

September 30, 2009

**DELISI FITZGERALD, INC.**

*Planning - Engineering - Project Management*

Lee County Community Development  
1500 Monroe Street  
Fort Myers, FL 33901

Re: Old Corkscrew Plantation Golf Club  
STRAP# 25-46-26-00-00001.0000  
Application for a Comprehensive Plan Amendment

To Whom It May Concern:

Attached for approval, please find the following items as they relate to the above referenced project:

1. One (1) check in the amount of \$2,500.00 made payable to LCBOCC;
2. One (1) original/five (5) copies of the CPA Application;
3. Six (6) Legal Descriptions
4. Six (6) copies of the Warranty Deed;
5. One (1) original/five (5) copies of the Affidavit;
6. Six (6) copies of the Text Amendment;
7. Six (6) copies of the CPA Narrative;
8. Six (6) Utilities Analysis;
9. Six (6) Future Land Use Maps;
10. Six (6) Existing Land Use Maps;
11. Six (6) Zoning Maps;
12. Six (6) Aerial Location Maps;
13. Six (6) Traffic Impact Memo;
14. Six (6) Environmental Reports;
15. Six (6) FEMA Maps;
16. Six (6) Flood Insurance Rate Maps;
17. Six (6) Archaeological Sensitivity Maps;
18. Six (6) Topo Maps

If you require any additional information, please contact our office at (239) 418-0691.

Sincerely,

**DELISI FITZGERALD, INC.**



Daniel DeLisi, AICP  
Principal

DD/av

Project No.: 21156

cc: Franz Rosinus with attachments  
Charles Basinait with attachments  
Ken Passarella with attachments  
Ted Treesh with attachments

CPA  
2009-00003

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*Clayton 8:20 am*



**LEE COUNTY**  
SOUTHWEST FLORIDA

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Lee County Board of County Commissioners  
Department of Community Development  
Division of Planning  
Post Office Box 398  
Fort Myers, FL 33902-0398  
Telephone: (239) 533-8585  
FAX: (239) 485-8319

**APPLICATION FOR A  
COMPREHENSIVE PLAN AMENDMENT**

(To be completed at time of intake)

DATE REC'D 9/30/09  
APPLICATION FEE 2500<sup>00</sup>

REC'D BY: CWM  
TIDEMARK NO: CPA 2009-00003

THE FOLLOWING VERIFIED:

Zoning

Commissioner District

Designation on FLUM

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(To be completed by Planning Staff)

Plan Amendment Cycle:  Normal  Small Scale  DRI  Emergency

Request No: \_\_\_\_\_

**APPLICANT PLEASE NOTE:**

Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: \_\_\_\_\_

Submit 6 copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Up to 90 additional copies will be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages. Staff will notify the applicant prior to each hearing or mail out.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

*[Handwritten Signature]*

DATE

SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE

**I. APPLICANT/AGENT/OWNER INFORMATION**

Old Corkscrew Plantation Golf Club, LLC - Franz Rosinus, Managing Member

**APPLICANT**

26811 South Bay Drive Suite 350

**ADDRESS**

Bonita Springs

FL

34134

**CITY**

**STATE**

**ZIP**

239-949-0990

239-949-0366

**TELEPHONE NUMBER**

**FAX NUMBER**

DeLisi Fitzgerald, Inc. c/o Daniel DeLisi, AICP

**AGENT\***

1605 Hendry Street

**ADDRESS**

Fort Myers

FL

33901

**CITY**

**STATE**

**ZIP**

239-418-0691

239-418-0692

**TELEPHONE NUMBER**

**FAX NUMBER**

Old Corkscrew Plantation Golf Club LLC

**OWNER(s) OF RECORD**

26811 South Bay Drive, Suite 350

**ADDRESS**

Bonita Springs

FL

34134

**CITY**

**STATE**

**ZIP**

239-949-0990

239-949-0366

**TELEPHONE NUMBER**

**FAX NUMBER**

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

\* This will be the person contacted for all business relative to the application.

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II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

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A. TYPE: (Check appropriate type)

Text Amendment

Future Land Use Map Series Amendment  
(Maps 1 thru 22)  
List Number(s) of Map(s) to be amended

\_\_\_\_\_

1. Future Land Use Map amendments require the submittal of a complete list, map, and two sets of mailing labels of all property owners and their mailing addresses, for all property within 500 feet of the perimeter of the subject parcel. The list and mailing labels may be obtained from the Property Appraisers office. The map must reference by number or other symbol the names of the surrounding property owners list. The applicant is responsible for the accuracy of the list and map.

At least 15 days before the Local Planning Agency (LPA) hearing, the applicant will be responsible for posting signs on the subject property, supplied by the Division of Planning, indicating the action requested, the date of the LPA hearing, and the case number. An affidavit of compliance with the posting requirements must be submitted to the Division of Planning prior to the LPA hearing. The signs must be maintained until after the final Board adoption hearing when a final decision is rendered.

B. SUMMARY OF REQUEST (Brief explanation):

A text Amendment to create a density "receiving" area adjacent to the Old Corkscrew Golf Course to allow for Fractional Ownership/Timeshare units and a Bed and Breakfast Establishment.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY (for amendments affecting development potential of property)

A. Property Location:

1. Site Address: 17310-320 Corkscrew Road Estero, FL 33928
2. STRAP(s): 25-46-26-00-00001.0000

B. Property Information

Total Acreage of Property: 15+/-

Total Acreage included in Request: 15+/-

Total Uplands: 15+/-

Total Wetlands: N/A

Current Zoning: PRFPD

Current Future Land Use Designation: DR/GR

Area of each Existing Future Land Use Category: 15+/-

Existing Land Use: Pine Uplands

C. State if the subject property is located in one of the following areas and if so how does the proposed change effect the area:

*Lehigh Acres Commercial Overlay:* \_\_\_\_\_

*Airport Noise Zone 2 or 3:* \_\_\_\_\_

*Acquisition Area:* \_\_\_\_\_

*Joint Planning Agreement Area (adjoining other jurisdictional lands):* \_\_\_\_\_

*Community Redevelopment Area:* \_\_\_\_\_

D. Proposed change for the subject property:

Text amendment to allow for units on the Old Corkscrew Golf Course

E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density 25 units

Commercial intensity N/A

Industrial intensity N/A

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density 25 Fractional Ownership units

Commercial intensity 1 Bed and Breakfast

Industrial intensity N/A

#### IV. AMENDMENT SUPPORT DOCUMENTATION

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At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats)

##### A. General Information and Maps

*NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.*

**The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).**

1. Provide any proposed text changes.
2. Provide a current Future Land Use Map at an appropriate scale showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
3. Provide a proposed Future Land Use Map at an appropriate scale showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources. N/A
4. Map and describe existing land *uses* (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.
5. Map and describe existing zoning of the subject property and surrounding properties.
6. The certified legal description(s) and certified sketch of the description for the property subject to the requested change. A metes and bounds legal description must be submitted specifically describing the entire perimeter boundary of the property with accurate bearings and distances for every line. The sketch must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment) with two coordinates, one coordinate being the point of beginning and the other an opposing corner. If the subject property contains wetlands or the proposed amendment includes more than one land use category a metes and bounds legal description, as described above, must be submitted in addition to the perimeter boundary of the property for each wetland or future land use category.

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7. A copy of the deed(s) for the property subject to the requested change.
8. An aerial map showing the subject property and surrounding properties.
9. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.

B. Public Facilities Impacts

*NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).*

1. Traffic Circulation Analysis

The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

Long Range – 20-year Horizon:

- a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;
- b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);
- c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;
- d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
- e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;
- f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

Short Range – 5-year CIP horizon:

- a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediated development plan, identify the existing

- roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);
- b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program; Projected 2030 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);
  - c. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;
  - d. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.
2. Provide an existing and future conditions analysis for (see Policy 95.1.3):
- a. Sanitary Sewer
  - b. Potable Water
  - c. Surface Water/Drainage Basins
  - d. Parks, Recreation, and Open Space *N/A*
  - e. Public Schools. *N/A*

Analysis should include (but is not limited to) the following (see the Lee County Concurrency Management Report):

- Franchise Area, Basin, or District in which the property is located;
- Current LOS, and LOS standard of facilities serving the site;
- Projected 2030 LOS under existing designation;
- Projected 2030 LOS under proposed designation;
- Existing infrastructure, if any, in the immediate area with the potential to serve the subject property.
- Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and
- Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).
- Provide a letter of service availability from the appropriate utility for sanitary sewer and potable water.

In addition to the above analysis for Potable Water:

- Determine the availability of water supply within the franchise area using the current water use allocation (Consumptive Use Permit) based on the annual average daily withdrawal rate.
- Include the current demand and the projected demand under the existing designation, and the projected demand under the proposed designation.



- Include the availability of treatment facilities and transmission lines for reclaimed water for irrigation.
  - Include any other water conservation measures that will be applied to the site (see Goal 54).
3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including: N/A
    - a. Fire protection with adequate response times;
    - b. Emergency medical service (EMS) provisions;
    - c. Law enforcement;
    - d. Solid Waste;
    - e. Mass Transit; and
    - f. Schools.

*In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.*

C. Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed use upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
2. A map and description of the soils found on the property (identify the source of the information).
3. A topographic map depicting the property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
4. A map delineating the property boundaries on the Flood Insurance Rate Map effective August 2008.
5. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
6. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

D. Impacts on Historic Resources

List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.
2. A map showing the subject property location on the archeological sensitivity map for Lee County.

E. Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2030 Allocations), and the total population capacity of the Lee Plan Future Land Use Map. N/A
2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans. N/A
4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.

F. Additional Requirements for Specific Future Land Use Amendments

1. Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from) N/A
  - a. State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals,
  - b. Provide data and analysis required by Policy 2.4.4,
  - c. The affect of the proposed change on county's industrial employment goal specifically policy 7.1.4.
2. Requests moving lands from a Non-Urban Area to a Future Urban Area N/A
  - a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: low-intensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.
3. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.
4. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.

G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

**Item 1: Fee Schedule**

Map Amendment Flat Fee	\$2,000.00 each
Map Amendment > 20 Acres	\$2,000.00 and \$20.00 per 10 acres
Small Scale Amendment (10 acres or less)	\$1,500.00 each
Text Amendment Flat Fee	\$2,500.00 each

**AFFIDAVIT**

I, Daniel DeLisi, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data, or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

*Daniel DeLisi*  
 Signature of owner or owner-authorized agent

9/29/09  
 Date

Daniel DeLisi, AICP - DeLisi Fitzgerald, Inc.  
 Typed or printed name

STATE OF FLORIDA )  
 COUNTY OF LEE )

The foregoing instrument was certified and subscribed before me this 29th day of September 19 2009 by Daniel DeLisi, who is personally known to me or who has produced \_\_\_\_\_ as identification.

(SEAL)

*Amy Vetter*  
 Signature of notary public



Amy Vetter  
 Printed name of notary public

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**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
Property located in Lee County, Florida

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DCI2000-00048 THE RETREAT PRFPD

**PROPERTY DESCRIPTION**

ALL THAT PART OF SECTION 25, TOWNSHIP 46 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING THE WEST ONE HALF (W 1/2) OF SAID SECTION 25, LESS AND EXCEPT THE FOLLOWING:

THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) AND THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4), AND THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4), AND THE SOUTHEAST QUARTER (SE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 25, AND THE NORTHERLY 50.00 FEET OF SAID SECTION 25 FOR CORKSCREW ROAD RIGHT-OF-WAY.

THE PERIMETER BOUNDARY OF THE ABOVE LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGIN AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 25; THENCE ON THE WEST LINE OF SAID SECTION 25 N.00°34'07"W. A DISTANCE OF 2629.55 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 25; THENCE CONTINUING ON SAID WEST LINE N.00°34'29"W. A DISTANCE OF 2578.72 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF CORKSCREW ROAD (100 FEET RIGHT-OF-WAY); THENCE ON SAID SOUTHERLY RIGHT-OF-WAY LINE N.89°03'36"E. A DISTANCE OF 2630.09 FEET TO A POINT ON THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 25; THENCE ON SAID QUARTER SECTION LINE S.00°39'23"E. A DISTANCE OF 3244.34 FEET TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER OF SAID SECTION 25; THENCE ON THE SOUTH LINE OF SAID FRACTION S.89°17'10"W. A DISTANCE OF 658.98 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION; THENCE ON THE EAST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE NORTHEAST QUARTER (NE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) S.00°39'53"E. A DISTANCE OF 659.08 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE ON THE EAST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 25 S.00°37'59"E. A DISTANCE OF 658.93 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE ON THE SOUTH LINE OF SAID FRACTION S.89°20'18"W. A DISTANCE OF 659.37 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION; THENCE ON THE EAST LINE OF THE SOUTHWEST QUARTER (SW 1/4) OF THE SOUTHWEST QUARTER (SW 1/4) OF SAID SECTION 25 S.00°36'35"E. A DISTANCE OF 658.45 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE ON THE SOUTH LINE OF SAID FRACTION S.89°21'43"W. A DISTANCE OF 1318.89 FEET TO THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 25 AND THE POINT OF BEGINNING.

CONTAINING 275.434 ACRES OF LAND MORE OR LESS.

Applicant's Legal Checked  
by Jan 8/27/01

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INSTR # 6664387  
OR BK 04605 Pgs 0194 - 195; (2pgs)  
RECORDED 02/24/2005 02:31:11 PM  
CHARLIE GREEN, CLERK OF COURT  
LEE COUNTY, FLORIDA  
RECORDING FEE 18.50  
DEED DOC 42,000.00  
DEPUTY CLERK N Kortright

Prepared by and return to:  
Sharon M. Zuccaro, Esq.

