

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

WHEREAS, Athyrio Development Associates, LLC, filed an application on behalf of the property owner, Richard K. Bennett, Successor Trustee of the North Trail Land Trust, to rezone 65± acres of land from the Agricultural (AG-2) zoning district to the Residential Planned Development/Commercial Planned Development (RPD/CPD) zoning district, in reference to Diplomat Property RPD/CPD; and,

WHEREAS, a public hearing was advertised and held on January 12, 2006, and January 13, 2006, before the Lee County Zoning Hearing Examiner Diana Parker, who gave full consideration to the evidence in the record for Case #DCI2005-00055; and,

WHEREAS, a second public hearing was advertised and held on April 3, 2006, 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 65 acres of land from AG-2 to RPD/CPD to allow a maximum of 468 dwelling units, 200,000 square feet of commercial floor area, and a maximum of 120 hotel rooms. Maximum proposed building height is three (3) stories/50 feet commercial and two (2) stories/ 35 feet residential. No development blasting is requested. The property is located in the Central Urban Land Use Category 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. Development must be consistent with the one-page Master Concept Plan entitled "CONCEPTUAL SITE PLAN: DIPLOMAT PARCEL," Sheet 1 of 1, date stamped "Received November 3, 2006," and prepared by Banks Engineering, Inc. (attached hereto as Exhibit C), except as modified by the conditions below.

Development must comply with 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 Master Concept Plan (MCP) are subsequently pursued, appropriate approvals will be necessary.

Maximum Number of Dwelling Units (RPD): 381 dwelling units. An additional 76 units may be constructed if they are marketed at a price point that is affordable to moderate income households at the time of building permit application. Further, the additional 75 units may only be sold to buyers who qualify as a moderate income household at the time of purchase. Moderate income households means 120 percent of the yearly median income based on yearly income levels developed for the SHIP Program by the Housing Section of the Planning Division.

Eight (8.0) dwelling units per acre maximum, for the 47.65 acres of RPD. An additional 1.6 units per acre may be constructed subject to affordability requirements above.

Maximum Commercial Floor Area (CPD): 200,000 square feet of commercial uses. A maximum of 100,000 s/f of which may be retail.

Retail development is limited to Parcel 4 (which meets Commercial Site Location standards). Retail development is not permitted on Commercial Parcels 1, 2 or 3 (which do not meet Site Location standards).

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

a. **Schedule of Uses: RPD**

Accessory Uses and Structures

Administrative Office

Clubs, Private - As shown on the approved MCP.

Dwelling Units, single-family, duplex, two-family attached, multifamily,
townhomes - 381 (up to 457 pursuant to Condition 1)

Entrance Gates and Gatehouse

Essential Services

Essential Service Facilities, Group I

Excavation, Water Retention - not to include the removal of excavated material
from the site. No blasting.

Fences and Walls.

Home Occupation, No outside help.

Home Care Facility

Model Home, Model Display Center, Model Unit - ALSO SEE MODEL HOME/
REAL ESTATE SALES CONDITIONS.

Parking Lot, Accessory

Real Estate Sales - limited to sales of lots, homes or units within the development.
Model home and club locations only. ALSO SEE MODEL HOME/
REAL ESTATE SALES CONDITIONS.

Recreational Facilities - Private, On-site only. LIMITED TO THOSE SHOWN ON
THE APPROVED MCP

Residential Accessory Uses

Signs, in compliance with LDC Chapter 30

Temporary Uses, Temporary Real Estate Sales Office

Schedule of Uses: CPD

Administrative Office

Animals: Clinic, Kennel, Control Center (including Humane Society) - indoors,
no outdoor runs.

Automatic Teller Machine

Auto Parts Store - No installation service.

Auto Repair and Service, Group I

Bait and Tackle Shop

Banks and Financial Establishments, Group I and II

Boat Part Stores

Building Material Sales (indoor only, no outdoor display)

Business Services, Group I and II (no impound yards or armored car services)

Cleaning and Maintenance Services

Clothing Stores, General

Communication facilities, wireless (in accordance with LDC 34 Division 11)

A wireless communication facility may be administratively approved,
provided it is co-located on a building and the height of the tower
does not exceed 50 feet from existing grade.

Consumption on Premises - Indoors. In conjunction with Group III restaurants only.
Outdoor Consumption on Premises will require special exception approval
(public hearing).

Contractors and Builders, Group I and II (Not Group III)

Cultural Facilities

Day Care, Adult, Child

Department Store

Drive-through facility for any permitted use. No fast food drive-through.

Drugstore, Pharmacy (limited to 1 on Parcel 4 or 3)

Entrance Gate and Gatehouse

Emergency Operations Center

EMS, Fire or Sheriff's Station

Essential Services

Essential Service Facilities, Group I

Excavation, Water Retention - not to include the removal of excavated material
from the site. No blasting.

Fences and Walls.

Flea Market, Indoor Only

Food and Beverage Services, Limited

Food Stores, Group I and II

Funeral Home or Mortuary, with or without cremation

Gasoline Dispensing System, Special

Hardware Store

Health Care Facility, Group I, II, III (no Group IV).

Hobby, Toy and Game Store

Hotel/Motel - Limited to 120 rooms maximum.

Household and Office Furnishings - (indoor only, no outdoor display)
Insurance Companies
Lawn and Garden Supply Stores - (indoor only, no outdoor display)
Library
Medical Office
Nonstore Retailer
Paint, Glass and Wallpaper - (indoor only, no outdoor display)
Parking Lot, Accessory, Commercial, Garage, Public Parking, Temporary
Personal Services, Group I, II, III, IV. Excluding Laundromats, Laundry Agents,
 Massage Establishments, Massage Parlors, Steam or Turkish Baths, Dating
 Services, Escort Services, Palm Readers, Fortune Tellers, Card Readers,
 Tattoo Parlors.
Pet Services, Pet Shops - Indoor only, no outdoor display. No outdoor runs.
Place of Worship
Plant Nursery
Post Office
Printing and Publishing
Processing and Warehousing
Real Estate Sales Office
Religious Facilities
Rental or Leasing Establishments, Group II (excluding tools and equipment
 primarily for home use). Indoor only. No outdoor display.
Repair Shop, Group I, II, III
Research and Development Laboratories, Group I, II, III, IV.
Restaurants, Group I, II, III, IV.
Restaurant, Fast Food, No stand-alone or drive-through. Within a multi-occupancy
 building only.
Schools, Commercial and Non-Commercial
Signs in Accordance with Chapter 30
Social Services Group I
Specialty Retail, Group I, II, III, IV
Storage, Indoor Only
Studios
Supermarkets
Temporary Uses
Used Merchandise, Group I, II, Indoor only. No outdoor display.
Variety Store

b. **Site Development Regulations - RPD**

SINGLE-FAMILY

Minimum Lot Areas and Dimensions

Lot Size:	7,500 square feet
Lot Width:	75 feet
Lot Depth:	100 feet

Minimum Setbacks

Street	25 feet (public)/20 feet (private)
Side	5 feet
Rear	30 feet - all lots containing enhanced buffer. See Condition 13.
	20 feet - all other lots
Water body	25 feet

All Accessory Uses: Per the LDC.

