

GIS Tracking Sheet

Case No.: DCI2002-00062

Intake Date:

Project Name: CYPRESS WOODS RV RESORT

STRAP Number(s):

Planner Name:

Ext.

Post-it®eLabel 005 725 284



LEGAL DESCRIPTION VERIFICATION and INITIAL GIS MAPPING

Date:

INTAKE:

LEGAL SUFFICIENT

☐ YES

☐ NO

Initials:

If not, give brief explanation:

MAP UPDATE following FINAL ACTION

Date: 23 FEB 04

☐ Hearing Examiner Decision



Board of County Commissioner's Resolution

☐ Administrative Approval



Blue Sheet

Zoning Notes: Z-03-057, DCI2002-00062, IS DEC 03, APEVL TO AMEND
MHPD & RVPD TO REDUCE OVERALL # OF UNITS ALLOWED & CHANGE
ALLOWED MIXTURE OF UNITS; CONDS & DEVS

MAP UPDATED

☒ YES

☐ NO

Initials: [Signature]

If not, give brief explanation:

WLB MHPD:012679

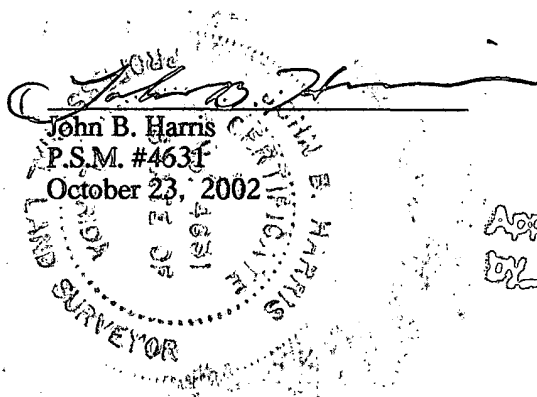
DESCRIPTION:

A parcel or tract of land lying in the Southwest Quarter (S.W.1/4) of Section 11, Township 44 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Southwest corner of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11; thence run N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 25.00 feet to the North line of Lockett Road (50 feet wide) and the point of beginning; thence continue N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2621.45 feet to Northwest corner of said Southwest Quarter (S.W.1/4); thence run N.89°01'53"E. for 20.00 feet to the Northwest corner of lands described in Official Record Book 1848, Page 3142 of the Public Records of Lee County, Florida; thence run S.00°53'18"E. along the West line of said lands for 640.00 feet; thence run N.89°01'53"E. along the South line of said lands for 445.50 feet; thence run N.00°53'18"W. along the East line of said lands for 640.00 feet to the Northeast corner of said lands and the North line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11; thence run N.89°01'53"E. along the North line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2161.66 feet to the Northeast corner of the Southwest Quarter (S.W.1/4) of said Section 11; thence run S.00°46'12"E. along the East line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2626.95 feet to the North line of the aforesaid Lockett Road; thence run S.89°09'05"W along the North line of said Lockett Road for 2621.74 feet to the point of beginning.

Said tract contains 151.559 acres, more or less and is subject to easements, restrictions and reservations of record.

Bearings are based on the West line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11 as being N.00°53'18"W.



Applicant's Legal Checked
By Amg 15 JULY 03

RECEIVED
JUL 15 2003
PERMIT COUNTER

DCI 2004-00062

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

WHEREAS, an application was filed by Cypress Woods R.V. Resort Associates to amend the existing MHPD and RVPD district in reference to Cypress Woods RV Resort; and

WHEREAS, a public hearing was advertised and held on October 23, 2003, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2002-00062; and

WHEREAS, a second public hearing was advertised and held on December 15, 2003, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to amend the existing Mobile Home Planned Development (MHPD) and Recreational Vehicle Planned Development (RVPD) district to reduce the overall number of units allowed within the development from 684 to 647 units; change the allowed mixture of units to a maximum of 599 recreational vehicle sites and a minimum of 48 mobile home sites; and revise or clarify certain conditions within the planned development.

The property is located in the Urban Community AND Wetlands Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. All Conditions and Deviations of Resolution Z-94-025 and Administrative Amendments PD-95-019 and ADD 2002-00111 remain in full force and effect, except as amended by this zoning action. Regarding ADD2003-00122:
 - (a) The approval of Deviations 1 and 2 of that action remain in effect.
 - (b) Condition 1 related to approval of Deviation 1 remains in effect.

COPY

- (c) Condition 2 (with the exception of the approved number and type of units) remains in effect.
 - (d) Conditions 3 through 6 remain in effect.
2. Condition 1 of Resolution Z-94-025 and Condition 2 of Administrative Action PD-95-019 are hereby replaced with the following language:

The development of this project must be consistent with the three-page Master Concept Plan entitled "Cypress Woods R.V. Resort, Master Concept Plan," stamped received June 04, 2003, last revised May 05, 2003, (attached as Exhibit "C") except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

This project is limited to a maximum total of 647 mobile home and recreational vehicle units, consisting of a maximum of 599 recreational vehicle units and a minimum of 48 mobile home units at project build-out. No changes to these maximum totals may be permitted without an amendment of this planned development through the public hearing process.

- 3. Condition 7 (Resolution Z-94-025) is amended to eliminate the requirement for a fence in any future phase/section of the development. Where the fence is existing and required as part of the existing development approval, the fence must be continued and maintained in good condition.
- 4. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table 1(b).

SECTION C. DEVIATIONS:

The Applicant has withdrawn the two requested deviations originally filed with this case; they are no longer necessary as they were approved by Administrative Amendment ADD2003-00122. The Deviations approved in Resolution Z-94-025 remain in full force and effect.

SECTION D. EXHIBITS AND STRAP NUMBER:

The following exhibits are attached to this resolution and incorporated by reference:

- Exhibit A: The legal description of the property
- Exhibit B: Zoning Map (subject parcel identified with shading)
- Exhibit C: Master Concept Plan (Stamped Received June 24, 2003)
- Exhibit D: Resolution Z-94-025
- Exhibit E: Administrative Amendment PD 95-019
- Exhibit F: Administrative Amendment ADD 2002-0011
- Exhibit G: Administrative Amendment ADD 2003-00122

The applicant has indicated that the STRAP number for the subject property is:
11-44-25-00-00014.0000

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
2. The rezoning, as approved:
 - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,
 - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,
 - c. is compatible with existing or planned uses in the surrounding area; and,
 - d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,
 - e. will not adversely affect environmentally critical areas or natural resources.
3. The rezoning satisfies the following criteria:
 - a. the proposed use or mix of uses is appropriate at the subject location; and
 - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
 - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Judah, seconded by Commissioner Coy and, upon being put to a vote, the result was as follows:

Robert P. Janes	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Andrew W. Coy	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 15th day of December 2003.

ATTEST:
CHARLIE GREEN, CLERK

BY: Cindy Morrison
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: [Signature] Vice-CHAIRMAN
FOR: John E. Albion, Chairman

Approved as to form by:

[Signature]
Joan C. Henry, Assistant County Attorney
County Attorney's Office



2003 DEC 22 AM 11:45

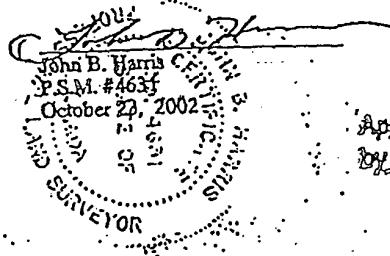
DESCRIPTION:

A parcel or tract of land lying in the Southwest Quarter (S.W.1/4) of Section 11, Township 44 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Southwest corner of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11; thence run N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 25.00 feet to the North line of Luckett Road (50 feet wide) and the point of beginning; thence continue N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2621.45 feet to Northwest corner of said Southwest Quarter (S.W.1/4); thence run N.89°01'53"E. for 20.00 feet to the Northwest corner of lands described in Official Record Book 1848, Page 3142 of the Public Records of Lee County, Florida; thence run S.00°53'18"E. along the West line of said lands for 640.00 feet; thence run N.89°01'53"E. along the South line of said lands for 445.50 feet; thence run N.00°53'18"W. along the East line of said lands for 640.00 feet to the Northeast corner of said lands and the North line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11; thence run N.89°01'53"E. along the North line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2161.66 feet to the Northeast corner of the Southwest Quarter (S.W.1/4) of said Section 11; thence run S.00°46'12"E. along the East line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2626.95 feet to the North line of the aforesaid Luckett Road; thence run S.89°09'05"W along the North line of said Luckett Road for 2621.74 feet to the point of beginning.

Said tract contains 151.559 acres, more or less and is subject to easements, restrictions and reservations of record.

Bearings are based on the West line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11 as being N.00°53'18"W.



Applicant's Legal Checked

by Amey 15 JULY 03

RECEIVED
JUL 15 2003
PERMIT COUNTER

DCI 2002-00062

EXHIBIT A
LEGAL DESCRIPTION
Property located in Lee County, Florida

DCI2002-00062

28-Oct-03 - Page 10

ZONING MAP

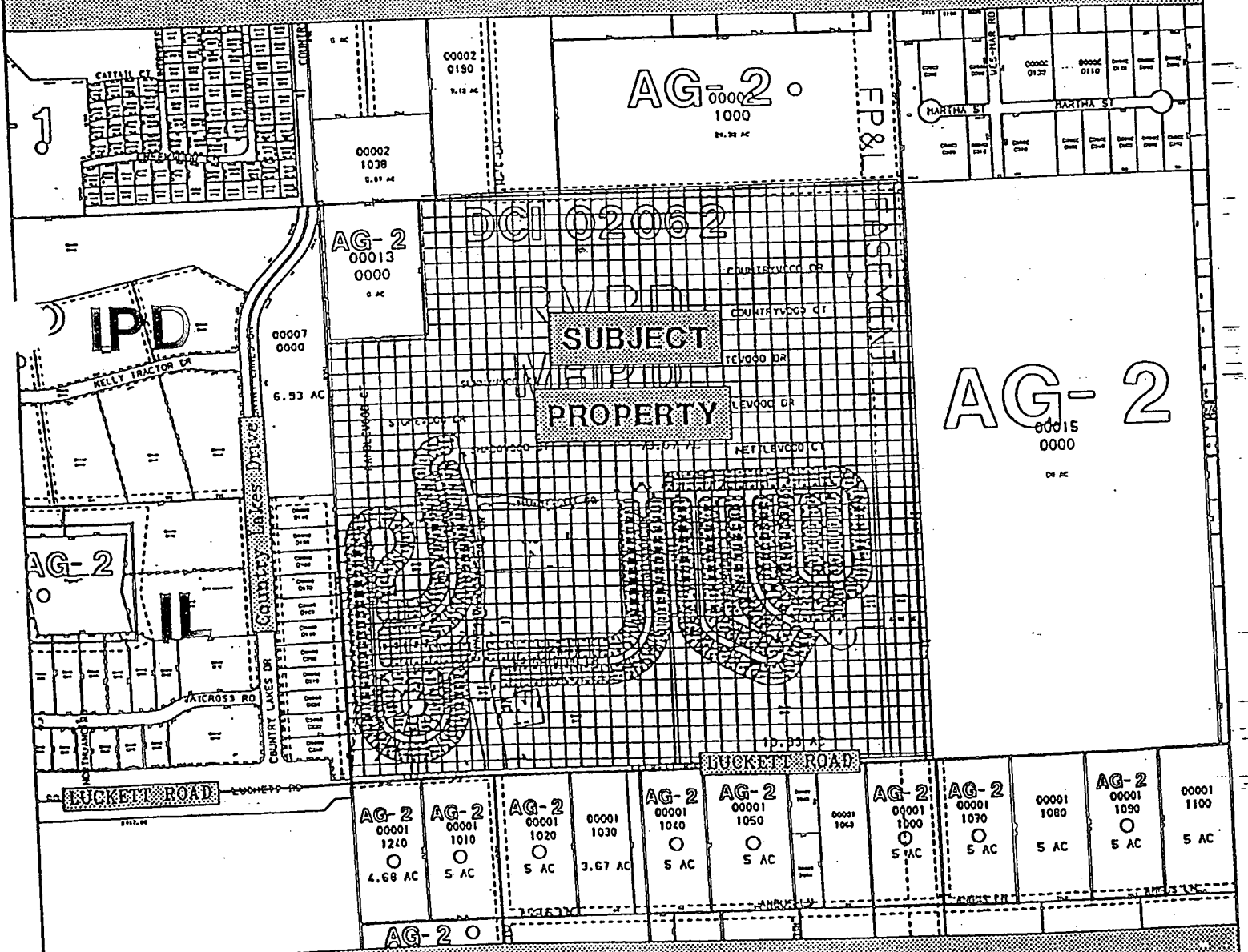
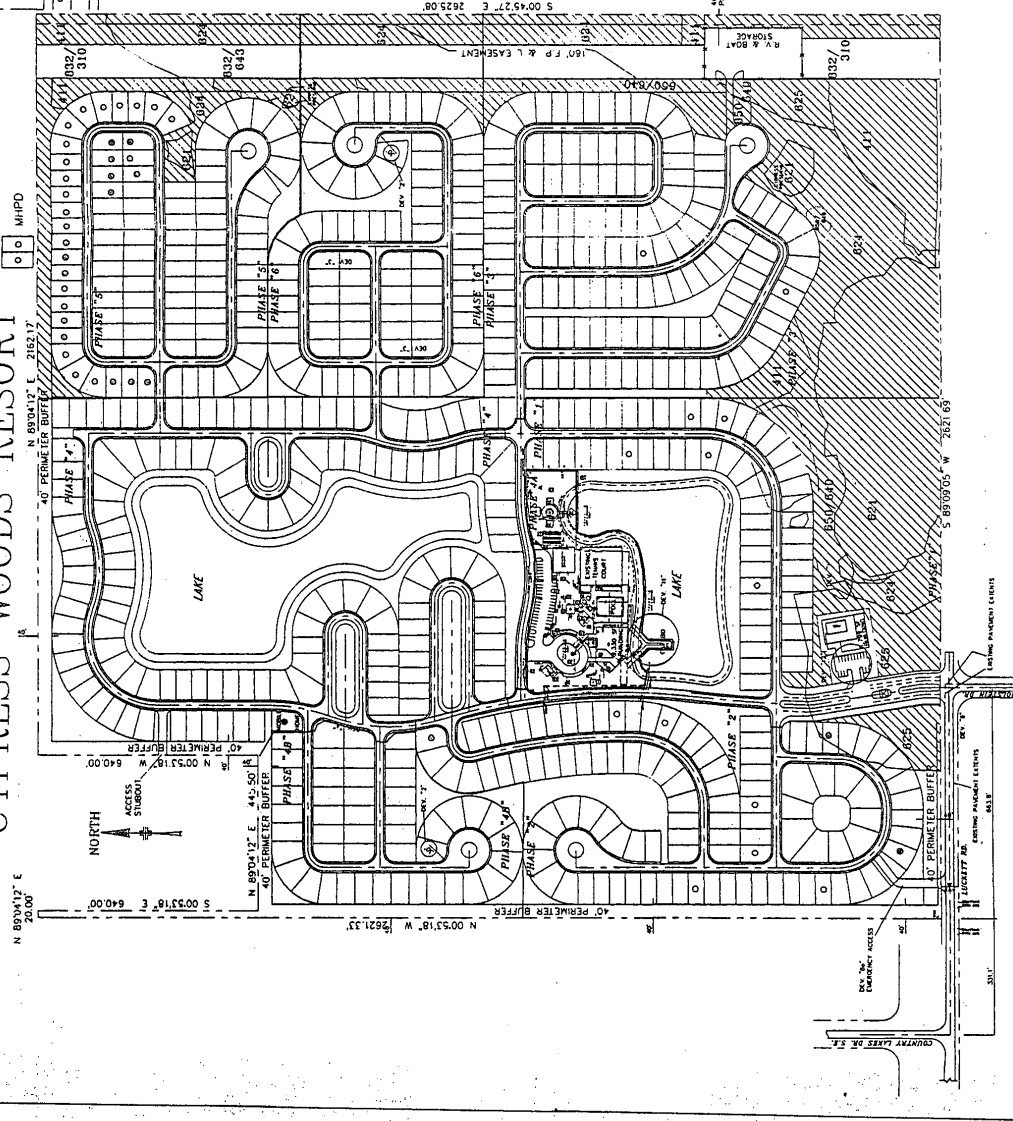


EXHIBIT B

TOTAL AREA = 6,599,945.82 S.F. (151.514 AC.) LAKE = 525,521.97 S.F. (12.064 AC.)
RIGHT-OF-WAY = 807,098.92 S.F. (18.528 AC.) NO. OF LOTS = 647 UNITS (MAX. 539 R.V. SITES, MIN. 48 M.H. SITES)
LOT AREA = 2,885,036.10 S.F. (66.27 AC.) GROSS DENSITY = 4.270 UNITS/AC. BUILDING HEIGHT NOT TO EXCEED 35' OR 2 STORIES

CYPRESS WOODS RESORT



SCHEDULE OF USES (RVPD)

1. RESIDENTIAL USES
2. COMMERCIAL USES
3. INDUSTRIAL USES
4. AGRICULTURAL USES
5. RECREATIONAL USES
6. PUBLIC USES
7. UTILITIES
8. TRANSPORTATION
9. ENVIRONMENTAL
10. OTHER

SCHEDULE OF USES (MHPD)

1. RESIDENTIAL USES
2. COMMERCIAL USES
3. INDUSTRIAL USES
4. AGRICULTURAL USES
5. RECREATIONAL USES
6. PUBLIC USES
7. UTILITIES
8. TRANSPORTATION
9. ENVIRONMENTAL
10. OTHER

EXISTING GENERAL DEVIATIONS

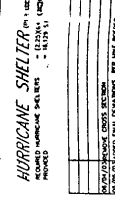
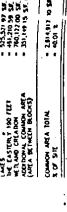
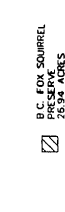
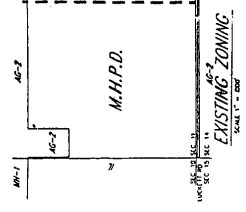
1. DEVIATION FROM SECTION 10.1 OF THE ZONING ORDINANCE
2. DEVIATION FROM SECTION 10.2 OF THE ZONING ORDINANCE
3. DEVIATION FROM SECTION 10.3 OF THE ZONING ORDINANCE
4. DEVIATION FROM SECTION 10.4 OF THE ZONING ORDINANCE
5. DEVIATION FROM SECTION 10.5 OF THE ZONING ORDINANCE
6. DEVIATION FROM SECTION 10.6 OF THE ZONING ORDINANCE
7. DEVIATION FROM SECTION 10.7 OF THE ZONING ORDINANCE
8. DEVIATION FROM SECTION 10.8 OF THE ZONING ORDINANCE
9. DEVIATION FROM SECTION 10.9 OF THE ZONING ORDINANCE
10. DEVIATION FROM SECTION 10.10 OF THE ZONING ORDINANCE

EXISTING RVPD DEVIATIONS

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NEW GENERAL DEVIATIONS 002-000 62

1. DEVIATION FROM SECTION 10.1 OF THE ZONING ORDINANCE
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10. DEVIATION FROM SECTION 10.10 OF THE ZONING ORDINANCE



CYPRESS WOODS
R.V. RESORT
MASTER CONCEPT PLAN
BIG CYPRESS FOX SQUIRREL PRESERVE
BARBOT, STEWART & ASSOCIATES, INC.
3278 EVANS AVENUE, 10TH FLOOR, SUITE 1000, DALLAS, TEXAS 75203
PHONE: (214) 750-1234
FAX: (214) 750-1235
DATE: MARCH 11, 1993
SHEET: 2 OF 3
FILE NO: 3434

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

WHEREAS, Cypress Woods RV Associates, in reference to Cypress Woods, has properly filed an application for a rezoning from Mobile Home Planned Development district to Mobile Home Planned Development and Recreational Vehicle Planned Development; and

WHEREAS, the subject property is located at 10251 Luckett Road, described more particularly as:

LEGAL DESCRIPTION: In Section 11, Township 44 South, Range 25 East, Lee County, Florida:

A parcel or tract of land lying in the Southwest Quarter (SW1/4) of Section 11, Township 44 South, Range 25 East, Lee County, Florida, which parcel or tract is described as follows:

Commencing at the Southwest corner of said Southwest Quarter (SW1/4) of said Section 11;

THENCE run N00°53'18"W along the West line of said Quarter Section for 25.00 feet to the North line of a 50 foot road described in County Commission Minute Book 11, Page 306 of the Public Records of Lee County, Florida, and the POINT OF BEGINNING of the herein described lands.

From said POINT OF BEGINNING continue N00°53'18"W along said West line for 2,621.33 feet to the Northwest corner of said Southwest Quarter (SW1/4);

THENCE run N89°04'12"E along the North line of said Quarter Section for 20.00 feet to the Northwest corner of lands described in Official Record Book 1848, Page 3142 of the Public Records of said Lee County, Florida;

THENCE run S00°53'18"E along the West line of description in said Official Record Book and page for 640.00 feet to the Southwest corner of said lands;

THENCE run N89°04'12"E along the South line of said lands for 445.50 feet to the Southeast corner of said lands;

THENCE run N00°53'18"W along the East line of said land 640.00 feet to the Northeast corner of said lands and the North line of said Southwest Quarter (SW1/4);

THENCE run N89°04'12"E along said North line for 2,162.17 feet to the Northeast corner of said Southwest Quarter (SW1/4);

THENCE run S00°45'27"E along the East line of said Southwest Quarter (SW1/4) for 2,625.08 feet to the North line of the aforementioned 50 foot road described in County Commission Minute Book 11, Page 396;

THENCE run S89°09'05"W along the North line of said road for 2,621.69 feet to the POINT OF BEGINNING.

Said parcel or tract containing 151.51397 acres, more or less.

WHEREAS, the applicant has indicated the property's current STRAP number is 11-44-25-00-00014.0000; and

WHEREAS, proper authorization has been given to Humphrey & Knott, P.A., by Cypress Woods RV Resort Associates, the fee simple owner of the subject parcel, to act as agent to pursue this zoning application; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Hearing Examiner, with full consideration of all the evidence available; and the Lee County Hearing Examiner fully reviewed the matter in a public hearing held on June 14, 1994 and subsequently continued to July 8, 1994; and

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

or County Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on file with the county, and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board of County Commissioners does hereby APPROVE WITH CONDITIONS a rezoning from Mobile Home Planned Development to Mobile Home Planned Development and Recreational Planned Development.

The rezoning and Master Concept Plan, which deviate from certain Lee County Standards, are subject to the following conditions:

1. The development and use of the subject property shall be in substantial compliance with the approved Master Concept Plan entitled "Cypress Woods R.V. Resort" (File No. 3434, last revised 4/04/94, stamped received April 08, 1994) as prepared by Barbot, Stuart & Associates, Inc., except as may be modified by the conditions herein. Total units shall not exceed that indicated on the Master Concept Plan.
2. Lots within this development shall be developed in accordance with the following Property Development Regulations:

Minimum Lot Area and Dimensions:

Area:	4,140 square feet
Width:	46 feet
Depth:	90 feet

Minimum Setbacks:

Street:	20 feet
Side Street:	10 feet [Deviation (4)]
Side:	10 feet (for a recreational vehicle) 5 feet (for a mobile home)
Rear:	20 feet
Water Body:	25 feet

3. Prior to the approval of any plat subdividing the subject property or any condominium plat, the developer shall provide a list of lots contained within the plat. This list shall consist of the lot or parcel number and the designation of the lot as a RVPD or MHPD lot or parcel. This designation shall be substantially in compliance with the designation of the lots as shown on the approved Master Concept Plan.
4. The developer or individual lot owner may apply as part of an Administrative Amendment Approval to amend the designation of a lot from RVPD to MHPD within this planned development. No approval shall be granted for a change from MHPD to RVPD.
5. As committed to on the approved Master Concept Plan by the applicant, on-site shelter provision and open space shall be developed in accordance with these commitments.
6. Since the Land Development Code Section 34-939(b)(2) requires all new recreational vehicle parks to connect to public or private water and central sewer system, this entire project shall be required to comply with this requirement.
7. Along the western and southern perimeters of the proposed development the buffering requirements of Section 34-939(b)(3) of the Land Development Code (LDC) shall be complied with. As offered by the applicant, along the northern property line within the proposed 40-foot-wide buffer, a minimum double "D" buffer with fence will be provided. This means within the buffer, twice the number of trees and shrubs required by LDC Section 10-414(c) shall be required for compliance. Furthermore, the buffering shall be in accordance with Note 2, of Table 1 of LDC Section 10-414, which exists at the time of Development Review. This vegetative buffer shall be to the outside of the proposed fence and visible from the abutting property. And along the eastern portion of the site, on either side of the power line easement, the developer shall comply with Section 34-939(b)(3) buffering requirements along with a fence. The fence location shall be consistent with the locational requirements noted above.

8. Prior to the approval of a local development order, the developer shall supply a letter from Florida Power & Light indicating that they have reviewed and have no objection to the plans to develop a storage area for boats and recreational vehicle units within the existing power line easement.
9. This zoning approval does not signify that the project's traffic impacts have been mitigated. Additional conditions may be required at the time of issuance of a local Development Order per the Development Standards Ordinance or other Lee County Ordinance.
10. Approval of this rezoning does not give the developer the undeniable right to receive any local Development Order approval that exceeds the Year 2010 Overlay use allocation, if such allocation exists, for the applicable district.
11. A Gopher Tortoise Management Plan must be submitted and approved at the time of local Development Order application for the first phase of development. All areas shown on the Master Concept Plan as fox squirrel preserve must be shown and labeled as such on any plans submitted for local Development Order approval. Any golden polypody found on trees within development areas must be relocated to preserve areas wherever feasible.
12. Deviation (1) is a request to deviate from Section 6.03 of Ordinance 86-21 [Section 14-298(c) of the LDC] for the development of the "TZ" area as indicated on the Master Concept Plan. Deviation (1) is hereby APPROVED subject to the proposed mitigation plan submitted by Tropical Environmental Consultants (TEC), dated December 6, 1993, and further amended and clarified by TEC in correspondence addressed to George Parker of DNRH, dated March 7, 1994 and June 22, 1994. Mitigation must follow the phasing presented in these documents.
13. Deviation (2) is hereby DENIED.
14. Deviation (3) is a request to deviate from Appendix 9.9B of the DSO (Section 10-714.b. of the LDC) which requires a 90 foot turn-out radius to 30 feet. Deviation (3) is hereby APPROVED subject to the developer providing a paved/stabilized surface with a minimum radius of 42 feet and, in addition, shall provide an unobstructed clear zone of 48-foot radius (6 feet clear zone beyond driving range).
15. Deviation (4) is a request to deviate from Section 202.18.B.2.a. of the Zoning Ordinance [LDC Section 34-2192(a)] to allow a reduction in the street setback from 20 feet to 5 feet on the "side" lot line for corner lots. Deviation (4) is hereby APPROVED as provided for in Condition 2.
16. Deviation (5) is a request to deviate from Section 9.D, 9.O.10, and Table 9-1 of the DSO (Sections 10-285.a., 10-285.a Table 1, and 10-296.j.) which requires 125 feet of street intersection separation, to 100 feet. Deviation (5) is hereby APPROVED to 100 feet. Approval of this deviation shall also permit the location of a temporary emergency access, yet to be located, to the west of the approved access point in this deviation, in accordance with Deviation (6).
17. Deviation (6) is a request to deviate from Section 9.J.3 of the DSO (Section 10-291.3 of the LDC) to allow only one entrance for a development of more than 5 acres. Deviation (6) is hereby APPROVED with the condition that a temporary emergency access point shall be constructed from Lockett Road, into the project site, for the use of emergency vehicles only. This temporary access point shall remain in place until such time as a permanent emergency access point is constructed, or until this development provides a permanent functioning interconnection with an adjoining property. The temporary access point shall be constructed in accordance with the Land Development Code as administered by the Division of Development Services.
18. Deviation (7) is a request to deviate from Section 9.O.2 and Table 9-3 of the DSO (Sections 10-296.b and 10-296 Table 3 of the LDC) which require a 45-foot right-of-way for a local street with open drainage, to permit a local street with 30 feet of right-of-way and open drainage. Deviation

(/) is hereby APPROVED subject to the condition that the typical lot cross section exhibits, subject to the approval by the Division of Development Services, that the drainage performs adequately showing the slab placement at the time of Development Order submittal.

19. Deviation (8) is a request to deviate from Section 480.05.D.2.f of the Zoning Regulations [LDC Section 34-939(b)(6)] which requires a 5,000 square foot minimum lot to provide a 4,140 square foot minimum (46 feet x 90 feet). Deviation (8) is hereby APPROVED subject to Condition 2.
20. Deviation (9) is a request to deviate from Zoning Regulations Section 480.05.D.2.g.3.) [LDC Section 34-939(b)(7)c.] which requires a side setback of 10 feet and a street (right-of-way) setback of 25 feet, to permit a side setback of 5 feet and a street (right-of-way) setback of 20 feet in the non-transient section of the park. Deviation (9) is hereby APPROVED provided that these setbacks are in conformance with the requirements of Condition 2 and all side setbacks apply to all portions of the structure or unit, including overhangs.
21. Deviation (9.a) is a request to deviate from Zoning Ordinance Section 480.05.D.2.c [LDC Section 34-939(b)(3)] to permit an access road through the perimeter buffer to the boat storage area. Deviation (9.a.) is hereby APPROVED subject to Condition 8.
22. Deviation (10) is a request to deviate from Table 423.B. of the Zoning Regulations [LDC Section 34-736] which requires a 5,000 square foot minimum lot (50 feet x 100 feet) to provide a 4,140 square foot minimum lot (46 feet x 90 feet). Deviation (10) is hereby APPROVED subject to the requirements of Condition 2.
23. Deviation (11) is a request to deviate from Table 423.B. [LDC Section 34-736] which requires a side setback of 7 feet, to permit a side setback of 5 feet. Deviation (11) is hereby APPROVED subject to the setback in Condition 2.
24. Deviation (12) is a request to deviate from Section 202.18.D.1. of the Zoning Ordinance [LDC Section 34-2222(1) and Section 10-254 (b)], to allow the corner lots to be the same size as the other lots within the development (and not have an additional 15 feet of width). Deviation (12) is hereby APPROVED subject to the requirements of Condition 2.
25. Deviation (13) is a request to deviate from Section 9.N. of the DSO [LDC Section 10-295] to eliminate the requirement for street stubs to adjacent properties. Deviation (13) is hereby DENIED and left to the discretion of the Director of the Division of Development Services, in accordance with the Land Development Code.
26. Deviation (14) is a request to deviate from LDC Section 34-939(b)(3) to eliminate the requirement for a buffer between a recreational vehicle park and adjacent property interior to the site. Deviation (14) is hereby APPROVED for the interior portion of the site, only. Buffering the perimeter of the entire development shall be in accordance with Condition 7.
27. Deviation (15) is a request to deviate from LDC Section 34-935(a)(1) to eliminate the requirement that a new recreational vehicle park be not less than 20 acres in size. Deviation (15) is hereby APPROVED.

Site Plan 94-025 is attached hereto and incorporated herein by reference, as a reduced copy of the Master Concept Plan.

The following findings and conclusions were made in conjunction with this approval of Mobile Home Planned Development and Recreational Vehicle Planned Development zoning:

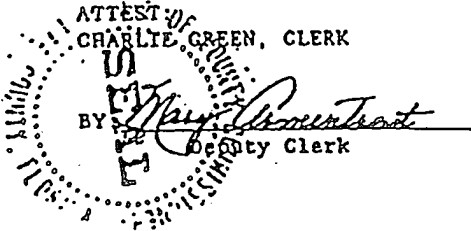
- A. That the predominant uses of the surrounding property, makes approval of the RVPD/MHPD, as conditioned, appropriate.
- B. That the RVPD/MHPD, as conditioned, will not have an adverse impact on the intent of the Land Development Code.

- C. That the RVPD/MHPD, as conditioned, is consistent with the goals, objectives, policies and intent of the Lee Plan, with the densities, intensities and general uses set forth for the proposed use.
- D. That the RVPD/MHPD, as conditioned, meets or exceeds all performance and locational standards set forth for the proposed use.
- E. That the RVPD/MHPD, as conditioned, will protect, conserve, preserve all protected and endangered species, natural habitat and vegetation, in accordance with the Lee Plan and other Lee County development regulations.
- F. That the RVPD/MHPD, as conditioned, will be compatible with existing or planned uses and will not cause damage, hazard, nuisance, or other detriment to persons or property.
- G. That the RVPD/MHPD, as conditioned, will not place an undue burden upon existing transportation or other services and facilities, and will be served by streets with the capacity to carry traffic generated by the development.
- H. That the residential uses, as conditioned, will be in compliance with all applicable general zoning provisions and supplemental regulations pertaining to the use, as set forth elsewhere in the Land Development Code.
- I. That the proposed use is appropriate on the subject property and in the vicinity of the subject property.
- J. That the recommended conditions are reasonably related to the impacts expected from or created by the proposed development.
- K. That the recommended conditions and other Lee County development regulations provide sufficient safeguards to the public health, safety and welfare.
- L. That the deviations, as conditioned, enhance the achievement of the objectives of the RVPD/MHPD and preserve and promote the protection of the public health, safety and welfare.

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

John E. Manning	Aye
Douglas R. St. Cerny	Nay
Ray Judah	Nay
Franklin B. Mann	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 15th day of August, A.D., 1994.



BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: [Signature] Chairman

Approved as to form by:

[Signature]
County Attorney's Office

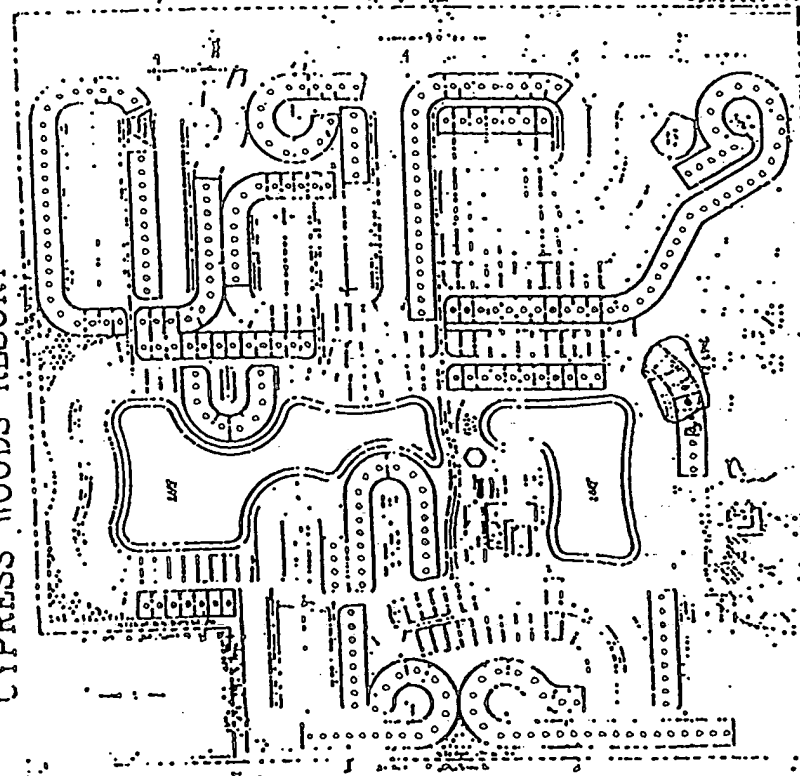
FILED

AUG 25 1994

[Signature]

[illegible]

APR 15 1957
CYPRESS WOODS RESORT

[illegible]

ADMINISTRATIVE AMENDMENT PD-95-019

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Cypress Woods RV Associates, has filed an application for administrative approval of an amendment to a Mobile Home Planned Development and Recreational Vehicle Planned Development on a project known as Cypress Woods Resort. The amendment provides for:

1. A reduction in dwelling units from 684 to 671;
2. Reconfiguration of the wetland preservation area to provide a flowway in accordance with South Florida Water Management District permit;
3. An increase in fox squirrel preserve of 0.13 acre;
4. Relocation of the RV and Boat Storage area internal to the site; and
5. Addition of a permanent access point to Lockett Road in accordance with the zoning approval.

The property is located at 10251 Lockett Road, described more particularly as:

LEGAL DESCRIPTION: In Section 11, Township 44 South, Range 25 East, Lee County, Florida:

A parcel or tract of land lying in the Southwest Quarter (SW $\frac{1}{4}$) of Section 11, Township 44 South, Range 25 East, Lee County, Florida, which parcel or tract is described as follows:

Commencing at the Southwest corner of said Southwest Quarter (SW $\frac{1}{4}$) of said Section 11;
THENCE run N00°53'18"W along the West line of said Quarter Section for 25.00 feet to the North line of a 50 foot road described in County Commission Minute Book 11, Page 306 of the Public Records of Lee County, Florida, and the POINT OF BEGINNING of the herein described lands.
From said POINT OF BEGINNING continue N00°53'18"W along said West line for 2,621.33 feet to the Northwest corner of said Southwest Quarter (SW $\frac{1}{4}$);
THENCE run N89°04'12"E along the North line of said Quarter Section for 20.00 feet to the Northwest corner of lands described in Official Record Book 1848, Page 3142 of the Public Records of said Lee County, Florida;

Continued ...

THENCE run S00°53'18"E along the West line of description in said Official Record Book and page for 640.00 feet to the Southwest corner of said lands;
THENCE run N89°04'12"E along the South line of said lands for 445.50 feet to the Southeast corner of said lands;
THENCE run N00°53'18"W along the East line of said land 640.00 feet to the Northeast corner of said lands and the North line of said Southwest Quarter (SW¼);
THENCE run N89°04'12"E along said North line for 2,162.17 feet to the Northeast corner of said Southwest Quarter (SW¼);
THENCE run S00°45'27"E along the East line of said Southwest Quarter (SW¼) for 2,625.08 feet to the North line of the aforementioned 50 foot road described in County commission Minute Book 11, Page 396;
THENCE run S89°09'05"W along the North line of said road for 2,621.69 feet to the POINT OF BEGINNING.

Said parcel or tract containing 151.51397 acres, more or less.

WHEREAS, the property was originally rezoned in case number 94-06-14-DCI-02; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures, and

WHEREAS, the proposed amendment does not result in an increase in density nor an underutilization of public resources and public infrastructure and does not reduce total of open space, buffering, landscaping and preservation areas, or adversely impacts surrounding land uses; and

WHEREAS, the proposed amendment provides for changes to the interior of the development.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to the Mobile Home Planned Development Recreational Vehicle Planned Development zoning as described in the preamble is APPROVED.

Approval is subject to the following conditions:

1. Subject to the proposed mitigation plan, titled "Cypress Woods Monitoring and Maintenance Plan" submitted by Boylan Environmental Consultants, Inc., zoning counter stamped and dated

May 18, 1995. Mitigation must follow the phasing presented in these documents and all monitoring reports must be submitted to the Lee County Division of Environmental Sciences within thirty days of the scheduled monitoring events. This plan supersedes the TEC mitigation plan referenced in Condition 12 of Resolution Z-94-025.

2. Site Plan PD-95-019 is hereby APPROVED and adopted. A reduced copy is attached hereto.
3. All remaining terms and conditions of the original zoning resolution, Resolution Z-94-025, remain in full force and effect.

DULY SIGNED this 14th day of June, A.D., 1995.

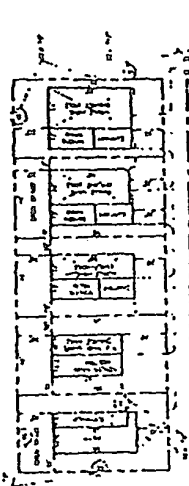
BY: Mary Gibbs
Mary Gibbs, Director
Department of Community Development

EXHIBIT 31

TOTAL AREA
RIGHT-OF-WAY
LOT AREA
R.P.A.

= 6,599,945.82 S.F. (151.514 AC.) LAKE
= 810,271.36 S.F. (18.060 AC.) NO. OF LOTS
= 3,045,520.84 S.F. (69.07 AC.) GROSS DENSITY
= 266,157.74 S.F. (6.110 AC.)
BUILDING HEIGHT NOT TO EXCEED 25'

CYPRESS WOODS RESORT



SCHEDULE OF USES (RVPD)

1. RESIDENTIAL - SINGLE-FAMILY
2. RESIDENTIAL - TWO-FAMILY
3. RESIDENTIAL - THREE-FAMILY
4. RESIDENTIAL - FOUR-FAMILY
5. RESIDENTIAL - FIVE-FAMILY
6. RESIDENTIAL - SIX-FAMILY
7. RESIDENTIAL - SEVEN-FAMILY
8. RESIDENTIAL - EIGHT-FAMILY
9. RESIDENTIAL - NINE-FAMILY
10. RESIDENTIAL - TEN-FAMILY
11. RESIDENTIAL - ELEVEN-FAMILY
12. RESIDENTIAL - TWELVE-FAMILY
13. RESIDENTIAL - THIRTEEN-FAMILY
14. RESIDENTIAL - FOURTEEN-FAMILY
15. RESIDENTIAL - FIFTEEN-FAMILY
16. RESIDENTIAL - SIXTEEN-FAMILY
17. RESIDENTIAL - SEVENTEEN-FAMILY
18. RESIDENTIAL - EIGHTEEN-FAMILY
19. RESIDENTIAL - NINETEEN-FAMILY
20. RESIDENTIAL - TWENTY-FAMILY

SCHEDULE OF USES (MHPD)

1. RESIDENTIAL - SINGLE-FAMILY
2. RESIDENTIAL - TWO-FAMILY
3. RESIDENTIAL - THREE-FAMILY
4. RESIDENTIAL - FOUR-FAMILY
5. RESIDENTIAL - FIVE-FAMILY
6. RESIDENTIAL - SIX-FAMILY
7. RESIDENTIAL - SEVEN-FAMILY
8. RESIDENTIAL - EIGHT-FAMILY
9. RESIDENTIAL - NINE-FAMILY
10. RESIDENTIAL - TEN-FAMILY
11. RESIDENTIAL - ELEVEN-FAMILY
12. RESIDENTIAL - TWELVE-FAMILY
13. RESIDENTIAL - THIRTEEN-FAMILY
14. RESIDENTIAL - FOURTEEN-FAMILY
15. RESIDENTIAL - FIFTEEN-FAMILY
16. RESIDENTIAL - SIXTEEN-FAMILY
17. RESIDENTIAL - SEVENTEEN-FAMILY
18. RESIDENTIAL - EIGHTEEN-FAMILY
19. RESIDENTIAL - NINETEEN-FAMILY
20. RESIDENTIAL - TWENTY-FAMILY

GENERAL NOTES

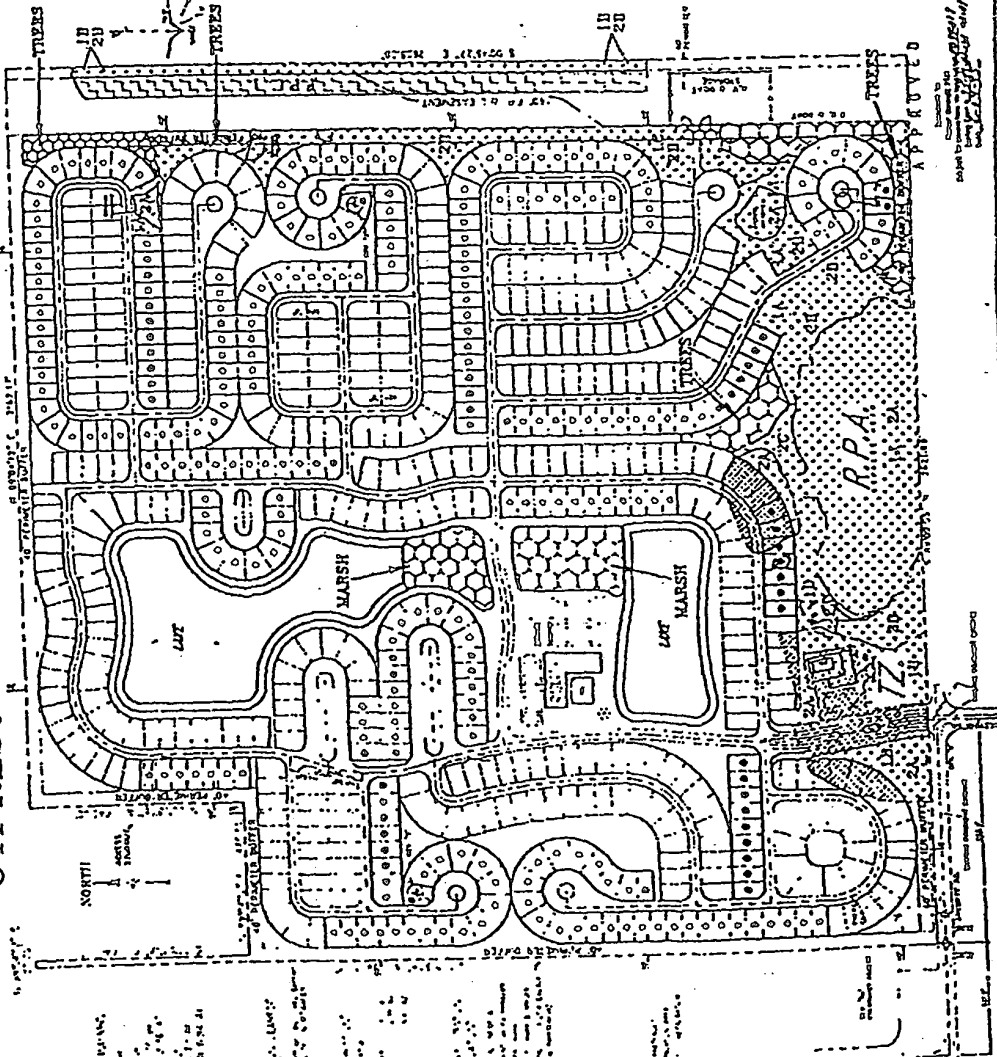
1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODES AND THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES.
2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ELECTRICAL CODE AND THE LATEST EDITIONS OF THE CALIFORNIA MECHANICAL CODE.
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PLUMBING CODE AND THE LATEST EDITIONS OF THE CALIFORNIA GAS CODE.
4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA FIRE CODE AND THE LATEST EDITIONS OF THE CALIFORNIA SAFETY CODE.
5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ENVIRONMENTAL CODE AND THE LATEST EDITIONS OF THE CALIFORNIA WASTE CODE.

RVPD DEMANDS

1. THE RVPD DEMANDS ARE BASED ON THE ASSUMPTION THAT THE PROJECT WILL BE DEVELOPED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND THE LATEST EDITIONS OF THE CALIFORNIA ELECTRICAL CODE AND THE LATEST EDITIONS OF THE CALIFORNIA MECHANICAL CODE.
2. THE RVPD DEMANDS ARE BASED ON THE ASSUMPTION THAT THE PROJECT WILL BE DEVELOPED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PLUMBING CODE AND THE LATEST EDITIONS OF THE CALIFORNIA GAS CODE.
3. THE RVPD DEMANDS ARE BASED ON THE ASSUMPTION THAT THE PROJECT WILL BE DEVELOPED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA FIRE CODE AND THE LATEST EDITIONS OF THE CALIFORNIA SAFETY CODE.
4. THE RVPD DEMANDS ARE BASED ON THE ASSUMPTION THAT THE PROJECT WILL BE DEVELOPED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ENVIRONMENTAL CODE AND THE LATEST EDITIONS OF THE CALIFORNIA WASTE CODE.

MHPD DEMANDS

1. THE MHPD DEMANDS ARE BASED ON THE ASSUMPTION THAT THE PROJECT WILL BE DEVELOPED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA BUILDING CODES AND THE LATEST EDITIONS OF THE CALIFORNIA ELECTRICAL CODE AND THE LATEST EDITIONS OF THE CALIFORNIA MECHANICAL CODE.
2. THE MHPD DEMANDS ARE BASED ON THE ASSUMPTION THAT THE PROJECT WILL BE DEVELOPED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PLUMBING CODE AND THE LATEST EDITIONS OF THE CALIFORNIA GAS CODE.
3. THE MHPD DEMANDS ARE BASED ON THE ASSUMPTION THAT THE PROJECT WILL BE DEVELOPED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA FIRE CODE AND THE LATEST EDITIONS OF THE CALIFORNIA SAFETY CODE.
4. THE MHPD DEMANDS ARE BASED ON THE ASSUMPTION THAT THE PROJECT WILL BE DEVELOPED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ENVIRONMENTAL CODE AND THE LATEST EDITIONS OF THE CALIFORNIA WASTE CODE.



APPROVED
DATE: 10/1/01
BY: [Signature]

DESIGNED BY: [Signature]
CHECKED BY: [Signature]
DATE: 10/1/01

PROJECT NO.: 01-01
SHEET NO.: 1 OF 1

PROJECT NAME: CYPRESS WOODS RESORT
PROJECT LOCATION: [Address]

PROJECT OWNER: [Name]
PROJECT ARCHITECT: [Name]

PROJECT ENGINEER: [Name]
PROJECT SURVEYOR: [Name]

ADMINISTRATIVE AMENDMENT (PD) ADD2002-00111

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Barbot, Steuart, & Associates, Inc. filed an application for administrative approval to a Mobile Home Planned Development on a project known as Cypress Woods R.V. Resort - Phase V on property located at 5551 Lockett Road for:

1. A lot reconfiguration for Phase 5 to decrease the number of lots from 184 to 183 lots.
2. A decrease in the size of the proposed clubhouse from 15,600 square feet to 9,053 square feet and increase the existing clubhouse, at the entrance to the development, from 4,445 square feet to 6,799 square feet.
3. An increase in the square footage provided for hurricane shelters from 15,600 square feet to 15,852 square feet shared between the proposed clubhouse (9,053 square feet) and existing clubhouse (6,799 square feet).
4. Relocation of lots with "dot notation" that differentiate between recreational vehicle lots and mobile home lots to that shown on the revised master concept plan.
5. A reduction in the total number of recreational vehicle and mobile home sites from 671 units to 647 units.

WHEREAS, the property has been recently surveyed and the legal description revised to more accurately describe the perimeter boundary more particularly as follows:

LEGAL DESCRIPTION: In Section 11, Township 44 South, Range 25 East, Lee County, Florida:

See attached Exhibit "A".

WHEREAS, the property was originally rezoned in case number 94-06-14-DCI-02 with subsequent amendments in case numbers 95-03-166.13A 02.01, and 95-01-116.00D; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Mobile Home Planned Development is APPROVED to:

1. Reconfigure Phase 5 to decrease the number of lots from 184 to 183 lots.
2. Decrease the proposed clubhouse from 15,600 square feet to 9,053 square feet and increase the existing clubhouse, at the entrance to the development, from 4,445 square feet to 6,799 square feet.
3. Increase the square footage provided for hurricane shelters from 15,600 square feet to 15,852 square feet shared between the proposed clubhouse (9,053 square feet) and the existing clubhouse (6,799 square feet).
4. Relocate lots with "dot notation" that differentiate between recreational vehicle lots and mobile home lots to that shown on the revised master concept plan.
5. Reduce the total number of recreational vehicle and mobile home sites from 671 units to 647 units.

Approval is subject to the following conditions:

1. The Development must be in compliance with the amended Master Concept Plan, dated March 13, 1995, last revised 9/26/02, and stamped received by community development on September 25, 2002. Master Concept Plan for ADD2002-00111 is hereby APPROVED and adopted. A reduced copy is attached hereto.
2. The terms and conditions of the original zoning resolutions remain in full force and effect, except as amended herein.

DULY SIGNED this 25th day of October, A.D., 2002.

BY: _____

Pam Houck, Director
Division of Zoning
Department of Community Development

ADD 2002-00111

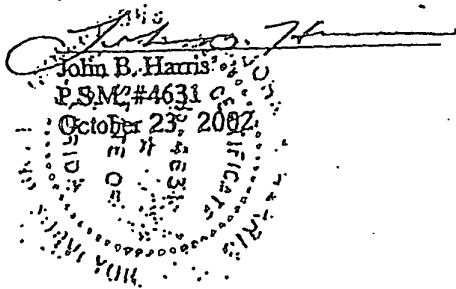
DESCRIPTION:

A parcel or tract of land lying in the Southwest Quarter (S.W.1/4) of Section 11, Township 44 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Southwest corner of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11; thence run N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 25.00 feet to the North line of Lockett Road (50 feet wide) and the point of beginning; thence continue N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2621.45 feet to Northwest corner of said Southwest Quarter (S.W.1/4); thence run N.89°01'53"E. for 20.00 feet to the Northwest corner of lands described in Official Record Book 1848, Page 3142 of the Public Records of Lee County, Florida; thence run S.00°53'18"E. along the West line of said lands for 640.00 feet; thence run N.89°01'53"E. along the South line of said lands for 445.50 feet; thence run N.00°53'18"W. along the East line of said lands for 640.00 feet to the Northeast corner of said lands and the North line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11; thence run N.89°01'53"E. along the North line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2161.66 feet to the Northeast corner of the Southwest Quarter (S.W.1/4) of said Section 11; thence run S.00°46'12"E. along the East line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2626.95 feet to the North line of the aforesaid Lockett Road; thence run S.89°09'05"W along the North line of said Lockett Road for 2621.74 feet to the point of beginning.

Said tract contains 151.559 acres, more or less and is subject to easements, restrictions and reservations of record.

Bearings are based on the West line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11 as being N.00°53'18"W.



Applicant's Legal Checked
by Gm 10/23/02

RECEIVED

OCT 23 2002

COMMUNITY DEVELOPMENT

ADD 2002-00111

ADD 2002-00115

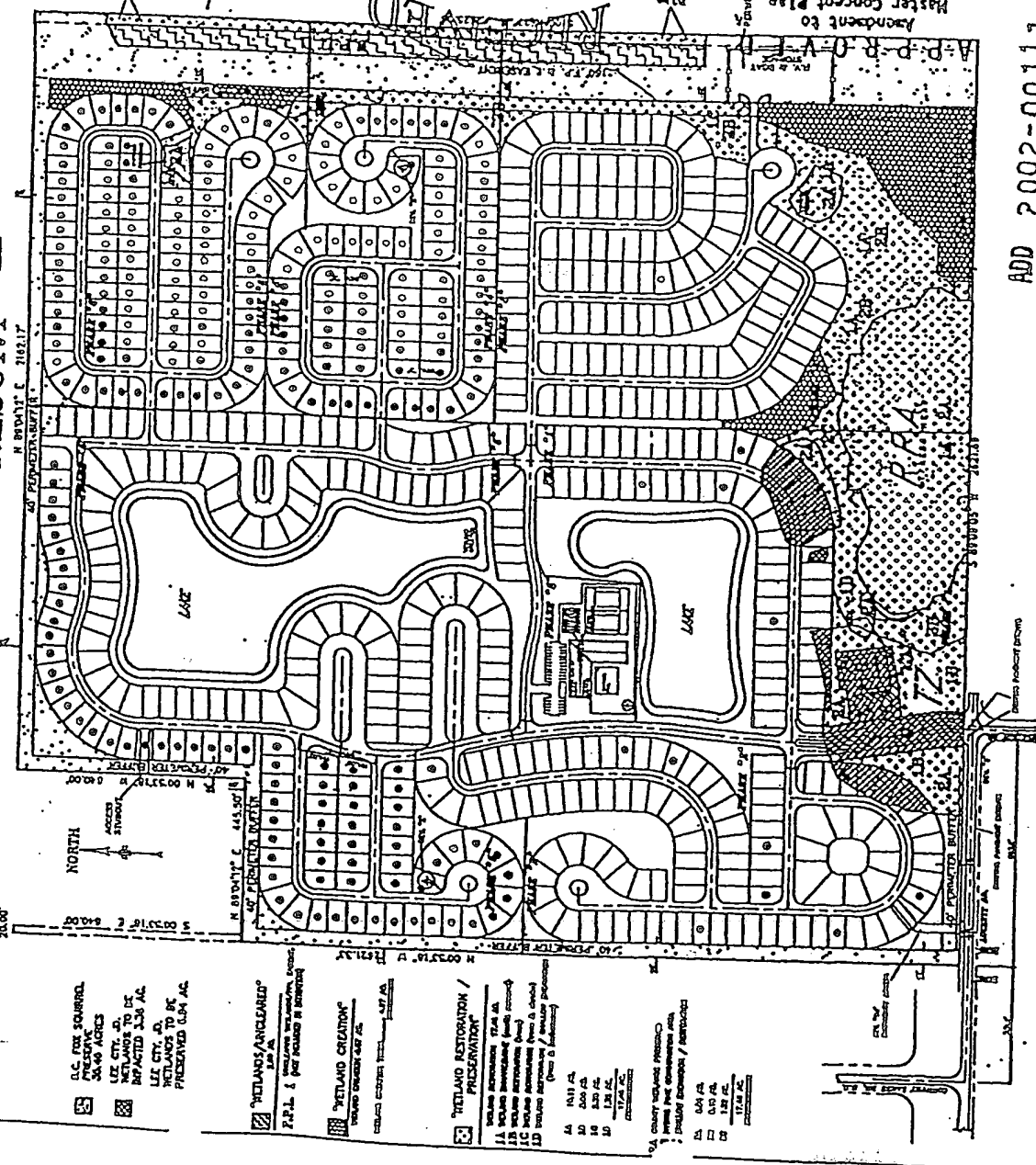
TOTAL AREA
RIGHT-OF-WAY
LOT AREA
R.P.A.

= 6,599,945.82 S.F. (151,514 AC.) LAKE
= 807,098.92 S.F. (18,528 AC.) NO. OF LOTS
= 2,893,036.10 S.F. (66,270 AC.) GROSS DENSITY
= 266,157.74 S.F. (6,110 AC.)

CYPRESS WOODS RESORT

NHPD

BUILDING HEIGHT NOT TO EXCEED 25'



- LEG. FOR SOURCE
- LEG. FOR TYPE
- LEG. FOR SIZE
- LEG. FOR COLOR
- LEG. FOR SHAPE
- LEG. FOR TEXTURE
- LEG. FOR PATTERN
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- LEG. FOR SLATE
- LEG. FOR LAVENDER

WETLAND RESTORATION / PRESERVATION

WETLAND CREATION

WETLAND RESTORATION / PRESERVATION

WETLAND CREATION

WETLAND RESTORATION / PRESERVATION

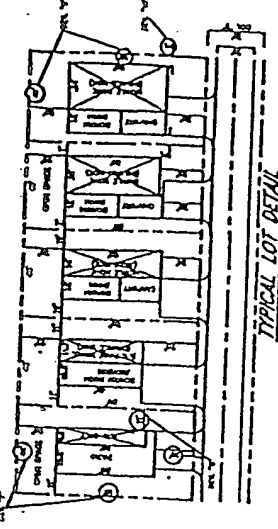
WETLAND CREATION

WETLAND RESTORATION / PRESERVATION

WETLAND CREATION

WETLAND RESTORATION / PRESERVATION

WETLAND CREATION



SCHEDULE OF USES (RHPD)

SCHEDULE OF USES (MHPD)

SCHEDULE OF USES (MHPD)

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SEP 25 2002

SEP 25 2002

SEP 25 2002

SEP 25 2002

SEP 25 200

ADMINISTRATIVE AMENDMENT (PD) ADD2003-00122

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Cypress Woods RV Resort Associates filed an application for administrative approval to a Mobile Home Planned Development and Recreational Vehicle Planned Development on a project known as Cypress Woods RV Resort to add the following two deviations from the Lee County Land Development Code (LDC) and adjust the Master Concept Plan per Condition 4 of Resolution Z-94-025:

1. A Deviation seeking relief from LDC Section 34-2194(b) and (c) which requires a 25 foot water body setback; to allow a zero foot setback in order to permit the construction of a clubhouse, deck, pier and gazebo 90 feet into the artificial body of water.
2. A Deviation seeking relief from LDC Section which requires a total of 135 parking spaces for the two clubhouse facilities; to allow only 44 off-street parking spaces.

The subject property is located at 5551 Lockett Road, described more particularly as:

LEGAL DESCRIPTION: In Section 11, Township 44 South, Range 25 East, Lee County, Florida:

See Exhibit A

WHEREAS, the property was originally rezoned in case number 94-06-14 DCI-02 (with subsequent amendments in case numbers Z-94-025, Z-87-075, Z-91-088, ZAB-8431, ZAB-84-1-31, 95-03-166.13A, AA-PD-95-19, ADD2002-00111, DOS2003-00073, DOS95-01-116.00D, LDO98-06-045.12L & LDO98-06-074.11L); and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to add the following two deviations from the Lee County Land Development Code (LDC) and adjust the Master Concept Plan per Condition 4 of Resolution Z-94-025:

1. A Deviation seeking relief from LDC Section 34-2194(b) and (c) which requires a 25 foot water body setback; to allow a zero foot setback in order to permit the construction of a clubhouse, deck, pier and gazebo 90 feet into the artificial body of water.
2. A Deviation seeking relief from LDC Section which requires a total of 135 parking spaces for the two clubhouse facilities; to allow only 44 off-street parking spaces.

These requests are APPROVED, subject to the following conditions:

1. The Development must be in compliance with the amended Master Concept Plan, stamped received AUG 21, 2003. Master Concept Plan for ADD2003-00122 is hereby APPROVED and adopted. A reduced copy is attached hereto.

Additionally, the approval of Deviation 1 of this Administrative Amendment is subject to substantially complying with the proposed construction of the clubhouse and related facilities on the approved Plan entitled, Cypress Woods, R.V. Resort Clubhouse Area Dev. Order Plans; Drainage, Parking & Site Dim. Plan; dated 04-14-03, stamped received AUG21, 2003. A reduced copy is attached hereto.

2. The terms and conditions of the original zoning resolutions and subsequent amendments remain in full force and effect.
3. The approved density and intensity of this project must remain consistent with ADD2002-00111 which allowed a maximum of 647 units, consisting of not more than 374 R.V. sites and not more than 273 M. H. sites.

Condition 4 of Resolution Z-94-025 is also hereby amended to read:

The dots on the approved Master Concept Plan designating which lots/parcels can only be occupied by a mobile home may be administratively (not to be confused with the requirement for an administrative amendment) moved from any vacant lot/parcel (donor lot/parcel) to another lot/parcel provided that the donor lot or parcel has never been occupied by a mobile home since the inception of this planned development. Once a lot/parcel is occupied by a mobile home, it can only be replaced with another mobile home.

4. The approval of the deviation from the water body setback must not adversely impact any open space requirement; wetland vegetation plantings; or other buffering, landscaping, or preservation areas or requirements.
5. The approval of the parking deviation is subject to the reservation of Lots 85 and 86 (Phase "4") and Tract I (Phase "3", which lies immediately east of Lots 85 and 86, Phase "4") for the use of overflow parking only. These may not be used as a recreational vehicle or mobile home site. Upon the sale of the last lot (site) in the last Phase of this development, if the applicant can adequately demonstrate during the season of the highest occupancy of the development that the overflow parking areas were not needed, the two lots can then be used for recreational vehicle or mobile home sites as provided for in this planned development. A reduced copy of a Plan entitled Cypress Woods R.V. Resort Phase "IV", IVA, & IVB, stamped received SEP 08, 2003 depicting these parcels is attached hereto.
6. A development order must be submitted within 90 days of the approval that includes a littoral planting plan which details a created hardwood wetland and marsh area within the lake adjacent to Cypress Woods Resort Drive. The planting must include at a minimum 50 native wetland trees (minimum 6-foot height; 7-gallon container size) and 1000 native herbaceous wetland plants (minimum 4 species; 2-inch liner size) clustered within the area shown on Attachment 1.

DULY SIGNED this 15th day of September, A.D., 2003.

BY: Pam Houck

Pam Houck, Director
Division of Zoning
Department of Community Development

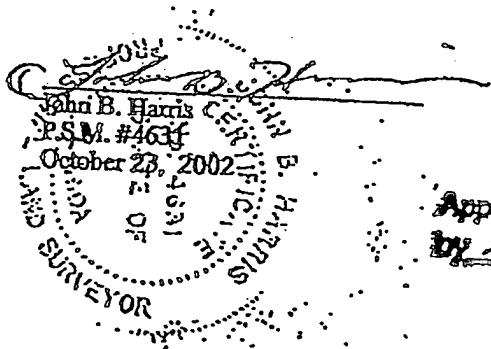
DESCRIPTION:

A parcel or tract of land lying in the Southwest Quarter (S.W.1/4) of Section 11, Township 44 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Southwest corner of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11; thence run N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 25.00 feet to the North line of Lockett Road (50 feet wide) and the point of beginning; thence continue N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2621.45 feet to Northwest corner of said Southwest Quarter (S.W.1/4); thence run N.89°01'53"E. for 20.00 feet to the Northwest corner of lands described in Official Record Book 1848, Page 3142 of the Public Records of Lee County, Florida; thence run S.00°53'18"E. along the West line of said lands for 640.00 feet; thence run N.89°01'53"E. along the South line of said lands for 445.50 feet; thence run N.00°53'18"W. along the East line of said lands for 640.00 feet to the Northeast corner of said lands and the North line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11; thence run N.89°01'53"E. along the North line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2161.66 feet to the Northeast corner of the Southwest Quarter (S.W.1/4) of said Section 11; thence run S.00°45'12"E. along the East line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2626.95 feet to the North line of the aforesaid Lockett Road; thence run S.89°09'05"W along the North line of said Lockett Road for 2621.74 feet to the point of beginning.

Said tract contains 151.559 acres, more or less and is subject to easements, restrictions and reservations of record.

Bearings are based on the West line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11 as being N.00°53'18"W.



Applicant's Legal Checked
by [Signature] 15 July 03

RECEIVED
JUL 15 2003
PERMIT COUNTER

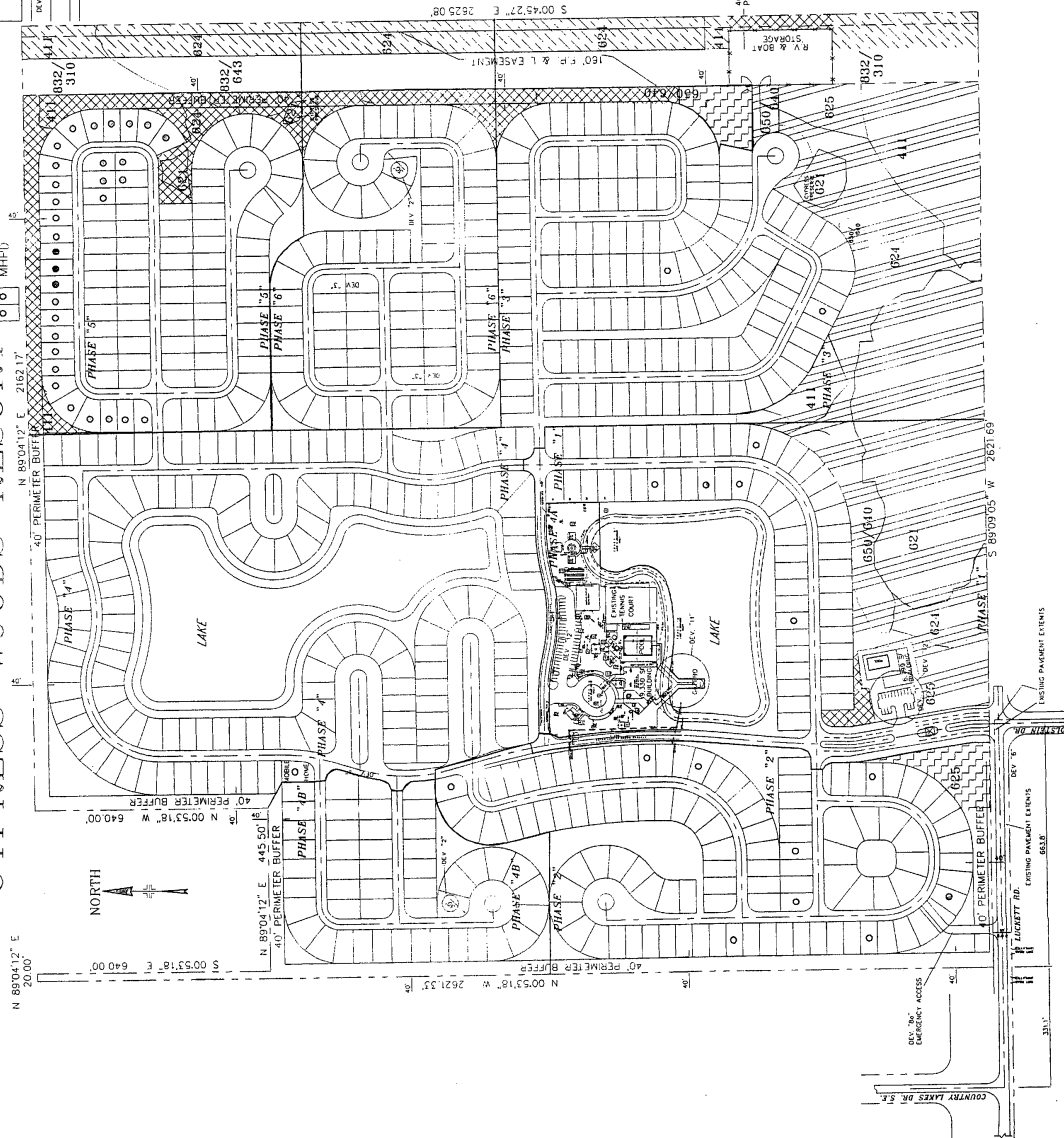
OCI 7002-00062

EXHIBIT A

"EXHIBIT 3A"

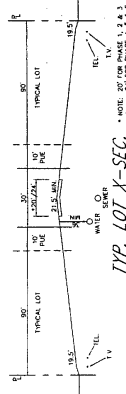
TOTAL AREA = 6,599,945.82 S.F. (151,514 AC.) LAKE = 525,521.97 S.F. (12.064 AC.)
 RIGHT-OF-WAY = 807,098.92 S.F. (18,528 AC.) NO. OF LOTS = 647 UNITS (MAX. 599 R.V. SITES, MIN 48 M.H. SITES)
 LOT AREA = 2,985,036.10 S.F. (68.27 AC.) GROSS DENSITY = 4.270 UNITS/AC.
 BUILDING HEIGHT NOT TO EXCEED 35' OR 2 STORIES.

CYPRESS WOODS RESORT



TYPICAL LOT DETAIL

NOTE: 20' FOR PHASE 1, 2 & 3
24' FOR PHASE 4, 5 & 6



335-X 107
TYP. LOT X-SEC.

SCHEDULE OF USES (MHPD)
AND OTHER VEHICLES AND GOODS BELONGING TO PARK RESIDENTS)

- OPEN (LIMITED TO RECREATIONAL VEHICLES, TRAILERS, BOATS, AND OTHER VEHICLES AND GOODS BELONGING TO PARK RESIDENTS)

SCHEDULE OF USES

EXISTING GENERAL DEVIATIONS:

EXISTING GENERAL DEVIATIONS:
A DEVIATION FROM SECTION 6.03 OF ORDINANCE 86-31 TO ALLOW FOR THE DEVELOPMENT OF THE "T2" AREA AS INDICATED ON THE MASTER CONCEPT PLAN. (NO LONGER APPLICABLE; NO MODERN EQUIVALENT)

1. A DEVIATION FROM SECTION 9.11.e OF THE DEVELOPMENT STANDARDS ORDINANCE (NOW LOC 10-714) WHICH REQUIRES A 90 FOOT TURN-OUT ADJACENT TO 30 FEET.

DEVELOPMENT STANDARDS ORDINANCE TO ALLOW THE CORNER LOTS TO BE THE SAME SIZE AS THE OTHER LOTS IN THE DEVELOPMENT AND TO ALLOW A REDUCTION IN THE STREET SETBACK FROM 20 FT. TO 5 FT. ON THE "SIDE" LOT LINE FOR THESE CORNER LOTS. A DEVIATION FROM SECTION 9C, 9P.10 & TABLE 9-1 OF THE LEE COUNTY ZONING ORDINANCE.

DEVELOPMENT STANDARDS ORDINANCE FROM TABLE 1 OF LOC 10-2985)
REQUIRES 125 FEET OF STREET INTERSECTION SEPARATION TO 100 FEET.

1. A DEVIATION OF SECTION 9 P.2 AND TABLE 9-3 OF THE DEVELOPMENT STANDARDS ORDINANCE (NOW TABLE 3 OF LOC-10-296) WHICH REQUIRES A 30 FEET RIGHT-OF-WAY FOR A LOCAL STREET WITH OPEN DRAINAGE TO PERMIT A LOCAL STREET WITH 30 FEET OF RIGHT-OF-WAY AND OPEN DRAINAGE.

EXISTING RVPD DEVIATIONS:

A DEVIATION FROM SECTION 441 C.4(3)(NOW LOC 34-939(b)(7)(b) WHICH REQUIRES A SIDE SETBACK OF 10 FEET AND A STREET (RIGHT-OF-WAY) SETBACK OF 25 FEET TO PERMIT A SIDE SETBACK OF 5 FEET AND A STREET (RIGHT-OF-WAY) SETBACK OF 20 FEET FOR A NON-TRANSIENT PARK.

EXISTING MHPD DEVIATIONS:

A DEVIATION FROM SECTION 439.02 (NOW LOC TABLE 34-735) OF LEE COUNTY ZONING REGULATION WHICH REQUIRES A 5,000 SQUARE FOOT MINIMUM LOT (50 FEET X 100 FEET) TO PROVIDE A 4,140 SQUARE FOOT MINIMUM LOT (6 FEET X 90 FEET)

NEW GENERAL DEVIATIONS:
A DEVIATION FROM SECTION 34--2194(b)(3) OF THE LDC TO PERMIT A
SETBACK OF 7 FEET TO PERMIT A SIDE SETBACK OF 5 FEET.

WATER RELATED USE (i.e. CLUBHOUSE, DECK, PER AND GAZEBO) TO ENCRDACH ENCROACH INTO THE 25' SETBACK AND TO EXTING 90' INTO AN ARTIFICIAL BODY OF WATER. THIS REQUEST IS MADE PURSUANT TO THE EXCEPTION PROVIDED IN 34-2194(c)(1)(a).

ANT CYP003S20030062

R.V. RESORT

MASTER CONCEPT PLAN

BARBOT, STEUART & ASSOCIATES, INC.

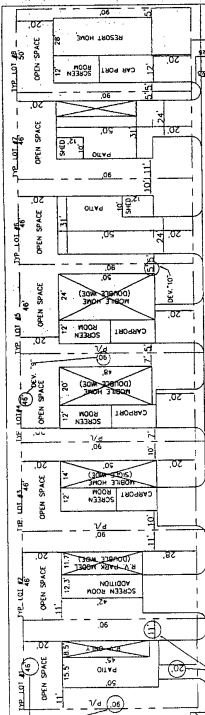
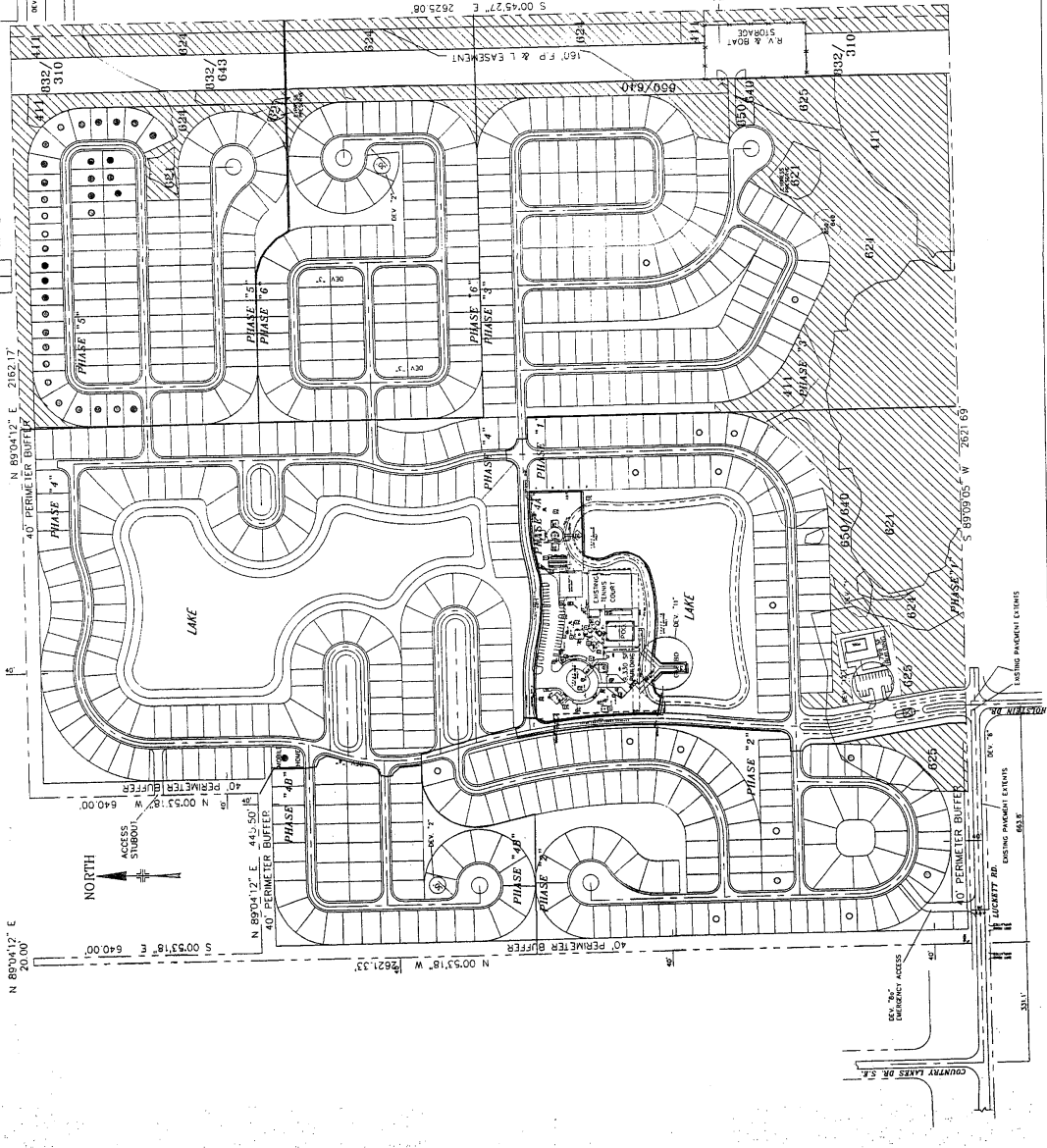
BY:	CHECKED BY:
EVANS	JKS, BEC

T: JURDOOS	CHECKED BY: K.S.BECDOOS	SHEET 1 OF 3	FILE NO. 3434
* = 150' AS NOTED	DATE: MARCH 13, 1995		

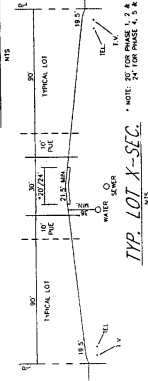
[illegible]

TOTAL AREA = 6,599,945.82 S.F. (151,514 AC.) LAKE = 525,521.97 S.F. (12,064 AC.)
 RIGHT-OF-WAY = 807,098.92 S.F. (18,528 AC.) NO. OF LOTS = 647 UNITS (MAX. 599 R.V. SITES, MIN. 48 M.H. SITES)
 LOT AREA = 2,985,036.10 S.F. (68.27 AC.) GROSS DENSITY = 4.270 UNITS/AC. BUILDING HEIGHT NOT TO EXCEED 35' OR 2 STORIES

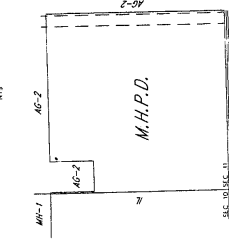
CYPRESS WOODS RESORT



TYPICAL LOT DETAIL



TYP. LOT X-SEC.



AG-2
EXISTING ZONING

SCALE 1" = 800'

KISTING PRESERVE

- PINE FLATWOODS = 4.55 ACRES
- CYPRESS FOREST = 6.66 ACRES
- PINE - CYPRESS FOREST = 9.13 ACRES
- PINE WET PRAIRIE = 2.52 ACRES
/640 = RESTORATION AREA = 2.69 ACRES
/310 = POWERLINE EASEMENT/NERBAC

/643- POWERLINE EASEMENT/WET HERBACEOUS = 3.69 ACRES

$$\begin{array}{r} 2 \\ \hline 2.03 \cdot 10^0 \end{array}$$

 B.C. FOX SQUIRREL PRESERVE 26.94 ACRES

APPROXIMATELY 2000-057

Mt. 03

OPEN SPACE
COMMON AREA:

- 393,054.38 S.F. (9.12 AC.)
- 119,859.58 S.F. (2.752 AC.)
- 525,521.97 S.F. (12.084 AC.)
- 451,210.59 S.F. (10.588 AC.)

ND CREATION
OVAL COMMON AREA
BETWEEN BLOCKS

LOW AREA TOTAL
Silt = 2,814.917 X0 S.F., (50.03 AC.)
= 40.01 %

HURRICANE SHELTER (PT & LOC SECTION 10-258)

16,129 5/1

[illegible]

REMOVE CROSS SECTION	MM'S	1.0
ADDED FINAL DEMONSTRATIONS PER MIKE ROEDER	MM'S	1.0
REVISED TYP. LOT, ADDED DEMONSTRATION & SHELTER CALC'S	MM'S	1.0

REVISION	APPROVED
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* NOTE: 20' FOR PHASE 1, 2 & 3
24' FOR PHASE 4, 5 & 6

SCHEDULE OF USES (UUTU)

RECREATIONAL VEHICLES	
PAIN TRAILERS	
PERSONAL USE	
RECREATIONAL FACILITIES, PERSONAL	
ENTRANCE DATE OF GATEHOUSE	GROUP "Y"
ENTRANCE DATE OF GATEHOUSE	GROUP "Y"
EXCAVATION, WATER RETENTION	
MODEL HOME, UNIT, DISPLAY CENTER	
TENTS	
VEHICLES AND EQUIPMENT TRAILERS, GROUP "Y"	
(DIRECTED TO RECREATIONAL VEHICLES ONLY)	
ACCESSORY USES	
1000 STORAGE GROUP "Y"	
1000 STORAGE GROUP "Y"	
CONSUMPTION ON PREMISES	
STORAGE	
TRAILERS, BOATS,	
TRAILERS, BOATS,	

SCHEDULE OF USES (MHPD)
 AND OTHER VEHICLES AND GOODS BELONGING TO PARK RESIDENTS)
 RECREATION, WATER RETENTION
 MODEL HOME UNIT, DORMY CENTER,
 AND OTHER VEHICLES, PERSONAL
 SEAS
 ACCOMMODATION, SERVICES FACILITIES, GROUP "Y"
 FOOD STORES - GROUP "Y"
 CONSUMPTION ON PREMISES
 STORAGE
 OPEN LIMITED TO RECREATIONAL VEHICLES, TRAILERS, BOATS,
 AND OTHER VEHICLES AND GOODS BELONGING TO PARK RESIDENTS)

DEVELOPMENT OF THE "T" AREA AS INDICATED ON THE MASTER CONCEPT PLAN (NO LONGER APPLICABLE) (NOT NEARLY EXHAUSTIVE)

EXISTING RVPD DEVIATIONS:

A DEVIATION FROM SECTION 441C.41(1) AND (2) NOW LOTS 3-5, 8-9 AND 10-11, TOWNSHIP 36N, RANGE 12E, MERIDIAN 10W, WHICH REQUIRES A 3.00 SQUARE FOOT MINIMUM LOT TO PROVIDE A 1.00 SQUARE FOOT MINIMUM (44 FEET x 90 FEET).

A DEVIATION FROM SECTION 441C.41.4(3) NOW LOTS 1-2, TOWNSHIP 36N, RANGE 12E, MERIDIAN 10W, WHICH REQUIRES 50 FEET AND A STREET (RIGHT-OF-WAY) SETBACK MINIMUM OF 20 FEET TO PROVIDE A 1.00 SQUARE FOOT MINIMUM LOT TO PROVIDE A 1.00 SQUARE FOOT MINIMUM LOT (20 FEET x 50 FEET).

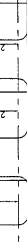
A DEVIATION FROM SECTION 440.08.0.2 OF THE ZONING ORDINANCE NOW LOTS 3-5, 8-9 AND 10-11, TOWNSHIP 36N, RANGE 12E, MERIDIAN 10W, TO PERMIT AN ACCESS ROAD THROUGH THE PREMIER BUTTER CREAM PLANT, WHICH REQUIRES 50 FEET AND A STREET (RIGHT-OF-WAY) SETBACK MINIMUM OF 20 FEET TO PROVIDE A 1.00 SQUARE FOOT MINIMUM LOT (20 FEET x 50 FEET) TO PROVIDE A 1.00 SQUARE FOOT MINIMUM LOT (20 FEET x 50 FEET).

[illegible]

MASTER CONCEPT PLAN		FILE NO.	
CYPRUS FOX SQUIRREL PRESERVE		3434	
BARBOT, STEUART & ASSOCIATES, INC.		SHEET 2 OF 3	
— CONSULTING ENGINEERS —		DATE	
— 110 —		MARCH 12, 1995	
110 EVANS AVENUE, FORT MYERS, FLORIDA 33901, PH. (813) 246-7253		AS NOTED	
BY: J.E.C.S.	CHECKED BY: J.E.C.S.		
E.	CHECKED BY: J.E.C.S.		

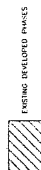
TOTAL AREA	= 6,599,945.82 S.F. (151,514 AC.)	LAKE	= 525,521.97 S.F. (12.064 AC.)
RIGHT-OF-WAY	= 807,098.92 S.F. (18,528 AC.)	NO. OF LOTS	= 647 UNITS (MAX. 599 R.V. SITES, MIN. 48 M.H. SITES)
LOT AREA	= 2,985,036.10 S.F. (68.27 AC.)	GROSS DENSITY	= 4.270 UNITS/AC.

	T	- - - - -	



ACCESS
STUBOUT

HATCH LEGEND



009 - 13W56

CODE	DESCRIPTION
01	BAHIA GRASS FIELD

UNDEVELOPED RURAL AREA	19.41
UNDEVELOPED LAND/TEMPORARY STORAGE	0.01
UNDEVELOPED LAND/TEMPORARY STORAGE	0.01
UNDEVELOPED LAND/TEMPORARY STORAGE	12.26
UNDEVELOPED LAND/TEMPORARY STORAGE	13.46
UNDEVELOPED LAND/TEMPORARY STORAGE	11.89
UNDEVELOPED LAND/TEMPORARY STORAGE	2.54
UNDEVELOPED LAND/TEMPORARY STORAGE	1.30
UNDEVELOPED LAND/TEMPORARY STORAGE	1.00
TOTAL:	64.00

11 - PINE FLATWOODS - 4.55 ACRES
21 - CYPRESS FOREST - 6.66 ACRES
24 - PINE - CYPRESS FOREST - 9.13 ACRES
25 - PINE WET PRairie - 2.52 ACRES

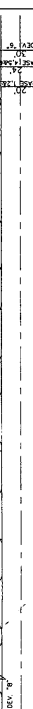
50/640 - RESTORATION AREA = 2.69 ACRES
332/310 - POWERLINE EASEMENT/HERBACEOUS = 2.79 ACRES
332/643 - POWERLINE EASEMENT/WET HERBACEOUS = 3.69 ACRES

100 FOOT PERIMETER BUFFER
100 FOOT AROUND LAKE
KES

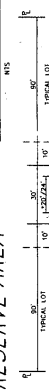
= 461,210.59 S.F. (10,968 AC.) = 760,122.00 S.F. (17.45 AC.) = 251,148.15 S.F. (6,0612 AC.)	= 2,814,917.00 S.F. (60,03 AC.) = 40.01 %
COMMON AREA TOTAL OF SITE	

ED
HURRICANE SHELLERS

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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SC/



RECREATIONAL VEHICLES
PARK TRAILERS
ADMINISTRATIVE OFFICE
RECREATIONAL FACILITIES, PERSONAL
ENTRANCE GATE, OR GATEHOUSE

VEHICLE AND EQUIPMENT DEALERS, GROUP 1
RESTAURANTS, GROUP 1
ESSENTIAL SERVICES FACILITY, GROUP 1
RECREATION, GROUP 1
EARTHQUAKE, WATER RETENTION
MODEL HOME, UNIT, DISPLAY CENTER
TENTS
RESTRICTED TO RECREATIONAL VEHICLE
ACCESSORY USES
FOOD STORES - GROUP 1
PERSONAL SERVICES - GROUP 1
CONSUMPTION ON PREMISES
CONSUMPTION ON PREMISES

EXCAVATION, WATER RETENTION
MODEL HOME UNIT, UNIT, DISPLAY CENTER,
RECREATIONAL FACILITIES, PERSONAL
SIGNS

ESSENTIAL SERVICES FACILITIES, GROUP "A"
ACCESSIBLE TO ALL GROUP "A"
PERSONAL SERVICES - GROUP "A"
CONSUMPTION ON PREMISES
STORAGE
INDOOR
OPEN (LIMITED TO RECREATIONAL VEHICLES, TRAILERS, BOATS,
AND OTHER VEHICLES AND GOODS BELONGING TO PARK RESIDENTS)
EXISTING GENERAL DEVIATIONS:

2. A DEVIATION FROM SECTION 9.P.11.8 OF THE DEVELOPMENT STANDARDS ORDINANCE (NOW LDC 10-714) WHICH REQUIRES A 90 FOOT TURN-OUT PLAN, (NO LONGER APPLICABLE; NO MODERN EQUIVALENT)

3. A DEVIATION FROM SECTION 202.18 B.2 OF THE LEE COUNTY ZONING ORDINANCE (NOW LOC 34-2222 & 34-2152) AND SECTION 7.0.2 OF THE DEVELOPMENT STANDARDS ORDINANCE TO ALLOW THE CORNER LOTS TO BE THE SAME SIZE AS THE OTHER LOTS IN THE STREET SETBACK FROM 20 FT. TO 5 FT. ON THE "B" LOT LINE FOR THE CORNER LOTS.

2. A DEVIATION FROM SECTION 441 C 4 G (3) NOW LDC 34-9396 V X OF LEE COUNTY ZONING REGULATIONS WHICH REQUIRES A 5,000 SQ MINIMUM LOT TO PROVIDE A 4,140 SQUARE FOOT MINIMUM (46 FEE

EXISTING MHPD DEVIATIONS:

- a. A DEVIATION FROM SECTION 480.05(2) OF THE ZONING ORDINANCE NOW LOCUS 34-9396(N.Y.) TO PERMIT AN ACCESS ROAD THROUGH THE PRIMEFIER BUTTERFIELD PARK.
- b. A DEVIATION FROM SECTION 480.05(2) OF THE ZONING ORDINANCE NOW LOCUS 34-9396(N.Y.) TO PERMIT AN ACCESS ROAD THROUGH THE PRIMEFIER BUTTERFIELD PARK.

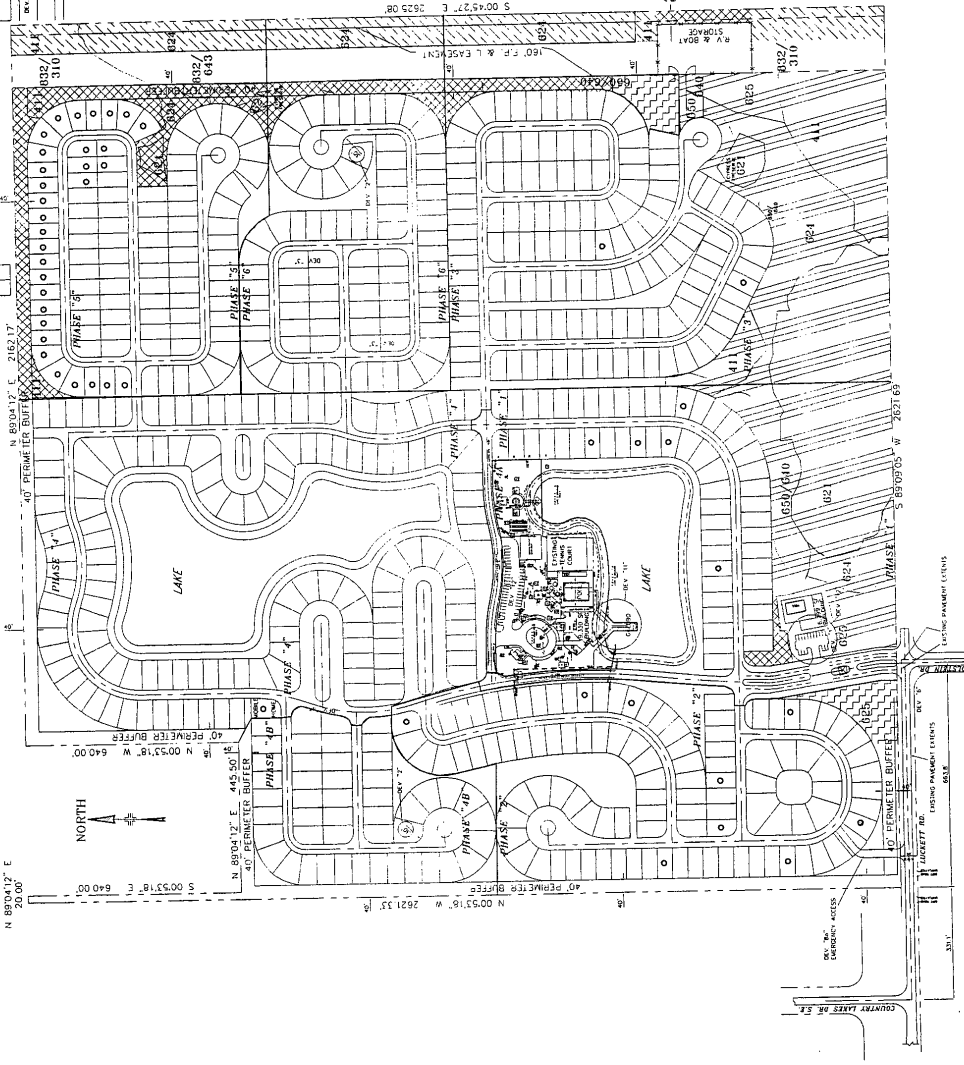
WATER RELATED USE (i.e. CLUBHOUSE, DECK, PIER AND GAZEBO) TO ENOUGH INTO THE 25' SETBACK AND TO EXTEND 90° INTO AN AIR BODY OF WATER. THIS REQUEST IS MADE PURSUANT TO THE EXCEPTED IN 34-2194(c)(1)(v).

12. DEVIATION FROM SECTION 34-20208(4)(2) WHICH WOULD REQUIRE 135 SPACES FOR THE TWO CLUBHOUSE FACILITIES TO PROVIDE 44 SPACES.

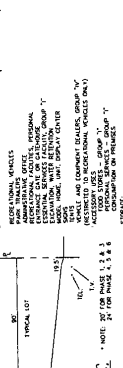
[illegible]

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CYPRESS WOODS RESORT



TYPICAL LOT DETAIL



SCHEDULE OF USES (MHPD)

USE OF LAND IS LIMITED TO RECREATIONAL VEHICLES, TRAILERS, BOATS, AND OTHER VEHICLES AND EQUIPMENT BELONGING TO PARK RESIDENTS. THE FOLLOWING USES ARE PERMITTED:

- RECREATIONAL VEHICLES
- TRAILERS
- BOATS
- OTHER VEHICLES AND EQUIPMENT BELONGING TO PARK RESIDENTS

EXISTING GENERAL DEVIATIONS

EXISTING GENERAL DEVIATIONS FROM THE ZONING ORDINANCE ARE AS FOLLOWS:

- 1. A DEVIATION FROM SECTION 16.1.1 OF THE ZONING ORDINANCE IS THE PERMITTED USE OF RECREATIONAL VEHICLES, TRAILERS, BOATS, AND OTHER VEHICLES AND EQUIPMENT BELONGING TO PARK RESIDENTS.
- 2. A DEVIATION FROM SECTION 16.1.2 OF THE ZONING ORDINANCE IS THE PERMITTED USE OF RECREATIONAL VEHICLES, TRAILERS, BOATS, AND OTHER VEHICLES AND EQUIPMENT BELONGING TO PARK RESIDENTS.

EXISTING RVPD DEVIATIONS

EXISTING RVPD DEVIATIONS FROM THE ZONING ORDINANCE ARE AS FOLLOWS:

- 1. A DEVIATION FROM SECTION 16.1.1 OF THE ZONING ORDINANCE IS THE PERMITTED USE OF RECREATIONAL VEHICLES, TRAILERS, BOATS, AND OTHER VEHICLES AND EQUIPMENT BELONGING TO PARK RESIDENTS.
- 2. A DEVIATION FROM SECTION 16.1.2 OF THE ZONING ORDINANCE IS THE PERMITTED USE OF RECREATIONAL VEHICLES, TRAILERS, BOATS, AND OTHER VEHICLES AND EQUIPMENT BELONGING TO PARK RESIDENTS.

