Post-it® eLabel 006 085 628

GIS Tracking Sheet

Case No.: DCI2004-00028

Intake Date: April 28, 2004

Project Name: VISTANNA RPD

STRAP Number(s): 06-45-27-00-00001.004A, 06-45-27-00-00006.008C
06-45-27-00-00006.0090

Planner Name: Tony Palermo Ext. 8325

LEGAL DESCRIPTION VERIFICATION and INITIAL GIS MAPPING

Date: 13JULY04 INTAKE: DCI04028 AMM

LEGAL SUFFICIENT ☑ YES LM ☐ NO Initials:

If not, give brief explanation:

MAP UPDATE following FINAL ACTION

Date: 26JAN05

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

☐ Administrative Approval ☐ Blue Sheet

Zoning Notes: Z-04-062, DCI2004-00028, 01NOV04, REZONE 57.53 AC FROM AG-2 TO RPD; CONDS.

MAP UPDATED ☐YES ☐NO Initials: AMM

If not, give brief explanation:

CREATED RPD:501038

S:\WRITERS\Murphyge\gistracking.wpd

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF A
PARCEL OF LAND
LYING IN
SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST
LEE COUNTY, FLORIDA

(57.53 ACRE PARCEL)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST, SAID LEE COUNTY, FLORIDA BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION ; THENCE S.89°35'44"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 199.40 FEET TO AN INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF BETH STACY BOULEVARD (106 FEET WIDE) ACCORDING TO THE PLAT OF PARKWOOD IV AS RECORDED IN PLAT BOOK 28, AT PAGES 96 THROUGH 100 AND PARKWOOD V AS RECORDED IN PLAT BOOK 28, AT PAGES 101 THROUGH 105, ALL OF THE PUBLIC RECORDS OF SAID LEE COUNTY, FLORIDA; THENCE S.01°38'38"E. ALONG SAID EAST LINE FOR 327.40 FEET TO AN INTERSECTION WITH THE WESTERLY PROLONGATION OF THE NORTH LINE OF THE NORTH THREE QUARTERS, OF THE NORTHWEST QUARTER, OF THE NORTHEAST QUARTER OF SAID SECTION AND THE **POINT OF BEGINNING**; THENCE CONTINUE S.01°38'38"E. ALONG SAID EAST LINE FOR 1641.13 FEET TO AN INTERSECTION WITH THE WESTERLY PROLONGATION OF THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE N.89°19'06"E. ALONG SAID PROLONGATION AND THE SOUTH LINE OF SAID FRACTION FOR 1532.85 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE N.01°51'37"W. ALONG SAID EAST LINE FOR 1635.52 FEET TO THE NORTHEAST CORNER OF SAID NORTH THREE QUARTERS, OF THE NORTHWEST QUARTER, OF THE NORTHEAST QUARTER; THENCE S.89°32'00"W. ALONG THE NORTH LINE OF SAID FRACTION AND THE WESTERLY PROLONGATION THEREOF FOR 1526.77 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 57.53 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

ASSUMED NORTH BASED ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA AS BEARING S.89°35'44"W.

DESCRIPTION PREPARED 05-03-04

Richard M. Ritz

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

RECEIVED
MAY 05 2004
COMMUNITY DEVELOPMENT

S:\Jobs\18xx\1830\SURVEYING\DESCRIPTIONS\1830_57_ACRE_SKT.doc
S:\Jobs\18xx\1830\SURVEYING\DESCRIPTIONS\1830_57_ACRE_SKT.dwg

Applicant's Legal Checked
by _____ July 9, 2004.

DCI2004-00028

SHEET 1 OF 2

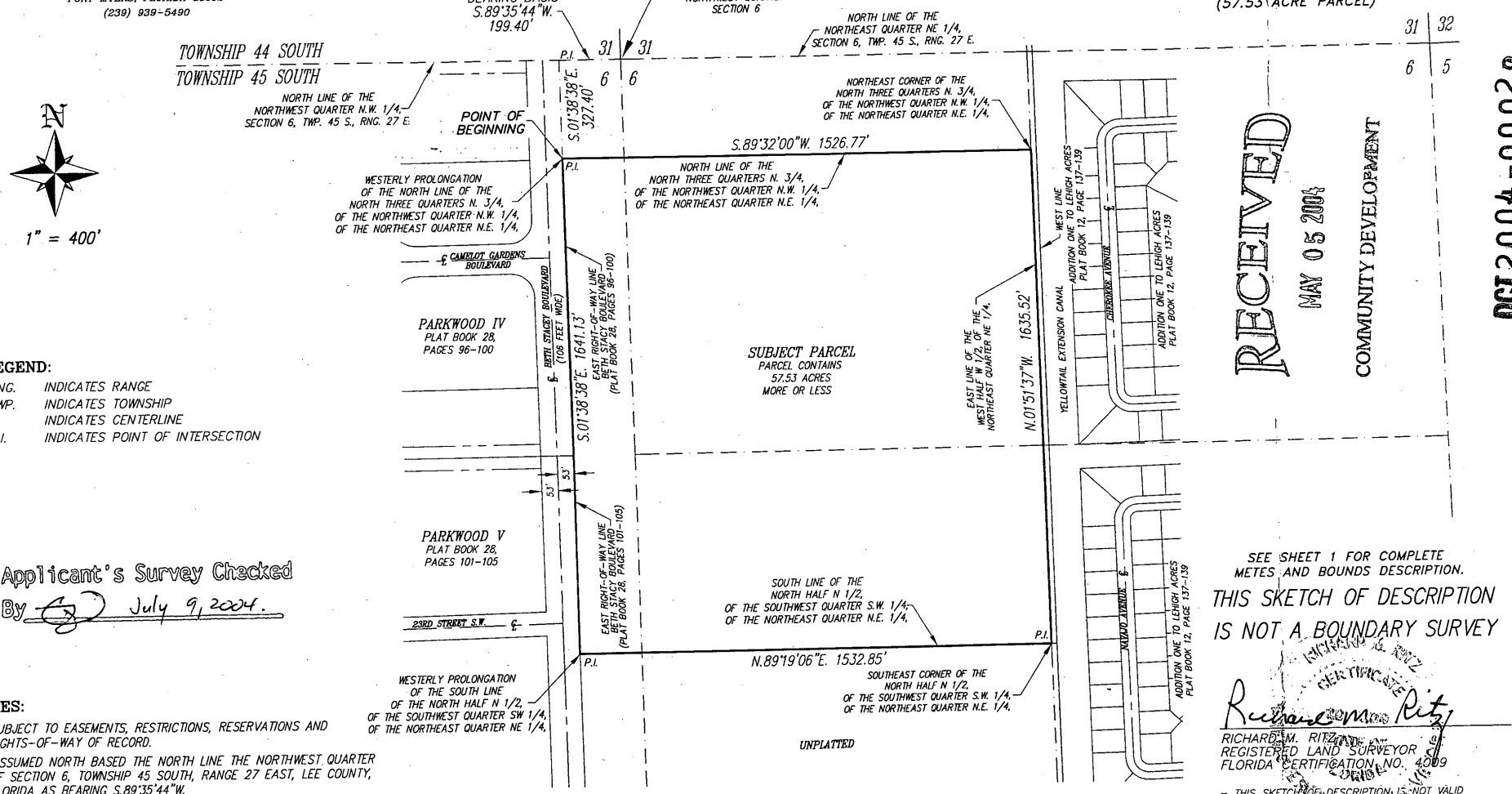
Banks Engineering, Inc.

PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS
FLORIDA BUSINESS CERTIFICATION NUMBER LB 6690
10511 SIX MILE CYPRESS PARKWAY – SUITE 101
FORT MYERS, FLORIDA 33912
(239) 939-5490

SKETCH OF DESCRIPTION

OF

A TRACT OR PARCEL OF LAND LYING IN SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA.
(57.53 ACRE PARCEL)



N

1" = 400'

LEGEND:

RNG.	INDICATES RANGE
TWP.	INDICATES TOWNSHIP
℄	INDICATES CENTERLINE
P.I.	INDICATES POINT OF INTERSECTION

Applicant's Survey Checked
By _____ July 9, 2004.

NOTES:

1.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

2.) ASSUMED NORTH BASED THE NORTH LINE THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA AS BEARING S.89°35'44"W.

RECEIVED
MAY 05 2004
COMMUNITY DEVELOPMENT

DCI2004-00028

SEE SHEET 1 FOR COMPLETE METES AND BOUNDS DESCRIPTION.

THIS SKETCH OF DESCRIPTION IS NOT A BOUNDARY SURVEY

RICHARD M. RITZ
STATE OF FLORIDA
CERTIFICATE
5049

Richard M. Ritz

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

– THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED 05-03-04
SHEET 2 OF 2

S:\JOBS\18XX\1830\SURVEYING\DESCRIPTIONS\1830_57_ACRE_SKT.DWG
S:\JOBS\18XX\1830\SURVEYING\DESCRIPTIONS\1830_57_ACRE_SKT.DOC

S:\JOBS\18XX\1830\SURVEYING\DESCRIPTIONS\1830_57_ACRE_SKT.dwg, 5/5/2004 9:26:43 AM, JOE WHITE

RESOLUTION NUMBER Z-04-062

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

WHEREAS, KB Homes filed an application on behalf of the property owners, Kim Venditto, Gloria McEwan, Sharon McGonnell, Robert Curtis, Dawn Maguire, James McGonnell, Todd McGonnell, Gabriel Curtis, Kris Irey, Diana McGonnell and Brian McGonnell, to rezone 57.53± acres from the Agricultural (AG-2) zoning district to the Residential Planned Development (RPD), in reference to Vistanna RPD; and,

WHEREAS, a public hearing was advertised and held on September 22, 2004, with the record held open for written submissions until September 29, 2004, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2004-00028; and

WHEREAS, a second public hearing was advertised and held on November 1, 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 57.53± acres from the AG-2 zoning district to the RPD zoning district to permit a maximum of 296 dwelling units (two-family attached) with a maximum building height of 35 feet/ three stories. Development blasting is not being requested. The property is located in the Central Urban Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions 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 "MASTER CONCEPT PLAN, VISTANA," dated 4-28-04 and stamped "Received Nov 10 2004 Permit Counter," 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 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 and Structures, in compliance with the LDC
Administrative Offices - Limited to the Recreation (Rec.) Areas as
located on the approved MCP
Clubhouse - Private
Maximum 2,000-square-foot building
Limited to one within the Recreation (Rec.) Area as located on
the approved MCP
Dwelling Units - Two-Family attached
296 Maximum total dwelling units
Entrance gates and Gatehouse - in compliance with §34-1748
Essential Services
Essential Service Facilities - Group I Only
Group II by Special Exception (Public Hearing) only
Excavation, Water Retention - No Blasting
As shown on the approved MCP
Removal of excavated material is not permitted off-site
Fences, Walls, per §34-1741
Home Occupation, per §34-1741 *et seq.* - No Outside Help
Models: per §34-1951 *et seq.* - 4 units maximum
Model Display Center
Model Home
Model Unit
Also see Conditions below
Parking Lot, Accessory
Real Estate Sales Office - (including Temporary Sales Trailer)
See Conditions below
Recreation Facilities, Personal, Private, On-Site - See Conditions below
Signs, in accordance with Chapter 30
Temporary Uses

b. Site Development Regulations

TWO-FAMILY ATTACHED

Minimum Lot Areas and Dimensions

Lot Size:	4,200 square feet
Lot Width:	35 feet
Lot Depth:	120

Minimum Setbacks

Street	25 feet public/20 feet private
Side	Zero/5 feet *
Rear	20 feet
Water body	25 feet
Building Separation	10 feet
Accessory	Per §§34-1171 & 34-2194
Maximum Height:	Three stories /35 feet
Maximum Lot Coverage:	45.5 percent

* No side setback is required from the common lot line for two-family attached.

ALL OTHER STRUCTURES - (INCLUDING CLUBHOUSE)

Minimum Lot Areas and Dimensions

Lot Size:	N/A
Lot Width:	N/A
Lot Depth:	N/A

Minimum Setbacks

Street	25 feet public/20 feet private
Side	10 feet
Rear	20 feet
Water body	25 feet
Accessory	Per §§34-1171 & 34-2194
Maximum Height:	three stories/35 feet
Maximum Lot Coverage:	45 percent

3. No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.

4. Agriculture is not a permitted use within this Planned Development.

5. Model homes:

   a. The number of model homes or model units will be limited to no more than four within the development.

b. Any model homes or units must be developed within the area identified as "Models" on the approved MCP.

c. Models cannot be of the same floor plan and each must be a separate different design.

d. Model Display Centers or Model Display Groups must be shown on the development order plans. Parking areas for these uses will be buffered with a single row hedge and tree canopy for parking areas per the LDC.

e. Hours of operation are limited to Monday through Sunday 8:00 a.m. through 8:00 p.m.

6. Real Estate Sales/Temporary Sales Trailer:

a. Real estate sales are limited to the temporary sales trailer, models, and recreation (rec.) area as located on the approved MCP.

b. The temporary sales trailer limited to 3,000 square feet.

c. The temporary sales trailer is limited for use prior to construction of any model units.

d. Real estate sales will be limited to the sale of lots or units within the development only.

e. Hours of operation are limited to Monday through Sunday, 8:00 a.m. through 8:00 p.m.

7. Recreational facilities, a clubhouse and a "tot lot" may be developed within the "Recreation Area" located, as depicted on the MCP, at the entrance to the development.

8. 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.

9. 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), be reviewed for, and found consistent with, the retail commercial standards for site area, including range of gross floor area, location, tenant mix and general function, as well as all other Lee Plan provisions.

10. Accessory uses must be located on the same tract, parcel or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, parcel or outparcel.

11. No development order or permitting (including land clearing) will be issued by Lee County without the vacation, release, or relocation of easements shown on the approved MCP.

    Written documentation of compliance with this condition must be submitted to the County prior to development order approval or permitting (including land clearing).

12. A Type "D" buffer must be planted along the length of Beth Stacey Boulevard in accordance with the approved MCP.

13. All required buffers must utilize 100 percent all native vegetation.

14. The lake shorelines must be sinuous at time of local development order.

15. As a condition for 5-foot side setbacks for residential construction, prior to the issuance of a Certificate of Occupancy for residential construction, each home site must be inspected by a civil engineer who must certify to the County that the site is graded in accordance with the approved site grading plan on the Development Order. The Division of Development Services will be responsible for the enforcement of this condition.

16. Prior to local development order approval, the development order must delineate 23 acres of open space of which 9.47 acres must be preservation areas in substantial compliance with the approved MCP. All Heritage Trees on the property must be flagged and numbered onsite for the Division of Environmental Sciences staff field verification. The number of Heritage Trees to be preserved and impacted must be included on the development order plans, with the replacement of any of the impacted heritage trees with 20-foot-tall trees of the same species within the preserve area.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the §10-291(3) requirement of residential development of more than five (5) acres to provide more than one means of ingress or egress, to allow a 20-foot-wide stabilized access for the second means of ingress or egress. This deviation is APPROVED, SUBJECT TO the following conditions:

    A. No trees in excess of 25 feet in height at maturity may be planted within the access point area per the Expanded Entrance Plan stamped "Received Sep 29 2004 Zoning" and attached as Exhibit D.

    B. No walls or fences may be constructed within the access point area per the Expanded Entrance Plan stamped "Received Sep 29 2004 Zoning" and attached as Exhibit D.

C. All utilities along the entrance from Beth Stacy Boulevard, as shown on the Expanded Entrance Plan stamped "Received Sep 29 2004 Zoning" and attached as Exhibit D, must be placed underground.

D. The MCP and local development order must depict a 70-foot-wide divided entrance that includes a 14-foot-wide median with two 14-foot-wide lanes on both sides of the median for ingress and egress.

E. If the divided entrance is ever gated, the gate must comply with all applicable regulations with respect to required equipment for an emergency override mechanism at the time of installation. Additionally, if an emergency necessitates the breaking of an entrance gate, the cost of repairing the gate and the emergency vehicle (if applicable) will be the responsibility of the owner or the operator of the gate.

2. Deviation (2) seeks relief from the §10-285(a) requirement of a connection separation of 660 feet for an arterial road, to allow for a connection separation of 639± feet for an arterial road. This deviation is APPROVED.

SECTION D. EXHIBITS AND STRAP NUMBER:

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

Exhibit A: Legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: The Master Concept Plan
Exhibit D: Expanded Entrance Plan for Vistana RPD

The applicant has indicated that the STRAP numbers for the subject property are: 06-45-27-00-00001.004A, 06-45-27-00-00006.0080 & 06-45-27-00-00006.0090

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.

2. The rezoning, as approved:

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

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

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

d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and

e. will not adversely affect environmentally critical areas or natural resources.

3. The rezoning satisfies the following criteria:

a. the proposed use or mix of uses is appropriate at the subject location; and

b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and

c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

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

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

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Ray Judah, seconded by Commissioner Andrew W. 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 1st day of November 2004.

ATTEST:
CHARLIE GREEN, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

Approved as to form by:

_____
County Attorney's Office

BOARD OF COUNTY COMMISSIONERS SEAL LEE COUNTY, FLORIDA

RECEIVED
MINUTES OFFICE

2004 NOV 22 PM 12:56

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF A
PARCEL OF LAND
LYING IN
SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST
LEE COUNTY, FLORIDA

(57.53 ACRE PARCEL)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST, SAID LEE COUNTY, FLORIDA BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION ; THENCE S.89°35'44"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 199.40 FEET TO AN INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF BETH STACY BOULEVARD (106 FEET WIDE) ACCORDING TO THE PLAT OF PARKWOOD IV AS RECORDED IN PLAT BOOK 28, AT PAGES 96 THROUGH 100 AND PARKWOOD V AS RECORDED IN PLAT BOOK 28, AT PAGES 101 THROUGH 105, ALL OF THE PUBLIC RECORDS OF SAID LEE COUNTY, FLORIDA; THENCE S.01°38'38"E. ALONG SAID EAST LINE FOR 327.40 FEET TO AN INTERSECTION WITH THE WESTERLY PROLONGATION OF THE NORTH LINE OF THE NORTH THREE QUARTERS, OF THE NORTHWEST QUARTER, OF THE NORTHEAST QUARTER OF SAID SECTION AND THE POINT OF BEGINNING; THENCE CONTINUE S.01°38'38"E. ALONG SAID EAST LINE FOR 1641.13 FEET TO AN INTERSECTION WITH THE WESTERLY PROLONGATION OF THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE N.89°19'06"E. ALONG SAID PROLONGATION AND THE SOUTH LINE OF SAID FRACTION FOR 1532.85 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE N.01°51'37"W. ALONG SAID EAST LINE FOR 1635.52 FEET TO THE NORTHEAST CORNER OF SAID NORTH THREE QUARTERS, OF THE NORTHWEST QUARTER, OF THE NORTHEAST QUARTER; THENCE S.89°32'00"W. ALONG THE NORTH LINE OF SAID FRACTION AND THE WESTERLY PROLONGATION THEREOF FOR 1526.77 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 57.53 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

ASSUMED NORTH BASED ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA AS BEARING S.89°35'44"W.

DESCRIPTION PREPARED 05-03-04

Richard M. Ritz

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

RECEIVED
MAY 05 2004
COMMUNITY DEVELOPMENT

S:\Jobs\18xx\1830\SURVEYING\DESCRIPTIONS\1830_57_ACRE_SKT.doc
S:\Jobs\18xx\1830\SURVEYING\DESCRIPTIONS\1830_57_ACRE_SKT.dwg

Applicant's Legal Checked
by _____ July 9, 2004

DCI2004-00028

SHEET 1 OF 2

10511 Six Mile Cypress Pkwy, Suite 101, Ft Myers, Florida 33912 • (239) 939-5490 • Fax (239) 939-2923

EXHIBIT "A"
Legal Description

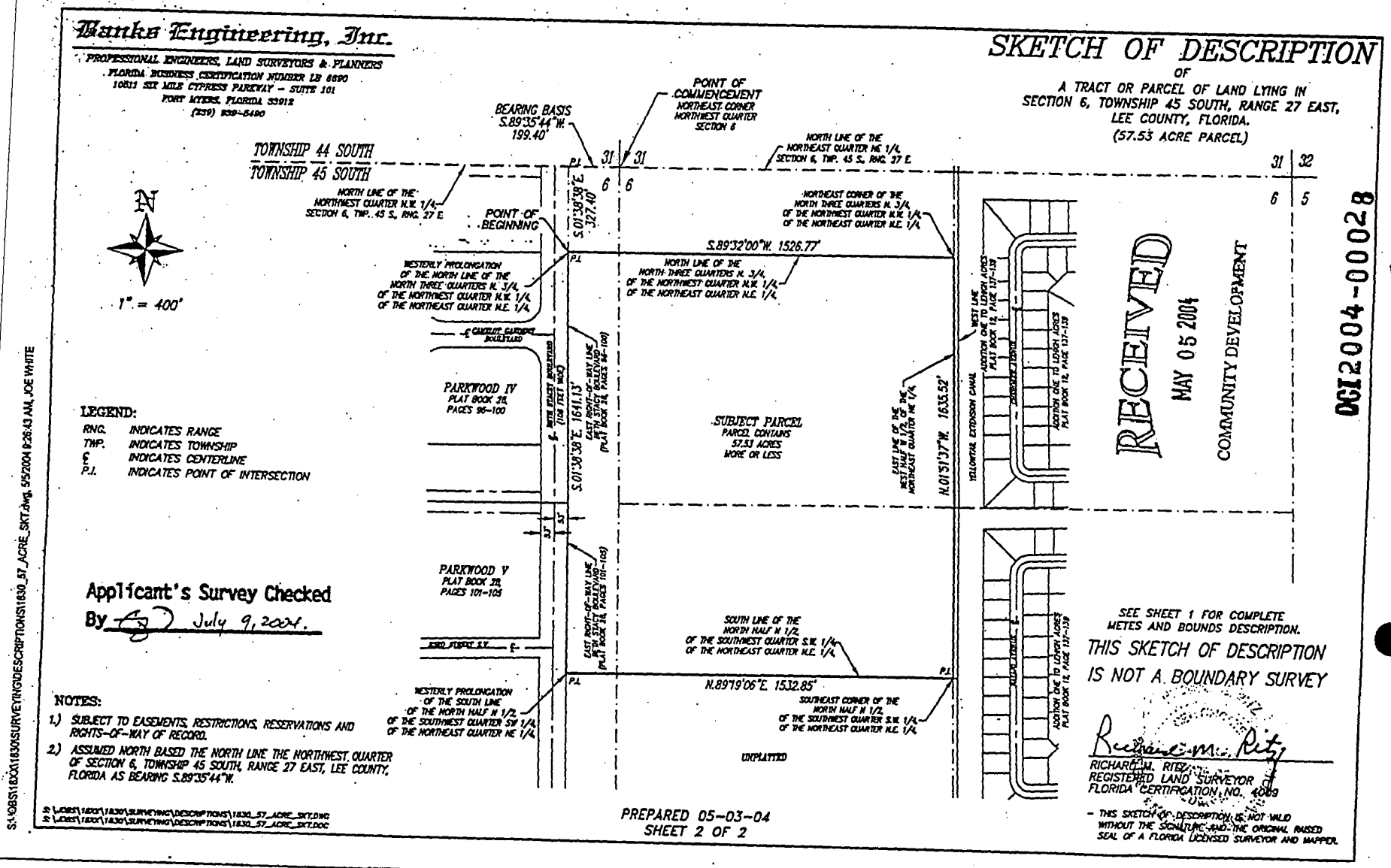


EXHIBIT "A"
Legal Description
(Page 2 of 2)

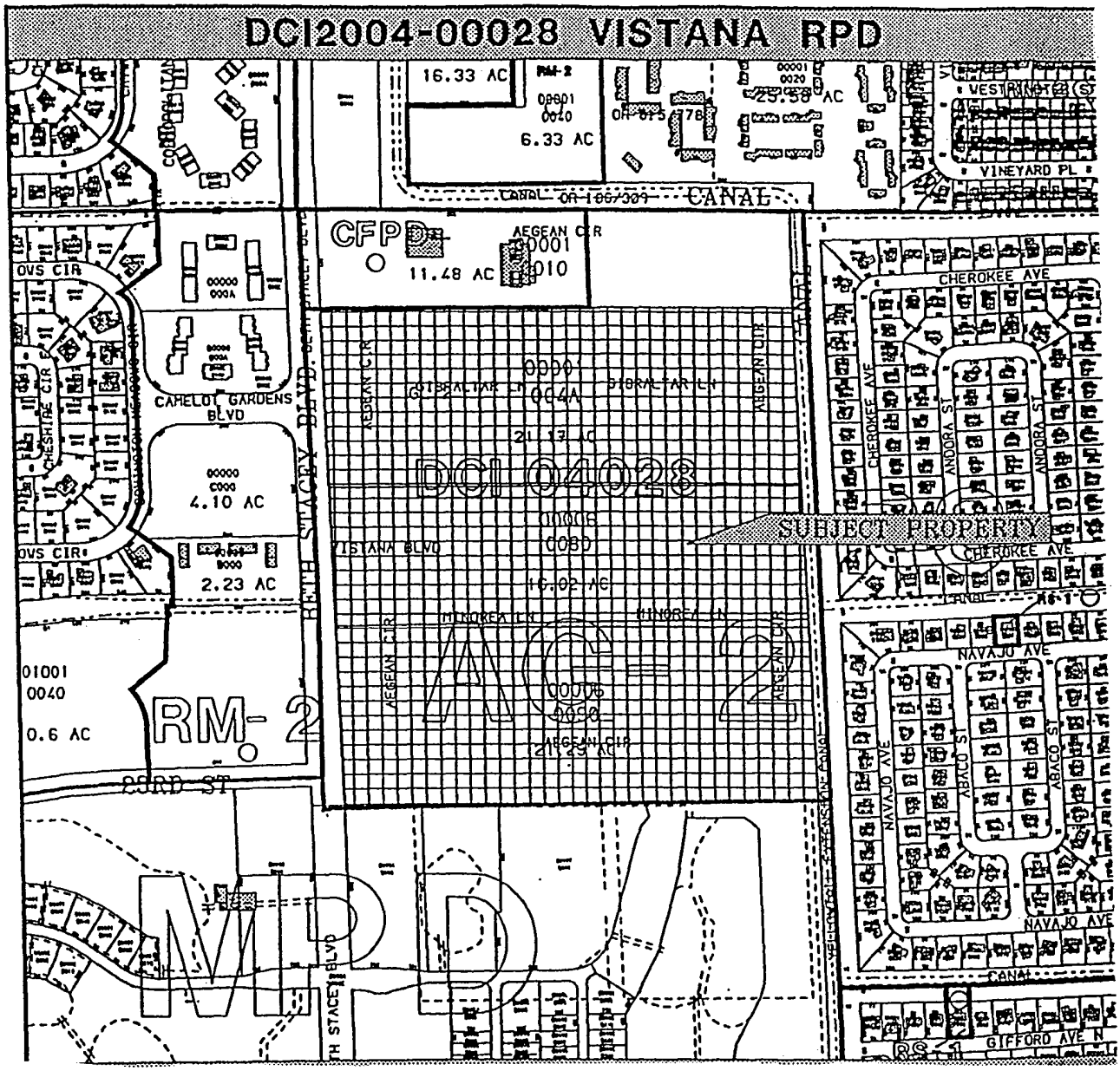
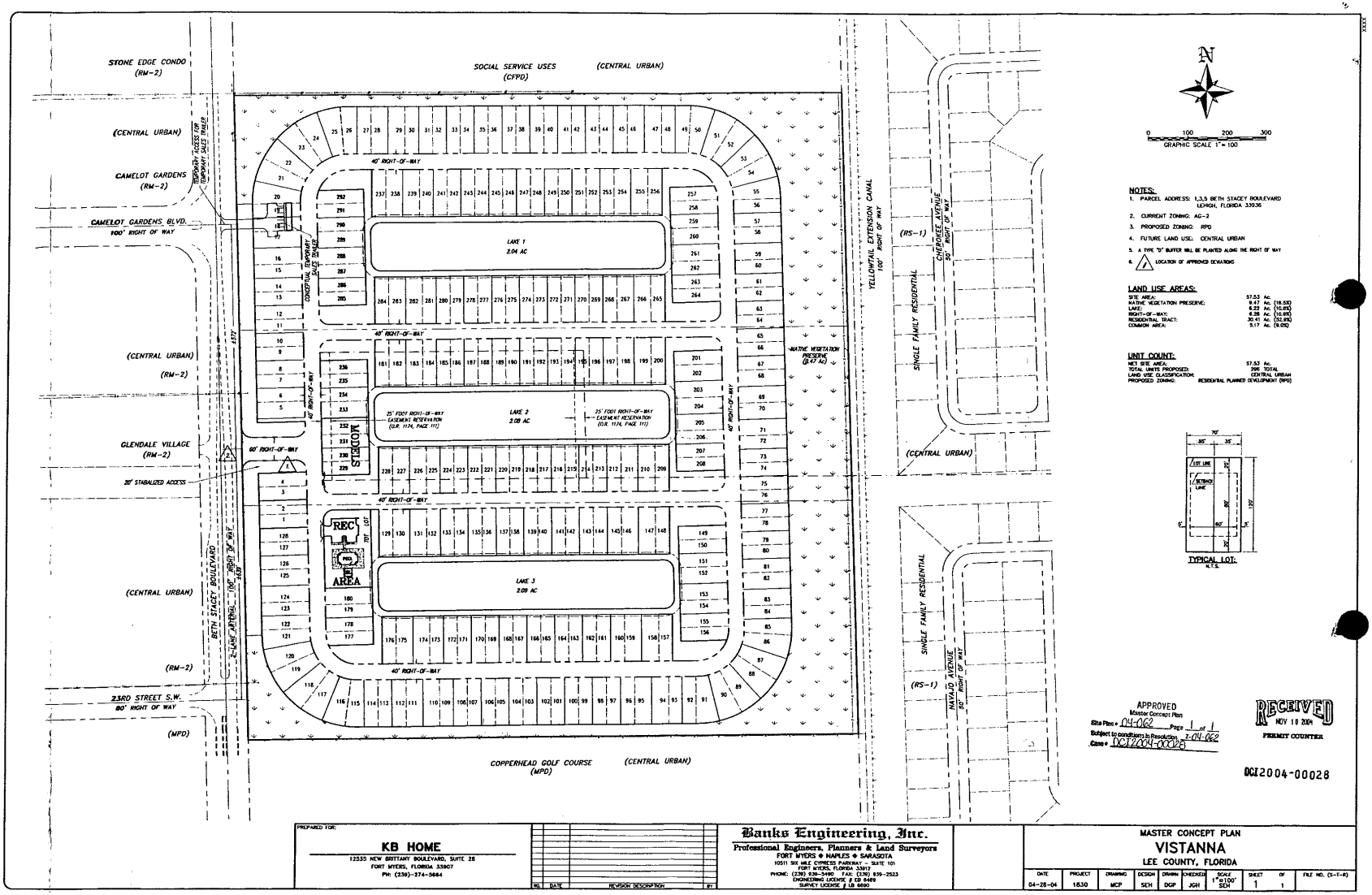


EXHIBIT "B"
Zoning Map



N

0 100 200 300
GRAPHIC SCALE 1" = 100

NOTES:

1. PARCEL ADDRESS: 1,3,5 BETH STACEY BOULEVARD LEHIGH, FLORIDA 33936
2. CURRENT ZONING: AG-2
3. PROPOSED ZONING: RPD
4. FUTURE LAND USE: CENTRAL URBAN
5. A TYPE "D" BUFFER WILL BE PLANTED ALONG THE RIGHT OF WAY
6. ⚠ LOCATION OF APPROVED DEVIATIONS

LAND USE AREAS:

SITE AREA:	57.53 Ac.
NATIVE VEGETATION PRESERVE:	9.47 Ac. (16.5%)
LAKE:	6.22 Ac. (10.8%)
RIGHT-OF-WAY:	6.28 Ac. (10.9%)
RESIDENTIAL TRACT:	30.41 Ac. (52.9%)
COMMON AREA:	5.17 Ac. (9.0%)

UNIT COUNT:

NET SITE AREA:	57.53 Ac.
TOTAL UNITS PROPOSED:	298 TOTAL
LAND USE CLASSIFICATION:	CENTRAL URBAN
PROPOSED ZONING:	RESIDENTIAL PLANNED DEVELOPMENT (RPD)

TYPICAL LOT:
N.T.S.

APPROVED
Master Concept Plan
Site Plan # 04-062 Page 1 of 1
Subject to conditions in Resolution Z-04-062
Case # DCI2004-00028

RECEIVED
NOV 18 2004
PERMIT COUNTER

DCI2004-00028

PREPARED FOR:
KB HOME
12535 NEW BRITTANY BOULEVARD, SUITE 28
FORT MYERS, FLORIDA 33907
PH: (239)-274-5664

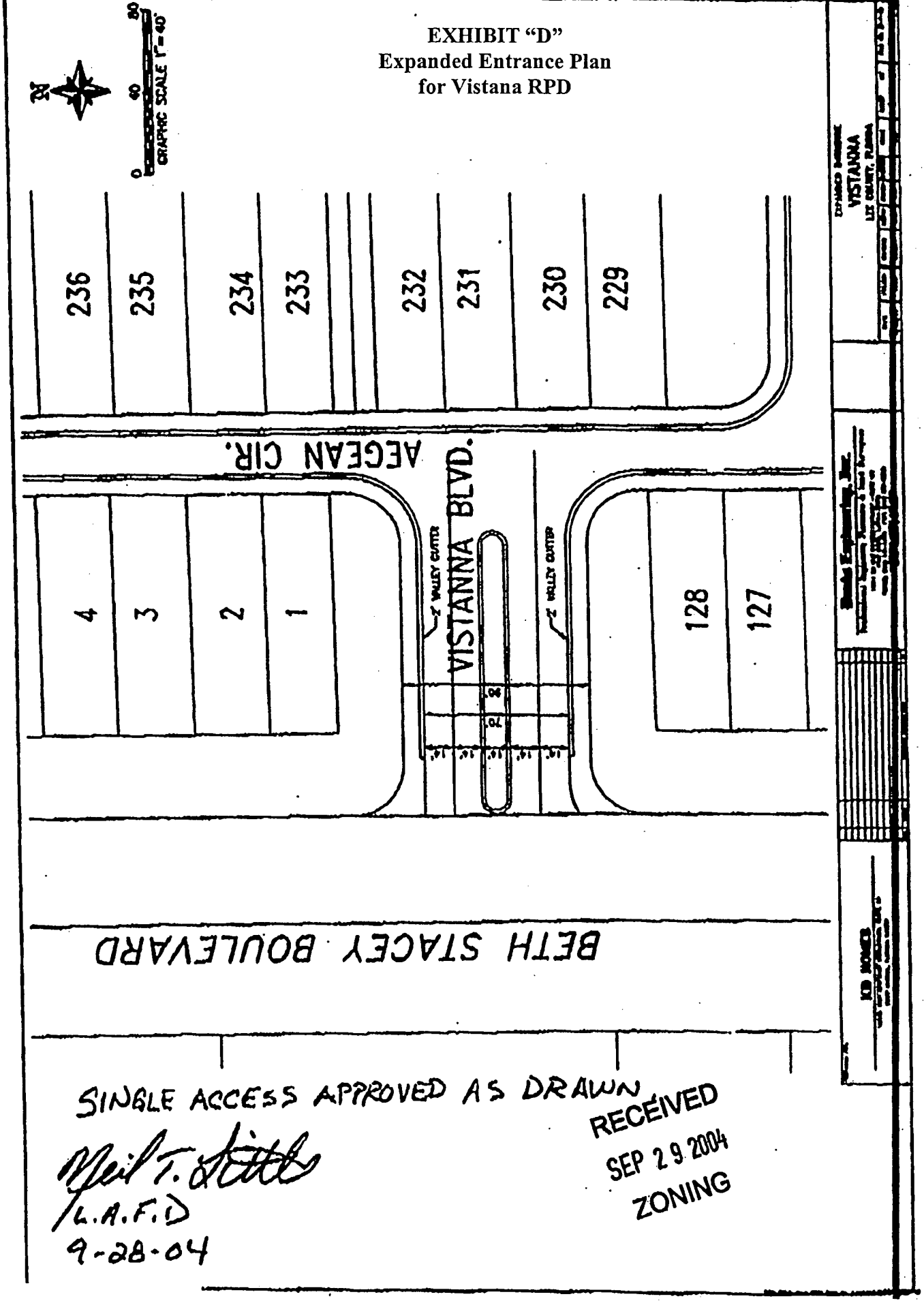
NO.	DATE	REVISION DESCRIPTION	BY

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ◆ NAPLES ◆ SARASOTA
10511 SIX MILE CYPRESS PARKWAY — SUITE 101
FORT MYERS, FLORIDA 33912
PHONE: (239) 936-3400 FAX: (239) 939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690

MASTER CONCEPT PLAN
VISTANNA
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
04-28-04	1830	MCP	SEH	DGP	JGH	1"=100' SEH	1	1	

EXHIBIT "D"
Expanded Entrance Plan
for Vistana RPD



SINGLE ACCESS APPROVED AS DRAWN

Neil T. Hill
L.A.F.D
9-28-04

RECEIVED
SEP 29 2004
ZONING

MEMORANDUM
FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ZONING

DATE: September 29, 2004

TO: The Lee County Hearing Examiner

FROM: Tony Palermo
Senior Planner T. P.

RE: DCI2004-00028 VISTANA RPD

In the September 8, 2004 staff report, staff recommended an emergency access on Beth Stacey as a condition of approval for Deviation #1. The applicant argues the single access point adequately protects the public's health safety and welfare.

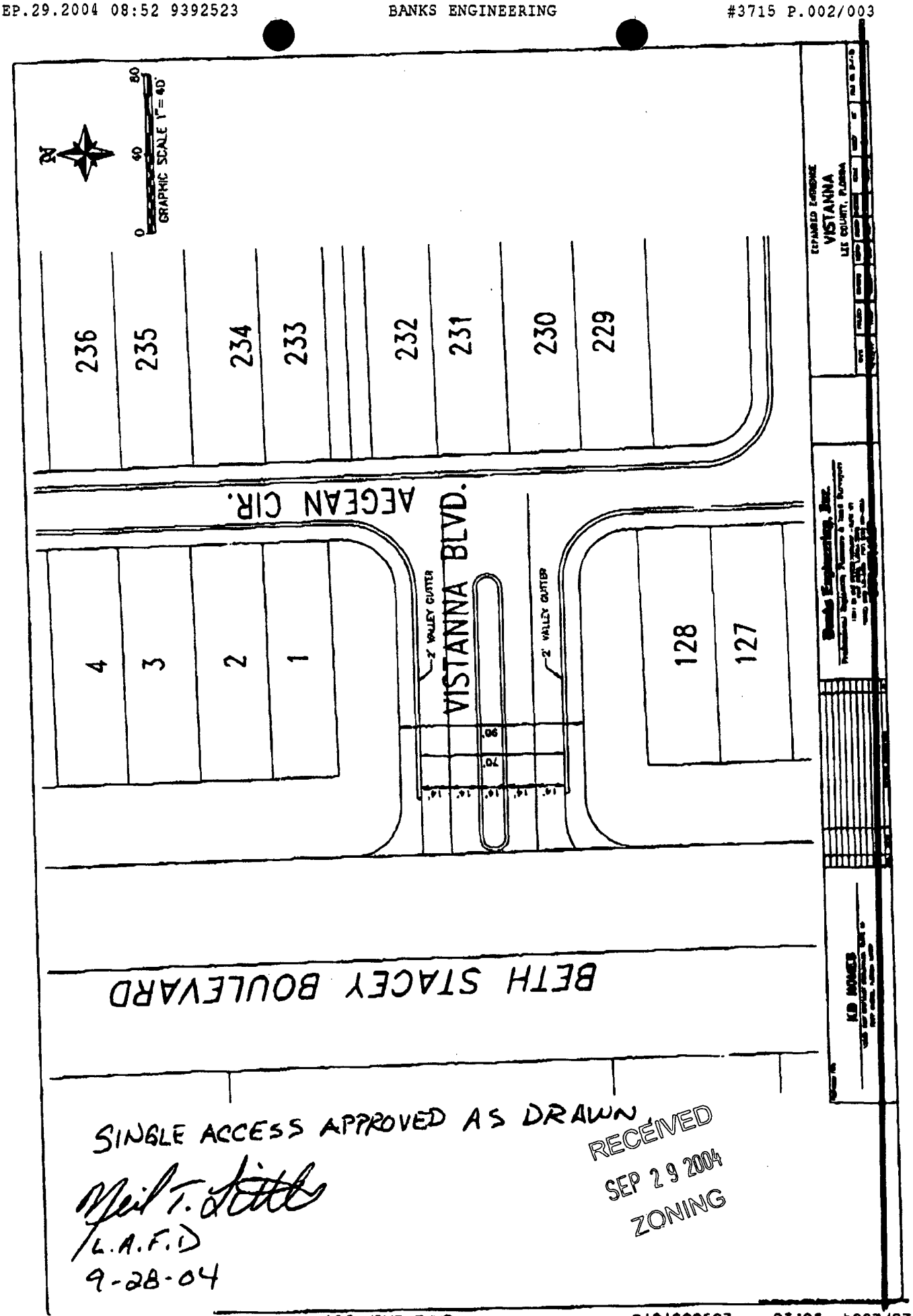
Since the hearing, the Lehigh Acres Fire Department has endorsed the single access as proposed by the applicant. The Community Development Department can also support the single access, as recommended by the local fire district.

Thus staff changes its recommendation in favor of the single access point as proposed and enhanced by the applicant with the following conditions:

1. No trees in excess of 25 feet in height at maturity may be planted within the access point area per the applicant's exhibit stamped Received/Zoning September 29, 2004.
2. No walls or fences may be constructed within the access point area per the applicant's exhibit stamped Received/Zoning September 29, 2004.
3. All utilities along the entrance from Beth Stacy Boulevard as shown on the applicant's exhibit stamped Received/Zoning September 29, 2004 must be placed underground.
4. The Master Concept Plan and local development order must depict a 70-foot wide divided entrance that includes a 14-foot wide median with two 14-foot wide lanes on both sides of the median for ingress and egress.
5. If the divided entrance is ever gated, the gate must comply with all applicable regulations with respect to required equipment for an emergency override mechanism at the time of installation. Additionally, if an emergency necessitates the breaking of an entrance gate, the cost of repairing the gate and the emergency vehicle (if applicable) will be the responsibility of the owner or the operator of the gate.

cc. Jon Hagan, Banks Engineering
Chuck Basinait, Henderson, Franklin Law Firm
John Fredyma, Assistant County Attorney
Don Blackburn, Development Services Division

U:\200409\DCI20040.002\8\VISTANAMEMO2.WPD



SINGLE ACCESS APPROVED AS DRAWN

Neil T. Little
L.A.F.D
9-28-04

RECEIVED
SEP 29 2004
ZONING

MEMORANDUM
FROM
THE OFFICE OF THE
LEE COUNTY HEARING EXAMINER

RECEIVED
OCT 27 2004
COMMUNITY DEVELOPMENT

DATE: **October 27, 2004**

TO: **THE FILE**

FROM: **Diana M. Parker**
County Hearing Examiner

RE: **DCI2004-00028 - KB HOMES, in reference to VISTANA RPD /**
2ND Error/Omission in Hearing Examiner Recommendation

The Hearing Examiner's Recommendation contains an error or an omission. The following addition ("underlines") will correct the Recommendation:

In Section III. B. Deviations [page #6]:

> Deviation 3 seeks relief from LDC Section 10-285(a), which requires a connection separation of 660 feet for an arterial road, to allow for a connection separation of 572+ feet for an arterial road. The Hearing Examiner recommends **APPROVAL** of this deviation request.

The Hearing Examiner regrets any inconvenience this error may have caused.

cc: Tim Jones, County Attorney's Office
Jamie Princing, Development Services Division
Tony Palermo, Planner, Development Services Division
John Fredyma, County Attorney's Office
Applicant/Applicant's Representative(s)
Hearing Participants *[if applicable]*

MEMORANDUM
FROM
THE OFFICE OF THE
LEE COUNTY HEARING EXAMINER

RECEIVED
OCT 13 2004
ZONING

DATE: October 13, 2004

TO: THE FILE

FROM: Diana M. Parker
County Hearing Examiner

RE: DCI2004-00028 - VISTANA RPD
Error/Omission in Hearing Examiner Recommendation

The Hearing Examiner's Recommendation contains an error or an omission. The following deletions ("strike-thrus") and additions ("underlines") will correct the Recommendation:

In Section III. B. Deviation 1 [page 5 & 6]:

> Deviation 1 seeks relief from LDC Section ~~34-1091(3)~~ 10-291(3), which requires residential development of more than five (5) acres to provide more than one means of ingress or egress, to allow a 20-foot-wide stabilized access for the second means of ingress or egress. The Hearing Examiner recommends **APPROVAL** of this deviation with the following conditions:
>
> 1. No trees in excess of 25 feet in height at maturity may be planted within the access point area per the attached **Exhibit B**, stamped Received/Zoning September 29, 2004.
>
> 2. No walls or fences may be constructed within the access point area per the attached **Exhibit B**, stamped Received/Zoning September 29, 2004.
>
> 3. All utilities along the entrance from Beth Stacy Boulevard, as shown on the attached **Exhibit B**, stamped Received/Zoning September 29, 2004, must be placed underground.
>
> 4. The Master Concept Plan and local development order must depict a 70-foot-wide divided entrance that includes a 14-foot-wide median with two 14-foot-wide lanes on both sides of the median for ingress and egress.
>
> 5. If the divided entrance is ever gated, the gate must comply with all applicable regulations with respect to required equipment for an emergency override mechanism at the time of installation. Additionally, if an emergency necessitates the breaking of an entrance gate, the cost of repairing the gate and the emergency vehicle (if applicable) will be the responsibility of the owner or the operator of the gate.

The Hearing Examiner regrets any inconvenience this error may have caused.

cc: Tim Jones, County Attorney's Office
Billie Jacoby, Development Services Division
Tony Palermo, Planner, Development Services Division
John Fredyma, County Attorney's Office
Applicant/Applicant's Representative(s)
Hearing Participants *[if applicable]*

MEMORANDUM
FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ZONING

DATE: OCTOBER 26, 2004

TO: The Board of County Commissioners

FROM: Chip Block, Principal Planner

RE: DCI2004-00028 VISTANA RPD

The Hearing Examiner inadvertently left out Deviation request #3 from the recommendation. This deviation request provides for reduced connection separation for the temporary construction entrance.

Deviation #3 was recommended for approval by staff and the Hearing Examiner did not indicate any problem with the request. The following deviation request needs to be added.

Deviation 3 seeks relief from LDC Sec. 10-285(a) which requires a connection separation of 660 feet for an arterial road to allow for a connection separation of +/- 572 feet for an arterial road.

The Master Concept Plan provides for a temporary construction entrance on Beth Stacey Boulevard. It is aligned with an existing access point directly across the street (Camelot Gardens). Staff finds this request enhances the objectives of the planned development, and preserves and promotes the general intent of the LDC to protect the health, safety, and welfare. Staff recommends **APPROVAL** of the deviation request.

cc. File: DCI2004-00028 VISTANA RDP
Lee County Hearing Examiner
Charles Basinait, Esq.
Jon Hagan, Banks Engineering
John Fredyma, Assistant County Attorney

MEMORANDUM
FROM
THE OFFICE OF THE
LEE COUNTY HEARING EXAMINER

DATE: October 4, 2004

TO: **Board of County Commissioners** **FROM:** **Diana M. Parker/Salvatore Territo**
County Hearing Examiners

RE: **Hearing Examiner Recommendation**

Enclosed you will find the following Hearing Examiner Recommendation:

HEARING DATE: **SEPTEMBER 22, 2004**
WRITTEN SUBMISSTION: **SEPTEMBER 29, 2004**

RE: **DCI2004-00028** **KB HOMES, in reference to VISTANA RPD**

The above referenced Hearing Examiner Recommendation has been rendered as of this date. The Development Services Division has advised that the BOCC Zoning Hearing is tentatively scheduled for **Monday, November 1, 2004.** Development Services will forward a copy of the Recommendation to the Board prior to that time in the pink zoning notebooks.

If you have any procedural questions, please let our office know.

cc: Tim Jones / Asst. Co. Atty.
Jamie Princing / Community Development
Andy Getch / LCDOT
Sue Noe / Economic Development

DCI2004-00028
Tony Palermo / Community Development
John J. Fredyma / Asst. Co. Atty.
Matt Noble / Community Development

JAMIE PRINCING
COMMUNITY DEVELOPMENT

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

HEARING EXAMINER RECOMMENDATION

RECEIVED
OCT 0 4 2004
COMMUNITY DEVELOPMENT
REC'D SECOND FLOOR

REZONING:	**DCI2004-00028**
APPLICANT:	**KB HOMES, in reference to VISTANA RPD**
HEARING DATE:	**SEPTEMBER 22, 2004**
WRITTEN SUBMISSON:	**SEPTEMBER 29, 2004**

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 KB HOMES, 4470 Fowler Street, Fort Myers, Florida 33901 (Applicant); KIM VENDITTO, GLORIA MCEWAN, SHARON MCGONNELL and ROBERT CURTIS, % 6 Flower Road, Hopewell Junction, New York 12533; and DAWN MAGUIRE, JAMES MCGONNELL and TODD MCGONNELL, % 813 Donegal Court, Toms River, New Jersey 08753; and GABRIEL CURTIS, KRIS IREY, DIANA MCGONNELL and BRIAN MCGONNELL, % 16 Westwood, Bayville, New Jersey 08721 (Owners); STACEY ELLIS HEWITT, % BANKS ENGINERING, INC., 10511 Six Mile Cypress Parkway, Suite 101, Fort Myers, Florida 33912; KEN PASSARELLA, % PASSARELLA AND ASSOCIATES, INC., 9110 College Pointe Court, Fort Myers, Florida 33919; and TED TREESH, % METRO TRANSPORTATION GROUP, 12651 McGregor Boulevard, Suite 4-403, Fort Myers, Florida 33912 (Agents).

Request is to rezone 57.53 acres from the Agricultural (AG-2) zoning district to the Residential Planned Development (RPD) zoning district to permit a maximum of 296 dwelling units (two-family attached) with a maximum building height of 35 feet/ three stories. Development blasting is not being requested.

The subject property is located at 1,3, & 5 Beth Stacey Boulevard, Lehigh Acres, in Section 6, Township 45 South, Range 27 East, Lee County, Florida (District #5).

II. STAFF REPORT AND RECOMMENDATION: APPROVE WITH CONDITIONS

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

III. RECOMMENDATION OF HEARING EXAMINER:

The undersigned Lee County Hearing Examiner recommends that the Lee County Board of County Commissioners **APPROVE** the Applicant's request for a rezoning from AG-2 to RPD for the real estate described in Section IX. Legal Description WITH THE FOLLOWING CONDITIONS AND DEVIATIONS:

A. CONDITIONS:

1. Development must be consistent with the one-page Master Concept Plan entitled "MASTER CONCEPT PLAN: VISTANA" stamped received July 7, 2004, 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

Accessory Uses and Structures, in compliance with the LDC
Administrative Offices - Limited to the Recreation (Rec.) Areas as located on the approved Master Concept Plan
Clubhouse - Private
Maximum 2,000-square-foot building
Limited to one within the Recreation (Rec.) Area as located on the approved Master Concept Plan
Dwelling Units - Two Family attached
296 Maximum total dwelling units
Entrance gates and Gatehouse - in compliance with LDC Section 34-1748
Essential Services
Essential Service Facilities - Group I Only
Group II by Special Exception (Public Hearing) only
Excavation, Water Retention - No Blasting
As shown on the approved Master Concept Plan
Removal of excavated material is not permitted off-site
Fences, Walls, per LDC Section 34-1741
Home Occupation, per LDC Section 34-1741 Et Seq. - No Outside Help
Models: per LDC Section 34-1951 Et Seq. - 4 units maximum
Model Display Center
Model Home
Model Unit
Also see Conditions below
Parking Lot, Accessory
Real Estate Sales Office - (including Temporary Sales Trailer) See Conditions below
Recreation Facilities, Personal, Private, On-Site -
See Conditions below
Signs, in accordance with Chapter 30
Temporary Uses

b. Site Development Regulations

TWO-FAMILY ATTACHED

Minimum Lot Areas and Dimensions

Lot Size:	4,200 square feet
Lot Width:	35 feet
Lot Depth:	120

Minimum Setbacks

Street	25 feet public/20 feet private
Side	Zero/5 feet *
Rear	20 feet
Water body	25 feet
Building Separation	10 feet
Accessory	Per LDC 34-1171 & 34-2194
Maximum Height:	Three stories /35 feet
Maximum Lot Coverage:	45.5 percent

* No side setback is required from the common lot line for two-family attached.

ALL OTHER STRUCTURES - (INCLUDING CLUBHOUSE)

Minimum Lot Areas and Dimensions

Lot Size:	N/A
Lot Width:	N/A
Lot Depth:	N/A

Minimum Setbacks

Street	25 feet public/20 feet private
Side	10 feet
Rear	20 feet
Water body	25 feet
Accessory	Per LDC 34-1171 & 34-2194
Maximum Height:	three stories/35 feet
Maximum Lot Coverage:	45 percent

3. No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.

4. Agriculture is not a permitted use within this Planned Development.

5. Model homes:

a. The number of model homes or model units will be limited to no more than four within the development.

b. Any model homes or units must be developed within the area identified as "Models" on the approved Master Concept Plan.

c. Models cannot be of the same floor plan and each must be a separate different design.

d. Model Display Centers or Model Display Groups must be shown on the development order plans. Parking areas for these uses will be buffered with a single row hedge and tree canopy for parking areas per the LDC.

e. Hours of operation are limited to Monday through Sunday 8:00 a.m. through 8:00 p.m.

6. Real Estate Sales/Temporary Sales Trailer:

a. Real estate sales are limited to the temporary sales trailer, models, and recreation (rec.) area as located on the approved master concept plan.

b. The temporary sales trailer limited to 3,000 square feet.

c. The temporary sales trailer is limited for use prior to construction of any model units.

d. Real estate sales will be limited to the sale of lots or units within the development only.

e. Hours of operation are limited to Monday through Sunday, 8:00 a.m. through 8:00 p.m.

7. Recreational facilities, a clubhouse and a "tot lot" may be developed within the "Recreation Area" located, as depicted on the Master Concept Plan, at the entrance to the development.

8. 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.

9. 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), be reviewed for, and found consistent with, the retail commercial standards for site area, including range of gross floor area, location, tenant mix and general function, as well as all other Lee Plan provisions.

10. Accessory uses must be located on the same tract, parcel or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, parcel or outpace.

11. No development order or permitting (including land clearing) will be issued by Lee County without the vacation, release, or relocation of easements shown on the approved Master Concept Plan

Written documentation of compliance with this condition must be submitted to the County prior to development order approval or permitting (including land clearing).

12. A Type "D" buffer must be planted along the length of Beth Stacey Boulevard in accordance with the approved Master Concept Plan.

13. All required buffers must utilize 100 percent all native vegetation.

14. The lake shorelines must be sinuous at time of local development order.

15. As a condition for 5-foot side setbacks for residential construction, prior to the issuance of a Certificate of Occupancy for residential construction, each home site must be inspected by a civil engineer who must certify to the County that the site is graded in accordance with the approved site grading plan on the Development Order. The Division of Development Services will be responsible for the enforcement of this condition.

16. Prior to local development order approval, the development order must delineate 23 acres of open space of which 9.47 acres must be preservation areas in substantial compliance with the approved Master Concept Plan. All heritage trees on the property must be flagged and numbered onsite for the Division of Environmental Sciences staff field verification. The number of heritage trees to be preserved and impacted must be included on the development order plans, with the replacement of any of the impacted heritage trees with 20-foot-tall trees of the same species within the preserve area.

B. DEVIATIONS:

Deviation 1 seeks relief from LDC Section 34-1091(3), which requires residential development of more than five (5) acres to provide more than one means of ingress or egress, to allow a 20-foot-wide stabilized access for the second means of ingress or egress. The Hearing Examiner recommends **APPROVAL** of this deviation with the following conditions:

1. No trees in excess of 25 feet in height at maturity may be planted within the access point area per the attached **Exhibit B**, stamped Received/Zoning September 29, 2004.

2. No walls or fences may be constructed within the access point area per the attached **Exhibit B**, stamped Received/Zoning September 29, 2004.

3. All utilities along the entrance from Beth Stacy Boulevard, as shown on the attached **Exhibit B**, stamped Received/Zoning September 29, 2004, must be placed underground.

4. The Master Concept Plan and local development order must depict a 70-foot-wide divided entrance that includes a 14-foot-wide median with two 14-foot-wide lanes on both sides of the median for ingress and egress.

5. If the divided entrance is ever gated, the gate must comply with all applicable regulations with respect to required equipment for an emergency override mechanism at the time of installation. Additionally, if an emergency necessitates the breaking of an entrance gate, the cost of repairing the gate and the emergency vehicle (if applicable) will be the responsibility of the owner or the operator of the gate.

Deviation 2 seeks relief from LDC Section 10-285(a), which requires a connection separation of 660 feet for an arterial road, to allow for a connection separation of 639± feet for an arterial road. The Hearing Examiner recommends **APPROVAL** of this deviation.

IV. HEARING EXAMINER DISCUSSION:

This is a request to rezone 57.53 acres, located on Beth Stacey Boulevard in Lehigh Acres, from AG-2 (Agricultural) to RPD (Residential Planned Development) for a maximum of 296 two-family attached dwelling units. The subject property is squarish in shape, with approximately 1,640 feet of frontage on Beth Stacey Boulevard. It is abutted on the north by a CFPD zoned parcel containing a day care center and a social services office building, on the east by a 100-foot-wide drainage canal and then RS-1 zoning containing a scattering of single-family dwelling units, on the west by residential uses in RM-2 zoning, and south by a mixture of single-family golf course community with some commercial uses along Beth Stacy Boulevard. It is designated Central Urban in the Lee Plan and the planned residential development is consistent with the intent of that land use designation.

Applicant's Master Concept Plan (MCP) depicts a single row of residential lots set back from the property's perimeters by a total of 9.47 acres of preserved area, and then a single row of lots enclosing three long narrow lakes. The entrance to the development is located in the approximate center of the Beth Stacey Boulevard frontage, with the model units lying at the east end of the entrance, and the community recreational area being located just to the south of the models. A 20-foot-wide stabilized, but unpaved, emergency entrance lies on both the north and south sides of the main entrance.

Applicant explained that the MCP actually depicts only 292 units, because of the recreational area. If they decided not to provide the recreational area, Applicant would be able to fit the remaining four units in that area. At 296 units, this development would have an overall density of about 5.15 units per acre. This density amount is about midline of the densities of the other residential development in the area, which range from a low of about 3.4 units per acre (the MPD to the south) to a high of about 9.8 units per acre (an RM-2 project on the west).

Using the ITE Trip Generation Manual, 6th Edition, this project is expected to generate about 285 peak hour trips at its anticipated build-out date of 2007. Beth Stacey Boulevard currently operates at a LOS "C," and is expected to continue at a LOS "C" with this project's traffic.

Applicant also requested three Deviations from the provisions of the Land Development Code. The first request was to have the two 20-foot-wide stabilized "emergency access" points instead of a second access point for this development. The second and third requests related to Applicant's inability to locate the entrance and temporary sales center entrance in such a manner that they each complied with the 660-foot intersection separation requirement. Applicant explained that, despite the 1,640-foot frontage and placing their entrances directly across from existing entrances on the west side of Beth Stacey Boulevard, their main and temporary entrances were closer than the 660 feet required to another access point.

Staff recommended approval of the rezoning request, with conditions, finding that the request, as conditioned, was consistent with the Lee Plan and the Land Development Code, and would be compatible and consistent with the existing and planned uses in the immediate vicinity of the subject property. They found that the proposed uses and density were appropriate for this area, and would not be detrimental or injurious to the persons or properties in the area or the public health, safety and welfare.

Staff recommended approval of Deviations 2 and 3, but only recommended approval of Deviation 1 after discussions with Applicant and the Lehigh Fire Department. They found that the Deviations, as conditioned, met the criteria for approval, and would enhance the planned development and protec the public health, safety and welfare.

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

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

It is also her opinion that the approved Deviations, as conditioned, will enhance the objective of the planned development and will promote and protect 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 Deviations, 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 Vistana, dated April 28, 2004, not revised, prepared by Banks Engineering, Inc., date stamped "RECEIVED JUL 07 2004 PERMIT COUNTER"

STAFF'S EXHIBITS

1 Aerial photograph [color]

2 Photographs (nine) taken by Tony Palermo, Planner, of subject property and surrounding area [8½" x 11"]

3 Memorandum from Tony Palermo to Hearing Examiner, dated September 29, 2004, re: Deviation 1 Conditions with Exhibit of Driveway Entrance [post hearing submittal]

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

APPLICANT'S EXHIBITS

1 Lee County Zoning Map (color)

2 Expanded Entrance Plan for Vistana RPD, prepared by Banks Engineering, Inc, dated September 21, 2004 [two - 11" x 17"]

3 Master Concept Plan for Vistana RPD, prepared by Banks Engineering, Inc., dated April 28, 2004 [one - 24" x 36" / one - 11" x 17"]

4 Entrance sketch, hand written, not dated [8½" x 11"]

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

VII. PRESENTATION SUMMARY:

See Official Court Reporter Transcript

VIII. OTHER PARTICIPANTS AND SUBMITTALS:

ADDITIONAL APPLICANT'S REPRESENTATIVES:

1. Charles Basinait, % Henderson, Franklin, Starnes & Holt, P. O. Box 280, Fort Myers, Florida 33901

2. Wayne Everett, c/o KB Homes, 4470 Fowler Street, Fort Myers, Florida 33901

3. Jon Hagan, c/o Banks Engineering, Inc., 10511 Six Mile Cypress Parkway, Fort Myers, Florida 33912

4. Sam Marshall, c/o Banks Engineering, Inc., 10511 Six Mile Cypress Parkway, Fort Myers, Florida 33912

5. Andy Woodruff, c/o Passarella and Associates, 9110 College Point Court, Fort Myers, Florida 33919

ADDITIONAL COUNTY STAFF:

1. John J. Fredyma, Assistant County Attorney, P. O. Box 398, Fort Myers, Florida 33902-0398

2. Alaina Ray, Environmental Sciences, P. O. Box 398, Fort Myers, Florida 33902-0398

PUBLIC PARTICIPATION:

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

For: NONE

Against: NONE

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

For: NONE

Against: NONE

IX. LEGAL DESCRIPTION:

See Exhibit A (scanned legal description).

X. UNAUTHORIZED COMMUNICATIONS:

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

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

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

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

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

XI. HEARING BEFORE LEE COUNTY BOARD OF COUNTY COMMISSIONERS:

A. This recommendation is made this 4th day of October, 2004. 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, Florida 33902-0398
Telephone: 239/479-8100
Facsimile: 239/479-8106

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF A
PARCEL OF LAND
LYING IN
SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST
LEE COUNTY, FLORIDA

(57.53 ACRE PARCEL)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST, SAID LEE COUNTY, FLORIDA BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION ; THENCE S.89°35'44"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 199.40 FEET TO AN INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF BETH STACY BOULEVARD (106 FEET WIDE) ACCORDING TO THE PLAT OF PARKWOOD IV AS RECORDED IN PLAT BOOK 28, AT PAGES 96 THROUGH 100 AND PARKWOOD V AS RECORDED IN PLAT BOOK 28, AT PAGES 101 THROUGH 105, ALL OF THE PUBLIC RECORDS OF SAID LEE COUNTY, FLORIDA; THENCE S.01°38'38"E. ALONG SAID EAST LINE FOR 327.40 FEET TO AN INTERSECTION WITH THE WESTERLY PROLONGATION OF THE NORTH LINE OF THE NORTH THREE QUARTERS, OF THE NORTHWEST QUARTER, OF THE NORTHEAST QUARTER OF SAID SECTION AND THE **POINT OF BEGINNING**; THENCE CONTINUE S.01°38'38"E. ALONG SAID EAST LINE FOR 1641.13 FEET TO AN INTERSECTION WITH THE WESTERLY PROLONGATION OF THE SOUTH LINE OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE N.89°19'06"E. ALONG SAID PROLONGATION AND THE SOUTH LINE OF SAID FRACTION FOR 1532.85 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF THE WEST HALF OF THE NORTHEAST QUARTER OF SAID SECTION; THENCE N.01°51'37"W. ALONG SAID EAST LINE FOR 1635.52 FEET TO THE NORTHEAST CORNER OF SAID NORTH THREE QUARTERS, OF THE NORTHWEST QUARTER, OF THE NORTHEAST QUARTER; THENCE S.89°32'00"W. ALONG THE NORTH LINE OF SAID FRACTION AND THE WESTERLY PROLONGATION THEREOF FOR 1526.77 FEET TO THE **POINT OF BEGINNING.**

PARCEL CONTAINS 57.53 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

ASSUMED NORTH BASED ON THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA AS BEARING S.89°35'44"W.

DESCRIPTION PREPARED 05-03-04

Richard M. Ritz

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

RECEIVED
MAY 05 2004
COMMUNITY DEVELOPMENT

S:\Jobs\18xx\1830\SURVEYING\DESCRIPTIONS\1830_57_ACRE_SKT.doc
S:\Jobs\18xx\1830\SURVEYING\DESCRIPTIONS\1830_57_ACRE_SKT.dwg

Applicant's Legal Checked
by _____ July 9, 2004.

DCI2004-00028

SHEET 1 OF 2

10511 Six Mile Cypress Pkwy, Suite 101, Ft Myers, Florida 33912 • (239) 939-5490 • Fax (239) 939-2923

EXHIBIT A

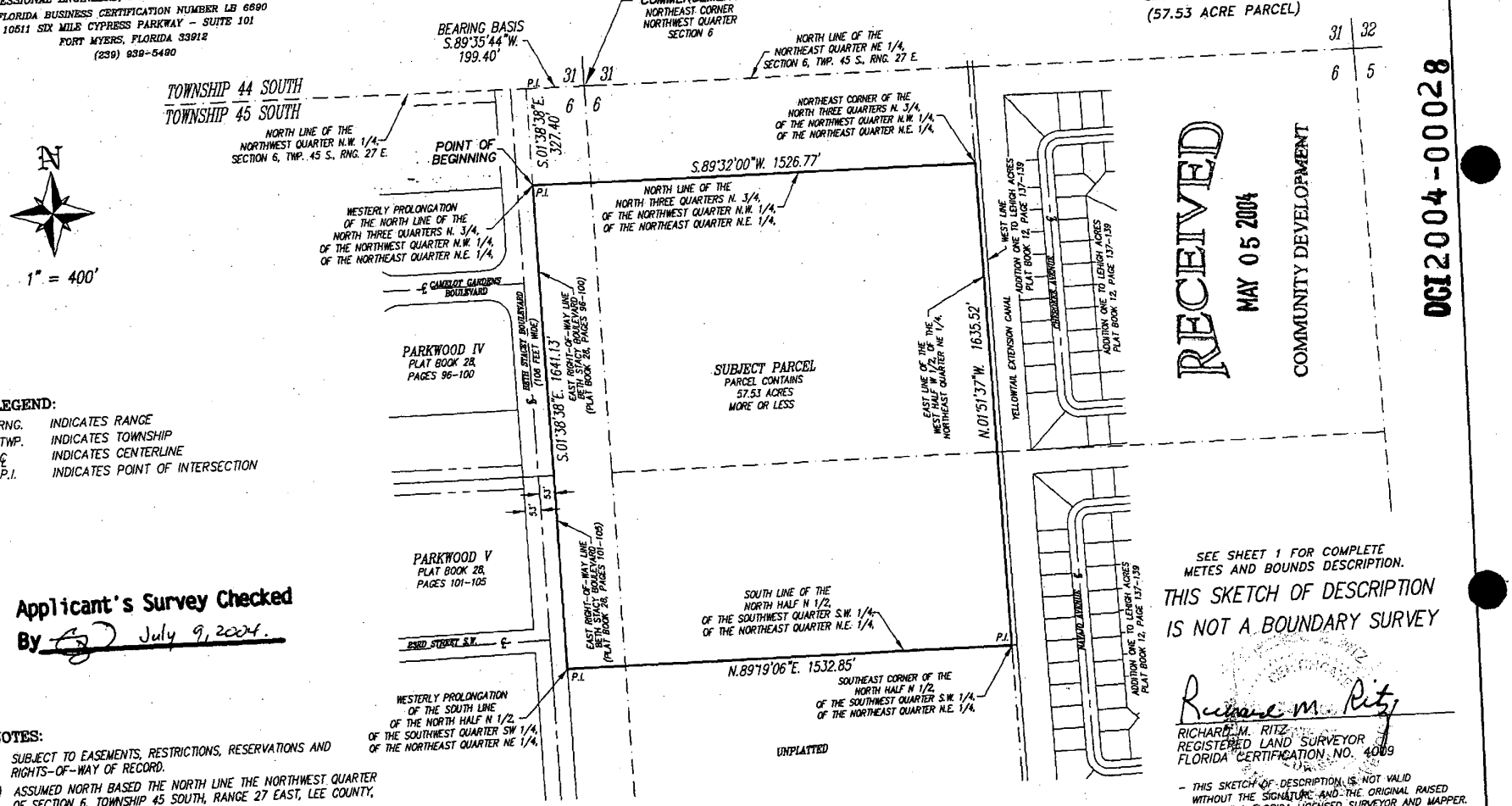
SKETCH OF DESCRIPTION

OF

A TRACT OR PARCEL OF LAND LYING IN
SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST,
LEE COUNTY, FLORIDA.
(57.53 ACRE PARCEL)

Banks Engineering, Inc.

PROFESSIONAL ENGINEERS, LAND SURVEYORS & PLANNERS
FLORIDA BUSINESS CERTIFICATION NUMBER LB 6690
10511 SIX MILE CYPRESS PARKWAY – SUITE 101
FORT MYERS, FLORIDA 33912
(239) 939-5490



1" = 400'

LEGEND:

RNG.	INDICATES RANGE
TWP.	INDICATES TOWNSHIP
℄	INDICATES CENTERLINE
P.I.	INDICATES POINT OF INTERSECTION

Applicant's Survey Checked
By July 9, 2004.

