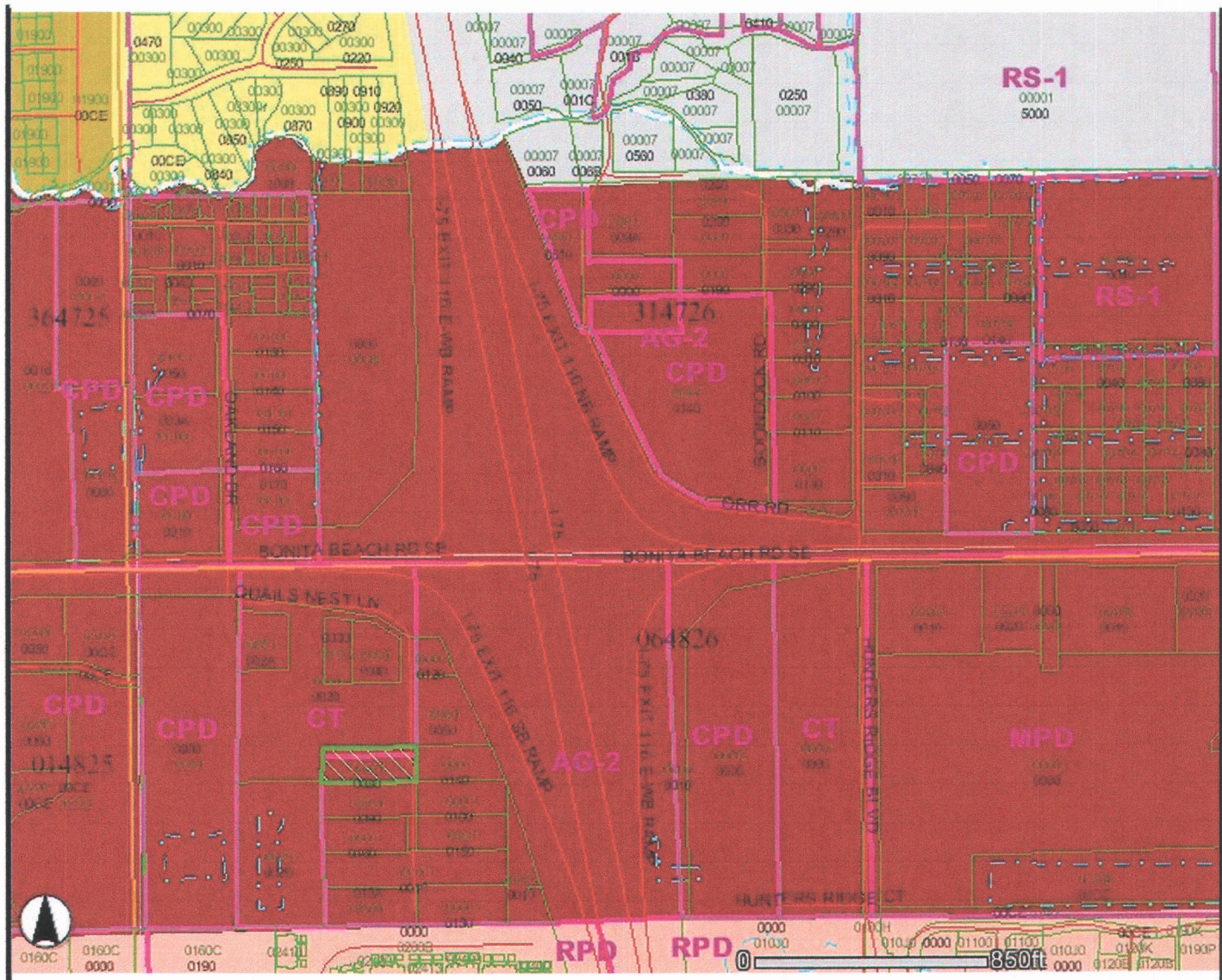
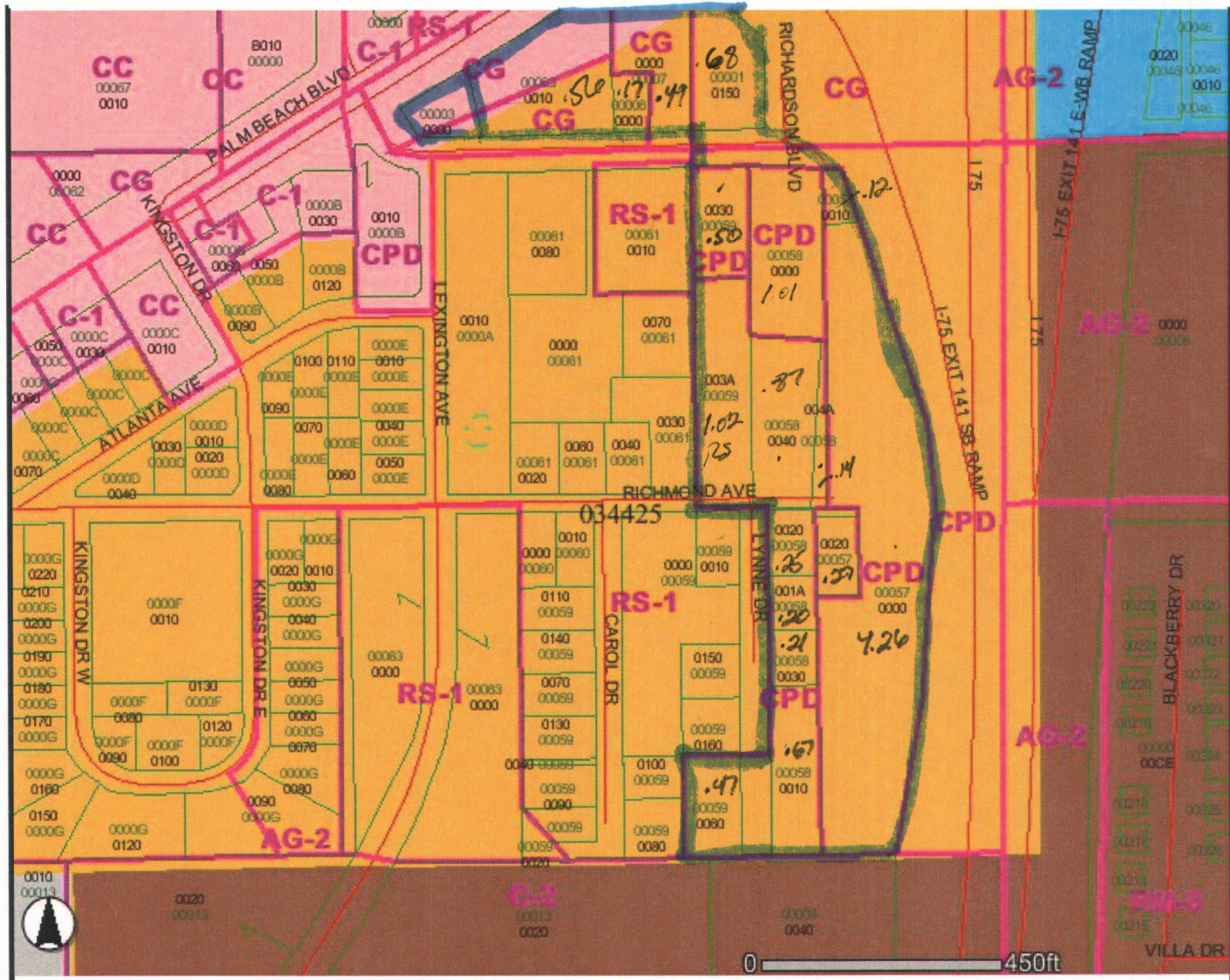


Gray book



Quail's Nest Lane
Oakland across MHT
B

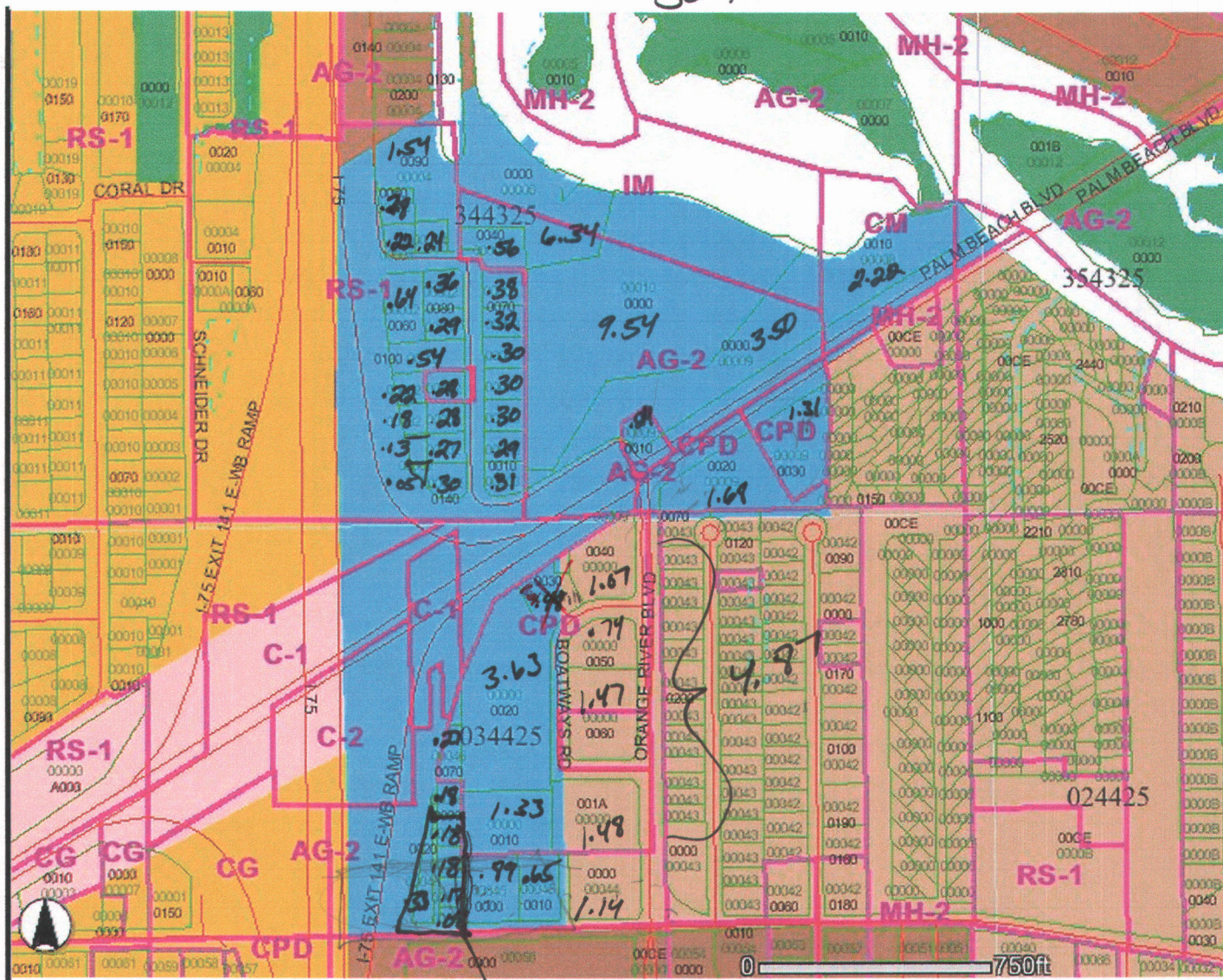
| | I - 75 | | | |
|------------------|---|---|------------------------|---|
| | NW | NE | SW | SE |
| Bayshore | CPD, CT | AG-2 RPO | CPD, CT | AG-2 |
| SR. 80 | | | | |
| Lockett Rd | CPD Ind. Dev. | IL, IPO Ind. Int. | IPD Int. Dev. | AG-2 Ind. Int. |
| SR. 82 | City Brng Ind. Dev. | AG-2, CPD Int. Dev. | City Brng Int. Dev. | City Brng Ind. Dev. |
| Colonial | City Int. Dev. | — Int. Dev. | — Int. Dev. | — Conservation Wetlands |
| Daniels | CPD Gen. Int. | AG-2, CT Public Fac | AG-2, CPD Gen. Int. | MPD Gen. Int. |
| Allico | AG-2, CPD Industrial Comm Interchange | CPD, IPD Industrial Comm Interchange | CPD Urban Community | CPD, MPD University Village Interchange |
| Consciousness | CPD Gen. Int. | CPD Gen. Int. | CPD Gen. Int. | CPD, CB some MPD Gen. Int. |
| | Estero Embankment Commerce Pl. | | Island Club | Storey Brook |
| Bonita Beach Rd. | CPD, MPD Comm | CPD, AG-2 residential Chen's West Ln. Early 70's | CPD, CT | CPD, CT |
| | 44-2 "Oakland Access" | | | |



