

ADMINISTRATIVE AMENDMENT (PD) ADD2012-00043

ADMINISTRATIVE AMENDMENT  
LEE COUNTY, FLORIDA

WHEREAS, OB Florida CRE Holdings, LLC filed an application for administrative approval to an Industrial Planned Development on a project known as Alico Road 250 Industrial Subdivision IPD to amend the schedule of uses to include Recreation Facilities, Commercial, Group III for a golf driving range, miniature golf with bumper boats, SNAG golf, and accessory and ancillary uses on Tracts K, L and M of the IPD on property located at 16250, 16300, 16350 Lee Road, described more particularly as:

LEGAL DESCRIPTION: In Section 04, Township 46 South, Range 25 East, Lee County, Florida:

Exhibit "A"

WHEREAS, the property was originally rezoned in resolution number Z-04-055, case number DCI2003-00070 (with subsequent amendment in case number ADD2005-00242); and

WHEREAS, the subject property is located in the Industrial Development Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the applicant has requested to amend the schedule of uses for this Industrial Planned Development to include Recreation Facilities, Commercial, Group III for Tracts K, L, and M of this development to develop the site with a golf driving range, miniature golf with bumper boats, SNAG golf, and accessory and ancillary uses; and

WHEREAS, Industrial Development Land Use category allows industrial, manufacturing, research, properly buffered recreational uses and office complex; and

WHEREAS, the proposed new uses are similar or less intense than the already approved uses; 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 the schedule of uses to include Recreation Facilities, Commercial, Group III for a golf driving range, miniature golf with bumper boats and SNAG golf, and accessory and ancillary uses on Tracts K, L and M of the Industrial Planned Development is **APPROVED subject to the following condition:**

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

DULY SIGNED this 18<sup>th</sup> day of May, A.D., 2012.

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

## LEGAL DESCRIPTION

## OVERALL PARCEL

PARCEL OF LAND IN SECTION 4, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 4; THENCE N.00°59'17"W. ALONG THE NORTH-SOUTH QUARTER SECTION LINE, A DISTANCE OF 100.01 FEET TO AN INTERSECTION WITH THE SAID NORTHERLY RIGHT-OF-WAY LINE OF ALICO ROAD; THENCE N.89°38'46"E. ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 1.19 FEET; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE N.89°44'24"E., A DISTANCE OF 126.20 FEET TO AN INTERSECTION WITH THE WESTERLY LINE OF THAT ACCESS AND UTILITY EASEMENT KNOWN AS "LEE ROAD EXTENSION" AS DESCRIBED IN OFFICIAL RECORD BOOK 4512, PAGE 3861, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°59'17"W. ALONG THE WESTERLY LINE OF SAID "LEE ROAD EXTENSION", A DISTANCE OF 650.06 FEET; THENCE N.10°20'57"E. CONTINUING ALONG THE SAID WESTERLY LINE OF "LEE ROAD EXTENSION" A DISTANCE OF 155.88 FEET TO THE POINT-OF-BEGINNING OF THIS DESCRIPTION; THENCE S.89°42'51"W. A DISTANCE OF 829.32 FEET; THENCE N.00°59'17"W., PARALLEL WITH THE NORTH-SOUTH QUARTER LINE OF SAID SECTION 4, A DISTANCE OF 1565.12 FEET; THENCE N.89°42'51"E. A DISTANCE OF 838.68 FEET TO AN INTERSECTION WITH THE SAID WESTERLY LINE OF "LEE ROAD EXTENSION"; THENCE S.00°59'17"E., ALONG SAID WEST LINE, A DISTANCE OF 1518.33 FEET; THENCE S.10°20'57"W., CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 47.60 FEET TO THE SAID POINT-OF-BEGINNING OF THIS DESCRIPTION. SUBJECT TO A DRAINAGE EASEMENT OVER AND ACROSS THE WEST 30 FEET THEREOF. SUBJECT TO A PUBLIC UTILITY EASEMENT OVER AND ACROSS THE EASTERLY 10 FEET THEREOF.

SUBJECT TO THE FOLLOWING DESCRIBED LIFT STATION EASEMENT:

LEE COUNTY UTILITIES EASEMENT LIFT STATION EASEMENT NO. "A"  
DESCRIPTION

PARCEL OF LAND IN SECTION 4, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 4; THENCE N.89°44'24"E. ALONG THE SOUTH LINE OF SAID SECTION 4, A DISTANCE OF 127.39 FEET; THENCE N.00°59'17"W. PARALLEL TO THE NORTH-SOUTH QUARTER LINE, A DISTANCE OF 100.01 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF ALICO ROAD AS DESCRIBED IN OFFICIAL RECORD BOOK 3208, PAGE 357, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE ALONG THE WESTERLY BOUNDARY LINE OF "LEE ROAD EXTENSION" AS DESCRIBED IN OFFICIAL RECORDS BOOK 4512 PAGE 3861, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, FOR THE NEXT THREE COURSES; N.00°59'17"W., A DISTANCE OF 650.05 FEET; THENCE N.10°20'57"E., A DISTANCE OF 203.48 FEET; THENCE N.00°59'17"W., A DISTANCE OF 545.89 FEET; THENCE S.89°00'43"W A DISTANCE OF 10.00 FEET TO THE POINT -OF-BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE S.89°00'43"W., A DISTANCE OF 20.00 FEET; THENCE N.00°59'17"W., A DISTANCE OF 30.00 FEET; THENCE N.89°00'43"E., A DISTANCE OF 20.00 FEET TO AN INTERSECTION WITH THE SAID WEST BOUNDARY LINE OF "LEE ROAD EXTENSION"; THENCE S.00°59'17"E. ALONG SAID WEST LINE, A DISTANCE OF 30.00 FEET TO THE SAID POINT-OF-BEGINNING OF THIS DESCRIPTION.

5.11.12  
APPROVED  
LEGAL



RECEIVED  
MAY 03 2012 PDZ

COMMUNITY DEVELOPMENT

ADD 2012-00043

PROPERTY DESCRIPTION

PARCEL "K" DESCRIPTION  
PARCEL OF LAND IN SECTION 4, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 4; THENCE N.00°59'17"W. ALONG THE NORTH-SOUTH QUARTER SECTION LINE, A DISTANCE OF 100.01 FEET TO AN INTERSECTION WITH THE SAID NORTHERLY RIGHT-OF-WAY LINE OF ALCO ROAD; THENCE N.89°44'24"E. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 119 FEET; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE N.89°44'24"E, A DISTANCE OF 182.20 FEET TO AN INTERSECTION WITH THE WESTERLY LINE OF TRAY ACCESS AND UTILITY EASEMENT KNOWN AS "LEE ROAD EXTENSION" AS DESCRIBED IN OFFICIAL RECORD BOOK 4512, PAGE 3581, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°59'17"W. ALONG THE WESTERLY LINE OF SAID "LEE ROAD EXTENSION", A DISTANCE OF 550.06 FEET; THENCE N.10°20'57"E. CONTINUING ALONG THE SAID WESTERLY LINE OF "LEE ROAD EXTENSION", A DISTANCE OF 155.88 FEET TO THE POINT-OF-BEGINNING OF THIS N.00°59'17"W. PARALLEL WITH THE NORTH-SOUTH QUARTER LINE OF SAID SECTION 4, A DISTANCE OF 625.04 FEET; THENCE N.89°44'24"E. A DISTANCE OF 335.65 FEET TO AN INTERSECTION WITH THE SAID WESTERLY LINE OF "LEE ROAD EXTENSION"; THENCE S.00°00'45"W. ALONG SAID WEST LINE, A DISTANCE OF 476.25 FEET; THENCE S.00°00'45"W. CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 47.60 FEET TO THE SAID POINT-OF-BEGINNING OF THIS DESCRIPTION. CONTAINING 10.01 ACRES MORE OR LESS.  
SUBJECT TO A DRAINAGE EASEMENT OVER AND ACROSS THE WEST 30 FEET THEREOF, SUBJECT TO A PUBLIC UTILITY EASEMENT OVER AND ACROSS THE EASTERLY 10 FEET THEREOF.  
SUBJECT TO ALL EASEMENTS, RESERVATIONS, RESTRICTIONS, AND RIGHT-OF-WAY OF RECORD.