NEW GENERAL DEVIATIONS

NEW GENERAL DEVIATIONS FROM THE ZONING ORDINANCE ARE AS FOLLOWS:

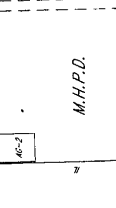
- 1. A DEVIATION FROM SECTION 16.1.1 OF THE ZONING ORDINANCE IS THE PERMITTED USE OF RECREATIONAL VEHICLES, TRAILERS, BOATS, AND OTHER VEHICLES AND EQUIPMENT BELONGING TO PARK RESIDENTS.
- 2. A DEVIATION FROM SECTION 16.1.2 OF THE ZONING ORDINANCE IS THE PERMITTED USE OF RECREATIONAL VEHICLES, TRAILERS, BOATS, AND OTHER VEHICLES AND EQUIPMENT BELONGING TO PARK RESIDENTS.

EXISTING MHPD DEVIATIONS

EXISTING MHPD DEVIATIONS FROM THE ZONING ORDINANCE ARE AS FOLLOWS:

- 1. A DEVIATION FROM SECTION 16.1.1 OF THE ZONING ORDINANCE IS THE PERMITTED USE OF RECREATIONAL VEHICLES, TRAILERS, BOATS, AND OTHER VEHICLES AND EQUIPMENT BELONGING TO PARK RESIDENTS.
- 2. A DEVIATION FROM SECTION 16.1.2 OF THE ZONING ORDINANCE IS THE PERMITTED USE OF RECREATIONAL VEHICLES, TRAILERS, BOATS, AND OTHER VEHICLES AND EQUIPMENT BELONGING TO PARK RESIDENTS.

TYP. LOT X-SEC.



EXISTING ZONING

EXISTING ZONING FROM THE ZONING ORDINANCE IS AS FOLLOWS:

- 1. ZONING 16.1.1
- 2. ZONING 16.1.2

INDIGENOUS OPEN SPACE

LANDS	ACRES
100%	4.44
100%	1.27
100%	4.88
100%	16.70
TOTAL PROVIDED	27.37
TOTAL REQUIRED	27.37

OPEN SPACE

COMMON AREA:

- 1. 100% TRAILER BUFFER
- 2. 100% TRAILER BUFFER
- 3. 100% TRAILER BUFFER
- 4. 100% TRAILER BUFFER

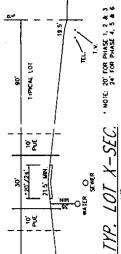
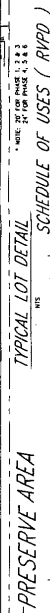
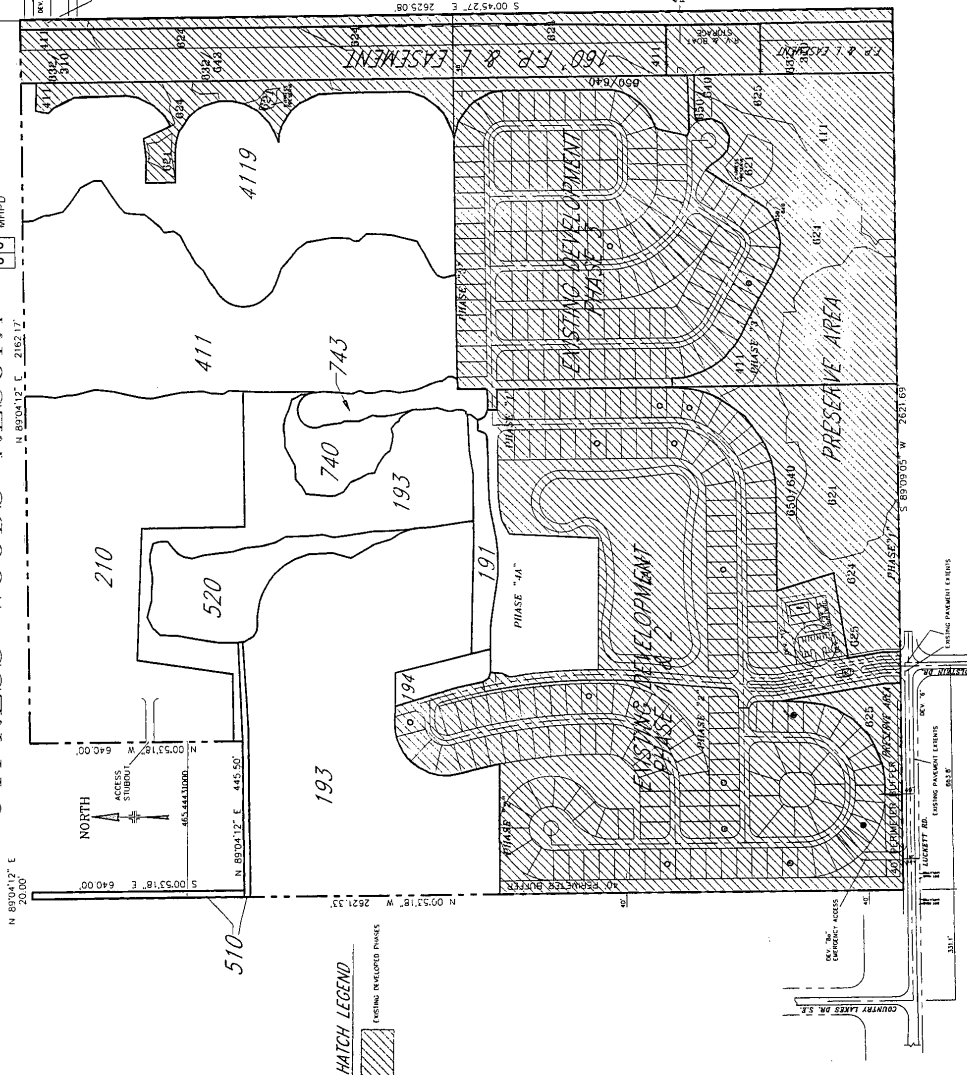
HURRICANE SHELTER

HURRICANE SHELTER (PER LOC SECTION 16-28)

- 1. 100% TRAILER BUFFER
- 2. 100% TRAILER BUFFER
- 3. 100% TRAILER BUFFER
- 4. 100% TRAILER BUFFER

TOTAL AREA = 6,509,945.82 S.F. (151,514 AC.) LAKE = 525,521.97 S.F. (12,064 AC.)
 RIGHT-OF-WAY = 807,098.92 S.F. (18,528 AC.) NO. OF LOTS = 647 UNITS (MAX. 599 R.V. SITES, MIN. 48 M.H. SITES)
 LOT AREA = 2,985,036.10 S.F. (68.27 AC.) GROSS DENSITY = 4,270 UNITS/AC.

CYPRESS WOODS RESORT



SCHEDULE OF USES (MHPD)
AND OTHER VEHICLES AND GOODS BELONGING TO PARK RESIDENTS)

SCHEDULE OF USES

EXISTING GENERAL DEVIATIONS:

1. A DEVIATION FROM SECTION 6.03 OF ORDINANCE 84-31 TO ALLOW FOR THE DEPLOYMENT OF THE "17" AREA AS INDICATED ON THE MASTER CONCEPT MAP (NO OTHERS APPLICABLE; NO MODERN COMMENTS).

A DEVIATION FROM SECTION 9.1, 9.2 AND A TABLE 9-1 OF THE DEVELOPMENT STANDARDS ORDINANCE (NOW TABLE 1 OF LDC 10-285) IS REQUIRED FOR SECTION 9.3 OF THE LDC DEVELOPMENT ORDINANCE (NOW TABLE 10-285) TO ALLOW FOR ONE WAY OF INGRESS AND EGRESS A DEVELOPMENT OF MORE THAN FIVE ACRES.

A DEVIATION OF SECTION 9.2 AND TABLE 9-2 OF THE DEVELOPMENT STANDARDS ORDINANCE (NOW TABLE 3 OF LDC10-285) WHICH REQUIRES A 20 FOOT RIGHT-OF-WAY FOR A LOCAL STREET WITH OPEN DRAINAGE TO ADJACENT STREET WITH 30 FEET OF RIGHT-OF-WAY AND OPEN DRAINAGE.

PENDING RP/DO DEVIATIONS:

A DEMONSTRATION FROM SECTION 411 C.41(1) AND (2) (NOW LOC 34-937610) IN
LEE COUNTY ZONING REGULATIONS WHICH REQUIRES A 5,000 SQUARE FOOT
MIN LOT TO PROVIDE A 4,110 SQUARE FOOT MINIMUM (46 FEET x 90 FEET)

A DEVIATION FROM SECTION 461 C.4.9 (3) NOW LDC 34-9356(X)7(6) WHICH APPLIES A SIDE SETBACK OF 10 FEET AND A STREET (RIGHT-OF-WAY) SETBACK OF 15 FEET TO PERMIT A SIDE SETBACK OF 5 FEET AND A STREET (RIGHT-

WAY) BE BACK OF 20 FEET FOR A NON-TRANSIENT PARK
A SEPARATION FROM SECTION 480.05.2.c OF THE ZONING ORDINANCE(NOW
34-9-390(h)(3)) TO PERMIT AN ACCESS ROAD THROUGH THE PERMITION BUFFER

EXISTING MHPD DEVIATIONS:

IT = 100 FEET) TO PROVIDE A 4,140 SQUARE FOOT MINIMUM LOT
FEET = 90 FEET)

NEW GENERAL DEVIATIONS:

FOR OTHER RELATED USE (i.e., CLUBHOUSE, DECK, PIER AND GAZEBO) TO ENDOCRINE
BIOLOGICAL INTO THE 25' SETBACK AND TO EXTEND 90' INTO AN ARTIFICIAL
Y OF WATER. THIS REQUEST IS MADE PURSUANT TO THE EXCEPTION
MODED IN 34-2194(c)(1)(a).

DEVIATION FROM SECTION 34-2020(4)(a.2) WHICH WOULD REQUIRE 135 SPACES
THE TWO CLIMBHOUSE FACILITIES TO PROVIDE 44 SPACES.

CYPRESS FOODS, INC.
P.O. BOX 100
CYPRESS, TEXAS 77424

U. S. V. RECOR JUN 04 2003
MASTER CONCEPT PLAN
DESIGNED BY THE U.S. NAVY

EXHIBIT III
BARBOT, STEUART & ASSOCIATES, INC.

ST.	CHECKED BY:
CONSULTING ENGINEERS EVANS AVENUE, FORT MYERS, FLORIDA 33901, PH. (239) 936-7353	

INSTR.	INSTR.	FILE NO.
INSTR.	INSTR.	

* 150' AS NOTED	DATE: MARCH 13, 1995	SHEET 3 OF 3	3434
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OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

HEARING EXAMINER RECOMMENDATION

REZONING: DCI2002-00062
APPLICANT: CYPRESS WOODS R.V. RESORTS ASSOCIATES
HEARING DATE: OCTOBER 23, 2003

RECEIVED
OCT 28 2003
ZONING

I. APPLICATION:

This matter came before the Lee County Hearing Examiner as an Application for an Amendment to a Mobile Home Planned Development (MHPD) and a Recreational Vehicle Planned Development (RVPD) pursuant to the Lee County Land Development Code (LDC).

Filed by CYPRESS WOODS R.V. RESORT ASSOCIATES, 5551 Lockett Road, Fort Myers, Florida 33905 (Applicant/Owner); MICHAEL E. ROEDER, % KNOTT, CONSOER, EBELINI, HART & SWETT, P.A., 1625 Hendry Street, Suite 301, Fort Myers, Florida 33901 (Agent).

Request is to amend the existing Mobile Home Planned Development (MHPD) and Recreational Vehicle Planned Development (RVPD) district to reduce the overall number of units allowed within the development from 684 to 647 units; change the allowed mixture of units to a maximum of 599 recreational vehicle sites and a minimum of 48 mobile home sites; and revise or clarify certain conditions within the planned development.

The subject property is located at 5551 Lockett Road (take I-75 north, turn off on the Lockett Road and exit towards Fort Myers (139), continue for one-third of a mile on Lockett Road), in Section 11, Township 44 South, Range 25 East, Lee County, Florida (District #5).

II. STAFF REPORT AND RECOMMENDATION: APPROVE WITH CONDITIONS

The Department of Community Development Staff Report was prepared by Chip Block. The Staff Report is incorporated herein by this reference.

III. RECOMMENDATION OF HEARING EXAMINER:

The undersigned Lee County Hearing Examiner recommends that the Lee County Board of County Commissioners **APPROVE** the Applicant's request to amend a MHPD and RVPD to reduce the overall number of units to 647, changed allowed mixture of units to a maximum of 599 RV sites and a minimum of 48 mobile home site and revise or clarify conditions of the planned development for the real estate described in Section IX. Legal Description WITH THE FOLLOWING CONDITIONS AND DEVIATIONS:

A. CONDITIONS:

1. All Conditions of Resolution Z-94-025 and Administrative Amendments PD-95-019 and ADD 2002-00111 remain in full force and effect, except as amended by this zoning action. Regarding ADD2003-00122, the approval of Deviations 1 and 2 of that action remain in effect. Also Conditions 1 of ADD2003-00122 related to approval of Deviation 1, Condition

2 (with the exception of the approved number and type of units), and Conditions 3 through 6 remain in effect.

2. Condition 1 of Resolution Z-94-025 and Condition 2 of Administrative Action PD-95-019 are hereby replaced with the following language. The development of this project must be consistent with the three-page Master Concept Plan entitled "Cypress Woods R.V. Resort, Master Concept Plan," stamped received June 04, 2003, last revised May 05, 2003, except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

This project is limited to a maximum total of 647 mobile home and recreational vehicle units, consisting of a maximum of 599 recreational vehicle units and a minimum of 48 mobile home units at project build-out. No changes to these maximum totals may be permitted without an amendment of this planned development through the public hearing process.

3. Condition 7 (Resolution Z-94-025) is amended to eliminate the requirement for a fence in any future phase/section of the development. Where the fence is existing and required as part of the existing development approval, the fence must be continued and maintained in good condition.

B. DEVIATIONS:

The Applicant has withdrawn the two requested deviations originally filed with this case; they are no longer necessary as they were approved by Administrative Amendment ADD2003-00122.

IV. HEARING EXAMINER DISCUSSION:

This is a request to amend an existing Mobile Home Planned Development (MHPD)/Recreational Vehicle Planned Development (RVPD) to reduce the overall total of dwelling unit lots/sites, to reduce the number of mobile home sites and to increase the number of RV sites. The subject property is a partially developed 151.5-acre tract located on the east end of Lockett Road. It is surrounded on the north, east and south by AG-2 zoning with a mixture of agricultural and scattered residential uses, and on the west by developing IL uses. It is designated Urban Community and Wetlands in the Lee Plan.

The MHPD/RVPD zoning was granted on the subject property in 1994 for a total of 684 lots for 399 RVs and 285 mobile homes. Since that date the planned development zonings have been amended at least twice by Administrative Amendment. Those Amendments reduced the total number of sites, redistributed the number of sites between mobile homes and RVs, addressed environmental issues, and established certain land development regulations.

Applicant indicated that this development is a subdivision in which the RV or mobile home owner purchases the lot for their unit. Three phases of the development have been completed, with about 290 of the home sites having been sold. Of that number, about 18 of the sites are occupied by mobile homes, which is why they are requesting to increase the number of RV sites. The park owners are experiencing many more requests for RV sites than

for mobile home sites, and the majority of the RV lots sold have been to seasonal residents who drive their RVs to the site and park it there for the season.

It was noted that the DRI threshold for an RV park is 500 sites and that a park with more than 500 sites would be presumed to be a Development of Regional Impact, which presumption was rebuttable under the provisions of Section 380.06, Florida Statutes. Applicant has obtained a Binding Letter of Interpretation from the Florida Department of Community Affairs (FDCA) that found the proposed development with 599 RV sites would not constitute a Development of Regional Impact. The FDCA found that Applicant successfully rebutted the presumption that the proposed development would create or result in transportation or other regional impacts. However, the Binding Letter was limited strictly to the proposed development; if the development should exceed 599 RV sites, a new Binding Letter would be required.

Applicant explained that there would not be any revisions to the approved site and phasing plan, which meant that the environmental conditions from the previous approvals would still be in force and effect. The requested changes herein will have no impacts on the environmentally sensitive areas of the site.

Applicant also asked for the deletion of the fencing condition in the prior approval. They noted that there is industrial development on the west side, and agricultural lands with some scattered residences on the north, east and south sides of the park. They do not believe an 8-foot-high fence/wall is necessary or appropriate around the north, east and south sides, given the lack of impacts and the lack of development on those properties.

Staff recommended approval of the requested amendment, with conditions, finding that the request, as conditioned, met the criteria for approval, and continued to be consistent with the Lee Plan and Land Development Code. They found that the increase in the number of RV lots would not be injurious or detrimental to the area, and would not cause adverse impacts on the surrounding properties.

Staff concurred with Applicant's arguments, assertions and reasoning that the increase in the RV units would not result in an increase in traffic or other impacts. They also concurred with the Binding Letter issued by FDCA finding that, as long as the RV sites were limited to 599, the proposed development would not be a Development of Regional Impact and would not need to undergo the Development of Regional Impact review set out in Section 380.06 of the Florida Statutes.

There were no members of the public or adjacent property owners in attendance at the public hearing. The Hearing Examiner's files, also, did not contain any letters or notices of objections or comments by the public or adjacent property owners.

The undersigned Hearing Examiner concurs with Staff's analysis, findings and recommendation of approval, with conditions, finding that the request, as conditioned, meets the criteria for approval set out in LDC Section 34-145, and is consistent with the intent of the Lee Plan and the Land Development Code. She finds that the request, as conditioned, is compatible with the mixture of uses in the neighborhood, and will not be detrimental or injurious to the persons or properties in the area.

It is the opinion of the Hearing Examiner that the conditions imposed herein are reasonably related to the impacts anticipated from the proposed uses and, with other regulations, will safeguard the public health, safety and welfare.

The Hearing Examiner accepts the FDCA's finding in the Binding Letter of Interpretation of Development of Regional Impact status that the proposed development, with 599 RV spaces, does not constitute a Development of Regional Impact.

V. FINDINGS AND CONCLUSIONS:

Based upon the Staff Report, the testimony and exhibits presented in connection with this matter, the undersigned Hearing Examiner makes the following findings and conclusions:

- A. That the Applicant has proved entitlement to this request, as conditioned, by demonstrating compliance with the Lee Plan, the Land Development Code, Section 380.06, Florida Statutes, and other applicable codes or regulations.
- B. That the request, as conditioned, will meet or exceed all performance and locational standards set forth for the potential uses allowed by the request.
- C. That the request, as conditioned, is consistent with the densities, intensities and general uses set forth in the Lee Plan.
- D. That the request, as conditioned, is compatible with existing or planned uses in the surrounding area.
- E. That approval of the request, as conditioned, will not place an undue burden upon existing transportation or planned infrastructure facilities, and the development will be served by streets with the capacity to carry traffic it generates.
- F. That the request, as conditioned, will not adversely affect environmentally critical areas and natural resources.
- G. That the proposed mix of uses, as conditioned, are appropriate at the subject location.
- H. That the recommended conditions to the Master Concept Plan are reasonably related to the impacts anticipated from the proposed development, and, with other regulations, will provide sufficient safeguard to the public interest.
- I. That urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
- J. That, as reflected in the FDCA Binding Letter of Interpretation of Development of Regional Impact, the request, as conditioned, does not constitute a Development of Regional Impact under the provisions of Section 380.06, Florida Statutes.

VI. LIST OF EXHIBITS:

Master Concept Plan for Cypress Woods Resort, three pages, prepared by Barbot, Stuart & Associates, Inc., dated March 13, 1995, last revised April 14, 2003

Aerial photograph, dated 2002 [color]

STAFF'S EXHIBITS

Résumés of Lee County Staff are on file with the Hearing Examiner's Office and are incorporated herein.

APPLICANT'S EXHIBITS

Résumés of Applicant's consultants are on file with the Hearing Examiner's Office and are incorporated herein.

VII. PRESENTATION SUMMARY:

The Hearing Examiner explained the hearing process and placed all the participants under oath. Matt Uhle, with Knott, Consoer, Ebelini, Hart & Swett, Consoer, Ebelini, Hart & Swett law firm, introduced himself as the Applicant's representative and stated that there were no outstanding issues regarding the Staff Report.

The project was originally approved by the Board of County Commissioners (BOCC) in 1994 and that resolution was included in the Staff Report. The approval for the Mobile Home Planned Development (MHPD) and Recreational Vehicle Planned Development (RVPD) included the ability to move some units around within the project. The total number requested at that time was 684 lots, with a maximum of 399 recreational vehicle (RV) lots. The Development of Regional Impacts (DRI) threshold for RVs, for reasons that nobody could explain, was 500 spaces. Therefore, 399 was one less than the 80 percent threshold.

As the Staff Report pointed out, two Administrative Amendments have been granted to reduce the number of mobile home lots and RV spaces to 674, with RV spaces accounting for 374 of those. The Applicant as since determined that it is in their best interests to maximize the number of RV spaces within the project. They were not proposing to increase the number of overall lots/space, but wanted to have more RVs in the approved mix of lots on the property. They proposed to increase the number of RVs to 599, which they could do without being conclusively determined to be a DRI, even though the threshold is 500. They were, however, presumed to be a DRI unless they received a Binding Letter of Determination from the Department of Community Affairs (DCA) stating otherwise. They have received that Binding Letter.

Mr. Uhle stressed his opinion that the removal of a mobile home from a space and replacing it with a RV unit does not create regional impacts. From an analytical perspective, it was not hard to make the case, but, as with all cases involving the DCA, it took time. That was the reason for the continuances.

Next, Mr. Uhle explained two deviations were originally requested, but, since they were more time sensitive, they were dealt with through the Administrative Amendment process. That amendment was attached to the Staff Report, but was not part of the instant hearing. The

proposed request before the Hearing Examiner, they believed, would not create any additional impacts.

The Hearing Examiner asked Mr. Uhle if there were 48 existing mobile homes on the site, to which he replied there were not. She then asked if he anticipated that number and possibly more, realizing that 48 was the minimum? Mr. Uhle deferred the question to Michael Roeder, with Knott, Consoer, Ebelini, Hart & Swett law firm.

Mr. Roeder introduced himself and stated that Avi Harpaz, the park owner, was also in attendance. In response to the Hearing Examiner's question regarding the 48 mobile homes, he stated she was correct that it was always intended to be a mixture of the two uses on the site. That was why they had received two planned development zoning districts. There were probably more than 12 mobile homes on the site at this time, but he believed there was no concern about achieving 48 by the time of buildout. He noted that the way the request was structured the park could eventually become all mobile home lot. However, they didn't foresee that as RV lots were much more popular with the buyers than mobile homes. They had not experienced any problems mixing the two types of units; it was a very nice park and everyone gets along.

The other portion of the request was to eliminate a condition from the original zoning that required a fence along the entire perimeter. A fence has been built adjacent to the developed portions, but the aerial photograph shows there were no abutting developments, adjacent to the undeveloped portion of the site, that need to be shielded. There was an existing 40-foot perimeter buffer around the site, and they believed that the fence was an unnecessary and pointless expense. Therefore, the Applicant requested that condition be removed and Staff supported that request.

The Hearing Examiner asked if the RVs in the park were actually set up or would they be coming and going during the season? Mr. Roeder stated that most of the RVs were the large bus-type models; some would stay all year, but others would leave after season. The residents have purchased their own lots, so it is not a transient park, but a subdivision. That was why they believed there was no discernable difference between a mobile home and a recreational vehicle in this situation. In either case, the residents own their lots and come for the season.

The Hearing Examiner had thought that the RV lots would be rentals while the mobile home lots would be owned. Mr. Roeder commented that a few lots may be set aside for visitors and prospective buyers, but it was really a subdivision in which the lots were sold.

Chip Block, Development Services, referred to the second paragraph of Condition 2 of the Staff Report and stated that "maximum of 48 mobile home units" should be "minimum of 48 mobile home units." He noted that Mr. Uhle and Mr. Roeder had stated that there could be more mobile homes on the site.

The Hearing Examiner also suggested changing part of the next sentence from "No changes to these maximum totals . . ." to "No changes to the maximum total . . ." Mr. Uhle indicated that the phrase "at project buildout" should be added at the end of "minimum of 48 mobile home units."

After being sworn in, the Hearing Examiner asked Mr. Harpaz, owner of the park, if most of the interest for the RV units was directed toward the mobile RVs or the stationary, anchored park model RV units? Mr. Harpaz indicated that three phases, totaling 290 lots, had been developed to date and all were completely sold. Most of the owners had the very expensive RV motor homes and they usually arrived between November and January and left around March or April, taking the RV with them. It was the Hearing Examiner's understanding that most of the park would be vacant during the balance of the year, except for the mobile homes and some of the stationary, anchored RV units.

Next, Mr. Block, Development Services, introduced himself and asked to be accepted as an expert witness in the Lee Plan and the Land Development Code (LDC), as it pertained to development and zoning matters. He referred to the Staff Report, dated October 3, 2003, which had been issued at least two weeks prior to the public hearing.

He agreed that Mr. Uhle and Mr. Roeder had accurately depicted the proposed changes and that the requested deviations were being withdrawn because they were processed administratively. Staff recommended approval of the request with the conditions outlined in the Staff Report, and as supplemented and changed during the Applicant's presentation. Staff agreed with those changes and asked the Hearing Examiner to incorporate them in the final recommendation to the BOCC. He noted that a copy of the Binding Letter of Determination that was prepared by DCA was also attached to the Staff Report.

In conclusion, Mr. Block indicated that Staff recommended approval of the request, with the appropriate conditions and changes. They found the request consistent with the Lee Plan and provided findings and conclusions, based upon their analysis, in the Staff Report.

The Hearing Examiner stated that the Binding Letter of Determination stated that 599 RVs units would not be a substantial problem with the transportation and traffic impact. She understood that when the residents were not there, the traffic would be substantially reduced. She asked Mr. Roeder if the completed traffic study was based on peak season? Mr. Roeder replied that it was done in 1993 using the trip generation rates for mobile homes, because the Institute of Transportation Engineers (ITE) manual does not have a rate for RVs. They substituted a recreational vehicle in place of a mobile home, which would not change the traffic, because the characteristics of the people residing in them are virtually identical. There would be about the same amount of traffic with seasonal RVs and mobile home residents. Therefore, the traffic approved in 1994 for 684 units would not be changed by the mixture of RVs and mobile homes. In fact, the traffic might be reduced slightly.

The Hearing Examiner was concerned that the surrounding roadways would experience a significant increase in traffic during season, especially when many of the larger RVs tow a car. Mr. Roeder replied that all that information was taken into account when the 1993 traffic study was completed. The park is actually located on Luckett Road, a dead-end road, which also connects to the Interstate 75 (I-75) interchange. He believed that, in terms of traffic, there was no better location for the proposed uses.

In closing, Mr. Uhle noted that the road impact fee schedule listed RVs and mobile homes within mobile home parks in the same category, which meant they had the same trip generation.

The Hearing Examiner indicated that she would conduct a site visit prior to rendering her recommendation. The hearing was then closed.

VIII. OTHER PARTICIPANTS AND SUBMITTALS:

ADDITIONAL APPLICANT'S REPRESENTATIVES:

1. Avi Harpaz, 5551 Lockett Road, Ft. Myers, Florida 33905
2. Matthew D. Uhle, % Knott, Consoer, Ebelini, Hart & Swett, P.A., 1625 Hendry Street, Fort Myers, Florida 33901

ADDITIONAL COUNTY STAFF:

1. Joan Henry, Assistant County Attorney, P. O. Box 398, Ft. Myers, Florida 33902-0398

PUBLIC PARTICIPATION:

A. THE FOLLOWING PERSONS TESTIFIED OR SUBMITTED EVIDENCE FOR THE RECORD AT THE HEARING (SEE SECTION VII.):

For: NONE

Against: NONE

B. THE FOLLOWING PERSONS SUBMITTED A LETTER/COMMENT CARD, OR OTHERWISE REQUESTED A COPY OF THE HEARING EXAMINER RECOMMENDATION:

For: NONE

Against: NONE

IX. LEGAL DESCRIPTION:

See Exhibit A (scanned legal description).

X. UNAUTHORIZED COMMUNICATIONS:

Unauthorized communications shall include any direct or indirect communication in any form, whether written, verbal or graphic, with the Hearing Examiner, or the Hearing Examiner's staff, any individual County Commissioner or their executive assistant, by any person outside of a public hearing and not on the record concerning substantive issues in any proposed or pending matter relating to appeals, variances, rezonings, special exceptions, or any other matter assigned by statute, ordinance or administrative code to the Hearing Examiner for decision or recommendation. . . . [Administrative Code AC-2-5]

No person shall knowingly have or attempt to initiate an unauthorized communication with the Hearing Examiner or any county commissioner [or their staff]. . . . [LDC Section 34-52(a)(1), emphasis added]

Any person who knowingly makes or attempts to initiate an unauthorized communication . . . [may] be subject to civil or criminal penalties which may include: [Section 34-52(b)(1), emphasis added]

Revocation, suspension or amendment of any permit variance, special exception or rezoning granted as a result of the Hearing Examiner action which is the subject of the unauthorized communication. [LDC Section 34-52(b)(1)b.2.]; OR

A fine not exceeding \$500.00 per offense, by imprisonment in the county jail for a term not exceeding 60 days, or by both such fine and imprisonment. [LDC Section 1-5(c)]

XI. HEARING BEFORE LEE COUNTY BOARD OF COUNTY COMMISSIONERS:

A. This recommendation is made this 28TH day of October, 2003. Notice or copies will be forwarded to the offices of the Lee County Board of County Commissioners.

B. The original file and documents used at the hearing will remain in the care and custody of the Department of Community Development. The documents are available for examination and copying by all interested parties during normal business hours.

C. The Board of County Commissioners will hold a hearing at which they will consider the record made before the Hearing Examiner. The Department of Community Development will send written notice to all hearing participants of the date of this hearing before the Board of County Commissioners. Only participants, or their representatives, will be allowed to address the Board. The content of all statements by persons addressing the Board shall be strictly limited to the correctness of Findings of Fact or Conclusions of Law contained in the recommendation, or to allege the discovery of relevant new evidence which was not known by the speaker at the time of the earlier hearing before the Hearing Examiner and not otherwise disclosed in the record.

D. The original file containing the original documents used in the hearing before the Hearing Examiner will be brought by the Staff to the hearing before the Board of County Commissioners. Any or all of the documents in the file are available on request at any time to any County Commissioner.

XII. COPIES OF TESTIMONY AND TRANSCRIPTS:

A verbatim transcript of the testimony presented at the hearing can be purchased from the court reporting service under contract to the Hearing Examiner's Office. The original documents and file in connection with this matter are located at the Lee County Department of Community Development, 1500 Monroe Street, Fort Myers, Florida.



DIANA M. PARKER
LEE COUNTY HEARING EXAMINER
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, FL 33902-0398
Telephone: 239/479-8100
Facsimile: 239/479-8106

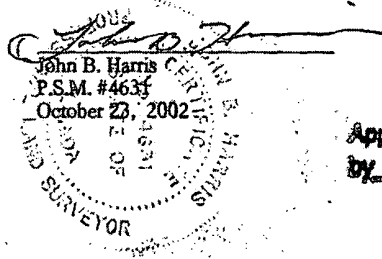
DESCRIPTION:

A parcel or tract of land lying in the Southwest Quarter (S.W.1/4) of Section 11, Township 44 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Southwest corner of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11; thence run N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 25.00 feet to the North line of Luckett Road (50 feet wide) and the point of beginning; thence continue N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2621.45 feet to Northwest corner of said Southwest Quarter (S.W.1/4); thence run N.89°01'53"E. for 20.00 feet to the Northwest corner of lands described in Official Record Book 1848, Page 3142 of the Public Records of Lee County, Florida; thence run S.00°53'18"E. along the West line of said lands for 640.00 feet; thence run N.89°01'53"E. along the South line of said lands for 445.50 feet; thence run N.00°53'18"W. along the East line of said lands for 640.00 feet to the Northeast corner of said lands and the North line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11; thence run N.89°01'53"E. along the North line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2161.66 feet to the Northeast corner of the Southwest Quarter (S.W.1/4) of said Section 11; thence run S.00°46'12"E. along the East line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2626.95 feet to the North line of the aforesaid Luckett Road; thence run S.89°09'05"W along the North line of said Luckett Road for 2621.74 feet to the point of beginning.

Said tract contains 151.559 acres, more or less and is subject to easements, restrictions and reservations of record.

Bearings are based on the West line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11 as being N.00°53'18"W.



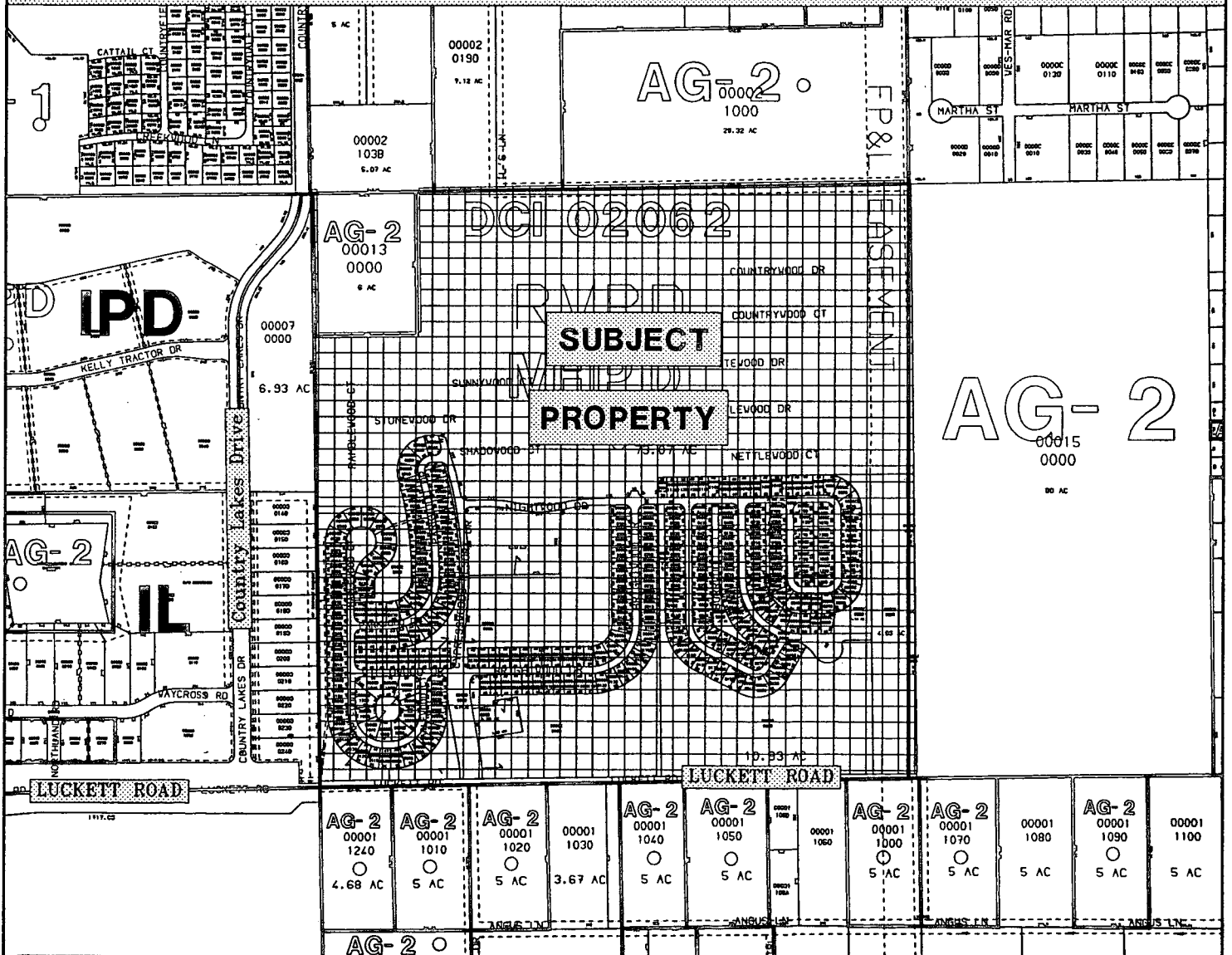
Applicant's Legal Checked
by AMJ 15 JULY 03

RECEIVED
JUL 15 2003
PERMIT COUNTER

DCI 2002-00062

EXHIBIT A

ZONING MAP



A

INSTRUCTIONS

(Section C.1.c., Lee County Administrative Code AC 2-8)

A zoning sign must be posted on the parcel subject to any zoning application for a minimum of fifteen CALENDAR (15) days in advance of the Hearing Examiner's Public Hearing and maintained through the Board of County Commissioners Hearing, if any. This sign will be provided by the Development Services Division in the following manner:

- Signs for case #DCI2002-00062 must be posted by **October 7, 2003**.
- The sign must be erected in full view of the public, not more than five (5) feet from the nearest street right-of-way or easement.
- The sign must be securely affixed by nails, staples or other means to a wood frame or to a wood panel and then fastened securely to a post, or other structure. The sign may not be affixed to a tree or other foliage.
- The applicant must make a good faith effort to maintain the sign in place, and readable condition until the requested action has been heard and a final decision rendered.
- If the sign is destroyed, lost, or rendered unreadable, the applicant must report the condition to the Development Services Division, and obtain duplicate copies of the sign from the Development Services Division.

The Division may require the applicant to erect additional signs where large parcels are involved with street frontages extending over considerable distances. If required, such additional signs must be placed not more than three hundred (300) feet apart.

When a parcel abuts more than one (1) street, the applicant must post signs along each street. When a subject parcel does not front a public road, the applicant must post the sign at a point on a public road which leads to the property, and the sign must include a notation which generally indicates the distance and direction to the parcel boundaries and the dimensions of the parcel.

NOTE: AFTER THE SIGN HAS BEEN POSTED, THE AFFIDAVIT OF POSTING NOTICE, BELOW, SHOULD BE RETURNED NO LATER THAN THREE (3) WORKING DAYS BEFORE THE INITIAL HEARING DATE TO LEE COUNTY DEVELOPMENT SERVICES DIVISION, 1500 MONROE ST., FT. MYERS, FL 33901.

(Return the completed Affidavit below to the Development Services Division as indicated in previous paragraph.)

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED AVI HARPAZ
WHO ON OATH SAYS THAT HE/SHE HAS POSTED PROPER NOTICE AS REQUIRED BY SECTION 34-236(b) OF THE
LEE COUNTY LAND DEVELOPMENT CODE ON THE PARCEL COVERED IN THE ZONING APPLICATION
REFERENCED BELOW:

Avi Harpaz
SIGNATURE OF APPLICANT OR AGENT

AVI HARPAZ
NAME (TYPED OR PRINTED)

5551 LUCKETT ROAD
ST. OR PO BOX

PORT MYERS, FL 33905
CITY, STATE & ZIP

#DCI2002-00062 / Cypress Woods RV / 10/23/03 / (rt)

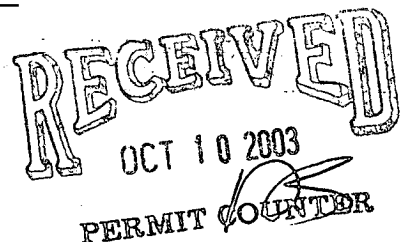
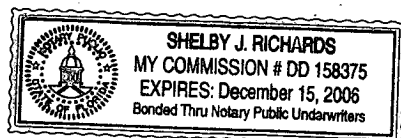
STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 6TH day of OCTOBER,
2003, by AVI HARPAZ, personally known to me or who produced N/A
as identification and who did/did not take an oath.

Shelby J. Richards
Signature of Notary Public

SHELBY J. RICHARDS
Printed Name of Notary Public

My Commission Expires:
(Stamp with serial number)



**LEE COUNTY, FLORIDA
ZONING DIVISION
STAFF REPORT**

TYPE OF CASE: PLANNED DEVELOPMENT/DCI

CASE NUMBER: DCI2002-00062

HEARING EXAMINER DATE: October 23, 2003

I. APPLICATION SUMMARY:

- A. Applicant: Cypress Woods RV Resort
- B. Request: Amend the existing Mobile Home Planned Development (MHPD) and Recreational Vehicle Planned Development (RVPD) district to reduce the overall number of units allowed within the development from 684 to 647 units; change the allowed mixture of units to a maximum of 599 recreational vehicle sites and a minimum of 48 mobile home sites; and revise or clarify certain conditions within the planned development.
- C. Location: The subject property is located at 5551 Lockett Road (take I-75 North, turn off on the Lockett Road exit towards Fort Myers (139), continue .3 miles on Lockett Road), in S11-T44S-R25E, Lee County, FL. (District #5)
- D. Future Land Use Plan Designation, Current Zoning and Use of Subject Property: The subject property is in the Urban Community and Wetlands future land use plan designations. The site is currently zoned RVPD and MHPD and is partially developed with a recreational vehicle and mobile home project.
- E. Surrounding Land Use:

Existing Zoning & Land Use

Future Land Use Map

North: AG-2 zoning with homes and agricultural uses

Urban Community

East: AG-2 zoning with homes and agricultural uses

Rural Community
Preserve

South: AG-2 zoning with homes, vacant parcels, and agricultural uses.

Urban Community and
Wetlands

West: IL zoning with light industrial uses and some vacant parcels.

Industrial Interchange

- F. Size of Property: 151.5± acres

II. RECOMMENDATION:

Staff recommends **APPROVAL** of the Applicant's request to amend the existing Mobile Home Planned Development and Recreational Vehicle Planned Development zoning with the following conditions and deviations:

A. Conditions

1. All Conditions of Resolution Z-94-025 and Administrative Amendments PD-95-019 and ADD 2002-00111 remain in full force and effect, except as amended by this zoning action. Regarding ADD2003-00122, the approval of Deviations 1 and 2 of that action remain in effect. Also Conditions 1 of ADD2003-00122 related to approval of Deviation 1, Condition 2 (with the exception of the approved number and type of units), and Conditions 3 through 6 remain in effect.
2. Condition 1 of Resolution Z-94-025 and Condition 2 of Administrative Action PD-95-019 are hereby replaced with the following language. The development of this project must be consistent with the three-page Master Concept Plan entitled "Cypress Woods R.V. Resort, Master Concept Plan," stamped received JUN 04, 2003, last revised 05/05/03, except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

This project is limited to a maximum total of 647 mobile home and recreational vehicle units, consisting of a maximum of 599 recreational vehicle units and a maximum of 48 mobile home units. No changes to these maximum totals may be permitted without an amendment of this planned development through the public hearing process.

3. Condition 7 (Resolution Z-94-025) is amended to eliminate the requirement for a fence in any future section of the development. Where the fence is existing and required as part of the existing development approval, the fence must be continued and maintained in good condition.

B. Deviations

The applicant has withdrawn the two requested deviations originally filed with this case, as they are no longer necessary. (See Attachment E)

Findings and Conclusions:

Based upon an analysis of the application and the standards for approval of planned development rezonings, staff offers the following findings and conclusions:

1. The applicant has proven entitlement to the amendment by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations.
2. The requested zoning, as conditioned:
 - a) is consistent with the densities, intensities and general uses set forth in the Lee Plan;
 - b) is compatible with existing or planned uses in the surrounding area; and
 - c) will not adversely affect environmentally critical areas or natural resources.
3. Approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and the site will be served by streets with the capacity to carry traffic generated by the development.
4. Urban services, as defined in the Lee Plan, are available and adequate to serve the proposed land use.
5. The proposed mix of uses has been previously found to be appropriate at the subject location.
6. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.
7. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

III. BACKGROUND INFORMATION AND ANALYSIS:

Introduction/Synopsis

This application seeks to amend the existing zoning by changing the allowed mixture of units to a maximum of 599 recreational vehicle sites and a minimum of 48 mobile home sites, and revising or clarifying conditions within the planned development. Originally, two other deviations were sought but are now withdrawn from this application. The owner has also obtained a Binding Letter of Interpretation, which is discussed in the Other section of this Staff report with a full copy of the letter found in Attachment F.

This development received the original zoning approval in August, 1994 (Attachment B). This zoning approval rezoned the subject property to Mobile Home Planned Development and Recreational Vehicle Planned Development and consisted of 399 recreational vehicle sites and 285 mobile home sites (total of 684 units). In 1995, an Administrative Amendment was approved to reduce the number sites/units from 684 to 671, address some environmental issues, and add a permanent access point to Lockett Road (Attachment C). An administrative amendment was granted in 2002 to further reduce the number of units from 671 to 647 and address property development requirements within

the project Attachment D). This amendment allowed a maximum of 647 sites, consisting of 374 recreational vehicle sites and 273 mobile home sites. If this application is approved it would represent an increase in recreational vehicle sites by 225 and an equal reduction of 225 sites for mobile homes. Finally, earlier in 2003 an amendment was granted to add two deviations from the Land Development Code and adjust how revisions could be made to identify the location of mobile homes and recreational vehicles within the project.

Master Concept Plan

The revised Plan is laid out substantially the same as the original layout. One of the major changes are the number and location of sites/lots marked with a dot representing those that will only have a mobile home placed on them. All site/lots not marked with a dot may have a recreational vehicle unit placed on them. The project now proposes a maximum of 647 units, of which not more than 599 may be recreational vehicles and not more than 48 may be mobile homes. Condition 4 has been changed by the 2003 amendment to allow administrative changes to the dots representing the location of mobile homes within the project.

The applicant is also seeking a change to Condition 7 requiring a fence along the entire perimeter of the site in addition to the 40 foot perimeter buffer. The applicant does not want to have to provide the fence in the future phases of the project. They also note that the buffer is not required by the Land Development Code.

Lee Plan Considerations

The original project was found CONSISTENT with the Lee Plan by the Board of County Commissioners in their 1994 action. The Lee Plan has not changed substantially since that date for this property or surrounding properties. The density of the project is being reduced by the reduction in the number of allowed units within the project. The site continues to be served by roads capable of handling the traffic. Surrounding lands continue to be developed with light industrial and business uses to the west, as contemplated by the Lee Plan. To the north and south are grazing lands. To the east is a tree farm.

Staff believes there has been no substantial changes in the area where the subject development would now be considered inconsistent with the Lee Plan, so staff recommends that this request be found consistent with the Lee Plan as conditioned.

Environmental Issues

Since these changes do not result in any changes to environmental issues related to this project, Environmental Sciences has offered no comments.

Other

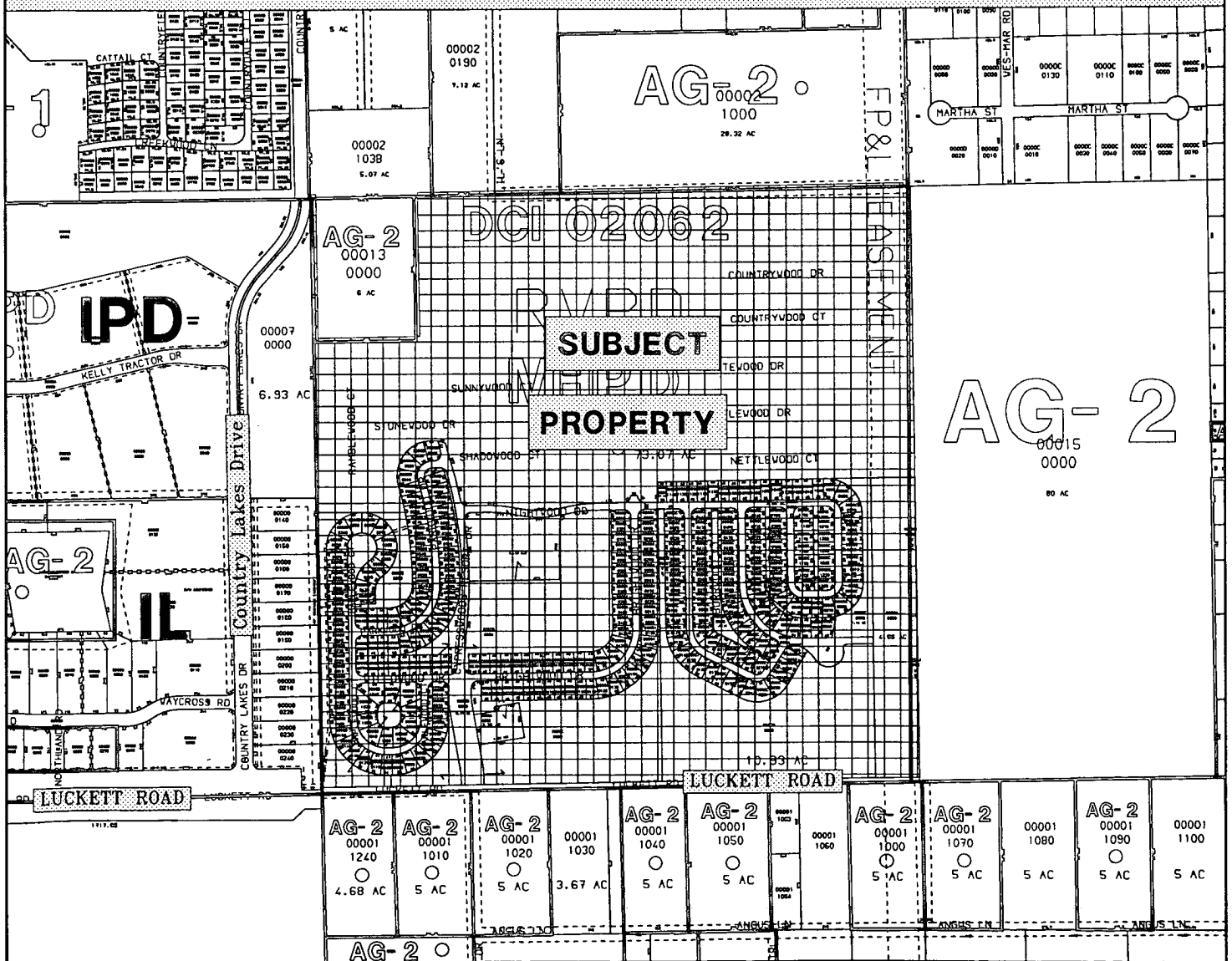
The applicant's agent has requested and received a Binding Letter of Interpretation from the Florida Department of Community Affairs. This letter, dated September 16, 2003, states the proposed development is not required to comply with the review requirements of Section 380.06, F.S.. This binding letter expires as of September 15, 2006 unless the development has substantially commenced by this date.

IV. ATTACHMENTS:

- A. Map of surrounding zoning
- B. Resolution Z-94-025
- C. Administrative Amendment PD-95-019
- D. Administrative Amendment ADD2002-00111
- E. Administrative Amendment ADD2003-00122
- F. Binding Letter
- G. Applicant's supporting documentation

cc: Applicant
County Attorney
Zoning/DCI File

ZONING MAP



A

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

WHEREAS, Cypress Woods RV Associates, in reference to Cypress Woods, has properly filed an application for a rezoning from Mobile Home Planned Development district to Mobile Home Planned Development and Recreational Vehicle Planned Development; and

WHEREAS, the subject property is located at 10251 Luckett Road, described more particularly as:

LEGAL DESCRIPTION: In Section 11, Township 44 South, Range 25 East, Lee County, Florida:

A parcel or tract of land lying in the Southwest Quarter (SW1/4) of Section 11, Township 44 South, Range 25 East, Lee County, Florida, which parcel or tract is described as follows:

Commencing at the Southwest corner of said Southwest Quarter (SW1/4) of said Section 11;

THENCE run N00°53'18"W along the West line of said Quarter Section for 25.00 feet to the North line of a 50 foot road described in County Commission Minute Book 11, Page 306 of the Public Records of Lee County, Florida, and the POINT OF BEGINNING of the herein described lands.

From said POINT OF BEGINNING continue N00°53'18"W along said West line for 2,621.33 feet to the Northwest corner of said Southwest Quarter (SW1/4);

THENCE run N89°04'12"E along the North line of said Quarter Section for 20.00 feet to the Northwest corner of lands described in Official Record Book 1848, Page 3142 of the Public Records of said Lee County, Florida;

THENCE run S00°53'18"E along the West line of description in said Official Record Book and page for 640.00 feet to the Southwest corner of said lands;

THENCE run N89°04'12"E along the South line of said lands for 445.50 feet to the Southeast corner of said lands;

THENCE run N00°53'18"W along the East line of said land 640.00 feet to the Northeast corner of said lands and the North line of said Southwest Quarter (SW1/4);

THENCE run N89°04'12"E along said North line for 2,162.17 feet to the Northeast corner of said Southwest Quarter (SW1/4);

THENCE run S00°45'27"E along the East line of said Southwest Quarter (SW1/4) for 2,625.08 feet to the North line of the aforementioned 50 foot road described in County Commission Minute Book 11, Page 396;

THENCE run S89°09'05"W along the North line of said road for 2,621.69 feet to the POINT OF BEGINNING.

Said parcel or tract containing 151.51397 acres, more or less.

WHEREAS, the applicant has indicated the property's current STRAP number is 11-44-25-00-00014.0000; and

WHEREAS, proper authorization has been given to Humphrey & Knott, P.A., by Cypress Woods RV Resort Associates, the fee simple owner of the subject parcel, to act as agent to pursue this zoning application; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Hearing Examiner, with full consideration of all the evidence available; and the Lee County Hearing Examiner fully reviewed the matter in a public hearing held on June 14, 1994 and subsequently continued to July 8, 1994; and

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

or County Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on file with the county, and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board of County Commissioners does hereby APPROVE WITH CONDITIONS a rezoning from Mobile Home Planned Development to Mobile Home Planned Development and Recreational Planned Development.

The rezoning and Master Concept Plan, which deviate from certain Lee County Standards, are subject to the following conditions:

1. The development and use of the subject property shall be in substantial compliance with the approved Master Concept Plan entitled "Cypress Woods R.V. Resort" (File No. 3434, last revised 4/04/94, stamped received April 08, 1994) as prepared by Barbot, Steuart & Associates, Inc., except as may be modified by the conditions herein. Total units shall not exceed that indicated on the Master Concept Plan.
2. Lots within this development shall be developed in accordance with the following Property Development Regulations:

Minimum Lot Area and Dimensions:

Area: 4,140 square feet
Width: 46 feet
Depth: 90 feet

Minimum Setbacks:

Street: 20 feet
Side Street: 10 feet [Deviation (4)]
Side: 10 feet (for a recreational vehicle)
5 feet (for a mobile home)
Rear: 20 feet
Water Body: 25 feet

3. Prior to the approval of any plat subdividing the subject property or any condominium plat, the developer shall provide a list of lots contained within the plat. This list shall consist of the lot or parcel number and the designation of the lot as a RVPD or MHPD lot or parcel. This designation shall be substantially in compliance with the designation of the lots as shown on the approved Master Concept Plan.
4. The developer or individual lot owner may apply as part of an Administrative Amendment Approval to amend the designation of a lot from RVPD to MHPD within this planned development. No approval shall be granted for a change from MHPD to RVPD.
5. As committed to on the approved Master Concept Plan by the applicant, on-site shelter provision and open space shall be developed in accordance with these commitments.
6. Since the Land Development Code Section 34-939(b)(2) requires all new recreational vehicle parks to connect to public or private water and central sewer system, this entire project shall be required to comply with this requirement.
7. Along the western and southern perimeters of the proposed development the buffering requirements of Section 34-939(b)(3) of the Land Development Code (LDC) shall be complied with. As offered by the applicant, along the northern property line within the proposed 40-foot-wide buffer, a minimum double "D" buffer with fence will be provided. This means within the buffer, twice the number of trees and shrubs required by LDC Section 10-414(c) shall be required for compliance. Furthermore, the buffering shall be in accordance with Note 2, of Table 1 of LDC Section 10-414, which exists at the time of Development Review. This vegetative buffer shall be to the outside of the proposed fence and visible from the abutting property. And along the eastern portion of the site, on either side of the power line easement, the developer shall comply with Section 34-939(b)(3) buffering requirements along with a fence. The fence location shall be consistent with the locational requirements noted above.

8. Prior to the approval of a local Development Order, the developer shall supply a letter from Florida Power & Light indicating that they have reviewed and have no objection to the plans to develop a storage area for boats and recreational vehicle units within the existing power line easement.
9. This zoning approval does not signify that the project's traffic impacts have been mitigated. Additional conditions may be required at the time of issuance of a local Development Order per the Development Standards Ordinance or other Lee County Ordinance.
10. Approval of this rezoning does not give the developer the undeniable right to receive any local Development Order approval that exceeds the Year 2010 Overlay use allocation, if such allocation exists, for the applicable district.
11. A Gopher Tortoise Management Plan must be submitted and approved at the time of local Development Order application for the first phase of development. All areas shown on the Master Concept Plan as fox squirrel preserve must be shown and labeled as such on any plans submitted for local Development Order approval. Any golden polypody found on trees within development areas must be relocated to preserve areas wherever feasible.
12. Deviation (1) is a request to deviate from Section 6.03 of Ordinance 86-21 [Section 14-298(c) of the LDC] for the development of the "TZ" area as indicated on the Master Concept Plan. Deviation (1) is hereby APPROVED subject to the proposed mitigation plan submitted by Tropical Environmental Consultants (TEC), dated December 6, 1993, and further amended and clarified by TEC in correspondence addressed to George Parker of DNRN, dated March 7, 1994 and June 22, 1994. Mitigation must follow the phasing presented in these documents.
13. Deviation (2) is hereby DENIED.
14. Deviation (3) is a request to deviate from Appendix 9.9B of the DSO (Section 10-714.b. of the LDC) which requires a 90 foot turn-out radius to 30 feet. Deviation (3) is hereby APPROVED subject to the developer providing a paved/stabilized surface with a minimum radius of 42 feet and, in addition, shall provide an unobstructed clear zone of 48-foot radius (6 feet clear zone beyond driving range).
15. Deviation (4) is a request to deviate from Section 202.18.B.2.a. of the Zoning Ordinance [LDC Section 34-2192(a)] to allow a reduction in the street setback from 20 feet to 5 feet on the "side" lot line for corner lots. Deviation (4) is hereby APPROVED as provided for in Condition 2.
16. Deviation (5) is a request to deviate from Section 9.D, 9.O.10, and Table 9-1 of the DSO (Sections 10-285.a., 10-285.a Table 1, and 10-296.j.) which requires 125 feet of street intersection separation, to 100 feet. Deviation (5) is hereby APPROVED to 100 feet. Approval of this deviation shall also permit the location of a temporary emergency access, yet to be located, to the west of the approved access point in this deviation, in accordance with Deviation (6).
17. Deviation (6) is a request to deviate from Section 9.J.3 of the DSO (Section 10-291.3 of the LDC) to allow only one entrance for a development of more than 5 acres. Deviation (6) is hereby APPROVED with the condition that a temporary emergency access point shall be constructed from Luckett Road, into the project site, for the use of emergency vehicles only. This temporary access point shall remain in place until such time as a permanent emergency access point is constructed, or until this development provides a permanent functioning interconnection with an adjoining property. The temporary access point shall be constructed in accordance with the Land Development Code as administered by the Division of Development Services.
18. Deviation (7) is a request to deviate from Section 9.O.2 and Table 9-3 of the DSO (Sections 10-296.b and 10-296 Table 3 of the LDC) which require a 45-foot right-of-way for a local street with open drainage, to permit a local street with 30 feet of right-of-way and open drainage. Deviation

(/) is hereby APPROVED subject to the condition that the typical lot cross section exhibits, subject to the approval by Division of Development Services, that the drainage performs adequately showing the slab placement at the time of Development Order submittal.

19. Deviation (8) is a request to deviate from Section 480.05.D.2.f of the Zoning Regulations [LDC Section 34-939(b)(6)] which requires a 5,000 square foot minimum lot to provide a 4,140 square foot minimum (46 feet x 90 feet). Deviation (8) is hereby APPROVED subject to Condition 2.
20. Deviation (9) is a request to deviate from Zoning Regulations Section 480.05.D.2.g.3.) [LDC Section 34-939(b)(7)c.] which requires a side setback of 10 feet and a street (right-of-way) setback of 25 feet, to permit a side setback of 5 feet and a street (right-of-way) setback of 20 feet in the non-transient section of the park. Deviation (9) is hereby APPROVED provided that these setbacks are in conformance with the requirements of Condition 2 and all side setbacks apply to all portions of the structure or unit, including overhangs.
21. Deviation (9.a) is a request to deviate from Zoning Ordinance Section 480.05.D.2.c [LDC Section 34-939(b)(3)] to permit an access road through the perimeter buffer to the boat storage area. Deviation (9.a.) is hereby APPROVED subject to Condition 8.
22. Deviation (10) is a request to deviate from Table 423.B. of the Zoning Regulations [LDC Section 34-736] which requires a 5,000 square foot minimum lot (50 feet x 100 feet) to provide a 4,140 square foot minimum lot (46 feet x 90 feet). Deviation (10) is hereby APPROVED subject to the requirements of Condition 2.
23. Deviation (11) is a request to deviate from Table 423.B. [LDC Section 34-736] which requires a side setback of 7 feet, to permit a side setback of 5 feet. Deviation (11) is hereby APPROVED subject to the setback in Condition 2.
24. Deviation (12) is a request to deviate from Section 202.18.D.1. of the Zoning Ordinance [LDC Section 34-2222(1) and Section 10-254 (b)], to allow the corner lots to be the same size as the other lots within the development (and not have an additional 15 feet of width). Deviation (12) is hereby APPROVED subject to the requirements of Condition 2.
25. Deviation (13) is a request to deviate from Section 9.N. of the DSO [LDC Section 10-295] to eliminate the requirement for street stubs to adjacent properties. Deviation (13) is hereby DENIED and left to the discretion of the Director of the Division of Development Services, in accordance with the Land Development Code.
26. Deviation (14) is a request to deviate from LDC Section 34-939(b)(3) to eliminate the requirement for a buffer between a recreational vehicle park and adjacent property interior to the site. Deviation (14) is hereby APPROVED for the interior portion of the site, only. Buffering the perimeter of the entire development shall be in accordance with Condition 7.
27. Deviation (15) is a request to deviate from LDC Section 34-935(a)(1) to eliminate the requirement that a new recreational vehicle park be not less than 20 acres in size. Deviation (15) is hereby APPROVED.

Site Plan 94-025 is attached hereto and incorporated herein by reference, as a reduced copy of the Master Concept Plan.

The following findings and conclusions were made in conjunction with this approval of Mobile Home Planned Development and Recreational Vehicle Planned Development zoning:

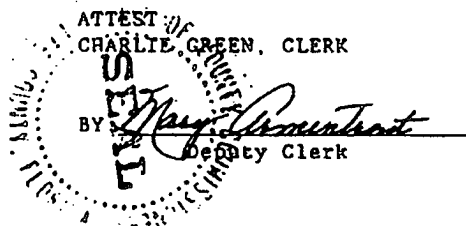
- A. That the predominant uses of the surrounding property, makes approval of the RVPD/MHPD, as conditioned, appropriate.
- B. That the RVPD/MHPD, as conditioned, will not have an adverse impact on the intent of the Land Development Code.

- C. That the RVPD/MHPD, as conditioned, is consistent with the goals, objectives, policies, and intent of the Lee Plan, as well as the densities, intensities, and general uses set forth for the proposed use.
- D. That the RVPD/MHPD, as conditioned, meets or exceeds all performance and locational standards set forth for the proposed use.
- E. That the RVPD/MHPD, as conditioned, will protect, conserve, preserve all protected and endangered species, natural habitat and vegetation, in accordance with the Lee Plan and other Lee County development regulations.
- F. That the RVPD/MHPD, as conditioned, will be compatible with existing or planned uses and will not cause damage, hazard, nuisance, or other detriment to persons or property.
- G. That the RVPD/MHPD, as conditioned, will not place an undue burden upon existing transportation or other services and facilities, and will be served by streets with the capacity to carry traffic generated by the development.
- H. That the residential uses, as conditioned, will be in compliance with all applicable general zoning provisions and supplemental regulations pertaining to the use, as set forth elsewhere in the Land Development Code.
- I. That the proposed use is appropriate on the subject property and in the vicinity of the subject property.
- J. That the recommended conditions are reasonably related to the impacts expected from or created by the proposed development.
- K. That the recommended conditions and other Lee County development regulations provide sufficient safeguards to the public health, safety and welfare.
- L. That the deviations, as conditioned, enhance the achievement of the objectives of the RVPD/MHPD and preserve and promote the protection of the public health, safety and welfare.

The foregoing resolution was adopted by the Lee County Board of County Commissioners on a motion by Commissioner John E. Manning, and seconded by Commissioner Franklin B. Mann and, upon being put to a vote, the result was as follows:

John E. Manning	Aye
Douglas R. St. Cerny	Nay
Ray Judah	Nay
Franklin B. Mann	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 15th day of August, A.D., 1994.



BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: [Signature] Chairman

Approved as to form by:

[Signature]
County Attorney's Office

FILED

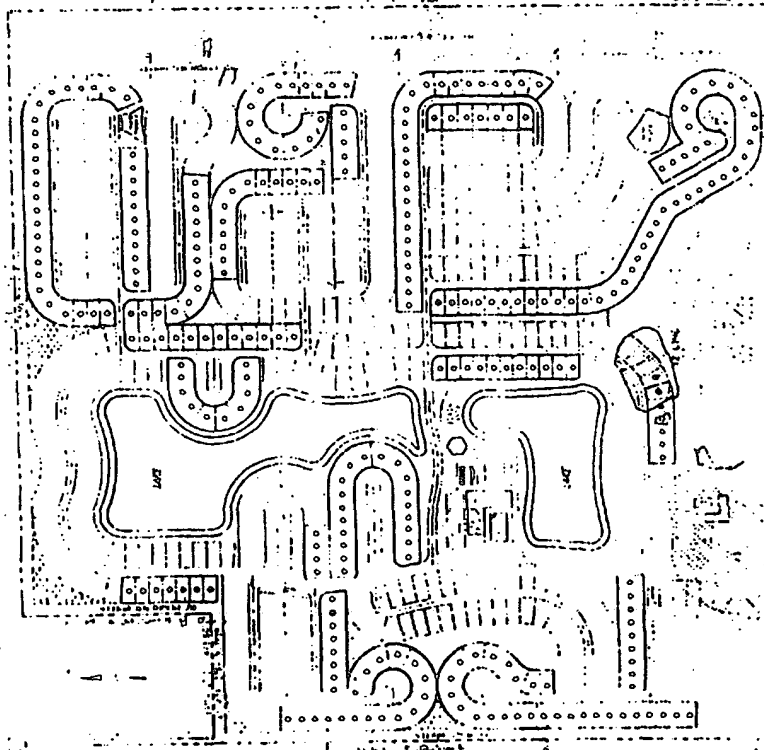
AUG 25 1994

[Signature]

TOTAL AREA
8000'-0" x 144'
107,480
S.F.

± 4,372,944.42 S.F. (101,314 AC.)
± 830,271.16 S.F. (18,960 AC.)
± 1,110,424.47 S.F. (25,407 AC.)
± 266,157.74 S.F. (6,110 AC.)
± 225,511.91 S.F. (5,170 AC.)
± 654 UNITS (100 R.V. SITES, 200 R.V. SITES)
± 2,316 CARS/24 HRS.
DUE TO HEIGHT NOT TO
EXCEED 25'

CYPRESS WOODS RESORT



APPROVED

For Review by
City Planning Dept.
No to be used for other
purposes without written
consent of Planning Dept.

EXISTING ROAD

ACCESS DRIVE

EXISTING DRIVE

M.H.P.D.

25'-0" WIDE

TYPICAL LOT AREA

SCHEDULE OF USES (RVPD)

SCHEDULE OF USES (MHPD)

GENERAL DETERMINATIONS

RVPD DETERMINATIONS

MHPD DETERMINATIONS

CYPRESS WOODS
R.V. RESORT

MASTER CONCEPT PLAN
SUBMIT FOR CITY PLANNING DEPT.

ADMINISTRATIVE AMENDMENT PD-95-019

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Cypress Woods RV Associates, has filed an application for administrative approval of an amendment to a Mobile Home Planned Development and Recreational Vehicle Planned Development on a project known as Cypress Woods Resort. The amendment provides for:

1. A reduction in dwelling units from 684 to 671;
2. Reconfiguration of the wetland preservation area to provide a flowway in accordance with South Florida Water Management District permit;
3. An increase in fox squirrel preserve of 0.13 acre;
4. Relocation of the RV and Boat Storage area internal to the site; and
5. Addition of a permanent access point to Lockett Road in accordance with the zoning approval.

The property is located at 10251 Lockett Road, described more particularly as:

LEGAL DESCRIPTION: In Section 11, Township 44 South, Range 25 East, Lee County, Florida:

A parcel or tract of land lying in the Southwest Quarter (SW $\frac{1}{4}$) of Section 11, Township 44 South, Range 25 East, Lee County, Florida, which parcel or tract is described as follows:

Commencing at the Southwest corner of said Southwest Quarter (SW $\frac{1}{4}$) of said Section 11;
THENCE run N00°53'18"W along the West line of said Quarter Section for 25.00 feet to the North line of a 50 foot road described in County Commission Minute Book 11, Page 306 of the Public Records of Lee County, Florida, and the POINT OF BEGINNING of the herein described lands.
From said POINT OF BEGINNING continue N00°53'18"W along said West line for 2,621.33 feet to the Northwest corner of said Southwest Quarter (SW $\frac{1}{4}$);
THENCE run N89°04'12"E along the North line of said Quarter Section for 20.00 feet to the Northwest corner of lands described in Official Record Book 1848, Page 3142 of the Public Records of said Lee County, Florida;

Continued ...

THENCE run S00°53'18"E along the West line of description in said Official Record Book and page for 640.00 feet to the Southwest corner of said lands;
 THENCE run N89°04'12"E along the South line of said lands for 445.50 feet to the Southeast corner of said lands;
 THENCE run N00°53'18"W along the East line of said land 640.00 feet to the Northeast corner of said lands and the North line of said Southwest Quarter (SW¼);
 THENCE run N89°04'12"E along said North line for 2,162.17 feet to the Northeast corner of said Southwest Quarter (SW¼);
 THENCE run S00°45'27"E along the East line of said Southwest Quarter (SW¼) for 2,625.08 feet to the North line of the aforementioned 50 foot road described in County commission Minute Book 11, Page 396;
 THENCE run S89°09'05"W along the North line of said road for 2,621.69 feet to the POINT OF BEGINNING.

Said parcel or tract containing 151.51397 acres, more or less.

WHEREAS, the property was originally rezoned in case number 94-06-14-DCI-02; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures, and

WHEREAS, the proposed amendment does not result in an increase in density nor an underutilization of public resources and public infrastructure and does not reduce total of open space, buffering, landscaping and preservation areas, or adversely impacts surrounding land uses; and

WHEREAS, the proposed amendment provides for changes to the interior of the development.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to the Mobile Home Planned Development Recreational Vehicle Planned Development zoning as described in the preamble is APPROVED.

Approval is subject to the following conditions:

1. Subject to the proposed mitigation plan, titled "Cypress Woods Monitoring and Maintenance Plan" submitted by Boylan Environmental Consultants, Inc., zoning counter stamped and dated

May 18, 1995. Mitigation must follow the phasing presented in these documents and all monitoring reports must be submitted to the Lee County Division of Environmental Sciences within thirty days of the scheduled monitoring events. This plan supersedes the TEC mitigation plan referenced in Condition 12 of Resolution Z-94-025.

2. Site Plan PD-95-019 is hereby APPROVED and adopted. A reduced copy is attached hereto.
3. All remaining terms and conditions of the original zoning resolution, Resolution Z-94-025, remain in full force and effect.

DULY SIGNED this 14th day of June, A.D., 1995.

BY: Mary Gibbs
Mary Gibbs, Director
Department of Community Development

EXHIBIT 3A

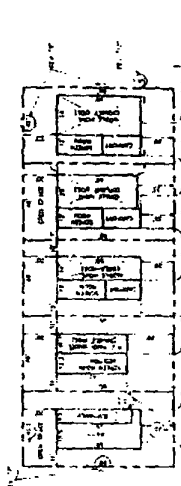
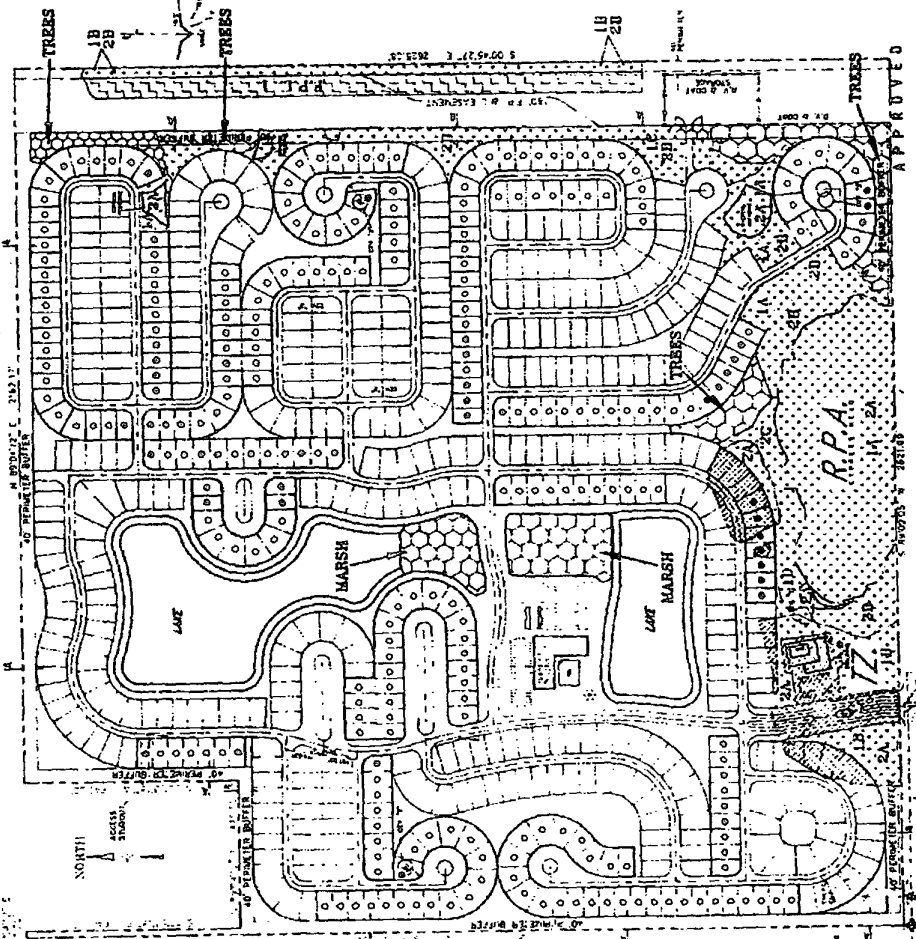
TOTAL AREA
RIGHT-OF-WAY
LOT AREA
R.P.A.

= 6,599,945.82 S.F. (151,514 AC.) LAKE
= 830,271.36 S.F. (18,080 AC.) NO. OF LOTS
= 3,043,520.84 S.F. (69.87 AC.) GROSS DENSITY
= 266,157.24 S.F. (6.110 AC.) BUILDING HEIGHT NOT TO EXCEED 25'

CYPRESS WOODS RESORT



525,521.97 S.F. (12,064 AC.)
= 671 UNITS (392 R.V. SITES, 279 M.H. SITES)
= 4.428 UNITS/AC.



TYPICAL LOT DETAIL

SCHEDULE OF USES (RVPD)

1. RESIDENTIAL USES
2. COMMERCIAL USES
3. INDUSTRIAL USES
4. AGRICULTURAL USES
5. RECREATION USES
6. PUBLIC USES
7. UTILITIES USES
8. OTHER USES

SCHEDULE OF USES (MHPO)

1. RESIDENTIAL USES
2. COMMERCIAL USES
3. INDUSTRIAL USES
4. AGRICULTURAL USES
5. RECREATION USES
6. PUBLIC USES
7. UTILITIES USES
8. OTHER USES

GENERAL DETAILATIONS

1. LOT AREA
2. LOT WIDTH
3. LOT DEPTH
4. LOT COVERAGE
5. LOT SETBACKS
6. LOT SPACING
7. LOT ACCESS
8. LOT EASEMENTS

RVPD DETAILATIONS

1. LOT AREA
2. LOT WIDTH
3. LOT DEPTH
4. LOT COVERAGE
5. LOT SETBACKS
6. LOT SPACING
7. LOT ACCESS
8. LOT EASEMENTS

MHPO DETAILATIONS

1. LOT AREA
2. LOT WIDTH
3. LOT DEPTH
4. LOT COVERAGE
5. LOT SETBACKS
6. LOT SPACING
7. LOT ACCESS
8. LOT EASEMENTS

LAKE SECTION

1. LAKE AREA
2. LAKE PERIMETER
3. LAKE DEPTH
4. LAKE COVERAGE
5. LAKE SETBACKS
6. LAKE SPACING
7. LAKE ACCESS
8. LAKE EASEMENTS

OPEN SPACE

1. OPEN SPACE AREA
2. OPEN SPACE PERIMETER
3. OPEN SPACE DEPTH
4. OPEN SPACE COVERAGE
5. OPEN SPACE SETBACKS
6. OPEN SPACE SPACING
7. OPEN SPACE ACCESS
8. OPEN SPACE EASEMENTS

EXISTING ZONING

1. ZONING DISTRICT
2. ZONING MAP
3. ZONING CODE
4. ZONING REGULATIONS
5. ZONING HISTORY
6. ZONING FUTURE
7. ZONING CHANGES
8. ZONING COMMENTS

RECEIVED

DATE: 11/11/88
BY: [Signature]
FOR: [Signature]

APPROVED

DATE: 11/11/88
BY: [Signature]
FOR: [Signature]

APPROVED

DATE: 11/11/88
BY: [Signature]
FOR: [Signature]

APPROVED

DATE: 11/11/88
BY: [Signature]
FOR: [Signature]

CYPRESS WOODS
R.V. RESORT
MASTER CONCEPT PLAN
BARNETT, STEWART & ASSOCIATES, INC.
DESIGNED BY: 11/11/88
DRAWN BY: 11/11/88
CHECKED BY: 11/11/88
APPROVED BY: 11/11/88

CYPRESS WOODS
R.V. RESORT
MASTER CONCEPT PLAN
BARNETT, STEWART & ASSOCIATES, INC.
DESIGNED BY: 11/11/88
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APPROVED BY: 11/11/88

CYPRESS WOODS
R.V. RESORT
MASTER CONCEPT PLAN
BARNETT, STEWART & ASSOCIATES, INC.
DESIGNED BY: 11/11/88
DRAWN BY: 11/11/88
CHECKED BY: 11/11/88
APPROVED BY: 11/11/88

ADMINISTRATIVE AMENDMENT (PD) ADD2002-00111

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Barbot, Steuart, & Associates, Inc. filed an application for administrative approval to a Mobile Home Planned Development on a project known as Cypress Woods R.V. Resort - Phase V on property located at 5551 Luckett Road for:

1. A lot reconfiguration for Phase 5 to decrease the number of lots from 184 to 183 lots.
2. A decrease in the size of the proposed clubhouse from 15,600 square feet to 9,053 square feet and increase the existing clubhouse, at the entrance to the development, from 4,445 square feet to 6,799 square feet.
3. An increase in the square footage provided for hurricane shelters from 15,600 square feet to 15,852 square feet shared between the proposed clubhouse (9,053 square feet) and existing clubhouse (6,799 square feet).
4. Relocation of lots with "dot notation" that differentiate between recreational vehicle lots and mobile home lots to that shown on the revised master concept plan.
5. A reduction in the total number of recreational vehicle and mobile home sites from 671 units to 647 units.

WHEREAS, the property has been recently surveyed and the legal description revised to more accurately describe the perimeter boundary more particularly as follows:

LEGAL DESCRIPTION: In Section 11, Township 44 South, Range 25 East, Lee County, Florida:

See attached Exhibit "A".

WHEREAS, the property was originally rezoned in case number 94-06-14-DCI-02 with subsequent amendments in case numbers 95-03-166.13A 02.01, and 95-01-116.00D; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

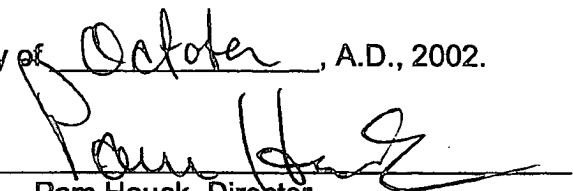
NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Mobile Home Planned Development is **APPROVED** to:

1. **Reconfigure Phase 5 to decrease the number of lots from 184 to 183 lots.**
2. **Decrease the proposed clubhouse from 15,600 square feet to 9,053 square feet and increase the existing clubhouse, at the entrance to the development, from 4,445 square feet to 6,799 square feet.**
3. **Increase the square footage provided for hurricane shelters from 15,600 square feet to 15,852 square feet shared between the proposed clubhouse (9,053 square feet) and the existing clubhouse (6,799 square feet).**
4. **Relocate lots with "dot notation" that differentiate between recreational vehicle lots and mobile home lots to that shown on the revised master concept plan.**
5. **Reduce the total number of recreational vehicle and mobile home sites from 671 units to 647 units.**

Approval is subject to the following conditions:

1. **The Development must be in compliance with the amended Master Concept Plan, dated March 13, 1995, last revised 9/26/02, and stamped received by community development on September 25, 2002. Master Concept Plan for ADD2002-00111 is hereby APPROVED and adopted. A reduced copy is attached hereto.**
2. **The terms and conditions of the original zoning resolutions remain in full force and effect, except as amended herein.**

DULY SIGNED this 25th day of October, A.D., 2002.

BY: 

Pam Houck, Director
Division of Zoning
Department of Community Development

ADD 2002-00111

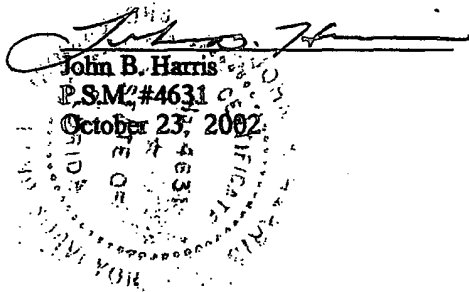
DESCRIPTION:

A parcel or tract of land lying in the Southwest Quarter (S.W.1/4) of Section 11, Township 44 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Southwest corner of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11; thence run N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 25.00 feet to the North line of Luckett Road (50 feet wide) and the point of beginning; thence continue N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2621.45 feet to Northwest corner of said Southwest Quarter (S.W.1/4); thence run N.89°01'53"E. for 20.00 feet to the Northwest corner of lands described in Official Record Book 1848, Page 3142 of the Public Records of Lee County, Florida; thence run S.00°53'18"E. along the West line of said lands for 640.00 feet; thence run N.89°01'53"E. along the South line of said lands for 445.50 feet; thence run N.00°53'18"W. along the East line of said lands for 640.00 feet to the Northeast corner of said lands and the North line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11; thence run N.89°01'53"E. along the North line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2161.66 feet to the Northeast corner of the Southwest Quarter (S.W.1/4) of said Section 11; thence run S.00°46'12"E. along the East line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2626.95 feet to the North line of the aforesaid Luckett Road; thence run S.89°09'05"W along the North line of said Luckett Road for 2621.74 feet to the point of beginning.

Said tract contains 151.559 acres, more or less and is subject to easements, restrictions and reservations of record.

Bearings are based on the West line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11 as being N.00°53'18"W.



Applicant's Legal Checked
by gm 10/23/02

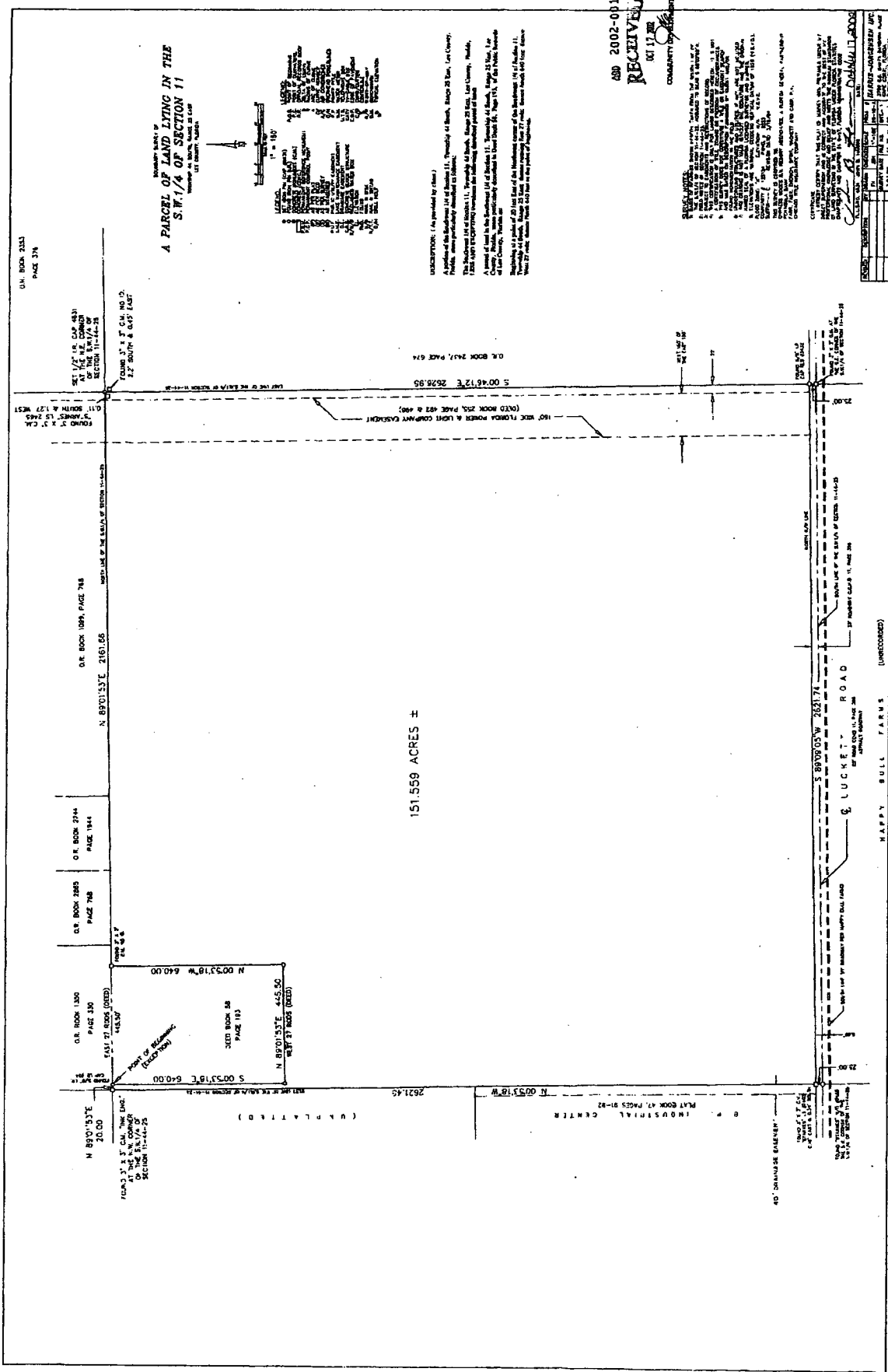
RECEIVED

OCT 23 2002

COMMUNITY DEVELOPMENT

ADD 2002-00111

ADD 2002-00115



200 2002-09-11
RECEIVED
OCT 11 2002
COMMUNITY DEVELOPMENT

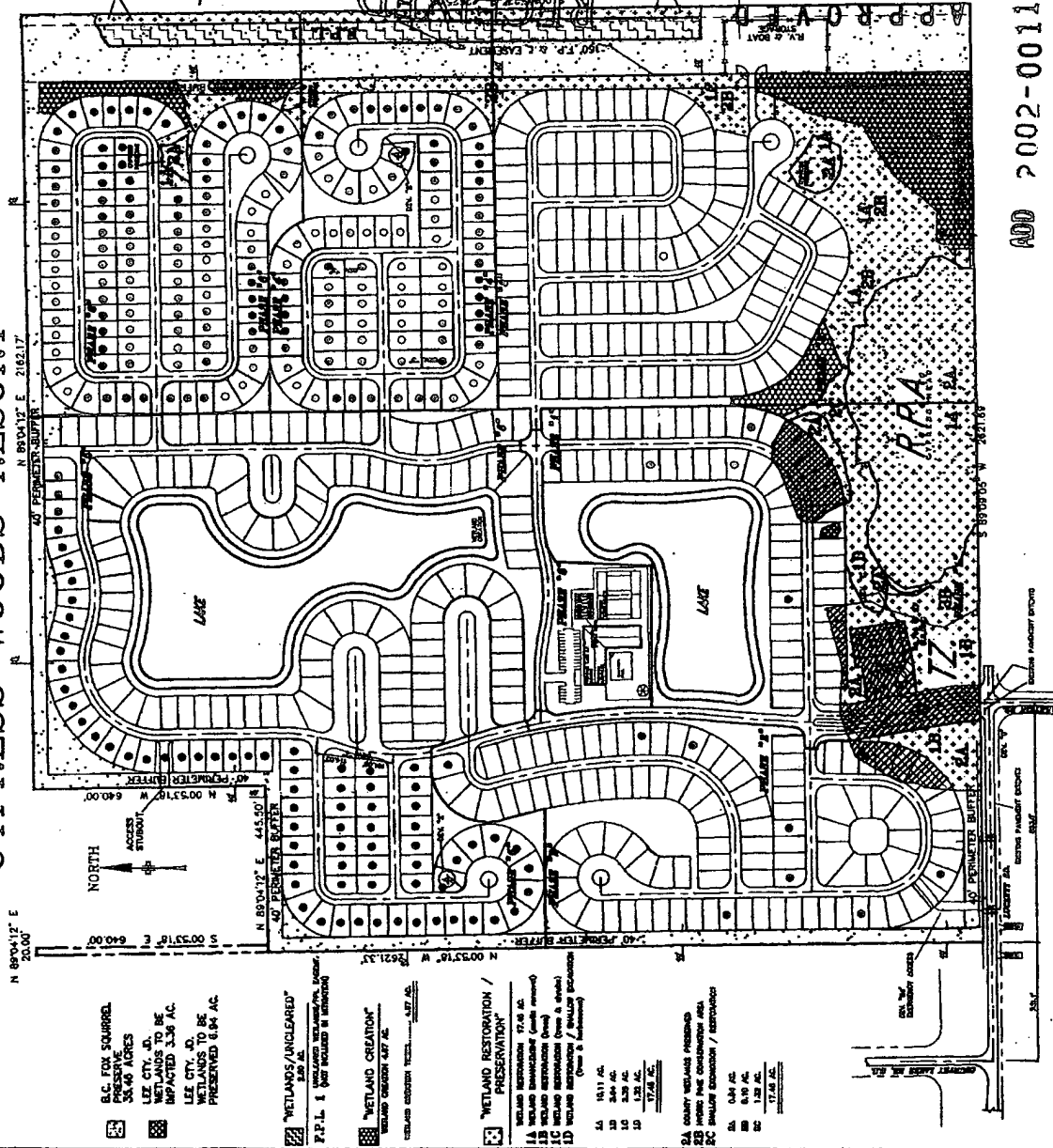
44 25 11

**TOTAL AREA
RIGHT-OF-WAY
LOT AREA
R.P.A.**

=	6,599,945.82	S.F.	(151.514 AC.)
=	807,098.92	S.F.	(18.528 AC.)
=	2,985,036.10	S.F.	(68.27 AC.)
=	266,157.74	S.F.	(6.110 AC.)

= 525,521.97 S.F. (12.064 AC.)
 = 647 UNITS (374 R.V. SITES, 273 M.H. SITES)
 = 4,270 UNITS/AC.

CYPRESS WOODS RESORT



BUILDING HEIGHT NOT TO EXCEED 25'.

0	0	NHPD
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 B.C. FOX SQUIRREL
PRESERVE
38.48 ACRES

 LEE CITY, JR.
WETLANDS TO BE
IMPACTED 3.36 AC.

 LEE CITY, JR.
WETLANDS TO BE
PRESERVED 8.94 AC.

2.00 AC. "WETLANDS/UNCLEARED"

"WETLAND CREATION"
WETLAND CREATION 4.87 AC.

**"WETLAND RESTORATION /
PRESERVATION"**

A	WELAND DISTILLATION	\$7.45 AG.
B	WELAND DISTILLATION (over)	
C	WELAND DISTILLATION (over & above)	
D	WELAND DISTILLATION / SHALLOW DISTILLATION	

A COUNTY VILLAINS PROSECUTED
B IMPROVE PACE CONSTRUCTION AREA
C SMALLER SPOONSHOON / SPOONSHOON

2A	0.49 AC
2B	0.10 AC
2C	1.23 AC

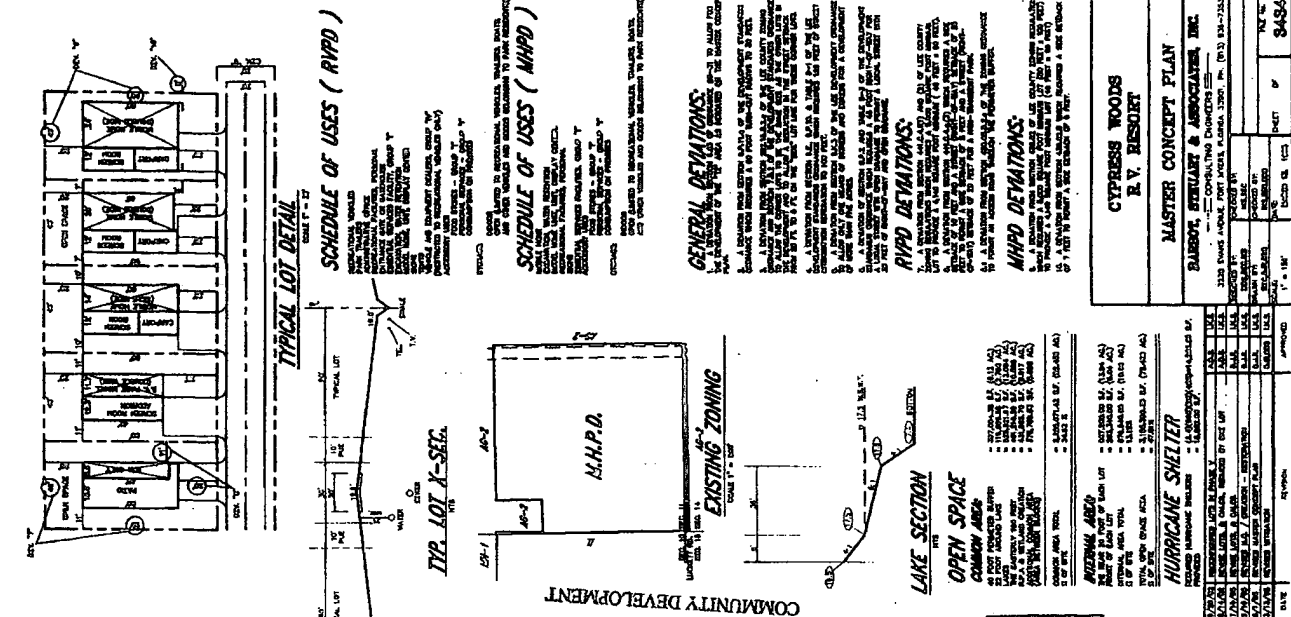
17.48 AG

[illegible]

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ADMINISTRATIVE AMENDMENT (PD) ADD2003-00122

**ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA**

WHEREAS, Cypress Woods RV Resort Associates filed an application for administrative approval to a Mobile Home Planned Development and Recreational Vehicle Planned Development on a project known as Cypress Woods RV Resort to add the following two deviations from the Lee County Land Development Code (LDC) and adjust the Master Concept Plan per Condition 4 of Resolution Z-94-025:

1. A Deviation seeking relief from LDC Section 34-2194(b) and (c) which requires a 25 foot water body setback; to allow a zero foot setback in order to permit the construction of a clubhouse, deck, pier and gazebo 90 feet into the artificial body of water.
2. A Deviation seeking relief from LDC Section which requires a total of 135 parking spaces for the two clubhouse facilities; to allow only 44 off-street parking spaces.

The subject property is located at 5551 Luckett Road, described more particularly as:

LEGAL DESCRIPTION: In Section 11, Township 44 South, Range 25 East, Lee County, Florida:

See Exhibit A

WHEREAS, the property was originally rezoned in case number 94-06-14 DCI-02 (with subsequent amendments in case numbers Z-94-025, Z-87-075, Z-91-088, ZAB-8431, ZAB-84-1-31, 95-03-166.13A, AA-PD-95-19, ADD2002-00111, DOS2003-00073, DOS95-01-116.00D, LDO98-06-045.12L & LDO98-06-074.11L); and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

CASE NO. ADD2003-00122

Page 1 of 3

ATTACHMENT E

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to add the following two deviations from the Lee County Land Development Code (LDC) and adjust the Master Concept Plan per Condition 4 of Resolution Z-94-025:

1. A Deviation seeking relief from LDC Section 34-2194(b) and (c) which requires a 25 foot water body setback; to allow a zero foot setback in order to permit the construction of a clubhouse, deck, pier and gazebo 90 feet into the artificial body of water.
2. A Deviation seeking relief from LDC Section which requires a total of 135 parking spaces for the two clubhouse facilities; to allow only 44 off-street parking spaces.

