EXHIBITS

CASE # DCI2016-00011

CASE NAME: BLASINGIM ROAD RPD

Attach copy of this form to top of packet of exhibits & place exhibits in case file.

ARE THERE ANY BOARD EXHIBITS? ____YES ____ NO

LOCATION OF BOARDS

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

EXHIBITS

Case # DCI2016-00011

APPLICANT	STAFF
(a) HS Hour, witness & exhibit list	(a) HS Letter
#1 PowerPoint Notebook	#1 Staff Report
#2	#2 Camden Sq. Add'l
#3	#3 Reserve at Penzance 3a 3b 3c
#4 Resolution Z-14-05	#4 Cypress Village
#5 W.S.	#5 W.S.
#6	#6
#7	#7
#8	#8
#9	#9
#10	#10

share

OTHER EXHIBITS

NAME	NUMBER	DESCRIPTION
procedure	# 1	
	# 1	
	#	
	#	
	#	
	#	

Perez, Maria

From: Toussaint, Tracy
Sent: Wednesday, November 09, 2016 9:14 AM
To: Hearing Examiner; Block, Alvin; Ennis, Audra; jennifers@barraco.net; NEALEMONTGOMERY@PAVESELAW.COM; Boone, Tina; Sanchez, Maria; Evans, Marcus; Workman, Elizabeth; Lee, Samuel; Farah, Steven
Subject: Response to 48 Hour Notice for DCI2016-00011/Blasingim Road RPD
Attachments: 20161109085039266.pdf

Attached is your copy of the Response to 48 Hour Notice for DCI2016-00011/Blasingim Road RPD.

Tracy Toussaint
Administrative Assistant
Lee County DCD - Administration
Ttoussaint@leegov.com
(239) 533-8585 - Phone
(239) 485-8344 - Fax

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, email 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.

STAFF'S EXHIBIT
a

MEMORANDUM
FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT
ZONING DIVISION

DATE: November 9, 2016

Andia Emmis for

TO: Donna Marie Collins
Chief Hearing Examiner

FROM: Alvin Block, AICP
Principal Planner

SUBJECT: DCI2016-00011, Blasingim Road RPD
Response to 48-Hour Letter

This memorandum has been prepared in response to the Applicant's 48-Hour Letter. The references below are to each Item in the applicant's Letter.

1.A. Condition 3.i.a:
The intent of this condition is to address the onsite drainage canal. Therefore, staff suggests the following change:

a. Details illustrating the initial onsite drainage canal revisions to accommodate the discharge from the subject parcel and a long term maintenance plan to maintain the drainage canal in perpetuity;

1.B. Condition 3.1.c:
Staff offers the following change to clarify the condition:

c. The drainage calculations must reflect a ~~lower~~ reduction in the discharge rate than what is currently required per the Land Development Code.

1.C.:
The Condition applies in the instance the developer chooses to use the deviation (Deviation 5) during the course of the development of the project. Staff believes that there is not a need to change the Condition since Open Space is specifically addressed by Land Development Code Section 10-415.

1.D. Condition 3.ii.c
Staff proposes to help clarify the guidance of the application of this Condition with the following change to Condition 3.ii.b:

b. Deep lake trees must be calculated at two trees per 100 linear feet. 50% of deep lake trees may be counted toward the general tree requirements.; and

2. Condition 5. Vehicular Access

Proposed Condition 5.a is also found as a Code requirement (LDC Section 10-291(3)). No deviation from this requirement has been sought, justified, analyzed, and recommended as part of this application. With or without the proposed Staff condition, the requirement would still apply.

3. Condition 8, Northern Buffer

Staff acknowledges this is correct.

4. Condition 9, Native Hedge

Staff offers no objection to the change sought in the applicant's 48-Hour Letter

5. Staff notes the reference is in error and the reference should be to Condition 9, not Condition 8.

6. Property Development Regulations

Staff has no objections to the modifications to the proposed Property Development Regulations offered by the applicant.

cc: Zoning File
Neale Montgomery, applicant's agent (via e-mail)
Marcus Evans, Development Services (via e-mail)
Beth Workman, Zoning (via e-mail)
Sam Lee/Steven Farah, Natural Resources (via e-mail)

STAFF'S EXHIBIT
1

LEE COUNTY
HEARING EXAMINER
2016 OCT 27 PM 2:06

LEE COUNTY, FLORIDA
DEPARTMENT OF COMMUNITY DEVELOPMENT
ZONING DIVISION
STAFF REPORT

TYPE OF CASE: **PLANNED DEVELOPMENT/DCI**
CASE NUMBER: **DCI2016-00011**
HEARING EXAMINER DATE: **November 10, 2016**

APPLICATION SUMMARY

Applicant: Blasingim Road Property LLC in reference to Blasingim Road RPD

Request: Rezone 24.11± acres from Agriculture District, (AG-2) to Residential Planned Development, (RPD) to permit the development of a maximum of 120 dwelling units consisting of single family and two-family attached housing types. Maximum proposed building height is 35 feet. No development blasting is proposed. The site will connect to central water and sanitary sewer service.

Location: The subject property is located at 12030 Blasingim Road, South Fort Myers Planning Community, Lee County, FL. (District #2). The applicant indicates there are numerous and varied STRAP numbers which are on file and available for inspection at the Department of Community Development, 1500 Monroe St., Ft. Myers, FL.

RECOMMENDATION:

Staff recommends APPROVAL of the applicant's request for rezoning from Agriculture District, AG-2 to Residential Planned Development, RPD with the conditions and deviations found in Attachment C.

Findings and Conclusions:
Based upon an analysis of the application and the standards for approval of planned development rezonings, staff offers the following findings and conclusions for the Hearing Examiner consideration:

a) Complies with Lee Plan Policy 1.1.3, Policy 1.7.6, Goal 2, Objective, 2.1, Policy 2.1.1, 2.1.2, Objective 2.1, Policy 2.2.1, Policy 2.2.2, Goal 5, Objective 5.1, Policy 5.1.1, Policy 5.1.2, Policy 5.1.3, Policy 5.1.5, Standard 11.1, Standard 11.2, Standard 11.3, Objective 39.1, and Policy 39.1.1,;

b) Meets the requirement of the Lee County Land Development Code (LDC) and other applicable County regulations, and qualifies for the Deviations recommended for approval as found in this report;

c) Is compatible, as conditioned in the recommended zoning actions, with existing and planned uses in the surrounding area;

d) Will provide sufficient access to support the proposed development intensity and the expected impacts on existing or planned transportation facilities will be mitigated through existing County regulations or conditions of approval;

e) As conditioned, will not adversely affect environmentally critical or sensitive areas and natural resources; and

f) Will be served by urban services, as defined in the Lee Plan, and is located in a Future Urban area category;

g) The proposed mix of uses, as conditioned, are appropriate at the proposed location;

h) The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development.

i) The deviations recommended for approval:

1) Enhance the achievement of the objectives of the planned development; and

2) Preserve and promote the general intent of this Code to protect the public health, safety and welfare.

BACKGROUND INFORMATION AND ANALYSIS:

Request

The applicant is requesting to rezone 24.11 acres from Agriculture District, AG-2 to Residential Planned Development, RPD. The applicant is proposing development of 120 dwelling units, consisting of single family detached and two-family attached units. The maximum proposed building height is 35 feet. The applicant has indicated in their application that no development blasting is proposed in the excavation of lakes or other site elements. The property consists of single family residences, vacant land, and agricultural uses (honey production from commercial bee operation.

Surrounding Zoning and Existing and Future Land Use

Adjacent to the northeast corner of this property are found three properties located south of Penzance Boulevard and west of Blasingim Road. These are currently zoned Agriculture District, AG-2 and are developed with single family homes. The properties are designated as Central Urban on the Future Land Use Map of the Lee Plan

North of the property is Penzance Boulevard. Across Penzance Boulevard are two parcels zoned Agriculture District, AG-2: one developed with a single family residence and the other is vacant. To the west of these parcels is a vacant 12.93 acre parcel zoned Residential Planned Development, RPD (Reserve at Penzance, Resolution Number Z-07-066A) approved in 2008 permitting the development of up to 45 dwelling units (3.48 units per gross acre). The property to the east of these parcels is the Timbers Subdivision. This subdivision is zoned Residential District, RS-1 and is developed with 60 lots on approximately 33.3 acres. These properties are designated as Central Urban and Wetlands by the Lee Plan.

East of the subject property is Blasingim Road. The four parcels, across Blasingim Road, are zoned Agriculture District, AG-2 and are approximately 5 acres in size. Two parcels are developed with single family homes, with the remaining parcels being vacant. Three of the four parcels have an agricultural exemption, and the fourth cannot be identified because the

Property Appraiser's records are withheld from viewing online. There properties are designated as Central Urban by the Lee Plan.

South of the property is a 60 foot wide area which aligns with existing developed portions of Crystal Drive to the east from Ben C. Pratt/Six Mile Cypress Parkway and to the west up to Plantation Road. South of this 60 foot wide area, a number of parcels can be found fronting on the continuation of Blasingim Road. All of these parcels are zoned AG-2, and are designated as Central Urban on the Future Land Use Map. These parcels range in size from 0.9 acre to over 6 acres. Some parcels are developed with single family residences and others are vacant. Property Appraiser's records indicate none of the adjoining parcels have an agricultural exemption. These properties are designated as Central Urban by the Lee Plan.

West of the property are parcels fronting on Penzance Boulevard and Honeysuckle Road. All adjacent properties are zoned AG-2 and designated as Central Urban on the Future Land Use Map. These parcels are either developed with single family homes or are vacant. None of the parcels have an agricultural exemption, according to the Property Appraiser's records. These properties are designated as Central Urban by the Lee Plan.

Surrounding Developments

Staff has reviewed the approvals of other developments in the neighboring area: an area located west of Six Mile Cypress Parkway and east of Ranchette Road/Honeysuckle Road. This area has been chosen because the developments either have direct access to Penzance Boulevard, or connect to roads which then connect to Penzance Boulevard to travel out of the neighborhood. These are listed in the following:

North of Penzance Boulevard: between the property and Six Mile Cypress Parkway:

- The northeast corner of Penzance Boulevard and Six Mile Cypress Parkway is Cobblestone RPD (Z-05-057). This RPD is approved for up to 216 units on 50 acres with various housing unit types. This project is now known as Cypress Walk and is being developed (4.32 units per acre gross density).
- To the west of Cobblestone RPD is a part of a larger development known as Heritage Palms. This development is located within the city limits of the City of Fort Myers, and is zoned Planned Unit Development. These homes are accessed off of Penzance Boulevard from Wine Palm Road. These units would be described as two-family attached units, and the lots closest to Penzance Boulevard are platted at approximately 45 feet in width and 130 feet in depth (5,850 square feet).
- The property to the west of Heritage Palms is the Timbers Subdivision, which is zoned RS-1 and is developed with 60 single family lots on approximately 33.3 acres (1.8 units per acre).
- To the west of the Timbers Subdivision is the Reserve at Penzance located at the northeast corner of Penzance Boulevard and Ranchette Road. This property is vacant land zoned RPD. The RPD allows development of up to 45 single family dwelling units on 12.93 acres (3.48 units per gross acre).

South of the Intersection of Penzance Boulevard and JV Parker Lane:

- Southwest corner is RPD zoning (Z-92-027, Coral Wood) approved for 84 multi-family dwelling units on 9.5 acres (8.84 units per acre).

- Southeast corner is RPD zoning (Z-98-054, Coral Rock) approved for 76 multi-family dwelling units on 10 acres (7.6 units per acre).
- South of Coral Rock is RPD zoning on a 9.53 acre property (Z-13-025, Cypress Village) approved for 92 townhouse and multiple family dwelling units (9.65 units per acre).

At the intersection of JV Parker and Crystal Drive:

- The southeast corner of this intersection is a 9.42 acre property zoned RPD (Z-15-017, Cypress Villages RPD) approved for up to 128 multiple family dwelling units (including 34 bonus density units) (13.59 units per acre).

Master Concept Plan (MCP)

The development proposes 120 dwelling units. These will either be single family detached or two-family attached dwelling units. The applicant also provides for an Amenity Center, model homes, and sales center within the development.

The MCP depicts the development of single family detached or two-family attached units fronting along the internal road. The amenity center is in the southern portion of the development. The Plan limits access to one access point connecting to Penzance Boulevard to the north and a single emergency access connecting to Blasingim Road. The MCP shows a temporary sales center on the east side and model homes on either side of the entry road near Penzance Boulevard. There is no proposed access to the south. Entrance gates or gatehouse are also provided as an option at the entry to the development off of Penzance Boulevard.

A 2.4 acre lake is proposed in the east-central portion of the site along Blasingim Road. South of the lake is another 1.8 acre bonus lake to reduce the discharge rate of stormwater from the site.

Lee County Comprehensive Plan (Lee Plan)

The subject property, as well as all adjacent parcels, is designated as Central Urban on the Future Land Use Map of the Lee County Comprehensive Plan. The Lee Plan provides the following description of the Central Urban category:

> **POLICY 1.1.3:** The Central Urban areas can best be characterized as the "urban core" of the county. These consist mainly of portions of the city of Fort Myers, the southerly portion of the city of Cape Coral, and other close-in areas near these cities; and also the central portions of the city of Bonita Springs, Iona/McGregor, Lehigh Acres, and North Fort Myers. This is the part of the county that is already most heavily settled and which has or will have the greatest range and highest levels of urban service--water, sewer, roads, schools, etc. Residential, commercial, public and quasi-public, and limited light industrial land uses (see Policy 7.1.6) will continue to predominate in the Central Urban area with future development in this category encouraged to be developed as a mixed-use, as described in Policy 2.12.3., where appropriate. This category has a standard density range from four dwelling units per acre (4 du/acre) to ten dwelling units per acre (10 du/acre) and a maximum total density of fifteen dwelling units per acre (15 du/acre). The maximum total density may be increased to twenty dwelling units per acre (20 du/acre) utilizing Greater Pine Island Transfer of Development Units. (Amended by Ordinance No. 94-30, 02-02, 09-06, 16-07).

The proposed development of single family detached and two-family attached dwelling units is consistent with this Policy because Residential land use is allowed within this future land use category. The applicant has proposed 120 dwelling units on 24.11 acres of land, a gross

density of 4.98 units per acre, which is consistent with the standard density range of 4 to 10 dwelling units per acre within this category.

Objective 1.7 and Policy 1.7.1 address Special Treatment Areas and Airport Noise Zones. The subject property is not located within one of the noise zones and residential land use would be consistent with the Objective and Policy of the Lee Plan.

Policy 1.7.6 addresses the Planning Communities Map and Acreage Allocation Table of the Lee Plan. The Planning Section indicates that within the South Fort Myers Planning Community there are 3,140 acres within the Central Urban Future Land Use category with 2,791 acres currently existing with development. That leaves 359 acres remaining to be developed. At this time, there is sufficient land left to be developed and this will be further evaluated at the time of local development order.

> **GOAL 2: GROWTH MANAGEMENT.** To provide for an economically feasible plan which coordinates the location and timing of new development with the provision of infrastructure by government agencies, private utilities, and other sources.
>
> **OBJECTIVE 2.1: DEVELOPMENT LOCATION.** Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities. (Amended by Ordinance No. 94-30, 00-22)
>
> **POLICY 2.1.1:** Most residential, commercial, industrial, and public development is expected to occur within the designated Future Urban Areas on the Future Land Use Map through the assignment of very low densities to the non-urban categories.
>
> **POLICY 2.1.2:** New land uses will be permitted only if they are consistent with the Future Land Use Map and the goals, objectives, policies, and standards of this plan. (Amended by Ordinance No. 00-22)

The requested RPD zoning is consistent with this Goal, Objective, and Policies of the Lee Plan. The proposed use of a residential subdivision/development with single family detached and two-family attached units is consistent with the Central Urban future land use category. Approval of the rezoning would not be promoting urban sprawl because it is not premature expansion and spreading out of urban levels of density into an outlying non-urban area. The site is located within an urban area and there is existing development and vacant zoned properties in this area with equal or greater density.

> **OBJECTIVE 2.2: DEVELOPMENT TIMING.** Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in F.S. 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance. (Amended by Ordinance No. 94-30, 00-22)
>
> **POLICY 2.2.1:** Rezonings and development-of-regional-impact proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities;

compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare. (Amended by Ordinance No. 94-30, 00-22)

The site is directly accesses Penzance Boulevard, a county maintained minor collector road. Lee County Utilities has provided a letter from Lee County Utilities indicating they have sufficient capacity to provide potable water and wastewater service for the proposed development. As discussed in the Urban Services portion of this report, there are adequate community facilities and services to support the proposed development.

Immediate adjoining parcels consist of large lot single family and agricultural land uses on parcels ranging in size from a little over one (1) acre to over eighteen (18) acres. These existing properties are designated as Central Urban (standard density range of 4 to 6 dwelling units per acre) on the Future Land Use Map of the Lee Plan. Surrounding rezonings and development have been approved with development intensity range of 1.8 to over 13.5 dwelling units per acre. Considering all facts, staff finds: the proposed rezoning is compatible with the surrounding area, there are sufficient public services to support the development, and the proposed development intensity is within the standard density range of the Central Urban future land use.

POLICY 2.2.2: Map 1 of the Future Land Use Map series indicates the uses and density ranges that will ultimately be permitted on a given parcel. However, it is not a guarantee that such densities or uses are immediately appropriate, as the map provides for the county's growth beyond the Lee Plan's planning horizon of 2030. During the rezoning process the Board of County Commissioners will balance the overall standards and policies of this plan with three additional factors:

1. Whether a given proposal would further burden already overwhelmed existing and committed public facilities such that the approval should be delayed until the facilities can be constructed; and

2. Whether a given proposal is for land so far beyond existing development or adequate public facilities that approval should be delayed in an effort to encourage compact and efficient growth patterns; and

3. Whether a given proposal would result in unreasonable development expectations that may not be achievable because of acreage limitations contained in the Acreage Allocation Table (see Policy 1.7.6, Map 16 and Table 1(b)). Additional provisions related to mining are provided in Policy 33.1.4. In all cases where rezoning is approved, such approval does not constitute a determination that the minimum acceptable levels of service (see Policy 95.1.3) will be available concurrent with the impacts of the proposed development. Such a determination must be made prior to the issuance of Future Land Use II-18a June 2014 additional development permits, based on conditions which exist at that time, as required by Lee County's concurrency management system. (Amended by Ordinance No. 94-30, 98-09, 10-20)

In staff's opinion, the proposal would not further overburden existing or committed public facilities. There is existing development in the area with sufficient infrastructure to support the development, and there are sufficient acreage allocations to support this development.

GOAL 5: RESIDENTIAL LAND USES. To provide sufficient land in appropriate locations on the Future Land Use Map to accommodate the projected population of Lee County in the year 2030 in attractive and safe neighborhoods with a variety of price ranges and housing types. (Amended by Ordinance No. 94-30, 07-12)

OBJECTIVE 5.1: All development approvals for residential, commercial, and industrial land uses must be consistent with the following policies, the general standards under Goal 11, and other provisions of this plan. (Amended by Ordinance No. 94-30, 00-22)

POLICY 5.1.1: Residential developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as planned residential developments. (Amended by Ordinance No. 00-22)

POLICY 5.1.2: Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community.

The proposed development of 120 dwelling units does not exceed the Development of County Impact (DCI) threshold of 500 units. The applicant has chosen to file this application as a minor planned development. The subject property is partly located within the AE–EL 15 flood insurance zone. Development of this site will have to take this into consideration during the course of developing units on this site. There have been no identified soil, geologic, or environmental limitations identified for the subject property. The site is not within an airport noise zone. Staff finds this rezoning is consistent with the Goal, Objective, and Policies of the Lee Plan.

POLICY 5.1.3: During the rezoning process, direct high-density residential developments to locations that are near employment and shopping centers; are close to parks and schools; and are accessible to mass transit and bicycle facilities. (Amended by Ordinance No. 94-30)

The proposed development is not considered a high density residential development, proposed at fewer than 5 dwelling units per acre. This density is at the lower end of the standard density range for the Central Urban future land use category.

POLICY 5.1.5: Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in Chapter 10 of the Land Development Code are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The Land Development Code will continue to require appropriate buffers for new developments. (Amended by Ordinance No. 94-30, 99-15, 00-22)

The proposal to develop single family detached and two-family attached dwelling units is consistent with this Policy. Development of these unit types will protect existing and future land uses from the encroachment of incompatible land uses. The Land Development Code does not require a buffer separating single family residential uses from single family residential uses.

STANDARD 11.1: WATER.
1. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a "community" water system as that is defined by Chapter 17-22, F.A.C.).

STANDARD 11.2: SEWER.
1. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system.

The applicant is proposing to extend potable water and wastewater lines to serve this development. Lee County Utilities reports that there is sufficient capacity to provide these services to the development. This proposed rezoning is consistent with these Standards of the Lee Plan.

STANDARD 11.3: TRAFFIC.
1. A traffic impact statement must be submitted to and accepted by the county DOT for the following developments:
    - Developments of Regional Impact (D.R.I.'s);
    - Planned Developments (as specified in the Zoning Regulations); and
    - Developments requiring a county development order, as specified in the Land Development Code

The proposed rezoning is consistent with this Policy of the Lee Plan. The Traffic Impact Statement has been reviewed, found sufficient, and the Development Services report finds no transportation related issues.

OBJECTIVE 39.1: DEVELOPMENT IMPACTS. The county will maintain and enforce development regulations to ensure that impacts of development approvals occur concurrently with adequate roads, and to achieve maximum safety, efficiency, and cost effectiveness. (Amended by Ordinance No. 99-15)

POLICY 39.1.1: New development must:
- Have adequate on-site parking.
- Have access to the existing or planned public road system except where other public policy would prevent such access.
- Fund all private access and intersection work and mitigate all site-related impacts on the public road system; this mitigation is not eligible for credit against impact fees. (Amended and Relocated by Ordinance No. 99-15)

The proposed development has access to Penzance Boulevard, an existing County maintained Collector Road. Staff has proposed approval of the requested deviation to permit a single means of access to the development. They have found the proposal helps to achieve the intent of the planned development and also that the proposed single access with emergency access does not adversely impact the public health, safety, and welfare.

Environmental Issues

Attachment H is the complete report provided by Environmental staff. In summary, they conducted a site visit on July 19, 2016 finding the property is used for agriculture, single family homes, and vacant land. Only one parcel (08-45-25-00-00003.001A) has an agricultural exemption that will expire January 1, 2017. The single family homes within the project boundaries have homestead exemptions.

The parcels adjacent to Penzance Boulevard consist of Slash Pines, Laurel Oaks, and Live Oaks some of which are heritage trees (greater than 20 inch diameter breast height(dbh)), have cardinal airplant attached to them, and the understory is open. This area has two single family homes and two cattle ponds. Heading south, the property widens extending east to Blasingim Road. This area consists of a pasture, ditches, cattle ponds, and scattered Slash Pines some of which are heritage trees. Half of the western property line from Penzance Boulevard to the mid-section of the property contains a skinny section of Slash Pines, Melaleuca, Brazillian Pepper, and Live Oaks. This area is proposed to serve as the indigenous preserve. The southernmost portion of the property becomes thicker with Slash Pines, Laurel Oaks, and Live Oaks with very few heritage trees. This southern portion of the project has four single family homes on individual parcels. Passarella and Associates have provided a species survey showing the locations of the cardinal airplant and a tree survey illustrating the location, species and dbh measurement of each heritage tree. The applicant must make an effort to preserve the heritage trees on site or replace with a 20 foot in height tree within an appropriate open space area per LDC 10-415(b)(4). The cardinal airplant is not a protected plant species per Appendix H in the LDC.

During the site inspection, a few cattle egrets were seen feeding within the low lying areas of the pasture. The species survey submitted by Passarella and Associates provided documentation of other wading birds such has white ibis and little blue herons. No wading bird nests were found on the site.

The applicant is proposing single family and two-family attached units on the site. The LDC 10-415(a) does not require open space for single family lots with a minimum lot size of 6,500 square feet. The applicant is proposing 5,000 square feet lots, and therefore must provide 40% open space. LDC 10-415(a) does not require open space for two-family attached on an individual lot with a minimum lot size of 3,750 square feet per unit, which is being proposed by the applicant.

In addition to the Chapter 10-415 open space requirements, the LDC requires planned developments to provide open space as required in Chapter 34. Minimum lot coverage must be reviewed by using the conventional residential zoning district's requirement for maximum lot coverage. Chapter 34-695 Table shows lot sizes for single family and two-family attached with the corresponding maximum lot coverage. For single family with a lot size of 5,000 square feet the maximum lot coverage is 45% and for a two-family attached that is 3750 square feet the maximum lot coverage is also 45%. The applicant is proposing a 60% maximum lot coverage for both types of residential so therefore, 40% open space must be provided for the overall development.

The applicant has applied for Deviation (#5) seeking relief from LDC 10-415(d)(2)(c) which allows a maximum of 25% of the required open space to be provided through the surface water management areas to allow 44% of the required open space to be used to meet the open space requirements. The applicant states that the MCP shows two lake areas. The northern portion is 2.4 acres and serves as the surface water management lake to support the project. The

southern portion is 1.8 acres and is an additional area to enhance the project through doubling of the littoral plants and deep lake tree requirements; improvements to the existing canal for better drainage flow; reducing the allowable discharge will help reduce the amount of water flowing off the property because the bonus lake will hold more water thus reducing peak flow; and the fill from the lake will be used to build the site and reduce the truck traffic on the local roads.

In addition to enhancing the lake, the applicant agrees to install a native hedge along three sides of the property. The hedge will be installed on the perimeter water management berm in an open space tract and serve to provide privacy for the residential units along the south and north property lines and an enhancement to the indigenous preserve along the western property line.

Environmental Sciences zoning staff have reviewed the deviation with their complete analysis found in Attachment H. It is found adding additional square feet to the lake, the site will accommodate more storage of water. Staff consulted with Lee County Department of Natural Resources to ensure that this would help the surrounding properties and they agreed that it would aid in controlling some of the water issues in this area. It will not be a fix to the problem due to privately blocked swales in the vicinity but will control the volume leaving the site and a chance for some evaporation from the lake to offset the discharged volume. Staff supports approving Deviation 5 with the inclusion of Condition 3.

The LDC 10-415(b)(1) requires that large developments (10+ acres or 2+ acres of impervious) provide half of the required open space as indigenous open space. If the Florida Land Use and Cover Classification System (FLUCCS) indicates the site has no indigenous classification or the exotic coverage is 75% or greater than the site does not contain indigenous to meet the LDC. Some sites do not have enough indigenous square feet to meet the 50% indigenous requirement, so the developer provides what is currently on the site. The project is preserving the indigenous area that meets the FLUCCS cover and classification with the indigenous located along the western property line. However, the LDC 10-415(c)(3) requires projects that are ten acres or more in size to provide indigenous areas that are a minimum average width of 40 feet and minimum average area of 1,500 square feet. The only indigenous area on this site is an eight foot wide area along the western property line adjacent to single family homes. Deviation 6 seeks to allow the minimum width to be eight feet. As part of the enhancements to deviation 5, the applicant is proposing a hedge on the surface water management berm that will provide an understory buffer to the adjacent single family residents. If minimum lot size and coverage are met, this deviation will not be applicable. ES zoning staff supports Deviation 6.

The LDC 10-416(d)(3) provides the buffer requirements for developments. The subject development is adjacent to single family uses on the west; right of way at the east and north; and future right of way at the south. The LDC does not require buffers between single family uses or single family and right of way uses. However, LDC 10-415(b)(5) requires developments five acres or greater that abut an arterial or collector road and have existing native trees within 50 foot of the right of way must be designed to provide a 50 foot right of way buffer for tree preservation. The drainage and utility easement located within or adjacent to the 50 foot right of way buffer area must be established in the location with the least amount of trees as determined by onsite inspection by Lee County.

The applicant is seeking relief from this code to allow tree replanting, stating the justification is that the trees located in the 50 foot area are Slash pines and this species is particularly delicate to work around. The LDC requires a full drip line of tree protection for Slash Pines to be

preserved on developments and this will be extremely difficult to achieve due to the infrastructure that needs to support this site. In addition, there are overhead power lines that are located adjacent to this area and the existing Slash pines have been severely pruned away from the lines over the years. The applicant in an effort to enhance the development has offered to replant trees in this area. ES zoning staff support this deviation and provide the following condition to further the enhancement:

Transportation

Lee County DOT reports (Attachment E) they have no objection to the application.

Lee County Development Services reports (Attachment G) Penzance Boulevard is a County maintained minor collector and Blasingim Road is a privately maintained local road. Staff has no objection to the proposed access location along Penzance Boulevard.

Table 3 of the Development Services memorandum indicates the project is estimated to generate 1,242 daily 2-way trips on the surrounding road network. The following roadway sections are expected to be significantly impacted by the proposed zoning:

- Penzance Boulevard from Ranchette Road to Ben C Pratt Six Mile Cypress Parkway and
- Ranchette Road from Penzance Boulevard to Idlewood Street.

Table 4 of the memorandum reports the existing Level of Service (LOS) for both of these segments is currently LOS "C" and future with the project will remain at LOC "C". The memorandum states, "No link improvements along County-maintained roadways are expected to be required to accommodate the proposed zoning. At the time of local development order review, proposed projects will be further reviewed to determine what, if any, site-related traffic improvements to the nearby roadway network are required.

The memorandum also states the intersections of Penzance Boulevard with Ranchette Road and with the north site access are both expected to be significantly impacted by the proposed subject site zoning. These intersections are projected as LOS "A" in the future and with the future with the project are expected to be LOS "B".

Deviation 7 seeking to be allowed to have back-out parking onto the internal roadway, has been reviewed. The Development Services recommends approval of the deviation as recommended in Condition 8.

Urban Services

The subject property is within the Lee County Utilities franchise service area for both public sewer and water.

The site is directly accessed from Penzance Road, a paved county maintained minor collector road with 60 feet of right-of-way. This road connects with Ben C. Pratt/Six Mile Cypress Parkway to the east and Ranchette Road to the west.

The site is not directly served by public transit. The closest public transit routes are found to the north at the intersection of Ben C. Pratt/Six Mile Cypress Parkway and Challenger Parkway (3.4 miles); to the south at the intersection of Ben C. Pratt/Six Mile Cypress Parkway and Daniels

Parkway (2.5 miles), or to the west at the intersection of Metro Parkway and Idlewild Street (2.0 miles).

There are a number of parks in this area of Lee County:

- Six Mile Cypress Slough Interpretive Center
- Six Mile Cypress Slough Preserve
- Brooks Community Park
- John Yarbrough Linear Park
- Lakes Regional Park
- Trailhead Park (City of Fort Myers)

The subject property is served by the Lee County Sheriff's Office, Central District, located off of Ben C. Pratt/Six Mile Cypress Parkway. The property is within the South Trail Fire Protection and Rescue Service District with the closest stations found on Crystal Drive west of US 41 and on Daniels Parkway near the intersection of Sophomore Lane. Emergency Medical units are found on Crystal Drive and on Daniels Parkway near I-75.

The property is within School Zone 1 of the South Zone. Nearby schools include:

- Ray V Pottorf Elementary School on Challenger Boulevard
- Paul Lawrence Dunbar Middle School on Winkler Avenue
- South Fort Myers High School on Plantation Road

There are nearby employment and commercial centers to the north along Colonial Boulevard, to the south along Daniels Parkway (including Gulf Coast Medical Center), and west along Metro Parkway.

The closest library locations include the Fort Myers Library on First Street and Lakes Regional Library on Gladiolus Drive.

Site Development Concerns

Prior to the hearing, Lee County Natural Resources staff and individual members of the public have noted flooding concerns within this area. The applicant is aware of these concerns and is aware that during the local development order process and permitting through South Florida Water Management District, their stormwater management plans will be reviewed to ensure compliance with the applicable regulations prior to development approvals.

Six Mile Cypress Basin

The property is not located within the Six Mile Cypress Watershed Basin.

FEMA/Floodway

The site is located outside of any floodways and is either outside of an identified Flood Zone or in Flood Insurance Zone AE-EL15.

ATTACHMENTS:

A. Expert Witness Information
B. Maps: surrounding zoning, future land use and aerial photograph
C. Recommended Conditions and Deviations
D. Applicant's supporting documentation
    - Request and Compliance Narrative

- Schedule of Deviations with Justifications
- Surface Water Management Plan
- Traffic Impact Statement with supplemental response
- Agriculture Use Affidavit

E. Lee County DOT comments
F. Potable Water and Wastewater Availability Letter
G. Development Services comments
H. Environmental staff comments
I. Legal Description

EXHIBITS:

A. Master Concept Plan
B. Schedule of Uses
C. Property Development Regulations

cc: Applicant
County Attorney
Zoning File

LEE COUNTY STAFF EXPERT WITNESS INFORMATION
PROVIDED PURSUANT TO AC-2-6, SECTION 2.2.b(5)(f)3.

Alvin "Chip" Block, Principal Planner, Zoning Section, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan, zoning, and land use planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

Beth Workman, Planner, Zoning Section, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan, zoning, and land use planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

Marcus Evans, Senior Engineer, Development Services, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in Traffic Engineering and Transportation Planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

Brandon Dunn, Principal Planner, Planning, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.
- Seeking to be qualified as an expert witness in the Lee Plan and land use planning.
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.

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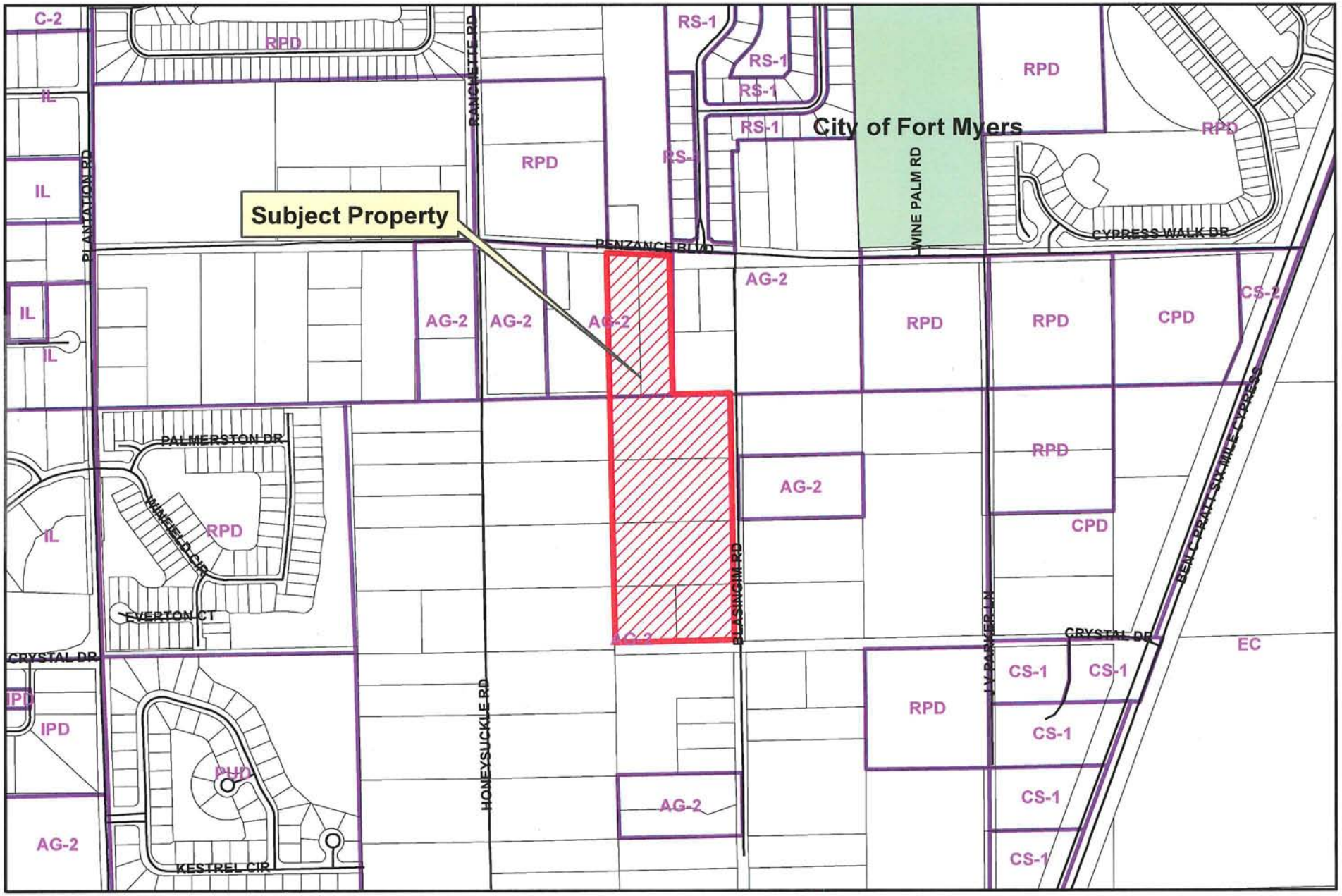
ZONING



ATTACHMENT B

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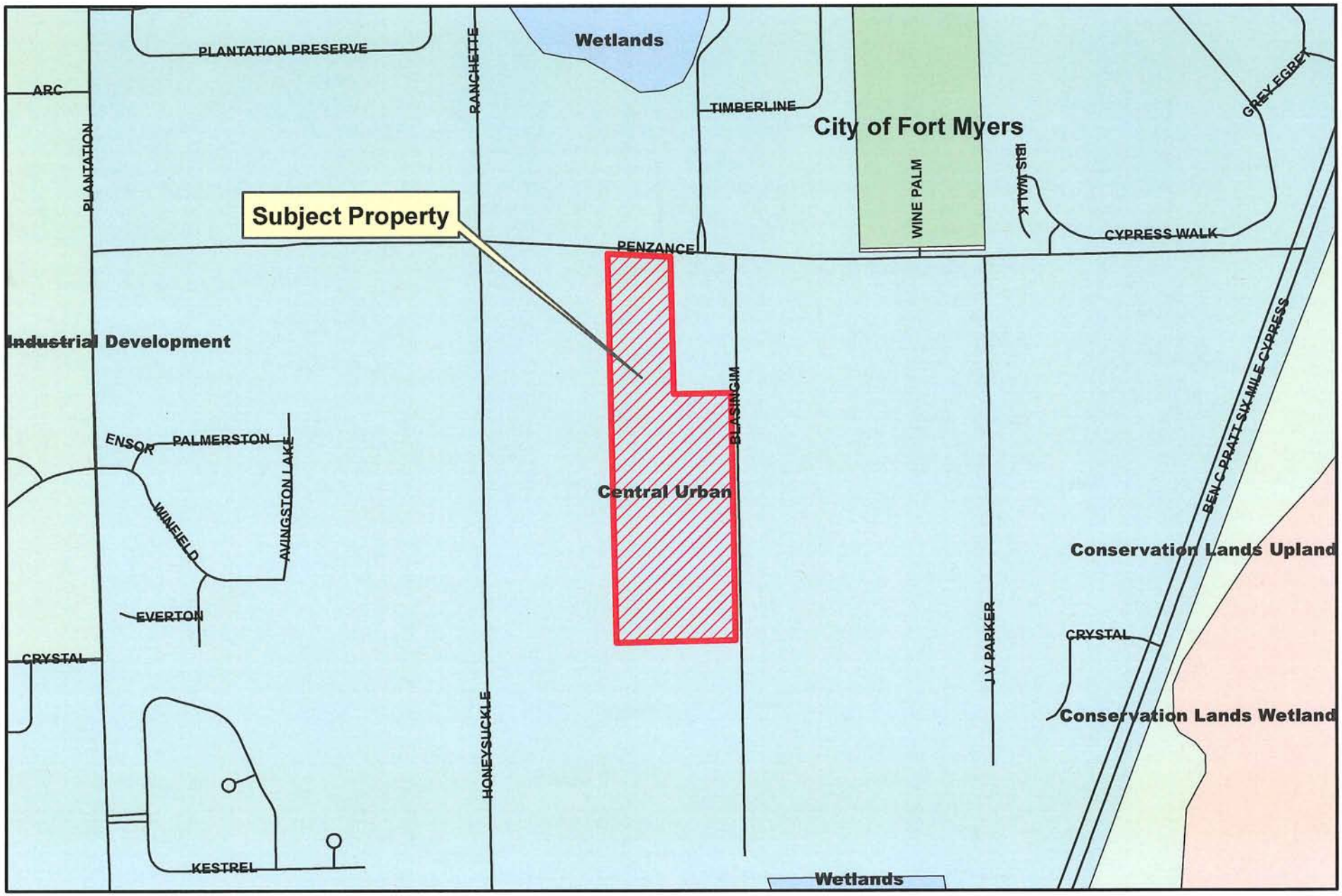
Future Land Use



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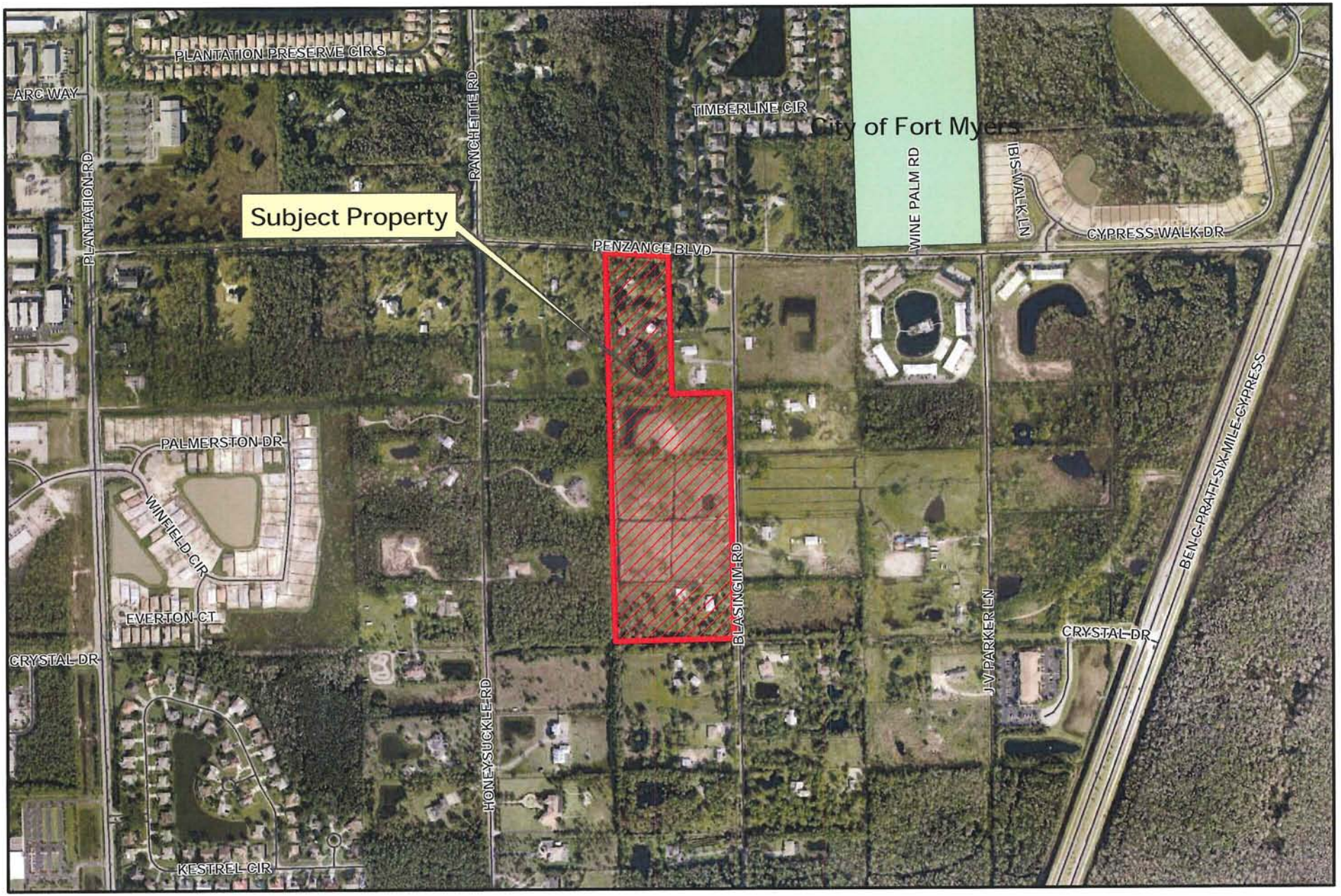
2016 AERIAL



Blasingim Road RPD

CONDITIONS

1. Master Concept Plan & /Development Parameters

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

   This development must comply with all requirements of the Lee County Land Development Code (LDC) at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan (MCP) are subsequently pursued, appropriate approvals will be necessary.

   The development is permitted to have a maximum of 120 dwelling units and 7,000 square foot floor area Amenity Facility.

2. Uses and Site Development Regulations

   The following Limits apply to the project and uses:

   a. Schedule of Uses

      Exhibit B is the approved Schedule of Uses

      NOTE:
      Consumption on Premises within the Recreation facility: private–on-site (amenity site) is allowed as both indoor and outdoor.

   b. Site Development Regulations

      Exhibit C is the approved Property Development Regulations.

      NOTES:
      1. For clarification Front (right-of-way) setback is the same as Street setback.
      2. A side entry garage is allowed for either a single family or two-family attached residential dwelling unit.

3. Conditions for Deviation 5

   i. Prior to the issuance of a development order for vertical construction, the following must be provided:
      a. Details illustrating the initial drainage canal revisions to accommodate the discharge from the subject parcel and a long term maintenance plan to maintain the drainage canal in perpetuity;
      b. The additional 1.8 acres of lake must be noted on the development order drawings; and
      c. The drainage calculations must reflect a lower reduction in the discharge rate than what is currently required per the Land Development Code.

   ii. Prior to the issuance of a development order for vertical construction, the landscape drawings must illustrate and provide calculation for the following:
      a. The planted littoral shelf shoreline length must be calculated at 50% of the total linear feet of the lake at control elevation;
      b. Deep lake trees must be calculated at two trees per 100 linear feet; and

c. 50% of the required general trees must be illustrated adjacent to Blasingim Road and the proposed lake.

4. Sidewalk
A sidewalk must be provided along at least one side of the road(s) within the development.

5. Vehicular Access
a. A notice to all future property owners must be recorded by the developer in the public records prior to the issuance of a local development order allowing construction of the access to the development. The notice must articulate the emergency access plan and provide information as to where a copy of this plan may be obtained from the developer or developer's successor.

b. Prior to DO approval, the developer must show how unauthorized access for the stabilized access point will be prevented and who will maintain the access to open and/or close the access point.

c. The master concept plans show an optional gate at the entrance. Prior to DO approval, the applicant will need to show compliance with the required turn around radius.

6. Alternative Turnaround
Prior to approval of the initial development order for this project, the developer must provide a letter from the local fire district indicating they have reviewed the engineered drawings and have no objections to the design of the turnaround as approved in Deviation 2 of this planned development.

7. Backout Parking
If the roadway immediately adjacent to and south of the proposed amenity center is not connected to Blasingim Road for normal daily vehicle use, the portion of the amenity center parking spaces farthest from the adjacent roadway must be located not less than 22 feet from the edge of roadway right-of-way or easement. If the roadway immediately adjacent to and south of the amenity center is at any future time connected to Blasingim Road for normal daily vehicle use, the amenity center parking area must be relocated such that it meets all requirements of the most current Land Development Code.

8. Northern Buffer
Prior to the issuance of a development order for vertical construction, a 15 foot wide right of way buffer must be provided along the north property line with the following enhancements:
a. five trees and eighteen shrubs per 100 linear feet must be provided within the 15 foot wide right of way buffer along the north property line;
b. the trees must be installed 14 feet away from the overhead power lines; and
c. the proposed landscape material must be native.

9. Native Hedge
Prior to the issuance of a development order for vertical construction, a native hedge installed at 48 inches; maintained at 72 inches; and planted four foot on center must be shown on the perimeter water management berm of the landscape plans. The perimeter water management berm plantings must be tied into the overall irrigation system for the infrastructure.

10. Vehicular/Pedestrian Impacts
Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

11. Lee Plan Consistency
Approval of this zoning request does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1 (b).

12. Concurrency
Approval of this rezoning does not constitute a finding that the proposed project meets the concurrency requirements set forth in LDC Chapter 2 and the Lee Plan. The developer is required to demonstrate compliance with all concurrency requirements prior to issuance of a local development order.

13. Development Permits
Issuance of a development permit by Lee County does not in any way create any rights on the part of the applicant to obtain a permit from a state of federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertake actions that result in a violation of state or federal law.

Deviations

1. Deviation from LDC Section 10-254, which requires side lot lines be, as nearly as practical, at right angles to straight street lines and radial to curve street lines, to allow the lot design shown on the Master Concept Plan in those areas where Deviation 1 is applied.

   Recommendation:
   Staff offers no objection to the granting of this request. Approval of this request helps achieve the development of up to 120 units and the deviation is found to not be a detriment of the public's interest.

2. Deviation from LDC Section 10-296(p)(1) to eliminate the requirement that a dead-end street be closed at one end by a circular turnaround, to allow an alternative turnaround.

   Recommendation:
   The deviation is recommended for approval for only the portion of the development with the dead-end turnaround in the southwest corner of the development, provided that Condition 6 is included that the design of the turnaround be reviewed and approved by the local fire district at the time of local development order.

3. Deviation from LDC Section 10-703 to allow lot size to be measured as indicated on the Master Concept Plan.

   Recommendation:
   Staff has no objection to the proposal to measure the lots as depicted on the Master Concept Plan. The measurement proposal helps the applicant to achieve the development, and is viewed by staff as a proposal that is not expected to be detrimental to the public's interest.

4. Deviation from LDC Section 10391(3) which requires developments of more than five acres to provide more than one means of ingress or egress to allow one primary access and one emergency stabilized access.

   Recommendation:
   Staff recommends approval of this request provided that Condition 5 is included in this action. Development Services finds the Deviation as conditioned helps achieve the intent of the planned development and is not expected to adversely impact the public health, safety, and welfare.

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

   Recommendation: Staff offers no objection to the granting of this request provided Condition 9 is approved with this request.

6. Deviation from LDC Section 10-415(5) which requires minimum preservation width of 40 feet to allow a minimum preserve width of eight feet.

   Recommendation:
   Staff supports the granting of this request to a width of 15 feet as provided for in Condition 8.

7. Deviation from LDC Section 34-2015(2)(d) and 34-213(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.

   Recommendation:
   Development Services staff has recommended approval of this request. They find the low traffic volumes and travel speeds will enhance the achievement of the planned development and is not expected to adversely impact the public health, safety, and welfare. This approval is subject to Condition 7.

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

   Recommendation:
   Staff offers no objection to the granting of this request, subject to Condition 8.

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

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BLASINGIM RPD

Request and Compliance Statement

Blasingim Road Property, LLC is submitting this application for Residential Planned Development (RPD) approval of a +/- 24.11 acre site in Section 8 and 17, Township 45 South, Range 25 East, Lee County, Florida. The applicant is requesting a rezoning from Agricultural-2 (AG-2) to Residential Planned Development (RPD) to allow up to 120 single family and/or two-family attached homes or a combination of both. The proposed development will connect to Lee County Utilities for potable water and sanitary sewer.

The subject property is located in the South Fort Myers Planning Community on Penzance Boulevard. The property is located in the Central Urban Future Land Use Category and the property is currently primarily cleared pasture, with two single family residences.

Please see compliance with LDC Section 34-377 below.

a) *Where the change proposed is within a future urban area category, the Hearing Examiner must also find that urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use;*

- Public sewer and water
  - Potable water: Lee County Utilities
  - Wastewater: Lee County Utilities

Compliance with LDC Section 34-145(c)(2)(e)

Section 34-145(c)(2)a states, In reaching a decision, the Hearing Examiner must consider the following, whenever applicable:

e) Whether the request is consistent with the goals, objectives, policies and intent of the Lee Plan

The proposed RPD is consistent with the goals, objectives, policies and intent of the Lee Plan. Please see later paragraphs for a complete narrative on the request's consistency with the Lee Plan.

Compliance with LDC Section 34-145(d)(3)

Section 34-145(d)(3) states, Before preparing a recommendation to the Board of County Commissioners on a zoning matter, the Hearing Examiner must find that:

b) *The applicant has provided entitlement to the rezoning or special exception by demonstrating compliance with the Lee Plan, this Land Development Code, and any other applicable code or regulation;*

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As demonstrated in later paragraphs, the project complies with Section 34-145(c)(2)e of the Lee County Land Development Code, and by doing so also demonstrates compliance with the Lee Plan.

c) *The request will meet or exceed all performance and locational standards set forth for the potential uses allowed by the request;*

The proposed RPD has direct access to Penzance Blvd and an emergency-only stabilized access on Blasingim Road. Further information regarding access is outlined within the Deviations and Justifications provided with this application.

d) *The request, including the use of TDR or affordable housing bonus density units, is consistent with the densities, intensities and general uses set forth in the Lee Plan;*

As outlined in compliance with Lee Plan Policy 1.1.3, the proposed density and residential land use is consistent with the Lee Plan. No TDR's or affordable bonus density units are proposed.

e) *The request is compatible with existing or planned uses in the surrounding area;*

As outlined in compliance with Lee Plan Policy 2.1 and 5.2.4 within this report, the proposed request is compatible with the surrounding uses.

f) *Approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development;*

As demonstrated by the enclosed traffic impact statement, the proposed development will not have an adverse effect on transportation facilities in the area.

g) *Where applicable, the request will not adversely affect environmentally critical areas and natural resources;*

As indicated in the enclosed environmental report there are no existing environmentally critical areas on site.

h) *In the case of a planned development rezoning or mine excavation planned development, the decision of the Hearing Examiner must also be supported by the formal findings required by sections 34-377(a)(2) and (4);*

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- Paved streets and roads
  - Blasingim Road (two lane local)
  - Penzance Blvd (two lane minor collector)

- Parks and recreation facilities
  - Six Mile Cypress Slough Preserve; within 1 mile
  - Rutenberg Park; within 7 miles
  - Jetblue Park; within 8 miles

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- Century Link Stadium; within 3 miles

- Urban levels of police, fire and emergency services
  - Lee County Sheriff's Station; within 5 miles
  - Lee County EMS; within 5 miles
  - South Trail Fire Department Station 1 (Lee County #61); within 5 miles

- Schools
  - Villas Elementary School; within 4 miles
  - Evangelical Christian School; within 5 miles
  - Florida Southwestern State College; within 6 miles

- Employment, industrial, and commercial centers
  - Page Field Airport; within 3 miles
  - Gulf Coast Medical Center; within 4 miles
  - Market Square Shopping Mall; within 5 miles
  - Lee Memorial Hospital; within 7 miles

- Community facilities such as senior citizens' centers, libraries, and community centers
  - Senior Citizen Friendship Center; within 5 miles
  - Pine Manor Community Center; within 5 miles
  - Riverside Community Center; within 8 miles
  - Lake Regional Library; within 9 miles

Compliance with LDC Section 34-377(a)(2)

Section 34-377(a)(2) states, The recommendation made to the Board of County Commissioners must be supported by formal findings that address the guidelines set forth in Section 34-145(d)(3) of this chapter. In addition, the findings must address whether the following criteria can be satisfied:

a) *The proposed use or mix of uses is appropriate at the subject location;*

While findings have not yet been established, the applicant contends that the proposed residential use is appropriate for the subject site. The surrounding area consists of a combination of residential planned developments and agriculturally zoned residential property. Adequate infrastructure and services exists along the frontage to serve the proposed development. Additional information regarding the appropriateness of the request at this location is provided in compliance with Lee Plan Policy 2.1 included within this report.

b) *The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest;*

Conditions have not yet been established.

c) *The recommended conditions are reasonably related to the impacts on the public's interest created*

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Conditions have not yet been established.

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Compliance with LDC Section 34-377(a)(4)

Section 34-377(a)(2) states, If the application includes a schedule of deviations pursuant to Section 34-373(a)(9), the Hearing Examiner's recommendation must approve, approve with modification or reject each requested deviation based upon a finding that each item:

a) *Enhances the achievement of the objectives of the planned development;*
b) *Preserves and promotes the general intent of this chapter to protect the public health, safety and welfare.*

The Hearing Examiner's recommendation is yet to be determined. Provided within this application are deviation requests along with justifications which outline how each request enhances the planned development and how each request is not a detriment to public health, safety, and welfare.

Lee Plan Policy 1.1.3: Central Urban

These areas can be best characterized as the "urban core" of the county. These consist mainly of portions of the city of Fort Myers, the southerly portion of the city of Cape Coral, and other close-in areas near these cities; and also the central portion of the city of Bonita Springs, Iona/McGregor, Lehigh Acres, and North Fort Myers. This is the part of the county that is already most heavily settled and which has or will have the greatest range and highest levels of urban service—water, sewer, roads, schools, etc. Residential, commercial, public and quasi-public, and limited light industrial land uses (see Policy 7.1.6) will continue to predominate in the Central Urban area with future development in this category encouraged to be developed as a mixed-use, as described in Policy 2.12.3., where appropriate. This category has a standard density range from four dwelling units per acre (4 du/ac) to ten dwelling units per acre (10 du/ac) and a maximum density of fifteen dwelling units per acre (15 du/ac). (Amended by Ordinance No. 94-30, 02-02, 09-06)

The proposed rezoning application requests a residential development with a maximum of 120 dwelling units on 24.11 acres for a density of 5.0 dwelling units per acre which is half of the maximum standard density range for Central Urban Future Land Use. Therefore, the residential development program and densities outlined in this application meet the description and the intent of the policy.

Lee Plan Policy 1.7.6: Acreage Allocations

Acreage totals are provided for land in each Planning Community in unincorporated County. No final development orders or extensions to final development orders will be issued or approved by Lee County which would allow the acreage for residential, commercial or industrial uses contained in Table 1(b) to be exceeded.

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Central Urban Acreage Allocations

Land Use	Acreage Allocation for Year 2030
Residential	3,140

The subject property is located within the South Fort Myers Community per Map 16 of the Lee Plan. As illustrated on Table 1 above there are 3,140 available acres currently allocated towards residential land uses within the Central Urban Future Land Use Category in this planning community. The RPD proposes 24.11 acres of residential development which is within the allowable acreages set forth by the Lee Plan and therefore the proposed project is in compliance with this policy.

Lee Plan Policy 2.1: Development Location

Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where large tracts of land are by-passed in favor of development *more distant from services and existing communities.*

Located in an area of growth in Lee County, the site utilizes existing services and infrastructure. As outlined in LDC Section 34-377 compliance, residents will be afforded opportunities for services, employment, education near the site, and since the development is located in ab infill area the proposed development does not promote urban sprawl. Police and fire services are near the site and utility services are available. As discussed in compliance with Policy 5.2.4, the surrounding area consists of many developed residential projects with this land serving as an infill development. Further, the Future Land Use designation of Central Urban is characterized by land with readily available urban services. As such, the proposed development and rezoning request is compatible with this provision of the Lee Plan.

Lee Plan Policy 5.2.4: Compatibility

The site design of the proposed development must be compatible with surrounding land uses to the maximum extent possible.

The surrounding area consists of varied residential types which include established communities and proposed/ zoning approved planned developments. As demonstrated in the table below, density approvals in the area range from 3.1 to 8.4 dwelling units per acre. The proposed density of 5.0 units per acre is in the middle of this range and therefor compatible with the neighboring approved densities. Additionally residential types approved and constructed in this area include a range of residential product types including single family and multifamily units.

COMMUNITY	ACREAGE	# OF UNITS	DU/AC
Coral Waters Apartments	10	84	8.4
Plantation Preserve RPD	40	190	4.7
Cypress Pointe RPD Cypress Woods/Portofino	58	236	4.4

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Plantation I RPD (Highland Pines)	46	107	2.3
Rookery PUD	38	280	7.4
Camden Square	39	130	3.3
Heritage Palms	519	1,600	3.1
Cobblestone RPD	50	216	4.3
The Reserve at Penzance	13	110	8.5
Blasingim RPD (Proposed)	24	120	5.0

The proposed development achieves compatibility with the abutting single family lots through site design, buffering and placement of the proposed uses. Keeping with the Florida native feel along Penzance Boulevard directly abutting the project, an open space area is provided at the project entry which will preserve the existing trees to the greatest extent possible. Trees which are not able to be preserved will be replanted with 10' tall native trees. The offsite lots abutting the western portion of the property contain large vegetated areas which provide significant screening and buffering, which will be enhanced by onsite indigenous preservation. The water management lake has been placed on the east side of the project near offsite homes which have less vegetation for separation and buffering to the proposed lots. Density has also been reduced to half of what is allowed in the Central Urban Future Land Use designation.

Please refer to the table below, which inventories the surrounding Future Land Use Categories and existing land uses.

Adjacent Land Use and Zoning

DIRECTION	FUTURE LAND USE	LAND USE / ZONING
North	Central Urban	Road Right-of-Way / Residential/AG-2
South	Central Urban	Road Right-of-Way /Residential /AG-2
East	Central Urban	Residential/AG-2
West	Central Urban	Residential/AG-2

Based on the tables above, the proposed use is consistent with the underlying and surrounding Future Land Use Categories as well as the surrounding uses. Single family and two-family attached development on this site will be contiguous and compact, is within an area where services are already available, and would effectively use the public investment of infrastructure within this area. Therefore, the uses and density proposed through this application are appropriate at this location and will continue the existing residential development trend along with the surrounding communities.

As further outlined, in compliance of Lee Plan Policies 2.2.1 and 5.1.3 and Goal 11, the proposed development location is in proximity to infrastructure, water, sewer and traffic. As such, the location minimizes costs and focuses density where appropriate.

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Lee Plan Objective 2.2: New Development to Provide Required Infrastructure

Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in F.S. 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2((g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance.

Lee Plan Policy 2.2.1: New Development Proximity to Required Infrastructure

Rezonings and development-of-regional-impact proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare.

As summarized in the Transportation Impact Statement provided within this submittal, the proposed rezoning will not have a detrimental impact on the surrounding roadway system. Based on the results of the analysis, Six Mile Cypress Parkway, Penzance Boulevard and Ranchette Road are shown to operate at a LOS "C" both with and without the project. No intersection improvements will be warranted by the proposed development.

Utility service is available along the frontage of the property through Lee County Utilities for potable water and waste water. The developer will undertake any improvements that may be required to connect the project to these existing services. Availability letters are enclosed as a supplement to the rezoning application. Please refer to additional services and facilities near the subject site outlined in LDC Compliance 34-145(d)(3)(h) previously on this report.

Lee Plan Policy 5.1.2: Prohibit Residential Development where Hazards Exist

Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental imitations; aircraft noise; or other characteristics that may endanger the residential community.

The proposed development is within Flood Zones X and AE. The areas within the proposed development area range at existing site elevations of 14' to 15' NAVD88 which will not be a constraint to residential development. Site soil conditions consist of soils suitable for residential development and the site is not within an Airport Noise Zone. As such, the proposed development is not proposed where physical constraints or hazards exist.

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Lee Plan Policy 5.1.4: Prohibit Residential Development Near Industrial Development and Airport Noise Zone

Prohibit residential development in all Industrial Development areas and Airport Noise Zone B as indicated on the Future Land Use Map, except for residences in the Industrial Development area for a caretaker or security guard, and except as provided in Chapter XIII

The site is not located within an industrial development area nor the Airport Noise Zone B.

Lee Plan Goal 11: Water, Sewer, Traffic and Environmental Review

To insure that appropriate water, sewer, traffic, and environmental review standards are considered in reviewing rezoning applications and are met prior to issuance of a county development order.

The proposed development is consistent with Goal 11 through the provision of letters of capacity and availability of service from Lee County Utilities, please see attached. A Traffic Impact Statement has been included within the application, indicating that the proposed development will not have a detrimental impact on the surrounding road system and an acceptable LOS will be maintained on all affected roadways. Lastly, the environmental review has also been included.

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Barraco and Associates, Inc.
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Civil Engineers, Land Surveyors and Planners

Blasingim Road RPD
Residential Planned Development
Schedule of Deviations

1) **Deviation from LDC Section 10-254, which requires side lot lines be, as nearly as practical, at right angles to straight street lines and radial to curve street lines, to allow the lot design shown on the Master Concept Plan in those areas where Deviation 1 is applied.**

Justification: This deviation request applies to the last lot at the terminal end of a small dead end roadway where no cul de sac is proposed. This last lot is a continuation of a string of lots which are parallel to one another. The lot in question, and the side lot lines of the string of lots, is perpendicular to the road as the LDC requires. The road right of way ends at the first side lot line of the terminal lot. This design provides adequate access to the last lot where a private drive will continue on the same trajectory as the road. The continued roadway is not needed to serve additional units further down the road so there is no public harm and a benefit is created because it allows the homeowner to utilize and maintain the land for private benefit.

This design creates a different, but adequate lot configuration that has been used in other recent Lee County Developments. The front lot line becomes the termination of the right of way, at the width of the right of way. The first side lot line runs parallel with the string of lots along the road and connects to the end of the right of way. The other side lot line, and the purpose of this deviation request, is an extension of the right of way on the far side of the road. This side lot line, as an extension of the right of way, is parallel to the road and therefore does not meet the LDC requirement of being perpendicular to the road.

The intent of this LDC requirement is to provide a uniform lot pattern along internal roadways where adequate access is provided to all lots. This last lot and home will follow the pattern created by homes along the street and will have ample and reasonable access at the terminal end of the right of way.

As proposed, the lot described becomes a premium lot for the development. Homeowners are availed the opportunity to utilize land which would otherwise be dedicated unnecessarily to right of way. The proposed development plans shows one location where this request applies, which enhances the overall project appeal to a variety of prospective buyers.

According to the Florida Fire Prevention Code, Chapter 18.2.3.4.4 regarding dead-ends, only dead-end access roads in excess of 150 feet in length are required to provide approved provisions for fire apparatus to turnaround. In this request the dead end roadway is less than 150' and as such, the proposed deviation will not create a detriment to the public health, safety, or welfare.

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2) **Deviation from LDC Section 10-296(p)(1) to eliminate the requirement that a dead-end street be closed at one end by a circular turnaround, to allow an alternative turnaround.**

Justification: This deviation request that has been used in other recent Lee County Developments applies to one location on the site plan. The right of way area for the proposed dead end is approximately 8300 square feet smaller than a cul de sac would be in the same situation. The proposed design can be more effectively and efficiently used to enhance the overall development such as project amenities, landscaping, open space and water management lakes which would otherwise be encumbered by a road right of way and only service a few residences.

According to the Florida Fire Prevention Code, Chapter 18.2.3.4.4 regarding dead-ends, only dead-end access roads in excess of 150 feet in length are required to provide approved provisions for fire apparatus to turnaround. In all instances of this request the dead end roadways are less than 150'.

Typically fire trucks pull to a fire hydrant and service the emergency by foot. As a condition of this deviation request, the applicant agrees to prohibit fire hydrants on the dead end streets. By locating fire hydrants only on the main streets the fire trucks will stop at the hydrant and not enter the dead end.

By limiting all dead end streets to a maximum of 150' and prohibiting fire hydrants on the dead ends the proposed deviation will not create a detriment to the public health, safety, or welfare.

3) **Deviation from LDC Section 10-703 to allow lot size to be measured as indicated on the Master Concept Plan.**

Justification: This deviation request that has been used in other recent Lee County developments applies to the last lot at the terminal end of small dead end roadways where no cul de sac exists. This last lot is a continuation of a string of lots which are consistent in width and depth which allow for the same line-up to be constructed.

The road right of way ends at the first side lot line of the terminal lot. This design provides adequate access to the last lot where the private drive will continue on the same trajectory as the road. Since continued roadway is not necessary to serve units in this area it allows the homeowner to obtain this land for private benefit.

This design creates an unusual lot configuration consisting of three side lot lines. The front lot line becomes the termination of the right of way, at the width of the right of way. As detailed on page 2 of the MCP, line #1 runs parallel with the string of lots along the road and connects to the end of the right of way. The lot line #2 is an extension of the right of way on the far side of the road. This second side lot line, while technically defined as a side lot line, is the length of the lot width typical throughout the development. Lot line #3 is 90 degrees to side lot line two. Lot line three is the length of lot line one plus the width of the right of way.

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Using the criteria for measuring lot depth as illustrated in LDC Section 10-703, side lot line #2 would cause this end lot to fail to meet minimum lot depth. To assist in future compliance review and to clarify this request additional notes have been added to Deviation 3 detail on the plans.

As proposed, the lot described becomes a premium lot for the development. Homeowners are availed the opportunity to utilize land which would otherwise be dedicated right of way for unique driveway entries and private uses such as small recreational areas or enhanced landscape features. The proposed development plans show one location where this request applies, which enhance the overall project appeal to a variety of prospective buyers. The lot and home in question will be a continuation of the lot pattern throughout the development and as such will not create a detriment to the public interest.

4) **Deviation from LDC Section 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 and one emergency stabilized access.**

Justification: This deviation request is to provide a single main access on Penzance Boulevard and an emergency stabilized access on Blasingim Road.

Providing an access onto Penzance Boulevard allows the applicant the opportunity to provide a landscaped area along Penzance Boulevard. The single access on Penzance Boulevard will direct residents to the single entrance with project themed branding. The single entrance is consistent with other developments along the road such as The Timbers, and Heritage Palms that have only one entrance on Penzance.