11.89
Suburban

11.89
+ 4.87 = 16.76
E side

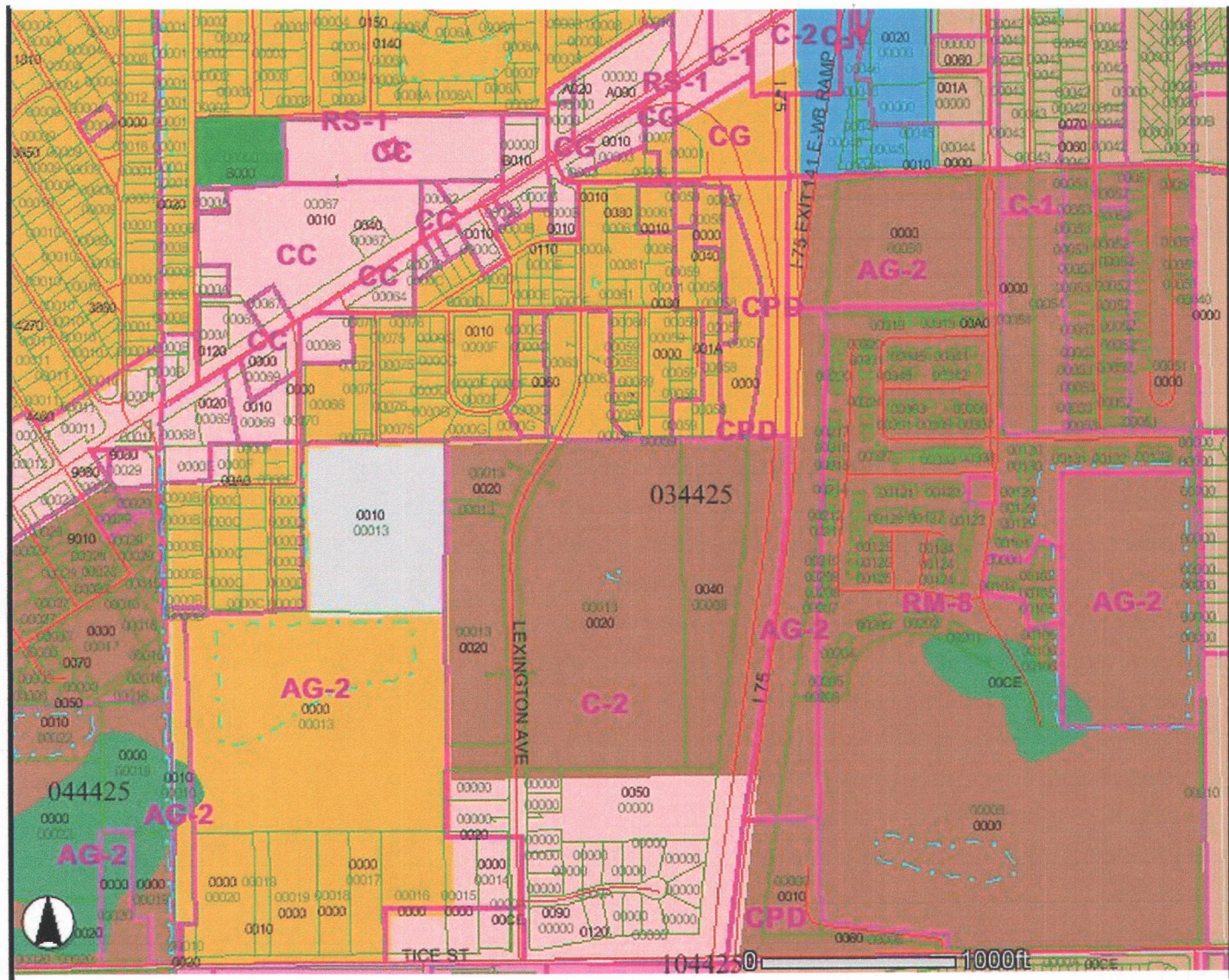
30.19 G. Interchange

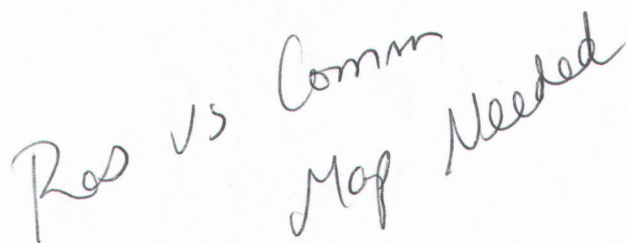


11.36 G. Interchange

?

41.54





SS



25





I-75

PALM BEACH BLVD

W

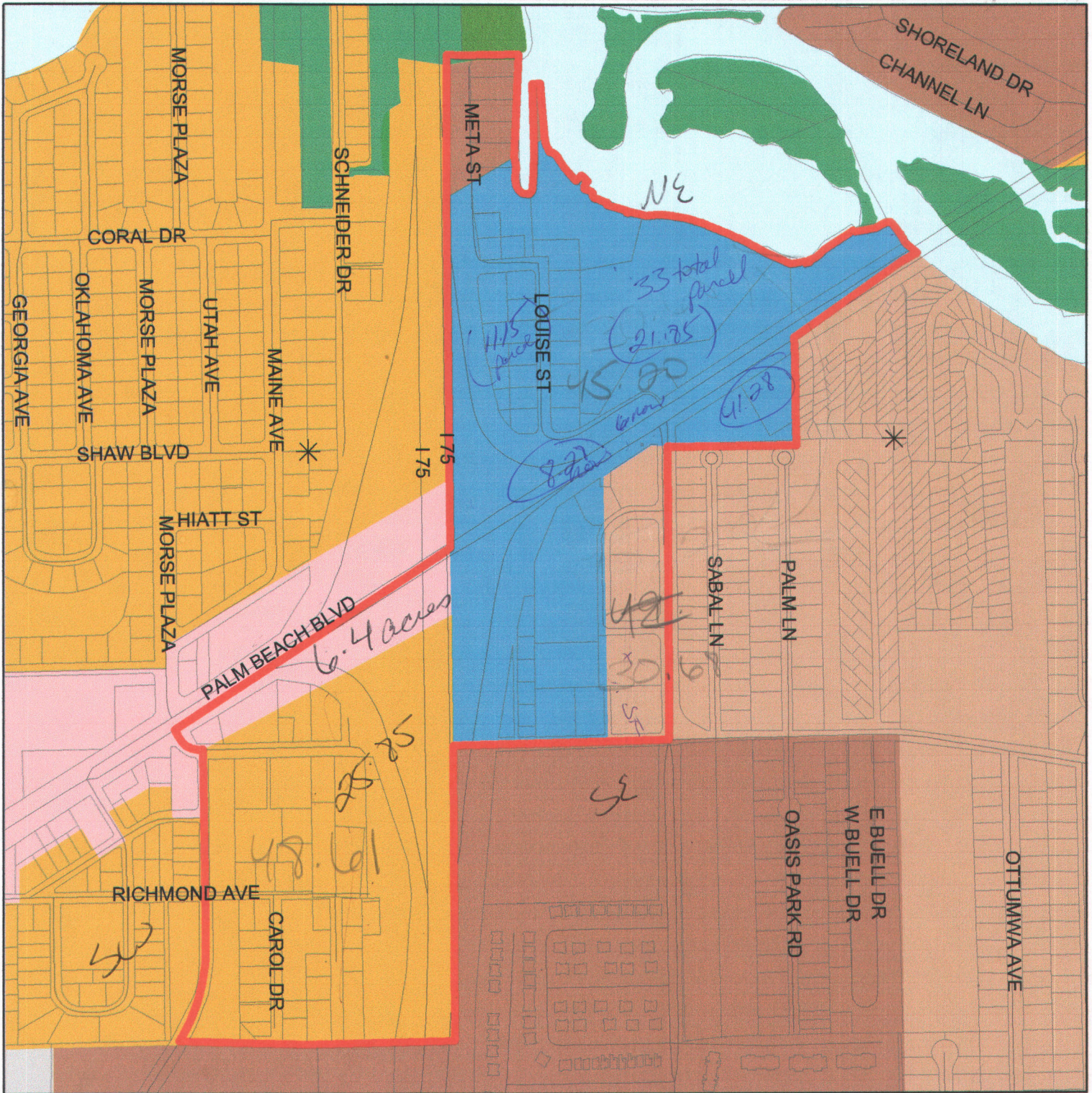
32





CPA 2005-00001

Future Land Use Map



Generated: March 2005
Source: Lee County DCD/Planning

Future Land Use Designations

- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Public Facilities
- General Commercial Interchange
- Conservation Lands - Uplands
- Wetlands
- Conservation Lands - Wetlands