These requests are APPROVED, subject to the following conditions:

1. The Development must be in compliance with the amended Master Concept Plan, stamped received AUG 21, 2003. Master Concept Plan for ADD2003-00122 is hereby APPROVED and adopted. A reduced copy is attached hereto.

Additionally, the approval of Deviation 1 of this Administrative Amendment is subject to substantially complying with the proposed construction of the clubhouse and related facilities on the approved Plan entitled, Cypress Woods, R.V. Resort Clubhouse Area Dev. Order Plans; Drainage, Parking & Site Dim. Plan; dated 04-14-03, stamped received AUG21, 2003. A reduced copy is attached hereto.

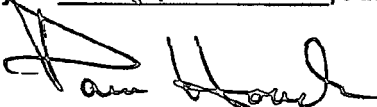
2. The terms and conditions of the original zoning resolutions and subsequent amendments remain in full force and effect.
3. The approved density and intensity of this project must remain consistent with ADD2002-00111 which allowed a maximum of 647 units, consisting of not more than 374 R.V. sites and not more than 273 M. H. sites.

Condition 4 of Resolution Z-94-025 is also hereby amended to read:

The dots on the approved Master Concept Plan designating which lots/parcels can only be occupied by a mobile home may be administratively (not to be confused with the requirement for an administrative amendment) moved from any vacant lot/parcel (donor lot/parcel) to another lot/parcel provided that the donor lot or parcel has never been occupied by a mobile home since the inception of this planned development. Once a lot/parcel is occupied by a mobile home, it can only be replaced with another mobile home.

4. The approval of the deviation from the water body setback must not adversely impact any open space requirement; wetland vegetation plantings; or other buffering, landscaping, or preservation areas or requirements.
5. The approval of the parking deviation is subject to the reservation of Lots 85 and 86 (Phase "4") and Tract I (Phase "3", which lies immediately east of Lots 85 and 86, Phase "4") for the use of overflow parking only. These may not be used as a recreational vehicle or mobile home site. Upon the sale of the last lot (site) in the last Phase of this development, if the applicant can adequately demonstrate during the season of the highest occupancy of the development that the overflow parking areas were not needed, the two lots can then be used for recreational vehicle or mobile home sites as provided for in this planned development. A reduced copy of a Plan entitled Cypress Woods R.V. Resort Phase "IV", IVA, & IVB, stamped received SEP 08, 2003 depicting these parcels is attached hereto.
6. A development order must be submitted within 90 days of the approval that includes a littoral planting plan which details a created hardwood wetland and marsh area within the lake adjacent to Cypress Woods Resort Drive. The planting must include at a minimum 50 native wetland trees (minimum 6-foot height; 7-gallon container size) and 1000 native herbaceous wetland plants (minimum 4 species; 2-inch liner size) clustered within the area shown on Attachment 1.

DULY SIGNED this 17th day of September, A.D., 2003.

BY: 

Pam Houck, Director
Division of Zoning
Department of Community Development

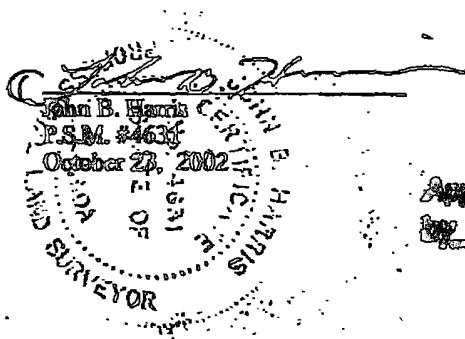
DESCRIPTION:

A parcel or tract of land lying in the Southwest Quarter (S.W.1/4) of Section 11, Township 44 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Southwest corner of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11; thence run N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 25.00 feet to the North line of Lockett Road (50 feet wide) and the point of beginning; thence continue N.00°53'18"W. along the West line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2621.45 feet to Northwest corner of said Southwest Quarter (S.W.1/4); thence run N.89°01'53"E. for 20.00 feet to the Northwest corner of lands described in Official Record Book 1848, Page 3142 of the Public Records of Lee County, Florida; thence run S.00°53'18"E. along the West line of said lands for 640.00 feet; thence run N.89°01'53"E. along the South line of said lands for 445.50 feet; thence run N.00°53'18"W. along the East line of said lands for 640.00 feet to the Northeast corner of said lands and the North line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11; thence run N.89°01'53"E. along the North line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2161.66 feet to the Northeast corner of the Southwest Quarter (S.W.1/4) of said Section 11; thence run S.00°46'12"E. along the East line of the Southwest Quarter (S.W.1/4) of said Section 11 for 2626.95 feet to the North line of the aforesaid Lockett Road; thence run S.89°09'05"W along the North line of said Lockett Road for 2621.74 feet to the point of beginning.

Said tract contains 151.559 acres, more or less and is subject to easements, restrictions and reservations of record.

Bearings are based on the West line of the Southwest Quarter (S.W.1/4) of the aforesaid Section 11 as being N.00°53'18"W.



Applicant's Legal Checked
by [Signature] 15 JULY 03

RECEIVED
JUL 15 2003
PERMIT COUNTER

OCI 2004-00062

EXHIBIT A

From: Kim Trebatoski
To: Block, Alvin Chip
Date: 9/8/03 5:11PM
Subject: ADD2003-00122



Chip - ES staff recommend the following condition to offset the encroachment of the structures over the lake:

A development order must be submitted within 90 days of the approval that includes a littoral planting plan which details a created hardwood wetland and marsh area within the lake adjacent to Cypress Woods Resort Drive. The planting must include at a minimum 50 native wetland trees (minimum 6-foot height; 7-gallon container size) and 1000 native herbaceous wetland plants (minimum 4 species; 2-inch liner size) clustered within the area shown on Attachment 1.

Kim Trebatoski
Principal Environmental Planner
DCD - Planning/Environmental Sciences
trebatkm@leegov.com
239-479-8183
FAX 239-479-8319

25-10873-10

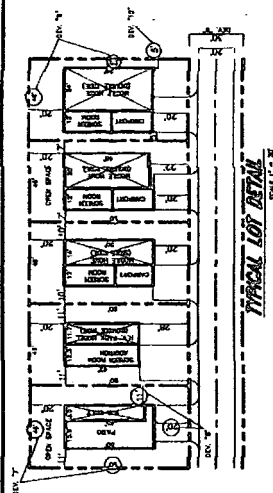
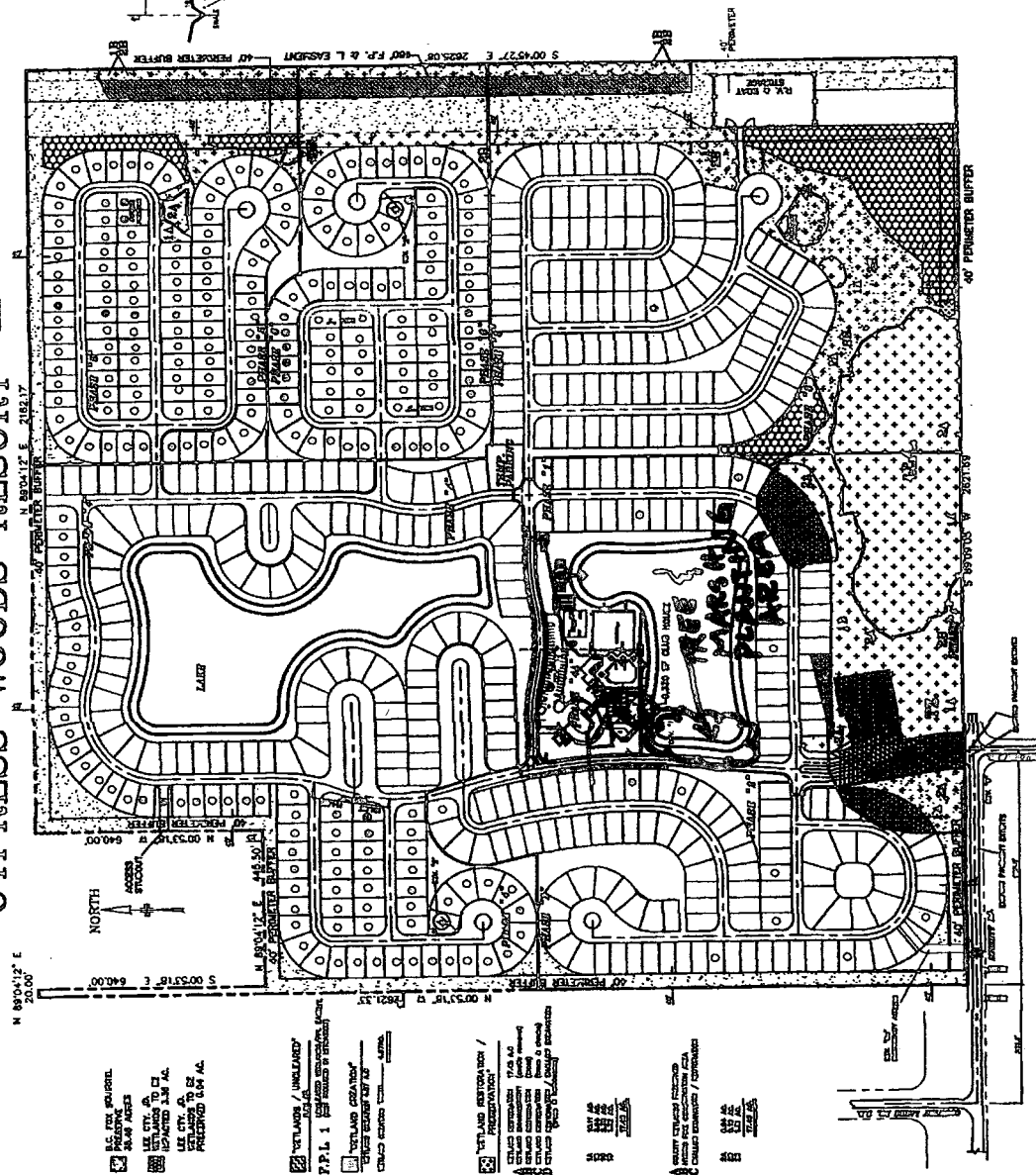
TOTAL AREA
ACREAGE-05-114
LOT AREA
R.P.A.

12	6,599.00	25	1,577.74	6,110 A.C.
11	2,000.00	24	1,577.74	6,110 A.C.
10	2,000.00	23	1,577.74	6,110 A.C.
9	2,000.00	22	1,577.74	6,110 A.C.
8	2,000.00	21	1,577.74	6,110 A.C.
7	2,000.00	20	1,577.74	6,110 A.C.
6	2,000.00	19	1,577.74	6,110 A.C.
5	2,000.00	18	1,577.74	6,110 A.C.
4	2,000.00	17	1,577.74	6,110 A.C.
3	2,000.00	16	1,577.74	6,110 A.C.
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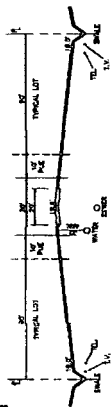
= 525,521.97 S.F. (12,034 AC.)
 = 647 UNITS (374 R.V. STAYS, 273 L.H. STAYS)
 = 4,270 UNITS/AC.

CYPRESS WOODS RESORT

BUILDING HEIGHT NOT TO EXCEED 25'.



TYPICAL LOT DETAIL



ME 107 8-522

ADD ^{MT} 2003-00122

GAUNT / MIND / SENSE TO FINANCIALS

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GENERAL DEMANDS

THE FOLLOWING INFORMATION IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE.

SPONSORED BY

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APR 22 1968

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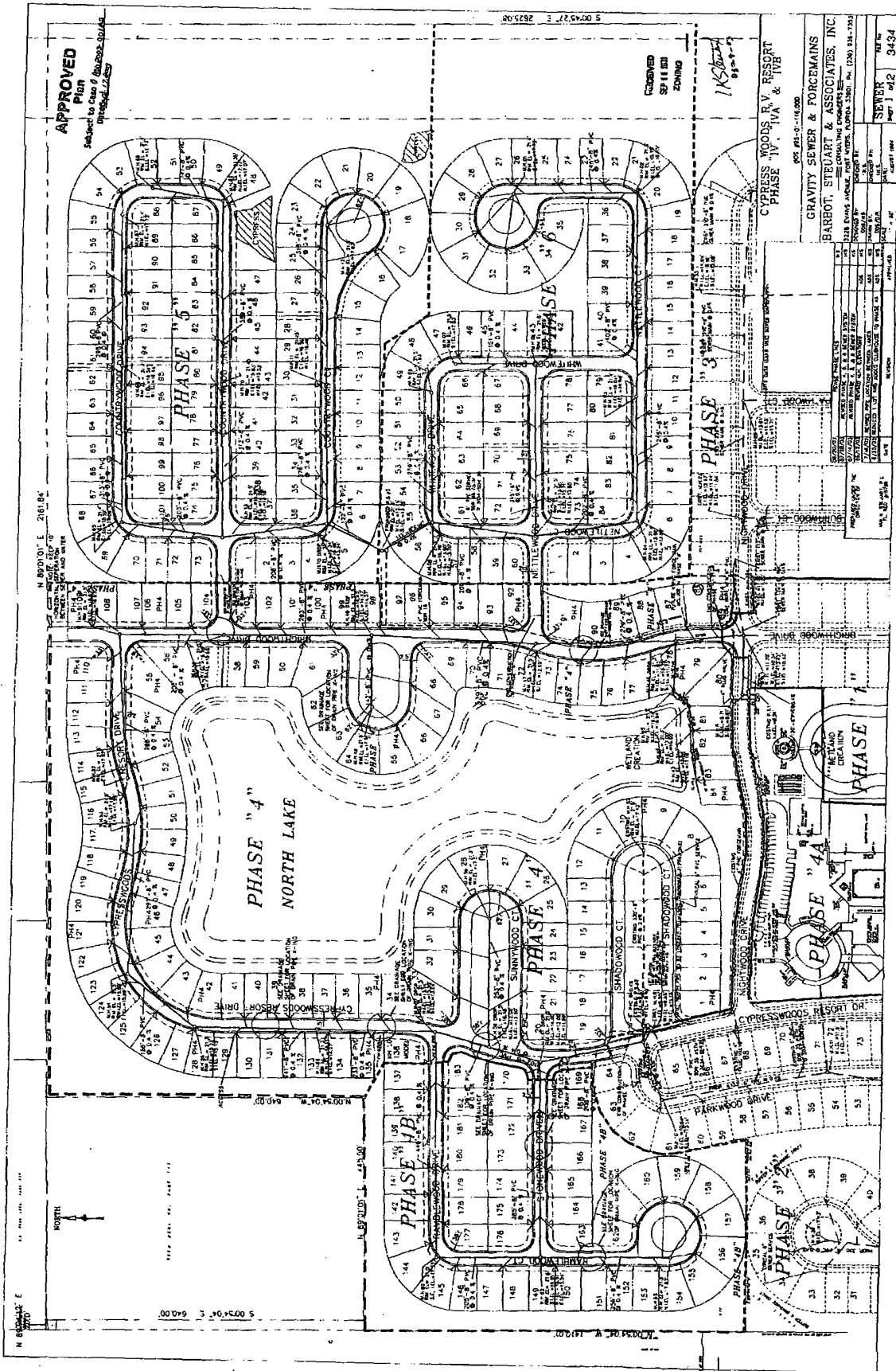
MASTERS CONCEPT PLAN

THE "TODD" & BROTHERS "TODD"

CONSULTING ENGINEERS INC.
8 AVENUE, PORT MYERS, FLORIDA 33901, PH. (813) 938-7363

DATE	10-10-68
TIME	10:00 AM
LOCATION	1000 S. 1st St.
REMARKS	See page 10

1848	2	1208	1001 7th Avenue	5th Fl
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APPROVED
Plan

Subject to City
Ordinance 10-03

RECEIVED
SEP 11 2000
ZONING

10/20/00

CYPRESS WOODS R.V. RESORT
PHASE 1V, IVA & IVE

GRAVITY SEWER & FORCE MAINS

BARBOT, STUART & ASSOCIATES, INC.

CONSULTING ENGINEERS

1208 E. 10th Avenue, Fort Worth, Texas 76102-1208
Phone: (817) 342-1208
Fax: (817) 342-1209
E-Mail: bsb@barbot.com

DATE: 10/20/00
BY: [Signature]
CHECKED: [Signature]
SCALE: 1" = 40'

PROJECT NO.: 042
SHEET NO.: 3434

cc: Chip Blouc
Andy Getch

LEE COUNTY
RECEIVED



03 SEP 23 AM 8:55

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

COMM. DEV. to making Florida a better place to call home"
PUB. WRKS. CNTR.
SECOND FLOOR

JEB BUSH
Governor

COLLEEN CASTILLE
Secretary

September 16 2003

Mr. Michael E. Roeder
Knott, Consoer, Ebelini Hart & Swett, P.A.
165 Hendry Street, Third Floor (33901)
P. O. Box 2449
Fort Myers, Florida 33902-2449

RE: Cypress Woods RV Resort Binding Letter of Interpretation
For Development of Regional Impact Status
DCA File No. BLID-0903-010
FINAL ORDER NO: DCA03-BL-262

2003 SEP 19 PM 12:02
RECEIVED BY
LEE CO. ATTORNEY

Dear Mr. Roeder:

The Department of Community Affairs (Department) has evaluated your application for a Binding Letter of Interpretation (BLIM) for Development of Regional Impact (DRI) status for Cypress Woods Resort. Based on the information contained in the application, and additional information obtained subsequently, the Department enters the following Findings of Fact, Conclusion of Law, and Order.

FINDING OF FACT

1. The applicant for this binding letter is Mike Roeder, the authorized representative for Cypress Woods Resort.
2. The proposed development is situated on 151.5 acres along Luckett Road, Lee County; specifically in Section 11, Township 44 South, Range 25 East, Lee County (see Exhibit 1).
3. In 1994, the applicant received authorization from Lee County to construct 399 Recreation Vehicle (RV) spaces, and 285 mobile home spaces, for a total of 684 spaces. The applicant is proposing to increase the number of RV spaces to 599, and reduce the number of mobile home spaces to 48, for a total of 647 spaces. The buildout date of the project is 2007 (See Exhibit 2).
4. Section 380.06(2)(c), Florida Statutes (F.S.), provides that the Department shall apply the guidelines and standards which were in effect when the developer received authorization from the local government of jurisdiction to commence development. According to the information provided, Cypress

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100
Phone: 850.488.8466/Suncom 278.8466 FAX: 850.921.0781/Suncom 291.0781
Internet address: <http://www.dca.state.fl.us>

CRITICAL STATE CONCERN FIELD OFFICE
2796 Overseas Highway, Suite 212
Marathon, FL 33050-2727

COMMUNITY PLANNING
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

EMERGENCY MANAGEMENT
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

HOUSING & COMMUNITY DEVELOPMENT
2555 Shumard Oak Boulevard
Tallahassee, FL 32399-2100

ATTACHMENT F

Woods Resort development received authorization to develop in 1994. Therefore, the applicable DRI guidelines, for the proposed Cypress Woods development is Rule 28-24.027, Florida Administrative Code (F.A.C.).

5. Section 380.06(2)(d), F.S., and Rule 28-24.014, F.A.C., provide that a development that is below 100 percent of all numerical thresholds shall not be required to undergo DRI review; a project that is at 100 percent or between 100 and 120 percent of a numerical threshold is presumed to be required to undergo DRI review; and a project which is at or above 120 percent of any numerical threshold in the applicable guidelines and standards shall be required to undergo DRI review.

6. Chapter 380.0651(3)(h), F.S. & Rule 28-24.027, FAC provide that the DRI threshold for a Recreational Vehicle development is 500 or more spaces. The proposed Cypress Woods Resort development will include 599 RV units, which represents 119.8 percent of the DRI threshold. Therefore, the project is presumed to require DRI review.

7. The Department has reviewed the representations made by the applicant in the application and has considered relevant comments made by the reviewing agencies. The Department finds that the only regional issue identified during the review of the binding letter application relates to impact on transportation facilities.

Transportation

The applicant provided a traffic analysis of the impact of the project on regionally significant roadways based on a buildout date of 2007. The major roadways affected by the traffic generated by the project are segments of Lockett Road, Country Lakes Road, and Tice Street.

Under the provisions of Rule 9J-2.045(6), F.A.C., a development is considered to have a substantial impact on regionally significant roadway segments if, at a minimum, the traffic projected to be generated at the end of any stage or phase of the proposed development, cumulatively with previous stages or phases, will utilize five percent or more of the adopted peak hour level of service (LOS) maximum service volume of the roadway and the roadway is projected to be operating below the adopted level of service standard at buildout of that stage or phase.

Based on the peak hour transportation analysis provided by the applicant (see Exhibit 3), none of the roadway links affected by the project will operate below the adopted LOS standards at the project's buildout. The traffic analysis was based, in part, on the ITE Trip Generation report (6th Edition). The Florida Department of Transportation, Lee County and Southwest Florida Regional Planning Council concurred with the results of the applicant's analysis. Therefore, the Department finds that the proposed development will not have a substantial impact on regionally significant roadways.

8. All commitments made by the applicant, all materials submitted by the applicant in the application, and all other relevant written materials are incorporated herein by reference. These materials are available for inspection by the public within the Department's Division of Community Planning.

9. On May 9, 2003, a notice of this request for a Binding Letter of Interpretation was published in the Florida Administrative Weekly. In addition, the Southwest Florida Regional Planning Council and Lee County were notified.

CONCLUSION OF LAW

1. The proposed Cypress Woods Resort development will consist of 599 RV units on 151.5 acres, which represents 119.8 percent of the DRI threshold for RV units. Therefore, pursuant to Section 380.06(2)(d), F.S., the proposed Cypress Woods Resort development is presumed to require DRI review.

2. However, based on Finding of Fact Number 7, the proposed development will not have a substantial impact on regionally significant resources or facilities. Therefore, the Department concludes that the proposed development is not required to undergo Development of Regional Impact Review.

ORDER

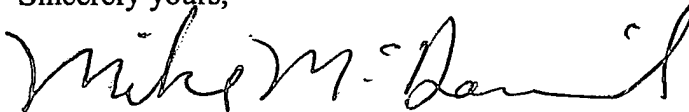
1. The proposed development, as described above, is not required to comply with the review requirements of Section 380.06, F.S.

2. The development and its associated regional impacts evaluated in this binding letter shall be considered cumulatively with any future additional development in terms of the guidelines and standards contained in Chapter 28-24, F.A.C., and Section 380.0651, F.S., and its related impacts. Should any of the above representations made by the applicant be substantially changed, further review of the project may be required.

3. The binding letter shall expire and become void as of September 15, 2006, unless the plan of development has been substantially commenced by this date. This date may be extended by mutual agreement between the Department, the local government of jurisdiction and the developer.

This determination does not obviate the need to comply with all other applicable federal, state or local government permitting procedures. Any questions regarding this determination may be directed to Bernard O. Piawah, Division of Community Planning, at (850) 922-1810.

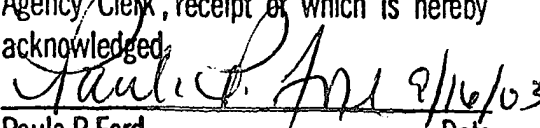
Sincerely yours,


for Charles Gauthier, AICP,
Acting Division Director
Division of Community Planning

Attachments:

CG/bp

cc: Mr. Daniel Trescott, SWFRPC, DRI Coordinator
Ms. Dawn Lehnert, Assistant Lee County Attorney

FILING AND ACKNOWLEDGEMENT
FILED, on this date, with the designated
Agency Clerk, receipt of which is hereby
acknowledged.

Paula P. Ford
Agency Clerk
Date 9/16/03

NOTICE OF RIGHTS

You have the right to request reconsideration of this binding letter pursuant to rule 9J-2.016(14) & (15), Florida Administrative Code. If you desire reconsideration, you must file with the Agency Clerk of the Department of Community Affairs a written pleading entitled "Request for Reconsideration of Binding Letter" within 30 days of filing of this letter. A request is filed when it is received by the Agency Clerk in the Department's Office of General Council, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100. The Request must detail the findings of fact alleged to be substantially inaccurate, set forth additional material facts not previously considered, and detail the conclusions of law alleged to be substantially incorrect.

You also have the opportunity for a formal administrative proceeding regarding this binding letter pursuant to Section 120.569 & 120.57(1), Florida Statutes. If you dispute any issue of material fact stated in the binding letter, then you may file a petition requesting a formal administrative hearing before an Administrative Law Judge of the Division of Administrative Hearings pursuant to 120.569 & 120.57(1), Florida Statutes, and Chapter 28-106 Parts I and II, Florida Administrative Code. At a formal administrative hearing, you may be presented evidence and argument on all the issues involved, to conduct cross-examination and submit rebuttal evidence, to submit proposed findings of fact and orders, and to file exceptions to any recommended order.

If you desire a formal administrative hearing, you must file with the Agency Clerk of the Department of Community Affairs a written pleading entitled "Petition for Administrative Proceedings" within 30 days of receipt of this notice. A petition is filed when it is received by the Agency Clerk in the Department's Office of General Council, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

The petition must meet the filing requirements in Rule 28-106.104(2), Florida Administrative Code, and must be submitted in accordance with Rule 28-106.201(2), Florida Administrative Code. The petition must include the signature of someone authorized to act on your behalf. A petition must specifically request an administrative proceeding, it must admit or deny each material fact contained in the binding letter, and it must state any defenses upon which you rely. You waive the right to an administrative proceeding if you do not file a petition with the Agency Clerk within the time frames described above.

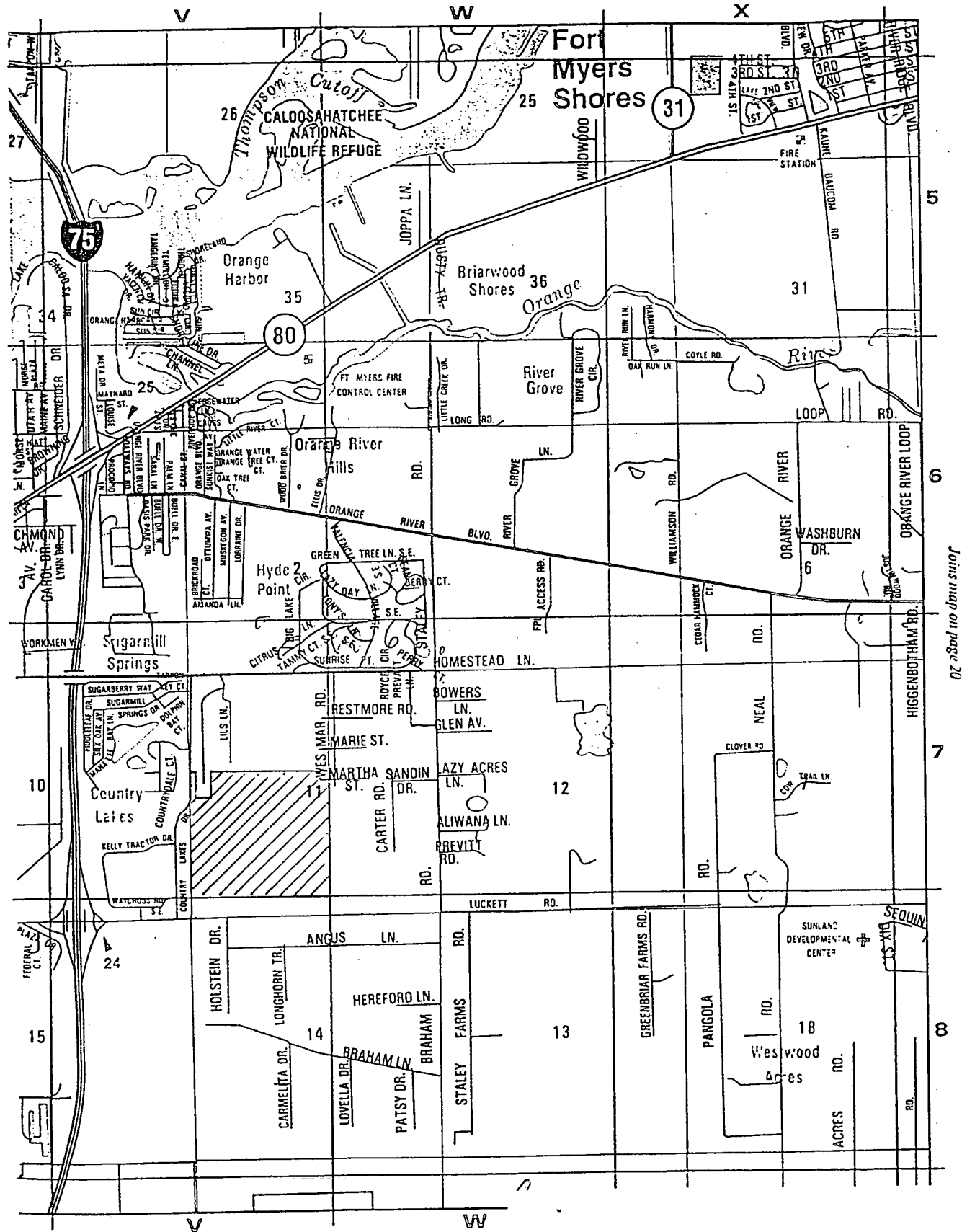
You may also decide that no formal administrative proceeding or reconsideration is required for this binding letter. If you do not request a formal administrative proceeding of reconsideration, this binding letter constitutes final agency action and is subject to judicial review as set forth below. Any party to this binding letter has the right to seek judicial review of the binding letter pursuant to Section 120.68, Florida Statutes, and Florida Rules of Appellate Procedure 9.030(b)(1)(c) and 9.110.

To initiate an appeal of this binding letter, a notice of appeal must be filed with the Department's Agency Clerk, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100, and with the appropriate District Court of Appeal within 30 days of the day this binding letter is filed with the Agency Clerk. The notice of appeal filed with the District Court of Appeal must be accompanied by the filing fee specified in Section 35.22(3), Florida Statutes, and must be substantially in the form prescribed by Florida Rule of Appellate Procedure 9.900(a).

You waive your right to judicial review if the notice of appeal is not timely filed with the agency clerk and the appropriate district court of appeal.

Mediation under Section 120.573, Florida Statutes, is available with respect to the issues resolved by this binding letter.

Joins map on page 7



Joins map on pc

Exhibit 1

EXHIBIT 3A

TOTAL AREA = 6,599,945.82 S.F. (151.514 AC.)
 RIGHT-OF-WAY = 807,098.92 S.F. (18.528 AC.)
 LOT AREA = 2,985,036.10 S.F. (68.27 AC.)

LAKE = 525,521.97 S.F. (12.064 AC.)
 NO. OF LOTS = 647 UNITS (MAX. 599 R.V. SITES, MIN 48 A.H. SITES)
 GROSS DENSITY = 4.270 UNITS/AC.

BUILDING HEIGHT NOT TO EXCEED 35' OR 2 STORIES.

CYPRESS WOODS RESORT

MHPD

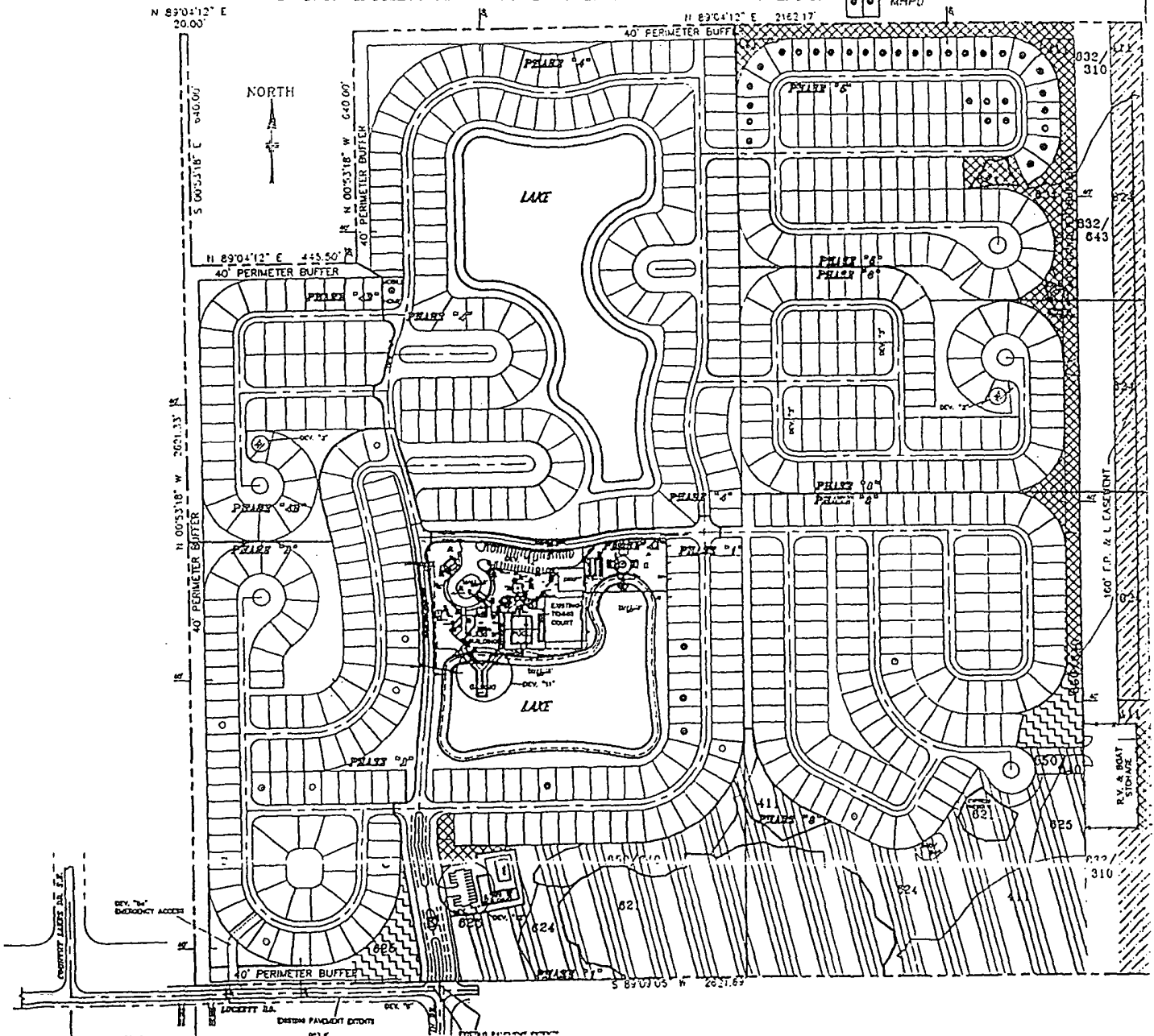


Exhibit 2

ROAD SEGMENT	LEVEL OF SERVICE STANDARD	PEAK HOUR MAXIMUM VOLUME (1)	PEAK HOUR (2) WITHOUT PROJECT	LOS (3)	PEAK HOUR (2) WITH PROJECT	LOS (3)	PROJECT TRIPS	PROJECTS TRAFFIC % OF PEAK HOUR MAXIMUM VOLUME (1)
Luckett								
E of I-75	E	1040	509	B	681	E	172	17%
Luckett								
W of I-75	E	1050	651	C	683	C	32	3%
Country Lakes	E	1040	71	A	114	B	43	4%
I-75 at Luckett	C	2570	3195	D	3281	D	86	3%
Tice St E of I-75	E	1040	581	C	624	E	43	4%
Tice St W of I-75	E	1040	119	B	162	C	43	4%
Tice St W of Ortiz	E	1040	201	C	233	C	32	3%

(1) Peak Hour Maximum Volume for applicable Level of Service _____ standard.

(2) Projected Peak Hour Traffic on the roadways at buildout of the development in _____ (C,D or E)
(Year of Buildout)

(3) Level of Service.

Roadway capacities should be determined using acceptable FDOT sources. If FDOT sources are not being used, please indicate what source is being used and why.

Chip

Knott, Consoer, Ebelini
Hart & Swett, P.A.
ATTORNEYS - AT - LAW

George H. Knott *+
George L. Consoer, Jr. **
Mark A. Ebelini
Thomas B. Hart
H. Andrew Swett

* Board Certified Civil Trial Lawyer
** Board Certified Real Estate Lawyer
+ Board Certified Business Litigation Lawyer

1625 Hendry Street • Third Floor (33901)
P.O. Box 2449
Fort Myers, Florida 33902-2449

Telephone (239) 334-2722
Telecopier (239) 334-1446

MRoeder@knott-law.com

Matthew D. Uhle
Aaron A. Haak
Derrick S. Eihausen

Director of
Zoning and Land
Use Planning
Michael E. Roeder, AICP

April 21, 2003

DCI 2002-00062
RECEIVED

APR 22 2003

Mr. Chip Block, Senior Planner
Department of Community Development
Post Office 398
Fort Myers, Florida 33902-0398

COMMUNITY DEVELOPMENT

Re: Cypress Woods RV Resort (DCI2002-^{ccc}~~0062~~- PD Application)

Dear Chip:

Please excuse the delay in responding to your sufficiency letter dated November 14, 2002, but we have taken advantage of this time to make some further refinements to the plan which will be explained in this letter and shown on the revised Master Concept Plan ("MCP"). As we discussed at our meeting on December 5, this application has presented the familiar problem that arises when amending a project already under development regarding what legal description to use and from whom to obtain authorizations. The original purpose for the amendment was to increase the allowable RV units from 399 to 599 units, and that remains the primary purpose for this amendment. We are including some minor revisions to the Site Plan as well, but it is the projected mix between RV and mobile home units that requires further clarification.

When this zoning was first approved in 1994, there was some concern on the part of the staff over the potential incompatibility between RV and mobile home units. The applicant took the position that, given the size and quality of the non-transient RV units and the complete disclosure of the nature of development to the buyers who were purchasing lots, there would be no compatibility issues and no problems with converting RV sites to mobile homes over time. That has been the experience at Cypress Woods to date.

ATTACHMENT G

While the original site plan attempted to designate certain lots for mobile homes, it was always the basic ground rule that a lot could be converted from an RV site to a mobile home site but not the reverse. As the project developed, some of the originally designated mobile home sites were purchased by RV owners, and the staff allowed for the modification of the plan to permit this change without a formal amendment, but within the overall constraint that the number of RV sites could not exceed 399 units. However, the most useful way to consider this development is an RV park that allows for the gradual conversion to mobile homes, rather than a mobile home park that allows RV's.

The revised plan shows the sites where mobile homes have already been placed, and those will now always remain mobile home sites. The remaining minimum number of mobile home sites have been temporarily located in the last phase of the development, but it would be our request that new mobile home sites be designated on lots as they are placed, and those units will then count towards the 48 minimum mobile homes that would be required to stay below the DRI threshold. In other words, this new designation of future mobile home sites should be treated as a descriptive rather than a regulatory device, with the condition that the project must have at least 48 mobile homes at buildout to stay below the DRI threshold.

This discussion has some relevance for the authorizations and legal descriptions. We are formally amending the undeveloped portions of the RV park which are owned by Cypress Woods RV Resorts Associates, and that is who is authorizing this application as the owner of that property. However, we have submitted a legal description for the entire park, because it is a simpler procedure, and there are changes within the existing developed portion of the park in that some of the lots that were originally designated for mobile homes are being reassigned to RV's as individual lots have been purchased and developed. However, this should not concern the owners, since they have understood that this development is a mixed RV/mobile home community from the outset. The bottom line is that we have an authorization from the owner of the undeveloped portions of property, but the legal description encompasses the entire 151.5 acre site.

In regard to Lee Plan compliance and residential density, the total number of sites for the entire park is 647. Of these, a maximum of 599 lots can be RVs, and therefore a minimum of 48 lots must be mobile homes. However, over time, all of the 647 sites could be mobile homes, in theory. Even if all 647 lots were to become mobile home sites, the gross residential density would be only 4.26 units per acre, well within the standard density range of the Urban Community Land Use category which is up to 6 units per acre. In all other respects the development is consistent with the Lee Plan, since it

was approved in 1994, began development in 1999, and has not changed in any significant way since that time.

The latest site plan also includes two new deviations. The first of these (#11) would allow for an encroachment of the recreation building and a related pier and gazebo into the 25' setback from the lake and extending over the lake. The second new deviation (#12) would allow for a reduction in the required parking for the two club houses. The existing club house has approximately 2,580 sq.ft. of administrative office space, and the deviation request assumes the allocation one space per 300 sq.ft. to this office use and is based on the premise that this office space will remain. A justification for the new deviations is included for your review as Exhibit IV-J-I.

We are submitting:

1. a revised application which provides answers to the questions that were left blank or labeled N/A previously;
2. a copy of the deed restrictions (Exhibit I-E-1);
3. a revised Exhibit II-E-2;
4. a revised Exhibit IV-I-1 (along with 11x17 copies);
5. a revised zoning and land use map (Exhibit III-A-2);
6. a revised Endangered Report and map (Exhibits III-C-3 and III-C-8);
7. a revised FLUCCS map (Exhibit III-C-6)
8. a new Exhibit III-A-1 (attached to MCP), which indicates the neighboring roads and abutting easements. We have been given a waiver from Pam Houck of the requirement to have a survey that is tied to the West Florida State Plane Coordinate System.

The MCP has been revised to show the indigenous open space provided, and that the required indigenous open space is being met by using the various credits provided in 10-415(b)(2). The original deviations have also been revised to reference the new sections of the LDC.

Chip Block, Senior Planner
April 22, 2003
Page 4

Finally, I am attaching a copy of the application to DCA for a Binding Letter of Determination. Please do not hesitate to contact me if you have any questions or require additional information.

Very truly yours,

KNOTT, CONSOER, EBELINI,
HART & SWETT, P.A.

A handwritten signature in black ink, appearing to read "Mike Roeder".

Michael E. Roeder, AICP
Director of Planning and Land Use

MER/dap
Encls.

cc: Avi Harpaz (w/o encls)
Don Slisher (w/o encls)

EXHIBIT II-E-2

COMPLIANCE WITH LEE PLAN

This is an amendment to an existing MHPD/RVPD approval that was granted in 1994. The only change to the new site plan is a slight reduction in density from 684 units to 647 units, reflecting increased environmental preserves, and an increase in potential RV sites from 399 to 599 units. If this amendment is approved, there must be a minimum of 48 mobile home sites at buildout, but the plan would allow for 647 sites to become mobile homes over time. The overall density of the project for both types of unit is 4.27 units per acre, which is well within the density range of the Urban Community Land Use category in which it is located. As approved, the project is in compliance with all other policies within the Lee Plan relating to available services, environmental issues, and hurricane sheltering. The project has been under development for the past four years, and this amendment is simply to allow an increase in the number of RV sites within the overall approved plan.

EXHIBIT IV-J-1

JUSTIFICATION FOR DEVIATIONS

11. *A deviation from Section 34-2194(b)(3) of the LDC to permit a water related use (i.e. clubhouse, deck, pier and gazebo) to encroach into the 25' setback and to extend 90' into an artificial body of water. This request is made pursuant to the exception provided in 34-2194(c)(1)a.*

This deviation will allow for a portion of the clubhouse and deck to extend over the edge of the artificial pond in Cypress Woods, and also allow for a pier and gazebo to extend a total of 90' beyond the control elevation of the pond. The width of the structure at the control elevation is approximately 40' but tapers down quickly from there. This structure will allow the residents of Cypress Woods to enjoy the benefits of waterside recreation and views. The remainder of the pond shoreline will be maintained in its natural condition with the required littoral vegetation. This design will also allow for the preparation of a number of mature oak trees on the site.

12. *Deviation from Section 34-2020(4)o.2 which would require 135 spaces for the two clubhouse facilities to provide 44 spaces.*

The requirement of one space per 100 square feet of indoor recreation facility has never been applied rigidly to private recreation facilities within a residential development, although it is the only parking standard provided in the Code. Heretofore the staff has always conducted a site specific review of the density and compactness of the development and the ability of the residents to access these recreation facilities without using their private automobiles. It has been the experience of Cypress Woods, which has been in operation for over four years, that very few people drive to the existing clubhouse. They either walk, ride a bike, or use a golf cart. It is anticipated that the second clubhouse will also provide centralized recreational amenities to a large portion of the development, although there will be more lots located a further distance than from the original clubhouse facility. Therefore, the second clubhouse is providing proportionately more parking than the original clubhouse. However, the original clubhouse has never had a shortage of parking or even had half of its spaces occupied to date.

EXHIBIT II-E-5

COMPLIANCE WITH DECISION-MAKING GUIDELINES

This development meets the requirements of Section 34-145(d)(3) because:

- a. It is in compliance with the Lee Plan, the LDC and all other codes and regulations;**
- b. It meets all performance and location standards;**
- c. The density is consistent with the Lee Plan;**
- d. It is compatible with existing and planned uses in the surrounding area;**
- e. It will not place an undue burden upon existing transportation or planned infrastructure;**
- f. It will not adversely affect environmentally critical areas;**
- g. The proposed mix of uses is appropriate at the subject location; the existing conditions provide sufficient safeguards to the public interest and there are no adverse impacts to the public interest created by the proposed development;**
- h. Adequate public services are available to serve the proposed development.**

EXHIBIT II-E-4
COMPLIANCE WITH DESIGN STANDARDS

This development and site plan were originally approved in 1995, and the proposed amendment to the plan only shows a small decrease in density and an increase in the number of RV units that would be allowed within the development. The original elements of the Master Plan as approved in 1995 remain intact and address Chapter 34-411 as follows:

- a. It is consistent with the density and all other provisions of the Lee Plan;
- b. It is designed and constructed in accordance with the provisions of the County Development Regulations, except where specific deviations were approved as part of the zoning;
- c. The requirements under this section are fully met by the location, size and design of the development;
- d. The development has access to Lockett Road which is currently operating at Level of Service "C";
- e. It is not within the Lee Plan public transit service area;
- f. This development will not increase hazards to persons or property;
- g. The site has been designed to protect the most important environmental resources and set them aside as preserve areas;
- h. Again, the site has been designed around the critical environmental features;
- i. The site design has no negative impacts on surrounding land uses;
- j. The surrounding land uses are not of a nature to be integrated into this type of development;
- k. The design has 40 ft. perimeter buffers to protect neighboring land uses;
- l. The development has various subunits to create neighborhoods;
- m. N/A;
- n. N/A;
- o. Adequate parking is provided for all uses;
- p. N/A;
- q. Overall design elements are coordinated through a property owners association.

EXHIBIT IV-I-1
MASTER LIST OF USES FOR ENTIRE DEVELOPMENT

A. Residential Uses				
	Type	Habitable stories	Height	Total Number of Units
A.1.	Single Family			
A.2.	Zero lot line			
A.3.	Mobile Homes			at least 48
A.4.	Recreational Vehicles			not more than 599
A.5.	Duplex/Two Family			
A.6.	Townhouses			
A.7.	Multiple Family	1 - 3 stories		
A.8.	Multiple Family	4 - 6 stories		
A.9.	Multiple Family	7 or more		
A.10	TOTAL UNITS			647

B. Assisted Living Facilities				
	Type	Habitable Stories	Height	Total Number of Beds
B.1.	Dependent Living Units			
B.2.	Independent Living Units			
B.3.	TOTAL UNITS			

C. Hotels/Motels				
	Room Size	Habitable Stories	Height	Number of Rental Units
C.1.	< 425 sq. ft.			
C.2.	426-725 sq. ft.			
C.3.	725 < sq. ft.			
C.4.	TOTAL UNITS			

D. Commercial				
		Habitable Stories	Height	Total Floor area
D.1.	Medical			Sq.Ft.
D.2.	General Office			Sq.Ft.
D.3.	Retail			Sq.Ft.
D.4.	Other			Sq.Ft.
D.5.	TOTAL FLOOR AREA			Sq.Ft.

E. Industrial				
		Habitable Stories	Height	Total Floor area
E.1.	Under Roof			
E.2.	Not under Roof	NA		
E.3.	TOTAL FLOOR AREA			

F. Mining				
			Depth	
F.1.	Area to be excavated	NA		Acres

MRoeder@knot-law.com

May 28, 2003

Mr. Chip Block, Principal Planner
Zoning Division
Department of Community Development
Post Office 398
Fort Myers, Florida 33902-0398

Re: Cypress Woods RV Resort - DCI2002-00062

Dear Chip:

Thank you for taking the time to meet with me on Tuesday, May 19th to discuss this application and the recent sufficiency letter. We agreed that the survey of the entire parcel and the authorizations from the developer who is the owner of the undeveloped portions of the property is the most appropriate way to handle this request. However, all of the owners of individual lots are going to receive notice of the pending amendment so that they can attend the hearing or request additional information.

One of the reasons for including the entire parcel in the application is that we are requesting a revision to original Condition #4 in Resolution Z-94-025 as well as clarification of #4 in Administration Amendment ADD2002-00111 relating to the "dot notation" signifying mobile home lots. The original master concept plan had attempted to identify those lots which would have mobile homes, and the original zoning resolution in Condition #4 stated that RV lots could only be designated as mobile home lots by means of an administrative amendment to the zoning approval. The administrative amendment in 2002 recognized that many of these dots had been relocated without a formal amendment, and approved a new map, but did not clarify what would be the procedure in the future.

With this new amendment we would like to revise original Condition #4 to make it

clear that the dots will continue to signify mobile home sites, but that they can be added to the site plan as owners move mobile homes onto the sites without a formal amendment. The only continuing restriction is that once a site has been designated for mobile homes, it can no longer revert to an RV site

At the meeting, we also agreed that the survey tied to the State Plan Coordinate System has been waived, and that since this was not a commercial project, there was no need to show "loading" areas. I did check with the surveyors, and there are no other easements on the site other than the FPL easement which has been identified on the plans. We also agreed that you did not need a separate map showing the arterial and collector roads in the vicinity.

Finally, in the original resolution, Condition #7 required a fence along the entire perimeter in addition to the 40 foot perimeter buffer. Cypress Woods has erected this fence alongside the portions that have been developed to date, but the remaining perimeter of the site either abuts commercial nurseries, very low density ranchette development, or industrial areas. We do not believe a fence in these areas is necessary or desirable, and it is not required for RV parks in the LDC. We therefore request that Condition #7 be revised to eliminate the requirement for a fence in the perimeter buffer for the remainder of the development.

Again, thank you very much for your assistance with this application and we look forward to the application being found sufficient and the public hearing being scheduled.

KNOTT, CONSOER, EBELINI,
HART & SWETT, P.A.

Michael E. Roeder, AICP
Director of Planning and Land Use

MER/zw
Encls.

cc: Avi Harpaz
Don Slisher



LEE COUNTY

APPLICATION FOR PUBLIC HEARING FOR PLANNED DEVELOPMENT UNINCORPORATED AREAS ONLY

Applicant's Name: Cypress Woods R.V. Resort Associates

Project Name: Cypress Woods R.V. Resort

STRAP Number(s): 11-44-25-00-00014.0000

STAFF USE ONLY

Commissioner District: _____

Planning Community: _____

Current Zoning: _____

Land Use Classification(s): _____

Lee Plan Density Range: _____

Case Number: DCI 2002-00062

Date of Application: _____

Date found sufficient: _____

Date HEX Public Hearing: _____

Fee: _____

Planner in charge: _____

TYPE OF APPLICATION

 DRI

 PD - Existing Development

 DCI - Major

XX PD - Amendment

 DCI - Minor

LEE COUNTY
COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET)
FORT MYERS, FLORIDA 33902
PHONE (941) 479-8585
PART I

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APPLICANT PROPERTY OWNERSHIP INFORMATION

A. Application Initiated By:

- A.1. ☒ Application is owner-initiated or applicant is authorized by a Covenant of Unified Control. A copy of the Covenant of Unified control is attached as **Exhibit I-A-1.** [34-202(b)(1)b.]
- A.2. ☐ Applicant has been authorized by the owner(s) to represent them for this action. A copy of the Notarized Authorization form is attached as **Exhibit I-A-2.** [34-202(b)(1)c.]
- A.3. ☐ Applicant is a contract purchaser/vendee. A copy of the Notarized Authorization form is attached as **Exhibit I-A-3.** [34-202(b)(1)d.]

B. Name of applicant: Cypress Woods R.V. Resort Associates

Mailing Address: Street 5551 Lockett Road

City: Ft. Myers State: FL Zip: 33905

Phone Area Code: 239 Number: 694-2191 Ext:

Fax Area Code: 239 Number 694-4969

E-mail:

C. Property Ownership

C.1. Name of property owner(s) same as Applicant

Mailing Address: Street:

City: State: Zip:

Phone Area Code: Number: Ext:

Fax Area Code: Number

E-mail:

C.2. N/A **Property owners list:** A list of all owners of the subject property and their mailing addresses, is attached as **Exhibit I-C-2.** [34-202(a)(5)]

D. Date property was acquired by present owner(s): July 1, 1993

D.1. ☒ The owner(s) is/are required to file a disclosure form. The completed disclosure form is attached as **Exhibit I- D-1.** [34-202(b)(1)a]

D.2. N/A The property is subject to a sales contract or sales option and the contract purchaser(s) is/are required to file a disclosure form. The completed disclosure form is attached as **Exhibit I-D-2.** [34-202(b)(1)a]

E. Deed Restrictions:

E.1. ☒ Existing deed restrictions or other covenants on this property may affect this request. A copy of the deed restrictions or other covenants is attached as **Exhibit I-E-1.** [34-202(b)2]

E.2. ☒ A narrative statement explaining how the restrictions may affect the requested action is attached as **Exhibit I-E-2.** [34-202(b)2]

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F.1. **Authorized Agent:** This is the person who will receive all county-initiated correspondence regarding this application. [34-202(b)(1)c.]

Company Name: Knott, Consoer, Ebelini, Hart & Swett, P.A.

Address: 1625 Hendry Street, Suite 301, Fort Myers, FL 33901

Contact Person: Michael E. Roeder

Phone Number: 941/334-2722

Fax Number: 941/334-1446

E-mail: mroeder@knott-law.com

F.2. **Additional Agent(s):** List the names of other authorized agents the county may contact concerning this application. [34-202(b)(1)c.]

F.2.a. Company Name: _____

Address: _____

Contact Person: _____

Phone Number: _____

Fax Number: _____

E-mail: _____

F.2.b. Company Name: _____

Address: _____

Contact Person: _____

Phone Number: _____

Fax Number: _____

E-mail: _____

F.2.c. Company Name: _____

Address: _____

Contact Person: _____

Phone Number: _____

Fax Number: _____

E-mail: _____

Company Name: _____

F.2.d.

Address: _____

Contact Person: _____

Phone Number: _____

Fax Number: _____

E-mail: _____

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- E.4. ☒ Attached as **Exhibit II-E-4**, is a narrative explanation as to how the proposed development complies with the Design Standards set forth in Section 34-411. [34-373(a)(5)]
- E.5. ☒ Attached as **Exhibit II-E-5**, is a narrative explanation as to how the proposed development complies with the guidelines for decision-making embodied in sections 34-145(c)(2)a and e., and 34-145(d)(3). [34-373(a)(5)]
- F. **Waivers from Application Submission Requirements**
- ☒ The following waivers have been approved by the Director of Development Services. Copies of the approved waiver(s) are attached as **Exhibit II-F-1**.

Section Number	Name of item
<u>34-373(a)(4)d</u>	<u>Soils Map</u>
<u>"</u>	<u>Topography Map</u>
<u>34-373(a)(4)(f)</u>	<u>Map of and Possible Impacts on Historical & Archaeological Sites</u>
<u>34-373(a)(4)(e)</u>	<u>Public transit routes map</u>
<u>34-373(a)(6)i</u>	<u>Excavation Calculations</u>
<u>34-373(a)7</u>	<u>Traffic Impact Statement</u>
<u>34-373(b)(1)</u>	<u>Surface Water Management Plan</u>
<u> </u>	<u> </u>
<u> </u>	<u> </u>

**PART III
EXISTING CONDITIONS**

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A. Location, Zoning and Surrounding land uses.

- A.1. N/A Attached as **Exhibit III-A-1** is a map showing the location of the property to be developed in relation to arterial and collector streets as well as the location of existing easements and rights-of-way on or abutting the property. [34-373(a)(4)a.]
- A.2. ☒ Attached as **Exhibit III-A-2** is a map or other depiction of the existing zoning and current land uses surrounding the tract or parcel to a distance of 500 feet. [34-373(a)(4)b.]
- A.3. ☒ Attached as **Exhibit III-A-3** is an aerial photograph with the site clearly delineated. [34-373(a)(4)c.]

B. Archaeological/Historical

- B.1. N/A Attached as **Exhibit III-B-1** is a map indicating the nature and location of known or recorded historical or archaeological sites and the location of any part of the property that is located within level 1 or level 2 zones of archaeological sensitivity pursuant to chapter 22. The plan shows the outline of historic buildings and approximate extent of archaeological sites. [34-373(a)(4)f.]
- B.2. N/A Attached as **Exhibit III-B-2** is a description of proposed improvements that may impact archaeological or historical resources. [34-373(a)(4)f.]

C. Drainage, Water Control and Environmental Issues

- C.1. No The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s.
- C.2. N/A The minimum elevation required for the first habitable floor is _____ NGVD (MSL)
- C.3. ☒ Attached is **Exhibit III-C-3**, the Environmental Assessment Report required by Section 34-1573.

- C.4. ☒ Environmentally sensitive lands on the subject property are delineated on the following maps.
- C.5. N/A Exhibit III-C-5: Soils, classified in accordance with the USDA/SCS System;
- C.6. ☒ Exhibit III-C-6: Vegetation and ground cover in accordance with the FLUCCS.
- C.7. N/A Exhibit III-C-7: Topography or a USGS quadrangle map showing the subject property.
- C.8. ☒ Exhibit III-C-8: Protected Species Survey (if applicable) as required by Section 10-473.

D. Public Transit

- D.1. No Property is within the Lee Tran public transit service area.
- D.2. N/A Exhibit III-D-1 shows the property in relation to existing and proposed public transit routes, including bus stops.

E. Property Dimensions [34-202(a)(8)]

- E.1. Width (average if irregular parcel): 2,621^{approx} Feet
- E.2. Depth (average if irregular parcel): 2,625^{approx} Feet
- E.3. Frontage on road or street: 750 Feet Street Name: Luckett Road
- Feet Street Name: _____
- E.4. Total land area: 151.5 Acres or Square Fee

F. Land Area Calculations (Based on total property)

- F.1. Undevelopable Areas:
- a. Existing natural and manmade waterbodies: 4.5 acres
 - b. Freshwater wetland areas: 15.0 acres
 - c. Other wetland areas: -0-
 - d. Submerged land subject to tidal influence -0-
 - e. Total (a + b + c + d): 29.5 acres
- F.2. Remaining developable land (E.4 less F.1.e): 122.0 acres

G. Present Use of Property

- G.1. _____ The property is not vacant. The owner or applicant's signature on this application indicates that the Owner agrees to either remove all existing buildings and structures, OR that the proposed use of the building or structure(s) will be in compliance with all applicable requirements of the Land Development Code. [34-202(b)(3)]
- G.2. ☒ Briefly describe current use of the property: _____
- Phases I, II and III developed for mobile homes and RV sites. Remainder of property is vacant.
- _____
- _____

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**PART IV
PROPOSED DEVELOPMENT**

A. Copies of Master Concept Plan

- A.1. ✓ Attached are copies of **Exhibit IV-A-1** entitled "Proposed Master Concept Plan" drawn to scale on 24 inch by 36 inch medium. [34-373(a)(6)]
- A.2. ✓ Attached are copies of **Exhibit IV-A-2** entitled "Proposed Master Concept Plan" drawn to scale on 11 inch by 17 inch medium. [34-373(a)(6)]

B. Vehicular Ingress & Egress, Public Transit

- B.1. N/A The master concept plan indicates the exact location of all points of vehicular ingress and egress from existing easements or rights-of-way into the development. [34-373(a)(6)a]
- B.2. N/A The proposed development includes plans for subdividing. The master concept plan shows the general location of all proposed internal street rights-of-way or easements [34-373(a)(6)a]
- B.3. N/A The master concept plan indicates the general location from the proposed internal rights-of-way or easements into multiple-family, commercial and industrial lots. [34-373(a)(6)a]
- B.4. N/A Proposed access and public transit facilities have been indicated on the master concept plan as required by Sections 34-411(e) and 10-442. [34-373(a)(4)e]

C. Parks, Open Space and Indigenous areas.

- C.1. ✓ The general location of proposed parks and recreation areas and facilities, has been shown and identified on the master concept plan. [34-373(a)(6)e]
- C.2. ✓ The general location of indigenous areas to be preserved has been shown and identified on the master concept plan. [34-373(a)(6)e]
- C.3. N/A The development is a subdivision consisting solely of conventional single-family units on lots of no less than 6,500 square feet. [34-373(a)(6)f]
- C.4. ✓ Approximately 40 percent of the property will be open space. [34-373(a)(6)f]
- C.5. N/A The minimum open space required by Section 10-329(f)(7) for commercial and industrial lots and outlots has been indicated on the master concept plan. [34-373(a)(6)f]

D. Buffers

- D.1. ✓ The master concept plan indicates the types and minimum widths of buffers proposed along the perimeter of the property as well as between the individual development areas where required. [34-373(a)(6)g]
- D.2. ✓ All buffer types shown refer to buffers described in Chapter 10 of the Land Development Code unless clearly noted otherwise. [34-373(a)(6)g]

E. Surface Water Management

- E.1. N/A The property is located within a flood plain or flow way and compensation for impacts to flood storage capacity or flow ways due to filling of the site will be made at the time of local development order or district permitting. [34-373(b)(1)]
- E.2. N/A A written description of the proposed surface water master plan is submitted as **Exhibit E.2**.

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F. Excavations

- F.1. N/A The general location of excavations for on-site fill and wet retention have been indicated on the master concept plan. [34-373(a)(6)i]
- F.2. N/A Preliminary calculations for cuts and fills have been made and:
- F.3. _____ No excavated materials will be removed from the site.
- F.4. _____ Excavated materials to be removed from the site will comply with the definition of "surplus material" or will not exceed ten percent of the total material excavated.
- F.5. _____ Excavated materials to be removed from the premises exceed the definition of "surplus materials" or will exceed ten percent of the total material excavated. Calculations have been submitted as **Exhibit IV-F-5**. [34-373(a)(6)i]
- F.6. N/A This application includes "mining" as a requested use and a "general mining permit" has been requested in accordance with section 10-329(f)(7). [34-373(a)(6)i]

G. Subdivisions

- G.1. ✓ The proposed development will be divided into lots or parcels. [34-373(a)(6)b]
- G.2. ✓ The uses proposed for each lot or parcel have been indicated and keyed to the proposed list of uses submitted with the application. [34-373(a)(6)b]
- G.3. ✓ The master concept plan indicates the general location, configuration, and approximate dimensions of the lots or parcels (including outparcels), lot coverage, and the minimum proposed setbacks for principal buildings. [34-373(a)(6)b]
- ✓MCP Special property development regulations are proposed for this development and are set forth in Exhibit IV-G-4. To the extent a property development is not indicated in the exhibit, the regulations of the Land Development Code will be used.
- _____ The property development regulations for the _____ zoning district will be used. [34-373(a)(6)b]

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H. Individual Development Areas [34-373(a)(6)c]

- H.1. ✓ The boundary of each individual development area within which buildings, parking or other uses will be located has been delineated on the master concept plan indicating.
- H.2. ✓ Residential uses by type for each development area have been indicated (if applicable) including the maximum number of living units by type.
- H.3. N/A Development areas proposed for hotel or motel use have been indicated as well as the number of hotels/motels and the maximum number of rooms by size.
- H.4. N/A Development areas proposed to contain health care facilities have been indicated as well as the maximum number of beds.
- H.5. N/A Commercial uses by type for each development area have been indicated (if applicable) including the maximum floor area proposed. Where the use includes outdoor areas for display or storage, the outdoor area has been indicated separately from the floor area.
- H.6. N/A Industrial uses by type for each development area have been indicated (if applicable) including the maximum floor area proposed. Where the use includes outdoor areas for display or storage, the outdoor area has been indicated separately from the floor area.
- H.7. N/A Parking under the building(s) is proposed and the number of parking stories has been indicated.
- H.8. N/A The total number of living stories has been indicated.
- H.9. N/A The maximum height of the buildings, including parking stories, has been indicated.
- H.10. N/A The general location of service areas for delivery of goods or services has been delineated on the master concept plan.

Summary list of uses.

- I.1. ✓ MCP A list of all uses, including types and number of units for residential, hotel/motel and assisted living facilities as well as square footage of each type of commercial and industrial use, proposed for the entire development is attached as **Exhibit IV-I-1.** [34-373(a)(8)]

J. Master list of deviations. [34-373(a)(6)]

- J.1. N/A A list of all deviations requested as well as a written justification for the deviation, has been submitted as **Exhibit IV-J-1.**
- J.2. N/A The proposed location for each requested deviation, keyed to the schedule of requested deviations (Exhibit IV-J-1), has been indicated on the master concept plan.
- J.3. N/A Drawings demonstrating the effect of the requested deviations are submitted as **Exhibit IV-J-3.**
- J.4. N/A No deviations are requested.

K. Traffic Impact Statement [34-373(a)(7)]

- K.1. N/A The Traffic Impact statement has been submitted as **Exhibit IV-K-1.**
- K.2. ✓ The director has waived the requirement for this minor planned development. The signed waiver is attached hereto as **Exhibit II-F-1.**

L. Phasing Plan

- L.1. N/A The project will be developed in phases OR the Traffic Impact Statement utilized phasing. A description of the phasing plan has been submitted as **Exhibit IV-L-1.** [34-376(b)(3)]

M. Special Concerns

- M.1. N/A This project includes a private port facility. Attached is a Hazardous Materials Emergency Plan labeled **Exhibit IV-M-1.** [34-202(b)(4)]
- M-2. N/A This project includes rezoning of a mobile home park. Attached as **Exhibit IV-M-2** is the information required by section 34-203(d). [34-203(d)].
- M-3. N/A This project includes a request to use Bonus Density units. Attached as **Exhibit IV-M-3** is information on the type of bonus density units to be used, the source of the bonus density units, and the effect on the overall project. [34-202(b)(5)]
- M-4. N/A The project is a Residential Planned Development located in either a Rural or Outer Island land use classification. Attached as **Exhibit IV-M-4** is the impact analysis. [34-442]
- M-5. N/A This project is subject to the airport hazard regulations. Attached is **Exhibit IV-M-5.** [34-1001]

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PART V - AFFIDAVIT

I, Michael E. Roeder 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. 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 thru this application.

Michael E. Roeder

Signature of ~~Owner~~ or Owner-authorized Agent

4/18/03
Date

Michael E. Roeder

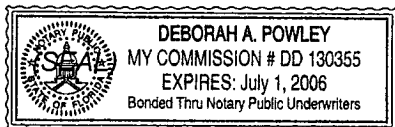
Typed or printed name and title

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 18th day of April 200 3 ,
by Michael E. Roeder who is personally known to me or who has
produced _____ as identification

[Signature]

Signature of notary public



Deborah A. Powley

Printed name of notary public

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LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as:

5551 Lockett Rd., Ft. Myers, FL 33905

Strap #11-44-25-00-00014.0000

and legally described in exhibit A attached hereto.

The property described herein is the subject of an application for zoning or development. We hereby designate Knott, Consoer, Ebelini, Hart & Swett, P.A. as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

Owner

Cypress Woods R.V. Resort Associates, A Florida General Partnership

By: _____

Avi Harpaz
Avi Harpaz, President of
A.H.R. Real Estate Ltd., Inc.,
for RV Park Associates

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 3rd day of January, 2003, by Avi Harpaz, President of A.H.R. Real Estate Ltd., Inc., a Florida Corporation, a partner of RV Park Associates, a Florida General Partnership, a partner of Cypress Woods R.V. Resort Associates, a Florida General Partnership, on behalf of the partnership. He is personally known to me or who has produced _____ as identification.

(SEAL)

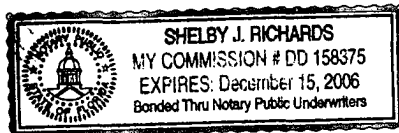
Notary Public

Shelby J. Richards
SHELBY J. RICHARDS
(Name typed, printed or stamped)

*If more than one owner then all owners must sign. See explanation on back.

ZDS0103 Rev.04
3/01/97

Y2K 1/03/2000



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DCI 2002-00062 COMMUNITY DEVELOPMENT

EXHIBIT "A"

LEGAL DESCRIPTION

A PARCEL OR TRACT OF LAND LYING IN THE SOUTHWEST QUARTER (S.W.1/4) OF SECTION 11, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE AFORESAID SECTION 11; THENCE RUN N.00°53'18"W. ALONG THE WEST LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION 11 FOR 25.00 FEET TO THE NORTH LINE OF LUCKETT ROAD (50 FEET WIDE) AND THE POINT OF BEGINNING; THENCE CONTINUE N.00°53'18"W. ALONG THE WEST LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION FOR 2621.45 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER (S.W.1/4); THENCE RUN N.89°01'53"E. FOR 20.00 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1848, PAGE 3142, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN S.00°53'18"E. ALONG THE WEST LINE OF SAID LANDS FOR 640.00 FEET; THENCE RUN N.89°01'53"E. ALONG THE SOUTH LINE OF SAID LANDS FOR 445.50 FEET; THENCE RUN N.00°53'18"W. ALONG THE EAST LINE OF SAID LANDS FOR 640.00 FEET TO THE NORTHEAST CORNER OF SAID LANDS AND THE NORTH LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE AFORESAID SECTION 11; THENCE RUN N.89°01'53"E. ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION 11 FOR 2161.66 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION 11; THENCE RUN S.00°46'12"E. ALONG THE EAST LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION 11 FOR 2626.95 FEET TO THE NORTH LINE OF THE AFORESAID LUCKETT ROAD; THENCE RUN S.89°09'05"W. ALONG THE NORTH LINE OF SAID LUCKETT ROAD FOR 2621.74 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 151.559 ACRES, MORE OR LESS AND IS SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE AFORESAID SECTION 11 AS BEING N.00°53'18"W.

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**EXHIBIT I-A-1
COVENANT OF UNIFIED CONTROL**

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as:

5551 Luckett Road, Fort Myers, FL 33905 Strap #11-44-25-00-00014.0000

and legally described in exhibit A attached hereto.

The property described herein is the subject of an application for planned development zoning. We hereby designate **Knott, Consoer, Ebelini, Hart & Swett, P.A.** as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to Lee County.

The undersigned recognize the following and will be guided accordingly in the pursuit of development of the project:

1. The property will be developed and used in conformity with the approved master concept plan including all conditions placed on the development and all commitments agreed to by the applicant in connection with the planned development rezoning.
2. The legal representative identified herein is responsible for compliance with all terms, conditions, safeguards, and stipulations made at the time of approval of the master concept plan, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by Lee County.
3. A departure from the provisions of the approved plans or a failure to comply with any requirements, conditions, or safeguards provided for in the planned development process will constitute a violation of the Land Development Code.
4. All terms and conditions of the planned development approval will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the planned development must be consistent with those terms and conditions.

ZDS0111 Rev. 02

3/01/97

Y2K 1/03/2000

DCI 2002-00062
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COMMUNITY DEVELOPMENT

5. So long as this covenant is in force, Lee County can, upon the discovery of noncompliance with the terms, safeguards, and conditions of the planned development, seek equitable relief as necessary to compel compliance. The County will not issue permits, certificates, or licenses to occupy or use any part of the planned development and the County may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the planned development.

Owner

Cypress Woods R.V. Resort Associates, A Florida General Partnership

By: _____

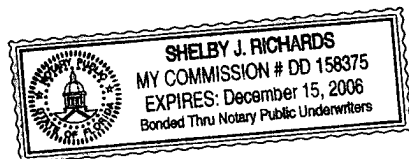
Avi Harpaz
Avi Harpaz, President of
A.H.R. Real Estate Ltd., Inc.,
for RV Park Associates

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 3rd day of January, 2003, by Avi Harpaz, President of A.H.R. Real Estate Ltd., Inc., a Florida Corporation, a partner of RV Park Associates, a Florida General Partnership, a partner of Cypress Woods R.V. Resort Associates, a Florida General Partnership, on behalf of the partnership. He is personally known to me or who has produced _____ as identification.

(SEAL)

Shelby J. Richards
Notary Public
SHELBY J. RICHARDS
(Name typed, printed or stamped)



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COMMUNITY DEVELOPMENT

EXHIBIT "A"

LEGAL DESCRIPTION

A PARCEL OR TRACT OF LAND LYING IN THE SOUTHWEST QUARTER (S.W.1/4) OF SECTION 11, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE AFORESAID SECTION 11; THENCE RUN N.00°53'18"W. ALONG THE WEST LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION 11 FOR 25.00 FEET TO THE NORTH LINE OF LUCKETT ROAD (50 FEET WIDE) AND THE POINT OF BEGINNING; THENCE CONTINUE N.00°53'18"W. ALONG THE WEST LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION FOR 2621.45 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER (S.W.1/4); THENCE RUN N.89°01'53"E. FOR 20.00 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1848, PAGE 3142, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN S.00°53'18"E. ALONG THE WEST LINE OF SAID LANDS FOR 640.00 FEET; THENCE RUN N.89°01'53"E. ALONG THE SOUTH LINE OF SAID LANDS FOR 445.50 FEET; THENCE RUN N.00°53'18"W. ALONG THE EAST LINE OF SAID LANDS FOR 640.00 FEET TO THE NORTHEAST CORNER OF SAID LANDS AND THE NORTH LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE AFORESAID SECTION 11; THENCE RUN N.89°01'53"E. ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION 11 FOR 2161.66 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION 11; THENCE RUN S.00°46'12"E. ALONG THE EAST LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION 11 FOR 2626.95 FEET TO THE NORTH LINE OF THE AFORESAID LUCKETT ROAD; THENCE RUN S.89°09'05"W. ALONG THE NORTH LINE OF SAID LUCKETT ROAD FOR 2621.74 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 151.559 ACRES, MORE OR LESS AND IS SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE AFORESAID SECTION 11 AS BEING N.00°53'18"W.

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COMMUNITY DEVELOPMENT

DISCLOSURE OF INTEREST FORM FOR:

STRAP NOS. 11-44-25-00-00014.0000

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address

Percentage of Ownership

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office

Percentage of Stock

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address

Percentage of Interest

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address

Percentage of Ownership

RV Park Associates, 5551 Lockett Rd., Ft. Myers, FL 33905

65 %

Cypress Woods Domestic Investors, Inc.

8.89 %

1838 40 Ter. SW, Naples, 34116

LTG RV Investment Corp.

3.89 %

1838 40 Terrace SW, Naples, 34116

Harwin Green Investors, L.C.

22.22 %

290-174 St., Apt #1510, Miami Beach, FL 33160

(over)

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COMMUNITY DEVELOPMENT

5. If there is a **CONTRACT FOR PURCHASE**, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address, & Office (if applicable)

Percentage of Stock

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address

_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Owner

Cypress Woods R.V. Resort Associates, A Florida General Partnership

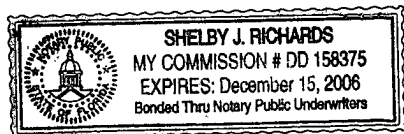
By: _____

Avi Harpaz
 Avi Harpaz, President of
 A.H.R. Real Estate Ltd., Inc.,
 for RV Park Associates

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 3rd day of January, 2003, by Avi Harpaz, President of A.H.R. Real Estate Ltd., Inc., a Florida Corporation, a partner of RV Park Associates, a Florida General Partnership, a partner of Cypress Woods R.V. Resort Associates, a Florida General Partnership, on behalf of the partnership. He is personally known to me or who has produced _____ as identification.

(SEAL)



Notary Public

Shelby J. Richards
 SHELBY J. RICHARDS
 (Name typed, printed or stamped)

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 COMMUNITY DEVELOPMENT

Strap: 11-44-25-00-00014.0000

Address: 5551 Lockett Road

Owner: Cypress Woods R.V. Resort Associates (General Partnership)

Partners:

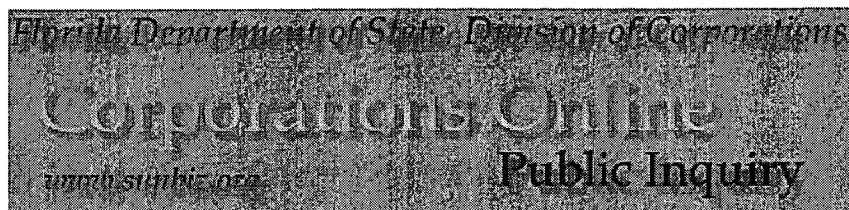
1. LTC RV Investment Corp (Florida Profit)
2. Harwin Green Investors, LC (Florida Limited Liability)
Managing Member: RV Park Associates
3. Cypress Woods Domestic Investors, Inc (Florida Profit)
4. RV Park Associates (General Partnership)
Partners: ARBB Ltd., Inc.
AHR Real Estate, Ltd., Inc.
Conover Holdings, Inc.

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COMMUNITY DEVELOPMENT



General Partnership

CYPRESS WOODS RV RESORT ASSOCIATES

290 - 174TH STREET, #1510
MIAMI BEACH, FL 33160

Document Number
GP9600000455

FEI Number
NONE

Date Filed
07/16/1996

State
FL

Total Pages
0001

Pages in Original Filing
0001

Status
ACTIVE

Effective Date
NONE

Expiration Date
NONE

Current Partners
NONE

Name History
NONE

Cancellation Date
NONE

No Filing History
No Authority Information
No Partner Information
No Name History Information

Previous on List

Return to List

Next on List

Registered Agent

Name & Address
EDWARDS NADIA S CPA 290 - 174TH STREET, #1510 MIAMI BEACH, FL 33160

DET 2002-00062

Document Images

Listed below are the images available for this filing.

GP9600000455 -- 07/17/1996 -- Registration

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General Partnership Inquiry

General Partnership Help

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COMMUNITY DEVELOPMENT

PARTNERSHIP REGISTRATION STATEMENT

FILED
 SECRETARY OF CORPORATIONS
 DIVISION OF CORPORATIONS
 96 JUL 16 PM 2:54

1. CYPRESS WOODS RV RESORT ASSOCIATES

(Name of Partnership)

2. 290-174th St. #1510 FLORIDA

(State/County of Formation)

(FEI Number)

4. 290-174th Street, #1510, Miami Beach, FL 33160

(Street Address of Chief Executive Office)

5.

(Street Address of Principal Office in Florida, if applicable)

6. In accordance with s. 620.8105(1)(c)(1 & 2), Florida Statutes, required partner information is provided in one of the following options:

- ☐ Attached is a list of the names and mailing addresses of ALL partners and Florida Registration Numbers, other than individuals, or:
- ☒ The name and street address of the agent in Florida who shall maintain a list of the names and addresses all partners:

NAME & FLORIDA STREET ADDRESS
OF FLORIDA AGENT

IF OTHER THAN INDIVIDUAL,
FLORIDA REGISTRATION
NUMBER

NADIA S. EDWARDS, CPA

290-174 St #1510

Miami Beach, FL 33160

If any of the partners are other than individuals, its entity name and Florida Registration Number must be listed below:

- 1) LTG RV INVESTMENT CORP.
- 2) HARWIN GREEN INVESTORS, L.C.
- 3) CYPRESS WOODS DOMESTIC INVESTORS, Inc.
- 4) RV PARK ASSOCIATES

Partner Entity Name

P93000045083

L93000000224

P93000037730

Florida Document #

GP9600000390

The execution of this statement as a partner constitutes an affirmation under the penalties of perjury that the facts stated herein are true.

Signed this 12th day of July, 1996

Signatures of TWO Partners:

Nadia S. Edwards for RV Park Assc. for Con
Harwin Green for Harwin Green

Typed or printed name of partners signing above:

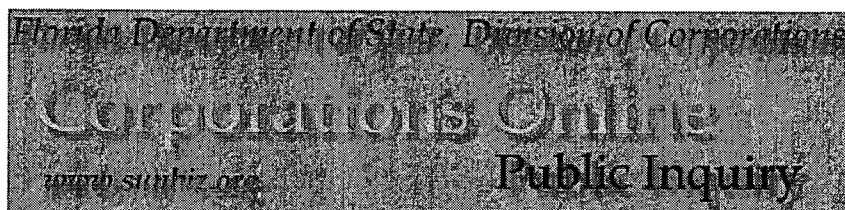
NADIA S. EDWARDS

AVI HARPAZ

CR2E074(5/95)

Filing Fee:	\$50.00
Certified copy:	\$52.50 (optional)
Certificate of Status:	\$ 8.75 (optional)

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 COMMUNITY DEVELOPMENT



Florida Profit**LTG RV INVESTMENT CORP.**

PRINCIPAL ADDRESS

1838 40TH TERR. SW
NAPLES FL 34116 US
Changed 05/15/2002

MAILING ADDRESS

1838 40TH TERR. SW
NAPLES FL 34116 US
Changed 05/15/2002

Document Number
P93000045083

FEI Number
650425012

Date Filed
06/25/1993

State
FL

Status
ACTIVE

Effective Date
NONE

Registered Agent

Name & Address
KRAMER, WILLIAM D 1838 40TH TERR. SW NAPLES FL 34116
Name Changed: 05/15/2002
Address Changed: 05/15/2002

DCI 2002-00062

Officer/Director Detail

Name & Address	Title
SIMMONS, DONNA G 201 NORTH ST. HEBRON CT 06248	COMMUNITY DEVELOPMENT PTS

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Annual Reports

Report Year	Filed Date	Intangible Tax
2001	05/14/2001	
2002	05/15/2002	
2003	04/08/2003	

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No Events

No Name History Information

Document Images

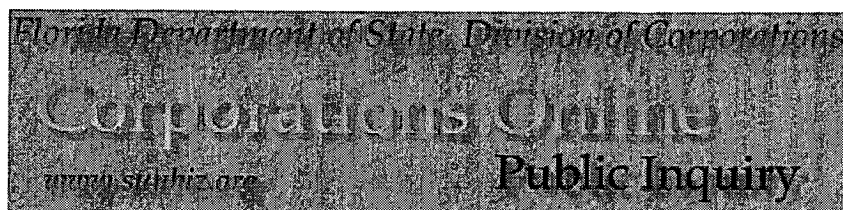
Listed below are the images available for this filing.

[04/08/2003 -- ANN REP/UNIFORM BUS REP](#)
[05/15/2002 -- COR - ANN REP/UNIFORM BUS REP](#)
[05/14/2001 -- ANN REP/UNIFORM BUS REP](#)
[05/03/2000 -- ANN REP/UNIFORM BUS REP](#)
[05/05/1999 -- ANNUAL REPORT](#)
[05/18/1998 -- ANNUAL REPORT](#)
[01/24/1997 -- ANNUAL REPORT](#)
[07/24/1996 -- 1996 ANNUAL REPORT](#)

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[Corporations Inquiry](#)[Corporations Help](#)

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COMMUNITY DEV. DIV.



Florida Limited Liability**HARWIN GREEN INVESTORS, L.C.**

PRINCIPAL ADDRESS

% NADIA S. EDWARDS, CPA
290-174TH ST., SUIT 1510
MIAMI BEACH FL 33160
Changed 06/26/1995

MAILING ADDRESS

% NADIA S. EDWARDS, CPA
290-174TH ST., SUIT 1510
MIAMI BEACH FL 33160
Changed 06/26/1995

Document Number
L93000000224

FEI Number
650425785

Date Filed
07/02/1993

State
FL

Status
ACTIVE

Effective Date
06/28/1993

Total Contribution
100.00

Registered Agent**DCI 2002-00062**

Name & Address
NADIA S. EDWARDS CPA 290 174TH ST SUITE 1510 MIAMI FL 33131

Manager/Member Detail

Name & Address	Title
R.V. PARK ASSOCIATES 290-174TH ST., SUITE 1510 MIAMI FL 33131	COMMUNITY DEVELOPMENT MGRM

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Annual Reports

Report Year	Filed Date	Intangible Tax
2000	05/01/2000	
2001	03/07/2001	
2002	09/13/2002	

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No Events
No Name History Information

Document Images

Listed below are the images available for this filing.

09/13/2002 -- COR - ANN REP/UNIFORM BUS REP
03/07/2001 -- ANN REP/UNIFORM BUS REP
05/01/2000 -- ANN REP/UNIFORM BUS REP
05/03/1999 -- ANNUAL REPORT
06/15/1998 -- ANNUAL REPORT
04/29/1997 -- ANNUAL REPORT

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2002 UNIFORM BUSINESS REPORT (UBR)

DOCUMENT # L93000000224

1. Entity Name

HARWIN GREEN INVESTORS, L.C.

Principal Place of Business

15 NADIA S. EDWARDS, CPA
290-174TH ST., SUITE 1510
MIAMI BEACH FL 33160

Mailing Address

15 NADIA S. EDWARDS, CPA
290-174TH ST., SUITE 1510
MIAMI BEACH FL 33160

2. Principal Place of Business

3. Mailing Address

Suite, Apt. #, etc.

Suite, Apt. #, etc.

City & State

City & State

Zip

Country

Zip

Country

4. FEI Number 65-0425785

Applied For

Not Applicable

5. Certificate of Status Desired ☐ \$5.00 Additional Fee Required

6. Name and Address of Current Registered Agent

NADIA S. EDWARDS CPA
290 174TH ST
SUITE 1510
MIAMI FL 33131

7. Name and Address of New Registered Agent

Name

Street Address (P.O. Box Number is Not Acceptable)

City

FL

Zip Code

8. The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida. I am familiar with, and accept the obligations of registered agent.

SIGNATURE

Signature, typed or printed name of registered agent and title if applicable.

(NOTE: Registered Agent signature required when reinstating)

DATE

FILE NOW!!! FEE IS \$50.00

Make Check Payable to Department of State
Due By September 25, 2002

9. MANAGING MEMBERS/MANAGERS

10. ADDITIONS/CHANGES

TITLE NAME ☐ Delete
NEW R.V. PARK ASSOCIATES
STREET ADDRESS 290-174TH ST., SUITE 1510
CITY-ST-ZIP MIAMI FL 33131

TITLE NAME ☐ Change ☐ Addition
STREET ADDRESS 800007727508
CITY-ST-ZIP -09/13/02--01002--013
***1150.00 ***50.00

TITLE NAME ☐ Delete
STREET ADDRESS
CITY-ST-ZIP

TITLE NAME ☐ Change ☐ Addition
STREET ADDRESS
CITY-ST-ZIP

TITLE NAME ☐ Delete
STREET ADDRESS
CITY-ST-ZIP

TITLE NAME ☐ Change ☐ Addition
STREET ADDRESS
CITY-ST-ZIP

TITLE NAME ☐ Delete
STREET ADDRESS
CITY-ST-ZIP

TITLE NAME ☐ Change ☐ Addition
STREET ADDRESS
CITY-ST-ZIP

TITLE NAME ☐ Delete
STREET ADDRESS
CITY-ST-ZIP

TITLE NAME ☐ Change ☐ Addition
STREET ADDRESS
CITY-ST-ZIP

TITLE NAME ☐ Delete
STREET ADDRESS
CITY-ST-ZIP

TITLE NAME ☐ Change ☐ Addition
STREET ADDRESS
CITY-ST-ZIP

11. I hereby certify that the information supplied with this filing does not qualify for the exemption stated in Section 119.07(3)(b), Florida Statutes. I further certify that the information indicated on this report is true and accurate and that my signature shall have the same legal effect as if made under oath; that I am a managing member or manager of the limited liability company or the receiver or trustee empowered to execute this report as required by Chapter 608, Florida Statutes.

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02 SEP 13 AM 10:12

SECRETARY OF STATE
TALLAHASSEE, FLORIDA



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CITY DEVEL



Florida Profit**CYPRESS WOODS DOMESTIC INVESTORS, INC.**

PRINCIPAL ADDRESS

1838 40TH TERRACE SW
NAPLES FL 34116 US
Changed 05/14/2002

MAILING ADDRESS

C/O W.D. KRAMER
P O BOX 990039
NAPLES FL 34116
Changed 04/30/1999

Document Number
P93000037730

FEI Number
650419098

Date Filed
05/25/1993

State
FL

Status
ACTIVE

Effective Date
NONE

Last Event
REINSTATEMENT

Event Date Filed
11/04/1997

Event Effective Date
NONE

Registered Agent

Name & Address
KRAMER, WILLIAM 1838 40TH TERRACE S.W. NAPLES FL 34116
Name Changed: 11/04/1997
Address Changed: 11/04/1997

Officer/Director Detail

Name & Address	Title
SIMMONS, DONNA G 201 NORTH STREET HEBRON CT 06248	P

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COMMUNITY DEVELOPMENT

Annual Reports

Report Year	Filed Date	Intangible Tax
2000	04/26/2000	
2001	05/10/2001	Y
2002	05/14/2002	

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Document Images

Listed below are the images available for this filing.

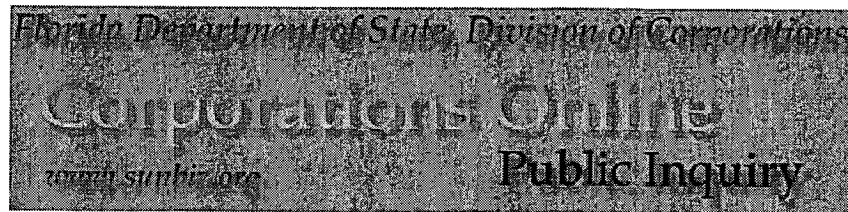
05/14/2002 -- COR - ANN REP/UNIFORM BUS REP
05/10/2001 -- ANN REP/UNIFORM BUS REP
04/26/2000 -- ANN REP/UNIFORM BUS REP
04/30/1999 -- ANNUAL REPORT
05/15/1998 -- ANNUAL REPORT
11/04/1997 -- REINSTATEMENT

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[Corporations Inquiry](#)[Corporations Help](#)

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COMMUNITY DEVELOPMENT



General Partnership

RV PARK ASSOCIATES
C/O NADIA S. EDWARDS, CPA
290-174 STREET, #1510
MIAMI BEACH, FL 33160

Document Number
GP9600000390

FEI Number
650418310

Date Filed
07/09/1996

State
FL

Total Pages
0001

Pages in Original Filing
0001

Status
ACTIVE

Effective Date
NONE

Expiration Date
NONE

Current Partners
NONE

Name History
NONE

Cancellation Date
NONE

No Filing History
No Authority Information
No Partner Information
No Name History Information

Previous on List

Return to List

Next on List

Registered Agent

Name & Address
EDWARDS NADIA S CPA 290-174 STREET, #1510 MIAMI BEACH, FL 33160

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APR 22 2003
COMMUNITY DEVELOPMENT

DCI 2002-00062

Document Images

Listed below are the images available for this filing.

GP9600000390 -- 06/26/1996 -- Registration

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General Partnership Inquiry

General Partnership Help

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APR 22 2003

COMMUNITY DEVELOPMENT

PARTNERSHIP REGISTRATION STATEMENT

1. RV PARK ASSOCIATES

(Name of Partnership)

2. FLORIDA

(State/County of Formation)

3.

65-0418310

(FEI Number)

4. % N.S. EDWARDS, CPA 290-174 St #1510, Miami Bch, FL 33160

(Street Address of Chief Executive Office)

5.

(Street Address of Principal Office in Florida, if applicable)

6. In accordance with s. 620.8105(1)(c)(1 & 2), Florida Statutes, required partner information is provided in one of the following options:

☐ Attached is a list of the names and mailing addresses of ALL partners and Florida Registration Numbers, other than individuals, or:

☒ The name and street address of the agent in Florida who shall maintain a list of the names and addresses of all partners:

NAME & FLORIDA STREET ADDRESS
OF FLORIDA AGENT

NADIA S. EDWARDS, CPA

290-174 Street, #1510

Miami Beach, FL 33160

IF OTHER THAN INDIVIDUAL
FLORIDA REGISTRATION
NUMBER

If any of the partners are other than individuals, its entity name and Florida Registration Number must be listed below:

A.R.B.B. LTD., INC.

F96000003199

A.H.R. REAL ESTATE, LTD., INC.

F96000003196

CONOVER HOLDINGS, INC.

F96000000331

Partner Entity Name

Florida Document #

The execution of this statement as a partner constitutes an affirmation under the penalties of perjury that the facts stated herein are true.

Signed this 26 day of June, 19 96

Signatures of TWO Partners:

Harpa
Nadia S. Edwards

Typed or printed name of partners signing above: AVI HARPAZ

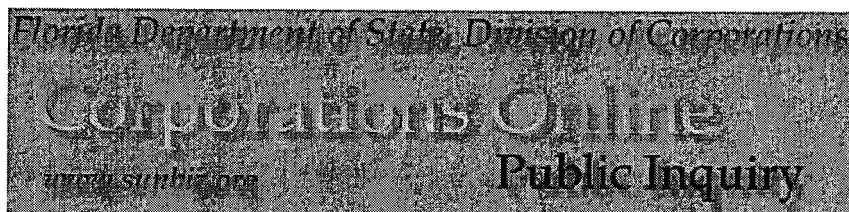
NADIA S. EDWARDS

CR2E074(5/95)

Filing Fee:	\$50.00
Certified copy:	\$52.50 (optional)
Certificate of Status:	\$ 8.75 (optional)

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COMMUNITY DEVELOPMENT



Foreign Profit**A.H.R. REAL ESTATE, LTD., INC.**

PRINCIPAL ADDRESS

%NADIA S. EDWARDS, CPA
290-174TH ST #1510
MIAMI BCH FL 33160

MAILING ADDRESS

%NADIA S. EDWARDS, CPA
290-174TH ST #1510
MIAMI BCH FL 33160

Document Number
F96000003196

FEI Number
650474985

Date Filed
06/25/1996

State
OC

Status
ACTIVE

Effective Date
NONE

Registered Agent DCI 2002-00062

Name & Address
EDWARDS, NADIA CPA 290-174TH ST #1510 MIAMI BCH FL 33160

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Officer/Director Detail

APR 22 2003

Name & Address	Title
HARPAZ, AVI 16 ARUGOT ST HERZLIA, ISRAEL	COMMUNITY DEVELOPMENT DPS

Annual Reports

Report Year	Filed Date	Intangible Tax
2000	05/08/2000	

2001	05/31/2001	
2002	09/18/2002	

[Previous Filing](#)[Return to List](#)[Next Filing](#)

No Events
No Name History Information

Document Images

Listed below are the images available for this filing.

[09/18/2002 -- COR - ANN REP/UNIFORM BUS REP](#)
[05/31/2001 -- ANN REP/UNIFORM BUS REP](#)
[05/08/2000 -- ANN REP/UNIFORM BUS REP](#)
[05/05/1999 -- ANNUAL REPORT](#)
[05/20/1998 -- ANNUAL REPORT](#)
[05/22/1997 -- ANNUAL REPORT](#)

THIS IS NOT OFFICIAL RECORD; SEE DOCUMENTS IF QUESTION OR CONFLICT

[Corporations Inquiry](#)[Corporations Help](#)

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COMMUNITY DEVELOPMENT

2002 UNIFORM BUSINESS REPORT (UBR)

DOCUMENT # F96000003196

1. Entity Name

A.H.R. REAL ESTATE, LTD., INC.

FILED

02 SEP 18 AM 8:23

Principal Place of Business

%NADIA S. EDWARDS, CPA
290-174TH ST #1510
MIAMI BCH FL 33160

Mailing Address

%NADIA S. EDWARDS, CPA
290-174TH ST #1510
MIAMI BCH FL 33160

SECRETARY OF STATE
TALLAHASSEE, FLORIDA



DO NOT WRITE IN THIS SPACE

2. Principal Place of Business

3. Mailing Address

Suite, Apt. #, etc.

Suite, Apt. #, etc.

City & State

City & State

Zip

Country

Zip

Country

4. FEI Number

65-0474985

Applied For

Not Applicable

5. Certificate of Status Desired ☐

\$8.75 Additional
Fee Required

6. Name and Address of Current Registered Agent

EDWARDS, NADIA CPA
290-174TH ST #1510
MIAMI BCH FL 33160

7. Name and Address of New Registered Agent

Name

Street Address (P.O. Box Number is Not Acceptable)

City

FL

Zip Code

8. The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida. I am familiar with, and accept the obligations of registered agent.

SIGNATURE

Signature, typed or printed name of registered agent and title if applicable.

