Summary of Hearing Examiner Recommendation

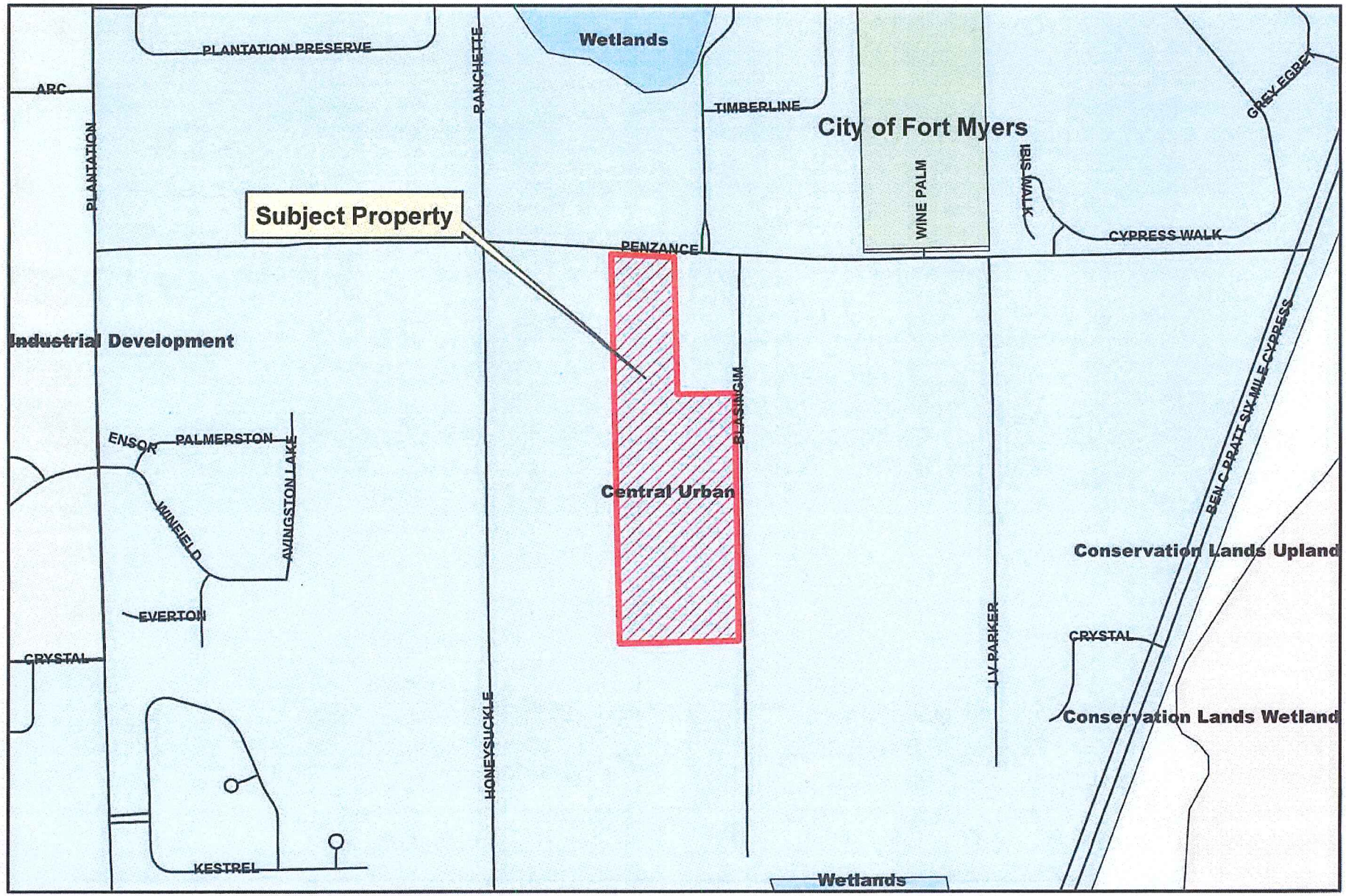
BLASINGIM ROAD RPD

Request:	Rezone from Agriculture District, (AG-2) to Residential Planned Development, (RPD) to permit development of 120 dwelling units consisting of single-family and two-family attached housing types.
Location:	12030 Blasingim Road South Fort Myers Planning Community (District 2)
Size:	24.11± Acres
Recommendation:	Approve
Deviations:	8
Public Concerns:	Traffic, Drainage

Detailed recommendation follows

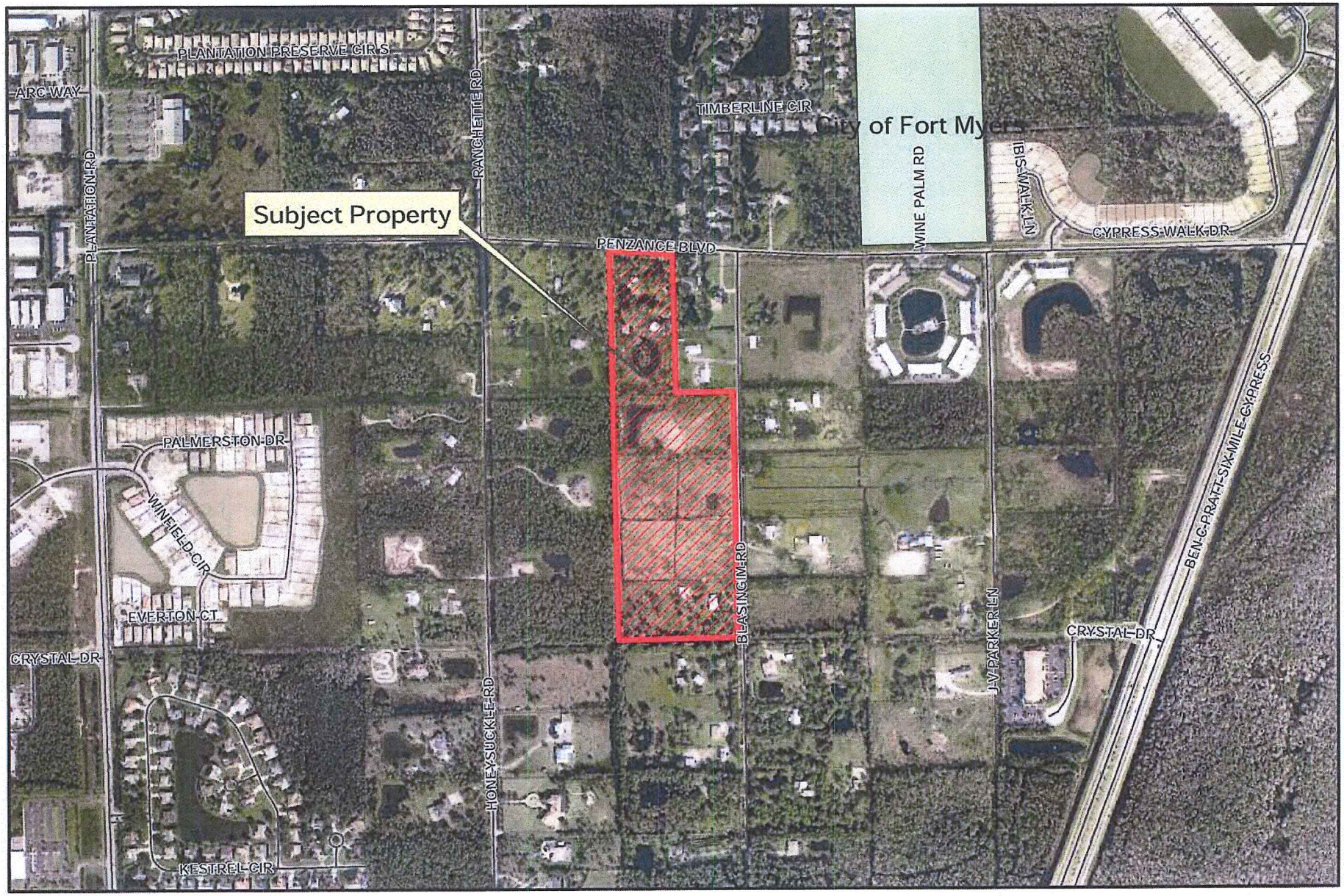
DCI2016-00011

Future Land Use



DCI2016-00011

2016 AERIAL



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W E
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0 300 600 Feet

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

HEARING EXAMINER RECOMMENDATION

REZONING:	**DCI2016-00011**
Applicant:	Blasingim Road Property LLC
Regarding:	**BLASINGIM ROAD RPD**
Location:	12030 Blasingim Road South Fort Myers Planning Community (District 2)
Hearing Date:	November 10, 2016
Record Closed:	November 23, 2016

I. Request:

Rezone 24.11± acres from Agriculture District (AG-2) to Residential Planned Development (RPD) to authorize development of up to 120 dwelling units of single-family and two-family attached housing types. Maximum proposed building height is 35 feet. The property legal description is set forth in Exhibit A.

II. Hearing Examiner Recommendation:

Approval, *subject to* conditions and deviations set forth in Exhibit B.

III. Discussion:

The Hearing Examiner serves in an advisory capacity to the Board of County Commissioners on applications to rezone property.[1] In furtherance of this duty, the Hearing Examiner accepted testimony and evidence on the application to rezone the subject property to Residential Planned Development (RPD).

In preparing a recommendation to the Board, the job of the Hearing Examiner is to apply the Lee County Comprehensive Plan (Lee Plan), the Land Development Code (LDC) and other County regulations to the facts adduced at the hearing. There must be substantial competent evidence in the record to support the Hearing Examiner's recommendation.

Discussion supporting the recommendation of approval of the request follows below.

[1] LDC 34-145(d)(1)b. 1 and 6; LDC 34-145(d)(4)a.

Synopsis of Request

The request seeks to change the zoning classification of 24.11 acres in the South Fort Myers Planning Community from agriculture to residential planned development.[2] The property is west of Six Mile Cypress Parkway at the intersection of Penzance Boulevard and Blasingim Road. The site is mainly cleared with some scattered tree cover, cattle ponds, and three single-family homes.[3] The developer will raze the homes to pursue the desired plan of development.

