PAVESE LAW FIRM

KATHLEEN OPPENHEIMER BERKEY, AICP
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1833 Hendry Street, Fort Myers, Florida 33901 | P.O. Drawer 1507, Fort Myers, Florida 33902-1507 | (239) 334-2195 | Fax (239) 332-2243

April 4, 2017

Via E-mail (JLeatherman@leegov.com), Hand Delivery, and Certified Mail

Jessica K. Leatherman, Planner
Lee County Community Development Department
1500 Monroe Street
Fort Myers, FL 33901

Re: Case Nos.: SEZ2017-00003, VIO2017-05015, and COP2017-00053
Olde Hickory Golf & Country Club
14670 Old Hickory Boulevard, Fort Myers, FL 33912
STRAP No.: 27-45-25-02-0000D.00CE
Consumption on Premises Outside Clubhouse
Our File No.: 91874.001

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APR 04 2017
COMMUNITY DEVELOPMENT

Dear Ms. Leatherman:

As you are aware, my office represents a resident in the above referenced community. My client and others are deeply troubled by the submittal of an application for a special exception (SEZ2017-00003) to Lee County for outside seating alcohol consumption by the Olde Hickory Golf & Country Club (the "Club") pool at 14670 Old Hickory Boulevard, Fort Myers, FL 33912 (the "Property"), and also the recent issuance of a temporary alcoholic beverage permit (COP2017-00053) for same. Issuing the temporary permit for poolside alcoholic beverage service and proceeding with the special exception application for Consumption on Premises (COP) violates the Club's zoning approval, as it only permits COP *within* the clubhouse. In addition, the Club's general manager, Peter Tschernitz, who submitted the SEZ2017-00003 and COP2017-00053 applications on the Club's behalf, is not duly authorized by the Club's members to even make these applications.

By way of background, the Club has operates a commercial poolside bar outside of its clubhouse several days a month, which has been the source of much disturbance to the neighboring residents in the community for quite some time. At advertised events, alcohol is sold to attendees and the pool bar structure and awning are not removed between events, making it a semi-permanent, commercial bar operating without COP approval or a permit. The bar surrounds the poolside rinse shower, required by the Section 424.1.6.2 of the Florida Building Code, entirely restricting its use. Further, an extension cord is customarily draped over the rinse showerhead and runs haphazardly to the bar. The bar is also so closely located to the hot tub it prohibits the safe ingress and egress to and from the hot tub using the handrail. These aspects of the poolside bar alone pose hazards to public safety.

On March 27, 2017, code enforcement opened Case No. VIO2017-05015 and sent a notice of violation to the Club on March 31, 2017 for the Club offering alcoholic beverages outside the clubhouse

SEZ 2017-00003

without the required COP approval. Please find my prior correspondence to Paula Hunter in Code Enforcement related to this matter enclosed herein as Exhibit "A", which include photographs of the poolside bar and copies of the Club's calendar for January, February, and March 2017. These calendars reflect that the "Olde Hickory Pool House Bar & Grill" was and continues to be open for outdoor alcoholic beverage service at least 30 times a season. The next advertised event to offer alcoholic beverages poolside is today, April 4th, from 3:00 – 8:00 P.M.

It appears that the Club filed for a temporary alcoholic beverage permit (COP2017-00053) on March 30, 2017 as a result of the open code enforcement case. The special exception case (SEZ2017-00003) is scheduled to be heard by the Hearing Examiner on May 3, 2017. However, there are two chief reasons why the above referenced special exception and temporary permit applications should be deemed insufficient or disallowed entirely that I urge you to consider:

1. *The Club's General Manager Did Not and Does Not Have Full Authority to Secure the Requested Special Exception or Temporary Alcoholic Beverage Permit Approval*

Section 34-202(b)(1)b, Lee County Land Development Code (LDC), requires the applicant for any action needing a public hearing to sign a statement, under oath, that he is the owner or the authorized representative of the owner of the property subject to the public hearing application and that he has full authority to secure the requested approval. While the Club's general manager executed the County's required Affidavit of Authorization form as part of the special exception application (enclosed herein as Exhibit "B"), he did not have the necessary authorization from the Club's members at the time the application was filed with the County (January 17, 2017). Similarly, Section 5 of the Florida Division of Alcoholic Beverages and Tobacco Application for Extension or Amended Sketch of Licensed Premises, submitted as part of the temporary beverage permit application (COP2017-00053), requires the applicant to "…swear or affirm that [he is] duly authorized to make the above and foregoing application…" under oath. While the Club's general manager executed the required Affidavit of Applicant form as part of the temporary beverage permit application (enclosed herein as Exhibit "C"), he did not have the necessary authorization from the Club's members at the time this application was filed with the County (March 30, 2017). As of the date of this letter, the general manager *still* does not have the required authorization to file either application.

Preliminarily, the Olde Hickory Golf and Country Club subdivision plat, as recorded in Plat Book 48 at Page 89 in the Public Records of Lee County and enclosed herein as Exhibit "D" (the "Plat"), identifies the Property as Golf Course Tract "F" (for Future Development) (*see* Sheets 22 and 25 where highlighted). It appears from reviewing the Public Records without conducting a title search that the Club acquired the Property from the Developer, US Home Corporation, on September 10, 1997 (*see* Special Warranty Deed enclosed herein as Exhibit "E"). Section 1.7 of the Second Amended and Restated Declaration of Covenants, Conditions and Restrictions for the Olde Hickory Golf & Country Club (the "Club Declaration"), recorded at Instrument No. 2014000090440 in the Public Records of Lee County, defines all real property and improvements owned by or dedicated to the Club for the use and benefit of some or all of its members as "Common Area." Accordingly, the Club pool deck is Common Area property.

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Section 7.2 of the Club Declaration then provides in pertinent part as follows:

> There shall be no material alterations of or substantial additions to the Common Areas requiring the expenditure of more than Two Hundred Thousand Dollars ($200,000.00) in the aggregate during any fiscal year unless first approved by two-thirds (2/3rds) of the Voting Interests of the Club present, in person or by proxy, and voting at a duly called meeting of the Club at which a quorum has been obtained.

The Club estimates the cost of the proposed project will be $800,000.00, as reflected in the presentation from the Michael White, the immediate past Vice President of the Club's Board of Directors, to the members enclosed herein as Exhibit "F" (the "Member Presentation").

Accordingly, the Club's proposed improvements and change in use, which will perceptively change the Common Area pool deck's use and appearance from its original design or plan and is estimated to cost well over $200,000.00, requires approval by two-thirds (2/3rds) of the voting interests of the Club present, in person or by proxy, and voting at a duly called meeting of the Club at which a quorum has been obtained. The necessary membership approval threshold to proceed was recognized in the Member Presentation and was given several times prior to the date the subject applications were filed with Lee County.

The first and only membership vote on the proposed pool bar/cabana took place on March 20, 2017 at the Club's annual meeting. The draft minutes from this meeting, enclosed herein as Exhibit "G", indicate that a quorum was obtained and 424 members were present in person or by proxy. Accordingly, at least 283 members (or two-thirds (2/3rds) of the Club's voting interest present, in person or by proxy) had to vote to approve the proposed pool bar/cabana for the Club to proceed. However, only 186 members (or approximately forty-four percent (44%) of the members voting in person or by proxy) voted in favor of the proposal and it did not pass. Accordingly, the Club's general manager does not have the required authority to secure the requested special exception or temporary permit approvals for the proposed use, nor did he at the time the original applications were filed, and the applications should be disallowed entirely or deemed insufficient until such time as the necessary membership approval is obtained.

2. *The Master Concept Plan (MCP) for the Property Must First Be Amended to Permit the Proposed COP Use*

While Section 34-1264(a)(3), LDC, generally allows COP for other uses within a Residential Planning Development (RPD) with special exception or administrative approval, it is important to be aware that Section 2 of the Zoning Resolution No. Z-87-237 (enclosed herein as Exhibit "H"), which originally rezoned the Property from agricultural (AG-2) to RPD, outlines the permitted uses and specifically limits COP to "within the Clubhouse" only. The list of permitted recreational facilities also only includes pools and cabanas that are non-commercial in nature. The resolution adds "[a]ny additional uses not listed herein shall be reviewed as an amendment to the Master Concept Plan." To date, no amendments to the Master Concept Plan have been sought or approved that would allow commercial COP *outside* the clubhouse building. Accordingly, the Club's operation of a commercial poolside bar is in violation of its underlying zoning approval until such time as the Master Concept Plan for the Property is amended.

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In light of the foregoing, this letter shall serve as our request that you find the special exception and temporary permit applications insufficient or disallow them entirely until such time as the Club obtains the requisite membership vote under its governing documents and the Master Concept Plan is amended to allow COP outside the clubhouse. Should you have any questions or need additional information to facilitate your investigation, please do not hesitate to contact me. Thank you for your consideration.

Very truly yours,

Kathleen O. Berkey

Kathleen O. Berkey

KOB/sbm
Enclosures (as indicated)

Cc: Client (*via e-mail*)
John Fredyma, Esq., Senior Assistant County Attorney (*jfredyma@leegov.com*)
Audra Ennis, Zoning Manager (*aennis@leegov.com*)
David M. Loveland, AICP, Community Development Director (*dloveland@leegov.com*)
Paula Hunter, Code Enforcement Officer (*phunter@leegov.com*)

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Certified Article Number
9314 8699 0430 0032 4110 76
SENDERS RECORD

March 28, 2017

Via Certified Mail/Return Receipt Requested and E-mail (PHunter@leegov.com)

Ms. Paula Hunter, Code Enforcement Officer
Lee County Code Enforcement
1500 Monroe Street
Fort Myers, FL 33901

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APR 04 2017
COMMUNITY DEVELOPMENT

Re: Case No.: VIO2017-05015
Continuing Violation at Old Hickory Golf & Country Club
14670 Old Hickory Boulevard, Fort Myers, FL 33912
STRAP No.: 27-45-25-02-0000D.00CE
Our File No.: 91874.001

SEZ 2017-00003

Dear Ms. Hunter:

The Olde Hickory Golf & Country Club (the "Club") at the above referenced property operates a commercial pool-side bar outside of its Clubhouse several days a week, which has been the source of much disturbance to the neighboring residents in the community for quite some time. An extension cord is customarily draped over the required pool-side shower to the bar and the bar is so closely located to the hot tub it encroaches upon the safe ingress/egress from the hot tub using the handrail. Both of these aspects of the pool-side bar alone pose hazards to public safety. I have enclosed photographs taken on March 25, 2017 of the pool-side bar for reference. Enclosed please also find copies of the Club's calendar for January, February, and March 2017 reflecting that the "Olde Hickory Pool House Bar & Grill" was and is open (*e.g.*, January 12, 20, 23, and 25, 2017; February 8, 14, 23, and 25, 2017; March 1, 2, 9, 10, 17, 18, 21, and 28, 2017; and April 4, 8, and 13, 2017). An e-mail dated March 27, 2017 was also sent from Bryan Rosich, Clubhouse Manager, to the Club members (enclosed) advising them that the pool-side bar will be serving food and alcoholic beverages today, March 28th, from 3:00 – 8:00 P.M.

In addition, Section 2 of the zoning resolution which originally rezoned the Club property from agricultural (AG-2) to Residential Planned Development (RPD), Z-87-237 (enclosed), outlines the permitted uses and limits consumption on premises *within the Clubhouse*. The list of permitted recreational facilities also only includes pools and cabanas that are non-commercial in nature. The resolution adds "[a]ny additional uses not listed herein shall be reviewed as an amendment to the Master Concept Plan." To date, no amendments to the Master Concept Plan have been sought or approved that would allow consumption on the premises *outside* the Clubhouse building. Accordingly, beyond any

EXHIBIT
tabbies
A

nuisance or dangers posed by the pool-side bar structure itself and use thereof, the Club's operation of a commercial pool-side bar is in violation of its underlying zoning approval.

In light of the foregoing, this letter shall serve to put you on notice of this continuing violation of the Club's underlying zoning approval, and perhaps the Florida Building Code, and as our request for Code Enforcement inspect the property today, March 28th, sometime between 3:00 and 4:30 P.M. during the advertised pool-side food and alcoholic beverage service. Should you have any questions or need additional information to facilitate your investigation, please do not hesitate to contact me.

Very truly yours,

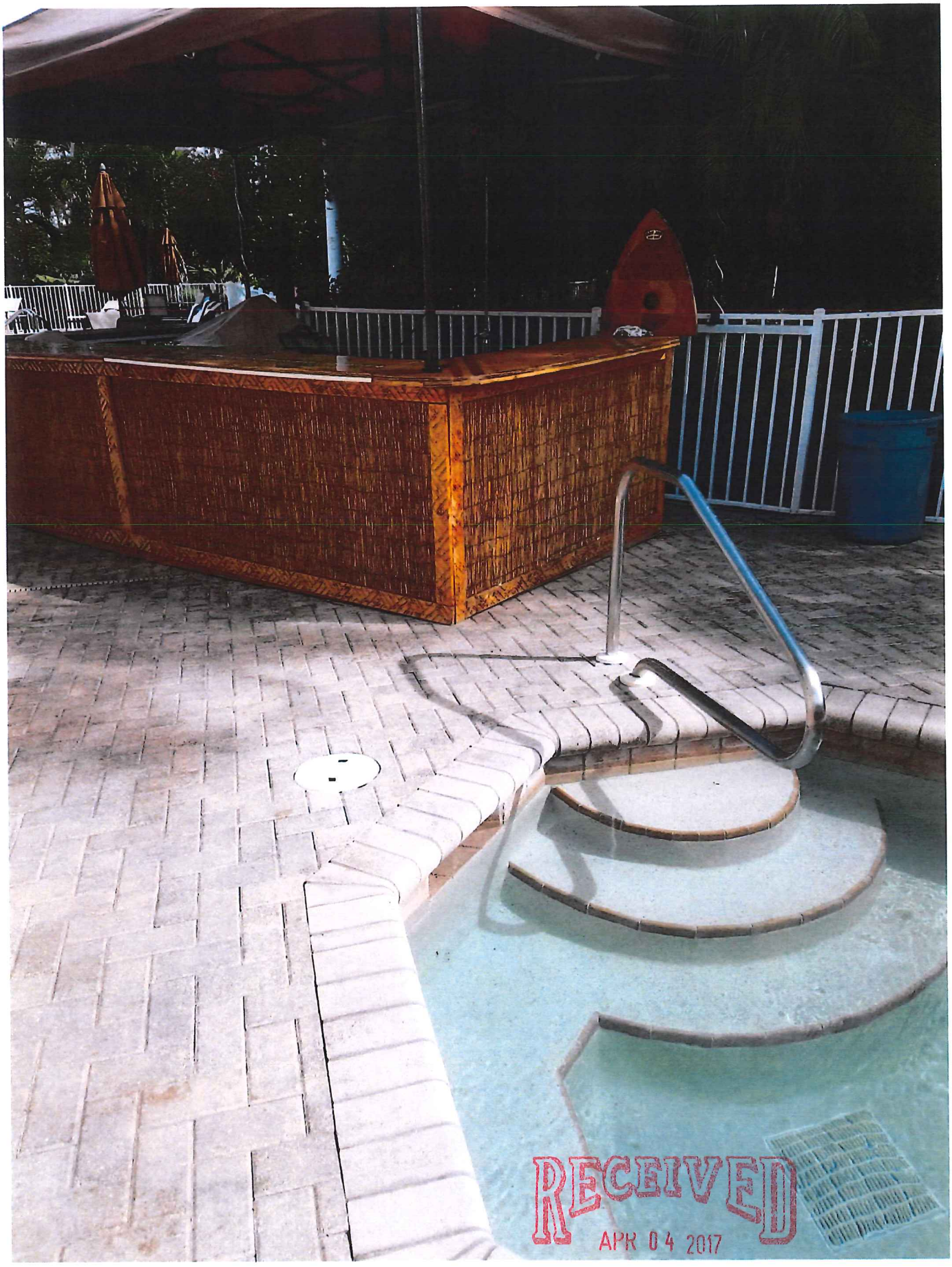
Kathleen O. Berkey

Kathleen O. Berkey

KOB/sbm
Enclosures (as indicated)

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January



SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
...lary Open ...gun *Clubhouse* *...ter Event*	2	3 NHWGA AM Tee Times WGA PM Tee Times	4	5 MGA 8AM Shotgun & Luncheon Ladies' Bridge 8:45AM	6	7 Wine & Dine 6PM
	9 Fitness Center Orientation 9am Birthday Bash 5PM Bingo 7PM	10 WGA 8AM Shotgun & Luncheon NHWGA PM Tee Times Villas I Dinner 6PM	11 HOA II Dinner 6:30PM Florida Everblades Ice Hockey Game 7:30PM	12 Ladies' Bridge 8:45AM Book Club 1PM MGA Member-Guest 1PM Shotgun & Dinner Pool House Bar & Grille 3-8PM	13 Interclub Bridge 9AM Fish Fry Friday 5-8PM	14
...pen ...on & Dinner	16 ForeTees Orientation 10AM **Master Board Meeting** **Hickory Court 7PM**	17 WGA AM Tee Times NHWGA PM Tee Times Gourmet Burger Bar 5-8PM	18	19 MGA AM Tee Times Ladies' Bridge 8:45AM Villas II & III Dinner 6:30PM	20 Vooter's 1PM Shotgun & Dinner Pool House Bar & Grille 3-8PM	21 HOA I PM Tee Times, Dinner & Annual Mtg. Couples Bridge 5:30PM
	23 ...adies' Fashion Show ...Luncheon 11AM ...ool House Bar ...Grille 11AM-3PM	24 WGA AM Tee Times NHWGA PM Tee Times	25 Seafood Buffet 5-8PM Pool House Bar & Grille 3-8PM	26 MGA AM Tee Times Ladies' Bridge 8:45AM	27	28 Couples Bridge 5:30PM Canadian Open PM Tee Times & Dinner
	30 ...ingo 7PM ...ard Rock Seminole ...asino Trip	31 WGA Member-Member 8AM Shotgun Round 1 *Course Closed All Day*		**Legend** Golf Events= Green Dining Events = Red Social Events = Blue Other = Black	**Tennis** **Women's Open Play** Monday & Thursday 8:30AM **Men's Open Play** **& Mixed Doubles** Sunday 2:00PM	**Pickleball** **All Members Open Play** Monday - Saturday 9:00AM - 12:00PM *Times are subject to change*

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February

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
			1 WGA Member-Member 8AM Shotgun Round 2 *2PM Open Play for All Members*	2 MGA 8AM Shotgun & Luncheon Ladies' Bridge 8:45AM NHWGA PM Tee Times Book Club 1PM Wine & Dine 6PM	3	4 Couples Bridge 5:30PM Villas I PM Tee Times & Dinner 6PM
5 Super Bowl Party 6PM	6 Fitness Center Orientation 9am Wine & Canvas 1PM	7 NHWGA Member-Member AM Tee Times & Lunch WGA PM Tee Times HOA II Dinner 6:30PM	8 Gourmet Buffet 5-8PM Pool House Bar & Grille 3-8PM	9 MGA AM Tee Times Ladies' Bridge 8:45AM	10 Club Championship AM Tee Times	11 Club Championship PM Tee Times & Champions Dinner Pool House Bar & Grille 3-8PM
12	13 Bingo 7PM	14 WGA 8AM Shotgun & Luncheon NHWGA PM Tee Times Valentine's Day 6PM Pool House Bar & Grille 3-8PM	15	16 MGA AM Tee Times Ladies' Bridge 8:45AM Ringling Museum Day Trip	17	18 New York Open PM Tee Times & Dinner Annual Pickleball Tournament 11AM Couples Bridge 5:30PM
19 Verandas I-II-III 1PM Shotgun & Dinner	20 **Master Board Meeting Hickory Court 7PM**	21 NHWGA AM Tee Times WGA Member-Guest 1PM Shotgun & Dinner	22 HOA I Dinner 6:30PM	23 MGA AM Tee Times Ladies' Bridge 8:45AM Villas II & III Annual Meeting 3PM Greek Night 5-8PM Pool Bar & Grille 3-8PM	24	25 Villas II-III Duffer's Open 1PM Shotgun & Dinner Pool House Bar & Grille 3-8PM
26 Olde Hickory's 2nd Annual Outdoor Festival 2PM	27 Bingo 7PM	28 WGA AM Tee Times NHWGA PM Tee Times Fat Tuesday All-You-Can-Eat 5-8PM		**Legend** Golf Events= Green Dining Events = Red Social Events = Blue Other = Black	**Tennis** **Women's Open Play** Monday & Thursday 8:30AM **Men's Open Play & Mixed Doubles** Sunday 2:00PM	**Pickleball** **All Members Open Play** Monday - Saturday 9:00AM - 12:00PM *Times are subject to change









