

EXHIBITS

from HEX hearing

CASE #: DC 2002-00037

CASE NAME: moody ranch

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:

Diana's closet

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

Post-it®eLabel 005 725 412



PROFILE

EDUCATION

Master of City and Regional
Planning
Illinois Institute of Technology

Bachelor of Arts
Economics
Emmanuel College

**PROFESSIONAL
AFFILIATIONS**

American Planning Association,
Florida Chapter: Promised Lands
Section, Member and Past Section
Chairperson;
Florida Planning and Zoning
Association, Member and Past
Chapter President.
Certified by the American Institute of
Certified Planners in 1986

APPOINTMENTS

Lee County Planning and Zoning
Commission, 1986-1989;
Lee County Planning Commission,
1989-1992;
Lee County Planning Commission,
1996-1997;
Lee County ad hoc committee -
Permitting Issues, 2001 to present.

Ms. Day has been a professional planner in Southwest Florida since 1974. Well versed in all aspects of land planning, her experience includes master concept planning, the land use entitlement process and expert witness services. Ms Day has made hundreds of public presentations to planning boards, city councils and boards of county commissioners and citizen groups. She has managed many multi-disciplinary projects and has a successful record working with diverse client and user groups including: landowners, private developers, local governmental agencies, the Lee County economic development council, the South Florida Water Management District, financial institutions, law firms, utility companies and community groups.

Ms. Day has served as the principal planner close to fifty planned communities in Florida including twenty developments of regional impact. Her land use map amendments cover one third of Lee County's acreage and significant areas of other Southwest Florida jurisdictions. She has authored hundreds of development feasibility studies and scores of zoning and land use regulations. In addition to her seven years with WilsonMiller, Ms. Day lead her own planning firm for eleven years and was a planner for Lee County and the Southwest Florida Regional Planning Council.

REPRESENTATIVE PROJECT EXPERIENCE

Developments of Regional Impact (DRIs)

Alico New Town, Lee County, Florida - principal author for a DRI application, strategic plan, and zoning application for 11,000 acres. Extensive master concept plan preparation, project coordination and project representation. This property now includes Florida Gulf Coast University; two other approved DRIs and the proposed "University Enhancement DRI".

Danport Centre, Lee County, Florida - project manager/lead planner on a multi-disciplinary team for multiple alternative master plans and DRI amendment.

Fernandina Beach Container Port, Nassau County, Florida - project planner providing economic projections on a multi-disciplinary team securing DRI and local approval.

Ginn Properties, Lee County, Florida - project planner for a 4,500-acre mixed-use master planned community located east of Florida Gulf Coast University.

Gulf Coast Town Center, Lee County, Florida - lead planner on a multi-disciplinary team securing DRI and local zoning approval. Provided extensive expert witness testimony and document development as well as zoning concept plans.

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Associate

Heritage Bay, Collier County, Florida - lead planner on the multi-disciplinary team securing zoning approval for this 2,600-acre mixed use development on an existing mining operation.

Marketplace, Lee County, Florida - zoning support and expert witness for land use compatibility issue.

Miromar Lakes, Lee County, Florida - project manager/lead planner for a multi-disciplinary team zoning application and coordination, zoning plans, on-going 2,300-acre golf course community and commercial site design, and DRI amendments. Provided coordination with golf course architect and Chapter 150 study. Lead planner/DRI coordinator for a 500-acre addition to Miromar Lakes.

Miromar Outlet, Lee County, Florida - project manager/lead planner for a multi-disciplinary team securing a DRI amendment and rezoning for the Miromar Outlet parcel.

Natureglades, Glades County, Florida - project manager/lead planner for a multi-disciplinary team zoning application and coordination, zoning plans, DRI amendments, draft deed restrictions and development commitments, on-going site design, and extensive coordination with DCA.

Pelican Landing, Lee County, Florida - project manager/lead planner for a multi-disciplinary team and author of a commercial/industrial land use study and successful comprehensive plan amendment.

Riverwood, Charlotte County, Florida - project manager/lead planner for a multi-disciplinary team securing development approvals for this 1,150-acre planned golf course community. Coordinated the AMDA, Increment One and Two Notices of Proposed Change. Developed zoning concept plan for the overall project and site plans for individual tracts. Also provided Bald Eagle management plan, zoning documents, and attended extensive public hearings.

River's Edge, Lee County, Florida - project manager/lead planner for a multi-disciplinary team securing DRI amendment. Provided master planning and major revisions to this riverfront golf course community.

Sandpiper Center, Charlotte County, Florida - project manager/lead planner for a multi-disciplinary team rezoning and master planning for mixed-use development.

Stoneybrook, Lee County, Florida - project manager/lead planner for a multi-disciplinary team securing multiple DRI amendments and zoning application approvals for this community in Estero, Florida. Collaborated with the golf course architect to create the Master Concept Plan.

Residential Communities

Bonita Bay, Lee County, Florida - provided alternative site designs for various residential parcels located in Bonita Springs, Florida.

Buckingham Property, Lee County, Florida - provided alternative site designs for a rural-oriented residential development.

Cedar Hammock, Collier County, Florida - project manager/lead planner for a multi-disciplinary team zoning application, zoning plans, and PUD document. Provided coordination with golf course architect and attended public hearings.

Corkscrew Airpark, Lee County, Florida - responsible for alternative site designs for a rural-oriented residential airpark development.

Eagle Creek, Collier County, Florida - responsible for alternative sites design for multiple residential parcels and PUD in Naples, Florida.

Heritage Palms, Lee County, Florida - project manager/lead planner for a multi-disciplinary team securing development approvals. Responsible for coordination with golf course architect and zoning application and coordination, and zoning plans.

Moody Ranch, Lee County, Florida - project manager/lead planner for a multi-disciplinary team zoning application and coordination, golf course community site design, and zoning plans for this site in North Fort Myers, Florida.

Parker Lakes, Lee County, Florida - project manager/lead planner to develop alternative site concepts for this residential community in South Fort Myers.

Stoneybrook North, Lee County, Florida - project manager/lead planner for a multi-disciplinary team zoning application and coordination, golf course community site design, and zoning plans for this North Fort Myers site.

Vasari, Lee County, Florida - lead planner on a multi-disciplinary team securing zoning approval. Required extensive team and local government coordination. Also responsible for zoning plans and site design for this golf course community.

Villages at Country Creek, Lee County, Florida - Lead planner for a multi-disciplinary team securing the zoning and development approvals for this golf course community in Estero, Florida.

Commercial/Retail/Mixed Use Developments

Alico Crossings, Lee County, Florida - lead planner for a multi-disciplinary team securing approval of a zoning application.

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Cynwyd, Daniels Parkway, Lee County, Florida - project manager/lead planner for a multi-disciplinary team zoning application and coordination, zoning plans, and alternative commercial/office master plans.

Enterprise Lehigh, Lee County, Florida - project manager/lead planner for a multi-disciplinary team securing zoning approval for this commercial site in Lehigh Acres, Florida. Provided residential, commercial, and office master planning. Also coordinated with golf course architect.