Henderson, Franklin, Starnes & Holt, P.A. (Brooks)  
9990 Coconut Road Suite 101  
Bonita Springs, FL 34135

File Number: gowanat  
Will Call No.:

[Space Above This Line For Recording Data]

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### Warranty Deed

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This Warranty Deed made this 23rd day of February, 2005 between The Retreat Golf Club LLC, a Florida limited liability company, f/k/a East Corkscrew LLC, a Florida limited liability company, whose post office address is 9990 Coconut Road, Suite 200, Bonita Springs, FL 34135, grantor, and Old Corkscrew Plantation Golf Club, LLC, a Florida limited liability company whose post office address is 5801 Pelican Bay Blvd., Suite 300, Naples, FL 34108, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

2

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 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 granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Lee County, Florida to-wit:

The West One-Half of Section 25, Township 46 South, Range 26 East, Lee County, Florida; LESS AND EXCEPT the Southeast One Quarter (SE 1/4) of the Southwest One Quarter (SW 1/4); LESS AND EXCEPT the Southeast One Quarter (SE 1/4) of the Northeast One Quarter (NE 1/4) of the Southwest One Quarter (SW 1/4).

Parcel Identification Number: 25462600000010020 and 25462600000010000

Subject to taxes for 2005 and subsequent years, covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

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.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

DoubleTimes

Signed, sealed and delivered in our presence:

Kaitlan O'Donnell

Witness # 1

Printed Name: Kaitlan O'Donnell

Bv Belleau

Witness # 2

Printed Name: Bv Belleau

The Retreat Golf Club LLC, a Florida limited liability company

By: Resource Conservation Properties, Inc., a Florida corporation, Managing Member f/k/a East Corkscrew LLC, a Florida limited liability company

By: JAMES P. McGOWAN, Vice President

STATE OF Florida  
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 22 day of February, 2005, by James P. McGowan, Vice President of Resource Conservation Properties, Inc., a Florida corporation, managing member of The Retreat Golf Club LLC, a Florida limited liability company, f/k/a East Corkscrew LLC, a Florida limited liability company. He is personally known to me.

Beverly A. Belleau  
Notary Public  
Printed name: Beverly A. Belleau  
My Commission Expires: 10-19-05

(SEAL)



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**GOAL 16: PRIVATE RECREATIONAL FACILITIES IN THE DR/GR.**

To ensure that the development of Private Recreational Facilities in the DR/GR areas is compatible with the intent of this Future Land Use category, including recharge to aquifers, development of future wellfields and the reduction of density. (Added by Ordinance No. 99-16)

**OBJECTIVE 16.2: GROWTH MANAGEMENT.** Development of Private Recreation Facilities in the DR/GR areas must be consistent with the growth management principles and practices as provided in the following policies. (Added by Ordinance No. 99-16)

**POLICY 16.2.1: PRIVATE RECREATION FACILITY PLANNED DEVELOPMENT.** By the end of December, 2000, Lee County will amend the Lee County Land Development Code (LDC) to include provisions for a new Private Recreation Facilities Planned Development zoning category. All Private Recreational Facilities proposed within the Density Reduction Groundwater Resource land use category must be reviewed as a Development of County Impact, Private Recreation Facilities Planned Development. (Added by Ordinance No. 99-16)

**POLICY 16.2.2:** Approved Private Recreation Facilities Planned Developments will automatically expire, reverting to the original zoning category, if a Lee County Development Order is not obtained within five (5) years of zoning approval. (Added by Ordinance No. 99-16)

**POLICY 16.2.3: RESIDENTIAL USES PRECLUDED.** Residential uses, other than a single bonafide caretaker's residence, ~~or~~ a resident manager's unit, or those uses as listed in Policy 16.2.6 are not permitted in conjunction with a Private Recreational Facility Planned Development. Residential density associated with land zoned as Private Recreational Facility will be extinguished and cannot be transferred, clustered or otherwise assigned to any property. (Added by Ordinance No. 99-16)

**POLICY 16.2.4:** Further, the approval of Private Recreational Facilities on any property within the DR/GR will not be considered as justification for approving an amendment to the Future Land Use Map series which would increase residential density in the DR/GR areas. (Added by Ordinance No. 99-16)

**POLICY 16.2.5:** The boundaries of the Private Recreational Facility Planned Development may not be designed to allow out-parcels or enclaves of residential units to be integrated into the golf course perimeter, except as allowed in Policy 16.2.6 (Added by Ordinance No. 99-16)

Policy 16.2.6: Time share, fractional ownership units (meaning any dwelling unit for which ownership is shared among multiple entities for the primary purpose of creating short-term use or rental units rather than permanent full time residential units), and Bed and Breakfast establishments may be permitted if the property is included on Map 17, Rural Golf Residential Overlay of the Lee County Future Land Use Map Series. These uses must be ancillary to or in conjunction with uses within the Private Recreational Facility, including a Golf Training Center or similar facility and must be located adjacent or within 1,000 feet of the principal use that is being supported. Through the PRFPD process, the applicant must demonstrate that external vehicular trips will be reduced from typical single-family residential units due to the ancillary nature of the use.

Policy 16.2.7: Time share, fractional ownership units, or Bed and Breakfast establishments will only be permitted in a designated Rural Golf Residential Overlay area as specified on Map 17 and may only be constructed through transferring density in accordance with Policy 30.3.2(1).

**POLICY 16.2.68:** Private Recreational Facilities must have adequate fire protection, transportation facilities, wastewater treatment and water supply, and provided further that they have no adverse effects

such as dust, noise, lighting, or odor on surrounding land uses and natural resources. (Added by Ordinance No. 99-16)

**POLICY 16.2.79:** Private Recreational Facilities within the DR/GR may only be located in the areas depicted on the Private Recreational Facilities Map, Map 4. (Added by Ordinance No. 99-16)

**POLICY 16.2.810:** Applications for Private Recreational Facility development will be reviewed and evaluated as to their impacts on, and will not negatively affect, any adjacent, existing agricultural, mining or conservation activities. (Added by Ordinance No. 99-16)

**POLICY 16.2.911:** Applications for Private Recreational Facility development will be reviewed and evaluated as to their impacts on, and must be compatible with any adjacent publicly owned lands. (Added by Ordinance No. 99-16)

**POLICY 16.2.1012:** During the 2010 comprehensive plan Evaluation and Appraisal Report process the County will conduct a comprehensive evaluation of the impacts of Private Recreation Facilities on surface and groundwater quality and quantity. Recommendations from this evaluation will then be incorporated into the Lee Plan. (Added by Ordinance No. 99-16)

**POLICY 16.3.8:** The following site requirements, regulating lot size, setbacks and open space must be equaled or exceeded:

1. Principal Uses other than golf courses and the ancillary uses listed in Policy 16.2.6, permitted under this subdivision must have a minimum lot size of ten acres.

**2. Building Setbacks.**

- a. Fifty (50) feet from an existing right-of-way line or easement.
- b. Seventy-five (75) feet from any private property line under separate ownership and used for residential dwellings.
- c. Fifty (50) feet from any adjacent agricultural or mining operation.
- d. Greater setbacks may be required during the Public Hearing process to address unique site conditions.

**3. Setbacks for accessory buildings or structures.** All setbacks for accessory buildings or structures must be shown on the Master Concept Plan required as part of the Planned Development application. No maintenance area or outdoor storage area, irrigation pump or delivery area may be located less than 500 feet from any existing or future residential use, as measured from the edge of the above-listed area to the property line of the residential use.

For purposes of this policy, any property that is 10 acres or less in size and is zoned to permit dwelling units will be considered a future residential property. Properties larger than 10 acres may be considered future residential based on the property's size, the ownership pattern of properties in the surrounding area, and the use, zoning and size of surrounding properties. To allow flexibility, the general area of any accessory buildings, structures and maintenance areas must be shown on the site plan with the appropriate setbacks as noted in this subsection listed as criteria for the final placement of these buildings, structures or facilities.

In addition to the other standards outlined in this policy, any maintenance area or outdoor storage area, irrigation pump or delivery area must meet one of the following standards:

- a) be located 500 feet or more from any property line abutting an existing or planned public right-of-way;
- or



- b) provide visual screening around such facilities, that provides complete opacity, so that the facilities are not visible from any public right-of-way; or
- c) be located within a structure that meets or exceeds the current Lee County architectural standards for commercial structures.

4. **Open Space.** A minimum of 85% open space must be provided. However, natural and manmade bodies of water may contribute 100% to achieving the minimum requirements. To the extent possible, pervious paving and parking areas, and buildings elevated above ground level will exceed the 85% open space requirement.

5. **Security.** All entrances to Private Recreational Facilities must be restricted from public access during non-use hours. (Added by Ordinance No. 99-16, Amended by Ordinance No. 02-04)

**POLICY 16.3.9:** The following uses are the only uses allowed under the PRFPD designation.

Density/Intensity Limitations proposed uses are subject to the following limitations:

Clubhouse/Administrative Area: 20,000 SF/18 hole golf course.

Golf Course Restrooms: Not to exceed two structures per 18-hole golf course, limited to 150 square feet per structure.

Maintenance Area: Not to exceed 25,000 SF of enclosed or semi-enclosed building area, on a maximum of 5 acres of land per 18 hole golf course.

Fractional Ownership/Time-share Units: The maximum allowable units will be calculated based on 1 du/10 acres for the entire area of the PRFPD. All timeshare/fractional ownership units must be transferred in accordance with Policy 30.3.3(1).

Bed and Breakfast Establishments: The maximum number of Bed and Breakfast Establishments will be limited to 1 per every 18 holes of golf. Bedrooms within a Bed and Breakfast Establishment will be limited to a maximum of 7 per unit, with a maximum of two adult occupants per bedroom.

Horse Stable: 40,000 SF of Stable Building/10 acres.

Camping Restrooms: 1 toilet per four (4) camp units, clustered in structures not to exceed 500 square feet per structure. 1 shower per 4 toilets.

Camping Area Office: 1,000 SF per campground.

(Added by Ordinance No. 99-16, Amended by Ordinance No. 02-02)

**OBJECTIVE 16.8: GOLF COURSE PERFORMANCE STANDARDS.** The location, design and operation of golf courses located within Private Recreational Facilities will minimize their impacts on natural resources, and incorporate Best Management Practices. A maximum of ten (~~105~~) 18-hole golf courses, for a total of ~~180-90~~ golf holes, will be permitted ~~in the next 10 years~~ through 2030. (Added by Ordinance No. 99-16)

-----

**POLICY 30.3.3:** Owners of major DR/GR tracts without the ability to construct a Mixed-Use Community on their own land are encouraged to transfer their residential development rights to future Mixed-Use Communities (and land so designated on Map 17). These transfers would avoid unnecessary travel for future residents, increase housing diversity and commercial opportunities for nearby Lehigh Acres, protect existing agricultural lands, and allow the conservation of larger contiguous tracts of land.

1. To this end Lee County will establish a program that will allow and encourage the transfer of upland and wetland development rights (TDR) from one landowner to another who wishes to develop a

- Mixed-Use Community, develop in accordance with Policy 16.2.6 and 16.2.7, or wishes to exercise these development rights outside the DR/GR area. This program will be in addition to the existing wetland TDR program described in Article IV of Chapter 2 of the Land Development Code.
2. In 2009 an exception was made to the requirement in Policy 1.4.5 that all DR/GR land uses must be compatible with maintaining surface and groundwater levels at their historic levels. Under this exception, ~~Mixed-Use Communities may be constructed~~ construction may occur on land so designated on Map 17 provided the impacts to natural resources including water levels and wetlands are offset through appropriate mitigation within Southeast Lee County.
  3. Within the Mixed-Use Communities shown on Map 17, significant commercial and civic uses are encouraged. Specific requirements for incorporating these uses into Mixed-Use Communities will be found in the Land Development Code.

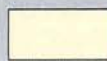


**DEFINITIONS**

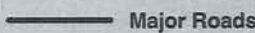
**PRIVATE RECREATION FACILITIES** - Includes nature trails, tent camping areas, boardwalks, play areas (as defined in “Park Planning Guidelines, 3rd Edition”), horse stables and riding areas, service areas, administrative areas, ancillary uses, and golf courses for private or public use. The location of public wellheads and Aquifer Storage and Recovery facilities may be located in Private Recreational Facilities.

CORKSCREW RD

**Legend**



Proposed Development Area = 15 +/- Acres



Major Roads

*Receiving Area Map*  
Old Corkscrew Plantation Golf Course

**DeLisi FITZGERALD, INC.**

Planning - Engineering - Project Management  
1605 Hendry Street  
Fort Myers, FL 33901  
239-418-0611 • 239-418-0612



1 inch = 1,200 feet

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SOURCE:  
LEE COUNTY

Receiving Area Map 8/11

**OLD CORKSCREW GOLF CLUB  
COMPREHENSIVE PLAN AMENDMENT**

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**DELISI FITZGERALD, INC.**  
Planning - Engineering - Project Management

SEP 30 2009

COMMUNITY DEVELOPMENT

2009-00003

INTRODUCTION

The subject site for this amendment to the Lee County Comprehensive Plan is located within the Old Corkscrew Golf Club on the south side of Corkscrew Road in Lee County, FL. The property that is specifically subject the amendment is approximately 15 acres in area and is adjacent to the Old Corkscrew Clubhouse. The attached Aerial Location Map of the subject property shows the surrounding road network and land uses.

The request of this application is to amend the text of Goal 16 to allow for the creation of a density receiving area at this location, with specific criteria for the units that can be constructed. Through participating in the County's TDR program, the land that will be preserved will be larger than the land impacted, creating a net positive benefit for the environment.

The proposed amendment is to allow fractional ownership/short term units in conjunction with the club house/educational facility. Using a small portion of the existing Golf Course property as a receiving property for density is consistent with testimony by Dr. Jim Nicholas in his presentation before the Lee County Local Planning Agency on the need to have a diversity of types of receiving units in order to create a successful TDR program. This statement is also consistent with the success/failure of existing TDR programs. Collier County's TDR program, for example, was cited as a successful program by Dr. Nicholas. Although the program incentivizes transfers of density to compact rural villages, to date, the only units that have been transferred to a designated "receiving" area are for units adjacent to a golf course. A diversity of receiving sites will be required for a successful program. The proposed units would be in a location that is marketable in the near term, giving a start to the TDR program as well as providing a real benefit in marketability of the golf course.

