kwiktag® 022 583 964

EXHIBITS

from HEX hearing

CASE #: DCI2005-00026

CASE NAME: Hidden Harbor

Attach a copy of this form to the top of packet of the exhibits & place exhibits in case file.

ARE THERE ANY BOARD EXHIBITS? ___YES ___NO

LOCATION OF BOARDS:

_____

If there are any board exhibits, attach another copy of this form to boards for identification purposes.

EXHIBITS – DCI 0005-00026

APPLICANT	STAFF
#1 Aerial Photo	#1 E-Mails
#2 Master Concept Plan 3/4/06	#2 Seawall Diagram
#3	#3
#4	#4
#5	#5
#6	#6
#7	#7
#8	#8
#9	#9
#10	#10

OTHER EXHIBITS

NAME	NAME
#1	#1
#2	#2
#3	#3
#4	#4
#5	#5

Joshua Philpott - Hidden Harbor/Harbor Watch Project

From: "Carolyn Ahlemeier" <cahlemeier@comcast.net>
To: <LarryandGayle@aol.com>
Date: 3/16/2006 7:14 AM
Subject: Hidden Harbor/Harbor Watch Project

Josh Philpott, Senior Planner
Lee County - Zoning Division
1500 Monroe Street - 2nd Floor
P. O. Box 398
Fort Myers, FL 33902-0398

Mr. Richard A. Gescheidt
Lee County Hearing Examiner
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, FL 33902

REF: CASE NUMBER DCI2005-00026
HIDDEN HARBOR/HARBOR WATCH PROJECT

We are basically in favor of the improvement this project will add to the San Carlos Drive area,
BUT.....WE DO HAVE THE FOLLOWING CONCERNS AND FEEL THE PROJECT SHOULD BE AMENDED AS FOLLOWS:

DENSITY:
Original zoning request was for 18 units.
They are grandfathered/allowed 15 units.
We would like to keep the density at the amount allowed of 15 units.

STAFF'S EXHIBIT # 1
Consists 3 pages
DCI2005-00026

SIDE SETBACKS:
Their original plan called for a 20' side setback which is STANDARD.
Designs submitted yesterday call for a 15' side setback.
We would like to keep the side setback at the standard width of 20'.
Area to be bermed and landscaped to provide transition for nearby homes.

HEIGHT:
They have asked for 35' + 17' (flood elevation requirements) - for a total of 52'. Actual height of the buildings would be approximately 58-60' depending on the pitch of roof.
The general area is surrounded by residential single family and/or duplexes. The massive size of these buildings and height will tend to dwarf the other houses in the area and do not feel it is compatible in design.
We would prefer the height to be more inline with the newer 2 story over parking type single-family/duplex residences in the community.

DISTANCE BETWEEN BUILDINGS:
Standard distance is 20' - Code Requirements: Buildings exceeding 35 feet in height must maintain

additional building separation as regulated by LDC Section 34-21749(a).
They have requested a deviation to be only 10'
We would like to keep the distance between buildings at the Standard of 20 Feet.

RUN-OFF/SHEET FLOW
We have concerns regarding storm water run-off and the possibility of over-taxing the current drainage system with the addition of approximately 60,000 square feet of impervious surface. We would like to see the developers plan for handling the excess water.

MSTBU & EXISTING OUT-FALL
Current project shows buildings on top of the existing drainage. As there are only 3 out-falls serving San Carlos Drive area, it is critically important to maintain this out-fall. It may be possible to move the drainage pipe, collection basin and the existing out-fall in seawall. Project engineers would need to determine feasibility of this.
There is a pending MSTBU Project to upgrade San Carlos Drive/San Carlos Court with underground drainage and curbs. (Approved by County Commissioners Aug. 23, 2005). It is important for this project to COORDINATE with the project engineer for the MSTBU and that it be done so in a timely manner as the project progresses.

Expense to move this drainage line should be at the expense of Hidden Harbor/Harbour Watch developers and NOT the community.

PROPOSED COMPROMISE:
Current designs have 10 units on the water and 6 across the street.
We would like to propose project be amended to 8 units on the water and 7 across the street. This will allow the needed space for side setbacks and for the distance between the buildings increased to a standard level.