NOTES:

1.) SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

2.) ASSUMED NORTH BASED THE NORTH LINE THE NORTHWEST QUARTER OF SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA AS BEARING S.89°35'44"W.

RECEIVED
MAY 05 2004
COMMUNITY DEVELOPMENT

DCI2004-00028

SEE SHEET 1 FOR COMPLETE METES AND BOUNDS DESCRIPTION.

THIS SKETCH OF DESCRIPTION IS NOT A BOUNDARY SURVEY

Richard M. Ritz

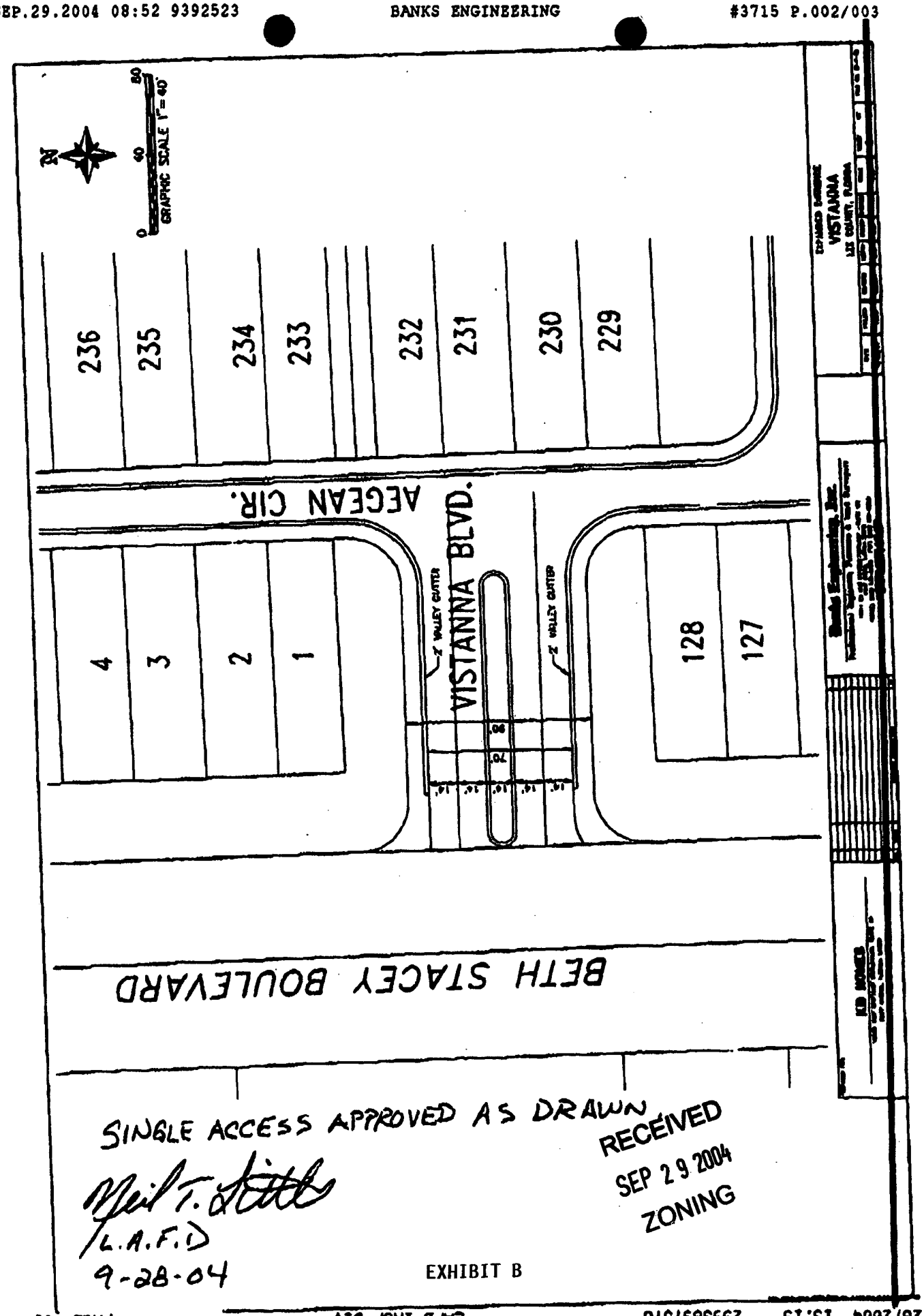
RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

– THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED 05-03-04
SHEET 2 OF 2

S:\JOBS\18XX\1830\SURVEYING\DESCRIPTIONS\1830_57_ACRE_SKT.DWG
S:\JOBS\18XX\1830\SURVEYING\DESCRIPTIONS\1830_57_ACRE_SKT.DOC

S:\JOBS\18XX\1830\SURVEYING\DESCRIPTIONS\1830_57_ACRE_SKT.dwg, 5/5/2004 9:26:43 AM, JOE WHITE

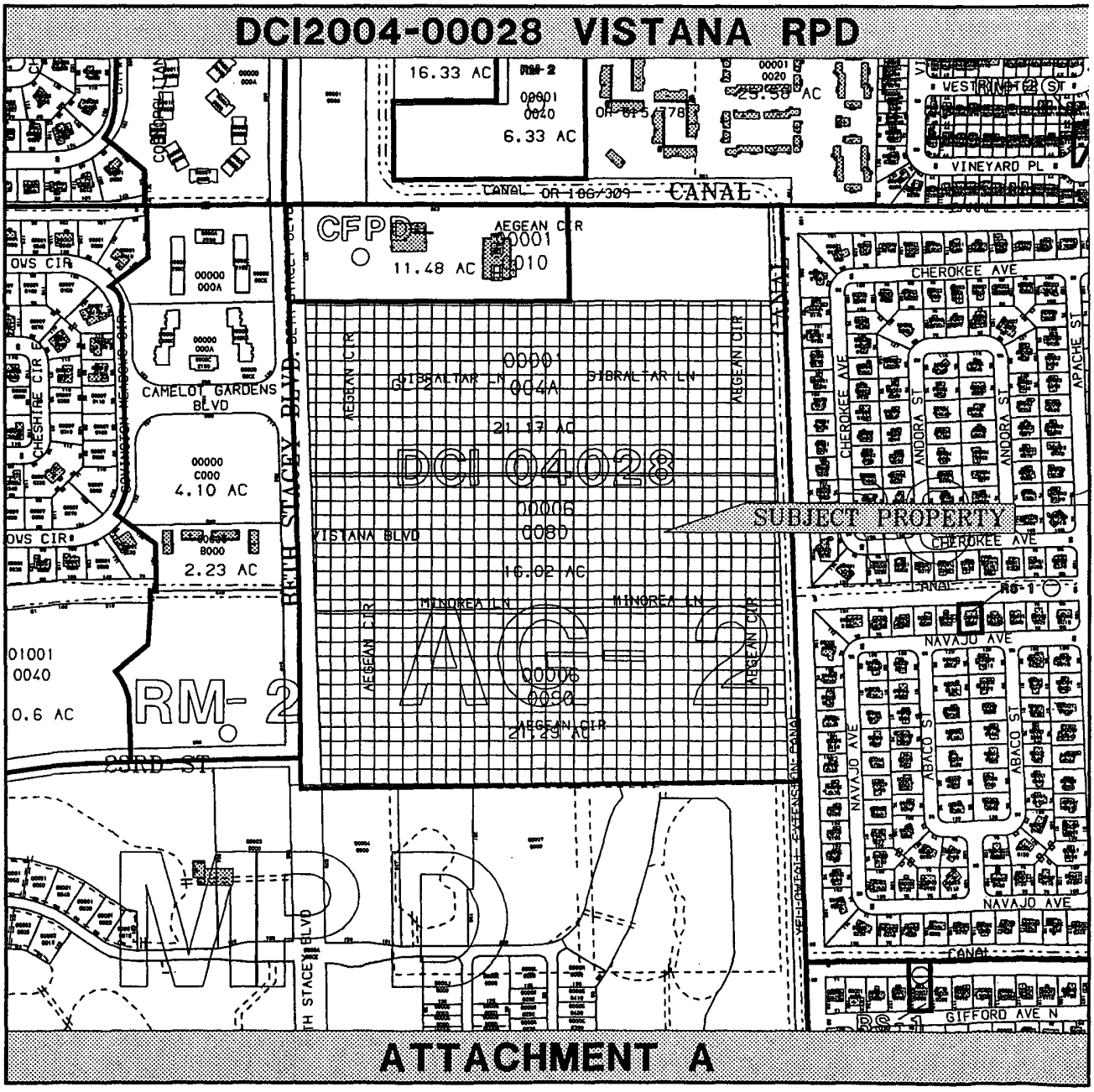


SINGLE ACCESS APPROVED AS DRAWN

Neil T. Little
L.A.F.D
9-28-04

RECEIVED
SEP 29 2004
ZONING

EXHIBIT B


DCI2004-00028 VISTANA RPD
16.33 AC
RM-2
6.33 AC
CANAL
VINEYARD PL
CFPD
AEGEAN CIR
11.48 AC
CHEROKEE AVE
CAMELOT GARDENS BLVD
4.10 AC
2.23 AC
GIBRALTAR LN
21.17 AC
DCI 04028
SUBJECT PROPERTY
VISTANA BLVD
16.02 AC
MINOREA LN
21.23 AC
RM-2
0.6 AC
23RD ST
NAVAJO AVE
ABACO ST
RS-1
GIFFORD AVE N
ATTACHMENT A

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

ORDER FOR CONTINUANCE

CASE NUMBER: **DCI2004-00028**
APPLICANT: **KB HOMES, in reference to VISTANA RPD**
RESPONSE DATES: **SEPTEMBER 29, 2004**

The hearing on the above-styled case began as scheduled on September 22, 2004. At the conclusion of the presentations of Staff and Applicant and, following the comments and presentations of other interested parties present, the matter was continued to the date and time set forth below to allow the Staff and the Applicant to submit additional materials, only as requested by the Hearing Examiner, which are responsive to questions, issues and concerns which arose during the course of the proceedings.

Written submissions shall be in the form of:

1) Staff and Applicant's, joint or individual, reconsideration of Devation 1; and

2) Applicant's revision to exhibit of secondary/emergency access.

This matter is continued to WEDNESDAY, SEPTEMBER 29, 2004 at 5:00 P.M., FOR SUBMISSION OF MATERIALS AS REQUESTED BY THE HEARING EXAMINER. At, or before this time, the requested materials will be submitted to the Hearing Examiner, *and other responding parties,* and the Hearing Examiner will determine if these submissions are sufficient. **NO HEARING WILL BE HELD AND NO TESTIMONY WILL BE HEARD.** If the Hearing Examiner determines that these submissions are insufficient, a subsequent hearing will be set to discuss this matter further and notices will be sent to all parties involved.

Accordingly, written submittals will be delivered to the Office of the Hearing Examiner, 1500 Monroe Street, Suite 218, Fort Myers, Florida, on or before these dates. Copies of this order will be furnished to the Staff, the Applicant, and all hearing participants.

DONE AND ORDERED this 22nd day of September, 2004.

DIANA M. PARKER
LEE COUNTY HEARING EXAMINER
P. O. Box 398 (1500 Monroe Street, Suite 218)
Fort Myers, Florida 33902-0398
Telephone: 239/479-8100 Fax: 239/479-8106

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the aforesaid Order was sent to all hearing participants, officially established as of the above Order date, either by U.S. Mail, Inter-County Mail, or Facsimile Transfer on the 22nd day of September, 2004.

Suzanne Hunter-Galvan
Office Manager

September 22, 2004

LEE COUNTY, FLORIDA

DEPARTMENT OF COMMUNITY DEVELOPMENT

ZONING DIVISION

STAFF REPORT

TYPE OF CASE: **PLANNED DEVELOPMENT/DCI**

CASE NUMBER: **DCI2004-00028**

HEARING EXAMINER DATE: **SEPTEMBER 22, 2004**

I. APPLICATION SUMMARY:

A. Applicant: KB Homes in reference to Vistana RPD

B. Request: Request to rezone +/- 57.53 acres from Agricultural (AG-2) to Residential Planned Development (RPD) to permit a maximum of 296 dwelling units (two-family attached) with a maximum building height of 35 feet/3 stories. Development blasting is not being requested.

C. Location: The subject property is located at 1,3, & 5 Beth Stacey Boulevard, Lehigh Acres in S06-T45S-27E, Lee County, FL. (District #05)

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

Future Land Use:	Central Urban
Current Zoning:	Agricultural (AG-2)
Land Use:	Vacant.

E. Surrounding Land Use:

	Existing Zoning & Land Use	Future Land Use Map
North:	Community Facilities Planned Development (CFPD), Social Services, Day Care.	Central Urban
East:	100-foot Yellowtail Canal Extension; then Residential Single-Family (RS-1), Single-family neighborhood.	Central Urban
South:	Mixed Use Planned Development (MPD); Golf course and residential development.	Central Urban
West:	Residential Multi-Family (RM-2); Condominium, multi-family developments.	Central Urban

F. Size of Property: 57.53± Acres

II. RECOMMENDATION:

Staff recommends **APPROVAL** of the Applicant's request for rezoning from Agricultural **(AG-2)** to Residential Planned Development **(RPD)** with the following conditions and deviations:

A. Conditions

1. Development must be consistent with the **1-page** Master Concept Plan entitled **"MASTER CONCEPT PLAN: VISTANA"** stamped received **JULY 7, 2004** 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**

   ACCESSORY USES AND STRUCTURES, IN COMPLIANCE WITH THE LDC.
   ADMINISTRATIVE OFFICES - LIMITED TO THE RECREATION (REC.) AREA AS LOCATED ON THE APPROVED MASTER CONCEPT PLAN.
   CLUBHOUSE - PRIVATE.
   MAXIMUM 2,000 SQUARE FOOT BUILDING.
   LIMITED TO ONE WITHIN THE RECREATION (REC.) AREA AS LOCATED ON THE APPROVED MASTER CONCEPT PLAN.
   DWELLING UNITS - TWO-FAMILY ATTACHED
   296 MAXIMUM TOTAL DWELLING UNITS.
   ENTRANCE GATES, AND GATEHOUSE - IN COMPLIANCE WITH LDC SEC. 34-1748.
   ESSENTIAL SERVICES
   ESSENTIAL SERVICE FACILITIES -GROUP I ONLY
   GROUP II BY SPECIAL EXCEPTION (PUBLIC HEARING) ONLY.
   EXCAVATION, WATER RETENTION - NO BLASTING.
   AS SHOWN ON THE APPROVED MASTER CONCEPT PLAN.
   REMOVAL OF EXCAVATED MATERIAL NOT PERMITTED OFF SITE.
   FENCES, WALLS, PER LDC SEC. 34-1741
   HOME OCCUPATION, PER LDC SEC. 34-1741 ET SEQ. - NO OUTSIDE HELP
   MODELS: PER LDC SEC. 34-1951 ET SEQ. - 4 UNITS MAXIMUM
   MODEL DISPLAY CENTER
   MODEL HOME
   MODEL UNIT
   ALSO SEE CONDITIONS BELOW.
   PARKING LOT, ACCESSORY
   REAL ESTATE SALES OFFICE - (INCLUDING TEMPORARY SALES TRAILER)
   SEE CONDITIONS BELOW
   RECREATION FACILITIES, PERSONAL, PRIVATE, ON SITE -
   SEE CONDITIONS BELOW.
   SIGNS IN ACCORDANCE WITH CHAPTER 30
   TEMPORARY USES

b. **Site Development Regulations**

TWO FAMILY ATTACHED

Minimum Lot Areas and Dimensions

Lot Size:	4,200 square feet
Lot Width:	35 feet
Lot Depth:	120

Minimum Setbacks

Street	25 feet public/20 feet private
Side	0/5 *
Rear	20
Water body	25
Building Separation	10 feet
Accessory	Per LDC 34-1171 & 34-2194

Maximum Height: 3 stories/35 feet

Maximum Lot Coverage: 45.5%

* No side setback is required from the common lot line for two-family attached.

ALL OTHER STRUCTURES - (INCLUDING CLUBHOUSE)

Minimum Lot Areas and Dimensions

Lot Size:	N/A
Lot Width:	N/A
Lot Depth:	N/A

Minimum Setbacks

Street	25 feet public/20 feet private
Side	10
Rear	20
Water body	25
Accessory	Per LDC 34-1171 & 34-2194

Maximum Height: 3 stories/35 feet

Maximum Lot Coverage: 45%

3. No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.

4. Agriculture is not a permitted use within this Planned Development.

5. Model homes:

   a. The number of model homes or model units will be limited to no more than four within the development.

   b. Any model homes or units must be developed within the area identified as "Models" on the approved Master Concept Plan.

   c. Models cannot be of the same floor plan and each must be a separate different design.

   d. Model Display Centers or Model Display Groups must be shown on the development order plans. Parking areas for these uses will be buffered with a single row hedge and tree canopy for parking areas per the LDC.

   e. Hours of operation are limited to Monday through Sunday 8:00 a.m. through 8:00 p.m.

6. Real Estate Sales/Temporary Sales Trailer:

   a. Real estate sales are limited to the temporary sales trailer, models, and recreation (rec.) area as located on the approved master concept plan.

   b. The temporary sales trailer limited to 3,000 square feet.

   c. The temporary sales trailer is limited for use prior to construction of any model units.

   d. Real estate sales will be limited to the sale of lots or units within the development only.

   e. Hours of operation are limited to Monday through Sunday 8:00 a.m. through 8:00 p.m.

7. Recreation Facilities and a Clubhouse may be developed within the "Recreation Area"and "Tot Lot" areas as depicted on the approved Master Concept Plan. No buildings may be developed within the "Tot Lot" area.

8. 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.

9. 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), be reviewed for, and found consistent with, the retail commercial standards for site area, including range of gross floor area, location, tenant mix and general function, as well as all other Lee Plan provisions.

10. Accessory uses must be located on the same tract, parcel or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, parcel or outpace.

11. No development order or permitting (including land clearing) will be issued by Lee County without the vacation, release, or relocation of easements shown on the approved Master Concept Plan

    Written documentation of compliance with this condition must be submitted to the County prior to Development Order approval or permitting (including land clearing)..

12. A Type "D" buffer must be planted along the length of Beth Stacey Boulevard in accordance with the approved Master Concept Plan.

13. All required buffers must utilize 100% all native vegetation.

14. The lake shorelines must be sinuous at time of local development order.

15. As a condition for 5-foot side setbacks for residential construction, prior to the issuance of a Certificate of Occupancy for residential construction, each home site must be inspected by a civil engineer who must certify to the County that the site is graded in accordance with the approved site grading plan on the Development Order. The Division of Development Services will be responsible for the enforcement of this condition.

16. Prior to local development order approval, the development order must delineate 23 acres of open space of which 9.47 acres must be preservation areas in substantial compliance with the approved Master Concept Plan. All heritage trees on the property must be flagged and numbered onsite for the Division of Environmental Sciences staff field verification. The number of heritage trees to be preserved and impacted must be included on the development order plans, with the replacement of any of the impacted heritage trees with 20-foot trees of the same species within the preserve area.

B. Deviations

Deviation 1 seeks relief from LDC Sec. 34-1091(3) which requires residential development of more than 5 acres to provide more than 1 means of ingress or egress to allow a 20-foot stabilized access for the second means of ingress or egress.

The subject property has 1,646 feet of frontage on Beth Stacey Boulevard. The Master Concept Plan shows one 60-foot entrance on this 2-lane arterial road - with a 20-foot stabilized access adjacent to it. The applicant says should the main entrance be blocked, traffic may be able to use this 20-foot access as an escape.

The Development Services Division says this stabilized access point is not acceptable for this 296-unit development. They point out that if an event happen at or near this entrance (a tree falling, telephone pole, plane crash, automobile crash) it will likely block both the main entrance and the stabilized access as well.

Development Services recommends a secondary emergency access point be located at the temporary sales trailer location across from Camelot Gardens (or a similar location if possible).

Staff finds this request enhances the objectives of the planned development, and preserves and promotes the general intent of the LDC to protect the health, safety, and welfare. Staff recommends **APPROVAL** of the deviation request with two conditions:

1. The Master Concept Plan and local development orders must include one emergency access gate to be constructed at the location labeled "Temporary Access for Temporary Sales Trailer" or another location on Beth Stacey Boulevard acceptable to the Division of Development Services.

2. The emergency access gate on Beth Stacey Boulevard must comply with all applicable regulations with respect to required equipment for an emergency override mechanism at the time of installation. Additionally, if an emergency necessitates the breaking of an entrance gate, the cost of repairing the gate and the emergency vehicle (if applicable) will be the responsibility of the owner or the operator of the gate.

Deviation 2 seeks relief from LDC Sec. 10-285(a) which requires a connection separation of 660 feet for an arterial road to allow for a connection separation of +/- 639 feet for an arterial road.

The Master Concept Plan provides for a reasonable access point near the middle of the property on Beth Stacey Boulevard. It is aligned with an existing access point directly across the street (Glendale Village). Staff finds this request enhances the objectives of the planned development, and preserves and promotes the general intent of the LDC to protect the health, safety, and welfare. Staff recommends **APPROVAL** of the deviation request.

Deviation 3 seeks *relief from LDC Sec. 10-285(a) which requires a connection separation of 660 feet for an arterial road to allow for a connection separation of +/- 572 feet for an arterial road.*

The Master Concept Plan provides for a temporary construction entrance on Beth Stacey Boulevard. It is aligned with an existing access point directly across the street (Camelot Gardens). Staff finds this request enhances the objectives of the planned development, and preserves and promotes the general intent of the LDC to protect the health, safety, and welfare. Staff recommends **APPROVAL** of the deviation request.

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. As conditioned, 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. As conditioned, the proposed use or 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 deviations granted:

   a) enhance the objectives of the planned development; and

   b) preserve and promote 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 +/- 57.53 acres of Agriculturally-zoned property to a Residential Planned Development (RPD) consisting of two-family attached homes (maximum 296 dwelling units). The property is located on Beth Stacey Boulevard in Lehigh Acres. The applicant seeks typical residential uses, including 4 model units, clubhouse, recreation area, tot lot, and temporary sales trailer. Buildings are a maximum 3 stories, 35 feet in height - typical for residential development.

There are no agricultural uses on the property at this time. This was confirmed at a site visit. The Property Appraiser's Office indicate there are no agricultural exemptions on the subject property.

No development blasting is requested.

A number of conditions have been recommended by both the Division of Development Services and Environmental Sciences (See Attachments K, L and M). Those conditions are included in staff's recommended conditions (14, 15, and 16) above.

Master Concept Plan

The **JULY 7, 2004** Master Concept Plan shows the residential lots in relation to roads, and surrounding residential neighborhoods and social services to the north. To the east is a 100-foot canal separating the property from a residential single-family neighborhood. Deviations 1,2, and 3 are shown in relation to Beth Stacey Boulevard.

The entrance consists of a 60-foot right of way adjacent to a 20-foot stabilized access (for emergency exits). The MCP also shows the location of a Temporary Sales Trailer. The MCP shows conceptual locations for 292 of the 296 lots. There are also proposed locations fora recreation area (clubhouse/office building), 4 model units, temporary sales trailer, tot lot, and 3 lakes. Should the recreation area not be built, approximately 4 units would fit - bringing the unit total to 296. The MCP also shows 9.47 acres of native vegetative preserve area with a thin strip of preserve to the north and south, and thicker preserve to the east adjacent to the canal.

The MCP also shows a number of easements on the property. Conditions are proposed requiring the proper disposal of these easements prior to development order approval.

Lee Plan Considerations

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

The request is **CONSISTENT** with this land use category because the future land use category indicates that residential uses are appropriate. The land use category allows a maximum standard density of 10 units per acre. The applicant is proposing a development of 296 dwelling units, which would equate to approximately 5.15 units per acre.

Surrounding properties have similar low to moderate densities (*ranging from 3 units per acre to 10 units per acre*).This is an acceptable level of residential development and as conditioned is **CONSISTENT** with the **Policy 1.1.3** of the Lee Plan.

POLICY 1.8.1. *Commercial uses are permitted on lands in the **Lehigh Commercial** overlay once commercial zoning has been approved in accordance with this plan. Land in the **Lehigh Commercial** overlay may also be used for schools, parks, and other public facilities; churches and synagogues; and residential uses that provide housing alternatives to the typical 1/4 to ½ acre subdivision lots. Creation of new single-family lots smaller than one acre is not permitted due to the oversupply of standard subdivision lots.*

The subject property is located in Lehigh Acres within the Commercial Overlay (the red overlay). Of note, the request is for housing alternatives to the typical 1/4 to ½ acre subdivision lots. This development proposal consists of all two-family attached lots (35'X120' or 4,200 S/F lots). As conditioned, this proposal is **CONSISTENT** with ***POLICY 1.8.1.*** of the Lee Plan.

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

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

POLICY 2.2.1: *Rezonings and development-of-regional-impact proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community*

facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare. (Amended by Ordinance No. 94-30, 00-22)

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

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

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

POLICY 5.1.4: *During the rezoning process, direct high-density residential developments to locations that are near employment and shopping centers; are close to parks and schools; and are accessible to mass transit and bicycle facilities. (Amended by Ordinance No. 94-30)*

This proposed development is near shopping, public parks, and in proximity to schools and social services. As conditioned, this proposed development is **CONSISTENT** with **Policy 5.1.4** of the Lee Plan.

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

This is single-family residential development in proximity to other residential single- and multi-family developments and subdivisions, as well as social services. Much of the subject property is separated from surrounding uses by a large canal. As conditioned, this proposed development is **CONSISTENT** with **Policy 5.1.5** of the Lee Plan.

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

STANDARD 11.2: SEWER. *Any new residential development that exceeds 2.5 dwelling units*

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

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

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

The subject property is vacant with a portion covered with natural wooded areas. Staff recommends a condition stating agriculture is not a permitted use within this Planned Development.

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

Neighborhood Compatibility

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

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

This proposed development introduces more residential uses into a single- and multi-family residential portion of Lehigh Acres. The proposed density is 5.15 units per acre, on typical 4,600 square foot lots. The development's impacts are minimized by the canals separating the subject property from existing residential developments.

North The property to the north is zoned Community Facilities Planned Development, consisting of day care and social service uses (Senior Friendship Center) on 6.48 acres of land. There are 2 buildings on site. There is a Type B buffer (15 feet in width, 5 trees per 100 linear feet, double staggered hedge) separating this property from the subject property. The MCP shows a narrow portion of a vegetative buffer separating the subject property from the property to the north. No buffer is required for a single-family residential use adjacent to commercial/social services. No additional buffer appears necessary.

South The property to the south is a 289-acre Mixed Use Planned Development -

Copperhead Golf Course (formerly Classic Hills). The portion bordering the subject property is undeveloped and leads to the golf course. This development was approved for a golf course, 100,00 square feet of commercial development, single-family, duplex, two-family attached, and multi-family housing (990 total dwelling units, 250 single-family, 270 two-family attached, 470 multifamily). Altogether it is about 3.4 dwelling units per acre.

The MCP shows a narrow portion of a vegetative buffer separating the subject property from the property to the south.

No buffer is required for a single-family residential use adjacent to a residential golf community. No additional buffer appears necessary.

East East of the subject property is a 100-foot canal and then single-family residential developments on Navajo Avenue and Cherokee Avenue. This property is buffered from the subject property by the canal and a 160-foot wide buffer preserve as shown on the Master Concept Plan. These single-family lots are typical 7,500 S/F lots and the density is about 5.8 units per acre.

West West of the subject property is Beth Stacey Boulevard, a two-lane arterial roadway 100 feet in total width. West of this are multi-family developments including Sunset Lake Condominium (74 units on 7.9 acres, 9.3 units per acre), Stone Edge Condominium (30 units on 3.3 acres, 9 units per acre), Camelot Gardens (29 units on 2.96 acres, 9.8 units per acre), and Glendale Village (Goodwill Housing with 16 units on 2.2 acres, 7.2 units per acre).

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

Environmental Issues

The applicant's environmental report for the South Florida Water Management District shows the property consists of a variety of vegetation including slash pine, oak, saw palmetto, wax myrtle, and small amounts of Australian Pine and Brazilian pepper. No wetlands or wetland dependent species were reported. One inactive gopher tortoise burrow was found on site.

The Environmental Sciences Division's report is included in Attachment M. It includes the following recommended condition:

Prior to local development order approval, the development order must delineate 23 acres of open space of which 9.47 acres must be preservation areas in substantial compliance with the Master Concept Plan. All heritage trees on the property must be flagged and numbered onsite for the Division of Environmental Sciences staff field verification. The number of heritage trees to be preserved and impacted must be included on the development order plans, with any of the impacted heritage trees being replaced with twenty foot trees of the same species within the preserve area.

Traffic Issues

The site is on the east side of Beth Stacey Boulevard, a 2-lane arterial with a 45 mile per hour speed limit. Adjacent roads to the west include 23rd Street SW, and Camelot Gardens.

Based on the ITE Trip Generation Report 6th Edition the project will generate 285 net new external trips in the peak hour. The anticipated build out year is 2007.

Based on the 2003 Traffic Count Report issued by the Lee County Department of Transportation, the 2008 background peak hour, peak season, peak direction volume of flow on *Beth Stacey Blvd. north of the project* will be 381 vehicles per hour. At this volume, based on the Lee County D.O.T. Generalized Peak Hour Directional Service Volumes for Urbanized Areas, Beth Stacey Blvd. 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"**.

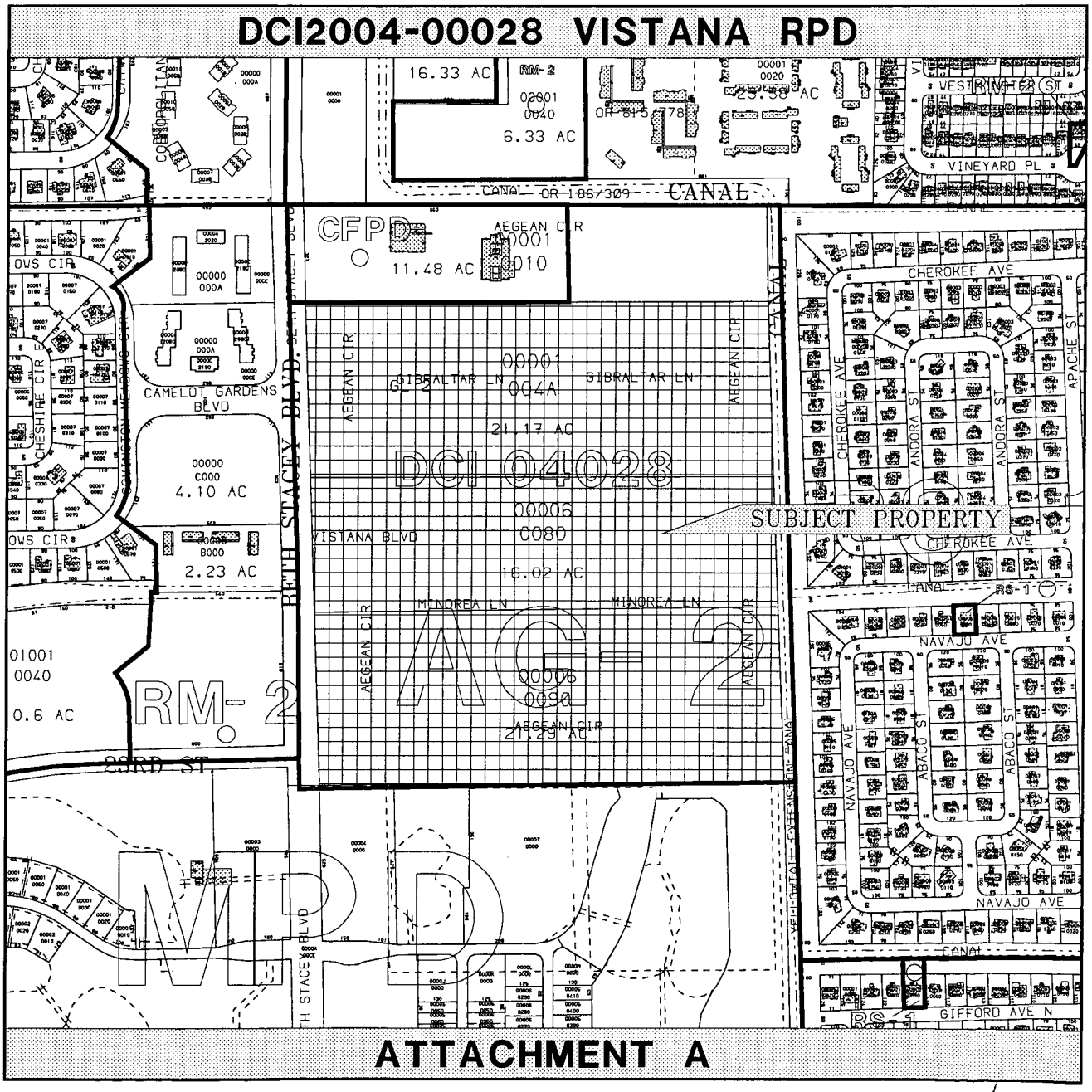
Conclusions

In conclusion, this requested rezoning as conditioned, meets the criteria necessary for a residential planned development including consistency with the Lee Plan, is compatible with neighboring properties, will not adversely affect environmentally critical areas or natural resources, and the deviation recommended for approval as conditioned enhances the objectives of the planned development; and, preserve and promotes the general intent of the LDC to protect the public health, safety and welfare.

IV. ATTACHMENTS:

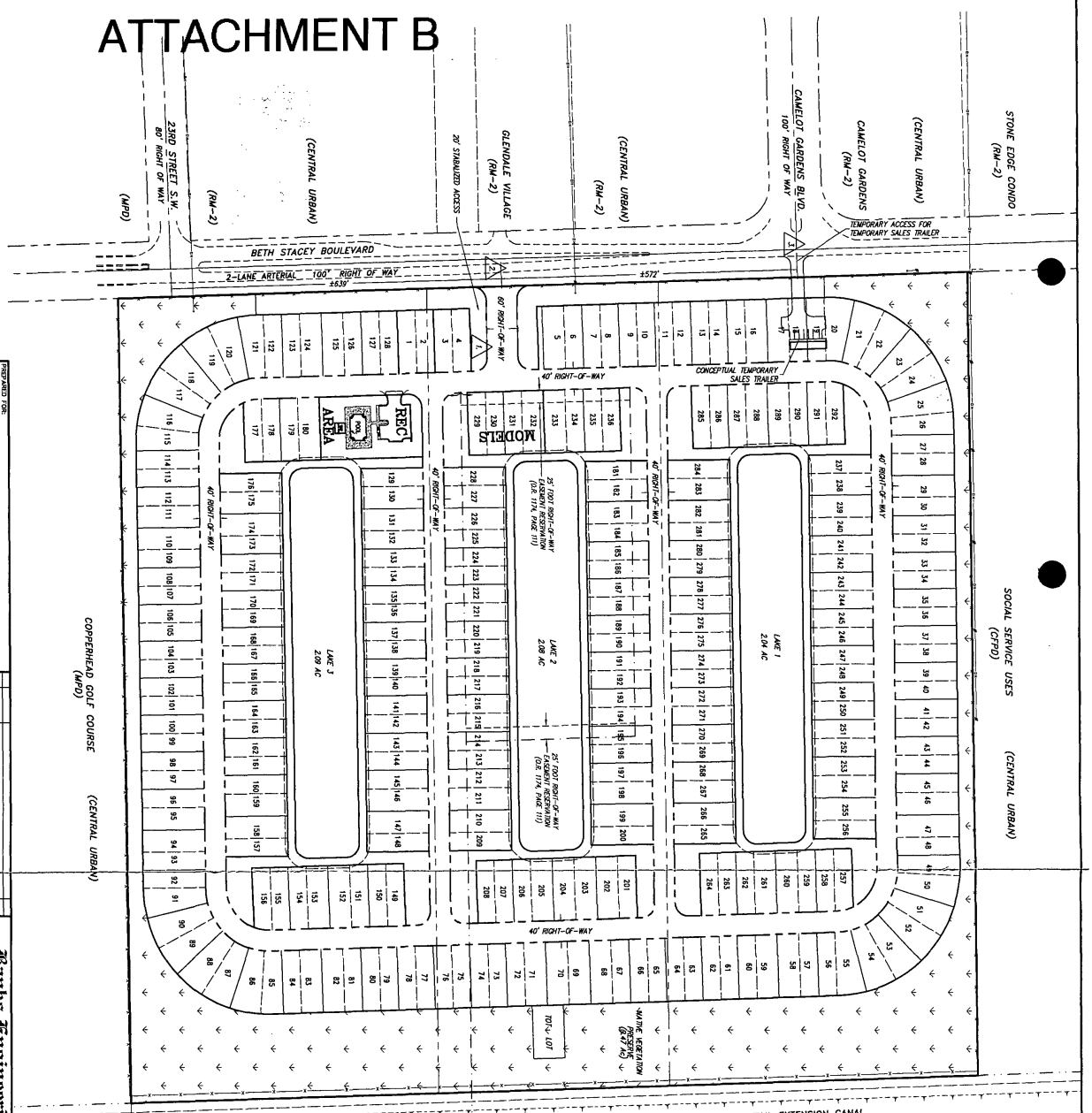
A. Map of surrounding zoning
B. **July 7, 2004** Master Concept Plan
C. Applicant's Request, Lee Plan, Land Development Code Narratives
D. Applicant's Deviation Request
E. Applicant's Traffic Impact Statement
F. Applicant's Environmental Supplement for the South Florida Water Management District
G. Resolution Z-88-269 Social Services Center
H. Administrative Approval Amendment MPD-91-002 Community Health Association
I. Resolution Z-99-079 Classic Hills (now Copperhead Golf)
J. Email from Nils M. Graham, 10 Beth Stacey Blvd, Lehigh Acres.
K. Email from Don Blackburn of the Development Services Division (5-foot setback)
L. Email from Don Blackburn of the Development Services Division (access points, lakes)
M. Environmental Sciences Comments
N. Development Services Traffic Comments

cc: Applicant
County Attorney
Zoning/DCI File
Alaina Ray, Environmental Sciences
Community Health Association, 9 Beth Stacey Boulevard, Lehigh Acres, FL 33936
Copperhead Development, 21184 Bayfield Loop, Lehigh Acres, FL 33928
SW Florida Housing/Goodwill Industries, 4/6 Beth Stacey Boulevard, Lehigh Acres, FL 33936
Camelot Gardens Condominium, PO Box 425, Lehigh Acres, FL 33970
Stone Edge Condominium, PO Box 416, Lehigh Acres, FL 33970
Nils M. Graham, 10 Beth Stacey Blvd., Lehigh Acres, Fl. 33936


DCI2004-00028 VISTANA RPD
16.33 AC
RM-2
00001
0040
6.33 AC
OR 8175 78
25.58 AC
00001
0020
WESTRIDGE ST
VINEYARD PL
CANAL OR 1867309
CANAL
CFPD
11.48 AC
AEGEAN CIR
00001
0010
CHEROKEE AVE
APACHE ST
ANDORA ST
OWS CIR
00000
000A
CAMELOT GARDENS BLVD
CHESHIRE CIR
00000
C000
4.10 AC
B000
2.23 AC
BETH STACEY BLVD
GIBRALTAR LN
00001
004A
21.17 AC
DCI 04028
00006
0080
16.02 AC
VISTANA BLVD
MINOREA LN
AEGEAN CIR
01001
0040
0.6 AC
RM-2
23RD ST
00006
0090
21.29 AC
NAVAJO AVE
ABACO ST
GIFFORD AVE N
SUBJECT PROPERTY
ATTACHMENT A

S:\Jobs\18XX\1830\Documents\Zoning\1830_M-cp.dwg, 7/6/2004 3:14:43 PM, Dan Post

ATTACHMENT B



NOTES:

1. PARCEL ADDRESS: 1,3,5 BETH STACEY BOULEVARD LEHIGH, FLORIDA 33936
2. CURRENT ZONING: AG-2
3. PROPOSED ZONING: RPD
4. FUTURE LAND USE: CENTRAL URBAN
5. A TYPE 'D' BUFFER WILL BE PLANTED ALONG THE RIGHT OF WAY

0 100 200 300
GRAPHIC SCALE 1" = 100'

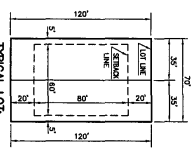
LAND USE AREAS:

SITE AREA:	57.53 Ac.
NATIVE VEGETATION PRESERVE:	8.47 Ac. (14.8%)
RESIDENTIAL TRACT:	43.53 Ac. (75.7%)
RIGHT-OF-WAY:	6.26 Ac. (10.9%)
COMMON AREA:	53.27 Ac. (92.6%)
	5.17 Ac. (9.0%)

UNIT COUNT:

NET SITE AREA:	57.53 Ac.
TOTAL UNITS PROPOSED:	296 TOTAL
LAND CLASSIFICATION:	RESIDENTIAL URBAN
PROPOSED ZONING:	RESIDENTIAL PLANNED DEVELOPMENT (RPD)

TYPICAL LOT:
N.T.S.



RECEIVED
JUL 07 2004
PERMIT COUNTER

DCI 2004-00028

PREPARED FOR:
KB HOME
12535 NEW BRITTANY BOULEVARD, SUITE 28
FORT MYERS, FLORIDA 33907
PH: (239)-274-5964

NO.	DATE	REVISION DESCRIPTION	BY

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ◆ NAPLES ◆ SARASOTA
10511 SIX MILE CYPRESS PARKWAY, SUITE 101
FORT MYERS, FLORIDA 33966
PHONE: (239) 939-5490 FAX: (239) 939-2533
CERTIFICATE OF AUTHORIZATION #LB 642
SURVEY LICENSE # LB 6660

MASTER CONCEPT PLAN
VISTANA
LEE COUNTY, FLORIDA

DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
SEH	MCP	DGP	JOH	1" = 100' SEH	1	1	

DRAWING	PROJECT	DATE
MCP	1830	04-28-04

XXXX

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA
HOLMES BEACH ♦ PORT CHARLOTTE

Request:

This request is for a rezoning from Agricultural (AG-2) to Residential Planned Development (RPD) to allow a residential development on property located at 1, 3, and 5 Beth Stacy Boulevard in Lehigh Acres. The development will consist of two-family attached homes along with the necessary infrastructure to develop the site.

EXHIBIT PH-3.I

There are no agricultural uses on the subject property at this time.

EXHIBIT'S PH-3.L.2 & PH-3.L.3

There are no deed restrictions/covenants on the subject property at this time and therefore have no effect on the property.

EXHIBIT PH-4.B

Blasting is not proposed on the site and is not listed in the schedule of uses.

ATTACHMENT C

10511 Six Mile Cypress Parkway, Suite 101, Fort Myers, Florida 33912 • (239)939-5490 • Fax (239)939-2523

DCI2004-00028

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA
HOLMES BEACH ♦ PORT CHARLOTTE

EXHIBIT'S 6-I and 6-G

ATTACHMENT C

The proposed rezoning is consistent with the Lee County Land Development Code Section 34-145(d)(3) as follows:

A. The list of Lee Plan consistencies (see below) demonstrate that the applicant is entitled to the rezoning.
B. The request will meet or exceed all performance and location standards set forth for the potential uses allowed by the request.
C. The request is consistent with the densities, intensities and general uses set forth in the Lee Plan (see below).
D. The request is compatible with existing and planned uses in the surrounding area.
E. Approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the proposed development.
F. The request will not adversely affect environmental critical areas and natural resources.
G. The proposed use is appropriate at the subject location.
H. Urban services, as defined in the Lee Plan, are available and adequate to serve the proposed land use.

The Proposed Development furthers the intent of and is consistent with the Lee County Comprehensive Plan as follows:

POLICY 1.1.3 The Central Urban areas can best be characterized as the "urban core" of the county. These consist mainly of portions of the city of Fort Myers, the southerly portion of the city of Cape Coral, and other close-in areas near theses cities; and also the central portions of the city of Bonita Springs, Iona/McGregor, Lehigh Acres, and North Fort Myers. This is the part of the county that is already most heavily settled and which has or will have the greatest range and the highest levels of urban service – water, sewer, roads, schools, etc. Residential, commercial, public and quasi-public, and limited light industrial land uses (see Policy 7.1.6) will continue to predominate in the Central Urban area. This category has a standard density range from four dwelling units per acre to ten dwelling units per acre and a maximum density of fifteen dwelling units per acre.

The property is located in a centralized location of Lehigh Acres and will be connected to water and sewer through Florida Governmental Utility Authority. The property has 1,640 ± of frontage along Beth Stacey Boulevard which is classified as an arterial right-of-way. The development is a 57.53 acre site that will be developed with 296 two-family attached residential dwelling units. This equates to 5.15 dwelling units per acre which is at the low end of the allowable density. Therefore the development is consistent with the Central Urban land use category.

ATTACHMENT C

POLICY 1.8.1 The subject property is providing housing alternatives to the typical ¼ to ½ acre subdivision lots. This development consists of two-family attached dwelling units on 35' x 120' lots.

GOAL 2: GROWTH MANAGEMENT:

OBJECTIVE 2.1: DEVELOPMENT LOCATION: Contiguous and compact growth patterns shall 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.

> **POLICY 2.1.2:** New land uses will be permitted only if they are consistent with the Future Land Use Map and the goals, objectives, policies, and standards of this plan.

OBJECTIVE 2.2: DEVELOPMENT TIMING: Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist and where compact and contiguous development patterns can be created.

> **POLICY 2.2.1:** Rezonings and development-of-regional impact proposals shall be evaluated as to the availability and proximity of the road network; central sewer an dewater lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare.

The development is tied into the existing road network through Beth Stacey Boulevard which is an arterial right-of-way. Water and sewer will be provided by Florida Governmental Utility Authority. The property is convenient to shopping and schools and protection will be provided by the Lee County Sheriff's office and Lehigh Acres Fire Department.

The property is surrounded by developed property with a variety of uses. The property to the north is zoned Community Facilities Planned Development (CFPD) and Agricultural (AG-2). This property is developed with two buildings that contain social service type of uses and a child day care. Directly east of the subject property is a 100 foot wide canal and then platted lots developed with single-family residences in the Residential (RS-1) zoning district. A 160 foot wide native vegetation preserve and the 100 foot wide canal will buffer the development from the single family residences. Directly west of the subject property is Beth Stacey Boulevard and then Residential Multiple-family (RM-2) zoned properties. These properties are developed with Stone Edge Condominiums, Comelot Gardens Condominiums, and Glendale Village (four-plex buildings). The property to the south is zoned Mixed Use Planned Development (MPD) and is a development know as Copperhead Golf Course (f.k.a. Classic Hills). This development was approved for a golf course, 100,000 square feet of commercial uses, and single-

family, duplex, two-family, and multi-family dwelling units. The master concept plan for the MPD approved commercial, golf course, multi-family, and a right-of-way in the area that abuts the subject property. Therefore, the proposed development will be compatible with the existing and proposed land uses in the surrounding area and is consistent with the above objectives and policies of the Lee Plan.

GOAL 4: DEVELOPMENT DESIGN – GENERAL.

OBJECTIVE 4.1: Maintain the current planned development rezoning process which combines site planning flexibility with rigorous review.

POLICY 4.1.1: Development designs shall be evaluated to ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site, and that the placement of uses or structures within the development minimizes the expansion and construction of street and utility improvements.

POLICY 4.1.2: Development designs will be evaluated to ensure that the internal street system is designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development.

A Residential Planned Development zoning district is being requested for this development. The layout of the development has been designed to enhance the development and provide open space and buffers. The street system is designed to provide efficient and safe flow of vehicles and pedestrians within the development. The street intersections meet the connection separation requirements for local roads and the design of the streets provides ample sight visibility triangles at all of the intersections. The development will have sidewalks to provide safe walkways for pedestrians within the development.

GOAL 5: RESIDENTIAL LAND USES.

OBJECTIVE 5.1: To provide sufficient land in appropriate locations on the Future Land Use Map to accommodate the projected population of Lee County in the year 2020 in attractive and safe neighborhoods with a variety of price ranges and housing types. (Amended by Ordinance No. 94-30).

POLICY 5.1.1: The requested rezoning does not meet the thresholds of a Development of County Impact, however, the Residential Planned Development zoning district is being requested.

POLICY 5.1.2: There are no physical constraints or hazards that exist on the property and the density and design do not have to be adjusted accordingly.

POLICY 5.1.3: The development is at the low end of the allowable density for

the Central Urban land use category. However, site is located approximately 1 mile south of the intersection of Beth Stacey Boulevard and Homestead Road. Homestead Road is the commercial core of Lehigh Acres. Directly to the east on Homestead you will find grocery centers, shopping centers, restaurants, gas stations, medical offices, sheriff's office, etc. with a fire station To the west on Homestead Road leads you directly to Lee Boulevard, the main arterial into Lehigh which also contains shopping, restaurants, medical offices, etc. The hospital (Lehigh Regional Medical Center) is located on Lee Boulevard approximately 1.5 mile driving distance from the site. The Lehigh Community Park and pool is located approximately 1.85 miles from the site and Veterans Park is located approximately 2.59 miles from the site.

POLICY 5.1.4: The property is not in the Airport Noise Zone 3.

POLICY 5.1.5: The design of the development and the 160 foot wide native vegetation preserve and the 100 foot wide canal will negate any negative impacts to the RS-1 zoned property to the east.

POLICY 5.1.6: The development is at the low end of the allowable density for the Central Urban land use category. However, open space, buffering and recreation areas are proposed in the development.

POLICY 5.1.7: Community facilities will be easily accessible via internal sidewalks.

GOAL 11: WATER, SEWER, TRAFFIC AND ENVIRONMENTAL REVIEW:

STANDARD 11.1: WATER:

The development shall connect to an existing public water system provided by Florida Governmental Utility Authority.

STANDARD 11.2: SEWER:

The development shall connect to an existing sanitary sewer system provided by Florida Governmental Utility Authority.

STANDARD 11.3: TRAFFIC:

This development will not have a detrimental impact on the surrounding roadway system. The existing roadway system can accommodate the additional new vehicle trips the development is anticipated to generate. All roadway links are shown to operate at acceptable Level of Service conditions when the development traffic is added to the surrounding roadway network. Therefore, no roadway improvements are required off-site as a result of the proposed development. However, site-specific turn lane improvements will be required on Beth Stacey Boulevard which will be addressed at time of local development order.

STANDARD 11.4: ENVIRONMENTAL REVIEW FACTORS:

There is no known aquatic or wetland dependent listed wildlife species utilizing the site. The proposed system is not expected to result in a violation of state water quality standards or significant adverse impact to function of wetlands. There are no known historical or archaeological resources in the project area.

GOAL 24: DEVELOPMENT REGULATIONS:

POLICY 24.1.1: New development must:

- Have adequate on-site parking.
- Have access to the existing or planned public road system except where other public policy would prevent such access.

The proposed development will establish on-site parking for the residential uses in accordance with the Lee County Land Development Code. This development has an access point onto an existing arterial right-of-way (Beth Stacey Boulevard).

GOAL 41: PROTECTION OF WATER RESOURCES: To protect the county's water resources through the application of innovative and sound methods of surface water management and by ensuring that the public and private construction, operation, and maintenance of surface water management systems are consistent with the need to protect receiving waters.

POLICY 41.2.3: Outside the future urban where traditional drainage structures exist (ditches, canals, dikes, etc.), the county may permit their continued existence and maintenance, but will discourage their expansion or extension. (Amended by Ordinance No. 00-22)

OBJECTIVE 41.3: GENERAL SURFACE WATER MANAGEMENT STANDARDS. Lee County shall continue to provide sufficient performance and/or design standards for development protective of the function of natural drainage systems.

POLICY 41.3.6: Development shall have and maintain an adequate surface water management system, provision for acceptable programs for operation and maintenance, and post-development runoff conditions which reflect the natural surface water flow in terms of rate, direction, quality, hydroperiod, and drainage basin. Detailed regulations shall continue to be integrated with other county development regulations.

POLICY 41.3.11: Runoff shall be routed through retention or detention areas and vegetated swales in order to reduce flow velocity, allow for percolation, and trap and remove suspended solids and pollutants.

The storm water system will be designed to be in accordance with SFWMD requirements. A storm water management system will be provided for the adequate control of storm water runoff that originates within the development. The storm water management system will be designed in accordance with South Florida Water Management District (SFWMD) requirements and will provide for the

attenuation/retention of storm water from the site. Issuance of a SFWMD permit shall be deemed to be in compliance with Chapter 10 of the LDC and review of the project shall be limited to external impacts and wet season water table elevation. For purposes of storm water management calculations, the assumed water table will be established by an engineer in accordance with sound engineering practice. The storm water management system will be reviewed for compliance with Chapter 10 of the LDC through the development order process.

The storm water management system will be maintained through a covenant which runs with the land in the form of, but not limited to, deed restrictions, a homeowners' or condominium association, or such other legal mechanisms that will assure the beneficiaries of the storm water management system that the drainage will be continually maintained. Regardless of the method chosen to provide for the continual maintenance of the storm water management system, the beneficiaries shall be provided with a legal right to enforce the assurance that the drainage will be continually maintained. The legal documents which provide for the continual maintenance of the storm water management system shall be accepted only after they are received and approved by the county attorney's office for compliance with the Land Development Code which will be handled through the development order process.

GOAL 52: DEVELOPMENT REQUIREMENTS. To require new development to provide adequate open space for their future residents.

OBJECTIVE 52.1: Development regulations shall continue to require that new developments provide sufficient open space to meet the needs of their residents.

The development will have a minimum open space of 40 percent which complies with the open space requirements of the Land Development Code that best meets the open space requirements of the residents. The development is surrounded on three sides with a native vegetation preserve with open space provided along Beth Stacey Boulevard and provided internally in the development.

DCI2004-00028

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA
HOLMES BEACH ♦ PORT CHARLOTTE

EXHIBIT 6-H

ATTACHMENT C

Compliance with the Land Development Code:

The proposed development will comply with the General Design Standards set forth in Section 34-411 of the Lee County Land Development code as follows:

a) The requested planned development is consistent with the provisions of the Lee Plan (see EXHIBIT 6-G).

b) The requested planned development will be designed and constructed in accordance with all applicable County development regulations together with approved deviations.

c) The requested planned development is compatible with adjacent uses and therefore will not negatively impact surrounding properties and the general public interest. The subject property is of adequate size to accommodate the proposed structures and all required open space.

d) The requested planned development will have access to an arterial right-of-way (Beth Stacey Boulevard) which is a county maintained right-of-way. These roadways have sufficient capacity to handle the traffic generated by the proposed land use as well as the traffic generated by existing land uses. No site related industrial traffic will be moved through residential areas.

e) The development is not within the Lee Tran public transit service area and there is not a bus stop within one-fourth mile of the vehicular entrance to the property.

f) The requested planned development will not create hazards to persons or property, whether on or off the site, by increasing the probability or degree of flood, erosion or any other danger, nor shall it impose a nuisance on surrounding land uses or the public's interest generally through emissions of noise, glare, dust, odor, air or water pollution.

g) The subject property does not contain any known archaeological features.

h) The requested planned development will utilize the onsite lake system and open space areas to produce an architecturally integrated human environment.

DCI2004-00028

i) The site plan and design along with the lakes, open space, and native vegetation preserve will minimize any negative impact of the planned development on surrounding land and land uses.

j) This development will be integrated with the surrounding development because it will contain two-family attached dwelling units and is surrounded by commercial and residential uses.

k) The requested planned development will be compatible with the surrounding development. The project will be separate and mutually protected by the lakes, roadways and buffers from the different land uses.

l) The design of the development will promote pedestrian activity and community interaction.

m) There will not be any conflicting uses within the planned development.

n) This development will consist of two-family attached dwelling units and will be compatible with the surrounding uses.

o) Sufficient parking will be provided in compliance with Land Development Code Section 34-2020(1)a.

p) Joint parking will not be necessary in this development.

q) Internal consistency within the requested planned development will be encouraged.

ATTACHMENT C

DCI2004-00028

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA
HOLMES BEACH ♦ PORT CHARLOTTE

EXHIBIT 6-N

Deviations and Justifications

1. Deviation from Land Development Code Section 10-291(3) which requires residential development of more than five acres to provide more than one means of ingress or egress to allow a twenty-foot stabilized access for the second means of ingress or egress.

   Due to the design of the subdivision and the property only having frontage on one right-of-way, only one entrance to the subdivision was obtainable. Since Beth Stacy Boulevard is an arterial right-of-way we felt that only one entrance would provide better traffic flow and limit the access points onto the arterial right-of-way. Due to the location of existing drives in the vicinity of the property and the design of the subdivision, a second means of ingress or egress could not be provided and still meet the 660-foot connection separation requirement. To provide a second entrance that would be aligned with an existing access point across the street would cause unsafe conditions on the internal rights-of-ways internal to the development.

2. Deviation from Land Development Code Section 10-285(a) which requires a connection separation of 660 feet for a arterial road to allow for a connection separation of 639 feet ± for an arterial road.

3. Deviation from Land Development Code Section 10-285(a) which requires a connection separation of 660 feet for a arterial road to allow for a connection separation of 572 feet ± for an arterial road.

   These deviations are necessary due to the location of existing access points along Beth Stacey Boulevard. The connection separation of 660 feet cannot be met regardless of where the entrance to this subdivision is located. The location of the access points to this development are aligned with existing access points across the street. Deviation 3 is for a temporary access point for the sales center and will be eliminated once the main entrance and model homes are constructed.

ATTACHMENT D

S:\JOBS\18XX\1830\Documents\Zoning\1830-Deviations and Justifications.doc

DCI2004-00028

TRAFFIC IMPACT STATEMENT

FOR

VISTANA

NORTHEAST CORNER OF
23RD STREET S.W. / BETH STACEY BOULEVARD

ATTACHMENT E

(PROJECT NO. 0404.16)

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

April 27, 2004

DCI2004-00028

METRO

CONTENTS

I. INTRODUCTION

II. EXISTING CONDITIONS

III. PROPOSED DEVELOPMENT

IV. TRIP GENERATION

V. TRIP DISTRIBUTION

VI. FUTURE TRAFFIC CONDITIONS

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

VIII. CONCLUSION

ATTACHMENT E

DCI2004-00028

I. INTRODUCTION

Metro Transportation Group, Inc. (Metro) has conducted a traffic impact statement to fulfill requirements set forth by the Lee County Department of Community Development for projects seeking approval for zoning. The site is located at the northeast corner of the intersection of Beth Stacey Boulevard and 23 Street S.W. in the Lehigh Acres area of Lee County, Florida. The site location is illustrated on **Figure 1**.

Upon approval, a residential development called "Vistana" will be situated on site. Access to this development will be provided via a full access drive on Beth Stacey Boulevard.

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

II. EXISTING CONDITIONS

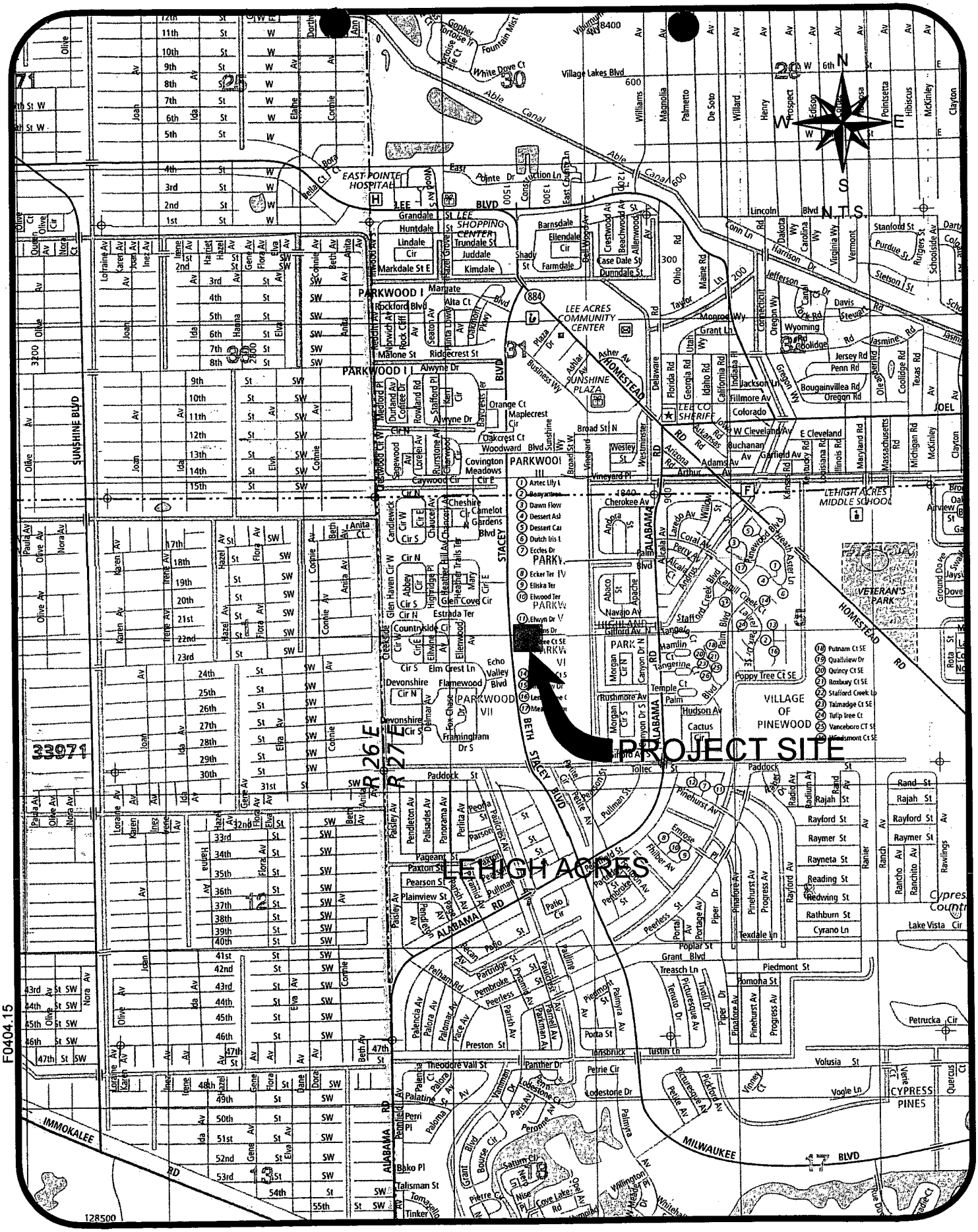
The site is currently vacant. Bordering the site to the north is vacant land, to the south is a golf course, to the east are single-family homes, and to the west is Beth Stacey Boulevard.

Beth Stacey Boulevard is a two-lane undivided arterial roadway in the vicinity of the site and has a posted speed limit of 45 mph. Beth Stacey Boulevard is under the jurisdiction of the Lee County Department of Transportation.

III. PROPOSED DEVELOPMENT

A residential development called "Vistana" is planned to be located on the northwest corner of the intersection of Beth Stacey Boulevard/23rd Street S.W. in Lee County. The Master Concept Plan indicates that the site could contain approximately 296 attached single-family homes. Access to the site is proposed via a full access drive on Beth Stacey Boulevard.

DCI2004-00028



METRO

PROJECT LOCATION MAP
VISTANA

Figure 1

2004-00028

IV. TRIP GENERATION

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation***, 7th Edition. For two family attached units, land use code (LUC) 210 – Single-Family Detached Housing was used. The 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 Vistana residential development as currently proposed. The daily trip generation is also indicated in the table.

Table 2
Vistana Residential Trip Generation

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Single-Family (LUC 210)	55	160	215	180	105	285	2,822

V. TRIP DISTRIBUTION

The trips shown in Table 2 were assigned to the surrounding roadway system based on the anticipated routes the drivers will utilize to approach the site. A distribution of the site traffic was formulated based on the land use proposed on site, the surrounding land uses, and the layout of the major roadway network. 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 shows which roadway links will accommodate site traffic 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.

DCI2004-00028

VI. FUTURE TRAFFIC CONDITIONS

It was assumed that the project would be completed by the year 2007. Therefore, the surrounding roadway network was analyzed under 2008 projected traffic conditions. Based on this projected build-out, a growth rate was applied to the existing traffic conditions for all roadway links that could be impacted by this development. The growth rates for the area roadway network are indicated on **Table 2A** in the Appendix of the report.

The existing roadway link traffic data was obtained from the 2002/2003-2003/2004 Lee County Concurrency Management Inventory and Projections Report dated December 2003, prepared by Lee County.

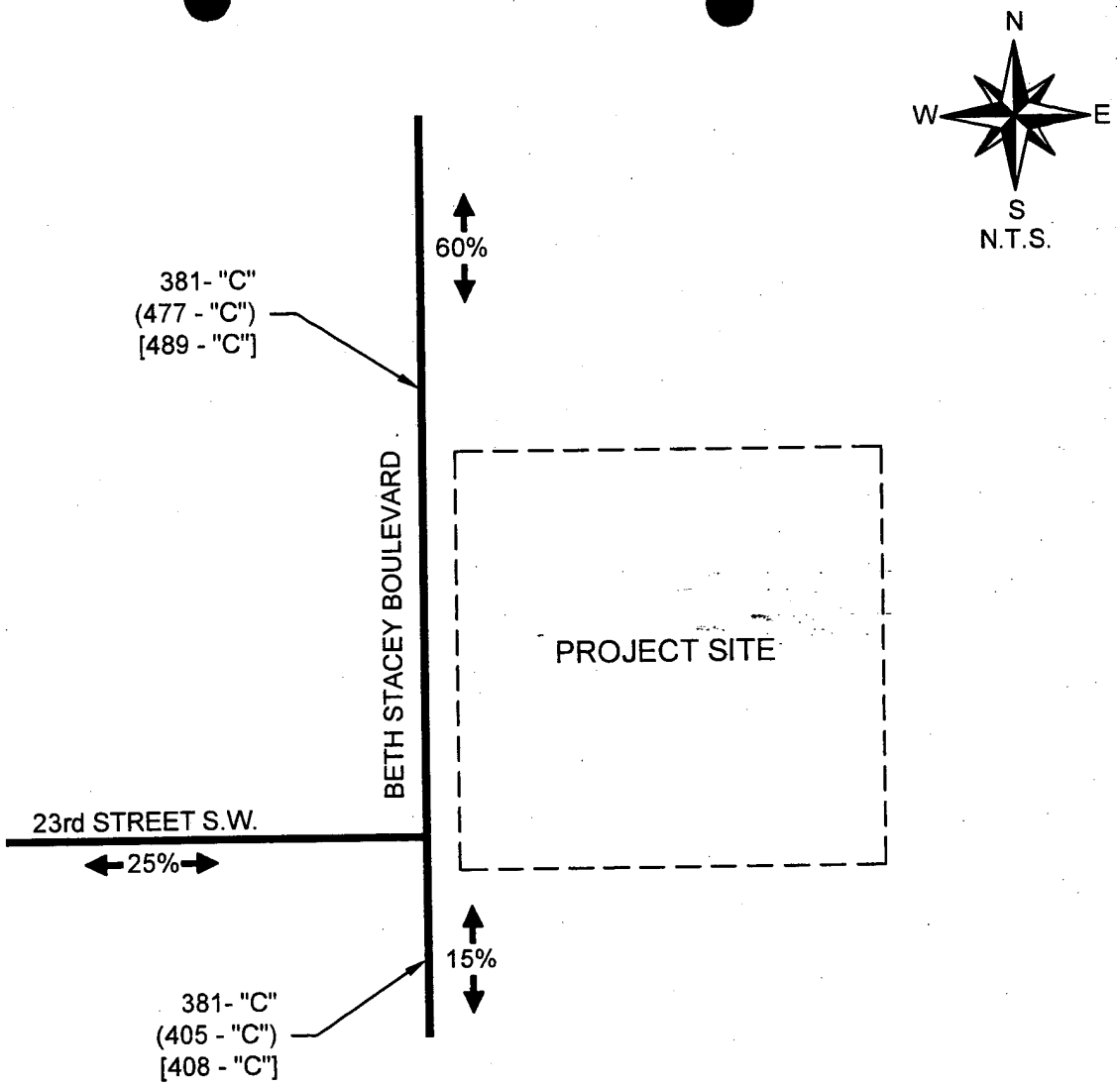
The existing roadway link traffic data for each link was then increased to 2008 background traffic conditions. Finally, based on the project distribution shown in Figure 2, the Vistana residential development traffic was distributed to the surrounding roadway network, and the link data was analyzed for the year 2008 traffic conditions both without the development and with the development.

Figure 2 also shows the year 2008 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area. Noted on Figure 2 is the peak hour – peak direction volume and Level of Service of each link should no development occur on the subject site, and the peak hour – peak direction volume and Level of Service for the weekday A.M. and P.M. peak hours with the development traffic added to the roadways. These figures are derived from **Table 2A** contained in the Appendix.

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

As can be seen from Figure 2, once the development is completed, the critical roadway segments analyzed, as a part of this report, will maintain the Level of Service as projected without the development. Even though the site traffic estimated to generate on Beth

DCI2004-00028



LEGEND

←20%→ PERCENT DISTRIBUTION

XXX - "C" 2008 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

(XXX -"C") 2008 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND
TRAFFIC PLUS AM PROJECT TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

[XXX -"C"] 2008 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND
TRAFFIC PLUS PM PROJECT TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

F0404.15

METRO

TRIP DISTRIBUTION AND LEVEL OF SERVICE ANALYSIS

DCI 2004-00028

Figure 2

Stacey Boulevard, south of Homestead, would accommodate more than 10% of the peak hour – peak direction level of service "C" volumes, this roadway link would still operate at an acceptable Level of Service based on the Lee County Level of Service parameters. Therefore, no improvements are required on Beth Stacey Boulevard. However, as a result of the proposed development, site-specific turn lane improvements will be required on Beth Stacey Boulevard at the site access drive according to the Lee County Turn Lane Policy (AC-11-4). The AC-11-4 indicates that a southbound left-turn lane and a northbound right-turn lane are warranted at this location.