March



SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Tennis **Women's Open Play** Monday & Thursday 8:30AM **Men's Open Play** **& Mixed Doubles** Sunday 2:00PM	**Pickleball** **All Members Open Play** Monday - Saturday 9:00AM - 12:00PM *Times are subject to change	**Legend** Golf Events= Green Dining Events = Red Social Events = Blue Other = Black	1 Comedy Night 5:30PM Pool House Bar & Grille 3-8PM	2 Ladies' Bridge 8:45AM Book Club 1PM Pool House Bar & Grille 3-8PM *(Dining Room Closed)*	3 Wine & Canvas 1PM *Course Closed All Day*	4 MGA Awards Dinner *(Dining Room Closed)*
5	6 Fitness Center Orientation 9am Verandas I-II-III Annual Meeting 3PM **Meet the Candidates** **Hickory Court 7PM**	7 NHWGA Member-Guest 9AM Shotgun & Lunch WGA PM Tee Times	8 Wine & Dine 6PM	9 MGA AM Tee Times Ladies' Bridge 8:45AM Verandas I-II-II Dinner Dance 6PM Pool House Bar & Grille 3-8PM	10 Seafood Buffet 5-8PM Pool House Bar & Grille 3-8PM	11 Couples Bridge 5:30PM
12 *Daylight Savings Begins* HOA II PM Tee Times. Dinner & Annual Mtg. Net Sports Social 2PM	13 DONATE Blood Drive 10AM-2PM Bingo 7PM	14 WGA 8AM Shotgun & Luncheon Fundraiser "No One Fights Alone" NHWGA PM Tee Times Villas I Dinner 6PM	15 HOA I Dinner 6:30PM	16 Men's Interclub 8AM Shotgun & Lunch Ladies' Bridge 8:45AM MGA 1PM Shotgun	17 St. Patrick's Day Dinner Dance 6PM Pool House Bar & Grille 3-8PM	18 Couples Member-Guest 1PM Shotgun & Dinner Pool House Bar & Grille 3-8PM
19 Verandas IV-V-VI 1PM Shotgun & Dinner	20 **Master Association** **Annual Meeting** **Hickory Court 3PM**	21 WGA President's Cup AM Tee Times Round 1 NHWGA PM Tee Times Chop House Night 5PM Pool House Bar & Grille 3-8PM	22	23 MGA President's Cup AM Tee Times Round 1 Ladies' Bridge 8:45AM Villas II & III Dinner 6:30PM	24 MGA President's Cup AM Tee Times Round 2	25 MGA President's Cup AM Tee Times Round 3 HOA III Tee Times, Dinner & Annual Meeting 5:30PM
26	27 Bingo 7PM	28 WGA President's Cup AM Tee Times Round 2 NHWGA PM Tee Times Recognition Ball 6PM Pool House Bar & Grille 3-8PM	29 WGA President's Cup AM Tee Times Final Round	30 MGA 8AM Shotgun Ladies' Bridge 8:45AM NHWGA Duke & Duchess 1PM Shotgun	31	

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April

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Tennis **Women's Open Play** Monday & Thursday 8:30AM **Men's Open Play** **& Mixed Doubles** Sunday 2:00PM	**Pickleball** **All Members Open Play** Monday - Saturday 9:00AM - 12:00PM *Times are subject to change	**Legend** Golf Events= Green Dining Events = Red Social Events = Blue Other = Black	SPRING			1 Tour of Italy 5-8PM Couples Bridge 5:30PM
2	3 Fitness Center Orientation 9am Wine & Canvas 1PM	4 WGA AM Tee Times & Closing Dinner NHWGA PM Tee Times Pool House Bar & Grille 3-8PM	5 Villas I Dinner 6PM	6 MGA AM Tee Times Ladies' Bridge 8:45AM Book Club 1PM Farewell Party 6PM	7	8 Spring Beautification 1PM Shotgun, Dinner & Raffle Pool House Bar & Grille 3-8PM
9	10 Ladies' Interclub III 8AM Shotgun & Lunch Bingo 7PM	11 WGA AM Tee Times NHWGA AM Tee Times & Closing Luncheon	12 HOA I Dinner 6:30PM	13 Ladies' Bridge 8:45AM MGA 1 PM Shotgun & Closing Dinner Pool House Bar & Grille 3-8PM	14 Fish Fry Friday 5-8PM	15
16 Easter Brunch 12-4PM	17 **Master Board Meeting Hickory Court 7PM**	18 WGA AM Tee Times NHWGA AM Tee Times Nine & Dine 4PM Wine & Dine 6PM	19 Hole-In-One Party 5PM	20 MGA AM Tee Times Ladies' Bridge 8:45AM Villas II & III Dinner 6:30PM	21 Home Sweet Home 5-8PM	22
23 / 30	24 Birthday Bash 5PM Bingo 7PM	25 WGA AM Tee Times NHWGA AM Tee Times	26	27 MGA AM Tee Times Ladies' Bridge 8:45AM	28	29





From: "Olde Hickory Golf & Country Club" <foodandbev@oldehickory.cc>
Date: March 27, 2017 at 5:01:49 PM EDT
Subject: Weekly Dinner Specials - March 28 - April 1



Weekly Dinner Specials

Dear Member,

Who would believe we are nearing the end of March and some of our family, friends and neighbors are starting to head North. Should you be departing us, thank you for your support this season and we wish you safe travels.

For those of you who are still here at Olde Hickory, we have plenty of events ahead of us that will not disappoint. If you are not joining us tomorrow evening [March 28, 2017] for our 2017 Recognition Ball, join us at the Master Pool with your neighbors and friends for a light fare menu and cocktails.

If you enjoy Authentic Italian cuisine, this Saturday evening will be a night to remember as Chef Werner and his culinary team will be taking you on a Tour of Italy. If you have not made reservations yet, you may do so on Foretees or by calling the Club at 239.768.2400 extension 211. The menu is below for your viewing pleasure.

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Dinner Specials at Olde Hickory

TUESDAY, MARCH 28

Recognition Ball ~ Clubhouse closes at 3:00 P.M.

Olde Hickory Pool House Bar & Grill ~ Open from 3:00 P.M. - 8:00 P.M.

WEDNESDAY, MARCH 29

Stuffed Cabbage

Stuffed with ground beef and braised in red sauce
Petite 13 ~ Regular 16

Penne ala Vodka

Penne tossed in a pink vodka sauce with grilled shrimp, mushrooms and roasted peppers, served with garlic bread 18

THURSDAY, MARCH 30

Black Angus Short Ribs

Slowly braised for twenty four hours in a red wine sauce with pearl onions, celery and carrots
Petite 17 ~ Regular 23

Lightly Beer Battered Haddock

Golden fried, served with steak fires, cole slaw, tartar sauce and fresh lemon wedge 19

FRIDAY, MARCH 31

Duo Carving Station

Slow Roasted Australian Wagyu Beef

Served with a brandy peppercorn sauce 26

Roasted Rack of Lamb

Served with a Rosemary demi glaze and mint jelly 26

Champagne Shrimp and Scallops

Pan seared shrimp and scallops with jumbo lump crab meat, mushrooms and roasted bell peppers, served over angel hair in a champagne cream sauce 24

SATURDAY, APRIL 1

Tour of Italy

Salad and Antipasti Bar
Served garlic bread and olive ciabatta ~ Garlic herb marinated vegetables
Tomato Mozzarella and Prosciutto ~ Cheese tortellini salad

Entrees

Linguini pasta pescatore, spicy marinara sauce, mussels, clams and calamari
Veal saltimbocca with fresh sage and prosciutto over saffron risotto
Mini veal osso bucco with herb polenta cakes
Pan seared Bronzini with pesto, pine nuts and roasted tomatoes

Fresh made pizza

Four cheese, meat lovers or vegetable pizza

Dessert

Tiramisu, cannoli's, ricotta cheese cake or lemoncello cake

$25.00 ++ per person

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Best regards,
Bryan

Bryan Rosich
Clubhouse Manager
Olde Hickory Golf & Country Club
14670 Olde Hickory Blvd.
Ft. Myers, FL 33912
Phone: 239.768.2400 Ext. 210
Fax: 239.768.9797
foodandbev@oldehickory.cc





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33.00
$5.00 BILLED

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS

2603438

OF LEE COUNTY, FLORIDA

OR2050

PG1081

WHEREAS, Donald Frankel, et al have been properly filed an application on a project known as The Old Hickory Club for:

Rezoning from AG-2 to Residential Planned Development, to permit a residential development with a maximum of 858 conventional single-family, zero lot line and Golfside Villas and multi-family condominium units with buildings not to exceed 45 feet in height on 313.3 total acres of land. The proposed development will also include a country club, golf course, driving range, putting green, pro shop, private clubhouse (with food and beverage service), consumption-on-premises (COP), tennis courts, swimming pool, other non-commercial recreational facilities, accessory uses, administrative office, speciality retail shops, real estate sales office, models, signs, entrance gates, gatehouses, sewage treatment plant, maintenance building, lakes and environmentally sensitive preserve areas.

NOTE: If approved the Master Concept Plan will deviate from the following Lee County standards:

(1) Minimum setback between structures and a section line of 75 feet (202.15.B.3.a.), to 20 feet for the north/south line between Sections 27 and 28 as well as the east/west line between Sections 22 and 27;

(2) Minimum setback between structures and a quarter section line of 60 feet (202.15.B.3.b.), to 0 feet for the east/west line in Section 27;

(3) Maximum depth for a water retention excavation of 12 feet (518.B.), to 20 feet;

(4) Minimum water retention excavation setbacks to a quarter section line of 60 feet (518.C.2), to 0 feet for the east/west line in Section 27;

(5) Minimum water retention excavation setbacks to a street right-of-way of 150 feet (518.C.4.), to 50 feet;

(6) Requirement that the banks for a water retention excavation shall be sloped at a ratio not greater than 6:1 to a water depth of 4 feet below the dry season water table (518.D.), to 4:1;

(7) Withdrawn;

(8) Withdrawn;

(9) Requirement that along local streets, residential developments (those other than individual lots for single and/or two family dwellings units), shall provide a minimum buffer Type "B" [DSO C.5.d.(6)(b)(ii)], to no buffer along local streets within the bounds of the unified development;

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SEZ 2017-00003

(10) Minimum setback for roads shown on the Official Trafficways Map, but do not appear on the Lee County Circulation Plan Map of such a size as set forth in Section 202.15.B.2. of the Lee County Zoning Regulations, measured from the applicable centerline of the right-of-way, the width of which shall be shown on the Official Trafficways Map (per Section C.3.m.(2)(a) of the Lee County Development Standards Ordinance) to:

a) Reduce to zero the setback from the proposed 100 foot north/south collector shown on the Official Trafficways Map along the eastern boundary of the subject property.

b) Relocate the proposed 100 foot east/west collector shown on the Official Trafficways Map which runs across the subject property and allow the applicant to provide for that alignment along the southernmost part of the property based upon DOT&E determination.

c) Reduce the setback by 40 feet along the proposed collector shown on the Official Trafficways Map along the northern boundary of the subject property.

d) Reduce the width of the right-of-way proposed for Palomino Road shown on the Official Trafficways Map from 200 feet to 150 feet;

(11) Minimum building setback from the centerline of an arterial street without a frontage road of ½ the right-of-way plus 50 feet (202.15.B.2.a.) to a setback of ½ the right-of-way plus 20 feet along Palomino Road;

(12) Minimum building setback from the centerline of a 35 foot private roadway easement of ½ the right-of-way plus 20 feet (202.15.B.2.a.) to a setback of ½ the right-of-way plus 15 feet for zero lot line units only;

(13) Minimum building separation for the attached villa housing of 10 feet from the building on the side opposite the zero setback line (431.C.b.[2]) to 0 feet for the 2 interior units; therefore allowing the land on which the attached villas are constructed to be sold as individual lots;

(14) Minimum building separation for the detached zero lot line housing of 10 feet from the building opposite the zero setback line (431.C.2.b.[2]) to 0 feet from both lot lines with a minimum 5 foot separations between buildings;

(15) Minimum rear setback of 20 feet (434.01.B.2.) to 5 feet for zero lot line housing only;

(16) Minimum 20 foot drainage maintenance right-of-way to be provided along lakes (DSO C.4.b.) to a 20 foot drainage maintenance easement which will be included as part of the lot; and

(17) Maximum reduction of any parameter of intensity (i.e. the number of dwelling units or density rate) of 10 percent that may be approved administratively as a minor change by the Department Director (804.03.H.2.a.) to a reduction of 65 percent.

WHEREAS, the subject property is located on the east side of Palomino Road approximately 1/2 mile south of Daniels Road, described more particularly as:

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LEGAL DESCRIPTION: In Section 27, Township 45 South, Range 25 East, Lee County, Florida:

The West One Half (W½) of Section 27, Township 45 South, Range 25 East lying in Lee County, Florida.

WHEREAS, the applicant has indicated the property's current STRAP number is 27-45-25-00-00001.0000; and

WHEREAS, proper authorization has been given to Charles Huether, President of Old Hickory Club by James G. Frankel, owner of the subject parcel, and proper authorization has been given to Ink Engineering, Inc. and Pavese, Garner, Haverfield, Dalton, Harrison & Jensen, by Charles Huether, trustee, of the subject property and President of Old Hickory Club, to act as agent to pursue this zoning application; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Planning and Zoning Commission, with full consideration of all the evidence available to the Planning and Zoning Commission; and

WHEREAS, the Lee County Planning and Zoning Commission fully reviewed the matter in a public hearing held on March 7, 1988; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Board of County Commissioners; and

WHEREAS, in the legislative process the Lee County Board of County Commissioners gave full and complete consideration to the recommendations of the staff, the Planning and Zoning Commission, the documents on file with the county, and the testimony of all interested persons.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board of County Commissioners does hereby APPROVE with conditions a rezoning from AG-2 to Residential Planned Development, to permit a residential development with a maximum of 858 conventional single-family, zero lot line and Golfside Villas and multi-family condominium units with buildings not to exceed 45 feet in height on 313.3 total acres of land. The proposed development will also include a country club, golf course, driving range, putting green, pro shop, private clubhouse (with food and beverage service), consumption-on-premises (COP), tennis courts, swimming pool, other non-commercial recreational facilities, accessory uses, administrative office, speciality retail shops, real estate sales office, models, signs, entrance gates, gatehouses, sewage treatment plant, maintenance building, lakes and environmentally sensitive preserve areas.

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Approval is made with the following conditions:

1. The Master Concept Plan is a one-sheet plan titled "OLD HICKORY GOLF AND COUNTRY CLUB," prepared by Ink Engineering, Inc., printed July 25, 1988 and received July 26, 1988, except as modified herein.

2. The schedule of uses is limited to the following:

   Ancillary Commercial Uses, limited to the following:
   - Administrative Offices
   - Consumption on Premises (1) within the Clubhouse
   - Food and Beverage Service, Limited
   - Real Estate Sales Office
   - Specialty Retail Shops, Group I
     (Tennis & Golfing Equipment)

   Club, Private
   Country Club with clubhouse
   858 Dwelling Units with buildings not to exceed 45 feet in height to consist of:
   - conventional multi-family buildings
   - conventional single-family residences
   - Zero lot line units
   - Townhouses

   Entrance Gates
   Essential Services
   Essential Service Facility - Groups I and II
   Excavation, Water Retention
   Gatehouse
   Model Homes, Model Units, and Model Display Center
   Modification of Section Line and Street Setbacks as specifically noted in the deviation
   Recreational Facilities, Private
   - 18 Hole Golf Course including maintenance building, cart storage facility, rain shelters
   - Tennis Courts
   - Swimming Pools and Cabanas (2)
   - Picnic Area
   - Golf Driving Range
   - Practice Green
   - Nature Walk
   - Other Similar Non-commercial Facilities

   Residential Accessory Uses
   Signs in compliance with Lee County Sign Ordinance

   Any additional uses not listed herein shall be reviewed as an amendment to the Master Concept Plan.

3. Prior to final plan approval, the Master Concept Plan shall be modified to incorporate revisions to the schedule of uses and deviations as contained in these conditions.

4. Approval of this request does not exempt the applicant from compliance with all other Zoning and Development Review regulations, except for those specifically noted herein.

5. The developer shall bear the sole responsibility for the repair and maintenance of the on-site sewage treatment plant. Should the plant be cited for any alleged failure to maintain those minimum operating conditions set forth in applicable permits and licenses, no development orders or permits, as defined in Section 163.3164, Florida Statutes, shall be issued, and no work authorized by then existing, otherwise valid development orders or permits shall be allowed, unless and until the plant is recertified as meeting such minimum operating conditions.

6. To mitigate future hurricane disaster potential and insure compliance with the Lee Plan, the developer shall establish a homeowners' or residents' association to provide an educational program for hurricane preparedness. The program shall consist of annually describing the risks of the hurricane hazards to the residents, as well as the actions to mitigate the dangers which these hazards present.

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In addition, at the completion of development construction or each phase thereof, a development representative shall provide to Lee County Emergency Medical Service a site plan depicting the official street names and building addresses within the development.

Also a development representative shall contact Lee County Emergency Medical Service to discuss the designation of emergency helicopter landing zones and the accessibility of the EMS units.

7. Prior to final development plan approval, the developer shall submit an exotic vegetation removal and maintenance plan. All exotic vegetation located within all environmentally sensitive areas shall be removed. The plan may allow existing melaleuca to remain on site along the perimeter of the property and within the golf course area, subject to the following: The melaleuca along the property perimeter shall be removed at such time as the required planted buffer provides an adequate visual screen or within five years, whichever occurs first.

   The melaleuca located within the golf course area shall be removed at such time as the planted trees attain an average height of 15 feet or within five years, whichever occurs first. The plan shall include maintenance provisions to control the re-invasion of exotic vegetation for a minimum of 3 years after removal. The removal and maintenance plan shall be subject to approval by the Department of Community Development.

8. Prior to final plan approval, the plan shall be revised to designate the Resource Protection Areas and the flow-way area as "Preserve Areas". All crossings through "Preserve Areas" shall be labeled as golf path/bridges. All crossings and roads shall be adequately culverted.

9. Prior to final development order approval, the applicant shall flag and survey the boundaries of the wetland areas and the flow-way located on site subject to approval by the Department of Community Development.

10. Prior to the completion of a sales contract for individual lots or units, the developer shall provide to the prospective buyer notification of current and projected future aircraft noise levels over the proposed development in the form of a deed covenant or a written notice.

11. Prior to final plan approval, the applicant shall modify the Master Concept Plan to show the proper location of the centerline and right-of-way for Palomino Road and the appropriate setbacks. In addition, the exact points of access shall be indicated on the Plan.

12. Notwithstanding the approval of the site plan, no deviation from neighborhood park requirements is granted.

13. Deviations (7) and (8) have been withdrawn. Deviations (2), (4), (9), (10a), (10b), (10c), (12), and (13) are hereby APPROVED. Deviations (6) and (17) are hereby DENIED. Deviation (1) is hereby APPROVED for that portion of the section line between sections 27 and 28 which is not incorporated into the roadway. The remaining section line and that line between sections 22 and 27 are hereby DENIED. Deviation (3) is hereby APPROVED to the confining layer or 20 feet, whichever is less. Deviation (5) is hereby APPROVED to 50 feet for internal roadways only. Deviation (11) is hereby APPROVED to 25 feet for all buildings and structures. Deviation (13) is APPROVED subject to approval by the County Fire Official prior to issuance of a Preliminary Development Order, to ensure adequate fire protection/access. Deviation (14) is hereby APPROVED to 5 feet. Deviation (15) is hereby APPROVED for those units that are adjacent to permanent open space (fairways or recreation areas). Deviation (16) is hereby APPROVED provided no buildings or structures are constructed within this easement. Deviation (10d) has been withdrawn.

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Site Plan 87-237 is attached hereto and incorporated herein by reference, as a reduced copy of the Master Concept Plan.

The following findings of fact were made in conjunction with this approval of Residential Planned Development zoning:

a) The proposed uses are, as limited by the conditions herein, appropriate at the subject location;

b) Sufficient safeguards to the public interest are provided by the recommended conditions to the Master Concept Plan and by other applicable regulations;

c) All conditions found on the Master Concept Plan and recommended by staff are reasonably related to the impacts on the public's interest created by or expected from the proposed development;

d) The deviations being recommended for approval enhance the achievement of the objectives of the planned development; and

e) The general intent of these regulations, to protect the public health, safety, and welfare, is preserved and promoted.

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner John E. Manning, and seconded by Commissioner Bill Fussell and, upon being put to a vote, the result was as follows:

John E. Manning	AYE
Charles L. Bigelow, Jr.	AYE
Mary Ann Wallace	NAY
Bill Fussell	AYE
Donald D. Slisher	AYE

OR2050 PG4086

DULY PASSED AND ADOPTED this 8th day of August, A.D., 1988.

ATTEST:
CHARLIE GREEN, CLERK
BY: Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA
BY: Chairman

FILED
JAN 21 89
CLERK CIRCUIT COURT
BY D.C.

