ft.)	600
Assumes 1-inch per day (typical)	
Laundry, self-serviced (gallons per washing [per customer])	50
Livestock Drinking (per animal):	
Beef, yearlings	20
Brood Sows, nursing	6
Cattle or Steers	12
Dairy	20
Dry Cows or Heifers	15
Goat or Sheep	2
Hogs/Swine	4
Horse or Mules	12
Livestock Facilities	
Dairy Sanitation (milkroom)	500
Floor Flushing (per 100 sq. ft.)	10
Sanitary Hog Wallow	100
Motel:	
Bath, toilet, and kitchen facilities (per bed space)	50
Bed and toilet (per bed space)	40
Park:	
Overnight, flush toilets (per camper)	25
Trailer, individual bath units, no sewer connection (per trailer)	25
Trailer, individual baths, connected to sewer (per person)	50
Picnic:	
Bathhouses, showers, and flush toilets (per picnicker)	20
Toilet facilities only (gallons per picnicker)	10

Type of Establishment	Water Used (gpd)
Poultry (per 100 birds):	
Chicken	5 - 10
Ducks	22
Turkeys	10 - 25
Restaurant:	
Toilet facilities (per patron)	7 - 10
No toilet facilities (per patron)	2-1/2 - 3
Bar and cocktail lounge (additional quantity per patron)	2
School:	
Boarding (per pupil)	75 - 100
Day, cafeteria, gymnasiums, and showers (per pupil)	25
Day, cafeteria, no gymnasiums or showers (per pupil)	20
Day, no cafeteria, gymnasiums or showers (per pupil)	15
Service station (per vehicle)	10
Store (per toilet room)	400
Swimming pool (per swimmer)	10
Maintenance (per 100 sq. ft.)	
Theater:	
Drive-in (per car space)	5
Movie (per auditorium seat)	5
Worker:	
Construction (per person per shift)	50
Day (school or offices per person per shift)	15

Source: Adapted from *Design and Construction of Small Water Systems: A Guide for Managers*, American Water Works Association, 1984, and *Planning for an Individual Water System*. American Association for Vocational Instructional Materials, 1982.

## Appendix C

### Industrial and Commercial Water Use: Glossary, Data, and Methods of Analysis

This Appendix presents a glossary of water-conservation technologies available in the commercial, institutional, and industrial sectors, our analysis of the data on industrial water use collected by the CDWR and others, and background on our methods of analysis for this group of water users. More details on specific end-uses and methods can be found in Appendix D and E.

The glossary in this Appendix is not a comprehensive list of every water conservation technology in existence – it is a compilation of technologies that are common across several industry groups. The technologies are classified by end use. For each technology, we present a brief discussion and list the industry groups (as defined in Appendices D and E) to which it applies. The manner in which these technologies are implemented will vary among industries.

We also describe our analysis of the extensive data of industrial water use collected by the California Department of Water Resources in the 1990s (DWR 1995a) and shows the data we collected on commercial water use from various other sources. To use these data, errors had to be identified and corrected, data gaps filled, and some entries updated. Below we describe the corrections and modifications applied to these data.

#### Restrooms

##### **Ultra-Low Flush Toilet (ULFT). (Type: Efficiency. Industry Groups: All)**

Prior to 1978, toilets used 5 to 7 gallons per flush (gpf). A 1977 state law required that all new residential toilets use 3.5 gpf or fewer starting on January 1, 1980. In 1992, the state updated this law, mandating that all new residential toilets use 1.6 gpf. These laws shifted the state's toilet stock toward more efficient toilets. And in 1992, the transition gained momentum when the federal government passed the National Energy Policy Act, which mandated that all toilets produced in the United States use 1.6 gpf or less. These 1.6 gpf toilets are commonly referred to as ultra-low-flush toilets or ULFTs.

##### **Ultra-Low Flush Urinals (ULFU). (Type: Efficiency. Industry Groups: All)**

Low-volume urinals use 1.0 gpf or less. These urinals operate the same way as high-volume urinals except that the orifice in the valve is small. Moderate to high-volume urinals in commercial establishments have flush rates of 2.0 to 5.0 gpf (Vickers 2001).

##### **Faucet Aerators. (Type: Efficiency. Industry Groups: All)**

eration, flow-control restrictors, or spray features achieve reduced flow in low-flow restroom and kitchen faucets. Low flow faucets use about 1.0 gpm compared to

traditional faucet use of 1.3 to 3.5 gpm (Vickers 2001). Note that these are actual flow volumes, which are much lower than the rated flow volumes because people rarely run the faucets at the maximum volume.

**Low-Flow Showerheads. (Type: Efficiency. Industry Groups: Hospitals and Hotels)**

Low-volume showerheads use less water through improved spray patterns, aeration, and narrower spray areas. Actual flow rates in showers are at about 67 percent of rated flows. Low-flow showerheads use about 1.7 gpm (actual) while traditional showerheads use from 2.2 to 4.0 gpm (Vickers 2001).

## Cooling and Cooling Towers

**Conductivity Controllers. (Type: Efficiency. Industry Groups: Most Industrial Industries; Offices; Hotels; and Hospitals)**

Improving water efficiency in cooling towers generally involves increasing the concentration ratio (CR) by installing a conductivity controller to measure the salt concentration in the cooling water (see Section 4). The technically achievable CR depends on the quality of the make-up water and varies among regions. In the Bay Area, which receives high-quality snowmelt from the Sierra Nevada, a CR of 6 to 8 is easily achievable, whereas in areas that use groundwater (high in salts), a CR of 2.5 to 3 is the maximum achievable (Lelic 2002). Table C-1 shows the percent of make-up water that can be saved with different concentration ratios.

**Table C-1**

Old CR	CR	Percent of Make-up Water Saved							
		3	4	5	6	7	8	9	10
2	2	25%	33%	38%	40%	42%	43%	44%	45%
3	3		7%	11%	14%	17%	18%	20%	21%
4	4			6%	10%	13%	14%	16%	17%

Source: NCDENR 1998

**Improvement of Concentration Ratio Using Chemical Treatments. (Type: Efficiency. Industry Groups: Most Industrial Industries; Offices; Hotels; and Hospitals)**

Concentration ratios of cooling towers can be boosted to as high as 12 to 15 percent using various types of chemical treatments. Some common treatments (NCDENR 1998) include:

- Sulfuric Acid Treatment - Dissolves scale on cooling towers but is potentially hazardous and needs careful handling and skilled workers.
- Side-stream Filtration – Uses a sand or cartridge filter to remove suspended solids.
- Ozonation – Oxidizes some of the metals and precipitates them in the form of sludge.

**Improving the energy efficiency of fans, pumps etc. Type: Efficiency. Industry Groups: Most Industrial Industries; Offices; Hotels; and Hospitals)**

A cooling tower is part of a heat transfer system that typically includes coils, fan, chiller, compressor and condenser. Increasing the energy efficiency of any component of the system will increase the overall energy efficiency. Increasing the overall energy efficiency will reduce evaporation losses. Reducing evaporation losses will reduce the cooling tower make up water requirements.

**Reused/Reclaimed Water for Cooling Tower Make-up. (Type: Efficiency and Reclamation. Industry Groups: Most Industrial Industries; Office Buildings; Hotels; and Hospitals)**

A recent trend in cooling tower water conservation involves reusing waste streams from processes in cooling towers. Some streams, such as those from reverse osmosis, reject water when creating ultra-pure water and require no additional treatment. Other waste streams may need to pass through one or more stages of filtration before they are usable in cooling towers.

Some industries are also substituting reclaimed water for cooling tower make-up. Typically, a denitrification plant must treat reclaimed water before it is used in cooling towers, but because some industries, such as refineries, use large quantities of cooling water, it is economical to set up a denitrification plant at each facility. In the future, reclaimed water use should increase for cooling at refineries and industrial parks where these economies of scale can be exploited.

**Equipment Cooling. (Type: Efficiency. Industry Groups: Hospitals and Several Industrial Industries)**

Many facilities use once-through cooling to cool small heat generating equipment including x-ray film processors, welders, vacuum pumps, air-compressors, etc. In most cases it is possible to connect the equipment to a recirculating cooling system or to install a cooling tower. Recirculating systems typically consume only two to three percent of the water used by single-pass systems.

**X-Ray Film Processors. (Type: Efficiency. Industry Groups: Hospitals and Dental Offices)**

X-ray film processors use a stream of rinse water as a part of the film-developing process. An audit of 38 x-ray units in southern California revealed that the units used from 3.2 AF to as much as 7.5 AF annually. Past conservation recommendations have included installing a sensor to interrupt the flow when the unit is not in use and adjusting the flow to the optimal flow rate. A recent development has been the introduction of units produced by a Southern California company that recirculate what has traditionally been "once-through" flow. These units, called Water Saver/Plus<sup>TM</sup>, can save 98 percent of water use (CUWCC 2001).

**Vacuum Pumps. (Type: Efficiency. Industry Groups: Hospitals; Paper and Pulp; and Others)**

Vacuum pumps are widely used in a variety of facilities, including hospitals, research labs, and food processing plants, to create sterile environments or to remove moisture through a dehydrating process. Liquid water-ring pumps still use single-pass water for cooling and sealing. In many applications, such as hospitals and research facilities, it is desirable as well as efficient to replace water-ring pumps by air-cooled oil-ring or oil-less pumps and, consequently, these pumps have become increasingly common. In other industries, such as paper and pulp, water-based vacuum pumps remain appropriate, but their efficiencies can be considerably improved (Britain 2002).

**Irrigation****Auto-Shutoff Nozzles. (Type: Efficiency. Industry Groups: Most)**

Nozzles designed to shut off automatically (when not in use) can be installed on hoses and save 5 to 10 percent (or more) of water use (Vickers 2001).

**Drip Irrigation. (Type: Efficiency. Industry Groups: Most)**

Drip irrigation systems can be used on non-turf areas of landscaping. These systems use plastic tubes and small nozzles to deliver water to plant roots. These systems are often considered the most water-efficient of irrigation system (Vickers 2001).

**Moisture Sensors. (Type: Efficiency. Industry Groups: Most)**

Soil-moisture sensors and controllers measure soil moisture and control irrigation based on how much water the vegetation needs. These sensors reduce water use compared to simple timers that provide water whether or not it is needed.

**Reclaimed Water. (Type: Reclaimed. Industry Groups: Schools; Hotels; Golf Courses; Office Buildings; and Some Industrial Industries)**

Overall withdrawals of water can be reduced by replacing freshwater use with the use of partially treated water from a reclaimed water plant. This water is particularly appropriate for irrigating landscapes.

**Reused Water. (Type: Efficiency. Industry Groups: Most)**

Overall withdrawals of water can be reduced by replacing freshwater use with the use of wastewater from other on-site uses, such as washing clothes. This water is particularly appropriate for irrigating landscapes.

**Reducing Water-intensive Vegetation. (Type: Efficiency. Industry Groups: All)**

Although reducing water-intensive vegetation often involves planting vegetation native to a region or climate, we only consider replacing turf with a typical mix of “other” vegetation. While the “other” vegetation may not be as efficient as native vegetation, it is still more efficient than turf (see Appendix D).

## Kitchen

**Low-Flow Pre-Rinse Nozzles. (Type: Efficiency. Industry Groups: All with kitchens)**

Pre-rinse nozzles are used in kitchens to dislodge food particles from dishes before putting them into a dishwasher. Typical pre-rinse nozzles use 1.8 to 2.5 gpm for manual nozzles and 3.0 to 6.0 gpm for automatic nozzles. Efficient pre-rinse nozzles use a fan-like spray pattern that generates the same cleaning action but uses only 1.6 gpm.

**Efficient Icemakers. (Type: Efficiency. Industry Groups: All with kitchens)**

Water-cooled machines typically use ten times more water than air-cooled machines but use less energy and generate less heat, which reduces air-conditioning load. Whether a water-cooled or air-cooled icemaker is more appropriate depends on the individual site. Water conservation measures in icemakers involve retrofitting once-through water-cooled refrigeration units and ice machines by using temperature controls and a recirculating chilled-water loop system (Pike et al. 1995).

**Efficient Dishwashers. (Type: Efficiency. Industry Groups: All with kitchens)**

Small establishments use rack or under-the-counter machines that are similar to dishwashers found in the home while larger restaurants use either conveyor-type or flight-type machines. Conveyor-type machines have a conveyor belt with racks moving along this belt and a hook-type mechanism that lifts the racks and loads them into a larger machine that can usually hold four racks. Flight-type machines, which are much bigger and used in hotels or large catering establishments, have pegs onto which the dishes are loaded.

All of these dishwashers come in efficient and inefficient models. Studies indicate that efficient dishwashers typically use 50 to 70 percent less water and energy compared to inefficient machines (Sullivan and Parker 1999). Water efficiency features in the efficient models include recirculating the final rinse water, electric eye sensors, and extra-wide conveyors (NCDENR 1998).

## Laundry

**Closed-loop Laundry Systems. (Type: Efficiency. Industry Groups: Hotels; Hospitals; and Laundries)**

Closed-loop laundries use membrane-filtration systems that can recycle 80 to 90 percent of the water used at the facility. The main purpose of the membrane system is to remove suspended solids (TSS), oil, and grease from the laundry effluent.

**Recycling Laundry Rinse Water. (Type: Efficiency. Industry Groups: Hotels; Hospitals; and Laundries)**

One or more pre-treatment processes may be used to recycle part of the laundry wastewater. The steps followed include:

Stream Splitting - Segregation of wastewater streams into high and low pollutant loading streams so that relatively clean streams can be reused.

Gravity Setting – Leaving the wastewater to stand in a basin for some period of time to allow the settling of suspended solids.

Chemical Removal – Removal of various organic solids and oils using emulsion, precipitation etc.

**Ozone Cleaning Systems. (Type: Efficiency. Industry Groups: Hotels; Hospitals; and Laundries)**

These systems generate ozone gas, which is injected into the wash water. As an unstable gas, ozone decomposes to release elemental oxygen, a powerful cleaning agent. At 100 degrees F, ozone systems provide an equivalent cleaning of 160 degrees F, eliminating the need for steam and hot water. These systems thus save energy and water. Ozone cleaning systems use 30 percent less water than conventional systems and can use up to 80 percent less with recycling.

**Membrane Treatment and Recycling. (Type: Efficiency. Industry Groups: Hotels; Hospitals; and Laundries)**

A number of laundries are experimenting with recycling laundry wash water with membrane systems. Laundries in California and Seattle have recently implemented a “Vibratory Shear Enhanced Processing” system that filters suspended and dissolved solids and also removes BOD, COD, and color. The system provides a vibratory shear force ten times greater than convention cross-filtration and produces a clear reusable water stream and a concentrated sludge. An added advantage of the system is that the effluent water is soft, a desirable quality in the laundry industry.

**Resource-Efficient Clothes Washers. (Type: Efficiency. Industry Groups: Coin Laundries; Hotels; and Hospitals)**

Since the early 1990s, manufacturers, energy and water utilities, and public interest groups have been promoting more efficient washer technologies as a means of pursuing water and energy savings. The Horizontal-Axis (H-Axis) washer has been a popular model. These washers use a washtub that spins about a horizontal axis and cleaning action is accomplished by tumbling the clothes in and out of the water that fills half the tub. In contrast, traditional clothes washers have a vertical axis and spin the clothes around in a full tub of water. Since most of the energy use in washers is for heating water, conserving water also greatly reduces energy use. Recently some manufacturers have sold water- and energy-conserving washers that are based on the standard vertical-axis design. They use spray rinses, lowered temperatures, and innovative agitation systems to achieve savings comparable to H-Axis washers (Pope et al. 2000). Typical savings in water and energy are about 40 percent. We refer to all efficient models as resource-efficient clothes washers.

**Guest Laundry Cards. (Type: Efficiency. Industry Groups: Hotels)**

Some hotels ask guests staying more than one night to consider not having their bed linens changed every day. Participating hotels reported saving five percent on utility

costs along with 70 to 80 percent guest participation by using this option (Green Hotels Association 2002).

## Process

### Rinse Optimization. (Type: Efficiency. Industry Groups: Most Industrial Industries)

Optimizing rinse cycles can save water in several industries. This approach was originally developed and tested by the semiconductor industry and has since been transferred to other industries as well. Typical measures involve reducing the number of rinse cycles and rinse time as well as recycling water from dilute rinses. Optimization of rinses involves collecting and utilizing data on:

- 1. Water flow rates for process and idle flows, transfer speeds from chemical baths to rinse baths, and fluid dynamics.
- 2. Detailed conductivity, pH, mass-spectrometry measurements to determine the quantity and type of contaminants.
- 3. Device electrical characteristics to determine the effect that optimized rinse processes have on yield.

### Auto-shutoff Valves. (Type: Efficiency, Industry Groups: Most Industrial)

Automatic shutoff valves use solenoid valves to stop the flow of water when production stops, sometimes by tying the valves to drive motor controls. Other related water-efficiency measures include adjusting flow in sprays and other lines to meet minimum requirements, providing surge tanks for each system to avoid overflow, and turning off all flows during shutdowns (unless flows are essential for cleanup).

### Cascading Rinses. (Type: Efficiency. Industry Groups: High Technology; Metal Finishing; and Textiles)

Not all rinses require the same quality water. By cascading rinses it is possible to use rinse water from a “critical” rinse (requiring highly pure water) in a less critical rinse, reducing overall water withdrawals.

### Reactive Rinses. (Type: Efficiency. Industry Groups: Metal Finishing and Printed Circuit Board Manufacturing)

In some processes it is possible to reuse acid rinse effluent as influent for the alkaline rinse tank.

### Counter-current Rinses. (Type: Efficiency. Industry Groups: Food Processing; Textiles; Metal Finishing; and High Tech)

This measure is employed frequently on continuous production rinsing lines for water and energy savings. Clean city water enters at the final wash box and flows counter to the movement of the product through the wash boxes. Thus, the cleanest water contacts the cleanest product, and the more contaminated wash water contacts the product immediately as it enters the actual process. This method of water reuse differs from the traditional washing method, which supplies clean water at every stage of the washing. Water and energy savings are related to the number of boxes provided with counter flow.

Counter-current rinsing is a common practice in a number of industries where the product goes through successive baths or wash boxes. In the Food Processing industry, for example, it is used to clean fresh produce.

**Recycling Dilute Rinse Water. (Type: Efficiency. Industry Groups: Most Industrial)**

If recycling all rinse water is found to be impractical, some industries may consider diverting only the last few rinses, which are relatively uncontaminated, to a membrane filtration system to generate a clean stream of water. This type of system is useful in "clean-in-place" systems where the rinse water usually flows directly to the drain.

**Bubbled Accelerated Floatation (BAF). (Type: Efficiency. Industry Groups: Food Processing)**

This technology is used to pre-treat effluent water before passing it through a membrane system. Air is bubbled into the effluent from a lower level and the bubbles bring solid particles to the surface, which are then removed. BAF systems are an improvement over earlier Dissolved Air Flotation (DAF) systems since they allow removal of suspended solids, fats, and greases and thus prevent fouling of membranes.

**Ozone Cleaning. (Type: Efficiency. Industry Groups: Food Processing)**

In the Food Processing industry, ozone can reduce or eliminate the need for chemical or high-temperature disinfection processes during clean-in-place (CIP) cycles, reducing water requirements, downtime, and chemical costs. Ozone CIP is far superior to any other cleaning method because of the high oxidation power of ozone.

**Reusing Evaporator Condensate. (Type: Efficiency. Industry Groups: Dairy and Fruit and Vegetable Processing)**

In many Food Processing plants, fruits, vegetables, or milk are evaporated to condense or dry them. This process produces evaporator condensate, a mixture of water and some volatile organic solids, that may be reused in applications such as cooling towers, boilers, and irrigation. Some dairy plants generate so much excess water that some of it is sent to the drain. The Dairy industry has been experimenting with passing this excess water through a reverse osmosis membrane to remove the volatile organic compounds. The process generates pure water, which can replace fresh water in all processes. To date, this process has not proven cost-effective.

**Reusing Reverse Osmosis Backwash From Ultra-pure Water Production. (Type: Efficiency. Industry Groups: High Tech and Hospitals)**

Many industries use extremely pure water, called ultra-pure water (UPW), for critical applications. UPW is produced by running potable city water through a reverse osmosis membrane to remove impurities. The waste stream that is left behind after passing the potable water through a reverse osmosis membrane (the "retentate") is fairly clean and can be reused in cooling towers or landscaping.

**Reducing Drag-out. (Type: Efficiency. Industry Groups: Metal Finishing and High Tech)**

Drag-out is the residual chemical that sticks to the component, which must be removed through rinsing. By employing techniques that reduce drag-out, less water is needed in rinsing. Typical techniques involve using agents to decrease surface tension, racking parts to drain them out, optimizing the temperature of the baths to reduce viscosity, and increasing “drip time” (when the component is placed on a draining panel).

**Caustic Recovery. (Type: Efficiency. Industry Groups: Food Processing)**

The Food Processing industry's sanitation standards require that all equipment in contact with a fluid food product must be cleaned every 24 hours. Cleaning-in-Place (CIP) technologies using caustic and phosphate-based cleaning agents are commonly used to sanitize equipment. These technologies produce effluent that cannot be reused because of high chemical concentrations. Recent developments in membrane filtration technologies, however, have made it possible to recover some of the cleaning chemicals from the effluent stream. The resulting permeate is a relatively clean stream of water that can be reused in other processes.

**Reused or Reclaimed Water in Scrubbers. (Type: Efficiency. Industry Groups: Metal Finishing; High Tech; and Textiles)**

Many industries have scrubbers that spray water through exhaust air to strip it of pollutants before it leaves the facility. Wastewater from other processes can potentially be used as scrubber water make-up (Anderson 1993).

**Maximize Efficiencies of Sterilizers. (Type: Efficiency. Industry Groups: Hospitals)**

Many hospitals and research labs use autoclaves to sterilize equipment. Autoclaves use steam for sterilization and then freshwater to cool and recondense the steam. Typical measures for improving the water efficiency of autoclaves include: installing auto-shutoff valves to interrupt the flow when the unit is not in use; running the autoclave with full loads only; and reusing steam condensate and non-contact cooling water in cooling towers or boilers.

**Digital X-Ray Machines. (Type: Efficiency. Industry Groups: Hospitals)**

Digital x-ray machines are increasing in popularity because images can be stored on computers, digitally transmitted, or manipulated. Unlike conventional x-ray machines, the operation of digital machines requires almost no chemicals which significantly reduces the need for freshwater. Although digital x-ray machines are still very expensive and it will take several years before the conventional machines are replaced entirely, hospitals are gradually replacing their old machines with these more efficient models.

**Future Conservation Technologies**

**Real-time Sensing of Contaminants. (Type: Recycling. Industry Groups: High Tech)**

The High Tech industry has been a pioneer in developing water conservation technologies, but because most of its processes are extremely sensitive to water purity, recycling water has not gained widespread acceptance in this industry. Indeed, the mere suspicion that water may be contaminated may result in the destruction of an entire batch of components worth thousands of dollars. To address this issue, SEMATECH, a semiconductor industry association, has been researching use of real-time sensors, which can detect rinse water containing organic contaminants and then divert it away from the recycling loop. SEMATECH estimates that incorporation of such technology will decrease water consumption by 50 percent (SEMATECH 1994).

**Dry Cleaning Technologies. (Type: Efficiency. Industry Groups: High Tech)**

Researchers are exploring the possibility of using dry cleaning technologies, such as lasers or high-pressure gases, instead of chemical cleaning agents, in the High Tech industry. These processes will eliminate the need for ultra-pure water to rinse out chemicals.

**Advanced Reverse Osmosis Treatments. (Type: Recycling. Industry Groups: High Tech; Food Processing; Metal Finishing; and Paper and Pulp)**

A number of studies evaluating advanced reverse osmosis use on effluent are being conducted. While these systems appear to be in the demonstration stage, considerable potential exists for establishing closed-loop facilities that completely recycle process water.

## Corrections and Modifications Performed on Data, Method A

Below we describe our analysis of the extensive data on industrial water use collected by the California Department of Water Resources in the 1990s (CDWR 1995a, b) and show the data we collected on commercial water use from various other sources. To use these data, errors had to be identified and corrected, data gaps filled, and some entries updated. Below we describe the corrections and modifications applied to these data. We thank Charlie Pike and other current and former CDWR employees, as well as a wide range of California water experts (listed in the Acknowledgements Section of the Report) for their help and diligence in both collecting and trying to understand these water-use data.

1. The average number of employees for the year was compared with the number of employees in any one month. Firms with any unusual deviations were checked visually for data entry errors and corrected.
2. Rows with zero water use or zero employees were eliminated.
3. Rows with coefficients of gallons per employee per day (GED)  $> 400,000$  or  $< 5$  were eliminated. A ceiling of 400,000 gallons was chosen because firms with higher GEDs did not exist in the literature or other surveys. The five-gallon minimum was selected based on the assumption that this is the minimum amount of water used for sanitary purposes for each employee.
4. All firms with GED coefficients greater than 10,000 were examined individually. Each firm's location, SIC code, and description were taken into consideration and if we had additional corroborating data from the firm's water supplier, then the water use was crosschecked. The following possibilities were examined: the data for the firm were erroneous and should be discarded; the firm's GED was representative of firms in that 3-digit SIC code and should be included in the sample; or the data could be correct, but the firm was not representative of the industry in general (in such cases, the firm was eliminated from the sample when computing the GED coefficient average but its water use was added to the industry total).

**Table C-1**  
**Water Use Coefficients by SIC Code, Industrial Sector**

<u>SIC</u>	<u>Description</u>	<u>Gallons per employee per day (GED)<sup>1</sup></u>
20	Food and kindred products	1,967
21	Tobacco manufactures	N/A
22	Textile mill products	1,530
23	Apparel and other textile products	37
24	Lumber and wood products	2,144
25	Furniture and fixtures	53
26	Paper and allied products	1,000
27	Printing and publishing	98
28	Chemicals and allied products	833
29	Petroleum and coal products	11,399
30	Rubber and misc. plastics products	120
31	Leather and leather products	32

32	Stone, clay, glass, and concrete prod.	1,304
33	Primary metal industries	1,318
34	Fabricated metal products	738
35	Industrial machinery and equipment	110
36	Electrical and electronic equipment	284
37	Transportation equipment	228
38	Instruments and related products	142
39	Misc. manufacturing industries	86

<sup>1</sup> Based on a 225-day year

**Table C-2**  
**Water Use Coefficients by SIC Code or Establishment Type in the Commercial Sector**  
**gallons per employee per day (ged)**

SIC	Description	Method A, Dziegielewski et al. 1990 <sup>1</sup>	Davis et al. 1988 <sup>1</sup>	Establishment Type <sup>2</sup>	Dziegielewski et al. 2000
41	Local and interurban passenger transit	32.6	42.2	O	221
42	Motor freight transportation and warehousing	470.9	137.2	O	221
43	U.S. Postal Service	8.3	8.3	O	221
44	Water transportation	993.6	573.9		
45	Transportation by air	326.7	278.4	O	221
46	Pipelines, except natural gas	0.0	0.0	O	221
47	Transportation services	105.0	64.6	O	221
48	Communications	79.3	76.7	O	221
49	Electric, gas, and sanitary services	52.4	82.7		
50	Wholesale trade--durable goods	32.3	47.0	W	
51	Wholesale trade--nondurable goods	389.5	140.6	W	
52	Building materials, hardware, garden supply, mobile	91.7	56.1	R	
53	General merchandise stores	57.6	75.9	R	
54	Food stores	213.0	158.8	S	284
55	Automotive dealers and gasoline service stations	101.6	79.3		
56	Apparel and accessory stores	87.6	109.8	R	
57	Furniture, home furnishings and equipment stores	128.8	67.6	R	
58	Eating and drinking places	331.3	253.4	R	
59	Miscellaneous retail	449.5	214.5	R	
60	Depository institutions	72.8	95.5	O	221

<sup>1</sup> Figures were converted into 225 days per year. Most of method 1 data came from Dziegielewski et al. (1990) with the exception of information on state and federal government employees.

