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Southwest Florida

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Writer's Direct Dial Number: (239) 533-8325

October 20, 2016

JENNIFER SAPEN
BARRACO & ASSOCIATES, INC
2271 MCGREGOR BLVD
SUITE 100
FORT MYERS, FL 33901

Re: OAK VIEW RPD
DCI2016-00010 - Minor Plan Dev Application

Dear JENNIFER SAPEN :

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.

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or corrections within 60 calendar days of this letter, the Code requires that this application be considered withdrawn.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.

Sincerely,

DEPARTMENT OF COMMUNITY DEVELOPMENT
Zoning Division

Tony Palermo, AICP
Senior Planner

LC ZTIS PD Application Sufficiency Checklist (Ord12-01)

10) Miscellaneous items.

Prior comment: "The site design parameters that are stated in the TIS do not appear to correspond to the parameters that are stated and/or depicted in the non-TIS submittals. The TIS and the MCP do not appear to agree with respect to the number of access points and the permissible directional movements at them. Please clarify how many access points are proposed for the site and what permissible movements (if any for the secondary access) are expected at each of them, and review and revise the TIS accordingly." The July 19, 2016 letter from TR Transportation Consultants indicated that a revised TIS "Figure 2" would be provided to address this comment, however this figure has not been received by staff to date. (10/6/2016 ME)

The TIS review is not complete. Review comments are based upon information presented in the TIS in its present form. The TIS reviewer reserves the right to comment on and/or require revisions to any portion of the TIS, whether or not it was part of the original submittal or subsequent revisions, until the TIS has been fully approved. (10/6/2016 ME)

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

Please contact Marcus Evans by telephone at (239) 533-8355 or e-mail at mevans@leegov.com with any questions regarding the above review comments.

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

19) Miscellaneous items.

Please provide a cross section of each typ of residential lot showing the 20 foot LME, rear yard drainage, indignenous preserve and perimeter berm where applicable.

Please ensure that dimensions are noted for the various items within the residential cross sections listed above in #1.

The open space table on the MCP indicates that .30 ac of open space will be provided. The MCP does not label the amenity area, the property regulations do not provide the regulations, and the schedule of uses include recreational facilities, private on-site but not amenity. Please revise all documents to include an amenity area.

Please revise open space table to reflect any necessary changes.

How does the offsite wall shown on the MCP at the northwest corner applu to the subject parcel?

FUTURE CONDITION: Prior to d.o. approval, the planted littoral shelf and deep lake trees (if required) must be located at the east side of the lake adjacent to Buckingham Road.

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

Please contact Beth Workman via e-mail at EWorkman@leegov.com with questions concerning environmental review.

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

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

ZONING COMMENTS, OCTOBER 2016.

1. Request to rezone +/- 16.2 acres from Agrilcultual (AG-2) to Residential Planned Development (RPD) to allow the development of up to 60 single family and/or two family attached residential units with a maximum height of 35 feet.

Please check the draft request wording above.

2. Please demonstrate how you will comply with the community meeting requirement below. We may be able to find you conditionally sufficient if you can quickly establish a meeting time, place, and date.