Approved as to form by:
County Attorney's Office

HEARING NUMBER 87-12-7 DCI

RESOLUTION NUMBER Z-87-237
Page 6 of 6

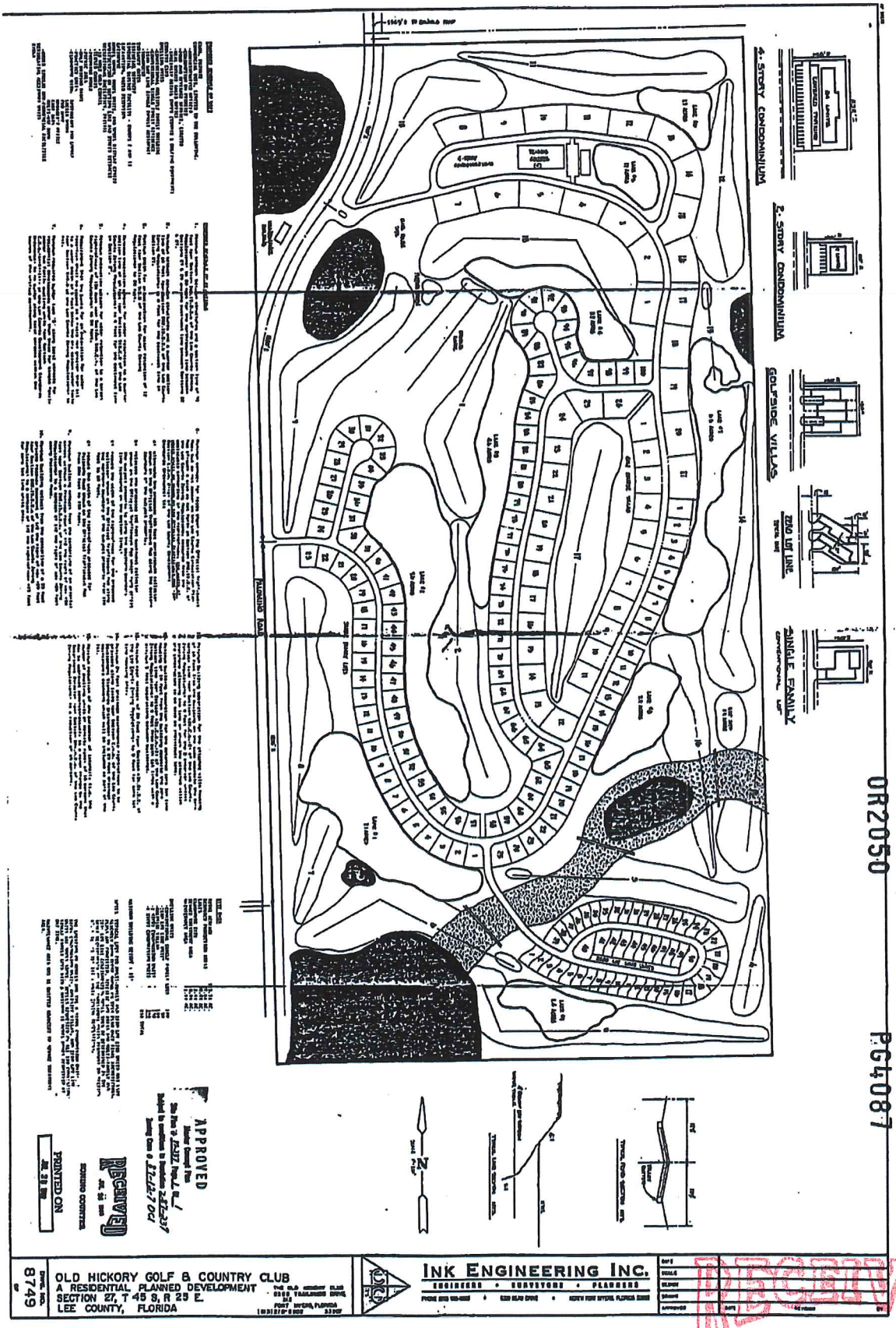
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(5144L/48)

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RECORDED & RECORD VERIFIED
Charlie Green
CLK CIRCUIT COURT

FEB 22 8 43 AM '89



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APR 04 2017
COMMUNITY DEVELOPMENT

SEZ 2017-00003

PAVESE LAW FIRM

KATHLEEN OPPENHEIMER BERKEY, AICP
Attorney at Law and Certified Land Planner
Direct dial: (239) 336-6280
Email: KathleenBerkey@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

March 29, 2017

Via Certified Mail/Return Receipt Requested and E-mail (PHunter@leegov.com)

Ms. Paula Hunter, Code Enforcement Officer
Lee County Code Enforcement
1500 Monroe Street
Fort Myers, FL 33901

Certified Article Number
9314 8699 0430 0032 4742 79
SENDERS RECORD

Re: Case No.: VIO2017-05015
Continuing Violation at Old Hickory Golf & Country Club
14670 Old Hickory Boulevard, Fort Myers, FL 33912
STRAP No.: 27-45-25-02-0000D.00CE
Our File No.: 91874.001

Dear Ms. Hunter:

It was a pleasure speaking with you by phone this morning. As discussed, the Olde Hickory Golf & Country Club (the "Club") at the above referenced property operates a commercial pool-side bar outside of its Clubhouse several days a month. The Club's calendar, which I provided you by e-mail yesterday, indicates that the pool bar is been open and provides commercial alcoholic beverage service about 25 times. However, there is also approximately five (5) local Club dinners and at least one community business promotional dinner, as detailed in the attached e-mail newsletter from the Golf Realty Group dated March 27, 2017, that also utilized the pool bar. Accordingly, the commercial pool bar is in operation at least 30 times per season.

I have enclosed photographs taken on March 28, 2017 while the pool-side bar was in operation during an advertised Club event. I have also enclosed the March 2017 Club newsletter which also advertises the hours of the Pool House Bar & Grille as 3:00 – 8:00 P.M. on select event dates. At these advertised events, alcohol is sold to attendees and the pool bar structure and awning are not usually removed between advertised Club events, making it a semi-permanent, commercial bar operating without Consumption on Premises (COP) approval or a permit.

In light of the foregoing, this letter shall serve as additional documentation to support our original request for action. Should you have any questions or need additional information to facilitate your investigation, please do not hesitate to contact me.

Very truly yours,

Kathleen O. Berkey

KOB/sbm
Enclosures (as indicated)

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4632 VINCENNES BOULEVARD, SUITE 101
CAPE CORAL, FLORIDA 33904
(239) 542-3148

4524 GUN CLUB ROAD, SUITE 203
WEST PALM BEACH, FLORIDA 33415
(561) 471-1366

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From: "Golf Realty Group" <cindyreed123@gmail.com>
Date: March 27, 2017 at 2:44:13 PM EDT
Subject: **Your Golf Realty Group Newsletter Is Here!**



Golf Realty Group Inc would like to thank everyone who came out and supported our first annual Open House Poker Run Extravaganza event. Our goal was to bring more awareness of our wonderful community, Olde Hickory Golf & CC, and all that it has to offer to the outside public. It was a great success and we hope that everyone that participated had a great time. Congratulations Mr & Mrs Acker on winning the top prize 50" smart tv!

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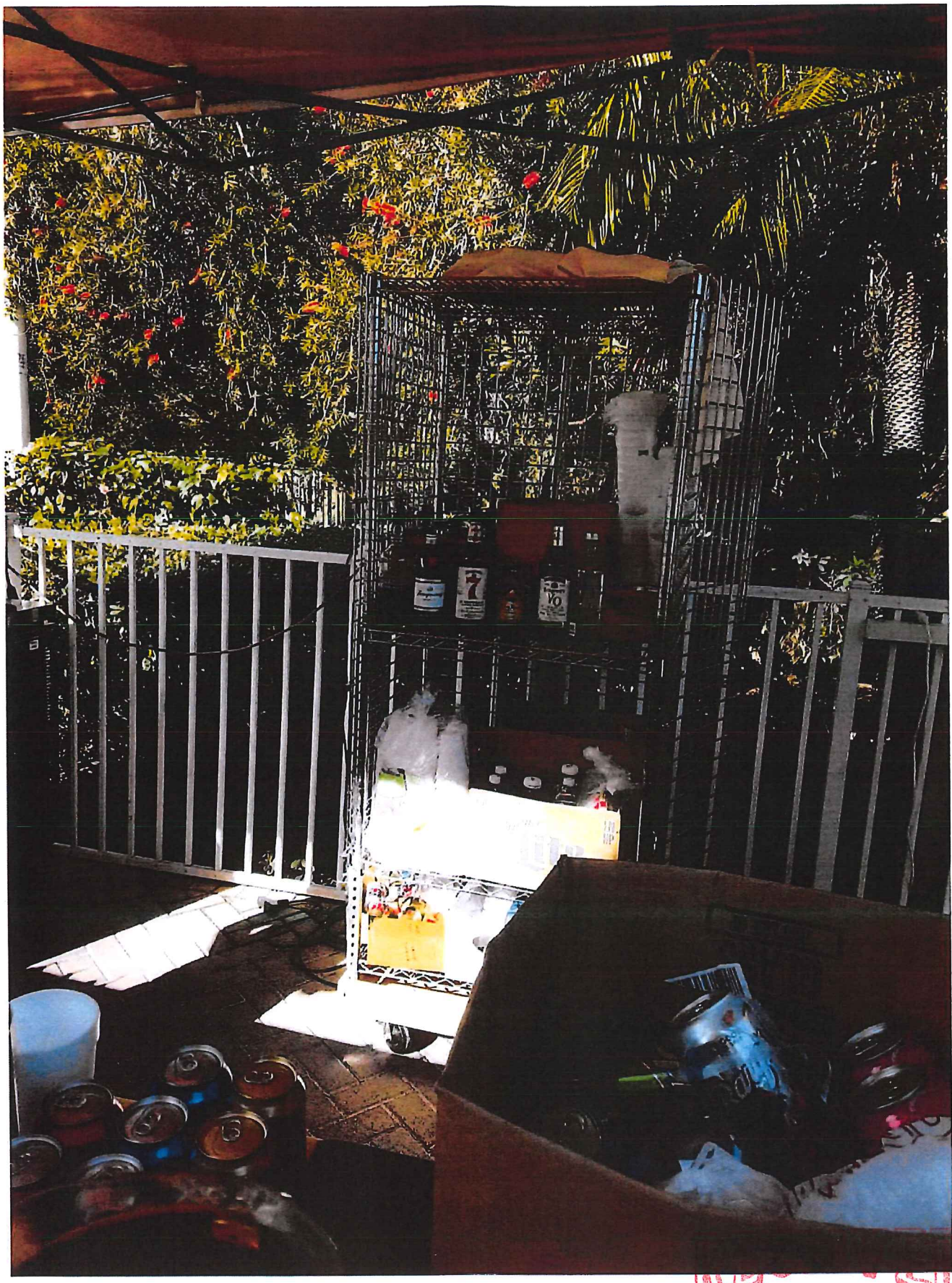
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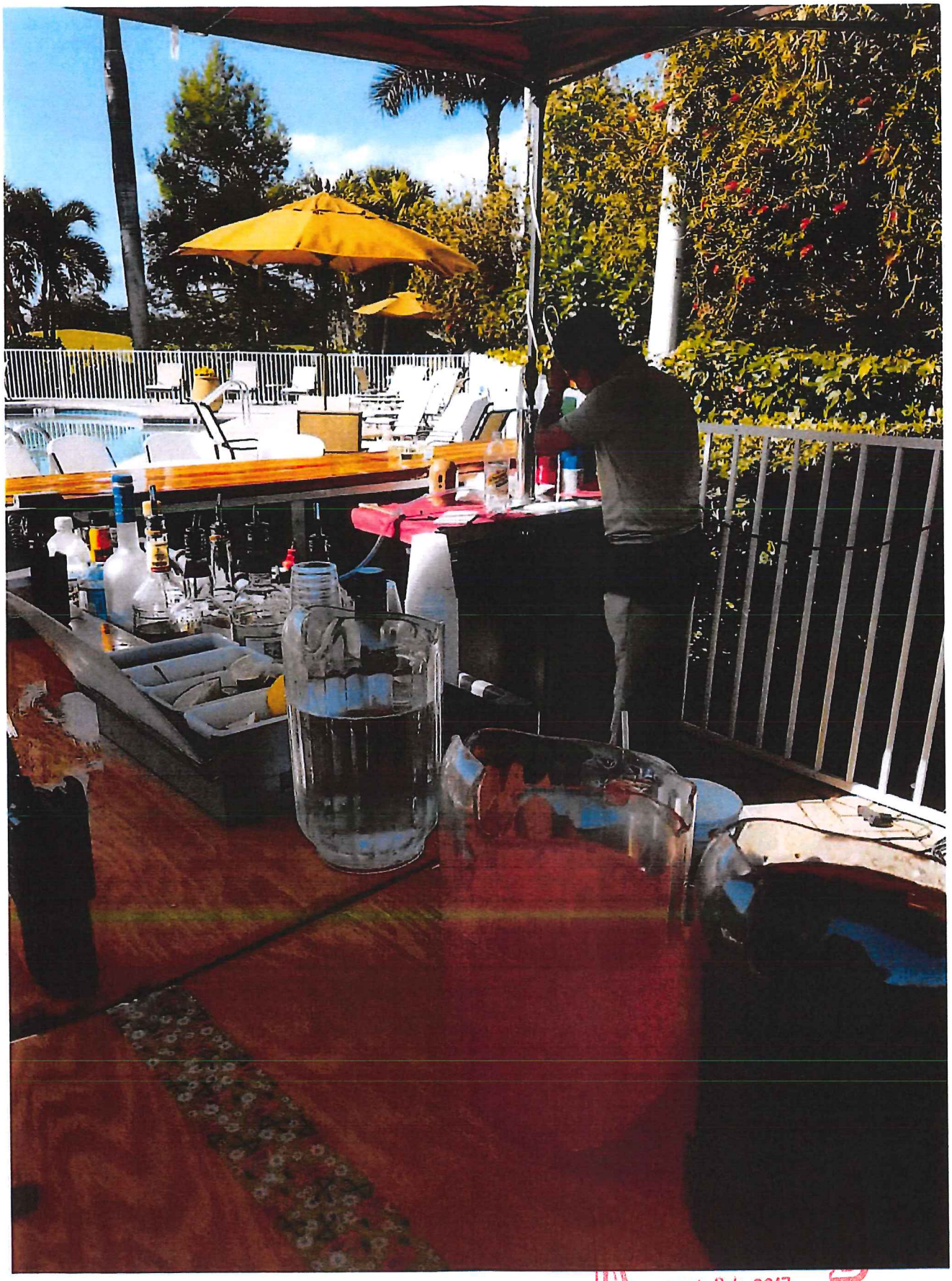
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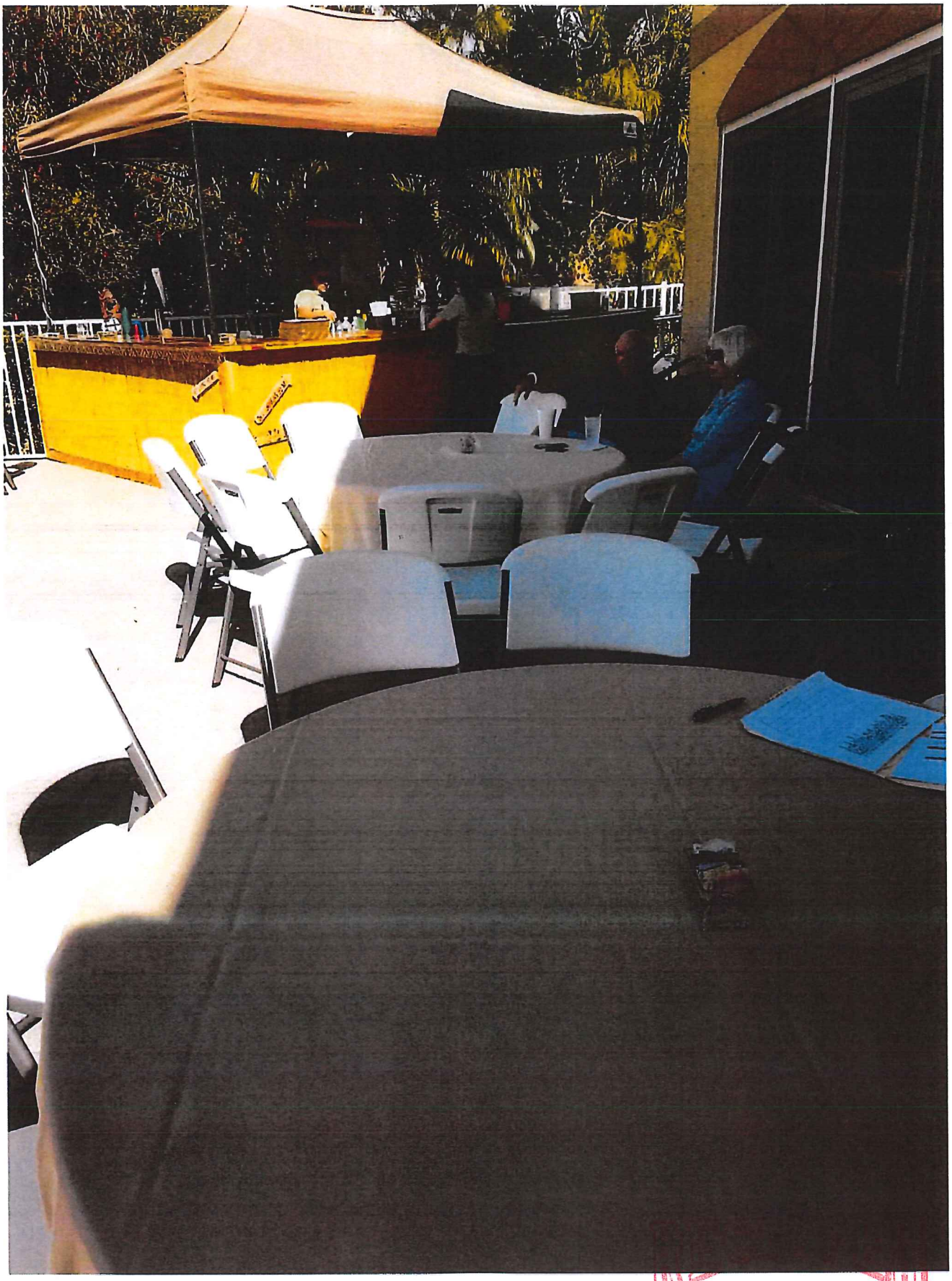
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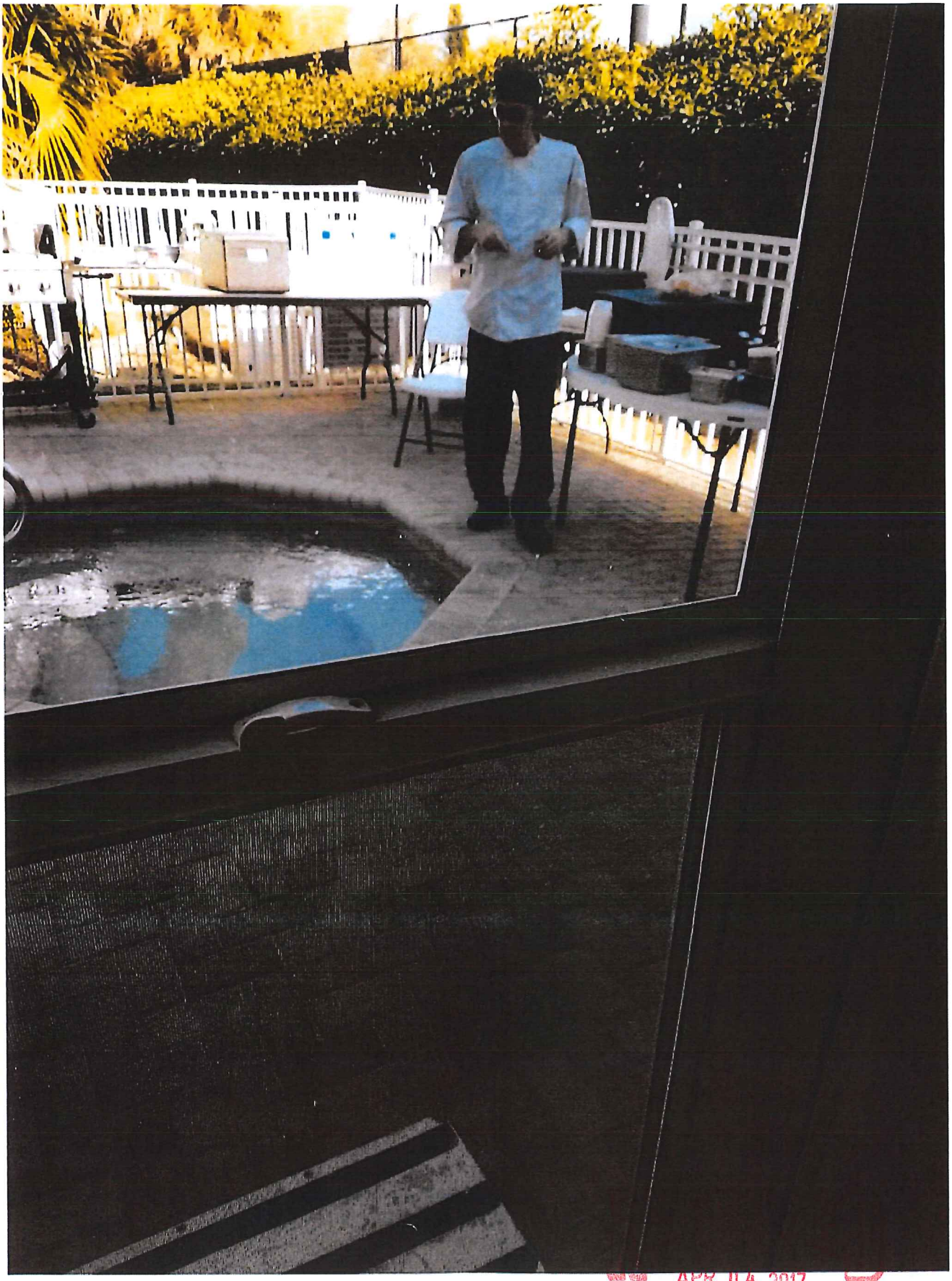
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From: "Golf Realty Group" <cindyreed123@gmail.com>
Date: March 27, 2017 at 2:44:13 PM EDT
To: mlasoff1@gmail.com
Subject: Your Golf Realty Group Newsletter Is Here!



Golf Realty Group Inc would like to thank everyone who came out and supported our first annual Open House Poker Run Extravaganza event. Our goal was to bring more awareness of our wonderful community, Olde Hickory Golf & CC, and all that it has to offer to the outside public. It was a great success and we hope that everyone that participated had a great time. Congratulations Mr & Mrs Acker on winning the top prize 50" smart tv!

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OLDE HICKORY
GOLF & COUNTRY CLUB

General Manager
Peter Tschernitz
239.768.2400

Clubhouse Manager
Bryan Rosich
239.768.2400 Ext. 210

Administration
Amber Bell
239.768.2400 Ext. 205

Member Services
Lauren Blasingim
239.768.2400 Ext. 216

Accounting
Donald Goyette
239.768.2400 Ext. 204
Melanie Huhn
239.768.2400 Ext. 203

Dining Reservations
239.768.2400 Ext. 211

Golf Shop
239.768.2400 Ext. 206

Gatekeeper System Voice Mail
239.561.2060

Gatehouse
239.768.0120

Community Channel
195

Website
www.oldehickory.cc

Social Media

Next Scheduled Master Association Annual Meeting
March 20, 2017
3:00 P.M.
Hickory Court

"Where excellence in golf and country club living finds a home."

In a NUTShell

Volume VI, Issue III March 2017

President's Message
"It's been a Great Year"
by: Jerry French

We are approaching the end of the Season. I hope you agree with me that we've had another great year and we're not done yet. Several very successful social events and golf tournaments have taken place. Dozens of golf, tennis, Pickleball, and card games have been played every week. Our facilities are in good shape. Our finances are sound and our Reserves are well planned to make sure we have the cash available to maintain our basic infrastructure for current and future members. Yet, we can even be better!

You might be asking, if everything is so great why is your Board of Directors asking the members to approve the Pool Cabana project? The simple answer is we want to ensure Olde Hickory continues to be a great place for members to live and play. That's always the Board's primary goal, keep what we have great, improve where we can. Part of that is for the Board to look to the future and make sure Olde Hickory stands up against our competition in this highly competitive real estate environment.