Study Area

*37 acres total
being amended*



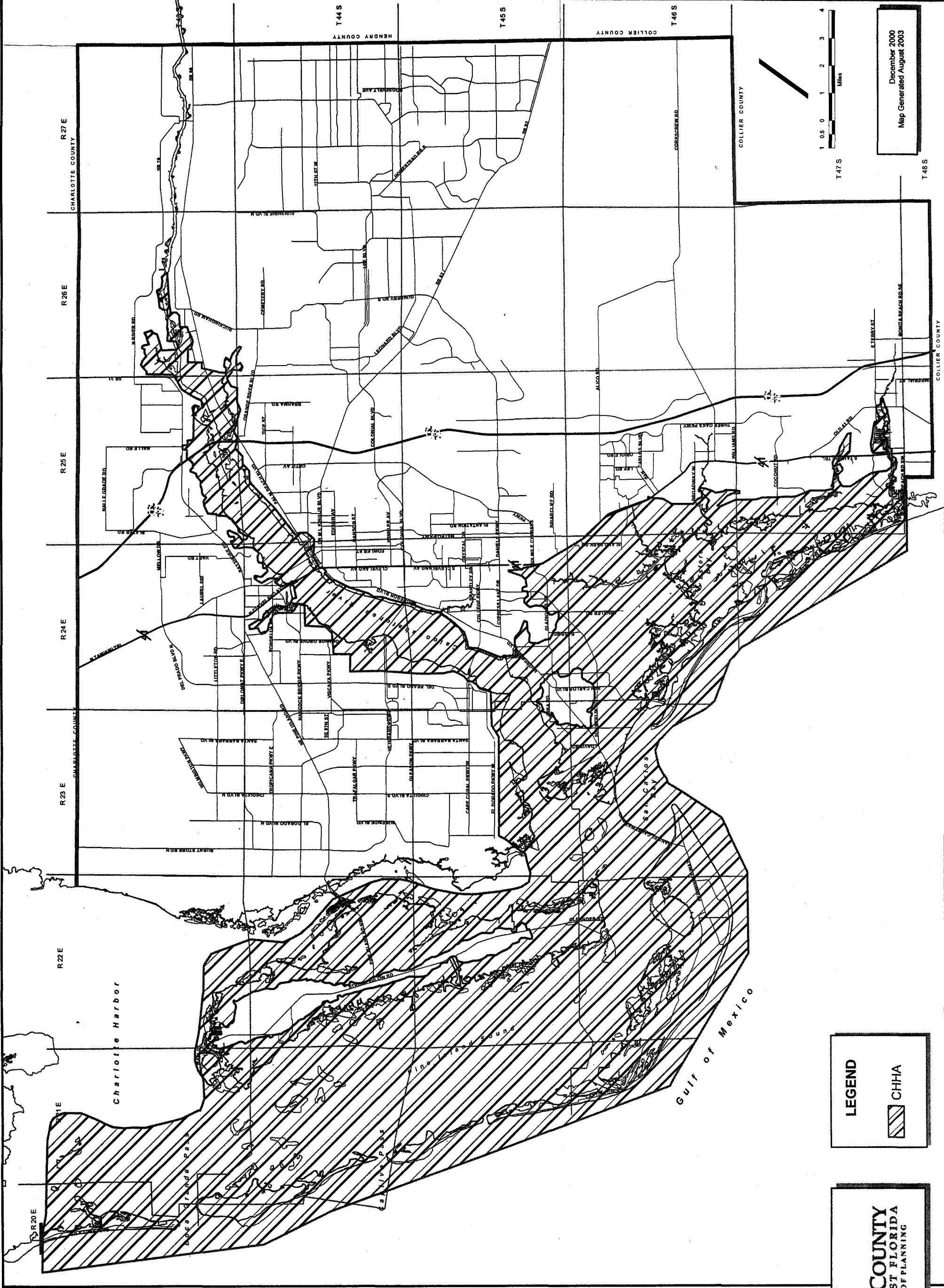
10 20 30 40 50 60 70 80 90 100



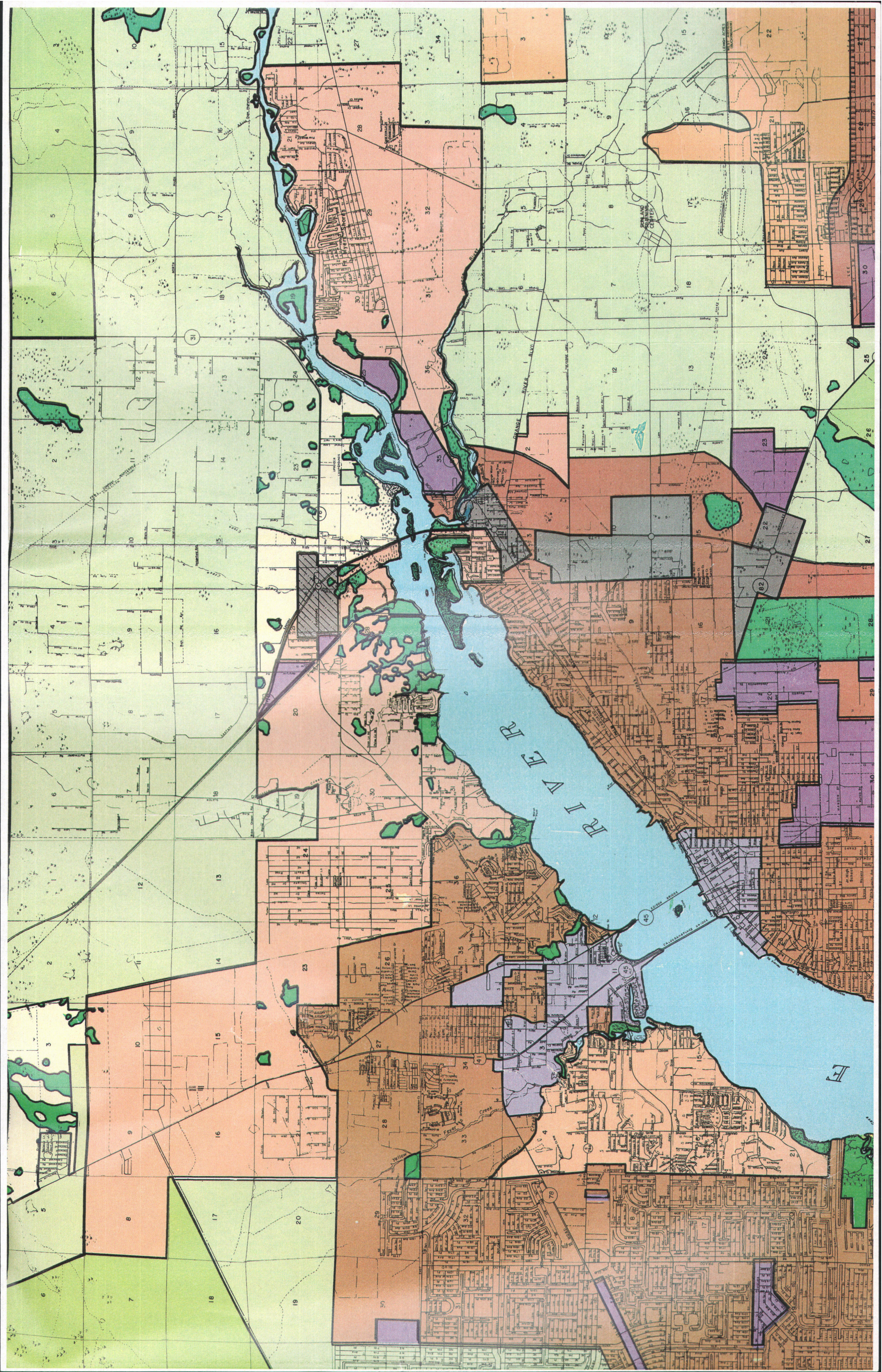
LEE COUNTY
COASTAL HIGH HAZARD AREA (CHHA)
(Lee Plan Map 5)

