



Direct Dial Number: 239-533-8585

October 30, 2015

John Manning
District One

Cecil L. Pendergrass
District Two

Larry Kiker
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
Hearing Examiner

Pavese Law Firm
ATTN: Charles Mann
1833 Hendry Street
P. O. Drawer 1507
Fort Myers, Florida 33902-1507

RE: DCI2015-00025, Palermo
DCI2015-00026, Heritage Isle

Dear Mr. Mann:

Lee County received the two above-noted applications on October 9, 2015 requesting a time extension for each referenced development due to Executive Order #15-173 as provided for in Florida Statutes 252.363.

Lee County Land Development Code (LDC) Section 34-381 states the following:

Sec. 34-381. - Duration of rights conferred by an approved planned development.

Development rights conferred by an approved planned development, including Zoning Resolution and Master Concept Plan, will remain valid until vacated by operation of Florida law or in accordance with Chapter XIII, (Procedures and Administration), of the Lee Plan, as amended. The duration of approved planned developments issued for mining excavation are subject to [Chapter 12](#). Planned development approvals issued for mining excavation before September 1, 2008, are subject to sections [12-109](#) and [12-121](#).

(Zoning Ord. 1993, § 804.03(J); Ord. No. 94-24, § 23, 8-31-94; Ord. No. 95-07, § 21, 5-17-95; Ord. No. 96-06, § 5, 3-20-96; Ord. No. 97-10, § 6, 6-10-97; Ord. No. 98-28, § 5, 12-8-98; Ord. No. 00-14, § 5, 6-27-00; Ord. No. 01-03, § 5, 2-27-01; Ord. No. 03-16, § 6, 6-24-03; Ord. No. [08-21](#), § 3, 9-9-08; Ord. No. [11-08](#), § 10, 8-9-11; Ord. No. [13-01](#), § 6, 2-12-13)

Editor's note— The amendment to the duration of approved planned developments applies retroactively to all master concept plans. See Ord. No. [13-01](#), § 10, adopted Feb. 12, 2013.

Since the development rights conferred by an approved planned development remain valid as provided for above, Lee County will not be taking action on these two applications. A copy of this letter will be placed within each of the files and the files will be closed.

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

Sincerely,
DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Section

Alvin Block, AICP
Principal Planner

cc: Zoning files

P.O. Box 398, Fort Myers, Florida 33902-0398 (239) 533-2111

Internet address <http://www.leegov.com>

AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

U:\201510\DCI\20150.002\5\ERIKA EXTENSION LETTERS.DOCX