kwiktag® 034 988 295

GIS Tracking Sheet

Case No.: **ADD2008-00136**

Intake Date: 9-23-08

Project Name: Country Inn and Suites

STRAP Number(s): 03-44-25-10-00000.001A
03-44-25-10-00000.001B

Planner Name: Shawn Lamey Ext. 38984

FILE ON PLANNER'S DESK

LEGAL DESCRIPTION VERIFICATION and **INITIAL GIS MAPPING**

Date: 10-13-08 **INTAKE:** add 2008-00136

LEGAL SUFFICIENT ☒ YES ☐ NO Initials: CJ

If not, give brief explanation:

Legal & Sketch due not match B.S ok

MAP UPDATE following **FINAL ACTION**

Date:

☐ Hearing Examiner Decision ☐ Board of County Commissioner's Resolution

☐ Administrative Approval ☐ Blue Sheet

Zoning Notes:

1/6/09

MAP UPDATED ☒ YES ☐ NO Initials: CJ

If not, give brief explanation: ZONE: CPD; 501449

METRON
SURVEYING & MAPPING, LLC
LAND SURVEYORS • PLANNERS

ADD 2008-00136

RECEIVED
OCT 10 2008
COMMUNITY DEVELOPMENT

LEGAL DESCRIPTION
OF A PARCEL OF LAND LYING IN
SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

(PART OF LOT 1, ORANGE RIVER CENTRE)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, BEING PART OF LOT 1, ORANGE RIVER CENTRE A SUBDIVISION RECORDED IN PLAT BOOK 48, PAGE 67 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LYING IN SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE N.88°45'42"E. ALONG THE SOUTH LINE OF SAID LOT 1 FOR 116.00 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED PARCEL; THENCE N.00°48'56"W. FOR 205.68 FEET TO THE NORTH LINE OF SAID LOT 1; THENCE N.89°11'12"E. ALONG THE NORTH LINE OF SAID LOT 1 FOR 179.14 FEET; THENCE N.00°48'48"W. FOR 27.85 FEET; THENCE N.89°11'12"E. ALONG THE NORTH LINE OF SAID LOT 1 FOR 250.05 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 35.00 FEET, A CENTRAL ANGLE OF 90°03'52", A CHORD BEARING AND DISTANCE OF S.45°46'52"E., 49.53 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 55.02 FEET TO THE END OF SAID CURVE, BEING ON THE WEST RIGHT-OF-WAY LINE OF ORANGE RIVER BOULEVARD; THENCE S.00°44'56"E. FOR 195.05 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE S.88°45'42"W. ALONG THE SOUTH LINE OF SAID LOT 1 FOR 463.97 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 2.35 ACRES, MORE OR LESS.

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

BEARINGS ARE BASED ON THE SOUTH LINE OF LOT 1, ORANGE RIVER CENTRE BEING S.88°45'42"W.

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

DENIS J. O'CONNELL, JR.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5430

DATE 10/1/08

SHEET 1 OF 2

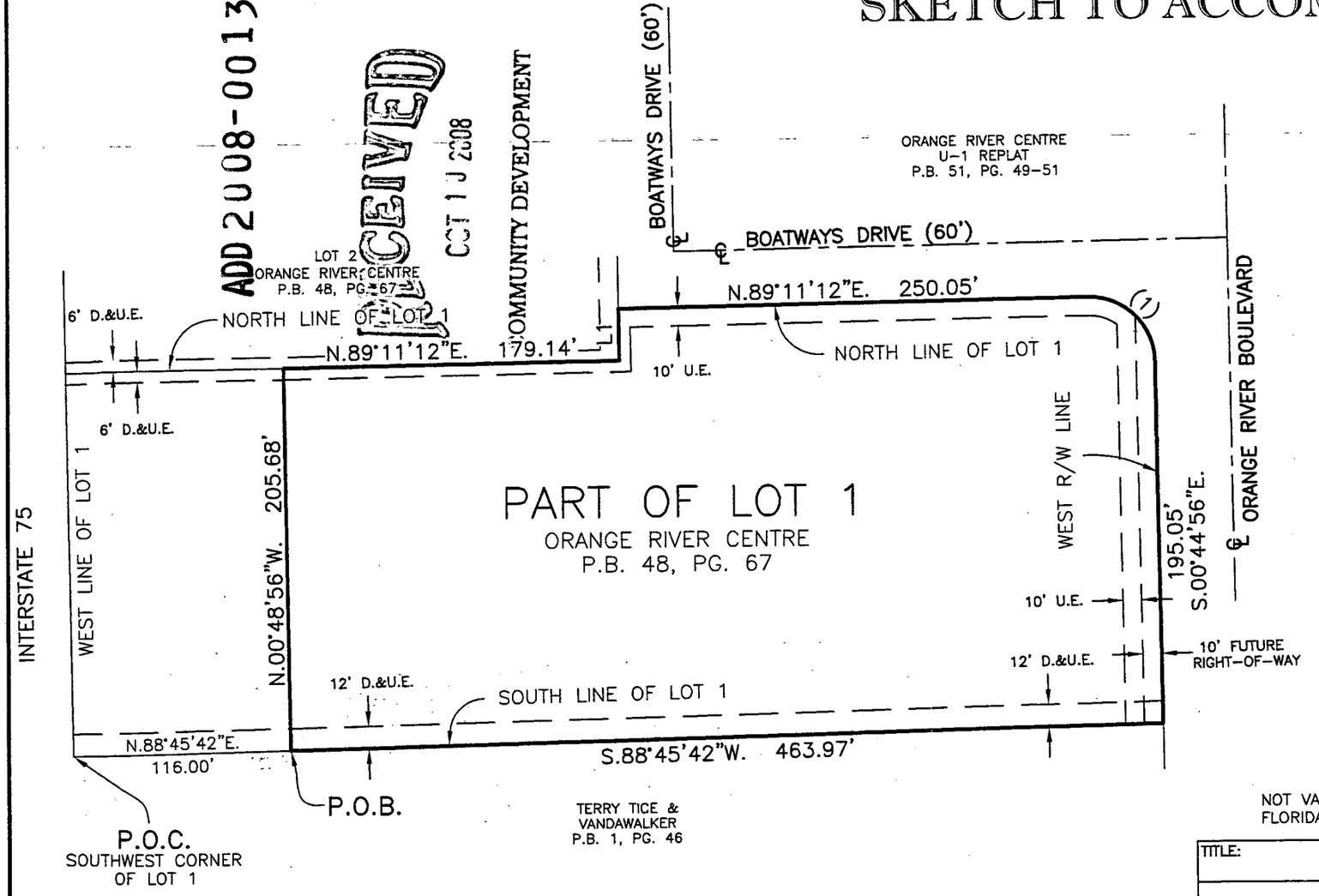
10970 S. Cleveland Avenue, SUITE #605 • Fort Myers, Florida 33907 • Phone (239) 275-8575 • Fax (239) 275-8457
www.metronfl.com

Applicant's Legal Checked
by BG 10-13-08

SKETCH TO ACCOMPANY DESCRIPTION

ADD 2008-00136

RECEIVED
OCT 10 2008
COMMUNITY DEVELOPMENT



Curve number 1

Radius= 35.00'
Delta= 90°03'52"
Arc= 55.02'
Chord= 49.53'
Chord Brg.= S.45°46'52"E.

N

Applicant's Legal Checked
by BG 10-13-08

* THIS IS NOT A SURVEY *

BY: _____
DENIS J. O'CONNELL, JR.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. LS# 5430
DATE SIGNED: 10/1/08

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

LEGEND:

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
R/W = RIGHT-OF-WAY
P.B. = PLAT BOOK
PG. = PAGE
FPL = FLORIDA POWER & LIGHT COMPANY
U.E. = UTILITY EASEMENT
D.&P.U. = DRAINAGE & UTILITY EASEMENT

LINE TABLE

Line	Bearing	Distance
L1	N.00°48'48"W.	27.85'

* SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION *

TITLE: SKETCH OF DESCRIPTION

METRON
SURVEYING & MAPPING, LLC
LAND SURVEYORS-PLANNERS
LB# 7071

10970 S. CLEVELAND AVENUE,
SUITE #605
FORT MYERS, FLORIDA 33907
PHONE: (239) 275-8575
FAX: (239) 275-8457
www.metronfl.com

FILE NAME:	PROJECT NO.:	SHEET:
2911 LT2 SK.DWG	2911	2 OF 2

SKETCH DATE:	DRAWN BY:	SCALE:	CHECKED BY:	(S-T-R)
10-01-2008	DJO	1"= 80'	DJO	3-44-25

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Mohammed Rahman/Four Star Investment Group, Inc., filed an application for administrative approval to a Commercial Planned Development on a project known as Country Inn and Suites **to increase the number of floors from three (3) to four (4) but not increase the approved height** for property located at south side of Boat Ways Drive, described more particularly as:

LEGAL DESCRIPTION: In Section 03, Township 44 South, Range 25 East, Lee County, Florida:

See attached Exhibit A

WHEREAS, the property was originally rezoned in case number Z-89-077 (with subsequent amendments in case numbers PD-92-013/1; PD-92-013/2; PD-92-016; PD-94-019; ADD2005-00096); and

WHEREAS, the subject property is located in the General Commercial Interchange Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, Condition b, Resolution Number Z-89-077, states "the maximum allowable height shall be 45 feet above average grade or two (2) habitable floors"; and

WHEREAS, Condition 5, Resolution Number PD-94-016, modified the height to a maximum of three (3) habitable floors, not to exceed a height of 45 feet;

WHEREAS, the applicant seeks to increase the number of floors permitted as part of a hotel from three (3) to four (4) floors, while continuing to maintain the maximum height at 45 feet; and

WHEREAS, 87 hotel/motel units are proposed leaving 13 units available for the CPD; and

WHEREAS, the applicant is proposing to construct a motel with four (4) floors not exceeding a height of 45 feet as depicted in the elevation plan shown on Attachment "B"; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Commercial Planned Development is **APPROVED.**

WHEREAS, it is found that the proposed amendments do not increase density or intensity within the development; do not decrease buffers or open space required by the LDC; do not underutilize public resources or infrastructure; do not reduce total open space, buffering, landscaping or preservation areas; and do not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to the Commercial Planned Development **to increase the number of floors from three (3) to four (4) is APPROVED subject to the following conditions:**

1. **The only change approved as part of this administrative amendment is to increase the number of floors from three (3) to four (4). The maximum permitted building height approved within this planned development remains at 45 feet.**

2. **The development must be in compliance with the amended Master Concept Plan, stamped received December 18, 2008 Community Development, attached hereto as Attachment "A". Master Concept Plan for ADD2008-00136 is hereby APPROVED and adopted. A reduced copy is attached hereto.**

3. **Development must be substantially consistent with the revised approved elevations stamped received on October 30, 2008, shown as Attachment "B". A reduced copy of this plan is attached to this action.**

4. **The terms and conditions of the original zoning resolutions and amendments remain in full force and effect.**

DULY SIGNED this 23rd day of December, A.D., 2008.

BY: _____

Pam Houck, Director
Division of Zoning
Department of Community Development

METRON
SURVEYING & MAPPING, LLC
LAND SURVEYORS • PLANNERS

ADD 2008-00136

RECEIVED
OCT 10 2008
COMMUNITY DEVELOPMENT

LEGAL DESCRIPTION
OF A PARCEL OF LAND LYING IN
SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

(PART OF LOT 1, ORANGE RIVER CENTRE)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, BEING PART OF LOT 1, ORANGE RIVER CENTRE A SUBDIVISION RECORDED IN PLAT BOOK 48, PAGE 67 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LYING IN SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE N.88°45'42"E. ALONG THE SOUTH LINE OF SAID LOT 1 FOR 116.00 FEET TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED PARCEL; THENCE N.00°48'56"W. FOR 205.68 FEET TO THE NORTH LINE OF SAID LOT 1; THENCE N.89°11'12"E. ALONG THE NORTH LINE OF SAID LOT 1 FOR 179.14 FEET; THENCE N.00°48'48"W. FOR 27.85 FEET; THENCE N.89°11'12"E. ALONG THE NORTH LINE OF SAID LOT 1 FOR 250.05 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT, HAVING: A RADIUS OF 35.00 FEET, A CENTRAL ANGLE OF 90°03'52", A CHORD BEARING AND DISTANCE OF S.45°46'52"E., 49.53 FEET; THENCE ALONG THE ARC OF SAID CURVE, AN ARC LENGTH OF 55.02 FEET TO THE END OF SAID CURVE, BEING ON THE WEST RIGHT-OF-WAY LINE OF ORANGE RIVER BOULEVARD; THENCE S.00°44'56"E. FOR 195.05 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE S.88°45'42"W. ALONG THE SOUTH LINE OF SAID LOT 1 FOR 463.97 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 2.35 ACRES, MORE OR LESS.

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

BEARINGS ARE BASED ON THE SOUTH LINE OF LOT 1, ORANGE RIVER CENTRE BEING S.88°45'42"W.

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

DENIS J. O'CONNELL, JR.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5430

DATE 10/1/08

SHEET 1 OF 2

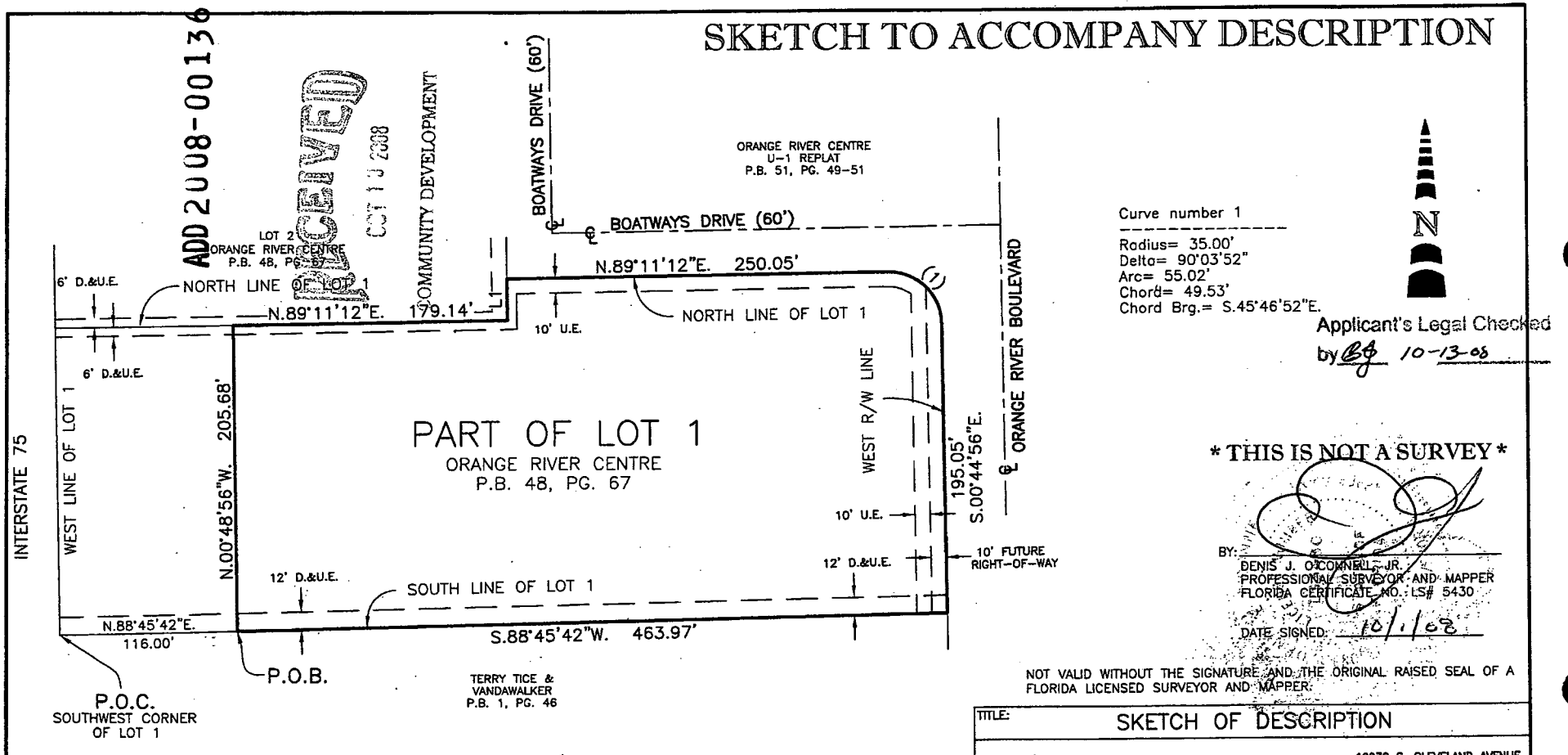
10970 S. Cleveland Avenue, SUITE #605 • Fort Myers, Florida 33907 • Phone (239) 275-8575 • Fax (239) 275-8457
www.metronfl.com

Applicant's Legal Checked
By BG 10-13-08

SKETCH TO ACCOMPANY DESCRIPTION

ADD 2008-00136

RECEIVED
OCT 13 2008
COMMUNITY DEVELOPMENT



Curve number 1

Radius= 35.00'
Delta= 90°03'52"
Arc= 55.02'
Chord= 49.53'
Chord Brg.= S.45°46'52"E.

Applicant's Legal Checked
by BG 10-13-08

* THIS IS NOT A SURVEY *

BY: _____
DENIS J. O'CONNELL, JR.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO.: LS# 5430
DATE SIGNED: 10/1/08

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

LEGEND:

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
R/W = RIGHT-OF-WAY
P.B. = PLAT BOOK
PG. = PAGE
FPL = FLORIDA POWER & LIGHT COMPANY
U.E. = UTILITY EASEMENT
D.&P.U. = DRAINAGE & UTILITY EASEMENT

LINE TABLE

Line	Bearing	Distance
L1	N.00°48'48"W.	27.85'

* SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION *

TITLE: SKETCH OF DESCRIPTION

METRON
SURVEYING & MAPPING, LLC
LAND SURVEYORS-PLANNERS
LB# 7071

10970 S. CLEVELAND AVENUE,
SUITE #505
FORT MYERS, FLORIDA 33907
PHONE: (239) 275-8575
FAX: (239) 275-8457
www.metronfl.com

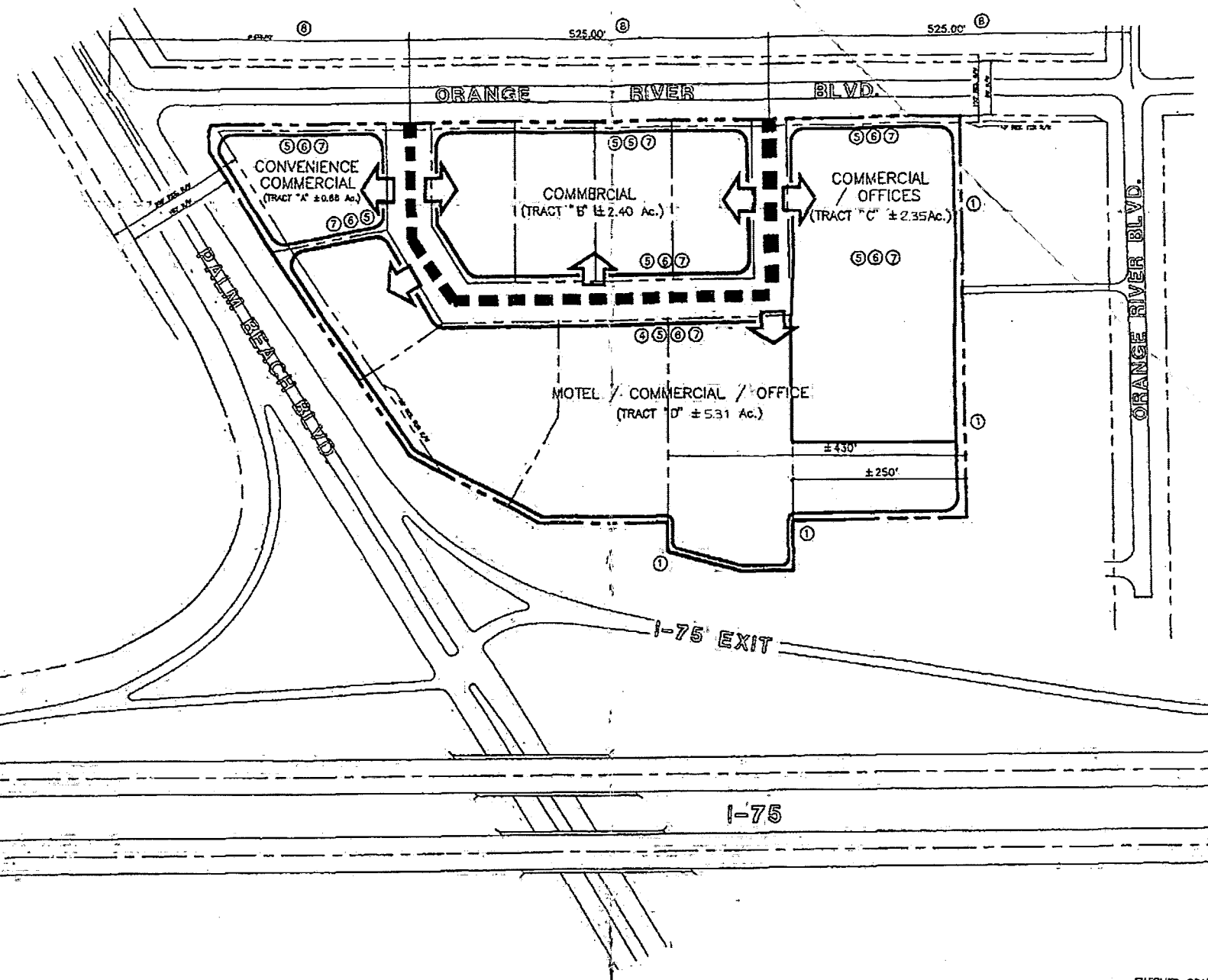
FILE NAME:	PROJECT NO.:	SHEET:
2911 LT2 SK.DWG	2911	2 OF 2

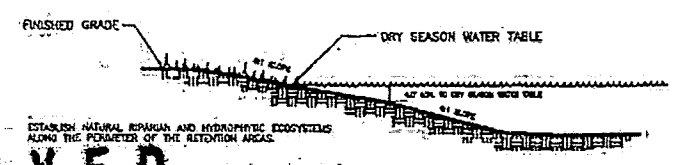
SKETCH DATE:	DRAWN BY:	SCALE:	CHECKED BY:	(S-T-R)
10-01-2008	DJO	1"= 80'	DJO	3-44-25

SCHEDULE OF USES

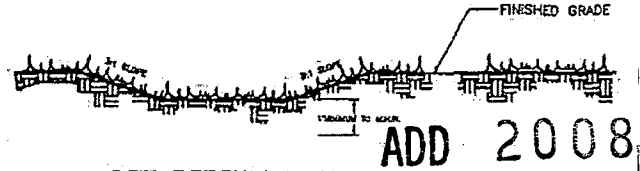
LAND USE	TRACT 'A'	'B'	'C'	'D'
Animal Clinic (cl)		X	X	X
Animal Kennel (cl)		X		X*
Automatic Teller Machines (ATMS)	X	X	X	X*
Auto Parts Store, no installation service	X	X		X*
Auto Repair and Service Group I Section 1001.02	X	X		X*
Automobile Service Stations, Limited	X	X		X*
Banks and Financial Establishments All Groups Section 1001.03	X	X	X	X
Bar or Cocktail Lounge		X		X*
Boat Parts Stores, no installation service		X		X*
Broadcasting Studio Commercial Radio and Television Section 647		X	X	X
Business Services Group I and Group II, All Categories Section 1001.05		X	X	X
Car Wash (cl)	X	X		X*
Cleaning and Maintenance Services Section 1001.07		X		X
Clothing Stores, General Section 1001.08		X		X
Clubs Commercial, Fraternal/Membership Organization, Section 611		X		X
Consumption on Premises- 2 Section 202.02	X	X	X	X
Convenience Food and Beverage Stores (cl)	X			
Day Care Center Child and/or Adult Section 514		X	X	X
Drive-thru Facility For any permitted use	X	X	X	X
Drugstore	X	X		X
Automobile Service Station, Limited	X	X		
Excavation Water Retention Section 616	X	X	X	X
Food Store Group I and II Section 1001.16	X	X	X	X*
Governmental Services Standard Office Space	X	X	X	X
Hardware Store (cl)	X	X		X
Health Care Facility Group III Sections 524 and 1001.20	X	X		X
Hobby, Toy and Game Shops Section 1001.21		X		X
Hotel/Motel Section 514		X	X	X
Household Office Furnishings Groups I and II Section 1001.22	X	X		X
Insurance Companies Section 1001.23	X		X	X
Laundry or Dry Cleaning Group I Section 1001.24	X	X		X*
Lawn and Garden Supply Store (cl) Section 629	X	X		X
Music Store (cl)	X	X		X
Night Club (cl)	X	X		
Non-store Retailers All Groups Section 1001.30		X		X
Offices - Medical			X	X
Package Store Section 202.03	X	X		X*
Paint, Glass, and Wallpaper Store (cl)	X	X		X
Parks, Public and Private (cl) Group I Section 1001.32		X	X	X
Personal Services All Groups Section 1001.33		X	X	X
Pet Shop (cl)		X		X
Pharmacy (cl)	X	X		X
Recreation, Commercial Group II and IV Section 1001.35		X	X	X
Recreation Facilities Personal, Private, Public (cl)		X	X	X
Religious Facilities Section 537			X	X
Repair Shops Groups I and II Section 1001.42		X		X
Restaurant, Fast Food (cl)	X	X		X*
Restaurants, Standard All Groups Section 1001.44	X	X		X*
Schools, Commercial Section 1001.45		X		X
Self Service Fuel Pumps (cl) Ancillary to a permitted use				X
Self Service Fuel Pump Station (cl)	X			
Signs Provided same comply with the Lee County Sign Ordinance	X	X	X	X
Social Services Group I Section 1001.46		X		X*
Specialty Retail Shop Groups II, III, III and IV Section 1001.47	X	X		X
Stores Section 1001.49		X	X	X
Used Merchandise Stores Groups I and II only Section 1001.54		X		X
Variety Store (cl)	X	X		X

* Not permitted in Southern 430 feet of Tract D





WET RETENTION SECTION
N.T.S.