Your Board made a decision on February 20th to bring to you a Resolution to vote in favor of a material change to our pool area. This recommendation for a material change, you know it as the "Pool Cabana Project", came about after months of work by the Planning Committee. The Committee took the results from the recent Member Survey and defined a project to expand the facilities around the pool and give the entire pool area a face-lift. This will accomplish a few things identified as desirable by many members. Numerous member meetings were held over the past few months to make sure members knew what was being proposed and to confirm the Planning Committee was on target with its recommendations.

This project is going to revitalize the pool area. Just consider a few of the benefits. It will provide an alternate food and beverage outlet with an ultra casual environment. It's also going to provide an alternate food and beverage facility when the main dining room grille is close for social events. I expect the Pool Cabana will also relieve some congestion within the current Grille room since some members will choose to enjoy food and beverages at the Pool Cabana rather than go into the Grille room. The renovated Pool House will provide much more comfortable space for cards and Mahjong, meetings and social events than our current layout.

I know this may seem a bit complicated, but let's think about our community. Over the past couple of years, many of you as members have invested considerably in your personal property. In talking with our ARC, I learned that just in the past year we have had substantial updates to the Villas and Verandas. Individual homes have had more than 12 roofs redone, at least 15 Lanai's recaged and remodeled, and 20 plus exteriors repainted. I cannot account for the amount spent by all of us in updating the exteriors and remodeling our interiors. I believe it is safe to say, hundreds of thousands have been spent to add value and comfort to our living environment and to assure this community continues to maintain a successful and positive image to family, friends, visitors and potential buyers.

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Nuts & Bolts

MEDICAL EMERGENCY OPTIONS

You have two options when facing a medical emergency:

Option 1

Call Olde Hickory 24 Hour Emergency at 239-768-1581* then dial 911

**Staff is trained in CPR/AED procedures*

Option 2

Dial 911

Welcome New Residents

George Stafford

14530 Hickory Hill Court

OLDE HICKORY GOLF & COUNTRY CLUB

OLDE HICKORY GOLF & COUNTRY CLUB

MEMBER LIBRARY INFORMATION

- All donated books must have been published within the last 8 years
- A new DVD collection is available for borrowing
- An extensive puzzle collection is stored underneath the bookcase and cabinets
- A Member to Member Communication Board is available. Requests must be submitted through the Administration Office. Request forms may be found on the website in the Club Forms & Documents tab.

CLUB HOURS OF OPERATION MARCH 2017

Accounting
Monday - Friday
8:00 A.M. - 4:00 P.M.

Administration
Monday - Friday
8:00 A.M. - 5:00 P.M.

Fitness Center
Open Daily
5:00 A.M. - 10:00 P.M.

Golf Shop
Open Daily
7:00 A.M. - 5:00 P.M

Driving Range & Practice Greens
Open Daily
Dawn - Dusk

Master Pool & Spa
Open Daily
Dawn - Dusk

Dining
Sunday Brunch
9:30 A.M. - 1:30 P.M.

Lunch Served Daily
11:00 A.M. - 3:00 P.M.

Regular Dinner
Tuesday through Saturday
5:00 P.M. - 8:00 P.M.

Sunset Dinner
4:00 P.M. - 5:00 P.M.

Pool House Bar & Grille
3:00 P.M. - 8:00 P.M.
**Select Event Dates*

Olde Hickory Bar
Lunch Served Daily
11:00 A.M – 3:00 P.M

Happy Hour
Tuesday– Friday
3:30 P.M. - 6:30 P.M.

**Please note that in circumstances where the Clubhouse is closed for a Social, Club, or Private Event, the Pool House Bar & Grille will be available to all members with a Pool Bar & Grille Menu.*

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EXHIBIT B

AFFIDAVIT OF AUTHORIZATION

APPLICATION IS SIGNED BY INDIVIDUAL OWNER, APPLICANT, CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE

I, PETER TSCHERNITZ (name), as GM/COO (owner/title) of The Olde Hickory Golf & Country Club Master Association, Inc. (company/property), swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

Notes:

- *If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.*
- *If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.)., then the documents should typically be signed by the Company's "Managing Member."*
- *If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.*
- *If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.*
- *If the applicant is a trustee, then they must include their title of "trustee."*
- *In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.*

Under penalties of perjury, I declare that I have read the foregoing Affidavit of Authorization and that the facts stated in it are true.

Peter Tscherni

Signature

12/8/2016

Date

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*************NOTE: NOTARY PUBLIC IS NOT REQUIRED FOR ADMINISTRATIVE APPROVALS*************
ALL OTHER APPLICATION TYPES MUST BE NOTARIZED

SEZ 2017-00003

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me on 12/8/16 (date) by PETER TSCHERNITZ (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

STAMP/SEAL

MELANIE A HUHN
MY COMMISSION # EE871560
EXPIRES March 08, 2017
(407) 398-0153 FloridaNotaryService.com

Melanie A Huhn

Signature of Notary Public

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JAN 17 2017
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APR 04 2017
COMMUNITY DEVELOPMENT

SEZ 2017-00003

DBPR ABT-6029 – Division of Alcoholic Beverages and Tobacco
Application for Extension or Amended Sketch of Licensed Premises

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

DBPR Form
ABT-6029
Revised 02/2013

If you have any questions or need assistance in completing this application, please contact the Division of Alcoholic Beverages & Tobacco's (AB&T) local district office. Please submit your completed application and required fee(s) to your local district office. This application may be submitted by mail, through appointment, or it can be dropped off. A District Office Address and Contact Information Sheet can be found on AB&T's web site at the link provided below:

http://www.myflorida.com/dbpr/abt/district_offices/licensing.html

SECTION 1 - CHECK TRANSACTION REQUESTED

Transaction Type:
☑ Temporary Extension ☐ Amended Sketch
☐ Permanent Extension

SECTION 2 - LICENSE INFORMATION

Licensee (as listed on alcoholic beverage license) Olde Hickory Golf & CC Masters Assoc Inc			
Business Name (D/B/A) Olde Hickory Golf & Country Club			
Location Address (Street) 14670 Olde Hickory Blvd			
City Fort Myers	County Lee	State FL	Zip Code 33912
Alcoholic Beverage License Number BEV4602220	Series	Type/Class	
Business Telephone Number 239-768-2400 ext.	Email Address (Optional)		

FOR TEMPORARY EXTENSIONS ONLY:
Date(s) of Extension:

04/04/2017		

ABT District Office Received / Date Stamp

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APR 04 2017
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Auth. 61A-5.0017

EXHIBIT
C

SECTION 3 - ZONING APPROVAL
TO BE COMPLETED BY THE ZONING AUTHORITY GOVERNING YOUR BUSINESS LOCATION
(This section only applies to a permanent or temporary extension of licensed premises)

Location Street Address			
14670 Olde Hickory Blvd			
City: Fort Myers	County: Lee	FL	Zip Code: 33912

Are there outside areas which are contiguous to the premises which are to be part of the premises sought to be licensed?" ☒ Yes ☐ No

☐ The PERMANENT extension of the licensed premises as shown in the sketch complies with zoning requirements for the sale of alcoholic beverages pursuant to this application.

☑ The TEMPORARY extension of the licensed premises as shown in the sketch complies with zoning requirements for the sale of alcoholic beverages pursuant to this application.

RECEIVED
MAR 30 201
COMMUNITY DEVELOPMENT

Signed: Ally L Hall Title: Permit support supervisor Date: 3/30/17

This approval is valid until 11:59pm 4/04/2017

00P2017-00053

SECTION 4 - HEALTH
TO BE COMPLETED BY THE DIVISION OF HOTELS AND RESTAURANTS
OR COUNTY HEALTH AUTHORITY
OR DEPARTMENT OF HEALTH
OR DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES

The above establishment complies with the requirements of the Florida Sanitary Code.

Signed _____ Date _____

Title _____

Agency _____

This approval is valid until _____

RECEIVED
APR 04 2017
COMMUNITY DEVELOPMENT

SEZ 2017-00003

SECTION 5 - AFFIDAVIT OF APPLICANT
NOTARIZATION REQUIRED

Business Name (D/B/A)
Olde Hickoryt Golf & Country Club

"I, the undersigned individually, or if a registered legal entity for itself, its officers and directors, hereby swear or affirm that I am duly authorized to make the above and foregoing application and, as such, I hereby swear or affirm that the attached sketch is a true and correct representation of the extended licensed premises and agree that the place of business may be inspected and searched during business hours or at any time business is being conducted on the premises without a search warrant by officers of the Division of Alcoholic Beverages and Tobacco, the sheriff, his deputies, and police officers for the purposes of determining compliance with the beverage and cigarette laws."

I swear under oath or affirmation under penalty of perjury as provided for in Sections 559.791, 562.45 and 837.06, Florida Statutes that the foregoing information is true and correct."

If applying for a temporary extension, check the box to confirm the following statement:
☑ "I understand that the premises must be restored to its original form at the conclusion of the authorized temporary event."

STATE OF Florida

COUNTY OF Lee

Peter Tscherniz
APPLICANT SIGNATURE

APPLICANT SIGNATURE

The foregoing was ( ) Sworn to and Subscribed OR ( ) Acknowledged Before me this 30 Day of March, 2017, By Peter Tschernitz who is (✓) personally known to me OR ( ) who produced _____ as identification.
(print name(s) of person(s) making statement)

Amber Bell
Notary Public

Commission Expires: Sept 8, 2019

AMBER BELL
Notary Public - State of Florida
Commission # FF 916393
My Comm. Expires Sep 8, 2019
Bonded through National Notary Assn.

RECEIVED
APR 04 2017
COMMUNITY DEVELOPMENT

SEZ 2017-00003

SECTION 6 – DESCRIPTION OF PREMISES TO BE LICENSED

Business Name (D/B/A)
Olde Hickory Golf & Country Club

1.	Yes ☐	No ☑	Is the proposed premises movable or able to be moved?
2.	Yes ☐	No ☑	Is there any access through the premises to any area over which you do not have dominion and control?
3.	Yes ☐	No ☑	Are there more than 3 separate rooms or enclosures with permanent bars or counters?
4.	Yes ☐	No ☑	Is the business located within a Specialty Center? If yes, check the applicable statute: ☐ 561.20(2)(b)1, F.S. or ☐ 561.20(2)(b)2, F.S.

Neatly draw a floor plan of the premises in ink, including sidewalks and other outside areas which are contiguous to the premises, walls, doors, counters, sales areas, storage areas, restrooms, bar locations and any other specific areas which are part of the premises sought to be licensed. A multi-story building where the entire building is to be licensed must show the details of each floor.

See attached

RECEIVED
APR 04 2017
COMMUNITY DEVELOPMENT
SEZ 2017-00003

DBPR ABT-6029 – Division of Alcoholic Beverages and Tobacco
Application for Extension or Amended Sketch of Licensed Premises

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

DBPR Form
ABT-6029
Revised 02/2013

If you have any questions or need assistance in completing this application, please contact the Division of Alcoholic Beverages & Tobacco's (AB&T) local district office. Please submit your completed application and required fee(s) to your local district office. This application may be submitted by mail, through appointment, or it can be dropped off. A District Office Address and Contact Information Sheet can be found on AB&T's web site at the link provided below:

http://www.myflorida.com/dbpr/abt/district_offices/licensing.html

SECTION 1 - CHECK TRANSACTION REQUESTED

Transaction Type:
☑ Temporary Extension
☐ Permanent Extension
☐ Amended Sketch

SECTION 2 - LICENSE INFORMATION

Licensee (as listed on alcoholic beverage license) Olde Hickory Golf & CC Masters Assoc Inc			
Business Name (D/B/A) Olde Hickory Golf & Country Club			
Location Address (Street) 14670 Olde Hickory Blvd			
City Fort Myers	County Lee	State FL	Zip Code 33912
Alcoholic Beverage License Number BEV4602220	Series	Type/Class	
Business Telephone Number 239-768-2400 ext.		Email Address (Optional)	

FOR TEMPORARY EXTENSIONS ONLY:
Date(s) of Extension:

04/08/2017		

ABT District Office Received / Date Stamp

RECEIVED
APR 04 2017
COMMUNITY DEVELOPMENT

SEZ 2017-00003

SECTION 3 - ZONING APPROVAL
TO BE COMPLETED BY THE ZONING AUTHORITY GOVERNING YOUR BUSINESS LOCATION
(This section only applies to a permanent or temporary extension of licensed premises)

Location Street Address			
14670 Olde Hickory Blvd			
City: Fort Myers	County: Lee	FL	Zip Code: 33912

Are there outside areas which are contiguous to the premises which are to be part of the premises sought to be licensed?" ☉ Yes ☐ No

☐ The PERMANENT extension of the licensed premises as shown in the sketch complies with zoning requirements for the sale of alcoholic beverages pursuant to this application.

☑ The TEMPORARY extension of the licensed premises as shown in the sketch complies with zoning requirements for the sale of alcoholic beverages pursuant to this application.

RECEIVED
MAR 30 2017
COMMUNITY DEVELOPMENT

Signed: Allyd Hall Title: Permit Support Supervisor Date: 3/30/17

This approval is valid until 11:59pm 4/08/2017

COP2017-00053

SECTION 4 - HEALTH
TO BE COMPLETED BY THE DIVISION OF HOTELS AND RESTAURANTS
OR COUNTY HEALTH AUTHORITY
OR DEPARTMENT OF HEALTH
OR DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES

The above establishment complies with the requirements of the Florida Sanitary Code.

Signed HR NA Date

Title

Agency

This approval is valid until

RECEIVED
APR 04 2017
COMMUNITY DEVELOPMENT

SEZ 2017-00003

SECTION 5 - AFFIDAVIT OF APPLICANT
NOTARIZATION REQUIRED

Business Name (D/B/A)
Olde Hickoryt Golf & Country Club

"I, the undersigned individually, or if a registered legal entity for itself, its officers and directors, hereby swear or affirm that I am duly authorized to make the above and foregoing application and, as such, I hereby swear or affirm that the attached sketch is a true and correct representation of the extended licensed premises and agree that the place of business may be inspected and searched during business hours or at any time business is being conducted on the premises without a search warrant by officers of the Division of Alcoholic Beverages and Tobacco, the sheriff, his deputies, and police officers for the purposes of determining compliance with the beverage and cigarette laws."

I swear under oath or affirmation under penalty of perjury as provided for in Sections 559.791, 562.45 and 837.06, Florida Statutes that the foregoing information is true and correct."

If applying for a temporary extension, check the box to confirm the following statement:
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STATE OF Florida

COUNTY OF Lee

Pete Tscherniz
APPLICANT SIGNATURE

APPLICANT SIGNATURE

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(print name(s) of person(s) making statement)

known to me OR ( ) who produced _____ as identification.

Amber Bell
Notary Public

Commission Expires: Sept 8, 2019

AMBER BELL
Notary Public - State of Florida
Commission # FF 916393
My Comm. Expires Sep 8, 2019
Bonded through National Notary Assn.

RECEIVED
APR 04 2017
COMMUNITY DEVELOPMENT

SEZ 2017-00003

SECTION 6 – DESCRIPTION OF PREMISES TO BE LICENSED

Business Name (D/B/A)
Olde Hickory Golf & Country Club

1.	Yes ☐	No ☑	Is the proposed premises movable or able to be moved?
2.	Yes ☐	No ☑	Is there any access through the premises to any area over which you do not have dominion and control?
3.	Yes ☐	No ☑	Are there more than 3 separate rooms or enclosures with permanent bars or counters?
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Neatly draw a floor plan of the premises in ink, including sidewalks and other outside areas which are contiguous to the premises, walls, doors, counters, sales areas, storage areas, restrooms, bar locations and any other specific areas which are part of the premises sought to be licensed. A multi-story building where the entire building is to be licensed must show the details of each floor.

See attached

RECEIVED
APR 04 2017
COMMUNITY DEVELOPMENT

SEZ 2017-00003

DBPR ABT-6029 – Division of Alcoholic Beverages and Tobacco
Application for Extension or Amended Sketch of Licensed Premises

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

DBPR Form
ABT-6029
Revised 02/2013

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Transaction Type:
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City Fort Myers	County Lee	State FL	Zip Code 33912
Alcoholic Beverage License Number BEV4602220	Series	Type/Class	
Business Telephone Number 239-768-2400 ext.	Email Address (Optional)		

FOR TEMPORARY EXTENSIONS ONLY:
Date(s) of Extension:

04/13/17		

ABT District Office Received / Date Stamp

RECEIVED
APR 04 2017
COMMUNITY DEVELOPMENT

SEZ 2017-00003

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(This section only applies to a permanent or temporary extension of licensed premises)

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RECEIVED
MAR 30 2017
COMMUNITY DEVELOPMENT

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Signed: Allyson Hall Title: Permit Support Supervisor Date: 3/30/17

This approval is valid until 11:59pm 4/13/17 00P2017-00053

SECTION 4 - HEALTH
TO BE COMPLETED BY THE DIVISION OF HOTELS AND RESTAURANTS
OR COUNTY HEALTH AUTHORITY
OR DEPARTMENT OF HEALTH
OR DEPARTMENT OF AGRICULTURE & CONSUMER SERVICES

The above establishment complies with the requirements of the Florida Sanitary Code.

Signed N/A. Date _____

Title _____

Agency _____

This approval is valid until _____

RECEIVED
APR 04 2017
COMMUNITY DEVELOPMENT

SECTION 5 - AFFIDAVIT OF APPLICANT
NOTARIZATION REQUIRED

Business Name (D/B/A)
Olde Hickoryt Golf & Country Club

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STATE OF Florida

COUNTY OF Lee

Pete Tschernitz
APPLICANT SIGNATURE

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(print name(s) of person(s) making statement)

known to me OR ( ) who produced _____ as identification.

Amber Bell
Notary Public

Commission Expires: Sept 8, 2019

AMBER BELL
Notary Public - State of Florida
Commission # FF 916393
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Bonded through National Notary Assn.

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APR 04 2017
COMMUNITY DEVELOPMENT

SEZ 2017-00003

SECTION 6 – DESCRIPTION OF PREMISES TO BE LICENSED

Business Name (D/B/A)
Olde Hickory Golf & Country Club

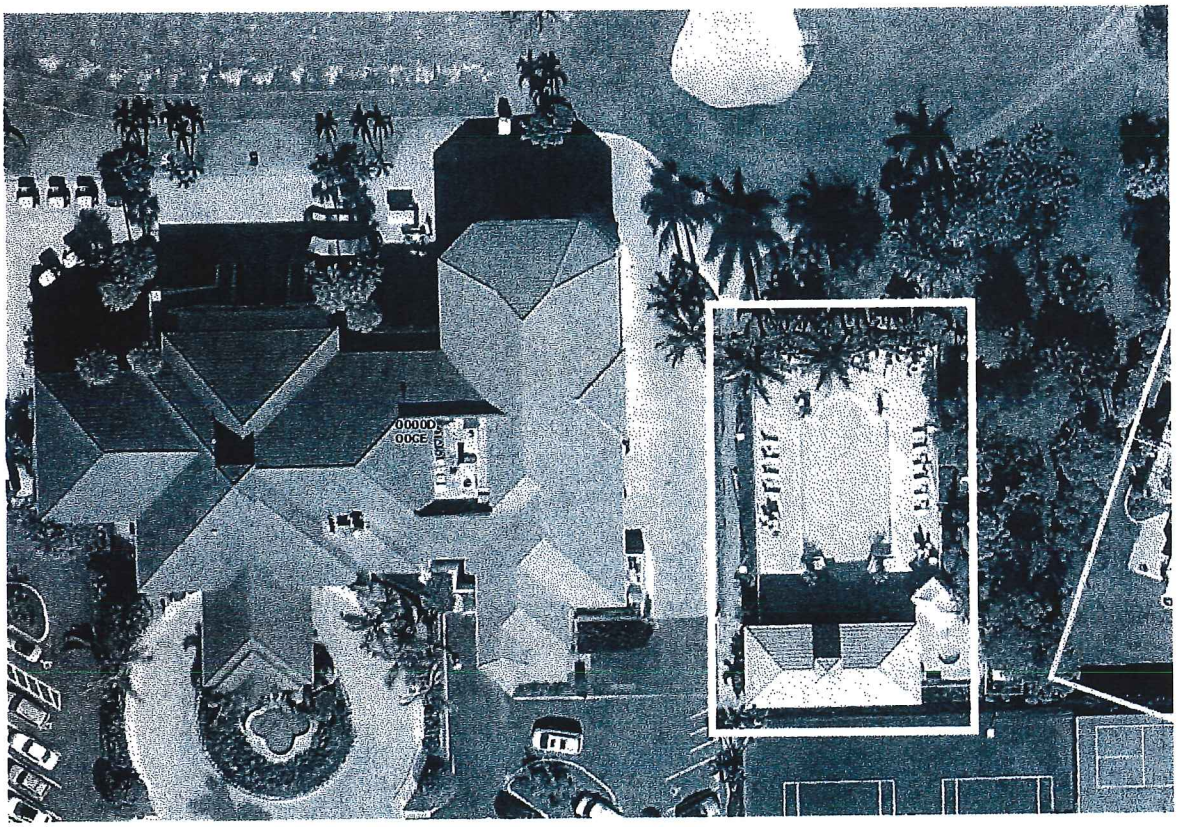
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See attached

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COMMUNITY DEVELOPMENT

SEZ 2017-00003



Yellow outline – pool & pool house, this is where we have private member functions

- Private property
- Only used by members (no outside guests)

Operating stipulations:

I. Service includes food, beer, wine and liquor
II. Setup includes – tables, chairs and a temp bar (all of that is only installed on the day of the event)
III. Operating hours – opens at 4 PM, last call at 8 PM, service stops at 8.30 Pm, closed down by no later than 9 PM.
IV. Max capacity of the pool area is 88 – will not be exceeded

Dates when we need a temp extension of the liquor license for private events:

- April 4th, 2017
- April 8th, 2017
- April 13th, 2017

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COMMUNITY DEVELOPMENT
SEZ 2017-00003
Dining Room
Banquet Room
Lounge
Bar
Lobby
Pull station
Storage
Kitchen
fire door
fire door
fire door
pool area
entrance
10/27/92
12/21/97

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APR 04 2017
COMMUNITY DEVELOPMENT

SEZ 2017-00003

THE OLDE HICKORY GOLF AND COUNTRY CLUB

PLAT BOOK 48 PAGE 86

SHEET 1 OF 29
DATE: OCT. 1991
JOB NO.: 8749-US

INK ENGINEERING INC.
6320 BEAU DRIVE
NORTH FORT MYERS, FLORIDA
(813) 995-8500

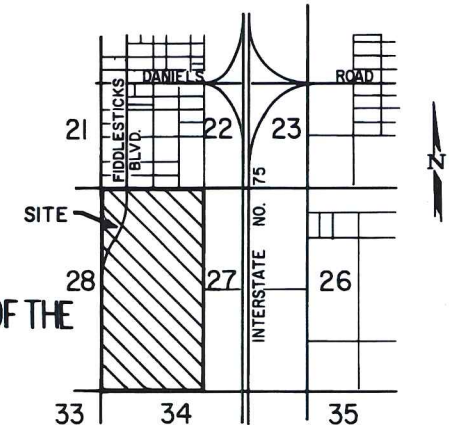
A SUBDIVISION IN PART OF

3116060

THE WEST 1/2 OF SECTION 27, TOWNSHIP 45 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

NOTICE

LANDS DESCRIBED IN THIS PLAT ARE SUBDIVIDED BY THE DEVELOPER WITHOUT THE ROADS, DRAINAGE AND SEWAGE FACILITIES BEING SPECIFICALLY ACCEPTED BY LEE COUNTY, ANY PURCHASER OF A LOT IN THIS SUBDIVISION IS ADVISED THAT HE MAY BE SUBJECT TO ASSESSMENT OR CALLED UPON TO BEAR A PORTION OF OR ALL OF THE EXPENSE OF CONSTRUCTION, MAINTENANCE OR IMPROVEMENT OF ROADS, DRAINAGE AND SEWAGE FACILITIES WITHIN THE SUBDIVISION.



