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

CASE NUMBER: SEZ2017-00003
TYPE OF CASE: SPECIAL EXCEPTION
HEARING EXAMINER DATE: JULY 13, 2017

REQUEST:

A request pursuant to Lee County Land Development Code §34-1264(a)(3)c., for a special exception in the Residential Planned Development (RPD) zoning district for the Olde Hickory Golf & Country Club (Lee County Zoning Resolution No. Z-87-237), to allow an amendment to the existing consumption on premises (type 4-COP SFS beer, wine and spirits license) in conjunction with the clubhouse (Group III Restaurant) and (type 2-COP beer and wine license) in conjunction with a beverage cart for the golf course; to allow indoor and outdoor consumption on premises (type 4-COP SFS beer, wine and spirits license) in conjunction with the poolside [Food and Beverage Service] service, limited.

The request is to expand the existing license to allow service to the pool area within the Residential Planned Development. Specifically, a portion of STRAP Number: 27-45-25-02-0000D.00CE labeled as Tract F in the Olde Hickory Golf and Country Club Subdivision Plat per Plat Book 48, Pages 86 to 114. The overall subject property consists of 313.3± acres.

SUMMARY:

Staff recommends **APPROVAL** of the applicant's request with the Conditions found in Attachment C.

These conditions were created to address compatibility concerns with the surrounding land uses and promote harmony between existing and planned uses.

HISTORY OF PARCEL:

The overall property of Olde Hickory Club RPD was originally rezoned from agricultural (AG-2) to Residential Planned Development (RPD) in 1987 per Z-87-237 (see Attachment G). The approval includes 858 dwelling units, a Country Club with a clubhouse, and Recreational Facilities, Private, including an 18-hole golf course and swimming pool. The approval also includes ancillary commercial uses such as Food and Beverage Service, Limited and, at time of approval, Consumption on Premises within the clubhouse. This zoning was administratively amended in 1992 per PD-92-001 to include a Restaurant, Group III, within the clubhouse. This approval allowed the Restaurant to be open for the public for a period of three years, any extension of the public restaurant use would require an amendment otherwise it will remain private for members and guest of members (Attachment H).

Development of the site occurred intermittently over the years, beginning in 1992 (Development Orders 92-05-030.00D and 92-10-019.00D). During this time, the clubhouse, golf course, swimming pool, pool house and associated parking were constructed, as shown on aerial imagery. According to the plans approved per PD-92-001, the distance between the pool and pool deck area to the closest residential property line appears to be 25 feet. By 1996, the majority of the RPD was developed; however, a number of Limited Development Orders (LDOs) were issued subsequent to full build-out. In 2013, the clubhouse received approval for a 6,577± square foot addition to the fitness center per LDO2013-00054.

A redesign of the parking lot to replace as one way, angled parking was approved in September of 2016 (LDO2015-00346). According to the approved plans, the applicant demonstrated sufficient parking for the following uses: Tennis Courts, Poolside Cabana, Retail/Office, Golf Course or Restaurant, and the clubhouse Fitness Center.

As it exists today, the two-story clubhouse includes 7,500 square feet of office and a pro shop on the first floor, a 4,896-square-foot restaurant on the second floor, and a 2,781-square-foot fitness center. The pool area includes a 1,181 square foot cabana/pool house and the surrounding deck area and the 18-hole golf course.

Code Enforcement Violation VIO2017-05015 was issued for the subject property for consumption of alcoholic beverages outside the clubhouse without the required COP approval; however, the violation was closed upon receiving temporary extensions of the license to the pool area per COP2017-00053, COP2017-00057, and COP2017-00058. These temporary extensions are permissible through the provisions contained in LDC Section 34-1264(d).

On June 28, 2017, staff received correspondence from Banks Engineering, the applicant's representative, containing a settlement agreement between The Olde Hickory Golf & Country Master Association, Inc. and several private homeowners within the Planned Development. These owners are located immediately adjacent to the pool area. The settlement included conditions intended to address the private parties' concerns about the proposed COP location and operation. This agreement furthers staff recommendation of approval; the request provides measures that consider impacts to adjoining property owners to ensure compatibility with the surrounding residences (see Attachment N).

CHARACTER OF THE AREA:

According to the Olde Hickory Country Club's website, the subject property is described as a place "where excellence in golf and country club living finds a home". The Residential Planned Development promotes harmony between the associated golf and country club recreation and the mix of residential uses including single-family, multi-family and townhomes.

To the north of the property is Indian Pony Drive, which provides access to vacant properties zoned Commercial Planned Development (CPD), Agricultural (AG-2), Special Commercial Office (CS-1) and Single Family Residential (RS-1). To the east are two vacant properties, one zoned CPD and the other AG-2. Located to the south is a vacant AG-2 property. To the west of

the subject property, separated by Fiddlesticks Blvd., is The Legends RPD, which is another Golf & Country Club.

Olde Hickory Golf & Country Club is located within the Daniels Parkway Planning Community according to the Lee Plan. The area consists of rural characteristics and is intended to be developed with low density gated communities. The subject application is internal to the existing community and appears to be consistent with the Planning Community vision.

The subject property is divided into two future land use categories as defined by the Lee Plan; Outlying Suburban and Wetlands. The adjoining properties on either side of the subject property are similarly categorized; however, the property to the north is within the General Interchange category and the property to the south has portions within the Rural category. The Olde Hickory Golf & Country Club Residential Planned Development received approval prior to the adoption of the Lee Plan. The original zoning approval for 858 dwelling units would not be consistent with the efforts to retain low-density development areas (Lee Plan Policies 1.1.6 and 1.5.1); however, according to the development plans submitted in 1992 (92-10-019-00D), there are 561 residential units, which is consistent with the density calculations found in Table 1(a) of the Lee Plan for Outlying Suburban and Wetlands.