PARCEL "L" DESCRIPTION  
PARCEL OF LAND IN SECTION 4, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 4; THENCE N.00°59'17"W. ALONG THE NORTH-SOUTH QUARTER SECTION LINE, A DISTANCE OF 100.01 FEET TO AN INTERSECTION WITH THE SAID NORTHERLY RIGHT-OF-WAY LINE OF ALCO ROAD; THENCE N.89°44'24"E. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 119 FEET; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE N.89°44'24"E, A DISTANCE OF 182.20 FEET TO AN INTERSECTION WITH THE WESTERLY LINE OF TRAY ACCESS AND UTILITY EASEMENT KNOWN AS "LEE ROAD EXTENSION" AS DESCRIBED IN OFFICIAL RECORD BOOK 4512, PAGE 3581, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°59'17"W. ALONG THE WESTERLY LINE OF SAID "LEE ROAD EXTENSION", A DISTANCE OF 550.06 FEET; THENCE N.10°20'57"E. CONTINUING ALONG THE SAID WESTERLY LINE OF "LEE ROAD EXTENSION", A DISTANCE OF 155.88 FEET TO THE POINT-OF-BEGINNING OF THIS N.00°59'17"W. PARALLEL WITH THE NORTH-SOUTH QUARTER LINE OF SAID SECTION 4, A DISTANCE OF 625.04 FEET; THENCE N.89°44'24"E. A DISTANCE OF 335.65 FEET TO AN INTERSECTION WITH THE SAID WESTERLY LINE OF "LEE ROAD EXTENSION"; THENCE S.00°00'45"W. ALONG SAID WEST LINE, A DISTANCE OF 476.25 FEET; THENCE S.00°00'45"W. CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 47.60 FEET TO THE SAID POINT-OF-BEGINNING OF THIS DESCRIPTION. CONTAINING 10.01 ACRES MORE OR LESS.  
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COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 4; THENCE N.00°59'17"W. ALONG THE NORTH-SOUTH QUARTER SECTION LINE, A DISTANCE OF 100.01 FEET TO AN INTERSECTION WITH THE SAID NORTHERLY RIGHT-OF-WAY LINE OF ALCO ROAD; THENCE N.89°44'24"E. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 119 FEET; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE N.89°44'24"E, A DISTANCE OF 182.20 FEET TO AN INTERSECTION WITH THE WESTERLY LINE OF TRAY ACCESS AND UTILITY EASEMENT KNOWN AS "LEE ROAD EXTENSION" AS DESCRIBED IN OFFICIAL RECORD BOOK 4512, PAGE 3581, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°59'17"W. ALONG THE WESTERLY LINE OF SAID "LEE ROAD EXTENSION", A DISTANCE OF 550.06 FEET; THENCE N.10°20'57"E. CONTINUING ALONG THE SAID WESTERLY LINE OF "LEE ROAD EXTENSION", A DISTANCE OF 155.88 FEET TO THE POINT-OF-BEGINNING OF THIS N.00°59'17"W. PARALLEL WITH THE NORTH-SOUTH QUARTER LINE OF SAID SECTION 4, A DISTANCE OF 625.04 FEET; THENCE N.89°44'24"E. A DISTANCE OF 335.65 FEET TO AN INTERSECTION WITH THE SAID WESTERLY LINE OF "LEE ROAD EXTENSION"; THENCE S.00°00'45"W. ALONG SAID WEST LINE, A DISTANCE OF 476.25 FEET; THENCE S.00°00'45"W. CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 47.60 FEET TO THE SAID POINT-OF-BEGINNING OF THIS DESCRIPTION. CONTAINING 10.01 ACRES MORE OR LESS.  
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COMMENCING AT THE SOUTH QUARTER CORNER OF SAID SECTION 4; THENCE N.00°59'17"W. ALONG THE NORTH-SOUTH QUARTER SECTION LINE, A DISTANCE OF 100.01 FEET TO AN INTERSECTION WITH THE SAID NORTHERLY RIGHT-OF-WAY LINE OF ALCO ROAD; THENCE N.89°44'24"E. ALONG SAID RIGHT-OF-WAY LINE, A DISTANCE OF 119 FEET; THENCE CONTINUE ALONG SAID RIGHT-OF-WAY LINE N.89°44'24"E, A DISTANCE OF 182.20 FEET TO AN INTERSECTION WITH THE WESTERLY LINE OF TRAY ACCESS AND UTILITY EASEMENT KNOWN AS "LEE ROAD EXTENSION" AS DESCRIBED IN OFFICIAL RECORD BOOK 4512, PAGE 3581, PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°59'17"W. ALONG THE WESTERLY LINE OF SAID "LEE ROAD EXTENSION", A DISTANCE OF 550.06 FEET; THENCE N.10°20'57"E. CONTINUING ALONG THE SAID WESTERLY LINE OF "LEE ROAD EXTENSION", A DISTANCE OF 155.88 FEET TO THE POINT-OF-BEGINNING OF THIS N.00°59'17"W. PARALLEL WITH THE NORTH-SOUTH QUARTER LINE OF SAID SECTION 4, A DISTANCE OF 625.04 FEET; THENCE N.89°44'24"E. A DISTANCE OF 335.65 FEET TO AN INTERSECTION WITH THE SAID WESTERLY LINE OF "LEE ROAD EXTENSION"; THENCE S.00°00'45"W. ALONG SAID WEST LINE, A DISTANCE OF 476.25 FEET; THENCE S.00°00'45"W. CONTINUING ALONG SAID WESTERLY LINE, A DISTANCE OF 47.60 FEET TO THE SAID POINT-OF-BEGINNING OF THIS DESCRIPTION. CONTAINING 10.01 ACRES MORE OR LESS.  
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PARCEL "P" DESCRIPTION  
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SUBJECT TO ALL EASEMENTS, RESERVATIONS, RESTRICTIONS, AND RIGHT-OF-WAY OF RECORD.

NOTES:

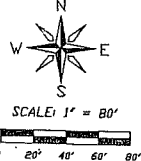
- 1) BEARINGS SHOWN HEREON REFER TO THE NORTH-SOUTH QUARTER SECTION LINE OF SECTION 4-46-25, AS BEING N.00°59'17"W.
- 2) THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS OF RECORD.
- 3) DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
- 4) THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 5) IMPROVEMENTS OTHER THAN THOSE SHOWN HAVE NOT BEEN LOCATED.
- 6) THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE B, HAVING NO BASE FLOOD ELEVATION PER F.I.R.M. 155124-045-0, DATED 09/19/84.
- 7) THIS PARCEL CONTAINS 50.12 ACRES, MORE OR LESS.
- 8) ELEVATIONS SHOWN ARE BASED ON NATIONAL GEODETIC VERTICAL DATUM OF 1929 & BENCHMARK 775 81 424 ESTERO LIGHT BEACON 51.22'.
- 9) COORDINATES SHOWN ARE BASED ON UNITED STATES COAST & GEODETIC SURVEY MONUMENT 775 81 424 ESTERO 1987 STATE PLANE COORDINATE N 755119.25 E 725494.75 FLORIDA WEST NAD 1983.