DRY RETENTION SECTION
N.T.S.

APPROVED
Amendment to
Master Concept Plan
Subject to Case # ADD2008-00136
Date 12/23/2008

ADD 2008-00136

RECEIVED
DEC 1 8 2008

ATTACHMENT A

SCHEDULE OF DEVIATIONS

1. Deviation from the requirement that all commercial and industrial uses shall provide a continuous visual screen of at least 6 feet in height along any lot line abutting a residential use (202.14.E.1 and also Table C-3), to allow an opaque vegetative covered fence 8 feet in height;
2. Withdrawn;
3. Deviation from the minimum setback from a structure to a water body of 25 feet (202.18.B.4.b.) to 0 feet to an architectural structure such as a gazebo, cabana, wooden deck, walkway, or foot bridge.
4. Deviation from excavation depth for water retention from 12 feet (Section 509.B.), to the confining layer;
5. Deviation from the minimum water retention excavation setbacks to a street right-of-way of 150 feet (509.C.4.) to 25 feet;
6. Deviation from the minimum water retention excavation setbacks to a private property line of 50 feet (509.C.4.) to 25 feet;
7. Deviation from the requirement that a 4-foot fence be placed around excavations for water retentions when located less than 100 feet from any property under separate ownership (509.F), to require no fencing;
8. Deviation from the minimum intersection separation of 660 feet along arterial streets (DSO Section C.3.h.), to ± 435 feet and ± 525 feet;
9. Withdrawn;
10. Withdrawn;
11. Deviation from the requirement that the density of transient hotel/motel units to be calculated at 1,700 square feet per unit (514.B.4.), to permit the density of transient hotel/motel units to be calculated at 995 square feet per unit with a maximum of 120 units.

SITE DATA

LAND USE	TRACT	ACREAGE
1. Commercial/ Office Hotel	A B	+/- 3.26 Acres 60 Hotel Rooms
Rooms and Square Footage: 8,000 square feet 60 Hotel Rooms		
2. Commercial South 250 ft	C D	+/- 3.1 Acres
Rooms and Square Footage: 2,000 square feet 100 Hotel Rooms		
3. Commercial Remainder of D	D	+/- 4.64 Area
Total Square Feet: 29,600 square feet		
4. Road Right of Way		+/- 1.5 Acres
Total Site Area		+/- 12.5 Acres

GENERAL NOTES

1. Maximum building height is 45' above grade for all buildings with the exception of a motel. If a motel is constructed the main portions of the building will not exceed 45', however, a cupola may be 52' above grade.
2. The specific location of retention areas has not been determined. Retention areas will be incorporated into the Final Site Plan in compliance with applicable Lee County and SFWMD Rules and Regulations.
3. The exact location of the excavation/lakes will be determined prior to Final Development Approval.
4. The applicant will provide a Type "C" buffer along all property lines abutting residential uses. The buffer will include an eight (8) foot high fence and the numbers of trees and shrubs required for a type "D" buffer.
5. The lot lines depicted on this Master Concept Plan are intended to depict the preliminary arrangement of parcels within the project. Final lot dimensions will be presented at the time of final site plan approval. All lots will comply with the performance standard of the CC Zoning District.
6. Preliminary plans call for a single building per lot, however, clusters of buildings may be placed on a single lot in compliance with applicable codes.
7. The applicant will provide a Type "A" buffer along Orange River Boulevard. The buffer will include the number of trees and shrubs required for a Type "B" buffer.

SCALE: 1"= 100'-0"

0 50 100 200 300

DATE: 12-12-88

NORTH

PREPARED FOR:
MR. JAMES KINSEY
KINSEY ASSOCIATES, INC., REALTORS
2423 FIRST STREET FORT MYERS, FL 33901
(813) 334-1367

PREPARED BY:
DAVID M. JONES JR. & ASSOCIATES, INC.
PLANNERS AND LANDSCAPE ARCHITECTS
2207 FIRST STREET FORT MYERS,FL 33901
(813) 334-1631

COMMUNITY DEVELOPMENT

ORANGE RIVER CENTRE

REVISIONS	DATE
SUFFICIENCY RESPONSE	03-07-89
SUFFICIENCY RESPONSE	06-22-88
REPORT RESPONSE	07-06-89

MAP-H

MASTER CONCEPT PLAN

ATTACHMENT B

1/A08 **Front Elevation**

APPROVED
Plan
Subject to Case # ADD2008-00136
Date 12/23/2008

RECEIVED
OCT 30 2008
COMMUNITY DEVELOPMENT

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

(239) 533-8984

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 29, 2008

J. D. Alsabbagh
8370 W. Hillsborough Ave, Suite 205
Tampa, Florida, 33615

RE: ADD2008-00136
County Inn and Suites

Dear Mr. Alsabbagh:

Your application for the above referenced project **can not** considered administratively as it exceeds the parameters of an administrative approval.

The request to increase maximum height limits, must be made through the DCI public hearing process.

If you have any questions concerning this matter, please contact this office.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Shawn Lamey
Senior Planner
scl

cc: Zoning file

Giacomo Licari

From: J.D. Alsabbagh, P.E. [jalsabbagh@sycamoreeng.com]
Sent: Friday, September 26, 2008 3:36 PM
To: 'Jakacki, Charles S.'; glicari@sycamoreeng.com
Cc: 'Lamey, Shawn C.'
Subject: RE: ADD2008-00136, Country Inn and Suits

ADD 2008-00136

RECEIVED
OCT 10 2008
COMMUNITY DEVELOPMENT

Charles,
We will take care of that and send back to you.

Thanks

J.D. Alsabbagh, P.E.
Sycamore Engineering, Inc.
8370 W. Hillsborough Avenue, Suite 205
Tampa, Florida 33615
Main: (813) 261-5180
Direct: (813) 889-0700
Fax: (813) 889-0788
Cell: (813) 924-1704
E-mail: jalsabbagh@sycamoreeng.com
⚒ Please consider the environment before printing this e-mail

---

From: Jakacki, Charles S. [mailto:CJakacki@leegov.com]
Sent: Friday, September 26, 2008 3:36 PM
To: jalsabbagh@sycamoreeng.com
Cc: Lamey, Shawn C.; Jakacki, Charles S.
Subject: ADD2008-00136, Country Inn and Suits

J.D.,

I am the Planner responsible for checking legal descriptions, sketches and boundary surveys.
When both legal descriptions are mapped and merged the south line is 579.98 feet long while the boundary survey indicates 463.79 feet.

Our Codes required one metes and bounds legal description describing the entire perimeter of the property. Please have the surveyor remake the legal description describing the entire perimeter of the property and redo the sealed sketch with one legal description to match. This should resolve the problem of the south lines on the legal description not matching the same line on the boundary survey.

Two copies of the requested documents should be delivered to the Zoning counter at the address listed below along with a copy of this email.

Should you have any questions please don't hesitate to call.

Chick Jakacki
Planner
Lee County DCD/Zoning

1500 Monroe Street
Fort Myers, Florida 33902

Phone: 239-533-8578
Email: cjakacki@leegov.com

ADD 2008-00136

RECEIVED
OCT 1 0 2008
COMMUNITY DEVELOPMENT

Lamey, Shawn C.

From: Giacomo Licari [glicari@sycamoreeng.com]
Sent: Friday, October 24, 2008 1:06 PM
To: Lamey, Shawn C.
Subject: RE: Country Inn & Suits. ADD2008-00136
Attachments: ELEVATION-4STORY-A06.pdf

Mr. Lamey,
The proposed elevation is 40' for four stories, we left the same language on the amendment request of 45' for four habitable stories. The only thing now is that I would like to change the language of the decorative structure from 53' to 56 feet since that is what we have in the architectural plans, but I want live the 45' for the habitable stories. I have attached the revised Building Elevations. Please let me if you need anything else.

Thank you,

Giacomo Licari, E.I.T.

Sycamore Engineering, Inc.
8370 W. Hillsborough Avenue, Suite 205
Tampa, Florida 33615
Main: (813) 889-0700
Fax: (813) 889-0788
E-mail: glicari@sycamoreeng.com

From: Lamey, Shawn C. [mailto:SLamey@leegov.com]
Sent: Friday, October 24, 2008 12:00 PM
To: Giacomo Licari
Subject: RE: Country Inn & Suits. ADD2008-00136

Hi

The height is still 40 feet. I thought the applicant wants 45 feet. Please confirm. Also show a measurement as follows:

Please note: the height of a building or structure is measured as the vertical distance from grade* to the mean height level between eaves and ridge for gable, hip and gambrel roofs (LCLDC 34-2171).

*grade is the average elevation of the street or streets abutting the property measured along the centerline of the streets, at the points of intersection of the streets with the side lot lines (as extended) and the midpoint of the lot frontage.

thx

Shawn Lamey
Senior Planner
Lee County DCD/Zoning
1500 Monroe Street
Fort Myers, Florida 33901
☎ 239.533.8984

239.485.8300

From: Giacomo Licari [mailto:glicari@sycamoreeng.com]
Sent: Friday, October 24, 2008 11:51 AM
To: Lamey, Shawn C.
Subject: RE: Country Inn & Suits. ADD2008-00136

Please see attached Building Elevation, I have added more elevation to reflect more accurately the building.
Let me know if this is what you need.

Thanks

Giacomo Licari, E.I.T.

Sycamore Engineering, Inc.
8370 W. Hillsborough Avenue, Suite 205
Tampa, Florida 33615
Main: (813) 889-0700
Fax: (813) 889-0788
E-mail: glicari@sycamoreeng.com

From: Lamey, Shawn C. [mailto:SLamey@leegov.com]
Sent: Friday, October 24, 2008 10:56 AM
To: Giacomo Licari
Subject: RE: Country Inn & Suits. ADD2008-00136

The elevations must accurately reflect proposed structures. Please revise and re-send.

thx

Shawn Lamey
Senior Planner
Lee County DCD/Zoning
1500 Monroe Street
Fort Myers, Florida 33901
☎ 239.533.8984
239.485.8300

From: Giacomo Licari [mailto:glicari@sycamoreeng.com]
Sent: Friday, October 24, 2008 10:11 AM
To: Lamey, Shawn C.
Cc: 'J.D. Alsabbagh, P.E.'
Subject: Country Inn & Suits. ADD2008-00136

Re: Country Inn & Suits
ADD2008-00136

Mr. Lamey,
It was a pleasure talking to you earlier. As per our phone conversation I have attached one pdf file of the Building elevations for the subject project.
I also attached the revised Exhibit H-2.A Narrative to reflect the decorative structure elevation revised up to 56 feet from the previous 53 feet.
I am kindly asking if it possible to make this small revision to the narrative. Please notice that the four stories

LEE COUNTY
SOUTHWEST FLORIDA

APPLICATION FOR ADMINISTRATIVE ACTION FOR UNINCORPORATED AREAS ONLY

Applicant's Name: Mohammed Rahman / Four Star Investment Group, Inc.

Project Name: Country Inn & Suits

STRAP Number(s): 03-44-25-10-00000.001A; 03-44-25-10-00000.001B

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

TYPE OF ADMINISTRATIVE APPLICATION:

_____ Administrative Variance **(attach Supplement A)**
_____ Commercial Lot Split **(attach Supplement B)**
_____ Consumption On Premises **(attach Supplement C)**
_____ Minimum Use Determination **(attach Supplement D)**
_____ LCLDC, Zoning District Boundaries, or Ordinance Interpretation **(attach Supplement E)**
_____ Relief for Designated Historic Resources **(attach Supplement F)**
_____ Relief for Easement Encroachment **(attach Supplement G)**
X Administrative Amendment to PUD or PD **(attach Supplement H)**
_____ Final Plan Approval for PD per Resolution: # _____ **(attach Supplement H)**
_____ Administrative Deviation from LCLDC Chapter 10, Section 10-104 **(attach Supplement I)**
_____ Placement of Model Home/Unit or Model Display Center **(attach Supplement J)**
_____ Dock & Shoreline Structures **(attach Supplement K)**
_____ Wireless Communication Facility Shared Use Plan Agreement **(attach Supplement M)**

Is this project located in the Estero Planning Community? ☐ YES ☒ NO

*If YES, please note that the applicant may be required to conduct one public informational session where the agent will provide a general overview of the project for any interested citizens.

****

STAFF USE ONLY

Case Number: ADD2008-00136 Commission District: 5
Current Zoning: CPD Fee Amount: $1,500
Land Use Classification: Gen. Commercial Int. Intake by: VER
Planning Community: Fort Myers Shores

****

ADD 2008-00136

LEE COUNTY
COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET)
FORT MYERS, FLORIDA 33902
PHONE (239) 533-8585

PART 1
APPLICANT\AGENT INFORMATION

A. Name of applicant: Mohammed Rahman / Four Star Investment Group, Inc.

Address: Street: 13056 Valewood Drive

City: Naples State: Naples Zip: 34119

Phone: Area Code: 239 Number: 269-5258 Ext: _____

Fax: Area Code: 239 Number: 596-1706

E-mail address: Rrahman42@aol.com

B. Relationship of Applicant to owner (check one):

X Applicant (including an individual or husband & wife) is the sole owner of the property. **[34-201(a)(1)a.1.]**

X **Notarized Affidavit of Authorization form is attached as Exhibit AA-1.B.2.** (See Part 1 Exhibit Form A1 attached hereto for suggested Affidavit Form for an individual.) **[34-202(b)(1)c.]**

_____ Applicant has been authorized by the owner(s) to represent them for this action.

_____ **Notarized Affidavit of Authorization form is attached as Exhibit AA-1.B.2.** (Please select the appropriate Affidavit Form from the suggested forms in Part 1 Exhibits attached hereto.) **[34-202(b)(1)c.]**

_____ Applicant is a contract purchaser/vendee. [34-202(b)(1)d.]

_____ **Notarized Affidavit of Authorization form is attached as Exhibit AA-1.B.2. [34-202(b)(1)c.]** (Please select the appropriate Affidavit Form from the suggested forms in Part 1 Exhibits attached hereto.)

C. Authorized Agent: Name of the person who is to receive all County-initiated correspondence regarding this application. [34-202(b)(1)c.]

C.1. Company Name: Sycamore Engineering Inc.

Contact Person: J.D Alsabbagh, P.E.

Address: Street: 8370 W. Hillsborough Ave, Suite 205

City: Tampa State: Tampa Zip: 33615

Phone: Area Code: 813 Number: 889-0700 Ext: _____

Fax: Area Code: 813 Number: 889-0788

E-mail address: jalsabbagh@sycamoreeng.com

C.2. ___ **Additional Agent(s): The names of other agents that the County may contact concerning this application are attached as Exhibit AA-1.C.2.** [34-202(b)(1)c.]

PART 2
PROPERTY OWNERSHIP

Is this request specific to a particular tract of land? _____ NO ___X___ YES. If the answer is YES, please complete the following items.

A. **Property Ownership: Single owner (individual or husband & wife only)** [34-201(a)(1)a.1.]

A.1. **Name:** _____

Mailing Address: Street: _____

City: _____ State: _____ Zip: _____

Phone: Area Code: _____ Number: _____ Ext: _____

Fax: Area Code: _____ Number: _____

E-mail: _____

B. **Property Ownership: Multiple owners (Corporation, partnership, trust, association)** [34-201(a)(1)].

B.1. X **Disclosure of (Ownership) Interests Form is attached as Exhibit AA-2.B.1.** [34-201(b)2]

C. **Multiple parcels**

C.1. X **Property owners list is attached as Exhibit AA-2.C.1.** [34-202(a)(5)]

C.2. X **Property owners map is attached as Exhibit AA-2.C.2.** [34-202(a)(5)]

D. **Date property was acquired by present owner(s):** 7/11/2002; 6/28/2006

PART 3
PROPERTY INFORMATION

Is this request specific to a particular tract of land? _____ NO __X__ YES. If the answer is YES, please complete the following items.

A. **STRAP Number(s):** 03-44-25-10-00000.001A 4290 BOATWAYS RD. FORT MYERS FL 33905

03-44-25-10-00000.001B

B. **Street Address of Property:** _____

C. **Legal Description**

X **Legal description (on 8 1/2" by 11" paper) is attached as Exhibit AA-3.C.1.** [34-202(a)(1)]

X **Sealed sketch of the legal description is attached as Exhibit AA-3.C.2.** [34-202(a)(1)]

_____ **Electronic version of the legal description is attached as Exhibit AA-3.C.3.**

D. **Boundary Survey**

X A Boundary survey, tied to the state plane coordinate system, is attached as **Exhibit AA-3.D.1.** [34-202(a)(2)]

X The property consists of one or more undivided platted lots in a subdivision recorded in the Official County Plat Books. A copy of the applicable plat book page is attached as **Exhibit AA-3.D.2.** [34-202(a)(2)]

E. **Planning Community:** Orange River Centre CPD

F. **General Location of Property:**

F.1. X Area location map is attached as **Exhibit AA-3.F.** [34-202(a)(4)]

F.2. **Directions to property:** East on Exit 141 of I-75, into Palm Beach Blvd. south on Orange River Blvd., south for about 800 feet and left Boat Ways Drive. Property is located in the south side of Boat Ways Drive.

G. **Current Zoning of Property:** CPD

H. **Current use(s) of the property are:** Vacant Commercial

I. **Property Dimensions** [34-202(a)(8)]

1.	Width (average if irregular parcel):	218	Feet
2.	Depth (average if irregular parcel):	464	Feet
3.	Total area:	2.35	Acres or square feet
4.	Frontage on road or street:	285	Feet on Boat Way D Street
	2nd Frontage on road or street:	230	Feet on Orange R. Street

PART 4
ACTION REQUESTED

A. TYPE OF REQUEST (please check one)

_____ **Administrative Variance (requires supplement A)**
_____ **Commercial Lot Split (requires supplement B)**
_____ **Consumption On Premises (requires supplement C)**
_____ **Minimum Use Determination (requires supplement D)**
_____ **LCLDC, Zoning District Boundaries, or Ordinance Interpretation (requires supplement E)**
_____ **Relief for Designated Historic Resources (requires supplement F)**
_____ **Easement Encroachment (requires supplement G)**
X **Administrative Amendment to a PUD or Planned Development (requires supplement H)**
_____ **Final Plan Approval for a Planned Development (requires supplement H)**
_____ **Administrative Deviation from Chapter 10 of the LDC (requires supplement I)**
_____ **Placement of Model Home/Unit or Model Display Center (requires supplement J)**
_____ **Dock & Shoreline Structure (requires supplement K)**
_____ **Wireless Communication Facility Shared Use Plan Agreement (requires supplement M)**

B. NATURE OF REQUEST (please print): modify the height restriction from three habitable floors to allow four habitable floors, not to exceed a height of 45feet above average grade, except that any motel constructed on the subject real estate may have one cupola or small decorative structure, which shall not exceed 53 feet above average grade.

PART 5
SUBMITTAL REQUIREMENTS

THE NUMBER OF COPIES REQUIRED FOR EACH EXHIBIT IS BASED ON THE ACTION REQUESTED AS INDICATED BELOW. PLEASE NOTE THAT THE THREE (3) SETS OF REQUIRED SUBMITTAL AND SUPPLEMENTAL FORMS MUST BE SUBMITTED IN SETS OF THREE. ADDITIONAL SUBMITTAL ITEMS (listed below) SHOULD BE SUBMITTED AS A GROUP WITH THE APPROPRIATE NUMBER OF COPIES PROVIDED AS NOTED BELOW.