Sec. 33-1480. Applicability.
This division is applicable to Caloosahatchee Shores Planning Community (see Map 14 in Appendix I), described in Goal 21 of the Lee County Comprehensive Plan (Lee Plan).
(a) Scope. The provisions of this article apply to all development located in the Caloosahatchee Shores Planning Community, as defined in section 33-1481(a) and depicted in the Lee County Comprehensive Plan on Lee Plan Map 1 Special Treatment Areas (Page 2 of 8) and apply to all commercial, religious, institutional, multiple-family, and mixed use developments, including live-work units, except where the authority of a separate political jurisdiction supersedes County authority.
(b) Zoning. The provisions of this article apply to all requests to rezone property located within the Caloosahatchee Shores Community. Compliance with these provisions will be required to obtain zoning approval unless approved by variance or deviation.
(c) Development orders. The provisions of this article apply to all development orders and limited review development orders described in sections 10-174(1), 10-174(2) and 10-174(4)a. that are for property located within the Caloosahatchee Shores Community. Compliance with these provisions will be required in order to obtain development order approval.
(d) Demonstrating compliance. Compliance with the standards set forth in this article must be demonstrated on the drawings or site development plans submitted in conjunction with an application for development order approval or with a building permit application if a development order is not required.
(Ord. No. 12-01, § 5, 1-10-12; Ord. No. 13-10, § 9, 5-28-13)
Sec. 33-1481. Planning community boundaries.
(a) Caloosahatchee Shores Planning Community. The boundaries of the Caloosahatchee Shores Planning Community are as depicted in the Lee County Comprehensive Plan on Lee Plan Map 1 Special Treatment Areas (Page 2 of 8) and in Appendix I on Map 14. The following overlays are located within the Caloosahatchee Shores Planning Community:
(1) Olga Planning Community Overlay. The boundaries of the Olga

Community overlay district are as depicted in the Lee County Comprehensive Plan on Lee Plan Map 1 Special Treatment Areas (Page 2 of 8) and in Appendix I on Map 14.
(2) State Route 80 Corridor Overlay. The boundary of the State Route 80 Corridor overlay district is as depicted in Appendix I on Map 15 and is generally described as the linear corridor between State Route 80 and First Street from West Road to Buckingham Road/Old Olga Road.
(Ord. No. 12-01, § 5, 1-10-12; Ord. No. 13-10, § 9, 5-28-13)
Sec. 33-1482. Community review.
(a) Applications requiring review. The owner or agent applying for the following types of County approvals must conduct one publically advertised information session within the Caloosahatchee Shores Planning Community prior to obtaining approval or finding of sufficiency of the following:
(1) Development orders.
(2) Planned development zoning actions. This includes administrative deviations amending the approved master concept plan or other provisions of the zoning resolution.
(3) Special exception and variance requests.
(4) Conventional rezoning actions.
(b) Meeting requirements. The applicant is responsible for providing the meeting space, providing notice of the meeting, and providing security measures as needed. The meeting location will be determined by the applicant. Meetings may, but are not required to, be conducted before non-County formed boards, committees, associations, or planning panels. During the meeting, the agent will provide a general overview of the project for any interested citizens. Subsequent to this meeting, the applicant must provide County staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised. The applicant is not required to receive an affirmative vote or approval of citizens present at the meeting.
(Ord. No. 12-01, § 5, 1-10-12; Ord. No. 13-10, § 9, 5-28-13)

4) Miscellaneous items.

Future stipulation: At the time of Development Order, written approval must be provided from the Fire District allowing the conditions requested by deviations 2 and 4.

Palermo, Anthony

From: Fredyma, John
Sent: Monday, October 17, 2016 4:54 PM
To: Palermo, Anthony
Cc: Ennis, Audra
Subject: RE: dci2016-00010 Oak View RPD - 9/30 sufficiency review.

Tony,

Please consider the following with regard to the above-referenced zoning application:

1. I still have not seen if the revised legal description for the subject property was attached to the Title Opinion. Was a revised Title Opinion provided subsequent to my last review on June 6th with this change?

2. Was the date of the most recent field work for the Survey revised to be subsequent to the issuance of the title opinion insofar as the survey is required to show all easements affecting the subject property, both recorded and unrecorded? The last field work was performed in August of 2015.

3. I believe this submittal indicates the results from a community meeting in the Caloosahatchee Shores Community Plan Area is still forthcoming.

Please let me know if you have any questions.

Thanks.

John

John J. Fredyma
Senior Assistant County Attorney
Lee County Attorney's Office
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Fort Myers, Florida 33902
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Tel. 239/533-2236
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THE FLORIDA BAR BOARD CERTIFIED CITY, COUNTY & LOCAL GOVERNMENT LAW

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.