To ensure the public safety, health and welfare, a second emergency stabilized access is proposed at the southeast corner of the site onto Blasingim Road. In addition, the wide boulevard divided entry with two lanes in and two lanes out will allow two-way traffic on either side of the boulevard in the event that one side is blocked.

5) **Deviation from LDC Section 10-415(d)(2)c. which allows up to 25% of the required open space to be provided through water management lakes to allow 44% of the required open space to be provided through water management lakes.**

Justification: This deviation requests more of the proposed lake to be used as open space than is allowed by LDC. The MCP shows two lake areas. The northern portion is appropriately sized at 2.4 acres to serve the water management needs of the project. The southern portion, 1.8 acres labeled "additional bonus lake" on the MCP, is an expansion of the minimum lake to create a single large lake. Increasing the lake size, beyond that required to serve the project, creates many positive features which benefit the proposed development as well as the surrounding area. Many of the benefits are similar to open space features.

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LAKE SHORELINE: As a condition of this deviation the applicant proposes enhanced and strategic plantings around the lake. Littoral plantings are doubled; from 25% of the shoreline to 50%. Deep lake trees are doubles; from 1 tree per 100 l.f. of shoreline to 2 trees per 100 l.f. A portion of the general trees will also be allocated on the eastern side of the lake along Blasingim Road right of way at 3 trees per 100 l.f. These conditions will create a shoreline of open space benefits. Littoral plantings on ½ of the lake along with approximately 58 trees will achieve a natural shoreline, providing water quality benefits and natural habitat which would not be achieved with a typical water management lake following LDC criteria.

NATIVE HEDGE: As a second condition the applicant agrees to additional landscaping on three sides of the project. As required by LDC, no buffer is needed where the residential lots abut the project perimeter. The applicant proposes to enhance these areas by providing a native hedge. The hedge will be planted on the perimeter water management berm. The result is a conversion of an open space area from a sodded berm by LDC standards to an indigenous strip of landscaping surrounding the project. The west property line is especially conducive for habitat expansion given the existing conditions of the abutting property and heavy vegetation. The hedge will also aid to identify preserve limits to residents.

WATER DISCHARGE: One of the biggest benefits of expanding the lake is to the surrounding neighborhood. The area has historically consisted of large agricultural and residential lots, with minimal modern water management system. As the area has developed around the ag properties an east to west drainage problem has occurred. Bisecting the property towards the north end of the project is a drainage canal which serves as an outfall for this project and portions of the surrounding area. In additional to improving this canal, the applicant proposes to aid in water discharge reduction for the area by expanding the onsite lake. The result is an overall benefit to the offsite stormwater conveyance to the Ten Mile Canal for this basin, as established by Lee County, from 37 csm to 27 cs. The reduced allowable discharge benefits both upstream and downstream property owners by reducing peak flow in the offsite conveyance.

TRAFFIC: Expanding the lake creates more onsite excavation material. This will lessen the need for inhaul material which will lessen construction traffic with dump trucks and other heavy machinery.

AESTHETICS: The expanding lake along Blasingim Road will create more separation and additional buffer between the proposed development and existing single family estate lots on the east side of Blasingim Road. The lake provides approximately 835 l.f. along Blasingim Road (50' wide) with enhanced deep lake trees, littoral plantings and site specific located general trees to create an aesthetic open space and water management enhancement for drivers along Blasingim Road, neighboring residential lots and the residents of this development.

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6) **Deviation from LDC Section 10-415(c)(3) which requires minimum preservation width of 40' to allow a minimum preserve width of eight feet.**

Justification: This deviation request applies to the indigenous preserve strip along the site's western border. As cleared residential and agricultural land, the site contains only a small strip of vegetation that qualifies as indigenous preservation as defined by LDC. The applicant is unable to meet the preserve width criteria due to the size of the existing vegetation. The entire area shown as indigenous on the FLUCCFS map provided by Passarella and Associates has been preserved. Given existing conditions, approval of this deviation will allow the project to meet indigenous preservation to the greatest extent possible.

7) **Deviation from LDC Section 34-2015(2)(d) and 34-213(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.**

Justification: This deviation request applies to 90-degree parking at the amenity facility. The amenity area has been located in the southern portion of the site near the project's only interesting roads. Traffic counts will be very low in this location with only the few residents in the southernmost portion of the project traveling by the back-out parking. Due to the stopping and turning condition at the street intersection and the dead end road, traffic speeds will also be very low in this area. Use of the parking lot is also expected to be minimal given the size of the project and location of the amenity site. Most of the residents are expected to walk to the project amenities due to the fact that roughly half of the residential lots are located within 500' and the furthest lot will be located roughly 1/3-mile from the amenity site. Given the low traffic counts and speeds passing by the back out parking, and the expected low use of the parking spaces, approval of the requested deviation will not be a detriment to public safety, health or welfare.

Approval of the deviation will allow the developer to provide residents the option to drive and park, and provide handicap accessibility without the need to create a full parking lot. As designed, with back out parking on the road, less impervious area is created and the amenity site ties seamlessly to the project for a neighborhood park feel. A parking lot separating the amenity uses from the road would give the area a more commercialized feel. A parking lot would also create the need for landscape hedges to shield neighboring residents from vehicle lights maneuvering the parking area. While landscaping will be provided to enhance the amenity area, hedge rows which would surround a parking lot would break up the amenity area and separate the neighboring residences from the amenity components. As proposed the components of the amenity tract can be positioned to enhance the neighboring residences, lots which become premium lots rather than sub-par lots abutting a parking lot. Lights associated with back out parking will face

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the amenity uses and lights from parking maneuvering will be similar to roadway lights, which will not create the need to a large hedge for screening.

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

Justification: This deviation request applies to trees within 50-feet of the currently used Penzance Boulevard right of way and outside the proposed project entry road. The site contains a soldier row of pine trees near the power lines on the south side of Penzance Boulevard, a species prone to survivability issues when soils near the tree roots are disturbed. Attempts will be made to save the pines, but due to utilities along Penzance Boulevard and fill placement for the community some impacts to this sensitive plant species will be unavoidable. FP&L routinely sends crews to top off the pine trees due to the proximity to the power lines. During Development Order review the applicant will work with Lee County Environmental Staff to determine which trees will be affected and will replant with 10' tall native tree species at a 1:1 ratio. Replanted trees will be appropriately spaced to allow full canopies to grow, which will enhance the entrance to the development and create a more sustainable long term natural buffer along Penzance Boulevard.

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BLASINGIM ROAD RPD

Surface Water Management Plan
Revised July 10, 2016

DCI 2016-00011

A. Run-off characteristics of the property in its existing state.

Existing rainfall runoff sheet flows to miscellaneous onsite swales and is conveyed to the existing conveyance which bisects the subject parcel east to west where it is eventually discharged to the Ten Mile Canal.

B. In general terms, the drainage concept proposed, including the outfall to canals or natural water bodies, including how drainage flow from adjacent properties will be maintained.

Storm water runoff will be directed via storm pipe to an onsite lake, which will provide treatment and attenuation for the system prior to discharge. The control structure for the project will discharge into the existing ditch, which bisects the property east to west. The existing ditch conveys drainage westerly across the subject parcel from adjacent properties to the east. Conveyance from properties to the east will be maintained and will continue to pass through the subject parcel. This particular portion of the east/west stormwater conveyance will be perpetually maintained by the project's Homeowners' Association, providing a significant long term improvement to the conveyance which currently serves the surrounding area. The stormwater discharged from the control structure and the conveyance pass-through from the adjacent parcels will be conveyed west via the existing drainage conveyance to the ultimate discharge point of the Ten Mile Canal.

C. The retention features (including existing natural features) that will be incorporated into the drainage system and legal mechanisms, which will guarantee their maintenance.

The proposed Concept Plan includes a 0.20 acre preserve along the project's west boundary. The surface water management system will include a perimeter berm which will encompass the project's surface water management system; however, the perimeter berm will be placed on the edge of the proposed preserve and will not impact the 0.20 acre preserve. The preserve will remain in its existing condition as part of the surrounding existing drainage characteristics. The preserve will not be included in the property's surface water management system. Water quality for the system will be provided through a wet detention lake. The outfall from this system into the existing swale, which bisects the property, will be regulated by a control structure. The control structure will provide water quality and quantity attenuation. The onsite surface water management system will be maintained in perpetuity by a Community Development District or Property Owner's Association.

D. How will existing natural features be preserved? Include an estimate of the ranges of the existing post development water table elevations, where appropriate.

Per ERP #36-02878-S-02 an existing surface water management system located northeast of the subject parcel has a Control Elevation (CE) permitted at 14.3' NAVD88. Per ERP #36-067-14-P another existing surface water management system located southwest of the subject parcel has a CE permitted at 13.9' NAVD88. The subject parcel is located approximately equidistance between these two existing surface water management systems. The CE is estimated to be at 14.1' NAVD88.

E. If the property is subject to seasonal inundation or is subject to inundation by extreme swollen, by the rains of a 100-year storm event, indicate the measures that will be taken to mitigate the affects of expected flooding.

Measures that will be taken to mitigate the effects of potential flooding by rains of a 100-year storm event include the design and construction of finished floors of buildings at or above the maximum 100-year storm stage or the FEMA flood elevation, whichever is higher. Review and approval by South Florida Water Management District will be required.

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TR TRANSPORTATION CONSULTANTS, INC.

TRAFFIC IMPACT STATEMENT

FOR

BLASINGIM RPD

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COMMUNITY DEVELOPMENT

PROJECT NO. 1512.09

DCI 2016-00011

PREPARED BY:
TR Transportation Consultants, Inc.
2726 Oak Ridge Court, Suite 503
Fort Myers, Florida 33901
239-278-3090

May 19, 2016

TRANSPORTATION CONSULTANTS, INC.

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I. INTRODUCTION

TR Transportation Consultants, Inc. has conducted a traffic impact statement to fulfill requirements set forth by the Lee County Department of Community Development for projects seeking approval for zoning. This report has been completed in compliance with guidelines established in the Lee County Traffic Impact Statement Guidelines. The development site is located on the south side of Penzance Boulevard west of Six Mile Cypress Parkway in Lee County, Florida. The site location is illustrated on **Figure 1**.

The Developer is proposing to rezone the subject site to permit the development of a maximum of 120 dwelling units on the approximately 24 acre site. Primary access to the development will be provided via a gated entry on the south side of Penzance Boulevard.

This report examines the impact of the development on the surrounding roadways and intersections. Trip generation and assignments to the various surrounding intersections will be completed and analysis conducted to determine the impacts of the development on the surrounding streets and intersections.

II. EXISTING CONDITIONS

The subject site is currently occupied by two homes with the majority of the site being vacant. The subject site is bordered to the north by Penzance Boulevard, to the west and the south by the existing residential uses and to the east by Blasingim Road.

Six Mile Cypress Parkway is a four lane divided controlled access facility roadway that extends from U.S. 41 to Colonial Boulevard. Six Mile Cypress Parkway, east of the subject site, has a posted speed limit of 50 mph and is under the jurisdiction of the Lee County Department of Transportation.

Penzance Boulevard is a two lane undivided minor collector roadway that borders the subject site to the north. Penzance Boulevard extends west from Six Mile Cypress

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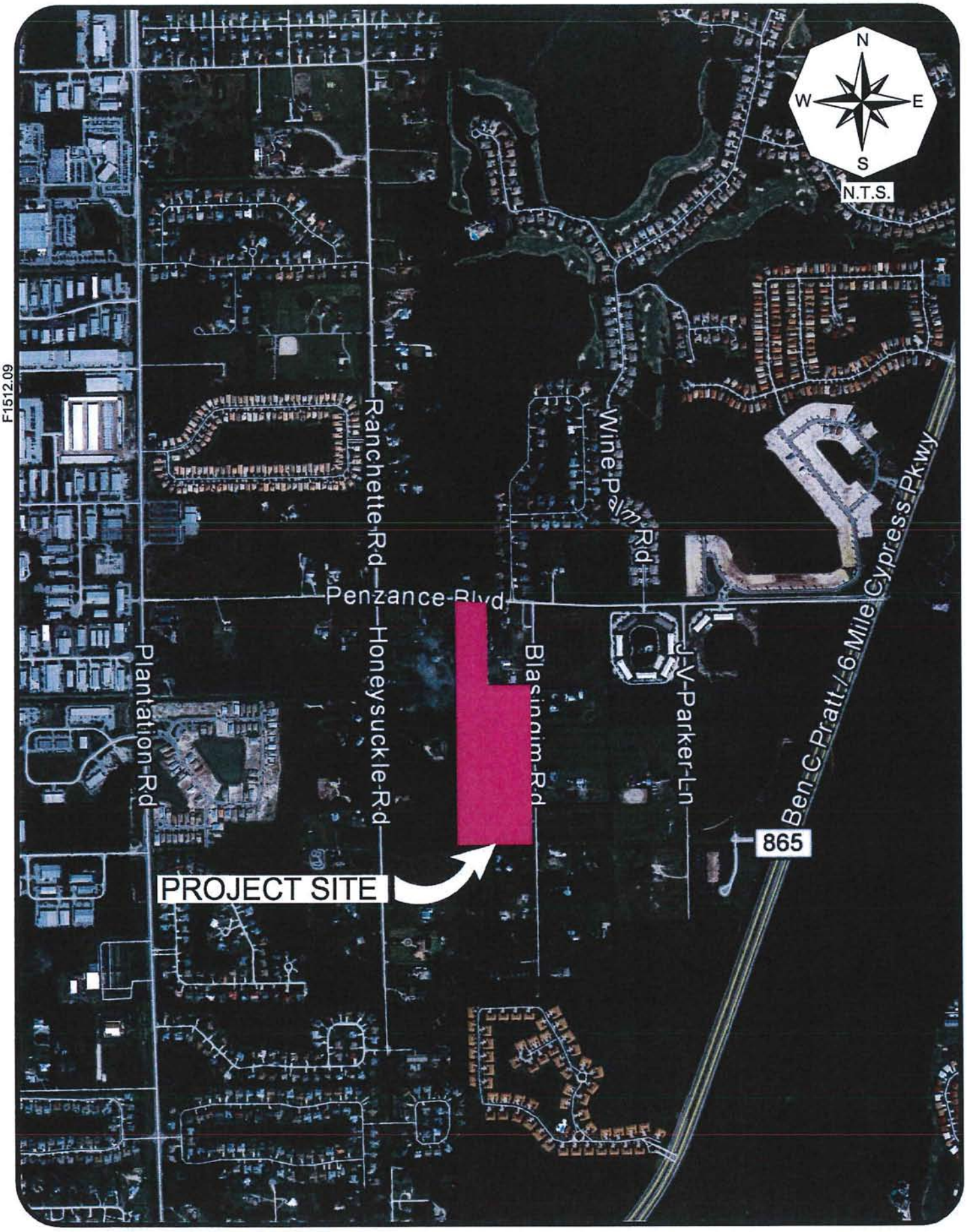

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PROJECT LOCATION MAP
BLASINGIM RPD

Figure 1

Parkway to Ranchette Road. West of Ranchette Road, Penzance Boulevard is an unimproved roadway located in a private easement which connects to Plantation Road, but is not open to through traffic. Therefore, development traffic was not assigned to Penzance Boulevard between Ranchette and Plantation. Future residents of this project will have access to Six Mile Cypress to the east and to Plantation Road and Metro Parkway to the west via Ranchette Road to Idlewild Street. Penzance Boulevard has a posted speed limit of 35 mph and is under the jurisdiction of the Lee County Department of Transportation.

Ranchette Road is a two lane undivided minor collector roadway that extends north from the Penzance Boulevard to Idlewild Street. Development traffic will utilize Ranchette Road to access Plantation Road and Metro Parkway to the west. Ranchette Road has a posted speed limit of 35 mph and is under the jurisdiction of the Lee County Department of Transportation.

III. PROPOSED DEVELOPMENT

Blasingim RPD is an approximately 24 acre proposed residential community within Lee County. The proposed development intensity was taken from the Master Concept plan prepared by Barraco and Associates.

Table 1 summarizes the land uses utilized for trip generation purposes for the subject development. Single Family Dwelling units were utilized for trip generation purposes as they generate the highest weekday peak hour and daily trips.

Table 1
Blasingim RPD
Land Uses

Land Use	Size
Single Family	120 Dwelling Units

IV. TRIP GENERATION

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation***, 9th Edition. Land Use Code 210 (Single-Family Detached Housing) was utilized for trip generation purposes. The equations for this land use are contained in the Appendix of this report for reference. **Table 2** outlines the anticipated weekday A.M. and P.M. peak hour trip generation of the Blasingim RPD as currently proposed. The daily trip generation is also indicated in the table.

Table 2
Blasingim RPD
Trip Generation

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily
	In	Out	Total	In	Out	Total	2-way
Single Family (120 Units)	23	71	94	78	46	124	1242

V. TRIP DISTRIBUTION

The trips shown in Table 2 were then assigned to the surrounding roadway system based on the anticipated routes the drivers will utilize to approach the site. Based on current and projected population in the area and other existing or planned competing/complementary uses in the area, a distribution of the site traffic was formulated. The anticipated trip distribution of the development traffic is shown on **Figure 2**. Also shown on Figure 2 is the assignment of project related trips to the site access drive to Penzance Boulevard.

In order to determine which roadway segments surrounding the site will be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, **Table 1A**, contained in the Appendix, was created. This table indicates which roadway links will accommodate greater than 10% of the Peak Hour – Peak Direction Level of Service "C" volumes, as defined by the Lee County Generalized Peak Hour Directional Service

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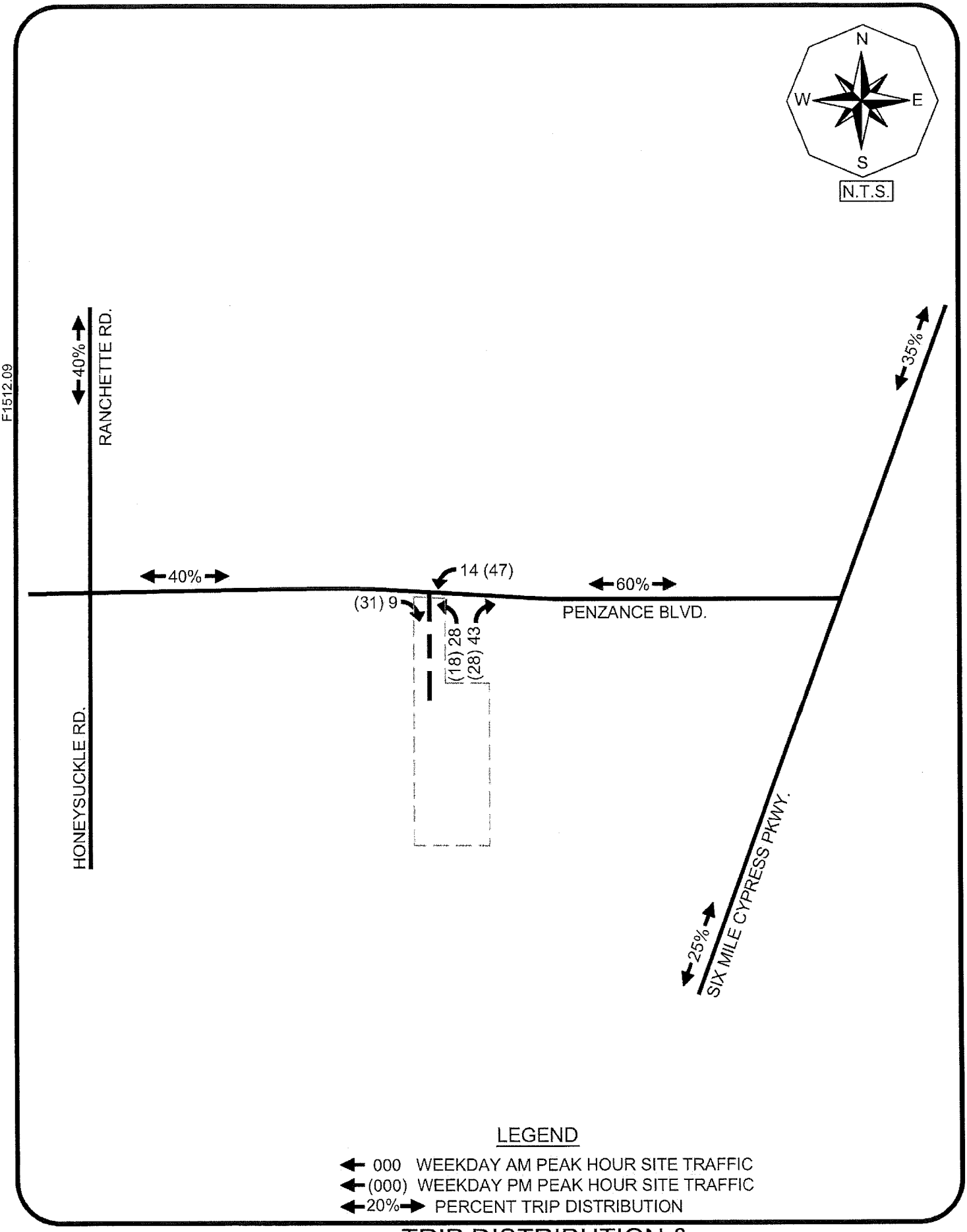

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TRIP DISTRIBUTION & SITE TRAFFIC ASSIGNMENT BLASINGIM RPD

Figure 2

Volume Tables. A copy of the Generalized Service Volume Table is located in the Appendix of this report for reference.

VI. FUTURE TRAFFIC CONDITIONS

A horizon year analysis of 2022 was selected as the analysis year to evaluate the future impacts this project will have on the surrounding roadway network. Based on this horizon year, a growth rate was applied to the existing traffic conditions for all roadway links that could be significantly impacted by this development. The existing roadway link traffic data was obtained from the 2015 Lee County Traffic Count Report. Based on the project distribution shown in Figure 2, the link data was analyzed for the year 2022 without the development and year 2022 with the development.

Figure 3 indicates the year 2022 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area. Noted on Figure 3 is the peak hour – peak direction volume and Level of Service of each link should no development occur on the subject site and the peak hour – peak direction volume and Level of Service for the weekday A.M. and P.M. peak hours with the development traffic added to the roadways. These figures are also derived from **Table 2A** contained in the Appendix.

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

Figure 3 details the Levels of Service for all links inside the project's area of influence based on this analysis. In comparing the links' functional classification and calculated 2022 traffic volumes to the Service Volume Tables, it was determined that all roadway links analyzed will continue to operate at an acceptable Level of Service in 2022 both with and without the proposed development. Six Mile Cypress Parkway, Penzance Boulevard and Ranchette Road are shown to operate at LOS "C" both with and without the project in the year 2022. Therefore no roadway capacity improvements will be warranted as a result of the additional traffic to be generated by the proposed development.

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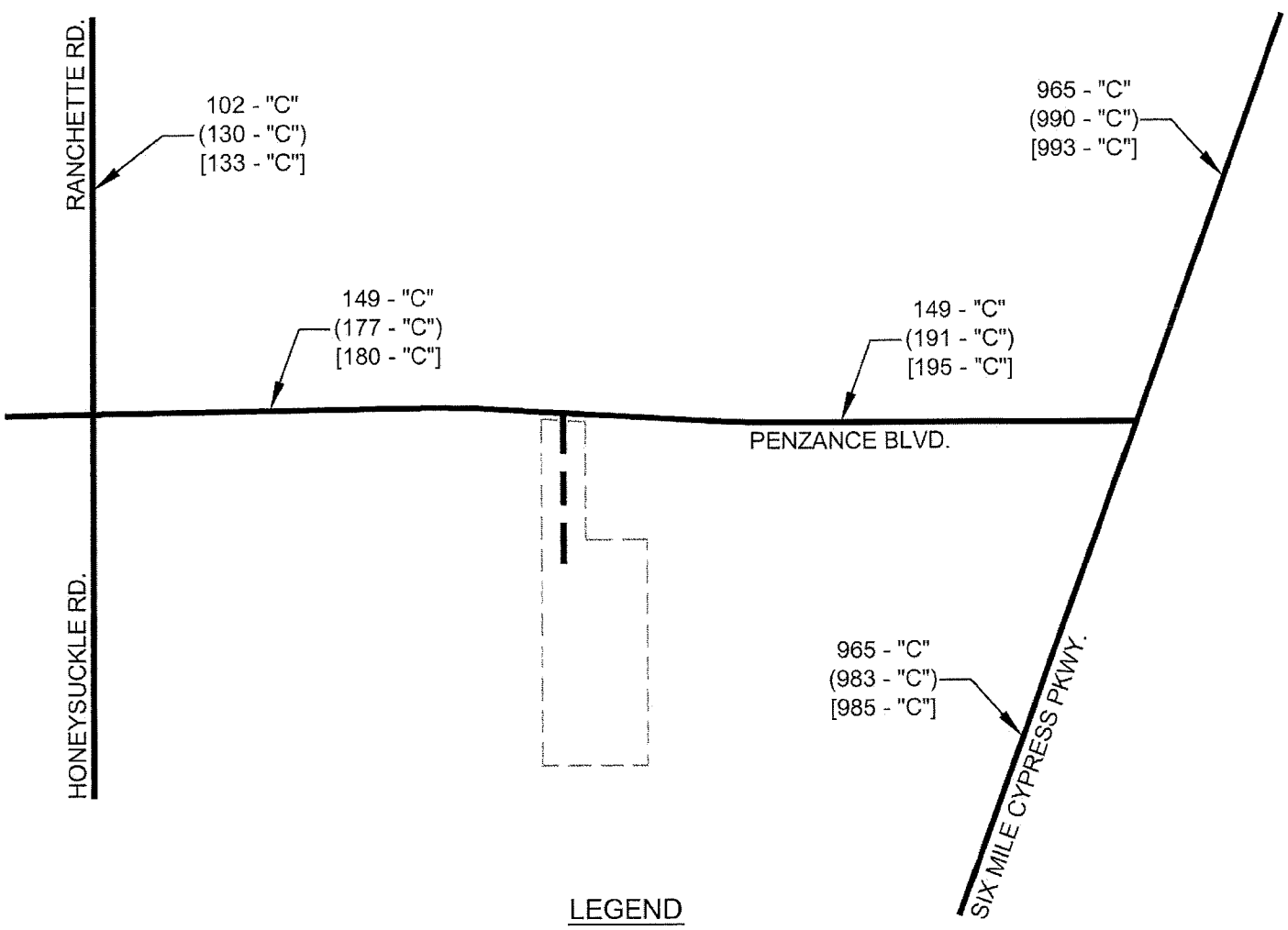

LEGEND

XXX - "C" 2022 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND TRAFFIC VOLUME
AND LEVEL OF SERVICE DESIGNATION

(XXX -"C") 2022 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND TRAFFIC VOLUME
PLUS AM PEAK HOUR PROJECT TRIPS
AND LEVEL OF SERVICE DESIGNATION

[XXX -"C"] 2022 PEAK SEASON PEAK HOUR
PEAK DIRECTION BACKGROUND TRAFFIC VOLUME
PLUS PM PEAK HOUR PROJECT TRIPS

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PROJECTED 2022 LEVEL OF SERVICE
BLASINGIM RPD

Figure 3

VIII. CONCLUSION

The development of the subject property with approximately 120 single family residential dwelling units on the south side of Penzance Boulevard east of Ranchette Road and west of Six Mile Cypress Parkway in Lee County, Florida will not degrade the Level of Service. Six Mile Cypress Parkway, Penzance Boulevard and Ranchette Road are all shown to operate at LOS "C" both with and without the project in the year 2022. The existing roadway network can accommodate the additional new vehicle trips the development is anticipated to generate. The rezoning meets the requirements of the Lee County Comprehensive Plan and Land Development Code in terms of providing adequate transportation facilities necessary to accommodate the project traffic demand. Site specific turn lane improvements will be warranted based on the Lee County Turn Lane Policy and will be further defined in the Development Order process.

APPENDIX

TABLES 1A & 2A

TABLE 1A
PEAK DIRECTION PROJECT TRAFFIC VS. LOS C LINK VOLUMES
BLASINGIM RPD

TOTAL AM PEAK HOUR PROJECT TRAFFIC =	94 VPH	IN=	23	OUT=	71
TOTAL PM PEAK HOUR PROJECT TRAFFIC =	124 VPH	IN=	78	OUT=	46

ROADWAY	SEGMENT	ROADWAY CLASS	LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME	PROJECT TRAFFIC DISTRIBUTION	NEW PROJ TRAFFIC AM PEAK	NEW PROJ TRAFFIC PM PEAK	PROJ/ LOS C
Six Mile Cypress Pkwy	North of Penzance Blvd.	4LD	0	270	1,970	2,100	2,100	35%	25	27	1.39%
	South of Penzance Blvd.	4LD	0	270	1,970	2,100	2,100	25%	18	20	0.99%
Penzance Blvd.	East of Site Access	2LU	0	0	310	670	740	60%	43	47	15.10%
	West of Site Access	2LU	0	0	310	670	740	40%	28	31	10.06%
Ranchette Rd.	North of Penzance Blvd.	2LU	0	0	310	670	740	40%	28	31	10.06%

* The Level of Service thresholds for all roadway segments were obtained from Lee County Generalized Peak Hour Directional Service Volumes (Sept. 2013)

TABLE 2A
HORIZON YEAR TRAFFIC VOLUMES AND 100TH HIGHEST HOUR LEVEL OF SERVICE ANALYSIS
BLASINGIM RPD

TOTAL AM PEAK HOUR PROJECT TRAFFIC =	94	VPH	IN=	23	OUT=	71
TOTAL PM PEAK HOUR PROJECT TRAFFIC =	124	VPH	IN=	78	OUT=	46

ROADWAY	SEGMENT	SITE/ STATION	BASE YR ADT	2015 ADT	YRS OF GROWTH	ANNUAL RATE	2014 PK HR PK SEASON PEAK DIR.[1]	2022 PK HR PK SEASON PEAK DIRECTION VOLUME	LOS	PROJECT TRAFFIC DISTRIBUTION	AM PROJ TRAFFIC	PM PROJ TRAFFIC	2022 BCKGRND + AM PROJ VOLUME	LOS	2022 BCKGRND + PM PROJ VOLUME	LOS
Six Mile Cypress Pkwy	North of Penzance Blvd.	388	16,200	18,200	7	1.68%	845	965	C	35%	25	27	990	C	993	C
	South of Penzance Blvd.	388	16,200	18,200	7	1.68%	845	965	C	25%	18	20	983	C	985	C
Penzance Blvd.	East of Site Access					1.68%	130	149	C	60%	43	47	191	C	195	C
	West of Site Access					1.68%	130	149	C	40%	28	31	177	C	180	C
Ranchette Rd.	North of Penzance Blvd.					1.68%	89	102	C	40%	28	31	130	C	133	C

[1]The 2014 peak hour, peak season, peak direction traffic volumes were taken from the 2015 Lee County Concurrency Report

Due to lack of traffic data on Penzance and Ranchette in the Traffic County Report, the growth rate for Six Mile Cypress was utilized for these two roads

2015 LEE COUNTY CONCURRENCY REPORT

ROADWAY LINK NAME	FROM	TO	ROAD TYPE	PERFORMANCE STANDARD		2014 100th HIGHEST HR		EST 2015 100th HIGHEST HR		FORECAST FUTURE VOL		NOTES*	LINK NO.
				LOS	CAPACITY	LOS	VOLUME	LOS	VOLUME	LOS	VOLUME		
PALM BEACH BL (SR 80)	JOEL BLVD	HENDRY COUNTY LINE	4LD	C	2,320	A	530	A	533	B	1,243		20400
PALOMINO RD	DANIELS PKWY	PENZANCE BL	2LU	E	860	C	324	C	325	C	391	Turn lanes/bike path in FY 16/17	20500
PARK MEADOW DR*	SUMMERLIN RD	US 41	2LU	E	860	C	133	C	134	C	269		20600
PENZANCE BL*	RANCHETTE RD	SIX MILE CYPRESS PKWY	2LU	E	860	C	130	C	130	C	132		20800
PINE ISLAND RD	STRINGFELLOW BL	BURNT STORE RD	2LN	E	950	E	578	E	578	E	578	Constrained in part v/c = 0.61	20900
PINE ISLAND RD (SR 78)	BURNT STORE RD	CHIQUITA BL	4LD	C	2,160	A	626	A	626	A	641		21000
PINE ISLAND RD (SR 78)	CHIQUITA BL	SANTA BARBARA BL	4LD	C	2,160	A	1,587	A	1,587	A	1,587		21100
PINE ISLAND RD (SR 78)	SANTA BARBARA BL	DEL PRADO BL	4LD	C	2,160	B	1,876	B	1,878	B	1,967		21200
PINE ISLAND RD (SR 78)	DEL PRADO BL	BARRETT RD	4LD	E	2,160	A	1,229	A	1,233	A	1,233		21300
PINE ISLAND RD (SR 78)	BARRETT RD	US 41	4LD	E	2,160	A	1,229	A	1,229	A	1,232		21400
PINE ISLAND RD (SR 78)	US 41	BUSINESS 41	4LD	E	1,720	C	1,256	C	1,256	C	1,351		21500
PINE RIDGE RD*	SAN CARLOS BL	SUMMERLIN RD	2LU	E	860	C	458	C	458	C	458		21600
PINE RIDGE RD*	SUMMERLIN RD	GLADIOLUS BL	2LU	E	860	C	253	C	253	C	253		21700
PINE RIDGE RD	GLADIOLUS DR	McGREGOR BL	2LU	E	860	C	233	C	233	C	233		21800
PLANTATION RD	SIX MILE CYPRESS PKWY	DANIELS PKWY	2LU	E	860	C	314	C	314	C	518		21900
PLANTATION RD	DANIELS PKWY	IDLEWILD ST	2LU	E	860	D	707	D	722	D	840	Roundabout at Crystal Dr in FY 14/15	22000
PLANTATION RD	IDLEWILD ST	COLONIAL BL	4LD	E	1,790	C	473	C	473	C	473		22050
PONDELLA RD	PINE ISLAND RD (SR 78)	ORANGE GROVE BL	4LD	E	1,900	B	935	B	935	B	938		22100
PONDELLA RD	ORANGE GROVE BL	US 41	4LD	E	1,900	B	1,205	B	1,205	B	1,205		22200
PONDELLA RD	US 41	BUSINESS 41	4LD	E	1,900	B	1,013	B	1,013	B	1,089		22300
PRICHETT PKWY*	BAYSHORE RD	RICH RD	2LU	E	860	C	73	C	73	C	76		22400
RANCHETTE RD*	PENZANCE BL	IDLEWILD ST	2LU	E	860	C	89	C	89	C	483		22500
RICH RD*	SLATER RD	PRITCHETT PKWY	2LU	E	860	C	55	C	55	C	55		22600
RICHMOND AVE*	LEELAND HEIGHTS BL	E 12th ST	2LU	E	860	C	72	C	73	C	74		22700
RICHMOND AVE*	E 12th ST	GREENBRIAR BL	2LU	E	860	C	59	C	60	C	79		22800
RIVER RANCH RD*	WILLIAMS RD	CORKSCREW RD	2LU	E	860	C	92	C	94	C	94		22900
SAN CARLOS BL (SR 865)	ESTERO BL	MAIN ST	2LB	E	1,100	B	1,066	B	1,069	F	1,112	Constrained in part v/c = 0.97; PD&E study by FDOT in FY 18/19	23000
SAN CARLOS BL (SR 865)	MAIN ST	SUMMERLIN RD	4LD	E	1,780	B	1,066	B	1,066	B	1,091	PD&E study by FDOT in FY 18/19	23100
SAN CARLOS BL (SR 865)	SUMMERLIN RD	KELLY RD	2LN	E	1,000	B	691	B	692	B	952		23180

ROADWAY LINK NAME	FROM	TO	ROAD TYPE	PERFORMANCE STANDARD		2014 100th HIGHEST HR		EST 2015 100th HIGHEST HR		FORECAST FUTURE VOL		NOTES*	LINK NO.
				LOS	CAPACITY	LOS	VOLUME	LOS	VOLUME	LOS	VOLUME		
SAN CARLOS BL (SR 865)	KELLY RD	GLADIOLUS RD	4LD	E	1,460	C	691	C	691	C	695		23200
SAN CARLOS BL (SCP)*	US 41	THREE OAKS PKWY	2LN	E	860	C	255	C	256	C	256		23230
SANIBEL BL*	US 41	LEE BL	2LN	E	860	C	479	C	479	C	485		23260
SANIBEL CAUSEWAY	SANIBEL CAUSEWAY	TOLL PLAZA	2LN	E	1,050	E	849	E	849	E	860		23300
SHELL POINT BL*	McGREGOR BL	PALM ACRES	2LN	E	860	C	260	C	274	C	310		23400
SIX MILE CYPRESS PKWY (SR 739)	US 41	METRO PKWY	4LD	E	1,920	B	1,577	B	1,577	B	1,646		23500
SIX MILE CYPRESS PKWY	METRO PKWY	DANIELS PKWY	4LD	E	1,920	B	1,103	B	1,119	B	1,147		23600
SIX MILE CYPRESS PKWY	DANIELS PKWY	WINKLER AVE	4LD	E	1,900	B	845	B	845	B	954		23700
SIX MILE CYPRESS PKWY	WINKLER AVE	CHALLENGER BL	4LD	E	1,900	B	809	B	809	B	809		23800
SIX MILE CYPRESS PKWY	CHALLENGER BL	COLONIAL BL	6LD	E	2,860	A	809	A	809	A	809		23900
SLATER RD*	BAYSHORE RD (SR 78)	NALLE GRADE RD	2LU	E	1,010	C	328	C	329	C	331		24000
SOUTH POINTE BL*	CYPRESS LAKE DR	COLLEGE PKWY	2LD	E	860	D	607	D	607	D	607		24100
SR 31	PALM BEACH BL	BAYSHORE RD (SR78)	2LN	E	1,310	B	380	B	380	B	382		24200
SR 31	BAYSHORE RD (SR 78)	CHARLOTTE COUNTY LINE	2LN	E	1,310	B	310	B	311	B	317		24300
STALEY RD*	ORANGE RIVER BL	LUCKETT RD	2LU	E	860	C	170	C	171	C	196		24400
STRINGFELLOW RD	FIRST AVE	BERKSHIRE RD	2LN	E	1,060	B	293	B	300	D	643		24500
STRINGFELLOW RD	BERKSHIRE RD	PINE ISLAND RD	2LN	E	1,060	B	293	B	296	C	425		24600
STRINGFELLOW RD	PINE ISLAND RD	PINELAND RD	2LN	E	1,060	D	527	D	534	D	635		24700
STRINGFELLOW RD*	PINELAND RD	MAIN ST	2LN	E	1,060	B	178	B	183	B	273		24800
SUMMERLIN RD	McGREGOR BL	KELLY COVE RD	4LD	E	1,980	B	1,190	B	1,190	B	1,198		24900
SUMMERLIN RD*	KELLY COVE RD	SAN CARLOS BL	4LD	E	1,980	B	1,055	B	1,055	B	1,055		25000
SUMMERLIN RD*	SAN CARLOS BL	PINE RIDGE RD	6LD	E	2,980	B	1,000	B	1,000	B	1,235		25100
SUMMERLIN RD	PINE RIDGE RD	BASS RD	6LD	E	2,980	B	1,809	B	1,809	B	1,902		25200
SUMMERLIN RD	BASS RD	GLADIOLUS DR	6LD	E	2,980	B	1,809	B	1,811	B	1,913		25300
SUMMERLIN RD	GLADIOLUS DR	CYPRESS LAKE DR	4LD	E	1,980	B	1,320	B	1,321	B	1,464		25400
SUMMERLIN RD	CYPRESS LAKE DR	COLLEGE PKWY	6LD	E	2,960	C	1,414	C	1,414	C	1,414		25500
SUMMERLIN RD	COLLEGE PKWY	MAPLE DR	6LD	E	2,960	C	1,690	C	1,690	C	1,709		25600
SUMMERLIN RD	MAPLE DR	BOY SCOUT DR	6LD	E	2,960	C	1,690	C	1,690	C	1,690		25700
SUMMERLIN RD	BOY SCOUT DR	MATTHEWS DR	4LD	E	1,760	D	1,172	D	1,172	D	1,172		25800
SUMMERLIN RD	MATTHEWS DR	COLONIAL BL	4LD	E	1,760	D	1,172	D	1,172	D	1,172		25900
SUNRISE BL*	ALEX BELL BL	COLUMBUS AVE	2LU	E	860	C	44	C	45	C	55		26000
SUNSHINE BL	IMMOKALEE RD (SR82)	SW 23rd ST	2LN	E	1,040	C	382	C	385	C	388		26100
SUNSHINE BL	SW 23rd ST	LEE BL	2LN	E	1,040	C	319	C	320	C	320		26150
SUNSHINE BL	LEE BL	W 12th ST	2LN	E	1,040	C	447	C	451	C	451		26200
SUNSHINE BL*	W 12th ST	W 75th ST	2LN	E	1,040	B	250	B	251	C	458		26300
SW 23rd ST	GUNNERY RD	SUNSHINE BL	2LU	E	860	D	592	D	592	D	592		26400

LEE COUNTY GENERALIZED SERVICE VOLUME TABLE

Lee County
Generalized Peak Hour Directional Service Volumes
Urbanized Areas

Sept. 2013 c:\input4

Uninterrupted Flow Highway

Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	120	420	840	1,190	1,640
2	Divided	1,060	1,810	2,560	3,240	3,590
3	Divided	1,600	2,720	3,840	4,860	5,380

Arterials

Class I (40 mph or higher posted speed limit)

Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	*	140	800	860	860
2	Divided	*	260	1,840	1,960	1,960
3	Divided	*	410	2,840	2,940	2,940
4	Divided	*	550	3,840	3,940	3,940

Class II (35 mph or slower posted speed limit)

Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	*	*	330	710	780
2	Divided	*	*	710	1,590	1,660
3	Divided	*	*	1,150	2,450	2,500
4	Divided	*	*	1,580	3,310	3,340

Controlled Access Facilities

Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	*	160	880	940	940
2	Divided	*	270	1,970	2,100	2,100
3	Divided	*	430	3,050	3,180	3,180

Collectors

Level of Service

Lane	Divided	A	B	C	D	E
1	Undivided	*	*	310	670	740
1	Divided	*	*	330	710	780
2	Undivided	*	*	740	1,460	1,460
2	Divided	*	*	780	1,530	1,530

Note: the service volumes for I-75 (freeway), bicycle mode, pedestrian mode, and bus mode should be from FDOT's most current version of LOS Handbook.

TRAFFIC DATA FOR

SIX MILE CYPRESS PARKWAY

STREET	LOCATION	Station #	Daily Traffic Volume (AADT) 2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	PCS	Area
SANTA BARBARA BV	S OF SW 22 TERR	54	25100	27700	26500	21700	21700	20700	22200	21800	22800	24900		
SANTA BARBARA BV	S OF SW 28 ST	55	27900	27700	25800		26700	21300	22200	22600	23400	24800		
SHELL POINT BLVD	N OF MCGREGOR BLVD	385	4600	5400	3300	4600	4600						36	7
SENTINELA BLVD	E OF MOORE AVE	478	1700	1600	1200	1000	1200						6	5
VERONICA SHOEMAKER BL	S OF PALM BEACH BV	605	5600	6800	5500	4900							20	3
VERONICA SHOEMAKER BL	N OF M.L.K. BLVD (SR 82)	606	U/C	10100	9000	8100							20	3
VERONICA SHOEMAKER BL	N OF COLONIAL BLVD	607	2600	6600	6000	5400							20	3
SIX MILE CYPRESS PKWY	E OF US 41	386	33600	31800	29200	29400	28300			29300			46	4
SIX MILE CYPRESS PKWY	E OF METRO PKWY	387	23600	25200	22900	21600	23400			26900	26700		46	4
SIX MILE CYPRESS PKWY	N OF DANIELS PKWY	388	19200	20100	16200	17800	17900	13500		15400	17000	18200	18	3
SIX MILE CYPRESS PKWY	N OF WINKLER AVE	18	15700	16000	14000	13400	13500	11800	11500	14000	15200	18000		3
SLATER RD	N OF BAYSHORE RD (SR 78)	389	6500	6500	6100	6200	6400	6500		6600		7600	64	2
SOUTH POINTE BLVD	N OF CYPRESS LAKE DR	390	10100	9500	9100	9500	10900						43	3
SOLOMON BLVD	N OF COLONIAL BLVD	623	7800	7400	6700	7200							29	3
SOLOMON BLVD	N OF WINKLER AVE	622	4700	4900	5200	4800							29	3
SR 31	N OF PALM BEACH BLVD	391	12200	9900	7500	7700							11	2
SR 31	S OF CHARLOTTE CO LINE	392	9000	6900	5200	4600							34	2
STALEY RD	S OF ORANGE RIVER BLVD	398	3700	4300	4100	3000	3300	3700		3400		2600	11	3
STRINGFELLOW BLVD	N OF CASTILE RD	27	4600	4500	4100	4200	4000	4000	4000	4000	4200	4400		7
STRINGFELLOW BLVD	S OF PINE ISLAND RD	400	9900	10200	9300	8800							27	7
STRINGFELLOW BLVD	N OF AVENUE C	399	9000	8800	8400	7500	7400	7700	7700	8000	8100	8700	27	7

TRIP GENERATION EQUATIONS

TRIP GENERATION EQUATIONS
BLASINGIM
ITE TRIP GENERATION REPORT, 9th EDITION

Land Use	Weekday AM Peak Hour	Weekday PM Peak Hour	Daily (2-way)
Single Family Detached Housing (LUC 210)	T = 0.70 (X) + 9.74 (25% In / 75% Out)	Ln (T) = 0.90 Ln (X) + 0.51 (63% In / 37% Out)	Ln (T) = 0.92 Ln (X) + 2.72
T = Number of Trips, X = Number of dwelling units			

TR TRANSPORTATION CONSULTANTS, INC.

2726 OAK RIDGE COURT, SUITE 503
FORT MYERS, FL 33901-9356
OFFICE 239.278.3090
FAX 239.278.1906
WWW.TRTRANS.NET

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

July 8, 2016

RECEIVED
JUL 14 2016
COMMUNITY DEVELOPMENT

Ms. Jennifer Sapen
Barraco & Associates, Inc.
2271 McGregor Blvd.
Suite 100
Fort Myers, FL 33901

DCI 2016-00011

RE: Blasingim Road RPD
DCI2016-00011

Dear Ms. Sapen:

TR Transportation Consultants, Inc. has reviewed the comments issued by the Lee County Department of Community Development for the proposed Blasingim Road RPD application. The comments and TR Transportation's response to those comments are listed below for reference.

LC ZTIS PD Application Sufficiency Checklist

3) Site Plan. The TIS must contain a drawing showing the proposed project access point(s) & location of all other access points on both sides of all streets being accessed within 660 feet for project entrances on arterial streets, within 330 feet for project entrances on collector streets & within 125 feet for project entrances on local streets.

See revised Master Concept Plan prepared by Barraco & Associates.

7a) The TIS must contain an analysis of the Level of Service for each of the projects access points and all intersections within one-quarter mile of the project. The analysis must follow the methods established in the most current edition of the HIGHWAY CAPACITY MANUAL for either signalized or unsignalized intersections.

This information is attached to this letter. The analysis is based on a recent turning movement count conducted by TR Transportation Consultants. The traffic volumes projections are illustrated in the attached spreadsheet titled Development of Future Background Turning Volumes.

If you have any additional questions, please do not hesitate to contact me.

Sincerely,

Ted B. Treesh, PTP
President

Attachments

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COMMUNITY DEVELOPMENT
DCI 2016-00011

K: 2015 12 December 09 Blasingim Road Rezoning sufficiency 7-8-2016 Blasingim RPD.doc

Movement	NBL	NBT	SBT	SBR	NEL	NER
Lane Configurations						
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Volume (veh/h)	11	104	147	6	3	7
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	12	113	160	7	3	8
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type					None	
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	166				300	163
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	166				300	163
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	99				100	99
cM capacity (veh/h)	1412				686	882

Direction, Lane #	NB 1	SB 1	NE 1
Volume Total	125	166	11
Volume Left	12	0	3
Volume Right	0	7	8
cSH	1412	1700	812
Volume to Capacity	0.01	0.10	0.01
Queue Length 95th (ft)	1	0	1
Control Delay (s)	0.8	0.0	9.5
Lane LOS	A		A
Approach Delay (s)	0.8	0.0	9.5
Approach LOS			A

Intersection Summary			
Average Delay	0.7		
Intersection Capacity Utilization	24.6%	ICU Level of Service	A
Analysis Period (min)	15		

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DCI 2016-00011

Movement	NBL	NBT	SBT	SBR	NEL	NER
Lane Configurations						
Sign Control		Free	Free		Stop	
Grade		0%	0%		0%	
Volume (veh/h)	11	122	178	6	3	7
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	12	133	193	7	3	8
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type					None	
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume	200				353	197
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol	200				353	197
tC, single (s)	4.1				6.4	6.2
tC, 2 stage (s)						
tF (s)	2.2				3.5	3.3
p0 queue free %	99				99	99
cM capacity (veh/h)	1372				639	844

Direction, Lane #	NB 1	SB 1	NE 1
Volume Total	145	200	11
Volume Left	12	0	3
Volume Right	0	7	8
cSH	1372	1700	770
Volume to Capacity	0.01	0.12	0.01
Queue Length 95th (ft)	1	0	1
Control Delay (s)	0.7	0.0	9.7
Lane LOS	A		A
Approach Delay (s)	0.7	0.0	9.7
Approach LOS			A

Intersection Summary			
Average Delay	0.6		
Intersection Capacity Utilization	25.5%	ICU Level of Service	A
Analysis Period (min)	15		

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COMMUNITY DEVELOPMENT

DCI 2016-00011

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Sign Control	Free			Free	Stop	
Grade	0%			0%	0%	
Volume (veh/h)	154	31	47	86	18	28
Peak Hour Factor	0.92	0.92	0.92	0.92	0.92	0.92
Hourly flow rate (vph)	167	34	51	93	20	30
Pedestrians						
Lane Width (ft)						
Walking Speed (ft/s)						
Percent Blockage						
Right turn flare (veh)						
Median type					None	
Median storage veh)						
Upstream signal (ft)						
pX, platoon unblocked						
vC, conflicting volume			201		380	184
vC1, stage 1 conf vol						
vC2, stage 2 conf vol						
vCu, unblocked vol			201		380	184
tC, single (s)			4.1		6.4	6.2
tC, 2 stage (s)						
tF (s)			2.2		3.5	3.3
p0 queue free %			96		97	96
cM capacity (veh/h)			1371		599	858

Direction, Lane #	EB 1	WB 1	NB 1
Volume Total	201	145	50
Volume Left	0	51	20
Volume Right	34	0	30
cSH	1700	1371	734
Volume to Capacity	0.12	0.04	0.07
Queue Length 95th (ft)	0	3	5
Control Delay (s)	0.0	2.9	10.3
Lane LOS		A	B
Approach Delay (s)	0.0	2.9	10.3
Approach LOS			B

Intersection Summary			
Average Delay	2.4		
Intersection Capacity Utilization	30.4%	ICU Level of Service	A
Analysis Period (min)	15		

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Development of Future Year Background Turning Volumes

Intersection	**Ranchette Rd & Penzance Blvd**
Count Date	July 5th, 2016
Build-Out Year	2022

PM Peak Hour

	NBL	NBT	NBR	SBL	SBT	SBR	EBL	EBT	EBR	WBL	WBT	WBR
RAW Turning Movement Counts	0	2	2	110	4	1	1	4	1	8	1	78
Peak Season Correction Factor	1.21	1.21	1.21	1.21	1.21	1.21	1.21	1.21	1.21	1.21	1.21	1.21
Current Peak Season Volumes	0	2	2	133	5	1	1	5	1	10	1	94
Growth Rate	0.00%	0.00%	0.00%	1.68%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	1.68%
Years to Build-out	6	6	6	6	6	6	6	6	6	6	6	6
2022 Background Turning Volumes	**0**	**2**	**2**	**147**	**5**	1	**1**	**5**	**1**	**10**	**1**	**104**
Project Turning Volumes	0	0	0	31	0	0	0	0	0	0	0	18
2022 Background + Project	**0**	**2**	**2**	**178**	**5**	1	**1**	**5**	**1**	**10**	**1**	**122**

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TRANSPORTATION CONSULTANTS, INC.

DATE: July 5, 2016
DAY: TUESDAY
COUNT TIME: 4:00 PM - 6:00 PM
TRAFFIC: ALL TRIPS

15 MINUTE SUMMARY OF INDIVIDUAL MOVEMENTS

Ranchette Rd & Penzance Blvd

15 MIN BEGIN	Ranchette Rd								Penzance Blvd								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
4:00 PM	0	0	1	1	18	1	0	19	0	0	0	0	1	0	10	11	31
4:15 PM	0	1	1	2	17	0	0	17	0	0	1	1	2	0	14	16	36
4:30 PM	0	0	2	2	19	1	0	20	0	1	0	1	0	1	22	23	46
4:45 PM	0	0	2	2	21	2	0	23	0	1	0	1	2	1	10	13	39
5:00 PM	0	1	0	1	29	0	0	29	1	2	0	3	0	0	20	20	53
5:15 PM	0	0	0	0	36	2	0	38	0	0	1	1	4	0	14	18	57
5:30 PM	0	1	1	2	26	1	0	27	0	1	0	1	4	0	27	31	61
5:45 PM	0	0	1	1	19	1	1	21	0	1	0	1	0	1	17	18	41
TOTAL:	0	3	8	11	185	8	1	194	1	6	2	9	13	3	134	150	364

HOURLY SUMMARY OF INDIVIDUAL MOVEMENTS

Ranchette Rd & Penzance Blvd

HOUR BEGIN	Ranchette Rd								Penzance Blvd								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
4:00 PM	0	1	6	7	75	4	0	79	0	2	1	3	5	2	56	63	152
4:15 PM	0	2	5	7	86	3	0	89	1	4	1	6	4	2	66	72	174
4:30 PM	0	1	4	5	105	5	0	110	1	4	1	6	6	2	66	74	195
4:45 PM	0	2	3	5	112	5	0	117	1	4	1	6	10	1	71	82	210
5:00 PM	0	2	2	4	110	4	1	115	1	4	1	6	8	1	78	87	212

PEAK HOUR SUMMARY

HOUR BEGIN	Ranchette Rd								Penzance Blvd								INTER-SECTION TOTAL
	NORTHBOUND				SOUTHBOUND				EASTBOUND				WESTBOUND				
	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	LEFT	THRU	RIGHT	TOTAL	
5:00 PM	0	2	2	4	110	4	1	115	1	4	1	6	8	1	78	87	212

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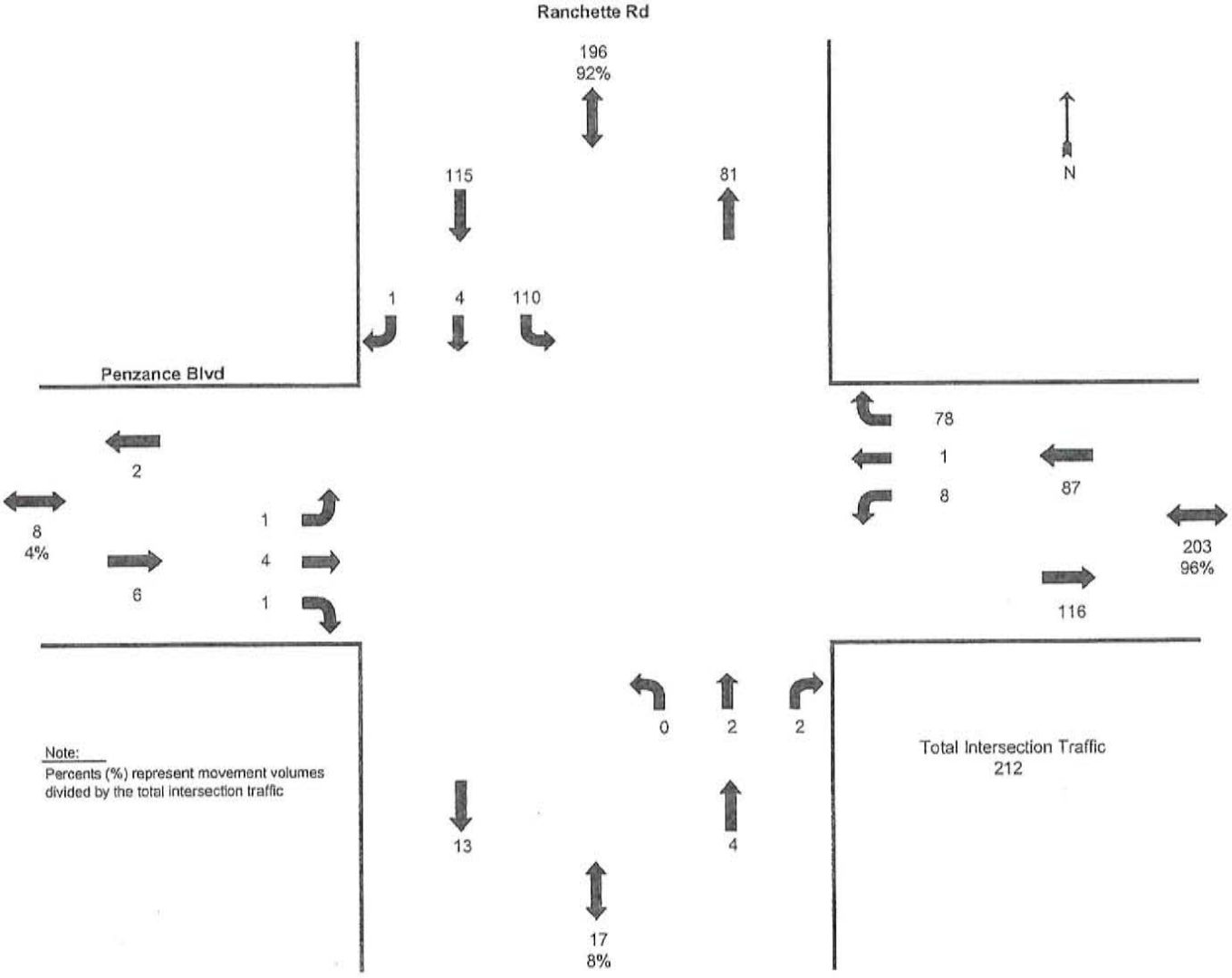
TRANSPORTATION CONSULTANTS, INC.

DATE: July 5, 2016
DAY: TUESDAY
COUNT TIME: 4:00 PM - 6:00 PM
PEAK HOUR: 5:00 PM - 6:00 PM
TRAFFIC: ALL TRIPS
INTERSECTION: Ranchette Rd & Penzance Blvd



Note:
Percents (%) represent movement volumes divided by the total intersection traffic

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PCS 18 - Six Mile Cypress Pkwy north of Winkler Ave

2015 AADT = 18,000 VPD

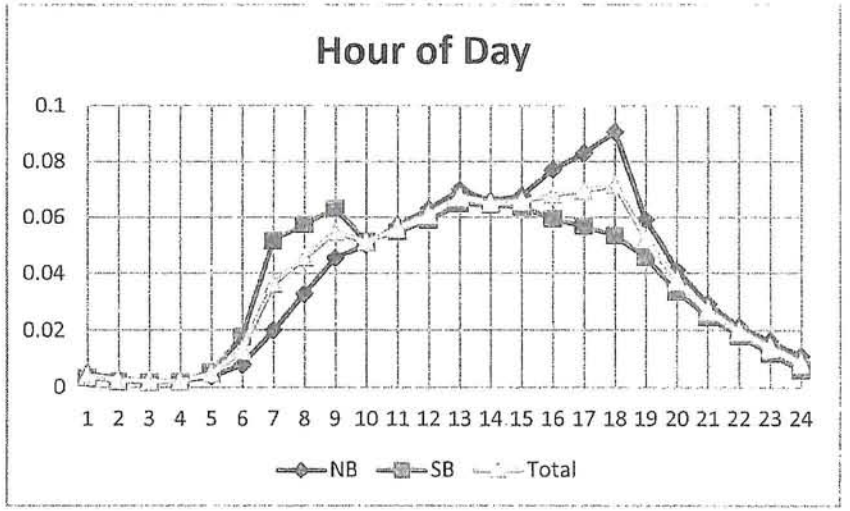
Hour	NB	SB	Total
0	0.50%	0.36%	0.43%
1	0.31%	0.23%	0.27%
2	0.25%	0.20%	0.23%
3	0.22%	0.21%	0.21%
4	0.39%	0.56%	0.48%
5	0.82%	1.79%	1.32%
6	2.01%	5.15%	3.61%
7	3.28%	5.74%	4.53%
8	4.54%	6.32%	5.44%
9	5.01%	5.13%	5.08%
10	5.70%	5.47%	5.58%
11	6.30%	5.89%	6.09%
12	7.00%	6.49%	6.73%
13	6.59%	6.45%	6.52%
14	6.79%	6.36%	6.57%
15	7.70%	5.94%	6.80%
16	8.28%	5.67%	6.94%
17	9.05%	5.33%	7.15%
18	5.90%	4.56%	5.21%
19	4.10%	3.35%	3.72%
20	2.92%	2.47%	2.69%
21	2.12%	1.81%	1.96%
22	1.61%	1.20%	1.40%
23	1.10%	0.62%	0.86%

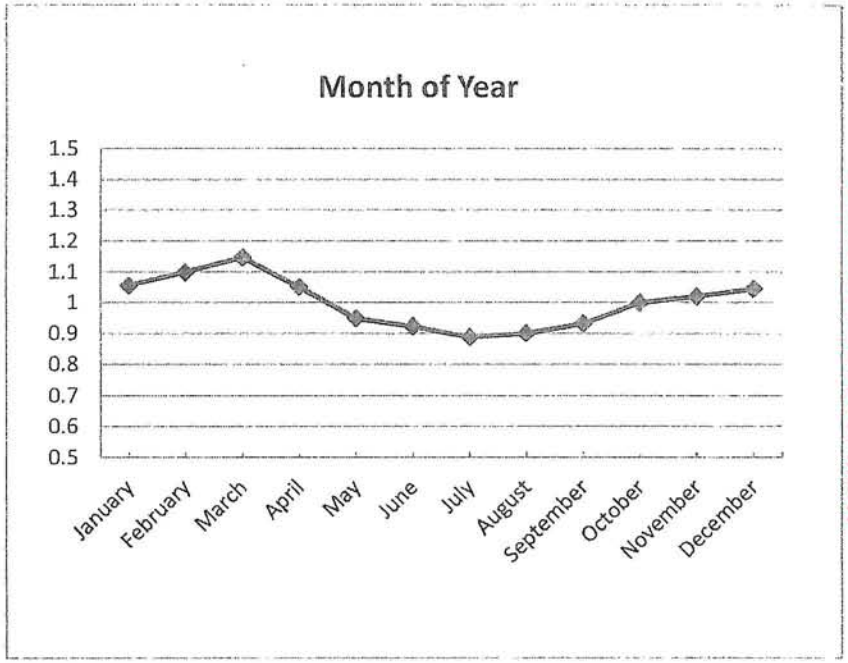
Month of Year	Fraction
January	1.06
February	1.10
March	1.15
April	1.05
May	0.95
June	0.92
July	0.89
August	0.90
September	0.93
October	1.00
November	1.02
December	1.04

Day of Week	Fraction
Sunday	0.63
Monday	0.97
Tuesday	1
Wednesday	1.64
Thursday	0.97
Friday	1.01
Saturday	0.79

Directional Factor		
AM	0.72	SB
PM	0.59	NB

Design Hour Volume		
#	Volume	Factor
5	1993	0.111
10	1861	0.103
20	1699	0.094
30	1664	0.092
50	1627	0.090
100	1577	0.088
150	1538	0.085
200	1511	0.084





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EXISTING AGRICULTURAL USE AFFIDAVIT

STATE OF Florida
COUNTY OF Lee

BEFORE ME, the undersigned authority, on this 28 day of APRIL, 2016, personally appeared Nicholas R. Cameratta, who is the Owner of Cameratta Companies, who is personally known to me or who produced _____ as identification and who did take an oath, who deposes and says as follows:

1. That I am the Authorized Representative of the property more particularly described in Exhibit "A" attached hereto and incorporated herein by reference.

2. The agricultural uses that currently exist on a portion of the referenced property include honey production from commercial bee operation. The location of this use is depicted on Exhibit "B" (entitled the "Agricultural Uses at Time of Zoning Application Map").

3. The existing agricultural activities will remain active for the remainder of the 2016 calendar year, affecting the property described in Exhibit "A" and depicted on Exhibit "B".

FURTHER AFFIANT SAYETH NAUGHT.

Nicholas R. Cameratta
Owner

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

(Notary Seal)

Signature of Notary Public

CHERYL ANN YANO
MY COMMISSION # FF 028038
EXPIRES: October 17, 2017
Bonded Thru Notary Public Underwriters

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

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EXHIBIT A



Mon Apr 25 2016 12:29:07 PM.

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EXHIBIT B



Mon Apr 25 2016 12:29:07 PM.

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DCI 2016-00011

Lee County
Southwest Florida

DEPARTMENT OF COMMUNITY DEVELOPMENT

Memo

To: Chip Block, Principal Planner

From: Lili Wu, Senior Transportation Planner

Date: Sept. 28, 2016

Subject: Blasingim Road RPD (DCI2016-00011)

I have reviewed the application for public hearing. This project is located on the south side of Penzance Blvd west of Six Mile Cypress Pkwy. Accesses to the project will be provided by a proposed primary access on Penzance Blvd and an emergency stabilized access on Blasingim Road. Penzance Blvd is a collector facility maintained by County and Blasingim Road is a non-county maintained local road. I have no objection to the application.

Lee County
Southwest Florida

BOARD OF COUNTY COMMISSIONERS

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County Attorney

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County Chief Hearing Examiner

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May 6, 2016

Via E-Mail

Ashley Butler
Barraco and Associates, Inc.
2271 McGregor Blvd., Suite 100
Fort Myers, FL 33901

DCI 2016-00011

RE: Potable Water and Wastewater Availability
Blasingim RPD, 12150 Blasingim Road
STRAP #: 17-45-25-01-00000.0010, 17-45-25-01-00000.0020, 17-45-25-01-00000.0030, 17-45-25-01-00000.004A, 17-45-25-01-00000.0040, 08-45-25-00-00003.001A, & 08-45-25-00-00003.0010

Dear Ms. Butler:

The subject parcels are located within Lee County Utilities Future Service Area as depicted on Maps 6 and 7 of the Lee County Comprehensive Land Use Plan. Potable water and wastewater lines are in operation adjacent to the parcels mentioned above on Penzance Blvd. However, in order to provide service to them, developer funded system enhancements such as line extensions may be required.

Your firm has indicated that this project will consist of 120 multifamiy and single family residential units with an estimated flow demand of approximately 30,000 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and wastewater service as estimated above.

Availability of potable water and wastewater service is contingent upon final acceptance of the infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through the Corkscrew/Green Meadows Water Treatment Plants.

Wastewater service is provided by the City of Ft Myers So Wastewater Treatment Plant. The Lee County Utilities' Design Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on our existing system.

This is only a letter of availability of service and not a commitment to serve. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service, and the approval of all State and local regulatory agencies.

ATTACHMENT F

Further, this letter of availability of potable water and wastewater service is for re-zoning for this project only. Individual letters of availability will be required for the purpose of obtaining building permits.

Sincerely,

Nathan Beals, PMP
Principal Planner
(239) 533-8157
LEE COUNTY UTILITIES

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DCI 2016-00011

Lee County
Southwest Florida

Department of Community Development
Development Services Section

MEMORANDUM

Date: October 3, 2016

To: A. Block
Principal Planner

From: M. Evans ME
Senior Engineer

Subject: **Blasingim Road RPD Residential Planned Development (RPD)**
Transportation-Related Analysis and Recommendations
Case No. DCI2016-00011
STRAP No. 08-45-25-00-00003.0010 (lowest)

Location and Access

The approximately 24.11-acre subject site is located on the south side of Penzance Boulevard between Honeysuckle Road and Blasingim Road within the South Fort Myers Planning Community. Access to the site is proposed on the applicant's Master Concept Plan (MCP) as described in **Table 1.**

Table 1
Site Access Location(s)

Roadway	Maintenance Authority*	Functional Classification(1)	Proposed Location	Access Type (assumed)
Penzance Boulevard	Lee County	minor collector	approximately 805 feet east of Honeysuckle Road and approximately 350 feet west of Timberline Circle	direct full access
Blasingim Road	private	local	approximately 1,785 feet south of Penzance Boulevard	emergency only access

(1) based on information obtained from the most current Lee County-maintained Geographic Information System (GIS) database

In referencing the *Lee County Land Development Code,* Chapter 33, Development Services Section (DSS) staff found no specific access location requirements for sites located within this local planning community.

Lee County Department of Community Development Infrastructure Planning Section staff reviewed the proposed access locations along County-maintained roadways associated with the subject case and has no objection to their locations.

ATTACHMENT G

Current and Proposed Zoning

The subject site is currently partially-developed and zoned as an agricultural (AG-2) district. With the subject case, the applicant proposes to rezone the site to Residential Planned Development (RPD) to permit a maximum intensity as described in **Table 2**.