ANALYSIS:

The clubhouse and associated Restaurant, Group III, as approved in PD-92-001, operates with an existing license (4-COP SFS) in conjunction with the restaurant and is compliant with State regulations (see State Alcohol License, Attachment L). The proposal requests an extension of the 4-COP SFS license to the poolside area, in conjunction with the proposed Food and Beverage Service, Limited (pool house) and corresponding seating area. The Food and Beverage Service, Limited with a designated outdoor seating area for consumption on premises contains a total area of 2,486 square feet to be considered for approval in regards to the expansion of the license.

As shown on the site plan, the pool deck will not further encroach upon the distance between the edge of the pool area and the closest residential property line. The proposed site plan reflects an existing and proposed distance to be 23.3 feet, which gives the appearance of a construction error based on the original zoning site plan. It should be noted that the pool area and distance to the nearest residential property line has not received approvals to reflect otherwise. This distance, paired with existing vegetation, is intended to minimize disruption to the surrounding residential areas (Lee Plan Policy 5.1.5).

Environmental Services staff has reviewed the request and has found the proposal to have no impacts on open space requirements (see Attachment I). As the application is a Special Exception for consumption on premises, no Traffic Impact Study was provided (per LDC Section 34-203(e)(5)), nor is a review of the available urban services and infrastructure necessary as the request is internal to the site.

It should be noted that the neighboring Residential Planned Development referred to as The Legends received approval to permit a 4-COP SRX (now referred to as SFS) to 4-COP license

change and expansion of the service area to include the swimming pool deck area per COP2010-00102 (see Attachment J).

Pursuant to LDC Section 34-1264(a)(3)(c), consumption on the premises for other uses within planned developments and planned unit developments require administrative approval or a special exception. The original zoning resolution approved Food and Beverage Service, Limited and consumption on premises within the clubhouse. Approval of this special exception would allow the expansion of consumption on premises to serve both the clubhouse and pool house with corresponding seating area.

Florida Statutes will regulate the SFS license in conjunction with food sales, as the license requires that the sale of food generates more than 50 percent of the revenues. The applicants have provided a menu for the existing clubhouse Restaurant, Group III and proposed Food and Beverage, Limited use (see Attachment K). Florida Statutes also requires the restaurant to have at least 2,500 square feet of floor space under a permanent cover and seating for serving at least 150 patrons at one time in the restaurant. The license for the existing restaurant indicates a maximum seating capacity of 209 persons (see Attachment M). The poolside area proposes an additional 66 seats, resulting in a total of 275 seats. The site plan depicts the existing 4,896-square-foot Restaurant, Group III which is under a permanent roof, and the proposed 755-square-foot, under roof, poolside Food and Beverage Service, Limited (see Site Plan, Attachment F). The combined totals will comply with State Regulations for the license requirements.

CONCLUSION:

Based upon an analysis of the application and the standards for approval of a special exception in accordance with the LDC Section 34-145(c)(3), staff makes the following findings and conclusions:

a) The request is consistent with the goals, objectives, polices and intent of the Lee Plan as previously noted with respect to Policies 1.1.6, 1.5.1 and 5.1.5;

b) The request will protect, conserve or preserve environmentally critical areas and sensitive areas and natural resources;

c) The request will be compatible with existing and planned uses and will serve to benefit the existing uses. The extension of the current golf course clubhouse and restaurant use is available to the residents of the country club and will not be open to the public;

d) The request will not be injurious to the neighborhood or detrimental to the public welfare. The proposal provides for contained areas of outdoor consumption and limited hours of operation; and

e) The request will be in compliance with all zoning regulations pertaining to the use and other applicable regulations as:

This request is consistent with the Land Development Code Section 34-1264(a)(3)(c), which states "*consumption on the premises for other uses within planned development and planned unit developments require administrative approval or a special exception."* The addition is also consistent with LDC Section 34-1264(b)(3); the site plan demonstrates the available parking is consistent with previous approvals and the current request. Also, the request is in conjunction with uses included within the previous zoning approvals.

Staff supports the request and recommends approval, subject to the following **CONDITIONS**:

1. Approval is limited to indoor and outdoor consumption on premises (4-COP SFS) in conjunction with a Food and Beverage Service, Limited located within the pool area as shown on the site plan stamped "Received" by Community Development on June 27, 2017 (see Attachment F).

2. The outdoor seating area is limited to the 641-square-foot hatched area as shown on the site plan (see Attachment F).

3. No outdoor live entertainment is permitted; however, background music may be piped into the outdoor seating area, provided the volume is kept at or below a normal conversation level.

4. The hours of operation for the outdoor consumption on premises (4-COP SFS) in conjunction with the Food and Beverage Service, Limited, will be from 11:00 AM to 8:00 PM, with last call and music out at 7:30 PM, in accordance with the Lee County Noise Control Ordinance.

5. All parts of the pool deck must be available for the residents and guests regardless of consuming any food or beverages from the clubhouse restaurant/bar. No portion of the pool deck may be reserved exclusively for customers of said restaurant/bar.

6. Any subsequent development will need to obtain appropriate approvals to ensure consistency with the Land Development Code.