*Surrounding Land Uses, Compatibility, and Area Context*

The subject "receiving" area is located adjacent to the Old Corkscrew Golf Course Club House on 15+/- acres of upland. To the west of the Old Corkscrew Gold Course is the 6Ls Farm, with scattered low density residential units along 6Ls Farm Road. The "receiving" property is surrounded on all sides by preserve area and the Clubhouse parking lot. There are no compatibility impacts to adjacent uses.

*Land Use Change Analysis*

The subject property is designated as DR/GR on the future land use Map. The proposed amendment will not change the Future Land Use Category. Because the proposed amendment is to create a "receiving" area for density that will be transferred from elsewhere in the DR/GR along Corkscrew Road, there is minimal to no impact on the level of service for public facilities. Further, because of the nature of the proposed units, short-term rental and hotel-

type units, there will be a decrease in potential impacts to the school system and other facilities that are provided for typical residential development. Further, because this is a proposal to transfer units that could be constructed on 10 acres lots in the DR/GR to a compact, clustered area adjacent the Old Corkscrew Golf Club, the provision of public services will decrease significantly as development is clustered in close proximity rather than spread out over a large area.

### **Consistency with the Lee Plan**

The proposed text amendment is consistent with the following Lee Plan Policies. With the proposed text amendment, the “sending area” will be consistent with Goal 16. Any proposed development within the “Receiving Area: will be consistent with all other requirements of Goal 16.

**POLICY 5.1.1:** Residential developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as planned residential developments.

*Any proposed development in the “receiving area” will need to be permitted through the PRFPD process.*

**POLICY 5.1.2:** Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community.

*The proposed amendment will remove density from a property or multiple properties that have environmental limitations or are in locations where enhancement of the land could provide a significant public benefit. Therefore, the proposed amendment implements Policy 5.1.2 by preventing vested development from happening in an area inconsistent with the intent of this policy.*

### **POLICY 16.8.12: GOLF SITE REQUIREMENTS.**

2. Two hundred (200) acres of indigenous vegetation preserve is required for every 18 holes. The indigenous vegetation preserve requirement may be provided on-site or off-site. On-site preserves must be a minimum of 1-acre in size; minimum 75-foot wide with an average 100-foot width. Indigenous vegetation preserved on site may utilize a two to one (2:1) credit on a sliding scale based on minimum acreage and width criteria to be included in the Land Development Code. However, the indigenous vegetation preserve requirement must be met with a minimum of one hundred (100) actual indigenous acres onsite. Indigenous vegetation preservation requirements must be met outside of the 150 acre golf course impact area.

3. All off-site indigenous vegetation preserves must be located within the DR/GR areas. Unless located within or adjacent to existing or designated public acquisition areas, the minimum parcel size is fifty (50) indigenous acres.

*Any proposed development in the “Receiving Area” will need to meet the indigenous requirements of Policy 16.8.12 in addition to the “Sending” property that will have density removed.*

## OLD CORKSCREW PLANTATION GOLF CLUB UTILITY ANALYSIS

Estimated Utility Demand:

Land Use	Utility Demand
Timeshares (25 units /w 10 self service laundry machines)	10,000 Gallons-per-day
Bed and Breakfast (7 units)	1,400 Gallons-per-day
<b>Total</b>	<b>11,400 Gallons-per-day</b>

The subject property is located in southeast Lee County where central water and sewer service is not currently available. To serve the proposed uses of the comprehensive amendment, private on-site treatment facilities are proposed. For water, groundwater wells will be the source of water supply for a private water treatment facility. For sewer, a private package plant will be utilized until such time as central sewer is available for connection.

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CORKSCREW RD

**Legend**

-  Proposed Development Area = 15 +/- Acres
-  Major Roads
-  Public Facilities
-  Density Reduction/Groundwater Resource
-  Conservation Lands - Uplands
-  Wetlands
-  Conservation Lands - Wetlands

**Future Land Use Map**  
Old Corkscrew Plantation Golf Course

**DeLisi Fitzgerald, Inc.**  
Planning - Engineering - Project Management

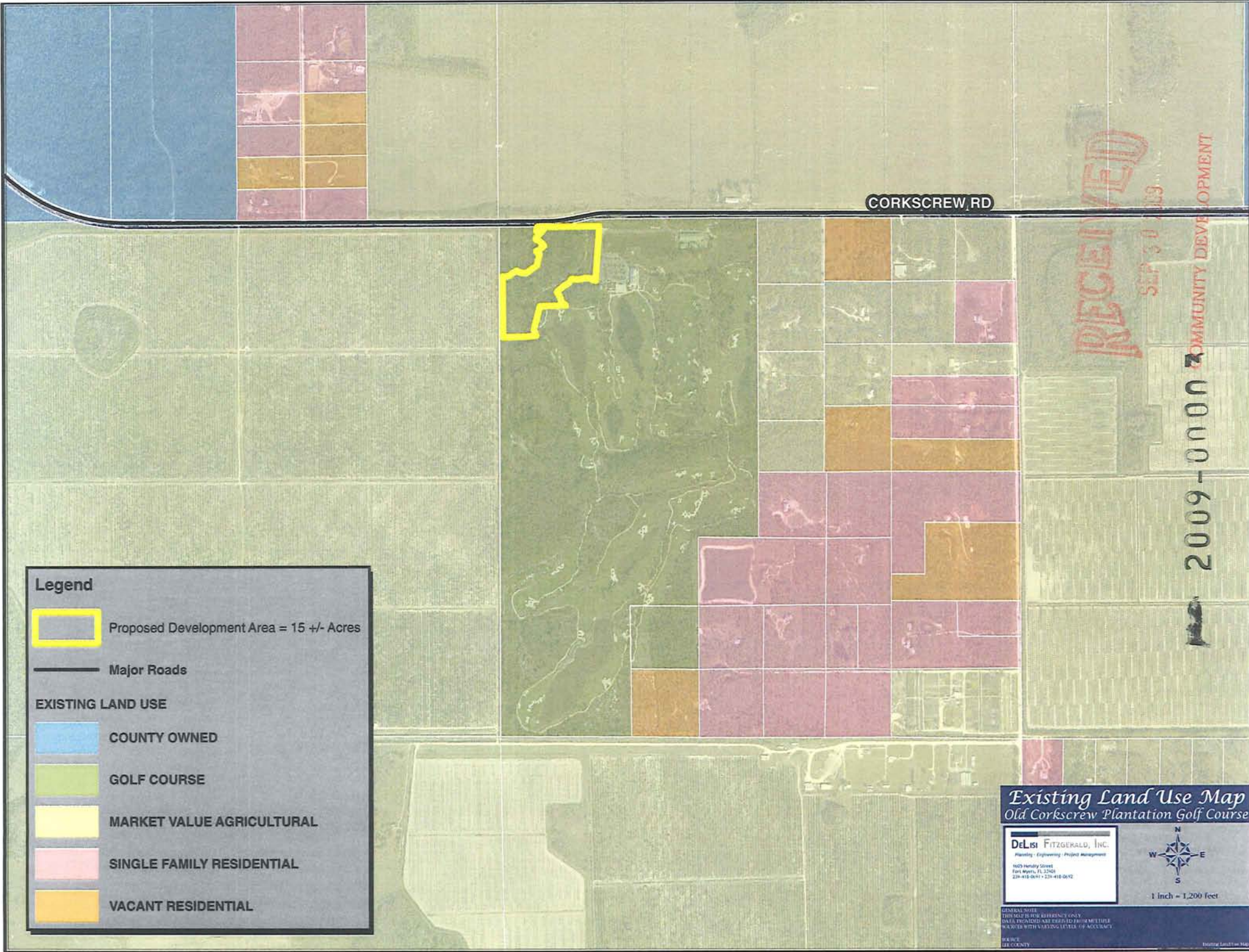
1025 Hershey Street  
Fort Worth, TX 76104  
817-418-0677 • 817-418-0892



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LEE COUNTY  
Private Land Use Map



**Legend**

- Proposed Development Area = 15 +/- Acres
- Major Roads
- EXISTING LAND USE**
- COUNTY OWNED
- GOLF COURSE
- MARKET VALUE AGRICULTURAL
- SINGLE FAMILY RESIDENTIAL
- VACANT RESIDENTIAL

CORKSCREW RD

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*Existing Land Use Map*  
Old Corkscrew Plantation Golf Course

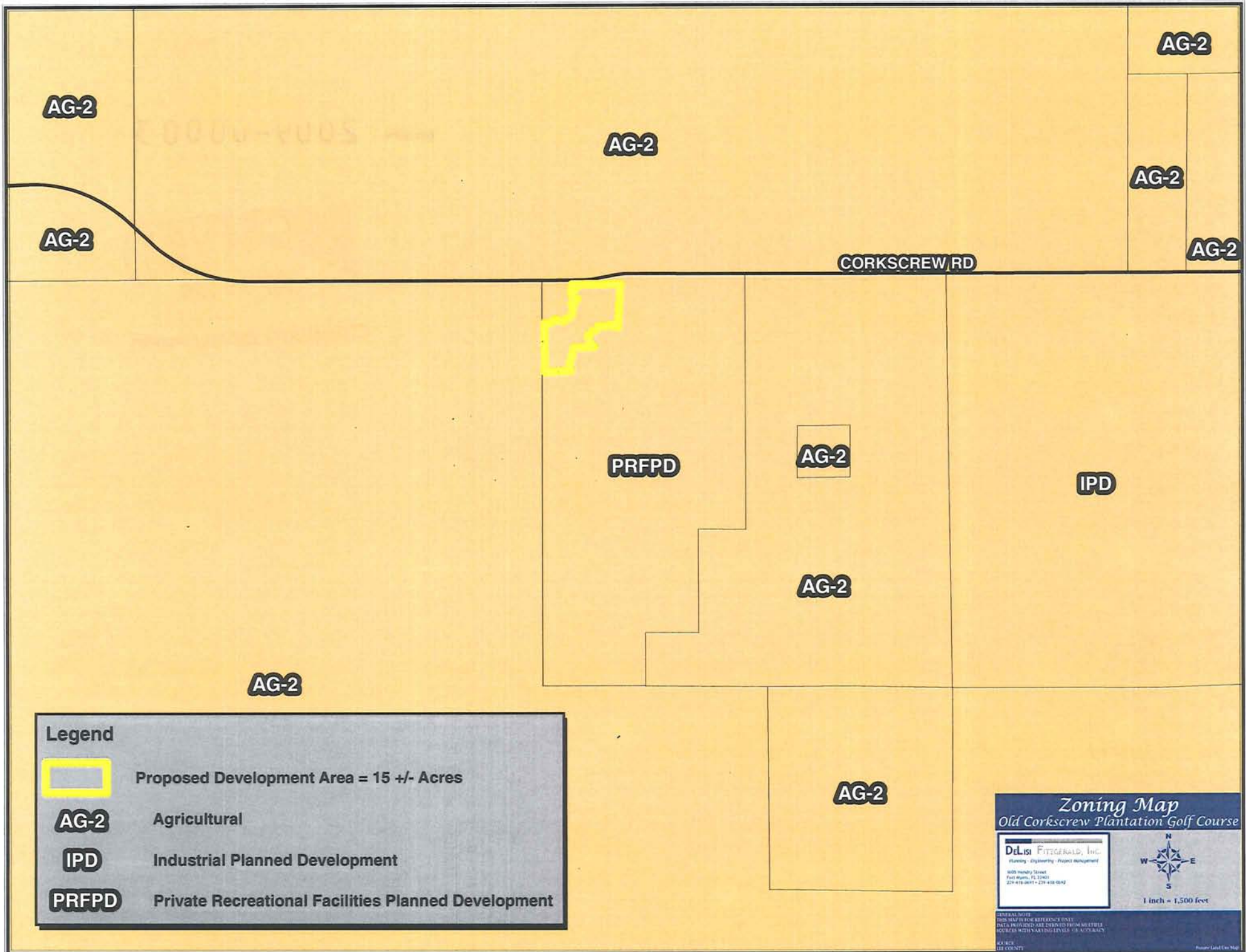
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Fort Myers, FL 33901  
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SOURCE:  
THE COUNTY