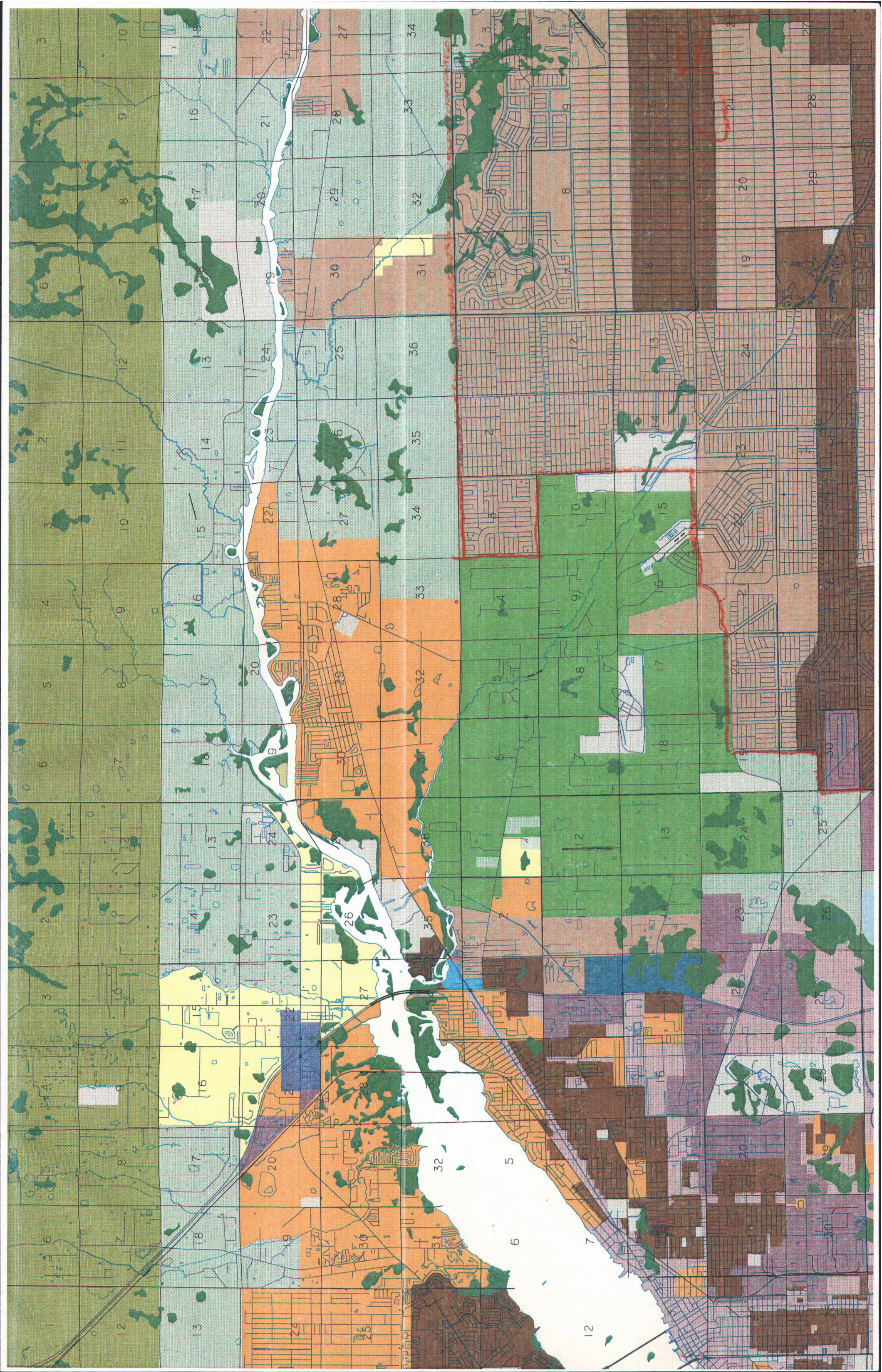
LEE COUNTY
SOUTHWEST FLORIDA
DIVISION OF PLANNING

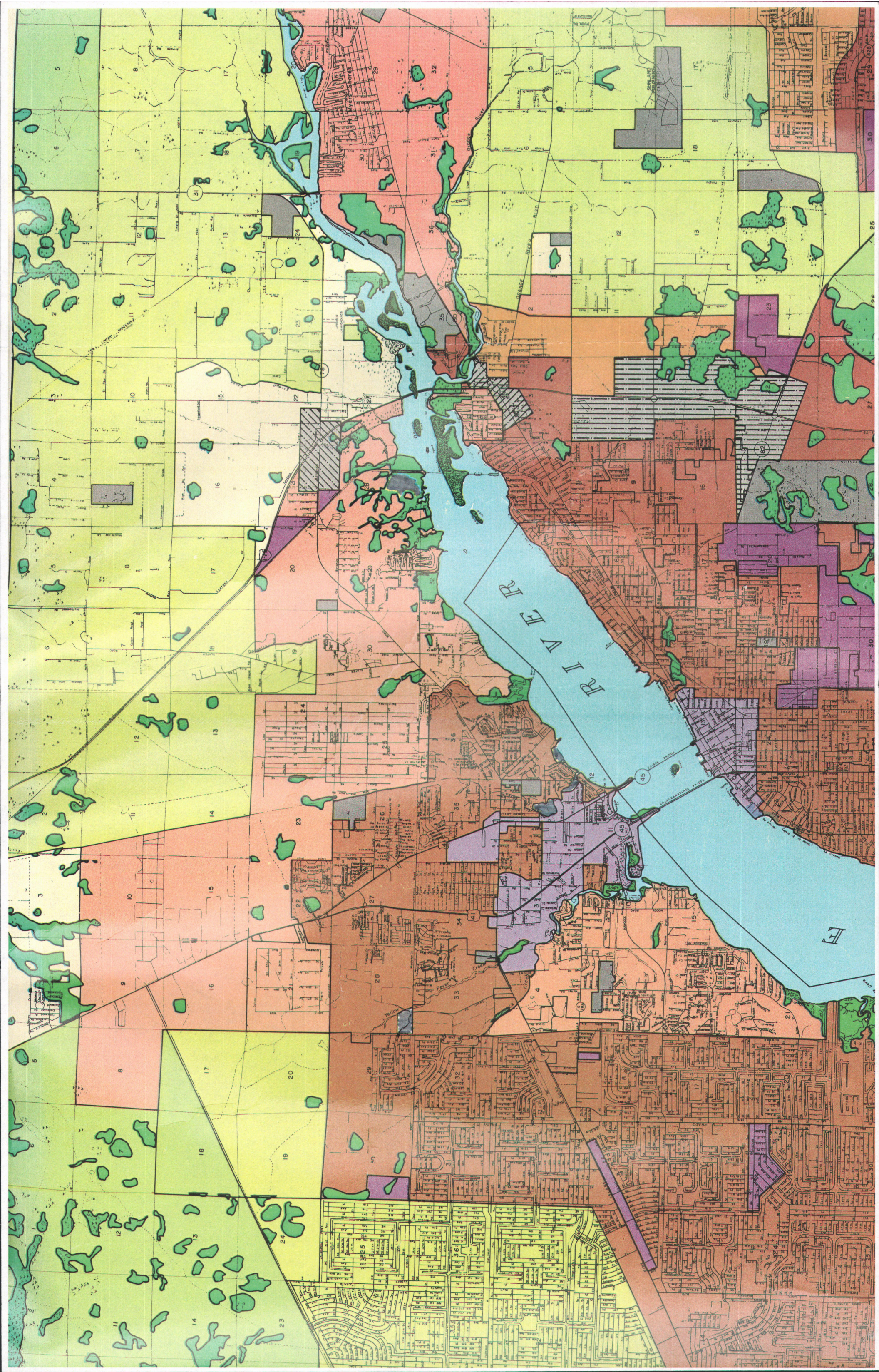
LEGEND

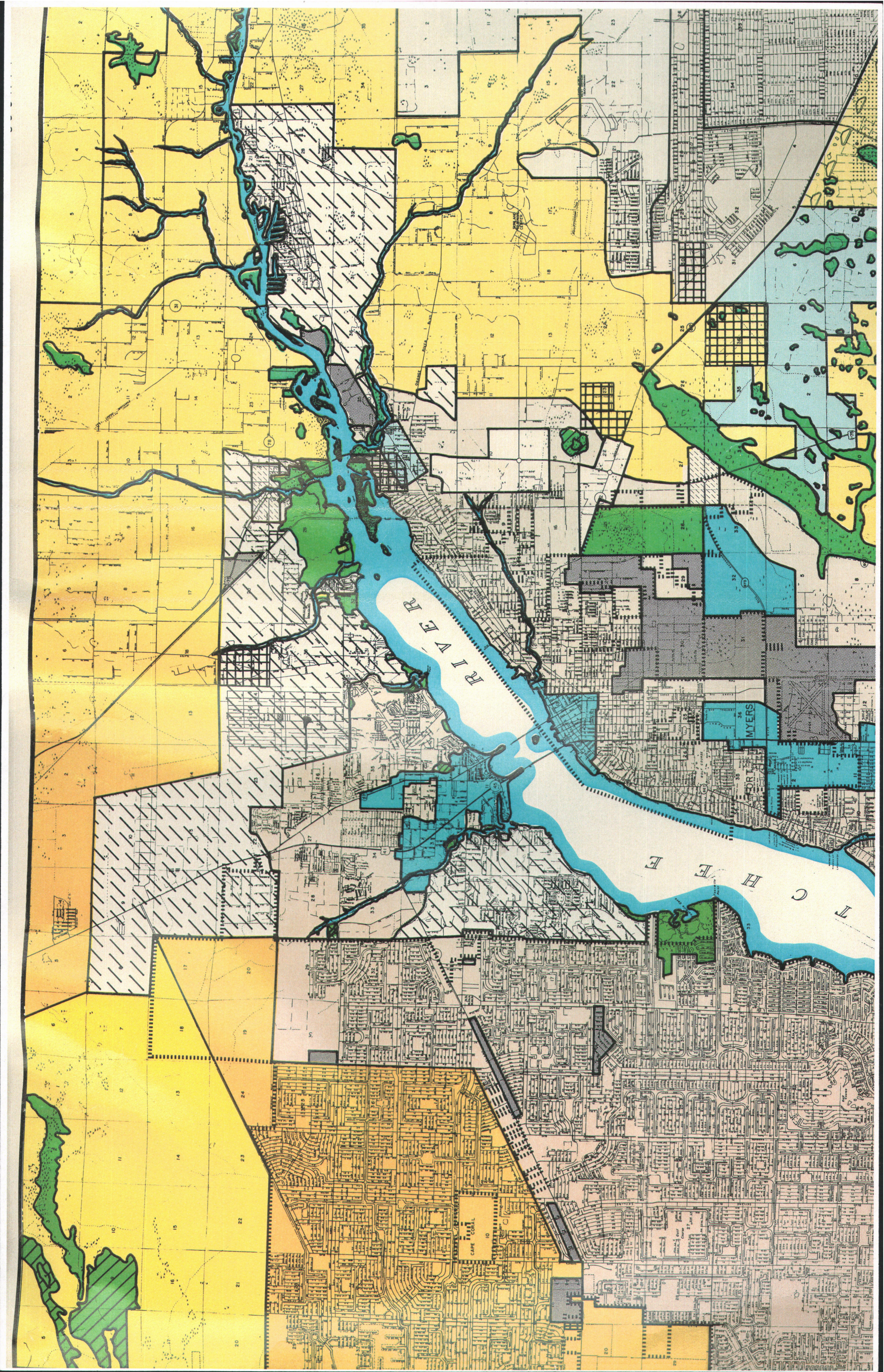


December 2000
Map Generated August 2003











**1990 AMENDMENTS
TO THE LEE PLAN
(THE LEE COUNTY COMPREHENSIVE PLAN)**

• Volume 3 of 3 • September, 1990 •

***Lee County Planning Division
1831 Hendry Street
P.O. Box 398
Fort Myers, FL 33902-0398***

**1990 AMENDMENTS
TO
THE LEE PLAN
(THE LEE COUNTY COMPREHENSIVE PLAN)**

Volume 3 of 3 - September, 1990

**Lee County Planning Division
1831 Hendry Street
P.O. Box 398
Fort Myers, FL 33902-0398**

SETTLEMENT AGREEMENT LANGUAGE:

- L. AMEND POLICY 2.1.5 REGARDING BROADCAST TOWERS TO SPECIFICALLY ADDRESS THE POTENTIAL IMPACTS OF THESE STRUCTURES ON WOOD STORKS AND TO ESTABLISH COMPLETION TIMES OF THE STUDY AND ACTION DESCRIBED IN POLICY 2.1.5.

RESPONSE:

As noted in the text in Section IX-C of this document, wood stork mortality can be caused by tall towers and associated guywires when such structures are located in the birds' regular feeding flight path. The current Lee Plan Policy 2.1.5 was modified from the previous plan to ensure that airport hazard areas were not the only consideration in siting tall structures. However, the policy did not explicitly mention wood storks, although they were the reason for modifying the previous policy. To clarify the wording and also to establish a completion time for the study and its implementation, Policy 2.1.5 is hereby amended to read as follows:

POLICY 2.1.5: ~~After the completion and acceptance of a special study~~ By July 1991, the county shall complete a special study on locational criteria for tall structures such as broadcast towers. These criteria shall include wood stork flight corridors from roosting and rooking areas to feeding areas as well as airport hazard areas. By July 1992, new tall structures such as broadcast towers shall be ~~encouraged~~ required to be located in areas identified as appropriate after examining the findings of the study (see Policy 77.10.4).

PAM 89-10:

MODIFY ALL CATEGORIES WITHIN THE CITIES OF FORT MYERS AND CAPE CORAL TO MORE CLOSELY CORRESPOND WITH THEIR ADOPTED FUTURE LAND USE MAP.

RESPONSE:

Lee County has in the past tried to represent future land uses proposed by Fort Myers, Cape Coral, and Sanibel as closely as possible on its land use plan map. Lee County staff has met with the planning staffs of the city of Fort Myers and Cape Coral to discuss the most appropriate conversion of categories. (The 1989 Future Land Use Map reflected conversions to Sanibel's land use categories.) The Lee Plan Future Land Use Map is hereby amended to reflect these reciprocal conversions (see Figures II.D-6 and II.D-7).

It should be emphasized that the conversions are by no means exact. It would be impossible, given the widely different land use classification approaches of each entity, to arrive at an exact conversion. Furthermore, the methodology for making the conversions was different for each municipal plan. The methodologies for converting the incorporated areas of Lee County are described as follows:

City of Fort Myers

| <u>Fort Myers Future Land Use Map</u> | <u>Lee Plan</u> |
|--|---|
| Low-Density Single-Family AAA, AA, A (Conversion based on density and plan's exclusion of other uses) | Suburban |
| Medium-Density Single-Family (Based on density) | Central Urban |
| Medium-Density Single Family-Duplex (Based on density) | Central Urban |
| Medium-Density Multi-Family (Based on density) | Central Urban |
| High-Density Multi-Family (Based on density allowance of commercial uses) | Intensive Development |
| Professional Office (Based on allowable uses) | Intensive Development |
| Mixed Use (Based on intensity, planned unit requirements) | Intensive Development |
| Neighborhood Redevelopment (Based on density) | Suburban |
| Waterfront Development (Based on intensity) | Intensive Development |
| General Commercial (Based on allowable uses) | Intensive Development |
| Intensive Commercial (Based on allowable uses) | Intensive Development |
| Light Industrial | Industrial Development |
| Heavy Industrial | Industrial Development |
| Recreation and Open Space (City has no environmental protection category) | Resource Protection Area or Public Facilities |

City of Cape Coral

Cape Coral Land Use 2000

Lee Plan

Mixed Use
(Planned unit concept, intensity)

Intensive Development
or Central Urban

Natural Resources/Preservation
(Similar)

Resource Protection
Area or Transition Zone

Commercial/Professional
(Based on allowable uses)

Intensive Development
or Central Urban

Light Industrial
(Similar)

Industrial Development

Multi-Family
(Based on urban services, density)

Central Urban (on
infill areas)
Suburban (transition
area)

Single-Family
(Based on urban service, density)

Central Urban (on
infill areas)
Suburban (transition
area)

Public Facilities
(Similar)

Outlying Suburban
(Reserve area)
Public Facilities

Large colored maps of these proposed changes were presented at the public hearings on this matter. Reduced copies are included here as Figures II.D-6 and 7.

PAM/T 89-18:

CONSIDER THE CONSOLIDATION OR REASSIGNMENT OF THE RURAL AND OPEN LANDS CATEGORIES (INCLUDING POSSIBLE DENSITY OR USE ADJUSTMENTS TO EITHER CATEGORY, WITH CORRESPONDING CHANGES TO TABLE 1, OBJECTIVE 1.4, AND POLICIES 1.4.1 AND 1.4.2).

RESPONSE:








During the 1984 Lee Plan public hearings, there was considerable discussion over the development potential of the county's rural areas. In the plan as finally adopted, development was not restricted in any non-wetland areas to less than one unit per acre. This decision was made primarily to protect the loan value of land that was being farmed or might be farmed in the future. (The single-family residence provision already protected pre-existing lots, regardless of size, for residential purposes.)

FIGURE II.D-6




FUTURE LAND USE CHANGES FOR THE CITY OF CAPE CORAL

MARCH 19, 1990

FUTURE URBAN AREAS:

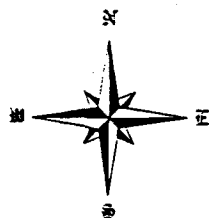
- | | |
|--|---------------------------|
|  | INTENSIVE DEVELOPMENT |
|  | CENTRAL URBAN |
|  | URBAN COMMUNITY |
|  | SUBURBAN |
|  | OUTLYING SUBURBAN |
|  | INDUSTRIAL DEVELOPMENT |
|  | PUBLIC FACILITIES |

NON-URBAN AREAS:

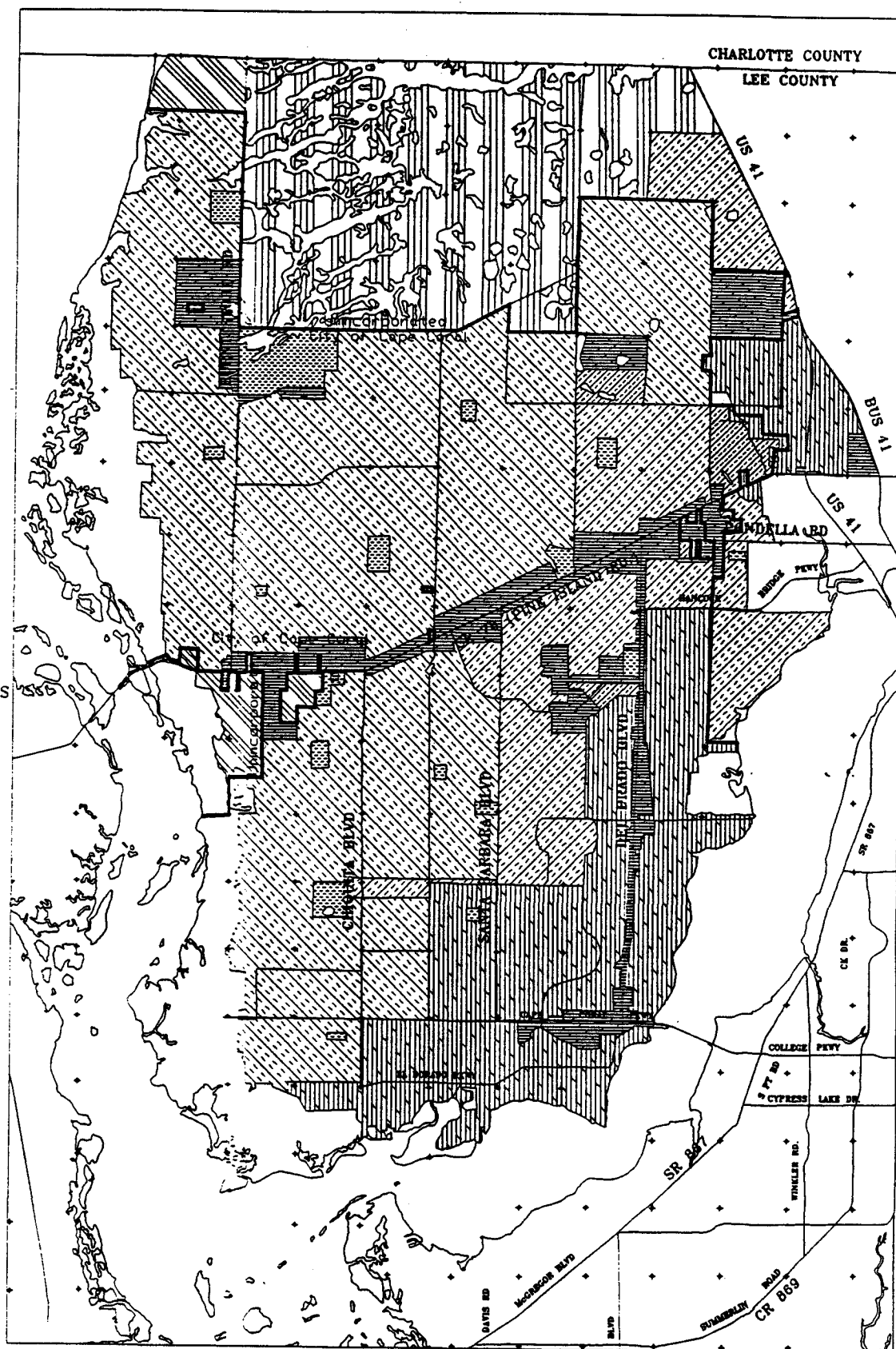
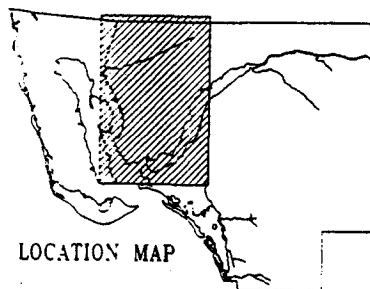
-  RURAL
 OPEN LANDS
 GROUNDWATER RESOURCE