ATTACHMENTS:

A. Expert Witness Information
B. Maps: surrounding zoning, future land use and aerial photography
C. Conditions of Approval
D. Narrative
E. Legal Description
F. Site Plan
G. Z-87-237
H. PD-92-001
I. ES Staff Memo
J. COP2010-00102
K. Menu(s)
L. State Alcohol License
M. State Restaurant License
N. Banks Engineering Correspondence & Settlement Agreement

ATTACHMENT A

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

Jessica Leatherman, Planner, Zoning, 1500 Monroe Street, Fort Myers, FL 33901

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

Beth Workman, Planner, Environmental Sciences, 1500 Monroe Street, Fort Myers, FL 33901

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



SEZ2017-00003
Aerial

Legend

Subject Property

N

0 125 250 500
Feet

Lee County
Southwest Florida

ATTACHMENT B



SEZ2017-00003
Zoning

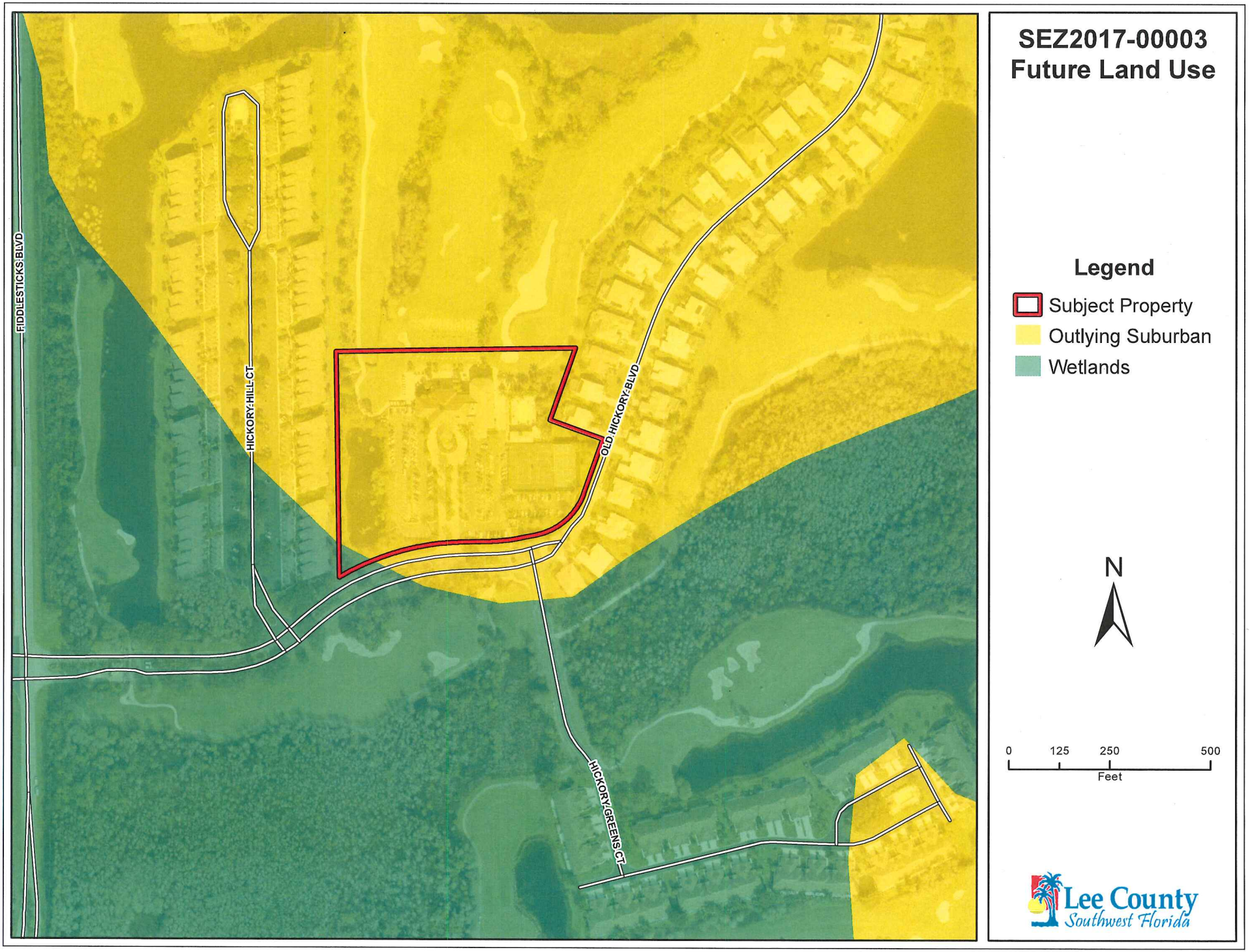
Legend

Subject Property

N

0 125 250 500
Feet

Lee County
Southwest Florida


SEZ2017-00003
Future Land Use
Legend
Subject Property
Outlying Suburban
Wetlands
FIDDLESTICKS BLVD
HICKORY HILL CT
OLD HICKORY BLVD
HICKORY GREENS CT
N
0
125
250
500
Feet
Lee County
Southwest Florida

ATTACHMENT C

CONDITIONS

1. Approval is limited to indoor and outdoor consumption on premises (4-COP SFS) in conjunction with a Food and Beverage Service, Limited located within the pool area as shown on the site plan stamped "Received" by Community Development on June 27, 2017 (see Exhibit F).

2. The outdoor seating area is limited to the 641-square-foot hatched area as shown on the site plan (see Exhibit F).

3. No outdoor live entertainment is permitted; however, background music may be piped into the outdoor seating area, provided the volume is kept at or below a normal conversation level.

4. The hours of operation for the outdoor consumption on premises (4-COP SFS) in conjunction with the Food and Beverage Service, Limited, will be from 11:00 AM to 8:00 PM, with last call and music out at 7:30 PM, in accordance with the Lee County Noise Control Ordinance.

5. All parts of the pool deck must be available for the residents and guests regardless of consuming any food or beverages from the clubhouse restaurant/bar. No portion of the pool deck may be reserved exclusively for customers of said restaurant/bar.

