

5236 Orange River Section 3; Township 44 South; Range 25 East Lee County, Florida

Environmental Assessment & Protected Species Survey

March 2010

Project No. 2010-2

INTRODUCTION

Two environmental scientists from Boylan Environmental Consultants, Inc conducted a field investigation on the $0.86\pm$ acre property on May 19, 2009. The site is located in portions of Section 3, Township 44 South, Range 25 East, in Lee County, Florida. Specifically, it is situated west of I-75 and immediately south of Orange River Boulevard. Please see the attached Location Map Exhibit A.

The purpose of the field investigation was to identify and document the presence of any listed species and any potential listed (endangered, threatened, etc.) species inhabiting the site that are regulated by the U.S. Fish & Wildlife Service (FWS) and the Florida Fish & Wildlife Conservation Commission (FWC). The survey was conducted in the morning with temperatures in the low-mid 80's with a light breeze and mostly cloudy skies.

METHODOLOGY

The survey method consisted of overlapping belt transects performed for all FLUCFCS communities onsite in compliance with the Lee County Endangered Species Ordinance No. 89-34. The specific methodology included pedestrian surveys of parallel transects conducted according to the survey methodology previously approved by Lee County.

This survey is comprised of a several step process. First, vegetation communities or land-uses on the study area are delineated using the Florida Land Use, Cover and Forms Classification System (FLUCFCS). Please see the attached FLUCFCS map (Exhibit B) and FLUCFCS map with aerial (Exhibit C). Next, the FLUCFCS codes are cross-referenced with the Lee County Protected Species List. This protected species list names the species which have a probability of occurring in any particular FLUCFCS community.

An intensive pedestrian survey is conducted using parallel belt transects that are approximately 10-40 feet apart, depending upon both the thickness of vegetation and visibility, as a means of searching for listed species. In addition, periodic "stop-look-listen" and quiet stalking methods are conducted for animals. Signs or sightings of these species are then recorded and are marked in the field with flagging tape. The table at end of the report lists the FLUCFCS communities found on the parcel and the corresponding species which have a probability of occurring in them.

Transects were walked approximately as shown on the attached protected species survey map (Exhibit D) and protected species survey map with aerial. Specific attention was placed on locating any gopher tortoise burrows.

| Survey Date | Survey Time | Weather Conditions |
|--------------|----------------|---|
| May 19, 2009 | Morning | Mostly cloudy with light winds and temperatures in the low-mid 80's |

TABLE 1: SURVEY DATE AND WEATHER CONDITIONS

EXISTING SITE CONDITIONS

Site Details – The boundary was obtained from Site Concepts Inc. and is assumed to be $0.91\pm$ acres. The site was undeveloped, but appears to have a long history of disturbance. In general, the property is composed of a residential home with a gravel parking pad and vacant land surrounding the home. The site is bordered by commercial and residential development and roadways.

Soil Type - The soils on the property have been mapped by the National Resource Conservation Service (NRCS, formerly the Soil Conservation Service). Please see the attached NRCS soils map (Exhibit E). These mappings are general in nature, but can provide a certain level of information about the site as to the possible extent of wetland area. The agencies commonly use these mappings as justification for certain wetland determinations. According to these mappings, the parcel is underlain by Myakka Fine Sand, soil number 11, non-hydric.

Vegetation Communities – Each community was mapped in the field according to the system in use by the agencies, the Florida Land Use Cover and Forms Classification System (FLUCFCS). Listed below are the vegetation communities or land-uses identified on the site. Vegetation is one parameter used in determining the presence of a wetland; the other parameters include the presence of wetland hydrology and hydric soils. These community mappings will generally reflect whether an area could be considered as wetlands. We did not identify any jurisdictional wetland communities on the site. The following descriptions correspond to the mappings on the attached FLUCFCS map. See Florida Land Use, Cover and Forms Classification System (Department of Transportation 1999) for definitions.

FLUCFCS CODES/DESCRIPTION

<u>110</u> Residential (0.14± acres)

These residential areas are occupied by single-family home sites and account for $0.14\pm$ acres of the property. This community should be considered uplands by regulatory agencies.

740 Disturbed Land (0.77± acres)

This upland area occupies $0.77\pm$ acres of the property. The canopy and sub-canopy was open. The ground cover includes dog fennel (*Eupatorium capillifolium*), ragweed (*Ambrosia artemisiifolia*), caesar weed (*Urena lobata*), hairy beggar-ticks (*Bidens alba*), sandspur (*Cenchrus echinatus*), Spanish needle (*Bidens bipinnata*), and bahia grass (Paspalum notatum). This community would be considered uplands by the regulatory agencies.

| FLUCFCS Code | Community Description | Upland Acres |
|-----------------|--------------------------|-----------------|
| 110 | Residential | $0.14 \pm ac.$ |
| 740 | Disturbed Land | 0.77± ac. |
| | Total: | 0.91± ac. |

TABLE 2: FLUCFCS COMMUNITY TABLE

SPECIES PRESENCE

The various listed species that may occur in the FLUCFCS communities have been tabulated on the attached table. In general, this site does not contain native, undisturbed community types in which protected species would typically inhabit. During the field survey for protected species on the property, no protected species or signs thereof were observed on-site. No nest-like structures or tree cavities were noted. No tortoise burrows were identified. There were two heritage live oak trees identified on-site, however, they are going to be preserved and incorporated into the site plan.

DISCUSSION

The lack of tortoise burrows is likely due to the disturbed nature of the site and the historic landuse of the site. It is unlikely that this site supports or would provide habitat for protected species. The nearby roads also create a barrier and a hazard to other animals. Other non-listed animal species noted were a mocking bird and black vulture.

Community locations were estimated and drawn by using a non-rectified aerial with approximate property boundaries hence, their location, aerial extent, and acreage is approximate.

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TABLE 3: LISTED SPECIES BY HABITAT WITH CURRENT STATUS

| FLUCFCS Code | FLUCFCS Description | Common Name | Scientific Name | Percent Coverage | Observed | FDA | FWS | FWC |
|-----------------|---------------------|-----------------|------------------------------|---------------------|----------|-----|-----|-----|
| 110 | Residential | Burrowing Owl | Athene cunicularia floridana | | | | | SSC |
| 740 | Disturbed Land | Gopher Tortoise | Gopherus polyphemus | | | | | |
| | Disturbed Land | N/A | | | | | | |

C=Commercially Exploited E= Endangered T= Threatened

SSC= Species of Special Concern



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Exhibit A

Location Map



Exhibit B

Aerial FLUCFCS Map



Exhibit C FLUCFCS Map



FLUCFCS per Florida Land Use, Cover and Forms Classification System (FLUCFCS) (FDOT 1999).

Property boundary was acquired from Site Concepts, Inc Drawing No. Survey-10495ENG.dwg recieved 5/7/09.



5236 ORANGE RIVER

FLUCFCS MAP

 DRAWN BY:
 DATE:
 CATEGORY
 PAGE

 BKM
 5/19/09
 FLUCFCS

 JOB NUMBER
 SCALE:

 2009-24
 I" = 100'
 Exhibit

 S/T/R
 COUNTY

 3/44S/25E
 LEE

Exhibit D

Protected Species Survey Map



Exhibit E

NRCS Soils Map









EXISTING ZONING MAP OF SUBJECT PROPERTY AND SURROUNDING LANDS.



- 5236 ORANGE RIVER -5236 ORANGE RIVER BLID., FORT MYERS, FLORIDE 55905 STRAP 03-66-25-0-0006.000

CURRENT FUTURE LAND USE MAP SHOWING DESIGNATIONS OF SUBJECT PROPERTY AND SURROUNDING LANDS.



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- 5236 ORANGE RIVER -5236 ORANGE RIVER BLVD., FORT MYERS, FLORIDA 33905 STRAF D3-44-25-DI-00061.0DIO



jmb transportation engineering, inc.

traffic/transportation engineering & planning

TRAFFIC IMPACT STATEMENT

FOR

5236 ORANGE RIVER CPD

(Project No. 091211) March 17, 2010

Prepared By:

JMB TRANSPORTATION ENGINEERING, INC. 761 21ST Street NW Naples, Florida 34120 239-919-2767

. The second s

James M. Banks, P.E. Reg. No. 43860

3-17-2010

Date

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CONCLUSIONS

Off-Site Road Impact Mitigation Requirements

Based upon the analyses conducted by this Report, it has been concluded that the 5236 Orange River CPD will not have any negative impact upon the surrounding roadway infrastructure that warrant special mitigation needs. This conclusion is based upon the finding that the project does not significantly or negatively impact the surrounding roadways, and those roadways that will provide access to the project will operate at acceptable levels of service for 2015 and 2030 project build-out conditions. Furthermore, the project will not affect or require modifications to Lee County's 5-year Capital Improvement Program or 2030 Long-Term Financially Feasible Plan.

Concurrency Review – State Road 80 is classified as a six lane divided arterial having a performance standard of LOS E. A maximum service capacity of 2,920 vph during the 100^{th} highest peak hour peak direction has been established for this road by the Lee County Concurrency Management Report. As determined, State Road 80 will have a 2015 and 2030 project build-out traffic volume of 1,159 vph and 1,589, respectively, which is a *v/c* ratio of 0.40 and 0.48, respectively. As such, this project is in conformance with the Lee County Government's Concurrency Management System.

