GIS Tracking Sheet

Case No.: DCI2003-00038

Intake Date: May 15, 2003

Post-it® eLabel 005 725 309

Project Name: PRENTISS POINTE

STRAP Number(s): 34-45-24-00-00010.0000

Planner Name: Jeff Laurien Ext. 8336

LEGAL DESCRIPTION VERIFICATION and **INITIAL GIS MAPPING**

Date: 8-8-01 **INTAKE:** DCI03038

LEGAL SUFFICIENT ☑ YES ☐ NO Initials:

If not, give brief explanation:

MAP UPDATE following **FINAL ACTION**

Date: 07MAR04

☐ Hearing Examiner Decision ☒ Board of County Commissioner's Resolution

☐ Administrative Approval ☐ Blue Sheet

Zoning Notes: Z-03-062A, DCI 2003-00038, 02FEB04, REZONE FM CPD TO RPD, CONDS

MAP UPDATED ☐ YES ☐ NO Initials:

If not, give brief explanation: Note to G

Deleted CPD:001268
Created RPD:000062

Sanibel Surveys, Inc
2410 Palm Ridge Road
Sanibel, Florida 33957

Phone Number (239) 472-0095 ***Fax Number (239) 472-3566***

EXHIBIT "A"

July 21, 2003
LEGAL DESCRIPTION
PRENTISS POINTE
15841 WINKLER ROAD

RECEIVED
AUG 07 2003
PERMIT COUNTER

IN SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA:

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST (SW 1/4) OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, AS DESCRIBED AS FOLLOWS:

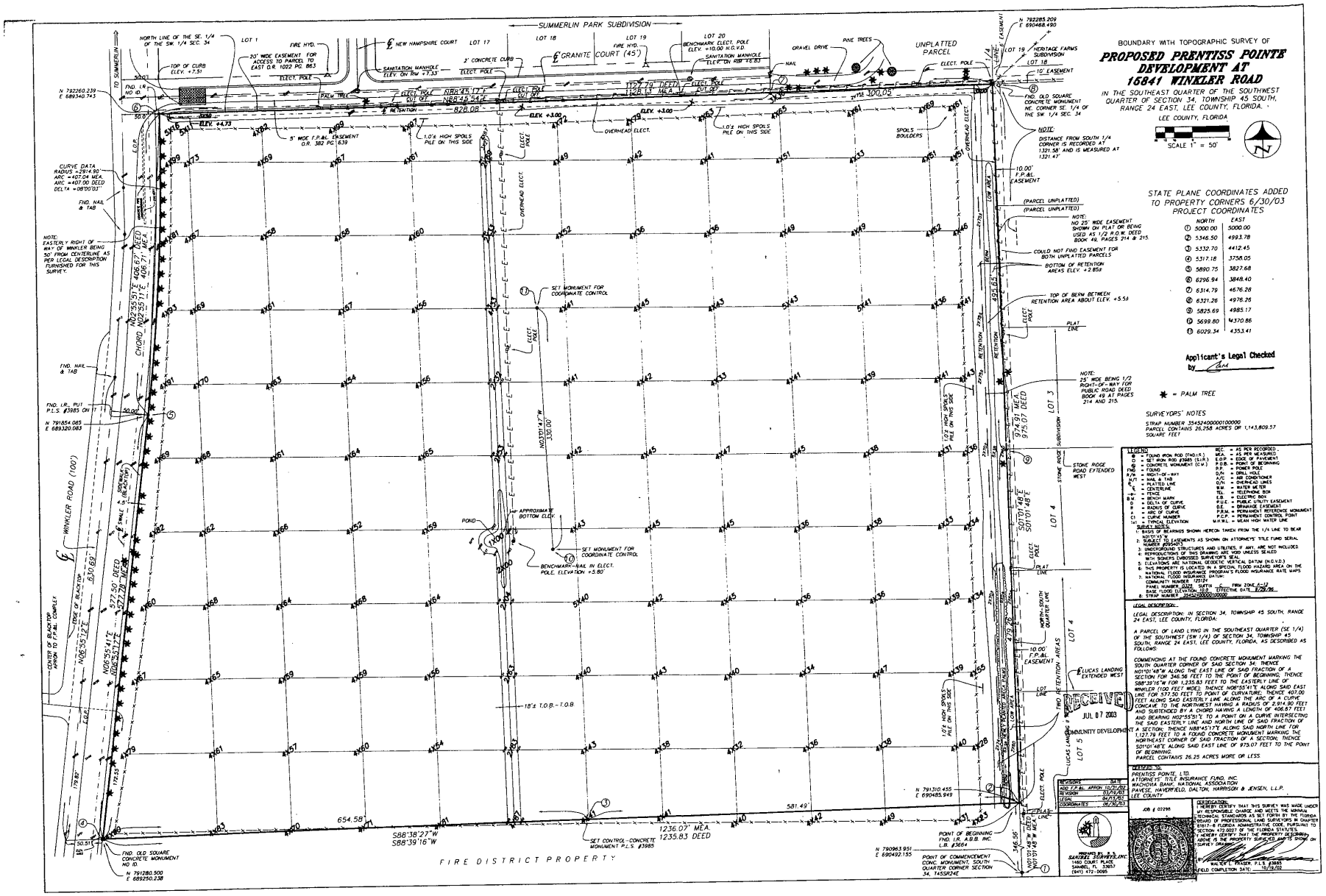
COMMENCING AT THE FOUND CONCRETE MONUMENT MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 34; THENCE N01°01'48"W ALONG THE EAST LINE OF SAID FRACTION OF A SECTION FOR 346.56 FEET TO THE POINT OF BEGINNING; THENCE S88°39'16"W FOR 1,235.83 FEET TO THE EASTERLY LINE OF WINKLER (100 FEET WIDE); THENCE N06°55'41"E ALONG SAID EAST LINE FOR 577.50 FEET TO POINT OF CURVATURE; THENCE 407.00 FEET ALONG SAID EASTERLY LINE ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 2,914.90 FEET AND SUBTENDED BY A CHORD HAVING A LENGTH OF 406.67 FEET AND BEARING N02°55'51"E TO A POINT ON A CURVE INTERSECTING THE SAID EASTERLY LINE AND NORTH LINE OF SAID FRACTION OF A SECTION; THENCE N88°45'17"E ALONG SAID NORTH LINE FOR 1,127.79 FEET TO A FOUND CONCRETE MONUMENT MARKING THE NORTHEAST CORNER OF SAID FRACTION OF A SECTION; THENCE S01°01'48"E ALONG SAID EAST LINE OF 975.07 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 26.25 ACRES MORE OR LESS.

WALTER FRASER (FOR THE FIRM LB-0006647)
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. 0003985

Applicant's Legal Checked
by

DCI 2003-00038



BOUNDARY WITH TOPOGRAPHIC SURVEY OF

PROPOSED PRENTISS POINTE DEVELOPMENT AT 16841 WINKLER ROAD

IN THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA.

LEE COUNTY, FLORIDA

SCALE 1" = 50'

NOTE: DISTANCE FROM SOUTH 1/4 CORNER IS RECORDED AT 1321.58' AND IS MEASURED AT 1321.47'

STATE PLANE COORDINATES ADDED TO PROPERTY CORNERS 6/30/03 PROJECT COORDINATES

	NORTH	EAST
①	5000.00	5000.00
②	5346.50	4993.78
③	5332.70	4412.45
④	5317.18	3758.05
⑤	5890.75	3827.68
⑥	6296.94	3848.40
⑦	6314.79	4676.26
⑧	6321.26	4976.26
⑨	5825.69	4985.17
⑩	5699.80	4370.86
⑪	6029.34	4353.41

Applicant's Legal Checked by _____

✱ = PALM TREE

SURVEYORS' NOTES

STRAP NUMBER 35452400001000000
PARCEL CONTAINS 26.258 ACRES OR 1,143,809.57 SQUARE FEET

LEGEND

●	= FOUND IRON ROD (FND.I.R.)	REC	= AS PER RECORDED
○	= SET IRON ROD #3985 (S.I.R.)	MEA.	= AS PER MEASURED
⊕	= CONCRETE MONUMENT (C.M.)	E.O.R.	= EDGE OF ROAD
FND	= FOUND	P.O.B.	= POINT OF BEGINNING
R/W	= RIGHT-OF-WAY	P.O.C.	= POWER POLE
PLS	= NAIL	D/H	= DRILL HOLE
⊥	= PERPENDICULAR	A/C	= AIR CONDITIONER
℄	= CENTERLINE	O/H	= OVERHEAD LINES
~	= FENCE	W.M.	= WATER METER
BM	= BENCH MARK	TEL	= TELEPHONE BOX
Δ	= DELTA OF CURVE	E.B.	= ELECTRIC BOX
R	= RADIUS OF CURVE	P.U.E.	= PUBLIC UTILITY EASEMENT
L	= ARC OF CURVE	D.E.	= DRAINAGE EASEMENT
C	= CURVE NUMBER	P.R.M.	= PERMANENT REFERENCE MONUMENT
141	= TYPICAL ELEVATION	P.C.P.	= PERMANENT CONTROL POINT
		M.H.W.L.	= MEAN HIGH WATER LINE

SURVEY NOTES:
1: BASIS OF BEARINGS SHOWN HEREON TAKEN FROM THE 1/4 LINE TO BEAR N01°01'48"W
2: SUBJECT TO EASEMENTS AS SHOWN ON ATTORNEYS' TITLE FUND SERIAL NUMBER 2003-5013
3: UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED
4: REPRODUCTIONS OF THIS DRAWING ARE VOID UNLESS SEALED WITH SIGNATURE EMBOSSED SURVEYOR'S SEAL.
5: ELEVATIONS ARE NATIONAL GEODETIC VERTICAL DATUM (N.G.V.D.)
6: THIS PROPERTY IS LOCATED IN A SPECIAL FLOOD HAZARD AREA ON THE NATIONAL FLOOD INSURANCE PROGRAM'S FLOOD INSURANCE RATE MAPS FOR LEE COUNTY, FLORIDA UNINCORPORATED AREA
COMMUNITY NUMBER 125124
PANEL NUMBER 0332 SUFFIX F FIRM ZONE A-12
BASE FLOOD ELEVATION 10.0 EFFECTIVE DATE 7/16/96
8: STRAP NUMBER 35452400001000000

LEGAL DESCRIPTION:

LEGAL DESCRIPTION: IN SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA.

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST (SW 1/4) OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, AS DESCRIBED AS FOLLOWS:

COMMENCING AT THE FOUND CONCRETE MONUMENT MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 34; THENCE N01°01'48"W ALONG THE EAST LINE OF SAID FRACTION OF A SECTION FOR 346.56 FEET TO THE POINT OF BEGINNING; THENCE S88°39'16"W FOR 1,235.83 FEET TO THE EASTERLY LINE OF WINKLER (100 FEET WIDE); THENCE N08°55'41"E ALONG SAID EAST LINE FOR 577.50 FEET TO POINT OF CURVATURE; THENCE 407.00 FEET ALONG SAID EASTERLY LINE ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 2,814.90 FEET AND SUBTENDED BY A CHORD HAVING A LENGTH OF 406.67 FEET AND BEARING N02°55'51"E TO A POINT ON A CURVE INTERSECTING THE SAID EASTERLY LINE AND NORTH LINE OF SAID FRACTION OF A SECTION; THENCE N88°45'17"E ALONG SAID NORTH LINE FOR 1,127.79 FEET TO A FOUND CONCRETE MONUMENT MARKING THE NORTHEAST CORNER OF SAID FRACTION OF A SECTION; THENCE S01°01'48"E ALONG SAID EAST LINE OF 975.07 FEET TO THE POINT OF BEGINNING.
PARCEL CONTAINS 26.25 ACRES MORE OR LESS.

RECEIVED JUL 07 2003 COMMUNITY DEVELOPMENT

REVISIONS	DATE
ADD P.P.&L. APPROV.	10/21/03
REVISION	03/10/03
LEGAL	06/19/03
COORDINATES	06/30/03

JOB # 02298

PREPARED BY & SURVEYOR:
SANTINI & ASSOCIATES, INC.
1480 COURT PLACE
SANIBEL, FL. 33957
(941) 472-0095

DESCRIPTION:
PRENTISS POINTE, LTD.
ATTORNEYS' TITLE INSURANCE FUND, INC.
MACHOVA BANK, NATIONAL ASSOCIATION
PAVESE, HAVERFIELD, DALTON, HARRISON & JENSEN, L.L.P.
LEE COUNTY

DEDICATION:
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMAL TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.0027 OF THE FLORIDA STATUTES. I FURTHER CERTIFY THAT THE PROPERTY DESCRIBED ABOVE IS ACCURATELY SURVEYED AND IS SHOWN ON SURVEY DRAWING.

WALTER L. FRASER, P.L.S. #3985
FIELD COMPLETION DATE: 10/18/02

File

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
ZONING DIVISION

DATE: February 27, 2004

TO: WHOM IT MAY CONCERN

FROM: Billie Jacoby
Administrative Assistant

RE: Distribution of **AMENDED** Resolution

Resolution Number	Case Number	Case Name
Z-03-062**A**	DCI2003-00038	Prentiss Pointe

The Prentiss Pointe RPD was approved by Board action on February 2, 2004. At that meeting, the Board reduced the allowed density for the project by 39 units. This revision prompted a reconfiguration on the Master Concept Plan governing the development of the site. In light of the reconfigured site plan, condition 10 of the resolution is no longer necessary.

Should you have any questions, please call me at 479-8448 or Jeff Laurien at 479-8336.

cc: Andy Getch - DOT, 3rd floor
Brad Vance - Nat. Res. Man., 3rd floor
Julie Dalton - Prop. Appraisers
Sandy Polk - Codes & Buildings
David Saniter - Public Safety, Em. Mgmt
Hearing Examiner
Audra Ennis - Dev. Svcs
Kim Trebatoski - Env. Sciences
Matt Noble - Planning
Pete Eckenrode- Dev. Ser. Dir.
Planner
Applicant (care of agent)

RESOLUTION NUMBER Z-03-062A

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

WHEREAS, Harvey Strauss, P.E., and Gary L. Howe filed an application on behalf of the property owner, Prentiss Pointe, Ltd., to rezone a 26.25-acre parcels from Commercial Planned Development (CPD) to Residential Planned Development (RPD), in reference to Prentiss Pointe; and

WHEREAS, a public hearing was advertised and held on November 12, 2003, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2003-00038; and

WHEREAS, a second public hearing was advertised and held on February 2, 2004, 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 a 26.25-acre parcel from CPD to RPD, to allow for the development of 144 multi-family units (coach house condominiums) with maximum building heights of 35 feet. No blasting is proposed on the site. The property is located in the Suburban Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED LIMITED TO four units per acre or a maximum of 105 units and SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. Development must be consistent with the one-page Master Concept Plan (MCP) entitled "Prentiss Pointe, LTD Master Concept Plan for property at 15841 Winkler Road, Lee County, Section 34, Township 45S, Range 24E," stamped received February 3, 2004 Permit Counter, except as modified by the conditions below (Exhibit B). Development must comply with 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.

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

02/02/04

a. Schedule of Uses

Accessory Uses
Dwelling Unit: Multiple-Family Buildings (Condominiums, 105 total)
Essential Services
Essential Service Facilities, Group I
Excavation, Water Retention
Models - Model Unit (per LDC 34-19511)
Parking Lot - Accessory
Recreational Facilities - Private, On-Site
Signage, in accordance with LDC Chapter 30
Storage - Indoor Only (must be within the requested private clubhouse building)
Temporary Real Estate Sales Office (Sales Trailer)
Private Clubhouse (3,600 square feet maximum)
Fences
Walls
Entrance Gates

b. Site Development Regulations

Minimum lot area and dimensions:

Multiple-family:	
Minimum Lot size (square feet)	13,000
Lot Area per unit (square feet)	3,250
Lot width (feet)	127
Lot depth (feet)	100

Minimum setbacks:

Internal Street (feet)	15
External street (feet)	20
Side yard (feet) :	
Multiple-family and all other uses	10
Rear yard (feet)	20
Water body (feet)	20

Special regulations:

Maximum height (feet)	35 (2 stories)
Maximum lot coverage (percent of total lot area)	45
Minimum Separation Distance Between Buildings (feet)	20
Minimum External Setback (feet) (If parcel developed as 1 lot - not subdivided)	

South	20
West	20
North	20
East	125

c. A total maximum of 105 units are permitted.

3. Approval of this RPD 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 local development order approval.

4. Approval of this RPD 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. Agriculture is not a permitted use in the approved Schedule of Uses for this property. Existing agricultural uses must cease upon approval of the requested rezoning.

6. Blasting is prohibited.

7. Exhibit "C," the "Prentiss Point Conceptual Buffer Planting Plan for Fort Myers, Florida", is adopted as part of this rezoning. Buffer plantings must be installed in substantial compliance with this plan prior to the issuance of a certificate of compliance on the property.

8. Model units are permitted in compliance with the following conditions:

   a. Model units may only be located in the building adjacent to the sales trailer and immediately to the south of the entrance onto Winkler Road, as depicted on the approved MCP; and

   b. Each model unit must be a unique example. Multiple examples of the same unit are not permitted; and

   c. A total maximum of four (4) model units are permitted; and

   d. Hours of operation are restricted to Sunday through Saturday, 8:00 a.m. through 6:00 p.m.

9. A single Real Estate Sales Office is permitted in compliance with the following conditions:

   a. It must be located as depicted on the approved MCP; and

   b. Hours of operation are restricted to Sunday through Saturday, 8:00 a.m. through 6:00 p.m.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC §10-285 requirement to provide a minimum separation distance of 660 feet on arterial roads, to allow separation distances of 493 feet and 336 feet along Winkler Road and Granite Court respectively as depicted on the MCP. This deviation is APPROVED.

SECTION D. EXHIBITS AND STRAP NUMBER:

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

Exhibit A: The legal description of the property
Exhibit B: The Master Concept Plan
Exhibit C: "Prentiss Pointe Conceptual Buffer Planting Plan for Fort Myers, Florida"
Exhibit D: Zoning Map (with the subject parcel indicated)

The applicant has indicated that the STRAP number for the subject property is: 34-45-24-00-00010.0000.

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and other applicable codes and regulations.

2. The RPD rezoning, as conditioned:

   a. meets or exceeds the performance and locational standards set forth for the potential uses allowed by the request; and,

   b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,

   c. is compatible with existing or planned uses in the surrounding area; and,

   d. will not place an undue burden upon existing transportation or planned infrastructure facilities and the site 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 approval of this rezoning request 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 will be available and adequate to serve the proposed land use.

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

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

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

DULY PASSED AND ADOPTED this 2nd day of February 2004.

ATTEST:
CHARLIE GREEN, CLERK

BY: Cindy Morrison
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

SEAL

Approved as to form by:

_____
Donna Marie Collins
County Attorney's Office

RECEIVED
MINUTES OFFICE

2004 FEB 26 AM 11:23

EXHIBIT A
(Page 1 of 2)

Sanibel Surveys, Inc
2410 Palm Ridge Road
Sanibel, Florida 33957

Phone Number (239) 472-0095 **Fax Number (239) 472-3566**

EXHIBIT "A"

July 21, 2003
LEGAL DESCRIPTION
PRENTISS POINTE
15841 WINKLER ROAD

RECEIVED
AUG 07 2003
PERMIT COUNTER

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LEE COUNTY, FLORIDA:

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PARCEL CONTAINS 26.25 ACRES MORE OR LESS.

WALTER FRASER (FOR THE FIRM LB-0006647)
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. 0003985

Applicant's Legal Checked
by

DCI 2003-00038

EXHIBIT A

(Page 2 of 2)

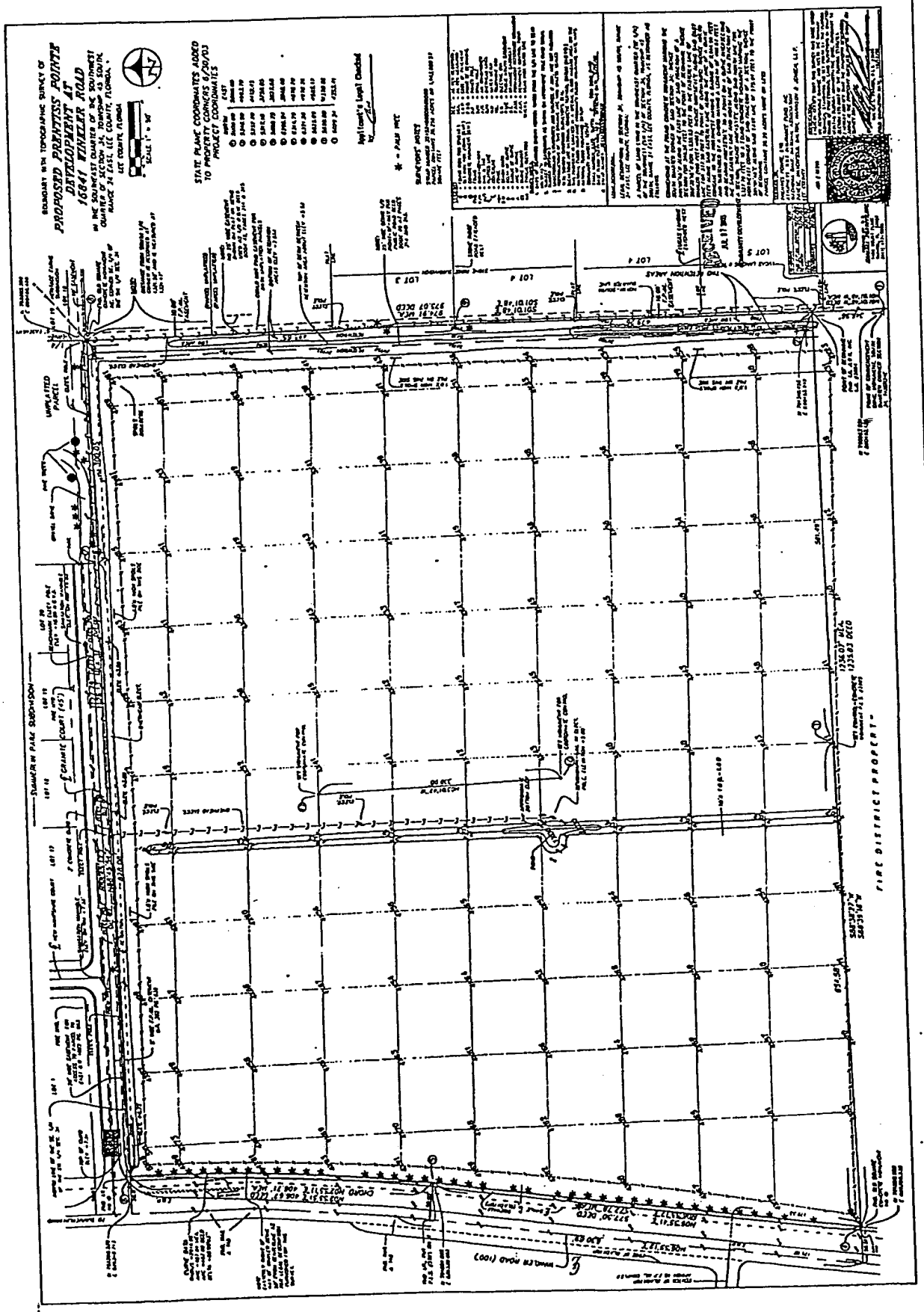


EXHIBIT B

MASTER CONCEPT PLAN FOR PROPERTY AT
15841 WINKLER ROAD, LEE COUNTY
SECTION 34 TOWNSHIP 45S RANGE 24E
PREMISS POINTE, LTD
SHEET C-1
ALPHA ENGINEERING of Lee County, Inc.
SCALE 1"=60'
DATE 5-9-03
PROJECT NUMBER 2582-07
DRAWN BY TG
CHECKED BY HS
APPROVED BY HS
REVISIONS
2-3-2004 - REVISED PER LEE COUNTY
8-5-2003 - REVISED PER COUNTY COMMENTS
7-3-2003 - REVISED PER COUNTY COMMENTS
SP2582-07F
NOTES
1. PAVEMENT WIDTH - 20' PLUS 2' VALLEY GUTTER/CUTTER ON EA. SIDE
2. SEWER DOWN THE CENTERLINE OF ROAD
3. THERE ARE APPARENTLY NO EASEMENTS OR R.O.W.'S ON THE PROPERTY
4. PARKING SPACES PROVIDED - 43
5. DENSITY = 4.0 D.U.'S PER ACRE
6. NO BLASTING IS PROPOSED DURING CONSTRUCTION
7. THE PROJECT WILL NOT BE PHASED
8. THERE ARE NO LOTS FOR EACH FOUR PLEX. ALL AREAS ARE CONSIDERED COMMON AREAS THAT ARE MAINTAINED BY THE CONDOMINIUM ASSOCIATION
SCHEDULE OF DEVIATIONS
1. SEE RESOLUTION
RECEIVED FEB 9 3 2004 ZONING
RECEIVED FEB 9 3 2004 PERMIT COUNTER
DCI2003-00038
EXHIBIT III-A-2
EXHIBIT IV-A-1
EXHIBIT IV-I-1
APPROVED
Master Concept Plan
Site Plan = 03-062 Pg. 1 of 1
Subject to conditions in Resolution Z-03-062
Case = DCI2003-00038
GRAPHIC SCALE IN FEET
0 60 120
N
10' EASEMENT
10.0' EP&L EASEMENT
144' MIN. DISTANCE TO VERT. FACE
ZONING: RS-1 PRESENT USE: RESIDENTIAL
PROPOSED 4' HIGH BUFFER WALL
100' BUFFER
TYPICAL FOUR UNIT COACH HOUSE
WET RETENTION LAKE WITH FOUNTAIN
PREMISS POINTE CIRCLE
ZONING: CPD PRESENT USE: COMMERCIAL
15' TYPE "D" BUFFER
ZONING: CPD PRESENT USE: FIRE PREVENTION
15' TYPE "D" BUFFER
5' WIDE E.P.&L. EASEMENT
GRANITE COURT
LANDSCAPING POND W/ FOUNTAIN
TENNIS COURTS
CLUB HOUSE
SWIMMING POOL
EGRESS
INGRESS
SALES TRAILER
WET RETENTION LAKE WITH FOUNTAIN
WINKLER ROAD
ZONING: AG-2 - PRESENT USE: EP&L SUBSTATION
DEVIATION - 492'
SECTION F-F
SCALE 1"=5' HORIZ. & VERT.
BUFFER EXTENDS FROM P.A. 100' TO CURB

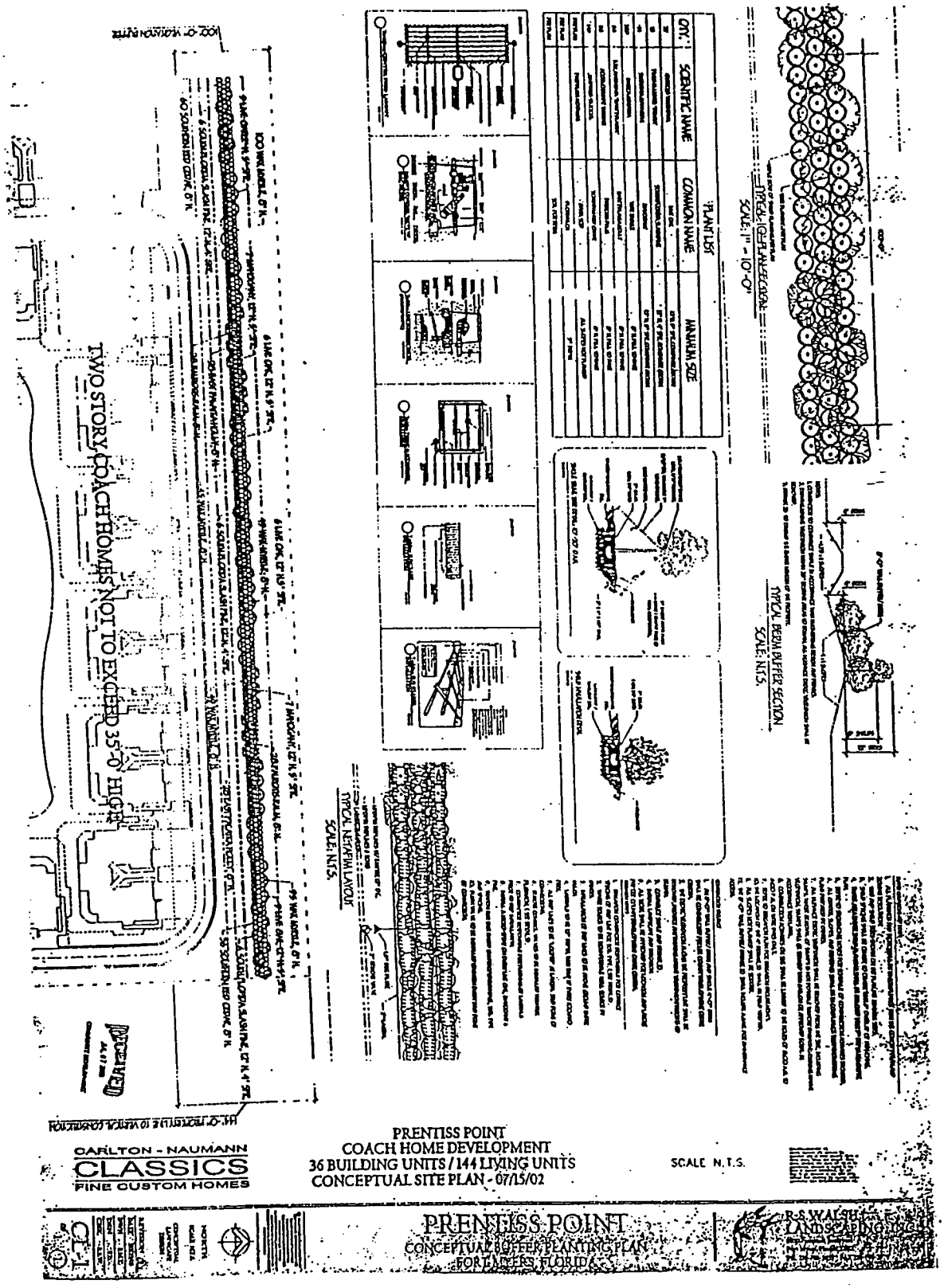


EXHIBIT C

DCI2003-00038

ZONING MAP

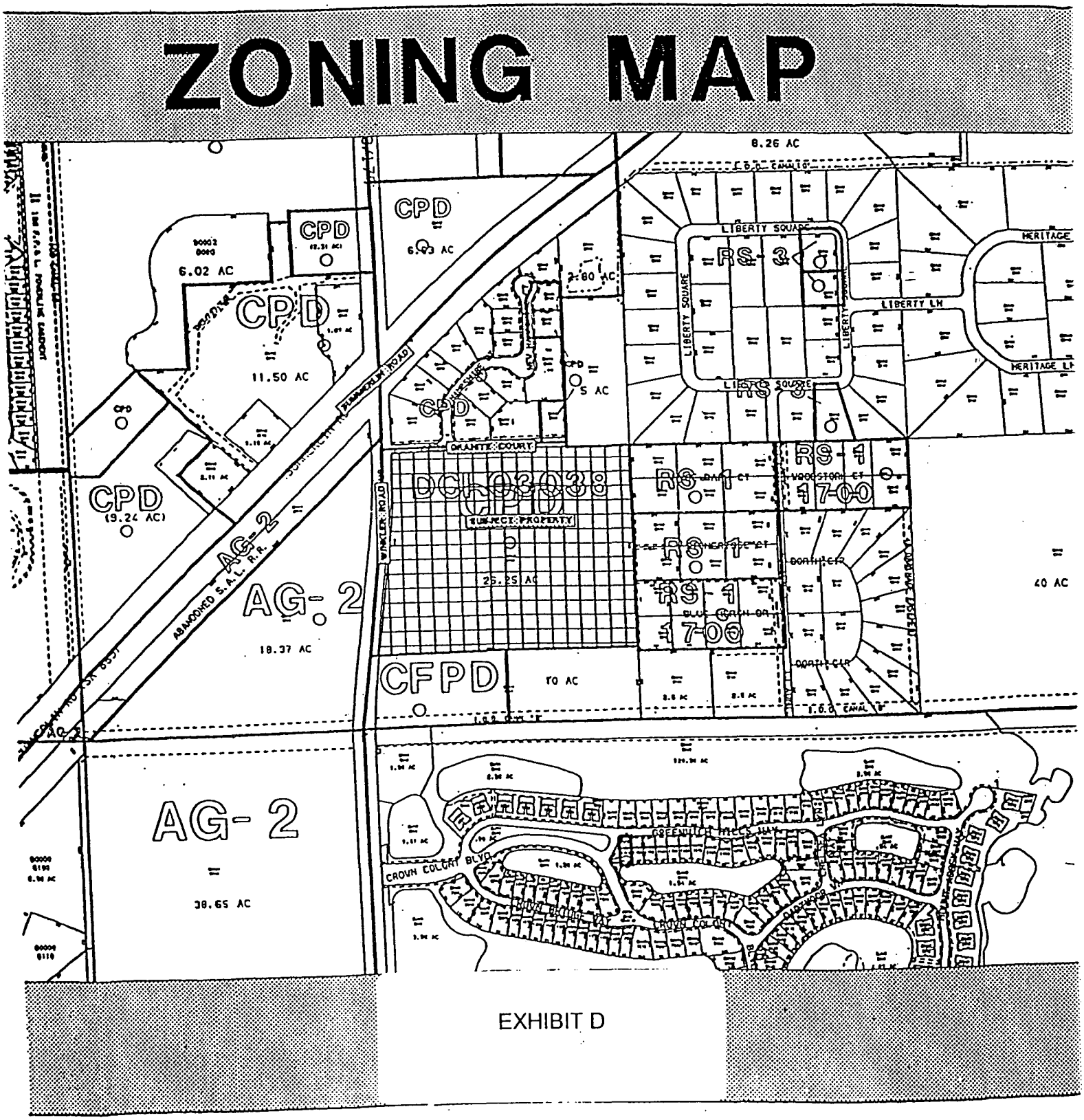


EXHIBIT D

LEE COUNTY
RECEIVED
04 FEB 25 AM 8:55
COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY

DATE: February 24, 2004

TO: Christine Berry
Executive Assistant, District 5

FROM: Donna Marie Collins
Assistant County Attorney

RE: Prentiss Pointe Amended Resolution
Zoning Resolution: Z-03-062A
February 2, 2004 Zoning BOCC

The Prentiss Pointe RPD was approved by Board action on February 2, 2004. At that meeting, the Board reduced the allowed density for the project by 39 units. This revision prompted a reconfiguration of the Master Concept Plan governing the development of the site. In light of the reconfigured site plan, Condition 10 of the resolution is no longer necessary. According, kindly have the Chairman execute the attached amended resolution which removes Condition 10 from the approval.

DMC/amp
Attachment: Resolution Z-03-062A, Amended Resolution for Prentiss Pointe RPD

cc: Billie Jacoby, Department of Community Development
Jeff Laurien, Senior Planner, Zoning Division

RESOLUTION NUMBER Z-03-062

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

WHEREAS, Harvey Strauss, P.E., and Gary L. Howe filed an application on behalf of the property owner, Prentiss Pointe, Ltd., to rezone a 26.25-acre parcels from Commercial Planned Development (CPD) to Residential Planned Development (RPD), in reference to Prentiss Pointe; and

WHEREAS, a public hearing was advertised and held on November 12, 2003, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2003-00038; and

WHEREAS, a second public hearing was advertised and held on February 2, 2004, 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 a 26.25-acre parcel from CPD to RPD, to allow for the development of 144 multi-family units (coach house condominiums) with maximum building heights of 35 feet. No blasting is proposed on the site. The property is located in the Suburban Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED LIMITED TO four units per acre or a maximum of 105 units and SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. Development must be consistent with the one-page Master Concept Plan (MCP) entitled "Prentiss Pointe, LTD Master Concept Plan for property at 15841 Winkler Road, Lee County, Section 34, Township 45S, Range 24E," stamped received February 3, 2004 Permit Counter, except as modified by the conditions below (Exhibit B). Development must comply with 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.

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

a. Schedule of Uses

Accessory Uses
Dwelling Unit: Multiple-Family Buildings (Condominiums, 105 total)
Essential Services
Essential Service Facilities, Group I
Excavation, Water Retention
Models - Model Unit (per LDC 34-19511)
Parking Lot - Accessory
Recreational Facilities - Private, On-Site
Signage, in accordance with LDC Chapter 30
Storage - Indoor Only (must be within the requested private clubhouse building)
Temporary Real Estate Sales Office (Sales Trailer)
Private Clubhouse (3,600 square feet maximum)
Fences
Walls
Entrance Gates

b. Site Development Regulations

Minimum lot area and dimensions:

Multiple-family:	
Minimum Lot size (square feet)	13,000
Lot Area per unit (square feet)	3,250
Lot width (feet)	127
Lot depth (feet)	100

Minimum setbacks:

Internal Street (feet)	15
External street (feet)	20
Side yard (feet) :	
Multiple-family and all other uses	10
Rear yard (feet)	20
Water body (feet)	20

Special regulations:

Maximum height (feet)	35 (2 stories)
Maximum lot coverage (percent of total lot area)	45
Minimum Separation Distance Between Buildings (feet)	20
Minimum External Setback (feet) (If parcel developed as 1 lot - not subdivided)	

South	20
West	20
North	20
East	125

c. A total maximum of 105 units are permitted.

3. Approval of this RPD 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 local development order approval.

4. Approval of this RPD 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. Agriculture is not a permitted use in the approved Schedule of Uses for this property. Existing agricultural uses must cease upon approval of the requested rezoning.

6. Blasting is prohibited.

7. Exhibit "C," the "Prentiss Point Conceptual Buffer Planting Plan for Fort Myers, Florida", is adopted as part of this rezoning. Buffer plantings must be installed in substantial compliance with this plan prior to the issuance of a certificate of compliance on the property.

8. Model units are permitted in compliance with the following conditions:

   a. Model units may only be located in the building adjacent to the sales trailer and immediately to the south of the entrance onto Winkler Road, as depicted on the approved MCP; and

   b. Each model unit must be a unique example. Multiple examples of the same unit are not permitted; and

   c. A total maximum of four (4) model units are permitted; and

   d. Hours of operation are restricted to Sunday through Saturday, 8:00 a.m. through 6:00 p.m.

9. A single Real Estate Sales Office is permitted in compliance with the following conditions:

   a. It must be located as depicted on the approved MCP; and

   b. Hours of operation are restricted to Sunday through Saturday, 8:00 a.m. through 6:00 p.m.

10. A solid wall or combination berm and solid wall not less than eight feet in height must be constructed along the entire northern length of the proposed parking lot, and must extend

10 feet easterly and westerly beyond the parking lot perimeter. The wall or wall/berm combination must be located not less than 25 feet from the abutting property and must be landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 lineal feet.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC §10-285 requirement to provide a minimum separation distance of 660 feet on arterial roads, to allow separation distances of 493 feet and 336 feet along Winkler Road and Granite Court respectively as depicted on the MCP. This deviation is APPROVED.

SECTION D. EXHIBITS AND STRAP NUMBER:

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

Exhibit A: The legal description of the property
Exhibit B: The Master Concept Plan
Exhibit C: "Prentiss Pointe Conceptual Buffer Planting Plan for Fort Myers, Florida"
Exhibit D: Zoning Map (with the subject parcel indicated)

The applicant has indicated that the STRAP number for the subject property is: 34-45-24-00-00010.0000.

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and other applicable codes and regulations.

2. The RPD rezoning, as conditioned:

   a. meets or exceeds the performance and locational standards set forth for the potential uses allowed by the request; and,

   b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,

   c. is compatible with existing or planned uses in the surrounding area; and,

   d. will not place an undue burden upon existing transportation or planned infrastructure facilities and the site 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 approval of this rezoning request 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 will be available and adequate to serve the proposed land use.

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

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

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

DULY PASSED AND ADOPTED this 2nd day of February 2004.

ATTEST:
CHARLIE GREEN, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

BOARD OF COUNTY COMMISSIONERS SEAL LEE COUNTY FLORIDA

Approved as to form by:

_____
Donna Marie Collins
County Attorney's Office

EXHIBIT A
(Page 1 of 2)

Sanibel Surveys, Inc
2410 Palm Ridge Road
Sanibel, Florida 33957

Phone Number (239) 472-0095 **Fax Number (239) 472-3566**

EXHIBIT "A"

July 21, 2003
LEGAL DESCRIPTION
PRENTISS POINTE
15841 WINKLER ROAD

RECEIVED
AUG 07 2003
PERMIT COUNTER

IN SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA:

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST (SW 1/4) OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, AS DESCRIBED AS FOLLOWS:

COMMENCING AT THE FOUND CONCRETE MONUMENT MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 34; THENCE N01°01'48"W ALONG THE EAST LINE OF SAID FRACTION OF A SECTION FOR 346.56 FEET TO THE POINT OF BEGINNING; THENCE S88°39'16"W FOR 1,235.83 FEET TO THE EASTERLY LINE OF WINKLER (100 FEET WIDE); THENCE N06°55'41"E ALONG SAID EAST LINE FOR 577.50 FEET TO POINT OF CURVATURE; THENCE 407.00 FEET ALONG SAID EASTERLY LINE ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 2,914.90 FEET AND SUBTENDED BY A CHORD HAVING A LENGTH OF 406.67 FEET AND BEARING N02°55'51"E TO A POINT ON A CURVE INTERSECTING THE SAID EASTERLY LINE AND NORTH LINE OF SAID FRACTION OF A SECTION; THENCE N88°45'17"E ALONG SAID NORTH LINE FOR 1,127.79 FEET TO A FOUND CONCRETE MONUMENT MARKING THE NORTHEAST CORNER OF SAID FRACTION OF A SECTION; THENCE S01°01'48"E ALONG SAID EAST LINE OF 975.07 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 26.25 ACRES MORE OR LESS.

WALTER FRASER (FOR THE FIRM LB-0006647)
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. 0003985

Applicant's Legal Checked
by

DCI 2003-00038

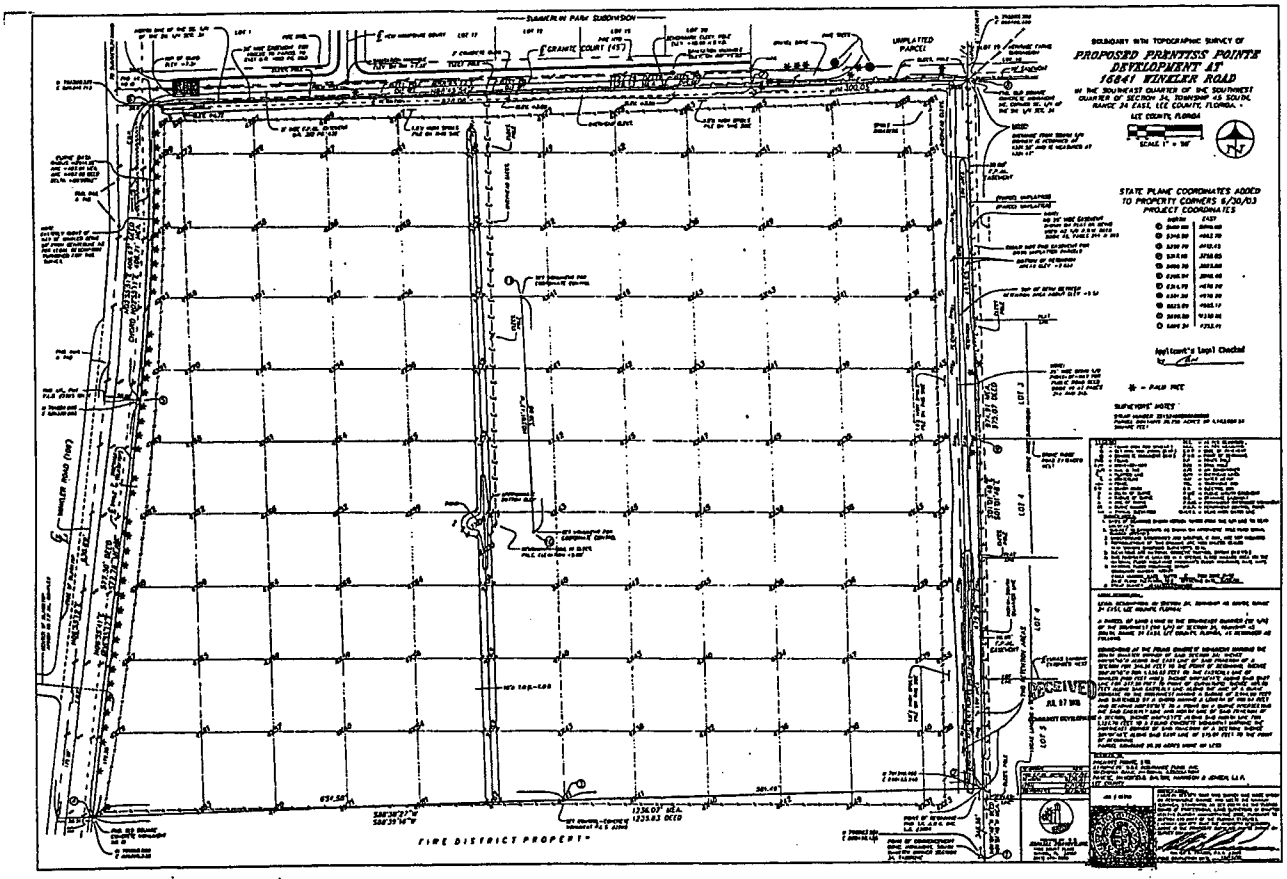


EXHIBIT A
(Page 2 of 2)

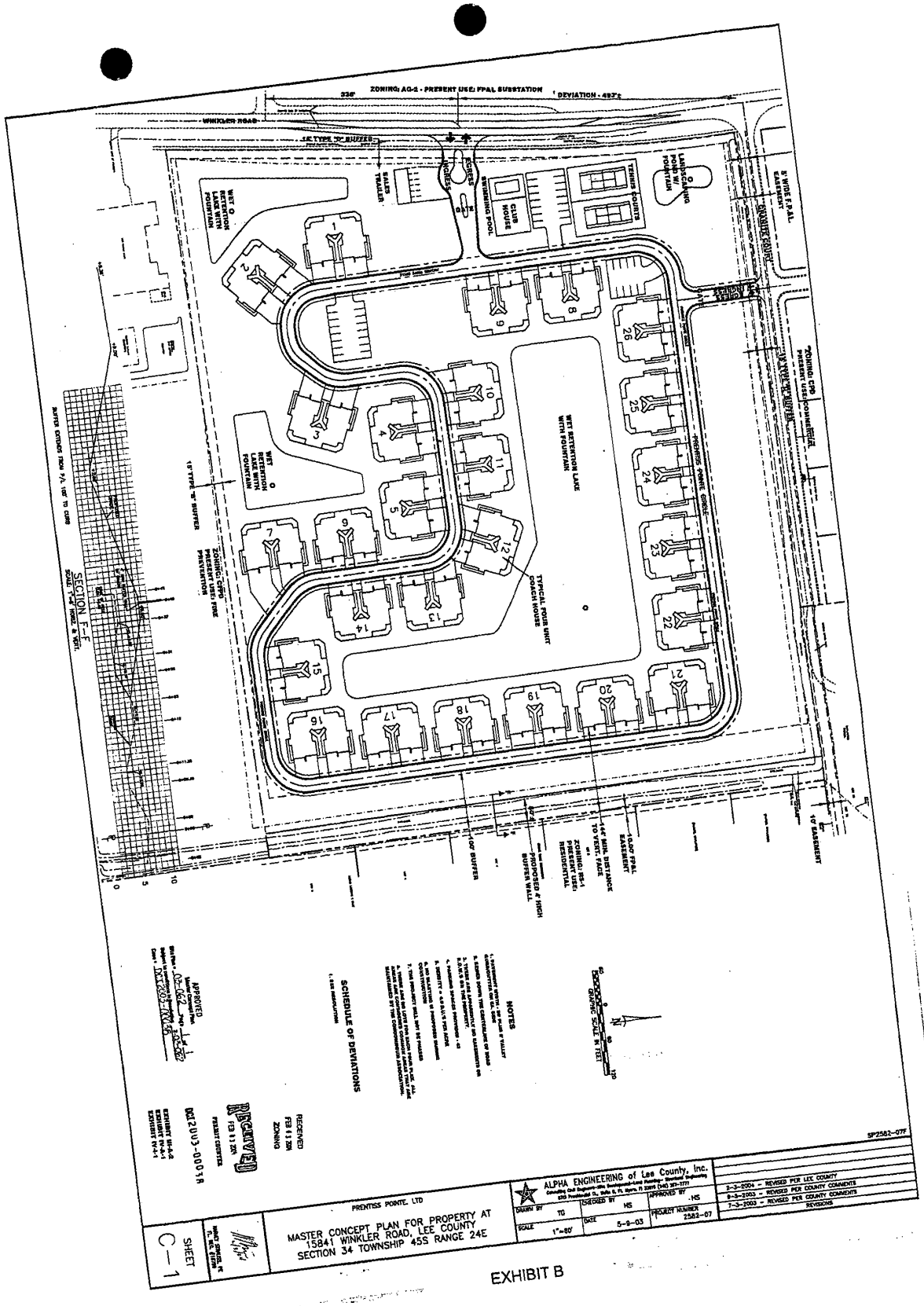

ZONING: AG-2 - PRESENT USE: FP&L SUBSTATION
DEVIATION - 493'±
WINKLER ROAD
15' TYPE 'D' BUFFER
SALES TRAILER
ACCESS
ACCESS
CLUB HOUSE
SWIMMING POOL
TENNIS COURTS
LANDSCAPING POND W/ FOUNTAIN
WET RETENTION LAKE WITH FOUNTAIN
WET RETENTION LAKE WITH FOUNTAIN
WET RETENTION LAKE WITH FOUNTAIN
PRENTISS POINTE CIRCLE
TYPICAL FOUR UNIT COACH HOUSE
15' TYPE 'D' BUFFER
ZONING: CPD PRESENT USES: FIRE PREVENTION
SECTION F-F
ROAD TO BE WIDE & WIDER
BUFFER EXTENDS FROM ½ LOT TO CURB
ZONING: CPD PRESENT USES: CONVENIENCE
15' TYPE 'D' BUFFER
PROPOSED 6' HIGH BUFFER WALL
ZONING: RM-1 PRESENT USES: RESIDENTIAL
TO VERT. FACE
150' FP&L EASEMENT
15' EASEMENT
SCHEDULE OF DEVIATIONS
NOTES
APPROVED
RECEIVED
FEB 11 '04
ZONING
DCI2003-00018
EXHIBIT B-4.A
EXHIBIT B-4.B
EXHIBIT M-4.1
PRENTISS POINTE, LTD
MASTER CONCEPT PLAN FOR PROPERTY AT
15841 WINKLER ROAD, LEE COUNTY
SECTION 34 TOWNSHIP 45S RANGE 24E
ALPHA ENGINEERING of Lee County, Inc.
DRAWN BY TG
DESIGNED BY HS
APPROVED BY HS
SCALE 1"=80'
DATE 5-9-03
PROJECT NUMBER 2582-07
2-3-2004 - REVISED PER LEE COUNTY COMMENTS
8-5-2003 - REVISED PER COUNTY COMMENTS
7-3-2003 - REVISED PER COUNTY COMMENTS
REVISIONS
SHEET C-1
SP2582-07F