The proposal is to develop a residential community consisting of up to 120 dwelling units, lake and clubhouse amenity with a swimming pool. The dwelling type will be single and two-family attached units in buildings 35 feet in height. The community will have direct access to Penzance Boulevard and an emergency access to Blasingim Road.[4]

The Department of Community Development Staff recommended approval of the request with conditions, finding that the proposed RPD satisfied the LDC review criteria. Several members of the public participated in the hearing.

History

The property has been cleared for agricultural use since the 1960's. Aerials from 1968 reflect the installation of ditches on the property to serve row crops. Over the years, there is evidence of cattle grazing activity. Some ditching and cattle ponds remain on the site today.[5] A portion of the property is used for honey production.[6]

The property west of Six Mile Cypress Parkway was historically characterized by rural land use patterns consisting of low density residential uses and light agriculture. The Board of County Commissioners later adopted the first comprehensive land use plan, designating the area "Central Urban."[7] The "Central Urban" designation was an expression of the Board's legislative intent that the area would ultimately develop as part of the County's urban core.[8] The rural land use pattern is gradually evolving to one more in line with the County's vision for urban development. Consequently, although the property is currently zoned for agriculture, agricultural uses are not consistent with the Central Urban land use category.[9]

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[2] The request includes several separate parcels of property. Some are improved with single family residences, one is vacant, and the others are used for agricultural purposes.
[3] Two homes front on Penzance Boulevard and one on Blasingim Road.
[4] The emergency only access will consist of a stabilized grass surface with a gate accessible by emergency response vehicles.
[5] Testimony of Shane Johnson, Senior Ecologist with Passarella & Associates.
[6] *See* Existing Agricultural Use Affidavit, Staff Report Attachment D.
[7] Lee Plan Future Land Use Map 1
[8] *See,* Lee Plan Map 1 (Future Land Use) and Policy 1.1.3.
[9] Lee Plan Policy 1.1.3, (residential, commercial, public and quasi-public, and limited light industrial land uses are expected to predominate central urban areas).

Planned Development Zoning Appropriate

The applicant seeks to rezone the property to a planned development zoning district.[10] The use of planned development zoning is appropriate because planned developments offer flexibility in project design while still implementing the goals, objectives and policies of the Lee Plan.[11]

The RPD zoning district provides the flexibility in site design necessary to achieve compatibility with surrounding development.

Character of Area - Compatibility with Surrounding Development

The property lies within the Central Urban future land use category, the second most intense under the Lee Plan. These areas are considered the urban core of the County - offering a wide range of housing, commercial and urban services. Density ranges in the Central Urban category generally ranges from 4 to 10 dwelling units per acre but can go as high as 15 to 30 dwellings per acre under certain circumstances.[12] The proposed density of up to 4.98 dwellings per acre is at the low end of the permissible range for the Central Urban category. Density at the lower end of the range is appropriate at this location providing a transition from higher densities approved closer to Six Mile Cypress Parkway.

The South Fort Myers Planning Community is in the center of the County with public facilities and services to serve urban development patterns. The Six Mile Cypress Corridor in particular is emerging as a focal point for commercial and residential development. The area west of Six Mile Cypress Parkway is comprised of existing and approved residential development and a few commercial planned developments.[13] There are large commercial centers located at the intersection of Six Mile Cypress Parkway with Daniels Parkway and Colonial Boulevard. Properties to the south and west of the site are developed with single-family homes on large lots, and some light agricultural use.[14] Blasingim Road has a distinctly rural character, despite its future land use classification of Central Urban.

A wide assortment of urban services, facilities and infrastructure will serve the project's future residents, including public water,[15] sewer,[16] schools,[17] parks,[18] medical facilities,[19] and fire stations.[20] There is nearby shopping, recreation and employment centers as

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[10] LDC 34-931(b), 34-932.
[11] Lee Plan Glossary; LDC 34-612(2), 34-935.
[12] Higher densities may be achievable using bonus density and transfer of development rights.
[13] The property east of Six Mile Cypress Parkway is part of the Six Mile Cypress Slough (preserve).
[14] No row crops or large scale grazing. The Hearing Examiner only observed pastureland during the site visit.
[15] Lee County Utilities has an 8 inch water main on Penzance Road to serve the project.
[16] Lee County Utilities has a 12 inch force main on Penzance Road to serve the project.
[17] There are elementary, middle and high schools in proximity to the property. These include R. Pottorf Elementary School, Villas Elementary School, Dunbar Middle, South Fort Myers High School, Evangelical Christian School, and in addition, Florida Southwestern State College and Florida Gulf Coast University are also nearby.
[18] Six Mile Cypress Slough Preserve, John Yarbrough Linear Park, Century Link Stadium (Twins Spring Training Facility), Jet Blue Park, Brooks Community Park, Rutenberg Park, Lakes Regional Park.
[19] Gulf Coast Hospital and numerous medical offices are a short distance from the site.
[20] South Trail Fire & Rescue District station at Daniels Parkway and Sophomore Lane intersection.

well.[21] Thus, the site is ideally located for residential development because of its proximity to urban services and infrastructure.[22]

Penzance Boulevard is developing with a variety of housing types. Single and multi-family residential communities range in density from 1.8 to 10 dwelling units per acre.[23] The proposed density falls in line with the varied residential densities in the neighborhood.[24]

The RPD will complement nearby development by contributing to the emerging contiguous development pattern in the area.[25] Specifically, the project density will serve as a transition from the higher densities and intensities of development approved near the intersection of Penzance Boulevard and Six Mile Cypress Parkway.

Environmental Features

The 24.11 acre site consists of cleared agricultural lands with cattle ponds, ditching and three residential homes. While the site is mainly cleared, there are several mature trees on the north third of the property, some of which qualify as heritage trees.[26] If a heritage tree cannot be incorporated into the site design, the LDC requires the installation of a replacement tree at least 20 feet in height.[27] The applicant has agreed to incorporate heritage trees into the project site design where possible.[28]

The developer must obtain permits to impact two small low quality wetlands on the property.[29] The boundaries of jurisdictional wetlands will be finalized during the ERP permitting process.[30] There is an east-west conveyance ditch on the property connecting to other conveyances that outfall to the Ten Mile Canal. The developer will maintain the conveyance ditch to improve water flow to the west. Plants and trees will be clustered to protect the function of the project water management system.[31]

The applicant has elected to reduce open space in favor of constructing an enlarged water retention feature to address existing drainage issues in the area. For this reason, the applicant seeks a deviation to use a greater percentage of the enlarged lake as credit toward LDC open space requirements. The deviation will only be necessary if the project design requires common open space. If the dwellings are constructed on conventionally sized lots, the deviation will not be necessary.

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[21] Lee Plan Policy 5.1.3.
[22] Lee Plan Objectives 2.1, 2.2 *See also*, Lee Plan Vision Statement Paragraph 15 and Policy 1.1.3.
[23] This range includes existing and approved residential development.
[24] Lee Plan Goal 5, Policy 135.1.9.
[25] Lee Plan Objective 2.1.
[26] Heritage Trees are at least 20 feet in diameter. See, LDC 10-415(b)(4), 34-411(g). The heritage trees on site include Slash Pines, Live Oak, and Laurel Oaks.
[27] Replacement trees must be installed in open space areas.
[28] Lee Plan Objective 77.3, LDC 10-415(b)(4).
[29] Army Corps of Engineers and South Florida Water Management District permits will be required to impact wetlands.
[30] Testimony of S. Johnson, Senior Ecologist.
[31] Lee Plan Policy 60.5.1, Goal 77, Objective 77.3, and Policy 77.3.1.

Inspections performed by the applicant and County staff confirmed the presence of protected species on the property.[32] The project developer will be required to submit a listed species management plan with the application for development order. The site plan design will create habitat and foraging habitat for wading birds in the littoral areas.

Water Management

County regulations require developers to demonstrate that site development will not adversely impact the drainage of adjacent property.[33] The applicant proposes a site plan designed to ameliorate existing drainage issues in the area. This will be accomplished by expanding the size of the water management system to accommodate storage of additional water during storm events.[34] The enlarged retention feature will hold more water than necessary to support the project and control the outfall of storm water to the west.[35] This design is intended to improve drainage conditions on Blasingim Road.[36]

Transportation

Penzance Boulevard is a two lane minor collector that will operate at Level of Service (LOS) C at project build-out.[37] Six Mile Cypress Parkway, a four lane arterial roadway, will continue to operate at LOS B at build-out. A traffic signal at the intersection of Penzance and Six Mile Cypress Parkway will control the flow of traffic to and from Penzance Boulevard. These features will provide for safe and efficient flow of vehicles entering and leaving the project.[38]

The proposed residential density does not trigger developer funded capital improvements to the County road network other than site-related improvements.[39] Site related impacts to the public road system will be mitigated by the developer at the development order stage.[40]

There are no sidewalks or bike paths on Penzance Boulevard or Blasingim Road. The developer will provide sidewalks within the project allowing for pedestrian and bicycle access to the project amenity center.

Residents in the area testified to concerns regarding existing traffic conditions including the public's use of Honeysuckle Lane and roads within Plantation Pines as a cut through to Plantation Road.[41]

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[32] Little Blue Heron, White Ibis and Cardinal Air Plant. These are species listed at the state level. There only "Lee County" protected species is the Little Blue Heron. There was no evidence of nesting activity however.
[33] Lee Plan Policy 61.3.1., 61.3.6.
[34] Lee Plan Policies 61.3.1, 61.3.11
[35] Lee Plan Policy 115.1.3
[36] Testimony on the record was that the natural drainage patterns of the area were compromised by surrounding development. The applicant has designed the project to address, in part, the control of water storage and flow.
[37] There are no LOS standards above C for minor collectors. Testimony of Ted Treesh.
[38] Lee Plan Policies 4.1.2, 5.1.3, Goal 11, Standard 11.3, Policy 39.1.1.
[39] The TIS concluded no roadway segments will be significantly and adversely impacted by the project. Recommended site related improvements included turn lane improvements at the project entrance. *See*, TIS prepared by TR Transportation Consultants, Inc. dated May 19, 2016 and Memorandum from M. Evans to A. Chip Block dated October 3, 2016, Staff Report Attachments D and G respectively.
[40] Lee Plan Policies 38.1.6, 39.1.1.
[41] Honeysuckle Lane and the roads within the Plantation Pines subdivision are privately maintained local road open to the public.