Pelican Business Park, Lee County, Florida - project manager/lead planner on a multi-disciplinary team securing zoning approval. Provided extensive coordination and commercial site design.

Pink Shell, Lee County, Florida - lead planner and expert witness testimony for the renovation of an existing resort on Fort Myers Beach.

Red Coconut, Lee County, Florida - lead planner on a multi-disciplinary team securing revisions to the proposed land use plan text for the City of Fort Myers Beach. Provided extensive coordination with the city planner and Department of Community Affairs. Responsible for multiple master plans and proposed property development guidelines.

Trammell Crow, Lee County, Florida - author of a commercial and industrial land use study, comprehensive plan amendment, and expert witness testimony for a mixed-use development in South Fort Myers.

Tulip Associates Development, Lee County, Florida - project manager/lead planner for a multi-disciplinary team zoning applications and coordination, commercial site design, and zoning plans.

Wynnewood, Lee County, Florida - project manager/lead planner for a multi-disciplinary team securing zoning application approval for this site in Estero, Florida. Developed residential concept plans, zoning plans for the commercial and residential segments of the development, and commercial master plans. Also provided coordination with golf course architect and attended extensive meetings.

Zappa Properties, Lee County, Florida - project manager/lead planner on a multi-disciplinary team securing zoning and land use amendments as well as commercial/office site design.

Land Use Studies/Land Use Map Amendments

Bonita Springs Study, Lee County, Florida - project manager/lead planner for a multi-disciplinary team community land use study and land use plan amendments. Project required

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Associate

months of community workshops and public hearings. Strategies included the use of the consensus-building process, mediation, and participatory planning.

Buckingham Study, Lee County, Florida - project manager/lead planner consensus building. Conducted charrette-studio meetings with elected officials, government staff, and neighbors.

Captiva/Buck Key Study, Lee County, Florida - lead planner responsible for coordination and completion of a comprehensive land use study that, through a multiple stakeholder, workshop-style approach, developed a more sustainable community plan for two Florida islands.

Daniels Parkway Study, Lee County, Florida - project manager/lead planner for a multi-disciplinary team land use study and comprehensive plan amendment for six sections near the Southwest International Airport.

Estero/San Carlos Park Study, Lee County, Florida - project manager/lead planner for a multi-disciplinary team community land use study and Lee Plan Amendment. Project entailed months of community workshops and public hearings to design the community plan. Strategy included the use of the consensus-building process, mediation, and participatory planning.

"University Enhancement DRI", Lee County, Florida - lead planner for the proposed Lee Plan Amendment for a 4,500-acre mixed-use master planned community including an expansion of Florida Gulf Coast University.

Goldstein Property Amendment, Charlotte County, Florida - project manager/lead planner for a multi-disciplinary team master plan and land use plan amendment.

Greater Pine Island Study, Lee County, Florida - project manager/lead planner for a multi-disciplinary team land use study and comprehensive plan amendment. Required over a year of meetings with elected officials, government staff, and neighbors to develop a future land use plan for Pine Island and Matlacha.

Heritage Palms Amendment, Lee County, Florida - project manager/lead planner for a multi-disciplinary team securing a land use plan amendment and annexation of an 18-hole golf course community into the City of Fort Myers. A second amendment was secured for the project a year after the first, adding 18 holes of golf and additional residential units to the project.

North Fort Myers I-75 Corridor Study, Lee County, Florida - Lead planner developing a land use study and comprehensive plan amendment for eight square miles of North Fort

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Pelican Landing, Lee County, Florida - lead planner and author of a commercial/industrial land use study and successful comprehensive plan amendment.

Southwest Florida International Airport Commerce Amendment, Lee County, Florida - project manager/lead planner for a multi-disciplinary team land use plan amendment for two sections south of the airport.

South Florida Water Management District C.R.E.W. Project, Lee County, Florida - planning consultant for the District's legal department.

University Community Amendments, Lee County, Florida - accountable for project manager/lead planner for a multi-disciplinary team master concept plan, multiple Lee Plan amendments, master concept plan, design guidelines, and Florida Gulf Coast University site selection support. Appointed by the Board of County Commissioners to serve on the development committee. Required months of workshops and public hearings and the use of the consensus-building process, mediation, and participatory planning.

Other Land Use Studies

Cape Coral Parkway, Lee County, Florida - lead planner and author of a land use and zoning study done for the City of Cape Coral for six square miles related to this arterial expansion.

Corkscrew Road and Ben Hill Griffin Parkway, Lee County, Florida - project manager/lead planner for site analysis and streetscape recommendations. Developed the "University Window Overlay".

Lee County Community Redevelopment Agency Plans, Lee County, Florida - project manager/lead planner for a multi-disciplinary team developing master plans, design guidelines, zoning overlays, and leading public meetings for the redevelopment areas of the communities of North Fort Myers, San Carlos Island, Bonita Springs, and the State Road 80 area.

Mound Key Study, Lee County, Florida - developed alternative site plans for the remaining private ownership of the island and obtained entitlements for the property owners.

Land Development Regulations

Cape Coral Zoning Map, Lee County, Florida - researched and developed the first zoning map for the City of Cape Coral, Florida.

Hendry County Growth Management Plan, Hendry County, Florida - contributing author in coordination with Regional Planning Council, facilitation of meetings with Board, public interest groups, and county staff regarding County's first comprehensive plan.

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Lee County Zoning Regulations, Florida - authored the first modernization of Lee County's 1950's zoning code. Entailed extensive coordination with county staff, numerous workshops, and public hearings.

Miscellaneous

Florida Gulf Coast University, Lee County, Florida - lead planner assisting with siting of Florida's 10th State University, located on the Alico Inc. property. Required extensive project representation in numerous workshops and meetings throughout the state and multiple public hearings.

Expert Witness Qualification

Ms. Day has been qualified as an expert witness in community design, land use, land planning, and zoning by various Florida jurisdictions and by the State of Florida Division of Administrative Hearings.

Community Development Districts

Cedar Hammock, Naples, Florida

Heritage Palms and Heritage Palms Estates, Fort Myers, Florida

Marketplace, Manatee County, Florida

Miromar Square and Miromar Outlets, Estero Florida

Stoneybrook, Estero, Florida

Vasari, Bonita Springs, Florida

PROFILE

EDUCATION

Bachelor of Science
Civil Engineering
University of Delaware

**PROFESSIONAL
REGISTRATION**

Professional Engineer, Florida

**PROFESSIONAL
AFFILIATIONS**

National Society of Professional
Engineers;
Order of the Engineer.

As a Project Manager and Associate at WilsonMiller, Mr. Wojdak is responsible for the design and permitting for various master planned communities, resorts, and commercial centers throughout Southwest Florida. His experience includes roadway layout, utility and stormwater drainage, grading, and permitting through various regulatory agencies on the federal, state, and local levels.

PROJECT EXPERIENCE

Residential/Resorts

Tesone, Lee County, Florida - project manager and engineer-in-charge responsible for the environmental permitting and rezoning of the 514-acre site located in Bonita Springs. Responsibilities included the design of the surface water management system, design of the offsite flow conveyance which passes a design flow over 400 cfs, and accommodation of the runoff for the future extension of Three Oaks Parkway.