EXHIBIT B

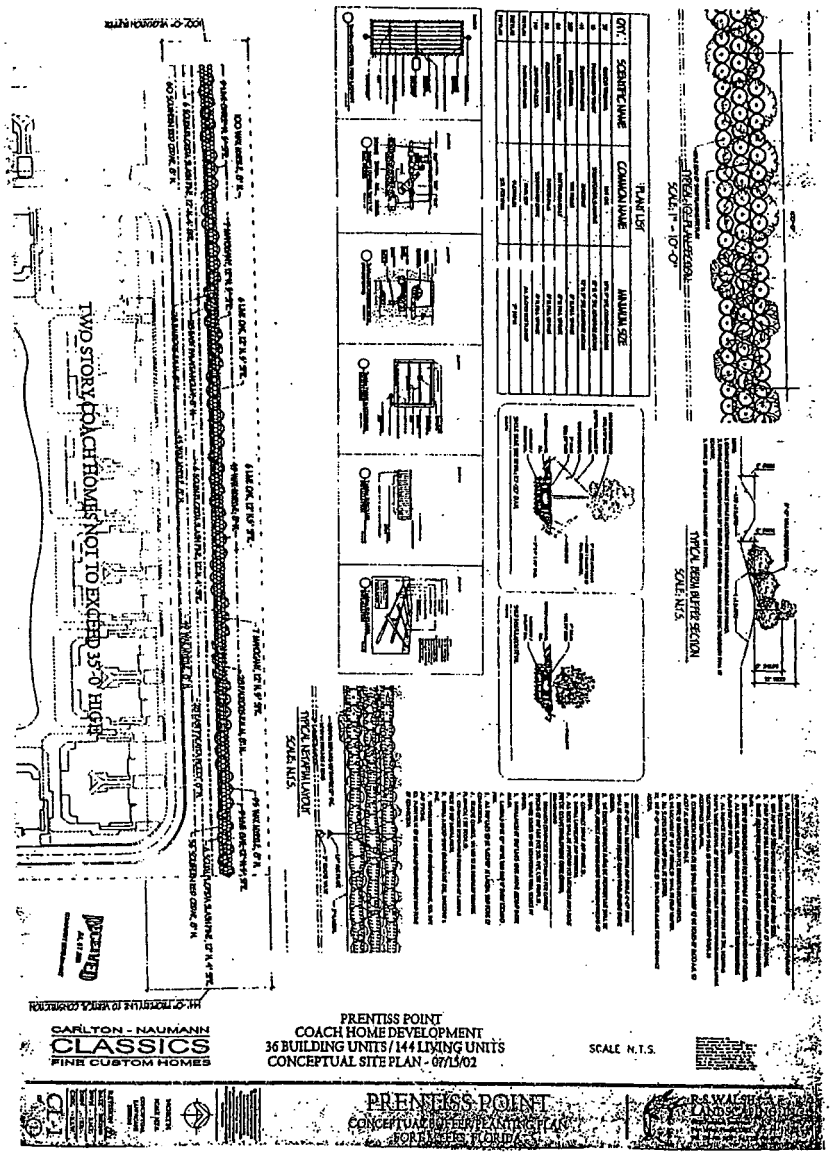


EXHIBIT C

DCI2003-00038

ZONING MAP

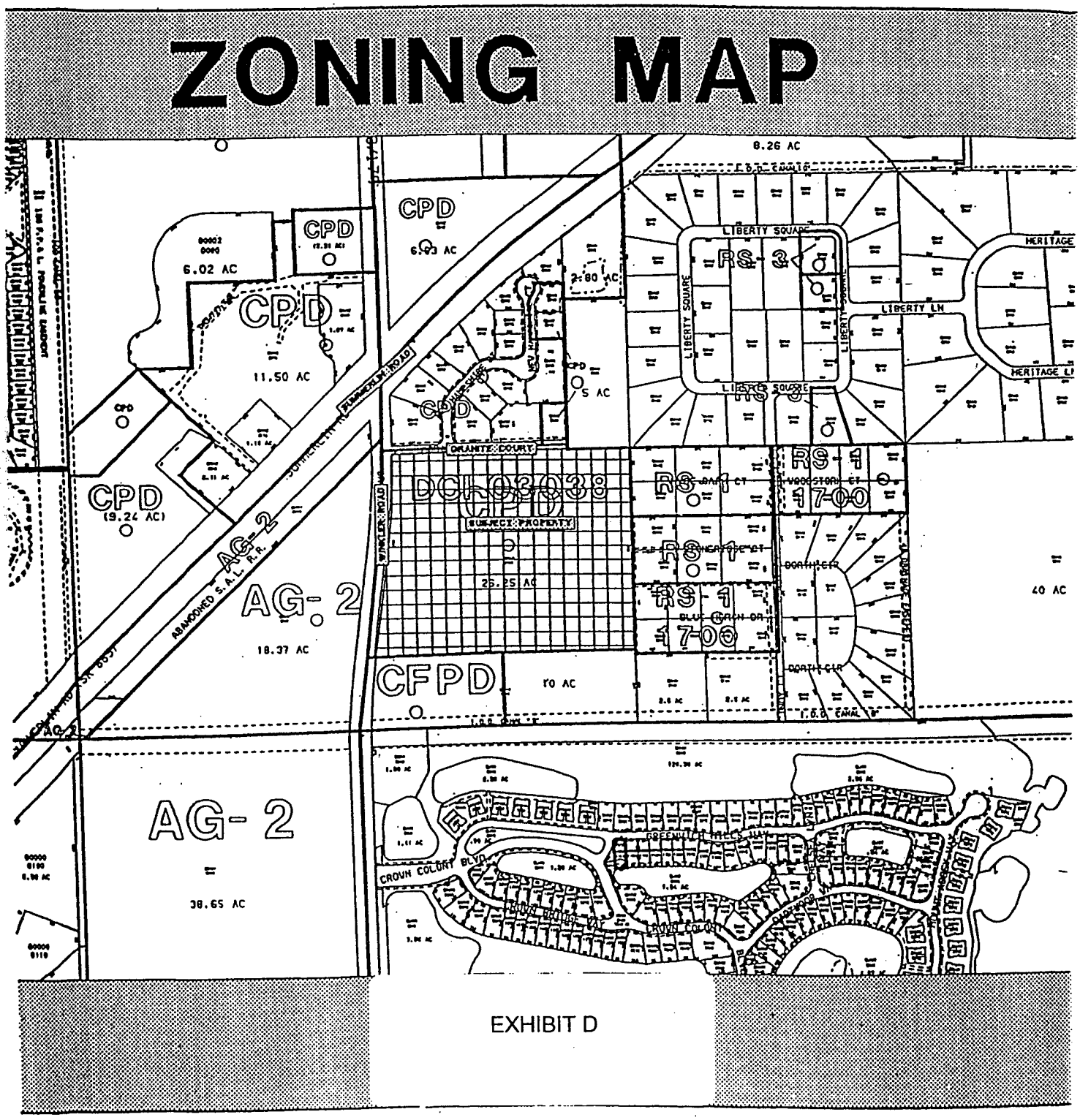


EXHIBIT D

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

HEARING EXAMINER RECOMMENDATION

REZONING: DCI2003-00038
APPLICANT: PRENTISS POINTE, LTD., % CARLTON NAUMANN CONSTRUCTION, INC., in reference to PRENTISS POINTE
HEARING DATE: NOVEMBER 12, 2003

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 PRENTISS POINTE, LTD., % CARLTON NAUMANN CONSTRUCTION, INC., 17499 McGregor Boulevard, Fort Myers, Florida 33908 (Applicant); PRENTISS POINTE, LTD., AN OHIO LIMITED LIABILITY CO., 7000 Quail Lakes Drive, Holland, Ohio 43528 (Owner); HARVEY STRAUSS, P.E., % ALPHA ENGINEERING, 6315 Presidential Court, Suite C, Fort Myers, Florida 33919; and GARY L. HOWE, % PRENTISS POINTE, LTD., 7000 Quail Lakes Drive, Holland, Ohio 43528 (Agents).

Request is to rezone the subject 26.25-acre property from the Commercial Planned Development (CPD) zoning district to the Residential Planned Development (RPD) zoning district to permit multi-family units (coach house condominiums) for a total of 144 units. Maximum height of buildings is to be 35 feet. No blasting is proposed on-site.

The subject property is located at 15841 Winkler Road (Winkler Road along west property line and Granite Court along north property line), in Section 34, Township 45 South, Range 24 East, Lee County, Florida (District #3).

II. STAFF REPORT AND RECOMMENDATION: APPROVE WITH CONDITIONS

The Department of Community Development Staff Report was prepared by Jeff Laurien. 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 CPD 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 (1) page Master Concept Plan entitled "Prentiss Pointe, LTD Master Concept Plan for property at 15841 Winkler Road, Lee County, Section 34, Township 45S, Range 24E," stamped received September 8, 2003, dated May 9, 2003, except as modified by the conditions below. This development must

comply with all requirements of the Lee County Land Development Code (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.

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

a. Schedule of Uses

Accessory Uses
Dwelling Unit: Multiple-Family Buildings (Condominiums, 144 total)
Essential Services
Essential Service Facilities, Group I
Excavation, Water Retention
Models - Model Unit (per LDC 34-19511)
Parking Lot - Accessory
Recreational Facilities - Private, On-Site
Signage, in accordance with LDC Chapter 30
Storage - Indoor Only (must be within the requested private clubhouse building)
Temporary Real Estate Sales Office (Sales Trailer)
Private Clubhouse (3,600 square feet maximum)
Fences
Walls
Entrance Gates

b. Site Development Regulations

Minimum lot area and dimensions:

Multiple-family:	
Minimum Lot size (square feet)	13,000
Lot Area per unit (square feet)	3,250
Lot width (feet)	127
Lot depth (feet)	100
Minimum setbacks:	
Internal Street (feet)	15
External street (feet)	20
Side yard (feet) :	
Multiple-family and all other uses	10
Rear yard (feet)	20
Water body (feet)	20
Special regulations:	
Maximum height (feet)	35 (2 stories)
Maximum lot coverage (percent of total lot area)	45

Minimum Separation Distance Between Buildings (feet)	20
Minimum External Setback (feet) (If parcel developed as 1 lot - not subdivided)	
South	20
West	20
North	20
East	125

c. A total maximum of 144 units are permitted.

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. Agriculture is not a permitted use in the approved Schedule of Uses for this property. All existing agricultural uses must cease upon approval of the requested rezoning.

6. No blasting is permitted on-site.

7. Exhibit "A," the "Prentiss Point Conceptual Buffer Planting Plan for Fort Myers, Florida", is adopted as part of this rezoning, and buffer plantings must be installed in substantial compliance with what is depicted on this plan prior to any certificate of compliance being issued on the subject property.

8. Model units are permitted in compliance with the following conditions:

a. The units may only be located in the building adjacent to the sales trailer and immediately to the south of the entrance onto Winkler Road, as depicted on the approved Master Concept Plan (MCP); and

b. Each model unit must be a unique example. Multiple examples of the same unit are not permitted; and

c. A total maximum of four (4) model units are permitted; and

d. Hours of operation are restricted to Sunday through Saturday, 8:00 a.m. through 6:00 p.m.

9. A single Real Estate Sales Office is permitted in compliance with the following conditions:

a. It must be located as depicted on the approved Master Concept Plan (MCP); and

b. Hours of operation are restricted to Sunday through Saturday, 8:00 a.m. through 6:00 p.m.

10. A solid wall or combination berm and solid wall not less than eight feet in height must be constructed along the entire northern length of the proposed parking lot, and must extend 10 feet easterly and westerly beyond the parking lot perimeters. That wall or wall/berm combination must be located not less than 25 feet from the abutting property and must be landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 lineal feet.

11. Note 8 must be removed from the Master Concept Plan prior to the recording of any resolution of approval for this application.

B. DEVIATIONS:

Deviation 1 requests relief from LDC Chapter 10-285, which requires a minimum separation distance of 660 feet on arterial roads, to allow separation distances of 493 feet, and 336 feet as depicted on the MCP. The Hearing Examiner recommends this deviation be **APPROVED**.

IV. HEARING EXAMINER DISCUSSION:

This is a request to rezone a 26.25-acre parcel, located on Winkler Road just south of Gladiolus Drive, from CPD (Commercial Planned Development) to RPD (Residential Planned Development) for construction of 144 condominium units in 36 multi-family buildings. The subject property is abutted on the north by a developing office park, on the south by the Iona/McGregor Fire Station and vacant AG-2 zoned lands, on the east by the Heritage Farms subdivision, and on the west by an AG-2 zoned FP&L facility. It is designated Suburban in the Lee Plan and the planned residential development is consistent with the intent and density of that land use designation.

Applicant plans to construct 36 multi-family buildings with four condominium units per building around an "L"-shaped retention lake. The buildings will have a maximum height of 35 feet, and will be setback from each other a minimum of 20 feet. The condos are designed with three bedrooms, two baths, and an attached two car garage. The major gated ingress/egress point is to Winkler Road, with a secondary gated access onto Granite Court, which runs along the north property line.

The Master Concept Plan depicts the 125-foot setback and buffer along the east property line, which separates this property from the single-family lots within the Heritage Farms development. This setback and buffer were worked out between Applicant and the Heritage Farms Homeowner's Association, and the request as set out in the Master Concept Plan has been approved and is supported by that Homeowner's Association.

Applicant's request included one Deviation, which was from the minimum 660-foot access point separation requirement. This project's proposed access point onto Winkler Road would be only 493 feet from Granite Court (to the north) and 336 feet from the driveway into the FP&L parcel on the west side of Winkler Road. Staff recommended approval of the Deviation.

Staff recommended approval, with conditions, of the requested rezoning, finding that the proposed uses were consistent with the intent of the Lee Plan and would be compatible with the residential development trend along Winkler Road. They explained that the subject property had

been zoned CPD, but that the Master Concept Plan had been vacated for failure to develop. They believed that the proposed plan of development was more appropriate for this area than was the previously approved CPD uses.

A representative of the Heritage Farms Homeowner's Association spoke at the public hearing in support of the request as depicted on the Master Concept Plan. One Heritage Farm resident asked that the Hearing Examiner require Applicant to provide water and sewer easements over the subject property with which he could connect. He explained that the other homeowners did not want to connect into the water and sewer lines along Gladiolus Drive and that this might be his only opportunity to connect to public utilities because of the location of his home and the prohibitive costs involved in connecting to Gladiolus Drive. Applicant explained that, while they would connect into the Lee County Utilities lines, the lines on the subject property would be privately maintained by the homeowners. Thus, the Heritage Farms resident would be unable to connect into their lines.

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

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

It is also her opinion that the approved Deviation, as conditioned, enhances the objective of the planned development, and promotes and protects the public health, safety and welfare.

V. FINDINGS AND CONCLUSIONS:

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

A. That the Applicant has proved entitlement to this request, as conditioned, by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes or regulations.

B. That the request, as conditioned, will meet or exceed all performance and locational standards set forth for the potential uses allowed by the request.

C. That the request, as conditioned, is consistent with the densities, intensities and general uses set forth in the Lee Plan.

D. That the request, as conditioned, is compatible with existing or planned uses in the surrounding area.

E. That approval of the request, as conditioned, will not place an undue burden upon existing transportation or planned infrastructure facilities, and the development will be served by streets with the capacity to carry traffic it generates.

F. That the request, as conditioned, will not adversely affect environmentally critical areas and natural resources.

G. That the proposed mix of uses, as conditioned, are appropriate at the subject location.

H. That the recommended conditions to the Master Concept Plan are reasonably related to the impacts anticipated from the proposed development, and, with other regulations, will provide sufficient safeguard to the public interest.

I. That the approved Deviation, as conditioned, will enhance the objective of the proposed development, and will promote the protection of the public health, safety and welfare.

J. That urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

VI. LIST OF EXHIBITS:

Master Concept Plan, prepared by ALPHA ENGINEERING of Lee County, Inc., dated 5-9-03, last revised 9-5-2003, date stamped "Received September 8, 2003, Permit Counter" (one original & one copy)

STAFF'S EXHIBITS

1 Aerial photograph of the subject property and surrounding area

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

APPLICANT'S EXHIBITS

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

VII. PRESENTATION SUMMARY:

The Hearing Examiner explained the hearing process and placed all the participants under oath. First to speak was Mark Naumann with Prentiss Pointe Ltd., the owner of the subject property. The proposed request was to rezone the subject property to the less intensive RPD zoning district in order to build 144 multi-family condominium units. There would be 36 coach home buildings, containing four condominium units each. The majority of the developments on Winkler Road were either single or multi-family residences, and they believed their parcel was conducive to residential uses versus commercial uses. Since the subject property was previously rezoned to CPD, they considered their request a down-zoning.

The Hearing Examiner verified that the property was approximately 25 .6 acres in size. Mr. Naumann agreed and stated that Heritage Farms was located on the east side of the subdivision. A commercial development known as Summerlin Park, consisting of professional offices, such as doctor and attorney offices, was located north of the subject property. The Iona/McGregor Fire Department was located to the south, and a Florida Power and Light (FP&L) facility was located to the west.

Lastly, Mr. Naumann indicated that he had read and agreed with Staff's recommendation and proposed conditions in the Staff Report.

Next, Gary Howe, also with Prentiss Pointe Ltd., introduced himself and noted that, in addition to the conditions in the Staff Report, there would be amendments to the conditions regarding some setback issues. Jeff Laurien, Department of Community Development, interjected that he would address those setback issues during Staff's presentation.

It was the Hearing Examiner's understanding that the proposed density would be 5.49 units per acre and asked for the specific size and configuration of the coach homes? Mr. Naumann explained that the four units in each building would be predominantly three bedrooms, two baths units with a two-car garage. Furthermore, there was a required minimum setback of 10 feet between buildings, but their proposed plan indicated 20 feet, which exceeded the minimum.

Jeff Laurien began Staff's presentation by indicating that his resume was on file with the Hearing Examiner's Office and asked to be accepted as an expert witness in zoning matters, as in previous hearings. After hearing no objections, the Hearing Examiner accepted him as such.

Mr. Laurien described the proposed request as a rezoning of 26.25 ± acres from CPD to RPD to permit a total of 144 multi-family units with a maximum 35-foot building height. No blasting was proposed. Although the property was currently zoned CPD, the Master Concept Plan (MCP) had lapsed due to inactivity. Therefore, the property was still zoned CPD, but there were no uses associated with the zoning designation.

He referred to Condition 10, page 3 of the Staff Report, and pointed out the end of the paragraph should be corrected to read "10 feet beyond the parking lot." He explained that purpose of Condition 10 was for the parking lot on the northeast corner of the site. The owner would provide a 25-foot buffer with an eight-foot-high solid wall and berm combination along the 125-foot-wide parking lot. Staff recommended that the solid wall and berm combination extend 10 feet east and west of the parking lot so it would adequately buffer the parking lot from the adjacent residents. The Hearing Examiner advised that Condition 10 may be reworded for clarity.

Next, referring to Attachment "C" of the Staff Report, Mr. Laurien indicated that the Applicant originally intended to use the subject property as a single lot. However, after discussing the matter with the Applicant's representative, he had suggested that it would be in their best interests to resubmit their proposal with minimum lot sizes that were less than the entire lot because they may decide to subdivide the property into bigger lots in the future.

Furthermore, Mr. Laurien wanted it understood that, if the site was developed as a single lot, Staff would suggest a category entitled "minimum external setback" be added. Those external setback requirements would be measured from the perimeter lot line of the entire site. The minimum external setback would be 20 feet along the south, west and north sides and a 25-foot setback would be required adjacent to the 100-foot buffer (125-foot setback from the property line) on the east side.

Again, he referenced Attachment "C," which depicted a 15-foot street setback, and asked that the setback be changed to a minimum of 15 feet for the internal street and loop road. It should read a minimum of 20 feet for the external streets (Granite Street and Winkler Road).

In conclusion, Mr. Laurien indicated that the proposed development would consist of four-unit coach homes, lakes, club house and accessory structures. Staff found the proposed rezoning,

as conditioned, consistent with the Comprehensive Plan and Land Development Code (LDC). They recommended approval of the rezoning from CPD to RPD with Conditions 1 through 11 and Deviation 1, on pages 2 and 3 of the application [sic], including the Schedule of Uses and Site Development Regulations, as modified during the instant hearing.

The Hearing Examiner asked why Staff suggested changes to Attachment "C" if the minimum external setbacks would only be recommended if the property stayed as one complete lot and was not developed with the 13,000-square-foot minimum lot size? Mr. Laurien explained that, regardless of whether the project was developed as one parcel, the minimum street setbacks would remain the same. If the minimum 13,000-square-foot lot size was met, the side setbacks would be 10 feet and the rear setback would be 20 feet. If the project was developed as one parcel, Staff wanted to make sure the building setbacks along the north, west and south met the minimum 20-foot setbacks and the east met the 125-foot setback, as depicted on the MCP. However, if the property was divided into 13,000-square-foot parcels, the minimum side setbacks would be 10 feet and the minimum rear and waterbody setbacks would be 20 feet.

In response to the Hearing Examiner's inquiry, there were no objections to Staff's proposed changes.

Next, the Hearing Examiner questioned if there were any changes to the Schedule of Uses (Attachment "B")? Mr. Laurien stated there were none. The Hearing Examiner then asked him to explain the indoor storage use. He responded it was Staff's understanding that the indoor storage would be for lounge chairs and pool or club house related storage, which was the reason Staff added the phrase "(must be within the requested private clubhouse building)."

Mr. Naumann noted that the storage area would be used as miscellaneous storage for the clubhouse, such as for additional chairs that may be needed for condominium meetings. It was basically a closet and part of the interior square footage of the clubhouse.

The Hearing Examiner asked Mr. Laurien, based on Mr. Naumann's description of the storage area, why that use needed a specific "Indoor Storage" classification? She stated her belief that the area could be considered a customary use, and that an "Indoor Storage" designation was not necessary for the Applicant's intended use. Mr. Laurien stated that it could have been a use specifically requested by the Applicant.

In response to the Hearing Examiner's question, Donna Marie Collins, Assistant County Attorney, indicated she had no comment regarding the matter. Mr. Laurien noted that the indoor storage area was conditioned so that it would not be used as "regular" additional storage, as the Hearing Examiner had alluded to.

At that point, Mr. Naumann referenced the site plan, which showed a temporary sales office near the entrance, and wanted clarification of whether it was a permitted use? Mr. Laurien indicated that it was listed in the Schedule of Uses and conditioned in the Staff Report.

First to speak from the public was Tom Pugh, a civil engineer, who indicated that he had been involved with many developments in Lee County, as well as rezoning applications. He was testifying as a resident of Heritage Farms and stated that he lived on Stonebridge Court, one of the roadways immediately east of the subject project.

He explained that, upon completing his public participation form, he marked "Against" because there was not a category stating, "It depends." He stated that Heritage Farms had only one

entrance in and out. There had been discussions among the residents about providing water and sewer into that community but it did not pass with the required percentage. He believed this rezoning might be his community's last chance to obtain those facilities.

He had reviewed the plans for the proposed project and had seen an opportunity for his community to benefit from access to the public utilities that the proposed project would provide its residents. However, the proposed plans did not show an access point for his community, and he suggested that the access be provided through the existing 35-foot-wide utility easement that abut the two end lots of each of the three cul-de-sacs. He realized that this subject matter was not typically addressed during the rezoning hearing, but this was the only time that the public had input. The utilities that would be provided by the developer of Prentiss Pointe would be turned over to Lee County Utilities, and would, therefore, be accessible to the public.

The Hearing Examiner questioned whether water and sewer connections were available from Gladiolus Drive, to which Mr. Pugh agreed. However, he explained that Heritage Farms was not a cohesive homeowner's association, and he was speaking as an individual because he was not a member of the association. He explained that there was an after-the-fact association started and he had been a voluntary member after he purchased his home in 1990, but he did not sign up to be a member when the ultimatum was issued. He viewed the utility easement access opportunity as a regional benefit. He had spoken with residents inside and outside of the membership, and learned there was a desire to have the utilities. Without a unified voice, it would be difficult for the community to do something on their own. There was currently only one access point for his community, and it would be cost-prohibitive for an individual to connect to the Gladiolus Drive utilities.

The Hearing Examiner advised Mr. Pugh that, as an engineer with zoning and planning experience, he most likely understood that if a 35-foot easement was placed across the properties, that area would not be useable by the owners. He replied that the areas he referred to were currently being used as buffer areas and there would not be any difference to the Applicant's proposed plan. It would almost be an extension from their northern, east-west roadway, due east to abut with the lines. He pointed to Attachment "E" of the Staff Report to show the easement location to which he had been referring.

Next, Mr. Howe stated that he believed water and sewer access was available from Gladiolus and asked Mr. Naumann if the utilities would be private? He replied that Mr. Pugh had testified that if easements were granted for water and sewer hookups, they would be eventually turned over to Lee County Utilities. After meeting with Thom Osterhout at Lee County Utilities, they recommended a private system be maintained on site. Therefore, Lee County Utilities would not maintain the system for Prentiss Pointe.

The Hearing Examiner asked if he was referring to an on-site septic or lift station? Harvey Strauss, of Alpha Engineering, said it would be a lift station that would be pumping into the Lee County force main. However, everything within the property lines would be maintained by Prentiss Pointe.

Continuing, Mr. Howe stated that Mr. Pugh referenced an easement agreement with Heritage Farms and said it was a hotly contested resolution made with the Heritage Farms Homeowner's Association to resolve the zoning issues. They agreed to specific requirements for buffering within the agreement and did not intend to deviate from it. They cannot impact the buffer in any regard as those issues were resolved with the association.

Next, Tom Hart, stated that he was in attendance as an observer, but was representing the Heritage Farms Homeowner's Association. He stated that Mr. Howe was correct in that there was an agreement stating that the association supported the application. The buffer was hotly debated, discussed and worked on for months, resulting in a written agreement. He stated he did not blame Mr. Pugh, whom he had never met, for trying to get the easements for the needed facilities. However, the association, which represented at least two thirds of the residents of Heritage Farms, supported the application and they had not asked for such access.

Mr. Pugh returned to say that a buffer easement would not necessarily affect the plantings. The plantings, submitted as part of the zoning application, would be within the utility easement. There would be nothing, including trees or walls, on the surface that would change. However, the subsurface would allow for access to utilities.

Secondly, as per the Applicant, Lee County Utilities stated they would not want the utilities on site. However, Mr. Pugh indicated that he also had a conversation with Mr. Osterhout about the utilities being used by Heritage Farms as a regional benefit. The issue was that if the utilities were to serve a single purpose, meaning Prentiss Pointe, they did not want to be involved with it. Lee County Utilities was being more exclusive in what they wanted to accept and if it had only been for Prentiss Pointe they would not be involved. Mr. Osterhout advised him that if Heritage Farms was also involved, he would be supportive of it being a Lee County Utilities system for regional benefit.

Mr. Laurien referenced Mr. Pugh's previous statement that there would be no affect on the plantings. In the past, buffer plantings had been placed in easements. However, if it was a public utility easement (water and sewer), Staff would be concerned about Lee County's liability for work being done with regard to the removal and replacement of the plants.

The Hearing Examiner advised Mr. Pugh that she probably would not recommend to the Board of County Commissioners (BOCC) that the public utility easement be put in. Generally that would happen if the neighboring property was developing or would benefit in some way. However, based on Mr. Hart's testimony, Mr. Pugh was the only person who had made this request and two-thirds of the Heritage Farms property owners were satisfied with the previously made agreement. The Hearing Examiner then advised Mr. Pugh that he still had the right to appear before the BOCC to state his case.

In closing, the Hearing Examiner indicated that she would conduct a site visit prior issuing her recommendation, hopefully by the end of November. The hearing was then closed.

VIII. OTHER PARTICIPANTS AND SUBMITTALS:

ADDITIONAL APPLICANT'S REPRESENTATIVES:

1. Mark Naumann, % Prentiss Pointe, Ltd., 17499 McGregor Blvd., Ft. Myers, Florida 33908

ADDITIONAL COUNTY STAFF:

1. Donna Marie Collins, Assistant County Attorney, P. O. Box 398, Ft. 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:

1. Thomas J. Pugh, 3706 Stoneridge Court, Fort Myers, FL 33908

General:

1. T. Hart, Knott, Consoer, Ebelini, Hart & Swett, 1625 Hendry St Ste 301, Fort Myers FL 33901 (representing the Home Owner's Association)

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 B (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 22nd day of December, 2003. Notice or copies will be forwarded to the offices of the Lee County Board of County Commissioners.

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

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

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

XII. COPIES OF TESTIMONY AND TRANSCRIPTS:

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

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

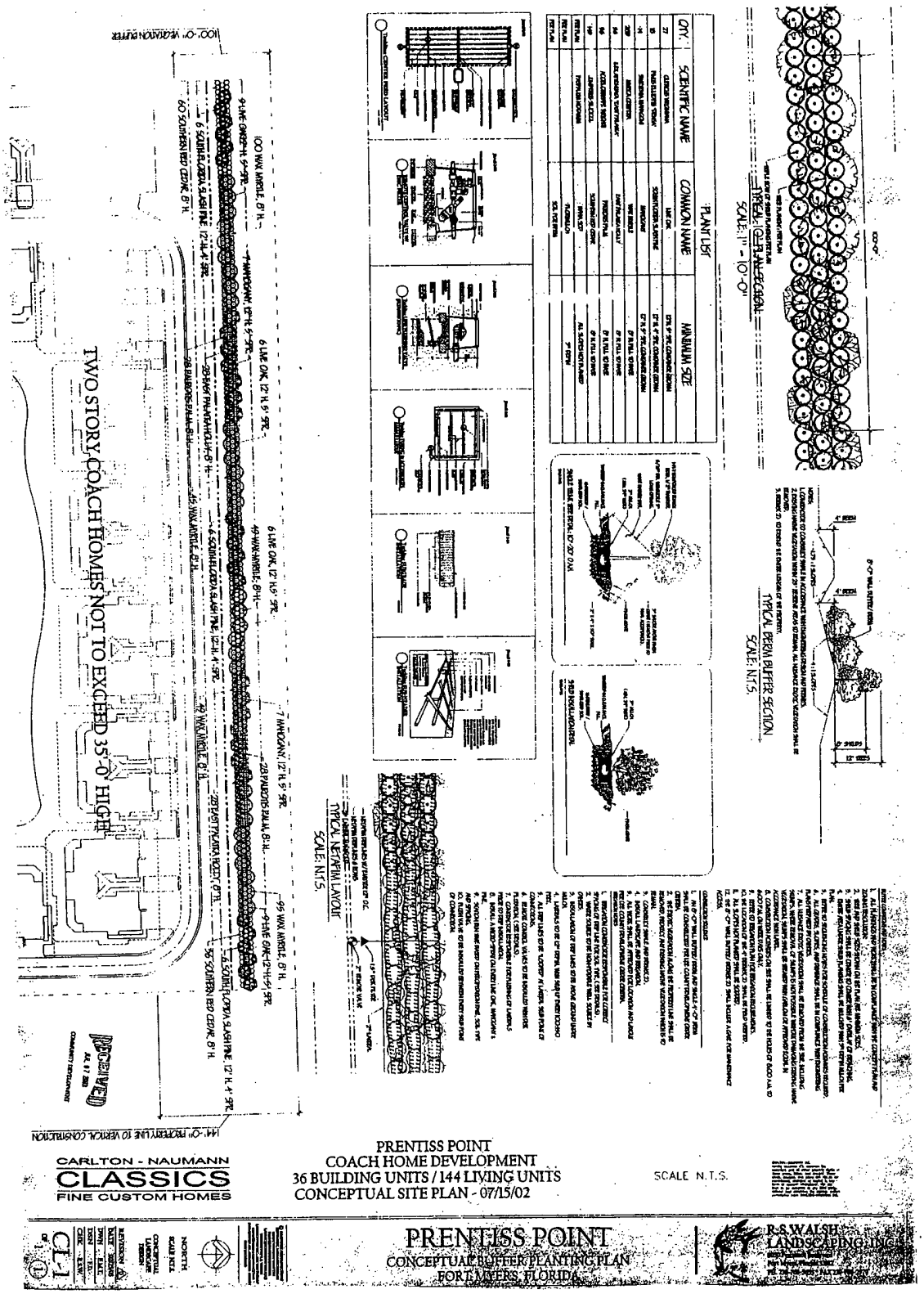

PLANT LIST
QTY. SCIENTIFIC NAME COMMON NAME MINIMUM SIZE
TWO STORY COACH HOMES NOT TO EXCEED 35'-0" HIGH
TYPICAL BERM BUFFER SECTION
SCALE: N.T.S.
TYPICAL NETWORK LAYOUT
SCALE: N.T.S.
CARLTON - NAUMANN
CLASSICS
FINE CUSTOM HOMES
PRENTISS POINT
COACH HOME DEVELOPMENT
36 BUILDING UNITS / 144 LIVING UNITS
CONCEPTUAL SITE PLAN - 07/15/02
SCALE N.T.S.
PRENTISS POINT
CONCEPTUAL BUFFER PLANTING PLAN
FORT MYERS, FLORIDA
R.S.WALSH
LANDSCAPING INC.
CL-1

EXHIBIT A

Sanibel Surveys, Inc
2410 Palm Ridge Road
Sanibel, Florida 33957

Phone Number (239) 472-0098 **Fax Number (239) 472-3566**

July 21, 2003
LEGAL DESCRIPTION
PRENTISS POINTE
15841 WINKLER ROAD

RECEIVED
AUG 07 2003
PERMIT COUNTER

IN SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA:

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST (SW 1/4) OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, AS DESCRIBED AS FOLLOWS:

COMMENCING AT THE FOUND CONCRETE MONUMENT MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 34; THENCE N01°01'48"W ALONG THE EAST LINE OF SAID FRACTION OF A SECTION FOR 346.56 FEET TO THE POINT OF BEGINNING; THENCE S88°39'16"W FOR 1,235.83 FEET TO THE EASTERLY LINE OF WINKLER (100 FEET WIDE); THENCE N06°55'41"E ALONG SAID EAST LINE FOR 577.50 FEET TO POINT OF CURVATURE; THENCE 407.00 FEET ALONG SAID EASTERLY LINE ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 2,914.90 FEET AND SUBTENDED BY A CHORD HAVING A LENGTH OF 406.67 FEET AND BEARING N02°55'51"E TO A POINT ON A CURVE INTERSECTING THE SAID EASTERLY LINE AND NORTH LINE OF SAID FRACTION OF A SECTION; THENCE N88°45'17"E ALONG SAID NORTH LINE FOR 1,127.79 FEET TO A FOUND CONCRETE MONUMENT MARKING THE NORTHEAST CORNER OF SAID FRACTION OF A SECTION; THENCE S01°01'48"E ALONG SAID EAST LINE OF 975.07 FEET TO THE POINT OF BEGINNING.

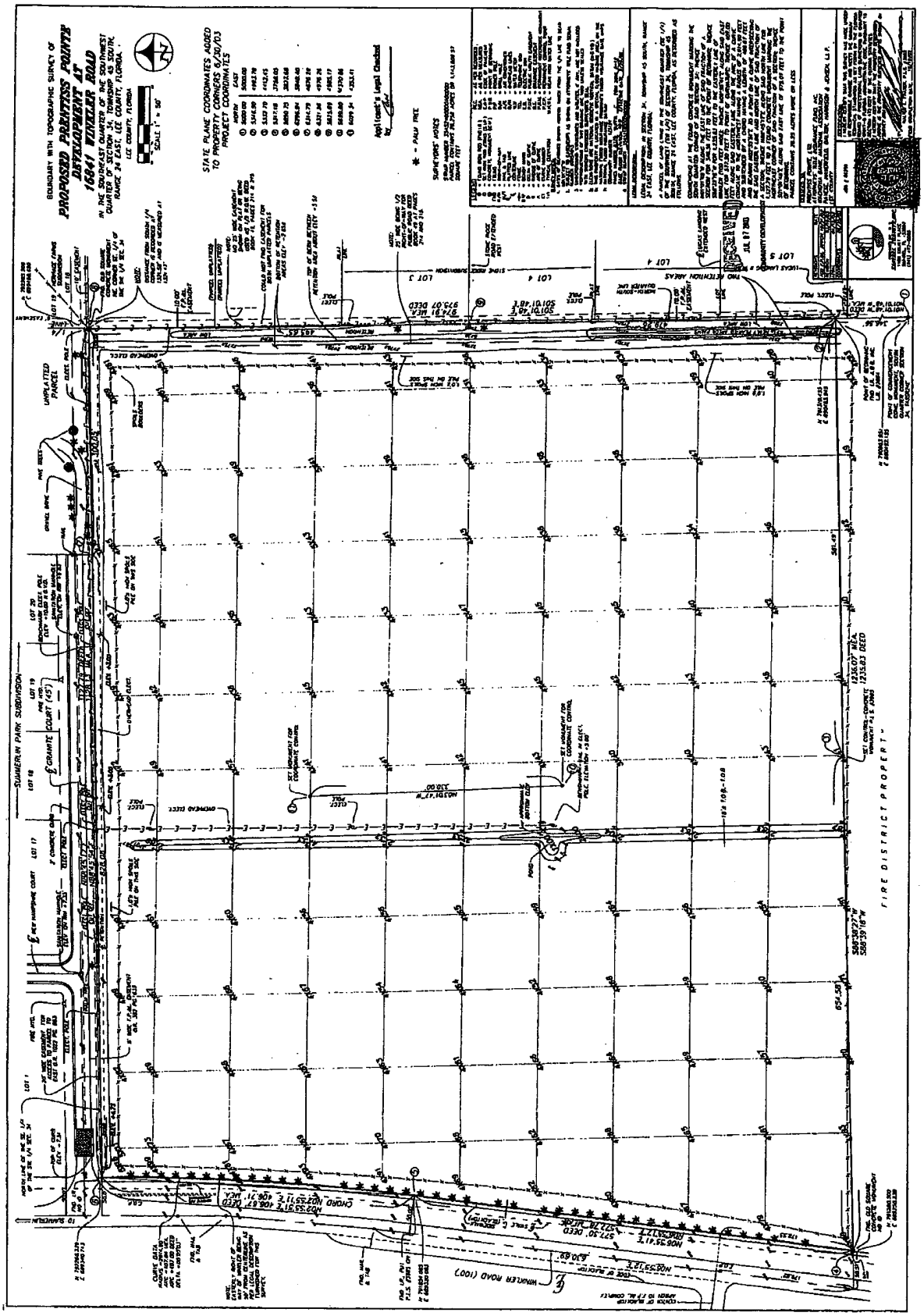
PARCEL CONTAINS 26.25 ACRES MORE OR LESS.

WALTER FRASER (FOR THE FIRM LB-0006647)
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. 0003985

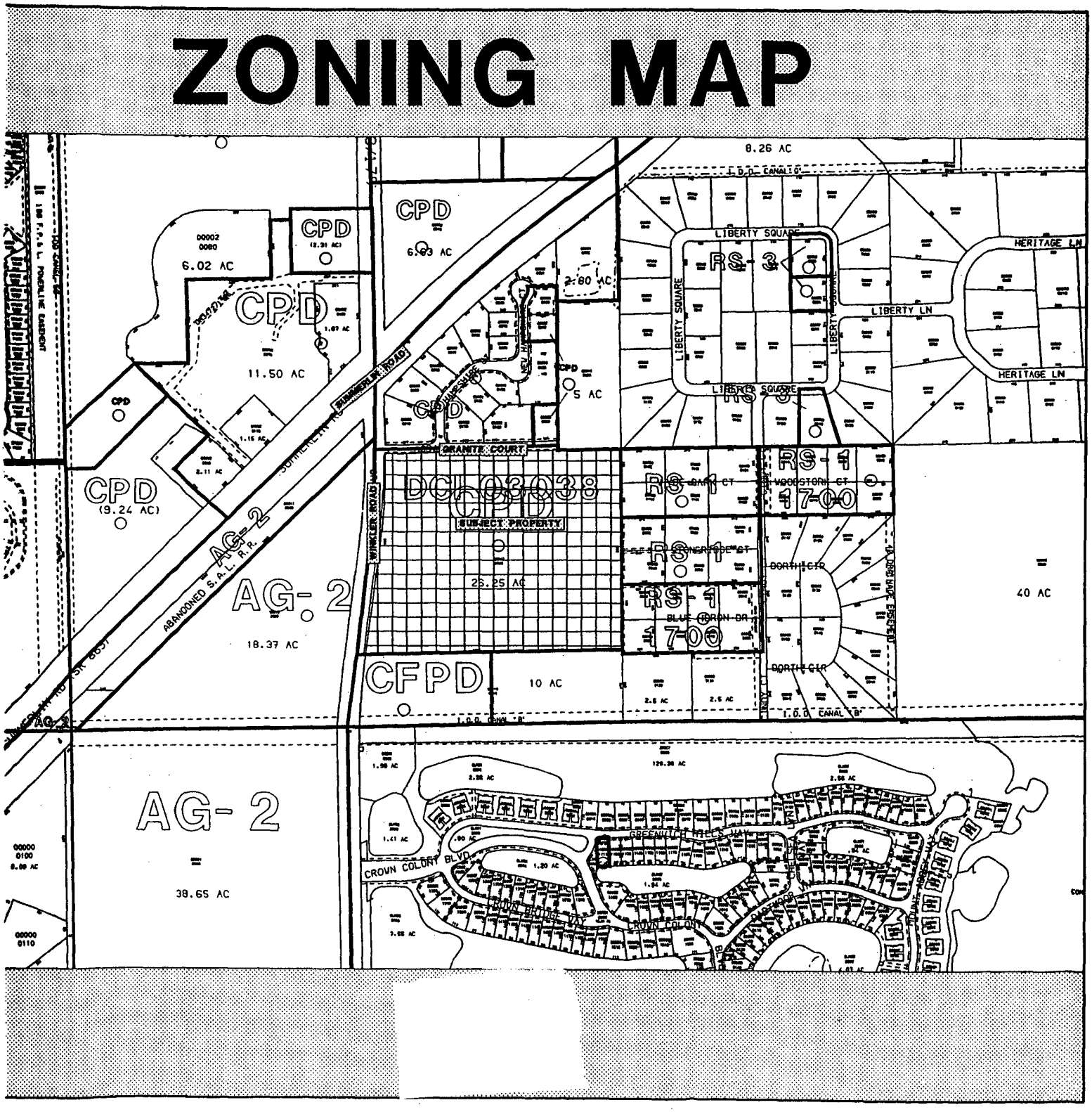
Applicant's Legal Checked by

DCI 2003-00038

EXHIBIT B


PROPOSED PRATTS' POINTE
DEVELOPMENT AT
16841 WINKLER ROAD
SUMMERLIN PARK SUBDIVISION
WINKLER ROAD (100')
GRANITE COURT (45')
FIRE DISTRICT PROPERTY

ZONING MAP


CPD
6.02 AC
CPD
(2.31 AC)
CPD
6.93 AC
8.26 AC
I.D.D. CANAL 'C'
LIBERTY SQUARE
RS-3
HERITAGE LN
LIBERTY LN
2.80 AC
11.50 AC
SUMMERLIN ROAD
CPD
5 AC
GRANITE COURT
CPD
(9.24 AC)
DCL03038
CPD
SUBJECT PROPERTY
26.25 AC
RS-1
17-00
AG-2
AG-2
18.37 AC
CFPD
10 AC
40 AC
I.D.D. CANAL 'B'
AG-2
38.65 AC
CROWN COLONY BLVD
CROWN COLONY

LEE COUNTY, FLORIDA

ZONING DIVISION

STAFF REPORT

TYPE OF CASE: PLANNED DEVELOPMENT/DCI

CASE NUMBER: DCI2003-00038

HEARING EXAMINER DATE: November 12, 2003 (HEX)

I. APPLICATION SUMMARY:

A. Applicant: Prentiss Pointe, LTD.

B. Request: To rezone the subject 26.25+/- acre property from Commercial Planned Development (CPD) to Residential Planned Development (RPD) to permit multi-family units (coach house condominiums) for a total of 144 units. Maximum height of buildings is to be thirty-five feet (35'). No blasting is proposed on-site.

C. Location: The subject property is located at 15841 Winkler Road (Lee County South with Winkler Road along west property line and Granite Court along north property line), in S34-T45S-R24E, Lee County, FL. (District #3)

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

The subject property is currently zoned Commercial Planned Development (CPD), is vacant, and is within the suburban land use category.

E. Surrounding Land Use:

Existing Zoning & Land Use		Future Land Use Map
North: Across Granite Court, Summerlin Park South CPD (partially developed with medical offices); directly abutting the northeast corner of property, AG-2 zoned single-family home.		Suburban
East:	RS-1 zoned existing single-family homes	Suburban
South:	CFPD zoned fire station , and AG-2 zoned vacant property	Suburban
West:	Across Winkler Road, AG-2 zoned FP&L facility	Suburban

F. Size of Property: 26.25± Acres

II. RECOMMENDATION:

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

A. Conditions

1. The development of this project must be consistent with the one (1) page Master Concept Plan entitled "Prentiss Pointe, LTD Master Concept Plan for property at 15841 Winkler Road, Lee County, Section 34, Township 45S, Range 24E," stamped received SEP 08 2003, dated 5-9-03, except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

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

   a. Schedule of Uses

      Please see attachment 'B'

   b. Site Development Regulations

      Please see attachment 'C'

   c. A total maximum of 144 units are permitted.

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. Agriculture is not a permitted use in the approved Schedule of Uses for this property. All existing agricultural uses must cease upon approval of the requested rezoning.

6. No blasting is permitted on-site.

7. Attachment 'F' of this staff report, "Prentiss Point Conceptual Buffer Planting Plan for Fort Myers, Florida", is adopted as part of this rezoning, and buffer plantings must be installed in substantial compliance with what is depicted on this plan prior to any certificate of compliance being issued on the subject property.

8. Model units are permitted in compliance with the following conditions:

a. The units may only be located in the building adjacent to the sales trailer and immediately to the south of the entrance onto Winkler Road, as depicted on the approved Master Concept Plan (MCP); and

b. Each model unit must be a unique example. Multiple examples of the same unit are not permitted; and

c. A total maximum of 4 model units are permitted; and

d. Hours of operation are restricted to Sunday through Saturday, 8:00 a.m. through 6:00 p.m..

9. A single Real Estate Sales Office is permitted in compliance with the following conditions:

a. It must be located as depicted on the approved Master Concept Plan (MCP); and

b. Hours of operation are restricted to Sunday through Saturday, 8:00 a.m. through 6:00 p.m..

10. A solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 lineal feet along the entire northern length of the proposed parking lot and extending 10 feet beyond the perking lot to the east and west.

11. Note 8 must be removed from the Master Concept Plan prior to the recording of any resolution of approval for this application.

B. Deviations

Deviation 1 request relief from LDC section 10-285, which requires a minimum separation distance of 660' on arterial roads, to allow separation distances of 493 feet, and 336 feet as depicted on the MCP. Staff recommends APPROVAL of this deviation.

Lee County Department of Transportation's review of this request found no objections (See Attachment 'G'). Thus, staff recommends approval as requested.

Findings and Conclusions:

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

1. The applicant has proven entitlement to the rezoning 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, are, or will be, available and adequate to serve the proposed land use.

5. The proposed mix of uses is 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.

8. The deviation recommended for approval, as conditioned:

a) enhances the objectives of the planned development; and

b) preserves and promotes the general intent of the LDC to protect the public health, safety and welfare.

III. BACKGROUND INFORMATION AND ANALYSIS:

Introduction/Synopsis

This is a request to rezone approximately 26.25 acres from Commercial Planned Development (CPD) to Residential Planned Development to permit multi-family units (coach house condominiums) for a total of 144 units; gated access; a club house with recreational facilities; model homes; a temporary sales center; and wet retention lakes with fountains. Maximum height of buildings is to be thirty-five feet (35'). No blasting is proposed on-site. The Master Concept Plan for the approved CPD has been vacated due to no action being taken on the approval. Hence, the zoning of CPD still remains, however, there is no schedule of uses, Master Concept Plan, or development intensity associated with the zoning.

The subject property is located on the east side of Winkler Road, approximately three hundred feet (300') south of Summerlin Road. The property has approximately one thousand feet (1000') of lineal frontage on Winkler Road and eight hundred feet (800') of lineal frontage on Granite Court. The property has been cleared and has been used for agriculture in the past. The applicant is aware that all agricultural uses must cease upon any approval of this rezoning

request. The eastern boundary of the property is to be landscaped with a one hundred foot (100') wide buffer per the submitted "Prentiss Point Conceptual Buffer Planting Plan, Fort Myers, Florida".

Master Concept Plan

The proposed Master Concept Plan is a one (1) page document entitled, "Prentiss Pointe, LTD Master Concept Plan for property at 15841 Winkler Road, Lee County, Section 34, Township 45S, Range 24E," stamped received September 8, 2003, dated 5-9-03. The Master Concept plan depicts thirty-six (36) four-unit "coach home" multi-family buildings around a ring road named "Prentiss Pointe Circle". There are two (2) gated entrances, one on Winkler Road (main entrance), and one (1) on Granite Court. A club house with recreational amenities including tennis courts is depicted in the northwest corner of the property. Three wet retention lakes with fountains are depicted on the MCP, one in the southwest corner, one in the south central are of the MCP, and on in the centre of the MCP in a L shape.

Lee Plan Considerations

The entire property is located within the Suburban land use category.

The Suburban land use category is described in Policy 1.1.5 of the Lee Plan as follows:

POLICY 1.1.5: *The suburban areas are or will be predominantly residential areas that are either on the fringe of the Central Urban or Urban Community areas or in areas where it is appropriate to protect existing or emerging residential neighborhoods. Theses areas provide housing near the more urban areas but do not provide the full mix of land uses typical of urban areas. The standard residential densities are the same as the Urban Community category. Higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. Bonus densities are not allowed.*

The application is proposing a density of 5.49 dwelling units per acre. This is within the range of the permitted 1 to 6 dwelling units per acre of the Suburban land use category. Thus, this application is consistent with this policy.