Other residents testified to cars traveling at high speeds along Penzance and Ranchette, specifically at the bend in the road where Honeysuckle, Penzance and Ranchette converge. The testimony confirmed there is no stop sign to control traffic flow at that intersection.[42]

The Hearing Examiner must evaluate the RPD request using the standards and criteria in the LDC. The application of these standards show that the traffic volume anticipated from the proposed RPD will not significantly impact traffic conditions in the area.[43] That is to say, the trips generated by the project do not trigger capacity limitations or intersection improvements.

The public is encouraged to pursue their desire for traffic control measures with Lee County Department of Transportation and the Board of County Commissioners. The Board has the authority to direct its administrative staff to address these issues.

Urban Services

A full range of urban services and infrastructure is available to serve the project.[44] The project will connect to potable water and sanitary sewer.[45] Testimony and evidence confirmed public safety related urban services are available to serve the project including police, fire, and emergency services.

Deviations[46]

The application requests 8 deviations from the LDC. A "deviation" is a departure from a land development regulation.[47] The applicant must demonstrate that the requested deviation will enhance the achievement of the objectives of the planned development and will not cause a detriment to public interests.[48] The subject deviations pertain to lot lines,[49] dead-end street configuration,[50] lot size measurement,[51] required street access,[52] open space,[53] parking[54] and buffers.[55]

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[42] Penzance Boulevard and Ranchette Road are County maintained collector roads. There are transit routes that run along Six Mile Cypress Parkway, but there are no stops within walking distance to the project entrance.
[43] See, testimony of Ted Treesh, and TIS prepared by TR Transportation Consultants, Inc. dated May 19, 2016.
[44] Lee Plan Policy 2.2.1. Existing wells and septic tanks will be plugged/abandoned consistent with regulations.
[45] Goal 11, Standards 11.1. and 11.2.
[46] The Hearing Examiner has corrected citation references in three deviations.
[47] LDC 34-2.
[48] LDC 34-373(a)(9).
[49] LDC 10-254.
[50] LDC 10-296(p)(1). Dead-end streets must be closed at one end by a circular turn-around. The requested deviation would allow an alternative turnaround in the southwest corner of the project.
[51] LDC 10-703.
[52] LDC 10-291(3).The LDC requires residential developments over 5 acres to provide more than one means of ingress and egress, not including access points for emergency use only. The applicant proposes a single primary access to the subdivision from Penzance Boulevard with a second, stabilized "emergency only" access to Blasingim Road. The emergency access would have limited use to provide additional means of access for emergency response vehicles. The Hearing Examiner has corrected the citation reference for this deviation.
[53] LDC 10-415. The Hearing Examiner has corrected the citation reference for this deviation.
[54] LDC 34-2015, 34-2013(a). The Hearing Examiner has corrected the citation reference for this deviation.
[55] LDC 10-415(b)(5).

The LDC requires the Hearing Examiner to recommend approval, approval with modifications or denial of requested deviations based upon a finding that the deviation:

(1) Enhances the achievement of the objectives of the planned development; and
(2) Preserves and promotes the general intent of the LDC to protect the public health, safety and welfare.[56]

The applicant provided testimony and evidence to support many of the requested deviations based on the LDC standard of review.[57] Three of the deviations pertain to a dead end street configuration that will not include a customary cul-de-sac.[58] The proposed road configuration has been utilized in other projects subject to approval by the local fire district.

Another deviation seeks to authorize only one access to the project from Penzance Boulevard.[59] The developer proposes a second access onto Blasingim Road for use during emergencies by first responders. This arrangement was preferred over a second unrestricted access by the residents of Blasingim Road. Deviations of this type are occasionally requested for residential projects in an effort to focus access to a gated entry feature.[60]

The fifth deviation seeks to apply a greater percentage of lake area toward project open space.[61] The deviation is necessary because the applicant proposes to reduce required open space in favor of constructing an enlarged water retention feature to ameliorate existing drainage issues in the area.[62] This lake feature is intended to improve area drainage conditions by reducing the existing discharge rate of storm water leaving the property. The expanded lake feature is not required by code and will benefit the public by creating an opportunity for additional shoreline vegetation; improving area drainage and reducing need for as many trucks to bring fill material to the site.[63]

The sixth deviation seeks a reduction in the code required width of indigenous preserve areas.[64] The LDC requires indigenous preserves to be a minimum of 40 feet in width. The existing indigenous vegetation on the west property line is only eight feet in width. The applicant has proposed to enhance this area with additional plantings in the form of a hedge, even though there is no code required buffer between the properties.

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[56] LDC 34-377(a)(4).
[57] LDC 34-377(a)(4).
[58] LDC 10-254, 10-296(p)(1), 10-703.
[59] LDC 10-291(3).
[60] The applicant has requested entrance gates as a permitted use for the planned development.
[61] LDC 10-415(d)(2)c.
[62] The deviation seeks to count a greater percentage of the lake area toward the open space. The code limits the percentage to 25%, the applicant seek to apply 100% of the lake toward open space. The enlarged water detention facility will store storm water runoff and control the flow of water to the west.
[63] The LDC does not impose open space requirements if the project meets residential lot coverage and lot size for two-family attached and single-family. Buffering is not required except for the C or F buffer because of the proximity of a driveway to single-family residence. Therefore, it is noteworthy that if the project development order meets LDC lot coverage and lot size requirements, the developer will not be required to provide for indigenous vegetation or heritage tree protection. Moreover, the proposed conditions requiring the developer to plant double littorals in and around the lake will not be applicable.
[64] LDC 10-415(c)(3).

The seventh deviation applies to the parking area of the project amenity facility.[65] The deviation seeks to allow back out parking at the amenity site. This deviation enhances the project by directing headlights away from residences and also acknowledges that the onsite sidewalk will encourage mainly pedestrian access to the facility.

The eighth deviation pertains to the required 50 foot right-of-way tree preservation buffer from Penzance Boulevard.[66] The applicant seeks to replace the line of slash pines along Penzance Boulevard with native trees that will not interfere with the overhead power lines.[67]

Conditions

The RPD will be subject to several conditions of approval. The proposed conditions are reasonably related to the impacts anticipated from the proposed intensity of development.[68] The Hearing Examiner has recommended minor revisions to the proposed wording of staffs' conditions to improve clarity. No substantive changes were made to existing conditions.

Public

Several members of the public attended the hearing. Their concerns centered on drainage, traffic and density. These concerns have been addressed in this recommendation under the headings "Water Management," "Transportation" and "Compatibility with Surrounding Development."

Conclusion

In conclusion, the Hearing Examiner recommends approval of the request subject to the conditions set forth in Exhibit B.

IV. Findings and Conclusions:

Based on the testimony and exhibits presented in the record, the Hearing Examiner finds:

A. The request for RPD zoning on the 24.11 acre parcel is consistent with the Lee Plan. *See*, Lee Plan Vision Statement - Paragraph 15 (South Fort Myers Planning Community), Goals 4, 5, 11, 77, 135; Objectives 1.3, 2.1, 2.2, and Policies 1.1.3, 1.7.6, 2.1.1, 2.2.1, 4.1.1, 115.1.3 and 135.1.9; Lee Plan Tables 1(b). Lee Plan Maps 1 and 16.

B. As conditioned, the RPD zoning designation:

1. is consistent with County regulations. *See*, LDC 34-341(a), 34-373(a), 34-377(a)(2), 34-411, 34-413, 34-491, 34-612(2), 34-931(b), 34-934, 34-936, and 34-2175(b)(1);

[65] LDC 34-213(a) and 34-2015(2)(d).
[66] LDC 415(d)(2)c.
[67] Testimony and evidence identified concerns with the likelihood the pines would survive development of the site.
[68] LDC 34-83(b)(4)a.3.

2. is compatible with existing or planned uses in the surrounding area. *See*, Lee Plan Goal 5; Objectives 2.1, 2.2, and Policies 1.3.4, 2.1.1, 5.1.5, 5.2.4; *and*

3. will not adversely affect environmentally sensitive areas or natural resources. *See*, Lee Plan Objectives 61.3, 77.1, 117.2, Policies 4.1.1, 61.3.1, 61.3.11, 117.2.1; LDC 34-411(g).

C. The expected impacts on transportation facilities will be addressed by County regulations and conditions of approval. *See,* Lee Plan Goal 11, Standard 11.3; Policies 4.1.2, 38.1.6, 39.1.1;

D. Urban services are available to serve the development. These services include public water and sewer, paved streets, parks and recreational facilities, police, fire, and emergency services, urban surface water management, schools, employment and commercial centers and libraries. *See,* Lee Plan Goal 11, Standards 11.1, 11.2, 11.3; Objectives 2.1 and 2.2; Policies 2.2.1, 2.2.2, 5.1.3, 53.1.5, 56.1.5, and Maps 6 and 7.

E. Residential development is appropriate at the proposed location. *See,* Lee Plan Goals 5; Policies 1.1.1, 1.1.3, 2.1.1, 2.2.2, 5.1.2, 5.1.3, 5.1.5, 5.1.7, 135.9.5, and 135.9.6.

F. County regulations and recommended conditions of approval provide sufficient safeguards to protect the public interest. *See*, Lee Plan Policies 5.1.5; LDC 34-411, and 34-932(c).

G. The recommended conditions are reasonably related to the impacts expected from the proposed development. *See*, Lee Plan Objective 4.1, Policies 2.12.1, LDC 34-145(d)(4)a.2.(b), 34-411(c), (e), (i), and (k).

H. The requested deviations enhance the planned development and preserve the intent of the LDC to protect the public health, safety and welfare. *See*, LDC 34-377(a)(4).

Date of Recommendation: December 6, 2016.