The Brooks, Lee County, Florida - project manager and engineer-in-charge responsible for three multi-family subdivisions within the Brooks Community. Responsibilities included the design of the roadways, all utility and drainage infrastructure, and community recreation facilities.

Riverwood North Area, Charlotte County, Florida - project manager and engineer-in-charge for a 300-acre single- and multi-family residential subdivision within the Riverwood Community. This site represents the entire increment II of the Riverwood DRI. Responsibilities included the design and permitting of surface water management system.

Myakka Pointe, Charlotte County, Florida - project manager and engineer-in-charge for a 70-acre, 142-unit single- and multi-family residential subdivision within the Riverwood Community. Responsibilities included the design and permitting of the roadways, all utility, and drainage infrastructure.

Ascot, Collier County, Florida - project manager and engineer in responsible charge for a 15-acre, 84-unit residential subdivision within the Lely Resort Community. Responsibilities included the design of 1,200 linear feet of roadway, all utility and drainage infrastructure, and a community recreation facility.

Mustang Island II, Collier County, Florida - project manager and engineer-in-charge for a 15-acre, 36-unit single-family residential subdivision within the Lely Resort Community. Responsibilities included the design of 1,200 linear feet of roadway, and all utility and drainage infrastructure.

Merano, Lee County, Florida - project engineer for 24-acre, 100-unit residential subdivision within the Pelican Landing Community. Responsibilities included the design of 1,500 linear feet of roadway.

WilsonMiller

APPLICANT'S EXHIBIT

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JOHN T. WOJDAK, P.E.
Project Manager/Associate

all utility and drainage infrastructure, and a community recreation facility.

Winkler's Walk, Lee County, Florida - project engineer for a 40-acre, 100-unit residential development. Design responsibilities included main roadway, Lee County arterial roadway, master surface water management design, and utility design.

The Registry Resort, Collier County, Florida - project engineer participating in \$4.5 million pool renovation project. Project included full demolition of existing pool, deck, bar, and cabana. The new design increases the pool area by fifty percent via supported structural deck over detention lakes. Utility and storm infrastructure redesign. Project also called for a temporary pool to be constructed to serve resort guests during main pool renovations.

Aston Garden - Phase 2, Collier County, Florida - project engineer for 2.5-acre assisted living facility within Pelican Marsh. Responsibilities included site grading and drainage design, and South Florida Water Management District and Collier County site permitting.

Riverwood Community Development District, Charlotte County Florida - district engineer for the CDD. Serves as advisory staff for the 1,200-acre district that owns and operates all of the roads, utility infrastructure, and water management system. The district also owns and operates its own wastewater treatment plant and water distribution facility. Duties include overseeing all engineering related issues within the district such as preparing annual operating budgets and reports, review and approval and new projects within the District, and preparing construction and bid documents for projects of the district.

Commercial

Pine Ridge Commons, Collier County, Florida - project engineer for the 30-acre, 400,000+ square foot commercial site. Responsibilities included the design and permitting of the roadways, all utility, fire, and drainage infrastructure.

Beachway Professional Center, Lee County, Florida - project engineer for 8.5-acre, 80,000 square foot medical office complex. Responsibilities included permitting for South Florida Water Management District, U.S. Army Corps of Engineers, Bonita Springs Utilities, and Lee County. Site was entirely in the flood plain with 2 acres of wetland. Design included all site utility, drainage improvements, traffic impact statement, and off site roadway/turn lane improvements.

Transportation

St. Croix Turn Lane, Collier County, Florida - project engineer responsible for design and row permitting of left turn lane off of Immokalee Road to serve St. Croix Apartments and Aston Gardens. Design responsibilities included cutting the median for the turn lane and modifications to the drainage systems.

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Project Manager/Associate

Middle River Employment Center Access Study, Baltimore County, Maryland - transportation project manager for a transportation planning study to evaluate alternatives to access Baltimore County's largest singly owned piece of commercial land. Study included dozens of different roadway alignments, environmental impacts, wetlands, costs, and secondary and cumulative impacts. Responsibilities also included coordination with all regulatory agencies, display materials, technical assistance at three public forums.

Maryland Route 2 Widening, Anne Arundel County, Maryland - project engineer for the widening of an existing two-lane roadway to four lanes with improved access control that required extensive row acquisition. Duties included preparing property mosaic from existing deed information showing monuments for survey location. Also worked with PSM to compute property lines, incorporating proposed row to establish row acquisition parcel.

Fixed Fee Open End Multiple Assignment Contract, Maryland - transportation engineer for an open-end contract to perform miscellaneous transportation related tasks for Maryland State Highway Administration. Duties included manual intersection traffic counts and analysis, LOS analysis on multiple state roadways, and traffic impact statements (TIS) for state projects.



RÉSUMÉ

TED B. TREESH
Principal/Regional Manager

EXPERIENCE

Relative Experience: Mr. Treesh has over 10 years experience in the area of transportation engineering and transportation planning. Specifically, he has expertise in the areas of traffic impact studies, corridor planning studies, traffic signal justifications studies and traffic signal systems analysis. Mr. Treesh has served as Project Manager on numerous transportation planning studies. He has performed capacity evaluations of signalized and unsignalized intersections, evaluated development plans in terms of traffic circulation and safety, making recommendations for improvements to parking areas and on-site design to accommodate development traffic.

Traffic Impact Analysis:

Managed and conducted traffic impact studies of numerous land uses ranging in size from 1,400 acres to less than 1 acre. Land uses analyzed include shopping centers, mixed use developments, medical office buildings, residential developments, industrial developments, and office buildings. Conducted capacity analyses of critical intersections, utilizing the Highway Capacity Software (HCS), and recommended appropriate geometric improvements to accommodate development, as well as, non-development traffic. Evaluated development plans in terms of traffic circulation and safety, making recommendations for improvements to parking and on-site design to accommodate development traffic. Accepted as an expert witness in transportation and testified before Planning Commissions, Zoning Boards, Village Boards, and City Councils, as well as, neighborhood and local organizations. Studies completed in the metropolitan Chicago area, southeast Wisconsin, St. Louis metropolitan area, Ohio, Kentucky, and Indiana.

Traffic Signal Justification Studies: traffic signal justification Performed studies for private developments, as well as, for public streets on both state and local roadways.

Traffic Signal Systems: Assisted in the analysis and development of a coordinated traffic signal system to alleviate congestion and reduce vehicle emissions. Analysis of existing traffic volumes, flow patterns, and signal spacing was completed utilizing the progression programs SYNCHRO and PASSER II-90 to develop an optimum signal progression program.

Transportation Planning: Project Manager on the Daniels Parkway corridor study for the Lee County Department of Transportation. Also served as project consultant on Strategic Regional Arterial (SRA) corridor projects conducted by the Illinois Department of Transportation and the Chicago Area Transportation Study. These projects involved analyses and recommendations of proposed roadway geometrics, right-of-way requirements, cost estimates and access management alternatives for future planning.