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.*

The subject property is located in an area along Winkler Road that has emerged as a residential corridor. There are existing residential and commercial subdivisions in the immediate area. The subject property is also in close proximity to employment and shopping centers. Given the level of development immediately surrounding the subject property, staff believes that this application promotes a contiguous and compact growth pattern consistent with Objective 2.1 of the Lee Plan.

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 F.S. 163.3164(7)) shall be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance.

The subject property is located within the water and sewer franchise area for Lee County Utilities. There is a 10-inch sewer line and 12-inch water line located along Winkler Road that is available to serve the project.

The subject property is located on Winkler Road, a major collector roadway, and is located approximately three hundred feet (300') south of Summerlin Road, an arterial roadway. Based on Lee County Department of Transportation, the road from the subject property north to Summerlin will operate at a level of service 'C' with or without the subject project (See Attachment 'H'). This is an acceptable level of service.

Thus, this application is consistent with this objective.

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.*

A gross density of six (6) dwelling units per acre is the maximum density allowed in the Suburban land use category in which the subject property is located. The subject development is proposing a gross density of 5.49 dwelling units per acre which is below the maximum allowable density in the Suburban land use category.

The subject property is surrounded by existing developments on all sides. To the north across Granite Court is an existing mostly developed commercial center (Summerlin Park South CPD (medical offices)); to the northeast is a large AG-2 zoned property with a single-family home; to the east is an existing developed residential development zoned RS-1, known as Heritage Farms; to the southwest is an existing fire station; and a vacant AG-2 zoned property to the southeast; and to the west, across Winkler Road is a Florida Power and Light substation.

Being a residential development, the subject application is compatible with the existing commercial uses to the north, and west; the community facility (fire station) to the southwest; and the vacant agricultural use to the southeast, with the provision of the buffers to be provided as depicted on the submitted Master Concept Plan.

The residential development to the east (Heritage Farms) has a gross density of 1.13 dwelling units per acre (1.13 du/ac). This is significantly less than the gross density of 5.49 dwelling units per acre (5.49 du/ac) being requested in this application. However, this application is proposing to buffer Heritage Farms with a one hundred foot (100') wide landscaping plan submitted as part of the application (see attachment 'F'). This is well above what is required, which is a fifteen

foot (15') wide type 'B' buffer for multi-family units adjacent to an existing single-family residential development. The maximum height of 35 feet requested is also the maximum height permitted in Heritage Farms. Thus, the multi-family buildings will not "loom" over the single-family homes in Heritage Farms. This multi-family development will also act as a "step-down" buffer from commercial to multi-family residential to single-family residential for the existing residential development to the east (heritage Farms) of the subject property. Thus, this application is compatible with the residential development to the east with the one hundred foot (100') wide buffer to be provided, and the maximum height requested.

The northeast corner of the subject property borders an AG-2 zoned, single-family home. One four-plex building and a parking lot are proposed in this location, as depicted on the Master Concept Plan, with a 15 foot type 'D' buffer between the properties. This 15 foot type 'D' buffer is the same as the 15 foot type 'B' buffer required per LDC Section 10-614(3) to shield multi-family from single-family. Thus, this buffer will be adequate to shield the adjoining single-family home along the portion of the subject property without a parking lot. However, the proposal would locate a parking lot within 125 feet of the adjacent AG-2 zoned single-family property. Section 10-416(d)(6) refers to such an instance, and states "...a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 lineal feet...." Thus, for the parking lot to be compatible with the residential development to the northeast of the subject property, staff recommends condition 10.

In addition, the maximum height of 35 feet, and a minimum rear yard setback of 20 feet, as requested by the applicant, will not allow the multi-family buildings to "loom" over the existing single-family building. Thus, as conditioned, this application will be compatible with the single-family house to the northeast.

Thus, as conditioned, this application is consistent with this policy.

Neighborhood Compatibility

Please see discussion above under Policy 5.1.5.

Environmental Issues

No environmental issues were identified on the subject property. It is recommended that the buffer plan along the eastern portion of the subject site be adopted as a condition (see condition 7 above).

Special Case Issues

Transportation

See above under Objective 2.2: Development Timing.

Miscellaneous

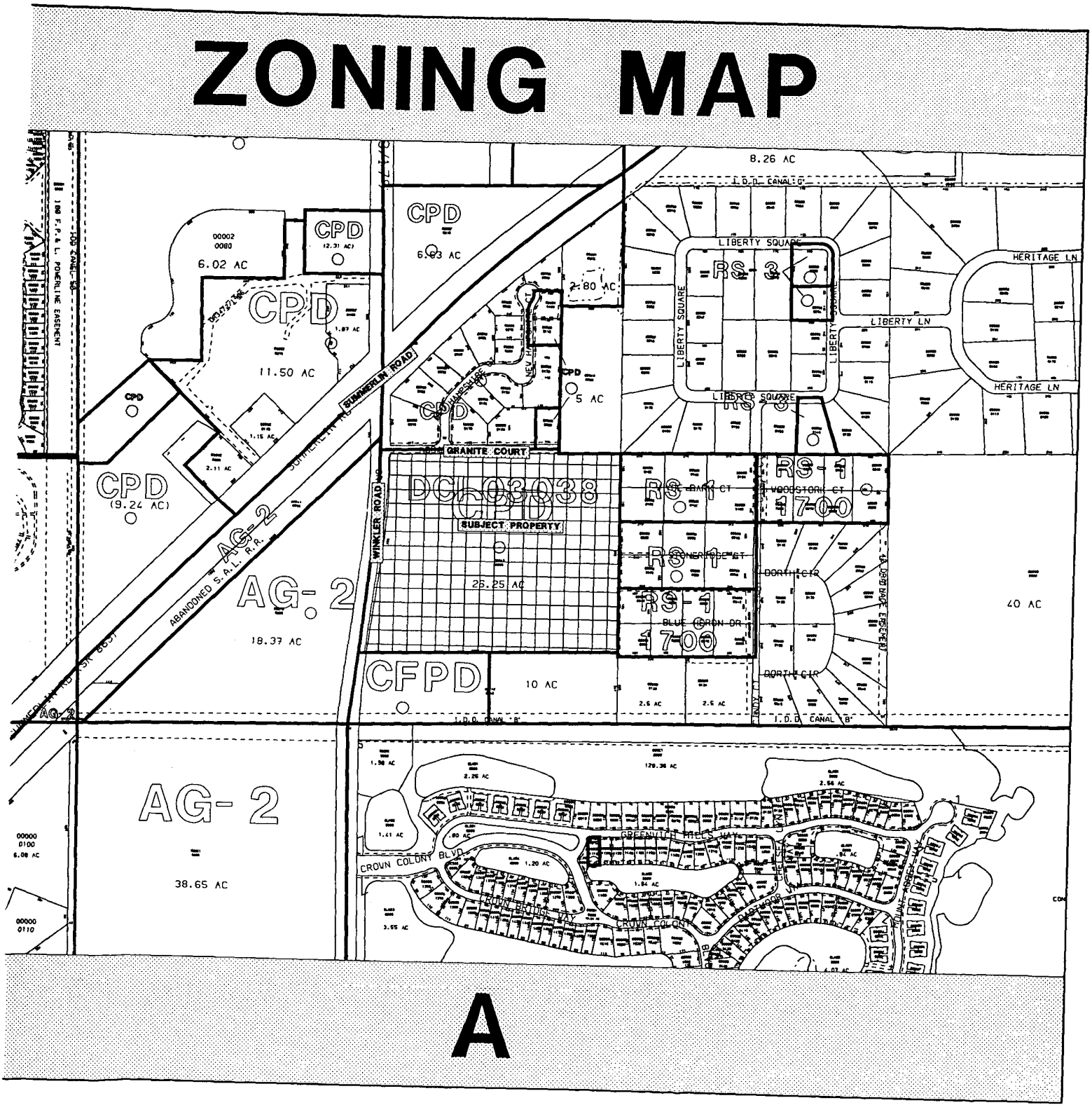
Note 8 on the MCP conflicts with the submitted Development Regulations. Thus, staff recommends that this note be removed from the MCP prior to recording.

IV. ATTACHMENTS:

A. Map of surrounding zoning
B. Schedule of Uses
C. Development Regulations
D. Master Concept Plan (reduced)
E. Aerial Photograph
F. Prentiss Point Conceptual Buffer Planting Plan Fort Myers, Florida (reduced)
G. Lee County Department of Transportation (LCDOT) Comments
H. Development Services Traffic Comments

cc: Applicant
County Attorney
Zoning/DCI File

ZONING MAP


CPD
6.02 AC
CPD
(12.31 AC)
CPD
11.50 AC
CPD
6.83 AC
2.80 AC
CPD
5 AC
CPD
(9.24 AC)
SUMMERLIN ROAD
WINKLER ROAD
ABANDONED S.A.L. R.R.
AG-2
18.37 AC
AG-2
38.65 AC
DCL03038
CPD
SUBJECT PROPERTY
25.25 AC
CFPD
10 AC
8.26 AC
I.D.D. CANAL 'C'
LIBERTY SQUARE
RS-3
HERITAGE LN
LIBERTY LN
RS-1
1700
GRANITE COURT
BLUE HERON DR
DORTH CIR
40 AC
I.D.D. CANAL 'B'
CROWN COLONY BLVD
GREENWICH MEWS WAY
CROWN COLONY
HARTWOOD WAY
A

ATTACHMENT 'B'

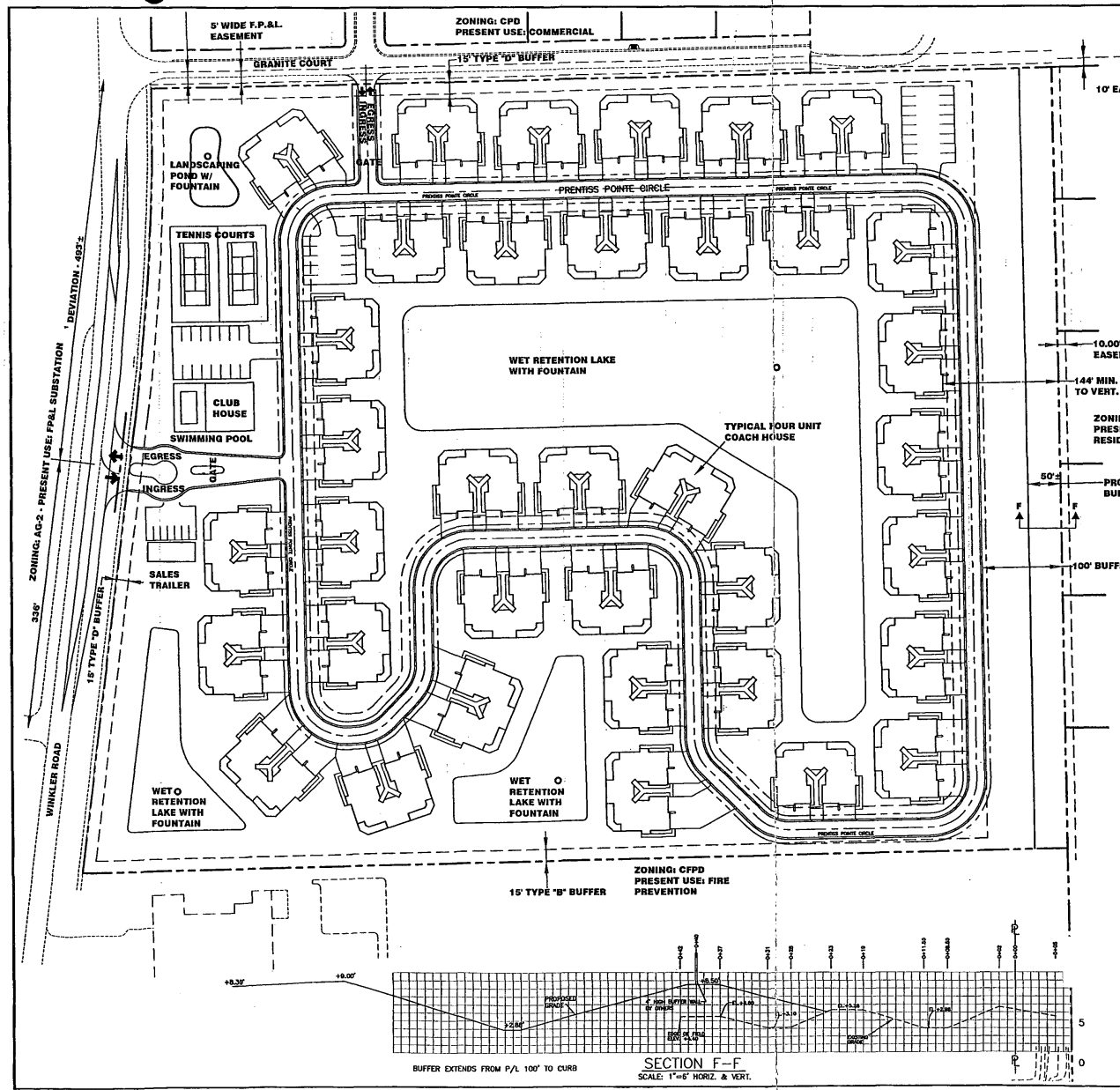
SCHEDULE OF USES

Accessory Uses
Dwelling Unit: Muliple-Family Buildings (Condominiums, 144 total)
Essential Services
Essential Service Facilities, Group I
Excavation, Water Retention
Models - Model Unit (per LDC 34-19511)
Parking Lot - Accessory
Recreational Facilities - Private, On-Site
Signage, in accordance with LDC Chapter 30
Storage - Indoor Only (must be within the requested private clubhouse building)
Temporary Real Estate Sales Office (Sales Trailer)
Private Clubhouse (3,600 square feet maximum)
Fences
Walls
Entrance Gates

PRENTISS POINTE
DCI 2003-0038-PDS APPLICATION (MINOR PD)

Minimum lot area and dimensions:	
Multiple-family:	
Minimum Lot size (square feet)	13,000
Lot Area per unit (square feet)	3,250
Lot width (feet)	127
Lot depth (feet)	100
Minimum setbacks:	
Street (feet)	15
Side yard (feet):	
Multiple-family and all other uses	10
Rear yard (feet)	20
Water body (feet)	20
Special regulations:	
Maximum height (feet)	35 Ft., (2 Stories)
Maximum lot coverage (percent of total lot area)	45 %
Minimum Separation Distance Between Buildings	10'

ATTACHMENT C



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ZONING

GRAPHIC SCALE IN FEET
60 0 60 120

NOTES

1. PAVEMENT WIDTH - 20' PLUS 2' VALLEY CURB/GUTTER ON EA. SIDE
2. SEWER DOWN THE CENTERLINE OF ROAD
3. THERE ARE APPARENTLY NO EASEMENTS OR R.O.W.'S ON THE PROPERTY
4. PARKING SPACES PROVIDED - 42
5. DENSITY = 5.5 D.U.'S PER ACRE
6. NO BLASTING IS PROPOSED DURING CONSTRUCTION
7. THE PROJECT WILL NOT BE PHASED
8. THERE ARE NO LOTS FOR EACH FOUR PLEX. ALL AREAS ARE CONSIDERED COMMON AREAS THAT ARE MAINTAINED BY THE CONDOMINIUM ASSOCIATION.

SCHEDULE OF DEVIATIONS

1. SEE RESOLUTION

EXHIBIT III-A-2
EXHIBIT IV-A-1
EXHIBIT IV-I-1

ATTACHMENT D

SP2582-07D

9-5-2003	REVISED PER COUNTY COMMENTS
7-3-2003	REVISED PER COUNTY COMMENTS
REVISIONS	

ALPHA ENGINEERING of Lee County, Inc.
Consulting Civil Engineers-Site Development-Land Planning- Structural Engineering
8315 Presidential Ct., Suite C, Ft. Myers, Fl. 33919 (941) 267-7777

DRAWN BY	CHECKED BY	APPROVED BY:
TG	HS	HS

SCALE	DATE	PROJECT NUMBER
1"=60'	5-9-03	2582-07

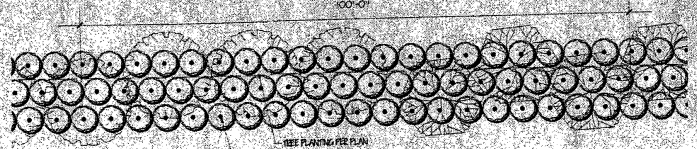
PRENTISS POINTE, LTD

MASTER CONCEPT PLAN FOR PROPERTY AT
11541 WINKLER ROAD, LEE COUNTY
SECTION 34 TOWNSHIP 45S RANGE 24E

DANNY GROSS, PE
FL. REG. #18799

SHEET

Attachment "E"
DCI2003-00038
LIBERTY SQ
CINDY CT
HYDE PARK CT
STONERIDGE CT
DORTH CIR
BLUE HERON DR
NEW HAMPSHIRE CT
GRANITE CT
WINKLER RD
SUMMERLIN RD
SUMMERLIN RD
N
E
S
W



TYPICAL 10' PLAN SECTION
SCALE: 1" = 10'-0"



NOTES:
1. CONTRACTOR TO CONSTRUCT SWALE IN ACCORDANCE WITH ENGINEERING DESIGN AND PERMITS.
2. EXISTING NATIVE VEGETATION WITHIN 25' RE-SERVE AREAS TO REMAIN. ALL NUISANCE EXOTIC VEGETATION SHALL BE REMOVED.
3. BERMS (2) TO EXTEND THE ENTIRE LENGTH OF THE PROPERTY.

TYPICAL BERM BUFFER SECTION
SCALE: N.T.S.

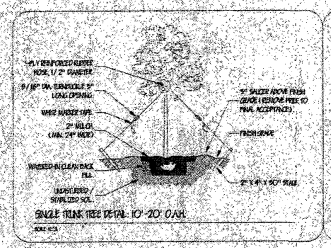
BUFFER CONDITIONS AND NOTES:
1. ALL PLANTING AND WORK SHALL BE IN COMPLIANCE WITH THE CONCEPT PLAN AND ZONING RESOLUTION.
2. SEE A/D SHEET SERIES SHOWN ON THE PLAN FOR MINIMUM SIZES.
3. SHRUB SPACING SHALL BE CENTER TO CENTER WITH 6' OVERLAP OF SPACING.
4. ENTIRE MEDIAN/SHRUB PLANTING SHALL BE MULCHED WITH 3" DEPTH MULCH PER PLAN.
5. REFER TO SEQUENCING NOTES FOR SCHEDULE OF CONSTRUCTION ACTIVITIES REQUIRED.
6. ALL GRADES, SLOPES, AND DRAINAGE SHALL BE IN COMPLIANCE WITH ENGINEERING PLANS PREPARED BY OTHERS.
7. ALL NUISANCE EXOTIC VEGETATION SHALL BE REMOVED FROM THE SITE, INCLUDING STUMPS. WHERE REMOVAL OF STUMPS IS NOT POSSIBLE WITHOUT DAMAGING EXISTING NATIVE VEGETATION, STUMPS SHALL BE TREATED WITH GRAZON OR APPROVED EQUAL IN ACCORDANCE WITH LABEL.
8. CONSTRUCTION ACTIVITIES ON SITE SHALL BE LIMITED TO THE HOURS OF 8:00 A.M. TO 6:00 P.M. ON WEEK DAYS ONLY.
9. REFER TO IRRIGATION PLAN FOR IRRIGATION REQUIREMENTS.
10. THE LOCATION OF THE 4' BERMS (2) SHALL BE FIELD VERIFIED.
11. ALL SLOPES NOT PLANTED SHALL BE SODDED.
12. THE 8'-0" WALL BUFFER/BERMS (2) SHALL INCLUDE A GATE FOR MAINTENANCE ACCESS.

CONSTRUCTION SEQUENCE:
1. AN 8'-0" WALL BUFFER/BERM AND SINGLE 4'-0" BERM SHALL BE CONSTRUCTED PER LEE COUNTY DEVELOPMENT ORDER CRITERIA.
2. THE EXOTIC VEGETATION ALONG THE PROPERTY LINE SHALL BE REMOVED. PROTECT ANY EXISTING NATIVE VEGETATION WHICH IS TO REMAIN.
3. CONSTRUCT SWALE AND BERMS (2).
4. INSTALL LANDSCAPE AND IRRIGATION.
5. ALL WORK SHALL BE APPROVED FOR LOCATION AND LAYOUT PER LEE COUNTY DEVELOPMENT ORDER CRITERIA.

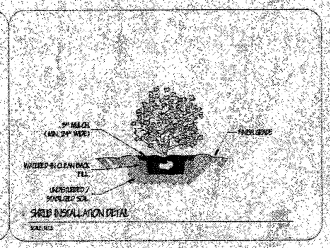
IRRIGATION NOTES:
1. IRRIGATION CONTRACTOR RESPONSIBLE FOR CORRECT SPACING OF DRIP LINE PER SOIL TYPE. (SEE DETAIL 5).
2. WATER SOURCE TO BE NON-POTABLE WELL. SOURCE BY OTHERS.
3. INSTALLATION OF DRIP LINES TO BE ABOVE GROUND UNDER MULCH.
4. LATERALS TO BE 12" DEPTH WITH SLED UP EVERY 100-150 FEET.
5. ALL DRIP LINES TO BE "LOOPED" AS LATERAL SHUT POINT OF CONNECTIONS.
6. REMOTE CONTROL VALVES TO BE INSTALLED WITH DRIP FILTRATION. (SEE DETAIL 5).
7. CONTRACTOR RESPONSIBLE FOR FLUSHING OF LATERALS PRIOR TO DRIP INSTALLATION.
8. INSTALL A MICRO-SPRAY ON EVERY LIVE OAK, MAHOGANY & PINE.
9. STATION RUN TIME BASED ON PRECIPITATION RATE, SOIL TYPE AND SPACING.
10. FLUSH VALVE TO BE INSTALLED BETWEEN EVERY SHUT POINT OF CONNECTION.

PLANT LIST

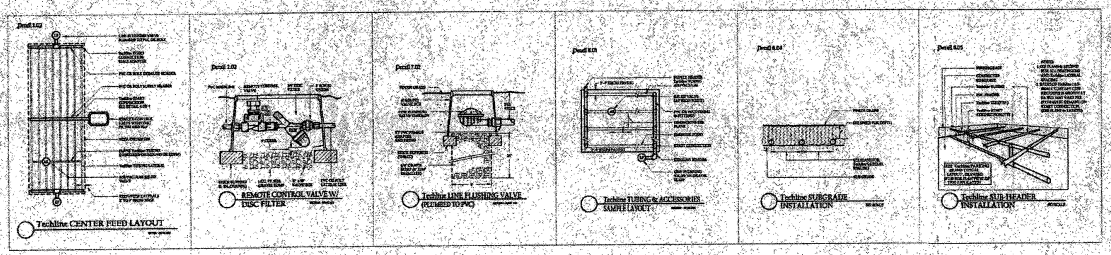
QTY.	SCIENTIFIC NAME	COMMON NAME	MINIMUM SIZE
27	QUERCUS VIRGINIANA	LIVE OAK	12' H. 5' SPR. CONTAINER GROWN
18	PINUS ELLIOTTII 'DENSA'	SOUTH FLORIDA SLASH PINE	12' H. 4' SPR. CONTAINER GROWN
14	SWIETENIA MAHAGONI	MAHOGANY	12' H. 5' SPR. CONTAINER GROWN
289	MYRICA CERIFERA	WAX MYRTLE	8' H. FULL TO BASE
96	ILEX ATTENUATA 'EAST PALATKA'	EAST PALATKA HOLLY	8' H. FULL TO BASE
56	ACOELORRHAPE WRIGHTII	PALMETTO PALM	8' H. FULL TO BASE
149	JUNIPERUS SILICICOLA	SOUTHERN RED CEDAR	8' H. FULL TO BASE
PER PLAN	PASPALUM NOTATUM	BAHIA SOD	ALL SLOPES NOT PLANTED
PER PLAN		FLORIMULCH	3" DEPTH
PER PLAN		SOIL FOR BERM	

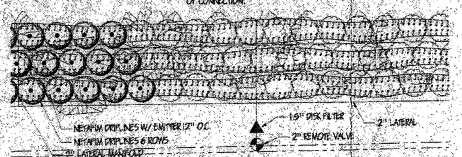


SINGLE TRUNK TREE DETAIL 10'-20' O.A.H.

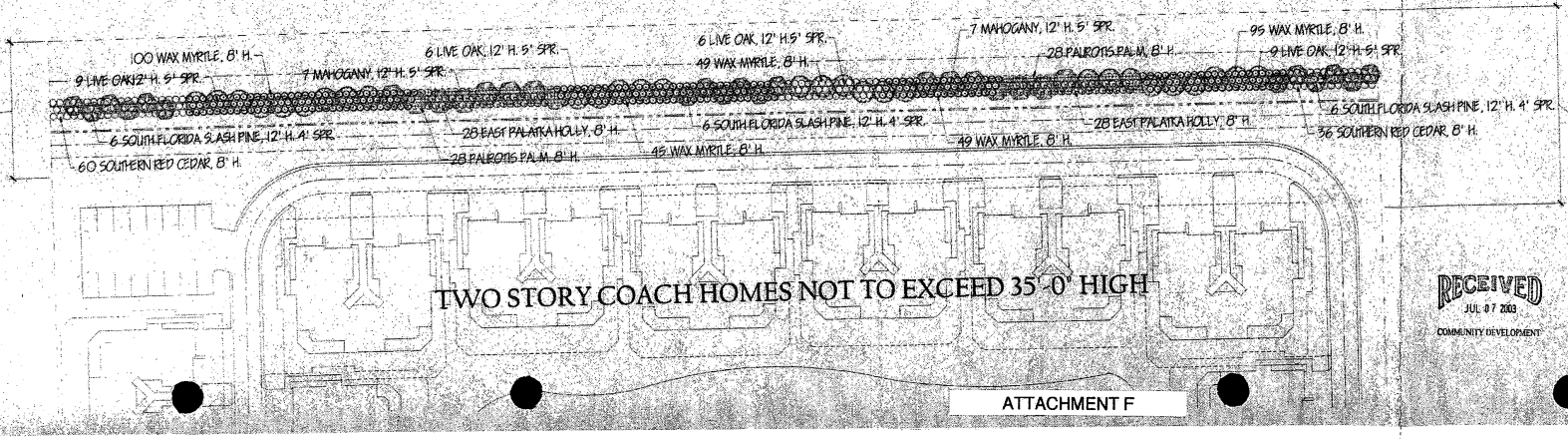


SHRUB INSTALLATION DETAIL





TYPICAL NETAFIM LAYOUT
SCALE: N.T.S.



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ATTACHMENT F

PRENTISS POINT
COACH HOME DEVELOPMENT
36 BUILDING UNITS / 144 LIVING UNITS
CONCEPTUAL SITE PLAN - 07/15/02

CARLTON - NAUMANN
CLASSICS
FINE CUSTOM HOMES

SCALE: N.T.S.

R.S. WALSH LANDSCAPING, INC.
8075 Penzance Boulevard
Fort Myers, Florida 33912
PH: 239-768-5685 • FAX: 239-768-5078

PRENTISS POINT

CONCEPTUAL BUFFER PLANTING PLAN
FORT MYERS, FLORIDA

COPYRIGHT AND PROTECTION OF COPYRIGHT, REPRODUCTION WITHOUT WRITTEN CONSENT OF R.S. WALSH LANDSCAPING, INC. IS PROHIBITED. THIS PLAN IS THE PROPERTY OF R.S. WALSH LANDSCAPING, INC. AND IS NOT TO BE CONSTRUCTED OR CONSTRUCTED FROM WITHOUT OF ALL REVISIONS, EVEN IF NOT INCLUDED.

NORTH
SCALE N.T.S.

CONCEPTUAL LANDSCAPE DESIGN

REVISION	0
DATE	07/15/03
DWN	E.M.T.
DSN	F.D.
CHK	R.S.W.

CL-1
OF 1 1

LEE COUNTY
SOUTHWEST FLORIDA

DEPARTMENT OF TRANSPORTATION

Memo

To: Jeff Laurien, Senior Planner

From: Michael Tisch, Engineer MT

Date: September 19, 2003

Re: Prentiss Pointe
DCI2003-00038 - Substantive Comments

LCDOT staff has reviewed the Application for Public Hearing for this case. The request is to change from CPD to RPD. We have the following comments on the rezoning:

LCDOT staff has no objections to the deviation from intersection separation on Winkler Road as proposed. Road improvements will be addressed at the time of local development order.

MPT/mpt

S:\DOCUMENT\Tisch\memos\2003\Substantive Comments\DCI2003_00038 Prentiss Pointe.doc

ATTACHMENT G

MEMORANDUM
FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: September 17, 2003

TO: Jeff Laurien
Senior Planner

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

RE: **Prentiss Pointe**
Case No. DCI2003-00038

The proposed project will consist of 144 multi-family dwelling units. Based on the ITE Trip Generation Report 6th Edition the project will generate 85 net new external trips in the peak hour. The anticipated build out year is 2006.

Based on manual traffic counts taken by Metro Transportation Group, the 2007 background peak hour, peak season, peak direction volume of flow on Winkler Rd. north of the site will be 320 vehicles per hour. At this volume, based on the Lee County D.O.T. link-specific service volumes, the road will operate at level of service **"C"**. When the project traffic is added to this background traffic the level of service will remain at **"C"**.

RGR
S:/WRITERS/RENTZRG/DCI200300038SUBSTANTIVETRAFFICCOMMENTS

ATTACHMENT H

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 ten (10) days in advance of the Hearing Examiner's Public Hearing and maintained through the Board of County Commissioners Hearing, if any. This sign will be provided by the Development Services Division in the following manner:

a. Sign for case **# DCI2003-00038 must be posted by October 28, 2003.**
b. 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.
c. 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.
d. 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.
e. If the sign is destroyed, lost, or rendered unreadable, the applicant must report the condition to the Development Services Division, and obtain duplicate copies of the sign from the Development Services Division.

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

When a parcel abuts more than one (1) street, the applicant must post signs along each street.

When a subject parcel does not front a public road, the applicant must post the sign at a point on a public road which leads to the property, and the sign must include a notation which generally indicates the distance and direction to the parcel boundaries and the dimensions of the parcel.

NOTE: AFTER THE SIGN HAS BEEN POSTED, THE AFFIDAVIT OF POSTING NOTICE, BELOW, SHOULD BE RETURNED NO LATER THAN THREE (3) WORKING DAYS BEFORE THE HEARING DATE TO LEE COUNTY DEVELOPMENT SERVICES DIVISION, 1500 Monroe Street, Fort Myers, FL 33901

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

AFFIDAVIT OF POSTING NOTICE

STATE OF FLORIDA
COUNTY OF LEE

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

SIGNATURE OF APPLICANT OR AGENT

Mark Naumann
NAME (TYPED OR PRINTED)

17499 McGregor Blvd.
ST. OR PO BOX

Ft. Myers, FL 33908
CITY, STATE & ZIP

#DCI2003-00038/Prentiss Pointe

11/12/03 JSS

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 17th day of October, 2003 by Mark Naumann, personally known to me or who produced _____ as identification and who did/did not take an oath.

Michele R. Gropp
Signature of Notary Public

Michele R. Gropp
Printed Name of Notary Public

My Commission Expires:
(Stamp with serial number)

MICHELE R. GROPP
Notary Public, State of Florida
My comm. exp. Mar. 29, 2005
Comm. No. DD 013574

LEE COUNTY
RECEIVED

03 OCT 20 AM 11:52

COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

ORIGINAL AFFIDAVIT

LEE COUNTY

APPLICATION FOR PUBLIC HEARING FOR PLANNED DEVELOPMENT UNINCORPORATED AREAS ONLY

Applicant's Name: PRENTISS POINTE, LTD.

Project Name: PRENTISS POINTE

STRAP Number(s): 34-45-24-00-00010.0000

****

STAFF USE ONLY

DCI 2003-00038

Commissioner District:	3	*Case Number:*	DCI2003-00038
Planning Community	Iona/McGregor	*Date of Application:*	5/15/03
Current Zoning:	CPD	*Date found sufficient:*	
Land Use Classification(s):	Suburban	*Date HEX Public Hearing:*	
Lee Plan Density Range:	6 du/acre	*Fee:*	$4000.00
		Planner in charge:	

TYPE OF APPLICATION

____ *DRI*	____ *DCI - Major*	x *DCI - Minor*
____ *PD - Existing Development*	____ *PD - Amendment*	

****

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COMMUNITY DEVELOPMENT

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

PART I
APPLICANT\PROPERTY OWNERSHIP INFORMATION

A. **Application Initiated By:**

A.1. X Application is owner-initiated or applicant is authorized by a Covenant of Unified Control. A copy of the Covenant of Unified control is attached as **Exhibit I-A-1.** *[34-202(b)(1)b.]*

A.2. _____ Applicant has been authorized by the owner(s) to represent them for this action. A copy of the Notarized Authorization form is attached as **Exhibit I-A-2.** *[34-202(b)(1)c.]*

A.3. _____ Applicant is a contract purchaser/vendee. A copy of the Notarized Authorization form is attached as **Exhibit I-A-3.** *[34-202(b)(1)d.]*

B. **Name of applicant:** PRENTISS POINTE, LTD., C/O CARLTON NAUMANN CONSTRUCTION, INC.

Mailing Address: Street 17499 McGREGOR BLVD.

City: FORT MYERS State: FLORIDA Zip: 33908

Phone Area Code: 239 Number: 454-1333 Ext:

Fax Area Code: 239 Number 454-3276

E-mail: CNCHOMES@EARTHLINK.NET

C. **Property Ownership**

C.1. Name of property owner(s) PRENTISS POINTE, LTD., AN OHIO LIMITED LIABILITY CO.

Mailing Address: Street: 7000 QUAIL LAKES DRIVE

City: HOLLAND State: OHIO Zip: 43528

Phone Area Code: 419 Number: 861-9775 Ext:

Fax Area Code: 419 Number 866-4800

E-mail:

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

D. **Date property was acquired by present owner(s):** APRIL 24, 2003

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

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

DCI 2003-00038

E. **Deed Restrictions:**

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

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

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COMMUNITY DEVELOPMENT

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

Company Name: **ALPHA ENGINEERING**

Address: **6315 PRESIDENTIAL CT, STE "C"** **FORT MYERS, FLORIDA 33919**

Contact Person: **HARVEY STRAUSS, P.E.**

Phone Number: **(239) 267-7777** Fax Number: **(239) 267-7752**

E-mail: **ALPHAENGRHS@AOL.COM**

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

F.2.a. Company Name: **PRENTISS POINTE, LTD.**

Address: **7000 QUAIL LAKES DRIVE** **HOLLAND, OHIO 43528**

Contact Person: **GARY L. HOWE**

Phone Number: **(239) 395-1337** Fax Number: **(239) 472-3130**

E-mail:

F.2.b. Company Name:

Address:

Contact Person:

Phone Number: Fax Number:

E-mail:

F.2.c. Company Name:

Address:

Contact Person:

Phone Number: Fax Number:

E-mail:

F.2.d. Company Name:

Address:

Contact Person:

Phone Number: Fax Number:

E-mail:

DCI 2003-00038

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MAY 15 2003

COMMUNITY DEVELOPMENT

PART II
GENERAL INFORMATION

A. **Action Requested**

X **Rezoning** from: CPD TO: RPD

___ **Other** - Provide specific details: _____

B. **Legal Description and Certified sketch of description:**

B.1. X Attached is a legible copy of the legal description labeled **Exhibit II-B-1.A.** *[34-202(a)(1)]*

___ Attached is an electronic copy of the legal description labeled **Exhibit II-B-1.B.**

B.2. X Attached is a Certified sketch of description as set out in chapter 61G 17-6.006 FAC. labeled **Exhibit II-B-2.** *[34-202(a)(2)]*

B.3. ___ The property consists only of one or more undivided lots within a platted subdivision recorded in the Official Plat Books of Lee County. Attached is a copy of the Plat Book Page labeled **Exhibit II-B-3**, with the subject property clearly marked. *[34-202(a)(2)]*

B.4. **Subdivision Name:** _____

Plat Book: ___ Page ___ Unit ___ Block ___ Lot(s) ___

Section: ___ Township ___ Range ___

B.5. **STRAP Number** 34-45-24-00-00010.0000

C. **Property Location**

C.1. **Project Street Address:** 15841 WINKLER ROAD FORT MYERS, FLORIDA 33908

C.2. **General Location Of Property:** LEE COUNTY SOUTH WITH WINKLER ROAD ALONG WEST PROPERTY LINE AND GRANITE COURT ALONG NORTH PROPERTY LINE

DCI2003-00038

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D. **Notice Information**

D.1. ___ Planning Community(ies) in which located: COMMUNITY DEVELOPMENT

D.2. X Area Location Map: An area location map, 8 by 11 inches in size, is attached as **Exhibit II-D-2**: *[34-202(a)(4)]*

D.3. X A list of surrounding property owners is attached as **Exhibit II-D-3.** *[34-202(a)(6)]*

D.4. X A map displaying all surrounding parcels attached as **Exhibit II-D-4.** *[34-202(a)(7)]*

D.5. X Two copies of mailing labels attached as **Exhibit II-D-5**.

E. **The Lee Plan & Other Narrative Statements**

E.1. __X__ The Land Use Classification(s) is/are: **SUBURBAN**

E.2 __X__ Attached as **Exhibit II-E-2**, is a narrative explanation as to how the proposed development complies with the Lee Plan. *[34-373(a)(5)*

E.3. _____ The attached proposed amendment to the Lee Plan may affect this property. The proposed amendments and a statement as to how the proposed amendment will affect the property is attached as **Exhibit II-E-3.**

E.4 __X__ Attached as **Exhibit II-E-4**, is a narrative explanation as to how the proposed development complies with the Design Standards set forth in Section 34-411. *[34-373(a)(5)]*

E.5 __X__ Attached as **Exhibit II-E-5**, is a narrative explanation as to how the proposed development complies with the guidelines for decision-making embodied in sections 34-145(c)(2)a and e., and 34-145(d)(3). *[34-373(a)(5)]*

F. **Waivers from Application Submission Requirements**

_____ The following waivers have been approved by the Director of Development Services. Copies of the approved waiver(s) are attached as **Exhibit II-F-1.**

Section Number	**Name of Item**

PART III
EXISTING CONDITIONS

A. **Location, Zoning and Surrounding land uses.**

A.1. __X__ Attached as **Exhibit III-A-1** is a map showing the location of the property to be developed in relation to arterial and collector streets as well as the location of existing easements and rights-of-way on or abutting the property. *[34-373(a)(4)a.]*

A.2. __X__ Attached as **Exhibit III-A-2** is a map or other depiction of the existing zoning and current land uses surrounding the tract or parcel to a distance of 500 feet. *[34-373(a)(4)b.]*

A.3. __X__ Attached as **Exhibit III-A-3** is an aerial photograph with the site clearly delineated. *[34-373(a)(4)c.]*

B. **Archaeological/Historical**

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

B.2. ____ Attached as **Exhibit III-B-2** is a description of proposed improvements that may impact archaeological or historical resources. *[34-373(a)(4)f.]*

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C. **Drainage, Water Control and Environmental Issues**

C.1. ____ The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s.

C.2 X The minimum elevation required for the first habitable floor is **10.00'** NGVD (MSL)

C.3. X Attached is **Exhibit III-C-3,** the Environmental Assessment Report required by Section 34-1573.

C.4. ____ Environmentally sensitive lands on the subject property are delineated on the following maps.

C.5. X **Exhibit III-C-5:** Soils, classified in accordance with the USDA/SCS System;

C.6. X **Exhibit III-C-6:** Vegetation and ground cover in accordance with the FLUCCS.

C.7. X **Exhibit III-C-7:** Topography or a USGS quadrangle map showing the subject property.

C.8. ____ **Exhibit III-C-8:** Protected Species Survey (if applicable) as required by Section 10-473.

D. **Public Transit**

D.1. X Property is within the Lee Tran public transit service area.

D.2. X **Exhibit III-D-1** shows the property in relation to existing and proposed public transit routes, including bus stops.

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

E.1 Width (average if irregular parcel) **982 +/-** Feet

E.2 Depth (average if irregular parcel): **1207 +/-** Feet

E.3 Frontage on road or street: **984.49** Feet Street Name: **WINKLER ROAD**

E.4. Total land area: **26.25** Acres or Square Feet

F. **Land Area Calculations** ***(Based on total property)***

F.1 Undevelopable Areas:

a. Existing natural and manmade waterbodies. **NONE**

b. Freshwater wetland areas: **NONE**

c. Other wetland areas: **NONE**

d. Submerged land subject to tidal influence **NONE**

e. Total (a + b + c + d): **NONE**

F.2 Remaining developable land (E.4 less F.1.e): **26.25 ACRES**

G. **Present Use of Property**

G.1. ____ The property is not vacant. The owner or applicant's signature on this application indicates that the Owner agrees to either remove all existing buildings and structures, OR that the proposed use of the building or structure(s)will be in compliance with all applicable requirements of the Land Development Code. *[34-202(b)(3)]*

G.2. X Briefly describe current use of the property: **GRAZING LAND**

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PART IV
PROPOSED DEVELOPMENT

A. **Copies of Master Concept Plan**

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

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

B. **Vehicular Ingress & Egress, Public Transit**

B.1. __X__ The master concept plan indicates the exact location of all points of vehicular ingress and egress from existing easements or rights-of-way into the development. *[34-373(a)(6)a]*

B.2. _____ The proposed development includes plans for subdividing. The master concept plan shows the general location of all proposed internal street rights-of-way or easements *[34-373(a)(6)a]*

B.3. __X__ The master concept plan indicates the general location from the proposed internal rights-of-way or easements into multiple-family, commercial and industrial lots. *[34-373(a)(6)a]*

B.4. _____ Proposed access and public transit facilities have been indicated on the master concept plan as required by Sections 34-411(e) and 10-442. *[34-373(a)(4)e]*

C. **Parks, Open Space and Indigenous areas.**

C.1. __X__ The general location of proposed parks and recreation areas and facilities, has been shown and identified on the master concept plan. *[34-373(a)(6)e]*

C.2. _____ The general location of indigenous areas to be preserved has been shown and identified on the master concept plan. *[34-373(a)(6)e]*

C.3. _____ The development is a subdivision consisting solely of conventional single-family units on lots of no less than 6,500 square feet. *[34-373(a)(6)f]*

C.4. __X__ Approximately __58__ percent of the property will be open space. *[34-373(a)(6)f]*

C.5. _____ The minimum open space required by Section 10-329(f)(7) for commercial and industrial lots and outlots has been indicated on the master concept plan. *[34-373(a)(6)f]*

D. **Buffers**

D.1. __X__ The master concept plan indicates the types and minimum widths of buffers proposed along the perimeter of the property as well as between the individual development areas where required. *[34-373(a)(6)g]*

D.2. __X__ All buffer types shown refer to buffers described in Chapter 10 of the Land Development Code unless clearly noted otherwise. *[34-373(a)(6)g]*

E. **Surface Water Management**

E.1. _____ The property is located within a flood plain or flow way and compensation for impacts to flood storage capacity or flow ways due to filling of the site will be made at the time of local development order or district permitting . *[34-373(b)(1)]*

E.2. __X__ A written description of the proposed surface water master plan is submitted as **Exhibit E.2.**

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F. **Excavations**

F.1. __X__ The general location of excavations for on-site fill and wet retention have been indicated on the master concept plan. *[34-373(a)(6)i]*

F.2. __X__ Preliminary calculations for cuts and fills have been made and:

F.3. __X__ No excavated materials will be removed from the site.

F.4. _____ Excavated materials to be removed from the site will comply with the definition of "surplus material" or will not exceed ten percent of the total material excavated.

F.5. _____ Excavated materials to be removed from the premises exceed the definition of "surplus materials" or will exceed ten percent of the total material excavated. Calculations have been submitted as **Exhibit IV-F-5.** *[34-373(a)(6)i]*

F.6. _____ This application includes "mining" as a requested use and a "general mining permit" has been requested in accordance with section 10-329(f)(7). *[34-373(a)(6)i]*

G. **Subdivisions**

G.1. _____ The proposed development will be divided into lots or parcels. *[34-373(a)(6)b]*

G.2. _____ The uses proposed for each lot or parcel have been indicated and keyed to the proposed list of uses submitted with the application. *[34-373(a)(6)b]*

G.3. _____ The master concept plan indicates the general location, configuration, and approximate dimensions of the lots or parcels (including outparcels), lot coverage, and the minimum proposed setbacks for principal buildings. *[34-373(a)(6)b]*

_____ Special property development regulations are proposed for this development and are setforth in Exhibit IV-G-4. To the extent a property development is not indicated in the exhibit, the regulations of the Land Development Code will be used.

_____ The property development regulations for the _____ zoning district will be used. *[34-373(a)(6)b]*

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

H.1. _____ The boundary of each individual development area within which buildings, parking or other uses will be located has been delineated on the master concept plan indicating:

H.2. __X__ Residential uses by type for each development area have been indicated (if applicable) including the maximum number of living units by type.

H.3. _____ Development areas proposed for hotel or motel use have been indicated as well as the number of hotels/motels and the maximum number of rooms by size.

H.4. _____ Development areas proposed to contain health care facilities have been indicated as well as the maximum number of beds.

H.5. _____ Commercial uses by type for each development area have been indicated (if applicable) including the maximum floor area proposed. Where the use includes outdoor areas for display or storage, the outdoor area has been indicated separately from the floor area.

H.6. _____ Industrial uses by type for each development area have been indicated (if applicable) including the maximum floor area proposed. Where the use includes outdoor areas for display or storage, the outdoor area has been indicated separately from the floor area.

H.7. _____ Parking under the building(s) is proposed and the number of parking stories has been indicated.

H.8. _____ The total number of living stories has been indicated.

H.9. _____ The maximum height of the buildings, including parking stories, has been indicated.

H.10 _____ The general location of service areas for delivery of goods or services has been delineated on the master concept plan.

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I **Summary list of uses.**

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

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

J.1. _____ A list of all deviations requested as well as a written justification for the deviation, has been submitted as **Exhibit IV-J-1.**

J.2. _____ The proposed location for each requested deviation, keyed to the schedule of requested deviations (Exhibit IV-J-1), has been indicated on the master concept plan.

J.3. _____ Drawings demonstrating the effect of the requested deviations are submitted as **Exhibit IV-J-3.**

J.4. _____ No deviations are requested.

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

K.1. X The Traffic Impact statement has been submitted as **Exhibit IV-K-1.**

K.2. _____ The director has waived the requirement for this minor planned development. The signed waiver is attached hereto as **Exhibit II-F-1.**

L **Phasing Plan**

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

M. **Special Concerns**

M.1. _____ This project includes a private port facility. Attached is a Hazardous Materials Emergency Plan labeled **Exhibit IV-M-1.** *[34-202(b)(4)]*

M-2 _____ This project includes rezoning of a mobile home park. Attached as **Exhibit IV-M-2** is the information required by section 34-203(d). *[34-203(d)].*

M-3 _____ This project includes a request to use Bonus Density units. Attached as **Exhibit IV-M-3** is information on the type of bonus density units to be used, the source of the bonus density units, and the effect on the overall project. *[34-202(b)(5)]*

M-4 _____ The project is a Residential Planned Development located in either a Rural or Outer Island land use classification. Attached as **Exhibit IV-M-4** is the impact analysis. *[34-442]*

M-5 _____ This project is subject to the airport hazard regulations. Attached is **Exhibit IV-M-5.** *[34-1001]*

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PART V - AFFIDAVIT

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

PRENTISS POINTE, LTD.
By: Gary L. Howe
Signature of Owner or Owner-authorized Agent

05/09/03
Date

GARY L. HOWE
Managing Member
Typed or printed name and title

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 9th *day of* May *200* 3 ,
by Gary L. Howe *who is personally known to me or who has*
produced FL. DRIVERS LICENSE *as identification.*

Peggy A. Hite
Signature of notary public

(SEAL)

Peggy A Hite
My Commission DD174590
Expires December 29, 2006

Peggy A. Hite
Printed name of notary public

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PART VI - SUBMITTAL REQUIREMENTS

COPIES REQUIRED including 1 original					Exhibit #	Item
SUB	NR	DRI	DCI	MINOR		
		12	11	11		Completed application [34-201(b) & 34-373(a)(1)]
		3	3	3	I-A-1	Covenant Of Unified Control [34-202(b)(1)b & 34-373(a)(3)]
		3	3	3	I-A-2, I-A-3	Authorization Form [34-201(a)(1)] & [34-202(b)(1)c]
		2	2	2	I-C-2	Subject property owners list [34-202(a)(5)]
		3	3	3	I-D-1, I-D-2	Disclosure Form [34-201(b)(1)a]
		3	3	3	I-E-1	Deed Restrictions [34-202(b)(2)]
		3	3	3	I-E-2	Deed Restrictions Narrative [34-202(b)(2)]
		3	3	3	II-B-1-A	Legal Description [34-202(a)(1)]
		1	1	1	II-B-1-B	Electronic version of legal description
		3	3	3	II-B-2	Certified sketch of description [34-202(a)(2)]
		3	3	3	II-B-3	Plat Book Page [34-202(a)(1)]
		2	2	2	II-D-2	Area Location Map on 8 ½ by 11 paper [34-202(a)(4)]
		2	2	2	II-D-3	Surrounding Property Owners List [34-202(a)(6)]
		2	2	2	II-D-4	Surrounding parcels Map [34-202(a)(7)]
		2	2	2	II-D-5	Mailing labels (sets)
		12	11	11	II-E-2	Compliance with Lee Plan. [34-373(a)(5) & 34-491]
		12	11	11	II-E-3	Lee Plan Amendment [34-373(a)(5) & 34-491]
		3	3	3	II-E-4	Compliance with design standards of 34-411. [34-373(a)(5)]
		3	3	3	II-E-5	Compliance with decision-making guidelines. [34-373(a)(5)]
		3	3	3	II-F-1	Waivers
		12	11	11	III-A-1	Existing easements and r-o-w map. [34-373(a)(4)a.]
		12	11	11	III-A-2	Exist. zoning & current land use map/photo [34-373(a)(4)b]
		3	3	3	III-A-3	Aerial photograph [34-373(a)(4)c]
		3	3	3	III-B-1	Map of Historical & Archaeological sites [34-373(a)(4)f]
		3	3	3	III-B-2	Possible impacts on Hist. & Arch. sites [34-373(a)(4)f]
		12	11	4	III-C-3	Environmental Assessment Report
		12	11	4	III-C-5	Soils [34-373(a)(4)d.i]
		12	11	4	III-C-6	Vegetation\ground cover [34-373(a)(4)d]
		12	11	4	III-C-7	Topography. [34-373(a)(4)d.iv]
		4	4	-	III-C-8	Protected Species Survey (if applicable) [34-373(b)(2)]
		12	11	4	III-D-1	Public transit routes map (if applicable) [34-373(a)(4)e.]
		12	11	11	IV-A-1	Master Concept Plan 24 X 36 inches [34-373(a)(6)a.]
		3	3	3	IV-A-2	Master Concept Plan 11 X 17 inches [34-373(a)(6)a.]
		4	4	-	IV-E-2	Surface Water Management Plan [34-373(b)(1)]
		4	4	4	IV-F-5	Excavation calculations [34-373(a)(6)l]
		12	11	11	IV-I-1	Master List of uses for entire development [34-373(a)(8)]
		12	11	11	IV-J-1	List of deviations & justification [34-373(a)(9)]
		12	11	11	IV-J-3	Drawings demonstrating deviations [34-373(a)(6)j]
		4	4	4*	IV-K-1	Traffic Imp. Statement [34-373(a)(7)]
		12	11	11	IV-L-1	Program for phased development [34-373(b)(3)]
		12	11	11	IV-M	Facilities for the development
		4	4	4	IV-M-1	Haz. Mat Emer Plan [34-202(b)(4)]
		4	4	4	IV-M-2	Mobile Home Park Information [34-203(d)]
		4	4	4	IV-M-3	Bonus Density units 34-202(b)(5)
		4	4	4	IV-M-4	Sanitary Sewer Facilities
		4	4	4	IV-M-5	Airport Hazard

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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:

N/A

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

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EXHIBIT IV-I-1

MASTER LIST OF USES FOR ENTIRE DEVELOPMENT

A.	**Residential Uses**			
	Type	Habitable stories	Height	Total Number of Units
A..1.	Single Family			
A. 2.	Zero lot line			
A..3.	Mobile Homes			
A..4.	Recreational Vehicles			
A..5.	Duplex/Two Family			
A..6.	Townhouses / COACH HOUSES		35' MAX	144
A .7.	Multiple Family	1 - 3 stories		
A .8.	Multiple Family	4 - 6 stories		
A. 9.	Multiple Family	7 or more		
A .10	**TOTAL UNITS**			

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

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

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

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

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

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EXHIBIT IV-M-4

SANITARY SEWER FACILITIES

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:

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:**

2. **Quality of the effluent:**

3. **Expected life of the facility:**

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

5. **Receiving bodies or other means of effluent disposal:**

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

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

2. **Current water table conditions:**

3. **Proposed rate of application:**

4. **Back-up system capacity:**

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EXHIBIT IV-M
FACILITIES FOR THE DEVELOPMENT
(Instructions on back side of page)

1. Fire District: **IONA McGREGOR**

2. Estimated daily consumption of potable water:

2.a.	144	Residential units:	60,192	gpd **PEAK**
2.b.		Mobile Home units:		gpd
2.c.		Rec. Vehicle units:		gpd
2.d.		Commercial:		gpd
2.e.		Industrial:		gpd

3. Source of Potable Water: **LEE COUNTY UTILITIES**

3.a. X Agreement with the utility company is attached as **Exhibit IV-M-3. (FORTHCOMING)**

4. Source of Non-Potable Water

5. Estimated daily production of wastewater:

5.a.	144	Residential units:	63,360	gpd **PEAK**
5.b.		Mobile Home units:		gpd
5.c.		Rec. Vehicle units:		gpd
5.d.		Commercial:		gpd
5.e.		Industrial:		gpd

6. ____ Special effluent is anticipated. **See Exhibit IV-M-4.**

7. Source of sanitary sewer service:

7.a. X Agreement with the utility company is attached as **Exhibit IV-M-7. (FORTHCOMING)**

7.b. ____ A private on-site disposal facility will be used. **See Exhibit IV-M-4.**

7.c. ____ Individual sewage disposal systems will be used.