<sup>2</sup> O=Office, E=School, R=Retail, W=Wholesale, M=Motel/Hotel, L=Laundromat, S=Supermarket, H=Hospital.

61	Nondepository credit institutions	169.0	253.7	O	221
62	Security, commodity brokers, and services	221.1	221.1	O	221
63	Insurance carriers	212.8	212.8	O	221
64	Insurance agents, brokers, and service	162.1	144.2	O	221
65	Real estate	987.9		O	221
66	Combined real estate and insurance			O	221
67	Holding and other investment offices			O	221
70	Hotels, rooming houses, camps, and other lodging	301.7	373.6	M	1083
72	Personal services	1,090.5	749.6	L	
73	Business services	161.7	93.9	O	221
74	Automotive repair, services, and parking	0.0	351.4		
75	Miscellaneous repair services	255.8	114.7		
78	Motion pictures	126.9	183.1		
79	Amusement and recreational services	732.8	692.9		
80	Health services	155.2	147.0	H	
81	Legal services	123.8	123.8	O	221
82	Educational services	236.5	187.9	E	553
83	Social services	341.2	172.6	O	221
84	Museums, art galleries, botanical & zoological garden	342.8	337.4		
86	Membership organizations	670.5	344.4		
87	Engineering and management services	0.0	141.3	O	221
88	Private households	0.0			
89	Miscellaneous services	178.1		O	221
90*	State govt. employees	171.5	171.5	O	221
91*	Federal govt. employees	171.5	171.5	O	221

Table C-3  
Comparison of Estimated Statewide CII Water Use to Other Studies, 1995 (TAF)

Source	Commercial/ Institutional	Industrial	Total
Method A	2,002	675	2,677
Method B	2,203	763	2,966
DWR <sup>1</sup>	1,843	619	2,462
USGS <sup>2</sup>	1,544	919	2,463

<sup>1</sup>DWR 1994<sup>2</sup>Solley et al. 1998

Note: We also compared our estimates to a statewide industrial use estimate from 1979 (CDWR 1982) and CII water use estimate for the South Coast region (MWD 2000) to resolve specific questions we had about our calculations.

## Uncertainties Inherent in the Data

The full report extensively discusses uncertainties in the data, especially CII data. We add here some specific data issues related to the two approaches taken in this report.

### Method A

**Geographical Bias:** Each industry's average GED was applied to all hydrologic regions in both the industrial and commercial sectors. This approach ironed out regional differences in industrial mix, price elasticity of demand, and aggressiveness of conservation programs, but it produces a lower degree of confidence in the regional estimates. This was particularly relevant in the commercial sector where the estimates are based on studies of the South Coast region, which we suspect to be more efficient than inland regions (see Section Four of the full report). Thus, there may be greater conservation potential than our results show.

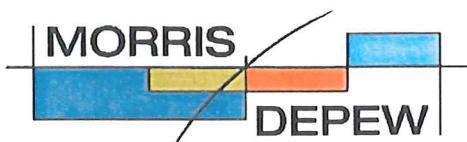
**GED Issues:** The CDWR survey was biased toward more water-intensive facilities. Although this problem was corrected to some extent by estimating GEDs at the three-digit level, considerable variability was found within three-digit SIC codes in some cases. In the commercial sector, the sample sizes were fairly small and, therefore, the GED estimates have a higher degree of uncertainty than the industrial estimates. Moreover, the GED estimates were based on surveys collected in the late 1980s mostly from Southern California and may not accurately reflect the state average in 1995.

### Method B

**Sampling Issues.** The sample used in Method B was small for several regions and may not have accurately represented a region's overall CII use per capita.

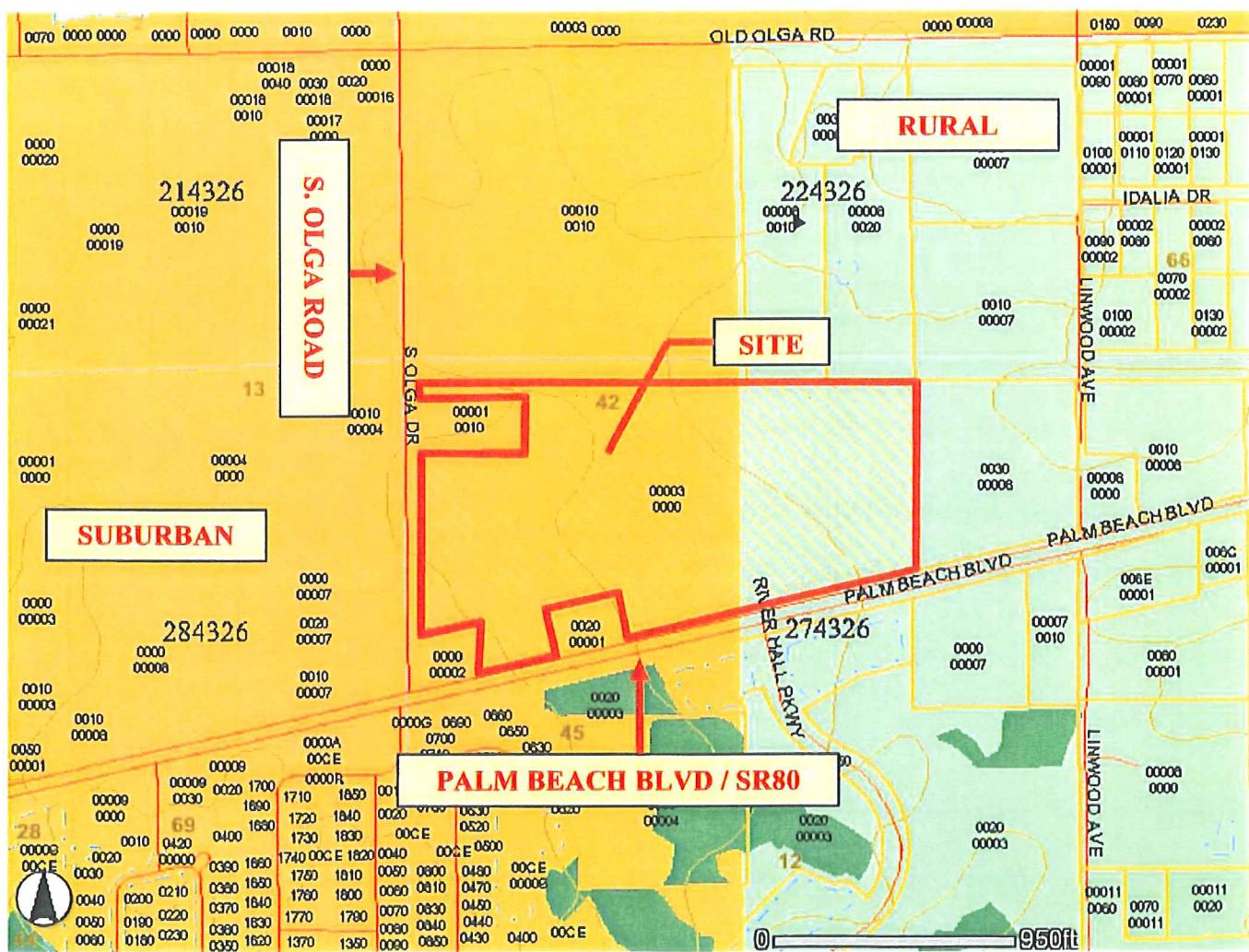
**Self-Supplied Water:** In the absence of survey data for the commercial sector, we applied the commercial estimate of self-supplied water recorded in the USGS report "Estimated Water Use in the United States in 1995" (Solley et al. 1998). Since we did not have access to other primary source data, we are less confident in our estimate of self-supplied water for the commercial sector.

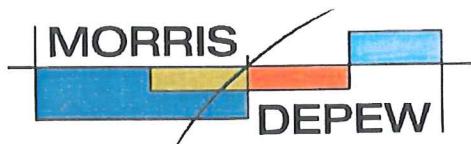
**Extrapolation:** We extrapolated agency data to the state level based on population served. Population may be a fairly accurate indicator of commercial water use, but we are less confident about how well it reflects industrial use since "population served" data are known to be less reliable.



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# FLU Map

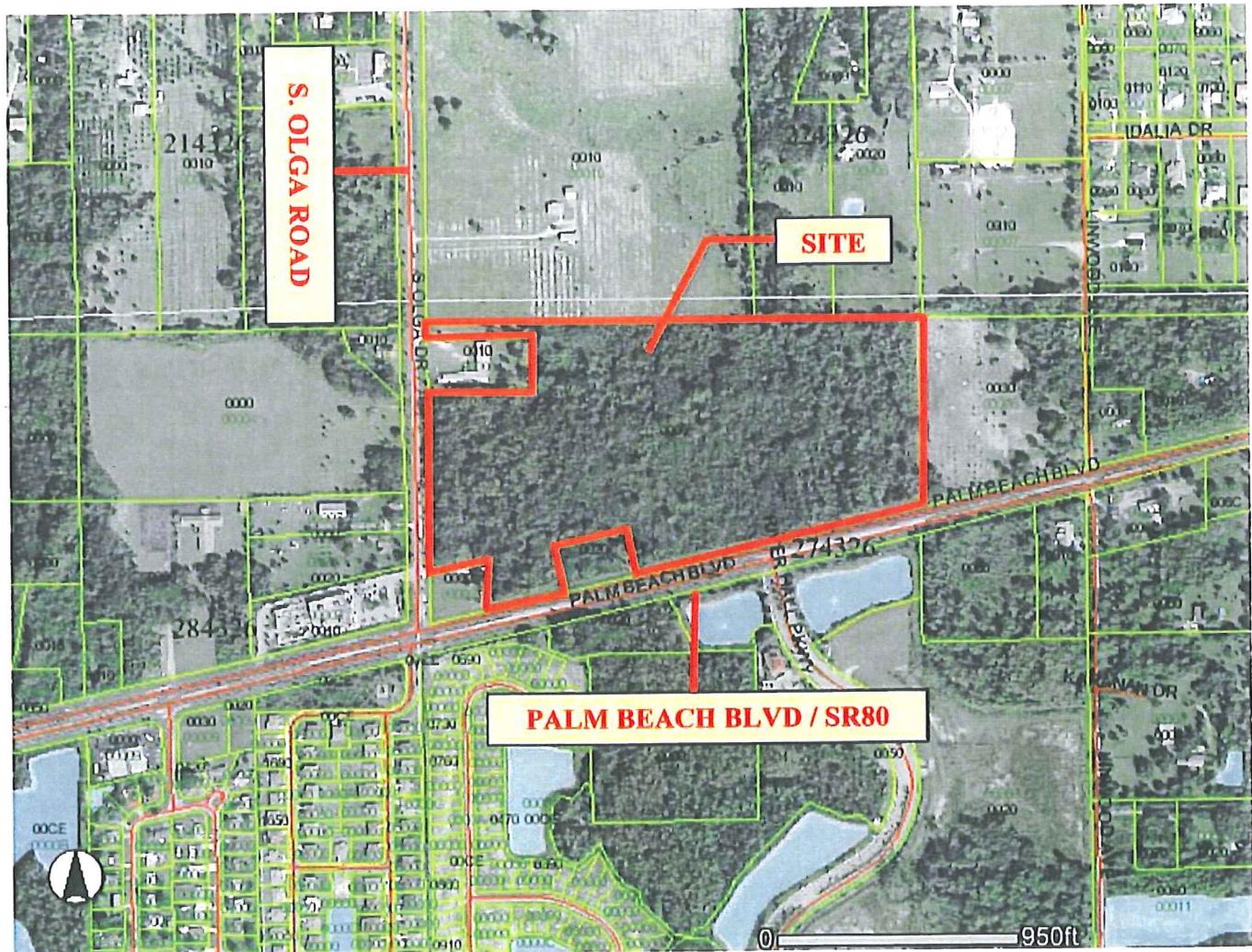


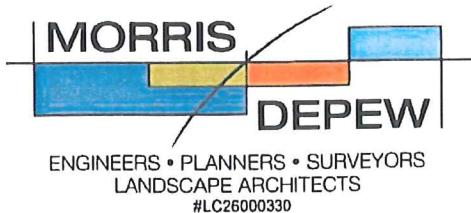


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## Existing Land Use Map

Strap # 27-43-26-00-00003.0000



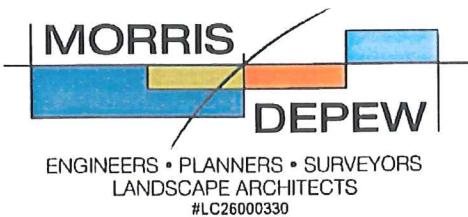


## Existing Land Use Narrative

Strap # 27-43-26-00-00003.0000

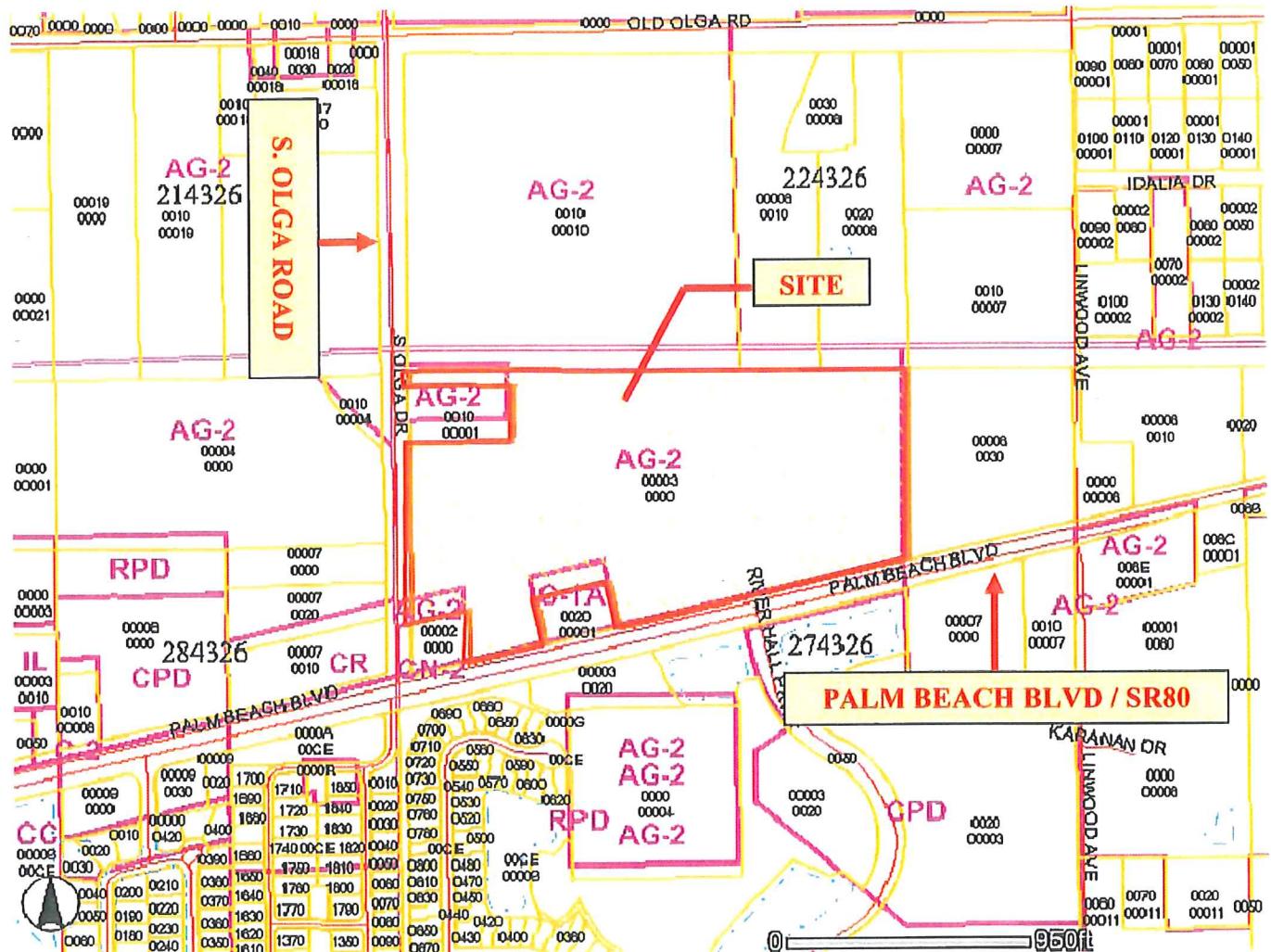
The subject property identified as 27-43-26-00-00003.0000 has an existing land use of vacant, agricultural. The surrounding properties to the north and east are predominately agricultural uses. The adjacent properties to the west are vacant residential, single family residential, a church and school are located adjacent to the northwest corner of the property fronting S. Olga Drive and a retail store is located at the southwest corner at the intersection of Palm Beach Boulevard and S. Olga Drive. There are two properties adjacent to the site located on the southern boundary on the north side of Palm Beach Blvd. The property located on the southwest corner is single family residential while the property located towards the middle is vacant commercial. On the south side of Palm Beach Blvd. we have the Hawks Haven and River Hall single family residential developments. The current uses of all properties described above will be consistent with the uses associated with the Outlying Suburban Land Use Category we are proposing.

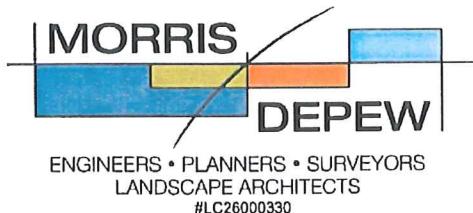
Our development will be an asset to this community conveniently providing much needed commercial and retail services to a growing area that currently lacks these resources.



## Zoning Map

Strap # 27-43-26-00-00003.0000





## Zoning Narrative

Strap # 27-43-26-00-00003.0000

The subject property described as Strap # 27-43-26-00-00003.0000 has a current zoning designation of AG-2 per the current Lee County Spatial District Query Report. The adjacent properties to the north and west of the site are zoned AG-2, to the south C1A, CN-2, AG-2, RPD and CPD and to the east the adjacent properties are zoned AG-2, CR.

27-43-26-00-00003.CCR  
RETURN TO COURTHOUSE BOX 4  
This instrument Prepared by:  
RICHARD W. WINESETT  
Avery, Whigham & Winesett, P.A.  
2248 FIRST STREET  
FORT MYERS, FL 33901

INSTR # 6787671  
OR BK 04706 Pgs 0049 - 050; (2pgs)  
RECORDED 05/11/2005 04:16:01 PM  
CHARLIE GREEN, CLERK OF COURT  
LEE COUNTY, FLORIDA  
RECORDING FEE 18.5B  
DEED DOC 0.70  
DEPUTY CLERK T Kortright

## **CORRECTIVE DEED**

THIS DEED made the 29<sup>th</sup> day of April, 2005, between WILLIAM SCHULMAN, as Trustee, herein called the grantor, to R & D CATTLE COMPANY, LLC, a Florida limited liability company, whose post office address is 4618 Sylvan Ramble Street, Tampa FL. 33609, hereinafter called the grantees.

**WITNESSETH:** That the grantor, for and in consideration of the sum of TEN AND 00/100 (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in Lee County, State of Florida, described as follows:

See Exhibit "A" attached hereto and incorporated herein by reference for the legal description of the property.

The above-described property is not the homestead of the grantor but in fact is vacant land.

**This is a corrective deed executed to correct the legal description of the property in Deed recorded in O. R. Book 4369, Page 60, Lee County Public Records.**

**Public Records.**  
TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in  
anywise appertaining.

**TO HAVE AND TO HOLD**, the same in fee simple forever.  
**AND**, the grantor hereby covenants with said grantees that the grantor warrants the title against all  
claims and encumbrances, and will defend the same against the lawful claims of all

persons claiming by, through, or under grantor and will defend the same against the lawful claims of all such persons whomsoever.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Witness Signature  
FRANK J. MASTERSON

Printed Name

Witness Signature  
ANTONIE

Printed Name

STATE OF NEW YORK  
COUNTY OF SUFFOLK

I am a Notary Public in and for the State of New York and my commission expires on 7/31/06.

SEAL

  
Jeanine M. Pohle  
NOTARY SIGNATURE

Francine M. Pantaleo  
Printed Name

FRANCINE M. PANTALEO  
NOTARY PUBLIC, STATE OF NEW YORK  
QUALIFIED IN BUFFOLK COUNTY  
REG. 01PA0048778  
MY COMMISSION EXPIRES 7/26/2024 *cle*

**EXHIBIT "A"**

**Parcel One**

The NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 27, Township 43 South, Range 26 East, Lee County, Florida,

Less that portion thereof which is described as follows: Begin at the east line of the right-of-way of State Road (Old Olga Road) at the north line of Section 27, thence south along the east line of said right-of-way a distance of 50 feet for a point of beginning of the land herein described; thence south parallel with the east line of said right-of-way, 210 feet; thence east parallel with the north line of said Section, 420 feet; thence north parallel with the east line of said right-of-way, 210 feet; thence west to the point of beginning.

And less one parcel of one and one-quarter acres which is described as follows:

Beginning at the NE corner of the intersection of Route 80 and Old Olga Road (formerly Highway 31), thence run northerly along Old Olga Road (formerly Highway 31), 210 feet; thence easterly and parallel with the northerly line of Route 80, 240 feet; thence southerly and parallel to Old Olga Road (formerly Highway 31) to the northern boundary of Route 80; thence westerly along the northern boundary of Route 80 to the point or place of beginning;

And less, also, approximately one acre of land described as follows: Begin at the intersection of the east line of a drainage ditch and the north line of State Road 80 in the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 27; thence run easterly along the said road 80 yards; thence north parallel to Old Olga Road (formerly Highway 31), 60 yards; thence west parallel to the north line of State Road 80, 80 yards; thence south along drainage ditch to point of beginning, less the right-of-way of State Road No. 80.

EXCEPTING from the parcel conveyed the right-of-way of State Road No. 80 and Old Olga Road (formerly Highway 31).

**Parcel Two**

That portion of the West  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  lying North of State Road 80 in Section 27, Township 43 South, Range 26 East, Lee County, Florida.

This instrument Prepared by and Return to:

RICHARD W. WINESSETT  
AVERY, WHIGHAM & WINESSETT, P.A.  
2248 FIRST STREET  
FORT MYERS, FLORIDA 33901

Property Appraisers Parcel Identification (Folio) Numbers:  
27-43-26-00-00003.0000

INSTR # 6349770  
UR BK B4159 Pgs 0860 - 61; (2pgs)  
RECORDED 07/08/2004 04:07:18 PM  
CHARLIE GREEN, CLERK OF COURT  
LEE COUNTY, FLORIDA  
DEED DOC 8,750.00  
DEPUTY CLERK J Miller

Grantee SS #:

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED, made the 15th day of April, A.D. 2004 by WILLIAM SCHULMAN, as Trustee herein called the grantor, whose post office address is 149 Edwards Ave., Calverton, NY 11933, to R & D CATTLE COMPANY, LLC, a Florida Limited Liability Co. whose post office address is 4618 W. Sylvan Ramble St., Tampa, FL 33609, hereinafter called the Grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)

WITNESSETH: That the grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, alienes, remises, releases, conveys and confirms unto the grantees all that certain land situate in LEE County, State of Florida, viz:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

THE PROPERTY CONVEYED HEREIN IS NOT THE HOMESTEAD OF THE GRANTOR NOR IS IT CONTIGUOUS TO SAME, BUT IN FACT GRANTOR IS A PERMANENT RESIDENT OF THE STATE OF NEW YORK.

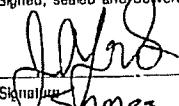
TOGETHER, with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

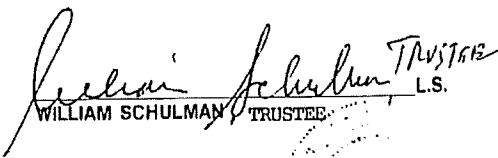
TO HAVE AND TO HOLD, the same in fee simple forever.

AND, the grantor hereby covenants with said grantees that the grantor is/are lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2003.

IN WITNESS WHEREOF, the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

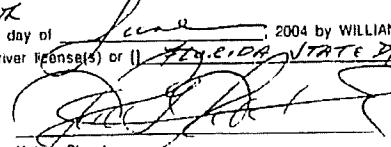
  
Signature: James YORK  
Printed Signature: Robert Darr  
Signature: ROBERT DARR  
Printed Signature:

  
Signature: William Schulman, TRUSTEE  
Notary Seal: 

STATE OF NEW YORK  
COUNTY OF SUFFOLK

The foregoing instrument was acknowledged before me this 29th day of June, 2004 by WILLIAM SCHULMAN, who is/are  personally known to me or has produced  driver license(s) or  state id card(s) as identification.

SEAL

Notary Signature:   
Printed Notary Signature: Richard T. Ritone  
My Commission Expires: 04/30/2008

RICHARD T. RITONE  
NOTARY PUBLIC, State of New York  
No. 41-460747  
Qualified in County of Suffolk  
Commission Expires 4/30/08

**EXHIBIT "A"**

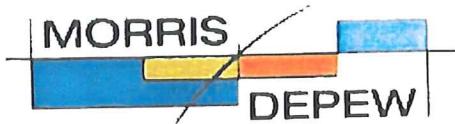
The NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of Section 27, Township 43 South, Range 26 East, Lee County, Florida,

Less that portion thereof which is described as follows: Begin at the east line of the right-of-way of State Road (Old Olga Road) at the north line of Section 27, thence south along the east line of said right-of-way a distance of 50 feet for a point of beginning of the land herein described; thence south parallel with the east line of said right-of-way, 210 feet; thence east parallel with the north line of said Section, 420 feet; thence north parallel with the east line of said right-of-way, 210 feet; thence west to the point of beginning.

