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June 3, 2014

GREG STUART
STUART AND ASSOCIATES
7910 SUMMERLIN LAKES DRIVE
FORT MYERS, FL 33907

Re: BERMUDA LAKES RV RESORT RVPD
DCI2014-00010 - PDL Application (Major PD)

Dear GREG STUART :

The Zoning Division has reviewed the information provided for the above zoning application. The Land Development Code requires additional information for the application to be sufficient. Please respond to each requirement not satisfied on the attached sufficiency checklists. For your assistance, we have enclosed any additional memoranda from the various Lee County reviewing agencies.


In order to accomplish an efficient sufficiency review process, staff will be scheduling a meeting to discuss the insufficiency comments in person prior to the resubmittal of the application.

If you do not provide the requested supplements or corrections within 60 calendar days of this letter, the Code requires that this application be considered withdrawn. Please feel free to contact me or the staff reviewers if you have any questions.

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Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division



Mikki J Rozdolski
Senior Planner

cc: Pamela Houck, Division Director
Paul O'Connor, Planning
Susie Derheimer, Environmental Sciences
Sam Lee, Natural Resources
Robert Price, TIS Reviewer
Jamie Prancing, DCD Administration
John Fredyma, Assistant County Attorney
Tom Sawtell, Development Review
ELI MENDES
DCI Zoning File
DCI Working File

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LC Zoning Action Legal Requirements Checklist (Ord 12-01)

9) Legal Description & Sketch to Accompany Legal Description. A metes & bounds legal description along with a sketch of the legal description, prepared & sealed by a Florida Licensed Surveyor & Mapper, must be submitted unless the property consists of one or more undivided lots within a subdivision platted in accordance with FS, Ch. 177 {see LC Public Hearing Appl. Form, Part 3.C.}. [34-202(a)(1)]

Per LDC Sec 34-202(a)(1) a metes and bounds legal description describing the entire perimeter of the property being acted upon must be submitted and prepared by a Florida Licensed Surveyor Mapper. Please provide.

9a) Sealed Sketch. The legal description must be accompanied by a sealed sketch of the legal description. The sketch must be in recordable form and printed on a sheet no greater than 8 ½ x 14 inches in size. [34-202(a)(1)]

A sealed sketch of the property, prepared by a Florida Licensed Surveyor and Mapper, was not provided with the original application as required by the Land Dev Code. Please provide

9b) If the subject property is one contiguous parcel, the legal description must specifically describe the entire continuous perimeter boundary of the property subject to the zoning action, with accurate bearings and distances for every line. [34-202(a)(1)]

Will review when resubmittal is received.

10) Boundary Survey. A boundary survey of the subject property must be submitted unless the property is a not a Planned Development Application & consists of platted lots (see Item 10d below). The survey must be based upon the title certification submitted in accord with LCLDC Section 34-202(a)(3). {see LC Public Hearing Application Form, Part 3.D.}. [34-202(a)(2)]

See note below.

10a) The boundary survey must identify and depict all easements affecting the subject property, whether recorded or unrecorded, and all other physical encumbrances readily identified by a field inspection. [34-202(a)(2)]

The survey has a statement indicating "The survey was prepared without benefit of abstract of title and all matters of title should be referred to an attorney at law" must be removed as a Title Insurance was used to develop the survey.

The Title work provided does not match the title work indicate on the survey.

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10b) All boundary surveys must meet the minimum technical standards for land surveying in the state, as set out in chapter 5J-17, F.A.C. The perimeter boundary must be clearly marked with a heavy line and must include the entire area to be developed. [34-202(a)(2)]

The legal description on the survey must be changed to have only one metes and bounds legal description, describing the entire perimeter of the property being acted upon.

12) Contact. The reviewer may be contacted regarding any questions on the LC Zoning Action Legal Requirements Checklist.

Contact Chick Jakacki at 239-533-8984 for questions concerning the legal review.

LC DOT Sufficiency Checklist (Ord 12-01)

1) Sufficiency Comments.

1. The Master Concept Plan needs to show the distances between the proposed project's entrances and the adjacent driveways/streets on Lexington Ave.

2) The LCDOT reviewer may be contacted regarding any questions on the LCDOT Checklist.