7.d.. ____ Spray irrigation will be used. **See Exhibit IV-M-4.**

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EXHIBIT I-A-1
COVENANT OF UNIFIED CONTROL

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of PRENTISS POINTE, LTD. *record of property commonly known as* 15841 WINKLER ROAD FORT MYERS, FL 33908 *(street address) and legally described in exhibit A attached hereto.*

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

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

1. *The property will be developed and used in conformity with the approved master concept plan including all conditions placed on the development and all commitments agreed to by the applicant in connection with the planned development rezoning.*
2. *The legal representative identified herein is responsible for compliance with all terms, conditions,safeguards, and stipulations made at the time of approval of the master concept plan, even if the property is subsequently sold in whole or in part, unless and until a new or amended covenant of unified control is delivered to and recorded by Lee County.*
3. *A departure from the provisions of the approved plans or a failure to comply with any requirements, conditions, or safeguards provided for in the planned development process will constitute a violation of the Land Development Code.*
4. *All terms and conditions of the planned development approval will be incorporated into covenants and restrictions which run with the land so as to provide notice to subsequent owners that all development activity within the planned development must be consistent with those terms and conditions.*
5. *So long as this covenant is in force, Lee County can, upon the discovery of noncompliance with the terms, safeguards, and conditions of the planned development, seek equitable relief as necessary to compel compliance. The County will not issue permits, certificates, or licenses to occupy or use any part of the planned development and the County may stop ongoing construction activity until the project is brought into compliance with all terms, conditions and safeguards of the planned development.*

PRENTISS POINTE, LTD
Owner

By: GARY HOWE / Gary L. Howe
Printed Name
Managing Member

STATE OF FLORIDA)
COUNTY OF LEE)

Sworn to (or affirmed) and subscribed before me this 9th *day of* May, 2003

by Gary L. Howe *who is personally known to me or has produced* Florida Drivers Licence *as identification.*

DCI 2003-00038

Notary Public

Peggy A. Hite
(Name typed, printed or stamped)
(Serial Number, if any)

S:\Forms\APPLCTNS\NEWZDS0101f.WPD

Peggy A Hite
My Commission DD174590
Expires December 29, 2006

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MASTER

EXHIBIT 1-A-2

Prentiss Pointe, LTD.
17499 McGregor Boulevard
Fort Myers, FL 33908
239/454-1333 (Phone)
239/454-3276 (Fax)

May 14, 2003

Mr. Harvey Strauss
Alpha Engineering
6315 Presidential Court
Fort Myers, FL 33919

Dear Mr. Strauss,

Please accept this letter as authorization from Prentiss Pointe, LTD to act as our representative for submitting and procuring all necessary zoning, governmental, environmental and development order permits on behalf of Prentiss Pointe, LTD.

Respectfully,

Mark Naumann

Michele R. Gropp
5-14-03

MICHELE R. GROPP
Notary Public, State of Florida
My comm. exp. Mar. 29, 2005
Comm. No. DD 013574

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MAY 15 2003
COMMUNITY DEVELOPMENT

EXHIBIT I-C-2

PROPERTY OWNER LIST

SANCAP, LTD, Gary L. Howe, Managing Member
7000 Quail Lakes Drive
Holland, Ohio 43528

(239)395-1337

Sandollar Properties, LLC
Att: Robert Hete, Managing Member
04566 CR12
Bryan, Ohio 43506

(419)553-9862

Naumann Property Venture, LLC
17499 McGregor Blvd.
Ft. Myers, Fl 33908

(239)454-1333

DCI 2003-00038

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COMMUNITY DEVELOPMENT

EXHIBIT I-D-1 or I-D-2
DISCLOSURE OF INTEREST FORM FOR:

STRAP NO. 34-45-24-00-00010.0000 **CASE NO.** _____

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
N/A	

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

Name, Address, and Office	Percentage of Stock
N/A	

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
N/A	

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
1) SANCAP, LTD., GARY L. HOWE, MANAGING MEMBER	40%
7000 QUAIL LAKES DRIVE HOLLAND, OHIO 43528	
2) SANDDOLLAR PROPERTIES, LLC.	30%
ROBERT HETE, MANAGING MEMBER	
04566 CR 12 BRYAN, OHIO 43506	
3) NAUMANN PROPERTY VENTURE, LLC.	30%
17499 McGREGOR BLVD.	
FORT MYERS, FLORIDA 33908	

DCI 2003-00038

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COMMUNITY DEVELOPMENT

(over)

S:\Forms\APPLCTNS\NEWZDS0101f.WPD

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

Name, Address, & Office(if applicable)	Percentage of Stock

Date of Contract: _____

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

Name and Address	

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

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

Signature: PRENISS POINTE, LTD
By: Gary L. Howe, Managing Member
(Applicant)

GARY L. HOWE, MANAGING MEMBER
(Printed or typed name of applicant)

STATE OF FLORIDA

COUNTY OF LEE

The foregoing instrument was acknowledged before me this 12th day of May 2003

by Gary L. Howe who is personally known to me or who has

produced Florida Drivers License as identification.

DCI 2003-00038

Peggy A. Hite
Signature of Notary Public

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MAY 15 2003
COMMUNITY DEVELOPMENT

S:\Forms\APPLCTNS\NEW\DS0101f.WPD

Peggy A Hite
My Commission DD174590
Expires December 29, 2006

ORIGINAL

DCI 2003-00038
RECEIVED
MAY 15 2003
COMMUNITY DEVELOPMENT

EXHIBIT I-E-1

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SUNBELT EQUITIES II LIMITED PARTNERSHIP 26.25-ACRE PARCEL AT 15841 WINKLER ROAD FORT MYERS, FLORIDA

THIS DECLARATION is made this 21 day of April, 2003, by **SUNBELT EQUITIES II LIMITED PARTNERSHIP**, a Pennsylvania Limited Partnership, (hereinafter the "Developer").

WITNESSETH:

WHEREAS, Developer is the owner of the real property located in Lee County, Florida which is described on attached Exhibit "A" hereto (hereinafter the "Property"); and

WHEREAS, Developer and James R. Colosimo (hereinafter "Colosimo") entered into an Agreement (hereinafter the "Previous Agreement") with Heritage Farms Property Association, Inc., a Florida non-profit corporation (hereinafter referred to as "Heritage") which agreement is dated May 6, 1999, and is recorded at Official Record Book 3129, Pages 3120 - 3128, by which Developer granted to Heritage a lien upon the Property in the initial amount of $240,000 to secure the obligations of the agreement; and

WHEREAS, the previous agreement set forth certain use restrictions on the Property for the protection and benefit of the Heritage Farms community; and

WHEREAS, Heritage, Colosimo and Developer have agreed to terms and conditions to terminate the Previous Agreement prior to the sale of the Property to Prentiss Pointe, Ltd., (hereinafter "Prentiss") which terms include the filing of this Declaration in consideration of Heritage's release of the lien and all other obligations of Developer and Colosimo in the Previous Agreement; and

WHEREAS, Developer and Colosimo have determined that it is in their best interests to record this Declaration with the intent to bind Developer's heirs, successors and assigns to the conditions of this Declaration in order, among other things, to obtain the full and complete release of the lien agreed to in the Previous Agreement.

NOW, THEREFORE, Developer hereby declares that all of the Property described on Exhibit "A" shall be held, sold and conveyed subject to the following Declaration of Covenants, Conditions and Restrictions which shall run with the real property submitted to this Declaration and which shall be binding on all parties having any right, title or interest in the described properties or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of Heritage and may not be amended

without the consent of Heritage, which consent shall not be unreasonably withheld by Heritage

1. Prior to any vertical development or construction on the Property, the New Buffer described herein and consistent with the buffer's description per RS Walsh Landscaping, Inc. Plan dated 2/25/03 attached hereto as Exhibit B will be installed and maintained, including but not limited to the following:

(a) The existing dense buffer will be left in place from the Heritage Farms property line westerly approximately 80' in order to ensure the utmost in privacy to the Heritage Farms property owners only during the infrastructure phase of any construction taking place on the Property. A silt barrier fence will also be installed at this 80' westerly line to prevent any excess run off of fill material into this area during road installation. At completion of infrastructure, developer will construct and install plantings, irrigation system, and berm/wall detail, as a buffer on the easternmost 100' (anywhere adjacent to parcels located in the Heritage Farms community), which buffer shall be in strict conformance with the densities, sizes, types, locations and quantities of plantings as those described in the conditions specified on attached landscape plan dated 2/25/03 prepared by RS Walsh Landscaping, Inc. (Exhibit B) and which is referred to herein as the "New Buffer." "Infrastructure" as used herein means construction of roads, lakes, electric, water and sewer utilities.

(b) The New Buffer shall have an adequate irrigation system and shall be perpetually irrigated and otherwise maintained to insure the viability of its plantings and the integrity and quality of its service as a buffer. The RS Walsh Landscaping , Inc. Plan dated 2/25/03 attached as Exhibit "B" contains details of the irrigation system.

(c) The New Buffer shall include at a minimum, two berms at least four (4) feet in height (whether currently existing or not) or such other equivalent or better water management facilities as will ensure that no surface water drainage from the Property will ever impact properties in the Heritage Farms community. One of the berms will be the existing four foot berm that will remain as is, or if required by the South Florida Water Management District, this berm shall be enlarged. The second berm shall be four feet with a four foot wall pursuant to Lee County regulations. All such berms and water management facilities impacting must be approved by both South Florida Water Management District and Heritage. Should South Florida Water Management District object to the berming required by Heritage, Heritage agrees to meet with South Florida Water Management District and Developer to resolve any objections by South Florida Water Management District to the satisfaction of all parties hereto.

thirty (30) days of receipt by Heritage or such plan shall be deemed approved if approval or denial is not received from Heritage within that thirty (30) day period.

5. Construction hours on the Property shall be limited to the hours of 8:00 a.m. and 6:00 p.m. on weekdays, i.e. Monday through Friday.

6. Restrictions on blasting on the Property. There shall be no blasting on the Property at any time.

7. Maintenance obligations described herein may be assigned to a property owners' association or condominium association to be created for purposes of maintaining the buffer and other common areas on the property, in which case Prentiss shall be released from liability for the same; however, if such association should fail to perform the obligations of this Declaration, all then-owner(s) of the Property shall be obligated, jointly and severally, to perform them.

8. Notwithstanding any other provisions whatsoever to the contrary, this Declaration of Covenants shall not be amended without the consent of Heritage, which consent shall not be unreasonably withheld.

9. This Declaration of Covenants, Conditions and Restrictions shall run with the land and be binding upon the Developer, its successors and assigns and upon each subsequent purchaser of the Property or any part thereof, for a period of twenty-five (25) years from the date of execution hereof, and shall automatically renew for successive periods of twenty-five (25) years unless terminated by written consent of Heritage.

10. This Declaration of Covenants is in substitution for all of the rights and obligations under the Previous Agreement recorded in Official Records Book 3129, Pages 3120 to 3128, which Agreement is superceded by this Declaration and which Agreement is cancelled, released, terminated and is of no further force and effect.

IN WITNESS WHEREOF, the undersigned Developer has executed this Declaration this 24 day of April, 2003.

SUNBELT EQUITIES II LIMITED PARTNERSHIP, A Pennsylvania Limited Partnership

Witness

Witness

By: _____
JAMES R. COLOSIMO
General Partner

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 24 day of April, _____, by JAMES R. COLOSIMO, General Partner of Sunbelt Equities II Limited Partnership, a Pennsylvania Limited Partnership; for the purposes stated herein and who is personally known to me or ~~who has produced~~ _____ as identification and who is authorized to sign on behalf of the limited partnership.

My Commission Expires:

Printed Name: STEPHEN E. DALTON

Prepared by: SUNBELT EQUITIES II LIMITED PARTNERSHIP
5051 Castello Drive, Suite 17
Naples, FL 34103

EXHIBIT "A"

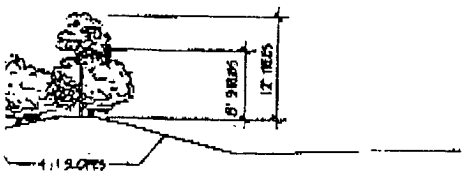
LEGAL DESCRIPTION: In Section 34, Township 45 South, Range 24 East, Lee County, Florida:

A parcel of land lying in the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Section 34, Township 45 South, Range 24 East, Lee County, Florida, described as follows:

COMMENCING at a found concrete monument marking the South Quarter corner of said Section 34;
THENCE N01°01'48"W along the East line of said fraction of a section for 346.56 feet to the POINT OF BEGINNING;
THENCE S88°39'16"W for 1,235.83 feet to the Easterly line of Winkler Road (100 feet wide);
THENCE N06°55'41"E along said East line for 577.50 feet to a Point of Curvature;
THENCE 407.00 feet along said Easterly line along the arc of a curve concave to the Northwest having a radius of 2,914.90 feet and subtended by a chord having a length of 406.67 feet and bearing N02°55'51"E to a point on a curve intersecting the said Easterly line and the North line of said fraction of a section;
THENCE N88°45'17"E along said North line for 1,127.79 feet to a found concrete monument marking the Northeast corner of said fraction of a section;
THENCE S01°01'48"E along said East line for 975.07 feet to the POINT OF BEGINNING.

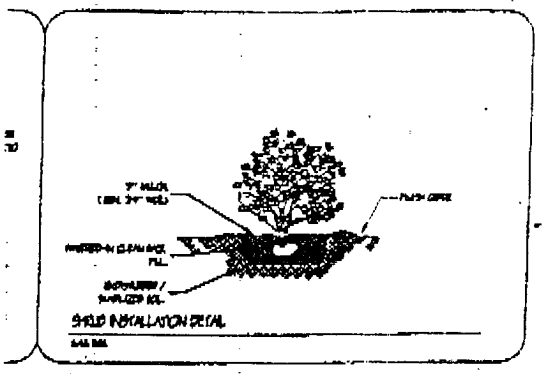
Parcel contains 26.25 acres, more or less.

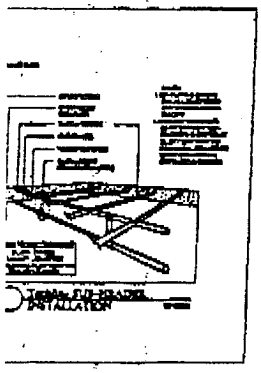
Exhibit B



ING DESIGN AND PERMITS.
W. ALL NUISANCE EXOTIC VEGETATION SHALL BE

'M BUFFER SECTION
ALE: N.T.S.





BUFFER CONDITIONS AND NOTES

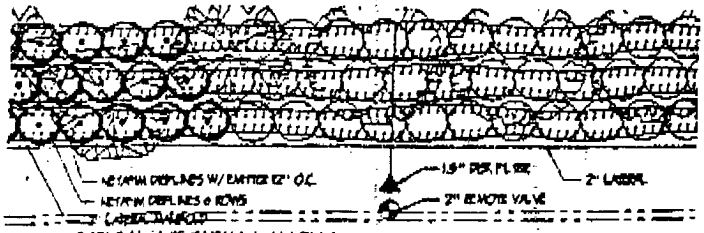
1. ALL PLANTINGS AND WORK SHALL BE IN COMPLIANCE WITH THE CONCEPT PLAN AND ZONING RESOLUTION.
2. TREE AND SHRUB SIZES SHOWN ON THE PLAN ARE MINIMUM SIZES.
3. SHRUB SPACING SHALL BE CENTER TO CENTER WITH 6' OVERLAP OF BRANCHING.
4. ENTIRE AREA UNDER SHRUB PLANTING SHALL BE MULCHED WITH 3" DEPTH MULCH PER PLAN.
5. REFER TO SEQUENCING NOTES FOR SCHEDULE OF CONSTRUCTION ACTIVITIES REQUIRED.
6. ALL BERMS, SLOPES, AND DRAINAGE SHALL BE IN COMPLIANCE WITH ENGINEERING PLANS PREPARED BY OTHERS.
7. ALL NUISANCE EXOTIC VEGETATION SHALL BE REMOVED FROM THE SITE, INCLUDING STUMPS. WHERE REMOVAL OF STUMPS IS NOT POSSIBLE WITHOUT DAMAGING EXISTING NATIVE VEGETATION, STUMPS SHALL BE TREATED WITH GARLON OR APPROVED EQUAL IN ACCORDANCE WITH LABEL.
8. CONSTRUCTION ACTIVITIES ON SITE SHALL BE LIMITED TO THE HOURS OF 8:00 A.M. TO 6:00 P.M. ON WEEK DAYS ONLY.
9. REFER TO IRRIGATION PLAN FOR IRRIGATION REQUIREMENTS.
10. THE LOCATION OF THE 4' BERM(S) 2) SHALL BE FIELD VERIFIED.
11. ALL SLOPES NOT PLANTED SHALL BE SODDED.
12. THE 8'-0" WALL BUFFER/ BERM(S 2) SHALL INCLUDE A GATE FOR MAINTENANCE ACCESS.

CONSTRUCTION SEQUENCE

1. AN 8'-0" WALL BUFFER/ BERM AND SINGLE 4'-0" BERM SHALL BE CONSTRUCTED PER LEE COUNTY DEVELOPMENT ORDER CRITERIA.
2. THE EXOTIC VEGETATION ALONG THE PROPERTY LINE SHALL BE REMOVED. PROTECT ANY EXISTING NATIVE VEGETATION WHICH IS TO REMAIN.
3. CONSTRUCT SWALE AND BERM(S 2).
4. INSTALL LANDSCAPE AND IRRIGATION.
5. ALL WORK SHALL BE APPROVED FOR LOCATION AND LAYOUT PER LEE COUNTY DEVELOPMENT ORDER CRITERIA.

IRRIGATION NOTES

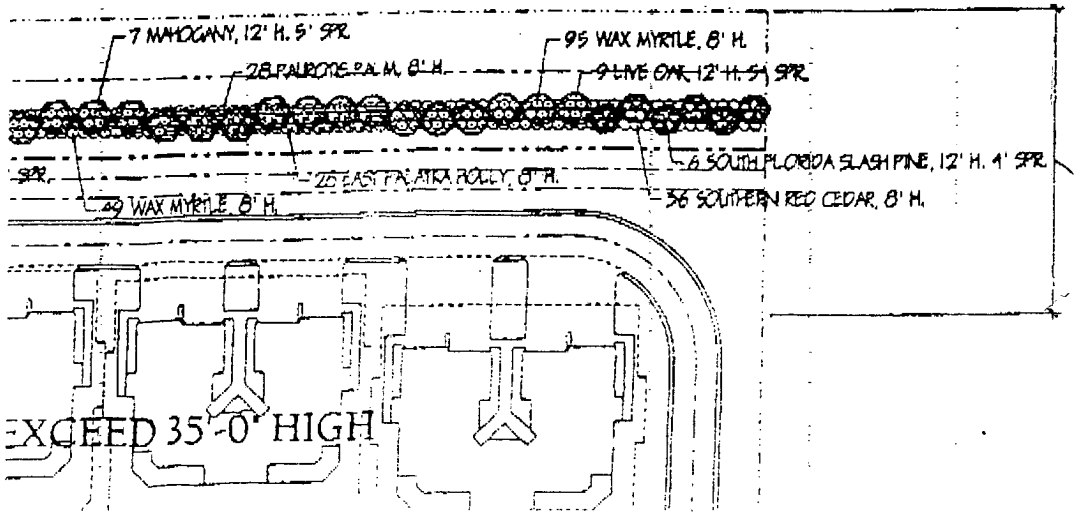
1. IRRIGATION CONTRACTOR RESPONSIBLE FOR CORRECT SPACING OF DRIP LINE FOR SOIL TYPE. (SEE DETAILS).
2. WATER SOURCE TO BE NON-POTABLE WELL SOURCE BY OTHERS.
3. INSTALLATION OF DRIP LINES TO BE ABOVE GROUND UNDER MULCH.
4. LATERALS TO BE 12" DEPTH, WITH SWING UP EVERY 100 TO 150 FEET.
5. ALL DRIP LINES TO BE "LOOPED" AT LATERAL SWING POINT OF CONNECTIONS.
6. REMOTE CONTROL VALVES TO BE INSTALLED WITH PRESSURE REGULATION. (SEE DETAILS).
7. CONTRACTOR RESPONSIBLE FOR FLUSHING OF LATERALS PRIOR TO DRIP INSTALLATION.
8. INSTALL A MICRO-SPRAY ON EVERY LIVE OAK, MAHOGANY & PINE.
9. STATION RUN TIME BASED ON PRECIPITATION RATE, SOIL TYPE AND SPACING.
10. FLUSH VALVE TO BE INSTALLED BETWEEN EVERY SWING POINT OF CONNECTION.



TYPICAL NETAFIM LAYOUT
SCALE: N.T.S.

SCALE N.T.S.

PRENTISS POINT
COACH HOME DEVELOPMENT
36 BUILDING UNITS / 144 LIVING UNITS
CONCEPTUAL SITE PLAN - 07/15/02



R.S. WALSH LANDSCAPING, INC.

PRENTISS POINT

CONCEPTUAL BUFFER PLANTING PLAN
FORT MYERS, FLORIDA

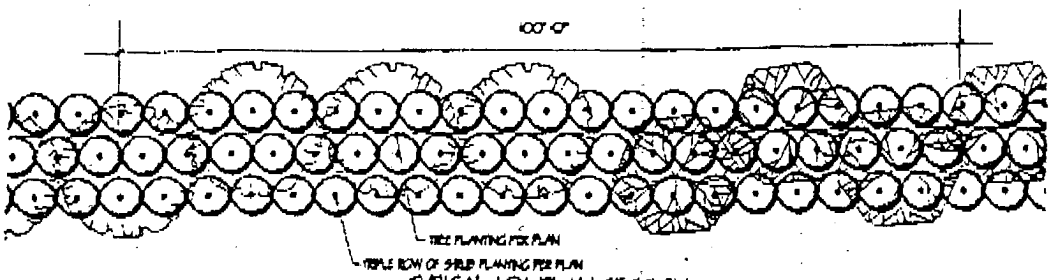
NORTH
SCALE N.T.S.

CONCEPTUAL LANDSCAPE DESIGN

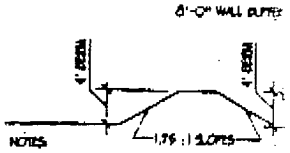
REVISION	6
DATE	07/23/02
DWN	E.M.T.
DSN	F.D.
CHK	E.S.W.

CARLTON - NAUMANN
CLASSICS
CUSTOM HOMES

EXHIBIT D

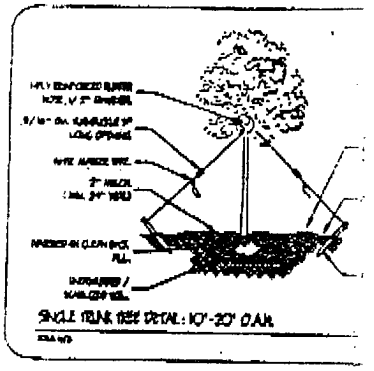


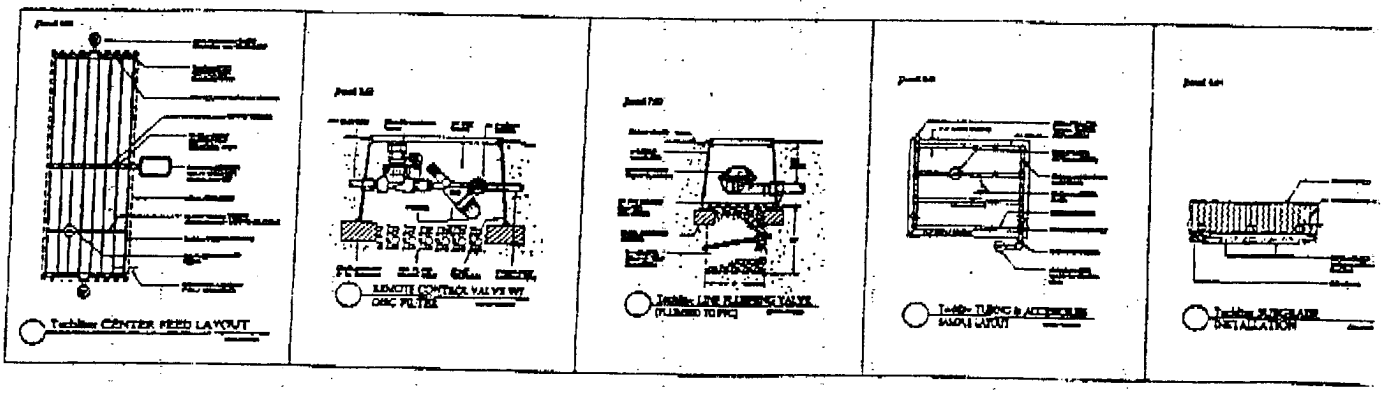
TYPICAL 10' PLAN SECTION
SCALE: 1" = 10'-0"

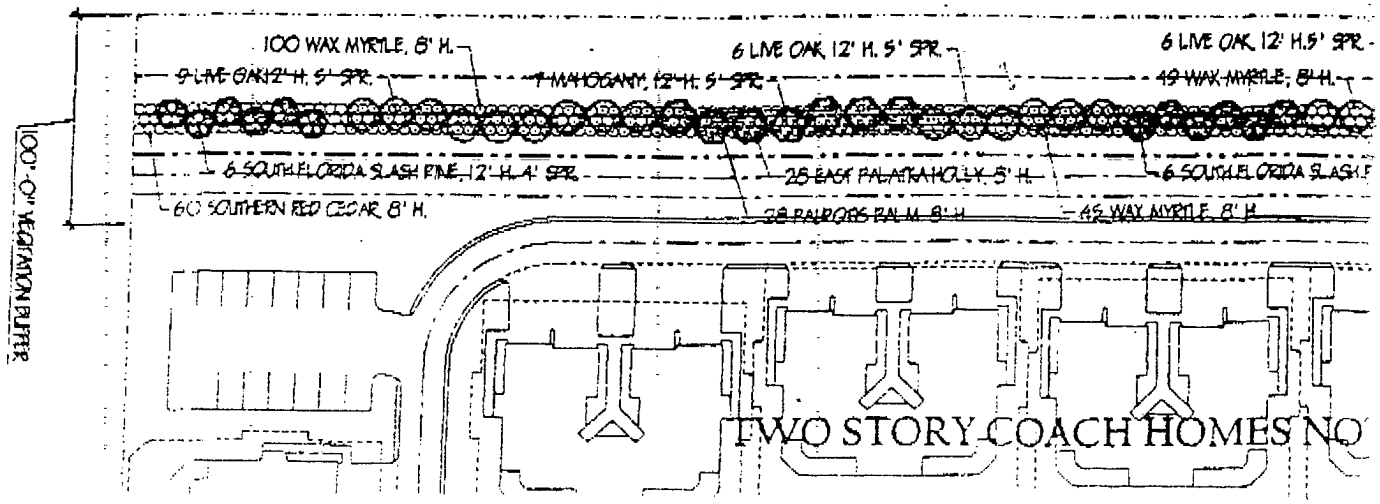


TYP

PLANT LIST			
QTY.	SCIENTIFIC NAME	COMMON NAME	MINIMUM SIZE
27	QUERCUS VIRGINIANA	LIVE OAK	12'H, 5' SPR, CONTAINER GROWN
18	PINUS ELLIOTTII 'TERRA'	SOUTH FLORIDA SLASH PINE	12' H, 4' SPR, CONTAINER GROWN
14	SWIETENIA MAHAGONI	MAHOGANY	12' H, 5' SPR, CONTAINER GROWN
209	MYRICA CERIFERA	WAX MYRTLE	8' H, FULL TO BASE
96	ILEX ATTENUATA 'EAST PALATKA'	EAST PALATKA HOLLY	8' H, FULL TO BASE
38	ACCEL. CHRYSE. WASHING	PALMETTO PALM	8' H, FULL TO BASE
149	JUNIPERUS SILICOL	SOUTHERN RED CEDAR	8' H, FULL TO BASE
PER PLAN	PASPALUM NOTATUM	BAHIA SOD	ALL SLOPES NOT PLANTED
PER PLAN		FLORATAM	3" DEPTH
PER PLAN		SOIL FOR BERM	







AGREEMENT

THIS AGREEMENT is made this _____ day of _____, 2003, between **SUNBELT EQUITIES II LIMITED PARTNERSHIP, a Pennsylvania Limited Partnership** (hereinafter "Sunbelt"), **HERITAGE FARMS PROPERTY ASSOCIATION, INC., a Florida non-profit corporation** (hereinafter "Heritage"); and **PRENTISS POINTE, LTD., an Ohio limited liability company** (hereinafter "Prentiss").

WITNESSETH

WHEREAS, Sunbelt is the owner of a 26.25-acre parcel of property located adjacent to the Heritage Farms Subdivision in Lee County, Florida, more particularly described in Exhibit A, attached hereto (hereinafter the "Property"); and

WHEREAS, Sunbelt, Heritage and James R. Colosimo (hereinafter "Colosimo") had entered into a Previous Agreement dated May 6, 1999, and recorded at Official Record Book 3129 Page 3120 - 3128; and which was secured by a lien on the Property in favor of Heritage to secure construction of the CPD Buffer Plan; and

WHEREAS, Sunbelt desires to sell the Property to Prentiss free and clear of any obligations related to the Previous Agreement dated May 6, 1999; and

WHEREAS, Prentiss desires to purchase the Property and apply to Lee County to have the Property rezoned from Commercial Planned Development (CPD) to multi-family Residential Planned Development; and

WHEREAS, all of the undersigned Parties to this Agreement desire to enter into the Agreement in order to accomplish the purposes stated herein.

NOW, THEREFORE, in consideration of the mutual promises and agreements contained herein, and other good and valuable consideration, the Parties all agree as follows:

1. At the closing of the sale of the Property to Prentiss, Sunbelt will execute and record prior to the conveyance to Prentiss the Declaration of Covenants and Restrictions attached hereto as Exhibit B (hereinafter the "Declaration").

2. Sunbelt will pay to Heritage the sum of TWO HUNDRED FIFTEEN THOUSAND DOLLARS ($215,000) at the closing of the sale of the Property to Prentiss.

3. Simultaneously with receipt of the payment and the Declaration, Heritage shall release its lien on the property under the Previous Agreement. The Lien Release shall be in the form attached as Exhibit C.

4. Heritage shall unconditionally support Prentiss's application for rezoning of the Property to multi-family residential and all conditions of Prentiss set forth in this Agreement so long as the zoning request is consistent with the plans and conditions for development which have been

shown to and represented to Heritage to date and summarized in Exhibit D attached hereto and so long as Prentiss is in full compliance with the terms of this Agreement.

5. In the event it shall become necessary for either party to bring suit to enforce any provision hereof, or for damages on account of any breach of this agreement, the prevailing party shall be entitled to recover from the other, in addition to any damages or other relief granted as a result of such litigation, all costs of such litigation and reasonable attorney's fees (including attorney's fees and costs of appeals) as fixed by the Court.

IN WITNESS WHEREOF the undersigned have affixed their signatures on the day and date so indicated.

SUNBELT EQUITIES II LIMITED PARTNERSHIP
A Pennsylvania Limited Partnership

By:_____
James R. Colosimo, General Partner

State of Florida
County of Lee

The foregoing was acknowledged before me this _____ day of _____, 2003, by James R. Colosimo, General Partner of Sunbelt Equities II Limited Partnership, a Pennsylvania Limited Partnership, who is personally known to me or who has produced _____ as identification and who is authorized to execute same on behalf of said limited partnership.

Seal/Stamp

_____
Printed Name:_____

HERITAGE FARMS PROPERTY
ASSOCIATION, INC.,
A Florida Non-Profit Corporation

By: _____ President
Victor Schargorodski, President

State of Florida
County of Lee

The foregoing was acknowledged before me this 13 day of March, 2003, by Victor Schargorodski, President of Heritage Farms Property Association, Inc., a Florida non-profit corporation, who is personally known to me or who has produced _____ as identification and who is authorized to execute same on behalf of said corporation.

Seal/Stamp

OFFICIAL NOTARY SEAL
THOMAS BRYAN HART
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC964564
MY COMMISSION EXP. SEPT 18,2004

Printed Name: Thomas B. Hart

PRENTISS POINTE, LTD.,
An Ohio limited liability company

By: _____
Gary Howe, Member

State of Florida
County of Lee

The foregoing was acknowledged before me this 13TH day of MARCH, 2003, by Gary Howe, Member of Prentiss Pointe, Ltd., an Ohio limited liability company, who is personally known to me or who has produced Fla. Driver's Lic. # H000-292-54-058-0 as identification and who is authorized to execute same on behalf of Prentiss Pointe, Ltd.

Seal/Stamp

Printed Name: PAULA A. WELLER

OFFICIAL NOTARY SEAL
PAULA A WELLER
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC992180
MY COMMISSION EXP. JAN. 31,2005

EXHIBIT I-E-2

The attached deed restrictions indicating special buffer and operations have been incorporated into the landscaping and water management plan for the project.

DCI 2003-00038
RECEIVED
MAY 15 2003
COMMUNITY DEVELOPMENT

EXHIBIT II-B-1.A

LEGAL DESCRIPTION: In Section 34, Township 45 South, Range 24 East, Lee County, Florida:

A parcel of land lying in the Southeast Quarter (SE¼) of the Southwest (SW¼) of Section 34, Township 45 South, Range 24 East, Lee County, Florida, as described as follows:

Commencing at the found concrete monument marking the South Quarter corner of said Section 34;
THENCE N01°01'48"W along the East line of said fraction of a section for 346.56 feet to the POINT OF BEGINNING;
THENCE S88°39'16"W for 1,235.83 feet to the Easterly line of Winkler Road (100 feet wide);
THENCE N06°55'41"E along said East line for 577.50 feet to a Point of Curvature;
THENCE 407.00 feet along said Easterly line along the arc of a curve concave to the Northwest having a radius of 2,914.90 feet and subtended by a chord having a length of 406.76 feet and bearing N02°55'51"E to a point on a curve intersecting the said Easterly line and North line of said fraction of a section;
THENCE N88°45'17"E along said North line for 1,127.79 feet to a found concrete monument making the Northeast corner of said fraction of a section;
THENCE S01°01'48"E along said East line of 975.07 feet to the POINT OF BEGINNING.

Parcel contains 26.25 acres more or less.

DCI 2003 00038

R D

MAY 15 2003

COMMUNITY DEVELOPMENT

LEE COUNTY
SOUTHWEST FLORIDA

RETURN TO:

Lee County Code Enforcement
P. O. Box 398
Ft. Myers, FL 33902-0398

Attn: Contractor Licensing

SIGNATURE AUTHORIZATION FORM

(Please type or print information requested)

LICENSE HOLDER NAME: Gary Howe
COMPANY NAME ON LICENSE: Prentiss Pointe LTD
COMPANY ADDRESS: 7000 Quail Lakes Dr. Holland, OH 43528

STATE LIC. # _____
COUNTY LIC. # _____
OCCUPATIONAL # _____
BUSINESS PHONE # _____
CELL PHONE # _____
FAX # _____

I HEREBY AUTHORIZE THE FOLLOWING INDIVIDUAL(S) TO ACT AS MY AGENT IN ALL AREAS OF THE PERMITTING PROCEDURES WITH LEE COUNTY DEVELOPMENT SERVICES DIVISION.

Return ORIGINAL to the Contractor Licensing Office DO NOT FAX

AUTHORIZED PERSON (S):

Mark Naumann
Carlton-Naumann Const.
17499 McGregor Blvd
Ft. Myers, FL 33908

Harvey Strauss
Alpha Engineering
6315 Residential Ct.
Fort Myers, FL 33919

AUTHORIZED PERSON(S) SIGNATURE:

I understand that I remain fully responsible and liable for all acts performed under said permits.

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING AUTHORIZATION LETTER AND THAT THE FACTS STATED IN IT ARE TRUE.

Date: 7/3/03

Signed: _____
(Signature of License Holder)

S:Fax document for new state\ Signature Authorization

RECEIVED
JUL 07 2003
COMMUNITY DEVELOPMENT

EXHIBIT II-B-1.A

LEGAL DESCRIPTION: In Section 34, Township 45 South, Range 24 East, Lee County, Florida:

A parcel of land lying in the Southeast Quarter (SE¼) of the Southwest (SW¼) of Section 34, Township 45 South, Range 24 East, Lee County, Florida, as described as follows:

Commencing at the found concrete monument marking the South Quarter corner of said Section 34;
THENCE N01°01'48"W along the East line of said fraction of a section for 346.56 feet to the POINT OF BEGINNING;
THENCE S88°39'16"W for 1,235.83 feet to the Easterly line of Winkler Road (100 feet wide);
THENCE N06°55'41"E along said East line for 577.50 feet to a Point of Curvature;
THENCE 407.00 feet along said Easterly line along the arc of a curve concave to the Northwest having a radius of 2,914.90 feet and subtended by a chord having a length of 406.76 feet and bearing N02°55'51"E to a point on a curve intersecting the said Easterly line and North line of said fraction of a section;
THENCE N88°45'17"E along said North line for 1,127.79 feet to a found concrete monument making the Northeast corner of said fraction of a section;
THENCE S01°01'48"E along said East line of 975.07 feet to the POINT OF BEGINNING.

Parcel contains 26.25 acres more or less.

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COMMUNITY DEVELOPMENT

Prentiss Pointe, LTD
17499 McGregor Boulevard
Fort Myers, FL 33908
239/454-1333 – Phone
239/454-3276 – Fax

June 27, 2003

Lee County Development Services
Plan Review
1500 Monroe Street
Fort Myers, FL 33901

RE: DCI 2003-00038 / Prentiss Pointe, LTD / Agriculture Status Report

To Whom It May Concern,

Prentiss Pointe, LTD acquired the subject property in April of 2003. At this time it is an open non-active cow pasture. The cattle were relocated prior to May 1, 2003.

Please contact me regarding additional verification if needed.

Sincerely,

Mark Naumann

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INST # 5798921 Official Records BK 03914 PG 0098 RECORDED 04/25/2003 02:58:34 PM
CHARLIE GREEN, CLERK OF COURT, LEE COUNTY
DEPUTY CLERK G Sherwood

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SUNBELT EQUITIES II LIMITED PARTNERSHIP 26.25-ACRE PARCEL AT 15841 WINKLER ROAD FORT MYERS, FLORIDA

THIS DECLARATION is made this 21 day of April, 2003, by **SUNBELT EQUITIES II LIMITED PARTNERSHIP**, a Pennsylvania Limited Partnership, (hereinafter the "Developer").

WITNESSETH:

WHEREAS, Developer is the owner of the real property located in Lee County, Florida which is described on attached Exhibit "A" hereto (hereinafter the "Property"); and

WHEREAS, Developer and James R. Colosimo (hereinafter "Colosimo") entered into an Agreement (hereinafter the "Previous Agreement") with Heritage Farms Property Association, Inc., a Florida non-profit corporation (hereinafter referred to as "Heritage") which agreement is dated May 6, 1999, and is recorded at Official Record Book 3129, Pages 3120 - 3128, by which Developer granted to Heritage a lien upon the Property in the initial amount of $240,000 to secure the obligations of the agreement; and

WHEREAS, the previous agreement set forth certain use restrictions on the Property for the protection and benefit of the Heritage Farms community; and

WHEREAS, Heritage, Colosimo and Developer have agreed to terms and conditions to terminate the Previous Agreement prior to the sale of the Property to Prentiss Pointe, Ltd., (hereinafter "Prentiss") which terms include the filing of this Declaration in consideration of Heritage's release of the lien and all other obligations of Developer and Colosimo in the Previous Agreement; and

WHEREAS, Developer and Colosimo have determined that it is in their best interests to record this Declaration with the intent to bind Developer's heirs, successors and assigns to the conditions of this Declaration in order, among other things, to obtain the full and complete release of the lien agreed to in the Previous Agreement.

NOW, THEREFORE, Developer hereby declares that all of the Property described on Exhibit "A" shall be held, sold and conveyed subject to the following Declaration of Covenants, Conditions and Restrictions which shall run with the real property submitted to this Declaration and which shall be binding on all parties having any right, title or interest in the described properties or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of Heritage and may not be amended

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without the consent of Heritage, which consent shall not be unreasonably withheld by Heritage

1. Prior to any vertical development or construction on the Property, the New Buffer described herein and consistent with the buffer's description per RS Walsh Landscaping, Inc. Plan dated 2/25/03 attached hereto as Exhibit B will be installed and maintained, including but not limited to the following:

(a) The existing dense buffer will be left in place from the Heritage Farms property line westerly approximately 80' in order to ensure the utmost in privacy to the Heritage Farms property owners only during the infrastructure phase of any construction taking place on the Property. A silt barrier fence will also be installed at this 80' westerly line to prevent any excess run off of fill material into this area during road installation. At completion of infrastructure, developer will construct and install plantings, irrigation system, and berm/wall detail, as a buffer on the easternmost 100' (anywhere adjacent to parcels located in the Heritage Farms community), which buffer shall be in strict conformance with the densities, sizes, types, locations and quantities of plantings as those described in the conditions specified on attached landscape plan dated 2/25/03 prepared by RS Walsh Landscaping, Inc. (Exhibit B) and which is referred to herein as the "New Buffer." "Infrastructure" as used herein means construction of roads, lakes, electric, water and sewer utilities.

(b) The New Buffer shall have an adequate irrigation system and shall be perpetually irrigated and otherwise maintained to insure the viability of its plantings and the integrity and quality of its service as a buffer. The RS Walsh Landscaping , Inc. Plan dated 2/25/03 attached as Exhibit "B" contains details of the irrigation system.

(c) The New Buffer shall include at a minimum, two berms at least four (4) feet in height (whether currently existing or not) or such other equivalent or better water management facilities as will ensure that no surface water drainage from the Property will ever impact properties in the Heritage Farms community. One of the berms will be the existing four foot berm that will remain as is, or if required by the South Florida Water Management District, this berm shall be enlarged. The second berm shall be four feet with a four foot wall pursuant to Lee County regulations. All such berms and water management facilities impacting must be approved by both South Florida Water Management District and Heritage. Should South Florida Water Management District object to the berming required by Heritage, Heritage agrees to meet with South Florida Water Management District and Developer to resolve any objections by South Florida Water Management District to the satisfaction of all parties hereto.

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COMMUNITY DEVELOPMENT

(d) The New Buffer shall assure opacity and its components including berms, fences or walls, mulch and irrigation will be operated and maintained in good condition in perpetuity.

(e) To further ensure the utmost in privacy to Heritage Farms residents, removal of existing dense vegetation and construction of New Buffer will be a "staged conversion" such that New Buffer is immediately under construction while existing vegetation is being removed.

(f) The wall shall be constructed approximately 50' west from Heritage Farms property line and in accordance with the location of the wall on the Landscape Plan prepared by RS Walsh Landscaping, Inc. (Exhibit B).

(g) One four (4) foot high berm shall be constructed as close as permitted to the Heritage boundary of the Property and the first row of 12 foot trees and 8 foot shrubs will be planted on top of that berm to provide additional height.

(h) Soil areas around and under trees and other plantings will be mulched and continually maintained to ensure the continued viability of all trees and other plantings

2. Restrictions on building heights on the Property will be set at a maximum of 35' feet for residential buildings, the clubhouse, light poles and tennis court fencing and 20 feet for all other structures, with the condition that no mechanical units will be permitted on top of any buildings. "Height" means the distance from the grade required to meet Federal flood elevation standards for the Property to the top of the highest element of any building.

3. Restrictions on off-site drainage from the Property will be consistent with South Florida Water Management District requirements and will prevent any runoff from adversely impacting the Heritage Farms Subdivision.

4. Restrictions on lighting on the Property will be consistent with those described in Lee County ordinances which pertain to preventing excessive light distribution into adjoining or abutting property owners in Heritage Farms Subdivision. Additionally, the location and orientation of all outdoor lights and lighting equipment on the Property shall be subject to review and approval by Heritage prior to any construction of lighting to assure that lights do not unreasonably impact on Heritage. No lighting shall be installed or constructed in violation of the Heritage approved plans, and Heritage shall not unreasonably withhold approval of said lighting plans. Heritage shall approve or reject said lighting plan within

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COMMUNITY DEVELOPMENT

thirty (30) days of receipt by Heritage or such plan shall be deemed approved if approval or denial is not received from Heritage within that thirty (30) day period.

5. Construction hours on the Property shall be limited to the hours of 8:00 a.m. and 6:00 p.m. on weekdays, i.e. Monday through Friday.

6. Restrictions on blasting on the Property. There shall be no blasting on the Property at any time.

7. Maintenance obligations described herein may be assigned to a property owners' association or condominium association to be created for purposes of maintaining the buffer and other common areas on the property, in which case Prentiss shall be released from liability for the same; however, if such association should fail to perform the obligations of this Declaration, all then-owner(s) of the Property shall be obligated, jointly and severally, to perform them.

8. Notwithstanding any other provisions whatsoever to the contrary, this Declaration of Covenants shall not be amended without the consent of Heritage, which consent shall not be unreasonably withheld.

9. This Declaration of Covenants, Conditions and Restrictions shall run with the land and be binding upon the Developer, its successors and assigns and upon each subsequent purchaser of the Property or any part thereof, for a period of twenty-five (25) years from the date of execution hereof, and shall automatically renew for successive periods of twenty-five (25) years unless terminated by written consent of Heritage.

10. This Declaration of Covenants is in substitution for all of the rights and obligations under the Previous Agreement recorded in Official Records Book 3129, Pages 3120 to 3128, which Agreement is superceded by this Declaration and which Agreement is cancelled, released, terminated and is of no further force and effect.

IN WITNESS WHEREOF, the undersigned Developer has executed this Declaration this 24 day of April, 2003.

SUNBELT EQUITIES II LIMITED PARTNERSHIP, A Pennsylvania Limited Partnership

Witness

Witness

By: _____
JAMES R. COLOSIMO
General Partner

JUL 2003

COMMUNITY DEVELOPMENT

Official Records BK 03914 PG 0100

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 24 day of April, ____, by JAMES R. COLOSIMO, General Partner of Sunbelt Equities II Limited Partnership, a Pennsylvania Limited Partnership, for the purposes stated herein and who is personally known to me or ~~who has produced~~ _____ as identification and who is authorized to sign on behalf of the limited partnership.

My Commission Expires:

Printed Name: STEPHEN E. DALTON

Prepared by: SUNBELT EQUITIES II LIMITED PARTNERSHIP
5051 Castello Drive, Suite 17
Naples, FL 34103

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COMMUNITY DEVELOPMENT

: FL-02-41894-2 12/02/2002 03:45:54pm

Official Records BK 03914 PG 010

EXHIBIT "A"

LEGAL DESCRIPTION: In Section 34, Township 45 South, Range 24 East, Lee County, Florida:

A parcel of land lying in the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Section 34, Township 45 South, Range 24 East, Lee County, Florida, described as follows:

COMMENCING at a found concrete monument marking the South Quarter corner of said Section 34;
THENCE N01°01'48"W along the East line of said fraction of a section for 346.56 feet to the POINT OF BEGINNING;
THENCE S88°39'16"W for 1,235.83 feet to the Easterly line of Winkler Road (100 feet wide);
THENCE N06°55'41"E along said East line for 577.50 feet to a Point of Curvature;
THENCE 407.00 feet along said Easterly line along the arc of a curve concave to the Northwest having a radius of 2,914.90 feet and subtended by a chord having a length of 406.67 feet and bearing N02°55'51"E to a point on a curve intersecting the said Easterly line and the North line of said fraction of a section;
THENCE N88°45'17"E along said North line for 1,127.79 feet to a found concrete monument marking the Northeast corner of said fraction of a section;
THENCE S01°01'48"E along said East line for 975.07 feet to the POINT OF BEGINNING.