And less one parcel of one and one-quarter acres which is described as follows: Beginning at the NE corner of the intersection of Route 80 and Old Olga Road (formerly Highway 31), thence run northerly along Old Olga Road (formerly Highway 31), 210 feet; thence easterly and parallel with the northerly line of Route 80, 240 feet; thence southerly and parallel to Old Olga Road (formerly Highway 31) to the northern boundary of Route 80; thence westerly along the northern boundary of Route 80 to the point or place of beginning;

And less, also, approximately one acre of land described as follows: Begin at the intersection of the east line of a drainage ditch and the north line of State Road 80 in the SW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 27; thence run easterly along the said road 80 yards; thence north parallel to Old Olga Road (formerly Highway 31), 60 yards; thence west parallel to the north line of State Road 80, 80 yards; thence south along drainage ditch to point of beginning, less the right-of-way of State Road No. 80.

EXCEPTING from the parcel conveyed the right-of-way of State Road No. 80 and Old Olga Road (formerly Highway 31).



PLANNING • DESIGN • CONSTRUCTION  
LANDSCAPE ARCHITECTS  
LC26000330

## LETTER OF AUTHORIZATION

TO WHOM IT MAY CONCERN:

PLEASE BE ADVISED THAT I (WE) AM (ARE) THE FEE SIMPLE PROPERTY OWNER(S) OF THE PROPERTY DESCRIBED BELOW AND THAT MORRIS-DEPEW ASSOCIATES, INC. HAS BEEN AUTHORIZED TO REPRESENT ME (US) FOR THE BELOW REFERENCED PARCEL(S) IN ALL MATTERS PERTAINING TO REZONING OR DEVELOPMENT PERMITS. THIS AUTHORITY TO REPRESENT MY (OUR) INTEREST INCLUDES ANY AND ALL DOCUMENTS REQUIRED BY THE REZONING, PLANNING OR PERMITTING REQUESTS SUBMITTED ON MY (OUR) BEHALF BY MORRIS-DEPEW ASSOCIATES, INC.

STRAP NUMBER OR LEGAL DESCRIPTION:

STRAP# : 27-43-26-00-00003.

Kenneth  
Ralph Bond

OWNER NAME

Kenneth R Bond

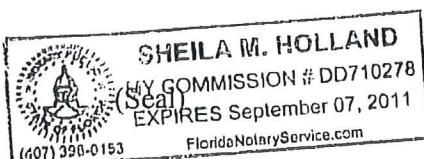
SIGNATURE

STATE OF FL

COUNTY OF Lee

The foregoing instrument was acknowledged before me this 12th day of August, 2012, by Kenneth Ralph Bond, who is personally known to me or has produced FL Drivers License as identification and did not take an oath.

My Commission Expires:



Sheila M. Holland

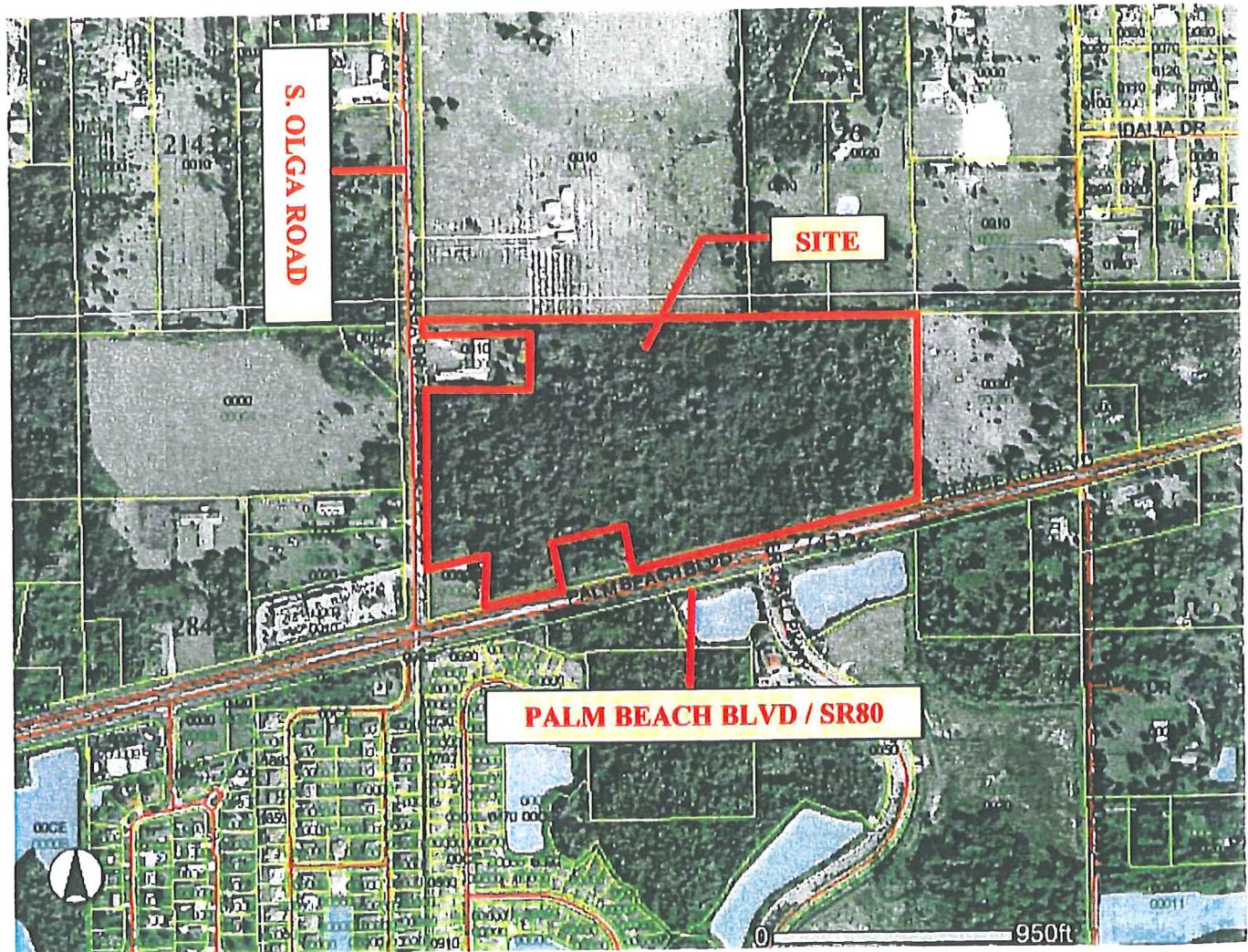
Notary Public

Sheila M. Holland

Notary Printed Name

## Aerial Map

Strap # 27-43-26-00-00003.0000



**jmb transportation engineering, inc.**  
*traffic/transportation engineering & planning*

## **TRANSPORTATION RESPONSE**

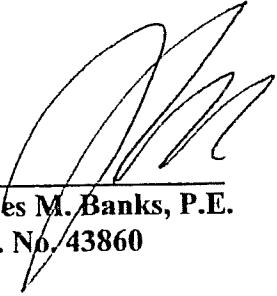
**FOR**

### **R & D CATTLE COMPANY PROPERTY COMPREHENSIVE PLAN AMENDMENT**

**(Project No. 080715)**  
**August 14, 2008**

**Prepared By:**

**JMB TRANSPORTATION ENGINEERING, INC.**  
761 21<sup>ST</sup> Street NW  
Naples, Florida 34120  
239-919-2767

  
**James M. Banks, P.E.**  
Reg. No. 43860

**8/14/08**  

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**Date**

## TABLE OF CONTENTS

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## **PURPOSE OF REPORT**

The following Report has been prepared pursuant to the criteria set forth by the Lee County Government's Comprehensive Plan Amendment Application. This Report provides a response to Section B. Public Facilities Impacts, 1. Traffic Circulation Analysis of the Comprehensive Plan Amendment Application.

## **SCOPE OF PROJECT**

The R & D Cattle Property has a developable land area of approximately 32 acres. The subject property is located at the northeast corner of South Olga Drive @ State Road 80, within Lee County, Florida (refer to Figure 1-Project Location Map).

The Applicant is requesting approval for a change in its permitted land use in order to construct 270,000 square feet of commercial retail space and 75,250 square feet of commercial office space. Vehicular ingress/egress will be provided via a full access onto State Road 80. This access will be aligned with the existing River Hall Parkway @ State Road 80 intersection. The project's access will create the north leg of the intersection.

## **PROJECT GENERATED TRAFFIC**

Traffic which can be expected to be generated by the project has been estimated based upon the guidelines established by the Institute of Transportation Engineers, Trip Generation Manual, 7<sup>th</sup> Edition. That is, historical traffic data collected at similar land uses was relied upon in estimating the project's traffic. In referencing the historical data provided by the Trip Generation Manual, it was concluded that Land Use Codes "Shopping Center" (LUC 820) and "Office Park" (LUC 750) were most appropriate in estimating the project traffic. Table 1B provides a detail of the computations that were performed in determining the commercial retail trip generations. As shown, the retail trip generations were adjusted to reflect pass-by captured trips. Table 1C details the trip generation computations for the commercial office space. Table 1A provides a summary of the total retail plus office trip generations for the AM and PM peak hours of the adjacent street, as well as, total daily periods. The following provides a summary of the project's net new external trips.

<b><u>Land Use</u></b>	<b><u>Build-out</u></b>	<b><u>New Trips Daily (ADT)</u></b>	<b><u>New Trips AM Peak (VPH)</u></b>	<b><u>New Trips PM Peak (VPH)</u></b>
LUC 820	270,000 S.F.	9,196 ADT	202 VPH	856 VPH
LUC 750	75,250 S.F.	859 ADT	171 VPH	113 VPH
<b>Totals</b>		<b>10,055 ADT</b>	<b>373 VPH</b>	<b>969 VPH</b>

## TRANSPORTATION CRITERIA & APPLICANT'S RESPONSE

### B. Public Facilities Impacts

#### 1. Traffic Circulation Analysis

The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

##### Long Range – 20-year Horizon:

- a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;

*Response: The Applicant and Lee County Planning Division have completed this task.*

- b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);

*Response: A modification to the socio-economic data forecasts for the host zone was warranted. Lee County Government will perform the modification to the socio-economic data forecasts for the host zone.*

- c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff;

*Response: The information has been provided to LDOT staff.*

- d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;

*Response: The Applicant is awaiting results from LDOT.*

- e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;

**Response:** The Applicant is awaiting results from LDOT.

- f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

**Response:** The proposal will not affect the adopted Financially Feasible Plan and/or the Official Trafficways Map. As such, there are no accommodations that are indicated on the site plan.

#### Traffic Circulation Analysis

##### Short Range – 5-year CIP horizon:

- a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediate development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);

**Response:** Figure 1 depicts the project's surrounding roadway conditions. Table 2A provides a detail of the roadways' laneage, functional classification and LOS standard. Figure 3 and Table 2C detail the roadways' current LOS.

- b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program; Projected 2020 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);

**Response:** Figure 3 provides a detail of the E + C road network based upon Lee County's adopted 5-Year C.I.P. As shown, the only committed improvement within the 3-mile study area is the four-laning of Buckingham Road.

The project's traffic was distributed to the surrounding roadway network based upon logical means of ingress/egress; current and future traffic patterns in the area; demographics; business opportunities and competing markets; as well as, growth trends for the surrounding areas. Figure 2 provides a detail of the project traffic distribution based upon a percentage basis. Table 2A details the total project traffic distribution by percentage and peak hour peak direction basis for all roadway links within the 3-mile study area.

*Lee County DOT will provide the projected 2020 LOS results.*

- c. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;

*Response: In order to establish the 5-year horizon traffic conditions, traffic count data was adjusted for peak season conditions, peak hour conditions, peak direction, and an annual growth rate was then applied. The peak season/peak hour/peak direction factor as shown on Table 2B was derived from the 2007 Lee County Traffic Count Report. The annual growth rate was derived from historical traffic counts also described in the Traffic Count Report. After the correct adjustments were computed, the project generated traffic was then added to the 2013 Background Traffic.*

*Figure 2 provides a detail of the project traffic distribution based upon a percentage basis. Table 2A details the total project traffic distribution by percentage and peak hour peak direction basis for all roadway links within the 3-mile study area. Figure 3 and Table 2C provide a detail of the 2009 traffic conditions, 2013 background traffic conditions and 2013 background traffic plus project traffic conditions. The LOS operation has also been provided by Figure 3 and Table 2C.*

- d. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.

*Response: There are no additional improvements needed on the network beyond those programmed in the 5-year horizon due to the development of the proposal. The only 5-year transportation deficiency identified will be State Road 80 (west of Buckingham Road), which will occur regardless of the proposal. It should be noted that this segment of State Road 80 is part of the Florida Department of Transportation's Strategic Intermodal System (SIS). The segment of road has an assigned minimum level of service standard of LOS D. It was determined that State Road 80 (west of Buckingham Road) will not maintain LOS D operation during the 5-year horizon, but it will not operate at LOS F.*

## **APPENDIX**

TABLES 1A thru 2C

FIGURES 1 thru 3

MISC. SUPPORT DOCUMENTATION

**TABLE 1A**  
**R & D Property Comprehensive Plan Amendment**  
**Trip Generation Summary**

**TOTAL NEW EXTERNAL PROJECT GENERATED TRIP ENDS**

**Retail "+" Office Trip Generations**

*(Refer to Tables 1B and 1C for Trip Generation Computations)*

**NEW DAILY TRAFFIC (ADT)**

Daily Traffic =  $(9,196 + 859) =$  **10,055 ADT**

**NEW AM PEAK HOUR TRAFFIC (VPH)**

AM Peak Hour =  $(202)+(171) =$  **373 vph**  
 Enter/Exit =  $(123)+(152)/(79)+(19)$  **275/98 vph**

**NEW PM PEAK HOUR TRAFFIC (VPH)**

PM Peak Hour =  $(856) + (113)$  **969 vph**  
 Enter/Exit =  $(411)+(16)/(445)+(97)$  **427/542 vph**

**TABLE 1B**  
**R & D Property Comprehensive Plan Amendment**  
**Commercial Retail Trip Generation Computations**

<b>Land Use Code</b>	<b>Land Use Code Description</b>	<b>Build-out Schedule</b>
LUC 820	Shopping Center	270,000 Square Feet

*Unadjusted Trip Generations*

**DAILY TRAFFIC (ADT)**

Daily Traffic =  $\ln(T) = 0.65\ln(X) + 5.83 = 0.65\ln(270) + 5.83 =$  **12,952 ADT**

**AM PEAK HOUR TRAFFIC (VPH)**

AM Peak Hour =  $\ln(T) = 0.60\ln(X) + 2.29 = 0.60\ln(270) + 2.29 =$  **284 vph**  
61%Enter/39%Exit = **173/111 vph**

**PM PEAK HOUR TRAFFIC (VPH)**

PM Peak Hour =  $\ln(T) = 0.66\ln(X) + 3.4 = 0.66\ln(270) + 3.4 =$  **1,206 vph**  
48%Enter/52%Exit = **579/627 vph**

\*\*\*\*\*

*Adjusted for Pass-by Capture*

**PASS-BY ADJUSTMENT**

Pass By Percentage =  $\ln(T) = -0.29 \ln(270) + 5.00 = 29\%$

**NEW DAILY TRAFFIC (ADT)**

Daily Traffic =  $(12,952 \text{ ADT}) * 71\% =$  **9,196 ADT**

**NEW AM PEAK HOUR TRAFFIC (VPH)**

AM Peak Hour =  $(284 \text{ vph}) * 71\% =$  **202 vph**  
61%Enter/39%Exit = **123/79 vph**

**NEW PM PEAK HOUR TRAFFIC (VPH)**

PM Peak Hour =  $(1,206 \text{ vph}) * 71\% =$  **856 vph**  
48%Enter/52%Exit = **411/445 vph**

**TABLE 1C**  
**R & D Property Comprehensive Plan Amendment**  
**Commercial Office Trip Generation Computations**

<b>Land Use Code</b>	<b>Land Use Code Description</b>	<b>Build-out Schedule</b>
LUC 750	Office Park	75,250 Square Feet

**DAILY TRAFFIC (ADT)**

LUC 750

Daily Traffic =  $T = 11.42(X) = 11.42(75.25) =$  **859 ADT**

**AM PEAK HOUR TRAFFIC (VPH)**

LUC 750

AM Peak Hour =  $Ln(T) = 0.84Ln(X) + 1.51 = 0.84Ln(75.25) + 1.51 =$  **171 vph**  
 89%Enter/11%Exit = **152/19 vph**

**PM PEAK HOUR TRAFFIC (VPH)**

LUC 750

PM Peak Hour =  $T = 1.5(X) = 1.5(75.25) =$  **113 vph**  
 14%Enter/86%Exit = **16/97 vph**

**TABLE 2A**  
**PROJECT'S AREA OF IMPACT**

Project Traffic Peak Direction (vph) = **542**

		Road Class	Service Volume LOS Standard	LOS Service PK Direction Volume (vph)	Project Traffic % Distribution	Project Traffic PK Direction Volume (vph)	Percentage Impact
Buckingham Road	S. of State Road 80	2LN	E	1010	15%	81	8.05%
State Road 80	W. of Buckingham Road	4LD	D	2050	45%	244	11.90%
	Buckingham Rd to Werner	4LD	D	2050	60%	325	15.86%
	Werner Rd to Joel Blvd	4LD	C	2130	20%	108	5.09%

A-14

**TABLE 2B**  
**ROADWAY LINK VOLUME/CAPACITY ANALYSIS**

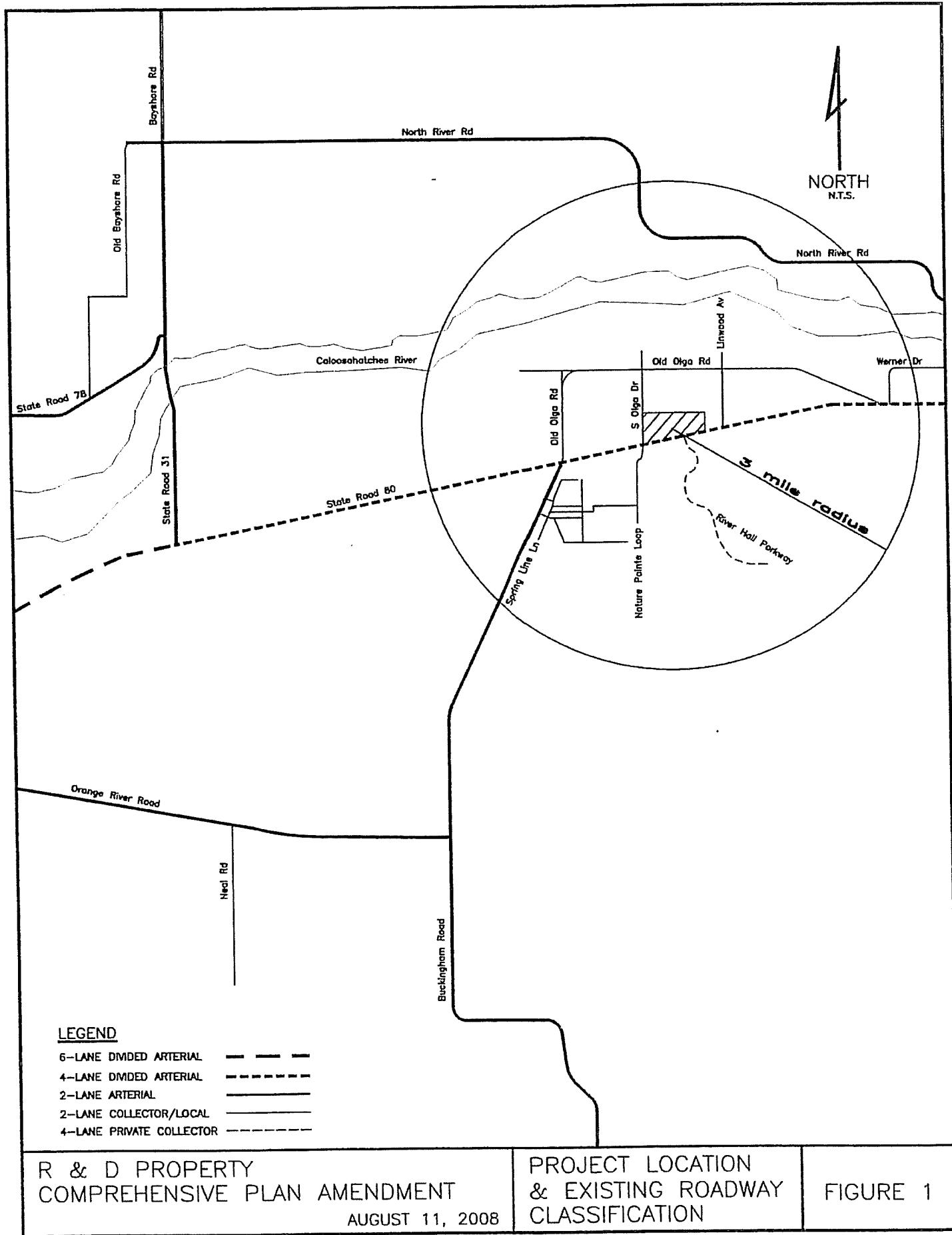
		Directional						2007			2009			2013		
		K100 Factor		Factor		P.C.S. 50		0.095		60%						
		P.C.S. 3	0.095	58%	P.C.S. 4		P.C.S. 5		P.C.S. 11	0.104	52%					
		Station	1st Year	2007	Years of	Growth	K100	Directional	Peak Hour	Peak Hour	Peak Hour	2007	2009	2013		
		<u>Adjustment</u>	Traffic Count	Traffic Count	Growth	Rate	Factor	Factor	(VPH)	(VPH)	(VPH)	Peak Hour	Peak Hour	Peak Hour		
Buckingham Road	S. of State Road 80	11	5300	9600	9	6.82%	0.104	52%	519	592	771	1750	1884	2182		
State Road 80	W. of Buckingham Road	11	24700	34400	9	3.75%	0.104	52%	1238	1377	1703	14200	12900	14200		
	Buckingham Rd to Werner	11				5.45%	0.104	52%	1238	1377	1703					
	Werner Rd to Joel Blvd	11				5.45%	0.104	52%	1238	1377	1703					

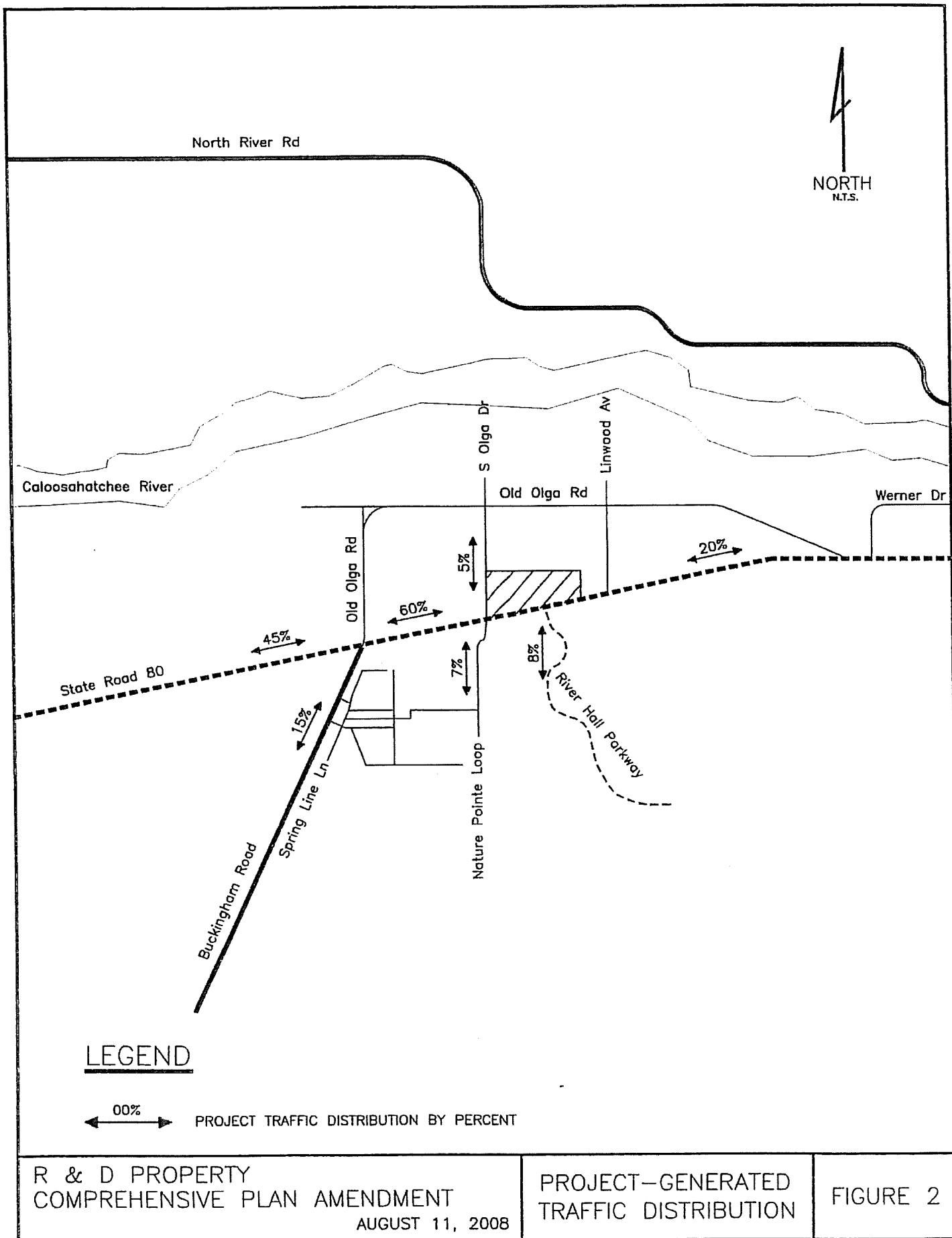
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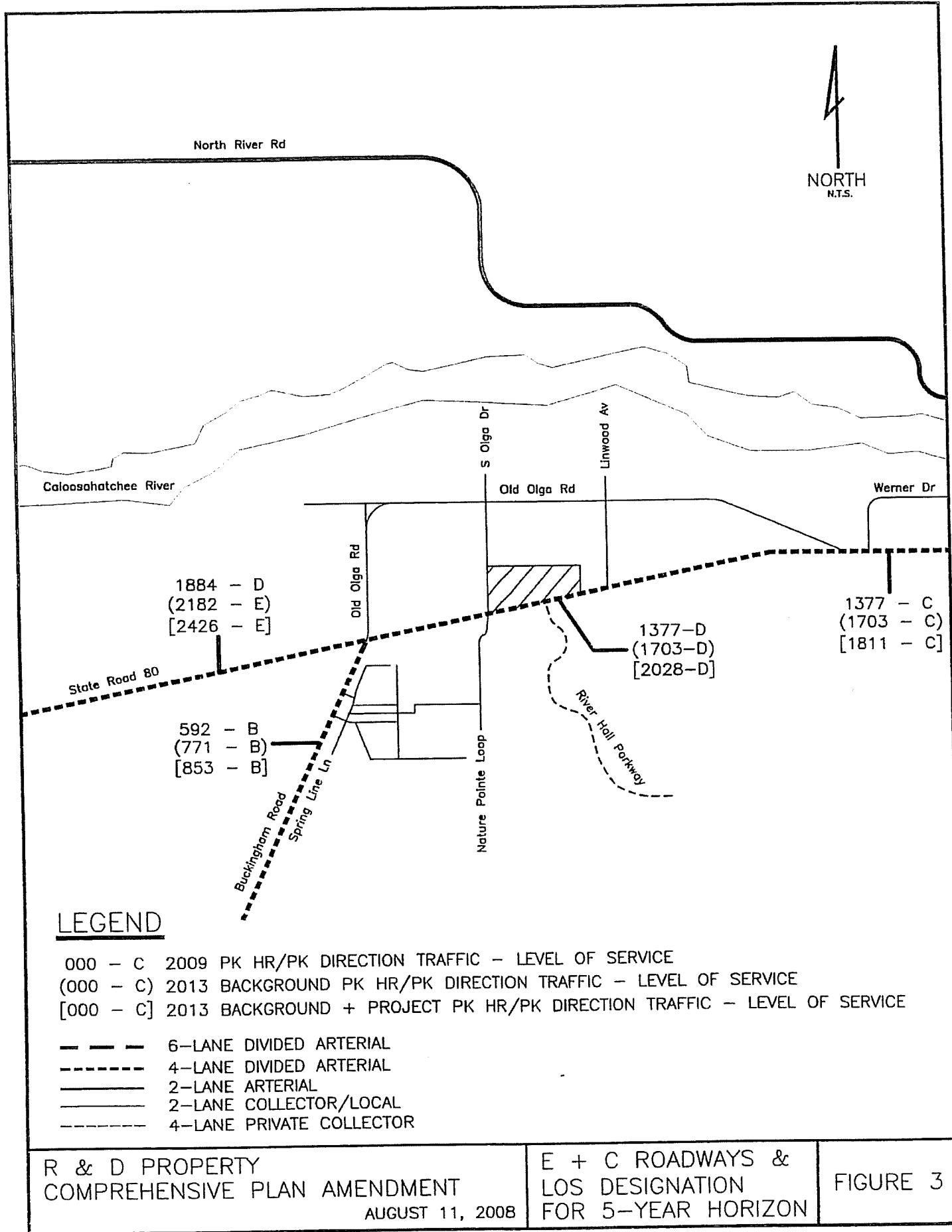
**TABLE 2C**  
**ROADWAY LINK VOLUME/CAPACITY ANALYSIS**