Lili Wu 533-8580 ext 48134

LC Development Review PD Application Sufficiency Checklist (Ord 12-01)

1) General Design Standards. The development must have access to existing or proposed roads in accordance with LCLDC Chapter 10 and as specified in THE LEE PLAN traffic circulation element or the Official Trafficways Map. [34-411(d)(1)]

1) Is the northerly access easement shown accurately? Staff understands it to be farther to the north. Staff recommends the secondary access be located on Tice per previous approvals.

2) Staff understands that the existing lake may be used by FDOT for surface water management - including access easements. Please elaborate on the state's continued use and access of the lake for SWM. Is adequate capacity provided for the needs of the development in addition to the state's use?

3) Are improvements to the lake proposed? IE: lake bank slopes are now required at 6:1 and excavations are required to be 50' from other properties under separate ownership. Deviation(s) may be required.

4) Are the 200 RV pads to be on common land or are these to be sold out of common ownership?

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2) Deviations. The application must include a schedule of deviations including detail drawings and written justifications. [34-373(a)(6)l.; 34-373(a)(9); 34-412(a)] {see Supplement D, Part 7}

Staff is unsure of the D.1, D.2, D.3 designations on the site plan. Only two deviations are requested. Please key them to a legend for clarity.

5) Contact. The Staff reviewer may be contacted regarding any questions on the LC Development Review Planned Development Application Sufficiency Checklist.

For questions concerning these review comments, please contact Tom Sawtell, 533-8803 or tsawtell@leegov.com.

LC ZTIS PD Application Sufficiency Checklist (Ord12-01)

1) Description of Development & ITE Land Use Code. The TIS must contain a general description of each type of use proposed, the units of development (i.e. number of dwelling units, square feet of building floor area, etc.) and the Land Use Code for each type of use utilized in the trip generation (e.g. Single family detached housing (200 lots), Land Use Code 210). [AC-13-17]

Staff is not in agreement with the land use utilized. In similar RV Parks, the mobile home park land use has been utilized. There is also a Recreational Homes land use. However, Mobile Home Park has the most data, and it seems most similar as what will be constructed here.

4) Background Traffic. The TIS must contain 100th highest hour traffic for the current year and for the year following the year in which the project is expected to be completed. [AC-13-17]

Typically, a rezoning TIS should look at a five year planning window. The proposed buildout year seems too aggressive. Please revise.

5) Directional Splits. The TIS must contain a drawing showing the percentage, number of trips, and the direction of travel for trips entering and exiting the project at each proposed access point. [AC-13-17]

a) Staff is not in agreement with the directional splits. Why would 45% of the project traffic go north on Lexington Avenue to then head southwest on Palm Beach Boulevard? The most direct route to the City of Fort Myers is to take Tice Street.

b) The northern access point cannot be supported. There are numerous reasons including impacts to an indigenous preserve for another project. The previous rezoning showed access to Tice Street. Staff would suggest that the second access be shown opposite Detar Lane on Tice Street. This will allow for better circulation and for ease of access to the west on Tice Street.

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6) Area of Influence. The TIS for projects generating more than 100 trips during the A.M. or P.M. peak hour of the adjacent street must contain a drawing showing the area of influence of the project . [AC-13-17]

Is Lexington Avenue significantly impacted as a result of this project? A LOS analysis needs to be performed on this roadway.

11) Contact. The Staff reviewer may be contacted with any questions relative to this LC ZTIS PD Application Sufficiency Checklist.

Please contact Rob Price at RPrice@leegov.com with any questions regarding these comments.

**LC Environmental Sciences PD Application Sufficiency Checklist
(Ord 12-01)**

3) Action Requested. Information must be provided describing the specific zoning action which is being requested and the appropriate Supplement Form(s) and other relevant documents must be submitted (see LC Public Hearing Application Form Cover Sheet and Part 4.A.). [34-201(b)(2)]

Please note the application Request is incorrect- CPD to IPD. Please revise to indicate corrected zoning request.

Also, Part 2 F Current Zoning is incorrect- RPD. Please revise to include the acquired IPD

5) Planning Community Regulations & Standards. If the subject property is located in certain communities, the owner/applicant will be required to demonstrate compliance with the requirements applicable to the specific community as outlined in LCLDC Chapter 33. [34-6] {See LC Application for Public Hearing for Zoning action, Part 4.G.}

Please revise the application Part 3 J. to indicate the applicable Planning Community Area-Palm Beach Boulevard.