VIII. CONCLUSION

The Vistana residential development in the Lehigh Acres area of Lee County, Florida will not have a detrimental impact on the surrounding roadway system. The existing roadway system can accommodate the additional new vehicle trips the development is anticipated to generate. All roadway links are shown to operate at acceptable Level of Service conditions when the development traffic is added to the surrounding roadway network. Therefore, no roadway improvements are required off-site as a result of the proposed development. However, site-specific turn lane improvements will be required on Beth Stacey Boulevard, at the site access drive. According to the Lee County AC-11-4, a southbound left-turn lane and a northbound right-turn lane are warranted at this location.

K:\2004\04\Vistana - Lehigh\report.4.26.04.doc

DCI2004-00028

APPENDIX

DCI2004-00028

TABLE 1A & TABLE 2A



DCI2004-00028

DCI2004-00028

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

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 215 VPH IN= 55 OUT= 160

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 285 VPH IN= 180 OUT= 105

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
Alabama Road	N. of Immokalee Rd	2LN	0	180	470	760	930	15.00%	27	5.7%
Beth Stacey Blvd	S. of Homestead Road	2LU	0	280	760	900	920	60.00%	108	14.2%
	S. of 23rd Street SW	2LU	0	280	760	900	920	15.00%	27	3.6%
Homestead Road	S. of Lee Blvd	4LN	0	550	1670	1960	2050	45.0%	81	4.9%
23rd Street S.W.	West of Beth Stacey Blvd	2LN	0	280	760	900	920	25.00%	45	5.9%

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS

TOTAL PROJECT TRAFFIC AM = 215 VPH IN = 55 OUT= 160

TOTAL PROJECT TRAFFIC PM = 285 VPH IN= 180 OUT= 105

ROADWAY	SEGMENT	PCS	BASE YR ADT	2003 ADT	YRS OF GROWTH	ANNUAL RATE	2003 PK HR PK SEASON PEAK DIR.[1]	2008 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2008 BCKGRND + AM PROJ TRAFFIC	2008 BCKGRND + PM PROJ TRAFFIC
Alabama Road	N. of Immokalee Rd	21	2100	4200	9	8.01%	279	410	15.00%	24	27	434	437
Beth Stacey Road	S. of Homestead Road	42	3200	5200	9	5.54%	291	381	60.00%	96	108	477	489
	S. of 23rd Street SW	42	3200	5200	9	5.54%	291	381	15.00%	24	27	405	408
Homestead Road	S. of Lee Blvd	6	18600	24600	9	3.16%	1370	1600	45.00%	72	81	1672	1681
23rd Street S.W.	West of Beth Stacey Blvd	22	4300	5100	6	2.88%	323	372	25.00%	40	45	412	417

[1] The 2003 Peak Hour, Peak Season, Peak Direction Traffic Volume was obtained from the 2002/2003-2003/2004 Lee County Concurrency Report

DCI2004-00028

TRIP GENERATION EQUATIONS

DCI2004-00028

TRIP GENERATION EQUATIONS
VISTANA RESIDENTIAL DEVELOPMENT
ITE TRIP GENERATION REPORT, 7th EDITION

Land Use	Weekday AM Peak Hour	Weekday PM Peak Hour	Weekday
Single-Family Detached Housing (LUC 210)	T = 0.70 (X) +9.43	Ln(T) = 0.90 Ln (X) + 0.53	Ln(T) = 0.92 Ln (X) + 2.71
T = Trips, X = units			

ATTACHMENT E

DCI2004-00028

ATTACHMENT F

VISTANA
ENVIRONMENTAL SUPPLEMENT
FOR SOUTH FLORIDA WATER
MANAGEMENT DISTRICT
ENVIRONMENTAL RESOURCE PERMIT

April 2004

Prepared For:

KB Home
12535 New Brittany Court
Building 28
Fort Myers, Florida 33907
(239) 274-5675

Prepared By:

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

Project No. 03KBH998

DCI2004-00028

TABLE OF CONTENTS

Page

Introduction 1

I. Site Information and Environmental Considerations 1

A. Project Boundary 1
B. Soils Map 1
C. Land Use and Cover Map 1
D. Soil Description 5
E. Wetlands 6
F. Listed Plants and Wildlife 6
G. Historical and Archaeological Resources 6

II. Plans 6

A. Proposed Impacts 6
B. Proposed Site Plan 6
C. Secondary and Cumulative Impacts 8

References 10

ATTACHMENT F

DCI2004-00028

LIST OF FIGURES

		Page
Figure 1.	Project Location Map	2
Figure 2.	Soils Map	3
Figure 3.	FLUCFCS Map	4
Figure 4.	Archaeological Sensitive Areas	7
Figure 5.	Site Plan	9

DCI2004-00028

LIST OF TABLES

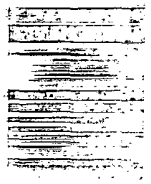
Page

Table 1. Vegetation Associations and Land Use Acreages 1

DCI2004-00028

LIST OF EXHIBITS

		Page
Exhibit A.	Aerial with FLUCFCS Map	A-1
Exhibit B.	Soil Descriptions	B-1
Exhibit C.	Protected Species Survey	C-1



DCI2004-00028

INTRODUCTION

The following information regarding site conditions, environmental considerations, and project plans for Vistana has been prepared to address specific requirements of Section E (Form 0971) for a South Florida Water Management District (SFWMD) Standard General Environmental Resource Permit (ERP). This information represents the requested environmental items of the ERP application.

I. SITE INFORMATION AND ENVIRONMENTAL CONSIDERATIONS

A. Project Boundary

The Vistana 57.53± acre project boundary is located on the east side of Beth Stacy Boulevard in Section 6, Township 45 South, Range 27 East, Lee County (Figure 1).

B. Soils Map

A soils map of the site is provided as Figure 2.

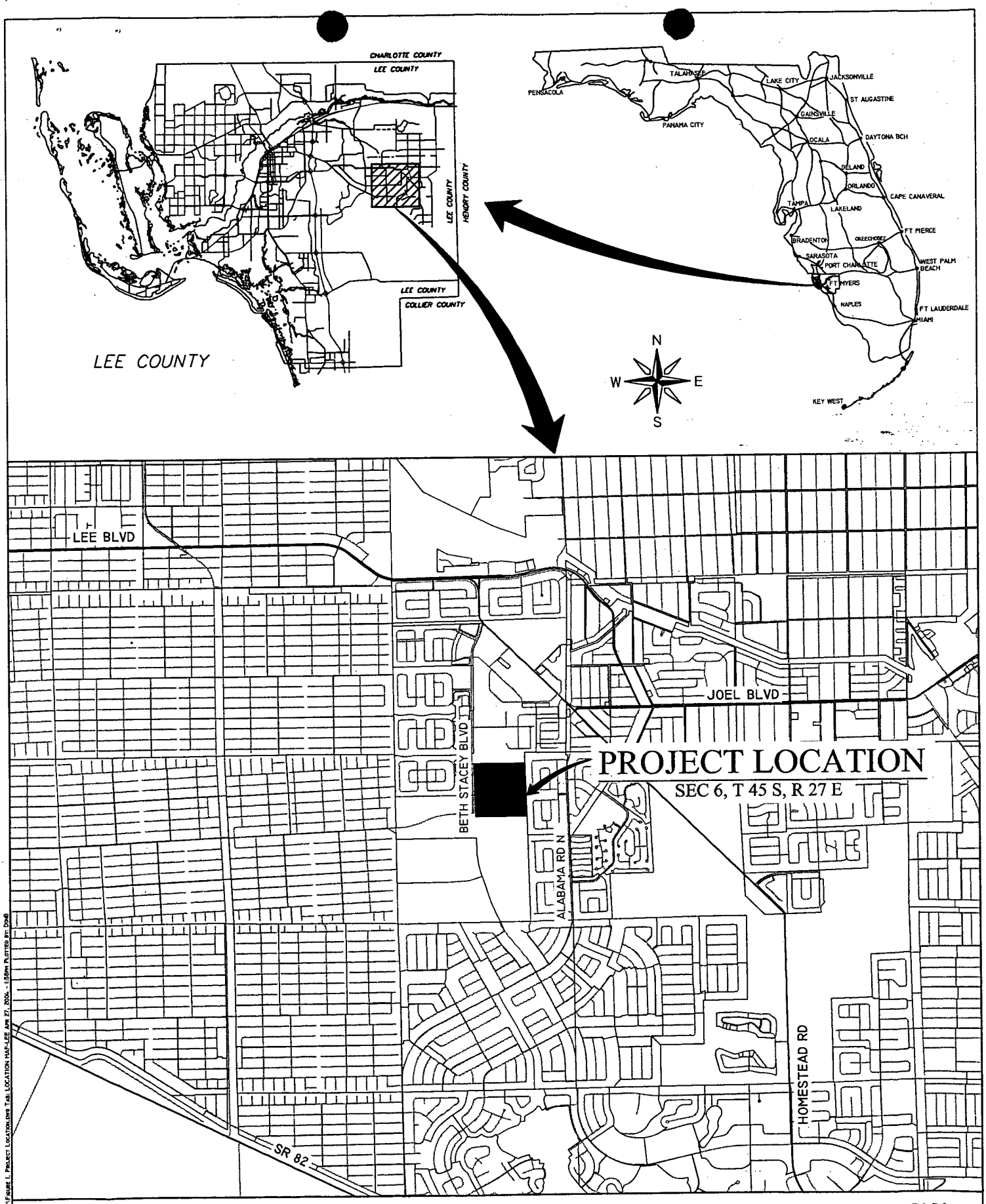
C. Land Use and Cover Map

Vegetation associations for the property were delineated using April 2002 Lee County color aerials (1" = 200') and on-site field surveys conducted in December 2003. During the surveys, lines were drawn on the aerial delineating the different vegetation associations. These delineations were classified based on the nomenclature of the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Level III and IV (Florida Department of Transportation 1999). The resulting FLUCFCS map with acreages is provided as Figure 3. Table 1 provides the breakdown of the FLUCFCS codes by acreage, while a description of each of the classifications follows. The FLUCFCS delineations are depicted on a 2002 aerial provided as Exhibit A.

Table 1. Vegetation Associations and Land Use Acreages

FLUCFCS Code	Description	Acreage	Percent of Total
3219	Palmetto Prairie, Disturbed	1.49	2.6
4159	Pine Woods, Disturbed	35.25	61.3
422	Brazilian Pepper	0.51	0.9
4349	Hardwood/Conifer Mixed, Disturbed	18.35	31.9
437	Australian Pine	0.94	1.6
740	Disturbed Land	0.99	1.7
Total		**57.53**	**100.0**

DCI2004-00028



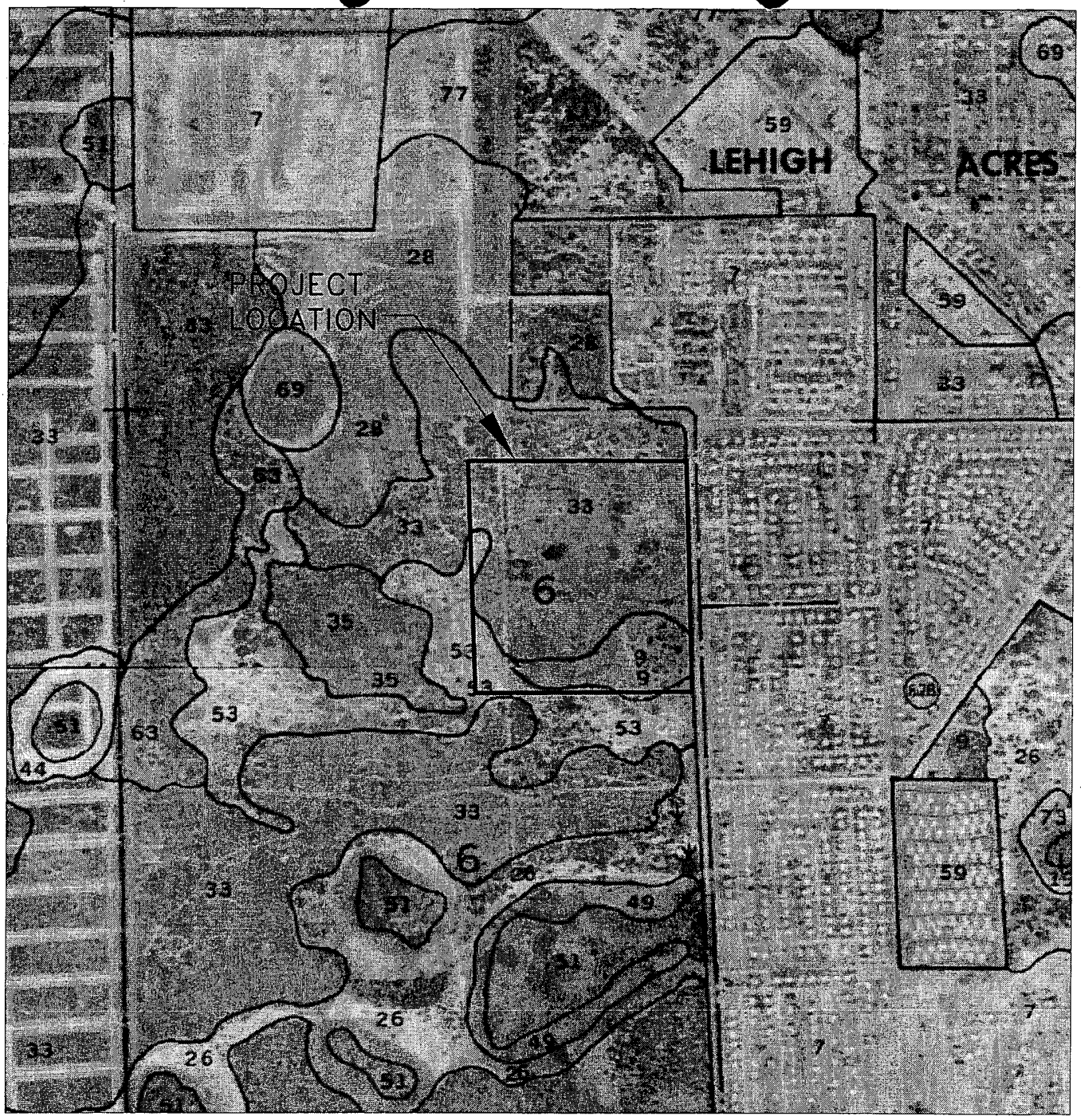
J:\2003\03KBH091\200A\ERP\Figure 1. Project Location.dwg Tab: LOCATION MAP-LEE Apr 27, 2004 - 1:58pm Plotted By: Dan

FIGURE 1. PROJECT LOCATION MAP
VISTANA

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists

DRAWN BY: DB DATE: 1/12/04

DCI 2004-00028



Soil Unit	Description	Status
9	EAUGALLIE SAND	NON-HYDRIC
33	OLDSMAR SAND	NON-HYDRIC
53	MYAKKA FINE SAND, DEPRESSIONAL	HYDRIC

NOTES:

SOILS MAP SCANNED FROM NRCS LEE COUNTY SOIL SURVEY.

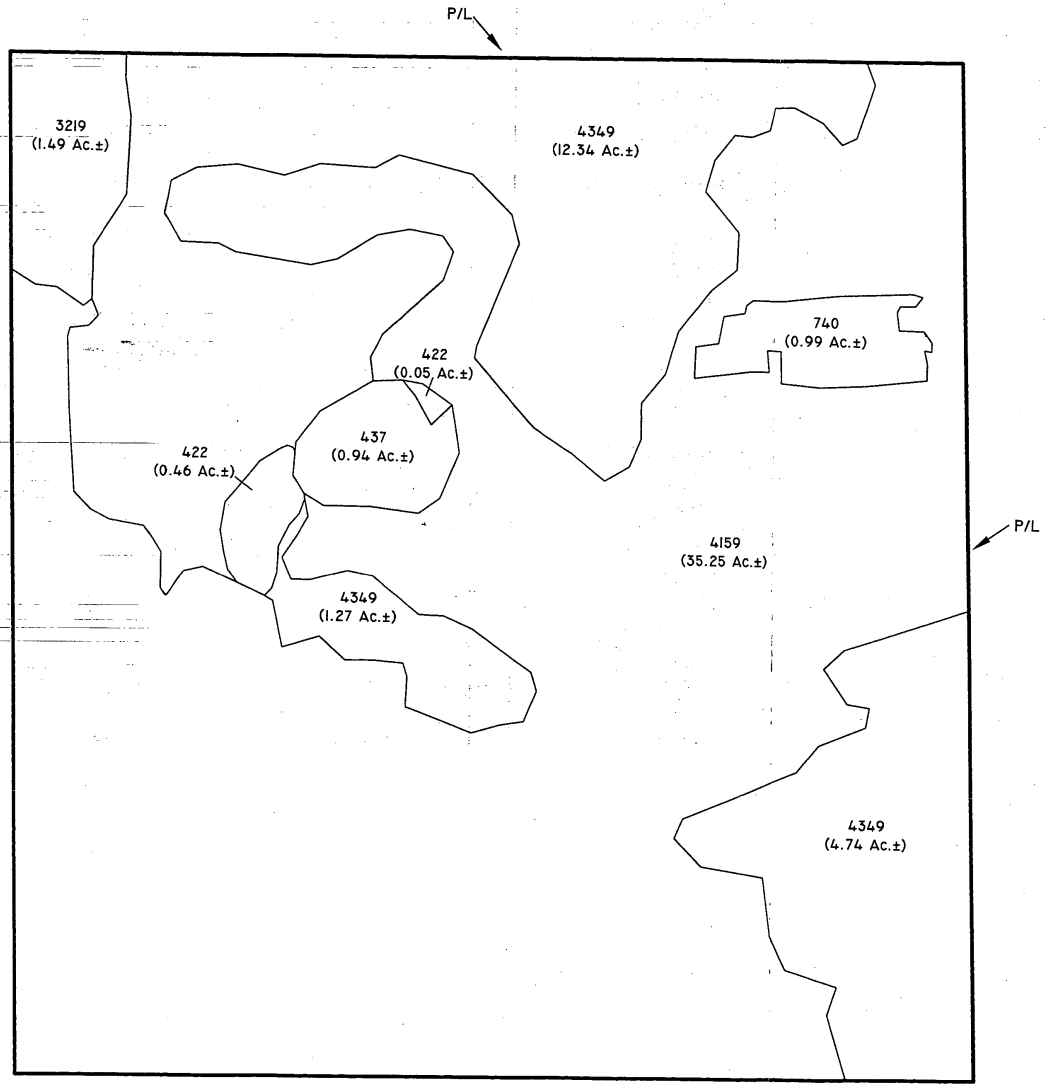
PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists

DRAWN BY: BKM. DATE: 12/15/03

FIGURE 2. SOILS MAP
VISTANA

J:\2003\03KBH\PP&R\2004\ERP\Figure 2. Soils.dwg Tab: Layout1 Apr 27, 2004 - 1:37pm Plotted by: DonB

DCI2004-00028



FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
3219	PALMETTO PRAIRIE, DISTURBED	1.49 Ac.±	2.6%
4159	PINE WOODS, DISTURBED	35.25 Ac.±	61.3%
422	BRAZILIAN PEPPER	0.51 Ac.±	0.9%
4349	HARDWOOD/CONIFER MIXED, DISTURBED	18.35 Ac.±	31.9%
437	AUSTRALIAN PINE	0.94 Ac.±	1.6%
740	DISTURBED LAND	0.99 Ac.±	1.7%
	TOTAL	57.53 Ac.±	100.0%

NOTES:

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY PER BANKS ENGINEERING DRAWING NO. 1830 AND DATED 4-15-04.

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

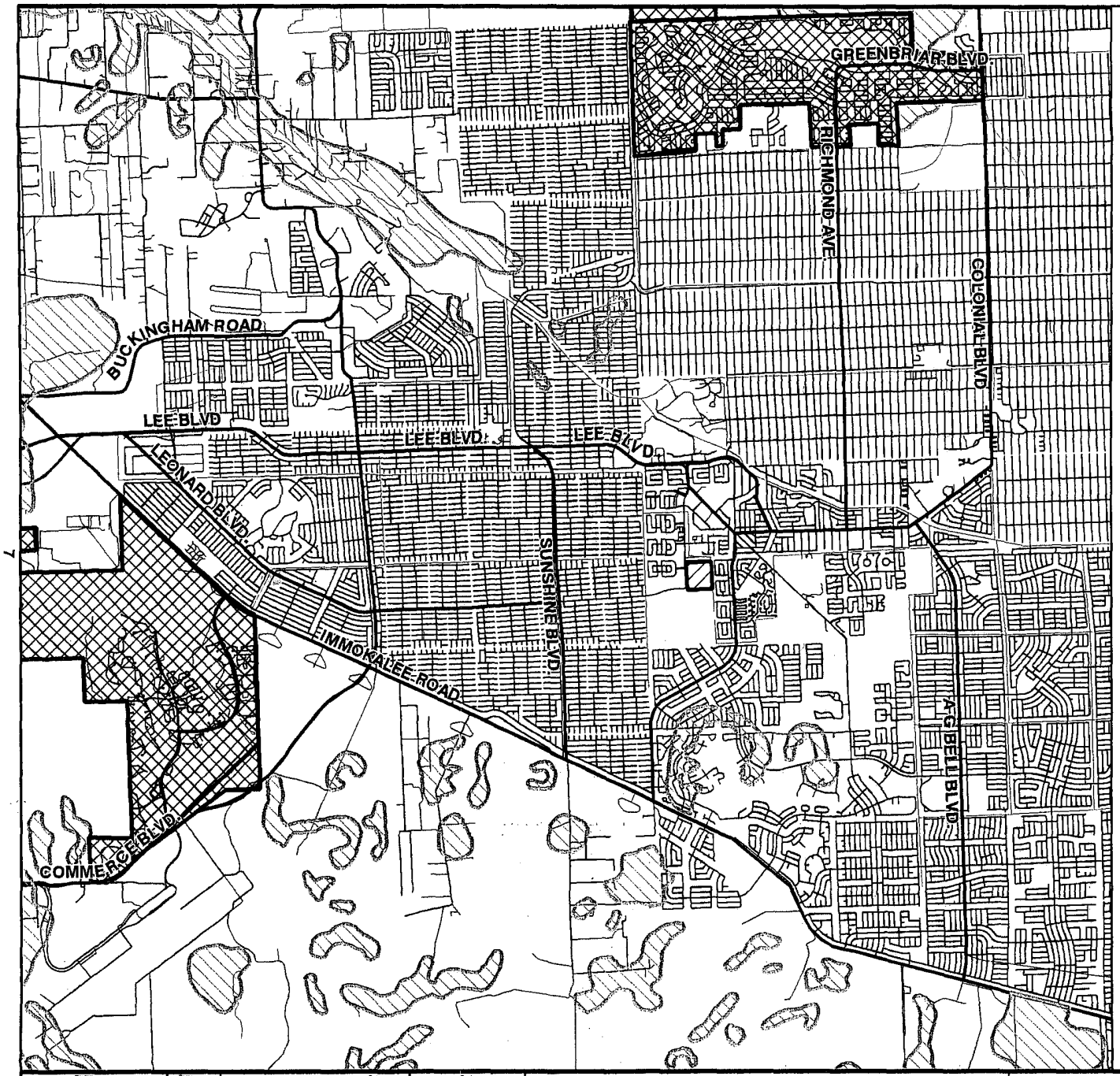
REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
Used surveyed boundary	4/16/04	M.F.	12/29/03	1"=200'
		CHECKED BY	DATE	VERTICAL SCALE
		A.W.	12/29/03	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	12/29/03	06/45/27

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, Florida 33919

VISTANA
FLUCFCS MAP

DCI2004-00028

DRAWING No.: 03KBH998
SHEET No.: FIGURE 3



Legend

- VISTANA
- LEE COUNTY

ARCHAEOLOGICALLY SENSITIVE AREAS

- 1
- 2
- Surveyed

N

W E

S

0 0.5 1 2 3 4

Miles

NOTES:

ARCHAEOLOGICALLY SENSITIVE AREAS WERE OBTAINED FROM THE LEE COUNTY PROPERTY APPRAISER'S GIS DIVISION. COUNTY BOUNDARIES, ROADWAY NETWORK, AND WATERWAYS WERE OBTAINED FROM THE FGDL.

Revisions	Date	Designed by: KCP	Date 3/31/04	Scale SEE SCALE
		Checked by: KCP	Date 3/31/04	Category ARCHAEOLOGIC
		Drawn by: BKM	Date 3/31/04	County LEE COUNTY

Passarella and Associates, Inc.
Consulting Ecologists
9110 College Pointe Court Fort Myers, FL 33919
Phone: (239)274-0067 Fax: (239)274-0069

VISTANA

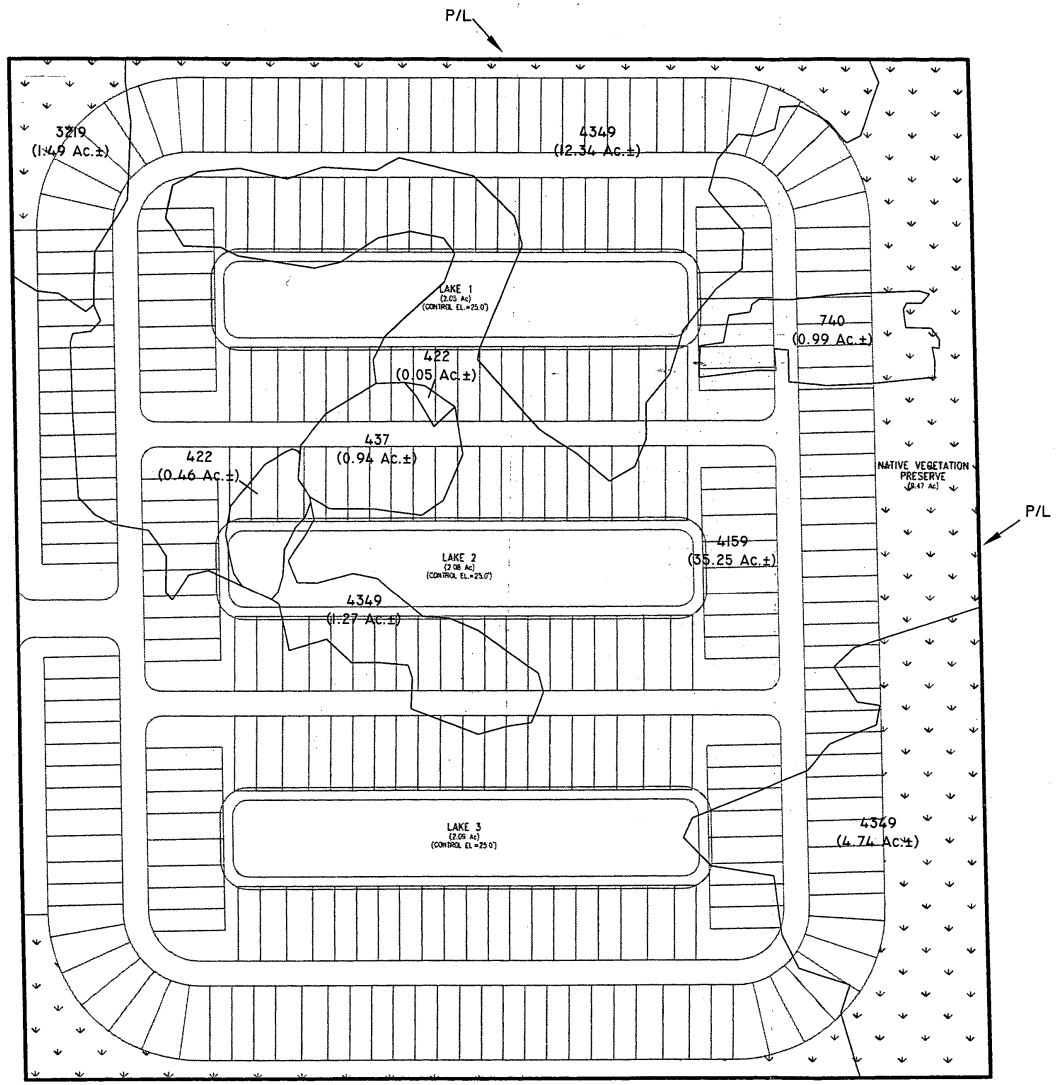
ARCHAEOLOGICALLY SENSITIVE AREAS

Drawing Number 03KBH998

Exhibit Number FIGURE 4

DCI2004-00028

SCALE: 1" = 200'



LEGEND:

UPLAND PRESERVE (9.47± Ac.)

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
3219	PALMETTO PRAIRIE, DISTURBED	1.49 Ac.±	2.6%
4159	PINE WOODS, DISTURBED	35.25 Ac.±	61.3%
422	BRAZILIAN PEPPER	0.51 Ac.±	0.9%
4349	HARDWOOD/CONIFER MIXED, DISTURBED	18.35 Ac.±	31.9%
437	AUSTRALIAN PINE	0.94 Ac.±	1.6%
740	DISTURBED LAND	0.99 Ac.±	1.7%
	TOTAL	57.53 Ac.±	100.0%

NOTES:

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY AND SITE PLAN PER BANKS ENGINEERING DRAWING NO. 1830 DATED 4-15-04

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		A.W.	4/15/04	1"=200'
		CHECKED BY	DATE	VERTICAL SCALE
		A.W.	4/15/04	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	4/15/04	06/45/27

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, Florida 33919

VISTANA

SITE PLAN

DCI2004-00028

DRAWING No.: 03KBH998

SHEET No.: FIGURE 5

C. **Secondary and Cumulative Impacts**

There is no known aquatic or wetland dependent listed wildlife species utilizing the site. The proposed system is not expected to result in a violation of state water quality standards or significant adverse impacts to functions of wetlands. There are no known historical or archaeological resources in the project area. There are no additional phases or planned expansions of the proposed site plan.

DCI2U04-00028

REFERENCES

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

Florida Association of Environmental Soil Scientists. 1995. Hydric Soils of Florida Handbook, Second Edition. Victor W. Carlisle, Ed.

DCI2004-00028

EXHIBIT A

AERIAL WITH FLUCFCS MAP

DCI2004-00028



ATTACHMENT F

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
3219	PALMETTO PRAIRIE, DISTURBED	1.49 Ac.±	2.6%
4159	PINE WOODS, DISTURBED	35.25 Ac.±	61.3%
422	BRAZILIAN PEPPER	0.51 Ac.±	0.9%
4349	HARDWOOD/CONIFER MIXED, DISTURBED	18.35 Ac.±	31.9%
437	AUSTRALIAN PINE	0.94 Ac.±	1.6%
740	DISTURBED LAND	0.99 Ac.±	1.7%
	TOTAL	57.53 Ac.±	100.0%

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF APRIL-MAY, 2002.

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY PER BANKS ENGINEERING DRAWING NO. 1830 AND DATED 4-15-04.

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

REVISIONS		DESIGNED BY / DATE	HORIZONTAL SCALE
Used surveyed boundary	4/16/04	M.F. 12/29/03	1"=200'
		CHECKED BY / DATE	VERTICAL SCALE
		A.W. 12/29/03	N/A
		DRAWN BY / DATE	SEC./TWP./RNG.
		D.B. 12/29/03	06/45/27

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, Florida 33919

VISTANA

AERIAL WITH FLUCFCS MAP

DRAWING No.: 03KBH998

SHEET No.: EXHIBIT A

DCI2004-00028

EXHIBIT B

SOIL DESCRIPTIONS

DCI2004-00028

Soil Descriptions

9 – EauGallie sand. This is a nearly level, poorly drained soil on flatwoods. Slopes are smooth to convex and less than 1 percent. Typically, the surface layer is dark gray sand about 4 inches thick.

33 – Oldsmar sand. This is a nearly level, poorly drained soil on low, broad flatwoods areas. Slopes are smooth to slightly convex and range from 0 to 2 percent. Typically, the surface layer is black sand about 3 inches thick. The subsurface layer is gray and light gray sand about 39 inches thick. The upper part of the subsoil is very dark gray sand about 5 inches thick. The lower part of the subsoil is yellowish brown and mixed light brownish gray and brown fine sandy loam about 11 inches thick. Pale brown sand extends to a depth of 80 inches or more. In most years, under natural conditions, the water table is at a depth of less than 10 inches for 1 to 3 months. It is at a depth of 10 to 40 inches for more than 6 months, and it recedes to a depth of more than 40 inches during extended dry periods.

53 - Myakka fine sand, depressional. This is a nearly level, poorly drained soil in depressions. Slopes are smooth to concave and are less than 1 percent. Typically, the surface layer is black fine sand about 3 inches thick. The subsurface layer is fine sand about 26 inches thick. The upper 4 inches is light gray, and the lower 22 inches is light brownish gray. The subsoil is fine sand about 17 inches thick. The upper 6 inches is dark brown with grayish brown streaks, and the sand grains are well coated with organic matter. The lower 11 inches is very brown with many well coated sand grains. Below this, extending to a depth of 80 inches or more is brown fine sand. In most years, under natural conditions, the soil is ponded for about 3 to 6 months. The water table is 10 to 40 inches below the surface for about 3 to 6 months.

DCI2004-00028

EXHIBIT C

PROTECTED SPECIES SURVEY

DCI2004-00028

VISTANA
LEE COUNTY PROTECTED SPECIES SURVEY

January 2004

Prepared For:

KB Home
12535 New Brittany Court
Building 28
Fort Myers, Florida 33907
(239) 274-5675

Prepared By:

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

DCI2004-00028

Project No. 03KBH998

TABLE OF CONTENTS

	Page
Introduction	1
Land Uses and Vegetation Associations	1
Methodology and Discussion	4
Survey Results	6
Abundance of Protected Species Observed	6
Management Plan	8
References	9

DCI2004-00028

LIST OF FIGURES

Page

Figure 1. Project Location Map 2

Figure 2. FLUCFCS and Wetlands Map 3

DCI2004-00028

LIST OF TABLES

		Page
Table 1.	Existing Land Use and Cover Summary	1
Table 2.	Potential Lee County Protected Species by Habitat Type	5
Table 3.	Summary of Habitat Coverage	6
Table 4.	Lee County Protected Species Calculations	7
Table 5.	Lee County Protected Species Survey Summary	7

DCI2004-00028

LIST OF APPENDICES

Page

Appendix A. Aerial with Survey Transects A-1

DCI2004-00028

INTRODUCTION

Passarella and Associates, Inc. (PAI) conducted a Lee County protected species survey (PSS) on the Vistana parcel on December 19, 2003. The survey was conducted to meet Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) standards.

The Vistana project totals 58.84± acres and is located in Section 6, Township 45 South, Range 27 East, Lee County, Florida (Figure 1). The site is bordered by a golf course to the south; a ditch and single-family homes to the east; commercial and ingle-family homes to the north; and Beth Stacy Boulevard and residential development to the west.

LAND USES AND VEGETATION ASSOCIATIONS

Vegetation associations for the property were delineated using April 1, 2001 Lee County color aerials (1"=200') and on-site field surveys conducted in December 2003. During the surveys, lines were drawn on the aerial delineating the different vegetation associations. These delineations were classified based on the nomenclature of the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Level III and IV (Florida Department of Transportation 1999). The resulting FLUCFCS map with acreages is provided in Figure 2. Table 1 provides the breakdown of the FLUCFCS codes by acreage, while a description of each of the classifications follows. The FLUCFCS delineations are depicted on a 2002 aerial and provided as Appendix A.

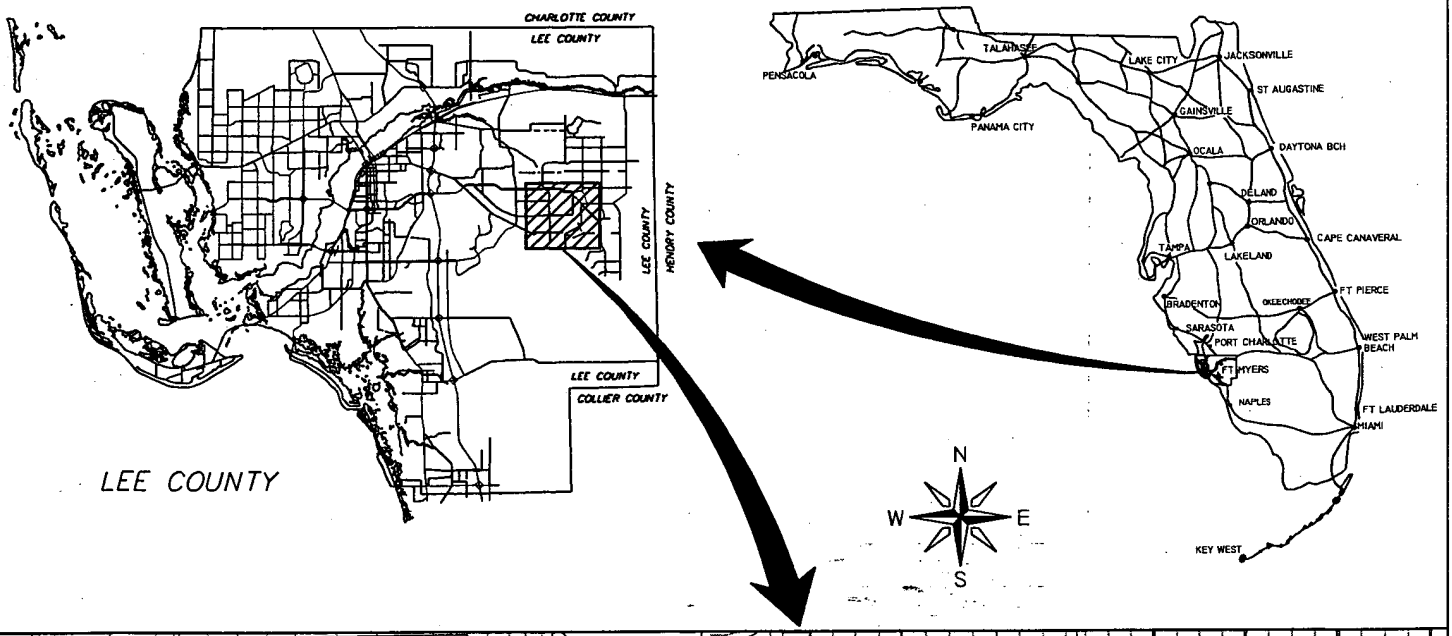
Table 1. Existing Land Use and Cover Summary

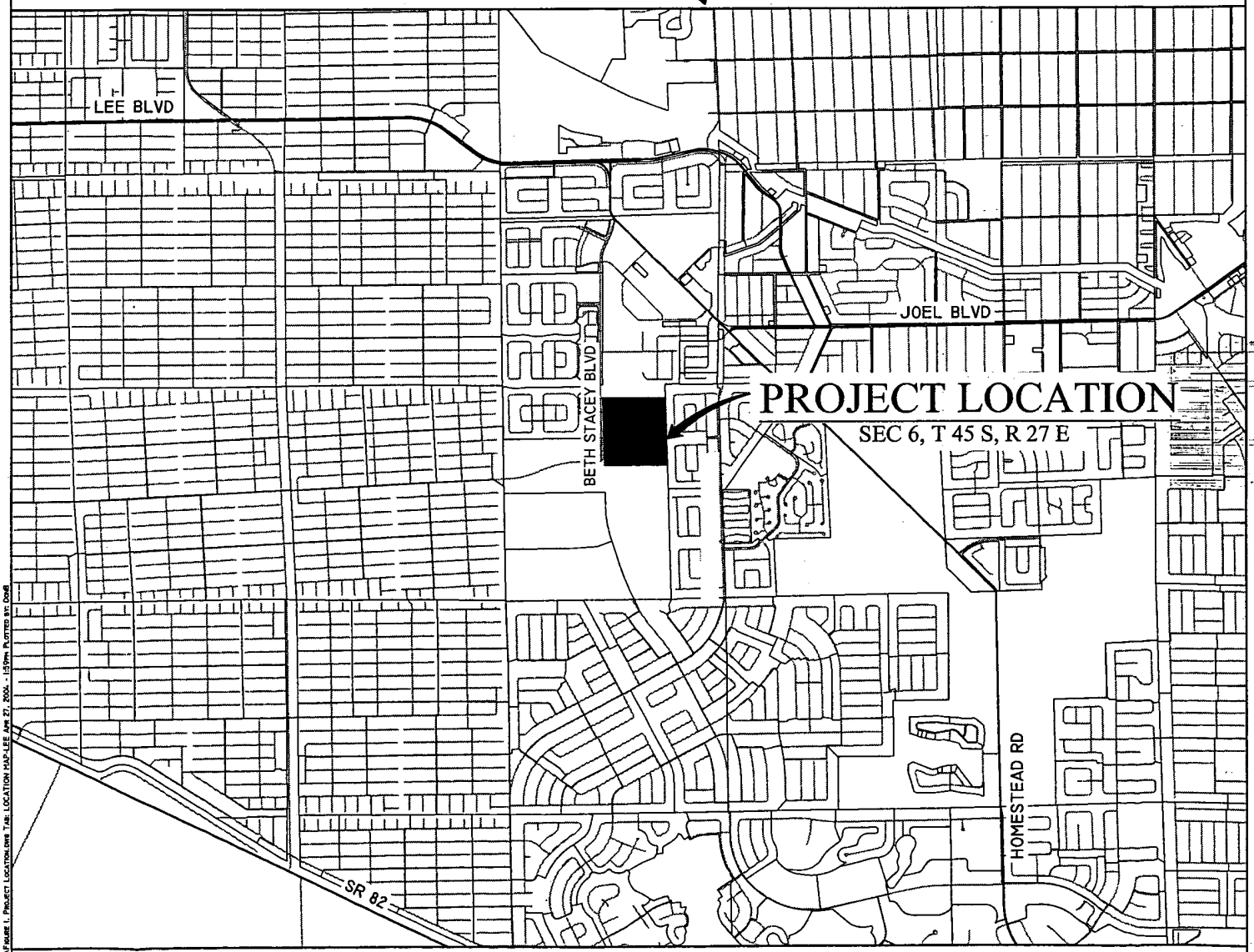
FLUCFCS Code	Description	Acreage	Percent of Total
3219	Palmetto Prairie, Disturbed	1.58	2.7
4159	Pine Woods, Disturbed	35.81	60.9
422	Brazilian Pepper	0.51	0.9
4349	Hardwood/Conifer Mixed, Disturbed	19.01	32.3
437	Australian Pine	0.94	1.6
740	Disturbed Land	0.99	1.7
TOTALS		**58.84**	**100.0**

Palmetto Prairie, Disturbed (FLUCFCS Code 3219)

This habitat occupies 1.58± acres or 2.7 percent of the property. The canopy vegetation includes scattered slash pine (*Pinus elliotii*) and cabbage palm (*Sabal palmetto*). The sub-canopy vegetation includes Brazilian pepper (*Schinus terebinthifolius*) and wax-myrtle (*Myrica cerifera*). Ground cover includes saw palmetto (*Serenoa repens*), Brazilian pepper, penny royal (*Piloblephis rigida*), muscadine grape (*Vitis rotundifolia*), and beauty berry (*Callicarpa americana*).

DCI2004-00028





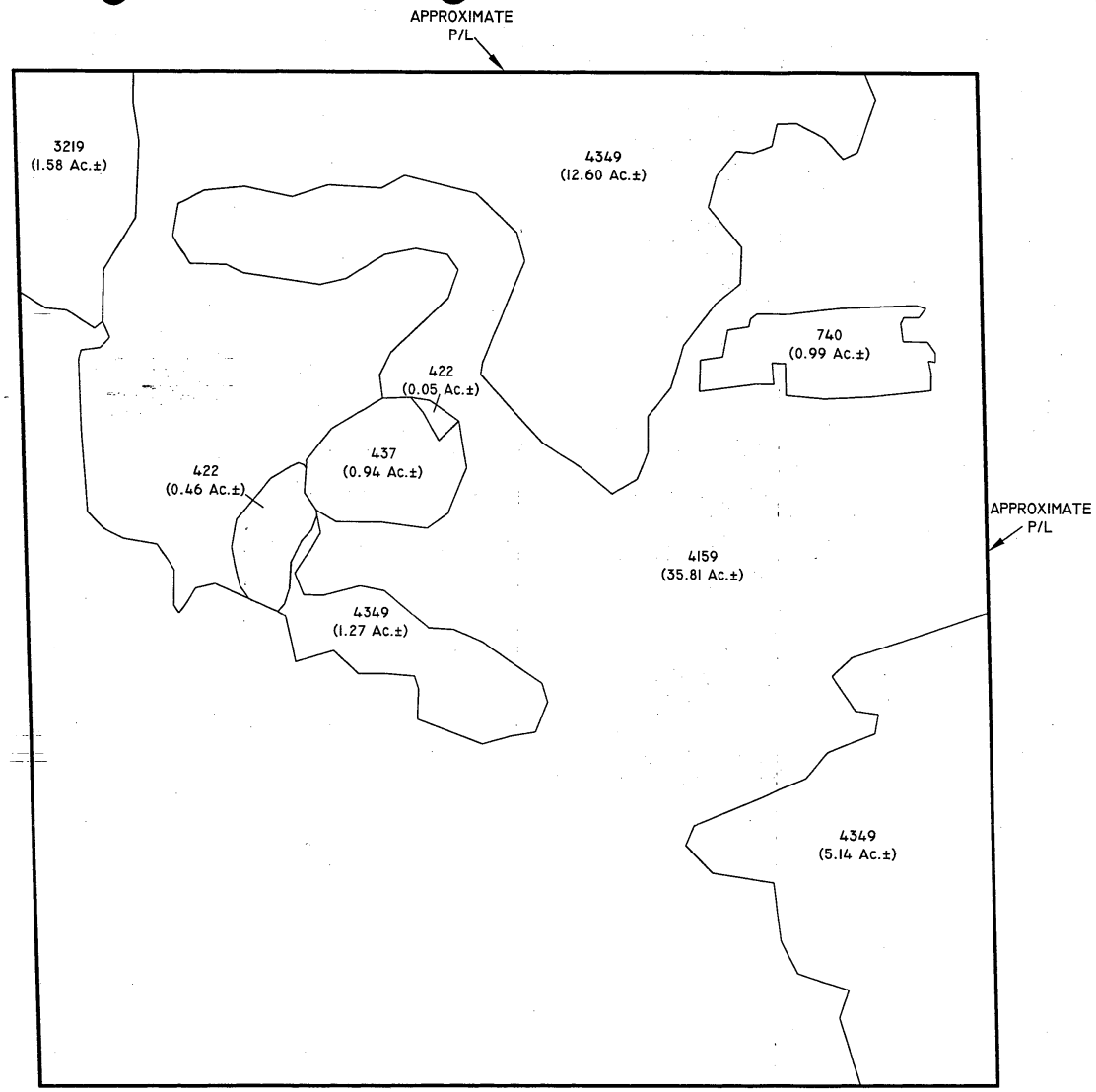
J:\2003\03MSH998\2003VPSS\Figure 1. Project Location.mxd Tab: LOCATION MAP-LEE Apr 27, 2004 - 1:59pm Plotted by: Dan6

FIGURE 1. PROJECT LOCATION MAP
VISTANA

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists

DRAWN BY: DB DATE: 1/12/04

DCI2004-00028



FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
3219	PALMETTO PRAIRIE, DISTURBED	1.58 Ac.±	2.7%
4159	PINE WOODS, DISTURBED	35.81 Ac.±	60.9%
422	BRAZILIAN PEPPER	0.51 Ac.±	0.9%
4349	HARDWOOD/CONIFER MIXED, DISTURBED	19.01 Ac.±	32.3%
437	AUSTRALIAN PINE	0.94 Ac.±	1.6%
740	DISTURBED LAND	0.99 Ac.±	1.7%
	TOTAL	58.84 Ac.±	100.0%

NOTES:

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY ESTIMATED FROM LEE COUNTY PROPERTY APPRAISER'S GIS WEBSITE.

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

REVISIONS		DESIGNED BY / DATE	HORIZONTAL SCALE
Modified FLUCFCS lines and codes	1-2-04	M.F. 12/29/03	1"=200'
		CHECKED BY / DATE	VERTICAL SCALE
		A.W. 12/29/03	N/A
		DRAWN BY / DATE	SEC./TWP./RNG.
		D.B. 12/29/03	06/45/27

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, Florida 33919

VISTANA

FLUCFCS AND WETLANDS MAP

DRAWING No.: 03KBH998

SHEET No.: FIGURE 2

DCI2004-00028

J:\2003\03KBH998\2003\FLUCFCS AND WETLAND.DWG TAB: LAYOUT1 Dec 30, 2003 - 8:50AM PLOTTED BY: DonB

Pine Woods, Disturbed (FLUCFCS Code 4159)
This habitat type occupies 35.81± acres or 60.9 percent of the property. The canopy contains slash pine, live oak (*Quercus virginiana*), swamp laurel oak (*Quercus laurifolia*), melaleuca (*Melaleuca quinquenervia*), and dahoon holly (*Ilex cassine*). The sub-canopy consists of slash pine, Brazilian pepper, and rusty lyonia (*Lyonia ferruginea*). The ground cover is vegetated by scattered saw palmetto, wiregrass (*Aristida stricta*), penny royal, gallberry (*Ilex glabra*), and muscadine grape.

Brazilian Pepper (FLUCFCS Code 422)
This habitat type occupies 0.51± acre or 0.9 percent of the property. The canopy contained Brazilian pepper. The sub-canopy contained Brazilian pepper. The ground cover was open with scattered ceaser weed (*Urena lobata*).

Hardwood/Conifer Mixed, Disturbed (FLUCFCS Code 4349)
This habitat type occupies 19.01± acres or 32.3 percent of the property. The canopy consists of live oak, swamp laurel oak, and slash pine. The sub-canopy contains Brazilian pepper, slash pine, live oak and laurel oak. The ground cover is vegetated by Brazilian pepper, saw palmetto, rusty lyonia, penny royal, and muscadine grape.

Australian Pine (FLUCFCS Code 437)
This upland habitat occupies 0.94± acre or 1.6 percent of the property. The canopy contains Australian pine (*Casuarina* sp.) and live oak. The sub-canopy includes Australian pine and cabbage palm. The ground cover contains bahiagrass (*Paspalum notatum*) and beggar ticks (*Bidens pilosa*).

Disturbed Land (FLUCFCS Code 740)
This habitat occupies 0.99± acre or 1.7 percent of the property. The canopy is open. The sub-canopy is open with scattered wax-myrtle and melaleuca. The ground cover is vegetated by torpedo grass (*Panicum repens*), broomsedge (*Andropogon virginicus*), and yellow-eyed grass (*Xyris* sp.)

METHODOLOGY AND DISCUSSION

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

DCI2004-00020

Table 2. Potential Lee County Protected Species by Habitat Type

FLUCFCS Code and Description		Potential Protected Species
3219	Palmetto Prairie, Disturbed	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
		Southeastern American kestrel (*Falco sparverius paulus*)
		Florida Sandhill Crane (*Grus canadensis pratensis*)
		Audubon's Crested Caracara (*Polyborus plancus audubonii*)
		Florida Panther (*Felis concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Curtis Milkweed (*Asclepias curtissii*)
		Fakahatchee Burmannia (*Burmannia flava*)
		Florida Coontie (*Zamia floridana*)
		Beautiful Pawpaw (*Deeringothamnus pulchellus*)
4159	Pine Woods, Disturbed	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
		Southeastern American Kestrel (*Falco sparverius paulus*)
		Red-cockaded Woodpecker (*Picoides borealis*)
		Florida Panther (*Felis concolor coryi*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Fakahatchee Burmannia (*Burmannia flava*)
		Satinleaf (*Chrysophyllum divaeforme*)
		Beautiful Pawpaw (*Deeringothamnus pulchellus*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Florida Coontie (*Zamia floridana*)
422	Brazilian Pepper *	Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
4349	Hardwood/Conifer, Mixed	Florida Panther (*Felis concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
437	Australian Pine	N/A
740	Disturbed Land*	Gopher Tortoise (*Gopherus polyphemus*)

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

Passarella and Associates, Inc. conducted the PSS on December 19, 2003. The type of survey utilized included meandering pedestrian transects, per Southern Biomes EIS methodology previously approved by Lee County. The weather conditions were partly cloudy with temperatures in the upper 50's.

DCI2004-00028

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

Table 3. Summary of Habitat Coverage

FLUCFCS Code and Description		Total Area (Acres)	Transect Length (Feet)	Average Visibility (Feet)*	Percent Coverage
3219	Palmetto Prairie, Disturbed	1.58	1,370	20	80
4159	Pine Woods, Disturbed	35.81	31,198	20	80
422	Brazilian Pepper**	0.51	444	20	80
4349	Hardwood/Conifer Mixed, Disturbed	19.01	16,560	20	80
437	Australian Pine	0.94	819	20	80
740	Disturbed Land	0.99	862	20	80

*Average visibility to one side of transect.
** Habitat surveyed as a precautionary measure although not required per the LDC.

SURVEY RESULTS

One inactive gopher tortoise (*Gopherus polyphemus*) burrow was the only protected species identified on the project site during the December 19, 2003 field survey. The gopher tortoise burrow was located in Pine Woods, Disturbed (FLUCFCS Code 4159). A 2002 aerial photograph with the survey transects is provided as Appendix A.

ABUNDANCE OF PROTECTED SPECIES OBSERVED

Density calculations for the gopher tortoise were done in accordance with Step 8, Attachment 2 of the Lee County Survey Methodology adopted August 30, 1989. The gopher tortoise density is based on the number of active (A) and inactive (I) burrows found. Based on past experience and conversations with the Florida Fish and Wildlife Conservation Commission (FWCC), a gopher tortoise conversion factor of 0.30 is acceptable for density determinations for pine woods in Southwest Florida. The PSS abundance calculations are provided in Table 4, while Table 5 summarizes the protected species survey findings.

DCI2004-00028

Table 4. Lee County Protected Species Abundance Calculations

Gopher Tortoise (GT) Density:

$= \{n/[L_1(w_1+w_2]\}\ (43{,}560\ ft^2/ac.)\ (C)$

where
n_1 = active plus inactive GT burrows
L_1 = length of transect (feet)
W_1 = distance of visibility to the right of transect (feet)
W_2 = distance of visibility to the left of transect (feet)
C = GT conversion factor 0.3 or 0.4

Gopher Tortoise (*Gopherus polyphemus*)

FLUCFCS Code 4159

Density = $\{[1GT/[31{,}198ft\ (20\ ft + 20\ ft)]\}\ (43{,}560\ ft^2/acre)\ (0.3)$

$= [8.0 \times 10^{-7}\ GT/ft^2]\ (43{,}560\ ft^2/acre)\ (0.30)$

$= (0.03\ GT/acre)\ (0.3)$

$= 0.01\ GT/acre$

Table 5. Lee County Protected Species Survey Summary

Protected Species	FLUCFCS Code/Area	Percent of Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Reptiles					
Eastern Indigo Snake	3219	80		X	
	4159	80		X	
	4349	80		X	
Gopher Frog	3219/4159/ 422/4349	80		X	
Gopher Tortoise	3219/4159/ 4349/740	80		X	
Birds					
Southeastern American Kestrel	3219/4159	80		X	
Florida Sandhill Crane	3219	80		X	
Audubon's Crested Caracara	3219	80		X	

DCI2004-00028

Table 5. (Continued)

Protected Species	FLUCFCS Code/Area	Percent of Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Mammals					
Florida Black Bear	3219/4159/ 4349	80		X	
Florida Panther	3219/4349/ 4159	80		X	
Plants					
Fakahatchee Burmannia	3219/4159	80		X	
Beautiful Paw-paw	3219/4159	80		X	
Florida Coontie	3219/4159	80		X	
Curtis Milkweed	3219	80		X	

MANAGEMENT PLAN

A management plan for gopher tortoises will be prepared and submitted as part of the local development order process. Generally, the applicant intends to obtain a relocation permit from the FWCC. At the time of site clearing, the gopher tortoise will be excavated and moved out of harms way. Once site clearing activities are complete, any gopher tortoises found during the burrow excavations will be released within on-site open space areas. The FWCC relocation permit and the proposed location of the area of gopher tortoise release will be provided to Lee County DES staff prior to approval of a vegetation removal permit.

DCI2004-00028

REFERENCES

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

DG12004-00028

APPENDIX A

AERIAL WITH SURVEY TRANSECTS

DCI2004-00028



LEGEND:

(I) INACTIVE GOPHER TORTOISE BURROW

— — — SURVEY TRANSECT

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
3219	PALMETTO PRAIRIE, DISTURBED	1.58 Ac.±	2.7%
4159	PINE WOODS, DISTURBED	35.81 Ac.±	60.9%
422	BRAZILIAN PEPPER	0.51 Ac.±	0.9%
4349	HARDWOOD/CONIFER-MIXED, DISTURBED	19.01 Ac.±	32.3%
437	AUSTRALIAN PINE	0.94 Ac.±	1.6%
740	DISTURBED LAND	0.99 Ac.±	1.7%
	TOTAL	58.84 Ac.±	100.0%

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF APRIL-MAY, 2002.

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY ESTIMATED FROM LEE COUNTY PROPERTY APPRAISER'S GIS WEBSITE.

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

ATTACHMENT F

REVISIONS		DESIGNED BY / DATE	HORIZONTAL SCALE
		M.F. 12/29/03	1"=200'
ified FLUCFCS lines and codes	1-2-04	CHECKED BY / DATE	VERTICAL SCALE
ed survey transects and burrow	1-9-04	A.W. 12/29/03	N/A
		DRAWN BY / DATE	SEC./TWP./RNG.
		D.B. 12/29/03	06/45/27

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, Florida 33919

VISTANA

AERIAL WITH SURVEY TRANSECTS

DRAWING No.: 03KBH998

SHEET No.: APPENDIX A

DCI2004-00028

Palmetto Prairie, Disturbed (FLUCFCS Code 3219)
This habitat occupies 1.49± acres or 2.6 percent of the property. The canopy vegetation includes scattered slash pine (*Pinus elliotii*) and cabbage palm (*Sabal palmetto*). The sub-canopy vegetation includes Brazilian pepper (*Schinus terebinthifolius*) and wax-myrtle (*Myrica cerifera*). Ground cover includes saw palmetto (*Serenoa repens*), Brazilian pepper, penny royal (*Piloblephis rigida*), muscadine grape (*Vitis rotundifolia*), and beauty berry (*Callicarpa americana*).

Pine Woods, Disturbed (FLUCFCS Code 4159)
This habitat type occupies 35.25± acres or 61.3 percent of the property. The canopy contains slash pine, live oak (*Quercus virginiana*), swamp laurel oak (*Quercus laurifolia*), dahoon holly (*Ilex cassine*), and melaleuca (*Melaleuca quinquenervia*). The sub-canopy consists of slash pine, Brazilian pepper, and rusty lyonia (*Lyonia ferruginea*). The ground cover is vegetated by scattered saw palmetto, wiregrass (*Aristida stricta*), penny royal, gallberry (*Ilex glabra*), and muscadine grape.

Brazilian Pepper (FLUCFCS Code 422)
This habitat type occupies 0.51± acre or 0.9 percent of the property. The canopy and sub-canopy contain Brazilian pepper. The ground cover includes scattered ceasar-weed (*Urena lobata*).

Hardwood/Conifer Mixed, Disturbed (FLUCFCS Code 4349)
This habitat type occupies 18.35± acres or 31.9 percent of the property. The canopy consists of live oak, swamp laurel oak, and slash pine. The sub-canopy contains Brazilian pepper, slash pine, live oak, and swamp laurel oak. The ground cover is vegetated by Brazilian pepper, saw palmetto, rusty lyonia, penny royal, and muscadine grape.

Australian Pine (FLUCFCS Code 437)
This upland habitat occupies 0.94± acre or 1.6 percent of the property. The canopy contains Australian pine (*Casuarina equisetifolia*) and live oak. The sub-canopy includes Australian pine and cabbage palm (*Sabal palmetto*). The ground cover contains bahiagrass (*Paspalum notatum*) and beggar ticks (*Bidens pilosa*).

Disturbed Land (FLUCFCS Code 740)
This habitat occupies 0.99± acre or 1.7 percent of the property. The canopy is open. The sub-canopy is open with scattered wax-myrtle and melaleuca. The ground cover is vegetated by torpedo grass (*Panicum repens*), broomsedge (*Andropogon virginicus*), and yellow-eyed grass (*Xyris* sp.).

D. Soil Description

The Natural Resource Conservation Service (NRCS) (formerly the Soil Conservation Service) lists the following three soil types as occurring on the subject property: (Soil Map Unit 9) EauGallie sand; (Soil Map Unit 33) Oldsmar

DCI2004-00028

sand; and (Soil Map Unit 53) Myakka fine sand, depressional (Figure 2). The "Hydric Soils of Florida Handbook" (Florida Association of Environmental Soil Scientists 1995) lists (Soil Map Unit 53) Myakka fine sand, depressional as a hydric soil. A brief description for each soil type is attached as Exhibit B.

E. Wetlands

There were no SFWMD jurisdictional wetlands identified on-site. Wetland jurisdiction has not been verified by SFWMD staff.

F. Listed Plants and Wildlife

Passarella and Associates, Inc. conducted a Lee County protected species survey (PSS) on the Vistana parcel on December 19, 2003. The survey was conducted to meet Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) standards. A copy of the PSS is attached as Exhibit C. One inactive gopher tortoise (*Gopherus polyphemus*) burrow was identified during the December 19, 2003 field survey. The gopher tortoise burrow was located in Pine Woods, Disturbed (FLUCFCS Code 4159). No other protected species were observed during the December 2003 site inspections. No impacts to gopher tortoises or their burrows will occur without first obtaining a permit from the Florida Fish and Wildlife Conservation Commission.

G. Historical and Archaeological Resources

There are no known historical or archaeological resources on the project site. The project site is not located in an archaeological sensitive area of Lee County (Figure 4).

II. PLANS

A. Proposed Impacts

The project contains no wetlands.

B. Proposed Site Plan

A site plan is attached as Figure 5. The plan proposes 9.47± acres of upland preserve.

ATTACHMENT F

DCI2004-00028

19.50
BILLED

Prepared by:
N. Gluck, Lee County
Zoning & Development Review Division
1831 Hendry Street
Fort Myers, FL 33901

ATTACHMENT G

2557957

RESOLUTION NUMBER Z-88-269

RECORD VERIFIED - CHARLIE GREEN, CLERK
BY: H. FERNSTROM, D.C.

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS

OF LEE COUNTY, FLORIDA

WHEREAS, Community Health Association, in reference to Social Service Center has properly filed an application for:

> A rezoning from AG-2 to Community Facilities Planned Development, to permit development of a Social Service Center, not to exceed 35 feet above average grade, on 6.48 total acres of land. The proposed development will include a child day care facility, administration building and recreation building.
>
> NOTE:
>
> If approved, the Master Concept Plan will deviate from the following Lee County standard:
>
> (1) Requirement that internal roads must be constructed 25 feet from the property line, to instead allow construction to within 15 feet along the north property line (Section 451.D.2.b.).

OR2032

PG1773

WHEREAS, the subject property is located at 11 Beth Stacey Boulevard, Lehigh Acres, described more particularly as:

LEGAL DESCRIPTION: In Section 06, Township 45 South, Range 27 East, Lee County, Florida:

> A tract of land in the North One Quarter (N 1/4) of Section 06, Township 45 South, Range 27 East, for Community Health Association.
>
> Commencing at the Northwest corner of Section 06, Township 45 South, Range 27 East, Lee County, Florida; THENCE N.89°45'00"E., along the North section line of said Section 06, a distance of 2,422.25 feet, to the Easterly right-of-way line of Beth Stacey Boulevard, and the POINT OF BEGINNING of a tract of land herein described; THENCE continuing N.89°45'00"E., along the North section line of said Section 06, a distance of 862.83 feet; THENCE S.01°34'12"E., a distance of 326.52 feet; THENCE S.89°42'09"W., a distance of 863.52 feet to the Easterly right-of-way line of Beth Stacey Boulevard; THENCE N.01°26'49"W., a distance of 327.22 feet to the North section line of said Section 06, and the POINT OF BEGINNING. Said tract of land containing 6.476 acres, more or less.

WHEREAS, the applicant has indicated the property's current STRAP number is 06-45-27-00-00001.0010; and

WHEREAS, proper authorization has been given to the law firm of Henderson, Franklin, Starnes and Holt, P.A., by John Foy, Chairman of

11-14-88

Community Health Association, Inc. the owner of the subject parcel, to act as agent to pursue this zoning application; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Planning and Zoning Commission, with full consideration of all the evidence available to the Planning and Zoning Commission; and

WHEREAS, the Lee County Planning and Zoning Commission fully reviewed the matter in a public hearing held on October 3, 1988; and

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

WHEREAS, in the legislative process the Lee County Board of County Commissioners gave full and complete consideration to the recommendations of the staff, the Planning and Zoning Commission, the documents on file with the county, and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board of County Commissioners does hereby APPROVE with a condition a rezoning from AG-2 to Community Facilities Planned Development, to permit development of a Social Service Center, not to exceed 35 feet above average grade, on 6.48 total acres of land. The proposed development will include a child day care facility, administration building and recreation building.

Approval is conditioned to the following;

1. The development of this property shall be in accordance with the one-page Master Concept Plan; titled, "Lehigh Acres Community Health Association", prepared by Aim Engineering and Surveying (plan dated February 1988, revised May, July, and October of 1988, and received October 13, 1988), except as may be modified by the conditions herein. Approval of this request does not exempt the applicant from compliance with all development regulations, except as specifically approved herein.

2. The schedule of uses shall be limited to the following:

   A. Social Services-Group I

   B. Recreation Center/Recreation Facilities, Private

   C. Day Care Center, Child and Adult

   D. Administrative (ancillary) and Governmental Offices (county or state agencies providing social services), excluding Governmental Services listed in Section 1001.19.

3. The proposed buildings shall not exceed a total floor area of 27,400 square feet.

4. No development shall occur within the easements located on the subject property, unless they are officially vacated.

5. The five oak trees shown on the Master Concept Plan shall be preserved.

OR2032

PG1774

ATTACHMENT G

6. Parking shown on the plan is not approved, but shall comply with the Zoning Ordinance and the Development Standards Ordinance.

7. The recreation building (Phase III) shall be limited to a maximum of 9,000 square feet.

8. Deviation (1) is APPROVED.

9. The Administrative Building (Phase II) and all its appurtenances shall be located no closer than 120 feet from Beth Stacey Boulevard with parking to the rear of the building.

10. A 40 foot "Type F" buffer shall be provided along the entire frontage by Beth Stacey Boulevard.

Site Plan 88-269 is attached hereto and incorporated herein by reference, as a reduced copy of the Master Concept Plan.

The following findings of fact were made in conjunction with this approval of Community Facilities Planned Development zoning:

a) All recommended conditions are reasonably related to the impacts on the public's interest created by, or expected from, the proposed development;
b) Sufficient safeguards to the public interest are provided by the recommended conditions to the Master Concept Plan and by other applicable regulations;
c) The general intent of these regulations to protect the public health, safety and welfare, is preserved and promoted;
d) The deviation recommended for approval will enhance the development and will not negatively affect the public health, safety and welfare; and
e) The proposed uses are, as limited by the conditions herein, appropriate at the subject location.

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner Mary Ann Wallace, and seconded by Commissioner Charles L. Bigelow, Jr. and, upon being put to a vote, the result was as follows:

John E. Manning	AYE
Charles L. Bigelow, Jr.	AYE
Mary Ann Wallace	AYE
Bill Fussell	ABSENT
Donald D. Slisher	AYE

DULY PASSED AND ADOPTED this 14th day of November, A.D., 1988.

ATTACHMENT G

ATTEST:
CHARLIE GREEN, CLERK

BY: Clare Vanek
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Bill Fussell
Chairman

FILED
NOV 29, 88
CLERK CIRCUIT COURT
BY Clare Vanek D.C.

Approved as to form by:

County Attorney's Office

HEARING NUMBER 88-9-9 DCI

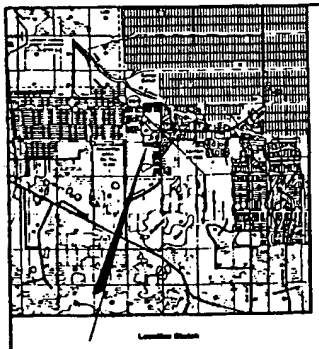
RESOLUTION NUMBER Z-88-269
Page 3 of 3

(5620L/19)

OR2032

PG1775

ATTACHMENT G



LEGAL DESCRIPTION

A tract of land in the North One Quarter of Section 6, Township 45 South, Range 27 East, Lee County, Florida, being more particularly described as follows:

Commencing at the Northwest corner of Section 6, Township 45 South, Range 27 East, Lee County, Florida; thence North 89° 45' 00" East, along the North section line of said Section 6, a distance of 2,622.25 feet, to the Easterly Right-of-Way line of Bath Stacey Boulevard, and the Point of Beginning of a tract of land herein described:

Thence continuing North 89° 45' 00" East, along the North section line of said Section 6, a distance of 862.63 feet; thence South 01° 34' 12" East, a distance of 329.32 feet; thence South 89° 42' 06" West, a distance of 861.52 feet to the Easterly Right-of-Way line of Bath Stacey Boulevard; thence North 01° 36' 36" West, a distance of 327.35 feet to the North section line of said Section 6, and the Point of Beginning. Said tract of land containing 6.48 acres, more or less.

Subject to a road easement over and across the East 25 feet, the North 25 feet, and the East 25 feet of the North 1/2, of the Northeast 1/4, of the Northeast 1/4, of the Northeast 1/4, of Section 6, Township 45 South, Range 27 East, Lee County, Florida, according to a deed on file in Official Records Book 200, Page 195, of the Public Records of Lee County, Florida.

SITE DATA

TOTAL SITE = 6.48 ACRES
CURRENT ZONING = AGRICULTURE
PROPOSED ZONING = C.F.P.D.