		2009		2013		2013		2013		2013	
		Peak Hour	Peak Hour	Peak Hour	Peak Hour	Project	Build-Out	Service Vol.	Build-Out	Peak Hour	PK Direction
		PK Direction	PK Direction	PK Direction	Background	PK Direction	Peak Hour	Peak Hour	PK Direction	Peak Hour	PK Direction
Buckingham Road	S. of State Road 80	592	B	771	B	81	853	1950	0.44	B	2013
State Road 80	W. of Buckingham Road	1884	D	2182	E	244	2426	2050	1.18	E	Build-Out
	Buckingham Rd to Werner	1377	D	1703	D	325	2028	2050	0.99	D	Peak Hour
	Werner Rd to Joel Blvd	1377	C	1703	C	108	1811	2130	0.85	C	PK Direction

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ROADWAY LINK NAME	FROM	TO	ROAD TYPE	PERFORMANCE STANDARD		2006 100th HIGHEST HR		EST 2007 100th HIGHEST HR		FORECAST FUTURE VOL		NOTES*	LINK NO.
				LOS	CAPACITY	LOS	VOLUME	LOS	VOLUME	LOS	VOLUME		
BONITA BEACH RD	OLD 41	IMPERIAL ST	4LD	E	1,870	C	1,420	D	1,459	D	1,468	6 Ln under design, construction proposed in 2009/10	02700
BONITA BEACH RD	IMPERIAL ST	I-75	6LD	E	2,800	C	1,432	C	1,433	C	1,539		02800
BONITA BEACH RD	I-75	BONITA GRANDE DR	4LD	E	1,920	B	858	B	925	C	1,581		02900
BONITA GRANDE DR	COLLIER COUNTY LINE	BONITA BEACH RD	2LU	E	860	C	153	C	154	C	208		03000
BONITA GRANDE DR	BONITA BEACH RD	EAST TERRY ST	2LU	E	860	D	432	D	434	D	472		03100
BOY SCOUT DR	SUMMERLIN RD	US 41	6LD	E	2,710	D	1,357	D	1,363	D	1,365		03200
BRANTLEY RD	SUMMERLIN RD	US 41	2LU	E	860	C	193	C	245	C	310		03300
BRIARCLIFF DR	US 41	TRIPLE CROWN CT	2LU	E	860	C	297	C	304	C	316		03400
BROADWAY (ALVA)	PALM BEACH BL (SR 80)	NORTH RIVER RD	2LU	E	860	C	299	C	299	C	299		03500
BROADWAY (ESTERO)	LOGAN AVE	US 41	2LU	E	860	C	155	C	173	C	227		03600
BUCKINGHAM RD	IMMOKALEE RD (SR 82)	GUNNERY RD	2LU	E	1,010	D	381	D	459	D	490		03700
BUCKINGHAM RD	GUNNERY RD	ORANGE RIVER BL	2LU	E	1,010	D	381	D	381	D	381		03730
BUCKINGHAM RD	ORANGE RIVER BL	PALM BEACH BL (SR 80)	2LU	E	1,010	D	546	D	556	E	797	4 Ln proposed for construction in 2011/12	03800
BURNT STORE RD	PINE ISLAND RD (SR 78)	DIPLOMAT PKWY	2LU	E	1,010	D	591	D	591	D	617	4 Ln under design, ROW scheduled 2008-2012	03900
BURNT STORE RD	DIPLOMAT PKWY	CHARLOTTE COUNTY LINE	2LU	E	1,010	C	316	C	319	D	412		04000
BUS 41 (SR 739)	SR 80	FT MYERS CITY LIMIT	6LD	E	4,170	C	2,300	C	2,300	C	2,300		04100
BUS 41 (SR 739)	FORT MYERS CITY LIMIT	ONDPELLA RD	6LD	E	3,090	D	2,533	D	2,534	D	2,534		04200
BUS 41 (SR 739)	ONDPELLA RD	PINE ISLAND RD	6LD	E	3,090	C	1,892	C	1,892	C	1,892		04300
BUS 41 (SR 739)	PINE ISLAND RD	LITTLETON RD	4LD	E	1,950	B	1,322	B	1,329	B	1,380	4 Ln under construction	04400
BUS 41 (SR 739)	LITTLETON RD	US 41	2LU	E	910	B	563	B	563	B	563	4 Ln Design funded in 2006/07 by County	04500
CAPE CORAL BR RD	DEL PRADO BL	McGREGOR BL	4L	E	2,120		2,345		2,345		2,345	Intersection improvement at Del Prado in 2008, possible 1-way tolling	04600
CAPTIVA RD	BLIND PASS	SOUTH SEAS PLANTATION	2LU	E	860	C	337	C	351	C	351	Constrained v/c = 0.39	04700
CEMETERY RD	BUCKINGHAM RD	HIGGINS AVE	2LU	E	860	C	268	C	335	C	335		04800
CHAMBERLIN PKWY	AIRPORT ENT	DANIELS PKWY	4LD	E	1,950	A	177	A	177	A	177	Port Authority maintained	04900
COCONUT RD	SPRING CREEK RD	US 41	2LN	E	860	C	265	C	272	C	339		05000
COCONUT RD	US 41	THREE OAKS PKWY	4LD	E	1,800	C	667	C	667	C	667	Privately maintained	05030
COLLEGE PKWY	McGREGOR BL	WINKLER RD	6LD	E	3,060	C	2,007	C	2,051	C	2,051		05100

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ROADWAY LINK NAME	FROM	TO	ROAD TYPE	PERFORMANCE STANDARD		2006 100th HIGHEST HR		EST 2007 100th HIGHEST HR		FORECAST FUTURE VOL		NOTES*	LINK NO.
				LOS	CAPACITY	LOS	VOLUME	LOS	VOLUME	LOS	VOLUME		
PALM BEACH BL (SR 80)	I-75	SR 31	6LD	D	3,080	A	1,453	A	1,579	A	1,861		20100
PALM BEACH BL (SR 80)	SR 31	BUCKINGHAM RD	4LD	D	2,050	B	1,700	B	1,750	B	1,841		20200
PALM BEACH BL (SR 80)	BUCKINGHAM RD	WERNER DR	4LD	D	2,050	A	1,241	A	1,271	F	2,141	→	20300
PALM BEACH BL (SR 80)	WERNER DR	JOEL BL	4LD	C	2,130	A	845	A	849	A	849		20330
PALM BEACH BL (SR 80)	JOEL BLVD	HENDRY COUNTY LINE	4LD	C	2,130	A	845	A	854	B	990		20400
PALOMINO RD	DANIELS PKWY	PENZANCE BL	2LU	E	860	C	199	C	200	C	220		20500
PARK MEADOW DR	SUMMERLIN RD	US 41	2LU	E	860	C	143	C	144	C	151		20600
PENNSYLVANIA AVE	ARROYAL ST	OLD 41	2LU	E	860	C	237	C	248	C	251		20700
PENZANCE BL	RANCHETTE RD	SIX MILE CYPRESS PKWY	2LU	E	860	C	126	C	129	C	193		20800
PINE ISLAND RD	STRINGFELLOW BL	BURNT STORE RD	2LN	E	1,010	E	590	E	591	E	598	Constrained in part v/c = 0.59	20900
PINE ISLAND RD (SR 78)	BURNT STORE RD	CHIQUITA BL	2LN	C	940	B	682	B	702	B	722		21000
PINE ISLAND RD (SR 78)	CHIQUITA BL	SANTA BARBARA BL	4LD	C	1,900	B	1,180	B	1,180	B	1,180		21100
PINE ISLAND RD (SR 78)	SANTA BARBARA BL	DEL PRADO BL	4LD	C	2,010	C	1,912	C	1,917	C	1,926		21200
PINE ISLAND RD (SR 78)	DEL PRADO BL	BARRETT RD	4LD	E	2,100	B	1,136	B	1,137	B	1,137		21300
PINE ISLAND RD (SR 78)	BARRETT RD	US 41	4LD	E	2,100	B	1,061	B	1,077	B	1,077		21400
PINE ISLAND RD (SR 78)	US 41	BUSINESS 41	4LD	E	1,990	D	1,487	D	1,500	D	1,500		21500
PINE RIDGE RD	SAN CARLOS BL	SUMMERLIN RD	2LU	E	860	D	473	D	473	D	533		21600
PINE RIDGE RD	SUMMERLIN RD	GLADIOLUS BL	2LU	E	860	C	252	C	282	C	300		21700
PINE RIDGE RD	GLADIOLUS DR	McGREGOR BL	2LU	E	860	C	284	C	284	C	284		21800
PLANTATION RD	SIX MILE CYPRESS PKWY	DANIELS PKWY	2LU	E	860	D	613	D	645	F	1,061	4 Ln construction scheduled in 2010/11	21900
PLANTATION RD	DANIELS PKWY	IDLEWILD ST	2LU	E	860	C	155	C	188	C	222		22000
PONDELLA RD	PINE ISLAND RD (SR 78)	ORANGE GROVE BL	4LD	E	2,010	C	776	C	776	C	778		22100
PONDELLA RD	ORANGE GROVE BL	US 41	4LD	E	2,010	C	1,216	C	1,217	C	1,217		22200
PONDELLA RD	US 41	BUSINESS 41	4LD	E	2,010	C	996	C	997	C	997	Hancock Br Pkwy Ext corridor study proposed in 2007/08	22300
PRICHETT PKWY	BAYSHORE RD	RICH RD	2LU	E	860	B	103	B	103	B	103		22400
RANCHETTE RD	PENZANCE BL	IDLEWILD ST	2LU	E	860	B	73	B	73	B	73		22500
RICH RD	SLATER RD	PRITCHETT PKWY	2LU	E	860	B	81	B	81	B	81		22600
RICHMOND AVE	LEELAND HEIGHTS BL	E 12th ST	2LU	E	860	B	89	C	150	C	169		22700
RICHMOND AVE	E 12th ST	GREENBRIAR BL	2LU	E	860	B	61	B	107	B	107		22800

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## PERIODIC COUNT STATION DATA

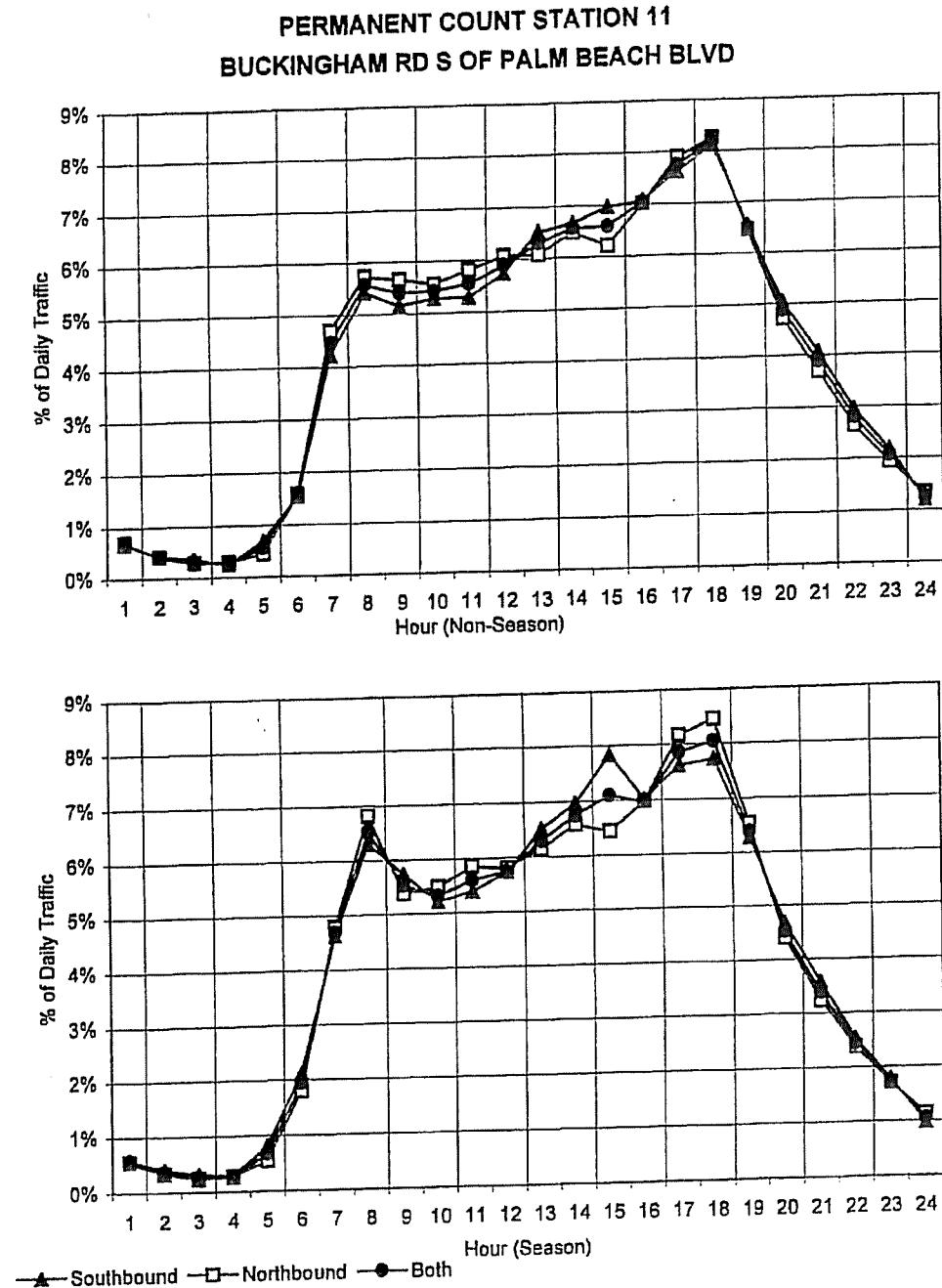
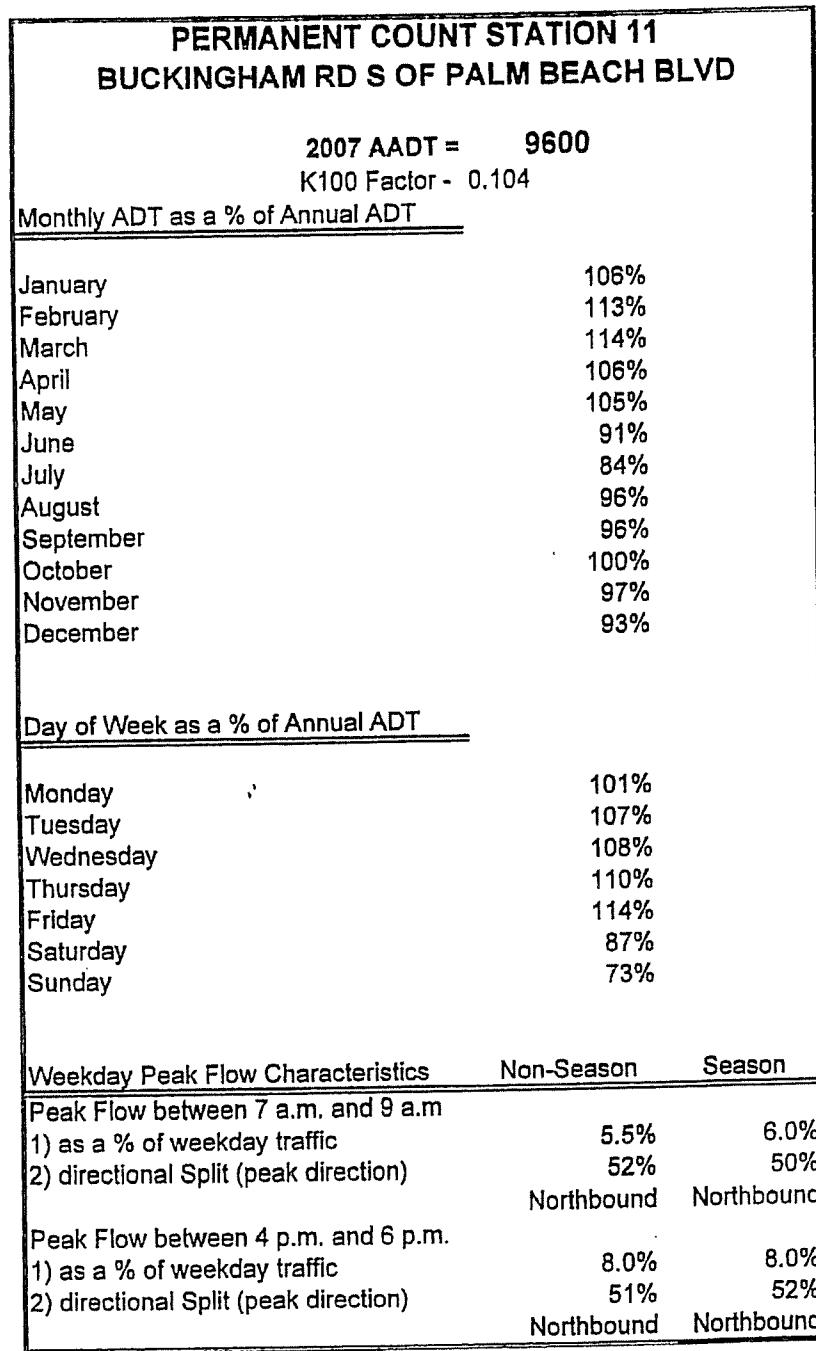
STREET	LOCATION	Station	M											NOTE	PERM- ANENT STATION
		#	A	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007		
BONITA BEACH RD	E OF VANDERBILT RD	7	H	21500	24700	25300	26400	25800	25600	23900		U/C	U/C		
	E OF ARROYAL RD	221	H	20700	22000	24200	23700	24700	23600	27000	25200	25600	26300	16	
	E OF OLD 41 RD	226	H	19700	25500	26000	24100	28800	26400	30900	28000	31100	33300	16	
	W OF I-75	42	H	21400	24300	26900	26800	27400	28700	29100		29300	29000		
	E OF I-75	235	H	9300	9700	10200	9900	11600	12400	15300	16500	18800	16300	16	
BONITA GRANDE DR	S OF BONITA BEACH RD	493	H	2700	3100	3400	3400	3000	3000	3400	3500	2900	3600	16	
	N OF BONITA BEACH RD	519	H		2100	2000	3900	5800	5400	7400	7100	8200	6800	16	
BOY SCOUT DR	W OF US 41	229	B	23100	23300	23700	23200	23300	23400	28500	28000	27400	27400	35	
BRAMAN AVE	W OF US 41	616	B			800	900	800	900	1000		800	1100	28	
BRANTLEY RD	W OF US 41	230	B	3600	4000	3900	4100	3900	3800	4100	3500	3900	3400	35	
BRIARCLIFF RD	E OF US 41	460	G	5000	4100	4200	4600	5100	5100	6400	5900	5500	5600	25	
BROADWAY (ESTERO)	W OF US 41	463	H	3100	2200	2500	2700	3200	2600	3700	3400	3500	3600	25	
BROADWAY AVE	S OF M.L.K. BLVD (SR 82)	600	A			3300	3600	3700	3600	4100	2600	3700	3700	28	
	N OF SOLOMON AVE	601	B			6800	5600	8000	6700	8000	7700	8300	7700	28	
BROADWAY RD	S OF ALVA BRIDGE	231	H	3600	5000	4800	4500	5200	5300	5700	5200	5800	4900	11	
BUCKINGHAM RD	S OF PALM BEACH BLVD	11	D	5300	5700	5900	6200	6900	7300	8000	8700	9900	9600		
	E OF ALVIN AVE	232	E	3200	3000	3000	2800	3300	3600	4500	5200	7400	7600	11	
BURNT STORE RD	N OF PINE ISLAND RD	233	I	3800	3700	4100	4300	5600	7600	11600	11800	12200	11800	12	
	S OF CHARLOTTE CO. LINE	12	I	2900	3200	3300	3400	3800	4300	4600	5900	6100	5800		
BUSINESS 41	N OF EDISON BRIDGE	41	C	27700	29000	28300	27700	28700	29200	30800	33600	34900	29300		
	N OF PONDELLA RD	397	C	25000	26800	24200	25000	25500	26300	26900	27700	27900	24400	41	
	N OF POWELL DR	394	C	17400	17900	15100	16500	16800	17000	18600	22100	19500	17400	41	
	N OF LAUREL DR	396	C	9900	9900	9200	7800	9000	8200	9800	9300	8300	7700	41	

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PERIODIC COUNT STATION DATA

STREET	LOCATION	Station #	M A P	CARS										NOTE	PERM- ANENT STATION
				1998	1999	2000	2001	2002	2003	2004	2005	2006	2007		
ORANGE RIVER BLVD	S OF PALM BEACH BLVD	353	D	7100	7200	6900	7000	7800	7800	7400	8100	8900	8700	11	
	E OF STALEY RD	352	D	4900	5000	4500	4400	5600	5800	5900	7100	8300	7800	11	
ORIOLE RD	S OF ALICO RD	462	H	3000	3000	2500	2900	2600	2600	2300	2400	2800	2500	25	
ORTIZ AVE	N OF COLONIAL BLVD	354	E	10400	11700	9900	12800	13500	13700	18100	18300	17600	16000	18	
	N OF M.L.K. BLVD (SR 82)	355	A	11800	12100	11700	13300	13700	U/C	15100	17000	17900	16800	18	
	N OF TICE ST	356	A	8300	8900	8400	8800	9200	8400	9200	9500	10100	8600	18	
PALM BEACH BLVD (SR 80)	W OF TICE STREET	452	A	25500	26300	26400	27100	28700	28700	27800	29100	30100	31400	11	
	E OF ORTIZ BLVD	359	A	26700	26700	27000	25800	27400	29200	27000	26000	28400	26800	11	
	W OF SR 31	5	D	23800	24500	24900	25300	25000	22800	25800	23900	28100	U/C		
	E OF SR 31	360	D	24700	26000	25200	27000	27900	27900	29400	31700	35200	34400	11	
	E OF BUCKINGHAM RD	362	D	14200	15400	14900	15800	16800	18100	18900	21900	25700	22900	11	
	W OF HENDRY CO LINE	358	D	9700	10500	9300	9000	11200	12100		15700	17500	15100	11	
PALOMINO RD	N OF DANIELS	501	E	800	600	700	700	2100			5000	4500	5100	31	
PAUL J DOHERTY PKWY	S OF DANIELS PKWY	51	E						1600	1700	1400	1000	800	1300	
PARK MEADOWS DR	W OF US 41	363	B	4300	4200	4200	4700	3900	3400	3900	4000	3800	3700	9	
PENNSYLVANIA AVE	W OF OLD 41	494	H	2700	4000	3700	3400	4100	4100	4000	4900	4500	4300	16	
PENZANCE BLVD	W OF SIX MILE CYPRESS PKW	483	E	1000	1200	1100	1500	1600	2100	2500	2300	2400	2300	45	
PERIWINKLE DR	E OF CAUSEWAY RD								4800						
	W OF CAUSEWAY RD								17800						
PINE ISLAND RD	@ MATLACHA PASS	3	I	10300	10400	10600	10900	11200	11500	12200	11900	11500	10500		

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**FY 06/07-10/11 CAPITAL IMPROVEMENT PROGRAM - LEE COUNTY, FLORIDA**