Copies Required*	Exhibit Number	SUBMITTAL ITEMS
3 ✓		Completed application for Administrative Action
1 ✓		Filing Fee - [34-202(a)(9)]

Copies Required*	SUP Number	SUPPLEMENTAL FORMS (select applicable request/form)
3	SUP A	Administrative Variance request
3	SUP B	Commercial Lot Split request
3	SUP C	Consumption On Premises request
3	SUP D	Minimum Use Determination request
3	SUP E	Ordinance Interpretation request
3	SUP F	Relief for Designated Historic Resources request
3	SUP G	Easement Encroachment request
X 3 ✓	SUP H	Administrative Amendment to a PUD or Planned Development request
3	SUP H	Final Plan Approval for a Planned Development request
3	SUP I	Administrative Deviation from Chapter 10 of the LDC request
3	SUP J	Placement of Model Home/Unit or Model Display Center request
3	SUP K	Dock & Shoreline Structure request
3	SUP M	Wireless Communication Facility Shared Use Plan Agreement

Copies Required*	Exhibit Number	ADDITIONAL SUBMITTAL ITEMS
X 3 ✓	AA-1.B.2	Notarized Affidavit of Authorization Form [34-202(b)(1)c]
3	AA-1.C.2	Additional Agents [34-202(b)(1)c.]
X 3 ✓	AA-2.B.1	Disclosure of Interest Form [34-201(b)(2)a]
X 3 ✓	AA-2.C.1	Subject property owners list (if applicable) [34-202(a)(5)]
X 3 ✓	AA-2.C.2	Subject Property Owners map (if applicable) [34-202(a)(5)]
3 ✓	AA-3.A.1	List of STRAP Numbers (if additional sheet is required) [34-202(a)(1)]
X 3 ✓	AA-3.C.1	Legal Description **(2 originals required)** [34-202(a)(1)]
X 3 ✓	AA-3.C.2	Sealed Sketch of the Legal Description **(2 originals required)** [34-202(a)(1)]
1	AA-3.C.2	Electronic version of legal description (if available)
X 3 ✓	AA-3.D.1	Boundary Survey (tied to State Plane Coordinate System) [34-202(a)(2)] {NOTE: This is a required submittal for all Planned Development Applications and for all properties of 10 acres or more **(2 originals required)** [34-373(a)(4)a.]}
X 3 ✓	AA-3.D.2	Copy of Plat Book Page (if applicable) [34-202(a)(1)]
X 3 ✓	AA-3.F	Area Location Map on 8-1/2" by 11" paper pursuant to LCLDC Section 34-202(a)(4).

* **At least one copy must be an original.**

PART 1 AFFIDAVIT A2
(EXHIBIT AA-1.B.2)

AFFIDAVIT FOR ADMINISTRATION ACTION
APPLICATION IS SIGNED BY A CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, * Mohammed Rahman as President of Four Star Investment Group, Inc, swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I am hereby authorizing the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

Four Star Investment Group, Inc.
*Name of Entity (corporation, partnership, LLP, LC, etc)

Mohammed Rahman
Signature

Mohammed Rahman
(Type or printed name)

President
(title of signatory)

STATE OF Florida
COUNTY OF Collier

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 9/18/08 (date) by Mohammed Rahman (name of person providing oath or affirmation), who is personally known to me or who has produced DL FL (type of identification) as identification.

K Kodaj
Signature of person taking oath or affirmation

Name typed, printed or stamped

Notary
Title or rank

Serial number, if any

KACEE L. KODAJ
Notary Public, State of Florida
Commission# DD525729
My comm. expires Mar. 6, 2010

Notes:
- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.)., then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trustee, then the they must include their title of "trustee."*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.*

ADD 2008-00136

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

EXHIBIT AA-2.B.1
DISCLOSURE OF INTEREST FORM FOR:

STRAP NO. 03-44-25-10-00000.001A **CASE NO.** _____

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name and Address	Percentage of Stock
Four Star Investment Group, Inc.	
13056 Valewood Drive, Naples Fl 34119	100%

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

ADD 2008-00136

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name and Address	Percentage of Stock

Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address	

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Signature: Md. M. Rahman
(Applicant)

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

Mohammed Rahman / Four Star Investment Group, Inc.
(Printed or typed name of applicant)

STATE OF FLORIDA
COUNTY OF LEE

ADD 2008-00136

The foregoing instrument was acknowledged before me this 16 day of Sept 20 08

by Mohammed Rahman who is personally known to me or who has produced DL FL as identification. .

Signature of Notary Public

(SEAL)

KACEE L. KODAJ
Notary Public. State of Florida
Commission# DD525729
My comm. expires Mar. 6, 2010

Kacee Kodaj
Printed Name of Notary Public

EXHIBIT AA-2.B.1
DISCLOSURE OF INTEREST FORM FOR:

STRAP NO. 03-44-25-10-00000.001B **CASE NO.** _____

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address	Percentage of Ownership

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name and Address	Percentage of Stock
Four Star Investment Group, Inc.	
13056 Valewood Drive, Naples Fl 34119	100%

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address	Percentage of Interest

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address	Percentage of Ownership

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

ADD 2008-00136

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name and Address	Percentage of Stock

Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address	

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

Signature: Md. M. Rahman
(Applicant)

Mohammed Rahman / Four Star Investment Group, Inc.
(Printed or typed name of applicant)

STATE OF FLORIDA
COUNTY OF LEE

ADD 2008-00136

The foregoing instrument was acknowledged before me this 18 day of Sept 2008

by Mohammed Rahman who is personally known to me or who has produced

DL FL as identification..

Signature of Notary Public

(SEAL)
KACEE L. KODAJ
Notary Public: State of Florida
Commission# DD525729
My comm. expires Mar. 6, 2010

Kacee Kodaj
Printed Name of Notary Public

LEE COUNTY
SOUTHWEST FLORIDA

ADMINISTRATIVE ACTION REQUEST
SUPPLEMENT H
FOR UNINCORPORATED AREAS ONLY

ADMINISTRATIVE AMENDMENT TO A PUD OR PLANNED DEVELOPMENT PER LCLDC SECTION 34-380(b) or FINAL PLAN APPROVAL FOR A PLANNED DEVELOPMENT

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

Case Number: _____

Project Name: Country Inn & Suits

Applicant's Name: Mohammed Rahman / Four Star Investment Group, Inc.

STRAP Number(s): 03-44-25-10-00000.001A; 03-44-25-10-00000.001B

ADD 2008-00136

Indicate whether REQUEST is for:

X **ADMINISTRATIVE AMENDMENT** (please complete PART 1, PART 2., & PART 3.)

____ **FINAL PLAN APPROVAL** (please complete PART 1, PART 2, & PART 4.)

If the request is for an administrative amendment to a PUD or to a Planned Development or Final Plan Approval please submit the "Application for Administrative Action" form for unincorporated areas and Supplement H including the following:

****

PART 1.
APPLICATION INFORMATION

A. **ORIGINAL PROJECT NAME** (if different than Project Name currently used):
Orange River Centre

B. **ORIGINAL REZONING RESOLUTION NUMBER:** Z-89-077

C. **SUBSEQUENT ZONING ACTION RESOLUTION/CASE NUMBERS** (if any): Please list all previous zoning and administrative actions (approvals and denials) on this project subsequent to the original rezoning including Resolution Numbers and Case Numbers (provide added sheets, if necessary; label as **Exhibit H-1.C.**).

PD-92-013/1	ADD2005-00096
PD-92-013/2	
PD-92-016	
PD-92-019	

D. **DEVELOPMENT ORDER NUMBERS FOR PROJECT** (if any): Please list all local development orders approved on this project. Please indicate the status of each development order (provide added sheets, if necessary; label as **Exhibit H-1.D.**).

SEE EXHIBIT H-1.D

PART 2.
REQUESTED ACTION

A. **WRITTEN NARRATIVE**: Please provide a written narrative statement explaining exactly what is proposed. Label as **Exhibit H-2.A.**

B. **RELIEF/DEVIATIONS**: Is any relief requested from the provisions of the Lee County Land Development Code? X NO. _____ YES.

If the answer is YES, provide a **written narrative statement** explaining the specific relief requested (a schedule of deviations). Include specific references to any section (number{s} and name{s}) of the Lee County Land Development Code (LCLDC) from which relief is sought including why the requested relief is necessary and how it will affect the project. Explain what conditions currently exist which warrant this request for relief from the regulations (a written justification for each of the requested deviations). Label narrative statement as **Exhibit H-2.B.1.**

Also provide four (6) sets of drawings detailing any proposed deviations or changes to the MASTER CONCEPT PLAN (MCP) in 11" X 17" size (two originals required) and one (1) 24" x 36" size. All deviation requests must be specifically keyed to the location on the MCP. Label deviation drawing(s) as **Exhibit H-2.B.2.**

PART 3.
ADDITIONAL SUBMITTAL REQUIREMENTS FOR ADMINISTRATIVE AMENDMENT APPLICATIONS

Please submit the following for all Administrative Amendment Applications:

A. **AREA LOCATION MAP: An Area Location Map** (on 8.5" by 11" paper) must be provided. The map must be marked to show the location of the property to be developed in relation to arterial and collector streets as well as the location of existing easements and rights-of-way on or abutting the property. Label as **Exhibit H-3.A. [34-373(a)(4)b.]**

B. **APPROVED MASTER CONCEPT PLAN**: Provide one (1) APPROVED MASTER CONCEPT PLAN (MCP) and DETAILED DRAWINGS of any DEVIATIONS OR CHANGES BEING PROPOSED at a size of 24" X 36". **Label as Exhibit H-3.B. [34-373(a)(6)]**

C. **REDUCED SIZE MASTER CONCEPT PLAN:** Provide one (6) copies of the MASTER CONCEPT PLAN REDUCED to a maximum size of 11" x 17" (two originals required). Label as **Exhibit H-3.C.**

D. **ZONING RESOLUTIONS/ZONING DOCUMENTS:** Please attach six (6) copies of any zoning resolutions or documents that are still valid. Include the original rezoning resolution, final plan approval letters, Administrative Approval letters, and any other documentation granting relevant approvals. Label as **Exhibit H-3.D.**

PART 4.
ADDITIONAL SUBMITTAL REQUIREMENTS FOR FINAL PLAN APPROVAL APPLICATIONS

Please submit the following for all Final Plan Approval Applications:

A. **AREA LOCATION MAP**: **An Area Location Map** (on 8.5" by 11" paper) must be provided. The map must be marked to show the location of the property to be developed in relation to arterial and collector streets as well as the location of existing easements and rights-of-way on or abutting the property. Label as **Exhibit H-4.A. [34-373(a)(4)b.]**

B. **APPROVED MASTER CONCEPT PLAN**: Provide one (1) APPROVED MASTER CONCEPT PLAN (MCP) and DETAILED DRAWINGS of any DEVIATIONS OR CHANGES BEING PROPOSED. Label as **Exhibit H-4.B. [34-373(a)(6)]**

C. **PROPOSED FINAL PLAN**: Please submit six (6) copies of the proposed Final Plan consistent with the approved Master Concept Plan and the approved Zoning Resolution. This proposed Final Plan must show any DEVIATION(s) keyed on the plan to identify the location of the specific deviation. Label as **Exhibit H-4.C.**

D. **REDUCED SIZE COPY OF THE PROPOSED FINAL PLAN:** Please submit six (6) copies of the proposed Final Plan REDUCED to a maximum size of 11" x 17" (two originals required). Label as **Exhibit H-4.D.**

E. **ZONING RESOLUTIONS/ZONING DOCUMENTS:** Please attach six (6) copies of any zoning resolutions or documents that are still valid. Include the original rezoning resolution, final plan approval letters, Administrative Approval letters, and any other documentation granting relevant approvals. Label as **Exhibit H-4.E.**

PART 5.
SUBMITTAL REQUIREMENTS

THE NUMBER OF COPIES REQUIRED FOR EACH SUBMITTAL ITEM/EXHIBIT IS INDICATED BELOW. PLEASE NOTE THAT THIS SUPPLEMENT NEEDS TO BE ACCOMPANIED BY THE APPLICATION FOR ADMINISTRATIVE ACTION. COPIES OF BOTH OF THESE APPLICATIONS SHOULD BE SUBMITTED TOGETHER IN SETS OF THREE ALONG WITH ALL OTHER REQUIRED DOCUMENTATION. ADDITIONAL SUBMITTAL ITEMS (listed below) SHOULD BE SUBMITTED AS A GROUP WITH THE APPROPRIATE NUMBER OF COPIES PROVIDED AS NOTED BELOW.

Copies Required*	Exhibit Number	SUBMITTAL ITEMS
		FOR ADMINISTRATIVE AMENDMENT APPLICATIONS and FOR FINAL PLAN APPROVAL APPLICATIONS
X 3		Completed Application for Administrative Action Form [34-201(b)]
X 1		Filing Fee - [34-202(a)(9)]
X 3	SUP H	Administrative Amendment to a PUD or Planned Development request Supplement Form
3	H-1.C	Subsequent Zoning Action Resolution/Case Numbers (if any and if added sheet is necessary)
3	H-1.D	Development Order Numbers for the Project (if any and if added sheets are necessary)
X 3	H-2.A	Written Narrative explaining what, exactly, is proposed
3	H-2.B.1	Schedule of Deviations and Justification Statement for each requested deviation (if YES was answered to Item # 2.B.)
1	H-2.B.2	Site plan (24" X 36" size) detailing each requested deviation (if YES was answered to Item # 2.B.)
3	H-2.B.2	Reduced site plans (11" X 17" size) detailing each requested deviation (if YES was answered to Item # 2.B.) - **two originals required**
		ADDITIONAL SUBMITTAL ITEMS FOR ADMINISTRATIVE AMENDMENT APPLICATIONS
X 3	H-3.A	Area Location Map (8 ½' X 11" size)
X 1	H-3.B	Approved Master Concept Plan and detailed drawings of any proposed deviations (24" X 36" size)
X 3	H-3.C	Master Concept Plan (11" X 17' maximum size) including detailed drawings of any proposed deviations - **two originals required**
X 3	H-3.D	Zoning Resolutions/Zoning Documents
		ADDITIONAL SUBMITTAL REQUIREMENTS FOR FINAL PLAN APPROVAL APPLICATIONS
3	H-4.A	Area Location Map (8 ½' X 11" size)
3	H-4.B	Approved Master Concept Plan and detailed drawings of any proposed deviations (24" X 36" size)
1	H-4.C	Proposed Final Plan including Deviations keyed to the plan (24" X 36" size)
3	H-4.D	Proposed Final Plan (11" X 17" maximum size) - **two originals required**
3	H-4.E	Zoning Resolutions/Zoning Documents

*** At least one copy must be an original**

EXHIBIT H-1.D
DEVELOPMENT ORDER NUMBERS FOR THIS PROJECT

VAC2004-0003 / FINALED
DOS2007-00130 / RECEIVED
WEL2004-01104 / FINALED
LDO2004-00381 / ISSUED
PRE2006-00211 / RECEIVED
VIO2007-03974 / CLOSED
VIO2007-03976 / CLOSED
VIO2007-17748 / CLOSED
COM2007-03141 / RECEIVED

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

ADD 2008-00136

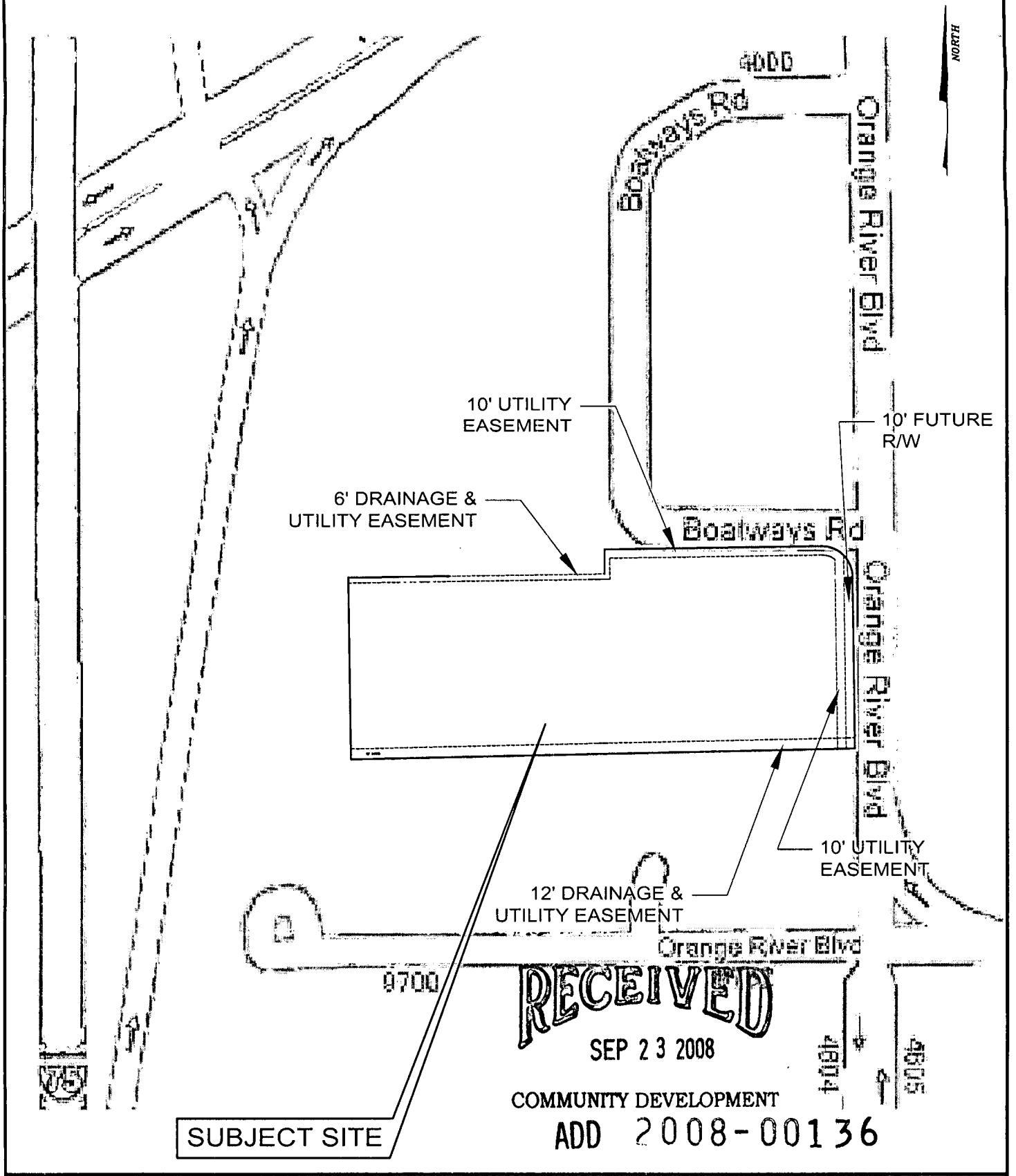
EXHIBIT H-2.A

The amendment is to modify condition 5 of resolution number PD-94-016 to allow four habitable floors and to read as following:

The development is restricted to a maximum of four habitable, floors, not to exceed a height of 45 feet above average grade, except that any motel constructed on the subject real estate may have one cupola or small decorative structure, which shall not exceed 53 feet above average grade.

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

ADD 2008-00136



RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT
ADD 2008-00136

SYCAMORE ENGINEERING, INC. • Civil Engineering • Land Planning • Construction Management • Landscape Architecture	8370 W. Hillsborough Ave., Suite 205 Tampa, FL 33615 Phone: 813.889.0700 Fax: 813.889.0788 e:mail: greatteam@sycamoreeng.com www.sycamoreeng.com	Scale: N/A Date: MAR, 2006 Job No.: F0601 Certificate of Authorization No. 9485

EXHIBIT H-3.A - LOCATION MAP

COUINTRY INN & SUITES
4290 BOATWAYS RD
LEE COUNTY, FORT MYERS, FLORIDA

© 2006

EXHIBIT AA-2.C.1
PROPERTY OWNERS LIST

STRAP # 03-44-25-10-00000.001A

OWNER: FOURSTAR INVESTMENT GROUP INC
13651 INDIAN PAINT LANE
FORT MYERS FL 33912

STRAP # 03-44-25-10-00000.001B

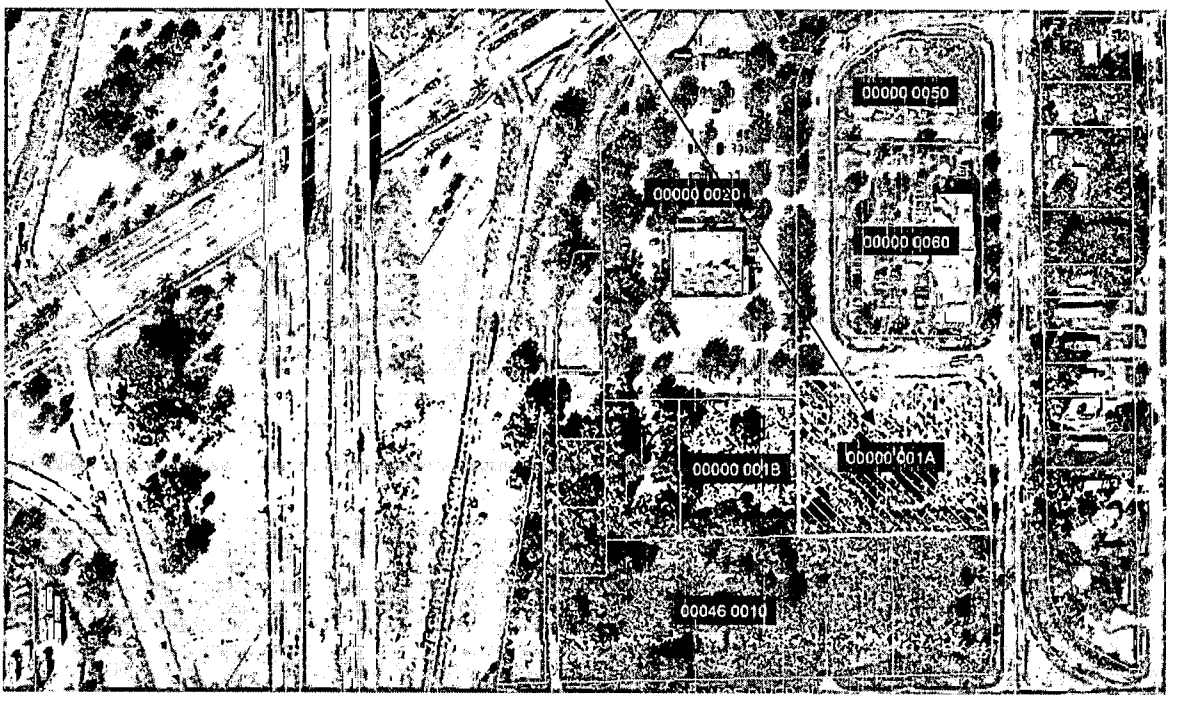
OWNER: FOURSTAR INVESTMENT GROUP INC
13651 INDIAN PAINT LANE
FORT MYERS FL 33912