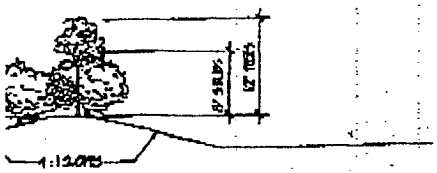
Parcel contains 26.25 acres, more or less.

RECORDER'S MEMO
Legibility of Writing, Typing or Printing Unsatisfactory in this Document When Received.

SCANNER'S MEMO
Best Image Available

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COMMUNITY DEVELOPMENT

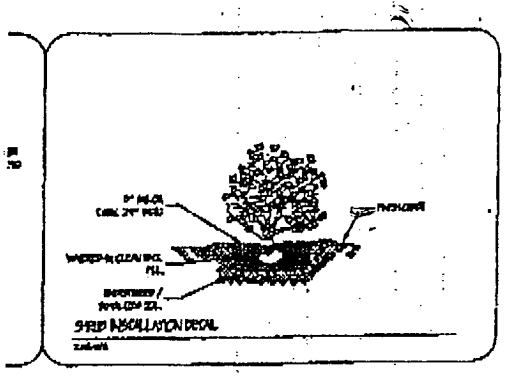
Exhibit B

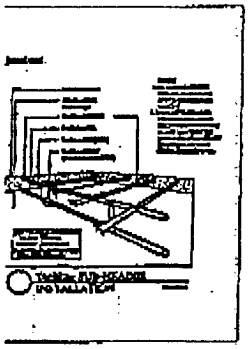


1:1 SLOPES

ENG DESIGN AND PERMITS.
M. ALL NUISANCE EXOTIC VEGETATION SHALL BE

'M BUFFER SECTION
ALE: N.T.S.





WATER LOCATIONS AND NOTES

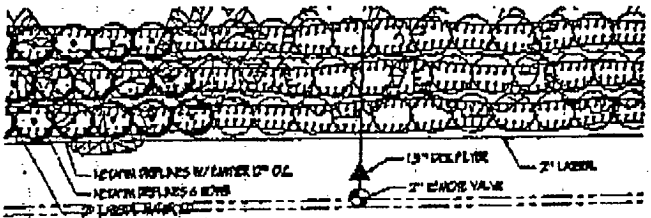
1. ALL PLANTINGS AND WORK SHALL BE IN COMPLIANCE WITH THE CONCEPT PLAN AND ZONING RESOLUTION.
2. TREE AND SHRUB SIZES SHOWN ON THE PLAN ARE MINIMUM SIZES.
3. SHRUB SPACING SHALL BE CENTER TO CENTER WITH 6' OVERLAP OF SPACING.
4. ENTIRE AREA UNDER SHRUB PLANTING SHALL BE MULCHED WITH 3" DEPTH MULCH PER PLAN.
5. REFER TO SEQUENCING NOTES FOR SCHEDULE OF CONSTRUCTION ACTIVITIES REQUIRED.
6. ALL GRADES, SLOPES, AND DRAINAGE SHALL BE IN COMPLIANCE WITH ENGINEERING PLANS PREPARED BY OTHERS.
7. ALL NUISANCE EXOTIC VEGETATION SHALL BE REMOVED FROM THE SITE, INCLUDING STUMPS. WHERE REMOVAL OF STUMPS IS NOT POSSIBLE WITHOUT DAMAGING EXISTING NATIVE VEGETATION, STUMPS SHALL BE TREATED WITH GLYPHOSATE OR APPROVED EQUAL IN ACCORDANCE WITH FDEP.
8. CONSTRUCTION ACTIVITIES ON THE SITE SHALL BE LIMITED TO THE HOURS OF 8:00 AM TO 6:00 P.M. ON WEEKDAYS ONLY.
9. REFER TO IRRIGATION PLAN FOR IRRIGATION REQUIREMENTS.
10. THE LOCATION OF THE 4' BERM/WALL SHALL BE FIELD VERIFIED.
11. ALL SLOPES NOT PLANTED SHALL BE SODDED.
12. THE 6'-0" WALL BUFFER/BERM(S) SHALL INCLUDE AGATE FOR MAINTENANCE ACCESS.

CONSTRUCTION SEQUENCE

1. AN 8'-0" WALL BUFFER/BERM AND SINGLE 4'-0" BERM SHALL BE CONSTRUCTED PER LEE COUNTY DEVELOPMENT ORDER CRITERIA.
2. THE EXOTIC VEGETATION ALONG THE PROPERTY LINE SHALL BE REMOVED, PROBLEC ANY EXISTING NATIVE VEGETATION WHICH IS TO REMAIN.
3. CONSTRUCT SWALE AND BERM(S).
4. INSTALL LANDSCAPE AND IRRIGATION.
5. ALL WORK SHALL BE APPROVED FOR LOCATION AND LAYOUT PER LEE COUNTY DEVELOPMENT ORDER CRITERIA.

IRRIGATION NOTES

1. IRRIGATION CONTRACTOR RESPONSIBLE FOR CORRECT SPACING OF DRIP LINE FOR SOIL TYPE. (SEE DETAILS).
2. WATER SOURCE TO BE NON-POTABLE WELL SOURCE BY OTHERS.
3. INSTALLATION OF DRIP LINES TO BE ABOVE GROUND UNDER MULCH.
4. LATERALS TO BE 12" DEPTH, WITH STUD UP EVERY 1CO-150 FEET.
5. ALL DRIP LINES TO BE "LOOPED" AT VARIOUS STUB POINT OF CONNECTIONS.
6. REMOTE CONTROL VALVES TO BE INSTALLED WITH DISC FILTRATION. (SEE DETAILS).
7. CONTRACTOR RESPONSIBLE FOR FLUSHING OF LATERALS PRIOR TO DRIP INSTALLATION.
8. INSTALL A MICRO-SPRAY ON EVERY LIVE OAK, MAHOGANY & PINE.
9. SYSTEM RUN TIME BASED ON PRECIPITATION RATE, SOIL TYPE AND SPACING.
10. FLUSH VALVE TO BE INSTALLED BETWEEN EVERY STUB POINT OF CONNECTION.

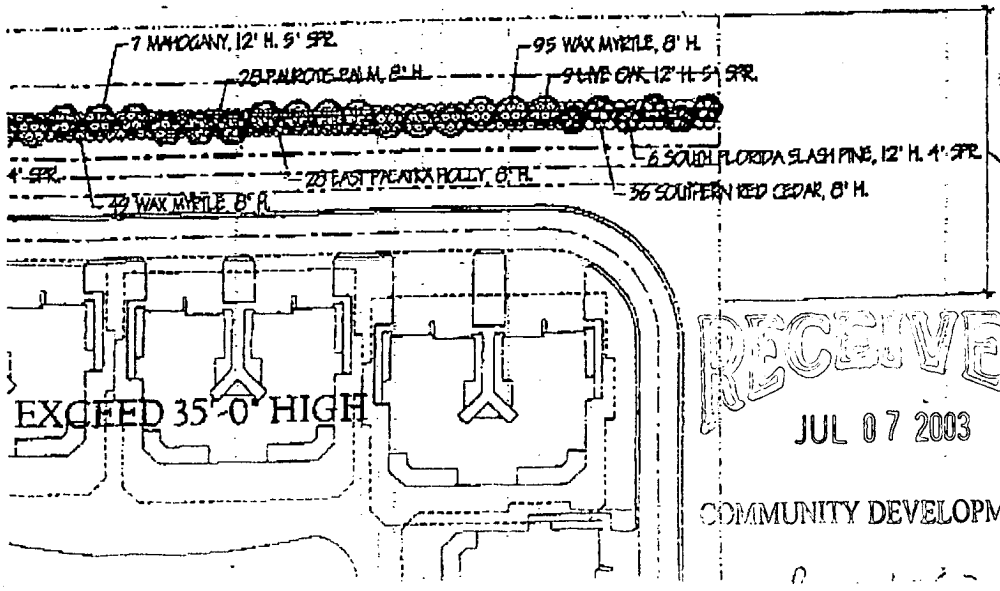


TYPICAL NETAFIM LAYOUT
SCALE: N.T.S.

SCANNER'S MEMO
Best Image Available

SCALE N.T.S.

PRENTISS POINT
COACH HOME DEVELOPMENT
36 BUILDING UNITS / 144 LIVING UNITS
CONCEPTUAL SITE PLAN - 07/15/02



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COMMUNITY DEVELOPMENT

CARLTON - NAUMANN
CLASSICS
FINE CUSTOM HOMES

R.S. WALSH LANDSCAPING, INC.

PRENTISS POINT
CONCEPTUAL BUFFER PLANTING PLAN
FORT MYERS, FLORIDA

NORTH
SCALE N.T.S.

CONCEPTUAL LANDSCAPE DESIGN

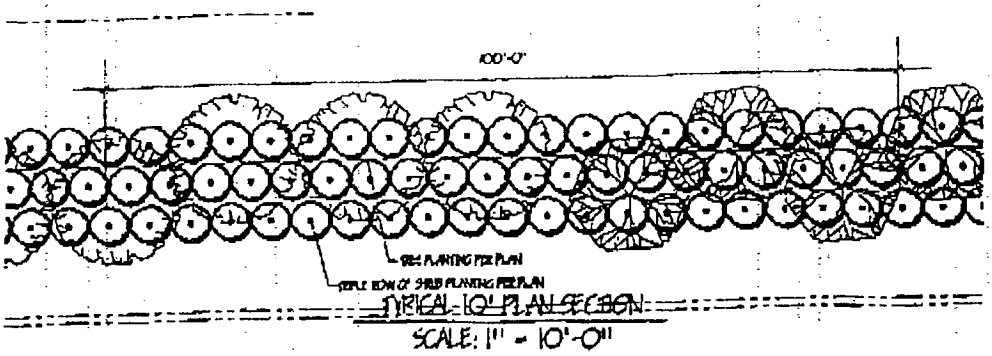
REVISION	
DATE	02/25/03
DWN	E.M.T.
DSN	P.B.
CHK	R.S.W.

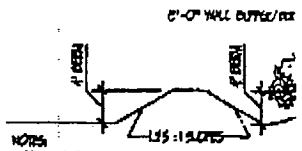
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SHT 1 OF 1

Official Records BK 03914 PG 0102

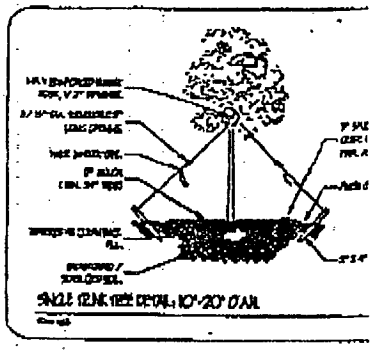
Exhibit D

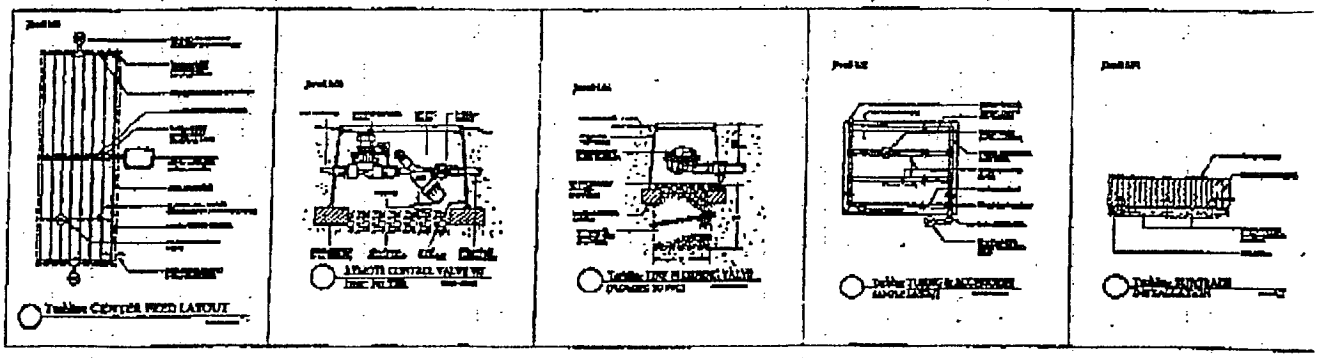
Official Records BK 03914 PG 0103



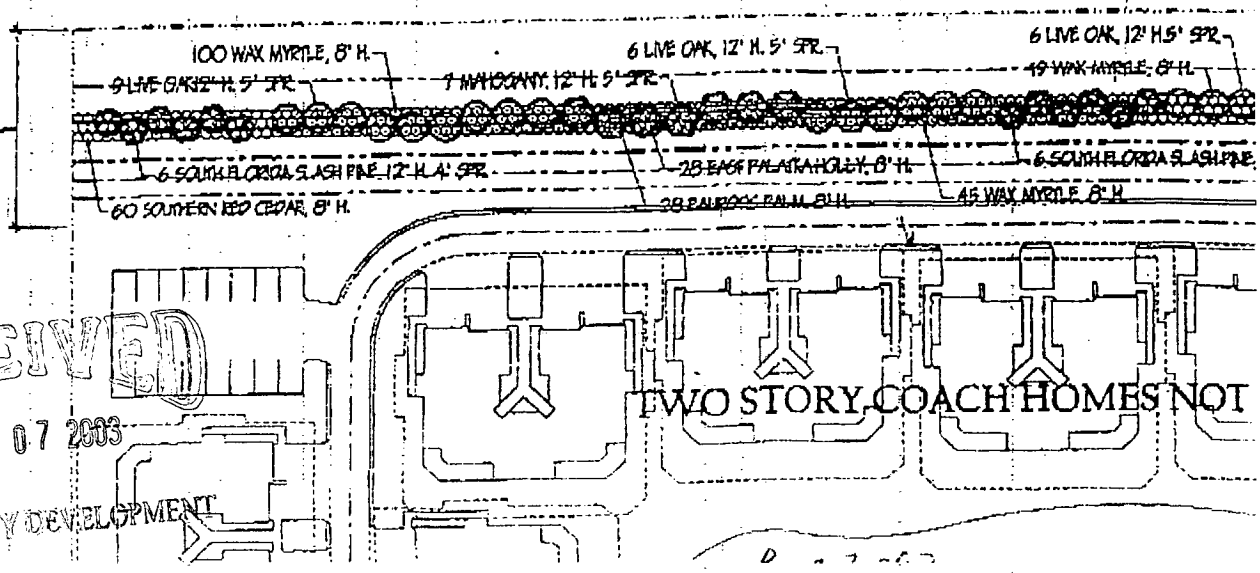


PLANT LIST			
QTY.	SCIENTIFIC NAME	COMMON NAME	MINIMUM SIZE
27	QUERCUS VIRGINIANA	LIVE OAK	12'H, 5" SPR. CONTAINER GROWN
10	PINUS ELLIOTTII 'DENSA'	SOUTH FLORIDA SLASH PINE	12' H. 4" SPR. CONTAINER GROWN
14	SWIETENIA MAHAGONI	MAHOGANY	12' H. 5" SPR. CONTAINER GROWN
209	MYRICA CERIFERA	WAX MYRTLE	8' H. FULL TO BASE
56	ILEX ATTENUATA 'EAST PALATKA'	EAST PALATKA HOLLY	8' H. FULL TO BASE
56	ACOELORRAPHE WRIGHTII	PARRYS PALM	8' H. FULL TO BASE
149	JUNIPERUS SILICOLA	SOUTHERN RED CEDAR	8' H. FULL TO BASE
PER PLAN	PASPALUM NOTATUM	BAHIA SOD	ALL SLOPES NOT PLANTED
PER PLAN		FLORALLOI	3" DEPTH
PER PLAN		SOIL FOR BERM	





SCANNER'S MEMO
Best Image Available



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COMMUNITY DEVELOPMENT

Case # DCI 2003-00038

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MAY 19 2003
ZONING COUNTER

LETTER OF AUTHORIZATION

TO LEE COUNTY COMMUNITY DEVELOPMENT

The undersigned do hereby swear or affirm that they are the fee simple title holders and owners of record of property commonly known as Prentiss Pointe *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 Harvey Strauss, Alpha Eng. *as the legal representative of the property and as such, this individual is authorized to legally bind all owners of the property in the course of seeking the necessary approvals to develop. This authority includes but is not limited to the hiring and authorizing of agents to assist in the preparation of applications, plans, surveys, and studies necessary to obtain zoning and development approval on the site. This representative will remain the only entity to authorize development activity on the property until such time as a new or amended authorization is delivered to Lee County.*

Owner (signature)*	*Owner* (signature)*
Printed Name	Prentiss Pointe, LTD *Printed Name* Mark Hammond, Member
Owner (signature)*	*Owner* (signature)*
Printed Name	*Printed Name*

STATE OF FLORIDA
COUNTY OF LEE

Sworn to (or affirmed) and subscribed before me this 15th day of May, 2003, by Mark Hammond, Prentiss Pointe, LTD, who is personally known to me or who has produced

_____ as identification.

MICHELE R. GROPP
Notary Public, State of Florida
My comm. exp. Mar. 29, 2006
Comm. No. DD 013574

Michele R Gropp
Notary Public

Michele R Gropp
(Name typed, printed or stamped)

ZDS0103 Rev.04
3/01/97 Y2K 1/03/2000

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

EXPLANATORY NOTES

Where there is more than one owner, either legal or equitable, then all such owners must jointly initiate the application. Exceptions to this are:

1) It is not required that both husband and wife initiate the application on private real property owned by them.
2) Where the property is subject to a land trust agreement, the trustee may initiate the application.
3) Where the fee owner is a corporation, any duly authorized corporate official may initiate the application.
4) Where the fee owner is a partnership, the general partner may initiate the application.
5) Where the fee owner is an association, the association may appoint an agent to initiate the application on behalf of the association.
6) Where the property is a condominium or time-share condominium, refer to Sec. 34-201(a)(1)b. for rules.
7) Where the property is a subdivision, refer to Sec. 34-201(a)(1)c. for rules.
8) Rezonings initiated by the Board of County Commissioners on property not owned by the county.

EXHIBIT II-E-2

Prentiss Pointe is in conformance with the Lee Plan. The Future Land Use Map designation is Suburban. The density allowable for Suburban is the same as Urban which is from 1 d.u. per acre to 6 d.u. per acre with a maximum of 10 d.u. per acre. Prentiss Pointe comes in at a total of 144 units for the 26.25 acres. This equates to 5.5 d.u. per acre. This is within the parameters stated above.

The Lee Plan also states that the "Suburban areas are or will be predominantly residential areas...." The present zoning is CPD. This current request is for RPD which is more fitting to the Suburban characteristic than the existing CPD.

DCI 2003-00038

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COMMUNITY DEVELOPMENT

EXHIBIT II-E-4

This narrative is to explain how the proposed development will comply with the Design Standards as set forth in Section 34-411.

The PUD shall be consistent with the Lee Plan in as much as the site continues to be designated as Suburban. Prior to this PUD zoning applications a CPD was granted to this parcel. This PUD represents a less intensive use.

Once the PUD is approved and a Development Order is sought, the design shall adhere to all applicable county development regulations in force at that time.

The Prentiss Pointe project has been designed to minimize any deleterious affect on the surrounding properties. A number of meetings had been held with the Heritage Farms Property Association, Inc. (adjacent land owners) and an agreement has been reached. The design herein presented is a result of the various discussions and agreements.

The design of the project reflects the wishes of the developers to provide certain amenities to the occupants. Most all occupants will have a lake view. There will be a swimming pool, club house and tennis courts. The buffer between Heritage Farms and the project will be landscaped, as an amenity to the occupants of Prentiss Pointe, and as an attractive screen for the benefit of Heritage Farms. A sidewalk already exists along Winkler Road on the west side of the project. The fronts of the four-plex units have been staggered to give some variety to the look.

The parcel has adequate access to existing roads with the main entrance at Winkler Road and a secondary entrance at Granite Court at the north end of the property.

A Traffic Impact Statement has been provided to address any traffic issues. The conclusions are that the project will not have a detrimental impact on the surrounding roadway system. The addition of a south bound left turn lane on Winkler Road has been recommended and will be incorporated into the design.

The storm water management system will ensure that the post-development discharge will be equal to the pre-development discharge. Improvements will be made to the currently foliage infested ditches on the north and east sides of the property. The should improve the drainage situation.

All other elements of Sections 34-411 will be observed and incorporated into the design as applicable.

DCI 2003-00038

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COMMUNITY DEVELOPMENT

EXHIBIT II-E-5

Conditions that make the approval of this request appropriate are primarily three-fold.

1. The project is consistent with the "Suburban" designation.

2. The project represents a down zoning from the CPD that it currently is.

3. The adjacent development, Heritage Farms, has been involved with meetings with Prentiss Pointe representatives. These meetings have resulted in an agreement as to the buffer zone between the two properties and other considerations. In any event, the people from Heritage Farms and Prentiss Pointe have reached a full agreement. This shall allow the project to proceed, as far as re-zoning is concerned, without objection from the neighbors in Heritage Farms.

The goals, objectives, policies and intent of the Lee Plan, when fulfilled, represent the realization of the Lee County Vision for 2020.

- The proposed project is consistent with the growth pattern as layed out by the Future Land Use Map.
- Cost-effect land use and environmental regulations will be followed.
- The construction of these coach homes provides dwellings for a cross-section of various occupants.
- Within the project amenities include tennis and swimming facilities which contribute to the self contained concept thus relieving additional load on County facilities.
- It is anticipated the the neighborhood created will not contribute to the social problems of the area.
- This community provides the opportunity for like minded people to establish a positive impact on the County.

DCI 2003-00038
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MAY 15 2003
Exhibit II-E-5/050703
COMMUNITY DEVELOPMENT

EXHIBIT III-B-1

LEE COUNTY DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF PLANNING
SUFFICIENCY REVIEW FOR
HISTORIC AND ARCHAEOLOGICAL RESOURCES

PROJECT NAME: PRENTISS POINT

CASE NUMBER: not supplied

STRAP NUMBERS: 34 45 24 00 00010 0000

DATE OF REVIEW: May 13, 2003

REVIEWED BY: Gloria M. Sajgo, AICP, Principal Planner
: Lee County Planning Division
P. O. Box 398
Fort Myers, Fl 33902
Phone 941 479 8311 Fax 941 479-8319
e-mail: sajgogm@leegov.com

Historical Sites: There are no known historic sites on the subject parcel.

Archaeological Sites: There are no known archaeological sites on the subject parcel.

Level 1 or Level 2 zones of Archaeological Sensitivity: The subject parcel is not located on either Level 1 or Level 2 zones of archaeological sensitivity.

Copy: Pam Houck, Zoning Director
Pete Eckenrode, Dev Services Director
Harvey Strauss, Alpha Engineering

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COMMUNITY DEVELOPMENT

EXHIBIT III-C-3
ENVIRONMENTAL ISSUES

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

THIS PROPERTY CONTAINS 26.25, MORE OR LESS, ACRES AND AT PRESENT IS 90% COW PASTURE, WHICH IS FLAT GROUND WITH HIGH ELEVATION OF 4.80 N.G.V.D. AND A LOW ELEVATION OF 4.40 N.G.V.D. THERE IS A MAN-MADE DRAINAGE DITCH OT SWALE ABOUT 8' WIDE ALONG, (JUST SOUTH OF) NORTH PROPERTY LINE WITH A BOTTOM ELEVATION OF ABOUT +2.90 FEET. THERE IS ALSO A MAN-MADE DRAINAGE DITCH (8'-10') OR SWALE ALONG (JUST WEST OF) EAST PROPERTY LINE WITH A BOTTOM ELEVATION OF ABOUT +2.50 N.G.V.D. IN ADDITION, THERE IS A NORTH SOUTH MAN-MADE SWALE ABOUT 5' WIDE IN THE MIDDLE OF THE PROPERTY WITH THE BOTTOM HAVING A HIGH OF +2.80 FEET AND A LOW OF +1.00 FEET N.G.V.D.

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.

SEE FOLLOWING

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Continued

PRENTISS POINTE

HABITAT ASSESSMENT

Introduction and Project Location

This report documents the results of an ecological assessment carried out on the twenty five (25) acre parcel known as Prentice Point. The site is located in south Fort Myers off Winkler Road, Lee County, Florida in Section 34, Township 45 South, Range 24 East and access is provided from Winkler Road or Granite Court which abuts the northern property boundary (See attached location and vicinity maps). Winkler Road leads to Summerlin Road to the north and from there to Fort Myers. To obtain approvals for the residential development proposed for the site, a survey was carried out to document plant communities present on the property and obtain evidence that any wildlife species listed as threatened, endangered or of special concern may utilize the site. This report presents the results of that survey.

Methodology

Previous use of the site as pasture land has warranted an abbreviated survey at this time. The entire site with the exception of a narrow fringe along all but the southern boundary, consists of cleared and tilled farm fields. To map plant communities and document wildlife use, two biologists visited the site on December 4th and 5th, 2002. The Biologists spent approximately 5 hours total time on the site. The site was inspected following a system of meandering transects throughout the property. Special attention was paid to locating evidence of listed upland species such as Gopher tortoises (*Gopherus polyphemus*) and Burrowing owls (*Athene cunicularia floridana*). Evidence of tracks, marks and scat was looked for and bird observations made using binoculars to aid identification.

Results

SOILS

Soils on the site were identified using the Soils Survey of Lee County. Two Soil types are present on the site. These are Hallandale fine sand and Immokalee sand. See the attached soils map for locations and extent of the soil types. Neither soil type is listed as a hydric soil.

PLANT COMMUNITIES

Habitats present on-site were distinguished using the Florida Land Use Cover and Forms Classification System (FLUCFCS). Given below are brief descriptions of the communities observed and their dominant species. Please refer to the attached Vegetation map for community identifiers.

211 Improved Pasture 25.16 acres

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The majority of the site consists of cleared and mown pasture lands previously used for cattle grazing. No midstory or canopy stratas are present and groundcovers consist of a mixture of grass and weed-like species including;

Switch grass	*Panicum virgatum*
Caesar weed	*Urena lobata*
Dog fennel	*Eupatorium capillifolium*
Bahia grass	*Paspalum notatum*
Rattlebox	*Crotalaria spectabilis*
Air potato	*Dioscorea bulbifera*
Maidencane	*Panicum hemitomon*

422 Brazilian Pepper 1.08 acres

A narrow fringe of this invasive exotic species exists around almost the entire property consisting mostly of Brazilian pepper in the midstory and canopy with the following additional species noted.

Brazilian pepper	*Schinus terebinthifolius*
Earleaf acacia	*Acacia auriculiformis*
Wax myrtle	*Myrica cerifera*
Club moss	*Lycopodium spp.*
Live oak	*Quercus virginiana*
Air potato	*Dioscorea bulbifera*
Grapevine	*Vitis rotundifolia*

512 Other Surface Waters 0.02 acres

Bisecting the field is a narrow ditch and small pond which was likely utilized as a cattle drinking area.

WILDLIFE USE

Due to the intensity of surrounding development with busy roads abutting the property and residential communities on all sides, the potential for wildlife use is low. No active or abandoned Gopher tortoise burrows were observed nor were burrowing owls or any wading birds observed anywhere on site. Wildlife observations were limited to a red shouldered hawk (*Buteo lineatu*) observed resting on adjacent powerlines, cattle egret (*Bubulcus ibis*), raccoon tracks (*Procyon lotor*) and evidence of armadillo rootings (*Dasypus novemcintus).*

Discussion and Conclusions

The value of this property for wildlife use has been diminished by both past use as pasteure land and by surrounding development that has severed any links to natural undeveloped lands which may act as a wildlife corridor. Development of the site as a residential community will not impact any listed species or wetland community. Removal of exotic and nuisance plant species

currently invading the borders of the property will enhance the land as will landscape plantings associated with the proposed construction.

This report prepared by:

Paul Lewis
Environmental Scientist
Hans Wilson and Associates, Inc.
1938 Hill Ave.
Ft. Myers, FL. 33901

EXHIBIT IV-F-5
PRENTISS POINTE
PRELIMINARY EXCAVATION CALCULATIONS

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LARGE LAKE (LAKE 1)

AREA @ 4.4 ELEV

$(560-36) \times (150-36)$ = 59736

$+ (80-36) \times (370)$ = 16280

$+ .5 \times 140 \times (80-18)$ = 4340

80,356

AREA @ −7.6 ELEV

$(560-57)(150-57)$ = 46779

$+ (80-57) \times (370-28)$ = 7866

$+ .5 \times (140-28)(80-28)$ = 2912

57,557

VOLUME $= \frac{80,356+57,557}{2} \times 12$

$= \frac{827478}{27} = 30,647$ C.Y.

LAKE 2

AREA @ 4.4 ELEV

$(150-36)(70-18)$ = 5928

$+ \frac{(120-36)+(40-36)}{2} \times (150-18)$ = 5808

11,736

AREA @ −7.6 ELEV

$(150-57)(70-28)$ = 3906

$\frac{(120-57)+(40-28)}{2} \times (150-28)$ = 4575

8481

VOL $= \frac{11,736+8481}{2} \times 12$

$= \frac{121302}{27} = 4493$ C.Y.

LAKE 3 ASSUME VOLUME SAME AS LAKE 2

TOTAL EXCAVATION = 30,647 + 2 (4493) = 39,633 CY

ROAD = 3500 FT ± 39,633 CY × 27 = 1,079,091 C.F.

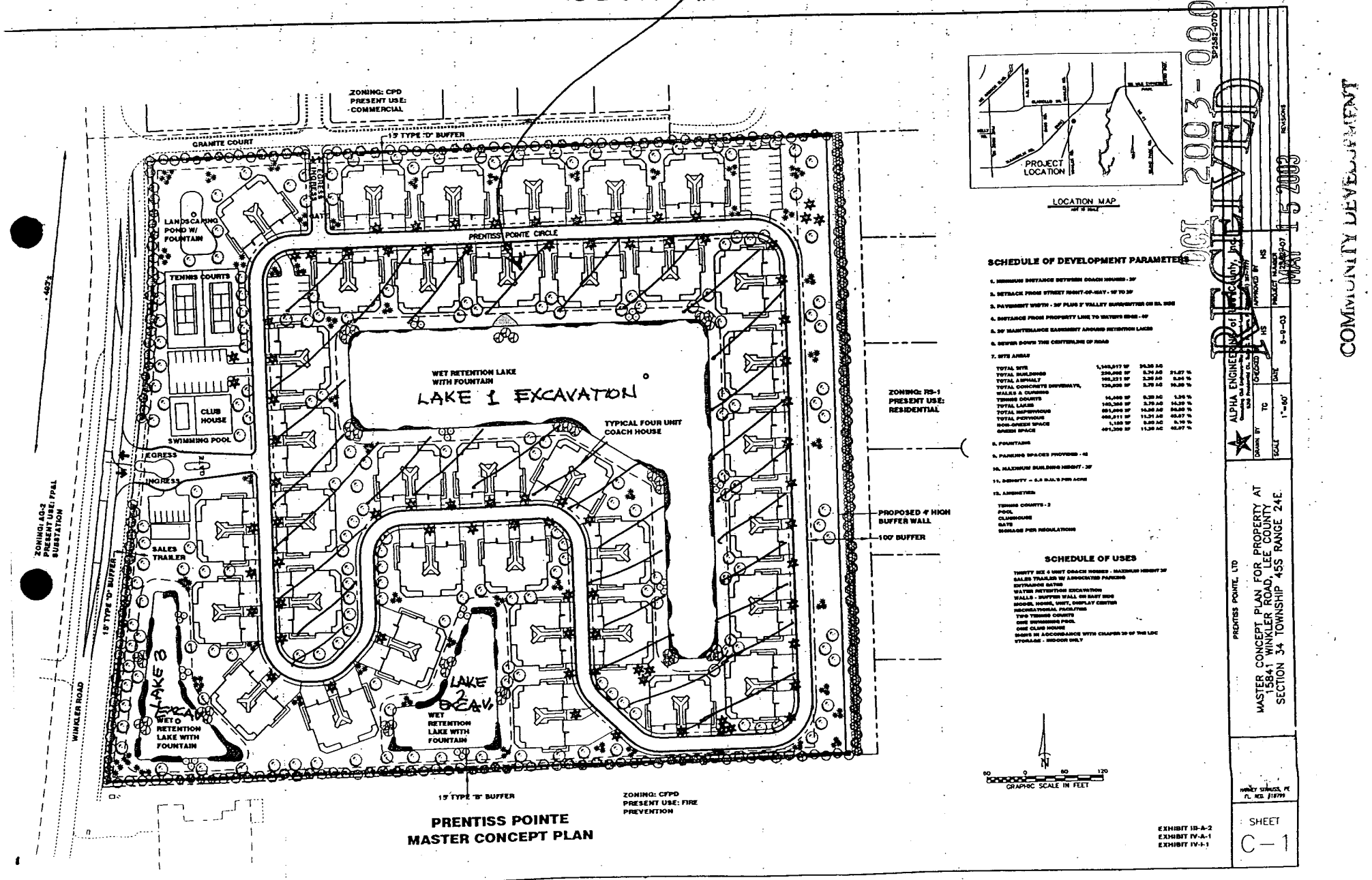
$3500 \times 130 \times x = 1,070,091$

$x = 2.35'$

THE AMOUNT OF EXCAVATION FROM THE LAKES WILL FILL AN AREA OF 3500 FT X 130 FT TO A DEPTH OF 2.35'
2.35 + 4.4 = 6.75', MORE FILL WILL BE REQUIRED THEREFORE NO EXCAVATION WILL LEAVE THE SITE.

EXHIBIT IV-F-5

EXCAVATION WILL FILL THIS AREA (HATCHED) W/2.35', MUCH MORE FILL IS REQ'D, THEREFORE, NO EXCAVATION WILL LEAVE SITE



PRENTISS POINTE
MASTER CONCEPT PLAN

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EXHIBIT E.2

Early conversations with South Florida Water Management District indicated that, as far as the stormwater discharge is concerned, it should equal the pre-development discharge.

Pre-development discharge=Post development discharge.

There are three collecting bodies of water. A portion of the drainage travels directly into these lakes. Another portion of the drainage goes into the street where it is collected by a series of catch basins and then transmitted through pipes to the lakes. The lakes are inter-connected through pipes to the lakes, with a series of equalizer pipes. From the large lake the drainage goes into the east ditch through a water control structure.

A different portion of the drainage goes directly in to the ditch on the north side of the property where it is directed into a ditch on the east side of the development. From there it flows in a southerly direction approximately 320' to a canal which flows westerly.

A berm of elevation 9.5' NGVD surrounds the property providing more than adequate storage for the 25 years, 3 day storm event. The outfall for the project is a water control structure that conveys the discharge to the ditch on the east side of the project.

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EXHIBIT IV-M
FACILITIES FOR THE DEVELOPMENT
(Instructions on back side of page)

1. Fire District: IONA McGREGOR

2. Estimated daily consumption of potable water:

2.a. 144 Residential units: 60,192 gpd PEAK

2.b. _____ Mobile Home units: _____ gpd

2.c. _____ Rec. Vehicle units: _____ gpd

2.d. _____ Commercial: _____ gpd

2.e. _____ Industrial: _____ gpd

3. Source of Potable Water: Lee County Utilities

3.a. _____ Agreement with the utility company is attached as **Exhibit IV-M-3.**

4. Source of Non-Potable Water _____

5. Estimated daily production of wastewater:

5.a. 144 Residential units: 63,360 gpd PEAK

5.b. _____ Mobile Home units: _____ gpd

5.c. _____ Rec. Vehicle units: _____ gpd

5.d. _____ Commercial: _____ gpd

5.e. _____ Industrial: _____ gpd

6. _____ Special effluent is anticipated. See **Exhibit IV-M-4.**

7. Source of sanitary sewer service:

7.a. X Agreement with the utility company is attached as **Exhibit IV-M-7.**

7.b. _____ A private on-site disposal facility will be used. See **Exhibit IV-M-4.**

7.c. _____ Individual sewage disposal systems will be used.

7.d. _____ Spray irrigation will be used. See **Exhibit IV-M-4.**

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EXHIBIT -M-4

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

(941)479-8181

Writer's Direct Dial Number:_____

May 12, 2003

Harvey Strauss
Alpha Engineering
6315 Presidential Court
Fort Myers, Fl. 33919

RE: POTABLE WATER & WASTE-WATER SERVICE AVAILABILITY
PRENTISS POINTE, 15841 WINKLER ROAD
STRAP # 34-45-24-00-00010.0000

Dear Mr. Strauss:

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

Your firm has indicated that this project will consist of 144 single family residential units, with an estimated flow demand of approximately 63,360 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and sanitary sewer service as estimated above.

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

Availability of potable water and sanitary sewer service is contingent upon final acceptance of the infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through our Green Meadows Water Treatment Plant and Sanitary sewer service will be provided by our Fiesta Village Wastewater Treatment Plant. The Lee County Utilities' Operations Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on our existing system.

Please be advised that the proposed project mentioned above will be required to enter into a Effluent Reuse Agreement and connect to Lee County Utilities' Effluent Reuse system per the criteria set forth in the Land Development Code as well as in the Lee County Utilities' Operations Manual.

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

Further, This Letter Of Availability Of Water And/or Wastewater Service Is To Be Utilized For Development Review For This Project Only. Individual Letters Of Availability Will Be Required For The Purpose Of Obtaining Building Permits.

DCI 2003-00038

Sincerely,

LEE COUNTY UTILITIES

Mary McCormic
Engineering Tech II
UTILITIES ENGINEERING

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VIA FACSIMILE
Original Mailed
DO - PRENTISS POINTE.doc

EXHIBIT #IV-K-1

TRAFFIC IMPACT STATEMENT

FOR

PRENTISS POINTE PUD

(PROJECT NO. 021014)

PREPARED BY:
Metro Transportation Group, Inc.
12651 McGregor Boulevard, Suite 4-403
Fort Myers, Florida 33919-4489
941-278-3090

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COMMUNITY DEVELOPMENT

January 7, 2003

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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 analysis to fulfill requirements set forth by the Lee County Department of Community Development for projects seeking approval for development. This report has been completed in compliance with guidelines established in the Lee County Traffic Impact Statement Guidelines. The development site is located on the east side of Winkler Road to the south of Summerlin Road in Lee County, Florida. The site location is illustrated on **Figure 1**.

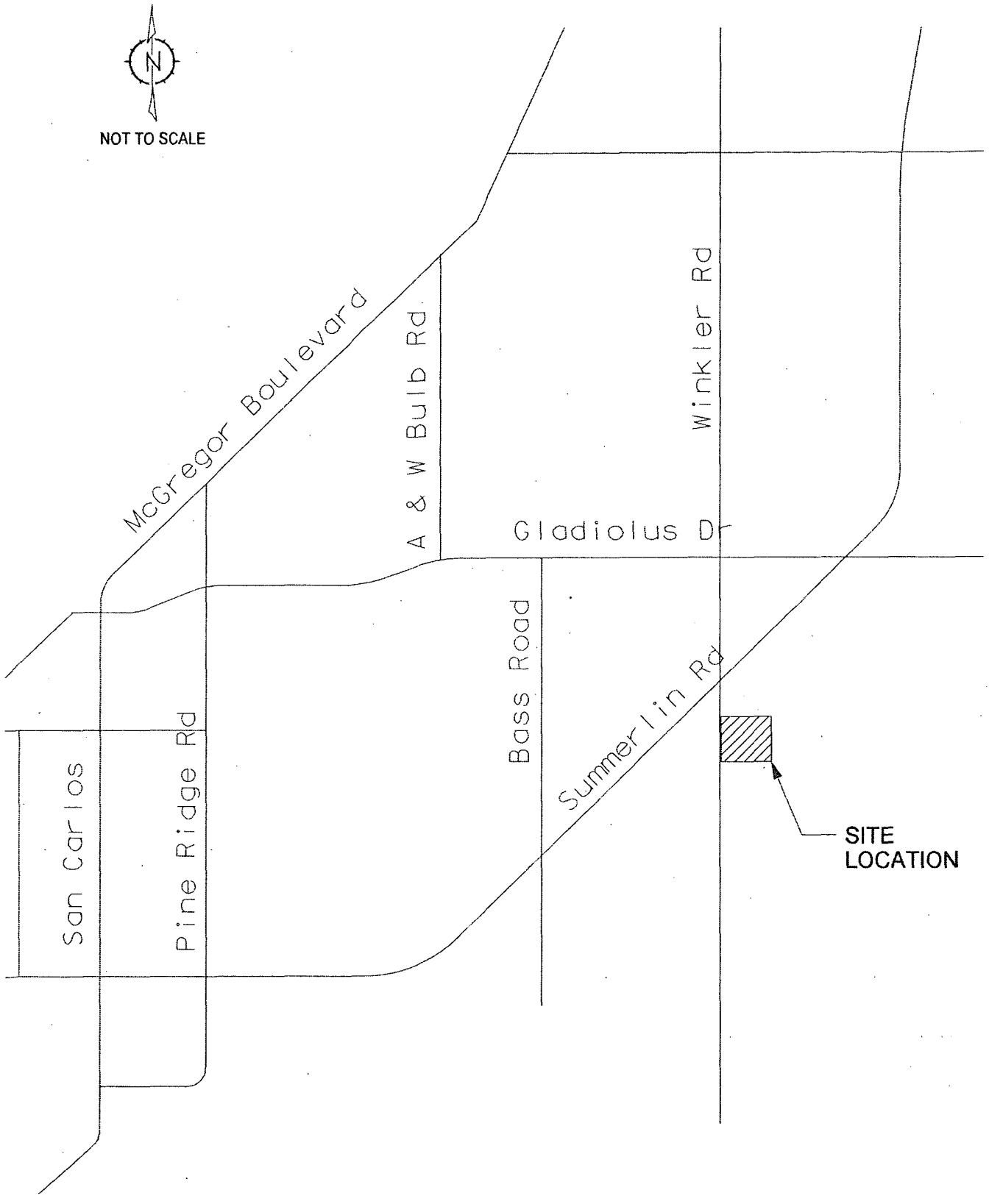
According to the site plan prepared by Alpha Engineering, the development is expected to consist of up to 144 multi-family dwelling units. Access to the site will be provided via two access locations to Winkler Road.

This analysis will determine what impact, if any, Prentiss Pointe will have on the surrounding street system and identifies any improvements required based on criteria established in the Lee County Traffic Impact Statement Guidelines.

II. EXISTING CONDITIONS

The subject site is currently vacant. Adjacent to the site to the west is Winkler Road. The site is bordered to the north, east, and south by existing or planned residential developments.

Winkler Road is a two-lane collector facility to the south of Summerlin Road. Winkler Road is a two-lane arterial facility to the north of Summerlin Road. At its signalized intersection with Summerlin Road, the northbound approach of Winkler Road currently contains two travel lanes, a left turn lane and a shared thru/right turn lane. Winkler Road has a posted speed limit of 45 mph and is under the jurisdiction of the Lee County Department of Transportation.



SITE LOCATION

FIGURE: 1

Summerlin Road is an east/west divided four-lane arterial in the vicinity of the subject site. Summerlin Road is a "Controlled Access Facility" in the vicinity of the subject site. In addition, the Lee County Capital Improvement Plan indicates that funding is scheduled for the six-laning of Summerlin Road from Bass Road to Gladiolus Drive in the fiscal year 2003/2004. The intersection of Summerlin Road and Winkler Road operates under signalized conditions. Summerlin Road has a posted speed limit of 55 mph and is under the jurisdiction of the Lee County Department of Transportation.

III. PROPOSED DEVELOPMENT

The Prentiss Pointe development is located within Lee County. Upon completion of development, the site will consist of up to 144 multi-family dwelling units. **Table 1** summarizes the land use utilized for trip generation purposes for the Prentiss Pointe development.

Table 1
Land Uses
Prentiss Pointe

Land Use	Size
Multi-Family	144 dwelling units

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***, 6th Edition. Land Use Code 230 (Residential Condominium/Townhouse) was utilized for trip generation purposes of the Prentiss Pointe development. The trip generation equations for this land use 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 Prentiss Pointe development as currently proposed. The daily trip generation is also indicated in the table for the development.

Table 2
Trip Generation
Prentiss Pointe

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	2-way
144 multi-family units	10	60	70	55	30	85	885

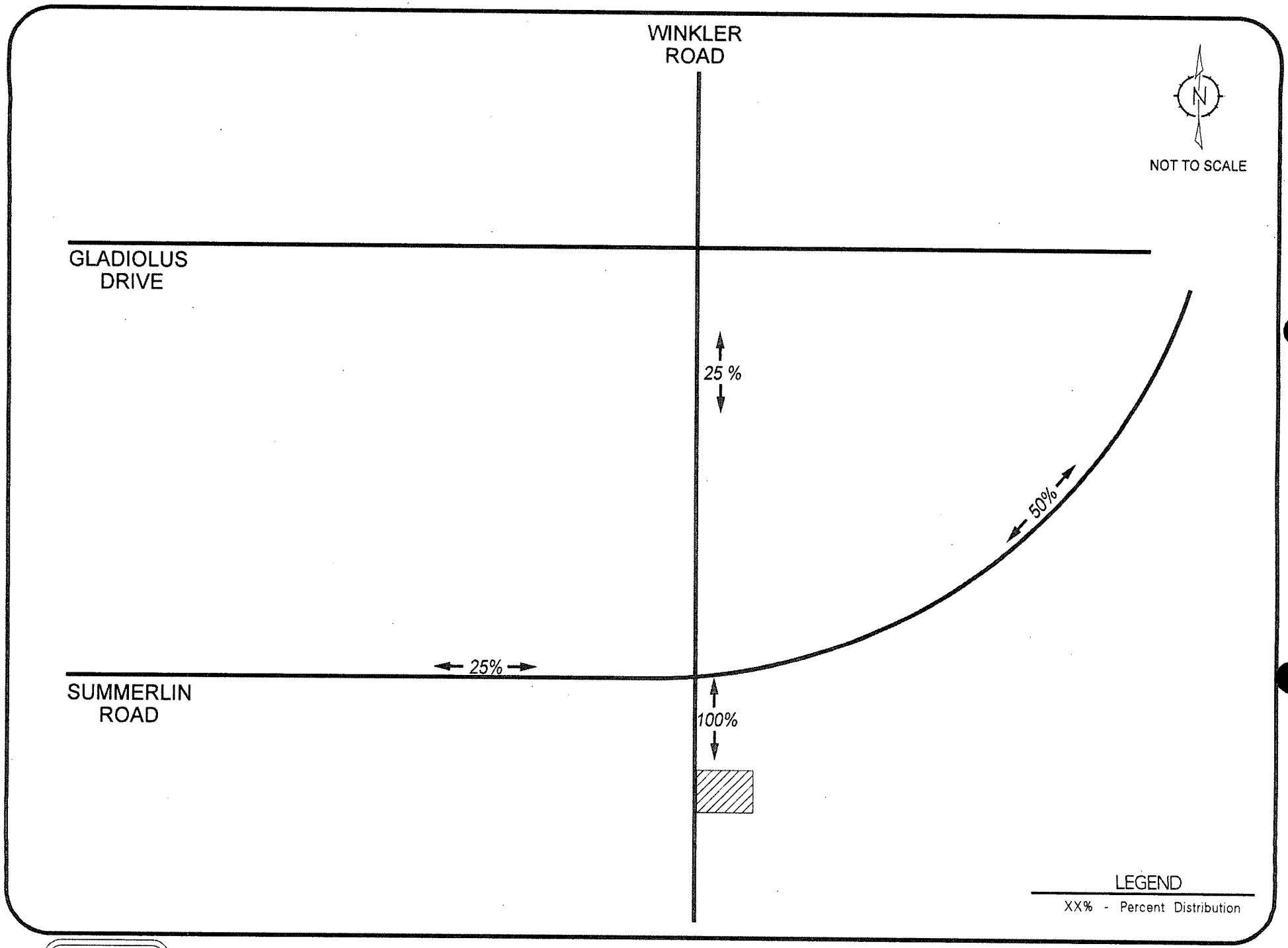
As seen in Table 2, the proposed development will generate less than 300 peak hour trips. Therefore, the analysis conducted was consistent with the requirements set forth by Lee County in the Traffic Impact Statement Guidelines for developments generating less than 300 peak hour trips.

V. TRIP DISTRIBUTION

The new 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. 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 order to determine which roadway segments surrounding the site will be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, **Table 1A**, contained in the Appendix, was created. This table indicates which roadway links will accommodate greater than 10% of the Peak Hour – Peak Direction Level of Service "C" volumes, as defined by the Lee County Generalized Level of Service Tables provided by the Lee County Department of Transportation.

VI. FUTURE TRAFFIC CONDITIONS

It was assumed that Prentiss Pointe would be completed by the year 2006. Based on this project build-out, the surrounding roadways and intersection were analyzed for the year 2007. Furthermore, based on this projected build-out, a growth rate was applied to the existing traffic conditions for all roadway links and intersections that could be



TRAFFIC DISTRIBUTION

FIGURE: 2

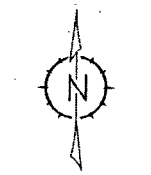
significantly impacted by this development. The existing roadway link traffic data was obtained from the 2001/2002–2002/2003 Lee County Concurrency Management Inventory and Projections Report, dated December, 2002. Based on the project distribution shown in Figure 2, the link data was analyzed for the existing conditions, year 2007 without the development and year 2007 with the development. **Figure 3** indicates the site traffic assignment for the Prentiss Pointe.

For Winkler Road to the south of Summerlin Road, a peak season traffic count performed on March 6, 2002 was obtained by Metro in order to determine the 2002 peak direction traffic volume. Based on the results of this count, there were 320 peak hour, peak direction vehicles on Winkler Road to the south of Summerlin Road during the peak season. This volume is indicated as the existing roadway link traffic data in Table 2A. The results of the traffic count are contained in the Appendix of this report for reference.