NOTICE

THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.

DESCRIPTION

THE WEST 1/2 OF SECTION 27, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM A FORT MYERS DRAINAGE DISTRICT CONCRETE MONUMENT AND THE SOUTHWEST CORNER OF SAID SECTION 27-45-25, AND THE POINT OF BEGINNING; THENCE N.00°56'53"W. ALONG THE WEST LINE OF SAID SECTION 27 FOR 5,287.12 FEET TO A FORT MYERS DRAINAGE DISTRICT CONCRETE MONUMENT AND THE NORTHWEST CORNER OF SAID SECTION 27; THENCE N.89°33'38"E. ALONG THE NORTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 27 FOR 2,582.94 FEET TO A FORT MYERS DRAINAGE DISTRICT CONCRETE MONUMENT AND THE NORTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 27; THENCE S.00°54'38"E. FOR 5,287.84 FEET TO A FORT MYERS DRAINAGE DISTRICT CONCRETE MONUMENT ON THE SOUTH LINE OF SAID SECTION 27; THENCE S.89°34'38"W. ALONG THE SOUTH LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 27 FOR 2579.44 FEET TO THE POINT OF BEGINNING.

CONTAINING 313.303 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS PLAT OF THE OLDE HICKORY GOLF AND COUNTRY CLUB, IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS ACCORDING TO A RECENT SURVEY, MADE AND PLATTED UNDER MY DIRECTION AND SUPERVISION, THAT PERMANENT REFERENCE MONUMENTS HAVE BEEN SET AND THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES.

INK ENGINEERING, INC.

DATED THIS 25TH DAY OF OCTOBER, 1991

RONALD KERFOOT, FOR THE FIRM
PROFESSIONAL LAND SURVEYOR FLORIDA CERTIFICATE NO. 2994

LEGEND

(NR) DENOTES NON-RADIAL
DENOTES P.C.P. (PERMANENT CONTROL POINT)
DENOTES SET P.R.M. (PERMANENT REFERENCE MONUMENT)
DENOTES FOUND P.R.M. (PERMANENT REFERENCE MONUMENT)
O DENOTES SET REBAR (REINFORCING BAR & CAP)
(1) DENOTES THE CURVE NUMBER AND REFERS TO THE DATA CONTAINED IN THE CURVE TABLE
INDICATES POINT ON CURVE
U.E. INDICATES UTILITY EASEMENT
DR.E. INDICATES DRAINAGE EASEMENT
P.O.B. INDICATES POINT OF BEGINNING
(1) INDICATES BLOCK NUMBER

BEARINGS ARE BASED UPON THE CENTERLINE OF FIDDLESTICKS BOULEVARD BEING N.00 56'53"W.

EASEMENTS

EASEMENTS ARE GRANTED OVER, UNDER AND ACROSS THE FOLLOWING:

1. TRACTS A & B ARE SUBJECT TO ROADWAY INGRESS-EGRESS, DRAINAGE AND UTILITY EASEMENTS.
2. UTILITY EASEMENTS IN THAT STRIP OF LAND LYING 10 FEET OUTSIDE OF TRACTS A & B, (ROADWAYS) ACROSS LOTS AND TRACTS.
3. THOSE STRIPS OF LAND OTHERWISE LABELED AS SUCH EASEMENTS ON THIS PLAT.
4. UTILITY EASEMENTS 6 FEET WIDE CENTERED ON THE SIDE LOT LINE.

CLERK'S CERTICATE

3116060

I HEREBY CERTIFY THAT THIS PLAT OF THE OLDE HICKORY GOLF AND COUNTRY CLUB, HAS BEEN EXAMINED BY ME AND FROM MY EXAMINATION I FIND THAT SAID PLAT COMPLIES WITH THE REQUIREMENTS OF PART 1 OF CHAPTER 177, FLORIDA STATUTES.

I FURTHER CERTIFY THAT THIS PLAT WAS FILED FOR RECORD AT 11:39 A.M. THIS 21st DAY OF NOVEMBER A.D., 1991, AND DULY RECORDED BY PLAT BOOK 48 AT PAGES 86 THRU 114 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

CLERK OF THE CIRCUIT COURT IN AND FOR LEE COUNTY, FLORIDA

CLERK SEAL

DEDICATION:

KNOW ALL MEN BY THESE PRESENTS THAT U.S. HOME CORPORATION, A DELAWARE CORPORATION, AND CHARLES J. HUETHER, TRUSTEE ARE THE OWNERS OF THE HEREON DESCRIBED LANDS, HAVE CAUSED THIS PLAT OF THE OLDE HICKORY GOLF AND COUNTRY CLUB TO BE MADE AND DO HEREBY DEDICATE TO THE PUBLIC THE FIDDLESTICKS BOULEVARD RIGHT OF WAY AS MEASURED 50 FEET FROM CENTERLINE AND TO THE PERPETUAL USE OF THE HOMEOWNERS ASSOCIATION, FOR PROPER PURPOSES, TRACTS "A" AND "B" (ROADWAYS), DRAINAGE, LAKE, CONSERVATION, FIRE PROTECTION ACCESS, UTILITY AND MAINTENANCE EASEMENTS; PROVIDED HOWEVER, THAT USE OF THE UTILITY EASEMENTS TO SERVE THE PLATTED LANDS SHOWN HEREON SHALL BE LIMITED TO FLORIDA POWER & LIGHT COMPANY AND THEIR SUCCESSORS FOR THE PURPOSE OF PROVIDING ELECTRICAL SERVICE; TO UNITED TELEPHONE COMPANY OF FLORIDA AND THEIR SUCCESSORS FOR THE PURPOSE OF PROVIDING TELEPHONE SERVICE; TO JONES INTERCABLE, INC. AND THEIR SUCCESSORS FOR THE PURPOSE OF PROVIDING CABLE TELEVISION SERVICE; AND TO LEE COUNTY UTILITIES AND THEIR SUCCESSORS FOR THE PURPOSE OF PROVIDING SEWER AND WATER SERVICE.

IN WITNESS WHEREOF, THIS OWNER DEDICATION HAS BEEN DULY EXECUTED THIS 15 DAY OF October, A.D. 1991.

U.S. HOME CORPORATION

BY: Sam Crimaldi
SAM CRIMALDI, PRES. OF OPERATIONS

SEAL

BY: Charles Huether
CHARLES J. HUETHER, TRUSTEE

WITNESS

WITNESS

ACKNOWLEDGEMENT:

STATE OF FLORIDA
COUNTY OF LEE

I HEREBY CERTIFY THAT ON THIS DAY PERSONALLY APPEARED BEFORE ME SAM CRIMALDI, PRES. OF OPERATIONS, U.S. HOME CORPORATION OWNER, AND CHARLES J. HUETHER, TRUSTEE, TO ME KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND THEY ACKNOWLEDGED THE EXECUTION THEREOF TO BE THEIR FREE ACT AND DEED AS SUCH OFFICER AND TRUSTEE FOR THE USES AND PURPOSES THEREON MENTIONED AND THAT SAID DEDICATION IS THE ACT AND DEED OF SAID CORPORATION.

WITNESS MY HAND AND NOTARIAL SEAL AT SAID COUNTY AND STATE THIS 15 DAY OF October, A.D. 1991.

Joanne Greaves
NOTARY PUBLIC
STATE OF FLORIDA AT LARGE

MY COMMISSION EXPIRES: 11-24-93

SEAL

APPROVALS

THIS PLAT OF THE OLDE HICKORY GOLF AND COUNTRY CLUB, WAS ACCEPTED THIS 19th DAY OF NOVEMBER, A.D., 1991; IN AN OPEN MEETING OF BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA.

DIRECTOR OF DIVISION OF DEVELOPMENT REVIEW

CLERK OF THE COURT

Mary Gibbs
DIRECTOR, DEPARTMENT OF COMMUNITY DEVELOPMENT

CHAIRMAN OF THE BOARD

COUNTY ATTORNEY

SEZ 2017-00003

RECEIVED
APR 04 2017
COMMUNITY DEVELOPMENT

tabbies
EXHIBIT
D

1. 11-02-90

THE OLDE HICKORY GOLF AND COUNTRY CLUB

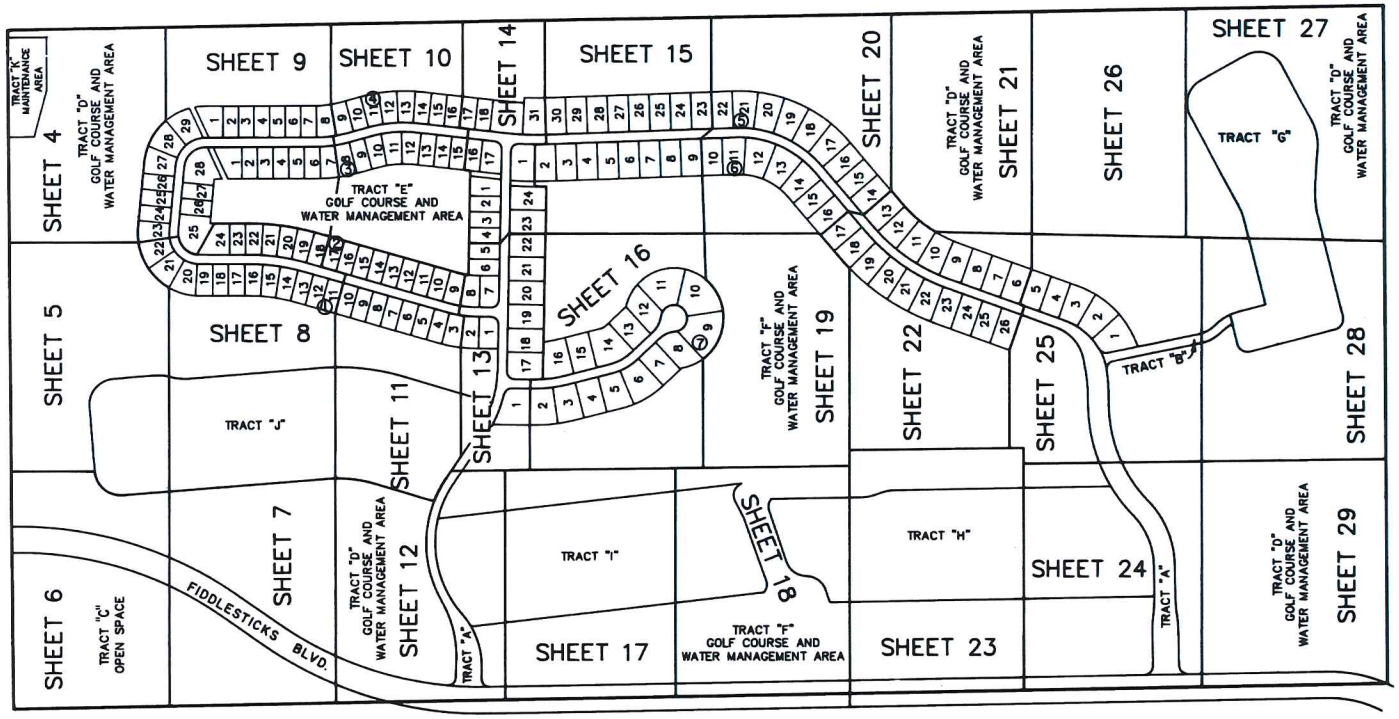
PLAT BOOK 48 PAGE 87

SHEET 2 OF 29
DATE: OCT. 1991
JOB NO.: 8749-US

INK ENGINEERING INC.
6320 BEAU DRIVE
NORTH FORT MYERS, FLORIDA
(813) 995-8500

A SUBDIVISION IN PART OF
THE WEST 1/2 OF SECTION 27, TOWNSHIP 45 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

300 150 0 300
SCALE IN FEET



NO.	RADIUS	DELTA	ARC	CHORD	TANGENT	CHD BEARING
1.	322.50'	43°10'53"	243.06'	237.34'	127.63'	N.67°27'40"E.
2.	577.50'	43°10'53"	435.24'	425.01'	228.54'	N.67°27'40"E.
3.	522.50'	10°25'03"	95.00'	94.87'	47.63'	N.83°50'36"E.
4.	200.00'	59°08'36"	206.45'	197.40'	113.49'	N.49°03'46"E.
5.	200.00'	3°51'14"	13.45'	13.45'	6.73'	N.76°42'27"E.
6.	200.00'	55°17'22"	193.00'	185.59'	104.76'	N.47°08'09"E.
7.	700.00'	29°51'27"	364.76'	360.66'	186.63'	N.34°25'11"E.
8.	400.00'	51°16'56"	358.02'	346.19'	192.00'	N.23°42'27"E.
9.	1100.00'	8°17'22"	159.14'	159.01'	79.71'	N. 2°12'40"E.
10.	1100.00'	8°09'16"	156.55'	156.42'	78.41'	N. 2°08'37"E.
11.	1100.00'	0°08'06"	2.59'	2.59'	1.29'	N. 6°17'18"E.
12.	500.00'	21°10'31"	184.79'	183.74'	93.46'	N. 4°13'55"W.
13.	500.00'	14°49'10"	129.32'	128.96'	65.02'	N. 7°24'35"W.
14.	100.00'	84°23'34"	147.29'	134.33'	90.66'	N.42°11'47"W.
15.	100.00'	95°36'26"	166.87'	148.17'	110.30'	S.47°48'13"W.
16.	800.00'	15°38'01"	218.29'	217.61'	109.83'	S. 7°49'01"W.
17.	400.00'	14°32'52"	101.56'	101.29'	51.06'	S. 8°21'36"W.
18.	500.00'	15°03'19"	131.38'	131.00'	66.07'	S. 6°26'30"E.
19.	200.00'	28°55'04"	100.94'	99.87'	51.57'	S.28°25'41"E.
20.	417.50'	33°25'15"	243.53'	240.09'	125.34'	N.72°12'13"W.
21.	417.50'	6°20'24"	46.20'	46.18'	23.12'	N.85°44'38"W.
22.	417.50'	27°04'51"	197.33'	195.50'	100.54'	N.69°02'00"W.
23.	422.50'	69°17'27"	510.95'	480.38'	291.96'	S.89°51'41"W.
24.	400.00'	36°53'18"	257.53'	253.10'	133.40'	S.73°39'37"W.
25.	1432.40'	35°23'08"	884.64'	870.65'	456.94'	S.16°46'00"W.
26.	1432.40'	35°24'27"	885.19'	871.17'	457.24'	S.16°45'20"W.
27.	1432.40'	32°21'01"	808.76'	798.06'	415.48'	S.18°17'03"W.
28.	1432.40'	3°03'26"	76.43'	76.42'	38.22'	S. 0°34'50"W.
29.	500.00'	27°26'58"	239.54'	237.26'	122.12'	S.12°46'36"W.
30.	35.00'	90°00'00"	54.98'	49.50'	35.00'	S.45°56'53"E.

NO.	RADIUS	DELTA	ARC	CHORD	TANGENT	CHD BEARING
31.	35.00'	90°00'00"	54.98'	49.50'	35.00'	N.44°03'07"E.
32.	500.00'	8°08'35"	70.77'	70.71'	35.44'	S.86°53'36"E.
33.	500.00'	8°08'35"	70.77'	70.71'	35.44'	N.84°59'50"E.
34.	500.00'	8°08'35"	70.77'	70.71'	35.44'	S.86°53'36"E.
35.	500.00'	8°08'35"	70.77'	70.71'	35.44'	N.84°59'50"E.
36.	282.50'	43°10'53"	212.91'	207.91'	111.80'	N.67°27'40"E.
37.	362.50'	43°10'53"	273.20'	266.78'	143.46'	N.67°27'40"E.
38.	537.50'	43°10'53"	405.09'	395.57'	212.71'	N.67°27'40"E.
39.	617.50'	43°10'53"	465.38'	454.45'	244.37'	N.67°27'40"E.
40.	617.50'	13°05'50"	141.15'	140.85'	70.89'	N.52°25'08"E.
41.	617.50'	30°05'04"	324.23'	320.52'	165.95'	N.74°00'35"E.
42.	482.50'	10°25'03"	87.73'	87.61'	43.98'	N.83°50'36"E.
43.	562.50'	8°03'55"	79.16'	79.11'	39.66'	N.85°01'10"E.
44.	160.00'	59°08'36"	165.16'	157.92'	90.79'	N.49°03'46"E.
45.	240.00'	40°21'59"	169.09'	165.61'	88.22'	N.39°40'28"E.
46.	240.00'	11°20'18"	47.49'	47.42'	23.82'	N.54°11'19"E.
47.	240.00'	17°55'13"	75.06'	74.76'	37.84'	N.39°33'33"E.
48.	240.00'	11°06'29"	46.53'	46.48'	23.34'	N.25°02'43"E.
49.	682.50'	29°51'27"	355.66'	351.65'	181.97'	N.34°25'11"E.
50.	682.50'	3°26'19"	40.96'	40.95'	20.49'	N.21°12'37"E.
51.	682.50'	8°10'35"	97.40'	97.31'	48.78'	N.27°01'04"E.
52.	682.50'	8°10'35"	97.40'	97.31'	48.78'	N.35°11'40"E.
53.	682.50'	8°10'35"	97.40'	97.31'	48.78'	N.43°22'15"E.
54.	682.50'	1°53'22"	22.51'	22.51'	11.25'	N.48°24'14"E.
55.	717.50'	29°51'27"	373.90'	369.68'	191.30'	N.34°25'11"E.
56.	717.50'	1°00'42"	12.67'	12.67'	6.33'	N.19°59'49"E.
57.	717.50'	6°13'39"	77.98'	77.95'	39.03'	N.23°38'59"E.
58.	717.50'	6°13'39"	77.98'	77.95'	39.03'	N.29°50'38"E.
59.	717.50'	6°13'39"	77.98'	77.95'	39.03'	N.36°04'16"E.
60.	717.50'	6°13'39"	77.98'	77.95'	39.03'	N.42°17'55"E.

NO.	RADIUS	DELTA	ARC	CHORD	TANGENT	CHD BEARING
61.	717.50'	3°56'10"	49.29'	49.28'	24.66'	N.47°22'50"E.
62.	382.50'	51°16'56"	342.35'	331.04'	183.60'	N.23°42'27"E.
63.	382.50'	10°08'09"	67.78'	67.69'	33.98'	N.44°16'20"E.
64.	382.50'	17°44'38"	118.46'	117.98'	59.71'	N.30°19'27"E.
65.	382.50'	17°44'38"	118.46'	117.98'	59.71'	N.12°34'48"E.
66.	382.50'	5°36'31"	37.66'	37.65'	18.85'	N. 0°53'15"E.
67.	417.50'	51°16'56"	373.68'	361.33'	200.40'	N.23°42'27"E.
68.	417.50'	10°18'42"	75.14'	75.04'	37.67'	N.44°11'34"E.
69.	417.50'	10°32'10"	76.77'	76.67'	38.50'	N.33°46'07"E.
70.	417.50'	10°32'10"	76.77'	76.67'	38.50'	N.23°13'57"E.
71.	417.50'	10°32'10"	76.77'	76.67'	38.50'	N.12°41'46"E.
72.	417.50'	9°21'42"	68.22'	68.14'	34.18'	N. 2°44'50"E.
73.	1082.50'	8°17'22"	156.61'	156.48'	78.44'	N. 2°12'40"E.
74.	1082.50'	0°09'35"	3.02'	3.02'	1.51'	N. 1°56'01"W.
75.	1082.50'	4°47'18"	90.47'	90.44'	45.26'	N. 0°37'23"E.
76.	1082.50'	3°20'28"	63.13'	63.12'	31.57'	N. 4°41'07"E.
77.	1117.50'	5°33'52"	108.53'	108.49'	54.31'	N. 0°50'55"E.
78.	1117.50'	2°26'42"	47.69'	47.68'	23.85'	N. 0°42'40"W.
79.	1117.50'	3°07'10"	60.84'	60.84'	30.43'	N. 2°04'16"E.
80.	30.00'	92°32'41"	48.46'	43.36'	31.36'	N.42°38'30"W.
81.	30.00'	84°43'49"	44.36'	40.43'	27.36'	N.48°43'15"E.
82.	482.50'	21°10'31"	178.32'	177.31'	90.19'	N. 4°13'55"W.
83.	482.50'	7°16'04"	61.20'	61.16'	30.64'	N. 2°43'19"E.
84.	482.50'	9°28'49"	79.83'	79.74'	40.01'	N. 5°38'08"W.
85.	482.50'	4°25'36"	37.28'	37.27'	18.65'	N.12°36'21"W.
86.	517.50'	21°10'31"	191.28'	190.17'	96.73'	N. 4°13'55"W.
87.	517.50'	2°17'28"	20.69'	20.69'	10.35'	N. 5°12'37"E.
88.	517.50'	6°24'33"	57.88'	57.86'	28.97'	N. 0°51'36"E.
89.	517.50'	6°24'33"	57.88'	57.86'	28.97'	N. 5°32'57"W.
90.	517.50'	6°03'56"	54.79'	54.76'	27.42'	N.11°47'12"W.

