



LEE COUNTY
S O U T H W E S T F L O R I D A
BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

June 23, 2010

A. Brian Bigelow
District Two

Ray Judah
District Three

Ray Eubanks, Plan Processing Administrator
Florida Department of Community Affairs

Tammy Hall
District Four

Division of Community Planning
2555 Shumard Oak Boulevard

Frank Mann
District Five

Tallahassee, FL. 32399-2100

Karen B. Hawes
County Manager

Re: Small Scale Development Related
Amendments to the Lee Plan
Adoption Submission Package

David M. Owen
County Attorney

Diana M. Parker
County Hearing
Examiner

Dear Mr. Eubanks:

In accordance with the provisions of F.S. Chapter 163.3187(1)(c), this submission package constitutes an adopted Small Scale Amendment to the Lee Plan. The Lee County Board of County Commissioners held the adoption hearing for this amendment on June 16, 2010 starting at 9:30 am.

The effect of the Small Scale Amendment is outlined below:

CPA2010-00003 / Ordinance 10-27 Amends the Future Land Use Map Series for an approximate 0.9 acre site from the Suburban future land use category to the General Commercial Interchange future land use category. The Suburban future land use category is intended predominantly for residential uses, while the General Commercial Interchange future land use category is intended primarily for commercial uses. The site is located on the south side of Orange River Boulevard, just west of I-75.

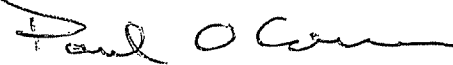
The adopting ordinance for the above mentioned Small Scale Amendment is included with this transmittal package. Also included is the form entitled "RPM-BSP-Exempt Review" and, per F.S. 163.3187, the required notice for the Adoption hearing. The name of the local newspaper in which the notice was published is The News-Press, Fort Myers, Florida.

The name, title, address, telephone number, facsimile number, and email address of the person for the local government who is most familiar with the proposed amendments is as follows:

Mr. Paul O'Connor, AICP
Lee County Planning Division Director
P.O. Box 398
Fort Myers, Florida 33902-0398
(239) 533-8585
Fax (239) 485-8319
Email: oonnops@leegov.com

Included with this package, per 9J-11.006, is one paper copy and two CD ROM copies, in PDF format, of the proposed amendments and supporting data and analysis. One paper copy and one CD ROM copy is being sent to the Southwest Florida Regional Planning Council and the South Florida Water Management District. The following agencies will be receiving a CD ROM only: the Florida Department of Transportation (FDOT); the Florida Department of Environmental Protection; Florida Department of State; the Florida Fish and Wildlife Conservation Commission; and the Department of Agriculture and Consumer Services.

Sincerely,
DEPT. OF COMMUNITY DEVELOPMENT
Division of Planning

A handwritten signature in black ink, appearing to read "Paul O'Connor", written over a horizontal line.

Paul O'Connor, AICP
Director

RPM-BSP-EXEMPT REVIEW

Amendments Exempt from State and Regional Review in accordance with Rule 9J-11.015, FAC.

1. Name of Local Government Lee County

Person completing this form Paul O'Connor

Phone Number (239) 533-8583

Name of Newspaper in which notice of amendment was published The News-Press

Date Publication Noticed June 8, 2010

(Please attach copy of notice)

2. Please indicate type of amendment being submitted:

X a. a map amendment directly related to proposed small scale development activities that meet the criteria of Section 163.3187(1)(c), F.S.;

_____ b. a map amendment solely to property within an urban service boundary that meets the criteria of Section 163.3184(17), F.S.;

_____ c. a map amendment solely to property within a designated urban infill and redevelopment area pursuant to Section 163.3184(18), F.S.;

_____ d. a plan amendment associated with an area certified pursuant to Section 163.3246, F.S.

Please complete the following information if amendment is submitted under 2(a):

3. If amendment contains a residential land use category indicate:

density allowed prior to change: six dwelling unit(s) per acre.

density allowed after change: zero dwelling unit(s) per acre.

4. Number of acres of small scale development amendments contained in package: 0.9

a. Within Urban Infill, Urban Redevelopment or Downtown Revitalization as defined by Section 163.3164, FS _____

b. Within Transportation Concurrency Exception Area pursuant to Section 163.3180(5), FS _____

c. Within Regional Activity Centers or Urban Central Business Districts pursuant to Section 380.06(2)(e), FS _____

d. Within Urban Infill and Redevelopment areas as defined by Section 163.2517, FS _____

e. Within a Rural Area of Critical Economic Concern pursuant to Section 163.3187(1)(c)4, FS _____

(Please attach certifying letter to OTTED)

f. Involving the construction of affordable housing units meeting the criteria of Section 420.0004(3), FS, _____

g. Outside categories a., b, c, and d. _____

5. Cumulative total number of acres of small scale development amendments for the calendar year:

a. Categories listed in Item 4 a, b, c, and d above 0.9

b. Categories listed in Item 4 e, f, and g above 0

6. Total number of acres of small scale development amendments in this package that are located within the coastal high hazard area as identified in the comprehensive plan 0

7. Total number of acres of small scale development within area of critical state concern designated by Section 380.0552, FS 0

Pursuant to Rule 9J-11.015(1)(b)5, Florida Administrative Code, this form must be mailed with all amendments as defined by Section 9J-11.015(1)(a) Florida Administrative Code to:

DEPARTMENT OF COMMUNITY AFFAIRS
PLAN PROCESSING SECTION
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100
(850) 488-4925