PURPOSE OF REPORT

The following Report has been prepared pursuant to the criteria set forth by the Traffic Impact Statement Guidelines as adopted by the Lee County Government for projects requesting a small-scale comprehensive land use amendment. More specifically, this Report examines the potential transportation related impacts that may occur as a result of the completion of this project.

SCOPE OF PROJECT

The project (referred to as 5236 Orange River CPD) is a proposed mixed use commercial development that will have a maximum of 9,000 square feet of leasable floor space. The project site is located on the south side of West Orange River Boulevard and to the east of the Lexington Avenue/West Orange River Road intersection (refer to Figure 1 for a depiction of the site location).

The project will have one full access on West Orange River Boulevard. Project build-out is anticipated to occur by the year 2014.

PROJECT GENERATED TRAFFIC

Traffic which can be expected to be generated West Orange River CPD has been estimated based upon the guidelines established by the Institute of Transportation Engineers, Trip Generation Manual, 8th Edition. That is, historical traffic data collected at similar type developments was relied upon in estimating the project's traffic. In referencing the historical data provided by the ITE Trip Generation Manual, it was concluded that Land Use Code "Shopping Center" (LUC 820) was most appropriate in estimating the anticipated traffic. *At this time, the project is proposing a wide range of commercial land uses. As such, the Report based its findings on the most intense development potential.*

Table 1 provides a detail of the calculations that were performed in estimating the project's anticipated traffic, which has been summarized below.

| | | New Trips | New Trips | New Trips |
|----------|------------------|-------------|---------------|----------------------|
| Land Use | Build-out | Daily (ADT) | AM Peak (VPH) | <u>PM Peak (VPH)</u> |
| LUC 820 | 9,000 S.F. | 994 ADT | 26 VPH | 89 VPH |

Based upon these results, the Report concludes that the project will generate less than 100 trip ends during the highest peak hour. As such, the Report investigated the traffic impacts based upon the criteria set forth by the Lee County Traffic Impact Statement Guidelines for developments generating "Less Than 100 Trips".

EXISTING ROADWAY CONDITIONS

West Orange River Boulevard is two lane commercial grade local road.

State Road 80 is classified by the Lee County Government as a six lane divided arterial having a performance standard of LOS E. A maximum service capacity of 2,920 vph during the 100th highest peak hour peak direction has been established for this road by the Lee County Concurrency Management Report.

AREA OF SIGNIFICANT IMPACT

The area of significant impact was determined based upon Lee County's 10% criteria (i.e., if the project's traffic is 10% or more of a roadway's adopted level of service LOS "C" capacity, then the project has a significant impact upon that link). Table 2A describes the project traffic distributions and the level of impact on the surrounding roadways. As shown, no roadways were found to be impacted by 10% or greater than its adopted level of service volume. As such, only State Road 80 is considered to be impacted by the project.

2015 & 2030 PROJECT BUILD-OUT CONDITIONS

In order to establish 2015and 2030 project build-out traffic conditions, traffic count data was adjusted for peak season conditions, peak hour conditions, peak direction, and an annual growth rate was then applied. The peak season/peak hour/peak direction factors as shown on Table 2B were derived from the 2009 Lee County Traffic Count Report. The annual growth rate was derived from historical traffic counts also described in the Traffic Count Report. After the correct adjustments were computed, the project generated traffic was then added to the 2015 and 2030 Background Traffic. Table 2C provides a detail of the 2015 and 2030 background plus project traffic conditions. As shown, State Road 80 will operate at an acceptable level of service for 2015 and 2030 project build-out conditions.

CONCURRENCY REVIEW

State Road 80 is classified as a six lane divided arterial having a performance standard of LOS E. A maximum service capacity of 2,920 vph during the 100^{th} highest peak hour peak direction has been established for this road by the Lee County Concurrency Management Report. As determined, State Road 80 will have a 2015 and 2030 project build-out traffic volume of 1,159 vph and 1,589, respectively, which is a v/c ratio of 0.40 and 0.48, respectively. As such, this project is in conformance with the Lee County Government's Concurrency Management System.

APPENDIX

FIGURE 1

TABLES 1 thru 2C

SUPPORT DOCUMENTS



TABLE 2A PROJECT'S AREA OF IMPACT

Project Traffic Peak Direction (vph) =

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| | | Road <u>Class</u> | Project Traffic <u>% Distribution</u> | Project Traffic PK Direction Volume (vph) | LOS "C" Service Volume | Project's Percentage <u>Impact</u> | Significant <u>Impact</u> | Service Volume LOS Standard | LOS Standard PK Direction <u>Volume (vph)</u> | |
|---------------|--|----------------------|--|---|---------------------------|--|------------------------------|--------------------------------|---|--|
| State Road 80 | Tice Ave to Ortiz Ave Ortiz Ave to I-75 | 6LD 6LD | 50% 65% | 23 29 | 2730 2730 | 0.82% 1.07% | NO NO | E | 29 20 29 20 | |
| | I-75 to State Road 31 | 6LD | 35% | 16 | 3080 | 0.51% | NO | D | 3080 | |

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TABLE 2B ROADWAY LINK VOLUME & CAPACITY ANALYSIS

| | | | K100 Factor | Directional <u>Factor</u> | | | | | | | |
|---------------|-----------------------|------------------|---------------|------------------------------|----------|--------|--------|-------------|--------------|--------------|--------------|
| | | P.C.S. 11 | 0.0996 | 53% | | | | | 2009 | 2015 | 20 30 |
| | | | 1st Year | 2008 | | | | | Peak Hour | Peak Hour | Peak Hour |
| | | Station | Traffic Count | Traffic Count | Years of | Growth | K100 | Directional | PK Direction | PK Direction | PK Direction |
| | | <u>Adjustmen</u> | <u>(ADT)</u> | <u>(ADT)</u> | Growth | Rate | Factor | Factor | <u>(VPH)</u> | <u>(VPH)</u> | <u>(VPH)</u> |
| State Road 80 | Tice Ave to Ortiz Ave | 11 | 26400 | 17900 | 9 | 2.00% | 0.0996 | 53% | 945 | 1064 | 1432 |
| | Ortiz Ave to I-75 | 11 | 27000 | 19500 | 9 | 2.00% | 0.0996 | 53% | 1029 | 1159 | 1560 |
| | I-75 to State Road 31 | 11 | 24900 | 25900 | 9 | 2.00% | 0.0996 | 53% | 1367 | 1540 | 2 072 |

TABLE 2CROADWAY LINK VOLUME & CAPACITY ANALYSIS

| | | 2015 Peak Hour PK Direction <u>(VPH)</u> | 2015 Peak Hour PK Direction <u>LOS</u> | 2030 Peak Hour PK Direction Background <u>(VPH)</u> | 2030 Peak Hour PK Direction Background LOS | Project Peak Hour PK Direction <u>(VPH)</u> | 2030 Build-Out Peak Hour PK Direction <u>(VPH)</u> | LOS Standard PK Direction <u>Volume (vph)</u> <u>(VPH)</u> | <u>v/c Ratio</u> | 2030 Build-Out Peak Hour PK Direction LOS |
|---------------|--|---|---|---|--|--|--|---|------------------|---|
| State Road 80 | Tice Ave to Ortiz Ave Ortiz Ave to I-75 | 1064 1159 | c c | 1432 1560 | с с | 23 29 | 1455 1589 | 2920 2920 | 0.50 0.54 | c c |
| | 1-75 to State Road 31 | 1540 | С | 2072 | С | 16 | 2088 | 3080 | 0.68 | С |