CERTIFIED TO:  
KENT POOL  
ORION BANK

CERTIFICATION:

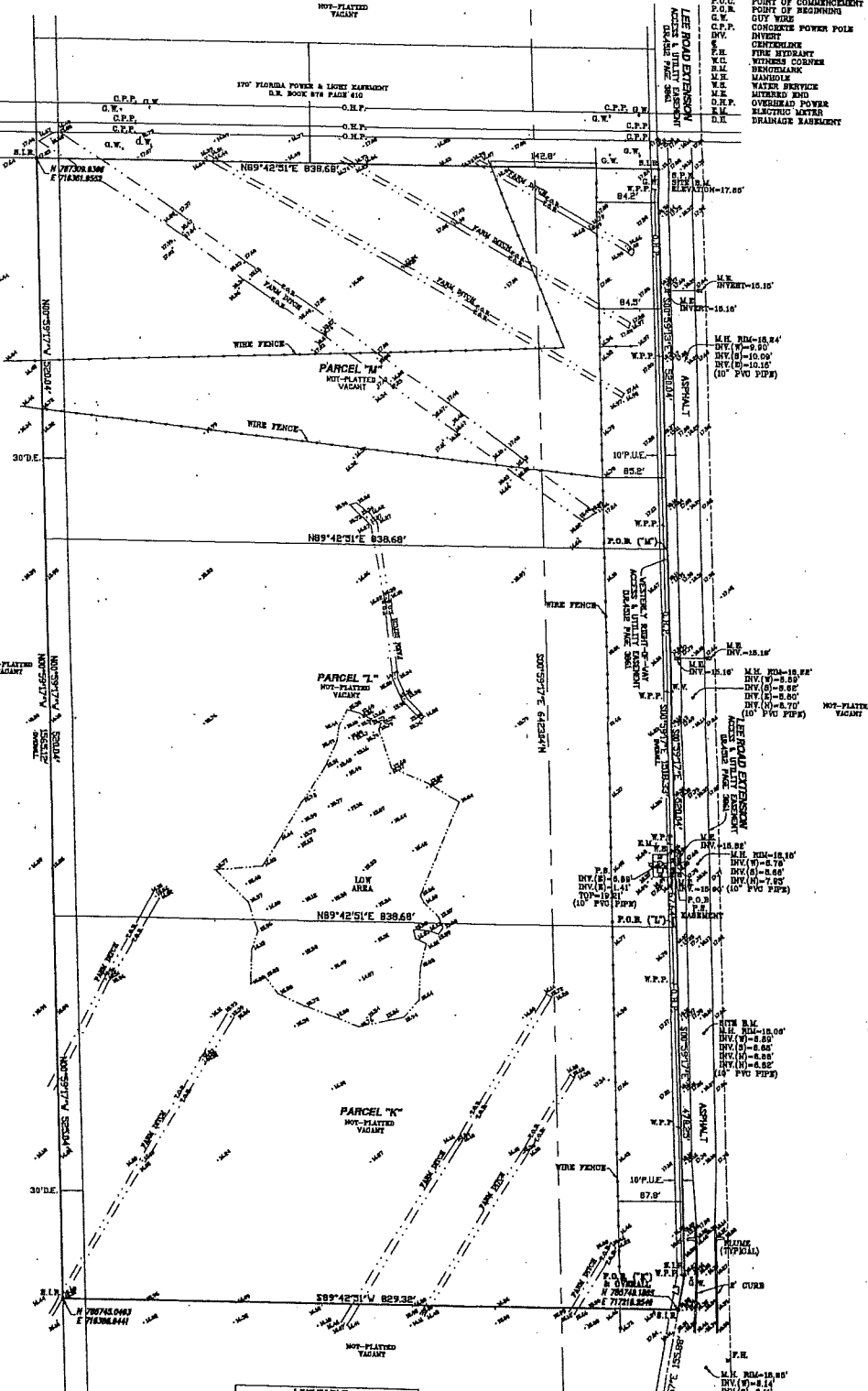
I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY OF THE HEREON DESCRIBED PROPERTY WAS SURVEYED UNDER MY RESPONSIBLE CHARGE ON 05/20/08. THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 81G17-5, F.A.C. PURSUANT TO SECTION 476.027 FLORIDA STATUTES.

KRIS A. HANSEN, STATE OF FLORIDA, (P.R.M. #5560)  
REVISED CERTIFICATION 10/9/08



LEGEND

- P.L.R. POUND 5/8" IRON ROD
- S.P.R. SET PASSER VIALON NAIL
- S.I.R. SET 5/8" IRON ROD & CAP #5560
- P.C.M. FOUND 4"X4" CONCRETE MONUMENT
- F.A.C. FLORIDA ADMINISTRATIVE CODE
- P.R.M. PROFESSIONAL SURVEYOR & MAPPER
- RECORDS PUBLIC UTILITY EASEMENT
- LEGAL
- RECORDED CALCULATED CLOSURE DATA
- LICENSED BUSINESS
- PLAT BOOK
- PAGE
- WATER VALVE
- PUMP STATION
- W.P.P. WOOD POWER POLE
- T.O.P. TOP OF BANK
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- C.V.P. CONCRETE POWER POLE
- SWITCH
- CONCRETE
- TIME HEADWAY
- WIRELESS CORNER
- BENCHMARK
- MANHOLE
- WATER SERVICE
- METERED END
- OVERHEAD POWER
- ELECTRIC WATER
- DRAINAGE EASEMENT



| LINE TABLE |        |              |
|------------|--------|--------------|
| LINE       | LENGTH | BEARING      |
| 1          | 100.01 | N.00°59'17"W |
| 2          | 119.00 | N.89°44'24"E |
| 3          | 182.20 | N.89°44'24"E |
| 4          | 550.06 | N.00°59'17"W |
| 5          | 155.88 | N.10°20'57"E |
| 6          | 625.04 | N.00°59'17"W |
| 7          | 335.65 | N.89°44'24"E |
| 8          | 476.25 | S.00°00'45"W |
| 9          | 47.60  | S.00°00'45"W |

BOUNDARY SURVEY  
A PORTION OF  
SECTION 4, TOWNSHIP 46 SOUTH, RANGE 25 EAST  
LEE COUNTY, FLORIDA

APPROVED  
LEGAL

5-11-12

WGA

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

WHEREAS, an application was filed by the property owner, Airport Industrial Holdings L.L.C. to rezone 250± acres of land from the Agricultural (AG-2) zoning district to the Industrial Planned Development (IPD) zoning district, in reference to Alico Road 254 Industrial Subdivision; and,

WHEREAS, a public hearing was advertised and held on August 25, 2004, with the record held open for written submissions until September 1, 2004, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2003-00070; and

WHEREAS, a second public hearing was advertised and held on November 15, 2004, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to rezone 250± acres of land from the AG-2 zoning district to the IPD zoning district to permit 2,134,440 square feet of industrial uses and 30,000 square feet of commercial uses having a maximum building height of 65 feet. No development blasting is requested. The property is located in the Industrial Development, Rural, and Wetland Future Land Use Categories and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. The development of this project must be consistent with the two-page Master Concept Plan entitled "Zoning Master Concept Plan: Alico Road 254 Industrial Subdivision," Sheet 1 of 2 dated 10/6/03, last revised 10/13/04 and stamped "Received Oct 13 2004 Permit Counter," and Sheet 2 of 2 dated 7/2/03, last revised 10-27-03 and stamped "Received Apr 22 2004 Community Development," except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

2. The following limits apply to the project and uses:

a. Schedule of Uses for Lots L-1 through L-22:

All uses, including those with an asterisk, are permitted on Lots L-5 through L-22 as may be further limited below. All uses with an asterisk are also permitted on Lots L-1 through L-4.