ENVIRONMENTALLY CRITICAL AREAS

- ☐ RESOURCE PROTECTION
AND
TRANSITION ZONES

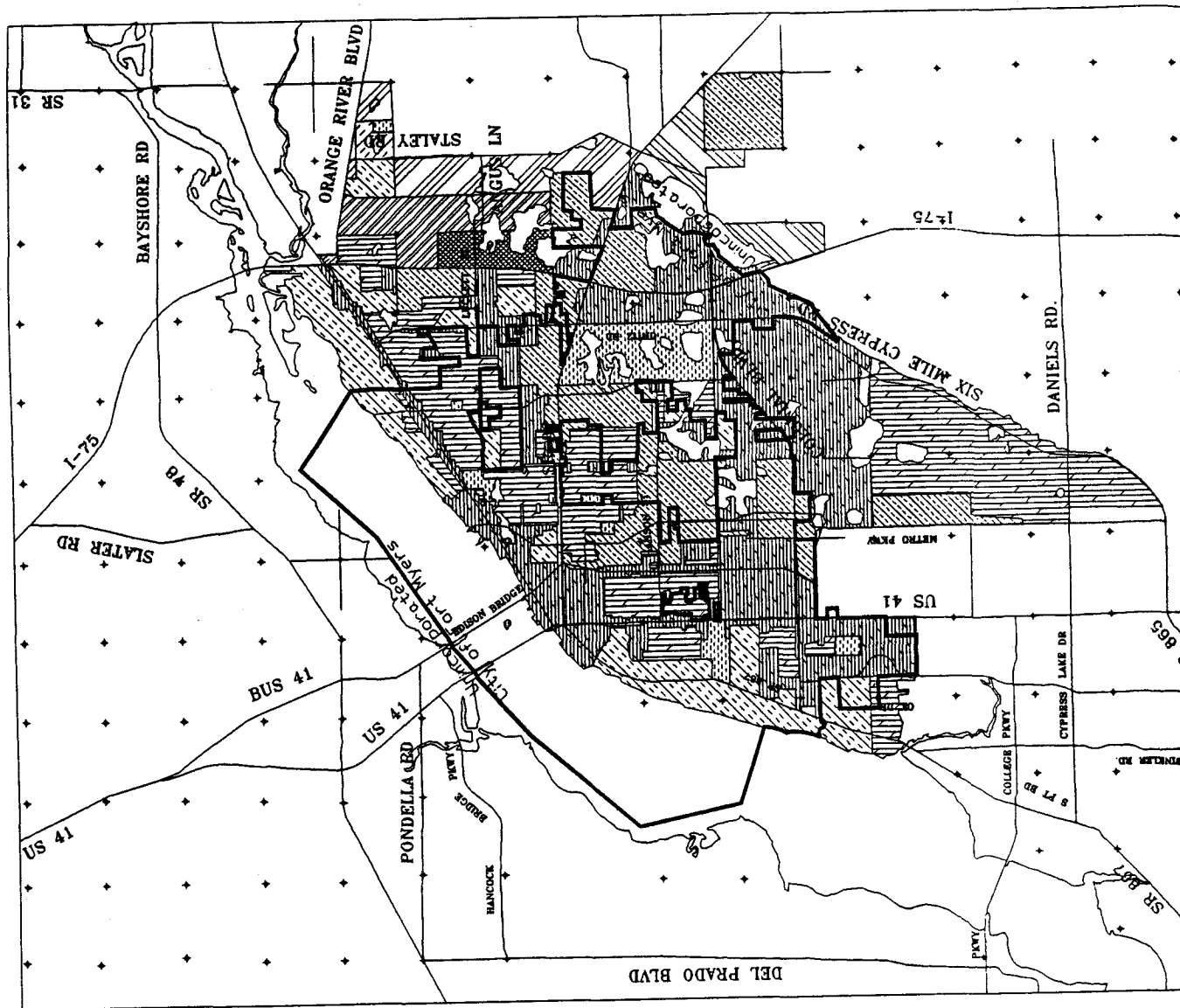


SCALE, IN MILES



Handwritten signature

FIGURE II.D-7



FUTURE LAND USE CHANGES FOR THE CITY OF FORT MYERS

MARCH 19, 1990

FUTURE URBAN AREAS:

INTENSIVE DEVELOPMENT

CENTRAL URBAN

URBAN COMMUNITY

SUBURBAN

OUTLYING SUBURBAN

INDUSTRIAL DEVELOPMENT

PUBLIC FACILITIES

INTERCHANGE AREAS

INDUSTRIAL

GENERAL COMMERCIAL

NON-URBAN AREAS:

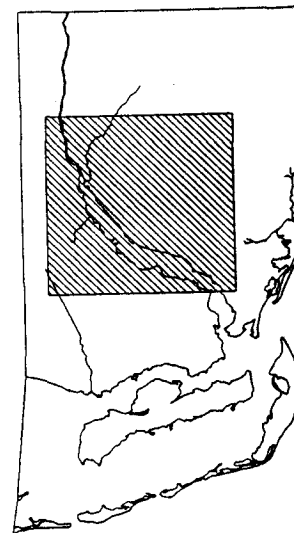
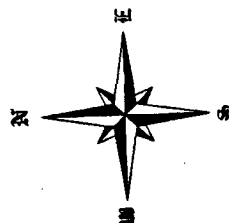
RURAL

OPEN LANDS

ENVIRONMENTALLY CRITICAL AREAS

RESOURCE PROTECTION AREAS

TRANSITION ZONES



Two separate land use map categories were created, "Rural" and "Open Lands." The allowable uses and densities were very similar for both; the minor remaining distinction in density was eliminated by a 1987 plan amendment.

Several factors have arisen, however, which established a need to reexamine the distinction between these categories:

- (1) The Board of County Commissioners requested that the current distinction between the "Rural" and "Open Lands" categories be reevaluated during the 1989 plan amendment cycle. Objective 1.4 of the current Lee Plan mandated the filing of this plan amendment. A primary concern is whether there is any real need to continue to maintain the two separate categories.
- (2) The rules which implement the 1985/86 growth management legislation required Lee County to identify all natural groundwater recharge areas, and to assess existing regulations which govern land use in those areas [9J- 5.011(1)(g) & (h)]. The rules also required the county to address the protection of these recharge areas, including regulations on land use and development. This issue is being addressed as part of the settlement agreement (see section II.D). This action affects the resolution of the Rural/Open Lands question because it lowers the allowable densities in portions of Lee County below the current floor of one unit per acre (to one unit per 10 acres). The areas affected by this change are determined by their groundwater resource values, irrespective of their designation as "Rural" or "Open Lands."
- (3) Although the text describing the "Open Lands" category was amended in the last cycle to specifically mention that most islands (those without bridges) would be designated "Open Lands," the Lee Plan is frequently criticized for including islands and viable agricultural lands in the same category.

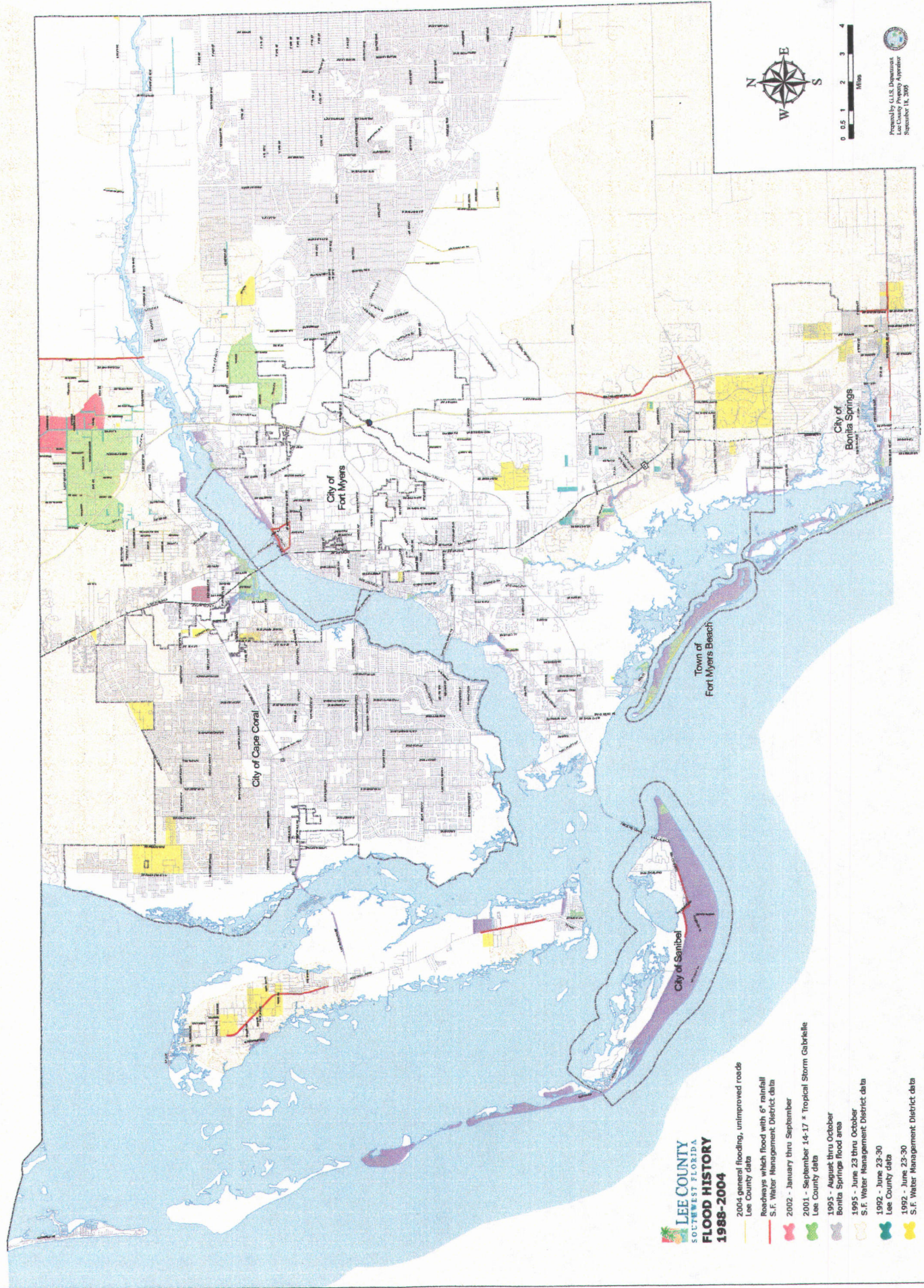
There were a variety of options available in response to the Board's concerns over the two categories. A number are listed below:

- (1) Decide to maintain the status quo: maintain the current distinction in the descriptions of "Rural" and "Open Lands."
- (2) Maintain the current distinction in the descriptions of "Rural" and "Open Lands," but adjust the density of one of the categories.
- (3) Combine the two categories entirely; consolidate both category descriptions into one, and select one name or the other.
- (4) Maintain both categories, but base the distinction on actual agricultural uses (or agricultural suitability), based on current agricultural exemptions or other criteria.
- (5) Combine the two categories for most of Lee County; but simultaneously create a new category for the bridge-less islands.

All lands in Lee County which are under agricultural tax exemptions have been mapped. This information was useful in deciding not to recommend that concept for differentiating between "Rural" and "Open Lands."

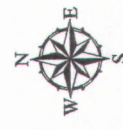
Alternative (5) just described was clearly the preferred course of action. The new "Density Reduction/Groundwater Resource" category replaced much of the land currently designated "Open Lands." All of the bridge-less islands are now included in a new category to be named "Outer Islands." The remaining land now designated "Rural" remains unchanged; and other "Open Lands" not described above becomes "Rural."

To implement this action, the changes on the following two pages are hereby made to Table 1, Objective 1.4, and Policies 1.4.1 and 1.4.2 of the Future Land Use element of the Lee Plan. In addition, the Future Land Use Map is hereby changed to reflect the redesignation of land as described in Alternative (5). Figures II.D-8 and 9 reflect the new designations. A total of 1,591 acres of land are reclassified from "Open Lands" to "Outer Islands"; a total of 2,028 acres are reclassified from "Open Lands" to "Rural"; and a total of 96,712 acres are reclassified from "Open Lands" and "Rural" to "Density Reduction/Groundwater Resource."