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

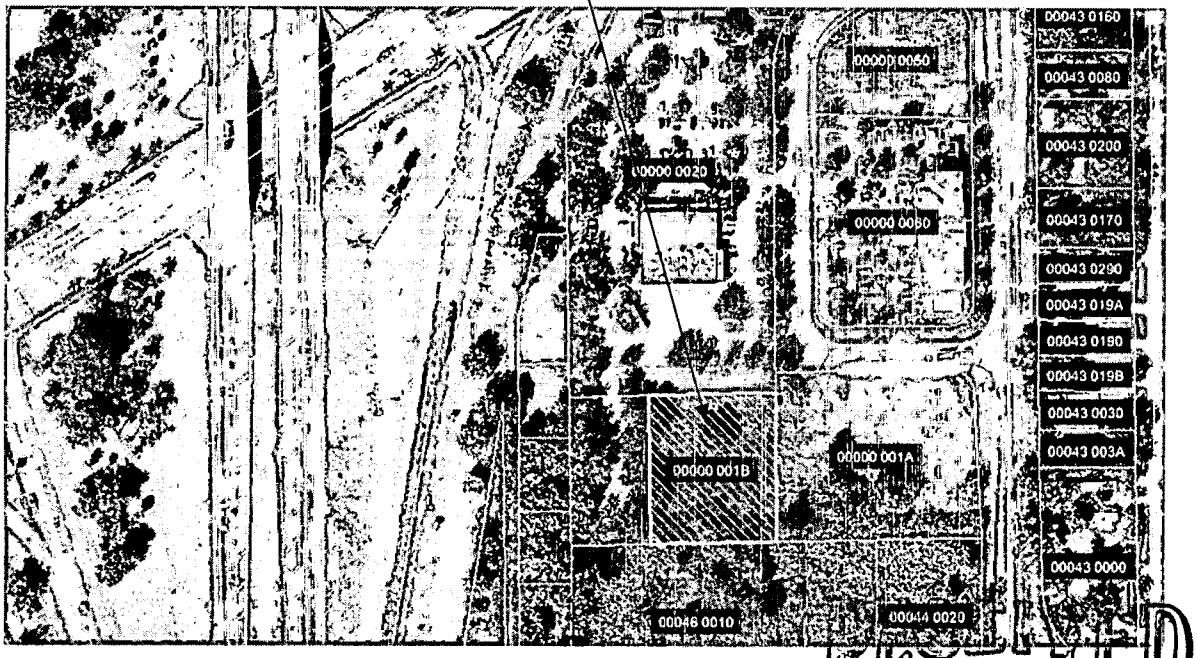
ADD 2008-00136

EXHIBIT AA-2.C.2
PROPERTY OWNERS MAP

OWNER: FOURSTAR INVESTMENT GROUP INC
13651 INDIAN PAINT LANE
FORT MYERS FL 33912



OWNER: FOURSTAR INVESTMENT GROUP INC
13651 INDIAN PAINT LANE
FORT MYERS FL 33912



RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

ADD 2008-00136

EXHIBIT AA-3.C.1
LEGAL DESCRIPTION

RECEIVED
SEP 2 3 2008
COMMUNITY DEVELOPMENT

ADD 2008-00136

METRON
SURVEYING & MAPPING, LLC
LAND SURVEYORS • PLANNERS

LEGAL DESCRIPTION
OF A PARCEL OF LAND LYING IN
SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

(LOT 1-A, ORANGE RIVER CENTRE)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST, BEING A PART OF LOT 1, ORANGE RIVER CENTRE AS RECORDED IN PLAT BOOK 48, PAGE 67 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE S.88°45'42"W. ALONG THE SOUTH LINE OF SAID LOT 1 FOR 284.84 FEET; THENCE LEAVING SAID SOUTH LINE N.00°48'48"W. FOR 232.20 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF BOAT WAYS DRIVE (60 FEET WIDE); THENCE N.89°11'12"E. ALONG SAID SOUTH RIGHT-OF-WAY LINE FOR 250.05 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 35.00 FEET, A CENTRAL ANGLE OF 90°04'08", A CHORD BEARING OF S.45°46'52"E. AND A CHORD LENGTH OF 49.53 FEET; THENCE ALONG THE ARC OF SAID CURVE FOR 55.02 FEET TO THE END OF SAID CURVE, BEING ON THE WEST RIGHT-OF-WAY LINE OF ORANGE RIVER BOULEVARD (80 FEET WIDE); THENCE S.00°44'56"E. ALONG SAID WEST RIGHT-OF-WAY LINE FOR 195.05 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1.51 ACRES, MORE OR LESS.

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

BEARINGS ARE BASED ON THE SOUTH LINE OF LOT 1, ORANGE RIVER CENTRE BEING S.88°45'42"W.

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

DENIS J. O'CONNELL, JR.,
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5430

DATE 9/16/08

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

ADD 2008-00136

10970 S. Cleveland Avenue, Suite #605 • Fort Myers, Florida 33907 • Phone (239) 275-8575 • Fax (239) 275-8457
www.metronfl.com

METRON
SURVEYING & MAPPING, LLC
LAND SURVEYORS • PLANNERS

LEGAL DESCRIPTION
OF A PARCEL OF LAND LYING IN
SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

(LOT 1-B, ORANGE RIVER CENTRE)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, BEING PART OF LOT 1, ORANGE RIVER CENTRE A SUBDIVISION RECORDED IN PLAT BOOK 48, PAGE 67 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LYING IN SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE N.00°51'41"W. ALONG THE WEST LINE OF SAID LOT 1 FOR 206.54 FEET; THENCE N.89°11'12"E. ALONG THE NORTH LINE OF SAID LOT 1 FOR 295.30 FEET; THENCE S.00°48'48"E. FOR 204.35 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE S.88°45'42"W. ALONG SAID SOUTH LINE FOR 295.14 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1.39 ACRES, MORE OR LESS.

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

BEARINGS ARE BASED ON THE SOUTH LINE OF LOT 1, ORANGE RIVER CENTRE BEING S.88°45'42"W.

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

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

DENIS J. O'CONNELL, JR.,
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5430

DATE 9/16/08

ADD 2008-00136

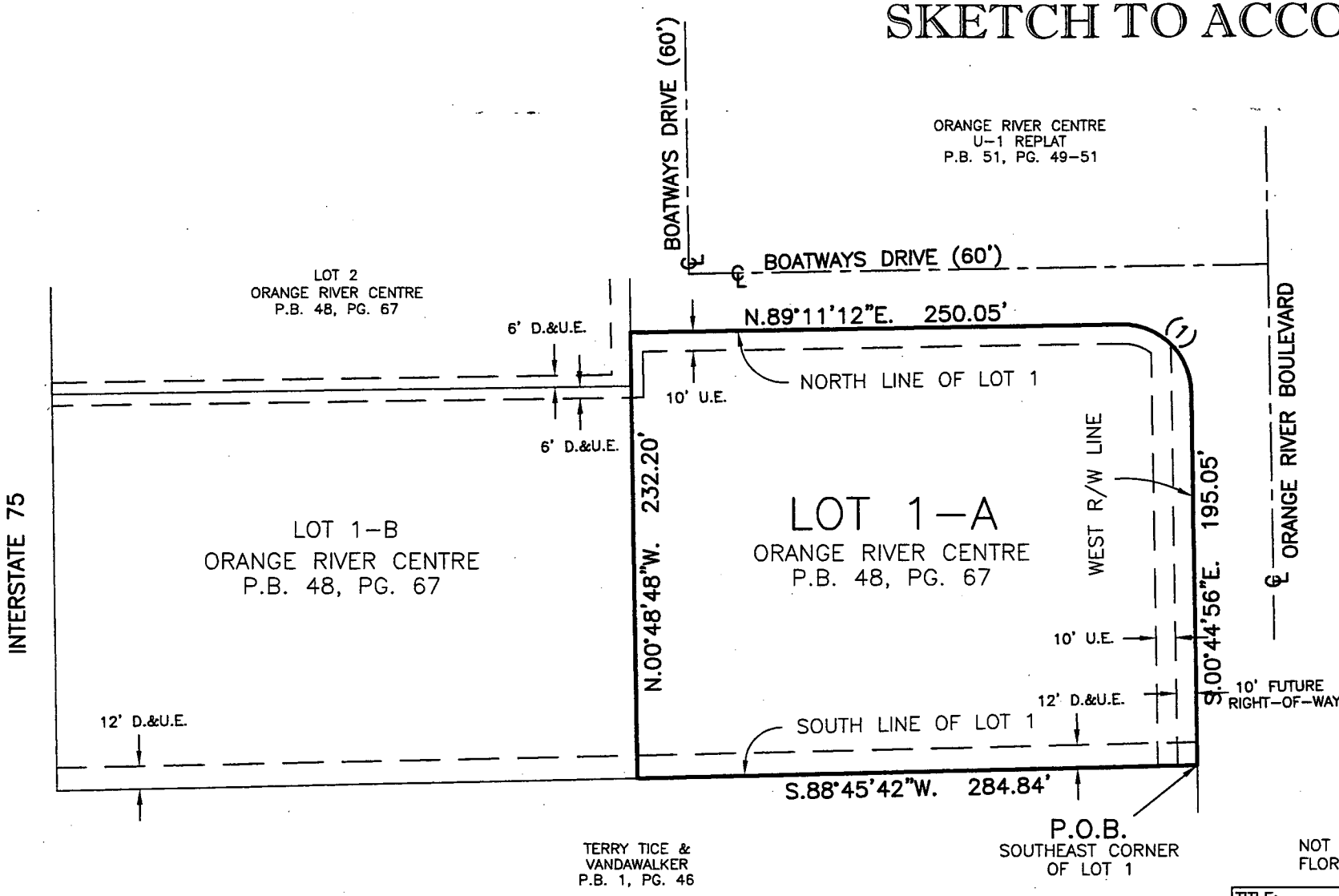
10970 S. Cleveland Avenue, Suite #605 • Fort Myers, Florida 33907 • Phone (239) 275-8575 • Fax (239) 275-8457
www.metronfl.com

EXHIBIT AA-3.C.2
SKETCH OF LEGAL DESCRIPTION

RECEIVED
SEP 2 3 2008
COMMUNITY DEVELOPMENT

ADD 2008-00136

SKETCH TO ACCOMPANY DESCRIPTION



Curve number 1
Radius= 35.00'
Delta= 90°03'52"
Arc= 55.02'
Chord= 49.53'
Chord Brg.= S.45°46'52"E.

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

N

ADD 2008-00179

* THIS IS NOT A SURVEY *

BY: _____
DENIS J. O'CONNELL, JR.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. LS# 5430

DATE SIGNED: 9/16/09

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

LEGEND:

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
R/W = RIGHT-OF-WAY
P.B. = PLAT BOOK
PG. = PAGE
FPL = FLORIDA POWER & LIGHT COMPANY
U.E. = UTILITY EASEMENT
D.&P.U. = DRAINAGE & UTILITY EASEMENT

LINE TABLE

Line	Bearing	Distance
L1	N.00°48'48"W.	27.85'

* SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION *

TITLE: SKETCH OF DESCRIPTION

METRON
SURVEYING & MAPPING, LLC
LAND SURVEYORS-PLANNERS
LB# 7071

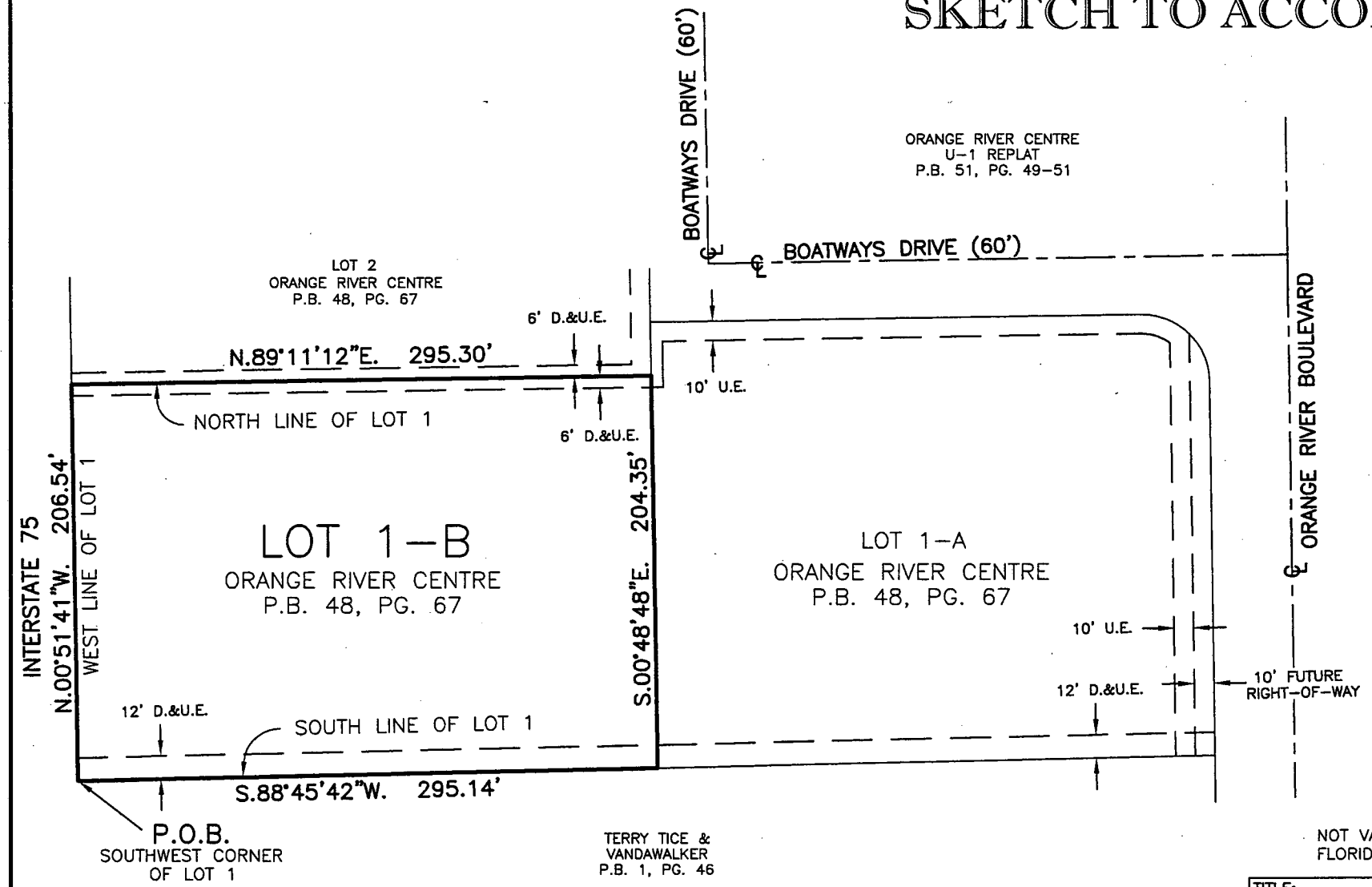
10970 S. CLEVELAND AVENUE,
SUITE #605
FORT MYERS, FLORIDA 33907
PHONE: (239) 275-8575
FAX: (239) 275-8457

www.metronfl.com

FILE NAME:	FIELD BOOK/PAGE:	PROJECT NO.:	SHEET:
2911 LT2 SK.DWG	N/A	2911	2 OF 2

SKETCH DATE:	DRAWN BY:	SCALE:	CHECKED BY:	(S-T-R)
3-9-2004	MJM	1"= 80'	SMS	3-44-25

SKETCH TO ACCOMPANY DESCRIPTION



Curve number 1
Radius= 35.00'
Delta= 90°03'52"
Arc= 55.02'
Chord= 49.53'
Chord Brg.= S.45°46'52"E

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

N

ADD 2008-00136

* THIS IS NOT A SURVEY *

BY: _____
DENIS J. O'CONNELL, JR.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. LS# 5430

DATE SIGNED: 9/16/08

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

LEGEND:

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
R/W = RIGHT-OF-WAY
P.B. = PLAT BOOK
PG. = PAGE
FPL = FLORIDA POWER & LIGHT COMPANY
U.E. = UTILITY EASEMENT
D.&P.U. = DRAINAGE & UTILITY EASEMENT

LINE TABLE

Line	Bearing	Distance
L1	N.00°48'48"W.	27.85'

* SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION *

TITLE: SKETCH OF DESCRIPTION

METRON
SURVEYING & MAPPING, LLC
LAND SURVEYORS·PLANNERS
LB# 7071

10970 S. CLEVELAND AVENUE,
SUITE #605
FORT MYERS, FLORIDA 33907
PHONE: (239) 275-8575
FAX: (239) 275-8457

www.metronfl.com

FILE NAME:	FIELD BOOK/PAGE:	PROJECT NO.:	SHEET:
2911 LT2 SK.DWG	N/A	2911	2 OF 2

SKETCH DATE:	DRAWN BY:	SCALE:	CHECKED BY:	(S-T-R)
3-9-2004	MJM	1"= 80'	SMS	3-44-25

STOUTEN-STEVENOT AND ASSOCIATES, INC.
4414 S.E. 16th PLACE
CAPE CORAL, FLORIDA

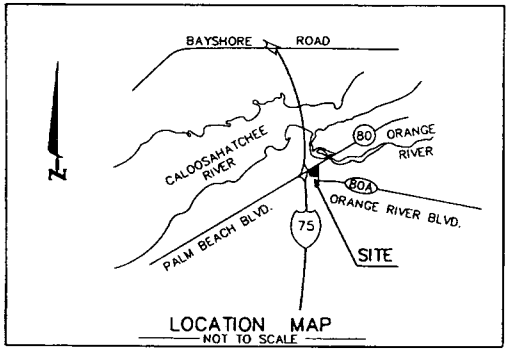
PLAT BOOK 48 PAGE 64

ORANGE RIVER CENTRE

A REPLAT OF A PART OF TERRY-TICE & VANDAWALKERS SUBDIVISION INCLUSIVE OF LOTS 4,5,& 8 1\2, AND UN-NAMED ROAD, PLAT BOOK 1, PAGE 46, AND A REPLAT OF PART OF ALTA VISTA SUBDIVISION (MISSOURI DRIVE) PLAT BOOK 7, PAGE 10, SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.

LEGAL DESCRIPTION

COMMENCE AT THE NORTHEAST CORNER OF SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; THENCE ALONG THE NORTH LINE OF SAID SECTION 3, S 88°42'16" W, 1070.85 FEET TO A POINT ON THE NORTHERLY PROLONGATION OF THE WESTERLY RIGHT-OF-WAY LINE OF ORANGE RIVER BOULEVARD (80 FOOT RIGHT-OF-WAY); THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, S 00°44'56" E, 2.63 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF ORANGE RIVER BOULEVARD, S 00°44'56" E, 1082.94 FEET; THENCE S 88°45'42" W, 579.97 FEET; THENCE N 00°51'41" W, 611.18 FEET TO A POINT ON A CURVE CONCAVE TO THE SOUTHEAST, TO WHICH A RADIAL LINE BEARS N 66°06'09" W, HAVING A RADIUS OF 336.00 FEET, A CENTRAL ANGLE OF 03°29'48", A CHORD DISTANCE OF 20.50 FEET AND A CHORD BEARING OF N 25°38'45" E, SAID POINT BEING ON THE SOUTHERLY RIGHT-OF-WAY LINE OF I-75 AS ACQUIRED BY THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION IN ITS ACTION FOR EMINENT DOMAIN BROUGHT IN CONNECTION WITH THE ACQUISITION OF RIGHT-OF-WAY FOR I-75 AND BEING CIVIL ACTION NO. 75-2902-CA-TWS IN THE CIRCUIT COURT IN AND FOR LEE COUNTY, FLORIDA; THENCE ALONG THE ARC OF SAID CURVE AND SOUTHERLY RIGHT-OF-WAY LINE, 20.51 FFET; THENCE CONTINUE ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE N 27°23'39" E, 197.99 FEET; THENCE N 55°27'37" E, 243.98 FEET; THENCE S 00°48'48" E, 41.82 FEET; THENCE N 89°11'27" E, 50.00 FEET; THENCE N 00°48'48" W, 75.20 FEET; THENCE N 55°27'37" E, 46.22 FEET; THENCE N 57°56'46" E, 175.53 FEET TO A POINT ON THE NORTH LINE OF SAID SECTION 3; THENCE ALONG SAID NORTH LINE N 88°42'16" E, 29.50 FEET; THENCE S 73°06'33" E, 8.43 FEET TO THE POINT OF BEGINNING.



LOCATION MAP
NOT TO SCALE

SURVEYOR'S NOTES

BEARINGS BASED ON THE NORTH LINE OF SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST, AS BEING N88°42'16" E

- ■ DENOTES PERMANENT REFERENCE MONUMENT
- ● DENOTES PERMANENT CONTROL POINT
- (14) DENOTES CURVE NUMBER

CLERK'S CERTIFICATE **3064269**

I HEREBY CERTIFY THAT THE ATTACHED PLAT OF "ORANGE RIVER CENTRE" A REPLAT OF A PART OF TERRY-TICE & VANDAWALKERS SUBDIVISION INCLUSIVE OF LOTS 4,5,& 8 1\2, AND UN-NAMED ROAD, PLAT BOOK 1, PAGE 46, AND A REPLAT OF PART OF ALTA VISTA SUBDIVISION (MISSOURI DRIVE) PLAT BOOK 7, PAGE 10, SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA HAS BEEN EXAMINED BY ME, AND FROM MY EXAMINATION I FIND THAT SAID PLAT COMPLIES WITH THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES. I FURTHER CERTIFY THAT SAID PLAT WAS FILED FOR RECORDING ON THIS 5TH DAY OF AUGUST, 1991 A.D., AND DULY RECORDED IN PLAT BOOK 48 AT PAGES 64 thru 67 IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

Charlie Green
CLERK OF THE CIRCUIT COURT IN AND FOR LEE COUNTY, FLORIDA

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE ATTACHED PLAT OF ORANGE RIVER CENTRE A REPLAT OF A PART OF TERRY-TICE & VANDAWALKERS SUBDIVISION INCLUSIVE OF LOTS 4,5,& 8 1\2, AND UN-NAMED ROAD, PLAT BOOK 1, PAGE 46, AND A REPLAT OF PART OF ALTA VISTA SUBDIVISION (MISSOURI DRIVE) PLAT BOOK 7, PAGE 10, SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS ACCORDING TO A RECENT SURVEY MADE AND PLATTED UNDER MY DIRECTION AND SUPERVISION, AND THAT THE SURVEY DATA COMPLIES WITH ALL OF THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES. I ALSO CERTIFY THAT THE PERMANENT REFERENCE MONUMENTS HAVE BEEN SET AS SHOWN ON THE PLAT.

John R. Fathauer
JOHN R. FATHAUER
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATE NO. 3216

NOTICE:
THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT JAMES E. KINSEY, SR., AS TRUSTEE, BEING THE OWNER IN FEE SIMPLE OF THE LANDS DESCRIBED IN THE ATTACHED PLAT ENTITLED ORANGE RIVER CENTRE, BEING A REPLAT OF A PART OF TERRY-TICE & VANDAWALKERS SUBDIVISION INCLUSIVE OF LOTS 4,5,& 8 1\2, AND UN-NAMED ROAD, PLAT BOOK 1, PAGE 46, AND A REPLAT OF PART OF ALTA VISTA SUBDIVISION (MISSOURI DRIVE) PLAT BOOK 7, PAGE 10, SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, HEREBY DEDICATES ALL ROADWAYS AND ALL DRAINAGE AND UTILITY EASEMENTS SHOWN OR DESCRIBED THEREON TO THE PERPETUAL USE OF THE PUBLIC FOR PROPER PURPOSES. HEREBY REVOKING VACATING AND ABROGATING ANY PLAT OR PLATS OF ANY PART OF SAID LANDS HERETOFORE MADE.

