

# EXHIBITS

**CASE #** DCI 2007-00078

**CASE NAME:** Cypress Woods RV Resort

**Attach copy of this form to top of packet of 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

### APPLICANT

#1 Aerial Photographs

#2 \_\_\_\_\_

#3 \_\_\_\_\_

#4 \_\_\_\_\_

#5 \_\_\_\_\_

#6 \_\_\_\_\_

#7 \_\_\_\_\_

#8 \_\_\_\_\_

#9 \_\_\_\_\_

#10 \_\_\_\_\_

### OTHER EXHIBITS

#### NAME

*Knatchell*

#1 SFWMB letter 2/2/2011

#2 PHOTOS

#3 \_\_\_\_\_

#4 \_\_\_\_\_

#5 \_\_\_\_\_

### STAFF

#1 Aerial Photo

#2 Aerial Photos (2)

#3 Master Concept Plan

#4 \_\_\_\_\_

#5 \_\_\_\_\_

#6 \_\_\_\_\_

#7 \_\_\_\_\_

#8 \_\_\_\_\_

#9 \_\_\_\_\_

#10 \_\_\_\_\_

#### NAME

#1 \_\_\_\_\_

#2 \_\_\_\_\_

#3 \_\_\_\_\_

#4 \_\_\_\_\_

#5 \_\_\_\_\_



This map drawn for visual purposes only.  
 Not to be used for official zoning map.

2011 Aerial Photography  
 Printed Nov. 2011

**Cypress Woods  
 RV Resort**  
 DCI2007-00078



STAFF'S EXHIBIT # 2  
 10-12-2011  
 DCI200700078



## SOUTH FLORIDA WATER MANAGEMENT DISTRICT

LOWER WEST COAST REGIONAL SERVICE CENTER 2301 McGregor Boulevard, Fort Myers, FL 33901  
(239) 338-2929 • FL WATS 1-800-248-1201 • Suncom 748-2929 • Fax (239) 338-2936 • [www.sfwmd.gov/lwc/](http://www.sfwmd.gov/lwc/)

February 7, 2011

Mr. Paul Mutchler  
10560 Martha Street  
Fort Myers, Florida 33905

**RE: Citizen Complaint – File Number CCS000000003186**  
**Residential Flooding: Cypress Woods and C&S Tree Farm (Duke Farms)**

Dear Mr. Mutchler:

The District is currently investigating surface water issues that you brought to our attention and are working to resolve these issues prior to the next rainy season. As you may know, surface water drainage in South Florida is a complex issue with no simple or quick solutions. Many times there are conflicting concerns that need to be addressed. Sometimes when a corrective measure is taken, it may cause unforeseen consequences and the District is trying to minimize these impacts.

The District currently has an open enforcement case against the Cypress Woods RV Resort. At the present time, Cypress Woods RV Resort is cooperating with District staff and is preparing to commence maintenance work on the ditch that should flow to the west. The District has also requested that they submit for a modification of their Environmental Resource Permit, in this modification they will show this conveyance remaining open and they will be increasing the size of the culverts in the ditch which should increase the capacity of the ditch.

District staff has also been working with Lee County staff to do some maintenance in the ditch downstream of Cypress Woods RV Resort. This work will commence after Cypress Woods completes cleaning their portion of the ditch.

The District is also investigating the operations of the Duke Tree Farm (fka C&S Tree Farm). The District is verifying that their current operations are consistent with their Environmental Resource and Consumptive Use Permits and not causing adverse impacts to other property owners or natural resources. At this time their facilities have been inspected and certified as in compliance with the conditions of their District permit. Based on the results of our investigation, the District may modify the conditions of their permit(s).

*Mutchler*  
EXHIBIT #1  
10/12/2011  
DC12007-00078

The District will keep you informed on the progress being made to alleviate your complaint. If you have any questions or if you need further assistance, feel free to contact me at (239) 338-2929 Ext 7793.

Respectfully,

A handwritten signature in black ink, appearing to read 'Kellum', with a stylized flourish at the end.

Kenneth W. Kellum, P.E.

Engineer Supervisor

Environmental Resource Compliance

Lower West Coast Service Center

South Florida Water Management District



3/2010

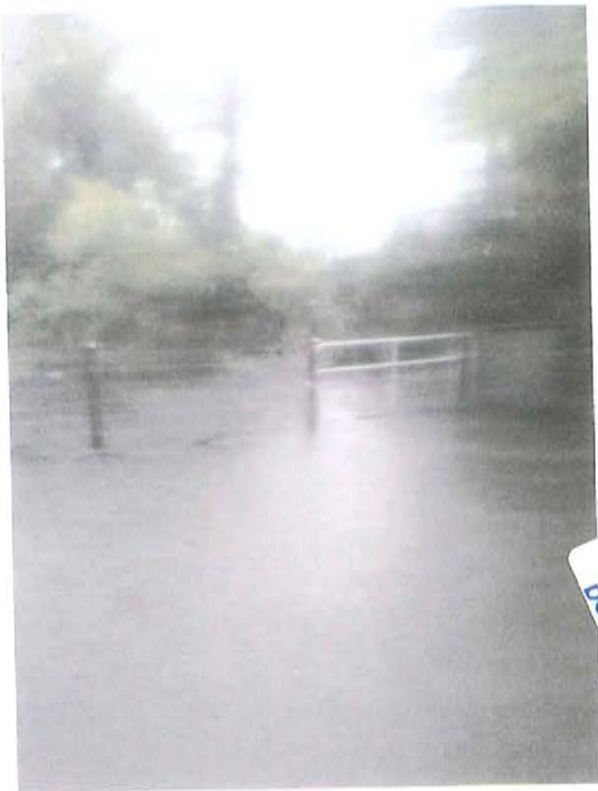
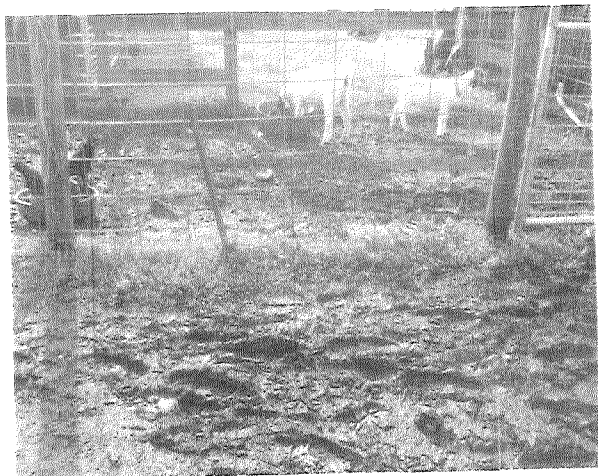