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| | FDOM | то | ROAD TYPE | | ORMANCE | | 08 100th HEST HR | | 2009 100th HEST HR | | RECAST | NOTES* | LINK |
|---------------------------|--------------------------|--------------------------|--------------|---|-------------|-----|---------------------|----------|-----------------------|----------|--------|---|---------------|
| ROADWAY LINK NAME | FROM | 10 | TIPE | | CAPACITY | | VOLUME | LOS | VOLUME | LOS | | | NO. |
| ORTIZ AVE | DR ML KING BL (SR 82) | LUCKETT RD | 2LN | E | 950 | С | 850 | с | 850 | с | 853 | 4 Ln design & ROW acquisition underway. | 19700 |
| ORTIZ AVE | LUCKETT RD | PALM BEACH BL (SR 80) | 2LN | E | 95 0 | В | 427 | В | 427 | в | 446 | 4 Ln design & ROW acquisition underway. | 19800 |
| PALM BEACH BL (SR 80) | PROSPECT AVE | ORTIZ AVE | 4LD | E | 1,940 | С | 928 | с | 929 | с | 929 | | 19900 |
| PALM BEACH BL (SR 80) | ORTIZ AVE | 1-75 | 6LD | E | 2,920 | с | 1,009 | с | 1,009 | С | 1,009 | | 20 000 |
| PALM BEACH BL (SR 80) | I-75 | SR 31 | 6LD | D | 2,970 | А | 1,307 | A | 1,312 | В | 1,651 | | 20100 |
| PALM BEACH BL (SR 80) | SR 31 | BUCKINGHAM RD | 4LD | D | 1,970 | в | 1,541 | В | 1,544 | В | 1,717 | | 20200 |
| PALM BEACH BL (SR 80) | BUCKINGHAM RD | WERNER DR | 4LD | D | 2,660 | A | 739 | A | 741 | С | 1,595 | | 20300 |
| PALM BEACH BL (SR 80) | WERNER DR | JOEL BL | 4LD | с | 2,050 | A | 721 | A | 721 | A | 769 | | 20330 |
| PALM BEACH BL (SR 80) | JOEL BLVD | HENDRY COUNTY LINE | 4LD | с | 2,050 | A | 721 | A | 721 | A | 858 | | 20400 |
| PALOMINO RD | DANIELS PKWY | PENZANCE BL | 2LU | E | 860 | C | 177 | C | 177 | C | 197 | | 20500 |
| PARK MEADOW DR | SUMMERLIN RD | US 41 | 2LU | E | 860 | С | 143 | с | 147 | С | 152 | | 20600 |
| PENZANCE BL | RANCHETTE RD | SIX MILE CYPRESS PKWY | 2LU | E | 860 | N/A | N/A | N/A | N/A | N/A | N/A | | 20800 |
| PINE ISLAND RD | STRINGFELLOW BL | BURNT STORE RD | 2LN | E | 950 | D | 583 | D | 589 | D | 655 | Constrained in part $v/c = 0.61$. | 20900 |
| PINE ISLAND RD (SR 78) | BURNT STORE RD | CHIQUITA BL | 2LN | с | 910 | В | 589 | В | 592 | В | 594 | 4 Ln design & ROW underway by FDOT. | 21000 |
| PINE ISLAND RD (SR 78) | CHIQUITA BL | SANTA BARBARA BL | 4LD | с | 2,010 | В | 1,459 | В | 1,459 | В | 1,459 | | 21100 |
| PINE ISLAND RD (SR 78) | SANTA BARBARA BL | DEL PRADO BL | 4LD | С | 2,010 | С | 1,528 | С | 1,528 | c | 1,537 | | 21200 |
| PINE ISLAND RD (SR 78) | DEL PRADO BL | BARRETT RD | 4LD | E | 2,010 | В | 1,135 | В | 1,136 | В | 1,136 | | 21300 |
| PINE ISLAND RD (SR 78) | BARRETTRD | US 41 | 4LD | E | 2,010 | В | 1,135 | В | 1,135 | В | 1,234 | | 21400 |
| PINE ISLAND RD (SR 78) | US 41 | BUSINESS 41 | 4LD | E | 1,950 | В | 1,101 | В | 1,101 | В | 1,101 | | 21500 |
| PINE RIDGE RD | SAN CARLOS BL | SUMMERLIN RD | 2LU | E | 860 | D | 511 | D | 511 | | 621 | + | 21600 |
| PINE RIDGE RD | SUMMERLIN RD | GLADIOLUS BL | 2LU | E | 860 | С | 231 | <u> </u> | 264 | D | 479 | <u> </u> | 21700 |
| PINE RIDGE RD | GLADIOLUS DR | McGREGOR BL | 2LU | E | 860 | C | 266 | С | 266 | C | 266 | Motro 6 La by EDOT | 21000 |
| PLANTATION RD | SIX MILE CYPRESS PKWY | DANIELS PKWY | 2LU | E | 860 | С | 199 | c | 202 | E | 694 | Metro 6 Ln by FDOT underway. | 21900 |
| PLANTATION RD | DANIELS PKWY | IDLEWILD ST | 2LU | E | 860 | D | 525 | D | 539 | E | 800 | | 22000 |
| PONDELLA RD | PINE ISLAND RD (SR 78) | ORANGE GROVE BL | 4LD | E | 2,010 | С | 701 | С | 701 | С | 703 | | 22100 |
| PONDELLA RD | ORANGE GROVE BL | US 41 | 4LD | E | 2,010 | C | 1,053 | C | 1,053 | <u> </u> | 1,130 | <u> </u> | 22200 |

| | PERIODIC COUNT STATION DATA | | | | | | | | | | | | | | |
|-------------------|--|--------------|--------|----------------|----------------|----------------|----------------|------------------|----------------|----------------|----------------|-------------------------|----------------|----------|--------|
| | | ठाव- tion | М | · · · · · | | 212 | D | aily T ra | ffic Volu | ume (AA | (DT) | | | | |
| STREET | LOCATION | # | A P | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 | 2007 | 2008 | 2009 | SO | Area |
| OLGA RD | N OF PALM BEACH BLVD | 484 | D | 3900 | 3500 | 4100 | 4200 | 2900 | 1600 | 4200 | 1700 | 2100 | 1700 | 11 | 5 |
| ORANGE GROVE BLVD | S OF HANCOCK BR. PKWY S OF PONDELLA RD | 351 350 | Ċ C | 7600 7700 | 8700 9400 | 11600 9800 | 9300 10500 | 9700 10700 | 9700 10900 | 9400 11100 | 8700 10700 | 7700 9500 | 7600 9600 | 34 34 | 2 2 |
| ORANGE RIVER BLVD | S OF PALM BEACH BLVD | 353 | D | 6900 | 7000 | 7800 | 7800 | 7400 | 8100 | 8900 | 8700 | 7800 | 7300 | 11 | 5 |
| | E OF STALEY RD | 352 | D | 4500 | 4400 | 5600 | 5800 | 5900 | 7100 | 8300 | 7800 | 7700 | 6400 | 11 | 5 |
| ORIOLE RD | S OF ALICO RD | 462 | Ĥ | 2500 | 2900 | 2600 | 2600 | 2300 | 2400 | 2800 | 2500 | 2500 | 2600 | 25 | 4 |
| ORTIZ AVE | N OF COLONIAL BLVD N OF M.L.K. BLVD (SR 82) | 354 355 | Ē | 9900 11700 | 12800 13300 | 13500 13700 | 13700 U/C | 18100 15100 | 18300 17000 | 17600 17900 | 16000 16800 | 12600 17700 | 14200 11900 | 18 18 | 3 3 |
| | N OF TICE ST | 356 | A | 8400 | 8800 | 9200 | 8400 | 9200 | 9500 | 10100 | 8600 | 8900 | 6200 | 18 | 0 |
| PALM BEACH BLVD | W OF TICE STREET | 452 | A | 26400 | 27100 | 28700 | 28700 | 27800 | 29100 | 30100 | 31400 | 20600 | 17900 | 11 | 3 |
| (SR 80) | E OF ORTIZ BLVD W OF SR 31 | 359 5 | A D | 27000 24900 | 25800 25300 | 27400 25000 | 29200 22800 | 27000 25800 | 26000 23900 | 28400 28100 | 26800 U/C | 22 40 0 27100 | 19500 25900 | 11 | 3 3 |
| | E OF SR 31 | 360 | D | 25200 | 27000 | 27900 | 27900 | 29400 | 31700 | 35200 | 34400 | 34200 | 30400 | 11 | 5 |
| | E OF BUCKINGHAM RD W OF HENDRY CO LINE | 362 358 | D D | 14900 9300 | 15800 9000 | 16800 11200 | 18100 12100 | 18900 | 21900 15700 | 25700 17500 | 22900 15100 | 16400 16000 | 20900 12300 | 11 11 | 5 5 |



RECORDING FEE - \$10.00 DOCUMENTARY STAMP TAX - \$770.00 This Instrument Prepared By/Return to: Betsy L. Wilkinson of: Wilkinson Title Agency, Inc. 11595 Kelly Road, Suite 217 Fort Myers, Florida 33908 Grantee(s) S.S. #: Strap Number: 03-44-25-01-00061.0010 File Number: 52263

INSTR # 6663551 OR BK 84604 Pg 1540; (1pg) RECORDED 82/24/2005 11:14:28 AM CHARLIE GREEN, CLERK OF COURT LEE COUNTY, FLORIDA RECORDING FEE 10.00 DEED DOC 770.00 DEPUTY CLERK P Haywood

WARRANTY DEED

This Indenture made this 11th day of February, 2005, BETWEEN

Federal Mortgage Services, Inc., a Florida Corporation of P.O. Box 50488, Fort Myers, FL 33905 as GRANTOR*, and

Gulf Shore Investments, LLC, a Florida Limited Liability Company of P.O. Box 50340, Fort Myers, FL 33994 as GRANTEE* ("Wherever used herein the terms "Granter" and "Grantes" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the

WITNESSETH, That the said Grantor, for and in consideration of the sum of TEN Dollars (\$10.00) and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has agreed, has granted, bargained and sold unto the Grantee and Grantee's heirs, or successors; and assigns forever the following described land located in the

EASTERLY ONE HUNDRED SIXTY-FIVE FEET (165') OF THE NORTHERLY TWO HUNDRED TWENTY-SEVEN AND ONE-HALF FEET (227 1/2') OF LOT THIRTY-THREE (33), BLOCK THREE (3) OF THAT CERTAIN SUBDIVISION KNOWN AS TERRY, TICE AND VANDAWALKER'S SUBDIVISION, A SUBDIVISION ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, AT PAGE 46, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

SUBJECT TO AN EASEMENT OR RIGHT-OF-WAY OVER AND ACROSS THE WESTERLY TEN FEET (10') OF SAID PROPERTY, FOR PURPOSES OF EGRESS AND INGRESS TO THE SOUTHERLY PORTION OF SAID LOT. ALSO LESS AND EXCEPT THE NORTHERLY ROAD RIGHT-OF-WAY OF

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND LIMITATIONS OF RECORD, IF ANY, AND TAXES FOR THE CURRENT AND SUBSEQUENT YEARS.