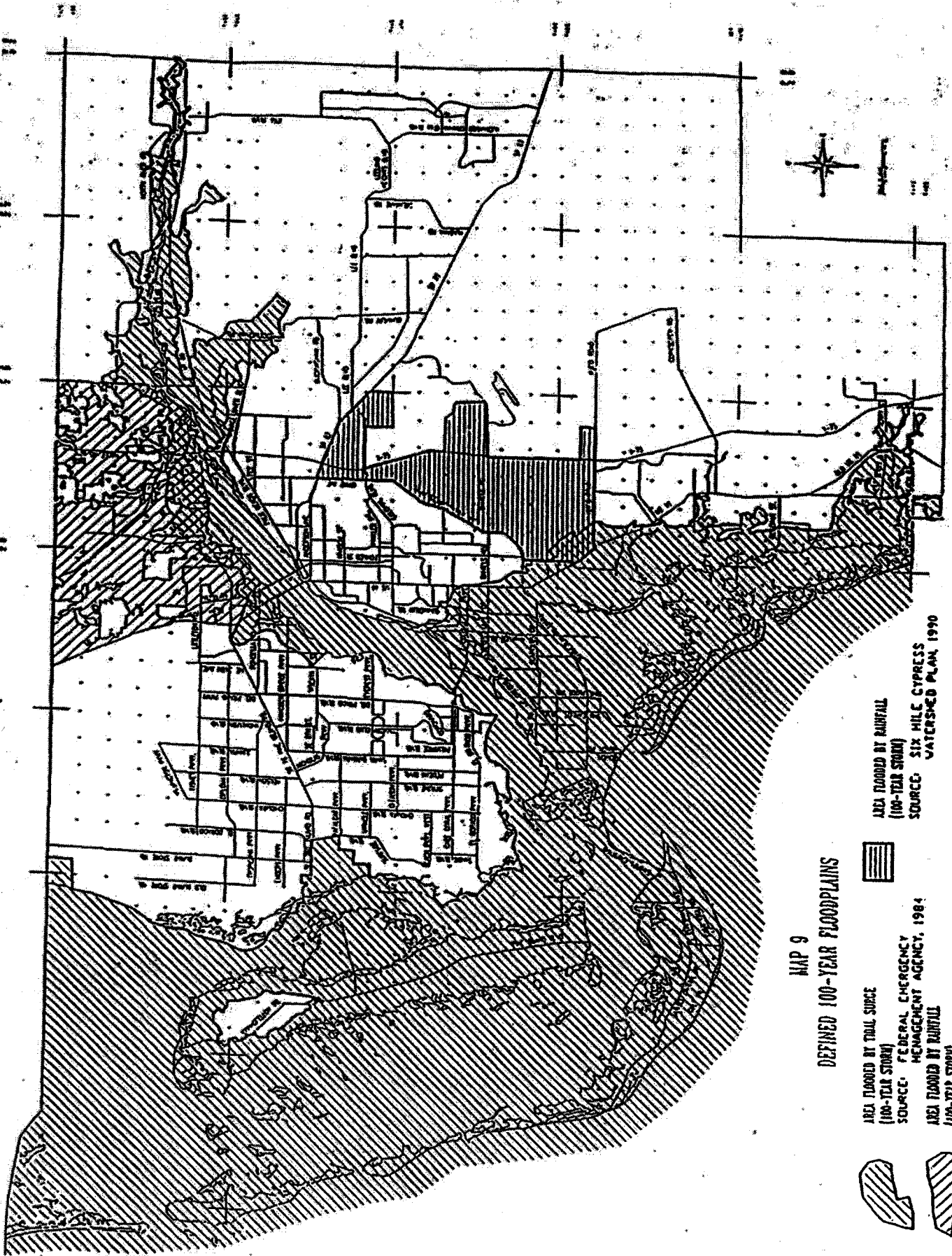


**LEE COUNTY
SOUTHWEST FLORIDA
FLOOD HISTORY
1988-2004**

- 2004 general flooding, unimproved roads
- Lee County data
- Roadways which flood with 6" rainfall
- S.F. Water Management District data
- 2002 - January thru September
- 2001 - September 14-17 * Tropical Storm Gabrielle
- Lee County data
- 1995 - August thru October
- Bonita Springs flood area
- 1995 - June 23 thru October
- S.F. Water Management District data
- 1992 - June 23-30
- Lee County data
- 1992 - June 23-30
- S.F. Water Management District data
- 1988 - November 20 * Tropical Storm Keith
- Lee County data



Prepared by G.L.S. Department
of Planning and Development
September 18, 2005



MAP 9
DEFINED 100-YEAR FLOODPLAINS

- AREA FLOODED BY TIDAL SURGE
(100-YEAR STORM)
SOURCE: FEDERAL EMERGENCY
MANAGEMENT AGENCY, 1984
- AREA FLOODED BY RAINFALL
(100-YEAR STORM)
SOURCE: SOIL CONSERVATION
SERVICE, 1984
- AREA FLOODED BY RAINFALL
(100-YEAR STORM)
SOURCE: SIX MILE CYPRESS
WATERSHED PLAN, 1990

1858A



"THE LEE PLAN"

EFFECTIVE DECEMBER 21, 1984

DIVISION OF PLANNING

I. INTRODUCTION
LEE COUNTY COMPREHENSIVE PLAN

consistent with the policies of State, regional and other local governments. Policies promoting or creating inconsistencies must be justifiable.

The Role of I-75 in the Comprehensive Plan

The recent completion of I-75 places Lee County in a unique position. Interchange areas which connect with County arterials increase access and create excellent opportunities for promoting planned growth designed to assist in the diversification of the County economy. Conversely, care must be taken to insure that shortsighted development does not preclude uses which will be more beneficial to Lee County in the more distant future. It is important to make maximum beneficial use of these critical access points and at the same time avoid irreconcilable conflicts between demands such as through traffic and local traffic, conservation and development, commercial development and industrial development, and tourist commercial facilities and general shopping facilities. Land uses surrounding each of the eight interchanges must be analyzed in regards to these points. Land uses should reflect demonstrated highest and best use for the future welfare of Lee County. Flexibility to promote these uses through market forces should not be prohibited.

Transferrable Development Rights (TDR's) and Low and Moderate Income Housing Bonuses

Provision of adequate low and moderate income housing and protection of environmentally sensitive areas are two primary objectives to be accomplished by the Plan. These objectives are best achieved through the creation and implementation of incentive systems. TDR's and bonus densities can (within reasonable limits) be acceptable tools for seeking to accomplish the above objectives, and are incorporated into the Land Use Element.

Urban Services Concept

To maximize efficiency and minimize cost, public expenditures should be concentrated in areas which are specified for Urban Services. Development should therefore be focused on areas where government and private utilities can best provide adequate infrastructure and services. Increased densities and land use intensities are reflected within these Urban Services areas to reflect the present or future availability of infrastructure and urban services. Conversely, land located outside the Urban Service Area reflects lower densities and lesser intensities due to the lesser commitment to infrastructure and services. The commitment to provide infrastructure within the Urban Service Area in a reasonable and efficient manner is essential to the success of the urban service concept and these plan amendments.

C. Interstate Highway Interchange Areas

The construction of Interstate Highway I-75 through a corridor that contains parts of the Central Urban Area, the Regional Airport, major anticipated Airport Commerce and Industrial/Business areas, and the Six Mile Cypress Watershed Basin, poses special planning considerations for the use of land adjacent to its interchanges. It is important to make maximum beneficial use of these critical access points and at the same time avoid irreconcilable conflicts between competing demands, such as through traffic vs. local traffic, conservation vs. development, commercial development vs. industrial development, and tourist commercial facilities vs. general shopping facilities.

Development at these interchanges is to occur as planned developments--that is, developments that are designed as integrated, cohesive units rather than as separate, unrelated projects. This will minimize adverse traffic impacts and provide appropriate buffers, visual amenities, and safety measures.

Each interchange area is designated for a specific primary role: General, General Commercial, Industrial Commercial and Industrial.

1. The Industrial Interchange Areas are shown in pink. Permitted land uses in these interchange areas will be essentially the same as those permitted in the Industrial/Business areas--that is, combinations of light industry, research, and offices. In addition, certain visitor-serving uses such as restaurants and hotels will be appropriate if they are part of an integrated office park or industrial center.
2. The General Interchange Areas, are shown in pink with pattern diagonal stripes. They are intended primarily for land uses that serve the traveling public: service stations, hotel, motel, restaurants, and gift shops. But, because of their location, market attractions and desire for flexibility, these interchange uses permit a broad range of land uses that include tourist commercial, general commercial and light industrial/commercial.
3. The General Commercial Interchange Area are shown as a blue-pink rectangle. They are intended primarily for general community commercial land uses: retail, planned commercial districts, shopping, office, financial and business.

FINAL REPORT AND RECOMMENDATIONS OF THE
LEE COUNTY LOCAL PLANNING AGENCY FOR
ADOPTION OF AMENDMENTS TO
THE LEE COUNTY COMPREHENSIVE PLAN

P25
C7037
LEE
6-84

FINAL REPORT AND RECOMMENDATIONS OF THE
LEE COUNTY LOCAL PLANNING AGENCY FOR
ADOPTION OF AMENDMENTS TO
THE LEE COUNTY COMPREHENSIVE PLAN

Presented to the Board of County Commissioners
of Lee County, June 7, 1984

LPA Members

Charles Bigelow, Chairman
Robert French, Vice Chairman
Daniel Shaw
William Gross
James LaRue
Michael Carroll

Urban Services Concept

To maximize efficiency and minimize cost, public expenditures should be concentrated in areas which are specified for Urban Services. Development should therefore be focused on areas where government and private utilities can best provide adequate infrastructure and services. Increased densities and land use intensities are reflected within these Urban Services areas to reflect the present or future availability of infrastructure and urban services. Conversely, land located outside the Urban Service Area reflects lower densities and lesser intensities due to the lesser commitment to infrastructure and services. The commitment to provide infrastructure within the Urban Service Area in a reasonable and efficient manner is essential to the success of the urban service concept and these plan amendments.

Non-Urban Development Option

To minimize the negative effects of sprawl, and to be consistent with the Urban Services Area concept, development outside the Urban Services Area may be allowed, but will not be encouraged. Criteria to guide this development should be set forth within the Plan.

III. LAND USE ELEMENT

A. BASIC ISSUES AND RECOMMENDATIONS

1. Interstate Interchange Land Use

The completion of Interstate 75 through Lee County has created unique development opportunities at the eight interchanges and the arterials

leading to them. Special attention to these areas is needed to insure that the resultant land use is compatible at each interchange and does not develop in a haphazard manner. Highest and best use for each interstate parcel should be promoted by the Comprehensive Plan. For example, prime industrial sites created by the access and proximity to the interstate and the Southwest Florida Regional Airport should be preserved and allowed to be developed in this use. Land configurations which result in the intermixing of local and interstate travel should be discouraged.

We recommend four land use categories for the eight interchanges within Lee County. These categories are: Industrial, General Interchange, General Commercial and Industrial/Commercial. These land use categories should extend along the arterials leading to the interchanges for a specified distance. The Planned Unit Development concept should be encouraged for all resultant development proposals.

The land use categories depicted below were assigned to the following interchanges primarily in consideration of existing and projected development patterns, proximity to the airport, and access to other transportation facilities.

General Commercial

Palm Beach Boulevard (SR 80)
Colonial (SR 884)

Industrial

Anderson Avenue (SR 82)
Luckett Rd.

Industrial/Commercial

Alico Road

The Daniels Road interchange has been included within the Airport Commerce land use category.

The land use for the remaining interchanges (Carrell (CR 865), Corkscrew Road and Bayshore (CR 78)) should remain flexible in order to respond to expected market forces. They are designated General Interchange. However, non-local land uses at these interchanges should be stressed in order to discourage intermix of local and interstate travel. The flexibility exhibited by this strategy should allow for location of land uses supported by the market.

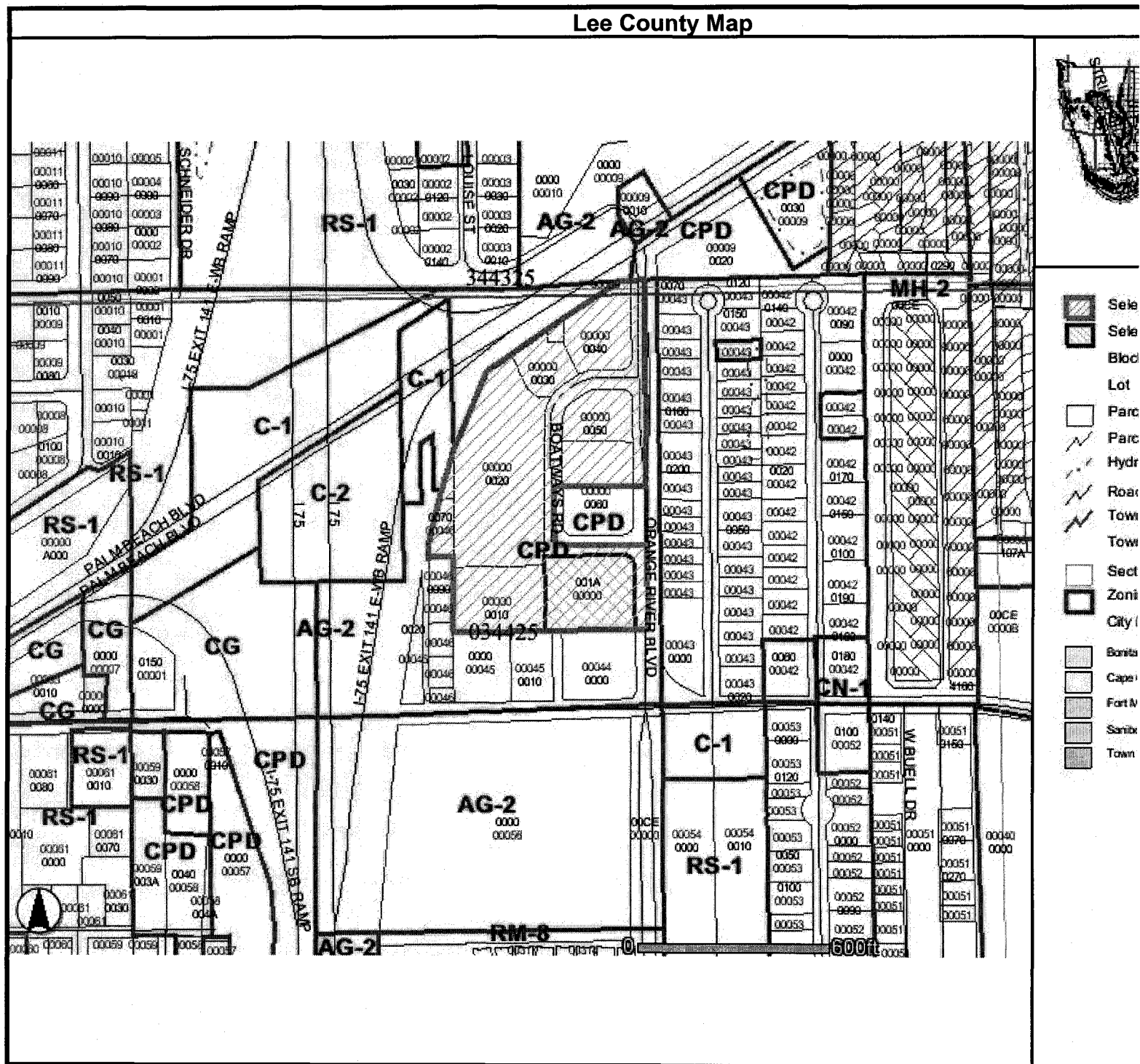
RECOMMENDATION

In order to implement the policies and strategies mentioned above, the LPA recommends that Section 4 (B), page 26 of the Land Use Element be changed to:

b. The General Interchange Areas are shown as red circles with diagonal pink stripes. They are intended primarily for land uses that serve the traveling public: service stations, hotel, motel, restaurant and gift shops. But, because of their location, market attraction and desire for flexibility, these interchange areas permit a broad range of land uses that include tourist commercial, general commercial and light industrial/commercial.