Setbacks from Preserves (All structures): 25 feet, per the LDC.

Minimum Perimeter Setbacks:	25 feet
	30 feet - all lots containing enhanced buffer. See Condition 13.

Minimum Building Separation: 10 feet.

Building Height: 35 feet/ 2 stories

Maximum Lot Coverage: 45 percent

DUPLEX, TWO-FAMILY ATTACHED, TOWNHOUSE

Minimum Lot Areas and Dimensions

Lot Size:	7,500 square feet
Lot Width:	75 feet (37.5 per unit)
Lot Depth:	100 feet

Minimum Setbacks

Street	25 feet (public)/20 feet (private)
Side	5 feet (0 feet for common wall unit)
Rear	30 feet - all lots containing enhanced buffer. See Condition 13.
	20 feet - all other lots
Water body	25 feet

All Accessory Uses: Per the LDC.

Setbacks from Preserves (All structures): 25 feet, per the LDC.

Minimum Perimeter Setbacks: 25 feet

30 feet - all lots containing enhanced buffer, See Condition 13.

Minimum Building Separation: 10 feet.

Building Height: 35 feet/ 2 stories

Maximum Lot Coverage: 45 percent

MULTI-FAMILY

Minimum Lot Areas and Dimensions

Lot Size: 10,000 square feet

Lot Width: 100 feet

Lot Depth: 100 feet

Minimum Setbacks

Street 25 feet (public)/20 feet (private)

Side 10 feet

Rear 30 feet - all lots containing enhanced buffer. See Condition 13.

20 feet - all other lots

Water body 25 feet

All Accessory Uses: Per the LDC.

Setbacks from Preserves (All structures): 25 feet, per the LDC.

Minimum Perimeter Setbacks: 25 feet

30 feet - all lots containing enhanced buffer. See Condition 13.

Minimum Building Separation: 20 feet.

Building Height: 35 feet/ 2 stories

Maximum Lot Coverage: 45 percent

RECREATIONAL AREA/FACILITIES

Minimum Lot Areas and Dimensions

Lot Size: 9,000 square feet

Lot Width: 50 feet

Lot Depth: 120 feet

Minimum Setbacks (Also see Deviation 5):

Street	25 feet (public)/20 feet (private)
Side	10 feet
Rear	20 feet
Water body	25 feet

All Accessory Uses: Per the LDC.

Setbacks from Preserves (All structures): 25 feet, per the LDC.

Minimum Perimeter Setbacks: 25 feet

Minimum Building Separation: 10 feet.

Building Height: 35 feet/ 2 stories

Maximum Lot Coverage: 45 percent

Site Development Regulations - CPD

Minimum Lot Areas and Dimensions

COMMERCIAL

Lot Size:	10,000 square feet
Lot Width:	100 feet
Lot Depth:	100 feet

Minimum Setbacks

Street	25 feet (public)/20 feet (private)
Side	10 feet
Rear	20 feet
Water body	25 feet

All Accessory Uses: Per the LDC.

Setbacks from Preserves (All structures): 25 feet, per the LDC.

Minimum Perimeter Setbacks: 25 feet

Minimum Building Separation: 20 feet.

Buildings exceeding 35 feet in height must maintain additional building separation as regulated by LDC §34-2174(a).

Building Height: 50 feet/ 3 stories
35 feet/ 2 stories - adjacent to west boundary

Maximum Lot Coverage: 60 percent

3. Concurrency.

Approval of this rezoning does not constitute a finding that the proposed project meets the concurrency requirements set forth in LDC Chapter 2 and the Lee Plan. The developer is required to demonstrate compliance with all concurrency requirements prior to issuance of a local development order.

4. Model Home and Real Estate Sales.

Model units and homes (and real estate sales) are permitted in compliance with the following conditions:

- a. Each model must be a unique example. Multiple examples of the same unit are not permitted.
- b. All model sites must be designated on the development order plans.
- c. Prior to model home construction, the lots upon which model homes will be constructed must be shown on a preliminary plat (not the final). The preliminary plat must be filed concurrently with the local development order application. The model homes must comply with the setbacks set forth in the property development regulations for this project.
- d. Dry models are prohibited.
- e. The number of model homes or model units will be limited to no more than 10 within the development at one time.
- f. Any model homes or units must be developed within the areas identified as "models" on the approved MCP.
- g. Real Estate sales within the Residential Planned Development (RPD) are limited to the sale of lots or units within the development only. Real Estate sales are a permitted use within the Commercial Planned Development (CPD)
- h. Real Estate sales within the RPD are limited to within model homes or clubhouse only.
- i. Hours of operation for both models and real estate sales (within the RPD) are limited to Monday through Sunday 8:00 a.m. to 8:00 p.m.
- j. Model homes and real estate sales within the RPD will be valid for a period of up to 5 years from the date of issuance of a certificate of occupancy of a model home per LDC § 34-1954(d)(1).

5. Agricultural Uses. No agricultural uses are existing on site, and none are approved by virtue of this rezoning.

6. Blasting. No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.

7. All required buffers must utilize 100 percent all native vegetation.
8. Buildings exceeding 35 feet in height must maintain additional building separation as regulated by LDC §34-2174(a).
9. 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.
10. 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.
11. The developer must contribute its proportionate share of the costs of intersection improvements at the time a traffic control device is warranted at the intersection of U.S. 41 and Diplomat Road.
12. Wireless Communication Facilities.
 - a. Freestanding wireless communication facilities (towers, including stealth type) are not permitted. Approval of freestanding wireless communication facilities will require an amendment to the planned development (public hearing).
 - b. Wireless Communication Facilities (including wall-mounted and roof-mounted antennas) may be approved in accordance with LDC Sec. 34-1441, et. seq. (Commercial parcels only).
13. Buffers. The 15-foot-wide Type B buffer to the west (adjacent to Six Lakes Country Club), to the east (adjacent to horse boarding), and to the north (adjacent to the existing Serendipity Mobile Home Park) must be enhanced to 30 feet, 10 trees per 100 linear feet, and canopy-type trees (no palms) with a minimum 4-inch caliper. The Type "B" buffer shown adjacent to the "Existing Lake and Amenities for Serendipity" also requires enhancement as described in this condition. See Condition 17 for enhanced buffer along north side of Diplomat Parkway where parking areas are adjacent to the Parkway.
14. Accessory Uses. Accessory uses must be located on the same tract, parcel or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, parcel or outparcel.
15. Open Space. Prior to local development order approval, the landscape plans must demonstrate that each commercial parcel is providing a minimum of 30 percent open space within the common area on the MCP, and a minimum of 40 percent common open space is provided within the residential tracts.
16. Environmental. Prior to local development order approval:

- a. The developer must submit a detailed indigenous preservation management plan for the Division of Environmental Sciences Staff review and approval that includes methods of maintaining the western 3.0 acres of the preserve as gopher tortoise habitat; and,
- b. The landscape plans must include a permanent gopher tortoise fence along Diplomat Parkway where the 3-acre gopher tortoise preserve abuts this roadway and a double staggered native hedge (minimum 3-gallon container size; 24-inch height at planting; maintained at a minimum 36-inch height) planted on the roadside of the fence; and,
- c. The landscape plans must delineate a double staggered native hedge (minimum 3-gallon container size; 24-inch height at planting; maintained at a minimum 36-inch height) planted along the interface of the indigenous preserve with the residential tract.