TOGETHER with all the tenements, hereditaments and appurtenances thereof belonging or in anywise appertaining. TO HAVE AND TO HOLD, the same in fee simple forever.

TAMMIE L. TUĆKER

AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in FEE SIMPLE; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing for the current and subsequent years.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

signature Jamm. (witness #2 signatore)

Federal Mortgage Services Inc. (seal) tohn G. Septoli Jr., President

COUNTY OF LEE, STATE OF FLORIDA The foregoing instrument was acknowledged before me this 11th day of February, 2005 by John G. Seplelli, Jr., President of Federal Mortgage Services, Inc., a Florida Corporation, on behalf of the corporation who is personally known.

1tr Notary Public Signature

BETSY L. WILKINSON

Notary's Name Typed, Printed or Stamped

Expiration Date: Serial Number Seal



Charlie Green, Lee County Clerk of Circuit Court, Deed Doc. D \$0.70 Rec. Fee \$35.50 Deputy Clerk ACENTORINO

Doc Stps ___7(int Tax Rec Fee 20. Ric Total

This Instrument Prepared By: Gordon R. Duncan P.O. Drawer 249 Ft. Myers, FL 33902

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QUIT CLAIM DEED

THIS INDENTURE, made this <u>Hk</u> day of <u>MGUS</u>, 2008, between Joseph W. Vickers, joined by his wife, Rosella Vickers, whose post office address is 5228 Orange River Boulevard, Fort Myers, FL 33905 and Carl H. Vickers, a single man, whose post office address is 5222 Orange River Boulevard, Fort Myers, FL 33905, party of the first part, and Gulf Shore Investments, LLC, a Florida limited liability company, whose post office address is P.O. Box 50340, Fort Myers, FL 33994, party of the second part,

WITNESSETH, that the said party of the first part in consideration of the sum of TEN DOLLARS and other good and valuable considerations, in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has remised, released and quitclaimed, and by these presents does remise, release and quitclaim unto the said party of the second part all the right, title, interest claim and demand which the said party of the first part has in and to the following described lot, piece or parcel of land, situate lying and being in the County of Lee, State of Florida, to wit:

See Attached Exhibit A

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the said party of the first part, either in law or equity, to the only proper use, benefit and behoof of said party of the second part.

IN WITNESS WHEREOF, the said party of the first part has set his hand and seal the day and year first above written.

sign tran with print Vitnes sign Pair witness sign

Term

print
Prett witnes sign

STATE OF Florida COUNTY OF Lee

ain urm Ň LARAINE E. KELLERMEYER Notary Public - State of Florida Commission Expires Apr 4, 2010 Commission # DD 537019

My Commission Expires:

STATE OF Florida COUNTY OF Lee

sigr Notary Public Sea. LARAINE E. KELLERMEYER Notary Public - State of Florida Commission Expires Apr 4, 2010 Commission # DD 537019

STATE OF Florida COUNTY OF Lee

My Commission Expires:

The foregoing instrument was acknowledged before me this $\frac{4}{1000}$ day of $\frac{1000}{1000}$, 2008, by Carl H. Vickers, who is personally known to me or who produced drivers license as identification and who did take an oath.

81 qr rom Print name Notary Public seal

LARAINE E. KELLERMEYER Notary Public - State of Florida y Commission Expires Apr 4, 2010 Commission # DD 537019

My Commission Expires:



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

(SUBJECT PARCEL)

A TRACT OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE, IN SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST, BEING A PART OF LOT 33, BLOCK 3, TERRY TICE & VANDAWALKERS SUBDIVISION AS RECORDED IN PLAT BOOK 1 PAGE 46 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 33; THENCE N.89'07'50"E. ALONG THE SOUTH LINE OF SAID LOT 33 AND THE NORTH RIGHT-OF-WAY LINE OF RICHMOND AVENUE FOR A DISTANCE OF 354.74 FEET TO THE SOUTHEAST CORNER OF SAID LOT 33; THENCE N.01'10'31"W. LEAVING SAID NORTH RIGHT-OF-WAY LINE AND ALONG THE EAST LINE OF SAID LOT 33 FOR A DISTANCE OF 601.66 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF ORANGE RIVER BOULEVARD AS SHOWN ON THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION NUMBER 12075-2404 AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL; THENCE S.01'10'31"E. LEAVING SAID SOUTH RIGHT-OF-WAY LINE AND ALONG THE EAST LINE OF SAID LOT 33 FOR A DISTANCE OF 212.96 FEET; THENCE S.89'02'40"W. LEAVING SAID EAST LINE FOR A DISTANCE OF 187.14 FEET TO AN INTERSECTION WITH AN EASTERLY LINE OF A PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 3096 AT PAGE 289 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00'38'20"W. ALONG SAID EASTERLY LINE FOR A DISTANCE OF 212.15 FEET TO AN INTERSECTION WITH SAID SOUTH RIGHT-OF-WAY LINE OF ORANGE RIVER BOULEVARD; THENCE N.88'47'39"E. ALONG SAID SOUTH RIGHT-OF-WAY LINE FOR A DISTANCE OF 185.15 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID LOT 33 AND POINT OF BEGINNING.

PARCEL CONTAINS 39,565 SQUARE FEET, MORE OR LESS.

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

* BEARINGS ARE BASED ON THE EAST LINE OF LOT 33, BLOCK 3, TERRY TICE & VANDAWALKERS SUBDIVISION AS BEARING N.01°10'31"W.

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

TIMOTHY LEE MANN

PROFESSIONAL SURVEYOR AND MAPPER FLORIDA CERTIFICATE NO. 5838

10495SK-1.doc

SHEET 1 OF 2

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INSTR # 2008000324323, Doc Type D, Pages 4, Recorded 12/12/2008 at 04:19 PM, Charlie Green, Lee County Clerk of Circuit Court, Deed Doc. D \$0.70 Rec. Fee \$35.50 Deputy Clerk ACENTORINO

Doe Stos Int Tax Rec Fee Total

This Instrument Prepared By: Gordon R. Duncan P.O. Drawer 249 Ft. Myers, FL 33902

QUIT CLAIM DEED

THIS INDENTURE, made this **TCL** day of **AUGUST**, 2008, between **Gulf Shore Investments**, **LLC**, a Florida limited liability company, whose post office address is P.O. Box 50340, Fort Myers, FL 33994, party of the first part, and **Carl H. Vickers**, a single man, whose post office address is 5222 Orange River Boulevard, Fort Myers, FL 33905 and Joseph W. Vickers, whose post office address is 5228 Orange River Boulevard, Fort Myers, FL 33905 and, party of the second part,

WITNESSETH, that the said party of the first part in consideration of the sum of Seventy Cents and other good and valuable considerations, in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has remised, released and quitclaimed, and by these presents does remise, release and quitclaim unto the said party of the second part all the right, title, interest claim and demand which the said party of the first part has in and to the following described lot, piece or parcel of land, situate lying and being in the County of Lee, State of Florida, to wit:

See Attached Exhibit A

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the said party of the first part, either in law or equity, to the only proper use, benefit and behoof of said party of the second part.

IN WITNESS WHEREOF, the said party of the first part has set his hand and seal the day and year first above written.

sign

print

limited liability company by: Everet Te III, Manager

Gulf Shore Investments, LLC, a Florida

Manager

STATE OF Florida COUNTY OF Lee

The foregoing instrument was acknowledged before me this <u>ft</u> day of <u>Allouot</u>, 2008, by Everette B. Henkle III, Manager of Gulf Shore Investments, ILC, a Florida limited liability company, who is personally known to me or who produced drivers license as identification and who did take an oath.

