



GIS Tracking Sheet

Case No.: DCI2005-00007

Intake Date: 1-21-05

Project Name: Bethany Place

STRAP Number(s): 04-45-27-00-00008.0010 and 09-45-27-00-00006.0000

Planner Name: Ext.

Jeff Laurien

8336

LEGAL DESCRIPTION VERIFICATION and INITIAL GIS MAPPING

Date: 5/06/05

ArchGIS
INTAKE: DCI05007

LEGAL SUFFICIENT

☒ YES

☐ NO

Initials: LGM

If not, give brief explanation:

MAP UPDATE following FINAL ACTION

Date: 09 MAR 06

☐ Hearing Examiner Decision

☒ Board of County Commissioner's
Resolution

☐ Administrative Approval

☐ Blue Sheet

Zoning Notes: Z-05-069, DCI2005-00007, OSDELOS, WHISPERING LAKES II,
REZONE 79.21 ACRES FROM AG-Z TO RPD TO PERMIT A
MAXIMUM OF 298 SINGLE FAMILY LOTS, NO BLASTING, CONDOS

MAP UPDATED

☒ YES

☐ NO

Initials: JMM

If not, give brief explanation:

CREATED RPD: 501239

EXHIBIT PH-3.C.1

DESCRIPTION

A tract or parcel of land lying in Sections 4 & 9, Township 45 South, Range 25 East, Lee County, Florida. Said tract or parcel being more particularly described as follows:

From the Northeast corner of Section 9 and the **POINT OF BEGINNING** run S01°44'31"E along the West line of a Canal for Lehigh Acres Unit 1 as recorded in Plat Book 18, Page 2 for 1,342.68 feet to the Northeast corner of Lehigh Acres Unit 3 as recorded in Plat Book 27, Page 182; thence run S87°50'45"W along the North line of a 100.00 foot wide Canal as recorded in said plat for 1,276.39 feet to the Northwest corner of said plat; thence run N01°26'22"W for 1,339.47 feet to the Northwest corner of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of said Section 9; thence run N00°49'16"W along the West line of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of said Section 4 for 1,267.72 feet to an intersection with the Centerline of a proposed 100 foot Right-of-Way for Sunshine Boulevard; thence run N87°41'45"E along Centerline of said proposed Right-of-Way for 278.60 feet to a point of curvature; thence run easterly along an arc of curve to the left of radius 1,000.00 feet (delta 28°00'38") (chord bearing N73°41'26"E)(chord 484.02 feet) for 488.88 feet to a point of reverse curvature; thence run easterly along an arc of curve to the right of radius 1,000.00 feet (delta 29°40'31") (chord bearing N74°31'23"E) (chord 512.16 feet) for 517.93 feet ; thence run N89°04'20"E for 44.57 feet to an intersection with the East line of the Southeast quarter of Section 4; thence run S00°12'24"E for 1,501.13 feet along the East line of said Section 4 and the West line of Lehigh Acres Unit 11 as recorded in Plat Book 15, Page 217 to the **POINT OF BEGINNING**.

Containing 3,450,411 square feet or 79.211 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (NAD 1983/99 adjustment) and are based on the East line of said Northeast Quarter (NE1/4) of said Section 9 to bear S01°44'31"E.

Applicant's Legal Checked

by Lgm 5/06/2005

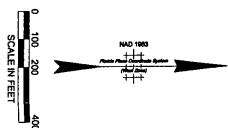
John R. Avery III 1-19-05
John R. Avery III (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5298

21946s02.desc.doc

DCI 2005-00007

RECEIVED
JAN 21 2005

PERMIT COUNTER

[illegible]

I HEREBY CERTIFY THAT A SEARCH HAS BEEN MADE IN CONNECTION WITH AND MEETS THE
 REQUIREMENTS OF THE FEDERAL BUREAU OF INVESTIGATION AND THAT THE INFORMATION
 CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.
 (CERTIFICATION OF DATE) FOR THE ABOVE AS DESCRIBED, IT IS NOT A CERTIFICATION OF
 TITLE, ZONING, HISTORICAL RECORD, EXISTENCE, ABSTACT NOT REQUIRED.
 SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

[Signature]
 [Signature]
 [Signature]

DON ROBERT AGENCY BEYOND THE FINAL RECORD
 FLORIDA CERTIFICATE NO. 2296
 DATE BORNED 9-15-04

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A
 FLORIDA LICENSED SURVEYOR AND MAPPER

RECEIVED
JAN 21 2005
PERMIT COUNTER

DCI 2005-00007

[illegible]

TRACT OF SEVEN AND ONE-HALF SECTIONS 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, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840,

[illegible]

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

WHEREAS, an application was filed by the property owner, Watermen-Sunrise 80, LLC, to rezone 79.21± acres from Agricultural (AG-2) to Residential Planned Development (RPD), in reference to Whispering Lakes II; and,

WHEREAS, a public hearing was advertised and held on September 28, 2005, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2005-00007; and

WHEREAS, a second public hearing was advertised and held on December 5, 2005, 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 rezone 79.21± acres from AG-2 to RPD, to permit a maximum of 298 single-family lots, with a maximum height of 35 feet. No blasting is proposed. The property is located in the Central Urban Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions specified in Section B below.

SECTION B. CONDITIONS:

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

1. The development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "Whispering Lakes Phase II," prepared by Barraco and Associates, plot date 12-13-2005, last revised 12-15-05 and date stamped "Received Dec 14 2005," except as modified by the conditions below.

The project is approved for a maximum of 298 dwelling units.

2. The following limits apply to the project and uses

- a. Schedule of Uses

Accessory Uses and Structures
Agricultural Uses (SUBJECT TO Condition 11)
Dwelling Unit: Single-family

Entrance Gates and Gatehouse
 Essential Services
 Essential Service Facilities, Group I
 Excavation, Retention - With no removal of fill off-site
 and SUBJECT TO Condition 14
 Fences, Walls
 Home Occupation (no outside help)
 Models: Model Home, Model Display Center (per Condition 6, below)
 Recreation Facilities, Personal
 Signs, in accordance with LDC Chapter 30
 Temporary Uses: Construction Trailer, Sales Center
 (Sales Center per Condition 7 below)

b. Site Development Regulations

Land Use	Road Set back	Side Set back	Rear Set back	Water Set back	Lot Cover age	Max. Height	Lot Width	Lot Depth	Lot Area
Single Family	20' min.	7.5' min.	20' min.	25' min.	45% max.	35' (2 stories)	50' min.	130' min.	6500 sf. min.
Accessory Structures	20' min.	5' min.	5' min.	25' min.	n/a	35' (2 stories)	n/a	n/a	n/a

3. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.
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 Allocation Table, Map 16 and Table 1(b).
5. Blasting is prohibited on this project site.
6. Model homes are permitted uses, but, must be consistent with the following conditions:
 - a. A maximum of six (6) model homes are permitted;
 - b. All model homes must be located within the area depicted on the MCP as an area for model homes;
 - c. Hours of operation for the model homes are restricted to Sunday through Saturday, 8:00 a.m. through 6:00 p.m.; and
 - d. Each model home must be a unique example. Multiple examples of the same model are not permitted.

7. A Real Estate Sales Office is a permitted use, but, must be consistent with the following conditions:
 - a. A maximum of one (1) real estate sales office is permitted, and must be located in the same area as the proposed model homes as depicted on the MCP;
 - b. Hours of operation for the real estate sales office restricted to Sunday through Saturday, 8:00a.m. through 6:00p.m.; and
 - c. The real estate sales office is limited to the sale of units within the development, and is valid for a period of time not to exceed three (3) years from the date the certificate of occupancy for the sales office is issued. The director may grant one 2-year extension. Additional time will require a Special Exception approval.
8. Prior to local development order approval, the plans must delineate a minimum of 2.61 acres of native indigenous preservation, in substantial compliance with the MCP.
9. The Developer must apply for a permit for the proposed culvert crossing over Canal 57-9-2. The culvert crossing must be constructed using methodology as approved by East County Water Control District and Lee County.
10. The Developer must sign an agreement with East County Water Control District to bring this development, Whispering Lakes II, into East County Water Control District since it is currently an enclave or an outparcel.
11. Agricultural Uses: Existing bona fide agricultural uses on this site are allowed only in strict compliance with the following:
 - a) Bona fide agricultural uses that are in existence at the time the application for this project was filed, and as shown on **Exhibit D** attached hereto, may continue until approval of a local development order for the area of the project containing those uses.
 - b) Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be maintained, i.e., mowed, but not cleared or expanded. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.
 - c) Prior to issuance of a local development order, the property owner must provide written proof, SUBJECT TO approval by the County Attorney's Office, of the following:
 - 1) Termination of all agricultural use on any portion of the property included in the development order application /approval. Proof must include a sworn affidavit from the person or entity holding title to the subject property that specifically provides:
 - a) the date the agricultural uses ceased;

- b) the legal description of the property SUBJECT TO the development order approval;
- c) an affirmative statement that the owner acknowledges and agrees that all agricultural uses are illegal and prohibited on the property and that the owner covenants with the County that they will not allow any such uses on the property unless and until the property is rezoned to permit such uses; and,
- d) that the affidavit constitutes a covenant between the owner and the County that is binding on the owner and their assignees and successors in interest.

The covenant must be properly recorded in the public records of the County at the owner's expense.

- 2) Termination of the agricultural tax exemption for any portion of the property included in the development order application/approval. Proof as to termination must include a copy of the request to terminate the tax exemption provided to the Property Appraiser.
- 12. Whispering Lakes II proposes two access points: a gated southern access through Whispering Lakes II and a northern access onto Sunrise Boulevard. Sunrise Boulevard must be constructed and will serve as the main access road for this project, located on the south side of the road, and for Sunrise Lakes RPD (Z-04-040), located on the north side of the road. Whispering Lakes II and Sunrise Lakes access onto Sunrise Boulevard must align.
 - 13. 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 MCP are subsequently pursued, appropriate approvals will be necessary.
 - 14. Excavation on site is limited to the excavation of material for on-site use only (water retention, water management or the construction of a recreational amenity). Construction materials mining as defined under §552.30, F.S., is prohibited.
 - 15. Central water and central sewer service must be used for this project. No on-site potable water wells and no on-site septic disposal systems may be utilized.

SECTION C. EXHIBITS AND STRAP NUMBER:

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

- Exhibit A: Legal description of the property
- Exhibit B: Zoning Map (with the subject parcel indicated)
- Exhibit C: The Master Concept Plan
- Exhibit D: Agricultural Use Affidavit and Sketch

The applicant has indicated that the STRAP numbers for the subject property are:
04-45-27-00-00008.0010 & 09-45-27-00-00006.0000

SECTION D. FINDINGS AND CONCLUSIONS:

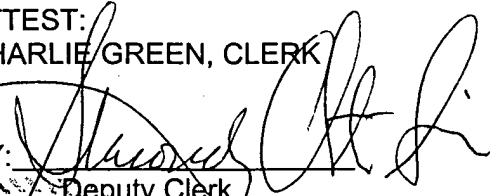
1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
2. The rezoning, as approved:
 - a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;
 - b. is consistent with the densities, intensities and general uses set forth in the Lee Plan;
 - c. is compatible with existing or planned uses in the surrounding area;
 - 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.

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

Robert P. Janes	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Tammara Hall	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 5th day of December 2005.

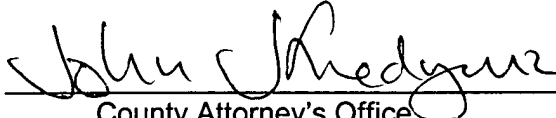
ATTEST:
CHARLIE GREEN, CLERK

BY: 
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: 
Chairwoman

Approved as to form by:


County Attorney's Office

RECEIVED
MINUTES OFFICE
2006 JAN 19 PM 2:25

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John R. Avery III 1-19-05
John R. Avery III (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5298

21946s02.desc.doc

DCI 2005-00007

RECEIVED
JAN 21 2005

PERMIT COUNTER

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

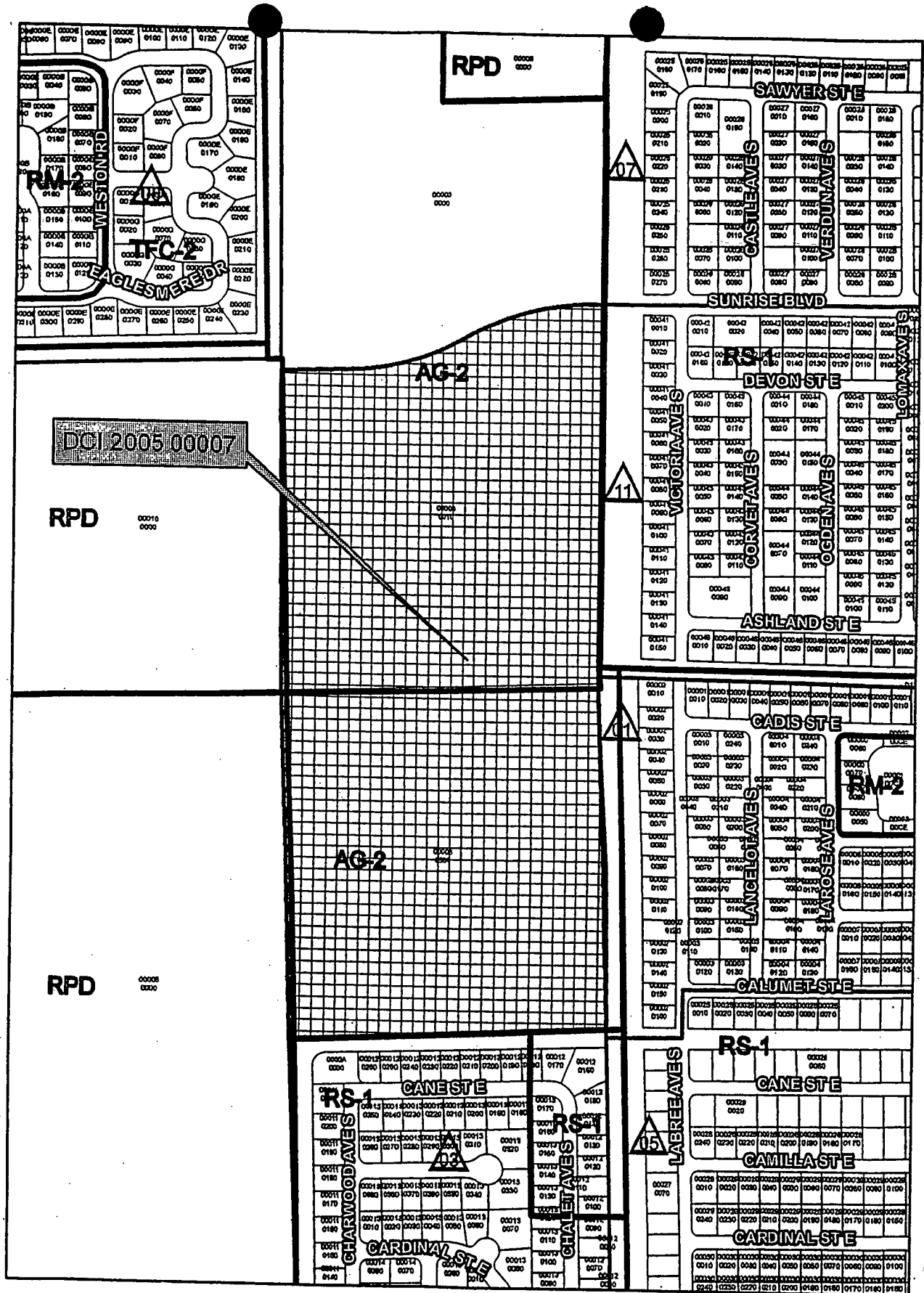


EXHIBIT "B"
Zoning Map

360 280 0 560 Feet

AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LEE

BEFORE ME, the undersigned authority, on this 13th day of May, 2005, duly authorized to take acknowledgment and administer oaths, personally appeared Eddy Garcia, as Managing Member of Watermen-Sunrise 80, L.L.C., who is personally known to me, who after first being duly sworn, deposes and says:

1. That I am the owner and authorized representative of the following Described property, to wit:

See attached Exhibit "A"

2. That the above described property has been zoned for bona fide Agricultural purposes and currently agricultural uses (Cattle Grazing) are taking place at The time of the Lee County Board of County Commissioners review and consideration of the rezoning of the property described on the attached Exhibit "A".

3. Affiant further states that he is familiar with the nature of an oath, and with the penalties as provided by the laws of the State aforesaid for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that he has read, or has heard read to him, the full facts of the affidavit and understands its meaning and context.

FURTHER AFFIANT SAYETH NOT.

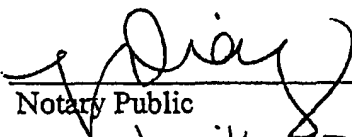

Eddy Garcia, Managing Member of
Watermen-Sunrise 80, L.L.C.

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 13th day of May, 2005 by Eddy Garcia, as Managing Member of Watermen-Sunrise 80, L.L.C., who is personally known to me or who has produced as identification.

My Commission Expires:



Jesika Diaz
My Commission DD311894
Expires April 20, 2008

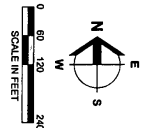

Notary Public

Jesika Diaz
Print/Type Name of Notary

Commission No

DD311894

EXHIBIT "D"
Agricultural Use
Affidavit and Sketch



Barraco
and Associates, Inc.
CIVIL ENGINEERING, LAND SURVEYING
AND PLANNING
2201 N. W. 10TH AVENUE, SUITE 200
FORT LAUDERDALE, FLORIDA 33304-2800
TEL: (954) 461-1313
FAX: (954) 461-1318
WWW.BARRACO.NET

**WATERMEN
DEVELOPMENT
GROUP CORP.**

804 N.W. 105 STREET
MIRAGE, FLORIDA 33409
PHONE: (904) 328-0100
FAX: (904) 328-0147

**WHISPERING
LAKES
PHASE II**

DATE OF REVISION 4
THURSDAY, 12/10/05
PAGE 27 OF 28
LEO COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
FOR PLANNING PURPOSES ONLY. SITE
LAYOUT AND LAND USE INTENTIONS
SHOWN HEREON ARE BASED UPON
SOMEWHAT PRELIMINARY DATA
AND/OR OPINIONS OF THE
ENGINEER. ENGINEERING AND
SURVEYING DATA MAY BE
OBTAINED FROM THE
RECORDS OF THE
LEO COUNTY, FLORIDA
ENGINEERING DEPARTMENT.

NO. 1	DATE	DESCRIPTION
1	12/10/05	PRELIMINARY PLAN
2	12/10/05	REVISION 1
3	12/10/05	REVISION 2
4	12/10/05	REVISION 3
5	12/10/05	REVISION 4
6	12/10/05	REVISION 5
7	12/10/05	REVISION 6
8	12/10/05	REVISION 7
9	12/10/05	REVISION 8
10	12/10/05	REVISION 9
11	12/10/05	REVISION 10
12	12/10/05	REVISION 11
13	12/10/05	REVISION 12
14	12/10/05	REVISION 13
15	12/10/05	REVISION 14
16	12/10/05	REVISION 15
17	12/10/05	REVISION 16
18	12/10/05	REVISION 17
19	12/10/05	REVISION 18
20	12/10/05	REVISION 19
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**MEMORANDUM
FROM
THE OFFICE OF THE
LEE COUNTY HEARING EXAMINER**

**COMMUNITY DEVELOPMENT
REC'D SECOND FLOOR**

DATE: October 31, 2005

TO: Board of County Commissioners

**FROM: Richard A. Gescheidt
County Hearing Examiner**

RE: Hearing Examiner Recommendation

Enclosed you will find the following Examiner Recommendation:

HEARING DATE: SEPTEMBER 28, 2005

**DCI2005-00007 WATERMAN AT SUNRISE 80, LLC, in reference to
WHISPERING LAKES II**

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 5, 2005**. 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 / CAO
Jamie Princing / Community Development
Andy Getch / LCDOT
Pam Houck / Zoning Division
Sue Noe / Economic Development

DCI2005-00007
Fred Drovdlc / Community Dev.
John Fredyma / Asst. Co. Atty.
Kim Trebatoski / Environmental Sciences

**JAMIE PRINCING
COMMUNITY DEVELOPMENT**

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

HEARING EXAMINER RECOMMENDATION

REZONING: DCI2005-00007
APPLICANT: WATERMAN AT SUNRISE 80, LLC, in reference to
WHISPERING LAKES II
HEARING DATE: SEPTEMBER 28, 2005

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COMMUNITY DEVELOPMENT
REC'D SECOND FLOOR

I. APPLICATION:

This matter came before the Lee County Hearing Examiner as an Application for a Rezoning to a Residential Planned Development (RPD) pursuant to the Lee County Land Development Code (LDC).

Filed by WATERMEN-SUNRISE 80, LLC. % EDDY GARCIA, 8045 NW 155th Street, Miami Lakes, Florida 33016 (Applicant/Owner); BARRACO and ASSOCIATES, INC., % SHELLIE JOHNSON, AICP, 2271 McGregor Boulevard, Fort Myers, Florida 33901; PASSARELLA and ASSOCIATES, INC., % KENNETH C. PASSARELLA, 9110 College Pointe Court, Fort Myers, Florida 33919; METRO TRANSPORTATION GROUP, INC., % TED B. TREESH, 122651 McGregor Boulevard, Suite 4-403, Fort Myers, Florida 33919; and HENDERSON FRANKLIN STARNES & HOLT, PA, % RUSSELL SCHROPP, ESQUIRE, 1715 Monroe Street, Fort Myers, Florida 33901 (Agents).

Request is to rezone 79.21± acres from Agricultural (AG-2) to Residential Planned Development (RPD) to permit a maximum of 298 single-family lots, with a maximum height of 35 feet. No blasting is proposed.

The subject property is located at the eastern terminating end of Sunrise Boulevard, approximately three-quarters of a mile east of the intersection of Sunrise Boulevard and Homestead Road, Lehigh Acres, Florida 33936, in Section 4, Township 45 South, Range 27 East, Lee County, Florida (District #5).

II. STAFF REPORT AND RECOMMENDATION: APPROVE WITH CONDITIONS

The Department of Community Development Staff Report was prepared by Fred Drovdlc. 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 for a rezoning from AG-2 to RPD for the real estate described in Section IX. Legal Description WITH THE FOLLOWING CONDITIONS AND DEVIATIONS:

A. CONDITIONS:

1. The development of this project must be consistent with the one-page Master Concept Plan entitled "Whispering Lakes Phase I," prepared by Barraco and Associates, date stamped "Received September 15, 2005 Permit Counter," plot date September 14, 2005, except as modified by the conditions below.

The project is approved for a maximum of 298 dwelling units.

2. The following limits apply to the project and uses

a. Schedule of Uses

Accessory Uses and Structures
Agricultural Uses (subject to Condition 11)
Dwelling Unit: Single-family
Entrance Gates and Gatehouse
Essential Services
Essential Service Facilities, Group I
Excavation, Retention - With no removal of fill off-site
and subject to Condition 14
Fences, Walls
Home Occupation (no outside help)
Models: Model Home, Model Display Center (per Condition 6, below)
Recreation Facilities, Personal
Signs, in accordance with LDC Chapter 30
Temporary Uses: Construction Trailer, Sales Center
(sales center per Condition 7 below)

b. Site Development Regulations

Land Use	Road Set back	Side Set back	Rear Set back	Water Set back	Lot Cover age	Max. Height	Lot Width	Lot Depth	Lot Area
Single Family	20' min.	7.5' min.	20' min.	25' min.	45% max.	35' (2 stories)	50' min.	130' min.	6500 sf. min.
Accessory Structures	20' min.	5' min.	5' min.	25' min.	n/a	35' (2 stories)	n/a	n/a	n/a

3. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

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 Allocation Table, Map 16 and Table 1(b).

5. Blasting is prohibited on this project site.
6. Model homes are permitted uses, but, must be consistent with the following conditions:
 - a. A maximum of six (6) model homes are permitted;
 - b. All model homes must be located within the area depicted on the Master Concept Plan as an area for model homes;
 - c. Hours of operation for the model homes are restricted to Sunday through Saturday, 8:00 a.m. through 6:00 p.m.;
 - d. Each model home must be a unique example. Multiple examples of the same model are not permitted.
7. A Real Estate Sales Office is a permitted use, but, must be consistent with the following conditions:
 - a. A maximum of one (1) real estate sales office is permitted, and must be located in the same area as the proposed model homes as depicted on the Master Concept;
 - b. Hours of operation for the real estate sales office restricted to Sunday through Saturday, 8:00a.m. through 6:00p.m.; and
 - c. The real estate sales office is limited to the sale of units within the development, and is valid for a period of time not to exceed three (3) years from the date the certificate of occupancy for the sales office is issued. The director may grant one 2-year extension. Additional time will require a Special Exception approval.
8. Prior to local development order approval, the plans must delineate a minimum of 2.61 acres of native indigenous preservation, in significant compliance with the Master Concept Plan.
9. The Developer must apply for a permit for the proposed culvert crossing over canal 57-9-2. The culvert crossing must be constructed using methodology as approved by East County Water Control District and Lee County.
10. The Developer must sign an agreement with East County Water Control District to bring this development, Whispering Lakes II, into East County Water Control District since it is currently an enclave or an out parcel.
11. Agricultural Uses: Existing bona fide agricultural uses on this site are allowed only in strict compliance with the following:
 - a) Bona fide agricultural uses that are in existence at the time the application for this project was filed, and as shown on **Exhibit B** attached hereto, may continue until approval of a local development order for the area of the project containing those uses.

b) Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be maintained, i.e., mowed, but not cleared or expanded. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.

c) Prior to issuance of a local development order, the property owner must provide written proof, subject to approval by the County Attorney's Office, of the following:

1) Termination of all agricultural use on any portion of the property included in the development order application /approval. Proof must include a sworn affidavit from the person or entity holding title to the subject property that specifically provides:

- a) the date the agricultural uses ceased;
- b) the legal description of the property subject to the development order approval;
- c) an affirmative statement that the owner acknowledges and agrees that all agricultural uses are illegal and prohibited on the property and that the owner covenants with the County that they will not allow any such uses on the property unless and until the property is rezoned to permit such uses; and,
- d) that the affidavit constitutes a covenant between the owner and the County that is binding on the owner and their assignees and successors in interest.

The covenant must be properly recorded in the public records of the County at the owner's expense.

2) Termination of the agricultural tax exemption for any portion of the property included in the development order application/approval. Proof as to termination must include a copy of the request to terminate the tax exemption provided to the Property Appraiser.

12. Whispering Lakes II proposes two access points: a gated southern access through Bethany Trace and a northern access onto Sunrise Boulevard. Sunrise Boulevard must be constructed and will serve as the main access road for this project, located on the south side of the road, and for Sunrise Lakes RPD (Z-04-040), located on the north side of the road. Whispering Lakes II and Sunrise Lakes access onto Sunrise Boulevard must align.

13. 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.

14. Excavation on site is limited to the excavation of material for on-site use only (water retention, water management or the construction of a recreational amenity). Construction materials mining as defined under §552.30, is prohibited.

IV. HEARING EXAMINER DISCUSSION:

This is a request is to rezone 79.21+/- acres, in Lehigh Acres, from Agricultural (AG-2) to Residential Planned Development (RPD). The rezoning will permit a maximum of 298 single-family lots, at a maximum height of 35 feet. The Applicant's Master Concept Plan is one page and stamped received September 15, 2005. That Plan consists of a circular street pattern, with access to the complex from the north and the south. Three lakes are internal to the project, a fourth lake is located in the southwest corner, and the northeast corner is set aside as indigenous preserve. No clubhouse will be provided.

The Lee Plan describes the community of Lehigh Acres in its Vision Statement at Section 17.¹ This parcel is in the Central Urban land use category. The project simply introduces more single-family parcels into a single-family residential portion of Lehigh Acres. The proposed density is 3.7 units-per-acre on typical 6,500-square-foot lots. The development's impacts are minimized by the 100 and 150-foot canals separating the subject property from the existing residential developments.

North of the parcel is the recently approved Sunrise Lakes RPD, with the same density of 3.7 dwelling units-per-acre. Also to the north is Willow Lake Estates. That development has 10,000-square-foot typical single-family lots, at a maximum of 4.3 units per acre. This area was developed prior to current open space requirements, despite larger lots, its actual density is similar to the Sunrise Lakes RPD. This portion is thickly developed with most parcels built. To the northeast is Shadow Lakes RPD, an approved planned development on similar 6,500-square-foot lots and a density of 3.85 units-per-acre.

On the east is Twin Lake Estates, with 11,250-square-foot single-family lots and a density of 3.8 units-per-acre. This area is partially developed, with many vacant properties. To the west is Amberwood Estates, zoned Two-Family Conversion on lots of approximately 11,000 square feet, with densities similar to the subject property. This project is fully developed.

Finally, on the west is Bethany Trace RPD, approved for two phases, a total of 375 single-family units and 300 multi-family units, with a total density of 3.8 units-per-acre. Phase I is complete. Phase II is not yet constructed. In light of all of the foregoing, this Hearing Examiner finds the Applicant's request to be compatible with the surrounding neighborhood.

Robert G. Rentz, P.E., Development Review Engineer, issued a memo on August 5, 2005 stating that the project will generate 285 peak hour trips. Homestead Road, south of Leeland Heights, will operate at a Level of Service (LOS) "D" with or without this project. The Department of Development Services required that the access on Sunrise Boulevard must

¹ Lehigh Acres - This community is the Lehigh Acres development, which was platted starting in 1954. This community is located south of Township 43 South, generally north of SR 82, and east of Buckingham Road/the Buckingham Rural Community Preserve to the eastern Lee County line. This community is designated as Urban Community, Central Urban, Industrial Development and Public Facilities. The Lehigh Community will continue to grow through the year 2020 at a rate faster than the county average growth rate. This community, however, will not be close to build out by 2020. The Lehigh community will grow from a 1996 permanent population of 26,000 to over 71,000 permanent residents in the year 2020. The build out potential for the Lehigh Community is more than double the projected 2020 population. Lehigh will continue to struggle with providing sufficient non-residential uses to accommodate a community of its size. New provisions for providing these uses has been implemented and will aid in this problem, however, residents will continue to commute from this community to the core communities such as Fort Myers, South Fort Myers, and Gateway/Airport for employment, shopping and other services. This community will also struggle with providing an adequate road network to reduce traffic congestion as the population grows.

align with the entrance to the Sunrise Lakes, RPD. See Condition 12 herein. The Master Concept Plan reflects this alignment.

A single-family housing subdivision in the Central Urban land use category is generally of a higher density range; that is, four to 10 units-per-acre. However, after applying the various Land Development Code requirements such as open space, width of access roads and minimum lot sizes a single-family subdivision can typically reach densities of up to 3.7-3.8 dwelling units per acre. However, I find this request (with a density of 3.7 units-per-acre) is consistent with the Central Urban land use category because that future land use category indicates that residential uses are appropriate, and the surrounding uses are single-family with densities also slightly below four units-per-acre.²

The subject property is located in the Planning Community of Lehigh Acres. The Planning Community Year 2020 Allocations mandate that 11,099 acres in the Planning Community in Lehigh Acres have been allocated for residential use. Of that acreage, 6,353.45 acres are currently available for residential use. This request is within the allocations for the Planning Community of Lehigh Acres.³

The subject property is located in proximity to existing residential developments, public parks, schools, water and sewer provided by Florida Water Services, and commercial shopping. It has the necessary characteristics of urban infill. The proposed development is in an area where urban services already exist and are serving residential neighborhoods nearby. The development is in the Florida Water Services Corporation service area for potable water and sewer, and is within the service area for Lehigh Acres Fire Department, Lee County Public Schools, and the Lee County Sheriff's Office. The proposed project, as conditioned, is consistent with Objective 2.1, Objective 2.2 and Policy 2.2.1 of the Lee Plan.⁴

² **Lee County Comprehensive Plan Policy 1.1.3:**

The Central Urban areas can best be characterized as the "urban core" of the county. These consist mainly of portions of the city of Fort Myers, the southerly portion of the city of Cape Coral, and other close-in areas near these cities; and also the central portions of the city of Bonito Springs, IANA/MacGregor, Lehigh Acres, and North Fort Myers. This is the part of the county that is already most heavily settled and which has or will have the greatest range and highest levels of urban service--water, sewer, roads, schools, etc. Residential, commercial, public and quasi-public, and limited light industrial land uses (see Policy 7.1.6) will continue to predominate in the Central Urban area. This category has a standard density range from four dwelling units per acre (4 du/acre) to ten dwelling units per acre (10 du/acre) and a maximum density of fifteen dwelling units per acre (15 du/acre).

³ **Lee County Comprehensive Plan Policy 1.7.6:**

The Planning Communities Map and Acreage Allocation Table (see Map 16 and Table 1(b) and Policies 1.1.1 and 2.2.2) depicts the proposed distribution, extent, and location of generalized land uses for the year 2020. Acreage totals are provided for land in each Planning Community in unincorporated Lee County. No final development orders or extensions to final development orders will be issued or approved by Lee County which would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded.

⁴ **Lee County Comprehensive Plan Objective 2.1:**

DEVELOPMENT LOCATION. Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities. (Amended by Ordinance No. 94-30, 00-22)

Lee County Comprehensive Plan Objective 2.2:

No physical constraints or hazards exist or require the density or design to be adjusted. As conditioned, this proposed development is consistent with Policy 5.1.2 of the Lee Plan.⁵

This is single-family residential development in proximity to other single-family residential developments and subdivisions. The vast majority of the subject property is separated from surrounding uses by large canals. As conditioned, this proposed development is consistent with Policy 5.1.5 of the Lee Plan.⁶

Water and sewer services are available from Florida Water Services and will be connected to this development. As conditioned, this proposed development is consistent with water and sewer standards of the Lee Plan.⁷

DEVELOPMENT TIMING. Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in FS 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrence Management Ordinances.

Lee County Comprehensive Plan Policy 2.2.1:

Rezoning and development-of-regional-impact proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare.

⁵ **Lee County Comprehensive Plan Policy 5.1.2:**

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

⁶ **Lee County Comprehensive Plans Policy 5.1.5:**

Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The Land Development Code will continue to require appropriate buffers for new developments.

⁷ **Lee County Comprehensive Plan Standard 11.1:**

WATER. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a "community" water system as that is defined by Chapter 17-22, F.A.C.).

Lee County Comprehensive Plan Standard 11.2

SEWER. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system

This proposed development is compatible with the area's existing character of single-family homes. As conditioned, this proposed development is consistent with Policy 100.9.5 of the Lee Plan.⁸

Environmental Sciences Staff reviewed this application, and recommended Condition 8, herein to ensure the preservation of the native indigenous vegetation on site. The Applicant has not expressed an objection to this condition.

The East County Water Control District and the Staff have recommend Conditions 9 and 10, herein. Again, the Applicant has not expressed any objection to these conditions.

Staff has expressed reluctance in approving this development. They recognize that the proposed development, as conditioned, is consistent with the surrounding area; compatible with prior residential planned developments approved to the north and west; and consistent with the Lee Plan goals, objectives and policies, as well as the Land Development Code. However, there position is that subdividing undeveloped acreage in the middle of Lehigh Acres into small residential lots is unneeded. They have stated in their staff report; "The fact that the proposed master concept plan meets the LDC requirements and staff does not have a Lee Plan goal, policy or objective to site in opposition to this type of development in Lehigh Acres is unfortunate."

This Hearing Examiner does not share Staff's concerns. For the reasons set out above, I can only conclude that this project complies with all cited provision of the Lee County Land Development Code, the Lee County Land Development Code, and is compatible with the surrounding development in the Lehigh Acres area. The only logical use of this land is for residential purposes. Commercial or industrial use, at this location, is clearly incompatible with the surrounding parcels. Development in the content of a residential planned development is far more desirable than the construction of homes in the conventional residential zones. It is not the position of staff, or this Hearing Examiner, to make policy decisions. The current policy set forth in this County's ordinances clearly provides for this residential development.

In compliance with Section 3.1 of Lee County Administrative Code AC-2-6, the undersigned Hearing Examiner conducted a site visit to the subject real property prior to issuing this recommendation.

Blasting activities are not permitted as part of this action.

⁸

Lee County Comprehensive Plan Policy 100.9.5:

New development adjacent to areas of established residential neighborhoods must be compatible with or improve the area's existing character.

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. The Applicant has proven entitlement to the rezoning to Residential Planned Development by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations.
- B. The requested zoning, as conditioned:
 - 1) meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;
 - 2) is consistent with the densities, intensities and general uses set forth in the Lee County Comprehensive Plan;
 - 3) is compatible with existing or planned uses in the surrounding area; and
 - 4) will not adversely affect environmentally critical areas or natural resources.
- C. 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.
- D. Urban services, as defined in the Lee County Comprehensive Plan, will be extended and adequate to serve the proposed land use.
- E. The proposed mix of uses, as conditioned, are appropriate at the subject location.
- F. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.
- G. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.

VI. LIST OF EXHIBITS:

Master Concept Plan, prepared by Barraco and Associates, Inc., dated 9/14/05, received at Permit Counter 9/15/05.

ALTA/ACSM Land Title Survey, prepared by Barraco and Associates, Inc., dated 3/24/05. received at Permit Counter 9/15/05.

STAFF'S EXHIBITS

- 1 Master Concept Plan, dated September 7, 2005, received at Permit Counter September 8, 2005, prepared by Barraco and Associates Inc.

- 2 ALTA/ACSM Land Title Survey, dated September 13, 2005, received at Permit Counter September 15, 2005, prepared by Brandon Hardy of Barraco and Associates Inc.

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

APPLICANT'S EXHIBITS

- 1 Whispering Lakes Phase 11 Aerial Photograph, dated September 28, 2005, prepared by Barraco and Associates, Inc.
- 2 Master Concept Plan, dated September 14, 2005, received at Permit Counter September 15, 2005, prepared by Barraco and Associates, Inc.
- 3 Resume - Shane Johnson
- 4 Whispering Lakes Phase II FLUCFCS and Wetlands Map, dated December 13, 2004, Prepared by Passarella and Associates, Inc.
- 5 FGUA Letter, dated September 23, 2005
- 6 Zoning Resolution Z-05-040

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. John Fredyma, Lee County Assistant Attorney, introduced himself as a representative of the Lee County Board of County Commissioners (BOCC). He was present to assist County Staff, the Applicant, and the Hearing Examiner to insure the record of the proceedings of the hearing were complete.

Mr. Fredyma explained if anyone wished to speak in today's hearing or obtain a copy of the Hearing Examiner's recommendation, they needed to fill out a white form and turn it in when they came up to speak. He noted the case was for rezoning, and today's hearing would not be the final hearing on the matter. After the hearing, the Hearing Examiner would prepare his recommendation that would be submitted to the BOCC for their consideration at a final public hearing. Therefore, if anyone wanted to make any statements or have their concerns considered at the BOCC hearing, they would need to speak in the hearing today.

Mr. Fredyma requested that the Applicant's representatives sitting at the table identify themselves. County Staff Fred Drovdlc, Planner with the Zoning Department, and Kim Trebatoski, Principal Environmental Planner introduced themselves. The Applicant's representatives introduced themselves: Russell Schropp, Applicant's Attorney; and Shellie Johnson, Planner for the Applicant.

The Hearing Examiner explained the procedure in which this case would be handled. First, the Applicant would put their evidence and witnesses before the Hearing Examiner in this matter. Their witnesses would be subject to cross-examination by County Staff. Following their presentation, the County Staff would present their findings, and would also be subject to questioning by the Applicant. After that, he stated he would open the hearing up for any public comments and questions. Following that there would be rebuttal and summarization by the Applicant and Staff.

The Hearing Examiner swore in all those who would be testifying before him. He instructed that when they came up to testify, to give their name, address, and indicate that they had taken the oath.

Mr. Fredyma noted that the correct name of the case was Whispering Lakes II. Mr. Schropp noted that any reference in the Staff Report to Whispering Lakes I should be changed to Whispering Lakes II. There was a prior phase that was Whispering Lakes I. The Hearing Examiner noted that all matters before him, and the documents submitted would be treated as Whispering Lakes II. Mr. Fredyma also stated that there may be references to Bethany Place, and that was also this immediate project as it had been renamed Whispering Lakes II.

Russell Schropp, Attorney for the Applicant, noted that with him were the Applicants, Eddie Garcia and David Kraizgrum, from Watermen at Sunrise 80 LLC, and their consulting team, Shellie Johnson, Project Planner, and Carl Barraco, Engineer, from Barraco & Associates; Shane Johnson, Environmental Ecologist from Passarella & Associates, Inc.; and Ted Treesh, Transportation Engineer from Metro Transportation Group.

Continuing, Mr. Schropp noted this was a request to rezone almost 80 acres (79.21±) from Agricultural (AG-2) to Residential Planned Development (RPD), to permit a maximum of 298 single-family subdivision on a parcel in Lehigh Acres. He noted that Ms. Johnson would take them through the site plan and the proposal in a little more depth. As requested by the HEX's office, he filed a memorandum on September 26, 2005, indicating that as far as the Staff Report was concerned, the Applicant was in agreement with the Staff Report and the conditions contained in the Staff Report, with the exception of one, that being the condition relating to continued agricultural use of the property (Condition 11).

Currently, the property had an agricultural exemption, and it had been and was presently being used for cattle grazing. They would like the opportunity and ability to continue that agricultural use and maintain the exemption until the time that the Development Order was actually issued on the property. At that time, the Applicant would be willing to relinquish the Agricultural Exemption. He noted he submitted some proposed language to replace Condition 11 that would recognize the ability to continue the AG-2 until they received the Development Order.

He believed the County Attorney had followed up on this request with a memorandum indicating that they would prefer a different condition. Mr. Schropp noted he had reviewed it, and he had no issues with the County Attorney's proposed condition, so if that was acceptable with the County Attorney, it was acceptable to the Applicant, so he requested that be substituted for Condition 11. The Hearing Examiner noted he would modify Condition 11 to reflect the submission from the County Attorney's Office.

Mr. Fredyma noted one additional change was that if the Hearing Examiner adopted the change that had been suggested to Condition 11, it would also be appropriate to add Agricultural to the Schedule of Uses, subject to Condition 11. That would complete the revision. Mr. Schropp and the Hearing Examiner agreed.

Mr. Schropp noted four representatives for the Applicant would testify before the Hearing Examiner today, they being Shellie Johnson, the Planner; Shane Johnson, the Ecologist; Ms. Johnson would address the sewer and surface water management associated with the project; and Mr. Treesh would address the traffic issues.

Mr. Schropp introduced Shellie Johnson, noting she had been previously accepted as an expert in land use planning and zoning. Her resume was on file in the Hearing Examiner's office, and he requested she be accepted as an expert in land use planning and zoning. Hearing no objections, she was accepted.

Ms. Johnson introduced herself, and noted, as Mr. Schropp had stated, the project was on approximately 79 acres, which was currently zoned AG-2 and proposed to go to RPD. The project was proposed for 298 single-family units with a density of 3.7 dwelling units per acre, about 2.6 acres of indigenous preserve area, and two access points, which she would speak about. There was no blasting proposed. The property was located in the Central Urban Future Land Use Category.

The project was located in Lehigh Acres, just east of Homestead Road. The aerial photograph showed very clearly that this was an infill project surrounded by similar residential developments. The two vacant parcels to the north were approved residential RPD's at similar densities to what was proposed on the subject property and the surrounding properties as well. This was the previously approved as Whispering Lakes Phase 1 portion of the development. The Hearing Examiner admitted the aerial photograph into the record as Applicant's Exhibit 1.

Continuing, Ms. Johnson noted the Master Concept Plan reflected the general layout of the project. She pointed out the two access points that were proposed. The primary access point was at Sunrise Boulevard Extension, and the secondary access point would be shared with Bethany Trace to the south. The indigenous preserve area was located on the northern end of the project site. The minimum lots proposed were 6,500 square feet. The Hearing Examiner admitted the Master Concept Plan into the record as Applicant's Exhibit 2. Mr. Fredyma noted that the date on that Plan was September 14, 2005.

Ms. Johnson stated that the Applicant was generally in agreement with the Staff Report with the exception of Condition 11, which had already been outlined. Therefore, she said she would go over a few of the Comprehensive Plan Policies and demonstrate their consistency with those policies.

As to Policy 1.1.3, which was the Central Urban land use description and designation, Ms. Johnson noted the project was consistent, as it was a residential use that was appropriate for this land use category. This land use category allowed a density of four to 10 units an acre. As mentioned previously, the project proposes 3.7 dwelling units per acre. Part of the lower density was the result of the newer regulations that were in place that require open space, minimum road width, and indigenous preserve areas, which result in a density of 3.7 units per acre.

Policy 1.7.6, was the Planning Communities Map and Acreage Allocation policy. The subject property was located in the Lehigh Planning Community, and based on the 2020 Allocations, there was approximately 63,000 acres still available for residential development. Therefore, this project was consistent with that policy.

Objectives 2.1, and 2.2, and Policy 2.2.1 talked about Development location, timing and availability of public services. Again, this was an infill development that was surrounded by existing or approved residential development of similar density, and it provided for a contiguous development pattern. Urban services do exist in the area and were serving the nearby residents.

Policy 5.1.5, talked about protection of existing residential areas from encroachment of uses that may be destructive. Again, this was a single-family development, infill in nature, surrounded by single-family development.

There were no deviations requested for the project, and they believed that the proposal met all the performance and locational standards of the Lee Plan, was consistent with the Lee Plan, and was compatible with surrounding uses. There were no adverse effects to environmentally sensitive areas, and it was located in an area where urban services already exist. Ms. Johnson said she would address any questions.

At that time, Mr. Schropp called their second witness, Shane Johnson, who was a project ecologist with Passarella & Associates Inc. He noted it was Mr. Johnson's first appearance before the Hearing Examiner, and he asked Mr. Johnson to pass out his resume. He also asked him to briefly summarize his education background and work experience before he began his testimony. Mr. Johnson introduced himself and noted he had taken the oath. He noted he obtained his B.S. in Zoology from Southern Illinois University Carbondale in 1999. He began his career with Passarella and Associates in March 2004. He had been in the consulting industry for just over a year and a half. Prior to joining the Passarella team, he worked at the Sanibel-Captiva Conservation Foundation conducting shorebird research in 2003. As part of his college work, he worked at the Cooperative Wildlife Research Laboratory in Carbondale, Illinois and conducted research projects, in cooperation with the U.S. Fish and Wildlife Service.

Mr. Johnson noted he had attended several continuing education courses while working at Passarella & Associates that included Richard Chinn's Wetland Delineation Course in Tampa, the 9th Annual Exotic Species Workshop, Wetland Delineation (FDEP) in Fort Myers, Gopher Tortoise Relocation in Fort Myers, and Environmental Permitting Short Course in Marco Island, Florida 2005.

Without discussing the project, Mr. Schropp asked him to describe the nature of the work he did in connection with the subject project. Mr. Johnson said that his first visit to the subject property was the day before, and he did a field inspection to prepare for the hearing examination. Mr. Schropp inquired if he had reviewed work that was prepared by others in connection with the case. Mr. Johnson said he had. The nature of that work was protected species and classification. Basically, an examination of their preliminary site assessment, which they had conducted on December 9, 2004, delineated the vegetation associations

according to the Florida Land Use Cover and Forms Classification System, devised by the Florida Department of Transportation, and also reviewed the protected species survey. It was similar to work he had done on other projects, and he noted he had worked on 15 to 20 projects. Based on that information, Mr. Schropp tendered the witness as an expert in ecology. Ms. Trebatoski noted she was familiar with Mr. Johnson in connection with other projects.

The Hearing Examiner noted he had a copy of his resume, and inquired if it was a true and correct copy and if the facts presented in the resume were accurate. Mr. Johnson said it was. The Hearing Examiner admitted Mr. Johnson's resume as Applicant's Exhibit 3, noting a copy would be copied to the Hearing Examiner files. He inquired if he had been qualified as an expert witness in any other jurisdictions. Mr. Johnson said he had not testified before. He asked Mr. Johnson if there anything in addition to what was in his resume that he would like to mention about his background. Mr. Johnson said he did obtain a Bachelor of Science Degree in Computer Science from Southern Illinois University in 2002, but it was not applicable to his job or on his company resume. The Hearing Examiner declared Mr. Johnson an expert witness in environmental matters.

Mr. Johnson noted that Passarella & Associates conducted a preliminary site assessment on the Whispering Lakes II project on December 9, 2004. During that site assessment, they had delineated the on-site vegetation association, using the Florida Land Use and Cover Forms Classification System. Posted on the board was a FLUCCS and Wetlands map, which displayed the delineated vegetation association, and from that map they had determined that the site was primarily improved pasture land. Other habitat types included pine woods, pine flatwoods, mixed hardwood-conifer, and disturbed land with low degrees of exotic infestation (primarily with Brazilian Pepper). No wetlands were identified on the project site during the preliminary site assessment. They identified one other surface water area, which they had coded as a cow pond, and Mr. Johnson located it on the map.

Also on December 9, 2004, Passarella & Associates conducted a protected species survey, and they found no protected species onsite. The MCP that Ms. Johnson had referred to earlier depicted 2.61± acres of indigenous vegetation that they would be preserving onsite, and Mr. Johnson located that up in the northeast corner of the property where he had identified other types of vegetation to include pine woods, pine flatwoods, and mixed hardwood-conifer. All exotics would be removed within that entire preserve. The Hearing Examiner entered the FLUCCS and Wetlands Map into the record as Applicant's Exhibit 4.

Mr. Schropp introduced Carl Barraco, who was the project engineer, and noted he had previously been before the Hearing Examiner and had been qualified as an expert in civil engineering, and he requested he be qualified as such for this hearing. The Hearing Examiner questioned what area of civil engineering. It was determined Mr. Barraco was an expert witness in surface water management and utilities. Hearing no objections he was accepted. Mr. Barraco introduced himself, noting he was a professional engineer registered in the State of Florida, and he had taken the oath. He noted he would be covering storm water management and utilities, which will serve the project.

The project was located in both the South Florida Water Management District (SFWMD) and East County Water Control District areas. Although they were not through the zoning process as of yet, the project surface management system has been designed. It would be submitted to both the SFWMD and the East County Water Control District in the upcoming days. The project was designed in accordance with the SFWMD based on their review. It outfalls to an

existing East County Water Control District conveyance system, and he believed the system as designed would serve the project well, and would provide a good level of service for the project.

With regard to utilities, the project was located within the Florida Governmental Utility Authority Service District (FGUA). He had a letter from FGUA, which stated that the project was within that district, and also stated that when the utility system was designed it would have to be submitted to that Authority for approval. He submitted that correspondence from FGUA to become part of the record. The Hearing Examiner noted it would be labeled Applicant's Exhibit 5. Mr. Barraco noted those were the summaries for both the water management and utilities for the project, and if there were any questions, he would try to address them.

Mr. Schropp noted and confirmed that FGUA stood ready to serve upon acceptance of the signed request for service and an executed service agreement, payment of appropriate fees and charges, and the approval of all State and Local Regulatory Agencies. The Hearing Examiner inquired if he had any reason to believe that the utilities would not be available for the project. Mr. Barraco said he had no reason to believe they will not be available by reading the letter. If the project was within their system, the system was designed in accordance with their criteria, and he believed the utilities would be provided.

Mr. Schropp said their final witness was Ted Treesh, with Metro Transportation Group, the project traffic engineer. He had previously appeared in this forum before, and had been accepted as an expert witness in traffic engineering. Mr. Schropp requested that he be so accepted for this hearing. Hearing no objections, he was accepted as an expert witness in traffic engineering.

Mr. Treesh introduced himself and indicated that he was responsible for preparing the traffic analysis for the subject rezoning case. A review of that Traffic Impact Statement (TIS) was included in the Staff Report as Attachment F, in a memo from Robert Rentz, indicating that there would be sufficient capacity on the roadways in this area to accommodate this project. He moved to the aerial photograph, and he noted the project was adjacent to some developed lands in Lehigh as part of the project in conjunction with the RPD to the north. Sunrise Boulevard would be extended to the side-access drive to serve the project.

Sunrise Boulevard currently extended just to the east of Homestead, but it would be extended as the property was developed. Initially that would be the principal access. There would be a secondary access that tied into the project to the south, and that roadway within Lehigh allows access to the south. However, they anticipated the principal access to the project would be along Sunrise Boulevard. The County does have future plans, and their project does accommodate the future extension of Sunrise Boulevard to the east, although they would not be building that connection. When Lee County was ready to construct the extension, they would be responsible for the bridge to cross that canal.

They had looked at the access both to the north and to the south, and based on projected volumes that would build out of the subject project, the roadways were projected to operate at or above LOS (Level of Service) "D" at buildout of the project, which was anticipated to be 2009. At that time, with the growth in Lehigh that had been occurring, they had accounted for that, as well for the background traffic. The roadways would operate within the acceptable

LOS as identified in the Lee Plan. Turn lanes on Sunrise would be looked at during the Development Order, to see if any additional site-specific turn lanes were needed.

The Hearing Examiner wanted to know which fire district the subject property was located in. Mr. Treesh deferred the question to Mr. Barraco because he had not had any contact with the fire district. It was determined to be located within the Lehigh Fire District, and Mr. Schropp noted that issue would also be addressed during the Development Order process. He explained it was only required to be reviewed with the local fire district before the hearing, if they were only going to have one access point.

Mr. Schropp stated that would conclude their presentation, but before he concluded he thought that Ms. Johnson mentioned the rezoning that had occurred immediately to the north of the project site, that being Sunrise Lake. He provided the Hearing Examiner with a copy of the Resolution approving that project, which was very similar in nature to the current project. It was also a single-family residential subdivision proposed, rezoning from AG-2 to RPD. Even the densities were similar at 3.7-units-per-acre, and therefore Mr. Schropp thought the project was appropriate as proposed. He gave the Hearing Examiner a copy of resolution Z-05-040, the project to the north approved by the BOCC in June 2005. The Hearing Examiner labeled the resolution as Applicant's Exhibit 6.

Fred Drovdlc, with Lee County Department of Development, introduced himself. He noted his resume was on file in the Hearing Examiner's Office and that he had been qualified as an expert witness in land use and planning in this forum previously. He had taken the oath, and requested to be accepted as an expert witness in land use and zoning for this hearing. After hearing and receiving no objections, the Hearing Examiner accepted him as such.

Mr. Drovdlc noted the Applicant had covered the case sufficiently, so his remarks would be brief. In looking at this rezoning, it was 79.21± acres for 298 single-family lots in Lehigh Acres. He directed attention to two primary areas, one was compatibility with surrounding neighborhoods and the other was compatibility with the Lee Plan and the Land Development Code requirements.

The surrounding neighborhoods, as the Applicant had stated, reflect several recent RPD's that had been approved. This project almost directly mirrors Sunrise Lake to the north, as to lot size, density, and the primary layout. It also reflected and nearly mirrored another project further to the northeast, which was Shadow Lakes. Looking at the other areas surrounding the subject project, there were a number of already developed projects before the open space requirements. As stated in his Staff Report, those densities were also similar to those of the subject property, but Whispering Lakes II lot sizes are slightly larger due to the open space requirements. However, it was consistent with the surrounding development.

The development was also consistent with all applicable aspects of the Lee Plan, including those that the Applicant had mentioned, primarily with the Central Urban Land Use Category, Policy 1.1.3, and Policy 1.7.6, with the Planning Communities Map and Acreage Allocation Table. There was enough room to add residential acreage to Lehigh Acres. With the Applicant's letter and with Staff's knowledge, utilities would be available for connection for water and sewage, unless something would change between now and the time of the Development Order. Staff agreed with the Transportation analysis by Mr. Treesh and the letter from Mr. Rentz, with Lee County Development Review, that the roadway would handle the traffic at a LOS "D" or better. There were no deviations requested, so Staff had found the request consistent with the LDC.

John Fredyma, Assistant County Attorney, noted that looking at the Staff Report, dated September 9, 2005, the only changes that were necessary at this point would be a change to refer to Whispering Lakes II instead of Whispering Lakes I, and the MCP, dated September 14, received September 15, 2005, to add Agricultural Uses to the Schedule of Uses, subject to Condition 11, and then the revised Condition 11, that accompanied his memo to the Hearing Examiner that contained changes that were also endorsed by Staff. Mr. Drovdlc agreed with Mr. Fredyma's analysis of Staff Report changes that would be needed.

At that time, since there were no other witnesses or public participants present that wished to speak, the Hearing Examiner indicated that he would conduct a site visit prior to issuing his recommendation to the BOCC and closed the hearing.

VIII. OTHER PARTICIPANTS AND SUBMITTALS:

ADDITIONAL APPLICANT'S REPRESENTATIVES:

1. Carl Barraco, c/o Barraco & Associates, 2271 McGregor Boulevard, Ft. Myers, Florida 33907
2. Shane Johnson, c/o Passarella & Associates, 9110 College Point Court, Fort Myers, Florida 33908
3. David Kraizgrun, c/o Watermen/Sunrise 80,8045NW155th Street, Miami Lakes, Florida 33016

ADDITIONAL COUNTY STAFF:

1. John Fredyma, Assistant County Attorney, P. O. Box 398, Fort Myers, Florida 33902
2. Kim Trebatoski, c/o Lee County of Environmental Sciences, P. O. Box 398, Fort Myers, Florida 33902

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 31st day of October, 2005. 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.

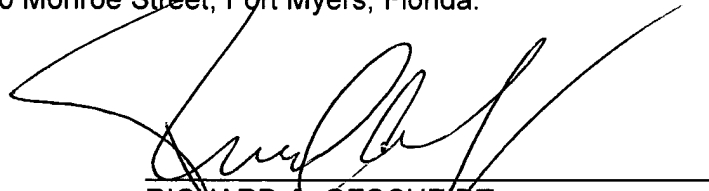
C. The Board of County Commissioners will hold a hearing at which they will consider the record made before the Hearing Examiner. The Department of Community Development will send written notice to all hearing participants of the date of this hearing before the Board of County Commissioners. Only participants, 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.

A handwritten signature in black ink, appearing to read 'Richard A. Gescheidt', is written over a horizontal line.

RICHARD A. GESCHEIDT
LEE COUNTY HEARING EXAMINER
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, Florida 33902-0398
Telephone: 239/479-8100
Facsimile: 239/479-8106

EXHIBIT PH-3.C.1

DESCRIPTION

A tract or parcel of land lying in Sections 4 & 9, Township 45 South, Range 25 East, Lee County, Florida. Said tract or parcel being more particularly described as follows:

From the Northeast corner of Section 9 and the **POINT OF BEGINNING** run S01°44'31"E along the West line of a Canal for Lehigh Acres Unit 1 as recorded in Plat Book 18, Page 2 for 1,342.68 feet to the Northeast corner of Lehigh Acres Unit 3 as recorded in Plat Book 27, Page 182; thence run S87°50'45"W along the North line of a 100.00 foot wide Canal as recorded in said plat for 1,276.39 feet to the Northwest corner of said plat; thence run N01°26'22"W for 1,339.47 feet to the Northwest corner of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of said Section 9; thence run N00°49'16"W along the West line of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of said Section 4 for 1,267.72 feet to an intersection with the Centerline of a proposed 100 foot Right-of-Way for Sunshine Boulevard; thence run N87°41'45"E along Centerline of said proposed Right-of-Way for 278.60 feet to a point of curvature; thence run easterly along an arc of curve to the left of radius 1,000.00 feet (delta 28°00'38") (chord bearing N73°41'26"E)(chord 484.02 feet) for 488.88 feet to a point of reverse curvature; thence run easterly along an arc of curve to the right of radius 1,000.00 feet (delta 29°40'31") (chord bearing N74°31'23"E) (chord 512.16 feet) for 517.93 feet; thence run N89°04'20"E for 44.57 feet to an intersection with the East line of the Southeast quarter of Section 4; thence run S00°12'24"E for 1,501.13 feet along the East line of said Section 4 and the West line of Lehigh Acres Unit 11 as recorded in Plat Book 15, Page 217 to the **POINT OF BEGINNING**.

Containing 3,450,411 square feet or 79.211 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (NAD 1983/99 adjustment) and are based on the East line of said Northeast Quarter (NE1/4) of said Section 9 to bear S01°44'31"E.