Sincerely,

Barry and Carolyn Ahlemeier
934 San Carlos Drive
Ft. Myers Beach, FL 33931
239-357-4882

Joshua Philpott - Hidden Harbor Case Number DCI2005-00026

From: therese dobrowolski <thedobrow@yahoo.com>
To: gayle bell <larryandgayle@aol.com>
Date: 3/15/2006 9:25 PM
Subject: Hidden Harbor Case Number DCI2005-00026
CC: <JPhilpott@leegov.com>

I am hoping that you can deliver the contents of this email at the the hearing on our behalf. As you know, we will be out of town tomorrow and unable to attend.

REF: CASE NUMBER DCI2005-00026
HIDDEN HARBOR/HARBOR WATCH PROJECT

In brief, we are concerned that any new development along San Carlos Dr should be in accordance with the county requirements for set backs, with no greater density than the property had before. I believe that would mean no more than 15 units, with 20 foot set backs and at least 20 feet between units. We are also concerned about the proposed height, which will overpower all the properties around it. We are hopeful that more reasonable limits can be placed on this development for the neighborhood

We are concerned about the run off that this additional development may cause for the already overwhelmed San Carlos Dr. drainage. When we first heard about this development, we were told that they would have to provide their own run off capacity, and that the street run off (or out-fall) that is currently provided via the property would remain intact for the street. I would like to be sure that that is the case. In addition, I would request that a study be completed to assess the added drainage that will be needed if thousands of square feet of absorbing surfaces are lost to these added buildings where only raised cottages previously stood.

Thank you for your consideration.

Therese Dobrowolski and Chris Hionedes
932 San Carlos Dr.

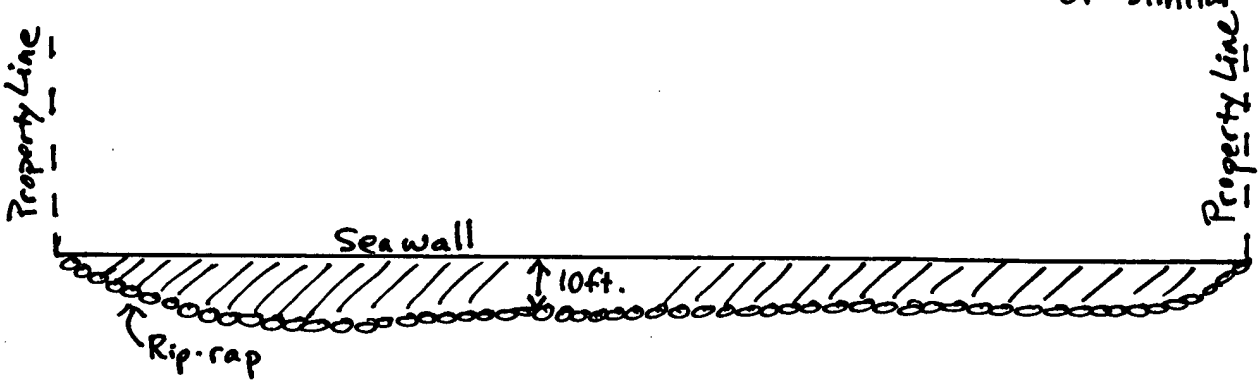
Yahoo! Mail
Bring photos to life! New PhotoMail makes sharing a breeze.

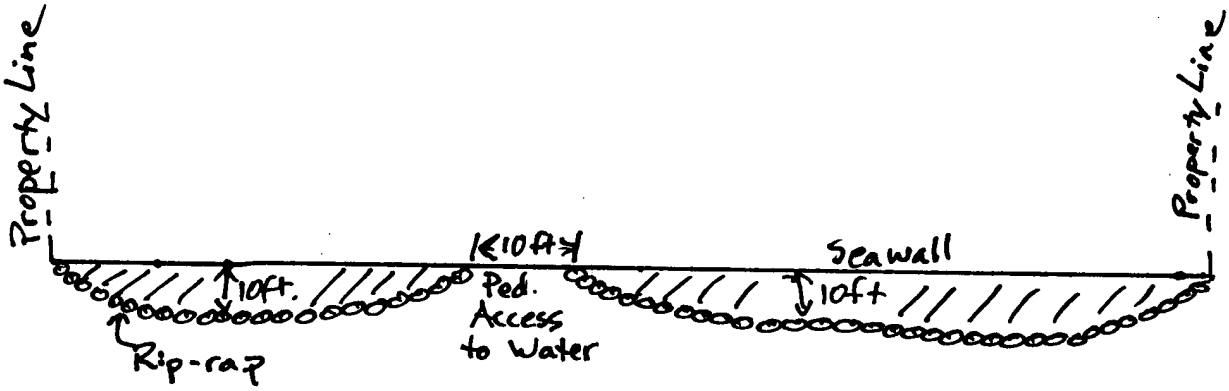
STAFF EXHIBIT
- Cond 3(i)
- Clarification
- Potential Options or similar design