**\*ACCESSORY USES AND STRUCTURES**

**\*ADMINISTRATIVE OFFICES**

**\*AGRICULTURAL SERVICES:** office/base operations

**\*AGRICULTURAL USES AND AGRICULTURAL ACCESSORY USES,**

See Condition II.A.11., below

**\*ANIMALS:** Clinic or kennel, no outdoor runs

**\*ATM** (automatic teller machine)

**\*AUTOMOBILE SERVICE STATION**

**\*AUTO REPAIR AND SERVICE,** Groups I and II

**\*BAIT AND TACKLE SHOP**

**BOATS:**

**\*Boat parts store**

**Boat rental**

**Boat repair and service**

**Boatyard**

**\*BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION**

**\*BUILDING MATERIAL SALES**

**\*BUSINESS SERVICES:** Groups I and II

**BUS STATION/DEPOT**

**\*CLEANING AND MAINTENANCE SERVICES**

**COLD STORAGE, PRE-COOLING, WAREHOUSE**

**COMMUNICATION FACILITIES, WIRELESS:**

See Condition II.A.8. below.

**\*COMPUTER AND DATA PROCESSING SERVICES**

**\*CONSUMPTION ON PREMISES,** in conjunction with  
a restaurant or night club, see §34-1264

**\*CONTRACTORS AND BUILDERS:** Groups I, II, and III, Lots L-1 through L-4  
limited to Groups I and II

**\*CONVENIENCE FOOD AND BEVERAGE STORE,** limited to Lots L-1 through L-4,  
See Condition II.A.14., below

**\*DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE**

**\*ENTRANCE GATES AND GATEHOUSE**

**\*EMERGENCY OPERATIONS CENTER**

**\*EMS, FIRE OR SHERIFF'S STATION**

**\*ESSENTIAL SERVICES**

**\*ESSENTIAL SERVICE FACILITIES:** Groups I, and II, Lots L-1 through L-4  
limited to Group I

**\*EXCAVATION:**

Water retention

**\*FACTORY OUTLETS** (point of manufacture only)

FARM EQUIPMENT, SALES, STORAGE, RENTAL OR SERVICE  
 \*FENCES AND WALLS  
 FLEA MARKET: Open  
 \*FOOD STORES: Groups I and II, Lots L-1 through L-4 limited to  
     Group I  
 FREIGHT AND CARGO HANDLING ESTABLISHMENTS  
 \*GASOLINE DISPENSING SYSTEM, SPECIAL  
 GOVERNMENT MAINTENANCE FACILITY  
 \*HEALTH CARE FACILITIES Group III  
 \*LAUNDRY OR DRY CLEANING: Group II  
 MANUFACTURING of:  
     \*Apparel products  
     Boats  
     \*Chemical and allied products: Groups I and II, Lots L-1 through L-4  
         limited to Group I  
     \*Electrical machinery and equipment  
     Fabricated metal products: Groups I, II, and III  
     \*Food and kindred products: Group III  
     \*Furniture and fixtures  
     \*Leather products: Group II  
     \*Lumber and wood products: Groups I, II, III, IV, V and VI, Lots L-1  
         through L-4 limited to Group II  
     \*Machinery: Groups I, II, and III, Lots L-1 through L-4 limited to Groups I  
         and II  
     \*Measuring, analyzing and controlling instruments  
     \*Novelties, jewelry, toys and signs: Groups I, II, and III  
     \*Paper and allied products: Groups II and III  
     Rubber and plastic products: Group II  
     Stone, clay, glass and concrete products: Groups I, II, III, and IV,  
         excluding Lots L-1 through L-4, and Lots L-17 through L-26  
     Textile mill products: Groups I, II, and III  
     Transportation equipment: Groups I, II, III and IV, excluding  
         Lots L-1 through L-4  
 \*MEDICAL OFFICE, limited to Lots L-1 through L-4  
 MOBILE HOME DEALERS  
 \*MOTION PICTURE PRODUCTION STUDIO  
 \*NIGHTCLUBS, limited to Lots L-1 through L-4 and further limited to a  
     maximum of 6,000 square feet  
 \*NONSTORE RETAILERS: Groups I, II, and III  
 \*PARCEL AND EXPRESS SERVICES  
 \*PARKING LOT:  
     Accessory  
     Garage, public parking  
     Temporary  
 \*PERSONAL SERVICES: Groups I and III  
 \*PHOTOFINISHING LABORATORY  
 \*POST OFFICE  
 \*PRINTING AND PUBLISHING (§34-622(c)(36))

PROCESSING AND WAREHOUSING

\*RECREATIONAL FACILITIES:

Personal

Private, On-Site

RECYCLING FACILITY

\*RENTAL OR LEASING ESTABLISHMENT: Groups II, III, and IV, Lots L-1 through L-4 limited to Groups II and III

\*REPAIR SHOPS: Groups I, II, III, IV, and V, Lots L-1 through L-4 limited to Groups I, II, and III

\*RESEARCH AND DEVELOPMENT LABORATORIES:

Group IV

\*RESTAURANTS: Groups I, II, III, and IV, limited to Lots L-1 through L-4

\*RETAIL AND WHOLESALE SALES, when clearly incidental and subordinate to a permitted principal use on the same premises

SALVAGE AND DISPOSAL OF MATERIALS, limited to auto junkyards and impound yards, See §34-1831, *et seq.* and §34-2441 *et seq.*

\*SCHOOLS: Commercial

\*SELF-SERVICE FUEL PUMPS, See Condition II.A.14., below

\*SIGNS in accordance with chapter 30

\*SOCIAL SERVICES: Group II

STORAGE:

\*Indoor only

Storage, open

\*TRANSPORTATION SERVICES: Groups II, III, and IV, Lots L-1 through L-4 limited to Group II and III

TRUCK STOP, TRUCKING TERMINAL

\*VEHICLE AND EQUIPMENT DEALERS: Groups I, II, III, IV, and V, Lots L-1 through L-4 limited to Groups I, and II

\*WAREHOUSE:

Mini-warehouse

Private

Public

\*WHOLESALE ESTABLISHMENTS: Groups I, III, and IV

WRECKING YARD:

Other, See §34-1831, *et seq.* and §34-2441 *et seq.*

b. Schedule of Uses for Lots L-23 through L-26

ACCESSORY USES AND STRUCTURES

ADMINISTRATIVE OFFICES

AGRICULTURAL SERVICES: office/base operations

AGRICULTURAL USES AND AGRICULTURAL ACCESSORY USES,

See Condition II.A.11., below

ATM (automatic teller machine)