Table 2
Development Parameters

Land Use	Intensity
single-family residential	120 dwelling units

Trip Generation Review

The applicant analyzed traffic-related impacts assuming full site build-out with the greatest intense use with respect to the proposed schedule of uses. As part of the analysis, the applicant reviewed the Institute of Transportation Engineers (ITE) *Trip Generation Manual, 9th Edition*, and calculated generated trips in order to assess the traffic impacts of the proposed zoning. Trip generation results as calculated by DSS staff are described in **Table 3**. Traffic volumes shown in this table are new traffic volumes on the surrounding roadway network, and reflect a reduction for internal capture traffic (traffic interacting between differing uses on the site) and pass-by traffic (non-newly generated traffic already on the roadway network) if applicable.

Table 3
New Trip Generation

Zoning Description	AM Peak Hour			PM Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Proposed RPD	23	71	94	78	46	124	1,242

Roadway Section Traffic Operations Level of Service Analysis

New trips were assigned to the surrounding road network in order to assess level of service (LOS) impacts on sections expected to be most impacted by the proposed development. Per Administrative Code AC-13-17 *Traffic Study Guidelines for Planned Development Rezonings*, "significant impact is defined as 10%....of the LOS "C" service volumes for the links at build out."

In the subject case, using the trip assignments described in the applicant's final traffic impact statement (TIS), the following roadway sections are expected to be significantly impacted by the proposed zoning:

- Penzance Boulevard from Ranchette Road to Ben C Pratt Six Mile Cypress Parkway and
- Ranchette Road from Penzance Boulevard to Idlewood Street.

Table 4 describes roadway sections adjacent to the subject site that are expected to be most impacted by the proposed development along with corresponding DSS staff pre- and post-project build-out level of service estimates with respect to the proposed zoning.

Table 4
Roadway Section(s) Adjacent to Subject Site
Expected to be Most Impacted by Proposed Rezoned Development

Roadway	Location	Significant Impact Expected?	Level of Service*		
			Existing	Future	Future + Project
Penzance Boulevard	Ranchette Road to Ben C Pratt Six Mile Cypress Parkway	yes	C	C	C
Ranchette Road	Penzance Boulevard to Idlewood Street	yes	C	C	C

*AM/PM worse case; future year 2022

Based on a review of applicable traffic volumes in the 2015 Lee County "Concurrency Report", the most current "Lee County Link Specific Service Volumes" tables (for short-term analyses of 5 years or less from table date), and/or the most current "Lee County Generalized Peak Hour Directional Service Volumes" tables (for long-term analyses of more than 5 years from table date), the roadway sections described in **Table 4** currently operate at LOS "C". Utilizing the 2015 Lee County Traffic Count Report and assuming a project build-out year of 2022, these roadway sections are estimated to operate at LOS "C" with future background traffic volumes. Once project build-out traffic is added to these sections, they are estimated to operate at LOS "C". Based on the LOS standards as set forth in *The Lee Plan* for the "unconstrained" roadway sections described in **Table 4**, LOS "C" is an acceptable level of service.

No link improvements along County-maintained roadways are expected to be required to accommodate the proposed zoning. At the time of local development order review, proposed projects will be further reviewed to determine what, if any, site-related traffic improvements to the nearby roadway network are required.

Roadway Intersection Traffic Operations Level of Service Analysis

New trips were assigned to the surrounding road network in order to assess LOS impacts as necessary at site accesses, intersections within one-quarter mile of site accesses, and/or intersections expected to be most impacted by the proposed development. Per Administrative Code AC-13-17 *Traffic Study Guidelines for Planned Development Rezonings*, "significant impact is defined as 10% or more of the total peak hour intersection volume (the summation of all four approaches)....at build out."

In the subject case, using the trip assignments described in the applicant's final TIS, the intersections of Penzance Boulevard with Ranchette Road and with the north site access are both expected to be significantly impacted by the proposed subject site zoning. **Table 5** describes subject site accesses and nearby roadway intersections that are expected to be most impacted by the proposed zoning along with their corresponding pre- and post-project build-out levels of service.

Table 5
Roadway Intersection(s) Immediately Adjacent to Subject Site Expected to be Most Impacted by Proposed Rezoned Development

Intersection		Significant Impact Expected?	Traffic Control	Peak Hour	Level of Service*		
Roadway A	Roadway B				Existing	Future	Future + Project
Penzance Boulevard	Ranchette Road	yes	2-way stop-controlled	AM	-----	-----	-----
				PM	-----	A	B
Penzance Boulevard	north site access	yes	2-way stop-controlled	AM	-----	-----	-----
				PM	-----	A	B

*future year 2022

At the time of local development order review, proposed projects will be further reviewed to determine what, if any, site-related traffic improvements to the nearby roadway intersections are required.

Applicant Proposed Deviation Review and Conditions

Development Services Section (DSS) staff reviewed the applicant's proposed transportation-related *Land Development Code* (LDC) deviations for the subject case and provides the following comments:

Deviation #7 requests relief from the provisions of LDC Sections 34-2013(a) and 34-2015(2)d. which require that vehicles exiting a parking lot leave the parking lot in a forward motion. It is assumed that this request relates to areas where the internal circulating access way passes *through* parking areas, thereby necessitating driver backing maneuvers directly onto the internal roadway instead of a parking lot drive aisle. Due to the expected low through traffic volumes and travel speeds at this location and the expectation that most parking space users will likely pull into the space from the west, back out away from the nearby intersection, and leave toward the west, staff **recommends approval of the deviation subject to the following condition:**

If the roadway immediately adjacent to and south of the proposed amenity center is not connected to Blasingim Road for normal daily vehicle use, the portion of the amenity center parking spaces farthest from the adjacent

roadway must be located not less than 22 feet from the edge of roadway right-of-way or easement. If the roadway immediately adjacent to and south of the amenity center is at any future time connected to Blasingim Road for normal daily vehicle use, the amenity center parking area must be relocated such that it meets all requirements of the most current Land Development Code.

MJE:mje

Copy: O. Kleinmann – Lee County Department of Community Development
L. Wu – Lee County Department of Community Development
file

Lee County
Southwest Florida

Department of Community Development
Zoning Division
Environmental Review

MEMORANDUM

Date: October 3, 2016

To: Alvin 'Chip' Block, Principal Planner

From: **Beth Workman, Environmental Planner**
239.533.8793
EWorkman@leegov.com

EKW

Subject: **Blasingim Road RPD**
DCI2016-00011
17-45-25-01-00000.0010; -.0020; -.0030; -.004A;
08-45-25-00-00003.001A; and -.0010

The applicant has submitted a request to rezone 24.11 acres from Agricultural (AG-2) to Residential Planned Development (RPD) to allow 120 single family and two-family attached units. The site is located in the Central Urban Future Land Use Category, South Ft. Myers Planning Community, and the Ten Mile Canal Watershed.

EXISTING CONDITIONS
Some of the subject parcels are currently being used for agriculture, single family homes, and vacant land. Only one parcel (08-45-25-00-00003.001A) has an agricultural exemption that will expire January 1, 2017. The single family homes within the project boundaries have homestead exemptions. Environmental Sciences zoning staff inspected the site on July 19, 2016 and provide the following inspection notes:

Flora
The parcels located adjacent to Penzance Boulevard consist of Slash Pines (*Pinus elliottii*), Laurel Oaks (*Quercus laurifolia*), and Live Oaks (*Quercus virginiana*) some of which are heritage trees (greater than 20 inch diameter breast height(dbh)), have cardinal airplant (*Tillandsia* sp.) attached to them, and the understory is open. This area has two single family homes and two cattle ponds. Heading south, the property widens extending east to Blasingim Road. This area consists of a pasture, ditches, cattle ponds, and scattered Slash Pines some of which are heritage trees. Half of the western property line from Penzance Boulevard to the mid-section of the property contains a skinny section of Slash Pines, Melaleuca (*Melaleuca quinquenervia*), Brazillian Pepper (*Schinus terebinthifolius*) and Live Oaks. This area is proposed to serve as the indigenous preserve. The southernmost portion of the property becomes thicker with Slash Pines, Laurel Oaks, and Live Oaks with very few heritage trees. The southern portion of the project has four single family homes on individual parcels. Passarella and Associates have provided a species survey showing the locations of the cardinal airplant and a tree survey illustrating the location, species and dbh measurement of each heritage tree. The applicant must make an effort to preserve the heritage trees on site or replace with a 20 foot in height tree within an appropriate open space area per LDC 10-

415(b)(4). The cardinal airplant is not a protected plant species per Appendix H in the LDC.

Fauna
During the site inspection, a few cattle egrets (*Bubulcus ibis*) were scene feeding within the low lying areas of the pasture. The species survey submitted by Passarella and Associates provided documentation of other wading birds such has white ibis (*Eudocimus albus*) and little blue herons (*Egretta caerulea*). No wading bird nests were found on the site.

OPEN SPACE
Lot Size
The applicant is proposing single family and two-family attached units on the site. The LDC 10-415 (a) does not require open space for single family lots with a minimum lot size of 6500 square feet. The applicant is proposing 5000 square feet lots. Therefore, the single family lots must provide 40% open space. The LDC 10-415 (a) does not require open space for two-family attached on an individual lot with a minimum lot size of 3750 square feet per unit. The applicant is proposing 3750 square feet per unit.

Lot Coverage
In addition to the Chapter 10-415 open space requirements, the LDC requires planned developments to provide open space as required in Chapter 34. Minimum lot coverage must be reviewed by using the conventional residential zoning district's requirement for maximum lot coverage. Chapter 34-695 Table shows lot sizes for single family and two-family attached with the corresponding maximum lot coverage. For single family with a lot size of 5000 square feet the maximum lot coverage is 45% and for a two-family attached that is 3750 square feet the maximum lot coverage is also 45%. The applicant is proposing a 60% maximum lot coverage for both types of residential so therefore, 40% open space must be provided for the overall development.

Deviation #5
The applicant has applied for a Deviation (#5) seeking relief from LDC 10-415(d)(2)(c) which allows a maximum of 25% of the required open space to be provided through the surface water management areas to allow 44% of the required open space to be used to meet the open space requirements. The applicant states that the MCP shows two lake areas. The northern portion is 2.4 acres and serves as the surface water management lake to support the project. The southern portion is 1.8 acres and is an additional area to enhance the project through doubling of the littoral plants and deep lake tree requirements; improvements to the existing canal for better drainage flow; reducing the allowable discharge will help reduce the amount of water flowing off the property because the bonus lake will hold more water thus reducing peak flow; and the fill from the lake will be used to build the site and reduce the truck traffic on the local roads.

In addition to enhancing the lake, the applicant agrees to install a native hedge along three sides of the property. The hedge will be installed on the perimeter water management berm in an open space tract and serve to provide privacy for the residential units along the south and north property lines and an enhancement to the indigenous preserve along the western property line.

Environmental Sciences zoning staff have reviewed the deviation request and offer the following analysis:

This area of the Ten Mile Canal Watershed has been battling sheet flow, blocked swales, and roads inundated with water during the rainy season. Lee County Department of Natural Resources has been trying to work with the residents in this area to clean out blocked swales in order to open the flow of water to the Ten Mile Canal Watershed/Six Mile Cypress Slough to the west. During staff's site inspection, the subject property had standing water in the pastures, Penzance Boulevard road side swales were full and encroaching on to the road, and driving through the neighborhoods most of the single family large lots had standing water fairly close to the structures.

The applicant cannot meet open space on the site and has asked for a deviation from this requirement. The burden on the applicant when seeking a deviation is to provide supporting documents, drawings, data to justify how granting the deviation would enhance the objective of the planned development and would not be a detriment to the public (LDC 34-373(a)9). By adding additional square feet to the lake, the site will accommodate more storage of water and by lowering the discharge rate into the swales the amount of water flowing from the property will not put the public at risk. ES zoning staff consulted with Lee County Department of Natural Resources to ensure that this would help the surrounding properties and they agreed that it would aid in controlling some of the water issues in this area. It will not be a fix to the problem due to privately blocked swales in the vicinity but will control the volume leaving the site and a chance for some evaporation from the lake to offset the discharged volume. Zoning Environmental Staff provide the following condition for the requested Deviation 5:

Prior to the issuance of a development order for vertical construction, the following must be provided:

a. ***Details illustrating the initial drainage canal revisions to accommodate the discharge from the subject parcel and a long term maintenance plan to maintain the drainage canal in perpetuity;***
b. ***The additional 1.8 acres of lake must be noted on the development order drawings; and***

c. ***The drainage calculations must reflect a lower reduction in the discharge rate than what is currently required per the Land Development Code.***

In addition to helping the sheet flow issues, the additional littoral plants and deep lake trees will help support wading birds by providing foraging, roosting and nesting areas around the lake. The additional plant material will also utilize the water for growth and survivability as well as filter the runoff from the project thus supporting water quality. Zoning Environmental Staff offer the following condition to support Deviation 5:

Prior to the issuance of a development order for vertical construction, the landscape drawings must illustrate and provide calculation for the following:

a. ***The planted littoral shelf shoreline length must be calculated at 50% of the total linear feet of the lake at control elevation;***
b. ***Deep lake trees must be calculated at two trees per 100 linear feet; and***
c. ***50% of the required general trees must be illustrated adjacent to Blasingim Road and the proposed lake.***

The applicant has also agreed to provide a hedge on the surface water management berm along the west, south and east property lines in a landscape tract off of the single family and two-family attached lots. The hedge will serve as a boundary marker so that the future residents do not obstruct the surface water management system and provides privacy. The addition of the hedge along the western side will also enhance the indigenous area that has very little native understory. Zoning Environmental Sciences staff provides the following condition to support Deviation 5:

Prior to the issuance of a development order for vertical construction, a native hedge installed at 48 inches; maintained at 72 inches; and planted four foot on center must be shown on the perimeter water management berm of the landscape plans. The perimeter water management berm plantings must be tied into the overall irrigation system for the infrastructure.

The Lee Plan Objectives and Policies that support the deviations and conditions are as follows:

OBJECTIVE 60.3: LEVEL-OF-SERVICE STANDARDS. Level of Service Standards have been established for basins identified in the surface water master plan and are provided in the following policies. The Level of Service Standards will be updated as necessary based on new basin studies or more accurate information. (Amended by Ordinance No. 94-30, 07-12)
POLICY 60.3.1: The following surface water management standards are adopted as minimum acceptable levels of service for unincorporated Lee County (see Policy 95.1.3).

D. Regulation of Private and Public Development Surface water management systems in new private and public developments (excluding widening of existing roads) must be designed to SFWMD standards (to detain or retain excess stormwater to match the predevelopment discharge rate for the 25-year, 3-day storm event [rainfall]). Stormwater discharges from development must meet relevant water quality and surface water management standards as set forth in Chapters 17-3, 17-40, and 17-302, and rule 40E-4, F.A.C. New developments must be designed to avoid increased flooding of surrounding areas. Development must be designed to minimize increases of discharge to public water management infrastructure (or to evapotranspiration) that exceed historic rates, to approximate the natural surface water systems in terms of rate, hydroperiod, basin and quality, and to eliminate the disruption of wetlands and flow-ways, whose preservation is deemed in the public interest. (Amended by Ordinance No. 92-35, 94-29, 00-22)

OBJECTIVE 61.3: GENERAL SURFACE WATER MANAGEMENT STANDARDS. Lee County will continue to provide sufficient performance and/or design standards for development protective of the function of natural drainage systems. (Amended by Ordinance No. 94-30, 00-22)

POLICY 61.3.1: Provide sufficient performance and design standards to require post development runoff to approximate the total characteristics of the natural flow prior to development.

POLICY 61.3.11: Runoff must be routed through retention or detention areas and vegetated swales in order to reduce flow velocity, allow for percolation, and trap and remove suspended solids and pollutants. (Amended by Ordinance No. 00-22)

OBJECTIVE 108.2: WATERSHED MANAGEMENT PLANS. Review all new upland development in terms of its impacts on estuarine systems. Lee County will work with the South Florida Water Management District to ensure new development will maximize stormwater retention and treatment. (Amended by Ordinance No. 94-30, 07-12)

POLICY 115.1.3: The design, construction, and maintenance of artificial drainage systems must provide for retention or detention areas and vegetated swale systems that minimize nutrient loading and pollution of freshwater and estuarine systems. (Amended by Ordinance No. 00-22)

If the site is designed to meet the lot sizes and coverage per the Land Development Code, then no open space is required and the conditions associated with Deviation #5

are not applicable. The MCP received August 23, 2016 provides a note located in the open space calculations that state this information.

OBJECTIVE 117.2: FLORIDA FRIENDLY LANDSCAPE. The county will promote Florida friendly landscaping techniques. (Amended by Ordinance No. 94-30, 00-22, 16-01)

POLICY 117.2.1: The county will encourage Florida friendly landscaping techniques for development and redevelopment in the Land Development Code. (Amended by Ordinance No. 94-30, 00-22, 16-01)

INDIGENOUS OPEN SPACE

The LDC 10-415(b)(1) requires that large developments (10+ acres or 2+ acres of impervious) provide half of the required open space as indigenous open space. If the Florida Land Use and Cover Classification System (FLUCCS) indicates the site has no indigenous classification or the exotic coverage is 75% or greater than the site does not contain indigenous to meet the LDC. Some sites do not have enough indigenous square feet to meet the 50% indigenous requirement, so the developer provides what is currently on the site. Blasingim is preserving the indigenous are that meets the FLUCCS cover and classification with the indigenous located along the western property line. However, the LDC 10-415(c)(3) requires projects that are ten acres or more in size to provide indigenous areas that are a minimum average width of 40 feet and minimum average area of 1500 square feet. The only indigenous area on this site is an eight foot wide area along the western property line adjacent to single family homes. The applicant is seeking a deviation (#6) from this requirement to allow the minimum to be eight feet in width. As part of the enhancements to deviation 5, the applicant is proposing a hedge on the surface water management berm that will provide an understory buffer to the adjacent single family residents. If minimum lot size and coverage are met, this deviation will not be applicable.

ES zoning staff support deviation 6.

BUFFERS

The LDC 10-416(d)(3) provides the buffer requirements for developments. The subject development is adjacent to single family uses on the west; right of way at the east and north; and future right of way at the south. The LDC does not require buffers between single family uses or single family and right of way uses. However, LDC 10-415(b)(5) requires a developments five acres or greater that abut an arterial or collector road and have existing native trees within 50 foot of the right of way must be designed to provide a 50 foot right of way buffer for tree preservation. The drainage and utility easement located within or adjacent to the 50 foot right of way buffer area must be established in the location with the least amount of trees as determined by onsite inspection by Lee County. The applicant is seeking relief from this code to allow tree replanting.

The applicant states in the justification that the trees located in the 50 foot area are Slash pines and this species is particularly delicate to work around. The LDC requires a full drip line of tree protection for Slash Pines to be preserved on developments and this will be extremely difficult to achieve due to the infrastructure that needs to support this site. In addition, there are overhead power lines that are located adjacent to this area and the existing Slash pines have been severely pruned away from the lines over the years. The applicant in an effort to enhance the development has offered to replant trees in this area. ES zoning staff support this deviation and provide the following condition to further the enhancement:

Prior to the issuance of a development order for vertical construction, a 15 foot wide right of way buffer must be provided along the north property line with the following enhancements:

- ***a. five trees and eighteen shrubs per 100 linear feet must be provided within the 15 foot wide right of way buffer along the north property line;***
- ***b. the trees must be installed 14 feet away from the overhead power lines; and***
- ***c. the proposed landscape material must be native.***

The Lee Plan Objectives and Policies that support the deviations and conditions are as follows:

OBJECTIVE 117.2: FLORIDA FRIENDLY LANDSCAPE. The county will promote Florida friendly landscaping techniques. (Amended by Ordinance No. 94-30, 00-22, 16-01)

POLICY 117.2.1: The county will encourage Florida friendly landscaping techniques for development and redevelopment in the Land Development Code. (Amended by Ordinance No. 94-30, 00-22, 16-01)

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.

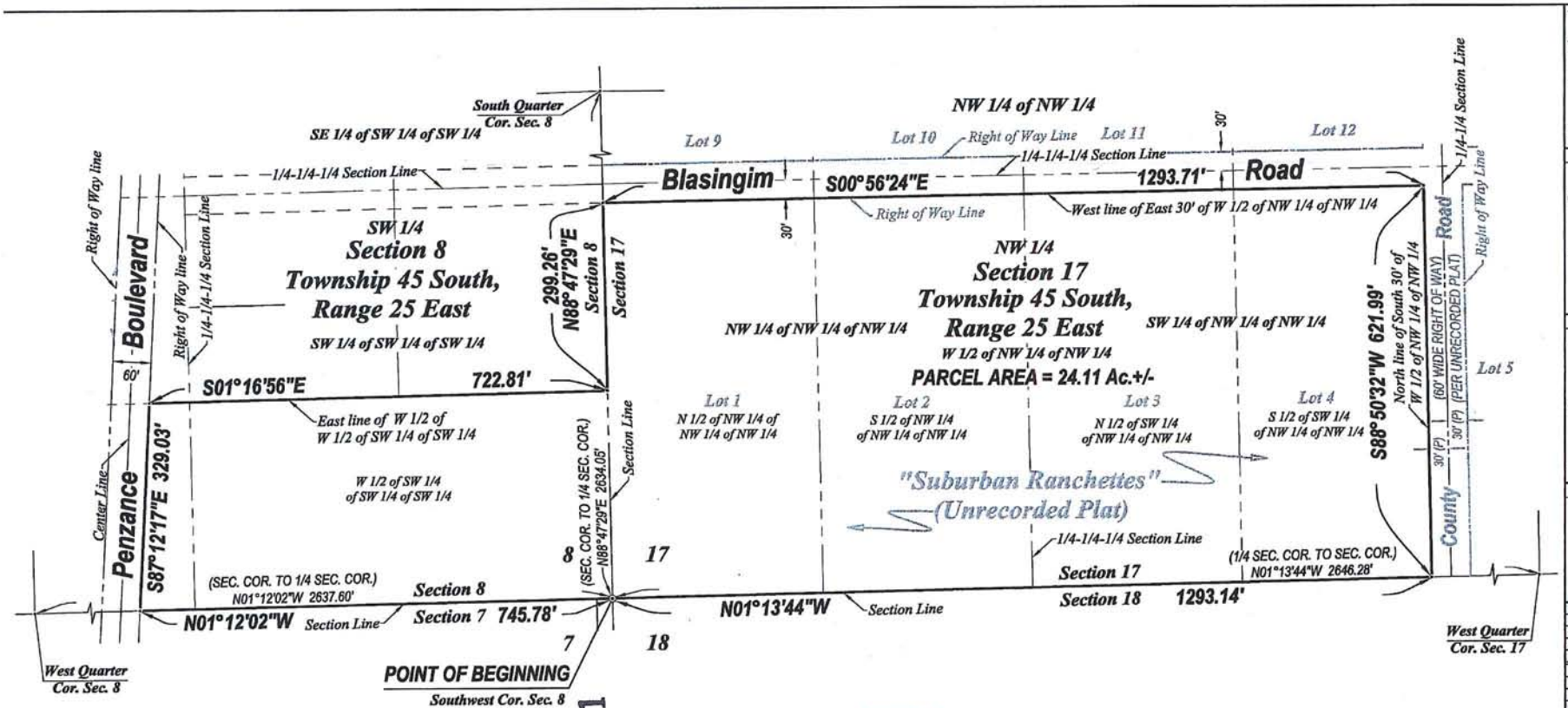
Applicant's Legal Checked
by BS 6/2/16
Pgs 1 & 2

6/1/16
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

L:\23370\Survey\Descriptions\Sketch\23370SK01.doc

DCI 2016-00011

RECEIVED
JUN 01 2016
COMMUNITY DEVELOPMENT



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'X'44"W.
13. DESCRIPTION IS ATTACHED.

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

0 100 200
SCALE IN FEET

DCI 2016-00011

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JUN 01 2016
COMMUNITY DEVELOPMENT

THIS IS NOT A SURVEY

Pg 2

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

DATE SIGNED: 6/1/16

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

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:

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

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

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LAYOUT	2
LOCATION	J:\2337000\SURVEY\DWG\SKETCH
PLOT DATE	WED, 6-1-2016 - 1:13 PM
PLOT BY	PETER OLSEN
DRAWING DATA	
SURVEY DATE	05-01-2016
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=200'
FIELD BOOK	

PLAN REVISIONS

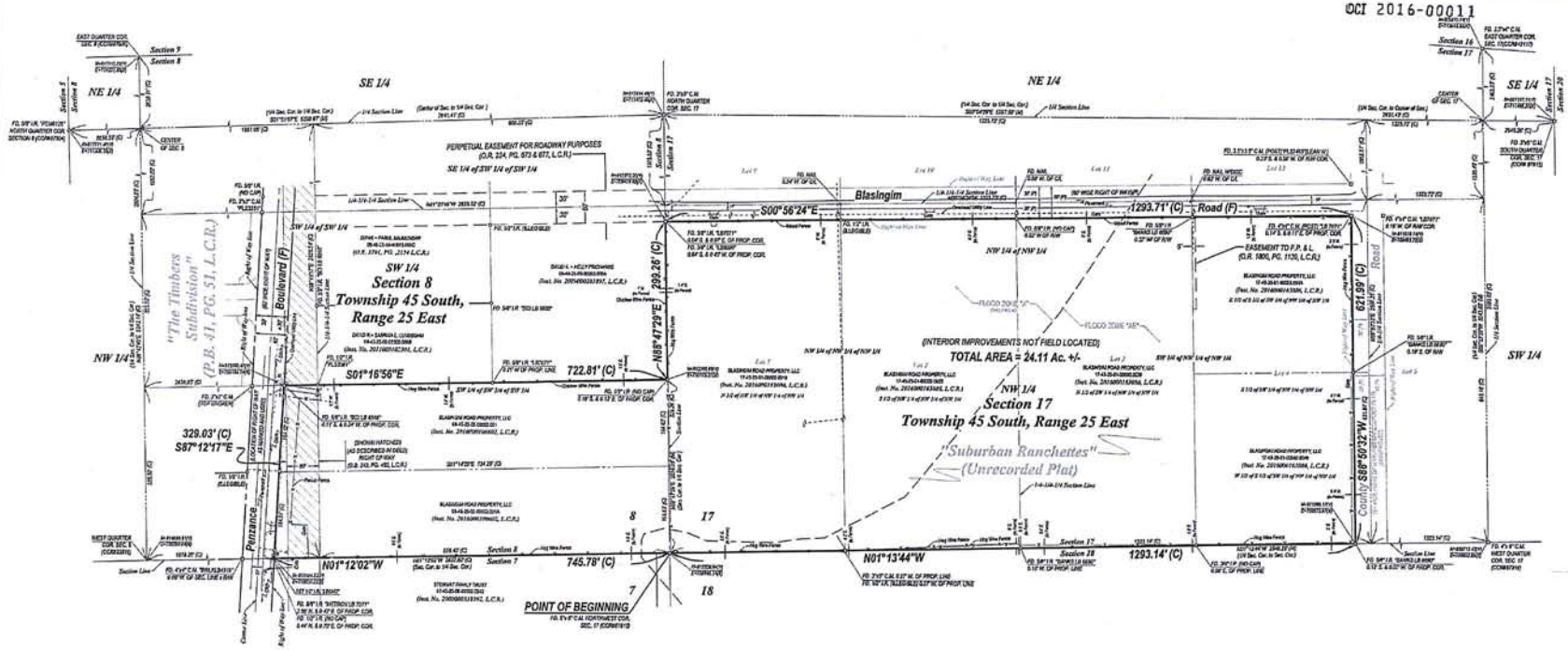
STRAP NUMBERS

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
05-01-2016 17-45-25	2 OF 2

RECEIVED
MAY 23 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:

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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 (NAD 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. 12071C0509F, 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, 12071CV000A, EFFECTIVE DATE: AUGUST 28, 2008.
10. THIS SURVEY WAS PREPARED IN ACCORDANCE WITH A TITLE CERTIFICATION, PREPARED BY: PAVESE LAW FIRM, DATED: AUGUST 16, 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=AD8317)(ELEVATION = 16.183.

(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 "MAG" NAIL WITH DISC STAMPED LB6940
(C)	CALCULATED	FD.	FOUND			R/W	RIGHT OF WAY	○	SET 1/2" IRON ROD WITH CAP STAMPED LB6940
CCR	CERTIFIED CORNER RECORD	F.D.O.T.	FLORIDA DEPARTMENT OF TRANSPORTATION	(M)	MEASURED	TYP.	TYPICAL	■	SET 4"x4" CONC. MONUMENT STAMPED LB6940
				O.R.	OFFICIAL RECORD BOOK	SEC.	SECTION	+	FOUND NAIL AS NOTED
CL	CENTER LINE	F.P. & L.	FLORIDA POWER & LIGHT CO.	(P)	PLAT	W/	WITH	○	FOUND CONC. MONUMENT AS NOTED
CONC.	CONCRETE			P.B.	PLAT BOOK	WIT.	WITNESS	○	FOUND IRON PIPE OR IRON ROD AS NOTED
CB=	CHORD BEARING=	FRAC.	FRACTION	P.C.	POINT OF CURVATURE			⊟	DRAINAGE INLET
CD=	CHORD DISTANCE=	I.E.	IRRIGATION EASEMENT	PG.	PAGE			⊕	DRAINAGE MANHOLE
CH=	CHORD BEARING & DISTANCE=	I.P.	IRON PIPE	P.K.	PARKER-KALON			⊞	METERED END SECTION
		I.R.	IRON ROD	P.R.M.	PERMANENT REFERENCE MONUMENT			▪	YARD DRAIN
C.M.	CONCRETE MONUMENT	L=	LENGTH=					☼	LIGHT POLE
COR	CORNER	LB	LICENSED BUSINESS	PROP.	PROPERTY			☼	FLOOD LIGHT
Δ=	DELTA OR CENTRAL ANGLE=	L.B.E.	LANDSCAPE BUFFER EASEMENT	P.T.	POINT OF TANGENCY			⊕	CONCRETE POWER POLE
				P.V.C.	PLASTIC PIPE			⊕	WOOD POWER POLE
(D)	DEED	L.C.R.	LEE COUNTY RECORDS	R=	RADIUS=			◦	GUY ANCHOR
D.B.	DEED BOOK	L.C.U.E.	LEE COUNTY UTILITY EASEMENT	R.C.P.	REINFORCED CONCRETE PIPE			⊕	TELEPHONE BOX
EL.	ELEVATION							⊕	ELECTRIC BOX
								⊕	CABLE TV BOX
								⊕	WATER VALVE
								⊕	WATER BOX
								⊕	FIRE HYDRANT
								⊕	BACK FLOW ASSEMBLY
								⊕	AIR RELEASE VALVE
								⊕	IRRIGATION VALVE
								⊕	IRRIGATION SERVICE
								⊕	WELL
								⊕	SANITARY MANHOLE
								⊕	SANITARY SERVICE
								⊕	SIGN
								⊕	MAIL BOX
								⊕	BLOW OFF
								⊕	FIBER OPTIC CABLE MARKER
								⊕	GAS LINE MARKER
								⊕	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

5/23/16
DATE SIGNED:

SCOTT A. WHEELER (FOR THE FIRM - LB-6940)
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5943

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

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 7965 - 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

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
5943
PROFESSIONAL SURVEYOR AND MAPPER

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

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LAYOUT	ZONING
LOCATION	J:\23370\DWG\SURVEY\NOL
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	357/69-70,235/12,369/1-2,380/18

PLAN REVISIONS

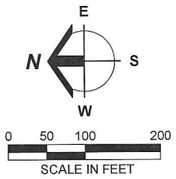
07-08-2016	CORRECT PO TO 499 IN R/W DEED
07-11-2016	REV. PER TITLE CERT.
08-22-2016	REV. PER TITLE CERT

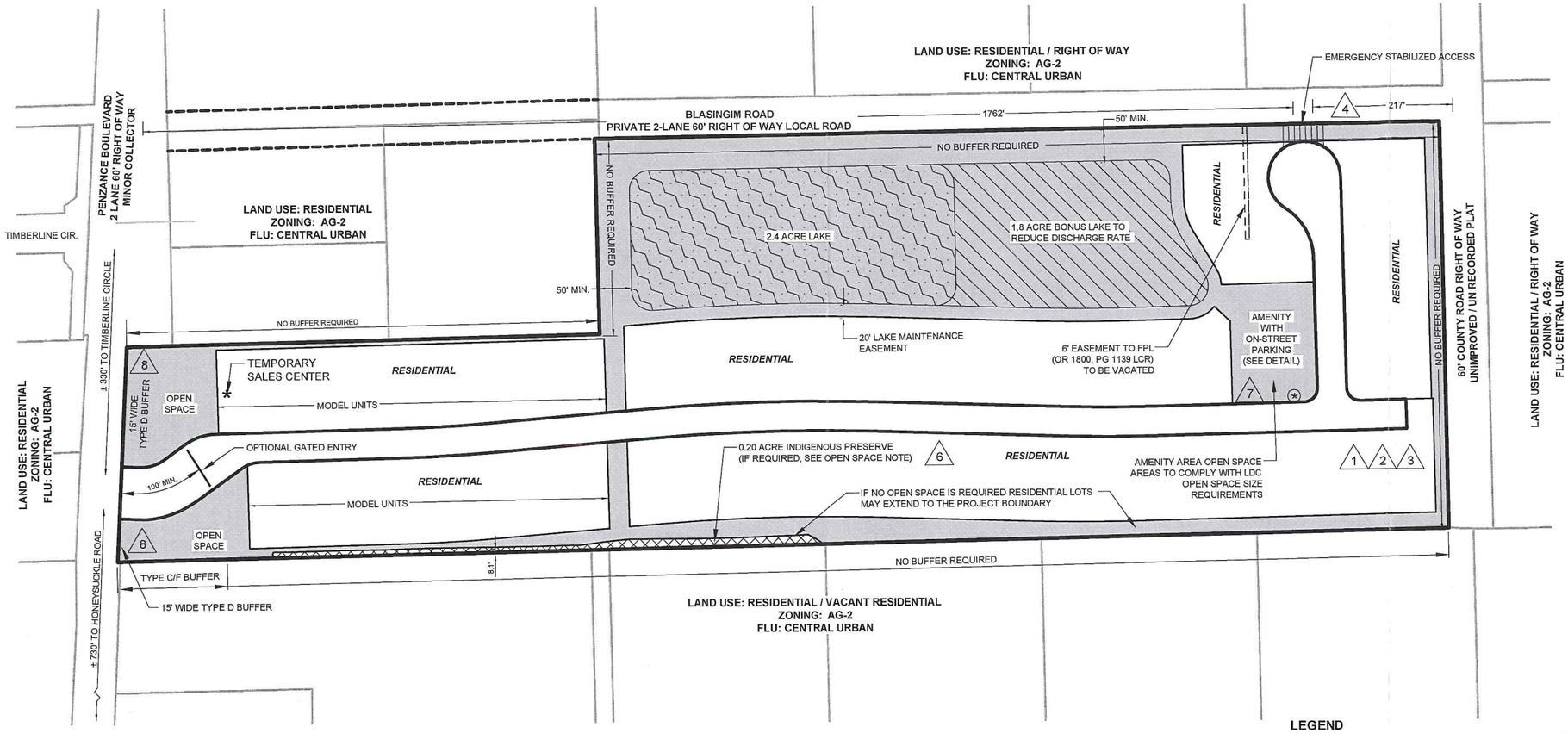
STRAP NUMBERS

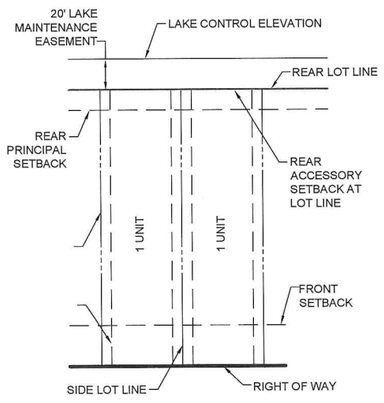
BOUNDARY SURVEY

PROJECT / FILE NO.	SHEET NUMBER
23370 9-45-25	1 OF 1

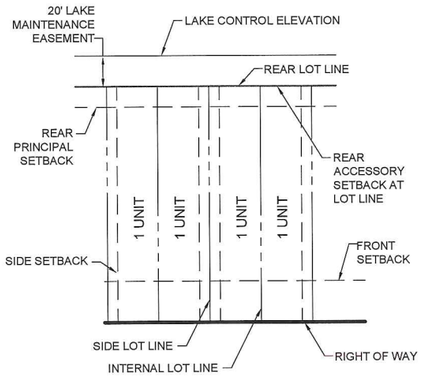
DCI 2016-00011







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.

EXHIBIT A

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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FILE NAME	23370-Z02.DWG
LOCATION	J:\23370\DWG\ZONING\
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

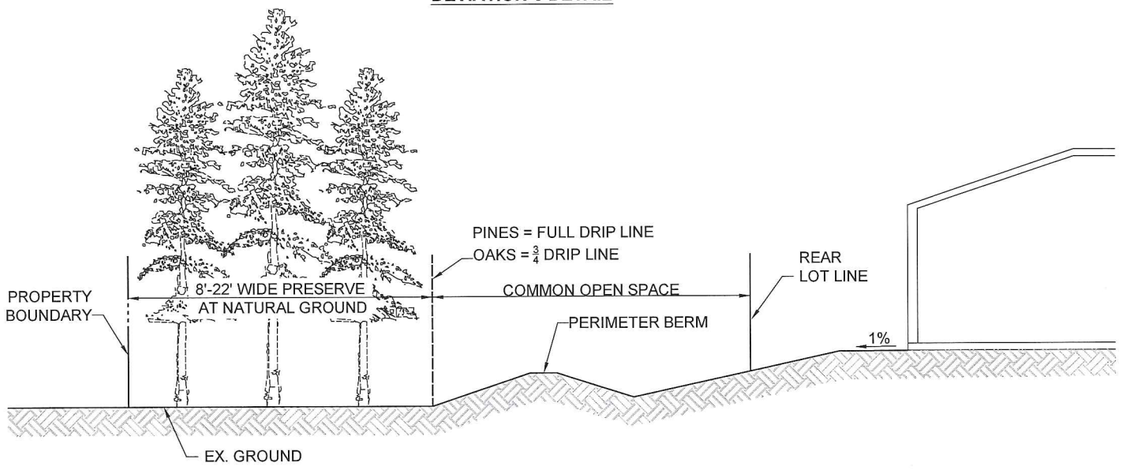
PLAN STATUS

MASTER CONCEPT PLAN

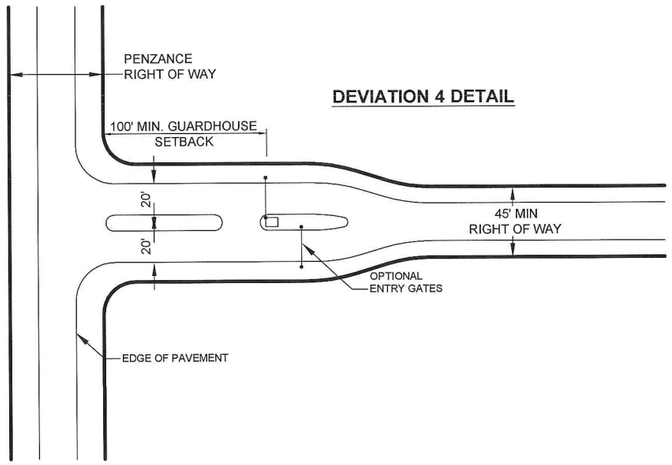
PROJECT / FILE NO.	SHEET NUMBER
23370	1 OF 2

DCI 2016-00011

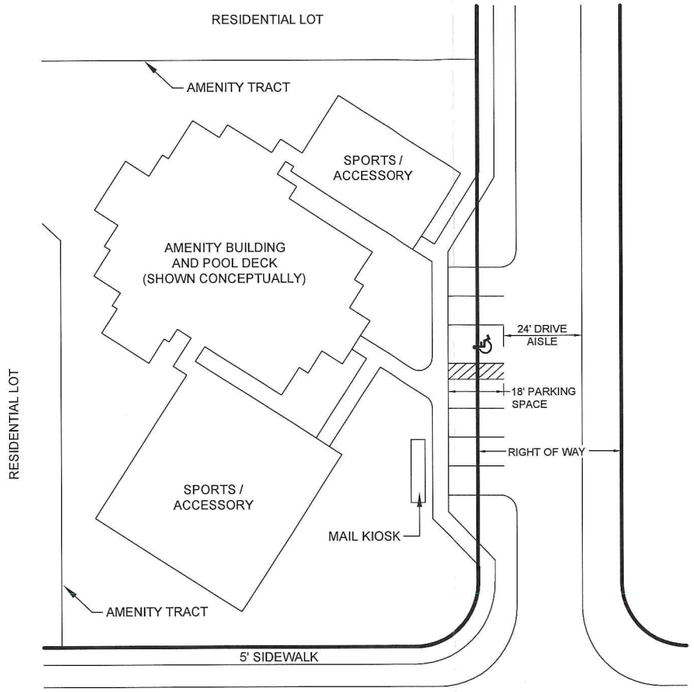
DEVIATION 6 DETAIL



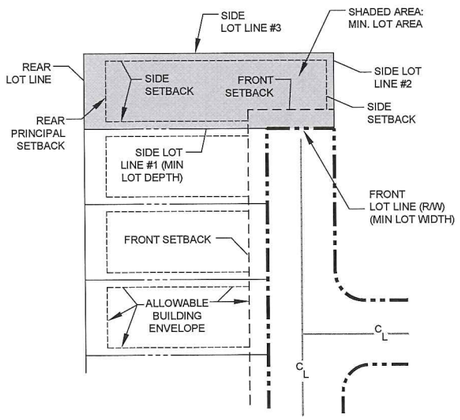
DEVIATION 4 DETAIL



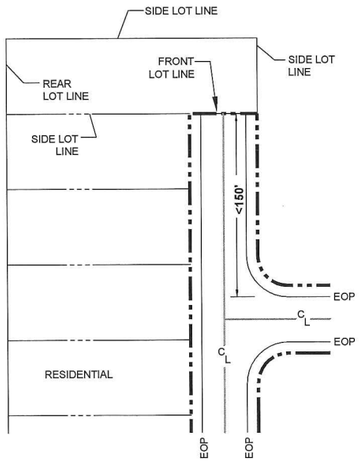
DEVIATION 7 DETAIL



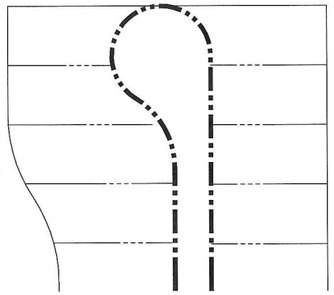
DEVIATION 3 LOT SIZE DETAIL



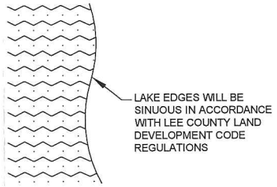
DEVIATION 1 RIGHT ANGLE SIDE LOT LINE
DEVIATION 2 DEAD-END DETAIL



CUL-DE-SAC DESIGN DETAIL



SINUOUS LAKE SHORELINE DETAIL



RECEIVED
SEP 27 2016
COMMUNITY DEVELOPMENT

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

DRAWING NOT VALID WITHOUT SEAL, SIGNATURE AND DATE
© COPYRIGHT 2016, BARRACO AND ASSOCIATES, INC.
REPRODUCTION, CHANGES OR ASSIGNMENTS ARE PROHIBITED

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

DETAILS AND DEVIATIONS

PROJECT / FILE NO.	SHEET NUMBER
23370	2 OF 2

Blasingim Road RPD
Residential Planned Development
Schedule of Uses

Entrance Gates and Gatehouses
Essential Services
Essential Services Facilities, Group 1
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 per LDC
Temporary Construction Trailer

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AUG 23 2016
COMMUNITY DEVELOPMENT

DCI 2016-00011

Recreational Facilities, Private (Located at Amenity Site, Max. Floor Area 7,000 sf)
- 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, pickleball, bocce courts, swimming pool, piers, playground, fire pit.

EXHIBIT B

Blasingim RPD
Residential Planned Development
Property Development Regulations

RECEIVED
AUG 23 2016
COMMUNITY DEVELOPMENT

	SINGLE FAMILY	TWO-FAMILY ATTACHED	AMENITY
Minimum lot Width:	40'	30'	80'
Minimum lot Depth:	125'	125'	125'
Minimum lot Area:	5000 sf	3750 sf	10,000 sf
Max. Building Area	N/A	N/A	7,000 sf
Max. Building Height:	35'	35'	35'
Maximum 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.**

EXHIBIT C

DCI 2016-00011

ADMINISTRATIVE AMENDMENT (PD) ADD2015-00106

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Pulte Home Corporation filed an application for an administrative amendment to a Residential Planned Development on a project known as Camden Square (formerly Plantation 37 RPD) for the following requested changes:

- **Amend the approved Property Development Regulations (Condition 2.b.) to increase Lot Coverage from 40% to 45%; and**
- **Add a Deviation from LDC Section 10-328(b) requiring the width of closed drainage easements must be based upon sound engineering principles including, but not limited to, depth of cut, size of drainage pipe, proximity of structures, etc. Closed drainage easements must be a minimum of 15 feet in width for pipes that are 48 inches or less in diameter. The easement width for multiple pipes or for pipes greater than 48 inches in diameter is 25 feet or more, to allow 13 foot wide drainage easements with pipes 30 inches in diameter or smaller.**

WHEREAS, the property is located on Plantation Road, described more particularly as:

LEGAL DESCRIPTION: In Section 18, Township 45 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in Resolution Number Z-14-015 (with no subsequent amendments); and

WHEREAS, the subject property is designated as Central Urban on the Future Land Use Map of the Lee County Comprehensive Plan (Lee Plan); and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the applicant desires to amend the Property Development Regulations to increase the maximum lot coverage from 40% to 45%; and

WHEREAS, the applicant desires to add a deviation from LDC §10-328(b) to decrease the easement width for closed drainage system from 15 feet to 13 feet; and; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

STAFF'S EXHIBIT # 2
ADD Camden Sq 2015-00106
DCI2016-00011

WHEREAS, the Zoning Division has reviewed the request for increase lot coverage finding that the increase will not increase the intensity of the development and will not reduce open space, buffers, or indigenous preserves; and

WHEREAS, the Development Services Division has reviewed the requested deviation finding this also will not increase the intensity of the project, or decrease open spaces, and will not otherwise adversely impact the surrounding properties; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for the following amendments to Residential Planned Development are **APPROVED, subject to the following conditions:**

Amendments:

- **Amend the approved Property Development Regulations (Condition 2.b.) to increase Lot Coverage from 40% to 45%; and**
- **Add a Deviation from LDC Section 10-328(b) requiring the width of closed drainage easements must be based upon sound engineering principles including, but not limited to, depth of cut, size of drainage pipe, proximity of structures, etc. Closed drainage easements must be a minimum of 15 feet in width for pipes that are 48 inches or less in diameter. The easement width for multiple pipes or for pipes greater than 48 inches in diameter is 25 feet or more, to allow 13 foot wide drainage easements with pipes 30 inches in diameter or smaller.**

Conditions:

1. **The terms and conditions of the original Resolution Number Z-14-015 remain in full force and effect.**

2. **There is no change to the approved Master Concept Plan adopted as part of Resolution Number Z-14-015.**

3. **Condition 2.b. is amended to adopt the following change in Lot Coverage:**

   Maximum lot coverage: ~~40%~~ 45%

4. **The following deviation is approved and added to the planned development:**

   Deviation from LDC Section 10-328(b) requiring the width of closed drainage easements must be based upon sound engineering principles including, but not limited to, depth of cut, size of drainage pipe, proximity of structures, etc.

Closed drainage easements must be a minimum of 15 feet in width for pipes that are 48 inches or less in diameter. The easement width for multiple pipes or for pipes greater than 48 inches in diameter is 25 feet or more, to allow 13 foot wide drainage easements with pipes up to 30 inches in diameter.

5. **The developer must release 2 foot each of the effective Drainage Easements and provide evidence of recording prior to submission of a Type A Development Order depicting the revised easements.**

6. **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Director may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

DULY PASSED AND ADOPTED ON 7/20/2015

BY: Pam Houck

Electronically Signed by
Pam Houck, Director
Division of Zoning
Department of Community Development

Exhibit:
A. Legal Description

ADD2015-00106 Lee County ePlan

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

Exhibit A

DESCRIPTION

ALL OF THE RECORD PLAT OF CAMDEN SQUARE, INSTRUMENT NO. 2015000072624, LEE COUNTY RECORDS, LYING IN SECTION 18, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY,FLORIDA.

APPROVED
ADD2015-00106
Chick Jakacki, Planner
Lee Co Division of Zoning
7/10/2015

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

RESOLUTION NUMBER Z-07-066A

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, Gary L. Howe filed an application on behalf of himself and SEASPRAY LTD, property owners, to rezone a 12.93± acre parcel from Agricultural (AG-2) to Residential Planned Development (RPD), in reference to The Reserve At Penzance f/k/a Villas At Penzance; and,

WHEREAS, a public hearing was advertised and held on November 14, 2007, before the Lee County Zoning Hearing Examiner, Richard A. Gescheidt, who gave full consideration to the evidence in the record for Case #DCI2005-00115; and

WHEREAS, a second public hearing was scheduled for February 4, 2008, and subsequently continued to March 31, 2008.

WHEREAS, a third public hearing was advertised and held on March 31, 2008, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons and at the conclusion of the presentations of Staff and applicant and, following the comments and presentation of other interested parties present, the matter was continued to May 5, 2008. The continuance was to allow for the applicant to submit a revised Master Concept Plan (MCP) and revised conditions to zoning staff for review and comment. The revised MCP and conditions were to reflect the applicants revised request for a maximum of 45 single family dwelling units representing a density of 3.5 units/acre.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to rezone 12.93 +/- acres from AG-2 to RPD to allow for a maximum of 78 multiple-family dwelling units (Option A) or 110 multiple-family dwelling units including 17 onsite workforce housing units (Option B), both with a maximum building height of 35 feet/2-stories. This request was denied by the Hearing Examiner.

At hearing before the Board of County Commissioners, applicant revised its request to a plan for 45 single-family units, approximately 3.5 units per acre. Of note, the project has changed names to "The Reserve at Penzance." No blasting is requested. This development will connect to public potable water and public sanitary sewer as part of this development. The property is located in the Central Urban Future Land Use Category and is legally described in attached Exhibit A. This request is APPROVED, SUBJECT TO the conditions specified in Section B below.

DCI2016-00011
STAFF'S EXHIBIT
#3a

5-5-08Z

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County land Development Code (LDC).

1. The development of this project must be consistent with the 2-page MCP entitled THE RESERVE AT PENZANCE, dated April 1, 2008, and date-stamped "RECEIVED MAY 28 2008 PERMIT COUNTER", attached hereto as Exhibit C, except as modified by the conditions below. This development must comply with all requirements of the LDC at time of local development order approval. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

   Maximum Number of Dwelling Units: 45

2. The following limits apply to the project and uses:

   a. Schedule of Uses

   Accessory uses and structures - including boardwalks
   Dwelling Units
   Single Family
   Essential Services
   Essential Service Facilities - Group I Only
   Excavation, Water Retention - No Blasting. Removal Of Excavated Material Offsite Not Permitted.
   Fences, Walls, Per LDC §34-1741
   Home Occupation, Per LDC §34-1741 *et seq* - No Outside Help
   Model Units - See Condition 4
   Real Estate Sales Office - See Condition 4
   Residential Accessory Uses
   Signs In Accordance With Chapter 30
   Temporary Uses Limited To Construction/Sales Office
   Also See Condition 4.

   b. Site Development Regulations

   Single-Family
   Minimum Lot Areas and Dimensions

Lot Size:	6,500 square feet
Lot Width:	50 feet
Lot Depth:	100 feet

Minimum Setbacks - Principal Structures

Street (external)	25 feet
Street (internal)	20 feet
Side	5 feet
Rear (perimeter)	25 feet
Rear (internal)	20 feet
Water Body	25 feet

Minimum Setbacks - Accessory Structures

Street (external)	15 feet
Street (internal)	5 feet
Side	5 feet
Rear (perimeter)	15 feet
Rear (internal)	5 feet
Water Body	25 feet

Minimum Building Separation: 10 feet.

Maximum Height: 2 stories / 35 feet.

Maximum Lot Coverage: 45%

3. NO BLASTING: No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.

4. MODEL HOMES, UNITS/REAL ESTATE SALES

   A. The number of model homes will be limited to no more than 6 within the development at one time.

   B. Any model homes must be developed within the area identified as "Model" on the approved MCP.

   C. Models cannot be of the same floor plan and each must be a distinctly different design.

   D. Real estate sales are limited to model homes or a temporary construction/sales office.

   E. The temporary construction/sales office must be developed as identified as "Construction Trailer/Sales" on the approved MCP. Such uses are limited to 1 structure.

   F. Real estate sales will be limited to the sale of lots or units within the development only.

G. Hours of operation for model units and real estate sales are limited to Monday through Sunday, 8 a.m. through 8 p.m.

5. TRAFFIC: Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.

6. LEE PLAN ALLOCATION: Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), be reviewed for, and found consistent with all other Lee Plan provisions.

7. WATER AND SEWER: Development of this project must connect to both public water and public sewer service. At time of local development order, the developer must also demonstrate there is adequate water and sewer capacity to handle the proposed level of development.

8. CONCURRENCY: Approval of this zoning request does not constitute a finding that the proposed project meets the concurrency requirements set forth in LDC Chapter 2 and the Lee Plan. The developer is required to demonstrate compliance with all concurrency requirements prior to issuance of a local development order.

9. ENTRANCE GATES/GATE HOUSES: No entrance gates or gatehouses are permitted as part of this development.

10. BIKEWAYS OR PEDESTRIAN WAYS: The developer must construct a sidewalk, bikeway or pedestrian way on Penzance Boulevard and Ranchette Road, along the entire project frontage as a site-related improvement, in order to achieve a safe means of connecting with adjacent uses. Such facilities must be included in local development orders as part of construction of the project's infrastructure.

11. FOX SQUIRRELS: Prior to local development order approval, the property must be surveyed for the presence of Big Cypress fox squirrels and field verified by Lee County Division of Environmental Sciences (ES) staff. If any nest structures are located, the nests must be monitored for 5 days to determine if the nests are being utilized by Big Cypress fox squirrels and if nesting activities are taking place. If the nests are deemed to be active, a 125 foot natural vegetated buffer must remain undisturbed around the nest tree until nesting activities have been deemed complete by the Florida Fish and Wildlife Conservation Commission (FWC) and the Lee County Division of Environmental Sciences. Once the nests have been deemed inactive, any request for removal of the nest tree must be coordinated with FWC and Division of Environmental Sciences.

Prior to local development order approval, if Big Cypress fox squirrels or evidence there of are identified on the site a management plan must be submitted for Division of Environmental Sciences staff review and approval.

12. RED SHOULDERED HAWKS: Prior to local development order approval, the property must be surveyed specifically for active hawk nests and field verified by Lee County Division of Environmental Sciences (ES) staff. If an active hawk nest is identified, the project will comply with the requirements stipulated in the Migratory Bird Treaty Act (Title 50 CFR Part 21) as regulated by the Florida Fish and Wildlife Conservation Commission (FWC). ES staff must be copied on all correspondence with the FWC.

13. STORMWATER/DRAINAGE AREAS: Prior to local development order approval, the landscape plans must depict all dry detention areas, excluding swales, planted with a minimum of one species of native clump grass and two species of native herbaceous plantings or one species of native clump grass, one species herbaceous planting, and leather fern. The plantings must be a minimum one gallon container size (or three 2 inch liners), cover fifty percent (50%) of the bottom of the detention at time of planting, and installed in large clusters that mimic a natural plant community. The planting of dry detention will not be used to reduce the general tree requirement.

14. WETLAND PRESERVE: Prior to local development order approval, the development order plans must delineate:

    A. A minimum 0.68 acre wetland preserve area in substantial compliance with the MCP; and

    B. Single family lot lines outside the wetland preserve and any required associated upland buffers.

    A management plan for the preserve must be submitted for review and approval by the Lee County Division of Environmental Sciences. The plan must include requirements of LDC §10-415(b)(4) and Environmental Resource Permits (ERP) restoration and maintenance requirements.

    Prior to local development order approval, the development regulations must include a minimum 20-foot building and accessory structure setback from preserve area.

15. NO ON-SITE BURNING: No on-site burning of vegetation will occur during the clearing of the development site.

SECTION C. EXHIBITS AND STRAP NUMBER:

The following exhibits are attached to this resolution and incorporated by reference:

Exhibit A: Legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: Master Concept Plan

The applicant has indicated that the STRAP numbers for the subject property are:
07-45-25-08-00000.0320 and 07-45-25-08-00000.0330

SECTION D. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.

2. The rezoning, as approved:

   a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,

   b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,

   c. is compatible with existing or planned uses in the surrounding area; and,

   d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,

   e. will not adversely affect environmentally critical areas or natural resources.

3. The rezoning satisfies the following criteria:

   a. the proposed use or mix of uses is appropriate at the subject location; and

   b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and

   c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

Commissioner Hall made a motion to adopt the foregoing resolution, seconded by Commissioner Mann. The vote was as follows:

Robert P. Janes	Aye
Brian Bigelow	Absent
Ray Judah	Aye
Tammara Hall	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 5th day of May 2008.

ATTEST:
CHARLIE GREEN, CLERK

BY: Marcia Wilson
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Ray Judah
Ray Judah, Chair

SEAL

Approved as to form by:

Robert Spickerman
Assistant County Attorney
County Attorney's Office

RECEIVED
MINUTES OFFICE
mw
2008 JUN 10 PM 2:57

Special Purpose Survey of:

Description to Accompany Sketch of

TRACTS 32 & 33

PINE RANCH ESTATES (UNRECORDED)

Lee County, Florida

COMBINED LEGAL DESCRIPTION OF
TRACTS 32 AND 33 OF PINE RANCH ESTATES

A PARCEL OF LAND BEING PART OF SECTION 7, TOWNSHIP 45 SOUTH, RANGE 25 EAST AND FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:
STARTING AT THE NORTHEAST CORNER OF SECTION 7, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
THENCE SOUTH 00°38'50" EAST A DISTANCE OF 2643.24 FEET TO THE EAST ¼ CORNER OF AFORESAID SECTION 7;
THENCE SOUTH 00°39'15" EAST, A DISTANCE OF 986.76 FEET TO A CONCRETE MONUMENT AND THE POINT OF BEGINNING;
THENCE CONTINUING ALONG EAST LINE OF SECTION 7, SOUTH 00°39'15" EAST A DISTANCE OF 874.39 FEET TO A POINT AT THE CENTERLINE OF THE MAINTAINED RIGHT-OF-WAY, BEING 60 FEET WIDE FOR PENZANCE BOULEVARD;
THENCE NORTH 86°55'48" WEST A DISTANCE OF 661.28 FEET TO A POINT ON THE WEST LINE OF TRACTS 32 AND 33, AND SAID CENTERLINE OF PENZANCE BOULEVARD;
THENCE NORTH 00°39'05" WEST A DISTANCE OF 832.58 FEET, ALONG THE WEST LINE OF SAID TRACTS 32 AND 33,
THENCE N89°26'44" EAST A DISTANCE OF 659.85 FEET, ALONG THE NORTH LINE OF TRACT 32 PASSING THROUGH A CONCRETE MONUMENT AT 32.48 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE WEST 32.48 FEET AND THE SOUTHERLY 30 FEET OF THIS LAND WHICH IS RESERVED FOR USE OF PUBLIC RIGHT-OF-WAY.

PARCEL CONTAINS 563,183.95 SQ.FT. OR 12.93 ACRES.

RECEIVED
MAY 26 2006
DCI 2005-00115

Sheet 1 of 2
(See Sheet 2 of 2 for Sketch of Legal Description)

This is Not a Boundary Survey

SANIBEL SURVEYS
2410 Palm Ridge Road
Sanibel Florida 33957
472-0095
sanibelsurveys@gmail.com
Licensed Business No. 7443

JOB #05079

Valid only with embossed seal

CERTIFICATION:
I HEREBY CERTIFY THAT THIS DOCUMENT WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61617-6 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.0027 OF THE FLORIDA STATUTES.

BY: _____
Walter L. Fraser, PLS #3985

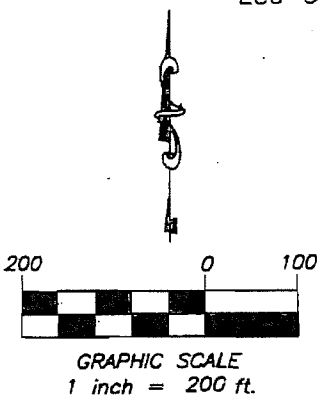
DATE SIGNED: 2/28/06

Special Purpose Survey of:
Sketch to Accompany Description of

TRACTS 32 & 33

PINE RANCH ESTATES (UNRECORDED)

Lee County, Florida



East Line Section 7

S 00°38'50" E
2643.24' (Deed)

Point of Commencement
Northeast Corner
Section 7, Township 45 South,
Range 25 East

East Quarter Corner
Section 7

S 00°39'15" E
986.76' (Deed)

Point of Beginning
Northeast Corner
Tract 32

East Line Tract 32

North Line Tract 32

N 89°26'44" E 659.84'

Tract 32

Centerline Ranchette Road

N 00°39'05" W 832.58'

S 00°39'15" E 874.38'

East Line Tract 33

Tract 33

RECEIVED
MAY 2 6 2006

DCI 2005-00115

N 86°55'48" W 661.28'

Centerline Penzance Boulevard

This document is not valid without Sheet 1 of 2
which displays the signature and raised seal
of the Licensed Land Surveyor.

Sheet 2 of 2

(See Sheet 1 of 2 for Legal Description)

This is Not a Boundary Survey

SANIBEL SURVEYS
2410 Palm Ridge Road
Sanibel Florida 33957
472-0095
sanibelsurveys@gmail.com
Licensed Business No. 7443

JOB #05079

DCI2005-00115

Zoning Map

10/12/2007

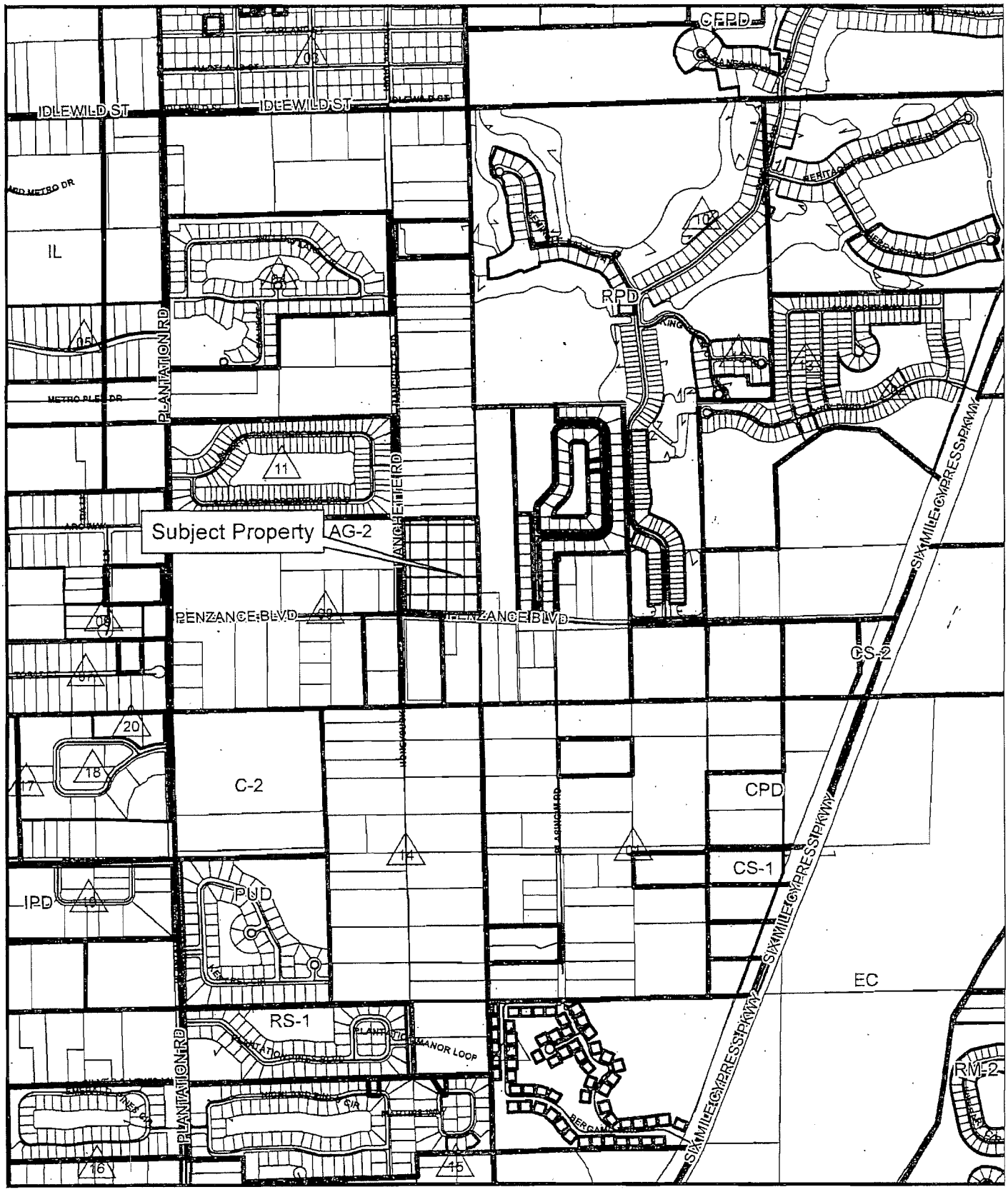
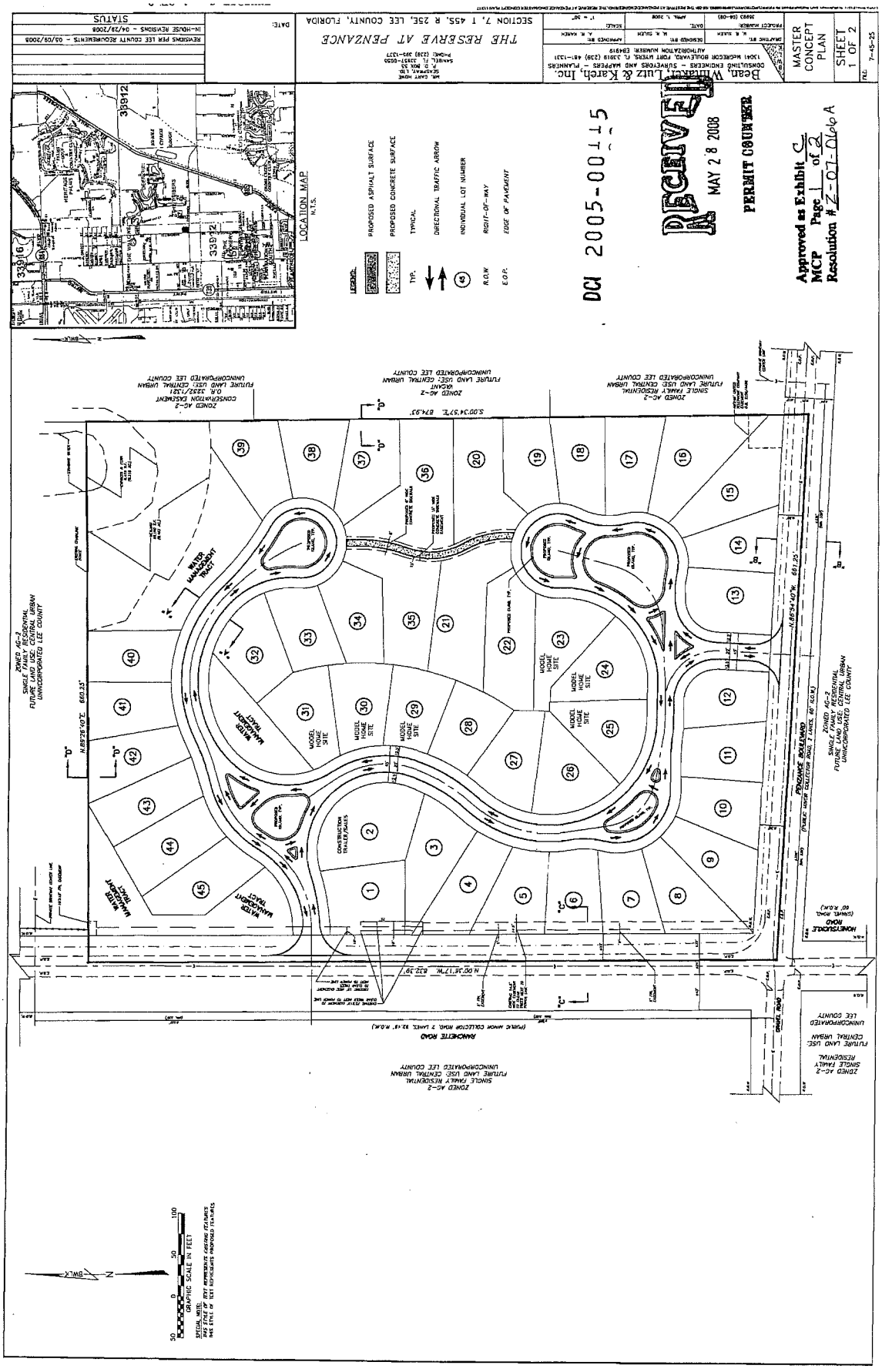
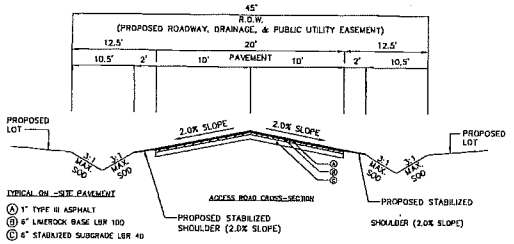
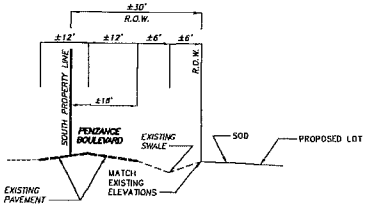


EXHIBIT B

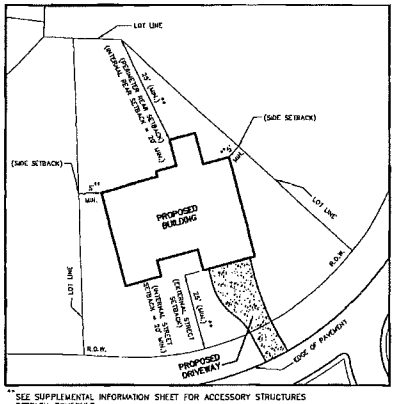

THE RESERVE AT PENZANCE
SECTION 7, T 45S, R 25E, LEE COUNTY, FLORIDA
Bean, Whitaker, Luiz & Karch, Inc.
CONSULTING ENGINEERS - SURVEYORS AND MAPPERS
1504 MCGREGOR BOULEVARD FORT MYERS, FL 33919 (239) 481-1331
AUTHORIZATION NUMBER EB4919
MASTER CONCEPT PLAN
SHEET 1 OF 2
7-15-25
STATUS
IN-HOUSE REVISIONS - 04/29/2008
REVISIONS PER LEE COUNTY REQUIREMENTS - 03/03/2008
LOCATION MAP
N.T.S.
LEGEND
PROPOSED ASPHALT SURFACE
PROPOSED CONCRETE SURFACE
TYP. TYPICAL
DIRECTIONAL TRAFFIC ARROW
INDIVIDUAL LOT NUMBER
R.O.W. RIGHT-OF-WAY
E.O.P. EDGE OF PAVEMENT
DCI 2005-00115
RECEIVED
MAY 28 2008
PERMIT COUNTER
Approved as Exhibit C
MCP Page 1 of 2
Resolution # Z-07-046 A
ZONED AG-2
SINGLE FAMILY RESIDENTIAL
FUTURE LAND USE: CENTRAL URBAN
UNINCORPORATED LEE COUNTY
ZONED AG-2
CONSERVATION EASEMENT
O.R. 3333/1181
FUTURE LAND USE: CENTRAL URBAN
UNINCORPORATED LEE COUNTY
PENZANCE BOULEVARD
(PUBLIC MINOR COLLECTOR ROAD, 2 LANES, 80' R.O.W.)
HONEYSUCKLE ROAD
(SWALE ROAD, 60' R.O.W.)
RAMONETTE ROAD
(PUBLIC MINOR COLLECTOR ROAD, 2 LANES, 92'-0" R.O.W.)
WATER MANAGEMENT TRACT
MODEL HOME SITE
CONSTRUCTION TRAILER/SALES
PROPOSED GUARD TYP.
PROPOSED BLVD. TYP.
S.00°34'57"E. 874.93'
N.88°34'40"W. 661.25'
N.88°34'40"E. 660.25'
N.00°36'17"W. 822.39'
GRAPHIC SCALE IN FEET
0 50 100
SPECIAL NOTE:
THIS STYLE OF TEXT REPRESENTS EXISTING FEATURES
THIS STYLE OF TEXT REPRESENTS PROPOSED FEATURES



CROSS-SECTION "A"-"A" (TYPICAL)
N.T.S.