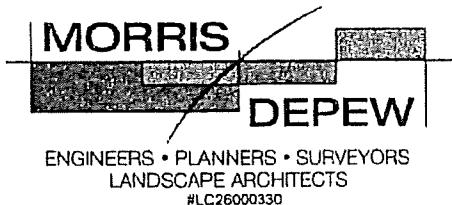
PROJ #	PROJECT NAME	17-Jan-08	FUND. SRC.	CIP BUDGET FY 06/07	CIP BUDGET FY 07/08	CIP BUDGET FY 08/09	CIP BUDGET FY 09/10	CIP BUDGET FY 10/11	CIP BUDGET FY 06/07-10/11	CIP BUDGET YEARS 6-10	ADDITIONAL DESCRIPTION- INFORMATION
<b>ROADS TRANSPORTATION</b>											
204030	Alco Road Multilaning		GT	0	0	600,000	1,000,000	400,000	2,000,000	0	2 to 6 lane widening between Dusty Ln & Three Oaks Pkwy
205002	Bicycle/Pedestrian Facilities		GT	1,000,000	1,000,000	1,000,000	1,000,000	1,000,000	5,000,000	5,000,000	construct bike paths/sidewalks existing Co-maint roads
			I-21	650	715	787	826	867	3,845	11,000,000	
			I-22	115,000	127,500	141,250	148,813	156,753	689,316	0	
			I-23	1,175,000	1,298,500	1,434,350	1,509,068	1,587,521	7,004,439	0	
			I-24	535,000	596,000	663,100	700,005	738,755	3,232,860	0	
			I-25	60,000	67,500	75,750	80,288	85,052	368,590	0	
205047	Boca Grande Drainage - Master Drainage		GT	500,000	0	0	0	0	500,000	0	master drainage plan central Boca Grande Community
	Bonita Beach Road-Phase II		TBD						0	11,097,000	Bonita Beach Rd widen 2 to 6 lane 0.9 miles
			A	0	0	0	0	0	0	100,000	
	Bonita Beach Road-Old41 to Lime St		Loan	3,300,000	0	0	0	0	3,300,000	0	
	Buckingham/Orange River-SR80		I-23			1,880,000	15,000,000	16,880,000	11,880,000	widen existing Co arterial 2 to 4 lane 2.55 miles	
			A	0	0	0	0	0	0	255,000	
204088	Burnt Store Road 4 Laning		307-21	1,608,937	1,000,000	5,564,068	7,715,941	2,941,287	18,830,233	32,155,000	widen existing rural arterial 2 to 4 lane divided 3.6 miles
205061	Bus 41/Littleton-US 41		I-2	1,048,713	0	0	0	0	1,048,713	0	widen existing 2 lane State arterial to 4 lanes, 2.54 miles
			I-22	351,287	0	0	0	0	351,287	20,690,000	
205815	Cape Coral Toll Plaza Rehab		421-35	6,000,000	0	0	0	0	6,000,000	0	completely rebuild & expand Cape Coral Bridge Toll Facility
205053	Captiva Drive Shoulders		GT	0	0	596,000	0	0	596,000	0	project to add 4-foot shoulders on both sides of Captiva Dr
204054	Colonial Blvd/I75 To SR82		I-23	10,525,000	0	0	0	0	10,525,000	0	widen existing 4 lane to 6 lane rural arterial, 2.65 miles
			TRIP-SIB	3,250,000	0	0	0	0	3,250,000	0	
			A	0	221,000	0	0	0	221,000	0	
205054	Colonial /McGregor - US 41		Debt	0	0	200,000,000	0	181,900,000	381,900,000	0	grade-separation of portion of Colonial per Expressway Cor Study
			307-21	8,605,109	6,894,891	0	0	0	15,500,000		
206064	Colonial @ Metro Queue Jump		Debt	0	0	0	0	24,400,000	24,400,000	0	tolled grade-separated separation of Colonial Blvd over Metro Pkwy
205035	Communication Plant Updates		GT	0	0	300,000	0	0	300,000	0	fiber optic connect Billy Creek-downtown-SONET & FDOT Center
	Corkscrew Curve		GT	0	1,305,000	0	0	0	1,305,000	0	project to ease severe curve on rural, 2-lane arterial
204079	CR 951 Extension South		Debt	0	1,430,000	0	0	0	1,430,000	86,100,000	4 lane CR 951 ext.4.5 miles inc 1.5 miles of bridging Immokalee Rd-Bonita R
	Collier County Contribution	Contribution	0	5,070,000	0	0	0	0	5,070,000		
	Daniels 61/Chamberlin-Gateway		I-23	0	0	0	1,520,000	10,010,000	11,530,000	0	4 to 6 lane 1.7 miles Daniels Airport/Gateway
			A	0	0	0	0	0	0	200,000	Chamberlin to Gateway

**FY 06/07-10/11 CAPITAL IMPROVEMENT PROGRAM - LEE COUNTY, FLORIDA**

PROJ #	PROJECT NAME	17-Jan-08	FUND. SRC.	CIP BUDGET FY 06/07	CIP BUDGET FY 07/08	CIP BUDGET FY 08/09	CIP BUDGET FY 09/10	CIP BUDGET FY 10/11	CIP BUDGET FY 06/07-10/11	CIP BUDGET YEARS 6-10	ADDITIONAL DESCRIPTION- INFORMATION
<b>ROADS TRANSPORTATION</b>											
205062	Del Prado ROW		I-5	26,222	0	0	0		26,222	0	right-of-way acquisition for improving DelPrado S of SR78
			I-22	3,973,778	0	0	0	0	3,973,778	0	
	DOT Operations Expansion	30100		0	0	0	0	700,000	700,000	0	expansion of DOT Operations Facility
205038	E-ARCS Upgrade for Leeway	421-35		768,000	0	0	0	0	768,000	0	upgrade ARCS Service Clr software to e-ARCS software
205021	Estero Parkway Extension		I - 3	454,962	0	0	0	0	454,962	0	extend 4-ln arterial across I75 Three Oaks To Ben Hill 0.7 miles
			I-24	0	14,874,533	0	0	0	14,874,533	0	
			I-25	0	2,200,000	0	0	0	2,200,000	0	
			A	0	0	120,000	0	0	120,000	0	
204083	Gladiolus 4 Laning/South Fort Myers		GT	0	6,603,422	0	0	0	6,603,422	0	2 lane to 6 Bass Rd - Winkler Rd/ 4 lane from Pine Is Rd - Bass Rd
			I-4	0	386,578	0	0	0	386,578	0	
			I-24	0	8,500,000	0	0	0	8,500,000	0	
			A	0	0	515,000	0	0	515,000	0	
205063	Homestead 4L/Sunrise-Alabama		I-23	2,100,000	4,740,000	7,060,000	0	0	13,900,000	0	widen existing 2 lane County arterial to 4 lane, 1.50 miles
			A	0	0	0	0	0	0	150,000	
205036	I-75 Complimentary ITS Deploy		GT	0	0	400,000	0	0	400,000	0	Install ITS devices on Co roads serving as major I75 diversion
	Joel Blvd 4L/17th street -SR 80		I-23	0	2,180,000	0	6,000,000	7,280,000	15,460,000	13,480,000	widen existing 2 lane to 4 lane, 3.24 miles
			A	0	0	0	0	0	0	300,000	
	Luckett Rd 4L/Orlitz to I-75		I-23	0	1,630,000	2,380,000	3,860,000	0	7,870,000	0	4 laning of existing 2 lane arterial between 2 major roads, 0.46 mi
			A	0	0	0	0	0	0	50,000	
205904	Mallacha Pass Bridge Replacement		GT	0	0	0	0	14,000,000	14,000,000	0	replacement of 2-lane, bascule Mallacha Pass Bridge
			I-22	0	0	0	0	11,000,000	11,000,000	0	
	Monitoring Camera Deployment		GT	0	130,000	0	0	0	130,000	0	Install monitor cameras at select Co locations
			182-00	0	45,000	0	0	0	45,000	0	
206750	Monitoring Station Upgrades		GT	30,000	30,000	30,000	60,000	60,000	210,000	0	convert periodic traffic counters to permanent monitor stations
204072	Orlitz Avenue - MLK To Luckett		A	0	0	0	155,000	0	155,000	0	widen existing 2 lane to 4 lane urban section, 1.25 miles
			I-23	3,500,000	0	8,935,000	0	0	12,435,000	0	
205056	Orlitz Ave/SR80 - Luckett		I-23	5,984,624	0	9,475,600	0	0	15,460,424	0	widen existing 2 lane to 4 lane urban section, 1.33 miles
			A	0	0	0	185,000	0	185,000	0	
			I-1	15,176	0	0	0	0	15,176	0	
	Orlitz 4L/Colonial-MLK		I-23	0	0	1,840,000	12,060,000	0	13,900,000	0	widen existing 2 lane to 4 lane, 1.73 miles
			A	0	0	0	0	0	0	200,000	

**FY 06/07-10/11 CAPITAL IMPROVEMENT PROGRAM - LEE COUNTY, FLORIDA**

PROJ #	PROJECT NAME	17-Jan-08	FUND. SRC.	CIP BUDGET FY 06/07	CIP BUDGET FY 07/08	CIP BUDGET FY 08/09	CIP BUDGET FY 09/10	CIP BUDGET FY 10/11	CIP BUDGET FY 06/07-10/11	CIP BUDGET YEARS 6-10	ADDITIONAL DESCRIPTION- INFORMATION
<b>ROADS TRANSPORTATION</b>											
206751	Pine Island ITS		GT	0	169,000	0	0	120,000	309,000	0	fiber optic/radio comm plant & ITS field devices along Pine Is Rd
			182-00	21,000	0	0	0	0	21,000	0	
204085	Plantation Extension/Idlewild-Colonial		I-23	6,709,880	0	0	0	0	6,709,880	0	construct new 4 lane arterial linking Plantation to Shoemaker
			A	0	140,000	0	0	0	140,000	0	
	Plantation 4L/Six Mile-Daniels		I-24	0	0	1,910,000	1,000,000	8,360,000	11,270,000	0	widen existing 2 lane to 4 lane, 1.25 miles
			A	0	0	0	0	0	0	175,000	
200700	Project Planning & Pre-Design		GT	150,000	150,000	150,000	150,000	150,000	750,000	750,000	fund to support project studies-estimates & pre-design activities
204079	Right-of-Way Opportunities		GT	500,000	500,000	500,000	500,000	500,000	2,500,000	2,500,000	fund for voluntary right-of-way purchase for future road projects
	Sandy Lane Ext North		I-24	0	0	0	0	1,410,000	1,410,000	17,260,000	extend 2 lane collector N from Corkscrew to Estero Pkwy 1.43 mi
204604	Six Mile Cypress Parkway 4 Laning		I-23	10,229,000	0	0	0	0	10,229,000	0	widen existing 2 lane rural arterial to 4 lane, 2.3 miles
			A	0	604,000	0	0	0	604,000	0	
205064	SR 82/Daniels Dual Left Lanes		I-23	200,000	800,000	0	0	0	1,000,000	0	expand intersec to include dual N bound-westbound L turn lanes
	SR82 from Orliz to Lee Blvd (FDOT)		Loan	0	10,000,000	0	0	0	10,000,000	0	widening project SR 82 Daniels to Lee Blvd
206007	Summerlin Rd Boy Scout-University		I-23	0	30,381,000	0	0	0	30,381,000	0	widen existing 4 lane to 6 lane and add overpass at College Pkwy
			A	0	0	380,000	0	0	380,000	0	
204053	Three Oaks Parkway Extension, North		I-24	685,940	0	0	21,200,000	0	21,885,940	0	four lane arterial extension, 3.5 miles
			A	0	0	0	0	577,000	577,000	0	
204043	Three Oaks Parkway Extension, South		A	997,000	0	0	0	0	997,000	0	four lane arterial extension, 4.15 miles
206752	Traffic Building Replacement		30100	1,000,000	0	0	0	9,500,000	10,500,000	0	construct 3 story bldg & parking for traffic division
205037	Traffic Mgmt Center Update		GT	80,000	0	0	0	0	80,000	0	upgrade & enhance Billy Creek Traffic Mgmt Ctr
204068	Treeline Extension North/Daniels-Colonial		A	0	1,002,000	0	0	0	1,002,000	0	extend & expand existing 2 lane to 4 lane urban arterial, 4.2 mi
204086	Urban Street Lighting		A	1,200,000	1,200,000	700,000	700,000	700,000	4,500,000	3,500,000	Install std St. lighting - existing Co-main roads urbanized areas
205029	Veterans Parkway @ Del Prado		307-21	700,000	0	0	500,000	6,500,000	7,700,000	0	design & construction of improvements at exit ramp overpass
	Veterans/Santa Barbara Interchange		307-21	0	0	2,250,000	0	0	2,250,000	30,000,000	construction of an interchange
	CAPITAL TOTAL			77,400,478	105,295,639	247,020,905	61,924,941	299,077,235	790,720,198	246,842,000	



August 8, 2008

Mr. Lee Horsting, Planner  
Lee County Transit  
P.O. Box 398  
Fort Myers, FL 33902

**RE: R & D Cattle Company – Comprehensive Plan Amendment  
MDA # 07029**

Dear Mr. Horsting:

Morris-Depew Associates, Inc. is assisting with the preparation of a Comprehensive Plan Amendment Application to change the current land uses assigned to the subject property from Suburban (66.69%) and Rural (33.31%) to a single land use designation of Outlying Suburban for a property located in Alva, FL at the intersection of Hwy 80 and South Olga Road, (STRAP 27-43-26-00-00003.0000). The site is approximately 37.6 acres and is currently vacant. We will be developing a project with approximately 345,250 square feet of commercial space.

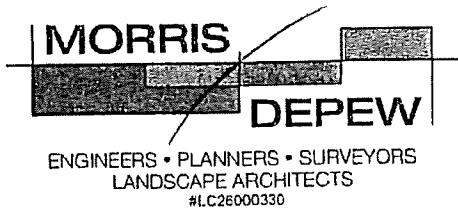
In order to address the submittal requirements for the Lee County Application for a Comprehensive Plan Amendment I am requesting a letter from your agency determining the adequacy/provision of existing/proposed support facilities to this site.

Sincerely yours,

**Morris-Depew Associates Inc.**

*Sheila M. Holland*

Sheila M. Holland  
Planning Technician



August 8, 2008

Fort Myers Shores Fire Department  
Attention: Fire Chief  
12345 Palm Beach Blvd.  
Fort Myers, FL 33905

**RE: R & D Cattle Company – Comprehensive Plan Amendment  
MDA # 07029**

To whom it may concern:

Morris-Depew Associates, Inc. is assisting with the preparation of a Comprehensive Plan Amendment Application to change the current land uses assigned to the subject property from Suburban (66.69%) and Rural (33.31%) to a single land use designation of Outlying Suburban for a property located in Alva, FL at the intersection of Hwy 80 and South Olga Road, (STRAP 27-43-26-00-00003.0000). The site is approximately 37.6 acres and is currently vacant. We will be developing a project with approximately 345,250 square feet of commercial space.

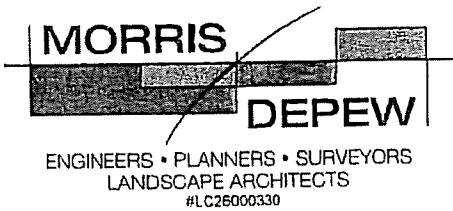
In order to address the submittal requirements for the Lee County Application for a Comprehensive Plan Amendment I am requesting a letter from your agency determining the adequacy/provision of existing/proposed support facilities to this site.

Sincerely yours,

**Morris-Depew Associates Inc.**

*Sheila M. Holland*

Sheila M. Holland  
Planning Technician



August 8, 2008

Ms. Dawn Gordon  
The School District of Lee County  
Department of Planning & School Capacity  
2055 Central Avenue  
Fort Myers, FL 33901

**RE: R & D Cattle Company – Comprehensive Plan Amendment  
MDA # 07029.p3**

Dear Ms. Gordon:

Morris-Depew Associates, Inc. is assisting with the preparation of a Comprehensive Plan Amendment Application to change the current land uses assigned to the subject property from Suburban (66.69%) and Rural (33.31%) to one land use designation of Outlying Suburban for a property located in Alva, FL at the intersection of Hwy 80 and South Olga Road, (STRAP 27-43-26-00-00003.0000). The site is approximately 37.6 acres and is currently vacant. We will be developing a project with approximately 345,250 square feet of commercial space.

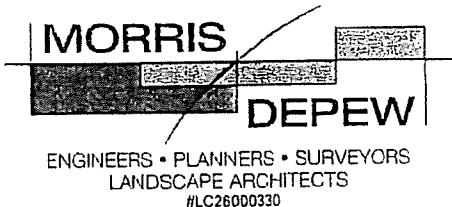
In order to address the submittal requirements for the Lee County Application for a Comprehensive Plan Amendment I am requesting a letter from your agency determining the adequacy/provision of existing/proposed support facilities to this site.

Sincerely yours,

**Morris-Depew Associates Inc.**

A handwritten signature in black ink that reads 'Sheila M. Holland'.

Sheila M. Holland  
Planning Technician



August 8, 2008

Mr. William T. Newman  
Operations Manager – Solid Waste Division  
P.O. Box 398  
Fort Myers, FL 33902

**RE: R & D Cattle Company – Comprehensive Plan Amendment  
MDA # 07029**

Dear Mr. Newman:

Morris-Depew Associates, Inc. is assisting with the preparation of a Comprehensive Plan Amendment Application to change the current land uses assigned to the subject property from Suburban (66.69%) and Rural (33.31%) to a single land use designation of Outlying Suburban for a property located in Alva, FL at the intersection of Hwy 80 and South Olga Road, (STRAP 27-43-26-00-00003.0000). The site is approximately 37.6 acres and is currently vacant. We will be developing a project with approximately 345,250 square feet of commercial space.

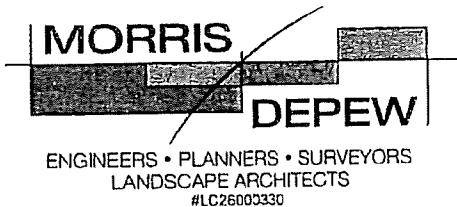
In order to address the submittal requirements for the Lee County Application for a Comprehensive Plan Amendment I am requesting a letter from your agency determining the adequacy/provision of existing/proposed support facilities to this site.

Sincerely yours,

**Morris-Depew Associates Inc.**

A handwritten signature in cursive script that reads "Sheila M. Holland".

Sheila M. Holland  
Planning Technician



August 8, 2008

Sheriff Mike Scott  
14750 Six Mile Cypress Parkway  
Fort Myers, FL 33912

**RE: R & D Cattle Company – Comprehensive Plan Amendment  
MDA # 07029**

Dear Sheriff Scott:

Morris-Depew Associates, Inc. is assisting with the preparation of a Comprehensive Plan Amendment Application to change the current land uses assigned to the subject property from Suburban (66.69%) and Rural (33.31%) to a single land use designation of Outlying Suburban for a property located in Alva, FL at the intersection of Hwy 80 and South Olga Road, (STRAP 27-43-26-00-00003.0000). The site is approximately 37.6 acres and is currently vacant. We will be developing a project with approximately 345,250 square feet of commercial space.

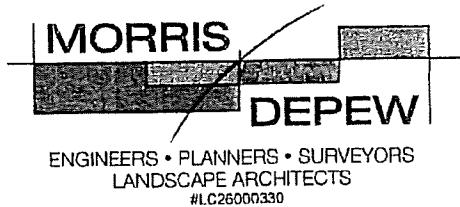
In order to address the submittal requirements for the Lee County Application for a Comprehensive Plan Amendment I am requesting a letter from your agency determining the adequacy/provision of existing/proposed support facilities to this site.

Sincerely yours,

**Morris-Depew Associates Inc.**

A handwritten signature in black ink that reads "Sheila M. Holland".

Sheila M. Holland  
Planning Technician



August 8, 2008

Ms. Kim Dickerson – Operations Chief  
Lee County Emergency Medical Services  
P.O. Box 398  
Fort Myers, FL 33902

**RE: R & D Cattle Company – Comprehensive Plan Amendment  
MDA # 07029**

Dear Ms. Dickerson:

Morris-Depew Associates, Inc. is assisting with the preparation of a Comprehensive Plan Amendment Application to change the current land uses assigned to the subject property from Suburban (66.69%) and Rural (33.31%) to a single land use designation of Outlying Suburban for a property located in Alva, FL at the intersection of Hwy 80 and South Olga Road, (STRAP 27-43-26-00-00003.0000). The site is approximately 37.6 acres and is currently vacant. We will be developing a project with approximately 345,250 square feet of commercial space.

In order to address the submittal requirements for the Lee County Application for a Comprehensive Plan Amendment I am requesting a letter from your agency determining the adequacy/provision of existing/proposed support facilities to this site.

Sincerely yours,

**Morris-Depew Associates Inc.**

A handwritten signature in black ink that reads "Sheila M. Holland".

Sheila M. Holland  
Planning Technician

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**CPA2007-00050**  
**R & D CATTLE PROPERTY**

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**COMPREHENSIVE PLAN AMENDMENT APPLICATION ANSWERS**



*Wetland & Wildlife Surveys, Environmental Permitting,  
Impact Assessments*

11000 Metro Parkway, Suite 4  
Fort Myers, Florida, 33966  
Phone:(239) 418-0671 Fax:(239) 418-0672

**August 7, 2008**  
**Revised August 21, 2008**

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## C. ENVIRONMENTAL IMPACTS

### 1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCFCS).

Please see the attached FLUCFCS map (exhibit C1) and FLUCFCS aerial (exhibit C2) for community locations. The vegetation communities on site were mapped according to the Florida Land Use, Cover and Forms Classification System (FLUCFCS) (Florida Department of Transportation, 1985). The site was inspected and the mapping superimposed on 2007 digital aerial photographs. Acreages were approximated using AutoCAD (2008 version).

The following is a discussion of the existing land uses and vegetative associations found on site. The following table summarizes the FLUCFCS communities discussed below.

#### **190 Other Open Lands (approximately 0.74 acres)**

This upland community had been previously cleared and was dominated by Bahia grass (*Paspalum notatum*). This area was mowed and maintained.

#### **211 Improved Pasture (approximately 23.24 acres)**

This area had been cleared for cattle grazing and was dominated by bare ground with scattered ceaser weed (*Urena lobata*), wild balsm apple (*Momordica charantia*), sumac saplings (*Rhus sp.*), crabs eye vine (*Abrus precatorius*), Florida sandspur (*Cenchrus echinatus*), thistle (*Cirsium sp.*), dog fennel (*Eupatorium sp.*), silk reed (*neyraudia reynaudiana*) and various sedges (*Cyperus sp.*). This area will be seeded and utilized for pasture.

#### **411E1 Pine Flatwoods w/ Exotics (<25%) (approximately 1.07 acres)**

This upland community was dominated by slash pine (*Pinus elliottii*) with a saw palmetto (*Serenoa repens*) under-story. Scattered throughout the community were live oak (*Quercus virginiana*), cabbage palm (*Sabal palmetto*), brazilian pepper (*Schinus terebinthifolius*) (approximately 15% coverage), beauty berry (*Callicarpa americana*), sumac (*Rhus sp.*), rusty lyonia (*Lyonia ferruginea*), penny royal (*Piloblephis rigida*), smilax (*smilax sp.*), grape vine (*Vitis rotundifolia*) and ceaser weed (*Urena lobata*).

#### **4119E4 Disturbed Pine Flatwoods w/ Exotics (>75%) (approximately 0.10 acres)**

This upland community was dominated by slash pine (*Pinus elliottii*) with brazilian pepper (*Schinus terebinthifolius*) (approximately 80% coverage). The under-story contained saw palmetto (*Serenoa repens*), beauty berry

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COMP PLAN AMMENDMENT

(*Callicarpa americana*), sumac (*Rhus sp.*), rusty lyonia (*Lyonia ferruginea*), smilax (*smilax sp.*), grape vine (*Vitis rotundifolia*), silk reed (*neyraudia reynaudiana*) and ceaser weed (*Urena lobata*).

**414E1 Pine – Mesic Oak w/ Exotics (<25%) (approximately 1.01 acres)**

This upland community contained a canopy dominated by a mixture of slash pine (*Pinus elliottii*), laurel oak (*Quercus laurifolia*), cabbage palms (*Sabal palmetto*), and live oak (*Quercus virginiana*). The under-story was dominated by saw palmetto (*Serenoa repens*). Gall berry (*Ilex glabra*), wax myrtle (*Myrica cerifera*), smilax (*smilax sp.*), grapevine (*Vitis rotundifolia*), and poison ivy (*Toxicodendron radicans*) were scattered throughout.

**421E2 Xeric Oak w/ Exotics (25-50%) (approximately 0.96 acres)**

This upland community contained a variety of oaks including live oak (*Quercus virginiana*) and sand live oak (*Quercus virginiana* var. *geminata*). Scattered slash pines (*Pinus elliottii*), and scattered cabbage palms (*Sabal palmetto*) were also observed. The under-story contained Brazilian pepper (*Schinus terebinthifolius*) (approximately 30% coverage) and saw palmetto (*Serenoa repens*).

**425E1 Temperate Hammock w/ Exotics (<25%) (approximately 3.03 acres)**

This forested community's canopy was dominated by laurel oaks (*Quercus laurifolia*), water oaks (*Quercus nigra*), live oaks (*Quercus virginiana*), and cabbage palm (*Sabal palmetto*). Slash pine (*Pinus elliottii*) was scattered throughout the canopy. Mid-story species included dahoo holly (*Ilex cassine*), sweet bay (*Magnolia virginiana*), Brazilian pepper (*Schinus terebinthifolius*), beauty berry (*Callicarpa americana*), poison ivy (*Toxicodendron radicans*), and wild coffee (*Psychotria nervosa*). Widely scattered throughout this community were cabbage palm saplings (*Sabal palmetto*) and saw palmetto (*Serenoa repens*).

**428 Cabbage Palm Hammock (approximately 0.12 acres)**

This forested community was dominated by cabbage palms (*Sabal palmetto*). The under-story contained beauty berry (*Callicarpa americana*), wax myrtle (*Myrica cerifera*), and wild coffee (*Psychotria nervosa*). Typically this community type occurred as a transitional area between uplands and wetlands.

**428H Hydric Cabbage Palm Hammock (approximately 0.18 acres)**

This wetland community was dominated by cabbage palm (*Sabal palmetto*) with a swamp fern (*Blechnum serrulatum*) under-story. This community contained signs of hydrology including adventitious rooting, staining and lichen lines.

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**510 Streams and Waterways (approximately 2.54 acres)**

This community consisted of two streams that vertically bisected the property. The westernmost stream had been recently maintained and was relatively free of vegetation. The eastern stream contained Brazilian pepper (*Schinus terebinthifolius*) and scattered Carolina willow (*Salix caroliniana*).

**615E1 Stream and Lake Swamps w/ exotics (<25%) (approximately 3.49 acres)**

This wetland community consisted of a wide variety of hardwood species that are typically found in overflow or floodplain areas. The canopy was dominated by mixture of bald cypress (*Taxodium distichum*), red maple (*Acer rubrum*), laurel oak (*Quercus laurifolia*), water oak (*Quercus nigra*), cabbage palm (*Sabal palmetto*) and sweet bay (*Magnolia virginiana*). The under-story contained beauty berry (*Callicarpa americana*), wax myrtle (*Myrica cerifera*), wild coffee (*Psychotria nervosa*), salt bush (*Baccharis* sp.), shield fern (*Dryopteris ludoviciana*), leather fern (*Acrostichum* sp.) and swamp fern (*Blechnum serrulatum*).

**630E3 Wetland Forested Mixed w/ Exotics (50-75%) (approximately 1.19 acres)**

This wetland community was dominated by a combination of Carolina willow (*Salix caroliniana*), Brazilian pepper (*Schinus terebinthifolius*) (approximately 70% coverage), cabbage palm (*Sabal palmetto*) and Red Maple (*Acer rubrum*). The under-story contained wax myrtle (*Myrica cerifera*) and swamp fern (*Blechnum serrulatum*).