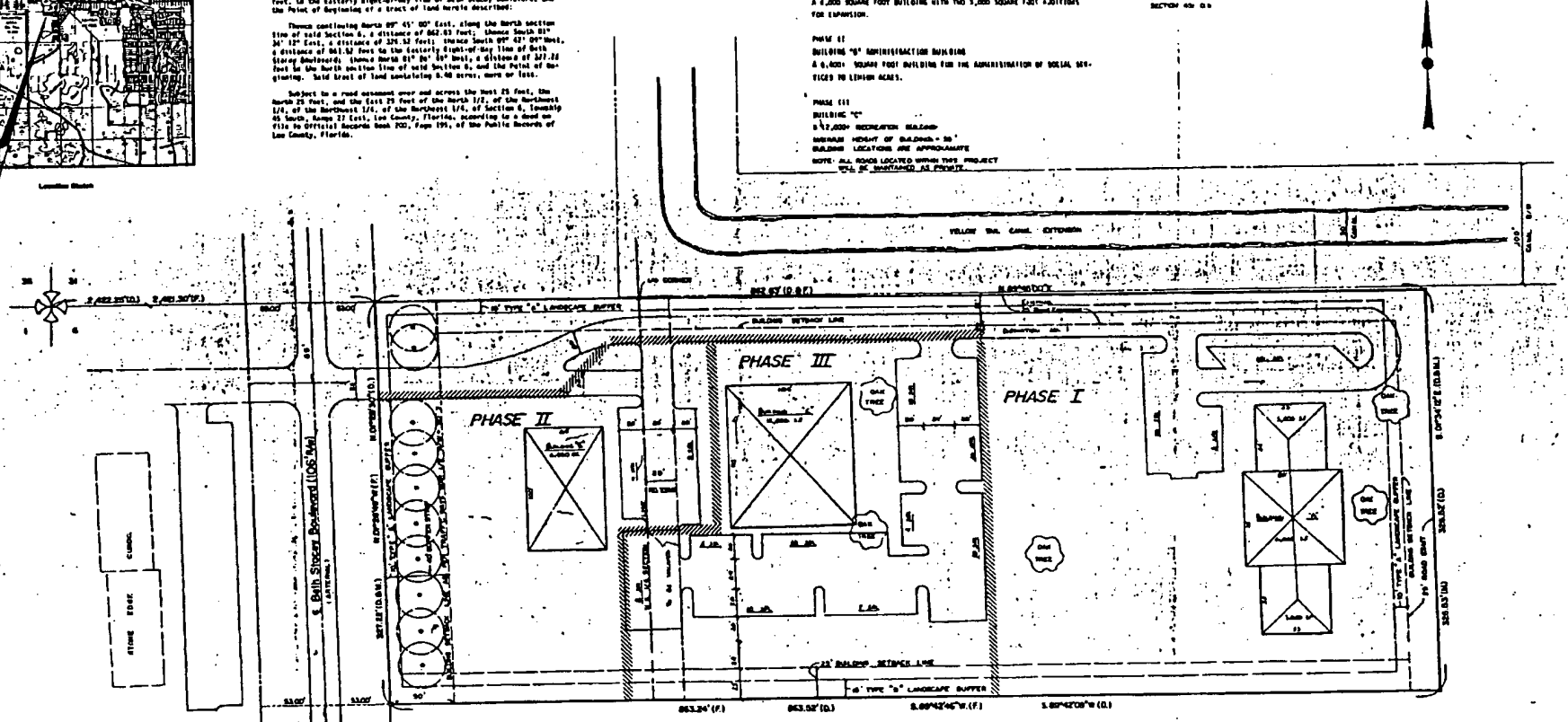
PHASE I
BUILDING "A" = CHILD DAY CARE
A 6,000 SQUARE FOOT BUILDING WITH TWO 3,000 SQUARE FOOT ADDITIONS FOR EXPANSION.

PHASE II
BUILDING "B" ADMINISTRATION BUILDING
A 6,000± SQUARE FOOT BUILDING FOR THE ADMINISTRATION OF SOCIAL SERVICES TO LEHIGH ACRES.

PHASE III
BUILDING "C"
A 12,000± RECREATION BUILDING
MAXIMUM HEIGHT OF BUILDING = 30'
BUILDING LOCATIONS ARE APPROXIMATE
NOTE: ALL ROADS LOCATED WITHIN THIS PROJECT WILL BE MAINTAINED AS PRIVATE

DEVIATIONS:
1) ALLOW INTERNAL ROAD ALONG NORTH PROPERTY LINE TO BE CLOSER THAN 30' (15' REQUESTED) SECTION 404.04

SCALE: 1" = 40'



APPROVED
Master Concept Plan
Site Plan # 87-247 Page 1 of 1
Subject to conditions in Resolution 2-27-87
Zoning Case # 87-5-90C1

RECEIVED
OCT 30 1987
ZONING COUNTER

A Conceptual Site Design For:

LEHIGH ACRES COMMUNITY HEALTH ASSOCIATION

A Community Facility Planned Development

PHASE LINE

AIM ENGINEERING & SURVEYING
23 Homestead Road
P.O. Box 195
Lehigh, Florida 33936
Phone: (813) 369-7540
(813) 332-4569
(813) 675-3696

REVISIONS			

H.L. BENNEY
PE. NO. 32534
DATE 10/2/87

DATE 2-23-88
SCALE 1" = 40'
DRAWN BY
CHECKED BY
FILE NAME
SEC. + TWP. + RGE. 6 - 45 - 27
JOB NO. 816
SHEET NO. 3 OF 5

NOV 30 10 57 AM '88
RECORDED & RECORD VERIFIED
Charlie Green
CLERK CIRCUIT COURT

OR2032 PG1776

ADMINISTRATIVE APPROVAL AMENDMENT NUMBER PD-91-002

ADMINISTRATIVE APPROVAL

AMENDMENT

LEE COUNTY, FLORIDA

WHEREAS, Community Health Association, Inc., has filed an application for administrative approval of an amendment to a Community Facilities Planned Development on a project known as Social Service Center and Recreation Facilities. The amendment would change the phasing of the project, and the uses allowed within Phases II and III. More specifically, the administrative office for social services which was approved for Phase III would be constructed in Phase II of the project, while the approved recreation facility would be developed in Phase III, instead of Phase II. The administrative amendment also eliminates the use, Governmental Offices. The subject property is located at 11 Beth Stacey Boulevard, described more particularly as:

LEGAL DESCRIPTION: In Section 06, Township 45 South, Range 27 East, Lee County, Florida:

> A tract of land in the North One Quarter (N¼) of Section 06, Township 45 South, Range 27 East, for Community Health Association.
>
> Commencing at the Northwest corner of Section 06, Township 45 South, Range 27 East, Lee County, Florida;
> THENCE N89°45'00"E, along the North section line of said Section 06, a distance of 2,422.25 feet, to the Easterly right-of-way line of Beth Stacey Boulevard, and the POINT OF BEGINNING of a tract of land herein described;
> THENCE continuing N89°45'00"E, along the North section line of said Section 06, a distance of 862.83 feet;
> THENCE S01°34'12"E, a distance of 326.52 feet;
> THENCE S89°42'09"W, a distance of 863.52 feet to the Easterly right-of-way line of Beth Stacey Boulevard;
> THENCE N01°26'49"W, a distance of 327.22 feet to the North section line of said Section 06, and the POINT OF BEGINNING. Said tract of land containing 6.476 acres, more or less.

The property was originally rezoned in hearing number 88-9-9 DCI; and

WHEREAS, Lee County Ordinance 89-04 amends the Zoning Ordinance (Ordinance No. 86-17) to provide for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

91 MA

(7235z)

ATTACHMENT H

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

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment is APPROVED with conditions stated below. This amendment allows the Master Concept Plan, stamped "Received October 13, 1988," to be amended to change the phasing of the project and the uses allowed within Phases II and III. The administrative office for social services which was approved for Phase III would be constructed under Phase II of the project, while the approved recreation facility would then be developed as Phase III, instead of Phase II. The administrative amendment also eliminates the use, Governmental Offices.

This administrative amendment is APPROVED, subject to the following conditions:

1. The development of this property shall be in accordance with the phasing and notes associated with the allowable uses on the one-page Master Concept Plan; titled, "Lehigh Acres Community Health Association Drainage Plan", prepared by Barbot and Associates, Inc. (plan last revised on August 17, 1989 and received March 18, 1991).

2. The revised schedule of uses allowed within the planned development is as follows:

   PHASE I
   Day Care Center, Child

   PHASE II

   Social Services-Group I (Section 1001.46)
   Adult Day Care Center
   Administrative offices (ancillary)

   PHASE III

   Recreation Center/Recreation Facilities, Private

3. The terms and conditions of the original zoning resolution remain in full force and effect.

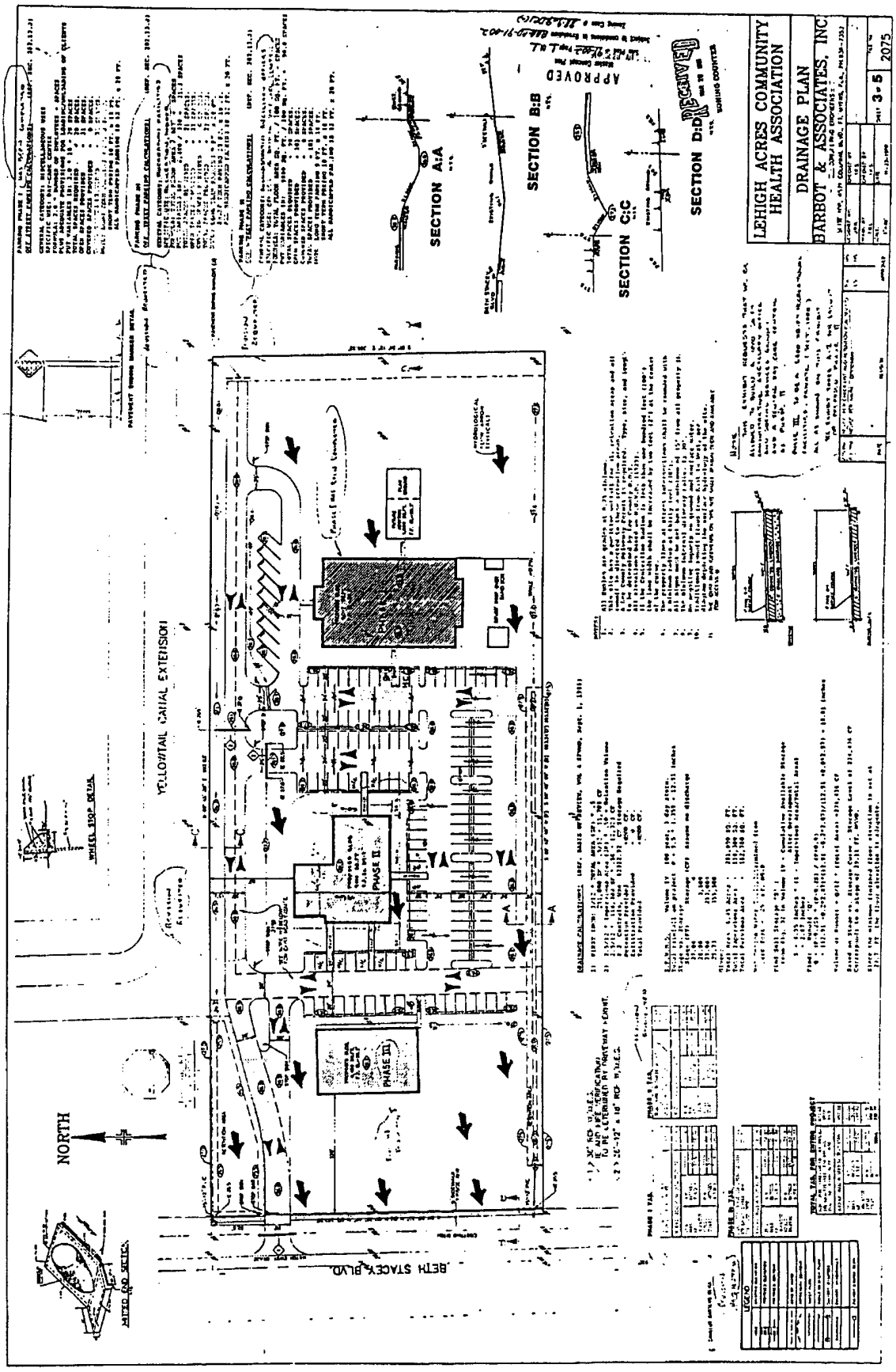
4. The site Plan, entitled Drainage Plan, sheet 3 of 5, received on March 18, 1991, is attached hereto and is incorporated herein by reference as a reduced copy of the Master Concept Plan.

DULY SIGNED this 27th day of March, A.D., 1991.

BY: _____
Hans D. Behrens
Deputy Director
Department of Community Development

(7235z)

ATTACHMENT H



ATTACHMENT H

RESOLUTION NUMBER Z-99-079

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

WHEREAS, an application was filed by the property owners, Progress Land Company, Inc. and Lehigh Corporation, to rezone approximately 289 acres of land from Agricultural (AG-2), Residential Single Family (RS-1), and Residential Multi-family (RM-2) to Mixed Planned Development (MPD), in reference to Classic Hills; and

WHEREAS, a public hearing was advertised and held on November 9, 1999, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case # 97-12-179.03Z 01.01; and

WHEREAS, a second public hearing was advertised and held on January 31, 2000, 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 approximately 289± acres of land from AG-2, RS-1, and RM-2 to MPD to permit a maximum of 990 dwelling units in a mix of housing types to include a maximum of 250 single family units, 270 duplex/two-family units, and 470 multi-family units or a combination not to exceed 990 units, with a golf course and club house, including a maximum of 100,000 square feet of commercial uses. The property is located in the Central Urban Land Use Category and legally described in attached Exhibit A. The request is APPROVED SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. The development of this project must be consistent with the two-page Master Concept Plan (MCP) entitled "Classic Hills Golf Community," sheet 1 of 2 dated June 15, 1999, and sheet 2 of 2 dated June 15, 1999, and last revised August 24, 1999, both stamped received by the Permit Counter on August 26, 1999, except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at the time of local development order approval, except as may be granted by deviation as part of this planned

ATTACHMENT I

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

Residential Areas:

ACCESSORY USES AND STRUCTURES
ACCESSORY APARTMENT
ADMINISTRATIVE OFFICES
DWELLING UNITS:
- Single-family, villas and regular (conventional)
- Two-family attached
- Townhouse
- Multiple family
- Zero Lot Line

ENTRANCE GATES AND/OR GATEHOUSES
ESSENTIAL SERVICES
ESSENTIAL SERVICE FACILITIES, Group I
EXCAVATION/Water Retention
FENCES, WALLS
GOLF COURSE
- Golf Driving Range (limited to the aqua range as shown on the MCP)

HOME OCCUPATION
MODELS: (see Condition 6)
- Display center
- Model home
- Model unit

RECREATIONAL FACILITIES:
- Personal
- Private, On-Site

SIGNS, in accordance with LDC Chapter 30
TEMPORARY USES

Club House Area:

CLUBS, Country
PARKING LOT, Accessory
CONSUMPTION ON PREMISES
DAY CARE CENTER, Child
FOOD AND BEVERAGE SERVICE, LIMITED
PERSONAL SERVICES, Groups I & II (limited to health club or spa)

ATTACHMENT I

REAL ESTATE SALES OFFICE (limited to one that only serves this project)
RESTAURANTS, Groups I, II & III
SPECIALTY RETAIL SHOPS, Groups I & II
TEMPORARY USES

Areas 1 and 6; Commercial Uses

ADMINISTRATIVE OFFICES
ATM (automatic teller machine)
AUTOMOBILE SERVICE STATION
BANKS AND FINANCIAL ESTABLISHMENTS, Groups I & II
BAR OR COCKTAIL LOUNGE
BUSINESS SERVICES, Group I
CAR WASH
CLEANING AND MAINTENANCE SERVICES
CLOTHING STORES, general
CLUBS:
- Commercial
- Country Club
- Fraternal, membership organization
- Private

COMPUTER AND DATA PROCESSING SERVICES
CONSUMPTION ON PREMISES (COP), maximum of six - restaurants (four); bar or cocktail lounge (two)
CONVENIENCE FOOD AND BEVERAGE STORE
CULTURAL FACILITIES, excluding zoos or other outdoor uses
DAY CARE CENTER, Child, Adult
DRIVE-THROUGH FACILITY, for any permitted use
DRUGSTORE, PHARMACY
EMERGENCY MEDICAL SERVICE (limited to ambulance station)
ESSENTIAL SERVICES
ESSENTIAL SERVICE FACILITIES, Group I
EXCAVATION, Water retention
FENCES, WALLS
FIRE STATION
FOOD AND BEVERAGE SERVICE, LIMITED
FOOD STORES, Groups I
GIFT AND SOUVENIR SHOP
HARDWARE STORE
HEALTH CARE FACILITIES, Groups I, II & III
HOBBY, TOY AND GAME SHOPS
HOUSEHOLD AND OFFICE FURNISHINGS, All Groups
INSURANCE COMPANIES
LAUNDRY OR DRY CLEANING, Group I

ATTACHMENT I

LAWN AND GARDEN SUPPLY STORES
LIBRARY
MEDICAL OFFICE
NONSTORE RETAILERS, All Groups
PARCEL AND EXPRESS SERVICES
PACKAGE STORE
PAINT, GLASS AND WALLPAPER
PARKING LOT:
    Accessory
    Garage, public parking (limited to two stories)
PERSONAL SERVICES, Groups I, II (excluding massage parlors), III, & IV (limited to babysitting bureaus, portrait copying, shopping services, and tax return preparation services)
PET SHOP
PLACE OF WORSHIP
POLICE OR SHERIFF'S STATION
POST OFFICE
RECREATIONAL FACILITIES, Commercial, Groups I, III (excluding any outdoor cultural facilities operated as a commercial establishment, all water slides, and aquatic centers), & IV
RELIGIOUS FACILITIES
RENTAL OR LEASING ESTABLISHMENT, Groups I, II, & III
REPAIR SHOPS, Groups I & II
RESTAURANT, FAST FOOD
RESTAURANTS, Groups I, II, III, & IV
RETAIL AND WHOLESALE SALES, when clearly incidental and subordinate to a permitted principal use on the same premises
SELF-SERVICE FUEL PUMPS
SIGNS, in accordance with LDC Chapter 30
SPECIALTY RETAIL SHOPS, Groups I, II, III, & IV
TEMPORARY USES
VARIETY STORE
VEHICLE AND EQUIPMENT DEALERS, Groups I & II

Areas 1 and 6; Residential Uses:

If Areas 1 or 6 are to be used for residential purposes, they must comply with Condition 12.

ACCESSORY USES AND STRUCTURES
DWELLING UNIT:
    Townhouse
    Multiple-family
ESSENTIAL SERVICES

ESSENTIAL SERVICE FACILITIES, Groups I
EXCAVATION, Water retention
FENCES, WALLS
HOME OCCUPATION
RECREATIONAL FACILITIES, Personal and Private

b. Site Development Regulations

The property development regulations are as set out below for the residential and commercial uses, and as further limited by Deviations (1), (2), and (3).

SINGLE FAMILY DETACHED - VILLAS

Minimum Lot Area	5,000 sq. ft.
Minimum Lot Size	40 feet x 125 feet
Minimum Corner Lot Size	50 feet x 125 feet
Front Setback from Street	20 feet
Side Setback from Street	15 feet
Side Setback	5 feet
Rear Setback	5 feet
Setback from Waterbody	15 feet
Maximum Building Height	35 feet, three stories
Maximum Lot Coverage	60 percent

SINGLE FAMILY DETACHED - REGULAR

Minimum Lot Area	6,000 sq. ft.
Minimum Lot Size	60 feet x 100 feet
Minimum Corner Lot Size	70 feet x 100 feet
Front Setback from Street	20 feet
Side Setback from Street	15 feet
Side Setback	5 feet
Rear Setback	5 feet
Setback from Waterbody	15 feet
Maximum Building Height	35 feet, three stories
Maximum Lot Coverage	60 percent

ZERO LOT LINE, TWO-FAMILY ATTACHED OR TOWNHOUSE

Minimum Lot Area	2,000 sq. ft./unit
Minimum Lot Size	25 feet x 80 feet
Minimum Corner Lot Size	40 feet x 80 feet
Front Setback from Street	20 feet
Side Setback from Street	15 feet
Side Setback	10 feet - zero lot line
Side Setback	5 feet - two-family attached
Rear Setback	5 feet

Minimum Building Separation	10 feet
Setback from Waterbody	15 feet
Maximum Building Height	35 feet, three stories
Maximum Lot Coverage	60 percent

MULTIPLE-FAMILY HOUSING (three or more units per building)

Minimum Lot Area	10,000 sq. ft.
Minimum Lot Size	100 feet x 100 feet
Minimum Corner Lot Size	110 feet x 100 feet
Front Setback from Street	20 feet
Side Setback from Street	15 feet
Side Setback	15 feet
Rear Setback	20 feet
Minimum Building Separation	10 feet
Setback from Waterbody	15 feet
Maximum Building Height	55 feet, four stories*
Maximum Lot Coverage	60 percent

*4-story buildings are only allowed if they are located in Areas 1, 4, 6, 7 or 11.

ALL USES ALLOWED IN THE CLUB HOUSE AREA

Minimum Lot Area	7,500 sq. ft.
Minimum Lot Size	75 feet x 100 feet
Minimum Corner Lot Size	90 feet x 100 feet
Front Setback from Street	20 feet
Side Setback from Street	15 feet
Side Setback	10 feet
Rear Setback	10 feet
Minimum Building Separation	20 feet
Setback from Waterbody	15 feet
Maximum Building Height	35 feet, two stories
Maximum Lot Coverage	50 percent
Open Space Required	40 percent
Total Maximum Building Square Footage	20,000 sq. ft.

ALL USES LISTED FOR COMMERCIAL AREAS

Minimum Lot Area	7,500 sq. ft.
Minimum Lot Size	75 feet x 100 feet
Minimum Corner Lot Size	90 feet x 100 feet
Front Setback from Street	25 feet
Side Setback from Street	15 feet
Side Setback	10 feet

Rear Setback	20 feet
Setback from Waterbody	15 feet
Maximum Lot Coverage	40 percent
Open Space Required	30 percent
Maximum Building Height	35 feet, two stories
Total Maximum Building Square Footage	100,000 sq. ft.

3. The development will be limited to a maximum of 100,000 square feet of commercial retail uses to be distributed as follows:

   a. Up to a maximum of 20,000 square feet can be located in the Club House Area for ancillary uses to the golf course and residential community.

   b. The remaining square footage will be located in Areas 1 and 6, and may not exceed 100,000 square feet in total.

4. The development will consist of a maximum of 990 dwelling units with a maximum of 250 single-family dwelling unit types, including zero-lot-line units, 270 two-family attached units, and 470 multi-family and townhouse units, or a combination not to exceed 990 dwelling units.

5. The following conditions are to help mitigate potential hurricane damage and/or loss of life, as well as to ensure compliance with comprehensive plan objectives.

   a. Prior to approval of a local development order the Developer must:

      1. Establish a homeowners' association or residents' association. The organization shall provide an educational program on an annual basis, in conjunction with the staff of Emergency Management, which will provide literature brochures and speakers for Hurricane Awareness/Preparedness Seminars, describing the risks of natural hazards. The intent of this recommendation is to provide a mechanism to educate residents concerning the actions they should take to mitigate the dangers inherent in these hazards; and

      2. Formulate an emergency hurricane notification and evaluation plan for the development, which will be subject to review and approval by the Lee County Office of Emergency Management.

   b. The project will be subject to any future, duly adopted evacuation or shelter mitigation requirements applicable to residential developments within the County.

6. Model units and homes are permitted in compliance with the following conditions:

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

b. All model sites must be designated on the development order plans; and

c. Prior to model home construction, the lots upon which model homes will be constructed must be shown on a preliminary plat. The preliminary plat must be filed concurrently with the local development order application. The model homes must comply with the setbacks set forth in the property development regulations for Classic Hills; and

d. Dry models are prohibited.

7. The following conditions address environmental issues:

a. The cabbage palm hammock areas (approximately 3.16 acres) delineated on attached Exhibit D, entitled "Cabbage Palm Hammock Preservation", must be preserved. Minor clearing is permitted through the cabbage palm hammocks for golf course fairways. Proposed fairway crossings through the cabbage palm hammocks must be reviewed and approved by Division of Planning, Environmental Sciences prior to local development order approval. Any cabbage palms with 8-foot or greater of clear trunk removed for the construction of the fairways must be relocated on-site.

b. Mature native trees and understory must be retained to the maximum extent possible within golf course roughs.

c. If an incidental take permit is obtained from the Florida Fish and Wildlife Conservation Commission (FWC), the applicant must provide a final gopher tortoise management plan following the general guidelines committed to in the "Management Plan for Listed Species" prepared by Boylan Environmental dated October 1, 1998. If the FWC denies an incidental take permit, a final gopher tortoise relocation management plan per LDC §10-474 for on-site management must be provided for Division of Planning/Environmental Sciences Staff review and approval.

8. Prior to local development order approval, 40 percent or 75.92 acres of open space must be provided for the single-family dwellings on lots less than 6,500 square feet, multiple-family dwelling units and golf course development area. Fifty percent or 38.94 acres of the required open space must be provided by existing indigenous preservation.

9. Single-family dwelling units (villas and regular/conventional), two-family attached, zero-lot-line, townhouse, and multiple-family dwelling units are permitted in Areas 2, 3, 5, 8, 9, and 10, and are limited to a maximum height of 35 feet or three stories, whichever is

the lesser amount.

10. Buffers will be provided in accordance with the LDC §10-416(d) for multiple-family and commercial areas. No buffering is required for single-family (villas and regular/conventional), two-family attached, or zero-lot-line dwelling units.

11. Single-family, two-family attached, zero-lot-line, townhouse and multiple-family dwelling units are permitted in Areas 4, 7, and 11 and limited to a maximum height of 35 feet or three stories, with multiple-family dwelling units limited to 55 feet or four stories, whichever is less, with setbacks in compliance with LDC §34-2174.

12. Only townhouse and multiple-family dwelling units are permitted in Areas 1 and 6, with townhouses limited to a maximum height of 35 feet or three stories and multiple-family dwelling units limited to 55 feet or four stories, whichever is less, with setbacks in compliance with LDC §34-2174, as follows:

    a. Townhouse and multiple-family dwelling units will be permitted on Areas 1 and 6 provided 50 percent or less of each area is developed for commercial purposes.

    b. If Areas 1 and 6 have commercial and residential uses, the residential uses must be clustered in the southern portion of Areas 1 and 6.

    c. The residential uses must be accessed from the interior of the proposed development.

13. During the development order process, the required 20-foot-wide maintenance easement (See LDC §10-328(a)) may be reduced, provided documentation from South Florida Water Management District is provided to Development Services approving the easement reduction to a minimum of 15 feet in width for easements abutting residential areas and does not require maintenance easements for areas that do not abut residential areas.

14. Transportation:

    a. Concurrent with the completion of this project, Lehigh Corporation, or their designee, including the applicant/developer herein, must complete the extension of Beth Stacey Boulevard from the current southern terminus at the intersection of 23rd Street in a southerly direction to connect to the existing northern terminus of Beth Stacey Boulevard at the south line of Section 6, Township 45 South, Range 27 East near Parson Street, a distance of approximately 3,630 feet, in a manner consistent with the "Agreement Regarding the Construction of Improvements to Connect Beth Stacey Boulevard to Milwaukee Boulevard and the Dedication of Related Rights-of-Way" (Agreement) executed by Lehigh Corporation and approved by the Lee County Board of County Commissioners on November 24, 1998 (attached as Exhibit E). This roadway must be constructed to County standards, in accordance

with the LDC and the "Agreement."

b. In recognition of the financial situation of the developer and the County's projected long range need for the interconnection of Beth Stacey Boulevard to Milwaukee Boulevard, Applicant is required to construct and have approved by the County through issuance of a Certificate of Completion the following road segments:

(1) the link of Beth Stacey Boulevard between the golf course clubhouse parcel and 23rd Street S.W., prior to issuance of the project's first residential dwelling unit's Certificate of Occupancy; and

(2) the southernmost link of Beth Stacey Boulevard from its intersection with the south branch of the project's internal spine road to its interconnection with the existing northerly terminus of Beth Stacey Boulevard, prior to issuance of the project's 495th Certificate of Occupancy for residential dwelling units.

c. Until the full southerly extension of Beth Stacey Boulevard is completed and open to traffic between 23rd Street S.W. and Milwaukee Boulevard, Applicant is limited to a maximum of 30,000 square feet of retail commercial uses on Parcels 1 and 6.

d. Constructing the Beth Stacey Boulevard extension in the manner allowed by this approval does not guarantee that applicant/developer will receive road impact fee credits. Road impact fee credits will be awarded in compliance with the LDC and Administrative Code provisions in effect at the time of the construction of the portions of the extended roadway, and in accordance with the road impact fee credit provisions of the Agreement referenced in Paragraph "a." above.

15. Prior to acceptance of Beth Stacey Boulevard by the County for maintenance, the existing platted road right-of-way must be successfully vacated and the new right-of-way dedicated to the County.

16. If Beth Stacey Boulevard and the golf cart overpass crossing are constructed concurrently, then, prior to the acceptance of Beth Stacey Boulevard by the County for maintenance, a maintenance agreement for the proposed golf cart overpass crossing will need to be reviewed and approved by Lee County Department of Transportation (LCDOT) and the County Attorney's Office, and executed and recorded in the Lee County Public Records. If Beth Stacey Boulevard has been constructed and accepted for County maintenance prior to construction of the proposed golf cart overpass crossing, then, prior to issuance of the Certificate of Compliance for the proposed golf cart overpass crossing, the maintenance agreement must be reviewed and approved by LCDOT and the County Attorney's Office, and executed and recorded in the Lee County Public Records.

17. The Applicant will provide traffic monitoring reports within three months of the issuance date

of the Certificates of Occupancy for the 248th, 496th, and 744th dwelling unit, and a final monitoring report at project buildout. These reports must show background traffic at the intersection of 23rd Street S.W. and Beth Stacey Boulevard as well as traffic generated by or attached to the various parts of this project including the project access points. The purpose of the monitoring report is to determine if and when warrants are met for signalization.

18. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table 1(b).

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC §§34-695, 34-715 and 34-844 standard requirements for property development regulations to establish property development regulations for the residential and commercial uses. This deviation is APPROVED, SUBJECT TO COMPLIANCE WITH the minimum property development typical drawings on the MCP and as set out in Condition 2.b.

2. Deviation (2) seeks relief from the LDC §34-935(e)(4) requirement to provide a minimum building separation of one-half the sum of the heights, or 20 feet, whichever is greater, to allow a 10-foot minimum building separation. This deviation is APPROVED, PROVIDED Applicant receives and submits to the County, a letter(s) of approval from the appropriate fire district(s) prior to development order approval.

3. Deviation (3) seeks relief from the LDC §34-2222(1) requirement to provide a 15-foot increase in the minimum lot width for corner lots, to allow a minimum increase of 10 feet for corner lots. This deviation is APPROVED, SUBJECT TO CONDITION that adequate sight distances are maintained.

4. Deviation (4) seeks relief from the LDC §10-285(a) requirement for an arterial road separation of 660 feet, to allow a minimum of 330 feet on 23rd Street from the Beth Stacey Boulevard intersection for a right-in only into the commercial parcel; and to a minimum of 330 feet on 23rd Street from the Anita Avenue intersection for full access into their golf course maintenance area. This deviation is APPROVED.

5. Deviation (5) seeks relief from the LDC §10-285(a) requirement for an arterial road separation of 660 feet, to allow a minimum of 330 feet on Beth Stacey Boulevard from the intersection of 23rd Street for the commercial parcels for right-in/right-out only. This deviation is APPROVED, SUBJECT TO THE CONDITION that the median that currently exists on Beth Stacey Boulevard, north of 23rd Street, is continued south to the intersection of the residential areas that are 660 feet from the 23rd Street intersection.

6. Deviation (6) seeks relief from the LDC §10-285(a) requirement for an arterial road

separation of 660 feet, to allow a minimum of 330 feet on Beth Stacey Boulevard from the intersection of the commercial parcels to the entrances of the residential areas for full access. This deviation is APPROVED.

7. Deviation (7) seeks relief from the LDC §10-285(a) requirement for an arterial road separation of 660 feet, to allow a minimum of 500 feet on Beth Stacey Boulevard from the intersection of the residential areas to the intersection of Parson Street. This deviation is APPROVED.

8. Deviation (8) seeks relief from the LDC §10-328(a) requirement for a 20-foot-wide maintenance easement around watercourses, drainageways, canals, I.D.D. easements, lakes, ponds, or streams, to allow for no maintenance easement for areas that do not abut single-family lots and 15-foot-wide maintenance easements for areas directly abutting single-family lots. This deviation is APPROVED, SUBJECT TO Condition13.

9. Deviation (9) seeks relief from the LDC §30-152(2) requirement that identification signs be set back a minimum of 15 feet from any right-of-way or easement, to allow identification signs to be zero feet from a right-of-way. This deviation is APPROVED, PROVIDED the location and construction of the identification signs are in accordance with regulations for minimum safety sight distances.

10. Deviation (10) seeks relief from the LDC §10-416(a)(2) requirement that residential developments must provide one tree per 3,000 square feet of development area, to allow the residential development to provide one tree per 3,000 square feet of development area less the wetland preserve areas of 37.80 acres. This deviation is DENIED.

SECTION D. EXHIBITS:

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

Exhibit A: The legal description and STRAP number of the property.
Exhibit B: Zoning Map (subject parcel identified with shading)
Exhibit C: The Master Concept Plan
Exhibit D: Cabbage Palm Hammock Preservation
Exhibit E: Agreement Regarding the Construction of Improvements to Connect Beth Stacey Boulevard to Milwaukee Boulevard and the Dedication of Related Rights-of-Way

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the Land Development Code, and any other applicable code or regulation.

2. The rezoning, as approved:

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

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

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

d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,

e. will not adversely affect environmentally critical areas or natural resources.

3. The rezoning satisfies the following criteria:

a. the proposed use or mix of uses is appropriate at the subject location; and

b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and

c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

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

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

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner John E. Manning, seconded by Commissioner Douglas R. St. Cerny and, upon being put to a vote, the result was as follows:

John E. Manning	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Andrew Coy	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 31st day of January, 2000.

ATTEST:
CHARLIE GREEN, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

Approved as to form by:

_____
County Attorney's Office

MINUTES OFFICE
lp
FILED FEB 11 2000

EXHIBIT "A"

LEGAL DESCRIPTION

Progress Land Company, Inc. in ref. to Classic Hills
97-12-179.03Z 01.01

A TRACT OF LAND IN THE WEST HALF OF SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE NORTH 00°-52'-30" WEST, ALONG THE WEST SECTION LINE OF SAID SECTION 6, A DISTANCE OF *2,962.25* FEET, TO THE SOUTHERLY RIGHT-OF-WAY LINE OF TWENTY-THIRD STREET EXTENSION (80 FOOT WIDE); THENCE NORTH 87°-10'-26" EAST, ALONG SAID RIGHT-OF-WAY LINE OF TWENTY-THIRD STREET EXTENSION A DISTANCE OF 88.88 FEET, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 2,140.00 FEET, A DELTA ANGLE OF 22°-31'-11" A CHORD OF 835.71 FEET, AND A CHORD BEARING OF NORTH 75°-54'-5I" EAST; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 841.11 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 2,060.00 FEET, A DELTA ANGLE OF 23°-53'-56" A CHORD OF 853.04 FEET, AND A CHORD BEARING OF NORTH 76°-36'-13" EAST; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 859.26 FEET, TO THE POINT OF TANGENCY; THENCE NORTH 88°-33'-11" EAST, STILL ALONG THE SOUTHERLY RIGHT-OF-WAY OF TWENTY-THIRD STREET EXTENSION, A DISTANCE OF 350.00 FEET TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED THENCE CONTINUING NORTH 88°-33'-11" EAST A DISTANCE OF 250.00 FEET, TO THE WESTERLY RIGHT-OF-WAY LINE OF BETH STACEY BOULEVARD (106 FOOT WIDE); THENCE SOUTH 01°-26'-49" EAST, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF BETH STACEY BOULEVARD, A DISTANCE OF 600.00 FEET, THENCE SOUTH 88°-33'-11" WEST A DISTANCE OF 250.00 FEET; THENCE NORTH 01°-26'-49" WEST A DISTANCE OF 600.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 3.44, ACRES PLUS OR MINUS.

A TRACT OF LAND IN SECTION 6, TQWNSHIP 45 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE NORTH 89°-20'-36" EAST, ALONG THE SOUTH SECTION LINE OF SAID SECTION 6, A DISTANCE OF 3,136.38 FEET, TO THE EASTERLY RIGHT-OF-WAY LINE OF BETH STACEY BOULEVARD (UNIMPROVED), AS SHOWN ON THE PLAT OF PARKWOOD VII, RECORDED IN PLAT BOOK 28, AT PAGE 115, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE CONTINUING NORTH 89°-20'-36" EAST, ALONG THE SOUTH SECTION LINE OF SAID SECTION 6, A DISTANCE OF 886.90 FEET; THENCE NORTH 01°-41'-36" WEST, A DISTANCE

OF 3,291.46 FEET; THENCE SOUTH 89°-31'-30" WEST, A DISTANCE OF 1,284.54 FEET, TO THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; THENCE CONTINUING SOUTH 89°-31'30" WEST A DISTANCE OF 250.00 FEET, TO THE EASTERLY RIGHT-OF-WAY LINE OF BETH STACEY BOULEVARD; THENCE SOUTH 01°-26'-49" EAST, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF BETH STACEY BOULEVARD A DISTANCE OF 538.25 FEET; THENCE NORTH 89°-31'-30"
EAST A DISTANCE OF 250.00 FEET; THENCE NORTH 01°-26'-49" WEST A DISTANCE OF 538.25 FEET TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 3.09 ACRES, PLUS OR MINUS.

A TRACT OF LAND IN THE WEST HALF OF SECTION 6, TOWNSHIP 45 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE NORTH 89°-20'-36" EAST, ALONG THE SOUTH SECTION LINE OF SAID SECTION 6, A DISTANCE OF 3,136.38 FEET, TO THE EASTERLY RIGHT-OF-WAY LINE OF BETH STACEY BOULEVARD (UNIMPROVED), AS SHOWN ON THE PLAT OF PARKWOOD VII, RECORDED IN PLAT BOOK 28, AT PAGE 115, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; SAID POINT OF BEING THE POINT OF BEGINNING OF A PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUING NORTH 89°-20'-36" EAST, ALONG THE SOUTH SECTION LINE OF SAID SECTION 6, A DISTANCE OF 886.90 FEET; THENCE NORTH 01°-41'-36" WEST, A DISTANCE OF 3,291.46 FEET; THENCE SOUTH 89°-31'-30" WEST, A DISTANCE OF 1,284.54 FEET; THENCE SOUTH 01°-26'-49" EAST A DISTANCE OF 538.25 FEET, THENCE SOUTH 89°-31'-30"WEST A DISTANCE OF 250.00 FEET, TO THE EASTERLY RIGHT-OF-WAY LINE OF BETH STACEY BOULEVARD; THENCE SOUTH 01°-26'-49" EAST, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF BETH STACEY BOULEVARD A DISTANCE OF 455.85 FEET, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 2,811.79 FEET, A DELTA ANGLE OF 17°-14'-58", A CHORD OF 843.32 FEET, AND A CHORD BEARING OF SOUTH 10°-04'-18" EAST; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 846.52 FEET, TO THE POINT OF TANGENCY; THENCE SOUTH18°-41'-47" EAST, A DISTANCE OF 790.02 FEET, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 4,197.00 FEET, A DELTA ANGLE OF 10°-42'-17", A CHORD OF 783.00 FEET, AND A CHORD BEARING OF SOUTH 24°-02'-56" EAST; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 784.14 FEET, TO THE SOUTH SECTION LINE OF SAID SECTION 6, AND THE POINT OF BEGINNING. SAID PARCEL CONTAINING 100.24 ACRES, MORE OR LESS.

A TRACT OF LAND IN THE WEST HALF OF SECTION 6, TOWNSI-IIP 45 SOUTH, RANGE 27 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID SECTION 6; THENCE NORTH 00°-52'-30" WEST, ALONG THE WEST SECTION LINE OF SAID SECTION 6, A DISTANCE OF 2,962.25 FEET, TO THE SOUTHERLY RIGHT-OF- WAY LINE OF TWENTY-THIRD STREET EXTENSION (80 FOOT WIDE); THENCE NORTH 87°-10'-26" EAST, ALONG SAID RIGHT-OF-WAY LINE OF TWENTY-THIRD STREET EXTENSION A DISTANCE OF 88.88 FEET, TO THE POINT OF

CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 2,140.00 FEET, A DELTA ANGLE OF 22°-31'-11", A CHORD OF 835.71 FEET, AND A CHORD BEARING OF NORTH 75°-54'-5I" EAST; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 841.11 FEET, TO THE POINT OF REVERSE CURVATURE OF A CURVE TO THE RIGHT, HAVING A RADIUS OF 2,060.00 FEET, A DELTA ANGLE OF 23°-53'-56", A CHORD OF 853.04 FEET, AND A CHORD BEARING OF NORTH 76°-36'-13" EAST; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 859.26 FEET, TO THE POINT OF TANGENCY; THENCE NORTH 88°-33'-11 EAST, STILL ALONG THE SOUTHERLY RIGHT-OF-WAY OF TWENTY-THIRD STREET EXTENSION, A DISTANCE OF 350.00 FEET; THENCE SOUTH 01°-26'-49" EAST A DISTANCE OF 600.00 FEET; THENCE NORTH 88°-33'-11" EAST A DISTANCE OF 250.00 FEET, TO THE WESTERLY RIGHT-OF-WAY LINE OF BETH STACEY BOULEVARD (106 FOOT WIDE); THENCE SOUTH 01°-26'-49" EAST, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF BETH STACEY BOULEVARD, A DISTANCE OF 455.85 FEET, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 2,917.79 FEET, A DELTA ANGLE OF 17°-14'-58", A CHORD OF 875.12 FEET, AND A CHORD BEARING OF SOUTH 10°-04'-18" EAST; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 878.43 FEET, TO THE POINT OF TANGENCY; THENCE SOUTH 18°-41'-47" EAST, A DISTANCE OF 790.02 FEET, TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT, HAVING A RADIUS OF 4,303.00 FEET, A DELTA ANGLE OF 09°-55'-59'A CHORD OF 745.05 FEET, AND A CHORD BEARING OF SOUTH 23°-39'-47" EAST; THENCE ALONG SAID CURVE AN ARC DISTANCE OF 745.99 FEET, TO THE SOUTH SECTION LINE OF SAID SECTION 6; THENCE SOUTH 89°-20'-36" WEST, ALONG THE SOUTH SECTION LINE OF SAID SECTION 6, A DISTANCE OF 3,015.91 FEET, TO THE SOUTHWEST CORNER OF SAID SECTION 6, AND THE POINT OF BEGINNING. SAID PARCEL CONTAINING 182.45 ACRES, MORE OR LESS.

The applicant has indicated that the STRAP numbers for the subject property are:

06-45-27-00-00001.0040; 06-45-27-00-01001.0050; 06-45-27-06-00000.A000;
06-45-27-06-00001.0010 thru lot 0800; 06-45-27-06-00002.0010 thru lot 0280;
06-45-27-06-00003.0010 thru lot 0060; 06-45-27-06-00004.0010 thru lot 0060;
06-45-27-06-00005.0010 thru lot 0280; 06-45-27-07-00000.A000;
06-45-27-07-00001.0010 thru lot 0400; 06-45-27-07-00002.0010 thru lot 0160;
06-45-27-07-00003.0010 thru lot 0220; 06-45-27-07-00004.0010 thru lot 0290;
06-45-27-07-00005.0010 thru lot 0370; 06-45-27-07-00006.0010 thru lot 0160

ZONING MAP

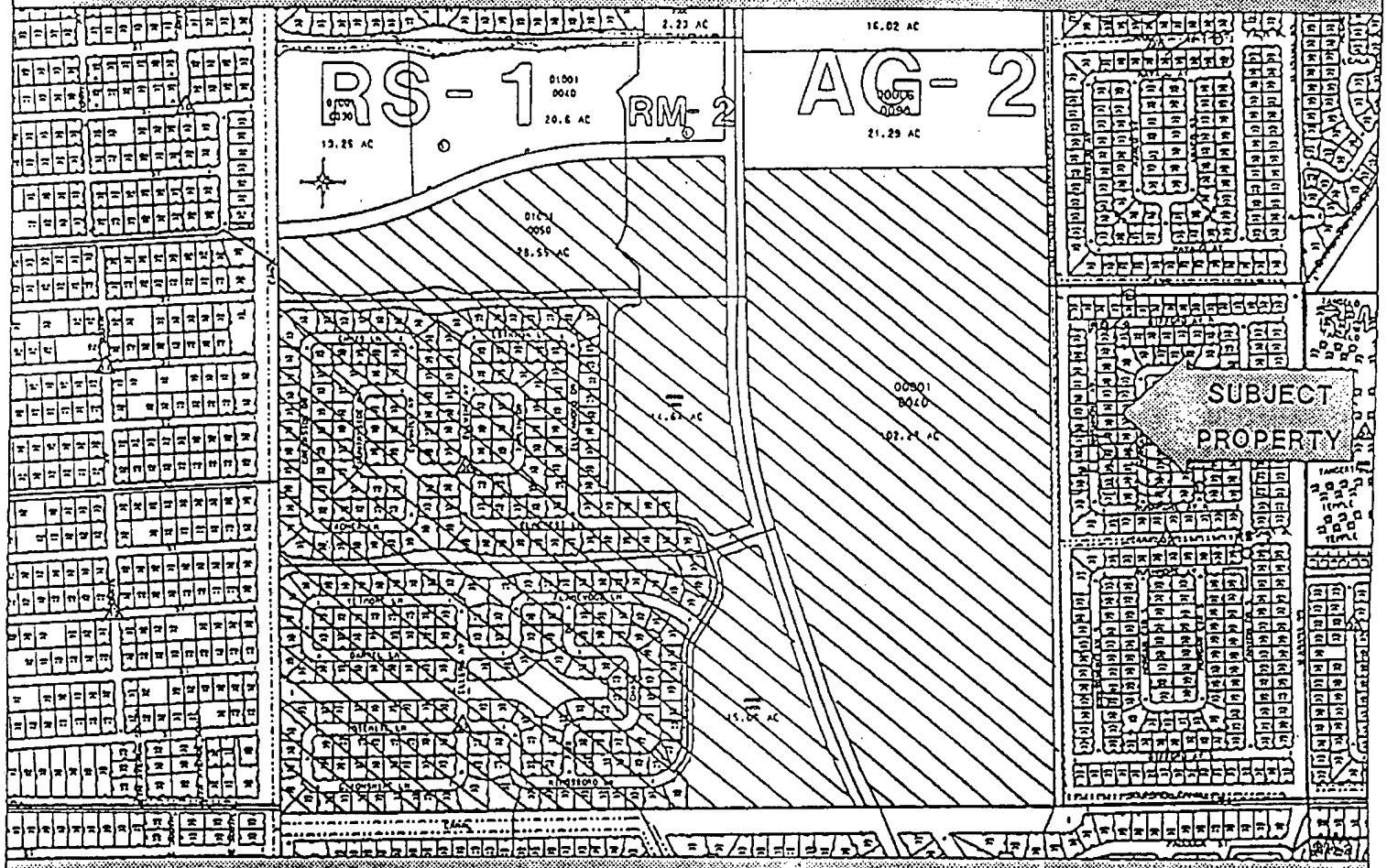


EXHIBIT B

ATTACHMENT I

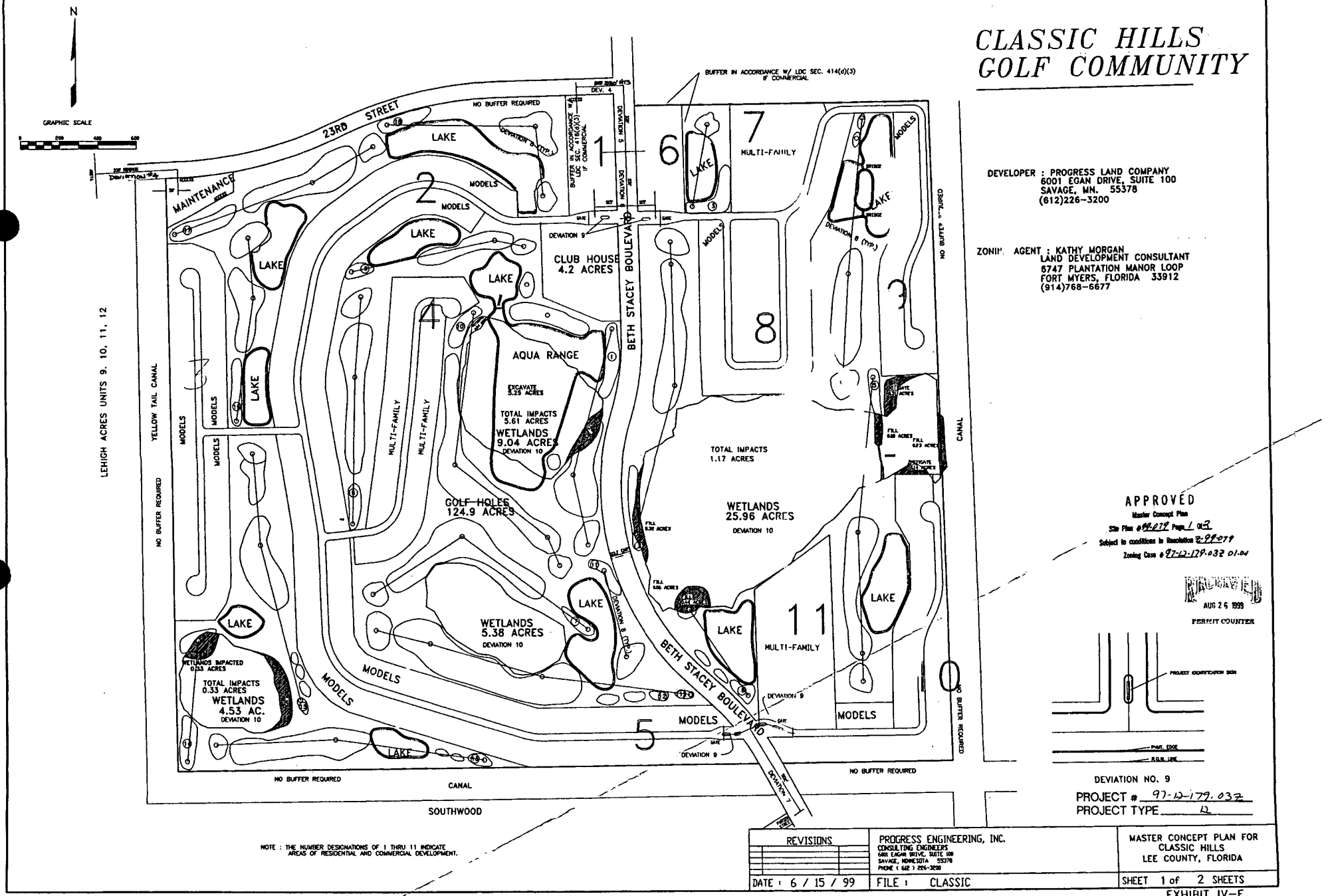


EXHIBIT IV-E

Anthony Palermo - RECEIPT OF ZONING APPLICATION 7-29-04

From: <nilsgraham@comcast.net>
To: Dave Aronberg <dave@davearonberg.com>
Date: 8/1/2004 11:04 AM
Subject: RECEIPT OF ZONING APPLICATION 7-29-04
CC: <dist5@leegov.com>

LEE COUNTY SOUTHWEST FL. CASE #DC12004-00028. LEE COUNTY PLANNER TONY PALERMO. CASE NAME VISTANNA RPD.REQUEST TO REZONE +/- 57.53 ACRES FROM AGRICULTURAL TO RESIDENTAL.296 DWELLING UNITS{2 FAMILY ATTACHED}.LEGHIGH ACRES NEEDS COMMERICAL ZONES!! THE PLANNING STAGE FOR LEGHIGH ACRES IS NOW. IN 15 YRS. THE PROJECTION IS OVER 300,000 POPULATION IN LEGHIGH. LEGHIGH NEEDS A HOTEL? LEHIGH COULD BE THE HOME OF THE CLEVELAND INDIANS SPRING TRAING? THE 57 ACRES COULD BE FOR A PUBLIX STRIP MALL? THE COUNTY COULD BUILD A SCHOOL ON THE LAND? LEGHIGH NEEDS A STEAK HOUSE?WE NEED TO UTILIZE OUR RESOURES FOR PLANNING TODAY. WHAT OUR LEADERS PLAN TODAY WILL BE IN PLACE FOR YEARS!!

NILS M. GRAHAM

10 BETH STACEY BLVD.

LEGHIGH ACRES, FL. 33936

239-369-4450

ATTACHMENT J

From: Don Blackburn
To: Palermo, Anthony
Date: 8/18/04 10:07AM
Subject: Vistanna RPD....DCI2004-00028

Tony,

Development Review cannot support the 5 foot setback without specific concessions from the Developer. Primarily, we will consider supporting the 5 foot setback if the Developer will accept the condition that; prior to a Certificate of Occupancy being issued for the SF home constructed, each homesite will be inspected by a civil engineer who will certify to the County that the site is graded in accordance with the approved site grading plan on the Development Order.

This is the current standard for Development Review for 5 foot side setback request. The Engineer for this project has already seen this condition on another project so I don't think it will be a problem with them.
thx

Don Blackburn
Development Review Manager
Lee County Development Services
239-479-8587 ext.15

CC: Eckenrode, Pete; Houck, Pam

ATTACHMENT K

From: Don Blackburn
To: Palermo, Anthony
Date: 8/18/04 10:31AM
Subject: Vistanna DCI...couple more items

Tony,

1)The stabilized access point adjacent to the entrance is not acceptable to Development Review. Should something happen at the main entrance (plane crash, car accident, etc) it most likely will block the stabilized access also. I would suggest that the secondary emergency access point be located @ the temporary sales trailer location across from Camelot Gardens Blvd or somewhere similar.
2)The developer acknowledges in their response, the lakes will be sinuous at Development Order time. I think we should make a condition or make them change the MCP to ensure that it will really happen. The way it is depicted now on the MCP is not acceptable.

Don Blackburn
Development Review Manager
Lee County Development Services
239-479-8587 ext.15

ATTACHMENT L

STAFF REPORT
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ENVIRONMENTAL SCIENCES

Date: August 23, 2004

To: Tony Palermo, Senior Planner
From: Alaina Ray; Environmental Planner
Phone: (239) 479-8323
E-mail: aray@leegov.com

Project: Vistanna RPD
Case: DCI2004-00028
STRAP: 06-45-27-00-00001.004A; 06-45-27-00-00006.0080; 06-45-27-00-00006.0090

The Division of Environmental Sciences (ES) has reviewed the application for the rezoning request for the Vistanna Residential Planned Development and conducted a field inspection of the site on May 21, 2004.

Vegetation:

The site totals approximately 57.53 acres. While the site has been previously disturbed, it does contain large areas of mature native slash pine and live oak, including numerous heritage trees (20-inch caliper or greater). Most of the heritage trees are located in the southeastern quadrant of the property. The majority of the proposed preserve is located on the northern perimeter of the property, with narrow strips extending down the east and west perimeters. These areas contain some scattered slash pine with areas of dense Brazillian Pepper and open herbaceous grasslands. Once the exotic vegetation is removed, there will be some scattered native trees and little if any other native vegetation in the preserved area. Very few heritage trees are located within the proposed preserve area.

Protected Species:

A protected species survey meeting the requirements of Land Development Code Section 10-473 was conducted, and no Lee County listed species were observed. ES staff field verified the protected species survey and confirmed the results. ES staff did observe one red-shouldered hawk feeding on the property.

Open Space and Preservation:

Land Development Code Section 10-415 requires a minimum of forty percent open space for large residential projects that consist of two family lots with less than 3,750 square feet and/or lot

ATTACHMENT M

coverage greater than 45 percent. The Master Concept Plan does not provide the lot coverage percentage, however, the indicated setback limits would allow maximum lot coverage of 57 percent, thus triggering the open space requirement. The open space calculations submitted with the application states that 23 acres of open space is required, and that a minimum of 11.5 acres must be in the form of indigenous preservation. The Master Concept Plan indicates that 9.47 acres will be preserved as delineated. As stated above, this area contains only scattered slash pine and does not include the large cluster of heritage trees in the southeastern portion of the property.

ES staff met with the applicant to discuss options that would allow many of the heritage trees to be incorporated into the site. ES staff suggested that the project could incorporate pockets of heritage trees into parks throughout the development, providing a more natural environment and increased recreational opportunities for the residents. However, no alterations to the proposed Master Concept Plan have been forthcoming. Therefore, due to the limited number of native trees within the proposed preserves and the proposed removal of most of the heritage trees, ES staff recommend the following condition to insure that the intent of LDC Section 10-415(b)(1) is met:

Prior to local development order approval, the development order must delineate 23 acres of open space of which 9.47 acres must be preservation areas in substantial compliance with the Master Concept Plan. All heritage trees on the property must be flagged and numbered onsite for the Division of Environmental Sciences staff field verification. The number of heritage trees to be preserved and impacted must be included on the development order plans, with any of the impacted heritage trees being replaced with twenty foot trees of the same species within the preserve area.

ATTACHMENT M

MEMORANDUM
FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT
DEVELOPMENT SERVICES DIVISION

DATE: August 9, 2004

TO: Tony Palermo
Senior Planner

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

RE: **Vistanna**
Case No. DCI2004-00028

The proposed project is located on the east side of Beth Stacey Blvd. at 23rd Street S.W. Based on the ITE Trip Generation Report 6th Edition the project will generate 285 net new external trips in the peak hour. The anticipated build out year is 2007.

Based on the 2003 Traffic Count Report issued by the Lee County Department of Transportation, the 2008 background peak hour, peak season, peak direction volume of flow on *Beth Stacey Blvd. north of the project* will be 381 vehicles per hour. At this volume, based on the Lee County D.O.T. Generalized Peak Hour Directional Service Volumes for Urbanized Areas, Beth Stacey Blvd. 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"**.

ATTACHMENT N

BGR
S:/WRITERS/RENTZRG/DCI200400028SUBSTANTIVETRAFFICCOMMENTS

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 **# DCI2004-00028must be posted by September 7, 2004.**
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 Jonathan Hagan 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:

RECEIVED
SEP 08 2004
COMMUNITY DEVELOPMENT

SIGNATURE OF APPLICANT OR AGENT
Jonathan Hagan
NAME (TYPED OR PRINTED)
10511 Six Mile Cypress Pkw - Ste 101
ST. OR PO BOX
Fort Myers, FL 33901
CITY, STATE & ZIP

#DCI2004-00028/Vistanna RPD 9/22/04 JLP

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to and subscribed before me this 8th day of September, 2004, by Jonathan Hagan, personally known to me or who produced _____ as identification and who did/did not take an oath.

Linda Stewart
Signature of Notary Public
LINDA STEWART
Printed Name of Notary Public

My Commission Expires: 7-31-07
(Stamp with serial number)

LINDA STEWART
MY COMMISSION # DD 200414
EXPIRES: July 31, 2007
Bonded Thru Notary Public Underwriters

LEE COUNTY
SOUTHWEST FLORIDA

PERMIT COUNTER

APPLICATION FOR PUBLIC HEARING FOR UNINCORPORATED AREAS ONLY

Applicant's Name: KB Homes

Project Name: Vistanna RPD

STRAP Number(s): 06-45-27-00-00001.004A, 06-45-27-00-00006.0080, & 06-45-27-00-00006.0090

TYPE OF APPLICATION

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

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

****

STAFF USE ONLY

Case Number: DCI2004-00028 Commission District: 5
Current Zoning: AG-2 (RPD). Fee Amount: 5000 —
Land Use Classification: Central Urban Intake by: [illegible]
Planning Community: Lehigh Acres —

****

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

DCI2004-00028

PART 1
APPLICANT\AGENT INFORMATION

A. Name of applicant: KB Homes

Address: Street : 12535 New Brittany Blvd, Bldg. #28

City: Ft. Myers State: FL Zip: 33907

Phone: Area Code: 239 Number: 274-5675 Ext:

Fax: Area Code: 239 Number: 418-1424

E-mail address:

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

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

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

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

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

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

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

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

C.1. Company Name: **Banks Engineering, Inc.**

Contact Person: **Stacy Ellis Hewitt**

Address: Street : **10511 Six Mile Cypress Parkway, Suite 101**

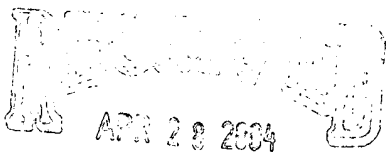
City: **Fort Myers** State: **FL** Zip: **33912**

Phone: Area Code: **(239)** Number: **770-2527** Ext:

Fax: Area Code: **(239)** Number: **369-1508**

E-mail address: **stacy_hewitt@yahoo.com**

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



DCI2004-00028

PART 2
PROPERTY OWNERSHIP

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

A.1. **Name:** **N/A**

Mailing Address: Street:

City: State: Zip:

Phone: Area Code: Number: Ext:

Fax: Area Code: Number:

E-mail:

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

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

C. **Multiple parcels**

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

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

D. **Date property was acquired by present owner(s):** **07/15/99**

PART 3
PROPERTY INFORMATION

A. **STRAP Number(s):** **06-45-27-00-00001.004A** **06-45-27-00-00006.0080**

06-45-27-00-00006.0090

B. **Street Address of Property:** **1, 3, & 5 Beth Stacey Boulevard**

C. **Legal Description**

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

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

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

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

N/A The request is for a conventional rezoning, special exception, or variance on a parcel less than ten acres in area. Attached is a (check one) ____ Certified sketch of description attached as **Exhibit PH-3.D.2.** or a Boundary survey attached as **Exhibit PH-3.D.2.** [34-202(a)(2)]

✓ The request is for a Planned Development or consists of ten or more acres. A Boundary survey, tied to the state plane coordinate system, is attached as **Exhibit PH-3.D.3.** [34-202(a)(2)]

DCI2004-00028

E. **Planning Community:** **Lehigh Acres**

F. **General Location of Property:**

F.1. ✓ **Area location map** is attached as **Exhibit PH-3.F.** [34-202(a)(4)]

F.2. **Directions to property:** **Take Lee Boulevard east to Homestead Road and turn right (south)onto Homestead Road, go to first traffic light and turn right (south) onto Beth Stacey Boulevard, the subject site Is on east side of Beth Stacey Boulevard, approximately 0.84 mile south of its intersection with Homestead Road, across from Parkwood, Camelot Gardens Condo and Camelot Gardens Boulevard.**

G. **Surrounding property owners:**

G.1. ✓ **List of surrounding property owners** is attached as **Exhibit PH.3.G.1.** [34-202(a)(6)]

G.2. ✓ **Map of surrounding property owners** is attached as **Exhibit PH.3.G.2.** [34-202(a)(7)]

G.3 ✓ **2 sets of mailing labels** are attached as **Exhibit PH.3.G.3.** [34-202(a)(6)]

H. **Current Zoning of Property:** **AG-2**

I. **Current use of property:** **Vacant**

Current Non-agricultural uses of the property are: **N/A**

N/A **Current Agricultural uses on the property** are shown in **Exhibit PH-3.I.** [34-202(b)(7)]

J. **Land Use Classification:**

Central Urban	**57.53** Acres	**100%**	**% of total**
	Acres		**% of total**
	Acres		**% of total**
	Acres		**% of total**

K. **Flood Hazard** (write NA if not applicable) [34-202(a)(8)]

N/A The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s.

N/A The minimum elevation required for the first habitable floor is _____ NGVD (MSL)

L. **Deed Restrictions**

L.1. ✓ There are no deed restrictions or other covenants on this property that affect this request.

L.2. **N/A** Deed restrictions\ covenants that may affect this request are attached as **Exhibit PH-3.L .2.**

L.3. **N/A** A narrative explanation as to how the deed restrictions or covenants may affect this request. is attached as **Exhibit PH-3.L.3** [34-202(b)(2)]

APR 26 2004

DCI2004-00028

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

1. Width (average if irregular parcel): **1,646±** Feet
2. Depth (average if irregular parcel): **1,527±** Feet
3. Total area: **57.53±** Acres or square feet
4. Frontage on road or street: **1,646±** Feet on **Beth Stacey Blvd.** Street

   2nd Frontage on road or street: **N/A** Feet on _____ Street

PART 4
ACTION REQUESTED

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

N/A **Special Exception** for _____ **Attached is Supplement A**

N/A **Variance** for _____ **Attached is Supplement B**

N/A **Conventional Rezoning from:** _____ **to** _____ **Attached is Sup. C**

✓ **Planned Development rezoning** from **AG-2** **to** **CPD**

- **N/A** DCI - Major: **Attached is Supplement D**
- ✓ DCI - Minor: **Attached is Supplement D**
- **N/A** Request is for PRFPD zoning in the Private Recreational Facilities Overlay Area. **Attached is Supplement D**

N/A **Planned Development Amendment. Attached is the Supplement D**

N/A **Public Hearing for DRI**

- **N/A** No rezoning is required.
- **N/A** Rezoning is required. **Attached is the Supplement D**

B. Excavations:

✓ No blasting will be used in the excavation of lakes or other site elements.

N/A A map indicating the general location of the proposed blasting locations is attached as **Exhibit PH-4.B** [34-202(b)(6)]

C. Bonus Density (put NA if not applicable)

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

D. Hazardous materials (put NA if not applicable)

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

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

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

F. Aviation Hazard (put NA if not applicable)

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

_____

APR 28 2004

DCI2004-00028

N/A A tall structures permit will be required.

N/A Property is located within Noise zone: _____

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

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

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

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

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

Section Number	Name of item
N/A	

DCI2004-00028

PART 6
SUBMITTAL REQUIREMENTS

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

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

APR 28 2004

DCI2004-00028

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

APR 28 2004

DCI2004-00029

PART V AFFIDAVIT A1

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

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

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;

2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;

3. I have authorized the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that

4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

_____ _____

Signature (Type or printed name)

STATE OF

COUNTY OF

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

_____ _____

Signature of person taking oath or affirmation Name typed, printed or stamped

_____ _____

Title or rank Serial number, if any

DCI2004-00028

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, *_____ as
____ of _____, swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

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

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

_____ _____
Signature (Type or printed name)

_____
(title of signatory)

STATE OF
COUNTY OF

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

_____ _____
Signature of person taking oath or affirmation Name typed, printed or stamped

_____ _____
Title or rank Serial number, if any

Notes:

- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company=s AManaging 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 Ageneral partner@ of the named partnership.*

DCI2004-00029

- *If the applicant is a trustee, then the they must include their title of Atrustee.@*
- *In each instance, first determine the applicant=s status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.*

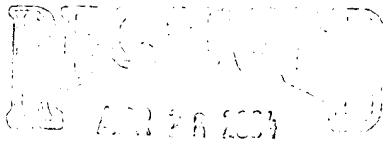


EXHIBIT PH-2.B.1
DISCLOSURE OF INTEREST FORM FOR:

STRAP NO. _____ **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

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

Name and Address	Percentage of Stock

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

Name and Address	Percentage of Interest

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

Name and Address	Percentage of Ownership

DCI 2004-00028

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

Name and Address	Percentage of Stock

Date of Contract: _____

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

Name and Address	

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

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

Signature:

(Applicant)

(Printed or typed name of applicant)

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this _____ day of _____ 20 _____

by _____ who is personally known to me or who has produced _____

as identification. .

(SEAL)

Signature of Notary Public

Printed Name of Notary Public

DCI2004-00028

EXHIBIT PH-1.C.2
ADDITIONAL AGENTS

Company Name: **Passarella and Associates, Inc.**

Contact Person: Ken Passerella

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

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

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

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

E-mail address:

Company Name: **Metro Transportation Group**

Contact Person: Ted Treesh

Address: Street : **12651 McGregor Blvd. #4-403**

City: **Fort Myers** State: **FL** Zip: **33912**

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

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

E-mail address:

Company Name:

Contact Person:

Address: Street :

City: State: Zip:

Phone: Area Code: Number: Ext:

Fax: Area Code: Number:

E-mail address:

Company Name:

Contact Person:

Address: Street :

City: State: Zip:

Phone: Area Code: Number: Ext:

Fax: Area Code: Number:

E-mail address:

DCI2004-00028

GUIDE FOR FILING AN APPLICATION FOR A PUBLIC HEARING

If questions of interpretations arise as a result of our attempt to provide easy-to-understand instructions for completing the application form(s), the provisions of the Land Development Code will be the final authority.

GENERAL INSTRUCTIONS

1. All properties within a single application must be abutting. However, the director may, at his discretion, allow a single application to cover non-abutting properties where it is in the public interest due to the size or scope and nature of the request, and there is a rational continuity to the properties in question.

2. An application for a conventional zoning district or planned development rezoning, special exception, or variance may be initiated by a landowner, or his authorized agent, for his own property, or by the Board of County Commissioners.

3. Except for County-initiated applications, if there is more than one owner, either legal or equitable, then all owners must jointly initiate the application or petition except that:

   a. If a husband and wife own the property, only one of them needs to sign the application;

   b. If the property is subject to a land trust agreement, the trustee may initiate the application;

   c. If the fee owner is a corporation, any duly authorized corporate official may initiate the application;

   d. If the fee owner is a partnership, a general partner may initiate the application;

   e. If the owner is an association, the association or its governing body may appoint an agent to initiate the application on behalf of the association;

   f. If the owner is a condominium, timeshare condominium, or a subdivision, please refer to Section 34-201(a)(1)b. and c. for information on who may initiate the application. .

4. Before an application may be accepted, it must fully comply with all information requirements enumerated in section 34-202 et seq., unless specifically stated otherwise in Chapter 34 of the Lee County Land Development Code.

   Upon written request, the director may modify the submittal requirements contained in this section if the applicant clearly demonstrates that the submission will have no bearing on the review and processing of the application. The request to the director must be submitted prior to submitting this application. Multiple waiver requests must be made on individual request forms indicating each separate request. The director's written response must accompany the application submitted and will become a part of the permanent file.

5. The applicant is responsible for the accuracy and completeness of the application. Any additional time delays or expenses necessitated because of inaccurate or incomplete information will be the responsibility of the applicant.

6. Applications must be submitted in person. Mailed-in applications will not be processed.

7. Unless specifically stated to the contrary, all attachments and exhibits must be of a size that will fit or conveniently fold to fit into a letter size (8 2" x 11") folder.