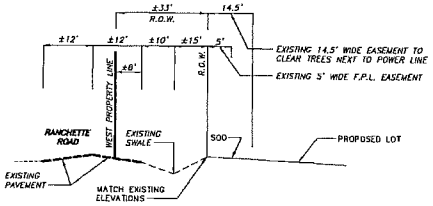


CROSS-SECTION "B"-"B"
N.T.S.



** SEE SUPPLEMENTAL INFORMATION SHEET FOR ACCESSORY STRUCTURES SETBACK SCHEDULE.

TYPICAL LOT LAYOUT
N.T.S.



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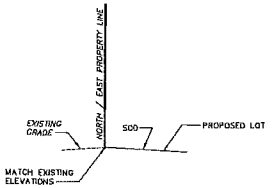
N.T.S.



CROSS-SECTION "D"-"D"
N.T.S.

DCI 2005-00115

RECEIVED
MAY 28 2008
PERMIT COUNTER

Approved as Exhibit C
MCP Page 2 of 2
Resolution # Z-07-066A

EXHIBIT C PAGE 2 OF 2

		IN-HOUSE REVISIONS - 04/29/2008
		STATUS
		DATE:

THE RESERVE AT PENZANCE
SECTION 7, T 45S, R 25E, LEE COUNTY, FLORIDA

MR. GARY HOWE
TEDDER WAY, STE.
BONITA SPRINGS, FL 34135
SAMUEL, FL 33957-3605
PHONE: (239) 992-2600

Bean, Whitaker, Lutz & Karch, Inc.
CONSULTING ENGINEERS, SURVEYORS AND PLANNERS
13041 MORESBY BOULEVARD, FORT MYERS, FL 33913 (239) 481-1331
AUTHORIZATION NUMBER: EB4419

DRAFTING BY:	K. R. RUDY	DESIGNED BY:	M. K. BULICH
PROJECT NUMBER:	34833 (05-08)	DATE:	JUNE 1, 2005
		SCALE:	AS SHOWN
		APPROVED BY:	R. KAREN

DETAILS & NOTES

SHEET 2 OF 2

INC

7-45-25

I:\PLAN\ 1 FILL SURVEYING AND ENGINEERING FILES\PROJECTS\34833\DWGS\34833 THE RESERVE AT PENZANCE\SHEETS\THE RESERVE AT PENZANCE DETAILS & NOTES

ADMINISTRATIVE AMENDMENT (PD) ADD2013-00032A

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Seaspray, Ltd. Co. filed an application for administrative approval to a Residential Planned Development (RPD) on a project known as The Reserve @ Penzance for an administrative amendment to the master concept plan to change the location for model home sites and temporary construction sales trailer on property located at 11731 & 11803 Ranchette Road, described more particularly as:

LEGAL DESCRIPTION: In Section 07, Township 45 South, Range 25 East, Lee County, Florida:

See Attached "EXHIBIT A";

WHEREAS, the property was originally rezoned in resolution number Z-07-066A; and

WHEREAS, the subject property is located in the Central Urban Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the subject property is located within the South Fort Myers Planning Community; and

WHEREAS, the subject property was rezoned from Agricultural (AG-2) to Residential Planned Development per Zoning Resolution Z-07-066A (Attachment "B") that included a maximum of 45 single-family dwelling units on +/- 12.93 acres of land; and

WHRERAS, Zoning Resolution Z-07-066A was approved by the Lee County Board of County Commissioners May 5, 2008; and

WHEREAS, the approved master concept plan provides for six model home locations on lots 23, 24, 25, 29, 30, and 31 with a temporary construction/sales trailer on lot 2; and

WHEREAS, Zoning Resolution Z-07-066A Condition 4 provides a maximum of 6 model homes on the residential planned development and generally regulates model home and real estate sales; and

WHEREAS, the applicant has requested to change the location of model homes and the temporary construction/sales trailer; and

WHEREAS, the applicant's proposed master concept plan (Attachment "A") is otherwise unchanged from the approved master concept plan; and

DC/2016-00011
STAFF'S EXHIBIT
#36

WHEREAS, the proposed location of the model homes on lots 12, 13, 14, 15, 16, and 24 and the temporary construction/sales trailer on lot 23 are consistent with Condition 4 of Zoning Resolution Z-07-066A; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to the Reserve at Penzance Residential Planned Development (RPD) for administrative amendment to the master concept plan to change the location for model home sites and temporary construction sales trailer is **APPROVED subject to the following conditions:**

1. **The Development must be in compliance with the amended Master Concept Plan, dated MAY 30, 2013. Master Concept Plan for ADD2013-00032 is hereby APPROVED and adopted. A reduced copy is attached hereto.**

2. **The terms and conditions of the original zoning resolutions remain in full force and effect.**

3. **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Director may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

DULY SIGNED this 3rd day of June, A.D., 2013.

BY: _____

Pam Houck, Director
Division of Zoning
Department of Community Development

Attachments

Exhibit "A" – Legal Description and Sketch

Attachment "A" – Administrative Amendment Models, May 30, 2013.

Attachment "B" - Zoning Resolution Z-07-066A

Special Purpose Survey of:

Description to Accompany Sketch of

TRACTS 32 & 33

PINE RANCH ESTATES (UNRECORDED)

Lee County, Florida

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APR 09 2013
COMMUNITY DEVELOPMENT

ADD 2013-00032

COMBINED LEGAL DESCRIPTION OF
TRACTS 32 AND 33 OF PINE RANCH ESTATES

A PARCEL OF LAND BEING PART OF SECTION 7, TOWNSHIP 45 SOUTH, RANGE 25 EAST AND FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:
STARTING AT THE NORTHEAST CORNER OF SECTION 7, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
THENCE SOUTH 00°38'50" EAST A DISTANCE OF 2643.24 FEET TO THE EAST ¼ CORNER OF AFORESAID SECTION 7;
THENCE SOUTH 00°39'15" EAST, A DISTANCE OF 986.76 FEET TO A CONCRETE MONUMENT AND THE POINT OF BEGINNING;
THENCE CONTINUING ALONG EAST LINE OF SECTION 7, SOUTH 00°39'15" EAST A DISTANCE OF 874.39 FEET TO A POINT AT THE CENTERLINE OF THE MAINTAINED RIGHT-OF-WAY, BEING 60 FEET WIDE FOR PENZANCE BOULEVARD;
THENCE NORTH 86°55'48" WEST A DISTANCE OF 661.28 FEET TO A POINT ON THE WEST LINE OF TRACTS 32 AND 33, AND SAID CENTERLINE OF PENZANCE BOULEVARD;
THENCE NORTH 00°39'05" WEST A DISTANCE OF 832.58 FEET, ALONG THE WEST LINE OF SAID TRACTS 32 AND 33,
THENCE N89°26'44" EAST A DISTANCE OF 659.85 FEET, ALONG THE NORTH LINE OF TRACT 32 PASSING THROUGH A CONCRETE MONUMENT AT 32.48 FEET TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM THE WEST 32.48 FEET AND THE SOUTHERLY 30 FEET OF THIS LAND WHICH IS RESERVED FOR USE OF PUBLIC RIGHT-OF-WAY.

PARCEL CONTAINS 563,183.95 SQ.FT. OR 12.93 ACRES.

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MAY 26 2006
DCI 2005-00115

4.12.13
APPROVED
LEGAL

Sheet 1 of 2
(See Sheet 2 of 2 for Sketch of Legal Description)

This is Not a Boundary Survey

SANIBEL SURVEYS
2410 Palm Ridge Road
Sanibel Florida 33957
472-0095
sanibelsurveys@gmail.com
Licensed Business No. 7443

JOB # 05079



Valid only with embossed seal

CERTIFICATION:
I HEREBY CERTIFY THAT THIS DOCUMENT WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61617-6 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.0027 OF THE FLORIDA STATUTES.

BY:
Walter L. Fraser, PLS #3985
DATE SIGNED: 2/28/06

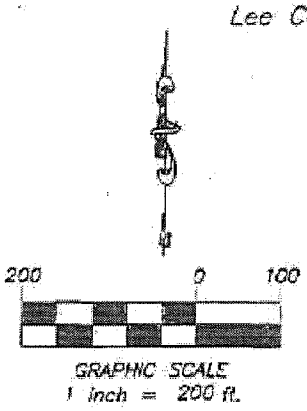
EXHIBIT A

Special Purpose Survey of:
Sketch to Accompany Description of

TRACTS 32 & 33

PINE RANCH ESTATES (UNRECORDED)

Lee County, Florida



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APR 19 2013
COMMUNITY DEVELOPMENT

APPROVED
LEGAL

RECEIVED
MAY 26 2006

DCI 2005-00115

This document is not valid without Sheet 1 of 2
which displays the signature and raised seal
of the Licensed Land Surveyor.
Sheet 2 of 2
(See Sheet 1 of 2 for Legal Description)

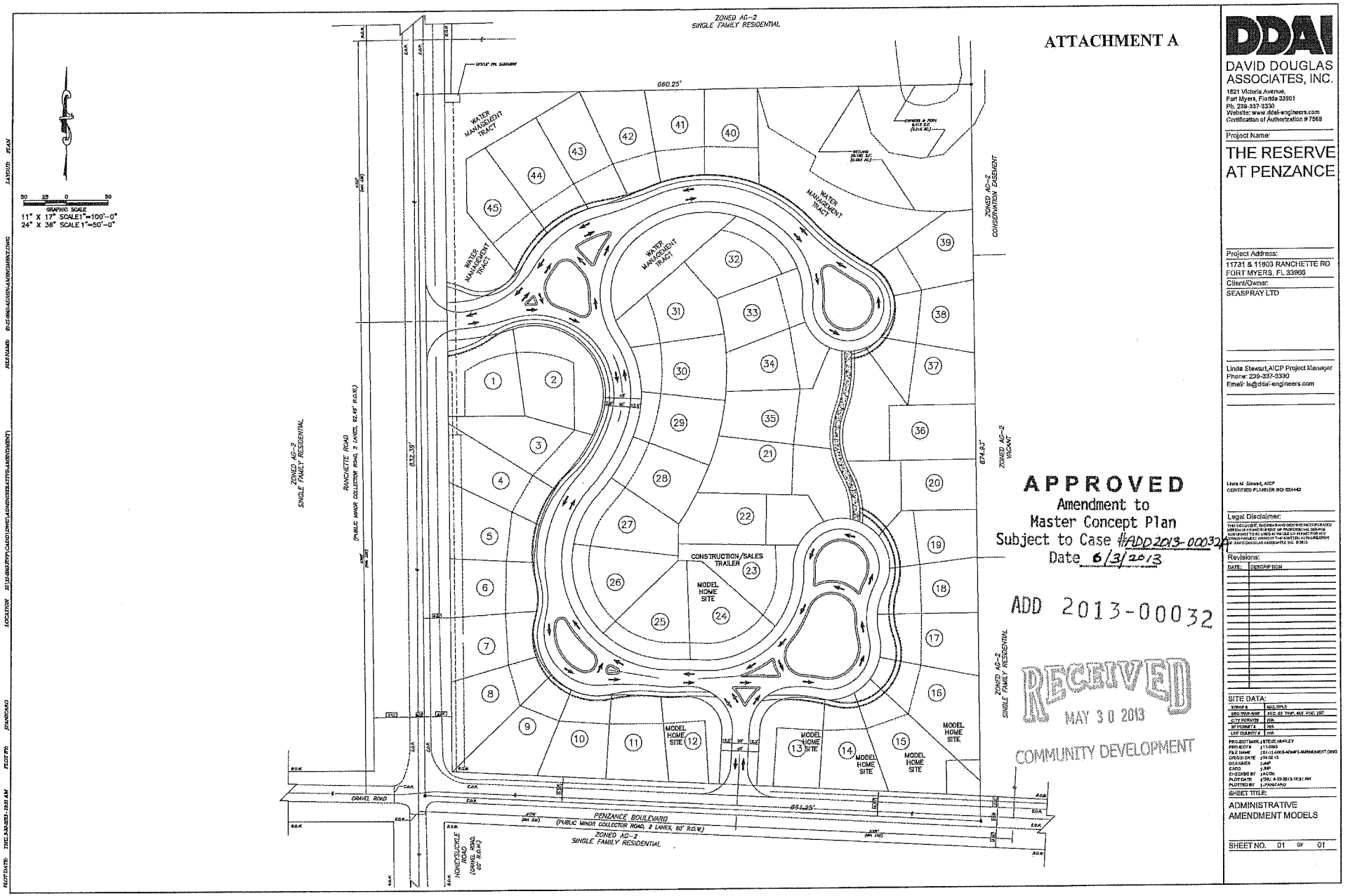
This is Not a Boundary Survey

SANIBEL SURVEYS
2410 Palm Ridge Road
Sanibel Florida 33957
472-0095
sanibelsurveys@gmail.com
Licensed Business No. 7443

JOB #05079

DCI 2013-00032

EXHIBIT A



ATTACHMENT A

APPROVED
Amendment to
Master Concept Plan
Subject to Case #ADD2013-00032
Date 6/3/2013

ADD 2013-00032

RECEIVED
MAY 30 2013
COMMUNITY DEVELOPMENT

DDAI
DAVID DOUGLAS ASSOCIATES, INC.
1821 Victoria Avenue,
Fort Myers, Florida 33901
Ph. 239-337-3330
Website: www.ddai-engineers.com
Certification of Authorization # 7568

Project Name:

THE RESERVE AT PENZANCE

Project Address:
11731 & 11803 RANCHETTE RD
FORT MYERS, FL 33966

Client/Owner:
SEASPRAY LTD

Linda Stewart,AICP Project Manager
Phone: 239-337-3330
Email: ls@ddai-engineers.com

Linda M. Stewart, AICP
CERTIFIED PLANNER NO: 024442

Legal Disclaimer:
THIS DOCUMENT, AND IDEAS AND DESIGNS INCORPORATED HEREIN AS AN INSTRUMENT OF PROFESSIONAL SERVICE, IS THE PROPERTY OF DAVID DOUGLAS ASSOCIATES, INC. AND WAS PREPARED BY THE AGENTS OR EMPLOYEES OF DAVID DOUGLAS ASSOCIATES, INC. © 2013

Revisions:

DATE:	DESCRIPTION

SITE DATA:

ZONING	MULTIPLE
RPD TRACT AREA	83.0, 82, 77±P, 48± POD, 19P
CITY PERMITS	N/A
SFD UNITS	N/A
LOT COUNT	N/A

PROJECT MGR.: STEVE HARLEY
PROJECT # 11-0043
FILE NAME 11-11-0043-ADMIN-AMENDMENT-DWG
DESIGN DATE 05.02.13
DESIGNED
CADD
CHECKED BY
PLOT DATE 5/30/2013 10:31 AM
PLOTTED BY

SHEET TITLE:
ADMINISTRATIVE AMENDMENT MODELS

SHEET NO. 01 OF 01

RESOLUTION NUMBER Z-07-066A

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, Gary L. Howe filed an application on behalf of himself and SEASPRAY LTD, property owners, to rezone a 12.93± acre parcel from Agricultural (AG-2) to Residential Planned Development (RPD), in reference to The Reserve At Penzance f/k/a Villas At Penzance; and,

WHEREAS, a public hearing was advertised and held on November 14, 2007, before the Lee County Zoning Hearing Examiner, Richard A. Gescheidt, who gave full consideration to the evidence in the record for Case #DCI2005-00115; and

WHEREAS, a second public hearing was scheduled for February 4, 2008, and subsequently continued to March 31, 2008.

WHEREAS, a third public hearing was advertised and held on March 31, 2008, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons and at the conclusion of the presentations of Staff and applicant and, following the comments and presentation of other interested parties present, the matter was continued to May 5, 2008. The continuance was to allow for the applicant to submit a revised Master Concept Plan (MCP) and revised conditions to zoning staff for review and comment. The revised MCP and conditions were to reflect the applicants revised request for a maximum of 45 single family dwelling units representing a density of 3.5 units/acre.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to rezone 12.93 +/- acres from AG-2 to RPD to allow for a maximum of 78 multiple-family dwelling units (Option A) or 110 multiple-family dwelling units including 17 onsite workforce housing units (Option B), both with a maximum building height of 35 feet/2-stories. This request was denied by the Hearing Examiner.

At hearing before the Board of County Commissioners, applicant revised its request to a plan for 45 single-family units, approximately 3.5 units per acre. Of note, the project has changed names to "The Reserve at Penzance." No blasting is requested. This development will connect to public potable water and public sanitary sewer as part of this development. The property is located in the Central Urban Future Land Use Category and is legally described in attached Exhibit A. This request is APPROVED, SUBJECT TO the conditions specified in Section B below.

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ADD 2013-00032

ATTACHMENT B

5-5-08Z

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County land Development Code (LDC).

1. The development of this project must be consistent with the 2-page MCP entitled THE RESERVE AT PENZANCE, dated April 1, 2008, and date-stamped "RECEIVED MAY 28 2008 PERMIT COUNTER", attached hereto as Exhibit C, except as modified by the conditions below. This development must comply with all requirements of the LDC at time of local development order approval. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

   Maximum Number of Dwelling Units: 45

2. The following limits apply to the project and uses:

   a. Schedule of Uses

   Accessory uses and structures - including boardwalks
   Dwelling Units
   Single Family
   Essential Services
   Essential Service Facilities - Group I Only
   Excavation, Water Retention - No Blasting. Removal Of Excavated Material Offsite Not Permitted.
   Fences, Walls, Per LDC §34-1741
   Home Occupation, Per LDC §34-1741 *et seq* - No Outside Help
   Model Units - See Condition 4
   Real Estate Sales Office - See Condition 4
   Residential Accessory Uses
   Signs In Accordance With Chapter 30
   Temporary Uses Limited To Construction/Sales Office
   Also See Condition 4.

   b. Site Development Regulations

   Single-Family
   Minimum Lot Areas and Dimensions

Lot Size:	6,500 square feet
Lot Width:	50 feet
Lot Depth:	100 feet

Minimum Setbacks - Principal Structures

Street (external)	25 feet
Street (internal)	20 feet
Side	5 feet
Rear (perimeter)	25 feet
Rear (internal)	20 feet
Water Body	25 feet

Minimum Setbacks - Accessory Structures

Street (external)	15 feet
Street (internal)	5 feet
Side	5 feet
Rear (perimeter)	15 feet
Rear (internal)	5 feet
Water Body	25 feet

Minimum Building Separation: 10 feet.

Maximum Height: 2 stories / 35 feet.

Maximum Lot Coverage: 45%

3. NO BLASTING: No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.

4. MODEL HOMES, UNITS/REAL ESTATE SALES

   A. The number of model homes will be limited to no more than 6 within the development at one time.

   B. Any model homes must be developed within the area identified as "Model" on the approved MCP.

   C. Models cannot be of the same floor plan and each must be a distinctly different design.

   D. Real estate sales are limited to model homes or a temporary construction/sales office.

   E. The temporary construction/sales office must be developed as identified as "Construction Trailer/Sales" on the approved MCP. Such uses are limited to 1 structure.

   F. Real estate sales will be limited to the sale of lots or units within the development only.

G. Hours of operation for model units and real estate sales are limited to Monday through Sunday, 8 a.m. through 8 p.m.

5. TRAFFIC: Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.

6. LEE PLAN ALLOCATION: Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), be reviewed for, and found consistent with all other Lee Plan provisions.

7. WATER AND SEWER: Development of this project must connect to both public water and public sewer service. At time of local development order, the developer must also demonstrate there is adequate water and sewer capacity to handle the proposed level of development.

8. CONCURRENCY: Approval of this zoning request does not constitute a finding that the proposed project meets the concurrency requirements set forth in LDC Chapter 2 and the Lee Plan. The developer is required to demonstrate compliance with all concurrency requirements prior to issuance of a local development order.

9. ENTRANCE GATES/GATE HOUSES: No entrance gates or gatehouses are permitted as part of this development.

10. BIKEWAYS OR PEDESTRIAN WAYS: The developer must construct a sidewalk, bikeway or pedestrian way on Penzance Boulevard and Ranchette Road, along the entire project frontage as a site-related improvement, in order to achieve a safe means of connecting with adjacent uses. Such facilities must be included in local development orders as part of construction of the project's infrastructure.

11. FOX SQUIRRELS: Prior to local development order approval, the property must be surveyed for the presence of Big Cypress fox squirrels and field verified by Lee County Division of Environmental Sciences (ES) staff. If any nest structures are located, the nests must be monitored for 5 days to determine if the nests are being utilized by Big Cypress fox squirrels and if nesting activities are taking place. If the nests are deemed to be active, a 125 foot natural vegetated buffer must remain undisturbed around the nest tree until nesting activities have been deemed complete by the Florida Fish and Wildlife Conservation Commission (FWC) and the Lee County Division of Environmental Sciences. Once the nests have been deemed inactive, any request for removal of the nest tree must be coordinated with FWC and Division of Environmental Sciences.

Prior to local development order approval, if Big Cypress fox squirrels or evidence there of are identified on the site a management plan must be submitted for Division of Environmental Sciences staff review and approval.

12. RED SHOULDERED HAWKS: Prior to local development order approval, the property must be surveyed specifically for active hawk nests and field verified by Lee County Division of Environmental Sciences (ES) staff. If an active hawk nest is identified, the project will comply with the requirements stipulated in the Migratory Bird Treaty Act (Title 50 CFR Part 21) as regulated by the Florida Fish and Wildlife Conservation Commission (FWC). ES staff must be copied on all correspondence with the FWC.

13. STORMWATER/DRAINAGE AREAS: Prior to local development order approval, the landscape plans must depict all dry detention areas, excluding swales, planted with a minimum of one species of native clump grass and two species of native herbaceous plantings or one species of native clump grass, one species herbaceous planting, and leather fern. The plantings must be a minimum one gallon container size (or three 2 inch liners), cover fifty percent (50%) of the bottom of the detention at time of planting, and installed in large clusters that mimic a natural plant community. The planting of dry detention will not be used to reduce the general tree requirement.

14. WETLAND PRESERVE: Prior to local development order approval, the development order plans must delineate:

    A. A minimum 0.68 acre wetland preserve area in substantial compliance with the MCP; and

    B. Single family lot lines outside the wetland preserve and any required associated upland buffers.

    A management plan for the preserve must be submitted for review and approval by the Lee County Division of Environmental Sciences. The plan must include requirements of LDC §10-415(b)(4) and Environmental Resource Permits (ERP) restoration and maintenance requirements.

    Prior to local development order approval, the development regulations must include a minimum 20-foot building and accessory structure setback from preserve area.

15. NO ON-SITE BURNING: No on-site burning of vegetation will occur during the clearing of the development site.

SECTION C. EXHIBITS AND STRAP NUMBER:

The following exhibits are attached to this resolution and incorporated by reference:

Exhibit A: Legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: Master Concept Plan

The applicant has indicated that the STRAP numbers for the subject property are:
07-45-25-08-00000.0320 and 07-45-25-08-00000.0330

SECTION D. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.

2. The rezoning, as approved:

   a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and,

   b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,

   c. is compatible with existing or planned uses in the surrounding area; and,

   d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,

   e. will not adversely affect environmentally critical areas or natural resources.

3. The rezoning satisfies the following criteria:

   a. the proposed use or mix of uses is appropriate at the subject location; and

   b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and

   c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

Commissioner Hall made a motion to adopt the foregoing resolution, seconded by Commissioner Mann. The vote was as follows:

Robert P. Janes	Aye
Brian Bigelow	Absent
Ray Judah	Aye
Tammara Hall	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 5th day of May 2008.

ATTEST:
CHARLIE GREEN, CLERK

BY: Marcia Wilson
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Ray Judah
Ray Judah, Chair

SEAL
BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

Approved as to form by:

Robert Spickerman
Assistant County Attorney
County Attorney's Office

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APR 09 2013
PDZ B1F
COMMUNITY DEVELOPMENT

ADD 2013-00032

Special Purpose Survey of:

Description to Accompany Sketch of

TRACTS 32 & 33

PINE RANCH ESTATES (UNRECORDED)

Lee County, Florida

RECEIVED
APR 09 2013
PDZ BIF
COMMUNITY DEVELOPMENT

COMBINED LEGAL DESCRIPTION OF
TRACTS 32 AND 33 OF PINE RANCH ESTATES

A PARCEL OF LAND BEING PART OF SECTION 7, TOWNSHIP 45 SOUTH, RANGE 25 EAST AND FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:
STARTING AT THE NORTHEAST CORNER OF SECTION 7, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
THENCE SOUTH 00°38'50" EAST A DISTANCE OF 2643.24 FEET TO THE EAST ¼ CORNER OF AFORESAID SECTION 7;
THENCE SOUTH 00°39'15" EAST, A DISTANCE OF 986.76 FEET TO A CONCRETE MONUMENT AND THE POINT OF BEGINNING;
THENCE CONTINUING ALONG EAST LINE OF SECTION 7, SOUTH 00°39'15" EAST A DISTANCE OF 874.39 FEET TO A POINT AT THE CENTERLINE OF THE MAINTAINED RIGHT-OF-WAY, BEING 60 FEET WIDE FOR PENZANCE BOULEVARD;
THENCE NORTH 86°55'48" WEST A DISTANCE OF 661.28 FEET TO A POINT ON THE WEST LINE OF TRACTS 32 AND 33, AND SAID CENTERLINE OF PENZANCE BOULEVARD;
THENCE NORTH 00°39'05" WEST A DISTANCE OF 832.58 FEET, ALONG THE WEST LINE OF SAID TRACTS 32 AND 33,
THENCE N89°26'44" EAST A DISTANCE OF 659.85 FEET, ALONG THE NORTH LINE OF TRACT 32 PASSING THROUGH A CONCRETE MONUMENT AT 32.48 FEET TO THE POINT OF BEGINNING.

ADD 2013-00032

EXCEPTING THEREFROM THE WEST 32.48 FEET AND THE SOUTHERLY 30 FEET OF THIS LAND WHICH IS RESERVED FOR USE OF PUBLIC RIGHT-OF-WAY.

PARCEL CONTAINS 563,183.95 SQ.FT. OR 12.93 ACRES.

RECEIVED
MAY 26 2006
DCI 2005-00115

Sheet 1 of 2
(See Sheet 2 of 2 for Sketch of Legal Description)

This is Not a Boundary Survey

SANIBEL SURVEYS
2410 Palm Ridge Road
Sanibel Florida 33957
472-0095
sanibelsurveys@gmail.com
Licensed Business No. 7443

JOB #05079

Valid only with embossed seal

CERTIFICATION:
I HEREBY CERTIFY THAT THIS DOCUMENT WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 61G17-6 FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.0027 OF THE FLORIDA STATUTES.

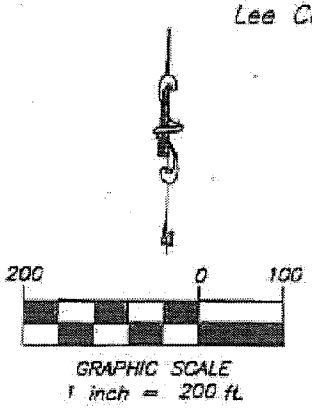
BY: _____
Walter L. Fraser, PLS #3985
DATE SIGNED: 2/28/06

Special Purpose Survey of:
Sketch to Accompany Description of

TRACTS 32 & 33

PINE RANCH ESTATES (UNRECORDED)

Lee County, Florida



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APR 09 2013
BIF
DPZ
COMMUNITY DEVELOPMENT

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MAY 26 2006

DCI 2005-00115

ADD 2013-00022

This document is not valid without Sheet 1 of 2 which displays the signature and raised seal of the Licensed Land Surveyor.

Sheet 2 of 2

(See Sheet 1 of 2 for Legal Description)

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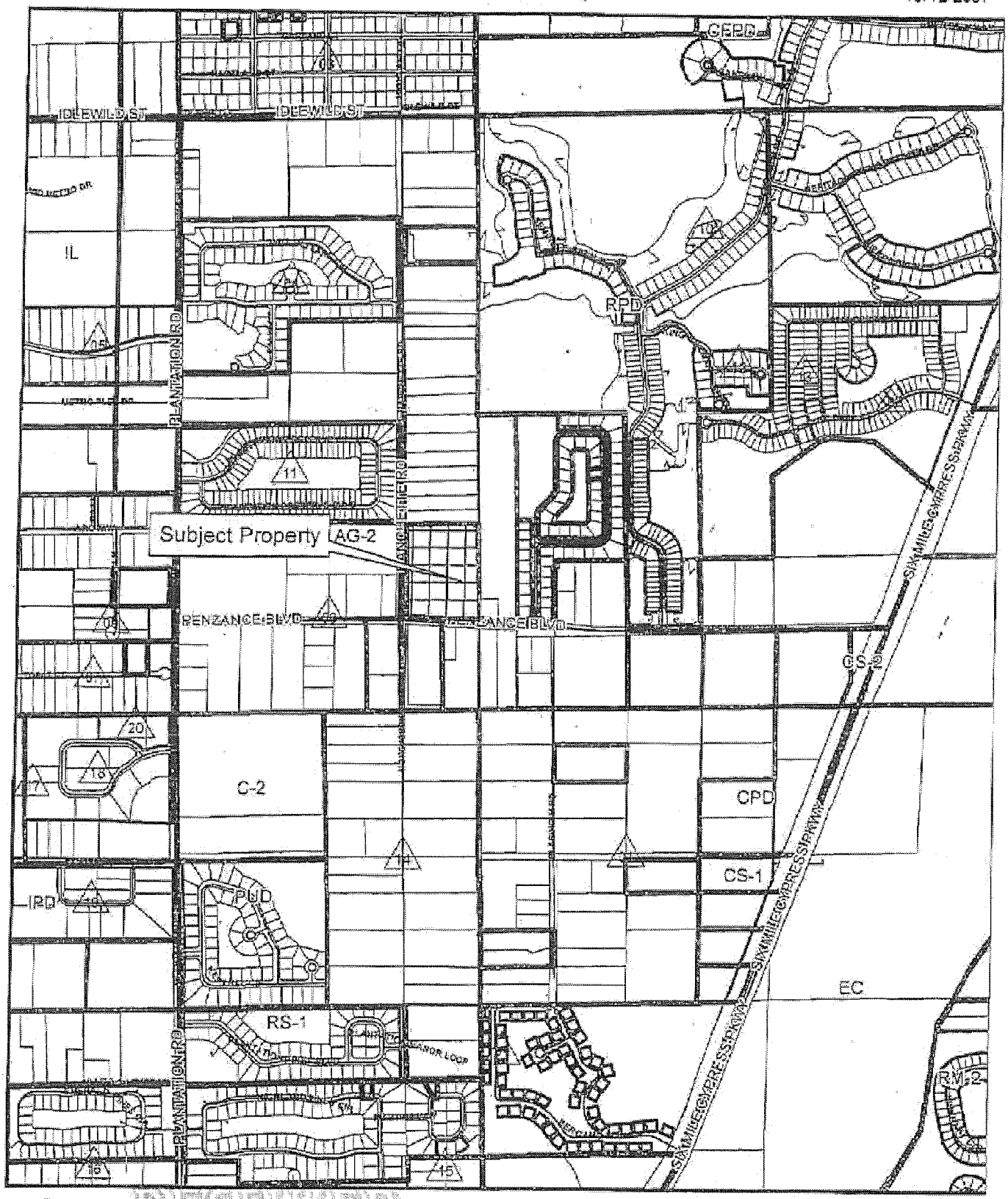
2410 Palm Ridge Road
Sanibel Florida 33957
472-0095
sanibelsurveys@gmail.com
Licensed Business No. 7443

JOB #05079

DCI2005-00115

Zoning Map

10/12/2007



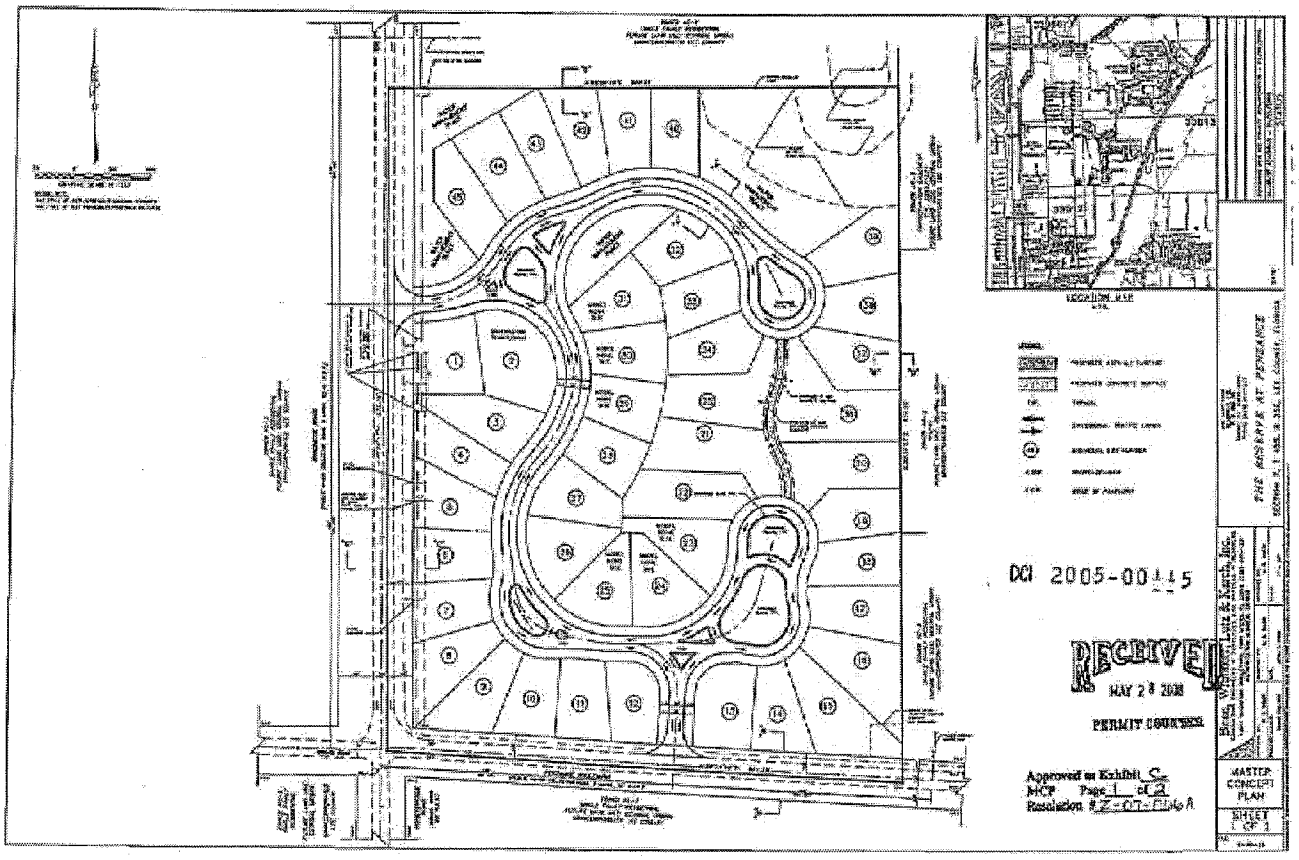
1,500 750 0 1,500 3,000 F

RECEIVED
APR 09 2013
COMMUNITY DEVELOPMENT

PDZ BIF

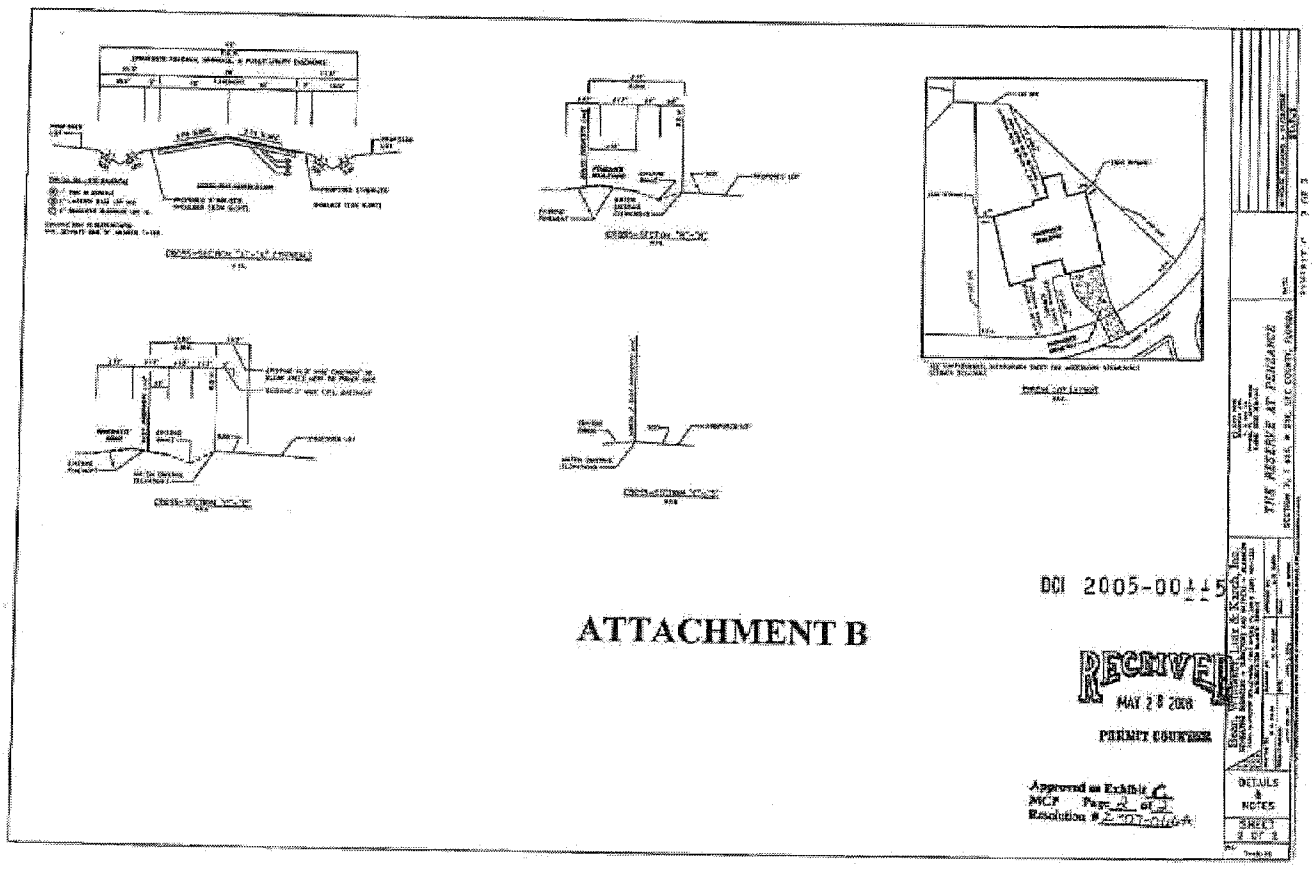
EXHIBIT B

ADD 2013-00032



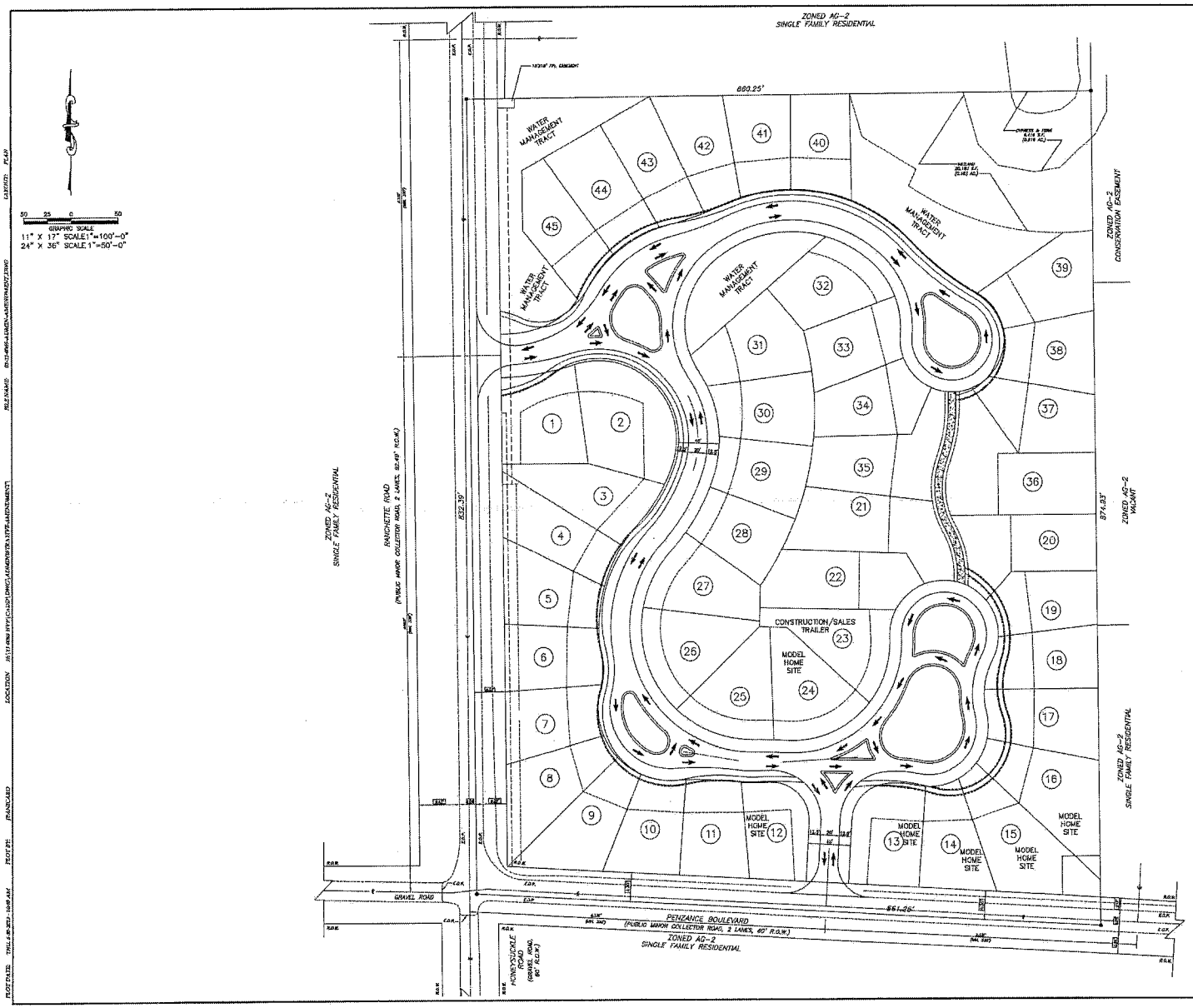
ATTACHMENT B

RECEIVED
APR 09 2013
PDZ BIF
COMMUNITY DEVELOPMENT
ADD 2013-00032



ATTACHMENT B

RECEIVED
APR 09 2013
PDZ BIF
COMMUNITY DEVELOPMENT
ADD 2013-00032



GRAPHIC SCALE
11" X 17" SCALE 1"=100'-0"
24" X 36" SCALE 1"=50'-0"

APPROVED
Amendment to
Master Concept Plan
Subject to Case # ADD 2013-00032 - Condition
Date 6/3/2014

ADD 2013-00032

RECEIVED
MAY 16 2013
COMMUNITY DEVELOPMENT

DDAI
DAVID DOUGLAS ASSOCIATES, INC.
1621 Victoria Avenue,
Fort Myers, Florida 33901
Ph. 239-337-3330
Website: www.ddai-engineers.com
Certification of Authorization # 7598

Project Name:

THE RESERVE AT PENZANCE

Project Address:
11731 & 11803 RANCHETTE RD
FORT MYERS, FL 33966

Client/Owner:
SEASPRAY LTD

Linda Stewart, AICP Project Manager
Phone: 239-337-3330
Email: ls@ddai-engineers.com

Linda M. Stewart, AICP
CERTIFIED PLANNER NO. 024442

Legal Disclaimer:

Revisions:

DATE:	DESCRIPTION

SITE DATA:

ZONING	AG-2 SINGLE
STRAP NUMBER	22, 27, 28, 33 TWP, 43S RGE 25E
CITY PERMITS	N/A
SFWMD PERMIT #	N/A
LEE COUNTY #	N/A

PROJECT MGR. | STEVE HURLEY
PROJECT # | 11-1066
FILE NAME | 11-1066 ADMIN AMENDMENT DWG
CREATION DATE | 04-30-13
DESIGNED | JNP
DRAWN | JNP
CHECKED BY | MDH
PLOT DATE | 5/13/2013 10:49 AM
PLOTTED BY | J.P.PANCARO

SHEET TITLE:
ADMINISTRATIVE AMENDMENT MODELS

SHEET NO. 01 OF 01

ADMINISTRATIVE AMENDMENT (PD) ADD2015-00005

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Seaspray, Ltd. Co. filed an application for an administrative amendment to a Residential Planned Development on a project known as The Reserve @ Penzance to:

1. Modify the Development Standards established by Resolution Z-07-066A to reduce the street setback from internal roadways to 15 feet; and

2. Reduce the minimum lot width for some irregularly shaped lots, as depicted in the attached Master Concept Plan (Exhibit B); and

3. Reduce the number of lots from 45 to 44; and

4. Renumber the lots where model homes and construction/sales trailer will be located.

On property located at 11731 & 11803 Ranchette Road, described more particularly as:

LEGAL DESCRIPTION: In Section 07, Township 45 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in Resolution number Z-07-066A with subsequent amendment in case number ADD2013-00032A; and

WHEREAS, the subject property is located in the Central Urban Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the subject property is located within the South Fort Myers Planning Community; and

WHEREAS, the subject property was rezoned from Agricultural (AG-2) to Residential Planned Development per Zoning Resolution Z-07-066A that included a maximum of 45 single-family dwelling units on +/- 12.93 acres of land; and

WHEREAS, the approved master concept plan provides for six model home locations on lots 23, 24, 25, 29, 30, and 31 with a temporary construction/sales trailer on lot 2; and

DC2016-00011
STAFF'S EXHIBIT
#3c

WHEREAS, Zoning Resolution Z-07-066A Condition 4 provides a maximum of 6 model homes on the residential planned development and generally regulates model home and real estate sales; and

WHEREAS, ADD2013-00032A revised the master concept plan by relocating the model homes on lots 12, 13, 14, 15, 16, and 24 and the temporary construction/sales trailer on lot 23; and

WHEREAS, the applicant is proposing to reduce the number of lots from 45 to 44 in order to provide additional land for onsite storm water treatment; and

WHEREAS, this action will change the numbering of the lots, where model homes and construction/sales trailer will be located; and

WHEREAS, the new numbering of the model homes will be Lots 11, 12, 13, 14, 15, and 23, and the temporary construction/sales trailer will be on Lot 22; and

WHEREAS, the applicant is proposing to reduce the minimum lot width for some irregularly shaped lots, as depicted on the revised Master Concept Plan; and

WHEREAS, the lot width reduction will affect 13 of the 44 lots, but will not reduce the lot area or lot depth; and

WHEREAS, the applicant is also proposing to reduce the street setback from internal streets from 20 feet to 15 feet; and

WHEREAS, the setback, as measured from the road pavement, will remain over 25 feet; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Residential Planned Development to:

1. Modify the Development Standards established by Resolution Z-07-066A to reduce the street setback from internal roadways to 15 feet; and

2. Reduce the minimum lot width for some irregularly shaped lots, as depicted in the attached Master Concept Plan (Exhibit B); and

3. Reduce the number of lots from 45 to 44; and

4. Renumber the lots where model homes and construction/sales trailer will be located.

is **APPROVED subject to the following conditions:**

1. **The Development must be in compliance with the amended Master Concept Plan, dated 1/14/2015. Master Concept Plan for ADD2015-00005 is hereby APPROVED and adopted. A reduced copy is attached hereto as Exhibit B.**

2. **The terms and conditions of the original zoning resolutions remain in full force and effect, except as amended herein.**

3. **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Director may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

DULY PASSED AND ADOPTED ON 1/27/2015

BY: Pam Houck

Electronically Signed by
Pam Houck, Director
Division of Zoning
Department of Community Development

Attachments: Exhibit A: Legal Description
Exhibit B: Master Concept Plan

EXHIBIT A

Special Purpose Survey of:

Description to Accompany Sketch of

TRACTS 32 & 33

PINE RANCH ESTATES (UNRECORDED)

Lee County, Florida

APPROVED
ADD2015-00005
Chick Jakacki, Planner
Lee Co Division of Zoning
1/16/2015

COMBINED LEGAL DESCRIPTION OF
TRACTS 32 AND 33 OF PINE RANCH ESTATES

A PARCEL OF LAND BEING PART OF SECTION 7, TOWNSHIP 45 SOUTH, RANGE 25 EAST AND FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:
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THENCE CONTINUING ALONG EAST LINE OF SECTION 7, SOUTH 00°39'15" EAST A DISTANCE OF 874.39 FEET TO A POINT AT THE CENTERLINE OF THE MAINTAINED RIGHT-OF-WAY, BEING 60 FEET WIDE FOR PENZANCE BOULEVARD;
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EXCEPTING THEREFROM THE WEST 32.48 FEET AND THE SOUTHERLY 30 FEET OF THIS LAND WHICH IS RESERVED FOR USE OF PUBLIC RIGHT-OF-WAY.

PARCEL CONTAINS 563,183.95 SQ.FT. OR 12.93 ACRES.

RECEIVED
MAY 2 6 2006
DCI 2005-00115

Sheet 1 of 2
(See Sheet 2 of 2 for Sketch of Legal Description)

This is Not a Boundary Survey

SANIBEL SURVEYS
2410 Palm Ridge Road
Sanibel Florida 33957
472-0095
sanibelsurveys@gmail.com
Licensed Business No. 7443

JOB #05079

Valid only with embossed seal

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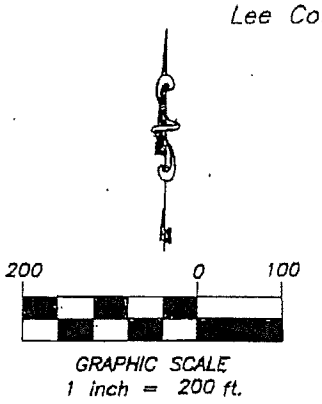
BY: _____
Walter L. Fraser, PLS #3985
DATE SIGNED: 2/28/06

Special Purpose Survey of:
Sketch to Accompany Description of

TRACTS 32 & 33
PINE RANCH ESTATES (UNRECORDED)
Lee County, Florida



East Line Section 7

S 00°38'50" E
2643.24' (Deed)

Point of Commencement
Northeast Corner
Section 7, Township 45 South,
Range 25 East

East Quarter Corner
Section 7

S 00°39'15" E
986.76' (Deed)

Point of Beginning
Northeast Corner
Tract 32

East Line Tract 32

North Line Tract 32

N 89°26'44" E 659.84'

Tract 32

S 00°39'15" E 874.38'

East Line Tract 33

Centerline Ranchette Road

N 00°39'05" W 832.58'

Tract 33

RECEIVED
MAY 26 2006

DCI 200[illegible]-00115

N 86°55'48" W 661.28'

Centerline Penzance Boulevard

This document is not valid without Sheet 1 of 2
which displays the signature and raised seal
of the Licensed Land Surveyor.
Sheet 2 of 2
(See Sheet 1 of 2 for Legal Description)

This is Not a Boundary Survey

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Sanibel Florida 33957
472-0095
sanibelsurveys@gmail.com
Licensed Business No. 7443

JOB #05079

EXHIBIT A
2 OF 2

LOT NUMBER	LOT FRONTAGE WIDTH AT SETBACK
1	126.44
2	72.03
3	48.50
4	52.21
5	60.81
6	58.66
7	37.00
8	38.80
9	53.83
10	61.31
11	n/a
12	n/a
13	45.51
14	34.13
15	37.07
16	54.01
17	59.40
18	53.33
19	35.95
20	39.57
21	58.80
22	87.23
23	93.21
24	96.49
25	98.61
26	80.46
27	59.53
28	59.57
29	58.93
30	48.54
31	88.16
32	68.30
33	60.11
34	24.08
35	28.04
36	39.95
37	59.30
38	55.11
39	64.71
40	57.43
41	46.98
42	50.44
43	58.43
44	60.16

[redacted]

[redacted] SETBACK FOR DRIVEWAY LENGTH.

[redacted] NO. Z-07-066A FOR LOT WIDTH.

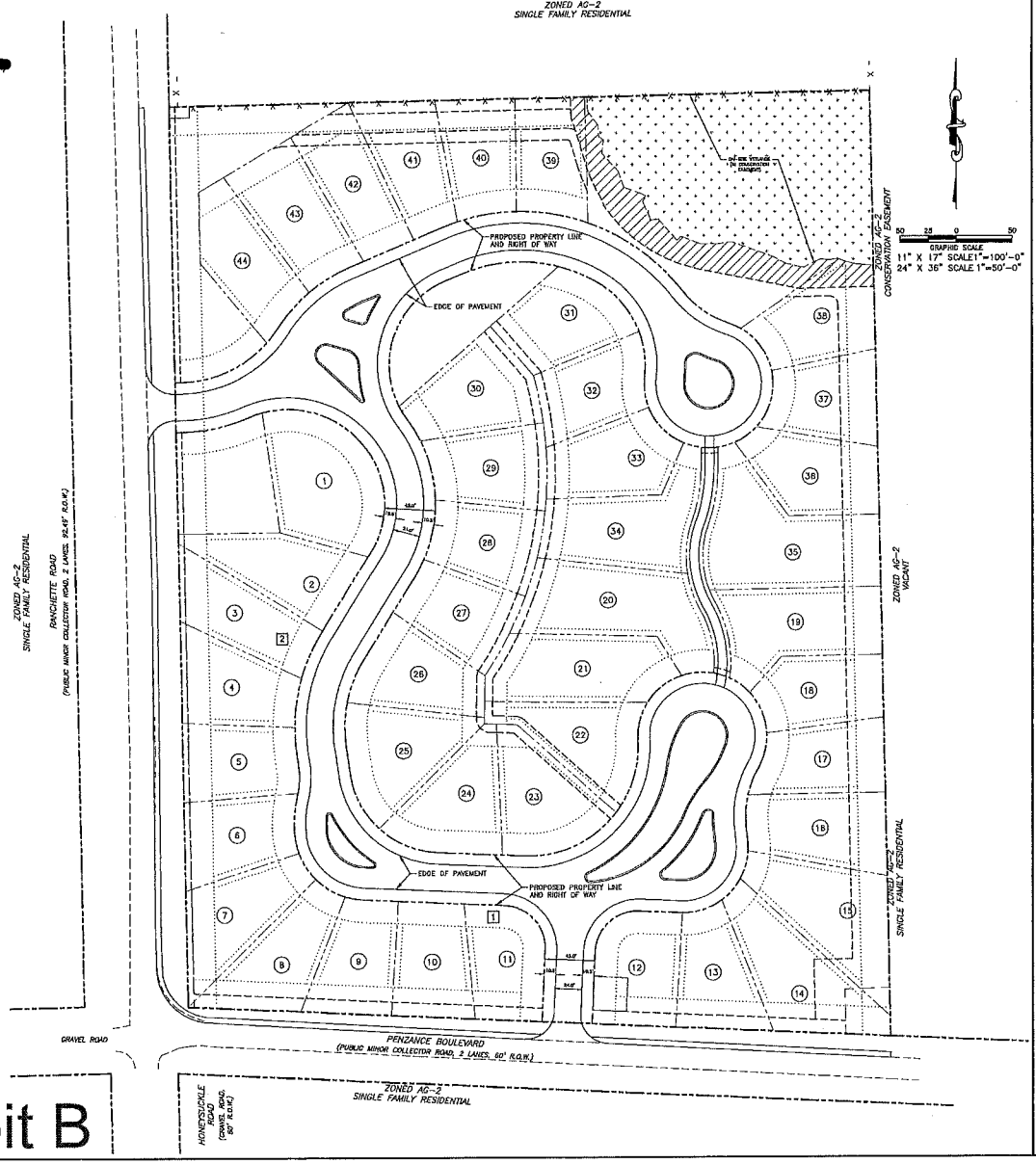


Exhibit B

DDAI
DAVID DOUGLAS ASSOCIATES, INC.
1821 Victoria Avenue,
Fort Myers, Florida 33901
Ph. 239-337-3330
Website: www.ddal-engineers.com
Certification of Authorization # 7568

Project Name:
THE RESERVE AT PENZANCE

Project Address:
11731 & 11803 RANCHETTE RD
FORT MYERS, FL 33966

Client/Owner:
SEASPRAY LTD

Linda Stewart,AICP Project Manager
Phone: 239-337-3330
Email: ls@ddal-engineers.com

Linda M. Stewart, AICP
CERTIFIED PLANNER NO. 024442

Legal Disclaimer:
THIS DOCUMENT, THE DATA PROVIDED WITH IT AND DERIVATIVES THEREOF ARE THE PROPERTY OF DAVID DOUGLAS ASSOCIATES, INC. AND SHALL NOT BE USED FOR ANY PURPOSE OTHER THAN THE SPECIFIC PROJECT AND SPECIFIC USE AUTHORIZED BY DAVID DOUGLAS ASSOCIATES, INC. IN WRITING. ANY UNAUTHORIZED USE, REUSE OR MODIFICATION OF THIS DOCUMENT, THE DATA PROVIDED WITH IT AND DERIVATIVES THEREOF WITHOUT THE EXPRESS WRITTEN CONSENT OF DAVID DOUGLAS ASSOCIATES, INC. IS PROHIBITED AND WILL BE AT THE SOLE RISK OF THE USER. THE USER AGREES TO INDEMNIFY AND HOLD HARMLESS DAVID DOUGLAS ASSOCIATES, INC. FROM ANY AND ALL CLAIMS, LOSSES, LIABILITIES, DAMAGES, COSTS AND EXPENSES ARISING OUT OF OR RESULTING FROM SUCH UNAUTHORIZED USE, REUSE OR MODIFICATION.

Revisions:

DATE:	DESCRIPTION

SITE DATA:

STRAP #	MULTIPLE
REC/PAGE	INST # 2007000049555
CITY TOTAL	n/a
SF/UNIT #	n/a
LEE COUNTY #	n/a

PROJECT MGR	STEVEN HOPLEY
PROJECT #	115-0005
FILE NAME	I:\2015\115-0005\LOT ADD\DWG
ORIGIN DATE	09.02.15
DESIGNER	LJP
CADD	LJP
CHECKED BY	LMSTH
PLOT DATE	I:\GD\ 1-14-2016 8:48 AM
PLOTTED BY	LJP\MSTH

SHEET TITLE:
ADMINISTRATIVE AMENDMENT

SHEET NO. 01 OF 01

PLOT DATE: WED, 1-14-2015 - 8:48 AM PLOT BY: STANDARD LOCATION: R:\2015\115-0005\ADMINISTRATIVE AMENDMENT\LOT ADD\SETBACK-ADD1 FILE NAME: R:\2015\115-0005\LOT ADD\DWG LAYOUT: PLAN

RESOLUTION NUMBER Z-15-017

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, Quattrone & Associates filed an application on behalf of the property owner, Cypress Villages RPD, to rezone a 9.42± acre parcel from Commercial Planned Development (CPD) to Residential Planned Development (RPD) in Case No. DCI2013-00019, **and** a companion request to participate in Lee County's Site-specific Bonus Density Housing Program in Case No. REZ2015-00003, both in reference to Cypress Villages RPD; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner was advertised and held on July 1, 2015 and July 15, 2015, with the record open for additional submittals on or before July 24, 2015; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Cases #DCI2013-00019 and REZ2015-00003 and recommended Approval of the requested planned development rezoning, with reduced density and increased setbacks/buffers, and the possible Denial of the request for bonus density; and

WHEREAS, a second public hearing was originally advertised for September 16, 2015, but then continued, re-advertised and held on October 21, 2015, before the Lee County Board of County Commissioners; and,

WHEREAS, the Lee County Board of Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant originally filed a request to rezone 9.42± acres from CPD to RPD to permit a maximum of 136 multiple-family dwellings units, including 42 Bonus Density Units under the provisions in Lee County Land Development Code (LDC) §34-1511, *et seq*, Site-specific density bonus (§34-1518 - Option 1) for Work Force Income housing units.

The property is located in the Central Urban Future Land Use Category and is legally described in attached Exhibit "A."

DCI2016-00011
EXHIBIT #4a
Composite
Z-15-017 Cypress Villages

The request to rezone CPD to RPD and the companion request to participate in Lee County's Site-specific Bonus Density Housing Program are both APROVED, SUBJECT to the conditions set forth in Section B below; **HOWEVER**, the request is limited to maximum of **128** multiple-family dwellings units, including a maximum of **34** Work Force Bonus Density Units

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

A. Conditions:

1. Master Concept Plan/Development Parameters

The development of this project must be substantially consistent with the 1-page Master Concept Plan (MCP) entitled "Cypress Villages RPD," and date-stamped "Received Jul 17 2015, Community Development," except as modified by the conditions below. This development must comply with all requirements of the LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursed, appropriate approvals will be necessary.

This project will allow a maximum of **128** multiple-family dwelling units, including a maximum of up to **34** Bonus Density Units.

2. Uses and Site Development Regulations

The following Limits apply to the project and uses:

a. Schedule of Uses

Accessory uses and structures
Administrative office
Club, private
Community garden
Dwelling units: Multiple-family (limited to a maximum of **128** residential dwelling units, including a maximum of up to **34** Work Force Bonus Density Units)
Entrance gate and gatehouse
Essential Services
Essential Service facilities; Group I only
Excavation, water retention
Fences and walls

Home occupation, no outside help
Model units
Real estate sales office, for marketing of units within the development
Recreational Facilities, private, on-site
Residential accessory uses
Signs, in compliance with Chapter 30
Temporary uses, limited to construction trailers during construction.

b. Site Development Regulations

Minimum Open Space: 40%
Minimum Lot area: 10,000 square feet
Minimum Lot width: 100 feet

Maximum Building Height: 45 feet, except within 125 feet of the west property line limited to 35 feet. Additionally, buildings within 125 feet of the west property line shall not be permitted to have 3rd floor windows on the west side of the buildings.

Maximum Lot Coverage: 45%
Minimum Building Separation: 15 feet

Setbacks:

Street:
- Public: 25 feet
- Private: 20 feet

Side:
- Principal: 20 feet
- Accessory: 5 feet

Rear:
- Principal: 20 feet
- Accessory: 5 feet

Water: 25 feet

Development Perimeter:
- Principal and accessory: 20 feet,
- Except along the western property line: 50 feet

3. Environmental Conditions

As part of local development order approval, the landscape plans must depict:

A. All zoning and LDC required plantings to be native species;

B. Type D buffer plantings along JV Parker Lane as provided on the MCP;

C. The preservation or on-site relocation of any sabal palms and preservation or replacement of heritage trees as per the §10-415(b) requirements;

D. The dry detention areas planted to include herbaceous vegetation arranged in clusters and planted in a one gallon container size, three foot on center; and scattered cypress (*Taxodium sp.*), red maple (*Acer ruburm*) and/or laurel oak (*Quercus laurifolia*) planted at 10 feet in height, 2-inch caliper (DBH) with a 4-foot spread and 20 foot on center;

E. General tree credits can be applied as per §10-418(4) for herbaceous vegetation, and a general tree credit on a ratio of one-to-one for the planting of trees in the dry detention; and

F. The required plantings must be designed to not adversely affect the functions and future maintenance of the water management facilities, and must meet the requirements of the South Florida Water Management District.

4. Enhanced buffer along the western property line

The Type "F" buffer depicted on the MCP, along the western property line, must be enhanced to include a 6-foot high opaque fence on top of a minimum 2-foot high berm, as measured from the adjacent property. At a minimum, 5 trees per 100 linear feet must be located on the external side of the wall. The remaining trees may be located on the internal side of the wall.

5. Vehicular/Pedestrian Impacts

Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.

6. Lee Plan Consistency

Approval of this zoning request does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1 (b), as well as all other Lee Plan provisions.

7. Concurrency

Approval of this rezoning does not constitute a finding that the proposed project meets the concurrency requirements set forth in LDC Chapter 2 and the Lee Plan. The developer is required to demonstrate compliance with all concurrency requirements prior to issuance of a local development order.

8. Solid Waste Management

As part of any local development order approval for vertical development, the development order plans must include facilities in compliance with §10-261 and Lee County Solid Waste Ordinance No. 11-27 for the pick-up/disposal of solid waste and recyclables. The minimum area required for, and specific locations of, these facilities will be reviewed at the time of local development order application.

9. Development Permit

Issuance of a development permit by Lee County does not in any way create any rights on the part of the applicant to obtain a permit from a State or Federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a State or Federal agency or undertake actions that result in a violation of State or Federal laws.

10. Agricultural Uses

Agricultural Uses: Existing bona fide agricultural uses on this site are allowed:

A. Bona fide agricultural uses consisting of grazing land that were in existence when the application for this project was filed, may continue in the areas depicted on attached Exhibit "D" until a local development order is approved for the area containing the agricultural uses.

B. Clearing or injury of native trees or other native vegetation, including understory, in agricultural areas is prohibited. Existing areas of bona fide agricultural use that include existing grass pasture(s) may be mowed but those areas may not be cleared or expanded. Violations of this condition will require

restoration in accordance with §10-423. This prohibition of clearing or expansion of agricultural use is not intended to preclude County-approved requests for removal of invasive exotic vegetation.

C. Prior to issuance of a local development order for the portion that contains the agricultural use, the property owner must provide written proof, subject to approval by the County Attorney's Office, of the following:

1. Termination of all agricultural use on the property included in the development order application/approval. Proof must include a sworn affidavit from the person or entity holding title to the property that specifically provides:

a) The date the agricultural uses ceased;

b) The legal description of the property subject to the development order approval;

c) An affirmative statement that the owner acknowledges and agrees that all agricultural uses are illegal and prohibited on the property and that the owner covenants with the county that they will not allow agricultural uses on the property until the property is re-zoned to permit agricultural uses; and

d) That the affidavit constitutes a covenant between the owner and the County that is binding on the owner, their assignees and successors in interest.