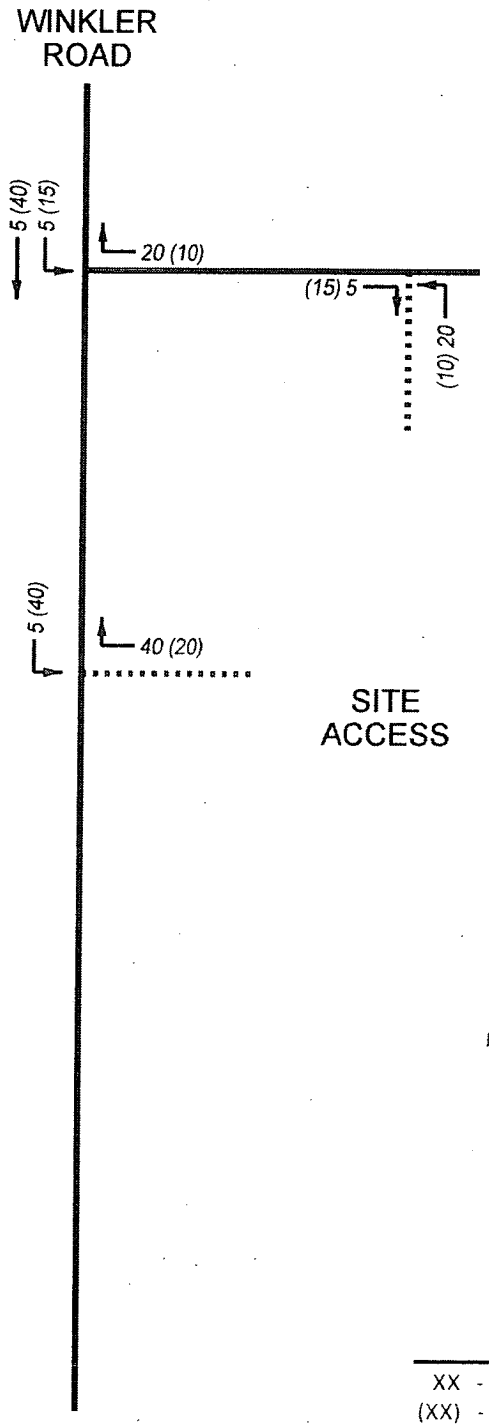
Table 2A in the Appendix of the report indicates the methodology utilized to obtain the year 2007 base year traffic volumes as well as the growth rate utilized for each roadway segment. **Figure 4** indicates the year 2007 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area. Noted on Figure 4 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.

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

Figure 4 details the Levels of Service for all links inside the project's area of influence. These Levels of Service were derived based on the Lee County Generalized Level of Service Volume Tables. **Table 1A** in the Appendix details the calculations to determine the Level of Service on the analyzed links. As can be seen from Figure 4, the roadway links analyzed as part of this report will not be adversely impacted as a result of the proposed development. All of the roadway segments analyzed as a part of this report,



NOT TO SCALE

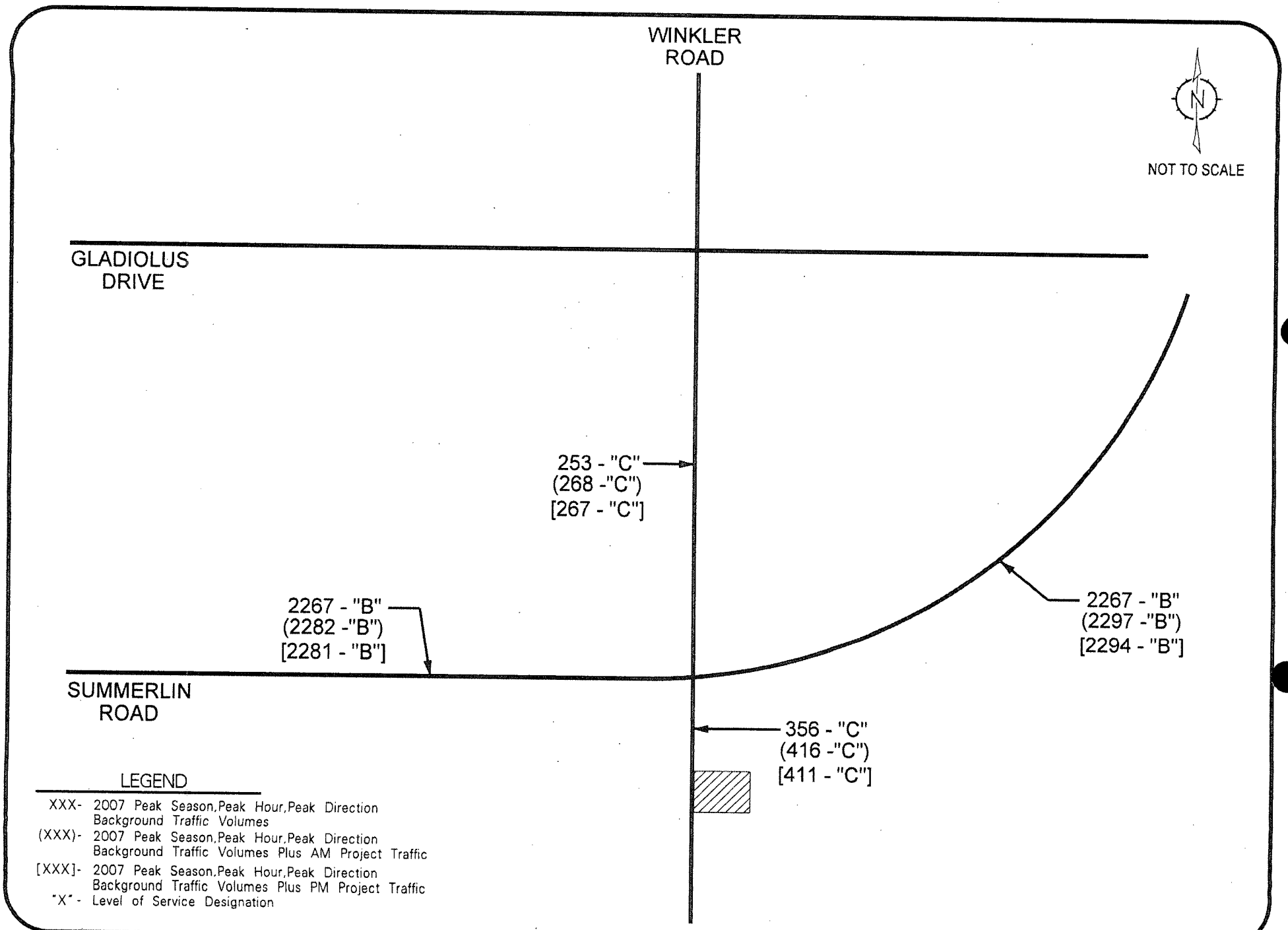


LEGEND

XX - Weekday A.M. Peak Hour
(XX) - Weekday P.M. Peak Hour

SITE TRAFFIC ASSIGNMENT

FIGURE: 3



2007 BUILD-OUT TRAFFIC CONDITIONS

FIGURE: 4

once the development is completed, will maintain the Level of Service as projected without the development.

Turn lane analysis was performed as a result of the proposed development based on the Lee County Turn Lane Policy (AC 11-4). A southbound left turn lane will be warranted on Winkler Road at the site access drive for Prentiss Pointe as a result of the added project traffic. This turn lane should consist of a 50-foot transition taper, a 135-foot deceleration lane, and a 50-foot storage lane in order to satisfy the warranting requirements. No additional turn lane improvements will be required as a result of the construction of the Prentiss Pointe development.

VIII. CONCLUSION

The development of Prentiss Pointe on Winkler Road, to the south of its intersection with Summerlin Road in Lee County, Florida, will not have a detrimental impact on the surrounding roadway system. The existing roadway network, as well as improvements scheduled within the next three years, can accommodate the additional new vehicle trips the development is anticipated to generate.

Turn lane analysis was performed based on the requirements contained within the Lee County Turn Lane Policy. A southbound left turn lane will be required on Winkler Road at the main site access driveway. This turn lane should consist of a total of 235 feet, 50 feet of which is a transition taper. No additional site specific turn lane improvements will be warranted based on the Lee County Turn Lane Policy. Beyond the aforementioned turn lane improvement, no additional roadway improvements will be required due to the development of the Prentiss Pointe development as currently proposed.

APPENDIX

TABLE 1A & 2A

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

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 70 VPH IN= 10 OUT= 60

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 85 VPH IN= 55 OUT= 30

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PERCENT PROJECT TRAFFIC	PROJECT TRAFFIC	PROJ/ LOS C
Summerlin Road	W. of Winkler Road	6LD	0	2340	2980	3110	3110	25.00%	15	0.5%
	E. of Winkler Road	6LD	0	2340	2980	3110	3110	50.00%	30	1.0%
Winkler Road	N. of Summerlin Road	2LN	0	0	640	880	940	25.00%	15	2.3%
	N. of Site	2LN	0	0	500	800	870	100.00%	60	12.0%

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS

7% Truck Adjustment = 0.934

P. C. S.	K	D
PCS NO. 19	0.098	0.56

TOTAL PROJECT TRAFFIC AM = 70 VPH IN = 10 OUT= 60

TOTAL PROJECT TRAFFIC PM = 85 VPH IN= 55 OUT= 30

ROADWAY	SEGMENT	PCS	BASE YR ADT	2001 ADT	YRS OF GROWTH	ANNUAL RATE	2002 PK HR PK SEASON PEAK DIR.[1]	2007 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2007 BCKGRND + AM PROJ TRAFFIC	2007 BCKGRND + PM PROJ TRAFFIC
Summerlin Road	W. of Winkler Road	19	29900	34400	9	1.57%	2097	2267	25.00%	15	14	2282	2281
	E. of Winkler Road	19	29900	34400	9	1.57%	2097	2267	50.00%	30	28	2297	2294
Winkler Road	N. of Summerlin Road	19	2800	3400	9	2.18%	227	253	25.00%	15	14	268	267
	N. of Site	--	--	--	--	2.18%	320 [2]	356	100.00%	60	55	416	411

* The Truck Factor was not accounted for in the calculations for roadway links that have permanent count stations.

[1] The 2002 Peak Hour, Peak Season, Peak Direction Traffic Volume was obtained from the 2001/2002-2002/2003 Lee County Concurrency Report

[2] The Peak Hour, Peak Season, Peak Direction Traffic Volume for Winkler Road to the south of Summerlin Road is a 2002 traffic volume, and it was obtained from a traffic count performed on 3/06/02

LEE COUNTY GENERALIZED LEVEL OF SERVICE SPREADSHEET

7/18/00

LEE COUNTY
GENERALIZED PEAK HOUR DIRECTIONAL SERVICE VOLUMES

URBANIZED AREAS

ARTERIALS

GROUP I (>0.00 TO 1.99 SIGNALIZED INTERSECTIONS PER MILE)

LANES	A*	B	C	D**	E**
2 UNDIV.	--	650	900	960	960
4 DIV.	--	1,410	1,920	2,030	2,030
6 DIV.	--	2,150	2,900	3,040	3,040
8 DIV.	--	2,730	3,560	3,720	3,720

GROUP II (2.00 TO 4.50 SIGNALIZED INTERSECTIONS PER MILE)

LANES	A*	B*	C	D	E
2 UNDIV.	--	--	640	880	940
4 DIV.	--	--	1,460	1,890	2,000
6 DIV.	--	--	2,270	2,840	3,000
8 DIV.	--	--	2,850	3,490	3,690

GROUP III (MORE THAN 4.50 SIGNALIZED INTERSECTIONS PER MILE)

LANES	A*	B*	C*	D	E
2 UNDIV.	--	--	290	750	910
4 DIV.	--	--	680	1,700	1,930
6 DIV.	--	--	1,060	2,570	2,910
8 DIV.	--	--	1,340	3,180	3,570

FREEWAYS (GROUP 2)

LANES	A	B	C	D	E
4	1,090	1,710	2,570	3,270	3,900
6	1,680	2,630	3,950	5,030	5,990
8	2,290	3,590	5,390	6,860	8,170

COLLECTORS

LANES	A*	B*	C	D	E
2 UNDIV.	--	--	500	800	870
2 DIV.	--	--	520	840	910
4 UNDIV.	--	--	1,080	1,640	1,750
4 DIV.	--	--	1,140	1,720	1,840

CONTROLLED ACCESS FACILITIES ***

LANES	A*	B	C	D**	E**
2 UNDIV.	0	690	930	980	980
4 DIV.	0	1,530	1,980	2,070	2,070
6 DIV.	0	2,340	2,980	3,110	3,110
8 DIV.	0	3,030	3,780	3,930	3,930

* CANNOT BE ACHIEVED.
**VOLUMES ARE COMPARABLE BECAUSE INTERSECTION CAPACITIES ARE REACHED.
*** THE APPLICATION OF THESE SERVICE VOLUMES SHOULD BE APPROVED BY LEE COUNTY DOT.

D:\LOS\DIRCAPA3.WK1

LEE COUNTY FY 01/02-05/06 TRANSPORTATION CAPITAL IMPROVEMENT PLAN – SUMMERLIN ROAD

PROJECT NAME	**Summerlin Rd/San Carlos to Gladiolus**	DATE PREPARED:	10/22/02
PROJECT NUMBER	4067	COMPREHENSIVE PLAN REFERENCE	21.1.5;23.2.1;23.2.4
MANAGING DEPT.	Transportation	COMMISSION DISTRICT	3

PROJECT DESCRIPTION:

Widen Existing Four Lane Road To Six Lane Rural Arterial (3.9 Miles) and Construct a Grade Separation at Gladiolus Drive. Also, Widen Winkler Road to Four Lanes from Summerlin Road to Gladiolus Drive.

PROJECT LOCATION:

South Lee County, San Carlos Boulevard (SR 865) To Gladiolus Drive.

ESTIMATED PROJECT COST (IN THOUSANDS)	FY 96-01 PRIOR EXP.	FY 01/02 BUDGET	FY 02/03	FY 03/04	FY 04/05	FY 05/06	FY 06/07	5 YEAR NEW TOTAL	YEARS 6-10	PROJECT TOTAL
DESIGN / PERMITTING	50	2,000								2,050
RIGHT -OF- WAY ACQUISITION			1,685					1,685		1,685
MAINLINE CONSTRUCTION					6,000			6,000		6,000
ADDITIONAL CONSTRUCTION										
PROJECT MANAGEMENT	12	38			100			100		150
CONSTRUCTION INSPECTION					300			300		300
MITIGATION										
LANDSCAPING						1,560		1,560		1,560
OTHER										
TOTAL	62	2,038	1,685	0	6,400	1,560	0	9,645	0	11,745

CIP FUNDING SOURCES AND AMOUNTS	FY 02/03	FY 03/04	FY 04/05	FY 05/06	FY 06/07
Impact Fees (4)			4,276		
Impact Fees (6)			130		
Gas Taxes	1,685		1,994		
Ad Valorem				1,560	

OPERATING IMPACT:		FY 02/03	FY 03/04	FY 04/05	FY 05/06	FY 06/07	O & M FUNDING SOURCE
START UP		N/A	N/A	N/A	N/A	N/A	
RECURRING	(Operations)	N/A	N/A	N/A	76,596	76,596	Transportation Trust Fund
	(Traffic)	N/A	N/A	N/A	3,000	3,090	
	TOTAL	0	0	0	79,596	79,686	

COMMENTS:

Preliminary Design Funded in Prior Year to Determine Cross Sections and Review Access Management. Design Phase expanded to include design of overpass at Gladiolus/Summerlin using existing Sanibel surplus toll revenues. Funds not yet identified for inclusion of overpass in CST phase - anticipate future cost increases and possible advancement of CST phase to FY 03/04. Combined with adjacent project (#4066).

ALL COSTS IN THOUSANDS OF DOLLARS, EXCEPT FOR OPERATING IMPACTS

TRAFFIC COUNT RESULTS –

WINKLER ROAD

Default Titles
Change These in The Preferences Window
Select File/Preference in the Main Scree
Then Click the Titles Tab

ner : Cool
unted by: Dawn/Jennifer

File Name : SumWink
Site Code : 00002452
Start Date : 03/06/2002
Page No : 1

Groups Printed- 1 - Cars

	Winkler Rd. From North					Summerlin Rd. From East					Winkler Rd. From South					Summerlin Rd. From West					
Start Time	Right	Thru	Left	Truck	App. Total	Right	Thru	Left	Truck	App. Total	Right	Thru	Left	Truck	App. Total	Right	Thru	Left	Truck	App. Total	Int. Total
Factor	1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		1.0	1.0	1.0	1.0		
07:00 AM	15	20	3	3	41	4	201	33	25	263	31	22	2	2	57	0	160	25	0	185	546
07:15 AM	31	17	2	4	54	6	272	26	22	325	25	6	7	1	49	1	206	16	4	227	655
07:30 AM	23	10	1	0	34	1	280	34	24	339	31	13	8	3	55	0	187	24	6	216	644
07:45 AM	24	9	2	1	36	3	329	34	21	387	55	21	14	11	101	2	239	18	8	267	791
Total	93	56	8	8	165	13	1082	127	92	1314	152	62	31	17	262	3	792	83	17	895	2636
08:00 AM	19	14	7	1	41	2	298	28	28	356	36	21	8	10	76	4	229	22	7	262	734
08:15 AM	34	16	6	5	61	4	353	53	30	440	37	19	7	6	69	4	243	18	12	277	847
08:30 AM	31	19	7	4	61	3	326	82	23	384	31	13	21	5	70	7	237	28	13	285	800
08:45 AM	41	24	6	2	73	8	314	46	25	393	42	25	12	8	87	9	226	16	9	259	812
Total	125	73	26	12	236	17	1291	159	106	1573	146	78	48	29	301	24	934	84	41	1083	3193
09:00 AM	0	0	0	0	0	0	0	0	0	0	30	19	18	6	73	17	285	16	11	329	402
09:15 AM	26	28	3	1	58	4	270	45	22	341	41	20	14	4	79	10	280	22	15	327	805
09:30 AM	25	16	2	7	53	6	281	35	31	353	41	25	13	6	85	10	315	27	27	379	870
09:45 AM	21	17	11	3	52	5	226	33	27	291	0	0	0	0	0	0	0	0	0	0	343
Total	72	63	17	11	163	15	777	113	80	985	112	64	45	16	237	37	880	65	53	1035	2420
10:00 AM	24	16	9	0	49	1	230	28	15	274	0	0	0	0	0	0	0	0	0	0	323
Total	24	16	9	0	49	1	230	28	15	274	0	0	0	0	0	0	0	0	0	0	323
11:00 AM	23	26	10	1	60	6	269	43	20	360	39	29	23	3	94	5	302	13	18	338	852
11:15 AM	44	27	15	2	88	4	321	22	14	361	36	26	11	6	79	11	355	21	16	403	931
11:30 AM	32	35	13	7	87	5	314	36	12	367	44	30	11	7	92	15	336	15	15	381	927
11:45 AM	31	16	15	7	69	4	248	40	15	307	32	27	9	5	73	14	377	21	21	433	882
Total	130	104	53	17	304	21	1172	141	61	1395	151	112	54	21	338	45	1370	70	70	1555	3592
12:00 PM	22	29	9	5	65	13	255	21	14	303	44	37	8	4	93	6	327	35	12	380	841
12:15 PM	31	38	12	5	86	14	294	34	20	362	43	20	9	3	75	6	361	23	10	400	923
12:30 PM	25	27	15	2	69	4	321	44	19	388	30	9	13	3	55	10	334	24	16	384	896
12:45 PM	28	32	14	1	75	3	300	32	14	349	35	21	8	7	71	12	365	17	15	409	904
Total	106	126	50	13	295	34	1170	131	67	1402	152	87	38	17	294	34	1387	99	53	1573	3564
03:00 PM	32	29	15	3	79	9	319	38	13	379	35	29	9	4	77	10	488	30	15	543	1078
03:15 PM	35	24	16	4	79	5	337	35	11	388	48	34	9	17	108	11	405	24	11	452	1027
03:30 PM	29	23	20	3	75	7	378	22	8	415	57	33	24	9	123	16	441	30	13	500	1113
03:45 PM	38	32	15	4	89	7	339	45	10	401	51	27	8	5	91	13	464	23	15	515	1096
Total	134	108	66	14	322	28	1373	140	42	1583	191	123	50	35	399	50	1798	107	54	2010	4314
04:00 PM	20	15	9	0	44	9	199	35	6	249	24	18	9	2	53	8	449	30	14	501	857
04:15 PM	34	23	12	5	74	12	259	37	12	320	35	24	11	2	72	11	476	48	14	549	1015
04:30 PM	47	30	13	5	95	11	275	17	7	310	40	24	8	7	79	10	433	42	15	500	984
04:45 PM	27	19	13	2	61	11	366	30	10	417	42	27	13	8	90	8	361	36	17	422	990
Total	128	87	47	12	274	43	1099	119	35	1296	151	93	41	19	304	37	1719	156	60	1972	3846
05:00 PM	32	31	16	1	80	10	279	22	7	318	38	24	14	3	79	9	411	29	16	465	942
05:15 PM	26	24	11	0	63	14	289	19	3	325	28	21	8	2	59	16	374	50	15	455	902
05:30 PM	23	14	12	3	52	19	295	34	4	352	27	30	5	3	65	15	344	31	14	404	873
05:45 PM	14	19	15	0	48	13	294	30	1	338	23	16	3	2	44	5	411	24	8	448	878
Total	97	88	54	4	243	56	1157	105	15	1333	116	91	30	10	247	45	1540	134	53	1772	3595
Grand Total	908	721	330	91	2051	228	9351	1063	513	11155	1171	710	337	164	2382	275	1042 1	798	401	11895	27483
Apprch %	44.3	35.2	16.1	4.4		2.0	83.8	9.5	4.6		49.2	29.8	14.1	6.9		2.3	87.6	6.7	3.4		
Total %	3.3	2.6	1.2	0.3	7.5	0.8	34.0	3.9	1.9	40.6	4.3	2.6	1.2	0.6	8.7	1.0	37.9	2.9	1.5	43.3	

Peak Dir, Peak Hour = 72 + 79 + 90 + 79
= 320 veh

TRIP GENERATION EQUATIONS

TRIP GENERATION EQUATIONS
PRENTISS POINTE
TRIP GENERATION EQUATIONS

Land Use	Weekday AM Peak Hour	Weekday PM Peak Hour	Daily (2-way)
Residential Condo/Townhouse (LUC 230)	Ln (T) = 0.790 Ln (X) + 0.298	Ln (T) = 0.827 Ln (X) + 0.309	Ln (T) = 0.850 Ln (X) + 2.564
T = Trips, X = # of Units			

Sanibel Surveys, Inc
2410 Palm Ridge Road
Sanibel, Florida 33957
Phone Number (239) 472-0095 Fax Number (239) 472-3866

July 21, 2003
LEGAL DESCRIPTION
PRENTISS POINTE
15841 WINKLER ROAD

IN SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA:

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST (SW 1/4) OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, AS DESCRIBED AS FOLLOWS:

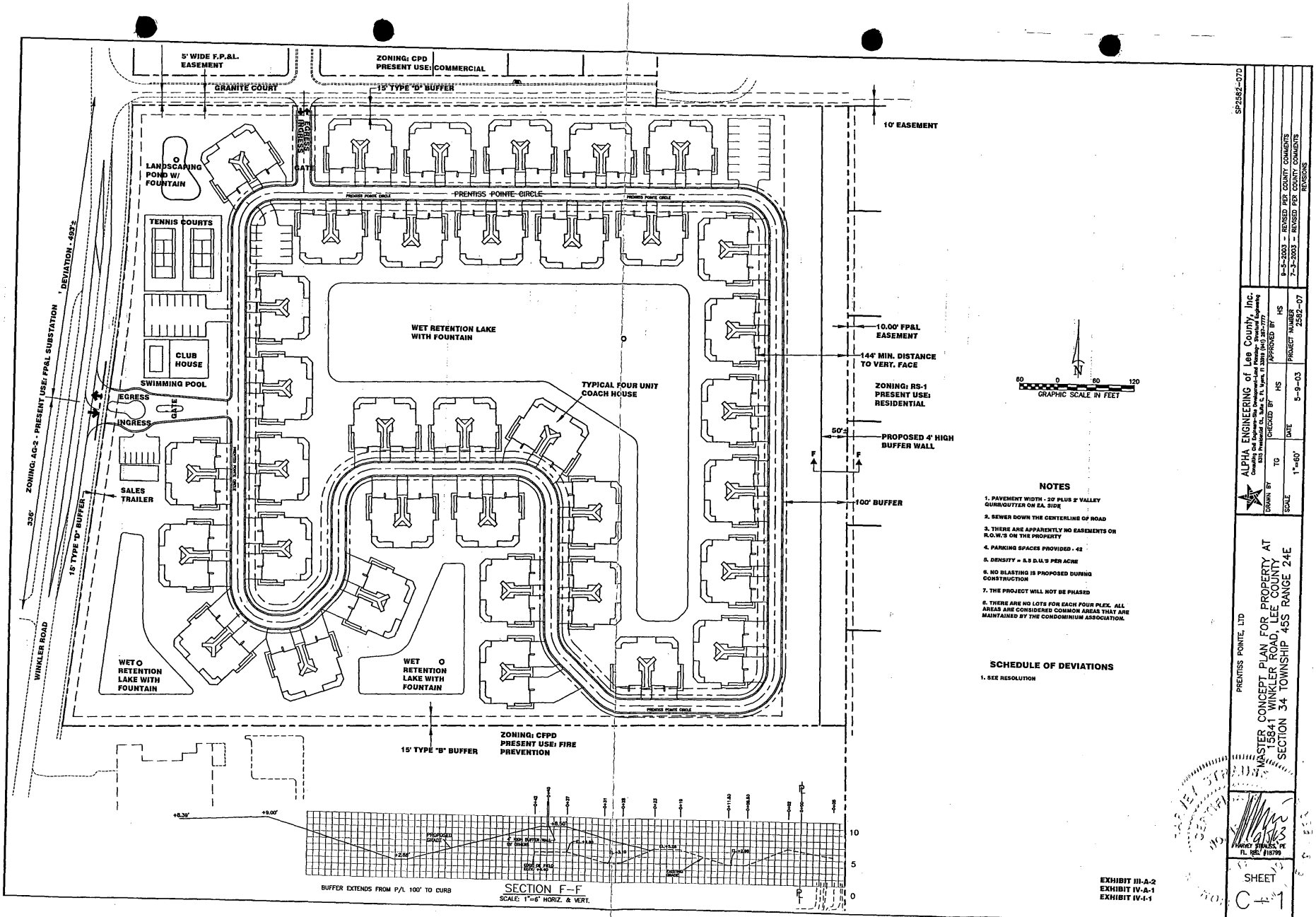
COMMENCING AT THE FOUND CONCRETE MONUMENT MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 34; THENCE N01°01'45"W ALONG THE EAST LINE OF SAID FRACTION OF A SECTION FOR 346.56 FEET TO THE POINT OF BEGINNING; THENCE S88°39'16"W FOR 1,235.83 FEET TO THE EASTERLY LINE OF WINKLER (100 FEET WIDE); THENCE N06°55'41"E ALONG SAID EAST LINE FOR 577.50 FEET TO POINT OF CURVATURE; THENCE 407.00 FEET ALONG SAID EASTERLY LINE ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 2,914.90 FEET AND SUBTENDED BY A CHORD HAVING A LENGTH OF 406.76 FEET AND BEARING N02°55'51"E TO A POINT ON A CURVE INTERSECTING THE SAID EASTERLY LINE AND NORTH LINE OF SAID FRACTION OF A SECTION; THENCE N88°45'17"E ALONG SAID NORTH LINE FOR 1,127.79 FEET TO A FOUND CONCRETE MONUMENT MARKING THE NORTHEAST CORNER OF SAID FRACTION OF A SECTION; THENCE S01°01'45"E ALONG SAID EAST LINE OF 975.07 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 26.25 ACRES MORE OR LESS.

WALTER FRASER (FOR THE FIRM LB-0006647)
PROFESSIONAL LAND SURVEYOR
FLORIDA CERTIFICATE NO. 0003985

DCI 2003-00038

RECEIVED
JUL 22 2003
PERMIT COUNTER



NOTES

1. PAVEMENT WIDTH - 20' PLUS 2' VALLEY GURB/GUTTER ON EA. SIDE
2. SEWER DOWN THE CENTERLINE OF ROAD
3. THERE ARE APPARENTLY NO EASEMENTS OR R.O.W.'S ON THE PROPERTY
4. PARKING SPACES PROVIDED - 42
5. DENSITY = 5.5 D.U.'S PER ACRE
6. NO BLASTING IS PROPOSED DURING CONSTRUCTION
7. THE PROJECT WILL NOT BE PHASED
8. THERE ARE NO LOTS FOR EACH FOUR PLEX. ALL AREAS ARE CONSIDERED COMMON AREAS THAT ARE MAINTAINED BY THE CONDOMINIUM ASSOCIATION.

SCHEDULE OF DEVIATIONS

1. SEE RESOLUTION

EXHIBIT III-A-2
EXHIBIT IV-A-1
EXHIBIT IV-I-1

SP2582-070

REVISIONS	DATE	PROJECT NUMBER	APPROVED BY
7-3-2003 - REVISED PER COUNTY COMMENTS	5-9-03	2582-07	HS
9-5-2003 - REVISED PER COUNTY COMMENTS			

ALPHA ENGINEERING of Lee County, Inc.
Civil • Site • Land Development • Structural Engineering
6315 Presidential Ct., Suite C, Ft. Myers, Florida 33919 (239) 277-8777

DRAWN BY: TG | CHECKED BY: HS | SCALE: 1"=60'

PRENTISS POINTE, LTD

MASTER CONCEPT PLAN FOR PROPERTY AT 15841 WINKLER ROAD, LEE COUNTY SECTION 34 TOWNSHIP 45S RANGE 24E

MARKEY STRAUSS, PE
FL. REG. #18798

SHEET C-1

SCHEDULE OF DEVIATIONS

1. NEED RELIEF FROM LDC 10-285. MINIMUM INTERSECTION SEPARATION OF 660 FEET ALONG ARTERIAL STREEETS TO 493 FEET FROM GRANITE COURT AND TO 336 FEET FROM ACCESS POINT ON WEST SIDE OF ROAD.

PRENTISS POINTE
DCI 2003-0038-PDS APPLICATION (MINOR PD)

SCHEDULE OF USES

ACCESSORY USES
DWELLING UNIT: MULTIPLE-FAMILY BUILDINGS - (CONDOMINIUMS, 144 TOTAL)
ESSENTIAL SERVICES
ESSENTIAL SERVICE FACILITIES - GROUP I
EXCAVATION, WATER RETENTION
MODELS - MODEL UNIT (PER LDC § 34-1951)
PARKING LOT - ACCESSORY
RECREATIONAL FACILITIES - PRIVATE, ON-SITE
SIGNAGE, IN ACCORDANCE W/ LDC CHAPTER 30
STORAGE - INDOOR ONLY
TEMPORARY REAL ESTATE SALES OFFICE (SALES TRAILER)
PRIVATE CLUBHOUSE - 3,600 SQUARE FEET (MAXIMUM)
FENCES
WALLS
ENTRANCE GATE

PRENTISS POINTE
DCI 2003-0038-PDS APPLICATION (MINOR PD)

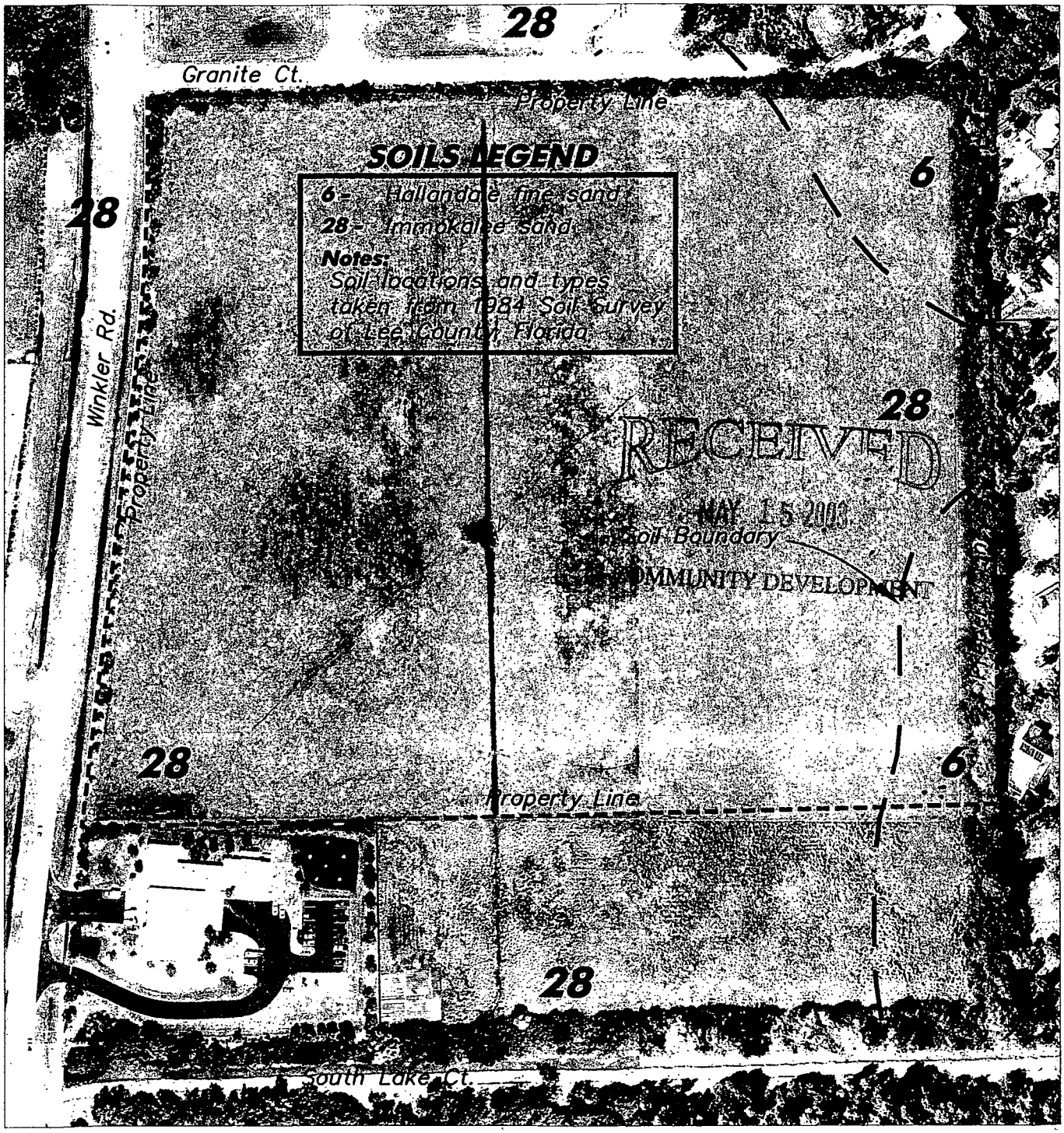
Minimum lot area and dimensions:	
Multiple-family:	
Minimum Lot size (square feet)	13,000
Lot Area per unit (square feet)	3,250
Lot width (feet)	127
Lot depth (feet)	100
Minimum setbacks:	
Street (feet)	15
Side yard (feet):	
Multiple-family and all other uses	10
Rear yard (feet)	20
Water body (feet)	20
Special regulations:	
Maximum height (feet)	35 Ft., (2 Stories)
Maximum lot coverage (percent of total lot area)	45 %
Minimum Separation Distance Between Buildings	10'

DCI 2003-00008

SECTION: 34
TOWNSHIP: 45 S
RANGE: 24 E
LATITUDE: 26° 30' 39"
LONGITUDE: 81° 53' 56"

EXHIBIT III-C-5

0 100 200
SCALE FEET



Soils Map

SCALE: 1" = 200'

HANS J.M. WILSON
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39680
DATE: December 17, 2002 2:36:47 p.m.
Drawing: NAUM-2_PLAN.DWG (PL)

PERMIT USE ONLY, NOT FOR CONSTRUCTION

HANS WILSON & ASSOC., INC.
2025 W. First St. Ft. Myers, Florida 33901
Tel:239-334-6870 Fax: 239-334-7810
MARINE and ENVIRONMENTAL CONSULTANTS

12/10/02

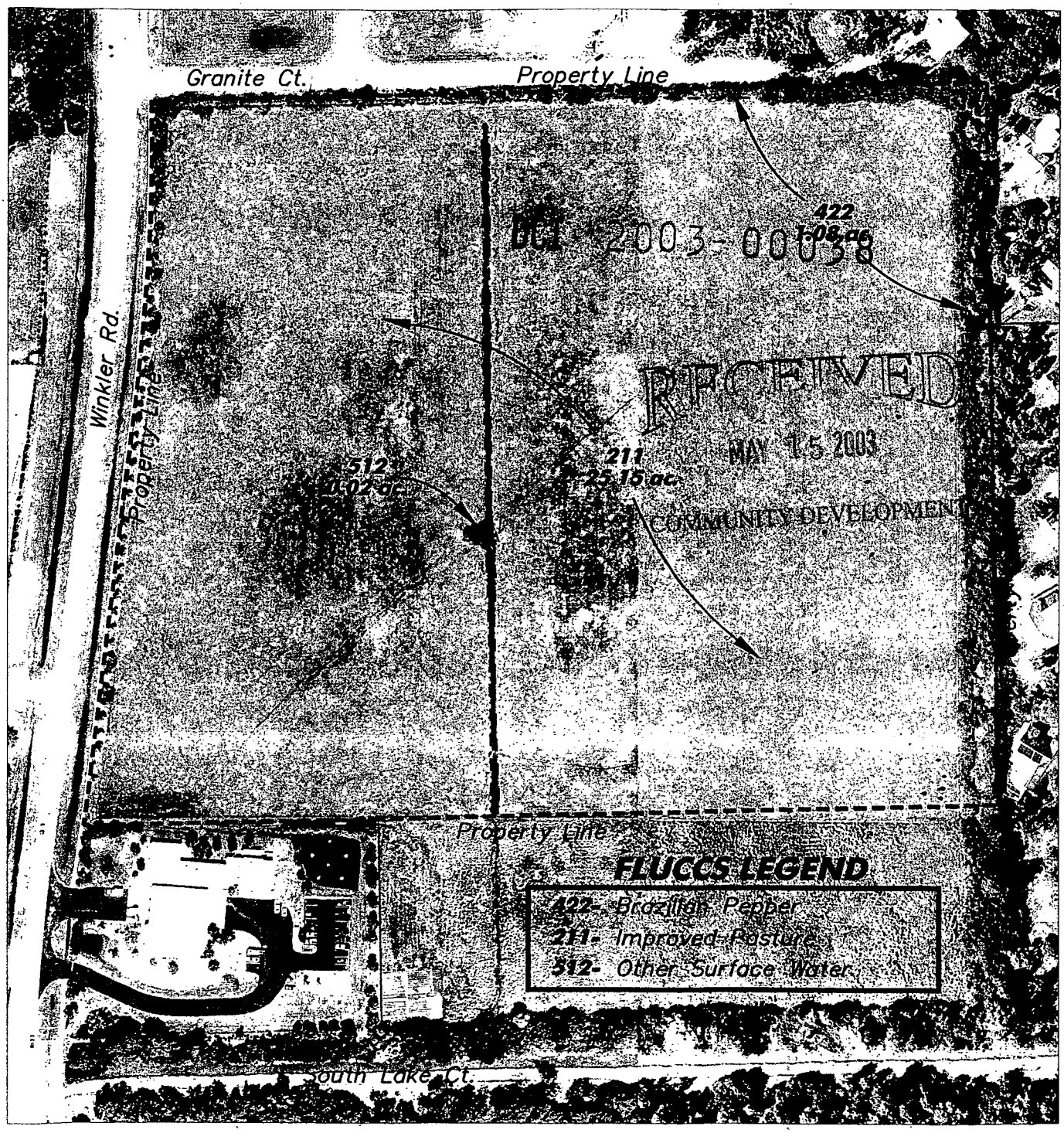
Prentiss Pointe

SHEET

SECTION: 34
TOWNSHIP: 45 S
RANGE: 24 E
LATITUDE: 26° 30' 39"
LONGITUDE: 81° 53' 56"

EXHIBIT III-C-6

0 100 200
SCALE FEET



DOC # 2003-000338
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MAY 15 2003
COMMUNITY DEVELOPMENT

Vegetation Map

SCALE: 1" = 200'

HANS J.M. WILSON
REGISTERED PROFESSIONAL ENGINEER
FLORIDA REGISTRATION NO. 39680
DATE: December 17, 2002 2:36:47 p.m.
Drawing: NAUM-2_PLAN.DWG (PL)

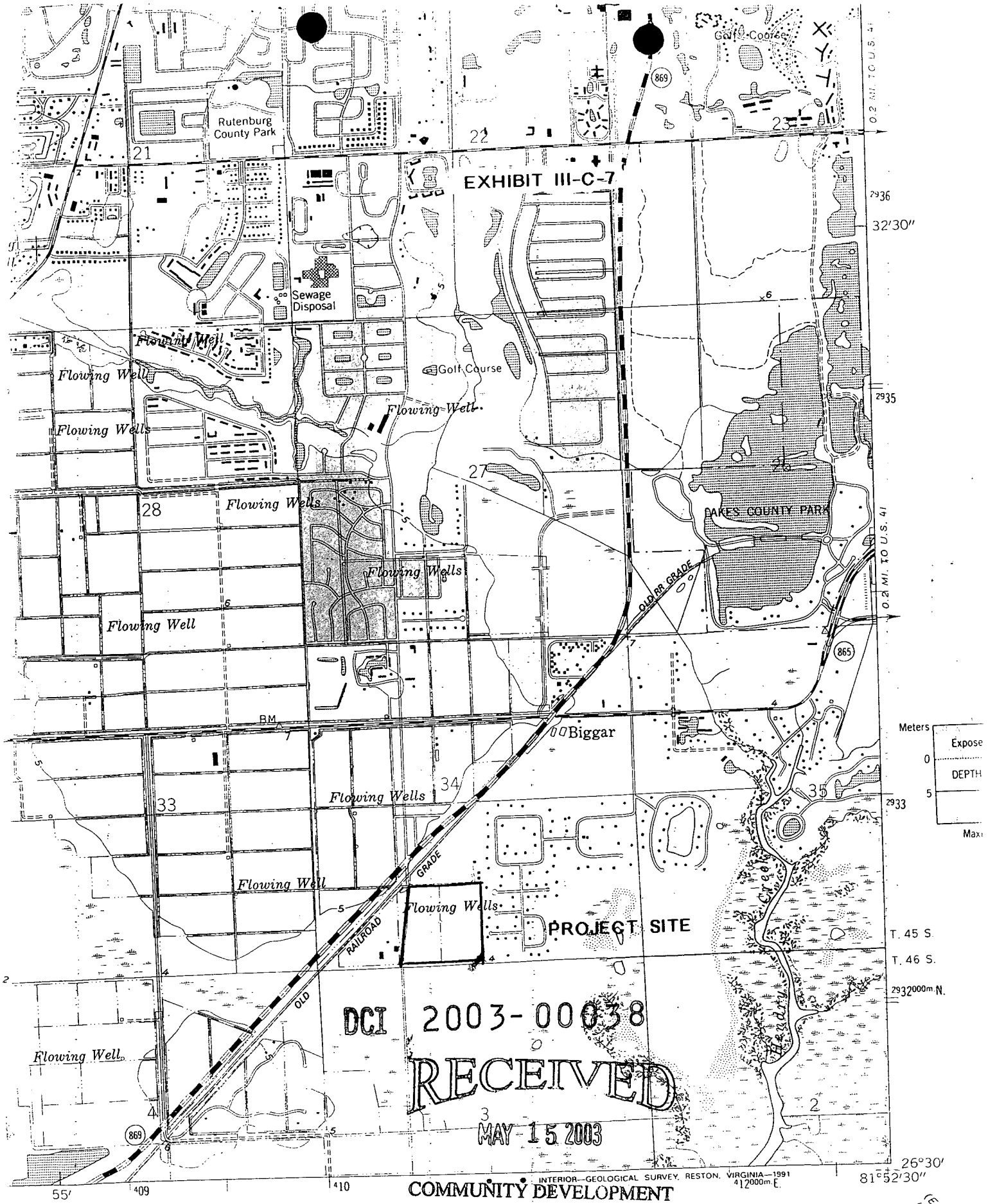
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HANS WILSON & ASSOC., INC.
2025 W. First St. Ft. Myers, Florida 33901
Tel:239-334-6870 Fax: 239-334-7810
MARINE and ENVIRONMENTAL CONSULTANTS

5/6/03

Prentiss Pointe

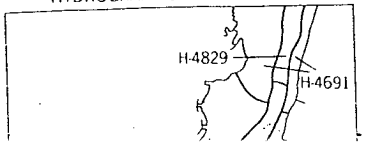
SHEET



DCI 2003-00038
RECEIVED
MAY 15 2003

COMMUNITY DEVELOPMENT

NATIONAL OCEAN SERVICE
HYDROGRAPHIC SURVEY INDEX



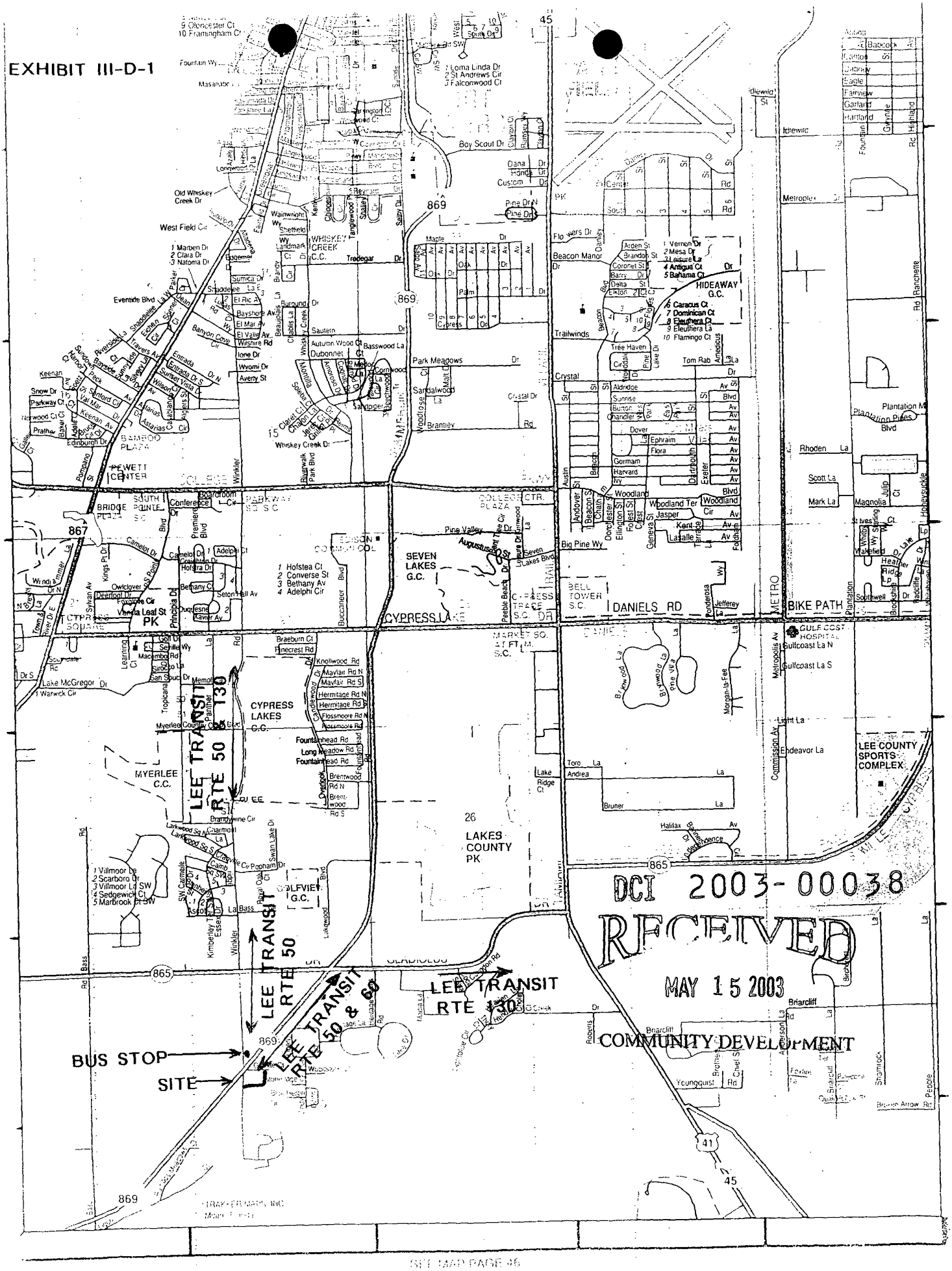
ROAD CLASSIFICATION

Medium-duty ——— Light-duty ———

Unimproved dirt = = = = = = = = =

State Route

EXHIBIT III-D-1

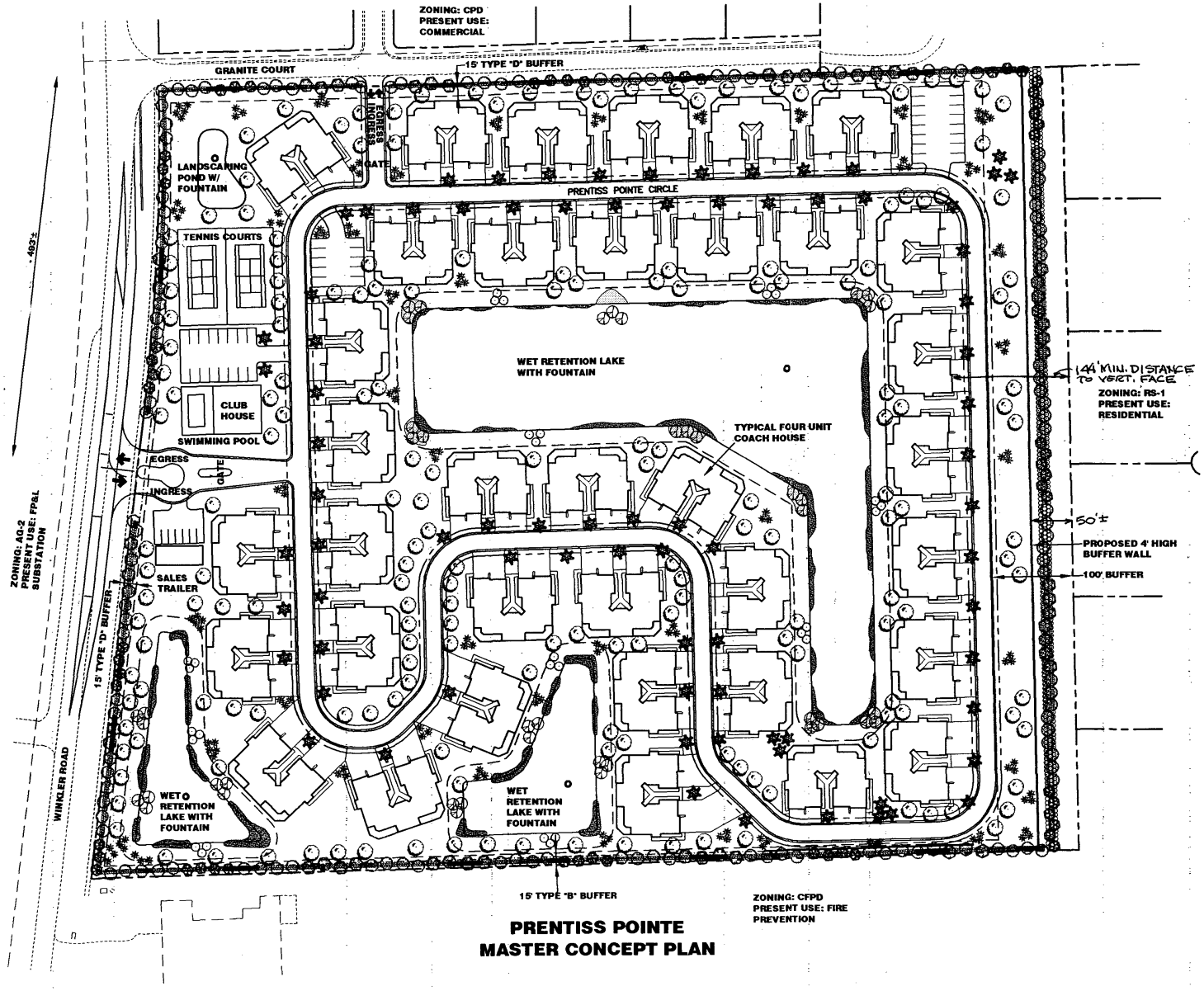


DCI 2003-00038

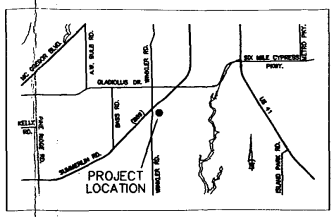
RECEIVED

MAY 15 2003

COMMUNITY DEVELOPMENT



PRENTISS POINTE
MASTER CONCEPT PLAN



LOCATION MAP
NOT TO SCALE

SCHEDULE OF DEVELOPMENT PARAMETERS

1. MINIMUM DISTANCE BETWEEN COACH HOUSES - 20'
2. SETBACK FROM STREET RIGHT-OF-WAY - 15' TO 20'
3. PAVEMENT WIDTH - 20' PLUS 2' VALLEY GUTR/GUTTER ON EA. SIDE
4. DISTANCE FROM PROPERTY LINE TO WATER'S EDGE - 40'
5. 20' MAINTENANCE EASEMENT AROUND RETENTION LAKES
6. SEWER DOWN THE CENTERLINE OF ROAD
7. SITE AREAS

TOTAL SITE	1,143,217 SF	26.25 AC	
TOTAL BUILDINGS	250,992 SF	5.74 AC	21.87 %
TOTAL ASPHALT	103,231 SF	2.35 AC	8.94 %
TOTAL CONCRETE DRIVEWAYS, WALKS & CURBING	120,938 SF	2.78 AC	10.58 %
TENNIS COURTS	14,400 SF	0.33 AC	1.26 %
TOTAL LAKES	163,355 SF	3.75 AC	14.29 %
TOTAL IMPERVIOUS	651,906 SF	14.96 AC	56.52 %
TOTAL PERVIOUS	492,511 SF	11.31 AC	43.07 %
NON-GREEN SPACE	1,153 SF	0.03 AC	0.10 %
GREEN SPACE	491,358 SF	11.28 AC	42.97 %

8. FOUNTAINS
9. PARKING SPACES PROVIDED - 42
10. MAXIMUM BUILDING HEIGHT - 35'
11. DENSITY = 5.5 D.U.'S PER ACRE
12. AMENETIES:

TENNIS COURTS - 2
POOL
CLUBHOUSE
GATE
SIGNAGE PER REGULATIONS

SCHEDULE OF USES

THIRTY SIX 4 UNIT COACH HOMES - MAXIMUM HEIGHT 35'
SALES TRAILER W/ ASSOCIATED PARKING
ENTRANCE GATES
WATER RETENTION EXCAVATION
WALLS - BUFFER WALL ON EAST SIDE
MODEL HOME, UNIT, DISPLAY CENTER
RECREATIONAL FACILITIES
TWO TENNIS COURTS
ONE SWIMMING POOL
ONE CLUB HOUSE
SIGNS IN ACCORDANCE WITH CHAPER 30 OF THE LDC
STORAGE - INDOOR ONLY

DCI 2003-00038
RECEIVED
MAY 15 2003
COMMUNITY DEVELOPMENT

N
60 0 60 120
GRAPHIC SCALE IN FEET

EXHIBIT III-A-2
EXHIBIT IV-A-1
EXHIBIT IV-I-1

EXHIBIT IV-A-2

SP2582-07D

REVISIONS	PROJECT NUMBER 2582-07	APPROVED BY HS	DATE 5-9-03	CHECKED BY TG	SCALE 1"=60'	DRAWN BY

ALPHA ENGINEERING of Lee County, Inc.
Consulting Civil Engineers - Site Development - Land Planning - Structural Engineering
6570 Presidential Court, Suite 1, Ft. Myers, FL 33919 (941) 481-4777

PRENTISS POINTE, LTD

MASTER CONCEPT PLAN FOR PROPERTY AT
15841 WINKLER ROAD, LEE COUNTY
SECTION 34 TOWNSHIP 45S RANGE 24E

5/13/03
HARVEY STRAUSS, PE
FL. REG. #18799

SHEET
C-1

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

January 14, 2004

Alpha Engineering
c/o Harvey Strauss, P.E.
6315 Presidential CT. Suite C
Fort Myers, Fl 33919

Re: Agenda Schedule for Prentiss Pointe
Case No. DCI2003-00038

Dear Mr. Strauss:

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: February 2, 2004, 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

Jessica M. Smith
Administrative Assistant

cc: Prentiss Pointe, LTD., C/O Carlton Naumann Construction Inc.
Prentiss Pointe Ltd.
Mr. Jeff Laurien, Senior Planner
Zoning File

MEMORANDUM

From The
Department Of
Community Development
Development Services Division

Date: January 20, 2004

To: DCI2003-00038

From: Jessica Smith

RE: Notice of Public Hearing - February 2, 2004 BCC
Lee County Board of County Commissioners Meeting

I, Jessica Smith, Administrative Assistant, Development Services Division, do hereby certify that I have mailed **notices to the participants** in regard to the above referenced meeting, in the attached style, pursuant to the list marked and attached hereto and made a part of the certification.