1 ans Notary Public seal LARAINE E. KELLERMEYER Notary Public - State of Florida hy Commission Expires Apr 4, 2010 Commission # DD 537019

My Commission Expires:

STATE OF Florida COUNTY OF Lee

The foregoing instrument was acknowledged before me this the day of Albert, 2008, by Penny K. Henkle, Manager of Gulf Shore Investments, LLC, a Florida limited liability company, who is personally known to me or who produced drivers license as identification and who did take an oath.

aign Int na Notary Public seal

My Commission Expires:

LARAINE E. KELLERMEYER Notary Public - State of Florida Commission Expires Apr 4, 2010 Commission # DD 537019



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

(SUBJECT PARCEL)

A TRACT OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE, IN SECTION 3, TOWNSHIP 44 SOUTH, RANGE 25 EAST, BEING A PART OF LOT 33, BLOCK 3, TERRY TICE & VANDAWALKERS SUBDIVISION AS RECORDED IN PLAT BOOK 1 PAGE 48 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 33; THENCE N.89'07'50'E. ALONG THE SOUTH LINE OF SAID LOT 33 AND THE NORTH RIGHT-OF-WAY LINE OF RICHMOND AVENUE FOR A DISTANCE OF 354.74 FEET TO THE SOUTHEAST CORNER OF SAID LOT 33; THENCE N.01'10'31'W. LEAVING SAID NORTH RIGHT-OF-WAY LINE AND ALONG THE EAST LINE OF SAID LOT 33; FOR A DISTANCE OF 601.66 FEET TO AN INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF ORANGE RIVER BOULEVARD AS SHOWN ON THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT-OF-WAY MAP, SECTION NUMBER 12075-2404; THENCE S.88'47'39'W. ALONG SAID SOUTH RIGHT-OF-WAY LINE FOR A DISTANCE OF 185.15 FEET TO AN INTERSECTION WITH AN EASTERLY LINE OF A PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 3096 AT PAGE 289 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE S.00'38'20'E. ALONG SAID EASTERLY LINE FOR A DISTANCE OF 187.14 FEET TO THE POINT OF BEGINNING; THENCE N.89'02'40'E. LEAVING SAID EASTERLY LINE FOR A DISTANCE OF 187.30 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID LOT 33; THENCE S.01'10'31'E. ALONG SAID EAST LINE FOR A DISTANCE OF 17.50 FEET; THENCE S.89'02'40'W. LEAVING SAID EAST LINE FOR A DISTANCE OF 187.30 FEET TO AN INTERSECTION WITH AN EASTERLY LINE OF A PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 3096 AT PAGE 289 OF THE PUBLIC RECORDS BOOK 3096 AT PAGE 201'10'31'E. ALONG SAID EAST LINE FOR A DISTANCE OF 17.50 FEET; THENCE S.89'02'40'W. LEAVING SAID EAST LINE FOR A DISTANCE OF 187.30 FEET TO AN INTERSECTION WITH AN EASTERLY LINE OF A PARCEL AS DESCRIBED IN OFFICIAL RECORDS BOOK 3096 AT PAGE 289 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00'38'20'W. ALONG SAID EASTERLY LINE FOR A DISTANCE OF 17.50 FEET TO THE POINT OF BEGININNING.

PARCEL CONTAINS 3,276 SQUARE FEET, MORE OR LESS.

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

BEARINGS ARE BASED ON THE EAST LINE OF LOT 33, BLOCK 3, TERRY TICE & VANDAWALKERS SUBDIVISION AS BEARING N.01º10'31"W.

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

FIMOTHY LEE MANN

PROFESSIONAL SURVEYOR AND MAPPER FLORIDA CERTIFICATE NO. 5838

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SHEET 1 OF 2

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PUBLIC FACILITIES IMPACT

EXISTING AND FUTURE CONDITIONS ANALYSIS

A. <u>SANITARY SEWER</u>

Existing Available Service:

The proposed development is located within the City of Fort Myers North Wastewater Treatment Plant (a.k.a.: RALEIGH STREET WWTP) service area. Utility service lines presently serve this site which is being converted from residential use to commercial uses. Connection to the franchise utility will continue with the proposed commercial uses.

Forecast Demand:

The proposed development assumes a 9,000 sf of gross floor area. As per F.A.C. 64E-6, the following calculations apply:

17 GPD per 100 GFA(9,000 SF) = 1,530 GPD

Concurrency report indicates the current capacity of City of Fort Myers North Wastewater Treatment Plant to be 11.0 MGPD. The usage for Estimated 2009 was 9.5 MGPD and Projected 2010 of 9.6 MGPD. This indicates more than adequate reserve capacity to serve this proposed development. The concurrency report for 2009 did not indicate any plans for expansion at that time.

Lee County Utilities has provided a Letter of Availability to serve the proposed commercial uses.

B. <u>POTABLE WATER</u>

Existing Available Service:

The proposed development is located within the Lee County Utilities Olga Water Treatment Plant service area. Utility service lines presently serve this site which is being converted from residential use to commercial uses. Connection to the franchise utility will continue with the proposed commercial uses.

Forecast Demand:

The proposed development assumes a 9,000 sf of gross floor area. As per F.A.C. 64E-6, the following calculations apply:

17 GPD per 100 GFA(9,000 SF) = 1,530 GPD

Concurrency report indicates the current capacity of Lee County Utilities Olga Water Treatment Plant to be 6.0 MGPD. The usage for Estimated 2009 was 3.0 MGPD and Projected 2010 of 3.1 MGPD. This indicates more than adequate reserve capacity to serve this proposed development. The concurrency report for 2009 did not indicate any plans for expansion at that time.

Lee County Utilities has provided a Letter of Availability to serve the proposed commercial uses.

PUBLIC FACILITIES IMPACT

EXISTING AND FUTURE CONDITIONS ANALYSIS

C. SURFACE WATER/DRAINAGE BASINS

Existing Available Service:

The applicant will provide a control structure at the time of Development Order application which will mimic the historic drainage patterns and discharge pre=treated stormwater runoff to the north into the street right of way. Historically the project area appears to drain as same. The master concept plan shows adequate area and volume to provide pretreatment of stormwater prior to discharge. A SFWMD permit is not required due to the small footprint of the site, less than 2 acres of impervious area.

Forecast Demand:

The total detention required is calculated to determine the greater of either: one-inch (1") rainfall over the entire site, or two and one-half inches (2.5") over the impervious area. The site is 39,565 sf but assuming 30% green area to remain due to the small footprint of the site and preservation of large oak trees along the southern portion of the property. Therefore the maximum impervious area would not exceed 27,759 sf. The greatest demand would be 5,783 c.f. of storage which can be provided on the site.

D. PARKS, RECREATION AND OPEN SPACE:

Existing Available Service:

The site is converting from residential to proposed commercial. A single family house is on the 0.9 acre lot. The population for a single family residence is estimated at 2.04 and is inconsequential for this analysis.

The 2009 Concurrency Report indicates that the regional and community parks have sufficient present capacity.

Forecast Demand:

For Regional and Community Parks the conversion from residential use to commercial uses will result in a net demand that is a positive impact and will result in a net surplus.

Open space is required to be a minimum of 30% of site for a new residential project, but the site is an existing developed residential lot with single family house. The small commercial open space minimum required is 20%, but due to the existing area along the south property line of large oak trees the open space on this site will be more than 30% so no net change.

PUBLIC FACILITIES IMPACT

EXISTING AND FUTURE CONDITIONS ANALYSIS

E. PUBLIC SCHOOLS:

Existing Available Service:

The site is converting from residential to proposed commercial. A single family house is on the 0.9 acre lot. The population for a single family residence is inconsequential for this analysis.

Forecast Demand:

The conversion from residential use to commercial uses will result in a net demand that is a positive impact and will result in a net surplus

SMALL SCALE COMPREHENSIVE PLAN AMENDMENT

5236 ORANGE RIVER

MARCH 10, 2010

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COVER SHEET

APPLICATION FORM

SUPPRORTING DOCUMENTS:

- A. GENERAL INFORMATION AND MAPS:
 - 1. PROPOSED TEXT CHANGES (NONE PROPOSED)
 - 2. CURRENT FUTURE LAND USE MAP
 - 3. PROPOSED FUTURE LAND USE MAP
 - 4. MAP OF EXISTING LAND USES
 - 5. MAP AND DESCRIBE EXISTING ZONING
 - 6. LEGAL DESCRIPTION AND SKETCH
 - 7. DEED(S)
 - 8. AERIAL MAP OF SUBJECT AND SURROUNDING PROPERTIES.
 - 9. LETTER AUTHORIZATION

B. PUBLIC FACILITIES IMPACT:

- 1. TRAFFIC CIRCULATION ANALYSIS
 - a. LONG RANGE 20-YEAR HORIZON:
 - b. SHORT RANGE 5-YEAR CIP HORIZON:
- 2. EXISTING AND FUTURE CONDITIONS ANALYSIS FOR:
 - a. SANITARY SEWER
 - b. POTABLE WATER
 - c. SURFACE WATER/DRAINAGE BASINS
 - d. PARKS, RECREATION, AND OPEN SPACE
 - e. PUBLIC SCHOOLS.
- 3. LETTERS OF ADEQUACY FROM:
 - a. LEE COUNTY FIRE PROTECTION
 - b. LEE COUNTY EMERGENCY MEDICAL SERVICE (EMS)
 - c. LEE COUNTY SHERIFF'S OFFICE
 - d. LEE COUNTY SOLID WASTE
 - e. LEE COUNTY TRANSIT
 - f. LEE COUNTY SCHOOL DISTRICT
 - LETTER OF SERVICE AVAILABILITY LEE COUNTY UTILITIES FOR SANITARY SEWER AND POTABLE WATER.
- C. ENVIRONMENTAL IMPACTS:
 - 1. MAP FLORIDA LAND USE COVER AND CLASSIFICATION SYSTEM (FLUCCS).
 - 2. SOILS MAP AND DESCRIPTION
 - 3. TOPOGRAPHIC MAP
 - 4. FLOOD INSURANCE RATE MAP EFFECTIVE AUGUST 2008.
 - 5. MAP RARE & UNIQUE UPLANDS.
 - 6. FLUCCS table

-

- D. IMPACTS ON HISTORIC RESOURCES:
 - 1. LETTER OF CLEARANCE FROM FLORIDA DIVISION OF HISTORICAL RESOURCES
 - 2. ARCHEOLOGICAL SENSITIVITY MAP
- E. INTERNAL CONSISTENCY WITH LEE PLAN
- F. ADDITIONAL REQUIREMENTS FOR SPECIFIC FUTURE LAND USE AMENDMENTS (INTENTIONALLY OMITTED - NOT APPLICABLE TO THIS REQUEST)
- G. JUSTIFICATION FOR PROPOSED AMENDMENT

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LEE COUNTY PROPERTY APPRAISER

PROPERTY DATA FOR PARCEL 03-44-25-01-00061.0010 TAX YEAR 2009

Parcel data is available for the following tax years: [<u>2001</u> | <u>2002</u> | <u>2003</u> | <u>2004</u> | <u>2005</u> | <u>2006</u> | <u>2007</u> | <u>2008</u> | 2009]

[<u>Next Lower Parcel Number</u> | <u>Next Higher Parcel Number</u> | <u>Display Building Permits on this Parcel</u> | <u>Display Tax Bills on this</u> <u>Parcel</u> | <u>Tax Estimator</u>]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE. LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2009 ROLL.