AG-2

AG-2

AG-2

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CORKSCREW RD

PRFPD

AG-2

IPD

AG-2

AG-2

AG-2

**Legend**



Proposed Development Area = 15 +/- Acres

**AG-2**

Agricultural

**IPD**

Industrial Planned Development

**PRFPD**

Private Recreational Facilities Planned Development

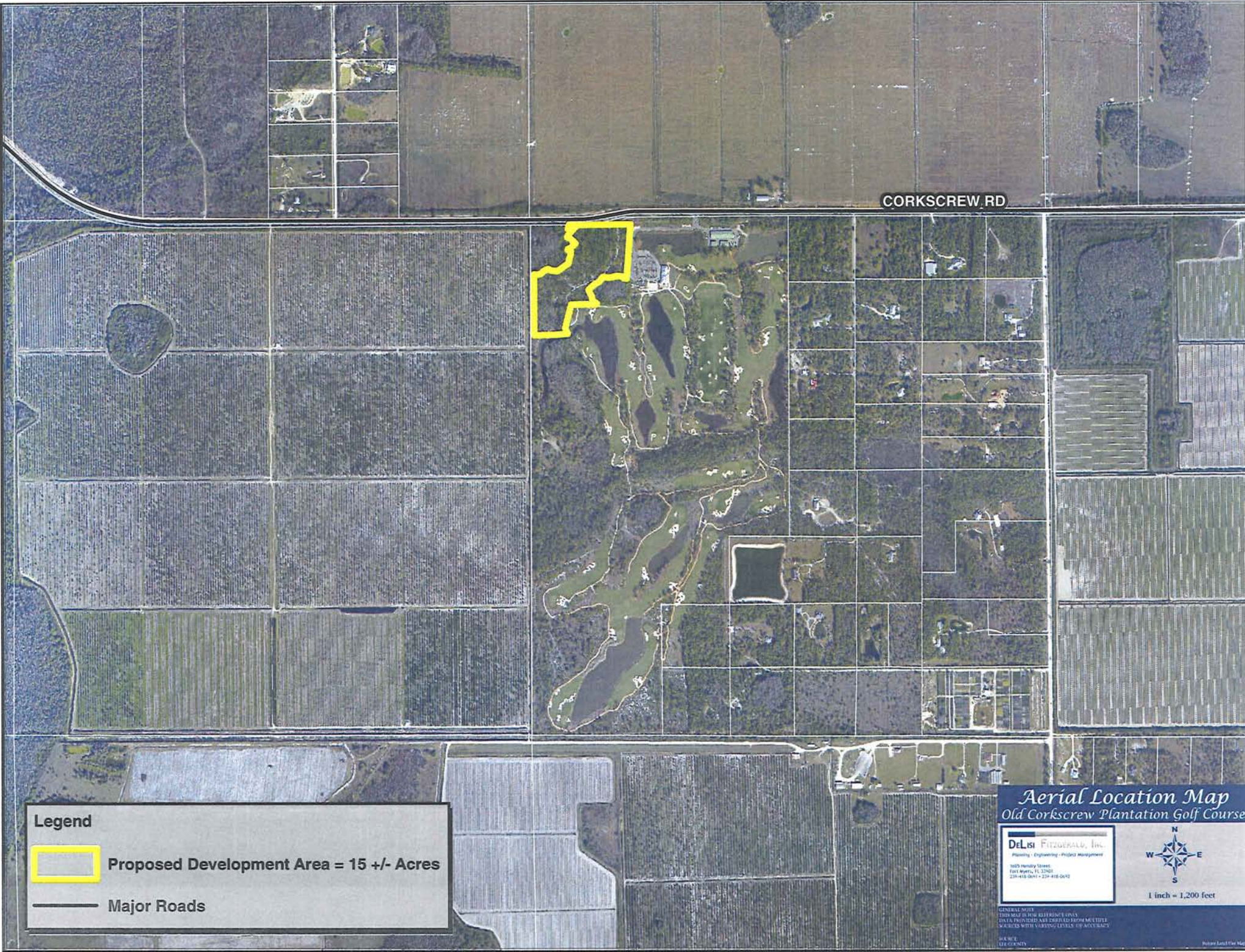
**Zoning Map**  
Old Corkscrew Plantation Golf Course

**DeLisi FITZGERALD, INC.**  
Planning - Engineering - Project Management  
8000 Hendry Street  
Fort Myers, FL 33903  
239-418-0811 • 239-418-0842



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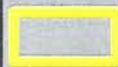
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FIELD MEASUREMENTS ARE OBTAINED FROM MULTIPLE  
SOURCES WITH VARYING LEVELS OF ACCURACY.



CORKSCREW RD



**Legend**



**Proposed Development Area = 15 +/- Acres**



**Major Roads**

**Aerial Location Map**  
Old Corkscrew Plantation Golf Course

**DeLisi Fitzgerald, Inc.**  
Planning - Engineering - Project Management  
1605 Hendry Street  
Fort Myers, FL 33901  
239-434-0000 • 239-434-0092



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SCALE:  
LEE COUNTY

Purple Leafed Tree Map

MEMORANDUM

TO: Mr. Dan DeLisi  
DeLisi Fitzgerald, Inc.

FROM: Ted B. Treesh  
President

DATE: September 29, 2009

RE: Old Corkscrew Golf Club  
Land Use Amendment

2009-00003

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TR Transportation Consultants, Inc. has completed a trip generation comparison of the land uses that would be permitted on the site of the existing Old Corkscrew Golf Club, located on Corkscrew Road approximately seven (7) miles east of I-75 in the eastern area of Lee County, Florida. Based on the application data, provided by DeLisi Fitzgerald, Inc., approximately 25 single family detached dwelling units could be accommodated on the subject site based on the land use category that is currently in place within the Comprehensive Plan (Lee Plan). The applicant proposes to amend the plan to permit the development of up to 25 fractional ownership/timeshare units and a 7 unit Bed and Breakfast facility on the subject site to accompany the existing golf course uses.

A trip generation comparison between the existing density permitted and the proposed uses was completed by utilizing the Institute of Transportation Engineer's (ITE) report, *Trip Generation 8<sup>th</sup> Edition*. For the Timeshare units, Land Use Code 265 (Timeshare) was utilized. For the seven unit Bed and Breakfast facility, Land Use Code 320 (Motel) was utilized. The ITE report does not have trip generation data for Bed and Breakfast uses. The description of Motel uses in the ITE report most closely resembles how a Bed and Breakfast would operate; therefore, the Motel Land Use Category was utilized for this use.

**Table 1** below indicates the weekday peak hour trip generation as well as the weekday daily trip generation for the uses that would be permitted under the existing Land Use Category and the land uses that are being requested as part of this amendment to the Lee Plan. Copies of the equations for the land uses are attached to the end of this document for reference.

**Table 1  
Trip Generation  
Old Corkscrew Golf Club**

Land Use	Type of Units	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
		In	Out	Total	In	Out	Total	
Existing Land Use	Single Family (25 dwelling units)	7	20	27	19	11	30	290
Proposed Land Use Category	Timeshare Units (25 units)	2	8	10	10	8	18	226
	Bed & Breakfast (7 units)	1	3	4	2	2	4	49
<b>Proposed Total</b>		<b>3</b>	<b>11</b>	<b>14</b>	<b>12</b>	<b>10</b>	<b>22</b>	<b>275</b>
<b>Net Change</b>	<b>Proposed - Existing</b>	<b>-4</b>	<b>-9</b>	<b>-13</b>	<b>-7</b>	<b>-1</b>	<b>-8</b>	<b>-15</b>

As can be seen from Table 1, the net change in trip generation is anticipated to be reduced during the weekday A.M. peak hour, P.M. peak hour and daily trips with the proposed land use change. Therefore, the requested Land Use Change for the Old Corkscrew Golf Club will not have an impact on the adopted 2030 Transportation Plan as currently approved in the Lee Plan.

If you have any additional questions regarding this matter, please do not hesitate to contact me.

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**TRIP GENERATION EQUATIONS  
 OLD CORKSCREW GOLF CLUB  
 ITE TRIP GENERATION REPORT, 8<sup>th</sup> EDITION**

Land Use	Weekday AM Peak Hour	Weekday PM Peak Hour	Daily (2-way)
Single Family Residential (LUC 210)	$T = 0.70 (X) + 9.74$ (25% In/75% Out)	$\ln(T) = 0.90 \ln(X) + 0.51$ (63% In/37% Out)	$\ln(T) = 0.92 \ln(X) + 2.71$
T = Number of Trips, X = Number of Dwelling Units			
Motel (LUC 320)	$\ln(T) = 0.92 \ln(X) - 0.46$ (36% In/64% Out)	$\ln(T) = 0.94 \ln(X) - 0.51$ (54% In/46% Out)	$T = 0.92 (X) + 2.11$
T = Number of Trips, X = Rooms			
Timeshare (LUC 265)	$\ln(T) = 1.16 \ln(X) - 1.48$ (20% In/80% Out)	$\ln(T) = 1.01 \ln(X) - 0.38$ (54% In/46% Out)	$\ln(T) = 1.06 \ln(X) + 2.01$
T = Number of Trips, X = Dwelling Units			

Directional distribution (In/Out) for Timeshare units not report in ITE. Assumed 20% in/80% out for the Weekday A.M. peak hour and used the directional distribution for Motel for Weekday P.M. peak hour

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**EAST CORKSCREW PROPERTY  
LEE COUNTY PROTECTED SPECIES SURVEY**

**June 2000**

Prepared For:

***Vanasse & Daylor LLP***  
8270 College Parkway  
Suite 205  
Fort Myers, FL 33919  
(941) 437-4601

Prepared By:

***Passarella and Associates, Inc.***  
4575 Via Royale, Suite 201  
Fort Myers, FL 33919  
(941) 274-0067

Project #98BBP300

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## INTRODUCTION

Passarella and Associates, Inc. conducted a protected species survey on the East Corkscrew Property on July 27, 28, and 29, 1998 and September 8, 1999. The survey was conducted to meet Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) standards.

The 275.43± acre East Corkscrew Property is located on Corkscrew Road 1.7± miles east of the Corkscrew Road and Alico Road intersection. The property is in Section 25, Township 46 South, Range 26 East, Lee County, Florida (Figure 1). The parcel contains a man-made lake and a single-family home. The surrounding land use is agricultural land with scattered rural single-family residences to the east.

## LAND USES AND VEGETATION ASSOCIATIONS

The vegetation associations for the property were delineated using 1996 unrectified Lee County blue-line aerials (scale 1" = 200') and on-site field surveys conducted on June 17 and 18, 1998 and September 8, 1999. During the surveys, lines were drawn on the aerial delineating the different vegetation associations. These delineations were classified based on the nomenclature of the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Level III and IV (Florida Department of Transportation 1985). The mapping was later updated using 1999 Lee County rectified aerial photographs. The resulting FLUCFCS map with acreages is provided in Figure 2. A brief description of each of the FLUCFCS classifications is provided below, while the FLUCFCS delineations are depicted on a 1999 Lee County aerial provided in Appendix A.

### Residential, Low Density (FLUCFCS Code 110)

This area occupies 1.59± acres or 0.6 percent of the property. It is occupied by a single-family home.

### Woodland Pasture (FLUCFCS Code 213)

This habitat occupies 81.50± acres or 29.6 percent of the property. This area was historically used for agricultural production. The agricultural fields have been left fallow and now have partially re-vegetated. The canopy contains scattered slash pine (*Pinus elliottii*), laurel oak (*Quercus laurifolia*), and live oak (*Quercus virginiana*). The sub-canopy includes slash pine, cabbage palm (*Sabal palmetto*), and wax myrtle (*Myrica cerifera*). The ground cover is made up of yellow-eyed grass (*Xyris* sp.), black-root (*Pterocaulon virgatum*), dwarf live oak (*Quercus minima*), blue paspalum (*Paspalum caepitosum*), little blue maidencane (*Amphicarpum muhlenbergianum*), thoroughwort (*Eupatorium* sp.), slash pine seedlings, pawpaw (*Asimina reticulata*), St. John's wort (*Hypericum tetrapetalum*), and widely scattered saw palmetto (*Serenoa repens*).

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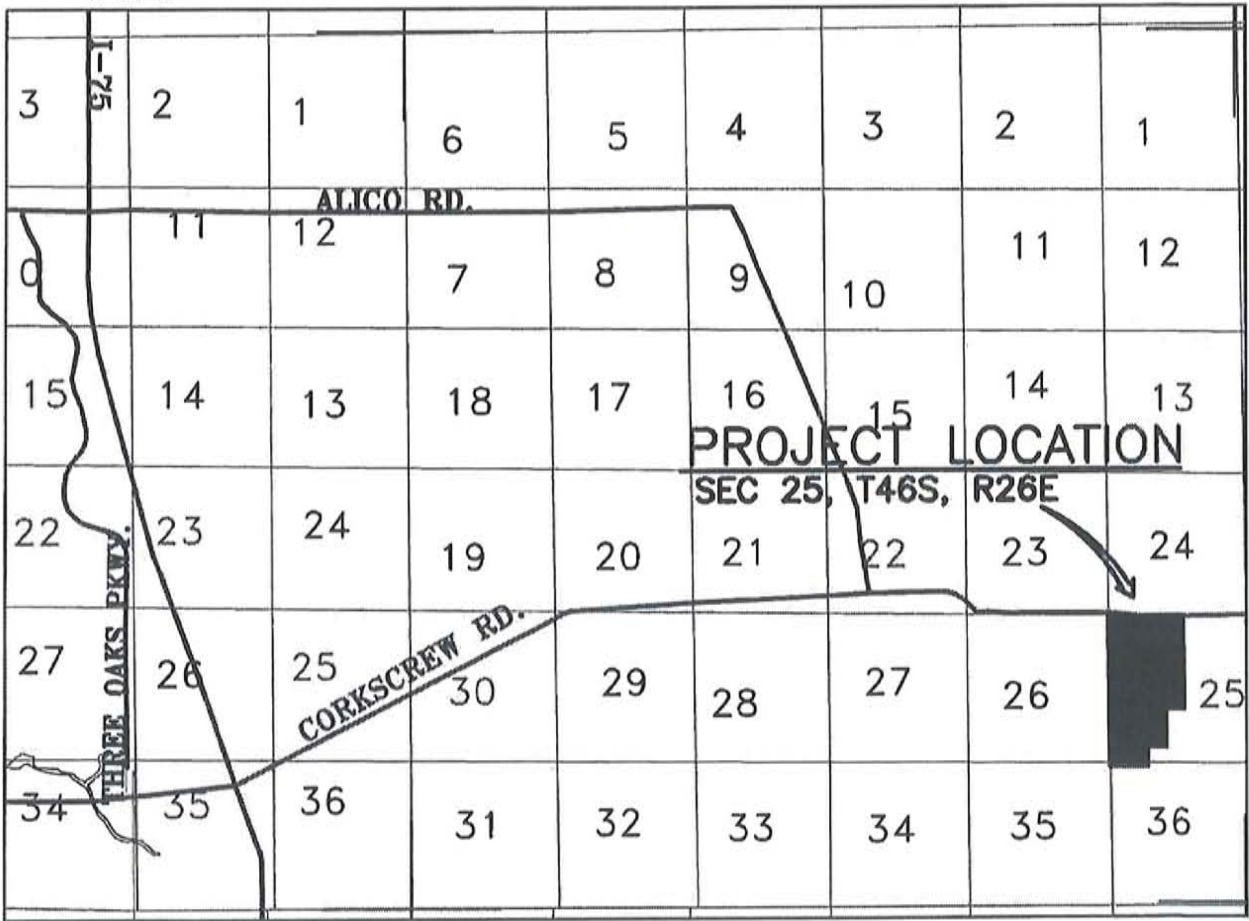
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T 46 S