8. All applicants must pay an application fee as set forth in the county External Fees and Charges Manual.

DCI2004-00028

INSTRUCTIONS FOR COMPLETING PART 1: APPLICANT\AGENT INFORMATION

A. **Name of applicant:** Insert the name of the applicant (the name of the person signing the application form).

B. **Relationship of Applicant to owner:** Indicate whether the applicant is the sole owner of the property (individual or husband and wife).

If the applicant is not the sole owner of the property but has been authorized to submit this application on behalf of the owner(s), or a contract purchaser\vendee, check the appropriate response and submit a Notarized Affidavit of Authorization Form.

C. **Authorized Agent:** Indicate the name of the individual (or contact person if a company) who is to receive all county-initiated correspondence regarding the application. This may be the owner, the applicant, or an agent authorized by the owner or applicant to receive all county-initiated correspondence.

D. **Additional Agent(s):** List the names of other agents (consultants) that the county may contact concerning the application that are in addition to the authorized agent..

INSTRUCTIONS FOR COMPLETING PART 2: PROPERTY OWNERSHIP

A. **Property Ownership:**

1. If the property is owned by an individual or husband and wife, complete the form with the name, address, etc., of the owner.

2. If the property is owned by more than one person (corporation, partnership, trust, association, etc.) submit an executed copy of Exhibit PH-2.B.1 ADisclosure Form.@

   A *Disclosure Form* is a list of the names of all owners, stockholders and trust beneficiaries, (including percentages of interest) of the property. It is required for all corporations, trusts and partnerships, as well as for contract purchases. Disclosure is not required for any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, whose interests are solely equity interests which are regularly traded on an established securities market in the United States or another country.

3. If the property covered by the application consists of more than one parcel, submit a list of all of the owners and their mailing address, keyed to a map illustrating the individual owners interest in the property.

4. Indicate the date the property was purchased by the current owner(s).

INSTRUCTIONS FOR COMPLETING PART 3: PROPERTY INFORMATION

A. **STRAP number(s):** The STRAP (Section, Township, Range, Area, Parcel) number is the 17- digit number used by the Property Appraiser to identify specific parcels.

B. **Street Address of Property.** May be obtained from Property Appraiser if unknown by applicant.

C. &
D. **Legal Description, Certified sketch of description, & Boundary surveys:** The director has the right to reject any legal description which is not sufficiently detailed so as to locate the property on county maps.

DCI2004-00028

1. **Undivided Platted Lots:** If the property consists of one or more undivided platted lots in a subdivision recorded in the Official Plat Books, the legal description must include the name of the subdivision, the Book and Page number of the Plat Book, and the Block (if applicable) and Lot number(s) of the property. In addition, copies of the plat page showing the lot(s) must be submitted as well as the individual STRAP numbers..

2. **Certified sketch of description - total area less than ten acres:** If the application is for conventional rezoning, special exception or variance on a total land area of ten acres or less, the applicant must submit a A*certified sketch of description*@ along with a legal description. The legal description must specifically describe the perimeter boundary of the total property, by metes and bounds, with accurate bearings and distances for every line. It does not need to describe each individual parcel but must include the individual STRAP numbers.

   The director may require a boundary survey where there is a question regarding the accuracy of the legal description of the property or a question regarding the location of structure(s) or easement(s), relevant to the review of the application.

3. **Boundary survey:** If the application is for property encompassing 10 acres or more or for a Planned Development, a boundary survey is required.

4 **Minimum Standards:** All certified sketches and boundary surveys must meet the minimum technical standards for land surveying in the state, as set out in chapter 61G 17-6, F.A.C. If the property encompasses 10 or more acres the survey must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment). The perimeter boundary must be clearly marked with a heavy line and must include the entire area to be developed.

E. **Planning Community:** If the property is within a Planning Community (such as Estero, Pine Island, Fort Myers Shores, etc.) please indicate. Otherwise enter ANA@ Not applicable.

F. **General Location of Property:** Submit a map, at suitable scale, drawn on an 82 inch by 11 inch size sheet of paper, that depicts the property described in the legal description in relation to the surrounding neighborhood. The map must be sufficiently referenced to known major streets or other physical boundaries so as to be clearly identifiable to the general public.

   Also submit a brief set of directions showing how a person could find the property. Reference at least one major Road such as U.S. 41, Alico Road, Bayshore, Pondella, etc

G. **Surrounding Property Owners:** A complete list, map, and two sets of mailing labels, of all property owners, and their mailing addresses, for all property within 500* feet of the perimeter of the subject parcel or the portion thereof that is the subject of the request. The list and mailing labels may be obtained from the Property Appraisers office. The map must reference by number or other symbol the names on the surrounding property owners list. The applicant is responsible for the accuracy of the list and map.

   *In those instances where fewer than 10 owners of property would be notified, the distance must be expanded to include all owners of property within 750 feet.

H. **Current Zoning of Property:** Indicate the current zoning on the property.

I. **Current Use of Property:**

   Provide a brief description of what uses are currently on the property.

   If any portion of the property is used for bonefide agricultural uses, provide a statement describing the type and intensity of agricultural uses in existence on the property on the date of the application. The statement must include acreage figures for each use and must also include an exhibit depicting the location of the uses on a copy of the boundary sketch. The exhibit should be entitled AAgricultural Uses at time of Zoning

DCI2004-00028

Application.@

J. **Land Use Classification:** Indicate the land use category (ies) of the property as indicated on the Future Land Use Map of Lee County.

K. **Flood Hazard:** Indicate whether or not the property is located within an area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRMS). If it is within such an area, indicate the minimum elevation required for the firsdt habitable floor. This information may be obtained from the Residential Building Plans review at (239) 479-8597.

L. **Deed Restrictions:** Indicate whether or not there are any deed restrictions or other covenants that may affect the requested action. If there are deed restrictions or covenants that may affect the requested action, provide a written explanation as to how they may affect it.

M. **Property Dimensions:** Self explanatory. If the property is adjacent to more than one street, provide length of frontage on both streets.

INSTRUCTIONS FOR COMPLETING PART 4: ACTION REQUESTED

A. **Action Requested:** Check the applicable action.

If the request is for a special exception, indicate the type of special exception (proposed use) requested and attach a completed Supplement A.

If the request is for a variance, indicate the type of variance (setback, height, parking, etc.) and attach a completed Supplement B.

If the request is for a conventional rezoning, indicate the current zoning of the property as well as the requested rezoning and attach a completed Supplement C.

If the request is for a Planned Development, indicate whether it is a major or minor DCI or for a PRFPD or a Planned Development Amendment or DRI and attach a completed Supplement D.

B. **Excavations:** Indicate whether or not blasting will be used in the excavation of lakes or other site elements. If blasting is proposed, provide information and data with the application showing the location of the proposed blasting and demonstrating what measures will be implemented to ameliorate the potential negative impacts. This information must include soil borings that demonstrate the necessity for blasting, drawings showing the location(s) of proposed blasting, and other information deemed necessary by the director to allow full and complete analysis of compatibility issues associated with the proposed blasting activity.

C. **Bonus Density:** If the applicant is proposing to use bonus density, complete and submit Exhibit PH-4.C.

D. **Hazardous materials:** If the request for rezoning includes a private port facility, the applicant must submit a hazardous materials emergency plan, which will be subject to the approval of the county divisions of emergency management, water resources and planning, and of the appropriate fire district. The plan must provide for annual monitoring for capacity and effectiveness of implementation. At the minimum, the plan must comply with the spill prevention control and countermeasure plan (SPCC) called for in the federal oil pollution prevention regulations, 40 CFR 112, as amended.

E. **Mobile Home Park:** If the request involves the rezoning of an existing mobile home park as defined in F.S. ' 723.003, would result in the removal or relocation of mobile home owners, then the application must include facts sufficient to allow staff to conclude that adequate mobile home parks or other suitable facilities exist for the relocation of displaced owners. The facts to be provided are intended to meet the requirements of F.S. ' 723.083 (1995). Therefore, the statutory definitions will prevail to the extent there is conflict with terms of this Code.

DCI2004-00028

(1) Facts to be provided may typically include: STRAP number and street addresses of properties where mobile homes are to be removed from, and relocated to (i.e., the "relocation site"); and any building permit numbers issued for placement of the mobile home on the relocation site.

(2) If the relocation site is not within the legal description of the subject rezoning, then the property owner of property proposed for relocation must submit an affidavit stating that suitable facilities exist at the relocation site to accommodate the mobile home proposed to be relocated there.

F. Aviation Hazard. Indicate whether or not the property is subject to Section 34-1001 et seq. and whether or not a Tall Structures permit will be required. If the property is located within a noise zone, indicate which noise zone..

G. Estero Planning Community. If the proposed development is located within the Estero Planning Community, a meeting is required with the community and a copy of the Estero Planning Community Meeting Summary Document must be submitted.

H. Captiva Planning Community. If the proposed development is located within the Captiva Planning Community, a meeting is required with the community and a copy of the Captiva Planning Community Meeting Summary Document must be submitted.

I. Waivers from Application Submission Requirements: Upon written request, on a form prepared by the county, the director may modify the submittal requirements contained in this section where it can be clearly demonstrated that the submission will have no bearing on the review and processing of the application. The request for a waiver or modification must be submitted to the Director prior to submitting the application. A copy of the request and the director's written response must accompany the application and will become a part of the permanent file.

Indicate on the application form the section(s) of the Land Development Code for which the Director has granted a waiver. Attach the waiver(s) to the application as Exhibit PH-4.I.

VISTANA
ENVIRONMENTAL SUPPLEMENT FOR SOUTH FLORIDA WATER MANAGEMENT DISTRICT ENVIRONMENTAL RESOURCE PERMIT

April 2004

Prepared For:

KB Home
12535 New Brittany Court
Building 28
Fort Myers, Florida 33907
(239) 274-5675

Prepared By:

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

DCI2004-00028

Project No. 03KBH998

TABLE OF CONTENTS

Page

Introduction 1

I. Site Information and Environmental Considerations 1

A. Project Boundary 1
B. Soils Map 1
C. Land Use and Cover Map 1
D. Soil Description 5
E. Wetlands 6
F. Listed Plants and Wildlife 6
G. Historical and Archaeological Resources 6

II. Plans 6

A. Proposed Impacts 6
B. Proposed Site Plan 6
C. Secondary and Cumulative Impacts 8

References 10

APR 26 2004

PERMIT CENTER

DCI 2004-00028

LIST OF FIGURES

		Page
Figure 1.	Project Location Map	2
Figure 2.	Soils Map	3
Figure 3.	FLUCFCS Map	4
Figure 4.	Archaeological Sensitive Areas	7
Figure 5.	Site Plan	9

DCI2004-00028

LIST OF TABLES

Page

Table 1. Vegetation Associations and Land Use Acreages 1

DCI2004-00028

LIST OF EXHIBITS

		Page
Exhibit A.	Aerial with FLUCFCS Map	A-1
Exhibit B.	Soil Descriptions	B-1
Exhibit C.	Protected Species Survey	C-1

DOC2004-00028

INTRODUCTION

The following information regarding site conditions, environmental considerations, and project plans for Vistana has been prepared to address specific requirements of Section E (Form 0971) for a South Florida Water Management District (SFWMD) Standard General Environmental Resource Permit (ERP). This information represents the requested environmental items of the ERP application.

I. SITE INFORMATION AND ENVIRONMENTAL CONSIDERATIONS

A. Project Boundary

The Vistana 57.53± acre project boundary is located on the east side of Beth Stacy Boulevard in Section 6, Township 45 South, Range 27 East, Lee County (Figure 1).

B. Soils Map

A soils map of the site is provided as Figure 2.

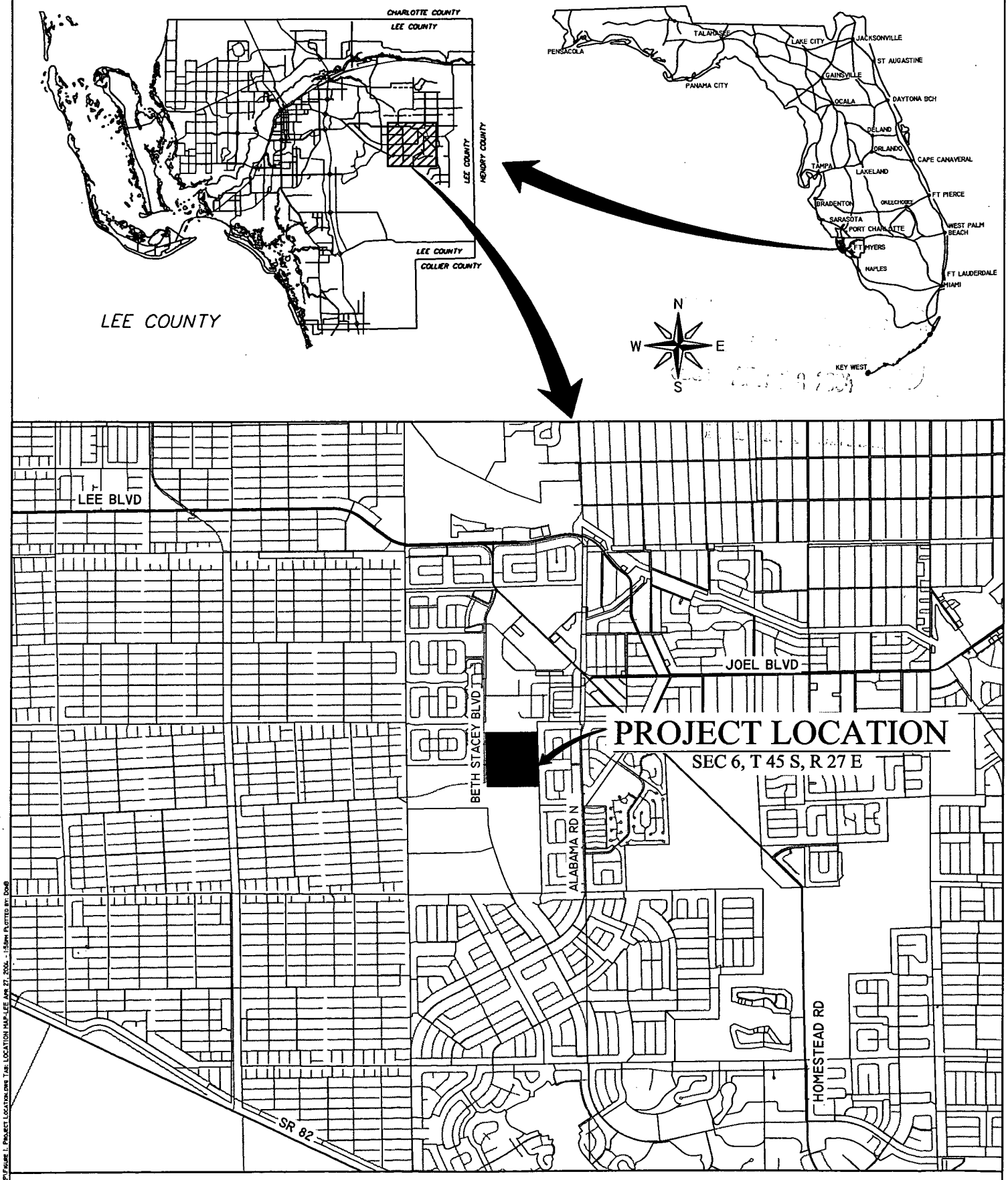
C. Land Use and Cover Map

Vegetation associations for the property were delineated using April 2002 Lee County color aerials (1" = 200') and on-site field surveys conducted in December 2003. During the surveys, lines were drawn on the aerial delineating the different vegetation associations. These delineations were classified based on the nomenclature of the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Level III and IV (Florida Department of Transportation 1999). The resulting FLUCFCS map with acreages is provided as Figure 3. Table 1 provides the breakdown of the FLUCFCS codes by acreage, while a description of each of the classifications follows. The FLUCFCS delineations are depicted on a 2002 aerial provided as Exhibit A.

Table 1. Vegetation Associations and Land Use Acreages

FLUCFCS Code	Description	Acreage	Percent of Total
3219	Palmetto Prairie, Disturbed	1.49	2.6
4159	Pine Woods, Disturbed	35.25	61.3
422	Brazilian Pepper	0.51	0.9
4349	Hardwood/Conifer Mixed, Disturbed	18.35	31.9
437	Australian Pine	0.94	1.6
740	Disturbed Land	0.99	1.7
Total		**57.53**	**100.0**

DCI2004-00028



J:\2003\03KBHP01\2004\ERP\FIGURE 1. PROJECT LOCATION.DWG TAB: LOCATION MAP-LEE APR 27, 2004 - 1:58PM PLOTTED BY: DOUG

FIGURE 1. PROJECT LOCATION MAP
VISTANA

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
DRAWN BY: DB DATE: 1/12/04

DCI2004-00028



Soil Unit	Description	Status
9	EAUGALLIE SAND	NON-HYDRIC
33	OLDSMAR SAND	NON-HYDRIC
53	MYAKKA FINE SAND, DEPRESSIONAL	HYDRIC

NOTES:

SOILS MAP SCANNED FROM NRCS LEE COUNTY SOIL SURVEY.

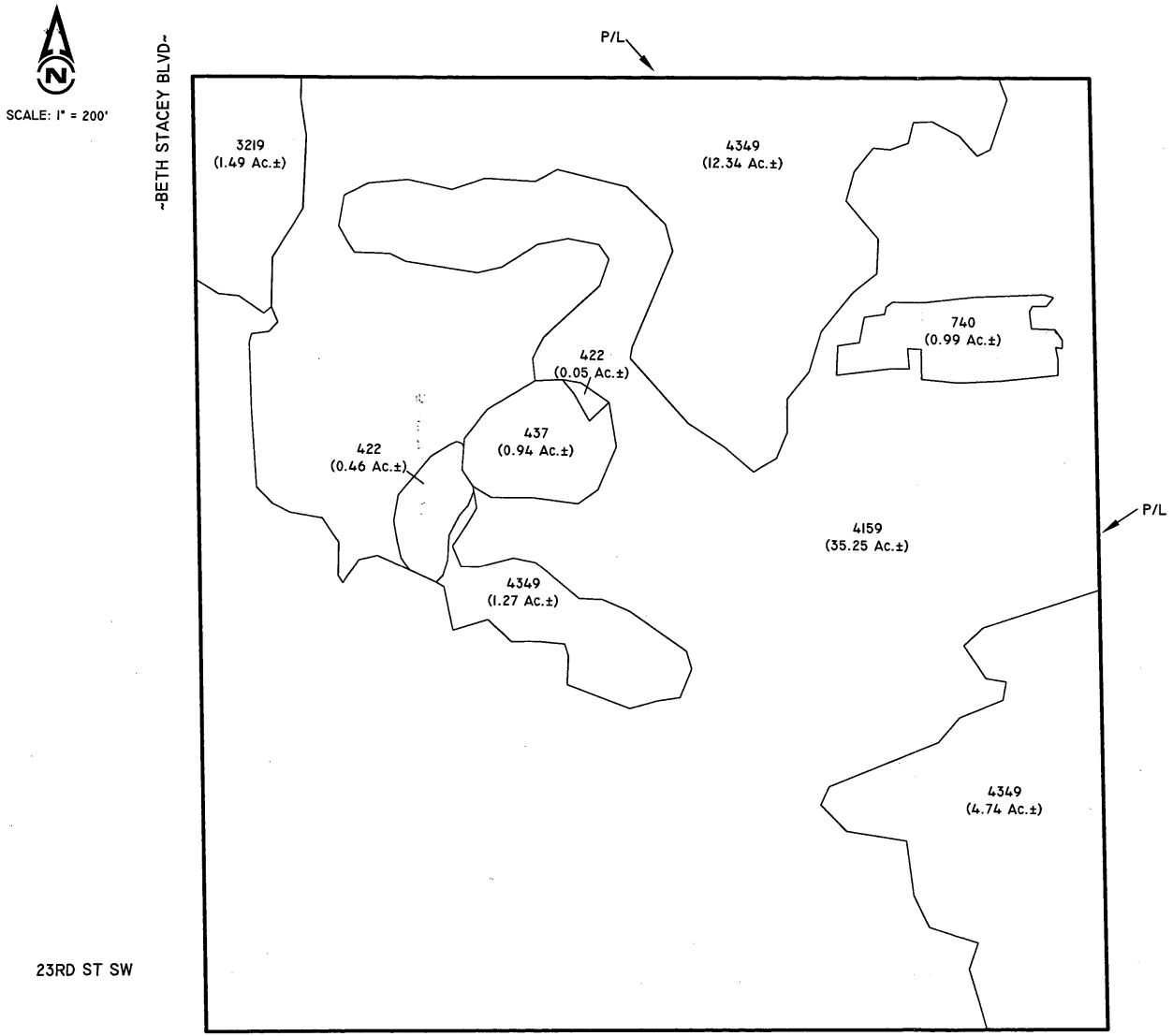
PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists

FIGURE 2. SOILS MAP
VISTANA

DRAWN BY: BKM. DATE: 12/15/03

J:\2003\03KBM9981\2004\ERP\Figure 2. Soils.dwg Tab: Layout1 Apr 27, 2004 - 1:37pm Plotted By: DonB

SCI2004 00028



FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
3219	PALMETTO PRAIRIE, DISTURBED	1.49 Ac.±	2.6%
4159	PINE WOODS, DISTURBED	35.25 Ac.±	61.3%
422	BRAZILIAN PEPPER	0.51 Ac.±	0.9%
4349	HARDWOOD/CONIFER MIXED, DISTURBED	18.35 Ac.±	31.9%
437	AUSTRALIAN PINE	0.94 Ac.±	1.6%
740	DISTURBED LAND	0.99 Ac.±	1.7%
	TOTAL	57.53 Ac.±	100.0%

NOTES:

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY PER BANKS ENGINEERING DRAWING NO. 1830 AND DATED 4-15-04.

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

DCI2004-00028

REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
Used surveyed boundary	4/16/04	M.F.	12/29/03	1"=200'
		CHECKED BY	DATE	VERTICAL SCALE
		A.W.	12/29/03	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	12/29/03	06/45/27

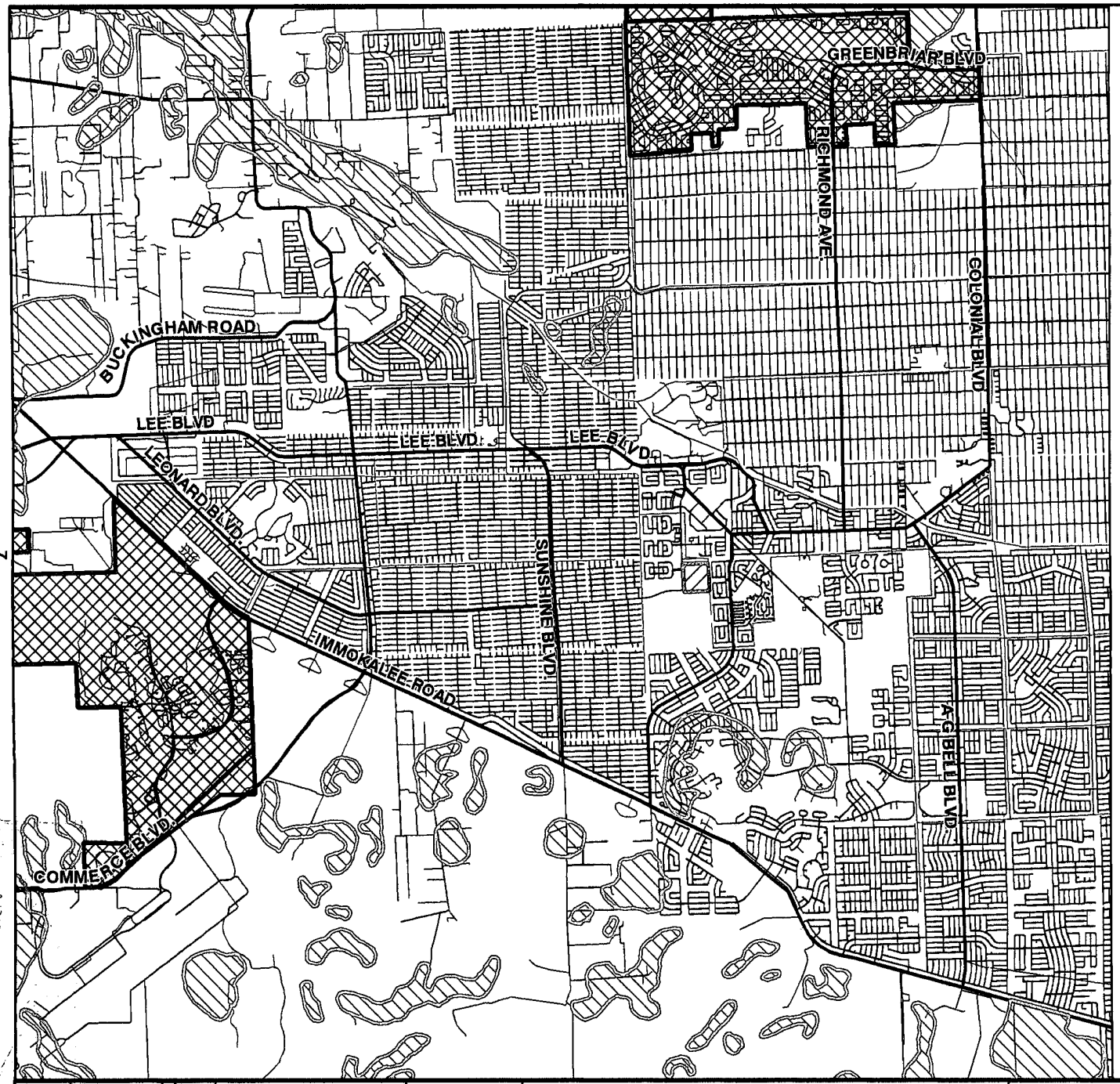
PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, Florida 33919

VISTANA

FLUCFCS MAP

DRAWING No.: 03KBH998

SHEET No.: FIGURE 3



Legend

- VISTANA
- LEE COUNTY

ARCHAEOLOGICALLY SENSITIVE AREAS

- 1
- 2
- Surveyed

N

W E

S

0 0.5 1 2 3 4

Miles

NOTES:

ARCHAEOLOGICALLY SENSITIVE AREAS WERE OBTAINED FROM THE LEE COUNTY PROPERTY APPRAISER'S GIS DIVISION. COUNTY BOUNDARIES, ROADWAY NETWORK, AND WATERWAYS WERE OBTAINED FROM THE FGDL.

DCI2004-00028

RECEIVED
APR 28 2004
COMMUNITY DEVELOPMENT

Revisions	Date	Designed by: KCP	Date 3/31/04	Scale SEE SCALE
		Checked by: KCP	Date 3/31/04	Category ARCHAEOLOGIC
		Drawn by BKM	Date 3/31/04	County LEE COUNTY

Passarella and Associates, Inc.
Consulting Ecologists
9110 College Pointe Court Fort Myers, FL 33919
Phone: (239)274-0067 Fax: (239)274-0069

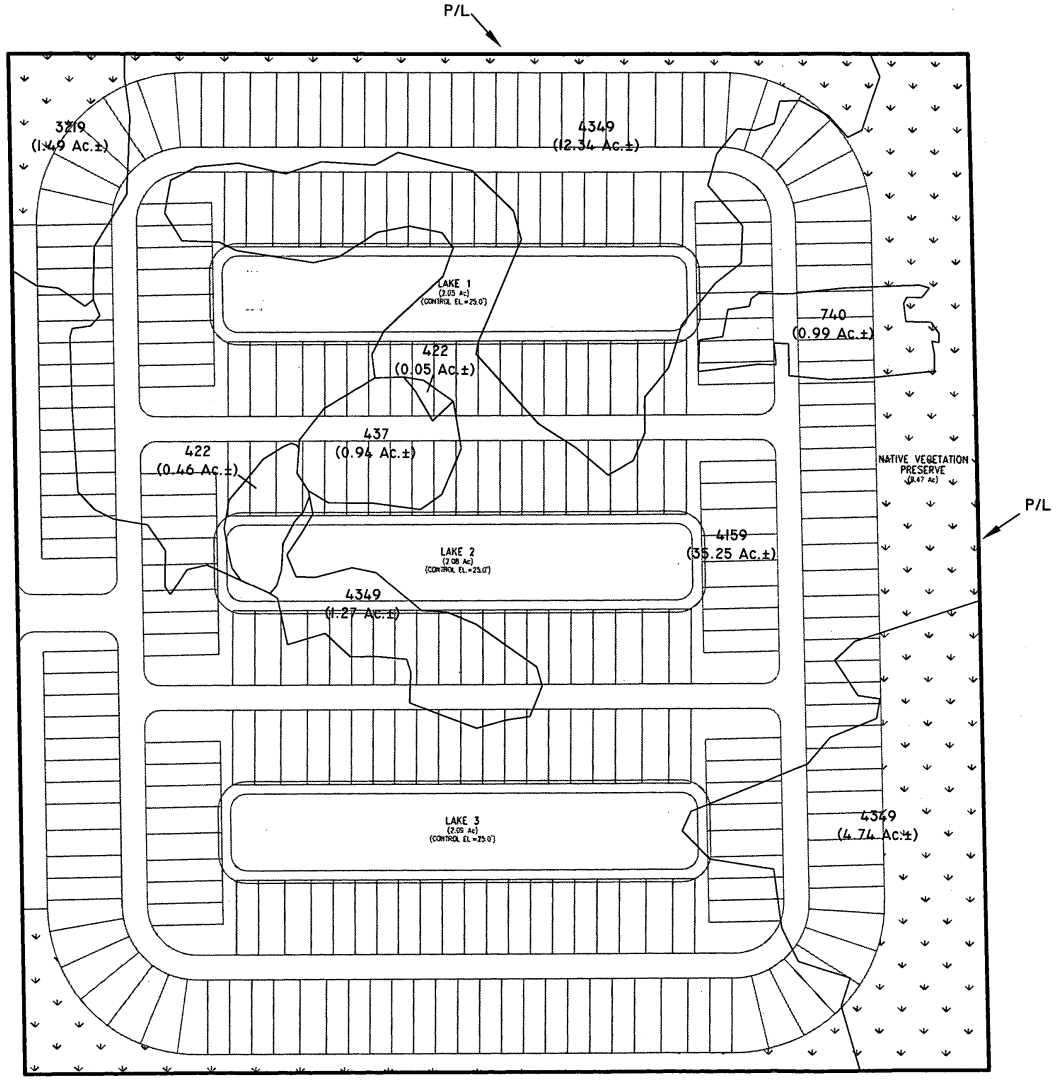
VISTANA

ARCHAEOLOGICALLY SENSITIVE AREAS

Drawing Number 03KBH998

Exhibit Number FIGURE 4

SCALE: 1" = 200'



LEGEND:

UPLAND PRESERVE (9.47± Ac.)

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
3219	PALMETTO PRAIRIE, DISTURBED	1.49 Ac.±	2.6%
4159	PINE WOODS, DISTURBED	35.25 Ac.±	61.3%
422	BRAZILIAN PEPPER	0.51 Ac.±	0.9%
4349	HARDWOOD/CONIFER MIXED, DISTURBED	18.35 Ac.±	31.9%
437	AUSTRALIAN PINE	0.94 Ac.±	1.6%
740	DISTURBED LAND	0.99 Ac.±	1.7%
	TOTAL	57.53 Ac.±	100.0%

NOTES:

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY AND SITE PLAN PER BANKS ENGINEERING DRAWING NO. 1830 DATED 4-15-04

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		A.W.	4/15/04	1"=200'
		CHECKED BY	DATE	VERTICAL SCALE
		A.W.	4/15/04	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	4/15/04	06/45/27

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, Florida 33919

DCI2004-00028

VISTANA

SITE PLAN

DRAWING No.: 03KBH998

SHEET No.: FIGURE 5

J:\2003\03KBH998\2004\SERP\Figure 5, Site Plan.dwg Tue, 10/17 SITE PLAN.dwg 22, 2006 - 1:37pm Plotted by: David

C. **Secondary and Cumulative Impacts**

There is no known aquatic or wetland dependent listed wildlife species utilizing the site. The proposed system is not expected to result in a violation of state water quality standards or significant adverse impacts to functions of wetlands. There are no known historical or archaeological resources in the project area. There are no additional phases or planned expansions of the proposed site plan.

DCI 2004-00028

REFERENCES

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

Florida Association of Environmental Soil Scientists. 1995. Hydric Soils of Florida Handbook, Second Edition. Victor W. Carlisle, Ed.

APR 26 2004

DCI2004-00028

EXHIBIT A

AERIAL WITH FLUCFCS MAP

DCI2004-00028



FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
3219	PALMETTO PRAIRIE, DISTURBED	1.49 Ac.±	2.6%
4159	PINE WOODS, DISTURBED	35.25 Ac.±	61.3%
422	BRAZILIAN PEPPER	0.51 Ac.±	0.9%
4349	HARDWOOD/CONIFER MIXED, DISTURBED	18.35 Ac.±	31.9%
437	AUSTRALIAN PINE	0.94 Ac.±	1.6%
740	DISTURBED LAND	0.99 Ac.±	1.7%
	TOTAL	57.53 Ac.±	100.0%

RECEIVED
APR 28 2004
PERMIT CENTER

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF APRIL-MAY, 2002.

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY PER BANKS ENGINEERING DRAWING NO. 1830 AND DATED 4-15-04.

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
ed surveyed boundary	4/16/04	M.F.	12/29/03	1"=200'
		CHECKED BY	DATE	VERTICAL SCALE
		A.W.	12/29/03	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	12/29/03	06/45/27

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, Florida 33919

VISTANA
AERIAL WITH FLUCFCS MAP

DRAWING No.: 03KBH998
SHEET No.: EXHIBIT A

DCI2004-00028

EXHIBIT B

SOIL DESCRIPTIONS

DCI2004-00028

Soil Descriptions

9 – EauGallie sand. This is a nearly level, poorly drained soil on flatwoods. Slopes are smooth to convex and less than 1 percent. Typically, the surface layer is dark gray sand about 4 inches thick.

33 – Oldsmar sand. This is a nearly level, poorly drained soil on low, broad flatwoods areas. Slopes are smooth to slightly convex and range from 0 to 2 percent. Typically, the surface layer is black sand about 3 inches thick. The subsurface layer is gray and light gray sand about 39 inches thick. The upper part of the subsoil is very dark gray sand about 5 inches thick. The lower part of the subsoil is yellowish brown and mixed light brownish gray and brown fine sandy loam about 11 inches thick. Pale brown sand extends to a depth of 80 inches or more. In most years, under natural conditions, the water table is at a depth of less than 10 inches for 1 to 3 months. It is at a depth of 10 to 40 inches for more than 6 months, and it recedes to a depth of more than 40 inches during extended dry periods.

53 - Myakka fine sand, depressional. This is a nearly level, poorly drained soil in depressions. Slopes are smooth to concave and are less than 1 percent. Typically, the surface layer is black fine sand about 3 inches thick. The subsurface layer is fine sand about 26 inches thick. The upper 4 inches is light gray, and the lower 22 inches is light brownish gray. The subsoil is fine sand about 17 inches thick. The upper 6 inches is dark brown with grayish brown streaks, and the sand grains are well coated with organic matter. The lower 11 inches is very brown with many well coated sand grains. Below this, extending to a depth of 80 inches or more is brown fine sand. In most years, under natural conditions, the soil is ponded for about 3 to 6 months. The water table is 10 to 40 inches below the surface for about 3 to 6 months.

DCI2004-00028

EXHIBIT C

PROTECTED SPECIES SURVEY

DCI2004-00028

VISTANA
LEE COUNTY PROTECTED SPECIES SURVEY

January 2004

Prepared For:

KB Home
12535 New Brittany Court
Building 28
Fort Myers, Florida 33907
(239) 274-5675

Prepared By:

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

DCI2004-00028

Project No. 03KBH998

TABLE OF CONTENTS

	Page
Introduction	1
Land Uses and Vegetation Associations	1
Methodology and Discussion	4
Survey Results	6
Abundance of Protected Species Observed	6
Management Plan	8
References	9

DCI2004-00028

LIST OF FIGURES

Page

Figure 1. Project Location Map 2

Figure 2. FLUCFCS and Wetlands Map 3

DCI2004-00028

LIST OF TABLES

Page

Table 1. Existing Land Use and Cover Summary 1

Table 2. Potential Lee County Protected Species by Habitat Type 5

Table 3. Summary of Habitat Coverage 6

Table 4. Lee County Protected Species Calculations 7

Table 5. Lee County Protected Species Survey Summary 7

DCI2004-00028

LIST OF APPENDICES

Page

Appendix A. Aerial with Survey Transects A-1

DCI 2004-00028

INTRODUCTION

Passarella and Associates, Inc. (PAI) conducted a Lee County protected species survey (PSS) on the Vistana parcel on December 19, 2003. The survey was conducted to meet Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) standards.

The Vistana project totals 58.84± acres and is located in Section 6, Township 45 South, Range 27 East, Lee County, Florida (Figure 1). The site is bordered by a golf course to the south; a ditch and single-family homes to the east; commercial and ingle-family homes to the north; and Beth Stacy Boulevard and residential development to the west.

LAND USES AND VEGETATION ASSOCIATIONS

Vegetation associations for the property were delineated using April 1, 2001 Lee County color aerials (1"=200') and on-site field surveys conducted in December 2003. During the surveys, lines were drawn on the aerial delineating the different vegetation associations. These delineations were classified based on the nomenclature of the Florida Land Use, Cover and Forms Classification System (FLUCFCS), Level III and IV (Florida Department of Transportation 1999). The resulting FLUCFCS map with acreages is provided in Figure 2. Table 1 provides the breakdown of the FLUCFCS codes by acreage, while a description of each of the classifications follows. The FLUCFCS delineations are depicted on a 2002 aerial and provided as Appendix A.

Table 1. Existing Land Use and Cover Summary

FLUCFCS Code	Description	Acreage	Percent of Total
3219	Palmetto Prairie, Disturbed	1.58	2.7
4159	Pine Woods, Disturbed	35.81	60.9
422	Brazilian Pepper	0.51	0.9
4349	Hardwood/Conifer Mixed, Disturbed	19.01	32.3
437	Australian Pine	0.94	1.6
740	Disturbed Land	0.99	1.7
TOTALS		**58.84**	**100.0**

Palmetto Prairie, Disturbed (FLUCFCS Code 3219)

This habitat occupies 1.58± acres or 2.7 percent of the property. The canopy vegetation includes scattered slash pine (*Pinus elliotii*) and cabbage palm (*Sabal palmetto*). The sub-canopy vegetation includes Brazilian pepper (*Schinus terebinthifolius*) and wax-myrtle (*Myrica cerifera*). Ground cover includes saw palmetto (*Serenoa repens*), Brazilian pepper, penny royal (*Piloblephis rigida*), muscadine grape (*Vitis rotundifolia*), and beauty berry (*Callicarpa americana*).

DCI2004-00028

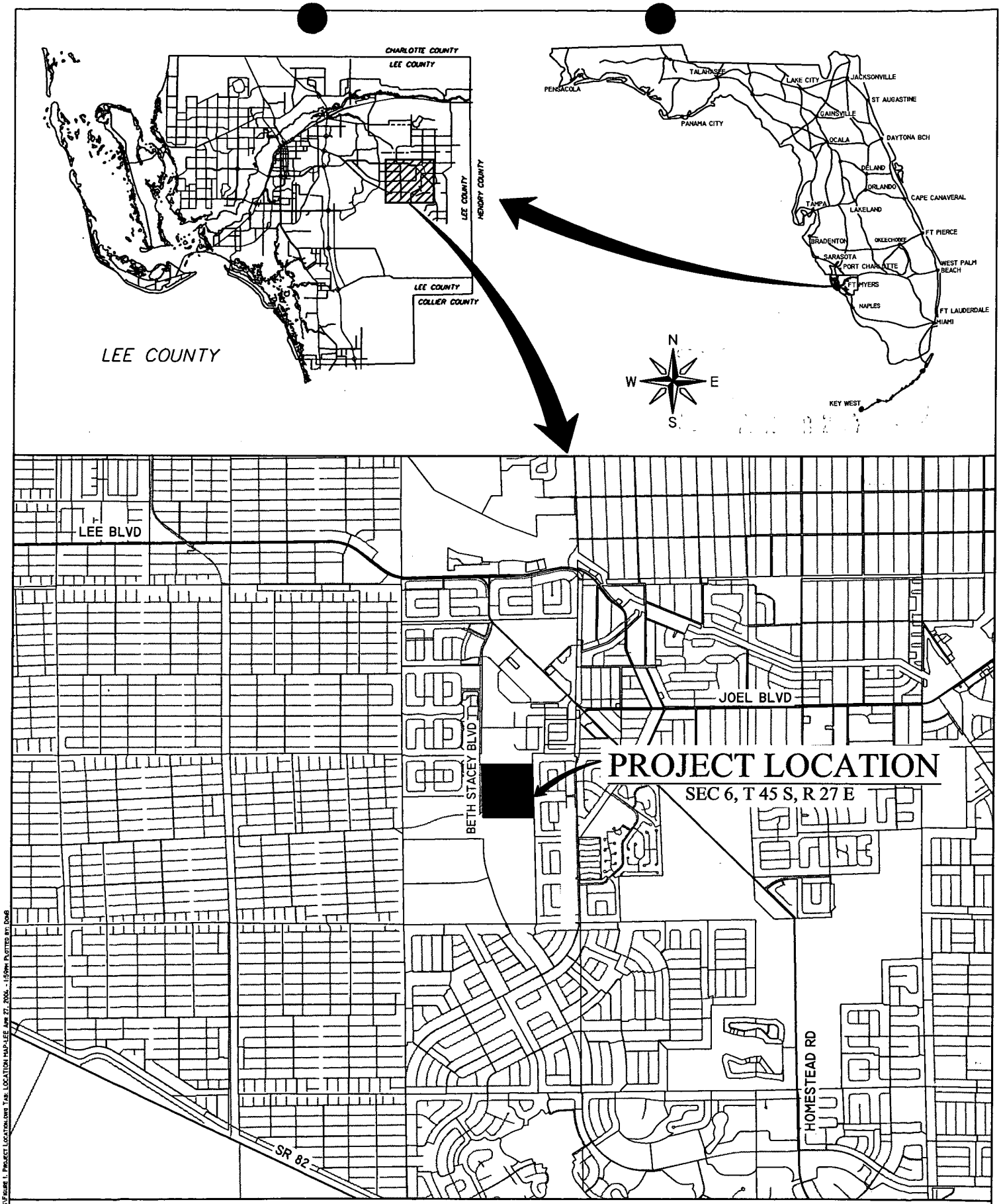
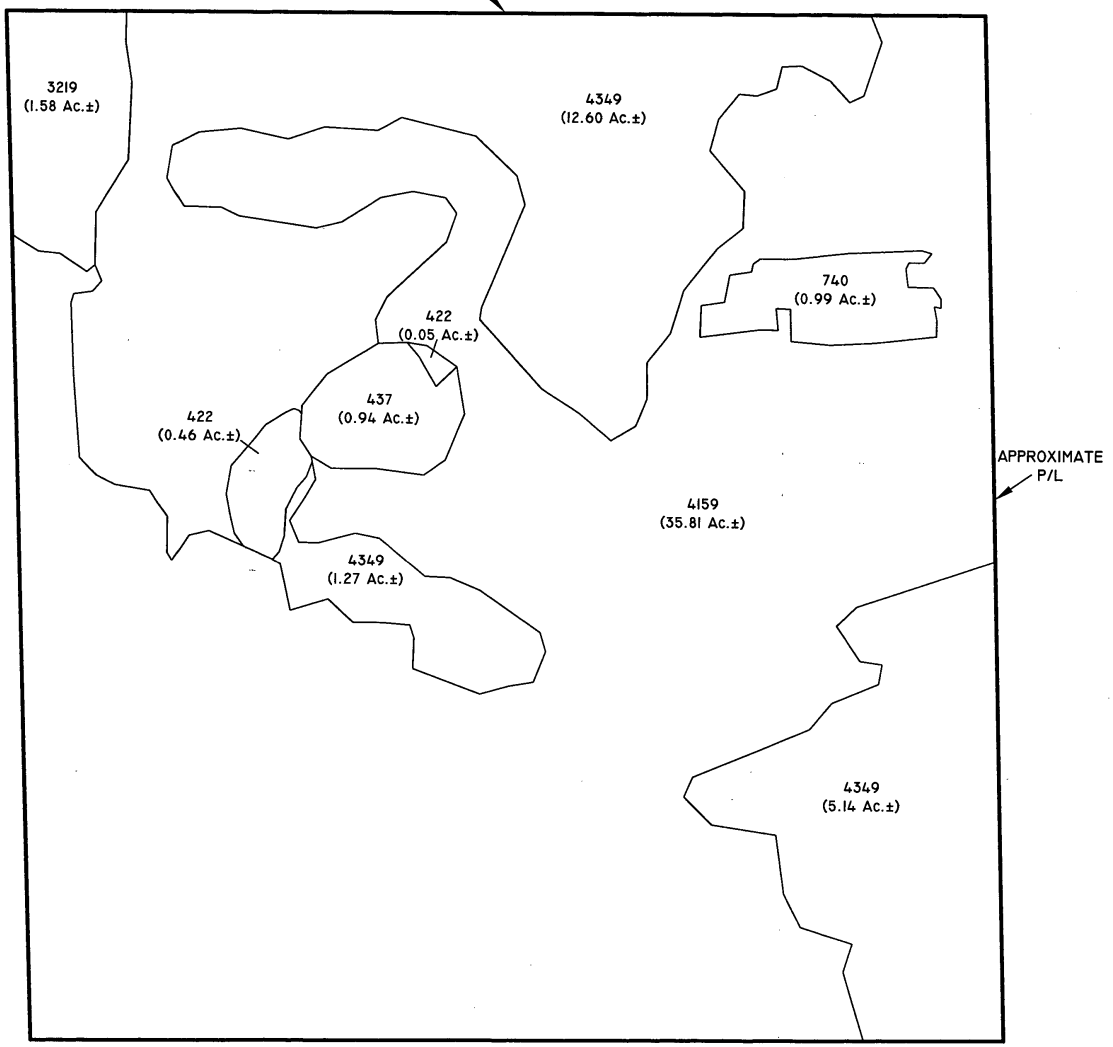


FIGURE 1. PROJECT LOCATION MAP
VISTANA

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
DRAWN BY: DB DATE: 1/12/04

J:\2003\03KRH098\30031\PSS\Figure 1. Project Location.dwg Tab: LOCATION MAP-LEE Jan 27, 2004 - 1:59pm PLOTTED BY: DAB

DCI2004-00028



SCALE: 1" = 200'

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
3219	PALMETTO PRAIRIE, DISTURBED	1.58 Ac.±	2.7%
4159	PINE WOODS, DISTURBED	35.81 Ac.±	60.9%
422	BRAZILIAN PEPPER	0.51 Ac.±	0.9%
4349	HARDWOOD/CONIFER MIXED, DISTURBED	19.01 Ac.±	32.3%
437	AUSTRALIAN PINE	0.94 Ac.±	1.6%
740	DISTURBED LAND	0.99 Ac.±	1.7%
	TOTAL	58.84 Ac.±	100.0%

NOTES:

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY ESTIMATED FROM LEE COUNTY PROPERTY APPRAISER'S GIS WEBSITE.

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

J:\2003\03KBH998\2003\FLUCFCS AND WETLAND.DWG, TAB: LAYOUT1 Dec 30, 2003 - 8:50AM PLOTTED BY: DonB

REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		M.F.	12/29/03	1"=200'
Modified FLUCFCS lines and codes	1-2-04	CHECKED BY	DATE	VERTICAL SCALE
		A.W.	12/29/03	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	12/29/03	06/45/27

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, Florida 33919

VISTANA

FLUCFCS AND WETLANDS MAP

DRAWING No.: 03KBH998

SHEET No.: FIGURE 2

DCI2004-00028

Pine Woods, Disturbed (FLUCFCS Code 4159)
This habitat type occupies 35.81± acres or 60.9 percent of the property. The canopy contains slash pine, live oak (*Quercus virginiana*), swamp laurel oak (*Quercus laurifolia*), melaleuca (*Melaleuca quinquenervia*), and dahoon holly (*Ilex cassine*). The sub-canopy consists of slash pine, Brazilian pepper, and rusty lyonia (*Lyonia ferruginea*). The ground cover is vegetated by scattered saw palmetto, wiregrass (*Aristida stricta*), penny royal, gallberry (*Ilex glabra*), and muscadine grape.

Brazilian Pepper (FLUCFCS Code 422)
This habitat type occupies 0.51± acre or 0.9 percent of the property. The canopy contained Brazilian pepper. The sub-canopy contained Brazilian pepper. The ground cover was open with scattered ceaser weed (*Urena lobata*).

Hardwood/Conifer Mixed, Disturbed (FLUCFCS Code 4349)
This habitat type occupies 19.01± acres or 32.3 percent of the property. The canopy consists of live oak, swamp laurel oak, and slash pine. The sub-canopy contains Brazilian pepper, slash pine, live oak and laurel oak. The ground cover is vegetated by Brazilian pepper, saw palmetto, rusty lyonia, penny royal, and muscadine grape.

Australian Pine (FLUCFCS Code 437)
This upland habitat occupies 0.94± acre or 1.6 percent of the property. The canopy contains Australian pine (*Casuarina* sp.) and live oak. The sub-canopy includes Australian pine and cabbage palm. The ground cover contains bahiagrass (*Paspalum notatum*) and beggar ticks (*Bidens pilosa*).

Disturbed Land (FLUCFCS Code 740)
This habitat occupies 0.99± acre or 1.7 percent of the property. The canopy is open. The sub-canopy is open with scattered wax-myrtle and melaleuca. The ground cover is vegetated by torpedo grass (*Panicum repens*), broomsedge (*Andropogon virginicus*), and yellow-eyed grass (*Xyris* sp.)

METHODOLOGY AND DISCUSSION

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

DCI2004-00028

Table 2. Potential Lee County Protected Species by Habitat Type

FLUCFCS Code and Description		Potential Protected Species
3219	Palmetto Prairie, Disturbed	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
		Southeastern American kestrel (*Falco sparverius paulus*)
		Florida Sandhill Crane (*Grus canadensis pratensis*)
		Audubon's Crested Caracara (*Polyborus plancus audubonii*)
		Florida Panther (*Felis concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Curtis Milkweed (*Asclepias curtissii*)
		Fakahatchee Burmannia (*Burmannia flava*)
		Florida Coontie (*Zamia floridana*)
		Beautiful Pawpaw (*Deeringothamnus pulchellus*)
4159	Pine Woods, Disturbed	Eastern Indigo Snake (*Drymarchon corais couperi*)
		Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
		Southeastern American Kestrel (*Falco sparverius paulus*)
		Red-cockaded Woodpecker (*Picoides borealis*)
		Florida Panther (*Felis concolor coryi*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Fakahatchee Burmannia (*Burmannia flava*)
		Satinleaf (*Chrysophyllum divaeforme*)
		Beautiful Pawpaw (*Deeringothamnus pulchellus*)
		Big Cypress Fox Squirrel (*Sciurus niger avicennia*)
		Florida Coontie (*Zamia floridana*)
422	Brazilian Pepper *	Gopher Tortoise (*Gopherus polyphemus*)
		Gopher Frog (*Rana areolata*)
4349	Hardwood/Conifer, Mixed	Florida Panther (*Felis concolor coryi*)
		Florida Black Bear (*Ursus americanus floridanus*)
437	Australian Pine	N/A
740	Disturbed Land*	Gopher Tortoise (*Gopherus polyphemus*)

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

Passarella and Associates, Inc. conducted the PSS on December 19, 2003. The type of survey utilized included meandering pedestrian transects, per Southern Biomes EIS methodology previously approved by Lee County. The weather conditions were partly cloudy with temperatures in the upper 50's.

DCI2004-00028

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

Table 3. Summary of Habitat Coverage

FLUCFCS Code and Description		Total Area (Acres)	Transect Length (Feet)	Average Visibility (Feet)*	Percent Coverage
3219	Palmetto Prairie, Disturbed	1.58	1,370	20	80
4159	Pine Woods, Disturbed	35.81	31,198	20	80
422	Brazilian Pepper**	0.51	444	20	80
4349	Hardwood/Conifer Mixed, Disturbed	19.01	16,560	20	80
437	Australian Pine	0.94	819	20	80
740	Disturbed Land	0.99	862	20	80

*Average visibility to one side of transect.
** Habitat surveyed as a precautionary measure although not required per the LDC.

SURVEY RESULTS

One inactive gopher tortoise (*Gopherus polyphemus*) burrow was the only protected species identified on the project site during the December 19, 2003 field survey. The gopher tortoise burrow was located in Pine Woods, Disturbed (FLUCFCS Code 4159). A 2002 aerial photograph with the survey transects is provided as Appendix A.

ABUNDANCE OF PROTECTED SPECIES OBSERVED

Density calculations for the gopher tortoise were done in accordance with Step 8, Attachment 2 of the Lee County Survey Methodology adopted August 30, 1989. The gopher tortoise density is based on the number of active (A) and inactive (I) burrows found. Based on past experience and conversations with the Florida Fish and Wildlife Conservation Commission (FWCC), a gopher tortoise conversion factor of 0.30 is acceptable for density determinations for pine woods in Southwest Florida. The PSS abundance calculations are provided in Table 4, while Table 5 summarizes the protected species survey findings.

DCI2UU4-00028

Table 4. Lee County Protected Species Abundance Calculations

Gopher Tortoise (GT) Density:

$= \{n/[L_1(w_1+w_2]\}\ (43{,}560\ ft^2/ac.)\ (C)$

where
- n_1 = active plus inactive GT burrows
- L_1 = length of transect (feet)
- W_1 = distance of visibility to the right of transect (feet)
- W_2 = distance of visibility to the left of transect (feet)
- C = GT conversion factor 0.3 or 0.4

Gopher Tortoise (*Gopherus polyphemus*)

FLUCFCS Code 4159

Density = $\{[1GT/[31{,}198ft\ (20\ ft + 20\ ft)]\}\ (43{,}560\ ft^2/acre)\ (0.3)$

$= [8.0 \times 10^{-7}\ GT/ft^2]\ (43{,}560\ ft^2/acre)\ (0.30)$

$= (0.03\ GT/acre)\ (0.3)$

$= 0.01\ GT/acre$

Table 5. Lee County Protected Species Survey Summary

Protected Species	FLUCFCS Code/Area	Percent of Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Reptiles					
Eastern Indigo Snake	3219	80		X	
	4159	80		X	
	4349	80		X	
Gopher Frog	3219/4159/ 422/4349	80		X	
Gopher Tortoise	3219/4159/ 4349/740	80		X	
Birds					
Southeastern American Kestrel	3219/4159	80		X	
Florida Sandhill Crane	3219	80		X	
Audubon's Crested Caracara	3219	80		X	

DCI2004-00028

Table 5. (Continued)

Protected Species	FLUCFCS Code/Area	Percent of Area Surveyed	Individuals Present	Individuals Absent	Density (Acre)
Mammals					
Florida Black Bear	3219/4159/ 4349	80		X	
Florida Panther	3219/4349/ 4159	80		X	
Plants					
Fakahatchee Burmannia	3219/4159	80		X	
Beautiful Paw-paw	3219/4159	80		X	
Florida Coontie	3219/4159	80		X	
Curtis Milkweed	3219	80		X	

MANAGEMENT PLAN

A management plan for gopher tortoises will be prepared and submitted as part of the local development order process. Generally, the applicant intends to obtain a relocation permit from the FWCC. At the time of site clearing, the gopher tortoise will be excavated and moved out of harms way. Once site clearing activities are complete, any gopher tortoises found during the burrow excavations will be released within on-site open space areas. The FWCC relocation permit and the proposed location of the area of gopher tortoise release will be provided to Lee County DES staff prior to approval of a vegetation removal permit.

DCI2004-00028

REFERENCES

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

DCI2004-00028

APPENDIX A

AERIAL WITH SURVEY TRANSECTS

DCI2004-00028



LEGEND:

(I) INACTIVE GOPHER TORTOISE BURROW

— — — SURVEY TRANSECT

FLUCFCS CODE	DESCRIPTION	ACREAGE	% OF TOTAL
3219	PALMETTO PRAIRIE, DISTURBED	1.58 Ac.±	2.7%
4159	PINE WOODS, DISTURBED	35.81 Ac.±	60.9%
422	BRAZILIAN PEPPER	0.51 Ac.±	0.9%
4349	HARDWOOD/CONIFER MIXED, DISTURBED	19.01 Ac.±	32.3%
437	AUSTRALIAN PINE	0.94 Ac.±	1.6%
740	DISTURBED LAND	0.99 Ac.±	1.7%
	TOTAL	58.84 Ac.±	100.0%

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH A FLIGHT DATE OF APRIL-MAY, 2002.

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

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

PROPERTY BOUNDARY ESTIMATED FROM LEE COUNTY PROPERTY APPRAISER'S GIS WEBSITE.

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

REVISIONS		DESIGNED BY	DATE	HORIZONTAL SCALE
		M.F.	12/29/03	1"=200'
ified FLUCFCS lines and codes	1-2-04	CHECKED BY	DATE	VERTICAL SCALE
ed survey transects and burrow	1-9-04	A.W.	12/29/03	N/A
		DRAWN BY	DATE	SEC./TWP./RNG.
		D.B.	12/29/03	06/45/27

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, Florida 33919

VISTANA

AERIAL WITH SURVEY TRANSECTS

DRAWING No.: 03KBH998

SHEET No.: APPENDIX A

DCI2004-00028

Palmetto Prairie, Disturbed (FLUCFCS Code 3219)
This habitat occupies 1.49± acres or 2.6 percent of the property. The canopy vegetation includes scattered slash pine (*Pinus elliotii*) and cabbage palm (*Sabal palmetto*). The sub-canopy vegetation includes Brazilian pepper (*Schinus terebinthifolius*) and wax-myrtle (*Myrica cerifera*). Ground cover includes saw palmetto (*Serenoa repens*), Brazilian pepper, penny royal (*Piloblephis rigida*), muscadine grape (*Vitis rotundifolia*), and beauty berry (*Callicarpa americana*).

Pine Woods, Disturbed (FLUCFCS Code 4159)
This habitat type occupies 35.25± acres or 61.3 percent of the property. The canopy contains slash pine, live oak (*Quercus virginiana*), swamp laurel oak (*Quercus laurifolia*), dahoon holly (*Ilex cassine*), and melaleuca (*Melaleuca quinquenervia*). The sub-canopy consists of slash pine, Brazilian pepper, and rusty lyonia (*Lyonia ferruginea*). The ground cover is vegetated by scattered saw palmetto, wiregrass (*Aristida stricta*), penny royal, gallberry (*Ilex glabra*), and muscadine grape.

Brazilian Pepper (FLUCFCS Code 422)
This habitat type occupies 0.51± acre or 0.9 percent of the property. The canopy and sub-canopy contain Brazilian pepper. The ground cover includes scattered ceasar-weed (*Urena lobata*).

Hardwood/Conifer Mixed, Disturbed (FLUCFCS Code 4349)
This habitat type occupies 18.35± acres or 31.9 percent of the property. The canopy consists of live oak, swamp laurel oak, and slash pine. The sub-canopy contains Brazilian pepper, slash pine, live oak, and swamp laurel oak. The ground cover is vegetated by Brazilian pepper, saw palmetto, rusty lyonia, penny royal, and muscadine grape.

Australian Pine (FLUCFCS Code 437)
This upland habitat occupies 0.94± acre or 1.6 percent of the property. The canopy contains Australian pine (*Casuarina equisetifolia*) and live oak. The sub-canopy includes Australian pine and cabbage palm (*Sabal palmetto*). The ground cover contains bahiagrass (*Paspalum notatum*) and beggar ticks (*Bidens pilosa*).

Disturbed Land (FLUCFCS Code 740)
This habitat occupies 0.99± acre or 1.7 percent of the property. The canopy is open. The sub-canopy is open with scattered wax-myrtle and melaleuca. The ground cover is vegetated by torpedo grass (*Panicum repens*), broomsedge (*Andropogon virginicus*), and yellow-eyed grass (*Xyris* sp.).

D. Soil Description

The Natural Resource Conservation Service (NRCS) (formerly the Soil Conservation Service) lists the following three soil types as occurring on the subject property: (Soil Map Unit 9) EauGallie sand; (Soil Map Unit 33) Oldsmar

DCI 2004-00028

sand; and (Soil Map Unit 53) Myakka fine sand, depressional (Figure 2). The "Hydric Soils of Florida Handbook" (Florida Association of Environmental Soil Scientists 1995) lists (Soil Map Unit 53) Myakka fine sand, depressional as a hydric soil. A brief description for each soil type is attached as Exhibit B.

E. Wetlands

There were no SFWMD jurisdictional wetlands identified on-site. Wetland jurisdiction has not been verified by SFWMD staff.

F. Listed Plants and Wildlife

Passarella and Associates, Inc. conducted a Lee County protected species survey (PSS) on the Vistana parcel on December 19, 2003. The survey was conducted to meet Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) standards. A copy of the PSS is attached as Exhibit C. One inactive gopher tortoise (*Gopherus polyphemus*) burrow was identified during the December 19, 2003 field survey. The gopher tortoise burrow was located in Pine Woods, Disturbed (FLUCFCS Code 4159). No other protected species were observed during the December 2003 site inspections. No impacts to gopher tortoises or their burrows will occur without first obtaining a permit from the Florida Fish and Wildlife Conservation Commission.

G. Historical and Archaeological Resources

There are no known historical or archaeological resources on the project site. The project site is not located in an archaeological sensitive area of Lee County (Figure 4).

II. PLANS

A. Proposed Impacts

The project contains no wetlands.

B. Proposed Site Plan

A site plan is attached as Figure 5. The plan proposes 9.47± acres of upland preserve.

DR2004-00028

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

STRAP NO. _____ **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
SEE EXHIBIT A	SEE EXHIBIT A

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

Name and Address	Percentage of Stock

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

Name and Address	Percentage of Interest

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

Name and Address	Percentage of Ownership

DCI2004-00028

EXHIBIT "A"

Parcel 06-45-27-00-0001.004A

Kim Venditto	25%
Gloria McEwan (formerly known as Gloria McGonnell)	25%
Sharon McGonnell	25%
Robert Curtis	25%

Mailing address for all:
c/o 6 Flower Road
Hopewell Junction, NY 12533

Parcel 06-45-27-00-00006.0080

Dawn Maguire (formerly known as Dawn E. McGonnell)	33-1/3%
James McGonnell (a/k/a James R. McGonnell, III)	33-1/3%
Todd McGonnell	33-1/3%

Mailing address for all:
c/o 813 Donegal Court
Toms River, NJ 08753

Parcel 06-45-27-00-0006.0090

Gabriel Curtis	25%
Kris Irey (formerly known as Kris VanHasslett and Kris Curtis)	25%
Diana McGonnell	25%
Brian McGonnell	25%

Mailing address for all:
c/o 16 Westwood
Bayville, NJ 08721

#1214386V1

DCI2004-00028

LEE COUNTY
SOUTHWEST FLORIDA

APR 2 8 2004

SUPPLEMENT D

ADDITIONAL REQUIRED INFORMATION FOR A PLANNED DEVELOPMENT APPLICATION UNINCORPORATED LEE COUNTY

Case Number:

Project Name: **Vistanna RPD**

Authorized agent: **Banks Engineering, Inc.**

STRAP Number(s): **06-45-27-00-00001.004A** **06-45-27-00-00006.0080**

Select one only

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

Notes:

(1) Existing development. A development that has already been developed but does not conform to the regulations for a conventional district and is requesting a rezoning to a planned development classification. It will be reviewed in the same manner as a minor planned development except that a traffic impact statement will not be required. [34-341(b)(2)d.1.]

(2) Amendments to application. Application to amend an approved major or minor master concept plan or its attendant documentation, or for the extension of a vacated master concept plan originally approved prior to December 2, 1991. It will be treated procedurally as minor planned developments. These applications will require only as much information, as deemed necessary by the director, needed to describe the changes requested, to specify the incremental change in impacts expected from the amendment, and to detail the changes in development, environment and background (surrounding land use, traffic volumes, water, wastewater and other service availability, etc.), that have occurred since the original application. [34-341(b)(2)d.2.]

(3) Amendments to built planned developments (PD). An application for a variance or other approval covered by this chapter wherein the subject property is the only part of the original planned development for which the approval is sought. Application meets the threshold for a development of county impact and will be reviewed in accordance with the provisions for reviewing developments of county impact. Applicant must be the owner of the subject property and the consent of the owners of the remainder of the original planned development will be unnecessary. However, these owners must be given notice of the application and other proceedings as if they were owners of property abutting the subject property regardless of their actual proximity to the subject property.

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

DCI2004-00028

PART 1
GENERAL INFORMATION

A. Comprehensive Plan Amendments (check one):

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

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

B. Archaeological/Historical (check one):

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

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

C. Public Transit (check one):

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

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

D. Density

N/A There are no residential dwelling units proposed for this development.

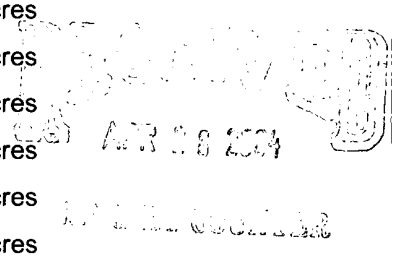
✓ The property is located within one or more Future Land Use categories. Density has been calculated in **Part 3** of this application and is summarized below:

____	Intensive Development	_____	Proposed dwelling units
✓	Central Urban	**296**	Proposed dwelling units
____	Urban Community	_____	Proposed dwelling units
____	Suburban	_____	Proposed dwelling units
____	Outlying Suburban	_____	Proposed dwelling units
	TOTAL	**296**	Proposed dwelling units

DCI2004-00028

PART 2
TYPES OF LAND AREA ON PROPERTY

A.	**Gross Acres (total area within described parcel)**			**57.53 Acres**
	1.	Submerged land subject to tidal influence:	**N/A** Acres	
	2.	Other non-freshwater Wetlands:	**N/A** Acres	
	3.	R-O-W providing access to non-residential uses:	**N/A** Acres	
	4.	Non-residential use areas (1)	**N/A** Acres	
B.	**Total area not eligible as gross residential acreage. Items A.1. + A.2 + A.3. + A.4.**			**N/A Acres**
C.	**Gross residential acres. (A minus B)** (2)			**57.53 Acres**
D.	**Gross residential acres by Land Use Category**			
	1. a.	Intensive development - Upland	**N/A** Acres	
	b.	Intensive development - freshwater wetland	**N/A** Acres	
	2. a.	Central Urban - Upland	**57.53** Acres	
	b.	Central Urban - freshwater wetland	**N/A** Acres	
	3. a.	Urban Community or Suburban - Upland	**N/A** Acres	
	b.	Urban Community or Suburban freshwater wetland	**N/A** Acres	
	4. a.	Outlying Suburban - Upland	**N/A** Acres	
	b.	Outlying Suburban - freshwater wetland	**N/A** Acres	
	5. a.	Rural, Outer Island, Rural Community Preserve - Upland	**N/A** Acres	
	b.	Rural, Outer Island, Rural Community Preserve - freshwater wetland	**N/A** Acres	
	6. a.	Open Lands - Upland	**N/A** Acres	
	b.	Open Lands - freshwater wetland	**N/A** Acres	
	7. a.	DR/GR - Upland	**N/A** Acres	
	b.	DR/GR - freshwater wetland	**N/A** Acres	
	8. a.	Wetlands - freshwater	**N/A** Acres	
	b.	Wetlands - not - freshwater	**N/A** Acres	
	9. a.	New Community - Upland	**N/A** Acres	
	b.	New Community - freshwater wetland	**N/A** Acres	
	10. a.	University Community - Upland	**N/A** Acres	
	b.	University Community - freshwater wetland	**N/A** Acres	
	11.	**TOTAL** (should equal "C" above)	**57.53** Acres	



NOTES:

(1) Lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses must not be included.

(2) Lands to be used for residential uses including land within the development proposed to be used for streets and street rights of way, utility rights-of-way, public and private parks, recreation and open space, schools, community centers, and facilities such as police, fire and emergency services, sewage and water, drainage, and existing man-made waterbodies.

PART 3
RESIDENTIAL DEVELOPMENTS
PRELIMINARY DENSITY CALCULATIONS*

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

A. Intensive Development Category N/A

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

B. Central Urban Category

1.	**Preliminary Standard Units**	**Maximum standard density**		**Units**
	a. Total upland Acres (from Part 2, D.2.a.)	**57.53**	times 10 equals	**575**
	b. Total freshwater wetland Acres (from Part 2, D.2.b.)	**N/A**	times 10 equals	**N/A**
	c. Preliminary Total Standard units (a. plus b.) (1)			**575**
2.	**Maximum Permitted Units**	**Maximum permitted**		**Units**
	a. Total upland Acres (from Part 2, D.2.a.)	**57.53**	times 12.5 equals	**719**
3.	**Total allowed standard units (B.1.c. or B.2.a., whichever is less)**			**575**
4.	**Bonus Units** (2)			
	a. Low-moderate housing density:			**N/A**
	b. TDR units:			**N/A**
	c. Sub-total (B.4.a. plus B.4.b.)			**N/A**
5.	**Total Permitted Units (B.3. plus B.4.c.):** (1)			**575**

APR 28 2004

DCI2004-00028

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

C. Urban Community Category N/A

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

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

D. Suburban Category N/A

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

E. Outlying Suburban Category N/A

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

DCI2004-00028

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

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

A.	**Commercial N/A**	**Habitable Stories**	**Height**	**Total Floor Area**	
A.1.	Medical				Sq. Ft.
A.2.	General Office				Sq. Ft.
A.3.	Retail				Sq. Ft.
A.4.	Other – **Pre-Sales Trailer**	**1**	**35'**	**±1,000**	Sq. Ft.
A.5.	**TOTAL FLOOR AREA**			**±1,000**	Sq. Ft.

B.	**Industrial N/A**	**Habitable Stories**	**Height**	**Total Floor Area**	
B.1.	Under Roof				Sq. Ft.
B.2.	Not under Roof	NA			Sq. Ft.
B.3.	**TOTAL FLOOR AREA**				Sq. Ft.