Parking: Analyzed and designed parking configuration for neighborhood shopping center and various small retail developments.

Also analyzed existing parking facilities identified internal deficiencies and made recommendations for improvement. Performed numerous parking studies including downtown areas to determine peak parking demand and characteristics.

Trip Generation Research: Involved in research to better quantify the trip generation of various land uses in the Chicagoland area. These land uses include gas stations with car washes, small retail centers anchored by a convenience store, and residential developments. Involvement includes methodology, data collection, and analysis of statistical data.

PROFESSIONAL POSITIONS

Metro Transportation Group, Inc.
Fort Myers Office
Principal/Regional Manager
April 2002 - Present
Regional Manager
June 2001 - April 2002

Senior Transportation Consultant
1999 - May 2001

Woolpert, LLP
Dayton, Ohio
Project Manager
1997 - 1999

Metro Transportation Group, Inc.
Senior Transportation Consultant
1990 - 1997

EDUCATION

Purdue University
West Lafayette, Indiana
Bachelor of Science - Civil Engineering

AFFILIATIONS

Institute of Transportation Engineers

Transportation Research Board

Urban Land Institute

APPLICANT'S EXHIBIT

#3
2012022-00037

TYLER C. KING
PRINCIPAL BIOLOGIST

Current Responsibilities:

Responsibilities include project management, analysis of wildlife and vegetative habitat, preservation and/or relocation relative to property development, field analysis and preparation of reports regarding agency jurisdiction in wetlands, protected species assessments, development suitability reports, and dredge and fill permitting. Performs compliance inspections and mitigation monitoring. Primary coordinator with Florida Fish and Wildlife Conservation Commission. Serves as corporate Secretary/Treasurer.

Experience:

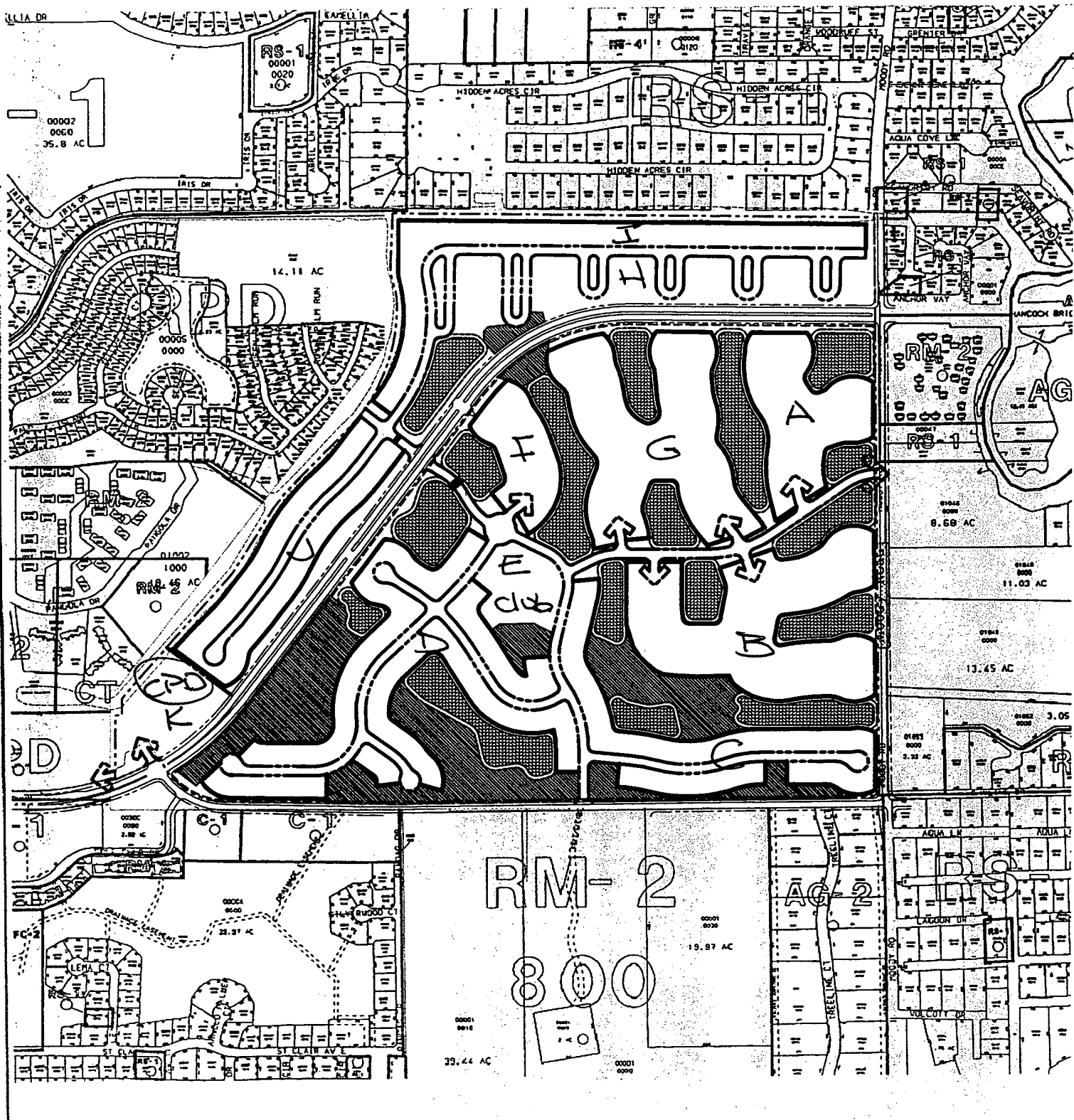
Joined firm in April 1988. Prior experience with the Florida Department of Environmental Regulation, Permitting Compliance and Enforcement Specialist. Knowledge of permitting and enforcement policies of federal, state, and local environmental regulatory agencies. Qualified as an expert witness with the Department of Environmental Regulation regarding dredge and fill legislation. Experienced in wetland creation/mitigation/restoration. Expert in Florida vegetation and wildlife identification. Authorized by Florida Fish and Wildlife Conservation Commission for gopher tortoise relocations.