PASSARELLA and ASSOCIATES, INC.  
Consulting Ecologists

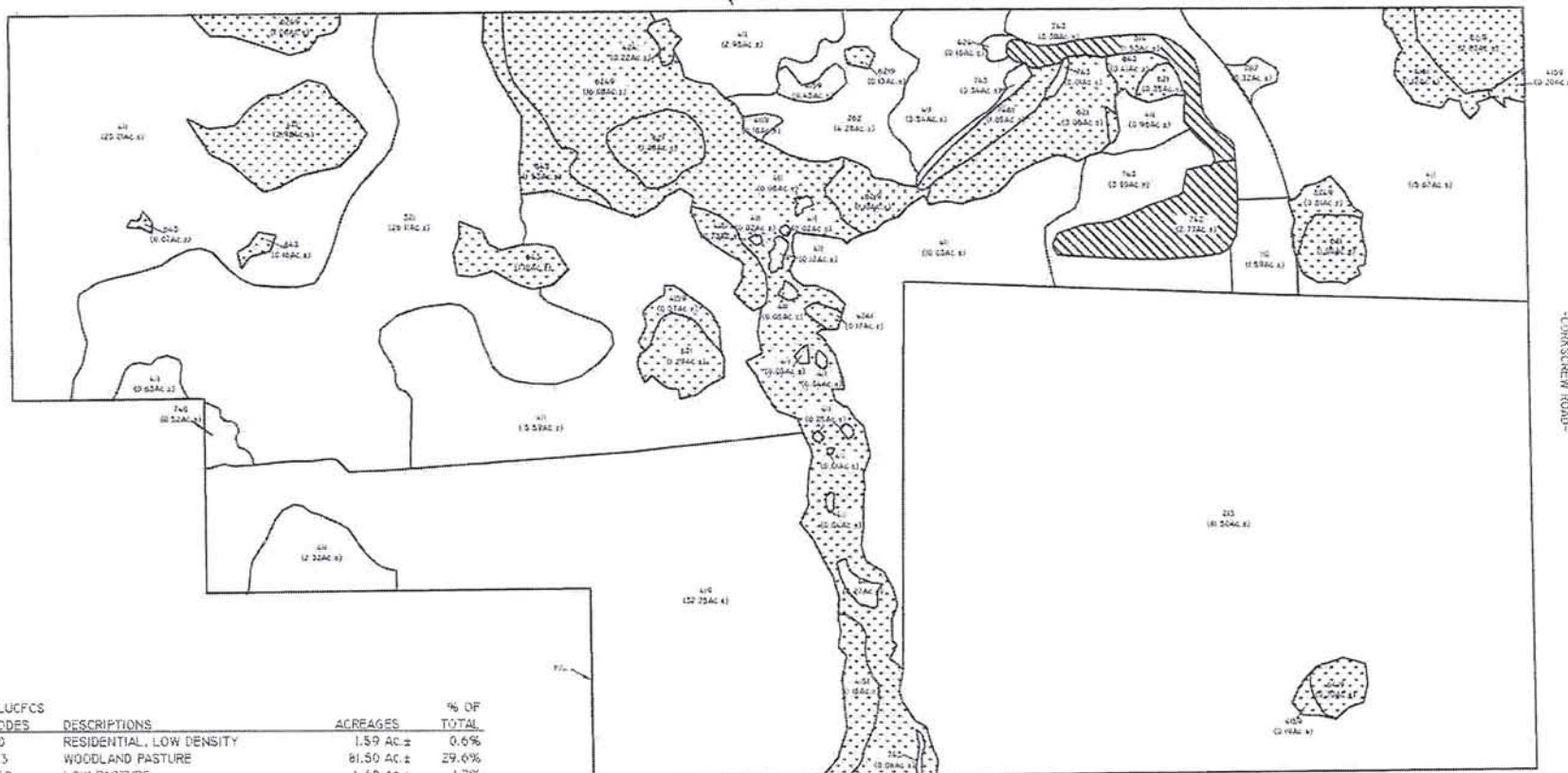
FIGURE 1. PROJECT LOCATION MAP

DRAWN BY: SLO  
REVISED BY: SLO

DATE: 8/10/98  
DATE: 5/18/00



SCALE: 1" = 600'



FLUCFCS CODES	DESCRIPTIONS	ACREAGES	% OF TOTAL
110	RESIDENTIAL, LOW DENSITY	1.59 AC. ±	0.6%
213	WOODLAND PASTURE	81.50 AC. ±	29.0%
262	LOW PASTURE	4.60 AC. ±	1.7%
321	PALMETTO PRAIRIE	20.11 AC. ±	9.5%
411	PINE FLATWOODS	75.64 AC. ±	27.5%
4119	PINE FLATWOODS, DISTURBED	0.18 AC. ±	0.1%
4151	HYDRIC PINE FLATWOODS	0.01 AC. ±	0.0%
4159	PINE, DISTURBED	1.41 AC. ±	0.5%
419	PLANTED PINES	32.25 AC. ±	11.7%
424	MELALEUCA	0.16 AC. ±	0.1%
4241	MELALEUCA, HYDRIC	0.39 AC. ±	0.1%
514	DITCH	1.53 AC. ±	0.6%
621	CYPRESS	7.23 AC. ±	2.6%
6219	CYPRESS, DISTURBED	3.26 AC. ±	1.2%
6249	PINE-CYPRESS, DISTURBED	17.75 AC. ±	6.4%
6419	FRESHWATER MARSH, DISTURBED	0.70 AC. ±	0.3%
643	WET PRAIRIE	3.27 AC. ±	1.2%
740	DISTURBED LAND	0.52 AC. ±	0.2%
742	BORROW AREA	2.77 AC. ±	1.0%
743	SFOIL AREA	7.51 AC. ±	2.7%
7461	CLEARED AREA, HYDRIC	1.05 AC. ±	0.4%
		275.43 AC. ±	100.0%

**NOTES:**



FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1985).

PROPERTY BOUNDARIES AND WETLAND LINES PER AGNOLI, BARBER AND BRUNDSER, INC. DRAWING NO. KPASSANDL.DWG DATED 4/14/00.

SFWMD WETLAND LINES SHOWN HAVE BEEN FIELD VERIFIED BY CRAIG SCHMITTLER ON MARCH 29, 2000 AND ARE SURVEY LOCATED.

**LEGEND:**

-  SFWMD WETLANDS (40.62 AC. ±)
-  SFWMD OTHER SURFACE WATERS (4.30 AC. ±)

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REVISED BY: SLO      DATE: 6/17/00

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FIGURE 2. FLUCFCS AND WETLAND MAP

Low Pasture (FLUCFCS Code 262)

This community occupies 4.60± acres or 1.7 percent of the property. The canopy and sub-canopy consists of widely scattered slash pine. The ground cover includes big carpet grass (*Axonopus furcatus*), bahia grass (*Paspalum notatum*), rustweed (*Polypremum procumbens*), queen's-delight (*Stillingia sylvatica*), frog-fruit (*Phyla nodiflora*), dog fennel (*Eupatorium capillifolium*), pawpaw, blue paspalum, rush (*Juncus marginatus*), flatsedge (*Cyperus surinamensis*), wiregrass (*Aristida stricta*), dwarf crabgrass (*Digitaria serotina*), and pineland heliotrope (*Heliotropium polyphyllum*).

Palmetto Prairie (FLUCFCS Code 321)

This upland community occupies 26.11± acres or 9.5 percent of the property. The canopy in this habitat is mostly open with widely scattered slash pine. The sub-canopy contains scattered slash pine with staggerbush (*Lyonia fruticosa*). The ground cover consists of saw palmetto, dwarf live oak, pennyroyal (*Piloblephis rigida*), gopher apple (*Licania michauxii*), black-root, wiregrass, and pawpaw.

Pine Flatwoods (FLUCFCS Code 411)

This upland habitat occupies 75.64± acres or 27.5 percent of the property. The canopy is dominated by slash pine. The sub-canopy includes slash pine, wax myrtle, and staggerbush. The ground cover consists of saw palmetto, pawpaw, dwarf live oak, and wiregrass.

Pine Flatwoods, Disturbed (FLUCFCS Code 4119)

This habitat occupies 0.18± acre or 0.1 percent of the property. It is similar to the previous habitat (FLUCFCS Code 411) except the sub-canopy is dominated by Brazilian pepper (*Schinus terebinthifolius*).

Pine Flatwoods, Hydric (FLUCFCS Code 4151)

This community type occupies 6.01± acres or 2.2 percent of the property. The canopy consists of slash pine with widely scattered melaleuca (*Melaleuca quinquenervia*). Scattered melaleuca and wax myrtle make up the sub-canopy. Ground cover includes rosy camphorweed (*Pluchea rosea*), chocolate-weed (*Melochia corchorifolia*), wiregrass, yellowtop (*Flaveria* sp.), low panicum (*Dichantherium* sp.), foxtail grass (*Setaria* sp.), umbrella-grass (*Fuirena* sp.), little blue maidencane, yellow-eyed grass, sedge (*Carex glaucescens*), and sand cordgrass (*Spartina bakeri*).

Pine, Disturbed (FLUCFCS Code 4159)

This habitat occupies 1.41± acres or 0.5 percent of the property. The canopy is made up of slash pine. The sub-canopy consists of Brazilian pepper. The ground cover includes bahia grass, Leavenworth's tickseed (*Coreopsis leavenworthii*), thoroughwort, and caesar-weed (*Urena lobata*).

Planted Pines (FLUCFCS Code 419)

This upland community occupies 32.25± acres or 11.7 percent of the property. The canopy consists of rows of planted slash pine. The sub-canopy is comprised of

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staggerbush and wax myrtle. The ground cover contains saw palmetto, pennyroyal, black-root, wiregrass, and pawpaw.

Melaleuca (FLUCFCS Code 424)

This habitat occupies 0.16± acre or 0.1 percent of the property. The canopy and sub-canopy are dominated by melaleuca with a sparse ground cover.

Melaleuca, Hydric (FLUCFCS Code 4241)

This community type occupies 0.39± acre or 0.1 percent of the property. The canopy contains melaleuca and slash pine. Melaleuca dominates the sub-canopy. The ground cover is sparse with scattered little blue maidencane.

Ditch (FLUCFCS Code 514)

This area occupies 1.53± acres or 0.6 percent of the property. The canopy and sub-canopy are absent. The ground cover includes torpedo grass (*Panicum repens*) and spikerush (*Eleocharis interstincta*).

Cypress (FLUCFCS Code 621)

This wetland habitat occupies 7.23± acres or 2.6 percent of the property. Pond cypress (*Taxodium ascendens*) makes up the canopy. The sub-canopy consists of pond cypress with scattered Brazilian pepper and wax myrtle. The ground cover contains sedge (*Carex* sp.), chainfern (*Woodwardia virginica*), swamp fern (*Blechnum serrulatum*), and bog-hemp/false nettle (*Boehmeria cylindrica*).

Cypress, Disturbed (FLUCFCS Code 6219)

This community occupies 3.26± acres or 1.2 percent of the property. The canopy contains pond cypress. The sub-canopy consists of Brazilian pepper, wax myrtle, and cabbage palm. The ground cover includes asiatic pennywort (*Centella asiatica*), rosy camphorweed, and bahia grass.

Pine Cypress, Disturbed (FLUCFCS Code 6249)

This habitat type occupies 17.75± acres or 6.4 percent of the property. The canopy contains slash pine and pond cypress. Pond cypress, Brazilian pepper, cabbage palm, and wax myrtle make up the sub-canopy. The ground cover is composed of gulfdune paspalum (*Paspalum monostachyum*), asiatic pennywort, caesar-weed, yellow-eyed grass, rosy camphorweed, Leavenworth's tickseed, little blue maidencane, and swamp fern.

Freshwater Marsh, Disturbed (FLUCFCS Code 6419)

This community occupies 0.70± acre or 0.3 percent of the property. The canopy is open with a sub-canopy of wax myrtle along the outer edges. The ground cover includes frog-fruit, spikerush, American cupscale (*Sacciolepis striata*), water-hyssop (*Bacopa caroliniana*), asiatic pennywort, mermaid-weed (*Proserpinaca pectinata*), buttonweed (*Diodia virginiana*), red ludwigia (*Ludwigia repens*), smartweed (*Polygonum* sp.), shrubby camphorweed (*Pluchea odorata*), climbing hempvine (*Mikania scandens*), and pennywort (*Hydrocotyle* sp.).

Wet Prairie (FLUCFCS Code 643)

This wetland habitat occupies 3.27± acres or 1.2 percent of the property. The ground cover includes little blue maidencane, torpedo grass, rosy camphorweed, flatsedge (*Cyperus haspan*), sand cordgrass, yellow-eyed grass, wiregrass, queen's-delight, erect-leaf witchgrass (*Dichanthelium erectifolium*), small-fruit seedbox (*Ludwigia microcarpa*), frog-fruit, pineland heliotrope, melochia (*Melochia hirsuta*), orange grass (*Hypericum gentianoides*), and blue paspalum.

Disturbed Land (FLUCFCS Code 740)

This area occupies 0.52± acres or 0.2 percent of the property. The ground cover is made up of ragweed (*Ambrosia artemisiifolia*), golden aster (*Pityopsis graminifolia*), crow-foot grass (*Dactyloctenium aegyptium*), pennyroyal, sandspur (*Cenchrus incertus*), and gopher apple (*Licania michauxii*).

Borrow Area (FLUCFCS Code 742)

This area occupies 2.77± acres or 1.0 percent of the property. The canopy and sub-canopy are absent. The ground cover is dominated by torpedo grass and spikerush.

Spoil Area (FLUCFCS Code 743)

This area occupies 7.51± acres or 2.7 percent of the property. The canopy is absent. The sub-canopy contains slash pine. The ground cover includes bahia grass, dog fennel, big carpet grass, caesar-weed, and slash pine seedlings.