**FLUCFCS LEGEND**

FLUCFCS Code	Community Description	Acres	%
190	Other Open Lands	0.74 Ac.±	1.96%
211	Improved Pasture	23.24 Ac.±	61.69%
411 E1	Pine Flatwoods w/ Exotics (<25%)	1.07 Ac.±	2.84%
4119 E4	Disturbed Pine Flatwoods w/ Exotics (>75%)	0.10 Ac.±	0.27%
414 E1	Pine - Mesic Oak w/ Exotics (<25%)	1.01 Ac.±	2.68%
421 E2	Xeric Oak w/ Exotics (25-50%)	0.96 Ac.±	2.55%
425 E1	Temperate Hammock w/ Exotics (<25%)	3.03 Ac.±	8.04%
428	Cabbage Palm Hammock	0.12 Ac.±	0.32%
428H	Hydric Cabbage Palm Hammock	0.18 Ac.±	0.48%
510	Streams and Waterways	2.54 Ac.±	6.74%
615 E1	Stream and Lake Swamps w/ Exotics (<25%)	3.49 Ac.±	9.26%
630 E3	Wetland Forested Mixed w/ Exotics (50-75%)	1.19 Ac.±	3.16%
<b>TOTAL</b>		<b>37.67 Ac.±</b>	<b>100.00%</b>

**2. A map and description of the soils found on the property (identify the source of the information).**

Boca Fine Sand (13)

Boca soils are moderately deep, moderately permeable and poorly drained. These soils are found in sloughs, flatwoods and depressional areas. The uppermost soil layer is fine gray sand about 3 inches thick. The next layer is approximately 6 inches thick and consists of fine light gray sand that contains thick roots. From 9 to 14 inches the soil consists of light gray fine sand with medium and coarse roots. The next soil layer (14-25 inches deep) is very pale brown single grained fine sand. Limestone can be found anywhere from 25 to 40 inches in depth. The Boca soil series is nationally listed as a hydric soil however the soil is not locally considered to be a hydric soil.

Wabasso Sand, Limestone Substratum (42)

This is a deep, poorly drained soil that is slowly permeable. Slopes are smooth to slightly convex and range from 0 to 1 percent. Typically, the surface layer is dark gray sand about 6 inches thick. The subsurface layer is light brownish gray sand to a depth of 17 inches. From 17 to 24 inches the soil is light gray sand with few distinct dark grayish brown strains. The subsoil is about 38 inches thick. The upper 4 inches is dark brown sand with few iron concretions. The next 8 inches is brownish yellow sandy clay loam with light brownish gray, light gray and reddish brown mottles. The lower 26 inches is light gray sandy clay loam with pale olive and olive mottles and stains along root channels. Below that is light gray, fine, sandy loam with olive mottles extending to a depth of 80 inches or more. Under natural conditions the water table is less than 10 inches below the surface for more than 6 months. In dry periods the water table recedes to 40 inches or more below the surface. Natural vegetation consists of saw palmetto, South Florida slash pine, pineland threeawn, cabbage palm, and bluestem.

Copeland Sandy Loam, Depressional (45)

Copeland Series soils are “moderately deep, very poorly drained, moderately permeable soils that form in moderately thick beds of marine sediment over limestone.” These depressional soils are smooth to concave with slopes ranging from 0 to 1 percent. The

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first 8 inches consist of a weak fine granular structure very dark gray sandy loam with light gray streaks. From 8 to 20 inches the soil is a very dark gray sandy loam with light gray streaks and is a "moderate medium subangular blocky structure". The next 8 inches consist of a light brownish gray sandy clay loam with calcium carbonate. From 28 inches onward the soil is "fractured limestone bedrock". Under natural conditions the water table is above the surface for 3 to 6 months out of the year and is 10 to 40 inches below the surface for the remainder of the year. This soil is considered to be a hydric soil.

Please see the attached soil map (exhibit C3) for soil locations on the property. All information was achieved from the NRCS Hydric Soils of Florida Handbook (2000).

**3. A topographic map with property boundaries and 100-yearflood prone areas indicated (as identified by FEMA).**

Please see the attached topography map.

**4. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.**

The site contains five wetlands. The wetlands include; hydric cabbage palm, streamland lake swamps, and wetland forested mixed. For the wetland locations please see the attached FLUCFCS map (communities 428H, 615E1 and 630E3).

The majority of the upland areas are highly disturbed in nature. This site does not contain any rare and unique upland communities.

The property was mapped by SFWMD in 1995 in the lower coast surficial recharge area.

**5. A table of plant communities by FLUCFCS with potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCFCS and the species status (same as FLUCFCS map).**

**Protected Animals by Status**

FLUCFCS	SPECIES	USFWS	FFWCC
190	Burrowing Owl ( <i>Athene cunicularia floridana</i> )		SSC
	Eastern Indigo Snake ( <i>Drymarchon corais couperi</i> )	T	T

CPA2007-00050 R & D CATTLE  
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FLUCFCS	SPECIES	USFWS	FFWCC
190 cont.	Gopher Tortoise ( <i>Gopherus polyphemus</i> )		T
	Gopher Frog ( <i>Rana capito</i> )		SSC
211	Burrowing Owl ( <i>Athene cunicularia floridana</i> )		SSC
	Gopher Tortoise ( <i>Gopherus polyphemus</i> )		T
	Gopher Frog ( <i>Rana capito</i> )		SSC
411	Eastern Indigo Snake ( <i>Drymarchon corais couperi</i> )	T	T
	Gopher Tortoise ( <i>Gopherus polyphemus</i> )		T
	Gopher Frog ( <i>Rana capito</i> )		SSC
	Southeastern American Kestrel ( <i>Falco sparverius paulus</i> )		T
	Red Cockaded Woodpecker ( <i>Picoides borealis</i> )	E	SSC
	Big Cypress Fox Squirrel ( <i>Sciurus niger avicennia</i> )		T
	Florida Black Bear ( <i>Ursus americanus floridanus</i> )		T
414	Eastern Indigo Snake ( <i>Drymarchon corais couperi</i> )	T	T
	Gopher Tortoise ( <i>Gopherus polyphemus</i> )		T
	Gopher Frog ( <i>Rana capito</i> )		SSC
	Southeastern American Kestrel ( <i>Falco sparverius paulus</i> )		T
	Big Cypress Fox Squirrel ( <i>Sciurus niger avicennia</i> )		T
	Florida Black Bear ( <i>Ursus americanus floridanus</i> )		T
421	Eastern Indigo Snake ( <i>Drymarchon corais couperi</i> )	T	T
	Gopher Tortoise ( <i>Gopherus polyphemus</i> )		T
	Gopher Frog ( <i>Rana capito</i> )		SSC

CPA2007-00050 R & D CATTLE  
COMP PLAN AMMENDMENT

FLUCFCS	SPECIES	USFWS	FFWCC
421	Florida Scrub Jay ( <i>Aphelocoma coerulescens</i> )	T	T
425	Eastern Indigo Snake ( <i>Drymarchon corais couperi</i> )	T	T
	Gopher Tortoise ( <i>Gopherus polyphemus</i> )		T
	Gopher Frog ( <i>Rana capito</i> )		SSC
	Florida Black Bear ( <i>Ursus americanus floridanus</i> )		T
428	Eastern Indigo Snake ( <i>Drymarchon corais couperi</i> )	T	T
	Gopher Tortoise ( <i>Gopherus polyphemus</i> )		T
	Gopher Frog ( <i>Rana capito</i> )		SSC
	Florida Black Bear ( <i>Ursus americanus floridanus</i> )		T
	Audubon's Crested Caracara ( <i>Polyborus plancus audubonii</i> )	T	T
428H	Florida Black Bear ( <i>Ursus americanus floridanus</i> )		T
	Audubon's Crested Caracara ( <i>Polyborus plancus audubonii</i> )	T	T
510	American Alligator ( <i>Alligator mississippiensis</i> )	T	SSC
	Roseate Spoonbill ( <i>Platalea ajaja</i> )		SSC
	Limpkin ( <i>Aramus guarauna</i> )		SSC
	Little Blue Heron ( <i>Egretta caerulea</i> )		SSC
	Reddish Egret ( <i>Egretta rufescens</i> )		SSC
	Snowy Egret ( <i>Egretta thula</i> )		SSC
	Tricolored Heron ( <i>Egretta tricolor</i> )		SSC
	Everglades Mink ( <i>Mustela vison evergladensis</i> )		T
615	American Alligator ( <i>Alligator mississippiensis</i> )	T	SSC
	Roseate Spoonbill ( <i>Platalea ajaja</i> )		SSC

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FLUCFCS	SPECIES	USFWS	FFWCC
<b>615 cont.</b>	Limpkin ( <i>Aramus guarauna</i> )		SSC
	Little Blue Heron ( <i>Egretta caerulea</i> )		SSC
	Reddish Egret ( <i>Egretta rufescens</i> )		SSC
	Snowy Egret ( <i>Egretta thula</i> )	T	T
	Tri Colored Heron ( <i>Egretta tricolor</i> )		T
	Everglades Mink ( <i>Mustela vison evergladensis</i> )		T
<b>630</b>	Little Blue Heron ( <i>Egretta caerulea</i> )		SSC
	Snowy Egret ( <i>Egretta thula</i> )		SSC
	Tricolored Heron ( <i>Egretta tricolor</i> )		SSC
	Peregrine Falcon ( <i>Falco peregrinus tundrius</i> )		E
	Everglades Mink ( <i>Mustela vison evergladensis</i> )		T
	Big Cypress Fox Squirrel ( <i>Sciurus niger avicennia</i> )		SSC
	American Alligator ( <i>Alligator mississippiensis</i> )	T	SSC
	Limpkin ( <i>Aramus guarauna</i> )		SSC
	Wood Stork ( <i>Mycteria Americana</i> )	E	E
	Florida Black Bear ( <i>Ursus americanus floridanus</i> )		T

FFWCC-Florida Fish and Wildlife Conservation Commission  
USFWS-U.S. Fish and Wildlife Service

T- Threatened

E-Endangered

SSC-Species of Special Concern

Audubon's Crested Caracara

Audubon's Crested Caracara (*Polyborus plancus audubonii*) is a large raptor with a crest, naked face, heavy bill, elongated neck, and unusually long legs. This non-migratory species occurs in Florida as well as the southwestern U.S. and Central America. Only the Florida population, which is isolated from the remainder of the subspecies in the southwestern U.S. and Central America, is listed under the

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Endangered Species Act. Typically most Caracara's inhabit the prairie area of south central Florida. Caracara could utilize the cabbage palms on the property for nesting. Caracara's have not been observed on the property.

Big Cypress Fox Squirrel

The Big Cypress Fox Squirrel (*Sciurus niger avicennia*) is larger than the gray squirrel with an average length of ten to fifteen inches, not including the tail, which can be up to fourteen inches in length. The fur coat is highly variable, including shades of reddish orange, black, and occasionally tans, with white nose, front toes and ear tips. The primary habitats utilized by the Big Cypress Fox Squirrel include; open pine flatwoods, cypress strands, broad-leaf evergreen hammocks, mangroves, and oak forests. These squirrels feed on cypress balls, pine seed and occasionally cabbage palm and saw palmetto berries. It would be possible for the fox squirrel to utilize the forested portions of the property. Big cypress fox squirrels have not been observed on the property.

Burrowing Owl

The Burrowing owl (*Athene cunicularia floridana*) is a small pint sized bird. That lives in open herbaceous areas. Burrowing owls have a brown with white back and a white with brown chest. They have a white chin patch, yellow beak and most have yellow eyes. Burrowing owls use burrows year round for roosting and for nesting from February to August. Burrowing owls mainly eat insects however they will also eat snakes and rodents. Burrowing owls may be found utilizing the open land and pasture areas on the property. No burrowing owls have been observed.

Eastern indigo snake

The eastern indigo snake (*Drymarchon corais*) is a non-poisonous glossy blue to black snake. It is the largest native snake in the United States and can get up to nine feet long. This snake is often found in well drained scrub and sandhill habitats and is commonly considered to be associated with gopher tortoise burrows. While unlikely due to the disturbed nature of the site, the eastern indigo snake may be found in the some of the upland communities on the property.

Everglades Mink

The everglades mink (*Mustela vison evergladensis*) is a small mammal with a slender, dark brown body up to 2 feet, short legs, and a bushy tail. The mink is slightly similar in appearance to a river otter. The everglades mink occupies shallow freshwater marshes and primarily feeds on crayfish, fish, and small mammals. The everglades mink may utilize the onsite streams and wetland areas. Everglades Minks have not been observed on the property.

Florida Black Bear

The Florida Black Bear (*Ursus americanus floridanus*) is a subspecies of the American Black Bear. These bears are black with a brown muzzle and some have a white spot on there chest. Black Bear habitat includes pine flatwoods,

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hardwood hammocks, upland sand pine, and scrub oak. A male black bears home range is approximately 66 square miles.

**Florida Scrub Jay**

The Florida Scrub Jay (*Aphelocoma coerulescens*) is a small bird with a pale blue head, nape and wings. They have a pale gray belly and back with a white chest and throat. Scrub jays look similar to other jays but do not have a crest, tail feathers or white tipped wings. Scrub jays are found in scrub areas including oak and flatwoods. They live in families and maintain a territory of 5 to 50 acres (on average of 25 acres). Scrub Jays have not been observed on the property.

**Limpkin**

The limpkin (*Aramus guarauna*) is a large brown wading bird with white spots. Limpkins look superficially like an ibis. They have a piercing cry kree-ow, kra-ow. This bird is found in freshwater marshes, along the edges of ponds, and lakes, and in wooded swamps along rivers. Its preferred food source is the apple snail however it will also eat mussels, insects, crustaceans, worms, frogs, lizards, and other types of snails. Limpkins could potentially utilize the streams and wetland areas for foraging.

**Little Blue Heron**

The little blue heron (*Egretta caerulea*) is a medium sized slender heron whose appearance changes dramatically with age. First year herons are pure white while the adult herons appear slate blue. The little blue heron's diet includes small fish, amphibians, and aquatic invertebrates. Little blues occupy swamps, estuaries, rivers, ponds, and lakes and could potentially utilize the streams and wetland areas for foraging.

**Red Cockaded Woodpecker**

The red cockaded woodpecker (*Picoides borealis*) is a small, non-migratory, cavity nesting woodpecker. RCW's have a black and white ladder pattern on their back and wings. The belly and breast are white. They have a black cap, white patch on the check and a black bill. Males can be identified by a small red tuft behind the eye which is often difficult to see. RCW's live in family groups of two to five individuals and build their cavities in mature pine trees. Due to the limited quantity of mature pine trees on the property it is unlikely that RCW's would utilize the property. Cavity trees and/or RCW's were not observed on the property.

**Reddish egret**

The reddish egret (*Egretta rufescens*) is a large, slender egret with long legs and a long neck. There are two different distinct color patterns to this bird. The white morph is all white, while the dark morph individuals have a rust colored head and neck feathers, and slate gray body feathers. This wading bird is found primarily in coastal tidal flats, salt marshes, and lagoons. Reddish egrets utilize salt water

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areas almost exclusively and typically inhabit coastal areas. Their diet consists of small fish. Because of this it is unlikely that this bird would inhabit the property.

**Roseate Spoonbill**

The Roseate Spoonbill (*Platalea ajaja*) is a pink and white bird with a bare head. Its bill is grey to green; spoon shaped, and flattened out like a spatula. It is the only spoonbill species that lives in the western hemisphere. These birds primarily diet on small fish however crustaceans, insects, and aquatic plants may also be consumed. The roseate spoonbill primarily occupies estuaries, rivers, ponds, and marshes however it may utilize the streams and wetlands for foraging.

**Southeastern American Kestrel**

The Southeastern American Kestrel (*Falco sparverius paulus*) is the smallest member of the falcon family. It is approximately the size of a blue jay. The southeastern American kestrel is a reddish brown bird. Males have slate blue wings, a buff underside and small black spots on the lower abdomen. Females have brown streaks on their chest and black bands on their tails. Kestrels typically nest in cavities excavated by woodpeckers in dead trees. Due to the limited amount of pine areas on the property it is unlikely that the southeastern American kestrel would utilize this site.

**Snowy Egret**

The snowy egret (*Egretta thula*) is a small sized white heron with a black bill, black legs, and yellow feet. Snowy egrets typically eat fish, crabs, amphibians, and insects. Snowy egrets occupy salt marshes, swamps, ponds, shores, tidal flats, rice fields, and shallow coastal bays. Snowy Egrets could potentially utilize the streams and wetlands for foraging.

**Tri-colored Heron**

The Tricolored heron (*Egretta tricolor*) is a medium sized heron with a dark, slate gray head and upper body. They have a purplish chest and a white strip running down the front of their neck that creates their tricolor. Their diet consists of small fish, crustaceans, reptiles, amphibians, insects, snails, and other invertebrates. Tricolored Herons prefer saltwater and brackish water habitats however it forages in both freshwater and saltwater areas. Tricolored Herons can be found in salt and freshwater mudflats, marshes, swamps, and meadows. Tricolored herons could potentially utilize the streams and wetlands on the property for foraging.

**Gopher Tortoise**

The gopher tortoise (*Gopherus polyphemus*) is a large reptile that averages 25 cm long and 9 lbs in weight. Gopher tortoises dig burrows that extend down to the water table. A gopher tortoise burrow has a half moon shaped entry and typically contains a large sandy area outside of the burrow entrance called an apron. Their burrow creates a home for 401 species of animals. For this reason gopher tortoises are considered to be a keystone species. Gopher tortoises can be commonly found in dry scrub areas, including scrub oak, dry prairies, pine

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flatwoods, and coastal dune ecosystems. Tortoises are primarily herbivorous; however, they will eat insects for protein and the bones of dead animals for calcium. Gopher tortoises could potentially utilize the pine flatwoods, oak communities and pasture portion of the property.

Gopher frog

The gopher frog (*Rana capito*) is a stout bodied cream to brown or black frog with irregular spots on its back and sides. The Florida subspecies (*Rana capito aesopus*) also features a white to cream spotted chin, and a white belly. These frogs are commonly found in moist meadows, prairies, woodlands, and pine scrub areas. Gopher frogs are a dependent upon wetlands and ponds for breeding and are typically found in gopher tortoise burrows within 2,000 meters of a wetland or pond. The gopher frog utilizes gopher tortoise burrows as a home and is often associated with gopher tortoise burrows. Since the gopher frog is associated with gopher tortoise burrows the gopher frog could potentially be found in the pine flatwoods, oak communities and pasture portion of the property.

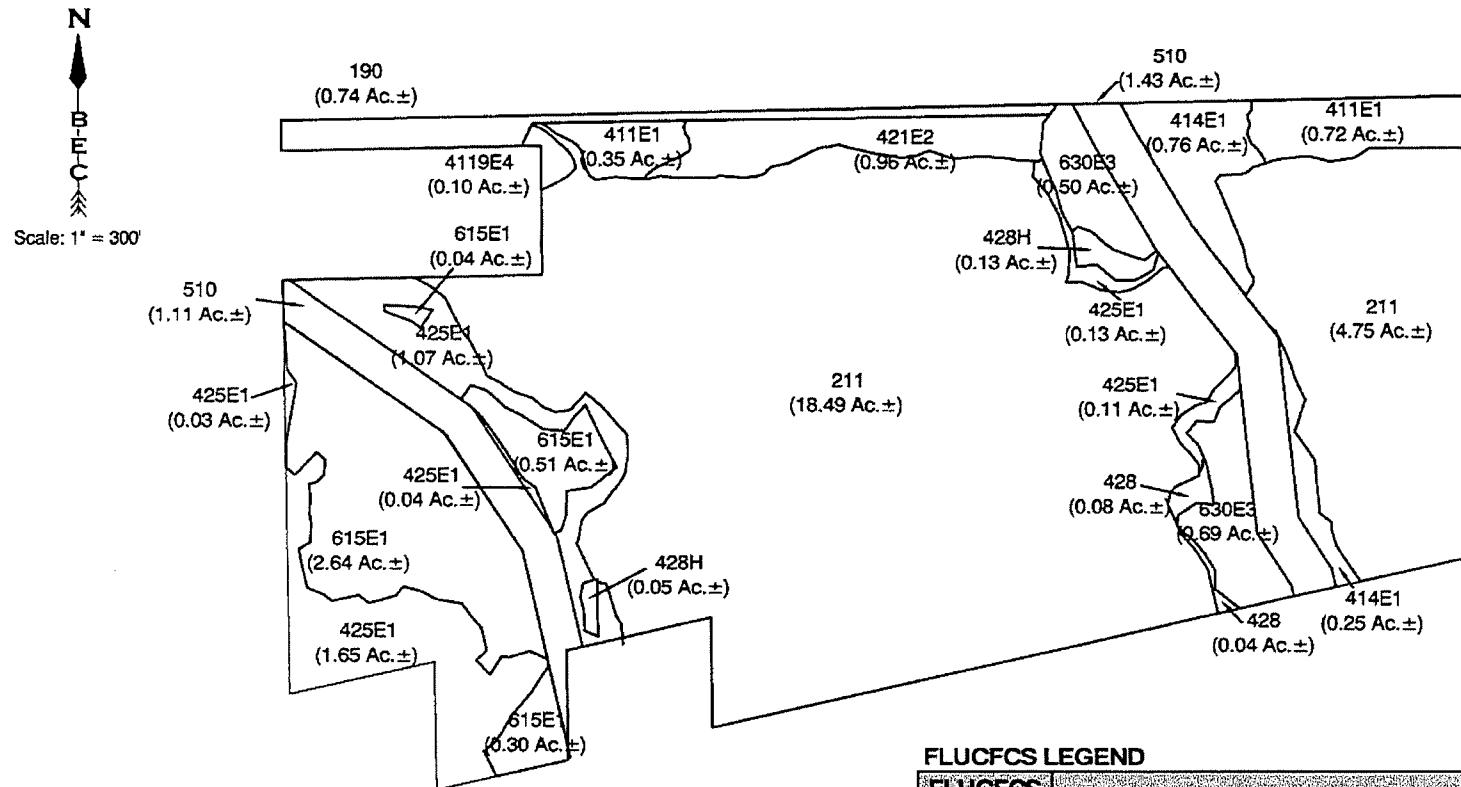
**Protected Plants by status**

FLUCFCS COMMUNITIES	SPECIES	USFWS	FDA
411E1, 414E1, 421E2, 4255E1, 428, 428H, 615E1 & 630E3	Twisted and banded air plant <i>Tillandsia flexuosa</i>		E
	Fuzzy-wuzzzy air plant <i>Tillandsia pruinosa</i>		E
	Giant wild pine <i>Tillandsia utriculata</i>		E

Listed Air Plants (*Tillandsia* spp.)

Several of the listed air plants are relatively common, but have recently been listed as a result of a weevil, which poses a potential future threat to its populations. It is likely that air plants do occur on the property, but in low numbers if they are present. Because the air plants typically cling to trees any of the forested communities on the property have the potential to contain these species.

Because of the disturbed nature of the on-site vegetation communities, the development of the site would not have any appreciable impact on listed wildlife or plant resources. There are no pristine vegetation communities on the property. Nearly 70 percent of the property has been disturbed by clearing events. Any development will likely have storm water management ponds that will satisfy wading bird usage on the property. Due to the absence or low potential of the property to support listed plant and animal species, measures to mitigate impacts to these species would be unnecessary. If any rare plants are found they can be relocated.



## NOTES:

FLUCFCS lines were estimated and based on aerial photographs. The FLUCFCS boundaries are approximate.

FLUCFCS per Florida Land Use, Cover and Forms Classification System (FLUCFCS) (FDOT 1999).

Aerial photographs were acquired through Lee County Property Appraiser's office with a flight dates from 8/22/07 to 11/11/07.

Property boundary was obtained from the Starnes Surveying, Inc.

## FLUCFCS LEGEND

FLUCFCS Code	Community Description	Acres	%
190	Other Open Lands	0.74 Ac.±	1.96%
211	Improved Pasture	23.24 Ac.±	61.69%
411 E1	Pine Flatwoods w/ Exotics (<25%)	1.07 Ac.±	2.84%
4119 E4	Disturbed Pine Flatwoods w/ Exotics (>75%)	0.10 Ac.±	0.27%
414 E1	Pine - Mesic Oak w/ Exotics (<25%)	1.01 Ac.±	2.68%
421 E2	Xeric Oak w/ Exotics (25-50%)	0.96 Ac.±	2.55%
425 E1	Temperate Hammock w/ Exotics (<25%)	3.03 Ac.±	8.04%
428	Cabbage Palm Hammock	0.12 Ac.±	0.32%
428H	Hydric Cabbage Palm Hammock	0.18 Ac.±	0.48%
510	Streams and Waterways	2.54 Ac.±	6.74%
615 E1	Stream and Lake Swamps w/ Exotics (<25%)	3.49 Ac.±	9.26%
630 E3	Wetland Forested Mixed w/ Exotics (50-75%)	1.19 Ac.±	3.16%
<b>TOTAL</b>		<b>37.67 Ac.±</b>	<b>100.00%</b>

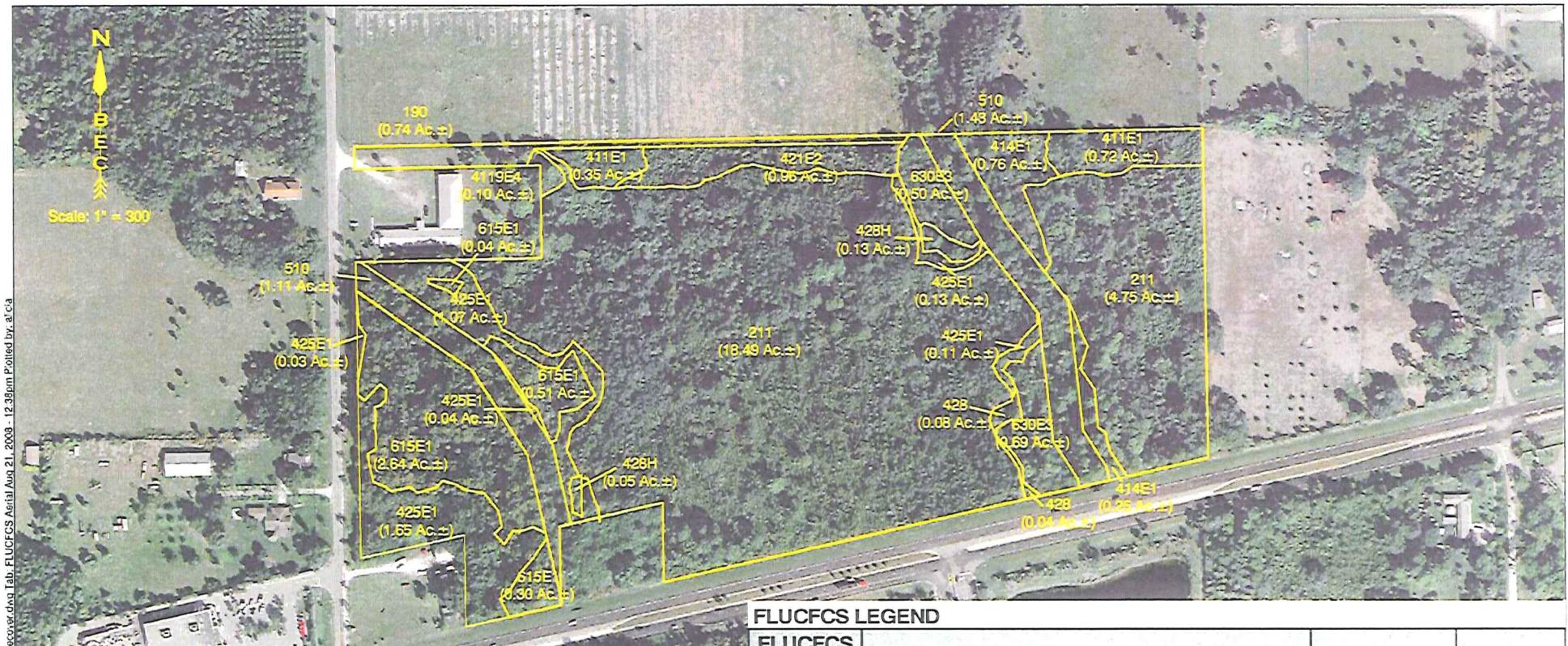


Drawn By: A.M.I.	Date: 7/31/08	Category: Aerial
Job Number	Scale:	
2005-208	1" = 300'	
S/T/R	County	

R & D Cattle/ CPA2007-00050

FLUCFCS MAP

Revisions	Date:	Page
		Exhibit
		CI



NOTES:

FLUCFCS lines were estimated and based on aerial photographs. The FLUCFCS boundaries are approximate.