10b2i) Staff use this information to determine proposed impacts to environmentally sensitive lands & calculate density.

Please revise the Application Part 3 H. to indicate the Wetland Land Use Classification acreage as delineated on the FLUCCS map. FLU Wetlands acreage should be consistent with potential state delineated wetlands.

11g) FLUCCS Map. A Florida Land Use, Cover and Classification System (FLUCCS) map, at the same scale as the Master Concept Plan, prepared by an environmental consultant must be submitted. [34-373(a)(4)e.ii.]

Please provide a FLUCCS map at same scale as 24x36 MCP.

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12a) Easements. The exact location and explanation of all existing easements, whether or not those easements are recorded, must be shown on the Master Concept Plan. [34-373(a)(6)a.]

Please note the request narrative states (page 2) the project has two access connections-one is owned fee simple and the other by access easement. Please identify the location of and label the access easement on the MCP and boundary survey.

12b) Access. The exact location of all points of vehicular ingress and egress from existing easements or rights-of-way into the development must be shown on the Master Concept Plan.[34-373(a)(6)b.].

Please note the depicted north entrance road onto Lexington is through the required Indigenous preserve of adjacent property (see DOS2012-00026). Please remove the proposed access road from the preserve.

12c) Lots. Where the subject property will be divided into lots or parcels, the plan must indicate the general location, configuration & approximate dimensions of the lots or parcels (including outparcels) as well as lot coverage, and the minimum proposed setbacks for principal structures must be shown on the Master Concept Plan. [34-373(a)(6)c.]

Please revise the MCP to depict and label where the open storage use is proposed.

12h) Open Space Design Plan. Open space design plan delineating the indigenous preserves and/or native tree preservation areas as required per LCLDC Section 10-415(b) must be shown on the Master Concept Plan. [34-373(a)(6)g.]

The area of upland buffer which is impacted wetland cannot be used to meet the indigenous preservation acreage requirement. Please revise the Calculations Table to use only existing indigenous habitat to meet the requirement.

The Indigenous Management Plan references a Plan B. Is there also Plan A?

The Indigenous Management Plan (page 4) references the incorrect planning community. Please revise.

The Request Narrative references credits taken for large system preservation-Please note credits cannot be taken for wetlands.

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12j) Buffers. The minimum width and composition of all proposed buffers along the perimeter of the subject property, as well as between the individual uses if the types of proposed uses require buffer separations, must be shown on the Master Concept Plan. [34-373(a)(6)i.]

Please note LDC Section 34-939(b)(3) is currently going through an amendment to be brought before the BOCC in June. The amended code should be in place before this application goes the hearing. Please address the buffer required as per the amended language.

Please revise MCP to label the abutting properties use of the land as approved thru their developed DO. (i.e. C-2 properties abutting to the east are required preserves-not vacant.

Please note the FLUCCS map depicts ditches (other surface waters) which may conflict with the proposed buffers. Ditch width versus buffer planting width. Please explain how buffer plantings and wall (if deviation is approved) will be provided. Please provide cross sections details.

Please note the north buffer is depicted within an easement. The easement documents provided appear to require the easement for access and possible drainage features. What exactly is the easement used for? Is there and existing road, ditches, drainage pipes? How will the required/proposed buffers (i.e. plantings/wall) be provided if the area needs to allow access for vehicles? Please provide cross section details.
Also address LDC 10-421(a)(5) proposed buffers within easements

Please revise the MCP to depict (hatch) the required/proposed perimeter buffer abutting the Northeast C-2 property. What is the double dashed line? Are access roads into the development buffered?

12k) Excavations for Wet Retention. The general location of excavations for on-site fill and wet retention must be shown on the Master Concept Plan. [34-373(a)(6)k.]

Is any reconfiguration of the lake proposed? What is the current slopes and depth? Do they meet current LDC requirements? Are any deviations needed?

What is the lake buffer (hatching and 1.16 acre open space)?

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13) Schedule of Uses. A schedule of uses keyed to the Master Concept Plan {see item #11d, above} as well as a summary for the entire property including the following information must be submitted {see Item #13a thru Item #13 below}: [34-373(a)(8)] {see Supplement D, Part 7}

What type and locations of docks, boat ramp and seawall is proposed in schedule of uses?

What percentage of harden shoreline (bulkhead) is proposed?