2. Protection of Affordable Rural Lifestyle Alternative

It was suggested that excessive regulation of Rural Areas and Open Lands by assigning low densities to them may infringe upon property rights and preclude any type of development and thereby negate an affordable alternative rural lifestyle option for future County residents. The concept of the Rural Area category providing an urban fringe for expansion and the Open Land category a reserve of larger land parcels for future development can remain valid even with increased density. Fears that reduced density within these categories will cause a proliferation of small subdivisions outside the Urban Service Area, and thus prevent assemblage of larger tracts for more efficient future use, may be unfounded. It was asserted



ZONE NOTES QUERY REPORT
ZONE NOTES ID: ZONE:CPD:013398
ZONING: CPD
STRAP: 03-44-25-10-00000.001A

AAA-PD-94-016, 89-08-01-DCI-01(c), ADMIN AMEND TO CPD, SUBJ TO
CONDS.

AA-PD-92-013/2, 89-8-1-1-DCI(a), ADMIN AMEND IN THE CPD DIST TO
ALLOW LEFT
TURNS ONTO ORANGE RIVER BLVD,SUBJ TO CONDS.

-
AA-PD-92-013/1, 89-8-1-1-DCI(a) ADMIN AMEND APVD IN CPD DIST,
SUBJ TO CONDS.

-
Z-89-77, 89-8-1-1 DCI DBC FM AG-2 & C-1 TO CPD SUBJ TO COND & SP-
89-077

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

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

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

- (1) Deviation from the requirement that all commercial and industrial uses shall provide a continuous visual screen of at least 8 feet in height along any lot line abutting a residential use (Section 202.14.E.1.), to allow an opaque vegetative covered fence 8 feet in height;
- (2) Deviation from the required minimum setback between structures and the centerline of arterial street without a frontage road of one-half the right-of-way plus 25 feet (Section 202.18.B.2.a.), to allow one-half the right-of-way plus 20 feet;
- (3) Deviation from the minimum setback from a structure to a water body of 25 feet (Section 202.18.B.4.b.), to allow 0 feet for an architectural feature only;
- (4) Deviation from excavation depth for water retention from 12 feet (Section 509.B.), to the first confining layer;
- (5) Deviation from the required minimum water retention excavation setbacks to a street right-of-way of 150 feet (Section 509.C.4.), to allow 25 feet;
- (6) Deviation from the required minimum water retention excavation setbacks to a private property line of 50 feet (Section 509.C.4.), to allow 25 feet;
- (7) Deviation from the requirement that a 4-foot fence be placed around excavations for water retentions when located less than 100 feet from any property under separate ownership (Section 509.F.), to require no fencing;
- (8) Deviation from the required minimum intersection separation of 660 feet along arterial streets (DSO Section C.3.h.), to 435 feet and 525 feet.
- (9) Deviation from the requirement that the density of transient hotel/motel units be calculated at 1,700 square feet per unit (Section 514.B.4.), to permit the density of transient hotel/motel units to be calculated at 875 square feet per unit with a maximum of 150 units.

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

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

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

- (1) Deviation from the requirement that all commercial and industrial uses shall provide a continuous visual screen of at least 8 feet in height along any lot line abutting a residential use (Section 202.14.E.1.), to allow an opaque vegetative covered fence 8 feet in height;
- (2) Deviation from the required minimum setback between structures and the centerline of arterial street without a frontage road of one-half the right-of-way plus 25 feet (Section 202.18.B.2.a.), to allow one-half the right-of-way plus 20 feet;
- (3) Deviation from the minimum setback from a structure to a water body of 25 feet (Section 202.18.B.4.b.), to allow 0 feet for an architectural feature only;
- (4) Deviation from excavation depth for water retention from 12 feet (Section 509.B.), to the first confining layer;
- (5) Deviation from the required minimum water retention excavation setbacks to a street right-of-way of 150 feet (Section 509.C.4.), to allow 25 feet;
- (6) Deviation from the required minimum water retention excavation setbacks to a private property line of 50 feet (Section 509.C.4.), to allow 25 feet;
- (7) Deviation from the requirement that a 4-foot fence be placed around excavations for water retentions when located less than 100 feet from any property under separate ownership (Section 509.F.), to require no fencing;
- (8) Deviation from the required minimum intersection separation of 660 feet along arterial streets (DSO Section C.3.h.), to 435 feet and 525 feet.
- (9) Deviation from the requirement that the density of transient hotel/motel units be calculated at 1,700 square feet per unit (Section 514.B.4.), to permit the density of transient hotel/motel units to be calculated at 875 square feet per unit with a maximum of 150 units.

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

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

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

Begin at the intersection of the center line of Orange River Boulevard and the West line of said Lots 9 and 16 (same being the Southwest corner of said Lot 16) and run North on the West line of Lots 9 and 16, 241 feet to the POINT OF BEGINNING of the property herein described; THENCE continue North along the West line of said Lots 9 and 16, 759.14 feet to the Southerly right-of-way line of Palm Beach Boulevard; THENCE N.58°48'03"E. along the said Southerly right-of-way line, 357.96 feet to its intersection with the Westerly right-of-way line of Boat Ways Road (50 foot right-of-way); THENCE S.00°03'25"W. along said right-of-way line 942.61 feet; THENCE S.89°37'55"W. and parallel to the South line of Lot 16, 305.26 feet to the POINT OF BEGINNING; together with that portion of an abandoned roadway lying between said Lots 9 and 16. Being in Section 03, Township 44 South, Range 25 East, Lee County Florida. 5.7 acres more or less.

AND

Lots 4, 5 and 8 1/2 together with those portions of abandoned roadways lying between said lots in Block 3, Terry, Tice and Vandawalker's Subdivision, according to the map or plat thereof on file and recorded in the Office of the Clerk of the Circuit Court recorded in plat Book 1, Page 46, excepting therefrom that portion described in order of taking recorded in O.R. Book 1123, Page 910, Public Records of Lee County, Florida. Also excepting therefrom that portion described in order of taking recorded in O.R. Book 1358, Page 2335, Public Records of Lee County, Florida. Less the Southerly 216 feet.

AND

Begin at the intersection of the North line of Orange River Boulevard and the East line of Lot 15, Terry, Tice & Vandawalker's Subdivision, according to plat thereof recorded in Plat Book 1, Page 46, of the Public Records of Lee County, Florida, THENCE run North at right angles to Orange River Boulevard, a distance of 459.7 feet to POINT OF BEGINNING of land herein described; THENCE West at right angles 73 feet; THENCE North at right angles 180 feet; THENCE East at right angles 73 feet; THENCE South at right angle 180 feet to POINT OF BEGINNING, less and except that part of said premises lying within I-75 corridor.

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

03-44-25-01-00045.0020; and

03-44-25-01-00046.0070; and

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

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

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

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

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

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

- a. The development of this property shall be in accordance with the one-page Master Concept Plan entitled Orange River Centre, completed for Mr. James Kinsey, Kinsey Associates, Inc., Realtors, prepared by David M. Jones, Jr., and Associates, Plan dated March 7, 1989, revised June 22, 1989, and stamped received June 26, 1989, except as may be modified by the conditions herein. Approval of this request does not exempt the applicant from compliance with all development regulations, except as specifically approved herein.
- b. The maximum total floor area shall be limited to 100,000 square feet, of which no more than 40,000 square feet of retail use (those uses which must meet site location standards) shall be developed. The maximum allowable height shall be 45 feet above average grade or two habitable floors except that any motel constructed on the subject real estate may have one cupola or small decorative structure which shall not exceed 53 feet above average grade.
- c. The uses allowed on the portions of the Master Concept Plan designated as Tracts A, B, C and D are set out in the chart below with an "X" designating the specific use as allowed on the tract represented by that column of the chart (asterisks indicate uses not allowed to be developed on the two southernmost parcels in Tract D):

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

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

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

- d. A bar or cocktail lounge and consumption on premises shall be allowed only in accordance with Section 202.03.D.1.a.1. of the Zoning Ordinance, as amended. Only one consumption on premises, one bar or cocktail lounge, and one package store shall be allowed on the real estate represented by the Master Concept Plan.
- e. The fronts of any building adjacent to Orange River Boulevard shall be oriented to face away from Orange River Boulevard.
- f. Utility transformers, waste and rubbish storage areas, loading docks and similar accessory equipment located within the area represented by the Master Concept Plan shall be screened from view.

- g. All structures shall be designed to be architecturally compatible with one another and landscaping arranged to compliment and tie together the designs among individual parcels. This condition shall be incorporated into all pertinent covenants and restrictions involved in the sale or lease of any portion of the subject property and incorporated in the rules, restrictions and covenants of any property owners or tenants association.
- h. A type "C" buffer shall be provided along all property lines abutting residential uses. The buffer shall include an eight (8) foot high fence and the number of trees and shrubs required for a type "D" buffer.
- i. The rezoning by approval of the Master Concept Plan does not certify or indicate in any way that this project's traffic impacts have been mitigated. Additional conditions to mitigate traffic impacts, including but not limited to additional left turn lanes on to S.R. 80, may be required before issuance of a local development order.
- j. The southerly driveway access to the East-West portion of Orange River Blvd shown on the Master Concept Plan shall be eliminated.
- k. The northernmost driveway or access point, shown on the Master Concept Plan as 435 feet from Palm Beach Boulevard, shall be constructed in a manner which allows departing vehicles to make only right turns and a median sufficient to prevent vehicles approaching S.R. 80 from the south from making left turns into this driveway or access point shall be installed at the Applicant's expense following design approval by Lee County DOT&E.
- l. There shall be no direct vehicular access from the real estate represented in the Master Concept Plan onto Orange River Boulevard except at those driveway access points shown on the approved Master Concept Plan. This condition shall be incorporated into all pertinent covenants and restrictions imposed on purchasers of any of the subject real estate and shall be known to and associated with any property owners or tenants association connected with the subject real estate.
- m. Public utility water service shall be required. Temporary septic tanks shall be allowed within this development upon proper application and approval by the appropriate permitting agencies provided that the permitted uses in the overall development do not produce or are not rated or considered to produce, in total, more than 5,000 gallons of sewage per day. Upon a determination by the appropriate agencies of Lee County that the 5,000 gallon per day standard has been met or exceeded, septic tank use shall be discontinued.
- n. The existing native vegetation along the western property line shall be preserved and a plan showing preservation of this vegetation shall be provided prior to final plan approval.
- o. Hurricane Mitigation

The following conditions with respect to hurricane impact mitigation shall be imposed on any hotel, motel or lodging facility constructed on any portion of the real estate represented by the approved Master Concept Plan:
 - 1. The owner of the motel/hotel shall establish and maintain a written emergency plan that consists of appropriate procedures to be followed in the event of a hurricane emergency.

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

p. Emergency Medical Service

1. The applicant shall provide for the Emergency Medical Service impacts generated by the proposed development (must be in compliance with the EMS fire related impact fee ordinance).
2. At the completion of development construction or each phase thereof, a development representative shall contact Lee County Emergency Medical Service to discuss 1) the designation of emergency helicopter landing zone(s); and 2) the accessibility of the EMS unit.

q. Fire Protection

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

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

Deviation (2) has been WITHDRAWN by the applicant.

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

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

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

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

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

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

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

Deviation (7) is hereby APPROVED.

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

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

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

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

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

- A. That the nature of commercial development in this area, the manner in which I-75 was constructed and the classification of this I-75 interchange as General Commercial in the Lee Plan created an island of commercial property which is not presently marketable without approval of a use or group of uses which accommodate I-75 travelers, and that these circumstances constitute changed or changing conditions which make the approval of this rezoning appropriate.
- B. That approval of the requested Commercial Planned Development will have a positive impact on the intent of the Zoning Ordinance in view of the land use category of the subject real estate and the practical need for moderate priced lodging facilities located where they will serve the traveling public.
- C. That the proposed use is consistent with the stated goals, objectives, policies and intent of the Lee Plan, as last amended.
- D. That the proposed Commercial Planned Development, subject to conditions and deviations, meets all of the performance and locational standards of the Lee Plan and of the Zoning Ordinance except for those deviations approved as part of this request.
- E. That the requested rezoning does not involve a change to a Future Urban Area category.
- F. That urban services are presently available at this location.
- G. That the requested rezoning to Commercial Planned Development, subject to conditions and deviations, is consistent with the densities, intensities and general uses set forth in the Lee Plan, as last amended.
- H. That the requested rezoning to Commercial Planned Development, subject to conditions and deviations, will be compatible with existing and planned land uses in the area. That, due to the classification of this area in the Lee Plan as a General Commercial Interchange, any potential incompatibility with the residential uses located across Orange River Boulevard is adequately addressed by Orange River Boulevard, which separates and buffers the proposed Commercial Planned Development, and the requirement that the buildings constructed abutting Orange River Boulevard have the front facing west further buffers the adjoining areas from traffic impacts and noise.
- I. That the requested rezoning to Commercial Planned Development, subject to conditions and deviations, will not cause damage, hazard or nuisance or other detriment to persons or property and will not place an undue burden on existing transportation services or on existing government services or facilities.
- J. That the requested rezoning to Commercial Planned Development, subject to conditions and deviations, will be in compliance with all applicable general zoning provisions and supplemental regulations pertaining to the requested use.