Education:

B.S. - Biology/Zoology, Northeast Louisiana University, 1981

Affiliations:

National Association of Environmental Professionals, Coastal Conservation Association, Florida Association of Environmental Professionals, Real Estate Investment Society, Florida Trail Riders Association, American Motorcycle Association



APPLICANT'S EXHIBIT
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DC1200200037

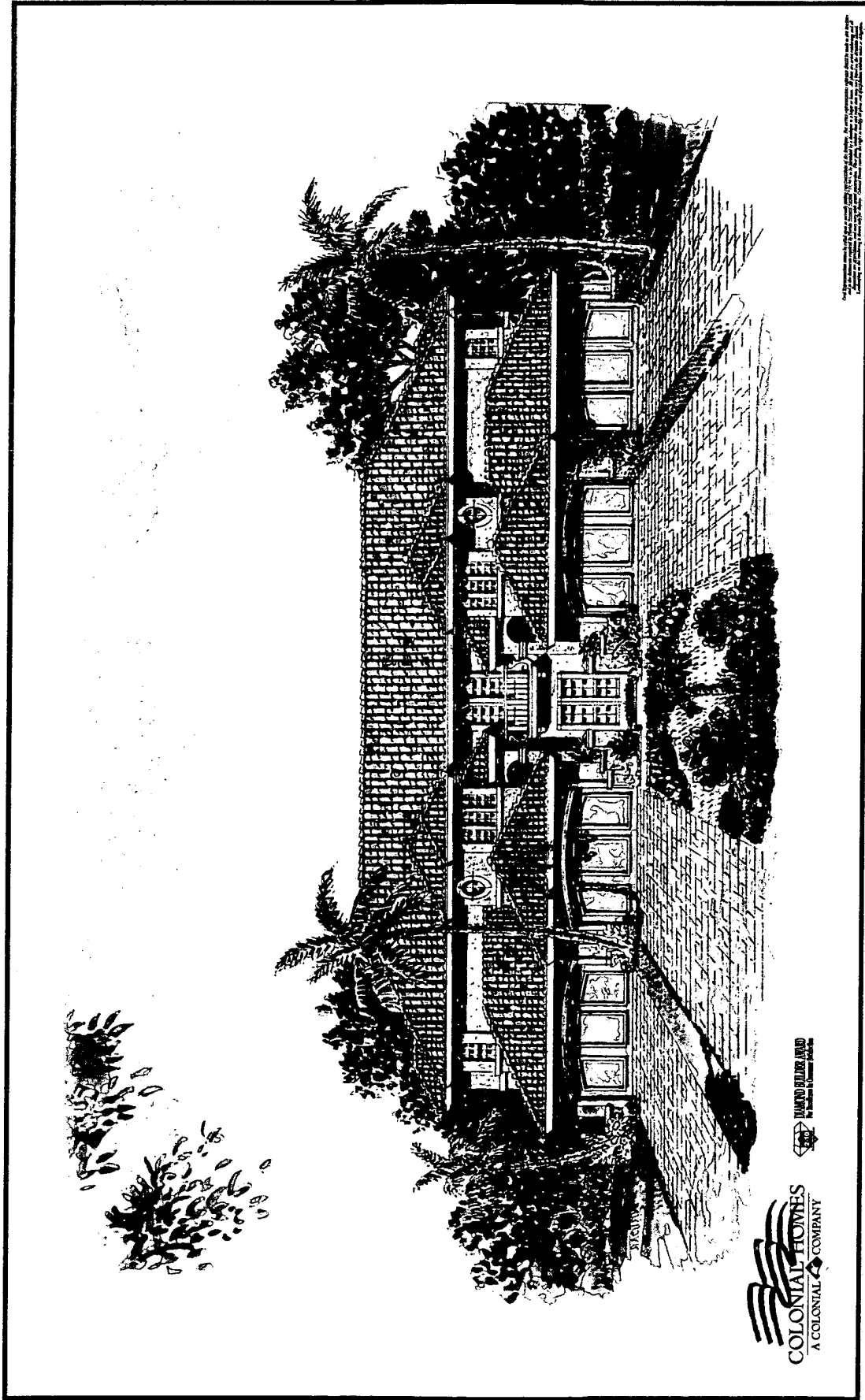
TRIANA

A Luxury Coach Home Neighborhood
by Colonial Homes



RENAISSANCE

Refinement for art of living



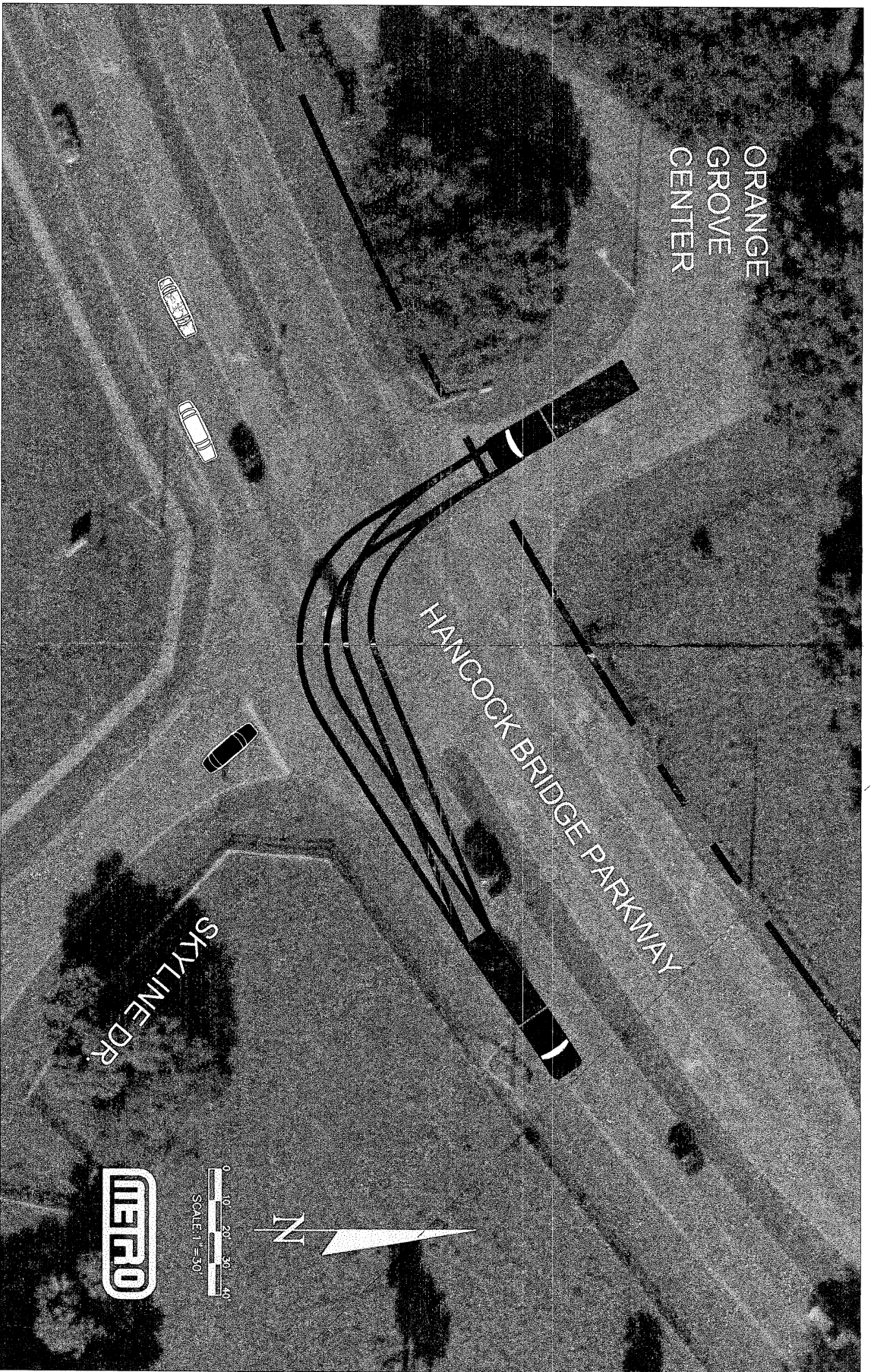
COLONIAL HOMES
A COLONIAL COMPANY



© 1998 Colonial Homes, Inc. All rights reserved. This is a preliminary rendering of a proposed project. The actual project may vary from this rendering. The rendering is not to be used for any purpose without the written consent of Colonial Homes, Inc.