The affidavit must be properly recorded in the public of the county at the owner's expense.

2. Proof of termination of the agricultural tax exemption for the portion of the property must be included in the development order application/approval. Proof of termination must include a copy of the owner's request to terminate the tax exemption provided to the Property Appraiser.

11. Existing structures

The existing single-family dwelling may be used as a residence, but must be removed during the first phase of construction.

12. Utilities

The utility lines for potable water and sanitary sewer must be extended to the site and this development must be connected to those services as part of any development activity on this site.

13. Internal sidewalks

All internal roads and driveways must contain sidewalks at least on one side of them. An internal pedestrian connections plan must be submitted to the County for review and approval as part infrastructure development order for the site.

14. External sidewalks

JV Parker Lane and Crystal Drive improvements must contain sidewalks at least on one side of the road.

15. Crystal Drive

At the time of local development order approval, the plans must indicate that Crystal Drive from Six Mile Cypress Parkway to JV Parker Lane complies with the roadway design criteria set forth in §§10-296 and 10-707 as a two-lane Collector Road. If portions of Crystal Drive from Ben C. Pratt/Six Mile Cypress Parkway to JV Parker Lane do not comply with these standards, they must be improved to meet LDC standards prior to the issuance of the first Certificate of Occupancy.

16. JV Parker Lane

At the time of local development order approval, the plans must indicate that JV Parker Lane from the southern property line to Crystal Drive complies with the roadway design criteria set forth in §§10-296 and 10-710 as a two-lane private local road. If portions of JV Parker Lane between the southern property line and Crystal Drive do not comply with these standards, they must be improved to meet LDC standards prior to the issuance of the first Certificate of Occupancy.

17. Road Impact Fee Credits

Crystal Drive and JV Parker Lane improvements shall be considered site related and no impact fee credit shall be available for these road improvements.

18. Access from Future Crystal Drive Extension

The access point from future Crystal Dive Extension, as shown on the MCP, is not a part of this approval. The access point and its location will be subject to review when the design of the road is completed by the Lee County Department of Transportation (Lee County DOT). Lee County DOT may approve or deny a driveway from Crystal Drive Extension to the subject site.

19. Model Units

Model units are permitted uses, but must be consistent with the following conditions:

A. A maximum of 4 model units are permitted;

B. Hours of operation for the model units are restricted to Sunday through Saturday, 8:00 a.m. through 7:00 p.m.; and

C. Each model unit must be a unique example. Multiple examples of the same model are not permitted.

20. Construction Access

At the time of local development order approval, the plans must show that all construction access shall be through JV Parker Lane south of Crystal Drive and Crystal Drive between JV Parker Lane and Six Mile Cypress.

21. JV Parker Lane Maintenance

The developer shall be responsible for the maintenance of the portion of JV Parker Lane directly adjacent to the project until such time that a maintenance entity is created to maintain all of JV Parker Lane.

22. Light Poles

In addition to the LDC requirements for lighting, light poles must be:

A. Placed a minimum of 100 feet from the western property boundary and 50 feet from the southern boundary;

B. Limited to 15 feet in height; and

C. Shielded to prevent light spillover off-site.

SECTION C. EXHIBITS:

The following exhibits are attached to this resolution and incorporated by reference:

Exhibit A: Legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: The Master Concept Plan
Exhibit D: Agricultural Use Affidavit

SECTION D. FINDINGS AND CONCLUSIONS:

As to the requested planned development rezoning:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.

2. The rezoning, as approved:

   a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;

   b. is consistent with the densities, intensities and general uses set forth in the Lee Plan;

   c. is compatible with existing or planned uses in the surrounding area;

   d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and

   e. will not adversely affect environmentally critical areas or natural resources.

3. The rezoning satisfies the following criteria:

   a. the proposed use or mix of uses is appropriate at the subject location;

   b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and

   c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

Commissioner John Manning made a motion to adopt the foregoing, seconded by Commissioner Larry Kiker. The vote was as follows:

John Manning	Aye
Cecil L Pendergrass	Aye
Larry Kiker	Aye
Brian Hamman	Aye
Frank Mann	Absent

As to the request to participate in the County's Bonus Density Program:

The request for bonus density satisfies the review criteria set forth in LDC §§ 34-1516(c) and 34-1517.

Commissioner John Manning made a motion to adopt the foregoing, seconded by Commissioner Larry Kiker. The vote was as follows:

John Manning	Aye
Cecil L Pendergrass	Aye
Larry Kiker	Aye
Brian Hamman	Aye
Frank Mann	Absent

BOTH DULY PASSED AND ADOPTED this 21st day of October, 2015.

ATTEST:
LINDA DOGGETT, CLERK

BY: _____
Deputy Clerk

SEAL

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Brian Hamman, Chair

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY:

John J. Fredyma
Senior Assistant County Attorney
County Attorney's Office

Case No. DCI2013-00019 & REZ2015-00003

2015 OCT 30 PM 1:01
RECEIVED
MINUTES OFFICE

METRON
SURVEYING & MAPPING, LLC
LAND SURVEYORS • PLANNERS

LEGAL DESCRIPTION
OF A PARCEL OF LAND LYING IN
SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

A TRACT OR PARCEL SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST, BEING LOTS 21 & 22 SUBURBAN RANCHETTES (UNRECORDED) AS DESCRIBED IN OFFICIAL RECORDS BOOK 3321, PAGE 3940 AND OFFICIAL RECORDS BOOK 4244, PAGE 3818, AND INSTRUMENT #2013000252780 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 17; THENCE S.88°53'57"W. ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17 A DISTANCE OF 644.99 FEET; THENCE N.00°22'20"W. A DISTANCE OF 661.75 FEET TO THE **POINT OF BEGINNING**; THENCE S.88°53'40"W. A DISTANCE OF 648.30 FEET; THENCE N.00°39'31"W. A DISTANCE OF 631.66 FEET; THENCE N.88°53'24"E. A DISTANCE OF 651.46 FEET; THENCE S.00°22'20"E. A DISTANCE OF 631.75 FEET TO THE **POINT OF BEGINNING.**

PARCEL CONTAINS 9.42 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17 AS BEARING S.88°53'57"W.

METRON SURVEYING & MAPPING, LLC
FLORIDA CERTIFICATE OF AUTHORIZATION LB# 7071

11/18/13

DENIS J. O'CONNELL, JR.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5430

Applicant's Legal Checked
BY CG 2/25/2015

FEB 16 2015
COMMUNITY DEVELOPMENT

SHEET 1 OF 2

8432 Bridy SK Rev.doc

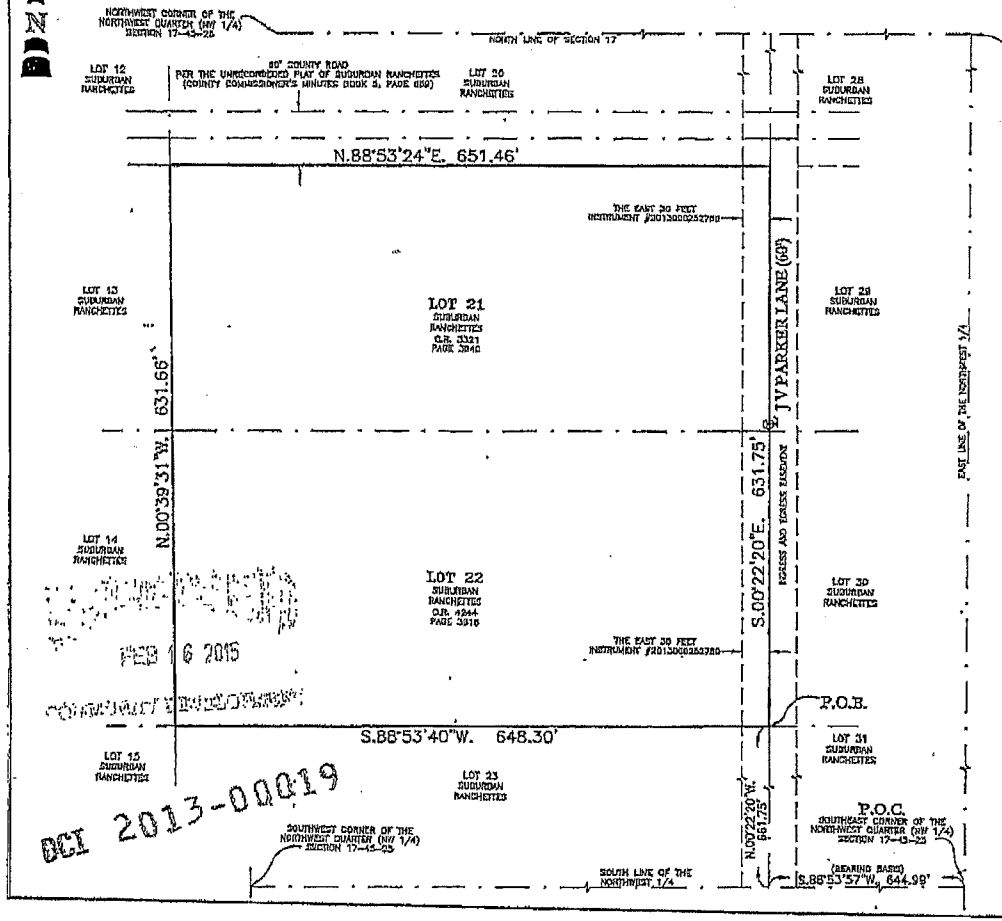
10970 S.CLEVELAND AVE., SUITE #605 • FORT MYERS, FLORIDA 33907 • PHONE (239) 275-8575 • FAX (239) 275-8457
www.metronfl.com

DCI 2013-00019

EXHIBIT A

* SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION *

SKETCH TO ACCOMPANY DESCRIPTION



FEB 16 2015

DCI 2013-00019

LEGEND:

INST = INSTRUMENT
O.R. = OFFICIAL RECORD BOOK
P.B. = PLAT BOOK
PG. = PAGE
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
R/W = RIGHT-OF-WAY

* THIS IS NOT A SURVEY *

BY: _____
DENIS J. O'CONNELL JR.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. LS# 5430

DATE SIGNED: 11/18/13

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

LOTS 21 & 22 SUBURBAN RANCHETTES (UNRECORDED)

TITLE: SKETCH OF DESCRIPTION

METRON SURVEYING & MAPPING, LLC
LAND SURVEYORS • PLANNERS
LB# 7071

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FORT MYERS, FLORIDA 33907
PHONE: (239) 275-8575
FAX: (239) 275-8457
www.metronfl.com

FILE NAME:		PROJECT NO.:	SHEET:
8432 Bndy SK Rev.dwg		8432	2 OF 2
SKETCH DATE:	DRAWN BY:	SCALE:	CHECKED BY:	(S-T-R)
11-6-2013	JDF	1"= 140'	DJO	17-45-25

DCI2013-00019

Zoning Map

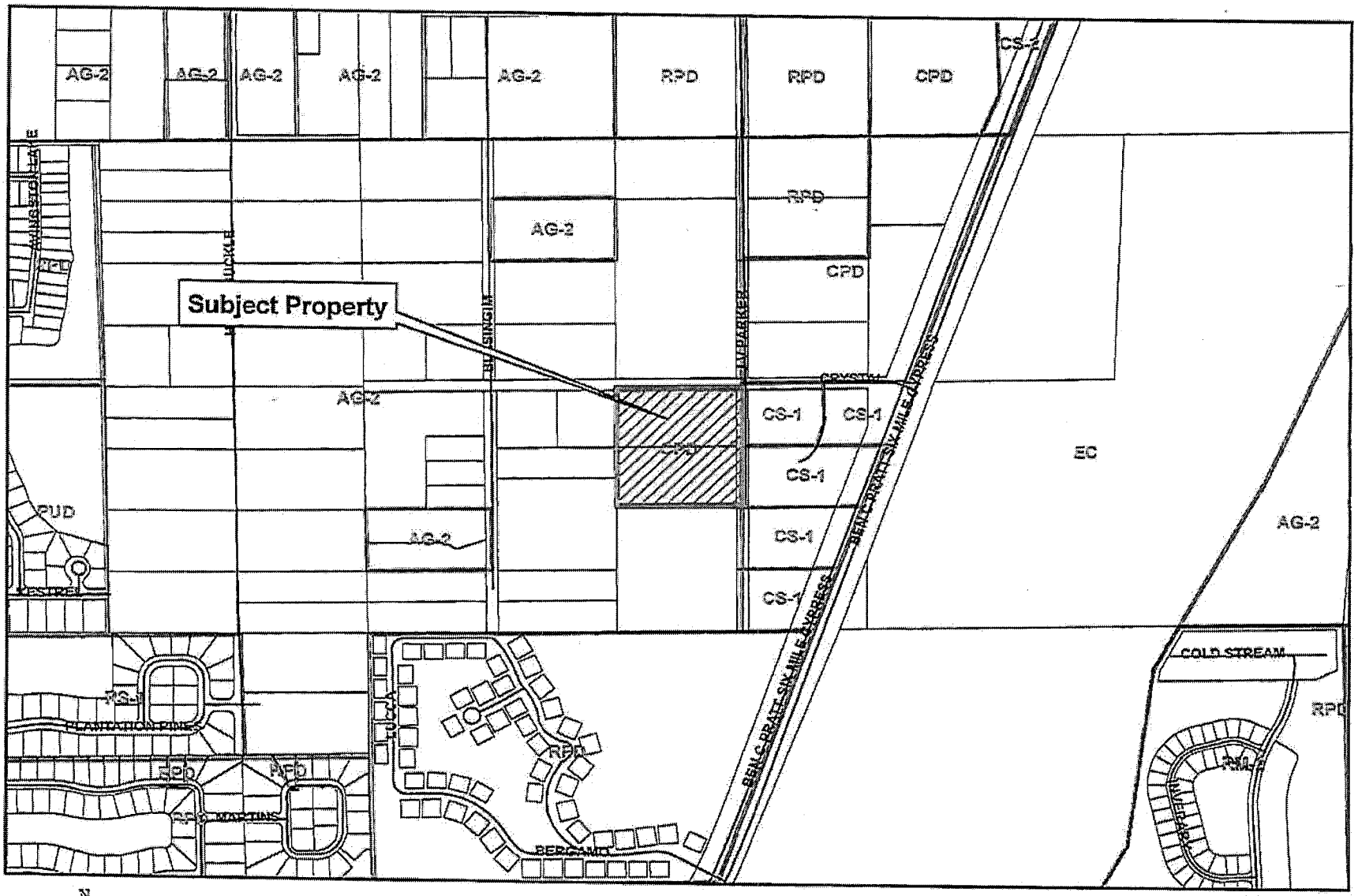


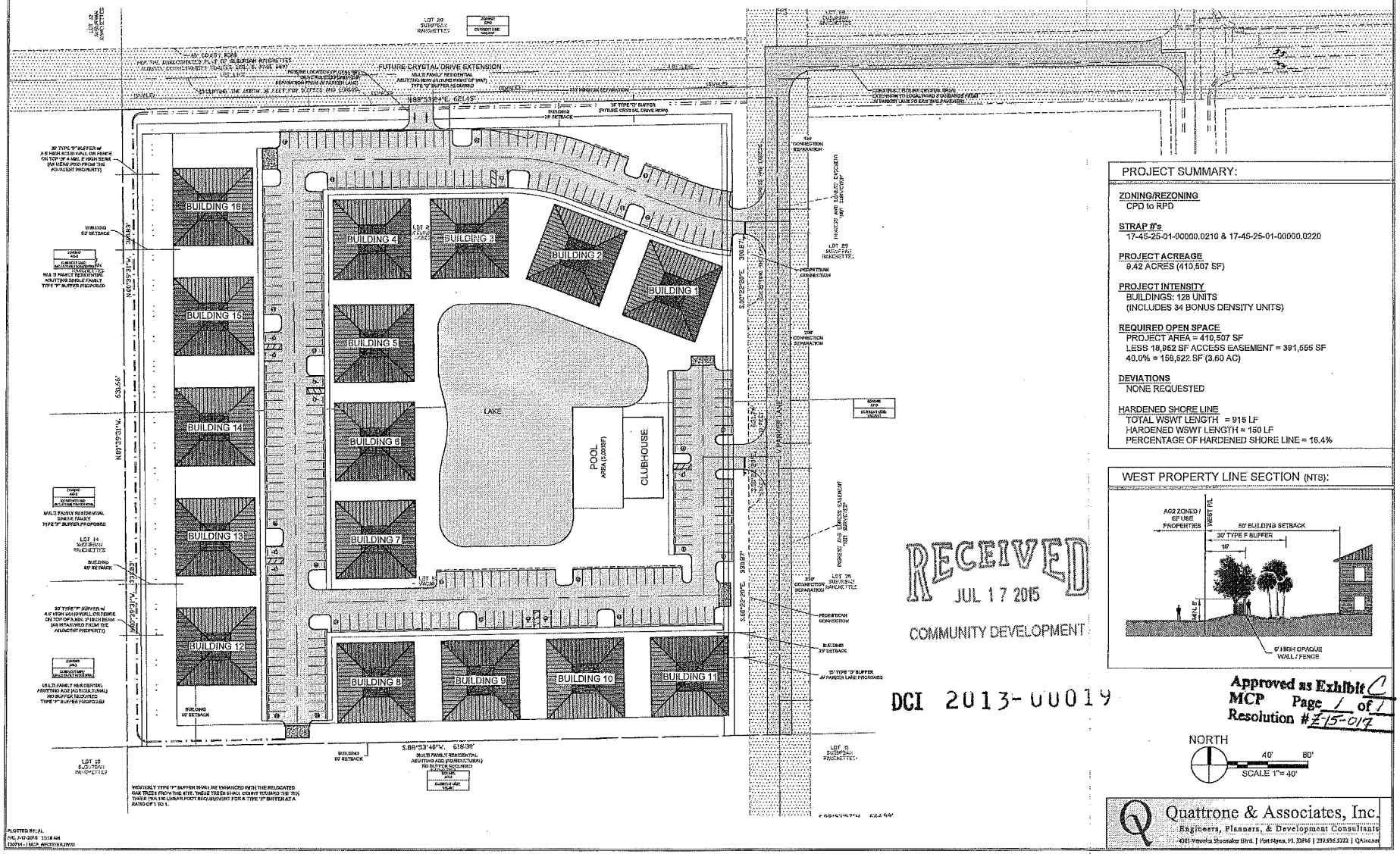
EXHIBIT B

0 500 1,000 Feet

CYPRESS VILLAGES RPD

LOCATED IN SECTION 17, TOWNSHIP 45-S, RANGE 25-E, LEE COUNTY, FLORIDA

D-7-M
MASTER CONCEPT PLAN



PROJECT SUMMARY:

ZONING/REZONING
CPD to RPD

STRAP #'s
17-45-25-01-00000.0210 & 17-45-25-01-00000.0220

PROJECT ACREAGE
9.42 ACRES (410,507 SF)

PROJECT INTENSITY
BUILDINGS: 128 UNITS
(INCLUDES 34 BONUS DENSITY UNITS)

REQUIRED OPEN SPACE
PROJECT AREA = 410,507 SF
LESS 18,952 SF ACCESS EASEMENT = 391,555 SF
40.0% = 156,622 SF (3.60 AC)

DEVIATIONS
NONE REQUESTED

HARDENED SHORE LINE
TOTAL WSWT LENGTH = 915 LF
HARDENED WSWT LENGTH = 150 LF
PERCENTAGE OF HARDENED SHORE LINE = 16.4%

WEST PROPERTY LINE SECTION (NTS):

RECEIVED
JUL 17 2015
COMMUNITY DEVELOPMENT

DCI 2013-00019

Approved as Exhibit C
MCP Page 1 of 1
Resolution # Z-15-017

NORTH
40' 80'
SCALE 1" = 40'

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
4301 Veronica Shoemaker Blvd. | Fort Myers, FL 33916 | 239.936.1302 | QAinc.net

PLOTTED BY: AL
JUL 7 15 2015 11:08 AM
I:\2014-J MCP #2013-00019.DWG

AGRICULTURAL USES AT TIME OF ZONING APPLICATION

The undersigned swears or affirms under oath, deposes and says:

1. that he is the fee owner, trustee, managing member or authorized representative of the property commonly known as STRAP# **17-45-25-01-00000.0210 & 17-45-25-01-00000.0220** and legally described in Exhibit "A".

2. that **livestock pasture** currently exists on the property occupying **4.77** acres, or the entire parcel as identified by the sketch accompanying legal description.

FURTHER AFFIANT SAYETH NAUGHT.

Signature of Owner or Representative

Alfred Quattrone
Printed Name and Title

President Managing Member - Quattrone & Associates
Name of Entity/Corporation

STATE OF **FLORIDA**
COUNTY OF **LEE**

Sworn to (or affirmed) and subscribed before me this 25th day of July, 2013, by Al Quattrone, P.E., who is personally known to me or who has produced _____ as identification.

Ohdet Hanna
Signature of person taking oath or affirmation

Ohdet Hanna
Name typed, printed or stamped

Title or rank

Serial number, if any

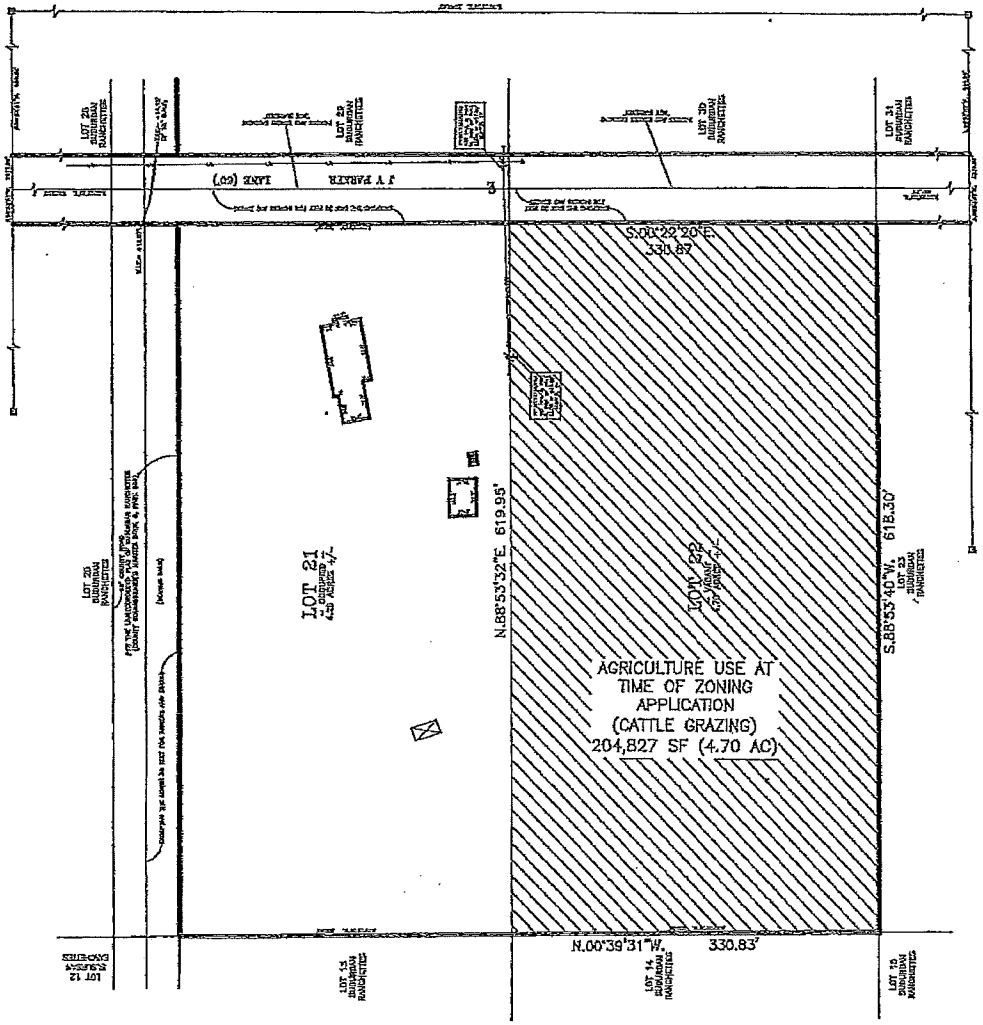
OHDET HANNA
MY COMMISSION #EE177278
EXPIRES: MAR 07, 2016
NOTARY PUBLIC, STATE OF FLORIDA

RECEIVED
NOV 22 2013
COMMUNITY DEVELOPMENT

DCI2013-00019

EXHIBIT D

AGRICULTURAL USES AT TIME OF ZONING APPLICATION EXHIBIT 'A'



Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
4301 Veronica Shoemaker Blvd. | Fort Myers, FL 33916 | 239.936.1302 | QAI.net

AL QUATTRONE, P.E. # 52741

SHEET 2 OF 2

FEB 16 2015

DCI 2013-00019

COMMUNITY DEVELOPMENT

LEGAL DESCRIPTION:
(OFFICIAL RECORD BOOK 4244, PAGE3818)

LOT TWENTY-TWO (22), OF THAT CERTAIN UNRECORDED SUBDIVISION KNOWN AS SUBURBAN RANCKEITES, MORE PARTICULARLY DESCRIBED AS FOLLOWS: THE SOUTH HALF (S 1/2) OF THE NORTHWEST QUARTER (NW 1/4) OF THE SOUTHEAST QUARTER (SE 1/4) Of THE NORTHWEST QUARTER (NW 1/4), SECTION SEVENTEN (17), TOWNSHIP FORTY-FIVE SOUTH (T45S), RANGE TWENTY-FIVE EAST (R25E), EXCEPTING THEREFROM THE EAST (E) THIRTY FEET (30') THEREOF. TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS OVER AND ACROSS THE WEST (W) THIRITY FEET (30') OF THE EAST HALF (E 1/2) OF THE EAST HALF (E 1 /2) OF THE NORTHWEST QUARTER (NW 1/4) AND THE EAST (E) THIRTY FEET (30') OF THE WEST HALF (W 1/2) OF THE EAST HALF (E 1 /2) OF THE NORTHWEST QUARTER (NW 1/4), SECTION SEVENTEEN (17), TOWNSHIP FORTY-FIVE SOUTH (T45S), RANGE TWENTY FIVE EAST (R25E). SUBJECT TO EASEMENTS, RESTRICTIONS AND RESERVATIONS OF RECORD, LEE COUNTY, FLORIDA

EXT 2013-00019

FEB 16 20[illegible]

COMMUNITY DEVELOPMENT

ADMINISTRATIVE AMENDMENT (PD) ADD2016-00008

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Quattrone & Associates filed an application for an administrative amendment to a Residential Planned Development on a project known as Cypress Village RPD to revise the Master Concept Plan and request the following deviation:

> Deviation from LDC SEC 10-285(a) which requires a connection separation of 330 feet on collector Roads, to allow a 310 foot separation from JV Parker Lane intersection for the entrance to the development on Crystal Drive.

on property located 12270 & 12330 J V Parker Lane, described more particularly as:

LEGAL DESCRIPTION: In Section 17, Township 45 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in case numbers DCI2013-00019 and REZ2015-00003; and

WHEREAS, the subject property is located in the Central Urban Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, this Planned Development was approved for up to 128 residential dwelling units (94 regular dwelling units plus up to 34 Work Force Bonus Density Units); and

WHEREAS, the original Master Concept Plan depicted two access points to the site, with the main ingress and egress point from JV Parker Lane and a secondary access point from Crystal Drive extension; and

WHEREAS, the applicant is proposing to revise the MCP by rearranging the buildings and improving Crystal Drive extension from JV Parker Lane to the entrance of the development as a two lane road to provide the main entrance to the development from Crystal Drive; and

WHEREAS, the applicant is requesting a deviation from the Land Development Code Sec 10-285(a), which requires a connection separation of 330 feet on collector Roads, to allow a 310 foot connection separation from the intersection of Crystal Drive and JV Parker Lane to the entrance to the development; and

WHEREAS, the subject application was reviewed by the Development Services Section and the environmental staff of the Zoning Section and both recommended approval; and

DCI2016-00011
Cypress Village RPD
EXHIBIT 4(b)
ADD2016-00008

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Residential Planned Development to revise the Master Concept Plan and grant a deviation from LDC SEC 10-285(a) which requires a connection separation of 330 feet on collector Roads, to allow a 310 foot separation from JV Parker Lane intersection for the entrance to the development on Crystal Drive is **APPROVED subject to the following conditions:**

1. **The Development must be in compliance with the amended Master Concept Plan, dated 1/ 16/ 2016. Master Concept Plan for ADD2016-00008 is hereby APPROVED and adopted. A reduced copy is attached hereto as Exhibit "B".**

2. **A deviation from the LDC SEC 10-285(a) is hereby approved reducing the connection separation from the required 330 feet to 310 feet, as depicted on the Master Concept Plan (Exhibit "B").**

3. **The terms and conditions of the original zoning resolution remain in full force and effect, except as amended herein.**

4. **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Zoning Manager may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

Duly passed, adopted, and electronically signed on 2/25/2016 by

Pam Houck, Zoning Manager
Department of Community Development

Attachments: Exhibit "A" Legal Description
Exhibit "B" Revised Master Concept Plan

EXHIBIT A

METRON
SURVEYING & MAPPING, LLC
LAND SURVEYORS • PLANNERS

APPROVED
ADD2016-00008
Chick Jakacki, Planner
Lee Co Division of Zoning
1/22/2016

LEGAL DESCRIPTION
OF A PARCEL OF LAND LYING IN
SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

A TRACT OR PARCEL SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 17, TOWNSHIP 45 SOUTH, RANGE 25 EAST, BEING LOTS 21 & 22 SUBURBAN RANCHETTES (UNRECORDED) AS DESCRIBED IN OFFICIAL RECORDS BOOK 3321, PAGE 3940 AND OFFICIAL RECORDS BOOK 4244, PAGE 3818, AND INSTRUMENT #2013000252780 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING FURTHER DESCRIBED AS FOLLOWS:

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PARCEL CONTAINS 9.42 ACRES, MORE OR LESS.

BEARINGS ARE BASED ON THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 17 AS BEARING S.88°53'57"W.

METRON SURVEYING & MAPPING, LLC
FLORIDA CERTIFICATE OF AUTHORIZATION LB# 7071

11/12/13

DENIS J. O'CONNELL, JR.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. 5430

Applicant's Legal Check and
PC 2/25/2015

SHEET 1 OF 2

FEB 16 2015

COMMUNITY DEVELOPMENT

8432 Bndy SK Rev.doc

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www.metronfl.com

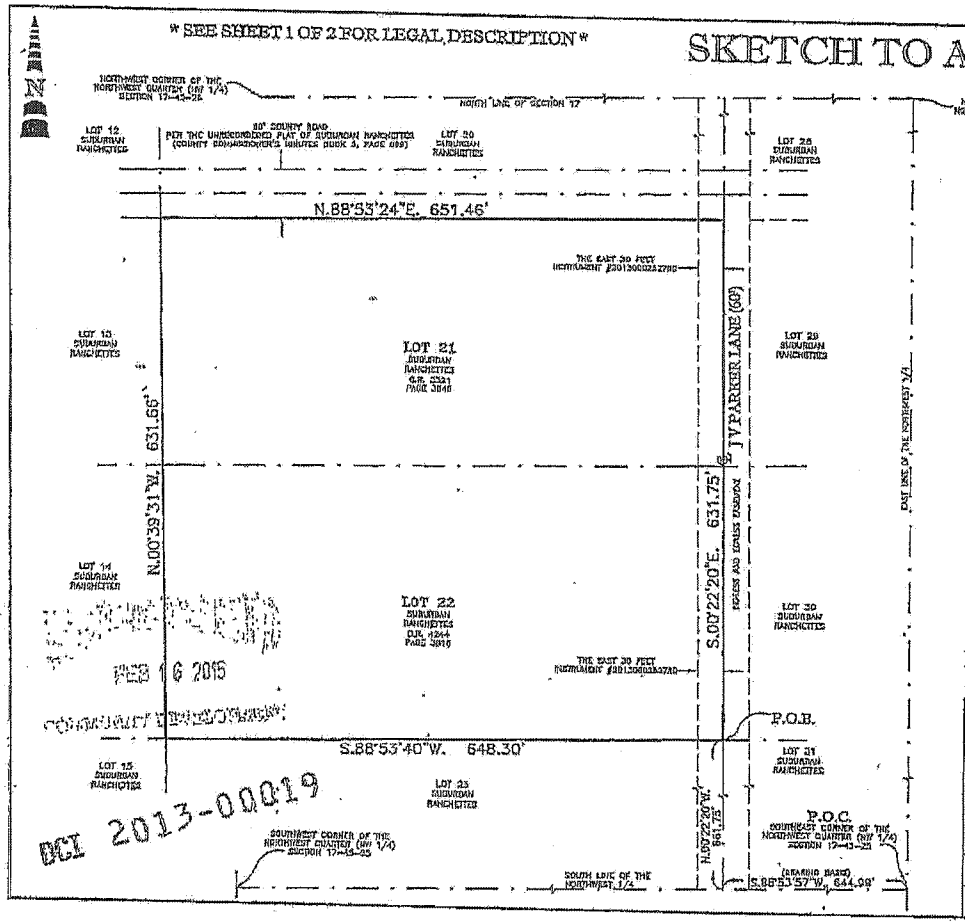
DCI 2013-00019

EXHIBIT A

ADD2016-00008 Lee County ePlan

* SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION *

SKETCH TO ACCOMPANY DESCRIPTION



FEB 16 2015

COMMUNITY DEVELOPMENT

DCI 2013-00019

LEGEND:
INST = INSTRUMENT
O.R. = OFFICIAL RECORD BOOK
P.B. = PLAT BOOK
PG. = PAGE
P.O.B. = POINT OF BEGINNING
P.O.C. = POINT OF COMMENCEMENT
R/W = RIGHT-OF-WAY

* THIS IS NOT A SURVEY *

BY: _____
DENIS J. O'CONNELL JR.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. LS# 5430

DATE SIGNED: 11/18/13

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

LOTS 21 & 22 SUBURBAN RANCHETTES (UNRECORDED)

TITLE: SKETCH OF DESCRIPTION

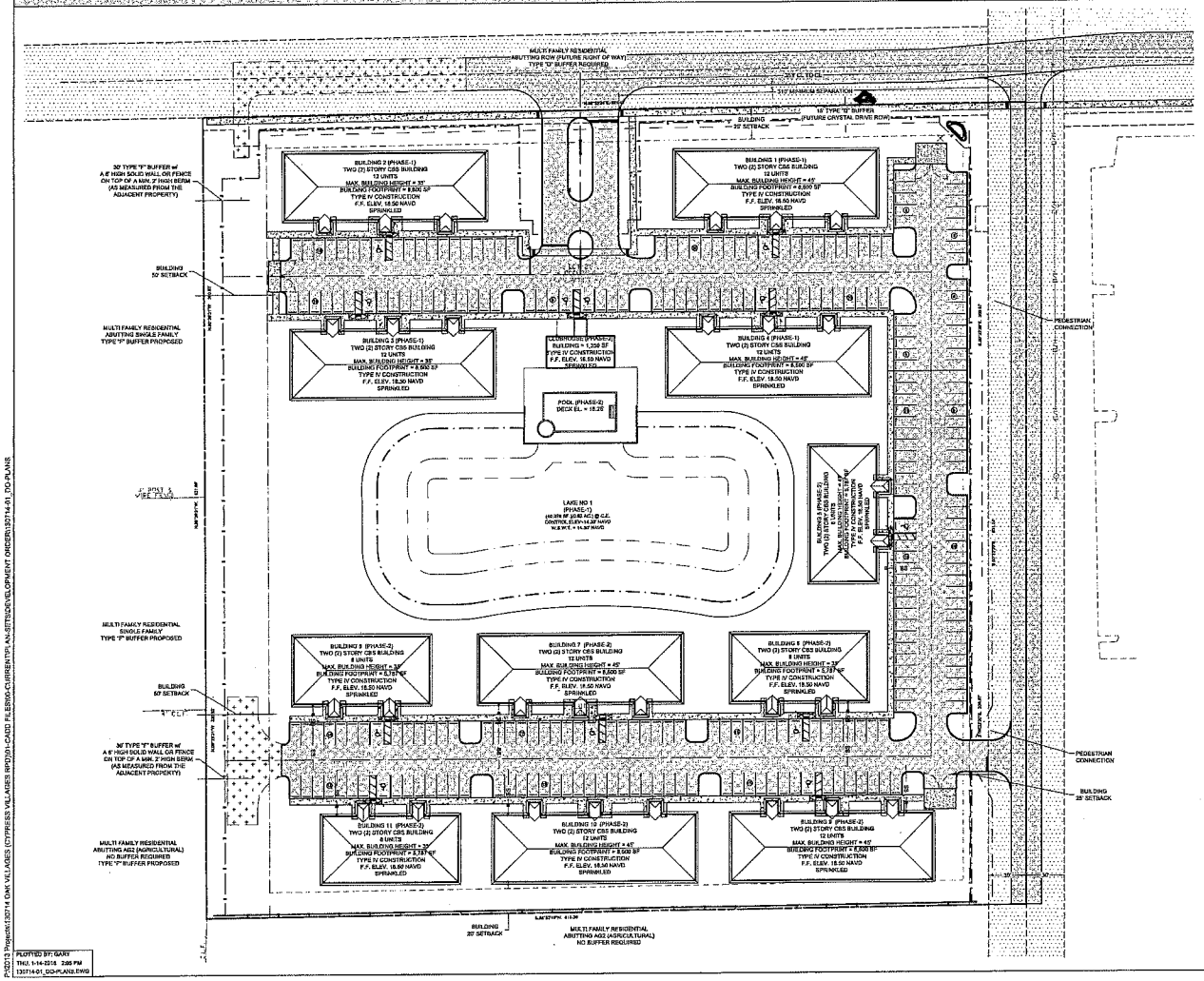
METRON SURVEYING & MAPPING, LLC
LAND SURVEYORS-PLANNERS
L.B.# 7071
10970 S. CLEVELAND AVE. SUITE 605
FORT MYERS, FLORIDA 33907
PHONE: (239) 275-8575
FAX: (239) 275-8457
www.metronfl.com

FILE NAME:		PROJECT NO:		SHEET:
8432 Bndy SK Rev.dwg		8432		2 OF 2
SURVEY DATE: 11-8-2013	DRAWN BY: JDF	SCALE: 1" = 140'	CHECKED BY: DJO	(S-T-R) 17-43-25

CYPRESS VILLAGES RPD

LOCATED IN SECTION 17, TOWNSHIP 45-S, RANGE 25-E, LEE COUNTY, FLORIDA

D-7-M
MASTER CONCEPT PLAN



20' 40'
PLAN VIEW SCALE

PROJECT SUMMARY:

ZONING/REZONING
RPD

STRAP #'s
17-45-25-01-00000.0210 & 17-45-25-01-00000.0220

PROJECT ACREAGE
9.42 ACRES (410,507 SF)

PROJECT INTENSITY
BUILDINGS: 116 UNITS
(INCLUDES 22 BONUS DENSITY UNITS)

REQUIRED OPEN SPACE
PROJECT AREA = 410,507 SF
LESS 18,952 SF ACCESS EASEMENT = 391,555 SF
40.0% = 156,622 SF (3.60 AC)

DEVIATION
Δ.

HARDENED SHORE LINE
TOTAL WSWT LENGTH = 915 LF
HARDENED WSWT LENGTH = 150 LF
PERCENTAGE OF HARDENED SHORE LINE = 16.4%

WEST PROPERTY LINE SECTION (NTS):

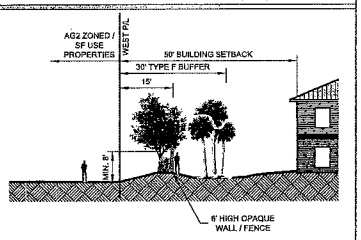


EXHIBIT B

Quattrone & Associates, Inc.
Engineers, Planners, & Development Consultants
4301 Veronica Shoemaker Blvd. | Fort Myers, FL 33916 | 239.936.5222 | QAinc.net

P:\2013 Projects\13014 OAK VILLAGES (CYPRESS VILLAGES RPD)\9-CADD FILES\05-CURRENT\PLAN-SITE\SDEV\DEVELOPMENT ORDER\130714-01_DO-PLANS
PLOTTED BY: GARY
THU, 1-14-2016 2:05 PM
130714-01_DO-PLANS.DWG

MEMORANDUM
FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT
ZONING DIVISION

DATE: November 17, 2016

TO: Donna Marie Collins
Chief Hearing Examiner

FROM: Alvin Block, AICP
Principal Planner

SUBJECT: DCI2016-00011, Blasingim Road RPD

The following represents a joint submittal by the Applicant and Lee County Staff addressing the Hearing Examiner's Order addressing revised Conditions and Deviations.

CONDITIONS

1. Master Concept Plan & Development Parameters
   The development of this project must be consistent with the two-page Master Concept Plan entitled "Blasingim Road RPD," stamped received September 27, 2016 (Exhibit A), except as modified by the conditions below.

   This development must comply with all requirements of the Lee County Land Development Code (LDC) at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan (MCP) are subsequently pursued, appropriate approvals will be necessary.

   The development is permitted to have a maximum of 120 dwelling units and 7,000 square foot floor area Amenity Facility.

2. Uses and Site Development Regulations
   The following Limits apply to the project and uses:

   a. Schedule of Uses
      Exhibit B is the approved Schedule of Uses

      NOTE:
      Consumption on Premises within the Recreation facility: private–on-site (amenity site) is allowed as both indoor and outdoor.

   b. Site Development Regulations
      Exhibit C is the approved Property Development Regulations.

      NOTES:
      1. For clarification Front (right-of-way) setback is the same as Street setback.
      2. A side entry garage is allowed for either a single family or two-family attached residential dwelling unit.

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3. Conditions for Deviation 5
   i. Prior to the issuance of a development order for vertical construction, the following must be provided:
      a. Details illustrating how the initial onsite drainage canal revisions will accommodate the discharge from the subject parcel and a long term maintenance plan to maintain the onsite drainage canal in perpetuity;
      b. The additional 1.8 acres of lake must be noted on the development order drawings; and
      c. The drainage calculations must reflect a reduction in the discharge rate lower than the 64 CSM that is currently required per the Land Development Code, but in no instance less than 50 SCM.

   ii. Prior to the issuance of a development order for vertical construction, the landscape drawings must illustrate and provide calculation for the following:
      a. The planted littoral shelf shoreline length must be calculated at 50% of the total linear feet of the lake at control elevation;
      b. Deep lake trees must be calculated at two trees per 100 linear feet. 50% of deep lake trees may be counted toward the general tree requirements;
      c. 50% of the required general trees must be illustrated adjacent to Blasingim Road and the proposed lake.

4. Sidewalk
   A sidewalk must be provided along at least one side of the road(s) within the development.

5. Vehicular Access & Construction Traffic
   a. A notice to all future property owners must be recorded by the developer in the public records prior to the issuance of a local development order allowing construction of the access to the development. The notice must articulate the emergency access plan and provide information as to where a copy of this plan may be obtained from the developer or developer's successor.

   b. Prior to DO approval, the developer must show how unauthorized use of the stabilized emergency access point will be prevented and who will maintain the access to open and/or close the access point.

   c. The master concept plans show an optional gate at the entrance. Prior to DO approval, the applicant will need to show compliance with the required turn around radius if the project gate option is implemented.

   d. A planned development amendment that must go through the public hearing process will be required to change the emergency stabilized access to Blasingim Road to a second means of access to the planned development.

   e. All construction traffic to this planned development must use the project access from Penzance Boulevard.

6. Alternative Turnaround
   Prior to approval of the initial development order for this project, the developer must provide a letter from the local fire district indicating they have reviewed the engineered drawings and have no objections to the design of the turnaround as approved in Deviation 2 of this planned development.

7. Backout Parking
If the roadway immediately adjacent to and south of the proposed amenity center is not connected to Blasingim Road for normal daily vehicle use, the portion of the amenity center parking spaces farthest from the adjacent roadway must be located not less than 22 feet from the edge of roadway right-of-way or easement. If the roadway immediately adjacent to and south of the amenity center is at any future time connected to Blasingim Road for normal daily vehicle use, the amenity center parking area must be relocated such that it meets all requirements of the most current Land Development Code.

8. Northern Buffer
Prior to the issuance of a development order for vertical construction, a 15 foot wide right of way buffer must be provided along the north property line with the following enhancements:
   a. five trees and eighteen shrubs per 100 linear feet must be provided within the 15 foot wide right of way buffer along the north property line;
   b. the trees must be installed 14 feet away from the overhead power lines; and
   c. the proposed landscape material must be native.

9. Native Hedge
Prior to the issuance of a development order for vertical construction, a native hedge installed at 36 inches; maintained at 60 inches; and planted four foot on center must be shown on the perimeter water management berm of the landscape plans. The perimeter water management berm plantings must be tied into the overall irrigation system for the infrastructure.

10. Vehicular/Pedestrian Impacts
Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

11. Lee Plan Consistency
Approval of this zoning request does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1 (b).

12. Concurrency
Approval of this rezoning does not constitute a finding that the proposed project meets the concurrency requirements set forth in LDC Chapter 2 and the Lee Plan. The developer is required to demonstrate compliance with all concurrency requirements prior to issuance of a local development order.

13. Development Permits
Issuance of a development permit by Lee County does not in any way create any rights on the part of the applicant to obtain a permit from a state of federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertake actions that result in a violation of state or federal law.

Deviations

1. Deviation from LDC Section 10-254, which requires side lot lines be, as nearly as practical, at right angles to straight street lines and radial to curve street lines, to allow

the lot design shown on the Master Concept Plan in those areas where Deviation 1 is applied.

Recommendation:
Staff offers no objection to the granting of this request. Approval of this request helps achieve the development of up to 120 units and the deviation is found to not be a detriment of the public's interest.

2. Deviation from LDC Section 10-296(p)(1) to eliminate the requirement that a dead-end street be closed at one end by a circular turnaround, to allow an alternative turnaround.

   Recommendation:
   The deviation is recommended for approval for only the portion of the development with the dead-end turnaround in the southwest corner of the development, provided that Condition 6 is included that the design of the turnaround be reviewed and approved by the local fire district at the time of local development order.

3. Deviation from LDC Section 10-703 to allow lot size to be measured as indicated on the Master Concept Plan.

   Recommendation:
   Staff has no objection to the proposal to measure the lots as depicted on the Master Concept Plan. The measurement proposal helps the applicant to achieve the development, and is viewed by staff as a proposal that is not expected to be detrimental to the public's interest.

4. Deviation from LDC Section 10-391(3) which requires developments of more than five acres to provide more than one means of ingress or egress to allow one primary access and one emergency stabilized access.

   Recommendation:
   Staff recommends approval of this request provided that Condition 5 is included in this action. Development Services finds the Deviation as conditioned helps achieve the intent of the planned development and is not expected to adversely impact the public health, safety, and welfare.

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

   Recommendation: Staff offers no objection to the granting of this request provided Condition 9 is approved with this request.

6. Deviation from LDC Section 10-415(5) which requires minimum preservation width of 40 feet to allow a minimum preserve width of eight feet.

   Recommendation:
   Staff supports the granting of this request to a width of 8 feet as provided for in Condition 9.

7. Deviation from LDC Section 34-2015(2)(d) and 34-213(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.

Recommendation:
Development Services staff has recommended approval of this request. They find the low traffic volumes and travel speeds will enhance the achievement of the planned development and is not expected to adversely impact the public health, safety, and welfare. This approval is subject to Condition 7.

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

Recommendation:
Staff offers no objection to the granting of this request, subject to Condition 8.

Exhibits:
A. Master Concept Plan
B. Schedule of Uses
C. Property Development Regulations

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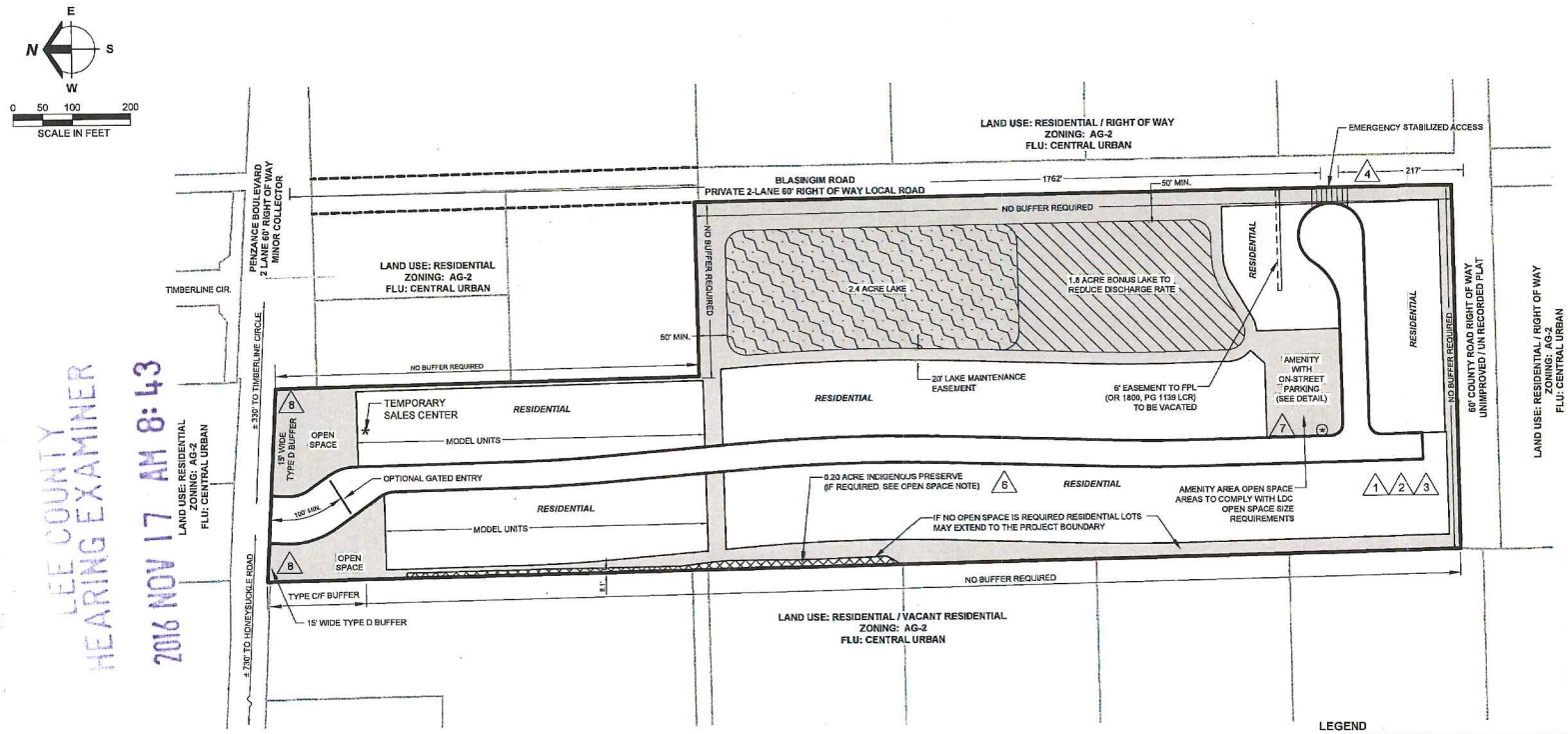

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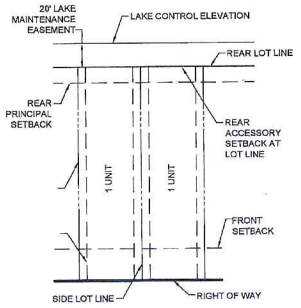
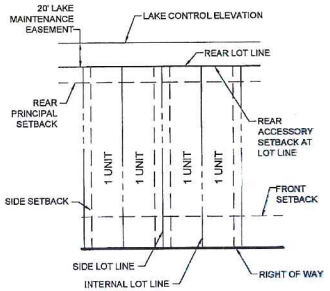
COMMUNITY DEVELOPMENT

LEGEND

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



SINGLE FAMILY
TYPICAL LOT DETAIL



SINGLE FAMILY ATTACHED
TYPICAL LOT DETAIL

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.

EXHIBIT A

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

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FILE NAME	23370-Z03.DWG
LOCATION	J:\23370\DWG\ZONING\
PLOT DATE	TUE, 9-27-2016 - 10:49 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

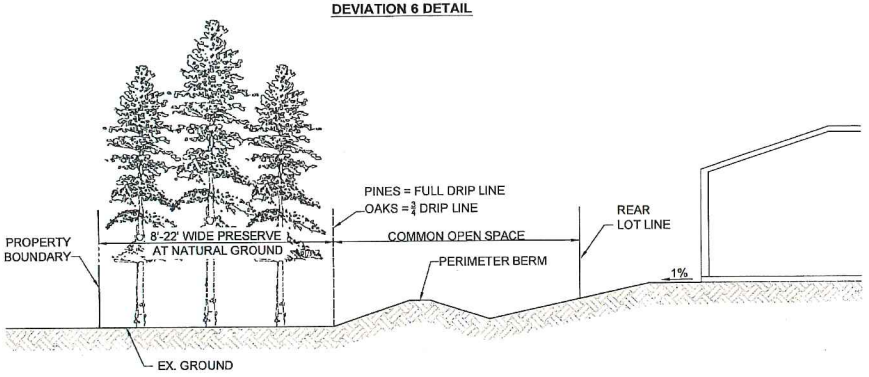
PLAN STATUS

MASTER CONCEPT PLAN

PROJECT / FILE NO.	SHEET NUMBER
23370	1 OF 2

DCI 2016-00011

DEVIATION 6 DETAIL



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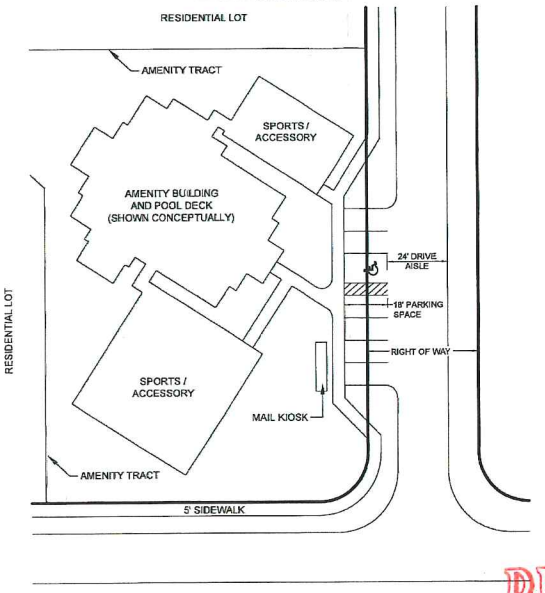

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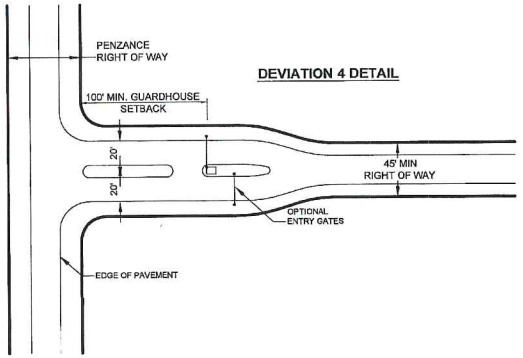
DEVIATION 4 DETAIL



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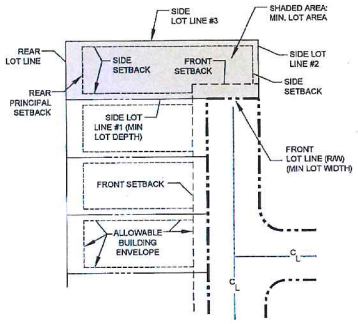
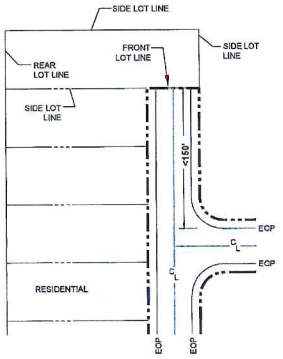
DEVIATION 3 LOT SIZE DETAIL



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



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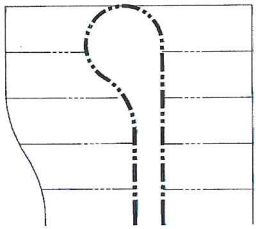
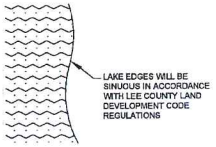


SINUOUS LAKE SHORELINE DETAIL



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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 6340

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 GAPEN

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

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

Blasingim Road RPD
Residential Planned Development
Schedule of Uses

Entrance Gates and Gatehouses
Essential Services
Essential Services Facilities, Group 1
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 per LDC
Temporary Construction Trailer

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Recreational Facilities, Private (Located at Amenity Site, Max. Floor Area 7,000 sf)
- 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, pickleball, bocce courts, swimming pool, piers, playground, fire pit.

EXHIBIT B

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

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

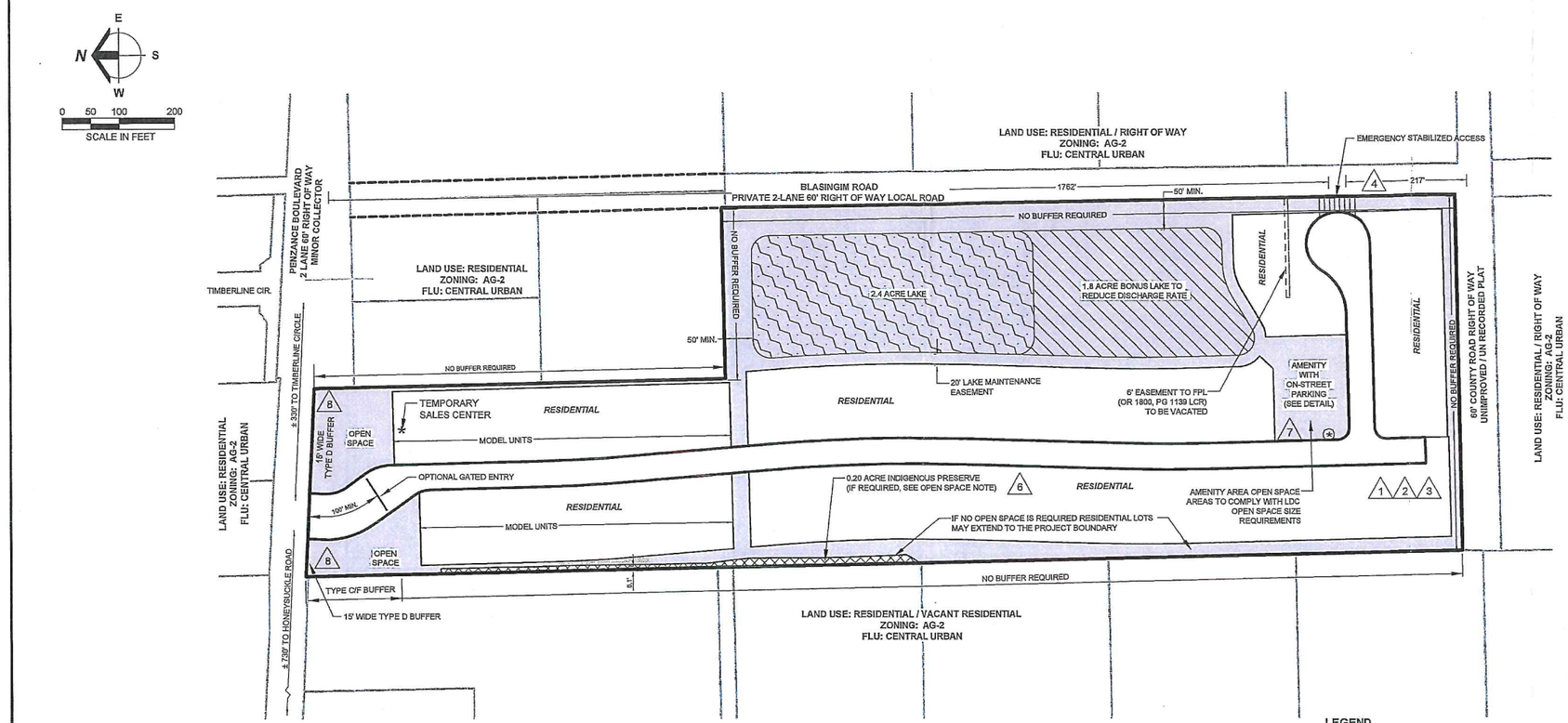
Blasingim RPD
Residential Planned Development
Property Development Regulations

	SINGLE FAMILY	TWO-FAMILY ATTACHED	AMENITY
Minimum lot Width:	40'	30'	80'
Minimum lot Depth:	125'	125'	125'
Minimum lot Area:	5000 sf	3750 sf	10,000 sf
Max. Building Area	N/A	N/A	7,000 sf
Max. Building Height:	35'	35'	35'
Maximum 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.**

EXHIBIT C

DCI 2016-00011



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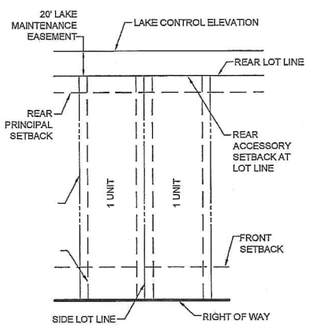
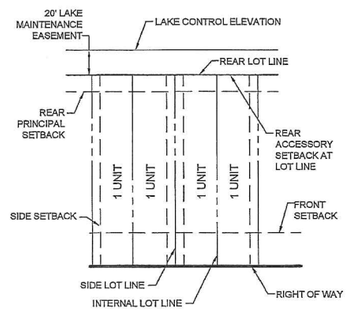
LEGEND

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



SINGLE FAMILY
TYPICAL LOT DETAIL



SINGLE FAMILY ATTACHED
TYPICAL LOT DETAIL

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
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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:

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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.

EXHIBIT A

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
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PROJECT DESCRIPTION

BLASINGIM ROAD RPD
LEE COUNTY, FLORIDA

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FILE NAME	23370-Z02.DWG
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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
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9-27-16	REVISE OPEN SPACE TABLE

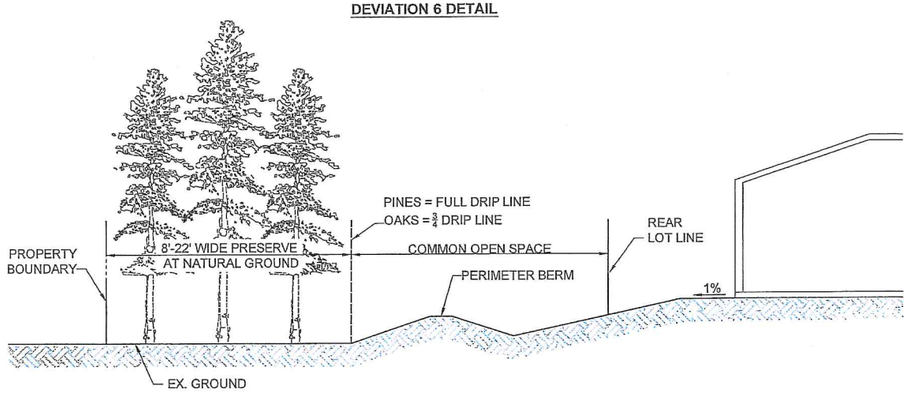
PLAN STATUS

MASTER CONCEPT PLAN

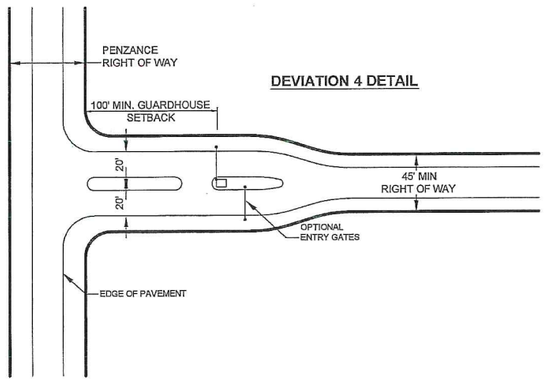
PROJECT / FILE NO.	SHEET NUMBER
23370	1 OF 2

DCI 2016-00011

DEVIATION 6 DETAIL



DEVIATION 4 DETAIL



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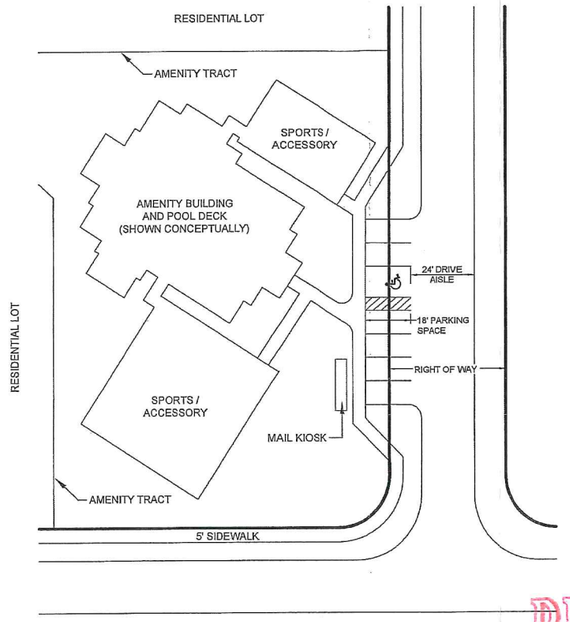
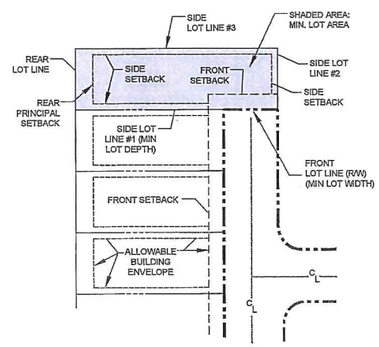
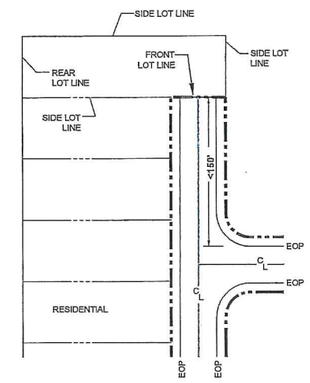


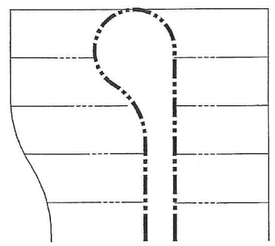
DEVIATION 3 LOT SIZE DETAIL



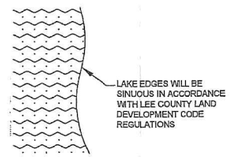
DEVIATION 1 RIGHT ANGLE SIDE LOT LINE
DEVIATION 2 DEAD-END DETAIL



CUL-DE-SAC DESIGN DETAIL



SINUOUS LAKE SHORELINE DETAIL



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COMMUNITY DEVELOPMENT

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

DRAWING NOT VALID WITHOUT SEAL, SIGNATURE AND DATE
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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 BAPEN

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

Petition to Deny Request by Blasingim Property LLC for Emergency Access onto Blasingim Road

Petition summary and background	Blasingim Road is a private, non-publicly maintained road. Developer has not provided details of by whom, when or how this exit would be used in an emergency or what constitutes an "emergency". We believe this development is detrimental to our property values and to allow an access such as this will open the gates to Blasingim Road being used by residents of this proposed development for ingress and egress in non-emergency, daily commute, with no provisions for the road being maintained nor any way to monitor use of this exit. This would place an inordinate economic burden on the residents of Blasingim Road.
Action petitioned for	We, the undersigned, are concerned residents and property owners who urge the County Commissioners to act now to deny this proposed deviation

Printed Name	Signature	Number on Blasingim Road	Comment	Date
Daniel B. Sifford	Daniel B Sifford	12451		
Constance Parnes	Constance Parnes	12451		10.
Axel Jakobeit		12420		11/10/16
ALEXANDRA ALBER		12420		
David Richards		11950		
Kelly Richards	K Richards	11950		
Steve Moss		12291		
Chris Foust	Christopher J. Foust	12271		

A. Jakobeit
EXHIBIT # 1

PAVESE LAW FIRM

NEALE MONTGOMERY

Direct dial: (239) 336-6235
Email: NealeMontgomery@paveselaw.com

1833 Hendry Street, Fort Myers, Florida 33901 | P.O. Drawer 1507, Fort Myers, Florida 33902-1507 | (239) 334-2195 | Fax (239) 332-2243

November 7, 2016
Via Hand Delivery and Email Transmittal

LEE COUNTY HEARING EXAMINER
2016 NOV -8 AM 8:59

Ms. Donna Marie Collins
Lee County Hearing Examiner
1500 Monroe Street – Suite 218
Fort Myers, FL 33901

RE: Blasingim Road RPD
DCI2016-00011
Applicant's 48-Hour Letter

Dear Madam Hearing Examiner:

Please accept this as the Applicant's 48 hour letter. The applicant has considered the staff report and is generally in agreement. There are areas of disagreement and some areas where greater clarification is needed. The questions or concerns are as follows:

1. Condition 3. Conditions for Deviation 5

   A. Condition 3.i.a. The drainage canal on–site can and will be maintained by the applicant. The drainage canal off-site is a County owned drainage canal. The applicant should not be responsible for the maintenance of a County owned conveyance. The applicant had the title to the canal analyzed to confirm the County's ownership. The cost of maintaining a County drainage canal should not be placed on one landowner for the benefit of the County and all of the landowners who rely on the drainage canal.