EXHIBIT #  
0018607000  
2/12/11



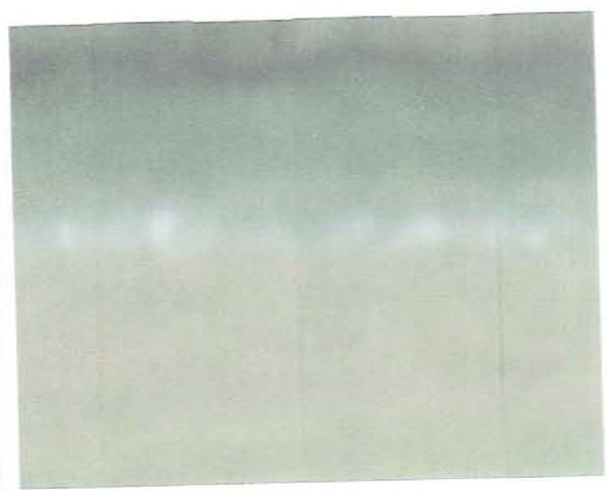
2010





2010

Martha St  
Loll  
Sassaparilla





2008



L) holding pen R)  
birthina pen

Goats had to be moved  
out of there and put in  
my guarden area that  
was the only dry palce at  
the time we had at the  
time.

2008



duck pen toward the  
front water was almost  
to my back door

2008



to eat.. had to buy hay.  
added cost that we would not  
have had other wise

2008

2008

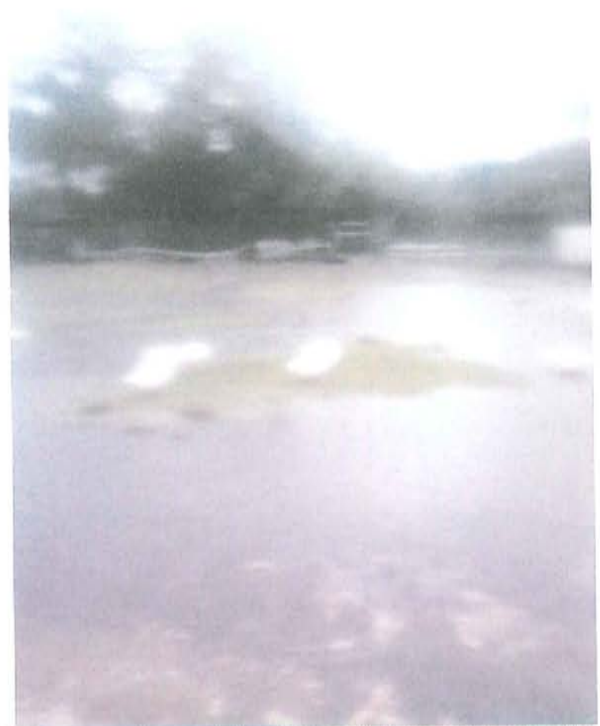


Front pasture  
looking to the  
back back water  
was there for  
months not days  
There was little  
or no grass when  
this water finally  
Left. look at the  
bottom R) of the  
picture.

MUD



Side pasture looking over the fence at cypress woods  
property



Only ones not complaining about all that water was the  
ducks..

I have lost piglets and kids and several of my nannies due to flooding.  
hand nannies that were standing in dung infested water with their  
utters exposed bacteria in the water and suffered from mastitis  
and other problems. From 2008 -2011



2011 Feeds on the water coming from



Time  
Place  
on  
Mouth  
St



Oct 2011



Babies

much after water went down in Birthing  
Pen



Ditch our flowering Mat drainage like it should



water



Water is Deeper  $\frac{1}{2}$  way through =







water — Has covered up to 3/4 of chair pen —





HEX

**APPLICANT'S RESPONSE TO STAFF RECOMMENDATIONS  
AND LIST OF WITNESSES AND EXHIBITS**

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

**CASE NUMBER:** DCI2007-00078

**I. RESPONSE OF APPLICANT TO STAFF REPORT**

Applicant has reviewed the recommendations of Staff and is in general agreement with the Staff Report. It is recognized and acknowledged that Staff has attempted to "codify" all prior approvals and conditions in prior phases of Cypress Woods RV Resort and as such several of the items are obsolete, however to have all of the conditions contained in one approval is desirable from both a regulatory and development perspective.

The only changes that we would request in the Staff Report is as follows:

1. In Deviation (5) the words: "...yet to be located..." should be deleted. This emergency access is located.
2. In Deviation (9.a) the word "boat" should be deleted since the storage area is used as much for auto trailers as for boats.

We have discussed these changes with Staff and there is no opposition to the proposed changes.

**II. LIST OF WITNESSES:**

1. Kenneth Notturmo, Harp Development, LLC, as planning consultant and affiliated with the Applicant will present and speak for the Applicant in the presentation of the Application and any information submitted to staff in response to communications between the Staff and the Applicant.
2. John Allen, Barbot, Steuart and Associates, Consulting Engineers, will be available to answer questions and discuss any technical issues with respect to the Master Concept Plan and the infrastructure to service the development.
3. Geza Wass de Czege, President, Southern Biomes, Inc., Environmental Sciences, will be available as an expert witness to discuss the Fox Squirrel Habitat Restoration Plan, his Report (last revised June 9, 2009), and to answer any other environmental issues that may arise. Geza has been previously qualified as an expert witness and his curriculum vitae is on file with the Office of the Hearing Examiner.

**III. EXHIBITS:**

Other than the exhibits already submitted to Staff and a part of the Staff Report, the Applicant does not plan to submit any additional exhibits.

**Perez, Maria**

---

**From:** Block, Alvin  
**Sent:** Wednesday, October 12, 2011 2:44 PM  
**To:** Perez, Maria  
**Subject:** RE: DCI2007-00078 - CYPRESS WOODS RV REPORT

Seems that "Subject to the condition that a typical lot cross section exhibits" needs something.

What about:

Subject to the condition that typical lot cross section demonstrates that the drainage performs adequately by showing the slab placement at the Development Order stage.

It seems inherent that a local Development Order is already subject to the approval of the Division of Development Services.

Chip

*Alvin Block, AICP*

Principal Planner  
Lee County Department of Community Development  
Zoning Division  
(239) 533-8371  
[blockah@leegov.com](mailto:blockah@leegov.com)

**From:** Perez, Maria  
**Sent:** Wednesday, October 12, 2011 1:36 PM  
**To:** Block, Alvin  
**Subject:** RE: DCI2007-00078 - CYPRESS WOODS RV REPORT

**Deviation 7** seeks relief from Lee County Land Development Code (LDC) Section 9.0.2 and Table 9-3 of the DSO [(now Lee County Land Development Code (LDC) Sections 10-296(b) and 10-296 Table 3], which requires a 45-foot right-of-way for a local street with open drainage, to permit a local street with 30 feet of right-of-way for open drainage.