Prior to issuance of a Vegetation Removal Permit, all invasive exotic vegetation and manmade debris must be hand removed from the indigenous preserve.

17. Commercial Parcels North of Diplomat Parkway. Commercial buildings located within Commercial Parcels 1, 2 and the westernmost 2.3 acres of Parcel 3 are limited to a maximum of 10,000 square feet per building, and must not exceed 2 stories/35 feet in height. The building locations must alternate (be staggered) between the front and rear of the commercial parcels to provide a more campus-like setting. A parking plan must be devised to keep the amount of parking spaces along Diplomat Parkway at an absolute minimum. These parking areas and commercial buildings must be buffered, from Diplomat Parkway, by, at a minimum, a 2-foot-high berm with 10 trees and a staggered 36-inch- high hedge per 100 linear feet. Applicant is to be strongly encouraged to utilize the commercial building site locational criteria established for the Estero community.

The commercial buildings on Commercial Parcels 1, 2 and 3 must be of the same or similar architectural design and coloring as the residential buildings, to identify the them as a unified project. All project identification signs (commercial and residential) must also be of the same or similar architectural design and coloring.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC §10-285(a) requirement to provide a minimum access connection separation of 660 feet on an arterial road, to permit an access separation of 364 feet between the project's proposed main access and the proposed exit-only access for the residential portion of the southern parcel. This deviation is APPROVED.
2. Deviation (2) seeks relief from the LDC §10-296(k)(1) requirement that dead-end streets be closed at one end by a circular turn-around, to allow two dead-end streets as shown on the MCP. This deviation is APPROVED.
3. Deviation (3) seeks relief from the LDC §10-415(b)(1)(a) requirement that large developments with indigenous vegetation communities provide 50 percent of their open space percentage requirements through onsite preservation of existing native vegetative communities, to permit 0.45 acres of right-of-way to be vacated, enhanced, and preserved

to count toward the preservation requirement. This deviation is APPROVED, SUBJECT TO the following condition:

- a. Prior to local development order approval for Commercial Parcel 4, the existing roadway easement depicted within the indigenous preserve must be vacated.
4. Deviation (4) seeks relief from the LDC §10-415(b)(1)a. requirement that large developments with existing indigenous native vegetation communities provide 50 percent of their open space requirement through on-site preservation of indigenous native vegetation, to allow portions of the preservation area to be disturbed and restored in order to install a stormwater management system. This deviation is APPROVED, SUBJECT TO the following conditions:
 - a. Prior to local development order, the development orders plans must delineate the general location of the surface water management outfall through the indigenous preserve to the canal. The outfall must be designed as an open system that can be planted with native vegetation.
 - b. Prior to issuance of a Vegetation Removal Permit, the location of the surface water management outfall through the indigenous preserve must be field staked, to avoid impacting any large native trees or gopher tortoise burrows, for the Division of Environmental Sciences' Staff review and approval.
5. Deviation (5) seeks relief from the LDC §34-2474(b)(6) requirement that recreation halls and ancillary facilities and private clubs be located at least 40 feet from any residential dwelling unit, to allow a 20-foot minimum separation for any recreation building from a residential dwelling unit. This deviation is APPROVED, SUBJECT TO the following condition:
 - a. Development of a recreational facility and clubhouse must be generally consistent with the location and size as shown on the approved MCP.
6.
 - a. Deviation (6.a.) seeks relief from the LDC §10-291(3) requirement (when practical) that residential developments of more than five acres in size provide two or more means of ingress into the development, to allow the residential portion to the north of Diplomat Parkway to be constructed with a single ingress/egress connection onto Diplomat Parkway. This deviation is APPROVED, SUBJECT TO the following conditions:
 - 1) Access to the residential component north of Diplomat Parkway must be generally consistent with the approved MCP; and
 - 2) The approved MCP and local development order must depict a minimum 70-foot-wide divided entrance on the north side of Diplomat Parkway that includes a median with two lanes on both sides of the median for ingress and egress; and
 - 3) Prior to issuance of a development order, the developer must provide written documentation from the North Fort Myers Fire District indicating that these access points are acceptable and provide adequate access for emergency

vehicles. The development order must also include the plans for the secondary/emergency access required in the following paragraph.

- 4) Prior to build-out of the north residential development, applicant must install a secondary/emergency access from the residential tract to commercial Parcel 3, as shown on the MCP. Any emergency access gate must comply with all applicable regulations with respect to required equipment for an emergency override mechanism at the time of installation. Additionally, if an emergency necessitates the breaking of an entrance gate, the cost of repairing the gate and the emergency vehicle (if applicable) will be the responsibility of the owner or the operator of the gate;
6. b. Deviation (6.b.) seeks relief from the LDC §10-291(3) (when practical) that residential developments of more than five acres in size provide two or more means of ingress into the development, to allow the residential portion to the south of Diplomat Parkway to be constructed with a single ingress/egress connection onto Diplomat Parkway with an emergency access also onto Diplomat Parkway. This deviation is APPROVED, SUBJECT TO the following conditions:
- 1) Access to the residential component South of Diplomat Parkway must be generally consistent with the approved MCP; and
 - 2) Any emergency access gate must comply with all applicable regulations with respect to required equipment for an emergency override mechanism at the time of installation. Additionally, if an emergency necessitates the breaking of an entrance gate, the cost of repairing the gate and the emergency vehicle (if applicable) will be the responsibility of the owner or the operator of the gate; and
 - 3) Prior to the issuance of a development order, the developer must provide written documentation from the North Fort Myers Fire District indicating that these access points are acceptable and provide adequate access for emergency vehicles.

SECTION D. EXHIBITS AND STRAP NUMBER:

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

- Exhibit A: Legal description
Exhibit B: Zoning Map (subject parcel identified with shading)
Exhibit C: Master Concept Plan -Diplomat Parcel, Stamped Received November 3, 2006

The applicant has indicated that the STRAP number for the subject property is:
34-43-24-00-00001.3030.