Hidden Harbor RPD

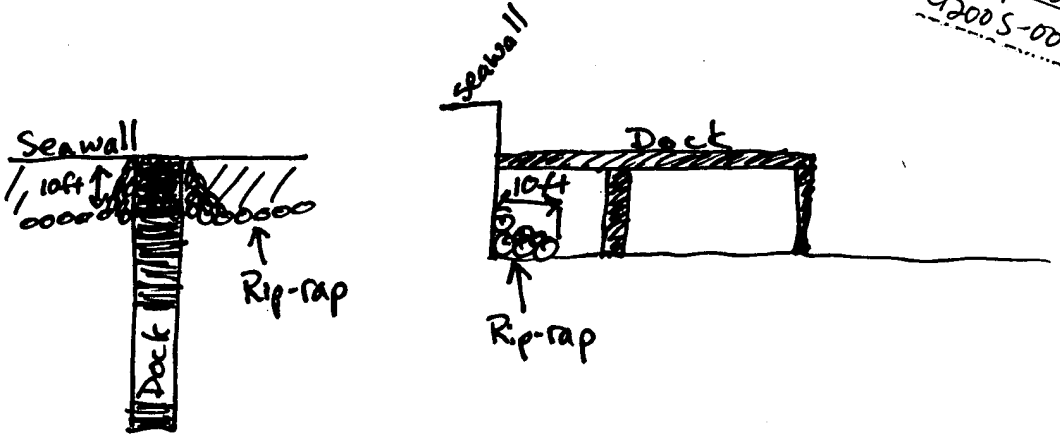
DCI 2005-00026

(not to scale)





STAFF EXHIBIT # 3
3/16/2006
DCI2005-00026



▨ = Planting Shelf

MEMORANDUM
FROM
DEPARTMENT OF COMMUNITY DEVELOPMENT
DIVISION OF ENVIRONMENTAL SCIENCES

Date: **March 22, 2006**

To: **Richard Gescheidt, Hearing Examiner**
From: **Kim Trebatoski, Principal Environmental Planner**

Subject: **Hidden Harbour RPD Condition 3 Revisions/Clarifications**

The applicant recommended revisions to condition 3 to address their concerns regarding final design. ES staff reviewed the applicant's language, and recommend the following to address both the applicant's and staff's concerns (Applicant language is underlined. Staff's language is strike thru and double underline):

Prior to local development order approval, the landscape plans must include:

a. **The details on the creation of a ~~minimum 10-foot wide~~ 3,600 square foot (calculated based on 10-foot width and 360 linear footage of shoreline) coastal littoral planting shelf waterward of the existing sea wall stabilized with a riprap breakwater and native plantings, subject to approval by appropriate permitting agencies. The shape of the littoral planting shelf and the planting plan can be flexible in design, including width and plant types, to accommodate pedestrian access to the waters of San Carlos Bay and to the subject property's dockage from the subject property. The planting plan must include appropriate native vegetation providing a fifty percent coverage at time of planting for the littoral shelf; and**

b. No change; and

WRITTEN SUBMITTAL

06 MAR 22 PM 1:45

HEARING EXAMINER
LEE COUNTY

STAFF'S EXHIBIT # 3
DCI2005-00036
written submission

Written submission

LEE COUNTY
HEARING EXAMINER
06 MAR 23 PM 4:09

MEMORANDUM
FROM THE
COUNTY ATTORNEY

DATE: March 23, 2006

TO: Richard Gescheidt
Hearing Examiner

FROM:
Dawn E. Perry-Lehnert
Assistant County Attorney

RE: Hidden Harbour RPD, DCI2005-00026
Condition 12 and Additional Finding

In accordance with the Order for Continuance in the Hidden Harbour RPD case (DCI2005-00026), to follow is an additional condition and finding intended to address demolition of the existing structures on the subject property. I believe the applicant is in agreement with this condition.

Condition 12.