The Hearing Examiner recommends **APPROVAL**, subject to the condition that the typical lot cross section exhibits, subject to the approval by the Division of Development Services, that the drainage performs adequately showing the slab placement at the same time of Development Order submittal.

May I change it to the following:

Subject to the condition that a typical lot cross section exhibits and subject to the approval by the Division of Development Services, that the drainage performs adequately by showing the slab placement at the Development Order stage.

**From:** Block, Alvin  
**Sent:** Wednesday, October 12, 2011 11:55 AM

**To:** Perez, Maria

**Subject:** RE: DCI2007-00078 - CYPRESS WOODS RV REPORT

Deviation 1, yes.

For Deviation 2, it was originally denied by the Board in their action in Resolution Z-94-025. The Hearing Examiner recommendation for Case 94-06-14-DCI-02 on Page 4 provides the following information that I hope helps.

Deviation (2) is a request to deviate from Section 10.1.5.c of the Development Standards Ordinance 92-44 (Section 10-329.e.3. of the Land Development Code) which limits the depth of water retention lakes to 12 feet, to allow excavation to a depth of 20 feet or the confining layer, whichever is less. Staff recommends denial of Deviation (2).

THE HEARING EXAMINER HEREBY RECOMMENDS DENIAL OF  
DEVIATION (2).

If I can be of any additional help, please let me know.

Chip

*Alvin Block, AICP*

Principal Planner

Lee County Department of Community Development

Zoning Division

(239) 533-8371

[blockah@leegov.com](mailto:blockah@leegov.com)

**From:** Perez, Maria

**Sent:** Wednesday, October 12, 2011 11:37 AM

**To:** Block, Alvin

**Subject:** DCI2007-00078 - CYPRESS WOODS RV REPORT

Hi Chip. Deviation 1 for the subject case is to deviate from Section 6.03 of Ordinance 86-21 [now LDC Section 14-298©]. Is it Section 14-298(c)?

Also Deviation 2 is denied by Staff, but you didn't include the information, which needs to be included, even though Staff is denying it. Thank you Chip.

**MARIA D. PEREZ**

**ADMINISTRATIVE SPECIALIST**

**LEE COUNTY HEARING EXAMINER'S OFFICE**

**BOARD OF COUNTY COMMISSIONERS**

**P.O. Box 398**

**(1500 Monroe Street)**

**Fort Myers, Florida 33902**

**Tel: (239) 533-8100**

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PLEASE NOTE: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure. Under Florida law, e-mail addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

**Please note our general office email address: [hex@leegov.com](mailto:hex@leegov.com)**

## Waters, Linda

---

**From:** Block, Alvin  
**Sent:** Monday, November 07, 2011 9:23 AM  
**To:** Waters, Linda  
**Cc:** Pringing, Jamie; Perez, Maria  
**Subject:** RE: exhibits - DCI2007-00078 -Cypress Woods V, LLC, in reference to CYPRESS WOODS RV RESORT  
**Attachments:** Deviation 16.pdf; Deviation 17.pdf

The Deviations listed below all pertain to past zoning actions taken.

Deviation 1 was approved in the original zoning action (Z-94-025), and subsequently amended administratively in PD-95-019. This is not scanned, and I can have the file pulled from the warehouse, if you wish. *-Requested / Rcvd 11/8/11*

Deviations 16 and 17 were added to the zoning by ADD2003-00122. I have attached the reference Plans for each. *LW*

Chip

*Alvin Block, AICP*

Principal Planner  
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**From:** Waters, Linda  
**Sent:** Friday, November 04, 2011 1:20 PM  
**To:** Block, Alvin  
**Cc:** Pringing, Jamie; Perez, Maria  
**Subject:** FW: exhibits - DCI2007-00078 -Cypress Woods V, LLC, in reference to CYPRESS WOODS RV RESORT

Hi Chip – know you are out – just sending you a copy of the request we made for exhibits ☺

Linda M. Waters  
Administrative Specialist  
Hearing Examiner's Office  
1500 Monroe Street  
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Fort Myers, Florida 33902  
Phone (239)533-8100  
Fax (239)485-8406  
email [waterslm@leegov.com](mailto:waterslm@leegov.com)

Please note our general office email address: [hex@leegov.com](mailto:hex@leegov.com)

**From:** Waters, Linda  
**Sent:** Friday, November 04, 2011 1:18 PM  
**To:** Prining, Jamie  
**Cc:** Perez, Maria  
**Subject:** exhibits - DCI2007-00078 -Cypress Woods V, LLC, in reference to CYPRESS WOODS RV RESORT

Hi Jamie:

I need your help ☺

I need some exhibits. If you can direct me to where I might find copies online that would be great. If not I guess we need hard copies.

In the Staff Report Deviation 1 referenced "Attachment E." However, Attachment "E" to the Staff Report was not prepared by Boylan Environmental Consultants and although the date matches the description, it looks like it might be different from what was described. Do you have a different copy?

We also need copies of exhibits referenced in Deviation 16 & Deviation 17.

I copied from the Staff Report – please see below:

#### B. . . . DEVIATIONS

Deviation (1) is a request to deviate from Section 6.03 of Ordinance 86- 21 [now LDC Section 14-298(c)] for the development of the "TZ" area as indicated on the Master Concept Plan. Deviation (1) is hereby APPROVED, subject to the proposed mitigation plan, titled "Cypress Woods Monitoring and Maintenance Plan" submitted by Boylan Environmental Consultants, Inc., zoning counter stamped and dated May 18, 1995 (Attachment E). Mitigation must follow the phasing presented in these documents and all monitoring reports must be submitted to the Lee County Division of Environmental Sciences within thirty days of the scheduled monitoring events.

(Deviation 16) A Deviation seeking relief from LDC Section 34-2194(b) and (c) which requires a 25 foot water body setback; to allow a zero foot setback in order to permit the construction of a clubhouse, deck, pier and gazebo 90 feet into the artificial body of water. Approval of this Deviation is subject to substantially complying with the proposed construction of the clubhouse and related facilities on the approved Plan entitled, Cypress Woods, R.V. Resort Clubhouse Area Dev. Order Plans; Drainage, Parking & Site Dim. Plan; dated 04-14-03, stamped received AUG 21, 2003.

(Deviation 17) A Deviation seeking relief from LDC Section 34-2020 requiring a total of 135 parking spaces for the two clubhouse facilities; to allow only 44 off-street parking spaces. The approval of the parking deviation is subject to the reservation of Lots 85 and 86 (Phase "4") and Tract I (Phase "3", which lies immediately east of Lots 85 and 86, Phase "4") for the use of overflow parking only. These may not be used as a recreational vehicle or mobile home site. Upon the sale of the last lot (site) in the last Phase of this development, if the applicant can adequately demonstrate during the season of the highest occupancy of the development that the overflow parking areas were not needed, the two lots can then be used for recreational vehicle or mobile home sites as provided for in this planned development. A reduced copy of a Plan entitled Cypress Woods R.V. Resort Phase "IV", IVA, & IVB, stamped received SEP 08, 2003 depicting these parcels is attached hereto.