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and other applicable codes or regulations.

2. The RPD/CPD rezoning, as approved:
 - a. meets or exceeds the 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 RPD/CPD 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. No agricultural uses currently exist on the property.
5. Urban services, as defined in the Lee Plan, will be available and adequate to serve the proposed land use.
6. 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.

Commissioner Janes made a motion to adopt the foregoing resolution, seconded by Commissioner Judah. The vote was as follows:

Robert P. Janes	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Tammara Hall	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 3rd day of April 2006.

ATTEST:
CHARLIE GREEN, CLERK

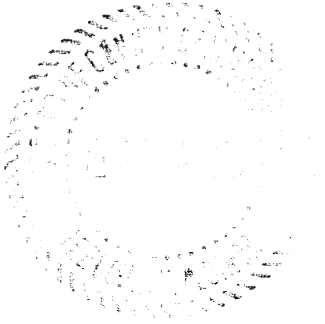
BY: *Jana R. Perce*
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: *Tammara Hall*
Tammara Hall, Chairwoman

Approved as to form by:

Donna Marie Collins
Donna Marie Collins
County Attorney's Office



REC'D
4P
2006 NOV 27 PM 3:20

Banks Engineering

Professional Engineers, Planners & Land Surveyors
2515 Northbrooke Plaza Drive - Suite 200
Naples, Florida 34119
(239) 597-2061
Fax (239) 597-3082

DESCRIPTION
OF A
PARCEL OF LAND
LYING IN
SECTION 34, TOWNSHIP 43 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA
(CPD ZONING DESCRIPTION)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 34, TOWNSHIP 43 SOUTH, RANGE 24 EAST AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

NORTH CPD ZONNING PARCEL

COMMENCING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF U.S. 41 (STATE ROAD 45) (200 FEET WIDE) AND THE SOUTHERLY RIGHT-OF-WAY LINE OF LITTLETON ROAD (50 FEET WIDE); THENCE 94.14 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 5829.58 FEET AND SUBTENDED BY A CHORD HAVING A LENGTH OF 94.14 FEET AND BEARING S.03°47'10"W. TO A POINT OF TANGENCY; THENCE S.03°25'50"W. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 2338.37 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE S.03°25'50"W. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 199.95 FEET TO **POINT "A"** AND TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF DIPLOMAT PARKWAY (100 FEET WIDE); THENCE N.86°35'21"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR 12.52 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 2150.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 3°32'51" FOR 133.12 FEET; THENCE S.89°51'48"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR 1484.79 FEET TO **POINT "B"**; THENCE N.00°08'12"W. FOR 250.00 FEET; THENCE N.89°51'48"E. FOR 1145.24 FEET; THENCE S.03°25'50"W. FOR 53.49 FEET; THENCE S.89°54'50"E. FOR 500.85 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 8.78 ACRES, MORE OR LESS.

TOGETHER WITH: ADDITIONAL NORTH CPD ZONNING PARCEL

COMMENCING AT SAID **POINT "B"**; THENCE S.89°51'48"W. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF DIPLOMAT PARKWAY (100 FEET WIDE) FOR 80.00 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE S.89°51'48"W. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR 253.42 FEET; THENCE N.28°32'51"W. FOR 6.70 FEET; THENCE N.00°20'36"W. FOR 244.12 FEET; THENCE N.89°51'48"E. FOR 257.48 FEET; THENCE S.00°08'12"E. FOR 250.00 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 1.48 ACRES, MORE OR LESS.

DCI 2005-00055

TOGETHER WITH: SOUTH CPD ZONNING PARCEL

COMMENCING AT SAID **POINT "A"**; THENCE S.03°25'50"W. ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF U.S. 41 (STATE ROAD 45) (200 FEET WIDE) FOR 100.00 FEET TO THE **POINT OF BEGINNING**;

SHEET 1 OF 3

S:\Jobs\20xx\2028\SURVEY\Descriptions\Zoning\2028 ZONING CPD REV DESC.doc

Fort Myers Office
10511 Six Mile Cypress Pkwy, Suite #101
Fort Myers, Florida 33966
(239) 939-5490
Fax (239) 939-2523

Sarasota Office
1144 Tallevast Road Suite #115
Sarasota, Florida 34243
(941) 360-1618
Fax (941) 360-6918

Port Charlotte Office
12653 SW CR 769 Suite B
Lake Suzy, Florida 34269
(941) 625-1165
Fax (941) 625-1149

THENCE CONTINUE S.03°25'50"W. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 429.00 FEET TO THE NORTHEAST CORNER OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2113 AT PAGE 1590 OF SAID PUBLIC RECORDS, ALSO BEING THE NORTHEAST CORNER OF MERCHANTS CROSSING, A SUBDIVISION RECORDED IN PLAT BOOK 52 AT PAGES 37 THROUGH 47 OF SAID PUBLIC RECORDS; THENCE N.86°34'10"W. ALONG THE NORTH LINE OF SAID PARCEL AND SAID SUBDIVISION FOR 72.00 FEET TO THE SOUTHEAST CORNER OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2833 AT PAGE 4156 OF SAID PUBLIC RECORDS; THENCE N.03°25'50"E. ALONG THE EASTERLY LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2833 AT PAGE 4156 FOR 65.00 FEET; THENCE N.86°33'36"W. ALONG THE NORTHERLY LINE OF SAID PARCEL FOR 39.68 FEET; THENCE S.03°26'24"W. ALONG THE WESTERLY LINE OF SAID PARCEL FOR 8.00 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 17.00 FEET; THENCE SOUTHWESTERLY ALONG SAID PARCEL AND SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'01" FOR 26.70 FEET; THENCE N.86°33'36"W. ALONG THE NORTHERLY LINE OF SAID PARCEL FOR 487.82 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 80.00 FEET; THENCE NORTHWESTERLY ALONG SAID PARCEL AND SAID CURVE THROUGH A CENTRAL ANGLE OF 86°25'24" FOR 120.67 FEET; THENCE N.00°08'12"W. ALONG THE EASTERLY LINE OF SAID PARCEL FOR 274.66 FEET TO **POINT "C"** AND TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF DIPLOMAT PARKWAY (100 FEET WIDE) AS DESCRIBED IN OFFICIAL RECORDS BOOK 2833 AT PAGE 4156 OF SAID PUBLIC RECORDS; THENCE N.89°51'48"E. ALONG SAID SOUTHERLY RIGHT-OF-WAY FOR 575.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2050.00 FEET; THENCE EASTERLY ALONG SAID RIGHT-OF-WAY AND SAID CURVE THROUGH A CENTRAL ANGLE OF 3°32'51" FOR 126.93 FEET; THENCE S.86°35'21"E. ALONG SAID RIGHT-OF-WAY FOR 12.49 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 6.00 ACRES, MORE OR LESS.