FLUCFCS per Florida Land Use, Cover and Forms Classification System (FLUCFCS) (FDOT 1999).

Aerial photographs were acquired through Lee County Property Appraiser's office with a flight dates from 8/22/07 to 11/11/07.

Property boundary was obtained from Starnes Surveying, Inc.

Drawn By:	Date:	Category
A.M.L.	7/31/08	Aerial
Job Number		Scale:
2005-208	1" = 300'	
S/T/R		County
27/43S/26E		Lee

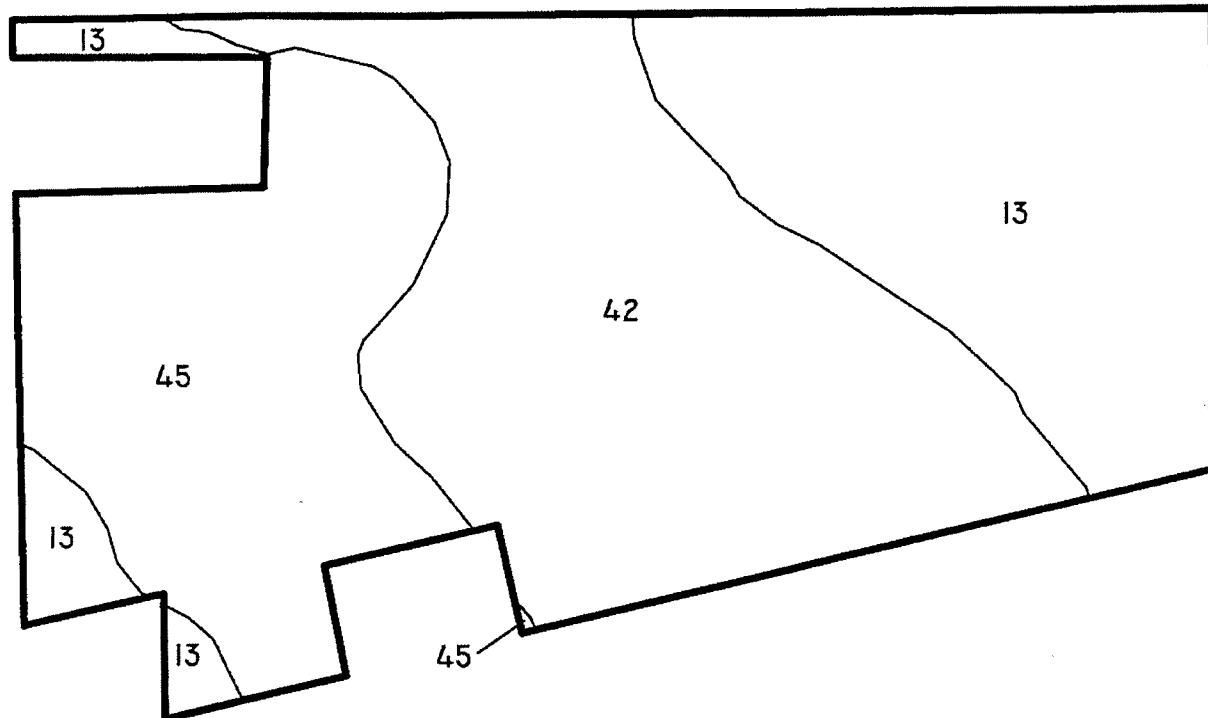
R & D Cattle/ CPA2007-00050

FLUCFCS AERIAL MAP

Revisions	Date:	Page
		Exhibit
		C2

N  
B  
E  
C  
S

Scale: 1" = 300'



Soils Legend		
Soil No.	Description	Status
13	Boca Fine Sand	Non-Hydric
42	Wabasso Sand, Limestone Substratum	Non-Hydric
45	Copeland Sandy Loam, Depressional	Hydric

Notes:

Soils were acquired from the FGDL and are from the NRCS Soils Maps.

N  
B  
E  
C

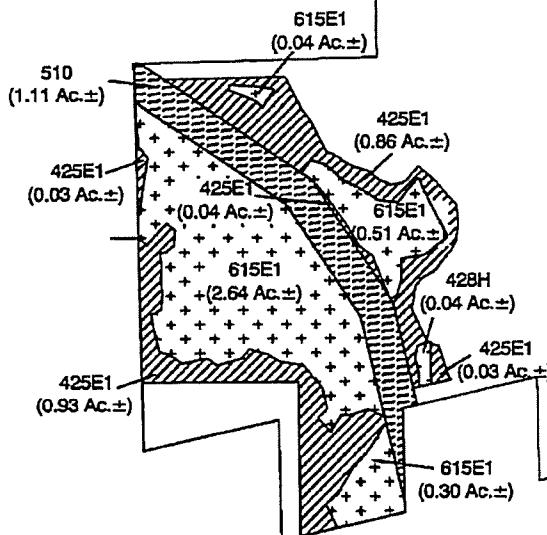
Scale: 1" = 300'

**NOTES:**

Wetland lines were surveyed by Starnes Surveying, Inc. The wetlands have not been verified by SFWMD or the CORPS.

**FLUCFCS per Florida Land Use,  
Cover and Forms Classification  
System (FLUCFCS) (FDOT 1999).**

Property boundary was obtained  
from Starnes Surveying, Inc.



A 5x5 grid of black plus signs (+) on a white background. The grid is composed of 25 individual plus signs arranged in a 5 by 5 pattern.

### WETLAND CONSERVATION LANDS - 3.02 AC.



UPI AND CONSERVATION LANDS - 1.89 AC

A black and white image showing a dense, regular grid of horizontal lines, likely a calibration pattern or a specific type of noise.

### OSW CONSERVATION LANDS - 1.11 AC.

## CONSERVATION LAND USE AREA LEGEND

FLUCFCS Code	Community Description	Acres
425 E1	Temperate Hammock w/ Exotics (<25%)	1.89 Ac.±
428H	Hydric Cabbage Palm Hammock	0.04 Ac.±
510	Streams and Waterways	1.11 Ac.±
615 E1	Stream and Lake Swamps w/ Exotics (<25%)	2.98 Ac.±
<b>TOTAL</b>		<b>6.02 Ac.±</b>

Drawn By:	Date:	Category
A.M.L.	8/21/08	Aerial
Job Number		Scale:
2005-208		1" = 300'
S/TRA		County
27/43S/26E		Lee

# R & D Cattle

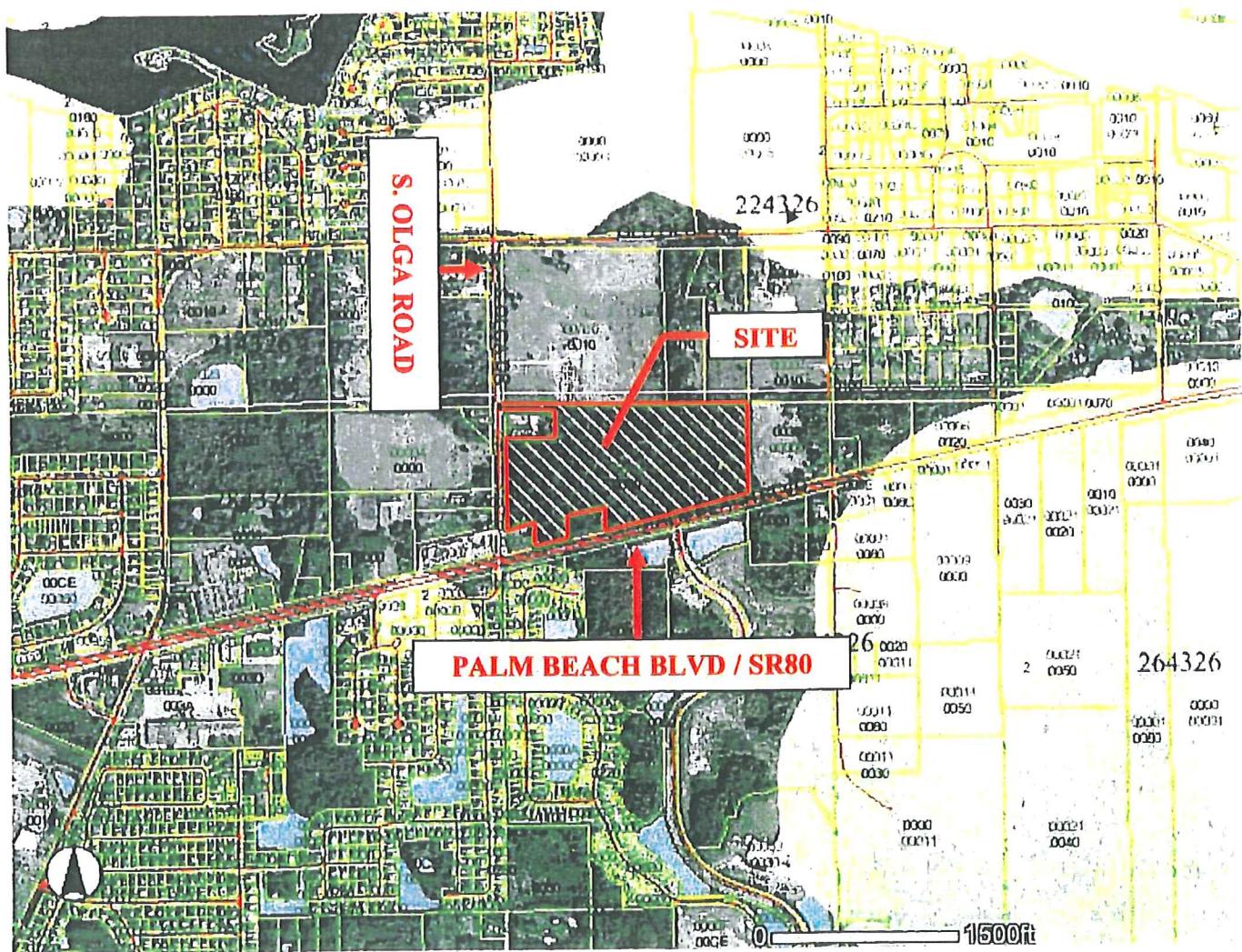
## CONSERVATION LAND USE AREA

Revisions	Date:	Page
AML R-28-2008		Exhibit

## Archeological Sensitivity Map

Strap # 27-43-26-00-00003.0000

(Subject Property is not located in the Archeologically Sensitive Area)





## *Florida Department of Transportation*

CHARLIE CRIST  
GOVERNOR

STEPHANIE KOPELOUSOS  
SECRETARY

### **MEMORANDUM**

**Date:** August 4, 2008

**To:** Rae Ann Boylan, Boylan Environmental

**From:** Sonshine Dupree, District One Drainage  
for Carl Spirio, District Drainage Engineer

**Copies:** Ralph Bond, R&D Cattle Co.

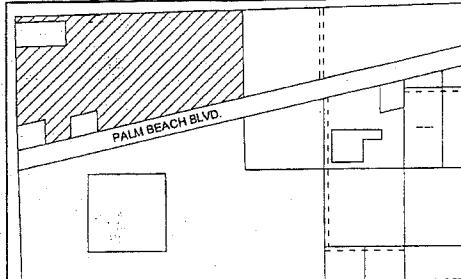
**Subject:** SR 80, Palm Beach Blvd.  
12020 M.P 11.270 – M.P. 11.802

*PL*

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The FDOT Drainage dept is fine with relocating the drainage easement for the above subject, however, the easement is to be maintained and preserved by Ralph Bond at R & D Cattle Co.

If you should need any other assistance, please call.



N  
W — E  
S  
SCALE: 1" = 100'

#### FLOOD INFORMATION:

ZONE: A7  
BASE ELEVATION: 8'  
MAP: 125124 0250 B  
DATE: 9-19-84

THE BEARINGS AS SHOWN HEREON ARE BASED ON THE CENTERLINE OF PALM BEACH BLVD. AS BEING N 77°11'00" E.

#### NOTE:

- 1) THE LOCATION OF THE SECOND ONE ACRE PARCEL THAT IS LESSED OUT IS VAGUE. A BETTER DESCRIPTION IS IN O.R. 3295, P. 1001.
- 2) PARCEL NO. 9 SHOULD HAVE A NOTE THAT STATES "LYING NORTH OF PALM BEACH BLVD." ADDED TO THE DESCRIPTION.
- 3) THE ENTRANCE DRIVEWAY TO THE CHURCH LOCATED AT THE N.W. CORNER OF THIS PARCEL ENCROACHES ONTO THIS PARCEL.

ALL OF THAT LAND IN TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY FLORIDA, TO WIT:

#### LEGAL DESCRIPTION AS PER O.R. 976 PAGE 553

PARCEL NO. 8: THE NW-1/4 OF THE NW-1/4 OF SECTION 27, LESS THAT PORTION THEREOF WHICH IS DESCRIBED AS FOLLOWS: BEGIN AT THE EAST LINE OF THE RIGHT-OF-WAY OF STATE ROAD NO. 2 AT THE NORTH LINE OF SECTION 27, THENCE SOUTH ALONG THE EAST LINE OF SAID RIGHT-OF-WAY A DISTANCE OF 50 FEET FOR A POINT OF BEGINNING OF THE LAND HEREIN DESCRIBED; THENCE SOUTH PARALLEL WITH THE EAST LINE OF SAID RIGHT-OF-WAY, 210 FEET; THENCE EAST PARALLEL WITH THE NORTH LINE OF SAID SECTION, 420 FEET; THENCE NORTH PARALLEL WITH THE EAST LINE OF SAID RIGHT-OF-WAY, 210 FEET; THENCE WEST TO THE POINT OF BEGINNING.

AND LESS ONE PARCEL OF ONE AND ONE-QUARTER ACRES WHICH IS DESCRIBED AS FOLLOWS: BEGINNING AT THE NE CORNER OF THE INTERSECTION OF ROUTE 80 AND HIGHWAY 31, THENCE RUN NORTHERLY ALONG HIGHWAY 31, 210 FEET; THENCE EASTERLY AND PARALLEL WITH THE NORTHERLY LINE OF ROUTE 80, 240 FEET; THENCE SOUTHERLY AND PARALLEL TO HIGHWAY 31 TO THE NORTHERN BOUNDARY OF ROUTE 80; THENCE WESTERLY ALONG THE NORTHERN BOUNDARY OF ROUTE 80 TO THE POINT OR PLACE OF BEGINNING.

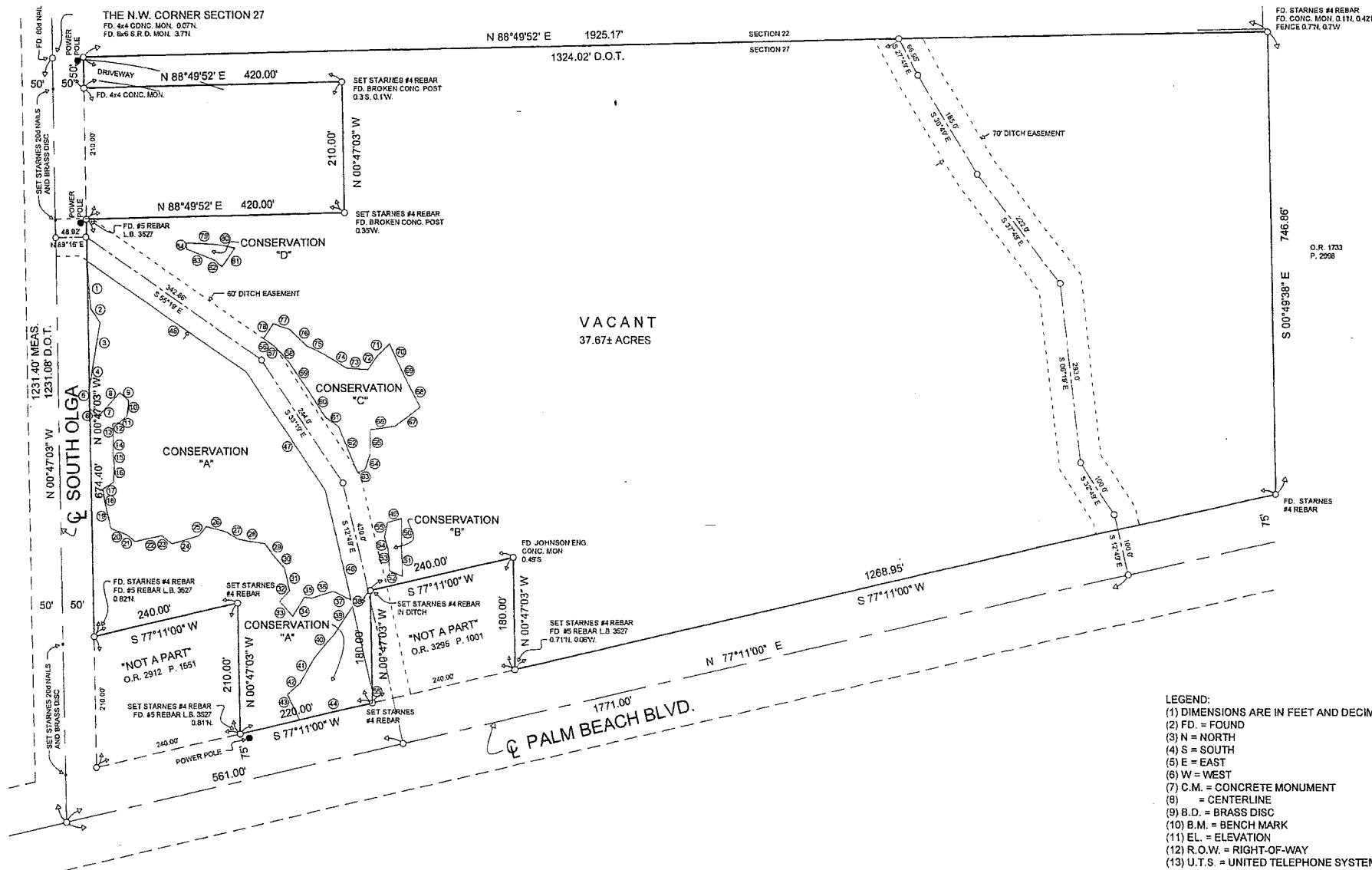
AND LESS, ALSO, APPROXIMATELY ONE ACRE OF LAND DESCRIBED AS FOLLOWS: BEGIN AT THE INTERSECTION OF THE EAST LINE OF A DRAINAGE DITCH AND THE NORTH LINE OF STATE ROAD 80 IN THE SW-1/4 OF THE NW-1/4 OF THE NW-1/4 OF SAID SECTION 27; THENCE RUN EASTERLY ALONG THE SAID ROAD 80 YARDS; THENCE NORTH PARALLEL TO STATE ROAD 31, 60 YARDS; THENCE WEST PARALLEL TO THE NORTH LINE OF STATE ROAD 80, 80 YARDS; THENCE SOUTH ALONG DRAINAGE DITCH TO POINT OF BEGINNING, LESS THE RIGHT-OF-WAY OF STATE ROAD 80, EXCEPTING THERE FROM THE RIGHT-OF-WAY OF STATE ROAD NO. 80 AND STATE ROAD NO. 31.

PARCEL NO. 9: THE W-1/2 OF THE NE-1/4 OF THE NW-1/4 OF SECTION 27.

I HEREBY CERTIFY THAT THE SURVEY HEREON WAS MADE UNDER MY DIRECTION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I DO NOT CERTIFY THAT THE ZONING REQUIREMENTS HAVE BEEN MET. I ALSO CERTIFY THAT THIS SURVEY HEREON MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA, AS SET FORTH IN SECTION 472.027, FLORIDA STATUTES AND ACCORDING TO CHAPTER 61G17-6 BOARD OF LAND SURVEYORS.

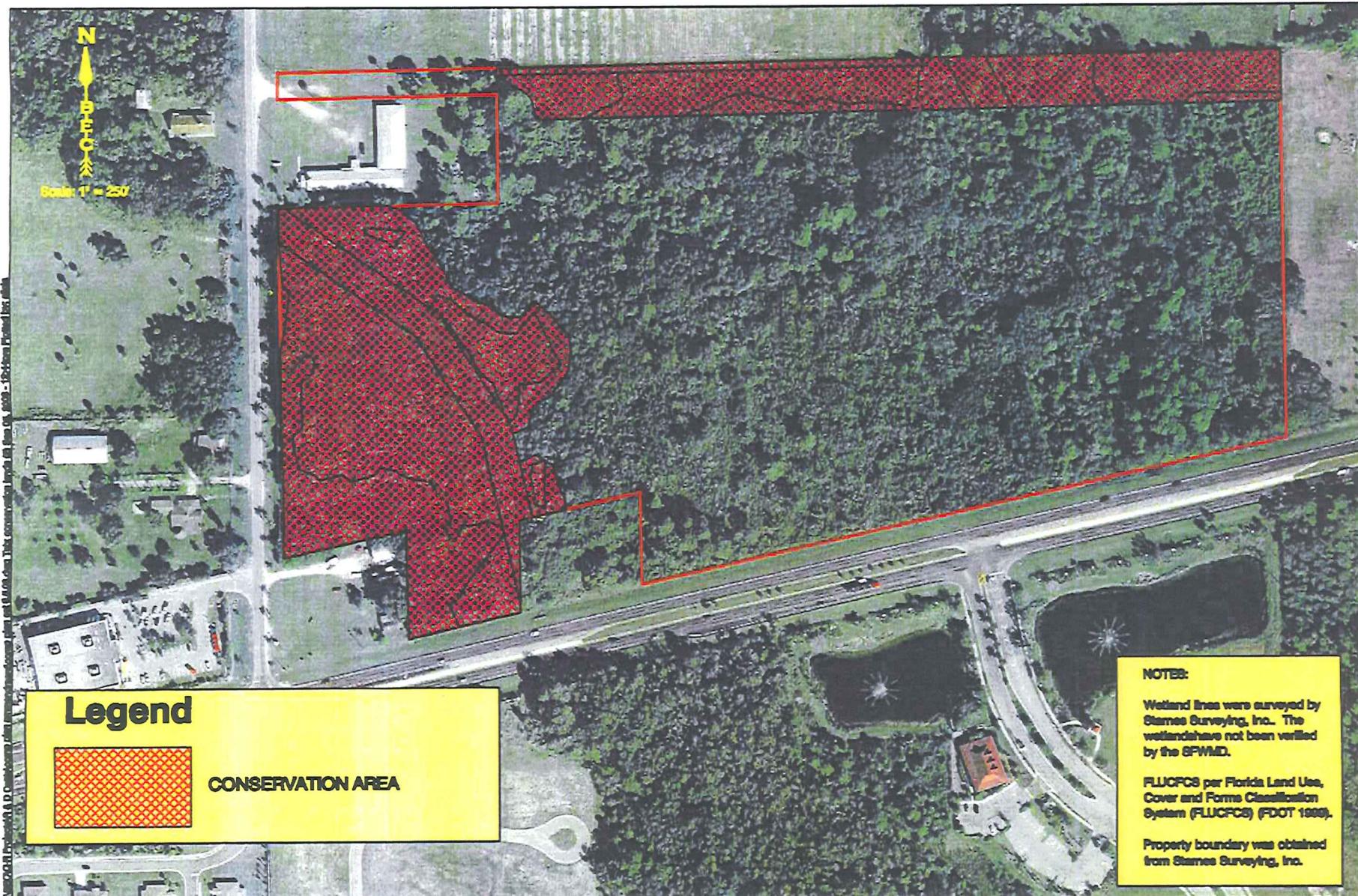
*James R. Starnes*  
REGISTERED LAND SURVEYOR P.L.S. #4869  
STATE OF FLORIDA JAMES R. STARNES

NOTE: THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



LEGEND:  
 (1) DIMENSIONS ARE IN FEET AND DECIMALS THEREOF.  
 (2) FD. = FOUND  
 (3) N = NORTH  
 (4) S = SOUTH  
 (5) E = EAST  
 (6) W = WEST  
 (7) C.M. = CONCRETE MONUMENT  
 (8) = CENTERLINE  
 (9) B.D. = BRASS DISC  
 (10) B.M. = BENCH MARK  
 (11) EL. = ELEVATION  
 (12) R.O.W. = RIGHT-OF-WAY  
 (13) U.T.S. = UNITED TELEPHONE SYSTEM  
 (14) C.B. = CATCH BASIN  
 (15) F.P.&L. = FLORIDA POWER & LIGHT  
 (16) P.O.B. = POINT OF BEGINNING  
 (17) P.O.C. = POINT OF COMMENCEMENT  
 (18) P.R.M. = PERMANENT REFERENCE MARKER  
 (19) P.C.P. = PERMANENT CONTROL POINT  
 (20) P.U.E. = PUBLIC UTILITY EASEMENT  
 (21) CALC. = CALCULATED  
 (22) MEAS. = MEASURED  
 (23) PRO. = PRORATED  
 (24) STARNES #4 REBAR = A #4 REBAR AND METAL CAP STAMPED STARNES  
 (25) STARNES MON. = CONCRETE MONUMENT WITH A METAL PLATE, STAMPED STARNES  
 (26) N.G.V.D. = NATIONAL GEODETIC VERTICAL DATUM  
 (28) M.H.T. = MEAN HIGH TIDE  
 (29) △ = DELTA  
 NOTE: UNDER GROUND IMPROVEMENTS THAT ARE NOT SHOWN, IF ANY WERE NOT LOCATED.