DONNA MARIE COLLINS,
Chief Hearing Examiner

Lee County Office of the Hearing Examiner
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, FL 33902-0398

Exhibits to Hearing Examiner's Recommendation

Exhibit A Legal Description and Vicinity Map
Exhibit B Recommended Conditions and Deviations
Exhibit C Exhibits Presented at Hearing
Exhibit D Hearing Participants
Exhibit E Information

Exhibit A

LEGAL DESCRIPTION AND VICINITY MAP

EXHIBIT A

Barraco and Associates, Inc.
www.barraco.net
Civil Engineers, Land Surveyors and Planners

DESCRIPTION

Parcel in
Sections 8 and 17, Township 45 South, Range 25 East
Lee County, Florida

A tract or parcel of land lying in Sections 8 and 17, Township 45 South, Range 25 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Beginning at the Southwest Corner of said Section 8 run N01°12'02"W along the West line of the Southwest Quarter (SW 1/4) of said Section 8 for 745.78 feet to an intersection with Southerly right of way line of Penzance Boulevard (60 feet wide); thence run S87°12'17"E along said Southerly right of way line for 329.03 feet to an intersection with the East line of the West Half (W 1/2) of the West Half (W 1/2) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 8; thence run S01°16'56"E along said East line for 722.81 feet to an intersection with the North line of said Section 17; thence run N88°47'29"E along said North line for 299.26 feet to an intersection with the West line of the East 30 feet of the West Half (W 1/2) of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of said Section 17, also being the West right of way line of Blasingim Road; thence run S00°56'24"E along said West line for 1,293.71 feet to an intersection with the North line of the South 30 feet of the West Half (W 1/2) of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of said Section 17; thence run S88°50'32"W along said North line for 621.99 feet to an intersection with the West line of the Northwest Quarter (NW 1/4) of said Section 17; thence run N01°13'44"W along said West line for 1,293.14 feet to the POINT OF BEGINNING.
Containing 24.11 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS 2007) and are based on the West line of the Northwest Quarter (NW 1/4) of Section 17 to bear N01°13'44"W.

Applicant's Legal Checked
by BSJ 6/2/16
Page 1 of 2

Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

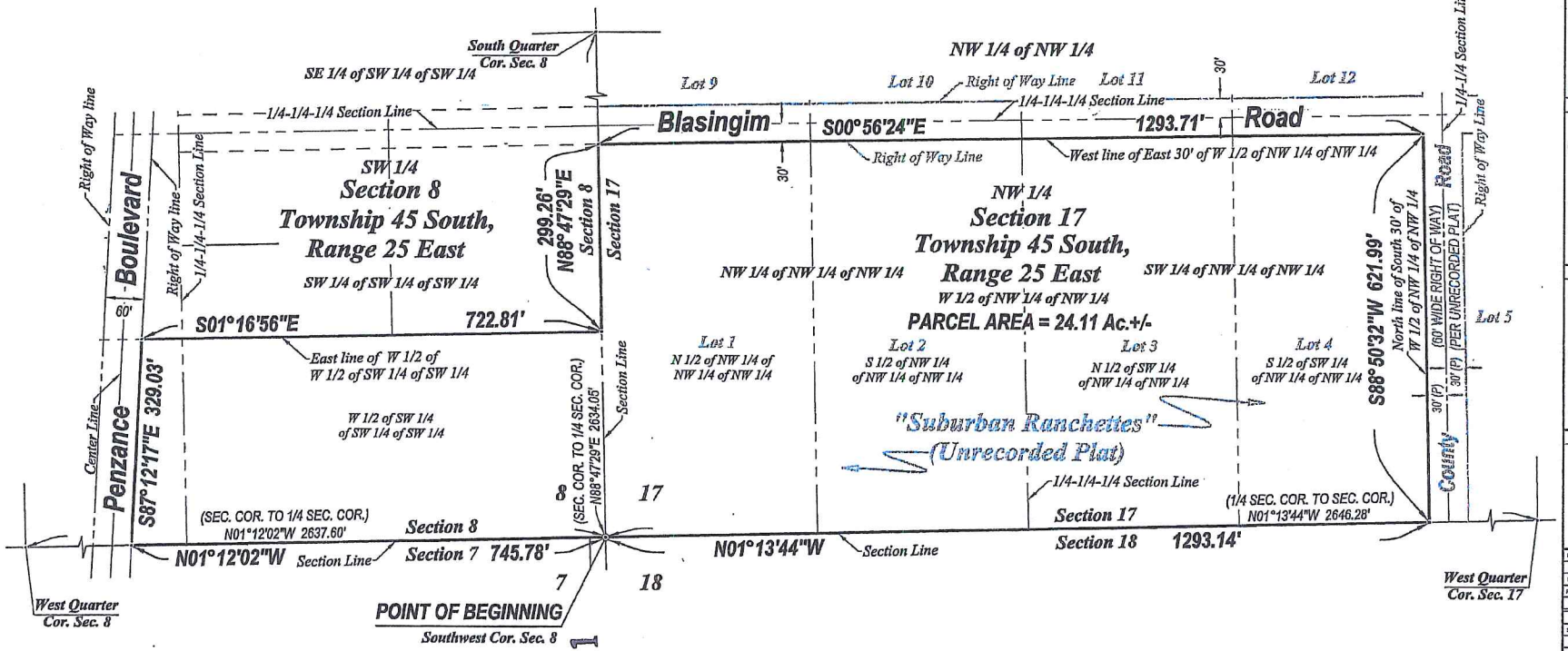
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JUN 01 2016
COMMUNITY DEVELOPMENT

Post Office Drawer 2800 • Fort Myers, FL 33902
Phone (239) 461-3170 • Fax (239) 461-3169

Pg 1



NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
2. D.B. - DENOTES DEED BOOK.
3. D.E. - DENOTES DRAINAGE EASEMENT.
4. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
5. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
6. (P) - DENOTES PLAT.
7. P.B. - DENOTES PLAT BOOK.
8. PG. - DENOTES PAGE.
9. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED ON THE WEST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 17TO BEAR N01°13'44"W.
13. DESCRIPTION IS ATTACHED.

DCI 2016-00011

RECEIVED
JUN 01 2016
COMMUNITY DEVELOPMENT

N

(NSRS2007)
NAD 1983
FLORIDA PLANE
COORDINATE SYSTEM
(WEST ZONE)

0 100 200
SCALE IN FEET

THIS IS NOT A SURVEY

Pg 2

6/1/16

SCOTT A. WHEELER (FOR THE FIRM - LB-6940) DATE SIGNED:
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5949

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

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PREPARED FOR

CAMERATTA COMPANIES

7750 TOWN CENTRE DRIVE
BROADVIEW HEIGHTS, OH
PHONE (440) 838-1900
FAX (440) 838-0588

PROJECT DESCRIPTION

A PARCEL OF LAND IN SECTIONS 8 & 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

PROJECT SURVEYOR

NO. 5949 STATE OF FLORIDA PROFESSIONAL SURVEYOR & MAPPER

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

FILE NAME	2201606012DWG
LAYOUT	2
LOCATION	J:\2201\DWG\SURVEY\SKETCH
PLOT DATE	WED, 6-1-2016 - 1:13PM
PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	06-01-2016
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=200'
FIELD BOOK	

PLAN REVISIONS

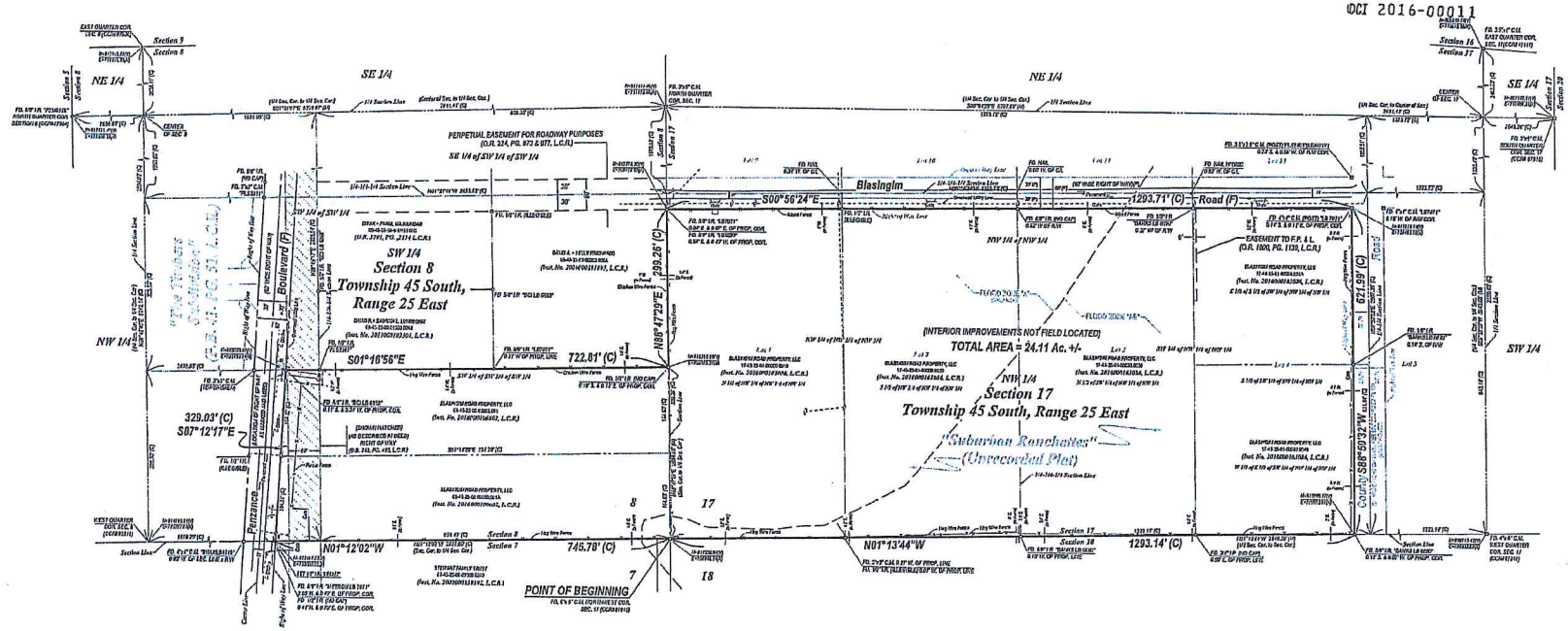
STRAP NUMBERS

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
06-01-2016 17-45-25	2 OF 2

RECEIVED
JUL 27 2016
COMMUNITY DEVELOPMENT

DCI 2016-00011



DESCRIPTION (PER TITLE CERTIFICATION)