   B. Condition 3.i.c. submits that the drainage calculations must reflect a reduction in the discharge rate to one that is lower than what is currently required per the Land Development Code. The applicant is concerned about the lack of certainty in the condition and whether the condition as worded will engender future discussions as to whether the discharge rate is sufficiently lower than what is required by the Land Development Code. The applicant is also concerned that future changes to the LDC could lower the discharge rate and create challenges. The established allowable discharge rate for this watershed is 64 CSM, the applicant would submit that the condition should establish a maximum allowable discharge rate of 50 CSM, which is a lower rate and a definitive rate. This condition is included because of the open space deviation. If the single family lots are greater than 6,500 square feet, and any two family attached lots are 3,750 square feet per unit, then this condition should not apply since there is no need for the open space deviation.

   C. The open space requirements are created by the inclusion of single family lots less than 6,500 square feet and two family lots with less than 3,750 square feet of open space per unit as a permitted use. If all of the single lots are developed at 6,500 s.f. or

Applicant Exh. # 9

greater and the two family attached lots are developed with 3,750 square feet per unit or greater the open space and indigenous requirements should be eliminated. The applicant submits that the conditions in Condition 3.i.b., 3.i.c., and 3.ii, should only be required if the single family lot sizes are less than 6,500 s.f. and the two family attached lots are developed with less than 3,750 square feet per unit.

D. Condition 3.ii.c. requires 50% of the general trees to be planted along Blasingim Road and the proposed lake. The applicant was seeking to consolidate the extra deep lake trees along Blasingim to provide greater screening.

2. Condition 5. Vehicular Access

A. Condition 5.a. provides that a notice to all future property owners must be recorded by the developer in the public records prior to the issuance of a local development order. The applicant does not object to recording the Declaration of Covenants at the time the plat is recorded. No lots can be sold until the plat is recorded so all future residents will be properly put on notice. There are no lots impacted by vehicular access until the plat is recorded. The applicant is concerned about recording any document prior to the approval of the development order as one wants to be certain the DO is going to be approved.

3. Condition 8. Northern Buffer
The applicant does not object to the required 15 foot right of way buffer, and the applicant does not object to the enhancements as long as the enhancements are only required if the project is developed with single family lots that are less than 6,500 s.f. and two family attached lots are developed with less than 3,750 square feet per unit.

4. Condition 9. Native Hedge
The applicant agrees to construct the hedge at the time of planting at 36" instead of 48" and to maintain it at 60" instead of 72"; and will provide the required enhanced buffering as long as the enhancements are only required if the project is developed with single family lots that are less than 6,500 s.f. and two family attached lots are developed with less than 3,750 square feet per unit.

5. Page 4 of 4, paragraph 6: Deviation from LDC Section 10-415(5) which requires a minimum preservation width of 40 feet.
The staff recommends granting the deviation to reduce the width from 40 feet to a width of 15 feet. The staff condition then states the recommendation is per Condition 8. The applicant requests a width of 8 feet instead of the 15 feet recommended by the staff. The applicant doesn't understand the reference to Condition 8 because Condition 8 does not address the deviation from Section 10-415(5). Condition 8 relates to the Penzance Blvd. right of way buffer.

6. Property Development Regulations
The applicant wants to be certain that the correct property development regulations are considered. Please find included herewith the most current property development regulations.

The Applicant's Witness List and the Applicant's Exhibit List are attached hereto.

Your consideration of this matter is greatly appreciated.

Sincerely,

Neale Montgomery

NM/kc

Attachments: Property Development Regulations
Applicant's Witness List
Applicant's Exhibit List

cc: Alvin "Chip" Block
Beth Workman
Marcus Evans
Jennifer Sapen
Tim Gavin
Ted Treesh
Shane Johnson
Ray Blacksmith
Joseph Cameratta
Nicholas Cameratta
Tony Cameratta

Blasingim RPD
Residential Planned Development
Property Development Regulations

	SINGLE FAMILY	TWO-FAMILY ATTACHED	AMENITY
Minimum lot Width:	40'	30'	80'
Minimum lot Depth:	125'	125'	125'
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Max. Building Area	N/A	N/A	7,000 sf
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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.**

BLASINGIM ROAD RPD

DCI2016-00011

HEX Hearing November 10, 2016
Applicant's Witness List

1. Jennifer Sapen
2. Tim Gavin
3. Shane Johnson
4. Ted Treesh
5. Nicholas Cameratta
6. Ray Blacksmith
7. Joseph Cameratta
8. Tony Cameratta
9. Neale Montgomery

BLASINGIM ROAD RPD

DCI2016-00011

HEX Hearing November 10, 2016
Applicant's Exhibit List

- Applicant's PowerPoint Presentation (hard copy)

Perez, Maria

From: Kathleen A. Cline [KathleenCline@PaveseLaw.com]
Sent: Tuesday, November 08, 2016 9:08 AM
To: Perez, Maria; Block, Alvin
Cc: Jacob, Michael; 'Jennifer Sapen'; ncameratta@camerattacompanies.com; shanej@passarella.net; tbt@trtrans.net; rblacksmith@camprop.com; Neale Montgomery
Subject: Property Development Regulations from 48-Hr Letter (Word File) : DCI2016-00011 - BLASINGIM ROAD RPD by Blasingim Road Property LLC
Attachments: Property Development Regulations-48 Hr Ltr.docx

Good morning. Attached is the Word version of the revised Property Development Regulations which were submitted with the 48-hour letter. The asterisks in yellow below were added to correspond to the note regarding the side entry garages. Thank you, and please let us know if you have any questions or comments.

Front (right of way)	20' (*)	20' (*)

NOTE: * Setback shall be reduced to 15-feet for side entry garages.

PAVESE LAW FIRM

Kathleen A. Cline
Legal Secretary to Neale Montgomery, Esq.
1833 Hendry Street (33901)
Post Office Drawer 1507 Fort Myers, FL 33902
Direct 239.336.6235 Fax 239.332.2243
kathleencline@paveselaw.com
Visit our website: www.paveselaw.com

From: Jennifer Sapen [mailto:JenniferS@barraco.net]
Sent: Monday, November 07, 2016 3:11 PM
To: Perez, Maria <MPerez@leegov.com>; Block, Alvin <ABlock@leegov.com>; ncameratta@camerattacompanies.com; shanej@passarella.net; tbt@trtrans.net; Neale Montgomery <NealeMontgomery@Paveselaw.com>; Kathleen A. Cline <KathleenCline@PaveseLaw.com>; rblacksmith@camprop.com
Cc: Jacob, Michael <MJacob@leegov.com>
Subject: RE: DCI2016-00011 - BLASINGIM ROAD RPD by Blasingim Road Property LLC

Please find attached word files of the Schedule of Uses and Property Development Regulations for Blasingim Road RPD, referenced as Exhibits B and C in the staff report.

Jennifer Sapen, AICP
Barraco and Associates, Inc.

Civil Engineers ~ Land Surveyors ~ Land Planners
2271 McGregor Boulevard, Suite 100
Fort Myers, FL 33901
(239) 461-3170 Phone
(239) 461-3169 Fax
http://www.barraco.net

File:

From: Perez, Maria [mailto:MPerez@leegov.com]
Sent: Monday, November 07, 2016 2:06 PM
To: Block, Alvin <ABlock@leegov.com>; ncameratta@camerattacompanies.com; Jennifer Sapen <JenniferS@barraco.net>; shanej@passarella.net; tbt@trtrans.net; nealemontgomery@paveseLaw.com; kathleencline@paveselaw.com; rblacksmith@camprop.com
Cc: Jacob, Michael <MJacob@leegov.com>
Subject: DCI2016-00011 - BLASINGIM ROAD RPD by Blasingim Road Property LLC

May you please submit the Schedule of Uses (Exhibit B to the Staff Report) and Property Development Regulations (Exhibit C to the Staff Report) in Word format so I may cut and paste. Thank you.

MARIA D. PEREZ
ADMINISTRATIVE SPECIALIST
LEE COUNTY HEARING EXAMINER'S OFFICE
BOARD OF COUNTY COMMISSIONERS
P.O. Box 398
(1500 Monroe Street)
Fort Myers, Florida 33902
Tel: (239) 533-8100

E-mail: perezmd@leegov.com
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.
Please note our general office email address: hex@leegov.com

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The recipient accepts responsibility for confirming with Barraco and Associates, Inc. that the electronic file is current at the time of use by the recipient. The recipient also agrees to hold Barraco and Associates, Inc. harmless for any cost or damages incurred due to the recipient's use of an outdated electronic file and for any costs associated with updating the recipient's electronic files in the event of future revisions by Barraco and Associates, Inc.

The recipient agrees not to use these drawings and data, in whole or in part, for any purpose or project other than the project which is the subject of this agreement, nor shall the recipient provide that attached data to any other party not indicated as a recipient in the "To" field of this message. The recipient agrees to waive all claims against Barraco and Associates, Inc. resulting in any way from any unauthorized changes or reuse of the drawings and data for any other project by anyone other than Barraco and Associates, Inc.

In addition, the recipient agrees, to the fullest extent permitted by law, to indemnify and hold Barraco and Associates, Inc. harmless from any damage, liability or

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Blasingim RPD
Residential Planned Development
Property Development Regulations

	SINGLE FAMILY	TWO-FAMILY ATTACHED	AMENITY
Minimum lot Width:	40'	30'	80'
Minimum lot Depth:	125'	125'	125'
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NOTE: * Setback shall be reduced to 15-feet for side entry garages.

** **0-foot setback to apply to internal lot line.**

Perez, Maria

From: Kathleen A. Cline [KathleenCline@PaveseLaw.com]
Sent: Monday, November 07, 2016 5:25 PM
To: Hearing Examiner
Cc: Neale Montgomery; Block, Alvin; Workman, Elizabeth; Evans, Marcus; Jacob, Michael; Jennifer Sapen (JenniferS@barraco.net); Tim Gavin (TimG@barraco.net); Ted Treesh (tbt@trtrans.net); 'Shane Johnson (ShaneJ@passarella.net)'; 'RBlacksmith'; Joseph Cameratta (JCameratta@camerattacompanies.com); ncameratta; Anthony Cameratta (TCameratta@camerattacompanies.com)
Subject: Applicant's 48-Hr Letter re DCI2016-00011 BLASINGIM ROAD RPD
Attachments: 2016-11-07 Applicant 48-Hr Ltr Blasingim Road RPD DCI2016-00011.pdf

Importance: High

Good afternoon. Please see the attached 48-hour letter, hard copies of which will be hand-delivered to the Hearing Examiner and County staff Wednesday morning.

PAVESE LAW FIRM

Kathleen A. Cline
Legal Secretary to Neale Montgomery, Esq.
1833 Hendry Street (33901)
Post Office Drawer 1507 Fort Myers, FL 33902
Direct 239.336.6235 Fax 239.332.2243
kathleencline@paveselaw.com
Visit our website: www.paveselaw.com

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PAVESE
LAW FIRM

NEALE MONTGOMERY

Direct dial: (239) 336-6235
Email: NealeMontgomery@paveselaw.com

1833 Hendry Street, Fort Myers, Florida 33901 | P.O. Drawer 1507, Fort Myers, Florida 33902-1507 | (239) 334-2195 | Fax (239) 332-2243

November 7, 2016
Via Hand Delivery and Email Transmittal

Ms. Donna Marie Collins
Lee County Hearing Examiner
1500 Monroe Street – Suite 218
Fort Myers, FL 33901

RE: Blasingim Road RPD
DCI2016-00011
Applicant's 48-Hour Letter

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Please accept this as the Applicant's 48 hour letter. The applicant has considered the staff report and is generally in agreement. There are areas of disagreement and some areas where greater clarification is needed. The questions or concerns are as follows:

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   C. The open space requirements are created by the inclusion of single family lots less than 6,500 square feet and two family lots with less than 3,750 square feet of open space per unit as a permitted use. If all of the single lots are developed at 6,500 s.f. or

greater and the two family attached lots are developed with 3,750 square feet per unit or greater the open space and indigenous requirements should be eliminated. The applicant submits that the conditions in Condition 3.i.b., 3.i.c., and 3.ii, should only be required if the single family lot sizes are less than 6,500 s.f. and the two family attached lots are developed with less than 3,750 square feet per unit.

D. Condition 3.ii.c. requires 50% of the general trees to be planted along Blasingim Road and the proposed lake. The applicant was seeking to consolidate the extra deep lake trees along Blasingim to provide greater screening.

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A. Condition 5.a. provides that a notice to all future property owners must be recorded by the developer in the public records prior to the issuance of a local development order. The applicant does not object to recording the Declaration of Covenants at the time the plat is recorded. No lots can be sold until the plat is recorded so all future residents will be properly put on notice. There are no lots impacted by vehicular access until the plat is recorded. The applicant is concerned about recording any document prior to the approval of the development order as one wants to be certain the DO is going to be approved.

3. Condition 8. Northern Buffer
The applicant does not object to the required 15 foot right of way buffer, and the applicant does not object to the enhancements as long as the enhancements are only required if the project is developed with single family lots that are less than 6,500 s.f. and two family attached lots are developed with less than 3,750 square feet per unit.

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The applicant agrees to construct the hedge at the time of planting at 36" instead of 48" and to maintain it at 60" instead of 72"; and will provide the required enhanced buffering as long as the enhancements are only required if the project is developed with single family lots that are less than 6,500 s.f. and two family attached lots are developed with less than 3,750 square feet per unit.

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Your consideration of this matter is greatly appreciated.

Sincerely,

Neale Montgomery

NM/kc

Attachments: Property Development Regulations
Applicant's Witness List
Applicant's Exhibit List

cc: Alvin "Chip" Block
Beth Workman
Marcus Evans
Jennifer Sapen
Tim Gavin
Ted Treesh
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Tony Cameratta

Blasingim RPD
Residential Planned Development
Property Development Regulations

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

BLASINGIM ROAD RPD

DCI2016-00011

HEX Hearing November 10, 2016
Applicant's Witness List

1. Jennifer Sapen
2. Tim Gavin
3. Shane Johnson
4. Ted Treesh
5. Nicholas Cameratta
6. Ray Blacksmith
7. Joseph Cameratta
8. Tony Cameratta
9. Neale Montgomery

BLASINGIM ROAD RPD

DCI2016-00011

HEX Hearing November 10, 2016
Applicant's Exhibit List

- Applicant's PowerPoint Presentation (hard copy)

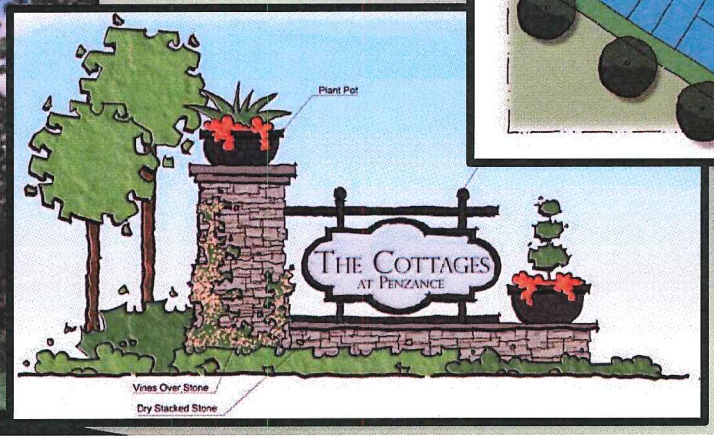
BLASINGIM RPD

DCI 2016-00011

Nov 10, 2016







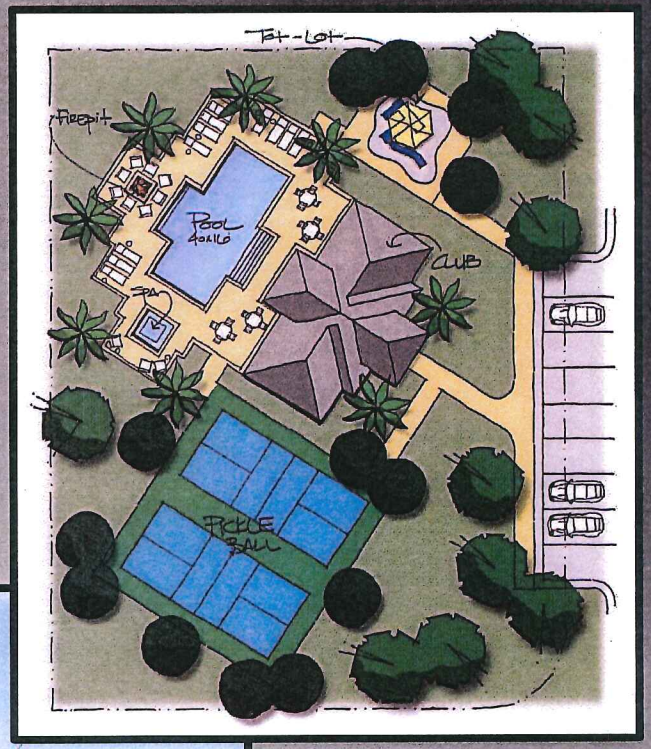
APPLICANT'S EXHIBIT # 1

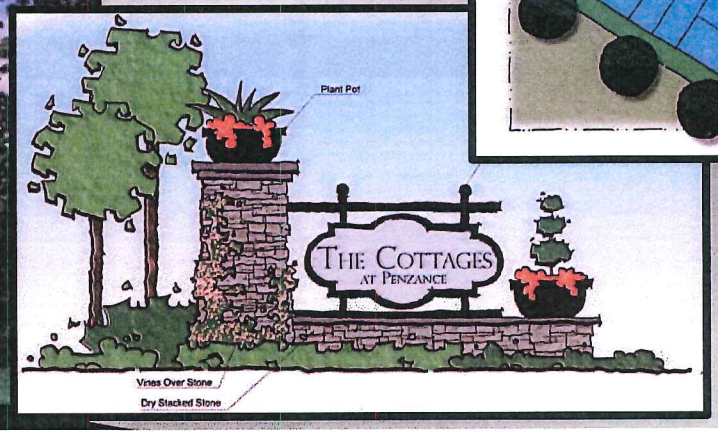
BLASINGIM RPD

DCI 2016-00011

Nov 10, 2016







PROJECT CONSULTANTS

Owner : **Nick Cameratta, CEO** – Blasingim Road Property, LLC

Project Background: **Ray Blacksmith, President** – Blasingim Road Property, LLC

Land Planning: **Jennifer Sapen, AICP** – Barraco & Associates, Inc.

Environmental: **Shane Johnson** – Passarella & Associates, Inc.

Project Engineering: **Tim Gavin, P.E.** – Barraco and Associates, Inc.

Traffic: **Ted Treesh** – TR Transportation Consultants, Inc.

Land Use: **Neale Montgomery, Esq.** – Pavese Law Firm

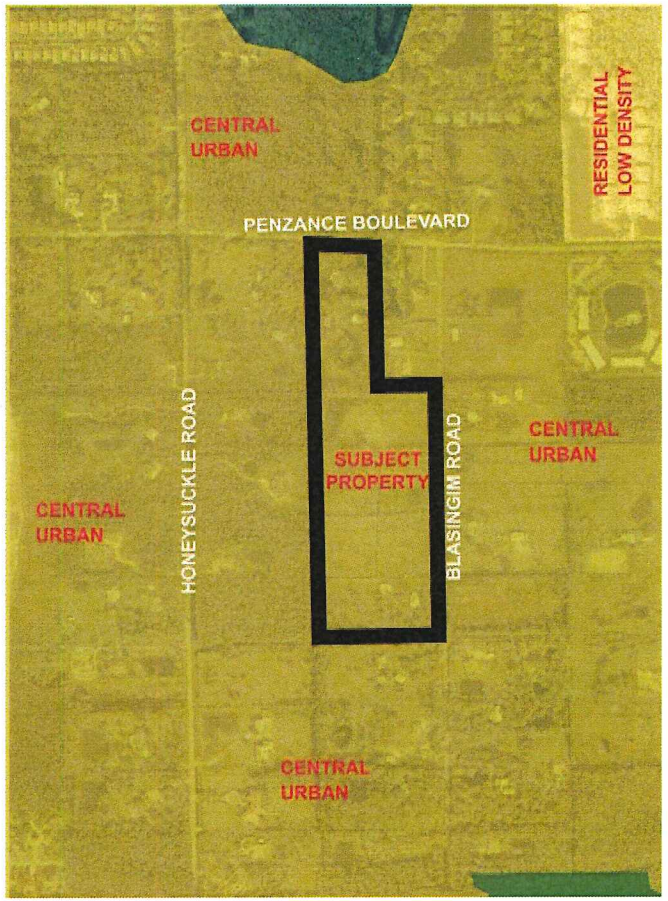
JENNIFER SAPEN, AICP

Land Planning

Barraco and Associates, Inc.

EXISTING COMP PLAN FUTURE LAND USE

- Central Urban
- Allowable Density: 241 units (10 du/ac)
- Proposed Density: 120 units (5 du/ac)
- Policy 1.1.3



ACREAGE ALLOCATION

- Policy 1.7.6
  - Central Urban
  - South Fort Myers Community
- Available: 3,140 ac
- Requested: 24 ac

ZONING

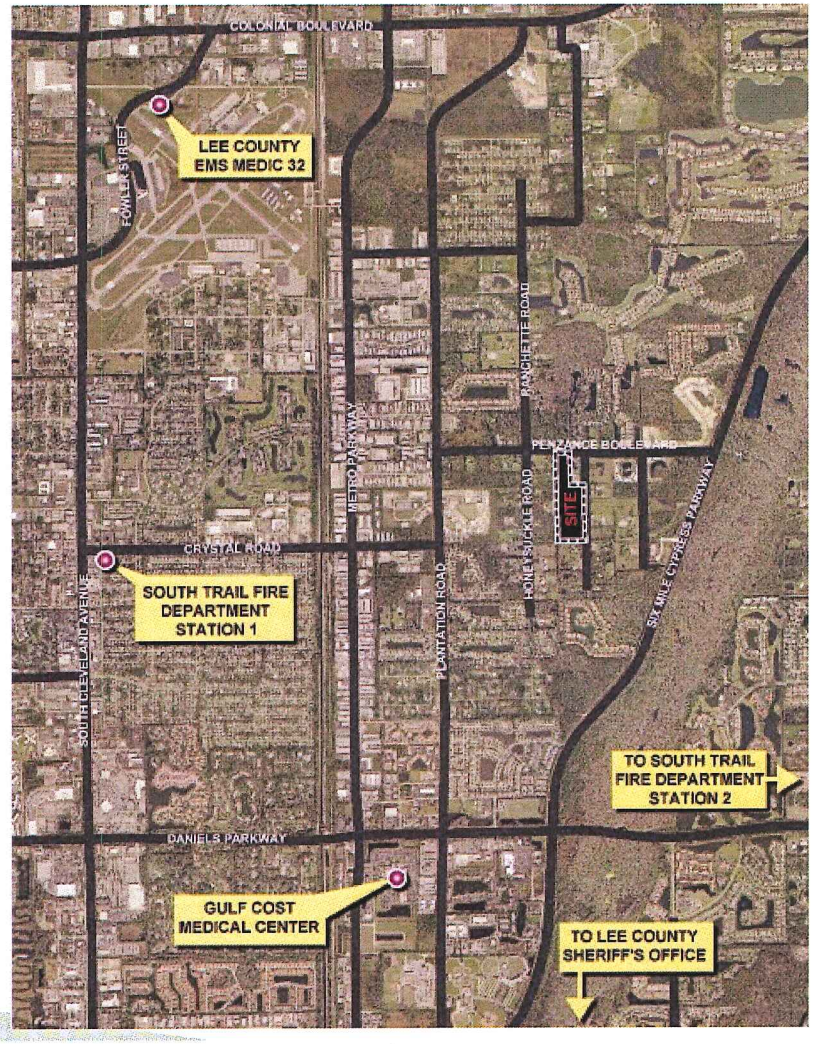


DCI2016-00011

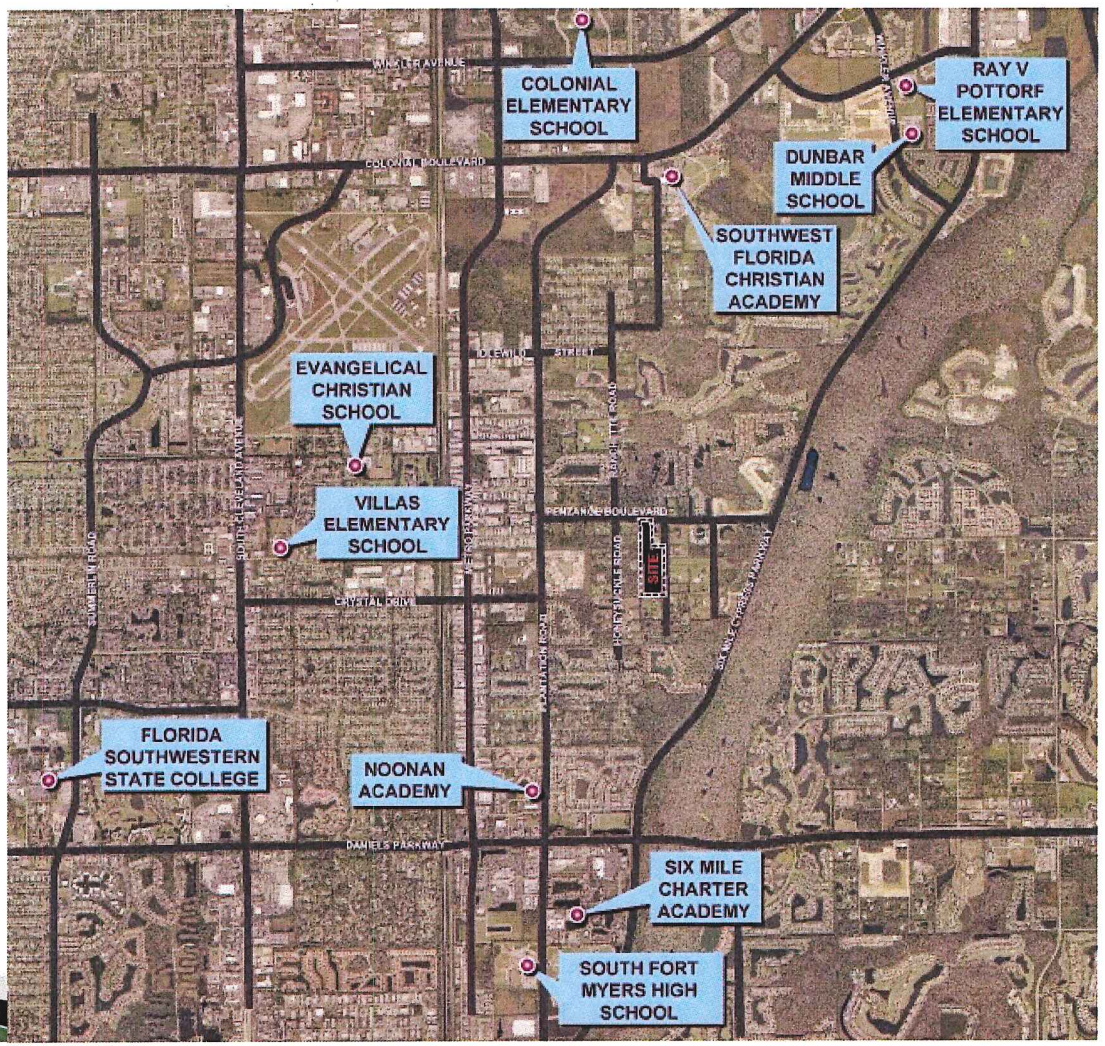
PUBLIC SERVICES

- Objective 2.1
- Objective 2.2
- Policy 2.2.1
- Water & Sewer Standards 11.1 & 11.2

EMERGENCY SERVICES



SCHOOLS



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RECREATION, PARKS & LIBRARY



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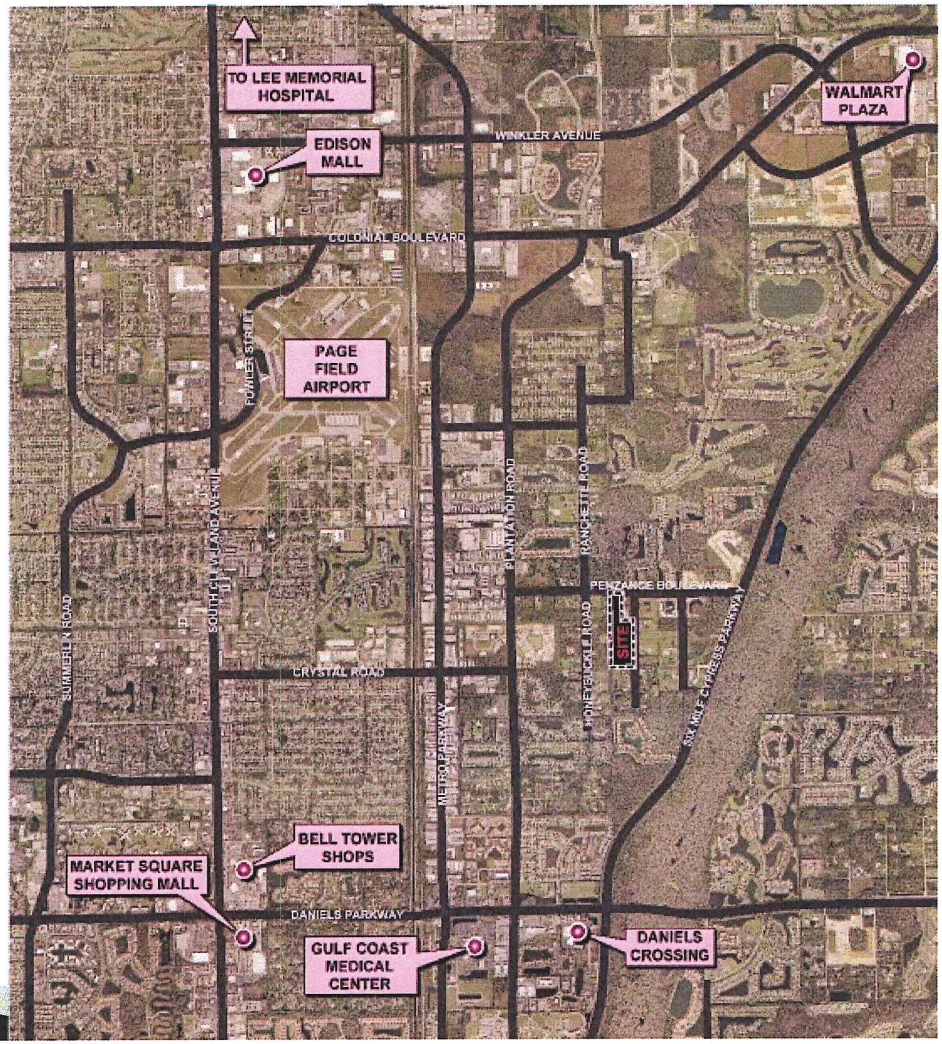
EMPLOYMENT & SHOPPING



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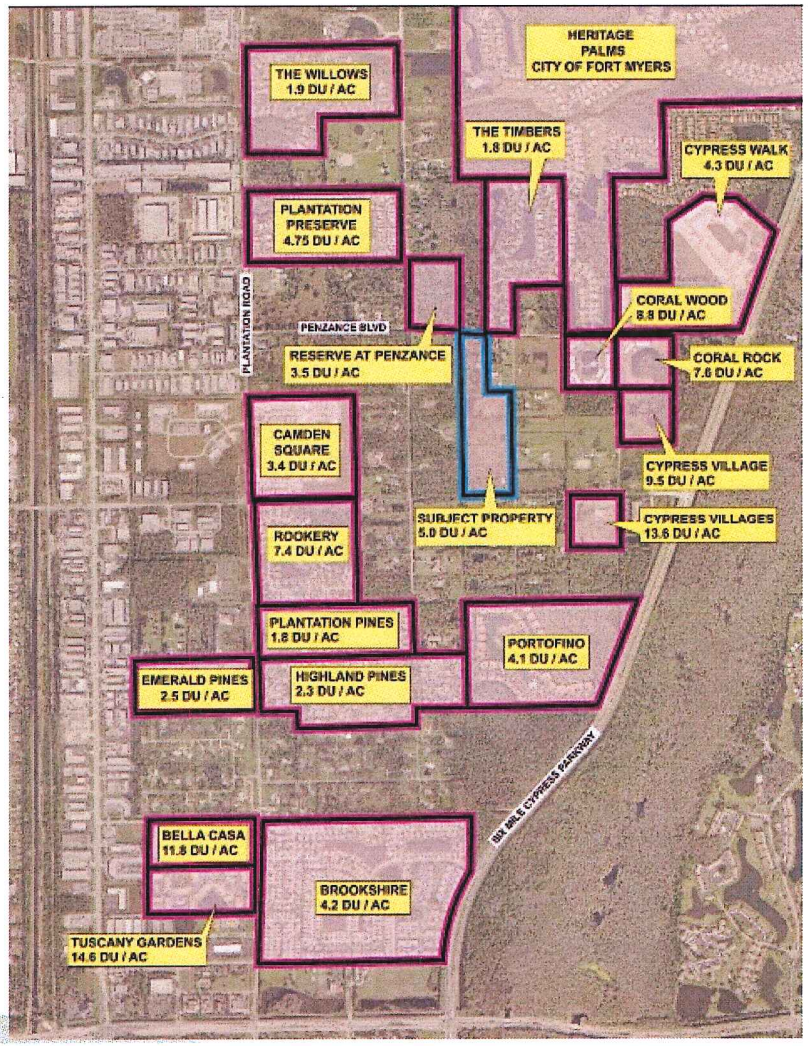
SURROUNDING RESIDENTIAL

- Policy 5.2.4

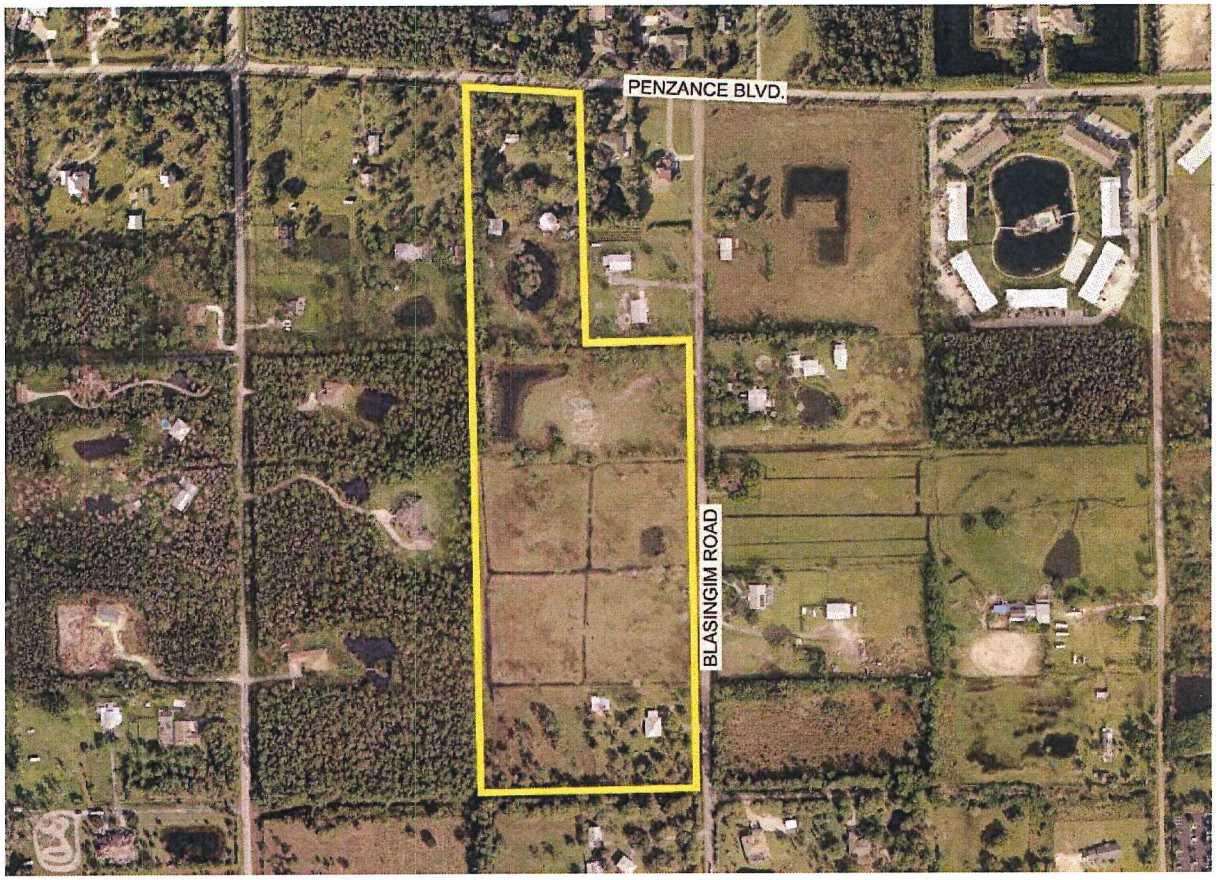
Compatible means, in describing the relation between two land uses, buildings or structures, or zoning districts, the state wherein those two things exhibit either a positive relationship based on fit, similarity or reciprocity of characteristics, or a neutral relationship based on a relative lack of conflict (actual or potential) or on a failure to communicate negative or harmful influences one to another

-Lee County LDC

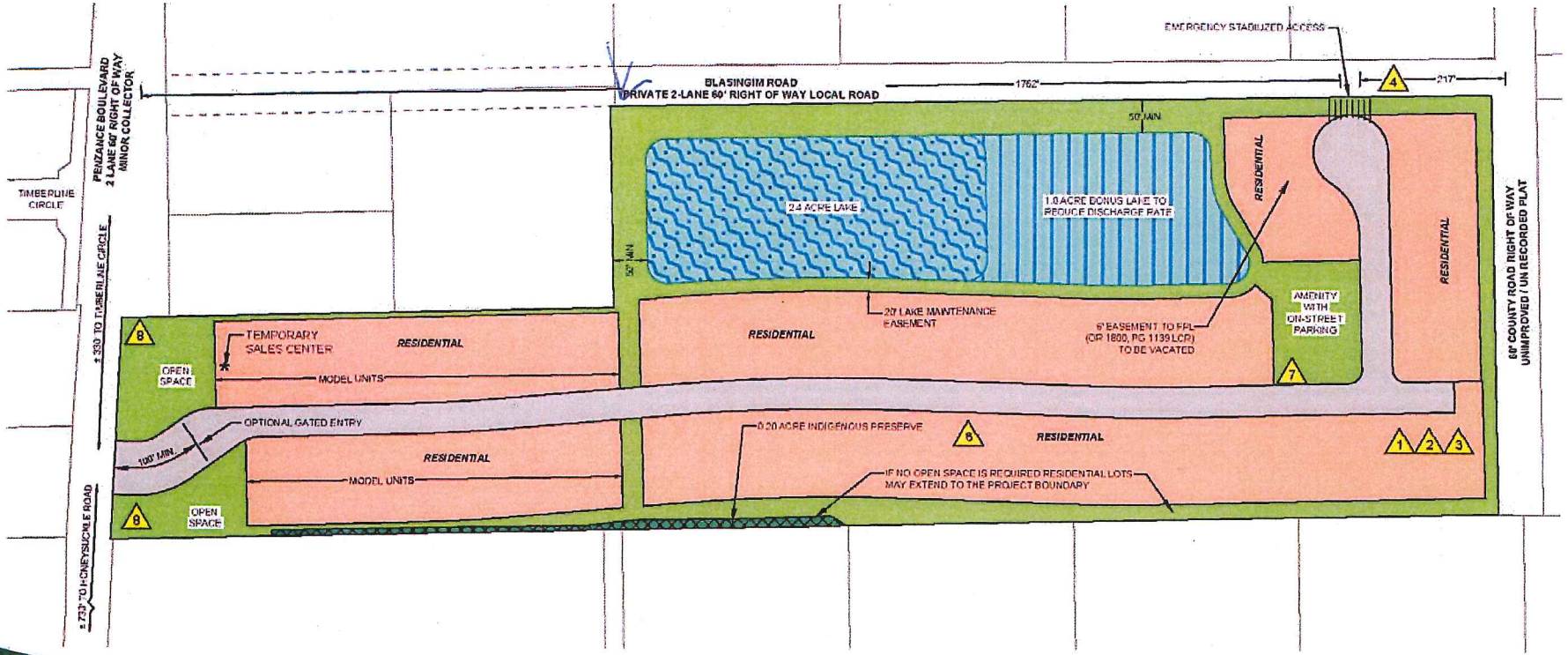


AERIAL

- Cleared agricultural land
- Residential homes
- East/West conveyance ditch

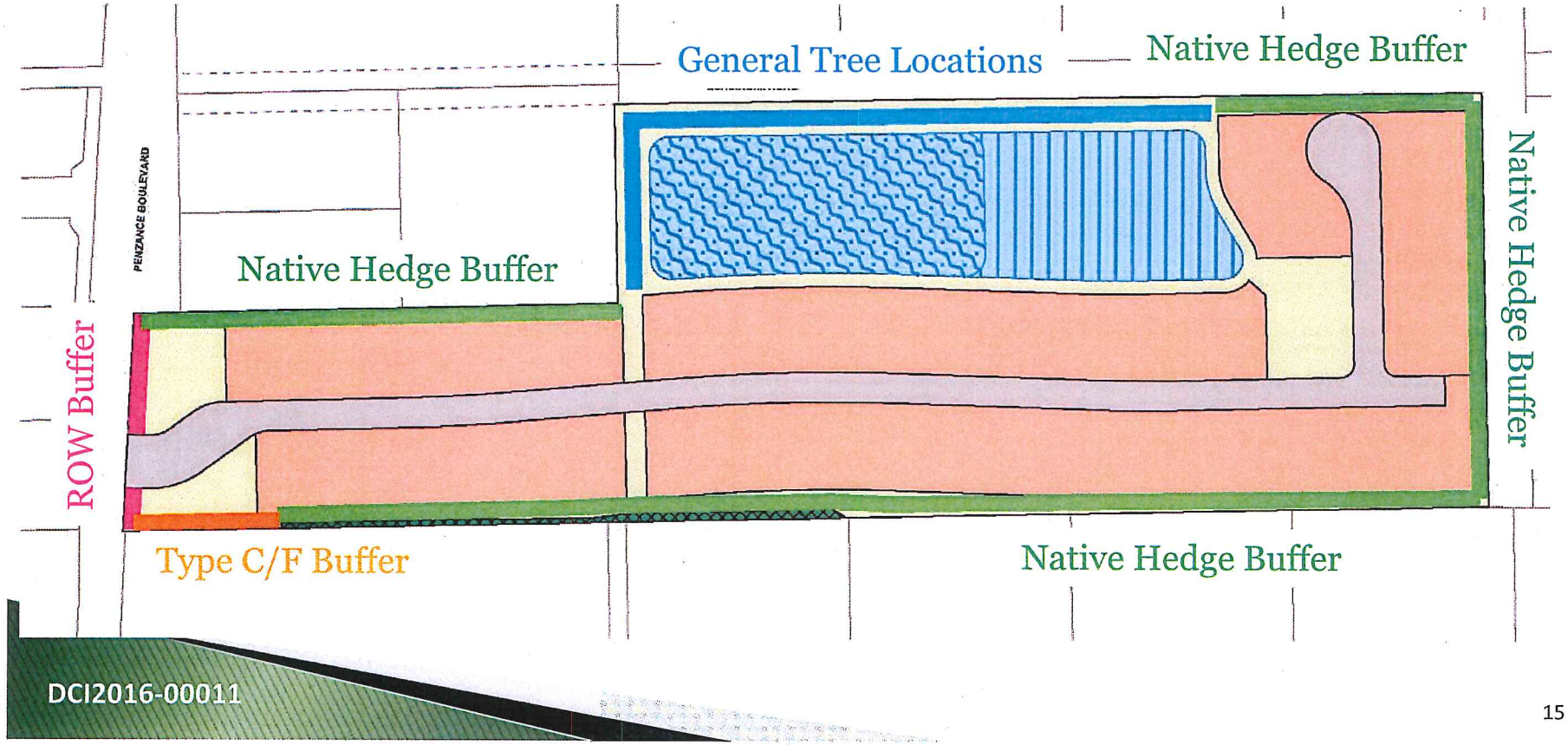


SITE PLAN

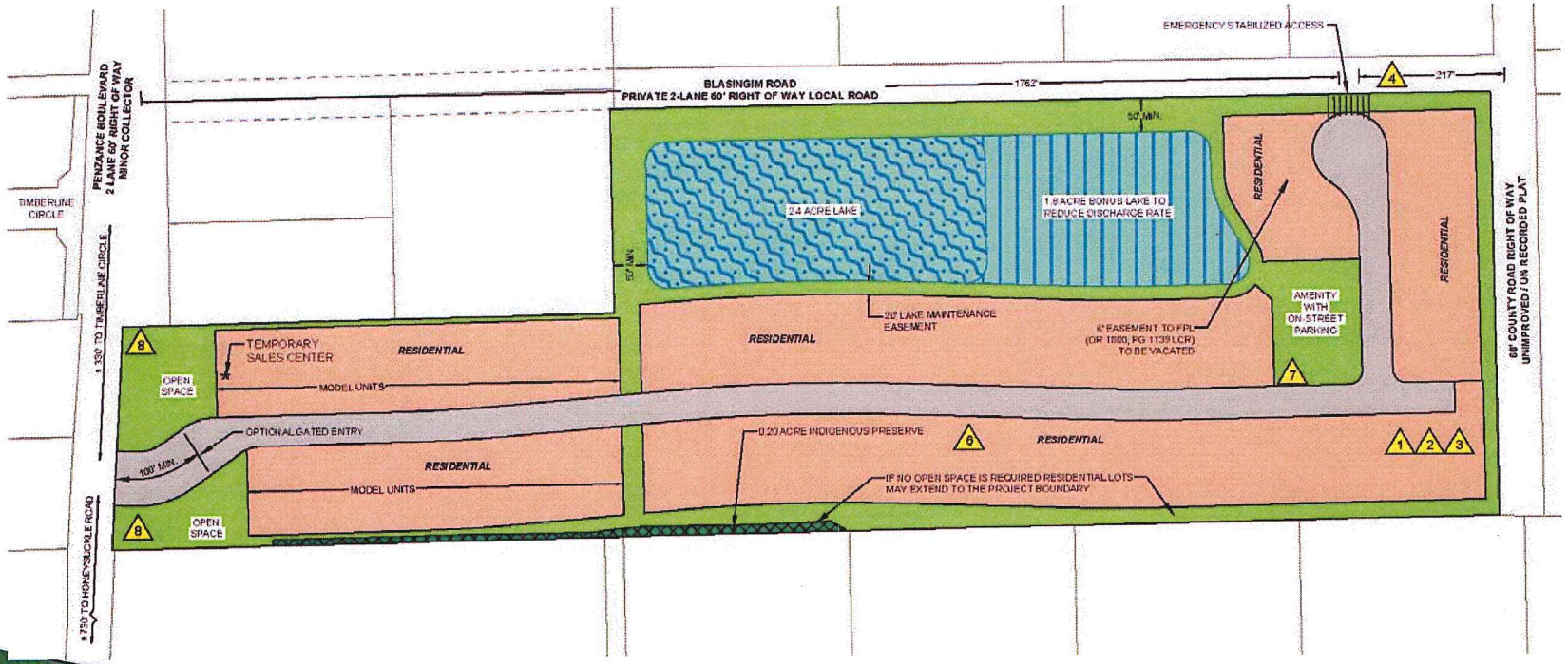


Residential: 120 units

BUFFERS & ENHANCEMENTS



DEVIATIONS



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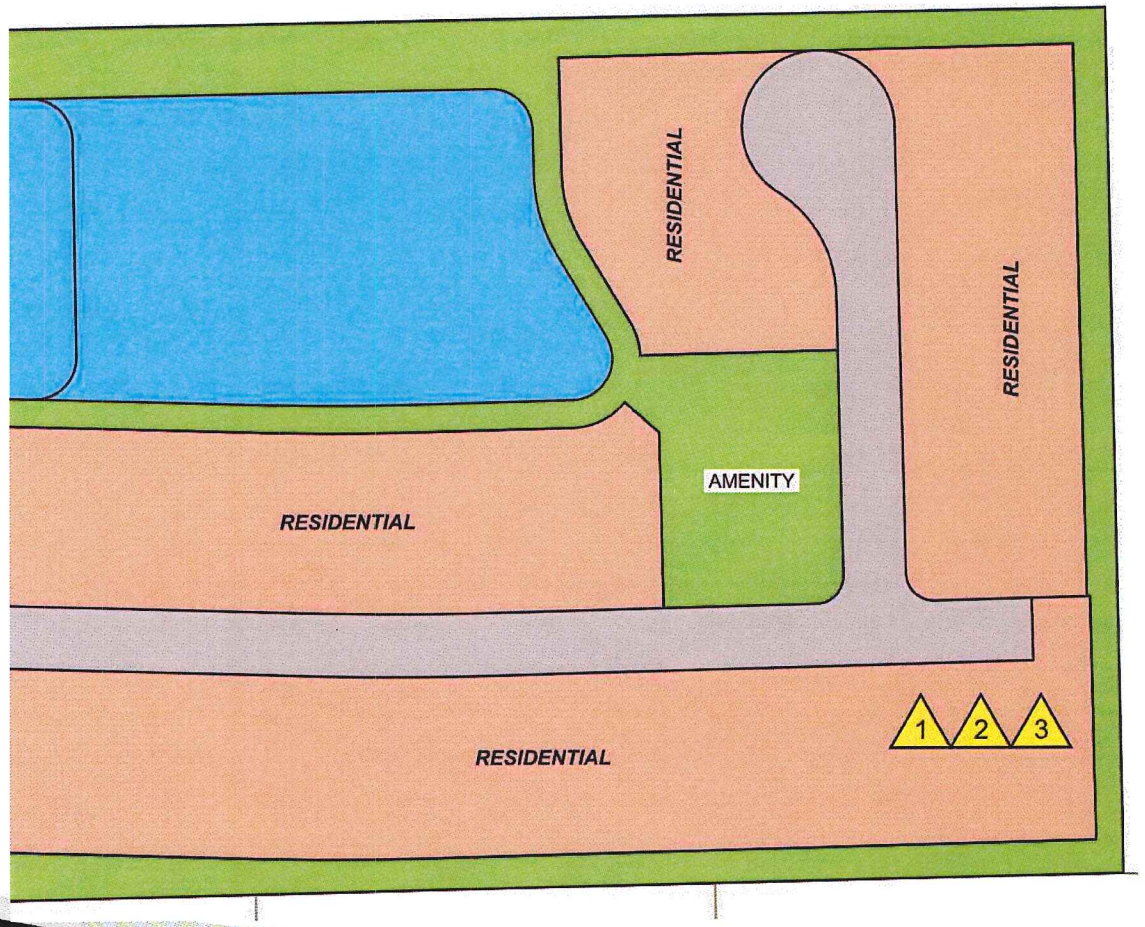
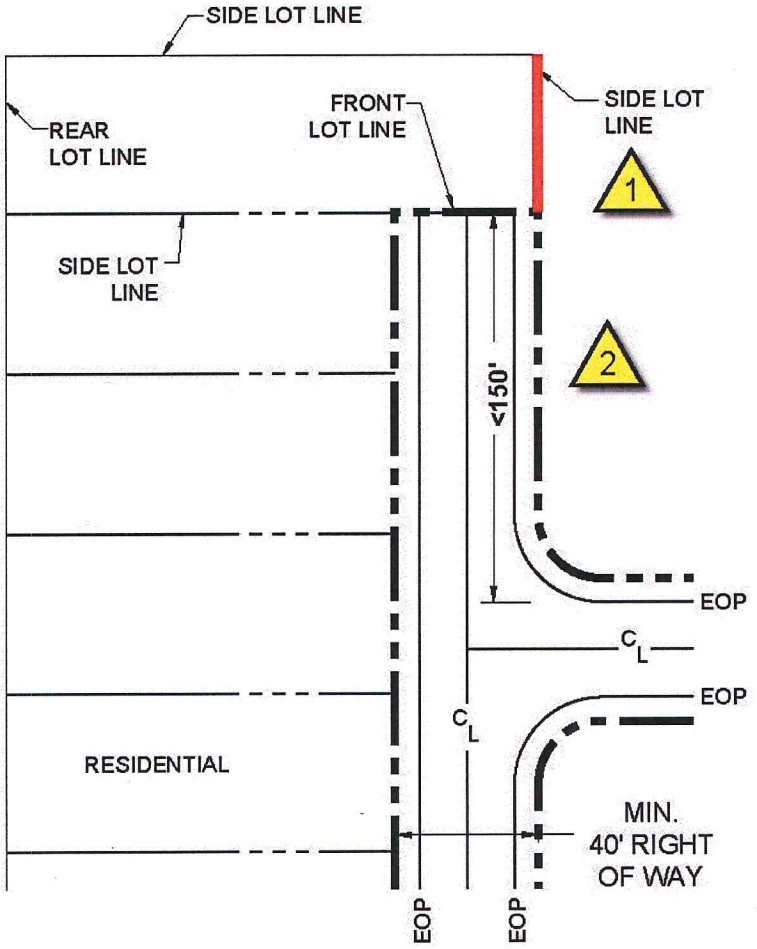
DEVIATIONS 1, 2 & 3



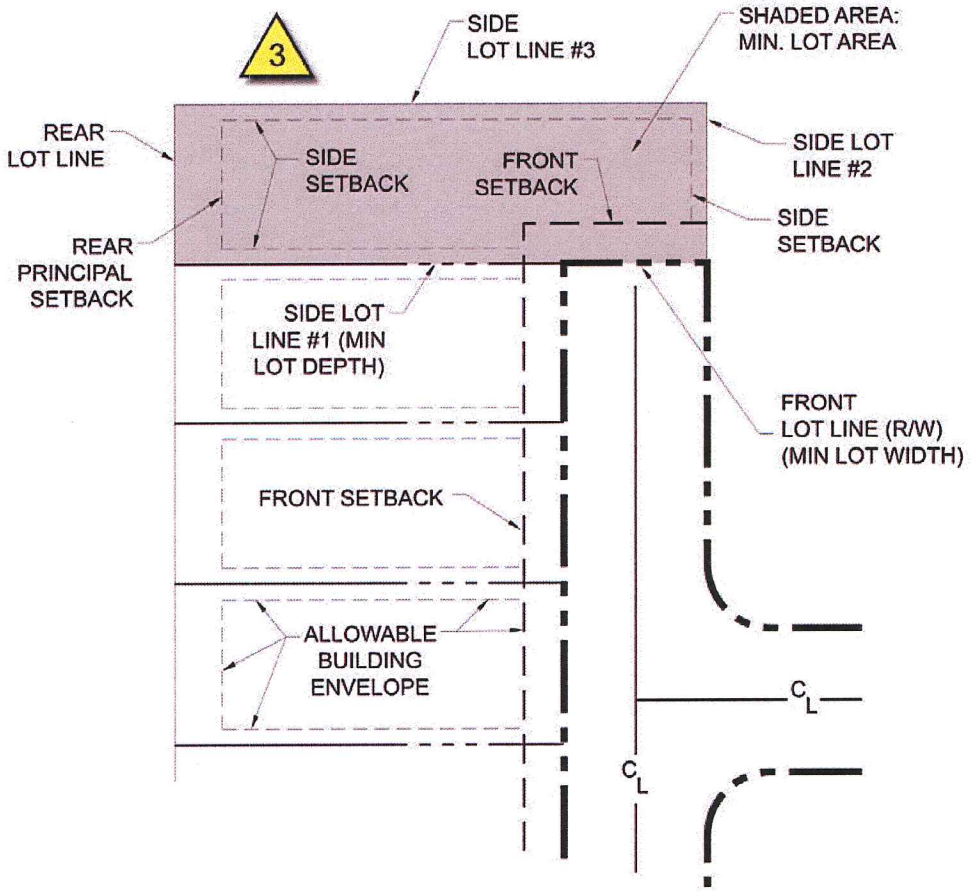
DEVIATIONS 1 & 2

- LDC 10-254 which requires side lot lines at right angles to streets
- LDC 10-296(p)(1) which requires cul de sacs on dead-end streets



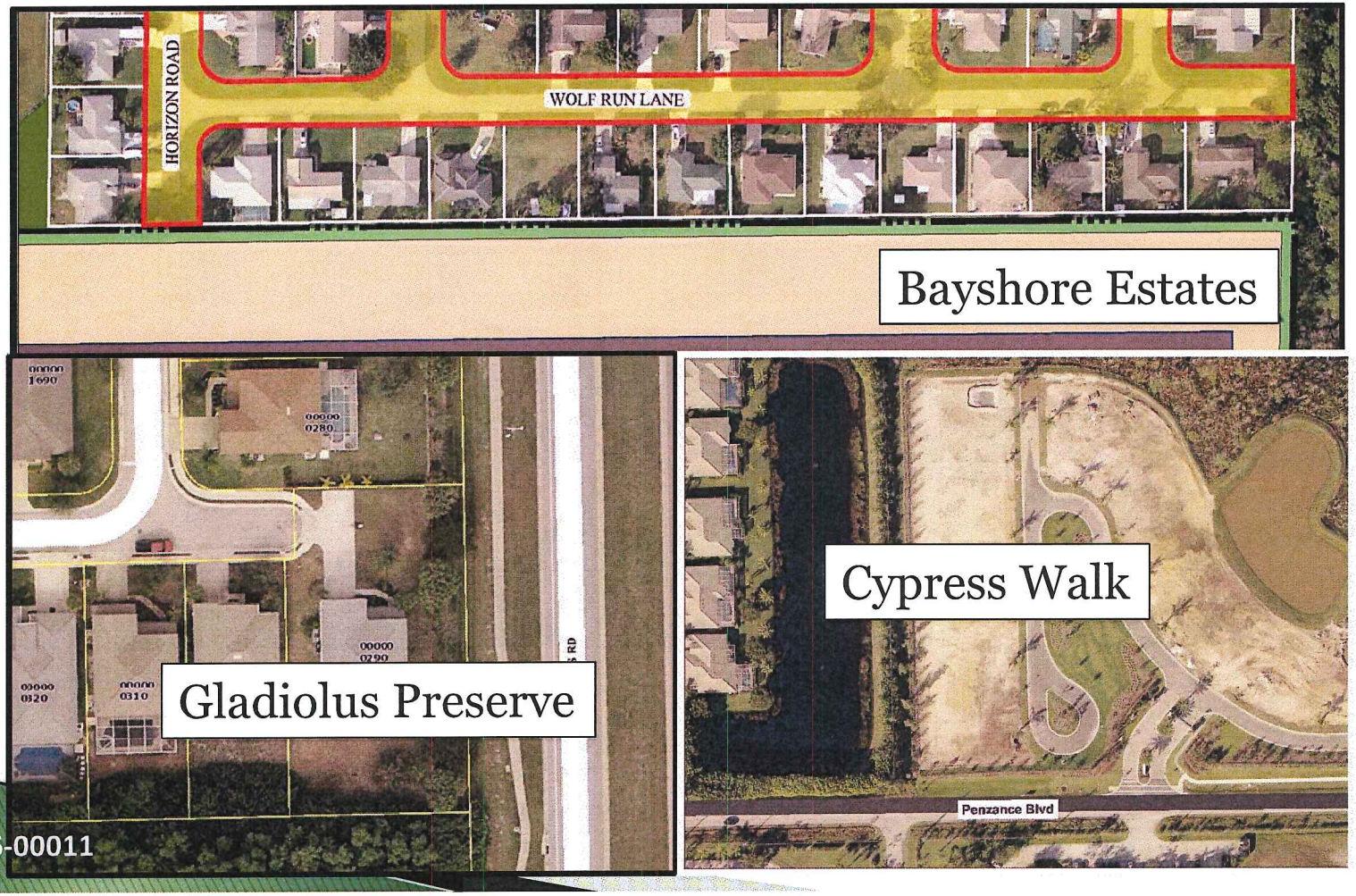
DEVIATION 3

- LDC 10-703 which specifies how lots are measured



DEVIATIONS 1, 2 & 3

- Project Benefit
  - Creates premium lot
  - Requires less infrastructure and land allocation
- Public Safety
  - Florida fire code allows dead end streets without cul de sac if less than 150'
  - Approval from local fire district to be obtained prior to D.O. approval
  - Proven successful in other Lee County developments



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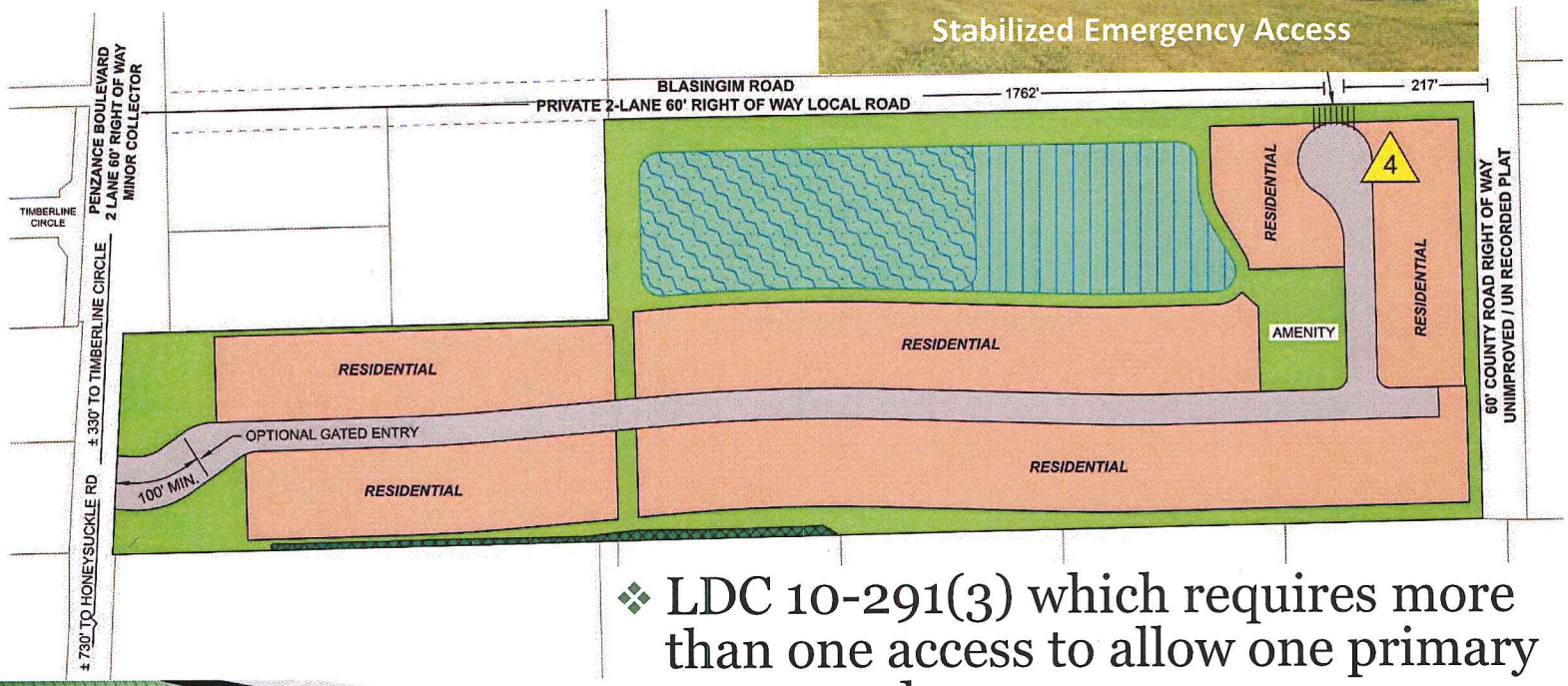
DEVIATION 4

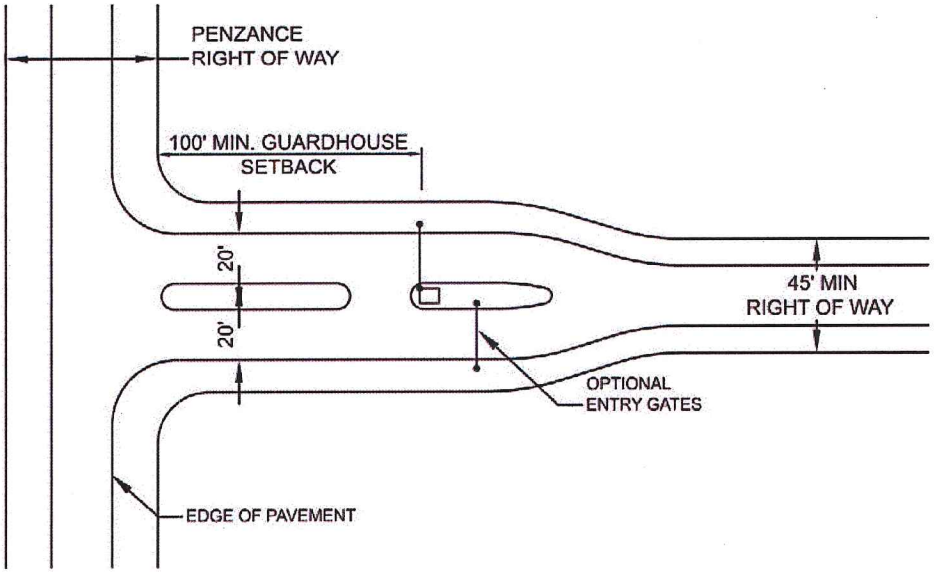




- LDC 10-291(3) which requires more than one access to allow one primary access and one emergency access

DEVIATION 4

- Project Benefit
  - Focus entry feature investment at one location
  - Access on public collector road



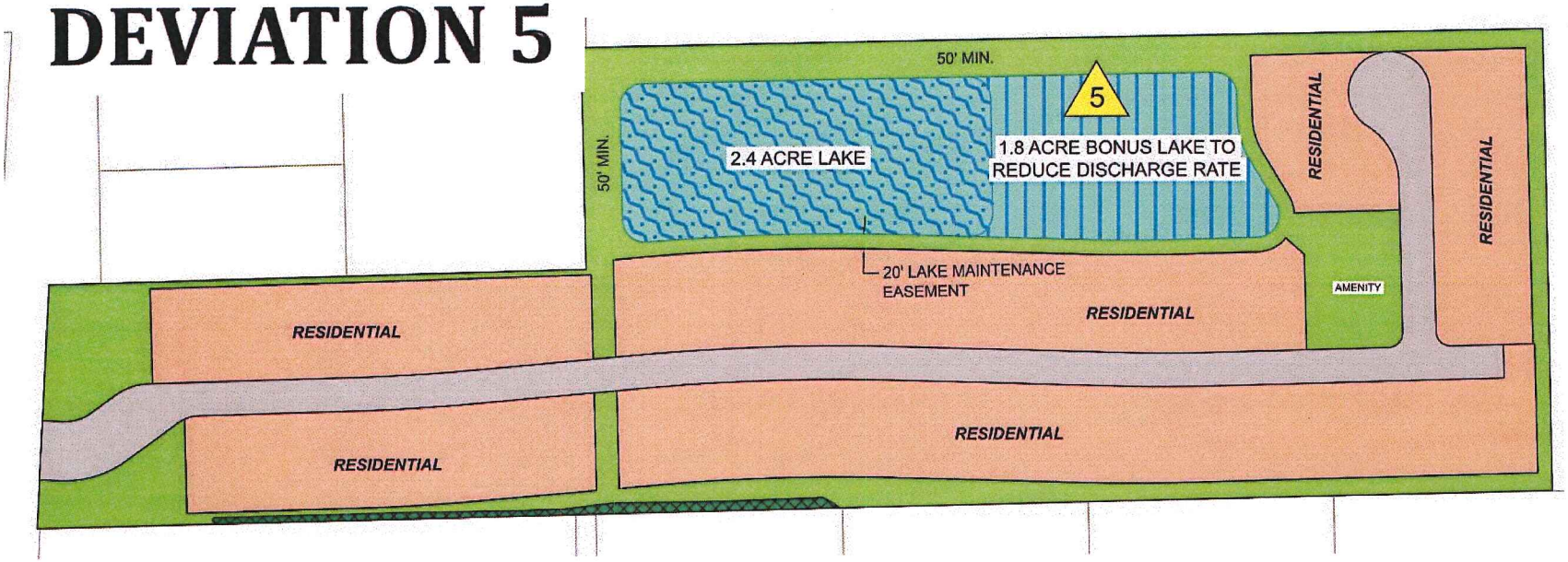
- Public Safety
  - Boulevard entry design width allows 2-way traffic each side in case of emergency
  - Emergency access provided on Blasingim Road

DEVIATION 4

- Similar single-access on Penzance Blvd.



DEVIATION 5



- LDC 10-415(d)(2)c which limits 25% of open space to be lake to allow 44% of open space to be lake.