IN WITNESS WHEREOF, JAMES E. KINSEY, SR., AS TRUSTEE HAS CAUSED THIS DEDICATION TO BE MADE AND SIGNED THIS 17TH DAY OF JULY, 1991.

WITNESSES:
James E. Kinsey
Kim Byrne
JAMES E. KINSEY, SR., AS TRUSTEE

STATE OF FLORIDA
COUNTY OF LEE

BEFORE ME THIS DAY PERSONALLY APPEARED JAMES E. KINSEY, SR., AS TRUSTEE, TO ME WELL KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION, AND WHO ACKNOWLEDGED THAT HE DID SO AS TRUSTEE FOR THE PURPOSES THEREIN EXPRESSED.

DATE: 7-17-91
Kim Byrne
NOTARY PUBLIC - STATE OF FLORIDA
MY COMMISSION EXPIRES: 5/27/93

MORTGAGEE CONSENT

KNOW ALL MEN BY THESE PRESENTS THAT GOLIE MAE GIDDENS HOLDER OF CERTAIN MORTGAGE RECORDED IN O.R. BOOK 2047 AT PAGE 145 PUBLIC RECORDS OF LEE COUNTY, FLORIDA, ON THE HEREIN DESCRIBED LANDS, DOES HEREBY JOIN IN THE PLAT DEDICATION APPEARING HEREON THIS 17TH DAY OF JULY, 1991 A.D.

WITNESSES:
James E. Kinsey
Kim Byrne
Golie Mae Giddens
GOLIE MAE GIDDENS

STATE OF FLORIDA
COUNTY OF LEE

BEFORE ME THIS DAY PERSONALLY APPEARED GOLIE MAE GIDDENS TO ME WELL KNOWN TO BE THE PERSON WHO SIGNED THE FOREGOING CONSENT AND JOINDER AND WHO ACKNOWLEDGED THIS TO BE HER OWN FREE ACT AND DEED FOR THE PURPOSES THEREIN EXPRESSED. WITNESS MY HAND AND SEAL THIS 17TH DAY OF JULY, 1991.

MY COMMISSION EXPIRES: 5/27/93
Kim Byrne
NOTARY PUBLIC - STATE OF FLORIDA

APPROVALS

THIS PLAT ACCEPTED THIS 31ST DAY OF JULY, 1991 A.D. IN OPEN MEETING OF THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA.

BOARD CHAIRMAN
Charlie Green
CLERK OF COURTS
Mary Gibbs
DIRECTOR OF THE DEPARTMENT OF COMMUNITY DEVELOPMENT
DIRECTOR OF DIVISION OF DEVELOPMENT REVIEW
Andrea M. Lang
COUNTY ATTORNEY

SHEET 1 OF 4

ADD 2008-001136
RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

I-6-90

STOUTEN–STEVENOT AND ASSOCIATES, INC.
4414 S.E. 16th PLACE
CAPE CORAL, FLORIDA

PLAT BOOK 48 PAGE 65

ORANGE RIVER CENTRE

A REPLAT OF A PART OF TERRY–TICE & VANDAWALKERS SUBDIVISION INCLUSIVE OF LOTS 4,5,& 8 1\2, AND UN–NAMED ROAD, PLAT BOOK 1, PAGE 46, AND A REPLAT OF PART OF ALTA VISTA SUBDIVISION (MISSOURI DRIVE) PLAT BOOK 7, PAGE 10, SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.

MORTGAGEE'S CONSENT TO DEDICATION

KNOW ALL MEN BY THESE PRESENT THAT THE CITIZENS AND SOUTHERN NATIONAL BANK OF FLORIDA, A NATIONAL BANKING ASSOCIATION, HOLDER OF A CERTAIN MORTGAGE RECORDED IN O.R. BOOK 2225, AT PAGE 986 PUBLIC RECORDS OF LEE COUNTY, FLORIDA, ON THE HEREIN DESCRIBED LANDS, DOES HEREBY JOIN IN THE PLAT DEDICATION APPEARING HEREON THIS 17th DAY OF JULY, 1991 A.D.

THE CITIZENS AND SOUTHERN
NATIONAL BANK OF FLORIDA, A
NATIONAL BANKING ASSOCIATION

WITNESSES: _____ BY: _____
_____ TITLE: Vice President

STATE OF FLORIDA
COUNTY OF LEE

BEFORE ME THIS DAY PERSONALLY APPEARED Thomas Fuess _____ AS VICE PRESIDENT OF THE CITIZENS AND SOUTHERN NATIONAL BANK OF FLORIDA, A NATIONAL BANKING ASSOCIATION, TO ME WELL KNOWN TO BE THE PERSON WHO EXECUTED THE FOREGOING CONSENT AND JOINDER TO THE PLAT AND ACKNOWLEDGED SAME TO BE HIS OWN FREE ACT AND ON DEED FOR THE PURPOSES THEREIN EXPRESSED, FOR AND ON BEHALF OF SAID ASSOCIATION.

DATE: 7-17-91

_____
NOTARY PUBLIC–STATE OF FLORIDA.

MY COMMISSION EXPIRES: _____

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

ADD 2008-00136

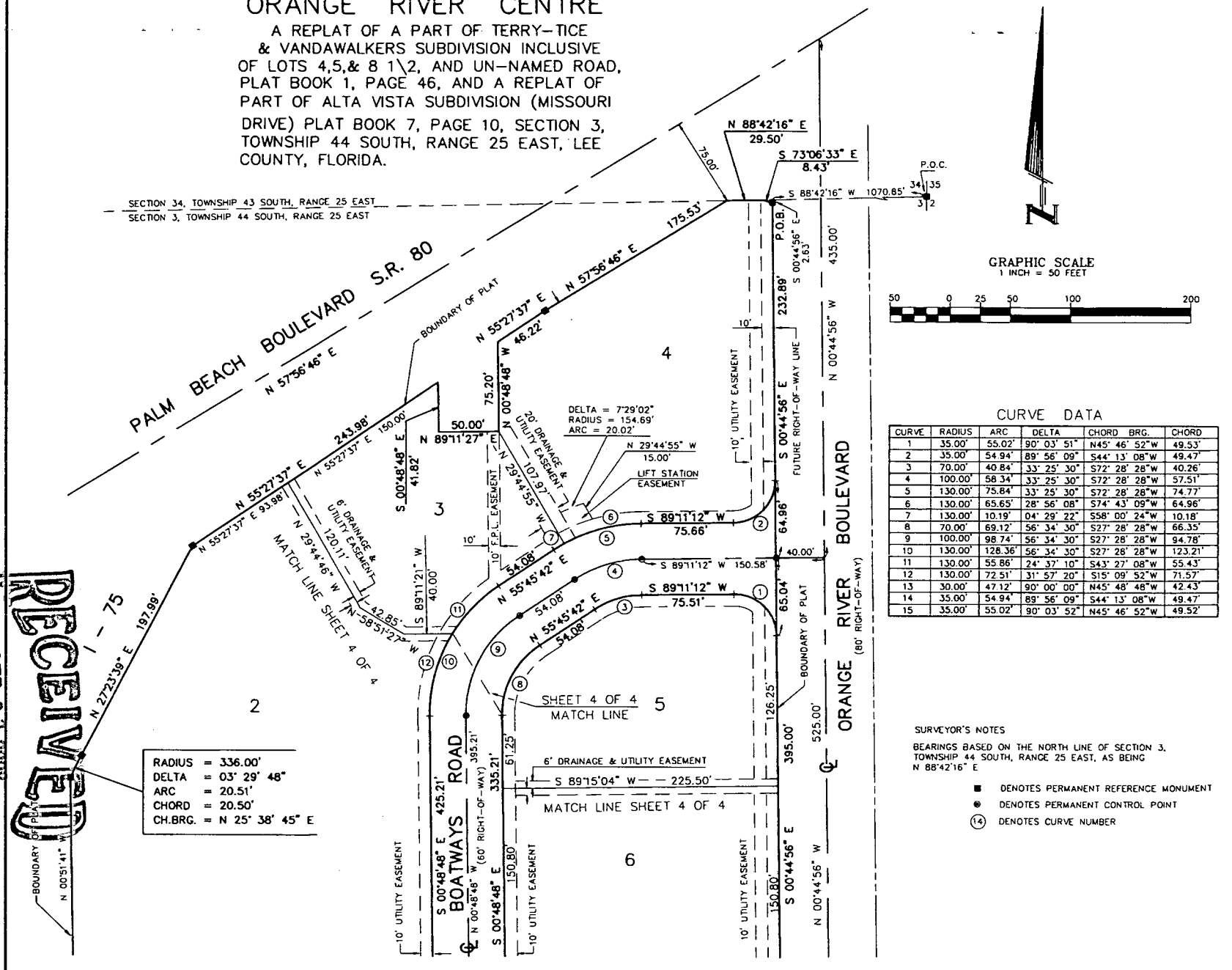
4–6–90

STOUTEN-STEVENOT AND ASSOCIATES, INC.
4414 S.E. 16th PLACE
CAPE CORAL, FLORIDA

PLAT BOOK 48 PAGE 66

ORANGE RIVER CENTRE

A REPLAT OF A PART OF TERRY-TICE & VANDAWALKERS SUBDIVISION INCLUSIVE OF LOTS 4,5,& 8 1\2, AND UN-NAMED ROAD, PLAT BOOK 1, PAGE 46, AND A REPLAT OF PART OF ALTA VISTA SUBDIVISION (MISSOURI DRIVE) PLAT BOOK 7, PAGE 10, SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.



RADIUS = 336.00'
DELTA = 03° 29' 48"
ARC = 20.51'
CHORD = 20.50'
CH.BRG. = N 25° 38' 45" E

CURVE DATA

CURVE	RADIUS	ARC	DELTA	CHORD BRG.	CHORD
1	35.00'	55.02'	90° 03' 51"	N45° 46' 52"W	49.53'
2	35.00'	54.94'	89° 56' 09"	S44° 13' 08"W	49.47'
3	70.00'	40.84'	33° 25' 30"	S72° 28' 28"W	40.26'
4	100.00'	58.34'	33° 25' 30"	S72° 28' 28"W	57.51'
5	130.00'	75.84'	33° 25' 30"	S72° 28' 28"W	74.77'
6	130.00'	65.65'	28° 56' 08"	S74° 43' 09"W	64.96'
7	130.00'	10.19'	04° 29' 22"	S58° 00' 24"W	10.18'
8	70.00'	69.12'	56° 34' 30"	S27° 28' 28"W	66.35'
9	100.00'	98.74'	56° 34' 30"	S27° 28' 28"W	94.78'
10	130.00'	128.36'	56° 34' 30"	S27° 28' 28"W	123.21'
11	130.00'	55.86'	24° 37' 10"	S43° 27' 08"W	55.43'
12	130.00'	72.51'	31° 57' 20"	S15° 09' 52"W	71.57'
13	30.00'	47.12'	90° 00' 00"	N45° 48' 48"W	42.43'
14	35.00'	54.94'	89° 56' 09"	S44° 13' 08"W	49.47'
15	35.00'	55.02'	90° 03' 52"	N45° 46' 52"W	49.52'

SURVEYOR'S NOTES

BEARINGS BASED ON THE NORTH LINE OF SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST, AS BEING N 88°42'16" E

■ DENOTES PERMANENT REFERENCE MONUMENT
● DENOTES PERMANENT CONTROL POINT
(14) DENOTES CURVE NUMBER

SHEET 3 OF 4

4-6-90

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

ADD 2008-00136

ADD 2008-00136

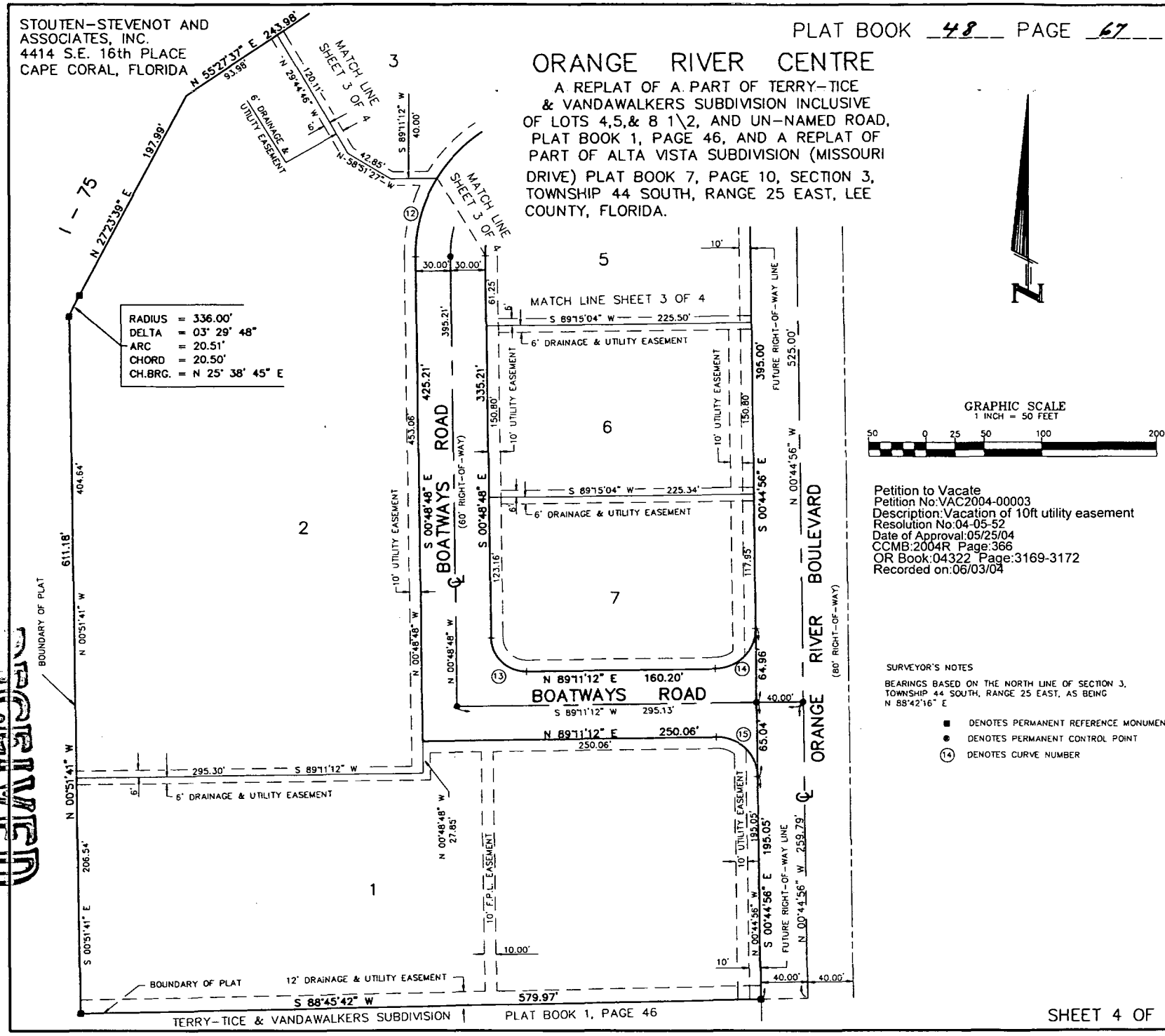
RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

STOUTEN-STEVENOT AND
ASSOCIATES, INC.
4414 S.E. 16th PLACE
CAPE CORAL, FLORIDA

PLAT BOOK 48 PAGE 67

ORANGE RIVER CENTRE

A REPLAT OF A PART OF TERRY-TICE & VANDAWALKERS SUBDIVISION INCLUSIVE OF LOTS 4,5,& 8 1\2, AND UN-NAMED ROAD, PLAT BOOK 1, PAGE 46, AND A REPLAT OF PART OF ALTA VISTA SUBDIVISION (MISSOURI DRIVE) PLAT BOOK 7, PAGE 10, SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.



GRAPHIC SCALE
1 INCH = 50 FEET
50 0 25 50 100 200

Petition to Vacate
Petition No:VAC2004-00003
Description:Vacation of 10ft utility easement
Resolution No:04-05-52
Date of Approval:05/25/04
CCMB:2004R Page:366
OR Book:04322 Page:3169-3172
Recorded on:06/03/04

SURVEYOR'S NOTES

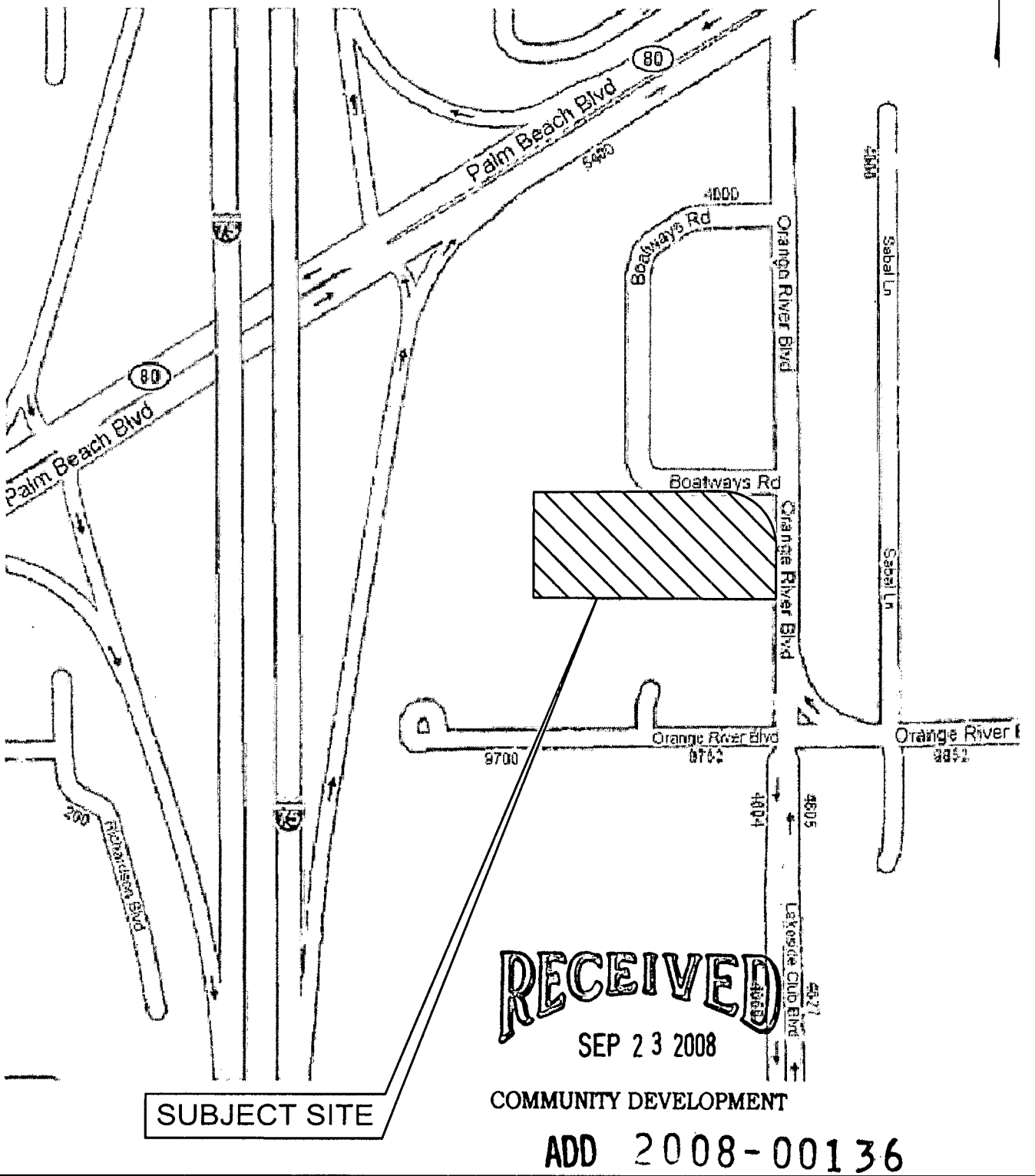
BEARINGS BASED ON THE NORTH LINE OF SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST, AS BEING N 88°42'16" E

■ DENOTES PERMANENT REFERENCE MONUMENT
● DENOTES PERMANENT CONTROL POINT
(14) DENOTES CURVE NUMBER

-6-90

TERRY-TICE & VANDAWALKERS SUBDIVISION | PLAT BOOK 1, PAGE 46

SHEET 4 OF 4



RECEIVED
SEP 2 3 2008
COMMUNITY DEVELOPMENT

ADD 2008-00136

SYCAMORE ENGINEERING, INC.
- Civil Engineering
- Land Planning
- Construction Management
- Landscape Architecture

8370 W. Hillsborough Ave., Suite 205
Tampa, FL 33615
Phone: 813.889.0700
Fax: 813.889.0788
e:mail: greatteam@sycamoreeng.com
www.sycamoreeng.com

Certificate of Authorization No. 9485

Scale: N/A
Date: MAR, 2006
Job No.: F0601

EXHIBIT AA-3.F - LOCATION MAP

COUINTRY INN & SUITES
4290 BOATWAYS RD
LEE COUNTY, FORT MYERS, FLORIDA

© 2006

EXHIBIT H-3.C
ZONING RESOLUTIONS / ZONING DOCUMENTS

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Mohammed M. Rahman filed an application for administrative approval to a Commercial Planned Development on a project known as **Orange River Centre CPD** to

- **remove language in Condition 4 of resolution number PD-94-016 that erroneously included the commercial building floor area that would result from approved hotel/motel units in the maximum commercial building floor area permitted for the CPD;**
- **reduce the maximum commercial building floor area permitted for the CPD; and**
- **amend the Master Concept Plan to reflect changes in the "Site Data" table**

on property located at 4290 Boatsway Road, Fort Myers, FL 33905, described more particularly in the LEGAL DESCRIPTION: In Section 3, Township 44 South, Range 25 East, Lee County, Florida:

See Exhibit "A"

WHEREAS, the property was originally rezoned in case number 89-08-01-DCI, resolution number Z-89-077 [with subsequent amendments in case numbers: 89-08-01-DCI(a), 89-08-01-DCI(b), 89-08-01-DCI-01(c); resolution numbers: PD-92-013, PD-92-019, and PD-94-019]; and

WHEREAS, Condition 2 of resolution number PD-94-016 permits a maximum of 160 motel/hotel units for the CPD; and

WHEREAS, 60 hotel/motel units have been constructed on Tract "B" leaving 100 units available for the CPD; and

WHEREAS, Tract "C" and the southern 250± feet of Tract D amass 3.1± acres, are undeveloped and permitted to be developed with a hotel/motel use; and

WHEREAS, Condition 4 of resolution number PD-94-016 establishes a commercial development limitation of 78,000 square feet of commercial building floor area for the CPD; and

WHEREAS, the CPD contains commercial uses that occupy more than 25,000 square feet of commercial building floor area; and

WHEREAS, 160 motel/hotel units, if constructed, would exceed 78,000 square feet of commercial building floor area making the inclusion of the hotel/motel's commercial building

ADD 2008-00136

CASE NO. ADDD2005-00096

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

floor area in the entire CPD's commercial building floor area limitation of 78,000 square feet illogical; and

WHEREAS, by the applicant reducing the maximum commercial building floor area for the CPD from 78,000 square feet to 39,000 square feet the intensity of the project is not being increased; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to **Orange River Centre CPD** to

- **remove language in Condition 4 of resolution number PD-94-016 that erroneously included the commercial building floor area that would result from approved hotel/motel units in the maximum commercial building floor area permitted for the CPD;**
- **reduce the maximum commercial building floor area permitted for the CPD; and**
- **amend the Master Concept Plan to reflect changes in the "Site Data" table**

in the Planned Development is **APPROVED, subject to the following conditions:**

1. **The Development must be in compliance with the amended Master Concept Plan, stamped received September 27, 2005. Master Concept Plan for ADD2005-00096 is hereby APPROVED and adopted. A reduced copy is attached hereto.**

2. **Condition 4 will is corrected as follows (in strikethrough and underline format):**

   The development may contain a maximum of <u>39,000</u> ~~78,000~~ square feet of commercial building floor area ~~(including square footage for the motel), of which no more than 40,000 square feet of retail use (those which must meet site location standards) may be developed~~.