C.	**Mining N/A**		**Depth**	**Total Acres**	
C1.	Area to be excavated	NA			Acres

D.	**Assisted Living Facilities**	**N/A**			
		Habitable Stories	**Height**	**Total Number of Beds/Units**	
D.1.	Dependent Living Units				Beds/Units
D.2.	Independent Living Units				Beds/Units
D.3.	**TOTAL BEDS/UNITS**				Beds/Units

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

APR 28 2004

DCI2004-00028

PART 4

ENVIRONMENTAL ISSUES

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

The subject property is a flat site that ranges in elevation from 26 feet to 27.5 feet.

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 attached Environmental Report.

continued

DCI2004-00028

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

See attached Environmental Report.

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

N/A

DCI2004-00028

PART 5
SANITARY SEWER FACILITIES (34-415)

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

N/A

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

1. Method and degree of treatment:

N/A

2. Quality of the effluent:

N/A

3. Expected life of the facility:

N/A

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

N/A

5. Receiving bodies or other means of effluent disposal:

N/A

continued

DCI 2004-00028

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

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

N/A

2. Current water table conditions:

N/A

3. Proposed rate of application:

N/A

4. Back-up system capacity:

N/A

DCI2004-00028

PART 6 - SUBMITTAL REQUIREMENTS

Copies*		Exhibits	Item
Sub.	Req.		
12	12		Public Hearing Application form **[34-373(a)(1)]**
1	1		Application Fee **[34-373(a)(2)]**
			DESCRIPTION OF EXISTING CONDITIONS
N/A	3	**1-B**	**Historical or Archaeological sites**: The nature and location of any known or recorded historical or archaeological sites as listed on the Florida Master Site File or the Lee County Historical Site Survey, and the location of any part of the property that is located within level 1 or level 2 zones of archaeological sensitivity pursuant to chapter 22. The plan must show the outline of historic buildings and approximate extent of archaeological sites. A description of proposed improvements that may impact archaeological or historical resources must also be provided. **[34-373(a)(4)h.]**
12	12	**1-C**	**Public Transit.** A map or other depiction of the property in relation to existing and proposed public transit routes, as well as to bus stops, if located within the Lee Tran public transit service area. **[34-373(a)(4)g.]**
12	3	**6-A**	**A Boundary Survey,** prepared by a professional surveyor, that meets the minimum technical standards as set out in chapter 61G17-6, F.A.C., and which survey has been signed and sealed within one year of the application date, and which shows existing conditions on the property to full survey accuracy. **[34-373(a)(4)a.]**
12	12	**6-B**	**Area Location Map** on 8.5" by 11" paper. A map marked to show the location of the property to be developed in relation to arterial and collector streets as well as the location of existing easements and rights-of-way on or abutting the property. **[34-373(a)(4)b.]**
12	12	**6-C**	**Existing zoning and current land uses** A map or other depiction of the existing zoning and current land uses (i.e. single family residence, multiple-family building, retail commercial, office building, etc.) surrounding the tract or parcel to a distance of 500 feet. **[34-373(a)(4)c.]**
12	12	**6-D**	**Aerial photograph** with the site clearly delineated. **[34-373(a)(4)d.] Originals only - photocopies not acceptable.**
4	4	**6-E**	**Soils, vegetation, rare & unique uplands, topography.** Maps drawn at the same scale as the master concept plan marked or overprinted to show the information required by section 34-373(a)(4)e.] **[34-373(a)(4)e.]**
4	4	**6-F**	**FLUCCS Map.** A Florida Land Use, Cover and Classification System (FLUCCS) map at the same scale as the Master Concept Plan, prepared by an environmental consultant. The FLUCCS map must clearly delineate any federal and state jurisdictional wetlands and other surface waters, including the total acreage of federal and state wetlands. **[34-373(a)(4)f.]**
			NARRATIVE COMPLIANCE STATEMENTS
12	12	**6-G**	**Lee Plan Compliance.** A narrative explanation as to how the proposed development complies with the Lee Plan. **[34-373(a)(5)]**
12	3	**6-H**	**Design Standards Compliance.** A narrative explanation as to how the proposed development complies with the Design Standards set forth in Section 34-411. **[34-373(a)(5)]**
12	3	**6-I**	**Decision-making compliance.** A narrative explanation as to how the proposed development complies with the guidelines for decision-making embodied in sections 34-145(c)(2)a and e. and 34-145(d)(3). **[34-373(a)(5)]**

APR 2 8 2004

DCI2004-00028 PERMIT COUNTER

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

*** includes 1 original**

APR 28 2004

PT2004-00028

LETTER OF AUTHORIZATION

The undersigned hereby acknowledges to be the owner's designated authorized legal representative of the real property described below and further authorizes Banks Engineering, Inc. to act as agent in order to apply for all necessary permits for development of the subject property.

Property Description:

STRAP Number _____

Address: _____

_____

James R. McGonnell, III
individually and as attorney in fact for Kim Venditto, Gloria McEwan (fka Gloria McGonnell), Sharon McGonnell, Robert Curtis, Gabriel Curtis, Kris Irey (fka Kris Van Hasslett and fka Kris Curtis), Diana McGonnell, Brian McGonnell, Dawn Maguire (fka Dawn E. McGonnell) and Todd McGonnell

STATE OF FLORIDA,
COUNTY OF Duval:

The foregoing instrument was acknowledged before me this 21st day of April, 2004, by James R. McGonnell, III, individually and as attorney in fact for Kim Venditto, Gloria McEwan (fka Gloria McGonnell), Sharon McGonnell, Robert Curtis, Gabriel Curtis, Kris Irey (fka Kris Van Hasslett and fka Kris Curtis), Diana McGonnell, Brian McGonnell, Dawn Maguire (fka Dawn E. McGonnell) and Todd McGonnell, who is personally known to me or who has produced a current Florida drivers license (type of identification) as identification.

_____
Notary Public

My Commission Expires:
Commission No.:

Jeffrey B. Marks
MY COMMISSION EXPIRES
October 29, 2006
#DD140797
Bonded thru
Troy Fain-Insurance
NOTARY PUBLIC, STATE OF FLORIDA

Z:\My Documents\MCGONNELL AUTHORIZATION2.wpd

DCI 2004-00028

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, James R. McGonnell, III, individually and as attorney in fact for Kim Venditto, Gloria McEwan (fka Gloria McGonnell), Sharon McGonnell, Robert Curtis, Gabriel Curtis, Kris Irey (fka Kris Van Hasslett and fka Kris Curtis), Diana McGonnell, Brian McGonnell, Dawn Maguire (fka Dawn E. McGonnell) and Todd McGonnell, of 8495 Florence Cove Drive, St. Augustine, Florida 32092, swear or affirm under oath that I am the owner or authorized representative of the owners 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 through 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.

James R. McGonnell, III
individually and as attorney in fact for Kim Venditto,
Gloria McEwan (fka Gloria McGonnell), Sharon McGonnell,
Robert Curtis, Gabriel Curtis, Kris Irey (fka Kris Van Hasslett
and fka Kris Curtis), Diana McGonnell, Brian McGonnell, Dawn
Maguire (fka Dawn E. McGonnell) and Todd McGonnell

APR 28 2004

STATE OF FLORIDA,
COUNTY OF Duval:

The foregoing instrument was sworn to (or affirmed) and subscribed before me this 21st day of April, 2004, by James R. McGonnell, III, individually and as attorney in fact for Kim Venditto, Gloria McEwan (fka Gloria McGonnell), Sharon McGonnell, Robert Curtis, Gabriel Curtis, Kris Irey (fka Kris Van Hasslett and fka Kris Curtis), Diana McGonnell, Brian McGonnell, Dawn Maguire (fka Dawn E. McGonnell) and Todd McGonnell, who is personally known to me or who has produced a current Florida Drivers License (type of identification) as identification.

Jeffrey B. Marks
MY COMMISSION EXPIRES October 29, 2006
#DD140797
Bonded thru Troy Fain-Insurance
NOTARY PUBLIC, STATE OF FLORIDA

Signature of person taking oath or affirmation — Jeffrey B. Marks — Name typed, printed or stamped

Notary Public — DD140797

Title or Rank — Serial Number, if any

DCI2004-00028

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

Name and Address	Percentage of Stock

Date of Contract: _____

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

Name and Address	

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

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

Signature: James R. McConnell

(Applicant)

James R. McConnell, III individually and as attorney in fact for Kim Venditto, Gloria McEwan (fka Gloria McGonnell), Sharon McGonnell, Robert Curtis, Gabriel Curtis, Kris Irey (fka Kris Van Hasslett and fka Kris Curtis), Diana McGonnell, Brian McGonnell, Dawn Maguire (fka Dawn E. McGonnell) and Todd McGonnell

(Printed or typed name of applicant)

STATE OF FLORIDA
COUNTY OF DUVAL

The foregoing instrument was acknowledged before me this 21st day of April 20 04

by James R. McGonnell III who is personally known to me or who has produced a current Florida drivers license as identification.

(SEAL)

Signature of Notary Public

Jeffrey B. Marks

Printed Name of Notary Public

Jeffrey B. Marks
MY COMMISSION EXPIRES
October 29, 2006
#DD140797
Bonded thru
Troy Fain-Insurance
NOTARY PUBLIC, STATE OF FLORIDA

DCI 2004-00028

TRAFFIC IMPACT STATEMENT

FOR

VISTANA

NORTHEAST CORNER OF
23RD STREET S.W. / BETH STACEY BOULEVARD

(PROJECT NO. 0404.16)

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

APR 29 2004

April 27, 2004

DCI2004-00028

METRO

CONTENTS

I. INTRODUCTION

II. EXISTING CONDITIONS

III. PROPOSED DEVELOPMENT

IV. TRIP GENERATION

V. TRIP DISTRIBUTION

VI. FUTURE TRAFFIC CONDITIONS

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

VIII. CONCLUSION

DCT 2004-00028

I. INTRODUCTION

Metro Transportation Group, Inc. (Metro) has conducted a traffic impact statement to fulfill requirements set forth by the Lee County Department of Community Development for projects seeking approval for zoning. The site is located at the northeast corner of the intersection of Beth Stacey Boulevard and 23 Street S.W. in the Lehigh Acres area of Lee County, Florida. The site location is illustrated on **Figure 1**.

Upon approval, a residential development called "Vistana" will be situated on site. Access to this development will be provided via a full access drive on Beth Stacey Boulevard.

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

II. EXISTING CONDITIONS

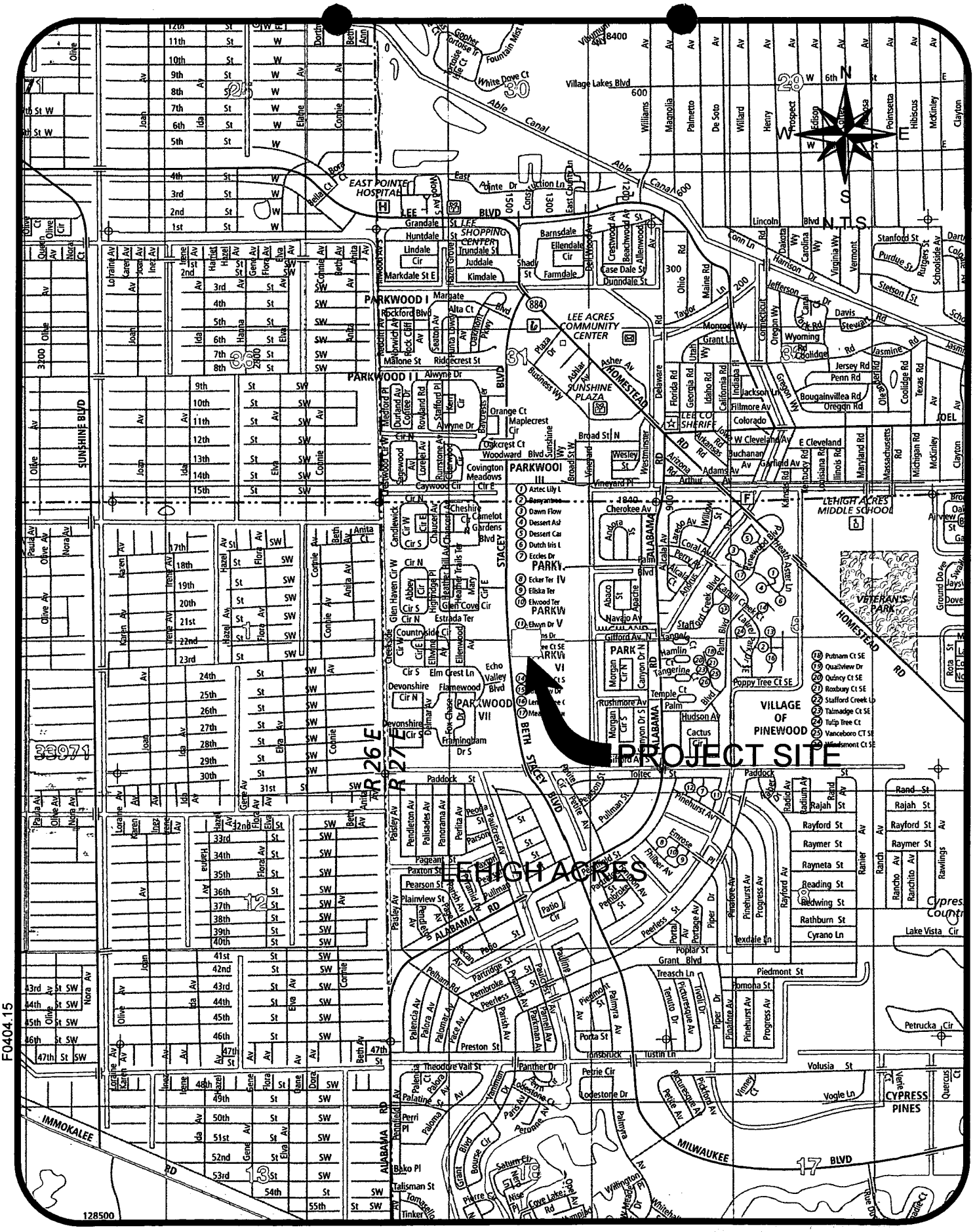
The site is currently vacant. Bordering the site to the north is vacant land, to the south is a golf course, to the east are single-family homes, and to the west is Beth Stacey Boulevard.

Beth Stacey Boulevard is a two-lane undivided arterial roadway in the vicinity of the site and has a posted speed limit of 45 mph. Beth Stacey Boulevard is under the jurisdiction of the Lee County Department of Transportation.

III. PROPOSED DEVELOPMENT

A residential development called "Vistana" is planned to be located on the northwest corner of the intersection of Beth Stacey Boulevard/23rd Street S.W. in Lee County. The Master Concept Plan indicates that the site could contain approximately 296 attached single-family homes. Access to the site is proposed via a full access drive on Beth Stacey Boulevard.

2004-00028


PROJECT SITE
LEHIGH ACRES
EAST POINTE HOSPITAL
LEE SHOPPING CENTER
LEE ACRES COMMUNITY CENTER
SUNSHINE PLAZA
LEE CO SHERIFF
LEHIGH ACRES MIDDLE SCHOOL
VETERAN'S PARK
VILLAGE OF PINEWOOD
CYPRESS PINES
PARKWOOD I
PARKWOOD II
PARKWOOD III
PARKWOOD VII
SUNSHINE BLVD
STACEY BLVD
HOMESTEAD RD
ALABAMA RD
IMMOKALEE RD
MILWAUKEE BLVD
LEE BLVD
Able Canal
Village Lakes Blvd
Lincoln Blvd
Jefferson Ave
Harrison Dr
Stetson St
Jasmine Rd
Bougainvillea Rd
Penn Rd
Jersey Rd
Coolidge Rd
Fillmore Av
Colorado
Cherokee Av
Laredo Av
Coral Av
Perry Av
Alcala Av
Andora St
Abaco St
Navajo Av
Apache
Gifford Av N
Hamlin Ct
Tangerine
Temple Ct
Palm Blvd
Hudson Av
Cactus Cir
Rushmore Av
Poppy Tree Ct SE
Stafford Creek Blvd
Kinnear Blvd
Carroll Creek Ln
Putnam Ct SE
Quailview Dr
Quincy Ct SE
Roxbury Ct SE
Stafford Creek Ln
Talmadge Ct SE
Tulip Tree Ct
Vanceboro CT SE
Windsmont Ct SE
Paddock St
Toltec St
Pinehurst Av
Rand St
Rajah St
Rayford St
Raymer St
Rayneta St
Reading St
Redwing St
Rathburn St
Cyrano Ln
Lake Vista Cir
Grant Blvd
Treasch Ln
Piedmont St
Pomona St
Petrucka Cir
Volusia St
Vogle Ln
Lodestone Dr
Petrie Cir
Tonsbrook
Tustin Ln
Poplar St
Preston St
Theodore Vail St
Panther Dr
Pelham Rd
Partridge St
Pembroke
Peerless
Pageant St
Pearson St
Plainview St
Paxton St
Patio Cir
Pullman
Paisley Av
Pendleton Av
Palisades Av
Panorama Av
Perlita Av
Peoria St
Parson
Pelican Av
Pinefore Av
Progress Av
Portage Av
Piper Dr
Portal St
Emrose
Philber Av
Pinehurst Av
Rayford Av
Ranier Av
Ranch Av
Rancho Av
Ranchito Av
Rawlings
Cypress Country
Pinehurst Av
Pinehurst Ln
Pinehurst Cir
Pinehurst Ct
Pinehurst Dr
Pinehurst Pl
Pinehurst St
Pinehurst Trl
Pinehurst Way
Pinehurst Wy
Pinehurst Ave
Pinehurst Blvd

IV. TRIP GENERATION

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation***, 7th Edition. For two family attached units, land use code (LUC) 210 – Single-Family Detached Housing was used. The 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 Vistana residential development as currently proposed. The daily trip generation is also indicated in the table.

Table 2
Vistana Residential Trip Generation

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Single-Family (LUC 210)	55	160	215	180	105	285	2,822

V. TRIP DISTRIBUTION

The trips shown in Table 2 were assigned to the surrounding roadway system based on the anticipated routes the drivers will utilize to approach the site. A distribution of the site traffic was formulated based on the land use proposed on site, the surrounding land uses, and the layout of the major roadway network. 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 shows which roadway links will accommodate site traffic 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 the project would be completed by the year 2007. Therefore, the surrounding roadway network was analyzed under 2008 projected traffic conditions. Based on this projected build-out, a growth rate was applied to the existing traffic conditions for all roadway links that could be impacted by this development. The growth rates for the area roadway network are indicated on **Table 2A** in the Appendix of the report.

The existing roadway link traffic data was obtained from the 2002/2003-2003/2004 Lee County Concurrency Management Inventory and Projections Report dated December 2003, prepared by Lee County.

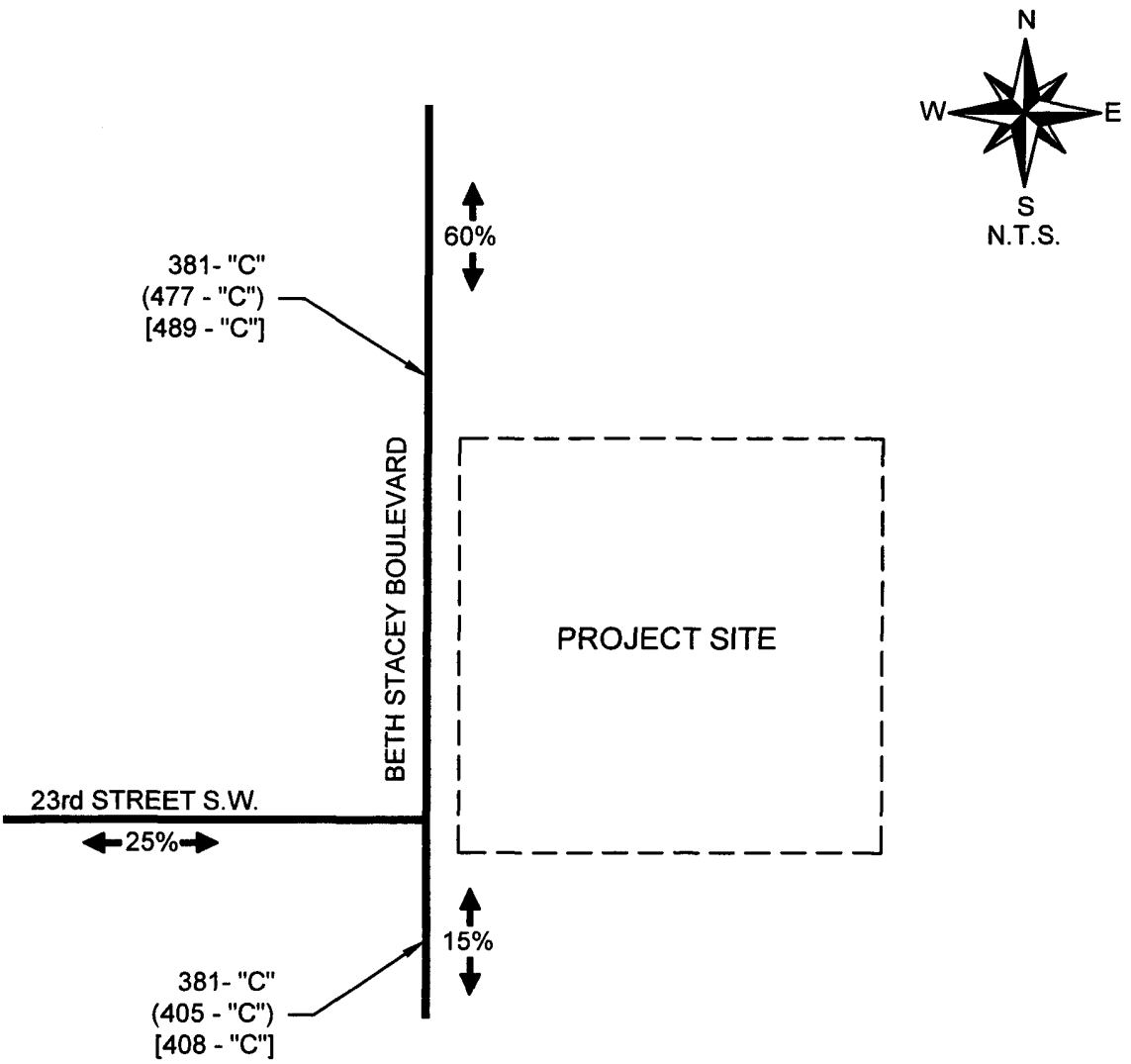
The existing roadway link traffic data for each link was then increased to 2008 background traffic conditions. Finally, based on the project distribution shown in Figure 2, the Vistana residential development traffic was distributed to the surrounding roadway network, and the link data was analyzed for the year 2008 traffic conditions both without the development and with the development.

Figure 2 also shows the year 2008 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area. Noted on Figure 2 is the peak hour – peak direction volume and Level of Service of each link should no development occur on the subject site, and the peak hour – peak direction volume and Level of Service for the weekday A.M. and P.M. peak hours with the development traffic added to the roadways. These figures are derived from **Table 2A** contained in the Appendix.

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

As can be seen from Figure 2, once the development is completed, the critical roadway segments analyzed, as a part of this report, will maintain the Level of Service as projected without the development. Even though the site traffic estimated to generate on Beth

DCI2004-00028



LEGEND

←20%→ PERCENT DISTRIBUTION

XXX - "C" 2008 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

(XXX -"C") 2008 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND
TRAFFIC PLUS AM PROJECT TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

[XXX -"C"] 2008 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND
TRAFFIC PLUS PM PROJECT TRAFFIC
AND LEVEL OF SERVICE DESIGNATION

F0404.15

APR 28 2004

DC12004-00028

METRO

TRIP DISTRIBUTION AND LEVEL OF SERVICE ANALYSIS

Figure 2

Stacey Boulevard, south of Homestead, would accommodate more than 10% of the peak hour – peak direction level of service "C" volumes, this roadway link would still operate at an acceptable Level of Service based on the Lee County Level of Service parameters. Therefore, no improvements are required on Beth Stacey Boulevard. However, as a result of the proposed development, site-specific turn lane improvements will be required on Beth Stacey Boulevard at the site access drive according to the Lee County Turn Lane Policy (AC-11-4). The AC-11-4 indicates that a southbound left-turn lane and a northbound right-turn lane are warranted at this location.

VIII. CONCLUSION

The Vistana residential development in the Lehigh Acres area of Lee County, Florida will not have a detrimental impact on the surrounding roadway system. The existing roadway system can accommodate the additional new vehicle trips the development is anticipated to generate. All roadway links are shown to operate at acceptable Level of Service conditions when the development traffic is added to the surrounding roadway network. Therefore, no roadway improvements are required off-site as a result of the proposed development. However, site-specific turn lane improvements will be required on Beth Stacey Boulevard, at the site access drive. According to the Lee County AC-11-4, a southbound left-turn lane and a northbound right-turn lane are warranted at this location.

K:\2004\04\Vistana - Lehigh\report.4.26.04.doc

DOC220004-000028

APPENDIX

DCI2004-00028

TABLE 1A & TABLE 2A

[illegible] 2004

[illegible]

DCT2004-00028

DCI2004-00028

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

TOTAL AM PEAK HOUR PROJECT TRAFFIC = 215 VPH IN= 55 OUT= 160

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 285 VPH IN= 180 OUT= 105

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
Alabama Road	N. of Immokalee Rd	2LN	0	180	470	760	930	15.00%	27	5.7%
Beth Stacey Blvd	S. of Homestead Road	2LU	0	280	760	900	920	60.00%	108	14.2%
	S. of 23rd Street SW	2LU	0	280	760	900	920	15.00%	27	3.6%
Homestead Road	S. of Lee Blvd	4LN	0	550	1670	1960	2050	45.0%	81	4.9%
23rd Street S.W.	West of Beth Stacey Blvd	2LN	0	280	760	900	920	25.00%	45	5.9%

TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS

TOTAL PROJECT TRAFFIC AM = 215 VPH IN = 55 OUT= 160

TOTAL PROJECT TRAFFIC PM = 285 VPH IN= 180 OUT= 105

ROADWAY	SEGMENT	PCS	BASE YR ADT	2003 ADT	YRS OF GROWTH	ANNUAL RATE	2003 PK HR PK SEASON PEAK DIR.[1]	2008 PK HR PK SEASON PEAK DIR.	PERCENT PROJECT TRAFFIC	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2008 BCKGRND + AM PROJ TRAFFIC	2008 BCKGRND + PM PROJ TRAFFIC
Alabama Road	N. of Immokalee Rd	21	2100	4200	9	8.01%	279	410	15.00%	24	27	434	437
Beth Stacey Road	S. of Homestead Road	42	3200	5200	9	5.54%	291	381	60.00%	96	108	477	489
	S. of 23rd Street SW	42	3200	5200	9	5.54%	291	381	15.00%	24	27	405	408
Homestead Road	S. of Lee Blvd	6	18600	24600	9	3.16%	1370	1600	45.00%	72	81	1672	1681
23rd Street S.W.	West of Beth Stacey Blvd	22	4300	5100	6	2.88%	323	372	25.00%	40	45	412	417

[1] The 2003 Peak Hour, Peak Season, Peak Direction Traffic Volume was obtained from the 2002/2003-2003/2004 Lee County Concurrency Report

DCI 2004-00028

TRIP GENERATION EQUATIONS

DCI2004-00028

TRIP GENERATION EQUATIONS
VISTANA RESIDENTIAL DEVELOPMENT
ITE TRIP GENERATION REPORT, 7th EDITION

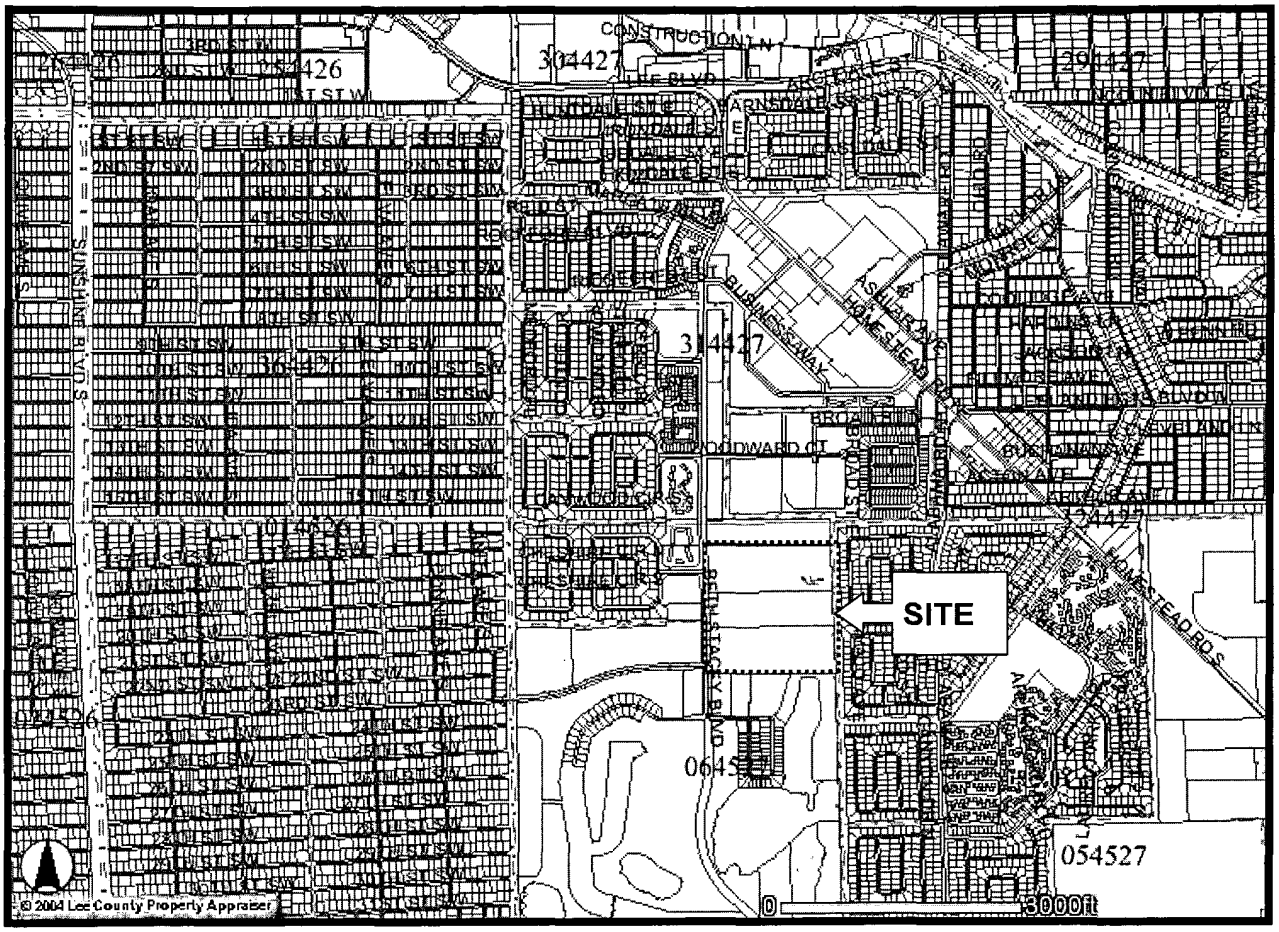
Land Use	Weekday AM Peak Hour	Weekday PM Peak Hour	Weekday
Single-Family Detached Housing (LUC 210)	T = 0.70 (X) +9.43	Ln(T) = 0.90 Ln (X) + 0.53	Ln(T) = 0.92 Ln (X) + 2.71
T = Trips, X = units			

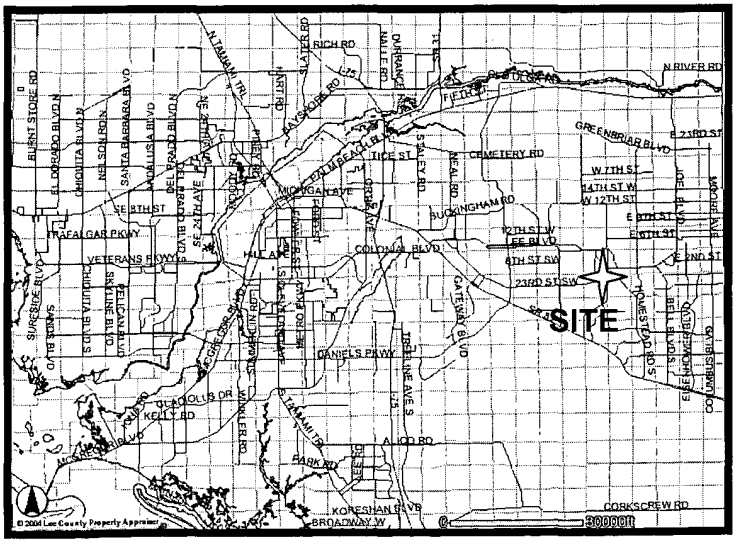
DCI2004-00028

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA
HOLMES BEACH ♦ PORT CHARLOTTE

Vistanna RPD - Area Location Map





RECEIVED
APR 26 2004

Vicinity Map

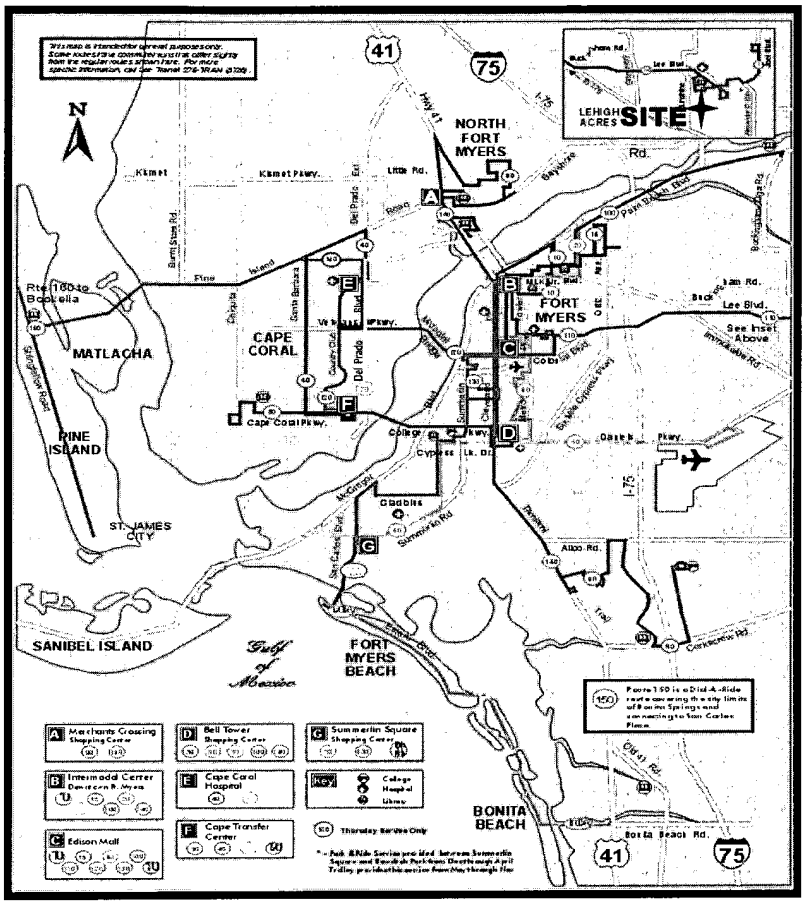
DCI2004-00028

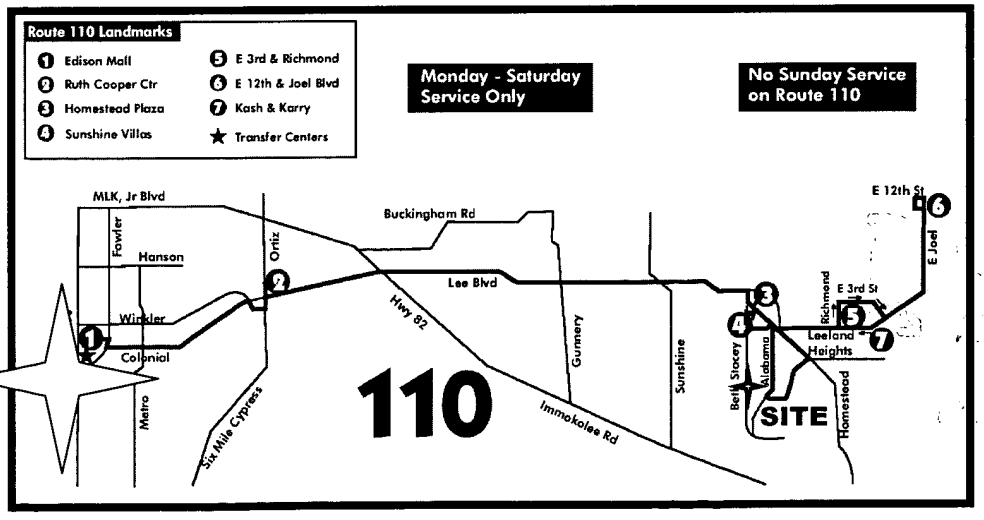
10511 Six Mile Cypress Parkway, Suite 101, Fort Myers, Florida 33912 • (239) 939-5490 • Fax (239) 939-2523

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA
HOLMES BEACH ♦ PORT CHARLOTTE

Vistanna RPD
Site in Relation to Public Transit Routes





10511 Six Mile Cypress Parkway, Suite 101, Fort Myers, Florida 33912 • (239) 939-5490 • Fax (239) 939-2523

Vistanna RPD – Relation to Public Transit Routes **Exhibit 1-C**

DCI2004-00028

GUIDE FOR FILING AN APPLICATION FOR A PUBLIC HEARING

If questions of interpretations arise as a result of our attempt to provide easy-to-understand instructions for completing the application form(s), the provisions of the Land Development Code will be the final authority.

GENERAL INSTRUCTIONS

1. All properties within a single application must be abutting. However, the director may, at his discretion, allow a single application to cover non-abutting properties where it is in the public interest due to the size or scope and nature of the request, and there is a rational continuity to the properties in question.

2. An application for a conventional zoning district or planned development rezoning, special exception, or variance may be initiated by a landowner, or his authorized agent, for his own property, or by the Board of County Commissioners.

3. Except for County-initiated applications, if there is more than one owner, either legal or equitable, then all owners must jointly initiate the application or petition except that:

   a. If a husband and wife own the property, only one of them needs to sign the application;

   b. If the property is subject to a land trust agreement, the trustee may initiate the application;

   c. If the fee owner is a corporation, any duly authorized corporate official may initiate the application;

   d. If the fee owner is a partnership, a general partner may initiate the application;

   e. If the owner is an association, the association or its governing body may appoint an agent to initiate the application on behalf of the association;

   f. If the owner is a condominium, timeshare condominium, or a subdivision, please refer to Section 34-201(a)(1)b. and c. for information on who may initiate the application. .

4. Before an application may be accepted, it must fully comply with all information requirements enumerated in section 34-202 et seq., unless specifically stated otherwise in Chapter 34 of the Lee County Land Development Code.

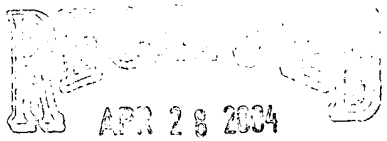
   Upon written request, the director may modify the submittal requirements contained in this section if the applicant clearly demonstrates that the submission will have no bearing on the review and processing of the application. The request to the director must be submitted prior to submitting this application. Multiple waiver requests must be made on individual request forms indicating each separate request. The director's written response must accompany the application submitted and will become a part of the permanent file.

5. The applicant is responsible for the accuracy and completeness of the application. Any additional time delays or expenses necessitated because of inaccurate or incomplete information will be the responsibility of the applicant.

6. Applications must be submitted in person. Mailed-in applications will not be processed.

7. Unless specifically stated to the contrary, all attachments and exhibits must be of a size that will fit or conveniently fold to fit into a letter size (8 2" x 11") folder.

8. All applicants must pay an application fee as set forth in the county External Fees and Charges Manual.



DCI2004-00028

INSTRUCTIONS FOR COMPLETING PART 1: APPLICANT\AGENT INFORMATION

A. Name of applicant: Insert the name of the applicant (the name of the person signing the application form).

B. Relationship of Applicant to owner: Indicate whether the applicant is the sole owner of the property (individual or husband and wife).

If the applicant is not the sole owner of the property but has been authorized to submit this application on behalf of the owner(s), or a contract purchaser\vendee, check the appropriate response and submit a Notarized Affidavit of Authorization Form.

C. Authorized Agent: Indicate the name of the individual (or contact person if a company) who is to receive all county-initiated correspondence regarding the application. This may be the owner, the applicant, or an agent authorized by the owner or applicant to receive all county-initiated correspondence.

D. Additional Agent(s): List the names of other agents (consultants) that the county may contact concerning the application that are in addition to the authorized agent..

INSTRUCTIONS FOR COMPLETING PART 2: PROPERTY OWNERSHIP

A. Property Ownership:

1. If the property is owned by an individual or husband and wife, complete the form with the name, address, etc., of the owner.

2. If the property is owned by more than one person (corporation, partnership, trust, association, etc.) submit an executed copy of Exhibit PH-2.B.1 ADisclosure Form.@

   A *Disclosure Form* is a list of the names of all owners, stockholders and trust beneficiaries, (including percentages of interest) of the property. It is required for all corporations, trusts and partnerships, as well as for contract purchases. Disclosure is not required for any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, whose interests are solely equity interests which are regularly traded on an established securities market in the United States or another country.

3. If the property covered by the application consists of more than one parcel, submit a list of all of the owners and their mailing address, keyed to a map illustrating the individual owners interest in the property.

4. Indicate the date the property was purchased by the current owner(s).

INSTRUCTIONS FOR COMPLETING PART 3: PROPERTY INFORMATION

A. STRAP number(s): The STRAP (Section, Township, Range, Area, Parcel) number is the 17- digit number used by the Property Appraiser to identify specific parcels.

B. Street Address of Property. May be obtained from Property Appraiser if unknown by applicant.

C. &
D. Legal Description, Certified sketch of description, & Boundary surveys: The director has the right to reject any legal description which is not sufficiently detailed so as to locate the property on county maps.

APR 28 2004

DCI2004-00028

1. **Undivided Platted Lots:** If the property consists of one or more undivided platted lots in a subdivision recorded in the Official Plat Books, the legal description must include the name of the subdivision, the Book and Page number of the Plat Book, and the Block (if applicable) and Lot number(s) of the property. In addition, copies of the plat page showing the lot(s) must be submitted as well as the individual STRAP numbers..

2. **Certified sketch of description - total area less than ten acres:** If the application is for conventional rezoning, special exception or variance on a total land area of ten acres or less, the applicant must submit a A*certified sketch of description*@ along with a legal description. The legal description must specifically describe the perimeter boundary of the total property, by metes and bounds, with accurate bearings and distances for every line. It does not need to describe each individual parcel but must include the individual STRAP numbers.

   The director may require a boundary survey where there is a question regarding the accuracy of the legal description of the property or a question regarding the location of structure(s) or easement(s), relevant to the review of the application.

3. **Boundary survey:** If the application is for property encompassing 10 acres or more or for a Planned Development, a boundary survey is required.

4 **Minimum Standards:** All certified sketches and boundary surveys must meet the minimum technical standards for land surveying in the state, as set out in chapter 61G 17-6, F.A.C. If the property encompasses 10 or more acres the survey must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment). The perimeter boundary must be clearly marked with a heavy line and must include the entire area to be developed.

E. Planning Community: If the property is within a Planning Community (such as Estero, Pine Island, Fort Myers Shores, etc.) please indicate. Otherwise enter ANA@ Not applicable.

F. General Location of Property: Submit a map, at suitable scale, drawn on an 82 inch by 11 inch size sheet of paper, that depicts the property described in the legal description in relation to the surrounding neighborhood. The map must be sufficiently referenced to known major streets or other physical boundaries so as to be clearly identifiable to the general public.

Also submit a brief set of directions showing how a person could find the property. Reference at least one major Road such as U.S. 41, Alico Road, Bayshore, Pondella, etc

G. Surrounding Property Owners: A complete list, map, and two sets of mailing labels, of all property owners, and their mailing addresses, for all property within 500* feet of the perimeter of the subject parcel or the portion thereof that is the subject of the request. The list and mailing labels may be obtained from the Property Appraisers office. The map must reference by number or other symbol the names on the surrounding property owners list. The applicant is responsible for the accuracy of the list and map.

*In those instances where fewer than 10 owners of property would be notified, the distance must be expanded to include all owners of property within 750 feet.

H. Current Zoning of Property: Indicate the current zoning on the property.

I. Current Use of Property:

Provide a brief description of what uses are currently on the property.

If any portion of the property is used for bonefide agricultural uses, provide a statement describing the type and intensity of agricultural uses in existence on the property on the date of the application. The statement must include acreage figures for each use and must also include an exhibit depicting the location of the uses on a copy of the boundary sketch. The exhibit should be entitled AAgricultural Uses at time of Zoning

APR 28 2004

Application.@

J. **Land Use Classification:** Indicate the land use category (ies) of the property as indicated on the Future Land Use Map of Lee County.

K. **Flood Hazard:** Indicate whether or not the property is located within an area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRMS). If it is within such an area, indicate the minimum elevation required for the firsdt habitable floor. This information may be obtained from the Residential Building Plans review at (239) 479-8597.

L. **Deed Restrictions:** Indicate whether or not there are any deed restrictions or other covenants that may affect the requested action. If there are deed restrictions or covenants that may affect the requested action, provide a written explanation as to how they may affect it.

M. **Property Dimensions:** Self explanatory. If the property is adjacent to more than one street, provide length of frontage on both streets.

INSTRUCTIONS FOR COMPLETING PART 4: ACTION REQUESTED

A. **Action Requested:** Check the applicable action.

If the request is for a special exception, indicate the type of special exception (proposed use) requested and attach a completed Supplement A.

If the request is for a variance, indicate the type of variance (setback, height, parking, etc.) and attach a completed Supplement B.

If the request is for a conventional rezoning, indicate the current zoning of the property as well as the requested rezoning and attach a completed Supplement C.

If the request is for a Planned Development, indicate whether it is a major or minor DCI or for a PRFPD or a Planned Development Amendment or DRI and attach a completed Supplement D.

B. **Excavations:** Indicate whether or not blasting will be used in the excavation of lakes or other site elements. If blasting is proposed, provide information and data with the application showing the location of the proposed blasting and demonstrating what measures will be implemented to ameliorate the potential negative impacts. This information must include soil borings that demonstrate the necessity for blasting, drawings showing the location(s) of proposed blasting, and other information deemed necessary by the director to allow full and complete analysis of compatibility issues associated with the proposed blasting activity.

C. **Bonus Density:** If the applicant is proposing to use bonus density, complete and submit Exhibit PH-4.C.

D. **Hazardous materials:** If the request for rezoning includes a private port facility, the applicant must submit a hazardous materials emergency plan, which will be subject to the approval of the county divisions of emergency management, water resources and planning, and of the appropriate fire district. The plan must provide for annual monitoring for capacity and effectiveness of implementation. At the minimum, the plan must comply with the spill prevention control and countermeasure plan (SPCC) called for in the federal oil pollution prevention regulations, 40 CFR 112, as amended.

E. **Mobile Home Park:** If the request involves the rezoning of an existing mobile home park as defined in F.S. ' 723.003, would result in the removal or relocation of mobile home owners, then the application must include facts sufficient to allow staff to conclude that adequate mobile home parks or other suitable facilities exist for the relocation of displaced owners. The facts to be provided are intended to meet the requirements of F.S. ' 723.083 (1995). Therefore, the statutory definitions will prevail to the extent there is conflict with terms of this Code.

APR 28 2004

DCI2004-00028

(1) Facts to be provided may typically include: STRAP number and street addresses of properties where mobile homes are to be removed from, and relocated to (i.e., the "relocation site"); and any building permit numbers issued for placement of the mobile home on the relocation site.

(2) If the relocation site is not within the legal description of the subject rezoning, then the property owner of property proposed for relocation must submit an affidavit stating that suitable facilities exist at the relocation site to accommodate the mobile home proposed to be relocated there.

F. **Aviation Hazard.** Indicate whether or not the property is subject to Section 34-1001 et seq. and whether or not a Tall Structures permit will be required. If the property is located within a noise zone, indicate which noise zone..

G. **Estero Planning Community**. If the proposed development is located within the Estero Planning Community, a meeting is required with the community and a copy of the Estero Planning Community Meeting Summary Document must be submitted.

H. **Captiva Planning Community.** If the proposed development is located within the Captiva Planning Community, a meeting is required with the community and a copy of the Captiva Planning Community Meeting Summary Document must be submitted.

I. **Waivers from Application Submission Requirements:** Upon written request, on a form prepared by the county, the director may modify the submittal requirements contained in this section where it can be clearly demonstrated that the submission will have no bearing on the review and processing of the application. The request for a waiver or modification must be submitted to the Director prior to submitting the application. A copy of the request and the director's written response must accompany the application and will become a part of the permanent file.

Indicate on the application form the section(s) of the Land Development Code for which the Director has granted a waiver. Attach the waiver(s) to the application as Exhibit PH-4.I.

RECEIVED
APR 28 2004
PERMIT COUNTER

DCI2004-00028

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA
HOLMES BEACH ♦ PORT CHARLOTTE

RECEIVED
APR 28 2004
PERMIT COUNTER

EXHIBIT'S 6-I and 6-G

The proposed rezoning is consistent with the Lee County Land Development Code Section 34-145(d)(3) as follows:

A. The list of Lee Plan consistencies (see below) demonstrate that the applicant is entitled to the rezoning.
B. The request will meet or exceed all performance and location standards set forth for the potential uses allowed by the request.
C. The request is consistent with the densities, intensities and general uses set forth in the Lee Plan (see below).
D. The request is compatible with existing and planned uses in the surrounding area.
E. Approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the proposed development.
F. The request will not adversely affect environmental critical areas and natural resources.
G. The proposed use is appropriate at the subject location.
H. Urban services, as defined in the Lee Plan, are available and adequate to serve the proposed land use.

The Proposed Development furthers the intent of and is consistent with the Lee County Comprehensive Plan as follows:

POLICY 1.1.3 The Central Urban areas can best be characterized as the "urban core" of the county. These consist mainly of portions of the city of Fort Myers, the southerly portion of the city of Cape Coral, and other close-in areas near theses cities; and also the central portions of the city of Bonita Springs, Iona/McGregor, Lehigh Acres, and North Fort Myers. This is the part of the county that is already most heavily settled and which has or will have the greatest range and the highest levels of urban service – water, sewer, roads, schools, etc. Residential, commercial, public and quasi-public, and limited light industrial land uses (see Policy 7.1.6) will continue to predominate in the Central Urban area. This category has a standard density range from four dwelling units per acre to ten dwelling units per acre and a maximum density of fifteen dwelling units per acre.

The property is located in a centralized location of Lehigh Acres and will be connected to water and sewer through Florida Governmental Utility Authority. The property has 1,640 ± of frontage along Beth Stacey Boulevard which is classified as an arterial right-of-way. The development is a 57.53 acre site that will be developed with 296 two-family attached residential dwelling units. This equates to 5.15 dwelling units per acre which is at the low end of the allowable density. Therefore the development is consistent with the Central Urban land use category.

POLICY 1.8.1 The subject property is providing housing alternatives to the typical ¼ to ½ acre subdivision lots. This development consists of two-family attached dwelling units on 35' x 120' lots.

GOAL 2: GROWTH MANAGEMENT:

OBJECTIVE 2.1: DEVELOPMENT LOCATION: Contiguous and compact growth patterns shall 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.

> **POLICY 2.1.2:** New land uses will be permitted only if they are consistent with the Future Land Use Map and the goals, objectives, policies, and standards of this plan.

OBJECTIVE 2.2: DEVELOPMENT TIMING: Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist and where compact and contiguous development patterns can be created.

> **POLICY 2.2.1:** Rezonings and development-of-regional impact proposals shall be evaluated as to the availability and proximity of the road network; central sewer an dewater lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare.

The development is tied into the existing road network through Beth Stacey Boulevard which is an arterial right-of-way. Water and sewer will be provided by Florida Governmental Utility Authority. The property is convenient to shopping and schools and protection will be provided by the Lee County Sheriff's office and Lehigh Acres Fire Department.

The property is surrounded by developed property with a variety of uses. The property to the north is zoned Community Facilities Planned Development (CFPD) and Agricultural (AG-2). This property is developed with two buildings that contain social service type of uses and a child day care. Directly east of the subject property is a 100 foot wide canal and then platted lots developed with single-family residences in the Residential (RS-1) zoning district. A 160 foot wide native vegetation preserve and the 100 foot wide canal will buffer the development from the single family residences. Directly west of the subject property is Beth Stacey Boulevard and then Residential Multiple-family (RM-2) zoned properties. These properties are developed with Stone Edge Condominiums, Comelot Gardens Condominiums, and Glendale Village (four-plex buildings). The property to the south is zoned Mixed Use Planned Development (MPD) and is a development know as Copperhead Golf Course (f.k.a. Classic Hills). This development was approved for a golf course, 100,000 square feet of commercial uses, and single-

APR 28 2004

family, duplex, two-family, and multi-family dwelling units. The master concept plan for the MPD approved commercial, golf course, multi-family, and a right-of-way in the area that abuts the subject property. Therefore, the proposed development will be compatible with the existing and proposed land uses in the surrounding area and is consistent with the above objectives and policies of the Lee Plan.

GOAL 4: DEVELOPMENT DESIGN – GENERAL.

OBJECTIVE 4.1: Maintain the current planned development rezoning process which combines site planning flexibility with rigorous review.

POLICY 4.1.1: Development designs shall be evaluated to ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site, and that the placement of uses or structures within the development minimizes the expansion and construction of street and utility improvements.

POLICY 4.1.2: Development designs will be evaluated to ensure that the internal street system is designed for the efficient and safe flow of vehicles and pedestrians without having a disruptive effect on the activities and functions contained within or adjacent to the development.

A Residential Planned Development zoning district is being requested for this development. The layout of the development has been designed to enhance the development and provide open space and buffers. The street system is designed to provide efficient and safe flow of vehicles and pedestrians within the development. The street intersections meet the connection separation requirements for local roads and the design of the streets provides ample sight visibility triangles at all of the intersections. The development will have sidewalks to provide safe walkways for pedestrians within the development.

GOAL 5: RESIDENTIAL LAND USES.

OBJECTIVE 5.1: To provide sufficient land in appropriate locations on the Future Land Use Map to accommodate the projected population of Lee County in the year 2020 in attractive and safe neighborhoods with a variety of price ranges and housing types. (Amended by Ordinance No. 94-30).

POLICY 5.1.1: The requested rezoning does not meet the thresholds of a Development of County Impact, however, the Residential Planned Development zoning district is being requested.

POLICY 5.1.2: There are no physical constraints or hazards that exist on the property and the density and design do not have to be adjusted accordingly.

POLICY 5.1.3: The development is at the low end of the allowable density for

the Central Urban land use category. However, site is located approximately 1 mile south of the intersection of Beth Stacey Boulevard and Homestead Road. Homestead Road is the commercial core of Lehigh Acres. Directly to the east on Homestead you will find grocery centers, shopping centers, restaurants, gas stations, medical offices, sheriff's office, etc. with a fire station To the west on Homestead Road leads you directly to Lee Boulevard, the main arterial into Lehigh which also contains shopping, restaurants, medical offices, etc. The hospital (Lehigh Regional Medical Center) is located on Lee Boulevard approximately 1.5 mile driving distance from the site. The Lehigh Community Park and pool is located approximately 1.85 miles from the site and Veterans Park is located approximately 2.59 miles from the site.

POLICY 5.1.4: The property is not in the Airport Noise Zone 3.

POLICY 5.1.5: The design of the development and the 160 foot wide native vegetation preserve and the 100 foot wide canal will negate any negative impacts to the RS-1 zoned property to the east.

POLICY 5.1.6: The development is at the low end of the allowable density for the Central Urban land use category. However, open space, buffering and recreation areas are proposed in the development.

POLICY 5.1.7: Community facilities will be easily accessible via internal sidewalks.

GOAL 11: WATER, SEWER, TRAFFIC AND ENVIRONMENTAL REVIEW:

STANDARD 11.1: WATER:

The development shall connect to an existing public water system provided by Florida Governmental Utility Authority.

STANDARD 11.2: SEWER:

The development shall connect to an existing sanitary sewer system provided by Florida Governmental Utility Authority.

STANDARD 11.3: TRAFFIC:

This development will not have a detrimental impact on the surrounding roadway system. The existing roadway system can accommodate the additional new vehicle trips the development is anticipated to generate. All roadway links are shown to operate at acceptable Level of Service conditions when the development traffic is added to the surrounding roadway network. Therefore, no roadway improvements are required off-site as a result of the proposed development. However, site-specific turn lane improvements will be required on Beth Stacey Boulevard which will be addressed at time of local development order.

STANDARD 11.4: ENVIRONMENTAL REVIEW FACTORS:

APR 28 2004

There is no known aquatic or wetland dependent listed wildlife species utilizing the site. The proposed system is not expected to result in a violation of state water quality standards or significant adverse impact to function of wetlands. There are no known historical or archaeological resources in the project area.

GOAL 24: DEVELOPMENT REGULATIONS:

POLICY 24.1.1: New development must:

- Have adequate on-site parking.
- Have access to the existing or planned public road system except where other public policy would prevent such access.

The proposed development will establish on-site parking for the residential uses in accordance with the Lee County Land Development Code. This development has an access point onto an existing arterial right-of-way (Beth Stacey Boulevard).

GOAL 41: PROTECTION OF WATER RESOURCES: To protect the county's water resources through the application of innovative and sound methods of surface water management and by ensuring that the public and private construction, operation, and maintenance of surface water management systems are consistent with the need to protect receiving waters.

POLICY 41.2.3: Outside the future urban where traditional drainage structures exist (ditches, canals, dikes, etc.), the county may permit their continued existence and maintenance, but will discourage their expansion or extension. (Amended by Ordinance No. 00-22)

OBJECTIVE 41.3: GENERAL SURFACE WATER MANAGEMENT STANDARDS. Lee County shall continue to provide sufficient performance and/or design standards for development protective of the function of natural drainage systems.

POLICY 41.3.6: Development shall have and maintain an adequate surface water management system, provision for acceptable programs for operation and maintenance, and post-development runoff conditions which reflect the natural surface water flow in terms of rate, direction, quality, hydroperiod, and drainage basin. Detailed regulations shall continue to be integrated with other county development regulations.

POLICY 41.3.11: Runoff shall be routed through retention or detention areas and vegetated swales in order to reduce flow velocity, allow for percolation, and trap and remove suspended solids and pollutants.

The storm water system will be designed to be in accordance with SFWMD requirements. A storm water management system will be provided for the adequate control of storm water runoff that originates within the development. The storm water management system will be designed in accordance with South Florida Water Management District (SFWMD) requirements and will provide for the

APR 28 2004

DCI2004-00028

attenuation/retention of storm water from the site. Issuance of a SFWMD permit shall be deemed to be in compliance with Chapter 10 of the LDC and review of the project shall be limited to external impacts and wet season water table elevation. For purposes of storm water management calculations, the assumed water table will be established by an engineer in accordance with sound engineering practice. The storm water management system will be reviewed for compliance with Chapter 10 of the LDC through the development order process.

The storm water management system will be maintained through a covenant which runs with the land in the form of, but not limited to, deed restrictions, a homeowners' or condominium association, or such other legal mechanisms that will assure the beneficiaries of the storm water management system that the drainage will be continually maintained. Regardless of the method chosen to provide for the continual maintenance of the storm water management system, the beneficiaries shall be provided with a legal right to enforce the assurance that the drainage will be continually maintained. The legal documents which provide for the continual maintenance of the storm water management system shall be accepted only after they are received and approved by the county attorney's office for compliance with the Land Development Code which will be handled through the development order process.

GOAL 52: DEVELOPMENT REQUIREMENTS. To require new development to provide adequate open space for their future residents.

OBJECTIVE 52.1: Development regulations shall continue to require that new developments provide sufficient open space to meet the needs of their residents.

The development will have a minimum open space of 40 percent which complies with the open space requirements of the Land Development Code that best meets the open space requirements of the residents. The development is surrounded on three sides with a native vegetation preserve with open space provided along Beth Stacey Boulevard and provided internally in the development.

S:\JOBS\18XX\1830\Documents\Zoning\1830-Narrative-LeePlan.doc

RECEIVED
MAR 26 2004
DEVELOPMENT SERVICES

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

Writer's Direct Dial Number: 479-8585

October 13, 2004

Mr. Jon Hagan
Banks Engineering, Inc.
10511 Six Mile Cypress Parkway, Ste. 101
Fort Myers, FL 33912

Re: Agenda Schedule for Vistanna RPD
Case No. DCI2004-00028

Dear Mr. Hagan:

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: November 1, 2004, Meeting commences at 9:30 a.m.

LOCATION: Commissioners' Meeting Room
2120 Main Street
Ft. Myers, Florida

Call if you have any questions.

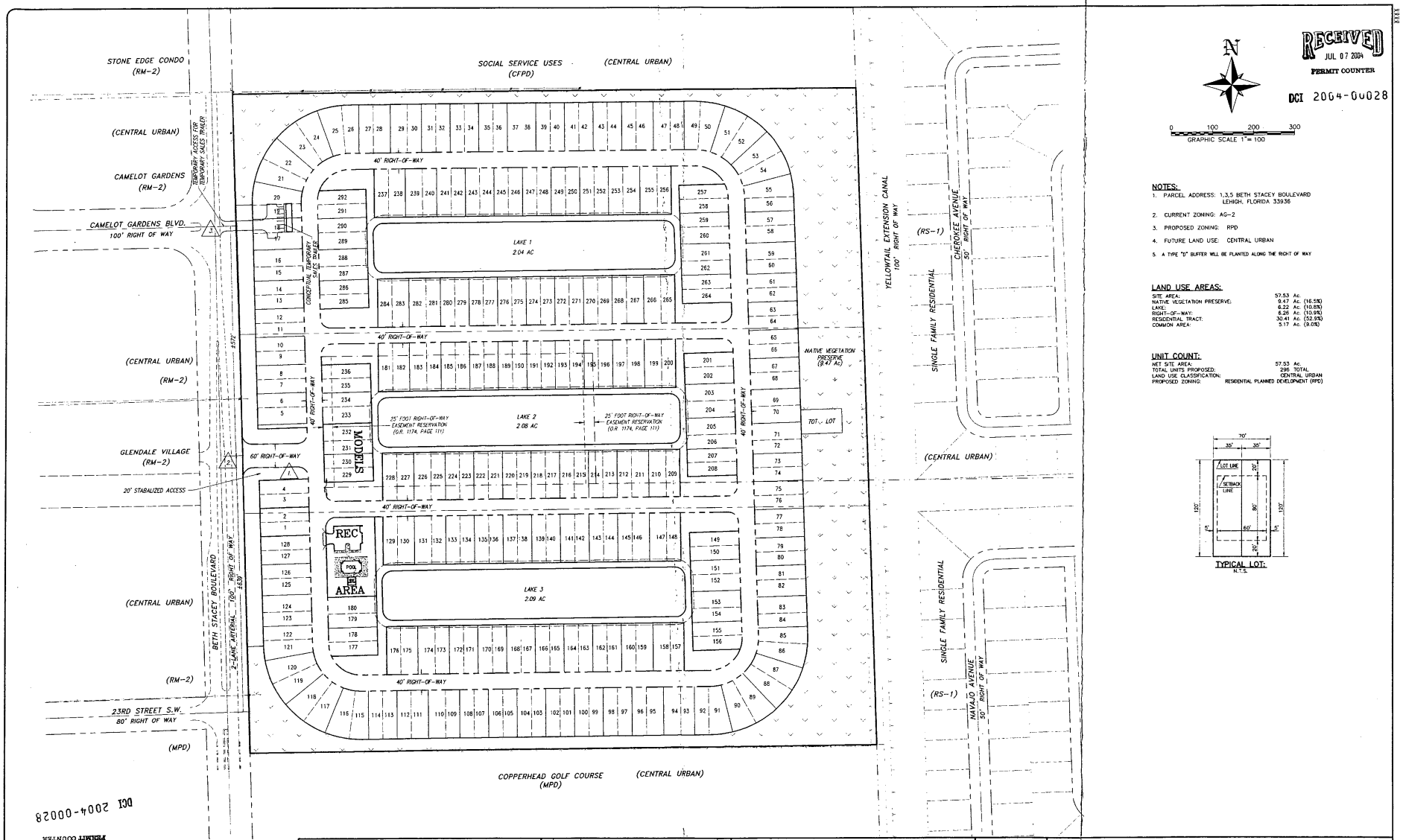
DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Jessica M Smith

Jessica M. Smith
Administrative Assistant

cc: KB Homes
Kim Venditto
Gloria McEwan
Sharon McGonnell
Dawn McGuire
James McGonnell
Todd McGonnell
Gabriel Curtis
Kris Irey
Diana McGonnell
Brian McGonnell
Mr. Ken Passarella Passarella and Associates, Inc.
Mr. Ted Treesh Metro Transportation Group
Tony Palermo, Senior Planner
Zoning File

U:\200410\DCI20040.002\8\BCC APPLICANT LETTER.WPD



RECEIVED
JUL 07 2004
PERMIT COUNTER
DCI 2004-00028

NOTES:
1. PARCEL ADDRESS: 1,3,5 BETH STACEY BOULEVARD LEHIGH, FLORIDA 33936
2. CURRENT ZONING: AG-2
3. PROPOSED ZONING: RPD
4. FUTURE LAND USE: CENTRAL URBAN
5. A TYPE "D" BUFFER WILL BE PLANTED ALONG THE RIGHT OF WAY

LAND USE AREAS:

SITE AREA:	57.53 Ac.
NATIVE VEGETATION PRESERVE:	9.47 Ac. (16.5%)
LAKE:	6.22 Ac. (10.8%)
RIGHT-OF-WAY:	6.26 Ac. (10.9%)
RESIDENTIAL TRACT:	30.41 Ac. (52.9%)
COMMON AREA:	5.17 Ac. (9.0%)

UNIT COUNT:

NET SITE AREA:	57.53 Ac.
TOTAL UNITS PROPOSED:	296 TOTAL
LAND USE CLASSIFICATION:	CENTRAL URBAN
PROPOSED ZONING:	RESIDENTIAL PLANNED DEVELOPMENT (RPD)

TYPICAL LOT
N.T.S.

PREPARED FOR:
KB HOME
12555 NEW BRITTANY BOULEVARD, SUITE 28
FORT MYERS, FLORIDA 33907
PH: (239)-274-5664

NO.	DATE	REVISION DESCRIPTION	BY

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ◆ NAPLES ◆ SARASOTA
10511 SIX MILE CYPRESS PARKWAY - SUITE 101
FORT MYERS, FLORIDA 33912
PHONE: (239) 939-5490 FAX: (239) 939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690

MASTER CONCEPT PLAN
VISTANA
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
04-28-04	1830	MCP	SEH	DGP	JGH	1"=100' SEH	1	1	

DCI 2004-00028
PERMIT COUNTER
RECEIVED JUL 07 2004

MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY

LEE COUNTY
RECEIVED
2004 OCT 25 AM 9:05
DEV/
PUBLIC WKS. CNTR.
FLOOR

DATE: October 22, 2004

TO: Jamie Princing
Community Development - ISA

FROM: Maria M. Encarnacion
Legal Administrative Secretary

RE: **Vistanna RPD**
Zoning Case #DCI2004-00028
Resolution No. Z-04-062

Attached hereto please find a legal verification letter in connection with the above matter. Please place this letter in the appropriate file.

Thank you.

/mme
Attachment

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
10511-101 Six Mile Cypress Parkway
Fort Myers, Florida 33912
(239) 939-5490
Fax (239) 939-2523

Please Reply To:
FORT MYERS OFFICE

October 18, 2004

Mr. John Fredyma
Assistant County Attorney
P.O. Box 398
Fort Myers, FL 33902-0398

RE: DCI2004-00028
Vistanna RPD
Resolution No. Z-04-062

Dear Mr. Fredyma,

This letter is in response to your October 14, 2004 letter regarding the legal description and sketch for the above case. After a review of the legal description sketch that was attached to the draft zoning resolution that you provided, it has been determined that the legal description and sketch are correct. Therefore, this legal description and sketch does accurately represent the property intended to be rezoned. Please feel free to contact me if you have any questions.

Sincerely,
Banks Engineering, Inc.

Jon G. Hagan
Director of Planning

cc: Mr. Charles J. Basinait, Esquire, Henderson, Franklin, Starnes & Holt, P.A.
Mr. Tony Palermo, Senior Planner, Lee County Division of Zoning

S:\Jobs\18XX\1830\Documents\Zoning\1830-LCZ-Legal Confirmation.doc

RECEIVED BY
LEE CO. ATTORNEY
2004 OCT 22 AM 8:11

Naples Office
6640 Willow Park Dr.
Suite B
Naples, Florida
34109
(239) 597-2061
Fax (239) 597-3082

Sarasota Office
1144 Tallevast Road
Suite # 115
Sarasota, Florida
34243
(941) 360-1618
Fax (941) 360-6918

Holmes Beach Office
5350 Gulf Drive
Holmes Beach, Florida
34217
(941) 778-6503
Fax (941) 778-8497

Port Charlotte Office
12653 SW CR 769
Suite B
Lake Suzy, Florida
34269
(941) 625-1165
Fax (941) 625-1149

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
10511-101 Six Mile Cypress Parkway
Fort Myers, Florida 33912
(239) 939-5490
Fax (239) 939-2523

Please Reply To:
FORT MYERS OFFICE

April 28, 2004

Ms. Pam Houck
Lee County Development Services
1500 Monroe Street
Fort Myers, FL 33901

Reference: Vistanna
RPD Rezoning

Dear Ms. Houck:

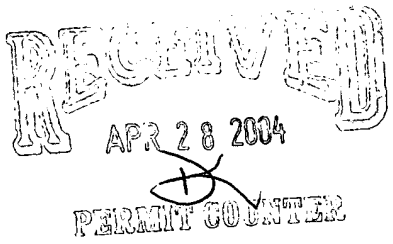
Attached please find the required documents and plans for a rezoning application for the above referenced project. The project is currently zoned AG-2 and we are requesting a zoning of RPD.