BAIT AND TACKLE SHOP

BROADCAST STUDIO, COMMERCIAL RADIO AND TELEVISION\

BUSINESS SERVICES: Groups I and II

CLEANING AND MAINTENANCE SERVICES  
COMPUTER AND DATA PROCESSING SERVICES  
CONTRACTORS AND BUILDERS: limited to Groups I and II  
DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE  
ENTRANCE GATES AND GATEHOUSE  
ESSENTIAL SERVICES  
ESSENTIAL SERVICE FACILITIES: limited to Group I  
EXCAVATION:  
    Water retention  
FACTORY OUTLETS (point of manufacture only)  
FENCES AND WALLS  
GASOLINE DISPENSING SYSTEM, SPECIAL  
LAUNDRY OR DRY CLEANING: Group II  
MANUFACTURING of:  
    Apparel products  
    Chemical and allied products: limited to Group I  
    Furniture and fixtures  
    Leather products: limited to Group II  
    Machinery: limited to Groups I and II, assembly only  
    Measuring, analyzing and controlling instruments  
    Novelties, jewelry, toys and signs: Groups I, II, and III  
    Paper and allied products: limited to Group II  
    Stone, clay, glass and concrete products: limited to Group I  
    Textile mill products: limited to Groups I and II  
MOTION PICTURE PRODUCTION STUDIO  
NONSTORE RETAILERS: Groups I, II, and III  
PARKING LOT:  
    Accessory  
    Temporary  
PERSONAL SERVICES: Groups I and III  
PHOTOFINISHING LABORATORY  
POST OFFICE  
PRINTING AND PUBLISHING  
RECREATIONAL FACILITIES:  
    Personal  
    Private, On-Site  
RENTAL OR LEASING ESTABLISHMENT: limited to Groups II and III  
REPAIR SHOPS: limited to Groups I, II, and III  
RESEARCH AND DEVELOPMENT LABORATORIES: Group II and IV  
RETAIL AND WHOLESALE SALES, when clearly incidental and subordinate  
    to a permitted principal use on the same premises  
SCHOOLS: Commercial  
SIGNS in accordance with chapter 30  
SOCIAL SERVICES: Group II  
STORAGE:  
    Indoor only  
TRANSPORTATION SERVICES: limited to Group II

WAREHOUSE:

Mini-warehouse

Private

Public

WHOLESALE ESTABLISHMENTS: limited to Group III

c. Site Development Regulations

Minimum Lot Area and Dimensions:

Area: 10,000 square feet

Width: 100 feet

Depth: 100 feet

Minimum Setbacks:

Street: In accordance with §34-2192(a)

Side: 15 feet

Rear: 10 feet

Water Body: 25 feet

Maximum Building Height:

a. 65 feet (three habitable floors) on Lots L-1 through L-22

b. 30 feet on Lots L-23 and L-24

c. 24 feet on Lots L-25 and L-26

Minimum Building Separation:

One-half the sum of the heights of both buildings, or 20 feet, whichever is greater.

Maximum Lot Coverage: 40 percent

Development Perimeter Building Setback: 25 feet

3. Development Parameters:

- a. A maximum of 2,134,440 square feet of industrial uses and 30,000 square feet of commercial office/retail will be permitted on 250± acres of land, not to exceed a total of 2,499 parking spaces.

- b. At the time of local development order, the developer must provide a cumulative land development summary table indicating the square footage of commercial, acreage of commercial and industrial uses, and number of commercial and industrial parking spaces to ensure DRI compliance with the above; and
  - c. Under no circumstances will the land use totals exceed the applicable mixed use DRI thresholds as outlined in Chapter 380, Fla. Statutes and Rule 9J-2, F.A.C., as each may be amended.
4. Environmental Conditions
- a. Prior to local development order approval, a FLUCCS map must be submitted that identifies the existing plant communities within the five wetland areas depicted on the MCP. All existing indigenous plant communities must be preserved. At a minimum, the development order plans must delineate the three larger wetlands shown on the MCP as indigenous preserves.
  - b. As part of the initial local development order approval, and prior to the issuance of a certificate of completion for any other part of the development, the buffer along the north property line must be planted with a minimum 25 native trees (minimum 10-foot height, 2-inch caliper at planting) per 100 linear feet. The species of trees must, to the extent practical, include live oak, slash pine, wax myrtle, cabbage palm, and bald cypress, or other native species that will provide a varying level for mature height so as to create, to the extent possible, a vegetative barrier of increased height across the top of the berm. The proposed trees may be staggered across the north face of the berm such that sight lines between tree groupings are blocked when viewed from the Fiddlesticks property line. The general intent of this condition is to provide both a mid-story and an over-story buffer that will add a sight barrier across the top of the proposed berm. All other areas of the berm shall be sodded or mulched, as appropriate, and be properly maintained. All buffer plantings must be installed on the north side of the 12-foot berm (3:1 slope) and allowed to grow to their natural height and spread.
  - c. The MCP must be revised to show the 12-foot-high berm, as measured from existing grade, extending across the full width of the subject property or extending around the southerly side of the existing wetland.
5. All buildings or structures located on lots L-1 through L-4, either industrial or commercial, must be in compliance with Chapter 10, Article IV, Design Standards and Guidelines for Commercial Buildings and Development, of the LDC.

6. Lots L-25 and L-26: A 75 foot wide strip of land located on Lots L-25 and L-26, immediately south of the 75 foot wide vegetative buffer with a 12 foot high berm, as measured from existing grade, will be used only for water management, wetland preserve, buffering, open space, and accessory parking.
7. Accessory uses, including accessory parking, must be located on the same tract, lot, parcel or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, lot, parcel or outparcel.
8. Wireless communication facilities, if approved in accordance with §34-1441, et. seq., of the LDC, are permitted on lots L-5 through L-22. Wireless communication facilities may not exceed 90 feet in height above average grade level (AGL). Wireless communication facilities greater than 90.1 feet and less than 149 feet will require a Special Exception approval.
9. The development must comply with §34-1008 for tall structures including permanent buildings, antenna, towers, and temporary construction cranes.
10. The developer, at the time of development order approval, must provide elements for the protection of wayward vehicles for that portion of the proposed Haitian Drive extension, adjacent to the existing lake(s) located on the west side of the proposed roadway. The elements for the protection of wayward vehicles may include guardrails, berms, swales, vegetation or other protections as determined by the Development Services Director.
11. **AGRICULTURAL USES:** Existing bona fide agricultural uses on this site are allowed only in strict compliance with the following:
  - (a) Bona fide agricultural uses that are in existence at the time this resolution is approved and as shown on **Exhibit D** attached hereto may continue until approval of a local development order for the area of the project containing those uses.
  - (b) Additional clearing or grading of existing agricultural areas is prohibited. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.
  - (c) The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must cease by December 31<sup>st</sup> of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31<sup>st</sup> of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.
12. No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.

13. Prior to local development order approval, the developer must provide a properly executed easement agreement for ingress and egress over and across the property that conforms to Haitian Drive as depicted on the MCP.
14. The subject property is limited to one (1) convenience food and beverage store in conjunction with a maximum of 16 self-service fuel pumps on Lots L-1 through L-4 only. Further, two self-service fuel pumps are permissible as an accessory use to businesses to provide fuel for their fleet of vehicles and equipment. Additional pumps require approval of a special exception.
15. Buildings exceeding 35 feet in height must maintain additional building setbacks and separation as regulated by §§34-2174(a) and 34-935(e)(4).
16. If the lots shown on the MCP are further subdivided, the Developer will be required, at a minimum, to submit for and receive approval of an administrative amendment to this industrial planned development.
17. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.
18. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), be reviewed for, and found consistent with, the retail commercial standards for site area, including range of gross floor area, location, tenant mix and general function, as well as all other Lee Plan provisions.
19. This development must comply with all of the requirements of the LDC at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.

#### SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the §34-935(f)(3)e requirement of a maximum height of 45 feet above minimum flood elevation with no more than 3 habitable floors or a height of up to 75 feet with no more than six habitable floors if certain criteria are met, to allow a maximum height of 65 feet above minimum flood elevation and five habitable floors for Lots L1 through L22 only. This deviation is APPROVED, SUBJECT TO following conditions:
  - a. The Applicant must provide approximately 9 acres of common open space surrounding the wetland preserved as delineated on the attached **Exhibit E**. This open space must be planted with native vegetation that provides foraging and cover for wildlife. The plantings must be shown on the development order plans and include at a minimum 50 native trees (minimum 10-foot height; 2-inch caliper) and 100 native shrubs (3-gallon container size) per

acre of common open space. The plantings must be mulched and a temporary irrigation system installed. The trees may be counted toward the general tree requirement for the overall site. The plantings must be installed prior to issuance of a Certificate of Compliance for any development order for vertical construction; and

- b. The Applicant must provide an enhanced Type "D" buffer along Alico Road. The enhanced Type "D" buffer must consist of 10 trees per 100 linear feet; 30 shrubs per 100 linear feet (24/36 inch; 3-gallon container size); and 25 shrubs per 100 linear feet (48/60 inch).

#### SECTION D. EXHIBITS AND STRAP NUMBER:

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

- Exhibit A: Legal description of the property
- Exhibit B: Zoning Map (with the subject parcel indicated)
- Exhibit C: The Master Concept Plan
- Exhibit D: Bona Fide Agricultural Uses
- Exhibit E: 9 Acres of Common Open Space

The applicant has indicated that the STRAP numbers for the subject property are: 04-46-25-00-00001.0040 and 04-46-25-00-00001.0090

#### SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
2. The rezoning, as approved:
  - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,
  - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,
  - c. is compatible with existing or planned uses in the surrounding area; and,
  - d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,
  - e. will not adversely affect environmentally critical areas or natural resources.
3. The rezoning satisfies the following criteria:
  - a. the proposed use or mix of uses is appropriate at the subject location; and

- b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
  - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
- 4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
  - 5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.
  - 6. The location of self-service fuel pumps, as conditioned, are an appropriate use because of the proximity of the subject property to the intersections at Haitian Drive and Lee Road, each with Alico Road, and the lack of any other self-service fuel facility on the north side of Alico Road in the area of this project.

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

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

DULY PASSED AND ADOPTED this 15<sup>th</sup> day of November 2004.

ATTEST:  
CHARLIE GREEN, CLERK

BY: Michelle D. Cooper  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: [Signature]  
Chairman

Approved as to form by:

John J. Medynka  
County Attorney's Office



CASE NO: DCI2003-00070

RECEIVED  
MINUTES OFFICE  
*mgc*  
2004 DEC 15 AM 9:04

Z-04-055  
Page 11 of 11

DCI2003-00070

## DESCRIPTION

A PARCEL OF LAND BEING A PART OF LANDS DESCRIBED IN OFFICIAL RECORDS 2389, PAGE 1928 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND IN SECTION 4, TOWNSHIP 46 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF SAID SECTION 4; THENCE NORTH 89°38'46" EAST ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 4, SAID LINE ALSO BEING THE CENTERLINE OF ALICO ROAD, A DISTANCE OF 2676.90 FEET TO THE SOUTH 1/4 CORNER OF SAID SECTION 4; THENCE NORTH 00°59'17" WEST ALONG THE NORTH-SOUTH 1/4 SECTION LINE, A DISTANCE OF 100.01 FEET TO THE POINT OF BEGINNING, SAID POINT ALSO BEING AT THE NORTH RIGHT OF WAY LINE OF SAID ALICO ROAD BY ORDER OF TAKING AS DESCRIBED IN OFFICIAL RECORDS BOOK 3208, PAGE 357 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE SOUTH 89°38'46" WEST ALONG SAID NORTH LINE, A DISTANCE OF 1561.49 FEET; THENCE NORTH 00°21'51" WEST, A DISTANCE OF 2540.00 FEET TO A POINT AT THE NORTH LINE OF A 170 FOOT WIDE FLORIDA POWER & LIGHT EASEMENT AS DESCRIBED IN OFFICIAL RECORDS 876, PAGE 610 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH 02°43'29" WEST, A DISTANCE OF 3613.89 FEET TO A POINT ON THE SOUTH LINE OF A 200 FOOT WIDE DRAINAGE RIGHT OF WAY AS DESCRIBED IN OFFICIAL RECORDS BOOK 3442, PAGE 3231 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH 88°52'48" EAST ALONG SAID SOUTH LINE, SAID LINE ALSO BEING 250 FEET SOUTH OF AND PARALLEL TO THE NORTHWEST 1/4 OF SAID SECTION 4, A DISTANCE OF 1643.33 FEET TO AN ANGLE POINT; THENCE NORTH 89°06'32" EAST ALONG SAID SOUTH LINE OF A 200 FOOT WIDE DRAINAGE RIGHT OF WAY, A DISTANCE OF 227.31 FEET TO A POINT ON A LINE PARALLEL TO SAID NORTH-SOUTH 1/4 SECTION LINE; THENCE SOUTH 00°59'17" EAST ALONG SAID LINE PARALLEL TO THE NORTH-SOUTH 1/4 SECTION LINE, A DISTANCE OF 6175.65 FEET TO A POINT ON SAID NORTH RIGHT OF WAY LINE OF ALICO ROAD; THENCE SOUTH 89°44'24" WEST ALONG SAID NORTH LINE, A DISTANCE OF 226.21 FEET TO AN ANGLE POINT; THENCE SOUTH 89°38'46" WEST ALONG SAID NORTH LINE, A DISTANCE OF 1.19 FEET TO THE POINT OF BEGINNING. CONTAINING 254.57 ACRES, MORE OR LESS.

SUBJECT TO A 50 FOOT WIDE DRAINAGE EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 1234, PAGE 1001 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND CONTAINING 2.05 ACRES.

RECEIVED  
OCT 06 2003

PERMIT COUNTER  
Applicant's Legal Checked  
by [Signature] 2-26-04.

Exhibit II-B-1.A.

EXHIBIT "A"