Are Dwelling Units-Mobile homes and single family residential really being proposed? What are the lot sizes? Please note lot sizes less than 6,500 square feet require Open Space at 40%. Please revise MCP to address. Also, please note use the delineated wetland acreage for any required density calculations-not the mapped wetland FLU.

14) Schedule of Deviations & Written Justification. A schedule of deviations and a written justification for each deviation requested as part of the Master Concept Plan must be submitted. [34-373(a)(9)] {see Supplement D, Part 7}

Deviation #1 is requesting to reduce the buffer width and add a wall where native indigenous vegetation exists. Also, proposed LDC amendments to Section 34-939(b)(3) (going to the BOCC in June) requires dense buffer plantings installed where the native vegetation does not exist. Please provide further justification of why a deviation is needed where the requirement can be met.

Deviation #1-Please provide a cross section and greater detail of the buffer that is being proposed (i.e.) Location and type of wall; type, amount, and location of landscape buffer plantings, existing ditches, etc.

Please note D3 on the MCP is not on the schedule of deviations list. Please revise for consistency.

16a) Surface Water Management Plan Description. A written description of the surface water management plan must be submitted that includes (see item #16a1 thru #16a5 below): [34-373(b)(1)]

The Surface Water Management Plan indicates an amendment will be required. Please note No ERP issued was previously issued for the property. ERP App. No 050928-4 status withdrawn. Please revise.

16a2) Proposed Drainage Concept. In general terms, the drainage concept proposed, including the outfall to canals or natural water bodies must be explained in the description including how drainage flow from adjacent properties will be maintained. [34-373(b)(1)b.]

Please address if existing ditches and lake on the property used for drainage purposes by others? (i.e. Lee County Natural Resources, FDOT) If so, how will drainage be maintained or impacted?

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16a3) Retention Features and Maintenance. The retention features (including existing natural features) that will be incorporated into the drainage system and the legal mechanism which will guarantee their maintenance must be described and explained. [34-373(b)(1)c.]

Plan states central wetland will be used for attenuation and treatment.
Please address.

16a4) Natural features-Preservation. How existing natural features will be preserved must be explained. The explanation must include an estimate of the ranges of existing and post development water table elevations, where appropriate. [34-373(b)(1)d.]

Please provide for preserved wetlands.

17) Protected Species Survey. A protected species survey, as specified in LCLDC Section 10-473, is required for large developments (as defined in LCLDC Section 10-1 {more than 10 acres in size or more than 2 acres of impervious area}) . [34-373(b)(2)] {see Supplement D, Part 7}

Please provide all required maps at same scale as the 24 x 36" MCP.

18b1) LEE Plan Compliance. A narrative explanation as to how the proposed development complies with the LEE Plan must be submitted. [34-941(g)(3)]

Please provide Lee Plan analysis on applicable Goal 107e nvironmental, Goal 77open space and Goal 23 Palm Beach Planning Community.

19) Miscellaneous items.

Please address/provide details how the terrestrial wildlife will move safely between the lake wetland and south wetland preserves.

20) Contact. The Environmental Planner may be contacted regarding any questions on the LC Environmental Sciences Planned Development Application Sufficiency Checklist.

Susie Derheimer, Environmental Planner
239-533-8158
sderheimer@leegov.com

LC Public Hearing for Zoning Action Checklist (Ord. 12-01)

2d) The applicant must ensure that an application is accurate and complete. Any additional expenses necessitated because of inaccurate or incomplete information will be borne by the applicant. [34-201(b)(4)]

Request (Page 1) - Please correct the request. It currently shows that you are requesting to rezone to IPD.

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6d) Title Certification. A document, no greater than 90 days old at the time of initial zoning application submittal, must be submitted to establish the following information concerning title to the subject property: a) owner or owners of the fee title; b) all easements encumbering the property; and, c) legal description of the property {see LC Public Hearing Appl. Form, Part 2.D.}. [34-202(a)(3)]

The Title Certification does not have a clear legal description attached to it. It includes 2 descriptions, so it is not clear if the two descriptions, when combined, are the subject site. The Title Certification should include the overall perimeter legal description of the project site.