Should you have any questions or require any additional information for the above referenced project, please feel free to contact me at 939-5490.

Sincerely,
Banks Engineering, Inc.

Jon Hagan
Director of Planning

Encls.



S:\JOBS\18XX\1830\Documents\Zoning\1830-Submittalcoverletter.doc

Naples Office	Sarasota Office	Holmes Beach Office	Port Charlotte Office
6640 Willow Park Dr.	1144 Tallevast Road	5350 Gulf Drive	12653 SW CR 769
Suite B	Suite # 115	Holmes Beach, Florida	Suite B
Naples, Florida	Sarasota, Florida	34217	Lake Suzy, Florida
34109	34243	(941) 778-6503	34269
(239) 597-2061	(941) 360-1618	Fax (941) 778-8497	(941) 625-1165
Fax (239) 597-3082	Fax (941) 360-6918		Fax (941) 625-1149

DCI2004-00028

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA
HOLMES BEACH ♦ PORT CHARLOTTE

APR 23 2004

EXHIBIT 6-H

Compliance with the Land Development Code:

The proposed development will comply with the General Design Standards set forth in Section 34-411 of the Lee County Land Development code as follows:

a) The requested planned development is consistent with the provisions of the Lee Plan (see EXHIBIT 6-G).

b) The requested planned development will be designed and constructed in accordance with all applicable County development regulations together with approved deviations.

c) The requested planned development is compatible with adjacent uses and therefore will not negatively impact surrounding properties and the general public interest. The subject property is of adequate size to accommodate the proposed structures and all required open space.

d) The requested planned development will have access to an arterial right-of-way (Beth Stacey Boulevard) which is a county maintained right-of-way. These roadways have sufficient capacity to handle the traffic generated by the proposed land use as well as the traffic generated by existing land uses. No site related industrial traffic will be moved through residential areas.

e) The development is not within the Lee Tran public transit service area and there is not a bus stop within one-fourth mile of the vehicular entrance to the property.

f) The requested planned development will not create hazards to persons or property, whether on or off the site, by increasing the probability or degree of flood, erosion or any other danger, nor shall it impose a nuisance on surrounding land uses or the public's interest generally through emissions of noise, glare, dust, odor, air or water pollution.

g) The subject property does not contain any known archaeological features.

h) The requested planned development will utilize the onsite lake system and open space areas to produce an architecturally integrated human environment.

DCI2004-00028

i) The site plan and design along with the lakes, open space, and native vegetation preserve will minimize any negative impact of the planned development on surrounding land and land uses.

j) This development will be integrated with the surrounding development because it will contain two-family attached dwelling units and is surrounded by commercial and residential uses.

k) The requested planned development will be compatible with the surrounding development. The project will be separate and mutually protected by the lakes, roadways and buffers from the different land uses.

l) The design of the development will promote pedestrian activity and community interaction.

m) There will not be any conflicting uses within the planned development.

n) This development will consist of two-family attached dwelling units and will be compatible with the surrounding uses.

o) Sufficient parking will be provided in compliance with Land Development Code Section 34-2020(1)a.

p) Joint parking will not be necessary in this development.

q) Internal consistency within the requested planned development will be encouraged.

S:\JOBS\18XX\1830\Documents\Zoning\1830-LDC Compliance.doc

APR 26 2004

DCI2004-00028

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA
HOLMES BEACH ♦ PORT CHARLOTTE

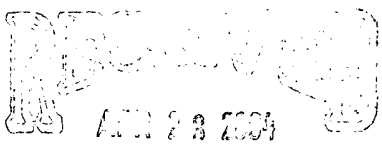
EXHIBIT 6-M

Schedule of Uses

Accessory Uses and Structures
Administrative Offices
Clubs – Private
Dwelling Unit – Two-family attached
Entrance Gate and Gatehouses
Essential Services
Essential Service Facilities – Group I and Group II
Excavation – Water Retention
Fences, Walls
Home Occupation, with no outside help
Models:
- Model Home
- Display Center
- Model Unit

Parking Lot – Accessory
Real Estate Sales Office (Temporary)
Recreation Facilities – Private on-site
Signs in accordance with Chapter 30
Temporary Uses

S:\JOBS\18XX\1830\Documents\Zoning\1830 - Schedule of Uses.doc



10511 Six Mile Cypress Parkway, Suite 101, Fort Myers, Florida 33912 • (239)939-5490 • Fax (239)939-2523

DCI2004-00028

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA
HOLMES BEACH ♦ PORT CHARLOTTE

EXHIBIT 6-N

Deviations and Justifications

1. Deviation from Land Development Code Section 10-291(3) which requires residential development of more than five acres to provide more than one means of ingress or egress to allow a twenty-foot stabilized access for the second means of ingress or egress.

   Due to the design of the subdivision and the property only having frontage on one right-of-way, only one entrance to the subdivision was obtainable. Since Beth Stacy Boulevard is an arterial right-of-way we felt that only one entrance would provide better traffic flow and limit the access points onto the arterial right-of-way. Due to the location of existing drives in the vicinity of the property and the design of the subdivision, a second means of ingress or egress could not be provided and still meet the 660-foot connection separation requirement. To provide a second entrance that would be aligned with an existing access point across the street would cause unsafe conditions on the internal rights-of-ways internal to the development.

2. Deviation from Land Development Code Section 10-285(a) which requires a connection separation of 660 feet for a arterial road to allow for a connection separation of 639 feet ± for an arterial road.

3. Deviation from Land Development Code Section 10-285(a) which requires a connection separation of 660 feet for a arterial road to allow for a connection separation of 572 feet ± for an arterial road.

   These deviations are necessary due to the location of existing access points along Beth Stacey Boulevard. The connection separation of 660 feet cannot be met regardless of where the entrance to this subdivision is located. The location of the access points to this development are aligned with existing access points across the street. Deviation 3 is for a temporary access point for the sales center and will be eliminated once the main entrance and model homes are constructed.

RECEIVED
APR 23 2004

10511 Six Mile Cypress Parkway, Suite 101, Fort Myers, Florida 33912 • (239)939-5490 • Fax (239)939-2523

DCI2004-00028

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA
HOLMES BEACH ♦ PORT CHARLOTTE

EXHIBIT 6-O

Surface water management plan

The storm water system will be designed to be in accordance with SFWMD requirements. A storm water management system will be provided for the adequate control of storm water runoff that originates within the development. The storm water management system will be designed in accordance with South Florida Water Management District (SFWMD) requirements and will provide for the attenuation/retention of storm water from the site. Issuance of a SFWMD permit shall be deemed to be in compliance with Chapter 10 of the LDC and review of the project shall be limited to external impacts and wet season water table elevation. For purposes of storm water management calculations, the assumed water table will be established by an engineer in accordance with sound engineering practice. The storm water management system will be reviewed for compliance with Chapter 10 of the LDC through the development order process.

The storm water management system will be maintained through a covenant which runs with the land in the form of, but not limited to, deed restrictions, a homeowners' or condominium association, or such other legal mechanisms that will assure the beneficiaries of the storm water management system that the drainage will be continually maintained. Regardless of the method chosen to provide for the continual maintenance of the storm water management system, the beneficiaries shall be provided with a legal right to enforce the assurance that the drainage will be continually maintained. The legal documents which provide for the continual maintenance of the storm water management system shall be accepted only after they are received and approved by the county attorney's office for compliance with the Land Development Code which will be handled through the development order process.

APR 28 2004

10511 Six Mile Cypress Parkway, Suite 101, Fort Myers, Florida 33912 • (239)939-5490 • Fax (239)939-2523

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA
HOLMES BEACH ♦ PORT CHARLOTTE

Property Development Regulations

Two-family attached:

Lot Width	35 feet
Lot Depth	120 feet
Lot Area	4,200 square feet
Maximum Height	35 feet
Maximum lot coverage	60%
Street Setbacks:	
Public	25 feet
Private	20 feet
Side Setback	0*/5 feet
Rear Setback	20 feet
Waterbody Setback	25 feet

* No side setback is required from common lot line for two-family attached.

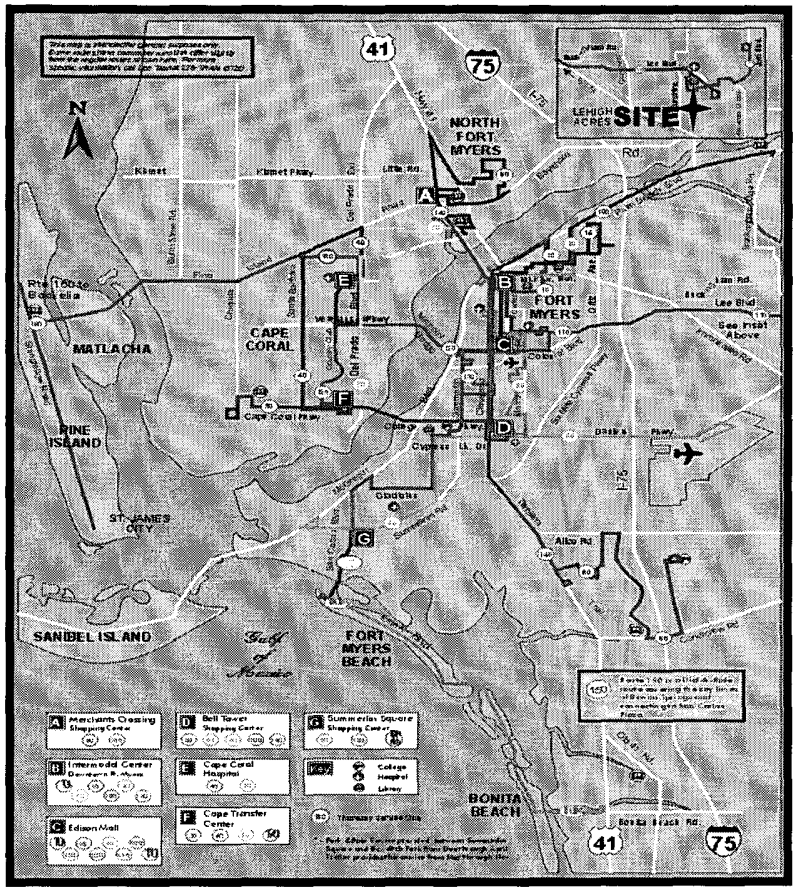
S:\JOBS\18XX\1830\Documents\Zoning\1830 - Property Development Regulations.doc

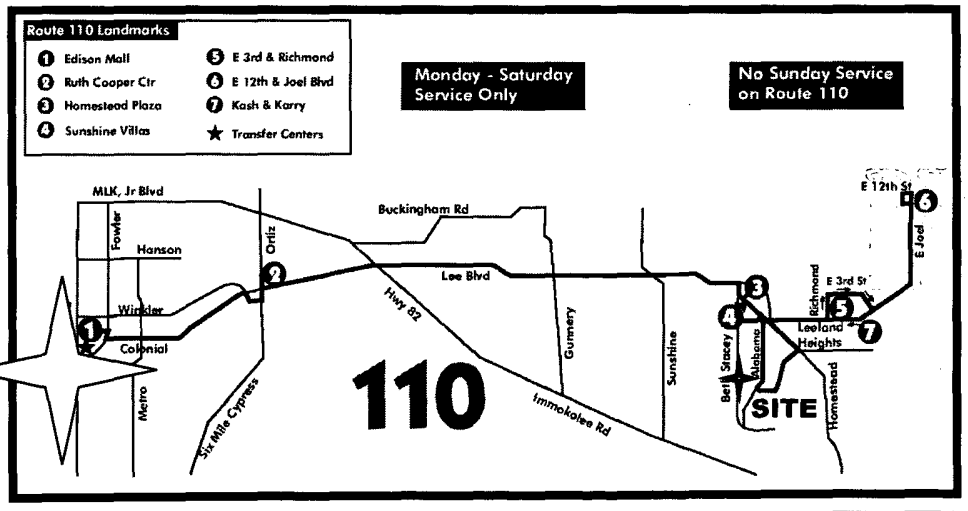
DCI2004-00028

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA
HOLMES BEACH ♦ PORT CHARLOTTE

Vistanna RPD
Site in Relation to Public Transit Routes





10511 Six Mile Cypress Parkway, Suite 101, Fort Myers, Florida 33912 • (239) 939-5490 • Fax (239) 939-2523

DCI2004-00028

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA
HOLMES BEACH ♦ PORT CHARLOTTE

Request:

This request is for a rezoning from Agricultural (AG-2) to Residential Planned Development (RPD) to allow a residential development on property located at 1, 3, and 5 Beth Stacy Boulevard in Lehigh Acres. The development will consist of two-family attached homes along with the necessary infrastructure to develop the site.

EXHIBIT PH-3.I

There are no agricultural uses on the subject property at this time.

EXHIBIT'S PH-3.L.2 & PH-3.L.3

There are no deed restrictions/covenants on the subject property at this time and therefore have no effect on the property.

EXHIBIT PH-4.B

Blasting is not proposed on the site and is not listed in the schedule of uses.

10511 Six Mile Cypress Parkway, Suite 101, Fort Myers, Florida 33912 • (239)939-5490 • Fax (239)939-2523

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
Alaina Ray, Environmental Sciences
Andy Getch, Lee County DOT
Kathy Babcock, Lee County School District
Luis Muchado, Zoning

FROM: Tony Palermo

DATE: 07/07/2004

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: VISTANNA RPD

CASE #: DCI2004-00028

INFORMATION SUMMARY:

RESUBMITTAL

To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 07/21/2004

Additional Comments:

2nd round sufficiency comments

(DCI) Lee County LDC Section 34-373(d)(1).
Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Jamie Princing

Date: 07/07/2004

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
10511-101 Six Mile Cypress Parkway
Fort Myers, Florida 33912
(239) 939-5490
Fax (239) 939-2523

RECEIVED
JUL 07 2004
COMMUNITY DEVELOPMENT

Please Reply To:
FORT MYERS OFFICE

LETTER OF TRANSMITTAL

DATE: July 6, 2004

TO: Tony Palermo, Senior Planner
Division of Zoning

PHONE:
FAX:

REFERENCE: DCI2003-00028 - Vistanna

JOB NO. 1830

COPIES	DESCRIPTION
12	Cover letter, revised Page 5 of the application, and revised schedule of uses
12	24" x 36" Master Concept Plan
12	11" x 17" Master Concept Plan

REASON:
- ☐ Your Comments
- ☐ Your Approval
- ☐ Your Information
- ☐ As Per Your Request
- ☐ Your Review

VIA:
- ☐ Fax: _____ Pages Total
- ☐ Regular Mail
- X Courier
- ☐ Overnight Express
- ☐ Pick-up

COMMENTS:

Jon Hagan
Director of Planning

DCI 2004-00028

Naples Office
6640 Willow Park Dr.
Suite B
Naples, Florida
34109
(239) 597-2061
Fax (239) 597-3082

Sarasota Office
1144 Tallevast Road
Suite # 115
Sarasota, Florida
34243
(941) 360-1618
Fax (941) 360-6918

Holmes Beach Office
5350 Gulf Drive
Holmes Beach, Florida
34217
(941) 778-6503
Fax (941) 778-8497

Port Charlotte Office
12653 SW CR 769
Suite B
Lake Suzy, Florida
34269
(941) 625-1165
Fax (941) 625-1149

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
10511-101 Six Mile Cypress Parkway
Fort Myers, Florida 33912
(239) 939-5490
Fax (239) 939-2523

DCI 2004-00028

Please Reply To:
FORT MYERS OFFICE

July 5, 2004

Mr. Tony Palermo, Senior Planner
Division of Zoning
1500 Monroe Street
Fort Myers, FL 33901

RECEIVED
JUL 07 2004
PERMIT COUNTER

RE: Vistanna RPD
DCI2004-00028

Dear Mr. Palermo,

In response to your letter dated May 17, 2003 for the above referenced project, I offer the following response:

Environmental Sciences

1a) Please find attached a clear aerial.
2) Acknowledged.
3) Acknowledged.
4) LDC 34-414 refers to the open space requirements in Chapter 10 of the LDC. The open space table in Chapter 10-415 indicates that no open space is required for two-family attached dwelling units on individual lots with minimum lot sizes of 3,750 square feet. This development will consist of two-family attached dwelling units on lot sizes of 4,200 square feet. We would like to set up a meeting to go over the open space that we are providing although it is not required.
8) We would like to schedule a meeting to discuss the native indigenous open space requirements.
12) The "Optional Recreation Area" is going to be a tot lot and this has been changed on the MCP. This area will be used for passive recreation only and no structures are proposed in this area.

Page 5 of 12 of the application has been revised.

Legal Requirements

1a1) & 1a2)

Naples Office	Sarasota Office	Holmes Beach Office	Port Charlotte Office
6640 Willow Park Dr. Suite B Naples, Florida 34109 (239) 597-2061 Fax (239) 597-3082	1144 Tallevast Road Suite # 115 Sarasota, Florida 34243 (941) 360-1618 Fax (941) 360-6918	5350 Gulf Drive Holmes Beach, Florida 34217 (941) 778-6503 Fax (941) 778-8497	12653 SW CR 769 Suite B Lake Suzy, Florida 34269 (941) 625-1165 Fax (941) 625-1149

James R. McGonnell, III has power of attorney to represent the property owners who own the property. A disclosure from was filled out and signed by the property owners representative. Additionally, a letter of authorization was filled out by James R. McGonnell, III which authorized Banks Engineering, Inc. to seek the zoning change approval from Lee County.

6c3) Please see the revised survey with state plan coordinates.

7) The easements have been shown on the MCP.

Lee County Sufficiency Checklist

11a) 11" x 17" copies of the revised master concept plan have been provided with this submittal.

12a) The 25-foot right-of-way easement has been shown on the master concept plan.

12d4) The size of the building in the recreation area will be less than 2,000 square feet and will be less than 35 feet high. This area will contain a pool, bath house, and parking lot and will only be used by the residents of this development.

12e) See response to 12d4

12e1) The parking lot for the recreation area is shown on the master concept plan.

21) Miscellaneous Items

1. The temporary sales trailer will be used until the models are constructed. This sales trailer will be less than 3,000 square feet.
2. This use was proposed for the pool house building at the recreation area and pool. This building will be used solely for the residents of this development. There will only be one bath house at the pool area and will contain restrooms.
3. The only dwelling unit type that we want to include is two-family attached.
4. We included Real Estate Sales Office (temporary) in the schedule of uses for the sales trailer that will be used until the models are open. We have also included Temporary Uses to cover this as well. I have also included Temporary Sales Center in the schedule of uses.
5. Please find attached the revised property development regulations that include setbacks for accessory structures.
6. Acknowledged.
7. There will be four model units.
8. Please find the lake details on the revised master concept plan.
9. The master concept plan has been revised.
10. See response to 12d4. The optional recreation area has been changed to a Tot Lot. There will not be any buildings or structures in this area. This area will consist of playground equipment (swing set, etc.).
11. The open space calculations have been provided on the revised master concept plan.
12. This detail has been corrected.
13. All easements are shown on the revised master concept plan.
14. It is unclear when the barbed wire fence was placed on the property. There are not any agricultural uses currently on the property.

RECEIVED
JUL 07 2004
PERMIT COUNTER

15. The master concept plan has been revised.
16. The gray areas are open space.
17. The master concept plan has been revised.
18. The master concept plan has been revised.
19. The master concept plan has been revised.
20. Please see the revised property development regulations.
21. The master concept plan has been revised.
22. The master concept plan has been revised.
23. The master concept plan has been revised.
24. The master concept plan has been revised.
25. The proposed wording is adequate.
26. A deviation is being requested for the two or more means of ingress/egress. A stabilized access point is being provided adjacent to the main entrance.
27. A gate and gatehouse is not proposed at this time. If one is ever constructed it will meet the requirements of LDC 34-1748.

Development Review Checklist

1. The lake shorelines will be sinous at time of local development order.
2. The intersection separation deviations are withdrawn since the access points align with the development across the street.
3. A stabilized access point is being provided adjacent to the main entrance.

Please review the attached information for approval. Should you have any questions or require additional information, please feel free to contact me at 939-5490.

Sincerely,
Banks Engineering, Inc.

Jon G. Hagan
Director of Planning

RECEIVED
JUL 07 2004
PERMIT COUNTER

DCI 2004-00028

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

1. Width (average if irregular parcel): **1,646±** Feet
2. Depth (average if irregular parcel): **1,527±** Feet
3. Total area: **57.53±** Acres or square feet
4. Frontage on road or street: **1,646±** Feet on **Beth Stacey Blvd.** Street

   2nd Frontage on road or street: **N/A** Feet on _____ Street

PART 4
ACTION REQUESTED

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

N/A **Special Exception** for _____ **Attached is Supplement A**

N/A **Variance** for _____ **Attached is Supplement B**

N/A **Conventional Rezoning from:** _____ **to** _____ **Attached is Sup. C**

✓ **Planned Development rezoning** from **AG-2** **to** **RPD**

- **N/A** DCI - Major: **Attached is Supplement D**
- ✓ DCI - Minor: **Attached is Supplement D**
- **N/A** Request is for PRFPD zoning in the Private Recreational Facilities Overlay Area. **Attached is Supplement D**

N/A **Planned Development Amendment. Attached is the Supplement D**

N/A **Public Hearing for DRI**

- **N/A** No rezoning is required.
- **N/A** Rezoning is required. **Attached is the Supplement D**

RECEIVED
JUL 07 2004
PERMIT COUNTER

B. Excavations:

✓ No blasting will be used in the excavation of lakes or other site elements.

N/A A map indicating the general location of the proposed blasting locations is attached as **Exhibit PH-4.B** [34-202(b)(6)]

C. Bonus Density (put NA if not applicable)

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

D. Hazardous materials (put NA if not applicable)

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

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

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

F. Aviation Hazard (put NA if not applicable)

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

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA
HOLMES BEACH ♦ PORT CHARLOTTE

EXHIBIT 6-M

Schedule of Uses

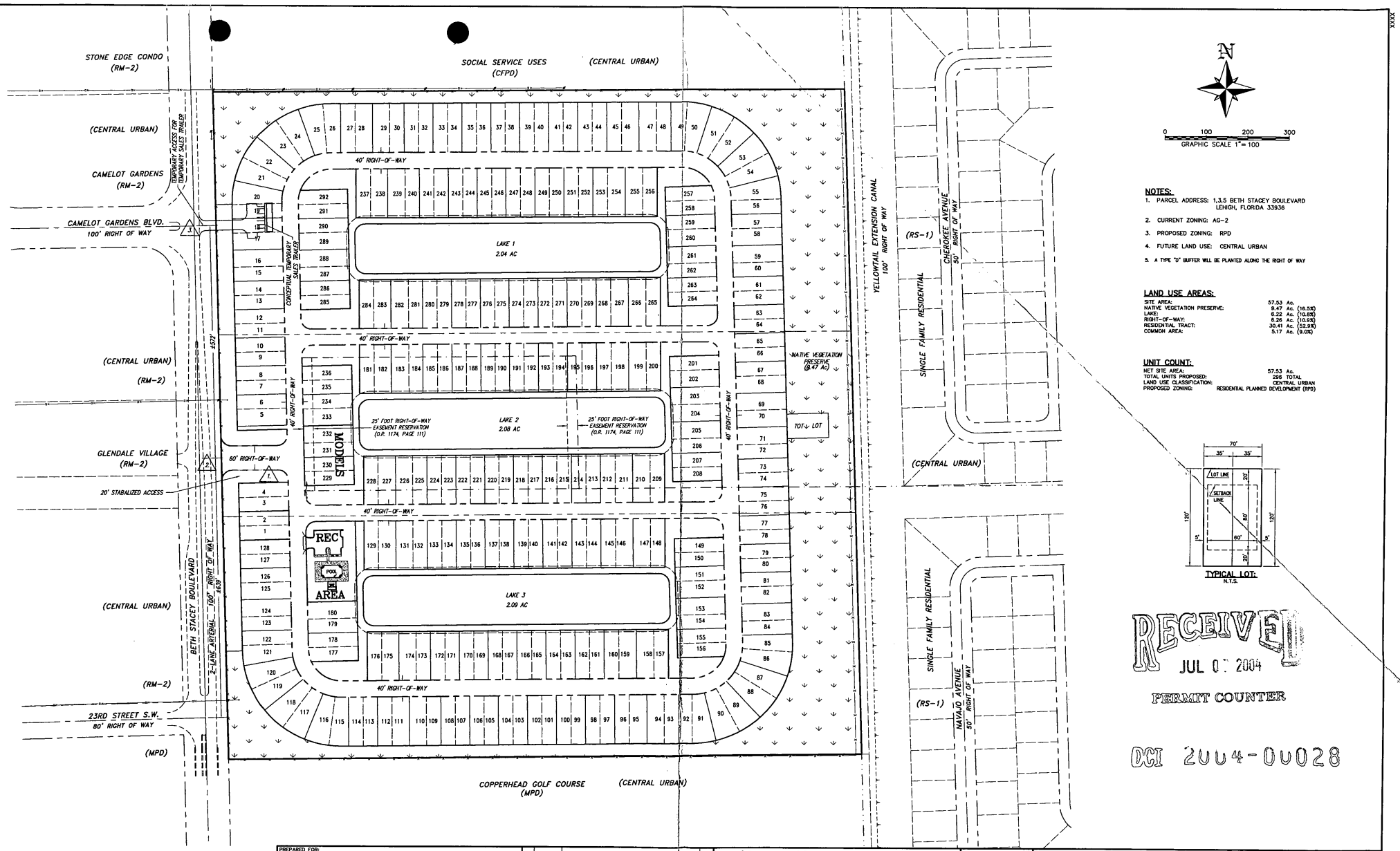
Accessory Uses and Structures
Administrative Offices
Clubs – Private
Dwelling Unit – Two-family attached
Entrance Gate and Gatehouses
Essential Services
Essential Service Facilities – Group I and Group II
Excavation – Water Retention
Fences, Walls
Home Occupation, with no outside help
Models:
- Model Home
- Display Center
- Model Unit

Parking Lot – Accessory
Real Estate Sales Office (Temporary)
Recreation Facilities – Private on-site
Signs in accordance with Chapter 30
Temporary Uses

RECEIVED
JUL 07 2004
PERMIT COUNTER

S:\JOBS\18XX\1830\Documents\Zoning\1830 - Schedule of Uses.doc

DCI 2004-00028



NOTES:

1. PARCEL ADDRESS: 1,3,5 BETH STACEY BOULEVARD LEHIGH, FLORIDA 33936
2. CURRENT ZONING: AG-2
3. PROPOSED ZONING: RPD
4. FUTURE LAND USE: CENTRAL URBAN
5. A TYPE "D" BUFFER WILL BE PLANTED ALONG THE RIGHT OF WAY

LAND USE AREAS:

SITE AREA:	57.53 Ac.
NATIVE VEGETATION PRESERVE:	9.47 Ac. (16.5%)
LAKE:	6.22 Ac. (10.8%)
RIGHT-OF-WAY:	6.26 Ac. (10.9%)
RESIDENTIAL TRACT:	30.41 Ac. (52.9%)
COMMON AREA:	5.17 Ac. (9.0%)

UNIT COUNT:

NET SITE AREA:	57.53 Ac.
TOTAL UNITS PROPOSED:	298 TOTAL
LAND USE CLASSIFICATION:	CENTRAL URBAN
PROPOSED ZONING:	RESIDENTIAL PLANNED DEVELOPMENT (RPD)

RECEIVED
JUL 07 2004
PERMIT COUNTER
DCI 2004-00028

PREPARED FOR:

KB HOME
12535 NEW BRITTANY BOULEVARD, SUITE 28
FORT MYERS, FLORIDA 33907
PH: (239)-274-5664

NO.	DATE	REVISION DESCRIPTION	BY

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ◆ NAPLES ◆ SARASOTA
10511 SIX MILE CYPRESS PARKWAY - SUITE 101
FORT MYERS, FLORIDA 33912
PHONE: (239) 939-5490 FAX: (239) 939-2523
ENGINEERING LICENSE # EB 5469
SURVEY LICENSE # LB 5690

MASTER CONCEPT PLAN
VISTANA
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
04-28-04	1830	MCP	SEH	DGP	JGH	1"=100' SEH	1	1	

S:\Jobs\18XX\1830\Documents\Zoning\1830_M-cp.dwg, 7/6/2004 3:14:43 PM, Dan Post

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT
ZONING DIVISION

DATE: September 7, 2004

TO: File - DCI2004-00028

FROM: Jamie Princing
Secretary, Internal Services

RE: Notice of Public Hearing - **September 22, 2004 HEX**

I, Jamie Princing, 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: DCI2004-00028

CASE NAME: VISTANNA RPD

REQUEST: Request to rezone +/- 57.53 acres from Agricultural (AG-2) to Residential Planned Development (RPD) to permit a maximum of 296 dwelling units (two-family attached) with a maximum building height of 35 feet/3 stories. Development blasting is not being requested.

LOCATION: The subject property is located at 1,3, & 5 Beth Stacey Boulevard, in **S**06 (Section)-**T**45 (Township)**S-R**27 (Range)**E**, Lee County, Florida.

SIZE OF PROPERTY: 57.53 Acres ±

STAFF REPORT: Direct inquiries to Tony Palermo, Senior Planner, at 239-479-8325, at the Department of Community Development, 1500 Monroe St., Ft. Myers, FL 33901.

PROPERTY OWNER'S REPRESENTATIVE: JON HAGAN
BANKS ENGINEERING INC.,
239-939-5490

Notice is hereby given that the Lee County Hearing Examiner will hold a public hearing at 10:30 a.m on September 22, 2004, on the above case. The public hearing will be held in the Hearing Examiner's Meeting Room, 1500 Monroe St., Ft. Myers, FL 33901.

You must appear in person, or through counsel, or an authorized agent and provide testimony, legal argument or other evidence at the hearing to become a participant with the right to address the Board of County Commissioners.

After the Hearing Examiner has made a written recommendation, the case will be scheduled for a public hearing before the Board of County Commissioners who will review the recommendation and make a final decision.

If you do not appear before the Hearing Examiner, by law, you will not be allowed to appear before the Board of County Commissioners at the final hearing in this case.

Copies of the staff report will be available two weeks prior to the hearing. The file may be reviewed at the Development Services Division, 1500 Monroe St., Fort Myers, FL 33901. Call 239/479-8585 for additional information.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Jamie Princing at 239/479-8585.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Development Services Division

31-44-27-00-00001.0000
ROYSTON ROBERT D JR TR
12670 NEW BRITTANY BLVD #101
FT MYERS, FL 33907

31-44-27-00-00001.0020
PRESBYTERIAN HOMES OF
LEHIGH ACRES
P O BOX 356
LEHIGH ACRES, FL 33936

31-44-27-03-00005.0300
DAVEY CHARLES E
5 VINEYARD ST
LEHIGH ACRES, FL 33936

31-44-27-18-00000.00CE
SUNSET LAKE CONDO ASSOC INC
904 LEE BLVD
LEHIGH, FL 33936

31-44-27-18-00006.0031
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00006.0032
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00006.0033
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00006.0034
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00006.0035
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00006.0036
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00007.0037
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00007.0038
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00007.0039
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00007.0040
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00007.0041
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00007.0042
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-00-00001.0010
COMMUNITY HEALTH ASSOC INC
9 BETH STACEY BLVD STE 201
LEHIGH ACRES, FL 33936

06-45-27-00-01001.0040
NEVINS JOHN J
DIOCESE OF VENICE
PO BOX 2006
VENICE, FL 34284

06-45-27-00-01001.0050
COPPERHEAD DEVELOPMENT INC
21184 BRAXFIELD LOOP
ESTERO, FL 33928

06-45-27-01-00001.0120
SOTO ANDRES
1123 CHEROKEE AV
LEHIGH ACRES, FL 33936

DCI2004-00028

All data is current at time of printing and subject to change without notice.

06-45-27-01-00001.0130
GOHAGEN DELVE ANN +
504 GREENWOOD AV
LEHIGH ACRES, FL 33972

06-45-27-01-00001.0140
GARZA MARIA J +
1127 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0150
COLE MATTHEW J + JUDITH
1129 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0160
GUTIERREZ MIGUEL + MARGARITA
1131 CHEROKEE AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0170
BOOTH CHRISTINA +
1133 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0180
PRINCIPAL RESIDENTIAL
711 HIGH ST
DES MOINES, IA 50392

06-45-27-01-00001.0190
ESSERT RICHARD
702 JACKSON LN
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0200
HARMON DEBRA A
1139 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0210
ESSERT DANIEL LEE
514 FRANK JEWETT AV S
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0220
DANIELS GARY
1143 CHEROKEE AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0230
SHINGLER WENDELL L TR +
555 FOXCREEK DR
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0240
ANGLICKIS RICHARD A + RUTH A
113 GRANDVIEW DR
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0250
SHUTE STEVEN V
1149 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0260
EJ & ASSOCIATES PROPERTY
3804 12TH ST WEST
LEHIGH ACRES, FL 33971

06-45-27-01-00001.0270
ESSERT RICHARD E EST
~~702 JACKSON LN~~
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0280
SANTIAGO KIRK J
1155 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0290
ESPINOZA MANUEL
1157 CHEROKEE AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0300
WHEELER KATHLEEN E
1159 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0310
BERDNIK KARL J + MARY R
1161 CHEROKEE AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0070
GOSS RICK
1736 UNICE AV N
LEHIGH ACRES, FL 33971

All data is current at time of printing and subject to change without notice.

06-45-27-01-00003.0080
MARUCA NANCY
1124 CHEROKEE AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0090
WEBER ROBERT K +
6900-29 DANIELS PKWY
STE 121
FORT MYERS, FL 33912

06-45-27-01-00003.0100
FERGUSON VELMA L
323 INMAN ST
LEHIGH ACRES, FL 33972

06-45-27-01-00003.0110
SALINAS CARMEN +
1130 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0120
HELMLINGER HARRY E JR
1132 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0130
GOYER BEATRICE A L/E +
1134 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0140
MCGLYNN SCOTT P + LYNN
1136 CHEROKEE AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0150
HYMAN WILLIAM H
1138 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0160
REYNA VIRGILIO JR
1140 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0170
JENKINS MICHAEL T + VIRGINIA J
23620 TINA LN
FORT MYERS, FL 33913

06-45-27-01-00003.0180
MCDANIEL JACQUELINE + JORGE M
1144 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0190
STILES ROBERT C + LOIS E
1146 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0200
HAYCRAFT DONALD + SHANNON
51 ANDORA ST
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0210
MONTALVO ROGELIO + REMIGIA
49 ANDORA ST
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0220
GARCIA ISRAEL + MARIA M
47 ANDORA STREET
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0230
GOMEZ HECTOR + MARIA
108 RICHMOND AVE
NORTH FORT MYERS, FL 33936

06-45-27-01-00003.0240
LABOY ALBERTO
43 ANDORA ST
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0250
JOHNSON HERMAN K
41 ANDORA ST
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0260
PIERCE HENRY A SR + MARGARET M
39 ANDORA ST
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0270
ROSS RUTH G
37 ANDORA ST
LEHIGH ACRES, FL 33936

All data is current at time of printing and subject to change without notice.

06-45-27-01-00003.0280
MORAN DAVID J +
35 ANDORA ST
LEHIGH ACRES, FL 33936

06-45-27-01-00004.0140
ORTIZ NESTOR
40 ANDORA ST
LEHIGH ACRES, FL 33936

06-45-27-01-00004.0150
BLANDON MAGNOLIA +
38 ANDORA ST
LEHIGH ACRES, FL 33936

06-45-27-01-00004.0160
SHINGLER WENDELL L COTR +
555 FOXCREEK DR
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0070
RIVERA JAIME + SHEILA R
1156 NAVAJO AV
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0080
SHAVER LINDA JEAN
1154 NAVAJO AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0090
BROWN ROBERT NELSON + LILLA SB
1152 NAVAJO
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0100
FELICIANO WILLIE + MIGDALIA
1150 NAVAJO AV
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0110
PINTO IRIS
1148 NAVAJO AV
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0120
MADRID JON M
17456 SILVER FOX FR
FORT MYERS, FL 33970

06-45-27-01-00005.0130
BERNARD LOUIS L + JEANNE E
1144 NAVAJO AV
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0140
SHINGLER WENDELL + MARIAN COTR
555 FOXCREEK DR
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0150
VACA HECTOR
1140 NAVAJO AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0160
HINDS CYRIL
1138 NAVAJO AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0170
BRINK CAROL
1136 NAVAJO
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0180
ADORNO JOSE JR
1134 NAVAJO AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0190
MEZA JUAN M
1132 NAVAJO AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0200
BATEMAN WALLACE H
1130 NAVAJO AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0210
SEXTON DEBORAH
1128 NAVAJO AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0220
ESPINOSA LOURDES
1126 NAVAJO AV
LEHIGH ACRES, FL 33936

All data is current at time of printing and subject to change without notice.

06-45-27-01-00005.0230
PEREZ WILLIAM + DIGNA
1124 NAVAJO AV
LEHIGH ACRES, FL 33936

06-45-27-01-00008.0080
WILLIAMS ROGER I + LORRAINE A
35 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00008.0090
BROWN NAMOI
37 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00008.0100
WATSON APRIL D
39 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00008.0110
MALDONADO ARELL +
41 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00008.0120
CALDERON FERNANDO L + MARIA R
43 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00008.0130
MEISER ROBIN SMITH
45 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00008.0140
SMITH KATHLEEN
1141 NAVAJO AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0010
WRIGHT HORACE
323 EDWARD AVE
LEHIGH ACRES, FL 33972

06-45-27-01-00009.0020
PARRA ELIAZAR
46 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0030
ACEVEDO JOSE I
44 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0040
KERRN FRANKLYN D + PEGGY A
42 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0050
MORANT RAYMOND + LORNA M H/W
307 PROSPECT AVE
HACKENSACK, NJ 07061

06-45-27-01-00009.0060
ZAPATA RAFAEL
38 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0070
MARTINEZ EDWARDO
36 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0080
GONZALEZ JOSE M + MARTHA A
34 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0090
JONES DOROTHY M +
107 IDAHO RD SE
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0130
QUEBEC CARL D
1117 NAVAJO AV
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0140
LEE JEAN
1119 NAVAJO AV
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0150
MICHEL MARIE LOURDES
1121 NAVAJO AV
LEHIGH ACRES, FL 33936

All data is current at time of printing and subject to change without notice.

06-45-27-01-00009.0160
PERKINS KENNETH W + LOIS J
1123 NAVAJO AV
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0170
SAEZ GRACIELA +
1125 NAVAJO AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0180
PEREZ OLGA
936 CRANFORD AVE
NORTH WOODMERE, NY 11581

06-45-27-01-00009.0190
LOHNES JOANN
1129 NAVAJO AV
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0200
SANTANA MIRTHA
3003 AVE X APT 1-A
BROOKLYN, NY 11235

06-45-27-01-00009.0210
PEREZ WANDA
175 ARLINGTON PL
STATEN ISLAND, NY 10303

06-45-27-01-00009.0220
BURNAP JASON + KIRSTIN
1135 NAVAJO AV
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0230
VALENTIN ANTONIA
1137 NAVAJO AV
FT MYERS, FL 33936

06-45-27-04-00000.B000
SOUTHWEST FLORIDA HOUSING GWI
4940 BAY LINE DR
NORTH FT MYERS, FL 33917

06-45-27-04-00000.C000
THOFNER JEFFREY P TR
5458 N RIVERSHORE DR
TAMPA, FL 33603

06-45-27-08-00000.00CE
STONE EDGE CONDO
PO BOX 416
LEHIGH ACRES, FL 33970

06-45-27-08-0000A.1010
ROSS GERALDINE W
10 BETH STACEY BLVD #101A
LEHIGH ACRES, FL 33936

06-45-27-08-0000A.1020
HIRSCH MICHAEL M
10 BETH STACEY BLVD #102
LEHIGH ACRES, FL 33936

06-45-27-08-0000A.1030
GRAHAM NILS M + ELAINE
10 BETH STACEY BLVD #103
LEHIGH ACRES, FL 33936

06-45-27-08-0000A.2010
JENNINGS WILLIAM E + DIANA S
10 BETH STACEY BLVD #201A
LEHIGH ACRES, FL 33936

06-45-27-08-0000A.2020
RAHIM EUNICE
107256 FIGTREE CT
LEHIGH ACRES, FL 33936

06-45-27-08-0000A.2030
ANGLE PATRICIA L +
10 BETH STACEY BLVD #203
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.1040
VREELAND PATRICIA + CHESTER +
10 BETH STACEY BLVD #104
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.1050
BIRCH WILLA L +
10 BETH STACEY BLVD #105
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.1060
MARKETTI FLOYD C + MARTHA B
10 BETH STACEY BLVD UNIT 106
LEHIGH ACRES, FL 33936

All data is current at time of printing and subject to change without notice.

06-45-27-08-0000B.1070
ZIMMERMAN BARBARA A
10 BETH STACEY BLVD
UNIT #107
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.1080
CATTANO ARLENE
10 BETH STACEY BLVD #108
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.1090
COX JOAN L TR
10 BETH STACEY BLVD #109
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.2040
LUDWIG FRED + DOROTHY
10 BETH STACEY BLVD #204
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.2050
DICKISON DENNIS B + ANITA J
10 BETH STACEY BLVD #205-B
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.2060
CHARBONNEAU JOSEPH P + CAROLE
10 BETH STACEY BLVD #206
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.2070
REHM ALFRED O + ANNE H
10 BETH STACEY BLVD #207
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.2080
DAVIS RONALD J + ANTOINETTE M
10 BETH STACEY BLVD #208
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.2090
FREEMAN DOROTHY F TR
10 BETH STACEY BLVD #209
LEHIGH ACRES, FL 33936

06-45-27-08-0000C.1100
DOWNING MARY M TR
10 BETH STACEY BLVD #110
LEHIGH ACRES, FL 33936

06-45-27-08-0000C.1110
OMALLEY CATHERINE A TR
10 BETH STACEY BLVD #111
LEHIGH ACRES, FL 33936

06-45-27-08-0000C.1120
BENDER DONNA A +
10 BETH STACEY BLVD #112
LEHIGH ACRES, FL 33936

06-45-27-08-0000C.1130
HAENSZEL ROBERT C +
10 BETH STACY 113
LEHIGH ACRES, FL 33936

06-45-27-08-0000C.1140
STANLEY GARY F
319 BARNSBORO RD
BARNSBORO, NJ 08080

06-45-27-08-0000C.1150
ABELL MARY E
10 BETH STACY BLVD #115
LEHIGH ACRES, FL 33936

06-45-27-08-0000C.2100
HUGGINS ERIC H + MARGARET G
63 IMPERIAL DR
NEW HARTFORD, NY 13413

06-45-27-08-0000C.2110
FUCHS GERTRUD
RITZMANNSHOFER STR 2A
D 90768 FUERTH,
GERMANY

06-45-27-08-0000C.2120
GORDON DONALD L SR + GLORIA J
10 BETH STACEY BLVD #212
LEHIGH ACRES, FL 33936

06-45-27-08-0000C.2130
MEYER HERBERT + MONIKA
10 BETH STACEY BLVD #C213
LEHIGH ACRES, FL 33936

06-45-27-08-0000C.2140
DAVIS FLOYD G
10 BETH STACEY BLVD #214
LEHIGH ACRES, FL 33936

All data is current at time of printing and subject to change without notice.

06-45-27-08-0000C.2150
TRAUX RICHARD F + BARBARA
10-215 BETH STACY BLVD
LEHIGH ACRES, FL 33936

06-45-27-09-00000.00CE
CAMELOT GARDENS CONDO
55-59 CAMELOT GARDENS BLVD
LEHIGH ACRES, FL 33936

06-45-27-09-0000A.1010
STRINGER PATTY A
51 CAMELOT GARDENS BLVD #101
LEHIGH ACRES, FL 33936

06-45-27-09-0000A.1020
MAJOR HOMES INC
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-09-0000A.1030
MAJOR HOMES INC
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-09-0000A.1040
OTTEN GRACE I TR
51 CAMELOT GARDENS
BLDG A U104
LEHIGH ACRES, FL 33936

06-45-27-09-0000A.1050
CAYWOOD ALLAN + ROSEMARIE
51 CAMELOT GARDENS BLVD #105
LEHIGH ACRES, FL 33936

06-45-27-09-0000A.1060
ROCKEFELLER MARSHALL E + AGNES
51 CAMELOT GARDENS BLVD #106
LEHIGH ACRES, FL 33936

06-45-27-09-0000A.2010
KNAPP KLAUS +
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-09-0000A.2020
AUB INC
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-09-0000A.2030
WINKEL JUNE D
51 CAMELOT GARDENS BLVD #203
LEHIGH ACRES, FL 33936

06-45-27-09-0000A.2040
AMATO PATSY + DOROTHY TR
22149 KENSINGTON
TAYLOR, MI 48180

06-45-27-09-0000A.2050
SORENSEN DIANE +
51 CAMELOT GARDENS BLVD #205
LEHIGH ACRES, FL 33936

06-45-27-09-0000A.2060
PETROWITSCH NORBERT
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-09-0000B.1070
REINBOTT DONALD J + JANET SUE
59 CAMELOT GARDENS BLVD #107
LEHIGH ACRES, FL 33936

06-45-27-09-0000B.1080
BROWNIE INC
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-09-0000B.1090
MELTON MARION E TR
59 CAMELOT GARDENS BLVD #109
LEHIGH ACRES, FL 33936

06-45-27-09-0000B.1100
WARCHOL GARY T + BETTY
59 CAMELOT GARDENS BLVD
110
LEHIGH ACRES, FL 33936

06-45-27-09-0000B.1110
SCHNEIDER HARTMUT
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-09-0000B.1120
SIMON GUNDELINDE
C/O SUN & COMFORT MANGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

All data is current at time of printing and subject to change without notice.

06-45-27-09-0000B.2070
PRELL KARL
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-09-0000B.2080
ROLOW CATHERINE M
59 CAMELOT GARDENS BLVD #208
LEHIGH ACRES, FL 33936

06-45-27-09-0000B.2090
MCARTHUR ALEXANDER D +
21 ARNIES CHANCE
BALLANTRAE, ON L4A 1M1
CANADA

06-45-27-09-0000B.2100
HANNING JAMES W +
24 BEAUFORT HILLS RD
RICHMOND HILL, ON L4E 2N5
CANADA

06-45-27-09-0000B.2110
POGGENSEE GERHARD +
59 CAMELOT GARDENS BLVD # 211
LEHIGH ACRES, FL 33936

06-45-27-09-0000B.2120
LUHE INC
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-09-0000C.1130
UPDEGROVE DORIS JEAN
55 CAMELOT GARDENS BLVD #113
LEHIGH ACRES, FL 33936

06-45-27-09-0000C.1140
BIGBEE BARBARA B
55 CAMELOT GARDENS BLVD #114
LEHIGH ACRES, FL 33936

06-45-27-09-0000C.1150
SCHMIDT HANS ETAL
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-09-0000C.2130
MILENKEVICH JOSEPH A + DOLORES
55 CAMELOT GARDENS BLVD #213
LEHIGH ACRES, FL 33936

06-45-27-09-0000C.2150
WILDE GUENTER + DOROTHEE
55 CAMELOT GARDENS BLVD #215
LEHIGH ACRES, FL 33936

06-45-27-10-00003.0000
COPPERHEAD DEVELOPMENT INC
21184 BRAXFIELD LOOP
ESTERO, FL 33928

06-45-27-10-00004.0000
COPPERHEAD DEVELOPMENT INC
21184 BRAXFIELD LOOP
ESTERO, FL 33928

06-45-27-10-00007.0000
COPPERHEAD DEVELOPMENT INC
21184 BRAXFIELD LOOP
ESTERO, FL 33928

06-45-27-10-0000A.0000
COPPERHEAD DEVELOPMENT INC
21184 BRAXFIELD LOOP
ESTERO, FL 33928

06-45-27-10-0000E.0000
COPPERHEAD DEVELOPMENT INC
21184 BRAXFIELD LOOP
ESTERO, FL 33928

All data is current at time of printing and subject to change without notice.

Jam Free Printing
Use Avery® TEMPLATE 5161®
www.avery.com
1-800-GO-AVERY
AVERY® 5161®

Mr. Jon Hagan
Banks Engineering, Inc.
10511 Six Mile Cypress Parkway, Ste. 101
Fort Myers, FL 33912

KB Homes
12535 New Brittany Blvd. # 28
Ft. Myers, FL 33907

Mr. Ken Passarella
Passarella and Associates, Inc.
9100 College Pointe Court
Ft. Myers, FL 33919

Mr. Ted Treesh
Metro Transportation Group
12651 McGregor Blvd. #4-403
Ft. Myers, FL 33912

Kim Venditti, Gloria McEwan, Sharon McGonnell, and Robert Curtis
c/o 6Flower Road
Hopewell Junction, NY 12533

Dawn Maguire, James McGonnell, and Todd McGonnell
c/o 813 Donegal Court
Toms River, NJ 08753

Gabriel Curtis, Kris Irey, Diana and Brain McGonnell
c/o 16 Westwood
Bayville, NJ 08721

Jam Free Printing
Use Avery® TEMPLATE 5161®
www.avery.com
1-800-GO-AVERY
AVERY® 5161®

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

August 23, 2004

Mr. Jon Hagan
Banks Engineering, Inc.
10511 Six Mile Cypress Parkway, Ste. 101
Fort Myers, FL 33912

Re: Agenda Schedule for Vistanna RPD
Case No. DCI2004-00028

Dear Mr. Jon Hagan:

Your zoning request has been scheduled before the Hearing Examiner on September 22, 2004, at 10:30 a.m. The hearing will be conducted in the Hearing Examiner Meeting Room, 1500 Monroe St., Ft. Myers, FL.

Be advised all exhibits presented to Hearing Examiner will be retained for the records. The Hearing Examiner encourages the applicant to provide reduced copies of these exhibits for the record as an alternative to a full size copy.

Your zoning sign will be ready for pickup any time after August 25, 2004, at the drive-thru window at 1500 Monroe St., Ft. Myers, FL. This sign must be posted in accordance with Department procedures no later than September 7, 2004, and is to remain posted until final decision is rendered.

Call if you have any questions.

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Jamie Princing
Administrative Assistant

cc: KB Homes
Passarella and Associates, Inc.
Metro Transportation Group
Kim Venditti, Gloria McEwan, Sharon McGonnell, and Robert Curtis
Dawn Maguire, James McGonnell, and Todd McGonnell
Gabriel Curtis, Kris Irey, Diana McGonnell, and Brain McGonnell
Tony Palermo, Senior Planner
Zoning File

U:\200408\DCI20040.002\8\APPLICANTLETTER.WPD

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
Kathy Babcock, Lee County School District
Roland Ottolini, Natural Resources
Luis Machado, Zoning

FROM: Tony Palermo

DATE: 07/30/2004

PROJECT NAME: VISTANNA RPD

CASE #: DCI2004-00028

INFORMATION SUMMARY:

To update your file
_X_ Review and forward substantive comments **ASAP**.

RESPONSE REQUIRED BY: 08/09/2004

Additional Comments:

cc: DCI planner/working file
DCI Zone File

Distributed by: Jamie Princing

Date: 07/30/2004

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: 239-479-8325

July 29, 2004

JON HAGAN
BANKS ENGINEERING INC.,
10511 SIX MILE CYPRESS
SUITE 101
FORT MYERS, FL 33912

Re: VISTANNA RPD
DCI2004-00028 - PDS Application (Minor PD)

Dear BANKS ENGINEERING :

The Zoning Division has reviewed the information provided and supplemented for the rezoning request referenced above. The application is now sufficient and the formal request has been drafted from your application as follows:

> Request to rezone +/- 57.53 acres from Agricultural (AG-2) to Residential Planned Development (RPD) to permit a maximum of 296 dwelling units (two-family attached) with a maximum building height of 35 feet/3 stories. Development blasting is not being requested.
>
> 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 August 12, 2004 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 September 22, 2004. 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

Tony Palermo
Senior Planner

ALAINA RAY, ENVIRONMENTAL SCIENCES

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
- Kathy Babcock, Lee County School District
- Billie Jacoby, DCD Admin
- DCI Zoning File
- DCI Working File

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution
Joan Henry, Asst. County Attorney
TIS Reviewer - Bob Rentz
DS Reviewer - Don Blackburn
Paul O'Connor, Planning
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Kathy Babcock, Lee County School District
Roland Ottolini, Natural Resources
Luis Muchado, Zoning

FROM: Tony Palermo

DATE: 05/17/2004

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: VISTANNA RPD

CASE #: DCI2004-00028

INFORMATION SUMMARY:

RESUBMITTAL

To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 05/31/2004

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: 05/17/2004

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: 239-479-8325

May 17, 2004

BANKS ENGINEERING
10511 SIX MILE CYPRESS PKWY
SUITE 101
FT MYERS, FL 33912

Re: VISTANNA RPD
DCI2004-00028 - PDS Application (Minor PD)

Dear BANKS ENGINEERING :

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

Tony Palermo
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

1a) Aerial Photograph. An aerial photograph (at a maximum scale of 1:200 for field verification) with the site clearly delineated. [34-373(a)(4)d.]

The aerial photographs submitted appear to be copies and are almost completely black. Please provide a cleaner aerial so that features of the sight are visible.

2) Protected Species Survey. A Protected Species Survey as required by LDC Section 10-473 must be provided for large projects (as defined in LDC Chapter 10) and Major Planned Developments . [34-373(b)(2)]

Pending ES Staff field verification.

3) Protected Species Management Plan. Protected species preserve areas must be indicated on the Master Concept Plan; a final management plan as required by LDC Section 10-474 is not required until time of local development order. [10-474]

Pending ES Staff field verification.

5) Open Space. The percentage of open space must be clearly stated on the Master Concept Plan unless the proposed development consists solely of conventional single family dwelling units on lots of no less than 6,500 square feet. [34-373(a)(6)f.; 34-373(a)(8)iii.]

It appears that the Open Space provided is less than the 40% required for this project. If credits are being taken, please provide the calculation on the MCP. Also please note that only 25% of the lake area may be used toward Open Space requirements. Please revise MCP to comply with the Open Space requirement and provide an Open Space table on the MCP.

8) Design Standards: Environmentally Sensitive Areas. Every effort shall be made in the planning, design and execution of a planned development to protect, preserve or to not unnecessarily destroy or alter natural features of the site, particularly mature native trees and threatened or endangered native vegetation. [34-411(g)]

The proposed MCP does not appear to meet the requirements for indigenous preservation. The LDC requires that 50% of required Open Space be in the form of indigenous preservation. This includes the preservation of mature native trees, with or without associated understory. Please revise the MCP to provide the required amount of indigenous preservation.

12) Miscellaneous Items.

Please provide information regarding the "Optional Recreation Area" located in the preserve. Is this proposed for passive recreation only? Any proposed structures?

Page 5 of 12 of the application shows request for rezoning as AG-2 to CPD. Please correct to show AG-2 to RPD.

13) Contact. The Environmental Planner may be contacted regarding any question on the Environmental Sciences Sufficiency Checklist.

Alaina Ray, 239-479-8323

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 KB Homes had listed Stacy Ellis Hewitt from Banks Engineering, Inc as the agent that will act on his behalf regarding the processing of the application. However, no Notarized Affidavit of Authorization form was included in the application package giving the Agent legal authority to do so.

1a2) If the property is subject to a contract for purchase and the vendee is the applicant, the applicant must submit a notarized authorization form from the landowner. [34-202(b)(1)c.]

The applicant clearly stated on the application that he is a contract purchaser/vendee for the property subject to this request. Therefore, the applicant (as a contract purchaser) is required to file a disclosure form per LDC [34-202(b)(1)a]. Thus, please provide a Notarized Disclosure of Interest form showing the date of the contract & listing all the stockholder's names, addresses and their percentage of interest.

6c3) If the property encompasses 10 or more acres the survey must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment). [34-202(a)(2)]

As per the above-referenced LDC requirement, please tie and display at least (2) coordinates on two opposing corners on Survey. "The county prefers that at least one of the coordinates be for the point of beginning". Thanks.

7) Miscellaneous Items.

Re: Easements Rights-of-Way & other Encumbrances

Have all applicable easements been extinguished? (i.e., 25' ROW easement reservation recorded on OR 1174, PG 111). All easements that do encroach the property subject to this request and will be affected by the proposed development must be mitigated and proof of releases or agreements must be provided prior to local D.O. approval or the MCP must be redrawn to accommodate them. In the interim, all existing easements, restrictions, reservations, rights, interests or claims must be depicted as they legally exist on the MCP.

8) Contact. The Planner may be contacted regarding any questions on this Checklist.

Please contact Luis G. Machado, Planning Technician / Zoning at (239) 479-8485 or e-mail: lmachado@leegov.com

Lee County Sufficiency Checklist for Planned Developments, Amendments, and Existing Developments Requesting Planned Development Zoning

11a) Sizes of Plans. Copies of the Master Concept Plan must be provided in two (2) sizes, 24 inches by 36 inches and 11 inches by 17 inches in size. [34-373(a)(6)]

We did not receive 11X17 copies.

12a) Existing Easements. The exact location and explanation of all existing easements, whether or not those easements are recorded. [34-373(a)(6)a.]

Please show all easements on the MCP. The survey shows a 25-foot R/W OR 1174 Page 111. Who is the easement holder? If the easement interferes with development please document how the easement will be moved, dissolved, etc. Easement issues must be resolved.

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.]

On the MCP please provide size of recreation area. You may want to include size of buildings, height, other details either on the MCP or on a separate sheet or attachment. Also please specify uses in more detail (recreation uses). Thank you.

12e) Development Areas. Individual development areas (I.e. residential, retail, office, manufacturing, mixed use-listed, etc.) must be identified with detail showing the following: [34-373(a)(6)d.]

See above.

12e1) Development Area Boundaries. The boundary of each development area within which buildings, parking or other uses will be located. [34-373(a)(6)d.i]

Parking areas for recreation if any.

~~*19) If project is located in the Estero Planning Community, applicant must submit a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised. [Lee Plan Policy 19.5.3.]*~~

20) Contact. The Zoning Planner may be contacted regarding any questions on the Planned Development Sufficiency Checklist.

TONY PALERMO, #239-479-8325.

21) Miscellaneous Items.

ZONING COMMENTS

1. Please elaborate on the size of the pre-sales trailer. How temporary is it?
2. Clubs - Private. Please elaborate on the size, location, height. Do you intend them for the recreation areas? What kind of uses and activities are planned? How many clubs?
3. I understand this is a two-family attached community. Do you want to include Single-family or duplex, or multi-family uses, zero lot line (specific numbers)? This would give you some flexibilty in case the market changes.
4. Potential uses include TEMPORARY SALES CENTER, ASSISTED LIVING FACILITY (LIMIT BEDS), COMMUNITY RESIDENTIAL HOME, DAY CARE CENTER ADULT OR CHILD, HOME CARE FACILITY, PLACE OF WORSHIP/RELIGIOUS FACILITIES. These are typical residential-type uses, and if appropriately limited, are appropriate in residential communities. Please include if that is your wish. If not, they will not be included.
5. Consider ACCESSORY structure setbacks. And building and accessory setbacks for the preserve area.
6. Thank you for saying there are no AG uses, and there is no blasting.
7. How many model units total do you contemplate?
8. What are the approximate areas for each lake? Verify the depth is 12 feet. Lake depth and areas also need to be on the MCP.
9. Please title "MASTER CONCEPT PLAN" and not conceptual site plan.
10. For the recreation areas, please provide a little more detail about maximum building size, height, uses, access, parking, etc. If there is a recreation area in the preserve, does this not reduce the size of the preserve areas by a small amount? Or will there be no buildings on the optional recreation area in the native preserve?
11. Land Use Area: Please provide OPEN SPACE. What is the total open space calculation?
12. Please retype COPPERHEAD GOLF COARSE.
13. Please include all the easments on the MCP. See note above.
14. What is to happen to the barbed wire fence on site? And if there are no AG uses, why is there a,barbed wire fence?
15. The MCP needs a detail drawing showing a typical lot, building configuration for the residential. And if appropriate show a detail drawing for other buildings such as clubhouse and recreation buildings, etc. You may put this on a second page of the MCP or the first page.
16. Are the grey areas in the interior open space?
17. Please provide road width and classifications on the MCP for 23rd St. WSW, Camelot Gardens, Blvd., Navajo Ave., and Cherokee Ave. This provides everyone with an idea what the surrounding neighborhood is like.
18. Please provide the surrounding ZONING, LAND USE, and FUTURE LAND USE for the surrounding areas.
19. Please provide the width of the canal on the MCP.
20. Land development regulations need to provide both max. height and # of stories. (2 or 3 stories?)
21. Please provide the width of Beth Stacy on the MCP.
22. Remove the STRAP # from the MCP.
23. Remove note 6 from the MCP. (it may be included in an attachment, or another page)

24. Please provide the deviation wording on another page or attachment. Leave the deviation numbers on the MCP. The deviation wording will be in the resolution, and does not need to be on the MCP.
25. Please verify if the following wording is adequate:
Request to rezone +/- 57.53 acres from Agricultural (AG-2) to Residential Planned Development (RPD) to permit a maximum of 296 dwelling units (two-family attached) with a maximum building height of 35 feet/X stories. Development blasting is not being requested.
26. Substantive comment: Please consider making the temporary sales access into a second or emergency access to the property. 296 units is a high number of units to only have 1 access (and no emergency access) Are there any other access options?
27. Is there a gate or gatehouse proposed? Please put on the MCP and list of uses if needed.

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
Kathy Babcock, Lee County School District
Roland Ottolini, Natural Resources
LUIS MUCHADO, ZONING

FROM: Tony Palermo

DATE: 04/28/2004

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: VISTANNA RPD

CASE #: DCI2004-00028

INFORMATION SUMMARY:

NEW SUBMITTAL

To update your file
_X_ Review and forward sufficiency questions or make finding of sufficiency

RESPONSE REQUIRED BY: 05/14/2004

Additional Comments:

1st Round Sufficiency.

(DCI) Lee County LDC Section 34-373(d)(1).

Sufficiency and Completeness

No hearing will be scheduled for an application for a Planned Development until the application has been found sufficient. All applications for Planned Developments will be deemed sufficient unless a letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of submittal of the application. All amended applications will be deemed sufficient unless a subsequent letter advising the applicant of any insufficiencies has been mailed within fifteen (15) working days of the date of the resubmittal. The contents of insufficiency letters will be limited to brief explanations of the manner in which insufficient applications do not comply with the formal requirements in Section 34-373.

cc: DCI planner/working file
DCI Zone File

Distributed by: Jessica M Smith

Date: 04/30/2004

ZONING DIVISION
LEE COUNTY
PLANNED DEVELOPMENT SUFFICIENCY REVIEW
TRANSMITTAL SHEET

TO: Distribution

FROM: Tony Palermo

DATE: 05/05/2004

Joan Henry, Asst. County Attorney
DS Reviewer - Don Blackburn
Kim Trebatoski, Environmental Sciences
Andy Getch, LCDOT
Luis Machado, Zoning

*** REVIEWERS - remember permit plan checklists should now be used.**

PROJECT NAME: VISTANNA RPD

CASE #: DCI2004-00028

INFORMATION SUMMARY:

RESUBMITTAL

_ To update your file
_ _ Review and forward sufficiency questions or make finding of sufficiency

Pending

RESPONSE REQUIRED BY: 05/19/2004

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: Adella Ahmadi

Date: 05/06/2004

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
10511-101 Six Mile Cypress Parkway
Fort Myers, Florida 33912
(239) 939-5490
Fax (239) 939-2523

RECEIVED
MAY 05 2004
COMMUNITY DEVELOPMENT

Please Reply To:
FORT MYERS OFFICE

LETTER OF TRANSMITTAL

DATE: May 5, 2004

TO: Luis Machado
1500 Monroe Street
Fort Myers, FL 33901

PHONE: 479-8485
FAX:

REFERENCE: DCI2004-00028 - Vistanna JOB NO. 1830

COPIES	DESCRIPTION
3	Sketch and Legal Description

REASON:
- ☐ Your Comments
- ☐ Your Approval
- ☐ Your Information
- ☐ As Per Your Request
- ☐ Your Review

VIA:
- ☐ Fax: _____ Pages Total
- ☐ Regular Mail
- X Courier
- ☐ Overnight Express
- ☐ Pick-up

COMMENTS:

Jon Hagan
Director of Planning
CC:_____

Naples Office
6640 Willow Park Dr.
Suite B
Naples, Florida
34109
(239) 597-2061
Fax (239) 597-3082

Sarasota Office
1144 Tallevast Road
Suite # 115
Sarasota, Florida
34243
(941) 360-1618
Fax (941) 360-6918

Holmes Beach Office
5350 Gulf Drive
Holmes Beach, Florida
34217
(941) 778-6503
Fax (941) 778-8497

Port Charlotte Office
12653 SW CR 769
Suite B
Lake Suzy, Florida
34269
(941) 625-1165
Fax (941) 625-1149

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA
HOLMES BEACH ♦ PORT CHARLOTTE

Exhibit PH-2.C.1.

Vistanna RPD

Property Owners List

06-45-27-00-00001.004A:
Kim Venditto & Gloria McEwan & Sharon McGonnell & Robert Curtis, as tenants in common
6 Flower Road
Hope Junction, NY 12533

06-45-27-00-00006.0080
Dawn McGonnell & James McGonnell & Todd McGonnell, as tenants in common
813 Donegal
Toms River, NJ 08753

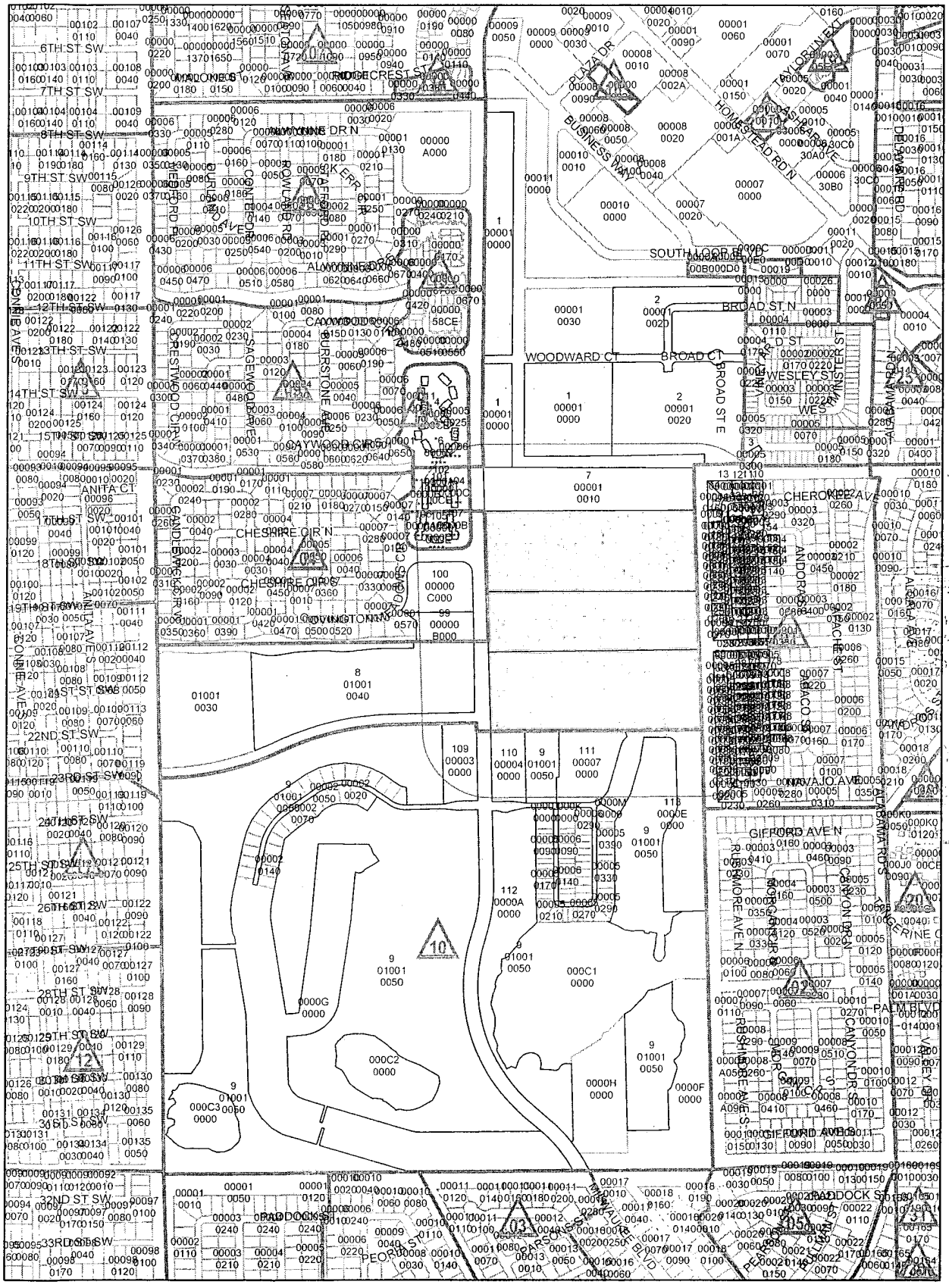
06-45-27-00-00006.0090:
Gabriel Curtis & Kris Van Hassett & Diana McGonnell & Brian McGonnell, as tenants in common
343 Hollywood Avenue
Crestwood, NY 08721

DCI2004-00028

VARIANCE REPORT

3/23/2004

Subject Parcels : 3 Affected Parcels : 176 Buffer Distance : 500 ft


6TH ST SW
7TH ST SW
8TH ST SW
9TH ST SW
10TH ST SW
11TH ST SW
12TH ST SW
13TH ST SW
14TH ST SW
15TH ST SW
16TH ST SW
17TH ST SW
18TH ST SW
19TH ST SW
20TH ST SW
21ST ST SW
22ND ST SW
23RD ST SW
24TH ST SW
25TH ST SW
26TH ST SW
27TH ST SW
28TH ST SW
29TH ST SW
30TH ST SW
31ST ST SW
32ND ST SW
33RD ST SW
ANITA CT
CHESHIRE CIR N
CHESHIRE CIR S
WOODWARD CT
BROAD CT
BROAD ST N
BROAD ST E
D ST
WESLEY ST
SOUTH LOOP DR
PLAZA DR
BUSINESS PKWY
HOMESTEAD RD N
TAYLOR LN EXT
GIFFORD AVE N
PALM BLVD
CANYON DR
PADDOCK
PEORIA ST
PARSONS BLVD
MINERAL BLVD
CHEROKEE AVE
NAVAJO AVE
ANDORA
ALAMEDA
RIVIERA
RIVIERA DR
RIVIERA CIR
RIVIERA PL
RIVIERA RD
RIVIERA WAY
RIVIERA AVE N
RIVIERA AVE S
RIVIERA CT
RIVIERA PKWY
RIVIERA TER
RIVIERA TRL
RIVIERA LOOP
RIVIERA PATH
RIVIERA ALLEY
RIVIERA CIRCLE
RIVIERA PLACE
RIVIERA ROAD
RIVIERA WAY
RIVIERA AVENUE N
RIVIERA AVENUE S
RIVIERA COURT
RIVIERA PARKWAY
RIVIERA TERRACE
RIVIERA TRAI

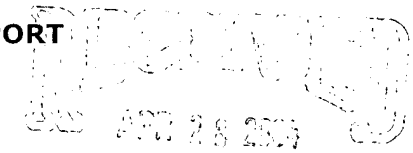
Lee County Property Appraiser

Kenneth M. Wilkinson, C.F.A.