Thanks !

Linda M. Waters  
Administrative Specialist  
Hearing Examiner's Office  
1500 Monroe Strcet  
P.O. Box 398  
Fort Myers, Florida 33902  
Phone (239)533-8100  
Fax (239)485-8406  
email [waterslm@leegov.com](mailto:waterslm@leegov.com)

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connection of the street stub as contemplated in Deviation 13 herein. There was significant opposition from the residents of Cypress Woods RV Resort to any interconnection. Some suggested that an "emergency access point," to be used only in actual and extreme emergencies, would be acceptable.

I am reviewing the current case, including Deviation 13, in the light of the request for the neighboring property. It is important to prevent inconsistent conditions for adjacent properties. Consequently, the Applicant must accept the current Deviation 13, with the knowledge that development of the adjacent property may require the Director of the Division of Development Services to exercise the authoring in that deviation a require the activation of an interconnection located between lots 109 and 110.

Since Deviation 13 was approved in prior rezonings of this property, I am not sure that denying the same, at this late date, would be appropriate. However, this Hearing Examiner will be recommending, in the Kenora Case, the development of a second access point, as a condition to Deviation 1, that is subject to the discretion of the Director of the Division of Development Services. In this manner, if Staff desires, a contemporaneous activation of a joint access point can be accomplished.

*The basis of their objection is the belief that the interconnect will increase traffic through Cypress Woods to get to Buckle Road. This road does not directly connect to I-15. C.W. is a gated community and the interconnect exacerbates its security concerns.*

A detailed discussion of the requested Deviation 13 is necessary. That deviation seeks relief from Lee County Land Development Code Section 10-295, to eliminate the requirement for street stubs to adjacent properties. The prior ~~reverted~~ <sup>previously</sup> cases involving this development have overruled the Hearing Examiner's recommendation of denial, a given the Director of the Division of Development Services discretion to grant such relief, in accordance with the Lee County Land Development Code. That made sense at those times, because there were no developed adjacent properties to connect to. Currently, this Hearing Examiner has under consideration the Kenora Holdings, LLC. rezoning matter, DCI2009-00014. That case requests rezoning, of the property directly to the north, to a Recreational Vehicle Planned Development (RVPD), containing 399 lots with accessory uses. Deviation 1, of that application, requests relief from Lee County Land Development Code Section 10-291 (3) which requires a commercial or industrial development of more than ten acres to provide more than one means of ingress and egress for the development. The Developer of that site is proposing only one point of ingress and egress on Tice Street. Staff, in that case, is <sup>are</sup> recommending, as the only practical and appropriate interconnect site, a connection to Cypress Woods Resort. A stub already exists on the north boundary of the Applicant's property between Lots 109 and 110. The stub is partially constructed, but does not penetrate the 40-foot perimeter buffer along the northern property line.

I am bring this to everyone's attention, because if the Kenora Holdings, LLC. rezoning is approved, with the denial of Deviation 1 therein, it will be fruitless unless the Director of the Division of Development Services exercises discretion and requires the extension and

8. Prior to the approval of a local Development Order, the developer shall supply a letter from Florida Power & Light indicating that they have reviewed and have no objection to the plans to develop a storage area for boats and recreational vehicle units within the existing power line easement.
9. This zoning approval does not signify that the project's traffic impacts have been mitigated. Additional conditions may be required at the time of issuance of a local Development Order per the Development Standards Ordinance or other Lee County Ordinance.
10. Approval of this rezoning does not give the developer the undeniable right to receive any local Development Order approval that exceeds the Year 2010 Overlay use allocation, if such allocation exists, for the applicable district.
11. A Gopher Tortoise Management Plan must be submitted and approved at the time of local Development Order application for the first phase of development. All areas shown on the Master Concept Plan as fox squirrel preserve must be shown and labeled as such on any plans submitted for local Development Order approval. Any golden polypody found on trees within development areas must be relocated to preserve areas wherever feasible.
12. Deviation (1) is a request to deviate from Section 6.03 of Ordinance 86-21 [Section 14-298(c) of the LDC] for the development of the "TZ" area as indicated on the Master Concept Plan. Deviation (1) is hereby APPROVED subject to the proposed mitigation plan submitted by Tropical Environmental Consultants (TEC), dated December 6, 1993, and further amended and clarified by TEC in correspondence addressed to George Parker of DNRM, dated March 7, 1994 and June 22, 1994. Mitigation must follow the phasing presented in these documents.
13. Deviation (2) is hereby DENIED.
14. Deviation (3) is a request to deviate from Appendix 9.9B of the DSO (Section 10-714.b. of the LDC) which requires a 90 foot turn-out radius to 30 feet. Deviation (3) is hereby APPROVED subject to the developer providing a paved/stabilized surface with a minimum radius of 42 feet and, in addition, shall provide an unobstructed clear zone of 48-foot radius (6 feet clear zone beyond driving range).
15. Deviation (4) is a request to deviate from Section 202.18.B.2.a. of the Zoning Ordinance [LDC Section 34-2192(a)] to allow a reduction in the street setback from 20 feet to 5 feet on the "side" lot line for corner lots. Deviation (4) is hereby APPROVED as provided for in Condition 2.
16. Deviation (5) is a request to deviate from Section 9.D, 9.0.10, and Table 9-1 of the DSO (Sections 10-285.a., 10-285.a Table 1, and 10-296.j.) which requires 125 feet of street intersection separation, to 100 feet. Deviation (5) is hereby APPROVED to 100 feet. Approval of this deviation shall also permit the location of a temporary emergency access, yet to be located, to the west of the approved access point in this deviation, in accordance with Deviation (6).
17. Deviation (6) is a request to deviate from Section 9.J.3 of the DSO (Section 10-291.3 of the LDC) to allow only one entrance for a development of more than 5 acres. Deviation (6) is hereby APPROVED with the condition that a temporary emergency access point shall be constructed from Luckett Road, into the project site, for the use of emergency vehicles only. This temporary access point shall remain in place until such time as a permanent emergency access point is constructed, or until this development provides a permanent functioning interconnection with an adjoining property. The temporary access point shall be constructed in accordance with the Land Development Code as administered by the Division of Development Services.
18. Deviation (7) is a request to deviate from Section 9.0.2 and Table 9-3 of the DSO (Sections 10-296.b and 10-296 Table 3 of the LDC) which require a 45-foot right-of-way for a local street with open drainage, to permit a local street with 30 feet of right-of-way and open drainage. Deviation

**Perez, Maria**

---

**From:** Block, Alvin  
**Sent:** Wednesday, October 12, 2011 11:55 AM  
**To:** Perez, Maria  
**Subject:** RE: DCI2007-00078 - CYPRESS WOODS RV REPORT

Deviation 1, yes.