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

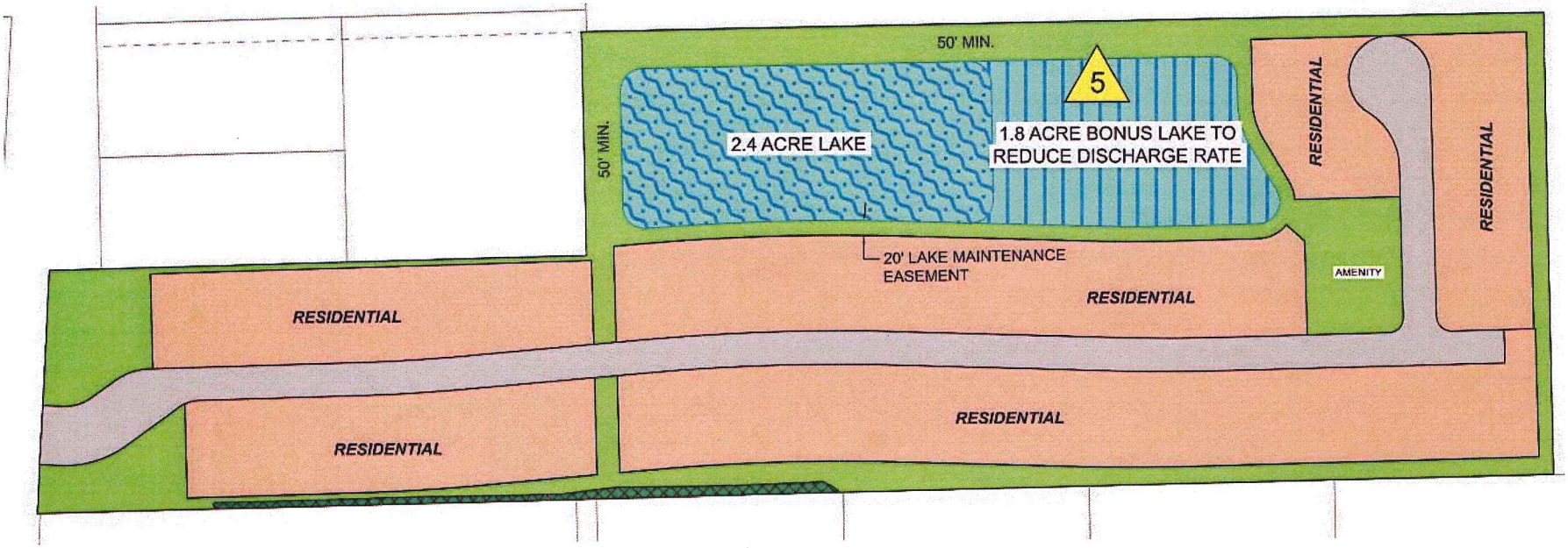
PROVIDED = 0.20 AC

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.

DEVIATION 5

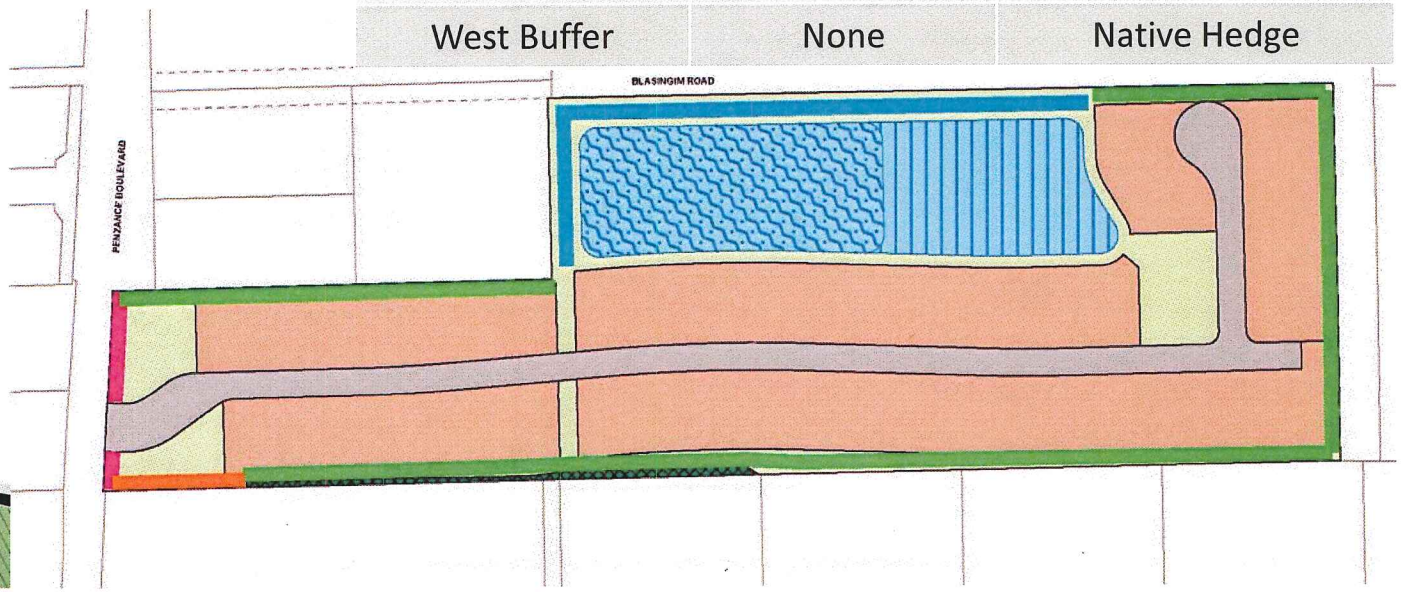

50' MIN.
5
50' MIN.
2.4 ACRE LAKE
1.8 ACRE BONUS LAKE TO REDUCE DISCHARGE RATE
RESIDENTIAL
RESIDENTIAL
20' LAKE MAINTENANCE EASEMENT
AMENITY
RESIDENTIAL
RESIDENTIAL
RESIDENTIAL
RESIDENTIAL

DEVIATION 5

- Project Benefit
  - Expanded lake area
    - Creates premium waterfront lots
- Public Benefit
  - Expanded lake area
    - Enhanced 835 LF of shoreline vegetation
    - Improves surrounding drainage
    - Provides more on-site excavation material which reduces construction traffic for in-haul
  - Enhanced perimeter buffers

ENHANCEMENTS

	Required	Provided
Lake Size	2.4 ac	4.2 ac
Lake Discharge	64 csm	Reduced Discharge Rate
Lake Trees	14	44
Littorals	1,718	5,280
East Buffer	None	Native Hedge
South Buffer	None	Native Hedge
West Buffer	None	Native Hedge



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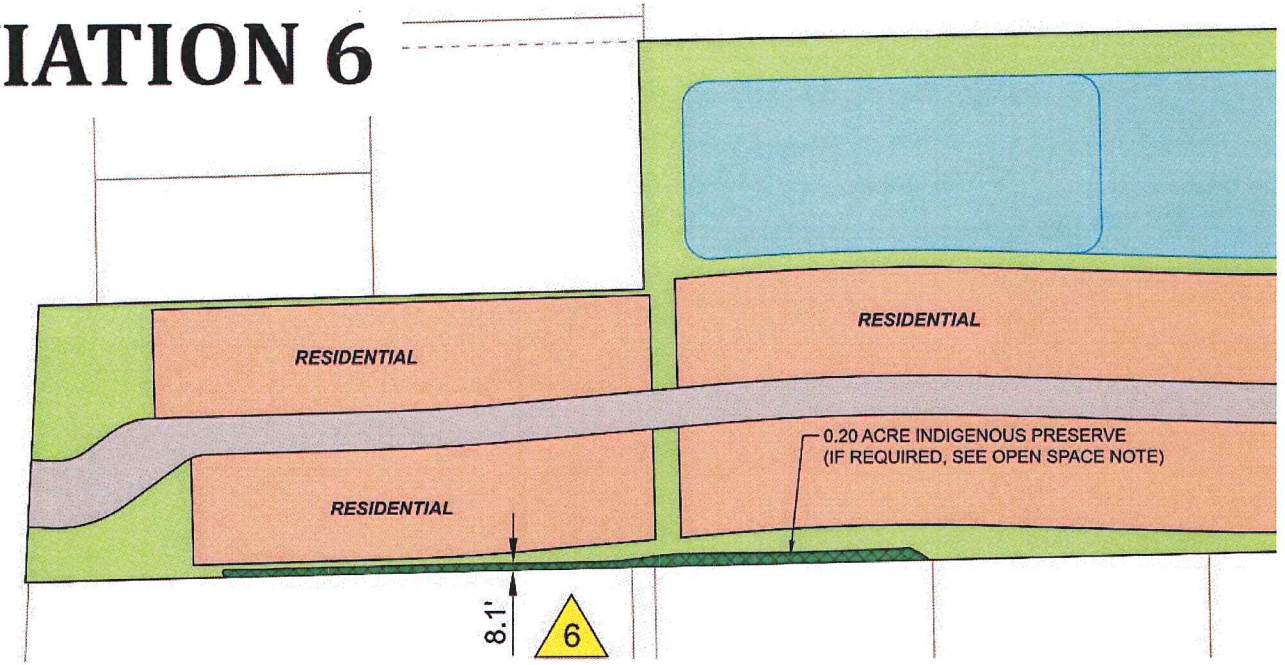
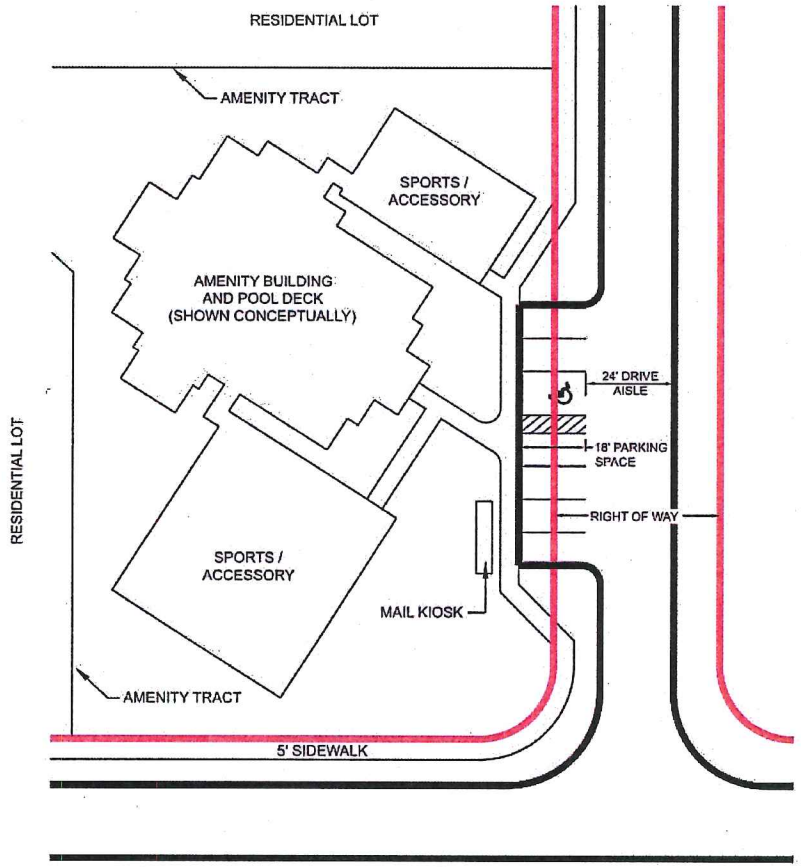
DEVIATION 6



- LDC 10-415(c)(3) which requires indigenous preserve a minimum of 40' wide to allow 8'
  - Necessary due to size of existing vegetation

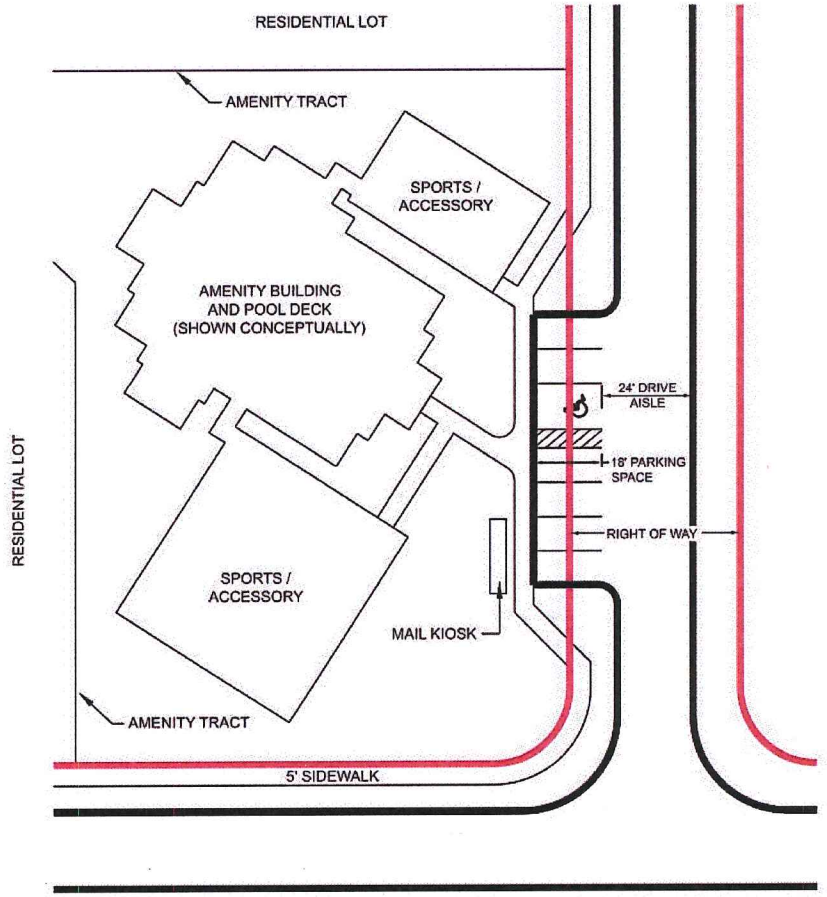
DEVIATION 7

- LDC 34-2015(2)(d) and 34-213(a) which requires vehicles exiting a parking lot to enter a right of way in a forward motion to allow back out parking
  - Applies only to amenity site



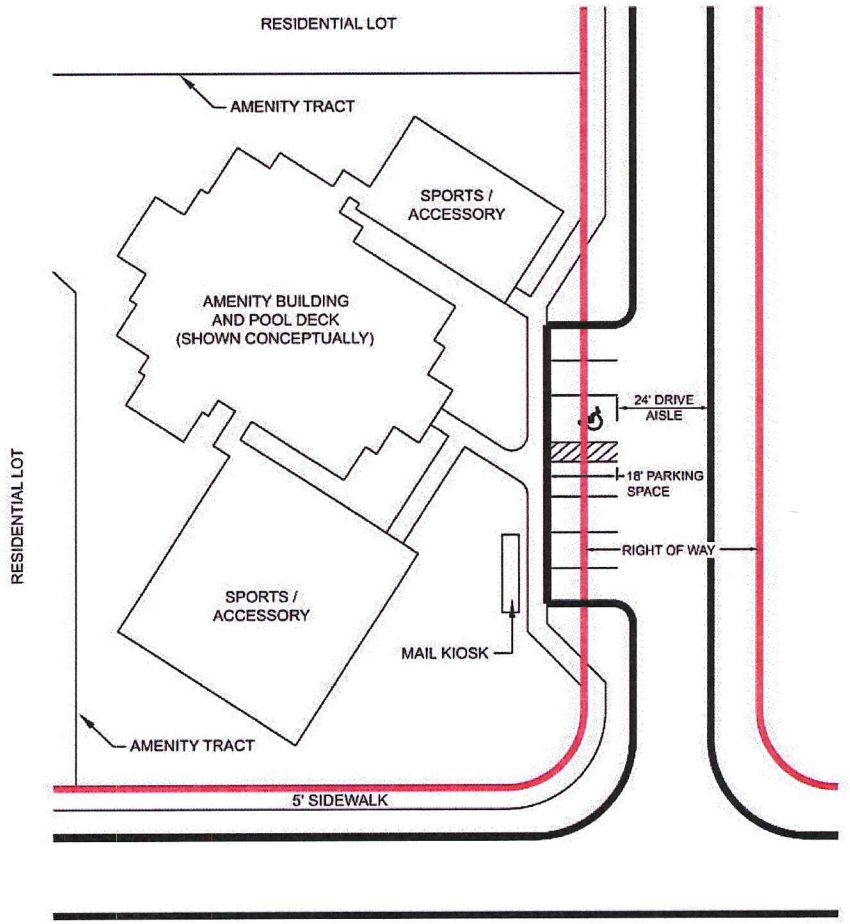
DEVIATION 7

- Project Benefit
  - Creates small neighborhood feel
  - Directs headlights towards amenity site
  - Sidewalks to amenity site allow for pedestrian friendly access



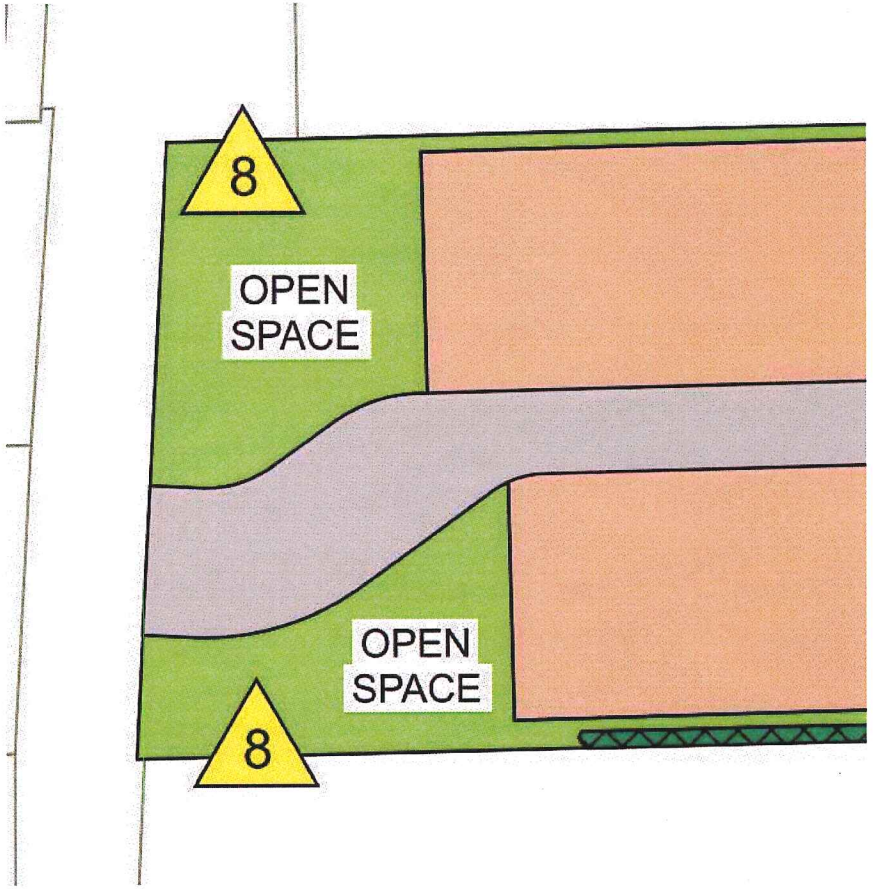
DEVIATION 7

- Public Safety
  - Low traffic area
  - Low parking lot demand
  - Sidewalks to amenity site allow for pedestrian friendly access



DEVIATION 8

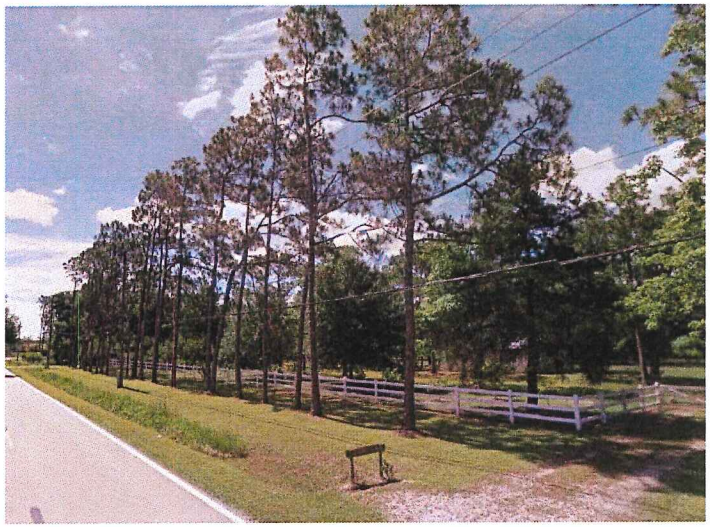
- LDC 10-415(b)(5) which requires a 50' right of way tree preservation buffer to allow replanting



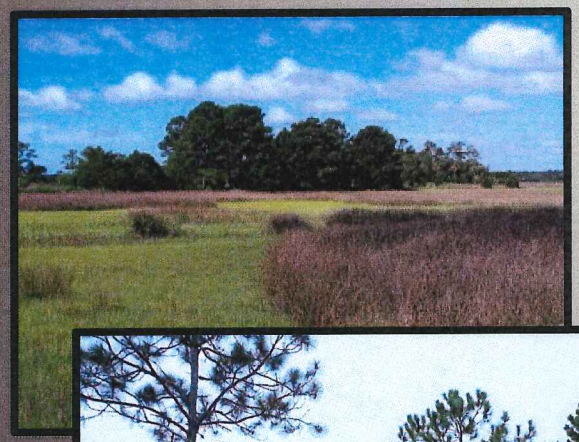
DEVIATION 8



- Project benefit
  - Survivability issue with existing pines
  - Allows entrance topography to be elevated to match development
  - Utility construction may impact survival



- Public Welfare
  - Replanting of 10' tall native trees





ENVIRONMENTAL

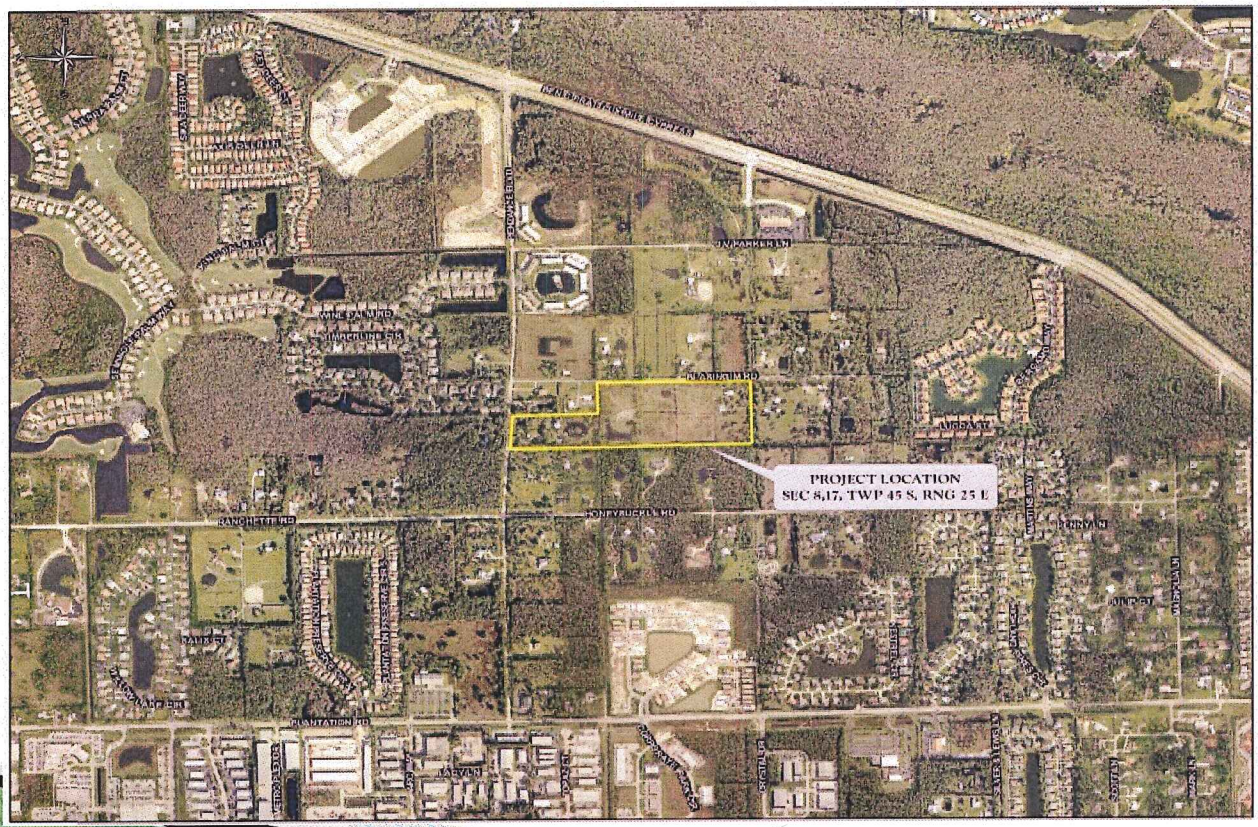
» Shane Johnson, Senior Ecologist
Passarella & Associates, Inc.

PASSARELLA & ASSOCIATES INC
Consulting Ecologists

DCI2016-00011

PASSARELLA & ASSOCIATES

Project Location



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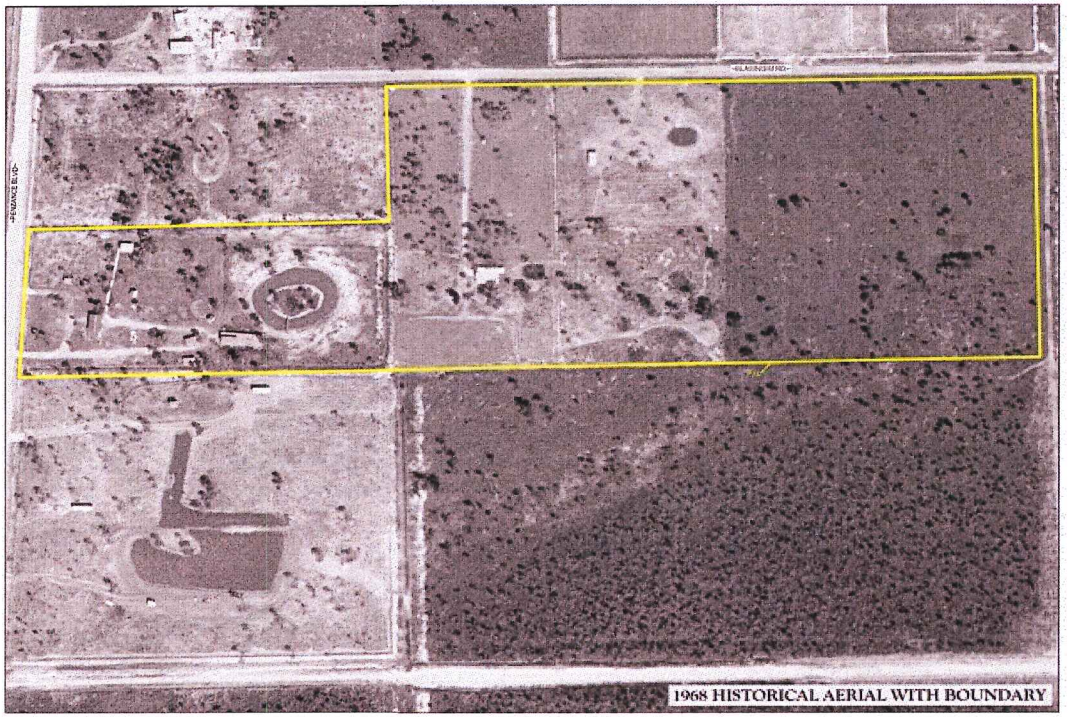
PASSARELLA & ASSOCIATES

Historic Site Conditions

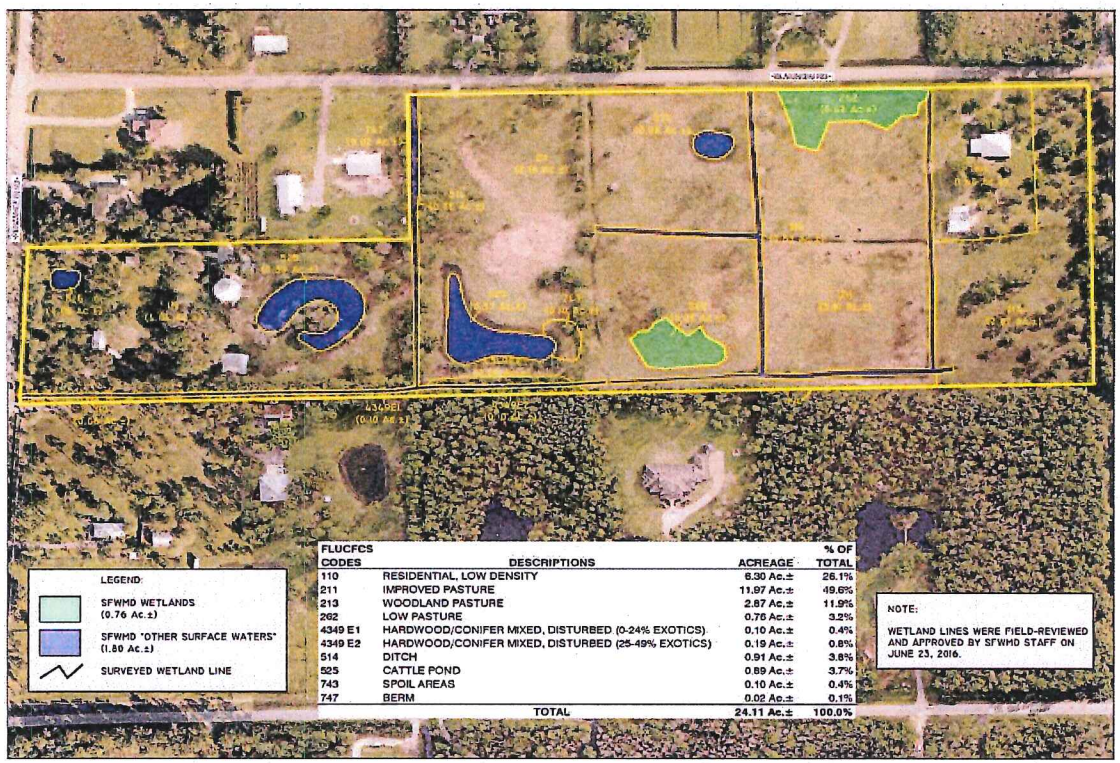
- The entire property had been cleared by 1968 for farming/cattle grazing activities
- A portion of the cattle ponds and agricultural ditches had been installed



Existing Conditions

- Site is highly disturbed; agricultural activities still in place (i.e., cattle grazing)

- Florida Land Use, Cover and Forms Classification System (FLUCFCS) map
  - 21.55± acres of uplands
  - 0.76± acre of wetlands (**Green**)
  - 1.80± acre of "other surface waters" (**Blue**)



FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
110	RESIDENTIAL, LOW DENSITY	6.30 Ac.±	26.1%
211	IMPROVED PASTURE	11.97 Ac.±	49.6%
213	WOODLAND PASTURE	2.87 Ac.±	11.9%
262	LOW PASTURE	0.76 Ac.±	3.2%
4349 E1	HARDWOOD/CONIFER MIXED, DISTURBED (0-24% EXOTICS)	0.10 Ac.±	0.4%
4349 E2	HARDWOOD/CONIFER MIXED, DISTURBED (25-49% EXOTICS)	0.19 Ac.±	0.8%
514	DITCH	0.91 Ac.±	3.8%
525	CATTLE POND	0.89 Ac.±	3.7%
743	SPOIL AREAS	0.10 Ac.±	0.4%
747	BERM	0.02 Ac.±	0.1%
	TOTAL	24.11 Ac.±	100.0%

Master Concept Plan

- MCP includes 0.20± acre of indigenous vegetation preserve
- An Indigenous Preserve Management Plan will be provided to Lee County Development Services prior to DO



Heritage Tree Survey

- 24 heritage trees located on the property
  - 12 laurel oak
  - 10 slash pine
  - 2 live oak

- All heritage trees that are not feasible to preserve in-place will be replaced in accordance with the LDC



Protected Species Survey

- PSS Conducted by PAI on July 7, 2015
- The following listed species were documented:
  - Little blue heron (1)
  - White Ibis (1)
  - Cardinal airplant (7)
- A listed species management plan will be provided to Lee County Development Services staff prior to DO



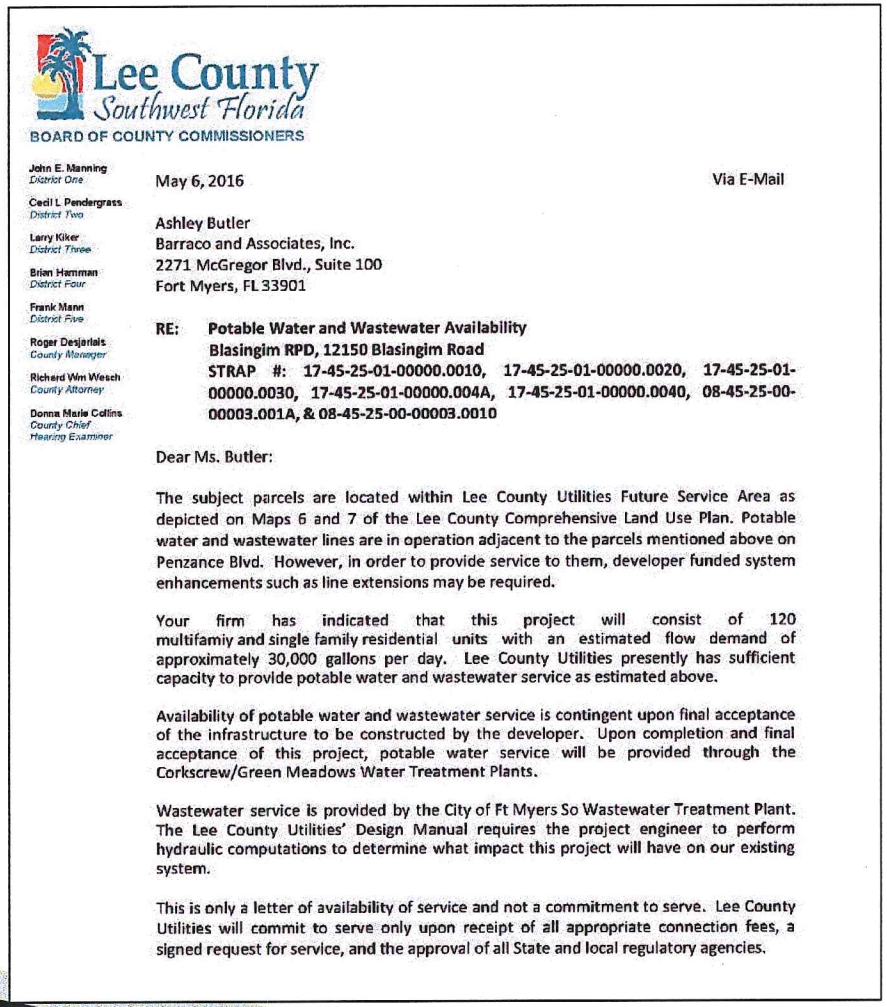
PASSARELLA & ASSOCIATES

TIM GAVIN, P.E.

Engineering

Barraco and Associates, Inc.

UTILITIES



Lee County
Southwest Florida
BOARD OF COUNTY COMMISSIONERS

John E. Manning
District One

Cecil L. Pendergrass
District Two

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District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm Wesch
County Attorney

Donna Marie Collins
County Chief
Hearing Examiner

May 6, 2016

Via E-Mail

Ashley Butler
Barraco and Associates, Inc.
2271 McGregor Blvd., Suite 100
Fort Myers, FL 33901

RE: Potable Water and Wastewater Availability
Blasingim RPD, 12150 Blasingim Road
STRAP #: 17-45-25-01-00000.0010, 17-45-25-01-00000.0020, 17-45-25-01-00000.0030, 17-45-25-01-00000.004A, 17-45-25-01-00000.0040, 08-45-25-00-00003.001A, & 08-45-25-00-00003.0010

Dear Ms. Butler:

The subject parcels are located within Lee County Utilities Future Service Area as depicted on Maps 6 and 7 of the Lee County Comprehensive Land Use Plan. Potable water and wastewater lines are in operation adjacent to the parcels mentioned above on Penzance Blvd. However, in order to provide service to them, developer funded system enhancements such as line extensions may be required.

Your firm has indicated that this project will consist of 120 multifamiy and single family residential units with an estimated flow demand of approximately 30,000 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and wastewater service as estimated above.

Availability of potable water and wastewater service is contingent upon final acceptance of the infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through the Corkscrew/Green Meadows Water Treatment Plants.

Wastewater service is provided by the City of Ft Myers So Wastewater Treatment Plant. The Lee County Utilities' Design Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on our existing system.

This is only a letter of availability of service and not a commitment to serve. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service, and the approval of all State and local regulatory agencies.

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UTILITIES

- Connection to Public Utilities eliminates wells and septic tanks.

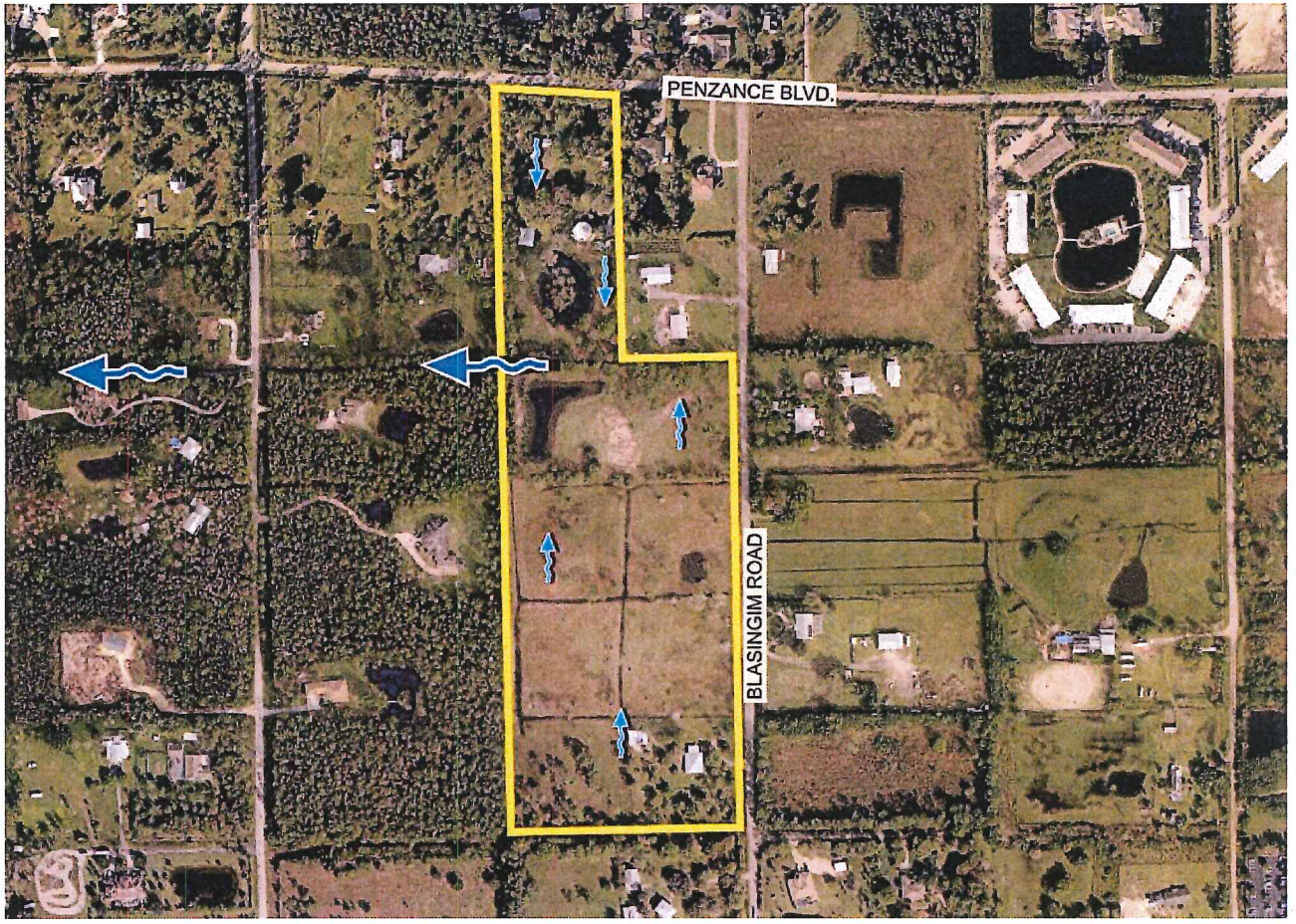
- All existing wells will be properly plugged and abandoned

- All existing septic systems will be properly abandoned



DRAINAGE

Drainage calculations must reflect a reduction in discharge rate than what is currently required per the LDC.



TRANSPORTATION

» Ted Treesh
TR Transportation Consultants, Inc.

REZONING TRAFFIC STUDY

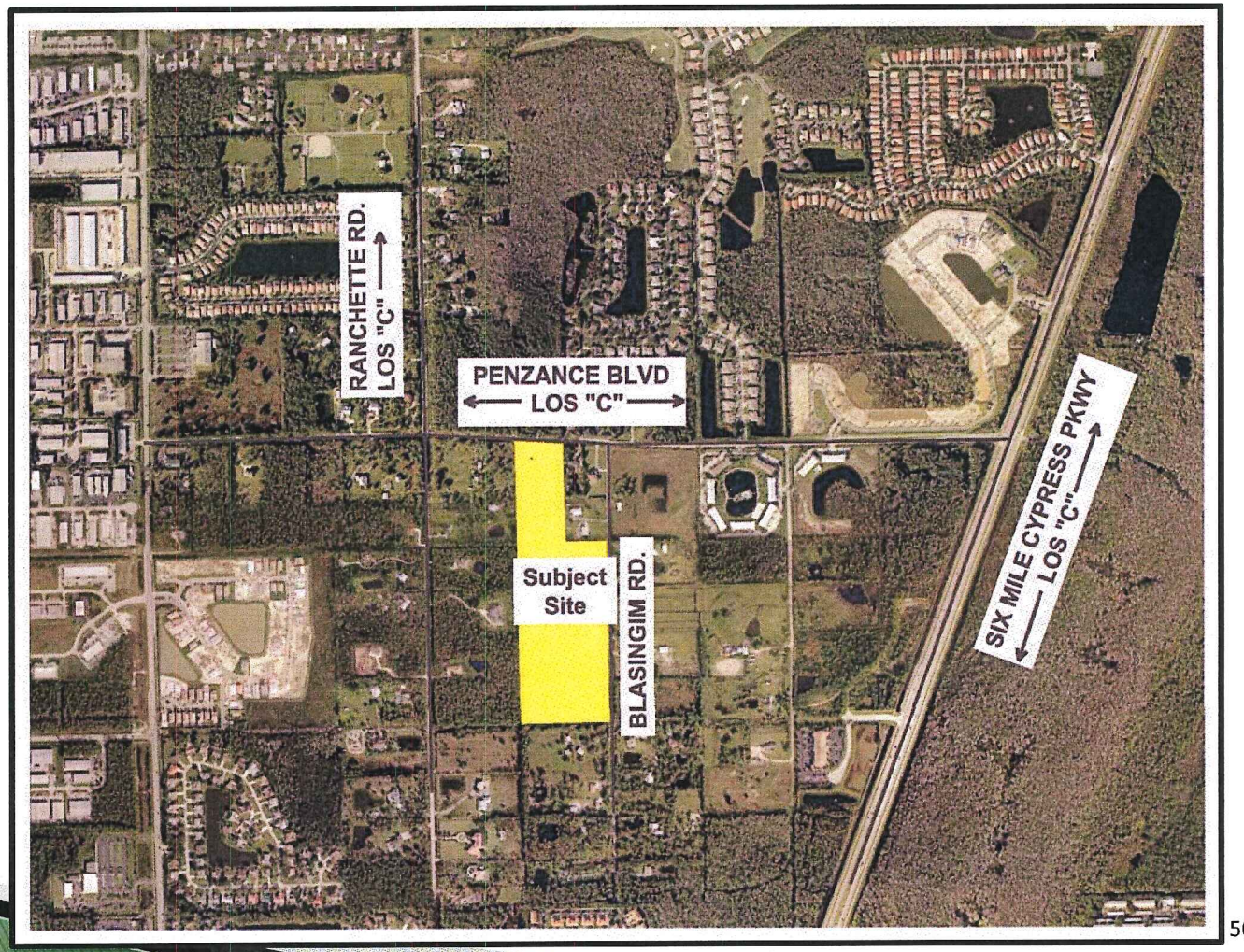
- Consistent with County guidelines
- Consistent with approved transportation methodology outline
- Sufficiency review and approval
- Rezoning Traffic Study
  - Meets the requirements of the Lee Plan
  - Meets the requirements of the Lee County Land Development Code
  - **No changes to Level of Service (LOS) on Penzance Blvd. with or without the project.**

REZONING TRAFFIC STUDY CONCLUSIONS

Rezoning Traffic Study

- Analyzed impacts of the development of up to 120 Single Family DU on site
- Traffic analysis – Projected LEVEL OF SERVICE in 2022
  - Penzance Blvd – LOS "C" with and without the project
  - Six Mile Cypress Pkwy – LOS "C" with and without the project
  - Ranchette Rd. – LOS "C" with and without the project

ROAD SEGMENT LEVEL OF SERVICE (LOS)



TRANSPORTATION - CONCLUSIONS

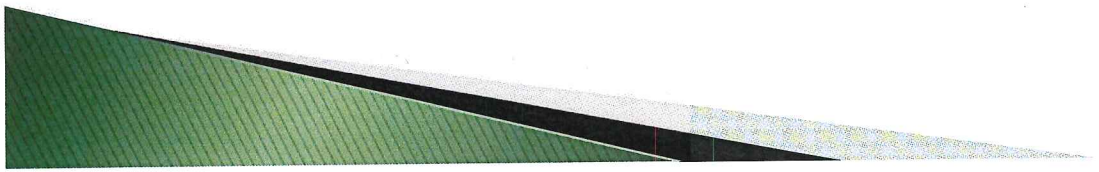
- Analyzed at 120 single-family units
- NO CHANGE in LEVEL OF SERVICE (LOS)
- Turn lanes will be evaluated at time of Development Order, as required by Lee County.
- Main entrance off Penzance Blvd (public road),
- Secondary/Emergency Access off Blasingim Rd. (private road)

PROJECT SUMMARY

- Nick Cameratta
  Blasingim Road Property, LLC

PROJECT SUMMARY

- Zoning request is well within the guidelines of the existing Comp Plan.
- The Property is in an area that is characterized by many established residential developments and residents of our new development will benefit from its prime location to nearby emergency services, schools, shopping, recreational activities and parks.
- Potable Water and Sewer are available which will reduce groundwater withdrawals and eliminate the need for septic systems.
- No change in roadway Level of Service.
- Master stormwater management system with oversized lake to allow for reduced discharge to assist with drainage of surrounding area.
- Additional lake trees and littorals to assist in further improving water quality and wildlife habitat.
- Enhanced landscape buffers around perimeter to maintain privacy for existing surrounding neighbors and new homeowners in the community.



BLASINGIM ROAD RPD
LEE COUNTY PROTECTED SPECIES SURVEY REPORT

May 2016

Prepared For:

Blasingim Road Property, LLC
4954 Royal Gulf Circle
Fort Myers, Florida 33966
(239) 425-8662

Prepared By:

Passarella & Associates, Inc.
13620 Metropolis Avenue, Suite 200
Fort Myers, Florida 33912
(239) 274-0067

Project No. 15CCL2339

APPLICANT'S EXHIBIT # 8
DC120116-00011

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LIST OF APPENDICES

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Appendix A. Aerial with FLUCFCS, Survey Transects, and Species Locations Map A-1

INTRODUCTION

Passarella & Associates, Inc. (PAI) conducted a protected species survey on the Blasingim Road Parcel (Project) on July 7, 2015. The survey was subsequently updated on February 22, 2016. The survey was conducted to meet the Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) Standards.

The Project totals 24.11± acres and is located in Sections 8 and 17, Township 45 South, Range 25 East, Lee County (Figure 1). The site is located on the south side of Penzance Boulevard and on the west side of Blasingim Road. The Project is bordered by low-density, single-family residential development and Penzance Boulevard to the north; Blasingim Road to the east; and low-density, single-family residential development to the west and south (Appendix A).

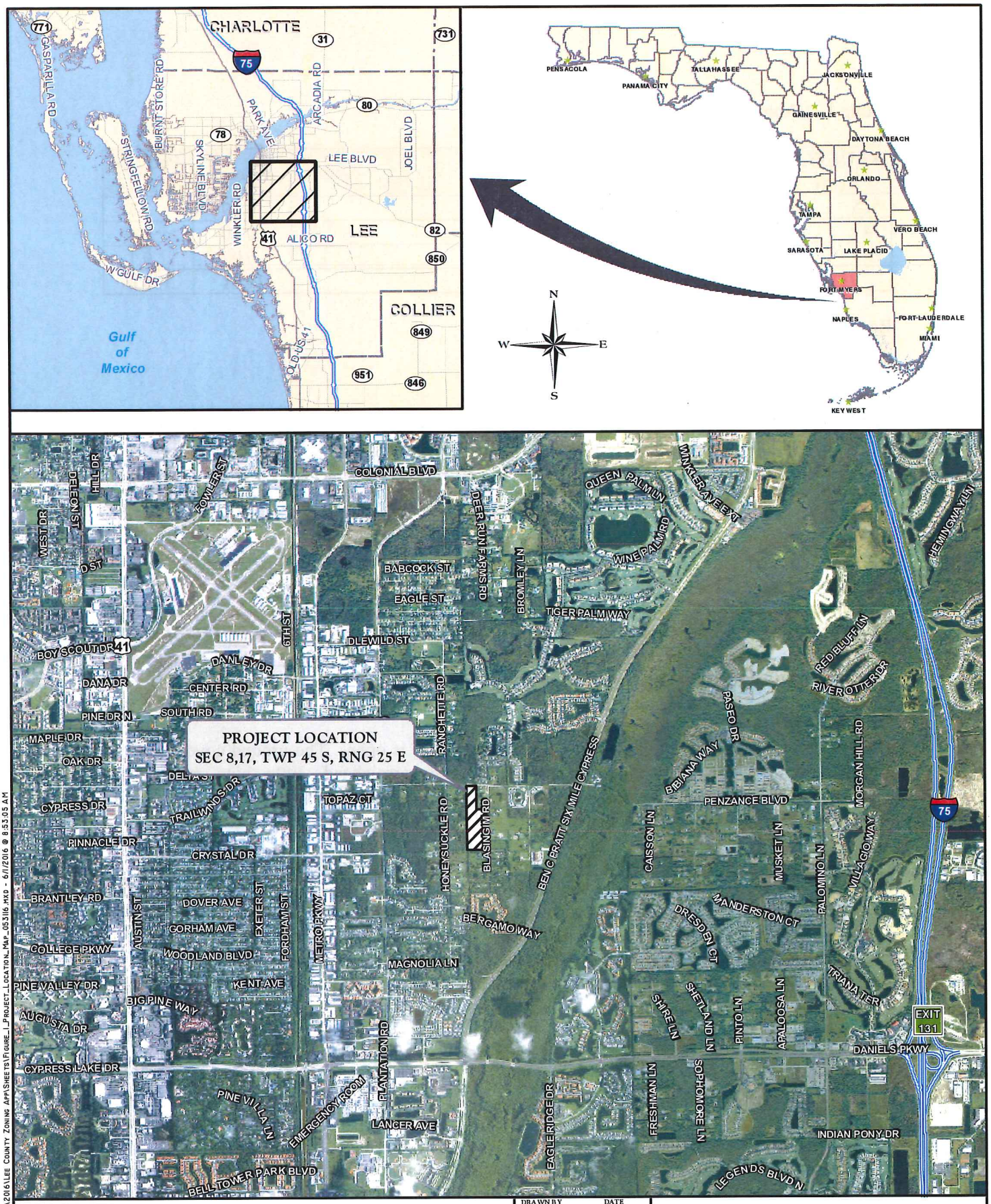
The property currently has two residences with the remaining area consisting primarily of pasture. Improved pasture occupies of 11.97± acres; woodland pasture occupies of 2.87± acres; and residential, low-density occupies of 6.30± acres, together comprising approximately 87.6 percent of the total Project area. The remaining 2.97± acres (approximately 12.4 percent) consists of low pasture; hardwood/conifer mixed, disturbed (0-49% Exotics); ditch; cattle pond; spoil areas; and berm (see Appendix A and Table 1, below).

LAND USES AND VEGETATION ASSOCIATIONS

The vegetation mapping for the Project was conducted using January through February 2015 Lee County rectified aerials (Scale: 1" = 100'). Groundtruthing to map the vegetative communities was initially conducted on July 7, 2015 and updated on February 22, 2016 utilizing the Florida Land Use, Cover and Forms Classification System (FLUCFCS) Levels III and IV (Florida Department of Transportation 1999). Level IV FLUCFCS was utilized to denote hydrological conditions and disturbance. To identify levels of exotic infestation (i.e., earleaf acacia (*Acacia auriculiformis*) and Brazilian pepper (*Schinus terebinthifolius*)), "E" codes were used. AutoCAD Map 3D 2015 software was used to determine the acreage of each mapping area, produce summaries, and generate the FLUCFCS map (Appendix A). A total of ten vegetative associations and land uses (i.e., FLUCFCS codes) were identified on the property. Table 1 provides the breakdown of each FLUCFCS code by acreage, while a description of each classification follows.

Table 1. Existing Land Use and Cover Summary

FLUCFCS Code	Description	Acreage	Percent of Total
110	Residential, Low-Density	6.30	26.1
211	Improved Pasture	11.97	49.6
213	Woodland Pasture	2.87	11.9
262	Low Pasture	0.76	3.2
4349 E1	Hardwood/Conifer Mixed, Disturbed (0-24% Exotics)	0.10	0.4
4349 E2	Hardwood/Conifer Mixed, Disturbed (25-49% Exotics)	0.19	0.8
514	Ditch	0.91	3.8



J:\2015\Eccl2339\GIS\2016\Lee County Zoning Apl\Sheets\Figure_1_Project_Location_Map_053116.mxd - 6/1/2016 @ 8:53:05 AM

FIGURE 1. PROJECT LOCATION MAP
BLASINGIM ROAD RPD

DRAWN BY	DATE
T.S.	5/31/16
REVIEWED BY	DATE
S.J.	5/31/16
REVISED	DATE

PASSARELLA & ASSOCIATES, INC
Consulting Ecologists

Table 1. (Continued)

FLUCFCS Code	Description	Acreage	Percent of Total
525	Cattle Pond	0.89	3.7
743	Spoil Areas	0.10	0.4
747	Berm	0.02	0.1
Total		**24.11**	**100.0**

Residential, Low-Density (FLUCFCS Code 110)
This land use includes single family homes.

Improved Pasture (FLUCFCS Code 211)
The canopy stratum of this vegetative community contains scattered slash pine (*Pinus elliottii*), earleaf acacia, and laurel oak (*Quercus laurifolia*). The sub-canopy contains scattered Brazilian pepper and cabbage palm (*Sabal palmetto*). The ground cover contains bahiagrass (*Paspalum notatum*), dog fennel (*Eupatorium capillifolium*), common ragweed (*Ambrosia artemisiifolia*), caesarweed (*Urena lobata*), Mexican clover (*Richardia grandiflora*), smutgrass (*Sporobolus indicus*), and scattered swamp flatsedge (*Cyperus ligularis*).

Woodland Pasture (FLUCFCS Code 213)
The canopy stratum of this vegetative community contains scattered slash pine, earleaf acacia, java plum (*Syzygium cumini*), and laurel oak. The sub-canopy contains slash pine, earleaf acacia, and Brazilian pepper. The ground cover contains bahiagrass, dog fennel, common ragweed, smutgrass, and knotroot foxtail (*Setaria parviflora*).

Low Pasture (FLUCFCS Code 262)
The canopy and sub-canopy of this vegetative community is open. The ground cover contains earleaf acacia, swamp flatsedge, dog fennel, grassy arrowhead, little blue maidencane (*Amphicarpum muhlenbergianum*), rosy camphorweed (*Pluchea rosea*), Asiatic pennywort (*Centella asiatica*), frog-fruit (*Phyla nodiflora*), and starrush whitetop (*Rhynchospora colorata*).

Hardwood/Conifer Mixed, Disturbed (0-24% Exotics) (FLUCFCS Code 4349 E1)
The canopy of this vegetative community consists of slash pine, laurel oak, earleaf acacia, and java plum. The sub-canopy contains earleaf acacia, laurel oak, java plum, wax myrtle (*Myrica cerifera*), and coco plum (*Chrysobalanus icaco*). The ground cover consists of shrubby false buttonweed (*Spermacoce verticillata*), American beautyberry (*Callicarpa americana*), earleaf greenbrier (*Smilax auriculata*), muscadine grape (*Vitis rotundifolia*), and swamp fern (*Blechnum serrulatum*).

Hardwood/Conifer Mixed, Disturbed (25-49% Exotics) (FLUCFCS Code 4349 E2)
The vegetation composition in this habitat type is similar to FLUCFCS Code 4349 E1, except with higher concentrations of earleaf acacia.

Ditch (FLUCFCS Code 514)
The canopy of this land use is open. The sub-canopy contains scattered Brazilian pepper and Peruvian primrose willow (*Ludwigia peruviana*). The ground cover is sparse and consists of

swamp flatsedge, Peruvian primrose willow, paragrass (*Urochloa mutica*), and yellow nutgrass (*Cyperus esculentus*).

Cattle Pond (FLUCFCS Code 525)
The canopy of this land use is open. The sub-canopy consists of bald cypess (*Taxodium distichum*) and wax myrtle along the edges. The ground cover is primarily open with torpedograss (*Panicum repens*), yellow nutgrass, Asiatic pennywort, grassy arrowhead (*Sagittaria graminea*), and cattail (*Typha* sp.) along the edges.

Spoil Area (FLUCFCS Code 743)
The canopy stratum of this land use contains laurel oak and java plum. The sub-canopy contains scattered Brazilian pepper. The ground cover contains dog fennel, common ragweed, swamp flatsedge, air potato (*Dioscorea bulbifera*), beggar-ticks (*Bidens alba*), and broomsedge (*Andropogon virginicus*).

Berm (FLUCFCS Code 747)
The canopy stratum of this land use contains slash pine and laurel oak. The sub-canopy includes wax myrtle and laurel oak. The ground cover contains creeping oxeye (*Wedelia trilobata*), earleaf acacia, shrubby false buttonweed, bahiagrass, and witchgrass (*Dichanthelium* sp.).

METHODOLOGY AND DISCUSSION

Surveys for Lee County protected species are based on the presence of specific vegetation associations and habitat types as outlined in the LDC. The frequency of transects performed in these habitats was designed to meet the 80 percent minimum coverage requirement. Cursory surveys were also conducted in those habitats not technically required to be surveyed per the LDC. However, based on past experience and conversations with Lee County Division of Environmental Sciences (DES) staff, these areas were reviewed for certain protected species as a precautionary measure. Table 2 outlines those protected species that may inhabit or utilize particular vegetative associations and land uses.

Table 2. Potential Lee County Protected Species by Habitat Type

FLUCFCS Code	Description	Potential Protected Species
110	Residential, Low-Density	N/A*
211	Improved Pasture	Florida Sandhill Crane (*Grus canadensis pratensis*)[1]
		Florida Panther (*Puma concolor coryi*)[2]
		Burrowing Owl (*Athene cunicularia floridana*)*
213	Woodland Pasture	N/A*

Table 2. (Continued)

FLUCFCS Code	Description	Potential Protected Species
262	Low Pasture	Little Blue Heron (*Egretta caerulea*)*
		Snowy Egret (*Egretta thula*)*
		Tri-Colored Heron (*Egretta tricolor*)*
		Florida Sandhill Crane (*Grus canadensis pratensis*)*
		Roseate Spoonbill (*Ajaia ajaja*)*
4349 E1, 4349 E2	Hardwood/Conifer Mixed, Disturbed (0-49% Exotics)	Florida Panther (*Puma concolor coryi*)
514	Ditch	American Alligator (*Alligator mississippiensis*)
		Roseate Spoonbill (*Ajaia ajaja*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Reddish Egret (*Egretta rufescens*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Wood Stork (*Mycteria americana*)*
525	Cattle Pond	American Alligator (*Alligator mississippiensis*)
		Roseate Spoonbill (*Ajaia ajaja*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Reddish Egret (*Egretta rufescens*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Wood Stork (*Mycteria americana*)*
		Snail Kite (*Rostrhamus sociabilis*)
		Everglades Mink (*Mustela vison evergladensis*)
743	Spoil Area	Gopher Tortoise (*Gopherus polyphemus*)
747	Berm	N/A*

[1]Only when associated with vegetated non-forested wetlands.
[2]Only when associated with large adjacent woodlands.
*Habitat surveyed for the species noted, although not required per the LDC.
N/A = Not Applicable

The protected species survey was conducted by PAI on July 7, 2015 and February 22, 2016. The survey was conducted by qualified ecologists walking meandering transects through suitable habitats. At regular intervals the ecologists stopped, remained quiet, and listened for wildlife vocalizations. Transects were conducted in a north/south and east/west orientation with spacing of approximately 100 feet or less. The July 7, 2015 survey was conducted between 12:00 p.m.

and 2:15 p.m. and the weather was clear and calm with temperatures in the mid-80s to low 90s. The February 22, 2016 survey was conducted between 2:30 p.m. and 4:30 p.m. and the weather was mostly clear with temperatures in the high 70s and 5 to 10 miles per hour southwest winds.

Visibility in the surveyed habitats varied due to the density of vegetation. A summary of the limits of visibility, number, length of transects walked, and percent of coverage by habitat type is provided in Table 3.

Table 3. Summary of Habitat Coverage

FLUCFCS Code	Description	Total Area (Acres)	Transect Length (Feet)	Average Visibility (Feet)[1]	Percent Coverage
110*	Residential, Low-Density	6.30	2,744	45	90
211	Improved Pasture	11.97	5,214	45	90
213*	Woodland Pasture	2.87	1,250	45	90
262*	Low Pasture	0.76	331	45	90
4349 E1	Hardwood/Conifer Mixed, Disturbed (0-24% Exotics)	0.10	45	45	90
4349 E2	Hardwood/Conifer Mixed, Disturbed (25-49% Exotics)	0.19	83	45	90
514	Ditch	0.91	396	45	90
525	Cattle Pond	0.89	388	45	90
743	Spoil Area	0.10	44	45	90
747*	Berm	0.02	9	45	90

[1]Average visibility to one side of transect.
*Habitat surveyed as a precautionary measure, although not required per the LDC.

SURVEY RESULTS

One Lee County protected species was documented during the surveys, the little blue heron (*Egretta caerulea*). The little blue heron is listed as a species of special concern by the Florida Fish and Wildlife Conservation Commission (FWCC). Although not listed as a protected species by Lee County, one white ibis (*Eudocimus albus*) and seven cardinal airplants (*Tillandsia fasciculata*) were observed within the Project site during the surveys. The white ibis is listed as a species of special concern by the FWCC. The cardinal airplant is listed as endangered by the Florida Department of Agriculture and Consumer Services. A 2015 aerial photograph with the species locations and survey transects is provided as Appendix A.

ABUNDANCE OF PROTECTED SPECIES OBSERVED

Density calculations are provided for Lee County protected species documented within each habitat type. Separate calculations will be provided if more than one of the same protected species is observed within different habitat types. Please note that density estimates for wildlife species will only be provided for Lee County protected species.

The Lee County protected species abundance calculations are provided in Table 4, while Table 5 summarizes the protected species survey findings.

Table 4. Lee County Protected Species Abundance Calculations

Protected Species Density:

$$= \{n/[L_1(W_1+W_2)]\}(43{,}560\ ft^2/ac.)$$

where n = Number of individuals observed
L_1 = Length of transect (feet)
W_1 = Distance of visibility to the right of transect (feet)
W_2 = Distance of visibility to the left of transect (feet)

Little Blue Heron

FLUCFCS Code 525

$= \{1 / [(388\ ft.)(45\ ft. + 45\ ft.)]\}(43{,}560)$
$= \{1 / 34{,}920\}(43{,}560)$
$= \{2.86 \times 10^{-5}\}(43{,}560)$
= 1.25 little blue heron/acre

Table 5. Lee County Protected Species Survey Summary

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (per acre)
Reptiles					
American Alligator	514	90	0	X	N/A
	525	90	0	X	N/A
Gopher Tortoise	743	90	0	X	N/A
Burrowing Owl	211*	90	0	X	N/A
Birds					
Florida Sandhill Crane	211	90	0	X	N/A
	262*	90	0	X	N/A
Limpkin	514	90	0	X	N/A
	525	90	0	X	N/A

Table 5. (Continued)

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Individuals Present	Individuals Absent	Density (per acre)
Birds (Continued)					
Little Blue Heron	262*	90	0	X	N/A
	514	90	0	X	N/A
	525	90	1	-	1.25
Reddish Egret	514	90	0	X	N/A
	525	90	0	X	N/A
Roseate Spoonbill	262*	90	0	X	N/A
	514	90	0	X	N/A
	525	90	0	X	N/A
Snail Kite	525	90	0	X	N/A
Snowy Egret	262*	90	0	X	N/A
	514	90	0	X	N/A
	525	90	0	X	N/A
Tri-Colored Heron	262*	90	0	X	N/A
	514	90	0	X	N/A
	525	90	0	X	N/A
Wood Stork	514	90	0	X	N/A
	525	90	0	X	N/A
Mammals					
Everglades Mink	514	90	0	X	N/A
	525	90	0	X	N/A
Florida Panther	211	90	0	X	N/A
	4349 E1, 4349 E2	90	0	X	N/A

*Habitat surveyed as a precautionary measure, although not required per the LDC.

MANAGEMENT PLAN

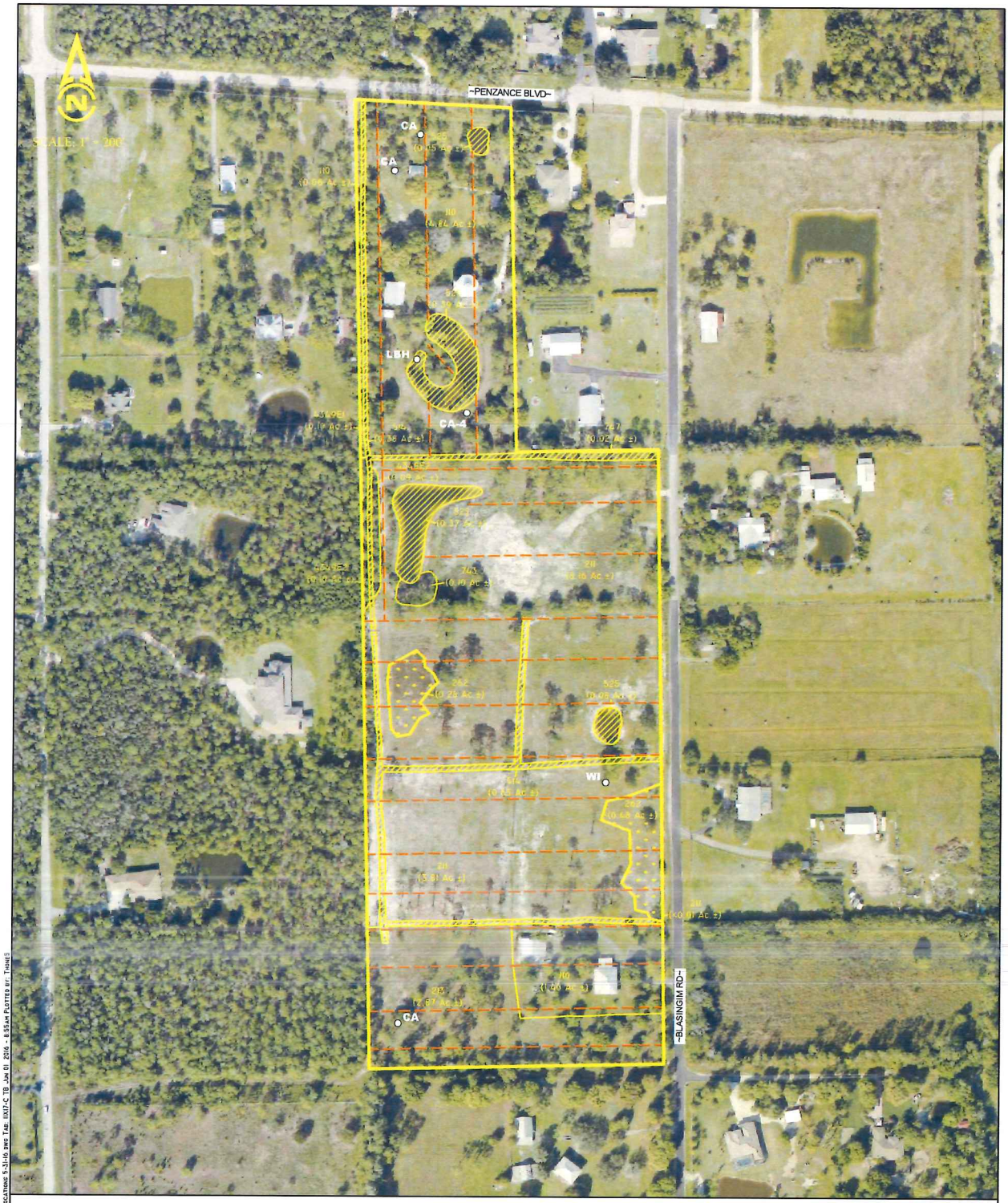
Prior to the issuance of a development order, a protected species management plan per LDC 10-474 will be prepared and submitted for review and approval by the DES for the protected species documented on the Project site.