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

| | |
|-------------------------|---------------|
| John E. Manning | <u>aye</u> |
| Charles L. Bigelow, Jr. | <u>absent</u> |
| Ray Judah | <u>aye</u> |
| Bill Fussell | <u>aye</u> |
| Donald D. Slisher | <u>absent</u> |

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

ATTEST:
CHARLIE GREEN, CLERK

BY: Charlie Green
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: John Manning
Chairman

Approved as to form by:

[Signature]
County Attorney's Office

FILED

MAR 05 90

CLERK CIRCUIT COURT
BY Charlie Green D.C.

[illegible]

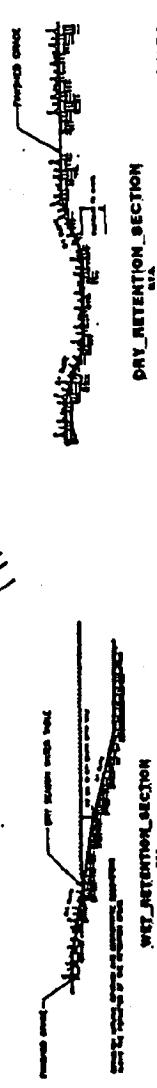
MR. JAMES BIRNEY
IMPORTS, DISTRIBUTION, AND SALES
2405 WEST 20TH AVE. SUITE 100
MIAMI BEACH, FL 33133
(305) 351-1134

FOR RENT IN
DAVID M. JONES & ASSOCIATES, INC.
PLANNING AND MANAGEMENT SERVICES
2405 WEST 20TH AVE. SUITE 100
MIAMI BEACH, FL 33133
(305) 351-1134

1. Deviates from the requirement that all unarmored and incased wires shall provide a minimum metal screen of at least 8 mil in height along any 10 foot measuring segment (PQ2 11 C.1) and shall (PQ2 7.3), in order to prevent significant corrosion, have a 1 foot overlap.
2. Deviates from the minimum thickness of 1/8 inch for the conductors of an armored cable and the minimum thickness of 1/4 inch for the armor (PQ2 21.2) and has overlap (PQ2 11 B.1, 11.2, 11.3, 11.4, 11.5, 11.6, 11.7, 11.8, 11.9, 11.10, 11.11, 11.12, 11.13, 11.14, 11.15, 11.16, 11.17, 11.18, 11.19, 11.20, 11.21, 11.22, 11.23, 11.24, 11.25, 11.26, 11.27, 11.28, 11.29, 11.30, 11.31, 11.32, 11.33, 11.34, 11.35, 11.36, 11.37, 11.38, 11.39, 11.40, 11.41, 11.42, 11.43, 11.44, 11.45, 11.46, 11.47, 11.48, 11.49, 11.50, 11.51, 11.52, 11.53, 11.54, 11.55, 11.56, 11.57, 11.58, 11.59, 11.60, 11.61, 11.62, 11.63, 11.64, 11.65, 11.66, 11.67, 11.68, 11.69, 11.70, 11.71, 11.72, 11.73, 11.74, 11.75, 11.76, 11.77, 11.78, 11.79, 11.80, 11.81, 11.82, 11.83, 11.84, 11.85, 11.86, 11.87, 11.88, 11.89, 11.90, 11.91, 11.92, 11.93, 11.94, 11.95, 11.96, 11.97, 11.98, 11.99, 12.00, 12.01, 12.02, 12.03, 12.04, 12.05, 12.06, 12.07, 12.08, 12.09, 12.10, 12.11, 12.12, 12.13, 12.14, 12.15, 12.16, 12.17, 12.18, 12.19, 12.20, 12.21, 12.22, 12.23, 12.24, 12.25, 12.26, 12.27, 12.28, 12.29, 12.30, 12.31, 12.32, 12.33, 12.34, 12.35, 12.36, 12.37, 12.38, 12.39, 12.40, 12.41, 12.42, 12.43, 12.44, 12.45, 12.46, 12.47, 12.48, 12.49, 12.50, 12.51, 12.52, 12.53, 12.54, 12.55, 12.56, 12.57, 12.58, 12.59, 12.60, 12.61, 12.62, 12.63, 12.64, 12.65, 12.66, 12.67, 12.68, 12.69, 12.70, 12.71, 12.72, 12.73, 12.74, 12.75, 12.76, 12.77, 12.78, 12.79, 12.80, 12.81, 12.82, 12.83, 12.84, 12.85, 12.86, 12.87, 12.88, 12.89, 12.90, 12.91, 12.92, 12.93, 12.94, 12.95, 12.96, 12.97, 12.98, 12.99, 13.00, 13.01, 13.02, 13.03, 13.04, 13.05, 13.06, 13.07, 13.08, 13.09, 13.10, 13.11, 13.12, 13.13, 13.14, 13.15, 13.16, 13.17, 13.18, 13.19, 13.20, 13.21, 13.22, 13.23, 13.24, 13.25, 13.26, 13.27, 13.28, 13.29, 13.30, 13.31, 13.32, 13.33, 13.34, 13.35, 13.36, 13.37, 13.38, 13.39, 13.40, 13.41, 13.42, 13.43, 13.44, 13.45, 13.46, 13.47, 13.48, 13.49, 13.50, 13.51, 13.52, 13.53, 13.54, 13.55, 13.56, 13.57, 13.58, 13.59, 13.60, 13.61, 13.62, 13.63, 13.64, 13.65, 13.66, 13.67, 13.68, 13.69, 13.70, 13.71, 13.72, 13.73, 13.74, 13.75, 13.76, 13.77, 13.78, 13.79, 13.80, 13.81, 13.82, 13.83, 13.84, 13.85, 13.86, 13.87, 13.88, 13.89, 13.90, 13.91, 13.92, 13.93, 13.94, 13.95, 13.96, 13.97, 13.98, 13.99, 14.00, 14.01, 14.02, 14.03, 14.04, 14.05, 14.06, 14.07, 14.08, 14.09, 14.10, 14.11, 14.12, 14.13, 14.14, 14.15, 14.16, 14.17, 14.18, 14.19, 14.20, 14.21, 14.22, 14.23, 14.24, 14.25, 14.26, 14.27, 14.28, 14.29, 14.30, 14.31, 14.32, 14.33, 14.34, 14.35, 14.36, 14.37, 14.38, 14.39, 14.40, 14.41, 14.42, 14.43, 14.44, 14.45, 14.46, 14.47, 14.48, 14.49, 14.50, 14.51, 14.52, 14.53, 14.54, 14.55, 14.56, 14.57, 14.58, 14.59, 14.60, 14.61, 14.62, 14.63, 14.64, 14.65, 14.66, 14.67, 14.68, 14.69, 14.70, 14.71, 14.72, 14.73, 14.74, 14.75, 14.76, 14.77, 14.78, 14.79, 14.80, 14.81, 14.82, 14.83, 14.84, 14.85, 14.86, 14.87, 14.88, 14.89, 14.90, 14.91, 14.92, 14.93, 14.94, 14.95, 14.96, 14.97, 14.98, 14.99, 15.00, 15.01, 15.02, 15.03, 15.04, 15.05, 15.06, 15.07, 15.08, 15.09, 15.10, 15.11, 15.12, 15.13, 15.14, 15.15, 15.16, 15.17, 15.18, 15.19, 15.20, 15.21, 15.22, 15.23, 15.24, 15.25, 15.26, 15.27, 15.28, 15.29, 15.30, 15.31, 15.32, 15.33, 15.34, 15.35, 15.36, 15.37, 15.38, 15.39, 15.40, 15.41, 15.42, 15.43, 15.44, 15.45, 15.46, 15.47, 15.48, 15.49, 15.50, 15.51, 15.52, 15.53, 15.54, 15.55, 15.56, 15.57, 15.58, 15.59, 15.60, 15.61, 15.62, 15.63, 15.64, 15.65, 15.66, 15.67, 15.68, 15.69, 15.70, 15.71, 15.72, 15.73, 15.74, 15.75, 15.76, 15.77, 15.78, 15.79, 15.80, 15.81, 15.82, 15.83, 15.84, 15.85, 15.86, 15.87, 15.88, 15.89, 15.90, 15.91, 15.92, 15.93, 15.94, 15.95, 15.96, 15.97, 15.98, 15.99, 16.00, 16.01, 16.02, 16.03, 16.04, 16.05, 16.06, 16.07, 16.08, 16.09, 16.10, 16.11, 16.12, 16.13, 16.14, 16.15, 16.16, 16.17, 16.18, 16.19, 16.20, 16.21, 16.22, 16.23, 16.24, 16.25, 16.26, 16.27, 16.28, 16.29, 16.30, 16.31, 16.32, 16.33, 16.34, 16.35, 16.36, 16.37, 16.38, 16.39, 16.40, 16.41, 16.42, 16.43, 16.44, 16.45, 16.46, 16.47, 16.48, 16.49, 16.50, 16.51, 16.52, 16.53, 16.54, 16.55, 16.56, 16.57, 16.58, 16.59, 16.60, 16.61, 16.62, 16.63, 16.64, 16.65, 16.66,

| Case No. | Year | 1968 | 1969 |
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| 1. Government of India Government of Madras Government of Karnataka Government of Kerala Government of Andhra Pradesh Government of West Bengal Government of Bihar Government of Uttar Pradesh Government of Punjab Government of Haryana Government of Himachal Pradesh Government of Jammu and Kashmir Government of Sikkim Government of Nagaland Government of Manipur Government of Mizoram Government of Tripura Government of Arunachal Pradesh Government of Meghalaya Government of Assam Government of Jharkhand Government of Chhattisgarh Government of Madhya Pradesh Government of Rajasthan Government of Gujarat Government of Maharashtra Government of Goa Government of Karnataka Government of Andhra Pradesh Government of West Bengal Government of Bihar Government of Uttar Pradesh Government of Punjab Government of Haryana Government of Himachal Pradesh Government of Jammu and Kashmir Government of Sikkim Government of Nagaland Government of Manipur Government of Mizoram Government of Tripura Government of Arunachal Pradesh Government of Meghalaya Government of Assam Government of Jharkhand Government of Chhattisgarh Government of Madhya Pradesh Government of Rajasthan Government of Gujarat Government of Maharashtra Government of Goa | 0.10 | 0.10 | |
| 2. State of India State of Madras State of Karnataka State of Kerala State of Andhra Pradesh State of West Bengal State of Bihar State of Uttar Pradesh State of Punjab State of Haryana State of Himachal Pradesh State of Jammu and Kashmir State of Sikkim State of Nagaland State of Manipur State of Mizoram State of Tripura State of Arunachal Pradesh State of Meghalaya State of Assam State of Jharkhand State of Chhattisgarh State of Madhya Pradesh State of Rajasthan State of Gujarat State of Maharashtra State of Goa State of Karnataka State of Andhra Pradesh State of West Bengal State of Bihar State of Uttar Pradesh State of Punjab State of Haryana State of Himachal Pradesh State of Jammu and Kashmir State of Sikkim State of Nagaland State of Manipur State of Mizoram State of Tripura State of Arunachal Pradesh State of Meghalaya State of Assam State of Jharkhand State of Chhattisgarh State of Madhya Pradesh State of Rajasthan State of Gujarat State of Maharashtra State of Goa | 0.10 | 0.10 | |

1. The defendant is charged with the murder of the late Mrs. Mary Ann Smith, who was killed on the 10th day of March, 1900, at the residence of the deceased, in the city of New York.
2. The defendant is charged with the murder of the late Mrs. Mary Ann Smith, who was killed on the 10th day of March, 1900, at the residence of the deceased, in the city of New York.
3. The defendant is charged with the murder of the late Mrs. Mary Ann Smith, who was killed on the 10th day of March, 1900, at the residence of the deceased, in the city of New York.
4. The defendant is charged with the murder of the late Mrs. Mary Ann Smith, who was killed on the 10th day of March, 1900, at the residence of the deceased, in the city of New York.
5. The defendant is charged with the murder of the late Mrs. Mary Ann Smith, who was killed on the 10th day of March, 1900, at the residence of the deceased, in the city of New York.
6. The defendant is charged with the murder of the late Mrs. Mary Ann Smith, who was killed on the 10th day of March, 1900, at the residence of the deceased, in the city of New York.



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DIVISION OF CONSTRUCTION

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| INTERVIEW | 04/20/74 |
| INTERJECT RESPONSE | 04/22/74 |
| INTERJECT RESPONSE | 04/22/74 |

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