Parcel in
Sections 8 and 17, Township 45 South, Range 25 East
Lee County, Florida

A tract or parcel of land lying in Sections 8 and 17, Township 45 South, Range 25 East, Lee County, Florida, said tract or parcel of land being more particularly described as follows:

Beginning at the Southwest Corner of said Section 8 run N01°12'02"W along the West line of the Southwest Quarter (SW 1/4) of said Section 8 for 745.78 feet to an intersection with Southerly right of way line of Panzance Boulevard (60 foot wide); thence run S87°12'17"E along said Southerly right of way line for 329.03 feet to an intersection with the East line of the West Half (W 1/2) of the West Half (W 1/2) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of said Section 8; thence run S01°16'56"E along said East line for 722.81 feet to an intersection with the North line of said Section 17; thence run N88°47'29"E along said North line for 299.26 feet to an intersection with the West line of the East 30 feet of the West Half (W 1/2) of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of said Section 17, also being the West right of way line of Blasingim Road; thence run S00°56'24"E along said West line for 1,293.71 feet to an intersection with the North line of the South 30 feet of the West Half (W 1/2) of the Northwest Quarter (NW 1/4) of the Northwest Quarter (NW 1/4) of said Section 17; thence run S88°50'32"W along said North line for 621.99 feet to an intersection with the West line of the Northwest Quarter (NW 1/4) of said Section 17; thence run N01°13'44"W along said West line for 1,293.14 feet to the POINT OF BEGINNING.
Containing 24.11 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS 2007) and are based on the West line of the Northwest Quarter (NW 1/4) of Section 17 to bear N01°13'44"W.

NOTES:

1. DATE OF LAST FIELD WORK: MAY 23, 2016.
2. THIS SURVEY WAS PERFORMED FOR THE PURPOSE SHOWN HEREON AND DOES NOT MAKE ANY REPRESENTATION AS TO THE DELINEATION OF ANY JURISDICTIONAL LINES EXCEPT AS SHOWN OR NOTED HEREON.
3. NO ENVIRONMENTAL ASSESSMENT OR AUDIT WAS PERFORMED ON SUBJECT PARCEL BY THIS FIRM.
4. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
5. BEARINGS AND COORDINATES HEREON ARE STATE PLANE FLORIDA WEST ZONE (1983/NSRS 2007) AND ARE BASED THE WEST LINE OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 17 TO BEAR N01°13'44"W.
6. IMPROVEMENTS OTHER THAN THOSE SHOWN IF ANY WERE NOT LOCATED.
7. THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN THOSE SHOWN.
8. OWNERSHIP OF ANY FENCE SHOWN HEREON IS UNKNOWN.
9. ACCORDING TO F.I.R.M. No. 12071C0459F, EFFECTIVE DATE: AUGUST 28, 2008, THE PROPERTY IS LOCATED IN FLOOD ZONE X (OTHER AREAS) AND FLOOD ZONE AE. THE BASE FLOOD ELEVATION IN FLOOD ZONE AE = EL. 15.3, BASED ON PROFILE AND CROSS SECTIONS SHOWN IN THE FLOOD INSURANCE STUDY, 12071CV005A, EFFECTIVE DATE: AUGUST 28, 2008.
10. THIS SURVEY WAS PREPARED IN ACCORDANCE WITH A TITLE CERTIFICATION, PREPARED BY: PAVESE LAW FIRM, DATED: AUGUST 10, 2016.
11. THE SURVEYED PARCEL CONTAINS 24.11 ACRES, MORE OR LESS.
12. ELEVATIONS SHOWN ARE IN FEET ABOVE NORTH AMERICAN VERTICAL DATUM 1988 AND ARE BASED ON A LEVEL LOOP BY THIS FIRM FROM NATIONAL GEODETIC SURVEY BENCH MARK "D 418" (PID=AD8341)(ELEVATION = 16.16').

(NSRS2007)
NAD 1983
FLORIDA PLANE
COORDINATE SYSTEM
(WEST ZONE)

0 50 100 200
SCALE IN FEET

LEGEND:

B.M.	BENCHMARK	(F)	FIELD	L.M.E.	LAKE MAINTENANCE EASEMENT	REF.	REFERENCE	▲	SET "NAIL" NAIL WITH DISC STAMPED LB#5940	CATV	CABLE TV BOX
(C)	CALCULATED	FD.	FOUND	R/W	RIGHT OF WAY	●	SET 5/8" IRON ROD WITH CAP STAMPED LB#5940	WV	WATER VALVE
CCR'S	CERTIFIED CORNER RECORD	F.D.O.T.	FLORIDA DEPARTMENT OF TRANSPORTATION	(M)	MEASURED	TYP.	TYPICAL	■	SET 4"x4" CONC. MONUMENT STAMPED LB#5940	WB	WATER BOX
C.L.	CENTER LINE	F.P. & L.	FLORIDA POWER & LIGHT CO.	O.R.	OFFICIAL RECORD BOOK	SEC.	SECTION	▲	FOUND NAIL AS NOTED	FH	FIRE HYDRANT
CONC.	CONCRETE			(P)	PLAT	W	WITH	■	FOUND CONC. MONUMENT AS NOTED	BF	BACK FLOW ASSEMBLY
CB=	CHORD BEARING=	FRAC.	FRACTION	P.B.	PLAT BOOK	WIT.	WITNESS	○	FOUND IRON PIPE OR IRON ROD AS NOTED	ARV	AIR RELEASE VALVE
CD=	CHORD DISTANCE=	I.E.	IRRIGATION EASEMENT	P.C.	POINT OF CURVATURE			⊡	DRAINAGE INLET	IV	IRRIGATION VALVE
C/A=	CHORD BEARING & DISTANCE=	I.P.	IRON PIPE	P.C.P.	PERMANENT REFERENCE MONUMENT			⊡	DRAINAGE MANHOLE	IS	IRRIGATION SERVICE
		I.R.	IRON ROD	P.I.	POINT OF INTERSECTION			⊡	ALTERED END SECTION	W	WELL
C.M.	CONCRETE MONUMENT	L=	LENGTH=	P.O.B.	POINT OF BEGINNING	PROP.	PROPERTY	▪	YARD DRAIN	SV	SANITARY MANHOLE
COR	CORNER	LB	LICENSED BUSINESS	P.O.C.	POINT OF COMMENCEMENT	P.T.	POINT OF TANGENCY	○	LIGHT POLE	SS	SANITARY SERVICE
Δ=	DELTA OR CENTRAL ANGLE=	L.B.E.	LANDSCAPE BUFFER EASEMENT	P.R.M.	PERMANENT REFERENCE MONUMENT	P.V.C.	PLASTIC PIPE	○	FLOOD LIGHT	S	SIGN
(M)	DEED	L.C.R.	LEE COUNTY RECORDS	P.O.T.	POINT OF TERMINUS	R=	RADIUS=	○	CONCRETE POWER POLE	M	MAIL BOX
D.B.	DEED BOOK	L.C.U.E.	LEE COUNTY UTILITY EASEMENT			R.C.P.	REINFORCED CONCRETE PIPE	○	WOOD POWER POLE	EO	ELOIV OFF
EL.	ELEVATION							○	GUY ANCHOR	FO	FIBER OPTIC CABLE MARKER
								○	TELEPHONE BOX	GL	GAS LINE MARKER
								■	ELECTRIC BOX	GV	GAS VALVE

THIS SURVEY IS FOR THE BENEFIT OF:

THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA

I HEREBY CERTIFY THAT THIS SURVEY WAS DONE UNDER MY DIRECTION AND SUPERVISION AND MEETS THE STANDARDS OF PRACTICE AS PER CHAPTER 5J-17.050 THRU 052 F.A.C. PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

8/22/16
DATE SIGNED:

SCOTT A. WHEELER (FOR THE FIRM - LB-5940)
PROFESSIONAL SURVEYOR AND MAPPER;
FLORIDA CERTIFICATE NO. 5918

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Application for [illegible] 8/24/16

Barraco and Associates, Inc.
CIVIL ENGINEERING • LAND SURVEYING
LAND PLANNING • LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7005 - SURVEYING LB-5940

PREPARED FOR

BLASINGIM PROPERTY LLC.