Applicant's Legal Checked

by Lgm 5/06/2005

John R. Avery III 1-19-05
John R. Avery III (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5298

21946s02.desc.doc

DCI 2005-00007

RECEIVED
JAN 21 2005

PERMIT COUNTER

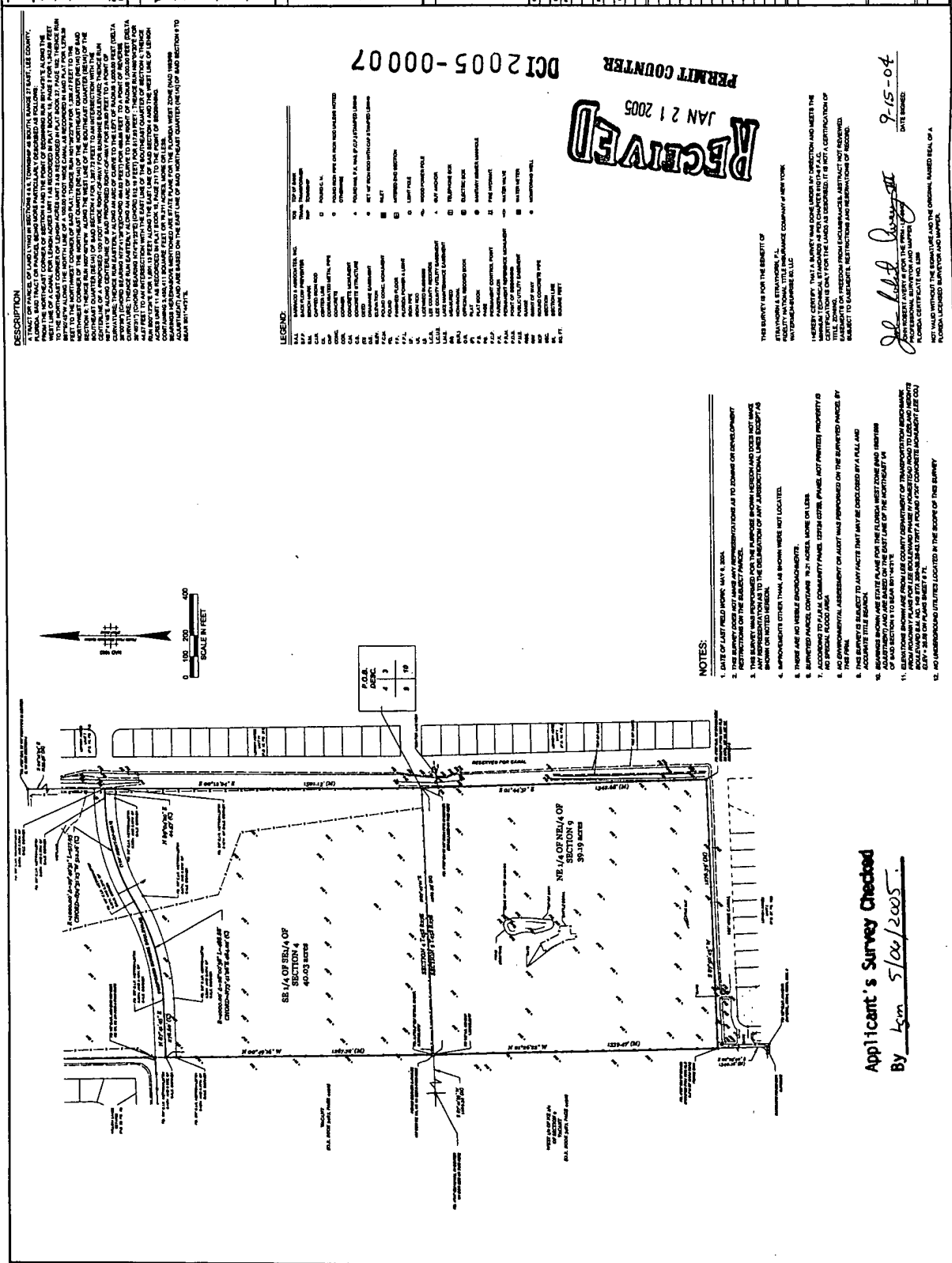
Barraco
Real Estate, Inc.
10000 SW 15th Street
Suite 100
Miami, FL 33185
Tel: (305) 555-1111
Fax: (305) 555-1112
www.barraco.net

**WATERMEN
DEVELOPMENT
GROUP CORP.**
800 N.W. 15th Street
Miami Lakes, Florida 33019
Phone: (305) 555-1111
Fax: (305) 555-1112

**BETHANY
PLACE**
PART OF SECTION 4
TOWNSHIP 36 SOUTH
RANGE 30 EAST
LEE COUNTY, FLORIDA

EXHIBIT 6-A
BOUNDARY
SURVEY

1 OF 1



DCI 2005-00007

RECEIVED
JAN 21 2005
PERMIT COUNTER

THIS SURVEY IS FOR THE BENEFIT OF
BETHANY PLACE, LLC
A LIMITED LIABILITY COMPANY OF NEW YORK
WATERMEN DEVELOPMENT GROUP, INC.
A LIMITED LIABILITY COMPANY OF FLORIDA
THE SURVEY IS BASED ON THE ORIGINAL SURVEY OF THE
SECTION 4, TOWNSHIP 36 SOUTH, RANGE 30 EAST, LEE COUNTY, FLORIDA
AS SHOWN ON THE PLAT OF THE SECTION 4, TOWNSHIP 36 SOUTH, RANGE 30 EAST, LEE COUNTY, FLORIDA
FILED IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BOOK 10, PAGE 10000
DATE OF RECORDATION: 10/15/2004
FILED IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BOOK 10, PAGE 10000
DATE OF RECORDATION: 10/15/2004

Applicant's Survey Checked
By Ken 5/06/2005

- NOTES:**
- DATE OF LAST FIELD SURVEY: JAN 21, 2005
 - THIS SURVEY WAS PERFORMED FOR THE PURPOSE OF DETERMINING THE BOUNDARY OF THE SECTION 4, TOWNSHIP 36 SOUTH, RANGE 30 EAST, LEE COUNTY, FLORIDA, AS SHOWN ON THE PLAT OF THE SECTION 4, TOWNSHIP 36 SOUTH, RANGE 30 EAST, LEE COUNTY, FLORIDA, FILED IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BOOK 10, PAGE 10000, DATE OF RECORDATION: 10/15/2004.
 - THE SURVEY WAS PERFORMED FOR THE PURPOSE OF DETERMINING THE BOUNDARY OF THE SECTION 4, TOWNSHIP 36 SOUTH, RANGE 30 EAST, LEE COUNTY, FLORIDA, AS SHOWN ON THE PLAT OF THE SECTION 4, TOWNSHIP 36 SOUTH, RANGE 30 EAST, LEE COUNTY, FLORIDA, FILED IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BOOK 10, PAGE 10000, DATE OF RECORDATION: 10/15/2004.
 - IMPROVEMENTS OTHER THAN AS SHOWN WERE NOT LOCATED.
 - THESE ARE NO MORE ENCUMBRANCES.
 - ENCUMBRANCES CONTAINED IN 1/4 SECTION 4, TOWNSHIP 36 SOUTH, RANGE 30 EAST, LEE COUNTY, FLORIDA, AS SHOWN ON THE PLAT OF THE SECTION 4, TOWNSHIP 36 SOUTH, RANGE 30 EAST, LEE COUNTY, FLORIDA, FILED IN THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BOOK 10, PAGE 10000, DATE OF RECORDATION: 10/15/2004.
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AFFIDAVIT

STATE OF FLORIDA
COUNTY OF LEE

BEFORE ME, the undersigned authority, on this 13th day of May, 2005, duly authorized to take acknowledgment and administer oaths, personally appeared Eddy Garcia, as Managing Member of Watermen-Sunrise 80, L.L.C., who is personally known to me, who after first being duly sworn, deposes and says:

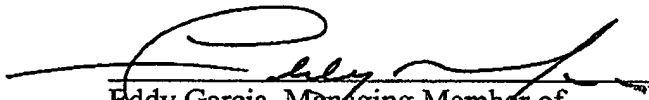
1. That I am the owner and authorized representative of the following Described property, to wit:

See attached Exhibit "A"

2. That the above described property has been zoned for bona fide Agricultural purposes and currently agricultural uses (Cattle Grazing) are taking place at The time of the Lee County Board of County Commissioners review and consideration of the rezoning of the property described on the attached Exhibit "A".

3. Affiant further states that he is familiar with the nature of an oath, and with the penalties as provided by the laws of the State aforesaid for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that he has read, or has heard read to him, the full facts of the affidavit and understands its meaning and context.

FURTHER AFFIANT SAYETH NOT.

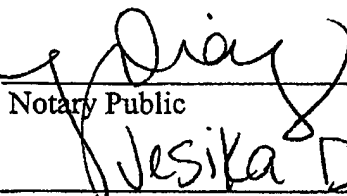

Eddy Garcia, Managing Member of
Watermen-Sunrise 80, L.L.C.

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 13th day of May, 2005 by Eddy Garcia, as Managing Member of Watermen-Sunrise 80, L.L.C., who is personally known to me or who has produced _____ as identification.

My Commission Expires:



Jesika Diaz
My Commission DD311894
Expires April 20, 2008


Notary Public

Jesika Diaz
Print/Type Name of Notary

Commission No.

DD311894

EXHIBIT B

WATERMEN - SUNRISE 80, LLC.
04-45-27-00-00008.0010
09-45-27-00-00006.0000
AGRICULTURAL USE: CATTLE GRAZING

EXISTING BARBED
WIRE FENCE

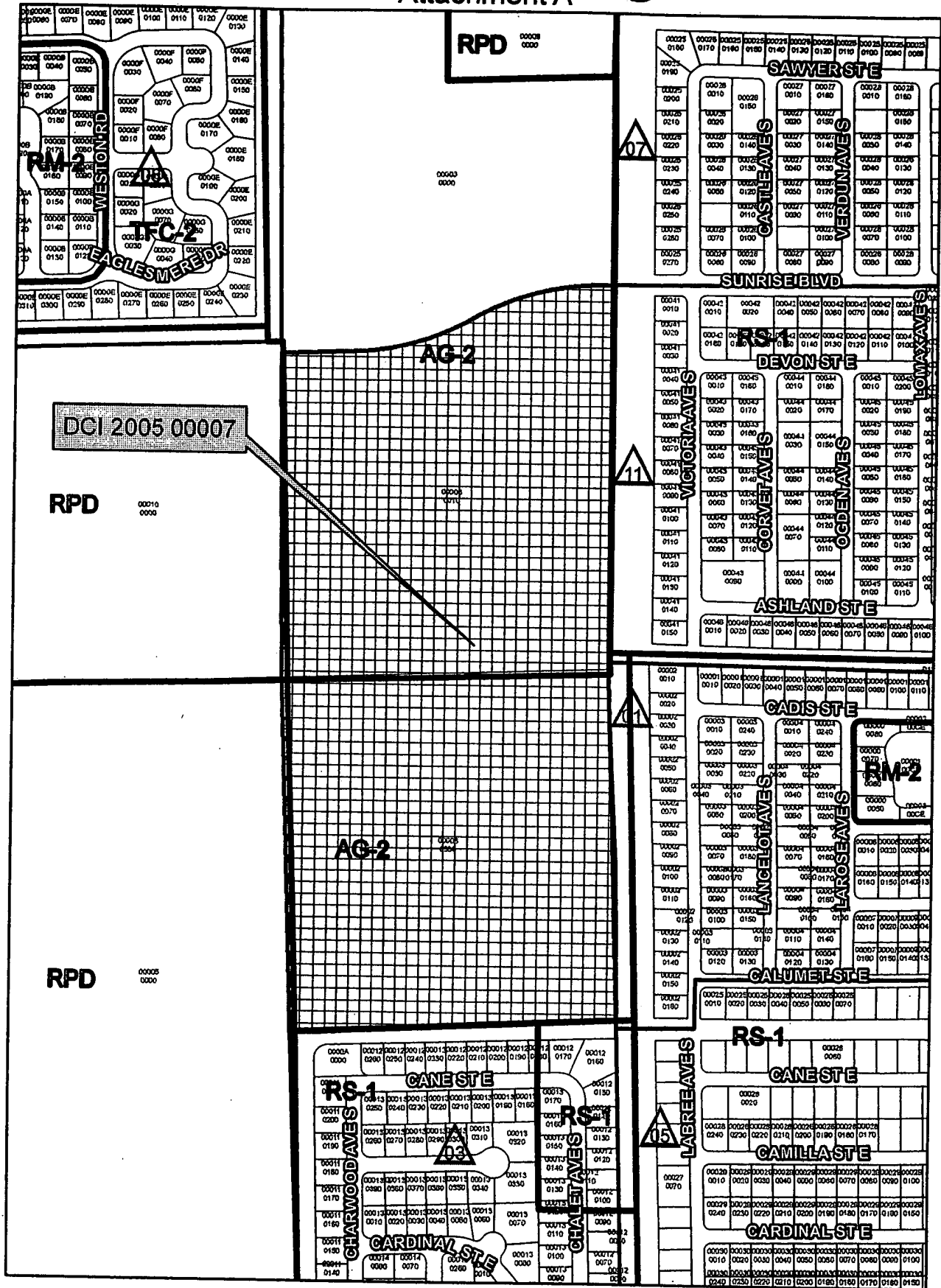
SUBJECT
PROPERTY

NORTH
0 100 200 400
FOOT SCALE

ZONING INTAKE MAP

7/11/2005

Attachment A



560 280 0

560 Feet

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

TYPE OF CASE: PLANNED DEVELOPMENT/DCI

CASE NUMBER: DCI2005-00007

**HEARING EXAMINER DATE: September 28, 2005
August 31, 2005**

I. APPLICATION SUMMARY:

- A. Applicant: Watermen at Sunrise 80, LLC in ref to Whispering Lakes I
- B. Request: Rezone 79.21± acres from Agricultural (AG-2) to Residential Planned Development (RPD), to permit a maximum of 298 single-family lots, with a maximum height of 35 feet. No blasting is proposed.
- C. Location: The subject property is located at the eastern terminating end of Sunrise Boulevard, approximately 3/4 of a mile east of the intersection of Sunrise Boulevard and Homestead Road, Lehigh Acres, FL 33936, in S04-T45S-27E, Lee County, FL. (District #5)
- D. Future Land Use Plan Designation, Current Zoning and Use of Subject Property:
- The subject property is currently zoned Agricultural (AG-2), is vacant, and is within the Central Urban Land Use category.
- E. Surrounding Land Use:

Existing Zoning & Land Use

Future Land Use Map

North: Sunrise Lake RPD, recently approved rezoning for 140 single-family units.

Central Urban

East: 150' wide canal, then RS-1 zoned residential development

Central Urban

South: 100' wide canal, then RS-1 zoned residential development

Urban Community

West: Bethany Trace RPD, recently approved for single-family units.

Central Urban

- F. Size of Property: 79.21± acres

II. RECOMMENDATION:

Staff recommends APPROVAL of the Applicant's request for rezoning from AG-2 to RPD with the following conditions and deviations:

A. Conditions

1. The development of this project must be consistent with the one-page Master Concept Plan entitled "Whispering Lakes I," stamped received September 8, 2005, dated Wed. - 9-7-2005 - 9:26 AM, except as modified by the conditions below.

The project is approved for a maximum of 298 dwelling units.

2. The following limits apply to the project and uses

- a. Schedule of Uses

Accessory uses and structures
Dwelling unit: Single family
Entrance gates, and gatehouse
Essential services
Essential service facilities, group I
Excavation, retention - With no removal of fill off-site
and subject to Condition 14
Fences, walls
Home occupation (no outside help)
Models: model home, model display center (per condition 6, below)
Recreation facilities, personal
Signs, in accordance with LDC Chapter 30
Temporary uses: construction trailer, sales center
(sales center per condition 7, below)

- b. Site Development Regulations

Land Use	Road Set back	Side Set back	Rear Set back	Water Set back	Lot Cover age	Max. Height	Lot Width	Lot Depth	Lot Area
Single Family	20' min.	7.5' min.	20' min.	25' min.	45% max.	35' (2 stories)	50' min.	130' min.	6500 sf. min.
Accessory Structures	20' min.	5' min.	5' min.	25' min.	n/a	35' (2 stories)	n/a	n/a	n/a

3. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.
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 Allocation Table, Map 16 and Table 1(b).
5. Blasting is prohibited on this project site.
6. Model homes are permitted uses, but, must be consistent with the following conditions:

- A. A maximum of six (6) model homes are permitted;

- B. All model homes must be located within the area depicted on the Master Concept Plan as an area for model homes;
 - C. Hours of operation for the model homes are restricted to Sunday through Saturday, 8:00 a.m. through 6:00p.m.;
 - D. Each model home must be a unique example. Multiple examples of the same model are not permitted.
7. A Real Estate Sales Office is a permitted use, but, must be consistent with the following conditions:
- A. A maximum of one (1) real estate sales office is permitted, and must be located in the same area as the proposed model homes as depicted on the Master Concept;
 - B. Hours of operation for the real estate sales office restricted to Sunday through Saturday, 8:00a.m. through 6:00p.m.; and
 - C. The real estate sales office is limited to the sale of units within the development, and is valid for a period of time not to exceed three (3) years from the date the certificate of occupancy for the sales office is issued. The director may grant one two-year extension. Additional time will require a special exception approval.
8. Prior to local development order approval, the plans must delineate a minimum of 2.61 acres of native indigenous preservation, in significant compliance with the Master Concept Plan.
9. The developer must apply for a permit for the proposed culvert crossing over canal 57-9-2. The culvert crossing must be constructed using methodology as approved by East County Water Control District and Lee County.
10. The developer must sign an agreement with East County Water Control District to bring this development, Whispering Lakes I, into East County Water Control District since it is currently an enclave or an out parcel.
11. AGRICULTURAL USES are not a permitted used in the Schedule of Uses, and thus must cease upon approval of this rezoning.
- a. Upon approval of the requested rezoning by the Lee County Board of County Commissioners, the property owner must provide written proof, subject to approval by the County Attorney's Office, of the following:
 - (1) Termination of all agricultural use on any portion of the property. Proof must include a sworn affidavit from the person or entity holding title to the subject property that specifically provides:
 - a) termination effective as of the date of approval of the rezoning and cessation of all agricultural uses on the property on that same date;
 - b) the legal description of the property;

- c) an affirmative statement that the owner acknowledges and agrees that all agricultural uses are illegal and prohibited on the property and that the owner covenants with the county that they will not allow any such uses on the property unless and until the property is rezoned to permit such uses; and,
 - d) that the affidavit constitutes a covenant between the owner and the county that is binding on the owner and their assignees and successors in interest, and the covenant must be properly recorded in the public records of the county at the owner's expense.
- (2) Proof as to termination of the agricultural tax exemption for all of the property must include of a copy of the request to terminate the tax exemption provided to the Property Appraiser.
- 12. Whispering Lakes I proposes two access points: a gated southern access through Bethany Trace and a northern access onto Sunrise Boulevard. Sunrise Boulevard must be constructed and will serve as the main access road for this project, located on the south side of the road, and for Sunrise Lakes RPD (Z-04-040), located on the north side of the road. Whispering Lakes I and Sunrise Lakes access onto Sunrise Boulevard must align.
- 13. 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.
- 14. Excavation on site is limited to the excavation of material for on-site use only (water retention, water management or the construction of a recreational amenity). Construction materials mining as defined under §552.30, is prohibited.

B. Deviations

No deviations are being requested.

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 rezoning to Residential Planned Development (RPD) by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations.
- 2. The requested zoning, as conditioned:
 - a) meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;
 - b) is consistent with the densities, intensities and general uses set forth in the Lee Plan;
 - c) is compatible with existing or planned uses in the surrounding area; and

- d) 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, will be extended and adequate to serve the proposed land use.
- 5. The proposed mix of uses, as conditioned, are 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 is a request is to rezone 79.21+/- acres from Agricultural (AG-2), to Residential Planned Development (RPD), to permit a maximum of 298 single-family lots, with a maximum height of 35 feet. No blasting is proposed.

Master Concept Plan

The Master Concept Plan consists of one page stamped received September 8, 2005. The MCP consists of a circular street pattern with access on the north and south. Three lakes are internal to the proposed lots, a fourth lake is located in the southwest corner, and the northeast corner is to be an indigenous preserve. No clubhouse is proposed on site.

Lee Plan Considerations

POLICY 1.1.3: *The Central Urban areas can best be characterized as the "urban core" of the county. These consist mainly of portions of the city of Fort Myers, the southerly portion of the city of Cape Coral, and other close-in areas near these cities; and also the central portions of the city of Bonito Springs, IANA/MacGregor, Lehigh Acres, and North Fort Myers. This is the part of the county that is already most heavily settled and which has or will have the greatest range and highest levels of urban service--water, sewer, roads, schools, etc. Residential, commercial, public and quasi-public, and limited light industrial land uses (see Policy 7.1.6) will continue to predominate in the Central Urban area. This category has a standard density range from four dwelling units per acre (4 du/acre) to ten dwelling units per acre (10 du/acre) and a maximum density of fifteen dwelling units per acre (15 du/acre). (Amended by Ordinance No. 94-30, 02-02)*

A single-family housing subdivision in the Central Urban land use category is generally not able to be consistent with the density range permitted. After applying the various Land Development Code requirements such as open space, width of access roads and minimum lot sizes a single-family subdivision can typically reach densities of up to 3.7-3.8 dwelling units per acre, thus falling slightly below the four to ten units per acre range of the land use category. However, the request is **CONSISTENT** with this land use category because the future land use category indicates that residential uses are appropriate and the surrounding uses are single-family with

densities also slightly below four units per acre. The applicant is proposing a development of 298 dwelling units, which would equate to approximately 3.7 units per acre.

POLICY 1.7.6: *The Planning Communities Map and Acreage Allocation Table (see Map 16 and Table 1(b) and Policies 1.1.1 and 2.2.2) depicts the proposed distribution, extent, and location of generalized land uses for the year 2020. Acreage totals are provided for land in each Planning Community in unincorporated Lee County. No final development orders or extensions to final development orders will be issued or approved by Lee County which would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded.*

The subject property is located in the Planning Community of Lehigh Acres. The Planning Community Year 2020 Allocations indicate that 11,099 acres in the Planning Community in Lehigh Acres have been allocated for residential use. Of that acreage, 6,353.45 are available for residential use. Staff finds the request **CONSISTENT** with the allocations for the Planning Community of Lehigh Acres.

OBJECTIVE 2.1: DEVELOPMENT LOCATION. *Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities. (Amended by Ordinance No. 94-30, 00-22)*

OBJECTIVE 2.2: DEVELOPMENT TIMING. *Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in FS 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrence Management Ordinance. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 2.2.1: *Rezoning and development-of-regional-impact proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare. (Amended by Ordinance No. 94-30, 00-22)*

The subject property is located in proximity to existing residential developments, public parks, schools, water and sewer provided by Florida Water Services, and commercial shopping. It has the necessary characteristics of urban infill. The proposed development is in an area where urban services already exist and are serving residential neighborhoods nearby. The development is in the Florida Water Services Corporation service area for potable water and sewer, and is within the service area for Lehigh Acres Fire Department, Lee County Public Schools, and the Lee County Sheriff's Office. The proposed project, as conditioned, is **CONSISTENT** with **Objective 2.1, Objective 2.2. and Policy 2.2.1** of the Lee Plan.

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

No physical constraints or hazards appear to exist or require the density or design to be adjusted. As conditioned, this proposed development is **CONSISTENT** with **Policy 5.1.2** of the Lee Plan.

POLICY 5.1.5: *Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The Land Development Code will continue to require appropriate buffers for new developments. (Amended by Ordinance No. 94-30, 99-15, 00-22)*

This is single-family residential development in proximity to other single-family residential developments and subdivisions. The vast majority of the subject property is separated from surrounding uses by large canals. As conditioned, this proposed development is **CONSISTENT** with **Policy 5.1.5** of the Lee Plan.

STANDARD 11.1: WATER. *Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a "community" water system as that is defined by Chapter 17-22, F.A.C.).*

STANDARD 11.2: SEWER. *Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system.*

Water and sewer services are available from Florida Water Services and will be connected to this development. As conditioned, this proposed development is **CONSISTENT** with water and sewer standards of the Lee Plan.

POLICY 100.9.5: *New development adjacent to areas of established residential neighborhoods must be compatible with or improve the area's existing character.*

The subject property is cleared unused agricultural land. Staff recommends a condition stating agriculture is not a permitted use within this Planned Development. The applicant has not expressed a wish to continue the agricultural uses.

This proposed development is compatible with the area's existing character of single-family homes. As conditioned, this proposed development is **CONSISTENT** with **Policy 100.9.5** of the Lee Plan.

Neighborhood Compatibility

The Lee Plan describes the community of Lehigh Acres as follows:

Lehigh Acres - *This community is the Lehigh Acres development, which was platted starting in 1954. This community is located south of Township 43 South, generally north of SR 82, and east of Buckingham Road/the Buckingham Rural Community Preserve to the eastern Lee County line. This community is designated as Urban Community, Central Urban, Industrial*

Development and Public Facilities. The Lehigh Community will continue to grow through the year 2020 at a rate faster than the county average growth rate. This community, however, will not be close to build out by 2020. The Lehigh community will grow from a 1996 permanent population of 26,000 to over 71,000 permanent residents in the year 2020. The build out potential for the Lehigh Community is more than double the projected 2020 population. Lehigh will continue to struggle with providing sufficient non-residential uses to accommodate a community of its size. New provisions for providing these uses has been implemented and will aid in this problem, however, residents will continue to commute from this community to the core communities such as Fort Myers, South Fort Myers, and Gateway/Airport for employment, shopping and other services. This community will also struggle with providing an adequate road network to reduce traffic congestion as the population grows. (Added by Ordinance No. 99-15)

This proposed development introduces more single-family residential uses into a single-family residential portion of Lehigh Acres. The proposed density is 3.7 units per acre, on typical 6,500 square foot lots. The development's impacts are minimized by the 100 and 150-foot canals separating the subject property from the existing residential developments. To the north is the recently approved Sunrise Lakes RPD with a density of 3.7 dwelling units per acre. Also to the north is Willow Lake Estates, 10,000 square foot typical single-family lots at a maximum of 4.3 units per acre. This area was developed prior to current open space requirements so despite larger lots, density is similar to the Sunrise Lakes RPD. This portion is thickly developed with most parcels built. To the northeast is Shadow Lakes RPD, an approved planned development on similar 6,500 square foot lots with a density of 3.85 units per acre. To the east is Twin Lake Estates, typical 11,250 square foot single-family lots and 3.8 units per acre. This area is partially developed with many vacant properties. To the west is Amberwood Estates, zoned Two-Family Conversion on lots approximately 11,000 square feet with densities similar to the subject property. Amberwood Estates is fully developed. To the west is Bethany Trace RPD, approved for two phases, a total of 375 single-family units and 300 multi-family units for a density of 3.8 units per acre. Phase I is complete while Phase II is not yet constructed.

Given the existing developments, the limited uses proposed, and the conditions above, this request is compatible with the surrounding neighborhood.

Environmental Issues

Environmental Sciences reviewed this application (please see attachment 'D'), and recommended condition 8, above to ensure the preservation of the native indigenous vegetation on site.

Special Case Issues

Transportation

Bob Rentz issued a memo on August 5, 2005 stating that the project will generate 285 peak hour trips (Attachment F). Homestead Road south of Leeland Heights will operate at a level "D" with or without this project. The Department of Development Services sited that the entrance onto Sunrise Boulevard must meet up with the entrance from the Sunrise Lakes RPD recently approved by resolution Z-05-040 as stated in condition 12.

Canal Crossing

Per the letter from East County Water Control District (see attachment E), staff recommends conditions 9, and 10, above.

Conclusion

Staff reluctantly approves this development. While the proposed development, as conditioned, is consistent with the surrounding area; compatible with prior residential planned developments approved to the north and west; and consistent with the Lee Plan goals, objectives and policies, as well as the Land Development Code (LDC), subdividing undeveloped acreage in the middle of Lehigh Acres into small residential lots is absolutely unneeded. The fact that the proposed master concept plan meets the LDC requirements and staff does not have a Lee Plan goal, policy or objective to site in opposition to this type of development in Lehigh Acres is unfortunate.

IV. ATTACHMENTS:

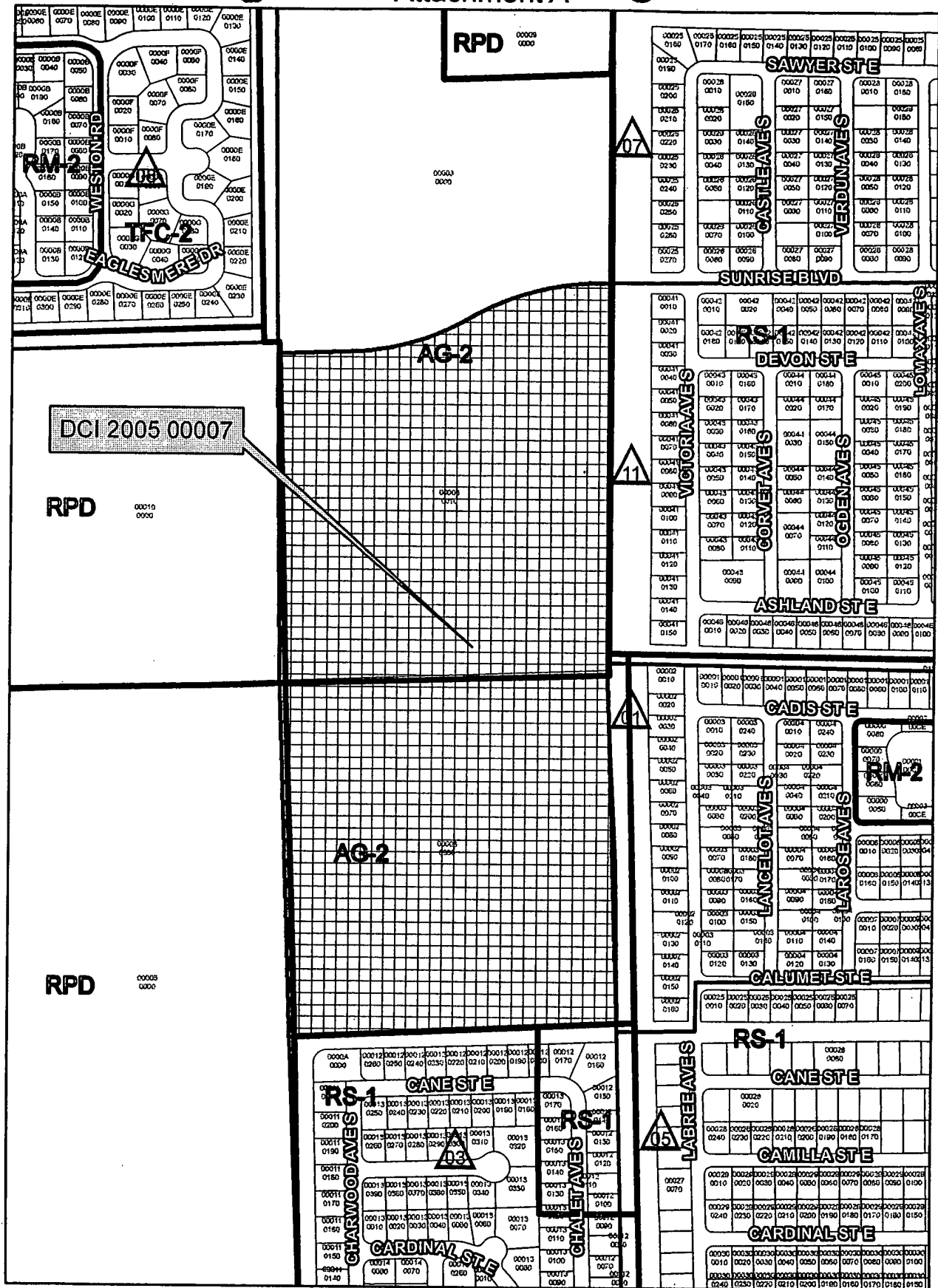
- A. Map of surrounding zoning
- B. Master Concept Plan (reduced)
- C. Aerial (reduced)
- D. Environmental Sciences staff report
- E. Letter from East County Water Control District
- F. TIS Memo

cc: Applicant
County Attorney
Zoning/DCI File

ZONING INTAKE MAP

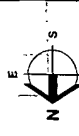
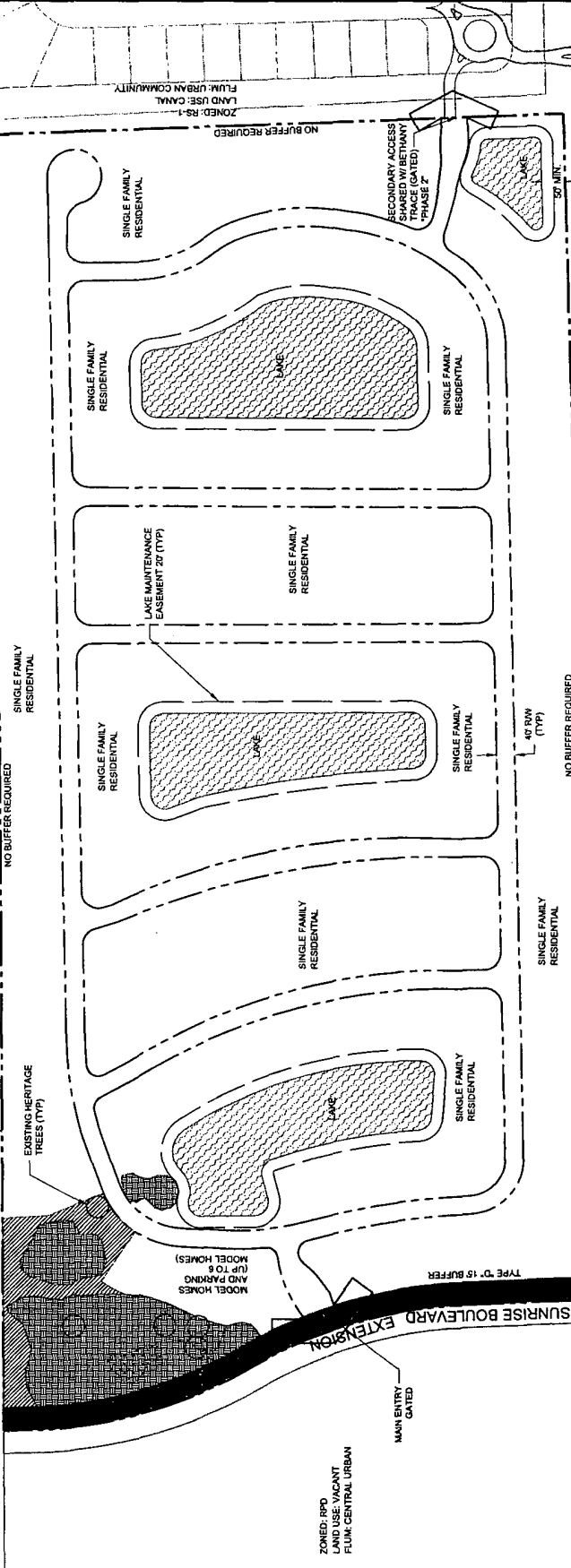
7/11/2005

Attachment A



560 280 0 560 Feet

ATTACHMENT B



ZONED: RPD
LAND USE: VACANT
FLUM: URBAN COMMUNITY
"BETHANY TRACE, PHASE 2"

REFERENCE CROSS
ACCESS EASEMENT
OR BOOK 4500 AND PAGE
NUMBER 2138

ZONED: RS-1
LAND USE: SINGLE FAMILY RESIDENTIAL

LEGEND

LAKE

RPD

INDIGENOUS

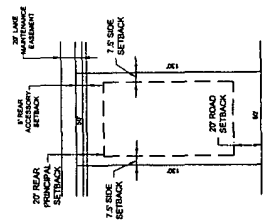
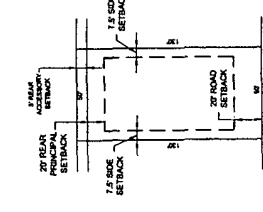
INDIGENOUS

(NOT INCLUDED
IN CALCULATIONS)

FUTURE
SUNRISE

RECREATION
OPEN SPACE

USE	±AC
ROAD	+8.97 AC
SINGLE FAMILY RES.	+48.23 AC
LAKE	+8.10 AC
PRESERVE	+2.81 AC
OPENOTHER	+8.77 AC
FUTURE RW	+1.54 AC
TOTAL	70.29 AC



SITE DEVELOPMENT NOTES

1. The total residential lot count may not exceed 200 units.
2. All existing vegetation shall be preserved from the development area according to a removal schedule established by the County Engineer. The site plan shall be maintained free of erosion in perpetuity.
3. Development shall be accomplished through the use of mounds, contour drainage system, and/or detention basins.
4. Lease covenants will be imposed in writing in accordance with the County regulations.
5. The proposed interior roads will be private lots roads with limited drainage.
6. Models will be permitted at the locations shown on the Master Concept Plan, provided that no more than 6 models shall be permitted at any one location.

TYPICAL LAKE SINGLE FAMILY LOT

TYPICAL NON-LAKE SINGLE FAMILY LOT

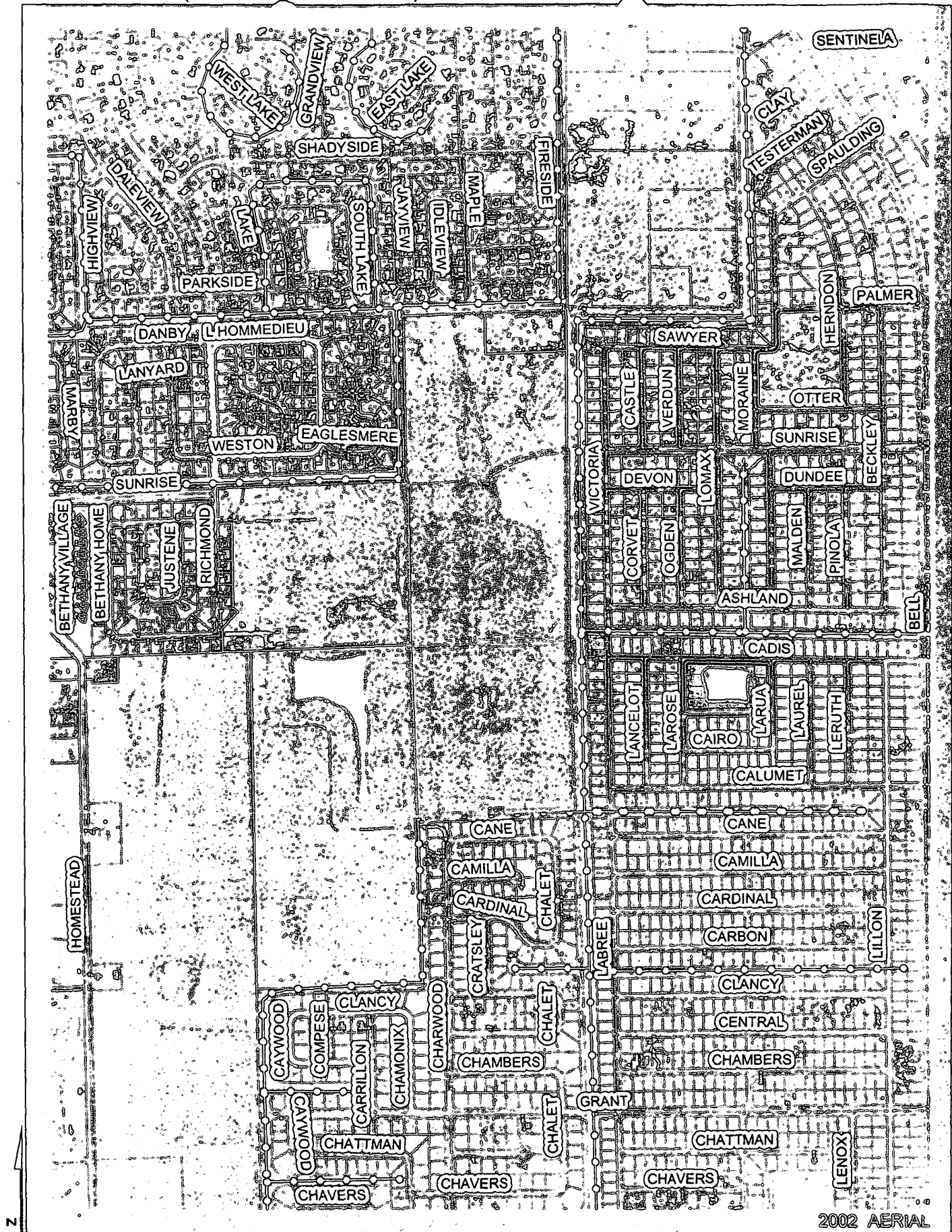
415

13.

RECEIVED
SEP 08 2005

PERMIT COUNTER

DCI2005-00007



2002 AERIAL

**STAFF REPORT
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ENVIRONMENTAL SCIENCES**

Date: June 27, 2004

To: Jeff Laurien, Senior Planner
From: Alaina Ray, Environmental Planner *ar*
Phone: (239) 479-8323
E-mail: aray@leegov.com

Project: Bethany Place RPD
Case: DCI2005-00007
STRAP: 04-45-27-00-00008.0010; -00006.0000

The Division of Environmental Sciences (ES) has reviewed the application for the proposed Bethany Place Residential Planned Development (RPD). The following are ES staff findings and recommendations:

Vegetation:

The project site is approximately 79.22 acres, which includes 76.03 acres of improved pasture and disturbed land. This area has been previously cleared and has been actively utilized as grazing land. The remaining 3.16 acres consists of native indigenous vegetation, including slash pine, laurel oak, cabbage palm, saw palmetto and wax myrtle.

Per LDC Section 34-411(g) Planned developments are to be designed to preserve natural features of the site, particularly mature native trees and other native vegetation. The proposed Master Concept Plan (MCP) indicates that 2.61 acres of native indigenous vegetation will be preserved and utilized for passive recreation. Therefore, ES staff recommends the following condition:

Prior to local development order approval, the plans must delineate a minimum of 2.61 acres of native indigenous preservation, in significant compliance with the Master Concept Plan.

Open Space:

The proposed project consists of single family residential units with a minimum lot size of 6,500 square feet and maximum lot coverage of 45 percent. As such, the project is exempt from open space requirements per LDC Section 10-415(a).

**East County**

Water Control District

601 East County Lane, Lehigh Acres, Florida 33936 239-368-0044 FAX: 239-368-3412

March 30, 2005

DCI 2005-00007

Mr. Stephen Sposato, AICP
Barraco and Associates, Inc.
2271 McGregor Boulevard
Fort Myers, Florida 33901

RECEIVED
APR 22 2005

Dear Mr. Sposato:

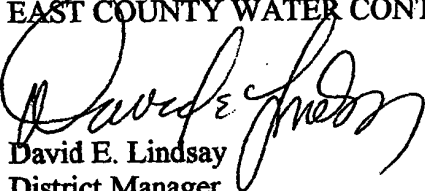
The East County Water Control District finds the proposed crossing over canal 57-9-2 acceptable providing that Barraco and Associates, Inc., and their associated owners, apply for a permit and that the culvert crossing is constructed using methodology as approved by East County Water Control District and Lee County.

Barraco and Associates must also sign an agreement with East County Water Control District to bring this development, Bethany Place, into East County Water Control District as it is currently an enclave or an out parcel.

If you have any questions please give me a call.

Sincerely,

EAST COUNTY WATER CONTROL DISTRICT


David E. Lindsay
District Manager

J:\Manager\2005\Letters\Barraco&Assoc,Inc\BethanyPlace

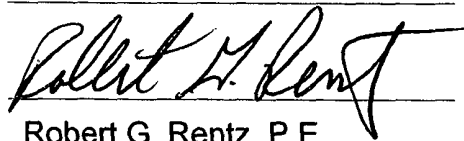
ATTACHMENT E

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: August 5, 2005

To: Fred Drovdic
Senior Planner

FROM:


Robert G. Rentz, P.E.
Development Review
Engineer

RE: **Bethany Place RPD**
Case No. DCI2005-00007

Based on the ITE Trip Generation Report 7th Edition, the proposed project will generate 285 peak hour trips.

Based on the 2003/2004 - 2004/2005 Concurrency Management Report, the Lee County D.O.T. link-specific service volumes, growth rates derived from the 2003 Traffic Count Report, and traffic volumes from the approved Sunrise Lakes RPD, Homestead Rd. south of Leeland Heights Blvd. will operate at level of service "D" in 2009, without or with the proposed project.

BGR

S:\WRITERS\RENTZRG\DCI2005-00007\SUBSTANTIVETRAFFICCOMMENTS

ATTACHMENT F

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 Zoning Division in the following manner:

- Signs for case #DCI2005-00007 must be posted by **Tuesday, September 13, 2005**.
- 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 Zoning Division, and obtain duplicate copies of the sign from the Zoning 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 ZONING DIVISION, 1500 MONROE ST., FT. MYERS, FL 33901.

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

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED _____

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 REFERENCE BELOW:



SIGNATURE OF APPLICANT OR AGENT

Shellie Johnson AICP

NAME (TYPED OR PRINTED)

2271 McGregor Blvd.

ST. OR PO BOX

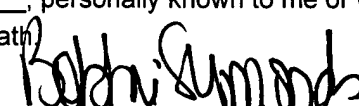
Fort Myers, FL 33901

CITY, STATE & ZIP

#DCI2005-00007/WHISPERING LAKES II/09/28/2005/JLP

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 9th day of September, 2005 by Shellie Johnson, personally known to me or who produced personally known as identification and who did/did not take an oath.


Signature of Notary Public

Bobbie L. Symonds
Printed Name of Notary Public



Bobbie L. Symonds
MY COMMISSION # DD246445 EXPIRES
September 2, 2007
BONDED THRU TROY FAIR INSURANCE, INC.

My Commission Expires:
(Stamp with serial number)

RECEIVED

SEP 09 2005


COMMUNITY DEVELOPMENT



RECEIVED
AUG 24 2005

APPLICATION FOR REQUEST FOR CONTINUANCE, DEFERRAL, WITHDRAWAL, OR REHEARING
COMMUNITY DEVELOPMENT
REC'D SECOND FLOOR

REQUEST FOR: (refer to back of sheet for special notes)

X CONTINUANCE DEFERRAL WITHDRAWAL
REHEARING WITHDRAWAL OF ADMINISTRATIVE APPEAL

If a DEFERRAL OR CONTINUANCE is requested, please indicate:

Length of time requested: Next available HEX date- September 28, 2005

From: X Hearing Examiner BOCC

1. Date of Scheduled Hearing: August 31, 2005; 9:00 AM

2. Applicant/Project Name: Whispering Lakes (a.k.a. Bethany Trace)

3. Tracking/Hearing/Application Number: DCI2005-00007

4. Date Decision was Rendered: August 22, 2005

5. Type of Application-Check

X Rezoning Special Exception Variance Other

6. Reason for request (If rehearing is requested, see Special Notes on Back):

County initiated to correct the HEX Hearing advertisement. The ad was placed without HEX hearing time.

Fred G. Drovdic

Wednesday, August 24, 2005

Signature of applicant or authorized agent

Date

Fred G. Drovdic

Name (typed or printed legibly)

Lee County DCD

Address

STATE OF FLORIDA

COUNTY OF LEE

The foregoing instrument was acknowledged before me this

24th

day of

August

20 05

by

Fred Drovdic

who is personally known to me or who produced

as identification.



Cheryl L. Bermudez
Signature of Notary Public

Cheryl L. Bermudez

Printed Name of Notary Public

FEE \$ \$

RECEIPT NUMBER:

DATE PAID:

INTAKE BY:

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

TYPE OF CASE: PLANNED DEVELOPMENT/DCI

CASE NUMBER: DCI2005-00007

HEARING EXAMINER DATE: August 31, 2005

I. APPLICATION SUMMARY:

- A. Applicant: Watermen at Sunrise 80, LLC in ref to Bethany Place
- B. Request: Rezone 79.21+/- acres from Agricultural (AG-2) to Residential Planned Development (RPD), to permit a maximum of 298 single-family lots, with a maximum height of 35 feet. No blasting is proposed.
- C. Location: The subject property is located at the eastern terminating end of Sunrise Boulevard, approximately 3/4 of a mile east of the intersection of Sunrise Boulevard and Homestead Road, Lehigh Acres, FL 33936, in S04-T45S-27E, Lee County, FL. (District #5)

D. Future Land Use Plan Designation, Current Zoning and Use of Subject Property:

The subject property is currently zoned Agricultural (AG-2), is vacant, and is within the Central Urban Land Use category.

E. Surrounding Land Use:

<u>Existing Zoning & Land Use</u>	<u>Future Land Use Map</u>
North: Sunrise Lake RPD, recently approved rezoning for 140 single-family units.	Central Urban
East: 150' wide canal, then RS-1 zoned residential development	Central Urban
South: 100' wide canal, then RS-1 zoned residential development	Urban Community
West: Bethany Trace RPD, recently approved for single-family units.	Central Urban

F. Size of Property: 79.21± acres

II. RECOMMENDATION:

Staff recommends APPROVAL of the Applicant's request for rezoning from AG-2 to RPD with the following conditions and deviations:

A. Conditions

1. The development of this project must be consistent with the one-page Master Concept Plan entitled "Bethany Place RPD," stamped received April 22, 2005, dated Wed. 4-20-2005 - 1:27 PM, except as modified by the conditions below.

The project is approved for a maximum of 298 dwelling units.

2. The following limits apply to the project and uses:

a. Schedule of Uses

Accessory uses and structures
Dwelling unit: Single family
Entrance gates, and gatehouse
Essential services
Essential service facilities, group I
Excavation, retention
Fences, walls
Home occupation (no outside help)
Models: model home, model display center (per condition 6, below)
Recreation facilities, personal
Signs, in accordance with LDC Chapter 30
Temporary uses: construction trailer, sales center
(sales center per condition 7, below)

b. Site Development Regulations

Land Use	Road Set back	Side Set back	Rear Set back	Water Set back	Lot Cover age	Max. Height	Lot Width	Lot Depth	Lot Area
Single Family	20' min.	7.5' min.	20' min.	25' min.	45% max.	35' (2 stories)	50' min.	130' min.	6500 sf. min.
Accessory Structures	20' min.	5' min.	5' min.	25' min.	n/a	35' (2 stories)	n/a	n/a	n/a

3. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.
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 Allocation Table, Map 16 and Table 1(b).
5. No blasting is permitted on-site.
6. Model homes are permitted uses, but, must be consistent with the following conditions:

A. A maximum of six (6) model homes are permitted;

- B. All model homes must be located within the area depicted on the Master Concept Plan as an area for model homes;
 - C. Hours of operation for the model homes are restricted to Sunday through Saturday, 8:00 a.m. through 6:00p.m.;
 - D. Each model home must be a unique example. Multiple examples of the same model are not permitted.
7. A Real Estate Sales Office is a permitted use, but, must be consistent with the following conditions:
- A. A maximum of one (1) real estate sales office is permitted, and must be located in the same area as the proposed model homes as depicted on the Master Concept;
 - B. Hours of operation for the real estate sales office restricted to Sunday through Saturday, 8:00a.m. through 6:00p.m.; and
 - C. The real estate sales office is limited to the sale of units within the development, and is valid for a period of time not to exceed three (3) years from the date the certificate of occupancy for the sales office is issued. The director may grant one two-year extension. Additional time will require a special exception approval.
8. Prior to local development order approval, the plans must delineate a minimum of 2.61 acres of native indigenous preservation, in significant compliance with the Master Concept Plan.
9. The developer must apply for a permit for the proposed culvert crossing over canal 57-9-2. The culvert crossing must be constructed using methodology as approved by East County Water Control District and Lee County.
10. The developer must sign an agreement with East County Water Control District to bring this development, Bethany Place, into East County Water Control District since it is currently an enclave or an out parcel.
11. Agricultural uses are not a permitted use in the Schedule of Uses, and thus, must cease upon approval of this rezoning.
12. Bethany Place proposes two access points: a gated southern access through Bethany Trace and a northern access onto Sunrise Boulevard. Sunrise Boulevard must be constructed and will serve as the main access road for this project, located on the south side of the road, and for Sunrise Lakes RPD (Z-04-040), located on the north side of the road. Bethany Place and Sunrise Lakes access onto Sunrise Boulevard must align.
13. 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.

B. Deviations

No deviations are being requested.

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 rezoning to Residential Planned Development (RPD) by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations.
2. The requested zoning, as conditioned:
 - a) meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;
 - b) is consistent with the densities, intensities and general uses set forth in the Lee Plan;
 - c) is compatible with existing or planned uses in the surrounding area; and
 - d) 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, will be extended and adequate to serve the proposed land use.
5. The proposed mix of uses, as conditioned, are 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 is a request to rezone 79.21+/- acres from Agricultural (AG-2), to Residential Planned Development (RPD), to permit a maximum of 298 single-family lots, with a maximum height of 35 feet. No blasting is proposed.

Master Concept Plan

The Master Concept Plan consists of one page stamped received April 22, 2005. The MCP consists of a circular street pattern with access on the north and south. Three lakes are internal to the proposed lots, a fourth lake is located in the southwest corner, and the northeast corner is to be an indigenous preserve. No clubhouse is proposed on site.

Lee Plan Considerations

POLICY 1.1.3: *The Central Urban areas can best be characterized as the "urban core" of the county. These consist mainly of portions of the city of Fort Myers, the southerly portion of the city of Cape Coral, and other close-in areas near these cities; and also the central portions of the city of Bonito Springs, IANA/MacGregor, Lehigh Acres, and North Fort Myers. This is the part of the county that is already most heavily settled and which has or will have the greatest range and highest levels of urban service--water, sewer, roads, schools, etc. Residential, commercial, public and quasi-public, and limited light industrial land uses (see Policy 7.1.6) will continue to predominate in the Central Urban area. This category has a standard density range from four dwelling units per acre (4 du/acre) to ten dwelling units per acre (10 du/acre) and a maximum density of fifteen dwelling units per acre (15 du/acre). (Amended by Ordinance No. 94-30, 02-02)*

A single-family housing subdivision in the Central Urban land use category is generally not able to be consistent with the density range permitted. After applying the various Land Development Code requirements such as open space, width of access roads and minimum lot sizes a single-family subdivision can typically reach densities of up to 3.7-3.8 dwelling units per acre, thus falling slightly below the four to ten units per acre range of the land use category. However, the request is **CONSISTENT** with this land use category because the future land use category indicates that residential uses are appropriate and the surrounding uses are single-family with densities also slightly below four units per acre. The applicant is proposing a development of 298 dwelling units, which would equate to approximately 3.7 units per acre.

POLICY 1.7.6: *The Planning Communities Map and Acreage Allocation Table (see Map 16 and Table 1(b) and Policies 1.1.1 and 2.2.2) depicts the proposed distribution, extent, and location of generalized land uses for the year 2020. Acreage totals are provided for land in each Planning Community in unincorporated Lee County. No final development orders or extensions to final development orders will be issued or approved by Lee County which would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded.*

The subject property is located in the Planning Community of Lehigh Acres. The Planning Community Year 2020 Allocations indicate that 11,099 acres in the Planning Community in Lehigh Acres have been allocated for residential use. Of that acreage, 6,353.45 are available for residential use. Staff finds the request **CONSISTENT** with the allocations for the Planning Community of Lehigh Acres.

OBJECTIVE 2.1: DEVELOPMENT LOCATION. *Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities. (Amended by Ordinance No. 94-30, 00-22)*

OBJECTIVE 2.2: DEVELOPMENT TIMING. *Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in FS 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrence Management Ordinance. (Amended by Ordinance No. 94-30, 00-22)*

POLICY 2.2.1: *Rezoning and development-of-regional-impact proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare. (Amended by Ordinance No. 94-30, 00-22)*

The subject property is located in proximity to existing residential developments, public parks, schools, water and sewer provided by Florida Water Services, and commercial shopping. It has the necessary characteristics of urban infill. The proposed development is in an area where urban services already exist and are serving residential neighborhoods nearby. The development is in the Florida Water Services Corporation service area for potable water and sewer, and is within the service area for Lehigh Acres Fire Department, Lee County Public Schools, and the Lee County Sheriff's Office. The proposed project, as conditioned, is **CONSISTENT** with **Objective 2.1, Objective 2.2.** and **Policy 2.2.1** of the Lee Plan.

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

No physical constraints or hazards appear to exist or require the density or design to be adjusted. As conditioned, this proposed development is **CONSISTENT** with **Policy 5.1.2** of the Lee Plan.

POLICY 5.1.5: *Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The Land Development Code will continue to require appropriate buffers for new developments. (Amended by Ordinance No. 94-30, 99-15, 00-22)*

This is single-family residential development in proximity to other single-family residential developments and subdivisions. The vast majority of the subject property is separated from surrounding uses by large canals. As conditioned, this proposed development is **CONSISTENT** with **Policy 5.1.5** of the Lee Plan.

STANDARD 11.1: WATER. *Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a "community" water system as that is defined by Chapter 17-22, F.A.C.).*

STANDARD 11.2: SEWER. *Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system.*

Water and sewer services are available from Florida Water Services and will be connected to this development. As conditioned, this proposed development is **CONSISTENT** with water and sewer standards of the Lee Plan.

POLICY 100.9.5: *New development adjacent to areas of established residential neighborhoods must be compatible with or improve the area's existing character.*

The subject property is cleared unused agricultural land. Staff recommends a condition stating agriculture is not a permitted use within this Planned Development. The applicant has not expressed a wish to continue the agricultural uses.

This proposed development is compatible with the area's existing character of single-family homes. As conditioned, this proposed development is **CONSISTENT** with **Policy 100.9.5** of the Lee Plan.

Neighborhood Compatibility

The Lee Plan describes the community of Lehigh Acres as follows:

Lehigh Acres - *This community is the Lehigh Acres development, which was platted starting in 1954. This community is located south of Township 43 South, generally north of SR 82, and east of Buckingham Road/the Buckingham Rural Community Preserve to the eastern Lee County line. This community is designated as Urban Community, Central Urban, Industrial Development and Public Facilities. The Lehigh Community will continue to grow through the year 2020 at a rate faster than the county average growth rate. This community, however, will not be close to build out by 2020. The Lehigh community will grow from a 1996 permanent population of 26,000 to over 71,000 permanent residents in the year 2020. The build out potential for the Lehigh Community is more than double the projected 2020 population. Lehigh will continue to struggle with providing sufficient non-residential uses to accommodate a community of its size. New provisions for providing these uses has been implemented and will aid in this problem, however, residents will continue to commute from this community to the core communities such as Fort Myers, South Fort Myers, and Gateway/Airport for employment, shopping and other services. This community will also struggle with providing an adequate road network to reduce traffic congestion as the population grows. (Added by Ordinance No. 99-15)*

This proposed development introduces more single-family residential uses into a single-family residential portion of Lehigh Acres. The proposed density is 3.7 units per acre, on typical 6,500 square foot lots. The development's impacts are minimized by the 100 and 150-foot canals separating the subject property from the existing residential developments. To the north is the recently approved Sunrise Lakes RPD with a density of 3.7 dwelling units per acre. Also to the north is Willow Lake Estates, 10,000 square foot typical single-family lots at a maximum of 4.3 units per acre. This area was developed prior to current open space requirements so despite larger lots, density is similar to the Sunrise Lakes RPD. This portion is thickly developed with most parcels built. To the northeast is Shadow Lakes RPD, an approved planned development on similar 6,500 square foot lots with a density of 3.85 units per acre. To the east is Twin Lake Estates, typical 11,250 square foot single-family lots and 3.8 units per acre. This area is partially developed with many vacant properties. To the west is Amberwood Estates, zoned Two-Family Conversion on lots approximately 11,000 square feet with densities similar to the subject

property. Amberwood Estates is fully developed. To the west is Bethany Trace RPD, approved for two phases, a total of 375 single-family units and 300 multi-family units for a density of 3.8 units per acre. Phase I is complete while Phase II is not yet constructed.

Given the existing developments, the limited uses proposed, and the conditions above, this request is compatible with the surrounding neighborhood.

Environmental Issues

Environmental Sciences reviewed this application (please see attachment 'D'), and recommended condition 8, above to ensure the preservation of the native indigenous vegetation on site.

Special Case Issues

Transportation

Bob Rentz issued a memo on August 5, 2005 stating that the project will generate 285 peak hour trips (Attachment F). Homestead Road south of Leeland Heights will operate at a level "D" with or without this project. The Department of Development Services sited that the entrance onto Sunrise Boulevard must meet up with the entrance from the Sunrise Lakes RPD recently approved by resolution Z-05-040 as stated in condition 12.

Canal Crossing

Per the letter from East County Water Control District (see attachment E), staff recommends conditions 9, and 10, above.

Conclusion

Staff reluctantly approves this development. While the proposed development, as conditioned, is consistent with the surrounding area; compatible with prior residential planned developments approved to the north and west; and consistent with the Lee Plan goals, objectives and policies, as well as the Land Development Code (LDC), subdividing undeveloped acreage in the middle of Lehigh Acres into small residential lots is absolutely unneeded. The fact that the proposed master concept plan meets the LDC requirements and staff does not have a Lee Plan goal, policy or objective to site in opposition to this type of development in Lehigh Acres is unfortunate.