(NOTE: Registered Agent signature required when reinstating)

DATE

9. This corporation is eligible to satisfy its Intangible Tax filing requirement and elects to do so. (See criteria on back) ☐

FILE NOW!!! FEE IS \$550.00
After September 13, 2002 Fee will be \$750.00
Make Check Payable to Department of State

10. Election Campaign Financing Trust Fund Contribution. ☐

\$5.00 May Be
Added to Fees

11. OFFICERS AND DIRECTORS

TITLE OPS
NAME HARPAZ, AVI
STREET ADDRESS 16 ARUGOT ST
CITY-ST-ZIP MERZUA, ISRAEL ☐ Delete

TITLE
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12. ADDITIONS/CHANGES TO OFFICERS AND DIRECTORS IN 11

TITLE
NAME
STREET ADDRESS
CITY-ST-ZIP ☐ Change ☐ Addition

TITLE
NAME 6000007727926-7
STREET ADDRESS -09/13/02--01002--013
CITY-ST-ZIP ***1150.00 ***\$550.00 ☐ Change ☐ Addition

TITLE
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TITLE
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CITY-ST-ZIP ☐ Change ☐ Addition

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13. I hereby certify that the information supplied with this filing does not qualify for the exemption stated in Section 119.07(3), Florida Statutes, that the information indicated on this report or supplemental report is true and accurate and that my signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears in Block 11 or Block 12 if changed, or on an attachment with an address, with all other like empowered.

Return to: (Print or add address stamped)

Memo:

Address:

This instrument Prepared by:

This instrument prepared by
Corrine Collins
Chicago Title Insurance Co.
1343 Colonial Blvd., Ste. 9
Ft. Myers, Florida 33907
Personal to the issuance of a
Title Insurance Commitment

Address:

Property Appraisal Parcel Identification (Folio) Number(s):
11-44-25-00-00014.0000

Grantee(s) S.S. #s:

SPACE ABOVE THIS LINE FOR PROCESSING DATA

Documentary Tax Pa. \$

10,325.00
Marshall Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
Seal

SPACE ABOVE THIS LINE FOR RECORDING DATA

10.50R
10325.00D
10335.50T

This Warranty Deed Made the 1st day of July A.D. 1993 by
DAN H. RUHL, JR. and BARBARA I RUHL, Husband and Wife
hereinafter called the grantor, to CYPRESS WOODS R.V. RESORT ASSOCIATES, a Florida General
Partnership
whose post office address is c/o Arthur B. Wintle, Jr., 3916 Cleveland Avenue, Ft. Myers,
Florida, 33901

hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and their
heirs, legal representatives and assigns of both kinds, and the successors and assigns of corporations)

Witnesseth: That the grantor, for and in consideration of the sum of \$ 10.00 and other
valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises,
releases, conveys and confirms unto the grantee all that certain land situate in LEE
County, State of FLORIDA, viz:

o RECORD VERIFIED - CHARLIE GREEN, CLERK o
o BY: SUSAN THOMPSON, D.C. o

"AS DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE."

NOTE: DAN H. RUHL, JR., IS ALSO THE SAME PERSON AS ONE OF THE GRANTEEES IN THAT
CERTAIN WARRANTY DEED RECORDED IN DEED BOOK 209, PAGE 316, PUBLIC RECORDS
OF LEE COUNTY, FLORIDA.

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, and hereby warrants the
title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land
is free of all encumbrances, except taxes accruing subsequent to December 31, 1992.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year first above
written.

Signed, sealed and delivered in the presence of:

Henry E. Pearce
Signature

HENRY E. PEARCE
Printed Signature

Corrine Collins
Signature

CORRINE COLLINS
Printed Signature

Corrine Collins
Signature

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Corrine Collins
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CORRINE COLLINS
Printed Signature

Dan H. Ruhl, Jr.
Signature

Dan H. Ruhl, Jr.
Printed Signature

H.C.R. Box 6400
Printed Signature

St. George Island, Florida 32328
Printed Signature

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Printed Signature

OFFICIAL NOTARY SEAL
CORRINE COLLINS
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC230509
MY COMMISSION EXPIRES 21, 1996

Witness my hand and official seal to the County and State first above written

at day of July A.D. 1993

Corrine Collins
Notary Signature

CORRINE COLLINS
Printed Notary Signature

Corrine Collins
Signature

CORRINE COLLINS
Printed Signature

Corrine Collins
Signature

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Corrine Collins
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CORRINE COLLINS
Printed Signature

Corrine Collins
Signature

OR 2402 pg 501

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COMMUNITY DEVELOPMENT

EXHIBIT "A"

A portion of the Southwest one-quarter of Section 11, Township 44 South, Range 25 East, Lee County, Florida, more particularly described as follows:

The Southwest one-quarter of Section 11, Township 44 South, Range 25 East, LESS and excepting therefrom the following described parcel of land:

A parcel of land in the Southwest one-quarter of Section 11, Township 44 South, Range 25 East, Lee County, Florida, more particularly described in Deed Book 58 at Page 193 of the Public Records of Lee County, Florida, as:

Beginning at a point of twenty (20) feet East of the Northwest corner of the Southwest one-quarter (1/4) of Section Eleven (11), Township Forty-Four (44) South, Range Twenty-Five (25) East, thence running East Twenty-Seven (27) rods, thence South Six Hundred Forty (640) feet, thence West Twenty-seven (27) rods, thence North Six Hundred Forty (640) feet to the Point of Beginning.

SUBJECT TO: Conditions, restrictions easements, limitations and zoning ordinances of record, if any; and taxes for the year 1993 and subsequent years.

OR 2402 PG 1502

CHARLE GREEN LEE CIV. R.
93 JUL -2 AM 8:40

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COMMUNITY DEVELOPMENT

INSTR # 4784948
OR BK 03205 PG 0893
RECORDED 12/30/99 03:13 PM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 177.00
DEPUTY CLERK G Sherwood



Home Owners' Association, Inc.

DCI 2002-00062

DOCUMENTS

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COMMUNITY DEVELOPMENT

EXHIBIT I-E-1

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CYPRESS WOODS RV RESORT HOMEOWNERS' ASSOCIATION, INC.**

PAGE NO.

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- 8 Index to By-Laws
- 10 By-Laws
- 19 Index to Declaration of Covenants, Conditions and Restrictions
- 20 Declaration of Covenants, Conditions and Restrictions
- 36 Exhibits

ARTICLES OF INCORPORATION

of

CYPRESS WOODS RV RESORT HOMEOWNERS' ASSOCIATION, INC.

The undersigned subscriber to these Articles of Incorporation, a natural person competent to contract, hereby voluntarily associates himself for the purpose of forming a corporation not for profit under Chapter 617, Florida Statutes.

ARTICLE I

NAME:

The name of the corporation is CYPRESS WOODS RV RESORT HOMEOWNERS' ASSOCIATION, INC. For convenience, the corporation shall be referred to in this instrument as "Association."

ARTICLE II

PURPOSE:

This corporation is organized to establish a residential homeowners' association of the owners of Lots in the subdivision known as CYPRESS WOODS RV RESORT (hereafter "Cypress Woods") in Fort Myers, Lee County, Florida, (the "subdivision") as it may exist or be expanded from time to time. This organization shall have the following specific purposes:

1. To provide for the maintenance of such areas and structures as may be placed under the jurisdiction of this Association.
2. To promote the health, safety and welfare of the residents within Cypress Woods.
3. The purpose of this corporation will not include or permit pecuniary gain or profit nor distribution of its income to its members, officers or directors.

ARTICLE III

POWERS:

This Association shall have and exercise all rights and powers conferred upon corporations under the laws of the State of Florida consistent with these Articles and the Declaration of Covenants, Conditions and Restrictions for Cypress Woods RV Resort, and as amended as may be recorded from time to time in the Public Records of Lee County, Florida, (the "Declaration").

Articles of Incorporation
Cypress Woods RV Resort Homeowners' Association, Inc.

This corporation shall also have all of the powers and authority reasonably necessary or appropriate to the operation and regulation of a residential subdivision subject to the Declaration, as it may from time to time be amended, including but not limited to the following:

- (a) To exercise all the powers and privileges and to perform all the duties and obligations of the Association as defined in the Declaration.
- (b) To fix, levy, collect and enforce payment by any lawful means, all charges or assessments and assessment liens pursuant to the terms of the Declaration, to pay all expenses in connection therewith and all office and of their expenses incident to conduct of the business of the corporation, including all licenses, taxes or governmental charges levied or imposed against the property of the Association.
- (c) To enforce the terms and provisions of the Declaration and any and all other covenants, conditions, restrictions and agreements available to the subdivision known as CYPRESS WOODS RV RESORT.
- (d) To pay taxes, if any, on the Common Areas and facilities.
- (e) To acquire (by gift, purchase or otherwise), own hold, improve, build upon, operate, maintain, convey, sell, lease, transfer, dedicate for public use or otherwise dispose of real or personal property in connection with the affairs of the Association.
- (f) To dedicate, sell or transfer all or any part of the Common Areas, if any, to any public agency, authority, or utility for such purposes and subject such conditions as may be agreed to by the members.
- (g) To borrow money, and with the assent of three-fourths (3/4) of the voting members, to mortgage, pledge, deed in trust, or hypothecate any or all of its real or personal property as security for money borrowed or debts incurred.
- (h) To participate in mergers and consolidations with other non-profit corporations organized for the same purpose, provided that any such merger or consolidation or annexation shall have the assent of three-fourths (3/4) of the voting members.
- (i) To make and amend reasonable regulations respecting the use of Common Areas, provided, however, that all such regulations and their amendments shall not be in conflict with any provision of the Declaration.

Articles of Incorporation
Cypress Woods RV Resort Homeowners' Association, Inc.

(j) To operate and maintain any surface water management system as permitted by the South Florida Water Management District, including any and all lakes, retention areas, culverts and related appurtenances.

(k) Subject always to the Declaration, to have and to exercise any and all powers, rights and privileges which a corporation organized under the Non-Profit Corporation Law of the State of Florida by law may now or hereafter have or exercise.

ARTICLE IV

MEMBERSHIP:

The Association shall have two (2) classes of membership.

Class A Membership. Class A Members shall be all Owners of Lots in Cypress Woods, with the exception of the Developer, so long as it is a Class B Member. Said Class A Membership shall be appurtenant to ownership of each Lot (as said term is defined in the Declaration) and shall not be separable from the ownership of any Lot.

Class B Membership. Developer, or any person or entity who is assigned the rights of the Developer under the Declaration, shall be the sole Class B Member of the Association. Class B Membership shall continue until all Lots have been sold by Developer or until Developer elects to convert its Class B Membership to Class A Membership.

ARTICLE V

VOTING:

Voting by Members in the affairs of the Association shall be as follows:

(a) Number of Votes.

- (i) Each Class A Member shall be entitled to one (1) vote for each Lot of which such Member is the Owner.
- (ii) The Class B Member shall be entitled to four (4) votes for each Lot it owns.

ARTICLE VI

BOARD OF DIRECTORS:

The affairs of this corporation shall be managed by a Board of

Articles of Incorporation
Cypress Woods RV Resort Homeowners' Association, Inc.

Directors, who need not be members of this corporation. The Corporation shall hold an organizational meeting at the call of the incorporator to elect a board of directors who shall complete the organization of the corporation. The number of Directors may be increased by the By-Laws of this corporation, but shall never be less than three (3) Directors. The Directors may, by By-Law, fix the term of office for all Directors. However, unless contrary provisions are made by By-Law, each Director's term of office shall be for one (1) year, but all Directors shall continue in office until their successors are duly elected and installed. There shall be held at each annual meeting, of this corporation, an election of Board Members as more particularly set out in the By-Laws. However, Directors, if re-elected, may serve successive annual terms without limitation.

A majority of the Directors currently serving as such shall constitute a quorum. Except as herein otherwise specified, the decision of a majority of the Directors present at a meeting at which a quorum is present shall be required and shall be sufficient to authorize any action on behalf of the corporation. Each Director shall be entitled to one (1) vote on every matter presented to the Board of Directors.

Any meeting of the members or of the Board of Directors of the corporation may be held within or without the State of Florida.

ARTICLE VII

OFFICERS:

The affairs of this Association shall be administered by a President, Vice President, Secretary and Treasurer. The initial officers shall be elected by the Board of Directors at its organizational meeting and shall serve at the pleasure of the Board of Directors.

ARTICLE VIII

DISSOLUTION:

This Association may be dissolved with the assent given in writing and signed by not less than three-fourths (3/4) of the voting interest of the membership. Upon dissolution of this Association, other than incident to a merger or consolidation, its assets, both real and personal, including the surface water management system, shall be dedicated or conveyed to an appropriate public agency to be used for purposes similar to those for which this corporation was formed. In the event there is a refusal to accept such dedication, then such assets shall be granted, conveyed and assigned to any non-profit corporation, association, trust or other organization which is devoted to purposes similar to those

Articles of Incorporation
Cypress Woods RV Resort Homeowners' Association, Inc.

of this corporation.

ARTICLE IX

BY-LAWS:

The First By-Laws of this corporation shall be adopted by the Board of Directors and may be altered, amended or rescinded in the manner provided by the By-Laws.

ARTICLE X

DURATION:

This corporation shall have perpetual existence.

ARTICLE XI

AMENDMENTS:

Amendments to these Articles shall be proposed by the Board of Directors and adopted by a majority of the voting interests of members of the Corporation at any annual or special meeting called for that purpose, provided that the full text of any proposed amendment shall be included in the notice of such special meeting and provided further that the voting requirements specified for any action under any provision of these Articles shall apply also to any amendment of such provision, and no amendment shall be effective to impair or dilute the rights of members that are governed by the Declaration.

ARTICLE XII

SUBSCRIBER:

The name and address of the subscribing incorporator of these Articles of Incorporation is:

NAME

ADDRESS

Lee C. Greenough

2096 50th Terrace SW
 Naples, FL 34116

ARTICLE XIII

INDEMNIFICATION:

Every Director and every officer of the Association shall be indemnified by the Association against all expenses and liabilities, including counsel fees, reasonably incurred by or imposed upon him in connection with any proceeding, or any settlement of any proceeding to which he may be a part or in which he may become involved by reason of his being or having, been a Director or officer of the Association whether or not that person

Cypress Woods RV Resort Homeowners' Association, Inc.

is a Director or officer at the time such expenses are incurred, except when the director or officer is adjudged guilty of willful misfeasance or malfeasance in the performance of that person's duties; provided that in the event of a settlement the indemnification shall apply only when the Board of Directors approves such settlement. The foregoing right of indemnification shall be in addition to and not exclusive for all other rights to which each Director or officer may be entitled.

ARTICLE XIV

ADDRESS:

The address of the principal office and the mailing address of the corporation is 5551 Luckett Road, Fort Myers, FL 33905.

ARTICLE XV

REGISTERED OFFICE:

The address of the corporation's initial registered office is:

5551 Lockett Road
Fort Myers, FL 33905

The name of the corporation's initial registered agent at the above address is:

Lee C. Greenough

IN WITNESS WHEREOF, for the purpose of forming this corporation under the laws of the State of Florida, I, the undersigned, constituting the subscribing incorporator of this corporation have, have executed these Articles of Incorporation this 1st day of MAY, 1999.

SUBSCRIBER:

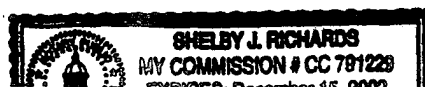
Lee C. Greenough

STATE OF FLORIDA)
) SS
COUNTY OF LEE)

The foregoing instrument was acknowledged before me this 1st day of May, 1999.

(SEAL)

Shelley J. Bushnell
NOTARY PUBLIC
My Commission Expires:

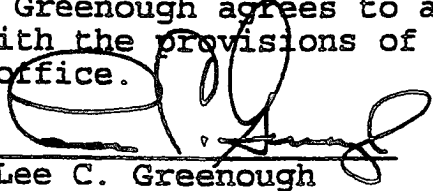


Articles of Incorporation
Cypress Woods RV Resort Homeowners' Association, Inc.

ACCEPTANCE OF REGISTERED AGENT: —

Having been named to accept services of process for CYPRESS WOODS RV RESORT HOMEOWNERS' ASSOCIATION, INC. at the place designated in the Articles of Incorporation, Lee C. Greenough agrees to act in this capacity, and agrees to comply with the provisions of Section 48.091 relative to keeping open such office.

By:


Lee C. Greenough

Date: 5/1/, 1999

Index to By-Laws of Cypress Woods RV Resort Homeowners' Association, Inc.

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CYPRESS WOODS RV RESORT HOMEOWNERS' ASSOCIATION, INC.

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OR BK 03205 PG 0903

By-Laws of Cypress Woods RV Resort Homeowners' Association, Inc.

BY-LAWS OF
CYPRESS WOODS RV RESORT HOMEOWNERS' ASSOCIATION, INC.

ARTICLE I
IDENTIFYING DATA

Section 1. Name of Association. The name of this corporation shall be CYPRESS WOODS HOMEOWNERS' ASSOCIATION, INC., and hereinafter the corporation shall be referred to as the "Association" or "Corporation".

Section 2. Address of Association. The principal office of the Association shall be at the development known as CYPRESS WOODS RV RESORT (or "Subdivision") 5551 Luckett Road, Fort Myers, FL 33905.

ARTICLE II
TERMS AND MEANINGS

The terms used herein shall have the meanings as defined in the Declaration of Covenants, Conditions and Restrictions for CYPRESS WOODS RV RESORT (the "Declaration") as they may exist and be amended from time to time, and as recorded in the Public Records of Lee County, Florida. The term "Lot Owners" refers to members of the Association.

ARTICLE III
MEETINGS OF MEMBERSHIP

Section 1. Location. All meetings of the Association, unless otherwise provided for in the notice of such meetings, will take place at the office of the Association or at the Subdivision.

Section 2. Annual Meetings.

- A. The first regular annual meeting of the membership shall be held at a time designated by the First Board of Directors which time shall be during the twelfth (12th) month after the sale of the first Lot subject to the jurisdiction and powers of this Association.
- B. Thereafter the regular annual meetings shall be held at a date, time and place to be set by the Board of Directors, but not more than twelve (12) months after the previous annual meeting.
- C. At the annual meeting, except as heretofore set forth and as otherwise provided in the Articles of Incorporation, a Board of Directors shall be elected which shall also be known as the Board of Administration, and such other business shall be transacted as may properly come before the meeting.
- D. Written notice of the annual meeting and a copy of the proposed next year's budget shall be served upon or mailed by the Secretary to each member entitled to vote thereon, at such address as appears on the books of the Corporation at least thirty (30) days prior to the meeting. Unless a member waives in writing the right to receive such

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notice, the Post Office certificate of mailing shall be retained as proof of mailing the notice.

E. Order of business. The order of business at the annual members' meeting and as far as practical of other meetings, shall be:

- 1) Call to order be temporary Chairperson.
- 2) Election of Chairperson at meeting.
- 3) Calling of roll and certifying of proxies.
- 4) Proof of Notice of Meeting or Waiver of Notice.
- 5) Reading and Disposal of any unapproved Minutes.
- 6) Reports of Officers.
- 7) Reports of Committees.
- 8) Election of Inspectors of Election.
- 9) Determination of number of Directors.
- 10) Election of Directors.
- 11) Unfinished Business.
- 12) New Business.
- 13) Adjournment.

Section 3. Membership List. At least thirty (30) days before every election of Directors, a complete list of members entitled to vote at said election, arranged numerically by Lot number shall be prepared by the Secretary.

Section 4. Special Meetings.

- A. Special meetings of the members, for any purpose or purposes, unless otherwise prescribed by statute or by the Articles of Incorporation, may be called by the President and shall be called by the President or Secretary, at the request in writing of a majority of the Board of Directors, or at the request in writing of ten (10) members. Such requests shall state the purpose or purposes of the proposed meeting.
- B. Written notice of a special meeting of members stating the time, place and object thereof shall be served upon and mailed to each member entitled to vote thereon, at such address as appears on the books of the Corporation, at least fourteen (14) days before such meeting.
- C. Business transacted at all special meetings shall be confined to the subject stated in the notice thereof.

Section 5. Right to Vote and Proxies. At any meeting of the members, every member having the right to vote shall be entitled to vote in person or by proxy. Such proxies shall only be valid for such meeting or subsequent adjourned meeting thereof, unless the proxy states expressly to the contrary. No member may vote by general proxy, but may vote by limited proxy. Limited proxies and general proxies may be used to establish a quorum. Limited proxies may also be used for votes taken to amend the Articles of Incorporation, the By-Laws, or for any matter that requires or permits a vote of the members. Any proxy shall be effective only for the specific meeting for which originally given and any lawfully adjourned meetings thereof. A proxy is not valid for a period longer than 90 days after the date of the first meeting or which it was given. A proxy is revocable at any time at the pleasure of the member who executes it.

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Section 6. Quorum. A majority of the votes of the entire membership, entitled to be cast, whether present in person or by written proxy shall constitute a quorum at all meetings of the members for the transaction of business, except as otherwise provided by the statutes, by the Articles of Incorporation, or by these By-Laws. If, however, such quorum shall not be present or represented at any meeting of the members, the members entitled to vote thereat, present in person or represented by written proxy, shall have power to adjourn the meeting from time to time without notice other than announcement at the meeting until a quorum shall be present or represented. At such adjourned meeting, at which a quorum shall be present or represented, any business may be transacted which might have been transacted at the meeting originally called.

Section 7. Vote Required to Transact Business. When a quorum is present at any meeting, a majority vote of the votes entitled to be cast at that meeting shall decide any question brought before the meeting unless the question is one upon which a definite percentage of the vote is required by express provision of the statutes, the Articles of Incorporation or these By-Laws, in which case such expressed provision shall govern and control the decision of such question.

Section 8. Waiver and Consent. Whenever the vote of members at a meeting is required or permitted, by any provision of the statutes, the Articles of Incorporation, or these By-Laws, to be taken in connection with any action of the Association, the meeting and vote of members may be dispensed with if all members who would have been entitled to vote if such meeting were held, shall consent in writing to such action being taken.

Section 9. Parliamentary Rules. Roberts Rules of Order (latest edition) shall govern the conduct of Association meetings when not in conflict with the Articles of Incorporation or these By-Laws.

Section 10. Suspension of Rights. The membership rights (including voting rights) of any member may be suspended by action of the Board of Directors of the Association if such member shall have failed to pay when due any assessment or charge lawfully imposed upon him or any property owned by him within CYPRESS WOODS RV RESORT or if the member, his family, his tenants, or guest thereof, shall have violated any term or provision of the Declaration.

ARTICLE IV MEMBERS OF THE BOARD OF DIRECTORS

Section 1. Members. The affairs of this Corporation shall be managed by a Board of Directors whose members need not be members of this Corporation.

Section 2. Number. The number of Directors which shall constitute the entire Board of Directors shall not be less than three (3), nor more than seven (7). Until changed by majority vote at a duly called annual meeting of the members, the number of Directors shall be three (3).

Section 3. Term. The term of the Directors shall be for the period from the date of their election or appointment until their successors have been elected at the next annual meeting.

Section 4. First Board of Directors. The first Board of Directors, as set out in the Articles of Incorporation, shall hold office and exercise all powers of the Board of Directors until the first election, anything herein to the contrary notwithstanding. Any or all of said Directors shall be subject to replacement by the remaining Directors in the event of resignation or death.

Section 5. Subsequent Members of Board of Directors. Members of the Board of Directors shall

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be elected annually at the annual meeting by a majority vote of the votes entitled to be cast at that meeting.

Section 6. Election of Directors. Election of Directors shall be conducted in the following manner:

- (a) Election of Directors shall be held at the annual members meeting.
- (b) A nominating committee of three (3) members shall be appointed by the Board of Directors not less than thirty (30) days prior to the annual members' meeting. The committee shall nominate one (1) person for each Director then serving. Nominations for additional Directorships created at the meeting, shall be made from the floor, and other nominations may be made from the floor.
- (c) The election shall be by ballot (unless dispensed by unanimous consent) and by a plurality of the votes cast, each person voting being entitled to cast his votes for each of as many nominees as there are vacancies to be filled. There shall be no cumulative voting.
- (d) Except as to vacancies provided by removal of Directors by members, vacancies in the Board of Directors occurring between annual meetings of members shall be filled by the remaining Directors.
- (e) Any Director may be removed by concurrence of a majority of the votes of the entire membership at a special meeting of the members called for that purpose. The vacancy in the Board of Directors so created shall be filled by the members of the Association at the same meeting.

Section 7. Vacancy and Removal. if, except as hereinafter provided through removal by a vote of the members, the office of any Director or Directors becomes vacant by reason of death, resignation, retirement, disqualification or otherwise, a successor or successors shall be chosen at a special meeting of the remaining directors through majority vote provided no less than a quorum is present at the meeting. The successor or successors so chosen shall hold office for the unexpired term of the Director or Directors being replaced.

Section 8. Removal. The original Directors, or any Director appointed to fill a vacancy arising prior to the first meeting as hereinabove set forth, shall not be capable of being removed by vote of the membership. After the initial election of Directors by the membership, Directors may be removed with or without cause by an affirmative vote of a majority vote of the members. No Director shall continue to serve on the Board if, except as heretofore set forth, during the term of office the director's membership in the Association shall be terminated for any reason whatsoever.

Section 9. Salaries or Fees. The salaries or fees, if any, to be paid to Directors, shall be determined by a majority vote of the members at the general membership meetings.

Section 10. Powers. The property and business of the Corporation shall be managed by the Board of Directors, which may exercise all corporate powers specifically set out in the Articles of Incorporation, controlling Florida Statutes, these By-Laws, or the Declaration which powers may be delegated to its agents, contractors or employees, subject only to approval by the Lot Owners when that is specifically required.

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Section 11. Meetings Board of Directors.

- A. The annual meeting of each Board of Directors newly elected by the members shall be held immediately upon adjournment of the meeting at which they were elected, provided a quorum shall then be present, or as soon thereafter as may be practical. The annual meeting of the Board of Directors shall be held at the same place as the general members' meeting and shall be open to all Lot Owners.
- B. Special meetings of the Board of Directors shall be held whenever called by the President or a majority of the Board of Directors. The meetings shall be open to all Lot Owners.
- C. A majority of the Board of Directors shall be necessary and sufficient at all meetings to constitute a quorum for the transaction of any business.
- D. Adjourned Meetings. If at any meeting of the Board of Directors there be less than a quorum present, the majority of those present may adjourn the meeting from time to time until a quorum is present. At any adjourned meeting any business that might have been transacted at the meeting as originally called may be transacted without further notice.
- E. Joinder in Meeting by Approval of Minutes. The joinder of a Director in the action of a meeting by signing and concurring in the Minutes of that meeting shall constitute the presence of that Director for the purpose of determining a quorum.
- F. Presiding Officer. The Presiding Officer of Directors meetings shall be the Chairperson of the Board if such an officer has been elected; and if none, the President shall preside. In the absence of the presiding officer, the Directors present shall designate one of their number to preside.
- G. The order of business at all meetings of the Board of Directors shall be as follows:
 - 1) Roll call.
 - 2) Reading of Minutes of the last meeting.
 - 3) Consideration of Communications.
 - 4) Resignations and elections.
 - 5) Reports of Officers and Employees.
 - 6) Reports of Committees.
 - 7) Unfinished business.
 - 8) Original resolutions and new business.
 - 9) Adjournment.
- H. The Minutes of all meetings shall be kept in a book available for inspection by Lot Owners or authorized representatives and Board members at any reasonable time. The Association shall retain these Minutes for a period of not less than seven (7) years.
- I. Notices of meetings of the Board of Directors shall be posted in a conspicuous

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place on the association property at least forth-eight (48) hours in advance, except in an emergency. Notice of any meeting in which assessments against parcels are to be established shall specifically contain a statement that assessments shall be considered and a statement of the nature of such assessments.

Section 12. Financial Statement. The Board of Directors shall, no less often than annually, present a full and clear statement of the business condition of the Association, including a report of the operating expenses of the Association, the assessments paid by each member and the budget for the next year. Notice and copies of the budget shall be furnished to the members as provided for in the ByLaws.

ARTICLE V OFFICERS

Section 1. Executive Officers. The executive officers of this Corporation shall be a President, Vice President, Secretary and Treasurer, all of whom shall be elected annually by said Board of Directors. Any two (2) of said offices may be united in one (1) person except that the President shall not also be the Secretary, or an Assistant Secretary of the Corporation. If the Board of Directors so determines, there may be more than one (1) Vice President.

Section 2. Subordinate Officers. The Board of Directors may appoint such other officers and agents as they may deem necessary, who shall hold office at the pleasure of the Board of Directors and have such authority and perform such duties as from time to time may be prescribed by said Board.

Section 3. Tenure of Officers; Removal. All officers and agents shall be subject to removal, with or without cause at anytime by action of the Board of Directors. The Board of Directors may delegate powers of removal of subordinate officers and agents to any officer.

Section 4. President.

- A. The President shall preside at all meetings of the members and Directors; shall have general and active management of the business of the Corporation; shall see that all orders and resolutions of the Board of Directors are carried into effect.
- B. The President shall have general superintendence and direction of all the other officers of the Corporation and shall see that their duties are performed properly.
- C. The President shall submit a report of the operations of the Corporation for the fiscal year to the Directors whenever called for by them and to the members at the annual meeting, and from time to time shall report to the Board of Directors all matters within the President's knowledge which the interest of the Corporation may be required to be brought to their notice; and
- D. The President shall be an ex officio member of all of the committees and shall have the general powers and duties of supervision and management usually vested in the office of the President of a corporation.

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Section 5. Vice President. The Vice President shall be vested with all the powers and required to perform all the duties of the President in the absence of the President, and such other duties as may be prescribed by the Board of Directors.

Section 6. Secretary.

- A. The Secretary shall keep the Minutes of the meetings of the members and of the Board of Directors.
- B. The Secretary shall see that all notices are duly given in accordance with the provisions of these By-Laws or as required by law.
- C. The Secretary shall be custodian of the corporate records and of the seal of the Corporation and shall see that the seal of the Corporation is affixed to all documents, the execution of which on behalf of the Corporation under its seal is duly authorized in accordance with the provisions of these By-Laws.
- D. The Secretary shall keep the register of the Post Office addresses of each Lot Owner which shall be furnished to the Secretary by such Lot Owner.
- E. In general the Secretary shall perform all duties incident to the office of Secretary and such other duties as from time to time may be assigned by the President or by the Board of Directors.

Section 7. Treasurer.

- A. The Treasurer shall keep full, accurate accounts of receipts and disbursements, all books belonging to the Corporation and shall deposit all monies and other valuable effects in the name of and to the credit of the Corporation in such depositories as may be designated by the Board of Directors.
- B. The Treasurer shall disburse the funds of the Corporation as ordered by the Board, get proper vouchers for such disbursements, shall render to the President and Directors at the regular meeting of the Board or whenever they may require an account of all transactions as Treasurer and of the financial condition of the Corporation.
- C. The Treasurer may be required to give the Corporation a bond, in the sum and with one (1) or more sureties satisfactory to the Board, for the faithful performance of the Treasurer's duties and the restoration to the Corporation, in the case of death, resignation or removal from office, of all books, papers, vouchers, money or other property of whatever kind in the possession of the Treasurer which belong to the Corporation.

Section 8. Vacancies. If the office of the President, Vice President, Secretary or Treasurer, one (1) or more, becomes vacant by reason of death resignation, disqualification or otherwise, the remaining Directors by a majority vote of the whole Board of Directors provided for in these By-Laws may choose a successor or successors who shall hold office for the unexpired term.

Section 9. Resignations. Any Director or other officer may resign from office at any time, such resignation to be made in writing, and to take effect from the time of its receipt by the

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Corporation, unless some time be fixed in the resignation, and then from that date; provided that the acceptance of a resignation shall be required to make it effective.

Section 10. Salaries and Fees. The salaries or fees, if any, to be paid to officers shall be determined by the Directors and subject to approval by a majority of the members.

ARTICLE VI FINANCES

Section 1. Fiscal Year. The fiscal year shall be the calendar year.

Section 2. Budget. The Board of Directors shall adopt a budget for each calendar year that shall include the estimated funds required to defray Tract and Lot expenses and to provide and maintain funds for capital improvements for such things as, paved areas, painting any landscaping, all in accordance with good accounting practices.

Section 3. Assessments. Assessments against the Lot Owners for their shares of the items of the budget shall be made by the Board of Directors for the calendar year annually in advance on or before December 1st preceding the year for which the assessments are made.

ARTICLE VII SEAL

The seal of the Corporation shall have inscribed thereon the name of the Corporation, the year of its organization and the words "non profit". Said seal may be used by causing it or a facsimile thereof to be impressed, affixed, drawn, reproduced or otherwise.

ARTICLE VIII NOTICES

Section 1. Notice. Whenever, under the provisions of the statutes, the Articles of Incorporation or these By-Laws, notice is required to be given to any Director or member, it shall be construed to mean either personal notice, or notice given in writing by mail by depositing the same in the Post Office or letter box in a postpaid envelope addressed to such Director or member as the name appears on the books of the Corporation.

Section 2. Waiver of Notice. Whenever any not required to be given under the provisions of the statutes, the Articles of Incorporation, or these By-Laws, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed to be equivalent to the required notice.

ARTICLE IX

Whenever the masculine singular form of the pronoun is used in these By-Laws, it shall be construed to mean the masculine, feminine or neuter; singular or plural, whenever the context so requires.

ARTICLE X AMENDMENTS

By-Laws of Cypress Woods RV Resort Homeowners' Association, Inc.

These By-Laws may only be altered, amended or added to in accordance with the following terms, conditions and procedures:

A. Notice of the proposed amendment shall be included in the notice of any meeting at which a proposed amendment is to be considered.

B. A resolution adopting a proposed amendment may be proposed by either the Board of Directors of the Association or by the members of the Association. Directors and members not present in person or by proxy at the meeting considering the amendment may express their approval in writing providing that approval is delivered to the Secretary at or prior to the meeting. Except as elsewhere provided, the approvals must be either by:

a. All of the members of the Board of Directors and by not less than two-thirds (2/3) of the votes of the membership of the Association; or

b. By not less than eighty percent (80%) of the votes of the membership of the Association.

Declaration of Covenants, Conditions and Restrictions
for Cypress Woods RV Resort

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FOR
CYPRESS WOODS RV RESORT

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DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
CYPRESS WOODS RV RESORT

THIS DECLARATION is made this 30 day of December, 1999 by CYPRESS WOODS RV RESORT ASSOCIATES, a Florida partnership, hereinafter referred to as "Developer".

BACKGROUND

WHEREAS, Developer is the Owner of certain real property located in Lee County, Florida, herein referred to as "the Properties," and desires to create a residential community which shall contain platted lots for recreational vehicles (RVs), mobile homes, Tract areas, conservation areas and recreation areas, known as Cypress Woods RV Resort (hereinafter "Cypress Woods" or "Resort") and

WHEREAS, Developer wishes to provide for the preservation, protection and maintenance of the appearance, values and amenities of Cypress Woods; and

WHEREAS, Developer desires to subject the real property described in Exhibit A to the terms, conditions, rights and obligations of this Declaration of Covenants Conditions and Restrictions for Cypress Woods, herein called the "Declaration," and desires to create a not for profit membership corporation, herein called the "Association" to be given the power and duty of maintaining and administering the Tract Areas and Tract Facilities and enforcing these Declaration of Covenants, Conditions and Restrictions for Cypress Woods.

NOW THEREFORE, Developer hereby declares that all of the Properties in Exhibit A shall be held, sold and conveyed subject to the following easements, restrictions, covenants and conditions, which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and be binding on all parties having any right, title or interest in the Properties or any part thereof their heirs, successors and assigns, and shall inure to the benefit of such Owners thereof.

ARTICLE I
DEFINITIONS

1.01 "Articles" or "Articles of Incorporation" means the Articles of Incorporation of the Association.

1.02 "Association" shall mean and refer to CYPRESS WOODS RV RESORT HOMEOWNERS' ASSOCIATION, INC., which association shall be the homeowners' association for owners of lots subject to this Declaration.

1.03 "Board of Directors" or "Board" shall mean and refer to the representative body which is responsible for the administration of the Association.

1.04 "By-Laws" mean the By-Laws of the Association.

1.05 "Tract Areas" shall mean all real property to be owned by or leased to the Association or the Developer for the use and/or enjoyment of the owners, their agents, assigns, employees and invites. The Tract Areas shall include the land which is subject to this Declaration, less and excepting the Lots which have been reserved by Developer for sale to Owners.

1.06 "Expenses" or "Assessments" means all expenses and assessments which are properly incurred by the Association, including but not limited to those items set forth in

properly incurred by the Association, including but not limited to those items set forth in Article IV.

1.07 "Facilities" shall mean all of the facilities, equipment and personal property to be owned by or leased to Association for the use and/or enjoyment of the Owners.

1.08 "Conservation Area" shall mean and refer to all areas so designated on the Plat of Cypress Woods RV Resort. All areas so designated shall be dedicated to the Association as Conservation Area, shall be the perpetual responsibility of the Association and shall be subject to the restrictions contained in Article X and other applicable provisions of this Declaration. Such restrictions shall be enforced by Declarant, the Association and/or proper Governmental Authorities.

1.09 "Cypress Woods RV Resort" or "Cypress Woods" shall mean the property described in Exhibit A together with all amendments thereto.

1.10 "Developer" shall mean and refer to Cypress Woods RV Resort Associates, a Florida partnership. It shall not include any person or entity who purchases a Lot from Cypress Woods RV Resort, unless such purchaser is specifically assigned some or all rights of Cypress Woods RV Resort Associates.

1.11 "Institutional Mortgagee" shall mean and refer to the holder of the first mortgage against a Lot which holder is a bank, savings and loan association, real estate or mortgage investment trust, pension or profit sharing trust, the Federal Housing Administration, the Veterans Administration, any agency of the United States of America, or any other public or private corporation engaged in the business of guaranteeing or insuring residential first mortgage loans, and their successors and assign or any entity recognized in the community as an institutional lender. The mortgage may be placed through and closed in the name of a mortgage broker.

1.12 "Lot" shall mean and refer to any platted lot subject to this Declaration.

1.13 "Member" shall mean and refer to the lot owners who are members of the Association.

1.14 "Owner" shall mean and refer to the record owner, whether one or more persons or entities, of the fee simple title to any Lot situated upon the Properties, but shall not mean or refer to any mortgagee unless and until any such mortgagee has acquired title pursuant to foreclosure or any proceeding in lieu of foreclosure.

1.15 "Properties" or "Property" shall mean and refer to that certain real property described In Exhibit A, and such additions thereto as may hereafter be brought within the jurisdiction of the Association and submitted to this Declaration.

1.16 "Planned Unit Development Document" shall mean and refer to the Planed Unit Development Document for Cypress Woods RV Resort, file # DO-9501-116.00D, Lee County, Florida and any and all amendments thereto, which Cypress Woods RV Resort is a part of.

ARTICLE II PROPERTY RIGHTS

2.01 Every Owner shall have a right and easement of enjoyment in and to the Tract Areas

together with a non-exclusive easement of ingress and egress over the private roadways and sidewalks, which right and easement of enjoyment shall be appurtenant to and shall pass with title to every Lot subject to the following provisions:

- a. The right of the Association to charge all Owners Tract assessments for the upkeep, maintenance and repair of the Tract Areas and Tract Facilities.
- b. The right of the Developer or the Association to dedicate or to transfer or grant an easement or property rights to all or any part of the Tract Areas to any public agency, authority or utility for such purposes and subject to such conditions as may be required.
- c. The right of the Association to promulgate, modify amend and enforce reasonable rules and regulations relating to the use and enjoyment of the Tract Areas and use of the Lots.
- d. The right of the Developer or Association to grant or reserve utility easements throughout the Properties as may be required to adequately serve the Properties and/or other properties or land owned by Developer.
- e. The right of the Developer or Association to grant or reserve easements for ingress and egress and rights of way for pedestrian and vehicular traffic over, through, on and across all Tract Areas and upon all sidewalks, paths, walkways, lanes and roads, as may be required to adequately serve the Properties and/or other properties or land owned by Developer.
- f. Any easement, restriction, reservations or conditions shown or to be shown on the various plats for Cypress Woods.
- g. The right of the Developer (and its agents, customers and representatives) to the non-exclusive use of the Tract Areas without charge, for sales, display, access, exhibit and ingress and egress purposes.
- h. The right of the Developer to complete the construction and installation of all planned improvements.

2.02 Any Owner may delegate, in accordance with and subject to the Articles, Bylaws and this Declaration, his right of enjoyment to the Tract Areas and Tract Facilities to the members of his family, his tenants, invites or contract purchasers who reside on a Lot, subject to reasonable regulation by the Association, provided, however, the same shall not relieve the Owner of his responsibilities under this Declaration,

2.03 Upon recording of this Declaration, the Developer shall convey the legal and equitable title and ownership of the Tract Areas and Tract Facilities (except Tract A - Reception & Clubhouse Tract and its facilities, ownership of which shall be retained by the Developer) to the Association and thereafter the Association shall hold title to said Tract Areas and Tract Facilities for the benefit of those persons entitled to use the same under the provisions hereof. The conveyance of the Tract Areas and Tract Facilities shall be subject to all easements, restrictions, reservations and other matters of record, any mortgage which the Developer has either executed or assumed. Developer may mortgage the Tract Areas to finance the original development and construction thereof. Developer agrees to pay all of said mortgages notwithstanding the transfer of title to the Tract Areas and Tract Facilities.

2.04 There shall be no judicial partition of the Tract Areas, nor shall Developer, or any Owner or any other person acquiring any interest in the Properties or any part thereof, seek

judicial partition thereof. However, nothing contained herein shall be construed to prevent judicial partition of any Lot owned in co-tenancy.

2.05 Within the easements for installation and maintenance of utilities and any drainage facilities, no structure, planting or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may damage, interfere with, or change the direction of flow of drainage facilities in the easements.

ARTICLE III MEMBERSHIP AND VOTING RIGHTS IN CYPRESS WOODS RV RESORT HOMEOWNERS' ASSOCIATION, INC.

3.01 Every person or entity who is a record fee simple Owner of a platted Lot in Cypress Woods, including Developer so long as Developer owns any Lot subject to this Declaration, shall be a member of the Association, provided that any such person or entity who holds such interest only as security for the performance of an obligation shall not be a member. Membership shall be appurtenant to and may not be separated from ownership of any Lot. If any such member is not a natural person, the subject entity shall designate a natural person who shall be the "primary occupant" and such natural person shall exercise the Lot's membership rights. When any Lot is owned of record by two (2) or more persons or other legal entities, all such persons or entities shall be members, provided, however, if all such members cannot agree among themselves how their one vote shall be cast, that vote shall not be counted for any purpose.

3.02 Membership in the Association shall consist of Class A and Class B Members. Class A Members shall be all Owners of Lots in Cypress Woods, with the exception of the Developer so long as it is a Class B Member. There shall be on (1) vote appurtenant to each Lot owned by a Class A Member. When more than one person holds an interest in any Lot, all such persons shall be Members and the vote for such Lots shall be exercised as they, among themselves determine, but in no event shall more than one (1) vote be cast with respect to any such Lot. There shall be one (1) Class B Member, the Developer, or any person or entity who is assigned the rights of Developer under the Declaration. The Class B Member shall have four (4) votes for each Lot it owns. Class B membership shall continue until all Lots have been sold by Developer or until Developer elects to convert its Class B membership to Class A Membership, or until the transition of Association control from Developer to nondeveloper members, whichever shall first occur.

ARTICLE IV COVENANTS FOR MAINTENANCE ASSESSMENTS

4.01 Each Owner of any Lot (by acceptance of a deed therefor, whether or not is shall be so expressed in any such deed or other conveyance) including any purchaser at a judicial sale, shall hereafter be deemed to covenant and agree to pay to the Association Tract Assessments and any special assessments to be fixed, established and collected from time to time as hereinafter provided. All such assessments, together with interest thereof from 30 days after the due date at the rate of eighteen percent (18%) per annum, plus costs and reasonable attorney's fees of collecting such assessments, shall be a charge on the land and shall be a continuing lien upon the Lot against which each such assessment is made, and shall also be the personal obligation of the Owner. No Owner may waive or otherwise escape liability for the assessments provided for herein for non-use of the Tract Areas or by abandonment, or otherwise.

4.02 The Tract assessments and special assessments levied by the Association for payment of Tract Expenses shall be used exclusively to promote the recreation, health, safety and welfare of the Owners of the Lots and, in particular, for the management, maintenance,

operation, repair and replacement of the Tract Areas and Tract Facilities and for the management, maintenance, operation, repair and replacement of those improvements on the Lot for which the Association is responsible for maintenance and care, including but not limited to the following:

- a. Operation, maintenance, replacement and repair of all streets, parking areas and sidewalks, to the extent that such improvements are a part of the Tract Areas;
- b. Operation, maintenance, replacement and repair of all landscaped areas, including lawns, shrubs, trees and other plantings located on Tract Areas, clubhouse and attendant facilities;
- c. Mowing of grass on individual Lots and on all Tract Areas;
- d. Operation, maintenance, replacement and repair of all Tract Facilities which includes the tennis courts, swimming pool, clubhouse and all appurtenances thereto;
- e. Operation, maintenance, replacement and repair of all wetlands, lakes and vegetation areas designated as Tract Areas or as Surface Water Management Areas or as Conservation Areas;
- f. Operation, maintenance, replacement and repair of water and sewage facilities, electrical lighting, directional signage and other necessary utility services located in the Tract Areas;
- g. Charges for refuse collection, cable TV, and other utilities for Lots unless separately billed to the Lots;
- h. Operation, maintenance, replacement and repair of all storm drains, drainage courses, drainage easements, sprinkler systems and utility easements in all Tract Areas;
- i. The control of exotic vegetation and removal thereof in all Tract Areas;
- j. Operation, maintenance, replacement and repair of the gate house, fences, signs and entry gates and related facilities that are part of or appurtenant to improvements constructed on the Tract Areas, clubhouse and attendant facilities;
- k. Hiring management companies and the payment of management fees and charges for the hiring of personnel;
- l. Payment of ad valorem taxes and other tax or assessment levied against the Tract Areas;
- m. Payment of all sales taxes and other taxes related to the Association operations;
- n. Procuring insurance with coverages and policy limits as may be deemed necessary or advisable by the Board of the Association, provided, however, the Board shall be required to purchase standard hazard insurance and shall be required to purchase such other insurance coverages as may be required by any person or entity holding a mortgage on the Tract Areas or Tract Facilities, which coverages shall name the mortgagee as an additional insured;
- o. Acquisition of equipment for the Tract Areas, gate house, clubhouse and attendant facilities as may be determined by the Board of the Association, including without

limitation, all equipment necessary or proper for use or maintenance of the Tract Areas, clubhouse, tennis courts, and attendant facilities;

- p. Acquisition of any other materials, supplies, equipment, labor, professional services including attorneys and accountants, management, supervision, services, personnel, repairs or Insurance which shall be necessary or proper in the opinion of the Board for the operation of the Tract Areas and Tract Facilities, for the benefit of the Owners and for the betterment of the Properties, or for the enforcement of these restrictions.

4.04 All regular and special assessments for the Association shall be at a uniform rate for each Lot in the Properties and shall be assessed against all Lots subject to this Declaration.

4.05 By a vote of a majority of the Board of Directors of the Association, the Association shall fix the regular assessments as provided in the Bylaws. The Board shall set the date or dates such assessments shall become due. Each Board may provide for collection of assessments annually or in monthly, quarterly or semi-annual installments.

4.06 In addition to the regular assessments authorized above by vote of a majority of the Board of Directors of the Association, the Board may levy special assessments for the purpose of defraying, in whole or in part, the cost of any construction, reconstruction, repair or replacement of any improvement, provided that any such special assessments shall have the assent of the Class B Member. In addition, the Board may levy special assessments in the same manner as hereinabove described for the purpose of defraying, in whole or in part, the cost of any unusual or emergency matters making up any deficiency between regular assessments and expenses.

4.07 Any assessment not paid within thirty (30) days after the due date will bear interest from the due date at a percentage rate of eighteen percent (18%) per annum. The Association may enact a reasonable late charge fee for assessments not paid by the due date. The Association for its assessments may bring an action at law against the Owner personally obligated to pay the same and/or foreclose the lien against the Lot, and interest, costs and reasonable attorneys' fees of any such action will be added to the amount of such assessment. Each Owner, by his acceptance of a deed to a Lot, hereby expressly vests in the Association the right and power to bring all actions against such Owner personally for the collection of such assessments as a debt and to enforce the aforesaid lien by all methods available for the enforcement of such liens, including foreclosures by an action brought in the name of the Association in a like manner as a mortgage lien on real property, and such Owner hereby expressly grants to the Association a power of sale in connection with said lien. The lien provided for in this section shall be in favor of the Association and shall be for the benefit of all Lot Owners. The Association, acting on behalf of the Owners, shall have the power to bid for an interest foreclosed at such foreclosure sale and to acquire and hold, lease, mortgage and convey the same. No Owner may waive or otherwise avoid liability for the assessments of his Lot.

4.08 By a majority vote of the Board of Directors of the Association, the Board shall adopt an estimated operating budget which shall provide for allocation of expenses in such a manner that the obligations imposed by this Declaration will be met. Regular assessments shall be based upon the projections and estimates contained in the Budget. The Board may increase or decrease the assessments based upon actual revenue and expenses.

4.09 The Treasurer of the Association, or such other person as may be authorized by the Association, upon demand of any Owner liable for an assessment, shall furnish to said Owner a certificate in writing signed by a director, setting forth whether such assessment has been paid. Such certificate shall be conclusive evidence of payment of any assessment therein stated to

have been paid.

4.10 In the event the Tract Areas are taxed separately from Lots, the Association owning or leasing such area shall include such taxes as part of the Tract assessments. In the event the Tract Areas are taxed as a component of the value of the Lot owned by each Owner, it shall be the obligation of each owner to promptly pay such taxes prior to their becoming a lien on the Lot.

4.11 The Association may levy special assessments against selected Owners who have caused the Association to incur special expenses due to willful or negligent acts of said Owners, their guests or agents. All such special assessments shall be collected upon demand by the Association.

4.12 The Board of Directors of the Association shall, within sixty (60) days after the end of each fiscal year, cause to be prepared an annual balance sheet and operating statement reflecting income and expenditures of the Association for the previous fiscal year, and shall cause a copy thereof to be distributed to each member, and to each first mortgagee which, has filed a written request for copies of the same with the Board of Directors.

4.13 No action shall be brought to foreclose any assessment lien herein, unless a Notice of Claim of Lien is deposited in the United States mail, postage prepaid, to the Owner of the Lot, and a copy thereof has been recorded by the Association in the office of the Clerk of the Circuit Court of Lee County, Florida.

4.14 Notwithstanding any provision of this Declaration or the Association's Articles of Incorporation or Bylaws to the contrary, the Developer shall not be obligated for, nor subject to, any annual or special assessment for any Lot which it may own, provided Developer has elected to guarantee for any fiscal year that the assessment for Tract expenses imposed upon Lot Owners other than Developer would not increase over a stated dollar amount. Said election shall be made by Developer not later than sixty (60) days after the commencement of the fiscal year. If the Developer elects to guarantee the Association's assessments, the Developer shall fund any shortages if expenses incurred exceed assessments collected and shall be entitled to retain any surplus if assessments collected exceed expenses.

4.15 The assessment lien set forth herein may be foreclosed in the same manner as mortgages are foreclosed under Florida law. The Association, through its duly authorized agent, shall have the power to bid on any Lot at a foreclosure sale, and to acquire and hold, lease, mortgage and convey the same.

4.16 The assessment liens and the right to foreclosure and sale thereunder shall be in addition to, and not in substitution for, all other rights and remedies which the Association and its successors and assigns may have hereunder and by law, including a suit to recover a money judgment for unpaid assessments, as above provided.

4.17 The lien securing the assessments provided for herein shall be subordinate to the lien of any first mortgage (meaning any recorded mortgage with first priority or seniority over all other mortgages) made in good faith and for value and recorded prior to the date on which a Notice of Claim pursuant to such lien, is recorded. The sale or transfer of any Lot shall not affect the assessment lien and no sale or transfer shall relieve such new Lot Owner from liability for any unpaid assessments or from the lien thereof or from assessments for a prorated share of the unpaid costs coming due before such date if such unpaid costs are reallocated as a Tract expense. However, the sale or transfer of any Lot pursuant to the foreclosure shall extinguish the lien of such assessments as to installments which became due prior to such sale or transfer.

ARTICLE V

USE OF PROPERTY AND RESTRICTIONS

5.01 In order to maintain the Property as a desirable place for all Owners, the following protective covenants and restrictions are made a part of this Declaration:

- a. All Lots shall be used for residential purposes in accordance with the PUD document as it may be amended and no business or occupation of any type of kind shall be conducted, on or from any Lot within the subdivision, except that Developer may designate certain Properties, including Lots, for storage or other use in Developer's sole discretion, including, but not by way of limitation, use as sales or model centers and/or laundry facilities. The Developer reserves the right, at his sole discretion, to designate or otherwise restrict the use of certain Lots or groups of Lots within the subdivision for the exclusive use of motorhomes, fifth wheels, RVs, Park Models (Resort Homes) and/or Resort Homes with carports.
- b. All RV Lots are restricted to use by one (1) trailer, motor home, fifth wheel, mini-motorhome or Park Model (Resort Home) hooked up to utilities and used for living accommodations. No Park Model (Resort Home) shall be placed on a Lot unless such Park Model (Resort Home) was purchased from the Developer or its designee. RVs must be modern, commercially manufactured and presentable in looks and repair and positioned on the Lot's concrete pad.

All RV's are subject to the approval and/or disapproval of the Board at its sole discretion. All RVs must be self contained with utility hookups to water, sewer, and electrical systems. For occupancy longer than two days (48 hours), the unit must be at least twenty-five (25) feet in length and no more than fifty (50) feet in length. Tents are specifically excluded from occupancy in the Resort.

No storage of additional trailers, motorhomes, fifth wheels, mini-motorhomes or Park Models (Resort Homes) is allowed on a Lot. No storage of boats, boat trailers, utility trailers or automobile trailers is allowed on a Lot. Additional parking on the Lot is restricted to two currently licensed automobiles or other road licensed vehicles, not excluded above, which shall be parked on the concrete pad or driveway. The parking and/or storage of bicycles, golf carts, minibikes and motorcycles may be restricted by the rules and regulations of the Association.

- c. Aluminum carports, screen rooms and Florida rooms which include storage rooms are allowed on Park Models (Resort Homes) only, provided necessary County permits and written approval from the Board (in the Board's sole discretion) has been obtained and provided that such items have been purchase through the Developer or its designee. Free standing storage buildings are allowed provided that they are 120 square feet (10' x 12') feet in size and that all necessary County permits and written approval from the Board (in the Board's sole discretion) has been obtained and provided that such items have been purchased through the Developer or its designee.
- d. Except for Park Models (Resort Homes) purchased through the Developer or its designee, no Park Model (Resort Home) may be installed on a Lot. Trailers, motorhomes, fifth wheels and mini-motorhomes may be permanently anchored, but skirting, free-standing air conditioning and heating equipment, storage rooms, screen rooms and Florida rooms may not be installed on these RVs. Trailers, motorhomes, fifth wheels and mini-motorhomes may have portable, removable, temporary screen rooms or awnings, provided such accessories shall be stored or removed when RV is to be left unoccupied longer than 24 hours, unless such temporary awnings or enclosures are securely anchored and approved by the Board.
- e. No improvements or additions to a Lot, including without limitation any building,

- fence, wall, statue, storage shed, screen enclosure, awning, spa, hot tub or pool, shall be erected, placed or maintained, unless and until the plans and specifications therefor have been submitted to and approved by the Board in its sole discretion.
- f. The exterior use and/or storage of refrigerators, freezers, LP gas bottles over forty (40) pounds, boats, boat equipment, trailer vehicle parts, or any other items not deemed compatible to the Lots and surroundings are prohibited. The prohibition includes storage of any item of any type beneath an RV. Additionally, no part of the RV with attachments thereto and/or the transportation vehicle shall be parked so as to extend beyond any of the Lot lines, tipout and pullouts included. The easements for public utilities shall not be blocked or impaired. No vehicle maintenance may be performed upon the Lot or Tract Areas except in areas which are designated by the Board for that purpose.
 - g. Flower gardens are permitted and shall be placed where they will not interfere with lawn mowing responsibilities of the Association. The location of all flower gardens and other planting, including trees, must be approved by the Board of the Association before installation. The Board may disapprove such plantings for any reason, including esthetics. A minimum space of five feet must be maintained between any plantings and structures or planted areas to allow clearance for lawn mowing equipment.
 - h. No fences or walls shall be permitted on any Lot. Nothing in this paragraph, however, shall be construed so as to disallow the building of a perimeter fence by the Developer, or privacy fences in recreation areas adjacent to Lots.
 - i. No outside satellite receptor dishes or devices, television or radio antennas, or any other type of electronic device for the transmission or reception of electronic signals shall be allowed without the prior approval of the Board, except those commercially manufactured and installed as part of an RV.
 - j. Except for mowing of Lots, grass and landscaping including trees must be maintained by the Lot owner in good living condition, free of weeds and fertilized, provided, however, that the Board shall have the right to maintain and/or replace any grass and landscaping therefore. All Lot Owners are required to keep their Lots edged and the grass trimmed along the edges of concrete walks, driveways, decks and carports and around yard lights, utility boxes and connectors and around all landscaping, including trees, flower beds and shrubbery, so that all grass on the Lot is of uniform height. The Association shall have the right to edge or trim any Lot and assess the Lot Owner the cost thereof if in the opinion of the Board the Lot is not being maintained according to subdivision standards.
 - k. All Lot Owners shall be required to keep their electricity to their lot turned on year round so that the sprinkler system on the Lot is operative all twelve months of the year. This requirement shall apply notwithstanding that the Lot is not occupied.
 - l. It shall be the responsibility of each Lot Owner to prevent the development of any unclean, unsightly, or unkept condition on his Lot which shall tend to substantially decrease the beauty of the neighborhood as a whole or the specific area. Owners of Lots are responsible for their guests, renters and invitees.
 - m. No noxious or offensive activity shall be carried on upon any Lot, nor shall anything be done thereon tending to cause embarrassment, discomfort, annoyance or nuisance to the neighbors. There shall not be maintained any plants, poultry, animals (other than household pets) or device or thing of any sort whose normal existence or

activities is in any way noxious, dangerous, unsightly, unpleasant or of a nature as may diminish or destroy the enjoyment of other property in the neighborhood by the Owners thereof.

- n. The use of each Lot within the subdivision and related recreational and Tract areas shall be subject to the rules and regulations as may be adopted and implemented by the Board from time to time which shall be applied on a uniform basis to all Lots located within the subdivision.
- o. No Lot shall be subdivided or its boundary lines changed except with the written consent of the Board.
- p. Lot Owners are responsible for keeping the exterior appearance of their RV or Park Model (Resort Home) or other structures or appurtenance in a well maintained and clean condition.
- q. Lot Owners are responsible for notifying the Board in writing, on forms provided by the Board, of any changes in Lot ownership, which notice shall specify the name, address and telephone number of any new Lot Owners.
- r. Household pets, limited to two (2) dogs, cats, birds or fish, are allowed. Any other type of pet is not allowed, unless prior written approval of the Board is obtained. Pet owners must practice good pet control. Each pet must be registered with the Board on forms provided by the Board. Each pet must be licensed and inoculated in accordance with applicable laws and rules. Each pet is to be kept within the Lot Owner's RV except when the Lot Owner has the pet on a leash and is walking the pet. Any pet running loose in the park is a nuisance and may be impounded at the pet owner's expense. Pets are not allowed in any Tract Area building or any recreational area at any time, with the exception of seeing-eye dogs. Any excretion left by a pet outdoors must be picked up immediately and disposed of in a sanitary manner by the person walking the pet. A pet which causes any disturbance, annoyance or harm, such as barking, growling, howling, biting or any other undesirable noise which annoys or causes harm to a neighbor is a nuisance, subject to written complaint. If a resident files a written complaint with the Board to the effect that any of these pet rules have been violated, and the Board determines that a violation has or is occurring, the Board shall serve the Lot Owner in writing to either correct the violation or to dispose of the pet. If, after a second written complaint, the Board determines that the violation is continuing or that there is another violation of the same nature, the pet will be deemed to have endangered the life, health, safety or well being of residents and is forever barred from Cypress Woods. The Lot Owner shall remove the pet from Cypress Woods within two (2) weeks. Only two (2) pets allowed per Lot. Pets kept in an aquarium, such as fish, are excluded from these rules.
- s. No more than six (6) persons shall occupy the Lot for periods in excess of forty-eight (48) hours. As this is an adult park, children under the age of eighteen (18) are allowed for visits with relatives for not more than thirty (30) days in each ninety (90) day period.
- t. No signs of any kind shall be displayed without the written consent of the Board. This specifically includes "For Sale", "For Rent", and similar signs. This paragraph does not apply to the Developer.
- u. No outside toilets or showers are permitted on any Lot.

- v. No commercial activity of any kind whatsoever shall be conducted on or from any Lot. The foregoing restriction shall not, however, prevent the Developer from designating from time to time certain areas or Lots for commercial use.
- w. Discharge of air pistols, rifles, firearms or fireworks in the Property is prohibited.
- x. The Board has the right to approve all boats to be used on any lakes. Only small boats such as rowboats, canoes and paddle boats or small sailboats are allowed. Gasoline motors are not allowed. Electric motors that do not make an objectionable noise are allowed, provided they have received prior Board approval. No windsurfers are allowed.
- y. No portion of a Lot (other than an entire Lot) may be rented. All leases of Lots shall be on forms approved by the Board and shall provide that the Board shall have the right to terminate the lease upon default by the tenant in observing any of the provisions of this Declaration, the Articles of Incorporation and Bylaws of the Association, applicable rules and regulations, or other applicable provisions of an agreement, document or instrument governing the Lot. The leasing of Lots shall also be subject to the prior written approval of the Board. All Lot Owners will be jointly and severally liable with their tenants to the Board for any amount which is required by the Board to effect such repairs or to pay any claim for injury or damage to property caused by the negligence of the tenant. All rentals, leasing of lots, or Park Models (Resort Homes) or RVs located on said lots, shall be accomplished through the Developer as exclusive rental agent for the Lot Owners in accordance with a schedule or schedules to be promulgated from time to time by the Developer. Owners desiring to rent or lease their property, as described above, shall coordinate such activities through the Developer as rental agent for the Owners. The terms of the agreement between the owner renting their property and the Developer as rental agent shall not be unreasonable, detrimental to the public welfare or obnoxious to public policy, but rather, shall be in accordance with usual, customary terms and practices of such agreements between such parties in the area of the subdivision at the time such agreements are entered into.
- z. The rights of access and use established with respect to Cypress Woods and the Lots and Tract Areas contained therein shall be subject to security checks and restrictions. Security personnel shall have the right to stop and question persons and to require satisfactory evidence of any such person's right to be where such person is stopped. Persons not establishing that right to the satisfaction of the security personnel may be required to leave (even if such person actually has the right to enter when stopped, but is unable to prove such right satisfactorily).
- aa. Owners and guests must be registered upon arrival and departure for security control.
- bb. Recreational facilities are for the sole use of residents and their guests. Hours of use and rules for use shall be posted.
- cc. Speed limits will be posted.
- dd. The period of time from 10:00 PM to 7:00 AM each day shall be observed as the quiet hours.
- ee. Alcoholic beverages are not permitted in any Tract Area, except for special events with the prior approval of the Board.
- ff. No permanent clothes lines, mailboxes, radio and/or television antennas shall be

permitted on any Lot.

- gg. Time share estates are prohibited.
- hh. No garbage or trash receptacles shall be placed outside of the RV unless in an area approved by the Board and hidden from view.
- ii. Motorcycles, minibikes, mopeds and golf carts may not be used in Cypress Woods in such a way as to create a nuisance or disturbance. In the event of a reported abuse, the Board may prohibit the use of any such vehicle.

5.02 Developer will undertake the work of constructing Lots and improvements. The completion of that work and the sale, rental and other disposal of Lots is essential to the establishment and welfare of Cypress Woods. Therefore, the Developer shall be exempt from much of the above restrictions in its use of the Properties as is reasonably necessary or advisable to permit it to develop, rent or sell Lots and homes thereon, including the using of Lots or the clubhouse for a rental office, sales models, entertainment, promotions, etc.

5.03 In the event the Board determines that a Lot or structure is not being maintained according to subdivision standards, the Board may perform such maintenance and assess the Lot Owner for the cost thereof, which assessment shall be secured by a lien on the Lot.

ARTICLE VI WATER AND SEWER

6.01 No individual well will be permitted on any Lot. Water and sewer facilities are provided by Lee County Utilities and are available to the Properties for use by Lot Owners and the Association shall be responsible for all expenses as provided in Article IV.

ARTICLE VII MAINTENANCE, REPAIRS AND REPLACEMENTS

7.01 Responsibility for and expenses for the maintenance, repairs and replacements of the improvements located within Cypress Woods shall be as follows:

- a. Owners, except as otherwise provided herein, of each Lot and the improvements thereon, including yard landscaping, RV, Park Model (Resort Home), concrete pad and yard light, shall be maintained by the Owner in a clean and slightly condition and in good repair. Owners shall maintain, replace and repair at Owner's expense concrete pads and driveways and utility facilities located on the Lot which serve only that Lot, including wiring, piping and other mechanical or electrical equipment. All maintenance, repairs and/or replacements for which Lot Owners are responsible and obligated to perform, which, if not performed or omitted, would affect other Lots, shall be performed promptly as the need arises, and if such Owner fails to promptly perform these, the Association shall have the right to preform these obligations and to assess such Owner for the charges therefor. The cost of any such work performed by the Association shall be secured by a lien upon the Lot in which the work was performed.
- b. The Association shall be responsible for maintaining, repairing, replacing and keeping in clean and orderly condition all of the Tract Areas and Tract Facilities and shall be responsible for mowing individual Lots.

ARTICLE VIII EASEMENTS FOR MAINTENANCE,

CONSTRUCTION AND REPAIR

8.01 The Developer hereby reserves unto itself, its agents, employees, invitees and assigns, and for the benefit of the Association, and the Association's agents, employees, invitees and assigns, a non-exclusive easement for ingress and egress over any Lot located in the Properties in order to gain access to the Tract Areas for the Association to discharge its duties to construct, maintain and repair the Tract Areas and for the purpose of maintaining the Properties by the Association in a manner consistent with the Association's maintenance obligations of the Tract Areas or rights provided herein.

8.02 The Developer reserves for itself and its designee (so long as Developer or said designee owns a Lot in the Properties), without joinder or consent of any person or entity whatsoever, the right to create and/or grant such additional easements for drainage, utilities, construction or repair or to relocate any easement in any portion of the Property as the Developer shall deem necessary or desirable for the proper development, operation and maintenance of the Properties, or any portion thereof, provided that such additional easements or the relocation of existing easements will not prevent or unreasonably interfere with the use of any Lot for permitted purposes.

ARTICLE IX LAKES AND OTHER SURFACE WATER MANAGEMENT AREAS

9.01 The Association shall be responsible for the maintenance of the surface water management area and system in Cypress Woods, which area shall be a Tract area to be deeded to the Association.

- a. No structure of any kind (including docks) shall be constructed or erected, nor shall an owner or the Association in any way change, alter, impede, revise or otherwise interfere with the flow and the volume of water, in any portion of any water management area, including but not limited to lakes, ponds, swales, drainage ways or areas intended for the accumulation of run-off waters, without the written permission of Developer and any appropriate governmental agency.
- b. No Owner or Association shall unreasonably deny or prevent ingress and egress to water management areas for maintenance, repair or landscaping purposes by Developer, the Association or any appropriate governmental agency that may reasonably require any right of ingress and egress, and easements therefore are hereby specifically reserved and created.
- c. No Lot shall be increased in size by filling in any lake, pond or other water retention or drainage areas which it abuts without the written permission of Developer and any appropriate governmental agency. Owners or the Association shall not fill, dike, rip-rap, block, divert or change the established water retention and drainage areas that have been or may be created without the prior written consent of Developer and any appropriate governmental agency.
- d. All surface water management systems within Cypress Woods, excluding those areas (if any) normally maintained by Lee County, will be the ultimate responsibility of the Association. The Association may enter any Lot or Tract Area and make whatever improvements or repairs are deemed necessary to restore proper water management. The cost shall be an expense of the Association.
- e. Nothing in this section shall be construed to allow construction of any new water management facility or alteration of water management systems without first

obtaining the necessary permits from all governmental regulatory agencies having jurisdiction.

- f. Notwithstanding anything in this Declaration to the contrary, any amendment which would affect the surface water management system, including the water management portions of the Tract areas, must have the approval of the South Florida Water Management District.

ARTICLE X CONSERVATION AREA

10.01 The Conservation Area designated on the plat of Cypress Woods, shall be a Tract Area to be deeded to the Association. The Conservation Area may not be altered, from its natural state, other than the easements as shown on the Plat. No activities detrimental to drainage, flood control, water conservation, erosion control or fish and wildlife habitat conservation or preservation may be conducted in such areas, including but not limited to construction or the placing of a building on or above ground; dumping or placing of soils or other substances such as trash; destruction of trees, shrubs or other vegetation, with the exception of exotic or nuisance vegetation removal; dredging or removal of soil material, diking or fencing; any other activities detrimental to drainage, flood control, water conservation, erosion control, or fish and wildlife habitat conservation or preservation. This restriction, however, shall not prohibit Developer from constructing a perimeter fence for the Conservation Area if approved by the appropriate governmental agency.

- a. The Association shall install and maintain permanent markers or signs at the edge of the Lot line or buffer to inform Owners of the conservation status of protected areas. All signs erected pursuant to this provision shall be the property and perpetual responsibility of the Association, which shall provide for their maintenance.
- b. The Association shall be responsible for the maintenance and monitoring of the conservation areas and agrees to take action against any Lot Owner to enforce the conditions of the Conservation Easement.
- c. The Conservation Areas shall not be altered from their present condition with the exception of exotic or nuisance vegetation removal, or restoration in accordance with the restoration plan included in the conservation easement. Exotic vegetation may include melaleuca, Brazilian pepper, Australian pine, and Japanese climbing fern. Nuisance vegetation may include cattails, primrose willow and grape vine.

ARTICLE XI LEASES FOR CONCESSIONAIRES AND VENDORS

11.01 The Association shall have the power and authority to lease portions of the Clubhouse or other Tract property to concessionaires or vendors for the purpose of supplying goods and services to Cypress Woods (except Tract A, including the clubhouse thereon, which shall be retained and leased by Developer) provided, however, that any such lease shall require the consent of Developer so long as Developer owns any Lots subject to this Declaration. All revenues received by the Association shall be used to offset the Tract Expenses.

ARTICLE XII GENERAL PROVISIONS

12.01 The Association exists in perpetuity. The Association may own and control Property, may establish rules and regulations and enforce assessments. The Association may

sue and be sued. The initial effective period of the Association is for 25 years, with automatic renewals thereafter, during which the Association is bound to perform the obligations created by this Declaration, the By-Laws, its Articles of Incorporation and other document(s) providing for the rights and responsibilities of the Association. In the event the Association is dissolved, the dedicated Properties and corresponding infrastructure of the Resort as described in Exhibit A, attached hereto and made part hereof, shall be conveyed or dedicated to a similar non-profit organization or entity to assure the continued maintenance and operation of said infrastructure. the Association

12.02 Membership in the Association is comprised of all Lot Owners. The Association shall be and hereby is responsible for the maintenance and operation of the Resort's (1) surface/storm water management system, including dedicated Tracts with lakes and lake maintenance or drainage easements, and corresponding infrastructure, (2) Tracts for or containing rights-of-way or access easements and the corresponding roads/streets and (3) utility easements for sewer, potable water, telephone, electrical and cable facilities.

12.03 The covenants and restrictions of this Declaration shall run with and bind the Properties, and shall inure to the benefit of and be enforceable by the Developer, the Association or the Owner subject to this Declaration, their respective legal representatives, heirs, successors and assigns, for a term of twenty-one (21) years from the date of this Declaration is recorded, after which time said covenants and restrictions shall automatically be extended for successive periods of ten (10) years unless an instrument signed by the then Owners of two-thirds (2/3) of the Lots subject to this Declaration has been recorded, agreeing to change or terminate said covenants and restrictions in whole or in part. Violation or breach of any conditions, covenants or restrictions herein contained shall give the Developer and/or Association and/or owner, in addition to all other remedies, the right to proceed at law or in equity to compel a compliance with the terms of said conditions, covenants or restrictions and to prevent or remedy the violation or breach of any of them, and the expense of such litigation shall be borne by the then Owner or Owners of the subject property, provided such proceeding results in a finding that such owner was in violation of said covenants or restrictions. Expenses of litigations shall include reasonable attorneys' fees incurred by Developer and/or the Association in seeking such enforcement. All such expenses shall be secured by a lien on the owner's Lot.

12.04 Any notices required to be sent to any member or Owner under the provision of this Declaration shall be deemed to have been properly sent when mailed, post paid, to the last known address of the person who appears as a member or Owner on the records of the Association at the time of such mailing.

12.05 Invalidation of any one or more of these covenants and restrictions by judgment or court order shall in no way affect any other provisions which shall remain in full force and effect.

12.06 This Declaration may be amended at any time with the consent of Owners holding not less than two-thirds (2/3) of the voting interest of the membership.

12.07 So long as the Developer owns any portion of the Properties, Developer shall have the exclusive right to maintain a sales center, model homes or signs on the Properties to identify Lots Developer may have for sale in the Properties. Developer shall also have the right for so long as Developer owns any portion of the Properties to maintain a sales center erected by the Developer on the Tract Areas without payment of compensation to the Association for any such use.

12.08 Developer intends on adding to the Properties, including the Tract Areas, Tract Facilities and Lots covered by this Declaration, accordingly, notwithstanding anything

contained herein to the contrary, Developer may from time to time bring other land under the provisions of this Declaration by amending this Declaration (which shall not require the consent of then existing Owners, the Association or its mortgagees). Nothing in this Declaration shall, however, obligate Developer to add to the initial portion of the Properties or to develop future portions of the initial portions of Cypress Woods under a Tract scheme, nor to prohibit Developer from carrying out development plans with respect to such future rezoning and changing said portions accordingly. All Owners, by acceptance of a deed to or other conveyance of their Lots, thereby automatically, consent to any such rezoning, change, addition or deletion thereafter made by the Developer and shall evidence such consent in writing if requested to do so by the Developer at any time (provided, however, that the refusal to give such written consent shall not obviate the general effect of this provision).

12.09 Notwithstanding anything contained herein or in the Articles of Incorporation or Bylaws of the Association to the contrary, if Developer decides to add future phases of Cypress Woods to this Declaration, Developer may exercise voting rights in the Association for each proposed platted lot to be added to the Declaration without liability for assessments until such time as the formal amendment to the Declaration is recorded. The voting rights for each proposed lot shall be the same as for other platted Lots owned by the Developer and covered by this Declaration. At such time as a formal amendment to the Declaration is recorded adding additional property, the voting rights for each additional lot shall be as provided in Articles III and IV herein.

12.10 The construction and purchase of all proposed amenities, facilities and equipment for CYPRESS WOODS may not be complete at such time as this Declaration is recorded. If not, upon completion or purchase of said amenities, facilities and equipment, they will be transferred to the Association for their management and maintenance.

12.11 Developer may operate for profit areas adjacent to or within the Properties for storage of recreational vehicles and nothing contained herein shall prohibit Developer from so doing.

12.12 Whenever the singular use is used it shall include the plural and the singular, and the use of any gender shall include all genders.

12.13 This Declaration shall become effective upon its recording in the Public Records of Lee County, Florida.

IN WITNESS WHEREOF, the Developer has caused these presents to be executed as of this 30 day of December, 1999.

Witnesses:

1. William D. Kramer (Sign)

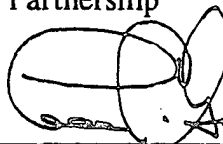
WILLIAM D. KRAMER (Print)

2. Shelley J. Richards (Sign)

SHELLEY J. RICHARDS (Print)

CYPRESS WOODS RV RESORT ASSOCIATES,
a Florida Partnership

By:



(Sign)

Lee C. Greenough, President
of LTG RV Investment Corp., as
Managing Partner

Declaration of Covenants, Conditions and Restrictions
for Cypress Woods RV Resort

STATE OF FLORIDA

COUNTY OF LEE

I HEREBY CERTIFY that on this 30 day of December, 1999, before me, an officer duly qualified to take acknowledgments, personally appeared Lee C. Greenough, as President of LTG RV Investment Corp., as Managing Partner of Cypress Woods RV Associates, who is personally known to me or who has produced as identification PERSONALLY KNOWN and who signed this instrument before me.

William D. Kramer
Notary Public

(SEAL)

WILLIAM D. KRAMER (Print)

My Commission Expires: 09-01-2000



LEGAL DESCRIPTION

parcel or tract of land lying in the Southwest Quarter (S.W.1/4) of Section 11, Township 44 South, Range 25 East, Lee County, Florida, described as follows:

Commencing at the Southwest corner of the aforesaid Southwest Quarter (S.W.1/4); thence run N.00°53'18"W. along the West line of said Southwest Quarter (S.W.1/4) for 25.00 feet to the North line of a 50.00 foot road (Lockett Road) described in County Commission Minute Book 1, Page 396, of the Public Records of Lee County, Florida and the point of beginning; thence continue N.00°53'18"W. along the West line of said Southwest Quarter (S.W.1/4) for 1211.33 feet; thence run N.89°04'12"E. for 387.00 feet to a point on a curve; thence run Northwesterly for 117.20 feet along the arc of a curve concave Southwesterly, with a radius of 1515.01 feet, a delta of 04°25'57", a chord bearing of N.13°59'57"W. and a chord distance of 117.17 feet to a point of reverse curvature; thence run Northeasterly for 284.82 feet along the arc of a curve concave Southeasterly, with a radius of 155.00 feet, a delta of 105°17'08", a chord bearing of S.36°25'38"E. and a chord distance of 246.41 feet to a point of tangency; thence run N.89°04'12"E. for 58.05 feet to a point on a curve; thence run Southeasterly for 72.87 feet along the arc of a curve concave Northeasterly, with a radius of 485.00 feet, a delta of 08°36'31", a chord bearing of S.13°54'25"E. and a chord distance of 72.80 feet to a point of reverse curvature; thence run Southeasterly for 200.75 feet along the arc of a curve concave Southwesterly, with a radius of 1765.01 feet, a delta of 06°31'00", a chord bearing of S.14°57'08"E. and a chord distance of 200.64 feet to a point of reverse curvature; thence run Southeasterly for 41.49 feet along the arc of a curve concave Northeasterly, with a radius of 30.00 feet, a delta of 79°14'17", a chord bearing of S.51°18'44"E. and a chord distance of 38.26 feet to a point of tangency; thence run N.89°04'12"E. for 91.41 feet to a point of curvature; thence run Southeasterly for 23.88 feet along the arc of a curve concave Southwesterly, with a radius of 530.26 feet, a delta of 13°23'08", a chord bearing of S.84°14'14"E. and a chord distance of 123.60 feet to a point of reverse curvature; thence run Northeasterly for 219.64 feet along the arc of a curve concave Northwesterly, with a radius of 470.00 feet, a delta of 26°46'31", a chord bearing of S.89°04'05"E. and a chord distance of 217.65 feet to a point of reverse curvature; thence run Northeasterly for 123.80 feet along the arc of a curve concave Southeasterly, with a radius of 129.74 feet, a delta of 13°23'23", a chord bearing of N.82°22'31"E. and a chord distance of 123.52 feet to a point of tangency; thence run N.89°04'12"E. for 135.20 feet to a point of curvature; thence run Northeasterly for 47.03 feet along the arc of a curve concave Northwesterly, with a radius of 30.00 feet, a delta of 89°49'39", a chord bearing of N.44°09'23"E. and a chord distance of 42.36 feet; thence run N.88°43'30"E. for 30.00 feet to a point on a curve; thence run Southeasterly for 47.21 feet along the arc of a curve concave Northeasterly, with a radius of 30.00 feet, a delta of 90°10'21", a chord bearing of S.45°50'38"E. and a chord distance of 42.49 feet; thence run S.00°24'45"E. for 30.00 feet; thence run N.89°04'12"E. for 60.09 feet; thence run S.00°45'27"E. for 1203.45 feet to the North line of the aforesaid Lockett Road; thence run S.89°09'05"W. along said North line for 1499.29 feet to the point of beginning.

Said tract or parcel contains 43.755 acres, more or less.

EXHIBIT II-E-5

COMPLIANCE WITH DECISION-MAKING GUIDELINES

This development meets the requirements of Section 34-145(d)(3) because:

- a. It is in compliance with the Lee Plan, the LDC and all other codes and regulations;
- b. It meets all performance and location standards;
- c. The density is consistent with the Lee Plan;
- d. It is compatible with existing and planned uses in the surrounding area;
- e. It will not place an undue burden upon existing transportation or planned infrastructure;
- f. It will not adversely affect environmentally critical areas;
- g. The proposed mix of uses is appropriate at the subject location; the existing conditions provide sufficient safeguards to the public interest and there are no adverse impacts to the public interest created by the proposed development;
- h. Adequate public services are available to serve the proposed development.

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EXHIBIT II-E-4
COMPLIANCE WITH DESIGN STANDARDS

This development and site plan were originally approved in 1995, and the proposed amendment to the plan only shows a small decrease in density and an increase in the number of RV units that would be allowed within the development. The original elements of the Master Plan as approved in 1995 remain intact and address Chapter 34-411 as follows:

- a. It is consistent with the density and all other provisions of the Lee Plan;
- b. It is designed and constructed in accordance with the provisions of the County Development Regulations, except where specific deviations were approved as part of the zoning;
- c. The requirements under this section are fully met by the location, size and design of the development;
- d. The development has access to Lockett Road which is currently operating at Level of Service "C";
- e. It is not within the Lee Plan public transit service area;
- f. This development will not increase hazards to persons or property;
- g. The site has been designed to protect the most important environmental resources and set them aside as preserve areas;
- h. Again, the site has been designed around the critical environmental features;
- i. The site design has no negative impacts on surrounding land uses;
- j. The surrounding land uses are not of a nature to be integrated into this type of development;
- k. The design has 40 ft. perimeter buffers to protect neighboring land uses;
- l. The development has various subunits to create neighborhoods;
- m. N/A;
- n. N/A;
- o. Adequate parking is provided for all uses;
- p. N/A;
- q. Overall design elements are coordinated through a property owners association.

OCI 2002-00062

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COMMUNITY DEVELOPMENT

CYPRESS WOODS RESORT

LOT AREA
 = 6,599,945.82 S.F. (151.514 AC.) LAKE
 = 807,098.92 S.F. (18.528 AC.) NO. OF LOTS
 = 2,985,056.10 S.F. (68.27 AC.) GROSS DENSITY
 = 266,157.74 S.F. (6.110 AC.) BUILDING HEIGHT NOT TO EXCEED 25'

R.P.A.

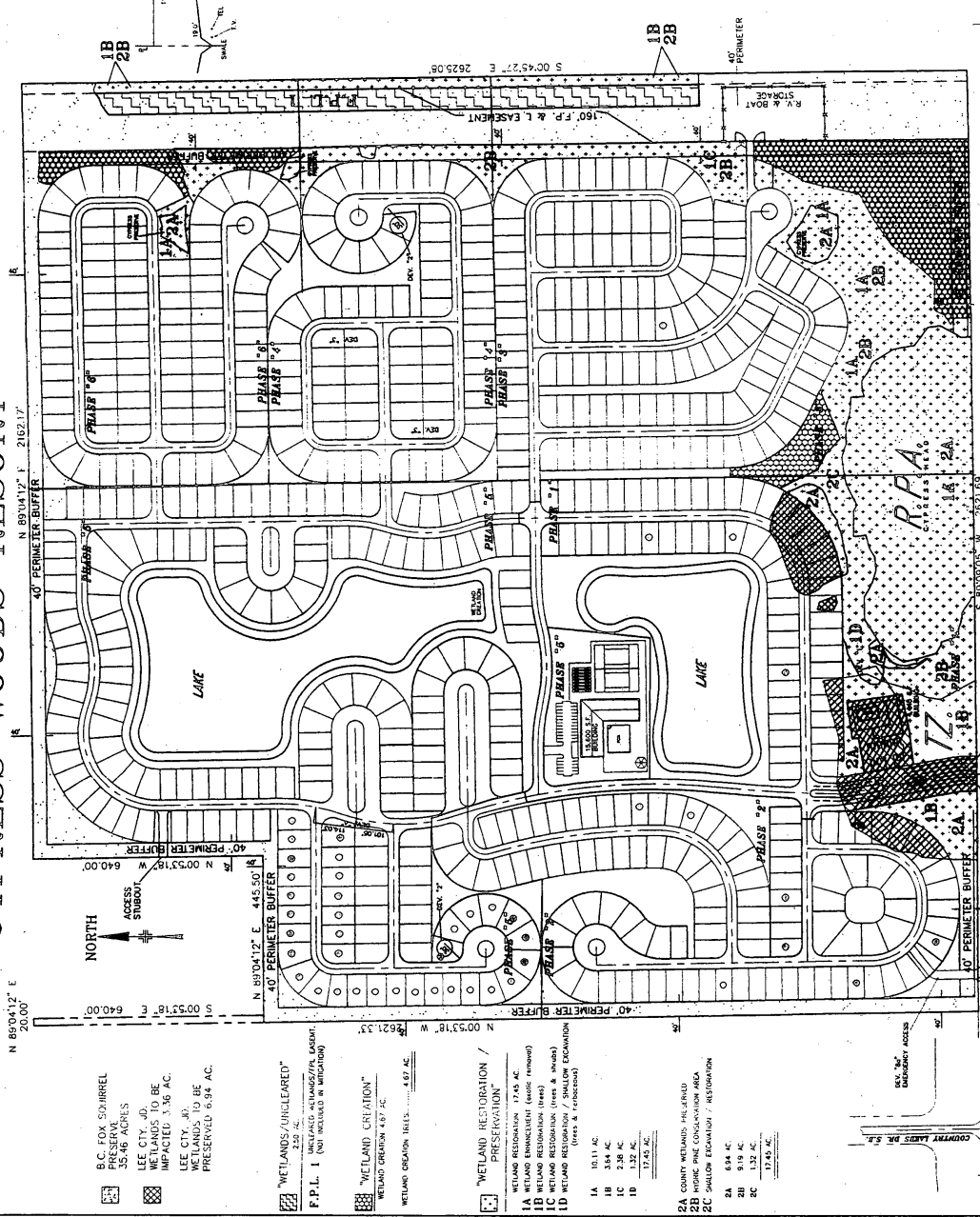


EXHIBIT IV-A-2

COMMUNITY DEVELOPMENT

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OCT 29 2002

A. Residential Uses

	Type	Habitable stories	Height	COMMUNITY DEVELOPMENT Total Number of Units
A.1.	Single Family			
A.2.	Zero lot line			
A.3.	Mobile Homes			at least 46
A.4.	Recreational Vehicles			not more than 599
A.5.	Duplex/Two Family			
A.6.	Townhouses			
A.7.	Multiple Family	1 - 3 stories		
A.8.	Multiple Family	4 - 6 stories		
A.9.	Multiple Family	7 or more		
A.10	TOTAL UNITS			

B. Assisted Living Facilities

	Type	Habitable Stories	Height	Total Number of Beds
B.1.	Dependent Living Units			
B.2.	Independent Living Units			
B.3.	TOTAL UNITS			

C. Hotels/Motels

	Room Size	Habitable Stories	Height	Number of Rental Units
C.1.	< 425 sq. ft.			
C.2.	426-725 sq. ft.			
C.3.	725 < sq. ft.			
C.4.	TOTAL UNITS			

D. Commercial

		Habitable Stories	Height	Total Floor area
D.1.	Medical			Sq.Ft.
D.2.	General Office			Sq.Ft.
D.3.	Retail			Sq.Ft.
D.4.	Other			Sq.Ft.
D.5.	TOTAL FLOOR AREA			Sq.Ft.

E. Industrial

		Habitable Stories	Height	Total Floor area
E.1.	Under Roof			
E.2.	Not under Roof	NA		
E.3.	TOTAL FLOOR AREA			

F. Mining

			Depth	
F.1.	Area to be excavated	NA		Acres

EXHIBIT I-E-2

The covenants in Exhibit I-E-1 do not affect the requested action.

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COMMUNITY DEVELOPMENT

EXHIBIT II-B-1-A

LEGAL DESCRIPTION

A PARCEL OR TRACT OF LAND LYING IN THE SOUTHWEST QUARTER (S.W.1/4) OF SECTION 11, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE AFORESAID SECTION 11; THENCE RUN N.00°53'18"W. ALONG THE WEST LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION 11 FOR 25.00 FEET TO THE NORTH LINE OF LUCKETT ROAD (50 FEET WIDE) AND THE POINT OF BEGINNING; THENCE CONTINUE N.00°53'18"W. ALONG THE WEST LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION FOR 2621.45 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER (S.W.1/4); THENCE RUN N.89°01'53"E. FOR 20.00 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1848, PAGE 3142, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN S.00°53'18"E. ALONG THE WEST LINE OF SAID LANDS FOR 640.00 FEET; THENCE RUN N.89°01'53"E. ALONG THE SOUTH LINE OF SAID LANDS FOR 445.50 FEET; THENCE RUN N.00°53'18"W. ALONG THE EAST LINE OF SAID LANDS FOR 640.00 FEET TO THE NORTHEAST CORNER OF SAID LANDS AND THE NORTH LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE AFORESAID SECTION 11; THENCE RUN N.89°01'53"E. ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION 11 FOR 2161.66 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION 11; THENCE RUN S.00°46'12"E. ALONG THE EAST LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION 11 FOR 2626.95 FEET TO THE NORTH LINE OF THE AFORESAID LUCKETT ROAD; THENCE RUN S.89°09'05"W. ALONG THE NORTH LINE OF SAID LUCKETT ROAD FOR 2621.74 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 151.559 ACRES, MORE OR LESS AND IS SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE AFORESAID SECTION 11 AS BEING N.00°53'18"W.

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COMMUNITY DEVELOPMENT

DCI 2002-00062

EXHIBIT II-E-2

COMPLIANCE WITH LEE PLAN

This is an amendment to an existing MHPD/RVPD approval that was granted in 1994. The only change to the new site plan is a slight reduction in density from 684 units to 647 units, reflecting increased environmental preserves, and an increase in potential RV sites from 399 to 599 units. If this amendment is approved, there must be a minimum of 48 mobile home sites at buildout, but the plan would allow for 647 sites to become mobile homes over time. The overall density of the project for both types of unit is 4.27 units per acre, which is well within the density range of the Urban Community Land Use category in which it is located. As approved, the project is in compliance with all other policies within the Lee Plan relating to available services, environmental issues, and hurricane sheltering. The project has been under development for the past four years, and this amendment is simply to allow an increase in the number of RV sites within the overall approved plan.

DCI 2002-00062

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COMMUNITY DEVELOPMENT

Endangered Species Report

Cypress Woods RV Resort Phase IV-VI

Sections 11, T44S, R25E, Lee County, Florida

September 27, 2002
Revised: March 27, 2003

Prepared for:

Cypress Woods RV Resort
5551 Lockett Road.
Fort Myers, FL 33905
(239) 694-2191
FAX: (239) 691-4969

Prepared by:

Southern Biomes, Inc.
1602 Woodford Ave., Ft. Myers, FL 33901 - mail to: P.O. Box 50640, Ft. Myers, FL 33994
Ph. (239) 334-6766 - Geza Wass de Czege, President - FAX (239) 337-2034

EXHIBIT III-C-3

Southern Biomes, Inc.

Division of Environmental Services

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Ph.: (239) 334-6766

Geza Wass de Czege, President

Fax: (239) 337-5028

End. Sp. Report, Cypress Woods RV Resort Phase IV-VI, Lockett Road, Section 11, T44E, R25S,
Lee County, Florida

Revised Date: March 27, 2003

Cypress Woods RV Resort Phase IV-VI

Endangered Species Report

Section 11, T44S, R25E, Lee County, Florida

I. ENVIRONMENTAL CRITERIA

VEGETATION INVENTORY: A brief description of the property and the dominant canopy, midstory, and groundcover vegetation found on the subject property is discussed below.

Site Location: The Cypress Woods RV Resort is located on the north side of Lockett Road, east of Interstate 75. Phase I-III has been completed, or near completion, and are located directly north of Lockett Road. Phase IV-VI, or the subject property, is located to the north of the existing phases. To the east is part of the Cypress Woods RV Resort preserve area and powerline easement, to the west is industrial and commercial area, and to the north is pastureland.

Site Description: The subject parcel consists of disturbed lands, pasturelands, and forested lands. The forested area is located in the eastern third of the parcel and is dominated by a mix of slash pine, cabbage palm, and melaleuca. The eastern half of the forest is heavily invaded by melaleuca, while the western half consists mainly of pine, cabbage palm and saw palmetto, with only scattered areas of melaleuca and/or Brazilian pepper.

Pastureland dominates the northern portion of the western two thirds of the site. The southern two thirds consist of disturbed areas that have been cleared or altered during the previous phases of development. In the central portion of this area is an excavated lake designed as part of the over all water management system. The disturbed area consists of a mixture of ruderal weeds, maintained areas, fill spoil areas, horticultural spoil areas, and equipment storage areas for the construction materials.

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Lee County, Florida

Revised Date: March 27, 2003

A map of the vegetation associations, with the Florida Land Use and Cover Classification System (FLUCCS) code is provided on an aerial photograph printed copy. The following is a table of the vegetative communities FLUCCS codes, and acreages of each community within each parcel.

HABITAT SUMMARY

<u>CODE</u>	<u>DESCRIPTION</u>	<u>ACRES</u>
191	Bahia Grass Field	0.93
193	Undeveloped Ruderal Area	19.43
194	Undeveloped Land/Temporary RV Storage	0.61
210	Pastureland	12.26
411	Pine- Saw Palmetto Forest	13.34
4119	Melaleuca-Pine Forest	11.99
510	Drainage Ditch	0.60
520	Lake	2.54
740	Disturbed Area	1.30
743	Spoil Area	<u>1.00</u>
TOTAL		64.00

HABITAT DESCRIPTIONS (64.00 Acres):

1. 191 – Bahia Grass Field (0.93 acres) this community consists of an area cleared during the previous phase and sodded with Bahia grass.
2. 193 – Undeveloped Ruderal Area (19.43 acres) this community consists of an open area with ruderal vegetation. The groundcover consists of grasses and weeds such as caesarweed, Bahia grass, fox grape, ragweed, saltbush, beggartick, matchweed, rabbit tobacco, and wiregrass.
3. 194 – Undeveloped Land/Temporary RV Storage (0.61 acres) this area is used for the temporary storage of recreational vehicles, boats, and trailers.
4. 210 – Pastureland (12.26 acres) this community consists of pastureland still used for horse or cattle grazing. The subcanopy is mainly open with widely scattered laurel oak, cabbage palm, Brazilian pepper, and slash pine. The ground cover consists of primarily of Bahia grass.

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5. **411 - Pine- Saw Palmetto Forest (13.34 acres)** this community consists of a pine forest with less than 50% melaleuca invasion. The canopy and subcanopy consists of slash pine, dahoon holly, laurel oak, saw palmetto, wax myrtle, rusty lyonia, gallberry, and scattered melaleuca. The groundcover consists of wiregrass, rabbit tobacco, hat pins, catbrier, chocolate weed, low panicum, xyris, spike rush, broomsedge, sedges, and pine needle litter.
6. **4119 - Melaleuca-Pine Forest (11.99 acres)** this community consists of a pine forest with greater than 50% melaleuca invasion. The canopy consists of melaleuca and pine, and the subcanopy consists of saw palmetto clusters, pine, wax myrtle, rusty lyonia, gallberry, and young melaleuca. The groundcover consists of pine needle litter, wiregrass, rabbit tobacco, hat pins, chocolate weed, low panicum, xyris, spike rush, sedges, broomsedge, and catbrier.
7. **510 - Drainage Ditch (0.60 acres)** this cover type extends from the lake to the western boundary, and then to the north along the western property boundary. It is part of the existing water management system.
8. **520 - Excavated Lake (2.54 acres)** the lake is located in the central portion of the subject property and is part of the existing water management plan.
9. **740 - Disturbed Area (1.30 acres)** this area is used for storage of construction materials for the existing phases of development.
10. **743 - Spoil Area (1.00 acres)** this community is an area adjacent to the forested area that consists of horticultural and fill spoil material from the existing phases of development.

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End. Sp. Report, Cypress Woods RV Resort Phase IV-VI, Lockett Road, Section 11, T44E, R25S,
Lee County, Florida

Revised Date: March 27, 2003

II. ENVIRONMENTAL REVIEW CRITERIA -

Fish, Wildlife, Listed Species and their Habitats: An endangered species survey was conducted on August 28, 2002. The day was partly cloudy with the temperature in the low 90s with little breeze during the survey. The following methodology was used to provide a 90% or greater coverage of the entire parcel.