TOGETHER WITH: ADDITIONAL SOUTH CPD ZONING PARCEL

COMMENCING AT SAID POINT "C"; THENCE S.89°51'48"W. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF DIPLOMAT PARKWAY (100 FEET WIDE) FOR 40.00 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE S.89°51'48"W. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR 383.07 FEET; THENCE S.00°08'12"E. FOR 186.04 FEET; THENCE N.59°04'35"E. FOR 185.65 FEET; THENCE S.76°11'27"E. FOR 125.61 FEET; THENCE S.41°41'10"E. FOR 153.30 FEET TO AN INTERSECTION WITH THE WESTERLY LINE OF THE AFORESAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2833 AT PAGE 4156 OF SAID PUBLIC RECORDS; THENCE N.00°08'12"W. ALONG THE WESTERLY LINE FOR 236.02 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 1.22 ACRES.

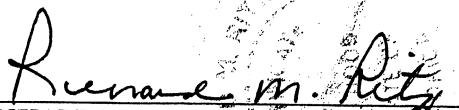
NET AREA AS DESCRIBED CONTAINS 17.48 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE WESTERLY RIGHT-OF-WAY OF U.S. 41 (STATE ROAD 45) AS BEARING S.03°25'50"W.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

DESCRIPTION PREPARED NOVEMBER 2, 2006.

DCI 2005-00055


RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4006

Applicant's Legal Checked
by 11/08/06 csl

SKETCH TO ACCOMPANY DESCRIPTION



COORDINATE TABLE

POINT	NORTHING	EASTING
NE#1	85627.93	688334.48
NE#2	856329.35	688692.19
NE#3	856228.53	688316.53
NE#4	856231.52	687602.01
NE#5	856231.43	687562.01
NE#6	856230.51	687178.94
NE#7	856329.16	686612.19
NE#8	856578.55	686354.11

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	5829.58'	00°55'31"	94.14'	94.14'(D)	S 03°47'10" W(D)
				94.23'(M)	S 03°50'44" W(M)
C2	2150.00'	03°32'51"	133.12'	133.10'	S 88°21'47" E
C3	17.00'	90°00'01"	26.70'	24.04'	S 48°26'24" W
C4	80.00'	88°25'24"	120.67'	109.55'	N 43°20'54" W
C5	2050.00'	03°32'51"	126.93'	126.91'	S 88°21'47" E

OF A
PARCEL OF LAND
LYING IN
SECTION 34, TOWNSHIP 43 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

LITTLETON ROAD (50' WIDE)
SOUTHERLY RIGHT-OF-WAY LINE

POINT OF
COMMENCEMENT

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 03°25'50" W	199.95'
L2	N 86°35'21" W	12.52'
L3	N 28°32'51" W	6.70'
L4	S 03°25'50" W	53.49'
L5	S 03°25'50" W	100.00'
L6	N 86°34'10" W	72.00'
L7	N 03°25'50" E	65.00'
L8	N 86°33'36" W	39.68'
L9	S 03°26'24" W	8.00'
L10	S 86°35'21" E	12.49'
L11	S 89°51'48" W	40.00'
L12	S 00°08'12" E	186.04'
L13	N 59°04'35" E	185.65'
L14	S 76°11'27" E	125.61'
L15	S 41°41'10" E	153.30'
L16	N 00°08'12" W	236.02'
L17	S 89°51'48" W	80.00'

PROPOSED
NORTH RPD
ZONING PARCEL

35.18± AC.

PROPOSED
ADDITIONAL NORTH
CPD ZONING PARCEL

P.O.B.
NORTH CPD
ZONING PARCEL
NE#1

PROPOSED
NORTH CPD ZONING PARCEL

POINT "A"
P.O.C.
SOUTH CPD
ZONING PARCEL

PROPOSED
ADDITIONAL SOUTH
CPD
ZONING PARCEL
1.22± AC.

PROPOSED
SOUTH CPD ZONING
PARCEL
6.00± AC.

PROPOSED
SOUTH RPD
ZONING PARCEL

DCI 2005-00055

N.E. CORNER
(O.R. 2113, PG. 1590)
&
MERCHANTS CROSSING
(P.B. 52, PG. 37-47)

NOTES:

1. SEE ACCOMPANYING SHEETS FOR COMPLETE METES AND BOUNDS DESCRIPTION.
2. STATE PLANE COORDINATES (FLORIDA ZONE WEST) SHOWN HEREON ARE BASED ON NAD83, AND ARE FOR GIS PURPOSES ONLY.
3. BEARINGS ARE BASED ON THE WESTERLY RIGHT-OF-WAY OF U.S. 41 AS S.03°25'50"W.

LEGEND:

- P.O.C. INDICATES POINT OF COMMENCEMENT
- P.O.B. INDICATES POINT OF BEGINNING
- O.R. INDICATES OFFICIAL RECORDS BOOK OF LEE COUNTY
- P.G. INDICATES PAGE NUMBER
- P.B. INDICATES PLAT BOOK
- C1 INDICATES CURVE 1 OF THE CURVE TABLE
- L1 INDICATES LINE 1 OF THE LINE TABLE
- NE#1 INDICATES COORDINATE #1 OF THE COORDINATE TABLE

THIS IS NOT A SURVEY

sketch *Richard M. Ritz*

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

—THIS SKETCH IS NOT VALID UNLESS IT BEARS THE
SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA
PROFESSIONAL SURVEYOR AND MAPPER.

—PREPARED NOVEMBER 2, 2006.

PREPARED BY:

Banks Engineering

ENGINEERING, SURVEYING & LAND PLANNING
2515 NORTHBROOK PLAZA DRIVE - SUITE 200
NAPLES, FLORIDA 34119
(239) 597-2061
FLORIDA SURVEYING BUSINESS CERTIFICATION NO. 6690

S:\Jobs\20xx\2028\SURVEY\Descriptions\Zoning\2028_ZONING_CPD_REV_SK.dwg, 11/2/2006 4:24:53 PM, David Blehschmidt

Banks Engineering

Professional Engineers, Planners & Land Surveyors

2515 Northbrooke Plaza Drive-Suite 200

Naples, Florida 34119

(239) 597-2061

Fax (239) 597-3082

DESCRIPTION

OF A

PARCEL OF LAND

LYING IN

SECTION 34, TOWNSHIP 43 SOUTH, RANGE 24 EAST

LEE COUNTY, FLORIDA

(RPD ZONING DESCRIPTION)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 34, TOWNSHIP 43 SOUTH, RANGE 24 EAST AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

NORTH RPD PARCEL:

COMMENCING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF U.S. 41 (STATE ROAD 45) (200 FEET WIDE) AND THE SOUTHERLY RIGHT-OF-WAY LINE OF LITTLETON ROAD (50 FEET WIDE) THENCE 94.14 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 5829.58 FEET AND SUBTENDED BY A CHORD HAVING A LENGTH OF 94.14 FEET AND BEARING S.03°47'10"W. TO A POINT OF TANGENCY; THENCE S.03°25'50"W. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 2338.37 FEET; THENCE N.89°54'50"W. FOR 500.85 FEET; THENCE N.03°25'50"E. FOR 53.49 FEET TO THE **POINT OF BEGINNING**; THENCE S.89°51'48"W. FOR 1145.24 FEET; THENCE S.00°08'12"E. FOR 250.00 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF DIPLOMAT PARKWAY (100 FEET WIDE) AS DESCRIBED IN OFFICIAL RECORDS BOOK 2833 AT PAGE 4156 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE S.89°51'48"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR 80.00 FEET; THENCE N.00°08'12"W. FOR 250.00 FEET; THENCE S.89°51'48"W. FOR 257.48 FEET; THENCE N.00°20'36"W. FOR 703.76 FEET; THENCE N.85°23'00"E. FOR 335.22 FEET; THENCE N.02°25'15"W. FOR 346.19 FEET; THENCE S.89°54'50"E. FOR 1231.65 FEET; THENCE S.03°25'50"W. FOR 1073.15 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 35.18 ACRES, MORE OR LESS.

AND;

SOUTH RPD PARCEL:

COMMENCING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF U.S. 41 (STATE ROAD 45) (200 FEET WIDE) AND THE SOUTHERLY RIGHT-OF-WAY OF LITTLETON ROAD (50 FEET WIDE) THENCE 94.14 FEET ALONG THE WESTERLY RIGHT-OF-WAY AND ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 5829.58 FEET AND SUBTENDED BY A CHORD HAVING A LENGTH OF 94.14 FEET AND BEARING S.03°47'10"W. TO A POINT OF TANGENCY; THENCE S.03°25'50"W. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 2338.37 FEET TO THE SOUTHEASTERLY CORNER OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 1972 AT PAGE 335 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE CONTINUE S.03°25'50"W. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 728.95 FEET TO THE NORTHEAST CORNER OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2113 AT PAGE 1590 OF SAID PUBLIC RECORDS, ALSO BEING THE NORTHEAST CORNER OF MERCHANTS CROSSING, A SUBDIVISION RECORDED IN PLAT BOOK 52 AT PAGES 37 THROUGH 47 OF SAID PUBLIC RECORDS; THENCE N.86°34'10"W. ALONG THE NORTH LINE OF SAID PARCEL AND SAID SUBDIVISION FOR 616.50 FEET TO THE **POINT OF**

SHEET 1 OF 3

S:\Jobs\20xx\2028\SURVEY\Descriptions\Zoning\2028 ZONING RPD REV DESC.doc

Fort Myers Office

10511 Six Mile Cypress Pkwy, Suite #101
Fort Myers, Florida 33966
(239) 939-5490
Fax (239) 939-2523

Sarasota Office

1144 Tallevast Road Suite #115
Sarasota, Florida 34243
(941) 360-1618
Fax (941) 360-6918

Port Charlotte Office

12653 SW CR 769 Suite B
Lake Suzy, Florida 34269
(941) 625-1165
Fax (941) 625-1149

DCI 2005-00055

BEGINNING; THENCE CONTINUE N.86°34'10"W. ALONG SAID NORTHERLY LINE FOR 33.50 FEET TO THE NORTHWEST CORNER OF SAID PARCEL; THENCE S.48°25'48"W. ALONG THE WESTERLY LINE OF SAID PARCEL AND SAID SUBDIVISION FOR 212.13 FEET; THENCE S.03°25'50"W. ALONG THE WESTERLY LINE OF SAID PARCEL AND SAID SUBDIVISION FOR 100.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID PARCEL AND TO THE SOUTH LINE OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2389 AT PAGE 1936 OF SAID PUBLIC RECORDS; THENCE N.86°34'10"W. ALONG THE SOUTH LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2389 AT PAGE 1936 AND THE NORTHERLY LINE OF SAID SUBDIVISION FOR 747.11 FEET TO AN INTERSECTION WITH THE NORTHEASTERLY LINE OF A DRAINAGE EASEMENT (50 FEET WIDE) DESCRIBED IN DEED BOOK 237 AT PAGES 564 AND 565 OF SAID PUBLIC RECORDS; THENCE N.28°32'51"W. ALONG THE NORTHEASTERLY LINE OF SAID DRAINAGE EASEMENT FOR 666.39 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF DIPLOMAT PARKWAY (100 FEET WIDE) AS DESCRIBED IN OFFICIAL RECORDS BOOK 2833 AT PAGE 4156 OF SAID PUBLIC RECORDS; THENCE N.89°51'48"E. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR 765.84 FEET; THENCE S.00°08'12"E. FOR 186.04 FEET; THENCE N.59°04'35"E. FOR 185.65 FEET; THENCE S.76°11'27"E. FOR 125.61 FEET; THENCE S.41°41'10"E. FOR 153.30 FEET TO AN INTERSECTION WITH THE WESTERLY LINE OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2833 AT PAGE 4156 OF SAID PUBLIC RECORDS; THENCE S.00°08'12"E. ALONG THE WESTERLY LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2833 AT PAGE 4156 FOR 38.64 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 120.00 FEET; THENCE SOUTHEASTERLY ALONG SAID WESTERLY LINE AND SAID CURVE THROUGH A CENTRAL ANGLE OF 86°25'24" FOR 181.00 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 12.47 ACRES, MORE OR LESS.

NET ACREAGE IS 47.65 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE WESTERLY RIGHT-OF-WAY OF U.S. 41 (STATE ROAD 45) AS BEARING S.03°25'50"W.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

DESCRIPTION PREPARED NOVEMBER 2, 2006.


RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009



Applicant's Legal Checked
by CST 11/6/06

DCI 2005-00055



1"=300'

LINE	BEARING	DISTANCE
L1	S 03°25'50" W	100.00'
L2	N 86°34'10" W	33.50'
L3	S 48°25'48" W	212.13'
L4	S 00°08'12" E	38.64'
L5	S 00°08'12" E	186.04'
L6	N 59°04'35" E	185.65'
L7	S 76°11'27" E	125.61'
L8	S 41°41'10" E	153.30'
L9	S 89°51'48" W	80.00'