10) Boundary Survey. A boundary survey of the subject property must be submitted unless the property is a not a Planned Development Application & consists of platted lots (see Item 10d below). The survey must be based upon the title certification submitted in accord with LCLDC Section 34-202(a)(3). {see LC Public Hearing Application Form, Part 3.D.}. [34-202(a)(2)]

The Survey fails to meet the application requirements of §34-202:

- a. It is not based on appropriate title work.
- b. It does not have a legal description that describes the perimeter boundary of the site.
- c. It depicts boundary gaps and overlaps which may affect the ability of the Applicant to rezone the site.
- d. It is not clear if all easements are depicted.

10a) The boundary survey must identify and depict all easements affecting the subject property, whether recorded or unrecorded, and all other physical encumbrances readily identified by a field inspection. [34-202(a)(2)]

It is not clear if all easements are depicted and if easements can be used as proposed:

a. One easement referenced on the Survey is in favor of FDOT and prohibits certain uses. In particular, the same area is depicted on the MCP as the site of a project wall, a type of improvement otherwise prohibited by the easement to FDOT. Additionally, the required buffer would be located within the easement area and would be a risk for removal at any time since it is also otherwise the type of improvement prohibited by the easement to FDOT.

b. There is a second easement in favor of FDOT that may present similar problems.

10b) All boundary surveys must meet the minimum technical standards for land surveying in the state, as set out in chapter 5J-17, F.A.C. The perimeter boundary must be clearly marked with a heavy line and must include the entire area to be developed. [34-202(a)(2)]

The Survey is not based on a legal description that describes the perimeter boundary of the site. It depicts boundary gaps and overlaps which may affect the ability of the Applicant to rezone the site.

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14) Current Zoning on Property. The current zoning district(s) for the subject property must be provided as well as copies of all Zoning Resolutions and Zoning Approvals applicable to the subject property {see LC Public Hearing Application Form, Part 3.H.}. [34-202(a)(8)]

Our records show that the property with strap # 03-44-25-00-00015.0000 is zoned IPD (Z-07-053). Please confirm and amend the application as necessary.

26) Planning Community/Community Plan Area. If the property is within a Planning Community/Community Plan Area (e.g. Estero, Captiva, North Captiva, Boca Grande, Caloosahatchee Shores, Page Park, Palm Beach Boulevard, Buckingham, Greater Pine Island, Lehigh Acres) it must be indicated on the application form {see LC Public Hearing Application Form, Part 3.E.}. [34-202(a)(10); 33-3; 34-6]

The project is located in the Palm Beach Boulevard (aka Tice Historic) Community Plan Area. Please revise the application as necessary.

33) Palm Beach Boulevard Community Plan-Community Review: If the proposed development is for Planned Development Request located within the Palm Beach Boulevard Community Plan area, a meeting is required with the community and a copy of the Meeting Summary Document must be submitted. [Lee Plan Policy 23.5.2]

Please conduct a meeting in the community planning area and provide a meeting summary of the required public informational meeting.

44) Contact. The Zoning Planner may be contacted regarding any questions on the LC Public Hearing for Zoning Action Checklist.

Mikki Rozdolski
mrozdolski@leegov.com
239-533-8317

**LC Public Hearing for Planned Development
Application-Supplement D Checklist (Ord 12-01)**

5) Preliminary Residential Density Calculations. If residential dwelling units are proposed, calculations of density must be provided for each land use category in which residential units are proposed {see Supplement D, Part 1.D and Part 3}. [34-202(a)(8)]

The application is not consistent whether this is a Transient or Non-Transient Park (see LDC 34-2 for definitions). The Schedule of Uses includes non-transient units (mobile homes and conventional single-family homes). If these uses are proposed, density calculations need to be provided. In the alternative, these uses should be removed from the Schedule of Uses.

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10I) Narrative Compliance Statements. Narrative explanations as to how the proposed development complies with several elements must be submitted {see Item 10I1, Item 10I2, & Item 10I3 below}. [34-373(a)(5)]

The request narrative (page 3) references property development regulations (and deviations from such regulations) applicable to conventional RV zoning districts. Please address the design criteria for PD's (34-935) and RVPD's (34-939). Please revise the narrative to reference the appropriate sections of the LDC.

Note that 34-939 is being amended. The proposed language is available on-line at:
<http://www.leegov.com/gov/dept/dcd/Pages/LDCAmendments.aspx>. The 2nd public hearing to adopt these amendments is scheduled for June 17, 2014.