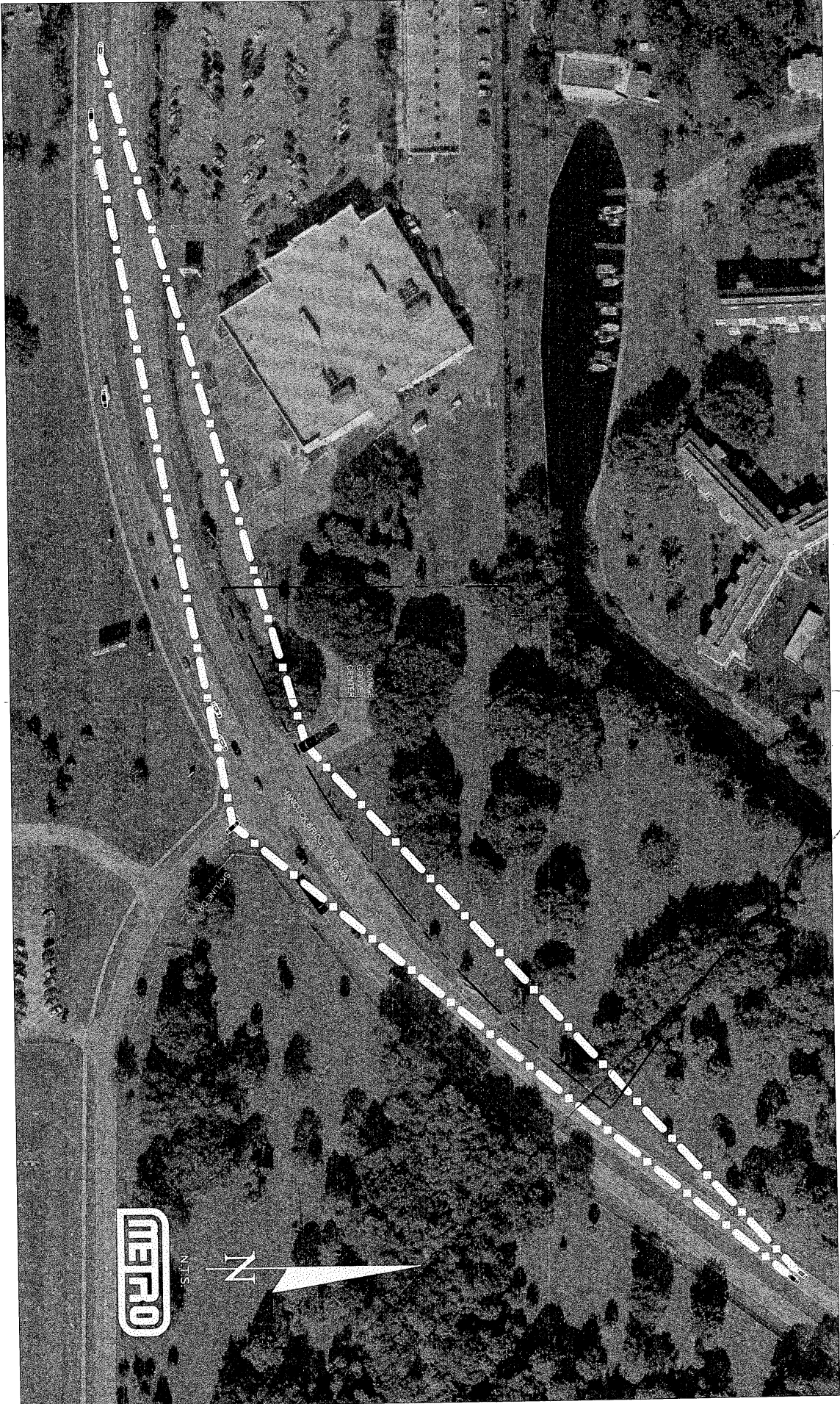
APPLICANT'S EXHIBIT
#6

DC/2008-00037



TURNING PATH OF A WB-50 SEMI-TRAILER

840' SIGHT DISTANCE @ DESIGN SPEED 50 MPH



Wilson Miller

New Directions In Planning, Design & Engineering

4571 Colonial Blvd. • Fort Myers FL 33912

Phone: 239.939.1020

Fax: Environmental/Planning/Surveying 239.939.3412

Engineering/Admin. 239.939.7479

wilsonmiller.com

FAX COVER SHEET

To: Lee County Hearing Examiner's Office From: Carron Day

Company: _____ Date: 6/25/03

PIN #: 03657--001-000 File Identifier: PCor

Fax Number: 239-479-8106 Number of pages (including this sheet): 2

RE: _____

Comments:

cc: Chip Block
John Campbell
Bruce Anderson

Confidentiality Notice: This facsimile is for the sole use of the recipient(s). Any unauthorized review, use, disclosure or distribution is prohibited.

Wilson Miller

MEMORANDUM

TO: Lee County Hearing Examiner's Office
FROM: Carron Day
DATE: June 24, 2003
SUBJECT: Moody Ranch

We have reviewed the comments from Mike Tisch of the Lee County DOT and agree with his conclusions. It is the developer's intention to install a "right out only" in Tract G to respond to a request from area residents.

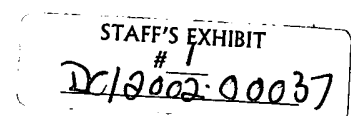
Agricultural Uses

AGRICULTURAL USES: Existing bona fide agricultural uses on this site are allowed only in strict compliance with the following:

- (a) Bona fide agricultural uses that are in existence at the time this resolution is approved and as shown on Exhibit ___ attached hereto may continue until approval of a local development order for the area of the project containing those uses.

[Note: The referenced exhibit will consist of existing bona fide uses documented in a sworn affidavit from the property owner describing the type and intensity of bona fide agricultural uses in existence on the date of the zoning approval, i.e., livestock grazing or crop production. The applicant must include acreage figures for each use as part of the sworn affidavit. The affidavit must include an exhibit depicting the location of the uses on a copy of the boundary sketch. The exhibit should be entitled "Bona fide Agricultural Uses at time of Zoning Application."]

- (b) Additional clearing or grading of existing agricultural areas is prohibited. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.
- (c) The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.