SKETCH TO ACCOMPANY DESCRIPTION

OF A
PARCEL OF LAND
LYING IN
SECTION 34, TOWNSHIP 43 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

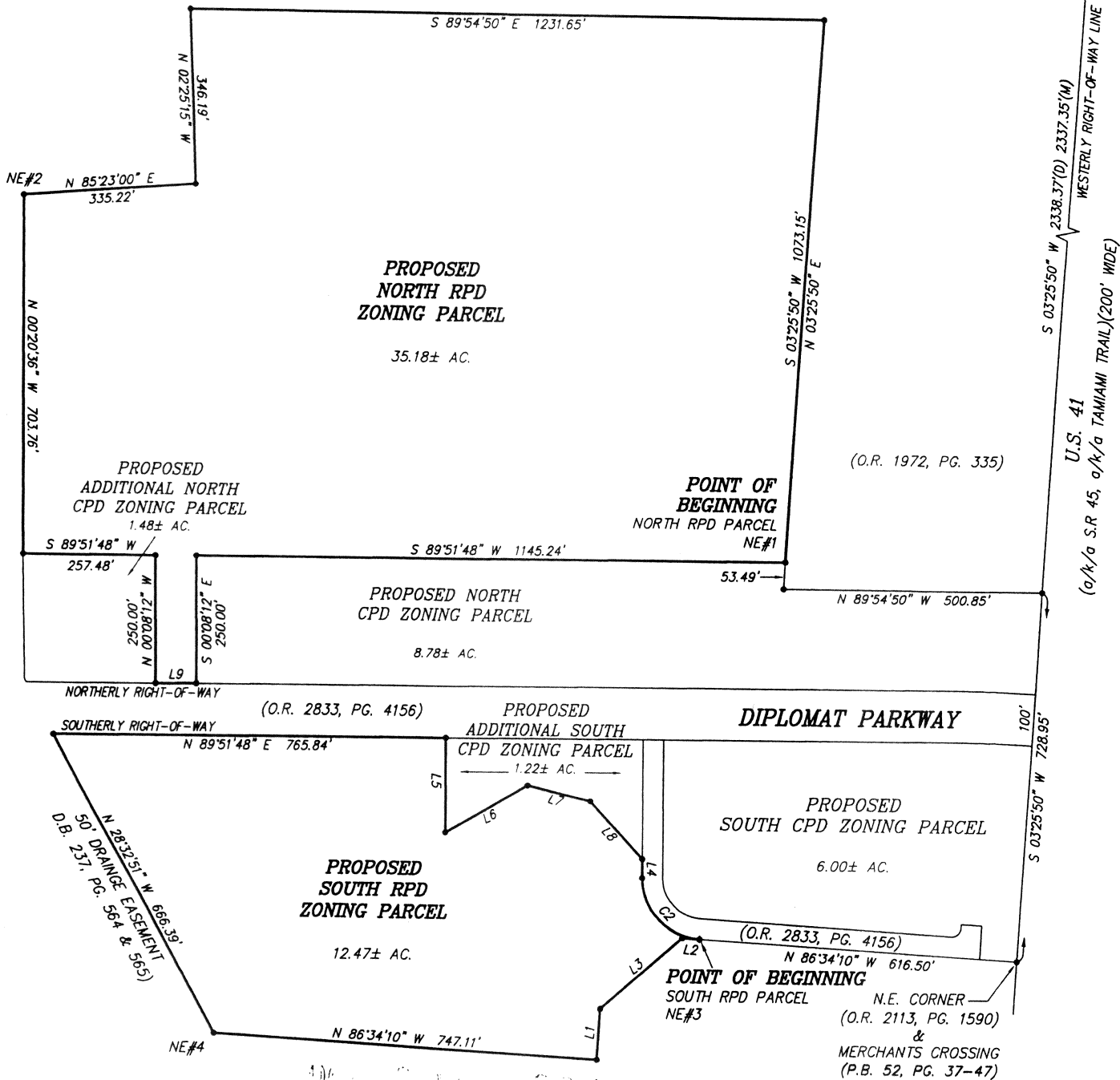
LITTLETON ROAD (50' WIDE)
SOUTHERLY RIGHT-OF-WAY LINE

POINT OF
COMMENCEMENT

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	5829.58'	00°55'31"	94.14'	94.14'(D)	S 03°47'10" W(D)
C2	120.00'	86°25'24"	181.00'	94.23'(M)	S 03°50'44" W(M)

COORDINATE TABLE

POINT	NORTHING	EASTING
NE#1	856582.08	687836.83
NE#2	857282.30	686349.89
NE#3	855837.18	687675.48
NE#4	855643.31	686731.56



NOTES:

- SEE ACCOMPANYING SHEETS FOR COMPLETE METES AND BOUNDS DESCRIPTION.
- STATE PLANE COORDINATES (FLORIDA ZONE WEST) SHOWN HEREON ARE BASED ON NAD83, AND ARE FOR GIS PURPOSES ONLY.
- BEARINGS ARE BASED ON THE WESTERLY RIGHT-OF-WAY OF U.S. 41 AS S.03°25'50" W.

LEGEND:

- O.R. INDICATES OFFICIAL RECORDS BOOK OF LEE COUNTY
- P.G. INDICATES PAGE NUMBER
- C1 INDICATES CURVE 1 OF THE CURVE TABLE
- L1 INDICATES LINE 1 OF THE LINE TABLE
- NE#1 INDICATES COORDINATE #1 OF THE COORDINATE TABLE
- P.B. INDICATES PLAT BOOK
- D.B. INDICATES DEED BOOK
- (D) INDICATES DEED
- (M) INDICATES MEASURED

THIS IS NOT A SURVEY

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4609

THIS SKETCH IS NOT VALID UNLESS IT BEARS THE
SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA
PROFESSIONAL SURVEYOR AND MAPPER

—PREPARED NOVEMBER 2, 2006—

PREPARED BY:

Banks Engineering

ENGINEERING, SURVEYING & LAND PLANNING

2515 NORTHBROOKE PLAZA DRIVE - SUITE 200

NAPLES, FLORIDA 34119

(239) 597-2001

FLORIDA SURVEYING BUSINESS CERTIFICATION NO. 6890

PROPOSED ZONING MAP

Attachment B

12/7/2005



EXHIBIT "B"
Zoning Map

RECEIVED

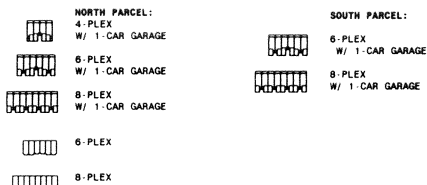
NOV 03 2006

COMMUNITY DEVELOPMENT

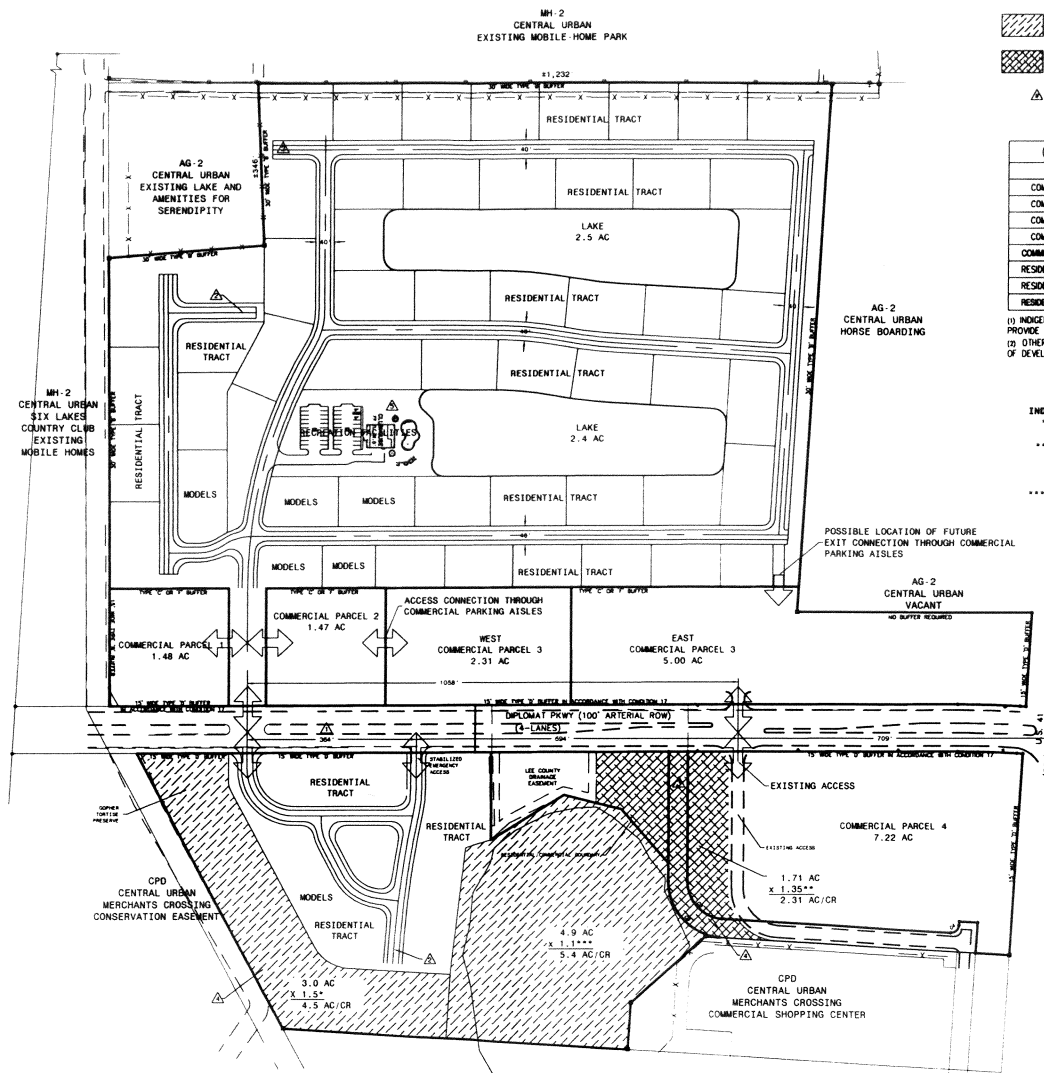
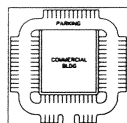
DCI 2005-00055

EXHIBIT C

TYPICAL RESIDENTIAL BUILDINGS:



TYPICAL COMMERCIAL BUILDINGS:



- = RESIDENTIAL INDIGENOUS
- = COMMERCIAL INDIGENOUS
- = DEVIATION PLEASE REFER TO SCHEDULE OF DEVIATIONS AND JUSTIFICATIONS

OPEN SPACE CALCULATIONS (30% FOR COMMERCIAL/40% COMMON OPEN SPACE FOR RESIDENTIAL)				
TRACT	AREA	INDIGENOUS REQUIRED	OTHER OPEN SPACE REQUIRED	INDIGENOUS PROVIDED
COMMERCIAL 1	1.48 AC	0.22 AC	0.22 AC(2)	0.22 AC(1)
COMMERCIAL 2	1.47 AC	0.22 AC	0.22 AC(2)	0.22 AC(1)
COMMERCIAL 3	7.31 AC	1.10 AC	1.10 AC(2)	1.10 AC(1)
COMMERCIAL 4	7.22 AC	1.08 AC	1.08 AC(2)	1.08 AC(1)
COMMERCIAL TOTALS	17.48 AC	2.62 AC	2.62 AC(2)	2.62 AC(1)
RESIDENTIAL NORTH	35.18 AC	7.04 AC	7.04 AC(2)	7.04 AC(1)
RESIDENTIAL SOUTH	12.47 AC	2.49 AC	2.49 AC(2)	2.49 AC(1)
RESIDENTIAL TOTALS	47.65 AC	9.53 AC	9.53 AC(2)	9.53 AC(1)

(1) INDIGENOUS OPEN SPACE AREA IS PROVIDED ON SOUTHERN PORTION OF DEVELOPMENT (12.21 CREDITS TOTAL) AND IS TO PROVIDE TOTAL REQUIRED INDIGENOUS OPEN SPACE FOR ALL TRACTS.
(2) OTHER (NON-INDIGENOUS) OPEN SPACE SHALL BE PROVIDED ON THE RESPECTIVE TRACT AND SHALL BE IDENTIFIED AT THE TIME OF DEVELOPMENT ORDER PERMITTING.

- INDIGENOUS NOTES:**
- *150% CREDIT FOR MINIMUM 3 ACRES AND 100' WIDTH PER LOC SECTION 10-415(b)(2)a.
 - **125% CREDIT FOR MINIMUM 1 ACRE AND 75' WIDTH PER LOC SECTION 10-415(b)(2)a. AND ADDITIONAL 10% CREDIT FOR PRESERVATION ADJACENT TO ROADWAY PER LOC SECTION 10-415(b)(2)b.
 - ***110% CREDIT FOR CONNECTION TO OFFSITE ENVIRONMENTAL CONSERVATION OR PRESERVE AREAS PER LOC SECTION 10-415(b)(2)d.



GRAPHIC SCALE 1" = 300'

Approved as Exhibit C
MCP Page 1 of 1
Resolution # 2-00-004

PREPARED FOR: N.B.D. DEVELOPMENT, INC 301 YAMATO ROAD, SUITE 3191 BOCA RATON, FLORIDA 33431 PH: (561) 994-8572 FAX: (561) 394-7136		Banks Engineering, Inc. Professional Engineers, Planners & Land Surveyors FORT MYERS • NAPLES • SARASOTA 6640 WILLOW PARK DRIVE, SUITE 8 NAPLES, FLORIDA 34108 PHONE: (239) 587-2001 FAX: (239) 587-3082 ENGINEERING LICENSE # EB 6408 SURVEY LICENSE # LB 6690		MASTER CONCEPT PLAN DIPLOMAT PARCEL LEE COUNTY, FLORIDA					
DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
FEB 2005	2028	021705	JGH	SDJ	JGH	1"=300'	1	1	34-43-24