Endangered Species Survey Methodology:

The study area was field surveyed for endangered species using a modified transect line method established by the Florida Fish and Wildlife Conservation Commission. The modified survey (a meandering strip census) has proven to be effective in covering 90-95% of the sites surveyed. The transect survey uses meandering transect lines at 50'-75' intervals. On this project the meanders ran a north-south course in the forested area and an east-west course in the non-forested area. The meanders extend into adjoining transect survey areas to insure a near 100% coverage of the project site. The frequency of the meanders is determined by the ground cover and visibility. The more densely vegetated areas receive a greater frequency of meanders, thus decreasing the distance between meanders within some habitats to 12' apart.

Surveying large areas require hanging flagging tape at the outer edges of the turn points of the meanders, to assist in identifying the extent of the surveyed areas. On the return transect, the flagging is typically removed and relocated to the other end of the meander turn points, until the last transect line is completed. Evidence of a specific species is also used to determine the size of the meanders. If, for example, tortoise droppings are observed, the meander frequencies may be increased to locate the burrow.

Faunal species, which do not lend themselves to the typical transect line survey methodologies, which are successful in determining location and status of less mobile floral and faunal species, require an additional method of observation. These species require game stalking techniques with routine pauses for quiet observation. The frequency and

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Lee County, Florida

Revised Date: March 27, 2003

Endangered Species Survey Methodology (cont.):

duration of observations are also determined by habitat density, species being observed, and the stalking skills of the observer. The use of field glasses and the ability to blend into the surroundings are important elements for successful results.

Any species observed are noted on an aerial photograph as to location and number of species observed. Species presence and species abundance, on a given site, can not be determined for all species listed. Fauna which are mobile, transient, or deceptive are not always observed during a typical field survey. This computation problem is especially true in determining species abundance. Therefore, the status of each species will be listed as to presence and numbers of species observed, and only those species which can be reasonable surveyed for abundance will be provided with such data.

Endangered Species Observations and Comments

<u>Common Name</u>	<u>Scientific Name</u>	<u>Obs.</u>	<u>Comments</u>
Eastern indigo snake	<i>Drymarchon corais couperi</i>	no	not observed
gopher tortoise	<i>Gopherus polyphemus</i>	no	not observed
gopher frog	<i>Rana areolata</i>	no	not observed
Little blue heron	<i>Egretta caerulea</i>	no	not observed
Snowy egret	<i>Egretta thula</i>	no	not observed
Tricolored heron	<i>Egretta tricolor</i>	no	not observed
White Ibis	<i>Eudocimus albus</i>	no	not observed
Merlin	<i>Falco columbaris</i>	no	not observed, Transient
Southeastern kestrel	<i>Falco sparverius, paulus</i>	no	not observed, Transient
Eastern kestrel	<i>Falco sparverius, sparverius</i>	no	not observed, Transient
Arctic peregrine falcon	<i>Falco peregrinus tundrius</i>	no	not observed, Transient
American bald eagle	<i>Haliaeetus leucocephalus</i>	no	not observed
Wood stork	<i>Mycteria americana</i>	no	not observed
Burrowing owl	<i>Speotyto cunicularia</i>	no	not observed
Fox squirrel	<i>Sciurus niger</i>	no	not observed
twisted air plant	<i>Tillandsia flexuosa</i>	no	not observed
Florida coontie	<i>Zamia Floridana</i>	no	not observed
Red-cockaded woodpecker	<i>Picoides borealis</i>	no	not observed

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End. Sp. Report, Cypress Woods RV Resort Phase IV-VI, Luckett Road, Section 11, T44E, R25S,
Lee County, Florida

Revised Date: March 27, 2003

Discussion and Conclusion: The subject property has become isolated by residential, agricultural and commercial development on three sides. The forth side is still connected to forested areas to the east. The western two thirds of the site have been altered and disturbed, with minimal habitat for listed species other than gopher tortoises, which were observed on site prior to the construction of the previous phases. However, none were observed during construction. During the survey the site was inundated with water near or at the surface, and provided minimal habitat for long term utilization by tortoises.

The forested area has potential red-cockaded woodpecker (RCW) foraging habitat, but no viable areas for potential nest tree. However, no RCWs have been observed or recorded in the area, and the remaining forest patch is unsuitable for nest cavities, with the exception of the enhanced preserve area along the southeastern corner of the property, which has only existed for less than six months. In addition, these forested areas are also viable habitat for the fox squirrel, but no fox squirrels, potential nests, or platforms were observed during the survey.

Transient species such as the kestrels, Merlins, and falcons, and the wading birds, may not have been observed during the survey because of the nature of the species. However, these species would not be directly impacted by the proposed development unless they nested in the area, and none were observed. In summary, no listed endangered species were observed on the subject property during the survey, nor were expected to be found on site at any other time, other than potential transient species that may move through the property or are forced to move onto the property from adjacent properties.

**EXHIBIT IV-I-1
MASTER LIST OF USES FOR ENTIRE DEVELOPMENT**

A. Residential Uses

	Type	Habitable stories	Height	Total Number of Units
A..1.	Single Family			
A. 2.	Zero lot line			
A..3.	Mobile Homes			at least 48
A..4.	Recreational Vehicles			not more than 599
A..5.	Duplex/Two Family			
A..6.	Townhouses			
A .7.	Multiple Family	1 - 3 stories		
A .8.	Multiple Family	4 - 6 stories		
A .9.	Multiple Family	7 or more		
A .10	TOTAL UNITS			647

B. Assisted Living Facilities

	Type	Habitable Stories	Height	Total Number of Beds
B.1.	Dependent Living Units			
B.2.	Independent Living Units			
B.3.	TOTAL UNITS			

C. Hotels/Motels

	Room Size	Habitable Stories	Height	Number of Rental Units
C.1.	< 425 sq. ft.			
C.2.	426-725 sq. ft.			
C.3.	725 < sq. ft.			
C.4.	TOTAL UNITS			

D. Commercial

		Habitable Stories	Height	Total Floor area
D.1.	Medical			Sq.Ft.
D.2.	General Office			Sq.Ft.
D.3.	Retail			Sq.Ft.
D.4.	Other			Sq.Ft.
D.5.	TOTAL FLOOR AREA			Sq.Ft.

E. Industrial

		Habitable Stories	Height	Total Floor area
E.1.	Under Roof			
E.2.	Not under Roof	NA		
E.3.	TOTAL FLOOR AREA			

F. Mining

F.1.	Area to be excavated	NA	Depth	Acres
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COMMUNITY DEVELOPMENT

EXHIBIT IV-J-1

JUSTIFICATION FOR DEVIATIONS

11. *A deviation from Section 34-2194(b)(3) of the LDC to permit a water related use (i.e. clubhouse, deck, pier and gazebo) to encroach into the 25' setback and to extend 90' into an artificial body of water. This request is made pursuant to the exception provided in 34-2194(c)(1)a.*

This deviation will allow for a portion of the clubhouse and deck to extend over the edge of the artificial pond in Cypress Woods, and also allow for a pier and gazebo to extend a total of 90' beyond the control elevation of the pond. The width of the structure at the control elevation is approximately 40' but tapers down quickly from there. This structure will allow the residents of Cypress Woods to enjoy the benefits of waterside recreation and views. The remainder of the pond shoreline will be maintained in its natural condition with the required littoral vegetation. This design will also allow for the preparation of a number of mature oak trees on the site.

12. *Deviation from Section 34-2020(4)o.2 which would require 135 spaces for the two clubhouse facilities to provide 44 spaces.*

The requirement of one space per 100 square feet of indoor recreation facility has never been applied rigidly to private recreation facilities within a residential development, although it is the only parking standard provided in the Code. Heretofore the staff has always conducted a site specific review of the density and compactness of the development and the ability of the residents to access these recreation facilities without using their private automobiles. It has been the experience of Cypress Woods, which has been in operation for over four years, that very few people drive to the existing clubhouse. They either walk, ride a bike, or use a golf cart. It is anticipated that the second clubhouse will also provide centralized recreational amenities to a large portion of the development, although there will be more lots located a further distance than from the original clubhouse facility. Therefore, the second clubhouse is providing proportionately more parking than the original clubhouse. However, the original clubhouse has never had a shortage of parking or even had half of its spaces occupied to date.

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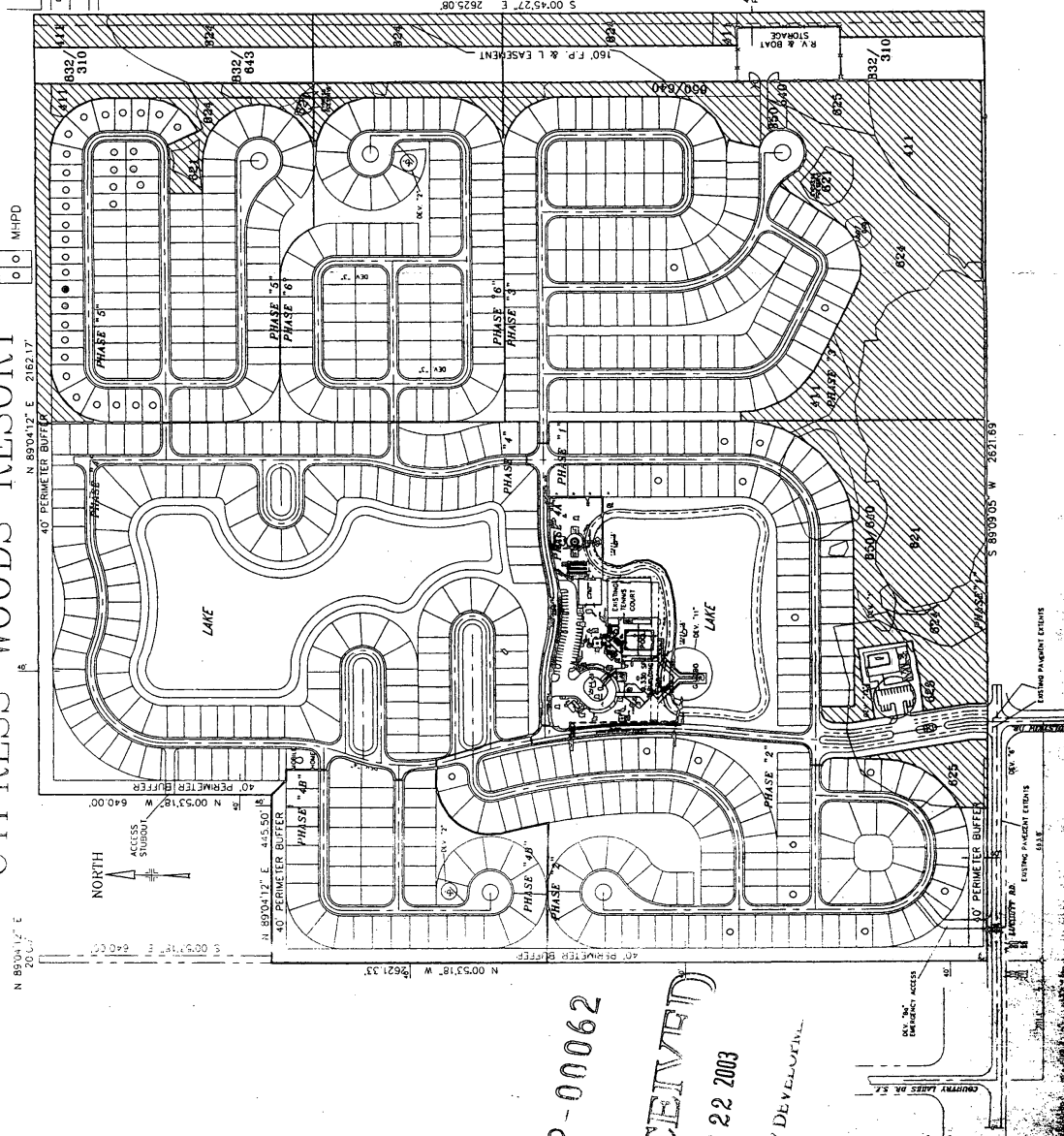
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COMMUNITY DEVELOPMENT

TOTAL AREA	= 6,399,945.82 S.F. (151,514 AC.)	LAKE	= 525,521.97 S.F. (12.064 AC.)
RIGHT-OF-WAY	= 807,098.92 S.F. (18.528 AC.)	NO. OF LOTS	= 647 UNITS (MAX. 599 R.V. SITES, MIN. 48 M.H. SITES)
LOT AREA	= 2,985,036.10 S.F. (68.27 AC.)	GROSS DENSITY	= 4.270 UNITS/AC.

CYPRESS WOODS RESORT



TYPICAL LOT DETAIL

* NOTE: 20' FOR PHASE 1, 2 & 3
24' FOR PHASE 4, 5 & 6

NTS

SCHEDULE OF USES (RVPD)

[illegible]

WH-1	AG-2	STORAGE: MOTOR VEHICLES OPEN (LIMITED TO RECREATIONAL VEHICLES, TRAILERS, BOATS, AND OTHER VEHICLES AND GOODS BELONGING TO PARK RESIDENTS)	SCHEDULE OF USES (MHPD)
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[illegible][illegible][illegible]

SPACE

NEW GENERAL DEVIATIONS:

AREA:

9. A REVISION FROM SECTION AIR 02 SHOWS THAT THE TOWN OF LEE COUNTY ZONING REGULATION BOOK REQUIRES A 3,000 SQUARE FOOT CORNER LOT (50 FEET X 100 FEET) TO PROVIDE A 1,410 SQUARE FOOT HOUSING LOT (48 FEET X 90 FEET).

SECTION AIR 03.0 (FROM LOS 34-710) WHICH REQUIRES A SIDE SETBACK OF 7 FEET TO PERMIT A SIDE SETBACK OF 5 FEET.

[illegible]

44NE SHELTER (PER LOC SECTION 10-2400)
- (2) 25' x 60' x 10' (AREA) = 1510 FS S.F.
- 1612 FS S.F.

3228 EVANS AVENUE, FORT WORTH, TEXAS 76104, PH. (817) 538-7553	
CONSULTING ENGINEERS	
DESIGNED BY:	CHECKED BY:
DRAWN BY:	DATE:
SCALE: 1" = 100'	
1119 LOT, ADJOX DEWATION & SHELTER CALC'S	WMS
11.5	
FILE NO.	
SHEET NO. OF	
1 OF 2	

REVISION	APPROVED	OR AS NOTED	DRAWN 12, 1890	2	3	34-24

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COMMUNITY DEVELOPMENT

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STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF COMMUNITY PLANNING
BUREAU OF LOCAL PLANNING
2555 Shumard Oak Blvd. Tallahassee, Florida 32399
850/488-4925

APPLICATION FOR A BINDING LETTER OF
DEVELOPMENT OF REGIONAL IMPACT STATUS
UNDER SECTIONS 380.06 and 120.57, FLORIDA STATUTES

- I. Issuance of a binding letter is final agency action and subject to judicial review pursuant to Section 120.68, Florida Statutes. The record on appeal will consist of exhibits, documents or other materials prepared by the applicant and submitted to the Division of Community Planning pursuant to this application plus other information or materials the Division of Community Planning may develop and make part of the record. The Division of Community Planning may provide for a hearing if appropriate under Subsection 9J-2.016(16), Florida Administrative Code. If necessary for the preparation of a complete record, the applicant should request a hearing. The hearing shall be conducted pursuant to provisions of Section 120.57, Florida Statutes, which are appropriate to the issues to be decided. Where the Division determines that information submitted is inadequate for a determination, the binding letter may state that determination.

- Michael E. Roeder
II. I, Knott, Consoer, Ebelini, Hart & Swett PA, the undersigned owner or authorized representative of Cypress Woods RV Resort Associates hereby request a binding letter of interpretation of DRI status in accordance with Sections 120.57 and 380.06, Florida Statutes. I hereby certify that all information submitted with and pursuant to this application is true and correct to the best of my knowledge and belief and that on this date a copy of the application has been submitted to the appropriate regional planning agency and local government as required in Subsection 9J-2.016(4), Florida Administrative Code.

Michael E. Roeder April 22, 2003
Signature Date
1625 Hendry St., Suite 301, Fort Myers, FL 33901
Street or P.O. Address, City, State, Zip
(239) 334-2722
Phone Number

STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS
DIVISION OF COMMUNITY PLANNING
BUREAU OF LOCAL PLANNING
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Michael E. Roeder

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April , 2003

Signature

1625 Hendry St., Suite 301, Fort Myers, FL 33901

Date

Street or P.O. Address, City, State, Zip

(239) 334-2722

Phone Number

PART I See Attached

Provide the following general information about the proposed development. Any part of this information which is not relevant to a particular type of development may be omitted. A brief statement of the reasons for omitting any of the following information must be included.

A. Identify the Development

1. Name of development, developer, and authorized agent.
2. Has any of this property been the subject of a binding letter, clearance letter, or DRI application for development approval? If yes, please indicate name of development and developer if different than current project.
3. Distance of the development to the nearest adjacent county.
4. Legal description (section, township, and range).
5. Type(s) of development pursuant to Chapter 28-24, Florida Administrative Code (F.A.C.).
6. Present ownership of property.
7. Property owned, optioned or leased by the developer adjacent to or within one-half mile of the proposed site (location and acreage). If yes, describe any physical relationships to the project which is the subject of this binding letter application.

B. Describe the Project

1. Total acreage and proposed acreage breakdown by land use (e.g., commercial, residential, open space, water bodies, etc.).
2. Present and proposed land use and zoning.
3. Number of units, gross square footage, parking spaces, etc., by each applicable development type and each criterion therein pursuant to Chapter 28-24, F.A.C.
4. Gross and net residential density.
5. Proposed phasing of project by time increments, including the amount of development per phase.
6. Project population at buildout and date of buildout.

C. Describe the Regulatory Status

1. Types of permits and approvals applied for, received, required or denied (including zoning and comprehensive plan amendments).
2. Permitting and approval agency(ies) and status of pending permits and approvals.

D. Provide the Following Visual Exhibits

1. General location map.
2. Proposed site plan/preliminary layout of the site.
3. Existing land use map of the area.

E. Provide any other information which you believe should be considered in this determination.

PART II See Attached

Provide the following information, where applicable, regarding the potential impacts of the proposed project. If there is a question regarding the provision of this information, it is recommended that the applicant contact the Division prior to the submittal of the application.

A. Describe the Potential Impacts on Natural Resources

1. Air Quality:
 - a. Projected source, amount, and type of pollution which will be generated by the development.
 - b. Project location in relation to attainment or non-attainment air quality areas.
2. Water Quality:
 - a. Potential impacts, both in terms of water quality and quantity, to water bodies which will receive discharge from the project and their current state water quality classification (Class II waters, Outstanding Florida Waters, aquatic preserve, etc.).
 - b. Potential impacts to ground water from project pollution, run-off, or salt water intrusion.

3. Site Clearance - Type and amount of vegetation to be disturbed.
4. Impervious Surfaces - Type and amount (e.g., paved surfaces, structural, etc.)
5. Ground and Surface Water:
 - a. Estimated depth to potable and non-potable aquifers. Identify if the aquifers are confining or non-confining.
 - b. Identify the location of existing surface water bodies contained on site or adjacent to the site.
 - c. Indicate if the project is located on a prime recharge area for the Floridan or other potable water aquifer.
6. Stormwater Management:
 - a. Potential impacts to predevelopment drainage conditions.
 - b. Identify the type of storm event that will be controlled at post development, impacts to any regional drainage system (e.g., canals, river basins, etc.), the point(s) of discharge, and the level of treatment to be provided prior to discharge.
 - c. What level of service is required in the local government comprehensive plan? Will this project affect this level of service?
7. Wetlands - Indicate the location and size of wetlands on site or affected by the proposed development and method or source of wetland identification. Provide a site plan indicating the boundary of wetland areas.
8. 100-Year Flood Plain - Percent of land area in flood plain and specify the percent of project in a velocity zone. Provide a site plan indicating the boundary of flood plain area. Include a FEMA FIRM map and indicate the year of publication.
9. Dredge and Fill - Amount required and location, including spoil disposal areas. Provide a site plan indicating the boundary of dredge and/or fill areas. Has any previous dredging and/or filling been done on the site? If so, include copies of appropriate permits.
10. Natural Vegetation - Indicate the types of vegetative communities on the site, using the Florida Land Use and Cover Classification System designations.

11. Endangered, Threatened, or Species of Special Concern Plant and Animal Species:

- a. Number and species, and indicate if species have been found on site or if potential habitat exists. Describe the methodology used to determine the existence of endangered, threatened, or species of special concern plant and animal species.
- b. Will this project affect any threatened, endangered, or species of special concern marine life, such as manatees or sea turtles, near but not necessarily on the site?

B. Describe the Potential Impacts on Historical or Archaeological Sites - Indicate the number and type either on-site or in close proximity. Identify which portions of the development will impact such sites. The Florida Department of State, Division of Historical Resources may be contacted by the applicant to assist in providing this information.

C. Describe the Potential Impacts on Public Facilities

1. Wastewater Flow:

- a. Gallons per day by land use.
- b. Level, source, and type of treatment.
- c. On-site or off-site discharge location.
- d. Permitted, adequate, committed, and available capacity of regional or local treatment facility (if applicable) at buildout of project.
- e. What level of service is required in the local government comprehensive plan? Will this project affect this level of service?

2. Water Supply:

- a. Potable Water - gallons per day by land use and source. What is the permitted, adequate, available, and committed capacity of potable water? What level of service is required in the local government comprehensive plan? Will this project affect this level of service?
- b. Non-potable Water - gallons per day by land use, source, and availability of supply.

3. Solid Waste Generated:

- a. Pounds per day by land use; disposal methods.
- b. The available capacity of a sanitary landfill or other disposal facility.

- c. What level of service is required in the local government comprehensive plan? Will this project affect this level of service?
 - d. Will this project generate or store any hazardous materials, waste, or effluent? If so, are treatment or storage facilities available?
4. Transportation
- a. Provide trip generation rates, trip distribution, trip assignments, and source of transportation assumptions. Ensure that the most recent version of a source is utilized.
 - b. Provide an analysis of traffic impacts by completing Table I. Complete Table II only if peak hour data is unavailable, and explain why peak hour data is unavailable.
 - c. Describe any proposed improvements to the existing road system and provide legally binding documentation that these improvements are scheduled for completion at buildout of the proposed development. Provide dates by which the facilities are due to be operational.
 - d. In preparing the traffic analysis ensure that the following are included and/or addressed when appropriate:
 - Traffic impact including level of service, peak hour directional trips and split, and daily trips (if peak hour is not used).
 - Traffic impact for 100% occupancy, at buildout, and by phase if the development schedule extend five years or more.
 - The traffic analysis should cover an area within a radius of not less than a half mile and not greater than five miles from the project site.
 - Service volumes or roadway capacities should be derived using acceptable FDOT methodology or definitions. If FDOT sources are not being used, please indicate what source is being used and why.
 - e. Expected increases in water borne traffic, aircraft operations, or other transportation considerations (if applicable).
5. Daily Energy Demand - Source of supply and describe any alternative energy plans.
6. Available Fire and Police Protection, including response time to the site.

7. Available Health and Education Facilities, including proximity to site.
8. Hurricane Preparedness: Public Shelter Space Availability and Evacuation Times - Is this project located within a the hurricane vulnerability zone or the high hazard hurricane evacuation area? If so, are adequate public hurricane shelters available, and will the project impact hurricane evacuation times? Such analysis must be consistent with Rule 9J-2.0256, Florida Administrative Code, Hurricane Preparedness Policy Rule.

D. Describe the Potential Impacts on the Economy of the Region

1. Employment opportunities generated or affected by this proposal.
2. What number of employees are within low and very low income ranges?
3. Availability of housing relative to job opportunities.

TABLE 1

[illegible]

(1) Peak Hour Maximum Volume for applicable Level of Service _____ standard.

(2) Projected Peak Hour Traffic on the roadways at buildout of the development in _____
(C,D or E)
(Year of Buildout)

(3) Level of Service.

Roadway capacities should be determined using acceptable FDOT sources. If FDOT sources are not being used, please indicate what source is being used and why.

TABLE III

[illegible]

(1) Maximum Volume for applicable Level of Service _____ standard.

(C, D or E)

(2) Projected Generalized Daily Traffic on the roadways at buildout of the development in _____ (C, D or E) _____ (Year of Buildout)

(3) Level of Service.

Roadway maximum volumes should be determined using acceptable FDOT sources. If FDOT sources are used, please indicate what source is being used and why.

Part I

A. Identify the Development

1. Name of development, developer, and authorized agent.
 - a. Cypress Woods Resort.
 - b. Cypress Woods RV Resort Associates.
 - c. Knott, Consoer, Ebelini, Hart & Swett, P.A.
2. No
3. The property is approximately 7 miles south of Charlotte County.
4. Please see attached Exhibit "A." [Legal Description]
5. Types of development — the development is a combination of recreation vehicles and mobile home dwelling units.
6. Approximately 290 lots are owned by individual owners, and the remainder of the property is owned by Cypress Woods RV Associates.
7. As part of another entity, the developer owns 70 acres to the north of the property which is zoned AG-2 and for which there are no plans of development, at this time. If it is developed it will be a totally separate project.

B. Describe the Project

1. Total acreage 151.5 acres.
 - a. Residential 68.3 acres
 - b. Right-of-way 18.5 acres
 - c. Open space 47.8 acres
 - d. Lakes 12 acres
 - e. Recreational amenities 4.9 acres
2. The existing and proposed zoning is RVPD/MHPD. It is a partially developed RV resort that allows for the conversion of RV sites to permanent mobile home sites.
3. The project was originally approved for a maximum of 684 units, of which no more than 399 could be RV units. The new proposal is to change that development by reducing the overall density to 647 units, of which no more

than 599 can be RV units. Required parking is provided on each site for each unit and for the common recreation areas.

4. Gross density is 4.27 units per acre; net density will be 9.48 units per acre.
5. The project is to be developed in six phases. Three phases have been completed to date within the last four years; it is expected that the next three phases should be complete within four more years, or by the end of 2007.
6. The maximum population of the development is estimated to be 1300 by the end of the year 2007, although this peak population is only present for approximately three months of the year in the winter.

C. Describe the Regulatory Status

1. The project has all necessary zoning and agency permits needed to complete the development as originally approved. The need for this amendment is to allow for an increase in the number of RV units from 399 to 599, while simultaneously reducing the overall density from 684 units to 647 units. The general layout of the property is the same as originally approved by Lee County, except that there was some reduction in the number of lots due to an increase in environmental preserves as a result of permitting.
2. The only pending approval is the amendment to allow an increase in the RV units from 399 to 599 units, along with this Binding Letter review. The number of RVs is going from just under 80% to just under 120% of the DRI threshold.

D. Provide the Following Visual Exhibits

1. Please see Exhibit "B" [Location Map]
2. Please see Exhibit "C" [Site Plan]
3. Please see Exhibit "D" [Future Land Use Map of Area]

- E. The property was originally approved by Lee County in 1994 for a combination of 684 mobile home and RV units. For some reason, the DRI threshold for a mobile home park in Lee County is 2,000 units but for an RV park it is 500 units. Presumably this is based on the theory that an RV unit is more transient and will create more traffic demand on nearby roads. However, virtually all of the RV units at Cypress Woods are permanent, in that they are either in place year round or else they are on-place for 3-4 months at a time. All of the lots are owned by individuals and are not rented to transients. This is a very unusual Binding Letter application in that there is no increase

in the impacts, but actually a decrease. Based on a meeting with Dan Trescott last fall, he indicated that the only issues he thought needed to be addressed were traffic, hurricane shelters, and environmental impacts.

Part II

A. Potential Impacts on Natural Resources

1. Air Quality:
 - a. N/A
 - b. N/A
2. Water Quality:
 - a. N/A
 - b. N/A
3. Site Clearance - of the entire 151 acre site, approximately 120 acres will be cleared for the development. This consists mostly of pine/palmetto/melaleuca.
4. Impervious Surfaces - approximately 28 acres will be covered by RV units, mobile homes, accessory buildings and recreational buildings. Approximately 15 acres will be covered by internal roads, driveways, and parking lots.
5. Ground and Surface Water
N/A, all permits approved
6. Stormwater Management:
N/A all permits approved
7. Wetlands - there were approximately 40.7 acres of wetlands on the original site, of which 17.2 acres were impacted by the development. The remaining wetlands are being restored and protected in a preserve area under the Master Concept Plan, along with adjoining uplands for a fox squirrel preserve. See Exhibit E. [Exhibit 8a from WMD permit]
8. 100-Year Flood Plain - 0% in the V zone. See Exhibit F for the FEMA designation. [Barbot map]
9. Dredge and Fill - See Exhibit G. [SFWMD permit]

10. Natural Vegetation - See Exhibit H. [FLUCCS map]
11. Endangered, Threatened, or Species of Special Concern Plant and Animal Species:
 - a. See Exhibit I. [Endangered species survey]
 - b. N/A - already reviewed and cleared by the County.

C. Describe the Potential Impacts on Public Facilities

1. Wastewater Flow:

N/A - already being served by Lee County Utilities.

2. Water Supply:

N/A - already being served by Lee County Utilities.

3. Solid Waste Generated:

N/A - development already approved for 684 units.

4. Transportation: When the original traffic impact study was prepared for Cypress Woods in 1994, the engineer utilized the trip generation rates for a mobile home park, since there were no specific rates for recreational vehicle park at that time. He utilized the Fifth Edition of the ITE manual from 1991. The Sixth Edition of the ITE manual from 1997 is now available, but it still does not have a separate code for a recreational vehicle park. Since these are recreational vehicle sites that are individually owned and are non-transient, the mobile home park rate is a reasonable proxy and will continue to be used in the following analysis.

The average daily trip generation for a mobile home park (ITE 240) was 4.24 trips in the Fifth Edition in the ITE manual. In the Sixth Edition of the ITE manual, this average daily trip rate has increased to 4.81 (pg. 409), but the amended zoning request reduces the number of units from 684 to 647. The net effect of this decrease in units and increase in trip generation rate is an overall increase of 212 daily trips upon project buildout, or an increase of 7.4% from the original estimate in 1994.

The estimated distribution of traffic in the 1994 report was 20% using Country Lakes Drive to go north and then west on Tice to Ortiz, with the remaining 80% using Luckett Road, 65% of that 80% utilizing I-75, 40% south and 25%

north. The remaining 15% was projected to utilize Lockett Road to go west to Ortiz.

The chief significance of the original traffic study in terms of this analysis is that it had estimated that the project would be complete in 1999. In point of fact, due to delays with permitting and the untimely death of the original developer, the project only began in 1999, and now it would appear likely to be completed by the year 2007. It is within the time constraints of the original County Zoning approval, but clearly the background traffic is now greater than what had originally been predicted at buildout.

The original traffic study only projected the Level of Service (LOS) at buildout for Lockett Road east of I-75 and Country Lakes Road north of Lockett Road. It predicted that the LOS on both of those roads in 1999 would be "A." As a point of reference, the actual LOS volume on Lockett Road east of I-75 is currently "C" and on Country Lakes Road it is currently "B." Lockett Road east of I-75 is projected to be at LOS "E" when all of the developments, including Cypress Woods, which have been approved are completed. Country Lakes Blvd. is projected to be at LOS "B" upon the completion of all approved development. Lockett Road west of I-75 is projected to be at LOS "C" upon all approved developments, and I-75 is projected to be at LOS "D" when all projects are completed, although preliminary design studies to widen I-75 are currently underway.

From a traffic standpoint, the bottom line is that traffic will actually be less than what was approved in 1994, because the number of units is being reduced from 684 to 647. This report does acknowledge a potential increase of 212 average daily trips, because the trip generation rate for mobile home parks has increased from the Fifth to the Sixth Edition of the ITE manual. This represents an approximate 7.4% increase over the amount of traffic projected in 1994. However, it should always be remembered that in reality there is no increase in traffic at all, since the site is already approved for 684 units, and this binding letter only seeks to increase the RV component of that approval from 399 to 599 units. We believe that for non-transient RV units, the trip generation will be virtually identical to a mobile home unit and therefore there will be no additional impact on the roadways. And finally, the most regionally significant roadway is projected to be no worse than a LOS "D", with or without the project traffic and that road will be six laned within the next ten years.

5. The development receives its power supply from Florida Power & Light which recently upgraded its Fort Myers facility.

6. The project is located in Tice Fire District, and the nearest station is located less than five minutes away on Tice Street. The property is also located in unincorporated Lee County within the jurisdiction of the Lee County Sheriffs Dept., which has easy access to the site from I-75.
7. There are numerous health facilities and schools in East Fort Myers no more than three miles of the site.
8. Hurricane preparedness: the site is located in a Category 4/5 evacuation zone, and the County regulations would require 13,102 sq. ft. of onsite shelter space. The development plans to provide 16,130 sq.ft. at buildout, and there is 6,350 sq.ft. available at the present time. In point of fact, there are virtually no owners in residence at the park during the peak hurricane season.

D. Potential Impacts of the Economy of the Region

1. N/A - project already approved for 684 units.

EXHIBIT A

LEGAL DESCRIPTION

A PARCEL OR TRACT OF LAND LYING IN THE SOUTHWEST QUARTER (S.W.1/4) OF SECTION 11, TOWNSHIP 44 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE AFORESAID SECTION 11; THENCE RUN N.00°53'18"W. ALONG THE WEST LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION 11 FOR 25.00 FEET TO THE NORTH LINE OF LUCKETT ROAD (50 FEET WIDE) AND THE POINT OF BEGINNING; THENCE CONTINUE N.00°53'18"W. ALONG THE WEST LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION FOR 2621.45 FEET TO THE NORTHWEST CORNER OF SAID SOUTHWEST QUARTER (S.W.1/4); THENCE RUN N.89°01'53"E. FOR 20.00 FEET TO THE NORTHWEST CORNER OF LANDS DESCRIBED IN OFFICIAL RECORD BOOK 1848, PAGE 3142, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE RUN S.00°53'18"E. ALONG THE WEST LINE OF SAID LANDS FOR 640.00 FEET; THENCE RUN N.89°01'53"E. ALONG THE SOUTH LINE OF SAID LANDS FOR 445.50 FEET; THENCE RUN N.00°53'18"W. ALONG THE EAST LINE OF SAID LANDS FOR 640.00 FEET TO THE NORTHEAST CORNER OF SAID LANDS AND THE NORTH LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE AFORESAID SECTION 11; THENCE RUN N.89°01'53"E. ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION 11 FOR 2161.66 FEET TO THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION 11; THENCE RUN S.00°46'12"E. ALONG THE EAST LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF SAID SECTION 11 FOR 2626.95 FEET TO THE NORTH LINE OF THE AFORESAID LUCKETT ROAD; THENCE RUN S.89°09'05"W. ALONG THE NORTH LINE OF SAID LUCKETT ROAD FOR 2621.74 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 151.559 ACRES, MORE OR LESS AND IS SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

BEARINGS ARE BASED ON THE WEST LINE OF THE SOUTHWEST QUARTER (S.W.1/4) OF THE AFORESAID SECTION 11 AS BEING N.00°53'18"W.

DCI 2002-00062

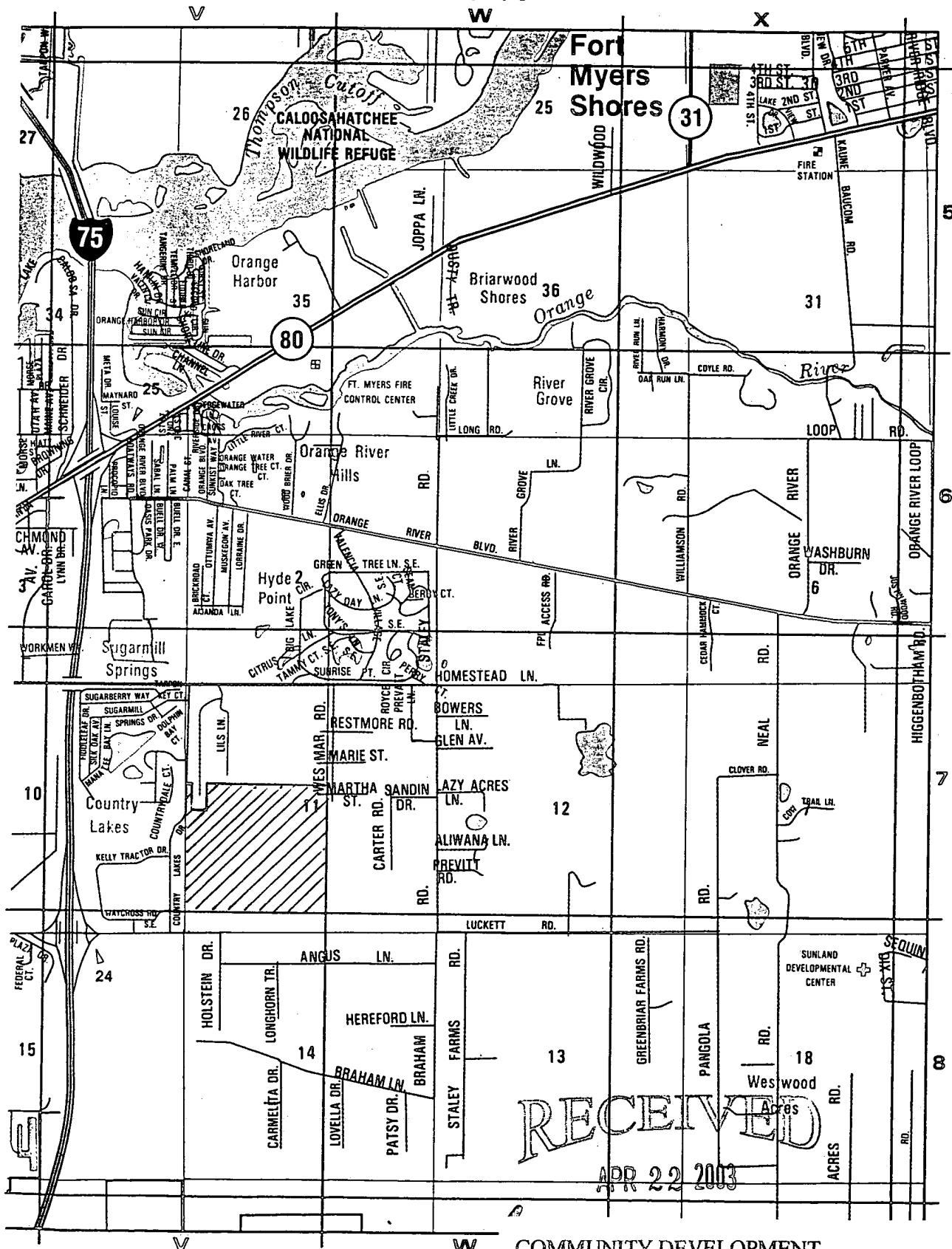
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Joins map on page 7



Joins map on page 20

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APR 22 2003

COMMUNITY DEVELOPMENT

Joins map on page 18

DCI 2002-00062

EXHIBIT B

EXHIBIT C TO BINDING LETTER IS SITE PLAN (SAME AS MCP EXHIBIT TO SUFFICIENCY RESPONSE OF APR 21)

EXHIBIT H TO BINDING LETTER IS FLUCCS MAP (SAME AS EXHIBIT TO SUFFICIENCY RESPONSE OF APR 21)

EXHIBIT I TO BINDING LETTER IS ENDANGERED SPECIES REPORT (SAME AS EXHIBIT TO SUFFICIENCY RESPONSE OF APRIL 21)

DCI 2002-00062

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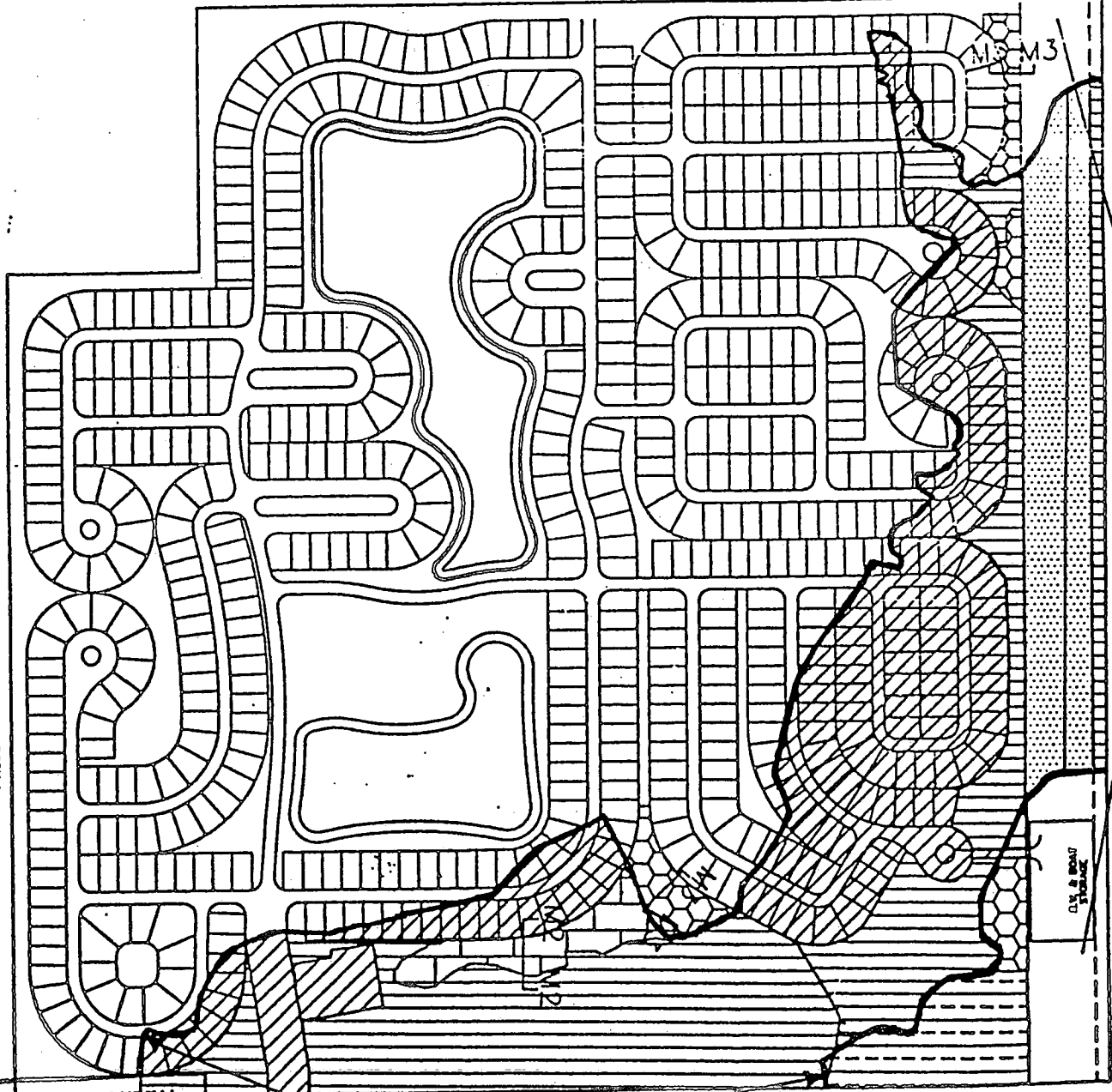
COMMUNITY DEVELOPMENT

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COMMUNITY DEVELOPMENT

FILL		17.23 AC
SHALLOW EXC.		1.32 AC
ENHANCEMENT/RESTORATION		15.98 AC
CREATION		2.13 AC
UPLAND COMPENSATION		2.21 AC
FPL WETLANDS		Cleared 3.6 AC Uncleared 2.50 AC



ADDL/REVISED SUBMITTAL

JUN 27 1995

JOB NO.

940003

FORT MYERS SERVICE CENTER

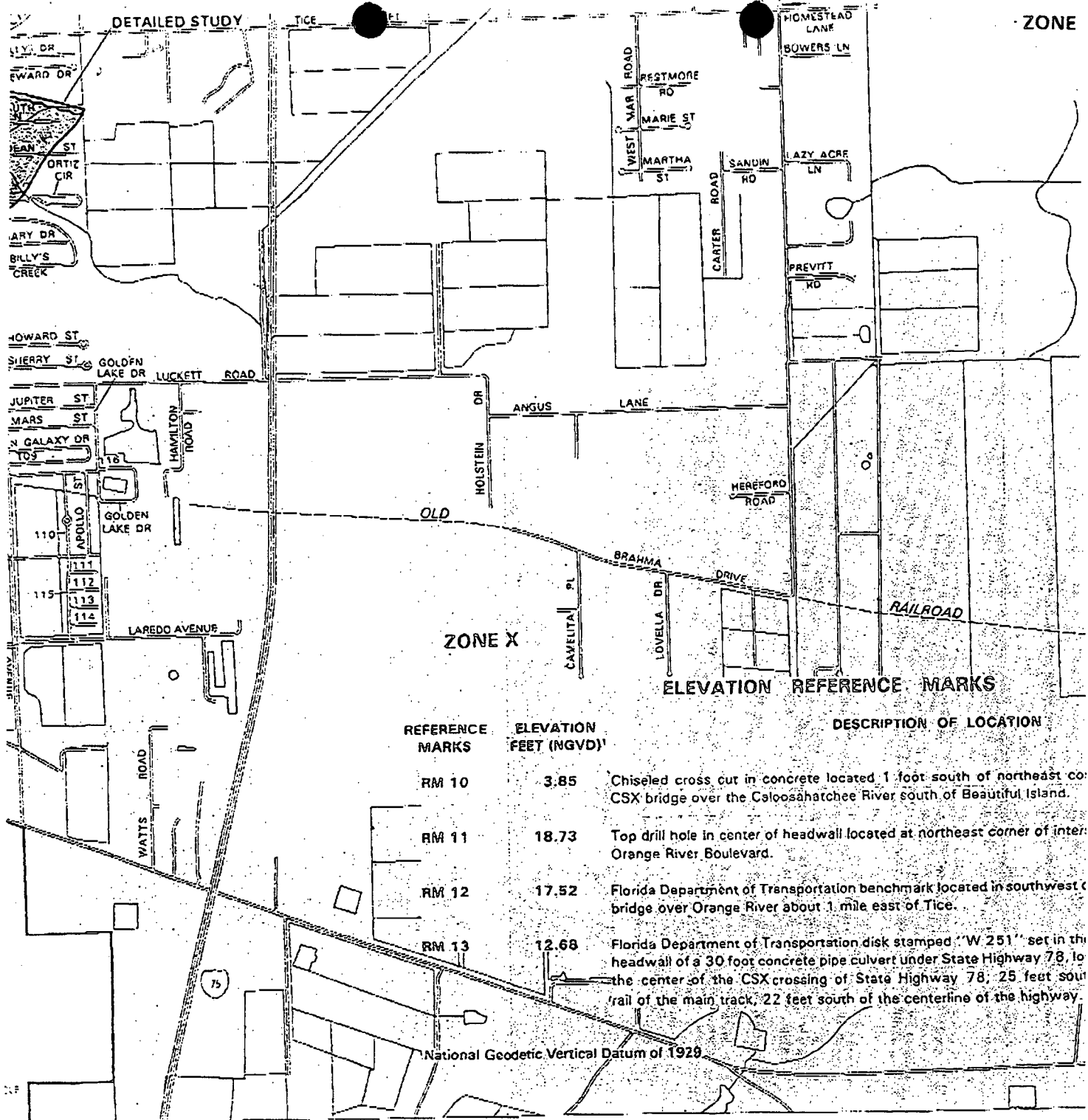
OF 21

Cypress Woods
Wetland OverviewSFWMD WETLAND LINE
perm OK'd by DEC 7-14-95

SCALE	1"=400'
DATE	02/09/95
FILE NAME	Hatching
GRAPH BY	J.S.

BOYLAN ENVIRONMENTAL
CONSULTANTS, INC.12685 METRO PKWY., STE. A
FT. MYERS, FL 33912
813-738-0600

EXHIBIT 8a



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EXHIBIT F

COMMUNITY DEVELOPMENT

F

LEGEND



SPECIAL FLOOD HAZARD AREAS INUNDATED BY 100-YEAR FLOOD

- ZONE A** No base flood elevations determined.
- ZONE AE** Base flood elevations determined.
- ZONE AH** Flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations determined.
- ZONE AO** Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined. For areas of alluvial fan flooding; velocities also determined.
- ZONE A99** To be protected from 100-year flood by Federal flood protection system under construction; no base flood elevations determined.
- ZONE V** Coastal flood with velocity hazard (wave action); no base flood elevations determined.
- ZONE VE** Coastal flood with velocity hazard (wave action); base flood elevations determined.

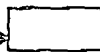


FLOODWAY AREAS IN ZONE AE



OTHER FLOOD AREAS

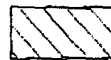
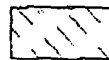
- ZONE X** Areas of 500-year flood; areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 100-year flood.



OTHER AREAS

- ZONE X** Areas determined to be outside 500-year floodplain.
- ZONE D** Areas in which flood hazards are undetermined.

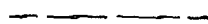
UNDEVELOPED COASTAL BARRIERS*

Identified
1983Identified
1990 or laterOtherwise
Protected Areas

*Coastal barrier areas are normally located within or adjacent to special flood hazard areas.



Floodplain Boundary



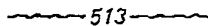
Floodway Boundary



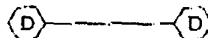
Zone D Boundary



Boundary Dividing Special Flood Hazard Zones, and Boundary Dividing Areas of Different Coastal Base Flood Elevations Within Special Flood Hazard Zones



Base Flood Elevation Line: Elevation in Feet*



Cross Section Line

(EL 987)

Base Flood Elevation in Feet Where Uniform Within Zone*

RM 7x

Elevation Reference Mark

+M1.5

River Mile

*Referenced to the National Geodetic Vertical Datum of 1929

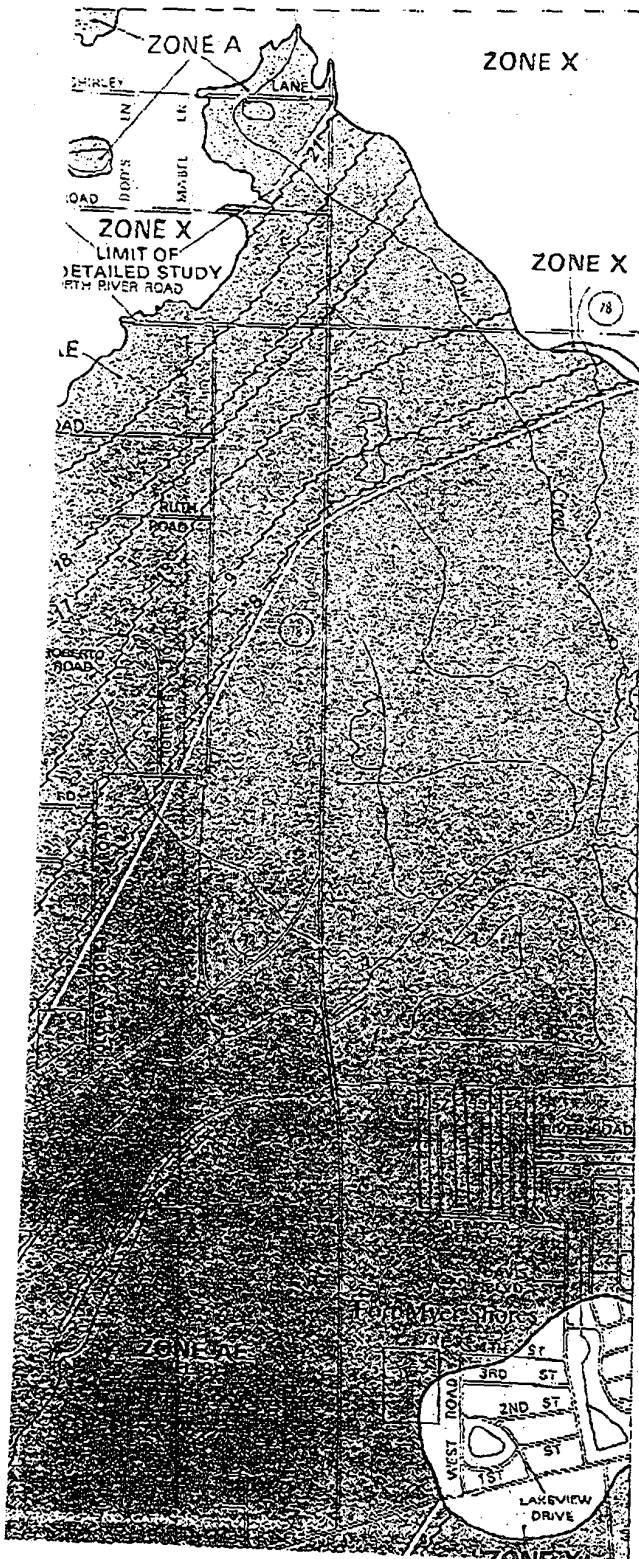
NOTES

This map is for use in administering the National Flood Insurance Program; it does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size, or all planimetric features outside Special Flood Hazard Areas. The community map repository should be consulted for possible updated flood hazard information prior to use of this map for property purchase or construction purposes.

Coastal base flood elevations apply only landward of 0.0 NGVD, and include the effects of wave action; these elevations may also differ significantly from those developed by the National Weather Service for hurricane evacuation planning.

Areas of special flood hazard (100-year flood) include zones A, AE, AH, AO, A99, V, and VE.

...in Special Flood Hazard Areas may be protected by flood





South Florida Water Management District
Certification For Stormwater Discharge

Form #0113
Rev 7/91

SURFACE WATER MANAGEMENT PERMIT NO. 36-02960-S
(NON-ASSIGNABLE)

Date Issued: AUGUST 10, 1995

Authorizing: CONSTRUCTION AND OPERATION OF A SURFACE WATER MANAGEMENT SYSTEM TO SERVE A 119.79 ACRE RV/MOBILE HOME PARK AND A 31.72 ACRE UNDEVELOPED AREA DISCHARGING TO ORANGE RIVER VIA COUNTRY LAKES DR. ROADSIDE SWALE AND AN FP&L EASEMENT.

Located In: LEE COUNTY, SEC. 11 TWP. 44S RGE. 25E

Issued To: CYPRESS WOODS RV RESORT ASSOCIATES
(CYPRESS WOODS RV RESORT)
C/O LEE GREENOUGH
P O BOX 219
ESTERO, FL 33928-0219

This Permit is Issued pursuant to Application for Permit No. 940825-8 dated August 25, 1994. Permittee agrees to hold and save the South Florida Water Management District and its successors harmless from any and all damages, claims or liabilities which may arise by reason of the construction, operation, maintenance or use of any work or structure involved in the Permit. Said Application, including all plans and specifications attached thereto, as addressed by the Staff Report, is by reference made a part hereof.

This Permit may be revoked or modified at anytime pursuant to the appropriate provisions of Chapter 373, Florida Statutes.

This Permit does not convey to Permittee any property rights or privileges other than those specified herein, nor relieve the Permittee from complying with any law, regulation or requirement affecting the rights of other bodies or agencies. All structures and works installed by Permittee hereunder shall remain the property of the Permittee.

Within thirty (30) days after the completion of the construction of any work or structure relative to this Permit, the Permittee shall file with the District a written statement of completion on the appropriate form provided by the Board.

Special Conditions are as follows:

SEE SHEETS 2-5 OF 8 - 28 SPECIAL CONDITIONS.
SEE SHEETS 6-8 OF 8 - 19, LIMITING CONDITIONS.

DCI RECEIVED
APR 22 2003

Filed with the Clerk of the South
Florida Water Management District

COMMUNITY DEVELOPMENT
South Florida Water Management
District, by its Governing Board

On 8-15-95

By [Signature]
Deputy Clerk

By [Signature]
Assistant Secretary

EXHIBIT G

Sheet 1 of 8

SPECIAL CONDITIONS

1 . MINIMUM BUILDING FLOOR ELEVATION: 22.5 FEET NGVD.

2 . MINIMUM ROAD CROWN ELEVATION: 21.5 FEET NGVD.

3 . MINIMUM PARKING LOT ELEVATION: 21 FEET NGVD.

4 . DISCHARGE FACILITIES:

BASIN: DEVELOPED:

1-1.33' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 17.5' NGVD.
1410 LF OF 2.5' DIA. RCP CULVERT.

RECEIVING BODY : COUNTRY LAKES DR ROADSIDE SWALE

CONTROL ELEV : 17.5 FEET NGVD. /17.5 FEET NGVD DRY SEASON.

5 . THE PERMITTEE SHALL BE RESPONSIBLE FOR THE CORRECTION OF ANY EROSION, SHOALING OR WATER QUALITY PROBLEMS THAT RESULT FROM THE CONSTRUCTION OR OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM.

6 . MEASURES SHALL BE TAKEN DURING CONSTRUCTION TO INSURE THAT SEDIMENTATION AND/OR TURBIDITY PROBLEMS ARE NOT CREATED IN THE RECEIVING WATER.

7 . THE DISTRICT RESERVES THE RIGHT TO REQUIRE THAT ADDITIONAL WATER QUALITY TREATMENT METHODS BE INCORPORATED INTO THE DRAINAGE SYSTEM IF SUCH MEASURES ARE SHOWN TO BE NECESSARY.

8 . LAKE SIDE SLOPES SHALL BE NO STEEPER THAN 4:1 (HORIZONTAL:VERTICAL) TO A DEPTH OF TWO FEET BELOW THE CONTROL ELEVATION. SIDE SLOPES SHALL BE NURTURED OR PLANTED FROM 2 FEET BELOW TO 1 FOOT ABOVE CONTROL ELEVATION TO INSURE VEGETATIVE GROWTH.

9 . FACILITIES OTHER THAN THOSE STATED HEREIN SHALL NOT BE CONSTRUCTED WITHOUT AN APPROVED MODIFICATION OF THIS PERMIT.

10. OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM SHALL BE THE RESPONSIBILITY OF CYPRESS WOODS RV RESORT HOMEOWNERS ASSOCIATION INC. THE PERMITTEE SHALL SUBMIT A COPY OF THE RECORDED DEED RESTRICTIONS (OR DECLARATION OF CONDOMINIUM, IF APPLICABLE), A COPY OF THE FILED ARTICLES OF INCORPORATION, AND A COPY OF THE CERTIFICATE OF INCORPORATION FOR THE HOMEOWNERS ASSOCIATION CONCURRENT WITH THE ENGINEERING CERTIFICATION OF CONSTRUCTION COMPLETION.

11. SILT SCREENS, HAY BALES OR OTHER SUCH SEDIMENT CONTROL MEASURES SHALL BE UTILIZED DURING CONSTRUCTION. THE SELECTED SEDIMENT CONTROL MEASURES SHALL

BE INSTALLED LANDWARD OF THE UPLAND BUFFER ZONES AROUND ALL PROTECTED WETLANDS. ALL AREAS SHALL BE STABILIZED AND VEGETATED IMMEDIATELY AFTER CONSTRUCTION TO PREVENT EROSION INTO THE WETLANDS AND UPLAND BUFFER ZONES.

12. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE PERIMETER OF THE PROTECTED WETLANDS AND BUFFER ZONES SHALL BE STAKED AND ROPED TO PREVENT ENCROACHMENT INTO THE WETLANDS. THE PERMITTEE SHALL NOTIFY THE SFWMD'S ENVIRONMENTAL COMPLIANCE STAFF IN WRITING UPON COMPLETION OF ROPING AND STAKING AND SCHEDULE AN INSPECTION OF THIS WORK. THE ROPING AND STAKING SHALL BE SUBJECT TO SFWMD STAFF APPROVAL. THE PERMITTEE SHALL MODIFY THE STAKING AND ROPING IF SFWMD STAFF DETERMINES IT IS INSUFFICIENT OR IS NOT IN CONFORMANCE WITH THE INTENT OF THIS PERMIT. STAKING AND ROPING SHALL REMAIN IN PLACE UNTIL ALL ADJACENT CONSTRUCTION ACTIVITIES ARE COMPLETE.
13. THE SFWMD RESERVES THE RIGHT TO REQUIRE REMEDIAL MEASURES TO BE TAKEN BY THE PERMITTEE IF WETLAND AND/OR UPLAND MONITORING OR OTHER INFORMATION DEMONSTRATES THAT ADVERSE IMPACTS TO PROTECTED, CONSERVED, INCORPORATED OR MITIGATED WETLANDS OR UPLANDS HAVE OCCURRED DUE TO PROJECT RELATED ACTIVITIES.
14. ANY FUTURE CHANGES IN LAND USE OR TREATMENT OF WETLANDS AND/OR UPLAND BUFFER/COMPENSATION AREAS MAY REQUIRE A SURFACE WATER MANAGEMENT PERMIT MODIFICATION AND ADDITIONAL ENVIRONMENTAL REVIEW BY DISTRICT STAFF. PRIOR TO THE PERMITTEE INSTITUTING ANY FUTURE CHANGES NOT AUTHORIZED BY THIS PERMIT, THE PERMITTEE SHALL NOTIFY THE SFWMD OF SUCH INTENTIONS FOR A DETERMINATION OF ANY NECESSARY PERMIT MODIFICATIONS.
15. A WETLAND MONITORING PROGRAM SHALL BE IMPLEMENTED WITHIN THE PROTECTED WETLANDS AND DETENTION AREAS. MONITORING SHALL BE CONDUCTED IN ACCORDANCE WITH EXHIBIT(S) 9A - I AND SHALL INCLUDE ANNUAL REPORTS SUBMITTED TO THE SFWMD FOR REVIEW. MONITORING SHALL CONTINUE FOR A PERIOD OF 5 YEARS.
16. A WETLAND MITIGATION PROGRAM SHALL BE IMPLEMENTED IN ACCORDANCE WITH EXHIBIT(S) 8A - G. THE PERMITTEE SHALL RESTORE 23.5 ACRES OF MIXED FOREST.
17. A WETLAND MONITORING PROGRAM AND MAINTENANCE PROGRAM SHALL BE IMPLEMENTED IN ACCORDANCE WITH EXHIBIT(S) 9A - I. THE MONITORING PROGRAM SHALL EXTEND FOR A PERIOD OF 5 YEARS WITH ANNUAL REPORTS SUBMITTED TO SFWMD STAFF. AT THE END OF THE FIRST MONITORING PERIOD THE MITIGATION AREA(S) SHALL CONTAIN AN 80% SURVIVAL OF PLANTED VEGETATION. THE 80% SURVIVAL RATE SHALL BE MAINTAINED THROUGHOUT THE REMAINDER OF THE MONITORING PROGRAM. AT THE END OF THE 5 YEARS MONITORING PROGRAM THE MITIGATION AREA(S) SHALL CONTAIN AN 80% SURVIVAL OF PLANTED VEGETATION AND AN 80% COVERAGE OF DESIRABLE OBLIGATE AND FACULTATIVE WETLAND SPECIES.
18. A BASELINE WETLAND MONITORING REPORT SHALL BE CONDUCTED IN ACCORDANCE WITH EXHIBIT(S) 9A - I.
19. A TIME ZERO WETLAND MONITORING REPORT SHALL BE CONDUCTED IN ACCORDANCE WITH EXHIBIT(S) 9A - I FOR ALL CREATED WETLANDS AND SHALL INCLUDE A SURVEY OF THE AREAL EXTENT AND CROSS SECTIONAL ELEVATIONS OF THE CREATED WETLAND AREAS, PANORAMIC PHOTOGRAPHS, AND A DESCRIPTION OF PLANTED SPECIES SIZES AND DENSITIES OR MULCHING METHODOLOGY.

20. THE WETLAND CONSERVATION AREAS AND UPLAND BUFFER ZONES AND/OR UPLAND PRESERVATION AREAS SHOWN ON EXHIBIT(S) 2 & 3 MAY IN NO WAY BE ALTERED FROM THEIR NATURAL STATE. ACTIVITIES PROHIBITED WITHIN THE CONSERVATION AREAS INCLUDE, BUT ARE NOT LIMITED TO: CONSTRUCTION OR PLACING OF BUILDINGS ON OR ABOVE THE GROUND; DUMPING OR PLACING SOIL OR OTHER SUBSTANCES SUCH AS TRASH; REMOVAL OR DESTRUCTION OF TREES, SHRUBS, OR OTHER VEGETATION - WITH THE EXCEPTION OF EXOTIC/NUISANCE VEGETATION REMOVAL; EXCAVATION, DREDGING, OR REMOVAL OF SOIL MATERIAL; DIKING OR FENCING; AND ANY OTHER ACTIVITIES DETRIMENTAL TO DRAINAGE, FLOOD CONTROL, WATER CONSERVATION, EROSION CONTROL, OR FISH AND WILDLIFE HABITAT CONSERVATION OR PRESERVATION.
21. (A) NO LATER THAN SEPTEMBER 30, 1995, THE PERMITTEE SHALL RECORD A CONSERVATION EASEMENT ON THE REAL PROPERTY DESIGNATED AS A CONSERVATION AREA(S) ON EXHIBIT(S) 2 & 3. THE CONSERVATION EASEMENT SHALL BE GRANTED TO THE SFWMD AND SHALL CONTAIN THE ACTIVITY RESTRICTIONS SET FORTH IN SECTION 704.06(1), F.S. THE CONSERVATION EASEMENT SHALL BE IN SUBSTANTIAL CONFORMANCE WITH THE DRAFT CONSERVATION EASEMENT ATTACHED AS EXHIBIT(S) 7A - E. ANY AMENDMENTS TO THE CONSERVATION EASEMENT SHALL BE APPROVED BY THE SFWMD.
- (B) NO LATER THAN AUGUST 31, 1995, THE PERMITTEE SHALL SUBMIT TO THE SFWMD, FOR REVIEW AND APPROVAL, TWO (2) COPIES OF THE FOLLOWING:
1. SITE MAP OF CONSERVATION AREA
 2. LEGAL DESCRIPTION OF CONSERVATION AREA
 3. SURVEY BY PROFESSIONAL LAND SURVEYOR
 4. PLAT (IF APPLICABLE)
 5. TITLE INSURANCE/OPINION/COMMITMENT
 6. FINAL DRAFT OF EASEMENT DOCUMENT
- (C) THE CONSERVATION EASEMENT DRAFT SHALL BE APPROVED BY THE SFWMD PRIOR TO RECORDATION. NO LATER THAN OCTOBER 30, 1995, THE PERMITTEE SHALL PROVIDE THE SFWMD WITH TWO (2) CERTIFIED COPIES OF THE RECORDED EASEMENT.
22. ACTIVITIES ASSOCIATED WITH IMPLEMENTATION OF THE WETLAND MITIGATION, MONITORING AND MAINTENANCE SHALL BE IN ACCORDANCE WITH THE FOLLOWING WORK SCHEDULE. ANY DEVIATION FROM THESE TIME FRAMES SHALL REQUIRE FORMAL SFWMD APPROVAL. SUCH REQUESTS MUST BE MADE IN WRITING AND SHALL INCLUDE (1) REASON FOR THE MODIFICATION; (2) PROPOSED START/FINISH DATES; AND (3) PROGRESS REPORT ON THE STATUS OF THE EXISTING MITIGATION EFFORTS.

COMPLETION DATE	ACTIVITY
SEPTEMBER 1, 1995	SUBMIT LEGAL DESCRIPTION OF CONSERVATION AREAS
SEPTEMBER 1, 1995	SUBMIT RECORDED LEGAL DOCUMENTS
SEPTEMBER 1, 1995	BASELINE MONITORING REPORT (PRESERVATION/ENHANCEMENT AREAS)
DECEMBER 1, 1995	EXCAVATION OF THE SOUTHERN LAKE
DECEMBER 1, 1995	GRADING OF THE CREATION/RESTORATION AREAS
JANUARY 1, 1996	INITIAL EXOTIC VEGETATION REMOVAL IN PRES./ENHANCEMENT AREAS
JANUARY 1, 1996	PLANTING CREATION/RESTORATION AREAS

FEBRUARY 1, 1996	CONSTRUCTION OF FENCE/STRUCTURAL BUFFER
FEBRUARY 1, 1996	TIME ZERO MONITORING REPORT
FEBRUARY 1, 1997	FIRST MONITORING REPORT
FEBRUARY 1, 1998	SECOND MONITORING REPORT
FEBRUARY 1, 1999	THIRD MONITORING REPORT
SEPTEMBER 1, 1999	TRANSFER FUNDS FOR OFFSITE MITIGATION (PHASE 2)
DECEMBER 1, 1999	EXCAVATION OF NORTHERN LAKE (PHASE 2)
FEBRUARY 1, 2000	FOURTH MONITORING REPORT
FEBRUARY 1, 2001	FIFTH MONITORING REPORT

23. A MAINTENANCE PROGRAM SHALL BE IMPLEMENTED IN ACCORDANCE WITH EXHIBIT(S) 9A - O FOR THE CREATED/PRESERVED/RESTORED WETLAND AREAS AND UPLAND BUFFER ZONES ON A REGULAR BASIS TO ENSURE THE INTEGRITY AND VIABILITY OF THE CONSERVATION AREA(S) AS PERMITTED. MAINTENANCE SHALL BE CONDUCTED IN PERPETUITY TO ENSURE THAT THE CONSERVATION AREAS ARE MAINTAINED FREE FROM EXOTIC VEGETATION (BRAZILIAN PEPPER, MELALEUCA, AND AUSTRALIAN PINE) AND THAT OTHER NUISANCE SPECIES SHALL CONSTITUTE NO MORE THAN 10% OF TOTAL COVER.
24. ENDANGERED SPECIES, THREATENED SPECIES, OR SPECIES OF SPECIAL CONCERN HAVE BEEN OBSERVED ONSITE AND/OR THE PROJECT CONTAINS SUITABLE HABITAT FOR THESE SPECIES. IT SHALL BE THE PERMITTEE'S RESPONSIBILITY TO COORDINATE WITH THE FLORIDA GAME AND FRESH WATER FISH COMMISSION AND/OR U.S. FISH AND WILDLIFE SERVICE FOR APPROPRIATE GUIDANCE, RECOMMENDATIONS, AND/OR NECESSARY PERMITS TO AVOID IMPACTS TO LISTED SPECIES.
25. IF THE PROJECT DESIGN IS CHANGED AS A RESULT OF OTHER AGENCY REQUIREMENTS, A SURFACE WATER MANAGEMENT PERMIT MODIFICATION MAY BE REQUIRED. THE PERMITEE SHALL NOTIFY SFWMD STAFF OF DESIGN CHANGES REQUIRED BY OTHER AGENCIES FOR A DETERMINATION OF ANY NECESSARY PERMIT MODIFICATIONS.
26. A HYDRAULIC BARRIER SHALL BE INSTALLED AT THE SOUTHERN EDGE OF LOTS 1 - 18 IN PHASE I AND LOTS 13 - 15 IN PHASE III. THE BARRIER WILL BE CONSTRUCTED TO REDUCE THE POTENTIAL HYDRAULIC GRADIENT BETWEEN THE PRESERVED AND MITIGATED WETLANDS AND THE PROPOSED PHASE I LAKE. THE HYDRAULIC BARRIER SHALL BE CONSTRUCTED WITH A TRENCH INVERT OF 16.0' NGVD AND TOP ELEVATION OF 21.1' NGVD.
27. NOT LATER THAN SIXTY DAYS (60) PRIOR TO COMMENCEMENT OF DEVELOPMENT ACTIVITIES ON THE PROJECT SITE, THE APPLICANT SHALL SUBMIT A CASHIERS CHECK IN THE AMOUNT OF \$56,750 TO THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT, TREASURY DIVISION - CASH RECEIPTS, P.O. BOX 16606, WEST PALM BEACH, FLORIDA, 33416-6606 FOR THE PURCHASE, RESTORATION, AND LONG-TERM MANAGEMENT OF APPROXIMATELY 23.5 ACRES OF CREW LANDS.
28. IF MITIGATION FUNDS HAVE NOT BEEN RECEIVED BY THE DISTRICT WITHIN TWO YEARS OF THE DATE OF ISSUANCE OF THIS CONSTRUCTION AND OPERATION PERMIT, THEN THE DISTRICT SHALL RE-EVALUATE THE COSTS OF LAND AQUISITION WITHIN THE CREW PROJECT AREA AND RELATED RESTORATION AND LONG-TERM MANAGEMENT COSTS. THE TOTAL COSTS PAYABLE BY THE PERMITTEE FOR IMPLEMENTATION OF THE OFFSITE MITIGATION PLAN SHALL BE ADJUSTED, IF NECESSARY, TO REFLECT CURRENT COSTS.

LIMITING CONDITIONS

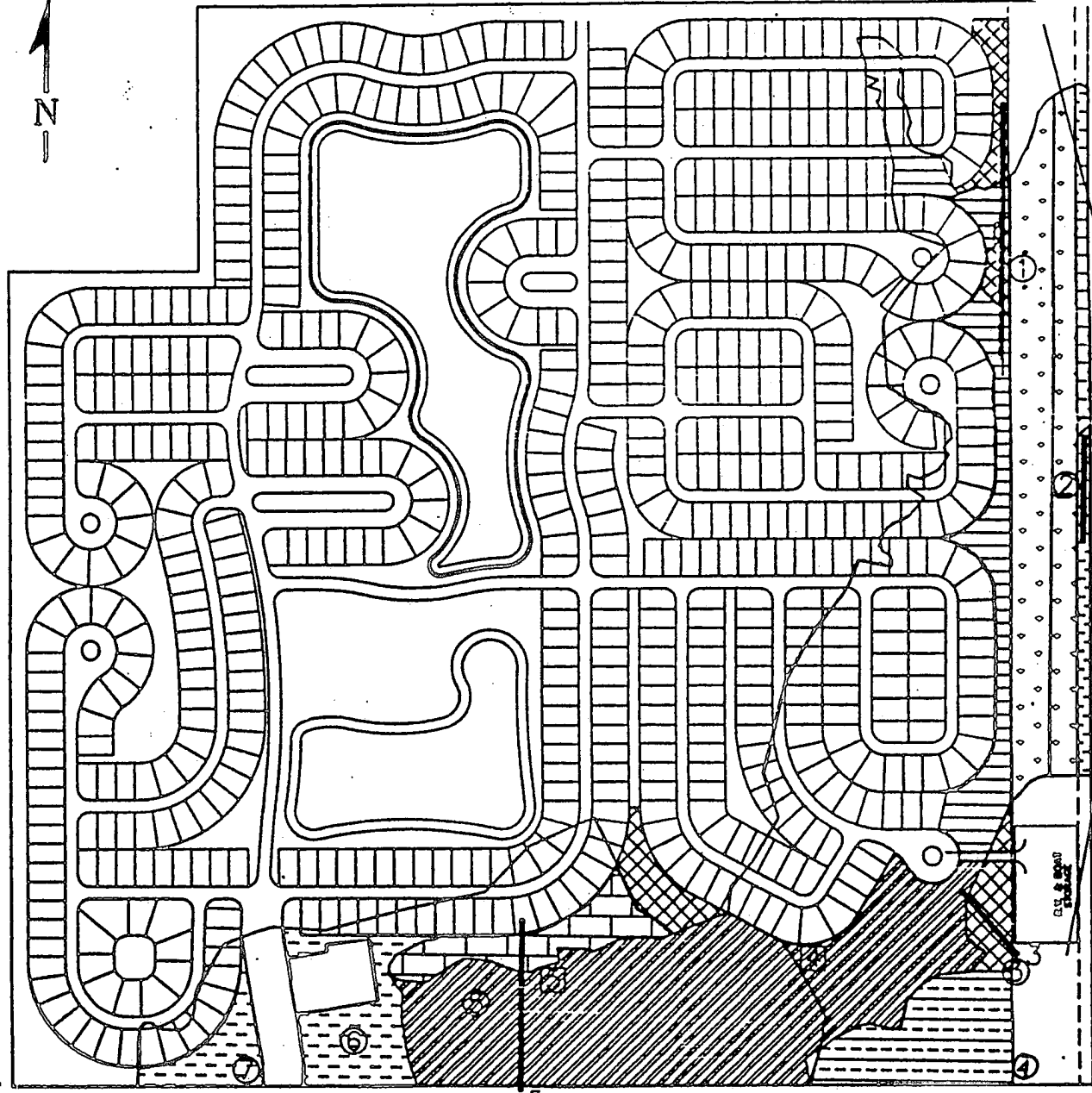
- 1 . THE PERMITTEE SHALL IMPLEMENT THE WORK AUTHORIZED IN A MANNER SO AS TO MINIMIZE ANY ADVERSE IMPACT OF THE WORKS ON FISH, WILDLIFE, NATURAL ENVIRONMENTAL VALUES, AND WATER QUALITY. THE PERMITTEE SHALL INSTITUTE NECESSARY MEASURES DURING THE CONSTRUCTION PERIOD, INCLUDING FULL COMPACTION OF ANY FILL MATERIAL PLACED AROUND NEWLY INSTALLED STRUCTURES, TO REDUCE EROSION, TURBIDITY, NUTRIENT LOADING AND SEDIMENTATION IN THE RECEIVING WATERS.
- 2 . WATER QUALITY DATA FOR THE WATER DISCHARGED FROM THE PERMITTEE'S PROPERTY OR INTO SURFACE WATERS OF THE STATE WILL BE SUBMITTED TO THE DISTRICT AS REQUIRED BY SECTION 5.9, "BASIS OF REVIEW FOR SURFACE WATER MANAGEMENT PERMIT APPLICATIONS WITHIN SOUTH FLORIDA WATER MANAGEMENT DISTRICT - MARCH, 1994." PARAMETERS TO BE MONITORED MAY INCLUDE THOSE LISTED IN CHAPTER 62-302, F.A.C. IF WATER QUALITY DATA IS REQUIRED, THE PERMITTEE SHALL PROVIDE DATA ON VOLUMES OF WATER DISCHARGED, INCLUDING TOTAL VOLUME DISCHARGED DURING THE DAYS OF SAMPLING AND TOTAL MONTHLY DISCHARGES FROM THE PROPERTY OR INTO SURFACE WATERS OF THE STATE.
- 3 . THIS PERMIT SHALL NOT RELIEVE THE PERMITTEE OF ANY OBLIGATION TO OBTAIN NECESSARY FEDERAL, STATE, LOCAL OR SPECIAL DISTRICT APPROVALS.
- 4 . THE OPERATION PHASE OF THIS PERMIT WILL NOT BECOME EFFECTIVE UNTIL THE DISTRICT'S ACCEPTANCE OF CERTIFICATION OF THE COMPLETED SURFACE WATER WATER MANAGEMENT SYSTEM. THE PERMITTEE SHALL REQUEST TRANSFER OF THE PERMIT TO THE RESPONSIBLE OPERATIONAL ENTITY ACCEPTED BY THE DISTRICT, IF DIFFERENT FROM THE PERMITTEE. THE TRANSFER REQUEST CAN BE SUBMITTED CONCURRENTLY WITH THE CONSTRUCTION COMPLETION CERTIFICATION.
- 5 . ALL ROAD ELEVATIONS SHALL BE SET IN ACCORDANCE WITH THE CRITERIA SET FORTH IN SECTION 6.5, "BASIS OF REVIEW FOR SURFACE WATER MANAGEMENT PERMIT APPLICATIONS WITHIN SOUTH FLORIDA WATER MANAGEMENT DISTRICT - MARCH, 1994."
- 6 . ALL BUILDING FLOOR ELEVATIONS SHALL BE SET IN ACCORDANCE WITH THE CRITERIA SET FORTH IN SECTION 6.4, "BASIS OF REVIEW FOR SURFACE WATER MANAGEMENT PERMIT APPLICATIONS WITHIN SOUTH FLORIDA WATER MANAGEMENT DISTRICT - MARCH, 1994."
- 7 . OFF-SITE DISCHARGES DURING CONSTRUCTION AND DEVELOPMENT WILL BE MADE ONLY THROUGH THE FACILITIES AUTHORIZED BY THIS PERMIT.
- 8 . A PERMIT TRANSFER TO THE OPERATION PHASE SHALL NOT OCCUR UNTIL A RESPONSIBLE ENTITY MEETING THE REQUIREMENT IN SECTION 9.0, "BASIS OF REVIEW FOR SURFACE WATER MANAGEMENT PERMIT APPLICATIONS WITHIN SOUTH FLORIDA WATER MANAGEMENT DISTRICT - MARCH, 1994," HAS BEEN ESTABLISHED TO OPERATE AND MAINTAIN THE SYSTEM. THE ENTITY MUST BE PROVIDED WITH SUFFICIENT OWNERSHIP OR LEGAL INTEREST SO THAT IT HAS CONTROL OVER ALL WATER MANAGEMENT FACILITIES AUTHORIZED HEREIN.
- 9 . THE PERMIT DOES NOT CONVEY TO THE PERMITTEE ANY PROPERTY RIGHT NOR ANY

RIGHTS OR PRIVILEGES OTHER THAN THOSE SPECIFIED IN THE PERMIT AND CHAPTER 40E-4, FAC.

10. THE PERMITTEE SHALL HOLD AND SAVE THE DISTRICT HARMLESS FROM ANY AND ALL DAMAGES, CLAIMS, OR LIABILITIES WHICH MAY ARISE BY REASON OF THE CONSTRUCTION, OPERATION, MAINTENANCE OR USE OF ANY FACILITY AUTHORIZED BY THE PERMIT.
11. THIS PERMIT IS ISSUED BASED ON THE APPLICANT'S SUBMITTED INFORMATION WHICH REASONABLY DEMONSTRATES THAT ADVERSE WATER RESOURCE RELATED IMPACTS WILL NOT BE CAUSED BY THE COMPLETED PERMIT ACTIVITY. SHOULD ANY ADVERSE IMPACTS CAUSED BY THE COMPLETED SURFACE WATER MANAGEMENT SYSTEM OCCUR, THE DISTRICT WILL REQUIRE THE PERMITTEE TO PROVIDE APPROPRIATE MITIGATION TO THE DISTRICT OR OTHER IMPACTED PARTY. THE DISTRICT WILL REQUIRE THE PERMITTEE TO MODIFY THE SURFACE WATER MANAGEMENT SYSTEM, IF NECESSARY, TO ELIMINATE THE CAUSE OF THE ADVERSE IMPACTS.
12. WITHIN 30 DAYS OF ISSUANCE OF THIS PERMIT, THE PERMITTEE OR AUTHORIZED AGENT SHALL NOTIFY THE DISTRICT (VIA THE SUPPLIED CONSTRUCTION COMMENCEMENT NOTICE OR EQUIVALENT) OF THE ACTUAL OR ANTICIPATED CONSTRUCTION START DATE AND THE EXPECTED COMPLETION DATE.
13. WHEN THE DURATION OF CONSTRUCTION EXCEEDS ONE YEAR, THE PERMITTEE OR AUTHORIZED AGENT SHALL SUBMIT CONSTRUCTION STATUS REPORTS ON AN ANNUAL BASIS (VIA THE SUPPLIED ANNUAL STATUS REPORT OR EQUIVALENT) BEGINNING ONE YEAR AFTER THE INITIAL COMMENCEMENT OF CONSTRUCTION.
14. WITHIN 30 DAYS AFTER COMPLETION OF CONSTRUCTION OF THE SURFACE WATER MANAGEMENT SYSTEM, THE PERMITTEE OR AUTHORIZED AGENT SHALL FILE A WRITTEN STATEMENT OF COMPLETION AND CERTIFICATION BY A FLORIDA REGISTERED PROFESSIONAL ENGINEER. THESE STATEMENTS MUST SPECIFY THE ACTUAL DATE OF CONSTRUCTION COMPLETION AND MUST CERTIFY THAT ALL FACILITIES HAVE BEEN CONSTRUCTED IN SUBSTANTIAL CONFORMANCE WITH THE PLANS AND SPECIFICATIONS APPROVED BY THE DISTRICT (VIA THE SUPPLIED CONSTRUCTION COMPLETION/ CONSTRUCTION CERTIFICATION OR EQUIVALENT). THE CONSTRUCTION COMPLETION CERTIFICATION MUST INCLUDE, AT A MINIMUM, EXISTING ELEVATIONS, LOCATIONS AND DIMENSIONS OF THE COMPONENTS OF THE WATER MANAGEMENT FACILITIES. ADDITIONALLY, IF DEVIATIONS FROM THE APPROVED DRAWING ARE DISCOVERED DURING THE CERTIFICATION PROCESS, THE CERTIFICATION MUST BE ACCOMPANIED BY A COPY OF THE APPROVED PERMIT DRAWINGS WITH DEVIATIONS NOTED.
15. WITHIN 30 DAYS OF ANY SALE, CONVEYANCE OR OTHER TRANSFER OF ANY OF THE LAND WHICH IS PROPOSED FOR DEVELOPMENT UNDER THE AUTHORIZATION OF THIS PERMIT, THE PERMITTEE SHALL NOTIFY THE DISTRICT OF SUCH TRANSFER IN WRITING VIA EITHER FORM 0483, REQUEST FOR PERMIT TRANSFER; OR FORM 0920, REQUEST FOR TRANSFER OF SURFACE WATER MANAGEMENT CONSTRUCTION PHASE TO OPERATION PHASE (TO BE COMPLETED AND SUBMITTED BY THE OPERATING ENTITY), IN ACCORDANCE WITH SECTIONS 40E-1.6105 AND 40E-4.351, F.A.C.
16. A PRORATED SHARE OF SURFACE WATER MANAGEMENT RETENTION/DETENTION AREAS, SUFFICIENT TO PROVIDE THE REQUIRED FLOOD PROTECTION AND WATER QUALITY TREATMENT, MUST BE PROVIDED PRIOR TO OCCUPANCY OF ANY BUILDING OR RESIDENCE.

17. A STABLE, PERMANENT AND ACCESSIBLE ELEVATION REFERENCE SHALL BE ESTABLISHED ON OR WITHIN ONE HUNDRED (100) FEET OF ALL PERMITTED DISCHARGE STRUCTURES NO LATER THAN THE SUBMISSION OF THE CERTIFICATION REPORT. THE LOCATION OF THE ELEVATION REFERENCE MUST BE NOTED ON OR WITH THE CERTIFICATION REPORT.
18. IT IS THE RESPONSIBILITY OF THE PERMITTEE TO INSURE THAT ADVERSE OFF-SITE WATER RESOURCE RELATED IMPACTS DO NOT OCCUR DURING CONSTRUCTION.
19. THE PERMITTEE MUST OBTAIN A WATER USE PERMIT PRIOR TO CONSTRUCTION DEWATERING, UNLESS THE WORK QUALIFIES FOR A GENERAL PERMIT PURSUANT TO SUBSECTION 40E-20.302(4), F.A.C.

940825-8



- | | |
|---|--|
| Wetland Creation
Trees 2.13 AC | Wetland Restoration
Trees & Shrubs 2.38 AC |
| Wetland Enhancement
Exotic Removal 9.96 AC | Wetland Restoration/Shallow Excavation
Trees & Herbaceous 1.32 AC |
| Wetland Restoration
Trees 3.64 AC | Upland Compensation
Exotic Removal 2.21 AC |

Rem. ord. by BEC
7-14-95
Transect location

Photopoint Location
①
Staff Gauge Location
②

Wetlands within FPL easement--Not included in mitigation
Cleared-3.60 AC, Uncleared-2.50 AC

EXHIBIT 8b

ADD/REVISED SUBMITTAL

JUN 27 1995
JOB NO.
940069

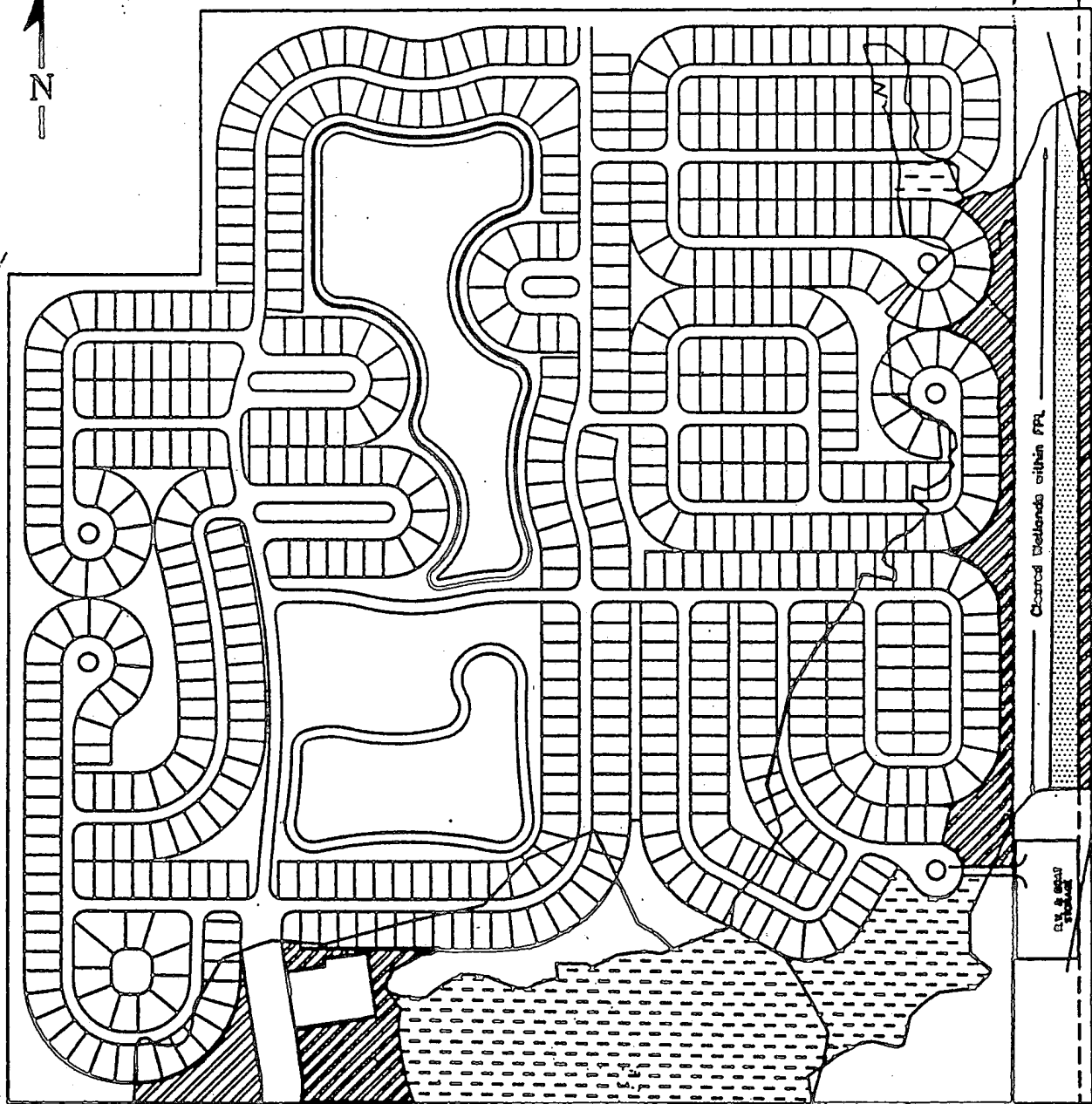
FORT MYERS SERVICE CENTER

Cypress Woods
Planting & Monitoring
Overview

SCALE	1"=400'
DATE	05/08/95
FILE NAME	3434001
DRAWN BY	J.S.

BOYLAN ENVIRONMENTAL
CONSULTANTS, INC.
12665 METRO PKWY., STE. A
FT. MYERS, FL 33912
813-768-0600

940825-8



Cleared Wetlands within FPL

F.P.L. EASEMENT



MECHANICAL EXOTIC REMOVAL
WETLAND RESTORATION



SELECTIVE EXOTIC REMOVAL
WETLAND ENHANCEMENT



MECHANICAL EXOTIC REMOVAL
NOT INCLUDED IN MITIGATION

EXHIBIT 8g

ADD/REVISED SUBMITTAL

JUN 27 1995

FORT MYERS SERVICE CENTER

940065

SHEET 19
OF 21

Cypress Woods

Exotic Removal

SCALE 1" = 400'

DATE 02/09/95

FILE NAME Exotic-rem

DRAWN BY J.S.

BOYLAN ENVIRONMENTAL
CONSULTANTS, INC.

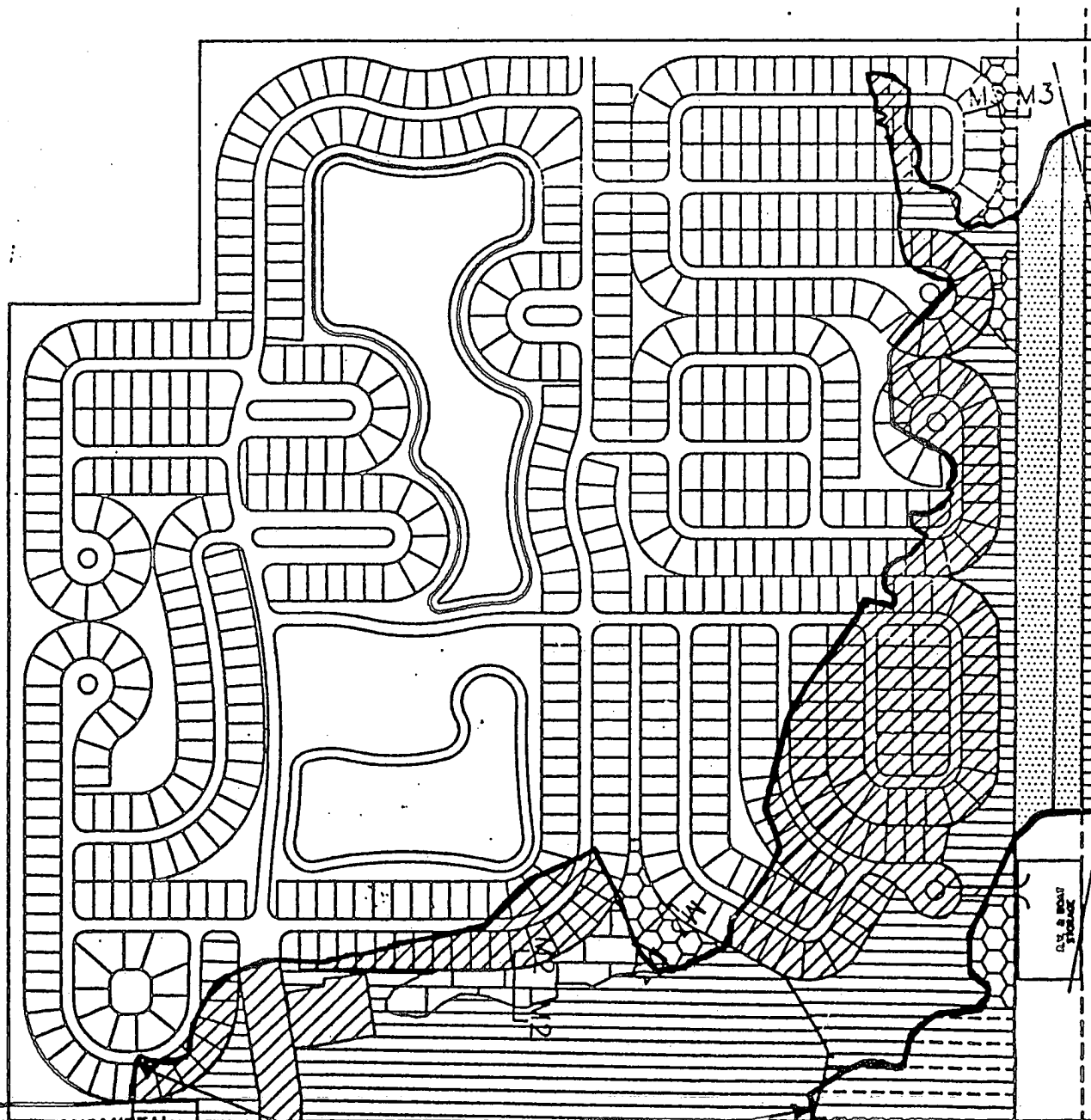
12665 METRO PKWY., STE. A
FT. MYERS, FL 33912

813-768-0600

940825-8



FILL		17.23 AC
SHALLOW EXC.		1.32 AC
ENHANCEMENT/RESTORATION		15.98 AC
CREATION		2.13 AC
UPLAND COMPENSATION		2.21 AC
FPL WETLANDS		Cleared 3.6 AC Uncleared 2.50 AC



ADD/REVISED SUBMITTAL

JUN 27 1995

JOB NO.

940825

FORT MYERS SERVICE CENTER

OF 21

Cypress Woods

Wetland Overview

SFWD WETLAND LINE

Rev OK'd by DEC 7-14-95

SCALE 1"=400'

DATE 02/09/95

FILE NAME Hatching

DRAWN BY J.S.