The existing structures on the subject property must be removed as a condition of development order approval. For purposes of this condition, the project may be divided into no more than two phases: One phase covering the entirety of the "land parcel", located between South Street and San Carlos Drive; and, the other parcel covering the entirety of the "water parcel", located between San Carlos Drive and the Estero Bay. If the property owners desire to retain a structure as part of, or subsequent to, development order approval, then this resolution and the attached MCP must be amended through the public hearing process.

Additional Finding:

The property owner has indicated that all existing structures on the subject property will be removed and replaced with new construction in accord with the attached MCP. At the time this resolution was approved, four structures existed on the "water parcel" and seven structures existed on the "land parcel".

Should you have any questions concerning the above, please do not hesitate to contact me.

DPL:tlb
cc: Josh Philpott, Senior Planner, DCD
Richard Pringle, Esquire, Strayhorn & Strayhorn

STAFF'S EXHIBIT # 4
DCI2005-00026
written submission

S:\LU\Zoning-2005\05-100 Hidden Harbor RPD\Hidden Harbour Condition memo

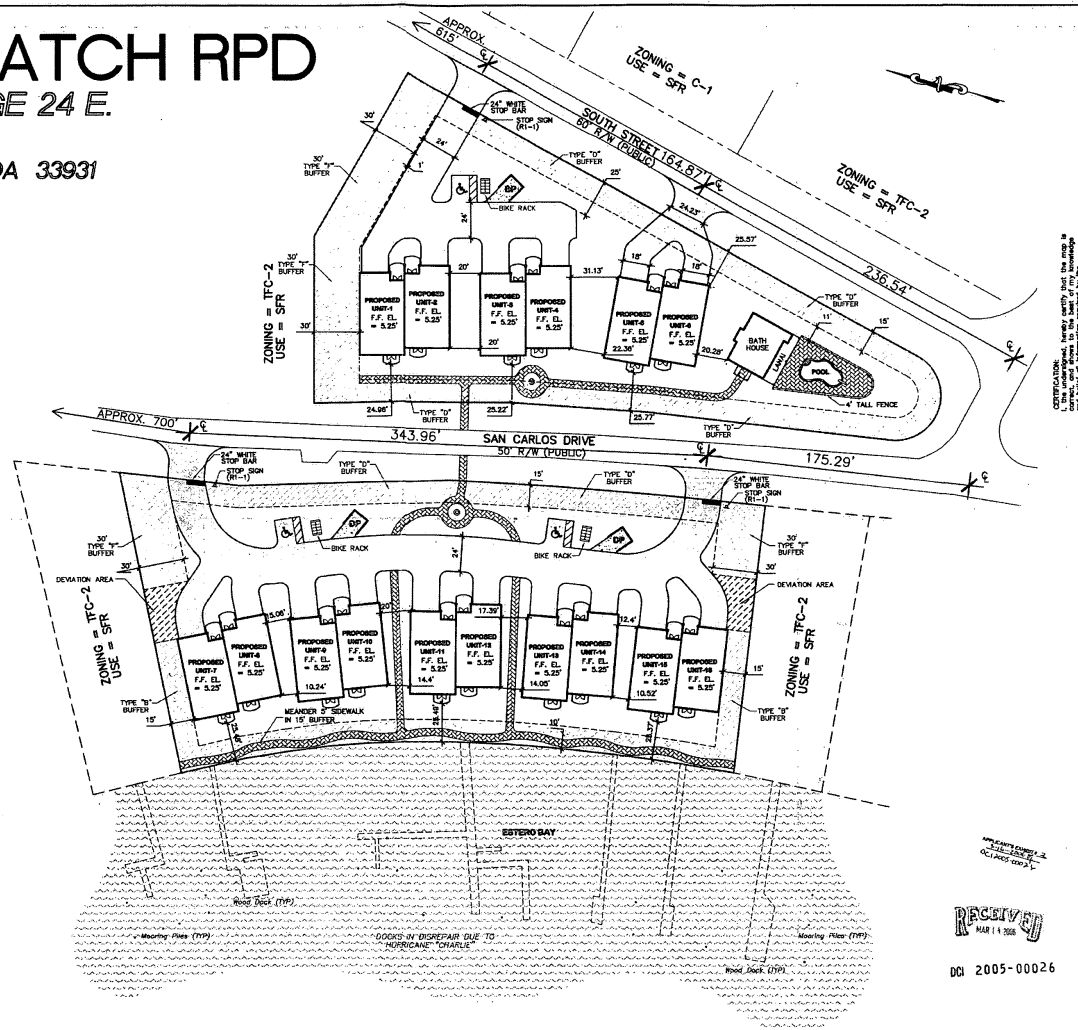
Post-it™ brand fax transmittal memo 7671 | # of pages ▸ 1

To Richard Gescheidt	From Dawn Lehnert
Co.	Co.
Dept.	Phone # 335-2236
Fax # 8106	Fax #

HARBOR WATCH RPD

SEC 24, TWP 46 S., RGE 24 E.