Cleared Area, Hydric (FLUCFCS Code 7461)

This area occupies 1.05± acres or 0.4 percent of the property. The ground cover consists of marsh pink (*Sabatina grandiflora*), spikerush, baby tears (*Micranthemum* sp.), water pennywort, frog-fruit, red ludwigia (*Ludwigia repens*), and torpedo grass.

## **METHODOLOGY AND DISCUSSION**

Surveys for various Lee County protected species are based on the presence of specific vegetation associations and habitat types noted on-site, as outlined in the LDC. The frequency of transects performed in these habitats were designed to meet, if not exceed, the 80 percent minimum coverage requirement. cursory surveys were also conducted in those habitats not technically required to be surveyed per the LDC. However, based on past experience and conversations with Lee County's Division of Environmental Sciences (DES) staff, these areas were reviewed for certain protected species as a precautionary measure. Table 1 outlines those protected species that may inhabit or utilize a particular vegetation association.



**Table 1. Potential Lee County Protected Species by Habitat Type**

<b>FLUCFCS Code and Description</b>	<b>Potential Protected Species</b>
110 Residential, Low Density	N/A
213 Woodland Pasture*	Big Cypress Fox Squirrel ( <i>Sciurus niger avicennia</i> )
262 Low Pasture*	Florida Sandhill Crane ( <i>Grus canadensis pratensis</i> )
	Little Blue Heron ( <i>Egretta caerulea</i> )
	Reddish Egret ( <i>Egretta rufescens</i> )
	Snowy Egret ( <i>Egretta thula</i> )
	Tricolored Heron ( <i>Egretta tricolor</i> )
321 Palmetto Prairie	Eastern Indigo Snake ( <i>Drymarchon corais couperi</i> )
	Gopher Tortoise ( <i>Gopherus polyphemus</i> )
	Gopher Frog ( <i>Rana areolata</i> )
	Curtis Milkweed ( <i>Asclepias curtissii</i> )
	Fakahatchee Burmannia ( <i>Burmannia flava</i> )
	Florida Coontie ( <i>Zamia floridana</i> )
	Beautiful Pawpaw ( <i>Deeringothamnus pulchellus</i> )
	Southeastern American Kestrel ( <i>Falco sparverius paulus</i> )
	Florida Sandhill Crane ( <i>Grus canadensis pratensis</i> )
	Audubon's Crested Caracara ( <i>Polyborus plancus audubonii</i> )
	Florida Black Bear ( <i>Ursus americanus floridanus</i> )
	411 Pine Flatwoods 4119 Pine Flatwoods, Disturbed
Gopher Tortoise ( <i>Gopherus polyphemus</i> )	
Gopher Frog ( <i>Rana areolata</i> )	
Southeastern American Kestrel ( <i>Falco sparverius paulus</i> )	
Red-Cockaded Woodpecker ( <i>Picoides borealis</i> )	
Florida Panther ( <i>Felis concolor coryi</i> )	
Big Cypress Fox Squirrel ( <i>Sciurus niger avicennia</i> )	
Florida Black Bear ( <i>Ursus americanus floridanus</i> )	
Fakahatchee Burmannia ( <i>Burmannia flava</i> )	
Satinleaf ( <i>Chrysophyllum olivaeforme</i> )	
Beautiful Pawpaw ( <i>Deeringothamnus pulchellus</i> )	
Florida Coontie ( <i>Zamia floridana</i> )	
4151 Hydric Pine Flatwoods*	Red-Cockaded Woodpecker ( <i>Picoides borealis</i> )
4159 Pine, Disturbed*	Big Cypress Fox Squirrel ( <i>Sciurus niger avicennia</i> )
419 Planted Pines*	Red-Cockaded Woodpecker ( <i>Picoides borealis</i> )
	Big Cypress Fox Squirrel ( <i>Sciurus niger avicennia</i> )
424 Melaleuca	Big Cypress Fox Squirrel ( <i>Sciurus niger avicennia</i> )
4241 Melaleuca, Hydric	
514 Ditch	American Alligator ( <i>Alligator mississippiensis</i> )
	Roseate Spoonbill ( <i>Ajaja ajaja</i> )

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**Table 1 (Continued)**

FLUCFCS Code and Description	Potential Protected Species
514 Ditch (Continued)	Limpkin ( <i>Aramus guarauna</i> )
	Little Blue Heron ( <i>Egretta caerulea</i> )
	Reddish Egret ( <i>Egretta rufescens</i> )
	Snowy Egret ( <i>Egretta thula</i> )
	Tricolored Heron ( <i>Egretta tricolor</i> )
	Everglades Mink ( <i>Mustela vison evergladensis</i> )
621 Cypress 6219 Cypress, Disturbed	Little Blue Heron ( <i>Egretta caerulea</i> )
	Snowy Egret ( <i>Egretta thula</i> )
	Tricolored Heron ( <i>Egretta tricolor</i> )
	American Alligator ( <i>Alligator mississippiensis</i> )
	Limpkin ( <i>Aramus guarauna</i> )
	Woodstork ( <i>Mycteria americana</i> )
	Florida Panther ( <i>Felis concolor coryi</i> )
	Florida Black Bear ( <i>Ursus americanus floridanus</i> )
6249 Pine-Cypress, Disturbed	Little Blue Heron ( <i>Egretta caerulea</i> )
	Snowy Egret ( <i>Egretta thula</i> )
	Tricolored Heron ( <i>Egretta tricolor</i> )
	American Alligator ( <i>Alligator mississippiensis</i> )
	Limpkin ( <i>Aramus guarauna</i> )
	Snail Kite ( <i>Rostrhamus sociabilis</i> )
	Everglades Mink ( <i>Mustela vison evergladensis</i> )
	Florida Sandhill Crane ( <i>Grus canadensis pratensis</i> )
643 Wet Prairie	Little Blue Heron ( <i>Egretta caerulea</i> )
	Snowy Egret ( <i>Egretta thula</i> )
	Tricolored Heron ( <i>Egretta tricolor</i> )
	Limpkin ( <i>Aramus guarauna</i> )
	Snail Kite ( <i>Rostrhamus sociabilis</i> )
	Everglades Mink ( <i>Mustela vison evergladensis</i> )
740 Disturbed Area*	Gopher Tortoise ( <i>Gopherus polyphemus</i> )
	Gopher Frog ( <i>Rana areolata</i> )
	Curtis Milkweed ( <i>Asclepias curtissii</i> )
742 Borrow Area*	American Alligator ( <i>Alligator mississippiensis</i> )
743 Spoil Area	Gopher Tortoise ( <i>Gopherus polyphemus</i> )
7461 Cleared Area, Hydric*	Little Blue Heron ( <i>Egretta caerulea</i> )
	Snowy Egret ( <i>Egretta thula</i> )
	Tricolored Heron ( <i>Egretta tricolor</i> )

\*Habitat surveyed for the species noted as a precautionary measure although not required per the LDC.

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The protected species survey was conducted by Passarella and Associates, Inc. The type of survey utilized included meandering pedestrian transects, per Southern Biomes EIS methodology previously approved by Lee County. The survey was conducted July 27 through July 29, 1998 and on September 8, 1999. The weather was partly cloudy with temperatures in the mid 80's to low 90's for the July survey dates. The weather was cloudy with temperatures in the mid 80's and occasional light rain for the September survey.

Visibility in the surveyed habitats varied due to the density of vegetation. A summary of the limits of visibility, number, length of transects walked, and percent of coverage by habitat type is provided in Table 2.

**Table 2. Summary of Habitat Coverage**

<b>FLUCFCS Code and Description</b>	<b>Total Area (Acres)</b>	<b>Transect Length (Feet)</b>	<b>Average Visibility (Feet)*</b>	<b>Percent Coverage</b>
110 Residential, Low Density	1.59	N/A	N/A	N/A
213 Woodland Pasture**	81.50	65,000	25	92
262 Low Pasture**	4.60	2,700	35	93
321 Palmetto Prairie	26.11	20,500	25	90
411 Pine Flatwoods	75.64	53,700	27	88
4119 Pine Flatwoods, Disturbed	0.18	150	25	86
4151 Hydric Pine** Flatwoods	6.01	3,920	30	90
4159 Pine, Disturbed**	1.41	920	30	90
419 Planted Pines**	32.25	21,800	30	93
424 Melaleuca**	0.16	200	20	92
4241 Melaleuca, Hydric**	0.39	300	25	86
514 Ditch	1.53	470	60	87
621 Cypress	7.23	3,650	40	93
6219 Cypress, Disturbed	3.26	1,850	35	90
6249 Pine-Cypress, Disturbed	17.75	11,600	30	90
6419 Freshwater Marsh, Disturbed	0.70	520	25	86
643 Wet Prairie	3.27	2,130	30	89
740 Disturbed Area**	0.52	400	25	90

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**Table 2 (Continued)**

<b>FLUCFCS Code and Description</b>	<b>Total Area (Acres)</b>	<b>Transect Length (Feet)</b>	<b>Average Visibility (Feet)*</b>	<b>Percent Coverage</b>
742 Borrow Area**	2.77	1,620	35	93
743 Spoil Area	7.51	3,900	35	84
7461 Cleared Area, Hydric**	1.05	470	45	89

N/A Not Applicable

\* Average visibility to one side of transect

\*\* Habitat surveyed as a precautionary measure although not required per the LDC

## **SURVEY RESULTS**

On July 27, 1998, one Big Cypress fox squirrel (a Lee County protected species) was observed foraging near a dead pine in the Pine Flatwoods (FLUCFCS Code 411) habitat near the southwest property corner. On July 28, 1998, four Big Cypress fox squirrels were seen. One was found in a nest in a pine tree while another was observed near a nest in the Woodland Pasture (FLUCFCS Code 213) area. Twenty-two other squirrel nests were found (Figure 3). It can not be determined whether the other nests belong to the Big Cypress fox squirrel or the gray squirrel (not a Lee County protected species) since gray squirrels were also observed in the area.

Two active and two inactive gopher tortoise burrows were identified on the property (Figure 3). These burrows were located in Pine Flatwoods (FLUCFCS Code 411).

## **ABUNDANCE OF PROTECTED SPECIES OBSERVED**

Density calculations for the Big Cypress fox squirrel and the gopher tortoise were done in accordance with Step 8, Attachment 2 of the Lee County Survey Methodology adopted August 30, 1989. The gopher tortoise density is based on the number of active (A) and inactive (I) burrows found in the Pine Flatwoods (FLUCFCS Code 411) habitat. Based on past experience and conversations with Florida Fish and Wildlife Conservation Commission, a gopher tortoise conversion factor for Pine Flatwoods of 0.30 is acceptable for density determinations in Southwest Florida. The Lee County Protected Species abundance calculations are provided in Table 3, while Table 4 summarizes the protected species survey findings.



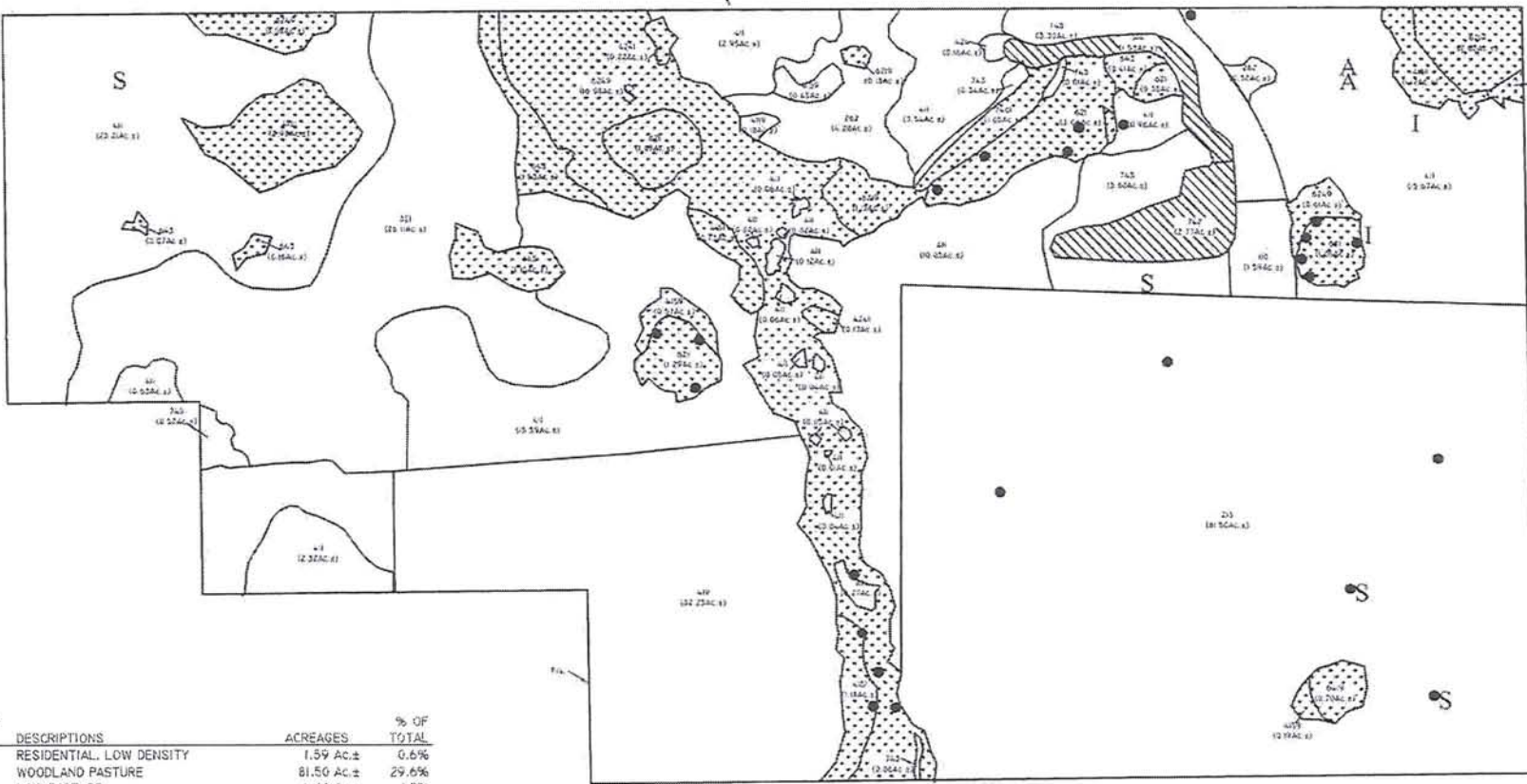
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FLUCFCS CODES	DESCRIPTIONS	ACREAGES	% OF TOTAL
110	RESIDENTIAL, LOW DENSITY	1.59 AC.±	0.6%
213	WOODLAND PASTURE	81.50 AC.±	29.6%
262	LOW PASTURE	4.60 AC.±	1.7%
321	PALMETTO PRAIRIE	26.11 AC.±	9.5%
411	PINE FLATWOODS	75.64 AC.±	27.5%
419	PINE FLATWOODS, DISTURBED	0.18 AC.±	0.1%
4151	HYDRIC PINE FLATWOODS	6.01 AC.±	2.2%
4159	PINE, DISTURBED	1.41 AC.±	0.5%
419	PLANTED PINES	52.25 AC.±	11.7%
424	MELALEUCA	0.16 AC.±	0.1%
4241	MELALEUCA, HYDRIC	0.59 AC.±	0.1%
514	DITCH	1.53 AC.±	0.6%
621	CYPRESS	7.23 AC.±	2.6%
6219	CYPRESS, DISTURBED	5.26 AC.±	1.2%
6249	PINE-CYPRESS, DISTURBED	17.75 AC.±	6.4%
6419	FRESHWATER MARSH, DISTURBED	0.70 AC.±	0.3%
643	WET PRAIRIE	3.27 AC.±	1.2%
740	DISTURBED LAND	0.52 AC.±	0.2%
742	BORROW AREA	2.77 AC.±	1.0%
743	SPOIL AREA	7.51 AC.±	2.7%
7461	CLEARED AREA, HYDRIC	1.05 AC.±	0.4%
		275.43 AC.±	100.0%