7750 TOWN CENTRE DRIVE
SUITE 100
BROADVIEW HEIGHTS, OHIO 44147
PHONE (440) 838-1900 EXT. 103
FAX (440) 838-0589
WWW.CAVERATTAPROPERTIES.COM

PROJECT DESCRIPTION

A PARCEL OF LAND IN SECTIONS 8 & 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

PROJECT SURVEYOR

STATE OF FLORIDA
SCOTT A. WHEELER
5918
REGISTERED LAND SURVEYOR

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

FILE NAME	23370SRV.DWG
LAYOUT	ZONING
LOCATION	J:\23370\BACK\SURVEY\SRV
PLOT DATE	MON, 8-22-2016 - 3:34 PM
PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	05-23-2016
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	357/69-73, 359/12, 397/1-2, 349/19

PLAN REVISIONS

07-08-2016	CORRECT PG. TO 490 IN RAY DEED
07-13-2016	REV. PER TITLE CERT.
08-22-2016	REV. PER TITLE CERT

STRAP NUMBERS

BOUNDARY SURVEY

PROJECT / FILE NO.	SHEET NUMBER
23370 8-45-25	1 OF 1

DCI2016-00011

ZONING

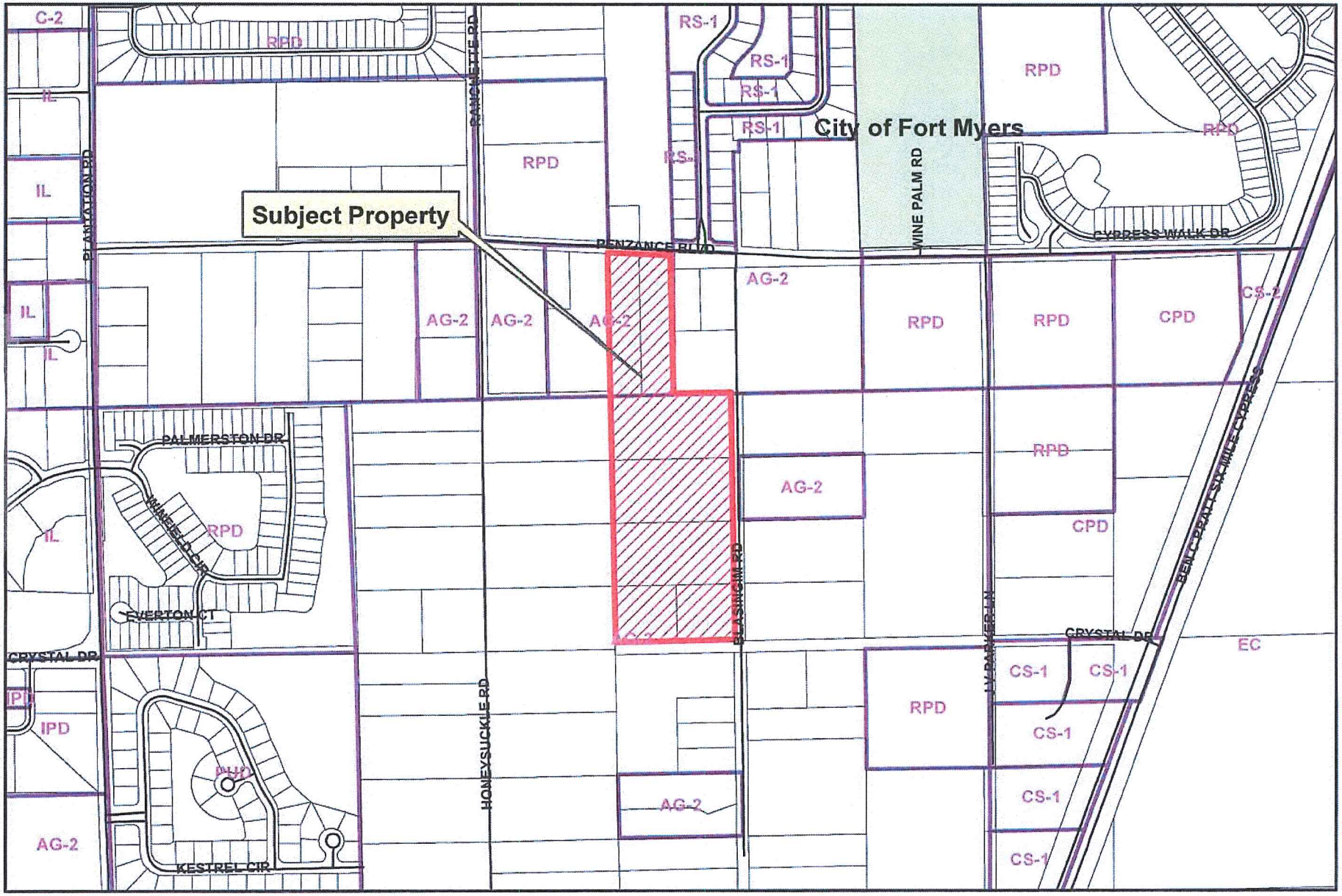


Exhibit B

RECOMMENDED CONDITIONS AND DEVIATIONS

CONDITIONS:

1. Master Concept Plan & /Development Parameters

Development must be consistent with the two-page Master Concept Plan entitled "Blasingim Road RPD," stamped received September 27, 2016 (Exhibit B1), except as modified by the conditions below.

Development must comply with the Lee County Land Development Code (LDC) except where deviations have been granted herein. Subsequent changes to the Master Concept Plan (MCP) may be subject to further development approvals.

The approved development parameters are up to 120 dwelling units and an amenity center/facility up to 7,000 square feet in floor area.

2. Permitted Uses and Site Development Regulations

a. Schedule of Uses

Entrance Gates and Gatehouses
Essential Services
Essential Services Facilities – Group I
Excavation, Water Retention

Fences, Walls

Home Occupation

Models:
- Model Display Center
- Model Display Group
- Model Homes

Parking Lot:
- Accessory

Real Estate Sales Office

Residential:
- Single-family, Two-Family attached

Residential Accessory Uses and Structures

Signs in accordance with LDC Chapter 30

Temporary Construction Trailer

Recreational Facilities, Private (located at Amenity Site, Max. Floor Area 7,000 s.f.)

Accessory Uses and Structures Club (private)
Community Gardens Clubhouse/Amenity Areas
Administrative Offices
Consumption on Premises
Health Clubs or Spas, as part of the private club: volleyball, tennis, pickle ball, bocce courts, swimming pool, piers, playground, fire pit.

NOTE:
The alcoholic beverages may be consumed indoors and outdoors at the amenity center.

b. Site Development Regulations

	SINGLE FAMILY	TWO-FAMILY ATTACHED	AMENITY
Minimum lot Width:	40'	30'	80'
Minimum lot Depth:	125"	125'	125'
Minimum lot Area:	5,000 s.f.	3,750 s.f.	10,000 s.f.
Max. Building Area:	N/A	N/A	7,000 s.f.
Max. Building Height:	35"	35'	35'
Max. lot Coverage:	60%	60%	40%
Minimum Setbacks:			
Front (right-of-way):	20'(*)	20'(*)	20'
Side Yard:	5'	5'/0'(**)	6'
Rear Yard (principal):	10'	10'	10'
Rear Yard (accessory)	5'	5'	0'
Preserve(principal):	20'	20'	N/A
Preserve (accessory):	15'	15'	N/A

NOTE: * Setback shall be reduced to 15 feet for side entry garages.
** 0-foot setback to apply to internal lot line.

NOTES:
1. "Front (right-of-way) setback" is the same as Street setback.
2. Side entry garages are permitted for single-family and two-family attached residential dwelling units.

3. Open Space

The requirements of Condition 3 are applicable if the developer employs Deviation 5 when developing the property.

a. Developer must provide the following information with the development order application for vertical construction:

1. Details illustrating the initial drainage canal revisions to accommodate discharge from the property and a maintenance plan to maintain the drainage canal in perpetuity;

2. The development order drawing must identify the 1.8 acres of additional lake area; and

3. The drainage calculations must reflect a reduction in the discharge rate lower than the 64 CSM required by the LDC, but in no instance will the County require the developer to lower the discharge rate below 50 CSM.

b. The landscape drawings submitted with the development order application for vertical construction must illustrate and provide calculations for the following:

1. The planted littoral shelf shoreline length calculated at 50% of the total linear feet of the lake at control elevation;

2. Deep lake trees calculated at two trees per 100 linear feet; and

3. At least 50% of the required general trees must be installed adjacent to Blasingim Road and the proposed lake.

4. Sidewalk

The developer must construct a sidewalk along at least one side of internal project roadways.

5. Vehicular Access

a. Prior to recording the plat, the developer must record a notice to future property owners in the public records of Lee County articulating the emergency access plan and provide information on where residents may obtain a copy of the plan from the developer or its successor.

b. Prior to development order approval, the developer must demonstrate:

1. Measures to prevent unauthorized access to the stabilized access point, and

2. The party responsible for maintaining and regulating use of the stabilized access point.

c. If the project will include an entrance gate, the developer must demonstrate compliance with code required turnaround radii at the time of development order application.

d. This planned development approval must be amended through the public hearing process to change the Blasingim Road access from "emergency only" to a secondary project entrance.

e. Construction traffic must access the site from Penzance Road.

6. Alternative Turnaround

The developer must submit the proposed turnaround design for the dead end roadway in the southwest corner of the property for review by the local fire district. The developer must obtain a letter of no objection to the design from the fire district and include the letter with the application materials for a local development order. If the fire district objects to the alternative design, the developer must install a code compliant cul-de-sac.

7. Back-out Parking

If the project roadway south of the amenity center is not connected to Blasingim Road for daily vehicle use, the amenity center parking spaces farthest from that project roadway must be located no closer than 22 feet from the edge of the right-of-way/easement.

If the project roadway south of the amenity center is ever connected to Blasingim Road for daily vehicle use, the amenity center parking area must be relocated to meet the requirements of the LDC.

8. Northern Buffer

The developer must install a 15 foot wide right-of-way buffer along the north property line with the following enhancements prior to the issuance of the first development order for vertical construction consistent with the following:

a. Five trees and 18 shrubs per 100 linear feet within the 15 foot wide right-of-way buffer along the north property line;
b. Trees must be installed 14 feet from overhead power lines; and
c. Landscape materials must be native.

9. Native Hedge

The development order landscape plans must reflect a native hedge along the perimeter water management berm to be installed at 36 inches in height, planted four foot on center. The developer must install the hedge prior to the issuance of the first development order for vertical construction. The developer must integrate the perimeter water management berm plantings with the irrigation system for the project infrastructure.

Once installed, the hedge must be maintained at a height of 60 inches post installation.

10. Vehicular/Pedestrian Impacts

Zoning approval does not address mitigation of vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.

11. Lee Plan Consistency

Zoning approval does not guarantee local development order approval. Future development order must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1 (b), as well as the remainder of the Lee Plan.

12. Concurrency

Zoning approval does not constitute a finding that the proposed project meets the concurrency requirements of the Lee Plan or LDC. The Developer must demonstrate compliance with concurrency requirements prior to issuance of a local development order.

13. Development Permits

Issuance of a county development permit does not establish a right to obtain permits from state or federal agencies. Further, it does not establish liability on the part

of the County if the Developer: (a) does not obtain requisite approvals or fulfill obligations imposed by state or federal agencies or (b) undertakes actions that result in a violation of state or federal law.