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10. 11-02-90

THE OLDE HICKORY GOLF AND COUNTRY CLUB

PLAT BOOK 48 PAGE 107

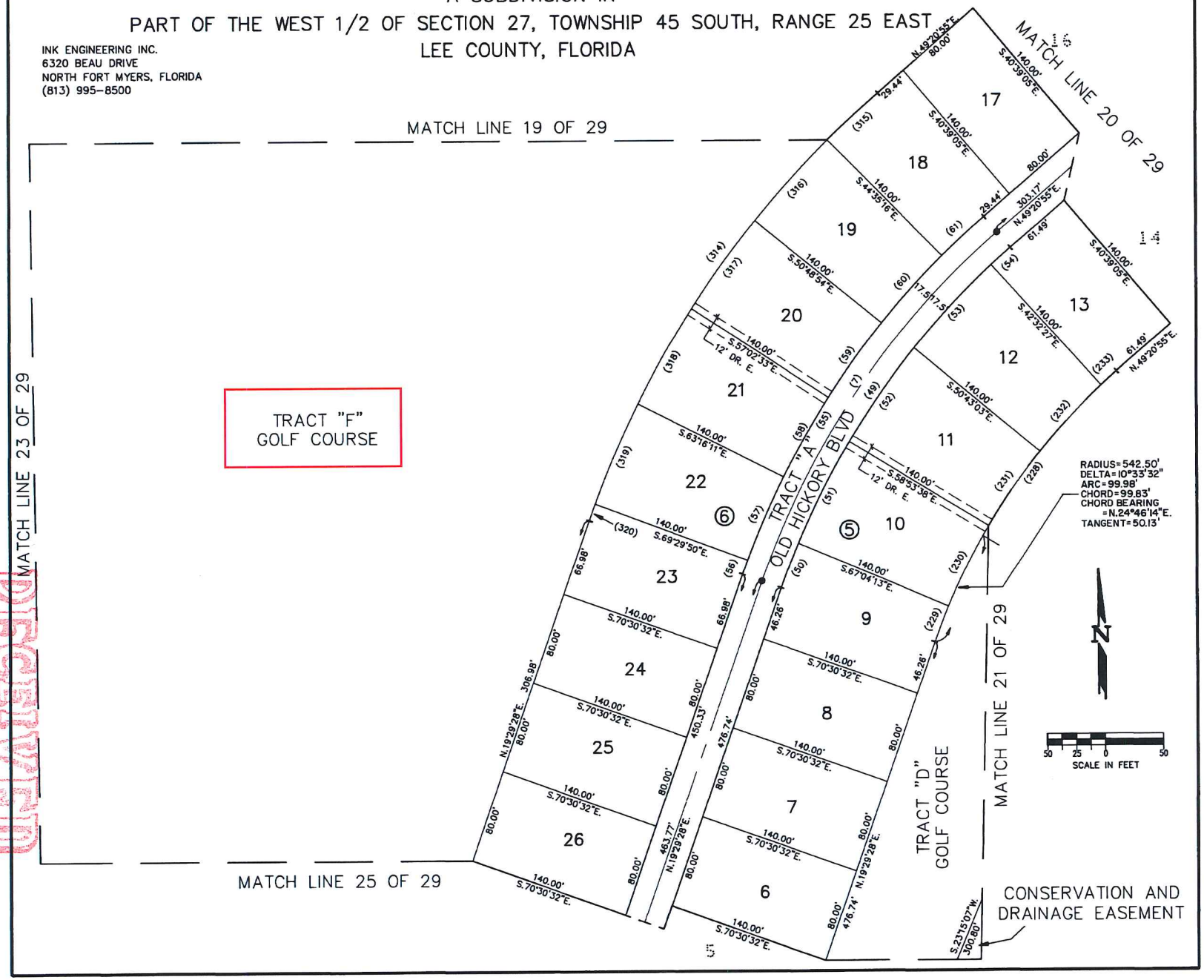
SHEET 22 OF 29
DATE: OCT, 1991
JOB NO.: 8749-US

A SUBDIVISION IN
PART OF THE WEST 1/2 OF SECTION 27, TOWNSHIP 45 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

INK ENGINEERING INC.
6320 BEAU DRIVE
NORTH FORT MYERS, FLORIDA
(813) 995-8500

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11-02-90

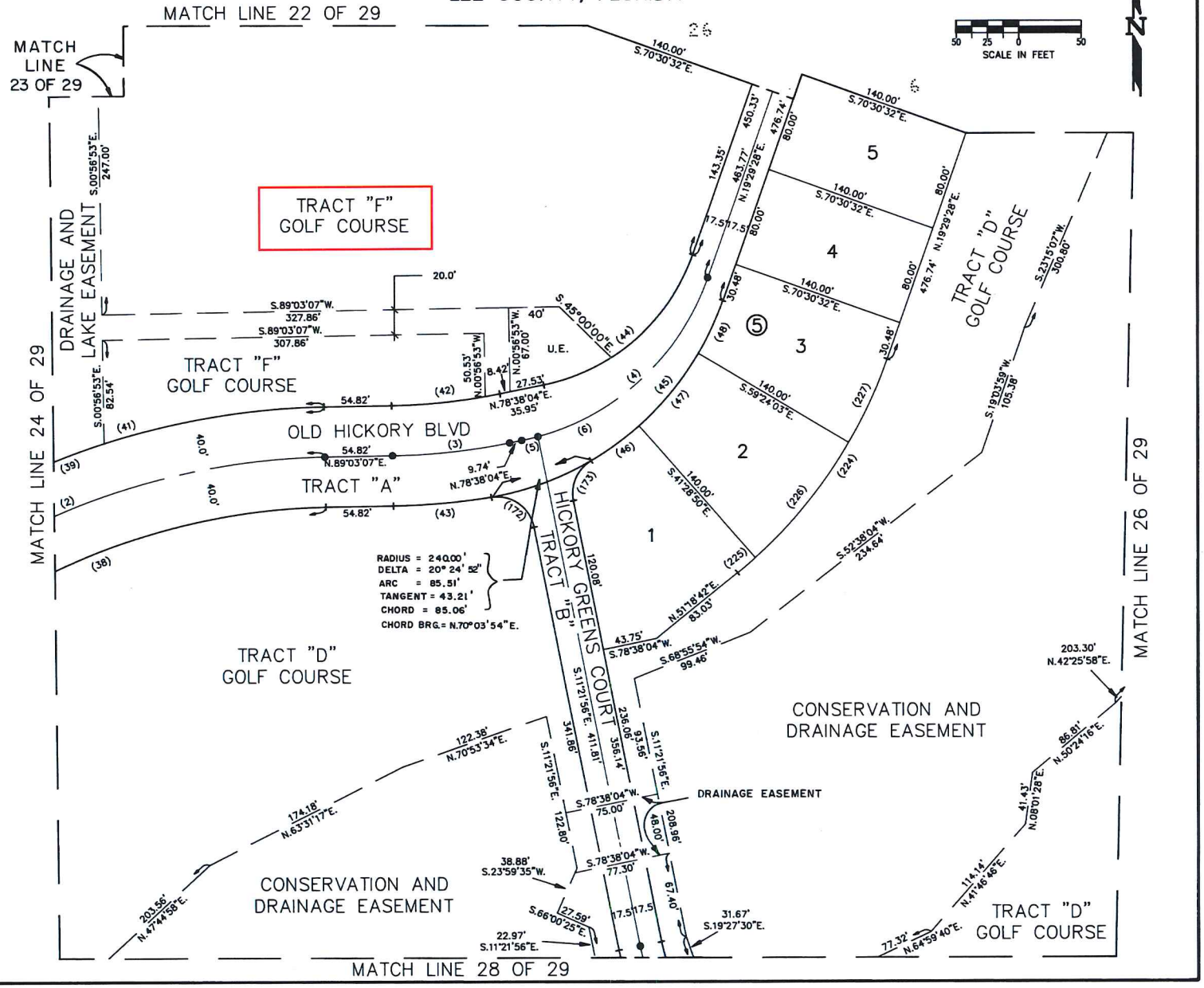
THE OLDE HICKORY GOLF AND COUNTRY CLUB

PLAT BOOK 48 PAGE 110

SHEET 25 OF 29
DATE: OCT. 1991
JOB NO.: 8749-US

INK ENGINEERING INC.
6320 BEAU DRIVE
NORTH FORT MYERS, FLORIDA
(813) 995-8500

A SUBDIVISION IN
PART OF THE WEST 1/2 OF SECTION 27, TOWNSHIP 45 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA



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ER NO. 11-02-90

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Return to: Christopher J. Shields
Name: Pavese, Garner
Address: Courthouse Box 18

4237309

This instrument was prepared by: CHRISTOPHER J. SHIELDS
Name PAVESE, GARNER, HAVERFIELD,
Address DALTON, HARRISON & JENSEN
1833 Hendry Street
Post Office Drawer 1507
FORT MYERS, FLORIDA 33902

Grantee SS No.:
Grantee S.S. No.:

Property Appraiser's Parcel Identification No.: 27-45-25-02-0000A.000C

*RECORD VERIFIED CHARLIE GREEN, CLERK
R. VERA

Documentary Tax Pd. $ .70
$ Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
By Deputy Clerk

SPECIAL WARRANTY DEED

This Indenture, made this 10th day of September, 1997, **Between U.S. HOME CORPORATION, a Delaware corporation, qualified to do business in the State of Florida,** whose post office address is 10491 Six Mile Cypress Parkway, Fort Myers, Florida 33912, grantor* , and **THE OLDE HICKORY GOLF & COUNTRY CLUB MASTER ASSOCIATION, INC., a Florida corporation,** whose post office address is 14670 Old Hickory Boulevard, Fort Myers, Florida 33912, grantee*,

Witnesseth that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS, and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Lee County, Florida, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

and said grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons claims by, through or under the grantor.

*"Grantor" and "grantee" are used for singular or plural, as context requires.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

U.S. HOME CORPORATION, a Delaware corporation

Witness #1
Christopher J. Shields
Printed name of Witness #1

By: _____ (Seal)
DARIN, McMURRAY, President, South Florida Division

Witness #2
JULIA K. GUERNSEY
Printed name of Witness #2

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 10 day of September, 1997, by DARIN McMURRAY, President, South Florida Division of U.S. HOME CORPORATION, a Delaware corporation qualified to do business in the State of Florida, being duly authorized and who is personally known to me or who produced _____ as identification.

OFFICIAL NOTARY SEAL
CHRISTOPHER J SHIELDS
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC668910
MY COMMISSION EXP. AUG. 22 2001

Notary Public
Christopher J. Shields
Printed name of Notary Public

My Commission Expires:
F:\WPDATA\LR\CISFILES\USHOME.DED

OFFICIAL NOTARY SEAL
CHRISTOPHER J SHIELDS
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC668910
MY COMMISSION EXP. AUG. 22 2001

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EXHIBIT
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E

EXHIBIT "A"

INK ENGINEERING INC.
ENGINEERS • SURVEYORS • PLANNERS
6320 BEAU DR. • N. FT. MYERS, FL 33903 • (813) 995-8500 • FAX (813) 997-3407

AUGUST 11, 1992
JOB NUMBER 8749

THE OLDE HICKORY GOLF AND COUNTRY CLUB
COMMONS GROUND DESCRIPTION

DESCRIPTION

THE OLDE HICKORY GOLF AND COUNTRY CLUB, A SUBDIVISION LYING IN THE WEST ONE-HALF (W 1/2) OF SECTION 27, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 48, AT PAGES 86 THROUGH 114 INCLUSIVE, PUBLIC RECORDS OF SAID LEE COUNTY, FLORIDA.

LESS & EXCEPT

THE FOLLOWING DESCRIBED TRACTS OR PARCELS OF LAND LYING IN THE OLDE HICKORY GOLF AND COUNTRY CLUB:

TRACT "G"
TRACT "H"
TRACT "I"
TRACT "J"
BLOCK 1, LOTS 1 THROUGH 29, INCLUSIVE
BLOCK 2, LOTS 1 THROUGH 28, INCLUSIVE
BLOCK 3, LOTS 1 THROUGH 17, INCLUSIVE
BLOCK 4, LOTS 1 THROUGH 20, INCLUSIVE
BLOCK 5, LOTS 1 THROUGH 31, INCLUSIVE
BLOCK 6, LOTS 1 THROUGH 26, INCLUSIVE
BLOCK 7, LOTS 1 THROUGH 24, INCLUSIVE
FIDDLESTICKS BOULEVARD

CONTAINING 217.387 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHT OF WAY OF RECORD.

REFER TO PLAT OF THE OLDE HICKORY GOLF AND COUNTRY CLUB, PLAT BOOK 48, PAGES 86 THROUGH 114, INCLUSIVE FOR SKETCH OF DESCRIPTION.

INK ENGINEERING, INC.

Ronald Kerfoot 8/12/92
RONALD KERFOOT, FOR THE FIRM
PROFESSIONAL LAND SURVEY
FLORIDA CERTIFICATE NO. 2994

EXHIBIT # "A"

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EXHIBIT 1
PAGE 4 OF 4

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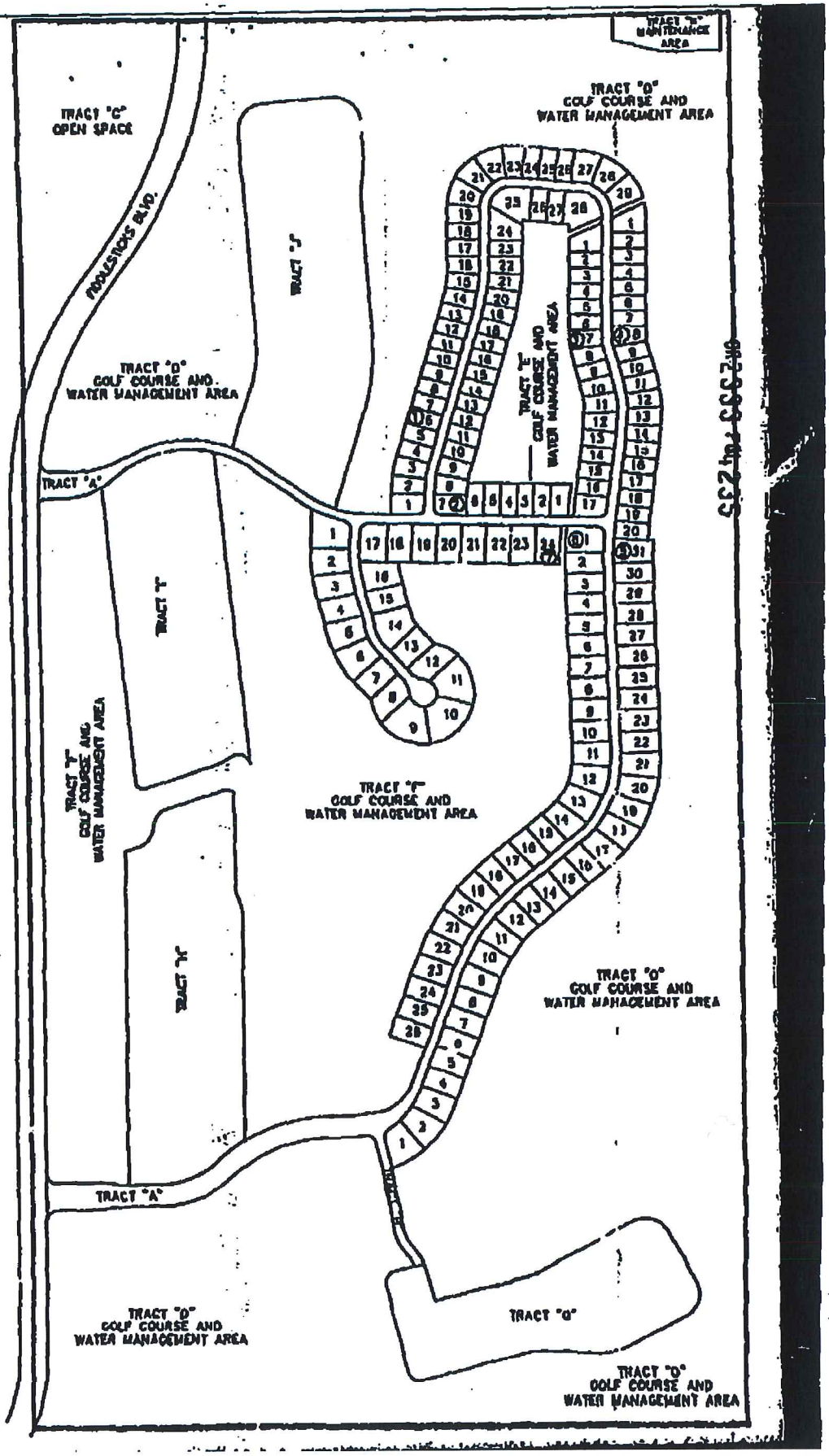
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THE OLDE HICKORY GOLF AND COUNTRY CLUB

LEE COUNTY, FLORIDA

CHARLIE GREEN LEE CTY. FL
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POOL CABANA

OLDE HICKORY GOLF & COUTNRY CLUB

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EXHIBIT
1

HISTORY

In spring of 2016 the Club conducted a member survey in respect to the wants and the needs of our members. In regards to the future wants there were two areas clearly identified by the members:

- Casual Tiki/Hut Bar with expanded deck space
- Enlarge and improve the Grille and Bar to relieve congestion

The Board has requested the Planning Committee to start investigating different options to accomplish those goals. The Planning Committee and the GM now have investigated the possibilities and are proposing the attached ideas.

GOALS

- Update and renovate the existing pool area
- Create a small indoor/outdoor grille facility with a simple and casual atmosphere (t-shirt, flip flops, golf wear).
- Create a more resort pool style of feeling where members and their families can relax, enjoy a quick bite to eat and socialize with their friends.
- Create a better utilization of the pool area/facility while relieving congestion in the Bar and Grille room.
- The proposed Poolside Cabana provides a casual outdoor experience ideal for any type of poolside activity or event. Situated at the centerpiece of the renovated Master Pool and remodeled meeting/card room facility, the Poolside Cabana will provide our Members with the following benefits:

  - An informal experience providing a full bar, snacks and grille items.
  - A 19th hole bar for post-golf socializing
  - Meeting rooms for cards, meetings, etc.
  - A setting for poolside social events for our members
  - A food and beverage outlet for sunbathers and swimmers
  - A place to relax and unwind after a workout, card play, tennis, golf or pickleball

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PROPOSED FACILITIES

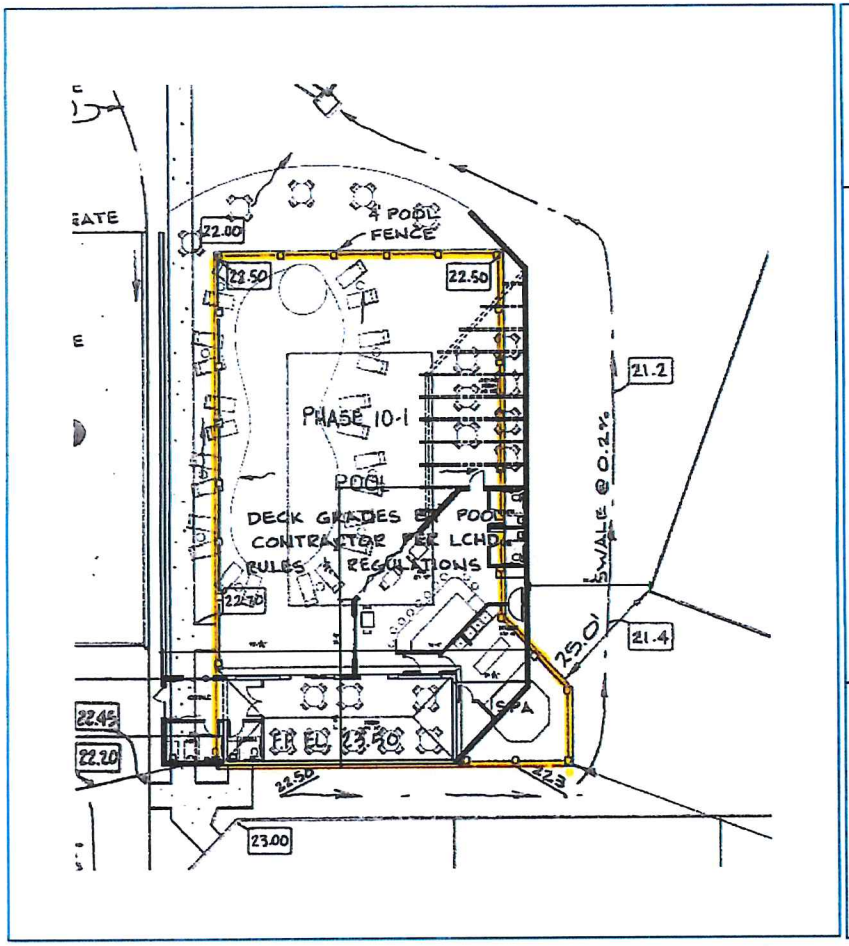
Taking the member survey and the County Zoning Department comments in consideration the proposed facilities will include:

- An indoor bar and grille facility for 20 to 28 guests utilizing and renovating the current pool house
- Casual poolside seating with bar and grille service for 20 to 28 guests including a sound abatement wall with a pergola, covered with a retractable awning
- A bar area with 8 – 10 bar seats
- A small kitchen/grille area and storage/cooling area (one chef kitchen)
- Restrooms
- A newly designed resort style pool including a spa (same size as current pool)
- The common area between the pool area and adjacent homes will be heavily landscaped in order to serve as a visual and noise barrier



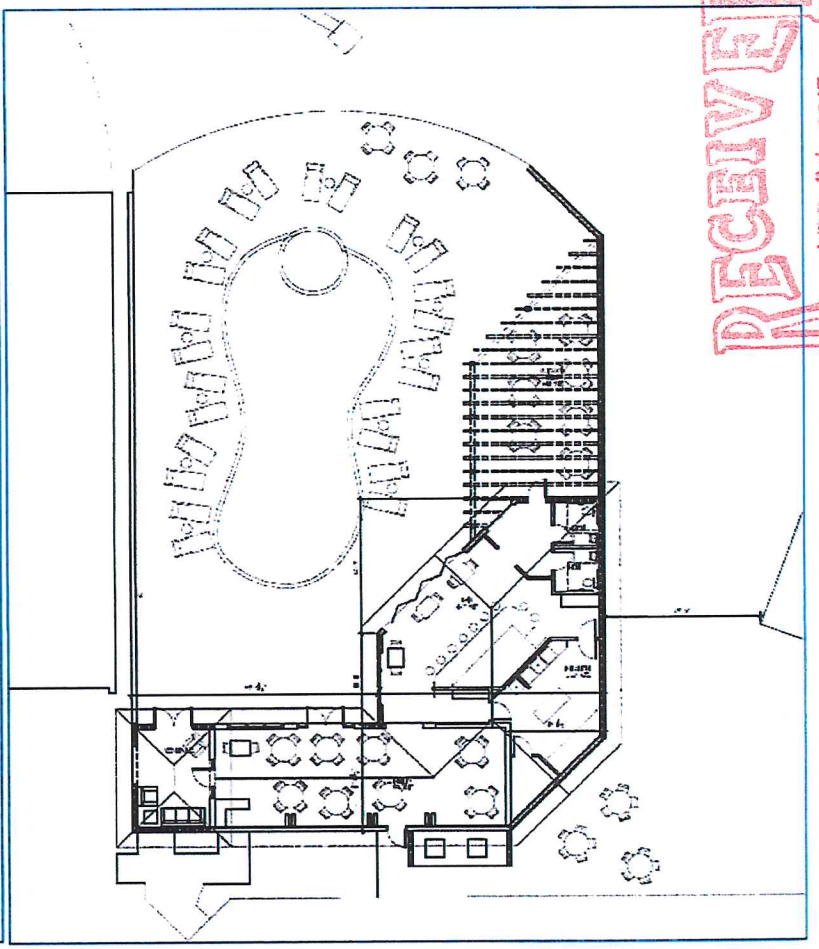
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FLOORPLAN



Current floorplan is outlined in yellow.