For Deviation 2, it was originally denied by the Board in their action in Resolution Z-94-025. The Hearing Examiner recommendation for Case 94-06-14-DCI-02 on Page 4 provides the following information that I hope helps.

Deviation (2) is a request to deviate from Section 10.1.5.c of the Development Standards Ordinance 92-44 (Section 10-329.e.3. of the Land Development Code) which limits the depth of water retention lakes to 12 feet, to allow excavation to a depth of 20 feet or the confining layer, whichever is less. Staff recommends denial of Deviation (2).

THE HEARING EXAMINER HEREBY RECOMMENDS DENIAL OF  
DEVIATION (2).

If I can be of any additional help, please let me know.

Chip

*Alvin Block, AICP*

Principal Planner  
Lee County Department of Community Development  
Zoning Division  
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**From:** Perez, Maria  
**Sent:** Wednesday, October 12, 2011 11:37 AM  
**To:** Block, Alvin  
**Subject:** DCI2007-00078 - CYPRESS WOODS RV REPORT

Hi Chip. Deviation 1 for the subject case is to deviate from Section 6.03 of Ordinance 86-21 [now LDC Section 14-298©]. Is it Section 14-298(c)?

Also Deviation 2 is denied by Staff, but you didn't include the information, which needs to be included, even though Staff is denying it. Thank you Chip.

**MARIA D. PEREZ**  
**ADMINISTRATIVE SPECIALIST**  
**LEE COUNTY HEARING EXAMINER'S OFFICE**  
**BOARD OF COUNTY COMMISSIONERS**

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Please note our general office email address: [hex@leegov.com](mailto:hex@leegov.com)

## Waters, Linda

---

**From:** Block, Alvin  
**Sent:** Monday, November 07, 2011 8:32 AM  
**To:** Waters, Linda  
**Cc:** Perez, Maria  
**Subject:** RE: DCI2007-00078 - CYPRESS WOODS V, LLC - CYPRESS WOODS RV RESORT  
**Attachments:** PD-95-019.pdf; ADD2002-00111.pdf; ADD2003-00122.pdf; Z-03-057.pdf; ADD2004-00102.pdf

See Attached.

Chip

*Alvin Block, AICP*

Principal Planner  
Lee County Department of Community Development  
Zoning Division  
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**From:** Waters, Linda  
**Sent:** Friday, November 04, 2011 9:35 AM  
**To:** Block, Alvin  
**Cc:** Perez, Maria  
**Subject:** DCI2007-00078 - CYPRESS WOODS V, LLC - CYPRESS WOODS RV RESORT

Good Morning:

In the Staff Report for the above referenced case, the Zoning history is referenced on page 8 of 16.

The Hearing Examiner would like to review the documents listed below. However, when I pull them up on e-connect, I am basically only seeing the final disposition. Is there somewhere that I could pull these documents up online to review them? Or – do you happen to have copies that could be emailed to me?

Below is what I am referring to from the Staff Report:

The original zoning has been amended five times over the years, in summary these have been:

- PD-95-19, reducing the number of units from 684 to 671 and reconfiguring wetland boundaries.
- ADD2002-00111, decreasing the lots in Phase V; decreasing the size of the proposed clubhouse and increasing the size of the existing clubhouse; increasing the hurricane shelter area within the project; identified recreational vehicle lots and mobile home lots; and reducing the total number of lots from 671 units to 647.
- ADD2003-00122, allowing an adjustment of the Plan and adding two deviations.
- Zoning Resolution Z-03-057, reducing the number lots within the development and the allowed mixture of recreational vehicle units and mobile homes.
- ADD2004-00102, reducing the phases and lots and adding a lake.

*Deviation  
for the  
interconnect  
print  
those portions*

*Did not print attachments  
to each  
only pertinent pages.*

Thanks ☺

Linda M. Waters  
Administrative Specialist  
Hearing Examiner's Office  
1500 Monroe Street  
P.O. Box 398  
Fort Myers, Florida 33902  
Phone (239)533-8100  
Fax (239)485-8406  
email [waterslm@leegov.com](mailto:waterslm@leegov.com)

**Please note our general office email address: [hex@leegov.com](mailto:hex@leegov.com)**

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Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

ADMINISTRATIVE AMENDMENT PD-95-019

ADMINISTRATIVE AMENDMENT  
LEE COUNTY, FLORIDA

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

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

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

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

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

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

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

Continued ...

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

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

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

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

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

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

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

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

Approval is subject to the following conditions:

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

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

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

DULY SIGNED this 14<sup>th</sup> day of June, A.D., 1995.

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

## ADMINISTRATIVE AMENDMENT (PD) ADD2001-00111

ADMINISTRATIVE AMENDMENT  
LEE COUNTY, FLORIDA

WHEREAS, WCI Communities, Inc. filed an application for administrative approval to amend the Kersey-Smoot Residential Planned Development for a project known as Pelican Landing to deviate from Land Development Code (LDC) Chapter 30 to allow a third sign at the entrance to a residential subdivision on property located at 4940 Coconut Road, Bonita Springs described more particularly as:

LEGAL DESCRIPTION: In Section 08, Township 47 South, Range 25 East, Lee County, Florida:

See attached EXHIBIT "A"

WHEREAS, the property was originally rezoned in case number 98-03-262.02Z; and

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

WHEREAS, the applicant has requested an administrative amendment for a deviation from LDC Chapter 30 pertaining to residential entry signs for Coconut Plantation and Coconut Golf Trails; and

WHEREAS, Lee County has previously approved two residential subdivision signs, one each for Coconut Plantation and Coconut Golf Trails in accordance with LDC Chapter 30 - 152(2)a. and 30 -152(2)b.; and

WHEREAS, the additional sign being requested by the applicant would not otherwise be permitted; and

WHEREAS, the applicant maintains that the additional sign is required for directional and entry identification purposes; and

WHEREAS, staff finds that the copy (text) of the proposed sign serves only to proclaim ownership of the properties identified by the previously approved signs and therefore, does not constitute a directional or entry identification sign; and

WHEREAS, the objective to proclaim ownership of the subject property may be achieved by incorporating the proposed text into the previously approved signs; and

WHEREAS, staff finds that the proposed sign is inconsistent with the intent of LDC Chapter 30-1(a)(3) to encourage signs which help to visually organize the activities of the county, lend order and meaning to business identification, and make it easier for the public and business delivery systems to locate and identify their destinations; and

WHEREAS, staff finds that the proposed sign is inconsistent with the intent of LDC Chapter 30-1(f) to limit signs in noncommercial areas to essential uses, primarily for identification and information, in order to protect the character and appearance of noncommercial areas; and

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

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; but does adversely impact surrounding land uses by allowing signage which is inconsistent with the intent of LDC Chapter 30-1(a)(3) and LDC Chapter 30-1(f) and is otherwise precluded by LDC Chapter 30.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Residential Planned Development is **Denied**.