6. Any subsequent development will need to obtain appropriate approvals to ensure consistency with the Land Development Code.

BANKS ENGINEERING

CELEBRATING 25 YEARS IN BUSINESS 1992 - 2017

Olde Hickory Golf & Country Club

Request Statement

The applicant is requesting a special exception for outdoor seating consumption on premises (COP) for proposed poolside food and beverage service, limited, that will replace the existing pool cabana at the existing Olde Hickory Golf & Country Club clubhouse.

Olde Hickory Golf & Country Club originally received Residential Planned Development (RPD) zoning approval on August 8, 1988 via zoning resolution Z-87-237. This RPD approval allowed 858 dwelling units, also including "*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, specialty retail shops, real estate sales office, models, signs, entrance gates, gatehouses, sewage treatment plant, maintenance building, lakes and environmentally sensitive preserve areas.*" Consumption on Premises and Food and Beverage Service, Limited, were included in the original approval of the planned development. The RPD was administratively amended on March 11, 1992 by PD-92-001 which allowed a standard group III restaurant in the clubhouse, to be open to the public. Pursuant to 34-1264(a)(3)c., consumption on the premises for other uses within planned developments and planned unit developments require administrative approval or a special exception.

Proposed is a special exception for outside seating consumption on premises. The proposed use will be a poolside bar and grill for members and guests and will not be open to the public (food and beverage service, limited). The type of state liquor license to be acquired for the amenity center includes a 2COP (for the beverage cart) and a 4COP – SRX for the Clubhouse, including the poolside food and beverage service and associated outdoor seating subject to this special exception request.

The property qualifies for the special exception based on the findings/review criteria set forth in 34-145(c)(3) as listed below:

a.1. *The request is consistent with the goals, objectives, policies, and intent of the Lee Plan.*

The existing zoning and development approvals demonstrate the existing development's consistency with the Lee Plan. The request to allow outdoor seating consumption on promises does not change the fact that the project is consistent with the Lee Plan and the LDC.

RECEIVED JAN 17 2017 COMMUNITY DEVELOPMENT

• SERVING THE STATE OF FLORIDA •

10511 Six Mile Cypress Parkway • Suite 101 • Fort Myers, Florida 33966
Phone 239-939-5490 • www.bankseng.com • Fax 239-939-2523
Engineering License No. EB 6469 • Surveying License No. LB 6690

SEZ 2017-00003

ATTACHMENT D

a.2. *The request will protect, conserve, or preserve environmentally critical and sensitive areas and natural resources, where applicable.*

Not applicable

a.3. *The request will be compatible with existing and planned uses.*

The request will be compatible with existing and planned uses. The site plan attached to PD-92-001 showed a setback of 25 feet between the pool deck and Lot 26 which is developed with an existing single-family residence. A field location survey of the existing conditions of the site revealed that the existing pool deck is actually located 23 feet from this adjacent lot. The proposed outdoor seating area is located at the location of the existing pool deck and will not encroach into the existing 23-foot setback area. The proposed conditions will provide less of an impact than the existing conditions. The existing conditions have no sound abatement for the poolside activities, only vegetation screening. Although there is currently heavy vegetation separating the pool deck from the adjacent residence, the proposed use will install a sound barrier along this area with the outdoor seating. The sound barrier will consist of a noise abatement wall covered with a special soundproofing liner with an angled top to further deflect noise away from the adjacent residences. The outdoor seating area will also have a retractable pergola. In addition to the wall, heavy vegetation will also be maintained. See below aerial view showing the existing vegetation in this area.



a.4. *The request will not be injurious to the neighborhood or detrimental to the public welfare.*

As stated previously, the proposed outdoor seating area is located at the location of the existing pool deck and will not encroach into the existing 23-foot setback area. The proposed conditions will provide less of an impact than the existing conditions. The existing conditions have no sound abatement for the poolside activities, only vegetation screening. Although there is currently heavy vegetation separating the pool deck from the adjacent residence, the proposed use will install a sound barrier along this area with the outdoor seating. The sound barrier will consist of a noise abatement wall covered with a special soundproofing liner with an angled top to further deflect noise away from the adjacent residences. The outdoor seating area will also have a retractable pergola. In addition to the wall, heavy vegetation will also be maintained. See above aerial view showing the existing vegetation in this area.