The new floorplan is overlaid in black.



New floorplan layout.

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OPERATING STIPULATIONS

In order to serve our members appropriately and to stay within the County codes we anticipate the Pool Cabana to be operated as follows:

- Service
  - Grille Menu 7:00 AM to 8:30 PM
  - Last Call 8:30 PM
  - Music Out 8:30 PM
  - Closed 9:00 PM

- We anticipate the Pool Cabana to be open 6 days a week during the season and about 2 to 3 days during the off season.

- Grille Menu will consist of "simple" bar menu items & full liquor bar

  - Burgers
  - Hot Dogs
  - Wings
  - Cold & Warm Sandwiches
  - Salads
  - Pizza

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THE PERMITTING PROCESS

In order to start construction, we are required to re-zone the current property, get a development order and building permit. Given the fact that the project exceeds the annual capital spending limit of the Board it also requires a member vote.

- Member Survey in Spring 2016
- Planning Committee established goals and the necessary process
- Brainstorming meeting with the County Zoning and Planning Department
- Initial designs were developed based on the members wants and the County's feedback
- We then met with the County Zoning and Planning Department again to focus on one possible – permittable design
- Finalized (proposed) design and started Re-Zoning Process
    - Review by County Staff with recommendation
    - Public Hearing and final hearing examiner's recommendation / Vote by the County Commissioners
    - Start the Development Order Process & Building Permit

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PROJECT TIMELINE

DATE	MILESTONE	Duration
08.01.2016	Project Start	8 Weeks
09.30.2016	Finish Prelim Work / Design / Renderings	
09.30.2016	PC & Board Review	
10.01.2016	Engineering Work Start	38 Weeks
01.10.2017	Parking Lot Study	2 Weeks
02.15.2017	Filing For Re-Zoning	
04.01.2017	Public Hearing	
04.15.2017	D.O. Filing	8 Weeks
06.15.2017	Zoning And Permit Approval	

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ESTIMATED CONSTRUCTION COST

- Total – estimated project cost is $800,000 based on the following assumptions
  - Professional Fees $70,000
  - New pool and equipment $125,000
  - FF&E $110,000
  - Construction cost
    - $150 per sqft/dining area
    - $ 250 per sqft/service and kitchen area

- Given the current balance on the capital fund plus the reserve funding for the pool renovation – there will not be a member assessment.

FUNDING OF THE PROJECT

- Estimated project cost is $800,000
- Given the current balance on the CAPITAL and RESERVE FUND there will be NO MEMBER ASSESSMENT for this capital project
  - Approx. $600,000 will come out of the Capital Fund (cb 1.1.2017 $732K)
  - Approx. $200,000 will come out of the Reserve Fund

- Requires a vote by the membership (a 2/3 YES of all voting)

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DRAFT

DRAFT ANNUAL MEETING MINUTES
Olde Hickory Golf and Country Club
March 20, 2017

ATTENDING: Directors Ahern, Bunkenburg, Desrosiers, French, Hoover, McConville, Sassone, White and Wilburn; and General Manager Tschernitz.

CALL TO ORDER: Director/President French called the meeting to order at 3:10 PM.

CERTIFYING PROXIES AND DETERMINATION OF QUORUM: Director/President French asked Director/Secretary Wilburn if all proxy holders were present and prepared to vote as directed. Secretary Wilburn called out the names of proxy holders who had been identified as absent by the Election Committee. Proxy holders in attendance made themselves known and the list of absent proxy holders was corrected and returned to the Election Committee.

Director/President French asked for a determination of a quorum. Director/Secretary Wilburn stated that all Master Board members were present, and a quorum of the membership was present. 424 members were present in person and/or by proxy. 128 members signed the Attendance List.

PROOF OF NOTICE OF MEETING: Director/President French requested Director/Secretary Wilburn to confirm that proof of notice of the Annual Meeting was provided. She stated that first and second notices of the meeting were mailed on January 17, 2017 and March 6, 2017 respectively, to each member at the member's last recorded address. Director/Vice President White moved, seconded by member Linda Lawrence, to waive reading of the notarized Affidavits of Mailing. Motion passed unanimously. Signed copies of the affidavits are available in the Administration Office.

SECRETARY'S REPORT: Secretary Wilburn requested approval for minutes of the Annual Meeting held March 14, 2016. Reading of minutes for the Annual Meeting and the Members Meeting was waived via a motion by member Jeff Berg, seconded by member David Conley. The minutes were approved unanimously as written.

PRESIDENT'S REPORT: Director/President French made the following remarks, and invited those employees he named to come to the front and be applauded by the members for the tremendous job they do:

> "As we move through this year's Annual meeting, you will hear from various Committee Chairs and or Board Liaisons relative to the things our committees have considered, discussed, worked on or planned this year and for the future. Certainly you will also hear from Finance Committee, our Treasurer and our General Manager and I believe what you will hear is a very positive view of the past year and the outlook for the future of Olde Hickory. I arrived to Olde Hickory in 2005; I served on the Finance Committee for a couple of years before taking a seat on the Board 5 years ago. It is my belief that

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Olde Hickory has never been physically or financially stronger than it is today. This does not happen by mistake, it happens because of a lot of dedicated people. Our Committee Members and your Board spend endless hours trying to ensure we the Members have a place we can enjoy and be proud of. If there are committee members in attendance, please stand. Thank You

But that is not enough. Last year I spoke of the significant back office work that gets done to keep this place running smoothly. Today I would like to recognize several of the key people that do the real work around here. You will know some of them, and a few you may not, but without them this would not be the place it is today. I would like to provide them the recognition they deserve!

This place is about Golf, don't mean to forget about our Tennis and Pickleball players, but it is about golf!

Brandon Motley – Head Golf Professional – 1 yr, 6 mos. From an industrial designer to an outstanding golf professional. He does play from the wrong side of the ball, but he loves to teach and works with those on either side of the aisle – we could use some politicians like Brandon.

Julie Carse– 1st Assistant Golf Professional - 6 mos. A great addition to our Golf Staff, Julie has added a new dimension, both in teaching and making the game fun.

Together Julie and Brandon have improved the focus and interest in Golf at Olde Hickory thru clinics, tournaments, and Pro Shop merchandising – Thank You

JT Simpson– Outside Operations Supervisor - 1 yr, 3 mos. Let us not forget our cart staff, JT and his staff manage 240 golfers a day, 240 bags a day and turn 70 carts in less than 1 hour in season. I might add JT does not just manage; he works and truly leads by example. Thanks JT.

If there is something else we do well at Olde Hickory, it's eating, drinking, partying!

Brian Rosich – Clubhouse Manager – 7 yrs, 6 mos – Started as Assistant F&B manager. You may not know, but Brian has two jobs. His primary role as Club House manager focuses on F&B Service and delivery, but he is also responsible for the in-house cleaning staff. So he gets to make the mess and then has to get it cleaned up. These are often long hard days during season, but no one is more dedicated to providing a great environment for us to enjoy than Brian.

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Tommy Lang – Bar Manager – 18 yrs, 1 mo. Without Tommy we would not be a well lubricated club!

Alicia Carpozzi – Restaurant Manager – 7 yrs, 4 mos. Alicia started with us as a Server. Sometimes you look for the perfect person to fill a position and then realize that person is right under your nose. So it was with Alicia. As I mentioned, Alicia has worked as a server for 7 plus years, but when this opportunity came up she was ready for a change, a change for her and a very positive change for Olde Hickory.

Barry Gladman – Executive Sous Chef – 2 mo. Barry started in December, Great addition to the kitchen management team with culinary experiences in England, Austria, Germany, France and the US.

Werner Dietrich – Executive Chef – 9 yrs, 6 mo. Chef came to Florida after spending several years on 5 star cruise ships. Certainly he can cook a burger, but his creativity and culinary skill stands out in events like our wine and dines. Last month was exceptional, but so are the Sea Food Buffets, Chop House Night and so many other events that Chef puts on for us.

Lauren Blasingim – Member Services / Events Coordinator – 11 mo. What would a club be without a party? Lauren has a degree in Hospitality Management and put it to good use here at Olde Hickory. She works closely with the golf shop and F&B to ensure our member, member/ guest, and social events go off without a hitch. It's a full team effort for big events. And I hope you would agree, we have had several very good ones this year.

While Chef provides us with great food from around the world, who counts the beans?

Donald Goyette – Controller – 14 yrs, 8 mos GAAP to most of us doesn't mean anything, but Donald lives by it. Good Accounting Practices lead to good audits and this year was our best Audit ever. He also keeps our IT systems running and may have more historical knowledge of Olde Hickory than anyone. But he is certainly not alone!

Mel Huhn – Accounts Payable, Accounts Receivable and keeper of all things – 14 yrs, 9 mo Bean counter par excellence. Mel knows the account balance down to the cent. She knows it all and is not someone to mess with. Probably the one person that keeps both Donald and Peter on their toes.

How great could a golf club be without a great golf course?

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Phillip Garside – GC Superintendent – 2 yrs, 5 mos. He eats, sleeps (although I'm not sure when he sleeps) and breathes grass. Without a doubt the hardest working Golf Course Superintendent in the "World"! It's not just about cutting grass or raking traps, it's about managing a huge process and he and his team are outstanding.

Mariano Bartolo – Spray Tech – 24yrs, 10mo – Most years of service at Olde Hickory. The golf course doesn't stay green by itself. A little rain helps, but the right amount of nutrition is needed. Mariano, like the Chef, has his own kitchen, but his creations include chemicals and fertilizers to feed a very hungry golf course.

Brigido Miguel – Assistant GC Superintendent – 11 mos – Worked at OH before school. He has big shoes to fill – he's Mariano's son. He's a Penn State graduate with a degree in Turf Management and a great addition to our staff.

Andreas Ortiz – Assistant GC Superintendent and Head Mechanic – 8 yrs, 6 mos. If it does not work – Andreas and his crew will make it work. Fixing things is what he enjoys, if not a mower, it's his antique cars which he restores and drives.

Jose Benito-Lopez – Irrigation Tech – 12 yrs, 11 mo. Mother Nature can do a good job of watering a golf course, but when she's not working, Jose is our man! He knows every sprinkler and every direction it points. If, by chance the sprinklers start on the green you're putting on, you now know who to see. Just kidding!!

We are very fortunate to have such a great team working hard so we can play this silly game."

TREASURER'S REPORT: Director/Treasurer Hoover reported on the June 30, 2016 audit, major activities of the Finance Committee; the February, 2017, Club EBITDA Year to Date and February, 2017, Cash Balances in Club accounts. His remarks are summarized below. His full report is available in Administration.

AUDITED STATEMENTS AS OF June 30, 2016

RSM US LLP formerly RSM McGladrey, completed the annual audit for the Club as of June30, 2016. This is perhaps the cleanest audit the Club has ever received. There were a limited number of journal entries made by the auditors dealing with balance sheet reconciliations of accounts. The dollar amount of these entries was insignificant. As a result, the auditors recommended that all balance sheet accounts be reconciled at the end of each month. This recommendation has been implemented.

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The second recommendation from the auditors was that we should be using a property and equipment disposal/addition form to capture all items disposed when removed from service and to capture new capital items purchased. All of these transactions need to be entered onto the Clubs Reserve Schedule. This procedure is now being used. In addition, all items owned by the Club have been inventoried and tied directly into the Reserve Schedule.

ACTIVITIES OF FINANCE COMMITTEE

Director/Treasurer Hoover thanked Jim Madden for chairing the Finance Committee and the other members of the Committee for their service. He noted that the committee's biggest project year was to review and approve the new Reserve Schedule for the Club. This schedule is perhaps most important financial document for the Club. It lists all of the items the Club owns, with anticipated replacement dates with costs. This schedule contains over 1100 items and stretches out 25 years. This document allows the Finance Committee and Master Board to set reserve fees to assure that the Club is always kept fresh and up to date.

CURRENT FINANCIAL INFORMATION

The Club is in a very strong financial position. EBITDA YTD is $30,000, 32,000 over budget. Operating cash at the end of February was $348,000 compared to last year's balance of $507,000 or $159,000 less. This is directly off set as A/R from members is $220,000 greater than last year. The reserve fund is $481,000 vs. last year's balance of $252,000. Cash in the Capital Account this year is $717,000 vs. last year at $664,000. In addition, we have five sales of residents that will provide another $22,000 for the Capital Fund. Beautification funds are at $46,000 vs. last year's balance of $55,000.

COMMITTEE REPORTS (the reports are available in the Administration Office)

- **Architectural Review Committee:** Delivered by Karen Wilburn, Committee Liaison. She noted that ARC processed 140 applications in 2016 and so far this year 42 applications have been approved.
- **Beautification:** Delivered by Linda Lawrence, Chairperson. She spoke about the achievements of the committee such as the significant improvements to the main entrance and the corner of Fiddlesticks and Indian Pony. She mentioned the upcoming golf outing sponsored by the committee which is a significant source of funds. Plans for next year include improvements to signage in the community.
- **Compliance:** Delivered by Director/Vice President Mike White, Committee Liaison, who noted that the committee met one time this year to discuss the new Compliance

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Section of the Rules and Regulations.

- **Election Committee:** Delivered by Director/Secretary Karen Wilburn, Committee Liaison, who thanked the committee for ensuring that proper procedures are followed and the voting results are correct.
- **Employee Appreciation:** Delivered by Donna Dickens, Chairperson, who reported that the committee sponsored a successful party in December for staff and plans are already underway for this year's event. She noted the generous contributions by members to the employee appreciation fund that makes the party and gifts to employees' children possible.
- **Finance:** Delivered by Jim Madden, Chairperson. He described the duties and responsibilities of the Finance Committee. The committee meets monthly to review monthly financial statements. It also reviewed the annual budget, annual audit, and the revised Reserve Schedule. The committee spent much time reviewing the impact on the Reserve Schedule of the proposed Cabana Project and was satisfied that the project would not negatively impact the club's ability to provide sufficient funds to meet the demands of making necessary property replacements in the future.
- **Golf:** Delivered by Doug Wade, Chairperson. He described some of the committee's activities during the past year such as working with Brandon on new scorecards, course hazard markings, pace of play concerns, handicap issues, and giving input on practice chipping green improvements.
- **Green:** Delivered by Robin Montgomery, Committee Co-chair. He noted topics that the committee has been working on with the GM and GCM such as experimenting with varieties of grass to replace Celebration grass in the roughs, solutions to the problem of balls running off into the water on #8 and #17, and a new chipping practice green.
- **House:** Delivered Larry Greenstein, Chairperson. He described several activities of the committee including reviewing the dress code, researching replacements for chairs and tables in the foyer, and new carpet and paint for the golf shop renovation.
- **Perimeter, Security and Infrastructure:** Delivered by Bob Desrosiers, Board Liaison. He described some of the activities of the committee this year such as a landscaping plan to provide a physical and visual border in the area along #5 tee box. The committee's focus in the coming year will be continuation of a coordinated plan to address areas of unrestricted access along our border, creating standardized and attractive signage, and creating safe egress/ingress for walkers and bicyclers via our Main gate and a crosswalk across Fiddlesticks Blvd. to the new bicycle/walking path.
- **Planning:** Delivered by Jeff Berg, Chairperson. He described the process followed by the committee that resulted in the proposed pool/cabana proposal. The committee

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developed a presentation to communicate the features of the proposal to the members. Fourteen separate presentations were conducted. The committee also played a major part in the development of the Resolution that members are being asked to vote on at this meeting.

- **Tennis/Pickleball**: Delivered by Bob Clarke, Chairperson. He noted the improvements to the pickleball facility that have made play much more enjoyable. He also described the increased popularity of pickleball and estimated 50 to 60 members, renters and/or guests play at least once a week.

GENERAL MANAGER'S REPORT General Manager Peter Tschernitz reported on the Club's overall condition, activities and plans. His remarks are provided below.

"As we all know - OH is a wonderful place to life and play. We have outstanding facilities as well as great members who cherish and support their Club very heavily. OH is as much a golf club as it a social club – but more importantly it is home to a lot of our members or their home away from home.

The last year has been a great one. We had excellent golf course playing conditions – thanks to our dedicated and hardworking golf course crew. We had some record days with over 240 golfers out on the golf course.

We had fantastic golf events – thanks to our outstanding golf operations team. We have worked very hard to improve the retail operations in the pro shop and believe that we have given our members some very stylish outfits. One of the operational challenges I am most happy about is the outside golf operations – our outside staff works incredible hard to turn 70 carts in less than one hour and have over 200 golf bags ready every day as well as keep an eye on the driving range.

We had some great clubhouse events and dinners and thanks to all of our club house staff we also had some record breaking events which were handled fantastically. Sometimes – we wish our clubhouse would be a little bit bigger – especially when we are hosting the MGA Gala dinner for 216 guests. We have built a very strong Clubhouse team who is able to service anything from a simple burger, to the ever so popular fine dining to large events for our member groups.

The members support for all of our golf and social event has been outstanding.

The overall support of our members and the use of our Club combined with appropriate financial controls and financial management reflects very positively in our current financial situation. Year to Date we are ahead of the budget by over $ 30,000 and I am sure we

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can keep that up. Over the last few years we were able to move the Club into a very strong financial (and cash) position.

Operationally we are still in the middle of the season – from a management point we are already into finalizing:

- Next summer's monthly calendar (clubhouse events and golf events) ,
- 2017 – 2018 budget for FC and Board approval and
- Next summer's projects

Some of the summer projects include:

- Sand trap renovation from June 5th to July 2nd
- Summer agronomy plan for the golf course and common grounds
- Remodeling of the pro shop
- Several remodeling or upgrading projects in the Clubhouse
- Building a new chipping green

Finally – I would like to thank

- **All of my staff members** for their dedication and hard work, we have a fantastic team here at OH – and I am happy and proud to work with them.

I would like to thank

- All of **our Committee Chairs and Committee Members** for their time and effort they are putting in to make OH a better club.

I would like to thank

- The **Board of Directors** for their time and effort, for their leadership and commitment to the Club – BUT please keep in mind – **THE BOARD GUIDES AND MANAGMENT MANAGES.**

Last, but not least, I would like to thank

- all **of our members for their continued support**, for their feedback good and bad and for making OH what it is – a great place to life and play. "

NEW BUSINESS

A. **Election of 3 Directors*:*** The following votes were recorded:

Edmund Ahern	222
Vince McConville	287
Tim Valento	299
Michael White	195

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Ed Ahern, Vince McConville, and Tim Valento were elected. They have a 3 year term on the Master Board of directors.

B. Vote on a Resolution to approve material alterations to common areas/Pool Cabana Project :

To approve this resolution, 2/3rds of members voting in person or by proxy must approve. The following votes were recorded

Total votes received by proxy or in person	424
In Favor	186
Opposed	225
Invalid	13

The Resolution to approve material alterations failed to pass.

C. Vote on Taxation of Revenue:

To approve this Resolution a majority of the members voting in person or by proxy must approve:

Total votes received by proxy or in person	424
In Favor	395
Opposed	16
Invalid	13

The Resolution on Reserves was approved.

The Results of the March 20, 2017 Annual Meeting was signed by Peggy Degenhart, Election Committee Chair, and Karen Wilburn, Board Secretary. It is available in the Administration Office.