10I3) Decision-Making Compliance. A narrative explanation as to how the proposed development complies with the guidelines for decision-making embodied in LCLDC Sections 34-145(c)(2)a & e. and 34-145(d)(3). [34-373(a)(5)]

Please address the finding required in 34-145(d)(3)g. that requires that urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use. This includes, but is not limited to the location and availability of: public transit, parks and recreation facilities, police, fire and emergency services, schools, employment, industrial and commercial centers, and institutional, public, or administrative facilities.

11) Master Concept Plan, Non-PRFPD. A graphic illustration (Master Concept Plan) of the proposed development, clearly legible depicting the correct scale for the drawing showing & identifying the following information required by LCLDC Section 34-373(a)(6)a. through Section 34-373(a)(6)i. must be submitted in both 24" X 36" size and 11" X 17" size. [34-373(a)(6)] {See Item 11a - Item 11s below.}

Please revise the MCP to provide a legend for the line/shading types.

11a) Easements. The exact location and explanation of all existing easements, whether or not those easements are recorded, must be shown on the Master Concept Plan. If an easement is based upon a recorded document, the official records book reference must be stated. [34-373(a)(6)a.]

On the MCP, please show the location of the easements and reference the appropriate OR/PG for each recorded easement.

11b) Access. The exact location of all points of vehicular ingress and egress from existing easements or rights-of-way into the development must be shown on the Master Concept Plan.[34-373(a)(6)b.].

The location of the proposed north access onto Lexington Avenue is not located in an easement. It appears that the easement is located north of where the access is proposed.

11b1) Lot Access. If a subdivision, the general location of all proposed internal street rights-of-way or easements & the general location of all points of vehicular ingress & egress from the proposed internal rights-of-way or easements into multiple family, commercial, or industrial use lots must be shown on the Master Concept Plan. [34-373(a)(6)b.]

On the MCP, please show the location of the lots and the required 50 foot-wide street right-of-way or easement (LDC Section 34-939(b)(4)).

11c) Lots. Where the subject property will be divided into lots or parcels, the plan must indicate the general location, configuration & approximate dimensions of the lots or parcels (including outparcels) as well as lot coverage, and the minimum proposed setbacks for principal structures must be shown on the Master Concept Plan. [34-373(a)(6)c.].

Please show the location, configuration and dimensions of the lots on the MCP. Note: The lots may not be within the minimum required 50 foot wide street easement or the minimum 40 foot perimeter setback (LDC 34-935(b)(1)g.).

Please provide site development regulations for the RV Lots, the Recreation Area Lot, and the Maintenance & Operations Lot. This should include: minimum lot size, width and depth; street, side and rear setbacks; maximum height; and maximum lot coverage. See LDC Sections 34-935 and 34-939.

Note: LDC Section 34-939(b)(7)b. requires a minimum separation of 10 feet between RV's - please specify in the site development regulations if the setbacks will be 5' and 5' or 9' and 1'.

11d) Lots-Uses. The proposed use of the lots or parcels must be keyed to the list of proposed uses submitted with the application must be shown on the Master Concept Plan. If the property development regulations for a specific zoning district will be used, then reference to the specific district will be sufficient. [34-373(a)(6)c.].

Please identify on the Schedule of Uses what uses will be limited to each development area (ie. RV Lots, Recreation Area, and Maintenance & Operations Area).

11g) Parks, Recreation Areas, Indigenous Areas, Flow-Ways. The general location of proposed parks and recreation areas and facilities, as well as indigenous areas and flow-ways to be preserved, restored or created must be shown on the Master Concept Plan. [34-373(a)(6)f.].

Please demonstrate compliance with LDC Section 34-939(b)(5):
Recreational facilities. Every recreational vehicle park shall have at least one outdoor recreation area, which shall be easily accessible from all sites. Such recreation area shall contain at least 250 square feet for each acre contained within the park, and no single recreation area within the park shall be less than 3,000 square feet in size.

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11m) Deviations. The location of any requested deviations must be shown on the Master Concept Plan, keyed to the schedule of deviations, including drawings demonstrating the effect the requested deviations will have on the site plan. [34-373(a)(6)l.]

The MCP has deviation markings with no key. In addition there are three (D.1, D.2 and D.3) deviation markings on the MCP and only two deviations provided in the Deviation Schedule. Please also provide detail of the deviations - include drawings if necessary.