819 SAN CARLOS DR
FORT MYERS BEACH, FLORIDA 33931



NOTES:

1. THE PROPOSED BUILDINGS ARE TWO HABITABLE STORIES ABOVE FLOOD ELEVATION WITH ALL BUILDINGS OF UNIFORM HEIGHT AND APPEARANCE. GROUND FLOOR AREAS WILL BE AIR CONDITIONED STORAGE, NON-HABITABLE. FIRST HABITABLE FLOOR ELEVATION WILL BE APPROXIMATELY 15.283 NVGD. STRUCTURE HEIGHT LIMITED TO 38' ABOVE MINIMUM FEMA BASE FLOOD ELEVATION, OR APPROXIMATELY 81' NVGD.
2. SCHEDULE OF DEVIATIONS: PLEASE SEE APPROVED RESOLUTION.
3. OPEN SPACE REQUIRED:
   Site Area = 135,854 sf (Site Area) x 40% = 81,222 sf
   Open Space Provided = 87,167 sf

ENGINEER: Robert W. Coon, P.E.
Land Investment Services, Inc.
2040 Cleria Avenue
Fort Myers, FL 33905
Tel: (239) 693-9244
Fax: (239) 693-9828

PLANNER: Patrick C. Hunt
8363 Calusa Road
Fort Myers, FL 33912
Tel: (239) 267-5600
Fax: (239) 267-5633

OWNER: Hidden Harbor Inn, LLC
819 San Carlos Dr
Fort Myers Beach, FL 33931

CERTIFICATION:
I, the undersigned, hereby certify that the map is correct, and shows to the best of my knowledge and belief, all requirements of this Land Development Code.

Rob Eikle — Surveyor — APPROVED

RECEIVED
MAR 14 2006
DCI 2005-00026

HARBOR WATCH	Fort Myers Beach, Florida
MASTER CONCEPT PLAN #5	
SCALE: 1"=30'	
DATE: MAR 13, 2006	
SHEET: MCP05	

Construction — Engineering — Surveying
Land Investment Services, Inc.
2040 Cleria Avenue
Ft. Myers, Fla. 33905
Phone: (941)693-9244
Facsimile: (941)693-9828

LEE COUNTY
HEARING EXAMINER
06 MAR 22 AM 10: 03

STRAYHORN & STRAYHORN, P.L.
A Professional Limited Liability Company
2125 First Street, Suite 200 • Fort Myers, Florida 33901

Guy M. Strayhorn (1889-1981)
Norwood R. Strayhorn (1911-1982)
Guy R. Strayhorn
E. Bruce Strayhorn, P.L.
Richard W. Pringle, P.A.

Reply to:
Richard W. Pringle
P. O. Box 1545
Fort Myers, FL 33902-1545

Telephone: 239/332-4717
Facsimile: 239/332-4718

E-Mail: Richard@strayhornlaw.com

March 22, 2006

VIA HAND DELIVERY

Richard A. Gescheidt
Lee County Hearing Examiner
1500 Monroe Street
Suite 218
Fort Myers, FL 33902-0398

RE: Case No. DCI2005-00026-Hidden Harbour Inn

Dear Mr. Gescheidt:

Enclosed please find proposed language for Condition 3.1. I have added a new second sentence which is underlined in green on the attachment. I sent the proposed language to Mr. Philpott Monday for his review and he forwarded it on to the Environmental Sciences Department for their comment. I have not heard back from Mr. Philpott and with a copy of this correspondence, I respectfully request him to provide the County staff comments direct to you with a copy to me.

If you have any questions, please feel free to contact me.

