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March 11, 2010

**VIA US MAIL AND E-MAIL**

Mary Gibbs, Director  
Lee County Community Development  
P.O. Box 398  
Fort Myers, FL 33902-0398

Donna Marie Collins, Esq.  
Lee County Attorney's Office  
P.O. Box 398  
Ft. Myers, FL 33902-0398

Re: Alico West Lee Plan Amendment - CPA2009-01

Dear Ms. Gibbs and Ms. Collins:

As you may recall, one of the topics of conversation at our January 27, 2010 meeting about the Alico West Lee Plan amendment was whether or not to break the Alico West site out into a separate ordinance with respect to the DR/GR amendments. This question comes up because of the private comprehensive plan amendment that we have filed seeking to move the subject property from the DR/GR land use category to University Village.

The concern that was enunciated was what would happen, presuming that the DR/GR amendments were adopted by the BoCC, challenges were then filed with respect to the adoption and in the meantime (prior to any final resolution of the DR/GR challenges) the Alico West amendment is adopted by the BoCC. Then subsequent to the adoption of the Alico West amendment, the DR/GR challenges are resolved, and the DR/GR amendments are implemented, which amendments originally included the Alico West lands. The question is how does the implementation of the DR/GR amendments subsequent to the adoption of the Alico West amendment affect the Alico West amendment, if at all. The second question is what should be done in connection with the DR/GR amendments and the Alico West amendment to ensure that the DR/GR amendment does not negatively impact the Alico West amendment.

Mary Gibbs and Donna Marie Collins, Esq.

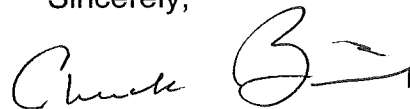
March 11, 2010

Page 2

At that meeting it was decided that a separate ordinance splitting out the Alico West property from the rest of the DR/GR land was not necessary with respect to the current DR/GR amendments. It was further determined and agreed to, by the meeting attendees, that the appropriate way to handle this situation was two fold. One, a recognition of this potential situation should be referenced during the adoption hearings for the Alico West amendment. Whether a provision actually needs to be inserted into the Alico West amendment can be decided at the time of the adoption hearings. Two, when all challenges are exhausted to the DR/GR amendments then a provision should be added to the DR/GR amendment recognizing that the DR/GR amendments do not apply to the Alico West site, in light of the fact that the Alico West property is no longer part of the DR/GR area.

I would appreciate it if you could confirm this understanding via return letter or e-mail. If you have any questions or concerns, please contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Chuck Basinait", with a stylized flourish at the end.

Charles J. Basinait

CJB/sbm

cc: Don Schrottenboer (via e-mail)  
Dennis Gilkey (via e-mail)  
Richard Woodruff (via e-mail)  
Robert Hutcherson via e-mail)