13) Schedule of Uses. A schedule of uses keyed to the Master Concept Plan {see item #11d, above} as well as a summary for the entire property including the following information must be submitted {see Item #13a thru Item #13c below}. [34-373(a)(8)]

Please specify which uses will be limited to each area - RV Lots, Recreation Area and Maintenance and Operations Area. Please also locate on the MCP where the proposed RV Storage Facility will be located.

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13a) Types of Proposed Uses-Entire Site. The types of uses proposed for the entire site must be submitted. For projects with residential uses, the summary must include the types of proposed dwelling units. [34-373(a)(8)a.]

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Please consider the following comments regarding the schedule of uses:

Accessory uses, buildings and structures:

- Several of the uses on the list are limited to non-transient RV parks (ie. carports (34-786), utility room enclosures (34-787), and sheds (34-786)). Again, please clarify if this park is intended to be a transient park. Or, are these uses intended for the Recreational and Maintenance areas?
- The following uses should be listed as principal uses: entrance gates, gatehouses; fences, walls; storage, open/storage facility; and signs.
- What uses are intended to be included in "non-roofed accessory structures"? Is this covered by the Recreational facility use?
- What is intended by "residential accessory uses"?
- Demonstrate that the Storage facilities will be consistent with 34-762(4) Amended language is for RV storage facilities is proposed in 34-765 (see <http://www.leegov.com/gov/dept/dcd/Pages/LDCAmendments.aspx>).

ATM: Is not permitted as a principal use - this should be listed as an accessory uses limited to the recreation lot.

Boat ramps: Show location on MCP - how many are proposed.

Caretaker residence: Please show where this will be located on the MCP. Will this be a permanent structure?

Car Wash: Is not a permitted principal use in RVPD district.

Consumption on premises: Please specify location and see Sec. 34-934, Note 8. Will outdoor seating be proposed? Does the location comply with 34-1264(b)? The School District (see attached letter) has expressed concerns with this use because of the proximity to the Orange River Elementary School.

Commercial Uses: This uses should be listed out separately and be limited to certain areas of the park and limited to people staying in the park (34-934, Note 8) - Food Store, Group I; Laundry or Dry Cleaning, Group I; Personal Services, Group I; and Vehicle and Equipment Dealers, Group IV (Sec. 34-934, Note 17, Recreational Vehicles only).

Day care center: Please limit use to certain areas of the park and to people staying in the park (34-934, Note 8).

Dwelling unit: Is density being requested? Will there be nontransient units in the park?

Insurance companies: This use is not permitted in RVPD.

Model home/display center: How many model units are proposed?

Parking Lot: Please limit to accessory. A commercial parking lot is not a permitted use in the RVPD.

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Park Trailer: Is limited to nontransient parks only.

Real Estate Sales Office: See 34-934, Note 23. The location of the office will need to be depicted on the MCP and will expire after 5 years. The intention for this use may be covered under the model home/display center use and may not be needed.

Restaurants, Groups I and II: These are not a permitted use in the RVPD zoning district. Please considering adding Food and Beverage Service (Limited) to the schedule of uses.

Recreational Facilities, Private off-site: Will these be the same as the private on-site facilities? Who is the intended user?

Recreational vehicle, permanent: Please clarify if the park will be transient or non-transient.

Service building: Is not defined in the LDC and is not on the RVPD use matrix. Will this be an amenity located in the maintenance and operations area accessory to the storage facility? See also Sec. 34-934, Note 1.

Subordinate commercial uses: What is intended by this use? Are the commercial uses already listed in this schedule of uses?

Temporary Uses: Not a permitted use in the RVPD. Will this be limited to construction trailers and contractor storage units during construction and a temporary sales center?

14) Schedule of Deviations & Written Justification. A schedule of deviations and a written justification for each deviation requested as part of the Master Concept Plan must be submitted. The location of each requested deviation must be indicated on the Master Concept Plan {see Item #11m above}. [34-373(a)(9)]

Deviation #1 should be revised to reflect the buffer requirement for RVPD's set forth in 34-939(b)(3).