Respectfully submitted,

Richard W. Pringle

Enclosure
RWP/jlb
2005032

APPLICANT'S EXHIBIT # 3
DCI2005-00026
Written Submission

RE: Proposed Language for Condition 3.1

3. Prior to local development order approval, the landscape plans must include:
   1. The details on the creation of a minimum 10-foot wide coastal littoral planting shelf waterward of the existing sea wall stabilized with a riprap breakwater and native plantings, subject to approval by appropriate permitting agencies. The shape of the littoral planting shelf and the planting plan can be flexible in design, including width and plant types, to accommodate pedestrian access to the waters of San Carlos Bay and to the subject property's dockage from the subject property. The planting plan must include appropriate native vegetation providing a fifty percent coverage at time of planting for the littoral shelf; and

STRAYHORN & STRAYHORN, P.L.
Richard W. Pringle, P.A.
2125 First Street, Suite 200
P. O. Box 1545
Fort Myers, Florida 33902
(239) 332-4717 (Phone)
(239) 332-4718 (Fax)

FAX TRANSMITTAL

To: **Richard Gescheidt**
Hearing Examiner

Fax #: **479-8106**

From: **Richard W. Pringle**

Date: **March 23, 2006**

Pages: **3 page(s) including this cover sheet**

RE: **Hidden Harbour RPD, DCI2005-00026-Condition Related to Demolition of Remaining Structure**

Matter: **2005032**

FOR YOUR INFORMATION

THIS FAXED MESSAGE MAY CONTAIN PRIVILEGED AND/OR CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY SENDER BY TELEPHONE IMMEDIATELY AND RETURN THE ORIGINAL MESSAGE TO THE SENDER AT THE ABOVE ADDRESS VIA THE UNITED STATES POSTAL SERVICE. WE WILL REIMBURSE YOU FOR POSTAGE.

APPLICANT'S EXHIBIT # 5
DCI2005-00026
written Submission

STRAYHORN & STRAYHORN, P.L.
A Professional Limited Liability Company
2125 First Street, Suite 200 • Fort Myers, Florida 33901

Guy M. Strayhorn (1889-1981)
Norwood R. Strayhorn (1911-1982)
Guy R. Strayhorn
E. Bruce Strayhorn, P.L.
Richard W. Pringle, P.A.

Reply to:
Richard W. Pringle
P. O. Box 1545
Fort Myers, FL 33902-1545

Telephone: 239/332-4717
Facsimile: 239/332-4718

E-Mail: Richard@strayhornlaw.com

March 23, 2006

VIA TELECOPIER 479-8106

Richard Gescheidt
Hearing Examiner

RE: Hidden Harbour RPD, DCI2005-00026-Condition Related to Demolition of Remaining Structure

Dear Hearing Examiner Gescheidt:

I am in receipt of a copy of Dawn E. Perry-Lehnert's Memorandum to you dated March 23, 2006, regarding the above referenced matter. I agree with the additional finding statement; however, I and the applicant require one change to the proposed Condition 12.

The change we must have to Condition 12 is to increase the number of phases the project may be divided into from two phases to three phases with one phase covering the entire "land parcel" and with the other two phases being one-half each of the "water parcel". The reason for the need of three phases is three-fold. First, the plan is to build a model on the water parcel as the first phase and then build all the units on the land parcel so that they are all sold prior to development and sale of the last units on the water. Second, the applicant's construction lender is requiring the development of the parcel in the three phases referenced above. Third, the realtor who is marketing the condominium units for the applicant has indicated that the construction of the model on the water parcel and then the construction of the units on the land parcel is the best way to market the property so that the last parcels being constructed and sold will be the final waterfront units as the third phase. As a result, I propose Condition 12 to read as follows:

The existing structures on the subject property must be removed as a condition of development order approval. For purposes of this condition, the project may be divided into no more than three ~~two~~ phases: One phase covering the entirety of the "land parcel", located between South Street and San Carlos Drive; ~~and, the other parcel covering the entirety of~~ the second phase covering one-half of the "water parcel", located between San Carlos Drive and the Estero Bay; and, the third phase covering the other half of the "water parcel", located between San Carlos Drive and the Estero Bay. If the property owners desire to retain a structure as part of, or subsequent to, development order approval for the third phase, then this resolution and the attached MCP must be amended through the public hearing process.

Mar 23 06 06:47p Richard W. Pringle, P.A. 239-332-4718 p.2

Except for the need to have three phases instead of two phases covered by three development orders, I believe we are in agreement with what is being proposed by the County Attorney. As a result of the necessity of developing the parcel in three phases, I respectfully request that you adopt the enclosed language for Condition 12.