# ZONING MAP

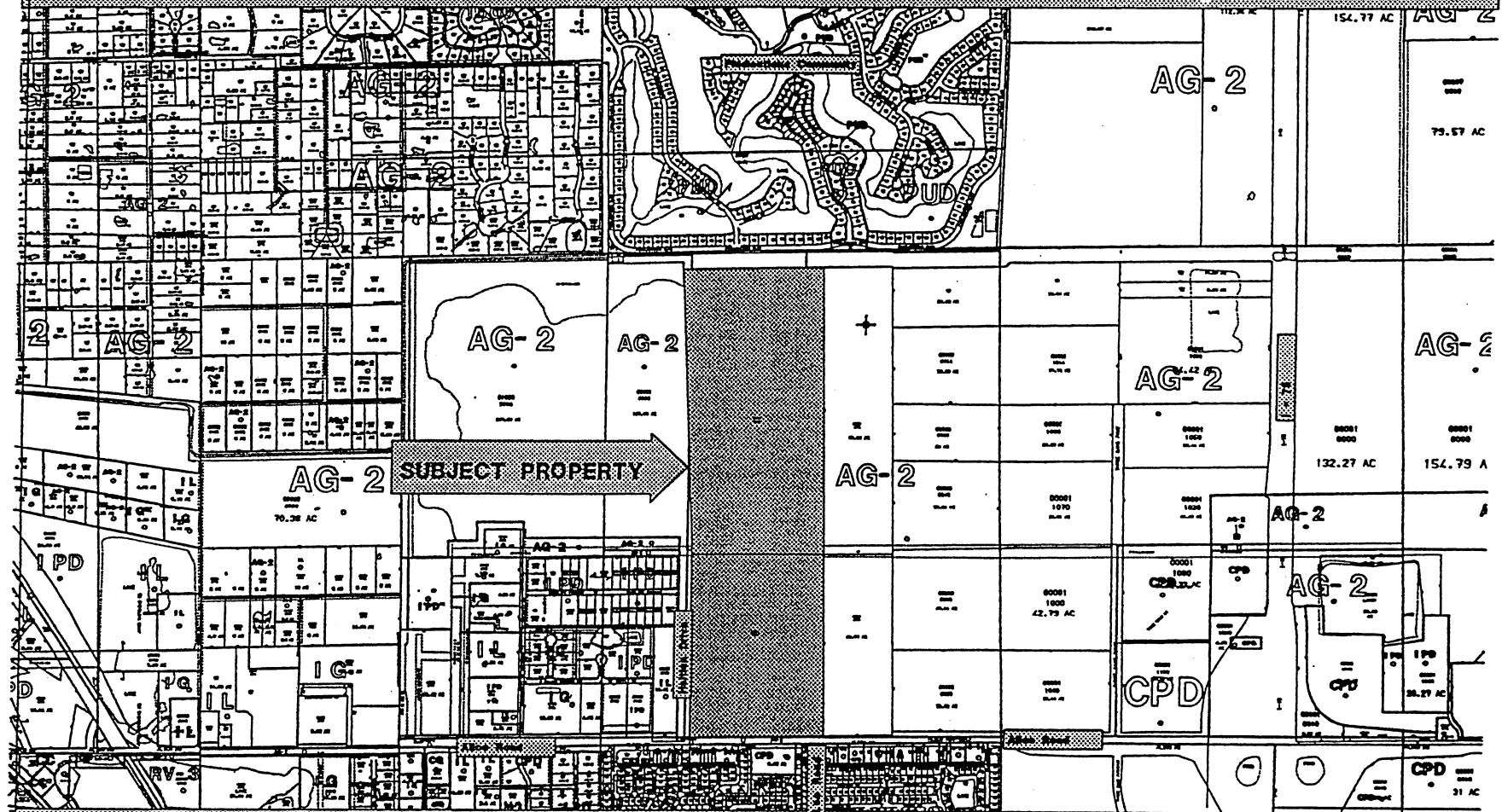
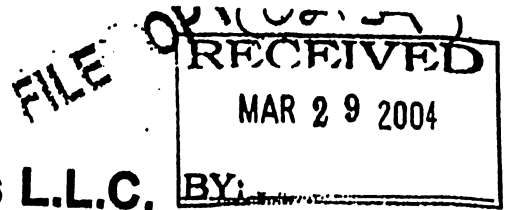


EXHIBIT "B"



## Airport Industrial Holdings L.L.C.

March 23, 2004

Mr. Bryan Kelner  
Principal Planner  
Lee County Department of Community Development  
Zoning Division  
P.O. Box 398  
Fort Myers, Florida 33902-0398

RE: Alico Road 254 Industrial Subdivision – DCI2003-00070

Dear Mr. Kelner:

Please accept this statement as the notarized statement required pursuant to Section 34-202(b)(7) of the LDC. The Sufficiency Review Letter dated March 20, 2004 requires the owner to provide a notarized statement describing the type and intensity of the bona fide agricultural uses in existence on the date of zoning approval.

The type of agricultural use on the property is cattle grazing.

The area of the property subject to cattle grazing is the entire parcel of 254 acres.

The intensity of use is the number of cattle that can be adequately accommodated by the parcel; this is determined in part by the health and amount of the vegetation which can vary from time to time.

Further, the continuation of these agricultural uses is supported by the comprehensive plan, policy 9.2.2.

*Planned development rezonings within the Future Urban Areas must not establish new, or expand existing, agricultural uses. Bona fide agricultural uses that exist at the time of rezoning may be approved and the use allowed to continue until development commences. The approved existing agricultural uses must not expand beyond the boundaries that existed at the time of rezoning. Existing agricultural uses within any tract or phase must be discontinued upon local development order approval including that tract or phase.*

Mr. Bryan Kelner  
March 23, 2004

I have reviewed the above statements and submit that they are true and correct.

By: [Signature]  
Franz Rosinus, Managing Member  
Airport Industrial Holdings L.L.C.

STATE OF FLORIDA  
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 25th day of March, 2004, by Franz Rosinus, who is personally known to me or who has produced personally known as identification and who did (did not) take an oath.

(Notary Seal)

[Signature]  
Signature of Notary Public  
RMA GONZALEZ  
My Comm. Exp. 10/3/04  
No. CC 973670  
☒ Personally Known ☐ Other I.D.

(Print, type or stamp commissioned  
Name of Notary Public)

Commission No: CC 973670

EXHIBIT "D"  
(Page 2 of 3)

APR 22 2004

Page 2 of 2

CCM

FILED 2004 00070

**RECEIVED**  
FEB 20 2004

PERMIT COUNTER

10012443-00070

PUD  
RESIDENTIAL

POULTRY ROLLBACK

10012443-00070

CATTLE GRAZING  
(Total 1254.57 AC)

AG-2  
AGRICULTURE

AG-2  
AGRICULTURE

170 FLORIDA POWER & LIGHT RAILROAD



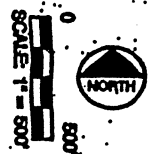
AGRICULTURAL USES AT THE TIME OF ZONING APPLICATION  
ARE SHOWN IN THE HATCHED AREA. THE TOTAL ACRES OF THE HATCHED AREA IS 1254.57 AC.  
THE TOTAL ACRES FOR AGRICULTURE ARE 1254.57 AC.

IPD  
INDUSTRIAL PROCESS DEVELOPMENT

IL  
INDUSTRIAL

CATTLE  
GRAZING

AG-2  
AGRICULTURE



ALICO ROAD

N/W

RS-1

CPD

IND



MORRIS & DEPEW ASSOCIATES, INC.  
PLANNING • ENGINEERING • SURVEYING & MAPPING  
200 Alamo Drive • Fort Myers, FL 33901 • 813 939-0000 • FAX 813 939-0001

AGRICULTURAL USES AT THE TIME OF ZONING APPLICATION

ALICO ROAD 254 INDUSTRIAL SUBDIVISION  
Revised 04/14/04, 04/14/04, 04/14/04, 04/14/04

REVISION FOR SUBMITTAL COMMENTS (SEE SHEET)