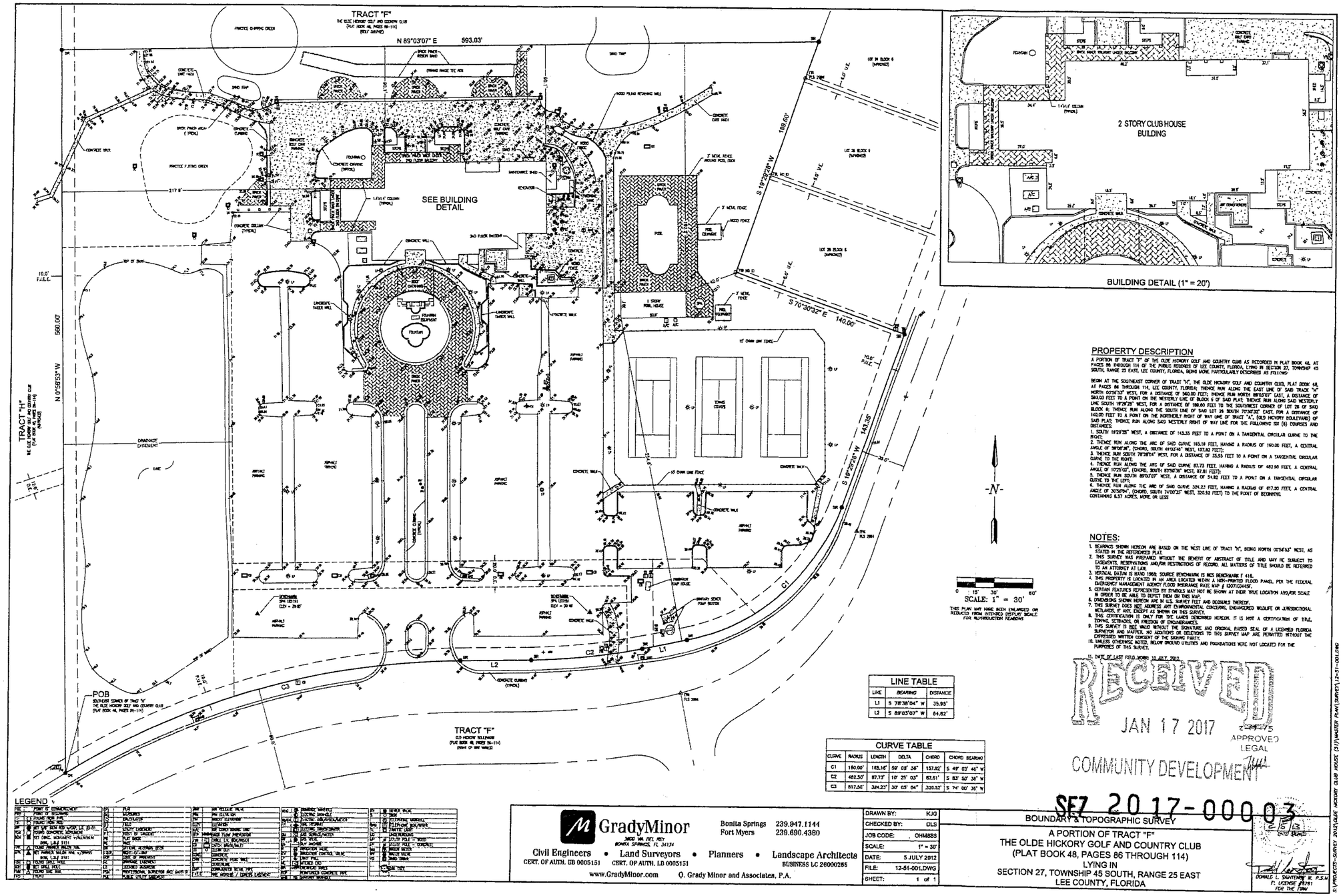
a.5. *The request will be in compliance with zoning regulations pertaining to the use and other applicable regulations.*

The request is in compliance with zoning regulations pertaining to the use. Consumption on Premises and Food and Beverage Service, Limited, were included in the original approval of the planned development.

The additional criteria of 34-145(c)(3)b., pertaining to new antenna supporting structure wireless communication facilities, is not applicable to this special exception request.

It should be noted that a TIS is not required for special exceptions for consumption on premises. The attached site plan shows the location and current use of the existing structures on the site. The plan also shows the proposed demolition and development plan, along with existing means of vehicular access to and from the site, which is not proposed to be changed. The site plan includes a detailed parking plan demonstrating compliance with parking requirements. Attached you will also find a written statement describing the type of state liquor license to be acquired and the anticipated hours of operation of the business.

As demonstrated above, there will be no apparent deleterious effect upon surrounding properties and the immediate neighborhood, as represented by property owners within 500 feet of the premises. The existing conditions have a pool deck with only fencing and vegetation within 23 feet of the closest adjacent residence. The proposed conditions will not encroach into this existing 23-foot separation and will install a sound abatement wall along the outdoor seating area and will maintain heavy vegetation. The proposed improvements will also provide sound abatement from the poolside activities that are currently permitted in this area. The premises are suitable in regard to their location, site characteristics and intended purpose. Lighting will be shuttered and shielded from surrounding properties.



BUILDING DETAIL (1" = 20')

PROPERTY DESCRIPTION

A PORTION OF TRACT "F" OF THE OLDE HICKORY GOLF AND COUNTRY CLUB AS RECORDED IN PLAT BOOK 48, AT PAGES 86 THROUGH 114 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LYING IN SECTION 27, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF TRACT "H", THE OLDE HICKORY GOLF AND COUNTRY CLUB, PLAT BOOK 48, AT PAGES 86 THROUGH 114, LEE COUNTY, FLORIDA; THENCE RUN ALONG THE EAST LINE OF SAID TRACT "H" NORTH 00°56'53" WEST, FOR A DISTANCE OF 560.00 FEET; THENCE RUN NORTH 89°03'07" EAST, A DISTANCE OF 593.03 FEET TO A POINT ON THE WESTERLY LINE OF BLOCK 6 OF SAID PLAT; THENCE RUN ALONG SAID WESTERLY LINE SOUTH 19°29'28" WEST, FOR A DISTANCE OF 189.60 FEET TO THE SOUTHWEST CORNER OF LOT 26 OF SAID BLOCK 6; THENCE RUN ALONG THE SOUTH LINE OF SAID LOT 26 SOUTH 70°30'32" EAST, FOR A DISTANCE OF 140.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF TRACT "A", (OLD HICKORY BOULEVARD) OF SAID PLAT; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE FOR THE FOLLOWING SIX (6) COURSES AND DISTANCES:

1. SOUTH 19°29'28" WEST, A DISTANCE OF 143.35 FEET TO A POINT ON A TANGENTIAL CIRCULAR CURVE TO THE RIGHT;
2. THENCE RUN ALONG THE ARC OF SAID CURVE 165.18 FEET, HAVING A RADIUS OF 160.00 FEET, A CENTRAL ANGLE OF 59°08'36", (CHORD, SOUTH 49°03'46" WEST, 157.92 FEET);
3. THENCE RUN SOUTH 78°38'04" WEST, FOR A DISTANCE OF 35.95 FEET TO A POINT ON A TANGENTIAL CIRCULAR CURVE TO THE RIGHT;
4. THENCE RUN ALONG THE ARC OF SAID CURVE 87.73 FEET, HAVING A RADIUS OF 482.50 FEET, A CENTRAL ANGLE OF 10°25'03", (CHORD, SOUTH 83°50'36" WEST, 87.61 FEET);
5. THENCE RUN SOUTH 89°03'07" WEST, A DISTANCE OF 54.82 FEET TO A POINT ON A TANGENTIAL CIRCULAR CURVE TO THE LEFT;
6. THENCE RUN ALONG THE ARC OF SAID CURVE 324.23 FEET, HAVING A RADIUS OF 617.50 FEET, A CENTRAL ANGLE OF 30°05'04", (CHORD, SOUTH 74°00'35" WEST, 320.53 FEET) TO THE POINT OF BEGINNING.

CONTAINING 8.57 ACRES, MORE OR LESS

NOTES:

1. BEARINGS SHOWN HEREON ARE BASED ON THE WEST LINE OF TRACT "H", BEING NORTH 00°56'53" WEST, AS STATED IN THE REFERENCED PLAT.
2. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF ABSTRACT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD. ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.
3. VERTICAL DATUM IS NAVD 1988. SOURCE BENCHMARK IS NGS BENCHMARK F 416.
4. THIS PROPERTY IS LOCATED IN AN AREA LOCATED WITHIN A NON-PRINTED FLOOD PANEL, PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP # 12071C0445F.
5. CERTAIN FEATURES REPRESENTED BY SYMBOLS MAY NOT BE SHOWN AT THEIR TRUE LOCATION AND/OR SCALE IN ORDER TO BE ABLE TO DEPICT THEM ON THIS MAP.
6. DIMENSIONS SHOWN HEREON ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF.
7. THIS SURVEY DOES NOT ADDRESS ANY ENVIRONMENTAL CONCERNS, ENDANGERED WILDLIFE OR JURISDICTIONAL WETLANDS, IF ANY, EXCEPT AS SHOWN ON THIS SURVEY.
8. THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS, OR FREEDOM OF ENCUMBRANCES.
9. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER. NO ADDITIONS OR DELETIONS TO THIS SURVEY MAP ARE PERMITTED WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE SIGNING PARTY.
10. UNLESS OTHERWISE NOTED, BELOW GROUND UTILITIES AND FOUNDATIONS WERE NOT LOCATED FOR THE PURPOSES OF THIS SURVEY.
11. DATE OF LAST FIELD WORK: 10 JULY 2012

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 78°38'04" W	35.95'
L2	S 89°03'07" W	54.82'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD	CHORD BEARING
C1	160.00'	165.18'	59° 08' 36"	157.92'	S 49° 03' 46" W
C2	482.50'	87.73'	10° 25' 03"	87.61'	S 83° 50' 36" W
C3	617.50'	324.23'	30° 05' 04"	320.53'	S 74° 00' 35" W

LEGEND

POC	POINT OF COMMENCEMENT	CO	CLEAN OUT	FHR	FIRE HYDRANT VALVE	MW	MONITORING WELL
POB	POINT OF BEGINNING	ELEC	ELECTRIC BOX	FFE	FINISH FLOOR ELEVATION	ELEC	ELECTRIC METER/GENERATOR
L1	UTILITIES FROM R/W	EB	ELECTRIC BOX	ELEV	ELEVATION	EM	ELECTRIC MANHOLE/VAULT
L2	UTILITIES FROM R/W	FLH	FLAT HEAD	WMH	WATER METER MANHOLE	FO	FIBER OPTIC
C1	ARC LEN: 165.18 RAD: 160.00 DELTA: 59°08'36" CHORD BRG: S49°03'46"W CHORD LEN: 157.92	SCB	SOUTH CAROLINA	WM	WATER METER	FOH	FIBER OPTIC MANHOLE
C2	ARC LEN: 87.73 RAD: 482.50 DELTA: 10°25'03" CHORD BRG: S83°50'36"W CHORD LEN: 87.61	MH	MANHOLE	WV	WATER VALVE	FOV	FIBER OPTIC VAULT
C3	ARC LEN: 324.23 RAD: 617.50 DELTA: 30°05'04" CHORD BRG: S74°00'35"W CHORD LEN: 320.53	PM	PIPE	GV	GAS VALVE	GM	GAS METER
CM	CONCRETE MONUMENT FOUND	CB	CATCH BASIN (TYP.)	GM	GAS MANHOLE	GV	GAS VALVE
PC	POINT OF CURVATURE	DI	DRAIN INLET	GAS	GAS METER	GM	GAS METER
PT	POINT OF TANGENCY	SDMH	STORM MANHOLE	BFP	BACK FLOW PREVENTOR	BFP	BACK FLOW PREVENTOR
PCP	PERMANENT CONTROL POINT	SDCO	STORM CLEAN OUT	CWE	CABLE T.V. BOX/PEDS	CWE	CABLE T.V. BOX/PEDS
PRM	PERMANENT REFERENCE MONUMENT	SDMH	STORM MANHOLE	CATV	CABLE T.V. BOX/PEDS	CATV	CABLE T.V. BOX/PEDS
⊙	SET 5/8" IRON ROD W/CAP LEE (6351)	SD	STORM DRAIN	CB	CATCH BASIN (TYP.)	CB	CATCH BASIN (TYP.)
●	FOUND CONCRETE MONUMENT	SDI	STORM DRAIN INLET	DI	DRAIN INLET	DI	DRAIN INLET
PRM	SET PERMANENT REFERENCE MONUMENT (PRM) LB 3191	SSMH	SANITARY SEWER MANHOLE	SSMH	SANITARY SEWER MANHOLE	SSMH	SANITARY SEWER MANHOLE
⊙	SET 5/8" IRON ROD W/CAP LEE (6351)	SSCO	SANITARY SEWER CLEAN OUT	SSCO	SANITARY SEWER CLEAN OUT	SSCO	SANITARY SEWER CLEAN OUT
●	FOUND CONCRETE MONUMENT	SS	SANITARY SEWER	SS	SANITARY SEWER	SS	SANITARY SEWER
PCP	SET PERMANENT CONTROL POINT (PCP) LB 3191	FM	FORCE MAIN	FM	FORCE MAIN	FM	FORCE MAIN
▲	SET NAIL & DISK FOUND NAIL & DISK	LS	LIFT STATION	LS	LIFT STATION	LS	LIFT STATION
▲	NAIL FOUND	W	WELL	W	WELL	W	WELL
⊙	SET 5/8" IRON ROD W/CAP LB 3191	IRR	IRRIGATION RISER	IRR	IRRIGATION RISER	IRR	IRRIGATION RISER
●	FOUND 5/8" IRON ROD	IV	IRRIGATION VALVE	IV	IRRIGATION VALVE	IV	IRRIGATION VALVE
⊙	SET NAIL & DISK	ICV	IRRIGATION CONTROL VALVE	ICV	IRRIGATION CONTROL VALVE	ICV	IRRIGATION CONTROL VALVE
●	FOUND NAIL & DISK	WV	WATER VALVE	WV	WATER VALVE	WV	WATER VALVE
⊙	SET 5/8" IRON ROD W/CAP LB 3191	MES	MITERED END SECTION	MES	MITERED END SECTION	MES	MITERED END SECTION
●	FOUND 5/8" IRON ROD	RCP	REINFORCED CONCRETE PIPE	RCP	REINFORCED CONCRETE PIPE	RCP	REINFORCED CONCRETE PIPE
⊙	SET NAIL & DISK	SW	SANITARY MANHOLE	SW	SANITARY MANHOLE	SW	SANITARY MANHOLE
●	FOUND NAIL & DISK						
PRM	PERMANENT REFERENCE MONUMENT						
PCP	PERMANENT CONTROL POINT						
▲	FOUND NAIL						