If you have any questions, please feel free to contact me.

Best regards,

Richard W. Pringle

RWP/nlp
2005032

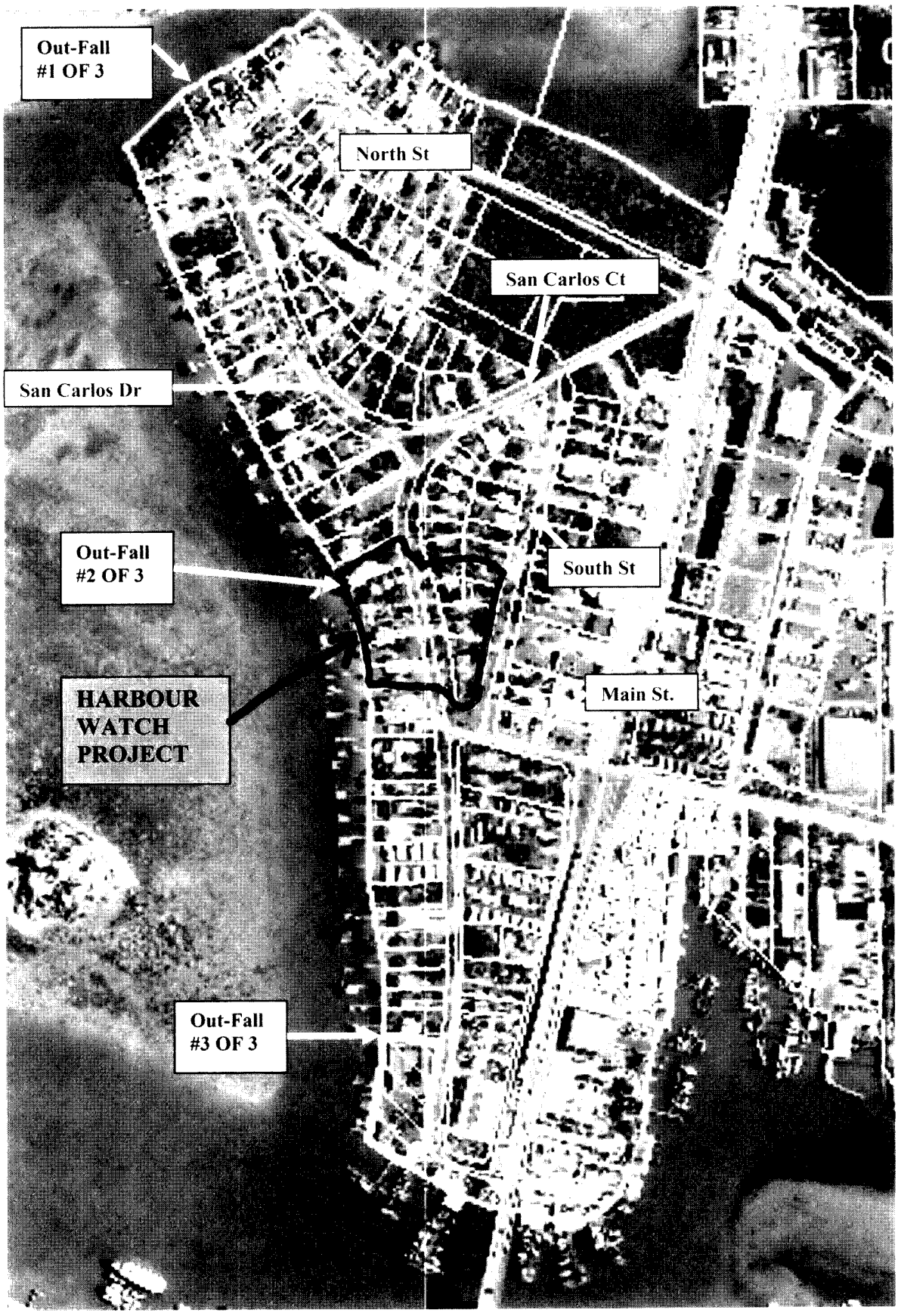


EXHIBIT # PC1205-0002L

EXHIBIT # 1 3/1/2006

SAN CARLOS ON THE GULF
AERIAL PHOTOGRAPH
Note: Approximate Location of Existing Out-Falls

□ - MSTBU District