PROPERTY DETAILS

OWNER OF RECORD GULF SHORE INVESTMENTS LLC 15861 TURNBRIDGE CT FORT MYERS FL 33908

SITE ADDRESS 5236 ORANGE RIVER BLVD FORT MYERS FL 33905

LEGAL DESCRIPTION TERRY TICE + VANDAWALKER

PB 1 PG 46 BLK 3 LOT PT 33 LESS INST #2008000324323 [<u>Viewer</u>] Tax Map [<u>Print</u>]

IMAGE OF STRUCTURE



PICTOMETRY AERIAL VIEWER

TAXING DISTRICT

046 - TICE FIRE

DOR CODE 01 - SINGLE FAMILY RESIDENTIAL

| PROPERTY VALUE 2009) | and the second second second second second | EXEMPTIONS | | ATTRIBUTES | · |
|---------------------------|--|--------------------|---|--------------------------|--------|
| <u>[HISTORY C</u> JUST | 47,520 | Homestead Widow | 0 | Land Units of Measure | FF |
| ASSESSED | 47,520 | WIDOWER | 0 | TOTAL NUMBER OF | 185.00 |

http://www.leepa.org/Display/DisplayParcel.aspx?STRAP=03442501000610010

4/30/2010

| ASSESSED SOH | 47,520 | DISABILITY | 0 | LAND UNITS | |
|----------------------|-------------------------|-------------|---|----------------------------------|-------|
| TAXABLE | 47,520 | WHOLLY | 0 | FRONTAGE | 185 |
| BUILDING | 15,440 | AGRICULTURE | 0 | DEPTH | 212 |
| BUILDING | INCL. IN BLDG | | | BEDROOMS | 2 |
| FEATURES | VALUE. | | | BATHROOMS | 1 |
| LAND | 32,080 | | | TOTAL BUILDING SQFT | 1,272 |
| LAND 430 FEATURES | INCL. IN LAND VALUE. | | | 1st Year Building on Tax Roll | 1960 |
| SOH DIFFERENCE | 0 | | | HISTORIC DISTRICT | No |

SALES/TRANSACTIONS

| Sale Price | DATE | OR NUMBER | VERFIER | Түре | TRANSACTION DETAILS DESCRIPTION | VACANT / IMPROVED |
|---------------|-----------|------------------|------------|------|---|----------------------|
| | 8/7/2008 | 2008000324322 | <u>Add</u> | 01 | Disqualified (Doc Stamp .70 / SP less th \$100 / Other Disq) | I |
| 110,000 | 2/11/2005 | <u>4604/1540</u> | Add | | Disqualified (Doc Stamps Greater than .70/SP Gr. than \$100) | Ι |
| 44,400 | 6/16/1997 | 2835/2037 | Add | 03 | Disqualified (Interest Sales / Court Docs / Government) | I |
| 100 | 1/1/1900 | <u>253/493</u> | Add | | Disqualified (Doc Stamp .70 / SP less th \$100 / Other Disq) | V |

PARCEL NUMBERING HISTORY

| PRIOR STRAP | CREATION DATE - UNAVAILABLE RENUMBER REASON | RENUMBER DATE |
|------------------------|--|-----------------------------|
| 03-44-25-01-00061.0070 | Split and Combine - No Delete Occurs | Wednesday, January 07, 2009 |
| 01-44-25-01-00061.0010 | Reserved for Renumber ONLY | |

SOLID WASTE (GARBAGE) ROLL DATA

| SOLID WASTE DISTRICT | ROLL TYPE | CATEGORY | Unit/Area | TAX AMOUNT |
|----------------------|--------------------------|----------|-----------|------------|
| 004 - Service Area 4 | R - Residential Category | | 1 | 222.83 |
| | COLLECTION DA | YS | | |
| GARBAGE | RECYCLING | | Horticu | LTURE |
| Wednesday | Friday | | Frida | ay |

Wednesday

ELEVATION INFORMATION

| STORM SURGE CATEGORY | | FLOOD INSURAN | ICE (FIRM | LOOK-UP | |
|-------------------------|---------------------|---------------------|----------------|----------------|-----------|
| | RATE CODE | COMMUNITY | PANEL | VERSION | DATE |
| 4/5 | | 125124 | 0291 | F | 8/28/2008 |
| Please contact Lee Cour | nty DCD at 239-533- | 8597 option 4 to ve | rify your floo | d zone status. | |

http://www.leepa.org/Display/DisplayParcel.aspx?STRAP=03442501000610010

[Show]

APPRAISAL DETAILS

TRIM (*proposed* tax) Notices are available for the following tax years: [<u>1997</u>]<u>1998</u>]<u>2000</u>]<u>2001</u>]<u>2002</u>]<u>2003</u>]<u>2004</u>]<u>2005</u>]<u>2006</u>]<u>2007</u>]<u>2008</u>]<u>2009</u>]

[Next Lower Parcel Number | Next Higher Parcel Number]

[New Query | Parcel Queries Page | Lee PA Home]

This page was last updated on 04/30/2010

Spatial District Query Report

STRAP Number: 03-44-25-01-00061.0010

| District Name | Distric | t Value | Pct of Parcel in District (if fractional) | Notes | |
|---|---|---|--|------------------------------------|--|
| Airport Noise Zone | | 272 York (1997) - 1997) - 1997 York (1997) - 1997 York (1997) - 1977 York (1997) - 1977) - 1977 York (1997) | NOT FOUND | | |
| Airspace Notification | | | NOT FOUND | | |
| Census Tract | Tract ID | 4.01 | 100.02% | nder of the only on the near third | |
| Coastal Building Zone | | | NOT FOUND | | |
| Coastal High Hazard Area | s-er-dense-ser en en son en dense -son en en sin son sin son en | an na shi ya na mana shi cini shekara na manan na shikara na shikara na shikara na shikara na shikara shi | NOT FOUND | | |
| Fire District | Fire District Taxing Authority | Tice 088 | | | |
| Flood Insurance Zone | Flood Zone Assigned Number | X 100 | | <u>1</u> | |
| Flood Insurance Zone - Old | Flood Zone | X | | | |
| FIRM Floodway | Floodway | OUTSIDE | | | |
| FIRM Floodway - Old | | | NOT FOUND | | |
| Flood Insurance Panel | Community Panel Map Number Effective Date | 125124 0291 12071C0291F 8/28/2008 12:00:00 AM | | | |
| Flood Insurance Panel - Old | Community Panel Version Date | 125124 225 C 031594 | | | |
| (DNR Flood Zones) Zone A BFE | | | NOT FOUND | | |
| DNR Flood Zones - Old | | | NOT FOUND | nedgepart off only belli | |
| Flood Insurance Coastal Barrier | | | NOT FOUND | | |
| Flood Insurance Coastal Barrier - Old | * | | NOT FOUND | | |
| Lighting District/MSTBU | Authority Number Taxing Authority | 026 East County Sewer MSTU | | | |
| Preliminary MSTBU Districts | | | NOT FOUND | o constant ago de setas | |
| Planning Community | ID Plan Community | 4 Fort Myers Shores | | | |
| Planning Land Use 2010 | Landuse | Suburban | | | |
| Sanibel/County Agreement | • | | NOT FOUND | | |
| School Board District | District School Board Member | 2 Jeanne S. Dozier | | | |
| School Choice Zone | Choice Zones | East Zone 1 | | • | |
| | Choice Zones | East Zone | | | |
| Solid Waste District | District Area | Area 4 | | | |
| Storm Surge | Category | 4/5 | an the annual states of the 2 states of the 12 states of the second states of the states of the second states of the | | |
| Subdivisions | Subdivision No. Subdivision Name Book Page 1 | 03442501 TERRY TICE & VANDAWALKER PB 1 PG 46 | | | |
| n-malaterna Maria a de la Camana de La comercia de la comer | Book Page 2 Book Page 3 | zaustistienistaniste einen ähnivettiin tiermeleitiinen hen siste | unanterio tallo reconstructura de la chierto e controlor e concentrativa | | |

| Archaeological Sensitivity | | | NOT FOUND | |
|--|---|---------------------------|-----------|-----------------|
| Sea Turtle Lighting Zone | | | NOT FOUND | |
| Watersheds | Shed ID | Billy's Creek | | |
| FLUCCS1999 | | | | |
| Vegetation Permit Required | | | NOT FOUND | |
| Soil | Map Symbol Soil Name | 11 MYAKKA FINE SAND | | |
| Panther Habitat | | | NOT FOUND | |
| Eagle Nesting Site Buffer | | | NOT FOUND | |
| Commissioner District | District Commissioner | 2 Brian Bigelow | | |
| Unincorporated Lee County Zoning | Zoning Designation | RS-1 | | Zoning Notes |
| Development Orders | | | NOT FOUND | |
| Road Impact Fee Districts | District Tidemark ID Name | 3 53 CENTRAL | | |
| Water Franchise | Franchise Name | Lee County Utilities | | |
| Water Treatment Plant Service Area | Treatment Plant | Olga WTP | | |
| Wastewater Franchise | Franchise Name | Lee County Utilities | | |
| Wastewater Treatment Plant Service Area | Treatment Plant | CFM - Central WWTP | | |
| Res. Garbage Collection Day | Hauling Day | Wednesday | | |
| Res. Recycling Collection Day | Hauling Day | Friday | | |
| Res. Horticulture Collection Day | Hauling Day | Friday | | |
| Microwave Radio Relay Path | APR - 12 - 12 - 12 - 17 - 14 - 12 - 12 - 12 - 12 - 12 - 12 - 12 | | NOT FOUND | |