DEVIATIONS:

1. Lot Lines. Deviation from LDC 10-254(c), which requires side lot lines to be at right angles to straight street lines and radial to curve street lines, to allow the lot design shown on the MCP in certain areas.

   Hearing Examiner Recommendation: Approve.

2. Street Design and Construction Standards. Deviation from LDC 10-296(p)(1) to eliminate the requirement that dead-end streets be closed at one end by a circular turnaround, to allow an alternative turnaround configuration.

   Hearing Examiner Recommendation: Approve, *subject to* Condition 6.

3. Lot Depth. Deviation from LDC 10-703 to allow lot size to be measured as indicated on the MCP.

   Hearing Examiner Recommendation: Approve.

4. Required Street Access. Deviation from LDC 10-291(3), which requires developments of more than five acres to provide more than one means of ingress or egress to allow one primary access to Penzance Boulevard and one emergency stabilized access to Blasingim Road.

   Hearing Examiner Recommendation: Approve, *subject to* Condition 5.

5. Open Space. Deviation from LDC 10-415(d)(2)c., which allows up to 25% of required open space to be provided by water management lakes to allow 100% of the proposed lake to count towards open space requirements.

   Hearing Examiner Recommendation: Approve, *subject to* Conditions 3 and 9.

6. Open Space. Deviation from LDC 10-415(c), which requires minimum preservation width of 40 feet to allow the preserve to have a minimum width of eight feet.

   Hearing Examiner Recommendation: Approve, *subject to* Condition 9.

7. Parking. Deviation from LDC 34-2015(2)(d), and 34-2013(a) which requires vehicles exiting a parking lot to enter a right-of-way in a forward motion, to allow back-out parking into a right of way.

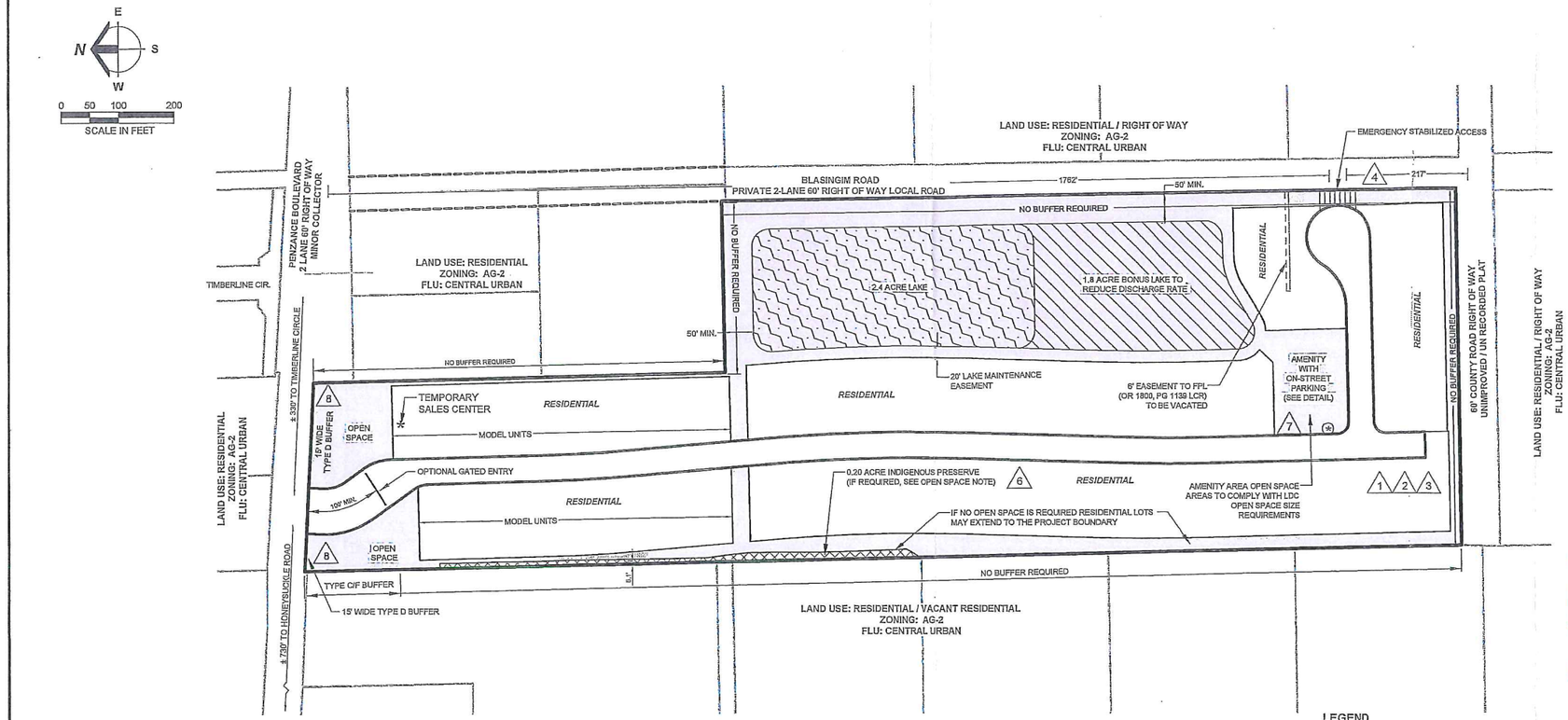
   Hearing Examiner Recommendation: Approve, *subject to* Condition 7.

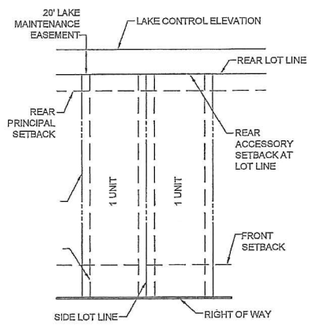
8. Open Space. Deviation from LDC 10-415(b)(5), which requires a 50 foot right-of-way tree preservation buffer along collector roads to allow tree replanting.

Hearing Examiner Recommendation: Approve, *subject to* Condition 8.

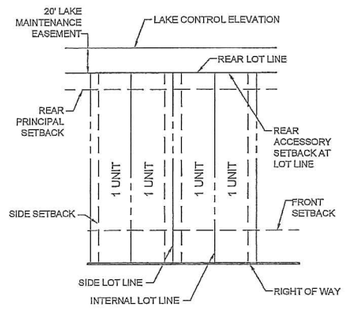
Exhibits to Conditions:
B1 Master Concept Plan

DCI 2016-00011





SINGLE FAMILY
TYPICAL LOT DETAIL



SINGLE FAMILY ATTACHED
TYPICAL LOT DETAIL

LEGEND

	LAKE		COMMON OPEN SPACE AREAS
	BONUS LAKE TO REDUCE DISCHARGE	#	DEVIATION REQUEST
	INDIGENOUS PRESERVE	⊛	LOADING AREA

OPEN SPACE CALCULATIONS

REQUIRED OPEN SPACE

24.11 @ 40% = 9.60 AC

PROVIDED OPEN SPACE

PRESERVE	0.20 AC
LAKE & BONUS LAKE (9.6 @ 44%) 5	4.22 AC
LAKE SLOPE	0.99 AC
AMENITY	0.47 AC
REAR YARD DRAINAGE & PERIMETER BERM	3.72 AC
TOTAL	9.60 AC

REQUIRED INDIGENOUS PRESERVE

9.60 @ 50% = 4.80 AC

PROVIDED INDIGENOUS PRESERVE

PROVIDED = 0.20 AC

NOTE:
NO OPEN SPACE OR INDIGENOUS PRESERVE IS REQUIRED IF THE FOLLOWING CONDITIONS ARE MET:
1. MINIMUM SINGLE FAMILY DETACHED LOT SIZE = 6500 SF
2. MINIMUM TWO-FAMILY ATTACHED LOT SIZE = 3750 SF
3. MAXIMUM LOT COVERAGE RESIDENTIAL LOT COVERAGE = 40%

IF ABOVE CRITERIA IS MET DEVIATION 5 AND ASSOCIATED CONDITIONS OF DEVIATION 5 ARE NOT APPLICABLE.

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

BLASINGIM PROPERTY LLC.
7750 TOWN CENTRE DRIVE
SUITE 100
BROADVIEW HEIGHTS, OHIO 44147
PHONE (440) 838-1900 EXT. 103
FAX (440) 838-0588
WWW.CAMERATTAPROPERTIES.COM

PROJECT DESCRIPTION

BLASINGIM ROAD RPD
LEE COUNTY, FLORIDA

RECEIVED
SEP 27 2016
COMMUNITY DEVELOPMENT

DRAWING NOT VALID WITHOUT SEAL, SIGNATURE AND DATE
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PLOT DATE	TUE, 9-27-2016 - 10:46 AM
PLOT BY	JENNIFER SAPEN

CROSS REFERENCED DRAWINGS
BASEPLAN = 23370-Z00.DWG

PLAN REVISIONS	
7-11-16	PER LEE COUNTY
8-22-16	SECOND SUFFICIENCY
9-27-16	REVISE OPEN SPACE TABLE

PLAN STATUS

MASTER CONCEPT PLAN

PROJECT / FILE NO.	SHEET NUMBER
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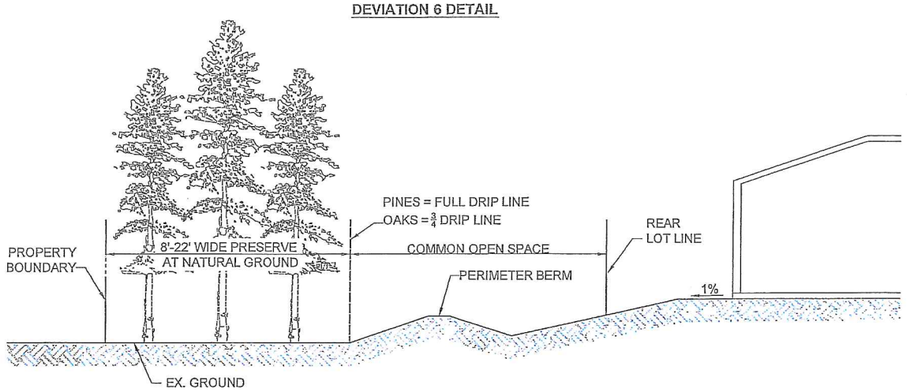
LEE COUNTY
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2016 NOV 17 AM 8:58