Deviation #2 needs to be clarified. LDC §34-939(c) allow accessory structures and additions only in nontransient parks. Are the accessory structures and additions intended for individual RV lots or for the designated recreation and maintenance areas? If the requested deviation is seeking to "... permit accessory structures, additions or freestanding storage shed with the designated Maintenance and Operations Area, and indoor and outdoor recreation area," then is this deviation necessary (believing the request for these types of structures would not be on the individual lots or sites)?

24) Miscellaneous items.

See attached email from Natural Resources staff and letter from the School District and address their comments/concerns.

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25) Contact. The Zoning Planner may be contacted regarding any questions on the LC Public Hearing for Planned Development Application-Supplement D Checklist.

Mikki Rozdolski
mrozdolski@leegov.com
239-533-8317

Rozdolski, Mikki

From: Gillogly, Phil
Sent: Thursday, May 29, 2014 9:17 AM
To: Derheimer, Suzanne; Lee, Samuel; Wu, Lili
Cc: Rozdolski, Mikki; Sweigert, Rebecca; Karuna-Muni, Anura
Subject: RE: DCI2014-00010 / Bermuda Lakes RV Resort RVPD

Natural Resources has the following comments:

- Existing hydraulic capacity and gradient must be preserved within the existing Tice Ditch #1; from the eastside of the western most wetland preserve, north to the northern most property line.
- It appears the proposed 20' buffer and wall overlaps the drainage ditch as well as the existing drainage easement.
- Also drainage easement is required over the existing ditch within the property.

Thank you,

Phil Gillogly
Project Manager
Natural Resources Division
Ph: 239-533-8124
Cell: 239-850-2636
Fax: 239-485-8408

From: Derheimer, Suzanne
Sent: Friday, May 23, 2014 9:36 AM
To: Lee, Samuel; Gillogly, Phil; Wu, Lili
Cc: Rozdolski, Mikki; Sweigert, Rebecca
Subject: FW: DCI2014-00010 / Bermuda Lakes RV Resort RVPD

Hi Guys,

Can I talk to you about this application. They have NR and DOT drainage ditches all over this project. Specific concerns- GIS NR and DOT drainage layers and also DOT access easement along the north property line. The MCP depicts road improvements, buffers, etc. over these areas. Any time to meet next week Tuesday or Wednesday am?

Thanks,
Susie

Susie Derheimer

Environmental Planner
Lee County Department of Community Development
Division of Environmental Sciences
P.O. Box 398
Fort Myers, FL 33902-0398
Phone: 239-533-8158
Fax: 239-485-8344
sderheimer@leegov.com
<http://www.leegov.com/dcd/Environmental>
Join our online public forum at www.leecountytownhall.com



THE SCHOOL DISTRICT OF LEE COUNTY

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DAWN HUFF
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239-337-8142
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DISTRICT 2

DON H. ARMSTRONG
DISTRICT 4

NANCY J. GRAHAM, ED.D
SUPERINTENDENT

KEITH B. MARTIN, ESQ.
BOARD ATTORNEY

May 22, 2014

Mikki Rozdolski
Lee County Development Services Division
P.O. Box 398
Fort Myers, FL 33902-0398

RE: Bermuda Lakes RV Resort RVPD
Case # DCI2014-00010

Dear Ms. Rozdolski:

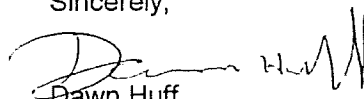
This letter is in response to your request for comments dated May 14, 2014 on the Bermuda Lakes RV Resort RVPD in regard to educational impact. This project is located in the East Choice Sub Zone 1.

This project should have no impact on classroom needs based on the request is to rezone from a 330 MF RPD to a 200 pad RVPD.

However, there is a concern as to one of the schedule of uses being "Consumption on Premises". This parcel is adjacent Orange River Elementary School and Florida Statute 562.45(2) (a) prohibits on-premise consumption of alcoholic beverages within 500' of a public school, except for restaurants deriving at least 51% of gross revenues from the sales of food and nonalcoholic beverages. The only exception to this is if the County approves the location as promoting the public health, safety and general welfare of the community. Section 34-1264 of the Lee County Land Development Code indicates that the Director of the Department of Community Development may administratively approve such a use or that the applicant may instead apply for such use as a special exception. Therefore, at this time; the School District finds this request insufficient.

Thank you for your attention to this issue. If I may be of further assistance, please me at 239-337-8142.

Sincerely,


Dawn Huff,
Long Range Planner