[Modify Report Settings]

| Note | e Details |
|------|---|
| 1 | The Flood Zone with the highest corresponding assigned number is the recognized flood zone designation for this property. To verify the flood zone status of properties in unincorporated Lee County contact Zoning Review at (239)533-8597 (option #4) |



FLORIDA DEPARTMENT OF STATE Kurt S. Browning Secretary of State DIVISION OF HISTORICAL RESOURCES

Mr. Patrick C. Hunt Site Concepts 8363 Caloosa Road Fort Myers, Florida 33967

February 22, 2010

Re: DHR No.: 2010-645/ Received by DHR: February 18, 2010 West Orange River CPD- Rezoning of 0.91 Acre Parcel 5236 Orange River Boulevard Parcel ID: 03-44-25-01-00061.0010 Fort Myers, Lee County

Dear Mr. Hunt:

In accordance with the procedures contained in the Lee County local requirements, we reviewed the referenced parcel for possible impact to cultural resources (any prehistoric or historic district, site, building, structure, or object) listed, or eligible for listing, in the *National Register of Historic Places*, or otherwise of historical, archaeological, or architectural value.

Based on the information provided, it is the opinion of this office that the building at the address listed above does not meet the criteria for listing in the *National Register*. In addition, a review of the Florida Master Site File indicates that no significant archaeological or historical resources are recorded within the project area. Therefore, the proposed undertaking will have no effect on historic properties.

If there are any questions concerning our comments or recommendations, please contact Katherine Peterson, Historic Sites Specialist, by phone at 850.245.6333, or by electronic mail at <u>kdpeterson@dos.state.fl.us</u>. We appreciate your continued interest in protecting Florida's historic properties.

Sincerely,

Laura le. Kammerer

Laura A. Kammerer Historic Preservationist Supervisor Compliance Review Section Bureau of Historic Preservation

500 S. Bronough Street • Tallahassee, FL 32399-0250 • http://www.flheritage.com

Director's Office 850.245.6300 • FAX: 245.6436 □ Archaeological Research 850.245.6444 • FAX: 245.6452 X Historic Preservation 850.245.6333 • FAX: 245.6437

1. FLUM CAPACITY ANALYSIS

This proposal has de minimus effects to Lee County population projections by reducing population by 2.09 as a result of eliminating one existing single family residence.

"Table 1(b) Year 2030 Allocations" to be modified by 0.9 acre or approximately one acre addition to the General Commercial Interchange and subtracted from Suburban. The proposal is a de minimus impact.

2. LEE PLAN ANALYSIS

POLICY 1.3.3: "The General Commercial Interchange areas are intended primarily for general community commercial land uses: retail, planned commercial districts, shopping, office, financial, and business." The request is consistent with this policy for the proposed commercial uses.

OBJECTIVE 2.1: "DEVELOPMENT LOCATION. Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs" Property is adjacent to a 10 acre commercial development (North Trail RV) which is abutting I-75 in southwest quadrant of intersection with Palm Beach Blvd. It is located approximately 0.1 mile from a signalized intersection with Palm Beach Blvd providing convenient access to I-75. This proposal will serve to contain urban sprawl, minimize energy costs and conserve land by redevelopment near a major urban intersection.

OBJECTIVE 2.2: "DEVELOPMENT TIMING. Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created." The traffic analysis submitted with this application indicates that Palm Beach Blvd. will continue to operate at an adequate LOS with the approval of this proposed amendment. Public water and sewer are available, installed and adequate to serve.

OBJECTIVE 2.4: "FUTURE LAND USE MAP AMENDMENTS. Regularly examine the Future Land Use Map in light of new information and changed conditions, and make necessary modifications." Proposed amendment is adjacent to existing like category General Commercial Interchange and is the highest and best use of the property to amend to same category.

POLICY 5.1.5: "Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment." The proposed development will be reviewed as a CPD with all required buffers, shielded lighting and other measures which improve compatibility. Project abuts a more intense commercial use and will provide some level of shielding the more intense commercial uses from the residential area remaining.

Policy 6.1.2.9: "The location standards in this policy are not applicable in the Interchange land use category".

Standards 11.1 and 11.2: The site is presently served by public water and sewer and the utility has provided letter of availability to serve this proposed development.

Internal Consistency with the Lee Plan EXHIBIT "E"

3. EFFECTS TO ADJACENT LOCAL GOVERNMENTS

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The proposal is in the unincorporated area of Lee County and is not adjacent to the City of Fort Myers and has no effect on it comprehensive plan.

4. CONSISTENCY WITH STATE AND REGIONAL PLANS

This is a small scale amendment of only 0.9 acres and has de minimus effect on those plans.

•

TICE FIRE & RESCUE DISTRICT FIRE PREVENTION & INSPECTIONS BUREAU

Ted Ross Jr. Fire Marshal (239) 694-2380

9351 Workmen Way Ft. Myers, Fl. 33905 *Fax* (239) 694-7399 *www.ticefire.com*

March 9, 2010

Site Concepts 8363 Caloosa Road Fort Myers, FL 33967

RE: 5236 Orange River Blvd. Ft. Myers, FL 33905

To whom it may concern,

At the request of Patrick Hunt, the Tice Fire District reviewed the request for a land use amendment. The property is located at 5236 Orange River Blvd, Fort Myers, in Section 3, Township 44 South, Range 25 East, Lee County, Florida (District # 2). The Parcel I.D. # 03-44-25-01-00061.0010. The Tice Fire District does not object to the request for the change from residential to General Commercial Interchange. If you have any further questions, please contact me at (239) 694-2380.

Respectfully,

Ted Ross Jr. Ted Ross, Jr.

Fire Marshal



Lee County Southwest Florida

Statement of Initial Review

Lee County Emergency Medical Services (LCEMS) has performed a preliminary review of the project referenced herein. Based upon the limited amount of information provided, LCEMS has no initial concerns with the ability to provide service to this project.

The Small Scale Land Use Map Amendment is requested for 5236 Orange River Blvd, Fort Myers, in Section 3, Township 44 South, Range 25 East, Lee County, Florida (District #2), Parcel ID #03-44-25-01-00061.0010.

This current location is served by LCEMS Station 11, located at 10941 Palm Beach Blvd., which is approximately 3.23 miles away, and LCEMS Station 3, located at 1035 Terry St, which is approximately 3.26 miles away.

This statement does not indicate that any plans have been received, it just identifies that Lee County EMS has no initial concerns with the ability to provide service to this area.

(Signature)

EMS Operations Chief (Title)

Kim Dickerson (Printed Name)



<u>February 9, 2010</u> (Date)

Kim Dickerson, EMT-P, RN, MBA EMS Operations Chief Lee County Emergency Medical Services 14752 Ben Pratt/Six Mile Cypress Parkway Fort Myers, FL 33912 Phone: 239-533-3911 Fax: 239-485-2607 Email: <u>kdickerson@leegov.com</u> Website: <u>www.lee-ems.com</u>

Mike Scott Office of the Sheriff



State of Florida County of Lee

Jan. 19, 2010

Patrick C. Hunt Site Concepts 8363 Caloosa Road Fort Myers, FL 33967

Mr. Hunt,

The rezoning of property at 5236 Orange River Blvd., Parcel I.D. #03-44-25-01-00061.0010, would not affect the ability of the Lee County Sheriff's Office to provide core services at this time.

At the time of application for a development order or building permit, the applicant shall provide a Crime Prevention Through Environmental Design (CPTED) report done by the applicant and given to the Lee County Sheriff's Office for review and comments.

If you have any questions or need further information, please contact me.

Respectfully,

ALLENS .