3. **The only changes approved as part of this administrative amendment are as identified above. No other changes have been authorized as part of this amendment and development must remain in compliance with the terms and conditions of the original zoning resolution Z-89-077(as amended by PD-92-013/1, PD-92-019, and PD-94-019).**

DULY SIGNED this 10th day of October, A.D., 2005.

BY: Pam Houck

Pam Houck, Director
Division of Zoning
Department of Community Development

METRON
SURVEYING & MAPPING, LLC

LAND SURVEYORS • PLANNERS

LEGAL DESCRIPTION
OF A PARCEL OF LAND LYING IN
SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

(LOT 1-A, ORANGE RIVER CENTRE)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST, BEING A PART OF LOT 1, ORANGE RIVER CENTRE AS RECORDED IN PLAT BOOK 48, PAGE 67 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 1; THENCE S.88°45'42"W. ALONG THE SOUTH LINE OF SAID LOT 1 FOR 284.84 FEET; THENCE LEAVING SAID SOUTH LINE N.00°48'48"W. FOR 232.20 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF BOAT WAYS DRIVE (60 FEET WIDE); THENCE N.89°11'12"E. ALONG SAID SOUTH RIGHT-OF-WAY LINE FOR 250.05 FEET TO THE BEGINNING OF A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 35.00 FEET, A CENTRAL ANGLE OF 90°04'08", A CHORD BEARING OF S.45°46'52"E. AND A CHORD LENGTH OF 49.53 FEET; THENCE ALONG THE ARC OF SAID CURVE FOR 55.02 FEET TO THE END OF SAID CURVE, BEING ON THE WEST RIGHT-OF-WAY LINE OF ORANGE RIVER BOULEVARD (80 FEET WIDE); THENCE S.00°44'56"E. ALONG SAID WEST RIGHT-OF-WAY LINE FOR 195.05 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1.51 ACRES, MORE OR LESS.

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

BEARINGS ARE BASED ON THE SOUTH LINE OF LOT 1, ORANGE RIVER CENTRE BEING S.88°45'42"W.

Applicant's Legal Checked
by ____ 06MAY05

RECEIVED
MAY 0 3 2005
PERMIT COUNTER

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

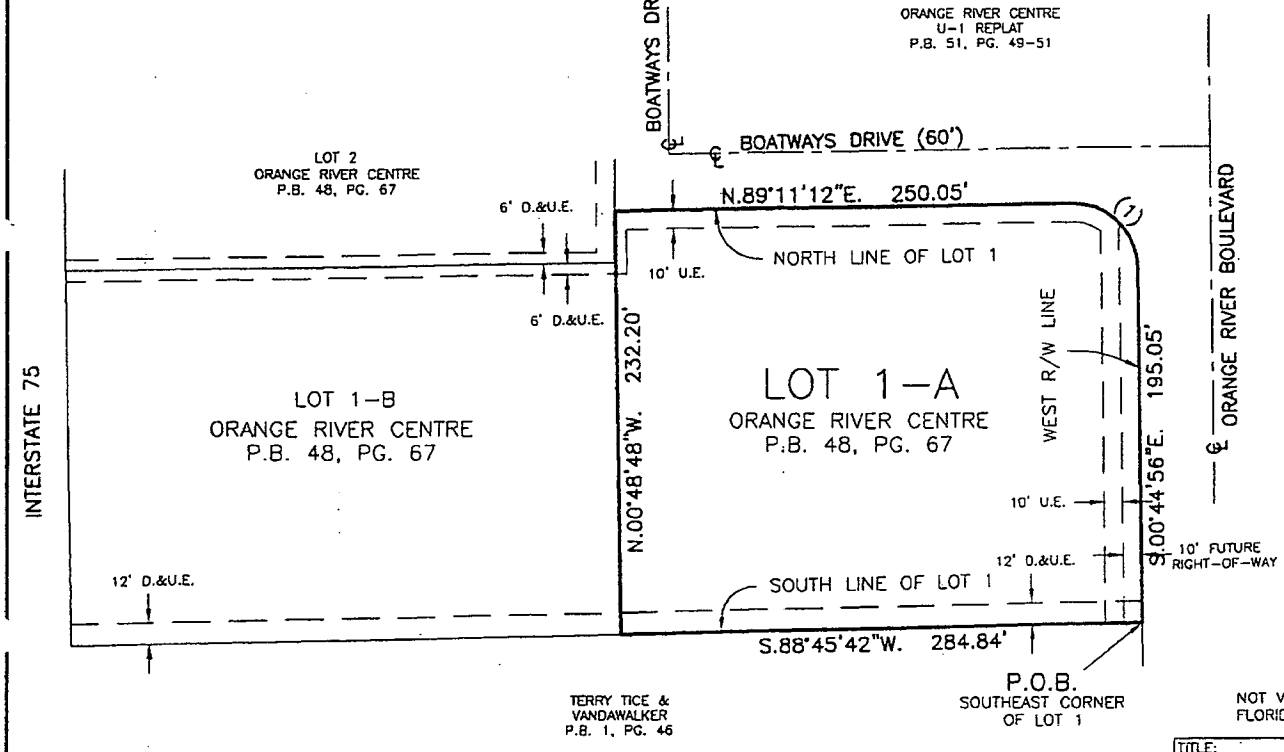
Scott M. Shore 10-9-2002

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

ADD2005-00096

5245 RAMSEY WAY, SUITE #2 • FORT MYERS, FLORIDA 33907 • PHONE (239) 275-8575 • FAX (239) 275-8457
www.metronfl.com

SKETCH TO ACCOMPANY DESCRIPTION



Curve number 1

Radius= 35.00'
Delta= 90°03'52"
Arc= 55.02'
Chord= 49.53'
Chord Brg.= S.45°46'52"E.

RECEIVED
MAY 03 2005
PERMIT COUNTER

Applicant's Legal Checked
by Amy 06MAY05

* THIS IS NOT A SURVEY *

BY: Scott M. Shore

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

DATE SIGNED: 10-9-2002

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

LEGEND:

P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
R/W = RIGHT-OF-WAY
P.B. = PLAT BOOK
PG. = PAGE
FPL = FLORIDA POWER & LIGHT COMPANY
U.E. = UTILITY EASEMENT
D.&P.U. = DRAINAGE & UTILITY EASEMENT

LINE TABLE

Line	Bearing	Distance
L1	N.00°48'48"W.	27.85'

* SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION *

TITLE: SKETCH OF DESCRIPTION

METRON
SURVEYING & MAPPING, LLC
LAND SURVEYORS PLANNERS
LB# 7071

5245 RAMSEY WAY, SUITE #2
FORT MYERS, FLORIDA 33907
PHONE: (239) 275-8575
FAX: (239) 275-8457
www.metronfl.com

FILE NAME:	FIELD BOOK/PAGE:	PROJECT NO.:	SHEET:
2911 LT2 SK.DWG	N/A	2911	2 OF 2

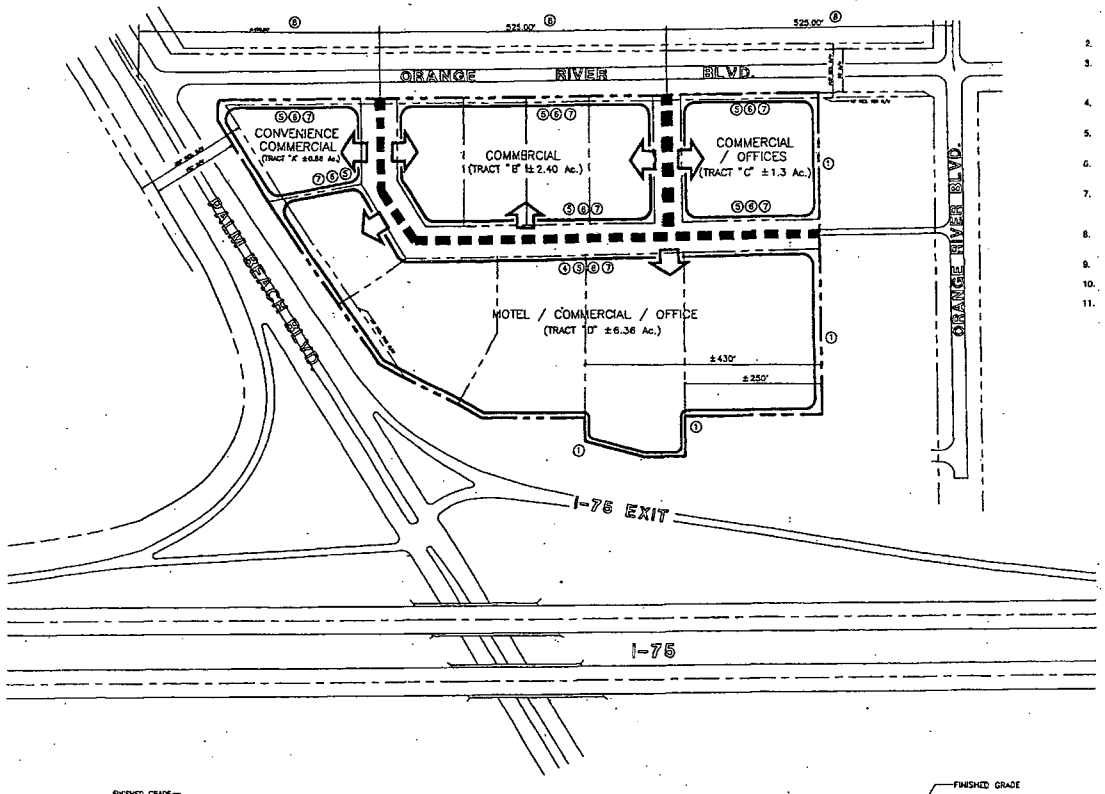
SKETCH DATE:	DRAWN BY:	SCALE:	CHECKED BY:	(S-T-R)
10-9-2002	MJM	1"= 80'	SMS	3-44-25

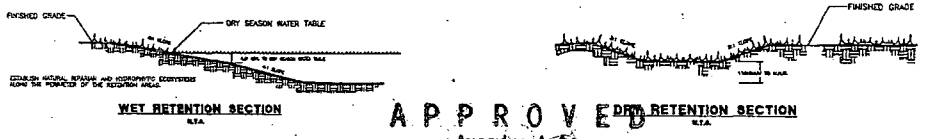
ADD2005-00096

SCHEDULE OF USES

LAND USE	TRACT "A"	"B"	"C"	"D"
Animal Clinic (07)		X	X	X
Animal Kennel (07)		X		X*
Automobile Tester Machines (ATMS)	X	X	X	X*
Auto Parts Store, no installation service	X	X		X*
Auto Repair and Service Group I Section 1001.02	X	X		X*
Automobile Service Station, Limited	X	X		X*
Banks and Financial Establishments All Groups Section 1001.03	X	X	X	X
Bar or Cocktail Lounge		X		X*
Boat Parts Stores, no installation service		X		X*
Broadcasting Studio Commercial Radio and Television Section 647		X	X	X
Business Services Group I and Group II, All Categories Section 1001.05		X	X	X
Car Wash (05)	X	X		X*
Cleaning and Maintenance Services Section 1001.07		X		X
Clothing Stores, General Section 1001.08		X		X
Clubs Commercial, Fraternal/Membership Organization, Section 811		X		X
Communication, Process- 2 Section 932.02	X	X	X	X
Convenience Food and Beverage Store (08)	X			
Day Care Center Child and/or Adult Section 514		X	X	X
Drive-thru Facility For any permitted use	X	X	X	X
Drugstore	X	X		X
Automobile Service Station, Limited	X	X		
Excavation Water Retention Section 618	X	X	X	X
Fast Food Group I and II Section 1001.16	X	X	X	X*
Governmental Services Standard Office Space	X	X	X	X
Hardware Store (10)	X	X		X
Health Care Facility Group III Sections 524 and 1001.20		X		X
Hobby, Toy and Game Shops Section 1001.21		X		X
Hotel/Motel Section 614		X	X	X
Household/Office Furnishings Groups I and II Section 1001.22	X	X		X
Insurance Companies Section 1001.23	X		X	X
Laundry or Dry Cleaning Group I Section 1001.24	X	X		X*
Lawn and Garden Supply Store (09) Section 523	X	X		X
Music Store (09)	X	X		X
Night Club (05)	X	X		X
Non-store Retailers All Groups Section 1001.30		X		X
Offices - Medical			X	X
Package Store Section 202.03	X	X		X*
Paint, Glass, and Wallpaper Store (09)	X	X		X
Parks, Public and Private (15) Group I Section 1001.32		X	X	X
Personal Services All Groups Section 1001.33		X	X	X
Pet Store (09)		X		X
Pharmacy (10)	X	X		X
Recreation, Commercial Group II and IV Section 1001.38		X	X	X
Recreation Facilities Personal, Private, Public (16)		X		X
Religious Facilities Section 627			X	X
Repair Shops Groups I and II Section 1001.40		X		X
Restaurant, Fast Food (05)	X	X		X*
Restaurant, Standard All Groups Section 1001.44	X	X		X*
Schools, Commercial Section 1001.48		X		X
Self Service Fuel Pumps (08) Ancillary to a permitted use				X
Self Service Fuel Pump Station (08) 5 pts Provided same comply with the Lee County Sign Ordinance	X	X	X	X
Social Services Col. I Section 1001.48		X		X*
Specialty Retail Shop Groups I, II, III and IV Section 1001.47	X	X		X
Stores Section 1001.48		X	X	X
Used Merchandise Stores Groups I and II only Section 1001.54		X		X
Variety Store (09)	X	X		X

* Not permitted in Southern 430 feet of Tract D





WET RETENTION SECTION N.T.S.

DRY RETENTION SECTION N.T.S.

APPROVED
Amendment to
Master Concept Plan
Subject to Case # ADD2005-00096
Date 10/10/05

SCHEDULE OF DEVIATIONS

1. Deviation from the requirement that all commercial and industrial uses shall provide a continuous visual screen of at least 6 feet in height along any lot line abutting a residential use (202.14.E.1 and also Table C-5), to allow an opaque vegetative covered fence 6 feet in height;
2. Withdrawn;
3. Deviation from the minimum setback from a structure to a water body of 25 feet (202.18.B.4.b.) to 0 feet to an architectural structure such as a gazebo, cabana, wooden deck, walkway, or foot bridge.
4. Deviation from excavation depth for water retention from 12 feet (Section 509.B.), to the confining layer;
5. Deviation from the minimum water retention excavation setbacks to a street right-of-way of 150 feet (509.C.4.) to 25 feet;
6. Deviation from the minimum water retention excavation setbacks to a private property line of 50 feet (509.C.4.) to 25 feet;
7. Deviation from the requirement that a 4-foot fence be placed around excavations for water retentions when located less than 100 feet from any property under separate ownership (509.F), to require no fencing;
8. Deviation from the minimum intersection separation of 660 feet along arterial streets (DSO Section C.3.h.), to ± 435 feetand ± 525 feet;
9. Withdrawn;
10. Withdrawn;
11. Deviation from the requirement that the density of transient hotel/motel units to be calculated at 1,700 square feet per unit (514.B.4.), to permit the density of transient hotel/motel units to be calculated at 895 square feet per unit with a maximum of 120 units.

SITE DATA

LAND USE	TRACT	ACREAGE
1. Commercial/ Office Hotel	A B	+/- 3.26 Acres 60 Hotel Rooms
Rooms and Square Footage: 8,000 square feet 60 Hotel Rooms		
2. Commercial South 250 ft	C D	+/- 3.1 Acres
Rooms and Square Footage: 2,000 square feet 100 Hotel Rooms		
3. Commercial Remainder of D	D	+/- 4.64 Area
Total Square Feet: 29,000 square feet		
4. Road Right of Way		+/- 1.5 Area
	Total Site Area	+/- 12.5 Acres

GENERAL NOTES

1. Maximum building height is 45' above grade for all buildings with the exception of a motel. If a motel is constructed the main portions of the building will not exceed 45', however, a cupola may be 55' above grade.
2. The specific location of retention areas has not been determined. Retention areas will be incorporated into the Final Site Plan in compliance with applicable Lee County and SFWMD Rules and Regulations.
3. The exact location of the excavation/lakes will be determined prior to Final Development Approval.
4. The applicant will provide a Type "D" buffer along all property lines abutting residential uses. The buffer will include an eight (8) feet high berm and the numbers of trees and shrubs required for a type "D" buffer.
5. The lot lines depicted on this Master Concept Plan are intended to depict the preliminary arrangement of parcels within the project. Final lot dimensions will be presented at the time of final site plan approval. All lots will comply with the performance standard of the CC Zoning District.
6. Preliminary plans call for a single building per lot, however, clusters of buildings may be placed on a single lot in compliance with applicable codes.
7. The applicant will provide a Type "A" buffer along Orange River Boulevard. The buffer will include the number of trees and shrubs required for a Type "B" buffer.

SCALE: 1" = 100' - 0"

0 50 100 200 300

NORTH

DATE: 12-12-88

Master Concept Plan modification 9-22-05

ADD 2005-00096

RECEIVED
SEP 27 2005
ZONING

PREPARED FOR:
MR. JAMES KINSEY
KINSEY ASSOCIATES, INC., REALTORS
2423 FIRST STREET FORT MYERS, FL 33901
(813) 334-1367

PREPARED BY:
DAVID M. JONES JR. & ASSOCIATES, INC.
PLANNERS AND LANDSCAPE ARCHITECTS
2207 FIRST STREET FORT MYERS, FL 33901
(813) 334-1831

ORANGE RIVER CENTRE

REVISIONS	DATE
SUFFICIENCY RESPONSE	03-07-89
SUFFICIENCY RESPONSE	06-22-89
REPORT RESPONSE	09-06-89

MAP-H

MASTER CONCEPT PLAN

ADD 2008-00136

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

ADMINISTRATIVE APPROVAL
AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, James E. Kinsey, Sr., Trustee, has filed an application for administrative approval of an amendment to a Commercial Planned Development on a project known as Orange River Centre.

WHEREAS, according to the applicant, due to changes in market strategy for various businesses which historically locate along the interstate, interior lots are no longer marketable to most restaurants, primarily to those in the quick service category. However, interior lots remain marketable to motel developers, which is the basis for the requested administrative amendment to the Commercial Planned Development.

WHEREAS, the applicant is proposing an increase in the overall motel density to be offset by a decrease in the overall allowable commercial building floor area.

WHEREAS, the amendment is to increase the number of motel units from 120 units to 160 units, but decrease the amount of commercial building floor area from 100,000 square feet to 78,000 square feet -- a reduction of 22,000 square feet of potential commercial building floor area within the Commercial Planned Development.

WHEREAS, the amendment is also to modify the height restriction from two habitable floors to allow three habitable floors, not to exceed a height of 45 feet above average grade, except that any motel constructed on the subject real estate may have one cupola or small decorative structure.

WHEREAS, the amendment will be a reduction in traffic and intensity of development at buildout. Therefore, the request is consistent with the Land Development Code, Section 34-380(b) since the amendment would not increase the density or intensity of the development.

WHEREAS, the subject property is located at the southeast quadrant of I-75 and SR 80, described more particularly as:

LEGAL DESCRIPTION: In Section 03, Township 44 South, Range 25 East, Lee County, Florida:

> Lots 1-7, ORANGE RIVER CENTRE, as recorded in Plat Book 48, Pages 64-67, of the Public Records of Lee County, Florida, lying in Section 03, Township 44 South, Range 25 East, Lee County, Florida.

WHEREAS, the property was originally rezoned in hearing number 89-08-01-DCI-01 [with subsequent amendments in hearing numbers 89-08-01-DCI-01(a) and 89-08-01-DCI-01(b)]; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Commercial Planned Development is APPROVED.

Approval is subject to the following conditions:

1. The terms and conditions of Zoning Resolution Z-89-077, and Administrative Approval Amendments PD-92-013/1, PD-92-013/2 and PD-92-019 shall remain in full force and effect, except as specifically amended herein.

2. A maximum of 160 motel/hotel units may be developed on site.

3. The density per acre threshold for Lots 5, 6, and 7 only (which do not border residentially zoned property) shall be limited to 52 units per acre. The density on Lot 1 shall remain at 44 units per acre as per deviation #9 of Zoning Resolution Z-89-077.

4. The development may contain a maximum of 78,000 square feet of commercial building floor area (including square footage for the motel), of which no more than 40,000 square feet of retail use (those uses which must meet site location standards) may be developed.

5. The development is restricted to a maximum of three habitable floors, not to exceed a height of 45 feet above average grade, except that any motel constructed on the subject real estate may have one cupola or small decorative structure, which shall not exceed 53 feet above average grade.

DULY SIGNED this 8th day of July, A.D., 1994.

BY: Mary Gibbs
Mary Gibbs, Director
Department of Community Development

ADMINISTRATIVE APPROVAL AMENDMENT NUMBER PD-92-013/1

ADMINISTRATIVE APPROVAL
AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, James E. Kinsey, Jr., Trustee, has filed an application for administrative approval of an amendment to a Commercial Planned Development on a project known as Orange River Centre.

WHEREAS, the property is located at the Southeast Quadrant of I-75 and State Road 80, described more particularly as:

LEGAL DESCRIPTION: In Section 03, Township 44 South, Range 25 East, Lee County, Florida:

> Lots 1-7, ORANGE RIVER CENTRE, as recorded in Plat Book 48, Pages 64-67, of the Public Records of Lee County, Florida.