GIS Department / Map Room

Phone: (239) 339-6159 • Fax: (239) 339-6139 • eMail: MapRoom@LeePA.org

VARIANCE REPORT



Date of Report: March 23, 2004
Buffer Distance: 500 ft
Parcels Affected: 176
Subject Parcel: 06-45-27-00-00001.004A, 06-45-27-00-00006.0080, 06-45-27-00-00006.0090

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
ROYSTON ROBERT D JR TR 12670 NEW BRITTANY BLVD #101 FT MYERS FL 33907	**31-44-27-00-00001.0000** 1301 WOODWARD CT LEHIGH ACRES FL 33936	ALL SEC 31 LESS PLATTED PARTS + LESS PARL 1.003 DESC IN OR 220 PG 210	1
PRESBYTERIAN HOMES OF LEHIGH ACRES P O BOX 356 LEHIGH ACRES FL 33936	**31-44-27-00-00001.0020** 1200 BROAD ST W LEHIGH ACRES FL 33936	PARL IN S 1/2 OF S E 1/4 SEC 31 TWP 44 R 27 DESC IN OR 391 PG 328	2
DAVEY CHARLES E 5 VINEYARD ST LEHIGH ACRES FL 33936	**31-44-27-03-00005.0300** 5 VINEYARD ST LEHIGH ACRES FL 33936	HOMESTEAD PARK ADD.1 BLK.5 PB 20 PG 8 LOT 30	3
SUNSET LAKE CONDO ASSOC INC 904 LEE BLVD LEHIGH FL 33936	**31-44-27-18-00000.00CE** 0 COMMON ELEMENTS LEHIGH ACRES FL 33936	SUNSET LAKE CONDO DESC OR 2698 PGS 0065-0096 COMMON ELEMENT	4
SCHROLL CORPORATION C/O SUN & COMFORT MANAGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**31-44-27-18-00006.0031** 40 COSMOPOLITAN DR #31 LEHIGH ACRES FL 33936	SUNSET LAKE CONDO DESC IN OR 2698 PG 65 PH 2 BLDG 6 UNIT 31	*5
SCHROLL CORPORATION C/O SUN & COMFORT MANAGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**31-44-27-18-00006.0032** 40 COSMOPOLITAN DR #32 LEHIGH ACRES FL 33936	SUNSET LAKE CONDO DESC IN OR 2698 PG 65 PH 2 BLDG 6 UNIT 32	*5
SCHROLL CORPORATION C/O SUN & COMFORT MANAGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**31-44-27-18-00006.0033** 40 COSMOPOLITAN DR #33 LEHIGH ACRES FL 33936	SUNSET LAKE CONDO DESC IN OR 2698 PG 65 PH 2 BLDG 6 UNIT 33	*5
SCHROLL CORPORATION C/O SUN & COMFORT MANAGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**31-44-27-18-00006.0034** 40 COSMOPOLITAN DR #34 LEHIGH ACRES FL 33936	SUNSET LAKE CONDO DESC IN OR 2698 PG 65 PH 2 BLDG 6 UNIT 34	*5
SCHROLL CORPORATION C/O SUN & COMFORT MANAGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**31-44-27-18-00006.0035** 40 COSMOPOLITAN DR #35 LEHIGH ACRES FL 33936	SUNSET LAKE CONDO DESC IN OR 2698 PG 65 PH 2 BLDG 6 UNIT 35	*5
SCHROLL CORPORATION C/O SUN & COMFORT MANAGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**31-44-27-18-00006.0036** 40 COSMOPOLITAN DR #36 LEHIGH ACRES FL 33936	SUNSET LAKE CONDO DESC IN OR 2698 PG 65 PH 2 BLDG 6 UNIT 36	*5
SCHROLL CORPORATION C/O SUN & COMFORT MANAGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**31-44-27-18-00007.0037** 44 COSMOPOLITAN DR #37 LEHIGH ACRES FL 33936	SUNSET LAKE CONDO DESC IN OR 2698 PG 65 PH 2 BLDG 7 UNIT 37	*6

DCI2004-00028

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
SCHROLL CORPORATION C/O SUN & COMFORT MANAGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**31-44-27-18-00007.0038** 44 COSMOPOLITAN DR #38 LEHIGH ACRES FL 33936	SUNSET LAKE CONDO DESC IN OR 2698 PG 65 PH 2 BLDG 7 UNIT 38	*6
SCHROLL CORPORATION C/O SUN & COMFORT MANAGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**31-44-27-18-00007.0039** 44 COSMOPOLITAN DR #39 LEHIGH ACRES FL 33936	SUNSET LAKE CONDO DESC IN OR 2698 PG 65 PH 2 BLDG 7 UNIT 39	*6
SCHROLL CORPORATION C/O SUN & COMFORT MANAGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**31-44-27-18-00007.0040** 44 COSMOPOLITAN DR #40 LEHIGH ACRES FL 33936	SUNSET LAKE CONDO DESC IN OR 2698 PG 65 PH 2 BLDG 7 UNIT 40	*6
SCHROLL CORPORATION C/O SUN & COMFORT MANAGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**31-44-27-18-00007.0041** 44 COSMOPOLITAN DR #41 LEHIGH ACRES FL 33936	SUNSET LAKE CONDO DESC IN OR 2698 PG 65 PH 2 BLDG 7 UNIT 41	*6
SCHROLL CORPORATION C/O SUN & COMFORT MANAGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**31-44-27-18-00007.0042** 44 COSMOPOLITAN DR #42 LEHIGH ACRES FL 33936	SUNSET LAKE CONDO DESC IN OR 2698 PG 65 PH 2 BLDG 7 UNIT 42	*6
COMMUNITY HEALTH ASSOC INC 9 BETH STACEY BLVD STE 201 LEHIGH ACRES FL 33936	**06-45-27-00-00001.0010** 9/11 BETH STACEY BLVD LEHIGH ACRES FL 33936	PARL IN N 1/2 OF NW 1/4 OF NE 1/4 + IN N1/2 OF NE 1/3 OF NW 1/4	7
NEVINS JOHN J DIOCESE OF VENICE PO BOX 2006 VENICE FL 34284	**06-45-27-00-01001.0040** 2 BETH STACEY BLVD LEHIGH ACRES FL 33936	PARL LOC IN THE S 1/2 OF THE NW 1/4 AS DESC IN OR 2840 PG 1177	8
COPPERHEAD DEVELOPMENT INC 21184 BRAXFIELD LOOP ESTERO FL 33928	**06-45-27-00-01001.0050** GOLF COURSE LEHIGH ACRES FL 33936	COPPERHEAD GOLF COURSE + LAKE TRACTS + REC AREA	9
SOTO ANDRES 1123 CHEROKEE AV LEHIGH ACRES FL 33936	**06-45-27-01-00001.0120** 1123 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 1 PB 12 PG 138 LOT 12	10
GOHAGEN DELVE ANN + 504 GREENWOOD AV LEHIGH ACRES FL 33972	**06-45-27-01-00001.0130** 1125 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST.ADD. BLK 1 PB 12 PG 138 LOT 13	11
GARZA MARIA J + 1127 CHEROKEE AV LEHIGH ACRES FL 33936	**06-45-27-01-00001.0140** 1127 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 1 PB 12 PG 138 LOT 14	12
COLE MATTHEW J + JUDITH 1129 CHEROKEE AV LEHIGH ACRES FL 33936	**06-45-27-01-00001.0150** 1129 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK.1 PB 12 PG 138 LOT 15	13
GUTIERREZ MIGUEL + MARGARITA 1131 CHEROKEE AVE LEHIGH ACRES FL 33936	**06-45-27-01-00001.0160** 1131 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 1 PB 12 PG 138 LOT 16	14
BOOTH CHRISTINA + 1133 CHEROKEE AV LEHIGH ACRES FL 33936	**06-45-27-01-00001.0170** 1133 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 1 PB 12 PG 138 LOT 17	15
PRINCIPAL RESIDENTIAL 711 HIGH ST DES MOINES IA 50392	**06-45-27-01-00001.0180** 1135 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK.1 PB 12 PG 138 LOT 18	16
ESSERT RICHARD 702 JACKSON LN LEHIGH ACRES FL 33936	**06-45-27-01-00001.0190** 1137 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 1 PB 12 PG 138 LOT 19	17
HARMON DEBRA A 1139 CHEROKEE AV LEHIGH ACRES FL 33936	**06-45-27-01-00001.0200** 1139 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 1 PB 12 PG 138 LOT 20	18

DCI2004-00028

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
ESSERT DANIEL LEE 514 FRANK JEWETT AV S LEHIGH ACRES FL 33936	**06-45-27-01-00001.0210** 1141 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 1 PB 12 PG 138 LOT 21	19
DANIELS GARY 1143 CHEROKEE AVE LEHIGH ACRES FL 33936	**06-45-27-01-00001.0220** 1143 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 1 PB 12 PG 138 LOT 22	20
SHINGLER WENDELL L TR + 555 FOXCREEK DR LEHIGH ACRES FL 33936	**06-45-27-01-00001.0230** 1145 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 1 PB 12 PG 138 LOT 23	21
ANGLICKIS RICHARD A + RUTH A 113 GRANDVIEW DR LEHIGH ACRES FL 33936	**06-45-27-01-00001.0240** 1147 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 1 PB 12 PG 138 LOT 24	22
SHUTE STEVEN V 1149 CHEROKEE AV LEHIGH ACRES FL 33936	**06-45-27-01-00001.0250** 1149 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 1 PB 12 PG 138 LOT 25	23
EJ & ASSOCIATES PROPERTY 3804 12TH ST WEST LEHIGH ACRES FL 33971	**06-45-27-01-00001.0260** 1151 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 1 PB 12 PG 138 LOT 26	24
ESSERT RICHARD E EST 702 JACKSON LN LEHIGH ACRES FL 33936	**06-45-27-01-00001.0270** 1153 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 1 PB 12 PG 138 LOT 27	25
SANTIAGO KIRK J 1155 CHEROKEE AV LEHIGH ACRES FL 33936	**06-45-27-01-00001.0280** 1155 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 1 PB 12 PG 138 LOT 28	26
ESPINOZA MANUEL 1157 CHEROKEE AVE LEHIGH ACRES FL 33936	**06-45-27-01-00001.0290** 1157 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 1 PB 12 PG 138 LOT 29	27
WHEELER KATHLEEN E 1159 CHEROKEE AV LEHIGH ACRES FL 33936	**06-45-27-01-00001.0300** 1159 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 1 PB 12 PG 138 LOT 30	28
BERDNIK KARL J + MARY R 1161 CHEROKEE AVE LEHIGH ACRES FL 33936	**06-45-27-01-00001.0310** 1161 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 1 PB 12 PG 138 LOT 31	29
GOSS RICK 1736 UNICE AV N LEHIGH ACRES FL 33971	**06-45-27-01-00003.0070** 1122 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD BLK 3 PB 12 PG 138 LOT 7	30
MARUCA NANCY 1124 CHEROKEE AVE LEHIGH ACRES FL 33936	**06-45-27-01-00003.0080** 1124 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 3 PB 12 PG 138 LOT 8	31
WEBER ROBERT K + 6900-29 DANIELS PKWY STE 121 FORT MYERS FL 33912	**06-45-27-01-00003.0090** 1126 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 3 PB 12 PG 138 LOT 9	32
FERGUSON VELMA L 323 INMAN ST LEHIGH ACRES FL 33972	**06-45-27-01-00003.0100** 1128 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 3 PB 12 PG 138 LOT 10	33
SALINAS CARMEN + 1130 CHEROKEE AV LEHIGH ACRES FL 33936	**06-45-27-01-00003.0110** 1130 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK.3 PB 12 PG 138 LOT 11	34
HELMLINGER HARRY E JR 1132 CHEROKEE AV LEHIGH ACRES FL 33936	**06-45-27-01-00003.0120** 1132 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 3 PB 12 PG 138 LOT 12	35
GOYER BEATRICE A L/E + 1134 CHEROKEE AV LEHIGH ACRES FL 33936	**06-45-27-01-00003.0130** 1134 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 3 PB 12 PG 138 LOT 13	36

DCI2004-000028

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
MCGLYNN SCOTT P + LYNN 1136 CHEROKEE AVE LEHIGH ACRES FL 33936	**06-45-27-01-00003.0140** 1136 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 3 PB 12 PG 138 LOT 14	37
HYMAN WILLIAM H 1138 CHEROKEE AV LEHIGH ACRES FL 33936	**06-45-27-01-00003.0150** 1138 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 3 PB 12 PG 138 LOT 15	38
REYNA VIRGILIO JR 1140 CHEROKEE AV LEHIGH ACRES FL 33936	**06-45-27-01-00003.0160** 1140 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 3 PB 12 PG 138 LOT 16	39
JENKINS MICHAEL T + VIRGINIA J 23620 TINA LN FORT MYERS FL 33913	**06-45-27-01-00003.0170** 1142 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK.3 PB 12 PG 138 LOT 17	40
MCDANIEL JACQUELINE + JORGE M 1144 CHEROKEE AV LEHIGH ACRES FL 33936	**06-45-27-01-00003.0180** 1144 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 3 PB 12 PG 138 LOT 18	41
STILES ROBERT C + LOIS E 1146 CHEROKEE AV LEHIGH ACRES FL 33936	**06-45-27-01-00003.0190** 1146 CHEROKEE AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 3 PB 12 PG 138 LOT 19	42
HAYCRAFT DONALD + SHANNON 51 ANDORA ST LEHIGH ACRES FL 33936	**06-45-27-01-00003.0200** 51 ANDORA ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 3 PB 12 PG 138 LOT 20	43
MONTALVO ROGELIO + REMIGIA 49 ANDORA ST LEHIGH ACRES FL 33936	**06-45-27-01-00003.0210** 49 ANDORA ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 3 PB 12 PG 138 LOT 21	44
GARCIA ISRAEL + MARIA M 47 ANDORA STREET LEHIGH ACRES FL 33936	**06-45-27-01-00003.0220** 47 ANDORA ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 3 PB 12 PG 138 LOT 22	45
GOMEZ HECTOR + MARIA 108 RICHMOND AVE NORTH FORT MYERS FL 33936	**06-45-27-01-00003.0230** 45 ANDORA ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 3 PB 12 PG 138 LOT 23	46
LABOY ALBERTO 43 ANDORA ST LEHIGH ACRES FL 33936	**06-45-27-01-00003.0240** 43 ANDORA ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 3 PB 12 PG 138 LOT 24	47
JOHNSON HERMAN K 41 ANDORA ST LEHIGH ACRES FL 33936	**06-45-27-01-00003.0250** 41 ANDORA ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 3 PB 12 PG 138 LOT 25	48
PIERCE HENRY A SR + MARGARET M 39 ANDORA ST LEHIGH ACRES FL 33936	**06-45-27-01-00003.0260** 39 ANDORA ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 3 PB 12 PG 138 LOT 26	49
ROSS RUTH G 37 ANDORA ST LEHIGH ACRES FL 33936	**06-45-27-01-00003.0270** 37 ANDORA ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 3 PB 12 PG 138 LOT 27	50
MORAN DAVID J + 35 ANDORA ST LEHIGH ACRES FL 33936	**06-45-27-01-00003.0280** 35 ANDORA ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 3 PB 12 PG 138 LOT 28	51
ORTIZ NESTOR 40 ANDORA ST LEHIGH ACRES FL 33936	**06-45-27-01-00004.0140** 40 ANDORA ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 4 PB 12 PG 138 LOT 14	52
BLANDON MAGNOLIA + 38 ANDORA ST LEHIGH ACRES FL 33936	**06-45-27-01-00004.0150** 38 ANDORA ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 4 PB 12 PG 138 LOT 15	53
SHINGLER WENDELL L COTR + 555 FOXCREEK DR LEHIGH ACRES FL 33936	**06-45-27-01-00004.0160** 36 ANDORA ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 4 PB 12 PG 138 LOT 16	54

DCI2004-00028

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
RIVERA JAIME + SHEILA R 1156 NAVAJO AV LEHIGH ACRES FL 33936	**06-45-27-01-00005.0070** 1156 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 5 PB 12 PG 138 LOT 7	55
SHAVER LINDA JEAN 1154 NAVAJO AVE LEHIGH ACRES FL 33936	**06-45-27-01-00005.0080** 1154 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 5 PB 12 PG 138 LOT 8	56
BROWN ROBERT NELSON + LILLA SB 1152 NAVAJO LEHIGH ACRES FL 33936	**06-45-27-01-00005.0090** 1152 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 5 PB 12 PG 138 LOT 9	57
FELICIANO WILLIE + MIGDALIA 1150 NAVAJO AV LEHIGH ACRES FL 33936	**06-45-27-01-00005.0100** 1150 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 5 PB 12 PG 138 LOT 10	58
PINTO IRIS 1148 NAVAJO AV LEHIGH ACRES FL 33936	**06-45-27-01-00005.0110** 1148 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 5 PB 12 PG 138 LOT 11	59
MADRID JON M 17456 SILVER FOX FR FORT MYERS FL 33970	**06-45-27-01-00005.0120** 1146 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD BLK 5 PB 12 PG 138 LOT 12	60
BERNARD LOUIS L + JEANNE E 1144 NAVAJO AV LEHIGH ACRES FL 33936	**06-45-27-01-00005.0130** 1144 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 5 PB 12 PG 138 LOT 13	61
SHINGLER WENDELL + MARIAN COTR 555 FOXCREEK DR LEHIGH ACRES FL 33936	**06-45-27-01-00005.0140** 1142 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 5 PB 12 PG 138 LOT 14	62
VACA HECTOR 1140 NAVAJO AVE LEHIGH ACRES FL 33936	**06-45-27-01-00005.0150** 1140 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 5 PB 12 PG 138 LOT 15	63
HINDS CYRIL 1138 NAVAJO AVE LEHIGH ACRES FL 33936	**06-45-27-01-00005.0160** 1138 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 5 PB 12 PG 138 LOT 16	64
BRINK CAROL 1136 NAVAJO LEHIGH ACRES FL 33936	**06-45-27-01-00005.0170** 1136 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 5 PB 12 PG 138 LOT 17	65
ADORNO JOSE JR 1134 NAVAJO AVE LEHIGH ACRES FL 33936	**06-45-27-01-00005.0180** 1134 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 5 PB 12 PG 138 LOT 18	66
MEZA JUAN M 1132 NAVAJO AVE LEHIGH ACRES FL 33936	**06-45-27-01-00005.0190** 1132 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 5 PB 12 PG 138 LOT 19	67
BATEMAN WALLACE H 1130 NAVAJO AVE LEHIGH ACRES FL 33936	**06-45-27-01-00005.0200** 1130 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 5 PB 12 PG 138 LOT 20	68
SEXTON DEBORAH 1128 NAVAJO AVE LEHIGH ACRES FL 33936	**06-45-27-01-00005.0210** 1128 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 5 PB 12 PG 138 LOT 21	69
ESPINOSA LOURDES 1126 NAVAJO AV LEHIGH ACRES FL 33936	**06-45-27-01-00005.0220** 1126 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 5 PB 12 PG 138 LOT 22	70
PEREZ WILLIAM + DIGNA 1124 NAVAJO AV LEHIGH ACRES FL 33936	**06-45-27-01-00005.0230** 1124 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 5 PB 12 PG 138 LOT 23	71
WILLIAMS ROGER I + LORRAINE A 35 ABACO ST LEHIGH ACRES FL 33936	**06-45-27-01-00008.0080** 35 ABACO ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 8 PB 12 PG 138 LOT 8	72
BROWN NAMOI 37 ABACO ST LEHIGH ACRES FL 33936	**06-45-27-01-00008.0090** 37 ABACO ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD BLK 8 PB 12 PG 138 LOT 9	73

BK2094-00028

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
WATSON APRIL D 39 ABACO ST LEHIGH ACRES FL 33936	**06-45-27-01-00008.0100** 39 ABACO ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 8 PB 12 PG 138 LOT 10	74
MALDONADO ARELL + 41 ABACO ST LEHIGH ACRES FL 33936	**06-45-27-01-00008.0110** 41 ABACO ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 8 PB 12 PG 138 LOT 11	75
CALDERON FERNANDO L + MARIA R 43 ABACO ST LEHIGH ACRES FL 33936	**06-45-27-01-00008.0120** 43 ABACO ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 8 PB 12 PG 138 LOT 12	76
MEISER ROBIN SMITH 45 ABACO ST LEHIGH ACRES FL 33936	**06-45-27-01-00008.0130** OBOR FL	LEHIGH ACRES 1ST ADD. BLK 8 PB 12 PG 138 LOT 13	77
SMITH KATHLEEN 1141 NAVAJO AVE LEHIGH ACRES FL 33936	**06-45-27-01-00008.0140** 1141 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 8 PB 12 PG 138 LOT 14	78
WRIGHT HORACE 323 EDWARD AVE LEHIGH ACRES FL 33972	**06-45-27-01-00009.0010** 48 ABACO ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 9 PB 12 PG 138 LOT 1	79
PARRA ELIAZAR 46 ABACO ST LEHIGH ACRES FL 33936	**06-45-27-01-00009.0020** 46 ABACO ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 9 PB 12 PG 138 LOT 2	80
ACEVEDO JOSE I 44 ABACO ST LEHIGH ACRES FL 33936	**06-45-27-01-00009.0030** 44 ABACO ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 9 PB 12 PG 138 LOT 3	81
KERRN FRANKLYN D + PEGGY A 42 ABACO ST LEHIGH ACRES FL 33936	**06-45-27-01-00009.0040** 42 ABACO ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 9 PB 12 PG 138 LOT 4	82
MORANT RAYMOND + LORNA M H/W 307 PROSPECT AVE HACKENSACK NJ 07061	**06-45-27-01-00009.0050** 40 ABACO ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 9 PB 12 PG 138 LOT 5	83
ZAPATA RAFAEL 38 ABACO ST LEHIGH ACRES FL 33936	**06-45-27-01-00009.0060** 38 ABACO ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 9 PB 12 PG 138 LOT 6	84
MARTINEZ EDWARDO 36 ABACO ST LEHIGH ACRES FL 33936	**06-45-27-01-00009.0070** 36 ABACO ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 9 PB 12 PG 138 LOT 7	85
GONZALEZ JOSE M + MARTHA A 34 ABACO ST LEHIGH ACRES FL 33936	**06-45-27-01-00009.0080** 34 ABACO ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD BLK 9 PB 12 PG 138 LOT 8	86
JONES DOROTHY M + 107 IDAHO RD SE LEHIGH ACRES FL 33936	**06-45-27-01-00009.0090** 32 ABACO ST LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 9 PB 12 PG 138 LOT 9	87
QUEBEC CARL D 1117 NAVAJO AV LEHIGH ACRES FL 33936	**06-45-27-01-00009.0130** 1117 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 9 PB 12 PG 138 LOT 13	88
LEE JEAN 1119 NAVAJO AV LEHIGH ACRES FL 33936	**06-45-27-01-00009.0140** 1119 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 9 PB 12 PG 138 LOT 14	89
MICHEL MARIE LOURDES 1121 NAVAJO AV LEHIGH ACRES FL 33936	**06-45-27-01-00009.0150** 1121 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 9 PB 12 PG 138 LOT 15	90
PERKINS KENNETH W + LOIS J 1123 NAVAJO AV LEHIGH ACRES FL 33936	**06-45-27-01-00009.0160** 1123 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 9 PB 12 PG 138 LOT 16	91

DCI2004-00028

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
SAEZ GRACIELA + 1125 NAVAJO AVE LEHIGH ACRES FL 33936	**06-45-27-01-00009.0170** 1125 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 9 PB 12 PG 138 LOT 17	92
PEREZ OLGA 936 CRANFORD AVE NORTH WOODMERE NY 11581	**06-45-27-01-00009.0180** 1127 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 9 PB 12 PG 138 LOT 18	93
LOHNES JOANN 1129 NAVAJO AV LEHIGH ACRES FL 33936	**06-45-27-01-00009.0190** 1129 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 9 PB 12 PG 138 LOT 19	94
SANTANA MIRTHA 3003 AVE X APT 1-A BROOKLYN NY 11235	**06-45-27-01-00009.0200** 1131 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 9 PB 12 PG 138 LOT 20	95
PEREZ WANDA 175 ARLINGTON PL STATEN ISLAND NY 10303	**06-45-27-01-00009.0210** 1133 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 9 PB 12 PG 138 LOT 21	96
BURNAP JASON + KIRSTIN 1135 NAVAJO AV LEHIGH ACRES FL 33936	**06-45-27-01-00009.0220** 1135 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 9 PB 12 PG 138 LOT 22	97
VALENTIN ANTONIA 1137 NAVAJO AV FT MYERS FL 33936	**06-45-27-01-00009.0230** 1137 NAVAJO AVE LEHIGH ACRES FL 33936	LEHIGH ACRES 1ST ADD. BLK 9 PB 12 PG 138 LOT 23	98
SOUTHWEST FLORIDA HOUSING GWI 4940 BAY LINE DR NORTH FT MYERS FL 33917	**06-45-27-04-00000.B000** 4/6 BETH STACEY BLVD LEHIGH ACRES FL 33936	PARKWOOD UNIT 4 PB 28 PG 100 PARCEL B LESS PARCEL C	99
THOFNER JEFFREY P TR 5458 N RIVERSHORE DR TAMPA FL 33603	**06-45-27-04-00000.C000** 1618 COVINGTON MEADOWS CIR LEHIGH ACRES FL 33936	PARKWOOD UNIT 4 PB28 PG100 PT OF PARCEL B AS DESC IN OR2119/1870	100
STONE EDGE CONDO PO BOX 416 LEHIGH ACRES FL 33970	**06-45-27-08-00000.00CE** 0 HDR: STONE EDGE LEHIGH ACRES FL 33936	STONE EDGE CONDO COMMON AREA DESC IN OR 1877 PG 0684	101
ROSS GERALDINE W 10 BETH STACEY BLVD #101A LEHIGH ACRES FL 33936	**06-45-27-08-0000A.1010** 10 BETH STACEY BLVD #101 LEHIGH ACRES FL 33936	STONE EDGE CONDO OR 1877 PG 0684 UNIT 101 BLDG A	*102
HIRSCH MICHAEL M 10 BETH STACEY BLVD #102 LEHIGH ACRES FL 33936	**06-45-27-08-0000A.1020** 10 BETH STACEY BLVD #102 LEHIGH ACRES FL 33936	STONE EDGE CONDO OR 1877 PG 0684 UNIT 102 BLDG A	*102
GRAHAM NILS M + ELAINE 10 BETH STACEY BLVD #103 LEHIGH ACRES FL 33936	**06-45-27-08-0000A.1030** 10 BETH STACEY BLVD #103 LEHIGH ACRES FL 33936	STONE EDGE CONDO OR 1877 PG 0684 UNIT 103 BLDG A	*102
JENNINGS WILLIAM E + DIANA S 10 BETH STACEY BLVD #201A LEHIGH ACRES FL 33936	**06-45-27-08-0000A.2010** 10 BETH STACEY BLVD #201 LEHIGH ACRES FL 33936	STONE EDGE CONDO OR 1877 PG 0684 UNIT 201 BLDG A	*102
RAHIM EUNICE 107256 FIGTREE CT LEHIGH ACRES FL 33936	**06-45-27-08-0000A.2020** 10 BETH STACEY BLVD #202 LEHIGH ACRES FL 33936	STONE EDGE CONDO OR 1877 PG 0684 UNIT 202 BLDG A	*102
ANGLE PATRICIA L + 10 BETH STACEY BLVD #203 LEHIGH ACRES FL 33936	**06-45-27-08-0000A.2030** 10 BETH STACEY BLVD #203 LEHIGH ACRES FL 33936	STONE EDGE CONDO OR 1877 PG 0684 UNIT 203 BLDG A	*102
VREELAND PATRICIA + CHESTER + 10 BETH STACEY BLVD #104 LEHIGH ACRES FL 33936	**06-45-27-08-0000B.1040** 10 BETH STACEY BLVD #104 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG B UNIT 104	*103
BIRCH WILLA L + 10 BETH STACEY BLVD #105 LEHIGH ACRES FL 33936	**06-45-27-08-0000B.1050** 10 BETH STACEY BLVD #105 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG B UNIT 105	*103
MARKETTI FLOYD C + MARTHA B 10 BETH STACEY BLVD UNIT 106 LEHIGH ACRES FL 33936	**06-45-27-08-0000B.1060** 10 BETH STACEY BLVD #106 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG B UNIT 106	*103

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
ZIMMERMAN BARBARA A 10 BETH STACEY BLVD UNIT #107 LEHIGH ACRES FL 33936	**06-45-27-08-0000B.1070** 10 BETH STACEY BLVD #107 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG B UNIT 107	*103
CATTANO ARLENE 10 BETH STACEY BLVD #108 LEHIGH ACRES FL 33936	**06-45-27-08-0000B.1080** 10 BETH STACEY BLVD #108 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG B UNIT 108	*103
COX JOAN L TR 10 BETH STACEY BLVD #109 LEHIGH ACRES FL 33936	**06-45-27-08-0000B.1090** 10 BETH STACEY BLVD #109 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG B UNIT 109	*103
LUDWIG FRED + DOROTHY 10 BETH STACEY BLVD #204 LEHIGH ACRES FL 33936	**06-45-27-08-0000B.2040** 10 BETH STACEY BLVD #204 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG B UNIT 204	*103
DICKISON DENNIS B + ANITA J 10 BETH STACEY BLVD #205-B LEHIGH ACRES FL 33936	**06-45-27-08-0000B.2050** 10 BETH STACEY BLVD #205 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG B UNIT 205	*103
CHARBONNEAU JOSEPH P + CAROLE 10 BETH STACEY BLVD #206 LEHIGH ACRES FL 33936	**06-45-27-08-0000B.2060** 10 BETH STACEY BLVD #206 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG B UNIT 206	*103
REHM ALFRED O + ANNE H 10 BETH STACEY BLVD #207 LEHIGH ACRES FL 33936	**06-45-27-08-0000B.2070** 10 BETH STACEY BLVD #207 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG B UNIT 207	*103
DAVIS RONALD J + ANTOINETTE M 10 BETH STACEY BLVD #208 LEHIGH ACRES FL 33936	**06-45-27-08-0000B.2080** 10 BETH STACEY BLVD #208 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG B UNIT 208	*103
FREEMAN DOROTHY F TR 10 BETH STACEY BLVD #209 LEHIGH ACRES FL 33936	**06-45-27-08-0000B.2090** 10 BETH STACEY BLVD #209 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG B UNIT 209	*103
DOWNING MARY M TR 10 BETH STACEY BLVD #110 LEHIGH ACRES FL 33936	**06-45-27-08-0000C.1100** 10 BETH STACEY BLVD #110 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG C UNIT 110	*104
OMALLEY CATHERINE A TR 10 BETH STACEY BLVD #111 LEHIGH ACRES FL 33936	**06-45-27-08-0000C.1110** 10 BETH STACEY BLVD #111 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG C UNIT 111	*104
BENDER DONNA A + 10 BETH STACEY BLVD #112 LEHIGH ACRES FL 33936	**06-45-27-08-0000C.1120** 10 BETH STACEY BLVD #112 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG C UNIT 112	*104
HAENSZEL ROBERT C + 10 BETH STACY 113 LEHIGH ACRES FL 33936	**06-45-27-08-0000C.1130** 10 BETH STACEY BLVD #113 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG C UNIT 113	*104
STANLEY GARY F 319 BARNSBORO RD BARNSBORO NJ 08080	**06-45-27-08-0000C.1140** 10 BETH STACEY BLVD #114 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG C UNIT 114	*104
ABELL MARY E 10 BETH STACY BLVD #115 LEHIGH ACRES FL 33936	**06-45-27-08-0000C.1150** 10 BETH STACEY BLVD #115 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG C UNIT 115	*104
HUGGINS ERIC H + MARGARET G 63 IMPERIAL DR NEW HARTFORD NY 13413	**06-45-27-08-0000C.2100** 10 BETH STACEY BLVD #210 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG C UNIT 210	*104
FUCHS GERTRUD RITZMANNSHOFER STR 2A D 90768 FUERTH GERMANY	**06-45-27-08-0000C.2110** 10 BETH STACEY BLVD #211 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG C UNIT 211	*104
GORDON DONALD L SR + GLORIA J 10 BETH STACEY BLVD #212 LEHIGH ACRES FL 33936	**06-45-27-08-0000C.2120** 10 BETH STACEY BLVD #212 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG C UNIT 212	*104

DCI2004-00028

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
MEYER HERBERT + MONIKA 10 BETH STACEY BLVD #C213 LEHIGH ACRES FL 33936	**06-45-27-08-0000C.2130** 10 BETH STACEY BLVD #213 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG C UNIT 213	*104
DAVIS FLOYD G 10 BETH STACEY BLVD #214 LEHIGH ACRES FL 33936	**06-45-27-08-0000C.2140** 10 BETH STACEY BLVD #214 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG C UNIT 214	*104
TRAUX RICHARD F + BARBARA 10-215 BETH STACY BLVD LEHIGH ACRES FL 33936	**06-45-27-08-0000C.2150** 10 BETH STACEY BLVD #215 LEHIGH ACRES FL 33936	STONE EDGE OR 1877 PG 0684 BLDG C UNIT 215	*104
CAMELOT GARDENS CONDO 55-59 CAMELOT GARDENS BLVD LEHIGH ACRES FL 33936	**06-45-27-09-00000.00CE** 0 COMMON ELEMENTS LEHIGH ACRES FL 33936	CAMELOT GARDENS CONDO COMMON AREA DESC OR BK 2204 PG 915	105
STRINGER PATTY A 51 CAMELOT GARDENS BLVD #101 LEHIGH ACRES FL 33936	**06-45-27-09-0000A.1010** 51 CAMELOT GARDENS BLVD #101 LEHIGH ACRES FL 33936	CAMELOT GARDENS BLDG A OR 2204 PG 3915 UNIT 101	*106
MAJOR HOMES INC C/O SUN & COMFORT MANAGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**06-45-27-09-0000A.1020** 51 CAMELOT GARDENS BLVD #102 LEHIGH ACRES FL 33936	CAMELOT GARDENS BLDG A OR 2204 PG 3915 UNIT 102	*106
MAJOR HOMES INC C/O SUN & COMFORT MANAGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**06-45-27-09-0000A.1030** 51 CAMELOT GARDENS BLVD #103 LEHIGH ACRES FL 33936	CAMELOT GARDENS BLDG A OR 2204 PG 3915 UNIT 103	*106
OTTEN GRACE I TR 51 CAMELOT GARDENS BLDG A U104 LEHIGH ACRES FL 33936	**06-45-27-09-0000A.1040** 51 CAMELOT GARDENS BLVD #104 LEHIGH ACRES FL 33936	CAMELOT GARDENS BLDG A OR 2204 PG 3915 UNIT 104	*106.
CAYWOOD ALLAN + ROSEMARIE 51 CAMELOT GARDENS BLVD #105 LEHIGH ACRES FL 33936	**06-45-27-09-0000A.1050** 51 CAMELOT GARDENS BLVD #105 LEHIGH ACRES FL 33936	CAMELOT GARDENS BLDG A OR 2204 PG 3915 UNIT 105	*106
ROCKEFELLER MARSHALL E + AGNES 51 CAMELOT GARDENS BLVD #106 LEHIGH ACRES FL 33936	**06-45-27-09-0000A.1060** 51 CAMELOT GARDENS BLVD #106 LEHIGH ACRES FL 33936	CAMELOT GARDENS BLDG A OR 2204 PG 3915 UNIT 106	*106
KNAPP KLAUS + 237 JOEL BLVD LEHIGH ACRES FL 33972	**06-45-27-09-0000A.2010** 51 CAMELOT GARDENS BLVD #201 LEHIGH ACRES FL 33936	CAMELOT GARDENS BLDG A OR 2204 PG 3915 UNIT 201	*106
AUB INC C/O SUN & COMFORT MANAGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**06-45-27-09-0000A.2020** 51 CAMELOT GARDENS BLVD #202 LEHIGH ACRES FL 33936	CAMELOT GARDENS BLDG A OR 2204 PG 3915 UNIT 202	*106
WINKEL JUNE D 51 CAMELOT GARDENS BLVD #203 LEHIGH ACRES FL 33936	**06-45-27-09-0000A.2030** 51 CAMELOT GARDENS BLVD #203 LEHIGH ACRES FL 33936	CAMELOT GARDENS BLDG A OR 2204 PG 3915 UNIT 203	*106
AMATO PATSY + DOROTHY TR 22149 KENSINGTON TAYLOR MI 48180	**06-45-27-09-0000A.2040** 51 CAMELOT GARDENS BLVD #204 LEHIGH ACRES FL 33936	CAMELOT GARDENS BLDG A OR 2204 PG 3915 UNIT 204	*106
SORENSEN DIANE + 51 CAMELOT GARDENS BLVD #205 LEHIGH ACRES FL 33936	**06-45-27-09-0000A.2050** 51 CAMELOT GARDENS BLVD #205 LEHIGH ACRES FL 33936	CAMELOT GARDENS BLDG A OR 2204 PG 3915 UNIT 205	*106
PETROWITSCH NORBERT C/O SUN & COMFORT MANAGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**06-45-27-09-0000A.2060** 51 CAMELOT GARDENS BLVD #206 LEHIGH ACRES FL 33936	CAMELOT GARDENS BLDG A OR 2204 PG 3915 UNIT 206	*106
REINBOTT DONALD J + JANET SUE 59 CAMELOT GARDENS BLVD #107 LEHIGH ACRES FL 33936	**06-45-27-09-0000B.1070** 59 CAMELOT GARDENS BLVD #107 LEHIGH ACRES FL 33936	CAMELOT GARDENS CONDO OR 2204 PG 3915 BLDG B UNIT 107	*107

DCI2004-00028

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
BROWNIE INC C/O SUN & COMFORT MANAGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**06-45-27-09-0000B.1080** 59 CAMELOT GARDENS BLVD #108 LEHIGH ACRES FL 33936	CAMELOT GARDENS CONDO OR 2204 PG 3915 BLDG B UNIT 108	*107
MELTON MARION E TR 59 CAMELOT GARDENS BLVD #109 LEHIGH ACRES FL 33936	**06-45-27-09-0000B.1090** 59 CAMELOT GARDENS BLVD #109 LEHIGH ACRES FL 33936	CAMELOT GARDENS CONDO OR 2204 PG 3915 BLDG B UNIT 109	*107
WARCHOL GARY T + BETTY 59 CAMELOT GARDENS BLVD 110 LEHIGH ACRES FL 33936	**06-45-27-09-0000B.1100** 59 CAMELOT GARDENS BLVD #110 LEHIGH ACRES FL 33936	CAMELOT GARDENS CONDO OR 2204 PG 3915 BLDG B UNIT 110	*107
SCHNEIDER HARTMUT C/O SUN & COMFORT MANAGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**06-45-27-09-0000B.1110** 59 CAMELOT GARDENS BLVD #111 LEHIGH ACRES FL 33936	CAMELOT GARDENS CONDO OR 2204 PG 3915 BLDG B UNIT 111	*107
SIMON GUNDELINDE C/O SUN & COMFORT MANGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**06-45-27-09-0000B.1120** 59 CAMELOT GARDENS BLVD #112 LEHIGH ACRES FL 33936	CAMELOT GARDENS CONDO OR 2204 PG 3915 BLDG B UNIT 112	*107
PRELL KARL C/O SUN & COMFORT MANAGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**06-45-27-09-0000B.2070** 59 CAMELOT GARDENS BLVD #207 LEHIGH ACRES FL 33936	CAMELOT GARDENS CONDO OR 2204 PG 3915 BLDG B UNIT 207	*107
ROLOW CATHERINE M 59 CAMELOT GARDENS BLVD #208 LEHIGH ACRES FL 33936	**06-45-27-09-0000B.2080** 59 CAMELOT GARDENS BLVD #208 LEHIGH ACRES FL 33936	CAMELOT GARDENS CONDO OR 2204 PG 3915 BLDG B UNIT 208	*107
MCARTHUR ALEXANDER D + 21 ARNIES CHANCE BALLANTRAE ON L4A 1M1 CANADA	**06-45-27-09-0000B.2090** 59 CAMELOT GARDENS BLVD #209 LEHIGH ACRES FL 33936	CAMELOT GARDENS CONDO OR 2204 PG 3915 BLDG B UNIT 209	*107
HANNING JAMES W + 24 BEAUFORT HILLS RD RICHMOND HILL ON L4E 2N5 CANADA	**06-45-27-09-0000B.2100** 59 CAMELOT GARDENS BLVD #210 LEHIGH ACRES FL 33936	CAMELOT GARDENS CONDO OR 2204 PG 3915 BLDG B UNIT 210	*107
POGGENSEE GERHARD + 59 CAMELOT GARDENS BLVD # 211 LEHIGH ACRES FL 33936	**06-45-27-09-0000B.2110** 59 CAMELOT GARDENS BLVD #211 LEHIGH ACRES FL 33936	CAMELOT GARDENS CONDO OR 2204 PG 3915 BLDG B UNIT 211	*107
LUHE INC C/O SUN & COMFORT MANAGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**06-45-27-09-0000B.2120** 59 CAMELOT GARDENS BLVD #212 LEHIGH ACRES FL 33936	CAMELOT GARDENS CONDO OR 2204 PG 3915 BLDG B UNIT 212	*107
UPDEGROVE DORIS JEAN 55 CAMELOT GARDENS BLVD #113 LEHIGH ACRES FL 33936	**06-45-27-09-0000C.1130** 55 CAMELOT GARDENS BLVD #113 LEHIGH ACRES FL 33936	CAMELOT GARDENS OR 2204 PG 3915 BLDG C UNIT 113	*108
BIGBEE BARBARA B 55 CAMELOT GARDENS BLVD #114 LEHIGH ACRES FL 33936	**06-45-27-09-0000C.1140** 55 CAMELOT GARDENS BLVD #114 LEHIGH ACRES FL 33936	CAMELOT GARDENS OR 2204 PG 3915 BLDG C UNIT 114	*108
SCHMIDT HANS ETAL C/O SUN & COMFORT MANAGEMENT 237 JOEL BLVD LEHIGH ACRES FL 33972	**06-45-27-09-0000C.1150** 55 CAMELOT GARDENS BLVD #115 LEHIGH ACRES FL 33936	CAMELOT GARDENS OR 2204 PG 3915 BLDG C UNIT 115	*108
MILENKEVICH JOSEPH A + DOLORES 55 CAMELOT GARDENS BLVD #213 LEHIGH ACRES FL 33936	**06-45-27-09-0000C.2130** 55 CAMELOT GARDENS BLVD #213 LEHIGH ACRES FL 33936	CAMELOT GARDENS OR 2204 PG 3915 BLDG C UNIT 213	*108
WILDE GUENTER + DOROTHEE 55 CAMELOT GARDENS BLVD #215 LEHIGH ACRES FL 33936	**06-45-27-09-0000C.2150** 55 CAMELOT GARDENS BLVD #215 LEHIGH ACRES FL 33936	CAMELOT GARDENS OR 2204 PG 3915 BLDG C UNIT 215	*108
COPPERHEAD DEVELOPMENT INC 21184 BRAXFIELD LOOP ESTERO FL 33928	**06-45-27-10-00003.0000** ACCESS UNDETERMINED LEHIGH ACRES FL 33936	COPPERHEAD PHASE 1 DESC IN PB 77 PGS 1-11 BLOCK 3	109

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	Map Index
COPPERHEAD DEVELOPMENT INC 21184 BRAXFIELD LOOP ESTERO FL 33928	**06-45-27-10-00004.0000** ACCESS UNDETERMINED LEHIGH ACRES FL 33936	COPPERHEAD PHASE 1 DESC IN PB 77 PGS 1-11 BLOCK 4	110
COPPERHEAD DEVELOPMENT INC 21184 BRAXFIELD LOOP ESTERO FL 33928	**06-45-27-10-00007.0000** COMMON ELEMENT FL	COPPERHEAD PHASE 1 DESC IN PB 77 PGS 1-11 BLOCK 7	111
COPPERHEAD DEVELOPMENT INC 21184 BRAXFIELD LOOP ESTERO FL 33928	**06-45-27-10-0000A.0000** RIGHT OF WAY FL	COPPERHEAD PHASE 1 DESC IN PB 77 PGS 1-11 TRACTS A + B + I	112
COPPERHEAD DEVELOPMENT INC 21184 BRAXFIELD LOOP ESTERO FL 33928	**06-45-27-10-0000E.0000** COMMON ELEMENT FL	COPPERHEAD PHASE 1 DESC IN PB 77 PGS 1-11 TRACT E	113

176 RECORDS PRINTED



DCI2004-00028

LEE COUNTY
SOUTHWEST FLORIDA

COURTESY NOTICE
OF RECEIPT OF ZONING APPLICATION

Date:	July 29, 2004
Case Number:	DCI2004-00028
Case Name:	VISTANNA RPD
Request:	Request to rezone +/- 57.53 acres from Agricultural (AG-2) to Residential Planned Development (RPD) to permit a maximum of 296 dwelling units (two-family attached). Maximum height of buildings is 35 feet.
Location:	The subject property is located at 1,3, & 5 Beth Stacey Boulevard
Location Map:	SEE REVERSE
PROPERTY OWNER'S REPRESENTATIVE:	JON HAGAN BANKS ENGINEERING INC., 239-939-5490
Lee County Planner:	Tony Palermo 239-479-8325

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.

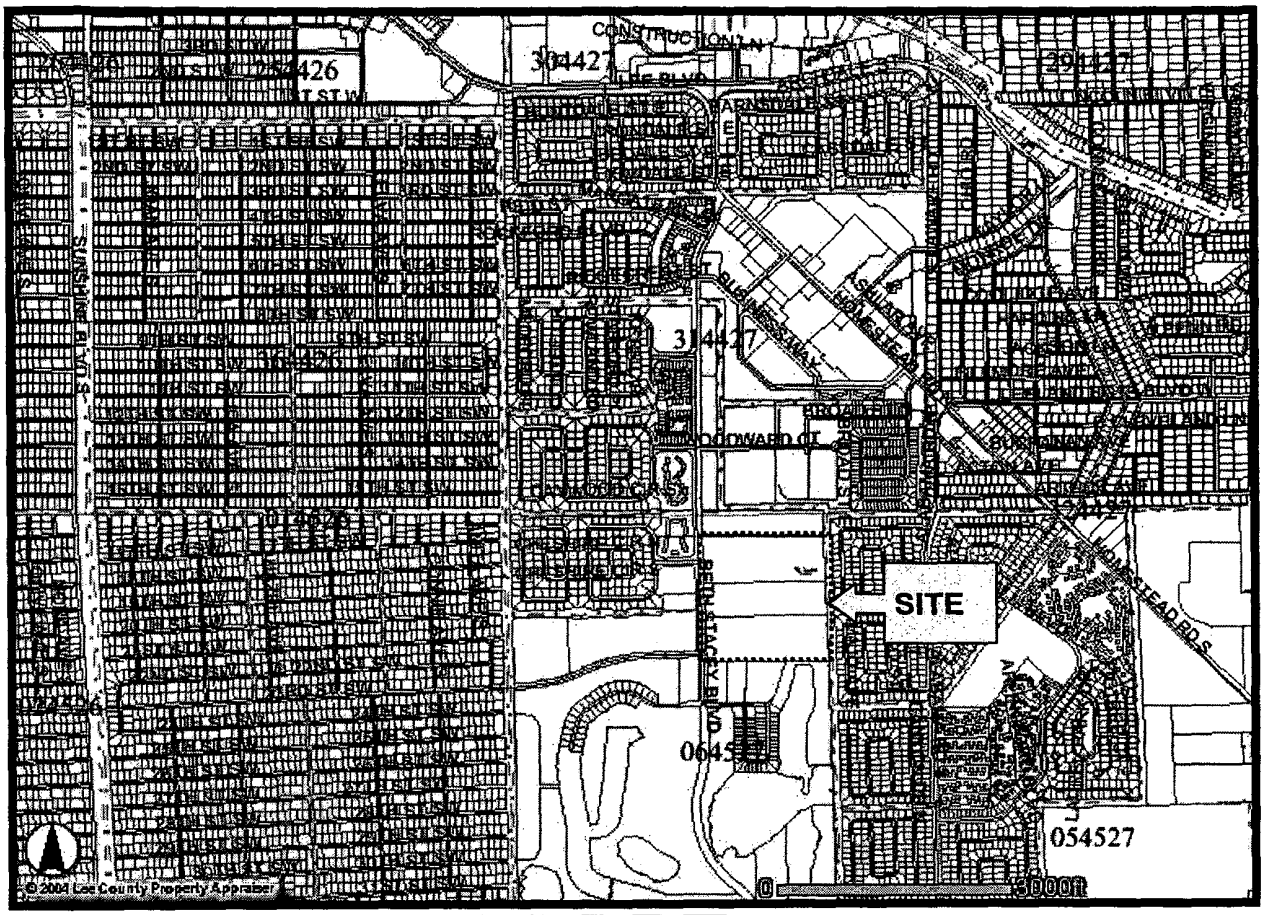
This is a courtesy notice. A public hearing date has not yet been set. You will receive another notice once the hearing date and time have been established.

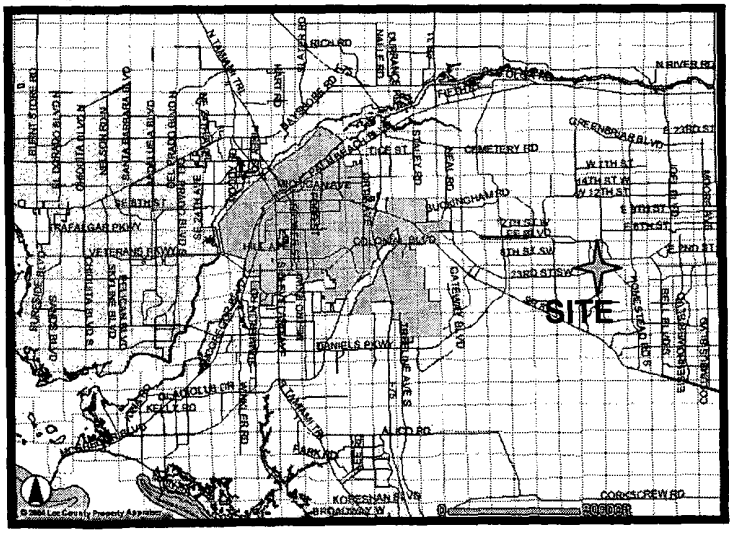
JSS

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA
HOLMES BEACH ♦ PORT CHARLOTTE

Vistanna RPD - Area Location Map





RECEIVED
APR 28 2004

Vicinity Map

10511 Six Mile Cypress Parkway, Suite 101, Fort Myers, Florida 33912 • (239) 939-5490 • Fax (239) 939-2523

Vistanna RPD – Area Location Map **Exhibit 6-B**

DCI2004-00028

31-44-27-00-00001.0000
ROYSTON ROBERT D JR TR
12670 NEW BRITTANY BLVD #101
FT MYERS, FL 33907

31-44-27-00-00001.0020
PRESBYTERIAN HOMES OF
LEHIGH ACRES
P O BOX 356
LEHIGH ACRES, FL 33936

31-44-27-03-00005.0300
DAVEY CHARLES E
5 VINEYARD ST
LEHIGH ACRES, FL 33936

31-44-27-18-00000.00CE
SUNSET LAKE CONDO ASSOC INC
904 LEE BLVD
LEHIGH, FL 33936

31-44-27-18-00006.0031
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00006.0032
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00006.0033
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00006.0034
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00006.0035
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00006.0036
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00007.0037
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00007.0038
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00007.0039
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00007.0040
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00007.0041
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

31-44-27-18-00007.0042
SCHROLL CORPORATION
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-00-00001.0010
COMMUNITY HEALTH ASSOC INC
9 BETH STACEY BLVD STE 201
LEHIGH ACRES, FL 33936

06-45-27-00-01001.0040
NEVINS JOHN J
DIOCESE OF VENICE
PO BOX 2006
VENICE, FL 34284

06-45-27-00-01001.0050
COPPERHEAD DEVELOPMENT INC
21184 BRAXFIELD LOOP
ESTERO, FL 33928

06-45-27-01-00001.0120
SOTO ANDRES
1123 CHEROKEE AV
LEHIGH ACRES, FL 33936

All data is current at time of printing and subject to change without notice.

06-45-27-01-00001.0130
GOHAGEN DELVE ANN +
504 GREENWOOD AV
LEHIGH ACRES, FL 33972

06-45-27-01-00001.0140
GARZA MARIA J +
1127 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0150
COLE MATTHEW J + JUDITH
1129 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0160
GUTIERREZ MIGUEL + MARGARITA
1131 CHEROKEE AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0170
BOOTH CHRISTINA +
1133 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0180
PRINCIPAL RESIDENTIAL
711 HIGH ST
DES MOINES, IA 50392

06-45-27-01-00001.0190
ESSERT RICHARD
702 JACKSON LN
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0200
HARMON DEBRA A
1139 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0210
ESSERT DANIEL LEE
514 FRANK JEWETT AV S
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0220
DANIELS GARY
1143 CHEROKEE AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0230
SHINGLER WENDELL L TR +
555 FOXCREEK DR
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0240
ANGLICKIS RICHARD A + RUTH A
113 GRANDVIEW DR
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0250
SHUTE STEVEN V
1149 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0260
EJ & ASSOCIATES PROPERTY
3804 12TH ST WEST
LEHIGH ACRES, FL 33971

06-45-27-01-00001.0270
ESSERT RICHARD E EST
702 JACKSON LN
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0280
SANTIAGO KIRK J
1155 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0290
ESPINOZA MANUEL
1157 CHEROKEE AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0300
WHEELER KATHLEEN E
1159 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00001.0310
BERDNIK KARL J + MARY R
1161 CHEROKEE AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0070
GOSS RICK
1736 UNICE AV N
LEHIGH ACRES, FL 33971

All data is current at time of printing and subject to change without notice.

06-45-27-01-00003.0080
MARUCA NANCY
1124 CHEROKEE AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0090
WEBER ROBERT K +
6900-29 DANIELS PKWY
STE 121
FORT MYERS, FL 33912

06-45-27-01-00003.0100
FERGUSON VELMA L
323 INMAN ST
LEHIGH ACRES, FL 33972

06-45-27-01-00003.0110
SALINAS CARMEN +
1130 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0120
HELMLINGER HARRY E JR
1132 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0130
GOYER BEATRICE A L/E +
1134 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0140
MCGLYNN SCOTT P + LYNN
1136 CHEROKEE AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0150
HYMAN WILLIAM H
1138 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0160
REYNA VIRGILIO JR
1140 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0170
JENKINS MICHAEL T + VIRGINIA J
23620 TINA LN
FORT MYERS, FL 33913

06-45-27-01-00003.0180
MCDANIEL JACQUELINE + JORGE M
1144 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0190
STILES ROBERT C + LOIS E
1146 CHEROKEE AV
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0200
HAYCRAFT DONALD + SHANNON
51 ANDORA ST
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0210
MONTALVO ROGELIO + REMIGIA
49 ANDORA ST
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0220
GARCIA ISRAEL + MARIA M
47 ANDORA STREET
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0230
GOMEZ HECTOR + MARIA
108 RICHMOND AVE
NORTH FORT MYERS, FL 33936

06-45-27-01-00003.0240
LABOY ALBERTO
43 ANDORA ST
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0250
JOHNSON HERMAN K
41 ANDORA ST
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0260
PIERCE HENRY A SR + MARGARET M
39 ANDORA ST
LEHIGH ACRES, FL 33936

06-45-27-01-00003.0270
ROSS RUTH G
37 ANDORA ST
LEHIGH ACRES, FL 33936

All data is current at time of printing and subject to change without notice.

06-45-27-01-00003.0280
MORAN DAVID J +
35 ANDORA ST
LEHIGH ACRES, FL 33936

06-45-27-01-00004.0140
ORTIZ NESTOR
40 ANDORA ST
LEHIGH ACRES, FL 33936

06-45-27-01-00004.0150
BLANDON MAGNOLIA +
38 ANDORA ST
LEHIGH ACRES, FL 33936

06-45-27-01-00004.0160
SHINGLER WENDELL L COTR +
555 FOXCREEK DR
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0070
RIVERA JAIME + SHEILA R
1156 NAVAJO AV
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0080
SHAVER LINDA JEAN
1154 NAVAJO AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0090
BROWN ROBERT NELSON + LILLA SB
1152 NAVAJO
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0100
FELICIANO WILLIE + MIGDALIA
1150 NAVAJO AV
LEHIGH ACRES, FL 33936

06-45-27-01-00005,0110
PINTO IRIS
1148 NAVAJO AV
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0120
MADRID JON M
17456 SILVER FOX FR
FORT MYERS, FL 33970

06-45-27-01-00005.0130
BERNARD LOUIS L + JEANNE E
1144 NAVAJO AV
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0140
SHINGLER WENDELL + MARIAN COTR
555 FOXCREEK DR
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0150
VACA HECTOR
1140 NAVAJO AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0160
HINDS CYRIL
1138 NAVAJO AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0170
BRINK CAROL
1136 NAVAJO
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0180
ADORNO JOSE JR
1134 NAVAJO AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0190
MEZA JUAN M
1132 NAVAJO AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0200
BATEMAN WALLACE H
1130 NAVAJO AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0210
SEXTON DEBORAH
1128 NAVAJO AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00005.0220
ESPINOSA LOURDES
1126 NAVAJO AV
LEHIGH ACRES, FL 33936

All data is current at time of printing and subject to change without notice.

06-45-27-01-00005.0230
PEREZ WILLIAM + DIGNA
1124 NAVAJO AV
LEHIGH ACRES, FL 33936

06-45-27-01-00008.0080
WILLIAMS ROGER I + LORRAINE A
35 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00008.0090
BROWN NAMOI
37 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00008.0100
WATSON APRIL D
39 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00008.0110
MALDONADO ARELL +
41 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00008.0120
CALDERON FERNANDO L + MARIA R
43 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00008.0130
MEISER ROBIN SMITH
45 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00008.0140
SMITH KATHLEEN
1141 NAVAJO AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0010
WRIGHT HORACE
323 EDWARD AVE
LEHIGH ACRES, FL 33972

06-45-27-01-00009.0020
PARRA ELIAZAR
46 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0030
ACEVEDO JOSE I
44 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0040
KERRN FRANKLYN D + PEGGY A
42 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0050
MORANT RAYMOND + LORNA M H/W
307 PROSPECT AVE
HACKENSACK, NJ 07061

06-45-27-01-00009.0060
ZAPATA RAFAEL
38 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0070
MARTINEZ EDWARDO
36 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0080
GONZALEZ JOSE M + MARTHA A
34 ABACO ST
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0090
JONES DOROTHY M +
107 IDAHO RD SE
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0130
QUEBEC CARL D
1117 NAVAJO AV
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0140
LEE JEAN
1119 NAVAJO AV
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0150
MICHEL MARIE LOURDES
1121 NAVAJO AV
LEHIGH ACRES, FL 33936

All data is current at time of printing and subject to change without notice.

06-45-27-01-00009.0160
PERKINS KENNETH W + LOIS J
1123 NAVAJO AV
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0170
SAEZ GRACIELA +
1125 NAVAJO AVE
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0180
PEREZ OLGA
936 CRANFORD AVE
NORTH WOODMERE, NY 11581

06-45-27-01-00009.0190
LOHNES JOANN
1129 NAVAJO AV
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0200
SANTANA MIRTHA
3003 AVE X APT 1-A
BROOKLYN, NY 11235

06-45-27-01-00009.0210
PEREZ WANDA
175 ARLINGTON PL
STATEN ISLAND, NY 10303

06-45-27-01-00009.0220
BURNAP JASON + KIRSTIN
1135 NAVAJO AV
LEHIGH ACRES, FL 33936

06-45-27-01-00009.0230
VALENTIN ANTONIA
1137 NAVAJO AV
FT MYERS, FL 33936

06-45-27-04-00000.B000
SOUTHWEST FLORIDA HOUSING GWI
4940 BAY LINE DR
NORTH FT MYERS, FL 33917

06-45-27-04-00000.C000
THOFNER JEFFREY P TR
5458 N RIVERSHORE DR
TAMPA, FL 33603

06-45-27-08-00000.00CE
STONE EDGE CONDO
PO BOX 416
LEHIGH ACRES, FL 33970

06-45-27-08-0000A.1010
ROSS GERALDINE W
10 BETH STACEY BLVD #101A
LEHIGH ACRES, FL 33936

06-45-27-08-0000A.1020
HIRSCH MICHAEL M
10 BETH STACEY BLVD #102
LEHIGH ACRES, FL 33936

06-45-27-08-0000A.1030
GRAHAM NILS M + ELAINE
10 BETH STACEY BLVD #103
LEHIGH ACRES, FL 33936

06-45-27-08-0000A.2010
JENNINGS WILLIAM E + DIANA S
10 BETH STACEY BLVD #201A
LEHIGH ACRES, FL 33936

06-45-27-08-0000A.2020
RAHIM EUNICE
107256 FIGTREE CT
LEHIGH ACRES, FL 33936

06-45-27-08-0000A.2030
ANGLE PATRICIA L +
10 BETH STACEY BLVD #203
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.1040
VREELAND PATRICIA + CHESTER +
10 BETH STACEY BLVD #104
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.1050
BIRCH WILLA L +
10 BETH STACEY BLVD #105
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.1060
MARKETTI FLOYD C + MARTHA B
10 BETH STACEY BLVD UNIT 106
LEHIGH ACRES, FL 33936

All data is current at time of printing and subject to change without notice.

06-45-27-08-0000B.1070
ZIMMERMAN BARBARA A
10 BETH STACEY BLVD
UNIT #107
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.1080
CATTANO ARLENE
10 BETH STACEY BLVD #108
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.1090
COX JOAN L TR
10 BETH STACEY BLVD #109
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.2040
LUDWIG FRED + DOROTHY
10 BETH STACEY BLVD #204
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.2050
DICKISON DENNIS B + ANITA J
10 BETH STACEY BLVD #205-B
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.2060
CHARBONNEAU JOSEPH P + CAROLE
10 BETH STACEY BLVD #206
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.2070
REHM ALFRED O + ANNE H
10 BETH STACEY BLVD #207
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.2080
DAVIS RONALD J + ANTOINETTE M
10 BETH STACEY BLVD #208
LEHIGH ACRES, FL 33936

06-45-27-08-0000B.2090
FREEMAN DOROTHY F TR
10 BETH STACEY BLVD #209
LEHIGH ACRES, FL 33936

06-45-27-08-0000C.1100
DOWNING MARY M TR
10 BETH STACEY BLVD #110
LEHIGH ACRES, FL 33936

06-45-27-08-0000C.1110
OMALLEY CATHERINE A TR
10 BETH STACEY BLVD #111
LEHIGH ACRES, FL 33936

06-45-27-08-0000C.1120
BENDER DONNA A +
10 BETH STACEY BLVD #112
LEHIGH ACRES, FL 33936

06-45-27-08-0000C.1130
HAENSZEL ROBERT C +
10 BETH STACY 113
LEHIGH ACRES, FL 33936

06-45-27-08-0000C.1140
STANLEY GARY F
319 BARNSBORO RD
BARNSBORO, NJ 08080

06-45-27-08-0000C.1150
ABELL MARY E
10 BETH STACY BLVD #115
LEHIGH ACRES, FL 33936

06-45-27-08-0000C.2100
HUGGINS ERIC H + MARGARET G
63 IMPERIAL DR
NEW HARTFORD, NY 13413

06-45-27-08-0000C.2110
FUCHS GERTRUD
RITZMANNSHOFER STR 2A
D 90768 FUERTH,
GERMANY

06-45-27-08-0000C.2120
GORDON DONALD L SR + GLORIA J
10 BETH STACEY BLVD #212
LEHIGH ACRES, FL 33936

06-45-27-08-0000C.2130
MEYER HERBERT + MONIKA
10 BETH STACEY BLVD #C213
LEHIGH ACRES, FL 33936

06-45-27-08-0000C.2140
DAVIS FLOYD G
10 BETH STACEY BLVD #214
LEHIGH ACRES, FL 33936

All data is current at time of printing and subject to change without notice.

06-45-27-08-0000C.2150
TRAUX RICHARD F + BARBARA
10-215 BETH STACY BLVD
LEHIGH ACRES, FL 33936

06-45-27-09-00000.00CE
CAMELOT GARDENS CONDO
55-59 CAMELOT GARDENS BLVD
LEHIGH ACRES, FL 33936

06-45-27-09-0000A.1010
STRINGER PATTY A
51 CAMELOT GARDENS BLVD #101
LEHIGH ACRES, FL 33936

06-45-27-09-0000A.1020
MAJOR HOMES INC
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-09-0000A.1030
MAJOR HOMES INC
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-09-0000A.1040
OTTEN GRACE I TR
51 CAMELOT GARDENS
BLDG A U104
LEHIGH ACRES, FL 33936

06-45-27-09-0000A.1050
CAYWOOD ALLAN + ROSEMARIE
51 CAMELOT GARDENS BLVD #105
LEHIGH ACRES, FL 33936

06-45-27-09-0000A.1060
ROCKEFELLER MARSHALL E + AGNES
51 CAMELOT GARDENS BLVD #106
LEHIGH ACRES, FL 33936

06-45-27-09-0000A.2010
KNAPP KLAUS +
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-09-0000A.2020
AUB INC
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-09-0000A.2030
WINKEL JUNE D
51 CAMELOT GARDENS BLVD #203
LEHIGH ACRES, FL 33936

06-45-27-09-0000A.2040
AMATO PATSY + DOROTHY TR
22149 KENSINGTON
TAYLOR, MI 48180

06-45-27-09-0000A.2050
SORENSEN DIANE +
51 CAMELOT GARDENS BLVD #205
LEHIGH ACRES, FL 33936

06-45-27-09-0000A.2060
PETROWITSCH NORBERT
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-09-0000B.1070
REINBOTT DONALD J + JANET SUE
59 CAMELOT GARDENS BLVD #107
LEHIGH ACRES, FL 33936

06-45-27-09-0000B.1080
BROWNIE INC
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-09-0000B.1090
MELTON MARION E TR
59 CAMELOT GARDENS BLVD #109
LEHIGH ACRES, FL 33936

06-45-27-09-0000B.1100
WARCHOL GARY T + BETTY
59 CAMELOT GARDENS BLVD
110
LEHIGH ACRES, FL 33936

06-45-27-09-0000B.1110
SCHNEIDER HARTMUT
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-09-0000B.1120
SIMON GUNDELINDE
C/O SUN & COMFORT MANGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

All data is current at time of printing and subject to change without notice.

06-45-27-09-0000B.2070
PRELL KARL
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-09-0000B.2080
ROLOW CATHERINE M
59 CAMELOT GARDENS BLVD #208
LEHIGH ACRES, FL 33936

06-45-27-09-0000B.2090
MCARTHUR ALEXANDER D +
21 ARNIES CHANCE
BALLANTRAE, ON L4A 1M1
CANADA

06-45-27-09-0000B.2100
HANNING JAMES W +
24 BEAUFORT HILLS RD
RICHMOND HILL, ON L4E 2N5
CANADA

06-45-27-09-0000B.2110
POGGENSEE GERHARD +
59 CAMELOT GARDENS BLVD # 211
LEHIGH ACRES, FL 33936

06-45-27-09-0000B.2120
LUHE INC
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-09-0000C.1130
UPDEGROVE DORIS JEAN
55 CAMELOT GARDENS BLVD #113
LEHIGH ACRES, FL 33936

06-45-27-09-0000C.1140
BIGBEE BARBARA B
55 CAMELOT GARDENS BLVD #114
LEHIGH ACRES, FL 33936

06-45-27-09-0000C.1150
SCHMIDT HANS ETAL
C/O SUN & COMFORT MANAGEMENT
237 JOEL BLVD
LEHIGH ACRES, FL 33972

06-45-27-09-0000C.2130
MILENKEVICH JOSEPH A + DOLORES
55 CAMELOT GARDENS BLVD #213
LEHIGH ACRES, FL 33936

06-45-27-09-0000C.2150
WILDE GUENTER + DOROTHEE
55 CAMELOT GARDENS BLVD #215
LEHIGH ACRES, FL 33936

06-45-27-10-00003.0000
COPPERHEAD DEVELOPMENT INC
21184 BRAXFIELD LOOP
ESTERO, FL 33928

06-45-27-10-00004.0000
COPPERHEAD DEVELOPMENT INC
21184 BRAXFIELD LOOP
ESTERO, FL 33928

06-45-27-10-00007.0000
COPPERHEAD DEVELOPMENT INC
21184 BRAXFIELD LOOP
ESTERO, FL 33928

06-45-27-10-0000A.0000
COPPERHEAD DEVELOPMENT INC
21184 BRAXFIELD LOOP
ESTERO, FL 33928

06-45-27-10-0000E.0000
COPPERHEAD DEVELOPMENT INC
21184 BRAXFIELD LOOP
ESTERO, FL 33928