Adjournment: There being no further business before the Board, a motion was made by member Sharleen Watt, to close the meeting at 4:30 PM; seconded by member Judi Hobensack. Motion carried unanimously.

Respectfully submitted,
Karen Wilburn, Secretary

Attachments: (available in the Administration Office
1) Affidavits of Mailing (Available in Administration Office).
2) Treasurer's Report

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3) Committee Reports
4) Results of the March 20, 2017 Annual Meeting (Available in Administration Office).

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$6.00 BILLED

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS

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OF LEE COUNTY, FLORIDA

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RECORD VERIFIED - CHARLIE GREEN CLERK

WHEREAS, Donald Frankel, et al have been properly filed an application on a project known as The Old Hickory Club for:

Rezoning from AG-2 to Residential Planned Development, to permit a residential development with a maximum of 858 conventional single-family, zero lot line and Golfside Villas and multi-family condominium units with buildings not to exceed 45 feet in height on 313.3 total acres of land. The proposed development will also include a country club, golf course, driving range, putting green, pro shop, private clubhouse (with food and beverage service), consumption-on-premises (COP), tennis courts, swimming pool, other non-commercial recreational facilities, accessory uses, administrative office, speciality retail shops, real estate sales office, models, signs, entrance gates, gatehouses, sewage treatment plant, maintenance building, lakes and environmentally sensitive preserve areas.

NOTE: If approved the Master Concept Plan will deviate from the following Lee County standards:

(1) Minimum setback between structures and a section line of 75 feet (202.15.B.3.a.), to 20 feet for the north/south line between Sections 27 and 28 as well as the east/west line between Sections 22 and 27;

(2) Minimum setback between structures and a quarter section line of 60 feet (202.15.B.3.b.), to 0 feet for the east/west line in Section 27;

(3) Maximum depth for a water retention excavation of 12 feet (518.B.), to 20 feet;

(4) Minimum water retention excavation setbacks to a quarter section line of 60 feet (518.C.2), to 0 feet for the east/west line in Section 27;

(5) Minimum water retention excavation setbacks to a street right-of-way of 150 feet (518.C.4.), to 50 feet;

(6) Requirement that the banks for a water retention excavation shall be sloped at a ratio not greater than 6:1 to a water depth of 4 feet below the dry season water table (518.D.), to 4:1;

(7) Withdrawn;

(8) Withdrawn;

(9) Requirement that along local streets, residential developments (those other than individual lots for single and/or two family dwellings units), shall provide a minimum buffer Type "B" [DSO C.5.d.(6)(b)(ii)], to no buffer along local streets within the bounds of the unified development;

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(10) Minimum setback for roads shown on the Official Trafficways Map, but do not appear on the Lee County Circulation Plan Map of such a size as set forth in Section 202.15.B.2. of the Lee County Zoning Regulations, measured from the applicable centerline of the right-of-way, the width of which shall be shown on the Official Trafficways Map (per Section C.3.m.(2)(a) of the Lee County Development Standards Ordinance) to:

a) Reduce to zero the setback from the proposed 100 foot north/south collector shown on the Official Trafficways Map along the eastern boundary of the subject property.

b) Relocate the proposed 100 foot east/west collector shown on the Official Trafficways Map which runs across the subject property and allow the applicant to provide for that alignment along the southernmost part of the property based upon DOT&E determination.

c) Reduce the setback by 40 feet along the proposed collector shown on the Official Trafficways Map along the northern boundary of the subject property.

d) Reduce the width of the right-of-way proposed for Palomino Road shown on the Official Trafficways Map from 200 feet to 150 feet;

(11) Minimum building setback from the centerline of an arterial street without a frontage road of ½ the right-of-way plus 50 feet (202.15.B.2.a.) to a setback of ½ the right-of-way plus 20 feet along Palomino Road;

(12) Minimum building setback from the centerline of a 35 foot private roadway easement of ½ the right-of-way plus 20 feet (202.15.B.2.a.) to a setback of ½ the right-of-way plus 15 feet for zero lot line units only;

(13) Minimum building separation for the attached villa housing of 10 feet from the building on the side opposite the zero setback line (431.C.b.[2]) to 0 feet for the 2 interior units; therefore allowing the land on which the attached villas are constructed to be sold as individual lots;

(14) Minimum building separation for the detached zero lot line housing of 10 feet from the building opposite the zero setback line (431.C.2.b.[2]) to 0 feet from both lot lines with a minimum 5 foot separations between buildings;

(15) Minimum rear setback of 20 feet (434.01.B.2.) to 5 feet for zero lot line housing only;

(16) Minimum 20 foot drainage maintenance right-of-way to be provided along lakes (DSO C.4.b.) to a 20 foot drainage maintenance easement which will be included as part of the lot; and

(17) Maximum reduction of any parameter of intensity (i.e. the number of dwelling units or density rate) of 10 percent that may be approved administratively as a minor change by the Department Director (804.03.H.2.a.) to a reduction of 65 percent.

WHEREAS, the subject property is located on the east side of Palomino Road approximately 1/2 mile south of Daniels Road, described more particularly as:

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LEGAL DESCRIPTION: In Section 27, Township 45 South, Range 25 East, Lee County, Florida:

The West One Half (W½) of Section 27, Township 45 South, Range 25 East lying in Lee County, Florida.

WHEREAS, the applicant has indicated the property's current STRAP number is 27-45-25-00-00001.0000; and

WHEREAS, proper authorization has been given to Charles Huether, President of Old Hickory Club by James G. Frankel, owner of the subject parcel, and proper authorization has been given to Ink Engineering, Inc. and Pavese, Garner, Haverfield, Dalton, Harrison & Jensen, by Charles Huether, trustee, of the subject property and President of Old Hickory Club, to act as agent to pursue this zoning application; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Planning and Zoning Commission, with full consideration of all the evidence available to the Planning and Zoning Commission; and

WHEREAS, the Lee County Planning and Zoning Commission fully reviewed the matter in a public hearing held on March 7, 1988; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Board of County Commissioners; and

WHEREAS, in the legislative process the Lee County Board of County Commissioners gave full and complete consideration to the recommendations of the staff, the Planning and Zoning Commission, the documents on file with the county, and the testimony of all interested persons.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board of County Commissioners does hereby APPROVE with conditions a rezoning from AG-2 to Residential Planned Development, to permit a residential development with a maximum of 858 conventional single-family, zero lot line and Golfside Villas and multi-family condominium units with buildings not to exceed 45 feet in height on 313.3 total acres of land. The proposed development will also include a country club, golf course, driving range, putting green, pro shop, private clubhouse (with food and beverage service), consumption-on-premises (COP), tennis courts, swimming pool, other non-commercial recreational facilities, accessory uses, administrative office, speciality retail shops, real estate sales office, models, signs, entrance gates, gatehouses, sewage treatment plant, maintenance building, lakes and environmentally sensitive preserve areas.

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Approval is made with the following conditions:

1. The Master Concept Plan is a one-sheet plan titled "OLD HICKORY GOLF AND COUNTRY CLUB," prepared by Ink Engineering, Inc., printed July 25, 1988 and received July 26, 1988, except as modified herein.

2. The schedule of uses is limited to the following:

   Ancillary Commercial Uses, limited to the following:
   - Administrative Offices
   - Consumption on Premises (1) within the Clubhouse
   - Food and Beverage Service, Limited
   - Real Estate Sales Office
   - Specialty Retail Shops, Group I
     (Tennis & Golfing Equipment)

   Club, Private
   Country Club with clubhouse
   858 Dwelling Units with buildings not to exceed 45 feet in height to consist of:
   - conventional multi-family buildings
   - conventional single-family residences
   - Zero lot line units
   - Townhouses

   Entrance Gates
   Essential Services
   Essential Service Facility - Groups I and II
   Excavation, Water Retention
   Gatehouse
   Model Homes, Model Units, and Model Display Center
   Modification of Section Line and Street Setbacks as specifically noted in the deviation
   Recreational Facilities, Private
   - 18 Hole Golf Course including maintenance building, cart storage facility, rain shelters
   - Tennis Courts
   - Swimming Pools and Cabanas (2)
   - Picnic Area
   - Golf Driving Range
   - Practice Green
   - Nature Walk
   - Other Similar Non-commercial Facilities

   Residential Accessory Uses
   Signs in compliance with Lee County Sign Ordinance

   Any additional uses not listed herein shall be reviewed as an amendment to the Master Concept Plan.

3. Prior to final plan approval, the Master Concept Plan shall be modified to incorporate revisions to the schedule of uses and deviations as contained in these conditions.

4. Approval of this request does not exempt the applicant from compliance with all other Zoning and Development Review regulations, except for those specifically noted herein.

5. The developer shall bear the sole responsibility for the repair and maintenance of the on-site sewage treatment plant. Should the plant be cited for any alleged failure to maintain those minimum operating conditions set forth in applicable permits and licenses, no development orders or permits, as defined in Section 163.3164, Florida Statutes, shall be issued, and no work authorized by then existing, otherwise valid development orders or permits shall be allowed, unless and until the plant is recertified as meeting such minimum operating conditions.

6. To mitigate future hurricane disaster potential and insure compliance with the Lee Plan, the developer shall establish a homeowners' or residents' association to provide an educational program for hurricane preparedness. The program shall consist of annually describing the risks of the hurricane hazards to the residents, as well as the actions to mitigate the dangers which these hazards present.

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In addition, at the completion of development construction or each phase thereof, a development representative shall provide to Lee County Emergency Medical Service a site plan depicting the official street names and building addresses within the development.

Also a development representative shall contact Lee County Emergency Medical Service to discuss the designation of emergency helicopter landing zones and the accessibility of the EMS units.

7. Prior to final development plan approval, the developer shall submit an exotic vegetation removal and maintenance plan. All exotic vegetation located within all environmentally sensitive areas shall be removed. The plan may allow existing melaleuca to remain on site along the perimeter of the property and within the golf course area, subject to the following: The melaleuca along the property perimeter shall be removed at such time as the required planted buffer provides an adequate visual screen or within five years, whichever occurs first.

   The melaleuca located within the golf course area shall be removed at such time as the planted trees attain an average height of 15 feet or within five years, whichever occurs first. The plan shall include maintenance provisions to control the re-invasion of exotic vegetation for a minimum of 3 years after removal. The removal and maintenance plan shall be subject to approval by the Department of Community Development.

8. Prior to final plan approval, the plan shall be revised to designate the Resource Protection Areas and the flow-way area as "Preserve Areas". All crossings through "Preserve Areas" shall be labeled as golf path/bridges. All crossings and roads shall be adequately culverted.

9. Prior to final development order approval, the applicant shall flag and survey the boundaries of the wetland areas and the flow-way located on site subject to approval by the Department of Community Development.

10. Prior to the completion of a sales contract for individual lots or units, the developer shall provide to the prospective buyer notification of current and projected future aircraft noise levels over the proposed development in the form of a deed covenant or a written notice.

11. Prior to final plan approval, the applicant shall modify the Master Concept Plan to show the proper location of the centerline and right-of-way for Palomino Road and the appropriate setbacks. In addition, the exact points of access shall be indicated on the Plan.

12. Notwithstanding the approval of the site plan, no deviation from neighborhood park requirements is granted.

13. Deviations (7) and (8) have been withdrawn. Deviations (2), (4), (9), (10a), (10b), (10c), (12), and (13) are hereby APPROVED. Deviations (6) and (17) are hereby DENIED. Deviation (1) is hereby APPROVED for that portion of the section line between sections 27 and 28 which is not incorporated into the roadway. The remaining section line and that line between sections 22 and 27 are hereby DENIED. Deviation (3) is hereby APPROVED to the confining layer or 20 feet, whichever is less. Deviation (5) is hereby APPROVED to 50 feet for internal roadways only. Deviation (11) is hereby APPROVED to 25 feet for all buildings and structures. Deviation (13) is APPROVED subject to approval by the County Fire Official prior to issuance of a Preliminary Development Order, to ensure adequate fire protection/access. Deviation (14) is hereby APPROVED to 5 feet. Deviation (15) is hereby APPROVED for those units that are adjacent to permanent open space (fairways or recreation areas). Deviation (16) is hereby APPROVED provided no buildings or structures are constructed within this easement. Deviation (10d) has been withdrawn.

OR2050

PG4085

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APR 04 2017
COMMUNITY DEVELOPMENT

(5144L/47) SEZ 2017-00003

Site Plan 87-237 is attached hereto and incorporated herein by reference, as a reduced copy of the Master Concept Plan.

The following findings of fact were made in conjunction with this approval of Residential Planned Development zoning:

a) The proposed uses are, as limited by the conditions herein, appropriate at the subject location;

b) Sufficient safeguards to the public interest are provided by the recommended conditions to the Master Concept Plan and by other applicable regulations;

c) All conditions found on the Master Concept Plan and recommended by staff are reasonably related to the impacts on the public's interest created by or expected from the proposed development;

d) The deviations being recommended for approval enhance the achievement of the objectives of the planned development; and

e) The general intent of these regulations, to protect the public health, safety, and welfare, is preserved and promoted.

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner John E. Manning, and seconded by Commissioner Bill Fussell and, upon being put to a vote, the result was as follows:

John E. Manning	AYE
Charles L. Bigelow, Jr.	AYE
Mary Ann Wallace	NAY
Bill Fussell	AYE
Donald D. Slisher	AYE

OR2050 PG4086

DULY PASSED AND ADOPTED this 8th day of August, A.D., 1988.

ATTEST:
CHARLIE GREEN, CLERK
BY: Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA
BY: Chairman

FILED
JAN 21 89
CLERK CIRCUIT COURT
BY D.C.

Approved as to form by:
County Attorney's Office

HEARING NUMBER 87-12-7 DCI

RESOLUTION NUMBER Z-87-237
Page 6 of 6

SEZ 2017-00003

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COMMUNITY DEVELOPMENT

(5144L/48)

RECORDED & RECORD VERIFIED
Charlie Green
CLK CIRCUIT CT
LEE COUNTY FL

SEZ 2017-00003

FEB 27 8 43 AM '89

OR2050 PG4087

PERMITTED SCHEDULE OF USES

CLUB, PRIVATE
COMMERCIAL USES, LIMITED TO THE FOLLOWING:
- ADMINISTRATIVE OFFICES
- CONSUMPTION ON PREMISES
- FOOD AND BEVERAGE SERVICE, LIMITED
- REAL ESTATE SALES OFFICE
- SPECIALTY RETAIL SHOPS (TENNIS & GOLFING EQUIPMENT)

COUNTRY CLUB
DWELLING UNITS
- CONVENTIONAL MULTIPLE FAMILY BUILDING
- CONVENTIONAL SINGLE FAMILY RESIDENCE
- ZERO LOT LINE SINGLE FAMILY RESIDENCE

ENTRANCE GATES
ESSENTIAL SERVICES
ESSENTIAL SERVICE FACILITY - GROUPS I AND II
EXCAVATION, WATER RETENTION
GATEHOUSE
HOTEL ROOMS, MOTEL UNITS, AND MOTEL EFFICIENCY UNITS
MODIFICATION OF SECTION LINE AND STREET SETBACKS
RECREATIONAL FACILITIES, PRIVATE
- 18 HOLE GOLF COURSE
- TENNIS COURTS
- SWIMMING POOLS
- PICNIC AREA
- GOLF DRIVING RANGE
- PRACTICE GREEN
- CLUBHOUSE WITH: RESTAURANT AND LOUNGE
  LOCKER ROOMS
  PRO SHOP
  MANAGER'S OFFICE
  CART BARN
  MULTI-USE ROOM
- OTHER SIMILAR NON-COMMERCIAL FACILITIES

DESIGNATED ACCESSORY USES
SIGNS

PERMITTED SCHEDULE OF DEVIATIONS

1. Minimum setback between structures and a quarter section line of 60 feet (per Section 202.10.D.2.a of the Lee County Zoning Regulations) in a 70 foot for the easternmost line in Section 27.

2. Maximum setback between structures and a quarter section line of 60 feet (per Section 202.10.D.2.a of the Lee County Zoning Regulations) in a 70 foot for the easternmost line in Section 27.

3. Maximum depth for an excavation for water retention of 12 feet (per Section 213.D of the Lee County Zoning Regulations) to 20 feet.

4. Minimum excavation setback for water retention to a quarter section line of at feet (per Section 213.E.2 of the Lee County Zoning Regulations) to a 0 feet for the easternmost line in Section 27.

5. Minimum excavation setback for water retention to a street right-of-way of 150 feet (per Section 213.E.2.a. of the Lee County Zoning Regulations) to 50 feet.

6. Reinstatement that the banks for excavation for water retention shall be sloped at a ratio not greater than one (1) to a water depth of 6 feet below the dry season water table (per Section 213.D of the Lee County Zoning Regulations) to not.

7. Minimum required buffer type "D" along local streets for residential developments other than those for single family detached and family dwelling units (per Section C.2.a.(attached)) of the Lee County Development Standards Ordinance) to no buffer along local streets within the bounds of the unified development.

8. Minimum setback for roads shown on the Official Trafficways Map but do not appear on the Lee County Circulation Plan but different than as set forth in Section 202.10.D.2. of the Lee County Zoning Regulations) measured from the ultimate centerline of the right-of-way, FOR ROADS AS WHICH WILL BE SHOWN ON THE OFFICIAL TRAFFICWAYS MAP (per Section C.2.a. Order of the Lee County Development Standards Ordinance) to:

a) ultimate two processed 100 foot northsouth collector shown on the Official Trafficways Map along the eastern boundary of the subject property;

b) relocate the processed 100 foot eastwest collector shown on the Official Trafficways Map which runs across the subject property to along the southern boundary (as illustrated on the Section line);

c) reduce the width of the right-of-way for the processed collector shown on the Official Trafficways Map along the northern boundary of the subject property from 100 feet to 60 feet.

d) reduce the width of the right-of-way proposed for Palomino Road shown on the Official Trafficways Map from 200 feet to 100 feet.

9. Minimum building setback from the centerline of an arterial street without a frontage road of 110 the right of way +50 feet (per Section 202.10.D.2.a. of the Lee County Zoning Requirement to a setback of 1/2 the right of way +50 feet along Palomino Road.

10. Minimum building setback from the centerline of a 25 foot private roadway of 1/2 the right of way +50 feet (per Section 202.10.D.2.a of the Lee County Zoning Requirement to a setback of 1/2 the right-of-way +50 feet for zero lot line units only.

11. Minimum building separation for two attached villa housing of 10 feet from any building on the side opposite the zero setback line (per Section 420.C.2.c.(2) of the Lee County Zoning Regulations) to 0 feet for the 2 interior units) therefore allowing the land on which the attached villas are constructed to be held as individual lots.

12. Minimum building separation for two detached zero lot line housing of 10 feet from the building opposite the zero setback line (per Section 420.C.2.c.(2) of the Lee County Zoning Regulations) to 0 feet from both lot lines with a minimum 5 foot separations between buildings.

13. Minimum rear setback of 20 feet (per Section 420.D.2.C. of the Lee County Zoning Regulations) to 0 feet for zero lot line housing only.

14. Minimum 20 foot perimeter maintenance right-of-way to be provided along zero (per Section C.4.a. of the Lee County Development Standards Ordinance) to a 25 foot drainage maintenance easement which will be included as part of the lot.

15. Maximum reduction of any perimeter of intensity 11.D. the number of dwelling units or density factor of 10 percent that may be authorized administratively by a owner thereof to the Director (per Section 204.4.C. of the Lee County Zoning Regulations) to a reduction of 25 percent.

SITE DATA

TOTAL ACREAGE	193.32 AC.
RESOURCE PROTECTION AREAS	20.00 AC.
LAKES	33.80 AC.
CLUBHOUSE SITE	2.00 AC.
SEWAGE TREATMENT AREA	0.50 AC.
MAINTENANCE AREA	0.50 AC.

DWELLING UNITS

-CONVENTIONAL SINGLE FAMILY LOTS	:	340
-ZERO LOT LINE UNITS*	:	150
-DUPLEX VILLAS	:	104
-2 STORY CONDOMINIUM UNITS	:	144
-4 STORY CONDOMINIUM UNITS	:	216
		954 TOTAL

MAXIMUM BUILDING HEIGHT : 45'

NOTES TYPICAL LOTS FOR SINGLE-FAMILY AND ZERO LOT LINE UNITS MAY VARY SLIGHTLY FROM THOSE SHOWN ON THIS PLAN ONCE FINAL ARCHITECTURAL PLANS ARE COMPLETED. SPECIFIC LOT AREAS FOR MULTI-FAMILY AND ZERO LOT LINE CONFIGURATIONS WILL SHALL BE DETERMINED BY THE SETBACK REQUIREMENTS OF THE RESIDENTIAL UNITS PERMITTED TO OCCUPY A, B, C, D, E AND F AND LOCAL ZONING REGULATIONS.

THE LOCATIONS OF MODELS AND THE 2 STORY CONDOMINIUM UNITS, ZERO LOT LINE UNITS, CONDOMINIUM VILLAS, AND ZERO LOT LINE UNITS ARE NOT FIXED. DETAILS DEPICTED ON ALL TOO CONCEPTUAL. FINAL FAMILY LOTS SIZE & MAXIMUM IS MODEL HOMES PERMITTED AT ONE TIME.

MAINTENANCE AREA WILL BE SHIFTED ADJACENT TO SEWAGE TREATMENT AREA.

APPROVED
Master Concept Plan
Site Plan # 87-237 Rev. 1 W-1
Subject to conditions in Resolution Z-87-237
Zoning Case # 87-12-7 DCI

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JUL 26 1988
ZONING COUNTER

PRINTED ON
JUL 28 1988

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COMMUNITY DEVELOPMENT

INK ENGINEERING INC.
ENGINEERS • SURVEYORS • PLANNERS
PHONE (813) 936-5040 | 6321 BAUM DRIVE • NORTH FORT MYERS, FLORIDA 33903

OLD HICKORY GOLF & COUNTRY CLUB
A RESIDENTIAL PLANNED DEVELOPMENT
SECTION 27, T 45 S R 25 E.
LEE COUNTY, FLORIDA

DWG. NO. 8749