**NOTES:**  
 FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.  
 FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1985).  
 PROPERTY BOUNDARIES AND WETLAND LINES PER AGNOLI, BARBER AND BRUNDAGE, INC. DRAWING NO. KPASSAJDL.DWG DATED 4/14/00.  
 SFWMD WETLAND LINES SHOWN HAVE BEEN FIELD VERIFIED BY CRAIG SCHMITTLER ON MARCH 29, 2000 AND ARE SURVEY LOCATED.

**LEGEND:**  
 A ACTIVE GOPHER TORTOISE BURROW  
 I INACTIVE GOPHER TORTOISE BURROW  
 ● SQUIRREL NEST  
 S BIG CYPRESS FOX SQUIRREL OBSERVATION  
 SFWMD WETLANDS (40.82 AC.±)  
 SFWMD OTHER SURFACE WATERS (4.30 AC.±)

LOCATION OF PROTECTED SPECIES OBSERVATIONS ARE APPROXIMATE.

**PASSARELLA and ASSOCIATES, INC.**  
Consulting Ecologists

DRAWN BY: SH DATE: 5/2/00  
DRAWN BY: SLO DATE: 6/17/00

FIGURE 3. PROTECTED SPECIES MAP

**Table 3. Lee County Protected Species Abundance Calculations**

Protected Species Density:

$$= \{n/[L_1(W_1+W_2)]\} (43,560 \text{ ft}^2/\text{ac.}) (*C)$$

- where n = number of individuals observed or active plus inactive GT burrows  
 $L_1$  = Length of transect (feet)  
 $W_1$  = Distance of visibility to the right of transect (feet)  
 $W_2$  = Distance of visibility to the left of transect (feet)  
 \*C = Gopher tortoise conversation factor

\*Only used for calculating gopher tortoise densities.

**Big Cypress Fox Squirrel (*Sciurus niger avicennia*)**

*FLUCFCS Code 213*

$$= \{2/[65,000 \text{ ft. } (25\text{ft.} + 25\text{ft.})]\} (43,560\text{ft}^2/\text{ac.})$$

$$= (6.15 \times 10^{-7}) (43,560)$$

$$= 0.03 \text{ Big Cypress Fox Squirrels/acre}$$

*FLUCFCS Code 411*

$$= \{1/[53,700 \text{ ft. } (27\text{ft.} + 27\text{ft.})]\} (43,560\text{ft}^2/\text{ac.})$$

$$= (3.44 \times 10^{-7}) (43,560)$$

$$= 0.02 \text{ Big Cypress Fox Squirrels/acre}$$

*FLUCFCS Code 6249*

$$= \{1/[11,600 \text{ ft. } (30\text{ft.} + 30\text{ft.})]\} (43,560\text{ft}^2/\text{ac.})$$

$$= (1.44 \times 10^{-6}) (43,560)$$

$$= 0.06 \text{ Big Cypress Fox Squirrels/acre}$$

*FLUCFCS Code 743*

$$= \{1/[3,900 \text{ ft. } (35 \text{ ft.} + 35 \text{ ft.})]\} (43,560\text{ft}^2/\text{ac.})$$

$$= (3.66 \times 10^{-6}) (43,560)$$

$$= 0.16 \text{ Big Cypress Fox Squirrels/acre}$$

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Table 3 (Continued)

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**Gopher Tortoise (*Gopherus polyphemus*)**

FLUCFCS Code 411

=  $\{4/[53,700 \text{ ft. } (27 \text{ ft. } + 27 \text{ ft.})]\} (43,560\text{ft}^2/\text{ac.}) (0.3)$   
 =  $(1.38 \times 10^{-6}) (43,560) (0.3)$   
 =  $(0.060/\text{ac.}) (0.3)$   
 = 0.02 Gopher Tortoises/acre

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Table 4. Lee County Protected Species Survey Summary

Protected Species	FLUCFCS Code/Area	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
<b>Reptiles</b>					
American Alligator	514	87		X	
	621	93		X	
	6219	90		X	
	6419	86		X	
	742	93		X	
Eastern Indigo Snake	321	90		X	
	411	88		X	
	4119	86		X	
Gopher Frog	321	90		X	
	411	88		X	
	4119	86		X	
	740	90		X	
Gopher Tortoise	321	90		X	
	411	88	X		0.02
	4119	86		X	
	740	90		X	
	743	84		X	
<b>Birds</b>					
Audubon's Crested Caracara	32	90		X	
Florida Sandhill Crane	262	93		X	
	321	90		X	
	6419	86		X	
Limpkin	514	87		X	
	621	93		X	

**Table 4 (Continued)**

<b>Protected Species</b>	<b>FLUCFCS Code/Area</b>	<b>% Area Surveyed</b>	<b>Individuals Present</b>	<b>Individuals Absent</b>	<b>Density (Acre)</b>
Limpkin (Cont.)	6219	90		X	
	6419	86		X	
	643	89		X	
Little Blue Heron	262	93		X	
	514	87		X	
	621	93		X	
	6219	90		X	
	6249	90		X	
	6419	86		X	
	643	89		X	
Red-cockaded Woodpecker	7461	89		X	
	411	88		X	
	4119	86		X	
	4151	90		X	
	4159	90		X	
Reddish Egret	419	93		X	
	262	93		X	
Roseate Spoonbill	514	87		X	
	514	87		X	
Snail Kite	6419	86		X	
	643	89		X	
Snowy Egret	262	93		X	
	514	87		X	
	621	93		X	
	6219	90		X	
	6249	90		X	
	6419	86		X	
	643	89		X	
Southeastern American Kestrel	7461	89		X	
	321	90		X	
	411	88		X	
Tricolored Heron	4119	86		X	
	262	93		X	
	514	87		X	
	621	93		X	
	6219	90		X	
	6249	90		X	
	6419	86		X	
643	89		X		
	7461	89		X	



Table 4 (Continued)

Protected Species	FLUCFCS Code/Area	% Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Woodstork	621	93		X	
	6219	90		X	
<b>Mammals</b>					
Big Cypress Fox Squirrel	213	92	X		0.03
	411	88	X		0.02
	4119	86		X	
	4151	90		X	
	4159	90		X	
	419	93		X	
	424	92		X	
	4241	86		X	
	6249	90	X		0.06
Everglades Mink	743	84	X		0.16
	514	87		X	
	6419	86		X	
Florida Black Bear	643	89		X	
	321	90		X	
	411	88		X	
	4119	86		X	
	621	93		X	
	6219	90		X	
Florida Panther	6249	90		X	
	411	88		X	
	4119	86		X	
	621	93		X	
	6219	90		X	
<b>Plants</b>					
Beautiful Pawpaw	6249	90		X	
	321	90		X	
	411	88		X	
Curtis Milkweed	4119	86		X	
	321	90		X	
Fakahatchee Burmannia	740	90		X	
	321	90		X	
	411	88		X	
Florida Coontie	4119	86		X	
	321	90		X	
	411	88		X	
Satinleaf	4119	86		X	
	411	88		X	

## **MANAGEMENT PLAN**

Following Lee County DES staff's review of this protected species survey, a management plan will be prepared to address conservation and/or management measures for the Lee County protected species observed within the project site.

## REFERENCES

Florida Department of Transportation. 1985. Florida Land Use, Cover and Forms Classification System. Procedure No. 550-010-001-a. Second Edition.

**APPENDIX A**

**AERIAL PHOTOGRAPH WITH FLUCFCS MAPPING AND  
SURVEY TRANSECTS**

2009-00003

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SCALE: 1" = 200'



AERIAL DATE: 1999

FLUCFCS CODES	DESCRIPTIONS	ACREAGES	% OF TOTAL
110	RESIDENTIAL, LOW DENSITY	1.59 AC.±	0.6%
213	WOODLAND PASTURE	21.50 AC.±	30.7%
262	LOW PASTURE	2.69 AC.±	1.7%
321	PALMETTO PRAIRIE	22.86 AC.±	8.6%
411	PINE FLATWOODS	73.64 AC.±	27.7%
419	PINE FLATWOODS, DISTURBED	0.15 AC.±	0.1%
4151	HYBRIC PINE FLATWOODS	6.01 AC.±	2.5%
4159	PINE, DISTURBED	1.41 AC.±	0.5%
419	PLANTED PINES	28.07 AC.±	10.6%
424	MELALEUCA	0.16 AC.±	0.1%
424-1	MELALEUCA, HYBRIC	0.39 AC.±	0.1%
514	DITCH	1.53 AC.±	0.6%
621	CYPRESS	7.25 AC.±	2.7%
6219	CYPRESS, DISTURBED	3.26 AC.±	1.2%
6249	PINE-CYPRESS, DISTURBED	17.75 AC.±	6.7%
6419	FRESHWATER MARSH, DISTURBED	0.70 AC.±	0.3%
643	WET PRAIRIE	3.27 AC.±	1.2%
742	BORROW AREA	2.77 AC.±	1.0%
745	SPOIL AREA	7.51 AC.±	2.8%
7461	CLEARED AREA, HYBRIC	1.05 AC.±	0.4%
		265.48 AC.±	100.0%

NOTES:  
FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (DOT 1985).

PROPERTY BOUNDARIES AND WETLAND LINES PER AGNELL BARBER AND BRUNDAGE, INC. DRAWING No. #PASSA-CL-DWG. DATED 4/14/00.

1999 AERIAL PHOTOGRAPHS FLOWN BY LEE COUNTY DOT

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REVISIONS	DATE	DESIGNED BY	DATE	HORIZONTAL SCALE
SEE BOUNDARY AND DISTURBED WETLAND AREAS	4/14/00	K.C.P.	4/14/00	1"=200'
COMPLETED FLUCFCS LINES	4/14/00	CHECKED BY	DATE	VERTICAL SCALE
		K.C.P.	4/14/00	N/A
		DRAWN BY	DATE	SAC/TWP/NEP.
		S.L.O.	4/14/00	

PASSARELLA and ASSOCIATES, INC.  
Consulting Ecologists  
4575 Via Royale Suite 201 Ft. Myers, FL 33919

STANDERFER PROPERTY  
AERIAL PHOTOGRAPH WITH FLUCFCS OVERLAY

DRAWING No.	98BBP300-3
SHEET No.	3

**OLD CORKSCREW GOLF CLUB  
EXISTING LAND USE AND COVER SUMMARY TABLE  
AND FLUCFCS DESCRIPTIONS AND POTENTIAL PROTECTED  
SPECIES BY HABITAT TYPE**

September 29, 2009

The following table summarizes the FLUCFCS codes and provides an acreage breakdown of the habitat types found on the Old Corkscrew Golf Club property, while a description of each of the FLUCFCS classifications follows.

**Table 1. Existing Land Use and Cover Summary**

<b>FLUCFCS Code</b>	<b>Description</b>	<b>Acreage</b>	<b>Percent of Total</b>
411	Pine Flatwoods	13.83	96.70
740	Disturbed Land	0.40	0.03
742	Borrow Area	0.07	<0.01
<b>Total</b>		<b>14.30</b>	<b>100.00</b>

Pine Flatwoods (FLUCFCS Code 411)

This upland habitat type occupies 13.83± acres or 96.7 percent of the Receiving Area. The canopy is dominated by slash pine (*Pinus elliottii*). The sub-canopy includes slash pine, wax myrtle (*Myrica cerifera*), and staggerbush (*Lyonia fruticosa*). The ground cover consists of saw palmetto (*Serenoa repens*), pawpaw (*Asimina reticulata*), dwarf live oak (*Quercus minima*), and wiregrass (*Aristida stricta*).

Disturbed Land (FLUCFCS Code 740)

This upland habitat type occupies 0.40± acres or 0.03 percent of the Receiving Area. The canopy and sub-canopy consists of widely scattered slash pine. The ground cover includes big carpet grass (*Axonopus furcatus*), bahiagrass (*Paspalum notatum*), rustweed (*Polypremum procumbens*), queen's-delight (*Stillingia sylvatica*), frog fruit (*Phyla nodiflora*), dog fennel (*Eupatorium capillifolium*), pawpaw, blue paspalum (*Paspalum caepitosum*), rush (*Juncus marginatus*), flatsedge (*Cyperus surinamensis*), wiregrass, dwarf crabgrass (*Digitaria serotina*), and pineland heliotrope (*Heliotropium polyphyllum*).