NOTICE TO PARTICIPANT

CASE NUMBER: DCI2003-00038

NAME: Prentiss Pointe

REQUEST: Request is to rezone the subject 26.25-acre property from the Commercial Planned Development (CPD) zoning district to the Residential Planned Development (RPD) zoning district to permit multi-family units (coach house condominiums) for a total of 144 units. Maximum height of buildings is to be 35 feet. No blasting is proposed on-site.

LOCATION: The subject property is located at 15841 Winkler Road (Lee County South with Winkler Road along west property line and Granite Court along north property line) in S35-T45S-R24E, Lee County, FL.

PROPERTY OWNER'S REPRESENTATIVE:

Harvey Strauss	Gary L Howe
Alpha Engineering	Prentiss Pointe Ltd.
239-395-1337	239-267-7777

Notice is hereby given that the Lee County Board of Commissioners will hold a public hearing at 9:30 a.m. on February 2, 2004, to review the written recommendation made by the Hearing Examiner and make a final decision in the above-referenced case. This hearing will be held in the Commissioners' Meeting Room, 2120 Main St., Ft. Myers, FL.

The law states that, as a participant, you have the right to appear and address the Board on this case. However, the law strictly limits all testimony before the Board to statements challenging the correctness of findings and conclusions contained in the record, or statements alleging the discovery of relevant new evidence which was not known by the speaker at the time of the Hearing Examiner's hearing and not otherwise disclosed in the record. Statements will be limited to five (5) minutes or as the Board may otherwise allow.

Additional copies of the Hearing Examiner's recommendation may be obtained or the file reviewed at the Zoning Division, 1500 Monroe St., Ft. Myers, FL. Call 479-8585 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 Jessica Smith at 479-8585.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Alpha Engineering
c/o Harvey Strauss, P.E.
6315 Presidential CT. Suite C,
Fort Myers, Fl 33919

Thomas J. Pugh
3706 Stoneridge Court
Fort Myers, Fl 33908

T. Hart
Knott, Consoer, Ebelini, Hart Swett
1625 hendry St. Suite 301
Fort Myers, Fl 33901

Prentiss Pointe Ltd.
7000 Quail Lakes Dr
Holland, OH 43528

Harvey Strauss
6315 Presidential Ct. #C
Fort Myers, FL 33919

Carlton Nauman Construction Inc.
17499 McGregor Blvd.
Fort Myers, Fl 33908

MEMORANDUM

FROM THE

DEPARTMENT OF COMMUNITY DEVELOPMENT DEVELOPMENT SERVICES DIVISION

DATE: October 28, 2003

TO: FILE DC12003-00038

FROM: Jessie Smith
DCD Administration

RE: Notice of Public Hearing - **November 12, 2003 HEX**

I, Jessica Smith, 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: DCI2003-00038

CASE NAME: PRENTISS POINTE

REQUEST: To rezone the subject 26.25+/- acre property from Commercial Planned Development (CPD) to Residential Planned Development (RPD) to permit multi-family units (coach house condominiums) for a total of 144 units. Maximum height of buildings is to be thirty-five feet (35'). No blasting is proposed on-site.

LOCATION: The subject property is located at 15841 Winkler Road (Lee County South with Winkler Road along west property line and Granite Court along north property line), in **S**34 (Section)-**T**45 (Township)**S-R**24 (Range)**E**, Lee County, Florida.

SIZE OF PROPERTY: 26.25 Acres ±

STAFF REPORT: Direct inquiries to Jeff E. Laurien, Senior Planner, at 239-479-8336, at the Department of Community Development, 1500 Monroe St., Ft. Myers, FL 33901.

PROPERTY OWNER'S REPRESENTATIVE:

HARVEY STRAUSS
ALPHA ENGINEERING OF LEE CTY,
941 267-7777

GARY L HOWE
PRENTISS POINTE, LTD.
239-395-1337

Notice is hereby given that the Lee County Hearing Examiner will hold a public hearing at 1:00 p.m. on November 12, 2003, on the above case. The public hearing will be held in the Hearing Examiner's Meeting Room, 1500 Monroe St., Ft. Myers, FL 33901.

You must appear in person, or through counsel, or an authorized agent and provide testimony, legal argument or other evidence at the hearing to become a participant with the right to address the Board of County Commissioners.

After the Hearing Examiner has made a written recommendation, the case will be scheduled for a public hearing before the Board of County Commissioners who will review the recommendation and make a final decision.

If you do not appear before the Hearing Examiner, by law, you will not be allowed to appear before the Board of County Commissioners at the final hearing in this case.

Copies of the staff report will be available two weeks prior to the hearing. The file may be reviewed at the Development Services Division, 1500 Monroe St., Fort Myers, FL 33901. Call 239/479-8585 for additional information.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Jessica M Smith at 239/479-8585.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

34-45-24-00-00010.0000
SUNBELT EQUITIES II
1496 BASS CIR
FT MYERS, FL 33919

34-45-24-00-00002.0070
HEP 7 WINK LC
C/O HALVORSEN HOLDINGS
33 SE 4TH ST STE 100
BOCA RATON, FL 33432

34-45-24-00-00002.0100
FLORIDA GULF BANK
P O BOX 2939
FORT MYERS, FL 33902

34-45-24-00-00002.0110
PUBLIX SUPER MARKETS INC
%EXPENSE PAYABLES LEASE TEAM
P O BOX 32025
LAKELAND, FL 33802

34-45-24-00-00008.0100
SCOTT H NEAL + MARVINE M
3700 HYDE PARK CT
FT MYERS, FL 33908

34-45-24-00-00008.010A
TORTEROTOT VIVECA
C/O LOUISA W MONEIM
URB ROCIO DE NAGUELES P107110
VILLA LOUZA NO 6
29600 MARBELLA MALAGA,
SPAIN

34-45-24-00-00008.010B
RITCHIE SCOTT A + WENDY A
3695 HYDE PARK CT
FT MYERS, FL 33908

34-45-24-00-00008.010C
MROZ LARRY + GAY
3694 HYDE PARK CT
FT MYERS, FL 33908

34-45-24-00-00008.010D
DOCKERTY MARLENE
3690 HYDE PARK COURT
FT MYERS, FL 33908

34-45-24-00-00008.010E
MCELREE JANE BOUS
3699 HYDE PARK CT
FT MYERS, FL 33908

34-45-24-00-00008.0130
FRANKLIN MARGITTA TR
15970 CINDY CT
FORT MYERS, FL 33908

34-45-24-00-00008.013A
SHEELEY MICHAEL K + JOLENE B
15960 CINDY CT
FT MYERS, FL 33908

34-45-24-00-00010.0020
FLORIDA POWER + LIGHT CO
ATTN PROPERTY TAX DEPT JLM
PO BOX 14000
JUNO BEACH, FL 33408

34-45-24-00-00010.0030
BUNDSCHU CHARLES C JR +
P O BOX 7326
FT MYERS, FL 33911

34-45-24-00-00010.0040
IONA MCGREGOR FIRE PROTECTION
+ RESCUE SERVICE
15961 WINKLER RD
FT MYERS, FL 33908

34-45-24-00-00011.0000
BIGGAR GORDON M TR
6050 SW 116TH ST
MIAMI, FL 33156

34-45-24-02-00000.0160
HOLMES JOSEPH J JR + PAULA P
3694 LIBERTY SQUARE
FT MYERS, FL 33908

34-45-24-02-00000.0170
CRAWFORD LINDA O
3716 LIBERTY SQ
FORT MYERS, FL 33908

34-45-24-02-00000.0180
ENGELHARDT RUTH M
3720 LIBERTY SQUARE
FT MYERS, FL 33908

34-45-24-02-00000.0190
KINGTON DIANE D
3724 LIBERTY SQ
FORT MYERS, FL 33908

All data is current at time of printing and subject to change without notice.

34-45-24-02-00000.0200
LUCAS LEONARD J + YVONNE M
3728 LIBERTY SQUARE
FORT MYERS, FL 33908

34-45-24-02-00000.0210
NUCKOLLS HUGH P + BILLIE J
3732 LIBERTY SQ
FT MYERS, FL 33908

34-45-24-02-00000.0330
NULL JANET E
3717 LIBERTY SQ
FORT MYERS, FL 33908

34-45-24-04-00000.0010
MORAUSKI STEPHEN W + JENNESE L
3703 BLUE HERON DR
FORT MYERS, FL 33908

34-45-24-04-00000.0020
FOSTER RONALD L + JEAN M
3717 BLUE HERON DR
FORT MYERS, FL 33908

34-45-24-04-00000.0030
WABEL GLENN E + BERNADINE K
3731 BLUE HERON RD
FT MYERS, FL 33908

34-45-24-04-00000.0040
LIVINGSTON RALPH + BARBARA
3745 BLUE HERON DR
FT MYERS, FL 33908

34-45-24-04-00000.0050
WORDEN THOMAS E + CAROL L
3746 BLUE HERON CT
FT MYERS, FL 33908

34-45-24-04-00000.0060
FRIEDMAN MITCHELL J
3732 BLUE HERON DR SW
FT MYERS, FL 33908

34-45-24-04-00000.0070
KILPATRICK LAEL A
3718 BLUE HERON CT
FT MYERS, FL 33908

34-45-24-04-00000.0080
COOK DALE W + KATHRYN J
3704 BLUE HERON DR
FORT MYERS, FL 33908

34-45-24-05-00000.0010
STIGLICH JAMES TR
3705 STONERIDGE CT
FORT MYERS, FL 33908

34-45-24-05-00000.0020
MANNIX KEVIN + PEGGY ROSSI
3721 STONERIDGE CT
FT MYERS, FL 33908

34-45-24-05-00000.0030
ANDREWS CHARLES S + KIMBERLEY
3737 STONERIDGE CT
FT MYERS, FL 33908

34-45-24-05-00000.0040
SCHOLES DONALD E + ROSA N
3738 STONERIDGE CT
FT MYERS, FL 33908

34-45-24-05-00000.0050
RAWLINGS JANET L +
5671 GRILLET PL
FT MYERS, FL 33919

34-45-24-05-00000.0060
PUGH THOMAS J ETAL
3706 STONERIDGE CT
FT MYERS, FL 33908

34-45-24-15-00000.0010
HALL-HUNNICUTT FAMILY LTD PTNS
C/O CARLOS MONTEMAYOR
5 BITTERBLUE LN
SAN ANTONIO, TX 78218

34-45-24-15-00000.0020
HALL-HUNNICUTT FAMILY LTD PTNS
C/O CARLOS MONTEMAYOR
5 BITTERBLUE LN
SAN ANTONIO, TX 78218

34-45-24-15-00000.0030
SUNCOAST 15750 LLC
4253 BAY BEACH LANE #5F
FT MYERS BEACH, FL 33931

All data is current at time of printing and subject to change without notice.

34-45-24-15-00000.0040
ISPJ LLC
13181 PONDEROSA WAY
FORT MYERS, FL 33907

34-45-24-15-00000.0050
DMES PROPERTIES LLC
13181 PONDEROSA WAY
FORT MYERS, FL 33907

34-45-24-15-00000.0060
HALL-HUNNICUTT FAMILY LTD PTNS
C/O CARLOS MONTEMAYOR
5 BITTERBLUE LN
SAN ANTONIO, TX 78218

34-45-24-15-00000.0130
HTRH PARTNERSHIP
3840 BROADWAY
FT MYERS, FL 33901

34-45-24-15-00000.0150
SUMMERLIN EQUITIES LLC
1705-D2 COLONIAL BLVD
FORT MYERS, FL 33907

34-45-24-15-00000.0160
GREENBERG STEPHEN H CO-TR ETAL
C/O ROBERT C HANNON
23 STILES RD
SALEM, NH 03079

34-45-24-15-00000.0170
LBL REAL ESTATE LLC
39 BARKLEY CIR
FORT MYERS, FL 33907

34-45-24-15-00000.0180
WESTMINSTER WEST FLORIDA LLC
C/O LITCHFIELD ADVISORS INC
270 E WESTMINSTER RD STE 300
LAKE FOREST, IL 60045

34-45-24-15-00000.0200
DRAULANS NATALIE R
1345 SHEFFIELD WAY
FORT MYERS, FL 33919

03-46-24-00-00001.0000
WEINER KENNETH A TR +
4291 FULTON CIR
FT MYERS, FL 33905

03-46-24-07-000M1.0000
CENTEX HOMES
5801 PELICAN BAY BLVD STE 600
NAPLES, FL 34108

03-46-24-07-00GC1.0000
CENTEX HOMES
5801 PELICAN BAY BLVD STE 600
NAPLES, FL 34108

Jack Myatt, Chairman
Kelly Greens Community Awareness
16221 Kelly Woods Drive
Fort Myers, Fl 33908

Barbara Engla[illegible] CAM
Lexington Country Club
16257 Willowcrest Way
Fort Myers, Fl 33908

Use template for 5161®
Smooth Feed Sheets™

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

October 13, 2003

Alpha Engineering
c/o Harvey Strauss, P.E.
6315 Presidential CT. Suite C
Fort Myers, Fl 33919

Re: Agenda Schedule for Prentiss Pointe
Case No. DCI2003-00038

Dear Mr. Strauss:

Your zoning request has been scheduled before the Hearing Examiner on November 12, 2003, at 1:00 p.m. The hearing will be conducted in the Hearing Examiner Meeting Room, 1500 Monroe St., Ft. Myers, FL.

Be advised all exhibits presented to Hearing Examiner will be retained for the records. The Hearing Examiner encourages the applicant to provide reduced copies of these exhibits for the record as an alternative to a full size copy.

Your zoning sign will be ready for pickup any time after October 15, 2003, at the drive-thru window at 1500 Monroe St., Ft. Myers, FL. This sign must be posted in accordance with Department procedures no later than October 28, 2003, and is to remain posted until final decision is rendered.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Mrs. Jessica M Smith

Jessica M. Smith
Administrative Assistant

cc: Prentiss Pointe, LTD. C/O Carlton Naumann
Prentiss Pointe Ltd.
Mr. Jeff Laurien, Senior Planner
Zoning File

U:\200310\DCI20030.003\8\Applicant ltr.wpd

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 479-8585

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

October 10, 2003

Alpha Engineering
c/o Harvey Strauss, P.E.
6315 Presidential CT. Suite C
Fort Myers, Fl 33919

Re: Agenda Schedule for Prentiss Pointe
Case No. DCI2003-00038

Dear Mr. Strauss:

Your zoning request has been scheduled before the Hearing Examiner on November 12, 2003, at November 12, 2003 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 October 15, 2003, at the drive-thru window at 1500 Monroe St., Ft. Myers, FL. This sign must be posted in accordance with Department procedures no later than October 28, 2003, and is to remain posted until final decision is rendered.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

Jessica M. Smith
Administrative Assistant

cc: Prentiss Pointe, LTD. C/O Carlton Naumann
Prentiss Pointe Ltd.
Mr. Jeff Laurien, Senior Planner
Zoning File

U:\200310\DCI20030.003\8\Applicant ltr.wpd

ALPHA ENGINEERING of Lee County, Inc.

Consulting Civil Engineers–Site Development–Land Planning–Structural Engineering

6315 Presidential Court, Suite C, Ft. Myers, Fl. 33919

TELE: (941) 267-7777 FAX: (941) 267-7752

EMAIL: AlphaengHS@aol.com

LEE COUNTY LETTER OF TRANSMITTAL

TO: COMMUNITY DEVELOPMENT - ZONING DATE: 7/7/03

ATTN: Mr. Jeff E. Laurien NUMBER OF PAGES INCL COVER: ____

FROM: Harvey Strauss, P.E. RE: Prentiss Pointe
DCI 2003-00038
PDS Application (Minor PD)

WE ARE SENDING YOU THE FOLLOWING ITEMS:

____ Shop Drawings ____ CC Letter

✓ Prints ____ Reports

____ Plans

____ Other: 1. Cover Letter 2. (3) Copies of full size buffer plan 3. Letter of Authorization 4. 8½"x11" legal description 5. (3) Copies of survey w/ state plane coordinates 6. (11) copies of revised Master Concept Plan 7. Owner's statement regarding agricultural use 8. Agreement w/ Heritage Farms

THESE ARE TRANSMITTED AS CHECKED BELOW:

✓ For Approval ____ For your use

____ For Review & Comment ____ As requested

____ Other: ____

REMARKS:

RECEIVED
JUL 07 2003
MKW
COMMUNITY DEVELOPMENT

CC

SIGNED:

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution

FROM: Jeff E. Laurien

DATE: 02/03/2004

Donna Marie Collins, Asst. County Attorney
Kim Trebatoski, Environmental Sciences

PROJECT NAME: PRENTISS POINTE

CASE #: DCI2003-00038

INFORMATION SUMMARY:

To update your file
_X_ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 02/13/2004

Additional Comments:

Please review the attached plan to determine if it accurately reflects the approval by the BoCC on February 2, 2004 in accordance with LDC 34-377(b)(6)"

cc: DCI planner/working file
DCI Zone File

Distributed by: Jessica M Smith

Date: 02/03/2004

CARLTON-NAUMANN

Jeff Laurien
Lee County Zoning Dept
1500 Monroe St
Fort Myers, FL 33901

RE: Revised Prentiss Pointe site plan

Dear Jeff,

Please find attached six (6) copies of our revised site plan reflecting four units per acre or 104 total units versus the original submission of 144 units.

Please contact me at 454-1333 should you require any additional documentation.

Sincerely,

Mark Naumann

Mark Naumann

RECEIVED
FEB 03 2004
ZONING

DCI 2003-00038

PLANNERS ◦ CUSTOM BUILDERS ◦ CONSTRUCTION MANAGEMENT
17499 McGregor Boulevard ◦ Fort Myers, Florida 33908
(239) 454-1333 ◦ Fax (239) 454-3276

LEE COUNTY
RECEIVED
04 JAN 28 AM 9:00
COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY

DATE: January 27, 2004

TO: Billie Jacoby
Development Services

FROM: Ann Polito
Legal Administrative Secretary

RE: **Prentiss Pointe**
Case #DCI2003-00038
Resolution # Z-03-062

Attached please find the legal verification letter pursuant to the above-referenced zoning case. Please place this letter in the appropriate zoning case file. If you have any questions, advise.

/amp
Attachment

cc: Joan C. Henry, Assistant County Attorney

FACSIMILE

ALPHA ENGINEERING OF LEE COUNTY, INC.

6315 - C PRESIDENTIAL COURT
FORT MYERS, FLORIDA 33919
PHONE: (239) 267 - 7777
FAX: (239) 267 - 7752
EMAIL: alphaengrhs@aol.com

Date : 1-27-04

Company Name: LEE CO.

Attention : ANNE PULETO

Fax: ( ) 335-2606

Tele: ( ) 335-2236

From :
- **HARVEY STRAUSS** X
- **TIM GRAHAM**
- **PEGGY HITE**
- **DANA Di CARLO**
- **MEGAN PETERSEN**

Subject : PRENTISS POINTE

Project # : 2582-07

Pages Incl. Cover : 2

__ **Urgent** X **For Review** __ **Please Reply** __ **F.Y.I Only**

MEMO :

THIS COMMUNICATION IS CONFIDENTIAL AND INTENDED ONLY FOR ADDRESSEE. ANY DISTRIBUTION OR DUPLICATION OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU RECEIVED THIS FAX IN ERROR, PLEASE TELEPHONE US IMMEDIATELY.

ALPHA ENGINEERING

Consulting Civil Engineers • Site Development
Land Planning • Structural Engineering

January 27, 2004

Lee County
County Attorney's Office
P.O. Box 398
Fort Myers, FL 33902-0398

Attn: Donna Marie Collins

Re: Prentiss Pointe
Case # DCI 2003-00038
Resolution # Z-03-062

Dear Attorney Collins:

Your letter dated December 30th 2003, same reference, has been reviewed by me.

In particular, I have reviewed your enclosed legal description of Prentiss Pointe (Exhibit A, Page 1 of 2) and have determined that it represents the referenced project.

Therefore, I confirm that all of the property intended to be re-zoned is described accurately.

We appreciate your cooperation on this project.

Sincerely,

ALPHA ENGINEERING OF LEE COUNTY, INC.

1/27/04

Harvey Strauss, P.E.
President

Florida Registration #18799

HS/mp

2582-07 012704

CC: Mark Naumann

6315 Presidential Court • Suite C • Fort Myers, FL 33919
239/267-7777 • FAX 239/267-7752

ALPHA ENGINEERING

Consulting Civil Engineers • Site Development
Land Planning • Structural Engineering

July 7, 2003

Lee County
Dept. Of Community Development
Attn: Mr. Jeff E. Laurien
P.O. Box 398
Ft. Myers, FL 33902

Tele # (239) 479-8336
Fax # (239) 479-8313

Re: Prentiss Pointe
DCI 2003-00038 - PDS Application (Minor PD)

Dear Mr. Laurien;

This letter is in response to your comments dated June 5, 2003.

1. Request - "Please provide a full size buffer plan cited in the deed restrictions...."
   Response - A full size buffer plan is included in this submittal.

2. Request - "The applicant needs to provide staff with a Letter of Authorization on a county form from Prentiss Pointe Ltd. (Signed by Gary Howe) to agent"
   Response - A Letter of Authorization is included herein.

3. Request - "The applicant needs to provide staff with the legal on a 8.5 by 11 sheet of paper"
   Response - Please see Exhibit II - B - 1 - A included within.

4. Request - "The state plane coordinates must be displayed on two opposing corners"
   Response - The attached survey complies.

RECEIVED
JUL 07 2003
COMMUNITY DEVELOPMENT

6315 Presidential Court • Suite C • Fort Myers, FL 33919
239/267-7777 • FAX 239/267-7752

5. Request - "1.) A deviation of intersection spacing will be required for the main access point from the north and south (2) deviations.
2.) Show distance to access point south of project entrance on the west side of road"
Response - Please see revised Master Concept Plan included herein.

6. Request - "There appears to be insufficient width with the 50 foot buffer adjacent to Heritage Farms to accommodate the buffering, wall, landscaping and the existing ditch which serves the southwestern portion of Heritage Farms. Please provide a scaled and dimensional cross section for the eastern boundary of the project."
Response - The actual width of the eastern buffer is 100 feet, as indicated on the Master Concept Plan. The '50' + PROPOSED 4' HIGH BUFFER WALL' is merely a part of the 100' buffer. A scaled cross-section has been added to the Master Concept Plan.

7. Request - "Please indicate if blasting is proposed on the site...."
Response - No blasting is proposed. This is now indicated on the Master Concept Plan.

8. Request - "Statement from the owner describing type and intensity of agricultural use....."
Response - Please see statement from owner attached.

9. Request - "Easements / Right of Ways..... please indicate these on the Master Concept Plan."
Response - Please see Master Concept Plan included.

10. Request - "Please revise the Schedule of Uses on the MCP as detailed below."
Response - Please see Master Concept Plan included.

11. Request - "Please also indicate the square footage of the proposed club house"
Response - Thusly indicated on Master Concept Plan.

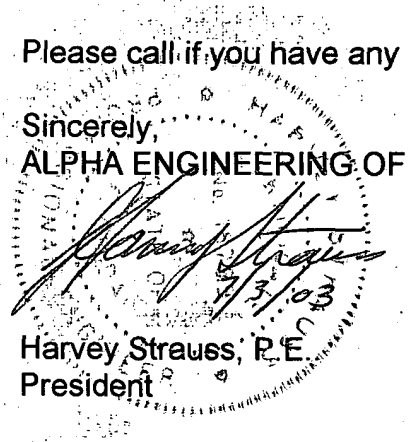
12. Request - "..... agreement was made with HERITAGE Farms to provide a specific buffer. Please submit a detailed explanation ....."
Response - Please see attached information including complete agreement and Walsh drawings.

13. Request - "Is the project to be built in phases. If so ....."
Response - The project will not be phased as now indicated on the Master Concept Plan.

RECEIVED
JUL 07 2003
COMMUNITY DEVELOPMENT

Please call if you have any questions. We appreciate your corporation in these matters.

Sincerely,
ALPHA ENGINEERING OF LEE COUNTY, INC.



Harvey Strauss, P.E.
President

Florida Registration # 18799

cc. Gary Howe c/o Carlton-Naumann
Mark Naumann

HS/ph
attachment

Job # 2582-07

RECEIVED
JUL 07 2003
COMMUNITY DEVELOPMENT

Richard H. Buck, MD
Paul W. Gonter, MD
Lowell L. Hart, MD
William N. Harwin, MD
Douglas D. Heldreth, MD
Brian K. Kim, MD
Robin Lifton, MD
Eric T. Lubiner, DO
Michael J. McCleod, DO
Mark J. Moskowitz, MD
Martin F. Nicolau, MD
Stephen V. Orman, MD
Michael G. Raymond, MD
James A. Reeves, Jr, MD
Mark S. Rubin, MD
James R. Rubinsak, MD
Phyllis A. Stephenson, MD
Scott A. Tetreault, MD

FLORIDA Cancer Specialists

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www.flcancer.com

Thomas E. Teufel, MD
Donald V. Woytowitz, Jr., MD
Vance M. Wright-Browne, MD
Brian K. Walker, MD
Susan K. Morgan, MD
Michele L. Ramirez, MD
Bonnie Bodin, ARNP
Patricia J. Ciampa-Muske, ARNP
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Joan Gibble, ARNP
Deborah Heim, ARNP
Patricia C. McLaughlin, ARNP
Barbara A. Sheskey, ARNP
Holly B. Lanier, ARNP
Annette Theis, MHSA
Chief Executive Officer

June 9, 2003

Mr. Jeff E. Laurien
Lee County Development Services Division
1500 Monrose St.
Fort Myers, FL 33901

Dear Mr. Laurien:

As we discussed, I am very concerned about the receipt of zoning application for Prentiss Pointe. Our physician group, Florida Cancer Specialists, has an office in Summerlin Office Park at 15683 New Hampshire Court, at the intersection of Summerlin and Winkler. Even at the present time, there is some difficulty with egress of cars from the development onto Winkler and often there is a large line of cars waiting to cross or turn onto Summerlin from Winkler. There are several other physician offices that are currently under construction in Summerlin Office Park, and this will only get worse. My concern is that it will be difficult for patients to get into and out of our and other physician offices in Summerlin Office Park because of the continued growth in this area. It is my opinion that it would not be prudent to grant a zoning application to Prentiss Pointe without first having some provision to widen the road at the intersection of Winkler and Summerlin, such that cars can exit and enter Summerlin Office Park and then would be able to get out of Winkler onto or across Summerlin.

Sincerely,

William N. Harwin, MD

WNH/eab

LEE COUNTY
RECEIVED
03 JUN 19 AM 11:56
COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

15681 New Hampshire Ct.
Fort Myers, FL 33908
(941) 437-4444
FAX (941) 437-5788

Administration:
12501 World Plaza Lane
World Plaza II, Bldg. 51
Fort Myers, FL 33907
(941) 274-8200 • FAX (941) 275-0611

Richard H. Buck, MD
Paul W. Gonter, MD
Lowell L. Hart, MD
William N. Harwin, MD
Douglas D. Heldreth, MD
Brian K. Kim, MD
Robin Lifton, MD
Eric T. Lubiner, DO
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Mark J. Moskowitz, MD
Martin F. Nicolau, MD
Stephen V. Orman, MD
Michael G. Raymond, MD
James A. Reeves, Jr, MD
Mark S. Rubin, MD
James R. Rubinsak, MD
Phyllis A. Stephenson, MD
Scott A. Tetreault, MD

FLORIDA
Cancer Specialists

Practice Limited to Hematology and Medical Oncology
www.flcancer.com

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****
*** TX REPORT ***
****

TRANSMISSION OK

TX/RX NO	3803
CONNECTION TEL	94543276
CONNECTION ID	
ST. TIME	11/12 09:36
USAGE T	00'38
PGS.	1
RESULT	OK

Richard H. Buck, MD
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Chief Executive Officer

June 9, 2003

Post-it® Fax Note 7671	Date 11/12	# of pages ▶ 11
To Michelle	From Jess Smith	
Co./Dept.	Co.	
Phone #	Phone #	
Fax # 454-3276	Fax #	

Mr. Jeff E. Laurien
Lee County Development Services Division
1500 Monrose St.
Fort Myers, FL 33901

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Sincerely,

03 JU
PUE
S

CARLTON-NAUMANN

July 22, 2003

TO: Mr. Josh Philpott, Lee County Zoning

FROM: Michele Gropp

RE: Prentiss Pointe Zoning Application
DCI 2003-00038

Per Mr. Harvey Strauss of Alpha Engineering please find attached two (2) sealed legal descriptions of the above mentioned property (site plan, lake, cross sections). Should you need any additional information please contact Mr. Strauss at 267-7777.

Thank You,

Michele Gropp

Michele Gropp
Administrative Assistant

DCI 2003-00038

RECEIVED
JUL 22 2003
PERMIT COUNTER

PLANNERS ○ CUSTOM BUILDERS ○ CONSTRUCTION MANAGEMENT
17499 McGregor Boulevard ◦ Fort Myers, Florida 33908
(239) 454-1333 ◦ Fax (239) 454-3276

ALPHA ENGINEERING

Consulting Civil Engineers ◦ Site Development
Land Planning ◦ Structural Engineering

September 5, 2003

Lee County
Department Of Community Development
P.O. Box 398
Fort Myers, FL 33902-0398

RECEIVED
SEP 08 2003
PERMIT COUNTER

Attention: Mr. Jeff E. Laurien, Senior Planner

Re: Prentiss Pointe
DCI 203-00038 - PDS Application (Minor PD)

Dear Mr. Laurien:

We have completed the sufficiency review process and are pleased to submit materials for Zoning review, eleven (11) copies of the following:

24"x36"	Master Concept Plan
11"x17"	Master Concept Plan
8½"x11"	Schedule of Deviations
8½"x11"	Schedule of Uses
8½"x11"	Development Parameters

Additionally, we would like to reiterate that the development will have 144 units, each having a two car garage. Additionally, there shall be 156 driveway parking spaces and 42 spaces in parking lots, for a total of 486 parking spaces.

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

Sincerely,

DCI 2003-00038

ALPHA ENGINEERING OF LEE COUNTY, INC.

9/5/03

Harvey Strauss, P.E.

FL Registration
#18799

President

HS/ng

6315 Presidential Court ◦ Suite C ◦ Fort Myers, FL 33919
239/267-7777 ◦ FAX 239/267-7752

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

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

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

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

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

DRyan@knott-law.com

Matthew D. Uhle
Aaron A. Haak
Derrick S. Eihausen
Natly Torres-Alvarado

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

MEMORANDUM

TO: Bryan Kelner

FROM: Dorothy A. Ryan, Paralegal Zoning Department

RECEIVED
NOV 0 6 2003
PERMIT COUNTER

DATE: November 5, 2003

RE: **DCI2002-00070**

Attached please find the Affidavit of Posting Notice for the above-referenced.

Should you require further information, please call Matt Uhle at our office at 239-334-2722.

ALPHA ENGINEERING

Consulting Civil Engineers • Site Development
Land Planning • Structural Engineering

August 6, 2003

RECEIVED
AUG 07 2003
PERMIT COUNTER

Lee County
Dept. Of Community Development
P.O. Box 398
Fort Myers, FL 33902-0398

Attention: Mr. Jeff E. Laurien, Senior Planner

Re: Prentiss Pointe
DCI2003-00038 - PDS Application (Minor PD)

Dear Mr. Laurien:

This response is in answer to your comments dated July 28, 2003.

6a) Legal description - The legal description has been modified and is enclosed.

11) Master Concept Plan - The Master Concept Plan has been revised in accordance with your letter and our meeting on Friday, August 1, 2003.

12d4) Uses - The schedule of uses has been removed from the MCP and is enclosed in 8 ½" x 11" format per your instructions.
The term "Coach House" has been removed and replaced with "Condominium."
Other comments in your letter have been incorporated in this submittal.

From Ms. Jean C. Henry, Assistant County Attorney e-mail:

1. Ms Henry found the form that was the correct one and informed me of same (Linda Ahern).
2. MCP has been revised.
3. Recommendation to Jeff Laurien.

We believe that, with this submittal, our sufficiency requirements have been satisfied and we can proceed with the re-zoning process.

Thank you for your cooperation.

Sincerely,

DCI2003-00038 FJO

ALPHA ENGINEERING OF LEE COUNTY, INC.

8/6/03

Harvey Strauss, P.E.
President

Florida Registration #18799

HS/ph

2582-07

6315 Presidential Court • Suite C • Fort Myers, FL 33919
239/267-7777 • FAX 239/267-7752

PRENTISS POINTE
DCI 2003-0038-PDS APPLICATION (MINOR PD)

SCHEDULE OF USES

ACCESSORY USES
DWELLING UNIT - (CONDOMINIUMS, 144 TOTAL)
ESSENTIAL SERVICE FACILITIES - GROUP I
EXCAVATION, WATER RETENTION
MODEL - UNIT
PARKING LOT - ACCESSORY - COACH HOUSE REAL ESTATE
RECREATIONAL FACILITIES - PRIVATE
CLUBHOUSE 3600 SQUARE FEET.
SWIMMING POOL
(2) TENNIS COURTS
TENNIS COURTS, CLUB HOUSE, SWIMMING POOL
SIGNAGE, IN ACCORDANCE W/ LCD
STORAGE - INDOOR ONLY
TEMPORARY REAL SALES ESTATE OFFICE (SALES TRAILER)
AMENETIES:
TENNIS COURTS - 2
POOL
CLUBHOUSE - 3,600 SQUARE FEET
GATE
SIGNAGE PER REGULATIONS

RECEIVED
AUG 0 7 2003
PERMIT COUNTER



DCI 2003-00038

PRENTISS POINTE
DCI 2003-0038-PDS APPLICATION (MINOR PD)

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DCI 2003-00038

RECEIVED
AUG 07 2003
PERMIT COUNTER

8/7/03
HARVEY STRAUSS, P.E.
FLORIDA REG. # 18799

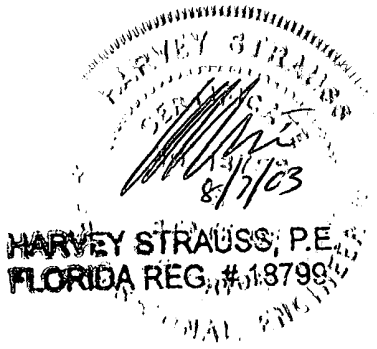
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DCI 2003-0038-PDS APPLICATION (MINOR PD)

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DCI 2003-00038

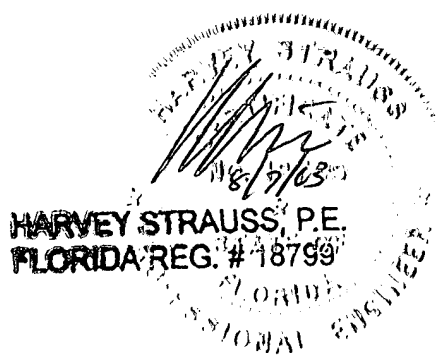


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DCI 2003-0038-PDS APPLICATION (MINOR PD)

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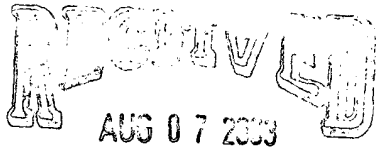
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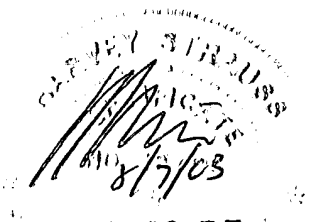
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PERMIT COUNTER



HARVEY STRAUSS, P.E.
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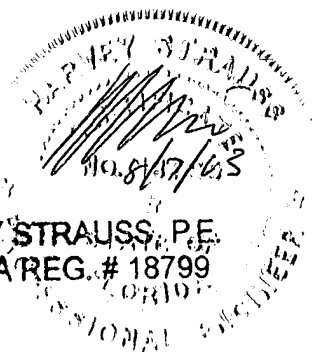
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HARVEY STRAUSS, P.E.
FLORIDA REG. # 18799

DCI 2003-00038

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution
Joan Henry, Asst. County Attorney
Josh Philpott, Zoning

FROM: Jeff E. Laurien

DATE: 07/22/2003

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: PRENTISS POINTE

CASE #: DCI2003-00038

INFORMATION SUMMARY:

RESUBMITTAL

___ To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 07/24/03

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: 07/22/2003

CARLTON-NAUMANN

July 22, 2003

TO: Mr. Josh Philpott, Lee County Zoning

FROM: Michele Gropp

RE: Prentiss Pointe Zoning Application
DCI 2003-00038

Per Mr. Harvey Strauss of Alpha Engineering please find attached two (2) sealed legal descriptions of the above mentioned property (site plan, lake, cross sections). Should you need any additional information please contact Mr. Strauss at 267-7777.

Thank You,

Michele Gropp

Michele Gropp
Administrative Assistant

DCI 2003-00038

RECEIVED
JUL 22 2003
PERMIT COUNTER

PLANNERS • CUSTOM BUILDERS • CONSTRUCTION MANAGEMENT
17499 McGregor Boulevard • Fort Myers, Florida 33908
(239) 454-1333 • Fax (239) 454-3276

ALPHA ENGINEERING of Lee County, Inc.

Consulting Civil Engineers–Site Development–Land Planning–Structural Engineering

6315 Presidential Court, Suite C, Ft. Myers, Fl. 33919

TELE: (941) 267-7777 FAX: (941) 267-7752

EMAIL: AlphaengHS@aol.com

LETTER OF TRANSMITTAL

TO: Josh Philpott DATE: 7-14-03

ATTN: _____ NUMBER OF PAGES INCL COVER: 3

FROM: Harvey Strauss RE: Prentiss Pointe

DCI 2003-00038

WE ARE SENDING YOU THE FOLLOWING ITEMS:

_____ Shop Drawings _____ CC Letter

_____ Prints _____ Reports

_____ Plans

_____ Other: ① Original Affidavit For Public Hearing

② Copy of Legal Description

THESE ARE TRANSMITTED AS CHECKED BELOW:

_____ For Approval _____ For your use

_____ For Review & Comment ✓ As requested

_____ Other: _____

REMARKS:

RECEIVED

JUL 14 2003

COMMUNITY DEVELOPMENT

DCI 2003-00038

CC

SIGNED:

LEGAL DESCRIPTION:

LEGAL DESCRIPTION: IN SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA:

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST (SW 1/4) OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, AS DESCRIBED AS FOLLOWS:

COMMENCING AT THE FOUND CONCRETE MONUMENT MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 34; THENCE N01°01'48"W ALONG THE EAST LINE OF SAID FRACTION OF A SECTION FOR 346.56 FEET TO THE POINT OF BEGINNING; THENCE S88°39'16"W FOR 1,235.83 FEET TO THE EASTERLY LINE OF WINKLER (100 FEET WIDE); THENCE N06°55'41"E ALONG SAID EAST LINE FOR 577.50 FEET TO POINT OF CURVATURE; THENCE 407.00 FEET ALONG SAID EASTERLY LINE ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 2,914.90 FEET AND SUBTENDED BY A CHORD HAVING A LENGTH OF 406.67 FEET AND BEARING N02°55'51"E TO A POINT ON A CURVE INTERSECTING THE SAID EASTERLY LINE AND NORTH LINE OF SAID FRACTION OF A SECTION; THENCE N88°45'17"E ALONG SAID NORTH LINE FOR 1,127.79 FEET TO A FOUND CONCRETE MONUMENT MARKING THE NORTHEAST CORNER OF SAID FRACTION OF A SECTION; THENCE S01°01'48"E ALONG SAID EAST LINE OF 975.07 FEET TO THE POINT OF BEGINNING.
PARCEL CONTAINS 26.25 ACRES MORE OR LESS.

CERTIFIED TO:

PRENTISS POINTE, LTD.
ATTORNEYS' TITLE INSURANCE FUND, INC.
WACHOVIA BANK, NATIONAL ASSOCIATION
PAVESE, HAVERFIELD, DALTON, HARRISON & JENSEN, L.L.P.
LEE COUNTY

RECEIVED
JUL 14 2003
COMMUNITY DEVELOPMENT

DCI 2003-00038

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, * GARY L. HOWE as MANAGING MEMBER of PRENTISS POINTE, LTD, 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.

PRENTISS POINTE, LTD.
Name of Entity (corporation, partnership, LLP, LC, etc)

Gary L. Howe
Signature

GARY L. HOWE
(Type or printed name)

Managing Member
(title of signatory)

RECEIVED
JUL 14 2003
COMMUNITY DEVELOPMENT

Peggy A Hite
My Commission DD174590
Expires December 29, 2006

STATE OF FLORIDA
COUNTY OF LEE
The foregoing instrument was sworn to (or affirmed) and subscribed before me this July 14, 2003 (date) by GARY L. HOWE (name of person ~~providing~~ taking oath or affirmation), who is personally known to me or who has produced FLORIDA DRIVERS LIC. (type of identification) as identification.

Signature of person ~~taking~~ providing oath or affirmation

Peggy A. Hite
Name typed, printed or stamped

Notary
Title or rank

DD174590
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 the they must include their title of "trustee."*

DCI 2003-00038

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution
Joan Henry, Asst. County Attorney
Josh Philpott, Zoning

FROM: Jeff E. Laurien

DATE: 07/14/2003

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: PRENTISS POINTE

CASE #: DCI2003-00038

INFORMATION SUMMARY:

RESUBMITTAL

___ To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 07/21/2003

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Billie Jacoby

Date: 07/15/2003

ALPHA ENGINEERING of Lee County, Inc.

Consulting Civil Engineers–Site Development–Land Planning–Structural Engineering

6315 Presidential Court, Suite C, Ft. Myers, Fl. 33919

TELE: (941) 267-7777 FAX: (941) 267-7752

EMAIL: AlphaengHS@aol.com

LETTER OF TRANSMITTAL

TO: Josh Philpott

DATE: 7-14-03

ATTN: _____

NUMBER OF PAGES INCL COVER: 3

FROM: Harvey Strauss

RE: Prentiss Pointe

DCI 2003-00038

WE ARE SENDING YOU THE FOLLOWING ITEMS:

_____ Shop Drawings

_____ Prints

_____ Plans

_____ CC Letter

_____ Reports

_____ Other: ① Original Affidavit For Public Hearing

② Copy of Legal Description

THESE ARE TRANSMITTED AS CHECKED BELOW:

_____ For Approval

_____ For Review & Comment

_____ Other: _____

_____ For your use

✓ As requested

REMARKS:

RECEIVED

JUL 14 2003

COMMUNITY DEVELOPMENT

DCI 2003-00038

CC

SIGNED:

LEGAL DESCRIPTION:

LEGAL DESCRIPTION: IN SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA:

A PARCEL OF LAND LYING IN THE SOUTHEAST QUARTER (SE 1/4) OF THE SOUTHWEST (SW 1/4) OF SECTION 34, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, AS DESCRIBED AS FOLLOWS:

COMMENCING AT THE FOUND CONCRETE MONUMENT MARKING THE SOUTH QUARTER CORNER OF SAID SECTION 34; THENCE N01°01'48"W ALONG THE EAST LINE OF SAID FRACTION OF A SECTION FOR 346.56 FEET TO THE POINT OF BEGINNING; THENCE S88°39'16"W FOR 1,235.83 FEET TO THE EASTERLY LINE OF WINKLER (100 FEET WIDE); THENCE N06°55'41"E ALONG SAID EAST LINE FOR 577.50 FEET TO POINT OF CURVATURE; THENCE 407.00 FEET ALONG SAID EASTERLY LINE ALONG THE ARC OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 2,914.90 FEET AND SUBTENDED BY A CHORD HAVING A LENGTH OF 406.67 FEET AND BEARING N02°55'51"E TO A POINT ON A CURVE INTERSECTING THE SAID EASTERLY LINE AND NORTH LINE OF SAID FRACTION OF A SECTION; THENCE N88°45'17"E ALONG SAID NORTH LINE FOR 1,127.79 FEET TO A FOUND CONCRETE MONUMENT MARKING THE NORTHEAST CORNER OF SAID FRACTION OF A SECTION; THENCE S01°01'48"E ALONG SAID EAST LINE OF 975.07 FEET TO THE POINT OF BEGINNING.
PARCEL CONTAINS 26.25 ACRES MORE OR LESS.

CERTIFIED TO:

PRENTISS POINTE, LTD.
ATTORNEYS' TITLE INSURANCE FUND, INC.
WACHOVIA BANK, NATIONAL ASSOCIATION
PAVESE, HAVERFIELD, DALTON, HARRISON & JENSEN, L.L.P.
LEE COUNTY

RECEIVED
JUL 14 2003
COMMUNITY DEVELOPMENT

DCI 2003-00038

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, * GARY L. HOWE as MANAGING MEMBER
of PRENTISS POINTE, LTD, 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.