GradyMinor
3800 VIA DEL REY
BONITA SPRINGS, FL 34134
Civil Engineers • Land Surveyors • Planners • Landscape Architects
CERT. OF AUTH. EB 0005151 CERT. OF AUTH. LD 0005151 BUSINESS LC 26000255
www.GradyMinor.com © Grady Minor and Associates, P.A.

Bonita Springs 239.947.1144
Fort Myers 239.690.4360

DRAWN BY:	KJG
CHECKED BY:	DLS
JOB CODE:	OHM&BS
SCALE:	1" = 30'
DATE:	5 JULY 2012
FILE:	12-51-001.DWG
SHEET:	1 of 1

RECEIVED
JAN 17 2017
APPROVED
LEGAL
COMMUNITY DEVELOPMENT

SEZ 2017-00003

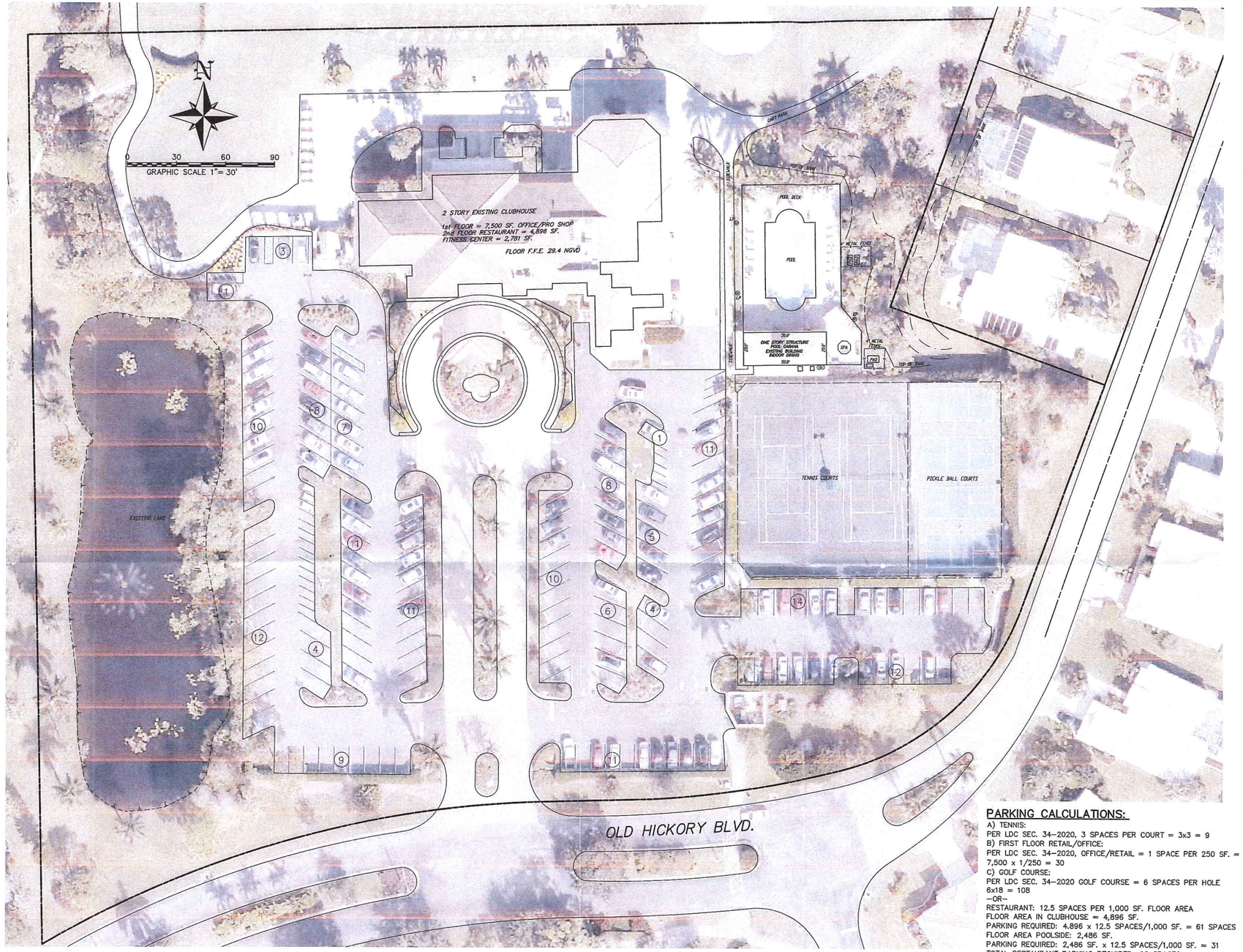
BOUNDARY & TOPOGRAPHIC SURVEY

A PORTION OF TRACT "F"
THE OLDE HICKORY GOLF AND COUNTRY CLUB
(PLAT BOOK 48, PAGES 86 THROUGH 114)
LYING IN
SECTION 27, TOWNSHIP 45 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

STATE OF FLORIDA
DONALD L. SHAFFERY III, P.S.M.