REFERENCES

Florida Department of Transportation. 1999. Florida Land Use, Cover and Forms Classification System. Procedure No. 550-010-001-a. Third Edition.

APPENDIX A

AERIAL WITH FLUCFCS, SURVEY TRANSECTS, AND SPECIES LOCATIONS MAP



LEGEND:

- SFWMD WETLANDS (0.76 Ac.±)
- SFWMD "OTHER SURFACE WATERS" (1.80 Ac.±)
- SURVEYED WETLAND LINE
- APPROXIMATE LOCATION OF WALKED TRANSECTS
- O **CA** CARDINAL AIRPLANT
- O **LBH** LITTLE BLUE HERON
- O **WI** WHITE IBIS

FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
110	RESIDENTIAL, LOW DENSITY	6.30 Ac.±	26.1%
211	IMPROVED PASTURE	11.97 Ac.±	49.6%
213	WOODLAND PASTURE	2.87 Ac.±	11.9%
262	LOW PASTURE	0.76 Ac.±	3.2%
4349 E1	HARDWOOD/CONIFER MIXED, DISTURBED (0-24% EXOTICS)	0.10 Ac.±	0.4%
4349 E2	HARDWOOD/CONIFER MIXED, DISTURBED (25-49% EXOTICS)	0.19 Ac.±	0.8%
514	DITCH	0.91 Ac.±	3.8%
525	CATTLE POND	0.89 Ac.±	3.7%
743	SPOIL AREAS	0.10 Ac.±	0.4%
747	BERM	0.02 Ac.±	0.1%
	TOTAL	24.11 Ac.±	100.0%

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH FLIGHT DATES OF JANUARY - FEBRUARY 2015.

PROPERTY BOUNDARY PER BARRACO AND ASSOCIATES. INC. DRAWING No.23370-Z00.DWG DATED MAY 23. 2016.

SURVEYED WETLAND LINES PER BARRACO AND ASSOCIATES. INC. DRAWING No. 23370S00_2016-3-10.DWG DATED MARCH 11. 2016.

FLUCFCS LINES ESTIMATED FROM 1"=100' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE. COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

J:\2015\15ccl2339\2016\Lee County Zoning App\Appendix A Aerial with FLUCFCS Survey Transects and Species Locations 5-31-16.dwg Tab: 11x17-C TB, Jun 01, 2016 - 8:55am Plotted by: Thomas

DRAWN BY: T.S.	DATE: 7/15/15
REVIEWED BY: S.J.	DATE: 7/15/15
REVISED: W.C.,T.S.	DATE: 5/31/16

13620 Metropolis Avenue
Suite 200
Fort Myers, Florida 33912
Phone (239) 274-0067
Fax (239) 274-0069

PASSARELLA & ASSOCIATES, INC. Consulting Ecologists

BLASINGIM ROAD RPD

AERIAL WITH FLUCFCS, SURVEY TRANSECTS, AND SPECIES LOCATIONS MAP

DRAWING No.: 15CCL2339

SHEET No.: APPENDIX A

PART 8
ENVIRONMENTAL REQUIREMENTS

A. ***Topography:*** *Describe the range of surface elevations of the property. Attach a county topographic map (if available) or a USGS quadrangle map showing the subject property.* ***[34-373(a)(4)d.iv.]***

Please refer to maps prepared by Barraco and Associates, Inc.

B. ***Sensitive Lands:*** *Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the LEE Plan Section XII), flow-ways, creek beds, sand dunes, other unique land forms [see LEE Plan Policy 77.1.1 (2)] or listed species occupied habitat [see LCLDC Section 10-473].*

Vegetation mapping for the Project was conducted using January through February 2015 Lee County rectified color aerials (Scale: 1" = 100'). Groundtruthing to map the vegetative communities was initially conducted on July 7, 2015 and updated on February 22, 2016 utilizing the Florida Land Use, Cover and Forms Classification System (FLUCFCS) Levels III and IV (Florida Department of Transportation 1999). The property consists of Residential, Low Density (FLUCFCS Code 110); Improved Pasture (FLUCFCS Code 211); Woodland Pasture (FLUCFCS Code 213); Low Pasture (FLUCFCS Code 262); Hardwood/Conifer Mixed, Disturbed (0-24% Exotics) (FLUCFCS Code 4349 E1); Hardwood/Conifer Mixed, Disturbed (25-49% Exotics) (FLUCFCS Code 4349 E2); Ditch (FLUCFCS Code 514); Cattle Pond (FLUCFCS Code 525); Spoil Areas (FLUCFCS Code 743); and Berm (FLUCFCS Code 747). The FLUCFCS and Wetlands Map is provided as Sheet 1. According to the FLUCFCS and Wetlands Map, there are 0.76± acres of South Florida Water Management District (SFWMD) wetlands and 1.80± acres of "other surface waters" (OSWs) on the property.

A Lee County protected species survey was conducted on the property on July 7, 2015 and February 22, 2016. One Lee County protected species was documented during the surveys, the little blue heron (*Egretta caerulea*). The little blue heron is listed as a species of special concern by the Florida Fish and Wildlife Conservation Commission (FWCC). Although not listed as a protected species by Lee County, one white ibis (*Eudocimus albus*) and seven cardinal airplants (*Tillandsia fasciculata*) were observed within the Project site during the surveys. The white ibis is listed as a species of special concern by the FWCC. The cardinal airplant is listed as endangered by the Florida Department of Agriculture and Consumer Services. Please refer to Appendix A in the attached Protected Species Survey report for the locations of protected species observed.

C. ***Preservation/Conservation of Natural Features:*** *Describe how the lands listed in PART 8.B. above will be protected by the completed project:*

Approximately 0.20 acre of upland habitat consisting of 0.10 acre of Hardwood/Conifer Mixed, Disturbed (0-24% Exotics) (FLUCFCS Code 4349 E1) and 0.10 acre of Hardwood/Conifer Mixed, Disturbed (25-49% Exotics) (FLUCFCS Code 4349 E2) will be preserved. The preserved uplands will be enhanced by the removal of exotic vegetation. The preserve areas will be maintained free of exotic vegetation in perpetuity.

D. ***Shoreline Stabilization:*** *If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:*

Not applicable.

DC12016-00011

EXHIBIT # 3
Applicant

E. ***Soils Map:*** *Attach maps drawn at the same scale as the Master Concept Plan marked or overprinted to show the soils classified in accordance with the USDA/SCS System.* ***[34-373(a)(4)b.i.]***

A soils map is attached as Sheet 2.

F. ***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. The FLUCCS map must clearly delineate any Federal and State jurisdictional wetlands and other surface waters, including the total acreage of Federal and State wetlands.* ***[34-373(a)(4)c.]***

A FLUCFCS and Wetlands Map is attached as Sheet 1. There are 0.76± acre of SFWMD wetlands and 1.80± acres of SFWMD OSWs on the property.

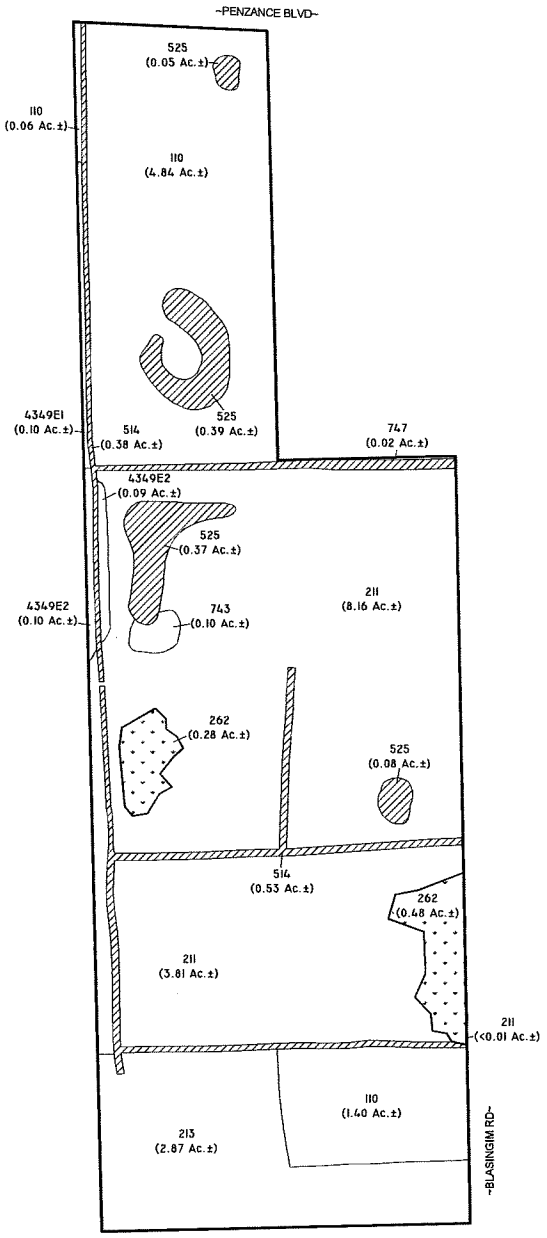
G. ***Rare & Unique Upland Habitat Map:*** *Maps drawn at the same scale as the Master Concept Plan marked or overprinted to show significant areas of rare and unique upland habitat as defined in the LEE Plan Section XII.* ***[34-373(a)(4)b.iii.]***

There is no rare and unique upland habitat on the Project site.

H. ***Existing and Historic Flow-Ways Map:*** *Map(s) drawn at the same scale as the master concept plan marked or overprinted to show existing and historic flow-ways.* ***[34-373(a)(4)b.v.]***

Not applicable.

SCALE: 1" = 200'



LEGEND:

SFWMD WETLANDS (0.76 Ac.±)

SFWMD "OTHER SURFACE WATERS" (1.80 Ac.±)

SURVEYED WETLAND LINE

FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
110	RESIDENTIAL, LOW DENSITY	6.30 Ac.±	26.1%
211	IMPROVED PASTURE	11.97 Ac.±	49.6%
213	WOODLAND PASTURE	2.87 Ac.±	11.9%
262	LOW PASTURE	0.76 Ac.±	3.2%
4349 E1	HARDWOOD/CONIFER MIXED, DISTURBED (0-24% EXOTICS)	0.10 Ac.±	0.4%
4349 E2	HARDWOOD/CONIFER MIXED, DISTURBED (25-49% EXOTICS)	0.19 Ac.±	0.8%
514	DITCH	0.91 Ac.±	3.8%
525	CATTLE POND	0.89 Ac.±	3.7%
743	SPOIL AREAS	0.10 Ac.±	0.4%
747	BERM	0.02 Ac.±	0.1%
	TOTAL	24.11 Ac.±	100.0%

NOTES:

PROPERTY BOUNDARY PER BARRACO AND ASSOCIATES. INC. DRAWING No.23370-Z00.DWG DATED MAY 23. 2016.

SURVEYED WETLAND LINES PER BARRACO AND ASSOCIATES. INC. DRAWING No. 23370S00_2016-5-10.DWG DATED MARCH 11. 2016.

FLUCFCS LINES ESTIMATED FROM 1"=100' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE. COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

UPLAND/WETLAND LIMITS HAVE NOT BEEN REVIEWED BY ANY REGULATORY AGENCY AND ARE SUBJECT TO CHANGE.

J:\2015\15cc_2339\ZONING APP\SHEET 1 SFWMD FLUCFCS AND WETLANDS Map 5-31-16.dwg Tab: 11X17-H Jun 01, 2016 - 8:56am Plotted by: Thomas

DRAWN BY	DATE
T.S.	7/15/15
REVIEWED BY	DATE
S.J.	7/15/15
REVISED	DATE
W.C.,T.S.	5/31/16

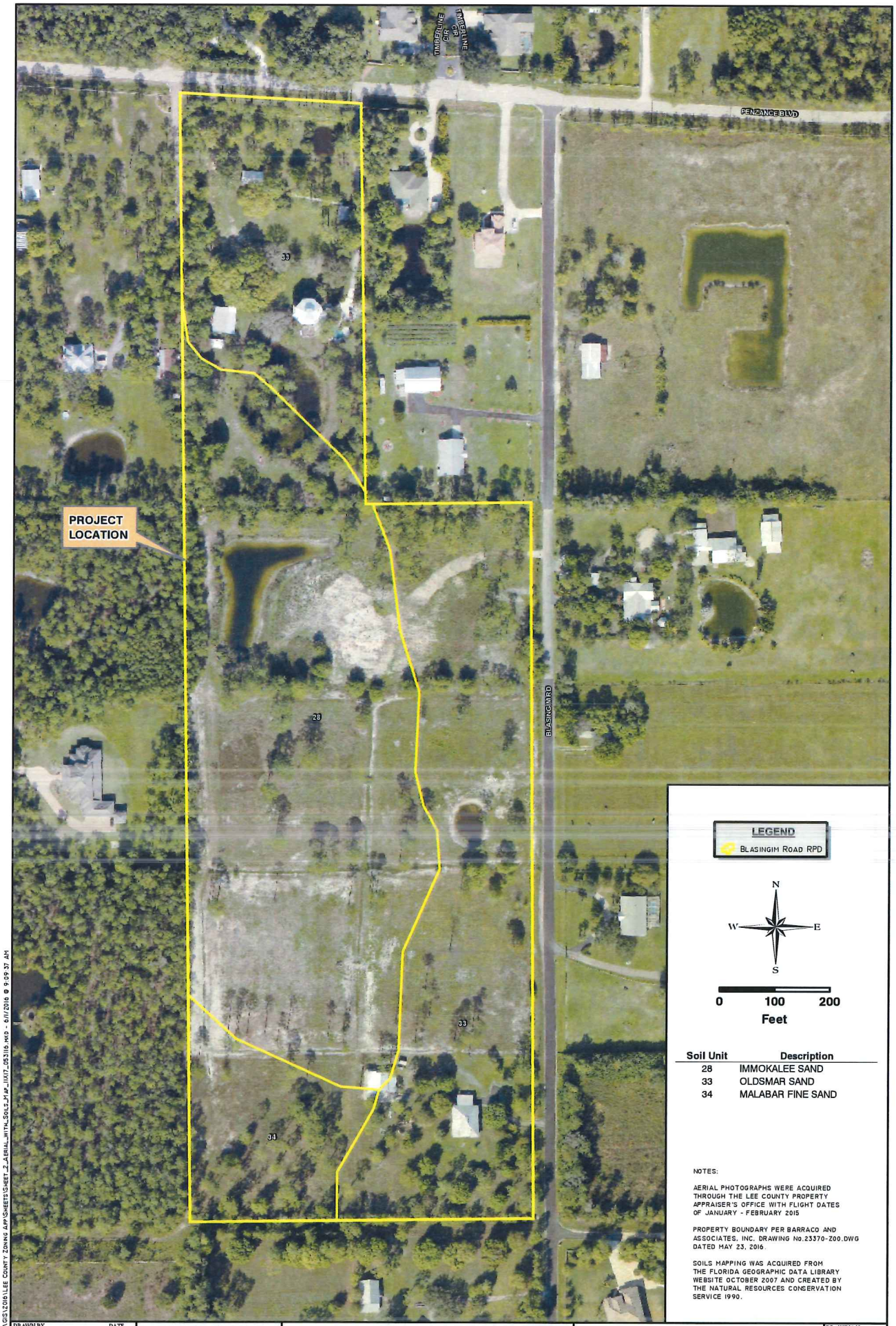
13620 Metropolis Avenue
Suite 200
Fort Myers, Florida 33912
Phone (239) 274-0067
Fax (239) 274-0069

PASSARELLA & ASSOCIATES INC

BLASINGIM ROAD RPD

SFWMD FLUCFCS AND WETLANDS MAP

DRAWING No.	15CCL2339
SHEET No.	SHEET 1



Soil Unit	Description
28	IMMOKALEE SAND
33	OLDSMAR SAND
34	MALABAR FINE SAND

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH FLIGHT DATES OF JANUARY - FEBRUARY 2015

PROPERTY BOUNDARY PER BARRACO AND ASSOCIATES, INC. DRAWING No.23370-Z00.DWG DATED MAY 23, 2016.

SOILS MAPPING WAS ACQUIRED FROM THE FLORIDA GEOGRAPHIC DATA LIBRARY WEBSITE OCTOBER 2007 AND CREATED BY THE NATURAL RESOURCES CONSERVATION SERVICE 1990.

J:\2015\15CCL2339\GIS\2016\LEE COUNTY ZONING APP\SHEETS\SHEET_2_AERIAL_WITH_SOILS_MAP_11X17_053116.MXD - 6/1/2016 @ 9:09:37 AM

DRAWN BY	DATE
T.S.	5/24/16
REVIEWED BY	DATE
L.E.	5/24/16
REVISED	DATE
T.S.	5/31/16

13620 Metropolis Avenue
Suite 200
Fort Myers, Florida 33912
Phone (239) 274-0067
Fax (239) 274-0069

PASSARELLA & ASSOCIATES, INC.

BLASINGIM ROAD RPD
AERIAL WITH SOILS MAP

DRAWING No. 15CCL2339

SHEET No. SHEET 2

RESOLUTION NUMBER Z-14-015

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, Pulte Group, Inc., filed an application on behalf of the property owner, L B Andersen & Co Inc .544%, to rezone a 38.76± acre parcel from Commercial District (C-2) to Residential Planned Development (RPD) in reference to Plantation 37; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Laura B. Belflower, was advertised and held on May 15, 2014; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2014-00007 and recommended APPROVAL of the Request; and

WHEREAS, a second public hearing was advertised and held on June 18, 2014 before the Lee County Board of Commissioners; and,

WHEREAS, the Lee County Board of Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to rezone a 38.76± acre parcel from C-2 to RPD, to allow the development of up to 130 residential dwelling units.

The property is located in the Central Urban Future Land Use Category and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. Development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "Plantation 37," prepared by Barraco and Associates, Inc., date stamped received APR 15 2014, and attached hereto as Exhibit C, except as modified by the conditions below. Development must comply with all requirements of the LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

APPLICANT'S EXHIBIT # 4
DCI 2016-00011

06-18-14 Z

2. Uses and Site Development Regulations

The following Uses and Property Development Regulations apply to this planned development:

a. Schedule of Uses

Accessory Uses and Structures
Administrative Offices
Club: private
Community Gardens (LDC §34-1716)
Dwelling unit: Single-family
Entrance gates and gatehouse
Essential services
Essential service facilities (34-622(c)(13)): Group I
Excavation: Water retention
Fences, walls
Home occupation – with no outside help
Models: Display center and Model home
Parking lot: Accessory
Recreation facilities: Private -- on-site
Real estate sales office: limited to sales of lots and homes within the development
Signs in accordance with LDC Chapter 30
Temporary uses: limited to Temporary contractor's office and equipment storage shed

b. Property Development Regulations

Minimum lot area and dimensions:

Lot area:	6,500 square feet
Lot width:	50 feet
Lot depth:	100 feet

Minimum setbacks:

Street:	20 feet
Side yard:	5 feet
Rear yard:	15 feet
Water body:	25 feet
Preserve Area:	25 feet

Accessory Structure Setback from Preserve Area: 20 Feet (see below for additional accessory use, building, and structure setbacks)

Maximum building height: 35 feet

Maximum lot coverage: 40%

Minimum setbacks of structures and buildings from development perimeter boundaries must be in accordance with LDC §34-935.

Minimum regulations for accessory uses, buildings, and structures must be in accordance with LDC §34-1171 *et seq.*

3. Sidewalks

A sidewalk must be provided along at least one side of each of the roads within the development.

4. Vehicular/Pedestrian Impacts

Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

5. Lee Plan Consistency

Approval of this zoning request does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b).

6. Concurrency

Approval of this rezoning does not constitute a finding that the proposed project meets the concurrency requirements set forth in LDC Chapter 2 and the Lee Plan. The developer is required to demonstrate compliance with any applicable concurrency requirements prior to issuance of a local development order.

7. Solid Waste Management

As part of any local development order approval for vertical development, the development order plans must include facilities in compliance with LDC §10-261 and Solid Waste Ordinance #11-27 for the pick-up/disposal of solid waste and recyclables. The minimum area required for, and specific locations of, these facilities will be reviewed at the time of local development order application.

8. Development Permits

Issuance of a development permit by Lee County does not in any way create any rights on the part of the applicant to obtain a permit from a state of federal agency and does not create any liability on the part of the County for issuance of the permit if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertake actions that result in a violation of state or federal law.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC §10-291(3) requirement to provide developments of more than five acres to provide more than one means of ingress or egress, to allow one primary access and one emergency stabilized access. This deviation is APPROVED SUBJECT TO the following conditions:

a. The project must connect with any road constructed along the southern project property line.

b. The design of the project roadways must remain in substantial compliance with the Master Concept Plan in providing a loop road, a divided entrance roadway, and an emergency stabilize access to Plantation Road.

2. Deviation (2) seeks relief from the LDC §10-329(d)(1)a.2 requirement to provide an excavation setback of 50 feet from a right-of-way, to allow an excavation setback of 33 feet from the Plantation Road right-of-way. This deviation is APPROVED SUBJECT TO the condition that the requirements for wayward vehicles in LDC §10-329(d)(1)a.2 must be met.

3. Deviation (3) seeks relief from the LDC §10-296(p)(1) requirement to provide dead-end streets to be closed at one end by a circular vehicle turnaround, to allow an alternative turnaround. This deviation is APPROVED SUBJECT TO the following conditions:

   a. The applicant must provide a Letter of No Objection from the Fire District at the time of local development order application.

   b. The specific alternative turnaround design must accommodate adequate maneuvering space for emergency vehicles.

4. Deviation (4) seeks relief from the LDC §10-254 requirement to provide side lot lines be, as nearly as practical, at right angles to straight street lines and radial to curve street lines, to allow the lot design shown on the Master Concept Plan in those areas where Deviation 3 is applied. This deviation is APPROVED.

5. Deviation (5) seeks relief from the LDC §10-285 requirement to provide a 125-foot connection separation for a local roadway, to allow for the connection separation between the entry road and the road located approximately 50 feet to the north, as shown on the Master Concept Plan. This deviation is APPROVED SUBJECT TO the condition that the specific roadway separation design must accommodate adequate turning movement for emergency vehicles.

SECTION D. EXHIBITS:

The following exhibits are attached to this resolution and incorporated by reference:

Exhibit A: Legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: The Master Concept Plan

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.

2. The rezoning, as approved:

   a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request;

   b. is consistent with the densities, intensities and general uses set forth in the Lee Plan;

   c. is compatible with existing or planned uses in the surrounding area;

   d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and

   e. will not adversely affect environmentally critical areas or natural resources.

3. The rezoning satisfies the following criteria:

   a. the proposed use or mix of uses is appropriate at the subject location;

   b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and

   c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

Commissioner Manning made a motion to adopt the foregoing resolution, seconded by Commissioner Hamman. The vote was as follows:

John Manning	Aye
Cecil L Pendergrass	Absent
Larry Kiker	Aye
Brian Hamman	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 18th day of June, 2014.

ATTEST:
LINDA DOGGETT, CLERK

BY: Marcia Wilson
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: [signature]
For: Larry Kiker, Chair

SEAL
BOARD OF COUNTY COMMISSIONERS
LEE COUNTY, FLORIDA

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

[signature]
Michael D. Jacob
Managing Assistant County Attorney
County Attorney's Office

RECEIVED
MINUTES OFFICE
MW
2014 JUN 25 AM 11:14

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

DESCRIPTION
Parcel in
Section 18, Township 45 South, Range 25 East
Lee County, Florida

A tract or parcel of land lying in Section 18, Township 45 South, Range 25 East, Lee County, Florida, said tract or parcel of land being those lands described in Instrument Number 2013000141386 and 2013000141387 of the Public Records of Lee County, Florida and being more particularly described as follows:

Commencing at the Northeast Corner of said Section 18 run S88°44'32"W along the North line of the Northeast Quarter (NE 1/4) of said Section 18 for 1,352.76 to the Northeast Corner of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of said Section 18 and the POINT OF BEGINNING.

From said Point of Beginning run S01°34'36"E along the East line of said Fraction for 1,281.25 feet to an intersection with the North line of the South 40 feet of said Fraction; thence run S88°49'24"W along said North line for 1,314.98 feet to an intersection with the East line of the West 30 feet of said Fraction, also being the East right of way line of Plantation Road, (60' wide right of way); thence run N01°55'32"W along said East line for 1,279.46 feet to an intersection with said North line of the Northeast Quarter (NE 1/4); thence run N88°44'32"E along said North line for 1,322.76 feet to the POINT OF BEGINNING.

Containing 38.76 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS 2007) and are based on the North line of the Northeast Quarter (NE 1/4) of said Section 18 to bear N88°44'32"E.

4/2/14
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

I:\23205 - Plantation 37\survey\descriptions\23205SK01DESC.doc

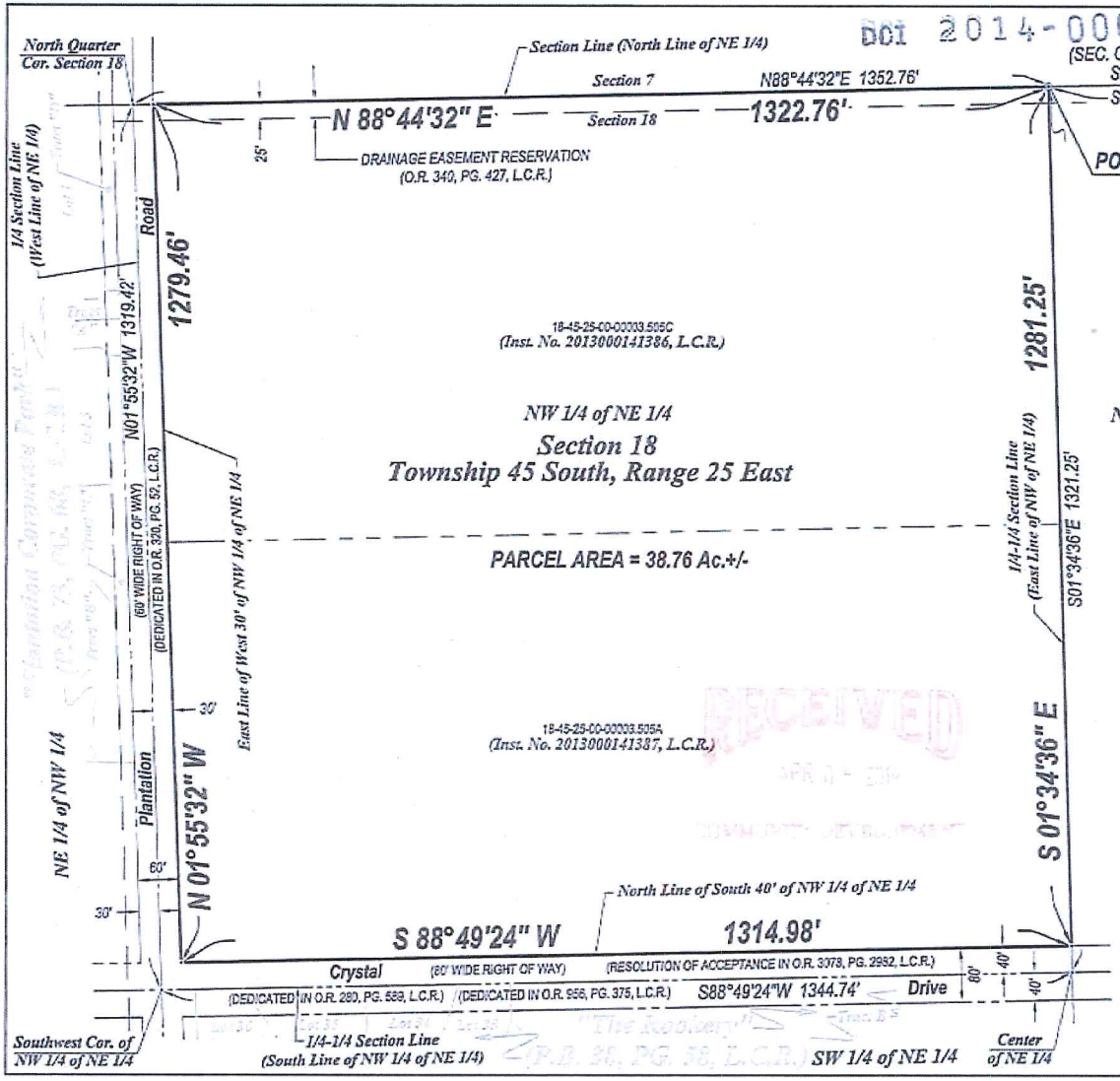
Applicant's Legal Checked by CS 4/3/14

APR 04 2014
COMMUNITY DEVELOPMENT

EXHIBIT A

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

OCT 2014-00007



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. L.M.E. - DENOTES LAKE MAINTENANCE EASEMENT.
6. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
7. (P) - DENOTES PLAT.
8. P.B. - DENOTES PLAT BOOK.
9. PG. - DENOTES PAGE.
10. P.U.E. - DENOTES PUBLIC UTILITY EASEMENT.
11. T.U.E. - DENOTES TECHNOLOGY UTILITY EASEMENT.
12. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) ARE BASED RE BASED THE NORTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 18 TO BEAR N88°44'32"E
13. DESCRIPTION IS ATTACHED.

THIS IS NOT A SURVEY

Scott A. Wheeler 4/2/14

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.

Barraco and Associates, Inc.
LAND ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net

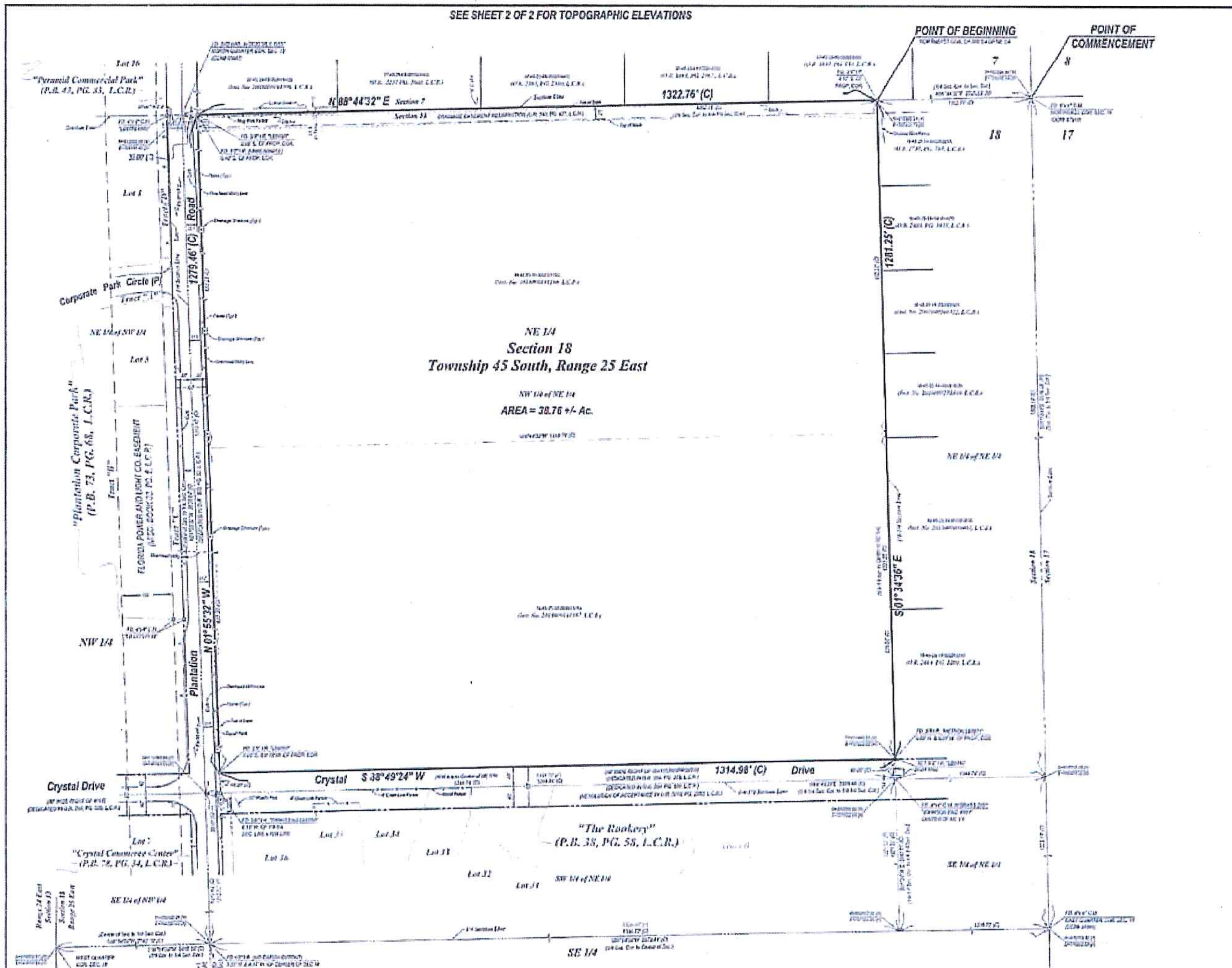
Pulte Homes

A PARCEL OF LAND IN SECTION 18 TOWNSHIP 45 SOUTH RANGE 25 EAST LEE COUNTY, FLORIDA

SKETCH TO ACCOMPANY DESCRIPTION

2 OF 2

SEE SHEET 2 OF 2 FOR TOPOGRAPHIC ELEVATIONS



LEGEND:

B.M.	BENCHMARK	(D)	DEED	L=	LENGTH=		MONUMENT	•	SET "MAG" NAIL WITH DISC STAMPED LB6940
(C)	CALCULATED	D.B.	DEED BOOK	LB	LICENSED BUSINESS	PROP.	PROPERTY	•	SET 1/2" IRON ROD WITH CAP STAMPED LB6940
C.C.R.	CERTIFIED CORNER RECORD	EL	ELEVATION	L.C.R.	LEE COUNTY RECORDS	P.T.	POINT OF TANGENCY	•	SET 4"x4" CONC. MONUMENT STAMPED LB6940
		(F)	FIELD			P.V.C.	POLY VINYL CHLORIDE PIPE		FOUND NAIL AS NOTED
C/L	CENTER LINE	FD.	FOUND	(M)	MEASURED				FOUND CONC. MONUMENT AS NOTED
CONC	CONCRETE	F.D.O.T	FLORIDA DEPARTMENT OF TRANSPORTATION	O.R.	OFFICIAL RECORD BOOK	R=	RADIUS=		FOUND IRON PIPE OR IRON ROD AS NOTED
CB=	CHORD BEARING=					R.C.P.	REINFORCED CONCRETE PIPE		DRAINAGE INLET
CD=	CHORD DISTANCE=			(P)	PLAT				DRAINAGE MANHOLE
Cb/a	CHORD BEARING & DISTANCE=	F.P. & L.	FLORIDA POWER & LIGHT CO.	P.B.	PLAT BOOK	REF.	REFERENCE		MITERED END SECTION
				P.C.	POINT OF CURVATURE	R/W	RIGHT OF WAY		LIGHT POLE
C.M.	CONCRETE MONUMENT	FRAC.	FRACTION			TYP.	TYPICAL		FLOOD LIGHT
		GOVT	GOVERNMENT	PG.	PAGE	SEC	SECTION		CONCRETE POWER POLE
COR	CORNER	INST. No.	INSTRUMENT No.	P.K.	PARKER-KALON	W/	WITH		WOOD POWER POLE
Δ=	DELTA OR CENTRAL ANGLE=	I.P.	IRON PIPE	P.R.M.	PERMANENT REFERENCE	WIT.	WITNESS		GUY ANCHOR
		I.R.	IRON ROD						TELEPHONE BOX

- ELECTRIC BOX
- WATER BOX
- FIRE HYDRANT
- WATER VALVE
- AIR RELEASE VALVE
- IRRIGATION VALVE
- BACKFLOW PREVENTER
- SANITARY MANHOLE
- SANITARY SERVICE
- SIGN
- TRAFFIC BOX
- CROSS WALK POLE
- MANHOLE (UNIDENTIFIED)
- UTILITY BOX (UNIDENTIFIED)
- POWER PANEL
- POWER OUTLET
- WOOD SERVICE POST/POLE
- GAS TANK
- SATELLITE DISH
- WATER SPIGOT

0 50 100 200
SCALE IN FEET

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

DESCRIPTION

A tract or parcel of land lying in Section 18, Township 45 South, Range 25 East, Lee County, Florida, said tract or parcel of land being those lands described in Instrument Number [illegible] and [illegible] of the Public Records of Lee County, Florida and being more particularly described as follows:
Commencing at the Northeast Corner of said Section 18 run S 88°44'32" W along the North line of the Northeast Quarter (NE 1/4) of said Section 18 for 1,322.76 to the Northeast Corner of the Northwest Quarter (NW 1/4) of the Northeast Quarter (NE 1/4) of said Section 18 and the POINT OF BEGINNING.
From said Point of Beginning run S 01°34'36" E along the East line of said Fraction for 1,281.25 feet to an intersection with the North line of the South 40 feet of said Fraction; thence run S 88°49'24" W along said North line for 1,314.98 feet to an intersection with the East line of the West 30 feet of said Fraction, also being the East right of way line of Plantation Road, (60' wide right of way); thence run N 01°55'32" W along said East line for 1,279.46 feet to an intersection with said North line of the Northeast Quarter (NE 1/4); thence run N 88°44'32" E along said North line for 1,322.76 feet to the POINT OF BEGINNING.
Containing 38.76 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS 2007) and are based on the North line of the Northeast Quarter (NE 1/4) of said Section 18 to bear N 88°44'32" E.

NOTES:

1. DATE OF LAST FIELD WORK: JANUARY 15, 2014
2. THIS SURVEY DOES NOT MAKE ANY REPRESENTATION AS TO ZONING OR DEVELOPMENT RESTRICTIONS ON SUBJECT PARCEL.
3. 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.
4. NO ENVIRONMENTAL ASSESSMENT OR AUDIT WAS PERFORMED ON SUBJECT PARCEL BY THIS FIRM.
5. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.
6. BEARINGS AND COORDINATES HEREON ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED THE NORTH LINE OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 18 TO BEAR N 88°44'32"E
7. IMPROVEMENTS OTHER THAN THOSE SHOWN IF ANY WERE NOT LOCATED.
8. THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN THOSE SHOWN.
9. OWNERSHIP OF ANY FENCE SHOWN HEREON IS UNKNOWN.
10. ACCORDING TO F.I.R.M. Nos. 12071C0420F and 12071C0415F, EFFECTIVE DATE AUGUST 28, 2008, THE PROPERTY IS LOCATED IN FLOOD ZONE AE. THE BASE FLOOD ELEVATION = EL. 15 & BASED ON PROFILE AND CROSS SECTIONS SHOWN IN THE FLOOD INSURANCE STUDY, 12071CV001A, EFFECTIVE DATE: AUGUST 28, 2008
11. THIS SURVEY IS PREPARED IN ACCORDANCE WITH A TITLE COMMITMENT PREPARED BY: OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, FILE NO. [illegible], EFFECTIVE DATE: NOVEMBER 12, 2013 @ 11:00 PM. THE PROPERTY IS AFFECTED BY ITEMS FROM SCHEDULE B-II IN THE ABOVE AS NOTED:
    - (B2. ITEM 10) DEED OF RESTRICTIONS, O.R. 349, PG. 305, AS AFFECTED BY RELEASE OF RESTRICTIONS, O.R. 384, PG. 11, AFFECTS ENTIRE PROPERTY, NOT SHOWN.
    - (B2. ITEM 11) DEED OF RESTRICTIONS O.R. 411, PG. 572, AFFECTS ENTIRE PROPERTY, NOT SHOWN.
    - (B2. ITEM 12) RESERVATION OF EASEMENT, O.R. 346, PG. 427, AFFECTS PROPERTY, SHOWN.
    - (B2. ITEM 13) NOTICE OF ENVIRONMENTAL RESOURCE OR SURFACE WATER MANAGEMENT PERMIT, INST. No. [illegible] AFFECTS ENTIRE PROPERTY, NOT SHOWN.
    - (B2. ITEM 14) DEVELOPMENT ORDER NO. [illegible] AND THE NOTICE OF DEVELOPMENT ORDER APPROVAL RECORDED IN INST. No. [illegible], AFFECTS ENTIRE PROPERTY, NOT SHOWN.
    - (B2. ITEM 15) PERMIT NUMBER SAJ-2007-[illegible] ISSUED TO DELASOL DEVELOPMENT, LLC INST. No. [illegible], AFFECTS ENTIRE PROPERTY, NOT SHOWN.
12. THE SURVEYED PARCEL CONTAINS 38.76 ACRES, MORE OR LESS.
13. 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 BENCHMARK "D 419" (PID-[illegible]) (ELEVATION = 16.31)

14-00007

Applicant's Legal Description
by [illegible] 4/9/14

THIS SURVEY IS FOR THE BENEFIT OF:

PULTE HOME CORPORATION
OLD REPUBLIC NATIONAL TITLE COMPANY
[illegible] P.A.

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

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.

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:

PULTE HOME CORPORATION
24311 WALDEN CENTER DRIVE
SUITE 300
BONITA SPRINGS, FLORIDA 34134

PHONE (239) 498-7711
FAX (239) 498-7707

WWW.PULTEHOMES.COM

PROJECT DESCRIPTION

A PARCEL OF LAND IN SECTION 18 TOWNSHIP 45 SOUTH RANGE 25 EAST LEE COUNTY, FLORIDA

PROJECT SURVEYOR

SCOTT A. WHEELER CERTIFICATE NO. 5949 STATE OF FLORIDA

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

FILE NAME	[illegible]
LAYOUT	1
LOCATION	[illegible]
PLOT DATE	WED. 1-29-2014 - 4:39 PM
PLOT BY	[illegible]

DRAWING DATA

SURVEY DATE	12-31-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	[illegible]

PLAN REVISIONS

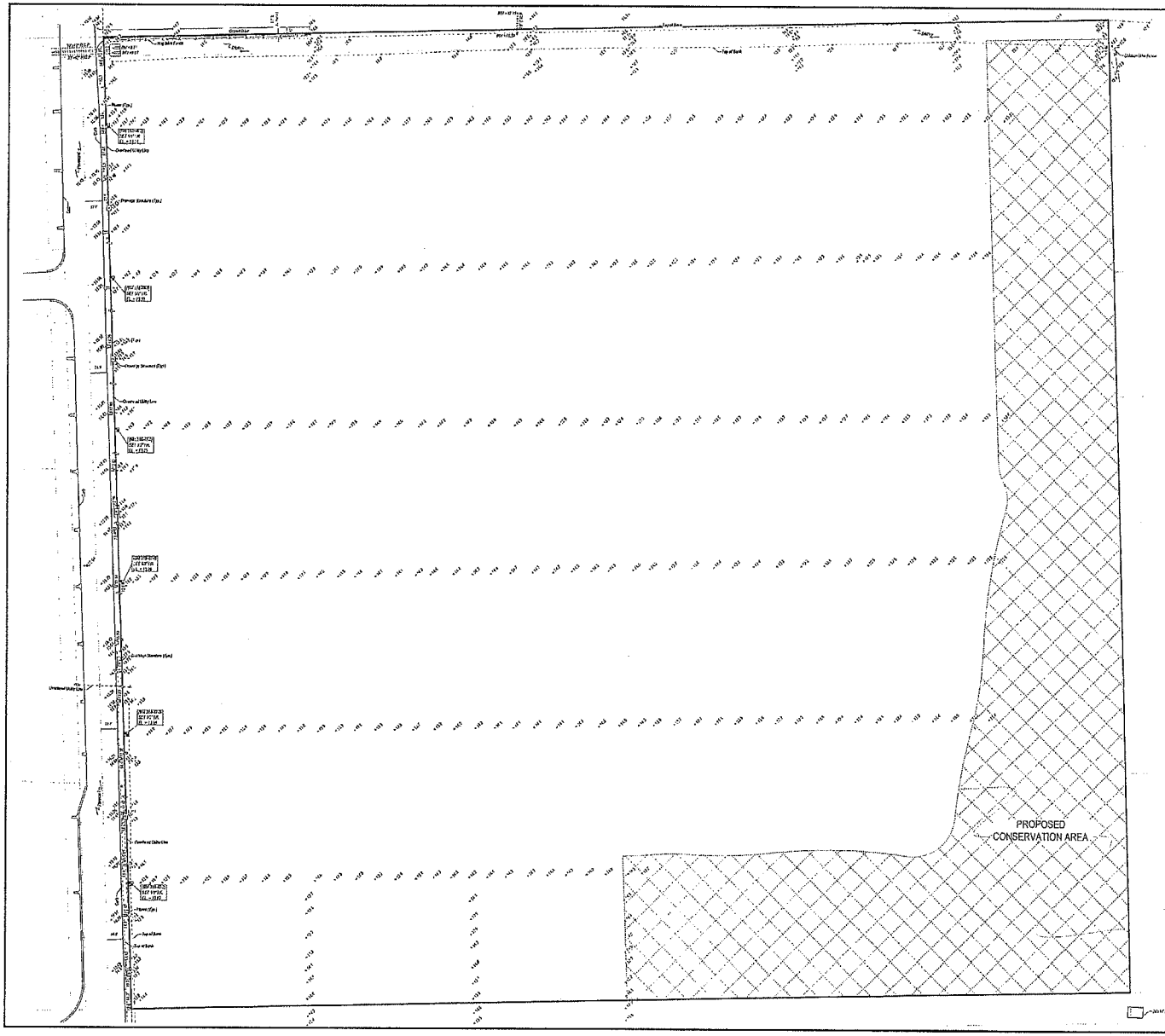
[illegible]	[illegible]
[illegible]	ADD TOPO SHOTS

STRAP NUMBERS

18-45-25-00-00003.0150A
18-45-25-00-00003.030C

BOUNDARY AND TOPOGRAPHIC SURVEY

PROJECT/FILE NO.	SHEET NUMBER
23205 11-43-25	1 OF 2



LEGEND:

Δ,I,t	BENCHMARK	L=	LENGTH
(C)	CALCULATED	LB	LICENSED
C.C.R.	CERTIFIED CORNER RECORD		BUSINESS
CL	CENTER LINE	L.C.R.	LEE COUNTY RECORDS
CONC	CONCRETE	(M)	MEASURED
CB=	CHORD MONUMENT=	O.R.	OFFICIAL RECORD
CB=	CHORD DISTANCE=	(P)	BOOK PLAT
CB=	CHORD BEARING & DISTANCE=	P.B.	PLAT BOOK
C.M.	CONCRETE MONUMENT	P.C.	POINT OF CURVATURE
COR.	CORNER	PG	PAGE
Δ=	DELTA OR CENTRAL ANGLE=	P.K.	PARKER-KALON
(D)	DEED	P.R.M.	PERMANENT REFERENCE MONUMENT
D.B.	DEED BOOK	PROP.	PROPERTY
EL.	ELEVATION	P.T.	POINT OF TANGENCY
(F)	FIELD	P.V.C.	POLY VINYL CHLORIDE PIPE
FD	FOUND	R=	RADIUS=
F.D.O.T.	FLORIDA DEPARTMENT OF TRANSPORTATION	R.C.P.	REINFORCED CONCRETE PIPE
F.P. & L.	FLORIDA POWER & LIGHT CO	REF.	REFERENCE
FRAC.	FRACTION	R/W	RIGHT OF WAY
GOV'T	GOVERNMENT	TYP.	TYPICAL
INST. No.	INSTRUMENT No	SEC.	SECTION
I.P.	IRON PIPE	W/	WITH
I.R.	IRON ROD	WIT.	WITNESS

- SET "NAIL" NAIL WITH DISC STAMPED LB3249
- SET 5/8" IRON ROD WITH CAP STAMPED LB3249
- SET 4"x4" CONC. MONUMENT STAMPED LB3249
- FOUND NAIL AS NOTED
- FOUND CONC. MONUMENT AS NOTED
- FOUND IRON PIPE OR IRON ROD AS NOTED
- DRAINAGE VALET
- DRAINAGE MANHOLE
- MITERED END SECTION
- LIGHT POLE
- FLOOD LIGHT
- CONCRETE POWER POLE
- WOOD POWER POLE
- GUY ANCHOR
- TELEPHONE BOX
- ELECTRIC BOX
- WATER BOX
- FIRE HYDRANT
- WATER VALVE
- AIR RELEASE VALVE
- IRRIGATION VALVE
- BACK FLOW PREVENTER
- SANITARY MANHOLE
- SANITARY SERVICE
- SIGN
- TRAFFIC BOX
- CROSS WALK POLE
- MANHOLE (GARDEN VIEW)
- UTILITY BOX (UNIDENTIFIED)
- POWER PANEL
- POWER OUTLET
- WOOD SERVICE POST/POLE
- GAS TANK
- SATELLITE DISH
- WATER SPIGOT

(BASED ON NAD 1983 FLORIDA PLANE COORDINATE SYSTEM WEST ZONE)

0 30 60 120
SCALE IN FEET

SEE SHEET 1 OF 2
FOR BOUNDARY SURVEY

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
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FORT MYERS, FLORIDA 33902-280
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7955 - SURVEYING LB-65 19

PREPARED FOR

PULTE HOME CORPORATION
24311 WALDEN CENTER DRIVE
SUITE 300
BONITA SPRINGS, FLORIDA 34134
PHONE (239) 498-7711
FAX (239) 498-7707
WWW.PULTEHOMES.COM

PROJECT DESCRIPTION

A PARCEL OF LAND IN SECTION 18 TOWNSHIP 45 SOUTH RANGE 25 EAST LEE COUNTY, FLORIDA

PROJECT SURVEYOR

NO 6065 STATE OF FLORIDA SURVEYOR & MAPPER

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

FILE NAME	23205001.DWG
LAYOUT	2
LE-CATION	J:\2320\FIELD\SURVEY\PNO
PLOT DATE	WED, 1-29-25 11:43 PM
PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	12-17-2013
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=60'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

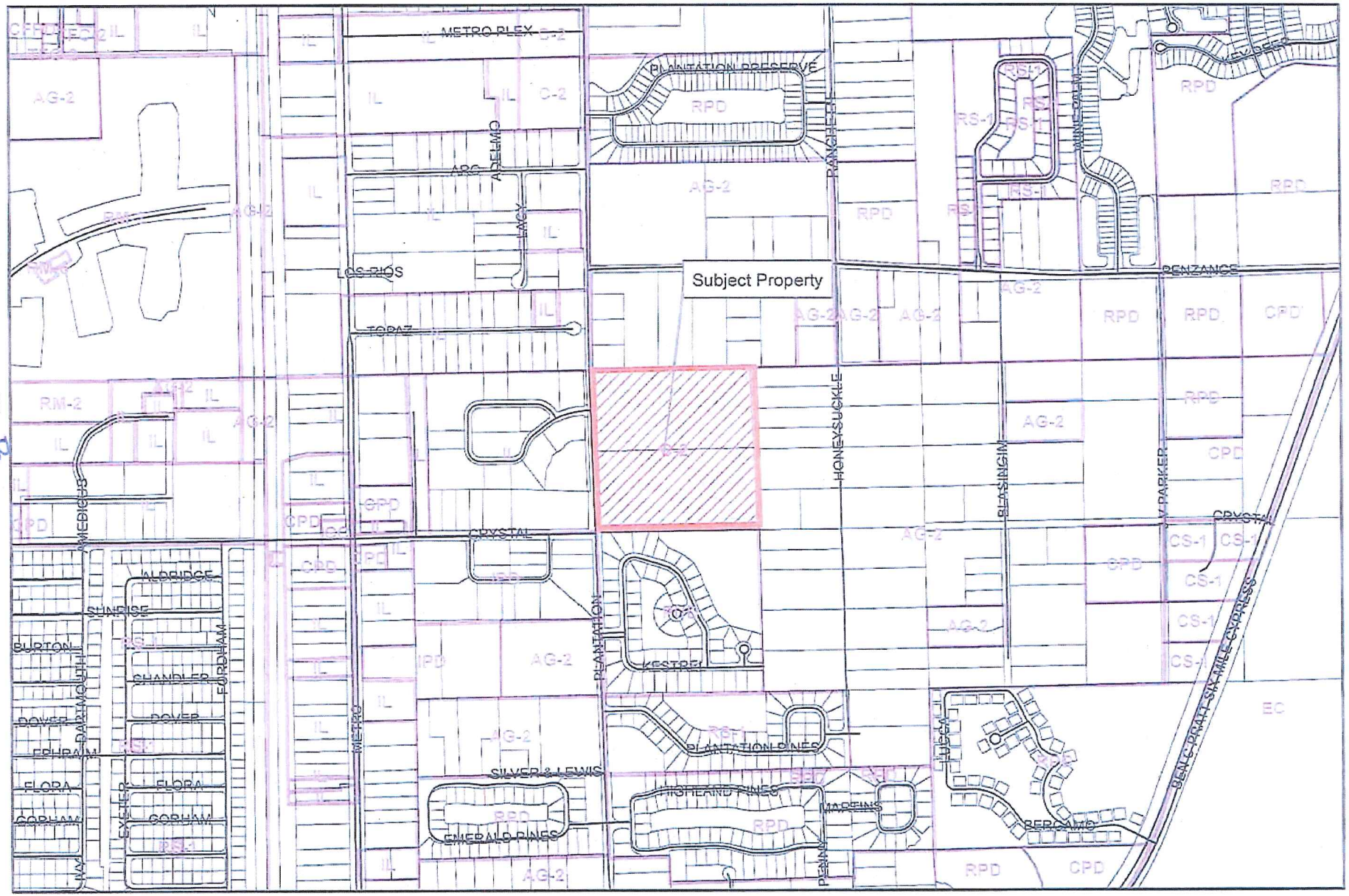
BOUNDARY TOPOGRAPHIC SURVEY

PROJECT / FILE NO.	SHEET NUMBER
23205 16-45-25	2 OF 2

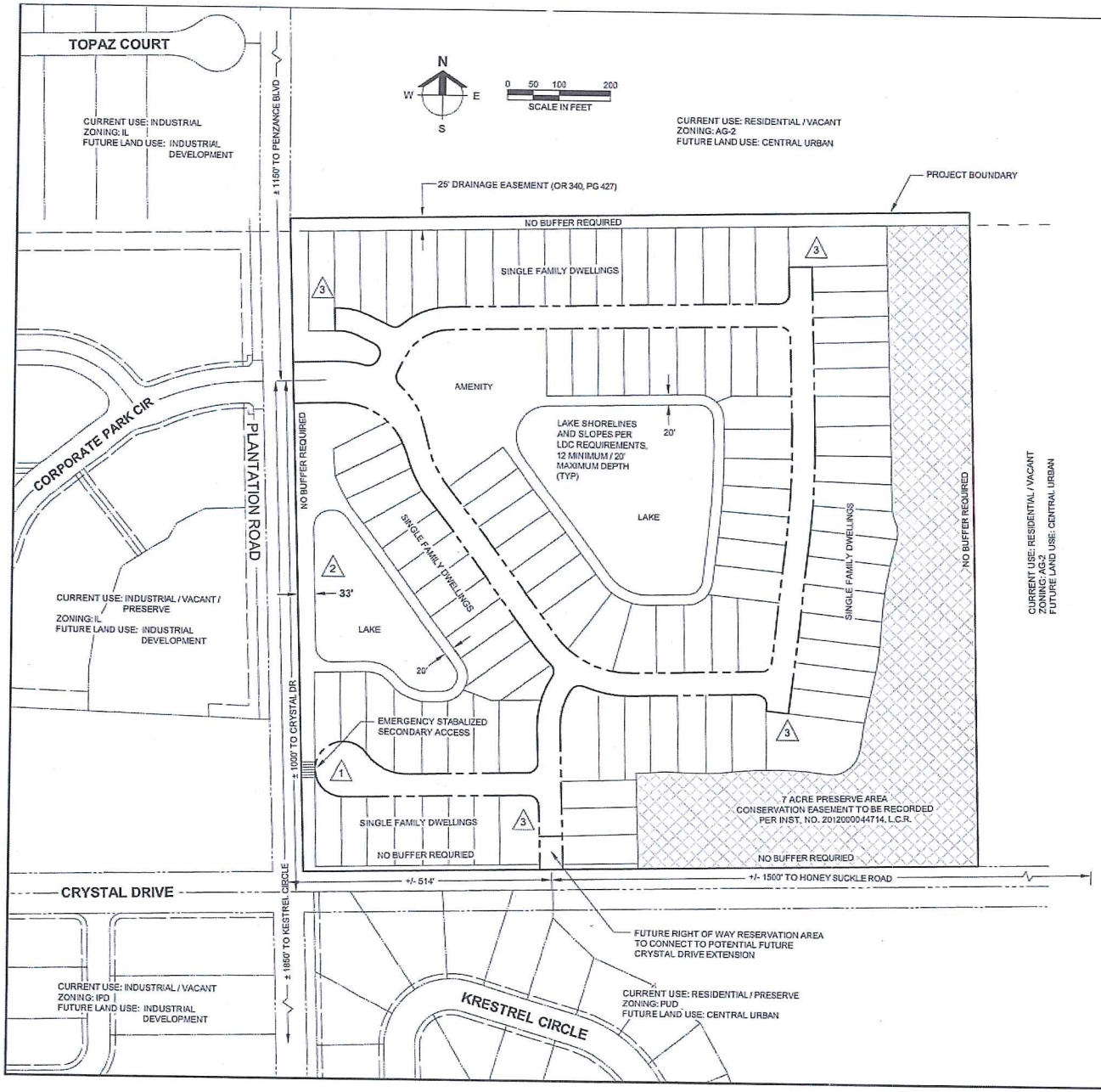
DCI2014-00007

Zoning Map

EXHIBIT B



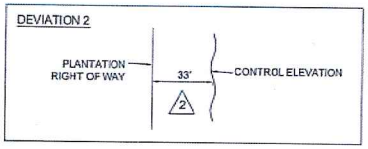
0 800 1,600 Feet



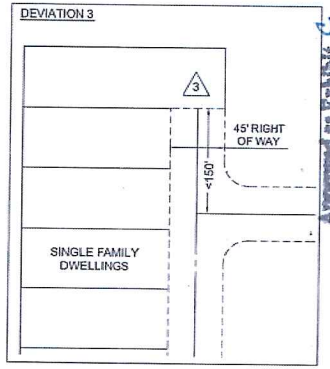
SCHEDULE OF DEVIATIONS

1. DEVIATION FROM LDC SECTION 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 AND ONE EMERGENCY STABILIZED ACCESS.
2. DEVIATION FROM LDC SECTION 10-329(D)(1)A.2. WHICH REQUIRES EXCAVATION SETBACK OF 50 FEET FROM A RIGHT OF WAY TO ALLOW AN EXCAVATION SETBACK OF 33 FEET FROM PENZANCE RIGHT OF WAY.
3. DEVIATION FROM SECTION 10-296(P)(1) TO ELIMINATE THE REQUIREMENT THAT A DEAD-END STREET BE CLOSED AT ONE END BY A CIRCULAR TURNAROUND FOR VEHICLES.

DEVIATION 2



DEVIATION 3



Approved as Exhibit 4 MCP Resolution # Z-14-05 Page 1 of 1

RECEIVED
APR 15 2014
COMMUNITY DEVELOPMENT

DCI 2014-00007

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-6949

PREPARED FOR

PULTE HOME CORPORATION
24311 WALDEN CENTER DRIVE
SUITE 300
BONITA SPRINGS, FLORIDA 34134
PHONE (239) 498-7711
FAX (239) 498-7707
WWW.PULTEHOMES.COM

PROJECT DESCRIPTION

PLANTATION 37

PART OF SECTION 18,
TOWNSHIP 45 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

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FILE NAME	23205ZON.DWG
LAYOUT	LAYOUT1
LOCATION	J:\23205\DWG\ZONING\
PLOT DATE	TUE, 4-15-2014 - 9:26 AM
PLOT BY	ANGELICA CARLEY
DESIGN BY	JENNIFER BAREN

CROSS REFERENCED DRAWINGS

BASEPLAN = 23205Z00.DWG

PLAN REVISIONS

4-11-14	ADDED SEPARATION DIMENSIONS
4-15-14	PER LEE COUNTY COMMENTS

PLAN STATUS

MASTER CONCEPT PLAN

PROJECT / FILE NO.	SHEET NUMBER
23205	

Perez, Maria

From: Neale Montgomery [NealeMontgomery@Paveselaw.com]
Sent: Thursday, November 17, 2016 4:34 PM
To: Perez, Maria
Cc: Block, Alvin; Ennis, Audra; TCameratta
Subject: FW: DCI2016-00011, Blasingim Road RPD - Joint Response to Hearing Examiner Order for Post Hearing Written Submission
Attachments: BLASINGIM ROAD RPD JOINT MEMO - Applicant Edits 11-17-16.docx

Mr. Block forwarded a memo to your office this morning. Some of the applicant's changes were reflected in strike through and underline and some of the changes were accepted in a clean document so they didn't get picked up. I don't think staff has any qualms about the items noted in the revised memo. Chip is out until Monday so I wanted to get this to your office in a timely manner. I trust that Chip will respond upon his return.

PAVESE LAW FIRM

Neale Montgomery (Bio)
Partner
1833 Hendry Street (33901)
Post Office Drawer 1507 Fort Myers, FL 33902
Direct 239.336.6235 Fax 239.332.2243
nealemontgomery@paveselaw.com
Visit our website: www.paveselaw.com

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Applicant Exh. # 5
WS

MEMORANDUM
FROM THE
DEPARTMENT OF COMMUNITY DEVELOPMENT
ZONING DIVISION

DATE: November 17, 2016

TO: Donna Marie Collins
Chief Hearing Examiner

FROM: Alvin Block, AICP
Principal Planner

SUBJECT: DCI2016-00011, Blasingim Road RPD

The following represents a joint submittal by the Applicant and Lee County Staff addressing the Hearing Examiner's Order addressing revised Conditions and Deviations.

CONDITIONS

1. Master Concept Plan & Development Parameters
   The development of this project must be consistent with the two-page Master Concept Plan entitled "Blasingim Road RPD," stamped received September 27, 2016 (Exhibit A), except as modified by the conditions below.

   This development must comply with all requirements of the Lee County Land Development Code (LDC) at time of local Development Order Approval, except as may be granted by deviation as part of this planned development. If changes to the Master Concept Plan (MCP) are subsequently pursued, appropriate approvals will be necessary.

   The development is permitted to have a maximum of 120 dwelling units and maximum 7,000 square foot floor area Amenity Facility.

2. Uses and Site Development Regulations
   The following Limits apply to the project and uses:

   a. Schedule of Uses
      Exhibit B is the approved Schedule of Uses

      NOTE:
      Consumption on Premises within the Recreation facility: private–on-site (amenity site) is allowed as both indoor and outdoor.

   b. Site Development Regulations
      Exhibit C is the approved Property Development Regulations.

      NOTES:

1. For clarification Front (right-of-way) setback is the same as Street setback.
2. A side entry garage is allowed for either a single family or two-family attached residential dwelling unit.

3. Conditions for Deviation 5
   i. Prior to the issuance of a development order for vertical construction, the following must be provided:
      a. Details illustrating how the initial onsite drainage canal revisions will accommodate the discharge from the subject parcel and a long term maintenance plan to maintain the onsite drainage canal in perpetuity;
      b. The additional 1.8 acres of lake must be noted on the development order drawings; and
      c. The drainage calculations must reflect a reduction in the discharge rate lower than the 64 CSM that is currently required per the Land Development Code, but in no instance less than 50 CSM ~~SCM~~.

   ii. Prior to the issuance of a development order for vertical construction, the landscape drawings must illustrate and provide calculation for the following:
      a. The planted littoral shelf shoreline length must be calculated at 50% of the total linear feet of the lake at control elevation;
      b. Deep lake trees must be calculated at two trees per 100 linear feet. 50% of deep lake trees may be counted toward the general tree requirements;
      c. 50% of the required general trees must be illustrated adjacent to Blasingim Road and the proposed lake.

4. Sidewalk
   A sidewalk must be provided along at least one side of the road(s) within the development.

5. Vehicular Access & Construction Traffic
   a. A notice to all future property owners must be recorded by the developer in the public records prior to the ~~issuance of a local development order~~ record plat recording allowing construction of the access to the development. The notice must articulate the emergency access plan and provide information as to where a copy of this plan may be obtained from the developer or developer's successor.

   b. Prior to DO approval, the developer must show how unauthorized use of the stabilized emergency access point will be prevented and who will maintain the access to open and/or close the access point.

   c. The master concept plans show an optional gate at the entrance. Prior to DO approval, the applicant will need to show compliance with the required turn around radius if the project gate option is implemented.

   d. A planned development amendment that must go through the public hearing process will be required to change the emergency stabilized access to Blasingim Road to a second means of access to the planned development.

   e. All construction traffic to this planned development must use the project access from Penzance Boulevard.

6. Alternative Turnaround
Prior to approval of the initial development order for this project, the developer must provide a letter from the local fire district indicating they have reviewed the engineered drawings and have no objections to the design of the turnaround as approved in Deviation 2 of this planned development.

7. Backout Parking
If the roadway immediately adjacent to and south of the proposed amenity center is not connected to Blasingim Road for normal daily vehicle use, the portion of the amenity center parking spaces farthest from the adjacent roadway must be located not less than 22 feet from the edge of roadway right-of-way or easement. If the roadway immediately adjacent to and south of the amenity center is at any future time connected to Blasingim Road for normal daily vehicle use, the amenity center parking area must be relocated such that it meets all requirements of the most current Land Development Code.

8. Northern Buffer
Prior to the issuance of a development order for vertical construction, a 15 foot wide right of way buffer must be provided along the north property line with the following enhancements:
   a. five trees and eighteen shrubs per 100 linear feet must be provided within the 15 foot wide right of way buffer along the north property line;
   b. the trees must be installed 14 feet away from the overhead power lines; and
   c. the proposed landscape material must be native.

9. Native Hedge
Prior to the issuance of a development order for vertical construction, a native hedge installed at 36 inches; maintained at 60 inches; and planted four foot on center must be shown on the perimeter water management berm of the landscape plans. The perimeter water management berm plantings must be tied into the overall irrigation system for the infrastructure.

10. Vehicular/Pedestrian Impacts
Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

11. Lee Plan Consistency
Approval of this zoning request does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1 (b).

12. Concurrency
Approval of this rezoning does not constitute a finding that the proposed project meets the concurrency requirements set forth in LDC Chapter 2 and the Lee Plan. The developer is required to demonstrate compliance with all concurrency requirements prior to issuance of a local development order.

13. Development Permits
Issuance of a development permit by Lee County does not in any way create any rights on the part of the applicant to obtain a permit from a state of federal agency and does not create any liability on the part of the county for issuance of the permit if the applicant

fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertake actions that result in a violation of state or federal law.

Deviations

1. Deviation from LDC Section 10-254, which requires side lot lines be, as nearly as practical, at right angles to straight street lines and radial to curve street lines, to allow the lot design shown on the Master Concept Plan in those areas where Deviation 1 is applied.

   Recommendation:
   Staff offers no objection to the granting of this request. Approval of this request helps achieve the development of up to 120 units and the deviation is found to not be a detriment of the public's interest.

2. Deviation from LDC Section 10-296(p)(1) to eliminate the requirement that a dead-end street be closed at one end by a circular turnaround, to allow an alternative turnaround.

   Recommendation:
   The deviation is recommended for approval for only the portion of the development with the dead-end turnaround in the southwest corner of the development, provided that Condition 6 is included that the design of the turnaround be reviewed and approved by the local fire district at the time of local development order.

3. Deviation from LDC Section 10-703 to allow lot size to be measured as indicated on the Master Concept Plan.

   Recommendation:
   Staff has no objection to the proposal to measure the lots as depicted on the Master Concept Plan. The measurement proposal helps the applicant to achieve the development, and is viewed by staff as a proposal that is not expected to be detrimental to the public's interest.

4. Deviation from LDC Section 10-391(3) which requires developments of more than five acres to provide more than one means of ingress or egress to allow one primary access and one emergency stabilized access.

   Recommendation:
   Staff recommends approval of this request provided that Condition 5 is included in this action. Development Services finds the Deviation as conditioned helps achieve the intent of the planned development and is not expected to adversely impact the public health, safety, and welfare.

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

   Recommendation: Staff offers no objection to the granting of this request provided Conditions 3 and 9 are ~~is~~ approved with this request.

6. Deviation from LDC Section 10-415(5) which requires minimum preservation width of 40 feet to allow a minimum preserve width of eight feet.

Recommendation:
Staff supports the granting of this request to a width of 8 feet as provided for in Condition 9.

7. Deviation from LDC Section 34-2015(2)(d) and 34-213(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.

   Recommendation:
   Development Services staff has recommended approval of this request. They find the low traffic volumes and travel speeds will enhance the achievement of the planned development and is not expected to adversely impact the public health, safety, and welfare. This approval is subject to Condition 7.

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

   Recommendation:
   Staff offers no objection to the granting of this request, subject to Condition 8.

Exhibits:
A. Master Concept Plan
B. Schedule of Uses
C. Property Development Regulations