WHEREAS, the property was originally rezoned in hearing number 89-8-1-1-DCI; and

WHEREAS, condition C and a condition of Deviation 9 of Resolution No. Z-89-077 restricts development of motels to Tract D (with the exception of the south 250 feet). The amendment would remove the location restriction and allow motels to be developed on Tracts C, B and D of the Master Concept Plan; and

WHEREAS, Condition C of Resolution No. Z-89-077 restricts Restaurant - Standard (all groups) from development on the southern 250 feet of Tract D. The amendment would eliminate this restriction, and allow the existing Cracker Barrel restaurant to expand their parking onto the southern portion of Tract D of the Master Concept Plan; and

WHEREAS, Lee County Ordinance 89-04 amends the Zoning Ordinance (Ordinance No. 86-17) to provide for certain administrative changes to the planned development master concept plans and planned unit development final development plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures.

ADD 2008-00136

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for amendments to the Commercial Planned Development is APPROVED.

Approval is subject to the following conditions:

1. The development of this property shall be in accordance with the one-page Master Concept Plan entitled, Orange River Centre, Revised Master Concept Plan, prepared by Alpha Engineering of Lee County, dated 4-3-92, and stamped received May 1, 1992 (Project Number 1301-02).

2. The terms and conditions of the original zoning resolution, Resolution Z-89-077, shall remain in full force and effect, except condition C and the condition of Deviation 9 which is modified by this amendment to allow motel development on Tracts B., C., and D. of the Master concept Plan. Condition C is also modified to allow standard restaurants (all groups) to be developed on the southern 250 feet of Tract D.

3. A maximum of 120 motel units may be developed on site.

4. Site Plan PD-92-013 is attached hereto and is incorporated herein by reference as a reduced copy of the Master Concept Plan.

DULY SIGNED this 29th day of May, A.D., 1992

BY: Mary Gibbs
Mary Gibbs
Acting Director
Department of Community Development

SCHEDULE OF USES

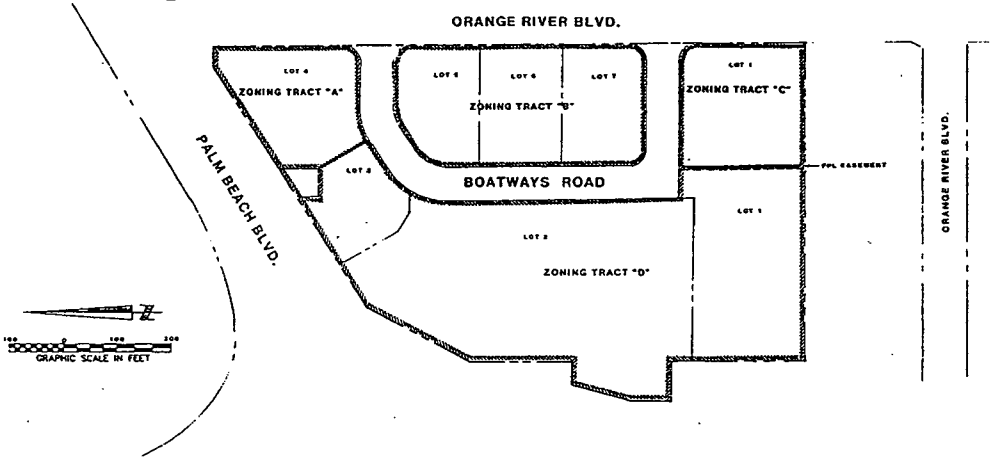
LAND USE				
Auto Parts Store	X			
Bakery	X			
Banks and Savings	X			
Group I				
Section 1001.02				
Boathouse, Private, Limited	X	X	X	X
Boats and Marine Establishments				
All Groups				
Section 1001.03				
Bar or Cocktail Lounge		X		X
Bed Pillow Store	X			
Bicycle Sales	X			
Broadcasting Studio		X	X	X
Business Schools and Colleges				
Group III		X	X	X
Business Services				
Group I and Group II	X	X	X	X
Car Wash				
Section 1001.06				
Car Wash	X	X		X
Cleaning and Maintenance Services				
Group I	X	X		X
Clothing Stores, General				
Section 1001.09		X		X
Coin				
Commercial Parking				
Condominium Sales Office				
Condominium Sales Office	X	X	X	X
Section 202.06				
Contractors and Contractors Storage Yards	X	X	X	X
Dog Grooming		X	X	X
Drive-in Theater				
Drugstore	X	X	X	X
Dwelling Units, 1 already				
for any permitted use	X	X	X	X
Dwellings				
Assisted Living Facility	X	X	X	X
Essential Service Facilities				
Group I and II	X	X	X	X
Section 606 and 1001.13				
Excavation	X	X	X	X
Water Retention				
Section 610				
Feed Store	X	X		X
Group II and III				
Section 1001.15				
Government Facilities				
Section 1001.16	X	X	X	X
Hardware Store	X	X		X
Health Care Facilities				
Group III				
Section 520 and 1001.20		X		X
Hobby, Toy and Game Shop	X	X		X
Section 1001.21				
Housekeeping				
Section 516	X	X	X	X
Independent Living Facilities				
Group II and III	X	X	X	X
Section 1001.23				
Insurance Companies				
Section 1001.24	X	X		X
Jewelry for Sale Catering	X	X		X
Kennel I				
Section 1001.26		X		X
Laundry and Cleaning Pickup Store	X	X		X
Section 527				
Liquor Store	X	X		X
Local Club	X	X		X
Mail Order Houses				
All Groups				
Section 1001.28				
Museum				
Section 1001.29		X	X	X
Newsstand	X	X		X
Section 1001.30				
Office, Medical				
Section 1001.31	X	X	X	X
Office, Professional				
All Groups				
Section 1001.32				
Personal Services				
All Groups				
Section 1001.33				
Pet Shop	X	X		X
Pharmacy	X	X		X
Restaurant, Commercial		X	X	X
Group I and IV				
Section 1001.38				
Recreation Facilities				
Personal Private, Public		X	X	X
Religious Institution				
Section 547				
Repair Shops				
Group I and II		X		X
Section 1001.40				
Restaurant, Fast Food	X	X		X*
Restaurant, Standard				
No Groups				
Section 1001.41				
Schools, Commercial		X		X
Section 1001.42				
Self Service Fuel Pumps				X
Accessory to a principal use				
Self Service Fuel Pump, Section 609	X	X	X	X
Signs				
Provided every property over one				
Lee County Sign Ordinance		X		X
Social Services				
Group I				
Section 1001.45	X	X		X
Specialty Retail Shop				
Groups I, II, III and IV				
Section 1001.47				
Studio		X	X	X
Section 1001.49				
Used Merchandise Stores		X		X
Groups I and II only				
Section 1001.50				
Variety Store	X	X		X

REVISED

* REMOVE CONDITION WHICH PROHIBITS LOCATION OF "RESTAURANT STANDARD (ALL "DROPPED" IN THE SOUTHERLY TWO LOTS AS HAS BEEN INDICATED ON THE ORIGINAL ORANGE RIVER CENTRE MASTER CONCEPT PLAN

ORANGE RIVER CENTRE

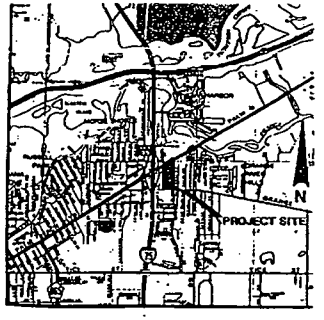
REVISED MASTER CONCEPT PLAN



I – 75

NOTES:

1. SEE PLAT FOR EXACT DIMENSIONS
2. FOR ADDITIONAL NOTES, DATA AND INFORMATION SEE PREVIOUS MASTER PLAN DATED 6/22/88
3. SEE ZONING RESOLUTION NO. Z-89-077 FOR STIPULATIONS AND AGREEMENTS



LOCATION SKETCH

NOT TO SCALE

APPROVED

Amendment to
Master Concept Plan
Subject to conditions in Resolution Z-89-077
Zoning Case # 97-5-24-DCI-R
Date 05/21/97

RECEIVED
MAY 01 1997
ZONING COUNTER

EXHIBIT THREE A
EXHIBIT THREE B.1

ALPHA ENGINEERING of Lee County, Inc. 1560 Matthew Drive, Suite F, Ft. Myers, FL 33907 (813) 277-9300		
DRAWN BY	CHECKED BY	APPROVED BY
SCALE 1"=100'	DATE 4-3-92	PROJECT NUMBER 1201-04 REZ. # Z-89-077

ADMINISTRATIVE APPROVAL AMENDMENT NUMBER PD-92-013/2

ADMINISTRATIVE APPROVAL
AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, James E. Kinsey, Jr., Trustee, has filed an application for administrative approval of an amendment to a Commercial Planned Development on a project known as Orange River Centre.

WHEREAS, the property is located at the Southeast Quadrant of I-75 and State Road 80, described more particularly as:

LEGAL DESCRIPTION: In Section 03, Township 44 South, Range 25 East, Lee County, Florida:

> Lots 1-7, ORANGE RIVER CENTRE, as recorded in Plat Book 48, Pages 64-67, of the Public Records of Lee County, Florida.

WHEREAS, the property was originally rezoned in hearing number 89-8-1-1-DCI; and

WHEREAS, Condition K of Resolution No. Z-89-077 restricts the northernmost access point, shown on the Master Concept Plan as 435 feet from Palm Beach Boulevard, to right-in/right-out turning movements. The amendment would modify the condition to allow left turns onto Orange River Boulevard; and

WHEREAS, Lee County Ordinance 89-04 amends the Zoning Ordinance (Ordinance No. 86-17) to provide for certain administrative changes to the planned development master concept plans and planned unit development final development plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to the Commercial Planned Development is APPROVED to allow left turns onto Orange River Boulevard from the northernmost access point.

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

Approval is subject to the following conditions:

1. The development of this property shall be in accordance with the one-page Master Concept Plan entitled, Orange River Centre, Revised Master Concept Plan, prepared by Alpha Engineering of Lee County, dated 4-3-92, and stamped received May 1, 1992 (Project Number 1301-02).

ADD 2008-00136

2. The terms and conditions of the original zoning resolution, Resolution Z-89-077, shall remain in full force and effect, except Condition K which is modified by this amendment and the administrative amendment PD-02-013/1.

3. Condition K, page 6 of Resolution Z-89-077 is hereby deleted and replaced with the following language:

   The northernmost access point shown on the Master Concept Plan located 435 feet south (centerline to centerline) of Palm Beach Boulevard shall be constructed in a manner which allows departing vehicles to make both right turns and left turns onto Orange River Boulevard. A median shall be constructed sufficient to prevent vehicles approaching State Road 80 from the south on Orange River Boulevard from making left turns into this access point with said median being installed at the applicant's expense following design approval from Lee County Department of Transportation.

4. Site Plan PD-92-013 is attached hereto and is incorporated herein by reference as a reduced copy of the Master Concept Plan.

DULY SIGNED this 15th day of June, A.D., 1992.

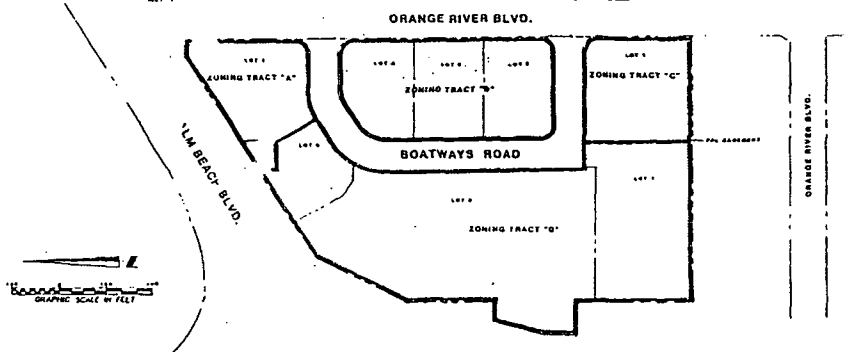
BY: Mary Gibbs

Mary Gibbs
Acting Director
Department of Community Development

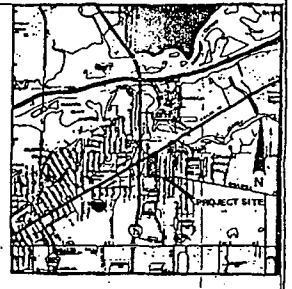
SCHEDULE OF USES

ORANGE RIVER CENTRE

REVISED MASTER CONCEPT PLAN



I – 75



LOCATION SKETCH

NOT TO SCALE

NOTES:

1. SEE PLAT FOR EXACT DIMENSIONS
2. FOR ADDITIONAL NOTES, DATA AND INFORMATION SEE PREVIOUS MASTER PLAN DATED 8/22/88
3. SEE ZONING RESOLUTION NO. Z-88-077 FOR STIPULATIONS AND AGREEMENTS

APPROVED

RECEIVED

ZONING COUNTER

EXHIBIT THREE A.
EXHIBIT THREE B.1

ALPHA ENGINEERING of Lee County, Inc.

DRAWN BY	CHECKED BY	APPROVED BY
SCALE 1"=100'	DATE 4-3-91	PROJECT NUMBER

ADMINISTRATIVE APPROVAL AMENDMENT NUMBER PD-92-019

ADMINISTRATIVE APPROVAL
AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, James E. Kinsey, Sr., Trustee, has filed an application for administrative approval of an amendment to a Commercial Planned Development. The amendment is to expand the schedule of uses to allow a model display center, as defined in Section 520 of the Lee County Zoning Ordinance, on Lot 7, Tract "B." The project, known as Orange River Centre, is located at the southeast quadrant of I-75 and SR 80, described more particularly as:

LEGAL DESCRIPTION: In Section 03, Township 44 South, Range 25 East, Lee County, Florida:

> Lot 7, ORANGE RIVER CENTRE SUBDIVISION, as recorded in Plat Book 48, Pages 64-67, of the Public Records of Lee County, Florida, lying in Section 03, Township 44 South, Range 25 East, Lee County, Florida.

WHEREAS, the property was originally rezoned in hearing number 89-8-1-1 DCI [with subsequent amendments in hearing number 89-8-1-1-DCI(a), Resolution Numbers Z-89-077, PD-92-013/1 and PD-92-013/2]; and

WHEREAS, Lee County Ordinance 89-04 amends the Zoning Ordinance (Ordinance No. 86-17) to provide for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the proposed amendment does not increase the density or intensity or quantity of commercial area; and

WHEREAS, the approval would not result in any under-utilization of public resources and public infrastructure nor would it result in a reduction of total open space, buffers, or landscaping; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Economic & Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Commercial Planned Development is APPROVED, subject to the following conditions:

ADD 2008-00136

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

1. The development of this property shall be in accordance with the one-page Master Concept Plan entitled, "Site Plan for Orange River Centre, Lot 7" prepared by Morris-Depew Associates, dated 8-31-92, and stamped received October 13, 1992 (Project Number 92000).

2. The terms and conditions of the original zoning resolution, Resolution Number Z-89-077 and Administrative Approval Amendments PD-92-013/1 and PD-92-013/2, shall remain in full force and effect, except as specifically amended herein.

3. Landscaping of Lot 7 shall be in compliance with the landscape plan entitled, "Landscape Plan for Orange River Centre, Lot 7" prepared by Morris-Depew Associates, dated 9-30-92, and stamped received October 13, 1992 (Project Number 92070). Minor adjustments in regards to the type of plants called for in the Landscape Plan may be made at the Development Order stage; minor modifications are subject to the approval of the Division of Natural Resources Management.

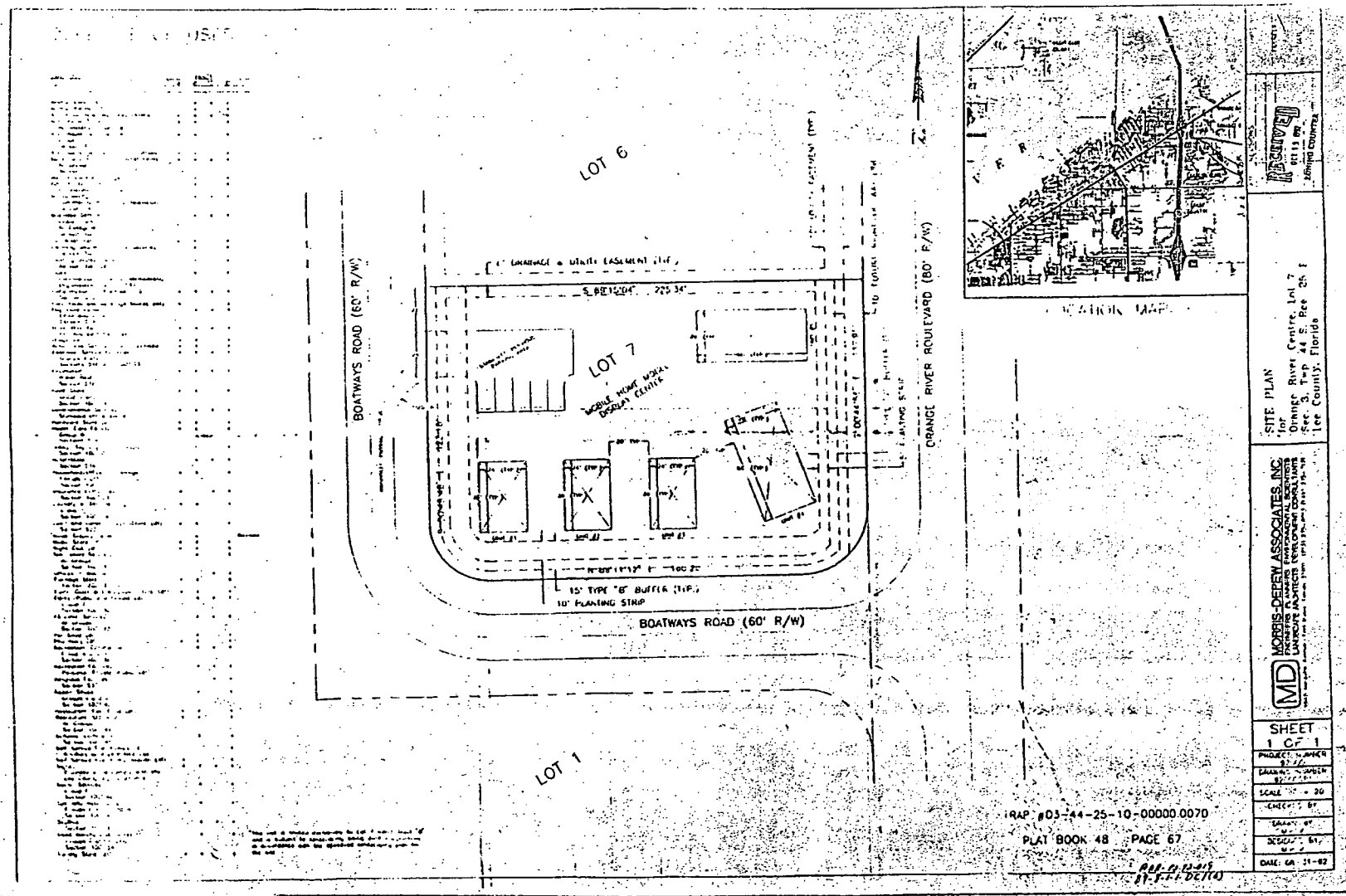
4. The development shall comply with all regulations of the Zoning Ordinance and Development Standards Ordinance, except where deviations were granted in Resolution Z-89-077.

5. The Site Plan PD-92-019 and Landscape Plan are attached hereto and incorporated herein by reference as a reduced copy of the Master Concept Plan.

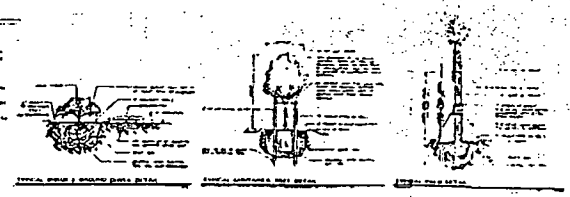
DULY SIGNED this 10th day of November, A.D., 1992.

BY: Mary Gibbs

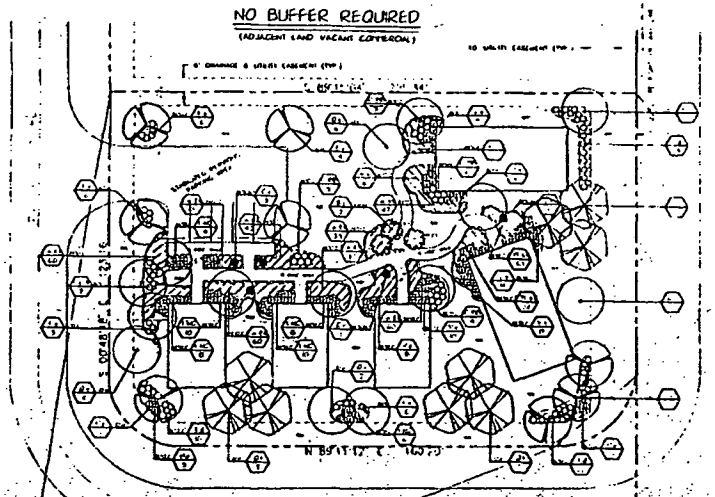
Mary Gibbs
Acting Director
Department of Economic & Community Development


LOT 6
LOT 7
LOT 1
BOATWAYS ROAD (60' R/W)
ORANGE RIVER BOULEVARD (80' R/W)
MOBILE HOME MODEL DISPLAY CENTER
15' TYPE "B" BUFFER (TYP.)
10' PLANTING STRIP
BOATWAYS ROAD (60' R/W)
LOCATION MAP
RECEIVED
ZONING COUNTER
SITE PLAN
for
Orange River Centre, Lot 7
Sec. 3, Twp. 44 S. Rge. 25 E
Lee County, Florida
MORRIS-DEPEW ASSOCIATES, INC.
SHEET
1 OF 1
PROJECT NUMBER
DRAWING NUMBER
SCALE
CHECKED BY
DRAWN BY
DESIGNED BY
DATE: 08-31-82
TRAP #03-44-25-10-00000.0070
PLAT BOOK 48 PAGE 67

LANDSCAPE NOTES:



GENERAL NOTES



'A' TYPE BUFFER

'B' TYPE BUFFER

LENGTH	327.50
WIDTH	[illegible]
TREES	5 TREES PER 100
	5 x 3.20 = 16 TREES
SHRUBS	10 SHRUBS PER 100
	10 x 3.20 = 34 SHRUBS

PLANT/MATERIALS LIST

SYM	BOTANICAL NAME	COMMON NAME	DESCRIPTION	QTY
[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

SITE DATA

[illegible]	[illegible]

LANDSCAPE PLAN
for
Orange River Centre, Lot 7
Sec 3, Twp 44 S, Rge 25 E
Lee County, Florida

MD MORRIS-DEPEW ASSOCIATES, INC.
ENGINEERS · PLANNERS · ENVIRONMENTAL SCIENTISTS
LANDSCAPE ARCHITECTS · DEVELOPMENT CONSULTANTS

PROJECT NUMBER 92070
DRAWING NUMBER 92070LP1
SCALE 1" = 20'
CHECKED BY
DRAWN BY
DESIGNED BY
DATE 09-30-92

SHEET 1 OF 1

AAA-PD 32-019

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

ADMINISTRATIVE APPROVAL ADD 2008-00136
AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, James E. Kinsey, Sr., Trustee, has filed an application for administrative approval of an amendment to a Commercial Planned Development on a project known as Orange River Centre.