Stan Nelson

Stan Nelson, Manager, Planning and Research Lee County Sheriff's Office (239) 477-1066 Snelson@sheriffleefl.org



BOARD OF COUNTY COMMISSIONERS

Bob Janes District One

A. Brian Bigelow District Two

Ray Judah District Three

Tammy Hall District Four

Frank Mann District Five

Karen B. Hawes County Manager

David M. Owen County Attorney

Diana M. Parker County Hearing Examiner January 19, 2010

Mr. Patrick C. Hunt 8363 Caloosa Rd. Ft. Myers, FL 33967

SUBJECT:West Orange River CPDSmall Scale Land Use Map Amendment

Dear Mr.Hunt:

The Lee County Solid Waste Division is capable of providing commercial solid waste collection service for the subject property located at 5236 Orange River Blvd., Ft. Myers, FL through our franchised hauling contractors. Disposal of the solid waste from this commercial property will be accomplished at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill. Plans have been made, allowing for growth, to maintain long-term disposal capacity at these facilities.

The Solid Waste Ordinance (08-10, Section 21) and the Lee County Land Development Code, Chapter 10, Section 10-261 have requirements for providing on-site space for placement and servicing of commercial solid waste containers. Please review these requirements when planning the project. If you have any questions, please call me at (239) 533-8000.

Sincerely,

William T. Newman Operations Manager Solid Waste Division



BOARD OF COUNTY COMMISSIONERS

Bob Janes District One

A. Brian Bigelow District Two

Ray Judah District Three January 15, 2010

Tammy Hall District Four

Frank Mann District Five

Karen B. Hawes County Manager

David M. Owen County Attorney

Diana M. Parker County Hearing Examiner Mr. Patrick C. Hunt Site Concepts 8363 Caloosa Rd Fort Myers, FL 33967

Re: Letter of Service Availability West Orange River CPD – Small Scale Land Use Map Amendment

Mr. Hunt:

Lee County Transit received your letter dated January 8, 2010 in reference to the Small Scale Land Use Map Amendment application for the parcel related to the subject site located at 5236 Orange River Boulevard. This location is within the established Palm Beach Blvd transit corridor and Lee County currently provides public transportation services through this corridor. We consider the subject property related to this Land Use Map Amendment Application to be within our existing service area. Our long range planning activities maintain this transit corridor and document the need for additional, enhanced services on the route providing service to this area. We anticipate the current capacity on this route to be sufficient to meet the needs of the proposed land use changes the applicant wishes to make.

If you have any questions please contact me at (239) 533-0333 or you can send an e-mail to <u>mhorsting@leegov.com</u>.

Sincerely,

Michael Horstíng, AICP Principal Planner Lee County Transit



THE SCHOOL DISTRICT OF LEE COUNTY

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

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

March 1, 2010

Mr. Patrick C. Hunt 8363 Caloosa Rd Fort Myers, FL 33967

RE: Land Use Map Amendment request

Dear Mr. Hunt:

This letter is in response to your email dated March 1, 2010 for a land use map amendment request. This is located in the East Choice Zone, Sub Zone E-1.

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



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 533-8532

Bob Janes District One

Ray Judah District Three

Tammy Hall

District Four

Frank Mann District Five

Karen B. Hawes County Manager

David M. Owen County Attorney

Diana M. Parker

County Hearing

Examiner

A. Brian Bigelow District Two March 3, 2010

Patrick Hunt 8363 Caloosa Road Fort Myers, Fl. 33967

RE: POTABLE Water and Wastewater AVAILABILITY 5236 ORANGE RIVER BLVD.

STRAP #: 03-44-25-01-00061.0010

Dear Mr. Hunt:

Potable water lines and wastewater lines are in operation in the vicinity of the proposed project mentioned above. However, in order to provide service to the subject parcels, developer funded system enhancements such as line extensions may be required.

Your firm has indicated that this project will consist of 1 commercial unit with an estimated flow demand of approximately 1,530 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and sanitary sewer service as estimated above.

Availability of potable water and sanitary sewer service is contingent upon final acceptance of the infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through our Olga Water Treatment Plant.

Sanitary sewer service will be provided by the City of Fort Myers North Wastewater Plant. The Lee County Utilities' Operations Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on our existing system.

Prior to beginning design work on this project, a meeting should be scheduled with Thom Osterhout to determine the best point of connection and discuss requirements for construction.

With regard to effluent reuse service; there are currently no reuse facilities available in the vicinity of the project site therefore, Lee County does not have the capability of providing service at this time.

This letter should not be construed as a commitment to serve, but only as to the availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service and/or an executed service agreement, and the approval of all State and local regulatory agencies.

Further, this letter of availability of Water and Wastewater service to be utilized for small scale land use amendment for this project only. Individual letters of availability will be required for the purpose of obtaining building permits.

Sincerely,

LEE COUNTY UTILITIES

Mary McCormic Engineering Tech, Sr. UTILITIES ENGINEERING

VIA FACSIMILE Original Mailed

5236 ORANGE RIVER - 03442501000610010.doc



THE SCHOOL DISTRICT OF LEE COUNTY

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

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:

March 22, 2010

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

TO: LEE COUNTY COMMISSIONERS

Date: AUGUST 18, 2009

RE: West Orange River CPD

As the owner of parcel: 03-44-25-01-00061.0070

Parcel street address: 5231 Richmond Ave, Ft Myers, FL 33905

I wish to voice my support for the proposed development. Please expedite the approval process. We need this project to be developed on this old residential parcel as part of redevelopment of the area.

The layout, buffers and utilization of the existing structure are fine by me. I do not want any buffer walls which would reflect sound back to my property and block air movement. Nor would I like dense buffer planting strips which tend to create a visual barrier. I would prefer to see an open layout but realize that some perimeter landscape plantings will be required, just not too dense to block my sight of the horizon. The developer has shown me his plan and the request to provide planting strips on my side of his property with plantings spaced out and I find that to my liking. They are saving the large oak trees on the back of the property and keeping the area underneath in green area. That is also fine and he should get credit for that effort.

I have discussed the deviations with the developer and agree with his requests. There are many. The codes are very restrictive. The site is adjacent to an existing business and will not create a nuisance in my neighborhood as far as I can tell. It has no service or repair, no open storage area, just sales and a display area. The existing site is vacant and I realize the entire neighborhood along this block will eventually be commercial based upon the closeness to the interchange for I-75. I like the plans and endorse this request to rezone as proposed.

Please accept this letter of No Objection and expedite the approval so construction can begin.

Carl H. Vickers + Joseph William Vickers J/T 5222 Orange River Blvd Fort Myers, FL 33905

AUS 1 9 2009

COLUMITY DEVELOPMENT



for Joseph William Vickers FLA DL#VZ62-499-58-330-C

DCI 2009-00032

PROPERTY DATA FOR PARCEL 03-44-25-01-00061.0070 TAX YEAR 2009 TRIM

Parcel data is available for the following tax years:

[<u>2001</u> | <u>2002</u> | <u>2003</u> | <u>2004</u> | <u>2005</u> | <u>2006</u> | <u>2007</u> | <u>2008</u> | **2009** (Trim)]

[Next Lower Parcel Number | Next Higher Parcel Number | Display Tax Bills on this Parcel | Tax Estimator]

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE. LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2009 TRIM ROLL.

PROPERTY DETAILS

[VIEWER] TAX MAP [PRINT] **OWNER OF RECORD** VICKERS CARK H + VICKERS JOSEPH WILLIAM J/T 00051 0050 **5222 ORANGE RIVER BLVD** FORT MYERS FL 33905 SITE ADDRESS **5231 RICHMOND AVE** 00061/0070 FORT MYERS FL 33905 00061 0000 LEGAL DESCRIPTION TERRY TICE + VANDAWALKER BLK 3 PB 1 PG 46 LOT PT 33 + INST #2008000324323 00081-0050 PICTOMETRY AERIAL VIEWER 2009-00032 TAXING DISTRICT DOR CODE AUG 1 9 2009 00 - VACANT RESIDENTIAL 046 - TICE FIRE COLILIUNITY DEVELOP **PROPERTY VALUES (TAX ROLL ATTRIBUTES EXEMPTIONS** 2009) [HISTORY CHART] 0 LAND UNITS OF HOMESTEAD FF 17,680 JUST MEASURE WIDOW Δ 17,680 ASSESSED **TOTAL NUMBER OF** 0 WIDOWER 156.00 17,680 LAND UNITS ASSESSED SOH 0 DISABILITY 156 17,680 FRONTAGE TAXABLE 0 WHOLLY 140 BUILDING DEPTH 0 0 AGRICULTURE BEDROOMS BUILDING **INCL. IN BLDG** VALUE. **FEATURES BATHROOMS** LAND 17,680 TOTAL BUILDING SQFT LAND INCL, IN LAND 0 **FEATURES** VALUE. **1ST YEAR BUILDING**

http://www.leepa.org/Scripts/PropertyQuery/PropertyQuery.aspx?STRAP=03442501000610... 8/17/2009

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.

ACS 1 9 7539

COLIMUNITY DEVELOPMENT

DCI 2009-00032

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

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.

Open and enter any safe deposit box which I may have at any bank or facility, and deposit therein or remove 10. 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 STATUES.

Signed, Sealed, and Delivered in the Presence of: Sign VICKERS Print Sign AUG 1 9 2009 Print COLLUNITY DEVELOPMENT STATE OF FLORIDA 2009 - 00032DCT **COUNTY OF LEE** The foregoing Power of Attorney was acknowledged before me this _____ 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. **GUY R.'STRAYHORN** Sin Notary Public, State of Florida My Comm. expires May. 23, 1999 No. CC 448900 Bonded Thru Williah Notary Serbica 1-(800) 723-0121