IV. ATTACHMENTS:

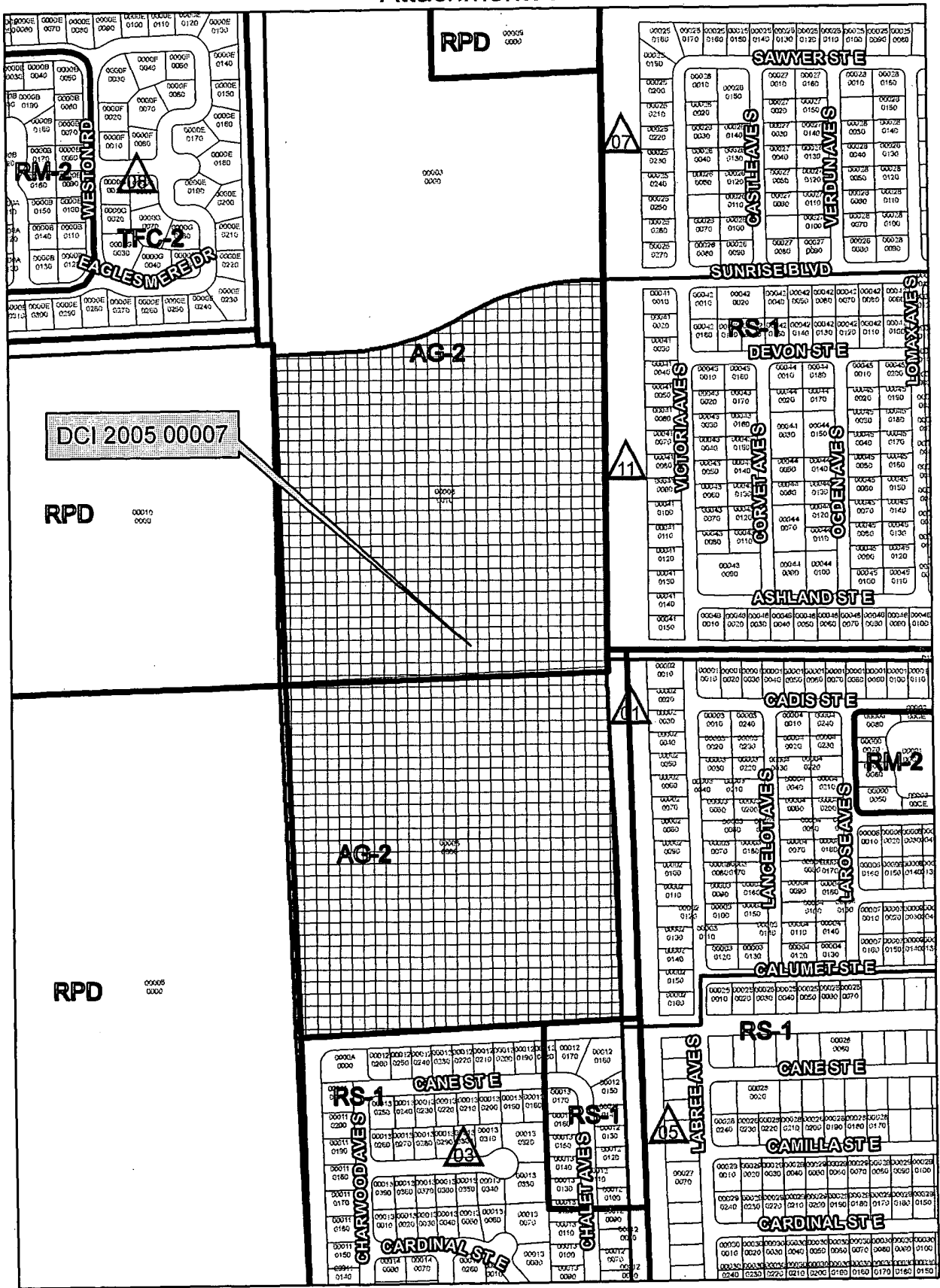
- A. Map of surrounding zoning
- B. Master Concept Plan (reduced)
- C. Aerial (reduced)
- D. Environmental Sciences staff report
- E. Letter from East County Water Control District
- F. TIS Memo

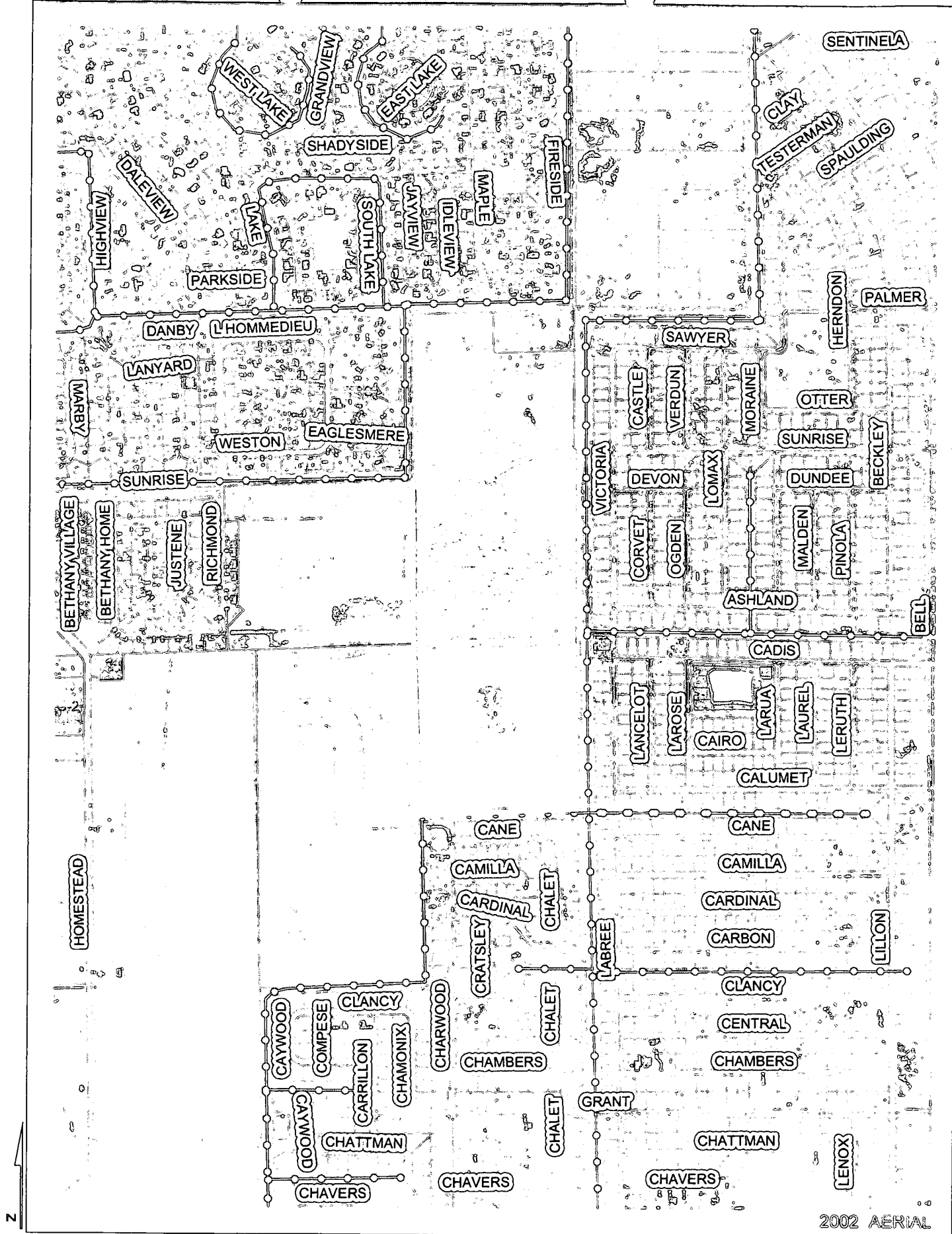
cc: Applicant
County Attorney
Zoning/DCI File

ZONING INTAKE MAP

7/11/2005

Attachment A





**STAFF REPORT
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ENVIRONMENTAL SCIENCES**

Date: June 27, 2004

To: Jeff Laurien, Senior Planner
From: Alaina Ray, Environmental Planner *ar*
Phone: (239) 479-8323
E-mail: aray@leegov.com

Project: Bethany Place RPD
Case: DCI2005-00007
STRAP: 04-45-27-00-00008.0010; -00006.0000

The Division of Environmental Sciences (ES) has reviewed the application for the proposed Bethany Place Residential Planned Development (RPD). The following are ES staff findings and recommendations:

Vegetation:

The project site is approximately 79.22 acres, which includes 76.03 acres of improved pasture and disturbed land. This area has been previously cleared and has been actively utilized as grazing land. The remaining 3.16 acres consists of native indigenous vegetation, including slash pine, laurel oak, cabbage palm, saw palmetto and wax myrtle.

Per LDC Section 34-411(g) Planned developments are to be designed to preserve natural features of the site, particularly mature native trees and other native vegetation. The proposed Master Concept Plan (MCP) indicates that 2.61 acres of native indigenous vegetation will be preserved and utilized for passive recreation. Therefore, ES staff recommends the following condition:

Prior to local development order approval, the plans must delineate a minimum of 2.61 acres of native indigenous preservation, in significant compliance with the Master Concept Plan.

Open Space:

The proposed project consists of single family residential units with a minimum lot size of 6,500 square feet and maximum lot coverage of 45 percent. As such, the project is exempt from open space requirements per LDC Section 10-415(a).



East County

Water Control District

601 East County Lane, Lehigh Acres, Florida 33936 239-368-0044 FAX: 239-368-3412

March 30, 2005

DCI2005-00007

Mr. Stephen Sposato, AICP
Barraco and Associates, Inc.
2271 McGregor Boulevard
Fort Myers, Florida 33901

RECEIVED
APR 22 2005

Dear Mr. Sposato:

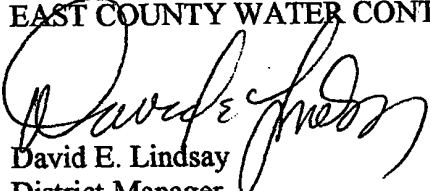
The East County Water Control District finds the proposed crossing over canal 57-9-2 acceptable providing that Barraco and Associates, Inc., and their associated owners, apply for a permit and that the culvert crossing is constructed using methodology as approved by East County Water Control District and Lee County.

Barraco and Associates must also sign an agreement with East County Water Control District to bring this development, Bethany Place, into East County Water Control District as it is currently an enclave or an out parcel.

If you have any questions please give me a call.

Sincerely,

EAST COUNTY WATER CONTROL DISTRICT


David E. Lindsay
District Manager

J:\Manager\2005\Letters\Barraco&Assoc,Inc\BethanyPlace

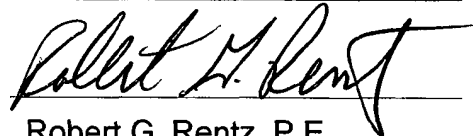
ATTACHMENT E

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: August 5, 2005

To: Fred Drovdic
Senior Planner

FROM:


Robert G. Rentz, P.E.
Development Review
Engineer

RE: **Bethany Place RPD**
Case No. DCI2005-00007

Based on the ITE Trip Generation Report 7th Edition, the proposed project will generate 285 peak hour trips.

Based on the 2003/2004 - 2004/2005 Concurrency Management Report, the Lee County D.O.T. link-specific service volumes, growth rates derived from the 2003 Traffic Count Report, and traffic volumes from the approved Sunrise Lakes RPD, Homestead Rd. south of Leeland Heights Blvd. will operate at level of service "D" in 2009, without or with the proposed project.

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 Zoning Division in the following manner:

- Signs for case #DCI2005-00007 must be posted by **Friday, July 29, 2005**.
- 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 Zoning Division, and obtain duplicate copies of the sign from the Zoning 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 ZONING DIVISION, 1500 MONROE ST., FT. MYERS, FL 33901.

~~(Return the completed Affidavit below to the Zoning Division as indicated in previous paragraph.)~~

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF LEE

BEFORE THE UNDERSIGNED AUTHORITY, PERSONALLY APPEARED Shellic Johnson
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
REFERENCE BELOW:



SIGNATURE OF APPLICANT OR AGENT

Shellic Johnson

NAME (TYPED OR PRINTED)

2271 McGee Blvd.

ST. OR PO BOX

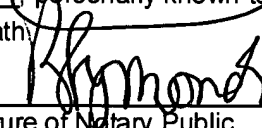
Fort Myers, FL 33901

CITY, STATE & ZIP

#DCI2005-00007/WHISPERING LAKES/08/31/2005/LVV

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 10th day August
2005 by Shellic Johnson, personally known to me or who produced
as identification and who did/did not take an oath.

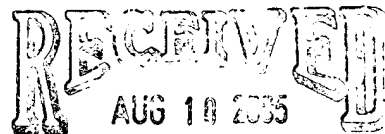

Signature of Notary Public



Printed Name of Notary Public

Bobbie L Symonds
MY COMMISSION # DD246445 EXPIRES
September 2, 2007
BONDED THRU TROY FAIN INSURANCE, INC

My Commission Expires:
(Stamp with serial number)



PERMIT COUNTER

Bethany Place RPD

Planned Development Application January 2005

RECEIVED
JAN 21 2005

PERMIT COUNTER

Submitted To:

Lee County Board of County Commissioners
Department of County Development
Division of Planning
Post Office Box 398
Fort Myers, FL 33902-0398

Barraco
and Associates, Inc.

2271 McGregor Boulevard
Fort Myers, Florida 33901
(239) 461-3170

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Application	
Supplement D	
PH-1.B.2	Notarized Affidavit of Authorization Form
PH-1.C.2	Additional Agents List
PH-2.B.1	Disclosure Form
PH-G.1	Subject Property Owner List
PH-G.2	Subject Property Owners Map
PH-G.3	Mailing Labels
PH-3.C.1	Legal Description
PH-3.C.2	Electronic Legal Description
PH-3.1	Agricultural Use Affidavit & Exhibit

Section 2 Attachments

1-B	Historical/Archeological Map
6-A	Boundary Survey
6-B	Area Location Map
6-C	Existing Zoning & Land Use Map
6-D	Aerial Photograph
6-E	Soils Map
6-F	FLUCCS Map
6-G	Lee Plan Compliance Narrative
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6-J	Proposed Master Concept Plan
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Section 3 Exhibits

6-L	Traffic Impact Statement
6-M	Schedule of Uses
6-O	Surface Water Management Plan
6-Q	Protected Species Survey
	Cross Access Agreement



APPLICATION FOR PUBLIC HEARING FOR UNINCORPORATED AREAS ONLY

Applicant's Name: Watermen at Sunrise 80, LLC

Project Name: Whispering Lakes II

STRAP Number(s): 04-45-27-00-00008.0010 and 09-45-27-00-00006.0000

TYPE OF APPLICATION

- ☐ Special Exception (**attach Supplement A**)
- ☐ Variance (**attach Supplement B**)
- ☐ Conventional Zoning (**attach Supplement C**)
- ☒ Planned Development (not PRFPD) (**attach Supplement D**)
- ☐ Amendment to built Planned Development (**Supplement D may be required**)
- ☐ Private Recreational Facilities Planned Development (**attach Supplement D**)
- ☐ DRI - with rezoning (**attach Supplement D and completed DRI Application**)
- ☐ DRI - without rezoning (**attach copy of ADA**)

IS THIS PROJECT LOCATED IN THE ESTERO OR CAPTIVA PLANNING COMMUNITY? ☐ Yes* ☒ No
*If yes, please provide the meeting summary document and label accordingly.

STAFF USE ONLY

Case Number: _____ Commission District: _____

Current Zoning: _____ Fee Amount: _____

Land Use Classification: _____ Intake by: _____

Planning Community: _____

LEE COUNTY
COMMUNITY DEVELOPMENT
P.O. BOX 398 (1500 MONROE STREET)
FORT MYERS, FLORIDA 33902
PHONE (239) 479-8585

DCI 2005-00007

RECEIVED
AUG 23 2005

PART 1
APPLICANT\AGENT INFORMATION

A. Name of applicant: Watermen-Sunrise 80, LLC

Address: Street: 8045 NW 155th Street

City: Miami Lakes State: FL Zip: 33016

Phone: Area Code: 305 Number: 828-0103 Ext:

Fax: Area Code: 305 Number: 828-0103

E-mail address: watermen@laker.net

B. Relationship of Applicant to owner (check one):

Applicant (individual or husband & wife) is the sole owner of the property. [34-201(a)(1)a.1.]

☒ Applicant has been authorized by the owner(s) to represent them for this action.

☒ Notarized Affidavit of Authorization form is attached as Exhibit PH-1.B.2.
[34-202(b)(1)c.]

Applicant is a contract purchaser/vendee. [34-202(b)(1)d.]

Notarized Affidavit of Authorization form is attached as Exhibit PH-1.B.2.
[34-202(b)(1)c.]

Application is County initiated. BOCC authorization is attached as Exhibit PH-1.B.3

C. Authorized Agent: Name of the person who is to receive all county-initiated correspondence regarding this application. [34-202(b)(1)c.]

C.1. Company Name: Barraco and Associates, Inc.

Contact Person: Shellie Johnson, AICP

Address: Street : 2271 McGregor Blvd.

City: Ft. Myers State: FL Zip: 33901

Phone: Area Code: 239 Number: 461-3170 Ext:

Fax: Area Code: 239 Number: 461-3169

E-mail address: shelliej@barraco.net

C.2. ☒ Additional Agent(s): The names of other agents that the county may contact concerning this application are attached as Exhibit PH-1.C.2. [34-202(b)(1)c.]

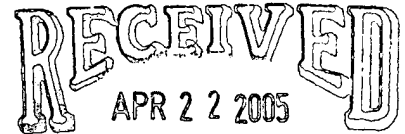
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0012005-000007

PERMIT COUNTER

**PART 2
PROPERTY OWNERSHIP**

DCI 2005-00007



A. Property Ownership: Single owner (individual or husband & wife only) [34-201(a)(1)a.1.]

A.1. Name: _____

Mailing Address: _____ Street: _____

City: _____

State: _____

Zip: _____

Phone: _____

Area Code: _____

Number: _____

Ext: _____

Fax: _____

Area Code: _____

Number: _____

E-mail: _____

B. Property Ownership: Multiple owners (Corporation, partnership, trust, association) [34-201(a)(1)].

B.1. ☒ Disclosure Form is attached as **Exhibit PH-2.B.1.** [34-201(b)2]

C. Multiple parcels

C.1. ☒ Property owners list is attached as **Exhibit PH-2.C.1.** [34-202(a)(5)]

C.2. ☒ Property owners map is attached as **Exhibit PH-2.C.2.** [34-202(a)(5)]

D. Date property was acquired by present owner(s): 5/13/04

**PART 3
PROPERTY INFORMATION**

A. STRAP Number(s): 04-45-27-00-00008.0010 09-45-27-00-00006.0000

B. Street Address of Property: Access Undetermined – Lehigh Acres, Florida 33936

C. Legal Description

☒ **Legal description** (on 8 1/2" by 11" paper) is attached as **Exhibit PH-3.C.1.** [34-202(a)(1)]

☐ **Electronic version of the legal description** is attached as **Exhibit PH-3.C.2.**

D. Boundary Survey or certified sketch of description: (check appropriate response)

☐ The property consists of one or more undivided platted lots in a subdivision recorded in the Official County Plat Books. A copy of the applicable plat book page is attached as **Exhibit PH-3.D.1.** [34-202(a)(2)]

☐ The request is for a conventional rezoning, special exception, or variance on a parcel less than ten acres in area.

☐ Attached is a (check one) ☐ Certified sketch of description attached as **Exhibit PH-3.D.2.** or a

☐ Boundary survey attached as **Exhibit PH-3.D.2** [34-202(a)(2)]

☐ The request is for a Planned Development or consists of ten or more acres. A Boundary survey, tied to the state plane

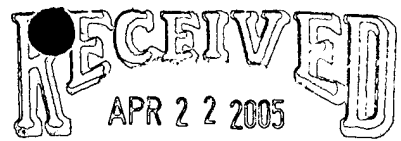
☒ coordinate system, is attached as **Exhibit PH-3.D.3.** [34-202(a)(2)]

E. Planning Community: Lehigh Acres

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APR 22 2005

APR 22 2005

(Updated 11/15/2004) Public Hearing Application Updated 11-2004.doc Page 4 of 12



L. Deed Restrictions

- L.1.** ☒ There are no deed restrictions or other covenants on this property that affect this request.
- L.2.** ☐ Deed restrictions\ covenants that may affect this request are attached as **Exhibit PH-3.L.2.**
- L.3.** ☐ A narrative explanation as to how the deed restrictions or covenants may affect this request. is attached as **Exhibit PH-3.L.3** [34-202(b)(2)]

DCI 2005-00007

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

- | | | | |
|---|-----------------|----------------------|-----------------------------|
| 1. Width (average if irregular parcel): | <u>±1,270</u> | Feet | |
| 2. Depth (average if irregular parcel): | <u>±2,700</u> | Feet | |
| 3. Total area: | <u>±79.22</u> | Acres or square feet | |
| 4. Frontage on road or street: | <u>±1,300</u> | Feet on | <u>Sunrise Blvd.</u> Street |
| | | | <u>(Proposed Ext.)</u> |
| | | | <u>Cane Street &</u> |
| 2 nd Frontage on road or street: | <u>Stub-out</u> | Feet on | <u>Charwood</u> Street |
| | | | <u>Avenue</u> |

PART 4

ACTION REQUESTED

A. Action Requested: [check applicable action(s)]

- ☐ **Special Exception** for _____ **Attached is Supplement A**
- ☐ **Variance** for _____ **Attached is Supplement B**
- ☐ **Conventional Rezoning from:** _____ **to** _____ **Attached is Sup. C**
- ☒ **Planned Development rezoning from** AG-2 **to** RPD
- ☐ **DCI - Major:** **Attached is Supplement D**
- ☒ **DCI - Minor:** **Attached is Supplement D**
- ☐ **Request is for PRFPD zoning in the Private Recreational Facilities Overlay Area.**
- ☐ **Attached is Supplement D**

☐ **Planned Development Amendment.** **Attached is the Supplement D**

☐ **Public Hearing for DRI**

☐ **No rezoning is required.**

☐ **Rezoning is required.** **Attached is the Supplement D**

B. Excavations:

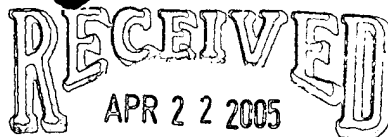
- ☒ **No blasting will be used in the excavation of lakes or other site elements.**
- ☐ **A map indicating the general location of the proposed blasting locations is attached as** **Exhibit PH-4.B** [34-202(b)(6)]

C. Bonus Density (put NA if not applicable)

N/A **Bonus density will be used. Attached is** **Exhibit PH-4.C** showing calculations. [34-202(b)(5)]

D. Hazardous materials (put NA if not applicable)

N/A **A Hazardous materials emergency plan is attached as** **Exhibit PH-4.D** [34-202(b)(4)]



E. **Mobile Home Park** (put NA if not applicable)

N/A Request includes rezoning of a Mobile Home Park. **Attached is Exhibit PH-4.E** [34-203(d)]

F. **Aviation Hazard** (put NA if not applicable)

N/A Property is subject to Airport Hazard District regulations. **Attached is Exhibit PH-4.F** [34-1001 et seq]

N/A A tall structures permit will be required.

N/A Property is located within Noise zone: _____

G. **Estero Planning Community** (put NA if not applicable)

N/A A summary of public informational session. **Attached is Exhibit PH-4.G** [34-373(a)(10)]

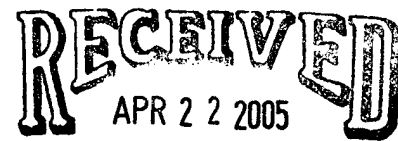
H. **Captiva Planning Community** (put NA if not applicable)

N/A A summary of public informational session. **Attached is Exhibit PH-4.H** [Lee Plan Policy 21.7]

I. **Waivers from Application Submission Requirements:** The following waivers have been approved by the Director of Zoning Services and are attached as **Exhibit PH-4.I** [Section 34-202(a)]

Section Number	Name of item
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

DCI2005-00007



PART 6
SUBMITTAL REQUIREMENTS

THE NUMBER OF COPIES REQUIRED FOR EACH EXHIBIT IS BASED ON THE ACTION REQUESTED AS INDICATED BELOW. TO BE SUBMITTED FOR EACH OF THE FOLLOWING EXHIBITS IS AS FOLLOWS:

DCI2005-00007

			Exhibits	SUBMITTAL ITEMS
Var.	Conv. Rez. or Spe. Exc.	PDs & DRIs		
1	1	12		Completed application for Public Hearing [34-201(b)]
1	1	1		Filing Fee - [34-202(a)(9)]
				SUPPLEMENTAL FORMS (select applicable form)
0	1	0	SUP A	Special Exception supplement
1	0	0	SUP B	Variance supplement
0	1	0	SUP C	Conventional rezoning
0	0	12	SUP D	Planned Development Rezoning or DRI with PD Rezoning requested
0	0	12	SUP-D	Planned Development Amendment
0	0	12	SUP D	PRFPD in in Overlay Area Rezoning supplement
0	0	12	ADA	DRI no rezoning requested
				EXHIBITS
1	1	3	PH-1.B.2	Notarized Affidavit of Authorization Form [34-202(b)(1)c]
1	1	1	PH-1.B.3	BOCC authorization (if applicable)
1	1	12	PH-1.C.2	Additional agents
1	1	3	PH-2.B.1.	Disclosure Form [34-201(b)(2)a]
1	1	3	PH-2.C.1	Subject property owners list (if applicable) [34-202(a)(5)]
1	1	3	PH-2.C.2	Subject Property Owners map (if applicable) [34-202(a)(5)]
2	2	3	PH-3.C.1	Legal Description [34-202(a)(1)]
1	1	1	PH-3.C.2	Electronic version of legal description (if available)
1	1	4	PH-3.D.1	Copy of Plat Book Page (if applicable) [34-202(a)(1)]
1	1	4	PH-3.D.2	Certified sketch of description (less than ten acres) [34-202(a)(2)]
1	1	4	PH-3.D.3	Boundary survey (all PDs and anything ten acres or more) [34-202(a)(2) & [34-373(a)(4)a.]
1	1	0	PH-3.F	Area Location Map on 8 by 11 paper pursuant to sec. 34-202(a)(4). (Non Planned Developments)
0	0	0		Area Location Map for Planned Developments - see Supplement D
1	1	3	PH-3.G.1	List of Surrounding Property Owners [34-202(a)(6)]
1	1	3	PH-3.G.2	Map of Surrounding Property Owners [34-202(a)(7)]
2	2	2	PH-3.G.3	Mailing labels [34-202(a)(6)]
0	1	12	PH-3.I	Agricultural uses at time of zoning application. [34-202(b)(7)]
1	1	3	PH-3.L.2	Deed Restrictions\Covenants [34-202(b)(2)]

1	1	3	PH-3.L.3	Narrative addressing effect of Deed Restrictions [34-202(b)(2)]
1	1	12	PH-4.B	Location of proposed blasting (if applicable). [34-202(b)(6)]
0	0	4	PH-4.C	Bonus Density units (if applicable) [34-202(b)(5)]
1	1	4	PH-4.D	Hazardous materials emergency plan (if applicable) [34-202(b)(4)]
0	1	4	PH-4.E	Mobile Home Park Information (if applicable) [34-203(d)]
1	1	4	PH-4.F	Aviation Hazard (if applicable) [34-1001 et seq.]
1	1	4	PH-4.G	Developments located within Estero Planning District [34-373-(a)(10)]
1	1	4	PH-4.H	Developments located within Captiva Planning District [Lee Plan Policy 21.7]
1	1	12	PH-4.I	Approved Waivers [34-202(a)]
ADDITIONAL REQUIREMENTS FOR DRIs NOT INVOLVING A REZONING				
0	0	12		Notice of proposed change Substantial Deviations Form RPM-BSP-Proposed Change - 1 pursuant to Section 380.06(19) F.S.
0	0	12		DRI, AMDA, FQD Form RPM-BSP-ADA - 1. Application for Development Approval pursuant to Section 380.06 F.S.
0	0	12		Abandonment Form RPM-BSP-Abandonment-DRI-1. Application for abandonment of a DRI.

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PART V AFFIDAVIT A2

AFFIDAVIT FOR PUBLIC HEARING

APPLICATION IS SIGNED BY A CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, * Eddy Garcia as MANAGER of Watermen Sunrise 80, LLC, swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

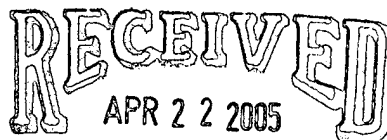
1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I am hereby authorizing 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; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

*Name of Entity (corporation, partnership, LLP, LC, etc)

[Signature]
Signature
MANAGER
(title of signatory)

Eddy Garcia

(Type or printed name)



STATE OF Florida
COUNTY OF Dade

DCI2005-00007

The foregoing instrument was sworn to (or affirmed) and subscribed before me this April 6, 2005 (date) by Eddy Garcia (name of person providing oath or affirmation), who is personally known to me or who has produced Personally Known (type of identification) as identification.

[Signature]
Signature of person taking oath or affirmation

Name typed, printed or stamped



Maria D Garcia

My Commission DD033924

Expires June 18, 2005

Title or rank

*Notes:

- If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.
- If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."
- If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.
- If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.
- If the applicant is a trustee, then they must include their title of "trustee."
- In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.

**EXHIBIT PH-2.B.1
DISCLOSURE OF INTEREST FORM FOR:**

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STRAP NO. 04-45-27-00-00008.0010
09-45-27-00-00006.0000

CASE NO.

DCI2005-00007

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 and Address	Percentage of Stock
------------------	---------------------

Watermen-Sunrise 80, LLC

8045 N.W. 155th Street

Miami Lakes, FL 33016

Eddy Garcia, Managing Member

50%

David Kraizgrun

50%

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
------------------	-------------------------

Page 1 of 2

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 and Address	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.

Signature: _____

(Applicant)

Eddy Garcia

(Printed or typed name of applicant)

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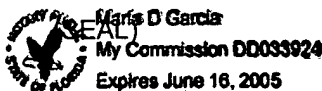
DCI2005-00007

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 6th day of APRIL 2005

by Eddy Garcia who is personally known to me or who has produced

personally known as identification.



Maria D Garcia
Signature of Notary Public

Maria D Garcia
Printed Name of Notary Public

EXHIBIT PH-1.C.2
ADDITIONAL AGENTS

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Company Name: Passarella and Associates, Inc.

DCI 2005-00007

Contact Person: Mr. Kenneth C. Passarella

Address: **Street:** 9110 College Pointe Court

City: Fort Myers

State: Florida

Zip: 33919

Phone: Area Code: 239

Number: 274-0067

Ext:

Fax: Area Code: 239

Number: 274-0069

E-mail address: Mcb5767@earthlink.net

Company Name: Metro Transportation Group, Inc.

Contact Person: Mr. Ted B. Treesh

Address: **Street:** 12651 McGregor Boulevard, Suite 4-403

City: Fort Myers

State: Florida

Zip: 33919

Phone: Area Code: 239

Number: 278-3090

Ext:

Fax: Area Code: 239

Number: 278-1906

E-mail address:

Company Name: Henderson, Franklin, Starnes & Holt, P.A.

Contact Person: Mr. Russell Schropp

Address: **Street:** 1715 Monroe Street

City: Fort Myers

State: Florida

Zip: 33901

Phone: Area Code: 239

Number: 334-4121

Ext:

Fax: Area Code: 239

Number: 334-4100

E-mail address:

Company Name:

Contact Person:

Address: **Street:**

City:

State:

Zip:

Phone: Area Code:

Number:

Ext:

Fax: Area Code:

Number:

E-mail address:

PART V AFFIDAVIT A1

AFFIDAVIT FOR PUBLIC HEARING
APPLICATION IS SIGNED BY AN INDIVIDUAL OWNER OR APPLICANT

I, Eddy Garcia, swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized 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; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

[Signature]
Signature

Eddy Garcia
(Typed or printed name)

STATE OF FLORIDA

COUNTY OF LEE

DCI 2005-00007

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 17 day of May 2004 (date) by Eddy Garcia (name of person providing oath or affirmation), who is personally known to me or who has produced personally known (type of identification) as identification.

[Signature]
Signature of person taking oath or affirmation

manager
Title or rank

[Signature]
Name typed, printed or stamped

Maria D Garcia
Serial number, if any

DCI 2005-00007

NOTARY PUBLIC
STATE OF FLORIDA
Maria D Garcia
My Commission DD033924
Expires June 16, 2005

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JAN 21 2005

PART V AFFIDAVIT A2

AFFIDAVIT FOR PUBLIC HEARING
APPLICATION IS SIGNED BY A CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED
COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, * EDDY GARCIA as
MANAGER of WATERMEN AT SUNRISE 80. L.L.C., swear or affirm under oath,
that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I am hereby authorizing 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; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

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JAN 21 2005

*Name of Entity (corporation, partnership, LLP, LC, etc)

PERMIT COUNTER

[Signature]
Signature
MANAGER.
(title of signatory)

Eddy Garcia
(Type or printed name)

2005-00007

STATE OF
COUNTY OF

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 21st Sept. 04 (date) by
Eddy Garcia (name of person providing oath or affirmation), who is
personally known to me or who has produced personally known (type of identification)
as identification.

[Signature]
Signature of person taking oath or affirmation

Name typed, printed or stamped Bobbie L Symonds
MY COMMISSION # DD246445 EXPIRES
September 2, 2007
BONDED THRU TROY FAIN INSURANCE, INC.

ADM ASST
Title or rank

Serial number, if any

*Notes:

- If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.
- If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."
- If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.
- If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.
- If the applicant is a trustee, then they must include their title of "trustee."
- In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.

**EXHIBIT PH-1.C.2
ADDITIONAL AGENTS**

Company Name: Passarella Associates, Inc.

Contact Person: Mr. Kenneth C. Passarella

Address: **Street:** 9110 College Pointe Court

City: Fort Myers **State:** Florida **Zip:** 33919

Phone: **Area Code:** 239 **Number:** 274-0067 **Ext:**

Fax: **Area Code:** 239 **Number:** 274-0069

E-mail address: mcb5767@earthlink.net

Company Name: Metro Transportation Group, Inc.

Contact Person: Mr. Ted B. Treesh

Address: **Street :** 12651 McGregor Boulevard, Suite 4-403

City: Fort Myers **State:** Florida **Zip:** 33919

Phone: **Area Code:** 239 **Number:** 278-3090 **Ext:**

Fax: **Area Code:** 239 **Number:** 278-1906

E-mail address:

Company Name: Henderson, Franklin, Starnes & Holt, P.A.

Contact Person: Mr. Russell Schropp

Address: **Street :** 1715 Monroe Street

City: Fort Myers **State:** Florida **Zip:** 33901

Phone: **Area Code:** 239 **Number:** 334-4121 **Ext:**

Fax: **Area Code:** 239 **Number:** 334-4100

E-mail address:

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JAN 21 2005

ZONING

Company Name:

Contact Person:

Address: **Street :**

City: **State:** **Zip:**

Phone: **Area Code:** **Number:** **Ext:**

Fax: **Area Code:** **Number:**

E-mail address:

SUPPLEMENT D

ADDITIONAL REQUIRED INFORMATION FOR A PLANNED DEVELOPMENT APPLICATION UNINCORPORATED LEE COUNTY

DCI2005-00007

Case Number:

Project Name: Whispering Lakes RPD

Authorized agent: Barraco and Associates, inc. c/o Shellie Johnson, A.I.C.P.

STRAP Number(s): 04-45-27-00-00008.0010

09-45-27-00-00006.0000

Select one only

- | | |
|---|---|
| ☐ DRI (rezoning required) | DCI-Minor - Amend. to approved master concept plan ⁽²⁾ |
| ☐ DCI-Major | Amend. to built planned development meeting DCI |
| ☒ DCI-Minor | threshold. ⁽³⁾ |
| ☐ DCI-Minor - Existing Dev. ⁽¹⁾ | PRFPD in Private Recreational Facilities Overlay |
| | Area [(34-341(a)(2))] |

Notes:

- (1) Existing development. A development that has already been developed but does not conform to the regulations for a conventional district and is requesting a rezoning to a planned development classification. It will be reviewed in the same manner as a minor planned development except that a traffic impact statement will not be required. [34-341(b)(2)d.1.]
- (2) Amendments to application. Application to amend an approved major or minor master concept plan or its attendant documentation, or for the extension of a vacated master concept plan originally approved prior to December 2, 1991. It will be treated procedurally as minor planned developments. These applications will require only as much information, as deemed necessary by the director, needed to describe the changes requested, to specify the incremental change in impacts expected from the amendment, and to detail the changes in development, environment and background (surrounding land use, traffic volumes, water, wastewater and other service availability, etc.), that have occurred since the original application. [34-341(b)(2)d.2.]
- (3) Amendments to built planned developments (PD). An application for a variance or other approval covered by this chapter wherein the subject property is the only part of the original planned development for which the approval is sought. Application meets the threshold for a development of county impact and will be reviewed in accordance with the provisions for reviewing developments of county impact. Applicant must be the owner of the subject property and the consent of the owners of the remainder of the original planned development will be unnecessary. However, these owners must be given notice of the application and other proceedings as if they were owners of property abutting the subject property regardless of their actual proximity to the subject property.

For purposes of this subsection, the term "built" means that all of the roads, utilities, buffering, open space, surface water management features and structures, common space, common amenities, common landscaping, gatehouses, entrance signs, entrance ways and other similar items identified as part of the final approved master concept plan have been constructed and acknowledged by the county as complete. In the case of residential planned developments or mixed developments which include residential structures, the term "built" does not mean that all residential structures must have been constructed on individual platted lots.

**PART 1
GENERAL INFORMATION**

A. Comprehensive Plan Amendments (check one):

☒ There are **NO** Lee Plan Amendments pending that could affect the future use of this property.

The following Lee Plan Amendments **ARE** pending and could affect the future use of this property. (List uses and brief explanation of their effect on this application):

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B. Archaeological/Historical (check one):

☒ There are **NO** known or recorded historical or archaeological sites on the property and no part of the property is located within a level 1 or level 2 zone of archaeological sensitivity pursuant to chapter 22. [34-373(a)(4)f.]

☐ There are known or recorded historical or archaeological sites on the property or part of the property is located within a level 1 or level 2 zone of archaeological sensitivity pursuant to chapter 22. Attached as **Exhibit 1-B** is a map indicating the nature and location of known or recorded historical or archaeological or areas of the property located within level 1 or level 2 zones of archaeological sensitivity including the outline of historic buildings and approximate extent of archaeological sites. [34-373(a)(4)f.]

C. Public Transit (check one):

☒ Property is **NOT** within the Lee Tran public transit service area.

☐ Property is within the Lee Tran public transit service area. **Exhibit 1-C** shows the property in relation to existing and proposed public transit routes,

D. Density

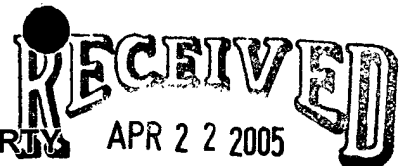
☐ There are no residential dwelling units proposed for this development.

☒ The property is located within one or more Future Land Use categories. Density has been calculated in **Part 3** of this application and is summarized below:

	Intensive Development		Proposed dwelling units
☒	Central Urban	±130-150 North	Proposed dwelling units
☒	Urban Community	±150-170 South	Proposed dwelling units
	Suburban		Proposed dwelling units
	Outlying Suburban		Proposed dwelling units
	TOTAL		Proposed dwelling units

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PART 2
TYPES OF LAND AREA ON PROPERTY



A. Gross Acres (total area within described parcel)		79.22 Acres
1. Submerged land subject to tidal influence:	<u>0</u> Acres	
2. Other non-freshwater Wetlands:	<u>0</u> Acres	
3. R-O-W providing access to non-residential uses:	<u>0</u> Acres	
4. Non-residential use areas ⁽¹⁾	<u>0</u> Acres	
B. Total area not eligible as gross residential acreage. Items A.1. + A.2 + A.3. + A.4.		0 Acres
C. Gross residential acres. (A minus B) ⁽²⁾		79.22 Acres
D. Gross residential acres by Land Use Category		
1. a. Intensive development - Upland	<u> </u> Acres	
b. Intensive development - freshwater wetland	<u> </u> Acres	
2. a. Central Urban - Upland	<u>40.03</u> Acres	
b. Central Urban - freshwater wetland	<u> </u> Acres	
3. a. Urban Community or Suburban - Upland	<u>39.19</u> Acres	
b. Urban Community or Suburban freshwater wetland	<u> </u> Acres	
4. a. Outlying Suburban - Upland	<u> </u> Acres	
b. Outlying Suburban - freshwater wetland	<u> </u> Acres	
5. a. Rural, Outer Island, Rural Community Preserve - Upland	<u> </u> Acres	
b. Rural, Outer Island, Rural Community Preserve - freshwater wetland	<u> </u> Acres	
6. a. Open Lands - Upland	<u> </u> Acres	
b. Open Lands - freshwater wetland	<u> </u> Acres	
7. a. DR/GR - Upland	<u> </u> Acres	
b. DR/GR - freshwater wetland	<u> </u> Acres	
8. a. Wetlands - freshwater	<u> </u> Acres	
b. Wetlands - not - freshwater	<u> </u> Acres	
9. a. New Community - Upland	<u> </u> Acres	
b. New Community - freshwater wetland	<u> </u> Acres	
10. a. University Community - Upland	<u> </u> Acres	
b. University Community - freshwater wetland	<u> </u> Acres	
11. TOTAL (should equal AC≅ above)	<u>79.22</u> Acres	

NOTES:

- (1) Lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses must not be included.
- (2) Lands to be used for residential uses including land within the development proposed to be used for streets and street rights of way, utility rights-of-way, public and private parks, recreation and open space, schools, community centers, and facilities such as police, fire and emergency services, sewage and water, drainage, and existing man-made waterbodies.

DCI 2005-00007

PART 3 **RESIDENTIAL DEVELOPMENTS** **PRELIMINARY DENSITY CALCULATIONS***

- * Notes: 1. Complete only if living units are proposed in a Future Land Use Category.
2. If more than one classification, calculations for each classification must be submitted.
3. If wetlands are located on the property, density calculations are considered preliminary pending a wetlands jurisdictional determination.

A. Intensive Development Category

1. Preliminary Standard Units	Maximum standard density	Units
a. Total upland Acres (from Part 2, D.1.a.)	times 14 equals	
b. Total freshwater wetland Acres (from Part 2, D.1.b.)	times 14 equals	
c. Preliminary Total Standard units (a. plus b.) ⁽¹⁾		
2. Maximum Permitted Units	Maximum permitted	Units
a. Total upland Acres (from Part 2, D.1.a.)	times 18 equals	
3. Total allowed standard units (A.1.c. or A.2.a., whichever is less)		
4. Bonus Units ⁽²⁾		
a. Low-moderate housing density:		
b. TDR units:		
c. Sub-total (A.4.a. plus A.4.b.)		
5. Total Permitted Units (A.3. plus A.4.c.): ⁽¹⁾		

B. Central Urban Category

1. Preliminary Standard Units	Maximum standard density	Units
a. Total upland Acres (from Part 2, D.2.a.)	<u>40.03</u> times 10 equals	<u>400</u>
b. Total freshwater wetland Acres (from Part 2, D.2.b.)	times 10 equals	
c. Preliminary Total Standard units (a. plus b.) ⁽¹⁾		<u>400</u>
2. Maximum Permitted Units	Maximum permitted	Units
a. Total upland Acres (from Part 2, D.2.a.)	<u>40.03</u> times 12.5 equals	<u>500</u>
3. Total allowed standard units (B.1.c. or B.2.a., whichever is less)		<u>400</u>
4. Bonus Units ⁽²⁾		<u>0</u>
a. Low-moderate housing density:		<u>0</u>
b. TDR units:		<u>0</u>
c. Sub-total (B.4.a. plus B.4.b.)		<u>0</u>
5. Total Permitted Units (B.3. plus B.4.c.): ⁽¹⁾		<u>400</u>

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Notes:

- (1) Subject to revision if wetlands jurisdictional determination indicates a different acreage of wetlands.
(2) If low-moderate housing density credits or Transfer of Development Rights (TDRs) credits are included, attach the calculations and approvals hereto.

C. Urban Community Category

1. Preliminary Standard Units	Maximum standard density	Units
a. Total upland Acres (from Part 2, D.3.a.)	<u>39.19</u> times 6 equals	<u>235</u>
b. Total freshwater wetland Acres (from Part 2, D.3.b.)	<u> </u> times 6 equals	<u> </u>
c. Preliminary Total Standard units (a. plus b.) ⁽¹⁾		<u>235</u>
2. Maximum Permitted Units	Maximum permitted	Units
a. Total upland Acres (from Part 2, D.3.a.)	<u>39.19</u> times 8 equals	<u>313</u>
3. Total allowed standard units (C.1.c. or C.2.a, whichever is less)		<u>235</u>
4. Bonus Units ⁽²⁾		
a. Low-moderate housing density:		<u>0</u>
b. TDR units:		<u>0</u>
c. Sub-total (D.4.a. plus D.4.b.)		<u>0</u>
5. Total Permitted Units (C.3. plus C.4.c.): ⁽¹⁾		<u>235</u>

Notes:

- (1) Subject to revision if wetlands jurisdictional determination indicates a different acreage of wetlands.
 (2) If Low-moderate housing density credits or Transfer of Development Rights (TDRs) credits are included, attach the calculations and approvals hereto.

D. Suburban Category

1. Preliminary Standard Units	Maximum standard density	Units
a. Total upland Acres (from Part 2, D.3.a.)	<u> </u> times 6 equals	<u> </u>
b. Total freshwater wetland Acres (from Part 2, D.3.b.)	<u> </u> times 6 equals	<u> </u>
c. Preliminary Total Standard units (a. plus b.) ⁽¹⁾		<u> </u>
2. Maximum Permitted Units	Maximum permitted	Units
a. Total upland Acres (from Part 2, D.3.a.)	<u> </u> times 8 equals	<u> </u>
3. Total allowed standard units (D.1.c. or D.2.a., whichever is less)		<u> </u>

E. Outlying Suburban Category

1. Preliminary Standard Units	Maximum standard density	Units
a. Total upland Acres (from Part 2, D.4.a.)	<u> </u> times 3 equals	<u> </u>
b. Total freshwater wetland Acres (from Part 2, D.4.b.)	<u> </u> times 3 equals	<u> </u>
c. Preliminary Total Standard units (a. plus b.) ⁽¹⁾		<u> </u>
2. Maximum Permitted Units	Maximum permitted	Units
a. Total upland Acres (from Part 2, D.4.a.)	<u> </u> times 4 equals ⁽¹⁾	<u> </u>
3. Total allowed standard units (E.1.c. or E.2.a., whichever is less)		<u> </u>

Notes:

- (1) Outlying suburban land located north of the Caloosahatchee River and east of Interstate-75, north of Pondella Road and south of Pine Island Road (SR 78), and in the Buckingham area (see Goal 19 of the Lee Plan), the maximum upland density is two (2) units per acre plus one (1) for a total of three (3) units per acre.

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PART 3A
COMMERCIAL, INDUSTRIAL, MINING, ASSISTED LIVING FACILITIES,
HOTELS & MOTELS
PRELIMINARY DENSITY CALCULATIONS

A.	Commercial	Habitable Stories	Height	Total Floor Area	
A.1.	Medical				Sq. Ft.
A.2.	General Office				Sq. Ft.
A.3.	Retail				Sq. Ft.
A.4.	Other				Sq. Ft.
A.5.	TOTAL FLOOR AREA				Sq. Ft.
<hr/>					
B.	Industrial	Habitable Stories	Height	Total Floor Area	
B.1.	Under Roof				Sq. Ft.
B.2.	Not under Roof	NA			Sq. Ft.
B.3.	TOTAL FLOOR AREA				Sq. Ft.
<hr/>					
C.	Mining		Depth	Total Acres	
C1.	Area to be excavated	NA			Acres
<hr/>					
D.	Assisted Living Facilities	Habitable Stories	Height	Total Number of Beds/Units	
D.1.	Dependent Living Units				Beds/Units
D.2.	Independent Living Units				Beds/Units
D.3.	TOTAL BEDS/UNITS				Beds/Units
<hr/>					
E.	Hotels/Motels				
	Room Size	Habitable Stories	Height	Number of Rental Units	
E.1.	< 425 sq. ft.				Units
E.2.	426-725 sq. ft.				Units
E.3.	725 < sq. ft.				Units
E.4.	TOTAL UNITS				Units

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PART 4

ENVIRONMENTAL ISSUES

A. **Topography:** Describe the range of surface elevations of the property:

The project site is generally flat with a surface elevation averaging 29-feet NGVD. Canals borders the site on the south and east.

B. **Sensitive Lands:** Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the Lee Plan), flowways, creek beds, sand dunes, other unique land forms [see Lee Plan Policy 77.1.1 (2)] or listed species occupied habitat (see Sec. 10-4730 of the Land Development Code).

According to the attached environmental assessment, which includes a FLUCCS map, these features are not found on the subject site.

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C. Preservation/Conservation of Natural Features: Describe how the lands listed in B. above will be protected by the completed project:

Although the subject site does not contain "sensitive lands", the applicant proposes to retain approximately ±2.6 acres of habitat that include several heritage trees in the northeast corner of the site.

D. Shoreline Stabilization: If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:

N/A

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PART 5

SANITARY SEWER FACILITIES (34-415)

- A. **Special Effluent:** If special effluent is anticipated, please specify what it is and what strategies will be used to deal with its' special characteristics:

N/A

- B. **Private On-site Facilities:** If a private on-site wastewater treatment and disposal facility is proposed, please provide a detailed description of the system including:

1. Method and degree of treatment:

N/A

2. Quality of the effluent:

N/A

3. Expected life of the facility:

N/A

4. Who will operate and maintain the internal collection and treatment facilities:

N/A

5. Receiving bodies or other means of effluent disposal:

N/A

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C. **Spray Irrigation:** If spray irrigation will be used, specify:

1. The location and approximate area of the spray fields:

N/A

2. Current water table conditions:

N/A

3. Proposed rate of application:

N/A

4. Back-up system capacity:

N/A

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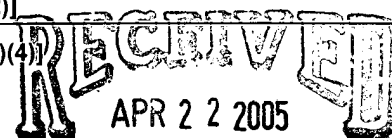
DCI2005-00007

PART 6 - SUBMITTAL REQUIREMENTS

Copies*		Exhibits	Item
Sub.	Req.		
12	12		Public Hearing Application form [34-373(a)(1)]
1	1		Application Fee [34-373(a)(2)]
DESCRIPTION OF EXISTING CONDITIONS			
	4	1-B	Historical or Archaeological sites: The nature and location of any known or recorded historical or archaeological sites as listed on the Florida Master Site File or the Lee County Historical Site Survey, 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 must show the outline of historic buildings and approximate extent of archaeological sites. A description of proposed improvements that may impact archaeological or historical resources must also be provided. [34-373(a)(4)h.]
	12	1-C	Public Transit. A map or other depiction of the property in relation to existing and proposed public transit routes, as well as to bus stops, if located within the Lee Tran public transit service area. [34-373(a)(4)g.]
	4	6-A	A Boundary Survey , prepared by a professional surveyor, that meets the minimum technical standards as set out in chapter 61G17-6, F.A.C., and which survey has been signed and sealed within one year of the application date, and which shows existing conditions on the property to full survey accuracy. [34-373(a)(4)a.]
	12	6-B	Area Location Map on 8.5" by 11" paper. A map marked to show the location of the property to be developed in relation to arterial and collector streets <u>as well as the location of existing easements and rights-of-way on or abutting the property.</u> [34-373(a)(4)b.]
	12	6-C	Existing zoning and current land uses 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.]
	12	6-D	Aerial photograph with the site clearly delineated. [34-373(a)(4)d.] Originals only - photocopies not acceptable.
	4	6-E	Soils, vegetation, rare & unique uplands, topography. Maps drawn at the same scale as the master concept plan marked or overprinted to show the information required by section 34-373(a)(4)e.] [34-373(a)(4)e.]
	4	6-F	FLUCCS Map. A Florida Land Use, Cover and Classification System (FLUCCS) map at the same scale as the Master Concept Plan, prepared by an environmental consultant. The FLUCCS map must clearly delineate any federal and state jurisdictional wetlands and other surface waters, including the total acreage of federal and state wetlands. [34-373(a)(4)f.]
NARRATIVE COMPLIANCE STATEMENTS			
	12	6-G	Lee Plan Compliance. A narrative explanation as to how the proposed development complies with the Lee Plan. [34-373(a)(5)]
	3	6-H	Design Standards Compliance. A narrative explanation as to how the proposed development complies with the Design Standards set forth in Section 34-411. [34-373(a)(5)]
	3	6-I	Decision-making compliance. 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)]
MASTER CONCEPT PLAN			
	12	6-J	Master Concept Plan, Non-PRFPD . A graphic illustration (master concept plan) of

Copies*	Exhibits	Item
		the proposed development, showing and identifying the information required by Section 34-373(a)(6). Copies of the master concept plan must be provided in two sizes, 24 inches by 36 inches, and 11 inches by 17 inches in size and must clearly legible and drawn at a scale sufficient to adequately show and identify the required information. [34-373(a)(6)]
12	6-K	Master Concept Plan, PRFPD : A clearly legible drawing, no less than 24 inches by 36 inches in size and drawn at a scale sufficient to adequately show and identify the information required by Section 34-941(g). [34-941(g)]
5	6-L	Traffic Impact Statement. A traffic impact statement in a format and to the degree of detail required by the county and in conformance with the adopted county administrative code. [34-373(a)(7)] TIS is not required for an existing development. [34-341(b)(2)d.1.]
12	6-M	Schedule of Uses. A schedule of uses keyed to the Master Concept Plan as well as a summary for the entire property including the information required by section 34-373(a)(8)]. [34-373(a)(8)]
12	6-N	Schedule of deviations and a written justification. A schedule of deviations and a written justification for each deviation requested as part of the master concept plan. The location of each requested deviation must be located on the master concept plan. [34-373(a)(9)]
		ADDITIONAL REQUIREMENTS FOR MAJOR PDs
4	6-O	Surface water management plan A written description of the surface water management plan as required by Section 34-373(b)(1). [34-373(b)(1)]
12	6-P	Phasing program. If the development is to be constructed in phases or if the traffic impact statement utilized phasing, then a description of the phasing program must be submitted. [34-373(b)(3)]
		ADDITIONAL REQUIREMENTS FOR LARGE PROJECTS
4	6-Q	Protected species survey. Required for large developments (defined in Chapter 10-1), a protected species survey as required by section 10-473. [34-373(b)(2)]
		AMENDMENTS TO BUILT PLANNED DEVELOPMENTS
4	6-R	Proof of notice to other property owners. Although the consent of the owners of the remainder of the original planned development is not required, the owners must be given notice of the application and other proceedings as if they were owners of property abutting the subject property regardless of their actual proximity to the subject property. [34-373(c)]
		REQUIREMENTS FOR DRIs
12	6-S	Binding letter of interpretation from DCA or a complete and sufficient ADA. [34-373(d)(2)]
		ADDITIONAL EXHIBITS - PRFPDs
4	6-T	Conceptual surface water management [34-941(d)(3)b.i.1)]
12	6-U	If within an area identified as an anticipated draw down area, demonstration of compliance with section 34-941(d)(3)d. [34-941(d)(3)d.]
12	6-V	Preliminary indigenous restoration plan (if applicable). [34-941(e)(5)f]
12	6-W	Environmental Assessment [34-941(g)(2)]
12	6-X	Demonstration of compatibility [34-941(g)(4)]

* includes 1 original



DCI2005-00007

THIS INSTRUMENT PREPARED BY
AND TO BE RETURNED TO:
Richard W. Pringle
STRAYHORN & STRAYHORN, P.L.
Post Office Box 1545
Fort Myers, Florida 33902
Parcel Identification Number: 04-45-27-
00-00008.0000

INSTR # 6249029
OR BK 04278 Pgs 0885 - 888; (4pgs)
RECORDED 04/30/2004 04:54:26 PM
CHARLIE GREEN, CLERK OF COURT
LEE COUNTY, FLORIDA
RECORDING FEE 19.50
DEED DOC 5,680.00
DEPUTY CLERK J Miller

WARRANTY DEED
(STATUTORY FORM)

↓
5x
THIS INDENTURE, made this 27th day of April, 2004, by
ALECIA FLINT a/k/a ALICIA FLINT; CONITA FLINT PREVATT a/k/a
CANITA FLINT PREVATT; VELTON H. FLINT II a/k/a VELTON V. FLINT II
a/k/a TONY FLINT; AND JOHN FLINT, whose address is 155 Homestead Road of
Lehigh Acres, Lee County, Florida 33936, Grantors, and WATERMEN-SUNRISE 80,
LLC, a Florida limited liability company, whose address is 8045 N.W. 155th Street
Miami Lakes, Florida 33016, Grantee, (the terms "Grantor" and "Grantee" herein shall
be construed to include all genders and singular or plural as the context indicates),

WITNESSETH: That said Grantor, for and in consideration of the sum of Ten
and no/100 (\$10.00) Dollars, and other good and valuable considerations to said Grantor
in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted,
bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the
following described land, situate, lying and being in Lee County, Florida, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART
THEREOF.

Subject to covenants, easements, restrictions and reservations of record,
and taxes for the calendar year 2004, and all subsequent years.

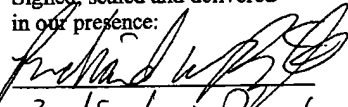
A FIRST PURCHASE MONEY MORTGAGE of even date
herewith is being given by Watermen-Sunrise 80, LLC, a Florida
limited liability company, to ALECIA FLINT a/k/a ALICIA FLINT;
CONITA FLINT PREVATT a/k/a CANITA FLINT PREVATT;
VELTON H. FLINT II a/k/a/ VELTON V. FLINT II a/ka/ TONY
FLINT; AND JOHN FLINT.

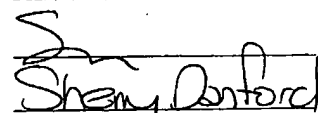
This property is not now the homestead property of the Grantor herein
nor is it contiguous to the homestead property of the Grantor.

and said Grantor does hereby fully warrant the title to said land, and will defend the same
against lawful claims of all persons whomsoever.

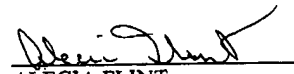
IN WITNESS WHEREOF, Grantor has hereunto set Grantor's hand and seal
the day and year first above written.

Signed, sealed and delivered
in our presence:


Richard W. Pringle
Printed Name of Witness


Sherry Donford
Printed Name of Witness

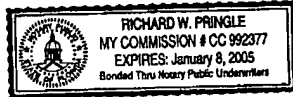
OCI2005-00007


ALECIA FLINT

RECEIVED
APR 22 2005

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 27 day of April, 2004, by Alecia Flint, who is personally known to me or who produced _____ as identification.



Richard W. Pringle
NOTARY PUBLIC
Richard W. Pringle
Printed Name

My commission expires:

Signed, sealed and delivered
in our presence:

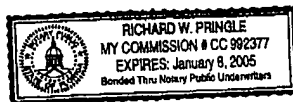
Richard W. Pringle
Richard W. Pringle
Printed Name of Witness

Sherry Sanford
Sherry Sanford
Printed Name of Witness

Conita Flint Prevatt
Conita Flint Prevatt

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 27 day of April, 2004, by Conita Flint Prevatt, who is personally known to me or who produced _____ as identification.



Richard W. Pringle
NOTARY PUBLIC
Richard W. Pringle
Printed Name

My commission expires:

Signed, sealed and delivered
in our presence:

Richard W. Pringle
Richard W. Pringle
Printed Name of Witness

Sherry Sanford
Sherry Sanford
Printed Name of Witness

Velton H. Flint, II
Velton H. Flint, II

DCI 2005-00007

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APR 22 2005

STATE OF FLORIDA

COUNTY OF LEE

The foregoing instrument was acknowledged before me this 27 day of April, 2004, by Velton H. Flint II, who is personally known to me or who produced _____ as identification.



Richard W. Pringle
NOTARY PUBLIC

Richard W. Pringle
Printed Name

Signed, sealed and delivered
in our presence:

Richard W. Pringle
Richard W. Pringle
Printed Name of Witness

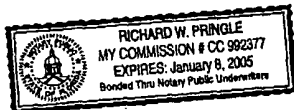
John Flint by Alecia Flint
John Flint by
Alecia Flint, his attorney-
in-fact

Sherry Sanford
Sherry Sanford
Printed Name of Witness

STATE OF FLORIDA

COUNTY OF LEE

The foregoing instrument was acknowledged before me this 27 day of April, 2004, by Alecia Flint, attorney-in-fact for John Flint, who is personally known to me or who produced _____ as identification.



Richard W. Pringle
NOTARY PUBLIC

Richard W. Pringle
Printed Name

DCI2005-00007

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APR 22 2005

EXHIBIT A
LEGAL DESCRIPTION

(PARCEL "B")

A PARCEL OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 4, TOWNSHIP 45 SOUTH, RANGE 27 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST QUARTER CORNER (E 1/4) OF SAID SECTION 4; THENCE S.00°02'50"E. ALONG THE EAST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 4 AND THE WEST LINE OF UNIT 7, TWIN LAKES ESTATES AS RECORDED IN PLAT BOOK 15 AT PAGE 213 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, A DISTANCE OF 1135.55 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.00°02'50"E. ALONG THE EAST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SAID SECTION 4 AND THE WEST LINE OF UNIT 11, TWIN LAKES ESTATES, AS RECORDED IN PLAT BOOK 15 AT PAGE 217 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, A DISTANCE 1501.01 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 4; THENCE S.87°50'35"W., ALONG THE SOUTH LINE OF SAID SECTION 4, A DISTANCE OF 1289.15 FEET; THENCE N.00°39'57"W., A DISTANCE OF 1287.77 FEET; THENCE N.87°50'23"E., A DISTANCE OF 278.61 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1000.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 28°00'38", A DISTANCE OF 488.88 FEET TO A POINT OF REVERSE CURVATURE TO THE RIGHT HAVING A RADIUS OF 1000.00 FEET; THENCE NORTHEASTERLY ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 29°40'06", A DISTANCE OF 517.81 FEET; THENCE N.89°29'51"E., A DISTANCE OF 44.64 FEET TO THE POINT OF BEGINNING.

CONTAINING 40.02 ACRES. MORE OR LESS.

DCI2005-00007

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SCHEDULE OF USES

ACCESSORY USES AND STRUCTURES

DWELLING UNIT:

SINGLE FAMILY

ENTRANCE GATES AND GATEHOUSE

ESSENTIAL SERVICES

ESSENTIAL SERVICES FACILITY I Only

MINING

EXCAVATION Retention

FENCES, WALLS

HOME OCCUPATION

MODELS:

MODEL HOME

MODEL DISPLAY CENTER

PARKING LOT:

ACCESSORY

RECREATIONAL FACILITIES, On Site

SIGNS Accordance With Chapter 30

TEMPORARY USES

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APR 22 2005

DCI2005-00007

Barraco

and Associates, Inc.

CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN

www.barraco.net

2271 MCGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169

FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

WATERMEN DEVELOPMENT GROUP CORP.

8045 N.W. 155 STREET
MIAMI LAKES, FLORIDA 33016

PHONE (305) 828-0103
FAX (305) 828-0147

PROJECT DESCRIPTION

BETHANY PLACE

PART OF SECTIONS 4
TOWNSHIP 45 SOUTH
RANGE 27 EAST
LEHIGH ACRES
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
INTENDED FOR CONCEPTUAL
PLANNING PURPOSES ONLY. SITE
LAYOUT AND LAND USE INTENSITIES
OR DENSITIES MAY CHANGE
SIGNIFICANTLY BASED UPON SURVEY
ENVIRONMENTAL, ENGINEERING AND
REGULATORY CONSTRAINTS
AND / OR OPPORTUNITIES.
* NOT FOR CONSTRUCTION *

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FILE NAME	21946204.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21946\DWG\ZONING\
PLOT DATE	WED. 4-13-2005 - 11:04 AM
PLOT BY	ANGELICA CARLEY
DESIGN BY	
XREF1	
XREF2	
XREF3	
XREF4	
XREF5	
XREF6	

PLAN REVISIONS

PLAN STATUS

EXHIBIT
6-M

SCHEDULE OF USES

PROJECT / FILE NO.	SHEET NUMBER
21946	

DEVELOPMENT STANDARDS

LAND USE	MINIMUM SETBACKS				BUILDING SEPARATION	LOT COVERAGE	MAX. HEIGHT	MINIMUM DIMENSIONS		
	ROAD (R/W)	SIDE	REAR	EDGE OF WATER				LOT WIDTH	LOT DEPTH	LOT AREA
SINGLE FAMILY	20'	7.5'	20'	25'	N/A	45%	35'	50'	130'	6500 SF
AMENITY	15'	10'	15'	25'	10'	45%	35'	NA	NA	NA
ACCESSORY STRUCTURES FOR SINGLE FAMILY *	20'	5'	5'	25'	NA	NA	NA	NA	NA	NA

* ACCESSORY STRUCTURES DEFINED AS POOLS, POOL DECKS & SCREENED ENCLOSURES.

DC 2005-00007

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APR 22 2005

Barraco
and Associates, Inc.

CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN

www.barraco.net

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POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169

FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

**WATERMEN
DEVELOPMENT
GROUP CORP.**

8045 N.W. 155 STREET
MIAMI LAKES, FLORIDA 33016

PHONE (305) 828-0103
FAX (305) 828-0147

PROJECT DESCRIPTION

**BETHANY
PLACE**

PART OF SECTIONS 4
TOWNSHIP 45 SOUTH
RANGE 27 EAST
LEHIGH ACRES
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
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FILE NAME	21946202.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21946\DWG\ZONING1
PLOT DATE	WED. 4-13-2005 - 8:23 AM
PLOT BY	ANGELICA CARLEY
DESIGN BY	
XREF1	
XREF2	
XREF3	
XREF4	
XREF5	
XREF6	

PLAN REVISIONS

PLAN STATUS

--

**DEVELOPMENT
STANDARDS
TABLE**

PROJECT / FILE NO.	SHEET NUMBER
21946	

Bethany Place RPD
April 2005

The Bethany Place RPD model home center and or model homes are planned to be open typical business hours: 8 AM to 6 PM, Monday through Sunday. Minor deviations from this schedule are considered consistent and do not require any approval or modification to the approved RPD.