DULY SIGNED this 1<sup>st</sup> day of October, A.D., 2001.

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

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

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

These requests are APPROVED, subject to the following conditions:

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

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

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

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

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

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

DULY SIGNED this 15<sup>th</sup> day of September, A.D., 2003.

BY: 

Pam Houck, Director  
Division of Zoning  
Department of Community Development

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

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

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

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

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

SECTION A. REQUEST

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

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

SECTION B. CONDITIONS:

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

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

**COPY**

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

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

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

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

#### SECTION C. DEVIATIONS:

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

#### SECTION D. EXHIBITS AND STRAP NUMBER:

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

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

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

#### SECTION E. FINDINGS AND CONCLUSIONS:

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

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

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

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

DULY PASSED AND ADOPTED this 15<sup>th</sup> day of December 2003.

ATTEST:  
CHARLIE GREEN, CLERK

BY: Cindy Morrison  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

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

Approved as to form by:

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



2003 DEC 22 AM 11:45

ADMINISTRATIVE AMENDMENT (PD) ADD2004-00102

ADMINISTRATIVE AMENDMENT  
LEE COUNTY, FLORIDA

WHEREAS, Barbot, Steuart & Associates, Inc., filed an application for administrative approval to a Mobile Home Planned Development on a project known as Cypress Woods RV Resort Phase 5 to reduce the number of Phases within this planned development from six to five, reduce the number of lots from 647 to 593, and add a 5.1 acre lake for property located at 5551 Luckett Road, described more particularly as:

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

See attached Exhibit A

WHEREAS, the property was originally rezoned in case number 94-06-14 DCI-02 (with subsequent amendments in case numbers Z-03-057; ZAB-84-1-31; Z-94-025; 95-03-166.13A; Z87-075; AA-PD-95-19; Z-91-088; ADD2002-00111; ZAB-8431; ADD2003-00122); and

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

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

WHEREAS, the request seeks to reduce the number of Phases in the project from six to five; and

WHEREAS, the request also seeks to reduce the number of lots within the development from 647 to 593; and

WHEREAS, the request seeks approval to add a 5.1 acre lake to the project; and

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

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

1. The Development must be in compliance with the amended three-page Master Concept Plan, dated 4-28-04 , last revised 7-7-04, and stamped received JUL 08, 2004. Master Concept Plan for ADD2004-00102 is hereby APPROVED and adopted. A reduced copy is attached hereto.
2. The terms and conditions of the original zoning resolutions, and as amended by the subsequent actions noted above, remain in full force and effect, except as amended by this action.
3. Prior to local development order approval, the development order plans must delineate the indigenous preserves in substantial compliance with those depicted on the Master Concept Plan stamped received July 8, 2004.

DULY SIGNED this 27<sup>th</sup> day of July, A.D., 2004.

BY: Pam Houck  
Pam Houck, Director  
Division of Zoning  
Department of Community Development

"EXHIBIT 3A"