WHEREAS, according to the applicant, due to changes in market strategy for various businesses which historically locate along the interstate, interior lots are no longer marketable to most restaurants, primarily to those in the quick service category. However, interior lots remain marketable to motel developers, which is the basis for the requested administrative amendment to the Commercial Planned Development.

WHEREAS, the applicant is proposing an increase in the overall motel density to be offset by a decrease in the overall allowable commercial building floor area.

WHEREAS, the amendment is to increase the number of motel units from 120 units to 160 units, but decrease the amount of commercial building floor area from 100,000 square feet to 78,000 square feet -- a reduction of 22,000 square feet of potential commercial building floor area within the Commercial Planned Development.

WHEREAS, the amendment is also to modify the height restriction from two habitable floors to allow three habitable floors, not to exceed a height of 45 feet above average grade, except that any motel constructed on the subject real estate may have one cupola or small decorative structure.

WHEREAS, the amendment will be a reduction in traffic and intensity of development at buildout. Therefore, the request is consistent with the Land Development Code, Section 34-380(b) since the amendment would not increase the density or intensity of the development.

WHEREAS, the subject property is located at the southeast quadrant of I-75 and SR 80, described more particularly as:

LEGAL DESCRIPTION: In Section 03, Township 44 South, Range 25 East, Lee County, Florida:

> Lots 1-7, ORANGE RIVER CENTRE, as recorded in Plat Book 48, Pages 64-67, of the Public Records of Lee County, Florida, lying in Section 03, Township 44 South, Range 25 East, Lee County, Florida.

WHEREAS, the property was originally rezoned in hearing number 89-08-01-DCI-01 [with subsequent amendments in hearing numbers 89-08-01-DCI-01(a) and 89-08-01-DCI-01(b)]; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Commercial Planned Development is APPROVED.

Approval is subject to the following conditions:

1. The terms and conditions of Zoning Resolution Z-89-077, and Administrative Approval Amendments PD-92-013/1, PD-92-013/2 and PD-92-019 shall remain in full force and effect, except as specifically amended herein.

2. A maximum of 160 motel/hotel units may be developed on site.

3. The density per acre threshold for Lots 5, 6, and 7 only (which do not border residentially zoned property) shall be limited to 52 units per acre. The density on Lot 1 shall remain at 44 units per acre as per deviation #9 of Zoning Resolution Z-89-077.

4. The development may contain a maximum of 78,000 square feet of commercial building floor area (including square footage for the motel), of which no more than 40,000 square feet of retail use (those uses which must meet site location standards) may be developed.

5. The development is restricted to a maximum of three habitable floors, not to exceed a height of 45 feet above average grade, except that any motel constructed on the subject real estate may have one cupola or small decorative structure, which shall not exceed 53 feet above average grade.

DULY SIGNED this 8th day of July, A.D., 1994.

BY: Mary Gibbs
Mary Gibbs, Director
Department of Community Development

RESOLUTION NUMBER Z-89-077

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS

OF LEE COUNTY, FLORIDA

WHEREAS, James E. Kinsey, Sr., in reference to Orange River Centre, has properly filed an application for a rezoning from C-1 and AG-2 to Commercial Planned Development, to permit a commercial shopping and office center with a 150-room motel, not to exceed 45 feet in height above average grade, on 12.5 total acres of land.

NOTE: If approved, the Master Concept Plan (available for inspection at 1831 Hendry Street in Fort Myers) will deviate from the following Lee County Standards:

(1) Deviation from the requirement that all commercial and industrial uses shall provide a continuous visual screen of at least 8 feet in height along any lot line abutting a residential use (Section 202.14.E.1.), to allow an opaque vegetative covered fence 8 feet in height;

(2) Deviation from the required minimum setback between structures and the centerline of arterial street without a frontage road of one-half the right-of-way plus 25 feet (Section 202.18.B.2.a.), to allow one-half the right-of-way plus 20 feet;

(3) Deviation from the minimum setback from a structure to a water body of 25 feet (Section 202.18.B.4.b.), to allow 0 feet for an architectural feature only;

(4) Deviation from excavation depth for water retention from 12 feet (Section 509.B.), to the first confining layer;

(5) Deviation from the required minimum water retention excavation setbacks to a street right-of-way of 150 feet (Section 509.C.4.), to allow 25 feet;

(6) Deviation from the required minimum water retention excavation setbacks to a private property line of 50 feet (Section 509.C.4.), to allow 25 feet;

(7) Deviation from the requirement that a 4-foot fence be placed around excavations for water retentions when located less than 100 feet from any property under separate ownership (Section 509.F.), to require no fencing;

(8) Deviation from the required minimum intersection separation of 660 feet along arterial streets (DSO Section C.3.h.), to 435 feet and 525 feet.

(9) Deviation from the requirement that the density of transient hotel/motel units be calculated at 1,700 square feet per unit (Section 514.B.4.), to permit the density of transient hotel/motel units to be calculated at 875 square feet per unit with a maximum of 150 units.

ADD 2008-00136

RECEIVED
SEP 23 2008
COMMUNITY DEVELOPMENT

HEARING NUMBER 89-8-1-1 DCI

RESOLUTION NUMBER Z-89-077
Page 1 of 19

(66012)

11-27-89

WHEREAS, the subject property is located on the southeast quadrant of I-75 and SR-80, bounded on the east by Orange River Boulevard, described more particularly as:

LEGAL DESCRIPTION: In Section 03, Township 44 South, Range 25 East, Lee County;

That portion of Lots 9 and 16, of Block 3, TERRY, TICE & VANDAWALKER'S SUBDIVISION, as recorded in Plat Book 1, page 46 of the public records of Lee County, Florida, described as follows:

Begin at the intersection of the center line of Orange River Boulevard and the West line of said Lots 9 and 16 (same being the Southwest corner of said Lot 16) and run North on the West line of Lots 9 and 16, 241 feet to the POINT OF BEGINNING of the property herein described;
THENCE continue North along the West line of said Lots 9 and 16, 759.14 feet to the Southerly right-of-way line of Palm Beach Boulevard;
THENCE N.58°48'03"E. along the said Southerly right-of-way line, 357.96 feet to its intersection with the Westerly right-of-way line of Boat Ways Road (50 foot right-of-way);
THENCE S.00°03'25"W. along said right-of-way line 942.61 feet;
THENCE S.89°37'55"W. and parallel to the South line of Lot 16, 305.26 feet to the POINT OF BEGINNING; together with that portion of an abandoned roadway lying between said Lots 9 and 16. Being in Section 03, Township 44 South, Range 25 East, Lee County Florida. 5.7 acres more or less.
AMD
Lots 4, 5 and 8 1/2 together with those portions of abandoned roadways lying between said lots in Block 3, Terry, Tice and Vandawalker's Subdivision, according to the map or plat thereof on file and recorded in the Office of the Clerk of the Circuit Court recorded in plat Book 1, Page 46, excepting therefrom that portion described in order of taking recorded in O.R. Book 1123, Page 910, Public Records of Lee County, Florida. Also excepting therefrom that portion described in order of taking recorded in O.R. Book 1358, Page 2335, Public Records of Lee County, Florida. Less the Southerly 216 feet.
AND
Begin at the intersection of the North line of Orange River Boulevard and the East line of Lot 15, Terry, Tice & Vandawalker's Subdivision, according to plat thereof recorded in Plat Book 1, Page 46, of the Public Records of Lee County, Florida, THENCE run North at right angles to Orange River Boulevard, a distance of 459.7 feet to POINT OF BEGINNING of land herein described; THENCE West at right angles 73 feet; THENCE North at right angles 180 feet; THENCE East at right angles 73 feet; THENCE South at right angle 180 feet to POINT OF BEGINNING, less and except that part of said premises lying within I-75 corridor.

WHEREAS, the applicant has indicated the property's current STRAP numbers are: 03-44-25-01-00044.0000;

03-44-25-01-00045.0020; and

03-44-25-01-00046.0070; and

WHEREAS, proper authorization has been given to David M. Jones, Jr. & Associates, Inc., and Humphrey & Myers, P.A., by James E. Kinsey, Sr., trustee, the fee simple owner of the subject parcel, to act as agent to pursue this zoning application; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Hearing Examiner, with full consideration of all the evidence available; and

WHEREAS, the Lee County Hearing Examiner fully reviewed the matter in a public hearing held on August 1, 1989, September 6, 1989, and September 13, 1989; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Board of County Commissioners; and

WHEREAS, in the legislative process the Lee County Board of County Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on file with the county, and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board of County Commissioners does hereby APPROVE WITH CONDITIONS a rezoning from C-1 and AG-2 to Commercial Planned Development, subject to the following conditions:

a. The development of this property shall be in accordance with the one-page Master Concept Plan entitled Orange River Centre, completed for Mr. James Kinsey, Kinsey Associates, Inc., Realtors, prepared by David M. Jones, Jr., and Associates, Plan dated March 7, 1989, revised June 22, 1989, and stamped received June 26, 1989, except as may be modified by the conditions herein. Approval of this request does not exempt the applicant from compliance with all development regulations, except as specifically approved herein.

b. The maximum total floor area shall be limited to 100,000 square feet, of which no more than 40,000 square feet of retail use (those uses which must meet site location standards) shall be developed. The maximum allowable height shall be 45 feet above average grade or two habitable floors except that any motel constructed on the subject real estate may have one cupola or small decorative structure which shall not exceed 53 feet above average grade.

c. The uses allowed on the portions of the Master Concept Plan designated as Tracts A, B, C and D are set out in the chart below with an "X" designating the specific use as allowed on the tract represented by that column of the chart (asterisks indicate uses not allowed to be developed on the two southernmost parcels in Tract D):

LAND USE	TRACT 'A'	'B'	'C'	'D'
Animal Clinic (df)		X	X	X
Animal Kennel (df)		X		X*
Automatic Teller Machines (ATM'S)	X	X		X*
Auto Parts Store, no installation or service	X	X		X*
Auto Repair and Service Group I Section 1001.02	X	X		X*

LAND USE	TRACT 'A'	'B'	'C'	'D'
Automobile Service Station, Limited	X	X		X*
Banks and Financial Establishments All Groups Section 1001.03	X	X	X	X
Bar or Cocktail Lounge (see condition d)		X		X*
Boat Parts Stores, no installation or service		X		X*
Broadcasting Studio Commercial Radio and Television Section 547		X	X	X
Business Services Group I and II, All Categories Section 1001.05		X	X	X
Car Wash (df)	X	X		X*
Cleaning and Maintenance Services Section 1001.07		X		X
Clothing Stores, General Section 1001.08		X		X
Clubs Commercial, Fraternal, Membership Organization, Section 202.08		X		X
Consumption on Premises - 2 Section 202.03 (see condition d)	X	X		X*
Convenience Food and Beverage Stores (df)	X	X		
Day Care Center Child and/or Adult Section 506(1)		X	X	X
Drive-thru Facility For any permitted use	X	X		X*
Drugstore	X	X		X
Excavation Water Retention Section 509	X	X	X	X
Food Store Group I and II Section 1001.16	X	X	X	X*
Governmental Services Standard Office Space	X	X	X	X
Hardware Store (df)	X	X		X
Health Care Facility Group III Sections 512 and 1001.20	X	X		X
Hobby, Toy and Game Shops Section 1001.21		X		X
Hotel/Motel Section 514, not on south 250' of Tract D				X
Household/Office Furnishings Group I and II Section 1001.22	X	X		X
Insurance Companies Section 1001.23	X		X	X
Laundry or Dry Cleaning Group I Section 1001.24	X	X		X*
Lawn and Garden Supply Store (df) Section 523	X	X		X
Music Store (df)	X	X		X
Night Club (df)	X	X		X*
Non-store Retailers All Groups Section 1001.30		X		X

LAND USE	TRACT 'A'	'B'	'C'	'D'
Offices, Medical			X	X
Package Store (see condition d.) Section 202.03	X	X		X*
Paint, Glass, and Wallpaper Store (df)	X	X		X
Parks, Public and Private (df) Group I Section 1001.32		X	X	X
Personal Services All Groups Section 1001.33		X	X	X
Pet Shop (df)		X		X
Pharmacy (df)	X	X		X
Recreation, Commercial Group II and IV Section 1001.38		X	X	X
Recreation Facilities Personal, Private, Public (df)		X	X	X
Religious Facilities Section 521			X	X
Repair Shops Group I and II Section 1001.40		X		X
Restaurant, Fast Food (df)	X	X		X*
Restaurants, Standard All Groups Section 1001.44	X	X		X*
Schools, Commercial Section 1001.45		X		X
Self Service Fuel Pumps (df) Ancillary to a permitted use	X	X		
Self Service Fuel Pump Station (df)	X	X		
Signs Provided same comply with the Lee County Sign Ordinance	X	X	X	X
Social Services Group I Section 1001.46		X		X*
Specialty Retail Shop Groups I, II, III and IV Section 1001.47	X	X		X
Studios Section 1001.49		X	X	X
Used Merchandise Stores Groups I and II only Section 1001.54				
Variety Store (df)	X	X		X

d. A bar or cocktail lounge and consumption on premises shall be allowed only in accordance with Section 202.03.D.1.a.1. of the Zoning Ordinance, as amended. Only one consumption on premises, one bar or cocktail lounge, and one package store shall be allowed on the real estate represented by the Master Concept Plan.

e. The fronts of any building adjacent to Orange River Boulevard shall be oriented to face away from Orange River Boulevard.

f. Utility transformers, waste and rubbish storage areas, loading docks and similar accessory equipment located within the area represented by the Master Concept Plan shall be screened from view.

g. All structures shall be designed to be architecturally compatible with one another and landscaping arranged to compliment and tie together the designs among individual parcels. This condition shall be incorporated into all pertinent covenants and restrictions involved in the sale or lease of any portion of the subject property and incorporated in the rules, restrictions and covenants of any property owners or tenants association.

h. A type "C" buffer shall be provided along all property lines abutting residential uses. The buffer shall include an eight (8) foot high fence and the number of trees and shrubs required for a type "D" buffer.

i. The rezoning by approval of the Master Concept Plan does not certify or indicate in any way that this project's traffic impacts have been mitigated. Additional conditions to mitigate traffic impacts, including but not limited to additional left turn lanes on to S.R. 80, may be required before issuance of a local development order.

j. The southerly driveway access to the East-West portion of Orange River Blvd shown on the Master Concept Plan shall be eliminated.

k. The northernmost driveway or access point, shown on the Master Concept Plan as 435 feet from Palm Beach Boulevard, shall be constructed in a manner which allows departing vehicles to make only right turns and a median sufficient to prevent vehicles approaching S.R. 80 from the south from making left turns into this driveway or access point shall be installed at the Applicant's expense following design approval by Lee County DOT&E.

l. There shall be no direct vehicular access from the real estate represented in the Master Concept Plan onto Orange River Boulevard except at those driveway access points shown on the approved Master Concept Plan. This condition shall be incorporated into all pertinent covenants and restrictions imposed on purchasers of any of the subject real estate and shall be known to and associated with any property owners or tenants association connected with the subject real estate.

m. Public utility water service shall be required. Temporary septic tanks shall be allowed within this development upon proper application and approval by the appropriate permitting agencies provided that the permitted uses in the overall development do not produce or are not rated or considered to produce, in total, more than 5,000 gallons of sewage per day. Upon a determination by the appropriate agencies of Lee County that the 5,000 gallon per day standard has been met or exceeded, septic tank use shall be discontinued.

n. The existing native vegetation along the western property line shall be preserved and a plan showing preservation of this vegetation shall be provided prior to final plan approval.

o. Hurricane Mitigation

The following conditions with respect to hurricane impact mitigation shall be imposed on any hotel, motel or lodging facility constructed on any portion of the real estate represented by the approved Master Concept Plan:

1. The owner of the motel/hotel shall establish and maintain a written emergency plan that consists of appropriate procedures to be followed in the event of a hurricane emergency.

2. The owner of the motel/hotel will coordinate the development of said written emergency plan with the Lee County Department of Public Safety.

p. Emergency Medical Service

1. The applicant shall provide for the Emergency Medical Service impacts generated by the proposed development (must be in compliance with the EMS fire related impact fee ordinance).

2. At the completion of development construction or each phase thereof, a development representative shall contact Lee County Emergency Medical Service to discuss 1) the designation of emergency helicopter landing zone(s); and 2) the accessibility of the EMS unit.

q. Fire Protection

The applicant shall contact the respective fire protection district to discuss the proposed development in relation to the potential type, use and storage of hazardous materials which will be located on the premises.

Deviation (1) is hereby APPROVED as restricted in condition h.

Deviation (2) has been WITHDRAWN by the applicant.

Deviation (3) is hereby APPROVED for the following accessory structures only: decks, porches, cabanas, gazebos, and pedestrian bridges.

Deviation (4) is hereby APPROVED subject to the following condition:

The depth of the confining layer shall be established by the submittal of test borings from a registered engineer from the location of the proposed excavation prior to the approval of a final development order.

Deviation (5) is hereby APPROVED subject to the following condition:

No retention areas shall be placed within the existing or proposed rights-of-way pursuant to the Lee County Trafficways Map.

Deviation (6) is hereby APPROVED subject to the following condition:

The setback reduction is only allowed if there is a fence between the subject property and the property to the south and southwest (areas abutting single family homes).

Deviation (7) is hereby APPROVED.

Deviation (8) is hereby APPROVED subject to the following condition:

The northernmost access point, which would be located 435 feet from Palm Beach Boulevard, shall be allowed only with right turns in and out, and a median shall be developed subject to design approval by the Director of the Lee County Department of Transportation and Engineering.

Deviation (9) is hereby APPROVED subject to the condition that the transient hotel/motel be calculated at 995 square feet per unit or 44 units per acre. Only a maximum of 120 units shall be allowed to be developed on tract "D" (not on the south 250 feet of tract "D").

Site Plan 89-077 is attached hereto and incorporated herein by reference, as a reduced copy of the Master Concept Plan.

The following findings of fact were made in conjunction with this approval of Commercial Planned Development zoning:

A. That the nature of commercial development in this area, the manner in which I-75 was constructed and the classification of this I-75 interchange as General Commercial in the Lee Plan created an island of commercial property which is not presently marketable without approval of a use or group of uses which accommodate I-75 travelers, and that these circumstances constitute changed or changing conditions which make the approval of this rezoning appropriate.

B. That approval of the requested Commercial Planned Development will have a positive impact on the intent of the Zoning Ordinance in view of the land use category of the subject real estate and the practical need for moderate priced lodging facilities located where they will serve the traveling public.

C. That the proposed use is consistent with the stated goals, objectives, policies and intent of the Lee Plan, as last amended.

D. That the proposed Commercial Planned Development, subject to conditions and deviations, meets all of the performance and locational standards of the Lee Plan and of the Zoning Ordinance except for those deviations approved as part of this request.

E. That the requested rezoning does not involve a change to a Future Urban Area category.

F. That urban services are presently available at this location.

G. That the requested rezoning to Commercial Planned Development, subject to conditions and deviations, is consistent with the densities, intensities and general uses set forth in the Lee Plan, as last amended.

H. That the requested rezoning to Commercial Planned Development, subject to conditions and deviations, will be compatible with existing and planned land uses in the area. That, due to the classification of this area in the Lee Plan as a General Commercial Interchange, any potential incompatibility with the residential uses located across Orange River Boulevard is adequately addressed by Orange River Boulevard, which separates and buffers the proposed Commercial Planned Development, and the requirement that the buildings constructed abutting Orange River Boulevard have the front facing west further buffers the adjoining areas from traffic impacts and noise.

I. That the requested rezoning to Commercial Planned Development, subject to conditions and deviations, will not cause damage, hazard or nuisance or other detriment to persons or property and will not place an undue burden on existing transportation services or on existing government services or facilities.

J. That the requested rezoning to Commercial Planned Development, subject to conditions and deviations, will be in compliance with all applicable general zoning provisions and supplemental regulations pertaining to the requested use.

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

John E. Manning	aye
Charles L. Bigelow, Jr.	absent
Ray Judah	aye
Bill Fussell	aye
Donald D. Slisher	absent

DULY PASSED AND ADOPTED this 27th day of November, A.D., 1989.

ATTEST:
CHARLIE GREEN, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

Approved as to form by:

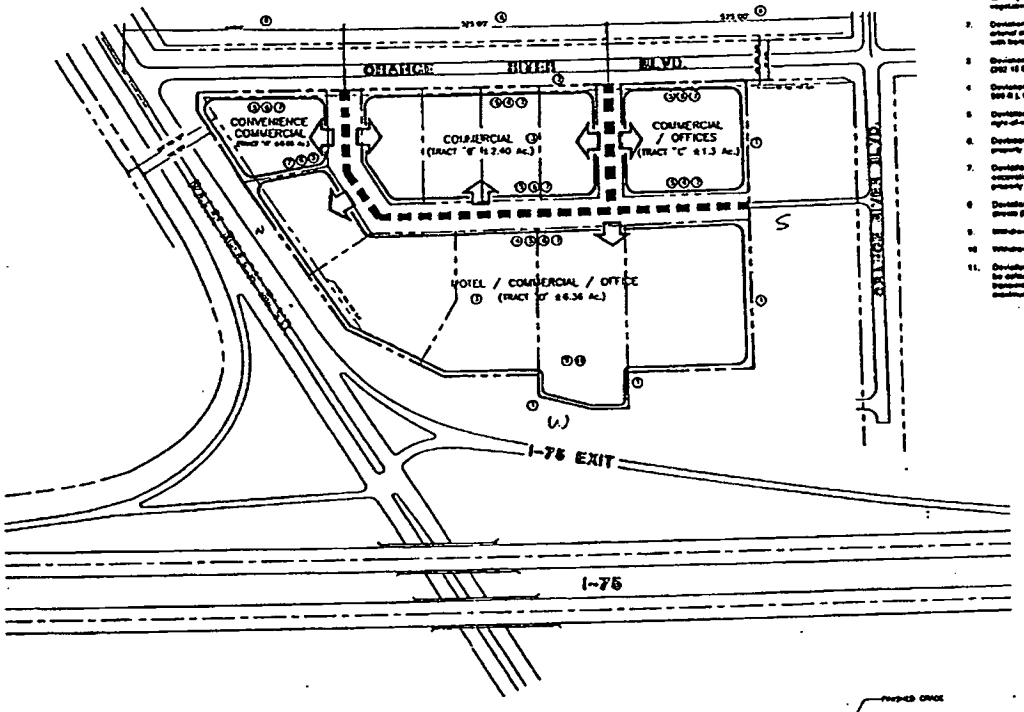
_____
County Attorney's Office

FILED
MAR 05 90
CLERK CIRCUIT COURT
BY _____ D.C.

STAFF 1.

SCHEDULE OF USES

SCHEDULE OF DEVIATION



SITE DATA

GENERAL NOTES

WET_RETENTION_SECTION

DRY_RETENTION_SECTION

APPROVED

SCALE: 1"= 100'- 0"

0 50 100 200 300

DATE: 12-12-88

NORTH

ORANGE RIVER CENTRE

MAP-H

MASTER CONCEPT PLAN