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APR 22 2005

DCI2005-00007

PH-3.C.1

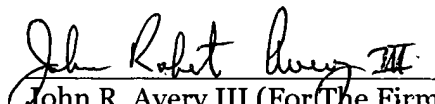
DESCRIPTION

A tract or parcel of land lying in Sections 4 & 9, Township 45 South, Range 25 East, Lee County, Florida. Said tract or parcel being more particularly described as follows:

From the Northeast corner of Section 9 and the **POINT OF BEGINNING** run S01°44'31"E along the West line of a Canal for Lehigh Acres Unit 1 as recorded in Plat Book 18, Page 2 for 1,342.68 feet to the Northeast corner of Lehigh Acres Unit 3 as recorded in Plat Book 27, Page 182; thence run S87°50'45"W along the North line of a 100.00 foot wide Canal as recorded in said plat for 1,276.39 feet to the Northwest corner of said plat; thence run N01°26'22"W for 1,339.47 feet to the Northwest corner of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of said Section 9; thence run N00°49'16"W along the West line of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of said Section 4 for 1,267.72 feet to an intersection with the Centerline of a proposed 100 foot Right-of-Way for Sunshine Boulevard; thence run N87°41'45"E along Centerline of said proposed Right-of-Way for 278.60 feet to a point of curvature; thence run easterly along an arc of curve to the left of radius 1,000.00 feet (delta 28°00'38") (chord bearing N73°41'26"E)(chord 484.02 feet) for 488.88 feet to a point of reverse curvature; thence run easterly along an arc of curve to the right of radius 1,000.00 feet (delta 29°40'31") (chord bearing N74°31'23"E) (chord 512.16 feet) for 517.93 feet ; thence run N89°04'20"E for 44.57 feet to an intersection with the East line of the Southeast quarter of Section 4; thence run S00°12'24"E for 1,501.13 feet along the East line of said Section 4 and the West line of Lehigh Acres Unit 11 as recorded in Plat Book 15, Page 217 to the **POINT OF BEGINNING**.

Containing 3,450,411 square feet or 79.211 acres, more or less.

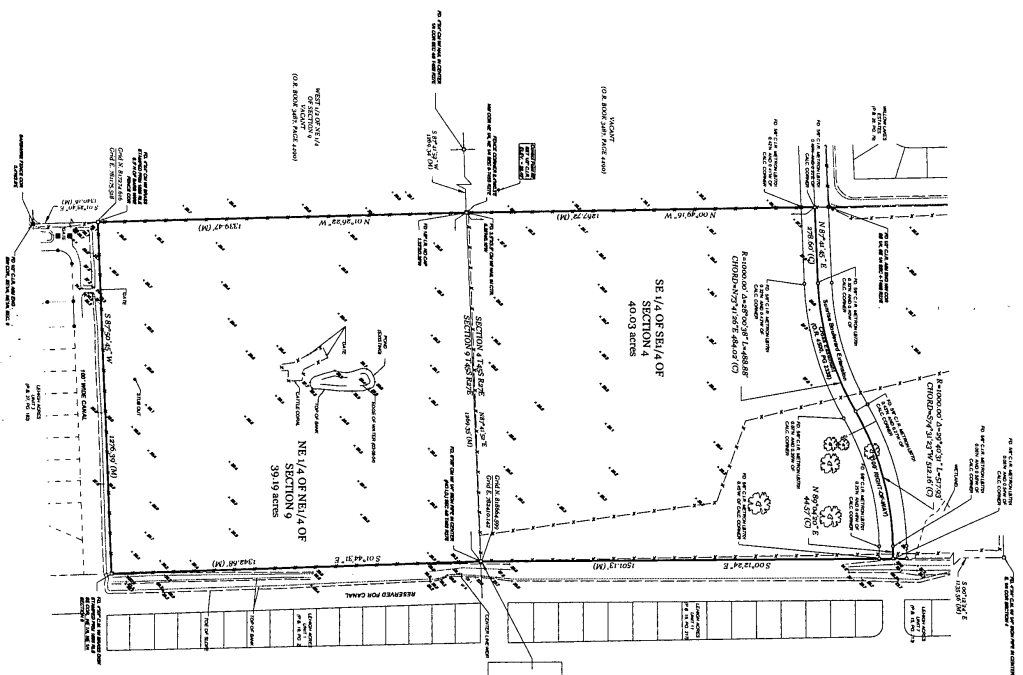
Bearings hereinabove mentioned are State Plane for the Florida West Zone (NAD 1983/99 adjustment) and are based on the East line of said Northeast Quarter (NE1/4) of said Section 9 to bear S01°44'31"E.

 4-8-05
John R. Avery III (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5298

21946s02.desc.doc

DCI2005-00007

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APR 22 2005



0
100
200
400

SCALE IN FEET

HAD 1983
FLORIDA PLATE
COORDINATE SYSTEM
(WEST ZONE)

NOTES:

- [illegible]

LEGEND:

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

DESCRIPTION

[illegible]

I HEREBY CERTIFY THAT A SIGNED AND DATED TRUE AND CORRECT COPY OF THE
 INFORMATION CONTAINED HEREIN HAS BEEN FURNISHED TO THE FEDERAL BUREAU OF
 INVESTIGATION AND THE ATTORNEY GENERAL.
 WALTER B. SIMS, JR., L.L.C.
 4-1-11
 DATE SIGNED
 PROFESSIONAL, SHIRT AND TIE
 FLORENCE B. SIMS, JR., L.L.C.
 4-1-11
 DATE SIGNED

4-13-05

<p>PROJECT DESCRIPTION</p> <p>RECEIVED</p> <p>APR 22 2005</p> <p>BETHANY PLACE</p>	<p>PART OF SECTIONS 4 TOWNSHIP 46 SOUTH RANGE 16 EAST JACKSON COUNTY, FLORIDA</p>
---	---

**WATERMEN
DEVELOPMENT
GROUP CORP.**

Barraco
and Associates, Inc.

CIVIL ENGINEERING • LAND SURVEYING
LAND PLANNING • LANDSCAPE DESIGN
www.barraco.net

POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169

FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-61945

WATERMEN

**DEVELOPMENT
GROUP CORP.**

8045 N.W. 156 STREET
NORTH MIAMI BEACH, FL 33162-3905

MIAMI LAKES, FLORIDA 33016

PHONE (305) 828-0103
FAX (305) 828-0147

PROJECT DESCRIPTION

BETHANY
PIACAT

PLACE

PART OF SECTIONS 4
TOWNSHIP 45 SOUTH

07 RANGE 27 EAST
LEHIGH ACRES
LEE COUNTY, FLORIDA

PROJECT SURVEYOR

ROBERT AVER

STATE OF NEW YORK
NO. 5286
CERTIFICATE
PROPERTY

NOT VALID WITHOUT THE SIGNATURE
AND THE ORIGINAL RAISED SEAL OF A
TRAINED SURVEYOR

FILE NAME	21946502.DWG
LAYOUT	LAYOUT1

LOCATION	31219460505URFETH03
PLOT DATE	FRI, 4-8-2005 - 1:18 PM
PLOT BY	BRANDON HARRY

DRAWING DATA	
SURVEY DATE	05-06-04
DRAWN BY	BWH

CHECKED BY	JRA
SCALE	AS NOTED
FIELD BOOK	79-56-75, 8173-77, 9414243

PLAN REVISIONS	
04-08-05	ADDED O.R. 4500, PG. 2306 TO SURF

[illegible][illegible]

BOUNDARY
SURVEY

PROJECT / FILE NO.	SHEET NUMBER
--------------------	--------------

21946 04/09-45S-27E	1 OF 1
------------------------	--------

PH-3.D.3

EXHIBIT PH-3.I.
AGRICULTURAL USES AT THE TIME OF ZONING APPLICATION

One-hundred percent of the ±79.22-acre parcel is utilized for cattle grazing. Please see the attached exhibit showing the location of agriculture use.

DCI2005-00007

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APR 22 2005

EXHIBIT 11-2.C.1

LEE COUNTY PROPERTY APPRAISER

PROPERTY DATA FOR PARCEL 09-45-27-00-00006.0000
TAX YEAR 2004 PRELIMINARY

Parcel data is available for the following tax years:

[2001 | 2002 | 2003 | 2004 (Preliminary)]

[Next Lower Parcel Number | Next Higher Parcel Number

| Display Tax Bills on this Parcel | **NEW! Tax Estimator**]

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JAN 21 2005

ZONING

OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2004 PRELIMINARY ROLL.

PROPERTY DETAILS

OWNER OF RECORD

WATERMEN-SUNRISE 80 LLC
8045 NW 155TH ST
MIAMI LAKES FL 33016

[VIEWER] TAX MAP [PRINT]



SITE ADDRESS

ACCESS UNDETERMINED
LEHIGH ACRES FL 33936

LEGAL DESCRIPTION

NE 1/4 OF NE 1/4

[PICTOMETRY]

TAXING DISTRICT

067 - LEHIGH ACRES FIRE/NO LIGHT/NO
DRAINAGE

DOR CODE

61 - GRAZING LAND CLASS II

PROPERTY VALUES
[NEW! HISTORY CHART]

EXEMPTIONS

ATTRIBUTES

JUST	480,000	HOMESTEAD	0 UNITS OF MEASURE	AC	
ASSESSED	8,280	AGRICULTURAL	471,720	NUMBER OF UNITS	40.00
ASSESSED SOH	8,280	WIDOW	0	FRONTAGE	0
TAXABLE	8,280	WIDOWER	0	DEPTH	0
BUILDING	0	DISABILITY	0	BEDROOMS	

LAND	8,280 WHOLLY	0 BATHROOMS
BUILDING FEATURES	0 SOH DIFFERENCE	0 TOTAL BUILDING SqFt
LAND FEATURES	0	YEAR IMPROVED 0

SALES/TRANSACTIONS

SALE PRICE	DATE	OR BOOK / PAGE	TYPE	TRANSACTION DETAILS DESCRIPTION	VACANT / IMPROVED
989,900	5/13/2004	<u>4317/2465</u>	06	Qualified (Fair Market Value / Arms Length / One STRAP #)	V
100	1/1/1990	<u>2125/4076</u>	01	Disqualified (Doc Stamp .70 / SP less th \$100 / Other DisQ)	V
0	4/1/1989	<u>2061/4551</u>	01	Disqualified (Doc Stamp .70 / SP less th \$100 / Other DisQ)	V

SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY UNIT/AREA	TAX AMOUNT
003 - Service Area 3 - East Lee County Area	-	0	0.00

ELEVATION INFORMATION

STORM SURGE CATEGORY	FLOOD INSURANCE (FIRM FAQ)				DATE
	RATE CODE	COMMUNITY	PANEL	VERSION	
	B	125124	0375	B	

[\[Show \]](#)

APPRAISAL DETAILS

TRIM (*proposed* tax) Notices are available for the following tax years:
[\[1997 | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 \]](#)

[\[Next Lower Parcel Number | Next Higher Parcel Number \]](#)

[\[New Query | New Browse | Parcel Queries Page | Lee PA Home \]](#)

LEE COUNTY PROPERTY APPRAISER

PROPERTY DATA FOR PARCEL 04-45-27-00-00008.0010
TAX YEAR 2004 PRELIMINARY

Parcel data is available for the following tax years:

[[2001](#) | [2002](#) | [2003](#) | [2004 \(Preliminary\)](#)][[Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)| [Display Tax Bills on this Parcel](#) | **NEW! Tax Estimator**]OWNERSHIP, LEGAL, SALES AND DISTRICT DATA ARE FROM THE CURRENT DATABASE.
LAND, BUILDING, VALUE AND EXEMPTION DATA ARE FROM THE 2004 PRELIMINARY ROLL.**PROPERTY DETAILS****OWNER OF RECORD**WATERMEN SUNRISE 80 LLC
8045 NW 155TH ST
MIAMI LAKES FL 33016**SITE ADDRESS**ACCESS UNDETERMINED
LEHIGH ACRES FL 33936**LEGAL DESCRIPTION**PARL LOC IN E 1/2 OF SE 1/4 AS
DESC IN OR 4278 PG 885[[VIEWER](#)] [TAX MAP](#) [[PRINT](#)][[PICTOMETRY](#)]**TAXING DISTRICT**067 - LEHIGH ACRES FIRE/NO LIGHT/NO
DRAINAGE**DOR CODE**

64 - GRAZING LAND CLASS V

PROPERTY VALUES
[[NEW! HISTORY CHART](#)]**EXEMPTIONS****ATTRIBUTES**

JUST	480,240	HOMESTEAD	0	UNITS OF MEASURE	AC
ASSESSED	2,880	AGRICULTURAL	477,360	NUMBER OF UNITS	40.02
ASSESSED SOH	2,880	WIDOW	0	FRONTAGE	0
TAXABLE	2,880	WIDOWER	0	DEPTH	0
BUILDING	0	DISABILITY	0	BEDROOMS	

LAND	2,880 WHOLLY	0 BATHROOMS
BUILDING FEATURES	0 SOH DIFFERENCE	0 TOTAL BUILDING SqFt
LAND FEATURES	0	YEAR IMPROVED

SALES/TRANSACTIONS

SALE PRICE	DATE	OR BOOK / PAGE	TYPE	TRANSACTION DETAILS DESCRIPTION	VACANT / IMPROVED
800,000	4/27/2004	4278/885	06	Qualified (Fair Market Value / Arms Length / One STRAP #)	V

PARCEL RENUMBERING HISTORY

PRIOR STRAP	RENUMBER REASON	RENUMBER DATE
04-45-27-00-00008.0000	Split (From another Parcel)	Wednesday, May 19, 2004

SOLID WASTE (GARBAGE) ROLL DATA

SOLID WASTE DISTRICT	ROLL TYPE	CATEGORY UNIT/AREA	TAX AMOUNT
003 - Service Area 3 - East Lee County Area	R - Residential Category		0.00

[\[Show \]](#)

APPRAISAL DETAILS

TRIM (*proposed tax*) Notices are available for the following tax years:
[]

[[Next Lower Parcel Number](#) | [Next Higher Parcel Number](#)]

[[New Query](#) | [New Browse](#) | [Parcel Queries Page](#) | [Lee PA Home](#)]

This site is best viewed with [Microsoft Internet Explorer 5.5+](#) or [Netscape Navigator 6.0+](#).
Page was last modified on Tuesday, June 29, 2004 6:08:55 PM.

EXHIBIT PH-3.C.1

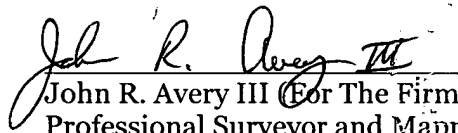
DESCRIPTION

A tract or parcel of land lying in Sections 4 & 9, Township 45 South, Range 25 East, Lee County, Florida. Said tract or parcel being more particularly described as follows:

From the Northeast corner of Section 9 and the **POINT OF BEGINNING** run $S01^{\circ}44'31''E$ along the West line of a Canal for Lehigh Acres Unit 1 as recorded in Plat Book 18, Page 2 for 1,342.68 feet to the Northeast corner of Lehigh Acres Unit 3 as recorded in Plat Book 27, Page 182; thence run $S87^{\circ}50'45''W$ along the North line of a 100.00 foot wide Canal as recorded in said plat for 1,276.39 feet to the Northwest corner of said plat; thence run $N01^{\circ}26'22''W$ for 1,339.47 feet to the Northwest corner of the Northeast Quarter ($NE1/4$) of the Northeast Quarter ($NE1/4$) of said Section 9; thence run $N00^{\circ}49'16''W$ along the West line of the Southeast Quarter ($SE1/4$) of the Southeast Quarter ($SE1/4$) of said Section 4 for 1,267.72 feet to an intersection with the Centerline of a proposed 100 foot Right-of-Way for Sunshine Boulevard; thence run $N87^{\circ}41'45''E$ along Centerline of said proposed Right-of-Way for 278.60 feet to a point of curvature; thence run easterly along an arc of curve to the left of radius 1,000.00 feet ($\Delta 28^{\circ}00'38''$) (chord bearing $N73^{\circ}41'26''E$) (chord 484.02 feet) for 488.88 feet to a point of reverse curvature; thence run easterly along an arc of curve to the right of radius 1,000.00 feet ($\Delta 29^{\circ}40'31''$) (chord bearing $N74^{\circ}31'23''E$) (chord 512.16 feet) for 517.93 feet; thence run $N89^{\circ}04'20''E$ for 44.57 feet to an intersection with the East line of the Southeast quarter of Section 4; thence run $S00^{\circ}12'24''E$ for 1,501.13 feet along the East line of said Section 4 and the West line of Lehigh Acres Unit 11 as recorded in Plat Book 15, Page 217 to the **POINT OF BEGINNING**.

Containing 3,450,411 square feet or 79.211 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (NAD 1983/99 adjustment) and are based on the East line of said Northeast Quarter ($NE1/4$) of said Section 9 to bear $S01^{\circ}44'31''E$.

 1-19-05
John R. Avery III (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5298

21946s02.desc.doc

012005-00007

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JAN 21 2005

EXHIBIT PH-3.C.1

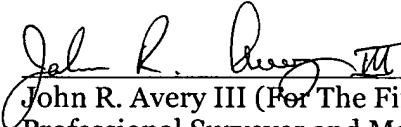
DESCRIPTION

A tract or parcel of land lying in Sections 4 & 9, Township 45 South, Range 25 East, Lee County, Florida. Said tract or parcel being more particularly described as follows:

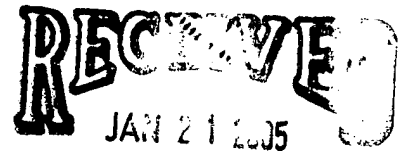
From the Northeast corner of Section 9 and the **POINT OF BEGINNING** run $S01^{\circ}44'31''E$ along the West line of a Canal for Lehigh Acres Unit 1 as recorded in Plat Book 18, Page 2 for 1,342.68 feet to the Northeast corner of Lehigh Acres Unit 3 as recorded in Plat Book 27, Page 182; thence run $S87^{\circ}50'45''W$ along the North line of a 100.00 foot wide Canal as recorded in said plat for 1,276.39 feet to the Northwest corner of said plat; thence run $N01^{\circ}26'22''W$ for 1,339.47 feet to the Northwest corner of the Northeast Quarter (NE1/4) of the Northeast Quarter (NE1/4) of said Section 9; thence run $N00^{\circ}49'16''W$ along the West line of the Southeast Quarter (SE1/4) of the Southeast Quarter (SE1/4) of said Section 4 for 1,267.72 feet to an intersection with the Centerline of a proposed 100 foot Right-of-Way for Sunshine Boulevard; thence run $N87^{\circ}41'45''E$ along Centerline of said proposed Right-of-Way for 278.60 feet to a point of curvature; thence run easterly along an arc of curve to the left of radius 1,000.00 feet (delta $28^{\circ}00'38''$) (chord bearing $N73^{\circ}41'26''E$) (chord 484.02 feet) for 488.88 feet to a point of reverse curvature; thence run easterly along an arc of curve to the right of radius 1,000.00 feet (delta $29^{\circ}40'31''$) (chord bearing $N74^{\circ}31'23''E$) (chord 512.16 feet) for 517.93 feet; thence run $N89^{\circ}04'20''E$ for 44.57 feet to an intersection with the East line of the Southeast quarter of Section 4; thence run $S00^{\circ}12'24''E$ for 1,501.13 feet along the East line of said Section 4 and the West line of Lehigh Acres Unit 11 as recorded in Plat Book 15, Page 217 to the **POINT OF BEGINNING**.

Containing 3,450,411 square feet or 79.211 acres, more or less.

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 9-15-04
John R. Avery III (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5298

21946s02.desc.doc



 005-00007

PERMIT COUNTER

EXHIBIT PH-3.I.
AGRICULTURAL USES AT THE TIME OF ZONING APPLICATION

One-hundred percent of the ±79.21 acre parcel is unutilized for cattle grazing. Please see the attached exhibit showing the location of agriculture use.

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ZONING

AFFIDAVIT

RECEIVED
JAN 21 2005

STATE OF FLORIDA

COUNTY OF LEE

PERMIT COUNTER

BEFORE ME, the undersigned authority, on this 21 day of May, 2004, duly authorized to take acknowledgments and administer oaths, personally appeared Eddy Garcia, as Managing Member of Watermen-Sunrise 80, L.L.C., who is personally known to me, who after first being duly sworn, deposes and says:

1. That I am the owner or authorized representative of the following described property, to wit:

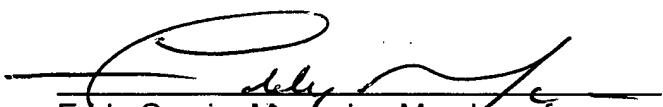
See attached Exhibit "A"

2. That the above described property has been zoned for bona fide agricultural purposes and currently agricultural uses are taking place at the time of the Lee County Board of County Commissioners review and consideration of the rezoning of the property described on the attached Exhibit "A".

3. Affiant further states that he is familiar with the nature of an oath, and with the penalties as provided by the laws of the State aforesaid for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that he has read, or has heard read to him, the full facts of the affidavit and understands its meaning and context.

FURTHER AFFIANT SAYETH NOT.

DCI 2005-00007


Eddy Garcia, Managing Member of
Watermen-Sunrise 80, L.L.C.

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 21 day of May, 2004, by Eddy Garcia, as Managing Member of Watermen-Sunrise 80, L.L.C., who is personally known to me or who has produced Personally Known as identification.

My Commission Expires:

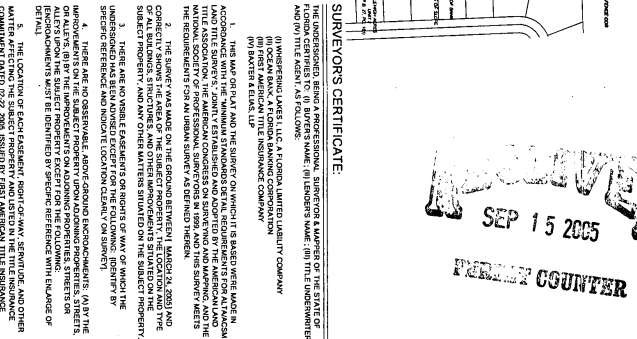


Maria D Garcia
My Commission DD033924
Expires June 16, 2005


Notary Public

Maria D Garcia
Print/Type Name of Notary

Commission No. DD033924



**Whispering
Lakes I,
LLC,**

A Florida Limited
Liability Company

2271 MAGNOLIA BOULEVARD
POST OFFICE BOX 2900
FORT MYERS, FLORIDA 33902-2900
PHONE (889) 431-9170
FAX (889) 431-9170
E-MAIL whisperinglakes@att.net
ENGINEERED 1995 - ALUMINUM LIFEBARK

PREPARED FOR

- (i) WHISPERING LAKES I, LLC, A FLORIDA LIMITED LIABILITY COMPANY
- (ii) OCEAN BANK, A FLORIDA BANKING CORPORATION
- (iii) FIRST AMERICAN TITLE INSURANCE COMPANY
- (iv) BAXTER & ELLAS, LLP

1. THE OFFICIAL AND THE SUBJECT TO WHICH THE REQUEST WAS MADE MUST BE ACCORDANCE WITH THE ANNUAL BUDGET OF THE FISCAL YEAR IN WHICH THE REQUEST WAS MADE. THE REQUEST MUST BE MADE IN THE MONTH OF JANUARY OF THE FISCAL YEAR IN WHICH THE REQUEST WAS MADE. THE REQUEST MUST BE MADE IN THE MONTH OF JANUARY OF THE FISCAL YEAR IN WHICH THE REQUEST WAS MADE.
2. THE REQUEST MUST BE MADE IN THE MONTH OF JANUARY OF THE FISCAL YEAR IN WHICH THE REQUEST WAS MADE. THE REQUEST MUST BE MADE IN THE MONTH OF JANUARY OF THE FISCAL YEAR IN WHICH THE REQUEST WAS MADE.
3. THERE ARE NO FEES OR OTHER FINANCIAL SHAVES ON ANY OF WHICH THE REQUEST WAS MADE. THE REQUEST MUST BE MADE IN THE MONTH OF JANUARY OF THE FISCAL YEAR IN WHICH THE REQUEST WAS MADE.
4. THERE ARE NO FEES OR OTHER FINANCIAL SHAVES ON ANY OF WHICH THE REQUEST WAS MADE. THE REQUEST MUST BE MADE IN THE MONTH OF JANUARY OF THE FISCAL YEAR IN WHICH THE REQUEST WAS MADE.
5. THE LOCATION OF EACH EXAMINER, SPOT OF A NEW, SERVING, AND OTHER

MATTER AFFECTING THE SUBJECT PROPERTY AND LISTED IN THE TITLE INSURANCE COMPANY DATED 02-22-2009, ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY WITH RESPECT TO THE SUBJECT PROPERTY, HAS BEEN SHOWN ON THE SURVEY, TOGETHER WITH APPROPRIATE RECORDING REFERENCES, TO THE EXTENT THAT SUCH MATTERS CAN BE LOCATED. THE PROPERTY SHOWN ON THE SURVEY IS THE SUBJECT DESCRIBED IN THAT TITLE DOCUMENT. THE LOCATION OF ALL IMPROVEMENTS ON THE SUBJECT PROPERTY IS IN ACCORD WITH ANNUAL SETBACK PROVISIONS AND RESTRICTIONS OF RECORD REFERENCED IN SUCH TITLE DOCUMENT.

7. THE SUBJECT PROPERTY DOES NOT SERVE ANY ADJOINING PROPERTY FOR DRAINAGE, UTILITIES, OR INCREAS OR EGRESS EXCEPT FOR THE FOLLOWING: [SPECIFICALLY IDENTIFY]

8. THE SECOND LEGAL DESCRIPTION OF THE SUBJECT PROPERTY FORMS A MATHEMATICALLY CLOSED FIGURE.

9. [EXCEPT AS SHOWN ON THE SURVEY] NO PORTION OF THE PROPERTY SHOWN

THE PARTIES LISTED ABOVE ARE ENTITLED TO RELY ON THE SURVEY AND THIS CERTIFICATE AS BEING TRUE AND ACCURATE.

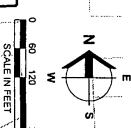
AND FUTHER CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED, MINIMUM TECHNICAL STANDARDS AS PER CHAPTER 810.12 OF THE F.A.C. CERTIFICATION IS ONLY FOR THE LANDS AS DESCRIBED IT IS NOT A CERTIFICATE OF TITLE, ZONING, EASEMENTS OR FREEDOM FROM ENCUMBRANCES, ASTRICUT NOT REVIEWED, SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD.

AND FUTHER CERTIFY THAT THIS MAP OR PLAN AND THE SURVEY ON WHICH IT IS BASED, WERE MADE IN ACCORDANCE WITH "UNIFORM ESTABLISHED AND ADOPTED BY ALTA A.C.S. FOR ALTA/MCM LAND TITLE SURVEYS," JANUARY 1984 STANDARD AND ADOPTED BY ALTA A.C.S. IN 1989, AND INCLUDES ITEMS 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, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800,

DATE SIGNED: 9-13-05
 SIGNED: John Robert Avery III
 JOHN ROBERT AVERY III FOR THE FIRM: L&P
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORENCE CERTIFICATE NO. 5298
 WIT AND WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORENCE LICENSED
 SURVEYOR AND MAPPER.

[illegible]

DCI 2005-00007



Barraco
Barraco Associates, Inc.
CIVIL ENGINEERING, LAND SURVEYING
LAND PLANNING, LANDSCAPE DESIGN
www.barraco.net
2271 MAGNIFICENT BOULEVARD
SUITE 200
FORT LAUDERDALE, FL 33309
PHONE (954) 461-3170
FAX (954) 461-3188
TELEPHONE (954) 461-3188
ENGINEERING 7891 - SURVEYING 18498
PREPARED FOR:

**WATERMEN
DEVELOPMENT
GROUP CORP.**

804 S.W. 155 STREET
MIAMI LAKES, FLORIDA 33018
PHONE (305) 558-0010
FAX (305) 558-0010

**WHISPERING
LAKES
PHASE I**

PART OF SECTIONS 4
TOWNSHIP 45 SOUTH
RANGE 30 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
INTENDED FOR CONCEPTUAL
PLANNING PURPOSES ONLY. SITE
LAYOUT, DIMENSIONS, AND
SIGNIFICANTLY BASED UPON SURVEY,
ENVIRONMENTAL, AND/OR
REGULATORY CONSTRAINTS
AND/OR OPPORTUNITIES.

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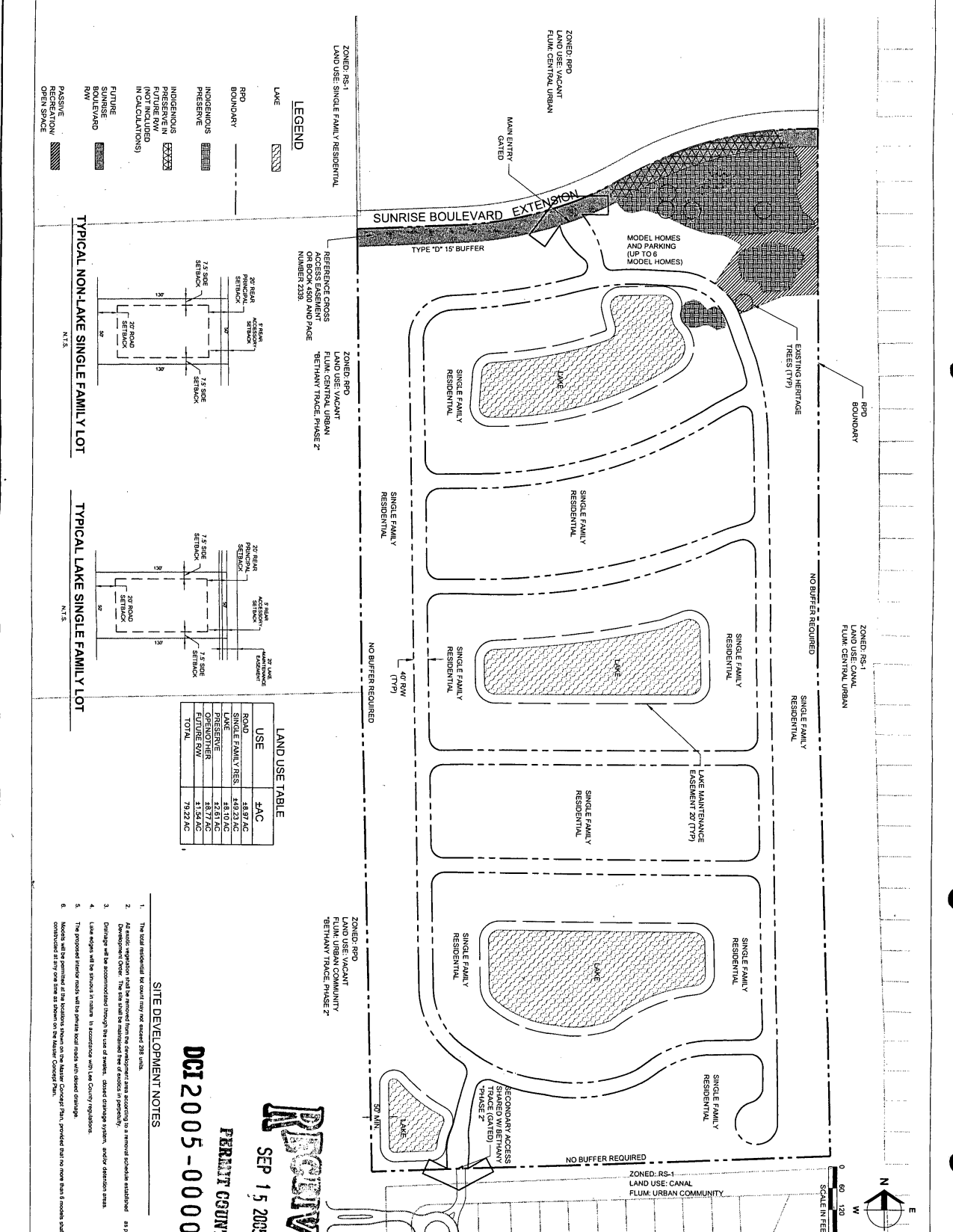
DATE: 11/11/05
PROJECT: 21946
SHEET: 1

DATE: 11/11/05
PROJECT: 21946
SHEET: 1

DATE: 11/11/05
PROJECT: 21946
SHEET: 1

DATE: 11/11/05
PROJECT: 21946
SHEET: 1

DATE: 11/11/05
PROJECT: 21946
SHEET: 1



LEGEND

- LAKE
- RPD BOUNDARY
- INDIGENOUS PRESERVE
- INDIGENOUS PRESERVE (NOT INCLUDED IN CALCULATIONS)
- FUTURE SUNDOWN RD
- PASSIVE RECREATION/ OPEN SPACE

LAND USE TABLE

USE	#AC
ROAD	18.97 AC
SINGLE FAMILY RES.	149.21 AC
PRESERVE	42.61 AC
OPEN-SPACES	18.77 AC
FUTURE ROW	1.54 AC
TOTAL	79.22 AC

TYPICAL NON-LAKE SINGLE FAMILY LOT

N.T.S.

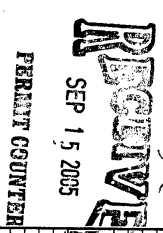
TYPICAL LAKE SINGLE FAMILY LOT

N.T.S.

SITE DEVELOPMENT NOTES

1. The total residential lot count may be greater than 200 lots.
2. All model homes and parking shall be removed from the development area according to a removal schedule established as part of the final site plan.
3. Drainage will be accommodated through the use of swales, detached drainage system, and/or detention ponds.
4. Lake edges will be finished in natural, in accordance with Lee County regulations.
5. The proposed service roads will be private local roads with shared drainage.
6. Models will be permitted at the locations shown on the Master Concept Plan, provided that no more than 6 models shall be constructed at any one time as shown on the Master Concept Plan.

DCI 2005-00007



ZONING DIVISION
LEE COUNTY

PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
John Fredyma, Asst County Attorney

FROM: Fred Drovdlc

DATE: 08/26/2005

PROJECT NAME: WHISPERING LAKES II

CASE #: DCI2005-00007

INFORMATION SUMMARY:

To update your file

X Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 09/05/2005

Additional Comments:

cc: DCI planner/working fileDCI Zone File

Distributed by: Jamie Princing

Date: 08/29/2005

TRANSMITTAL LETTER

TO:	Fred Drovdlc, Senior Planner	FROM:	Shellie Johnson, AICP		
COMPANY:	Lee County Division of Zoning	DATE:	August 26, 2005	PROJECT NUMBER	21946
ADDRESS:	PROJECT NAME: Whispering Lakes II aka Bethany Place RPD DCI2005-00007				
CITY, STATE, ZIP:	DISTRIBUTION TO:				
RE:	Revised MCP and Page 1 of Application re Project Name Change				

WE ARE SENDING THE FOLLOWING ITEMS VIA:

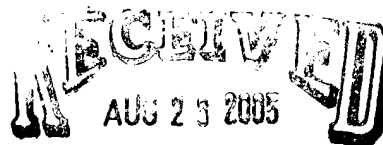
☐	STANDARD POSTAL MAIL	☒	COURIER SERVICE	☐	OTHER
☐	OVERNIGHT DELIVERY	☐	CLIENT PICK-UP AT OUR OFFICE	☐	

ITEM	COPIES	DATE	DESCRIPTION
1.	4	08/26/05	Revised Page 1 of Application
2.	4	08/26/05	11 x 17 Revised MCP
3.	4	08/26/05	24 x 36 Revised MCP
4.			
5.			
6.			
7.			
8.			
9.			
10.			

THESE ARE TRANSMITTED AS CHECKED BELOW:

☐	AS REQUESTED	☐	FOR BIDS DUE:	☐	RESUBMIT ____ COPIES FOR APPROVAL
☒	FOR YOUR USE	☐	APPROVED AS SUBMITTED	☐	SUBMIT ____ COPIES FOR DISTRIBUTION
☐	FOR APPROVAL	☐	APPROVED AS NOTED	☐	RETURN ____ CORRECTED PRINTS
☐	FOR REVIEW AND COMMENT	☐	RETURNED FOR CORRECTIONS	☐	ITEMS RETURNED AFTER LOAN TO US

NOTES/COMMENTS:



DCI 2005-00007

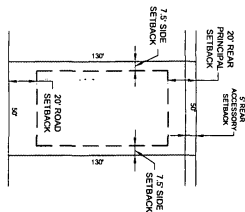
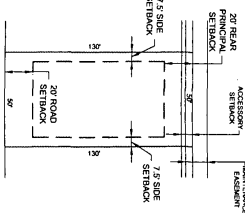
RECEIVED
AUG 2 6 2005
DCI 2005-00007

SITE DEVELOPMENT NOTES

1. The total residential lot count may not exceed 208 units.
2. All utility regulations shall be reviewed from the development area according to a removal schedule established as part of the Development Order. The site shall be maintained free of weeds in perpetuity.
3. Drainages will be accommodated through the use of swales, closed drainage system, and/or detention tanks.
4. Lake edges will be finished in relation to adjacent streets, in accordance with Lee County regulations.
5. The proposed interior roads will be private loop roads with closed drainage.
6. Materials and methods at the locations shown on the Master Concept Plan, provided that no more than 6 months shall be operation of any construction as shown on the Master Concept Plan.

LAND USE TABLE

USE	±AC
ROAD	48.97 AC
SINGLE FAMILY RES.	448.23 AC
LAKE	48.10 AC
PRESERVE	22.81 AC
OR	48.10 AC
FUTURE R/W	43.44 AC
TOTAL	792.22 AC

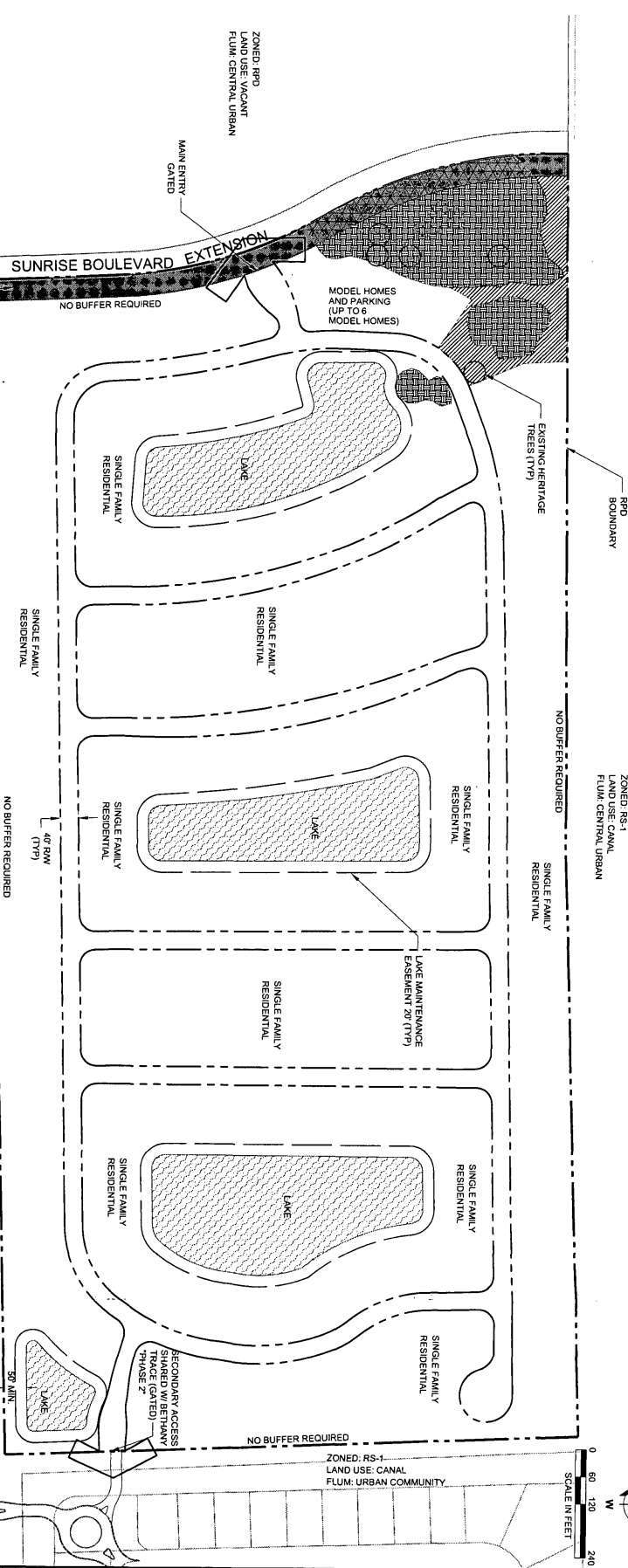


REFERENCE CROSS
SECTION
OR BOOK 480 AND PAGE
NUMBER 238.

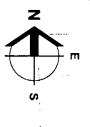
ZONED: RS-1
LAND USE: SINGLE FAMILY RESIDENTIAL

LEGEND

- LAKE
- RPD BOUNDARY
- INDIGENOUS PRESERVE
- INDIGENOUS PRESERVE IN FUTURE R/W (NOT INCLUDED IN CALCULATIONS)
- FUTURE SUNKEN ROAD (TYP)
- RPD BOUNDARY
- PARKING RECREATION/ OPEN SPACE



ATTACHMENT B



Barraco
and Associates, Inc.
Civil Engineering, Land Surveying,
Land Planning, Landscape Design
www.barraco.net
221 MacGregor Road, Suite 200
Fort Myers, Florida 33907-2800
P.O. Box 1000, Fort Myers, FL 33902
Phone (239) 463-2189
Fax (239) 463-2189

FLORIDA CERTIFICATE OF AUTHORIZATION
ENGINEERING: 1985, SURVEYING: 18480
PREPARED FOR:
**WATERMEN
DEVELOPMENT
GROUP CORP.**
9045 N.W. 155 STREET
MIAMI LAKES, FLORIDA 33016
PHONE (305) 828-0103
FAX (305) 828-0147
PROJECT DESCRIPTION:
THIS PLAN IS PRELIMINARY AND
PLANNING PURPOSES ONLY. SITE
LAYOUT AND LAND USE INTENSITIES
OR DENSITIES MAY CHANGE
SIGNIFICANTLY DUE TO VARYING
ENVIRONMENTAL, ENGINEERING AND
REGULATORY CONSTRAINTS.
NOT FOR CONSTRUCTION.

PART OF SECTION 4
TOWNSHIP 46 SOUTH
RANGE 27 EAST
MIAMI LAKES, FLORIDA
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
PLANNING PURPOSES ONLY. SITE
LAYOUT AND LAND USE INTENSITIES
OR DENSITIES MAY CHANGE
SIGNIFICANTLY DUE TO VARYING
ENVIRONMENTAL, ENGINEERING AND
REGULATORY CONSTRAINTS.
NOT FOR CONSTRUCTION.

DATE: 11/28/2005
DESIGNER: AMERICA DAILY
PROJECT: THE BAYBROS, 1122 AM
LOCATION: 11222 BAYBROS
SUBMITTER: 11222 BAYBROS

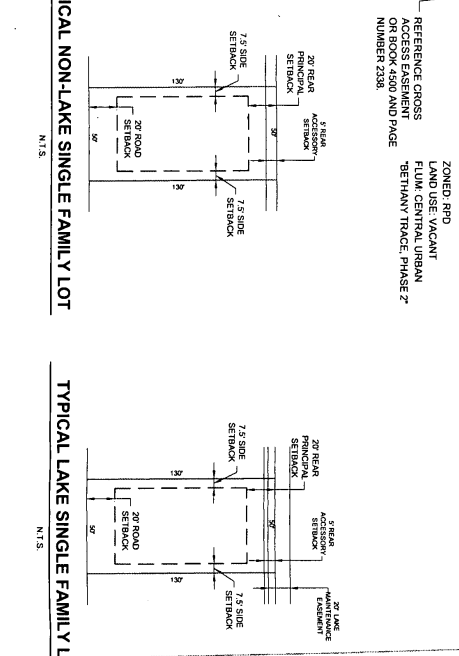
PROJECT FILE NO. 21946
SHEET NUMBER 1

- SITE DEVELOPMENT NOTES**
- The total residential lot count may not exceed 258 units.
 - All water regulations shall be removed from the development area according to a municipal ordinance established as part of the Comprehensive Code. This will be maintained from all existing and proposed.
 - Drainage will be accommodated through the use of swales, closed drainage system, and/or detention areas.
 - Lake edges will be situated in nature in accordance with Lee County regulations.
 - The proposed master roads will be private local roads with closed drainage.
 - Models will be submitted at the following time and the Master Concept Plan, provided that no more than 6 models could be constructed at any one time as shown on the Master Concept Plan.

RECEIVED
SEP 08 2005
PERMIT CENTER

DC12005-00007

LAND USE TABLE	
USE	#AC
ROAD	48.97 AC
SINGLE FAMILY RES.	48.23 AC
LAKE	48.10 AC
PRESERVE	42.61 AC
OPEN SPACE	42.61 AC
FUTURE RW	11.54 AC
TOTAL	79.22 AC



LEGEND

LAKE

RPD BOUNDARY

INDIGENOUS PRESERVE

INDIGENOUS PRESERVE (NOT INCLUDED IN CALCULATIONS)

FUTURE BOUNDARY

PASSIVE OPEN SPACE

ZONED RS-1
LAND USE: SINGLE FAMILY RESIDENTIAL

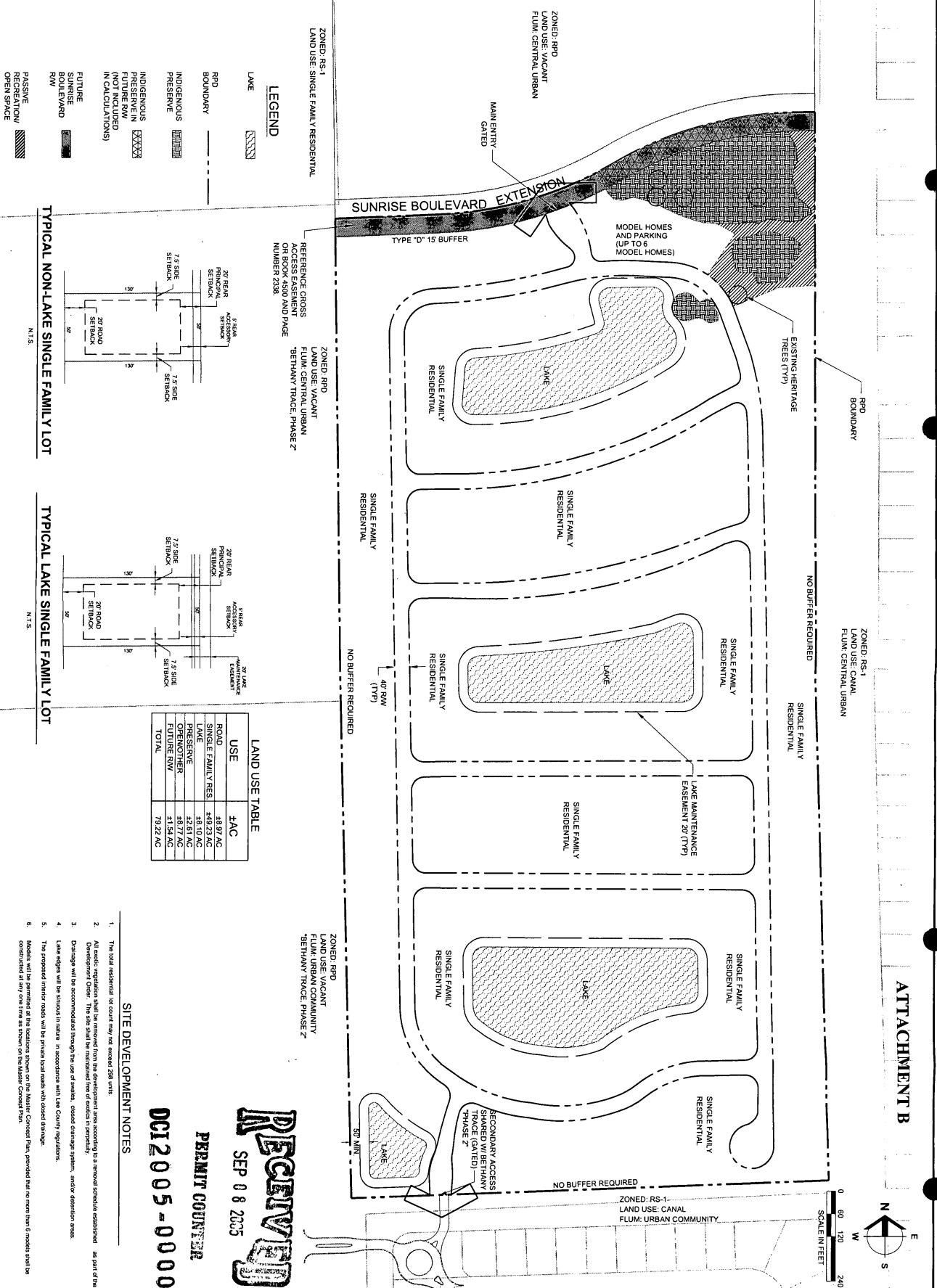
ZONED RPD
LAND USE: VACANT FLUM CENTRAL URBAN

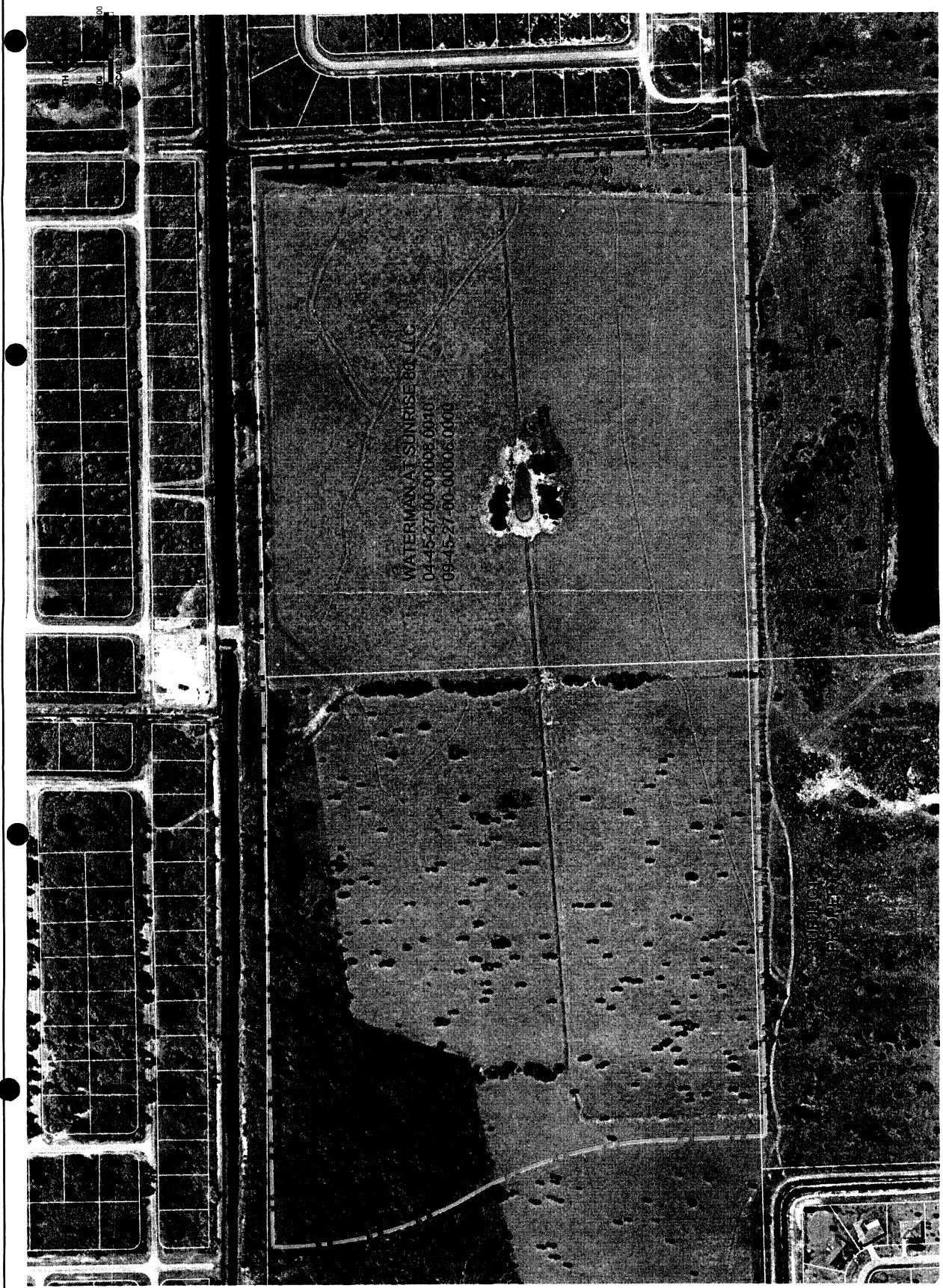
REFERENCE CROSS ACCESS EASEMENT (20' TYP) AND PAGE NUMBER 2398

ZONED RPD
LAND USE: VACANT FLUM CENTRAL URBAN

BETHANY TRACE PHASE 2

ZONED RS-1
LAND USE: CANAL FLUM: URBAN COMMUNITY





Barraco
and Associates, Inc.

CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN

www.barraco.net
2271 MCQUEEN BOULEVARD
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 485-3170
FAX (239) 485-3169

FLORIDA CERTIFICATE OF PROFESSIONAL ENGINEERING 7992, SURVEYING 18490

PREPARED FOR:

**WATERMEN
DEVELOPMENT
GROUP CORP.**

8045 N.W. 155 STREET
MAAMI LAKES, FLORIDA 33516

PHONE (352) 858-6103
FAX (352) 828-0147

PROJECT DESCRIPTION

**BETHANY
PLACE
RPD**

PART OF SECTIONS 4
AND 5, TOWNSHIP 27 NORTH
RANGE 27 EAST
LEE HIGH ACRES
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
INTENDED FOR CONCEPTUAL
PLANNING PURPOSES ONLY. SITE
LAYOUTS, DIMENSIONS, UTILITIES
OR DENSITIES MAY CHANGE
SIGNIFICANTLY BASED UPON SURVEY
RESULTS, ENGINEERING AND
ENVIRONMENTAL CONSTRAINTS
AND/OR OPPORTUNITIES
* NOT FOR CONSTRUCTION *

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FILE NAME: 21946-01.DWG

LAYOUT: LAYOUT1

LOCATION: 1/2 TIME CONSTRUCTION

PLOT DATE: THU 12/20/2005 11:53 PM

PLOT BY: ANGELA GAREY

DESIGN BY:

SHEET:

SHEET:

SHEET:

SHEET:

SHEET:

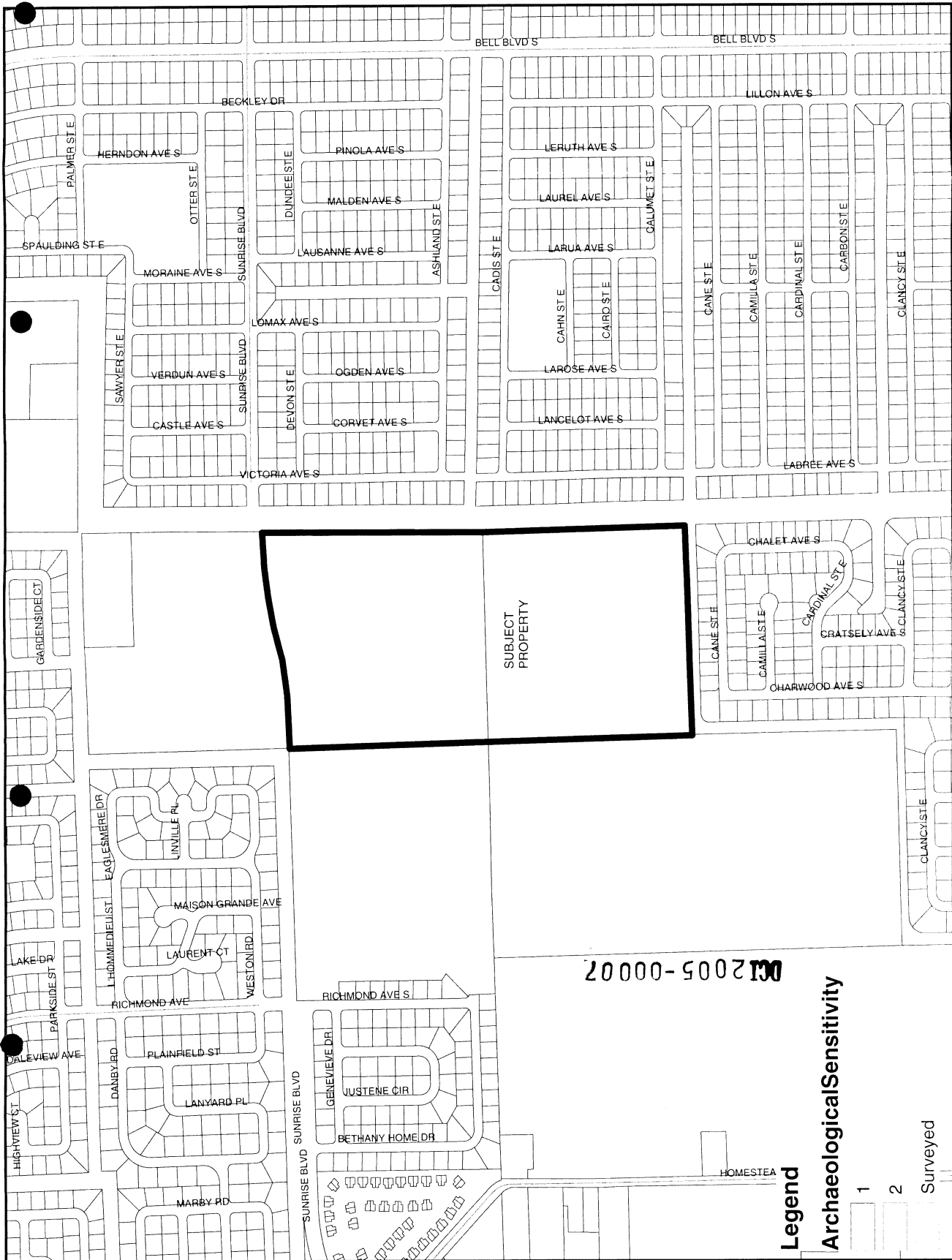
PLAN REVISIONS

PLAN STATUS

AGRICULTURAL
USE
MAP

PROJECT / FILE NO. SHEET NUMBER

21946 EXHIBIT PG.1



[illegible]

DESCRIPTION

[illegible]

**WATERMEN
DEVELOPMENT
GROUP CORP.**

8045 N.W. 165 STREET
MIAMI LAKES, FLORIDA 33016

PHONE (305) 828-0103
FAX (305) 828-0147
PRODUCT DESCRIPTION

**BETHANY
PLACE**

PART OF SECTIONS 4
TOWNSHIP 46 SOUTH
RANGE 27 EAST
LEHIGH ACRES
LEE COUNTY, FLORIDA

PROJECT SURVEYOR

JOHN ROBERT AVERY III
CERTIFICATE

NOT VALID WITHOUT THE SIGNATURE
AND THE EXPIRATION DATED HEREON

FILE NAME	21060502.DWG
LAYOUT	LAYOUT1
LOCATION	JAT104070101SURVEYMO1
PLOT DATE	MON, 5-17-2004 - 9:07 AM

DRAWN BY DATA	
SURVEY DATE	06-09-04
DRAWN BY	BWTH

FIELD BOOK	70-55-16, 81173-17, 8442, 43
PLAN RELATIONS	

STRAID NUMBERS

EXHIBIT 6-A

SURVEY

210000 0400-455-27E	10F1
------------------------	------

EXHIBIT 6-G
BETHANY PLACE RPD
A Residential Planned Development

Lee Plan Compliance
January 2005

RECEIVED
JAN 21 2005
ZONING

The subject property is located in Sections 9 and 4, Township 45, Range 27, and has Future Land Use Map designations of Central Urban and Urban Community. These Land Use Categories are designated in areas where the Lee Plan deems it appropriate to locate a mixture of residential uses at urban levels. Both the current and historical use of the property has been agricultural. The property retains an agricultural exemption based on pasture for cattle.

Due to the subject property's location in an area mixed with existing residential uses and platted residential lots and requisite infrastructure, the project is deemed suitable for development of a new residential community. The residential use is compatible with surrounding uses at the requested density within the Central Urban and Urban Community Land Use Categories.

Similarly, the development proposal specifically addresses the following Lee County Comprehensive Plan requirements:

- **Policy 1.1.3: Central Urban**

The Central Urban Land Use Category is designated for areas that are characterized as urban cores of the county and have or will have the greatest range and highest levels of urban services. These areas are intended for residential, commercial, public, quasi-public and limited light industrial uses. The proposed residential development meets the description and density of the Central Urban Land Use Category and the intent of this policy.

- **Policy 1.1.4 Urban Community**

The Urban Community Land Use Category is designated for areas characterized by a mixture of relatively intense commercial and residential uses. These areas have a distinct urban character, but are developed at slightly lower densities than lands within the Central Urban Land Use Category. The predominant land uses in this land use designation are residential, commercial, public, quasi-public and limited light industrial. The proposed residential development meets the description and density of the Urban Community Land Use Category and the intent of this policy.

- **Policy 2.1: Development Location**

The proposed development has existing platted single family lots contiguous to the east and south. Vacant property immediately to the west (Bethany Trace) has been approved for a Residential Planned Development (RDP). Vacant property to the north is currently under review for a Residential Planned Development (Sunrise Lake). The proposed in-fill development is within an area where services are already available and would effectively use the public investment of infrastructure in this area.

- **Policy 2.2.1: New Development To Provide Required Infrastructure**

Necessary infrastructure is available at or near the proposed project, and the developer will undertake any improvements that may be required to connect the project to these existing services.

- **Policy 4.1.1: Requires Developments To Be Well Integrated And Functional**

The Master Concept Plan provides for a well integrated and functional layout. The minimal areas of existing vegetation located in the northeast corner of the site are being preserved and incorporated into the proposed site plan. Project access to the future extension of Sunrise Boulevard has been coordinate with the proposed development to the north. A secondary access is located in the southwest corner and will link the project with the Bethany Trace RPD.

- **Policy 4.1.2: Requires Developments to Provide Efficient and Safe Street Flow**

The Master Concept Plan provides for an efficient and safe internal street system.

- **Goal 5: Residential Land Uses**

The proposed development is an in-fill project surrounded by residential development and would make effective use of land for population accommodation.

- **Policy 5.1.2: Physical Constraints or Hazards**

The project is located in an area with minimal physical constraints or hazards. Development of the project site will utilize a typical system of man-made lakes to provide treatment and attenuation of storm water runoff. The outfall will be the abutting canals controlled by the East County Water Control District (ECWCD). Project infrastructure and home sites will be built to appropriate elevations to minimize the risk of flooding.