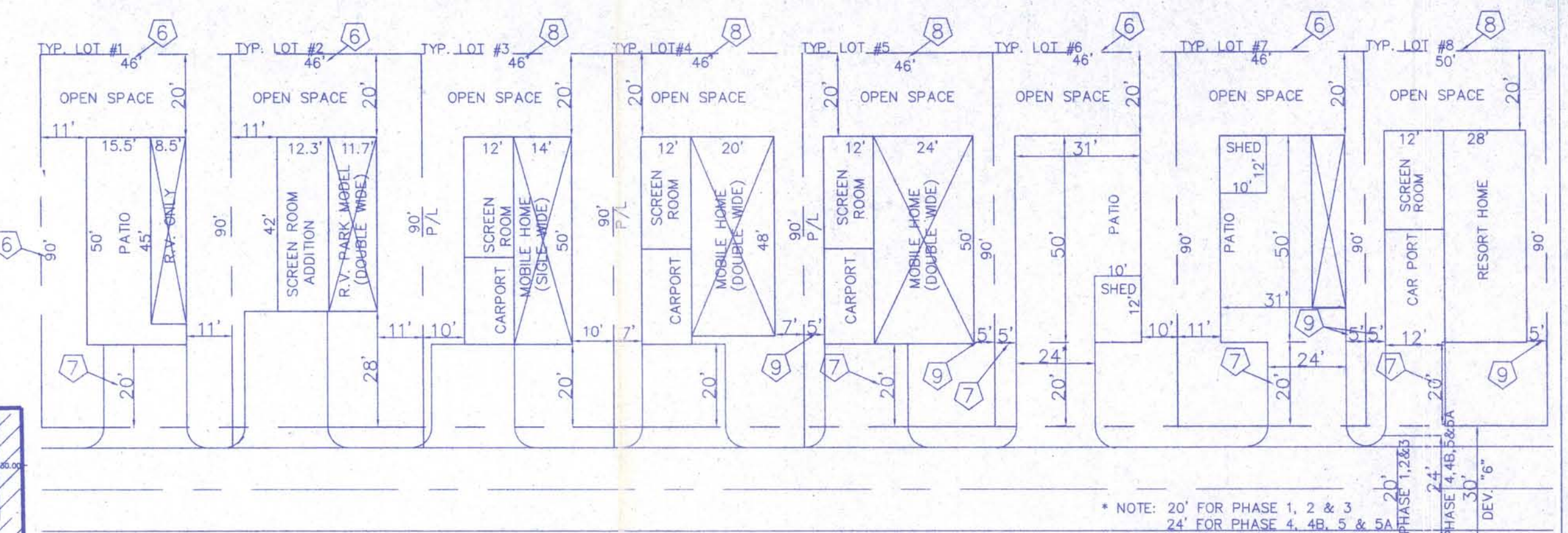
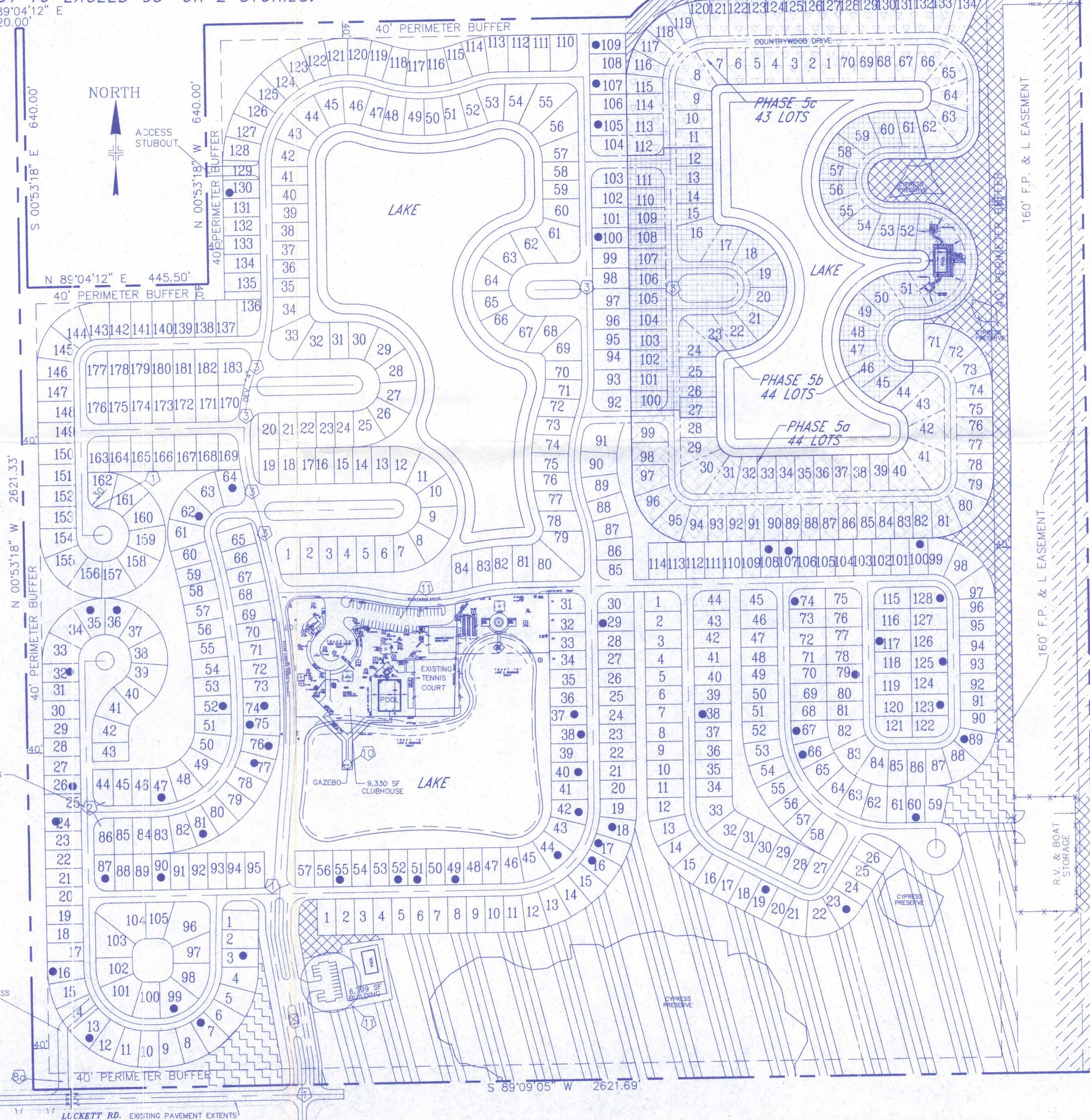
# CYPRESS WOODS RESORT

TOTAL AREA = 6,688,691.34 S.F. (153.55 AC.)  
RIGHT-OF-WAY = 792,541.57 S.F. (18.19 AC.)  
LOT AREA = 2,850,427.44 S.F. (65.44 AC.)  
LAKES = 726,812.66 S.F. (16.68 AC.)  
NO. OF LOTS = 611 UNITS (563 R.V. SITES, 48 M.H. SITES)  
GROSS DENSITY = 3.98 UNITS/AC.  
BUILDING HEIGHT NOT TO EXCEED 35' OR 2 STORIES.

MHPD RVPD

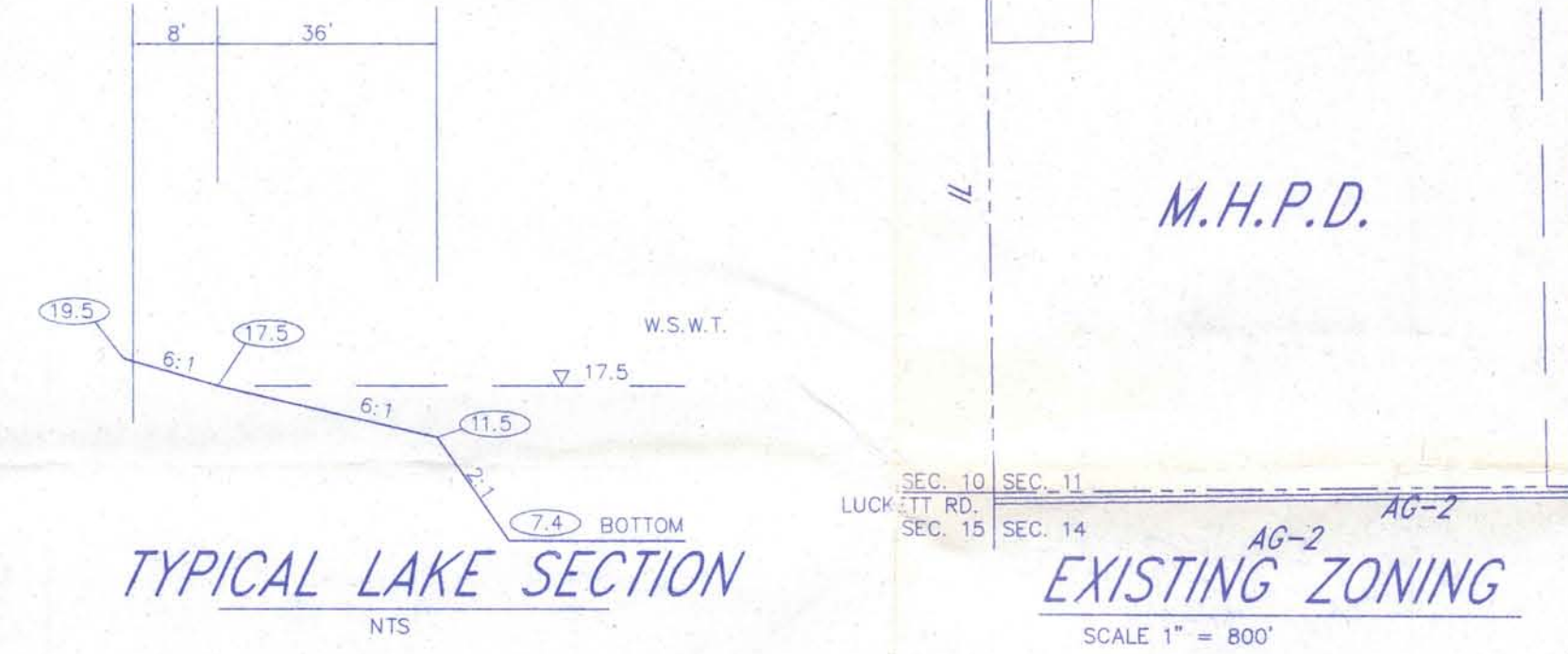
NORTH

ACCESS  
STUBOUT



TYPICAL LOT DETAIL

TYP. LOT X-SEC.