PRENTISS POINTE, LTD.
Name of Entity (corporation, partnership, LLP, LC, etc)

Gary L. Howe
Signature

GARY L. HOWE
(Type or printed name)

Managing Member
(title of signatory)

RECEIVED
JUL 14 2003
COMMUNITY DEVELOPMENT

Peggy A Hite
My Commission DD174590
Expires December 29, 2006

STATE OF FLORIDA
COUNTY OF LEE
The foregoing instrument was sworn to (or affirmed) and subscribed before me this July 14, 2003 (date) by GARY L. HOWE (name of person ~~providing~~ taking oath or affirmation), who is personally known to me or who has produced FLORIDA DRIVERS LIC. (type of identification) as identification.

Signature of person ~~taking~~ providing oath or affirmation

Peggy A. Hite
Name typed, printed or stamped

Notary
Title or rank

DD174590
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 the they must include their title of "trustee."*

DCI 2003-00038

ZONING DIVISION

LEE COUNTY

PLANNED DEVELOPMENT SUFFICIENCY REVIEW

TRANSMITTAL SHEET

TO: Distribution
Joan Henry, Asst. County Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources
Jerry Murphy, Zoning

FROM: Jeff E. Laurien

DATE: 05/15/2003

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: PRENTISS POINTE

CASE #: DCI2003-00038

INFORMATION SUMMARY:

NEW SUBMITTAL

___ To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 05/29/2003

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Jessica M Smith

Date: 05/19/2003

ZONING DIVISION

LEE COUNTY

PLANNED DEVELOPMENT SUFFICIENCY REVIEW

TRANSMITTAL SHEET

TO: Distribution
Joan Henry. Asst. County Attorney

DS Reviewer - Don Blackburn

Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT

Roland Ottolini, Natural Resources
Jerry Murphy, Zoning

FROM: Jeff E. Laurien

DATE: 08/07/2003

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: PRENTISS POINTE

CASE #: DCI2003-00038

INFORMATION SUMMARY:

RESUBMITTAL

___ To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 08/21/2003

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Jessica M Smith

Date: 08/07/2003

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution
Joan Henry, Asst. County Attorney

DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT

Roland Ottolini, Natural Resources
Jerry Murphy, Zoning

FROM: Jeff E. Laurien

DATE: 09/08/2003

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: PRENTISS POINTE

CASE #: DCI2003-00038

INFORMATION SUMMARY:

RESUBMITTAL

___ To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 09/22/2003

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Becky Tatlock

Date: 09/09/2003

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
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District Two

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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

Writer's Direct Dial Number: 239-479-8336

August 22, 2003

HARVEY STRAUSS
ALPHA ENGINEERING OF LEE CTY,
6315 PRESIDENTIAL CT
#C
FORT MYERS, FL 33919

Re: PRENTISS POINTE
DCI2003-00038 - PDS Application (Minor PD)

Dear HARVEY STRAUSS :

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

cc: Pamela Houck, Division Director
Paul O'Connor, Planning
Joan Henry, Assistant County Attorney
Kim Trebatoski, Environmental Sciences
Roland Ottolini, Natural Resources
Andy Getch, LCDOT
Billie Jacoby, DCD Admin
Don Blackburn, Development Review
DCI Zoning File
DCI Working File

Legal Requirements Sufficiency Checklist

7) Miscellaneous Items.

Sufficiency or non-applicability of legal requirements subject to change upon review of subsequent resubmittals.

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)]

Please revise the Schedule of Uses and Schedule of Development Parameters on the MCP as detailed 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.]

Please revise the Schedule of Uses. Per previous insufficiency letters, please provide an exhaustive schedule of uses using the terminology within the Land Development Code (LDC). For example, it seems appropriate to request essential services. Also, the use of "Coach Home" is not defined in the LDC. Please use LDC terminolgy, i.e. dwelling unit, multiple-family if this is what is intended. Please see the attached Schedule of Uses as revised by staff to assist you in completing the schedule of uses to be requested by the applicant.

Also, please enhance the schedule of development parameters, and submit on a seperate 8.5" x 11" piece of paper as well as on the MCP the following information: minimum setbacks (street, rear, side, and waterbody for primary and accessory buildings), minimum lot dimensions (size, area per unit, width, and depth), maximum lot coverage (percent of total area), and perimeter setbacks for primary and accessory buildings and waterbodies. Please refer to LDC34-715 for a sample of this information for multiple-family districts (attached). Providing this information in chart form would be very helpfull. Staff understands that the property is to be one parcel with condominimum ownership. However, should this change, it is benefitial for the applicant to include all this information. Without this information, any change from a single condominium parcel would require amendments through a public hearing process. This information provides the applicant with flexibility in revising the type of ownership and lots available (per parameters provided) without proceeding through the public hearing process.

If you have any questions, please contact the planner for clarification prior to the next sufficiency submittal.

20) Contact. The Zoning Planner may be contacted regarding any questions on the Planned Development Sufficiency Checklist.

If you desire, the planner would be happy to meet with you to clarify this letter.

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUBSTANTIVE REVIEW
TRANSMITTAL SHEET

TO: Distribution
Joan Henry, Asst. County Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Roland Ottolini, Natural Resources
Jerry Murphy, Zoning

FROM: Jeff E. Laurien

DATE: 09/11/2003

PROJECT NAME: PRENTISS POINTE

CASE #: DCI2003-00038

INFORMATION SUMMARY:

___ To update your file
_X_ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 09/19/2003

Additional Comments:
sufficiency letter distribution

cc: DCI planner/working file
DCI Zone File

Distributed by: Billie Jacoby

Date: 09/11/2003

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Bob Janes
District One

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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

Writer's Direct Dial Number: 239-479-8336

September 11, 2003

HARVEY STRAUSS
ALPHA ENGINEERING OF LEE CTY,
6315 PRESIDENTIAL CT
#C
FORT MYERS, FL 33919

Re: PRENTISS POINTE
DCI2003-00038 - PDS Application (Minor PD)

Dear HARVEY STRAUSS :

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:

> To rezone the subject 26.25+/- acre property from Commercial Planned Development (CPD) to Residential Planned Development to permit multi-family units (coach house condominimums) for a total of 144 units. Maximum height of buildings is to be thirty-five feet (35'). No blasting is proposed on-site.
>
> 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 September 25, 2003 whether or not this wording is satisfactory. Staff's substantive comments, along with the staff report, are being prepared. This request has been tentatively scheduled for public hearing before the Lee County Hearing Examiner on November 12, 2003. However, please note that this is a tentative date that is subject to change and that Lee County will be held harmless for any potential delay in effectuating compliance with the tentative hearing date.

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
Pamela Houck, Division Director
Joan Henry, Assistant County Attorney
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Roland Ottolini, Natural Resources
Andy Getch, LCDOT
Stephanie Keyes, Lee County School District
Billie Jacoby, DCD Admin
DCI Zoning File
DCI Working File

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yeager
County Attorney

Diana M. Parker
County Hearing Examiner

Writer's Direct Dial Number: 239-479-8336

July 28, 2003

HARVEY STRAUSS
ALPHA ENGINEERING OF LEE CTY,
6315 PRESIDENTIAL CT
#C
FORT MYERS, FL 33919

Re: PRENTISS POINTE
DCI2003-00038 - PDS Application (Minor PD)

Dear HARVEY STRAUSS :

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

cc: Pamela Houck, Division Director
Paul O'Connor, Planning
Joan Henry, Assistant County Attorney
Kim Trebatoski, Environmental Sciences
Roland Ottolini, Natural Resources
Andy Getch, LCDOT
Billie Jacoby, DCD Admin
Don Blackburn, Development Review
DCI Zoning File
DCI Working File

Legal Requirements Sufficiency Checklist

6a) Legal description. The request must include a legal description of the property upon which the action is to be initiated. [34-202(a)(1)]

The applicant needs to provide staff with the a corrected legal description on a 8.5 by 11sheet of paper. Error between suvey and legal description on the first call.

7) Miscellaneous Items.

Sufficiency or non-applicability of legal requirements subject to change upon review of subsequent resubmittals.

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)]

Please revise the Schedule of Uses and Schedule of Development Parameters on the MCP as detailed 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.]

Please remove the schedule of uses from the MCP and revise the schedule as follows. Per the previous insufficiency letter, please provide an exhaustive schedule of uses using the terminology within the Land Development Code (LDC). For example, it seems appropriate to request essential services. Also, the use of "Coach Home" is not defined in the LDC. Please use LDC terminolgy, i.e. dwelling unit, multiple-family if this is what is intended. Also, for clarification and avoidance of issues in the future (i.e during d.o.) staff suggests the following changes to the most recently submitted schedule of uses: request accessory uses but with no specifics listed (remove fences, walls, entrance gates and request these separately as their own individual use so as not to limit accessory uses to these only). Correct the dwelling use request as noted above with LDC terminology for "coach houses". Remove the list of essential service facilities, group I listed under this heading to avoid limiting these uses to only those listed. These uses do not need to be listed separately, they are contained under essential service facilities, group I. Please explain the requested use: "sales - tennis courts, club house, swimming pool". Please contact the planner if you have any questions prior to submitting another sufficiency repsonse package.

Also, please enhance the schedule of development parameters, and maintain this information on the MCP with: minimum setbacks (street, rear, side, and waterbody for primary and accessory buildings), minimum lot dimensions (size, area per unit, width, and depth) and maximum lot coverage (percent of total area). Please refer to LDC34-715 for a sample of this information for multiple-family districts. Please remove 8. "fountains", and 12. "Amenities" from the schedule of development parameters.

20) Contact. The Zoning Planner may be contacted regarding any questions on the Planned Development Sufficiency Checklist.

21) Miscellaneous Items.

Please also refer to the attached email from Joan Henry of the County Attorney's office.

From: Joan Henry
To: Laurien, Jeff
Date: 7/11/03 11:04AM
Subject: Prentiss Pointe DCI2003-00038

Hi Jeff,

Regarding the resubmittal of this package, I offer the following:

1. The signature authorization form submitted is not one used by the county for zoning. The form submitted appears to be used by code enforcement for contractor licensing.

2. The MCP does not comply with the provisions of 34-373 (a) (6).

3. Based on the agent's letter regarding the discontinuance of ag uses, I recommend you include a condition in your recommendation that there are no existing ag uses and that agricultural uses are not a permitted use.

Please let me know if you have any questions.

Joan C. Henry
Assistant County Attorney
Lee County Attorney's Office
jhenry@leegov.com
Phone: (239) 335-2236
FAX: (239) 335-2606

CC: Houck, Pam

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

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

Writer's Direct Dial Number: 239-479-8336

June 5, 2003

GARY L. HOWE
PRENTISS POINTE, LTD.
7000 QUAIL LAKES DR
HOLLAND, OH 43528

Re: PRENTISS POINTE
DCI2003-00038 - PDS Application (Minor PD)

Dear GARY L. HOWE :

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

cc: Pamela Houck, Division Director
Paul O'Connor, Planning
Joan Henry, Assistant County Attorney
Kim Trebatoski, Environmental Sciences
Roland Ottolini, Natural Resources
Andy Getch, LCDOT
Billie Jacoby, DCD Admin
Don Blackburn, Development Review
DCI Zoning File
DCI Working File

Environmental Sciences Planned Development Sufficiency Checklist

9) Buffers. The minimum width and composition of all proposed buffers along the perimeter of the subject property, as well as between the individual uses, if the types of proposed uses requires buffer separations. References to types of buffers as described in chapter 10 are acceptable. [34-373(a)(6)g.]

Please provide a full size buffer plan cited in the deed restrictions as "The RS Walsh Landscaping, Inc Plan dated 2.25.03 attached as Exhibit B" The reduced copy is not legible.

13) Contact. The Environmental Planner may be contacted regarding any question on the Environmental Sciences Sufficiency Checklist.

Kim Trebatoski, Principal Environmental Planner
#239-479-8183

Legal Requirements Sufficiency Checklist

1a1) If the owner(s) has authorized an agent to prepare and sign the application and to represent him in all matters pertaining to the application, the agent must provide a document establishing his authority which has been signed by the owner and notarized by a notary public. [34-202(b)(1)b.]

The applicant needs to provide staff with ta Letter of Authorization on a county form from Prentiss Pointe Ltd (signed by Gary Howe) to agent.

5) Applications must be presented on the official forms provided by the department, or on county-approved computer-generated forms containing the same information. [34-201(b)(2)]

The applicant needs to provide staff with ta Letter of Authorization on a county form from Prentiss Pointe Ltd (signed by Gary Howe) to agent.

6) All applications requiring a public hearing must include the following: [34-202(a)]

6a) Legal description. The request must include a legal description of the property upon which the action is to be initiated. [34-202(a)(1)]

The applicant needs to provide staff with the legal on a 8.5 by 11sheet of paper.

6c) Boundary Survey. A boundary survey meeting the minimum technical standards for land surveying in the state, as set out in chapter 61G 17-6, FAC, is required for property encompassing 10 or more acres and for all Planned Development applications. [34-202(a)(2)]

The state plane coordinates must be displayed on two opposing corners.

7) Miscellaneous Items.

Sufficiency or non-applicability of legal requirements subject to change upon review of subsequent resubmittals.

LCDOT Sufficiency Checklist

1) Sufficiency Comments.

1.) A deviation of intersection separation spacing will be required for the main access point, from the north and south (2) deviations.
2.) Show distance to access point south of project entrance on the west side of the road.

2) The LCDOT reviewer may be contacted regarding any questions on the LCDOT Checklist.

Michael Tisch at 479-8580.

Natural Resources Sufficiency Checklist

1) Sufficiency Comments.

There appears to insufficient width with the 50 foot buffer adjacent to Heritage Farms to accomdate the buffering, wall, landscaping, and the existing ditch which serves the southwestern portion of Heritage Farms. Please provide a scaled and diminsioned cross section for the eastern boundary of the project.

2) The Natural Resources reviewer may be contacted regarding any questions on the Natural Resources Checklist.

Lee County Sufficiency Checklist for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning

6n) If blasting is proposed, the application must show location of the blasting and demonstrate what measures will be used to ameliorate any negative impacts. This must include soil borings, drawings showing the location(s) of the blasting, and any other information deemed necessary to allow compatibility analysis. {34-202(b)(6)]

Please indicate if blasting is proposed on the site, and if so, submit this information.

6o) Statement from the owner describing the type and intensity of agricultural use existing on the site on the date of application. The statement must include acreage figures for each use and an exhibit showing the location of the uses on a copy of the boundary sketch. The exhibit must be titled "Agricultural Uses at time of Zoning Application." {34-202(b)(7)]

Please submit this information.

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. [34-373(a)(4)a.]

Please identify these on the Master Concept Plan. If there are none, please state as such.

11) Master Concept Plan. All applications must be accompanied by a graphic illustration (Master Concept Plan) of the proposed development. [34-373(a)(6)]

Please revise the Schedule of Uses on the MCP as detailed 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.]

Please provide an exhaustive Schedule of Uses using the terminology within the Land Development Code. For example, it seems appropriate to request: accessory uses and structures; essential services; and essential service facilities, group I; etc. Also, "coach homes", what type of dwelling unit is this using the terminology of the LDC? Please request the appropriate recreational facilities per the LDC terminology (i.e. recreational facilities: private on-site). Finally, "sales trailer" with associated parking. Is this meant to be a real estate sales office? If so, please request that rather than a sales trailer. real estate sales office can be a temporary structure meeting all necessary codes. Please clarify this in detail as to what is intended. Thank you.

Please also indicate the square footage of the proposed club house.

12j) Buffers. The minimum width and composition of all proposed buffers along the perimeter of the subject property, as well as between the individual uses, if the types of proposed uses requires buffer separations. References to types of buffers as described in chapter 10 are acceptable. [34-373(a)(6)i.]

The application indicates that an agreement was made with Heritage Farms to provide a specific buffer on the east portion of the subject site. Some of this is depicted on the MCP. Please submit a detailed explanation of this agreement clearly outlining all aspects of the buffering including types, number, and spacing etc. of all vegetation and type and height of any walls and/or berms. Thank you.

16c) Phasing Program Description. If the development is to be constructed in phases or if the Traffic Impact Statement utilizes phasing, then a description of the phasing program must be submitted. [34-373(b)(3)]

Is the project to be built in phases? If so, please clearly indicate the phasing plan in writing and graphically on the MCP.

20) Contact. The Zoning Planner may be contacted regarding any questions on the Planned Development Sufficiency Checklist.

LEE COUNTY
SOUTHWEST FLORIDA

COURTESY NOTICE
OF RECEIPT OF ZONING APPLICATION

Date:	May 20, 2003
Case Number:	DCI2003-00038
Case Name:	PRENTISS POINTE
Request:	To rezone the subject 26.25+/- acre property from Commercial Planned Development (CPD) to Residential Planned Development to permit townhouses/coachhouses for a total of 144 units. Maximum height of buildings is to be thirty-five feet (35'). No blasting is proposed on-site.
Location:	15841 Winkler Road (Lee County South with Winkler Road along west property line and Granite Court along north property line)
Location Map:	SEE REVERSE
PROPERTY OWNER'S REPRESENTATIVE:	GARY L HOWE PRENTISS POINTE, LTD. 239-395-1337
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.

JSS

34-45-24-00-00010.0000
SUNBELT EQUITIES II
1496 BASS CIR
FT MYERS, FL 33919

34-45-24-00-00002.0070
HEP 7 WINK LC
C/O HALVORSEN HOLDINGS
33 SE 4TH ST STE 100
BOCA RATON, FL 33432

34-45-24-00-00002.0100
FLORIDA GULF BANK
P O BOX 2939
FORT MYERS, FL 33902

34-45-24-00-00002.0110
PUBLIX SUPER MARKETS INC
%EXPENSE PAYABLES LEASE TEAM
P O BOX 32025
LAKELAND, FL 33802

34-45-24-00-00008.0100
SCOTT H NEAL + MARVINE M
3700 HYDE PARK CT
FT MYERS, FL 33908

34-45-24-00-00008.010A
TORTEROTOT VIVECA
C/O LOUISA W MONEIM
URB ROCIO DE NAGUELES P107110
VILLA LOUZA NO 6
29600 MARBELLA MALAGA,
SPAIN

34-45-24-00-00008.010B
RITCHIE SCOTT A + WENDY A
3695 HYDE PARK CT
FT MYERS, FL 33908

34-45-24-00-00008.010C
MROZ LARRY + GAY
3694 HYDE PARK CT
FT MYERS, FL 33908

34-45-24-00-00008.010D
DOCKERTY MARLENE
3690 HYDE PARK COURT
FT MYERS, FL 33908

34-45-24-00-00008.010E
MCELREE JANE BOUS
3699 HYDE PARK CT
FT MYERS, FL 33908

34-45-24-00-00008.0130
FRANKLIN MARGITTA TR
15970 CINDY CT
FORT MYERS, FL 33908

34-45-24-00-00008.013A
SHEELEY MICHAEL K + JOLENE B
15960 CINDY CT
FT MYERS, FL 33908

34-45-24-00-00010.0020
FLORIDA POWER + LIGHT CO
ATTN PROPERTY TAX DEPT JLM
PO BOX 14000
JUNO BEACH, FL 33408

34-45-24-00-00010.0030
BUNDSCHU CHARLES C JR +
P O BOX 7326
FT MYERS, FL 33911

34-45-24-00-00010.0040
IONA MCGREGOR FIRE PROTECTION
+ RESCUE SERVICE
15961 WINKLER RD
FT MYERS, FL 33908

34-45-24-00-00011.0000
BIGGAR GORDON M TR
6050 SW 116TH ST
MIAMI, FL 33156

34-45-24-02-00000.0160
HOLMES JOSEPH J JR + PAULA P
3694 LIBERTY SQUARE
FT MYERS, FL 33908

34-45-24-02-00000.0170
CRAWFORD LINDA O
3716 LIBERTY SQ
FORT MYERS, FL 33908

34-45-24-02-00000.0180
ENGELHARDT RUTH M
3720 LIBERTY SQUARE
FT MYERS, FL 33908

34-45-24-02-00000.0190
KINGTON DIANE D
3724 LIBERTY SQ
FORT MYERS, FL 33908

All data is current at time of printing and subject to change without notice.

34-45-24-02-00000.0200
LUCAS LEONARD J + YVONNE M
3728 LIBERTY SQUARE
FORT MYERS, FL 33908

34-45-24-02-00000.0210
NUCKOLLS HUGH P + BILLIE J
3732 LIBERTY SQ
FT MYERS, FL 33908

34-45-24-02-00000.0330
NULL JANET E
3717 LIBERTY SQ
FORT MYERS, FL 33908

34-45-24-04-00000.0010
MORAUSKI STEPHEN W + JENNESE L
3703 BLUE HERON DR
FORT MYERS, FL 33908

34-45-24-04-00000.0020
FOSTER RONALD L + JEAN M
3717 BLUE HERON DR
FORT MYERS, FL 33908

34-45-24-04-00000.0030
WABEL GLENN E + BERNADINE K
3731 BLUE HERON RD
FT MYERS, FL 33908

34-45-24-04-00000.0040
LIVINGSTON RALPH + BARBARA
3745 BLUE HERON DR
FT MYERS, FL 33908

34-45-24-04-00000.0050
WORDEN THOMAS E + CAROL L
3746 BLUE HERON CT
FT MYERS, FL 33908

34-45-24-04-00000.0060
FRIEDMAN MITCHELL J
3732 BLUE HERON DR SW
FT MYERS, FL 33908

34-45-24-04-00000.0070
KILPATRICK LAEL A
3718 BLUE HERON CT
FT MYERS, FL 33908

34-45-24-04-00000.0080
COOK DALE W + KATHRYN J
3704 BLUE HERON DR
FORT MYERS, FL 33908

34-45-24-05-00000.0010
STIGLICH JAMES TR
3705 STONERIDGE CT
FORT MYERS, FL 33908

34-45-24-05-00000.0020
MANNIX KEVIN + PEGGY ROSSI
3721 STONERIDGE CT
FT MYERS, FL 33908

34-45-24-05-00000.0030
ANDREWS CHARLES S + KIMBERLEY
3737 STONERIDGE CT
FT MYERS, FL 33908

34-45-24-05-00000.0040
SCHOLES DONALD E + ROSA N
3738 STONERIDGE CT
FT MYERS, FL 33908

34-45-24-05-00000.0050
RAWLINGS JANET L +
5671 GRILLET PL
FT MYERS, FL 33919

34-45-24-05-00000.0060
PUGH THOMAS J ETAL
3706 STONERIDGE CT
FT MYERS, FL 33908

34-45-24-15-00000.0010
HALL-HUNNICUTT FAMILY LTD PTNS
C/O CARLOS MONTEMAYOR
5 BITTERBLUE LN
SAN ANTONIO, TX 78218

34-45-24-15-00000.0020
HALL-HUNNICUTT FAMILY LTD PTNS
C/O CARLOS MONTEMAYOR
5 BITTERBLUE LN
SAN ANTONIO, TX 78218

34-45-24-15-00000.0030
SUNCOAST 15750 LLC
4253 BAY BEACH LANE #5F
FT MYERS BEACH, FL 33931

All data is current at time of printing and subject to change without notice.

34-45-24-15-00000.0040
ISPJ LLC
13181 PONDEROSA WAY
FORT MYERS, FL 33907

34-45-24-15-00000.0050
DMES PROPERTIES LLC
13181 PONDEROSA WAY
FORT MYERS, FL 33907

34-45-24-15-00000.0060
HALL-HUNNICUTT FAMILY LTD PTNS
C/O CARLOS MONTEMAYOR
5 BITTERBLUE LN
SAN ANTONIO, TX 78218

34-45-24-15-00000.0130
HTRH PARTNERSHIP
3840 BROADWAY
FT MYERS, FL 33901

34-45-24-15-00000.0150
SUMMERLIN EQUITIES LLC
1705-D2 COLONIAL BLVD
FORT MYERS, FL 33907

34-45-24-15-00000.0160
GREENBERG STEPHEN H CO-TR ETAL
C/O ROBERT C HANNON
23 STILES RD
SALEM, NH 03079

34-45-24-15-00000.0170
LBL REAL ESTATE LLC
39 BARKLEY CIR
FORT MYERS, FL 33907

34-45-24-15-00000.0180
WESTMINSTER WEST FLORIDA LLC
C/O LITCHFIELD ADVISORS INC
270 E WESTMINSTER RD STE 300
LAKE FOREST, IL 60045

34-45-24-15-00000.0200
DRAULANS NATALIE R
1345 SHEFFIELD WAY
FORT MYERS, FL 33919

03-46-24-00-00001.0000
WEINER KENNETH A TR +
4291 FULTON CIR
FT MYERS, FL 33905

03-46-24-07-000M1.0000
CENTEX HOMES
5801 PELICAN BAY BLVD STE 600
NAPLES, FL 34108

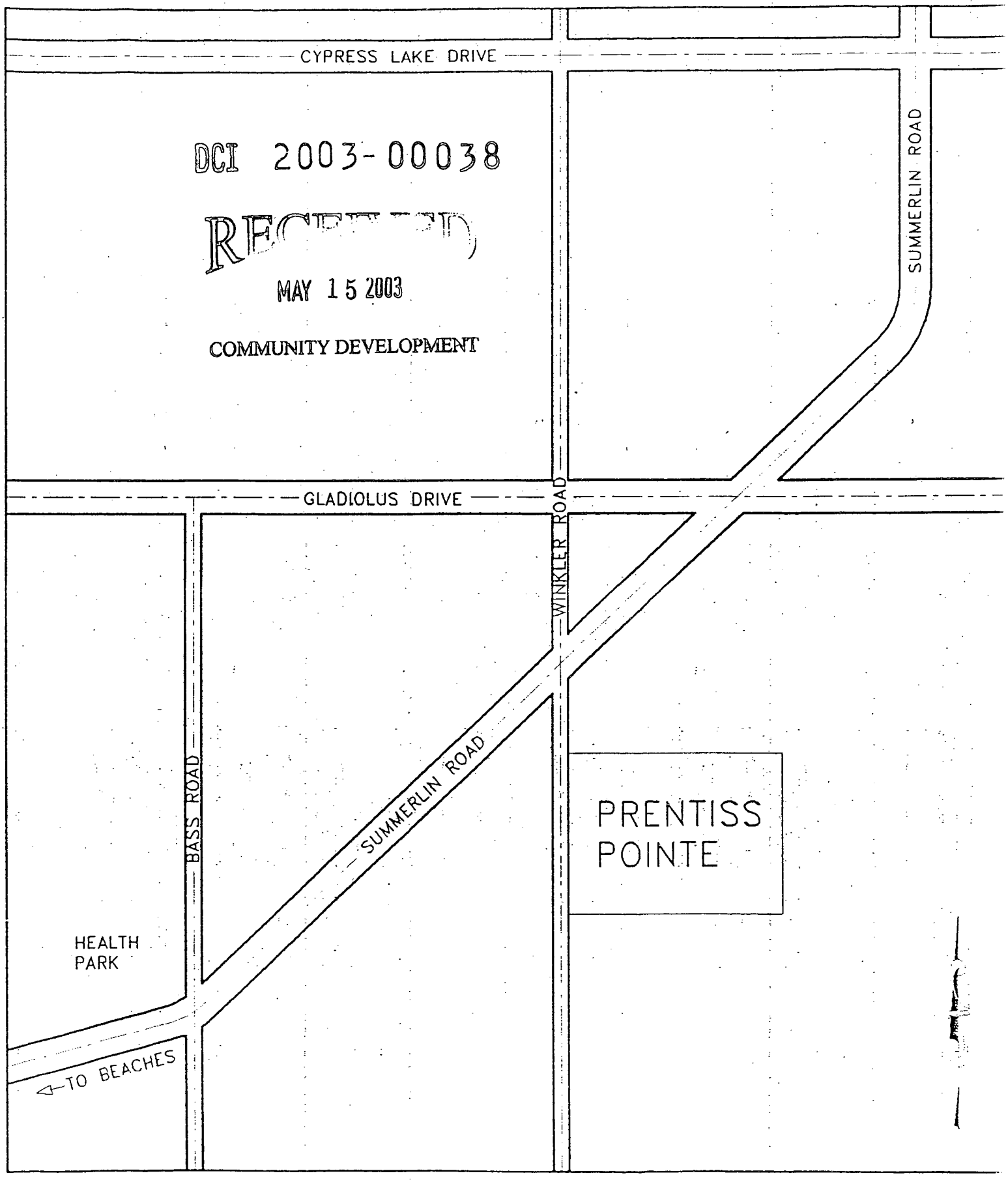
03-46-24-07-00GC1.0000
CENTEX HOMES
5801 PELICAN BAY BLVD STE 600
NAPLES, FL 34108

Jack Myatt, Chairman *Iona McGregor
Kelly Greens Community Awareness Committee
16221 Kelly Woods Drive
Fort Myers, FL 33908

Barbara England, CAM *Iona McGregor
Lexington Country Club
16257 Willowcrest Way
Fort Myers, FL 33908

All data is current at time of printing and subject to change without notice.

EXHIBIT II-D-2



DCI 2003-00038

RECEIVED

MAY 15 2003

COMMUNITY DEVELOPMENT

PRENTISS POINTE LOCATION MAP

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution
Joan Henry, Asst. County Attorney
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Roland Ottolini, Natural Resources
Jerry Murphy, Zoning

FROM: Jeff E. Laurien

DATE: 07/07/2003

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: PRENTISS POINTE

CASE #: DCI2003-00038

INFORMATION SUMMARY:

RESUBMITTAL

___ To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 07/21/2003

Additional Comments:

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Billie Jacoby

Date: 07/07/2003

LEE COUNTY
SOUTHWEST FLORIDA

Case # DCI2003-00038

Jurisdiction : Lee County

Agent/Applicant : PRENTISS POINTE, LTD.

Owner PRENTISS POINTE LTD
7000 QUAIL LAKES DR
HOLLAND OH 43528

Description of Request

Following is a list of submittal requirements which were missing from your application received on 05/15/2003

Thank you

We appreciate your submitting all required documents for the above referenced Planned Development application.

This document is for informational purposes only and is not intended to be construed as a finding of sufficiency or completeness of the application or documentation submitted.

Lee County Property Appraiser

Kenneth M. Wilkinson, C.F.A.

GIS Department / Map Room

Phone: (239) 339-6159 • Fax: (239) 339-6139 • eMail: MapRoom@LeePA.org

DCI 2003-00038

RECEIVED

MAY 15 2003

COMMUNITY DEVELOPMENT

VARIANCE REPORT

Date of Report: April 30, 2003
Buffer Distance: 500 ft
Parcels Affected: 51
Subject Parcel: 34-45-24-00-00010.0000

EXHIBIT 11-D-3

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
SUNBELT EQUITIES II 1496 BASS CIR FT MYERS FL 33919	**34-45-24-00-00010.0000** 15841 WINKLER RD FORT MYERS FL 33908	TH SE 1/4 OF SW 1/4 SEC 34 LYING E OF C/L WINKLER RD EXTENSION LES PAR 10.004	1
HEP 7 WINK LC C/O HALVORSEN HOLDINGS 33 SE 4TH ST STE 100 BOCA RATON FL 33432	**34-45-24-00-00002.0070** 15880 SUMMERLIN RD FORT MYERS FL 33908	PARCEL IN SW 1/4 DESC IN OR 3265/2228 LESS OR 3569/4256 + LESS OR 3636/2276 + LESS OR 3469/586	2
FLORIDA GULF BANK P O BOX 2939 FORT MYERS FL 33902	**34-45-24-00-00002.0100** 7580 WINKLER ROAD FORT MYERS FL 33908	PARCEL LYING AT NW CORNER OF SUMMERLIN RD & WINKLER RD DESC OR 3636/2276	3
PUBLIX SUPER MARKETS INC %EXPENSE PAYABLES LEASE TEAM P O BOX 32025 LAKELAND FL 33802	**34-45-24-00-00002.0110** 15890 SUMMERLIN RD FT MYERS FL 33908	PAR IN SW 1/4 AS DESC IN OR 3469 PG 586	4
SCOTT H NEAL + MARVINE M 3700 HYDE PARK CT FT MYERS FL 33908	**34-45-24-00-00008.0100** 3700 HYDE PARK CT FORT MYERS FL 33908	N 1/2 OF NW 1/4 OF SW 1/4 OF SE 1/4 LESS PARL 8.010A THRU 8.010E	5
TORTEROTOT VIVECA C/O LOUISA W MONEIM URB ROCIO DE NAGUELES P107110 VILLA LOUZA NO 6 29600 MARBELLA MALAGA SPAIN	**34-45-24-00-00008.010A** 3691 HYDE PARK CT FORT MYERS FL 33908	PARL IN SEC34 T45 R24 DESC IN OR 1719 PG 2947	6
RITCHIE SCOTT A + WENDY A 3695 HYDE PARK CT FT MYERS FL 33908	**34-45-24-00-00008.010B** 3695 HYDE PARK CT FORT MYERS FL 33908	PARL IN N 1/2 OF NW 1/4 OF SW 1/4 OF SE 1/4 DESC OR 1180 PG 1469	7
MROZ LARRY + GAY 3694 HYDE PARK CT FT MYERS FL 33908	**34-45-24-00-00008.010C** 3694 HYDE PARK CT FORT MYERS FL 33908	PARL IN N 1/2 OF NW 1/4 OF SW 1/4 OF SE 1/4 AS DESC IN OR 1500 PG 1319	8
DOCKERTY MARLENE 3690 HYDE PARK COURT FT MYERS FL 33908	**34-45-24-00-00008.010D** 3690 HYDE PARK CT FORT MYERS FL 33908	PARL IN N 1/2 OF SW 1/4 OF SE 1/4 DESC IN OR 1428 PG 1824	9
MCELREE JANE BOUS 3699 HYDE PARK CT FT MYERS FL 33908	**34-45-24-00-00008.010E** 3699 HYDE PARK CT FORT MYERS FL 33908	PARL IN N 1/2 OF SW 1/4 OF SE 1/4 DESC IN OR 1617 PG 866	10
FRANKLIN MARGITTA TR 15970 CINDY CT FORT MYERS FL 33908	**34-45-24-00-00008.0130** 15970 CINDY CT FORT MYERS FL 33908	W 1/2 OF S 1/2 OF SW 1/4 OF SW 1/4 OF SE 1/4 DESC IN OR 1318 PG 2021	11
SHEELEY MICHAEL K + JOLENE B 15960 CINDY CT FT MYERS FL 33908	**34-45-24-00-00008.013A** 15960 CINDY CT FORT MYERS FL 33908	E 1/2 OF S 1/2 OF SW 1/4 OF SW 1/4 OF SE 1/4 DESC IN OR 1319 PG 1155	12

All data is current at time of printing and subject to change without notice.

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
LORIDA POWER + LIGHT CO \TTN PROPERTY TAX DEPT JLM PO BOX 14000 JUNO BEACH FL 33408	**34-45-24-00-00010.0020** 15830 WINKLER RD FORT MYERS FL 33908	LYING S+E OF FORMER SAL RR R/W + W OF C/L WINKLER RD SEC 33/34	13
BUNDSCHU CHARLES C JR + P O BOX 7326 FT MYERS FL 33911	**34-45-24-00-00010.0030** 8510 GRANITE CT FORT MYERS FL 33908	BEGIN SE COR OF NE 1/4 OF SW 1/4 TH RUN W 300 FT TH N 726 FT TH E 300 FT TH S	14
ONA MCGREGOR FIRE PROTECTION + RESCUE SERVICE 15961 WINKLER RD FT MYERS FL 33908	**34-45-24-00-00010.0040** 15961 WINKLER RD FORT MYERS FL 33908	A PAR IN SE 1/4 OF SW 1/4 LYING E OF WINKLER EXTENSION DESC OR1871/1886	15
BIGGAR GORDON M TR 3050 SW 116TH ST MIAMI FL 33156	**34-45-24-00-00011.0000** 15881 SUMMERLIN RD FORT MYERS FL 33908	ABANDONED SAL R/W IN SEC34 LESS S 200FT+OR1682PGS 2115+2117 LESS PAR 11.002	16
HOLMES JOSEPH J JR + PAULA P 3694 LIBERTY SQUARE FT MYERS FL 33908	**34-45-24-02-00000.0160** 3694 LIBERTY SQ FORT MYERS FL 33908	HERITAGE FARMS 1ST ADD UNR OR 792 PG 466 LOT 16	17
CRAWFORD LINDA O 3716 LIBERTY SQ FORT MYERS FL 33908	**34-45-24-02-00000.0170** 3716 LIBERTY SQ FORT MYERS FL 33908	HERITAGE FARMS 1ST ADD UNR OR 792 PG 466 LOT 17	18
ENGELHARDT RUTH M 3720 LIBERTY SQUARE FT MYERS FL 33908	**34-45-24-02-00000.0180** 3720 LIBERTY SQ FORT MYERS FL 33908	HERITAGE FARMS 1ST ADD UNR OR 792 PG 466 LOT 18	19
KINGTON DIANE D 3724 LIBERTY SQ FORT MYERS FL 33908	**34-45-24-02-00000.0190** 3724 LIBERTY SQ FORT MYERS FL 33908	HERITAGE FARMS 1ST ADD UNR OR 792 PG 466 LOT 19	20
LUCAS LEONARD J + YVONNE M 3728 LIBERTY SQUARE FORT MYERS FL 33908	**34-45-24-02-00000.0200** 3728 LIBERTY SQ FORT MYERS FL 33908	HERITAGE FARMS 1ST ADD UNR OR 792 PG 466 LOT 20	21
NUCKOLLS HUGH P + BILLIE J 3732 LIBERTY SQ FT MYERS FL 33908	**34-45-24-02-00000.0210** 3732 LIBERTY SQ FORT MYERS FL 33908	HERITAGE FARMS 1ST ADD UNR OR 792 PG 466 LOT 21	22
NULL JANET E 3717 LIBERTY SQ FORT MYERS FL 33908	**34-45-24-02-00000.0330** 3717 LIBERTY SQ FORT MYERS FL 33908	HERITAGE FARMS 1ST ADD UNR OR 792 PG 466 LOT 33	23
MORAUSKI STEPHEN W + JENNESE L 3703 BLUE HERON DR FORT MYERS FL 33908	**34-45-24-04-00000.0010** 3703 BLUE HERON DR FORT MYERS FL 33908	LUCAS LANDING 2 UNREC OR 915 PG 571 LOT 1	24
FOSTER RONALD L + JEAN M 3717 BLUE HERON DR FORT MYERS FL 33908	**34-45-24-04-00000.0020** 3717 BLUE HERON DR FORT MYERS FL 33908	LUCAS LANDING 2 UNREC OR 915 PG 571 LOT 2	25
WABEL GLENN E + BERNADINE K 3731 BLUE HERON RD FT MYERS FL 33908	**34-45-24-04-00000.0030** 3731 BLUE HERON DR FORT MYERS FL 33908	LUCAS LANDING 2 UNREC OR 915 PG 571 LOT 3	26
LIVINGSTON RALPH + BARBARA 3745 BLUE HERON DR FT MYERS FL 33908	**34-45-24-04-00000.0040** 3745 BLUE HERON DR FORT MYERS FL 33908	LUCAS LANDING 2 UNREC OR 915 PG 571 LOT 4	27
WORDEN THOMAS E + CAROL L 3746 BLUE HERON CT FT MYERS FL 33908	**34-45-24-04-00000.0050** 3746 BLUE HERON DR FORT MYERS FL 33908	LUCAS LANDING 2 UNREC OR 915 PG 571 LOT 5	28
FRIEDMAN MITCHELL J 3732 BLUE HERON DR SW FT MYERS FL 33908	**34-45-24-04-00000.0060** 3732 BLUE HERON DR FORT MYERS FL 33908	LUCAS LANDING 2 UNREC OR 915 PG 571 LOT 6	29
KILPATRICK LAEL A 3718 BLUE HERON CT FT MYERS FL 33908	**34-45-24-04-00000.0070** 3718 BLUE HERON DR FORT MYERS FL 33908	LUCAS LANDING 2 UNREC OR 915 PG 571 LOT 7	30

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
COOK DALE W + KATHRYN J 3704 BLUE HERON DR FORT MYERS FL 33908	**34-45-24-04-00000.0080** 3704 BLUE HERON DR FORT MYERS FL 33908	LUCAS LANDING 2 UNREC OR 915 PG 571 LOT 8	31
STIGLICH JAMES TR 3705 STONERIDGE CT FORT MYERS FL 33908	**34-45-24-05-00000.0010** 3705 STONERIDGE CT FORT MYERS FL 33908	STONE RIDGE PB 30 PG 96 LOT 1	32
MANNIX KEVIN + PEGGY ROSSI 3721 STONERIDGE CT FT MYERS FL 33908	**34-45-24-05-00000.0020** 3721 STONERIDGE CT FORT MYERS FL 33908	STONE RIDGE PB 30 PG 96 LOT 2	33
ANDREWS CHARLES S + KIMBERLEY 3737 STONERIDGE CT FT MYERS FL 33908	**34-45-24-05-00000.0030** 3737 STONERIDGE CT FORT MYERS FL 33908	STONE RIDGE PB 30 PG 96 LOT 3	34
SCHOLES DONALD E + ROSA N 3738 STONERIDGE CT FT MYERS FL 33908	**34-45-24-05-00000.0040** 3738 STONERIDGE CT FORT MYERS FL 33908	STONE RIDGE PB 30 PG 96 LOT 4	35
RAWLINGS JANET L + 5671 GRILLET PL FT MYERS FL 33919	**34-45-24-05-00000.0050** 3722 STONERIDGE CT FORT MYERS FL 33908	STONE RIDGE PB 30 PG 96 LOT 5	36
PUGH THOMAS J ETAL 3706 STONERIDGE CT FT MYERS FL 33908	**34-45-24-05-00000.0060** 3706 STONERIDGE CT FORT MYERS FL 33908	STONE RIDGE PB 30 PG 96 LOT 6	37
HALL-HUNNICUTT FAMILY LTD PTNS C/O CARLOS MONTEMAYOR 5 BITTERBLUE LN SAN ANTONIO TX 78218	**34-45-24-15-00000.0010** 15770 NEW HAMPSHIRE CT FORT MYERS FL 33908	SUMMERLIN PK SO PB 44 PG 20 LOT 1	38
HALL-HUNNICUTT FAMILY LTD PTNS C/O CARLOS MONTEMAYOR 5 BITTERBLUE LN SAN ANTONIO TX 78218	**34-45-24-15-00000.0020** 15760 NEW HAMPSHIRE CT FORT MYERS FL 33908	SUMMERLIN PK SO PB 44 PG 20 LOT 2 LESS OR 2345/2794	39
SUNCOAST 15750 LLC 4253 BAY BEACH LANE #5F FT MYERS BEACH FL 33931	**34-45-24-15-00000.0030** 15750 NEW HAMPSHIRE CT FORT MYERS FL 33908	SUMMERLIN PK SO PB 44 PG 20 LOT 3 + PT OF LT 2 LESS OR 2345/2796	40
ISPJ LLC 13181 PONDEROSA WAY FORT MYERS FL 33907	**34-45-24-15-00000.0040** 15740 NEW HAMPSHIRE CT FORT MYERS FL 33908	SUMMERLIN PK SO PB 44 PG 20 LT 4+PT LT 3 OR2345/2796	41
DMES PROPERTIES LLC 13181 PONDEROSA WAY FORT MYERS FL 33907	**34-45-24-15-00000.0050** 15730 NEW HAMPSHIRE CT FORT MYERS FL 33908	SUMMERLIN PK SO PB 44 PG 20 LOT 5	42
HALL-HUNNICUTT FAMILY LTD PTNS C/O CARLOS MONTEMAYOR 5 BITTERBLUE LN SAN ANTONIO TX 78218	**34-45-24-15-00000.0060** 15720 NEW HAMPSHIRE CT FORT MYERS FL 33908	SUMMERLIN PK SO PB 44 PG 20 LOT 6	43
HTRH PARTNERSHIP 3840 BROADWAY FT MYERS FL 33901	**34-45-24-15-00000.0130** 15681 NEW HAMPSHIRE CT FORT MYERS FL 33908	SUMMERLIN PARK SO PB 44 PG 20 + 21 LOTS 13 + 14 + SLY 70 FT LT 12	44
SUMMERLIN EQUITIES LLC 1705-D2 COLONIAL BLVD FORT MYERS FL 33907	**34-45-24-15-00000.0150** 15721 NEW HAMPSHIRE CT FORT MYERS FL 33908	SUMMERLIN PK SO PB 44 PG 20 LOT 15	45
GREENBERG STEPHEN H CO-TR ETAL C/O ROBERT C HANNON 23 STILES RD SALEM NH 03079	**34-45-24-15-00000.0160** 15741 NEW HAMPSHIRE CT FORT MYERS FL 33908	SUMMERLIN PK SO PB 44 PG 20 LOT 16	46
LBL REAL ESTATE LLC 39 BARKLEY CIR FORT MYERS FL 33907	**34-45-24-15-00000.0170** 15761 NEW HAMPSHIRE CT FORT MYERS FL 33908	SUMMERLIN PK SO PB 44 PG 20 LOT 17	47

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
WESTMINSTER WEST FLORIDA LLC C/O LITCHFIELD ADVISORS INC 270 E WESTMINSTER RD STE 300 LAKE FOREST IL 60045	**34-45-24-15-00000.0180** 8570 GRANITE CT FORT MYERS FL 33908	SUMMERLIN PK SO PB 44 PG 20 LOT 18	48
DRAULANS NATALIE R 1345 SHEFFIELD WAY FORT MYERS FL 33919	**34-45-24-15-00000.0200** 8530 GRANITE CT FORT MYERS FL 33908	SUMMERLIN PK SO PB 44 PG 20 LOT 20	49
WEINER KENNETH A TR + 4291 FULTON CIR FT MYERS FL 33905	**03-46-24-00-00001.0000** 16100 WINKLER RD FORT MYERS FL 33908	N W 1/4 OF N W 1/4 OF SEC	50
CENTEX HOMES 5801 PELICAN BAY BLVD STE 600 NAPLES FL 34108	**03-46-24-07-000M1.0000** 16218 CROWN ARBOR WAY FT MYERS FL 33908	CROWN COLONY SUBD DESC IN PB 68 PGS 23-38 TRACT M-1	51
CENTEX HOMES 5801 PELICAN BAY BLVD STE 600 NAPLES FL 34108	**03-46-24-07-00GC1.0000** GOLF COURSE FL	CROWN COLONY SUBD DESC IN PB 68 PGS 23-38 TRACTS GC-1 THRU GC-5 + TRACTS GCB-1 THRU GCB-3 GOLF COURSE	52

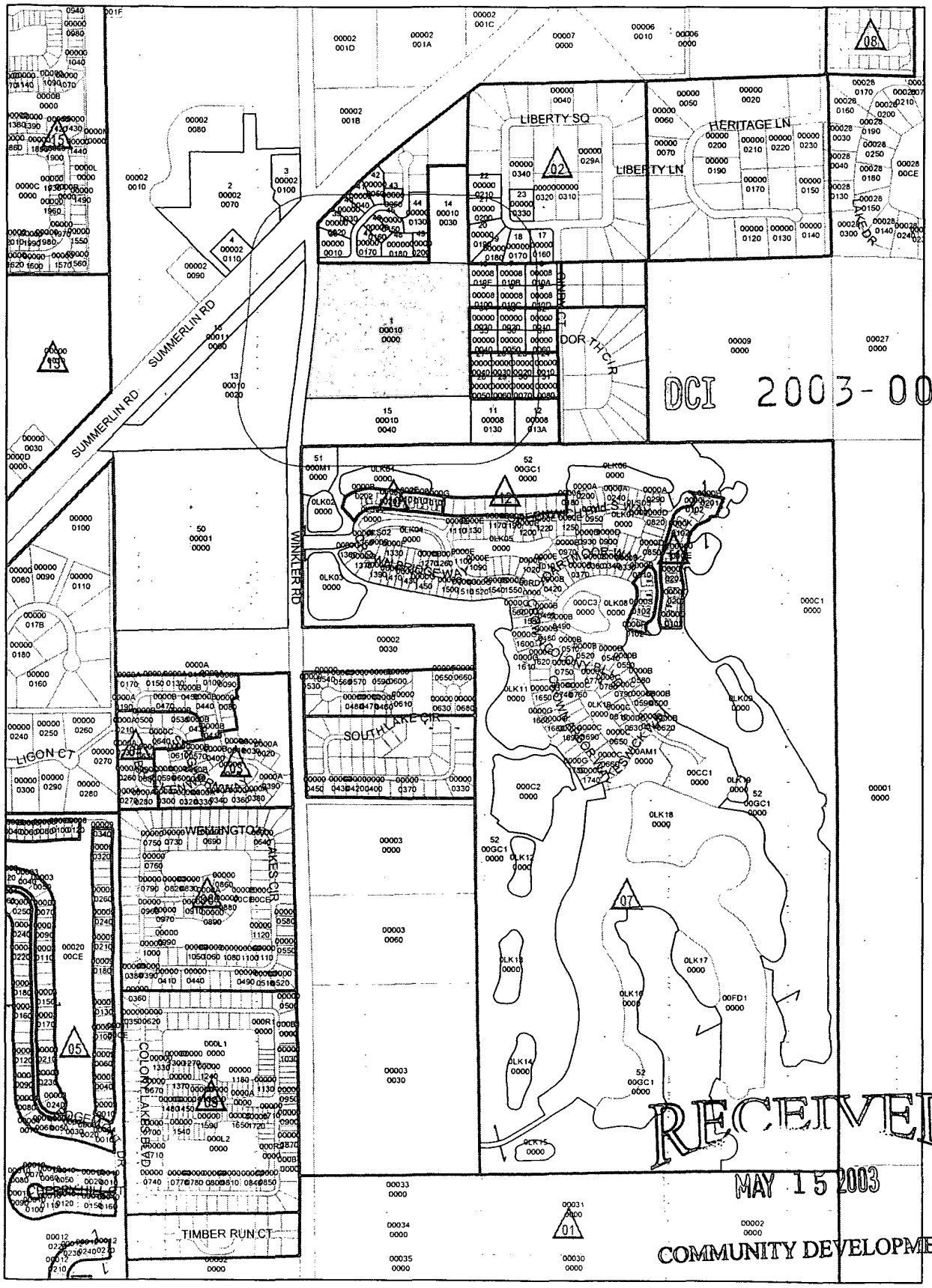
52 RECORDS PRINTED

EXHIBIT II-D-4

VARIANCE REPORT

4/30/2003

Subject Parcels : 1 Affected Parcels : 51 Buffer Distance : 500 ft



N
W E
S

34-45-24-00-00010.0000

1,100 550 0 1,100 Feet