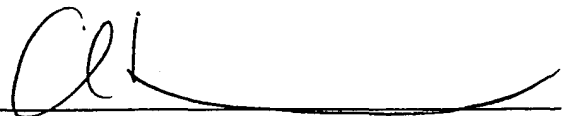
AFFIDAVIT

STATE OF FLORIDA)
COUNTY OF LEE)

BEFORE ME, the undersigned authority, on this 20th day of May, 2003, personally appeared Anthony Persichilli who is personally know to me and who did take an oath, who deposes and says as follows:

1. That I am the owner of the following described property, to wit:
See attached Exhibit "A"
Parcel No. 09-44-24-00-01002.1010
2. That the above described property was used for bona fide agricultural purposes, to with cattle grazing at the time of the Lee County Board of County Commissioners review and consideration of the rezoning of the property described on the attached Exhibit "A" scheduled to be heard on May 22, 2003.
3. The agricultural use of the property is an existing bona fide agricultural use.
4. The agricultural use is being conducted on 23.84 acres. The 23.84 acres of the total 45.84 acres as described on the attached Exhibit "A" is being used for cattle grazing.
5. Affiant further states that he is familiar with the nature of an oath; and with the penalties as provided by the laws of the State of aforesaid for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that he has read, or has heard read to him, the full facts of this affidavit and understands its meaning and context.


FURTHER AFFIANT SAYETH NAUGHT.


Colonial Homes
By Anthony Persichilli
Its Division President

SWORN TO and subscribed before me on the date and year first above written.

(Notary Seal)




Signature of Notary

Commission No.

(Print, type or stamp commissioned name of Notary Public)



MKT: 22.00

AFFIDAVIT

STATE OF FLORIDA)
COUNTY OF LEE)

BEFORE ME, the undersigned authority, on this 20th day of May, 2003 personally appeared Anthony Persichilli who is personally know to me and who did take an oath, who deposes and says as follows:

1. That I am the owner of the following described property, to wit:
See attached Exhibit "A"
Parcel No. 10-44-24-00-01054.0000
2. That the above described property was used for bona fide agricultural purposes, to with cattle grazing at the time of the Lee County Board of County Commissioners review and consideration of the rezoning of the property described on the attached Exhibit "A" scheduled to be heard on May 22, 2003.
3. The agricultural use of the property is an existing bona fide agricultural use.
4. The agricultural use is being conducted on 119.56 acres. The 119.56 acres of the total 177.49 acres as described on the attached Exhibit "A" is being used for cattle grazing.
5. Affiant further states that he is familiar with the nature of an oath; and with the penalties as provided by the laws of the State of aforesaid for falsely swearing to statements made in an instrument of this nature. Affiant further certifies that he has read, or has heard read to him, the full facts of this affidavit and understands its meaning and context.

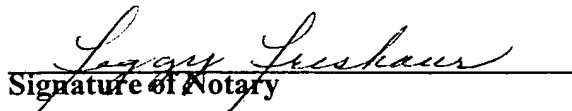
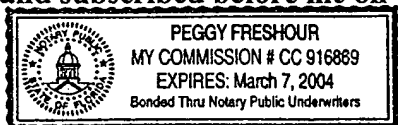
FURTHER AFFIANT SAYETH NAUGHT.



Colonial Homes
By Anthony Persichilli
Its Division President

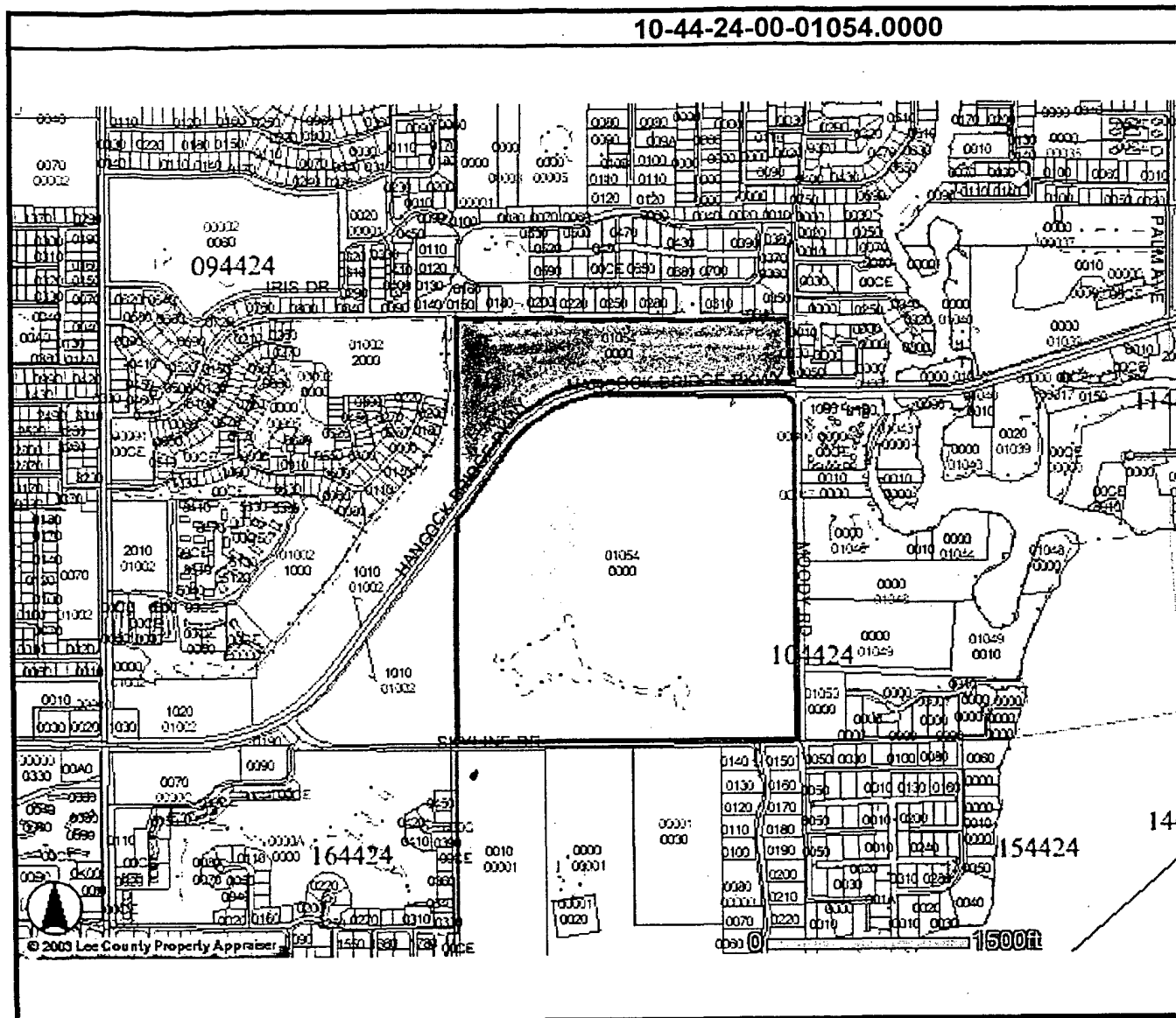
SWORN TO and subscribed before me on the date and year first above written.

(Notary Seal)


Signature of Notary

Commission No.

(Print, type or stamp commissioned name
of Notary Public)



AG : 119.56 Ac.