EXHIBIT 8a

BOYLAN ENVIRONMENTAL
CONSULTANTS, INC.
12685 METRO PKWY., STE. A
FT. MYERS, FL 33912
813-758-0600

ADDL/REVISED SUBMITTAL
JUN 27 1995

Zone A

Zone A will be revegetated with trees planted on 25' centers. Species will include (depending on availability) at least 3 of the following:

- Cabbage Palm
- Laurel Oak
- Red Maple
- Popash
- Dahoon Holly
- Bald Cypress
- Slash Pine

Zone B

Zone B will be planted with herbaceous native aquatic species spaced on 5' centers. Species will include (depending on availability) at least 3 of the following:

- Cardgrass
- Saw grass
- Pickeralweed
- Arrowhead
- Water Hyssop
- Swamp Lily

Substitutions to the above will be submitted to the District for review and approval prior to installation.

Hedge row/buffer

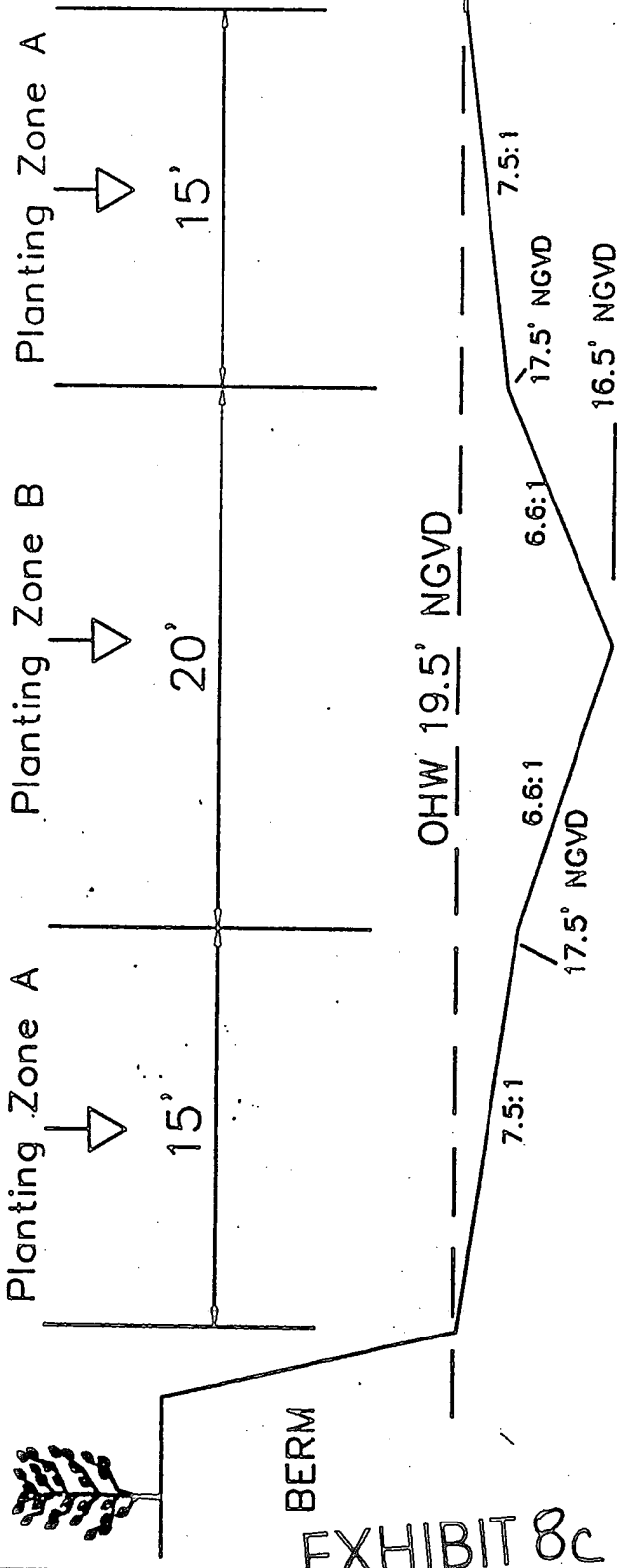


EXHIBIT 8c

JOB NO. 940065 SHEET # OF 2/	Cypress Woods Typical Cross Section M2		BOYLAN ENVIRONMENTAL CONSULTANTS, INC. 12665 METRO PKWY., STE. A FT. MYERS, FL 33912 (813) 768-0600	
	SCALE	N.T.S.	REVISIONS	
	DATE	11/18/94	02/20/95	
	DESIGN		05/11/95	
	DRAWN BY	J.S.		

940825-8

Planting Plan:

Zone A

Zone A will be revegetated with trees planted on 25' centers. Tree plantings will be a 70 percent mixture of slash pine and bald cypress. The remaining 30 percent will include at least 3 of the following:

- Cabbage Palm
- Swamp Bay
- Laurel Oak
- Popash
- Red Maple
- Dahoon Holly

Substitutions to the above will be submitted to the District for review and approval prior to installation.

Planting Area +/-150'

Zone A

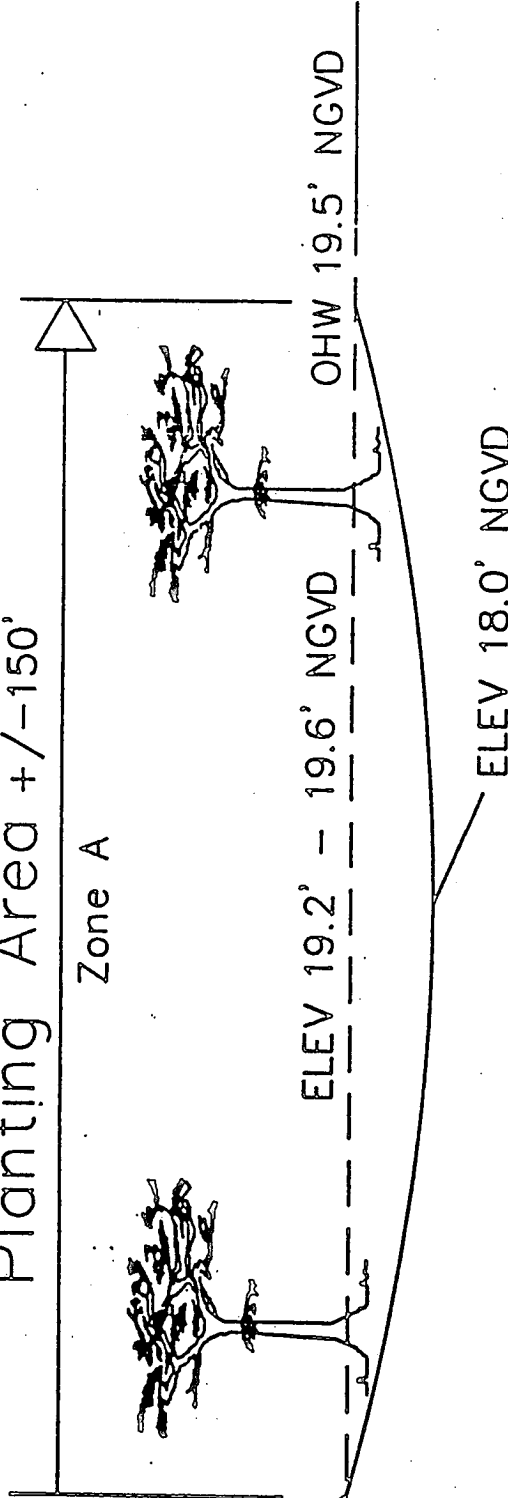


EXHIBIT 8d

JOB NO. 940065 SHEET 9 OF 21	Cypress Woods Typical Cross Section M3	SCALE	N.T.S.	REVISIONS	BOYLAN ENVIRONMENTAL CONSULTANTS, INC. 12665 METRO PKWY., STE. A FT. MYERS, FL 33912 (813) 768-0600.
		DATE	11/18/94	02/13/95	
		DESIGN		05/11/95	
		DRAWN BY	J.S.		

ADDL/REVISED SUBMIT

JUN 27 1995

PORT MYERS SERVICE CENTER

Cypress Woods Monitoring and Maintenance Plan

The wetland mitigation program involves six different activities. These include the creation of 2.13 acres of mixed pine and cypress forest, 1.32 acres of shallow excavation, restoration of 6.02 acres of wetlands, the enhancement of 9.96 acres of wetlands, offsite mitigation (CREW) 23.5 acres, and upland compensation 2.21 acres.

Wetland Enhancement

Wetland enhancement includes the selective removal of exotics from existing wetlands. Baseline wetland monitoring will be conducted in the wetland enhancement areas. A transect, photo point and staff gauge will be located through the enhancement area. The location of the transect is shown on the attached Planting and Monitoring Overview Plan. Wetland enhancement will then begin which will include the selective removal of exotic vegetation. The exotic removal will consist of selective application of an approved herbicide. Small trees will be clipped and the stem painted with herbicide. Larger trees will be deeply scored and the herbicide applied to the wound. The wetland enhancement program will be done in Phase 1 of the development. Specific time frames are outlined in the attached mitigation schedule. Monitoring will be conducted for five years and will include the following parameters:

- Panoramic Photographs
- Water Level Measurements
- Description of Vegetation Composition and Percent Coverage
- Survival Rate of Planted Vegetation
- Percent Cover with Nuisance Species
- Percent Cover with Exotic Species
- Summary of Wildlife Utilization
- Summary of Wetland Maintenance Performed to Date

The goal of the enhancement is to achieve a 0% aerial coverage with exotics. Maintenance will include annual control to prevent any re invasion by exotics.

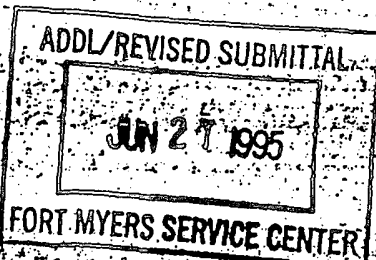


EXHIBIT 9a

[OF 2]

Wetland Restoration

Wetland restoration includes the mechanical removal of exotics, regrading any areas disturbed by exotic removal to natural ground level, and replanting with native aquatic non nuisance species. Clearing will occur in the dry season, to minimize erosion and turbidity. Of the total restoration area (6.02 acres), 2.38 acres will be replanted with trees and shrubs and 3.64 acres will be planted with trees. Clearing will be maintained outside the drip lines of any pine or cypress trees located within this area. Specific details of the planting plan are outlined below. Plantings will occur at the end of the rainy season. The locations of the restoration and planting areas are shown on the attached Planting and Monitoring Overview Plan. Once the plantings are installed, baseline monitoring will be conducted. The specific dates for the restoration and monitoring activities are outlined in the attached mitigation schedule. Annual monitoring will be conducted thereafter for five years. The monitoring will include the following parameters:

Panoramic Photographs

Water Level Measurements

Description of Vegetation Composition and Percent Coverage

Survival Rate of Planted Vegetation

Percent Cover with Nuisance Species

Percent Cover with Exotic Species

Summary of Wildlife Utilization

Summary of Wetland Maintenance Performed to Date

940825-8

The goal of the restoration effort is to achieve an 80% coverage with native, non-nuisance aquatic species, less than 10% coverage by nuisance species and 0 % coverage by exotics. Maintenance will be conducted on a semi annual basis. Exotic control will be done as necessary and supplemental plantings will be installed to maintain an 80% survival rated of planted material.

Tree Plantings

Tree planting will be a 70% mixture of cypress and slash pine. Other plantings will include a minimum of three of the following species:

Cabbage Palm

Laurel Oak

Red Maple

Dahoon Holly

Swamp Bay

Spacing of the trees will be on 25 foot centers. The trees will be 3 gallon size.

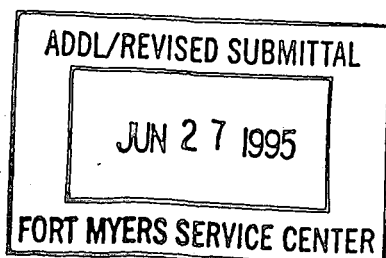


EXHIBIT 9b

Shrub Plantings

Shrub planting will be on 20 foot centers. Shrubs will be a minimum of 2 to 3 gallon size. A minimum of three of the following species will be planted:

Wax Myrtle
Cocoplum
Salt Bush
Swamp Hibiscus
Gallberry

940825-8 RM-1

Wetland Restoration / Shallow Excavation

North of the cypress wetland is an area heavily invaded by melaleuca. This area (1.32 acres), will be regraded to a depth of 3 feet in the center and then sloped to match the existing wetland grade. The center of the area will be planted with herbaceous species and the perimeter planted with trees. Clearing will be maintained outside the drip lines of any pine or cypress trees located within this area. Specific details of the planting plan are outlined below. Plantings will occur at the end of the rainy season. The location of the shallow excavation area is shown on the attached Planting and Monitoring Overview Plan. Once the plantings are installed, time zero monitoring will be conducted. The specific dates for the restoration and monitoring activities are outlined in the attached mitigation schedule. Annual monitoring will be conducted thereafter for five years. The monitoring will include the following parameters:

Panoramic Photographs
Water Level Measurements
Description of Vegetation Composition and Percent Coverage
Survival Rate of Planted Vegetation
Percent Cover with Nuisance Species
Percent Cover with Exotic Species
Summary of Wildlife Utilization
Summary of Wetland Maintenance Performed to Date

The goal of the restoration effort is to achieve an 80% coverage with native, non-nuisance aquatic species, less than 10% coverage by nuisance species and 0 % coverage by exotics. Maintenance will be conducted on a semi annual basis. Exotic control will be done as necessary and supplemental plantings will be installed to maintain an 80% survival rated of planted material.

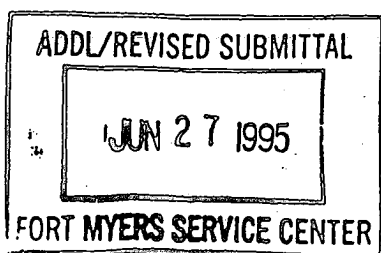


EXHIBIT 9c

Tree Plantings

Tree planting will be a 70% mixture of cypress and slash pine. Other plantings will include a minimum of three of the following species:

Cabbage Palm
Laurel Oak
Red Maple
Dahoon Holly
Swamp Bay

940825-8 11:11

Spacing of the trees will be on 25 foot centers. The trees will be 3 gallon size.

Herbaceous Plantings

Herbaceous plantings will be a minimum size of 2 inch liners. Plantings will be installed on 5 foot centers. Species will include a minimum of three of the following:

Cordgrass
Saw Grass
Pickerelweed
Arrowhead
Water Hyssop
Scirpus sp.
Swamp Lily
Spike Rush

Upland Compensation

Exotic and nuisance vegetation will be selectively removed from current pine / palmetto uplands and placed under a conservation easement. Monitoring will be conducted for five years and will include the following parameters:

Panoramic Photographs
Description of Vegetation Composition and Percent Coverage
Percent Cover with Nuisance Species
Percent Cover with Exotic Species
Summary of Wildlife Utilization

The goal of the Upland Compensation is to maintain the existing habitat diversity in the preserve area. This wetland/upland interface will provide habitat diversity for a number of wildlife species. Maintenance will include annual control to prevent any re-invasion by exotics.

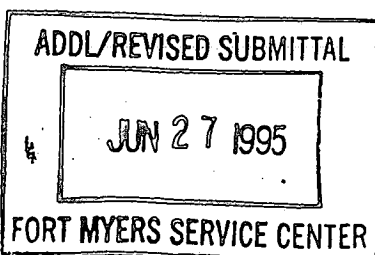


EXHIBIT 9d

40571

Wetland Creation-Mixed Forest

This plan includes creation of 2.13 acres of mixed forest wetlands from areas that are currently uplands. The creation areas will be mechanically cleared and lowered to the grade of existing adjacent wetlands. The locations of the marsh creation areas are shown on the attached Planting and Monitoring Overview Plan. Once the plantings are installed, time zero monitoring will be conducted. The specific dates for the creation and monitoring activities are outlined in the attached mitigation schedule. Annual monitoring will be conducted thereafter for five years.

- Panoramic Photographs
- Water Level Measurements
- Description of Vegetation Composition and Percent Coverage
- Survival Rate of Planted Vegetation
- Percent Cover with Nuisance Species
- Percent Cover with Exotic Species
- Summary of Wildlife Utilization
- Summary of Wetland Maintenance Performed to Date

The goal of the restoration effort is to achieve an 80% coverage with native, non-nuisance wetland species, less than 10% coverage by nuisance species and 0% coverage by exotics. Maintenance will be conducted on a semi annual basis. Exotic control will be done as necessary and supplemental plantings will be installed to maintain an 80% survival rate of planted material.

Tree Plantings

Tree planting will be a 70% mixture of cypress and slash pine. Other plantings will include a minimum of three of the following species:

- Cabbage Palm
- Laurel Oak
- Red Maple
- Dahoon Holly
- Swamp Bay

Spacing of the trees will be on 25 foot centers. The trees will be 3 gallon size.

EXHIBIT 9e

MITIGATION INFORMATION

This table should be filled out for each wetland preservation / creation / restoration area and/or for each upland preservation / compensation area as appropriate:

The project impacts are outlined in the attached impact analysis. The plan calls for impacting 17.23 acres of wetlands requiring 9.28 acres of mitigation.

The mitigation plan is outlined in the mitigation analysis. The mitigation plan includes the following:

Removal of Exotics and revegetation of 6.02 acres of preserve for a credit of 3.62 acres
Wetland Enhancement through exotic removal through shallow excavation of 1.32 acres of wetlands for 0.66 acres of credit
Wetland Creation of 2.13 acres for a credit of 2.13 acres
Removal of Exotics from 9.96 acres of wetlands for 0.0 acres of credit.
Planted Lake Littoral Zones (1.8 acres) for 0.0 acres of mitigation credit
Offsite mitigation of 23.5 acres at C.R.E.W. for 2.35 acres of mitigation credit
Upland Compensation of 2.21 acres for .74 acres of mitigation credit

940825-8 7/2/95

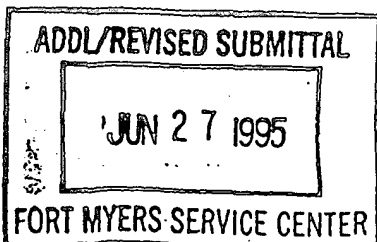


EXHIBIT 9c



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
P. O. BOX 4870
JACKSONVILLE, FLORIDA 32232-0018



REPLY TO
ATTENTION OF

Regulatory Division
West Permits Branch
199406291 (IP-AM)
MODIFICATION #1

November 21, 1997

Ms. Rae Ann Boylan
Boylan Environmental Consultants
11000 Metro Parkway, Suite 4
Fort Myers, Florida 33912

Dear Ms. Boylan:

Reference is made to your letter dated November 13, 1997, in which you asked to revise the plans to place 17.23 acres of fill and 1.32 acres of excavation for the construction of an RV resort authorized by Department of the Army (DA) Permit 1994062941 (IP-AM) issued to Cypress Woods RV Resort Associates. The project is located in wetlands north of Lucket Road and east of Country Lakes, Section 11, Township 44 South, Range 25 East, Lee County, Florida.

You have requested a modification to change the Special Conditions dealing with the mitigation schedule as follows:

8. The permittee agrees that the baseline monitoring for the onsite mitigation will take place by February 1, 1998. The following mitigation will be completed by June 1, 1998:

- a. Grading and Planting of Creation/Restoration Areas
- b. Exotic Removal in Enhancement Areas
- c. Construction of Fence/Structural Buffer

15. Submittal of the draft conservation easement is changed from June 30, 1996 (see original DA permit, Special Condition 13.a.) to January 1, 1998. Within 30 days of Corps approval of the proposed easement, the permittee will record the easement in the public records of Lee County, Florida and a certified copy of the recorded document, plat and verification of acceptance from the Grantee will be forwarded to the Jacksonville District office.

16. Transfer of funds to the South Florida Water Management District for the acquisition and management of 23.5 acres of lands within the Corkscrew Regional Ecosystem Watershed (CREW) is changed from February 1, 1996 to February 1, 1998. Within thirty (30) days of the transfer of these funds, the permittee shall submit proof of this action to the U.S. Army Corps of Engineers and the U.S. Fish and Wildlife Service, South Florida Ecosystem Office, 1360 U.S. Highway 1, Suite 5, Post Office Box 2676, Vero Beach, Florida 32961-2676.

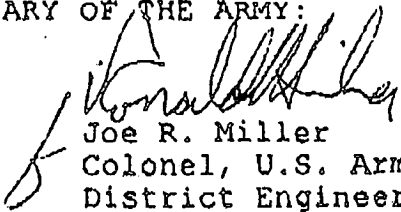
17. The permittee agrees that no work in wetlands authorized by this DA permit will be performed until proof has been provided to the Corps of the recordation of the conservation easement and the transfer of the off-site mitigation funds.

18. The permittee agrees to provide annual monitoring reports by June 1, 1999, June 1, 2000, June 1, 2001, June 1, 2002, and June 1, 2003.

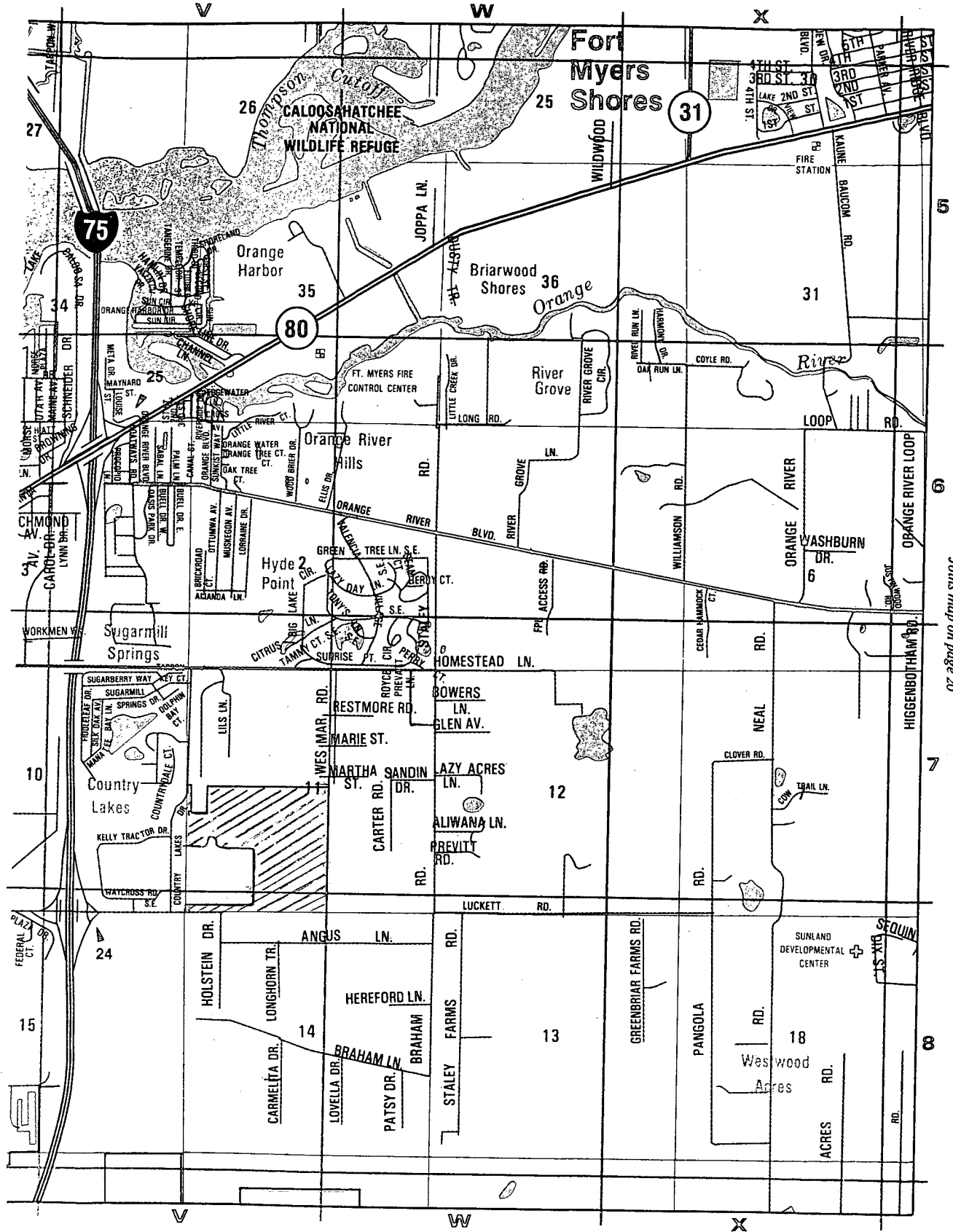
The impacts of the proposed work on navigation and the environment have been evaluated and found to be insignificant. The permit is hereby modified in accordance with your request. You should attach this letter to the permit. All other conditions of the original permit remain in full effect, including the reports on the mitigation progress as stated in the Special Conditions section of the original permit.

Thank you for your cooperation with our permit program.

BY AUTHORITY OF THE SECRETARY OF THE ARMY:


Joe R. Miller
Colonel, U.S. Army
District Engineer

Joins map on page 7



Joins map on page 20

Joins map on page 31

RECEIVED

OCT 29 2002

AREA LOCATION MAP

EXHIBIT II-D-2

COMMUNITY DEVELOPMENT

DCI 2002-00062

Environmental Assessment Report

Cypress Woods RV Resort Phase IV-VI

Sections 11, T44S, R25E, Lee County, Florida

September 27, 2002

Prepared for

RECEIVED

OCT 29 2002

COMMUNITY DEVELOPMENT

Cypress Woods RV Resort
5551 Lockett Road.
Fort Myers, FL 33905
(239) 694-2191
FAX: (239) 691-4969

DCI 2002-00062

prepared by:

EXHIBIT III-C-3

Southern Biomes, Inc.

1602 Woodford Ave., Ft. Myers, FL 33901 - mail to: P.O. Box 50640, Ft. Myers, FL 33994
Ph. (239) 334-6766 - Geza Wass de Czege, President - FAX (239) 337-2034

Southern Biomes, Inc.

Division of Environmental Services

1602 Woodford Ave., Ft. Myers, FL 33901 mail to: P.O. BOX 50640 Ft. Myers, FL 33994
Ph.: (239) 334-6766 - Geza Wass de Czege, President - Fax: (239) 337-5028

End. Sp. Report, Cypress Woods RV Resort Phase IV-VI, Lockett Road, Section 11, T44E, R25S,
Lee County, Florida Date: September 27, 2002

Cypress Woods RV Resort Phase IV-VI

Endangered Species Report

Section 11, T44S, R25E, Lee County, Florida

RECEIVED
OCT 2 2002

I. ENVIRONMENTAL CRITERIA

VEGETATION INVENTORY: A brief description of the property and the dominant canopy, midstory, and groundcover vegetation found on the subject property is discussed below.

Site Location: The Cypress Woods RV Resort is located on the north side of Lockett Road, east of Interstate 75. Phase I-III have been completed, or near completion, and are located directly north of Lockett Road. Phase IV-VI, or the subject property, is located to the north of the existing phases. To the east is part of the Cypress Woods RV Resort preserve area and powerline easement, to the west is industrial and commercial area, and to the north is pastureland.

Site Description: The subject parcel consists of disturbed lands, pasturelands, and forested lands. The forested area is located in the eastern third of the parcel and is dominated by a mix of slash pine, cabbage palm, and melaleuca. The eastern half of the forest is heavily invaded by melaleuca, while the western half consists mainly of pine, cabbage palm and saw palmetto, with only scattered areas of melaleuca and/or Brazilian pepper.

Pastureland dominates the northern portion of the western two thirds of the site. The southern two thirds consist of disturbed areas that have been cleared or altered during the previous phases of development. In the central portion of this area is an excavated lake designed as part of the

Southern Biomes, Inc.

Division of Environmental Services

1602 Woodford Ave., Ft. Myers, FL 33901 mail to: P.O. BOX 50640 Ft. Myers, FL 33994

Ph.: (239) 334-6766

Geza Wass de Czege, President

Fax: (239) 337-5028

End. Sp. Report, Cypress Woods RV Resort Phase IV-VI, Luckett Road, Section 11, T44E, R25S,
Lee County, Florida

Date: September 27, 2002

Site Description (cont.):

over all water management system. The disturbed area consists of a mixture of ruderal weeds, maintained areas, fill spoil areas, horticultural spoil areas, and equipment storage areas for the construction materials. A map of the vegetation associations, with the Florida Land Use and Cover Classification System (FLUCCS) code is provided on an aerial photograph printed copy. The following is a table of the vegetative communities FLUCCS codes, and acreages of each community within each parcel.

HABITAT SUMMARY

<u>CODE</u>	<u>DESCRIPTION</u>	<u>ACRES</u>
191	Bahia Grass Field	2.1
193	Undeveloped Ruderal Area	18.6
194	Undeveloped Land/Temporary RV Storage	0.7
210	Pastureland	13.1
411	Pine- Saw Palmetto Forest	11.8
4119	Melaleuca-Pine Forest	10.5
510	Drainage Ditch	0.6
520	Lake	3.1
740	Disturbed Area	1.9
743	Spoil Area	<u>1.6</u>
TOTAL		64.0

HABITAT DESCRIPTIONS (64.0 Acres):

1. 191 - Bahia Grass Field (2.1 acres) this community consists of an area cleared during the previous phase and sodded with Bahia grass.
2. 193 - Undeveloped Ruderal Area (18.6 acres) this community consists of an open area with ruderal vegetation. The groundcover consists of grasses and weeds such as caesarweed, Bahia grass, fox grape, ragweed, saltbush, beggartick, matchweed, rabbit tobacco, and wiregrass.

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OCT 29 2002

Southern Biomes, Inc.

Division of Environmental Services

1602 Woodford Ave., Ft. Myers, FL 33901 mail to: P.O. BOX 50640 Ft. Myers, FL 33994

Ph.: (239) 334-6766

- Geza Wass de Czege, President

- Fax: (239) 337-5028

End. Sp. Report, Cypress Woods RV Resort Phase IV-VI, Luckett Road, Section 11, T44E, R25S,
Lee County, Florida

Date: September 27, 2002

HABITAT DESCRIPTIONS (cont.):

3. **194 - Undeveloped Land/Temporary RV Storage** (0.7 acres) this area is used for the temporary storage of recreational vehicles, boats, and trailers.
4. **210 - Pastureland** (13.1 acres) this community consists of pastureland still used for horse or cattle grazing. The subcanopy is mainly open with widely scattered laurel oak, cabbage palm, Brazilian pepper, and slash pine. The ground cover consists of primarily of Bahia grass.
5. **411 - Pine- Saw Palmetto Forest** (11.8 acres) this community consists of a pine forest with less than 50% melaleuca invasion. The canopy and subcanopy consists of slash pine, dahoon holly, laurel oak, saw palmetto, wax myrtle, rusty lyonia, gallberry, and scattered melaleuca. The groundcover consists of wiregrass, rabbit tobacco, hat pins, catbrier, chocolate weed, low panicum, xyris, spike rush, broomsedge, sedges, and pine needle litter.
6. **4119 - Melaleuca-Pine Forest** (10.5 acres) this community consists of a pine forest with greater than 50% melaleuca invasion. The canopy consists of melaleuca and pine, and the subcanopy consists of saw palmetto clusters, pine, wax myrtle, rusty lyonia, gallberry, and young melaleuca. The groundcover consists of pine needle litter, wiregrass, rabbit tobacco, hat pins, chocolate weed, low panicum, xyris, spike rush, sedges, broomsedge, and catbrier.
7. **510 - Drainage Ditch** (0.6 acres) this cover type extends from the lake to the western boundary, and then to the north along the western property boundary. It is part of the existing water management system.
8. **520 - Excavated Lake** (3.1 acres) the lake is located in the central portion of the subject property and is part of the existing water management plan.
9. **740 - Disturbed Area** (1.9 acres) this area is used for storage of construction materials for the existing phases of development.
10. **743 - Spoil Area** (1.6 acres) this community is an area adjacent to the forested area that consists of horticultural and fill spoil material from the existing phases of development.

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COMMUNITY DEVELOPMENT

Southern Biomes, Inc.

Division of Environmental Services

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End. Sp. Report, Cypress Woods RV Resort Phase IV-VI, Lockett Road, Section 11, T44E, R25S,
Lee County, Florida

Date: September 27, 2002

II. ENVIRONMENTAL REVIEW CRITERIA -

Fish, Wildlife, Listed Species and their Habitats: An endangered species survey was conducted on August 28, 2002. The day was partly cloudy with the temperature in the low 90s with little breeze during the survey. The following methodology was used to provide a 90% or greater coverage of the entire parcel.

Endangered Species Survey Methodology:

The study area was field surveyed for endangered species using a modified transect line method established by the Florida Fish and Wildlife Conservation Commission. The modified survey (a meandering strip census) has proven to be effective in covering 90-95% of the sites surveyed. The transect survey uses meandering transect lines at 50'-75' intervals. On this project the meanders ran a north-south course in the forested area and an east-west course in the non-forested area. The meanders extend into adjoining transect survey areas to insure a near 100% coverage of the project site. The frequency of the meanders is determined by the ground cover and visibility. The more densely vegetated areas receive a greater frequency of meanders, thus decreasing the distance between meanders within some habitats to 12' apart.

Surveying large areas require hanging flagging tape at the outer edges of the turn points of the meanders, to assist in identifying the extent of the surveyed areas. On the return transect, the flagging is typically removed and relocated to the other end of the meander turn points, until the last transect line is completed. Evidence of a specific species is also used to determine the size of the meanders. If, for example, tortoise droppings are observed, the meander frequencies may be increased to locate the burrow.

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End. Sp. Report, Cypress Woods RV Resort Phase IV-VI, Lockett Road, Section 11, T44E, R25S,
Lee County, Florida

Date: September 27, 2002

Endangered Species Survey Methodology (cont.):

Faunal species, which do not lend themselves to the typical transect line survey methodologies, which are successful in determining location and status of less mobile floral and faunal species, require an additional method of observation. These species require game stalking techniques with routine pauses for quiet observation. The frequency and duration of observations are also determined by habitat density, species being observed, and the stalking skills of the observer. The use of field glasses and the ability to blend into the surroundings are important elements for successful results.

Any species observed are noted on an aerial photograph as to location and number of species observed. Species presence and species abundance, on a given site, can not be determined for all species listed. Fauna which are mobile, transient, or deceptive are not always observed during a typical field survey. This computation problem is especially true in determining species abundance. Therefore, the status of each species will be listed as to presence and numbers of species observed, and only those species which can be reasonable surveyed for abundance will be provided with such data.

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Geza Wass de Czege, President

Fax: (239) 337-5028

End. Sp. Report, Cypress Woods RV Resort Phase IV-VI, Lockett Road, Section 11, T44E, R25S,
Lee County, Florida

Date: September 27, 2002

Endangered Species Observations and Comments

<u>Common Name</u>	<u>Scientific Name</u>	<u>Obs.</u>	<u>Comments</u>
Eastern indigo snake	<i>Drymarchon corais couperi</i>	no	not observed
gopher tortoise	<i>Gopherus polyphemus</i>	no	not observed
gopher frog	<i>Rana areolata</i>	no	not observed
Little blue heron	<i>Egretta caerulea</i>	no	not observed
Snowy egret	<i>Egretta thula</i>	no	not observed
Tricolored heron	<i>Egretta tricolor</i>	no	not observed
White Ibis	<i>Eudocimus albus</i>	no	not observed
Merlin	<i>Falco columbaris</i>	no	not observed, Transient
Southeastern kestrel	<i>Falco sparverius, paulus</i>	no	not observed, Transient
Eastern kestrel	<i>Falco sparverius, sparverius</i>	no	not observed, Transient
Arctic peregrine falcon	<i>Falco peregrinus tundrius</i>	no	not observed, Transient
American bald eagle	<i>Haliaeetus leucocephalus</i>	no	not observed
Wood stork	<i>Mycteria americana</i>	no	not observed
Burrowing owl	<i>Speotyto cunicularia</i>	no	not observed
Fox squirrel	<i>Sciurus niger</i>	no	not observed
twisted air plant	<i>Tillandsia flexuosa</i>	no	not observed
Florida coontie	<i>Zamia Floridana</i>	no	not observed
Red-cockaded woodpecker	<i>Picoides borealis</i>	no	not observed

Discussion and Conclusion: The subject property has become isolated by residential, agricultural and commercial development on three sides. The forth side is still connected to forested areas to the east. The western two thirds of the site have been altered and disturbed, with minimal habitat for listed species other than gopher tortoises, which were observed on site prior to the construction of the previous phases. However, none were observed during construction. During the survey the site was inundated with water near or at the surface, and provided minimal habitat for long term utilization by tortoises.

The forested area has potential red-cockaded woodpecker (RCW) foraging habitat, but no viable areas for potential nest tree. However, no RCWs have been observed or recorded in the area, and the remaining forest patch is unsuitable for nest cavities, with the exception of the enhanced preserve area along the southeastern corner of the property which has

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Southern Biomes, Inc.

Division of Environmental Services

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End. Sp. Report, Cypress Woods RV Resort Phase IV-VI, Lockett Road, Section 11, T44E, R25S,
Lee County, Florida

Date: September 27, 2002

Discussion and Conclusion (cont.):

only existed for less than six months. In addition, these forested areas are also viable habitat for the fox squirrel, but no fox squirrels, potential nests, or platforms were observed during the survey.

Transient species such as the kestrels, Merlins, and falcons, and the wading birds, may not have been observed during the survey because of the nature of the species. However, these species would not be directly impacted by the proposed development unless they nested in the area, and none were observed. In summary, no listed endangered species were observed on the subject property during the survey, nor were expected to be found on site at any other time, other than potential transient species that may move through the property or are forced to move onto the property from adjacent properties.

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COMMUNITY DEVELOPMENT

**MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY**

LEE COUNTY
RECEIVED

03 NOV 18 AM 8:52

COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

DATE: November 17, 2003

To: Billie Jacoby

FROM: Linda Ahern

Development Services

Legal Administrative Assistant

RE: Name of Case: Cypress Woods RV Resorts Associates

Zoning Case: DCI 2002-00062

Resolution: Z-03-057

Attached please find the legal verification letter in regard to the above matter. Please place this verification in the appropriate file. Thank you.

/la
Attachment

Knott, Consoer, Ebelini
Hart & Swett, P.A.
A T T O R N E Y S - A T - L A W

George H. Knott *+
George L. Consoer, Jr. **
Mark A. Ebelini
Thomas B. Hart
H. Andrew Swett

* Board Certified Civil Trial Lawyer
** Board Certified Real Estate Lawyer
+ Board Certified Business Litigation Lawyer

1625 Hendry Street • Third Floor (33901)
P.O. Box 2449
Fort Myers, Florida 33902-2449

Telephone (239) 334-2722
Telecopier (239) 334-1446

mroeder@knott-law.com

Matthew D. Uhle
Aaron A. Haak
Derrick S. Eihausen
Nady Torres-Alvarado

Director of
Zoning and Land
Use Planning
Michael E. Roeder, AICP

November 14, 2003

Joan C. Henry, Esq.
Assistant Lee County Attorney
P.O. Box 398
Fort Myers, FL 33902

Re: Cypress Woods RV Resorts Associates
Zoning Case #DCI2002-00062
Resolution No. Z-03-057

Dear Joan:

The resolution is consistent with the Hearing Examiner's recommendation and contains the correct legal description.

Very truly yours,

KNOTT, CONSOER, EBELINI,
HART & SWETT, P.A.



Michael E. Roeder, AICP
Director of Zoning & Land Use Planning

MER/zwt

2003 NOV 17 AM 8:30
RECEIVED BY
LEE CO. ATTORNEY

RECEIVED NOV 17 2003
LEE COUNTY ATTORNEY
OFFICE OF THE CLERK

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: October 6, 2003

TO: File -- DCI2002-00062
Cypress Woods RV Resort

FROM: Rebecca Tatlock
Administrative Assistant

RE: Notice of Public Hearing - October 23, 2003
Lee County Hearing Examiner's Meeting

I, Rebecca Tatlock, certify that I have mailed notices to the adjacent property owners on the above referenced date, in the attached style, pursuant to the list marked and attached hereto and made a part of this certification.

NOTICE TO PROPERTY OWNERS WITHIN 500 FEET

CASE NUMBER: DCI2002-00062

CASE NAME: CYPRESS WOODS RV RESORT

REQUEST: Amend the existing Mobile Home Planned Development (MHPD) and Recreational Vehicle Planned Development (RVPD) district to reduce the overall number of units allowed within the development from 684 to 647 units; change the allowed mixture of units to a maximum of 599 recreational vehicle sites and a minimum of 48 mobile home sites; and revise or clarify certain conditions within the planned development.

LOCATION: The subject property is located at 5551 Luckett Road (I-75 N, take Luckett Road (exit 139), continue .3 miles on Luckett Rd), in S11-T44S-R25E, Lee County, FL., in S11 (Section)-T44 (Township)S-R25 (Range)E, Lee County, Florida.

SIZE OF PROPERTY: 151.50 Acres ±

STAFF REPORT: Direct inquiries to Alvin Block, AICP, Principal Planner, at 239-479-8371, at the Department of Community Development, 1500 Monroe St., Ft. Myers, FL 33901.

PROPERTY OWNER'S REPRESENTATIVE: MR. MIKE E ROEDER
KNOTT CONSOER, P.A.
239-334-2722

Notice is hereby given that the Lee County Hearing Examiner will hold a public hearing at 11:00 am on October 23, 2003, on the above case. The public hearing will be held in the Hearing Examiner's Meeting Room, 1500 Monroe St., Ft. Myers, FL 33901.

You must appear in person, or through counsel, or an authorized agent and provide testimony, legal argument or other evidence at the hearing to become a participant with the right to address the Board of County Commissioners.

After the Hearing Examiner has made a written recommendation, the case will be scheduled for a public hearing before the Board of County Commissioners who will review the recommendation and make a final decision.

If you do not appear before the Hearing Examiner, by law, you will not be allowed to appear before the Board of County Commissioners at the final hearing in this case.

Copies of the staff report will be available two weeks prior to the hearing. The file may be reviewed at the Development Services Division, 1500 Monroe St., Fort Myers, FL 33901. Call 239/479-8585 for additional information.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Becky Tatlock at 239/479-8585.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

11-44-25-00-00014.0000
CYPRESS WOODS R V RESORT ASSOC

5551 LUCKETT RD

FT MYERS FL 33905

~~10-44-25-04-00000.000A
COUNTRY LAKES SUBD~~

10-44-25-04-00000.0270
RUTKA JOHN + BARBARA

5448 COUNTRY DALE CT

FT MYERS FL 33905

10-44-25-04-00000.0290
LUECKE MICHAEL W + KATHRYN J

5432 COUNTRYDALE CT

FORT MYERS FL 33905

10-44-25-04-00000.0600
FARNSWORTH PAUL A COTR +

5431 COUNTRYDALE CT

FORT MYERS FL 33905

10-44-25-04-00000.0620
HOTT JOHN + MARY M +

5467 COUNTRYDALE CT

FORT MYERS FL 33905

~~10-44-25-04-00000.0640
HOTT JOHN + MARY M~~

~~5467 COUNTRYDALE CT~~

~~FORT MYERS FL 33905~~

10-44-25-04-00000.0660
OLER BARBARA M

5483 COUNTRY DALE CT

FORT MYERS FL 33905

10-44-25-04-00000.0680
ZIRNHELD MICHAEL D

3307 11TH ST W

LEHIGH ACRES FL 33971

10-44-25-04-00000.0700
PETRIE ROY TR

5507 COUNTRYDALE SE

FT MYERS FL 33905

10-44-25-00-00007.0000
EB PROPERTIES INC

8510 NW 68TH ST

MIAMI FL 33166

10-44-25-04-00000.0260
MAJEWSKI STEPHEN + BARBARA

5456 COUNTRYDALE CT

FORT MYERS FL 33905

10-44-25-04-00000.0280
MARTINSON ROBERT H TR

5440 COUNTRY DALE CT

FT MYERS FL 33905

10-44-25-04-00000.0590
LEVERING LA RHEDAA

5423 COUNTRYDALE CT

FORT MYERS FL 33905

10-44-25-04-00000.0610
HELLWIG ROBERT T + BARBARA G

5439 COUNTRY DALE CT SE

FT MYERS FL 33905

10-44-25-04-00000.0630
SCHNEIDER JAMES TR +

12600 LOCKE BLVD

HASTINGS MN 55033

10-44-25-04-00000.0650
EHRLER DONALD W + MARJORIE W

5475 COUNTRY DALE CT

FT MYERS FL 33905

10-44-25-04-00000.0670
HICKEY RICHARD W + VICKI H

5491 COUNTRYDALE CT

FT MYERS FL 33905

10-44-25-04-00000.0690
LEECORP INC

20251 S TAMiami TRAIL

ESTERO FL 33928

10-44-25-04-00000.0710
MILLER CAROLYN S TR

17494 MEADOW LAKE CIR

FORT MYERS FL 33912

10-44-25-04-00000.0720
HEFFERIN DOROTHY A

9958 CREEKWOOD LN

FORT MYERS FL 33905

10-44-25-04-00000.0740
HASTY PHYLLIS J+

9942 CREEKWOOD LN SE

FT MYERS FL 33905

10-44-25-04-00000.0760
KREAMER HUGH + MOLLIE

9926 CREEKWOOD LN

FT MYERS FL 33905

10-44-25-04-00000.0780
DUBE PHILIP C + LILLIETTE T

9918 CREEKWOOD LN SE

FT MYERS FL 33905

10-44-25-07-00000.000A
B F INDUSTRIAL PARK INC

9792 WINDISCH ROAD

WEST CHESTER OH 45069

10-44-25-07-00000.0130
JOHNSON MACHINERY + TRUCK

5790 COUNTRY LAKES DR

FORT MYERS FL 33905

10-44-25-07-00000.0150
SOUTHERN HOLDING CORP OF SWF

4520 ORANGE RIVER LOOP RD

FORT MYERS FL 33905

10-44-25-07-00000.0170
MORRIS WILLIAM DAVID + DARLEEN
C/O D & D AIR CONDITIONING
PO BOX 51007

FT MYERS FL 33994

10-44-25-07-00000.0190
KANTER INVESTMENTS NO 1 LTD

9792 WINDISCH ROAD

WEST CHESTER OH 45069

10-44-25-07-00000.0220
MENTZEL CHARLES

4571 PINE RIDGE RD

NAPLES FL 34119

10-44-25-04-00000.0730
ROWLAND PHILLIPS + LORI L

9950 CREEKWOOD LN

FT MYERS FL 33905

10-44-25-04-00000.0750
MORELLA ANNA E

9934 CREEKWOOD LN

FORT MYERS FL 33905

10-44-25-04-00000.0770
DUBE PHILIP C + LILLIETTE T

9918 CREEKWOOD LN SE

FT MYERS FL 33905

10-44-25-04-0000A.00CE
COUNTRY LAKES OWNERS ASSOC INC

5627 COUNTRY FIELD CIR

FT MYERS FL 33905

10-44-25-07-00000.0120
SMITH LAND + IMPROVEMENT CORP

2001 STATE RD

CAMP HILL PA 17001

10-44-25-07-00000.0140
UNITED PARTNERS

2152 SPRINT BLVD

APOPKA FL 32703

10-44-25-07-00000.0160
KM OF FORT MYERS LLC

2239 BRUNER LN

FORT MYERS FL 33905

10-44-25-07-00000.0180
LEMIRE RENE M

240 ROSE ST

NORTH FORT MYERS FL 33903

10-44-25-07-00000.0210
COMPARETTO SALVADORE D +

1248 MORINGSIDE DR

FORT MYERS FL 33901

10-44-25-07-00000.0230
INTERNATIONAL EQUIPMENT

5951 COUNTRY LAKES DR

FORT MYERS FL 33905

10-44-25-07-00000.0240
EVANS RONALD J + MARYANN T

18016 SAN CARLOS BLVD #47

FORT MYERS BEACH FL 33931

10-44-25-08-00000.000A
KELLY TRACTOR COMMERCE CENTER

~~60 P S 18 + 19~~

10-44-25-08-00000.0040
KELLY TRACTOR CO

9651 KELLY TRACTOR DR

FT MYERS FL 33905

10-44-25-08-0000B.0000
KELLY TRACTOR CO

9651 KELLY TRACTOR DR

FT MYERS FL 33905

11-44-25-00-00002.0190
MILLER CATHERINE E

P O BOX 50013

FT MYERS FL 33994

11-44-25-00-00002.103A
BURKS REX + RUTH

13608 CARBBEAN BLVD SE

FT MYERS FL 33905

11-44-25-00-00002.1050
HERITAGE TRUST
% PAUL SHAW
P O BOX 50991

FT MYERS FL 33994

11-44-25-00-00015.0000
A + J PROPERTIES LLC
C/O AFTAB A CUMBER
10100 WEST SAMPLE RD
STE 205
CORAL SPRINGS FL 33065

11-44-25-03-0000C.0010
SNYDER RUTH A

5481 WES-MAR RD

FT MYERS FL 33905

11-44-25-03-0000D.0020
GOODWIN THOMAS I

10560 MARTHA ST

FT MYERS FL 33905

10-44-25-07-00000.0250
MENTZEL CHARLES R

4571 PINE RIDGE RD

NAPLES FL 34119

10-44-25-08-00000.0030
KELLY TRACTOR CO

9651 KELLY TRACTOR DR

FT MYERS FL 33905

10-44-25-08-0000A.0000
KELLY TRACTOR CO

9651 KELLY TRACTOR DR

FT MYERS FL 33905

11-44-25-00-00002.0000
CONRAD LESTER E AND

CONRAD BARBARA W
5230 LILS LANE
FT MYERS FL 33905

11-44-25-00-00002.1000
CYPRESS WOODS RV RESORT ASSOC

5551 LUCKETT RD

FT MYERS FL 33905

11-44-25-00-00002.103B
GROVER DEAN R + DEBORAH LYNN

P O BOX 51052

TICE FL 33994

11-44-25-00-00013.0000
HOWARD ATTICE BEVERLY JR ETAL
C/O HOWARD MARGIE G
P O BOX 283

CAMPELLTON FL 32426

11-44-25-03-00000.000A
COLVINS U-2 TOWN + COUNTRY

11-44-25-03-0000D.0010
GOODWIN THOMAS

13560 MARTHA ST

FT MYERS FL 33905

11-44-25-03-0000D.0060
CORCORAN TIMOTHY F

PO BOX 271

FT MYERS FL 33902

11-44-25-03-0000D.0080
CORCORAN TIMOTHY

P O BOX 271

FT MYERS FL 33902

11-44-25-04-0000A.0000
CYPRESS WOODS R V RESORT ASSOC

5551 LUCKETT RD

FT MYERS FL 33905

11-44-25-04-0000A.0020
SENNETT CHARLES A + IDALU

5551 LUCKETT RD #A01

FT MYERS FL 33905

11-44-25-04-0000A.0040
BERESFORD WILLIAM R + CAROL J

4508 HIGHWAY V

FRANKSVILLE WI 53126

11-44-25-04-0000A.0060
MOUNTS JAMES E + CAROL A

10619-A VAN WERT-DECATUR RD

VAN WERT OH 45891

11-44-25-04-0000A.0080
MACHELL CHARLES W + MARILYN R

5551 LUCKETT RD

FT MYERS FL 33905

11-44-25-04-0000A.0100
FAVELLI ROBERT + ELIZABETH TR

2509 7TH ST W

LEHIGH ACRES FL 33971

11-44-25-04-0000A.0120
GOBLE WILLIAM P + LINDA L

5472 WILDWOOD DR

HOWELL MI 48843

11-44-25-04-0000A.0140
ANDERSON HOWARD R + MARGARET A

P O BOX 305

DASSEL MN 55325

11-44-25-04-0000A.0160
APPLE DELBERT L + BERNIECE W

9249 BODFORD DR

WEST CHESTER OH 45069

11-44-25-04-0000A.0000
CYPRESS WOODS RV RESORT UN 1

OF SEC AS DESC IN PB 65 PGS 85-89

11-44-25-04-0000A.0010
SENNETT CHARLES A +

5551 LUCKETT RD LOT A01

FT MYERS FL 33905

11-44-25-04-0000A.0030
MORRIS ROBERT K + MARGARET A

127 WINDSOR DR

IRWIN PA 15642

11-44-25-04-0000A.0050
MOORE WILLIAM G + DARLENE

121 NORTH GRAND AV PMB 13

GAINESVILLE TX 76240

11-44-25-04-0000A.0070
COMSTOCK JOHN D + MARGARET E

201 WOODCREST DR

BURNSVILLE MN 55337

11-44-25-04-0000A.0090
CARVATT THOMAS L + KATHERINE

380 NEWTON RD

WYCKOFF NJ 07481

11-44-25-04-0000A.0110
COX BUSTER D

P O BOX 617

ESTERO FL 33928

11-44-25-04-0000A.0130
KOSTICK EUGENE F TR

26240 WOODLAWN

CRETE IL 60417

11-44-25-04-0000A.0150
LAWHORN VERNON O +

229 SHEARWOOD DR

SOMERSET KY 42501

11-44-25-04-0000A.0170
WILLSEY FRED E +

4541 CAVALIER CT

FARIFIELD OH 45014

11-44-25-04-0000A.0180
CARMELIA WILLIAM E +

2119 FLORS AVE

FORT MYERS FL 33907

11-44-25-04-0000A.0200
DOYLE THOMAS + MARILYN

5551 LUCKETT RD

FORT MYERS FL 33905

11-44-25-04-0000A.0220
ROBINS ROBERT L + BRENDA S

779 E MERRITT ISLAND

MERRITT ISLAND FL 32952

11-44-25-04-0000A.0240
CRANE FREDERICK G + SHIRLEY C

17525 HENNA AV N

HUGO MN 55038

11-44-25-04-0000A.0260
MOERSCHEL HENRY G

13612 PARKWOOD DR

BURNSVILLE MN 55337

11-44-25-04-0000A.0280
CANNEY BRADFORD M + PATRICIA B

P O BOX 516

ATKINSON NH 03811

11-44-25-04-0000A.0300
SUMNER GRAHAM T + DOROTHY TR

1590 S BATTLEFIELD BLVD

CHESAPEAKE VA 23322

11-44-25-04-0000A.0320
GARRETT DONALD G +

2530 MINTON RD

HAMILTON OH 45013

11-44-25-04-0000A.0340
PETERS VERLYN +

4120 BROWN FARM DR

HAMILTON OH 45013

11-44-25-04-0000A.0360
ORRIS FRANK J + KATHY J

5551 LUCKETT RD

FT MYERS FL 33905

11-44-25-04-0000A.0190
CARMELIA WILLIAM E +

2119 FLORA AVE

FORT MYERS FL 33907

11-44-25-04-0000A.0210
FARMER DAVID F + PATRICIA M

510 TERRAPIN LN

NEWARK DE 19711

11-44-25-04-0000A.0230
BOGGS LARRY E

5551 LUCKETT RD A-23

FORT MYERS FL 33905

11-44-25-04-0000A.0250
MANLEY ROBERT S +

16360 FORGE HILL RD

GARRETSVILLE OH 44231

11-44-25-04-0000A.0270
CHAPMAN RICHARD W +

8005 NORTH HILLS DR

BROADVIEW HEIGHTS OH 44147

11-44-25-04-0000A.0290
BROUGH CARL F + BETTY M

9415 DALTON DR

LOUISVILLE KY 40272

11-44-25-04-0000A.0310
SUMNER GRAHAM + DOROTHY CO TR

P O BOX 16434

CHESAPEAKE VA 23308

11-44-25-04-0000A.0330
BECKELHYMER STURTEN +

1630 MILLVILLE-OXFORD RD

HAMILTON OH 45013

11-44-25-04-0000A.0350
SCHATZEL JOHN P SR + MARTHA L

771 MIDDLEBORO RD

OREGONIA OH 45054

11-44-25-04-0000A.0370
JOSEPH JANET L

5551 LUCKETT RD A-37

FT MYERS FL 33905

11-44-25-04-0000A.0380
BURNS WILLIAM G + CYNTHIA E

5695 SANDSTONE DR
OXFORD MI 48371

11-44-25-04-0000A.0400
STRANO RICHARD L +

103 IVY WAY
MATAWAN NJ 07747

11-44-25-04-0000A.0420
COOPER STANLEY A + CAROLYN N

P O BOX 383
BOOTH BAY ME 04537

11-44-25-04-0000A.0440
BENSON RICHARD I + ROSE M

14614 SOUTH POINTE CT
BURNSVILLE MN 55306

11-44-25-04-0000A.0460
GRIFFIN CHARLES A + JUDY A

40 CHESTER RD
RAYMOND NH 03077

11-44-25-04-0000A.0480
MILLER LEROY J + TAWNEY L E

12 THE WILLOWS
GOSHEN IN 46526

11-44-25-04-0000A.0500
FULTON JUDITH TR

PMB 1312
779 E MERRITT ISLAND CSWY
MERRIT ISLAND FL 32952

11-44-25-04-0000A.0520
ROSE HERMAN S JR +

5551 LUCKETT RD #A52
FORT MYERS FL 33905

11-44-25-04-0000A.0540
SIMMONS ANTHONY B + DONNA G

201 NORTH ST
HEBRON CT 06248

11-44-25-04-0000A.0560
REID JAMES C + GLORIA J

20 WASHINGTON AV
PORT JEFFERSON NY 11776

11-44-25-04-0000A.0390
~~STRANO RICHARD L +~~

103 IVY WAY
~~MATAWAN NJ 07747~~

11-44-25-04-0000A.0410
MITCHELL DAVID M + GLENDA J

4407 WEST TANGLEWOOD RD
BLOOMINGTON IN 47404

11-44-25-04-0000A.0430
HAPPEL WILLIAM S + AUDREY L

P O BOX 98
STANTON MO 63079

11-44-25-04-0000A.0450
GRIFFIN CHARLES A + JUDY A

40 CHESTER RD
RAYMOND NH 03077

11-44-25-04-0000A.0470
CASALINI DONALD G + CATHEY P

P O BOX 61956
FT MYERS FL 33906

11-44-25-04-0000A.0490
SCHWITTERS DELWIN + ELIZABETH

11080 SE HWY 7
CLARA CITY MN 56222

11-44-25-04-0000A.0510
STRUCK JOHN L + BETTE J

P O BOX 1195
WALKER MN 56484

11-44-25-04-0000A.0530
MORLOCK WALTER J JR +

26 BROWN RD
VOLUNTOWN CT 06384

11-44-25-04-0000A.0550
CROCKETT CHARLES H + SHIRLEY J

5551 LUCKETT RD
FT MYERS FL 33905

11-44-25-04-0000A.0570
JOHNSON RAYMOND H +

RR #1 BOX 209
LITCHFIELD WI 62056

11-44-25-04-0000B.0000
CYPRESS WOODS R V RESORT ASSOC

5551 LUCKETT RD
FT MYERS FL 33905

11-44-25-04-0000B.0020
RAMKER HERLIN J + NANCY J

721 W UPHAM ST
MARSHFIELD WI 54449

11-44-25-04-0000B.0040
HENKEL EVERETT E JR + PENNY K

18870 SERENOA CT
ALVA FL 33920

11-44-25-04-0000B.0060
HANSEN ANTHONY R + RUTH ANN

2159 MCGREGOR CIR
DARDENNE PRAIRIE MO 63366

11-44-25-04-0000B.0080
HAAKENSEN DAVID H + BARBARA J

E10057 COUNTY ROAD EE
ELK MOUND WI 54739

11-44-25-04-0000B.0100
COLE ROBERT W + MERRYDALE

8897 VERGENNES
ADA MI 49301

11-44-25-04-0000B.0120
COTTRILL ROGER W +

5551 LUCKETT RD #B-12
FT MYERS FL 33905

11-44-25-04-0000B.0140
CYPRESS WOODS R V RESORT ASSOC

5551 LUCKETT RD
FT MYERS FL 33905

11-44-25-04-0000B.0160
SCARDIGNO MORRIS + SHEILA A

3737 EL JOBEAN RD #M10
PORT CHARLOTTE FL 33753

11-44-25-04-0000B.0180
SCHREINER GARY A + AILEEN F

12410 W GALENA RD
LANA IL 61048

11-44-25-04-0000B.0010
CYPRESS WOODS R V RESORT ASSOC

5551 LUCKETT RD
FT MYERS FL 33905

11-44-25-04-0000B.0030
NASON ROBERT H + CECILE A

5551 LUCKETT RD
FORT MYERS FL 33905

11-44-25-04-0000B.0050
LANG ROBERT C + JUDITH A

5551 LUCKETT RD
FT MYERS FL 33905

11-44-25-04-0000B.0070
JASKO FLORENCE B 2/3 +

37416 OCEAN REEF
WILLOUGHBY OH 44094

11-44-25-04-0000B.0090
KNOL ANDREW W + EMILY

1125 WEBSTER LN
DES PLAINES IL 30016

11-44-25-04-0000B.0110
GREY DONALD R + EMILY KAY

P O BOX 60061
FORT MYERS FL 33906

11-44-25-04-0000B.0130
DENELL THOMAS J + CLAIRE R

9640 COUNTY ROAD J
FORESTVILLE WI 54213

11-44-25-04-0000B.0150
KILMER DOUGLAS G + DIANE L

RR #1 BOX 85K
UNION DALE PA 18470

11-44-25-04-0000B.0170
CYPRESS WOODS R V RESORT ASSOC

5551 LUCKETT RD
FT MYERS FL 33905

11-44-25-04-0000B.0190
DEAN RICHARD + NELL ANN

5551 LUCKETT RD
FORT MYERS FL 33905

11-44-25-04-0000B.0200
COLE ALBERT B + NANCY J

5551 LUCKETT RD

FORT MYERS FL 33905

11-44-25-04-0000B.0250
LULOFS LEO + LAURA A

5551 LUCKETT RD

FORT MYERS FL 33905

11-44-25-04-0000B.0270
MCANDREWS OWEN B + JEAN

286 LOOP RD

SAVOY MA 01256

11-44-25-04-0000B.0290
KAMINSKE HOWARD G SR +

682 COL LEDYARD HWY

LEDYARD CT 06339

11-44-25-04-0000B.0310
BUBENICEK JOSEPH JR + PATRICIA

80 BRICKYARD RD

PRESTON CT 06365

11-44-25-04-0000B.0330
LAUNIERE RICHARD J + DONNA J

1396 STANWOOD DR NW

GRAND RAPIDS MI 49544

11-44-25-04-0000B.0350
WITHAM DAN + BEVERLY E

1309 CLINTON AVE

BENTON ME 04901

11-44-25-04-0000B.0370
LAWSON ROBERT J + MARY A

3590 ROUND BOTTOM RD

CINCINATTI OH 45244

11-44-25-04-0000B.0390
WHITT BOYD +

1302 MENOMONIE LANCE

MADISON WI 53704

11-44-25-04-0000B.0410
MCCORMACK JOHN E + MARCIA

6 EQUINOX DR

LAKE GEORGE NY 12845

11-44-25-04-0000B.0210
BOYD PHILIP F + LINDA L

235 CITRUS RIDGE DR

DAVENPORT FL 33837

11-44-25-04-0000B.0260
LULOFS LEO + LAURA A

5551 LUCKETT RD

FORT MYERS FL 33905

11-44-25-04-0000B.0280
WHITMAN RICHARD A + GERMAINE B

49 BURDICKVILLE ROAD

BRADFORD RI 02808

11-44-25-04-0000B.0300
GELINAS W ROBERT + JACQUELINE

24 WILLIAM DR

JEWETT CITY CT 06351

11-44-25-04-0000B.0320
MARRIOTT JOHN A +

3223 SAMPLE RD

HERMITAGE PA 16159

11-44-25-04-0000B.0340
STONE PAUL A +

21260 BRINSON AVE
UNIT 108
PORT CHARLOTTE FL 33952

11-44-25-04-0000B.0360
BIERY P FRED CO TR +

3537 KNOLLWOOD RD

FORT MYERS FL 33919

11-44-25-04-0000B.0380
FOSTER HENRY A + PRISCILLA

9 KEANS RD

BURLINGTON MA 10803

11-44-25-04-0000B.0400
RITCHEY JAMES F TR +

5681 MAPLEWOOD CT

FORT MYERS FL 33905

11-44-25-04-0000B.0420
MARTIN DAVID H + THELMA L

870A MENNO VILLAGE

CHAMBERSBURG PA 17201

11-44-25-04-0000B.0430
CHICK JOHN D + JOAN E

HCR 69
BOX 414-2
SUNRISE BEACH MO 65079

11-44-25-04-0000B.0450
CAMPBELL SCOTT E + LINDA L

5551 LUCKETT RD
FORT MYERS FL 33905

11-44-25-04-0000B.0470
HABER LAWRENCE + MARTHA J

264L RR 1
MONTICELLO KY 42633

11-44-25-04-0000B.0490
PETRUZZI JULIAN J + JOYCE COTR

11908 ROLLING SPRINGS DR
CARMEL IN 46033

11-44-25-04-0000B.0510
SWANKS ROBERT E + BARBARA A

5513 BAMBERRIE CROSS RD
LOUISVILLE KY 40214

11-44-25-04-0000B.0530
SMITH JAMES E + GLORIA J

5551 LUCKETT RD B-53
FORT MYERS FL 33905

11-44-25-04-0000B.0550
MILLER CHARLES C + DOROTHY M

105 DOGWOOD LN
MONETA VA 33905

11-44-25-04-0000B.0570
HITCHINGS GORDON E + JUDITH A

5061 SHERMAN COURT
PITTSBORO IN 46167

11-44-25-04-0000B.0590
HENNIGAR JAMES W

P O BOX 8127
WINSLOW ME 04901

11-44-25-04-0000B.0610
BINKLEY KEN E

ROUTE 2 BOX 149
ELKTON MN 55933

11-44-25-04-0000B.0440
LAUNIERE ROBERT E + SALLY L

7023 CAMELBACK DR NE
ROCKFORD MI 49341

11-44-25-04-0000B.0460
NIELSON RONALD A +

2165 WEST LAKE RD
CLIO MI 48420

11-44-25-04-0000B.0480
MANGOLD MICHAEL A + BEVERLY J

10652 LAKESHORE DR W
CARMEL IN 46033

11-44-25-04-0000B.0500
GIBSON ROBERT H + SHARON D

1440 OLD TRAIL ROAD
MAUMEE OH 43537

11-44-25-04-0000B.0520
KREUZBURG RICHARD T + JESSIE B

32 PINTAIL DR
OCEAN PINES MD 21800

11-44-25-04-0000B.0540
PUTT MARSHALL P + CAROLINE J

3501 UNION ST STE #11
LAFAYETTE IN 47905

11-44-25-04-0000B.0560
HITCHINGS GORDON E + JUDITH A

5061 SHERWOOD CT
PITTSBORO IN 46167

11-44-25-04-0000B.0580
JOHNSON DONALD D + CAROLYN TR

W6329 LONE OAK DR
MINONG WI 54859

11-44-25-04-0000B.0600
ROBBINS REALTY INC

P O BOX 5
GERMANTOWN WI 53022

11-44-25-04-0000B.0620
MERCIER ROGER R SR + EMILY C

115 GOLD ST
MANCHESTER NH 03103

11-44-25-04-0000B.0630
KAZEK MARILYN G TR

5551 LUCKETT ROAD

FORT MYERS FL 33905

11-44-25-04-0000B.0650
SMITH BRUCE F + MARIA T

3590 ROUNDBOTTOM RD
STE 183602
CINCINNATI OH 45244

11-44-25-04-0000B.0670
CENTOFANTI RAYMOND D + CAROLYN

48 E MILL RUN

MILTON DE 19968

11-44-25-04-0000B.0690
DEPEW EDDIE G + CAROLYN L

1302 EAST MCGUIRE ST

MIAMISBURG OH 45342

11-44-25-04-0000B.0710
DWYER JOHN T CO-TR +

W153 N11523 POTOMAC CIR

GERMANTOWN WI 53022

11-44-25-04-0000B.0730
BESKAU JAMES A + BETTY L

1850 STEEPLE LN

HASTINGS MN 55033

11-44-25-04-0000B.0750
JUNGKANS LEE E +

2345 N 88TH ST

WAUWATOSA WI 53226

11-44-25-04-0000B.0770
LANG ROBERT C + JUDITH A E

5551 LUCKETT RD

FORT MYERS FL 33905

11-44-25-04-0000B.0790
LOGEMANN RUSSELL E + MARCIA L

910 VIRGINIA AV

LENA IL 61048

11-44-25-04-0000B.0870
RANCK RICHARD J + MARY E

10001 WILLOWOOD DR

FORT MYERS FL 33905

11-44-25-04-0000B.0640
KAZEK MARILYN G TR

5551 LUCKETT RD

FORT MYERS FL 33905

11-44-25-04-0000B.0660
OCONNOR JOHN R + ELIZABETH A

7326 GLEN TERRA DR

LANSING MI 48917

11-44-25-04-0000B.0680
PRAY NORMAN + BEVERLY

244 MISTUXET AVE

MYSTIC CT 06355

11-44-25-04-0000B.0700
DEPEW EDDIE G + CAROLYN L

1302 EAST MCGUIRE ST

MIAMISBURG OH 45342

11-44-25-04-0000B.0720
BORTOLUSSI EDWARD L + JUDITH A

P O BOX 57

GOWEN MI 49326

11-44-25-04-0000B.0740
ALT JEAN ELISABETH TR

4500 MILLER DR

LAFAYETTE IN 47905

11-44-25-04-0000B.0760
FOGERSON LARRY T +

P O BOX 227

ALLERTON IL 61810

11-44-25-04-0000B.0780
CLARKE GORDON D + COLLEEN R

PO BOX 5237

KEY WEST FL 33045

11-44-25-04-0000B.0800
SCHWITTERS DELWIN +

11080 SOUTH EAST HWY 7

CLARA CITY MN 56222

11-44-25-04-0000B.0880
THIBODEAU ALAN

5551 LUCKETT RD

FT MYERS FL 33905

11-44-25-04-0000B.0890
CACCHILLO GENNARO R +
C/O CYPRESS WOODS RV ASSOC
P O BOX 51683

FT MYERS FL 33994

11-44-25-04-0000B.0910
STERLING KEITH L + VIRGINIA J

6646 129TH ST WEST

APPLE VALLEY MN 55124

11-44-25-04-0000B.0930
NEILL JOHN E TR +

10061 WILLOWOOD DR

FORT MYERS FL 33905

11-44-25-04-0000B.0950
SCHREINER GARY A + AILEEN F

12410 WEST GALENA ROAD

LENA IL 61048

11-44-25-04-0000B.0970
KENT O KENNETH +

5551 LUCKETT RD

FORT MYERS FL 33905

11-44-25-04-0000B.0990
BINKLEY KEN E

RTE 2 BOX 149

ELKTON MN 55933

11-44-25-04-0000B.1010
CURNUTT JAMES W + MARCIE A

7072 WOODS WEST DR

FLUSHING MI 48433

11-44-25-04-0000B.1030
SCHEIDT DENNIS G + LINDA M

9175 E 500 SOUTH BOX 247

UPLAND IN 48989

11-44-25-04-0000B.1050
HALL DONALD H TR +

13425 ORCHARD LANE WEST

LOCKPORT IL 60441

11-44-25-04-0000E.0000
CYPRESS WOODS R V RESORT ASSOC

5551 LUCKETT RD

FT MYERS FL 33905

11-44-25-04-0000B.0900
CACCHILLO GENNARO R +
C/O CYPRESS WOODS RV ASSOC
P O BOX 51683

FORT MYERS FL 33994

11-44-25-04-0000B.0920
STERLING KEITH L + VIRGINIA J

6646 129TH ST WEST

APPLE VALLEY MN 55124

11-44-25-04-0000B.0940
HOLET ALECK + LUCY E

190 BAYLOCK MOUNTAIN RD

COOKVILLE TN 38506

11-44-25-04-0000B.0960
CHESHIRE RICHARD A + MARSHA L

PMB 7488
P O BOX 2428
PENSACOLA FL 32513

11-44-25-04-0000B.0980
KENT JAMES R + JAQUELYN R

8951 BONITA BEACH RD STE 525
PMB 316
BONITA SPRINGS FL 34134

11-44-25-04-0000B.1000
SCAER FRED F + JOYCE E

4398 TULLY HARRISON RD

CONVOY OH 45832

11-44-25-04-0000B.1020
HAYHURST RUSSELL W + RUTH M

7469 KINGSWOOD ST

TERRE HAUTE IN 47802

11-44-25-04-0000B.1040
STANHOPE KATHLEEN J

2485 NW TORCH LAKE DR

KEWADIN MI 49648

11-44-25-04-0000C.0000
CYPRESS WOODS R V RESORT ASSOC

5551 LUCKETT RD

FT MYERS FL 33905

14-44-25-00-00001.1000
DAY EDWARD GEORGE + DORIS E

10431 ANGUS LN

FT MYERS FL 33905

14-44-25-00-00001.1010
ROSE D G + EDITH L

6050 HOLSTEIN DR

FT MYERS FL 33905

14-44-25-00-00001.1030
RATHOD MOHAN R +

1214 ORTIZ AVE

FT MYERS FL 33905

14-44-25-00-00001.1050
DANIELS TERRY ALAN + KAREN K

10311 ANGUS LN

FT MYERS FL 33905

14-44-25-00-00001.106A
BARKER FREDERICK + TINA MARIE

10361 ANGUS LN

FT MYERS FL 33905

14-44-25-00-00001.1070
GONZALEZ CANDACE

10561 ANGUS LN

FT MYERS FL 33905

14-44-25-00-00001.1240
BERRY R M + EVELYN L

3601 DOWNWIND LANE NE

N FORT MYERS FL 33917

14-44-25-00-00001.1020
RATHOD MOHAN R

1214 ORTIZ AVE

FT MYERS FL 33905

14-44-25-00-00001.1040
DORMAN DAVID + LISA

10261 ANGUS LN

FT MYERS FL 33905

14-44-25-00-00001.1060
DANIELS E E

10381 ANGUS LN

FORT MYERS FL 33905

~~14-44-25-00-00001.106B
BARKER FREDERICK + TINA MARIE~~

~~10361 ANGUS LN~~

~~FT MYERS FL 33905~~

14-44-25-00-00001.1080
SERRANO SABRINO LOZANO +

4348 BALLARD RD

FT MYERS FL 33905

15-44-25-00-00030.0000
STRAYHORN GUY R + DONNA 1/2 +

P O BOX 1288

FT MYERS FL 33902



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS
September 22, 2003

Writer's Direct Dial Number: 479-8585

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

Mike Roeder

Knott Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry Street, Suite 301
Fort Myers, FL 33901

Re: Agenda Schedule for Cypress Woods RV Resort
Case No. DCI2002-00062

Dear Mr. Roeder:

Your zoning request has been scheduled before the Hearing Examiner on October 23, 2003, at 11:00 am. The hearing will be conducted in the Hearing Examiner Meeting Room, 1500 Monroe St., Ft. Myers, FL.

Be advised all exhibits presented to Hearing Examiner will be retained for the records. The Hearing Examiner encourages the applicant to provide reduced copies of these exhibits for the record as an alternative to a full size copy.

Your zoning sign will be ready for pickup any time after September 24, 2003, at the drive-thru window at 1500 Monroe St., Ft. Myers, FL. This sign must be posted in accordance with Department procedures no later than October 7, 2003, and is to remain posted until final decision is rendered.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Rebecca Tatlock

Rebecca Tatlock
Administrative Assistant

cc: Cypress Woods R.V. Resort Associates
Mr. Chip Block, AICP, Principal Planner
Zoning File

U:\200309\DCI20020.006\2\applicant letter.wpd

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8371

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

August 5, 2003

Mr. Michael Roeder, AICP
Knott, Consoer, Ebillini, Hart & Swett, P.A.
1625 Hendry Street
P. O. Box 2449
Fort Myers, Florida 33902-2449

Subject: Cypress Woods RV Resort, DCI2002-00062

Dear Mr. Roeder:

Attached you will find a copy of a memorandum from the Office of the County Attorney. This memorandum notices that this case remains insufficient and should not go to hearing since the request for Binding Letter of Interpretation has not been acted on by the Department of Community Affairs.

This case has been removed from the Hearing Examiner's tentative hearing date of August 20, 2003. Another hearing date can be established if the Binding Letter of Interpretation is issued by the Department of Community Affairs. Otherwise the development would have to comply with either Option 2 or 3 of the County Attorney's Office memorandum.

If the applicant has posted the zoning signs for this application, these may be removed and new ones will be provided when a new hearing date is established.

If you have any questions please feel free to call me.

Sincerely,
DEPARTMENT OF COMMUNITY DEVELOPMENT
Division of Zoning



Alvin Block, AICP
Principal Planner

cc: Zoning/DCI Files
Dawn Perry-Lehnert, Assistant County Attorney

MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY

To Chip 8/4/03

LEE COUNTY
RECEIVED

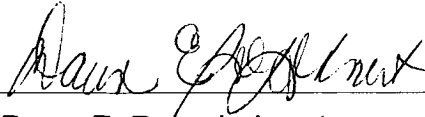
03 AUG -4 AM 9:14

COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

DATE: August 1, 2003

TO: Pam Houck
Zoning Director

FROM:


Dawn E. Perry-Lehnert
Assistant County Attorney

RE: Cypress Woods RV Resort
DCI2002-00062

In accordance with our conversation, I reviewed the available information concerning the proposed planned development amendment for Cypress Woods RV Resort. This development received zoning approval in 1994 (Z-94-025) for 684 units (399 RV and 285 mobile homes). The present proposal is to revise the unit mix to allow 599 RV units and 48 mobile homes for a total of 647 units.

Under F.A.C. Rule 28-24.027, any recreational planned development intended to accommodate 500 or more spaces is a DRI. The proposed 599 units constitutes 119.8% of the DRI threshold. Florida Statutes §380.06(2)(d) establishes a rebuttable presumption and indicates a development between 100 and 120% of the numerical threshold is required to undergo DRI review.

Based upon the above, the applicant has three options available.

1. Obtain a binding letter of interpretation from the Department of Community Affairs in accordance with F.S. §380.06(4) and F.A.C. Rule 9J2-016; or
2. Submit an application for development approval; or
3. Reduce the level of development proposed below the DRI threshold.

Land Development Code Section 34-373(d)(2) states:

When a proposed planned development is identified by staff as a possible development of regional impact, the applicant will be notified that the application will be deemed sufficient only when accompanied by a binding letter of interpretation from DCA or a complete and sufficient ADA. Failure by the county to notify the applicant in a timely manner (within 30 days of the application) will nullify any finding of

Pam Houck
August 1, 2003
Page 2

Re: Cypress Woods RV Resort

insufficiency based upon this requirement. Assuming the application is sufficient in all other respects, staff will commence review of the planned development. However, there will be no hearing held before the Hearing Examiner until the applicant submits a binding letter of interpretation from DCA or completes a sufficient ADA.

Letters submitted by the property owner's representative as part of the application process indicate the property owner was aware of the need to submit a binding letter of interpretation in order to achieve sufficiency. To date, the applicant has not adequately addressed the potential DRI issue. Therefore, this case remains insufficient to go forward with the hearing before the Hearing Examiner.

Please take appropriate steps to notify the applicant as to the above and cancel the tentative hearing scheduled for August 20.

Should you have any questions concerning the above, please do not hesitate to contact me.

DPL/pr

cc: Donna Marie Collins, Assistant County Attorney
Joan C. Henry, Assistant County Attorney
Mary Gibbs, Director, DCD
Chip Block, Principal Planner, Development Services

FILE

From: Alvin Chip Block
To: Smith, Jessica
Date: 8/4/03 12:25PM
Subject: Cypress Woods, DCI2002-00062

Since we are still not in receipt of the DCA decision on the Binding Letter for this case, Pam advised that we would agree with the County Attorney's office finding and pull this case from the August 20th agenda.

I will be advising the applicant of this decision.

Alvin Block, AICP
Principal Planner, Department of Community Development
blockah@leegov.com
239-479-8371
239-479-8313 (fax)

CC: Gibbs, Mary



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

Bob Janes
District One

July 21, 2003

Douglas R. St. Cerny
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Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

Michael E. Roeder
Knott Consoer, Ebelini, Hart & Swett, P.A.
1625 Hendry Street, Suite 301
Fort Myers, FL 33901

Re: Agenda Schedule for Cypress Woods RV Resort
Case No. DCI2002-00062

Dear Mr. Roeder:

Your zoning request has been scheduled before the Hearing Examiner on August 20, 2003, at 2:00 p.m. The hearing will be conducted in the Hearing Examiner Meeting Room, 1500 Monroe St., Ft. Myers, FL.

Be advised all exhibits presented to Hearing Examiner will be retained for the records. The Hearing Examiner encourages the applicant to provide reduced copies of these exhibits for the record as an alternative to a full size copy.

Your zoning sign will be ready for pickup any time after July 23, 2003, at the drive-thru window at 1500 Monroe St., Ft. Myers, FL. This sign must be posted in accordance with Department procedures no later than August 5, 2003, and is to remain posted until final decision is rendered.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Jessica M. Smith
Administrative Assistant

cc: Cypress Woods R.V. Resort Associates
Mr. Chip Block, Senior Planner
Zoning File

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
Joan Henry, Asst. County Attorney

FROM: Alvin Block, AICP

DATE: 07/15/2003

Jerry Murphy, Zoning

PROJECT NAME: CYPRESS WOODS RV RESORT

CASE #: DCI2002-00062

INFORMATION SUMMARY:

☐ To update your file
☒ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 07/25/2003

Additional Comments:

cc: DCI planner/working file
DCI Zone File

Distributed by: Jessica M Smith

Date: 07/15/2003



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 239-479-8371

Bob Janes
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District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yeager
County Attorney

Diana M. Parker
County Hearing Examiner

June 30, 2003

MR. MIKE E. ROEDER
KNOTT CONSOER, P.A.
1625 HENDRY ST., SUITE 301
FORT MYERS, FL 33901

Re: CYPRESS WOODS RV RESORT
DCI2002-00062 - PDA Application (PD Amendment)

Dear MR. MIKE E. ROEDER :

The Zoning Division has reviewed the information provided and supplemented for the rezoning request referenced above. The application is now sufficient and the formal request has been drafted from your application as follows:

Amend the existing Mobile Home Planned Development (MHPD) and Recreational Vehicle Planned Development (RVPD) district to reduce the overall number of units allowed within the development from 684 to 645 units AND change the allowed mixture of each unit type from currently allowed 374 recreational vehicle sites and 273 mobile home sites to 599 recreational vehicle sites and 46 mobile home sites.

NOTE: If approved, the Master Concept Plan (available for inspection at 1500 Monroe St., in Ft. Myers) may deviate from certain Land Development Code (LDC) standards.

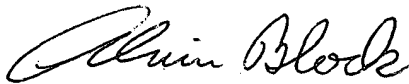
Please review this language carefully, and notify me in writing by July 14, 2003 whether or not this wording is satisfactory. Staff's substantive comments, along with the staff report, are being prepared. This request has been tentatively scheduled for public hearing before the Lee County Hearing Examiner on August 20, 2003. However, please note that this is a tentative date that is subject to change and that Lee County will be held harmless for any potential delay in effectuating compliance with the tentative hearing date.

MR. MIKE E. KOEDER
KNOTT CONSOER, P.A.
RE: CYPRESS WOODS RV RESORT
DCI2002-00062
June 30, 2003
Page 2

You may schedule or waive a formal pre-hearing conference to discuss substantive issues. Contact me if you have any questions or if you would like to meet informally prior to the public hearings.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division



Alvin Block, AICP
Principal Planner

copy w/o attachments

Pamela Houck, Division Director
Joan Henry, Assistant County Attorney
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Roland Ottolini, Natural Resources
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Billie Jacoby, DCD Admin
DCI Zoning File
DCI Working File

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution

FROM: Alvin Block, AICP

DATE: 04/22/2003

Joan Henry, Asst. County Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources
Jerry Murphy, Zoning

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: CYPRESS WOODS RV RESORT

CASE #: DCI2002-00062

INFORMATION SUMMARY:

RESUBMITTAL

- ☐ To update your file
☒ Review and forward sufficiency
questions or make finding of
sufficiency

RESPONSE REQUIRED BY: 05/06/2003

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Becky Tatlock

Date: 04/23/2003

orig.

Knott, Consoer, Ebelini
Hart & Swett, P.A.
ATTORNEYS - AT - LAW

George H. Knott *+
George L. Consoer, Jr. **
Mark A. Ebelini
Thomas B. Hart
H. Andrew Swett

* Board Certified Civil Trial Lawyer
** Board Certified Real Estate Lawyer
+ Board Certified Business Litigation Lawyer

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Fort Myers, Florida 33902-2449

Telephone (239) 334-2722
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MRoeder@knott-law.com

Matthew D. Uhle
Aaron A. Haak
Derrick S. Eihausen

Director of
Zoning and Land
Use Planning
Michael E. Roeder, AICP

April 21, 2003

DCI 2002-00062
RECEIVED
APR 22 2003

Mr. Chip Block, Senior Planner
Department of Community Development
Post Office 398
Fort Myers, Florida 33902-0398

COMMUNITY DEVELOPMENT

Re: Cypress Woods RV Resort (DCI2002-00062- PD Application)

Dear Chip:

Please excuse the delay in responding to your sufficiency letter dated November 14, 2002, but we have taken advantage of this time to make some further refinements to the plan which will be explained in this letter and shown on the revised Master Concept Plan ("MCP"). As we discussed at our meeting on December 5, this application has presented the familiar problem that arises when amending a project already under development regarding what legal description to use and from whom to obtain authorizations. The original purpose for the amendment was to increase the allowable RV units from 399 to 599 units, and that remains the primary purpose for this amendment. We are including some minor revisions to the Site Plan as well, but it is the projected mix between RV and mobile home units that requires further clarification.

When this zoning was first approved in 1994, there was some concern on the part of the staff over the potential incompatibility between RV and mobile home units. The applicant took the position that, given the size and quality of the non-transient RV units and the complete disclosure of the nature of development to the buyers who were purchasing lots, there would be no compatibility issues and no problems with converting RV sites to mobile homes over time. That has been the experience at Cypress Woods to date.

Chip Block, Senior Planner
April 22, 2003
Page 2

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APR 22 2003

COMMUNITY DEVELOPMENT

While the original site plan attempted to designate certain lots for mobile homes, it was always the basic ground rule that a lot could be converted from an RV site to a mobile home site but not the reverse. As the project developed, some of the originally designated mobile home sites were purchased by RV owners, and the staff allowed for the modification of the plan to permit this change without a formal amendment, but within the overall constraint that the number of RV sites could not exceed 399 units. However, the most useful way to consider this development is an RV park that allows for the gradual conversion to mobile homes, rather than a mobile home park that allows RV's.

The revised plan shows the sites where mobile homes have already been placed, and those will now always remain mobile home sites. The remaining minimum number of mobile home sites have been temporarily located in the last phase of the development, but it would be our request that new mobile home sites be designated on lots as they are placed, and those units will then count towards the 48 minimum mobile homes that would be required to stay below the DRI threshold. In other words, this new designation of future mobile home sites should be treated as a descriptive rather than a regulatory device, with the condition that the project must have at least 48 mobile homes at buildout to stay below the DRI threshold.

This discussion has some relevance for the authorizations and legal descriptions. We are formally amending the undeveloped portions of the RV park which are owned by Cypress Woods RV Resorts Associates, and that is who is authorizing this application as the owner of that property. However, we have submitted a legal description for the entire park, because it is a simpler procedure, and there are changes within the existing developed portion of the park in that some of the lots that were originally designated for mobile homes are being reassigned to RV's as individual lots have been purchased and developed. However, this should not concern the owners, since they have understood that this development is a mixed RV/mobile home community from the outset. The bottom line is that we have an authorization from the owner of the undeveloped portions of property, but the legal description encompasses the entire 151.5 acre site.

In regard to Lee Plan compliance and residential density, the total number of sites for the entire park is 647. Of these, a maximum of 599 lots can be RVs, and therefore a minimum of 48 lots must be mobile homes. However, over time, all of the 647 sites could be mobile homes, in theory. Even if all 647 lots were to become mobile home sites, the gross residential density would be only 4.26 units per acre, well within the standard density range of the Urban Community Land Use category which is up to 6 units per acre. In all other respects the development is consistent with the Lee Plan, since it

was approved in 1994, began development in 1999, and has not changed in any significant way since that time.

The latest site plan also includes two new deviations. The first of these (#11) would allow for an encroachment of the recreation building and a related pier and gazebo into the 25' setback from the lake and extending over the lake. The second new deviation (#12) would allow for a reduction in the required parking for the two club houses. The existing club house has approximately 2,580 sq.ft. of administrative office space, and the deviation request assumes the allocation one space per 300 sq.ft. to this office use and is based on the premise that this office space will remain. A justification for the new deviations is included for your review as Exhibit IV-J-I.

We are submitting:

1. a revised application which provides answers to the questions that were left blank or labeled N/A previously;
2. a copy of the deed restrictions (Exhibit I-E-1);
3. a revised Exhibit II-E-2;
4. a revised Exhibit IV-I-1 (along with 11x17 copies);
5. a revised zoning and land use map (Exhibit III-A-2);
6. a revised Endangered Report and map (Exhibits III-C-3 and III-C-8);
7. a revised FLUCCS map (Exhibit III-C-6)
8. a new Exhibit III-A-1 (attached to MCP), which indicates the neighboring roads and abutting easements. We have been given a waiver from Pam Houck of the requirement to have a survey that is tied to the West Florida State Plane Coordinate System.

RECEIVED
APR 22 2003

COMMUNITY DEVELOPMENT

The MCP has been revised to show the indigenous open space provided, and that the required indigenous open space is being met by using the various credits provided in 10-415(b)(2). The original deviations have also been revised to reference the new sections of the LDC.

Chip Block, Senior Planner
April 22, 2003
Page 4

Finally, I am attaching a copy of the application to DCA for a Binding Letter of Determination. Please do not hesitate to contact me if you have any questions or require additional information.

Very truly yours,

KNOTT, CONSOER, EBELINI,
HART & SWETT, P.A.



Michael E. Roeder, AICP
Director of Planning and Land Use

MER/dap
Encls.

cc: Avi Harpaz (w/o encls)
Don Slisher (w/o encls)

RECEIVED
APR 22 2003

COMMUNITY DEVELOPMENT



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 239-479-8371

Bob Janes
District One

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Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yeager
County Attorney

Diana M. Parker
County Hearing
Examiner

May 13, 2003

MR. MIKE E. ROEDER
KNOTT CONSOER, P.A.
1625 HENDRY ST., SUITE 301
FORT MYERS, FL 33901

Re: CYPRESS WOODS RV RESORT
DCI2002-00062 - PDA Application (PD Amendment)

Dear MR. MIKE E. ROEDER :

The Zoning Division has reviewed the information provided for the above zoning application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached sufficiency checklists. For your assistance, we have enclosed any additional memoranda from the various Lee County reviewing agencies.

If you do not provide the requested supplements or corrections within 60 calendar days of this letter, the Code requires that this application be considered withdrawn. Please feel free to contact me or the staff reviewers if you have any questions.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Alvin Block, AICP
Principal Planner

MR. MIKE E. ROEDER
KNOTT CONSOER, P.A.
RE: CYPRESS WOODS RV RESORT
DCI2002-00062
May 13, 2003
Page 2

cc: Andi McDowell

cc: Pamela Houck, Division Director
Paul O'Connor, Planning
Joan Henry, Assistant County Attorney
Kim Trebatoski, Environmental Sciences
Roland Ottolini, Natural Resources
Andy Getch, LCDOT
Billie Jacoby, DCD Admin
Don Blackburn, Development Review
DCI Zoning File
DCI Working File

MR. MIKE E. ROEDER
KNOTT CONSOER, P.A.
RE: CYPRESS WOODS RV RESORT
DCI2002-00062
May 13, 2003
Page 3

**Sufficiency Checklist for Planned Developments, Amendments,
and Existing Developments Requesting Planned Development
Zoning**

1) Initiation of Application-Legal Requirements. Ownership. Except for Condominiums, Timeshare Condominiums, or Subdivisions, where there is more than one owner, either legal or equitable, all such owners must jointly initiate the application or petition. [34-201(a)(1)a.]

Please refer to the following comments.

1a) The application was signed by the owner of the property or an authorized representative. [34-201(a)(1)a.1.]

The County Attorney's office advises that the concerns raised in the original November 14, 2001 staff response has not been adequately addressed.

1d) The fee owner is a partnership and a general partner initiated the application. [34-201(a)(1)a.4.]

The County Attorney's office advises that the concerns raised in the original November 14, 2001 staff response has not been adequately addressed.

1e) The fee owner is an association and the association or its governing body appointed an agent to initiate the application on behalf of the association. [34-201(a)(1)a.5.]

The County Attorney's office advises that the concerns raised in the original November 14, 2001 staff response has not been adequately addressed.

6) All applications requiring a public hearing must include the following: [34-202(a)]

Please refer to the following comments.

6a) Legal description. The request must include a legal description of the property upon which the action is to be initiated. [34-202(a)(1)]

The April 21, 2003 response indicates that the legal description encompasses the entire project. The only authorization is from the owner of the undeveloped portions, and not from any owners within the developed portions. If the applicant desires to rezone the property owned by the Cypress Woods RV Resorts Associates only, then the legal should only reflect this undeveloped property. LDC 34-202(b)(1) requires evidence of authority of all owners, and this application does not appear to provide this.

MR. MIKE E. ROEDER
KNOTT CONSOER, P.A.
RE: CYPRESS WOODS RV RESORT
DCI2002-00062
May 13, 2003
Page 4

6d) Confirmation of Ownership. If at any time during the review process the director concludes there is a question regarding ownership of the property, the director may require a title insurance policy, attorney's opinion of title, or ownership and encumbrance report. [34-202(a)(3)]

This item will remain insufficient until proper authorization from the property owner(s) is provided.

8) Covenants. Any applicant for a rezoning or master concept plan confirmation under the planned development regulations must submit documentation corroborating unified control over the subject property. [34-373(a)(3) & 34-374(a)]

Until the issues addressing the authorization and right to have filed this request by the current property owner(s) have been corrected, this item will remain insufficient.

9b) Map of Roads. A map showing the location of the property to be developed in relation to arterial and collector streets as well as the location of existing easements and rights-of-way on abutting property. [34-373(a)(4)b]

There is not a map submitted with this application that provides what roads are considered arterial or collector streets. Please revise the application to provide this required information.

12) Scale of Plans/Required Information. The Master Concept Plan must be clearly legible and drawn at a scale sufficient to adequately show and identify the following information: [34-373(a)(6)]

Please refer to the following comments.

12a) Existing Easements. The exact location and explanation of all existing easements, whether or not those easements are recorded. [34-373(a)(6)a.]

As previously requested, please revise the Master Concept Plan to show all of the easements as required by this Section.

12f) Service Areas. The general location of service areas for delivery of goods or services must be shown for all developments that are not residential subdivisions. [34-373(a)(6)e.]

The revised Master Concept Plan still does not clearly show the general location of the service area(s) within this project. Please revise the Plan to show this information.

20) Contact. The Zoning Planner may be contacted regarding any questions on the Planned Development Sufficiency Checklist.

You may contact Alvin "Chip" Block at 239-479-8371 if you have any questions concerning this portion of the checklist.

MR. MIKE E. ROEDER
KNOTT CONSOER, P.A.
RE: CYPRESS WOODS RV RESORT
DCI2002-00062
May 13, 2003
Page 5

21) Miscellaneous Items.

Staff will work with the applicant on this amendment. Staff is still debating whether it is advisable to amend just a portion of the project or the overall planned development.

Please advise if the project will use blasting as a development activity for this project. If development blasting is proposed within the project, the applicant must be providing information consistent with LDC Section 34-202(b)(6). The latest submittal did not appear to have answered this previous question.

Environmental Sciences Planned Development Sufficiency Checklist

8) Design Standards: Environmentally Sensitive Areas. Every effort shall be made in the planning, design and execution of a planned development to protect, preserve or to not unnecessarily destroy or alter natural features of the site, particularly mature native trees and threatened or endangered native vegetation. [34-411(g)]

Legal Requirements Sufficiency Checklist

6) All applications requiring a public hearing must include the following: [34-202(a)]

See Below.

6a) Legal description. The request must include a legal description of the property upon which the action is to be initiated. [34-202(a)(1)]

After reviewing resubmitted items, the applicant has not addressed any of the legal issues brought up in 1st Insufficiency Letter. They need to provide staff with a metes and bounds legal on 8.5 by 11 , for the portion of property that is being affected by the request in the application.

6c) Boundary Survey. A boundary survey meeting the minimum technical standards for land surveying in the state, as set out in chapter 61G 17-6, FAC, is required for property encompassing 10 or more acres and for all Planned Development applications. [34-202(a)(2)]

After reviewing resubmitted items, the applicant has not addressed any of the legal issues brought up in 1st Insufficiency Letter. They need to provide staff with a boundary survey tied to the state plane coordinate system for the Florida West Zone (displayed on two opposing corners), for the portion of property that is being affected by the request in the application.
All structures and easements must be on survey.