THE SCHOOL DISTRICT OF LEE COUNTY

2855 COLONIAL BLVD. ♦ FORT MYERS, FLORIDA 33966-1012 ♦ (239) 334-1102 ♦ WWW.LEESCHOOLS.NET

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MAR 23 2010

COMMUNITY DEVELOPMENT

March 22, 2010

JEANNE S. DOZIER
CHAIRMAN, DISTRICT 2
JANE E. KUCKEL, PH.D.
VICE CHAIRMAN, DISTRICT 3
ROBERT D. CHILMONIK
DISTRICT 1
STEVEN K. TEUBER, J.D.
DISTRICT 4
ELINOR C. SCRICCA, PH.D.
DISTRICT 5
JAMES W. BROWDER, Ed.D.
SUPERINTENDENT
KEITH B. MARTIN, ESQ.
BOARD ATTORNEY

Mr. Brandon Dunn
Lee County Development Services Division
P.O. Box 398
Fort Myers, FL 33902-0398

RE: Case # CPA2010-00003

Dear Mr. Dunn:

This letter is in response to your email request dated March 19, 2010 for the Case # CPA2010-03 for comments with regard to educational impact. This area is located in the East Choice Zone, Sub Zone E1.

This is an amendment to change from Suburban Land Use to General Commercial Interchange. After reviewing your request, the project has no impact on classroom needs.

Thank you for your attention to this issue. If I may be of further assistance, please call me at (239) 479-5661.

Sincerely,

Dawn Gordon, Community Development Planner
Planning Department

DURABLE POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS that I, **CARL H. VICKERS**, have made, constituted and appointed, and by these presents do make, constitute and appoint my son, **JOSEPH W. VICKERS**, true and lawful attorney for me and in my name, place and stead to:

1. Arrange for and consent to medical, therapeutical and surgical procedures for myself and my minor children, if any, including the administration of drugs, and to request and obtain all medical records and information pertaining to myself or my minor children, if any, or to cause said records and information to be forwarded to others;
2. Make, execute, acknowledge, endorse, accept and deliver in my hand by my said attorney all checks, notes, drafts, agreements, deeds, stock certificates, and all other instruments in writing of whatsoever nature;
3. Collect any and all monies or other property of any kind at any time due to me and give receipts and releases therefor, and to sign and endorse my name to any and all checks or any other papers payable to me, and to deposit checks, drafts, and funds in any and all banks and savings and loan accounts; all monies, funds, or securities received by her shall exonerate the person paying from seeing to the application thereof;
4. Execute checks, drafts, or other documents for the withdrawal of same and all bank deposits owned by me, and to execute request for payment of U.S. Savings Bonds and to surrender same and receive proceeds thereof;
5. Execute income tax returns and other tax returns and represent me before the IRS or others in all matters;
6. Sell and/or transfer any or all property, real or personal, including homestead property, and any interest therein, including securities, for any price he shall deem advisable, and in furtherance thereof, execute any and all instruments necessary to transfer my title, and to receive mortgages and notes for any deferred payments;
7. Execute stock powers or similar documents on behalf of me and delegate to a transfer agent or similar person the authority to register any stocks, bonds, or other securities either into or out of my or my nominee's name;
8. Transfer to and add any assets to any existing revocable or irrevocable trust of mine.
9. Borrow in my name any money, including loans upon the security of any or all of my property, real or personal, and to give, sign, seal and deliver therefor any mortgages of any kind, and sign, transfer, collect, and satisfy any mortgages or indebtedness owned by me.

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AUG 19 2009

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by her shall exonerate the person paying from seeing to the application thereof;

4. Execute checks, drafts, or other documents for the withdrawal of same and all bank deposits owned by me, and to execute request for payment of U.S. Savings Bonds and to surrender same and receive proceeds thereof;
 5. Execute income tax returns and other tax returns and represent me before the IRS or others in all matters;
 6. Sell and/or transfer any or all property, real or personal, including homestead property, and any interest therein, including securities, for any price he shall deem advisable, and in furtherance thereof, execute any and all instruments necessary to transfer my title, and to receive mortgages and notes for any deferred payments;
 7. Execute stock powers or similar documents on behalf of me and delegate to a transfer agent or similar person the authority to register any stocks, bonds, or other securities either into or out of my or my nominee's name;
 8. Transfer to and add any assets to any existing revocable or irrevocable trust of mine.
 9. Borrow in my name any money, including loans upon the security of any or all of my property, real or personal, and to give, sign, seal and deliver therefor any mortgages of any kind, and sign, transfer, collect, and satisfy any mortgages or indebtedness owned by me.
-
10. Open and enter any safe deposit box which I may have at any bank or facility, and deposit therein or remove therefrom any documents or other items.

The above words being not those of limitation, but only of illustration of my giving and granting unto my said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises as fully, to all intents and purposes, as I might or could do if personally present, with full power of substitution and revocation, hereby ratifying and confirming all that my said attorney or his substitute shall lawfully do or cause to be done by virtue hereof.

THIS DURABLE POWER OF ATTORNEY IS NOT AFFECTED BY SUBSEQUENT INCAPACITY OF THE PRINCIPAL EXCEPT AS PROVIDED BY s. 709.08, FLORIDA STATUTES.

*Signed, Sealed, and Delivered
in the Presence of:*

Sign Donna Strayhorn

Print Donna Strayhorn

Sign Guy R. Strayhorn

Print Guy R. Strayhorn

Carl H. Vickers
CARL H. VICKERS

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STATE OF FLORIDA
COUNTY OF LEE 2009-00032

COMMUNITY DEVELOPMENT

The foregoing Power of Attorney was acknowledged before me this 30th day of December, 1997, by **CARL H. VICKERS**, who is personally known to me to be the same person described in and who executed the within Power of Attorney, or who has produced _____ as identification and who did not take an oath, and he acknowledged the within Power of Attorney to be his act and deed.



Sign Guy R. Strayhorn
Print Guy R. Strayhorn
NOTARY PUBLIC