- **Policy 5.1.5: Protect Existing and Future Residential Areas**

This proposed rezoning will enhance and ensure that the character and integrity of the surrounding residential neighborhoods will be maintained. This project will also meet or exceed all buffer requirements of LDC Section 10-416.

- **Goal 11: Water, Sewer, Traffic and Environmental Review**

The proposed development will be planned and developed consistent with applicable review standards contained in Goal 11. Water and Sewer service is currently available in the area via Florida Governmental Utility Authority (FGUA). Adequate road capacity is available as detailed in the attached Traffic Impact Statement (TIS). As shown in the attached protected species survey and environmental assessment, the site does not have environmentally sensitive areas.

- **Goal 77: Resource Protection**

The proposed development has demonstrated compliance with this Goal through the submission of the environmental analysis and protected species survey. The proposed project will incorporate all applicable land development regulations and other permit requirements as the project proceeds through the development order process.

The proposed development meets the intent of and is in compliance with the Lee County Comprehensive Plan.

EXHIBIT 6-H AND 6-I
BETHANY PLACE RPD

Rezoning Description, Purpose and Intent:
January 2005

A. Introduction/Location:

Watermen Development Group is submitting this application for zoning approval of a +/-79-acre residential planned development to create a residential community with single-family homes. Bethany Place is located in Lehigh Acres and will contain approximately 298 residential units. The project is within the Central Urban and Urban Land Use categories.

B. Adjacent Uses:

The subject property is in an area that is primarily residential that is experiencing increased growth and development. Vacant property immediately to the west (Bethany Trace) has been approved for a Residential Planned Development (RDP). Vacant property to the north is currently under review for a Residential Planned Development (Sunrise Lake). Platted single family lots abut the property to the east and south.

D. Proposed Uses:

The proposed development is evenly split in the Central Urban and Urban Community land use categories. Proposed residential density is well within that allowed. A detailed list of proposed permitted uses is shown on Exhibit 6-M.

E. Zoning Justification:

As required by 34-145(d) of the Land Development Code (LDC), the proposed development complies with all applicable Lee Plan, Land Development Code and other codes or regulations. A brief description of how the proposed development satisfies these criteria is presented below. A more comprehensive analysis of how the project complies with the Lee Plan is presented in Exhibit 6-G.

1. This project has been designed and located to ensure that it meets or exceeds all level of service standards for public infrastructure.

a. Water and Sewer:

Water and Sewer service is currently available in the area via Florida Governmental Utility Authority (FGUA), and will be extended to the project.

b. Transportation:

The project will have access via the extension of Sunrise Boulevard. Lee Boulevard is approximately 2.7 miles from the entrance to the subject property and is easily accessible via Homestead Road, as is State Road 82, approximately 3.5 miles to the south.

c. Fire Service:

The subject property is located within the Lehigh Acres Fire District. Fire Station #2 is located within two miles from the subject property.

d. Schools:

Lehigh Middle and Elementary Schools are located within two miles of the subject property.

e. Recreation:

The subject development site is located approximately two miles from the Lehigh Acres Community Center and approximately three and one-half miles from the Lehigh Acres Community Park North.

2. In addition to providing adequate public services, the proposed development is consistent with the Lee Plan. For a comprehensive analysis of Lee Plan consistency, please refer to Exhibit 6-G.
3. This proposed development will meet or exceed the requirements of the LDC unless exempted or modified by an approved deviation. The specific Land Development Code policies addressed by this application are submitted below:
 - Section 10-415 (open space and indigenous preservation)
 - Section 10-416 (buffer requirements)
 - Section 10-414 (submittal requirements)
 - Section 34-2020 (parking)
 - Section 34-935(b) (perimeter setbacks)
 - Section 34-1042 through 34-1047
 - Section 10-285 (TIS)
 - The proposed uses are all consistent with the uses permitted in a Residential Planned Development.
 - Will comply with the regulations of Sec. 34-937 of the LDC.
 - All necessary utilities are currently available in close proximity to the subject site, and have the capacity to serve the proposed development. This satisfies the requirements of Division 4 of Chapter 10 (utilities).
 - The proposed development meets or exceeds all setback, height, and lot coverage requirements of Chapter 34.

- The planning efforts we have taken on this property adequately address the issues identified in Sec. 34-411 of the LDC.
- The requested density is specifically designed to meet the requirements of Sec. 34-413 of the LDC.
- Chapter 30 of the LDC regulates signage.

4. In addition to complying with the specific requirements listed above, the proposed development also meets or exceeds several performance categories contained in the LDC. As detailed below, the project Master Concept Plan sufficiently addresses compatibility with adjacent uses, impacts to natural resources, and the minimization of hazards or nuisances.

a. Compatibility with Surrounding Uses:

The proposed single family residential development is compatible with existing and proposed surrounding land uses.

b. Impacts to Natural Resources:

Both the current and historical use of the property has been agricultural. The property retains an agricultural exemption based on pasture for cattle. The small indigenous areas containing mature trees are being preserved. The project is also located in an area with minimal physical constraints or hazards. Development of the project site will utilize a typical system of man-made lakes to provide treatment and attenuation of storm water runoff. The outfall will be the abutting canals controlled by the East County Water Control District (ECWCD). Project infrastructure and home sites will be built to appropriate elevations to minimize the risk of flooding

c. Damage, Hazard or Nuisance:

Given the type of development proposed and the well designed site plan, no damage, hazard or nuisances should be expected to adjacent uses.

G. Summary:

As detailed in Section 34-145(d)(3) of the Land Development Code, the attached application demonstrates the following:

1. The applicant is entitled to the rezoning because it is consistent with the Lee Plan, Land Development Code, and other applicable codes or regulations;
2. The request will meet or exceed all performance and location standards;
3. The request is consistent with the densities, intensities and general uses set forth in the Lee Plan;
4. The request is compatible with the existing or planned uses in the surrounding areas;
5. Adequate infrastructure exists to accommodate this development; and
6. The request will not adversely affect environmentally critical areas and natural resources.

Based on compliance with these and other regulations, we respectfully contend this zoning application will not place an undue burden upon existing transportation or planned infrastructure facilities, and that the urban facilities are available and adequate to serve the proposed land use at the proposed densities and intensities. Similarly, the proposed mix of uses is appropriate at the subject location, and is compatible with existing or planned uses in the surrounding area. For these reasons, the requested RPD should be approved.

RECREATION/
OPEN SPACE

TOTAL	79
-------	----

PERMIT COUNTER

[illegible]

1	2
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DEVELOPMENT STANDARDS

LAND USE	MINIMUM SETBACKS				BUILDING SEPARATION	LOT COVERAGE	MAX. HEIGHT	MINIMUM DIMENSIONS		
	ROAD (R/W)	SIDE	REAR	EDGE OF WATER				LOT WIDTH	LOT DEPTH	LOT AREA
SINGLE FAMILY	20'	7.5'	20'	25'	N/A	45%	35'	50'	130'	6500 SF
AMENITY	15'	10'	15'	25'	10'	45%	35'	NA	NA	NA
ACCESSORY STRUCTURES FOR SINGLE FAMILY *	20'	5'	5'	25'	NA	NA	NA	NA	NA	NA

* ACCESSORY STRUCTURES DEFINED AS POOLS, POOL DECKS & SCREENED ENCLOSURES.

RECEIVED

JAN 21 2005

ZONING

Barraco and Associates, Inc. CIVIL ENGINEERING - LAND SURVEYING LAND PLANNING - LANDSCAPE DESIGN www.barraco.net 2271 MCGREGOR BOULEVARD POST OFFICE DRAWER 2800 FORT MYERS, FLORIDA 33902-2800 PHONE (239) 461-3170 FAX (239) 461-3169 FLORIDA CERTIFICATES OF AUTHORIZATION ENGINEERING 7995 - SURVEYING LB-6940																					
PREPARED FOR																					
WATERMEN DEVELOPMENT GROUP CORP.																					
8045 N.W. 155 STREET MIAMI LAKES, FLORIDA 33016 PHONE (305) 828-0103 FAX (305) 828-0147																					
PROJECT DESCRIPTION																					
BETHANY PLACE																					
PART OF SECTIONS 4 TOWNSHIP 45 SOUTH RANGE 27 EAST LEEHIGH ACRES LEE COUNTY, FLORIDA																					
THIS PLAN IS PRELIMINARY AND INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT AND LAND USE INTENSITIES OR DENSITIES MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY ENVIRONMENTAL, ENGINEERING AND REGULATORY CONSTRAINTS AND / OR OPPORTUNITIES. * NOT FOR CONSTRUCTION *																					
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PLOT BY	ANGELICA CARLEY																				
DESIGN BY																					
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PLAN REVISIONS																					
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PLAN STATUS																					
DEVELOPMENT STANDARDS TABLE																					
PROJECT / FILE NO.	SHEET NUMBER																				
21946																					

Barraco
and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
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DEVELOPMENT
GROUP CORP.**

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MIAMI LAKES, FLORIDA 33018

PHONE (305) 828-0103
FAX (305) 828-0147

PROJECT DESCRIPTION

**BETHA
PLACE
RPD**

PART OF SECTIONS 4
TOWNSHIP 28 SOUTH
RANGE 27 EAST
LEE COUNTY, FLORIDA

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INTENDED FOR CONCEPTUAL
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LAYOUT, FINISH GRADES, UTILITIES
LOCATIONS, AND CONSTRUCTION
METHODS ARE BASED ON SURVEY
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FILE NAME	219463.DWG
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LOCATION	2018400000000000
PLOT DATE	WED 11/10/2005 1:45 AM
PLOT BY	ANGELICA CABLE
DESIGNED BY	GREGORY L. HOPKINS

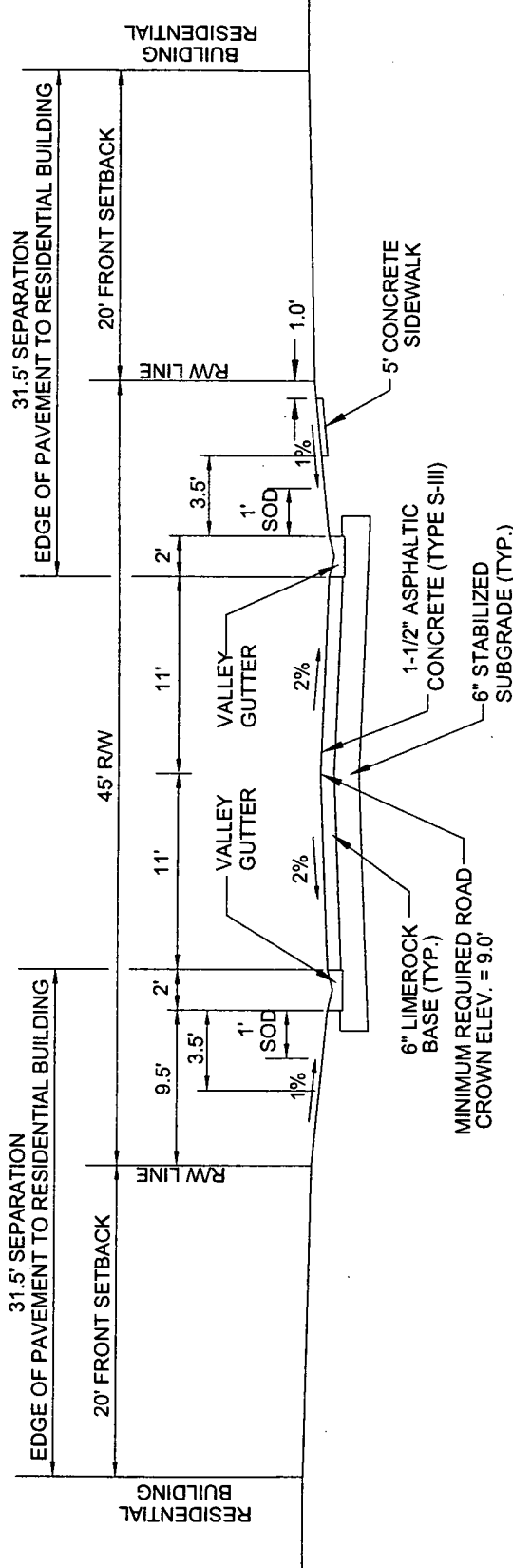
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XREF4	
XREF5	
XREF6	

PLAN REVISIONS

DCI 2005-00007

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JAN 21 2005

PERMIT COUNTER



TYPICAL SECTION
N.T.S.

PROJECT / FILE NO. 21946
SHEET NUMBER 1



TRAFFIC IMPACT STATEMENT

FOR

BETHANY PLACE RPD

RECEIVED
JAN 21 2005

PERMIT COUNTER

(PROJECT NO. 040812)

DCI 2005-00007

PREPARED BY:

**Metro Transportation Group, Inc.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, Florida 33919-4489
239-278-3090**

October 6, 2004



CONTENTS

- I. INTRODUCTION
- II. EXISTING CONDITIONS
- III. PROPOSED DEVELOPMENT
- IV. TRIP GENERATION
- V. TRIP DISTRIBUTION
- VI. FUTURE TRAFFIC CONDITIONS
- VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS
- VIII. CONCLUSION



I. INTRODUCTION

Metro Transportation Group, Inc. (Metro) has conducted a traffic impact statement to fulfill requirements set forth by Lee County for projects seeking zoning approval. The site is located on the south side of Sunrise Boulevard to the east of its intersection with Homestead Road in the Lehigh Acres area of Lee County, Florida. The site location is illustrated on **Figure 1**.

Upon approval, the residential development on the site could consist of up to approximately 298 single-family dwelling units. Access to the site will be provided via a full access drive on Sunrise Boulevard.

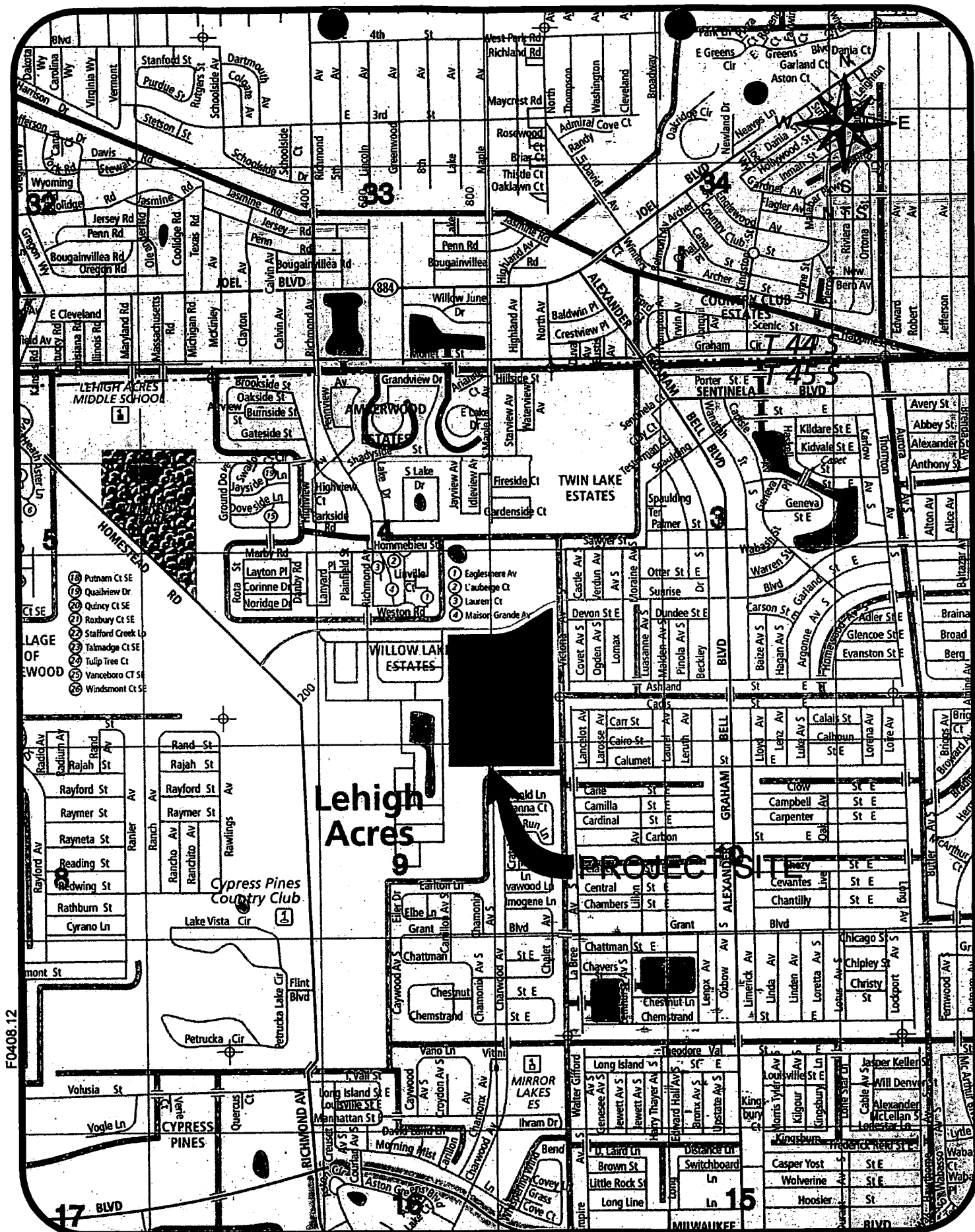
This study was conducted to determine the impact of the development on the surrounding roadway network.

II. EXISTING CONDITIONS

The subject site is currently vacant. To the South and east of the site is vacant land zoned for residential use. To the west of the site is existing residential development. To the north of the site is Sunrise Boulevard and existing residential uses.

Homestead Road is a four-lane arterial roadway north of Leeland Heights Boulevard and a two-lane arterial roadway south of Leeland Heights Boulevard. Homestead Road, at its intersection with Sunrise Boulevard, is under stop control. Homestead Road is under the jurisdiction of the Lee County Department of Transportation.

Sunrise Boulevard is a two-lane collector roadway north of the site according to the Lee County Department of Development Services. However, Sunrise Boulevard is classified as an arterial roadway according to the Lee County Trafficways Map. The Bethany Place residential development will have full access to Sunrise Boulevard. Currently, Sunrise Boulevard extends east from Homestead Road to Richmond Avenue. The Developer of



PROJECT LOCATION MAP
BETHANY PLACE RPD

Figure 1



Bethany Place and Sunrise Lake will be extending Sunrise Boulevard to the site access drive for either project, thus providing access to and from the west on Sunrise Boulevard.

III. PROPOSED DEVELOPMENT

The Bethany Place RPD zoning is a request to re-zone approximately 78 acres to include residential development within the Lehigh Acres area of Lee County. Upon re-zoning, the subject site could be developed with up to approximately 298 single-family dwelling units. Table 1 summarizes the land use utilized for trip generation purposes for the subject development.

Table 1
Bethany Place RPD
Land Uses

Land Use	Size
Single-Family Housing (LUC 210)	298 dwelling units

Access to the proposed Bethany Place RPD will be provided via a full access drive on Sunrise Boulevard.

IV. TRIP GENERATION

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled *Trip Generation*, 7th Edition. Land Use Code 210 (Single-Family Detached Housing) was utilized for the residential use. The equations for these land uses are contained in the Appendix of this report for reference. Table 2 outlines the anticipated weekday A.M. and P.M. peak hour trip generation of the Bethany Place RPD as currently proposed. The daily trip generation is also indicated in the table.



Table 2
Trip Generation
Bethany Place RPD

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Single-Family Housing (LUC 210)	55	165	220	180	105	285	2,840

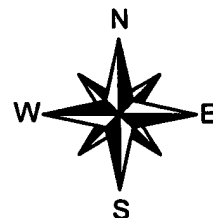
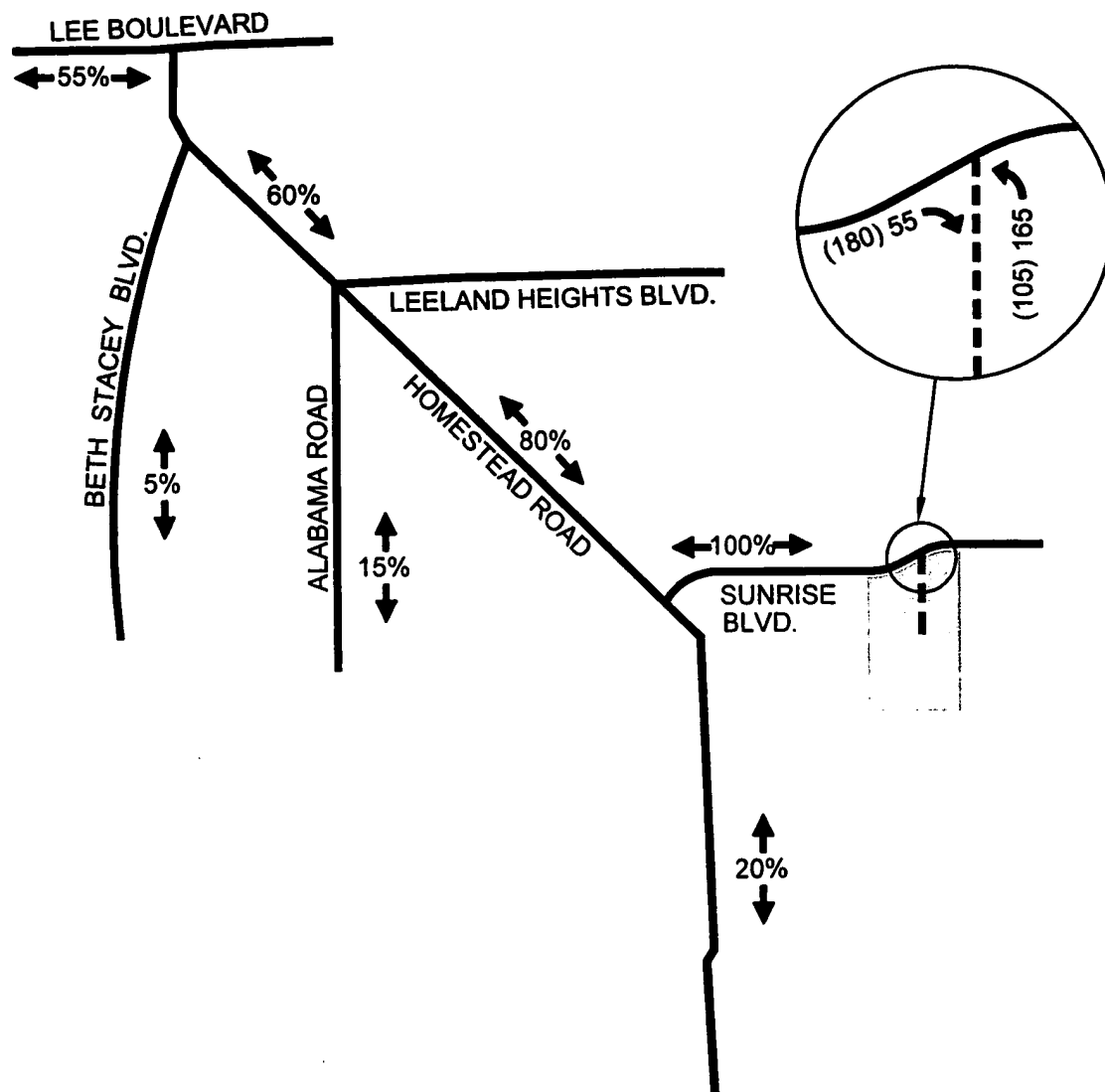
V. TRIP DISTRIBUTION

The trips shown in **Table 2** were then assigned to the surrounding roadway system based on the anticipated routes the drivers will utilize to approach the site. The driveway volumes shown in **Table 2** were assigned to the proposed site access drive. Based on current and projected population in the area and other existing or planned competing/complementary uses in the area, a distribution of the site traffic was formulated. The anticipated trip distribution of the development traffic is shown on **Figure 2**. In addition, **Figure 2** indicates the site traffic assignment to the site access location for the proposed development.

In order to determine which roadway segments surrounding the site will be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, currently upheld by the City of Bonita Springs, **Table 1A**, contained in the Appendix, was created. This table indicates roadway links in the vicinity of the subject site will accommodate greater than 10% of the Peak Hour – Peak Direction Level of Service “C” volumes, as defined by the Lee County Link Specific Level of Service Tables provided by the Lee County Department of Transportation.

VI. FUTURE TRAFFIC CONDITIONS

It was assumed that the project would be completed by the year 2008. Based on this projected build-out, the surrounding roadway network was analyzed under 2009 traffic conditions. A growth rate was applied to the existing traffic conditions for all roadway links and intersections that could be significantly impacted by this development. The



LEGEND

- ↔ 20% ↔ PERCENT DISTRIBUTION
- ↔ 000 WEEK DAY AM PEAK HOUR TRAFFIC
- ↔ (000) WEEK DAY PM PEAK HOUR TRAFFIC

F0408.12



SITE TRAFFIC DISTRIBUTION & ASSIGNMENT BETHANY PLACE RPD

Figure 2



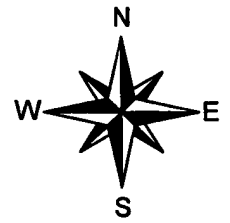
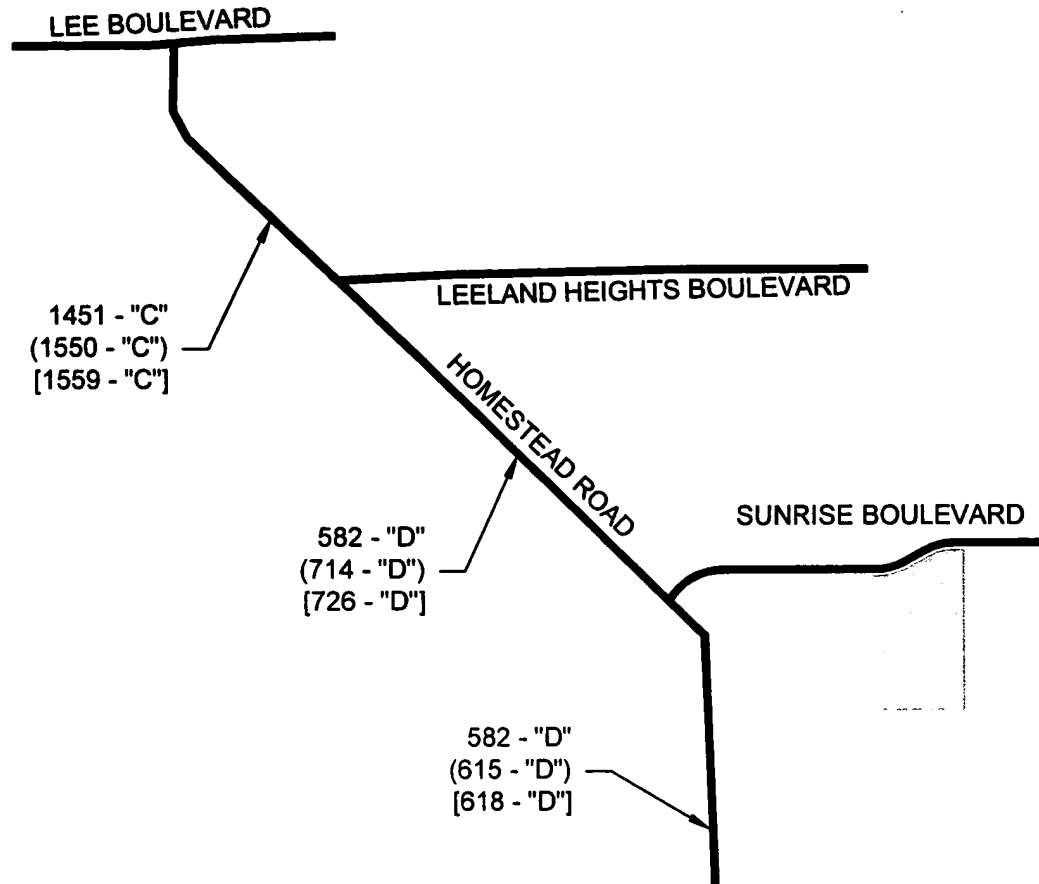
growth rate was obtained through comparisons of annual traffic data obtained from the 2003 Lee County Traffic Count Report. Based on the project distribution shown in **Figure 3**, the link data was analyzed for the existing conditions, year 2009 without the development and year 2009 with the development.

Table 2A in the Appendix of the report indicates the methodology utilized to obtain the year 2009 build-out traffic volumes as well as the growth rate utilized for each roadway segment. The base year traffic volumes were obtained by modifying the counts in the 2003 Lee County Traffic Count Report to reflect the 2004 peak hour, peak season, and peak direction traffic.

Figure 3 indicates the year 2009 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area. Noted on **Figure 3** is the peak hour – peak direction volume and Level of Service of each link should no development occur on the subject site and the peak hour – peak direction volume and Level of Service for the weekday A.M. and P.M. peak hours with the development traffic added to the roadways. These figures are derived from **Table 2A** contained in the Appendix.

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

As can be seen from **Figure 3**, once the development is completed, the critical roadway segments analyzed, as a part of this report, will maintain the Level of Service as projected without the development. No improvements are required on Homestead Road. Site-specific turn lane improvements may be required on Sunrise Boulevard at the site access intersection. The turn lane requirements, pursuant to the Lee County Turn Lane Policy will be evaluated at the Development Order stage.



LEGEND

XXX - "C" 2009 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

(XXX - "C") 2009 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND
TRAFFIC PLUS AM PROJECT TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

[XXX - "C"] 2009 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND
TRAFFIC PLUS PM PROJECT TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

F0408.12



2009 BUILDOUT TRAFFIC CONDITIONS BETHANY PLACE RPD

Figure 3



VIII. CONCLUSION

The re-zoning of the Bethany Place RPD residential development on the south side of Sunrise Boulevard east of its intersection with Homestead Road in the Lehigh Acres area of Lee County, Florida will not have a detrimental impact on the surrounding roadway system. The existing roadway network can accommodate the additional new vehicle trips the development is anticipated to generate. Turn lane improvements will be evaluated pursuant to Administrative Code 11-4 at the time of a local Development Order.

APPENDIX

TABLES 1A & 2A

TABLE 1A
PEAK DIRECTION
PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 220 VPH		IN=	55	OUT=	165						
TOTAL PM PEAK HOUR PROJECT TRAFFIC = 285 VPH		IN=	180	OUT=	105						
<u>ROADWAY</u>	<u>SEGMENT</u>	<u>ROADWAY CLASS</u>	<u>LOS A VOLUME</u>	<u>LOS B VOLUME</u>	<u>LOS C VOLUME</u>	<u>LOS D VOLUME</u>	<u>LOS E VOLUME</u>	<u>PERCENT PROJECT TRAFFIC</u>		<u>PROJECT TRAFFIC</u>	<u>PROJ/ LOS C</u>
Homestead Road	S. of Lee Blvd	4LN	0	550	1670	1960	2050	60%		108	6.5%
	S. of Leeland Hts. Blvd.	2LN	0	230	510	790	930	80%		144	28.2%
	S. of Sunrise Blvd.	2LN	0	230	510	790	930	20%		36	7.1%
Alabama Road	S. of Homestead	2LN	0	180	470	760	930	15%		27	5.7%
Beth Stacey Blvd	S. of Homestead Road	2LN	0	280	760	900	920	5%		9	1.2%

* Level of Service Thresholds taken from Lee County Link Specific Service Volumes on Arterials

**TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS**

TOTAL PROJECT TRAFFIC AM = 220 VPH IN = 55 OUT = 165 P.C.S. K D
 TOTAL PROJECT TRAFFIC PM = 285 VPH IN = 180 OUT = 105 PCS NO. 6 0.089 0.55

<u>ROADWAY</u>	<u>SEGMENT</u>	<u>PCS</u>	BASE YR		YRS OF GROWTH	ANNUAL RATE	2004		2009		PERCENT		2009		2009	
			ADT	ADI			PK SEASON	PK HR	PK SEASON	PK HR	PROJECT	TRAFFIC	AM PROJ	TRAFFIC	PM PROJ	TRAFFIC
							PEAK DIR. ¹	PEAK DIR.	PEAK DIR.	PEAK DIR.	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC	TRAFFIC
Homestead Road	S. of Lee Blvd	6	18600	24600	9	3.16%	1242	1451			60%	99	108	1550	1559	
	S. of Leeland Hts. Blvd.	6	4700	8200	9	6.38%	427	582			80%	132	144	714	726	
	S. of Sunrise Blvd.	6	4700	8200	9	6.38%	427	582			20%	33	36	615	618	

¹ The 2004 Peak Hour, Peak Season, Peak Direction Traffic Volume was obtained from the 2003/2004-2004/2005 Lee County Concurrency Report

100th Highest Hour LOS Analysis

	2009		2009		2009	
	BCKGRND	BCKGRND	BCKGRND	BCKGRND	BCKGRND	BCKGRND
	PK HOUR	+ AM PROJ	+ AM PROJ	+ AM PROJ	+ PM PROJ	+ PM PROJ
	<u>LOS</u>	<u>LOS</u>	<u>LOS</u>	<u>LOS</u>	<u>LOS</u>	<u>LOS</u>
Homestead Road	C	C	C	C	C	C
S. of Lee Blvd	D	D	D	D	D	D
S. of Leeland Hts. Blvd.	D	D	D	D	D	D
S. of Sunrise Blvd.	D	D	D	D	D	D

TRIP GENERATION EQUATIONS

**TRIP GENERATION EQUATIONS
BETHANY PLACE RPD
ITE TRIP GENERATION REPORT, 7th EDITION**

Land Use	Weekday AM Peak Hour	Weekday PM Peak Hour	Daily (2-way)
Single-Family Housing (LUC 210)	$T = 0.70 (X) + 9.43$ (25% In/75% Out)	$\ln (T) = 0.90 \ln (X) + 0.53$ (63% In/37% Out)	$\ln (T) = 0.92 \ln (X) + 2.71$
T = Trips, X = Number of dwelling units			

Barraco

and Associates, Inc.

CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN

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ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

WATERMEN DEVELOPMENT GROUP CORP.

8045 N.W. 155 STREET
MIAMI LAKES, FLORIDA 33016

PHONE (305) 828-0103
FAX (305) 828-0147

PROJECT DESCRIPTION

BETHANY PLACE

PART OF SECTIONS 4
TOWNSHIP 45 SOUTH
RANGE 27 EAST
LEHIGH ACRES
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
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PLOT BY	ANGELICA CARLEY
DESIGN BY	
XREF1	
XREF2	
XREF3	
XREF4	
XREF5	
XREF6	

PLAN REVISIONS

PLAN STATUS

SCHEDULE OF USES

PROJECT / FILE NO.	SHEET NUMBER
21946	6-M

SCHEDULE OF USES

DWELLING UNIT:

SINGLE FAMILY

ENTRANCE GATES AND GATEHOUSE

ESSENTIAL SERVICES

ESSENTIAL SERVICES FACILITY-Group I Only

MINING

EXCAVATION-Water Retention

FENCES, WALLS

HOME OCCUPATION

MODELS:

MODEL HOME

MODEL UNIT

MODEL DISPLAY CENTER

PARKING LOT:

ACCESSORY

RECREATIONAL FACILITIES-Private, On Site

RESIDENTIAL ACCESSORIES USES

SIGNS-In Accordance With Chapter 30

TEMPORARY USES

BETHANY PLACE
Surface Water Management Narrative
Supplement D
Exhibit 6-O

The following is a written description of the conceptual surface water management plan:

A. Run-off characteristic of the property in its existing state.

The property is bordered along the east and south property lines by drainage canals that are maintained by the East County Water Control District (ECWCD). Existing site elevations average approximately 30-feet NGVD along the southern boundary and 27.5 feet NGVD northern boundary of the site. This slight slope to the north also represents the general direction of run-off.

B. In general terms, the drainage concept proposed, including the outfall to canals or natural water bodies, including how drainage flow from adjacent properties will be maintained.

In its developed state, runoff from the project will be directed to an on-site wet detention area for water quality treatment and attenuation prior to discharging to the perimeter canals. The proposed drainage system will be designed in accordance with the applicable standards provided by the South Florida Water Management District and East County Water Control District.

C. The detention features (including existing natural features) that will be incorporated into the drainage system and legal mechanisms, which will guarantee their maintenance.

The detention features will include on site lakes to pre-treat and attenuate runoff from the developed project. A home owners association will provide maintenance of the water management system.

D. How will existing natural features be preserved? Include an estimate of the ranges of the existing post development water table elevations where appropriate.

The site has been historically utilized for agricultural purposes and does not contain any known jurisdictional wetlands. The only existing feature is a small cow pond. The post development water table will be established based upon site investigation and research of existing surface water management system control elevations adjacent to the project.

E. The requirements for fill material proposed post development for other than building pads.

Fill material needed for the developed project will be generated from onsite excavation of detention lakes.

F. If the property is subject to seasonal inundation or is subject to inundation by extreme swollen, by the rains of a 100-year storm event, indicate the measures that will be taken to mitigate the affects of expected flooding.

According to F.I.R.M. Community Panel 125124 0375B, (panel not printed) the property is located in a *No Special Flood Area*.

**BETHANY PLACE
LEE COUNTY PROTECTED SPECIES SURVEY**

January 2005

Prepared For:

***Waterman Development Group
8045 NW 155th Street
Miami Lakes, Florida 33016
(305) 828-0103***

Prepared By:

***Passarella and Associates, Inc.
9110 College Pointe Court
Fort Myers, Florida 33919
(239) 274-0067***

Project No. 04WDG1233

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INTRODUCTION

On December 9, 2004, Passarella and Associates, Inc. conducted a Lee County protected species survey for the Bethany Place parcel. The purpose of the survey was to review the site for Lee County protected species as outlined in Lee County's Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat).

The Bethany Place property totals 79.21± acres and is located in Sections 4 and 9, Township 45 South, Range 27 East, Lee County (Figure 1). The property currently is managed and used for cattle grazing. The property is dominated by improved pasture and includes pine flatwoods, cow pond, disturbed areas, and spoil areas.

LAND USES AND COVER TYPES

The vegetation mapping for the subject property was conducted using Lee County 2002 rectified (scale 1" = 200') color aerials. Groundtruthing to map the vegetative communities was conducted on December 9, 2004 utilizing the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Level III and IV (Florida Department of Transportation 1999). Level IV FLUCFCS was utilized to denote disturbance and 'E' codes to show levels of exotic species invasion (i.e., melaleuca (*Melaleuca quinquenervia*) and Brazilian pepper (*Schinus terebinthifolius*)). AutoCAD (Version 2004) software was used to determine the acreage of each mapping area, produce summaries, and generate the FLUCFCS map. The FLUCFCS delineations depicted on a 2002 color aerial photograph are provided as Appendix A. Table 1 provides the breakdown of the FLUCFCS codes by acreage, while a description of each of the classifications follows.

Table 1. Vegetation Associations and Land Use Acreages

FLUCFCS Code	Description	Acreage	Percent of Total
211	Improved Pasture	68.93	87.0
4119 E1	Pine Flatwoods, Disturbed (0-24% Exotics)	0.42	0.5
4159 E1	Pine, Disturbed (0-24% Exotics)	2.41	3.0
4349 E1	Hardwood-Conifer Mixed, Disturbed (0-24% Exotics)	0.36	0.5
535	Cow Pond	0.34	0.4
740	Disturbed Area	6.37	8.0
743	Spoil Areas	0.38	0.5
TOTALS		79.21	100.0

Improved Pasture (FLUCFCS Code 211)

This upland habitat type occupies 68.93± acres or 87.0 percent of the property. The canopy and sub-canopy are open. The ground cover stratum is dominated by bahiagrass (*Paspalum notatum*) and includes scattered smutgrass (*Sporobolus indicus*).

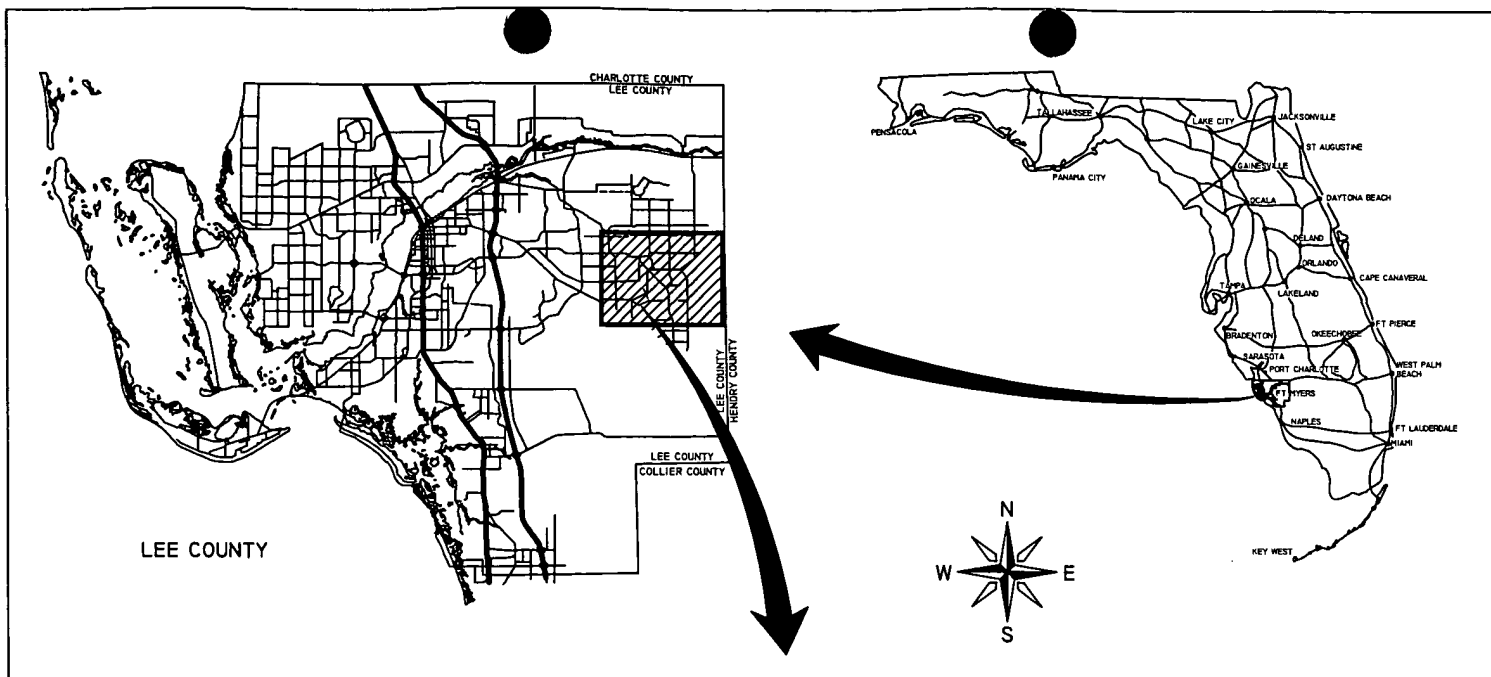
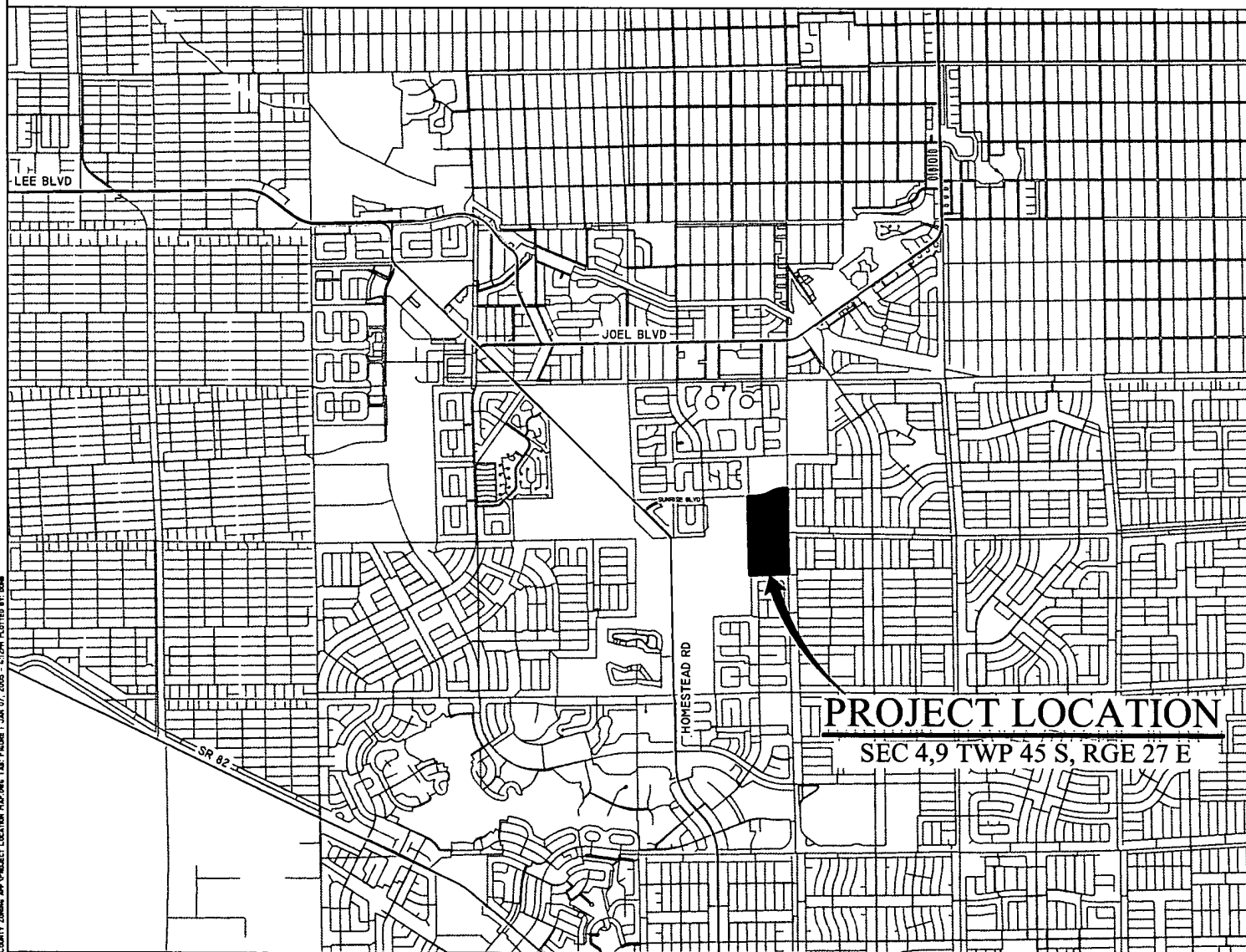


FIGURE 1. PROJECT LOCATION MAP
BETHANY PLACE

PASSARELLA and ASSOCIATES, INC.

Consulting Ecologists

DRAWN BY: P.F.

DATE: 11/23/04

Pine Flatwoods, Disturbed (0-24% Exotics) (FLUCFCS Code 4119 E1)

This upland habitat type occupies 0.42± acre or 0.5 percent of the property. The canopy is dominated by slash pine (*Pinus elliottii*). Sub-canopy species consist of staggerbush (*Lyonia fruticosa*), wax-myrtle (*Myrica cerifera*), and saltbush (*Baccharis halimifolia*). Ground cover species include saw palmetto (*Serenoa repens*) and grapevine (*Vitis rotundifolia*).

Pine, Disturbed (0-24% Exotics) (FLUCFCS Code 4159 E1)

This upland habitat type occupies 2.41± acres or 3.0 percent of the property. The canopy species include cabbage palm (*Sabal palmetto*) and slash pine. The sub-canopy species include cabbage palm and Brazilian pepper. The ground cover is open and includes scattered grapevine and caesarweed (*Urena lobata*).

Hardwood-Conifer Mixed, Disturbed (0-24% Exotics) (FLUCFCS Code 4349 E1)

This upland habitat type occupies 0.36± acre or 0.5 percent of the property. The canopy species include laurel oak (*Quercus laurifolia*), cabbage palm, and slash pine. The sub-canopy species include laurel oak and cabbage palm. The herbaceous stratum includes cabbage palm, saw palmetto, and grapevine.

Cow Pond (FLUCFCS Code 525)

This habitat type occupies 0.34± acre or 0.4 percent of the property. The property is currently used by cattle. No vegetative species are present within the canopy, sub-canopy, or herbaceous stratum of the pond.

Disturbed Land (FLUCFCS Code 740)

This habitat type occupies 6.37± acres or 8.0 percent of the property. The canopy and sub-canopy are open. The ground cover species include grapevine, bahiagrass, caesarweed, and beggar ticks (*Bidens alba*).

Spoil Areas (FLUCFCS Code 743)

This habitat type occupies 0.38± acre or 0.5 percent of the property. The canopy, sub-canopy, and ground cover are unvegetated.

METHODOLOGY AND DISCUSSION

Surveys for Lee County protected species are based on the presence of specific vegetation associations and habitat types noted on-site, as outlined in the LDC. The frequency of transects performed in these habitats, unless otherwise discussed, were designed to meet the 80 percent minimum coverage requirement. A cursory review was also conducted in those habitats not technically required to be surveyed per the LDC. Based on experience and past conversations with Lee County's Environmental Sciences staff, these areas were reviewed for certain protected species as a precautionary measure. Table 2 outlines the protected species that may inhabit or utilize a particular vegetation association, according to the LDC, as well as those habitats reviewed as a precautionary measure.

Table 2. Potential Lee County Protected Species by Habitat Type

FLUCFCS Code and Description		Potential Protected Species
211	Improved Pasture	Gopher Tortoise (<i>Gopherus polyphemus</i>)
		Burrowing Owl (<i>Athene cunicularia floridana</i>)
		Florida Sandhill Crane (<i>Grus canadensis pratensis</i>)
		Florida Panther (<i>Felis concolor coryi</i>)
4119 E1	Pine Flatwoods, Disturbed (0-24% Exotics)	Eastern Indigo Snake (<i>Drymarchon corais couperi</i>)
		Gopher Tortoise (<i>Gopherus polyphemus</i>)
		Gopher Frog (<i>Rana areolata</i>)
		Southeastern American Kestrel (<i>Falco sparverius paulus</i>)
		Red-Cockaded Woodpecker (<i>Picoides borealis</i>)
		Big Cypress Fox Squirrel (<i>Sciurus niger avicennia</i>)
		Florida Black Bear (<i>Ursus americanus floridanus</i>)
4159 E1	Pine, Disturbed (0-24% Exotics)	Florida Panther (<i>Felis concolor coryi</i>)
		Fakahatchee Burmannia (<i>Burmannia flava</i>)
		Satinleaf (<i>Chrysophyllum oliviforme</i>)
		Beautiful Pawpaw (<i>Deeringothemnus pulchellus</i>)
		Florida Coontie (<i>Zamia floridana</i>)
4349	Hardwood-Conifer Mixed, Disturbed (0-24% Exotics)	Florida Panther (<i>Felis concolor coryi</i>)
		Florida Black Bear (<i>Ursus americanus floridanus</i>)
525	Cow Pond	American Alligator (<i>Alligator mississippiensis</i>)
		Roseate Spoonbill (<i>Ajaia ajaja</i>)
		Limpkin (<i>Aramus guarauna</i>)
		Little Blue Heron (<i>Egretta caerulea</i>)
		Reddish Egret (<i>Egretta rufescens</i>)
		Snowy Egret (<i>Egretta thula</i>)
		Tricolored Heron (<i>Egretta tricolor</i>)
		Snail Kite (<i>Rostrhamus sociabilis</i>)
		Everglades Mink (<i>Mustela vison evergladensis</i>)
740	Disturbed Land*	Gopher Tortoise (<i>Gopherus polyphemus</i>)
743	Spoil Areas*	

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

**Species surveyed for although not required per the LDC.

The protected species survey was conducted by qualified ecologists on December 9, 2004. The type of survey utilized included meandering pedestrian transects, per Southern Biomes EIS

methodology previously approved by Lee County. The weather was partly cloudy and breezy with a temperature in the upper 70's.

Visibility in the surveyed habitats varied due to the density of vegetation. A summary of the limits of visibility, number, length of transects walked, and percent of coverage by habitat type for the site is provided in Table 3.

Table 3. Summary of Habitat Coverage

FLUCFCS Codes and Description		Total Area (Acres)	Transects Total Length (Feet)	Average Visibility (Feet)¹	Percent Coverage
211	Improved Pasture	68.93	30,005	45	90
4119 E1	Pine Flatwoods, Disturbed (0-24% Exotics)	0.42	350	25	96
4159 E1	Pine, Disturbed (0-24% Exotics)	2.41	840	50	80
4349 E1	Hardwood-Conifer Mixed, Disturbed (0-24% Exotics)	0.36	260	25	83
525	Cow Pond	0.34	140	50	95
740	Disturbed Land	6.37	3,815	35	96
743	Spoil Areas	0.38	200	35	85
Totals		79.21	35,610	265	624

¹Average visibility to one side of transect

²Habitat surveyed as a precautionary measure

SURVEY RESULTS

No Lee County protected species were heard or observed during the December 9, 2004 survey.

ABUNDANCE OF PROTECTED SPECIES OBSERVED

No Lee County protected species were observed during the December 9, 2004 survey.

MANAGEMENT PLAN

No management plans are required as no Lee County protected species were observed during the surveys.

REFERENCES

Florida Department of Transportation. 1999. Florida Land Use, Cover and Forms Classification System. Procedure No. 550-010-001-a. Third Edition.

APPENDIX A

**AERIAL WITH FLUCFCS AND WETLANDS MAP
AND WALKED SURVEY TRANSECTS**

RECEIVED

JAN 21 2005

ZONING

8650
Prepared by:
Russell P. Schropp, Esq.
P.O. Box 280
Fort Myers, FL 33902-0280



Cross Easement Agreement

This Cross Easement Agreement ("Agreement"), entered into this 16th day of November 2004, by and between: **Bethany Trace Estates, Inc.**, a Florida corporation (hereinafter "Bethany Trace"), whose address for purposes of this Agreement is 8045 N.W. 155th St., Miami Lakes, FL 33016; and **Watermen Sunrise 80 LLC**, a Florida limited liability company (hereinafter "Watermen Sunrise"), whose address for purposes of this Agreement is 8045 N.W. 155th St., Miami Lakes, FL 33016; and **S.W. Florida Land Seven, LLC**, a Florida limited liability company (hereinafter "SWF7") whose address for purposes of this Agreement is 6150 Diamond Centre Court, Bldg. 1300, Fort Myers, FL 33912:

Whereas, SWF7 is the owner of that certain property located in Section 4, Township 45 South, Range 27 East, Lee County, Florida, legally described in that certain Deed recorded in O.R. Book 4278, Page 975, of the Public Records of Lee County, Florida; and

Whereas, Watermen Sunrise is the owner of that certain property located in Section 4, Township 45 South, Range 27 East, Lee County, Florida, legally described in that certain Deed recorded in O.R. Book 4278, Page 885, of the Public Records of Lee County, Florida; and

Whereas, Bethany Trace is the owner of that certain property located in Section 4, Township 45 South, Range 27 East, Lee County, Florida, legally described in that certain Deed recorded in O.R. Book 3487, Page 4490, of the Public Records of Lee County, Florida; and

Whereas, the three properties owned by the parties hereto are adjacent and contiguous to one another; and

Whereas, the three parties hereto desire to establish an easement agreement for the purposes of ingress, egress, and utilities, providing each unto the other appurtenant rights for the benefit of each party's respective properties;

Now, Therefore, in consideration of the mutual benefits and conditions contained herein, the receipt and sufficiency of which is acknowledged by all parties hereto, the parties do hereby agree as follows:

1. Bethany Trace does hereby grant unto Watermen Sunrise and SWF7 an easement for ingress, egress, and utility purposes over and across that certain property legally described in Exhibit "A" attached hereto and incorporated herein by reference. Said easement shall be appurtenant to and for the benefit of the properties owned by SWF7 and Watermen Sunrise, respectively.

2. SWF7 does hereby grant unto Bethany Trace and Watermen Sunrise an easement for ingress, egress, and utility purposes over and across that certain property legally described in Exhibit "B" attached hereto and incorporated herein by reference.

INVEST # 00331740 OK BK UACUW Pgs 2338 - 2348; (10pgs) RECORDED 11/22/2004 03:20:05 PM
CHARLIE GREEN, CLERK OF COURT, LEE COUNTY, FLORIDA
REC FEE \$8.50
DEPUTY CLERK L. Ambrosio

Said easement shall be appurtenant to and for the benefit of the properties owned by Bethany Trace and Watermen Sunrise, respectively.

3. Watermen Sunrise does hereby grant unto Bethany Trace and SWF7 an easement for ingress, egress, and utility purposes over and across that certain property legally described in Exhibit "C" attached hereto and incorporated herein by reference. Said easement shall be appurtenant to and for the benefit of the properties owned by Bethany Trace and SWF7, respectively.

In Witness Whereof, the parties do hereby hereinto set their hands and seals as of the date so indicated below.

Signed and Sealed
in the Presence of:

Walter D. Jencin
Witness Signature

Maria D. Garcia
Type/Print Witness Name

[Signature]
Witness Signature

Edm. Garcia
Type/Print Witness Name

Bethany Trace Estates, Inc.,
a Florida Corporation

By: [Signature]
David Krauszgrun, President

RECEIVED
JAN 21 2005

PERMIT COUNTER

DCI 2005-00007

STATE OF FLORIDA
COUNTY OF Dade

The foregoing instrument was acknowledged before me this 11 day of Nov, 2004 by David Krauszgrun as President of Bethany Trace Estates, Inc., a corporation under the laws of the State of Florida, who is personally known to me or who has produced personally known as identification.

Walter D. Jencin
Notary Public Signature

Maria D. Garcia
Type/Print Notary Public Name

My Commission Expires:



Maria D Garcia
My Commission DD033924
Expires June 16, 2005

Commission No.: DD033924

Watermen Sunrise 80 LLC,
a Florida limited liability company

By: Eddy Garcia

Eddy Garcia, Manager

[Signature]
Witness Signature

Maria D Garcia
Type/Print Witness Name

[Signature]
Witness Signature

DAVID KRAIZMAN
Type/Print Witness Name

STATE OF FLORIDA
COUNTY OF Dade

The foregoing instrument was acknowledged before me this 11 day of Nov, 2004
by Eddy Garcia, as manager of Watermen Sunrise 80 LLC, a Florida limited
liability company, who is personally known to me or who has produced
Personally Known as identification.

[Signature]
Notary Public Signature

Maria D Garcia
Type/Print Notary Public Name

My Commission Expires:



Maria D Garcia
My Commission DD033924
Expires June 16, 2005

Commission No.: DD033924

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JAN 21 2005

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DCI 2005-00007

S.W. Florida Land Seven, LLC,
a Florida limited liability company

By:

Janet E. Allison, Vice President

Janet B. Harker
Witness Signature

Janet B. Harker
Type/Print Witness Name

Angela Wright
Witness Signature

Angela Wright
Type/Print Witness Name

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 16th day of Nov., 2004
by Janet E. Allison, as Vice President of S.W. Florida Land Seven, LLC, a Florida
limited liability company, who is personally known to me or who has produced
_____ as identification.

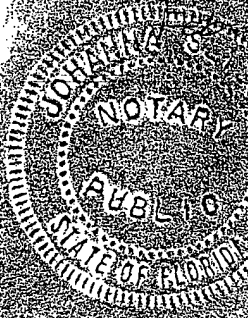
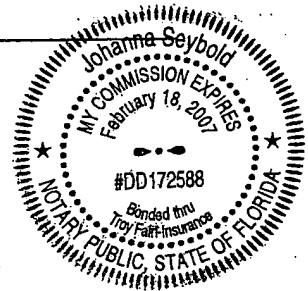
Johanna Seybold
Notary Public Signature

Type/Print Notary Public Name

Commission No.: _____

My Commission Expires:

02-08-2007



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DCI 2005-00007

PERMIT COUNTER

DESCRIPTION

A tract or parcel of land lying in Section 4, Township 45 South, Range 27 East, Lee County, Florida. Said tract or parcel being more particularly described as follows:

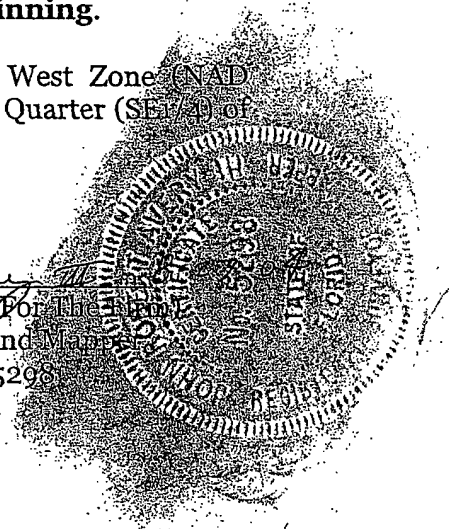
Commencing at a South Quarter (S1/4) corner, of said Section 4; thence run N01°25'42"W along the West line of the Southeast Quarter (SE1/4) of said Section 4 for 1,217.40 feet to the **Point of Beginning**;

Thence from said **Point of Beginning** run S87°39'35"W for 201.22 feet to an intersection with the East Right-of-Way line for Richmond Avenue South (60 feet wide) in Bethany Trace Phase 1A as recorded in Plat Book 55, Pages 83-85, Lee County Public Records, Lee County, Florida; thence run N00°52'10"W along Said East Right-of-Way line for 100.03 feet; thence run N87°39'35"E for 200.24 feet to the Northwest corner of the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of said Section 4; thence run N87°41'45"E along the North line of said Southwest Quarter (SW1/4), of the Southeast Quarter (SE1/4) of Section 4 and the South line of "Willow Lakes Estates" as recorded in Plat Book 28, Page 79, Lee County Records for 1,283.31 feet to the Northeast corner of said Southwest Quarter (SW1/4), of the Southeast Quarter (SE1/4) of Section 4; thence run S00°49'16"E along the East line of said Southwest Quarter (SW1/4), of the Southeast Quarter (SE1/4) of Section 4 for 100.03 feet; thence run S87°41'45"W for 1,282.25 feet to the **Point of Beginning**.

Containing 3.41 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (NAD 1983/99 adjustment) and are based on the West line of the Southeast Quarter (SE1/4) of said Section 4 to bear N01°25'42"W.

John Robert Avery III
 John Robert Avery III
 Professional Surveyor and Mapper
 Florida Certificate No. 5298



21941sk01.desc.doc

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March 17, 2005

Mr. Stephen Sposato
Barraco & Associates, Inc.
2271 McGregor Boulevard
Fort Myers, FL 33901

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APR 22 2005

RE: Bethany Place RPD
Zoning Submittal

DCI2005-00007

Dear Ms. Johnson:

Metro Transportation Group Inc. (Metro) has reviewed the comments issued by the Lee County Department of Community Development for the proposed Bethany Place RPD rezoning. The comments and Metro's response to those comments are listed below for reference.