Starnes Surveying, Inc.			Boundary Survey		
Field Book	Page	Page	Field Book	Page	Page
24-25	74-75	W.O. 5755	24-25	74-75	W.O. 5755
L8 0728			L8 0728		
Surveying Engineering Land Planning			Surveying Engineering Land Planning		
18871 DURRANCE ROAD • N. FORT MYERS, FLORIDA • (239) 543-3335			18871 DURRANCE ROAD • N. FORT MYERS, FLORIDA • (239) 543-3335		
<p>1 S 04°07'09" E 76.56'      2 S 34°47'22" E 28.89'      3 S 09°50'11" W 71.24'      4 S 09°08'21" W 36.90'      5 S 00°47'03" E 31.17'      6 S 49°48'13" E 19.11'      7 N 43°31'44" E 27.82'      8 N 42°59'46" E 23.26'      9 S 48°52'41" E 18.50'      10 S. 04°09'44" W 25.08'      11 S 46°27'55" W 17.97'      12 S 79°07'13" W 11.23'      13 S 03°51'40" E 23.46'      14 S 02°56'17" W 25.75'      15 S 07°59'34" E 17.69'      16 S 02°41'20" W 29.20'      17 S 58°30'20" W 20.92'      18 S 07°47'52" E 21.45'      19 S 13°09'42" E 43.69'      20 S 67°53'41" E 27.32'      21 S 51°05'06" E 17.88'      22 N 77°44'15" E 44.59'      23 S 51°36'56" E 20.81'      24 N 74°14'09" E 45.60'      25 N 38°19'19" E 19.34'      26 S 75°06'02" E 32.20'      27 S 59°07'20" E 25.15'      28 S 80°33'11" E 42.70'      29 S 36°36'20" E 23.83'      30 S 40°57'47" E 26.62'      31 S 12°57'44" E 37.27'      32 S 44°58'57" W 23.00'      33 S 41°15'48" E 32.77'      34 N 31°42'04" E 36.52'      35 S 79°40'41" E 12.05'      36 N 72°55'44" E 35.87'      37 S 64°44'37" E 31.30'      38 S 12°49'00" E 10.80'      39 S 33°18'13" W 54.26'      40 S 40°28'31" W 47.86'      41 S 30°17'35" W 47.32'      42 S 49°59'59" W 27.50'      43 S 25°57'45" E 45.64'      44 N 77°11'00" E 120.00'      45 N 00°47'03" W 18.66'      46 N 12°49'00" W 331.33'      47 N 33°19'00" W 232.74'      48 N 55°19'00" W 313.91'      49 N 74°17'55" E 24.20'      50 S 00°30'57" W 56.65'      51 S 02°49'29" E 37.13'      52 S 66°28'07" W 23.84'      53 N 03°15'02" W 35.45'      54 N 18°03'19" W 20.03'      55 N 11°43'50" E 23.51'      56 S 55°19'00" E 18.38'      57 S 46°44'24" E 15.84'      58 S 40°30'38" E 24.66'      59 S 34°35'17" E 54.85'      60 S 31°23'17" E 50.48'      61 S 53°21'21" E 25.89'      62 S 21°28'50" E 80.89'      63 N 67°04'27" E 12.68'      64 N 18°58'33" E 27.46'      65 N 00°52'55" E 38.97'      66 N 81°18'53" E 40.13'      67 N 52°06'27" E 51.89'      68 N 27°15'41" W 41.59'      69 N 25°51'08" W 25.34'      70 N 24°57'59" W 46.56'      71 S 44°06'17" W 27.16'      72 S 35°08'52" W 26.82'      73 N 88°00'55" W 34.39'      74 N 57°38'11" W 44.09'      75 N 63°56'13" W 28.59'      76 N 46°41'53" W 38.42'      77 N 70°48'49" W 28.69'      78 S 33°58'05" W 28.53'      79 S 87°00'00" E 50.00'      80 S 78°58'41" E 28.87'      81 S 33°53'21" W 36.73'      82 N 48°46'21" W 15.58'      83 N 68°15'47" W 49.57'      84 N 00°10'00" W 10.00'</p> <p>CONSERVATION EASEMENT "A"      AN EASEMENT LYING IN SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:      COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 27; THENCE RUN N.88°49'52"E, FOR 50 FEET TO THE EAST RIGHT OF WAY LINE OF FORMER STATE ROAD 31; THENCE RUN S.00°47'03"E, ALONG SAID RIGHT OF WAY LINE FOR 327.43 FEET TO ITS INTERSECTION WITH THE SOUTHERLY SIDE OF A 60 FOOT WIDE DRAINAGE EASEMENT AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT.      FROM SAID POINT OF BEGINNING RUN S.04°07'09"E, FOR 76.56 FEET; THENCE RUN S.34°47'22"E, FOR 26.89 FEET; THENCE RUN S.09°50'11"W, FOR 71.24 FEET; THENCE RUN S.09°08'21"W, FOR 36.90 FEET; THENCE RUN S.00°47'03"E, ALONG SAID AFOREMENTIONED RIGHT OF WAY LINE FOR 31.17 FEET, THENCE RUN S.49°48'13"E, FOR 19.11 FEET; THENCE RUN N.43°31'44"E, FOR 27.82 FEET; THENCE RUN S.02°56'17"W, FOR 25.75 FEET; THENCE RUN S.07°59'34"E, FOR 17.69 FEET; THENCE RUN S.02°41'20"W, FOR 29.20 FEET; THENCE RUN S.58°30'20"W, FOR 20.92 FEET; THENCE RUN S.07°47'52"E, FOR 21.45 FEET; THENCE RUN S.13°09'42"E, FOR 43.69 FEET; THENCE S.67°53'41"E, FOR 27.32 FEET; THENCE RUN S.51°05'08"E, FOR 17.88 FEET; THENCE RUN N.77°44'15"E, FOR 44.59 FEET; THENCE RUN S.51°36'56"E, FOR 20.81 FEET; THENCE RUN N.74°14'09"E, FOR 45.60 FEET; THENCE RUN N.38°19'19"E, FOR 19.34 FEET; THENCE RUN S.75°06'02"E, FOR 32.20 FEET; THENCE RUN S.59°07'20"E, FOR 25.15 FEET; THENCE RUN S.80°33'51"E, FOR 42.70 FEET; THENCE RUN S.36°36'20"E, FOR 23.83 FEET; THENCE RUN S.40°57'47"E, FOR 26.62 FEET; THENCE RUN S.12°57'44"E, FOR 37.27 FEET; THENCE RUN S.44°58'57"E, FOR 23.84 FEET; THENCE RUN N.31°42'04"E, FOR 36.52 FEET; THENCE RUN S.79°40'41"E, FOR 12.05 FEET; THENCE RUN N.72°55'44"E, FOR 35.87 FEET; THENCE RUN S.64°44'37"E, FOR 31.30 FEET; THENCE RUN S.12°49'00"E, FOR 10.80 FEET; THENCE RUN S.33°16'13"W, FOR 54.28 FEET; THENCE RUN S.40°28'31"W, FOR 47.86 FEET; THENCE RUN S.30°17'35"W, FOR 47.32 FEET; THENCE RUN S.49°59'59"W, FOR 27.50 FEET; THENCE RUN S.25°57'45"E, FOR 45.64 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF STATE ROAD 80; THENCE RUN N.77°11'00"E, ALONG SAID RIGHT OF WAY LINE FOR 120.00 FEET TO THE WEST LINE OF THAT PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 3285 AT PAGE 1001 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN N.00°47'03"W, ALONG THE WEST LINE OF SAID PARCEL FOR 18.66 FEET TO ITS INTERSECTION OF THE WESTERLY LINE OF A 60 FOOT WIDE DRAINAGE EASEMENT; THENCE RUN N.12°49'00"W, ALONG SAID EASEMENT LINE FOR 331.33 FEET; THENCE RUN N.33°19'00"W, ALONG SAID EASEMENT LINE FOR 232.74 FEET; THENCE RUN N.55°19'00"W, FOR 313.91 FEET TO THE POINT OF BEGINNING.      SAID EASEMENT CONTAINS 2.935 ACRES</p> <p>CONSERVATION EASEMENT "B"      AN EASEMENT LYING IN SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:      COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 27; THENCE RUN S.35°37'28"E, FOR 925.23 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT.      FROM SAID POINT OF BEGINNING RUN N.74°17'55"E, FOR 24.20 FEET; THENCE RUN S.00°30'57"W, FOR 56.65 FEET; THENCE RUN S.02°49'29"E, FOR 37.13 FEET; THENCE RUN N.66°28'07"W, FOR 23.84 FEET; THENCE RUN N.03°15'02"W, FOR 35.45 FEET; THENCE RUN N.18°03'19"W, FOR 20.03 FEET; THENCE RUN N.11°43'50"E, FOR 23.51 FEET TO THE POINT OF BEGINNING.      NOTE THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27 BEARS N.88°49'52"E.      SAID EASEMENT CONTAINS 0.046 ACRES</p> <p>CONSERVATION EASEMENT "C"      AN EASEMENT LYING IN SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:      COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 27; THENCE RUN S.37°03'32"E, FOR 566.21 FEET TO A POINT LYING ON THE NORTHERLY LINE OF A 60 FOOT WIDE DRAINAGE EASEMENT AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT.      FROM SAID POINT OF BEGINNING RUN S.55°19'00"E, ALONG SAID DRAINAGE EASEMENT FOR 18.38 FEET; THENCE RUN S.46°44'24"E, FOR 15.84 FEET; THENCE RUN S.40°30'38"E, FOR 24.66 FEET; THENCE RUN S.34°35'17"E, FOR 54.85 FEET; THENCE RUN S.21°28'50"E, FOR 80.89 FEET; THENCE RUN N.67°04'27"E, FOR 12.68 FEET; THENCE RUN N.18°58'33"E, FOR 27.46 FEET; THENCE RUN N.00°52'55"E, FOR 38.97 FEET; THENCE RUN N.81°18'53"E, FOR 40.13 FEET; THENCE RUN N.52°06'27"E, FOR 51.89 FEET; THENCE RUN N.27°15'41"W, FOR 41.59 FEET; THENCE RUN N.25°51'08"W, FOR 25.34 FEET; THENCE RUN N.24°57'59"W, FOR 46.56 FEET; THENCE RUN S.44°06'17"W, FOR 27.16 FEET; THENCE RUN N.35°08'52"W, FOR 28.82 FEET; THENCE RUN N.88°00'55"W, FOR 34.39 FEET; THENCE RUN N.57°38'11"W, FOR 44.09 FEET; THENCE RUN N.63°56'13"W, FOR 28.59 FEET; THENCE RUN N.46°41'53"W, FOR 38.42 FEET; THENCE RUN N.70°48'49"W, FOR 28.69 FEET; THENCE RUN S.33°58'05"W, FOR 28.53 FEET TO THE POINT OF BEGINNING.      SAID EASEMENT CONTAINS 0.512 ACRES</p> <p>CONSERVATION EASEMENT "D"      AN EASEMENT LYING IN SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:      COMMENCING AT THE NORTHWEST CORNER OF SAID SECTION 27; THENCE RUN S.36°05'03"E, FOR 368.57 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT.      FROM SAID POINT OF BEGINNING RUN S.87°00'00"E, FOR 50.00 FEET; THENCE RUN S.78°58'41"E, FOR 28.87 FEET; THENCE RUN S.33°53'21"W, FOR 36.73 FEET; THENCE RUN N.68°15'47"W, FOR 49.57 FEET; THENCE RUN N.00°10'00"W, FOR 10.00 FEET TO THE POINT OF BEGINNING.      SAID PARCEL CONTAINS 0.035 ACRES</p> <p>NOTE THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 27 BEARS N.88°49'52"E.</p> <p>I HEREBY CERTIFY THAT THE SURVEY HEREON WAS MADE UNDER MY DIRECTION AND IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. I DO NOT CERTIFY THAT THE ZONING REQUIREMENTS HAVE BEEN MET. I ALSO CERTIFY THAT THIS SURVEY HEREON MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING IN THE STATE OF FLORIDA, AS SET FORTH IN SECTION 472.027, FLORIDA STATUTES AND ACCORDING TO CHAPTER 61G17-6 BOARD OF LAND SURVEYORS.</p> <p>James R. Starnes      REGISTERED LAND SURVEYOR P.L.S. #4869      STATE OF FLORIDA JAMES R. STARNES</p> <p>NOTE: THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.</p>					



Boylan  
Environmental  
Consultants, Inc.  
Pollution & Wildlife Survey, Environmental Permitting,  
Impact Assessments  
17000 Metro Parkway, Suite 4, Ft. Myers, FL 33912 (239) 432-0077

Drawn By: **AML** Date: **8/21/08** Category: **Aerial**  
Job Number: **2005-208** Scale: **1" = 250'**  
S/T/R  
County:  
Lee

**R & D Cattle**  
**CONSERVATION LAND USE AREA**

Revisions	Date	Page
<b>AML 9.4.08</b>		
<b>AML 9.5.08</b>		<b>Exhibit</b>



200'

REVISED 08/08

JOURNAL OF LITERATURE

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R. & D. CATTIF CO.

Gainesville

14 *Chaitin-Graeffer*

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MARCH

DEPEW

ENGINEERS • PLANNERS • SURVEYORS

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9/04

MONDAY  
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125  
4/08

10

AG-2  
AGRICULTURAL / VACANT  
FLUM: SUBURBAN

AG-2  
VACANT  
FLUM: RURAL

100' NATIVE BUFFER

100' NATIVE BUFFER

50'

50'

AG-2  
CHURCH  
FLUM: SUBURBAN

SOUTH OIGA DR

AG-2  
RESIDENTIAL / VACANT  
FLUM: SUBURBAN

15' TYPE 'D' BUFFER

15' TYPE 'D' BUFFER

8' FOOT DRAINAGE DITCH

AG-2  
AGRICULTURAL  
FLUM: RURAL

C-1A  
VACANT  
FLUM: SUBURBAN

CN-2  
VACANT  
FLUM: SUBURBAN

CR  
COMMERCIAL  
FLUM: SUBURBAN

PALM BEACH BLVD

RIVER HALL PKWY

CPD  
VACANT  
FLUM: RURAL

RPD  
RESIDENTIAL/VACANT  
FLUM: SUBURBAN

**DELISI FITZGERALD, INC.**  
Planning - Engineering - Project Management

**BYRUS OLGA**  
**HISTORIC RESOURCES**

The subject property contains no historic structures or districts, and is outside the Archaeological Sensitivity 2 area. The proposed commercial area will not have an impact on historical or archaeological resources. Refer to maps 10 and 11.

SEARCHED  
INDEXED  
SERIALIZED  
FILED  
13 2007

PERMIT NUMBER

CPA 2007-00060



**LEE COUNTY**  
SOUTHWEST FLORIDA  
BOARD OF COUNTY COMMISSIONERS

Bob Janes  
District One

Brian Eigelow  
District Two

Ray Judah  
District Three

Tammy Hall  
District Four

Frank Mann  
District Five

Donald D. Stilwell  
County Manager

David M. Owen  
County Attorney

Diana M. Parker  
County Hearing  
Examiner

October 12, 2007

Ms. Jane Nicholson  
DeLisi Fitzgerald, Inc.  
1500 Royal Palm Square Blvd., Suite 101  
Fort Myers, FL 33919

**SUBJECT: Comp Plan Amendment, Byrus Olga Letter of Availability**

Dear Ms. Nicholson:

The Lee County Solid Waste Division is capable of providing solid waste collection service for the additional commercial area proposed for the subject property located at 208 Linwood Avenue, Alva FL through our franchised hauling contractors. Disposal of the solid waste from these developments will be accomplished at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill. Plans have been made, allowing for growth, to maintain long-term disposal capacity at these facilities.

The Solid Waste Ordinance (05-13, Section 21) and the Lee County Land Development Code, Chapter 10, Section 10-261 have requirements for providing on-site space for placement and servicing of certain commercial solid waste containers. Please review these requirements when planning the project. If you have any questions, please call me at (239) 338-3302.

Sincerely,

William T. Newman  
Operations Manager  
Solid Waste Division

10/13/2007  
13 2007

PERMIT NUMBER

CPA 2007-00060



# LEE COUNTY

SOUTHWEST FLORIDA

## BOARD OF COUNTY COMMISSIONERS

Bob Janes  
*District One*

A. Brian Bigelow  
*District Two*

Ray Judah  
*District Three*

Tammy Hall  
*District Four*

Frank Mann  
*District Five*

Donald D. Stilwell  
*County Manager*

David M. Owen  
*County Attorney*

Diana M. Parker  
*County Hearing  
Examiner*

October 15, 2007

Ms. Jane Nicholson  
DeLisi Fitzgerald, Inc.  
1500 Royal Palm Square Blvd.  
Suite 101  
Fort Myers, FL 33919

**Re: Byrus Olga Letter of Availability  
STRAP No.: 27-43-26-00-00006.0030**

Ms. Nicholson:

Lee County Transit received your letter dated October 5, 2007 in reference to the Comprehensive Plan Amendment Application for the subject property. Lee County does not currently provide public transportation services to the subject property. The nearest existing services are approximately 8/10ths of a mile west on Palm Beach Boulevard at Old Olga Road. Planning studies have not identified the need to extend local bus service to the subject site anytime within the existing Lee County Transit Development Plan, which goes through 2015. The Lee County Long Range Transportation Plan, which has a planning horizon through 2030 only indicates the need for express commuter service through this corridor in the future. Any increase in demand for public transit services as a result of the proposed change to the Future Land Use Map will not be met.

If you have any questions please contact me at (239) 533-0333 or you can send an e-mail to [mhorsting@leegov.com](mailto:mhorsting@leegov.com).

Sincerely,

Michael Horsting, AICP  
Principal Planner  
Lee County Transit

PERMIT NUMBER

CPA 2007-00060

EXHIBIT "A"

DESCRIPTION:

A TRACT OR PARCEL SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 27; THENCE S.88°48'43"W. A DISTANCE OF 20.00 FEET TO THE WEST RIGHT OF WAY OF LINWOOD AVENUE AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE S.00°52'22"E ALONG THE WEST RIGHT OF WAY LINE OF LINWOOD AVENUE A DISTANCE OF 615.35 FEET TO THE NORTH RIGHT OF WAY OF PALM BEACH BOULEVARD (SR 80); THENCE S.77°08'36"W. ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 653.15 FEET; THENCE N.00°49'59"W. A DISTANCE OF 747.45 FEET; THENCE N.88°48'43"E. A DISTANCE OF 638.41 FEET TO THE WEST RIGHT OF WAY OF LINWOOD AVENUE AND THE POINT OF BEGINNING.

RECEIVED  
NOV 13 2007

PERMIT COURSES

CPA 2007-00060

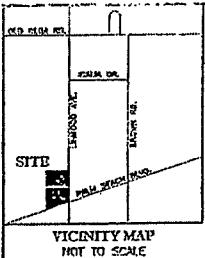
NOV 13 2007

PERMIT NUMBER

RECEIVED

CPA 2007-00060

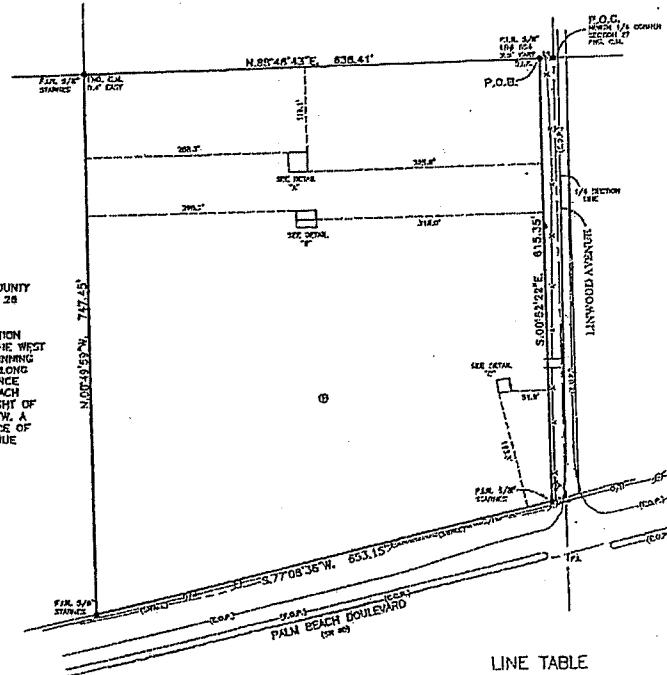
SURVEY PLAT  
OF  
A PARCEL OF LAND  
LYING IN  
SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST,  
LEE COUNTY, FLORIDA



DESCRIPTION:

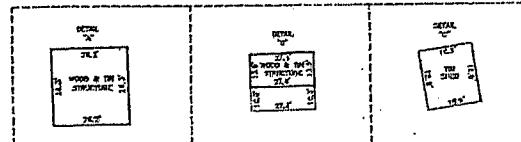
A TRACT OR PARCEL SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 27, TOWNSHIP 43 SOUTH, RANGE 26 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH QUARTER CORNER OF SAID SECTION 27, THENCE S.68°40'45" W. A DISTANCE OF 20.00 FEET TO THE WEST RIGHT OF WAY OF LINWOOD AVENUE, AND THE POINT OF BEGINNING OF THE HERON DESCRIBED PARCEL; THENCE S.00°52'22" E ALONG THE WEST RIGHT OF WAY LINE OF LINWOOD AVENUE, A DISTANCE OF 615.35 FEET; THENCE S.77°08'36" W. ALONG SAID RIGHT OF WAY LINE A DISTANCE OF 653.15 FEET; THENCE N.00°19'53" W. A DISTANCE OF 747.45 FEET; THENCE N.68°40'45" E. A DISTANCE OF 626.11 FEET TO THE WEST FRONT OF WAY OF LINWOOD AVENUE AND THE POINT OF BEGINNING.



LEGEND:

- SLR - SET 5/8" IRON ROD & CAP. US #7071
- P.C. - POINT OF COMMENCEMENT
- P.O.I. - POINT OF INTERSECTION
- CON - CONCRETE MONUMENT
- POH - POINT OF HIGH
- EOP - EDGE OF PAVEMENT
- FAR - FOUND IRON ROD & CAP
- ♦ - FIRE HYDRANT
- x - FENCE LINE
- O/H — OVERHEAD UTILITY LINES
- WOOD UTILITY POLE
- STREET SIGN
- WELL



LINE TABLE

Line	Bearing	Distance
L1	S.68°40'45" W.	20.00'

FOR THE EXCLUSIVE USE OF:  
- WILLIAM BYRUS

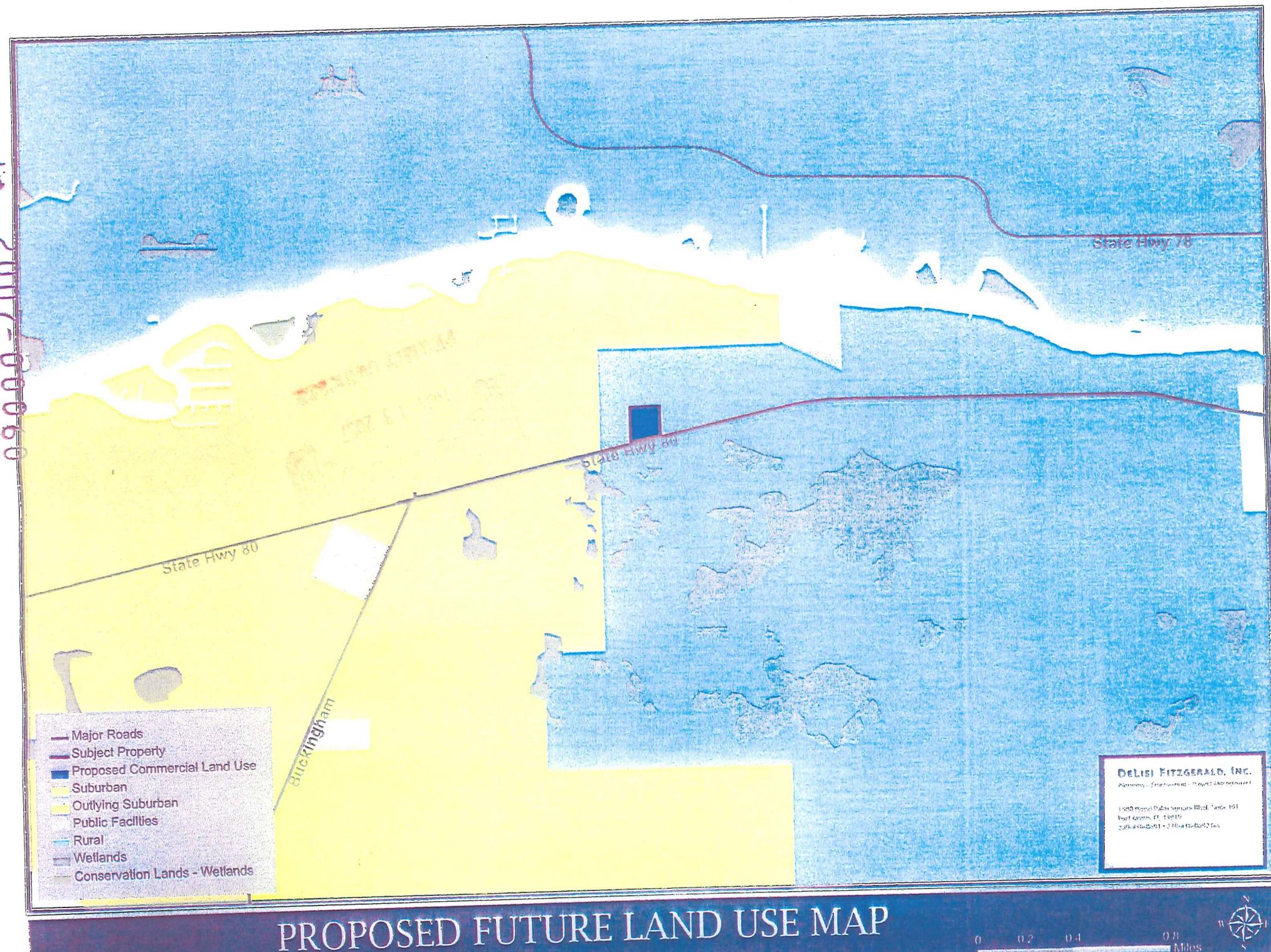
BY:  
SCOTT M. SHORE  
PROFESSIONAL SURVEYOR AND MAPPER  
FLORIDA CERTIFICATE NO. LS #5745  
DATE SIGNED: 4-26-2007

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL PASED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

THIS BOUNDARY SURVEY IS ONLY FOR THE LANDS AS DESCRIBED. IT IS NOT A CERTIFICATE OF TITLE, ZONING, EASEMENTS OR FREEDOM OF ENCUMBRANCES.

THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF AN ABSTRACT OF TITLE AND ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.

TITLE: BOUNDARY SURVEY			
<b>METRON SURVEYING &amp; MAPPING, LLC</b>			
5245 RAMSEY WAY, SUITE #2 FORT MYERS, FLORIDA 33907 PHONE: (239) 275-8575 FAX: (239) 275-8457 www.metronfl.com			
FILE NAME: 7761SRDWG	FIELD WORKSPACE: 279/64	PROJECT NO: 7753	SHOOT: 1 OF 1
SURVEY DATE: 4-11-07	EXAM BY: RY	SCALE: 1"= 100'	CHECKED BY: SMS
FILE NO. (S-F-N) 27-43-26			



# PROPOSED FUTURE LAND USE MAP

BY RUS OLGA

0 0.2 0.4 0.8 Mile