TYPICAL LAKE SECTION

EXISTING ZONING

## INDIGENOUS OPEN SPACE

TYPES	ACTUAL	CREDITS
100%	5.04 ACRES	5.04 ACRES
110%	1.27 ACRES	1.39 ACRES
125%	4.86 ACRES	6.08 ACRES
150%	16.70 ACRES	25.05 ACRES
TOTAL PROVIDED:	27.87 ACRES	36.64 ACRES
TOTAL REQUIRED:		30.30 ACRES

## OPEN SPACE

COMMON AREA:	
40 FOOT PERIMETER BUFFER	= 417,979.95 S.F. (9.60 AC.)
20 FOOT AROUND LAKE	= 174,510.73 S.F. (4.00 AC.)
LAKES	= 732,335.74 S.F. (16.81 AC.)
160' FPL EASEMENT	= 432,587.83 S.F. (9.93 AC.)
WETLAND CREATION (EXISTING)	= 760,122.00 S.F. (17.45 AC.)
ADDITIONAL COMMON AREA (AREA BETWEEN BLOCKS)	= 430,223.79 S.F. (9.87 AC.)
COMMON AREA TOTAL	= 2,947,760 S.F. (67.66 AC.)
% OF SITE	= 44.04 %

## HURRICANE SHELTER

(PER LDC SECTION 10-258)

REQUIRED HURRICANE SHELTERS = (2.25)(597)(20)(45%)=12,090 S.F.

PROVIDED = 16,129 S.F.

## SCHEDULE OF DEVIATIONS

- Existing General Deviations:
- A deviation from LDC Section 10-714 which requires a 90 foot turn-out radius to allow 30 feet.
  - A deviation from LDC Sections 34-2222 & 34-2192 to allow the corner lots to be the same size as the other lots in the development and to allow a reduction in the street setback from 20 ft. to 5 ft. on the "side" lot line for these corner lots.
  - A deviation from Table 1 of LDC 10-266 which requires 25 feet of street intersection separation to allow 100 feet.
  - A deviation from LDC Section 10-291(3) to allow only one means of ingress and egress for a development of more than five acres.
  - A deviation from Table 3 of LDC 10-296 which requires a 45 foot right-of-way for a local street with open drainage to permit a local street with 30 foot right-of-way and open drainage.
- Existing RVPD Deviations:
- A deviation from LDC Section 34-939(b)(6)(b) which requires a 5,000 square foot minimum lot to allow a 4,140 square foot minimum (46 feet x 90 feet).
  - A deviation from LDC Section 34-939(b)(7)(c) which requires side setbacks of 10 feet and a street (right-of-way) setback of 25 feet to permit a side setback of 5 feet and a street (right-of-way) setback of 20 feet for a non-transient park.
  - A deviation from LDC Section 34-939(b)(3) to permit an access road through the perimeter buffer.
- Existing MHPD Deviations:
- A deviation from Section 439.02 of the Lee County Zoning Ordinance (Now LDC 34-736) which requires a 5,000 square foot minimum lot (50 feet x 100 feet) to allow a 4,140 square foot minimum lot (46 feet x 90 feet).
  - A deviation from Section 439.02.B of the Lee County Zoning Ordinance (Now 34-736) which requires a side setback of 7 feet to permit a side setback of 5 feet.
  - A deviation from Section 34-2194(d)(3) of the Lee County Land Development Code to permit a water related use (i.e. clubhouse, deck, pier and gazebo) to encroach into the 25' setback and to extend 90 feet into an artificial body of water. This request is made pursuant to the exception provided in LDC 34-2194(c)(1)(a).
  - A deviation from Section 34-2020(4)(c)(2) which would require 135 spaces for the two clubhouse facilities to allow 44 spaces.

RECEIVED  
AUG 23 2010  
COMMUNITY DEVELOPMENT

DCI 2007-00078

## HISTORICAL RUNOFF

SCALE 1" = 800'

CYPRESS WOODS  
R.V. RESORT

ORIGINAL ZONING # Z-94-025

## MASTER CONCEPT PLAN

BARBOT, STEUART & ASSOCIATES, INC.

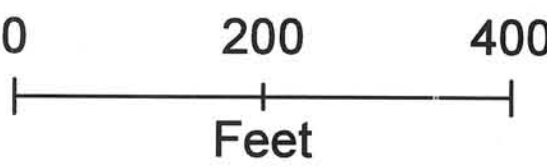
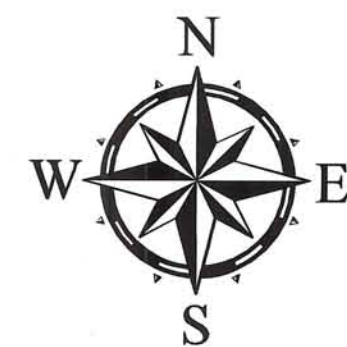
CONSULTING ENGINEERS

3228 EVANS AVENUE, FORT MYERS, FLORIDA 33901, PH. (239) 936-7353

DESIGNED BY:	IKS	CHECKED BY:	IKS
DRAWN BY:	JTA	CHECKED BY:	IKS
DATE:	08/16/10	DATE:	09/14/2007
REVISION	REVISOR	APPROVED	FILE No.
08/16/10	REVISED PER 05/24/10 SUFFICIENCY CHECKLIST	JTA	IKS
04/21/08	REVISED PER 01/08/08 SUFFICIENCY CHECKLIST	JTA	IKS
DATE	REVISION	APPROVED	FILE No.
08/16/10	REVISED PER 05/24/10 SUFFICIENCY CHECKLIST	JTA	IKS
04/21/08	REVISED PER 01/08/08 SUFFICIENCY CHECKLIST	JTA	IKS
DATE	REVISION	APPROVED	FILE No.

STATE'S EXHIBIT #3  
10/17/10  
DCI 2007-00078

Cypress Woods RV  
Resort  
DCI2007-00078



This map drawn for visual purposes only.  
Not to be used for official zoning map.



2010 Aerial Photograph

Prepared by:  
Lee County DCD  
Mapped July 2011