LCDOT Sufficiency Checklist

- 1) *The Master Concept Plan shows two project entrances for the project and only one project entrance was studied in the Traffic Impact Statement (TIS).*

Table 1A, Table 2A, Figure 2, and Figure 3 were updated to reflect two site access drives, one to Sunrise Boulevard and the other to Charwood Avenue South. From Figure 3, all roadway links analyzed are shown to operate at acceptable Level of Service conditions under the 2009 build-out traffic conditions for the proposed Bethany Place RPD. Therefore, no roadway improvements are warranted as a result of this analysis.

T.I.S. Checklist

- 3) *See Lee County D.O.T. comment regarding site access.*

Please see the previous response.

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

Sincerely,

Ted B. Treesh
Principal/Regional Manager

Attachments

TABLE 1A
PEAK DIRECTION
PROJECT TRAFFIC VS. 10% LOS C LINK VOLUMES

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 220 VPH

IN= 55 OUT= 165

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 285 VPH

IN= 180 OUT= 105

<u>ROADWAY</u>	<u>SEGMENT</u>	<u>ROADWAY CLASS</u>	<u>LOS A</u>		<u>LOS B</u>		<u>LOS C</u>		<u>LOS D</u>		<u>LOS E</u>		<u>PERCENT PROJECT TRAFFIC</u>		<u>PROJECT TRAFFIC</u>		<u>PROJ/ LOS C</u>	
			<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>VOLUME</u>	<u>TRAFFIC</u>	<u>TRAFFIC</u>	<u>TRAFFIC</u>	<u>TRAFFIC</u>	<u>LOS C</u>	<u>LOS C</u>
Homestead Road	S. of Lee Blvd	4LN	0	550	1670	1960	2050	55%	99	5.9%								
	S. of Leeland Hts. Blvd.	2LN	0	230	510	790	930	75%	135	26.5%								
	S. of Sunrise Blvd.	2LN	0	230	510	790	930	10%	18	3.5%								
Alabama Road	S. of Homestead	2LN	0	180	470	760	930	15%	27	5.7%								
Beth Stacey Blvd	S. of Homestead Road	2LN	0	280	760	900	920	5%	9	1.2%								
Charwood Ave S	S. of Site	2LN	0	130	420	550	880	15%	27	6.4%								

* Level of Service Thresholds Taken from Lee County Link Specific Service Volumes on Arterials

DCI 2005 000007

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TABLE 2A

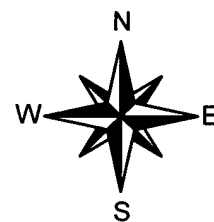
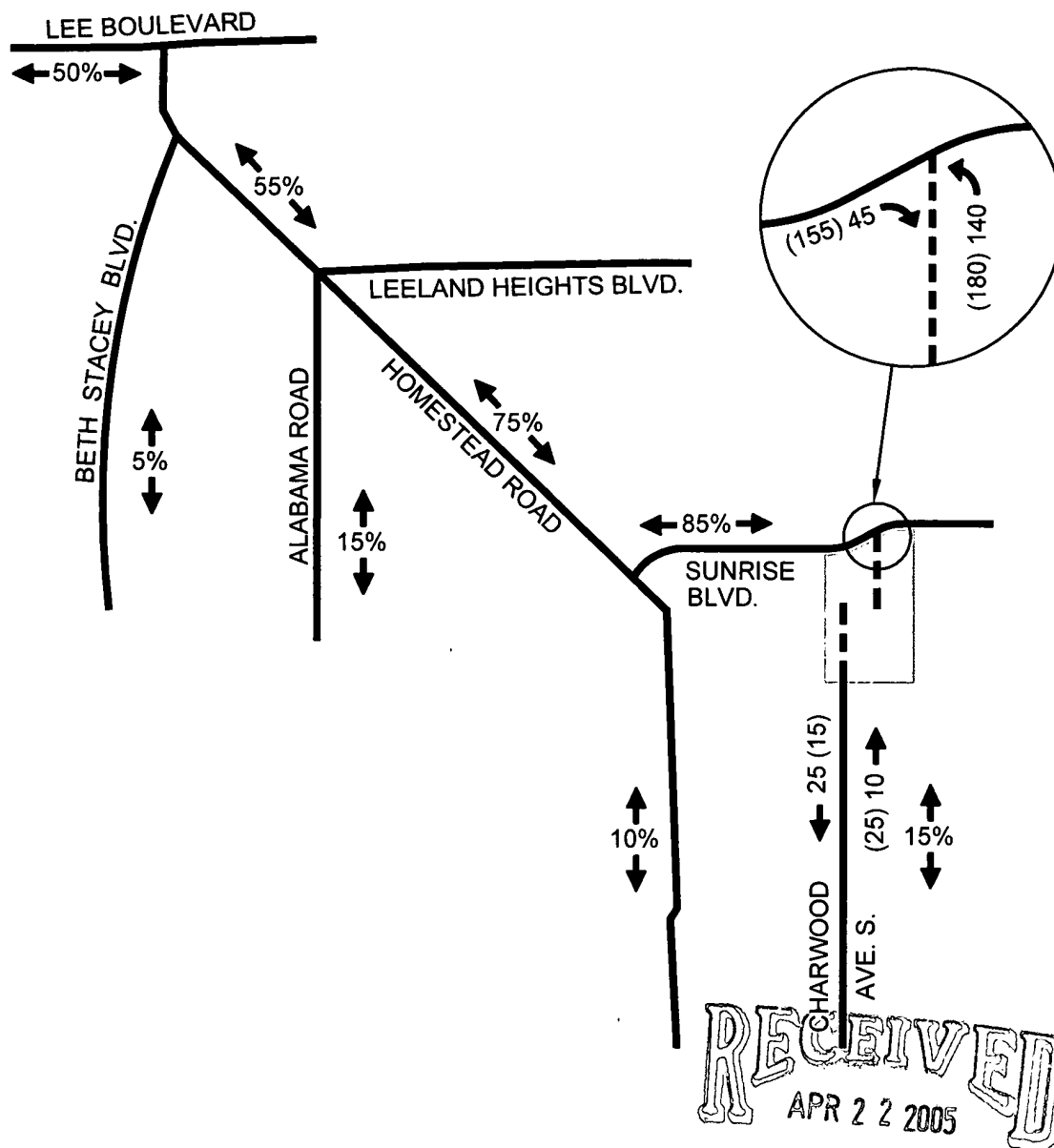
[illegible]

100th Highest Hour LOS Analysis

	2009	2009	2009
	BCKGRND	BCKGRND	BCKGRND
	PK HOUR	+ AM PROJ	+ PM PROJ
	<u>LOS</u>	<u>LOS</u>	<u>LOS</u>
Homestead Road	C	C	C
S. of Lee Blvd	D	D	D
S. of Leeland Hts. Blvd.	D	D	D
S. of Sunrise Blvd	D	D	D

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DCI 2005-00007



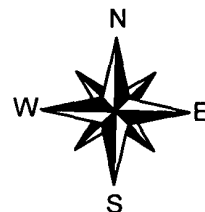
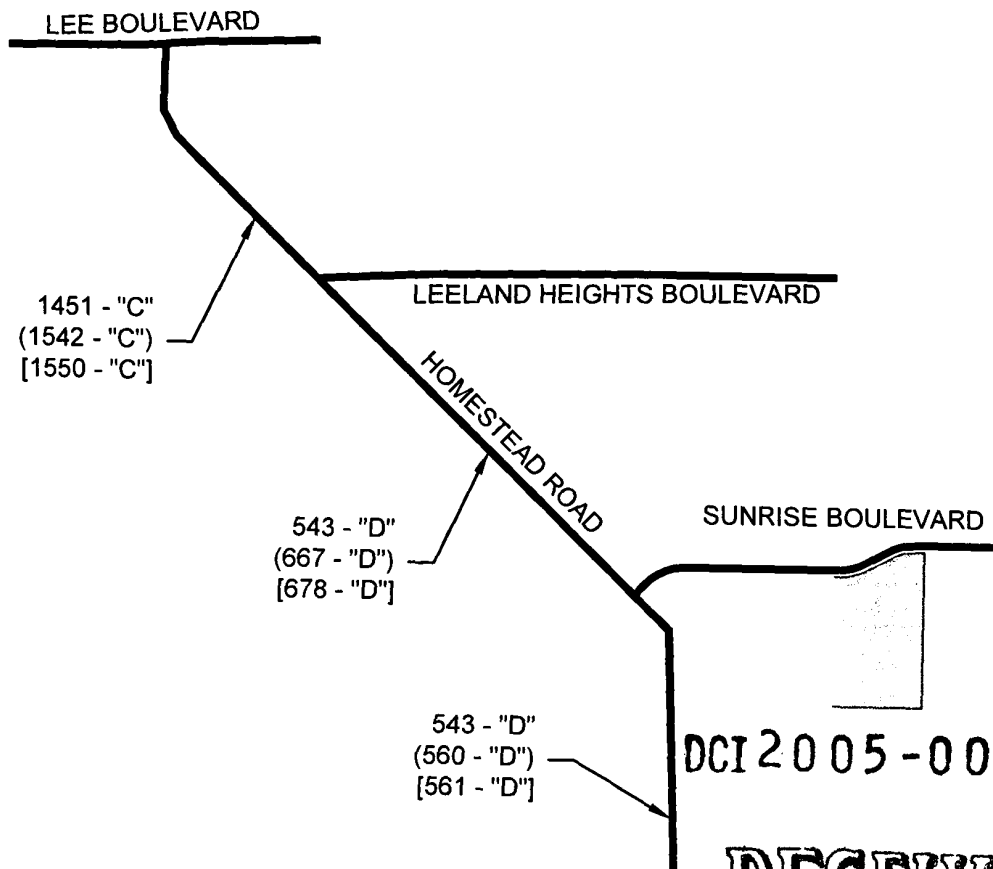
LEGEND

- 20% PERCENT DISTRIBUTION
- 000 WEEK DAY AM PEAK HOUR TRAFFIC
- (000) WEEK DAY PM PEAK HOUR TRAFFIC

DCT2005-00007

F0408.12\SUFF





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APR 22 2005

LEGEND

XXX - "C" 2009 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

(XXX - "C") 2009 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND
TRAFFIC PLUS AM PROJECT TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

[XXX - "C"] 2009 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND
TRAFFIC PLUS PM PROJECT TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

F0408.12\SUFF



**MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
ZONING DIVISION**

DATE: August 16, 2005

TO: File - DCI2005-00007

FROM: Luisa Villa
Secretary, Internal Services

RE: Notice of Public Hearing - August 31, 2005 HEX

I, Luisa Villa, Secretary, Internal Services, Development Services Division, do hereby 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: DCI2005-00007

CASE NAME: WHISPERING LAKES

REQUEST: Rezone 79.21+/- acres from Agricultural (AG-2) to Residential Planned Development (RPD), to permit a maximum of 298 single-family lots, with a maximum height of 35 feet. No blasting is proposed.

LOCATION: The subject property is located at at the eastern terminating end of Sunrise Boulevard, approximately 3/4 of a mile east of the intersection of Sunrise Boulevard and Homestead Road, Lehigh Acres, in S04 (Section)-T45 (Township)S-R27 (Range)E, Lee County, Florida.

SIZE OF PROPERTY: 79.21 Acres ±

STAFF REPORT: Direct inquiries to Fred Drovdic, Senior Planner, at (239) 479-8439, at the Department of Community Development, 1500 Monroe St., Ft. Myers, FL 33901.

PROPERTY OWNERS REPRESENTATIVE: MS. SHELLIE JOHNSON, AICP
BARRACO & ASSOCIATES, INC.
239-461-3170

Notice is hereby given that the Lee County Hearing Examiner will hold a public hearing at 9:00 AM on 08/31/2005 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 Luisa V Villa at 239/479-8585.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

03-45-27-07-00025.0230
HOWARD PAUL D
737 DUNLIETH CT
STONE MOUNTAIN, GA 30083

03-45-27-07-00025.0250
SUTTON JILL DOLORES E
C/O JILL BOTWINICK
10 HERITAGE LN
FORDS, NJ 08863

03-45-27-07-00025.0270
AMERICAN HERITAGE BUILDERS INC
PO BOX 111
LEHIGH ACRES, FL 33970

03-45-27-07-00026.0060
DARLINGTON CHRISTOPHER +
3230 NW 197TH ST
MIAMI, FL 33056

03-45-27-07-00026.0080
GREEN J A JR TR +
811 BOSE CT
MT PLEASANT, SC 29464

03-45-27-07-00026.0100
AUGUSTIN JOSEF
843 SENTINELE BLVD
LEHIGH ACRES, FL 33936

03-45-27-11-00041.0020
DEFREITAS GILMA V +
1100 ATLANTIC AVE #B6
ASBURY PARK, NJ 07712

03-45-27-11-00041.0040
CASTLE NANNIE F
8100 WENDAMOOD DR UT#5
LOUISVILLE, KY 40228

03-45-27-11-00041.0060
SAADA ABE
1621 SOUTH 21ST AVE
HOLLYWOOD, FL 33020

03-45-27-11-00041.0080
UBINAS RITO + GEORGIA
617 LAKE AV
LEHIGH ACRES, FL 33972

03-45-27-07-00025.0240
GLASSEL JOSHUA AARON
8424-A SANTA MONICA BLVD #177
LOS ANGELES, CA 90069

03-45-27-07-00025.0260
LABIAK ALLEN P + ROSE E
71830 CAMPGROUND RD
ROMEO, MI 48065

03-45-27-07-00026.0050
GARELLEK SUSAN R
6075 NW 32ND CT
BOCA RATON, FL 33496

03-45-27-07-00026.0070
MCDONALD DEANAH M
3381 NW 32ND ST
LAUDERDALE LAKES, FL 33309

03-45-27-07-00026.0090
MCKINNEY J B + HELLEN M
290 HORIZON DR
WHITE LAKE, MI 48386

03-45-27-11-00041.0010
KOLE FRANCIS XAVIER SR +
7 MIZZEN DR
BARNEGAT, NJ 08005

03-45-27-11-00041.0030
SUNRISE COASTAL PROPERTIES INC
P O BOX 231163
OLD VILLAGE STATION
GREAT NECK, NY 11023

03-45-27-11-00041.0050
HOLL HEINZ
PO BOX 1263
DANBURY, CT 06813

03-45-27-11-00041.0070
YBINAS RITO + GEORGIA
617 LAKE AVE
LEHIGH ACRES, FL 33972

03-45-27-11-00041.0090
MAXSON MARVIN G + EUNICE A
365 CONRAD DR
ROCHESTER, NY 14616

03-45-27-11-00041.0100
HOLL HEINZ
PO BOX 1263
DANBURY, CT 06813

03-45-27-11-00041.0120
HAMMOND C & JEAN E
415 47TH ST NW
CANTON, OH 44709

03-45-27-11-00041.0140
MCCARTHY LINDA INGRAM
4775 NW 6TH ST
PLANTATION, FL 33317

03-45-27-11-00042.0010
AUSTIN GARY R
13555 EAGLE RIDGE DR #922
FORT MYERS, FL 33912

03-45-27-11-00042.0170
WAGNER JOHN H + CECILIA
712 LAUREL LANE BEN OAKS
SERERNA PARK, MD 21146

03-45-27-11-00043.0010
CALLAHAN THERESA J +
314 NEW SALEM DR
SAINT LOUIS, MO 63141

03-45-27-11-00043.0030
POWMESAMY RUKHOMANI
5000 70TH AV
DAVIE, FL 33314

03-45-27-11-00043.0050
GALINDO CARLOS +
77 LOGAN ST #1
BROOKLYN, NY 11208

03-45-27-11-00043.0070
FABRICO V J + JOSEPHINE
566 PINEHURST COVE
KISSIMMEE, FL 34758

03-45-27-11-00043.0090
DANGELO ANTHONY J + MARY L
2540 SHELBY PKWY
CAPE CORAL, FL 33904

03-45-27-11-00041.0110
DESORTE JOHN A + DENISE
5541 AV D
BOKEELIA, FL 33922

03-45-27-11-00041.0130
CAHOON R J + PHYLLIS
10017 HIDDEN MEADOWS PL
FORT WAYNE, IN 46825

03-45-27-11-00041.0150
PONDICCIO JAMES V + MARY D
9 ROSA DR
WHITE PLAINS, NY 10607

03-45-27-11-00042.0020
MCCARTHY HELEN E
809-91ST ST #B
N BERHEN, NJ 07047

03-45-27-11-00042.0180
DAWSON PAULINE L
12685 NW 10TH ST
CORAL SPRINGS, FL 33071

03-45-27-11-00043.0020
DARLINGTON GLORIA +
3230 NW 197TH ST
MIAMI, FL 33056

03-45-27-11-00043.0040
AHRENS MERLIN R
21 BARRISTER LN
PALM COAST, FL 32137

03-45-27-11-00043.0060
FURY GLENN
19321 TURKEY RUN LN
ALVA, FL 33920

03-45-27-11-00043.0080
GREEN HERVILLE A SR + MARJORIE
3980 NW 46TH WAY
LAUDERDALE LAKES, FL 33319

03-45-27-11-00043.0110
RFB INC
9311 SAN CARLOS BLVD
FORT MYERS, FL 33912

03-45-27-11-00043.0120
SOTO ROLANDO +
4410 MACNISH ST #5 E
ELMHURST, NY 11373

03-45-27-11-00043.0140
DISTEFANO LOUIS + JOSEPHINE
64-02 217TH ST
BAYSIDE, NY 11364

03-45-27-11-00043.0160
WERNER GARRY MARC + CAROLANN
59 LAWRENCE ST
NEW HYDE PARK, NY 11040

03-45-27-11-00043.0180
NATIONAL RECREATIONAL
9 GOODYEAR
IRVINE, CA 92618

03-45-27-11-00046.0020
BATES ROBERT C + HELEN
14444 WOODLAWN RD
P O BOX 162
NEWBURY, OH 44065

04-45-27-00-00010.0000
BETHANY TRACE ESTATES INC
8045 NW 155TH ST
MIAMI LAKES, FL 33016

04-45-27-08-0000E.0220
WHITE ALONZO JR
474 SOCIETY RD
MCCELLANVILLE, SC 29458

04-45-27-08-0000E.0240
LEWIS LENNOX P + SIELINA M
231 EAGLESMERE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000E.0260
BROWN ALICE A J/T+
235 EAGLESMERE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000G.0050
GOSWICK ELTON + ELEANOR
226 EAGLESMERE DR
LEHIGH ACRES, FL 33936

03-45-27-11-00043.0130
GRAHAM DAVID P + CARMEN S
320 W SURREY AVE
PHOENIX, AZ 85029

03-45-27-11-00043.0150
WERNER GARRY MARC + CAROLANN
59 LAWRENCE ST
NEW HYDE PARK, NY 11040

03-45-27-11-00043.0170
MOONEY MARILYN L
14504 W 68TH ST
SHAWNEE, KS 66216

03-45-27-11-00046.0010
YAU KIN HANG +
11865 NW 78TH PL
PARKLAND, FL 33076

04-45-27-00-00008.0000
SW FLORIDA LAND SEVEN LLC
6150 DIAMOND CENTRE COURT
BLDG 1300
FORT MYERS, FL 33936

04-45-27-08-0000E.0210
HOPKINSON OSWALD + DEPHNE
225 EAGLESMERE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000E.0230
WELLS SHEREE B
229 EAGLESMERE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000E.0250
HARTWIG SUSAN
233 EAGLESMERE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000G.0040
BURDA JAMES T +
234 EAGLESMORE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000G.0060
FELIX GERZEL
224 EAGLES MERE DR
LEHIGH ACRES, FL 33936

09-45-27-00-00005.0000
BETHANY TRACE ESTATES INC
8045 NW 155TH ST
MIAMI LAKES, FL 33016

09-45-27-03-00011.0180
ROBERTSON JOHNNY + JUNE
3342 NW 70TH ST
MARGATE, FL 33063

09-45-27-03-00011.0200
SITEMAN HARVEY + JULIA
360 CHARWOOD AV S
LEHIGH ACRES, FL 33936

09-45-27-03-00012.0120
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

09-45-27-03-00012.0140
DEWITT GREG +
11840 IMPERIAL PINES WAY
BONITA SPRINGS, FL 34135

09-45-27-03-00012.0160
SEYMOUR GORDON H + MARJORIE A
108 SALTER CRESCENT
KANATA, ON K2K 1Y7
CANADA

09-45-27-03-00012.0180
HAYS RAYMOND H + F ELAINE
RR 2 BOX 183
ALEXIS, IL 61412

09-45-27-03-00012.0200
WOODMAN P +
19 SOUTHFIELD DR
BARTON SEAGRAVE
KETTERING NORTHANTS,
UNITED KINGDOM

09-45-27-03-00012.0220
URBANOWICZ JAMES A 1/4 INT +
5665 N WALNUT ST
MACUNGIE, PA 18062

09-45-27-03-00012.0240
ALLEN JULIE +
104 DAINA CIR
LEHIGH ACRES, FL 33972

09-45-27-03-0000A.0000
BETHANY TRACE ESTATES INC
8045 NW 155TH ST
MIAMI LAKES, FL 33016

09-45-27-03-00011.0190
ROBERTSON JOHNNY + JUNE
3342 NW 70TH AVE
MARGATE, FL 33063

09-45-27-03-00011.0210
BETHANY TRACE ESTATES INC
8045 NW 155TH ST
MIAMI LAKES, FL 33016

09-45-27-03-00012.0130
SCOTT RICHARD
36 5TH ST
BONITA SPRINGS, FL 34134

09-45-27-03-00012.0150
LANN MARK
13386 SW 128TH ST
MIAMI, FL 33186

09-45-27-03-00012.0170
LOTTE GUY +
2222 ONTARIO E
MONTREAL, QC H2K 1V8
CANADA

09-45-27-03-00012.0190
NATIONAL RECREATIONAL
9 GOODYEAR
IRVINE, CA 92618

09-45-27-03-00012.0210
TURNER DELAMAR JR +
RR 2 BOX 2606
TOWNSEND, GA 31331

09-45-27-03-00012.0230
JOHNSON VIRGINIA M
1014 MONROE DR
LEHIGH ACRES, FL 33936

09-45-27-03-00012.0250
SANKEY H WILLIAM + SHIRLEY A
375 S 8TH ST
SHARPSVILLE, PA 16150

09-45-27-03-00012.0260
BETHANY TRACE ESTATES INC
8045 NW 155TH ST
MIAMI LAKES, FL 33016

09-45-27-03-00013.0160
BJORK LLOYD +
735 JOLY
GREENFIELD PARK, QC J4V 3E2
CANADA

09-45-27-03-00013.0180
SHIELDS JAMES A +
2465 SUDBURY AVE
OTTAWA, ON K2C 1L6
CANADA

09-45-27-03-00013.0200
ELM ROBERT J + RUBY L
4020 SUMIT WOOD DR
KENNESAW, GA 30152

09-45-27-03-00013.0220
GREULICH BARBARA L
5170 TIFFANY DR
ZANESVILLE, OH 43701

09-45-27-03-00013.0240
WALTERS ALVIN +
2291 NW 32ND TERR
FT LAUDERDALE, FL 33311

09-45-27-03-00013.0260
BOWE CHERESE
14565 NORTHLAKE BLVD
WEST PALM BEACH, FL 33412

09-45-27-03-00013.0280
LEMIEUX GERALD L SR + MARTHA J
PO BOX 191
VOLUNTOWN, CT 06384

09-45-27-03-00013.0300
BATE REYNALDO + TERESITA C
18 LA VALENCIA RD
OLD BRIDGE, NJ 08857

09-45-27-03-00013.0320
LEE JOHN R + JACQUELINE L
3794 BARGO LN
AMELIA, OH 45102

09-45-27-03-00013.0150
MEROLA LOUIS R + JOANNE M
7555 CARRIER RD
FORT MYERS, FL 33912

09-45-27-03-00013.0170
TABALLY HANI
6035 W 103RD ST APT 1-W
CHICAGO RIDGE, IL 60415

09-45-27-03-00013.0190
WORLEY STEPHEN W + SUSAN E
348 CONLIN AVE
SYCAMORE, IL 60178

09-45-27-03-00013.0210
NAWROCKI EUGENE M +
1345 ARBOR DR
LEMONT, IL 60439

09-45-27-03-00013.0230
GRIM JAMES R + LINDA
CHERRY AV APT B-5
HELLAM, PA 17401

09-45-27-03-00013.0250
DAMELIO FAUSTO
6 LACOSTA DR
NATICK, MA 01760

09-45-27-03-00013.0270
CASE AGNES MARIE PER REP
11 WIMERT AVE
WESTMINSTER, MD 21157

09-45-27-03-00013.0290
LAMB JARED W +
10 FIRESIDE CT
NORWALK, CT 06850

09-45-27-03-00013.0310
CAMPBELL MARVA M
23 GORSE ST
STRETTFORD
MANCHESTER M32D OHY,
UNITED KINGDOM

10-45-27-01-00001.0010
BALINAKOS MICHAEL + JOSEPHINE
80 VAN CORTLANDT PARK S
APT 7A/54
BRONX, NY 10463

10-45-27-01-00001.0020
JAMES ERROL W + MONICA L
109 SUMMERGLOW CT
CARY, NC 27513

10-45-27-01-00002.0020
JONES FRANKIE M
5260 28TH AV SW
NAPLES, FL 34116

10-45-27-01-00002.0040
GRUCA E J + GERTRUDE L
4733 CRABTREE LN
PLAINFIELD, IN 46168

10-45-27-01-00002.0060
AILANT JAMES R
1303 SUNRISE DR
NORTH FORT MYERS, FL 33917

10-45-27-01-00002.0080
FORRESTER ALMAN PATRICK +
16611 77TH LN N
LOXAHATCHEE, FL 33470

10-45-27-01-00002.0100
NATIONAL RECREATIONAL
9 GOODYEAR
IRVINE, CA 92618

10-45-27-01-00002.0120
FOSTER ROBERTA G
3551 W 14TH ST
INDIANAPOLIS, IN 46222

10-45-27-01-00002.0140
CAPITAL INTERNATIONAL INC
395 ALBAMBRA CIR
CORAL GABLES, FL 33134

10-45-27-01-00002.0160
MONIZ RONALD M + MARY ANNE
22 SAKONNET TRAIL
LITTLE COMPTON, RI 02837

10-45-27-01-00003.0020
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00002.0010
JONES FRANKIE M
300 LABREE AVE S
LEHIGH ACRES, FL 33936

10-45-27-01-00002.0030
GONZALEZ MIGUEL + MARTINA
4429 BESSIE AV
FORT MYERS, FL 33905

10-45-27-01-00002.0050
CRAY SCOTT D +
1428 BRANDYWINE
FORT MYERS, FL 33919

10-45-27-01-00002.0070
PRICE CLIFFORD +
19100 NW MIAMI CT
MIAMI, FL 33169

10-45-27-01-00002.0090
DAIMER BARBARA
MEISENSTRASSE 6
85356 FREISING,
GERMANY

10-45-27-01-00002.0110
GREENE CATHERINE
3119 CRABTREE LN
PLAINFIELD, IN 46168

10-45-27-01-00002.0130
PHISTER THOMAS J
1526 MEDFORD PL
LEHIGH ACRES, FL 33936

10-45-27-01-00002.0150
NATIONAL RECREATIONAL
9 GOODYEAR
IRVINE, CA 92618

10-45-27-01-00003.0010
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0030
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0040
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0060
FRENCH J RUSSELL 111 +
725 CAMPGROUND RD
EASTHAM, MA 02642

10-45-27-01-00003.0080
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

10-45-27-01-00003.0100
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

10-45-27-01-00003.0120
ROSS ANTHONY T +
704 DUBARRY AVE S
LEHIGH ACRES, FL 33936

10-45-27-01-00003.0140
WAHLIG JAMES W
C/O ALICE M MENON
27 LACKEY ST
WESTBOROUGH, MA 01581

10-45-27-01-00003.0160
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

10-45-27-01-00003.0180
ZORSE CHARLES + MADELINE
80 OLD HOLLOW RD
SHORT HILLS, NJ 07078

10-45-27-01-00003.0200
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0220
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0050
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0070
MEROLA LOUIS R + JOANNE M
7555 CARRIER RD
FORT MYERS, FL 33912

10-45-27-01-00003.0090
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

10-45-27-01-00003.0110
RICHARDS KENT
RR 2 BOX 25A
SHELBURN, IN 47879

10-45-27-01-00003.0130
MCNULTY DELORES M-DECD
C/O KEVIN MCNULTY EXEC
431 RAYMOND AV #5
SANTA MONICA, CA 90405

10-45-27-01-00003.0150
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

10-45-27-01-00003.0170
ZORSE CHARLES + MADELINE
80 OLD HOLLOW RD
SHORT HILLS, NJ 07078

10-45-27-01-00003.0190
ZORSE CHARLES + MADELINE
80 OLD HOLLOW RD
SHORT HILLS, NJ 07078

10-45-27-01-00003.0210
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0230
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

Robert Anderson
Lehigh Acres Watchdog Inc.
PO Box 1778
Lehigh Acres, FL 33970

Ms. Shellie Johnson
Barraco & Associates, Inc.
2271 McGregor Boulevard
Fort Myers, FL 33901



Jim Fleming, Chair
Lehigh Acres Community Planning Assoc.
536 Whispering Wind Bend
Lehigh Acres, FL 33936

Watermen at Sunrise 80, LLC
8045 NW 155 Street
Miami Lakes, FL 33016

All data is current at time of printing and subject to change without notice.

8 of 8 LABELS PRINTED

10-45-27-01-00003.0240
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-05-00025.0010
HIRSCH MAE M
2628 SW 78TH AV
MIAMI, FL 33155

10-45-27-05-00025.0020
OLOUGHLIN DAVID P SR
5631 N WINGSTON PARK BLVD #201
COCONUT CREEK, FL 33073

10-45-27-05-00026.0010
TORRES JOSEPH + GABRIELA
58 OAKRIDGE DR
TAUNTON, MA 02780

10-45-27-05-00026.0020
DAROCHA FRANCIS A + LUCHIA F
89 OAKRIDGE DR
TAUNTON, MA 02780

10-45-27-05-00027.0010
JONES FRANKIE MAE
300 LABREE AVE S
LEHIGH ACRES, FL 33936

10-45-27-05-00027.0020
MALENFANT SHARRON
BOX L7 RR 5
TILBURY, ON N0P 2L0
CANADA

10-45-27-05-00027.0030
LENARD JOAN
1520 DOCK PL
POINT PLEASANT, NJ 08742

10-45-27-05-00027.0040
HLADKY WALTER W ET AL
9 ERIE CT
JERICHO, NY 11753

10-45-27-05-00028.0010
FIDATI NINA
157 MAIN ST #A
LITTLE FALLS, NJ 07426

**EXHIBIT PH-2.B.1
DISCLOSURE OF INTEREST FORM FOR:**

STRAP NO. 04-45-27-00-00008.0010 & **CASE NO.** _____
09-45-27-00-00006.0000

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 and Address	Percentage of Stock
Waterman at Sunrise 80, LLC	_____
8045 N.W. 155th Street	_____
Miami Lakes, FL 33016	_____
Eddy Garcia, Manager	50%
David Kraizgrun	50%

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
_____	_____
_____	_____
_____	_____
_____	_____

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JAN 21 2005

ZONING

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 and Address	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

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JAN 21 2005

PERMIT COUNTER

2005-000071

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.

Signature: _____

Eddie Garcia
(Applicant)

EDDY GARCIA

(Printed or typed name of applicant)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 21st day of Sept. 2004

by Eddie Garcia who is personally known to me or who has produced

personally known

as identification.

Bobbie L Symonds

Signature of Notary Public

(SEAL)



Bobbie L. Symonds
MY COMMISSION # DD246445 EXPIRES
September 2, 2007
BONDED THRU TROY FAIR INSURANCE, INC.

Printed Name of Notary Public

LETTER OF AUTHORIZATION

The undersigned do hereby swear that they are the fee simple title holders and owners of record of property commonly known as Whispering Lakes II (f.k.a. Bethany Place) and legally described in Exhibit A attached hereto.

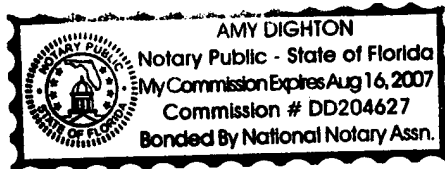
The property described herein is the subject of an application for zoning or development. We hereby designate Shellie Johnson, AICP of Barraco and Associates, Inc. as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the 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 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.

Eddy Garcia
Owner

Eddy Garcia
Printed Name

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 12 day of July,
2005, by Eddy Garcia, who is personally
known to me or who has produced _____ as identification.



Amy Dighton
Notary Public
Amy Dighton
(Name typed, printed or stamped)

DCI 2005-00007

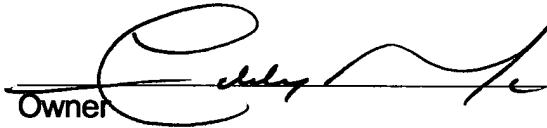
RECEIVED
JUL 13 2005

PERMIT COUNTER

LETTER OF AUTHORIZATION

The undersigned do hereby swear that they are the fee simple title holders and owners of record of property commonly known as Bethany Place 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 Stephen Sposato, AICP of Barraco and Associates, Inc. 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 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

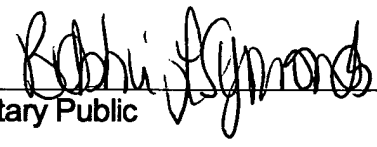
EDDY GARCIA
Printed Name

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 21st day of Sept., 2004, by Eddie Garcia, who is personally known to me or who has produced personally known as identification.



Bobbie L. Symonds
MY COMMISSION # DD246445 EXPIRES
September 2, 2007
BONDED THRU TROY FAIN INSURANCE, INC.


Notary Public

(Name typed, printed or stamped)

OCI 2005-00007

RECEIVED
JAN 21 2005

PERMIT COUNTER



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

November 16, 2005

479-8585

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yeager
County Attorney

Diana M. Parker
County Hearing
Examiner

**MS. SHELLIE JOHNSON
BARRACO & ASSOCIATES, INC.
2271 MCGREGOR BLVD.
FT MYERS, FL 33901**

**RE: Agenda Schedule for WHISPERING LAKES II
Case No. DCI2005-00007**

Dear MS. SHELLIE JOHNSON :

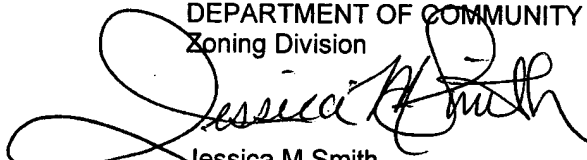
Your zoning request has been scheduled before the Board of County Commissioners to take final action after reviewing the Hearing Examiner's recommendation.

DATE & TIME: Monday, December 5, 2005. 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
Zoning Division



Jessica M Smith
Administrative Assistant

cc: WATERMEN AT SUNRISE 80, LLC
WATERMEN AT SUNRISE 80, LLC
MR KENNETH PASSARELLA, PASSARELLA & ASSOCIATES, INC
MR. TED TREESH, METRO TRANSPORTATION GROUP
RUSSELL SCHROPP, HENDERSON, FRANKLIN, STARNES &
Fred Drovdlc, Senior Planner
Zoning File

Memo

To: FILE DCI2005-00007 Whispering Lakes II
From: Jessica Smith, Administrative Assistant
Date: December 5, 2005
Subject: Notice to Participants

Please note there was not a need to send out the notice to participants for this case, as there were no participants in regards to this case.

ZONING DIVISION
LEE COUNTY

PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
John Fredyma, Asst County Attorney

FROM: Fred Drovdlc

DATE: 09/08/2005

PROJECT NAME: WHISPERING LAKES I

CASE #: DCI2005-00007

INFORMATION SUMMARY:

To update your file

X Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 09/18/2005

Additional Comments:

cc: DCI planner/working file
DCI Zone File

Distributed by: Luisa V Villa

Date: 09/09/2005

TRANSMITTAL LETTER

TO:	Fred Drovdlc, Senior Planner	FROM:	Shellie Johnson, AICP		
COMPANY:	Lee County Division of Zoning	DATE:	September 7, 2005	PROJECT NUMBER	21946
ADDRESS:	1500 Monroe Street	PROJECT NAME:	Whispering Lakes I (f.k.a. Bethany Place)		
CITY, STATE, ZIP:	Fort Myers, FL 33901	DISTRIBUTION TO:	Eddy Garcia		
RE:	DCI2005-00007 - Type D Buffer Along Sunrise Blvd.				

RECEIVED

SEP 08 2005

WE ARE SENDING THE FOLLOWING ITEMS VIA:

☐	STANDARD POSTAL MAIL	☒	COURIER SERVICE	☐	OTHER
☐	OVERNIGHT DELIVERY	☐	CLIENT PICK-UP AT OUR OFFICE	☐	COMMUNITY DEVELOPMENT

ITEM	COPIES	DATE	DESCRIPTION
1.	13	09/06/05	Revised MCP, 11 x 17
2.	13	09/06/05	Revised MCP, 24 x 36
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

THESE ARE TRANSMITTED AS CHECKED BELOW:

☐	AS REQUESTED	☐	FOR BIDS DUE:	☐	RESUBMIT ____ COPIES FOR APPROVAL
☒	FOR YOUR USE	☐	APPROVED AS SUBMITTED	☐	SUBMIT ____ COPIES FOR DISTRIBUTION
☐	FOR APPROVAL	☐	APPROVED AS NOTED	☐	RETURN ____ CORRECTED PRINTS
☐	FOR REVIEW AND COMMENT	☐	RETURNED FOR CORRECTIONS	☐	ITEMS RETURNED AFTER LOAN TO US

NOTES/COMMENTS:

ZONING DIVISION
LEE COUNTY

PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
John Fredyma, Asst County Attorney

FROM: Fred Drovdic

DATE: 09/15/2005

PROJECT NAME: WHISPERING LAKES II

CASE #: DCI2005-00007

INFORMATION SUMMARY:

To update your file

X Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 09/25/2005

Additional Comments:

cc: DCI planner/working fileDCI Zone File

Distributed by: Jamie Prancing

Date: 09/19/2005

TRANSMITTAL LETTER

TO: Fred Drovdlc, Senior Planner FROM: Shellie Johnson, AICP
COMPANY: Lee County Division of Zoning DATE: September 14, 2005 PROJECT NUMBER: 21946
ADDRESS: 1500 Monroe Street PROJECT NAME: Whispering Lakes II (f.k.a. Bethany Place)
CITY, STATE, ZIP: Fort Myers, FL 33901 DISTRIBUTION TO: Eddy Garcia
RE: DCI2005-00007 - Corrected OR Book and Page

WE ARE SENDING THE FOLLOWING ITEMS VIA:

☐	STANDARD POSTAL MAIL	☒	COURIER SERVICE	☐	OTHER
☐	OVERNIGHT DELIVERY	☐	CLIENT PICK-UP AT OUR OFFICE	☐	

ITEM	COPIES	DATE	DESCRIPTION
1.	13	09/14/05	Revised MCP, 11 x 17
2.	13	09/14/05	Revised MCP, 24 x 36
3.	4	09/13/05	Revised Original Signed and Sealed Boundary Surveys, 11 x 17
4.	4	09/13/05	Revised Original Signed and Sealed Boundary Surveys, 24 x 36
5.	9	09/13/05	Revised Copies of Signed and Sealed Boundary Surveys, 11 x 17
6.	4	09/13/05	Revised Copies of Signed and Sealed Boundary Surveys, 24 x 36
7.			
8.			
9.			
10.			

THESE ARE TRANSMITTED AS CHECKED BELOW:

☐	AS REQUESTED	☐	FOR BIDS DUE:	☐	RESUBMIT ____ COPIES FOR APPROVAL
☒	FOR YOUR USE	☐	APPROVED AS SUBMITTED	☐	SUBMIT ____ COPIES FOR DISTRIBUTION
☐	FOR APPROVAL	☐	APPROVED AS NOTED	☐	RETURN ____ CORRECTED PRINTS
☐	FOR REVIEW AND COMMENT	☐	RETURNED FOR CORRECTIONS	☐	ITEMS RETURNED AFTER LOAN TO US

NOTES/COMMENTS:

ZONING DIVISION
LEE COUNTY

PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
John Fredyma, Asst County Attorney

FROM: Fred Drovdic

DATE: 12/14/2005

PROJECT NAME: WHISPERING LAKES II

CASE #: DCI2005-00007

INFORMATION SUMMARY:

To update your file

☒ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 12/24/2005

Additional Comments:

Please review the attached plan to determine if it accurately reflects the approval by the BoCC on December 5, 2005 in accordance with the LDC3-377(b)(6).

cc: DCI planner/working fileDCI Zone File

Distributed by: Jessica M Smith

Date: 12/15/2005

TRANSMITTAL LETTER

TO: Development Services and Planning
Lee County Department of Community
Development
1500 Monroe Street
Fort Myers, FL 33901

FROM: Shellie Johnson, AICP

DATE: DECEMBER 14, 2005
PROJECT NUMBER: 21946

PROJECT NAME: Whispering Lakes II

DISTRIBUTION TO:

RE: Final Revised Master Concept Plan

RECEIVED
11:30 AM
DEC 14 2005

WE ARE SENDING THE FOLLOWING ITEMS VIA:

☐	STANDARD POSTAL MAIL
☐	OVERNIGHT DELIVERY

☒	COURIER SERVICE
☐	CLIENT PICK-UP AT OUR OFFICE

☐	COMMUNITY DEVELOPMENT
☐	OTHER

ITEM	COPIES	DATE	DESCRIPTION
1.	13	12/14/05	11 x 17 MCP
2.	13	12/14/05	24 x 36 MCP
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			

THESE ARE TRANSMITTED AS CHECKED BELOW:

☐	AS REQUESTED
☒	FOR YOUR USE
☐	FOR APPROVAL
☐	FOR REVIEW AND COMMENT

☐	FOR BIDS DUE:
☐	APPROVED AS SUBMITTED
☐	APPROVED AS NOTED
☐	RETURNED FOR CORRECTIONS

☐	RESUBMIT ____ COPIES FOR APPROVAL
☐	SUBMIT ____ COPIES FOR DISTRIBUTION
☐	RETURN ____ CORRECTED PRINTS
☐	ITEMS RETURNED AFTER LOAN TO US

NOTES/COMMENTS:

DCI 2005-00007

**MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY**

RECEIVED
NOV 29 2005

COMMUNITY DEVELOPMENT

DATE: November 28, 2005

To: Jamie Princing
Community Development - ISA

FROM: Maria M. Encarnacion
Legal Administrative Secretary

**RE: Whispering Lakes II
Zoning Case #DCi2005-00007
Resolution No. Z-05-069**

Attached hereto please find a faxed legal verification in connection with the above matter.
Please place this faxed legal verification in the appropriate file.

Thank you.

/mme
Attachment



Henderson|Franklin
ATTORNEYS AT LAW

1715 Monroe Street (33901)
Post Office Box 280 • Fort Myers, FL 33902 0280
Tel: 239.334.4121 • Fax: 239.334.4100 • www.henlaw.com
Office Sanibel • Tel: 239.472.6700

November 28, 2005

Memorandum

TO: John Fredyma
FROM: Russell P. Schropp
Re: Whispering Lakes II, Case No. DCI2005-00007

Thanks for sending me a copy of the draft Resolution for the above-referenced case. It accurately reflects the Hearing Examiner's recommendation, and the legal description accurately describes the property being rezoned. Please call me if you need anything further.

/rs

Henderson, Franklin, Starnes & Holt, P.A.

**Henderson|Franklin**
ATTORNEYS AT LAW1715 Monroe Street
Post Office Box 280
Fort Myers, FL 33902-0280
Tel: 239.344.1100 • Fax: 239.344.1200 • www.henlaw.com
Bonita Springs • Sanibel**FACSIMILE COVER PAGE**TIME SENT: _____
DATE SENT: November 28, 2005
Stamp Here after Sent:

	<u>NAME</u>	<u>FAX#</u>	<u>PHONE #</u>
Recipient(s)	: John Fredyma	335-2606	
Client/Matter No.	: 15165/29		
From	: Russell P. Schropp		
No. of Pages, incl. Cover	: 2		

Original of the transmitted document will be sent by:

☐ First Class Mail☐ Overnight Mail☐ Hand Delivery☒ This transmission is the only form of delivery of this document

Comments:

The information in this facsimile transmission is intended only for the personal and confidential use of the designated recipients named above. This message may be an attorney-client communication and as such is privileged. If the reader of this message is not the intended recipient named above, you are notified that you have received this document in error, and any review, dissemination, distribution or copying of this message is strictly prohibited. If you have received this document in error, please notify this office immediately via telephone, and return the original message to the address by mail. Thank you.

SENDER: If this is sensitive or confidential information and you would like us to verify the number or confirm if the information was received, please check here and include the telephone number.

Yes ☐ Telephone Number to Call:

If all pages are not received or there is a problem with this transmission, please call 239.344-1280 and ask for Russell Schropp. Typist: rs

Henderson, Franklin, Starnes & Holt, P.A.

**MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
ZONING DIVISION**

DATE: September 13, 2005

TO: File - DCI2005-00007

FROM: Jamie Prancing
Secretary, Internal Services

RE: Notice of Public Hearing - September 28, 2005 HEX

I, Jamie Prancing, Secretary, Internal Services, Development Services Division, do hereby 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: DCI2005-00007

CASE NAME: WHISPERING LAKES II

REQUEST: Rezone 79.21+/- acres from Agricultural (AG-2) to Residential Planned Development (RPD), to permit a maximum of 298 single-family lots, with a maximum height of 35 feet. No blasting is proposed.

LOCATION: The subject property is located at at the eastern terminating end of Sunrise Boulevard, approximately 3/4 of a mile east of the intersection of Sunrise Boulevard and Homestead Road, Lehigh Acres, in S04-T45S-R27E, Lee County, FL.

SIZE OF PROPERTY: 79.21 Acres ±

STAFF REPORT: Direct inquiries to Fred Drovdic, Senior Planner, at (239) 479-8439, at the Department of Community Development, 1500 Monroe St., Ft. Myers, FL 33901.

PROPERTY OWNER'S REPRESENTATIVE: MS. SHELLIE JOHNSON
BARRACO & ASSOCIATES, INC.
239-461-3170

Notice is hereby given that the Lee County Hearing Examiner will hold a public hearing at 10:00 AM on 09/28/2005 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 Jamie Prining at 239/479-8585.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

03-45-27-07-00025.0250
SUTTON JILL DOLORES E
C/O JILL BOTWINICK
10 HERITAGE LN
FORDS, NJ 08863

03-45-27-07-00025.0270
AMERICAN HERITAGE BUILDERS INC
PO BOX 111
LEHIGH ACRES, FL 33970

03-45-27-07-00026.0060
DARLINGTON CHRISTOPHER +
3230 NW 197TH ST
MIAMI, FL 33056

03-45-27-07-00026.0080
GREEN J A JR TR +
811 BOSE CT
MT PLEASANT, SC 29464

03-45-27-07-00026.0100
AUGUSTIN JOSEF
843 SENTINELE BLVD
LEHIGH ACRES, FL 33936

03-45-27-11-00041.0020
DEFREITAS GILMA V +
1100 ATLANTIC AVE #B6
ASBURY PARK, NJ 07712

03-45-27-11-00041.0040
CASTLE NANNIE F
8100 WENDAMOO DR UT#5
LOUISVILLE, KY 40228

03-45-27-11-00041.0060
SAADA ABE
1621 SOUTH 21ST AVE
HOLLYWOOD, FL 33020

03-45-27-11-00041.0080
UBINAS RITO + GEORGIA
617 LAKE AV
LEHIGH ACRES, FL 33972

03-45-27-07-00025.0240
GLASSEL JOSHUA AARON
8424-A SANTA MONICA BLVD #177
LOS ANGELES, CA 90069

03-45-27-07-00025.0260
LABIAK ALLEN P + ROSE E
71830 CAMPGROUND RD
ROMEO, MI 48065

03-45-27-07-00026.0050
GARELLEK SUSAN R
6075 NW 32ND CT
BOCA RATON, FL 33496

03-45-27-07-00026.0070
MCDONALD DEANAH M
3381 NW 32ND ST
LAUDERDALE LAKES, FL 33309

03-45-27-07-00026.0090
MCKINNEY J B + HELLEN M
290 HORIZON DR
WHITE LAKE, MI 48386

03-45-27-11-00041.0010
KOLE FRANCIS XAVIER SR +
7 MIZZEN DR
BARNEGAT, NJ 08005

03-45-27-11-00041.0030
SUNRISE COASTAL PROPERTIES INC
P O BOX 231163
OLD VILLAGE STATION
GREAT NECK, NY 11023

03-45-27-11-00041.0050
HOLL HEINZ
PO BOX 1263
DANBURY, CT 06813

03-45-27-11-00041.0070
YBINAS RITO + GEORGIA
617 LAKE AVE
LEHIGH ACRES, FL 33972

03-45-27-11-00041.0090
MAXSON MARVIN G + EUNICE A
365 CONRAD DR
ROCHESTER, NY 14616



03-45-27-11-00043.0120
SOTO ROLANDO +
4410 MACNISH ST #5 E
ELMHURST, NY 11373

03-45-27-11-00043.0140
DISTEFANO LOUIS + JOSEPHINE
64-02 217TH ST
BAYSIDE, NY 11364

03-45-27-11-00043.0160
WERNER GARRY MARC + CAROLANN
59 LAWRENCE ST
NEW HYDE PARK, NY 11040

03-45-27-11-00043.0180
NATIONAL RECREATIONAL
9 GOODYEAR
IRVINE, CA 92618

03-45-27-11-00046.0020
BATES ROBERT C + HELEN
14444 WOODLAWN RD
P O BOX 162
NEWBURY, OH 44065

04-45-27-00-00010.0000
BETHANY TRACE ESTATES INC
8045 NW 155TH ST
MIAMI LAKES, FL 33016

04-45-27-08-0000E.0220
WHITE ALONZO JR
474 SOCIETY RD
MCCELLANVILLE, SC 29458

04-45-27-08-0000E.0240
LEWIS LENNOX P + SIELINA M
231 EAGLESMERE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000E.0260
BROWN ALICE A J/T+
235 EAGLESMERE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000G.0050
GOSWICK ELTON + ELEANOR
226 EAGLESMERE DR
LEHIGH ACRES, FL 33936

03-45-27-11-00043.0130
GRAHAM DAVID P + CARMEN S
320 W SURREY AVE
PHOENIX, AZ 85029

03-45-27-11-00043.0150
WERNER GARRY MARC + CAROLANN
59 LAWRENCE ST
NEW HYDE PARK, NY 11040

03-45-27-11-00043.0170
MOONEY MARILYN L
14504 W 68TH ST
SHAWNEE, KS 66216

03-45-27-11-00046.0010
YAU KIN HANG +
11865 NW 78TH PL
PARKLAND, FL 33076

04-45-27-00-00008.0000
SW FLORIDA LAND SEVEN LLC
6150 DIAMOND CENTRE COURT
BLDG 1300
FORT MYERS, FL 33936

04-45-27-08-0000E.0210
HOPKINSON OSWALD + DEPHNE
225 EAGLESMERE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000E.0230
WELLS SHEREE B
229 EAGLESMERE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000E.0250
HARTWIG SUSAN
233 EAGLESMERE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000G.0040
BURDA JAMES T +
234 EAGLESMORE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000G.0060
FELIX GERZEL
224 EAGLES MERE DR
LEHIGH ACRES, FL 33936

03-45-27-11-00041.0100
HOLL HEINZ
PO BOX 1263
DANBURY, CT 06813

03-45-27-11-00041.0120
HAMMOND C & JEAN E
415 47TH ST NW
CANTON, OH 44709

03-45-27-11-00041.0140
MCCARTHY LINDA INGRAM
4775 NW 6TH ST
PLANTATION, FL 33317

03-45-27-11-00042.0010
AUSTIN GARY R
13555 EAGLE RIDGE DR #922
FORT MYERS, FL 33912

03-45-27-11-00042.0170
WAGNER JOHN H + CECILIA
712 LAUREL LANE BEN OAKS
SERERNA PARK, MD 21146

03-45-27-11-00043.0010
CALLAHAN THERESA J +
314 NEW SALEM DR
SAINT LOUIS, MO 63141

03-45-27-11-00043.0030
POWMESAMY RUKHOMANI
5000 70TH AV
DAVIE, FL 33314

03-45-27-11-00043.0050
GALINDO CARLOS +
77 LOGAN ST #1
BROOKLYN, NY 11208

03-45-27-11-00043.0070
FABRICO V J + JOSEPHINE
566 PINEHURST COVE
KISSIMMEE, FL 34758

03-45-27-11-00043.0090
DANGELO ANTHONY J + MARY L
2540 SHELBY PKWY
CAPE CORAL, FL 33904

03-45-27-11-00041.0110
DESORTE JOHN A + DENISE
5541 AV D
BOKEELIA, FL 33922

03-45-27-11-00041.0130
CAHOON R J + PHYLLIS
10017 HIDDEN MEADOWS PL
FORT WAYNE, IN 46825

03-45-27-11-00041.0150
PONDICCIO JAMES V + MARY D
9 ROSA DR
WHITE PLAINS, NY 10607

03-45-27-11-00042.0020
MCCARTHY HELEN E
809-91ST ST #B
N BERHEN, NJ 07047

03-45-27-11-00042.0180
DAWSON PAULINE L
12685 NW 10TH ST
CORAL SPRINGS, FL 33071

03-45-27-11-00043.0020
DARLINGTON GLORIA +
3230 NW 197TH ST
MIAMI, FL 33056

03-45-27-11-00043.0040
AHRENS MERLIN R
21 BARRISTER LN
PALM COAST, FL 32137

03-45-27-11-00043.0060
FURY GLENN
19321 TURKEY RUN LN
ALVA, FL 33920

03-45-27-11-00043.0080
GREEN HERVILLE A SR + MARJORIE
3980 NW 46TH WAY
LAUDERDALE LAKES, FL 33319

03-45-27-11-00043.0110
RFB INC
9311 SAN CARLOS BLVD
FORT MYERS, FL 33912

09-45-27-03-00012.0260

BETHANY TRACE ESTATES INC

8045 NW 155TH ST

MIAMI LAKES, FL 33016

09-45-27-03-00013.0160

BJORK LLOYD +

735 JOLY

GREENFIELD PARK, QC J4V 3E2

CANADA

09-45-27-03-00013.0180

SHIELDS JAMES A +

2465 SUDBURY AVE

OTTAWA, ON K2C 1L6

CANADA

09-45-27-03-00013.0200

ELM ROBERT J + RUBY L

4020 SUMIT WOOD DR

KENNESAW, GA 30152

09-45-27-03-00013.0220

GREULICH BARBARA L

5170 TIFFANY DR

ZANESVILLE, OH 43701

09-45-27-03-00013.0240

WALTERS ALVIN +

2291 NW 32ND TERR

FT LAUDERDALE, FL 33311

09-45-27-03-00013.0260

BOWE CHERESE

14565 NORTHLAKE BLVD

WEST PALM BEACH, FL 33412

09-45-27-03-00013.0280

LEMIEUX GERALD L SR + MARTHA J

PO BOX 191

VOLUNTOWN, CT 06384

09-45-27-03-00013.0300

BATE REYNALDO + TERESITA C

18 LA VALENCIA RD

OLD BRIDGE, NJ 08857

09-45-27-03-00013.0320

LEE JOHN R + JACQUELINE L

3794 BARGO LN

AMELIA, OH 45102

09-45-27-03-00013.0150

MEROLA LOUIS R + JOANNE M

7555 CARRIER RD

FORT MYERS, FL 33912

09-45-27-03-00013.0170

TABALLY HANI

6035 W 103RD ST APT 1-W

CHICAGO RIDGE, IL 60415

09-45-27-03-00013.0190

WORLEY STEPHEN W + SUSAN E

348 CONLIN AVE

SYCAMORE, IL 60178

09-45-27-03-00013.0210

NAWROCKI EUGENE M +

1345 ARBOR DR

LEMONT, IL 60439

09-45-27-03-00013.0230

GRIM JAMES R + LINDA

CHERRY AV APT B-5

HELLAM, PA 17401

09-45-27-03-00013.0250

DAMELIO FAUSTO

6 LACOSTA DR

NATICK, MA 01760

09-45-27-03-00013.0270

CASE AGNES MARIE PER REP

11 WIMERT AVE

WESTMINSTER, MD 21157

09-45-27-03-00013.0290

LAMB JARED W +

10 FIRESIDE CT

NORWALK, CT 06850

09-45-27-03-00013.0310

CAMPBELL MARVA M

23 GORSE ST

STRETFORD

MANCHESTER M32D OHY,

UNITED KINGDOM

10-45-27-01-00001.0010

BALINAKOS MICHAEL + JOSEPHINE

80 VAN CORTLANDT PARK S

APT 7A/54

BRONX, NY 10463

09-45-27-00-00005.0000

BETHANY TRACE ESTATES INC
8045 NW 155TH ST
MIAMI LAKES, FL 33016

09-45-27-03-00011.0180

ROBERTSON JOHNNY + JUNE
3342 NW 70TH ST
MARGATE, FL 33063

09-45-27-03-00011.0200

SITEMAN HARVEY + JULIA
360 CHARWOOD AV S
LEHIGH ACRES, FL 33936

09-45-27-03-00012.0120

HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

09-45-27-03-00012.0140

DEWITT GREG +
11840 IMPERIAL PINES WAY
BONITA SPRINGS, FL 34135

09-45-27-03-00012.0160

SEYMOUR GORDON H + MARJORIE A
108 SALTER CRESCENT
KANATA, ON K2K 1Y7
CANADA

09-45-27-03-00012.0180

HAYS RAYMOND H + F ELAINE
RR 2 BOX 183
ALEXIS, IL 61412

09-45-27-03-00012.0200

WOODMAN P +
19 SOUTHFIELD DR
BARTON SEAGRAVE
KETTERING NORTHANTS,
UNITED KINGDOM

09-45-27-03-00012.0220

URBANOWICZ JAMES A 1/4 INT +
5665 N WALNUT ST
MACUNGIE, PA 18062

09-45-27-03-00012.0240

ALLEN JULIE +
104 DAINA CIR
LEHIGH ACRES, FL 33972

09-45-27-03-0000A.0000

BETHANY TRACE ESTATES INC
8045 NW 155TH ST
MIAMI LAKES, FL 33016

09-45-27-03-00011.0190

ROBERTSON JOHNNY + JUNE
3342 NW 70TH AVE
MARGATE, FL 33063

09-45-27-03-00011.0210

BETHANY TRACE ESTATES INC
8045 NW 155TH ST
MIAMI LAKES, FL 33016

09-45-27-03-00012.0130

SCOTT RICHARD
36 5TH ST
BONITA SPRINGS, FL 34134

09-45-27-03-00012.0150

LANN MARK
13386 SW 128TH ST
MIAMI, FL 33186

09-45-27-03-00012.0170

LOTTE GUY +
2222 ONTARIO E
MONTREAL, QC H2K 1V8
CANADA

09-45-27-03-00012.0190

NATIONAL RECREATIONAL
9 GOODYEAR
IRVINE, CA 92618

09-45-27-03-00012.0210

TURNER DELAMAR JR +
RR 2 BOX 2606
TOWNSEND, GA 31331

09-45-27-03-00012.0230

JOHNSON VIRGINIA M
1014 MONROE DR
LEHIGH ACRES, FL 33936

09-45-27-03-00012.0250

SANKEY H WILLIAM + SHIRLEY A
375 S 8TH ST
SHARPSVILLE, PA 16150

10-45-27-01-00001.0020
JAMES ERROL W + MONICA L
109 SUMMERGLOW CT
CARY, NC 27513

10-45-27-01-00002.0020
JONES FRANKIE M
5260 28TH AV SW
NAPLES, FL 34116

10-45-27-01-00002.0040
GRUCA E J + GERTRUDE L
4733 CRABTREE LN
PLAINFIELD, IN 46168

10-45-27-01-00002.0060
AILANT JAMES R
1303 SUNRISE DR
NORTH FORT MYERS, FL 33917

10-45-27-01-00002.0080
FORRESTER ALMAN PATRICK +
16611 77TH LN N
LOXAHATCHEE, FL 33470

10-45-27-01-00002.0100
NATIONAL RECREATIONAL
9 GOODYEAR
IRVINE, CA 92618

10-45-27-01-00002.0120
FOSTER ROBERTA G
3551 W 14TH ST
INDIANAPOLIS, IN 46222

10-45-27-01-00002.0140
CAPITAL INTERNATIONAL INC
395 ALBAMBRA CIR
CORAL GABLES, FL 33134

10-45-27-01-00002.0160
MONIZ RONALD M + MARY ANNE
22 SAKONNET TRAIL
LITTLE COMPTON, RI 02837

10-45-27-01-00003.0020
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00002.0010
JONES FRANKIE M
300 LABREE AVE S
LEHIGH ACRES, FL 33936

10-45-27-01-00002.0030
GONZALEZ MIGUEL + MARTINA
4429 BESSIE AV
FORT MYERS, FL 33905

10-45-27-01-00002.0050
CRAY SCOTT D +
1428 BRANDYWINE
FORT MYERS, FL 33919

10-45-27-01-00002.0070
PRICE CLIFFORD +
19100 NW MIAMI CT
MIAMI, FL 33169

10-45-27-01-00002.0090
DAIMER BARBARA
MEISENSTRASSE 6
85356 FREISING,
GERMANY

10-45-27-01-00002.0110
GREENE CATHERINE
3119 CRABTREE LN
PLAINFIELD, IN 46168

10-45-27-01-00002.0130
PHISTER THOMAS J
1526 MEDFORD PL
LEHIGH ACRES, FL 33936

10-45-27-01-00002.0150
NATIONAL RECREATIONAL
9 GOODYEAR
IRVINE, CA 92618

10-45-27-01-00003.0010
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0030
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0040
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0060
FRENCH J RUSSELL 111 +
725 CAMPGROUND RD
EASTHAM, MA 02642

10-45-27-01-00003.0080
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

10-45-27-01-00003.0100
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

10-45-27-01-00003.0120
ROSS ANTHONY T +
704 DUBARRY AVE S
LEHIGH ACRES, FL 33936

10-45-27-01-00003.0140
WAHLIG JAMES W
C/O ALICE M MENON
27 LACKEY ST
WESTBOROUGH, MA 01581

10-45-27-01-00003.0160
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

10-45-27-01-00003.0180
ZORSE CHARLES + MADELINE
80 OLD HOLLOW RD
SHORT HILLS, NJ 07078

10-45-27-01-00003.0200
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0220
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0050
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0070
MEROLA LOUIS R + JOANNE M
7555 CARRIER RD
FORT MYERS, FL 33912

10-45-27-01-00003.0090
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

10-45-27-01-00003.0110
RICHARDS KENT
RR 2 BOX 25A
SHELBURN, IN 47879

10-45-27-01-00003.0130
MCNULTY DELORES M-DECD
C/O KEVIN MCNULTY EXEC
431 RAYMOND AV #5
SANTA MONICA, CA 90405

10-45-27-01-00003.0150
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

10-45-27-01-00003.0170
ZORSE CHARLES + MADELINE
80 OLD HOLLOW RD
SHORT HILLS, NJ 07078

10-45-27-01-00003.0190
ZORSE CHARLES + MADELINE
80 OLD HOLLOW RD
SHORT HILLS, NJ 07078

10-45-27-01-00003.0210
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0230
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

Robert Anderson
Lehigh Acres Watchdog Inc.
PO Box 1778
Lehigh Acres, FL 33970

Ms. Shellie Johnson
Barraco & Associates, Inc.
2271 McGregor Boulevard
Fort Myers, FL 33901

10-45-27-05-00025.0010
HIRSCH MAE M
2628 SW 78TH AV
MIAMI, FL 33155

10-45-27-05-00026.0010
TORRES JOSEPH + BAGRIELA
58 OAKRIDGE DR
TAUTON, MA 02780

10-45-27-05-00027.0010
JONES FRANKIE MAE
300 LABREE AVE S
LEHIGH ACRES, FL 33936

10-45-27-05-00027.0030
LENARD JOAN
1520 DOCK PL
POINT PLEASANT, NJ 08742

10-45-27-05-00028.0010
FIDATI NINA
157 MAIN ST # A
LITTLE FALLS, NJ 07426

Jim Fleming, Chair
Lehigh Acres Community Planning Assoc.
536 Whispering Wind Bend
Lehigh Acres, FL 33936

Watermen at Sunrise 80 LLC
8045 NW 155 Street
Miami Lakes, FL 33016

10-45-27-05-00025.0020
OLOUGHLIN DAVID P SR
5631 N WINGSTON PARK BLVD #201
COCONUT CREEK, FL 33073

10-45-27-05-00026.0020
DAROCHA FRANCIS A + LUCHIA F
89 OAKRIDGE DR
TAUTON, MA 02780

10-45-27-05.00027.0020
MALENFANT SHARRON
BOX L7 RR S
TILBURY, ON NOP 2LO
CANADA

10-45-27-05-00027.0040
HLADKY WALTER W ET AL
9 ERIE CT
JERICHO, NY 11753



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

August 29, 2005

479-8585

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yeager
County Attorney

Diana M. Parker
County Hearing
Examiner

MS. SHELLIE JOHNSON
BARRACO & ASSOCIATES, INC.
2271 MCGREGOR BLVD.
FT MYERS, FL 33901

RE: Agenda Schedule for WHISPERING LAKES II
Case No. DCI2005-00007

Dear MS. SHELLIE JOHNSON :

Your zoning request has been scheduled before the Hearing Examiner on Wednesday, September 28, 2005, at 10:00 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 Wednesday, August 31, 2005, at the second floor reception desk at 1500 Monroe St., Ft. Myers, FL. If you would like to pick them up at the drive-thru window, please call 479-8585 to make the appropriate arrangements. This sign must be posted in accordance with Department procedures no later than Tuesday, September 13, 2005, and is to remain posted until final decision is rendered.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Jamie Princing
Administrative Assistant

cc: WATERMEN AT SUNRISE 80, LLC
WATERMEN AT SUNRISE 80, LLC
Fred Drovdic, Senior Planner
Zoning File

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
ZONING DIVISION

DATE: August 23, 2005

TO: Adjacent Property Owners

FROM: Luisa Villa
Zoning Division

RE: DCI2005-00007 Whispering Lakes

The above referenced case was continued and will not be heard on August 31, 2005. This case has been continued to September 28, 2005 at 10:00 a.m. The public hearing will be held in the Hearing Examiner's Meeting Room, 1500 Monroe Street, Fort Myers, FL 33901. A formal notice will be sent to Adjacent Property Owners several weeks before this hearing is to take place. This notice will inform you of the finalized time frame and location of the hearing. Should you have any questions, please call the planner, Fred Drovdlc at 479-8585.