MR. MIKE E. ROEDER
KNOTT CONSOER, P.A.
RE: CYPRESS WOODS RV RESORT
DCI2002-00062
May 13, 2003
Page 6

7) Miscellaneous Items.

Applicability or Sufficiency of items subject to receipt and review of future submittals.

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution

FROM: Alvin Block, AICP

DATE: 10/29/2002

John Fredyma, Asst. County Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources
Jerry Murphy, Zoning

* **REVIEWERS** - remember permit plan checklists should now be used.

PROJECT NAME: CYPRESS WOODS RV RESORT

CASE #: DCI2002-00062

INFORMATION SUMMARY:

NEW SUBMITTAL

- ☐ To update your file
☒ Review and forward sufficiency
questions or make finding of
sufficiency

RESPONSE REQUIRED BY: 11/12/2002

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).

Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Jamie Princing

Date: 10/31/2002



COURTESY NOTICE OF RECEIPT OF ZONING APPLICATION

Date: November 6, 2002

Case Number: DCI2002-00062

Case Name: CYPRESS WOODS RV RESORT

Request: Amend the existing Mobile Home Planned Development (MHPD) and Recreational Vehicle Planned Development (RVPD) district to reduce the overall number of units allowed within the development from 684 to 645 units AND change the allowed mixture of each unit type from currently allowed 374 recreational vehicle sites and 273 mobile home sites to 599 recreational vehicle sites and 46 mobile home sites.

Location: The subject property is located at 5551 Lockett Road (take I-75 North, turn off on the Lockett Road exit towards Fort Myers (139), continue .3 miles on Lockett Road), in S11-T44S-R25E, Lee County, FL.

Location Map: SEE REVERSE

PROPERTY OWNER'S REPRESENTATIVE: MR. MIKE E ROEDER
KNOTT CONSOER, P.A.
239-334-2722

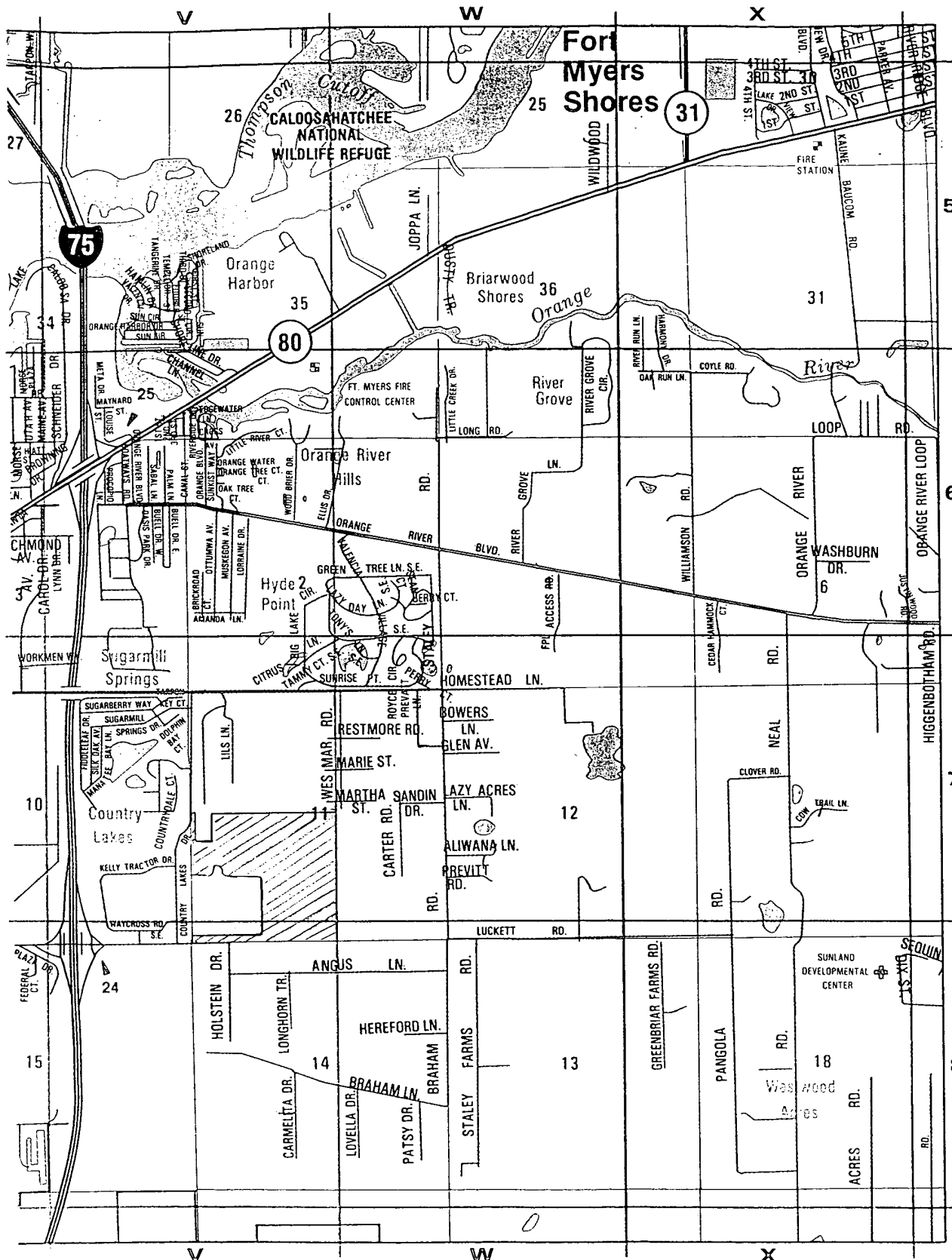
Lee County Planner: Alvin Block, AICP
239-479-8371

The file may be reviewed Monday through Friday between the hours of 7:30 a.m. and 4:30 p.m. at the Lee County Development Services Division, 1500 Monroe St., Fort Myers, FL 33901. Call 239/479-8585 for additional information.

This is a courtesy notice. A public hearing date has not yet been set. You will receive another notice once the hearing date and time have been established.

JLP

Joins map on page 7



Joins map on page 20

Joins map on page 31

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AREA LOCATION MAP

EXHIBIT II-D

OCT 29 2002

DCI 2002-00062

COMMUNITY DEVELOPMENT

11-44-25-00-00014.0000
CYPRESS WOODS R V RESORT ASSOC

5551 LUCKETT RD

FT MYERS FL 33905

10-44-25-04-00000.000A
COUNTRY LAKES SUBD

10-44-25-04-00000.0270
RUTKA JOHN + BARBARA

5448 COUNTRY DALE CT

FT MYERS FL 33905

10-44-25-04-00000.0290
LUECKE MICHAEL W + KATHRYN J

5432 COUNTRYDALE CT

FORT MYERS FL 33905

10-44-25-04-00000.0600
FARNSWORTH PAUL A COTR +

5431 COUNTRYDALE CT

FORT MYERS FL 33905

10-44-25-04-00000.0620
HOTT JOHN + MARY M +

5467 COUNTRYDALE CT

FORT MYERS FL 33905

10-44-25-04-00000.0640
HOTT JOHN + MARY M

5467 COUNTRYDALE CT

FORT MYERS FL 33905

10-44-25-04-00000.0660
OLER BARBARA M

5483 COUNTRY DALE CT

FORT MYERS FL 33905

10-44-25-04-00000.0680
ZIRNHELD MICHAEL D

3307 11TH ST W

LEHIGH ACRES FL 33971

10-44-25-04-00000.0700
PETRIE ROY TR

5507 COUNTRYDALE SE

FT MYERS FL 33905

10-44-25-00-00007.0000
EB PROPERTIES INC

8510 NW 68TH ST

MIAMI FL 33166

10-44-25-04-00000.0260
MAJEWSKI STEPHEN + BARBARA

5456 COUNTRYDALE CT

FORT MYERS FL 33905

10-44-25-04-00000.0280
MARTINSON ROBERT H TR

5440 COUNTRY DALE CT

FT MYERS FL 33905

10-44-25-04-00000.0590
LEVERING LA RHEDAA

5423 COUNTRYDALE CT

FORT MYERS FL 33905

10-44-25-04-00000.0610
HELLWIG ROBERT T + BARBARA G

5439 COUNTRY DALE CT SE

FT MYERS FL 33905

10-44-25-04-00000.0630
SCHNEIDER JAMES TR +

12600 LOCKE BLVD

HASTINGS MN 55033

10-44-25-04-00000.0650
EHRLER DONALD W + MARJORIE W

5475 COUNTRY DALE CT

FT MYERS FL 33905

10-44-25-04-00000.0670
HICKEY RICHARD W + VICKI H

5491 COUNTRYDALE CT

FT MYERS FL 33905

10-44-25-04-00000.0690
LEECORP INC

20251 S TAMIAMI TRAIL

ESTERO FL 33928

10-44-25-04-00000.0710
MILLER CAROLYN S TR

17494 MEADOW LAKE CIR

FORT MYERS FL 33912

10-44-25-04-00000.0720
HEFFERIN DOROTHY A

9958 CREEKWOOD LN

FORT MYERS FL 33905

10-44-25-04-00000.0740
HASTY PHYLLIS J+

9942 CREEKWOOD LN SE

FT MYERS FL 33905

10-44-25-04-00000.0760
KREAMER HUGH + MOLLIE

9926 CREEKWOOD LN

FT MYERS FL 33905

10-44-25-04-00000.0780
DUBE PHILIP C + LILLIETTE T

9918 CREEKWOOD LN SE

FT MYERS FL 33905

10-44-25-07-00000.000A
B F INDUSTRIAL PARK INC

9792 WINDISCH ROAD

WEST CHESTER OH 45069

10-44-25-07-00000.0130
JOHNSON MACHINERY + TRUCK

5790 COUNTRY LAKES DR

FORT MYERS FL 33905

10-44-25-07-00000.0150
SOUTHERN HOLDING CORP OF SWF

4520 ORANGE RIVER LOOP RD

FORT MYERS FL 33905

10-44-25-07-00000.0170
MORRIS WILLIAM DAVID + DARLEEN
C/O D & D AIR CONDITIONING
PO BOX 51007

FT MYERS FL 33994

10-44-25-07-00000.0190
KANTER INVESTMENTS NO 1 LTD

9792 WINDISCH ROAD

WEST CHESTER OH 45069

10-44-25-07-00000.0220
MENTZEL CHARLES

4571 PINE RIDGE RD

NAPLES FL 34119

10-44-25-04-00000.0730
ROWLAND PHILLIPS + LORI L

9950 CREEKWOOD LN

FT MYERS FL 33905

10-44-25-04-00000.0750
MORELLA ANNA E

9934 CREEKWOOD LN

FORT MYERS FL 33905

10-44-25-04-00000.0770
DUBE PHILIP C + LILLIETTE T

9918 CREEKWOOD LN SE

FT MYERS FL 33905

10-44-25-04-0000A.00CE
COUNTRY LAKES OWNERS ASSOC INC

5627 COUNTRY FIELD CIR

FT MYERS FL 33905

10-44-25-07-00000.0120
SMITH LAND + IMPROVEMENT CORP

2001 STATE RD

CAMP HILL PA 17001

10-44-25-07-00000.0140
UNITED PARTNERS

2152 SPRINT BLVD

APOPKA FL 32703

10-44-25-07-00000.0160
KM OF FORT MYERS LLC

2239 BRUNER LN

FORT MYERS FL 33905

10-44-25-07-00000.0180
LEMIRE RENE M

240 ROSE ST

NORTH FORT MYERS FL 33903

10-44-25-07-00000.0210
COMPARETTO SALVADORE D +

1248 MORINGSIDE DR

FORT MYERS FL 33901

10-44-25-07-00000.0230
INTERNATIONAL EQUIPMENT

5951 COUNTRY LAKES DR

FORT MYERS FL 33905

10-44-25-07-00000.0240
EVANS RONALD J + MARYANN T

18016 SAN CARLOS BLVD #47

FORT MYERS BEACH FL 33931

10-44-25-08-00000.000A
KELLY TRACTOR COMMERCE CENTER

60 P S 18 + 19

10-44-25-08-00000.0040
KELLY TRACTOR CO

9651 KELLY TRACTOR DR

FT MYERS FL 33905

10-44-25-08-0000B.0000
KELLY TRACTOR CO

9651 KELLY TRACTOR DR

FT MYERS FL 33905

11-44-25-00-00002.0190
MILLER CATHERINE E

P O BOX 50013

FT MYERS FL 33994

11-44-25-00-00002.103A
BURKS REX + RUTH

13608 CARBBEAN BLVD SE

FT MYERS FL 33905

11-44-25-00-00002.1050
HERITAGE TRUST
% PAUL SHAW
P O BOX 50991

FT MYERS FL 33994

11-44-25-00-00015.0000
A + J PROPERTIES LLC
C/O AFTAB A CUMBER
10100 WEST SAMPLE RD
STE 205
CORAL SPRINGS FL 33065

11-44-25-03-0000C.0010
SNYDER RUTH A

5481 WES-MAR RD

FT MYERS FL 33905

11-44-25-03-0000D.0020
GOODWIN THOMAS I

10560 MARTHA ST

FT MYERS FL 33905

10-44-25-07-00000.0250
MENTZEL CHARLES R

4571 PINE RIDGE RD

NAPLES FL 34119

10-44-25-08-00000.0030
KELLY TRACTOR CO

9651 KELLY TRACTOR DR

FT MYERS FL 33905

10-44-25-08-0000A.0000
KELLY TRACTOR CO

9651 KELLY TRACTOR DR

FT MYERS FL 33905

11-44-25-00-00002.0000
CONRAD LESTER E AND

CONRAD BARBARA W
5230 LILS LANE
FT MYERS FL 33905

11-44-25-00-00002.1000
CYPRESS WOODS RV RESORT ASSOC

5551 LUCKETT RD

FT MYERS FL 33905

11-44-25-00-00002.103B
GROVER DEAN R + DEBORAH LYNN

P O BOX 51052

TICE FL 33994

11-44-25-00-00013.0000
HOWARD ATTICE BEVERLY JR ETAL
C/O HOWARD MARGIE G
P O BOX 283

CAMPELLTON FL 32426

11-44-25-03-00000.000A
COLVINS U-2 TOWN + COUNTRY

11-44-25-03-0000D.0010
GOODWIN THOMAS

13560 MARTHA ST

FT MYERS FL 33905

11-44-25-03-0000D.0060
CORCORAN TIMOTHY F

PO BOX 271

FT MYERS FL 33902

11-44-25-03-0000D.0080
CORCORAN TIMOTHY

P O BOX 271

FT MYERS FL 33902

11-44-25-04-0000A.0000
CYPRESS WOODS R V RESORT ASSOC

5551 LUCKETT RD

FT MYERS FL 33905

11-44-25-04-0000A.0020
SENNETT CHARLES A + IDALU

5551 LUCKETT RD #A01

FT MYERS FL 33905

11-44-25-04-0000A.0040
BERESFORD WILLIAM R + CAROL J

4508 HIGHWAY V

FRANKSVILLE WI 53126

11-44-25-04-0000A.0060
MOUNTS JAMES E + CAROL A

10619-A VAN WERT-DECATUR RD

VAN WERT OH 45891

11-44-25-04-0000A.0080
MACHELL CHARLES W + MARILYN R

5551 LUCKETT RD

FT MYERS FL 33905

11-44-25-04-0000A.0100
FAVELLI ROBERT + ELIZABETH TR

2509 7TH ST W

LEHIGH ACRES FL 33971

11-44-25-04-0000A.0120
GOBLE WILLIAM P + LINDA L

5472 WILDWOOD DR

HOWELL MI 48843

11-44-25-04-0000A.0140
ANDERSON HOWARD R + MARGARET A

P O BOX 305

DASSEL MN 55325

11-44-25-04-0000A.0160
APPLE DELBERT L + BERNIECE W

9249 BODFORD DR

WEST CHESTER OH 45069

11-44-25-04-00000.000A
CYPRESS WOODS RV RESORT UN 1

OF SEC AS DESC IN PB 65 PGS 85-89

11-44-25-04-0000A.0010
SENNETT CHARLES A +

5551 LUCKETT RD LOT A01

FT MYERS FL 33905

11-44-25-04-0000A.0030
MORRIS ROBERT K + MARGARET A

127 WINDSOR DR

IRWIN PA 15642

11-44-25-04-0000A.0050
MOORE WILLIAM G + DARLENE

121 NORTH GRAND AV PMB 13

GAINESVILLE TX 76240

11-44-25-04-0000A.0070
COMSTOCK JOHN D + MARGARET E

201 WOODCREST DR

BURNSVILLE MN 55337

11-44-25-04-0000A.0090
CARVATT THOMAS L + KATHERINE

380 NEWTON RD

WYCKOFF NJ 07481

11-44-25-04-0000A.0110
COX BUSTER D

P O BOX 617

ESTERO FL 33928

11-44-25-04-0000A.0130
KOSTICK EUGENE F TR

26240 WOODLAWN

CRETE IL 60417

11-44-25-04-0000A.0150
LAWHORN VERNON O +

229 SHEARWOOD DR

SOMERSET KY 42501

11-44-25-04-0000A.0170
WILLSEY FRED E +

4541 CAVALIER CT

FARIFIELD OH 45014

11-44-25-04-0000A.0180
CARMELIA WILLIAM E +

2119 FLORS AVE

FORT MYERS FL 33907

11-44-25-04-0000A.0200
DOYLE THOMAS + MARILYN

5551 LUCKETT RD

FORT MYERS FL 33905

11-44-25-04-0000A.0220
ROBINS ROBERT L + BRENDA S

779 E MERRITT ISLAND

MERRITT ISLAND FL 32952

11-44-25-04-0000A.0240
CRANE FREDERICK G + SHIRLEY C

17525 HENNA AV N

HUGO MN 55038

11-44-25-04-0000A.0260
MOERSCHEL HENRY G

13612 PARKWOOD DR

BURNSVILLE MN 55337

11-44-25-04-0000A.0280
CANNEY BRADFORD M + PATRICIA B

P O BOX 516

ATKINSON NH 03811

11-44-25-04-0000A.0300
SUMNER GRAHAM T + DOROTHY TR

1590 S BATTLEFIELD BLVD

CHESAPEAKE VA 23322

11-44-25-04-0000A.0320
GARRETT DONALD G +

2530 MINTON RD

HAMILTON OH 45013

11-44-25-04-0000A.0340
PETERS VERLYN +

4120 BROWN FARM DR

HAMILTON OH 45013

11-44-25-04-0000A.0360
ORRIS FRANK J + KATHY J

5551 LUCKETT RD

FT MYERS FL 33905

11-44-25-04-0000A.0190
CARMELIA WILLIAM E +

2119 FLORA AVE

FORT MYERS FL 33907

11-44-25-04-0000A.0210
FARMER DAVID F + PATRICIA M

510 TERRAPIN LN

NEWARK DE 19711

11-44-25-04-0000A.0230
BOGGS LARRY E

5551 LUCKETT RD A-23

FORT MYERS FL 33905

11-44-25-04-0000A.0250
MANLEY ROBERT S +

16360 FORGE HILL RD

GARRETSVILLE OH 44231

11-44-25-04-0000A.0270
CHAPMAN RICHARDW +

8005 NORTH HILLS DR

BROADVIEW HEIGHTS OH 44147

11-44-25-04-0000A.0290
BROUGH CARL F + BETTY M

9415 DALTON DR

LOUISVILLE KY 40272

11-44-25-04-0000A.0310
SUMNER GRAHAM + DOROTHY CO TR

P O BOX 16434

CHESAPEAKE VA 23308

11-44-25-04-0000A.0330
BECKELHYMER STURTEN +

1630 MILLVILLE-OXFORD RD

HAMILTON OH 45013

11-44-25-04-0000A.0350
SCHATZEL JOHN P SR + MARTHA L

771 MIDDLEBORO RD

OREGONIA OH 45054

11-44-25-04-0000A.0370
JOSEPH JANET L

5551 LUCKETT RD A-37

FT MYERS FL 33905

11-44-25-04-0000A.0380
BURNS WILLIAM G + CYNTHIA E

5695 SANDSTONE DR

OXFORD MI 48371

11-44-25-04-0000A.0400
STRANO RICHARD L +

103 IVY WAY

MATAWAN NJ 07747

11-44-25-04-0000A.0420
COOPER STANLEY A + CAROLYN N

P O BOX 383

BOOTH BAY ME 04537

11-44-25-04-0000A.0440
BENSON RICHARD I + ROSE M

14614 SOUTH POINTE CT

BURNSVILLE MN 55306

11-44-25-04-0000A.0460
GRIFFIN CHARLES A + JUDY A

40 CHESTER RD

RAYMOND NH 03077

11-44-25-04-0000A.0480
MILLER LEROY J + TAWNEY L E

12 THE WILLOWS

GOSHEN IN 46526

11-44-25-04-0000A.0500
FULTON JUDITH TR

PMB 1312
779 E MERRITT ISLAND CSWY
MERRIT ISLAND FL 32952

11-44-25-04-0000A.0520
ROSE HERMAN S JR +

5551 LUCKETT RD #A52

FORT MYERS FL 33905

11-44-25-04-0000A.0540
SIMMONS ANTHONY B + DONNA G

201 NORTH ST

HEBRON CT 06248

11-44-25-04-0000A.0560
REID JAMES C + GLORIA J

20 WASHINGTON AV

PORT JEFFERSON NY 11776

11-44-25-04-0000A.0390
STRANO RICHARD L +

103 IVY WAY

MATAWAN NJ 07747

11-44-25-04-0000A.0410
MITCHELL DAVID M + GLENDA J

4407 WEST TANGLEWOOD RD

BLOOMINGTON IN 47404

11-44-25-04-0000A.0430
HAPPEL WILLIAM S + AUDREY L

P O BOX 98

STANTON MO 63079

11-44-25-04-0000A.0450
GRIFFIN CHARLES A + JUDY A

40 CHESTER RD

RAYMOND NH 03077

11-44-25-04-0000A.0470
CASALINI DONALD G + CATHEY P

P O BOX 61956

FT MYERS FL 33906

11-44-25-04-0000A.0490
SCHWITERS DELWIN + ELIZABETH

11080 SE HWY 7

CLARA CITY MN 56222

11-44-25-04-0000A.0510
STRUCK JOHN L + BETTE J

P O BOX 1195

WALKER MN 56484

11-44-25-04-0000A.0530
MORLOCK WALTER J JR +

26 BROWN RD

VOLUNTOWN CT 06384

11-44-25-04-0000A.0550
CROCKETT CHARLES H + SHIRLEY J

5551 LUCKETT RD

FT MYERS FL 33905

11-44-25-04-0000A.0570
JOHNSON RAYMOND H +

RR #1 BOX 209

LITCHFIELD WI 62056

11-44-25-04-0000B.0000
CYPRESS WOODS R V RESORT ASSOC
5551 LUCKETT RD
FT MYERS FL 33905
11-44-25-04-0000B.0020
RAMKER HERLIN J + NANCY J
721 W UPHAM ST
MARSHFIELD WI 54449
11-44-25-04-0000B.0040
HENKEL EVERETT E JR + PENNY K
18870 SERENOA CT
ALVA FL 33920
11-44-25-04-0000B.0060
HANSEN ANTHONY R + RUTH ANN
2159 MCGREGOR CIR
DARDENNE PRAIRIE MO 63366
11-44-25-04-0000B.0080
HAAKENSON DAVID H + BARBARA J
EI0057 COUNTY ROAD EE
ELK MOUND WI 54739
11-44-25-04-0000B.0100
COLE ROBERT W + MERRYDALE
8897 VERGENNES
ADA MI 49301
11-44-25-04-0000B.0120
COTTRILL ROGER W +
5551 LUCKETT RD #B-12
FT MYERS FL 33905
11-44-25-04-0000B.0140
CYPRESS WOODS R V RESORT ASSOC
5551 LUCKETT RD
FT MYERS FL 33905
11-44-25-04-0000B.0160
SCARDIGNO MORRIS + SHEILA A
3737 EL JOBEAN RD #M10
PORT CHARLOTTE FL 33753
11-44-25-04-0000B.0180
SCHREINER GARY A + AILEEN F
12410 W GALENA RD
LANA IL 61048

11-44-25-04-0000B.0010
CYPRESS WOODS R V RESORT ASSOC
5551 LUCKETT RD
FT MYERS FL 33905
11-44-25-04-0000B.0030
NASON ROBERT H + CECILE A
5551 LUCKETT RD
FORT MYERS FL 33905
11-44-25-04-0000B.0050
LANG ROBERT C + JUDITH A
5551 LUCKETT RD
FT MYERS FL 33905
11-44-25-04-0000B.0070
JASKO FLORENCE B 2/3 +
37416 OCEAN REEF
WILLOUGHBY OH 44094
11-44-25-04-0000B.0090
KNOL ANDREW W + EMILY
1125 WEBSTER LN
DES PLAINES IL 30016
11-44-25-04-0000B.0110
GREY DONALD R + EMILY KAY
P O BOX 60061
FORT MYERS FL 33906
11-44-25-04-0000B.0130
DENELL THOMAS J + CLAIRE R
9640 COUNTY ROAD J
FORESTVILLE WI 54213
11-44-25-04-0000B.0150
KILMER DOUGLAS G + DIANE L
RR #1 BOX 85K
UNION DALE PA 18470
11-44-25-04-0000B.0170
CYPRESS WOODS R V RESORT ASSOC
5551 LUCKETT RD
FT MYERS FL 33905
11-44-25-04-0000B.0190
DEAN RICHARD + NELL ANN
5551 LUCKETT RD
FORT MYERS FL 33905

11-44-25-04-0000B.0200
COLE ALBERT B + NANCY J

5551 LUCKETT RD

FORT MYERS FL 33905

11-44-25-04-0000B.0250
LULOFS LEO + LAURA A

5551 LUCKETT RD

FORT MYERS FL 33905

11-44-25-04-0000B.0270
MCANDREWS OWEN B + JEAN

286 LOOP RD

SAVOY MA 01256

11-44-25-04-0000B.0290
KAMINSKE HOWARD G SR +

682 COL LEDYARD HWY

LEDYARD CT 06339

11-44-25-04-0000B.0310
BUBENICEK JOSEPH JR + PATRICIA

80 BRICKYARD RD

PRESTON CT 06365

11-44-25-04-0000B.0330
LAUNIERE RICHARD J + DONNA J

1396 STANWOOD DR NW

GRAND RAPIDS MI 49544

11-44-25-04-0000B.0350
WITHAM DAN + BEVERLY E

1309 CLINTON AVE

BENTON ME 04901

11-44-25-04-0000B.0370
LAWSON ROBERT J + MARY A

3590 ROUND BOTTOM RD

CINCINATTI OH 45244

11-44-25-04-0000B.0390
WHITT BOYD +

1302 MENOMONIE LANCE

MADISON WI 53704

11-44-25-04-0000B.0410
MCCORMACK JOHN E + MARCIA

6 EQUINOX DR

LAKE GEORGE NY 12845

11-44-25-04-0000B.0210
BOYD PHILIP F + LINDA L

235 CITRUS RIDGE DR

DAVENPORT FL 33837

11-44-25-04-0000B.0260
LULOFS LEO + LAURA A

5551 LUCKETT RD

FORT MYERS FL 33905

11-44-25-04-0000B.0280
WHITMAN RICHARD A + GERMAINE B

49 BURDICKVILLE ROAD

BRADFORD RI 02808

11-44-25-04-0000B.0300
GELINAS W ROBERT + JACQUELINE

24 WILLIAM DR

JEWETT CITY CT 06351

11-44-25-04-0000B.0320
MARRIOTT JOHN A +

3223 SAMPLE RD

HERMITAGE PA 16159

11-44-25-04-0000B.0340
STONE PAUL A +

21260 BRINSON AVE
UNIT 108

PORT CHARLOTTE FL 33952

11-44-25-04-0000B.0360
BIERY P FRED CO TR +

3537 KNOLLWOOD RD

FORT MYERS FL 33919

11-44-25-04-0000B.0380
FOSTER HENRY A + PRISCILLA

9 KEANS RD

BURLINGTON MA 10803

11-44-25-04-0000B.0400
RITCHEY JAMES F TR +

5681 MAPLEWOOD CT

FORT MYERS FL 33905

11-44-25-04-0000B.0420
MARTIN DAVID H + THELMA L

870A MENNO VILLAGE

CHAMBERSBURG PA 17201

11-44-25-04-0000B.0430
CHICK JOHN D + JOAN E

HCR 69
BOX 414-2
SUNRISE BEACH MO 65079

11-44-25-04-0000B.0450
CAMPBELL SCOTT E + LINDA L

5551 LUCKETT RD
FORT MYERS FL 33905

11-44-25-04-0000B.0470
HABER LAWRENCE + MARTHA J

264L RR 1
MONTICELLO KY 42633

11-44-25-04-0000B.0490
PETRUZZI JULIAN J + JOYCE COTR

11908 ROLLING SPRINGS DR
CARMEL IN 46033

11-44-25-04-0000B.0510
SWANKS ROBERT E + BARBARA A

5513 BAMBERRIE CROSS RD
LOUISVILLE KY 40214

11-44-25-04-0000B.0530
SMITH JAMES E + GLORIA J

5551 LUCKETT RD B-53
FORT MYERS FL 33905

11-44-25-04-0000B.0550
MILLER CHARLES C + DOROTHY M

105 DOGWOOD LN
MONETA VA 33905

11-44-25-04-0000B.0570
HITCHINGS GORDON E + JUDITH A

5061 SHERMAN COURT
PITTSBORO IN 46167

11-44-25-04-0000B.0590
HENNIGAR JAMES W

P O BOX 8127
WINSLOW ME 04901

11-44-25-04-0000B.0610
BINKLEY KEN E

ROUTE 2 BOX 149
ELKTON MN 55933

11-44-25-04-0000B.0440
LAUNIERE ROBERT E + SALLY L

7023 CAMELBACK DR NE
ROCKFORD MI 49341

11-44-25-04-0000B.0460
NIELSON RONALD A +

2165 WEST LAKE RD
CLIO MI 48420

11-44-25-04-0000B.0480
MANGOLD MICHAEL A + BEVERLY J

10652 LAKESHORE DR W
CARMEL IN 46033

11-44-25-04-0000B.0500
GIBSON ROBERT H + SHARON D

1440 OLD TRAIL ROAD
MAUMEE OH 43537

11-44-25-04-0000B.0520
KREUZBURG RICHARD T + JESSIE B

32 PINTAIL DR
OCEAN PINES MD 21800

11-44-25-04-0000B.0540
PUTT MARSHALL P + CAROLINE J

3501 UNION ST STE #11
LAFAYETTE IN 47905

11-44-25-04-0000B.0560
HITCHINGS GORDON E + JUDITH A

5061 SHERWOOD CT
PITTSBORO IN 46167

11-44-25-04-0000B.0580
JOHNSON DONALD D + CAROLYN TR

W6329 LONE OAK DR
MINONG WI 54859

11-44-25-04-0000B.0600
ROBBINS REALTY INC

P O BOX 5
GERMANTOWN WI 53022

11-44-25-04-0000B.0620
MERCIER ROGER R SR + EMILY C

115 GOLD ST
MANCHESTER NH 03103

11-44-25-04-0000B.0630
KAZEK MARILYN G TR

5551 LUCKETT ROAD

FORT MYERS FL 33905

11-44-25-04-0000B.0650
SMITH BRUCE F + MARIA T

3590 ROUNDBOTTOM RD
STE 183602
CINCINNATI OH 45244

11-44-25-04-0000B.0670
CENTOFANTI RAYMOND D + CAROLYN

48 E MILL RUN

MILTON DE 19968

11-44-25-04-0000B.0690
DEPEW EDDIE G + CAROLYN L

1302 EAST MCGUIRE ST

MIAMISBURG OH 45342

11-44-25-04-0000B.0710
DWYER JOHN T CO-TR +

W153 N11523 POTOMAC CIR

GERMANTOWN WI 53022

11-44-25-04-0000B.0730
BESKAU JAMES A + BETTY L

1850 STEEPLE LN

HASTINGS MN 55033

11-44-25-04-0000B.0750
JUNGKANS LEE E +

2345 N 88TH ST

WAUWATOSA WI 53226

11-44-25-04-0000B.0770
LANG ROBERT C + JUDITH A E

5551 LUCKETT RD

FORT MYERS FL 33905

11-44-25-04-0000B.0790
LOGEMANN RUSSELL E + MARCIA L

910 VIRGINIA AV

LENA IL 61048

11-44-25-04-0000B.0870
RANCK RICHARD J + MARY E

10001 WILLOWOOD DR

FORT MYERS FL 33905

11-44-25-04-0000B.0640
KAZEK MARILYN G TR

5551 LUCKETT RD

FORT MYERS FL 33905

11-44-25-04-0000B.0660
OCONNOR JOHN R + ELIZABETH A

7326 GLEN TERRA DR

LANSING MI 48917

11-44-25-04-0000B.0680
PRAY NORMAN + BEVERLY

244 MISTUXET AVE

MYSTIC CT 06355

11-44-25-04-0000B.0700
DEPEW EDDIE G + CAROLYN L

1302 EAST MCGUIRE ST

MIAMISBURG OH 45342

11-44-25-04-0000B.0720
BORTOLUSSI EDWARD L + JUDITH A

P O BOX 57

GOWEN MI 49326

11-44-25-04-0000B.0740
ALT JEAN ELISABETH TR

4500 MILLER DR

LAFAYETTE IN 47905

11-44-25-04-0000B.0760
FOGERSON LARRY T +

P O BOX 227

ALLERTON IL 61810

11-44-25-04-0000B.0780
CLARKE GORDON D + COLLEEN R

PO BOX 5237

KEY WEST FL 33045

11-44-25-04-0000B.0800
SCHWITERS DELWIN +

11080 SOUTH EAST HWY 7

CLARA CITY MN 56222

11-44-25-04-0000B.0880
THIBODEAU ALAN

5551 LUCKETT RD

FT MYERS FL 33905

11-44-25-04-0000B.0890
CACCHILLO GENNARO R +
C/O CYPRESS WOODS RV ASSOC
P O BOX 51683

FT MYERS FL 33994

11-44-25-04-0000B.0910
STERLING KEITH L + VIRGINIA J

6646 129TH ST WEST

APPLE VALLEY MN 55124

11-44-25-04-0000B.0930
NEILL JOHN E TR +

10061 WILLOWOOD DR

FORT MYERS FL 33905

11-44-25-04-0000B.0950
SCHREINER GARY A + AILEEN F

12410 WEST GALENA ROAD

LENA IL 61048

11-44-25-04-0000B.0970
KENT O KENNETH +

5551 LUCKETT RD

FORT MYERS FL 33905

11-44-25-04-0000B.0990
BINKLEY KEN E

RTE 2 BOX 149

ELKTON MN 55933

11-44-25-04-0000B.1010
CURNUTT JAMES W + MARCIE A

7072 WOODS WEST DR

FLUSHING MI 48433

11-44-25-04-0000B.1030
SCHEIDT DENNIS G + LINDA M

9175 E 500 SOUTH BOX 247

UPLAND IN 48989

11-44-25-04-0000B.1050
HALL DONALD H TR +

13425 ORCHARD LANE WEST

LOCKPORT IL 60441

11-44-25-04-0000E.0000
CYPRESS WOODS R V RESORT ASSOC

5551 LUCKETT RD

FT MYERS FL 33905

11-44-25-04-0000B.0900
CACCHILLO GENNARO R +
C/O CYPRESS WOODS RV ASSOC
P O BOX 51683

FORT MYERS FL 33994

11-44-25-04-0000B.0920
STERLING KEITH L + VIRGINIA J

6646 129TH ST WEST

APPLE VALLEY MN 55124

11-44-25-04-0000B.0940
HOLET ALECK + LUCY E

190 BAYLOCK MOUNTAIN RD

COOKVILLE TN 38506

11-44-25-04-0000B.0960
CHESHIRE RICHARD A + MARSHA L

PMB 7488
P O BOX 2428
PENSACOLA FL 32513

11-44-25-04-0000B.0980
KENT JAMES R + JAQUELYN R

8951 BONITA BEACH RD STE 525
PMB 316
BONITA SPRINGS FL 34134

11-44-25-04-0000B.1000
SCAER FRED F + JOYCE E

4398 TULLY HARRISON RD

CONVOY OH 45832

11-44-25-04-0000B.1020
HAYHURST RUSSELL W + RUTH M

7469 KINGSWOOD ST

TERRE HAUTE IN 47802

11-44-25-04-0000B.1040
STANHOPE KATHLEEN J

2485 NW TORCH LAKE DR

KEWADIN MI 49648

11-44-25-04-0000C.0000
CYPRESS WOODS R V RESORT ASSOC

5551 LUCKETT RD

FT MYERS FL 33905

14-44-25-00-00001.1000
DAY EDWARD GEORGE + DORIS E

10431 ANGUS LN

FT MYERS FL 33905

14-44-25-00-00001.1010
ROSE D G + EDITH L

6050 HOLSTEIN DR

FT MYERS FL 33905

14-44-25-00-00001.1030
RATHOD MOHAN R +

1214 ORTIZ AVE

FT MYERS FL 33905

14-44-25-00-00001.1050
DANIELS TERRY ALAN + KAREN K

10311 ANGUS LN

FT MYERS FL 33905

14-44-25-00-00001.106A
BARKER FREDERICK + TINA MARIE

10361 ANGUS LN

FT MYERS FL 33905

14-44-25-00-00001.1070
GONZALEZ CANDACE

10561 ANGUS LN

FT MYERS FL 33905

14-44-25-00-00001.1240
BERRY R M + EVELYN L

3601 DOWNWIND LANE NE

N FORT MYERS FL 33917

14-44-25-00-00001.1020
RATHOD MOHAN R

1214 ORTIZ AVE

FT MYERS FL 33905

14-44-25-00-00001.1040
DORMAN DAVID + LISA

10261 ANGUS LN

FT MYERS FL 33905

14-44-25-00-00001.1060
DANIELS E E

10381 ANGUS LN

FORT MYERS FL 33905

14-44-25-00-00001.106B
BARKER FREDERICK + TINA MARIE

10361 ANGUS LN

FT MYERS FL 33905

14-44-25-00-00001.1080
SERRANO SABRINO LOZANO +

4348 BALLLARD RD

FT MYERS FL 33905

15-44-25-00-00030.0000
STRAYHORN GUY R + DONNA 1/2 +

P O BOX 1288

FT MYERS FL 33902



BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 239-479-8371

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yeager
County Attorney

Diana M. Parker
*County Hearing
Examiner*

November 14, 2002

MR. MIKE E. ROEDER
KNOTT CONSOER, P.A.
1625 HENDRY ST., SUITE 301
FORT MYERS, FL 33901

Re: CYPRESS WOODS RV RESORT
DCI2002-00062 - PDA Application (PD Amendment)

Dear MR. MIKE E. ROEDER :

The Zoning Division has reviewed the information provided for the above zoning application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached sufficiency checklists. For your assistance, we have enclosed any additional memoranda from the various Lee County reviewing agencies.

If you do not provide the requested supplements or corrections within 60 calendar days of this letter, the Code requires that this application be considered withdrawn. Please feel free to contact me or the staff reviewers if you have any questions.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Alvin Block, AICP
Senior Planner

MR. MIKE E. ROEDER
KNOTT CONSOER, P.A.
RE: CYPRESS WOODS RV RESORT
DCI2002-00062
November 14, 2002
Page 2

cc: Pamela Houck, Division Director
Paul O'Connor, Planning
John Fredyma, Assistant County Attorney
Kim Trebatoski, Environmental Sciences
Roland Ottolini, Natural Resources
Andy Getch, LCDOT
Billie Jacoby, DCD Admin
Don Blackburn, Development Review
DCI Zoning File
DCI Working File

MR. MIKE E. ROEDER
KNOTT CONSOER, P.A.
RE: CYPRESS WOODS RV RESORT
DCI2002-00062
November 14, 2002
Page 3

**Sufficiency Checklist for Planned Developments, Amendments,
and Existing Developments Requesting Planned Development
Zoning**

1) Initiation of Application-Legal Requirements. Ownership. Except for Condominiums, Timeshare Condominiums, or Subdivisions, where there is more than one owner, either legal or equitable, all such owners must jointly initiate the application or petition. [34-201(a)(1)a.]

Please refer to the following comments.

1a) The application was signed by the owner of the property or an authorized representative. [34-201(a)(1)a.1.]

Until the proper authorizations have been submitted and Item 1e) has been satisfied, this item will remain insufficient.

1d) The fee owner is a partnership and a general partner initiated the application. [34-201(a)(1)a.4.]

The application's Disclosure of Interest form lists four entities involved in a General or Limited Partnership. The County records do not indicate that this partnership is involved with the ownership of this land. As noted elsewhere, the owner of this property is Cypress Woods RV Resort Homeowners Association, Inc. Please provide documentation showing how this four entity partnership is involved with the ownership of this land.

In the Disclosure of Interest form, the Cypress Woods Domestic Corporation cannot be found in the Florida Online Corporation records. Please provide documentation that this corporation is registered within the State of Florida.

Harwin Green Investors, L.C., lists R.V. Park Associates in the Manager/Member detail. However, searching the Online records does not reveal that R.V. Park Associates is registered in the State of Florida. Please provide the detail for this and provide documentation that this L.C. is registered within the State of Florida.

MR. MIKE E. ROEDER
KNOTT CONSOER, P.A.
RE: CYPRESS WOODS RV RESORT
DCI2002-00062
November 14, 2002
Page 4

1e) The fee owner is an association and the association or its governing body appointed an agent to initiate the application on behalf of the association.
[34-201(a)(1)a.5.]

The listed owner of the subject property in County records is the Cypress Woods RV Resort Homeowners' Association, Inc. The file contains a Covenant of Unified Control, Letter of Authorization, and Disclosure of Interest form all signed by Arvi Harpaz, President of A.A.R. Real Estate Ltd., Inc.. These list this real estate corporation as the managing partner for Cypress Woods R.V. Resort Associates. In review of the Florida Online Corporations records, the Homeowners' Association registered agent is Jerry Carroll. The online records do not show Mr. Harpaz or the real estate firm is authorized to represent the Association's interests. The file contains no authorization or other documentation granting permission for this real estate firm or Mr. Harpaz of that firm to represent the property owner's interest. It will be necessary for the Property Owner to provide proper authorization for Mr. Harpaz to sign on the owner's behalf and also authorize Mr. Roeder and the law firm to represent their interests.

5) Applications must be presented on the official forms provided by the department, or on county-approved computer-generated forms containing the same information. [34-201(b)(2)]

Please review and revise the submitted application to provide answers to each of the Sections as may be applicable. For example, Part III.C.1. concerns Special Flood Hazards. The blank line preceding this requirement should answer Yes or No to this question. The same holds true for the Public Transit issue, Present Use of the Property, and other sections in Part III. Please revise this application as needed to correctly address these issues.

6) All applications requiring a public hearing must include the following:
[34-202(a)]

Please refer to the following comments.

MR. MIKE E. ROEDER
KNOTT CONSOER, P.A.
RE: CYPRESS WOODS RV RESORT
DCI2002-00062
November 14, 2002
Page 5

6a) Legal description. The request must include a legal description of the property upon which the action is to be initiated. [34-202(a)(1)]

The submitted Covenant of Unified Control includes a Legal Description which includes the following STRAP number: 11-44-25-00-00014.0010. In reviewing County Records, this STRAP number does not exist. It will necessary to review all application documents to remove this referenced STRAP while making sure that the subject property is properly described.

The legal description supplied with this application indicates that the subject property consists of 151.5 (more or less) acres. However, the application on Page 6 of 10 in Part III.E states the subject property consists of 107.23 acres. Please correct this inconsistency. Please make sure that it agrees with the acreage of the site as provided for on the proposed Master Concept Plan.

6d) Confirmation of Ownership. If at any time during the review process the director concludes there is a question regarding ownership of the property, the director may require a title insurance policy, attorney's opinion of title, or ownership and encumbrance report. [34-202(a)(3)]

This item will remain insufficient until proper authorization from the property owner(s) is provided.

6i) Property restrictions. The application must include a copy of the deed restrictions or other types of covenants and restrictions on the parcel, along with a statement as to how the restrictions may affect the requested action. If there are no restrictions on the property, the applicant must indicate so on the application form. [34-202(b)(2)]

The supplied answer on the application is that this is not applicable (N/A). However, the answer should indicate if there are or are not restrictions. Please revise this to indicate the correct answer.

8) Covenants. Any applicant for a rezoning or master concept plan confirmation under the planned development regulations must submit documentation corroborating unified control over the subject property. [34-373(a)(3) & 34-374(a)]

Until the issues addressing the authorization and right to have filed this request by the current property owner(s) have been corrected, this item will remain insufficient.

MR. MIKE E. ROEDER
KNOTT CONSOER, P.A.
RE: CYPRESS WOODS RV RESORT
DCI2002-00062
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Page 6

9b) Map of Roads. A map showing the location of the property to be developed in relation to arterial and collector streets as well as the location of existing easements and rights-of-way on abutting property. [34-373(a)(4)b]

There is not a map submitted with this application that provides what roads are considered arterial or collector streets. Please revise the application to provide this required information.

9c) Zoning and Land Use Map. A map or other depiction of the existing zoning and current land uses (i.e. single family residence, multiple-family building, retail commercial, office building, etc.) surrounding the tract or parcel to a distance of 500 feet. [34-373(a)(4)c.]

The Zoning and Land Use map provided is not current. A recent site visit to the area and review of aerial photography reveals some properties are now vacant which are shown on the submitted map to be in use and in other instances are now developed with a use but shown on the map to be vacant. Please correct this map as necessary to show the current use of all parcels.

10) Lee Plan Compliance Narrative. A narrative explanation as to how the proposed development complies with the Lee Plan, as well as the guidelines for decision-making embodied in sections 34-145(c)(2)a. and e., and 34-145(d)(3). [34-373(a)(5)]

Please revise the Lee Plan narrative. There needs to be some discussion in this narrative that discusses the density of the mobile home use within the project. Please provide a density of the resulting mobile home section within this project if this amendment is approved, and compare that to the allowed density with Future Land Use category of the Lee Plan. This is needed to ensure the remaining mobile homes will not exceed the allowed density of the Lee Plan.

12) Scale of Plans/Required Information. The Master Concept Plan must be clearly legible and drawn at a scale sufficient to adequately show and identify the following information: [34-373(a)(6)]

Please refer to the following comments.

12a) Existing Easements. The exact location and explanation of all existing easements, whether or not those easements are recorded. [34-373(a)(6)a.]

In review of the GIS information, the County mapping shows easements now exist within the planned development. Please revise the Master Concept Plan to show all of the easements as required by this Section.

MR. MIKE E. ROEDER
KNOTT CONSOER, P.A.
RE: CYPRESS WOODS RV RESORT
DCI2002-00062
November 14, 2002
Page 7

12e3) Residential Dwelling Units. If residential is proposed, the maximum number of dwelling units by type. [34-373(a)(6)d.iii.]

The Master Concept Plan commits to a maximum of 46 mobile home units and 599 recreational vehicle units. Exhibit IV-I-1 states that there will be at least 46 mobile home units. This means that there could be 645 mobile home units. The Exhibit also commits to not more than 599 recreational vehicle units. Line A.10 has not been filled out on this form, so there is an undetermined number of total units within this development. Please correct this form and make sure that it coincides with the maximum number of units by type as provided for on the proposed Master Concept Plan.

12f) Service Areas. The general location of service areas for delivery of goods or services must be shown for all developments that are not residential subdivisions. [34-373(a)(6)e.]

Since this is not a residential subdivision, please revise the Master Concept Plan to show the service areas as required by this Section.

20) Contact. The Zoning Planner may be contacted regarding any questions on the Planned Development Sufficiency Checklist.

You may contact Alvin "Chip" Block at 239-479-8371 if you have any questions concerning this portion of the checklist.

21) Miscellaneous Items.

Staff does not find within this application where the County has approved the submittal of an application that amends only a portion of this planned development. The proposed amendment has impacts on the overall development and the amendment should have included the entire property. In fact, the submitted legal description and certified sketch of description do appear to include the entire planned development. Please revise the entire application, submitted materials, and analysis to address that this is an amendment of the entire planned development. Please make sure that these changes also address the intensity of this development and consistency with the Lee Plan, future land use category and allowed density and intensity of development within that category.

The letter attached to the Request for Public Hearing Submittal waiver mentions that the applicant, in justifying the waiver, would be submitting a Binding Letter application to address the DRI issue. Please submit a copy of this Binding Letter application as committed to in the Letter of June 22, 2002 to Mary Gibbs for Submittal Waivers for this application.

Please advise if the project will use blasting as a development activity for this project.

Environmental Sciences Planned Development Sufficiency Checklist

MR. MIKE E. ROEDER
KNOTT CONSOER, P.A.
RE: CYPRESS WOODS RV RESORT
DCI2002-00062
November 14, 2002
Page 8

1b2) Vegetation/Ground Cover. Vegetation and ground cover classified in accordance with the Florida Land Use and Cover Classification System. [34-373(a)(4)e.i.]

Please provide FLUCCS classifications for the proposed preserve areas.

3) Protected Species Management Plan. Protected species preserve areas must be indicated on the Master Concept Plan; a final management plan as required by LDC Section 10-474 is not required until time of local development order. [10-474]

Please elaborate on the proposed 35 acre Big Cypress fox squirrel preserve. Will this area be covered with indigenous vegetation? Will this area need to be restored to meet fox squirrel habitat requirements? The Master Concept Plan does not clearly show the proposed fox squirrel preserve. Please delineate the proposed preserve more clearly. This delineation can be separate from the Master Concept Plan.

6) Parks, Recreation Areas and Indigenous Areas. The general location of proposed parks, recreation areas and facilities as well as indigenous areas to be preserved must be shown on the Master Concept Plan. [34-373(a)(6)e]

The proposed indigenous open space calculations are not clear. Under the OPEN SPACE table, the RPS and wetland creation is 9.9 acres, but the "Wetland Restoration and Preservation" calculations claim 17.45 acres. Please revise the calculations to provide the correct indigenous preservation.

Additionally, the required indigenous open space for this development would be half of the required 40% open space, or approximately 30.3 acres. Please delineate the required indigenous open space, or provide a deviation request with justification for the reduction in indigenous open space.

8) Design Standards: Environmentally Sensitive Areas. Every effort shall be made in the planning, design and execution of a planned development to protect, preserve or to not unnecessarily destroy or alter natural features of the site, particularly mature native trees and threatened or endangered native vegetation. [34-411(g)]

9) Buffers. The minimum width and composition of all proposed buffers along the perimeter of the subject property, as well as between the individual uses, if the types of proposed uses requires buffer separations. References to types of buffers as described in chapter 10 are acceptable. [34-373(a)(6)g.]

Please provide the proposed composition of the 40' wide perimeter buffers.

MR. MIKE E. ROEDER
KNOTT CONSOER, P.A.
RE: CYPRESS WOODS RV RESORT
DCI2002-00062
November 14, 2002
Page 9

11) Schedule of Deviations. A schedule of deviations and a written justification for each deviation requested as part of the Master Concept Plan must be submitted. [34-373(a)(9).]

If this development is proposing to provide less than the required indigenous open space as required by LDC Sec. 10-415, then a deviation must be requested with sufficient justification.

13) Contact. The Environmental Planner may be contacted regarding any question on the Environmental Sciences Sufficiency Checklist.

Please contact Gary Nychyk at 479-8323 with questions regarding environmental review.

Legal Requirements Sufficiency Checklist

6) All applications requiring a public hearing must include the following: [34-202(a)]

See Below.

6a) Legal description. The request must include a legal description of the property upon which the action is to be initiated. [34-202(a)(1)]

Must provide a 8.5 by 11 copy of legal.

6c) Boundary Survey. A boundary survey meeting the minimum technical standards for land surveying in the state, as set out in chapter 61G 17-6, FAC, is required for property encompassing 10 or more acres and for all Planned Development applications. [34-202(a)(2)]

See Below.

6c2) The boundary survey must show the location of existing structures on the property. [34-202(a)(2)]

Subdivision on property not on Survey.

6c3) If the property encompasses 10 or more acres the survey must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment). [34-202(a)(2)]

Must tie to West Florida State Plane Coordinate System.

7) Miscellaneous Items.

Applicability or Sufficiency of items subject to receipt and review of future submittals.

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution

FROM: Alvin Block, AICP

DATE: 06/05/2003

Joan Henry, Asst. County Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources
Jerry Murphy, Zoning

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: CYPRESS WOODS RV RESORT

CASE #: DCI2002-00062

INFORMATION SUMMARY:

RESUBMITTAL

- ☐ To update your file
☒ Review and forward sufficiency
questions or make finding of
sufficiency

RESPONSE REQUIRED BY: 06/19/2003

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Jamie Prancing

Date: 06/05/2003

Knott, Consoer, Ebelini
Hart & Swett, P.A.
ATTORNEYS - AT - LAW

George H. Knott *+
George L. Consoer, Jr. **
Mark A. Ebelini
Thomas B. Hart
H. Andrew Swett

* Board Certified Civil Trial Lawyer
** Board Certified Real Estate Lawyer
+ Board Certified Business Litigation Lawyer

1625 Hendry Street • Third Floor (33901)
P.O. Box 2449
Fort Myers, Florida 33902-2449

Telephone (239) 334-2722
Telecopier (239) 334-1446

MRoeder@knott-law.com

Matthew D. Uhle
Aaron A. Haak
Derrick S. Eihausen

Director of
Zoning and Land
Use Planning
Michael E. Roeder, AICP

MEMORANDUM

TO: Chip Lock, Principal Planner

FROM: Michael Roeder

DATE: June 4, 2003

RE: Cypress Woods RV Resort
DCI-2002-00062
PD Amendments

Chip,

Attached is the revised Maser Concept Plans for Cypress Woods. The only change is the obsolete cross-section for lake excavation that has been deleted.

If you have any questions, please contact my office.

DCI 2002-00062

RECEIVED

JUN 04 2003

COMMUNITY DEVELOPMENT



Case # DCI2002-00062

Jurisdiction : Lee County

Agent/Applicant : KNOTT CONSOER, P.A.

Owner CYPRESS WOODS R V RESORT
5551 LUCKETT RD
FT MYERS FL 33905

Description of Request

Following is a list of submittal requirements which were missing from your application received on 10/29/2002

Electronic Vers of Legal Descrip (1 copy required)
Comment:

This document is for informational purposes only and is not intended to be construed as a finding of sufficiency or completeness of the application or documentation submitted.

DCI 2002-00062

~~DCI 2002-00062~~

RECEIVED

OCT 29 2002

COMMUNITY DEVELOPMENT

 *** VARIANCE REPORT ***

 Prepared By
 LEE COUNTY PROPERTY APPRAISER
 Kenneth M. Wilkinson

EXHIBIT II-D-3

RECEIVED

OCT. 29 2002

COMMUNITY DEVELOPMENT

DATE OF REPORT : 07OCT02
 SUBJECT PROPERTY : 11-44-25-00-00014.0000
 VARIANCE DISTANCE : 500(ft)
 PARCELS AFFECTED : 232

11-44-25-00-00014.0000

NE 1/4 OF SW 1/4 + BEG NE
 COR NW 1/4 OF SW 1/4 S 1
 320 FT W 1320 FT N 680 FT
 ***** SITE *****

SUBJECT
 PROPERTY

***** OWNER *****
 CYPRESS WOODS R V RESORT ASSOC

5551 LUCKETT RD

5551 LUCKETT RD

FT MYERS

FL 33905

Fort Myers

33905

10-44-25-00-00007.0000

E 1/2 OF NE 1/4 OF SE 1/4
 LESS PARL 12.000 + LES P
 AR DESC OR 2127/2649
 ***** SITE *****

2

***** OWNER *****
 EB PROPERTIES INC

8510 NW 68TH ST

5701 COUNTRY LAKES DR

MIAMI

FL 33166

Fort Myers

33905

10-44-25-04-00000.000A

A S/D IN SECTION 10 TWP 4
 4 RGE 25

3

HEADER

***** OWNER *****
 COUNTRY LAKES SUBD

***** SITE *****

0 HDR: COUNTRY LAKES

Fort Myers

33905

10-44-25-04-00000.0260

COUNTRY LAKES S/D UNIT 1
 PB 36 PG 13 LOTS 26 + 25

4

***** OWNER *****
 MAJEWSKI STEPHEN + BARBARA

***** SITE *****

5456 COUNTRYDALE CT

5456 COUNTRYDALE CT

FORT MYERS

FL 33905

Fort Myers

33905

*** VARIANCE REPORT ***

*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***

DATE OF REPORT : 07OCT02
SUBJECT PROPERTY : 11-44-25-00-00014.0000
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 232

10-44-25-04-00000.0270

COUNTRY LAKES S/D UNIT 1
PB 36 PG 13 LOT 27

5 ***** OWNER ***** ***** SITE *****
RUTKA JOHN + BARBARA

5448 COUNTRY DALE CT 5448 COUNTRYDALE CT
FT MYERS FL 33905 Fort Myers 33905

10-44-25-04-00000.0280

COUNTRY LAKES S/D UNIT 1
PB 36 PG 13 LOT 28

6 ***** OWNER ***** ***** SITE *****
MARTINSON ROBERT H TR

5440 COUNTRY DALE CT 5440 COUNTRYDALE CT
FT MYERS FL 33905 Fort Myers 33905

10-44-25-04-00000.0290

COUNTRY LAKES S/D UNIT 1
PB 36 PG 13 LOT 29

7 ***** OWNER ***** ***** SITE *****
LUECKE MICHAEL W + KATHRYN J

5432 COUNTRYDALE CT 5432 COUNTRYDALE CT
FORT MYERS FL 33905 Fort Myers 33905

10-44-25-04-00000.0590

COUNTRY LAKES S/D UNIT 1
PB 36 PG 13 LOT 59

8 ***** OWNER ***** ***** SITE *****
LEVERING LA RHEDAA

5423 COUNTRYDALE CT 5423 COUNTRYDALE CT
FORT MYERS FL 33905 Fort Myers 33905

*** VARIANCE REPORT ***

*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***

DATE OF REPORT : 07OCT02
SUBJECT PROPERTY : 11-44-25-00-00014.0000
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 232

10-44-25-04-00000.0600

COUNTRY LAKES S/D UNIT 1
PB 36 PG 13 LOT 60

***** OWNER *****
FARNSWORTH PAUL A COTR +

***** SITE *****

5431 COUNTRYDALE CT

5431 COUNTRYDALE CT

FORT MYERS

FL 33905

Fort Myers

33905

10-44-25-04-00000.0610

COUNTRY LAKES S/D UNIT 1
PB 36 PG 13 LOT 61

***** OWNER *****
HELLWIG ROBERT T + BARBARA G

***** SITE *****

5439 COUNTRY DALE CT SE

5439 COUNTRYDALE CT

FT MYERS

FL 33905

Fort Myers

33905

10-44-25-04-00000.0620

COUNTRY LAKES S/D UNIT 1
PB 36 PG 13 LOT 62

***** OWNER *****
HOTT JOHN + MARY M +

***** SITE *****

5467 COUNTRYDALE CT

5447 COUNTRYDALE CT

FORT MYERS

FL 33905

Fort Myers

33905

10-44-25-04-00000.0630

COUNTRY LAKES S/D UNIT 1
PB 36 PG 13 LOT 63

***** OWNER *****
SCHNEIDER JAMES TR +

***** SITE *****

12600 LOCKE BLVD

5455 COUNTRYDALE CT

HASTINGS

MN 55033

Fort Myers

33905

 *** VARIANCE REPORT ***

 *** Prepared By ***
 *** LEE COUNTY PROPERTY APPRAISER ***
 *** Kenneth M. Wilkinson ***

DATE OF REPORT : 07OCT02
 SUBJECT PROPERTY : 11-44-25-00-00014.0000
 VARIANCE DISTANCE : 500(ft)
 PARCELS AFFECTED : 232

 10-44-25-04-00000.0640

COUNTRY LAKES S/D UNIT 1
 PB 36 PG 13 LOT 64

***** OWNER *****
 HOTT JOHN + MARY M

***** SITE *****

5467 COUNTRYDALE CT

5467 COUNTRYDALE CT

FORT MYERS

FL 33905

Fort Myers

33905

 10-44-25-04-00000.0650

COUNTRY LAKES S/D UNIT 1
 PB 36 PG 13 LOT 65

***** OWNER *****
 EHRLER DONALD W + MARJORIE W

***** SITE *****

5475 COUNTRY DALE CT

5475 COUNTRYDALE CT

FT MYERS

FL 33905

Fort Myers

33905

 10-44-25-04-00000.0660

COUNTRY LAKES S/D UNIT 1
 PB 36 PG 13 LOT 66

***** OWNER *****
 OLER BARBARA M

***** SITE *****

5483 COUNTRY DALE CT

5483 COUNTRYDALE CT

FORT MYERS

FL 33905

Fort Myers

33905

 10-44-25-04-00000.0670

COUNTRY LAKES S/D UNIT 1
 PB 36 PG 13 LOT 67

***** OWNER *****
 HICKEY RICHARD W + VICKI H

***** SITE *****

5491 COUNTRYDALE CT

5491 COUNTRYDALE CT

FT MYERS

FL 33905

Fort Myers

33905

*** VARIANCE REPORT ***

*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***

DATE OF REPORT : 07OCT02
SUBJECT PROPERTY : 11-44-25-00-00014.0000
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 232

10-44-25-04-00000.0680

COUNTRY LAKES S/D UNIT 1
PB 36 PG 13 LOT 68

***** OWNER *****
ZIRNHELD MICHAEL D

***** SITE *****

17 3307 11TH ST W

5515 COUNTRYDALE CT

LEHIGH ACRES

FL 33971

Fort Myers

33905

10-44-25-04-00000.0690

COUNTRY LAKES S/D UNIT 1
PB 36 PG 13 LOT 69

18 ***** OWNER *****
LEECORP INC

***** SITE *****

20251 S TAMIAMI TRAIL

5499 COUNTRYDALE CT

ESTERO

FL 33928

Fort Myers

33905

10-44-25-04-00000.0700

COUNTRY LAKES S/D UNIT 1
PB 36 PG 13 LOT 70

19 ***** OWNER *****
PETRIE ROY TR

***** SITE *****

5507 COUNTRYDALE SE

5507 COUNTRYDALE CT

FT MYERS

FL 33905

Fort Myers

33905

10-44-25-04-00000.0710

COUNTRY LAKES S/D UNIT 1
PB 36 PG 13 LOT 71

20 ***** OWNER *****
MILLER CAROLYN S TR

***** SITE *****

17494 MEADOW LAKE CIR

9962 CREEKWOOD LN

FORT MYERS

FL 33912

Fort Myers

33905

*** VARIANCE REPORT ***

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PARCELS AFFECTED : 232

10-44-25-04-00000.0720

COUNTRY LAKES S/D UNIT 1
PB 36 PG 13 LOT 72

***** OWNER *****
HEFFERIN DOROTHY A

***** SITE *****

21 9958 CREEKWOOD LN

9958 CREEKWOOD LN

FORT MYERS FL 33905

Fort Myers 33905

10-44-25-04-00000.0730

COUNTRY LAKES S/D UNIT 1
PB 36 PG 13 LOT 73

22 ***** OWNER *****
ROWLAND PHILLIPS + LORI L

***** SITE *****

9950 CREEKWOOD LN

9950 CREEKWOOD LN

FT MYERS FL 33905

Fort Myers 33905

10-44-25-04-00000.0740

COUNTRY LAKES S/D UNIT 1
PB 36 PG 13 LOT 74

23 ***** OWNER *****
HASTY PHYLLIS J+

***** SITE *****

9942 CREEKWOOD LN SE

9942 CREEKWOOD LN

FT MYERS FL 33905

Fort Myers 33905

10-44-25-04-00000.0750

COUNTRY LAKES S/D UNIT 1
PB 36 PG 13 LOT 75

24 ***** OWNER *****
MORELLA ANNA E

***** SITE *****

9934 CREEKWOOD LN

9934 CREEKWOOD LN

FORT MYERS FL 33905

Fort Myers 33905

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 10-44-25-04-00000.0760

COUNTRY LAKES S/D UNIT 1
 PB 36 PG 13 LOT 76

25 ***** OWNER *****
 KREAMER HUGH + MOLLIE

***** SITE *****

9926 CREEKWOOD LN

9926 CREEKWOOD LN

FT MYERS

FL 33905

Fort Myers

33905

 10-44-25-04-00000.0770

COUNTRY LAKES S/D UNIT 1
 PB 36 PG 13 LOT 77

26 ***** OWNER *****
 DUBE PHILIP C + LILLIETTE T

***** SITE *****

9918 CREEKWOOD LN SE

9918 CREEKWOOD LN

FT MYERS

FL 33905

Fort Myers

33905

 10-44-25-04-00000.0780

COUNTRY LAKES S/D UNIT 1
 PB 36 PG 13 LOT 78

27 ***** OWNER *****
 DUBE PHILIP C + LILLIETTE T

***** SITE *****

9918 CREEKWOOD LN SE

9926 CREEKWOOD LN

FT MYERS

FL 33905

FT MYERS

33905

 10-44-25-04-0000A.00CE

COUNTRY LAKES UT 1 PB 36
 PG 13 TRACTS A THRU E +
 R/W C/E

28 ***** OWNER *****
 COUNTRY LAKES OWNERS ASSOC INC

***** SITE *****

5627 COUNTRY FIELD CIR

0 COMMON ELEMENTS

FT MYERS

FL 33905

Fort Myers

33905

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10-44-25-07-00000.000A

LYING IN S1/2 OF SE 1/4 S
EC 10 N OF LUCKETT RD REC
D PB 47 PGS 91 + 92

***** OWNER *****
B F INDUSTRIAL PARK INC

***** SITE *****

29
HEADER
9792 WINDISCH ROAD

0 HDR: B F INDUS CNTR

WEST CHESTER

OH 45069

Fort Myers

33905

10-44-25-07-00000.0120

B F INDUSTRIAL CENTER P B
47 PG 92 LOT 12

30
***** OWNER *****
SMITH LAND + IMPROVEMENT CORP

***** SITE *****

2001 STATE RD

5840

COUNTRY LAKES DR

CAMP HILL

PA 17001

Fort Myers

33905

10-44-25-07-00000.0130

B F INDUSTRIAL CENTER P B
47 PG 92 LOT 13

31
***** OWNER *****
JOHNSON MACHINERY + TRUCK

***** SITE *****

5790 COUNTRY LAKES DR

5790

COUNTRY LAKES DR

FORT MYERS

FL 33905

Fort Myers

33905

10-44-25-07-00000.0140

B F INDUSTRIAL CENTER P B
47 PG 91 LOT 14

32
***** OWNER *****
UNITED PARTNERS

***** SITE *****

2152 SPRINT BLVD

5771

COUNTRY LAKES DR

APOPKA

FL 32703

Fort Myers

33905

 *** VARIANCE REPORT ***

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 10-44-25-07-00000.0150

B F INDUSTRIAL CENTER P B
 47 PG 91 LOT 15

***** OWNER *****
 SOUTHERN HOLDING CORP OF SWF

***** SITE *****

4520 ORANGE RIVER LOOP RD

5791 COUNTRY LAKES DR

FORT MYERS

FL 33905

Fort Myers

33905

 10-44-25-07-00000.0160

B F INDUSTRIAL CENTER P B
 47 PG 91 LOT 16

***** OWNER *****
 KM OF FORT MYERS LLC

***** SITE *****

2239 BRUNER LN

5811 COUNTRY LAKES DR

FORT MYERS

FL 33905

Fort Myers

33905

 10-44-25-07-00000.0170

B F INDUSTRIAL CENTER P B
 47 PG 91 LOT 17

***** OWNER *****
 MORRIS WILLIAM DAVID + DARLEEN
 C/O D & D AIR CONDITIONING
 PO BOX 51007

***** SITE *****

5831 COUNTRY LAKES DR

FT MYERS

FL 33994

Fort Myers

33905

 10-44-25-07-00000.0180

B F INDUSTRIAL CENTER P B
 47 PG 91 LOT 18

***** OWNER *****
 LEMIRE RENE M

***** SITE *****

240 ROSE ST

5851 COUNTRY LAKES DR

NORTH FORT MYERS

FL 33903

Fort Myers

33905

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10-44-25-07-00000.0190

B F INDUSTRIAL CENTER P B
47 PG 91 LOT 19

***** OWNER *****

***** SITE *****

37 KANTER INVESTMENTS NO 1 LTD

9792 WINDISCH ROAD

5871 COUNTRY LAKES DR

WEST CHESTER

OH 45069

Fort Myers

33905

10-44-25-07-00000.0210

B F INDUSTRIAL CENTER P B
47 PG 91 LOT 21

***** OWNER *****

***** SITE *****

38 COMPARETTO SALVADORE D +

1248 MORINGSIDE DR

5911 COUNTRY LAKES DR

FORT MYERS

FL 33901

Fort Myers

33905

10-44-25-07-00000.0220

B F INDUSTRIAL CENTER P B
47 PG 91 LOT 22

***** OWNER *****

***** SITE *****

39 MENTZEL CHARLES

4571 PINE RIDGE RD

5931 COUNTRY LAKES DR

NAPLES

FL 34119

Fort Myers

33905

10-44-25-07-00000.0230

B F INDUSTRIAL CENTER P B
47 PG 91 LOT 23

***** OWNER *****

***** SITE *****

40 INTERNATIONAL EQUIPMENT

5951 COUNTRY LAKES DR

5951 COUNTRY LAKES DR

FORT MYERS

FL 33905

Fort Myers

33905

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 10-44-25-07-00000.0240

B F INDUSTRIAL CENTER P B
 47 PG 91 LOT 24

***** OWNER *****
 41 EVANS RONALD J + MARYANN T

***** SITE *****

18016 SAN CARLOS BLVD #47

5971 COUNTRY LAKES DR

FORT MYERS BEACH FL 33931

Fort Myers

33905

 10-44-25-07-00000.0250

B F INDUSTRIAL CENTER P B
 47 PG 92 LOT 25

***** OWNER *****
 42 MENTZEL CHARLES R

***** SITE *****

4571 PINE RIDGE RD

5960 COUNTRY LAKES DR

NAPLES FL 34119

Fort Myers

33905

 10-44-25-08-00000.000A

TRACTOR

HDR:KELL

***** OWNER *****
 43 KELLY TRACTOR COMMERCE CENTER

***** SITE *****
 UT11.0

0

0

60 P

S 18 + 19

33905

 10-44-25-08-00000.0030

KELLY TRACTOR COMMERCE CEN
 TER PB 60 PGS 18 + 19
 LOT 3

***** OWNER *****
 44 KELLY TRACTOR CO

***** SITE *****

9651 KELLY TRACTOR DR

9851

KELLY TRACTOR DR

FT MYERS

FL 33905

FT MYERS

33905

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 10-44-25-08-00000.0040

KELLY TRACTOR COMMERCE CEN
 TER PB 60 PGS 18 + 19
 LOT 4

***** OWNER *****
 45 KELLY TRACTOR CO

***** SITE *****

9651 KELLY TRACTOR DR

9850

KELLY TRACTOR DR

FT MYERS

FL 33905

FT MYERS

33905

 10-44-25-08-0000A.0000

KELLY TRACTOR COMMERCE CEN
 TER PB 60 PGS 18 + 19
 TRACT A

***** OWNER *****
 46 KELLY TRACTOR CO

***** SITE *****

9651 KELLY TRACTOR DR

RESERVED

FT MYERS

FL 33905

FT MYERS

33905

 10-44-25-08-0000B.0000

KELLY TRACTOR COMMERCE CEN
 TER PB 60 PGS 18 + 19
 TRACT B

***** OWNER *****
 47 KELLY TRACTOR CO

***** SITE *****

9651 KELLY TRACTOR DR

RESERVED

FT MYERS

FL 33905

FT MYERS

33905

 11-44-25-00-00002.0000

FR NE COR NW 1/4 RUN W ALG
 N LI 1181.5 FT TH S 30 F
 T TO S R/W LI TICE ST TH
 ***** SITE *****

***** OWNER *****
 48 CONRAD LESTER E AND

CONRAD BARBARA W
 5230 LILS LANE
 FT MYERS

5121

LIL'S LN

FL 33905

Fort Myers

33905

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11-44-25-00-00002.0190

FM SE COR OF NW 1/4 TH N
89 DEG 53 MIN 17 SEC W 20
83.54 FT TO POB TH N
***** SITE *****

49 ***** OWNER *****
MILLER CATHERINE E

P O BOX 50013

5330 LIL'S LN

FT MYERS

FL 33994

Fort Myers

33905

11-44-25-00-00002.1000

PARL IN N W 1/4 AS DESC I
N OR 1099 PG 768

50 ***** OWNER *****
CYPRESS WOODS RV RESORT ASSOC

***** SITE *****

5551 LUCKETT RD

5496 TICE ST

FT MYERS

FL 33905

Fort Myers

33905

11-44-25-00-00002.103A

PARL IN NW 1/4 AS DESC OR
1349 PG 1497

51 ***** OWNER *****
BURKS REX + RUTH

***** SITE *****

13608 CARBBEAN BLVD SE

5291 COUNTRY LAKES DR

FT MYERS

FL 33905

Fort Myers

33905

11-44-25-00-00002.103B

PARL IN NW 1/4 AS DESC OR
1350 PG 330

52 ***** OWNER *****
GROVER DEAN R + DEBORAH LYNN

***** SITE *****

P O BOX 51052

5431 COUNTRY LAKES DR

TICE

FL 33994

Fort Myers

33905

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11-44-25-00-00002.1050

THE E 294.5 FT OF W 547.7
FT OF S 2047 FT OF NW 1/4
LES S 400 FT

***** OWNER *****

***** SITE *****

53 HERITAGE TRUST

% PAUL SHAW

P O BOX 50991

5401

LIL'S LN

FT MYERS

FL 33994

Fort Myers

33905

11-44-25-00-00013.0000

BEG 20 FT E OF NW COR SW
1/4 E 445.5 FT S 640 FT W
445.5 FT N TO POB.

***** OWNER *****

***** SITE *****

54 HOWARD ATTICE BEVERLY JR ETAL

C/O HOWARD MARGIE G

P OBOX 283

5521

LUCKETT RD

CAMPELLTON

FL 32426

Fort Myers

33905

11-44-25-00-00015.0000

THE W 1/2 OF SE 1/4

55 ***** OWNER *****

***** SITE *****

A + J PROPERTIES LLC

C/O AFTAB A CUMBER

10100 WEST SAMPLE RD

0

LUCKETT RD

STE 205

CORAL SPRINGS

FL 33065

Fort Myers

33905

11-44-25-03-00000.000A

UNREC S/D IN S W 1/4 OF N
E 1/4 SEC 11 TWP 44 R 25
DESC IN OR 674 PG 285

***** OWNER *****

***** SITE *****

56 COLVINS U-2 TOWN + COUNTRY

0

HDR: COLVINS II

Fort Myers

33905

HEADER

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 11-44-25-03-0000C.0010

COLVINS U2 TOWN + COUNTRY
 BLK C OR 674 PG 285
 LOTS 1 + 2
 ***** SITE *****

***** OWNER *****
 SNYDER RUTH A

5481 WES-MAR RD 5481 WES-MAR RD
 FT MYERS FL 33905 Fort Myers 33905

11-44-25-03-0000D.0010

COLVINS U-2 TOWN + COUNTRY
 BLK D OR 674 PG 285
 LOT 1
 ***** SITE *****

***** OWNER *****
 GOODWIN THOMAS

13560 MARTHA ST 10600 MARTHA ST
 FT MYERS FL 33905 Fort Myers 33905

11-44-25-03-0000D.0020

COLVINS U-2 TOWN + COUNTRY
 BLK D OR 674 PG 285 LOT
 S 2 THRU 5
 ***** SITE *****

***** OWNER *****
 GOODWIN THOMAS I

10560 MARTHA ST 10560 MARTHA ST
 FT MYERS FL 33905 Fort Myers 33905

11-44-25-03-0000D.0060

COLVINS U-2 TOWN + COUNTRY
 BLK D OR 674 PG 285 LOT
 S 6 + 7
 ***** SITE *****

***** OWNER *****
 CORCORAN TIMOTHY F

60 PO BOX 271 10561 MARTHA ST
 FT MYERS FL 33902 Fort Myers 33905

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 11-44-25-03-0000D.0080

COLVINS U-2 TOWN + COUNTRY
 BLK D OR 674 PG 285 LOT
 8

***** OWNER *****
 CORCORAN TIMOTHY

***** SITE *****

P O BOX 271

10601 MARTHA ST

FT MYERS

FL 33902

Fort Myers

33905

 11-44-25-04-00000.000A

SS WOODS

HDR;CYPR

LT162.

***** OWNER *****
 CYPRESS WOODS RV RESORT UN 1

***** SITE *****

00

0

OF SEC

AS DESC IN PB 65 PGS 85-89

33905

 11-44-25-04-0000A.0000

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 TRACTS A H

***** OWNER *****
 CYPRESS WOODS R V RESORT ASSOC

***** SITE *****

5551 LUCKETT RD

COMMON ELEMENT

FT MYERS

FL 33905

FORT MYERS

33905

 11-44-25-04-0000A.0010

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 1

***** OWNER *****
 SENNETT CHARLES A +

***** SITE *****

5551 LUCKETT RD LOT A01

5983

BRIGHTWOOD DR

FT MYERS

FL 33905

FORT MYERS

33905

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CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86

BLK A LOT 2

65 ***** OWNER *****
SENNETT CHARLES A + IDALU

***** SITE *****

5551 LUCKETT RD #A01

5975 BRIGHTWOOD DR

FT MYERS

FL 33905

FORT MYERS

33905

11-44-25-04-0000A.0030

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86

BLK A LOT 3

66 ***** OWNER *****
MORRIS ROBERT K + MARGARET A

***** SITE *****

127 WINDSOR DR

5967 BRIGHTWOOD DR

IRWIN

PA 15642

FORT MYERS

33905

11-44-25-04-0000A.0040

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86

BLK A LOT 4

***** OWNER *****
BERESFORD WILLIAM R + CAROL J

***** SITE *****

67 4508 HIGHWAY V

5959 BRIGHTWOOD DR

FRANKSVILLE

WI 53126

FORT MYERS

33905

11-44-25-04-0000A.0050

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86

BLK A LOT 5

68 ***** OWNER *****
MOORE WILLIAM G + DARLENE

***** SITE *****

121 NORTH GRAND AV PMB 13

5951 BRIGHTWOOD DR

GAINESVILLE

TX 76240

FORT MYERS

33905

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CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 6
 ***** SITE *****

69 ***** OWNER *****
 MOUNTS JAMES E + CAROL A

10619-A VAN WERT-DECATUR RD 5943 BRIGHTWOOD DR

VAN WERT OH 45891 FORT MYERS
 33905

 11-44-25-04-0000A.0070

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 7
 ***** SITE *****

70 ***** OWNER *****
 COMSTOCK JOHN D + MARGARET E

201 WOODCREST DR 5935 BRIGHTWOOD DR

BURNSVILLE MN 55337 FORT MYERS
 33905

 11-44-25-04-0000A.0080

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 8
 ***** SITE *****

71 ***** OWNER *****
 MACHELL CHARLES W + MARILYN R

5551 LUCKETT RD 5927 BRIGHTWOOD DR

FT MYERS FL 33905 FORT MYERS
 33905

 11-44-25-04-0000A.0090

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 9
 ***** SITE *****

72 ***** OWNER *****
 CARVATT THOMAS L + KATHERINE

380 NEWTON RD 5919 BRIGHTWOOD DR

WYCKOFF NJ 07481 FORT MYERS
 33905

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CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 10
 ***** SITE *****

***** OWNER *****
 FAVELLI ROBERT + ELIZABETH TR

2509 7TH ST W

5911 BRIGHTWOOD DR

LEHIGH ACRES

FL 33971

FORT MYERS

33905

 11-44-25-04-0000A.0110

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 11
 ***** SITE *****

***** OWNER *****
 COX BUSTER D

P O BOX 617

5903 BRIGHTWOOD DR

ESTERO

FL 33928

FORT MYERS

33905

 11-44-25-04-0000A.0120

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 12
 ***** SITE *****

***** OWNER *****
 GOBLE WILLIAM P + LINDA L

5472 WILDWOOD DR

5895 BRIGHTWOOD DR

HOWELL

MI 48843

FORT MYERS

33905

 11-44-25-04-0000A.0130

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 13
 ***** SITE *****

***** OWNER *****
 KOSTICK EUGENE F TR

26240 WOODLAWN

5887 BRIGHTWOOD DR

CRETE

IL 60417

FORT MYERS

33905

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CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK A LOT 14
***** SITE *****

77

***** OWNER *****
ANDERSON HOWARD R + MARGARET A

P O BOX 305

5881 BRIGHTWOOD DR

DASSEL

MN 55325

FORT MYERS

33905

11-44-25-04-0000A.0150

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK A LOT 15
***** SITE *****

78

***** OWNER *****
LAWHORN VERNON O +

229 SHEARWOOD DR

5875 BRIGHTWOOD DR

SOMERSET

KY 42501

FORT MYERS

33905

11-44-25-04-0000A.0160

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK A LOT 16
***** SITE *****

79

***** OWNER *****
APPLE DELBERT L + BERNIECE W

9249 BODFORD DR

5867 BRIGHTWOOD DR

WEST CHESTER

OH 45069

FORT MYERS

33905

11-44-25-04-0000A.0170

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK A LOT 17
***** SITE *****

80

***** OWNER *****
WILLSEY FRED E +

4541 CAVALIER CT

5863 BRIGHTWOOD DR

FARIFIELD

OH 45014

FORT MYERS

33905

 *** VARIANCE REPORT ***

 *** Prepared By ***
 *** LEE COUNTY PROPERTY APPRAISER ***
 *** Kenneth M. Wilkinson ***

DATE OF REPORT : 07OCT02
 SUBJECT PROPERTY : 11-44-25-00-00014.0000
 VARIANCE DISTANCE : 500(ft)
 PARCELS AFFECTED : 232

 11-44-25-04-0000A.0180

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 18
 ***** SITE *****

81

***** OWNER *****
 CARMELIA WILLIAM E +

2119 FLORS AVE

5855 BRIGHTWOOD DR

FORT MYERS

FL 33907

FORT MYERS

33905

 11-44-25-04-0000A.0190

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 19
 ***** SITE *****

82

***** OWNER *****
 CARMELIA WILLIAM E +

2119 FLORA AVE

5847 BRIGHTWOOD DR

FORT MYERS

FL 33907

FORT MYERS

33905

 11-44-25-04-0000A.0200

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 20
 ***** SITE *****

83

***** OWNER *****
 DOYLE THOMAS + MARILYN

5551 LUCKETT RD

5841 BRIGHTWOOD DR

FORT MYERS

FL 33905

FORT MYERS

33905

 11-44-25-04-0000A.0210

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 21
 ***** SITE *****

84

***** OWNER *****
 FARMER DAVID F + PATRICIA M

510 TERRAPIN LN

5833 BRIGHTWOOD DR

NEWARK

DE 19711

FORT MYERS

33905

 *** VARIANCE REPORT ***

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 11-44-25-04-0000A.0220

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 22
 ***** SITE *****

85 ***** OWNER *****
 ROBINS ROBERT L + BRENDA S

779 E MERRITT ISLAND 5825 BRIGHTWOOD DR

MERRITT ISLAND FL 32952 FORT MYERS 33905

 11-44-25-04-0000A.0230

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 23
 ***** SITE *****

86 ***** OWNER *****
 BOGGS LARRY E

5551 LUCKETT RD A-23 5817 BRIGHTWOOD DR

FORT MYERS FL 33905 FORT MYERS 33905

 11-44-25-04-0000A.0240

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 24
 ***** SITE *****

87 ***** OWNER *****
 CRANE FREDERICK G + SHIRLEY C

17525 HENNA AV N 5809 BRIGHTWOOD DR

HUGO MN 55038 FORT MYERS 33905

 11-44-25-04-0000A.0250

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 25
 ***** SITE *****

88 ***** OWNER *****
 MANLEY ROBERT S +

16360 FORGE HILL RD 5801 BRIGHTWOOD DR

GARRETSVILLE OH 44231 FORT MYERS 33905

 *** VARIANCE REPORT ***

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 11-44-25-04-0000A.0260

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 26
 ***** SITE *****

89 ***** OWNER *****
 MOERSCHER HENRY G

13612 PARKWOOD DR 5793 BRIGHTWOOD DR
 BURNSVILLE MN 55337 FORT MYERS

33905

 11-44-25-04-0000A.0270

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 27
 ***** SITE *****

90 ***** OWNER *****
 CHAPMAN RICHARDW +

8005 NORTH HILLS DR 5785 BRIGHTWOOD DR
 BROADVIEW HEIGHTS OH 44147 FORT MYERS

33905

 11-44-25-04-0000A.0280

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 28
 ***** SITE *****

91 ***** OWNER *****
 CANNEY BRADFORD M + PATRICIA B

P O BOX 516 5777 BRIGHTWOOD DR
 ATKINSON NH 03811 FORT MYERS

33905

 11-44-25-04-0000A.0290

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 29
 ***** SITE *****

92 ***** OWNER *****
 BROUGH CARL F + BETTY M

9415 DALTON DR 5769 BRIGHTWOOD DR
 LOUISVILLE KY 40272 FORT MYERS

33905

 *** VARIANCE REPORT ***

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 11-44-25-04-0000A.0300

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86

BLK A LOT 30

93

***** OWNER *****

***** SITE *****

SUMNER GRAHAM T + DOROTHY TR

1590 S BATTLEFIELD BLVD

5761

BRIGHTWOOD DR

CHESAPEAKE

VA 23322

FORT MYERS

33905

 11-44-25-04-0000A.0310

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86

BLK A LOT 31

94

***** OWNER *****

***** SITE *****

SUMNER GRAHAM + DOROTHY CO TR

P O BOX 16434

5760

BRIGHTWOOD DR

CHESAPEAKE

VA 23308

FORT MYERS

33905

 11-44-25-04-0000A.0320

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86

BLK A LOT 32

95

***** OWNER *****

***** SITE *****

GARRETT DONALD G +

2530 MINTON RD

5768

BRIGHTWOOD DR

HAMILTON

OH 45013

FORT MYERS

33905

 11-44-25-04-0000A.0330

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86

BLK A LOT 33

96

***** OWNER *****

***** SITE *****

BECKELHYMER STURTEN +

1630 MILLVILLE-OXFORD RD

5776

BRIGHTWOOD DR

HAMILTON

OH 45013

FORT MYERS

33905

*** VARIANCE REPORT ***

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VARIANCE DISTANCE : 500(ft)
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11-44-25-04-0000A.0340

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK A LOT 34
***** SITE *****

97 ***** OWNER *****
PETERS VERLYN +

4120 BROWN FARM DR 5784 BRIGHTWOOD DR

HAMILTON OH 45013 FORT MYERS 33905

11-44-25-04-0000A.0350

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK A LOT 35
***** SITE *****

98 ***** OWNER *****
SCHATZEL JOHN P SR + MARTHA L

771 MIDDLEBORO RD 5792 BRIGHTWOOD DR

OREGONIA OH 45054 FORT MYERS 33905

11-44-25-04-0000A.0360

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK A LOT 36
***** SITE *****

99 ***** OWNER *****
ORRIS FRANK J + KATHY J

5551 LUCKETT RD 5800 BRIGHTWOOD DR

FT MYERS FL 33905 FORT MYERS 33905

11-44-25-04-0000A.0370

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK A LOT 37
***** SITE *****

100 ***** OWNER *****
JOSEPH JANET L

5551 LUCKETT RD A-37 5808 BRIGHTWOOD DR

FT MYERS FL 33905 FORT MYERS 33905

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11-44-25-04-0000A.0380

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86

BLK A LOT 38

***** OWNER *****

***** SITE *****

101 BURNS WILLIAM G + CYNTHIA E

5695 SANDSTONE DR

5816 BRIGHTWOOD DR

OXFORD

MI 48371

FORT MYERS

33905

11-44-25-04-0000A.0390

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86

BLK A LOT 39

***** OWNER *****

***** SITE *****

102 STRANO RICHARD L +

103 IVY WAY

5824 BRIGHTWOOD DR

MATAWAN

NJ 07747

FORT MYERS

33905

11-44-25-04-0000A.0400

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86

BLK A LOT 40

***** OWNER *****

***** SITE *****

103 STRANO RICHARD L +

103 IVY WAY

5832 BRIGHTWOOD DR

MATAWAN

NJ 07747

FORT MYERS

33905

11-44-25-04-0000A.0410

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86

BLK A LOT 41

***** OWNER *****

***** SITE *****

104 MITCHELL DAVID M + GLENDA J

4407 WEST TANGLEWOOD RD

5840 BRIGHTWOOD DR

BLOOMINGTON

IN 47404

FORT MYERS

33905

*** VARIANCE REPORT ***

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11-44-25-04-0000A.0420

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK A LOT 42
***** SITE *****

105 ***** OWNER *****
COOPER STANLEY A + CAROLYN N

P O BOX 383 5848 BRIGHTWOOD DR

BOOTH BAY ME 04537 FORT MYERS 33905

11-44-25-04-0000A.0430

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK A LOT 43
***** SITE *****

106 ***** OWNER *****
HAPPEL WILLIAM S + AUDREY L

P O BOX 98 5864 BRIGHTWOOD DR

STANTON MO 63079 FORT MYERS 33905

11-44-25-04-0000A.0440

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK A LOT 44
***** SITE *****

107 ***** OWNER *****
BENSON RICHARD I + ROSE M

14614 SOUTH POINTE CT 5880 BRIGHTWOOD DR

BURNSVILLE MN 55306 FORT MYERS 33905

11-44-25-04-0000A.0450

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK A LOT 45
***** SITE *****

108 ***** OWNER *****
GRIFFIN CHARLES A + JUDY A

40 CHESTER RD 5894 BRIGHTWOOD DR

RAYMOND NH 03077 FORT MYERS 33905

 *** VARIANCE REPORT ***

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109

11-44-25-04-0000A.0460

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 46
 ***** SITE *****

***** OWNER *****
 GRIFFIN CHARLES A + JUDY A

40 CHESTER RD 5902 BRIGHTWOOD DR
 RAYMOND NH 03077 FORT MYERS

33905

110

11-44-25-04-0000A.0470

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 47
 ***** SITE *****

***** OWNER *****
 CASALINI DONALD G + CATHEY P

P O BOX 61956 5910 BRIGHTWOOD DR
 FT MYERS FL 33906 FORT MYERS

33905

111

11-44-25-04-0000A.0480

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 48
 ***** SITE *****

***** OWNER *****
 MILLER LEROY J + TAWNEY L E

12 THE WILLOWS 5918 BRIGHTWOOD DR
 GOSHEN IN 46526 FORT MYERS

33905

112

11-44-25-04-0000A.0490

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 49
 ***** SITE *****

***** OWNER *****
 SCHWITTERS DELWIN + ELIZABETH

11080 SE HWY 7 5926 BRIGHTWOOD DR
 CLARA CITY MN 56222 FORT MYERS

33905

 *** VARIANCE REPORT ***

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 11-44-25-04-0000A.0500

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 50
 ***** SITE *****

***** OWNER *****
 FULTON JUDITH TR

113 PMB 1312 5934 BRIGHTWOOD DR
 779 E MERRITT ISLAND CSWY
 MERRIT ISLAND FL 32952 FORT MYERS 33905

 11-44-25-04-0000A.0510

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 51
 ***** SITE *****

***** OWNER *****
 STRUCK JOHN L + BETTE J

114 P O BOX 1195 5942 BRIGHTWOOD DR
 WALKER MN 56484 FORT MYERS 33905

 11-44-25-04-0000A.0520

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 52
 ***** SITE *****

***** OWNER *****
 ROSE HERMAN S JR +

115 5551 LUCKETT RD #A52 5950 BRIGHTWOOD DR
 FORT MYERS FL 33905 FORT MYERS 33905

 11-44-25-04-0000A.0530

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 53
 ***** SITE *****

***** OWNER *****
 MORLOCK WALTER J JR +

116 26 BROWN RD 5958 BRIGHTWOOD DR
 VOLUNTOWN CT 06384 FORT MYERS 33905

 *** VARIANCE REPORT ***

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11-44-25-04-0000A.0540

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 54
 ***** SITE *****

***** OWNER *****
 SIMMONS ANTHONY B + DONNA G

201 NORTH ST 5966 BRIGHTWOOD DR
 HEBRON CT 06248 FORT MYERS

33905

11-44-25-04-0000A.0550

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 55
 ***** SITE *****

***** OWNER *****
 CROCKETT CHARLES H + SHIRLEY J

5551 LUCKETT RD 5974 BRIGHTWOOD DR
 FT MYERS FL 33905 FORT MYERS

33905

11-44-25-04-0000A.0560

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 56
 ***** SITE *****

***** OWNER *****
 REID JAMES C + GLORIA J

20 WASHINGTON AV 5982 BRIGHTWOOD DR
 PORT JEFFERSON NY 11776 FORT MYERS

33905

11-44-25-04-0000A.0570

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK A LOT 57
 ***** SITE *****

***** OWNER *****
 JOHNSON RAYMOND H +

RR #1 BOX 209 5990 BRIGHTWOOD DR
 LITCHFIELD WI 62056 FORT MYERS

33905

*** VARIANCE REPORT ***

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*** Kenneth M. Wilkinson ***

Page 31 of 59

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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 232

11-44-25-04-0000B.0000

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
TRACT B ROW

***** OWNER *****
CYPRESS WOODS R V RESORT ASSOC

***** SITE *****

121 5551 LUCKETT RD

RIGHT-OF-WAY

FT MYERS

FL 33905

11-44-25-04-0000B.0010

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 1

***** OWNER *****
CYPRESS WOODS R V RESORT ASSOC

***** SITE *****

122 5551 LUCKETT RD

5990 MAPLEWOOD CT

FT MYERS

FL 33905

FORT MYERS

33905

11-44-25-04-0000B.0020

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 2

***** OWNER *****
RAMKER HERLIN J + NANCY J

***** SITE *****

123 721 W UPHAM ST

5980 MAPLEWOOD CT

MARSHFIELD

WI 54449

FORT MYERS

33905

11-44-25-04-0000B.0030

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 3

***** OWNER *****
NASON ROBERT H + CECILE A

***** SITE *****

124 5551 LUCKETT RD

5970 MAPLEWOOD CT

FORT MYERS

FL 33905

FORT MYERS

33905

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11-44-25-04-0000B.0040

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 4

***** OWNER *****

***** SITE *****

125- HENKEL EVERETT E JR + PENNY K

18870 SERENOA CT

5960

MAPLEWOOD CT

ALVA

FL 33920

FORT MYERS

33905

11-44-25-04-0000B.0050

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 5

***** OWNER *****

***** SITE *****

LANG ROBERT C + JUDITH A

126- 5551 LUCKETT RD

5950

MAPLEWOOD CT

FT MYERS

FL 33905

FORT MYERS

33905

11-44-25-04-0000B.0060

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 6

***** OWNER *****

***** SITE *****

127- HANSEN ANTHONY R + RUTH ANN

2159 MCGREGOR CIR

5940

MAPLEWOOD CT

DARDENNE PRAIRIE

MO 63366

FORT MYERS

33905

11-44-25-04-0000B.0070

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 7

***** OWNER *****

***** SITE *****

128- JASKO FLORENCE B 2/3 +

37416 OCEAN REEF

5930

MAPLEWOOD CT

WILLOUGHBY

OH 44094

FORT MYERS

33905

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 11-44-25-04-0000B.0080

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 8

***** OWNER *****
 HAAKENSEN DAVID H + BARBARA J

***** SITE *****

129 E10057 COUNTY ROAD EE 5920 MAPLEWOOD CT
 ELK MOUND WI 54739 FORT MYERS
 33905

 11-44-25-04-0000B.0090

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 9

130 ***** OWNER *****
 KNOL ANDREW W + EMILY

***** SITE *****

1125 WEBSTER LN 5910 MAPLEWOOD CT
 DES PLAINES IL 30016 FORT MYERS
 33905

 11-44-25-04-0000B.0100

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 10

131 ***** OWNER *****
 COLE ROBERT W + MERRYDALE

***** SITE *****

8897 VERGENNES 5900 MAPLEWOOD CT
 ADA MI 49301 FORT MYERS
 33905

 11-44-25-04-0000B.0110

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 11

132 ***** OWNER *****
 GREY DONALD R + EMILY KAY

***** SITE *****

P O BOX 60061 5890 MAPLEWOOD CT
 FORT MYERS FL 33906 FORT MYERS
 33905

*** VARIANCE REPORT ***

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VARIANCE DISTANCE : 500(ft)
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11-44-25-04-0000B.0120