LEE COUNTY  
HEARING EXAMINER  
04 SEP -1 AM 10:05

0 500  
SCALE: 1" = 500'  
NORTH

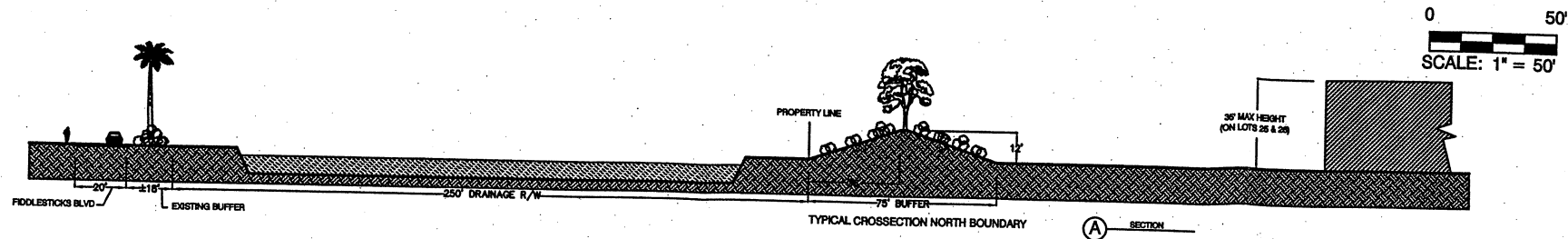
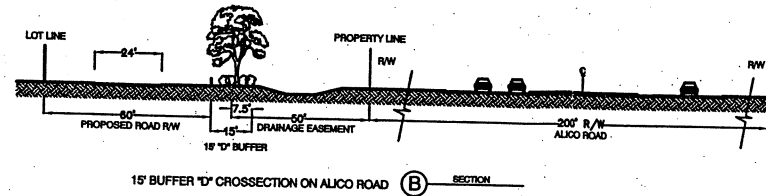
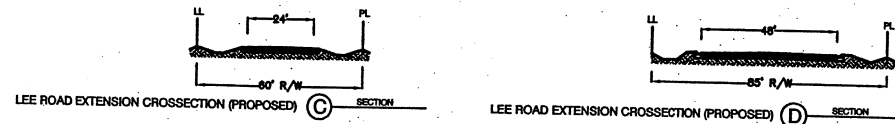
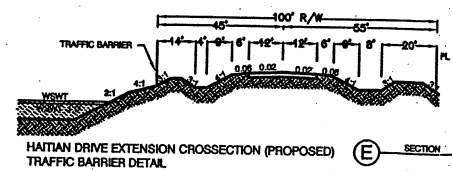
**■ = 9 acres Common Open Space**  
**STAFF EXHIBIT**

DCI2003-00070

ALICO ROAD  
APR 22 2004

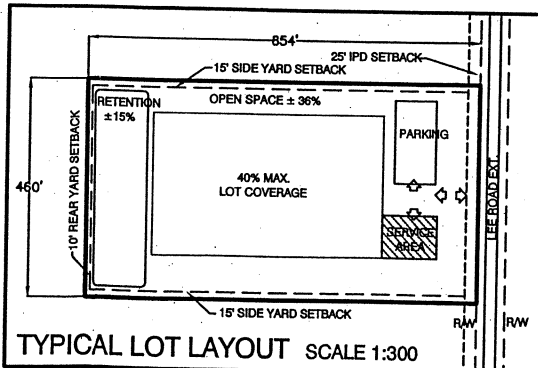
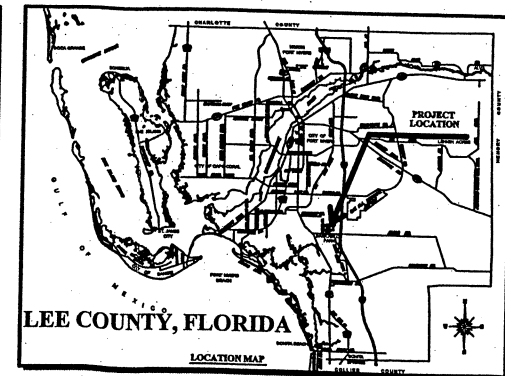
|                              |                                                                                                                                                                      |                                                                                                                        |                                                         |
|------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|
| 1/2<br>02/15<br>3/2<br>10/25 | <b>MD</b> MORRIS - DEPEW ASSOCIATES, INC.<br>ENGINEERS • PLANNERS • SURVEYORS & MAPPERS<br>800 Alamo Road • Fort Myers, FL 33901 • P: 941-935-1100 • F: 941-935-1101 | ZONING MASTER CONCEPT PLAN<br>ALICO ROAD 254 INDUSTRIAL SUBDIVISION<br>Section 04-14-04, 04-14-05, Lee County, Florida | REVISION<br>REVISED FOR SUFFICIENCY COMMISSION 10/23/08 |
|                              | APR 22 2004                                                                                                                                                          |                                                                                                                        |                                                         |





APR 22 2004

TYPICAL CROSECTION SCALE 1:50



GENERAL NOTES:

PROPERTY OWNER:  
Alport Industrial Holdings LLC  
58811 South Bay Drive, Suite 240  
Bonita Springs, FL 34134

APPLICANT:  
Alport Industrial Holdings LLC  
58811 South Bay Drive, Suite 240  
Bonita Springs, FL 34134

PLANNER/ENGINEER:  
Morris-Depeu Associates, Inc.  
2216 Alamo Ave.  
Fort Myers, FL 33901

SITE PARAMETERS:  
EXISTING ZONING: AG-2  
PROPOSED ZONING: INDUSTRIAL PLANNED DEVELOPMENT (IPD)  
TOTAL SITE AREA: ±264.57 ACRES

PLANNING LAND USE 2012:  
INDUSTRIAL DEVELOPMENT

OPEN SPACE:

THE REQUIRED MINIMUM OPEN SPACE SHALL BE PROVIDED PURSUANT TO LDC SEC. 10-415.

| Use        | % / acres Required Average | % / acres Provided Open Space |
|------------|----------------------------|-------------------------------|
| Industrial | 30 % / 80.91 ac.           | 30 % / 80.91 ac.              |

\* 2.88± acres will be of indigenous composition. The remaining open space requirements will be met by the following: buffers and landscape areas in off-street parking, dry detention areas, and up to 28 % from proposed bodies of water from stormwater management systems.

Each parcel shall meet or exceed the minimum open space percentages and also requirements of LDC 10-415. The minimum amount of open space for the total development area shall be no less than 20 % including indigenous vegetation preservation.

DEVELOPMENT INTENSITY:

COMMERCIAL:  
- A MAXIMUM OF 30,000 SQ.FT. OF COMMERCIAL FLOOR AREA  
- PARKING SPACES SHALL BE PROVIDED PER LDC SEC. 34-2020

INDUSTRIAL:  
- A MAXIMUM OF 8,134,440 SQ.FT. OF INDUSTRIAL FLOOR AREA  
- PARKING SPACES SHALL BE PROVIDED PER LDC SEC. 34-2020

BUFFERS:

PROPERTY ZONED INDUSTRIAL PLANNED DEVELOPMENT (IPD)  
BUFFERS ARE PROVIDED PURSUANT TO LDC SECTION 10-416(9)

NORTH - ZONED PUB. R-O-W Use:  
R-O-W 10' BUFFER REQUIRED

SOUTH - ZONED CPO. R-O-W Use:  
R-O-W 10' BUFFER REQUIRED

WEST - ZONED AG-2, IPD and I2 Industrial Use:  
NO BUFFER REQUIRED

EAST - ZONED AG-2 Vacant Use:  
NO BUFFER REQUIRED

RECEIVED  
APR 22 2004  
COMMUNITY DEVELOPMENT

APPROVED  
Master Concept Plan  
Site Plan # 204-055 Page 2 of 2  
Subject to conditions to Resolution 204-055  
Case # DCA2003-00070

ZONING MASTER CONCEPT PLAN (NOTES & SECTIONS)

ALICO ROAD 254 INDUSTRIAL SUBDIVISION

EXHIBIT "C"  
(Page 2 of 2)

MORRIS-DEPEU ASSOCIATES, INC.  
ENGINEERS & PLANNERS  
2216 Alamo Avenue, Fort Myers, Florida 33901  
(941) 335-3464 • FAX (941) 335-3465

MD  
MORRIS-DEPEU ASSOCIATES, INC.  
DATE PROJECT: 02/15/04  
CHECKED BY: SUR  
DESIGNED BY: AZ  
DATE: 7/2/03  
SHEET: 2/2

DCA2003-00070