03-45-27-07-00025.0230
HOWARD PAUL D
737 DUNLIETH CT
STONE MOUNTAIN, GA 30083

03-45-27-07-00025.0240
GLASSEL JOSHUA AARON
8424-A SANTA MONICA BLVD #177
LOS ANGELES, CA 90069

03-45-27-07-00025.0250
SUTTON JILL DOLORES E
C/O JILL BOTWINICK
10 HERITAGE LN
FORDS, NJ 08863

03-45-27-07-00025.0260
LABIAK ALLEN P + ROSE E
71830 CAMPGROUND RD
ROMEO, MI 48065

03-45-27-07-00025.0270
AMERICAN HERITAGE BUILDERS INC
PO BOX 111
LEHIGH ACRES, FL 33970

03-45-27-07-00026.0050
GARELLEK SUSAN R
6075 NW 32ND CT
BOCA RATON, FL 33496

03-45-27-07-00026.0060
DARLINGTON CHRISTOPHER +
3230 NW 197TH ST
MIAMI, FL 33056

03-45-27-07-00026.0070
MCDONALD DEANAH M
3381 NW 32ND ST
LAUDERDALE LAKES, FL 33309

03-45-27-07-00026.0080
GREEN J A JR TR +
811 BOSE CT
MT PLEASANT, SC 29464

03-45-27-07-00026.0090
MCKINNEY J B + HELLEN M
290 HORIZON DR
WHITE LAKE, MI 48386

03-45-27-07-00026.0100
AUGUSTIN JOSEF
843 SENTINELE BLVD
LEHIGH ACRES, FL 33936

03-45-27-11-00041.0010
KOLE FRANCIS XAVIER SR +
7 MIZZEN DR
BARNEGAT, NJ 08005

03-45-27-11-00041.0020
DEFREITAS GILMA V +
1100 ATLANTIC AVE #B6
ASBURY PARK, NJ 07712

03-45-27-11-00041.0030
SUNRISE COASTAL PROPERTIES INC
P O BOX 231163
OLD VILLAGE STATION
GREAT NECK, NY 11023

03-45-27-11-00041.0040
CASTLE NANNIE F
8100 WENDAMOOD DR UT#5
LOUISVILLE, KY 40228

03-45-27-11-00041.0050
HOLL HEINZ
PO BOX 1263
DANBURY, CT 06813

03-45-27-11-00041.0060
SAADA ABE
1621 SOUTH 21ST AVE
HOLLYWOOD, FL 33020

03-45-27-11-00041.0070
YBINAS RITO + GEORGIA
617 LAKE AVE
LEHIGH ACRES, FL 33972

03-45-27-11-00041.0080
UBINAS RITO + GEORGIA
617 LAKE AV
LEHIGH ACRES, FL 33972

03-45-27-11-00041.0090
MAXSON MARVIN G + EUNICE A
365 CONRAD DR
ROCHESTER, NY 14616

03-45-27-11-00041.0100
HOLL HEINZ
PO BOX 1263
DANBURY, CT 06813

03-45-27-11-00041.0120
HAMMOND C & JEAN E
415 47TH ST NW
CANTON, OH 44709

03-45-27-11-00041.0140
MCCARTHY LINDA INGRAM
4775 NW 6TH ST
PLANTATION, FL 33317

03-45-27-11-00042.0010
AUSTIN GARY R
13555 EAGLE RIDGE DR #922
FORT MYERS, FL 33912

03-45-27-11-00042.0170
WAGNER JOHN H + CECILIA
712 LAUREL LANE BEN OAKS
SERERNA PARK, MD 21146

03-45-27-11-00043.0010
CALLAHAN THERESA J +
314 NEW SALEM DR
SAINT LOUIS, MO 63141

03-45-27-11-00043.0030
POWMESAMY RUKHOMANI
5000 70TH AV
DAVIE, FL 33314

03-45-27-11-00043.0050
GALINDO CARLOS +
77 LOGAN ST #1
BROOKLYN, NY 11208

03-45-27-11-00043.0070
FABRICO V J + JOSEPHINE
566 PINEHURST COVE
KISSIMMEE, FL 34758

03-45-27-11-00043.0090
DANGELO ANTHONY J + MARY L
2540 SHELBY PKWY
CAPE CORAL, FL 33904



03-45-27-11-00041.0110
DESORTE JOHN A + DENISE
5541 AV D
BOKEELIA, FL 33922

03-45-27-11-00041.0130
CAHOON R J + PHYLLIS
10017 HIDDEN MEADOWS PL
FORT WAYNE, IN 46825

03-45-27-11-00041.0150
PONDICCIO JAMES V + MARY D
9 ROSA DR
WHITE PLAINS, NY 10607

03-45-27-11-00042.0020
MCCARTHY HELEN E
809-91ST ST #B
N BERHEN, NJ 07047

03-45-27-11-00042.0180
DAWSON PAULINE L
12685 NW 10TH ST
CORAL SPRINGS, FL 33071

03-45-27-11-00043.0020
DARLINGTON GLORIA +
3230 NW 197TH ST
MIAMI, FL 33056

03-45-27-11-00043.0040
AHRENS MERLIN R
21 BARRISTER LN
PALM COAST, FL 32137

03-45-27-11-00043.0060
FURY GLENN
19321 TURKEY RUN LN
ALVA, FL 33920

03-45-27-11-00043.0080
GREEN HERVILLE A SR + MARJORIE
3980 NW 46TH WAY
LAUDERDALE LAKES, FL 33319

03-45-27-11-00043.0110
RFB INC
9311 SAN CARLOS BLVD
FORT MYERS, FL 33912





03-45-27-11-00043.0120
SOTO ROLANDO +
4410 MACNISH ST #5 E
ELMHURST, NY 11373

03-45-27-11-00043.0140
DISTEFANO LOUIS + JOSEPHINE
64-02 217TH ST
BAYSIDE, NY 11364

03-45-27-11-00043.0160
WERNER GARRY MARC + CAROLANN
59 LAWRENCE ST
NEW HYDE PARK, NY 11040

03-45-27-11-00043.0180
NATIONAL RECREATIONAL
9 GOODYEAR
IRVINE, CA 92618

03-45-27-11-00046.0020
BATES ROBERT C + HELEN
14444 WOODLAWN RD
P O BOX 162
NEWBURY, OH 44065

04-45-27-00-00010.0000
BETHANY TRACE ESTATES INC
8045 NW 155TH ST
MIAMI LAKES, FL 33016

04-45-27-08-0000E.0220
WHITE ALONZO JR
474 SOCIETY RD
MCCELLANVILLE, SC 29458

04-45-27-08-0000E.0240
LEWIS LENNOX P + SIELINA M
231 EAGLESMERE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000E.0260
BROWN ALICE A J/T+
235 EAGLESMERE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000G.0050
GOSWICK ELTON + ELEANOR
226 EAGLESMERE DR
LEHIGH ACRES, FL 33936

03-45-27-11-00043.0130
GRAHAM DAVID P + CARMEN S
320 W SURREY AVE
PHOENIX, AZ 85029

03-45-27-11-00043.0150
WERNER GARRY MARC + CAROLANN
59 LAWRENCE ST
NEW HYDE PARK, NY 11040

03-45-27-11-00043.0170
MOONEY MARILYN L
14504 W 68TH ST
SHAWNEE, KS 66216

03-45-27-11-00046.0010
YAU KIN HANG +
11865 NW 78TH PL
PARKLAND, FL 33076

04-45-27-00-00008.0000
SW FLORIDA LAND SEVEN LLC
6150 DIAMOND CENTRE COURT
BLDG 1300
FORT MYERS, FL 33936

04-45-27-08-0000E.0210
HOPKINSON OSWALD + DEPHNE
225 EAGLESMERE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000E.0230
WELLS SHEREE B
229 EAGLESMERE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000E.0250
HARTWIG SUSAN
233 EAGLESMERE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000G.0040
BURDA JAMES T +
234 EAGLESMORE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000G.0060
FELIX GERZEL
224 EAGLES MERE DR
LEHIGH ACRES, FL 33936

09-45-27-00-00005.0000

BETHANY TRACE ESTATES INC
8045 NW 155TH ST
MIAMI LAKES, FL 33016

09-45-27-03-0000A.0000

BETHANY TRACE ESTATES INC
8045 NW 155TH ST
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09-45-27-03-00011.0180

ROBERTSON JOHNNY + JUNE
3342 NW 70TH ST
MARGATE, FL 33063

09-45-27-03-00011.0190

ROBERTSON JOHNNY + JUNE
3342 NW 70TH AVE
MARGATE, FL 33063

09-45-27-03-00011.0200

SITEMAN HARVEY + JULIA
360 CHARWOOD AV S
LEHIGH ACRES, FL 33936

09-45-27-03-00011.0210

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8045 NW 155TH ST
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SCOTT RICHARD
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BONITA SPRINGS, FL 34134

09-45-27-03-00012.0140

DEWITT GREG +
11840 IMPERIAL PINES WAY
BONITA SPRINGS, FL 34135

09-45-27-03-00012.0150

LANN MARK
13386 SW 128TH ST
MIAMI, FL 33186

09-45-27-03-00012.0160

SEYMOUR GORDON H + MARJORIE A
108 SALTER CRESCENT
KANATA, ON K2K 1Y7
CANADA

09-45-27-03-00012.0170

LOTTE GUY +
2222 ONTARIO E
MONTREAL, QC H2K 1V8
CANADA

09-45-27-03-00012.0180

HAYS RAYMOND H + F ELAINE
RR 2 BOX 183
ALEXIS, IL 61412

09-45-27-03-00012.0190

NATIONAL RECREATIONAL
9 GOODYEAR
IRVINE, CA 92618

09-45-27-03-00012.0200

WOODMAN P +
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BARTON SEAGRAVE
KETTERING NORTHANTS,
UNITED KINGDOM

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TURNER DELAMAR JR +
RR 2 BOX 2606
TOWNSEND, GA 31331

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URBANOWICZ JAMES A 1/4 INT +
5665 N WALNUT ST
MACUNGIE, PA 18062

09-45-27-03-00012.0230

JOHNSON VIRGINIA M
1014 MONROE DR
LEHIGH ACRES, FL 33936

09-45-27-03-00012.0240

ALLEN JULIE +
104 DAINA CIR
LEHIGH ACRES, FL 33972

09-45-27-03-00012.0250

SANKEY H WILLIAM + SHIRLEY A
375 S 8TH ST
SHARPSVILLE, PA 16150



09-45-27-03-00012.0260
BETHANY TRACE ESTATES INC
8045 NW 155TH ST
MIAMI LAKES, FL 33016

09-45-27-03-00013.0150
MEROLA LOUIS R + JOANNE M
7555 CARRIER RD
FORT MYERS, FL 33912

09-45-27-03-00013.0160
BJORK LLOYD +
735 JOLY
GREENFIELD PARK, QC J4V 3E2
CANADA

09-45-27-03-00013.0170
TABALLY HANI
6035 W 103RD ST APT 1-W
CHICAGO RIDGE, IL 60415

09-45-27-03-00013.0180
SHIELDS JAMES A +
2465 SUDBURY AVE
OTTAWA, ON K2C 1L6
CANADA

09-45-27-03-00013.0190
WORLEY STEPHEN W + SUSAN E
348 CONLIN AVE
SYCAMORE, IL 60178

09-45-27-03-00013.0200
ELM ROBERT J + RUBY L
4020 SUMIT WOOD DR
KENNESAW, GA 30152

09-45-27-03-00013.0210
NAWROCKI EUGENE M +
1345 ARBOR DR
LEMONT, IL 60439

09-45-27-03-00013.0220
GREULICH BARBARA L
5170 TIFFANY DR
ZANESVILLE, OH 43701

09-45-27-03-00013.0230
GRIM JAMES R + LINDA
CHERRY AV APT B-5
HELLAM, PA 17401

09-45-27-03-00013.0240
WALTERS ALVIN +
2291 NW 32ND TERR
FT LAUDERDALE, FL 33311

09-45-27-03-00013.0250
DAMELIO FAUSTO
6 LACOSTA DR
NATICK, MA 01760

09-45-27-03-00013.0260
BOWE CHERESE
14565 NORTHLAKE BLVD
WEST PALM BEACH, FL 33412

09-45-27-03-00013.0270
CASE AGNES MARIE PER REP
11 WIMERT AVE
WESTMINSTER, MD 21157

09-45-27-03-00013.0280
LEMIEUX GERALD L SR + MARTHA J
PO BOX 191
VOLUNTOWN, CT 06384

09-45-27-03-00013.0290
LAMB JARED W +
10 FIRESIDE CT
NORWALK, CT 06850

09-45-27-03-00013.0300
BATE REYNALDO + TERESITA C
18 LA VALENCIA RD
OLD BRIDGE, NJ 08857

09-45-27-03-00013.0310
CAMPBELL MARVA M
23 GORSE ST
STRETTFORD
MANCHESTER M32D OHY,
UNITED KINGDOM

09-45-27-03-00013.0320
LEE JOHN R + JACQUELINE L
3794 BARGO LN
AMELIA, OH 45102

10-45-27-01-00001.0010
BALINAKOS MICHAEL + JOSEPHINE
80 VAN CORTLANDT PARK S
APT 7A/54
BRONX, NY 10463

10-45-27-01-00001.0020
JAMES ERROL W + MONICA L
109 SUMMERGLOW CT
CARY, NC 27513

10-45-27-01-00002.0020
JONES FRANKIE M
5260 28TH AV SW
NAPLES, FL 34116

10-45-27-01-00002.0040
GRUCA E J + GERTRUDE L
4733 CRABTREE LN
PLAINFIELD, IN 46168

10-45-27-01-00002.0060
AILANT JAMES R
1303 SUNRISE DR
NORTH FORT MYERS, FL 33917

10-45-27-01-00002.0080
FORRESTER ALMAN PATRICK +
16611 77TH LN N
LOXAHATCHEE, FL 33470

10-45-27-01-00002.0100
NATIONAL RECREATIONAL
9 GOODYEAR
IRVINE, CA 92618

10-45-27-01-00002.0120
FOSTER ROBERTA G
3551 W 14TH ST
INDIANAPOLIS, IN 46222

10-45-27-01-00002.0140
CAPITAL INTERNATIONAL INC
395 ALBAMBRA CIR
CORAL GABLES, FL 33134

10-45-27-01-00002.0160
MONIZ RONALD M + MARY ANNE
22 SAKONNET TRAIL
LITTLE COMPTON, RI 02837

10-45-27-01-00003.0020
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00002.0010
JONES FRANKIE M
300 LABREE AVE S
LEHIGH ACRES, FL 33936

10-45-27-01-00002.0030
GONZALEZ MIGUEL + MARTINA
4429 BESSIE AV
FORT MYERS, FL 33905

10-45-27-01-00002.0050
CRAY SCOTT D +
1428 BRANDYWINE
FORT MYERS, FL 33919

10-45-27-01-00002.0070
PRICE CLIFFORD +
19100 NW MIAMI CT
MIAMI, FL 33169

10-45-27-01-00002.0090
DAIMER BARBARA
MEISENSTRASSE 6
85356 FREISING,
GERMANY

10-45-27-01-00002.0110
GREENE CATHERINE
3119 CRABTREE LN
PLAINFIELD, IN 46168

10-45-27-01-00002.0130
PHISTER THOMAS J
1526 MEDFORD PL
LEHIGH ACRES, FL 33936

10-45-27-01-00002.0150
NATIONAL RECREATIONAL
9 GOODYEAR
IRVINE, CA 92618

10-45-27-01-00003.0010
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0030
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0040
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0060
FRENCH J RUSSELL 111 +
725 CAMPGROUND RD
EASTHAM, MA 02642

10-45-27-01-00003.0080
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

10-45-27-01-00003.0100
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

10-45-27-01-00003.0120
ROSS ANTHONY T +
704 DUBARRY AVE S
LEHIGH ACRES, FL 33936

10-45-27-01-00003.0140
WAHLIG JAMES W
C/O ALICE M MENON
27 LACKEY ST
WESTBOROUGH, MA 01581

10-45-27-01-00003.0160
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

10-45-27-01-00003.0180
ZORSE CHARLES + MADELINE
80 OLD HOLLOW RD
SHORT HILLS, NJ 07078

10-45-27-01-00003.0200
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0220
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0050
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0070
MEROLA LOUIS R + JOANNE M
7555 CARRIER RD
FORT MYERS, FL 33912

10-45-27-01-00003.0090
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

10-45-27-01-00003.0110
RICHARDS KENT
RR 2 BOX 25A
SHELBURN, IN 47879

10-45-27-01-00003.0130
MCNULTY DELORES M-DECD
C/O KEVIN MCNULTY EXEC
431 RAYMOND AV #5
SANTA MONICA, CA 90405

10-45-27-01-00003.0150
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

10-45-27-01-00003.0170
ZORSE CHARLES + MADELINE
80 OLD HOLLOW RD
SHORT HILLS, NJ 07078

10-45-27-01-00003.0190
ZORSE CHARLES + MADELINE
80 OLD HOLLOW RD
SHORT HILLS, NJ 07078

10-45-27-01-00003.0210
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0230
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904



Robert Anderson
Lehigh Acres Watchdog Inc.
PO Box 1778
Lehigh Acres, FL 33970

Jim Fleming, Chair
Lehigh Acres Community Planning Assoc.
536 Whispering Wind Bend
Lehigh Acres, FL 33936

Ms. Shellie Johnson
Barraco & Associates, Inc.
2271 McGregor Boulevard
Fort Myers, FL 33901

Watermen at Sunrise 80 LLC
8045 NW 155 Street
Miami Lakes, FL 33016

10-45-27-05-00025.0010
HIRSCH MAE M
2628 SW 78TH AV
MIAMI, FL 33155

10-45-27-05-00025.0020
OLOUGHLIN DAVID P SR
5631 N WINSGTON PARK BLVD #201
COCONUT CREEK, FL 33073

10-45-27-05-00026.0010
TORRES JOSEPH + BAGRIELA
58 OAKRIDGE DR
TAUTON, MA 02780

10-45-27-05-00026.0020
DAROCHA FRANCIS A + LUCHIA F
89 OAKRIDGE DR
TAUTON, MA 02780

10-45-27-05-00027.0010
JONES FRANKIE MAE
300 LABREE AVE S
LEHIGH ACRES, FL 33936

10-45-27-05.00027.0020
MALENFANT SHARRON
BOX L7 RR S
TILBURY, ON NOP 2LO
CANADA

10-45-27-05-00027.0030
LENARD JOAN
1520 DOCK PL
POINT PLEASANT, NJ 08742

10-45-27-05-00027.0040
HLADKY WALTER W ET AL
9 ERIE CT
JERICHO, NY 11753

10-45-27-05-00028.0010
FIDATI NINA
157 MAIN ST # A
LITTLE FALLS, NJ 07426





LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

July 29, 2005

479-8585

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Tammy Hall
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yeager
County Attorney

Diana M. Parker
County Hearing
Examiner

MS. SHELLIE JOHNSON, AICP
BARRACO & ASSOCIATES, INC.
2271 MCGREGOR BLVD.
FT MYERS, FL 33901

RE: Agenda Schedule for WHISPERING LAKES
Case No. DCI2005-00007

Dear MS. SHELLIE JOHNSON, AICP :

Your zoning request has been scheduled before the Hearing Examiner on Wednesday, August 31, 2005, at 9:00 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 Wednesday, August 3, 2005, at the second floor reception desk at 1500 Monroe St., Ft. Myers, FL. If you would like to pick them up at the drive-thru window, please call 479-8585 to make the appropriate arrangements. This sign must be posted in accordance with Department procedures no later than Tuesday, August 16, 2005, and is to remain posted until final decision is rendered.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Luisa V Villa
Administrative Assistant

cc: WATERMEN AT SUNRISE 80, LLC
WATERMEN AT SUNRISE 80, LLC
Fred Drovdic, Senior Planner
Zoning File

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
Dawn Lehnert, Asst County Attorney

FROM: Jeff E. Laurien

DATE: 07/13/2005

PROJECT NAME: BETHANY PLACE

CASE #: DCI2005-00007

INFORMATION SUMMARY:

To update your file
☒ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 07/23/2005

Additional Comments:

cc: DCI planner/working file
DCI Zone File

Distributed by: Jessica M Smith

Date: 07/14/2005

TRANSMITTAL LETTER

TO:

Mr. Jeff E. Laurien
Lee County Department of Community
Development
Zoning Division
Post Office Box 398
Fort Myers, FL 33902

FROM:

Andrea Campbell

DATE:

July 13, 2005

PROJECT NUMBER

21946

PROJECT NAME:

Whispering Lakes (a.k.a. Bethany Place)

DISTRIBUTION TO:

RE:

DCI2005-00007 Changes to Agent and Project Name

WE ARE SENDING THE FOLLOWING ITEMS VIA:

☐	STANDARD POSTAL MAIL	☒	COURIER SERVICE	☐	OTHER
☐	OVERNIGHT DELIVERY	☐	CLIENT PICK-UP AT OUR OFFICE	☐	

ITEM	COPIES	DATE	DESCRIPTION
1.	1	07-12-05	Letter of Authorization (original)
2.	13		Letter of Authorization (copies)
3.	13		Applicant/Agent Information
4.	13		Supplement D (page 1)
5.			
6.			
7.			
8.			
9.			
10.			

THESE ARE TRANSMITTED AS CHECKED BELOW:

☐	AS REQUESTED	☐	FOR BIDS DUE:	☐	RESUBMIT ____ COPIES FOR APPROVAL
☒	FOR YOUR USE	☐	APPROVED AS SUBMITTED	☐	SUBMIT ____ COPIES FOR DISTRIBUTION
☐	FOR APPROVAL	☐	APPROVED AS NOTED	☐	RETURN ____ CORRECTED PRINTS
☐	FOR REVIEW AND COMMENT	☐	RETURNED FOR CORRECTIONS	☐	ITEMS RETURNED AFTER LOAN TO US

NOTES/COMMENTS:

Per Shellie Johnson's e-mail regarding the above referenced project's name change as well as contact person.

DCI 2005-00007

RECEIVED
JUL 13 2005
PERMIT COUNTER

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution

FROM: Jeff E. Laurien

DATE: 06/09/2005

Dawn Lehnert, Asst County Attorney
DS Reviewer - Susan Hollingsworth
TIS Reviewer - Bob Rentz
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Tina Silcox, Lee County School District
Brad Vance, Natural Resources
Luis Machado, Zoning

PROJECT NAME: BETHANY PLACE

CASE #: DCI2005-00007

INFORMATION SUMMARY:

To update your file
X Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: **6/23/2005**

Additional Comments:

cc: DCI planner/working file
DCI Zone File

Distributed by: Jamie Princing

Date: 06/09/2005



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 479-8336

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

June 8, 2005

MR. STEPHEN SPOSATO
2271 MCGREGOR BLVD
FT MYERS, FL 33901

Re: **BETHANY PLACE**
DCI2005-00007 - PDS Application (Minor PD)

Dear MR. STEPHEN SPOSATO :

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:

Request is to rezone 79.21+/- acres from Agricultural (AG-2), to Residential Planned Development (RPD), to permit a maximum of 298 single-family lots, with a maximum height of 35 feet. No blasting is proposed.

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 June 22, 2005 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 31, 2005. 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. STEPHEN SPOSATO
RE: BETHANY PLACE
DCI2005-00007
June 8, 2005
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



Jeff E. Laurien
Senior Planner

copy w/o attachments

Dawn Lehnert, Assistant County Attorney
DS Reviewer - Susan Hollingsworth
Pamela Houck, Division Director
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Brad Vance, Natural Resources
Andy Getch, LCDOT
Tina Silcox, Lee County School District
Jamie Prining, DCD Admin
DCI Zoning File
DCI Working File

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution

FROM: Jeff E. Laurien

DATE: 05/25/2005

Dawn Lehnert, Asst County Attorney
Susan Hollingsworth, DS Reviewer
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Roland Ottolini, Natural Resources

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: BETHANY PLACE

CASE #: DCI2005-00007

INFORMATION SUMMARY:

RESUBMITTAL

To update your file
☒ Review and forward sufficiency
questions or make finding of
sufficiency

RESPONSE REQUIRED BY: 06/08/2005

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness

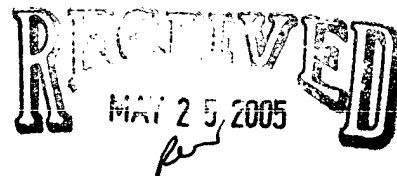
No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days 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: Luisa V Villa

Date: 05/26/2005

May 25, 2005



Mr. Jeff Laurien
Senior Planner
Lee County Department of Community Development
Zoning Division
Post Office Box 398
Fort Myers, Florida 33902

DCI 2005-00007

Re: Bethany Place
DCI2005-00007 – PDS Application Resubmittal (Minor PD)
2nd Sufficiency

Dear Mr. Laurien:

Please accept the following information in response to your May 12, 2005 correspondence regarding the above referenced project. The following responses are provided to directly correspond to your Sufficiency Questions.

Lee County Sufficiency Checklists for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning.

Comment 11

Master Concept Plan. All applications must be accompanied by a graphic illustration (Master Concept Plan) of the proposed development.

Per the previous sufficiency letter, please indicate the location of the proposed recreational facilities, private, on-site (i.e. clubhouse) along with the maximum size of the building, and required parking. The latest submittal indicated that no on-site recreational facilities were proposed. However, this is not consistent with the submitted Schedule of Uses which indicates such a use. Please revise your application accordingly.

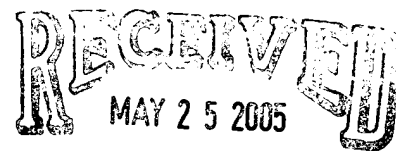
Response 11

Recreational facilities are not proposed. The Schedule of Uses and the Development Standards has been updated accordingly.

Comment 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:

Please see below.



DCI 2005-00007

Comment 12d4

Uses. The proposed use of each lot or parcel (including outparcels) keyed to the list of proposed uses submitted with the application. If the property development regulations for the specific zoning district will be used, reference to the specific district will be sufficient.

The schedule of uses still indicates the use of mining. The latest submittal indicates that this is to address the necessary trucks bringing or removing fill for the residential development. Thus, the use of mining is not necessary. This is included in the request use of excavation. Thus, please revise your schedule of uses to remove the mining use. The use of recreational facilities, on-site does not indicate personal or private, or both. Please revise accordingly. Per the previous sufficiency letter, indicate the specific temporary uses sought. The latest submittal indicated all per the LDC. However, several of those are not consistent with residential development. Thus, please indicate those specifically sought.

Response 12d4

Mining has been deleted as a permitted use. Recreational facilities, personal has been added along with specifically defined temporary uses.

Comment 12e

Development Areas. Individual development areas (i.e., residential, retail, office, manufacturing, mixed use-listed, etc.) must be identified with detail showing the following:

Please see below:

Comment 12e2

Height. The maximum height in feet and number of habitable stories, of any proposed buildings or structures. If parking under the buildings is proposed, the number of stories proposed for parking must be indicated and included in the total maximum height of the buildings.

Please revise your development regulations to include maximum heights in stories as well as the supplied feet.

Response 12e2

The maximum number of habitable stories is two and the Development Standards have been updated.

Comment 21

Miscellaneous Items.

Please submit all information necessary for current agricultural uses per LDC34-202(b)(7).

Response 21

Attached

Mr. Jeff Laurien
May 12, 2005

DCI 2005-00007

RECEIVED
MAY 25 2005

Lee County Attorney Comments
(Dawn E. Perry-Lehnert, Assistant County Attorney.)

Comment 1

Based upon a cursory review of the April 22nd resubmittal, I offer the following for your consideration.

The Ag affidavit is not sufficient. The statement must be made by the property owner and signed/sworn before a notary. The map attached to the affidavit should correctly depict the extent and type of existing Ag use. In this instance it appears appropriate to limit the grazing use to the area within the fence.

Response 1

Please see the attached as requested by the County Attorney.

If you should have any questions or require additional information, please advise.

Very truly yours,

BARRACO AND ASSOCIATES, INC.



Stephen Sposato, AICP
Senior Planner

Enclosures
SS/bs
21946

cc: Dawn E. Perry-Lehnert, Assistant County Attorney
Eddy Garcia
Russell Schropp
Ted Treesh
Ken Passarella

DEVELOPMENT STANDARDS

LAND USE	MINIMUM SETBACKS					BUILDING SEPARATION	LOT COVERAGE	MAX. HEIGHT	MINIMUM DIMENSIONS		
	ROAD (R/W)	SIDE	REAR	EDGE OF WATER					LOT WIDTH	LOT DEPTH	LOT AREA
SINGLE FAMILY	20'	7.5'	20'	25'	N/A	45%	**35'	NA	50'	130'	6500 SF
ACCESSORY STRUCTURES FOR SINGLE FAMILY *	20'	5'	5'	25'	NA	NA	NA	NA	NA	NA	NA

* ACCESSORY STRUCTURES DEFINED AS POOLS, POOL DECKS & SCREENED ENCLOSURES.

** BUILDING HEIGHT NOT TO EXCEED 2 STORIES.

DCI2005-00007

RECEIVED
MAY 25 2005

Barraco and Associates, Inc. CIVIL ENGINEERING - LAND SURVEYING LAND PLANNING - LANDSCAPE DESIGN www.barraco.net 2271 MCGREGOR BOULEVARD POST OFFICE DRAWER 2800 FORT MYERS, FLORIDA 33902-2800 PHONE (239) 461-3170 FAX (239) 461-3169 FLORIDA CERTIFICATES OF AUTHORIZATION ENGINEERING 7995 - SURVEYING LB-6940	
PREPARED FOR	
WATERMEN DEVELOPMENT GROUP CORP.	
8045 N.W. 155 STREET MIAMI LAKES, FLORIDA 33016 PHONE (305) 828-0103 FAX (305) 828-0147	
PROJECT DESCRIPTION	
BETHANY PLACE	
PART OF SECTIONS 4 TOWNSHIP 45 SOUTH RANGE 27 EAST LEHIGH ACRES LEE COUNTY, FLORIDA	
THIS PLAN IS PRELIMINARY AND INTENDED FOR CONCEPTUAL PLANNING PURPOSES ONLY. SITE LAYOUT AND LAND USE INTENSITIES OR DENSITIES MAY CHANGE SIGNIFICANTLY BASED UPON SURVEY ENVIRONMENTAL, ENGINEERING AND REGULATORY CONSTRAINTS AND / OR OPPORTUNITIES. * NOT FOR CONSTRUCTION *	
NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE © COPYRIGHT 2004, BARRACO AND ASSOCIATES, INC. REPRODUCTIONS, CHANGES OR ASSIGNMENTS ARE PROHIBITED	
FILE NAME	21946202.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21946\DWG\ZONING\
PLOT DATE	MON. 5-23-2005 - 3:34 PM
PLOT BY	ANGELICA CARLEY
DESIGN BY	
XREF1	
XREF2	
XREF3	
XREF4	
XREF5	
XREF6	
PLAN REVISIONS	
5-23-05	REMOVED AMENITY
PLAN STATUS	
DEVELOPMENT STANDARDS TABLE	
PROJECT / FILE NO.	SHEET NUMBER
21946	

DCI 2005-00007

RECEIVED
MAY 25 2005

SCHEDULE OF USES

ACCESSORY USES AND STRUCTURES
DWELLING UNIT:

SINGLE FAMILY

ENTRANCE GATES AND GATEHOUSE

ESSENTIAL SERVICES

ESSENTIAL SERVICES FACILITY | Only

EXCAVATION Retention

FENCES, WALLS

HOME OCCUPATION

MODELS:

MODEL HOME

MODEL DISPLAY CENTER

PARKING LOT:

ACCESSORY

TEMPORARY PARKING

SIGNS Accordance With Chapter 30

RECREATIONAL FACILITIES, PERSONAL

TEMPORARY:

CONSTRUCTION TRAILER

SALES CENTER

Barraco
and Associates, Inc.

CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN

www.barraco.net

2271 MCGREGOR BOULEVARD
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169

FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING T995 - SURVEYING LB-6940

PREPARED FOR

**WATERMEN
DEVELOPMENT
GROUP CORP.**

8045 N.W. 155 STREET
MIAMI LAKES, FLORIDA 33016

PHONE (305) 828-0103
FAX (305) 828-0147

PROJECT DESCRIPTION

**BETHANY
PLACE**

PART OF SECTIONS 4
TOWNSHIP 45 SOUTH
RANGE 27 EAST
LEHIGH ACRES
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
INTENDED FOR CONCEPTUAL
PLANNING PURPOSES ONLY. SITE
LAYOUT AND LAND USE INTENSITIES
OR DENSITIES MAY CHANGE
SIGNIFICANTLY BASED UPON SURVEY,
ENVIRONMENTAL, ENGINEERING AND
REGULATORY CONSTRAINTS
AND / OR OPPORTUNITIES.
* NOT FOR CONSTRUCTION *

NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE
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REPRODUCTIONS, CHANGES OR ASSIGNMENTS ARE PROHIBITED

FILE NAME	21946204.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21946\DWG\ZONING\
PLOT DATE	TUE. 5-24-2005 - 8:24 AM
PLOT BY	ANGELICA CARLEY
DESIGN BY	
XREF1	
XREF2	
XREF3	
XREF4	
XREF5	
XREF6	

PLAN REVISIONS

5-17-05	REMOVED REC. FACILITIES
5-23-05	ADDED NEW LANGUAGE

PLAN STATUS

**EXHIBIT
6-M**

**SCHEDULE
OF
USES**

PROJECT / FILE NO.	SHEET NUMBER
21946	

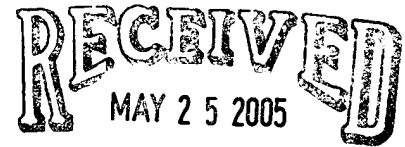
8045 N.W. 155 St.
Miami Lakes, FL 33016
Phone: 305-828-0103
Fax: 305-828-0147
e-mail: watermen@laker.net

Watermen Development Group, Corp.

May 13, 2005

To: Stephen Sposato

From: Eddy Garcia



Please attaché a copy of the boundary Survey with the affidavit. As Exhibit "A"

Thank you,

DCI 2005-00007

Eddy Garcia

DCI 2005-00007

AFFIDAVIT

RECEIVED
MAY 25 2005

STATE OF FLORIDA
COUNTY OF LEE

BEFORE ME, the undersigned authority, on this 13th day of May, 2005, duly authorized to take acknowledgment and administer oaths, personally appeared Eddy Garcia, as Managing Member of Watermen-Sunrise 80, L.L.C., who is personally known to me, who after first being duly sworn, deposes and says:

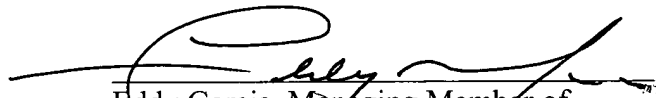
1. That I am the owner and authorized representative of the following Described property, to wit:

See attached Exhibit "A"

2. That the above described property has been zoned for bona fide Agricultural purposes and currently agricultural uses (Cattle Grazing) are taking place at The time of the Lee County Board of County Commissioners review and consideration of the rezoning of the property described on the attached Exhibit "A".

3. Affiant further states that he is familiar with the nature of an oath, and with the penalties as provided by the laws of the State aforesaid for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that he has read, or has heard read to him, the full facts of the affidavit and understands its meaning and context.

FURTHER AFFIANT SAYETH NOT.


Eddy Garcia, Managing Member of
Watermen-Sunrise 80, L.L.C.

THE FOREGOING INSTRUMENT was sworn to and subscribed before me this 13th day of May, 2005 by Eddy Garcia, as Managing Member of Watermen-Sunrise 80, L.L.C., who is personally known to me or who has produced _____ as identification.

My Commission Expires:

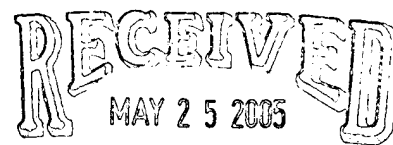


Jesika Diaz
My Commission DD311894
Expires April 20, 2008


Notary Public
Jesika Diaz
Print/Type Name of Notary
Commission No. DD311894

Jeff Laurien - Bethany Place

From: Dawn Lehnert
To: Laurien, Jeff
Date: 4/26/2005 12:19 PM
Subject: Bethany Place
CC: Houck, Pam



Good Afternoon:

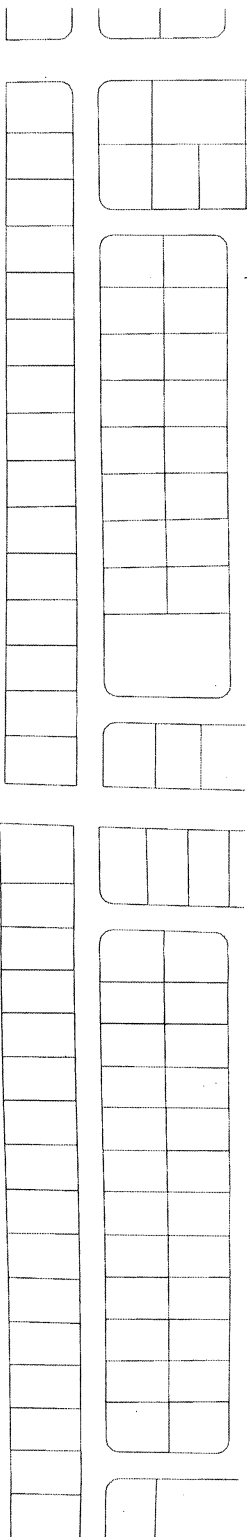
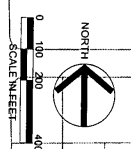
Based upon a cursory review of the April 22 resubmittal, I offer the following for your consideration.

The Ag affidavit is not legally sufficient. The statement must be made by the property owner and signed/sworn before a notary. The map attached to the affidavit should correctly depict the extent and type of existing Ag use. In this instance it appears appropriate to limit the grazing use to the area within the fence.

peace.

DCI2005-00007

Dawn E. Perry-Lehnert,
Assistant County Attorney
Lehnertd@leegov.com
239-335-2236
239-335-2606 (fax)



EXISTING BARBED
WIRE FENCE

WATERMEN - SUNRISE 80, LLC.
04-45-27-00-00008.0010
09-45-27-00-00006.0000
AGRICULTURAL USE: CATTLE GRAZING

SUBJECT
PROPERTY

DCI 2005-00007

MAY 2 5 2005

Barraco
and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LAKESIDE, FLORIDA
www.barraco.net
221 W. GORRISON BOULEVARD
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-1178
FAX (239) 461-1178
ENGINEERING 1991 - SURVEYING 1990

**WATERMEN
DEVELOPMENT
GROUP CORP.**

804 S.W. 155 STREET
MIAMI JAMES, FLORIDA 33186
PHONE (305) 858-0100
FAX (305) 858-0147

**BETHANY
PLACE
RPD**

PART OF SECTION 4
TOWNSHIP 27 NORTH
RANGE 27 EAST
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
INTENDED FOR CONCEPTUAL
PLANNING PURPOSES ONLY. SITE
LAYOUT, LOT SIZES, AND OTHER
OR DENSITIES MAY CHANGE
SIGNIFICANTLY BASED UPON SURVEY
ENVIRONMENTAL ENGINEERING AND
REGULATORY CONSIDERATIONS
AND/OR OPPORTUNITIES.
NOT FOR CONSTRUCTION.

FILE NAME: 3106-ACT-010
LAYOUT: LAYOUT
LOCATION: 3106-ACT-010
PROJECT: AMERICA COUNTRY
DESIGN BY:
XREF1:
XREF2:
XREF3:
XREF4:
XREF5:
XREF6:

PLANNING
EXHIBIT
PH-31
AGRICULTURAL
USE
MAP

PROJECT FILE NO. 21946
SHEET NUMBER
EXHIBIT PH-31



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: (239) 479-8336

Bob Jones
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

May 12, 2005

MR. STEPHEN SPOSATO
2271 MCGREGOR BLVD
FT MYERS, FL 33901

Re: BETHANY PLACE
DCI2005-00007 - PDS Application (Minor PD)

Dear MR. STEPHEN SPOSATO :

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

Jeff E. Laurien
Senior Planner

MR. STEPHEN SPOSATO
RE: BETHANY PLACE
DCI2005-00007
May 12, 2005
Page 2

cc: Pamela Houck, Division Director
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Roland Ottolini, Natural Resources
Andy Getch, LCDOT
Jamie Prining, DCD Admin
Dawn Lehnert, Assistant County Attorney
Susan Hollingsworth, Development Review
DCI Zoning File
DCI Working File

MR. STEPHEN SPOSATO
RE: BETHANY PLACE
DCI2005-00007
May 12, 2005
Page 3

5) Contact. The reviewer may be contacted regarding questions on the Development Review Sufficiency Checklist.

Susan Hollingsworth, Manager, 479-8587 x 16.

Lee County Sufficiency Checklist for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning

11) Master Concept Plan. All applications must be accompanied by a graphic illustration (Master Concept Plan) of the proposed development. [34-373(a)(6)]

Per the previous sufficiency letter, please indicate the location of the proposed recreational facilities, private, on-site (i.e. clubhouse) along with the maximum size of the building, and required parking. The latest submittal indicated that no on-site recreational facilities were proposed. However, this is not consistent with the submitted Schedule of Uses which indicates such a use. Please revise your application accordingly.

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 see below.

12d4) Uses. The proposed use of each lot or parcel (including outparcels) keyed to the list of proposed uses submitted with the application. If the property development regulations for a specific zoning district will be used, reference to the specific district will be sufficient. [34-373(a)(6)c.]

The schedule of uses still indicates the use of mining. The latest submittal indicates that this is to address the necessary trucks bringing or removing fill for the residential development. Thus, the use of mining is not necessary. This is included in the requested use of excavation. Thus, please revise your schedule of uses to remove the mining use. The use of recreational facilities, on-site, does not indicate personal or private, or both. Please revise accordingly. Per the previous sufficiency letter, please indicate the specific temporary uses sought. The latest submittal indicated all per the LDC. However, several of those are not consistent with residential development. Thus, please indicate those specifically sought.

12e) Development Areas. Individual development areas (i.e. residential, retail, office, manufacturing, mixed use-listed, etc.) must be identified with detail showing the following: [34-373(a)(6)d.]

Please see below.

MR. STEPHEN SPOSATO
RE: BETHANY PLACE
DCI2005-00007
May 12, 2005
Page 4

12e2) Height. The maximum height, in feet and number of habitable stories, of any proposed buildings or structures. If parking under the buildings is proposed, the number of stories proposed for parking must be indicated and included in the total maximum height of the buildings. [34-373(a)(6)d.ii.]

Please revise your development regulations to include maximum heights in stories as well as the supplied feet.

21) Miscellaneous Items.

Please also see comments from the County Attorney's office, attached.

Jeff Laurien - Bethany Place

From: Dawn Lehnert
To: Laurien, Jeff
Date: 4/26/2005 12:19 PM
Subject: Bethany Place
CC: Houck, Pam

Good Afternoon:

Based upon a cursory review of the April 22 resubmittal, I offer the following for your consideration.

The Ag affidavit is not legally sufficient. The statement must be made by the property owner and signed/sworn before a notary. The map attached to the affidavit should correctly depict the extent and type of existing Ag use. In this instance it appears appropriate to limit the grazing use to the area within the fence.

peace.

Dawn E. Perry-Lehnert,
Assistant County Attorney
Lehnertd@leegov.com
239-335-2236
239-335-2606 (fax)

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution

FROM: Jeff E. Laurien

DATE: 04/22/2005

Dawn Lehnert, Asst County Attorney
DS Reviewer - Susan Hollingsworth
TIS Reviewer - Bob Rentz
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Tina Silcox, Lee County School District
Roland Ottolini, Natural Resources
Luis Machado, Zoning

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: BETHANY PLACE

CASE #: DCI2005-00007

INFORMATION SUMMARY:

RESUBMITTAL

To update your file
X Review and forward sufficiency
questions or make finding of
sufficiency

RESPONSE REQUIRED BY: 05/06/2005

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

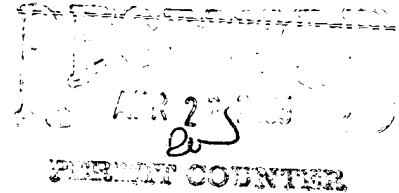
Distributed by: Jessica M Smith

Date: 04/25/2005

DCI 2005-00007

April 22, 2005

Mr. Jeff Laurien
Senior Planner
Lee County Department of Community Development
Zoning Division
Post Office Box 398
Fort Myers, Florida 33902



DCI 2005-00007

Re: Bethany Place
DCI2005-00007 – PDS Application Resubmittal (Minor PD)

Dear Mr. Laurien:

Please accept the following information in response to your February 10, 2005 correspondence regarding the above referenced project. The following responses are provided to directly correspond to your Sufficiency Questions.

Environmental Sciences Planned Development Sufficiency Checklist

- 2) Protected Species Survey. A Protected Species Survey as required by LDC Section 10-473 must be provided for large projects (as defined in LDC Chapter 10) and Major Planned Developments.**

Pending ES staff field inspection.

Acknowledged.

- 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.**

Please provide location of proposed recreational facilities. Are any structures proposed in preserve?

Recreational facilities are not being proposed.

- 12) Miscellaneous Items.**

- 1. Please delineate and label the Lake Maintenance Easements.**

Please see the updated MCP.

2. The lake in the southwest corner of the property does not appear to meet the 50' setback from adjacent properties. Is a deviation being sought?

No deviation is being sought. Please see the updated MCP.

3. Please show location of proposed recreational facilities.

Recreational facilities are not being proposed.

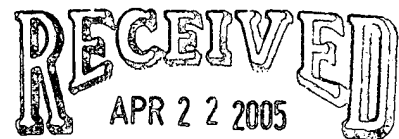
Legal Requirements Sufficiency Checklist

- 5) Applications must be presented on the official forms provided by the department, or on county-approved computer-generated forms containing the same information.

The application submitted is on an outdated application form. Please redo the application using the current application forms. These forms are on the Lee County web site (forms updated 11/15/2004. Thanks.

The application has been updated.

- 6b) Certified sketch of description.



A certified sketch of description as set out in chapter 61G 17-6.006, Florida Administrative Code, must be provided unless the subject property consists of one or more undivided platted lots in a subdivision recorded in the Official County Plat Books.

As per the above-referenced LDC requirement, please provide Staff with a Certified Sketch of Description to accompany the legal description document.

The certified sketch is attached.

- 6c3) If the property encompasses 10 or more acres the survey must be tied to the state plan coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment).

As per the above-referenced LDC requirement, tie and display at least (2) coordinates on two opposing corners on Survey. "The county prefers that at least one of the coordinates be for the point of beginning". Thanks.

Please see the updated boundary survey.

DCI 2005-00007

7) **Miscellaneous Items.**

Note: "Sufficiency or non-applicability of Legal Requirements subject to change upon review of subsequent re-submittals."

Acknowledged.

LCDOT Sufficiency Checklist

1) **Sufficiency Comments.**

1. **The Master Concept Plan shows two project's entrances for eh project and only one project and only one project entrance was studied in the Traffic Impact Statement (TIS).**

Please see the updated TIS prepared by Metro Transportation.

T.I.S. Checklist

- 3) **Site Plan. The TIS must contain a drawing showing the project's proposed access point(s) and location of all other access point(s) on both sides of all streets being accessed within 660 feet for project entrances on arterial streets, within 330 feet for project entrances on collector streets, & within 125 feet for project entrances on local streets.**

See Lee County D.O.T. comment regarding site access.

Please see the updated TIS.

RECEIVED
APR 22 2005

Development Review Checklist

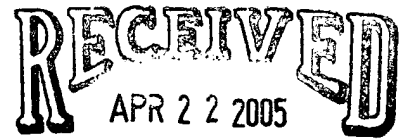
- 1.) **General Design Standards. The development has access to existing or proposed roads in accordance with LDC Chapter 10 and as specified in THE LEE PLAN traffic circulation element or the Official Trafficways Map.**

Is there written approval from the property authority for the canal crossings?

Please see the attached letter from the East County Water Control District. We understand that any recommendation for approval will include a stipulation that the project will be brought into the East County Water Control District.

- 2) **Deviations. The application must include a schedule of deviations including detail drawings and written justifications.**

DCT 2005-00007



No deviations are requested, however, the site plan is so vague it cannot be determined of intersection separation will be met internally. Has this been looked into?

Yes, the intersection separation is being met and deviations are not being sought.

Lee County Sufficiency Checklists for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning.

- 9f) Easements/Rights-of-Ways.** A map showing the exact location of existing easements and rights-of-way. The boundary sketch or Master Concept Plan may substitute for this map if the information is contained therein.

Please indicate this information on the Master Concept Plan and boundary survey. If there are none, please indicate as such.

The right-of-way easement has been added to the updated boundary survey.

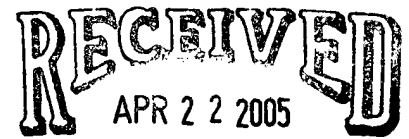
- 10) Lee Plan Compliance Narrative.** A narrative explanation as to how the proposed development complies with the Lee Plan, as well as the guidelines for decision-making embodied in sections 34-145(c)(2)a, and e., and 34-145(d)(3).

Please explain how access across the canal to the south and into the existing subdivision the he south is to be accomplished (i.e. all necessary agreements, etc.).

A private road that serves as a secondary access is proposed as shown on the MCP to cross the canal and provide an interconnect with adjacent project to the east (Bethany Place RPD). This private road will also intersect with Charwood Avenue, which is maintained by Lee County. Please see the attached letter from the East County Water Control District.

- 11) Master Concept Plan.** All applications must be accompanied by a graphic illustration (Master Concept Plan) of the proposed development.

Please revise the MCP, and submit the necessary full-size and reduced copies with the following revisions: please indicate the full extent of all internal roads, and how they will terminate if they are not through roads (i.e. cul-de-sac, etc.). Please indicate the location of the proposed recreational facilities, private, on-site (i.e. clubhouse) along with the maximum size of the building, and required parking. Please clearly label all surrounding zonings and land uses (i.e. canals, etc.). Please indicate the number and location of all models on the MCP, and include their hours of operation in a separate written document. Please remove note 1, from the MCO. This note could create confusion as to what can, or cannot be,



modified without a public hearing. Any modifications to the MCP will be reviewed in accordance with the land Development Code. Please clearly depict all on-site drainage (i.e. detention areas).

Please see the updated MCP. Please also note that on-site recreational facilities are not being proposed. A separate statement regarding hours of operation for the model center is attached.

- 12) Scale of Plans/Required Information. The Master Concept Plan must be clearly legible and drawn at a scale sufficiency to adequately show and identify the following information:**

Please see below:

- 12d4) Uses. The proposed use of each lot or parcel (including outparcels) keyed to the list of proposed uses submitted with the application. If the property development regulations for the specific zoning district will be used, reference to the specific district will be sufficient.**

Please explain the requested uses of mining, and model unit. Mining is not a typical use for an RPD, and model units is for multi-family projects only. Parking Lot: Accessory and Residential Accessory Uses can be removed and replaced simply by Accessory Uses at the beginning of the Schedule of Uses. Are personal recreational facilities also desired? If so, please add. Finally, please indicate the temporary uses sought.

Given existing site topography a significant amount of fill material may be hauled off-site. An excess spoil removal plan will be filed concurrent with the Development Order.

The tabled of permitted uses has been updated in regards to accessory uses as recommended. Temporary uses are those as indicated in Section 34-694 of the LDC.

Model Unit has been removed from the list of permitted uses.

- 12e) Development Areas. Individual development areas (i.e., residential, retail, office, manufacturing, mixed use-listed, etc.) must be identified with detail showing the following:**

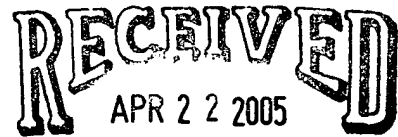
Please see below:

- 12e2) Height. The maximum height in feet and number of habitable stories, of any proposed buildings or structures. If parking under the buildings is proposed, the number of stories proposed for parking must be indicated and included in the total maximum height of the buildings.**

DCI2005-00007

Mr. Jeff Laurien
April 8, 2005

DCI 2005-00007



Please indicate this information and an exhaustive list of development regulations for the project on a separate 8.5" x 11" piece of paper.

Please see the attached sheet.

- 12m) Location of Deviations.** The location of any requested deviations, keyed to the schedule of deviations, including sample drawings demonstrating the effect the requested deviations will have on the site plan.

No deviations are currently requested. Please ensure this is correct. If deviations are necessary, please request with all necessary information.

No deviations are being sought.

- 21) Miscellaneous Items.**

Please submit all information necessary for current agricultural uses per LDC34-202(b)(7).

Page 2 of 11 of the application under D. Density indicates the acres instead of the requested dwelling units. Please revise. Page 3 of 11 of the application appears to have incorrect numbers for some of the acreages (i.e. A., and D.3.a.). Please correct.

The application has been updated.

Please also see comments from the County Attorney's office, attached.

Lee County Attorney Comments
(Dawn E. Perry-Lehnert, Assistant County Attorney.)

Based upon a cursory review of the new application submitted for Bethany Place, I offer the following comments for your consideration.

- 1.) According to the State records, the appropriate name for this applicant/property owner is "Watermen-Sunrise 80, LLC". The State records do not recognize the LLC with the name "Watermen at Sunrise 80, LLC".**

The application has been updated.

- 2.) The Authorization forms and affidavits should be executed by Eddy Garcia as managing member of Watermen-Sunrise 80, LLC.**

The application has been updated.

Mr. Jeff Laurien
April 8, 2005

- 3.) The Ag affidavit is not sufficient. Both the affidavit and the map fail to identify the specific type of Ag activity that is occurring on the property at this time and the location of this activity. [Please note the survey identifies fenced areas, which indicates that grazing may be the use. These fences areas encompass less than the entire subject parcel.]**

The Ag affidavit and map have been updated.

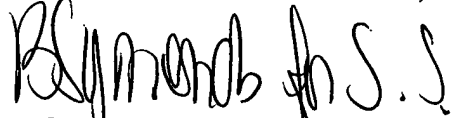
- 4.) The boundary survey should be revised as it does not depict the Cross Access Easement recorded at OR Book 4500, Page 2338, dated 11-16-04.**

The boundary survey has been updated.

If you should have any questions or require additional information, please advise.

Very truly yours,

BARRACO AND ASSOCIATES, INC.



Stephen Sposato, AICP
Senior Planner

RECEIVED
APR 22 2005

SS/bs

DCI2005-00007

21946

cc: Eddy Garcia
Russell Schropp
Ted Treesh
Ken Passarella



East County

Water Control District

601 East County Lane, Lehigh Acres, Florida 33936 239-368-0044 FAX: 239-368-3412

March 30, 2005

RECEIVED
APR 22 2005

Mr. Stephen Sposato, AICP
Barraco and Associates, Inc.
2271 McGregor Boulevard
Fort Myers, Florida 33901

Dear Mr. Sposato:

DCI2005-00007

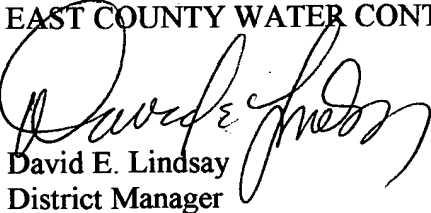
The East County Water Control District finds the proposed crossing over canal 57-9-2 acceptable providing that Barraco and Associates, Inc., and their associated owners, apply for a permit and that the culvert crossing is constructed using methodology as approved by East County Water Control District and Lee County.

Barraco and Associates must also sign an agreement with East County Water Control District to bring this development, Bethany Place, into East County Water Control District as it is currently an enclave or an out parcel.

If you have any questions please give me a call.

Sincerely,

EAST COUNTY WATER CONTROL DISTRICT


David E. Lindsay
District Manager

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution

FROM: Jeff E. Laurien

DATE: 01/21/2005

Dawn Lehnert, Asst County Attorney
DS Reviewer - Susan Hollingsworth
TIS Reviewer - Bob Rentz
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Tina Silcox, Lee County School District
Roland Ottolini, Natural Resources
Luis Machado, Zoning

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: BETHANY PLACE

CASE #: DCI2005-00007

INFORMATION SUMMARY:

NEW SUBMITTAL

To update your file
X Review and forward sufficiency
questions or make finding of
sufficiency

RESPONSE REQUIRED BY: 02/04/2005

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).

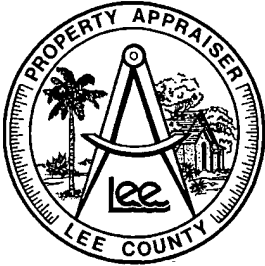
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cc: DCI planner/working file
DCI Zone File

Distributed by: Jodi M Payne

Date: 01/25/2005



Lee County Property Appraiser

Kenneth M. Wilkinson, C.F.A.