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 12

***** OWNER *****
COTTRILL ROGER W +

***** SITE *****

5551 LUCKETT RD #B-12

5880 MAPLEWOOD CT

FT MYERS

FL 33905

FORT MYERS

33905

11-44-25-04-0000B.0130

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 13

***** OWNER *****
DENELL THOMAS J + CLAIRE R

***** SITE *****

9640 COUNTY ROAD J

5870 MAPLEWOOD CT

FORESTVILLE

WI 54213

FORT MYERS

33905

11-44-25-04-0000B.0140

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 14

***** OWNER *****
CYPRESS WOODS R V RESORT ASSOC

***** SITE *****

5551 LUCKETT RD

5860 MAPLEWOOD CT

FT MYERS

FL 33905

FORT MYERS

33905

11-44-25-04-0000B.0150

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 15

***** OWNER *****
KILMER DOUGLAS G + DIANE L

***** SITE *****

RR #1 BOX 85K

5850 MAPLEWOOD CT

UNION DALE

PA 18470

FORT MYERS

33905

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11-44-25-04-0000B.0160

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 16
 ***** SITE *****

137 ***** OWNER *****
 SCARDIGNO MORRIS + SHEILA A

3737 EL JOBEAN RD #M10 5840 MAPLEWOOD CT
 PORT CHARLOTTE FL 33753 FORT MYERS

33905

11-44-25-04-0000B.0170

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 17
 ***** SITE *****

138 ***** OWNER *****
 CYPRESS WOODS R V RESORT ASSOC

5551 LUCKETT RD 5830 MAPLEWOOD CT
 FT MYERS FL 33905 FORT MYERS

33905

11-44-25-04-0000B.0180

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 18
 ***** SITE *****

139 ***** OWNER *****
 SCHREINER GARY A + AILEEN F

12410 W GALENA RD 5820 MAPLEWOOD CT
 LANA IL 61048 FORT MYERS

33905

11-44-25-04-0000B.0190

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 19
 ***** SITE *****

140 ***** OWNER *****
 DEAN RICHARD + NELL ANN

5551 LUCKETT RD 5810 MAPLEWOOD CT
 FORT MYERS FL 33905 FORT MYERS

33905

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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 232

11-44-25-04-0000B.0200

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 20
***** SITE *****

141 ***** OWNER *****
COLE ALBERT B + NANCY J

5551 LUCKETT RD 5800 MAPLEWOOD CT

FORT MYERS FL 33905 FORT MYERS
33905

11-44-25-04-0000B.0210

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 21
***** SITE *****

142 ***** OWNER *****
BOYD PHILIP F + LINDA L

235 CITRUS RIDGE DR 5790 MAPLEWOOD CT

DAVENPORT FL 33837 FORT MYERS
33905

11-44-25-04-0000B.0250

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 25
***** SITE *****

143 ***** OWNER *****
LULOFS LEO + LAURA A

5551 LUCKETT RD 5750 MAPLEWOOD CT

FORT MYERS FL 33905 FORT MYERS
33905

11-44-25-04-0000B.0260

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 26
***** SITE *****

144 ***** OWNER *****
LULOFS LEO + LAURA A

5551 LUCKETT RD 5740 MAPLEWOOD CT

FORT MYERS FL 33905 FORT MYERS
33905

*** VARIANCE REPORT ***

*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***

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DATE OF REPORT : 07OCT02
SUBJECT PROPERTY : 11-44-25-00-00014.0000
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 232

11-44-25-04-0000B.0270

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 27
***** SITE *****

145 ***** OWNER *****
MCANDREWS OWEN B + JEAN

286 LOOP RD 5730 MAPLEWOOD CT
SAVOY MA 01256 FORT MYERS

33905

11-44-25-04-0000B.0280

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 28
***** SITE *****

146 ***** OWNER *****
WHITMAN RICHARD A + GERMAINE B

49 BURDICKVILLE ROAD 5720 MAPLEWOOD CT
BRADFORD RI 02808 FORT MYERS

33905

11-44-25-04-0000B.0290

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 29
***** SITE *****

147 ***** OWNER *****
KAMINSKE HOWARD G SR +

682 COL LEDYARD HWY 5710 MAPLEWOOD CT
LEDYARD CT 06339 FORT MYERS

33905

11-44-25-04-0000B.0300

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 30
***** SITE *****

148 ***** OWNER *****
GELINAS W ROBERT + JACQUELINE

24 WILLIAM DR 5700 MAPLEWOOD CT
JEWETT CITY CT 06351 FORT MYERS

33905

*** VARIANCE REPORT ***

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DATE OF REPORT : 07OCT02
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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 232

11-44-25-04-0000B.0310

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 31
***** SITE *****

149 ***** OWNER *****
BUBENICEK JOSEPH JR + PATRICIA

80 BRICKYARD RD 5690 MAPLEWOOD CT
PRESTON CT 06365 FORT MYERS 33905

11-44-25-04-0000B.0320

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 32
***** SITE *****

150 ***** OWNER *****
MARRIOTT JOHN A +

3223 SAMPLE RD 5680 MAPLEWOOD CT
HERMITAGE PA 16159 FORT MYERS 33905

11-44-25-04-0000B.0330

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 33
***** SITE *****

151 ***** OWNER *****
LAUNIERE RICHARD J + DONNA J

1396 STANWOOD DR NW 5670 MAPLEWOOD CT
GRAND RAPIDS MI 49544 FORT MYERS 33905

11-44-25-04-0000B.0340

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 34
***** SITE *****

152 ***** OWNER *****
STONE PAUL A +

21260 BRINSON AVE 5660 MAPLEWOOD CT
UNIT 108
PORT CHARLOTTE FL 33952 FORT MYERS 33905

*** VARIANCE REPORT ***

*** Prepared By ***
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*** Kenneth M. Wilkinson ***

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DATE OF REPORT : 07OCT02
SUBJECT PROPERTY : 11-44-25-00-00014.0000
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 232

11-44-25-04-0000B.0350

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86

BLK B LOT 35

153 ***** OWNER *****
WITHAM DAN + BEVERLY E

***** SITE *****

1309 CLINTON AVE

5650 MAPLEWOOD CT

BENTON

ME 04901

FORT MYERS

33905

11-44-25-04-0000B.0360

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86

BLK B LOT 36

154 ***** OWNER *****
BIERY P FRED CO TR +

***** SITE *****

3537 KNOLLWOOD RD

5640 MAPLEWOOD CT

FORT MYERS

FL 33919

FORT MYERS

33905

11-44-25-04-0000B.0370

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86

BLK B LOT 37

155 ***** OWNER *****
LAWSON ROBERT J + MARY A

***** SITE *****

3590 ROUND BOTTOM RD

5651 MAPLEWOOD CT

CINCINATTI

OH 45244

FORT MYERS

33905

11-44-25-04-0000B.0380

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86

BLK B LOT 38

156 ***** OWNER *****
FOSTER HENRY A + PRISCILLA

***** SITE *****

9 KEANS RD

5661 MAPLEWOOD CT

BURLINGTON

MA 10803

FORT MYERS

33905

*** VARIANCE REPORT ***

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VARIANCE DISTANCE : 500(ft)
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11-44-25-04-0000B.0390

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 39
***** SITE *****

***** OWNER *****
157 WHITT BOYD +

1302 MENOMONIE LANCE

5671 MAPLEWOOD CT

MADISON

WI 53704

FORT MYERS

33905

11-44-25-04-0000B.0400

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 40
***** SITE *****

***** OWNER *****
158 RITCHEY JAMES F TR +

5681 MAPLEWOOD CT

5681 MAPLEWOOD CT

FORT MYERS

FL 33905

FORT MYERS

33905

11-44-25-04-0000B.0410

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 41
***** SITE *****

***** OWNER *****
159 MCCORMACK JOHN E + MARCIA

6 EQUINOX DR

5691 MAPLEWOOD CT

LAKE GEORGE

NY 12845

FORT MYERS

33905

11-44-25-04-0000B.0420

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 42
***** SITE *****

***** OWNER *****
160 MARTIN DAVID H + THELMA L

870A MENNO VILLAGE

5711 MAPLEWOOD CT

CHAMBERSBURG

PA 17201

FORT MYERS

33905

 *** VARIANCE REPORT ***

 *** Prepared By ***
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 VARIANCE DISTANCE : 500(ft)
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11-44-25-04-0000B.0430

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 43
 ***** SITE *****

161 ***** OWNER *****
 CHICK JOHN D + JOAN E

HCR 69 5721 MAPLEWOOD CT
 BOX 414-2
 SUNRISE BEACH MO 65079 FORT MYERS 33905

11-44-25-04-0000B.0440

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 44
 ***** SITE *****

162 ***** OWNER *****
 LAUNIERE ROBERT E + SALLY L

7023 CAMELBACK DR NE 10003 PARKWOOD DR
 ROCKFORD MI 49341 FORT MYERS 33905

11-44-25-04-0000B.0450

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 45
 ***** SITE *****

163 ***** OWNER *****
 CAMPBELL SCOTT E + LINDA L

5551 LUCKETT RD 10007 PARKWOOD DR
 FORT MYERS FL 33905 FORT MYERS 33905

11-44-25-04-0000B.0460

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 46
 ***** SITE *****

164 ***** OWNER *****
 NIELSON RONALD A +

2165 WEST LAKE RD 10011 PARKWOOD DR
 CLIO MI 48420 FORT MYERS 33905

 *** VARIANCE REPORT ***

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 VARIANCE DISTANCE : 500 (ft)
 PARCELS AFFECTED : 232

 11-44-25-04-0000B.0470

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 47
 ***** SITE *****

165 ***** OWNER *****
 HABER LAWRENCE + MARTHA J

264L RR 1 10015 PARKWOOD DR
 MONTICELLO KY 42633 FORT MYERS

33905

 11-44-25-04-0000B.0480

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 48
 ***** SITE *****

166 ***** OWNER *****
 MANGOLD MICHAEL A + BEVERLY J

10652 LAKESHORE DR W 10023 PARKWOOD DR
 CARMEL IN 46033 FORT MYERS

33905

 11-44-25-04-0000B.0490

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 49
 ***** SITE *****

167 ***** OWNER *****
 PETRUZZI JULIAN J + JOYCE COTR

11908 ROLLING SPRINGS DR 10031 PARKWOOD DR
 CARMEL IN 46033 FORT MYERS

33905

 11-44-25-04-0000B.0500

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 50
 ***** SITE *****

168 ***** OWNER *****
 GIBSON ROBERT H + SHARON D

1440 OLD TRAIL ROAD 10039 PARKWOOD DR
 MAUMEE OH 43537 FORT MYERS

33905

*** VARIANCE REPORT ***

*** Prepared By ***
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*** Kenneth M. Wilkinson ***

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VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 232

11-44-25-04-0000B.0510

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 51
***** SITE *****

169 ***** OWNER *****
SWANKS ROBERT E + BARBARA A

5513 BAMBERRIE CROSS RD 10047 PARKWOOD DR
LOUISVILLE KY 40214 FORT MYERS

33905

11-44-25-04-0000B.0520

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 52
***** SITE *****

170 ***** OWNER *****
KREUZBURG RICHARD T + JESSIE B

32 PINTAIL DR 10051 PARKWOOD DR
OCEAN PINES MD 21800 FORT MYERS

33905

11-44-25-04-0000B.0530

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 53
***** SITE *****

171 ***** OWNER *****
SMITH JAMES E + GLORIA J

5551 LUCKETT RD B-53 10055 PARKWOOD DR
FORT MYERS FL 33905 FORT MYERS

33905

11-44-25-04-0000B.0540

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 54
***** SITE *****

172 ***** OWNER *****
PUTT MARSHALL P + CAROLINE J

3501 UNION ST STE #11 10059 PARKWOOD DR
LAFAYETTE IN 47905 FORT MYERS

33905

 *** VARIANCE REPORT ***

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 11-44-25-04-0000B.0550

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 55
 ***** SITE *****

173 ***** OWNER *****
 MILLER CHARLES C + DOROTHY M

105 DOGWOOD LN

10063 PARKWOOD DR

MONETA

VA 33905

FORT MYERS

33905

 11-44-25-04-0000B.0560

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 56
 ***** SITE *****

174 ***** OWNER *****
 HITCHINGS GORDON E + JUDITH A

5061 SHERWOOD CT

10067 PARKWOOD DR

PITTSBORO

IN 46167

FORT MYERS

33905

 11-44-25-04-0000B.0570

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 57
 ***** SITE *****

175 ***** OWNER *****
 HITCHINGS GORDON E + JUDITH A

5061 SHERMAN COURT

10071 PARKWOOD DR

PITTSBORO

IN 46167

FORT MYERS

33905

 11-44-25-04-0000B.0580

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 58
 ***** SITE *****

176 ***** OWNER *****
 JOHNSON DONALD D + CAROLYN TR

W6329 LONE OAK DR

10075 PARKWOOD DR

MINONG

WI 54859

FORT MYERS

33905

*** VARIANCE REPORT ***

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DATE OF REPORT : 07OCT02
SUBJECT PROPERTY : 11-44-25-00-00014.0000
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 232

11-44-25-04-0000B.0590

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 59
***** SITE *****

***** OWNER *****
HENNIGAR JAMES W

P O BOX 8127

10079 PARKWOOD DR

WINSLOW

ME 04901

FORT MYERS

33905

11-44-25-04-0000B.0600

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 60
***** SITE *****

***** OWNER *****
ROBBINS REALTY INC

P O BOX 5

10083 PARKWOOD DR

GERMANTOWN

WI 53022

FORT MYERS

33905

11-44-25-04-0000B.0610

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 61
***** SITE *****

***** OWNER *****
BINKLEY KEN E

ROUTE 2 BOX 149

10087 PARKWOOD DR

ELKTON

MN 55933

FORT MYERS

33905

11-44-25-04-0000B.0620

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 62
***** SITE *****

***** OWNER *****
MERCIER ROGER R SR + EMILY C

115 GOLD ST

10091 PARKWOOD DR

MANCHESTER

NH 03103

FORT MYERS

33905

*** VARIANCE REPORT ***

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VARIANCE DISTANCE : 500(ft)

PARCELS AFFECTED : 232

11-44-25-04-0000B.0630

CYPRESS WOODS RV RESORT UT

1 PB 65 PG 85 + 86

BLK B LOT 63

***** OWNER *****

***** SITE *****

KAZEK MARILYN G TR

5551 LUCKETT ROAD

10095 PARKWOOD DR

FORT MYERS

FL 33905

FORT MYERS

33905

11-44-25-04-0000B.0640

CYPRESS WOODS RV RESORT UT

1 PB 65 PG 85 + 86

BLK B LOT 64

***** OWNER *****

***** SITE *****

KAZEK MARILYN G TR

5551 LUCKETT RD

10099 PARKWOOD DR

FORT MYERS

FL 33905

FORT MYERS

33905

11-44-25-04-0000B.0650

CYPRESS WOODS RV RESORT UT

1 PB 65 PG 85 + 86

BLK B LOT 65

***** OWNER *****

***** SITE *****

SMITH BRUCE F + MARIA T

3590 ROUNDBOTTOM RD

10086 PARKWOOD DR

STE 183602

CINCINNATI

OH 45244

FORT MYERS

33905

11-44-25-04-0000B.0660

CYPRESS WOODS RV RESORT UT

1 PB 65 PG 85 + 86

BLK B LOT 66

***** OWNER *****

***** SITE *****

OCONNOR JOHN R + ELIZABETH A

7326 GLEN TERRA DR

10082 PARKWOOD DR

LANSING

MI 48917

FORT MYERS

33905

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VARIANCE DISTANCE : 500(ft)
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11-44-25-04-0000B.0670

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 67
***** SITE *****

185 ***** OWNER *****
CENTOFANTI RAYMOND D + CAROLYN

48 E MILL RUN

10078 PARKWOOD DR

MILTON

DE 19968

FORT MYERS

33905

11-44-25-04-0000B.0680

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 68
***** SITE *****

186 ***** OWNER *****
PRAY NORMAN + BEVERLY

244 MISTUXET AVE

10074 PARKWOOD DR

MYSTIC

CT 06355

FORT MYERS

33905

11-44-25-04-0000B.0690

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 69
***** SITE *****

187 ***** OWNER *****
DEPEW EDDIE G + CAROLYN L

1302 EAST MCGUIRE ST

10070 PARKWOOD DR

MIAMISBURG

OH 45342

FORT MYERS

33905

11-44-25-04-0000B.0700

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 70
***** SITE *****

188 ***** OWNER *****
DEPEW EDDIE G + CAROLYN L

1302 EAST MCGUIRE ST

10066 PARKWOOD DR

MIAMISBURG

OH 45342

FORT MYERS

33905

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 11-44-25-04-0000B.0710

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 71
 ***** SITE *****

***** OWNER *****
 DWYER JOHN T CO-TR +

189 W153 N11523 POTOMAC CIR

10062 PARKWOOD DR

GERMANTOWN

WI 53022

FORT MYERS

33905

 11-44-25-04-0000B.0720

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 72
 ***** SITE *****

190 ***** OWNER *****
 BORTOLUSSI EDWARD L + JUDITH A

P O BOX 57

10058 PARKWOOD DR

GOWEN

MI 49326

FORT MYERS

33905

 11-44-25-04-0000B.0730

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 73
 ***** SITE *****

191 ***** OWNER *****
 BESKAU JAMES A + BETTY L

1850 STEEPLE LN

10054 PARKWOOD DR

HASTINGS

MN 55033

FORT MYERS

33905

 11-44-25-04-0000B.0740

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 74
 ***** SITE *****

192 ***** OWNER *****
 ALT JEAN ELISABETH TR

4500 MILLER DR

10050 PARKWOOD DR

LAFAYETTE

IN 47905

FORT MYERS

33905

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11-44-25-04-0000B.0750

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 75
***** SITE *****

***** OWNER *****
JUNGKANS LEE E +

193 2345 N 88TH ST

10046 PARKWOOD DR

WAUWATOSA

WI 53226

FORT MYERS

33905

11-44-25-04-0000B.0760

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 76
***** SITE *****

194 ***** OWNER *****
FOGERSON LARRY T +

P O BOX 227

10042 PARKWOOD DR

ALLERTON

IL 61810

FORT MYERS

33905

11-44-25-04-0000B.0770

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 77
***** SITE *****

195 ***** OWNER *****
LANG ROBERT C + JUDITH A E

5551 LUCKETT RD

10038 PARKWOOD DR

FORT MYERS

FL 33905

FORT MYERS

33905

11-44-25-04-0000B.0780

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 78
***** SITE *****

196 ***** OWNER *****
CLARKE GORDON D + COLLEEN R

PO BOX 5237

10034 PARKWOOD DR

KEY WEST

FL 33045

FORT MYERS

33905

 *** VARIANCE REPORT ***

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 11-44-25-04-0000B.0790

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 79
 ***** SITE *****

***** OWNER *****
 LOGEMANN RUSSELL E + MARCIA L

197 910 VIRGINIA AV

10030 PARKWOOD DR

LENA

IL 61048

FORT MYERS

33905

 11-44-25-04-0000B.0800

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 80
 ***** SITE *****

198 ***** OWNER *****
 SCHWITTERS DELWIN +

11080 SOUTH EAST HWY 7

10026 PARKWOOD DR

CLARA CITY

MN 56222

FORT MYERS

33905

 11-44-25-04-0000B.0870

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 87
 ***** SITE *****

199 ***** OWNER *****
 RANCK RICHARD J + MARY E

10001 WILLOWOOD DR

10001 WILLOWOOD DR

FORT MYERS

FL 33905

FORT MYERS

33905

 11-44-25-04-0000B.0880

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 88
 ***** SITE *****

200 ***** OWNER *****
 THIBODEAU ALAN

5551 LUCKETT RD

10011 WILLOWOOD DR

FT MYERS

FL 33905

FORT MYERS

33905

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11-44-25-04-0000B.0890

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 89
***** SITE *****

201 ***** OWNER *****
CACCHILLO GENNARO R +
C/O CYPRESS WOODS RV ASSOC
P O BOX 51683

10021 WILLOWOOD DR

FT MYERS

FL 33994

FORT MYERS

33905

11-44-25-04-0000B.0900

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 90
***** SITE *****

202 ***** OWNER *****
CACCHILLO GENNARO R +
C/O CYPRESS WOODS RV ASSOC
P O BOX 51683

10031 WILLOWOOD DR

FORT MYERS

FL 33994

FORT MYERS

33905

11-44-25-04-0000B.0910

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 91
***** SITE *****

203 ***** OWNER *****
STERLING KEITH L + VIRGINIA J

6646 129TH ST WEST

10041 WILLOWOOD DR

APPLE VALLEY

MN 55124

FORT MYERS

33905

11-44-25-04-0000B.0920

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 92
***** SITE *****

204 ***** OWNER *****
STERLING KEITH L + VIRGINIA J

6646 129TH ST WEST

10051 WILLOWOOD DR

APPLE VALLEY

MN 55124

FORT MYERS

33905

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11-44-25-04-0000B.0930

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 93
***** SITE *****

205 ***** OWNER *****
NEILL JOHN E TR +

10061 WILLOWOOD DR

10061 WILLOWOOD DR

FORT MYERS

FL 33905

FORT MYERS

33905

11-44-25-04-0000B.0940

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 94
***** SITE *****

206 ***** OWNER *****
HOLET ALECK + LUCY E

190 BAYLOCK MOUNTAIN RD

10071 WILLOWOOD DR

COOKVILLE

TN 38506

FORT MYERS

33905

11-44-25-04-0000B.0950

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 95
***** SITE *****

207 ***** OWNER *****
SCHREINER GARY A + AILEEN F

12410 WEST GALENA ROAD

10081 WILLOWOOD DR

LENA

IL 61048

FORT MYERS

33905

11-44-25-04-0000B.0960

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 96
***** SITE *****

208 ***** OWNER *****
CHESHIRE RICHARD A + MARSHA L

PMB 7488

10050 WILLOWOOD DR

P O BOX 2428

PENSACOLA

FL 32513

FORT MYERS

33905

*** VARIANCE REPORT ***

*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***

Page 53 of 59

DATE OF REPORT : 07OCT02
SUBJECT PROPERTY : 11-44-25-00-00014.0000
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 232

11-44-25-04-0000B.0970

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 97
***** SITE *****

***** OWNER *****
KENT O KENNETH +

5551 LUCKETT RD

5971 MAPLEWOOD CT

FORT MYERS

FL 33905

FORT MYERS

33905

11-44-25-04-0000B.0980

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 98
***** SITE *****

***** OWNER *****
KENT JAMES R + JAQUELYN R

8951 BONITA BEACH RD STE 525
PMB 316
BONITA SPRINGS FL 34134

5951 MAPLEWOOD CT
FORT MYERS

33905

11-44-25-04-0000B.0990

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 99
***** SITE *****

***** OWNER *****
BINKLEY KEN E

RTE 2 BOX 149

5931 MAPLEWOOD CT

ELKTON

MN 55933

FORT MYERS

33905

11-44-25-04-0000B.1000

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 100
***** SITE *****

***** OWNER *****
SCAER FRED F + JOYCE E

4398 TULLY HARRISON RD

5891 MAPLEWOOD CT

CONVOY

OH 45832

FORT MYERS

33905

*** VARIANCE REPORT ***

*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***

DATE OF REPORT : 07OCT02
SUBJECT PROPERTY : 11-44-25-00-00014.0000
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 232

11-44-25-04-0000B.1010

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 101
***** SITE *****

213 ***** OWNER *****
CURNUTT JAMES W + MARCIE A

7072 WOODS WEST DR

5861 MAPLEWOOD CT

FLUSHING MI 48433

FORT MYERS

33905

11-44-25-04-0000B.1020

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 102
***** SITE *****

214 ***** OWNER *****
HAYHURST RUSSELL W + RUTH M

7469 KINGSWOOD ST

5841 MAPLEWOOD CT

TERRE HAUTE IN 47802

FORT MYERS

33905

11-44-25-04-0000B.1030

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 103
***** SITE *****

215 ***** OWNER *****
SCHEIDT DENNIS G + LINDA M

9175 E 500 SOUTH BOX 247

5821 MAPLEWOOD CT

UPLAND IN 48989

FORT MYERS

33905

11-44-25-04-0000B.1040

CYPRESS WOODS RV RESORT UT
1 PB 65 PG 85 + 86
BLK B LOT 104
***** SITE *****

216 ***** OWNER *****
STANHOPE KATHLEEN J

2485 NW TORCH LAKE DR

10010 WILLOWOOD DR

KEWADIN MI 49648

FORT MYERS

33905

 *** VARIANCE REPORT ***

 *** Prepared By ***
 *** LEE COUNTY PROPERTY APPRAISER ***
 *** Kenneth M. Wilkinson ***

DATE OF REPORT : 07OCT02
 SUBJECT PROPERTY : 11-44-25-00-00014.0000
 VARIANCE DISTANCE : 500(ft)
 PARCELS AFFECTED : 232

11-44-25-04-0000B.1050

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 BLK B LOT 105
 ***** SITE *****

***** OWNER *****
 HALL DONALD H TR +

13425 ORCHARD LANE WEST

10030 WILLOWOOD DR

LOCKPORT

IL 60441

FORT MYERS

33905

11-44-25-04-0000C.0000

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 TRACTS C D J
 ***** SITE *****

***** OWNER *****
 CYPRESS WOODS R V RESORT ASSOC

5551 LUCKETT RD

COMMON ELEMENT

FT MYERS

FL 33905

FORT MYERS

33905

11-44-25-04-0000E.0000

CYPRESS WOODS RV RESORT UT
 1 PB 65 PG 85 + 86
 TRACTS E F G I
 ***** SITE *****

***** OWNER *****
 CYPRESS WOODS R V RESORT ASSOC

5551 LUCKETT RD

SUBMERGED

FT MYERS

FL 33905

14-44-25-00-00001.1000

PARL IN NW 1/4 DESC IN OR
 563 PG 578 LESS 1.101 TH
 RU 1.125
 ***** SITE *****

***** OWNER *****
 DAY EDWARD GEORGE + DORIS E

10431 ANGUS LN

10431 ANGUS LN

FT MYERS

FL 33905

Fort Myers

33905

*** VARIANCE REPORT ***

*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***

DATE OF REPORT : 07OCT02
SUBJECT PROPERTY : 11-44-25-00-00014.0000
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 232

14-44-25-00-00001.1010

TRACT 2 UNIT 3 FR NW COR
RUN SE 663.80 FT TO POB T
HENCE S 636.99 FT W
***** SITE *****

221 ***** OWNER *****
ROSE D G + EDITH L

6050 HOLSTEIN DR

6050 HOLSTEIN DR

FT MYERS

FL 33905

Fort Myers

33905

14-44-25-00-00001.1020

TRACT 14 UNIT 3 FR NW COR
SE 1006.25 FT TO POB THE
NCE S 635 FT W 342.45
***** SITE *****

222 ***** OWNER *****
RATHOD MOHAN R

1214 ORTIZ AVE

6051 HOLSTEIN DR

FT MYERS

FL 33905

Fort Myers

33905

14-44-25-00-00001.1030

TRACT 15 UNIT 3 FR NW COR
SE 1316.25 FT TO POB THE
NCE S 633.19 FT W 310
***** SITE *****

223 ***** OWNER *****
RATHOD MOHAN R +

1214 ORTIZ AVE

10201 ANGUS LN

FT MYERS

FL 33905

Fort Myers

33905

14-44-25-00-00001.1040

TR16 UT3 HAPPY BULL FARMS
SE FR NW COR 1642.50FT TO
POB THENCE S 631.29 FT W
***** SITE *****

224 ***** OWNER *****
DORMAN DAVID + LISA

10261 ANGUS LN

10261 ANGUS LN

FT MYERS

FL 33905

Fort Myers

33905

*** VARIANCE REPORT ***

*** Prepared By ***
*** LEE COUNTY PROPERTY APPRAISER ***
*** Kenneth M. Wilkinson ***

DATE OF REPORT : 07OCT02
SUBJECT PROPERTY : 11-44-25-00-00014.0000
VARIANCE DISTANCE : 500(ft)
PARCELS AFFECTED : 232

14-44-25-00-00001.1050

TRACT 18 UNIT 3 FR NW COR
SE 1968.75 FT TO POB THE
NCE S 629.39 FT W
***** SITE *****

***** OWNER *****
DANIELS TERRY ALAN + KAREN K

225 10311 ANGUS LN

10311 ANGUS LN

FT MYERS

FL 33905

Fort Myers

33905

14-44-25-00-00001.1060

TRACT OF LND CONTAINING 5
AC M/L IN NW 1/4 PER OR
1056 PG 1626 LES 106B
***** SITE *****

***** OWNER *****
DANIELS E E

226 10381 ANGUS LN

10381 ANGUS LN

FORT MYERS

FL 33905

Fort Myers

33905

14-44-25-00-00001.106A

TRACT OF LND CONTAINING 1
AC M/L IN NW 1/4 PER OR
1593 PG 1061
***** SITE *****

227 ***** OWNER *****
BARKER FREDERICK + TINA MARIE

10361 ANGUS LN

10361 ANGUS LN

FT MYERS

FL 33905

Fort Myers

33905

14-44-25-00-00001.106B

FM NW COR E 2295 FT THEN
S 291 FT THEN W 215
FT TO POB THEN N
***** SITE *****

228 ***** OWNER *****
BARKER FREDERICK + TINA MARIE

10361 ANGUS LN

NEED ACCESS DETERMIN

FT MYERS

FL 33905

 *** VARIANCE REPORT ***

 *** Prepared By ***
 *** LEE COUNTY PROPERTY APPRAISER ***
 *** Kenneth M. Wilkinson ***

DATE OF REPORT : 07OCT02
 SUBJECT PROPERTY : 11-44-25-00-00014.0000
 VARIANCE DISTANCE : 500(ft)
 PARCELS AFFECTED : 232

 14-44-25-00-00001.1070

TRACT 24 UNIT 3 FR NW COR
 SE 2621.28 FT THENCE NE
 330.70 FT TO POB THENCE NW
 ***** SITE *****

229 ***** OWNER *****
 GONZALEZ CANDACE

10561 ANGUS LN

10561 ANGUS LN

FT MYERS

FL 33905

Fort Myers

33905

 14-44-25-00-00001.1080

TRACT 25 UNIT 3 FR NW COR
 SE 2621.28 FT THENCE NE
 661.40 FT TO POB THENCE S
 ***** SITE *****

230 ***** OWNER *****
 SERRANO SABRINO LOZANO +

4348 BALLLARD RD

10621 ANGUS LN

FT MYERS

FL 33905

Fort Myers

33905

 14-44-25-00-00001.1240

PARL IN N W COROF N W 1/4
 OF N W 1/4 SEC 14 TWP 44
 R 25 DESC IN OR 1227 PG 1
 ***** SITE *****

231 ***** OWNER *****
 BERRY R M + EVELYN L

3601 DOWNWIND LANE NE

5500 LUCKETT RD

N FORT MYERS

FL 33917

Fort Myers

33905

 15-44-25-00-00030.0000

NE 1/4 LESS I-75 R/W

232 ***** OWNER *****
 STRAYHORN GUY R + DONNA 1/2 +

P O BOX 1288

5991 LUCKETT RD

FT MYERS

FL 33902

Fort Myers

33905

 *** VARIANCE REPORT ***

 *** Prepared By ***
 *** LEE COUNTY PROPERTY APPRAISER ***
 *** Kenneth M. Wilkinson ***

DATE OF REPORT : 07OCT02
 SUBJECT PROPERTY : 11-44-25-00-00014.0000
 VARIANCE DISTANCE : 500(ft)
 PARCELS AFFECTED : 232

 *** END OF REPORT ***

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OCT. 29 2002



DCI 2002-00062

EXHIBIT II-F-1

COMMUNITY DEVELOPMENT
REQUEST FOR PUBLIC HEARING SUBMITTAL
REQUIREMENT WAIVER

Upon written request, the director may modify the submittal requirements for Public Hearings where it can be clearly demonstrated that the submission will have no bearing on the review and processing of the application. The request and the director's written response must accompany the application submitted and will become a part of the permanent file.

APPLICATION FOR WAIVER OF SUBMITTAL ITEMS REQUIRED FOR PUBLIC HEARING

☐	Public Hearing - General Requirements (34-202)
☒	Public Hearing - Additional requirements for:
☐	Development of Regional Impact (34-203(a))
☒	Planned Developments (34-203(b))
☐	Rezoning other than Planned Developments (34-203 (c))
☐	Mobile Home Park (34-203(d))
☐	Special Exception (34-203(e))
☐	Variances (34-203(f))

PLEASE PRINT OR TYPE:

STRAP Number: 11-44-25-00-00014.0000, 11-44-25-04-0000A.0000, 0000C.0000, and 0000E.0000

Name of Project: Cypress Woods R.V. Resort

Name of Applicant*: Cypress Woods R.V. Resort Associates, a Florida General Partnership

Street Address: Michael E. Roeder, 1625 Hendry St., Suite 301

City: Fort Myers State: FL Zip: 33901

Phone #: 334-2722 Fax #: 334-144 E-mail: _____

* If applicant is not the owner, a letter of authorization from the owner must be submitted.

SPECIFIC SECTION(S) AND REQUIREMENT(S) FOR WHICH A WAIVER IS SOUGHT:

Section Number	Requirement
<u>#1 34-373(a)(4)c</u>	<u>aerial</u>
<u>#2 34-373(a)(4)b</u>	<u>Surrounding Zoning and Use Map</u>
<u>#3 34-373(a)(4)d</u>	<u>Soils Map</u>
<u>#4 "</u>	<u>FLUCCS Map</u>
<u>#5 "</u>	<u>Topographic Map</u>
<u>#6 34-373(b)(1)</u>	<u>Surface Water Management Plan</u>
<u>#7 34-373(b)(2)</u>	<u>Protected Species Survey</u>
<u>#8 34-373(a)(4)f</u>	<u>Historical & Archeological Sites Map</u>

#9 34-373(a)7
#10 34-373(a)(6)i
#11 34-373(a)(4)e
#12 34-1573

Traffic Impact Statement
Excavation Calculations
Public Transit Routes Map
Environmental Assessment

LEE COUNTY
COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET)
FORT MYERS, FLORIDA 33902
PHONE (941) 479-8585

SCOPE OF PROJECT AND REASON(S) FOR REQUEST

Please provide an explanation of the scope of the project and the reason(s) why you think the request for submittal waiver should be approved. Use additional sheets if necessary.

(Please print or type)

See copy of June 11, 2002 letter to Mary Gibbs attached as Exhibit "A".

Under penalties of perjury, I declare that I have read the foregoing application and that the facts stated in it are true.

Signature of Applicant:

Directors Decision:

☒

Request Approved

☐

Request Denied

Comments: The site conditions have changed and the protected species survey has expired.

Therefore, ES staff needs the following updated information: an aerial, surrounding zoning and use map, FLUCCS map, protected species survey, and environmental assessment.

Based on the fact that the original TIS was based on a maximum of 684 lots for RV's or Mobile Homes, Development Services has no objection to the Traffic Impact Statement waiver.

Signature:

[Handwritten Signature]

Date:

June 27, 2002

cc: Mary Gibbs, AICP, Community Development Director
Pete Eckenrode, Development Services Director

DCI 2002-00062

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Knott, Consoer, Ebelini
Hart & Swett, P.A.
ATTORNEYS - AT - LAW

George H. Knott **
George L. Consoer, Jr. **
Mark A. Ebelini
Thomas B. Hart
H. Andrew Swett

* Board Certified Civil Trial Lawyer
** Board Certified Real Estate Lawyer
+ Board Certified Business Litigation Lawyer

1625 Hendry Street • Third Floor (33901)
P.O. Box 2449
Fort Myers, Florida 33902-2449

Telephone (941) 334-2722
Telecopier (941) 334-1446
M.Roeder@knott-law.com

Matthew D. Uhle
Aaron A. Haak

Director of
Zoning and Land
Use Planning
Michael E. Roeder, AICP

June 11, 2002

Mary Gibbs, Director of Community Development
Post Office Box 398
Fort Myers, Florida 33902-0398

Re: Submittal Waivers for Cypress Woods Amendment

Dear Mary:

You may recall that the Cypress Woods Park was rezoned in 1994 to a combination RVPD/MHPD category with certain conditions. At that time, the number of RV lots was limited on the site plan to 399 to avoid the 80% threshold for a DRI for the RV portion of the development. While 2,000 mobile homes are a DRI, apparently the RV threshold is based on the assumption that RVs generate more traffic. I cannot imagine any other reason for the difference.

The development got underway approximately three years ago after lengthy permitting, and it has been quite successful. There are a combination of mobile homes and RVs in the park, and there have been no compatibility or marketing problems. However, the demand for RVs has turned out to be much stronger than the demand for mobile home sites, and the 399 limit will become a problem for Phase III if not amended. I have met with Pam Houck about this, and she believes that a request to amend the site plan and resolution to allow up to 599 RVs would be a reasonable solution, if combined with a Binding Letter application to DCA to address the DRI issue. As you know, the 80% threshold has been eliminated, but we would still need a Binding Letter to go up to 120% of the DRI threshold. In any scenario, the land has already been approved for 684 spaces, which will either be occupied by RVs or mobile homes.

We are requesting a waiver for some of the usual submittal items, including the FLUCCS map and the protected species survey since the site has already been permitted by the environmental agencies, and all of those issues have been thoroughly addressed. We would also like to ask for a waiver of the traffic impact statement for the reasons I will explain below.

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COMMUNITY DEVELOPMENT

Mary Gibbs, Director of Community Development
June 11, 2002
Page 2

When the original traffic impact statement was prepared for the project, the engineer assumed that all of the sites would be mobile homes because there was no separate category in the ITE manual for RVs. That is still the case, and the RVs in Cypress Woods will closely resemble the trip characteristics of mobile homes because the sites are sold and the owners tend to spend the entire winter in the park. Therefore, there is very little of the in and out movement that would appear to have been contemplated in the DRI thresholds.

Although we may have a harder time explaining this rationale to DCA, I would hope that at least at the County zoning level you would agree there is no need to do another traffic study given the Level of Service on East Luckett Road, and the fact that the site has been approved for 684 lots of one type of housing or another. I spoke with Bob Rentz about this situation, and he suggested that a waiver may be the best solution since there is no new data that could be generated to help evaluate this amendment. We would be pleased to provide you with existing traffic counts and "LOS" on the neighboring roads and compare that to what was projected in the original study. However, to compare the projected change in traffic in going from mobile homes to RVs, there would be no difference and/or no reliable way to estimate it at this time.

Thank you very much for your consideration of this request, and please do not hesitate to contact me if you require additional information.

Very truly yours,

KNOTT, CONSOER, EBELINI, HART & SWETT, P.A.



Michael E. Roder, Director of Planning
MER:ma

cc: Pam Houck
Bob Rentz
Ken Heatherington/Dan Trescott
Avi Harpaz

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OCT 29 2002

COMMUNITY DEVELOPMENT

OCI 2002-00062

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

File

DATE: August 28, 2003

TO: Whom it may concern

FROM: Billie Jacoby

RE: DCI2002-00062 Cypress Woods RV Resort

Deferral

- This case was originally scheduled for September 18, 2003 HEX hearing.
- On August 28, 2003 the planner (Chip Block) deferred this case to OCTOBER 23, 2003.
- Please see the attached explanatory e-mail.

Should you have any questions, please call me at 479-8448.

Sincerely,

Billie Jacoby

From: Alvin Chip Block
To: Jacoby, Billie
Date: 8/28/03 10:42AM
Subject: Re: Cypress Woods

This is because the application is still not complete because the applicant is waiting on a Binding Letter of Interpretation from DCA.

Alvin Block, AICP
Principal Planner
Department of Community Development
blockah@leegov.com
239-479-8371
239-479-8313 (fax)

>>> Billie Jacoby 08/28/03 10:39AM >>>
is this a staff initiated deferral?

Billie Jacoby
Administrative Assistant
DCD - Internal Services
jacobybj@leegov.com
(941) 479-8448
(941) 479-8386 fax

>>> Alvin Chip Block 08/28/03 10:38AM >>>
Then please reserve the 1½ hour for this case and note that this is tentative again. You can pull it from the September 18th agenda.

Thanks.

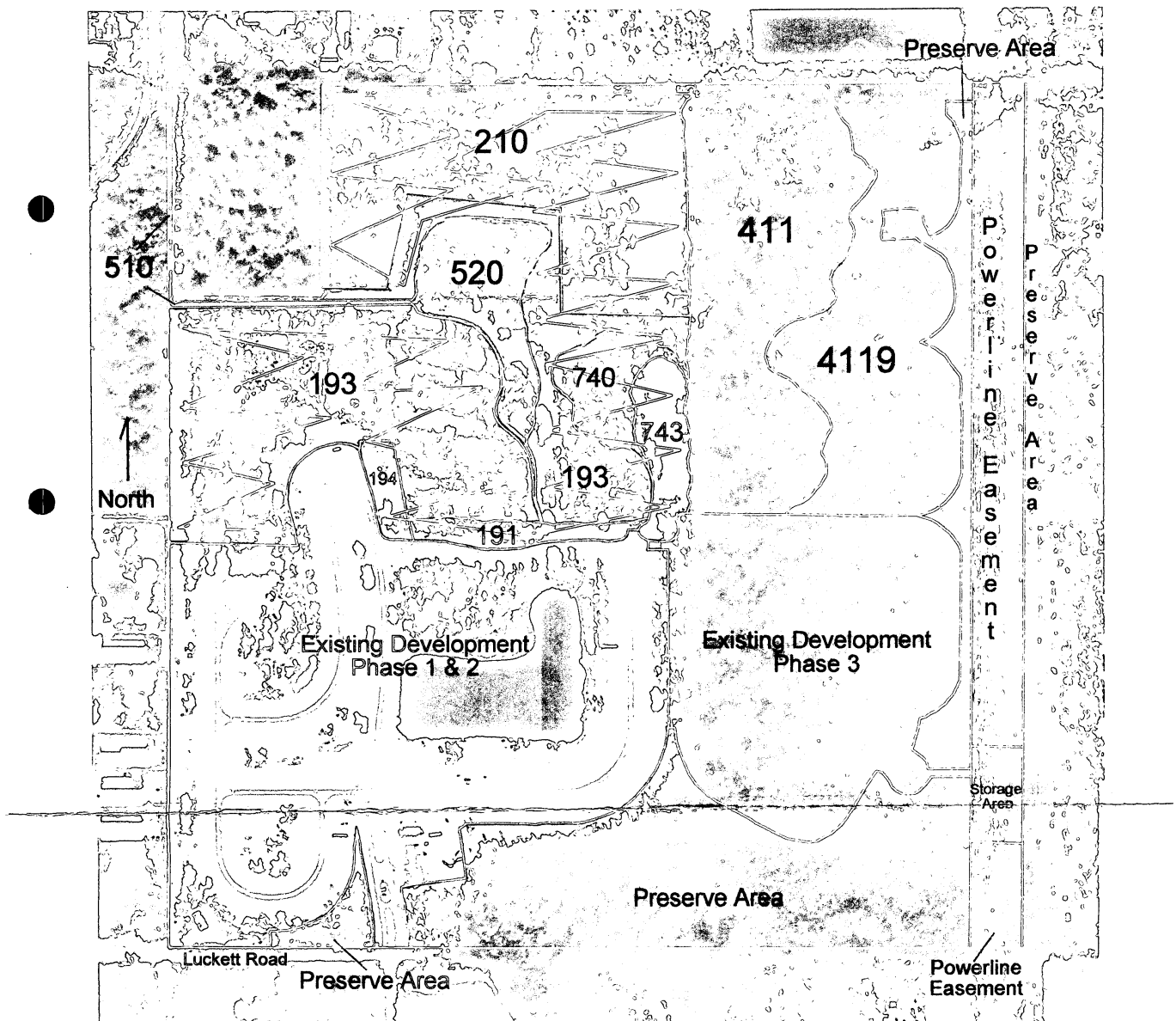
Alvin Block, AICP
Principal Planner
Department of Community Development
blockah@leegov.com
239-479-8371
239-479-8313 (fax)

>>> Billie Jacoby 08/28/03 10:25AM >>>
oct. 23

Billie Jacoby
Administrative Assistant
DCD - Internal Services
jacobybj@leegov.com
(941) 479-8448
(941) 479-8386 fax

>>> Alvin Chip Block 08/28/03 10:18AM >>>
We most likely will pull the case from the 18th. When is the next agenda we can put it on for about 1 - 1½ hour?

Alvin Block, AICP
Principal Planner
Department of Community Development
blockah@leegov.com



Legend			Cypress Woods RV Resort Phase 4-6	
CODE	DESCRIPTIONS	ACRES		
191	Bahia Grass Field	0.93	Sec. 11, T45S, R25E, Lockett Road, Lee County, FL September 6, 2002 Revised: February 20, 2003	
193	Undeveloped Ruderal Area	19.43		
194	Undeveloped Land/ Temporary RV Storage	0.61		
210	Pastureland	12.26		
411	Pine-Saw Palmetto Forest	13.34		
4119	Melaleuca-Pine Forest	11.99	Southern Biomes, Inc. 1602 Woodford Ave., Fort Myers, FL 33901 Ph: (239) 334-6766 FAX: (239) 337-5028	
510	Drainage Ditch	0.60		
520	Lake	2.54		
740	Disturbed Area	1.30		
743	Spoil Area	1.00		
TOTAL		64.00		

DCI 2002-00062

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EXHIBIT III-C-8

APR 22 2003

COMMUNITY DEVELOPMENT

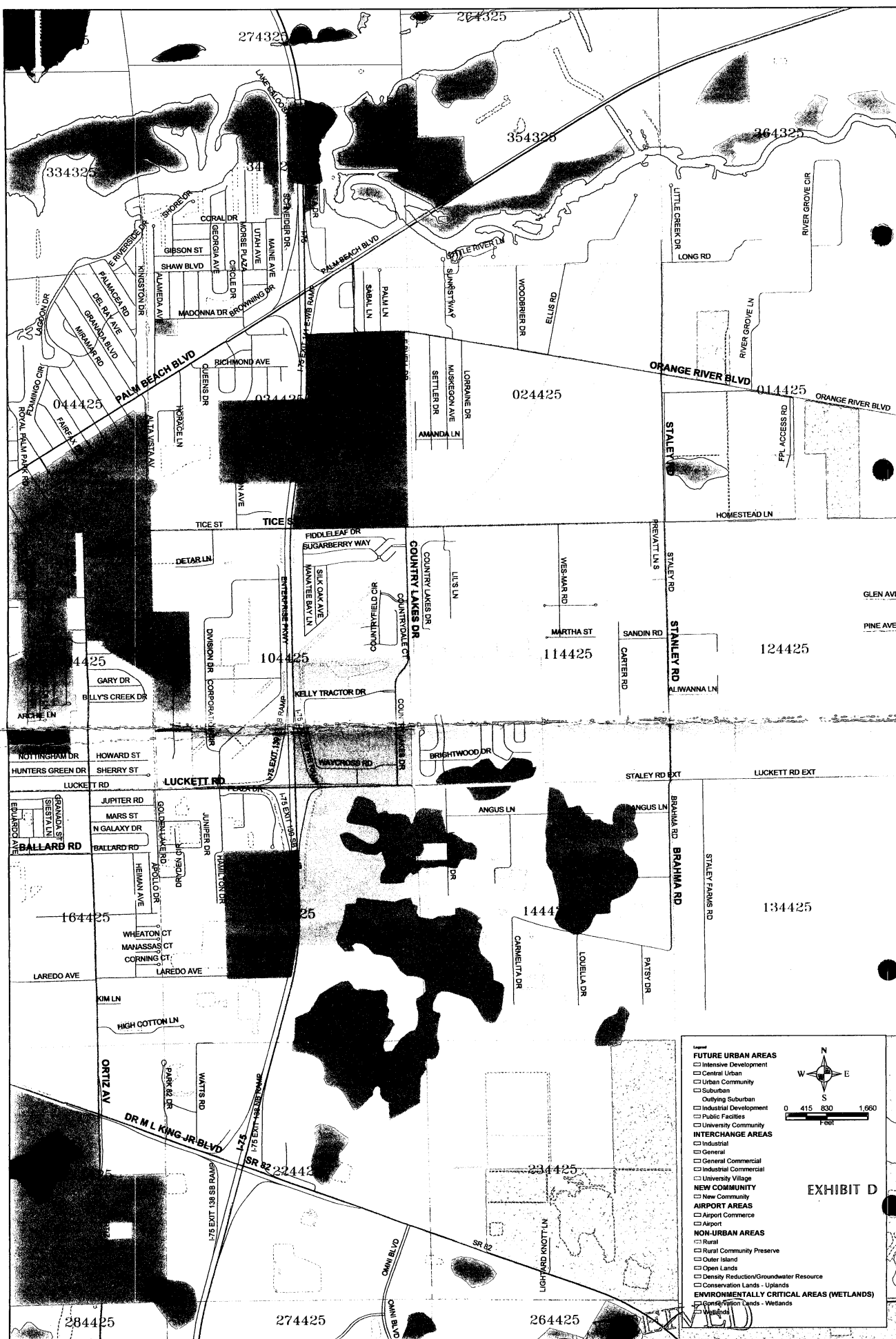
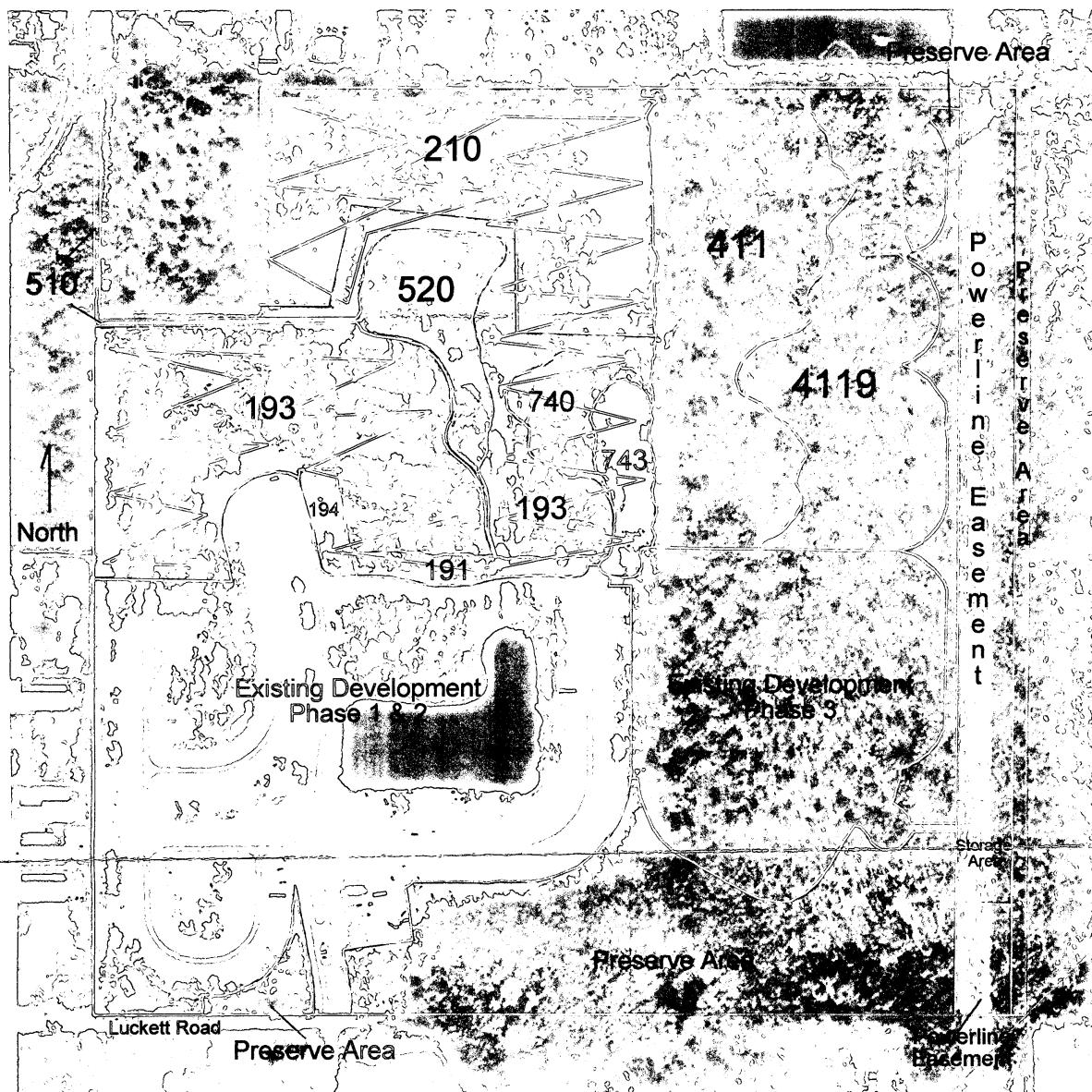


EXHIBIT D

DCI 2002-00062

APR 22 2003
COMMUNITY DEVELOPMENT



Legend			Cypress Woods RV Resort Phase 4-6
CODE	DESCRIPTIONS	ACRES	
191	Bahia Grass Field	2.1	Sec. 11, T45S, R25E, Lockett Road, Lee County, FL September 6, 2002
193	Undeveloped Ruderal Area	18.6	
194	Undeveloped Land/ Temporary RV Storage	0.7	Southern Biomes, Inc. 1602 Woodford Ave., Fort Myers, FL 33901 Ph: (239) 334-6766 FAX: (239) 337-5028
210	Pastureland	13.1	
411	Pine-Saw Palmetto Forest	11.8	
4119	Melaleuca-Pine Forest	10.5	
510	Drainage Ditch	0.6	
520	Lake	3.1	
740	Disturbed Area	1.9	
743	Spoil Area	1.6	
TOTAL		64.0	

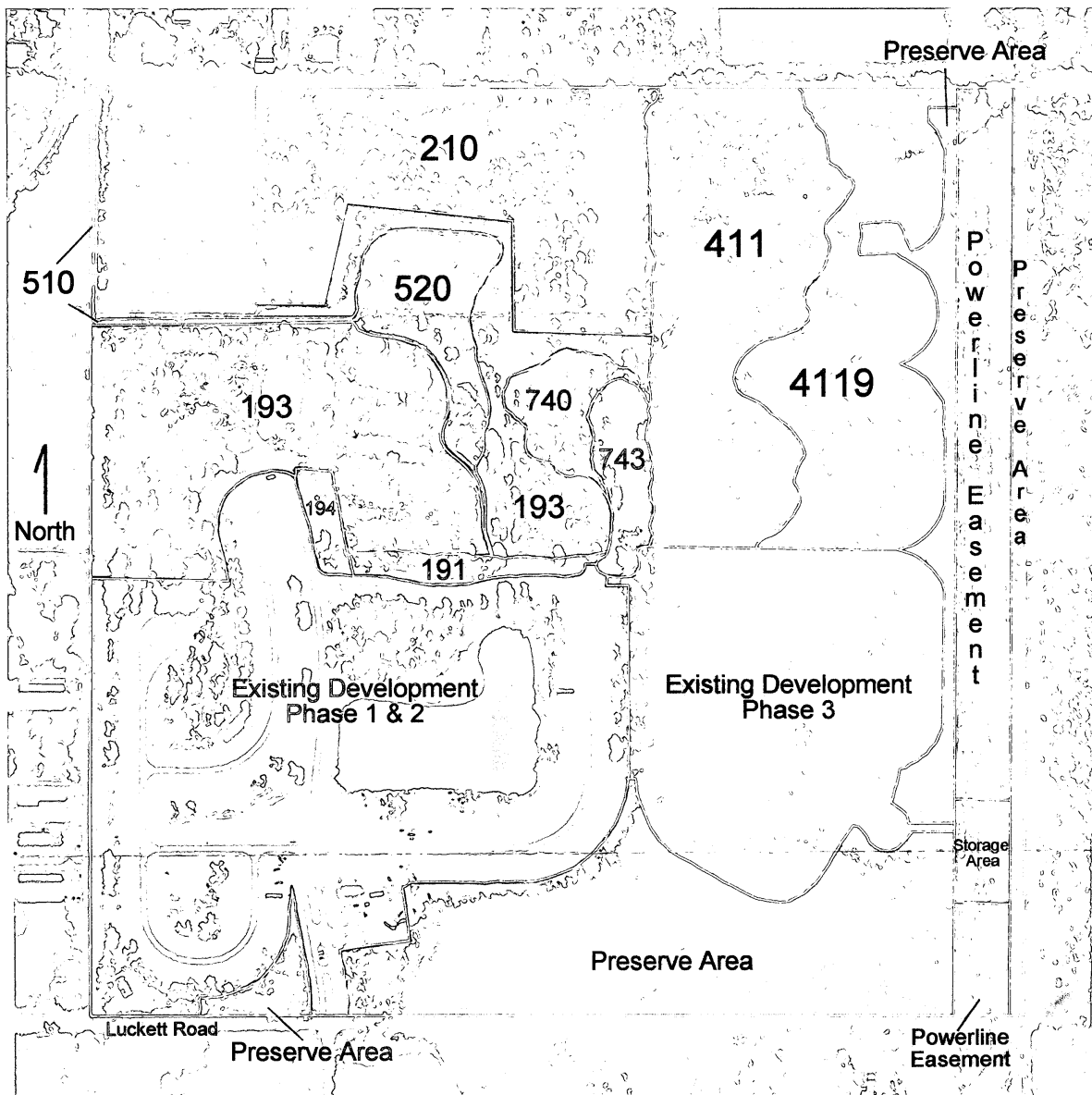
DCI 2002-00062

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OCT 29 2002

EXHIBIT III-C-8

COMMUNITY DEVELOPMENT



Legend			Cypress Woods RV Resort Phase 4-6
CODE	DESCRIPTIONS	ACRES	
191	Bahia Grass Field	2.1	Sec. 11, T45S, R25E, Lockett Road, Lee County, FL September 6, 2002
193	Undeveloped Ruderal Area	18.6	
194	Undeveloped Land/ Temporary RV Storage	0.7	Southern Biomes, Inc. 1602 Woodford Ave., Fort Myers, FL 33901 Ph: (239) 334-6766 FAX: (239) 337-5028
210	Pastureland	13.1	
411	Pine-Saw Palmetto Forest	11.8	
4119	Melaleuca-Pine Forest	10.5	
510	Drainage Ditch	0.6	
520	Lake	3.1	
740	Disturbed Area	1.9	
743	Spoil Area	1.6	
	TOTAL	64.0	

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OCT 29 2002

COMMUNITY DEVELOPMENT

UGA 2002-00062

EXHIBIT III-C-6

Knott, Consoer, Ebelini
Hart & Swett, P.A.
ATTORNEYS - AT - LAW

George H. Knott *+
George L. Consoer, Jr. **
Mark A. Ebelini
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* Board Certified Civil Trial Lawyer
** Board Certified Real Estate Lawyer
+ Board Certified Business Litigation Lawyer

1625 Hendry Street • Third Floor (33901)
P.O. Box 2449
Fort Myers, Florida 33902-2449

Telephone (239) 334-2722
Telecopier (239) 334-1446

MRoeder@knott-law.com

Matthew D. Uhle
Aaron A. Haak
Derrick S. Eihausen

Director of
Zoning and Land
Use Planning
Michael E. Roeder, AICP

M E M O R A N D U M

TO: Chip Block

FROM: Michael Roeder

DATE: August 25, 2003

RE: Cypress Woods Affidavit DCI-2002-00062

Enclosed please find the Affidavit of Posting Notice regarding the above-referenced .

Please call with any questions you may have.

INSTRUCTIONS

(Section C.1.c., Lee County Administrative Code AC 2-8)

A zoning sign must be posted on the parcel subject to any zoning application for a minimum of fifteen CALENDAR (15) days in advance of the Hearing Examiner's Public Hearing and maintained through the Board of County Commissioners Hearing, if any. This sign will be provided by the Development Services Division in the following manner:

- Signs for case #DCI2002-00062 must be posted by **September 2, 2003**.
 - The sign must be erected in full view of the public, not more than five (5) feet from the nearest street right-of-way or easement.
 - The sign must be securely affixed by nails, staples or other means to a wood frame or to a wood panel and then fastened securely to a post, or other structure. The sign may not be affixed to a tree or other foliage.
 - The applicant must make a good faith effort to maintain the sign in place, and readable condition until the requested action has been heard and a final decision rendered.
 - If the sign is destroyed, lost, or rendered unreadable, the applicant must report the condition to the Development Services Division, and obtain duplicate copies of the sign from the Development Services Division.
- The Division may require the applicant to erect additional signs where large parcels are involved with street frontages extending over considerable distances. If required, such additional signs must be placed not more than three hundred (300) feet apart.

When a parcel abuts more than one (1) street, the applicant must post signs along each street. When a subject parcel does not front a public road, the applicant must post the sign at a point on a public road which leads to the property, and the sign must include a notation which generally indicates the distance and direction to the parcel boundaries and the dimensions of the parcel.

NOTE: AFTER THE SIGN HAS BEEN POSTED, THE AFFIDAVIT OF POSTING NOTICE, BELOW, SHOULD BE RETURNED NO LATER THAN THREE (3) WORKING DAYS BEFORE THE INITIAL HEARING DATE TO LEE COUNTY DEVELOPMENT SERVICES DIVISION, 1500 MONROE ST., FT. MYERS, FL 33901.

(Return the completed Affidavit below to the Development Services Division as indicated in previous paragraph.)

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED

AVI HARPAZ

WHO ON OATH SAYS THAT HE/SHE HAS POSTED PROPER NOTICE AS REQUIRED BY SECTION 34-236(b) OF THE LEE COUNTY LAND DEVELOPMENT CODE ON THE PARCEL COVERED IN THE ZONING APPLICATION REFERENCED BELOW:

SIGNATURE OF APPLICANT OR AGENT

NAME (TYPED OR PRINTED)

ST. OR PO BOX

CITY, STATE & ZIP

#DCI2002-00062/Cypress Woods RV Resort/9-18-03/ bjj

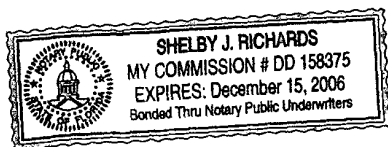
STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 28 day of AUGUST, 2003 by AVI HARPAZ, personally known to me or who produced N/A as identification and who did/did not take an oath.

Signature of Notary Public

Printed Name of Notary Public

My Commission Expires:
(Stamp with serial number)





LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

Bob Janes
District One

August 19, 2003

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

Knott Consoer, Ebelini, Hart & Swett, P.A.
Mr. Michael Roeder, AICP
1625 Hendry Street
Suite 301
Fort Myers, FL 33901

Re: Agenda Schedule for Cypress Woods RV Resort,
Case No. DCI2002-00062

Dear Mr. Roeder:

Your zoning request has been scheduled before the Hearing Examiner on September 18, 2003, at 9:30 a.m. The hearing will be conducted in the Hearing Examiner Meeting Room, 1500 Monroe St., Ft. Myers, FL.

Be advised all exhibits presented to Hearing Examiner will be retained for the records. The Hearing Examiner encourages the applicant to provide reduced copies of these exhibits for the record as an alternative to a full size copy.

Your zoning sign will be ready for pickup any time after August 20, 2003, at the drive-thru window at 1500 Monroe St., Ft. Myers, FL. This sign must be posted in accordance with Department procedures no later than September 2, 2003, and is to remain posted until final decision is rendered.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Billie Jacoby
Administrative Assistant

cc: Cypress Woods R.V. Resort Associates
Mr. Chip Block, Senior Planner
Zoning File

U:\200308\DCI20020.006\2\applicant letter.wpd

Superseded
by 04/22/03



LEE COUNTY

APPLICATION FOR PUBLIC HEARING FOR PLANNED DEVELOPMENT UNINCORPORATED AREAS ONLY

Applicant's Name: Cypress Woods R.V. Resort Associates

Project Name: Cypress Woods R.V. Resort

STRAP Number(s): 11-44-25-00-00014.0000

STAFF USE ONLY

Commissioner District: 05

Case Number: DCI 2002-60062

Planning Community: _____

Date of Application: 10/29/02

Current Zoning: RV PD
MPD

Date found sufficient: _____

Land Use Classification(s): Lee CO -

Date HEX Public Hearing: _____

Lee Plan Density Range: _____

Fee: _____

Planner in charge: _____

TYPE OF APPLICATION

 DRI



DCI - Major

 DCI - Minor

 PD - Existing Development

XX

PD - Amendment

LEE COUNTY
COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET)
FORT MYERS, FLORIDA 33902
PHONE (941) 479-8585

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PART I
APPLICANT/PROPERTY OWNERSHIP INFORMATION

A. Application Initiated By:

- A.1. ☒ Application is owner-initiated or applicant is authorized by a Covenant of Unified Control. A copy of the Covenant of Unified control is attached as **Exhibit I-A-1.** [34-202(b)(1)b.]
- A.2. ☐ Applicant has been authorized by the owner(s) to represent them for this action. A copy of the Notarized Authorization form is attached as **Exhibit I-A-2.** [34-202(b)(1)c.]
- A.3. ☐ Applicant is a contract purchaser/vendee. A copy of the Notarized Authorization form is attached as **Exhibit I-A-3.** [34-202(b)(1)d.]

B. Name of applicant: Cypress Woods R.V. Resort Associates

Mailing Address: Street 5551 Luckett Road

City: Ft. Myers State: FL Zip: 33905

Phone Area Code: 239 Number: 694-2191 Ext:

Fax Area Code: 239 Number 694-4969

E-mail:

C. Property Ownership

C.1. Name of property owner(s) same as Applicant

Mailing Address: Street:

City: State: Zip:

Phone Area Code: Number: Ext:

Fax Area Code: Number

E-mail:

C.2. N/A Property owners list: A list of all owners of the subject property and their mailing addresses, is attached as Exhibit I-C-2. [34-202(a)(5)]

D. Date property was acquired by present owner(s): July 1, 1993

D.1. ☒ The owner(s) is/are required to file a disclosure form. The completed disclosure form is attached as Exhibit I- D-1. [34-202(b)(1)a]

D.2. N/A The property is subject to a sales contract or sales option and the contract purchaser(s) is/are required to file a disclosure form. The completed disclosure form is attached as Exhibit I-D-2. [34-202(b)(1)a]

E. Deed Restrictions:

E.1. N/A Existing deed restrictions or other covenants on this property may affect this request. A copy of the deed restrictions or other covenants is attached as Exhibit I-E-1. [34-202(b)2]

E.2. N/A A narrative statement explaining how the restrictions may affect the requested action is attached as Exhibit I-E-2. [34-202(b)2]

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F.1. **Authorized Agent:** This is the person who will receive all county-initiated correspondence regarding this application. [34-202(b)(1)c.]

Company Name: Knott, Consoer, Ebelini, Hart & Swett, P.A.

Address: 1625 Hendry Street, Suite 301, Fort Myers, FL 33901

Contact Person: Michael E. Roeder

Phone Number: 941/334-2722

Fax Number: 941/334-1446

E-mail: mroeder@knott-law.com

F.2. **Additional Agent(s):** List the names of other authorized agents the county may contact concerning this application. [34-202(b)(1)c.]

F.2.a. Company Name: _____

Address: _____

Contact Person: _____

Phone Number: _____

Fax Number: _____

E-mail: _____

F.2.b. Company Name: _____

Address: _____

Contact Person: _____

Phone Number: _____

Fax Number: _____

E-mail: _____

F.2.c. Company Name: _____

Address: _____

Contact Person: _____

Phone Number: _____

Fax Number: _____

E-mail: _____

Company Name: _____

F.2.d.

Address: _____

Contact Person: _____

Phone Number: _____

Fax Number: _____

E-mail: _____

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✓ **Other - Provide specific details:** Amendment to the existing RVPD/MHPD to address
changes to Zoning Resolution No. Z-94-025 to allow up to 599 RV units.

B.1. ✓ Attached is a legible copy of the legal description labeled Exhibit II-B-1.A. [34-202(a)(1)]

B.2. ✓ Attached is a Certified sketch of description as set out in chapter 61G 17-6.006 FAC. labeled Exhibit II-B-2. [34-202(a)(2)]

B.4. Subdivision Name: Cypress Woods R.V. Resort

Section: Township Range 2

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C.1. Project Street Address: 5551 Luckett Road,

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D.1. ☒ Planning Community(ies) in which located: **Fort Myers Shores**

D.3. ✓ A list of surrounding property owners is attached as Exhibit II-D-3. [34-202(a)(6)]

D.4. ✓ A map displaying all surrounding parcels attached as Exhibit II-D-4. [34-202(a)(7)]

D.5. ✓ Two copies of mailing labels attached as Exhibit II-D-5.

E.1. ✓ The Land Use Classification(s) is/are: **Central Urban & Wetland**

E.2. ✓ Attached as Exhibit II-E-2, is a narrative explanation as to how the proposed development complies with the Lee Plan. 134-373(a)(5)

4 of 10

amendments and a statement as to how the proposed amendment will affect the property is attached as Exhibit II-E-3.

E.4. ☒ Attached as Exhibit II-E-4, is a narrative explanation as to how the proposed development complies with the Design Standards set forth in Section 34-411. [34-373(a)(5)]

E.5. ☒ Attached as Exhibit II-E-5, is a narrative explanation as to how the proposed development complies with the guidelines for decision-making embodied in sections 34-145(c)(2)a and e., and 34-145(d)(3). [34-373(a)(5)]

F. **Waivers from Application Submission Requirements**

☒ The following waivers have been approved by the Director of Development Services. Copies of the approved waiver(s) are attached as Exhibit II-F-1.

Section Number	Name of item
34-373(a)(4)d	Soils Map
"	Topography Map
34-373(a)(4)(f)	Map of and Possible Impacts on Historical & Archaeological Sites
34-373(a)(4)(e)	Public transit routes map
34-373(a)(6)i	Excavation Calculations
34-373(a)7	Traffic Impact Statement
34-373(b)(1)	Surface Water Management Plan

PART III
EXISTING CONDITIONS

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A. **Location, Zoning and Surrounding land uses.**

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A.1. N/A Attached as Exhibit III-A-1 is a map showing the location of the property to be developed in relation to arterial and collector streets as well as the location of existing easements and rights-of-way on or abutting the property. [34-373(a)(4)a.]

A.2. ☒ Attached as Exhibit III-A-2 is a map or other depiction of the existing zoning and current land uses surrounding the tract or parcel to a distance of 500 feet. [34-373(a)(4)b.]

A.3. ☒ Attached as Exhibit III-A-3 is an aerial photograph with the site clearly delineated. [34-373(a)(4)c.]

B. **Archaeological/Historical**

B.1. N/A Attached as Exhibit III-B-1 is a map indicating the nature and location of known or recorded historical or archaeological sites and the location of any part of the property that is located within level 1 or level 2 zones of archaeological sensitivity pursuant to chapter 22. The plan shows the outline of historic buildings and approximate extent of archaeological sites. [34-373(a)(4)f.]

B.2. N/A Attached as Exhibit III-B-2 is a description of proposed improvements that may impact archaeological or historical resources. [34-373(a)(4)f.]

C. **Drainage, Water Control and Environmental Issues**

C.1. N/A The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance

Rate Maps (FIRM)s.

- C.2 N/A The minimum elevation required for the first habitable floor is _____ NGVD (MSL)
- C.3. ✓ Attached is Exhibit III-C-3, the Environmental Assessment Report required by Section 34-1573.
- C.4. ✓ Environmentally sensitive lands on the subject property are delineated on the following maps.
- C.5. N/A Exhibit III-C-5: Soils, classified in accordance with the USDA/SCS System;
- C.6. ✓ Exhibit III-C-6: Vegetation and ground cover in accordance with the FLUCCS.
- C.7. N/A Exhibit III-C-7: Topography or a USGS quadrangle map showing the subject property.
- C.8. ✓ Exhibit III-C-8: Protected Species Survey (if applicable) as required by Section 10-473.

D. Public Transit

- D.1. N/A Property is within the Lee Tran public transit service area.
- D.2. N/A Exhibit III-D-1 shows the property in relation to existing and proposed public transit routes, including bus stops.

E. Property Dimensions [34-202(a)(8)]

- E.1. Width (average if irregular parcel): 2,377 approx Feet
- E.2. Depth (average if irregular parcel): 1,964 approx Feet
- E.3. Frontage on road or street: 2,622 Feet Street Name: Luckett Road
- Feet Street Name: _____
- E.4. Total land area: 107.23 Acres or Square Fee

F. Land Area Calculations (Based on total property)

- F.1. Undevelopable Areas: N/A
- a. Existing natural and manmade waterbodies:
- b. Freshwater wetland areas:
- c. Other wetland areas:
- d. Submerged land subject to tidal influence
- e. Total (a + b + c + d):
- F.2. Remaining developable land (E.4 less F.1.e):

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G. Present Use of Property

- G.1. _____ The property is not vacant. The owner or applicant's signature on this application indicates that the Owner agrees to either remove all existing buildings and structures, OR that the proposed use of the building or structure(s) will be in compliance with all applicable requirements of the Land Development Code. [34-202(b)(3)]

- G.2. ✓ Briefly describe current use of the property: _____
- Phases I, II and III developed for mobile homes and RV sites. Remainder of property is
- vacant.

**PART IV
PROPOSED DEVELOPMENT**

A. Copies of Master Concept Plan

- A.1. ✓ Attached are copies of Exhibit IV-A-1 entitled "Proposed Master Concept Plan" drawn to scale on 24 inch by 36 inch medium. [34-373(a)(6)]
- A.2. ✓ Attached are copies of Exhibit IV-A-2. entitled "Proposed Master Concept Plan" drawn to scale on 11 inch by 17 inch medium. [34-373(a)(6)]

B. Vehicular Ingress & Egress, Public Transit

- B.1. N/A The master concept plan indicates the exact location of all points of vehicular ingress and egress from existing easements or rights-of-way into the development. [34-373(a)(6)a]
- B.2. N/A The proposed development includes plans for subdividing. The master concept plan shows the general location of all proposed internal street rights-of-way or easements [34-373(a)(6)a]
- B.3. N/A The master concept plan indicates the general location from the proposed internal rights-of-way or easements into multiple-family, commercial and industrial lots. [34-373(a)(6)a]
- B.4. N/A Proposed access and public transit facilities have been indicated on the master concept plan as required by Sections 34-411(e) and 10-442. [34-373(a)(4)e]

C. Parks, Open Space and Indigenous areas.

- C.1. ✓ The general location of proposed parks and recreation areas and facilities, has been shown and identified on the master concept plan. [34-373(a)(6)e]
- C.2. ✓ The general location of indigenous areas to be preserved has been shown and identified on the master concept plan. [34-373(a)(6)e]
- C.3. N/A The development is a subdivision consisting solely of conventional single-family units on lots of no less than 6,500 square feet. [34-373(a)(6)f]
- C.4. N/A Approximately _____ percent of the property will be open space. [34-373(a)(6)f]
- C.5. N/A The minimum open space required by Section 10-329(f)(7) for commercial and industrial lots and outlots has been indicated on the master concept plan. [34-373(a)(6)f]

D. Buffers

- D.1. ✓ The master concept plan indicates the types and minimum widths of buffers proposed along the perimeter of the property as well as between the individual development areas where required. [34-373(a)(6)g]
- D.2. ✓ All buffer types shown refer to buffers described in Chapter 10 of the Land Development Code unless clearly noted otherwise. [34-373(a)(6)g]

E. Surface Water Management

- E.1. N/A The property is located within a flood plain or flow way and compensation for impacts to flood storage capacity or flow ways due to filling of the site will be made at the time of local development order or district permitting. [34-373(b)(1)]
- E.2. N/A A written description of the proposed surface water master plan is submitted as Exhibit E.2.

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F. Excavations

- F.1. N/A The general location of excavations for on-site fill and wet retention have been indicated on the master concept plan. [34-373(a)(6)]
- F.2. N/A Preliminary calculations for cuts and fills have been made and:
- F.3. _____ No excavated materials will be removed from the site.
- F.4. _____ Excavated materials to be removed from the site will comply with the definition of "surplus material" or will not exceed ten percent of the total material excavated.
- F.5. _____ Excavated materials to be removed from the premises exceed the definition of "surplus materials" or will exceed ten percent of the total material excavated. Calculations have been submitted as Exhibit IV-F-5. [34-373(a)(6)]
- F.6. N/A This application includes "mining" as a requested use and a "general mining permit" has been requested in accordance with section 10-329(f)(7). [34-373(a)(6)]

G. Subdivisions

- G.1. ✓ The proposed development will be divided into lots or parcels. [34-373(a)(6)b]
- G.2. ✓ The uses proposed for each lot or parcel have been indicated and keyed to the proposed list of uses submitted with the application. [34-373(a)(6)b]
- G.3. ✓ The master concept plan indicates the general location, configuration, and approximate dimensions of the lots or parcels (including outparcels), lot coverage, and the minimum proposed setbacks for principal buildings. [34-373(a)(6)b]
- ✓MCP Special property development regulations are proposed for this development and are set forth in Exhibit IV-G-4. To the extent a property development is not indicated in the exhibit, the regulations of the Land Development Code will be used.
- _____ The property development regulations for the _____ zoning district will be used. [34-373(a)(6)b]

H. Individual Development Areas [34-373(a)(6)c]

- H.1. ✓ The boundary of each individual development area within which buildings, parking or other uses will be located has been delineated on the master concept plan indicating:
- H.2. ✓ Residential uses by type for each development area have been indicated (if applicable) including the maximum number of living units by type.
- H.3. N/A Development areas proposed for hotel or motel use have been indicated as well as the number of hotels/motels and the maximum number of rooms by size.
- H.4. N/A Development areas proposed to contain health care facilities have been indicated as well as the maximum number of beds.
- H.5. N/A Commercial uses by type for each development area have been indicated (if applicable) including the maximum floor area proposed. Where the use includes outdoor areas for display or storage, the outdoor area has been indicated separately from the floor area.
- H.6. N/A Industrial uses by type for each development area have been indicated (if applicable) including the maximum floor area proposed. Where the use includes outdoor areas for display or storage, the outdoor area has been indicated separately from the floor area.
- H.7. N/A Parking under the building(s) is proposed and the number of parking stories has been indicated.
- H.8. N/A The total number of living stories has been indicated.
- H.9. N/A The maximum height of the buildings, including parking stories, has been indicated.
- H.10. N/A The general location of service areas for delivery of goods or services has been delineated on the master concept plan.

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I **Summary list of uses.**

- I.1. ✓ MCP A list of all uses, including types and number of units for residential, hotel/motel and assisted living facilities as well as square footage of each type of commercial and industrial use, proposed for the entire development is attached as Exhibit IV-I-1. [34-373(a)(8)]

J. **Master list of deviations.** [34-373(a)(6)]

- J.1. N/A A list of all deviations requested as well as a written justification for the deviation, has been submitted as Exhibit IV-J-1.
- J.2. N/A The proposed location for each requested deviation, keyed to the schedule of requested deviations (Exhibit IV-J-1), has been indicated on the master concept plan.
- J.3. N/A Drawings demonstrating the effect of the requested deviations are submitted as Exhibit IV-J-3.
- J.4. N/A No deviations are requested.

K. **Traffic Impact Statement** [34-373(a)(7)]

- K.1. N/A The Traffic Impact statement has been submitted as Exhibit IV-K-1.
- K.2. ✓ The director has waived the requirement for this minor planned development. The signed waiver is attached hereto as Exhibit II-F-1.

L. **Phasing Plan**

- L.1. N/A The project will be developed in phases OR the Traffic Impact Statement utilized phasing. A description of the phasing plan has been submitted as Exhibit IV-L-1. [34-376(b)(3)]

M. **Special Concerns**

- M.1. N/A This project includes a private port facility. Attached is a Hazardous Materials Emergency Plan labeled Exhibit IV-M-1. [34-202(b)(4)]
- M-2. N/A This project includes rezoning of a mobile home park. Attached as Exhibit IV-M-2 is the information required by section 34-203(d). [34-203(d)].
- M-3. N/A This project includes a request to use Bonus Density units. Attached as Exhibit IV-M-3 is information on the type of bonus density units to be used, the source of the bonus density units, and the effect on the overall project. [34-202(b)(5)]
- M-4. N/A The project is a Residential Planned Development located in either a Rural or Outer Island land use classification. Attached as Exhibit IV-M-4 is the impact analysis. [34-442]
- M-5. N/A This project is subject to the airport hazard regulations. Attached is Exhibit IV-M-5. [34-1001]

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PART V - AFFIDAVIT

I, Michael E. Roeder 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. 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 thru this application.

Michael E. Roeder

Signature of ~~Owner or~~ Owner-authorized Agent

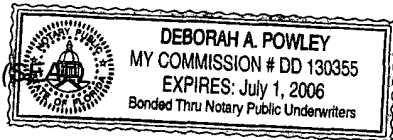
10/25/02
Date

Michael E. Roeder

Typed or printed name and title

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 25th day of October 200 2,
by Michael E. Roeder who is personally known to me or who has
produced N/A as identification.



[Signature]
Signature of notary public

Deborah A. Powley
Printed name of notary public

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2002-00062

EXHIBIT II-E-2

COMPLIANCE WITH LEE PLAN

This is an amendment to an existing MHPD/RVPD approval that was granted in 1995. The only change to the new site plan is a slight reduction in density from 684 units to 645 units, reflecting increased environmental preserves, and an increase in potential RV sites from 399 to 599 units. The overall density of the project for both types of unit is 4.356 units per acre, which is well within the density range of the Urban Community Land Use category in which it is located. As approved, the project is in compliance with all other policies within the Lee Plan relating to available services, environmental issues, and hurricane sheltering. The project has been under development for the past three years, and this amendment is simply to allow an increase in the number of RV sites within the overall approved plan.

BY PLAN DATED _____
SUPERSEDED
BY PLAN DATED _____

DCI 2002-00062

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EXHIBIT A-1
COVENANT OF UNIFIED CONTROL
BY PLAN DATED _____

SUPERSEDED

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as 5551 Lockett Road, Fort Myers, FL 33905 and legally described in exhibit A attached hereto.

The property described herein is the subject of an application for planned development zoning. We hereby designate Knott, Consoer, Ebelini, Hart & Swett, P.A. as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorization of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended covenant of unified control is delivered to Lee County.

The undersigned recognize the following and will be guided accordingly in the pursuit of development of the project:

1. The property will be developed and used in conformity with the approved master concept plan including all conditions placed on the development and all commitments agreed to by the applicant in connection with the planned development rezoning.
2. The legal representative identified herein is responsible for compliance with all terms, conditions, safeguards, and stipulations made at the time of approval of the master concept plan, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by Lee County.
3. A departure from the provisions of the approved plans or a failure to comply with any requirements, conditions, or safeguards provided for in the planned development process will constitute a violation of the Land Development Code.
4. All terms and conditions of the planned development approval will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the planned development must be consistent with those terms and conditions.
5. So long as this covenant is in force, Lee County can, upon the discovery of noncompliance with the terms, safeguards, and conditions of the planned development, seek equitable relief as necessary to compel compliance. The

ZDS0111 Rev. 02

3/01/97

Y2K 1/03/2000

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DCI 2002-00062

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County will not issue permits, certificates, or licenses to occupy or use any part of the planned development and the County may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the planned development.

Owner
**Cypress Woods R.V. Resort Associates, A Florida
General Partnership**

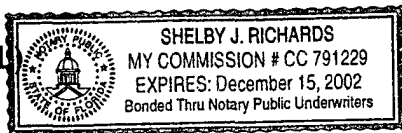
By: _____

Arvi Harpaz
Arvi Harpaz
President of A.H.R. Real Estate Ltd., Inc.,
Managing Partner of Cypress Woods R.V.
Resort Associates

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 28th day of October, 2002, by **Arvi Harpaz, President of A.H.R. Real Estate Ltd., Inc., a Florida Corporation, the Managing Partner of Cypress Woods R.V. Resort Associates, a Florida General Partnership, on behalf of the partnership.** He is personally known to me or who has produced _____ as identification.

(SEAL)



Shelby J. Richards
Notary Public
SHELBY J. RICHARDS
(Name typed, printed or stamped)

SUPERSEDED

BY PLAN DATED _____

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OCT 29 2002

COMMUNITY DEVELOPMENT

ZDS0111 Rev. 02

3/01/97

Y2K 1/03/2000

DCI 2002-00062

EXHIBIT "A"

Address: 5551 Luckett Rd., Ft. Myers, FL 33905

Strap #: 11-44-25-00-00014.0000

Legal: NE 1/4 OF SW 1/4 + BEG NE COR NW 1/4 OF SW 1/4 S 1320 FT W 1320
FT N 680 FT LES 14.0010

SUPERSEDED
BY PLAN DATED _____

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OCT 29 2002

COMMUNITY DEVELOPMENT

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as Cypress Woods RV Resort, 5551 Lockett Rd., Ft. Myers, FL 33905 (Strap #11-44-25-00-00014.0000) and legally described in exhibit A attached hereto.

The property described herein is the subject of an application for zoning or development. We hereby designate Knott, Consoer, Ebelini, Hart & Swett, P.A. as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.

SUPERSEDED

BY PLAN DATED _____

Owner*

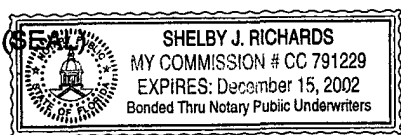
**Cypress Woods R.V. Resort Associates,
A Florida General Partnership**

By: _____

Arvi Harpaz
Arvi Harpaz
President of A.H.R. Real Estate
Ltd., Inc., Managing Partner of
Cypress Woods R.V. Resort
Associates

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 16 day of October, 2002, by Arvi Harpaz, President of A.H.R. Real Estate Ltd., Inc., a Florida corporation, the Managing Partner of Cypress Woods R.V. Resort Associates, a Florida General Partnership, on behalf of the partnership. He is personally known to me or who has produced _____ as identification.



Shelby J. Richards
Notary Public

SHELBY J. RICHARDS
(Name typed, printed or stamped)

*If more than one owner then all owners must sign. See explanation on back.

ZDS0103 Rev.04
3/01/97

Y2K 1/03/2000

DCI 2002-00062

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COMMUNITY DEVELOPMENT

EXPLANATORY NOTES

Where there is more than one owner, either legal or equitable, then all such owners must jointly initiate the application. Exceptions to this are:

- 1) It is not required that both husband and wife initiate the application on private real property owned by them.
- 2) Where the property is subject to a land trust agreement, the trustee may initiate the application.
- 3) Where the fee owner is a corporation, any duly authorized corporate official may initiate the application.
- 4) Where the fee owner is a partnership, the general partner may initiate the application.
- 5) Where the fee owner is an association, the association may appoint an agent to initiate the application on behalf of the association.
- 6) Where the property is a condominium or time-share condominium, refer to Sec. 34-201(a)(1)b. for rules.
- 7) Where the property is a subdivision, refer to Sec. 34-201(a)(1)c. for rules.
- 8) Rezoning initiated by the Board of County Commissioners on property not owned by the county.

BY PLAN DATED
SUPERSEDED

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COMMUNITY DEVELOPMENT

EXHIBIT "A"

Address: 5551 Lockett Rd., Ft. Myers, FL 33905
Strap #: 11-44-25-00-00014.0000
Legal: NE 1/4 OF SW 1/4 + BEG NE COR NW 1/4 OF SW 1/4 S 1320 FT W 1320
FT N 680 FT LES 14.0010

SUPERSEDED

BY PLAN DATED _____

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COMMUNITY DEVELOPMENT

PART VI - SUBMITTAL REQUIREMENTS

2002-00062

COPIES REQUIRED including 1 original					Exhibit #	Item
SUB	NR	DRI	DCI	MINOR		
✓		12	11	11		Completed application [34-201(b) & 34-373(a)(1)]
	✓	3	3	3	I-A-1	Covenant Of Unified Control [34-202(b)(1)b & 34-373(a)(3)]
✓		3	3	3	I-A-2, I-A-3	Authorization Form [34-201(a)(1)] & [34-202(b)(1)c]
	✓	2	2	2	I-C-2	Subject property owners list [34-202(a)(5)]
✓		3	3	3	I-D-1, I-D-2	Disclosure Form [34-201(b)(1)a]
	✓	3	3	3	I-E-1	Deed Restrictions [34-202(b)(2)]
	✓	3	3	3	I-E-2	Deed Restrictions Narrative [34-202(b)(2)]
✓		3	3	3	II-B-1-A	Legal Description [34-202(a)(1)]
	✓	1	1	1	II-B-1-B	Electronic version of legal description
✓		3	3	3	II-B-2	Certified sketch of description [34-202(a)(2)]
	✓	3	3	3	II-B-3	Plat Book Page [34-202(a)(1)]
✓		2	2	2	II-D-2	Area Location Map on 8 1/2 by 11 paper [34-202(a)(4)]
✓		2	2	2	II-D-3	Surrounding Property Owners List [34-202(a)(6)]
✓		2	2	2	II-D-4	Surrounding parcels Map [34-202(a)(7)]
✓		2	2	2	II-D-5	Mailing labels (sets)
✓		12	11	11	II-E-2	Compliance with Lee Plan. [34-373(a)(5) & 34-491]
	✓	12	11	11	II-E-3	Lee Plan Amendment [34-373(a)(5) & 34-491]
✓		3	3	3	II-E-4	Compliance with design standards of 34-411. [34-373(a)(5)]
✓		3	3	3	II-E-5	Compliance with decision-making guidelines. [34-373(a)(5)]
✓		3	3	3	II-F-1	Waivers
	✓	12	11	11	III-A-1	Existing easements and r-o-w map. [34-373(a)(4)a.]
✓		12	11	11	III-A-2	Exist. zoning & current land use map/photo [34-373(a)(4)b]
✓		3	3	3	III-A-3	Aerial photograph [34-373(a)(4)c]
	✓	3	3	3	III-B-1	Map of Historical & Archaeological sites [34-373(a)(4)f]
	✓	3	3	3	III-B-2	Possible impacts on Hist. & Arch. sites [34-373(a)(4)f]
✓		12	11	4	III-C-3	Environmental Assessment Report
	✓	12	11	4	III-C-5	Soils [34-373(a)(4)d.i]
✓		12	11	4	III-C-6	Vegetation\ground cover [34-373(a)(4)d]
	✓	12	11	4	III-C-7	Topography. [34-373(a)(4)d.iv]
✓		4	4	-	III-C-8	Protected Species Survey (if applicable) [34-373(b)(2)]
	✓	12	11	4	III-D-1	Public transit routes map (if applicable) [34-373(a)(4)e.]
✓		12	11	11	IV-A-1	Master Concept Plan 24 X 36 inches [34-373(a)(6)a.]
✓		3	3	3	IV-A-2	Master Concept Plan 11 X 17 inches [34-373(a)(6)a.]
	✓	4	4	-	IV-E-2	Surface Water Management Plan [34-373(b)(1)]
	✓	4	4	4	IV-F-5	Excavation calculations [34-373(a)(6)]
✓ MCP		12	11	11	IV-I-1	Master List of uses for entire development [34-373(a)(8)]
	✓	12	11	11	IV-J-1	List of deviations & justification [34-373(a)(9)]
	✓	12	11	11	IV-J-3	Drawings demonstrating deviations [34-373(a)(6)]
	✓	4	4	4*	IV-K-1	Traffic Imp. Statement [34-373(a)(6)]
	✓	12	11	11	IV-L-1	Program for phased development [34-373(b)(3)]
	✓	12	11	11	IV-M	Facilities for the development
	✓	4	4	4	IV-M-1	Haz. Mat Emer Plan [34-202(b)(4)]
	✓	4	4	4	IV-M-2	Mobile Home Park Information [34-203(d)]
	✓	4	4	4	IV-M-3	Bonus Density units [34-202(b)(5)]
	✓	4	4	4	IV-M-4	Sanitary Sewer Facilities
	✓	4	4	4	IV-M-5	Airport Hazard

BY PLAN DATED

SUPERSEDED

DISCLOSURE OF INTEREST FORM FOR:

STRAP NOS. 11-44-25-00-00014.0000

1. If the property is owned in fee simple by an INDIVIDUAL, tenancy by the entirety, tenancy in common, or joint tenancy, list all parties with an ownership interest as well as the percentage of such interest.

Name and Address

Percentage of Ownership

2. If the property is owned by a CORPORATION, list the officers and stockholders and the percentage of stock owned by each.

Name, Address, and Office

Percentage of Stock

3. If the property is in the name of a TRUSTEE, list the beneficiaries of the trust with percentage of interest.

Name and Address

Percentage of Interest

SUPERSEDED

BY PLAN DATED

4. If the property is in the name of a GENERAL PARTNERSHIP OR LIMITED PARTNERSHIP, list the names of the general and limited partners.

Name and Address

Percentage of Ownership

A.H.R. Real Estate Ltd., Inc., Managing Partner
5551 Lockett Rd., Ft. Myers, FL 33905

65 %

CYPRESS WINDS DOMESTIC CORP.

2.89 %

1838 40 TER. S.W. NAPLES 34116

LTG INC. - 1838 40 TER S.W. NAPLES 34116

3.89 %

HARWIN GREEN INVESTORS L.L.C.

290-174 ST. APT #1510 MIAMI BEACH FL. 33160

22.22 %

(over)

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complete section

5. If there is a CONTRACT FOR PURCHASE, whether contingent on this application or not, and whether a Corporation, Trustee, or Partnership, list the names of the contract purchasers below, including the officers, stockholders, beneficiaries, or partners.

Name, Address, & Office (if applicable)

Percentage of Stock

Date of Contract: _____

6. If any contingency clause or contract terms involve additional parties, list all individuals or officers, if a corporation, partnership, or trust.

Name and Address

SUPERSEDED

BY PLAN DATED _____

For any changes of ownership or changes in contracts for purchase subsequent to the date of the application, but prior to the date of final public hearing, a supplemental disclosure of interest shall be filed.

The above is a full disclosure of all parties of interest in this application, to the best of my knowledge and belief.

Owner

Cypress Woods R.V. Resort Associates, A Florida General Partnership

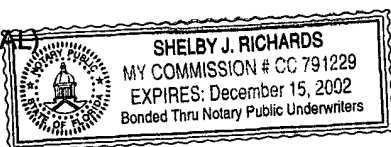
By: _____

Avi Harpaz
Avi Harpaz
President of A.H.R. Real Estate Ltd., Inc., Managing
Partner of Cypress Woods R.V. Resort Associates

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 16 day of October, 2002, by Avi Harpaz, President of A.H.R. Real Estate Ltd., Inc., a Florida Corporation, the Managing Partner of Cypress Woods R.V. Resort Associates, a Florida General Partnership, on behalf of the partnership. He is personally known to me or who has produced _____ as identification.

(SEAL)



Shelby J. Richards
Notary Public

SHELBY J. RICHARDS
(Name typed, printed or stamped)

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DCI 2002-00062

COMMUNITY DEVELOPMENT

**MEMORANDUM
FROM
THE OFFICE OF THE
LEE COUNTY HEARING EXAMINER**

DATE: October 28, 2003

TO: Board of County Commissioners FROM: Diana M. Parker/Salvatore Territo
County Hearing Examiners

RE: Hearing Examiner Recommendation

Enclosed you will find the following Hearing Examiner Recommendation:

HEARING DATE: October 23, 2003

DCI2002-00062 CYPRESS WOODS RV RESORT

The above referenced Hearing Examiner Recommendation has been rendered as of this date. The Development Services Division has advised that the BOCC Zoning Hearing is tentatively scheduled for **Monday, December 15, 2003**. Development Services will forward a copy of the Recommendation to the Board prior to that time in the pink zoning notebooks.

If you have any procedural questions, please let our office know.

cc: Tim Jones
Billie Jacoby / Development Services
Andy Getch / LCDOT
Sue Noe / Economic Development

DCI2002-00062
Joan Henry / Asst. Co. Atty.
Chip Block / Development Services
Matt Nobel / Planning Division

BILLIE JACOBY
DEVELOPMENT SERVICES

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: December 4, 2003

TO: Zoning File

FROM: Billie Jacoby

RE: DCI2002-00062 Cypress Woods RV Resort

This case went to the Hearing Examiner on

October 23, 2003 There were **NO**

participants according to the
recommendation, therefore a NOTICE TO
PARTICIPANT will not be necessary to create
and mail.



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

Bob Janes
District One

December 1, 2003

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

Knott Consoer, Ebelini, Hart & Swett, P.A.
Attn: Mike Roeder
1625 Hendry Street
Suite 301
Fort Myers, FL 33901

**Re: Agenda Schedule for Cypress Woods RV Resort
Case No. DCI2002-00062**

Dear Mr. Roeder:

Your zoning request has been scheduled before the Board of County Commissioners to take final action after reviewing the Hearing Examiner's recommendation.

DATE & TIME: December 15, 2003, Meeting commences at 9:30 a.m.

LOCATION: Commissioners' Meeting Room
2120 Main Street
Ft. Myers, Florida

Call if you have any questions.

**DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division**


Billie Jacoby
Administrative Assistant

**cc: Cypress Woods R.V. Resort Associates
Mr. Chip Block, Senior Planner
Zoning File**

U:\200312\DCI20020.006\2\APPLICANT LETTER BCC.WPD