Borrow Area (FLUCFCS Code 742)

This area occupies 0.07± acres or less than 0.01 percent of the Receiving Area. The canopy and sub-canopy are open. The ground cover is dominated by torpedograss (*Panicum repens*) and spikerush (*Eleocharis interstincta*).

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The following table outlines the potential species by habitat type on the Old Corkscrew Golf Club property.

**Table 2. Potential Protected Species by Habitat Type**

FLUCFCS Code and Description		Potential Protected Species
411	Pine Flatwoods	Eastern Indigo Snake ( <i>Drymarchon corais couperi</i> )
		Gopher Tortoise ( <i>Gopherus polyphemus</i> )
		Gopher Frog ( <i>Rana areolata</i> )
		Southeastern American Kestrel ( <i>Falco sparverius paulus</i> )
		Bald Eagle ( <i>Leucocephalus haliaetus</i> )
		Red-Cockaded Woodpecker ( <i>Picoides borealis</i> )
		Florida Panther ( <i>Puma concolor coryi</i> )
		Big Cypress Fox Squirrel ( <i>Sciurus niger avicennia</i> )
		Florida Black Bear ( <i>Ursus americanus floridanus</i> )
		Fakahatchee Burmannia ( <i>Burmannia flava</i> )
		Satinleaf ( <i>Chrysophyllum oliviforme</i> )
		Beautiful Pawpaw ( <i>Deeringothemmus pulchellus</i> )
Florida Coontie ( <i>Zamia floridana</i> )		
740	Disturbed Land	Gopher Tortoise ( <i>Gopherus polyphemus</i> )
742	Borrow Area	American Alligator ( <i>Alligator mississippiensis</i> )
		Roseate Spoonbill ( <i>Ajaia ajaja</i> )
		Limpkin ( <i>Aramus guarauna</i> )
		Little Blue Heron ( <i>Egretta caerulea</i> )
		Reddish Egret ( <i>Egretta rufescens</i> )
		Snowy Egret ( <i>Egretta thula</i> )
		Tri-Colored Heron ( <i>Egretta tricolor</i> )
		Snail Kite ( <i>Rostrhamus sociabilis</i> )
Everglades Mink ( <i>Mustela vison evergladensis</i> )		

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**OLD CORKSCREW GOLF CLUB  
GOPHER TORTOISE SURVEY  
SUMMARY REPORT**

**September 29, 2009**

On September 28, 2009, Passarella & Associates, Inc. conducted an updated gopher tortoise (*Gopherus polyphemus*) survey on the 14.30± acre Receiving Area of the Old Corkscrew Golf Club (Project). The Project is located on Corkscrew Road, approximately 1.7 miles east of the Corkscrew Road and Alico Road intersection. The Project is located in Section 25, Township 46 South, Range 26 East, Lee County.

The 14.30± acre Receiving Area consists of Pine Flatwoods (FLUCFCS Code 411), Disturbed Land (FLUCFCS Code 740), and a Borrow Area (FLUCFCS Code 742). The northern portion of the pine flatwood area contains dense vegetation in the understory and may not be suitable gopher tortoise habitat.

The survey was conducted by a team of ecologists using meandering pedestrian transects (Figure 1). The transects were conducted in an east/west direction and were spaced at approximately 25 to 50 foot intervals for approximately 80 percent coverage. Gopher tortoise burrows, if found, were to be classified as potentially occupied (PO) or abandoned (AB) based on Florida Fish and Wildlife Conservation Commission (FWCC) recommended guidelines (FWCC 2009).

A protected species survey was previously conducted for the entire Old Corkscrew Golf Club property on July 27, 28, and 29, 1998 and September 8, 1999. During this previous survey, a total of two active and two inactive burrows were documented within the Receiving Area boundary. The results from the September 28, 2009 survey found no potentially occupied or abandoned gopher tortoise burrows within the Receiving Area. Four potentially occupied gopher tortoise burrows were identified approximately 80 feet south of the southern boundary of the Receiving Area. The gopher tortoise is listed as Threatened by the FWCC and is not listed by the U.S. Fish and Wildlife Service.

**REFERENCE**

Florida Fish and Wildlife Conservation Commission. 2009. Gopher Tortoise Permitting Guidelines.

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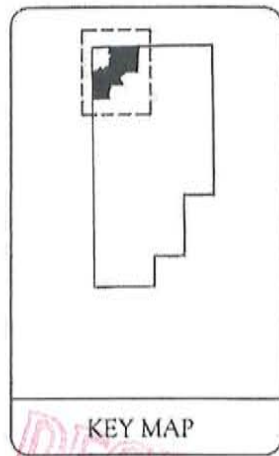


SCALE: 1" = 200'

-CORKSCREW ROAD-

P/L

P/L



KEY MAP

LEGEND:

--- APPROXIMATE WALKED SURVEY TRANSECT

NOTES:  
AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF JANUARY 2008.

PROPERTY BOUNDARY PER DELISI FITZGERALD, INC. DRAWING NO. OVERALL GC BOUNDARY.DWG DATED SEPTEMBER 29, 2009.

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FIGURE 1. AERIAL WITH SURVEY TRANSECTS  
OLD CORKSCREW GOLF CLUB  
RECEIVING AREA

DRAWN BY	DATE
P.F.	9/29/09
REVIEWED BY	DATE
J.E.	9/29/09
REVISED	DATE



PASSARELLA  
& ASSOCIATES, INC.

2009-00003

C:\Users\jpassarella\Documents\2009-00003.dwg







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- Division of Cultural Affairs
- Division of Historical Resources
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FLORIDA DEPARTMENT OF STATE  
**Katherine Harris**  
 Secretary of State  
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JAN 24 2001

PASSARELLA AND ASSOCIATES, INC.  
January 18, 2001

Ms. Julie Arrison  
 Passarella and Associates  
 4575 Via Royale Suite 201  
 Fort Myers, Florida 33919

RE: DHR Project File No. 2000-10401  
 Cultural Resource Assessment Request  
 USACOE Permit Application  
 Applicant Project Name: Corkscrew Plantation  
 Lee County, Florida

Dear Ms. Arrison:

Our office received and reviewed the referenced project in accordance with Section 106 of the *National Historic Preservation Act of 1966* (Public Law 89-665), as amended in 1992, and *36 C.F.R., Part 800: Protection of Historic Properties*. The State Historic Preservation Officer is to advise and assist federal agencies when identifying historic properties (listed or eligible for listing, in the *National Register of Historic Places*), assessing effects upon them, and considering alternatives to avoid or reduce the project's effect on them.

Our review of the Florida Master Site File, and our records, indicates that no significant archaeological or historical sites are recorded for or likely to be present within the project's area of potential effect. It is therefore the opinion of this office that it is unlikely that historic properties are located within the proposed project area.

If you have any questions concerning our comments, please contact Ms. Leigh A. Rosborough, Historic Sites Specialist at 850-487-2333 or 800-847-7278. Your interest in protecting Florida's historic properties is appreciated.

Sincerely,

Janet Snyder Matthews, Ph.D., Director  
 Division of Historical Resources  
 State Historic Preservation Officer

JSM/Rlr

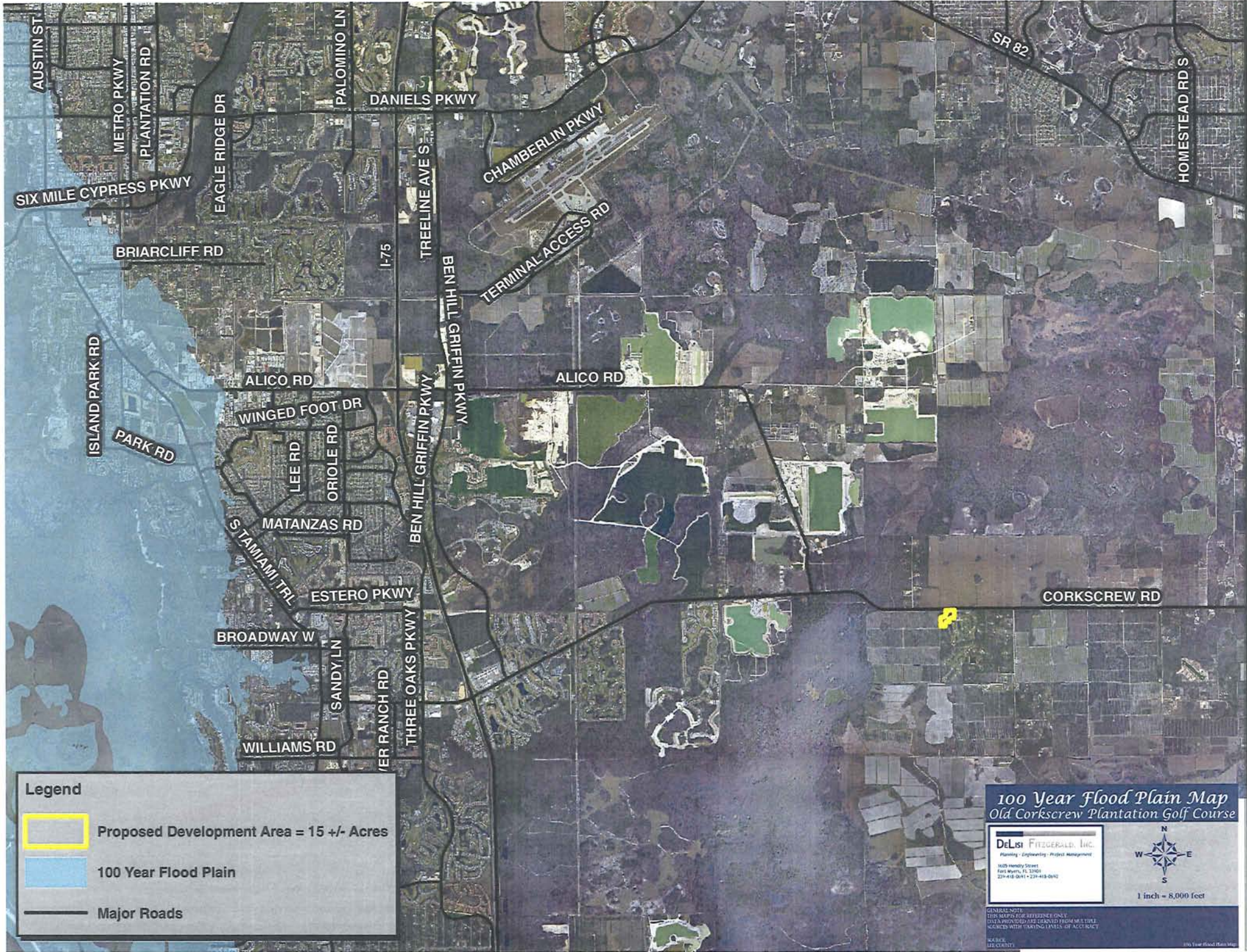
xc: Ron Silver, USACOE West Permits Branch, Ft. Myers Regulatory Office

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- Archaeological Research  
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- Historical Museums  
(850) 488-1484 • FAX: 921-2503
- Historic Pensacola Preservation Board  
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(561) 279-1475 • FAX: 279-1476
- St. Augustine Regional Office  
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- Tampa Regional Office  
(813) 272-3843 • FAX: 272-2340



**Legend**

- Proposed Development Area = 15 +/- Acres
- 100 Year Flood Plain
- Major Roads

*100 Year Flood Plain Map  
Old Corkscrew Plantation Golf Course*

**DeLisi FITZGERALD, INC.**  
 Planning - Engineering - Project Management  
 1629 Hendry Street  
 Fort Myers, FL 33901  
 239-418-0941 • 239-418-0942



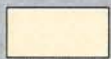
1 inch = 8,000 feet

GENERAL NOTE:  
 THIS MAP IS FOR REFERENCE ONLY.  
 DATA PROVIDED ARE OBTAINED FROM MULTIPLE  
 SOURCES WITH VARYING LEVELS OF ACCURACY.  
 SOURCE:  
 DELCO/STC

THE SUBJECT PARCEL IS LOCATED IN FLOOD ZONE 'X'  
BASED ON FLOOD INSURANCE RATE COMMUNITY PANEL  
120124 0625 F, AUGUST 28, 2008.

CORKSCREW RD

**Legend**



Proposed Development Area = 15 +/- Acres



Major Roads

**FIRM Map**  
Old Corkscrew Plantation Golf Course

**DeLisi FITZGERALD, INC.**  
Planning - Engineering - Project Management  
1626 Hendry Street  
Fort Worth, TX 76104  
214-418-0611 • 214-418-0612



1 inch = 1,200 feet




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SOURCE:  
DE COUNTY

Revised: 04/14/11 Map #111



**Legend**

-  Proposed Development Area = 15 +/- Acres
-  Archaeological Sensitivity
-  Major Roads

*Archaeological Sensitivity Map*  
*Old Corkscrew Plantation Golf Course*

**DeLisi FITZGERALD, INC.**  
Planning - Engineering - Project Management

1420 Hardy Street  
Fort Myers, FL 33901  
239-434-0941 / 239-418-0442

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AND FIELD SURVEY WITH VARYING LEVELS OF ACCURACY.

1 inch = 2,000 feet



Archaeological Sensitivity Map





CORKSCREW RD

**Legend**

-  Proposed Development Area = 15 +/- Acres
-  Spot Elevations
-  Major Roads

**Topographic Map**  
*Old Corkscrew Plantation Golf Course*

**DeLisi Fitzgerald, Inc.**  
 Planning • Engineering • Project Management  
 1425 Hendry Street  
 Fort Myers, FL 33901  
 239-418-0611 • 124-418-0692



1 inch = 568.654914 feet

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