MKT: 57.93 Ac.

Revised 15. The drainage and access easements depicted on the MCP must be accommodated and incorporated (at dev. order approval) into the development orders and plats for the subject property, unless proof that the easements have been released or relocated is provided.

17. The 12' LCEC easement as depicted on the MCP (recorded at O.R. Book 1054, Page 776) must be released or relocated at time of development order approval.



LEE COUNTY
SOUTHWEST FLORIDA

DEPARTMENT OF
TRANSPORTATION

Memo

To: Salvatore Territo, Hearing Examiner

From: Michael Tisch, Engineer *MT*

Date: May 30, 2003

Re: DCI2002-00037 - Colonial Homes, Inc., in ref to Moody Ranch
New Access Point on Hancock Bridge Parkway – Right-out

LEE COUNTY
HEARING EXAMINER
03 MAY 30 PM 3:37

We have reviewed the revised Master Concept Plan for the proposed site on Hancock Bridge Parkway and Moody Road and have the following comments:

The proposed right-out onto Hancock Bridge Parkway appears to be acceptable and we have no objections with the concept. The design of the exit should include adequate sight distance for a vehicle to turn onto Hancock Bridge Parkway and obtain a safe speed without interfering with the thru traffic on Hancock Bridge Parkway, as described in AASHTO. The access point would also need to meet intersection separation distance of 660 LF, as defined in the Lee County Land Development Code Section 10-285 (Connection Separation).

MPT/mpt

cc: Chip Block, Principal Planner
Steve Jansen, P.E., P.T.O.E., Traffic Engineer
Andy Getch, P.E., Senior Engineer
Administrative File

To: The Lee County Hearing Examiner, May 21, 2003

From: Mark, Deborah, Megan, and Shane Rambo
700 Moody Rd
N. Ft. Myers, Fl, 33903

Re: Moody Ranch Proposed Development

To Whom It May Concern,

We would like to state for the record, how the proposed Moody Ranch Development would affect our neighborhood, and other neighborhoods in the area. They are as follows:

1-Our neighborhood, River Manor, consist of oversize suburban lots, approximately 100x200, as does Over River Shores, and Skyline Woods. The total amount of Homes consist of approximately 80-100, total land is about ½ the size of the proposed Moody Ranch.

Point: R-2 will greatly change the character of our neighborhoods. We are not opposed to development of this property, however we would recommend it remain R-1, or R-1A, throughout, to lesson the density, and impact on our neighborhoods.

2-We are concerned about increased traffic on Moody Road, and Skyline Road. Both have the following current traffic: Hancock Creek Elementary, Button Wood, Skyline Woods, River Manor, Over River Shores, and Mangrove Bay. The proposal for the Development of The Moody Ranch would add 2 Exits on Skyline, and 1 exit on Moody.

Point: We feel this is going to turn into a major traffic jam, and again impact our suburban way of life.

Solution: Make the Skyline Road, and Moody Road exits, leaving the main development, emergency exits only, curve the four way intersection where Skyline Road, and Moody Road meet (see attached drawing), and add an additional entry, and exit on to Hancock Bridge Parkway making a total of two, or even having three entry, and exits on Hancock would limit the impact on our neighborhoods.

3-We are concerned about flooding, Skyline Woods, River Manor, and Over River Shores are all in flood zones at or below sea level. We all have excessive water standing in a good downpour.

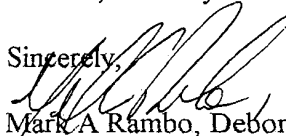
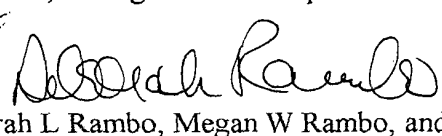
Point: We are concerned that the new Proposed Moody Ranch Development would further enhance, our current flooding conditions.

Solution: We would ask the hearing officer to put excessive measures in place to assure no addition flooding would occur, which would greatly impact our neighborhoods.

DC12002-00037
EXHIBIT # 1
RAMBO #

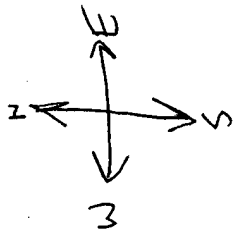
In closing, Colonial Homes seems to be a quality developer, with integrity, ~~and~~ professionalism. We can only hope their statements about wanting to be a good neighbor are true, and they will hear, and agree to our request.

Sincerely,

 , Megan Rambo.

Mark A Rambo, Deborah L Rambo, Megan W Rambo, and Shane R Rambo

Shane
Rambo



MODIFIED DEVELOPMENT
PROPOSED BY
NEW CONDOMINIUMS

WE ARE CONCERNED ABOUT
INCREASED TRAFFIC ON
SKYLINE + MOODY. I
WOULD LIKE TO PROPOSE
DOING AWAY WITH THE
4 WAY STOP, WHICH WILL
GREATLY IMPROVE TRAFFIC
FLOW FROM THE NEW
DEVELOPMENTS, CURRENT
DEVELOPED PROPERTIES, AND
MOST IMPORTANT SCHOOL
TRAFFIC.

RIVER
MAJOR
+ OVER RIVER
SHORES

SKYLINE
WOODS

HANCOCK
CREEK
ELEMENTARY
SCHOOL

NEW DEVELOPMENT
BY
CONDOMINIUMS

PANDAS RD

May 21, 2003

Lee County Hearing Examiner's Office
Post Office Box 398
Fort Myers, Florida 33902

Lee County Board of County Commissioners
Post Office Box 398
Fort Myers, Florida 33902

Re: Case No. DCI 2002-00037; Applicant, Colonial Homes, Inc.

To Whom It May Concern:

This letter is to be placed in the record of the above-referenced proceeding that the Skyline Woods Property Owners Association, Inc. has reached an agreement with the Applicant that addresses the concerns of the Property Owners Association regarding the above-referenced application and other nearby lands owned by the Applicant. The Skyline Woods Property Owners Association, Inc. supports the above-referenced rezone Application and requests your approval of said Application.

Sincerely,

Skyline Woods Property Owners Association, Inc.

By:


John Lovelace, President

SKYLINE

DCI 2002-00037
EXHIBIT #1
SKINNER

May 21, 2003

Lee County Hearing Examiner's Office
Post Office Box 398
Fort Myers, Florida 33902

Lee County Board of County Commissioners
Post Office Box 398
Fort Myers, Florida 33902

Re: Case No. DCI 2002-0003 7; Applicant, Colonial Homes, Inc.

To Whom It May Concern:

This letter is to be placed in the record of the above-referenced proceeding that the Buttonwood Harbor Property Owners Association, Inc. has reached an agreement with the Applicant that addresses the concerns of the Property Owners Association regarding the above-referenced application and other nearby lands owned by the Applicant. The Buttonwood Harbor Property Owners Association, Inc. supports the above-referenced rezone Application and requests your approval of said Application.

Sincerely,

Buttonwood Harbor Property Owners Association, Inc.

By:


Ronald Stotter, President

DCI 2002-00037
EXHIBIT # 1
Kuhn