EXHIBIT B1

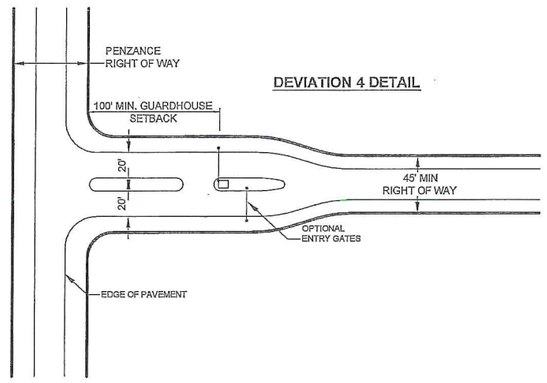
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OCT 2016-00011

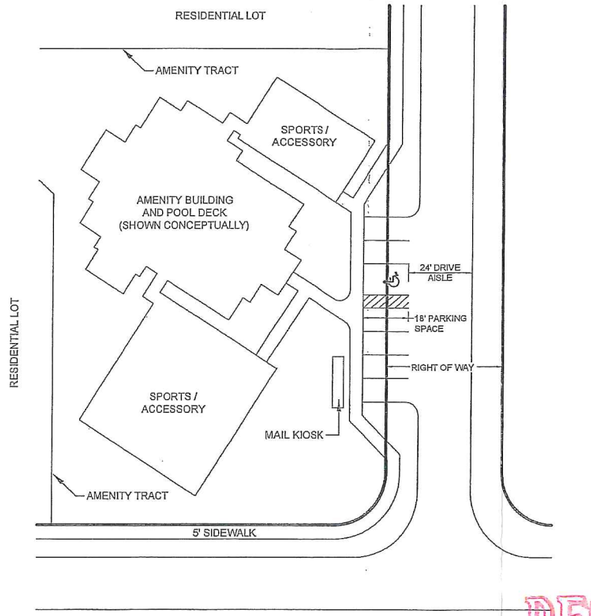
DEVIATION 6 DETAIL



DEVIATION 4 DETAIL

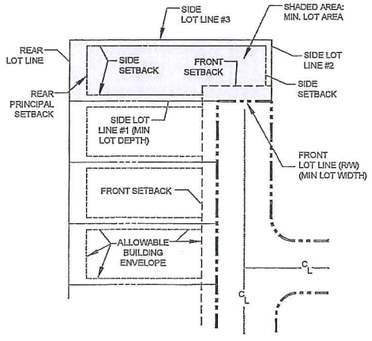


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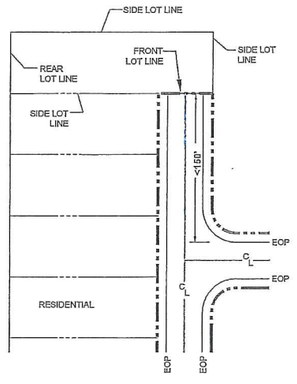


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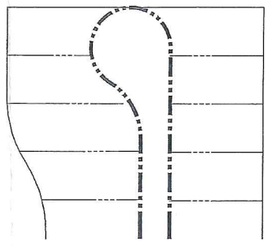
DEVIATION 3 LOT SIZE DETAIL



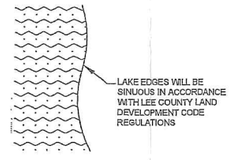
DEVIATION 1 RIGHT ANGLE SIDE LOT LINE
DEVIATION 2 DEAD-END DETAIL



CUL-DE-SAC DESIGN DETAIL



SINUOUS LAKE SHORELINE DETAIL



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FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

BLASINGIM PROPERTY LLC.

7750 TOWN CENTRE DRIVE
SUITE 100
BROADVIEW HEIGHTS, OHIO 44147

PHONE (440) 838-1900 EXT. 103
FAX (440) 838-0588

WWW.CAMERATTAPROPERTIES.COM

PROJECT DESCRIPTION

BLASINGIM ROAD RPD

LEE COUNTY, FLORIDA

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FILE NAME	23370-Z03.DWG
LOCATION	J:\23370\DWG\ZONING\
PLOT DATE	TUE, 9-27-2016 - 10:45 AM
PLOT BY	JENNIFER RAPEN

CROSS REFERENCED DRAWINGS

BASEPLAN = 23370-Z00.DWG

PLAN REVISIONS	
7-11-16	PER LEE COUNTY
8-22-16	SECOND SUFFICIENCY
9-27-16	REVISE OPEN SPACE TABLE

PLAN STATUS

DETAILS AND DEVIATIONS

PROJECT / FILE NO.	SHEET NUMBER
23370	2 OF 2

Exhibit C

EXHIBITS PRESENTED AT HEARING

STAFF'S EXHIBITS

a. Email from Tracy Toussaint, with Community Development, to Hearing Examiner, Alvin Block, Audra Ennis, Jennifer Sapen, Neale Montgomery, Tina Boone, Maria Sanchez, Marcus Evans, Elizabeth Workman, Samuel Lee, & Steven Farah, dated Wednesday, November 9, 2016 9:14 AM, submitting Staff's 48 Hour Notice (3 pages – 8.5"x11")

1. DCD Staff Report, attachments, and exhibits, prepared by Chip Block, Principal Planner, dated October 18, 2016 (multiple pages – 8.5"x11" & 11"x14")[black & white, color]

2. Administrative Amendment (PD) ADD2015-000106 (4 pages – 8.5"x11")

3(a). Resolution Number Z-07-066A (multiple pages – 8.5"x11")

3(b). Administrative Amendment (PD) ADD2013-00032A (multiple pages – 8.5"x11")

3(c). Administrative Amendment (PD) ADD2015-00005 (6 pages – 8.5"x11")

4(a). Resolution Number Z-15-017 (multiple pages – 8.5"x11")

4(b). Administrative Amendment (PD) ADD2016-00008 (5 pages – 8.5"x11")

5. Memorandum from Alvin Block, Principal Planner, to Donna Marie Collins, Chief Hearing Examiner, dated November 7, 2016, submitting revised Conditions and Deviations (9 pages – 8.5"x11" & 1 page – 11"x17"){post hearing submittal}

APPLICANT'S EXHIBITS

a. Letter from Neale Montgomery, with Pavese Law Firm, to Donna Marie Collins, Chief Hearing Examiner, with copies to Alvin "Chip" Block, Beth Workman, Marcus Evans, Jennifer Sapen, Tim Gavin, Ted Treesh, Shane Johnson, Ray Blacksmith, Joseph Cameratta, Nicholas Cameratta, Tony Cameratta, dated November 7, 2016, submitting the Property Development Regulations, and Applicant's Witness List & Exhibit List (multiple pages – 8.5"x11")

1. Hard copy of the PowerPoint Presentation (3-ring binder, multiple pages – 8.5"x11")[color]

2. Blasingim Road RPD, Lee County Protected Species Survey Report, prepared by Passarella & Associates, Inc., dated May 2016 (8 pages – 8.5"x11")

3. Part 8 Environmental Requirements (2 pages, double-sided – 8.5"x11")

4. Resolution Number Z-14-015 (multiple pages – 8.5"x11")

5. Email from Neale Montgomery, with Pavese Law Firm, to Maria Perez, with the Hearing Examiner's Office, with copies to Alvin Block, Audra Ennis, & Cameratta, dated Thursday, November 17, 2016 4:34 PM, submitting revised Conditions & Deviations (6 pages – 8.5"x11"){post hearing submittal}

OTHER EXHIBITS

Axel Jakobeit

1. Petition to Deny Request by Blasingim Property LLC for Emergency Access onto Blasingim Road (1 page – 8.5"x11")

Exhibit D

HEARING PARTICIPANTS

County Staff:

1. Alvin "Chip" Block
2. Elizabeth Workman

Applicant's Representatives:

1. Joseph Cameratta
2. Nick Cameratta
3. Tim Gavin
4. Shane Johnson
5. Neale Montgomery
6. Jennifer Sapen
7. Ted Treesh

Public Participants:

1. Alexandra Alber
2. Thayer H. Bodenhamer
3. Victor M. Dupont
4. Chris Foust
5. Ravit Gutman Hadad
6. Samantha M. Howes
7. Axel Jakobeit
8. Barton Kaaber
9. Indhira Kaaber
10. Ayal Keren
11. Steve Moss
12. David Richards

13. Kelly Richards
14. Brian Rose
15. Paul L. Sapp
16. Vercil F. Senseman Jr.
17. Brian Sorbello
18. Lacey Sorenson
19. Tilden W. Stewart

Exhibit E

INFORMATION

UNAUTHORIZED COMMUNICATIONS:

The LDC prohibits communications with the Hearing Examiner or her staff on the substance of a pending zoning action. There are limited exceptions for written communications requested by the Hearing Examiner, or where the Hearing Examiner seeks advice from a disinterested expert.

HEARING BEFORE LEE COUNTY BOARD OF COUNTY COMMISSIONERS:

A. Notice or copies of this recommendation will be provided to the Lee County Board of County Commissioners.

B. The Board will hold a final hearing to consider the Recommendation and the record made before the Hearing Examiner. The Department of Community Development will notify hearing participants of the Board hearing date. Only Parties and participants may address the Board at the final hearing. Statements to the Board are limited to the substance of testimony presented to the Hearing Examiner, testimony concerning the correctness of Findings of Fact or Conclusions of Law contained in the Recommendation, or allegations of the discovery of relevant new evidence not known or could not have been reasonably discovered by the speaker at the time of the hearing before the Hearing Examiner.

COPIES OF TESTIMONY AND TRANSCRIPTS:

A. Every hearing is recorded. Recordings are public records that become part of the case file maintained by the Department of Community Development. The case file and recordings are available for examination and copying by interested persons Monday through Friday between 8:00 a.m. and 4:30 p.m.

B. If a court reporter is present, a verbatim transcript may be available for purchase from the court reporting service.