GIS Department / Map Room

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VARIANCE REPORT

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ZONING

Date of Report: July 30, 2004

Buffer Distance: 500 ft

Parcels Affected: 150

Subject Parcel: 04-45-27-00-00008.0010, 09-45-27-00-00006.0000

<u>OWNER NAME AND ADDRESS</u>	<u>STRAP AND LOCATION</u>	<u>LEGAL DESCRIPTION</u>	<u>Map Index</u>
HOWARD PAUL D 737 DUNLIETH CT STONE MOUNTAIN GA 30083	03-45-27-07-00025.0230 186 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKES ESTATES UNIT 7 BLK 25 PB 15 PG 213 LOT 23	1
GLASSEL JOSHUA AARON 8424-A SANTA MONICA BLVD #177 LOS ANGELES CA 90069	03-45-27-07-00025.0240 188 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 7 BLK 25 PB 15 PG 213 LOT 24	2
BUTTON JILL DOLORES E C/O JILL BOTWINICK 10 HERITAGE LN FORDS NJ 08863	03-45-27-07-00025.0250 190 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 7 BLK 25 PB 15 PG 213 LOT 25	3
LABIAK ALLEN P + ROSE E 71830 CAMPGROUND RD ROMEO MI 48065	03-45-27-07-00025.0260 192 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 7 BLK 25 PB 15 PG 213 LOT 26	4
AMERICAN HERITAGE BUILDERS INC PO BOX 111 LEHIGH ACRES FL 33970	03-45-27-07-00025.0270 194 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 7 BLK 25 PB 15 PG 213 LOT 27	5
SARELLEK SUSAN R 6075 NW 32ND CT BOCA RATON FL 33496	03-45-27-07-00026.0050 189 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 7 BLK 26 PB 15 PG 213 LOT 5	6
DARLINGTON CHRISTOPHER + 3230 NW 197TH ST MIAMI FL 33056	03-45-27-07-00026.0060 191 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATE UNIT 7 BLK 26 PB 15 PG 213 LOT 6	7
MCDONALD DEANAH M 381 NW 32ND ST LAUDERDALE LAKES FL 33309	03-45-27-07-00026.0070 193 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 7 BLK 26 PB 15 PG 213 LOT 7	8
BREEN J A JR TR + 11 BOSE CT MT PLEASANT SC 29464	03-45-27-07-00026.0080 195 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 7 BLK 26 PB 15 PG 213 LOT 8	9
MCKINNEY J B + HELLEN M 290 HORIZON DR WHITE LAKE MI 48386	03-45-27-07-00026.0090 194 CASTLE AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 7 BLK 26 PB 15 PG 213 LOT 9	10
AUGUSTIN JOSEF 343 SENTINELE BLVD LEHIGH ACRES FL 33936	03-45-27-07-00026.0100 192 CASTLE AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 7 BLK 26 PB 15 PG 213 LOT 10	11
KOLE FRANCIS XAVIER SR + 7 MIZZEN DR BARNEGAT NJ 08005	03-45-27-11-00041.0010 210 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKES EST UNIT 11 BLK 41 PB 15 PG 217 LOT 1	12
DEFREITAS GILMA V + 100 ATLANTIC AVE #B6 ASBURY PARK NJ 07712	03-45-27-11-00041.0020 212 VICTORIA AVE S LEHIGH ACRES FL	TWIN LAKES EST UNIT 11 BLK 41 PB 15 PG 217 LOT 2	13

<u>OWNER NAME AND ADDRESS</u>	<u>STRAP AND LOCATION</u>	<u>LEGAL DESCRIPTION</u>	<u>Map Index</u>
SUNRISE COASTAL PROPERTIES INC PO BOX 231163 OLD VILLAGE STATION GREAT NECK NY 11023	03-45-27-11-00041.0030 214 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 41 PB 15 PG 217 LOT 3	14
CASTLE NANNIE F 1100 WENDAMOOD DR UT#5 LOUISVILLE KY 40228	03-45-27-11-00041.0040 216 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 41 PB 15 PG 217 LOT 4	15
HOLL HEINZ PO BOX 1263 DANBURY CT 06813	03-45-27-11-00041.0050 218 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 41 PB 15 PG 217 LOT 5	16
SAADA ABE 621 SOUTH 21ST AVE HOLLYWOOD FL 33020	03-45-27-11-00041.0060 220 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 41 PB 15 PG 217 LOT 6	17
YBINAS RITO + GEORGIA 617 LAKE AVE LEHIGH ACRES FL 33972	03-45-27-11-00041.0070 222 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 41 PB 15 PG 217 LOT 7	18
UBINAS RITO + GEORGIA 617 LAKE AV LEHIGH ACRES FL 33972	03-45-27-11-00041.0080 224 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 41 PB 15 PG 217 LOT 8	19
MAXSON MARVIN G + EUNICE A 365 CONRAD DR ROCHESTER NY 14616	03-45-27-11-00041.0090 226 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 41 PB 15 PG 217 LOT 9	20
HOLL HEINZ PO BOX 1263 DANBURY CT 06813	03-45-27-11-00041.0100 228 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 41 PB 15 PG 217 LOT 10	21
DESORTE JOHN A + DENISE 5541 AV D BOKEELIA FL 33922	03-45-27-11-00041.0110 230 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 41 PB 15 PG 27 LOT 11	22
AMMOND C & JEAN E 415 47TH ST NW CANTON OH 44709	03-45-27-11-00041.0120 232 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 41 PB 15 PG 217 LOT 12	23
SAHOON R J + PHYLLIS 10017 HIDDEN MEADOWS PL FORT WAYNE IN 46825	03-45-27-11-00041.0130 234 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 41 PB 15 PG 217 LOT 13	24
MCCARTHY LINDA INGRAM 775 NW 6TH ST PLANTATION FL 33317	03-45-27-11-00041.0140 236 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 41 PB 15 PG 217 LOT 14	25
ONDICCIO JAMES V + MARY D ROSA DR WHITE PLAINS NY 10607	03-45-27-11-00041.0150 238 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 41 PB 15 PG 217 LOT 15	26
AUSTIN GARY R 3555 EAGLE RIDGE DR #922 FORT MYERS FL 33912	03-45-27-11-00042.0010 704 SUNRISE BLVD LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 42 PB 15 PG 217 LOT 1	27
MCCARTHY HELEN E 09-91ST ST #B N BERHEN NJ 07047	03-45-27-11-00042.0020 706 SUNRISE BLVD LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 42 PB 15 PG 217 LOTS 2 + 3	28
WAGNER JOHN H + CECILIA 112 LAUREL LANE BEN OAKS SERERNA PARK MD 21146	03-45-27-11-00042.0170 707 DEVON ST E LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 42 PB 15 PG 217 LOT 17	29
DAWSON PAULINE L 2685 NW 10TH ST CORAL SPRINGS FL 33071	03-45-27-11-00042.0180 705 DEVON ST E LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 42 PB 15 PG 217 LOT 18	30
CALLAHAN THERESA J + 14 NEW SALEM DR SAINT LOUIS MO 63141	03-45-27-11-00043.0010 217 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 43 PB 15 PG 217 LOT 1	31

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DARLINGTON GLORIA + 230 NW 197TH ST MIAMI FL 33056	03-45-27-11-00043.0020 219 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 43 PB 15 PG 217 LOT 2	32
POWMESAMY RUKHOMANI 2000 70TH AV DAVIE FL 33314	03-45-27-11-00043.0030 221 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 43 PB 15 PG 217 LOT 3	33
AHRENS MERLIN R 21 BARRISTER LN PALM COAST FL 32137	03-45-27-11-00043.0040 223 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 43 PB 15 PG 217 LOT 4	34
GALINDO CARLOS + 77 LOGAN ST #1 BROOKLYN NY 11208	03-45-27-11-00043.0050 225 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT II BLK 43 PB 15 PG 217 LOT 5	35
FURY GLENN 19321 TURKEY RUN LN ALVA FL 33920	03-45-27-11-00043.0060 227 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 43 PB 15 PG 217 LOT 6	36
FABRICO V J + JOSEPHINE 566 PINEHURST COVE KISSIMMEE FL 34758	03-45-27-11-00043.0070 229 VICTORIA AVE S LEHIGH ACRES FL 33936	TWINLAKE ESTATES UNIT 11 BLK 43 PB 15 PG 217 LOT 7	37
GREEN HERVILLE A SR + MARJORIE 3980 NW 46TH WAY LAUDERDALE LAKES FL 33319	03-45-27-11-00043.0080 231 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE EST UNIT 11 BLK 43 PB 15 PG 217 LOT 8	38
DANGELO ANTHONY J + MARY L 2540 SHELBY PKWY CAPE CORAL FL 33904	03-45-27-11-00043.0090 235 VICTORIA AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATE UNIT 11 BLK 43 PB 15 PG 217 LOTS 9 + 10	39
FRFB INC 9311 SAN CARLOS BLVD FORT MYERS FL 33912	03-45-27-11-00043.0110 230 CORVET AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 43 PB 15 PG 217 LOT 11	40
SOTO ROLANDO + 1410 MACNISH ST #5 E ELMHURST NY 11373	03-45-27-11-00043.0120 228 CORVET AVE S LEHIGH ACRES FL 33936	TWIN LAKES ESTATES UNIT 11 BLK 43 PB 15 PG 217 LOT 12	41
GRAHAM DAVID P + CARMEN S 320 W SURREY AVE PHOENIX AZ 85029	03-45-27-11-00043.0130 226 CORVET AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 43 PB 15 PG 217 LOT 13	42
DISTEFANO LOUIS + JOSEPHINE 64-02 217TH ST BAYSIDE NY 11364	03-45-27-11-00043.0140 224 CORVET AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 43 PB 15 PG 217 LOT 14	43
WERNER GARRY MARC + CAROLANN 59 LAWRENCE ST NEW HYDE PARK NY 11040	03-45-27-11-00043.0150 222 CORVET AVE S LEHIGH ACRES FL 33936	TWIN LAKES ESTATES UNIT 11 BLK 43 PB 15 PG 217 LOT 15	44
WERNER GARRY MARC + CAROLANN 59 LAWRENCE ST NEW HYDE PARK NY 11040	03-45-27-11-00043.0160 220 CORVET AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 43 PB 15 PG 217 LOT 16	45
MOONEY MARILYN L 14504 W 68TH ST SHAWNEE KS 66216	03-45-27-11-00043.0170 218 CORVET AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 43 PB 15 PG 217 LOT 17	46
NATIONAL RECREATIONAL 9 GOODYEAR IRVINE CA 92618	03-45-27-11-00043.0180 216 CORVET AVE S LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 43 PB 15 PG 217 LOT 18	47
YAU KIN HANG + 11865 NW 78TH PL PARKLAND FL 33076	03-45-27-11-00046.0010 704 ASHLAND ST E LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 46 PB 15 PG 217 LOT 1	48
BATES ROBERT C + HELEN 14444 WOODLAWN RD P O BOX 162 NEWBURY OH 44065	03-45-27-11-00046.0020 706 ASHLAND ST E LEHIGH ACRES FL 33936	TWIN LAKE ESTATES UNIT 11 BLK 46 PB 15 PG 217 LOT 2	49

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SW FLORIDA LAND SEVEN LLC 150 DIAMOND CENTRE COURT LDG 1300 FORT MYERS FL 33936	04-45-27-00-00008.0000 ACCESS UNDETERMINED LEHIGH ACRES FL 33936	E 1/2 OF SE 1/4 SEC 4 TWP 45 R 27 LESS PARL 9 LESS OR 4278 PG 885	50
BETHANY TRACE ESTATES INC 045 NW 155TH ST MIAMI LAKES FL 33016	04-45-27-00-00010.0000 261 RICHMOND AVE S LEHIGH ACRES FL 33936	W 3/4 OF S 1/2 OF S 1/2 LESS OR 1773/0744 AND LESS OR 2542/1457	51
HOPKINSON OSWALD + DEPHNE 225 EAGLESMERE DR LEHIGH ACRES FL 33936	04-45-27-08-0000E.0210 225 EAGLESMERE DR LEHIGH ACRES FL 33936	AMBERWOOD ESTATES BLK E PB 28 PG 79 LOT 21 AS DESC 1564/0368	52
WHITE ALONZO JR 74 SOCIETY RD SCCELLANVILLE SC 29458	04-45-27-08-0000E.0220 227 EAGLESMERE DR LEHIGH ACRES FL 33936	AMBERWOOD ESTATES BLK E PB 28 PG 79 LOT 22 AS DESC 1564/0368	53
WELLS SHEREE B 229 EAGLESMERE DR LEHIGH ACRES FL 33936	04-45-27-08-0000E.0230 229 EAGLESMERE DR LEHIGH ACRES FL 33936	AMBERWOOD ESTATES BLK E PB 28 PG 79 LOT 23 AS DESC 1564/0368	54
LEWIS LENNOX P + SIELINA M 231 EAGLESMERE DR LEHIGH ACRES FL 33936	04-45-27-08-0000E.0240 231 EAGLESMERE DR LEHIGH ACRES FL 33936	AMBERWOOD ESTATES BLK E PB 28 PG 79 LOT 24 AS DESC 1564/0368	55
HARTWIG SUSAN 233 EAGLESMERE DR LEHIGH ACRES FL 33936	04-45-27-08-0000E.0250 233 EAGLESMERE DR LEHIGH ACRES FL 33936	AMBERWOOD ESTATES BLK E PB 28 PG 79 LOT 25 AS DESC 1564/0368	56
BROWN ALICE A J/T+ 235 EAGLESMERE DR LEHIGH ACRES FL 33936	04-45-27-08-0000E.0260 235 EAGLESMERE DR LEHIGH ACRES FL 33936	AMBERWOOD ESTATES BLK E PB 28 PG 79 LOT 26 AS DESC 1564/0368	57
BURDA JAMES T + 234 EAGLESMORE DR LEHIGH ACRES FL 33936	04-45-27-08-0000G.0040 234 EAGLESMERE DR LEHIGH ACRES FL 33936	AMBERWOOD ESTATES BLK G PB 28 PG 79 LOT 4 AS DESC 1564/0368	58
BOSWICK ELTON + ELEANOR 226 EAGLESMERE DR LEHIGH ACRES FL 33936	04-45-27-08-0000G.0050 226 EAGLESMERE DR LEHIGH ACRES FL 33936	AMBERWOOD ESTATES BLK G PB 28 PG 79 LOT 5 AS DESC 1564/0368	59
ELIX GERZEL 224 EAGLES MERE DR LEHIGH ACRES FL 33936	04-45-27-08-0000G.0060 224 EAGLESMERE DR LEHIGH ACRES FL 33936	AMBERWOOD ESTATES BLK G PB 28 PG 79 LOT 6 AS DESC 1564/0368	60
BETHANY TRACE ESTATES INC 045 NW 155TH ST MIAMI LAKES FL 33016	09-45-27-00-00005.0000 ACCESS UNDETERMINED LEHIGH ACRES FL 33936	W 1/2 OF NE 1/4	61
BETHANY TRACE ESTATES INC 045 NW 155TH ST MIAMI LAKES FL 33016	09-45-27-03-0000A.0000 631 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 PB 27 PG 182 PARCEL A	62
ROBERTSON JOHNNY + JUNE 342 NW 70TH ST MARGATE FL 33063	09-45-27-03-00011.0180 364 CHARWOOD AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 11 PB 27 PG 182 LOT 18	63
ROBERTSON JOHNNY + JUNE 342 NW 70TH AVE MARGATE FL 33063	09-45-27-03-00011.0190 362 CHARWOOD AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 11 PB 27 PG 182 LOT 19	64
SITEMAN HARVEY + JULIA 60 CHARWOOD AV S LEHIGH ACRES FL 33936	09-45-27-03-00011.0200 360 CHARWOOD AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 11 PB 27 PG 182 LOT 20	65
BETHANY TRACE ESTATES INC 045 NW 155TH ST MIAMI LAKES FL 33016	09-45-27-03-00011.0210 358 CHARWOOD AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 11 PB 27 PG 182 LOT 21	66
HOLIDAY BUILDERS INC 11 HANCOCK BRIDGE PKWY E UNIT 1-3 CAPE CORAL FL 33990	09-45-27-03-00012.0120 365 CHALET AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 12 PB 27 PG 182 LOT 12	67

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SCOTT RICHARD 26 5TH ST ONITA SPRINGS FL 34134	09-45-27-03-00012.0130 363 CHALET AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 12 PB 27 PG 182 LOT 13	68
DEWITT GREG + 11840 IMPERIAL PINES WAY ONITA SPRINGS FL 34135	09-45-27-03-00012.0140 361 CHALET AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 12 PB 27 PG 182 LOT 14	69
LANN MARK 13386 SW 128TH ST MIAMI FL 33186	09-45-27-03-00012.0150 359 CHALET AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 12 PB 27 PG 182 LOT 15	70
SEYMOUR GORDON H + MARJORIE A 108 SALTER CRESCENT CANATA ON K2K 1Y7 CANADA	09-45-27-03-00012.0160 357 CHALET AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 12 PB 27 PG 182 LOT 16	71
LOTTE GUY + 2222 ONTARIO E MONTREAL QC H2K 1V8 CANADA	09-45-27-03-00012.0170 651 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 12 PB 27 PG 182 LOT 17	72
WAYS RAYMOND H + F ELAINE RR 2 BOX 183 ALEXIS IL 61412	09-45-27-03-00012.0180 649 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 12 PB 27 PG 182 LOT 18	73
NATIONAL RECREATIONAL 9 GOODYEAR IRVINE CA 92618	09-45-27-03-00012.0190 647 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 12 PB 27 PG 182 LOT 19	74
WOODMAN P + 19 SOUTHFIELD DR BARTON SEAGRAVE KETERING NORTHANTS UNITED KINGDOM	09-45-27-03-00012.0200 645 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 12 PB 27 PG 182 LOT 20	75
TURNER DELAMAR JR + RR 2 BOX 2606 TOWNSEND GA 31331	09-45-27-03-00012.0210 643 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 12 PB 27 PG 182 LOT 21	76
URBANOWICZ JAMES A 1/4 INT + 5665 N WALNUT ST MACUNGIE PA 18062	09-45-27-03-00012.0220 641 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 12 PB 27 PG 182 LOT 22	77
JOHNSON VIRGINIA M 1014 MONROE DR LEHIGH ACRES FL 33936	09-45-27-03-00012.0230 639 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 12 PB 27 PG 182 LOT 23	78
ALLEN JULIE + 104 DAINA CIR LEHIGH ACRES FL 33972	09-45-27-03-00012.0240 637 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 12 PB 27 PG 182 LOT 24	79
SANKEY H WILLIAM + SHIRLEY A 75 S 8TH ST SHARPSVILLE PA 16150	09-45-27-03-00012.0250 635 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 12 PB 27 PG 182 LOT 25	80
BETHANY TRACE ESTATES INC 1045 NW 155TH ST MIAMI LAKES FL 33016	09-45-27-03-00012.0260 633 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 12 PB 27 PG 182 LOT 26	81
MEROLA LOUIS R + JOANNE M 555 CARRIER RD FORT MYERS FL 33912	09-45-27-03-00013.0150 364 CHALET AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 13 PB 27 PG 182 LOT 15	82
SJORK LLOYD + 735 JOLY GREENFIELD PARK QC J4V 3E2 CANADA	09-45-27-03-00013.0160 362 CHALET AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 13 PB 27 PG 182 LOT 16	83
TABALLY HANI 1035 W 103RD ST APT 1-W CHICAGO RIDGE IL 60415	09-45-27-03-00013.0170 360 CHALET AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 13 PB 27 PG 182 LOT 17	84
SHIELDS JAMES A + 1465 SUDBURY AVE OTTAWA ON K2C 1L6 CANADA	09-45-27-03-00013.0180 648 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 13 PB 27 PG 182 LOT 18	85

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WORLEY STEPHEN W + SUSAN E 48 CONLIN AVE LYCAMORE IL 60178	09-45-27-03-00013.0190 646 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 13 PB 27 PG 182 LOT 19	86
ELM ROBERT J + RUBY L 4020 SUMIT WOOD DR KENNESAW GA 30152	09-45-27-03-00013.0200 644 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 13 PB 27 PG 182 LOT 20	87
NAWROCKI EUGENE M + 1345 ARBOR DR HEMONT IL 60439	09-45-27-03-00013.0210 642 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 13 PB 27 PG 182 LOT 21	88
GREULICH BARBARA L 5170 TIFFANY DR ANESVILLE OH 43701	09-45-27-03-00013.0220 640 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 13 PB 27 PG 182 LOT 22	89
GRIM JAMES R + LINDA CHERRY AV APT B-5 HELLAM PA 17401	09-45-27-03-00013.0230 638 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 13 PB 27 PG 182 LOT 23	90
WALTERS ALVIN + 2291 NW 32ND TERR FT LAUDERDALE FL 33311	09-45-27-03-00013.0240 636 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 13 PB 27 PG 182 LOT 24	91
DAMELIO FAUSTO 6 LACOSTA DR NATICK MA 01760	09-45-27-03-00013.0250 634 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 13 PB 27 PG 182 LOT 25	92
BOWE CHERESE 14565 NORTHLAKE BLVD WEST PALM BEACH FL 33412	09-45-27-03-00013.0260 635 CAMILLA ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 13 PB 27 PG 182 LOT 26	93
EASE AGNES MARIE PER REP 11 WIMERT AVE WESTMINSTER MD 21157	09-45-27-03-00013.0270 637 CAMILLA ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 13 PB 27 PG 182 LOT 27	94
EMIEUX GERALD L SR + MARTHA J PO BOX 191 VOLUNTOWN CT 06384	09-45-27-03-00013.0280 639 CAMILLA ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 13 PB 27 PG 182 LOT 28	95
AMB JARED W + 0 FIRESIDE CT NORWALK CT 06850	09-45-27-03-00013.0290 641 CAMILLA ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 13 PB 27 PG 182 LOT 29	96
BATE REYNALDO + TERESITA C 8 LA VALENCIA RD OLD BRIDGE NJ 08857	09-45-27-03-00013.0300 643 CAMILLA ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 13 PB 27 PG 182 LOT 30	97
CAMPBELL MARVA M 3 GORSE ST STRETTFORD MANCHESTER M32D OHY UNITED KINGDOM	09-45-27-03-00013.0310 645 CAMILLA ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 13 PB 27 PG 182 LOT 31	98
EE JOHN R + JACQUELINE L 794 BARGO LN AMELIA OH 45102	09-45-27-03-00013.0320 647 CAMILLA ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 3 BLK 13 PB 27 PG 182 LOT 32	99
BALINAKOS MICHAEL + JOSEPHINE 0 VAN CORTLANDT PARK S APT 7A/54 BRONX NY 10463	10-45-27-01-00001.0010 711 CADIS ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.1 PB 18 PG 2 LOT 1	100
JAMES ERROL W + MONICA L 09 SUMMERGLOW CT CARY NC 27513	10-45-27-01-00001.0020 713 CADIS ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK 1 PB 18 PG 2 LOT 2	101
ONES FRANKIE M 00 LABREE AVE S LEHIGH ACRES FL 33936	10-45-27-01-00002.0010 300 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.2 PB 18 PG 2 LOT 1	102
ONES FRANKIE M 260 28TH AV SW NAPLES FL 34116	10-45-27-01-00002.0020 302 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK 2 PB 18 PG 2 LOT 2	103

<u>OWNER NAME AND ADDRESS</u>	<u>STRAP AND LOCATION</u>	<u>LEGAL DESCRIPTION</u>	<u>Map Index</u>
GONZALEZ MIGUEL + MARTINA 429 BESSIE AV FORT MYERS FL 33905	10-45-27-01-00002.0030 304 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.2 PB 18 PG 2 LOT 3	104
GRUCA E J + GERTRUDE L 1733 CRABTREE LN PLAINFIELD IN 46168	10-45-27-01-00002.0040 306 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.2 PB 18 PG 2 LOT 4	105
CRAY SCOTT D + 1428 BRANDYWINE FORT MYERS FL 33919	10-45-27-01-00002.0050 308 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK 2 PB 18 PG 2 LOT 5	106
AILANT JAMES R 1303 SUNRISE DR NORTH FORT MYERS FL 33917	10-45-27-01-00002.0060 310 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK 2 PB 18 PG 2 LOT 6	107
PRICE CLIFFORD + 19100 NW MIAMI CT MIAMI FL 33169	10-45-27-01-00002.0070 312 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK 2 PB 18 PG 2 LOT 7	108
FORRESTER ALMAN PATRICK + 16611 77TH LN N LOXAHATCHEE FL 33470	10-45-27-01-00002.0080 314 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK 2 PB 18 PG 2 LOT 8	109
DAIMER BARBARA MEISENSTRASSE 6 85356 FREISING GERMANY	10-45-27-01-00002.0090 316 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.2 PB 18 PG 2 LOT 9	110
NATIONAL RECREATIONAL 9 GOODYEAR IRVINE CA 92618	10-45-27-01-00002.0100 318 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.2 PB 18 PG 2 LOT 10	111
BREENE CATHERINE 1119 CRABTREE LN PLAINFIELD IN 46168	10-45-27-01-00002.0110 320 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK 2 PB 18 PG 2 LOT 11	112
FOSTER ROBERTA G 551 W 14TH ST INDIANAPOLIS IN 46222	10-45-27-01-00002.0120 322 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK 2 PB 18 PG 2 LOT 12	113
PHISTER THOMAS J 526 MEDFORD PL LEHIGH ACRES FL 33936	10-45-27-01-00002.0130 324 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK 2 PB 18 PG 2 LOT 13	114
CAPITAL INTERNATIONAL INC 895 ALBAMBRA CIR CORAL GABLES FL 33134	10-45-27-01-00002.0140 326 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK 2 PB 18 PG 2 LOT 14	115
NATIONAL RECREATIONAL 9 GOODYEAR IRVINE CA 92618	10-45-27-01-00002.0150 328 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK 2 PB 18 PG 2 LOT 15	116
MONIZ RONALD M + MARY ANNE 22 SAKONNET TRAIL LITTLE COMPTON RI 02837	10-45-27-01-00002.0160 330 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.2 PB 18 PG 2 LOT 16	117
MARITIME PROPERTIES INC 1223 SE 47TH TERRACE #2 CAPE CORAL FL 33904	10-45-27-01-00003.0010 305 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.3 PB 18 PG 2 LOT 1	118
MARITIME PROPERTIES INC 1223 SE 47TH TERRACE #2 CAPE CORAL FL 33904	10-45-27-01-00003.0020 307 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.3 PB 18 PG 2 LOT 2	119
MARITIME PROPERTIES INC 1223 SE 47TH TERRACE #2 CAPE CORAL FL 33904	10-45-27-01-00003.0030 309 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.3 PB 18 PG 2 LOT 3	120
MARITIME PROPERTIES INC 1223 SE 47TH TERRACE #2 CAPE CORAL FL 33904	10-45-27-01-00003.0040 311 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.3 PB 18 PG 2 LOT 4	121

<u>OWNER NAME AND ADDRESS</u>	<u>STRAP AND LOCATION</u>	<u>LEGAL DESCRIPTION</u>	<u>Map Index</u>
MARITIME PROPERTIES INC 1223 SE 47TH TERRACE #2 CAPE CORAL FL 33904	10-45-27-01-00003.0050 313 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK 3 PB 18 PG 2 LOT 5	122
FRENCH J RUSSELL 111 + 725 CAMPGROUND RD ASTHAM MA 02642	10-45-27-01-00003.0060 315 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK 3 PB 18 PG 2 LOT 6	123
MEROLA LOUIS R + JOANNE M 7555 CARRIER RD FORT MYERS FL 33912	10-45-27-01-00003.0070 317 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK 3 PB 18 PG 2 LOT 7	124
HOLIDAY BUILDERS INC 211 HANCOCK BRIDGE PKWY E UNIT 1-3 CAPE CORAL FL 33990	10-45-27-01-00003.0080 319 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.3 PB 18 PG 2 LOT 8	125
HOLIDAY BUILDERS INC 211 HANCOCK BRIDGE PKWY E UNIT 1-3 CAPE CORAL FL 33990	10-45-27-01-00003.0090 321 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.3 PB 18 PG 2 LOT 9	126
HOLIDAY BUILDERS INC 11 HANCOCK BRIDGE PKWY E UNIT 1-3 CAPE CORAL FL 33990	10-45-27-01-00003.0100 323 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.3 PB 18 PG 2 LOT 10	127
RICHARDS KENT R 2 BOX 25A SHELburn IN 47879	10-45-27-01-00003.0110 325 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.3 PB 18 PG 2 LOT 11	128
ROSS ANTHONY T + 04 DUBARRY AVE S LEHIGH ACRES FL 33936	10-45-27-01-00003.0120 327 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK 3 PB 18 PG 2 LOT 12	129
MCNULTY DELORES M-DECD C/O KEVIN MCNULTY EXEC 31 RAYMOND AV #5 SANTA MONICA CA 90405	10-45-27-01-00003.0130 326 LANCELOT AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.3 PB 18 PG 2 LOT 13	130
VAHLIG JAMES W C/O ALICE M MENON 27 LACKEY ST WESTBOROUGH MA 01581	10-45-27-01-00003.0140 324 LANCELOT AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK 3 PB 18 PG 2 LOT 14	131
HOLIDAY BUILDERS INC 11 HANCOCK BRIDGE PKWY E UNIT 1-3 CAPE CORAL FL 33990	10-45-27-01-00003.0150 322 LANCELOT AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.3 PB 18 PG 2 LOT 15	132
HOLIDAY BUILDERS INC 211 HANCOCK BRIDGE PKWY E UNIT 1-3 CAPE CORAL FL 33990	10-45-27-01-00003.0160 320 LANCELOT AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.3 PB 18 PG 2 LOT 16	133
ZORSE CHARLES + MADELINE 80 OLD HOLLOW RD SHORT HILLS NJ 07078	10-45-27-01-00003.0170 318 LANCELOT AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.3 PB 18 PG 2 LOTS 17	134
ZORSE CHARLES + MADELINE 80 OLD HOLLOW RD SHORT HILLS NJ 07078	10-45-27-01-00003.0180 316 LANCELOT AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK 3 PB 18 PG 2 LOT 18	135
ZORSE CHARLES + MADELINE 80 OLD HOLLOW RD SHORT HILLS NJ 07078	10-45-27-01-00003.0190 314 LANCELOT AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK 3 PB 18 PG 2 LOT 19	136
MARITIME PROPERTIES INC 1223 SE 47TH TERRACE #2 CAPE CORAL FL 33904	10-45-27-01-00003.0200 312 LANCELOT AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK 3 PB 18 PG 2 LOT 20	137
MARITIME PROPERTIES INC 1223 SE 47TH TERRACE #2 CAPE CORAL FL 33904	10-45-27-01-00003.0210 310 LANCELOT AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK 3 PB 18 PG 2 LOT 21	138

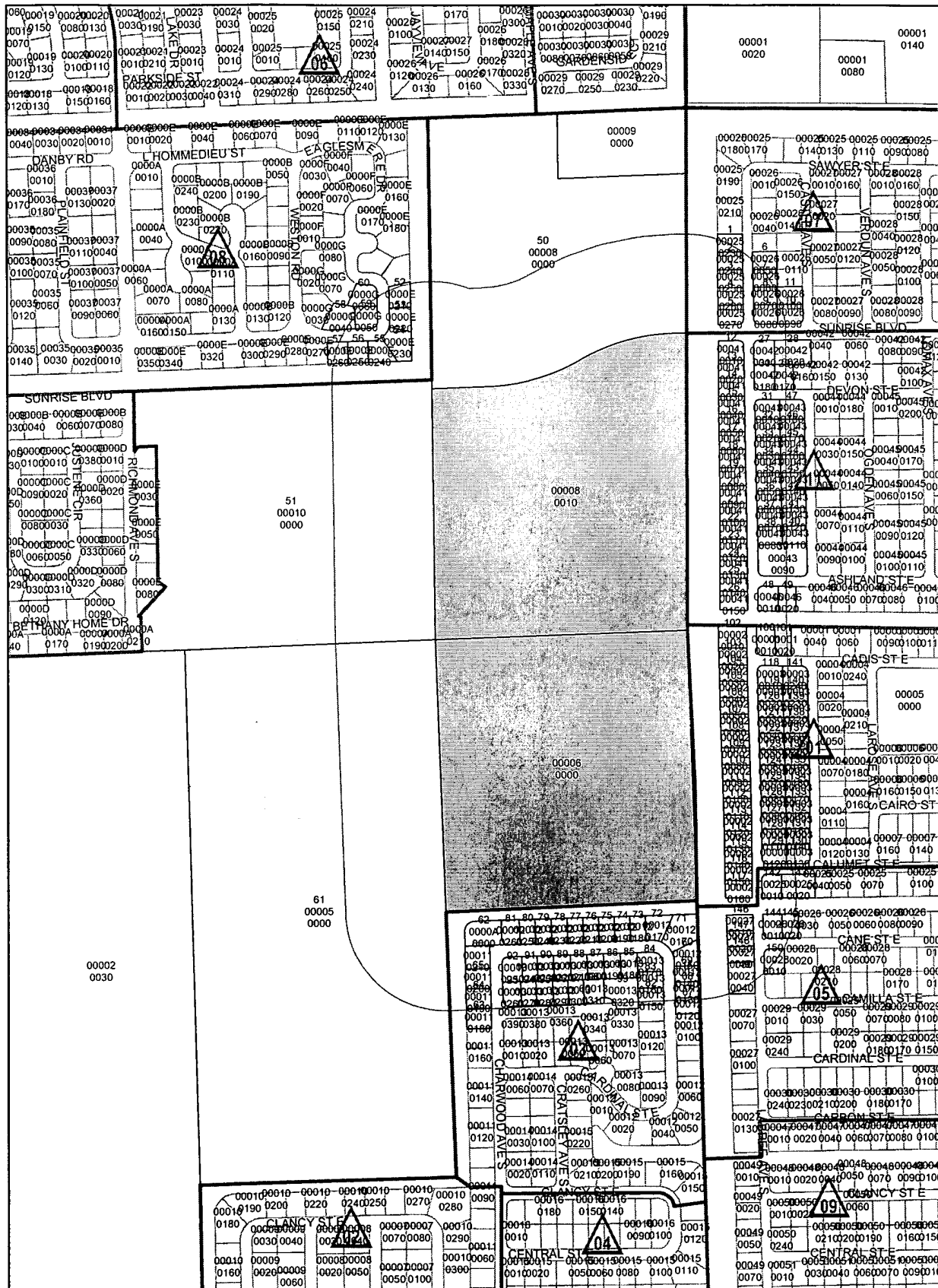
<u>OWNER NAME AND ADDRESS</u>	<u>STRAP AND LOCATION</u>	<u>LEGAL DESCRIPTION</u>	<u>Map Index</u>
MARITIME PROPERTIES INC 1223 SE 47TH TERRACE #2 CAPE CORAL FL 33904	10-45-27-01-00003.0220 308 LANCELOT AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.3 PB 18 PG 2 LOT 22	139
MARITIME PROPERTIES INC 1223 SE 47TH TERRACE #2 CAPE CORAL FL 33904	10-45-27-01-00003.0230 306 LANCELOT AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.3 PB 18 PG 2 LOT 23	140
MARITIME PROPERTIES INC 1223 SE 47TH TERRACE #2 CAPE CORAL FL 33904	10-45-27-01-00003.0240 304 LANCELOT AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 1 BLK.3 PB 18 PG 2 LOT 24	141
HIRSCH MAE M 2628 SW 78TH AV MIAMI FL 33155	10-45-27-05-00025.0010 714 CALUMET ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 5 BLK.25 PB 18 PG 6 LOT 1	142
DLOUGHLIN DAVID P SR 5631 N WINGSTON PARK BLVD #201 COCONUT CREEK FL 33073	10-45-27-05-00025.0020 716 CALUMET ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 5 BLK 25 PB 18 PG 6 LOTS 2 + 3	143
FORRES JOSEPH + GABRIELA 58 OAKRIDGE DR TAUNTON MA 02780	10-45-27-05-00026.0010 713 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 5 BLK.26 PB 18 PG 6 LOT 1	144
BAROCHA FRANCIS A + LUCHIA F 89 OAKRIDGE DR TAUNTON MA 02780	10-45-27-05-00026.0020 715 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 5 BLK 26 PB 18 PG 6 LOT 2	145
ONES FRANKIE MAE 300 LABREE AVE S LEHIGH ACRES FL 33936	10-45-27-05-00027.0010 334 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 5 BLK.27 PB 18 PG 6 LOT 1	146
MALENFANT SHARRON BOX L7 RR 5 TILBURY ON N0P 2L0 CANADA	10-45-27-05-00027.0020 336 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 5 BLK 27 PB 18 PG 6 LOT 2	147
ENARD JOAN 520 DOCK PL POINT PLEASANT NJ 08742	10-45-27-05-00027.0030 338 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 5 BLK 27 PB 18 PG 6 LOT 3	148
HLADKY WALTER W ET AL ERIE CT JERICHO NY 11753	10-45-27-05-00027.0040 340 LABREE AVE S LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 5 BLK 27 PB 18 PG 6 LOTS 4 + 5	149
FIDATI NINA 57 MAIN ST #A LITTLE FALLS NJ 07426	10-45-27-05-00028.0010 714 CANE ST E LEHIGH ACRES FL 33936	LEHIGH ACRES UNIT 5 BLK.28 PB 18 PG 6 LOT 1	150

150 RECORDS PRINTED

VARIANCE REPORT

7/30/2004

Subject Parcels : 2 Affected Parcels : 150 Buffer Distance : 500 ft



04-45-27-00-00008.0010 et al.

850 425 0

850 Feet



COURTESY NOTICE OF RECEIPT OF ZONING APPLICATION

Date: January 27, 2005

Case Number: DCI2005-00007

Case Name: BETHANY PLACE

Request: Request is to rezone 79.21+/- acres from Agricultural (AG-2), to Residential Planned Development (RPD), to permit a maximum of 298 single-family lots, with a maximum height of 35 feet. No blasting is proposed.

Location: property is located at the eastern terminating end of Sunrise Boulevard, approximately 3/4 of a mile east of the intersection of Sunrise Boulevard and Homestead Road, Lehigh Acres, FL 33936

PROPERTY OWNER'S
REPRESENTATIVE: MR. STEPHEN SPOSATO
239-461-3170

Lee County Planner: Jeff E. Laurien
(239) 479-8336

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.

JMP

03-45-27-07-00025.0230
HOWARD PAUL D
737 DUNLIETH CT
STONE MOUNTAIN, GA 30083

03-45-27-07-00025.0250
SUTTON JILL DOLORES E
C/O JILL BOTWINICK
10 HERITAGE LN
FORDS, NJ 08863

03-45-27-07-00025.0270
AMERICAN HERITAGE BUILDERS INC
PO BOX 111
LEHIGH ACRES, FL 33970

03-45-27-07-00026.0060
DARLINGTON CHRISTOPHER +
3230 NW 197TH ST
MIAMI, FL 33056

03-45-27-07-00026.0080
GREEN J A JR TR +
811 BOSE CT
MT PLEASANT, SC 29464

03-45-27-07-00026.0100
AUGUSTIN JOSEF
843 SENTINELE BLVD
LEHIGH ACRES, FL 33936

03-45-27-11-00041.0020
DEFREITAS GILMA V +
1100 ATLANTIC AVE #B6
ASBURY PARK, NJ 07712

03-45-27-11-00041.0040
CASTLE NANNIE F
8100 WENDAMOOD DR UT#5
LOUISVILLE, KY 40228

03-45-27-11-00041.0060
SAADA ABE
1621 SOUTH 21ST AVE
HOLLYWOOD, FL 33020

03-45-27-11-00041.0080
UBINAS RITO + GEORGIA
617 LAKE AV
LEHIGH ACRES, FL 33972

03-45-27-07-00025.0240
GLASSEL JOSHUA AARON
8424-A SANTA MONICA BLVD #177
LOS ANGELES, CA 90069

03-45-27-07-00025.0260
LABIAK ALLEN P + ROSE E
71830 CAMPGROUND RD
ROMEO, MI 48065

03-45-27-07-00026.0050
GARELLEK SUSAN R
6075 NW 32ND CT
BOCA RATON, FL 33496

03-45-27-07-00026.0070
MCDONALD DEANAH M
3381 NW 32ND ST
LAUDERDALE LAKES, FL 33309

03-45-27-07-00026.0090
MCKINNEY J B + HELLEN M
290 HORIZON DR
WHITE LAKE, MI 48386

03-45-27-11-00041.0010
KOLE FRANCIS XAVIER SR +
7 MIZZEN DR
BARNEGAT, NJ 08005

03-45-27-11-00041.0030
SUNRISE COASTAL PROPERTIES INC
P O BOX 231163
OLD VILLAGE STATION
GREAT NECK, NY 11023

03-45-27-11-00041.0050
HOLL HEINZ
PO BOX 1263
DANBURY, CT 06813

03-45-27-11-00041.0070
YBINAS RITO + GEORGIA
617 LAKE AVE
LEHIGH ACRES, FL 33972

03-45-27-11-00041.0090
MAXSON MARVIN G + EUNICE A
365 CONRAD DR
ROCHESTER, NY 14616

03-45-27-11-00041.0100
HOLL HEINZ
PO BOX 1263
DANBURY, CT 06813

03-45-27-11-00041.0120
HAMMOND C & JEAN E
415 47TH ST NW
CANTON, OH 44709

03-45-27-11-00041.0140
MCCARTHY LINDA INGRAM
4775 NW 6TH ST
PLANTATION, FL 33317

03-45-27-11-00042.0010
AUSTIN GARY R
13555 EAGLE RIDGE DR #922
FORT MYERS, FL 33912

03-45-27-11-00042.0170
WAGNER JOHN H + CECILIA
712 LAUREL LANE BEN OAKS
SERERNA PARK, MD 21146

03-45-27-11-00043.0010
CALLAHAN THERESA J +
314 NEW SALEM DR
SAINT LOUIS, MO 63141

03-45-27-11-00043.0030
POWMESAMY RUKHOMANI
5000 70TH AV
DAVIE, FL 33314

03-45-27-11-00043.0050
GALINDO CARLOS +
77 LOGAN ST #1
BROOKLYN, NY 11208

03-45-27-11-00043.0070
FABRICO V J + JOSEPHINE
566 PINEHURST COVE
KISSIMMEE, FL 34758

03-45-27-11-00043.0090
DANGELO ANTHONY J + MARY L
2540 SHELBY PKWY
CAPE CORAL, FL 33904

03-45-27-11-00041.0110
DESORTE JOHN A + DENISE
5541 AV D
BOKEELIA, FL 33922

03-45-27-11-00041.0130
CAHOON R J + PHYLLIS
10017 HIDDEN MEADOWS PL
FORT WAYNE, IN 46825

03-45-27-11-00041.0150
PONDICCIO JAMES V + MARY D
9 ROSA DR
WHITE PLAINS, NY 10607

03-45-27-11-00042.0020
MCCARTHY HELEN E
809-91ST ST #B
N BERHEN, NJ 07047

03-45-27-11-00042.0180
DAWSON PAULINE L
12685 NW 10TH ST
CORAL SPRINGS, FL 33071

03-45-27-11-00043.0020
DARLINGTON GLORIA +
3230 NW 197TH ST
MIAMI, FL 33056

03-45-27-11-00043.0040
AHRENS MERLIN R
21 BARRISTER LN
PALM COAST, FL 32137

03-45-27-11-00043.0060
FURY GLENN
19321 TURKEY RUN LN
ALVA, FL 33920

03-45-27-11-00043.0080
GREEN HERVILLE A SR + MARJORIE
3980 NW 46TH WAY
LAUDERDALE LAKES, FL 33319

03-45-27-11-00043.0110
RFB INC
9311 SAN CARLOS BLVD
FORT MYERS, FL 33912

03-45-27-11-00043.0120
SOTO ROLANDO +
4410 MACNISH ST #5 E
ELMHURST, NY 11373

03-45-27-11-00043.0140
DISTEFANO LOUIS + JOSEPHINE
64-02 217TH ST
BAYSIDE, NY 11364

03-45-27-11-00043.0160
WERNER GARRY MARC + CAROLANN
59 LAWRENCE ST
NEW HYDE PARK, NY 11040

03-45-27-11-00043.0180
NATIONAL RECREATIONAL
9 GOODYEAR
IRVINE, CA 92618

03-45-27-11-00046.0020
BATES ROBERT C + HELEN
14444 WOODLAWN RD
P O BOX 162
NEWBURY, OH 44065

04-45-27-00-00010.0000
BETHANY TRACE ESTATES INC
8045 NW 155TH ST
MIAMI LAKES, FL 33016

04-45-27-08-0000E.0220
WHITE ALONZO JR
474 SOCIETY RD
MCCELLANVILLE, SC 29458

04-45-27-08-0000E.0240
LEWIS LENNOX P + SIELINA M
231 EAGLESMERE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000E.0260
BROWN ALICE A J/T+
235 EAGLESMERE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000G.0050
GOSWICK ELTON + ELEANOR
226 EAGLESMERE DR
LEHIGH ACRES, FL 33936

03-45-27-11-00043.0130
GRAHAM DAVID P + CARMEN S
320 W SURREY AVE
PHOENIX, AZ 85029

03-45-27-11-00043.0150
WERNER GARRY MARC + CAROLANN
59 LAWRENCE ST
NEW HYDE PARK, NY 11040

03-45-27-11-00043.0170
MOONEY MARILYN L
14504 W 68TH ST
SHAWNEE, KS 66216

03-45-27-11-00046.0010
YAU KIN HANG +
11865 NW 78TH PL
PARKLAND, FL 33076

04-45-27-00-00008.0000
SW FLORIDA LAND SEVEN LLC
6150 DIAMOND CENTRE COURT
BLDG 1300
FORT MYERS, FL 33936

04-45-27-08-0000E.0210
HOPKINSON OSWALD + DEPHNE
225 EAGLESMERE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000E.0230
WELLS SHEREE B
229 EAGLESMERE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000E.0250
HARTWIG SUSAN
233 EAGLESMERE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000G.0040
BURDA JAMES T +
234 EAGLESMORE DR
LEHIGH ACRES, FL 33936

04-45-27-08-0000G.0060
FELIX GERZEL
224 EAGLES MERE DR
LEHIGH ACRES, FL 33936

09-45-27-00-00005.0000
BETHANY TRACE ESTATES INC
8045 NW 155TH ST
MIAMI LAKES, FL 33016

09-45-27-03-00011.0180
ROBERTSON JOHNNY + JUNE
3342 NW 70TH ST
MARGATE, FL 33063

09-45-27-03-00011.0200
SITEMAN HARVEY + JULIA
360 CHARWOOD AV S
LEHIGH ACRES, FL 33936

09-45-27-03-00012.0120
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

09-45-27-03-00012.0140
DEWITT GREG +
11840 IMPERIAL PINES WAY
BONITA SPRINGS, FL 34135

09-45-27-03-00012.0160
SEYMOUR GORDON H + MARJORIE A
108 SALTER CRESCENT
KANATA, ON K2K 1Y7
CANADA

09-45-27-03-00012.0180
HAYS RAYMOND H + F ELAINE
RR 2 BOX 183
ALEXIS, IL 61412

09-45-27-03-00012.0200
WOODMAN P +
19 SOUTHFIELD DR
BARTON SEAGRAVE
KETTERING NORTHANTS,
UNITED KINGDOM

09-45-27-03-00012.0220
URBANOWICZ JAMES A 1/4 INT +
5665 N WALNUT ST
MACUNGIE, PA 18062

09-45-27-03-00012.0240
ALLEN JULIE +
104 DAINA CIR
LEHIGH ACRES, FL 33972

09-45-27-03-0000A.0000
BETHANY TRACE ESTATES INC
8045 NW 155TH ST
MIAMI LAKES, FL 33016

09-45-27-03-00011.0190
ROBERTSON JOHNNY + JUNE
3342 NW 70TH AVE
MARGATE, FL 33063

09-45-27-03-00011.0210
BETHANY TRACE ESTATES INC
8045 NW 155TH ST
MIAMI LAKES, FL 33016

09-45-27-03-00012.0130
SCOTT RICHARD
36 5TH ST
BONITA SPRINGS, FL 34134

09-45-27-03-00012.0150
LANN MARK
13386 SW 128TH ST
MIAMI, FL 33186

09-45-27-03-00012.0170
LOTTE GUY +
2222 ONTARIO E
MONTREAL, QC H2K 1V8
CANADA

09-45-27-03-00012.0190
NATIONAL RECREATIONAL
9 GOODYEAR
IRVINE, CA 92618

09-45-27-03-00012.0210
TURNER DELAMAR JR +
RR 2 BOX 2606
TOWNSEND, GA 31331

09-45-27-03-00012.0230
JOHNSON VIRGINIA M
1014 MONROE DR
LEHIGH ACRES, FL 33936

09-45-27-03-00012.0250
SANKEY H WILLIAM + SHIRLEY A
375 S 8TH ST
SHARPSVILLE, PA 16150

09-45-27-03-00012.0260
BETHANY TRACE ESTATES INC
8045 NW 155TH ST
MIAMI LAKES, FL 33016

09-45-27-03-00013.0160
BJORK LLOYD +
735 JOLY
GREENFIELD PARK, QC J4V 3E2
CANADA

09-45-27-03-00013.0180
SHIELDS JAMES A +
2465 SUDBURY AVE
OTTAWA, ON K2C 1L6
CANADA

09-45-27-03-00013.0200
ELM ROBERT J + RUBY L
4020 SUMIT WOOD DR
KENNESAW, GA 30152

09-45-27-03-00013.0220
GREULICH BARBARA L
5170 TIFFANY DR
ZANESVILLE, OH 43701

09-45-27-03-00013.0240
WALTERS ALVIN +
2291 NW 32ND TERR
FT LAUDERDALE, FL 33311

09-45-27-03-00013.0260
BOWE CHERESE
14565 NORTHLAKE BLVD
WEST PALM BEACH, FL 33412

09-45-27-03-00013.0280
LEMIEUX GERALD L SR + MARTHA J
PO BOX 191
VOLUNTOWN, CT 06384

09-45-27-03-00013.0300
BATE REYNALDO + TERESITA C
18 LA VALENCIA RD
OLD BRIDGE, NJ 08857

09-45-27-03-00013.0320
LEE JOHN R + JACQUELINE L
3794 BARGO LN
AMELIA, OH 45102

09-45-27-03-00013.0150
MEROLA LOUIS R + JOANNE M
7555 CARRIER RD
FORT MYERS, FL 33912

09-45-27-03-00013.0170
TABALLY HANI
6035 W 103RD ST APT 1-W
CHICAGO RIDGE, IL 60415

09-45-27-03-00013.0190
WORLEY STEPHEN W + SUSAN E
348 CONLIN AVE
SYCAMORE, IL 60178

09-45-27-03-00013.0210
NAWROCKI EUGENE M +
1345 ARBOR DR
LEMONT, IL 60439

09-45-27-03-00013.0230
GRIM JAMES R + LINDA
CHERRY AV APT B-5
HELLAM, PA 17401

09-45-27-03-00013.0250
DAMELIO FAUSTO
6 LACOSTA DR
NATICK, MA 01760

09-45-27-03-00013.0270
CASE AGNES MARIE PER REP
11 WIMERT AVE
WESTMINSTER, MD 21157

09-45-27-03-00013.0290
LAMB JARED W +
10 FIRESIDE CT
NORWALK, CT 06850

09-45-27-03-00013.0310
CAMPBELL MARVA M
23 GORSE ST
STRETTFORD
MANCHESTER M32D OHY,
UNITED KINGDOM

10-45-27-01-00001.0010
BALINAKOS MICHAEL + JOSEPHINE
80 VAN CORTLANDT PARK S
APT 7A/54
BRONX, NY 10463

10-45-27-01-00001.0020
JAMES ERROL W + MONICA L
109 SUMMERGLOW CT
CARY, NC 27513

10-45-27-01-00002.0020
JONES FRANKIE M
5260 28TH AV SW
NAPLES, FL 34116

10-45-27-01-00002.0040
GRUCA E J + GERTRUDE L
4733 CRABTREE LN
PLAINFIELD, IN 46168

10-45-27-01-00002.0060
AILANT JAMES R
1303 SUNRISE DR
NORTH FORT MYERS, FL 33917

10-45-27-01-00002.0080
FORRESTER ALMAN PATRICK +
16611 77TH LN N
LOXAHATCHEE, FL 33470

10-45-27-01-00002.0100
NATIONAL RECREATIONAL
9 GOODYEAR
IRVINE, CA 92618

10-45-27-01-00002.0120
FOSTER ROBERTA G
3551 W 14TH ST
INDIANAPOLIS, IN 46222

10-45-27-01-00002.0140
CAPITAL INTERNATIONAL INC
395 ALBAMBRA CIR
CORAL GABLES, FL 33134

10-45-27-01-00002.0160
MONIZ RONALD M + MARY ANNE
22 SAKONNET TRAIL
LITTLE COMPTON, RI 02837

10-45-27-01-00003.0020
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00002.0010
JONES FRANKIE M
300 LABREE AVE S
LEHIGH ACRES, FL 33936

10-45-27-01-00002.0030
GONZALEZ MIGUEL + MARTINA
4429 BESSIE AV
FORT MYERS, FL 33905

10-45-27-01-00002.0050
CRAY SCOTT D +
1428 BRANDYWINE
FORT MYERS, FL 33919

10-45-27-01-00002.0070
PRICE CLIFFORD +
19100 NW MIAMI CT
MIAMI, FL 33169

10-45-27-01-00002.0090
DAIMER BARBARA
MEISENSTRASSE 6
85356 FREISING,
GERMANY

10-45-27-01-00002.0110
GREENE CATHERINE
3119 CRABTREE LN
PLAINFIELD, IN 46168

10-45-27-01-00002.0130
PHISTER THOMAS J
1526 MEDFORD PL
LEHIGH ACRES, FL 33936

10-45-27-01-00002.0150
NATIONAL RECREATIONAL
9 GOODYEAR
IRVINE, CA 92618

10-45-27-01-00003.0010
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0030
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0040
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0060
FRENCH J RUSSELL 111 +
725 CAMPGROUND RD
EASTHAM, MA 02642

10-45-27-01-00003.0080
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

10-45-27-01-00003.0100
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

10-45-27-01-00003.0120
ROSS ANTHONY T +
704 DUBARRY AVE S
LEHIGH ACRES, FL 33936

10-45-27-01-00003.0140
WAHLIG JAMES W
C/O ALICE M MENON
27 LACKEY ST
WESTBOROUGH, MA 01581

10-45-27-01-00003.0160
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

10-45-27-01-00003.0180
ZORSE CHARLES + MADELINE
80 OLD HOLLOW RD
SHORT HILLS, NJ 07078

10-45-27-01-00003.0200
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0220
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0050
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0070
MEROLA LOUIS R + JOANNE M
7555 CARRIER RD
FORT MYERS, FL 33912

10-45-27-01-00003.0090
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

10-45-27-01-00003.0110
RICHARDS KENT
RR 2 BOX 25A
SHELburn, IN 47879

10-45-27-01-00003.0130
MCNULTY DELORES M-DECD
C/O KEVIN MCNULTY EXEC
431 RAYMOND AV #5
SANTA MONICA, CA 90405

10-45-27-01-00003.0150
HOLIDAY BUILDERS INC
211 HANCOCK BRIDGE PKWY E
UNIT 1-3
CAPE CORAL, FL 33990

10-45-27-01-00003.0170
ZORSE CHARLES + MADELINE
80 OLD HOLLOW RD
SHORT HILLS, NJ 07078

10-45-27-01-00003.0190
ZORSE CHARLES + MADELINE
80 OLD HOLLOW RD
SHORT HILLS, NJ 07078

10-45-27-01-00003.0210
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0230
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-01-00003.0240
MARITIME PROPERTIES INC
1223 SE 47TH TERRACE #2
CAPE CORAL, FL 33904

10-45-27-05-00025.0010
HIRSCH MAE M
2628 SW 78TH AV
MIAMI, FL 33155

10-45-27-05-00025.0020
OLOUGHLIN DAVID P SR
5631 N WINGSTON PARK BLVD #201
COCONUT CREEK, FL 33073

10-45-27-05-00026.0010
TORRES JOSEPH + GABRIELA
58 OAKRIDGE DR
TAUTON, MA 02780

10-45-27-05-00026.0020
DAROCHA FRANCIS A + LUCHIA F
89 OAKRIDGE DR
TAUNTON, MA 02780

10-45-27-05-00027.0010
JONES FRANKIE MAE
300 LABREE AVE S
LEHIGH ACRES, FL 33936

10-45-27-05-00027.0020
MALENFANT SHARRON
BOX L7 RR 5
TILBURY, ON N0P 2L0
CANADA

10-45-27-05-00027.0030
LENARD JOAN
1520 DOCK PL
POINT PLEASANT, NJ 08742

10-45-27-05-00027.0040
HLADKY WALTER W ET AL
9 ERIE CT
JERICHO, NY 11753

10-45-27-05-00028.0010
FIDATI NINA
157 MAIN ST #A
LITTLE FALLS, NJ 07426

Barraco

and Associates, Inc.

CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN

www.barraco.net

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POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169

FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

WATERMEN DEVELOPMENT GROUP CORP.

8045 N.W. 155 STREET
MIAMI LAKES, FLORIDA 33016

PHONE (305) 828-0103
FAX (305) 828-0147

PROJECT DESCRIPTION

BETHANY PLACE

PART OF SECTIONS 4
TOWNSHIP 45 SOUTH
RANGE 27 EAST
LEHIGH ACRES
LEE COUNTY, FLORIDA

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OR DENSITIES MAY CHANGE
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FILE NAME	21946X10.DWG
LAYOUT	LAYOUT1
LOCATION	J:\21946\DWG\EXHIBITS\
PLOT DATE	THU 1-20-2005 - 12:53 PM
PLOT BY	ANGELICA CARLEY
DESIGN BY	
XREF1	
XREF2	
XREF3	
XREF4	
XREF5	
XREF6	

PLAN REVISIONS

PLAN STATUS

EXHIBIT ONLY
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AREA LOCATION MAP

PROJECT / FILE NO. SHEET NUMBER

21941

6-B

SUBJECT
PROPERTY

DEC 2005 - 00007



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LAND PLANNING, LANDSCAPE DESIGN
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2271 MICROCOR BOULEVARD
SUITE 200
MIAMI, FLORIDA 33156
PHONE (305) 461-3700
FAX (305) 461-3709

FLORIDA CERTIFICATE OF AUTHORIZATION
NUMBER 00000000000000000000

**WATERMEN
DEVELOPMENT
GROUP CORP.**

8045 N.W. 155 STREET
MIAMI LAKES, FLORIDA 33016
PHONE (305) 888-5103
FAX (305) 888-5147

**BETHANY
PLACE**

PART OF SECTION 4
TOWNSHIP 45 SOUTH
RANGE 26 WEST
DADE COUNTY, FLORIDA

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SHEETS ARE BASED ON A PRELIMINARY
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FILE NAME	21941.DWG
LAYOUT	21941.DWG
LOCATION	J-18482002-0000-0000
PILOT DATE	NOV 2004
DESIGN BY	DCI
CHECKED BY	DCI
DATE	12/05/05

PROJECT FILE NO.	21941
SHEET NUMBER	6-C



Barraco

and Associates, Inc.
CIVIL ENGINEERING, LAND SURVEYING
LAND PLANNING, LANDSCAPE DESIGN

www.barraco.net
2271 MAGNOLIA BOULEVARD
FORT MYERS, FLORIDA 33902-2800
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FAX (239) 462-5188

FOR MORE INFORMATION
CONTACT US AT
ENGINEERING 7890 SURVEYING 18400

WATERMEN DEVELOPMENT GROUP CORP.

8045 N.W. 155 STREET
MIAMI LAKES, FLORIDA 33016
PHONE (305) 834-0100
FAX (305) 834-0147

PROJECT DESCRIPTION

BETHANY PLACE

PART OF SECTIONS 4
TOWNSHIP 21 NORTH
RANGE 21 EAST
LEE COUNTY, FLORIDA

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INTENDED FOR CONCEPTUAL
PLANNING PURPOSES ONLY. IT IS
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OR REVENUE MAPS. ANY
SIGNIFICANTLY BASED UPON SURVEY
ENVIRONMENTAL ENGINEERING
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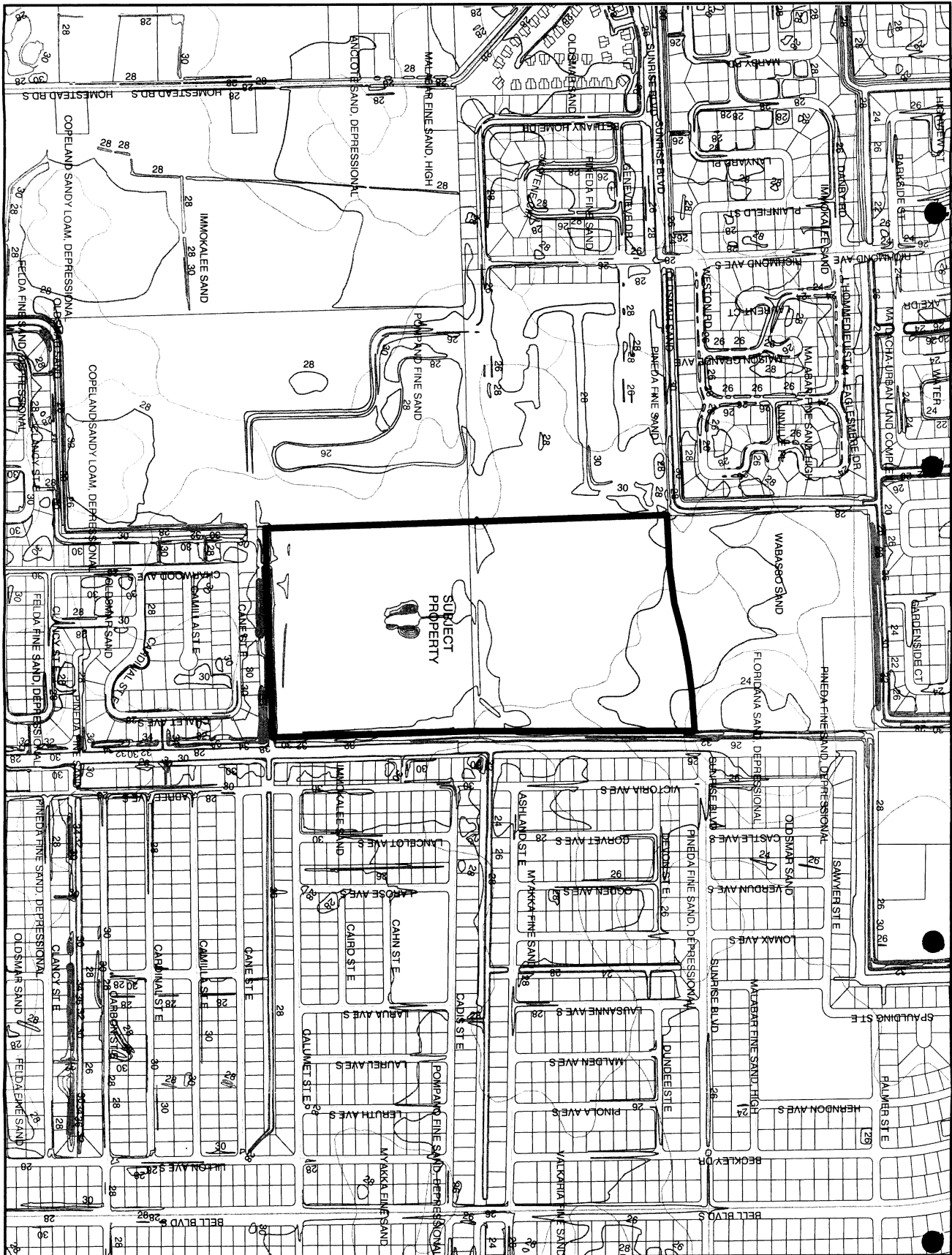
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PROJECT FILE NO. 21941 SHEET NUMBER 6-D



SOILS AND TOPOGRAPHIC MAP BETHANY PLACE RPD LEE COUNTY, FLORIDA

DCI 2005-00007

Exhibit 6-E

Source: Lee County Property Appraiser
300 150 0 300 Feet

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