FL LICENSE #6781
FOR THE FIRM

S:\PROJECTS-SURVEY 2012\OLDE HICKORY CLUB HOUSE (3)\MASTER PLAN\SURVEY\12-51-001.DWG

ATTACHMENT E

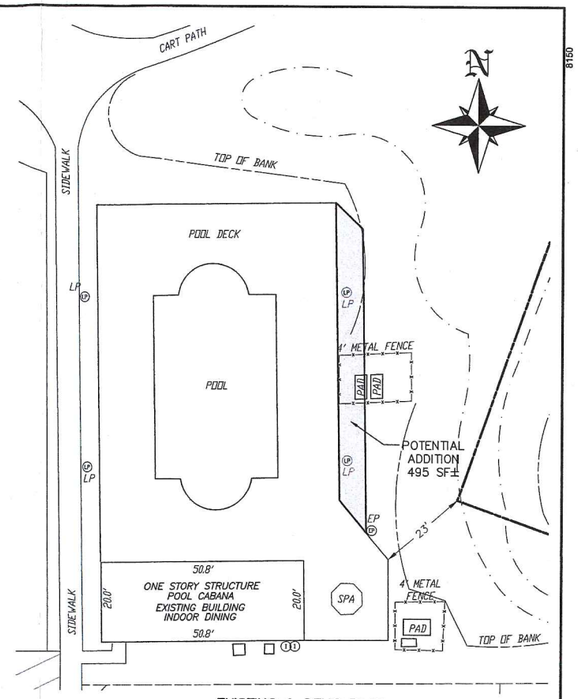


EXISTING CONDITIONS PLAN

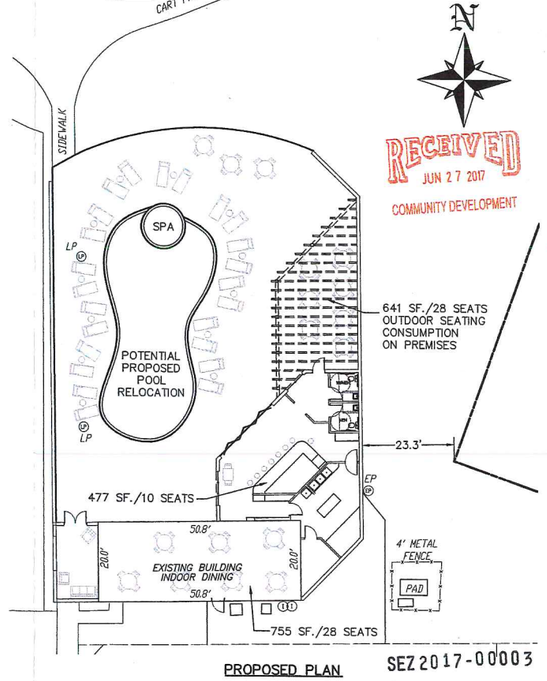
	SERVING AREA	SEATS
EXISTING CLUBHOUSE RESTAURANT	4,896 SF.	209
PROPOSED POOLSIDE INDOOR	1,845 SF.	38
PROPOSED POOLSIDE OUTDOOR	641 SF.	28
TOTAL	**7,382 SF.**	**275**

PARKING CALCULATIONS:

A) TENNIS:
PER LDC SEC. 34-2020, 3 SPACES PER COURT = 3x3 = 9
B) FIRST FLOOR RETAIL/OFFICE:
PER LDC SEC. 34-2020, OFFICE/RETAIL = 1 SPACE PER 250 SF. = 7,500 x 1/250 = 30
C) GOLF COURSE:
PER LDC SEC. 34-2020 GOLF COURSE = 6 SPACES PER HOLE 6x18 = 108
-OR-
RESTAURANT: 12.5 SPACES PER 1,000 SF. FLOOR AREA
FLOOR AREA IN CLUBHOUSE = 4,896 SF.
PARKING REQUIRED: 4.896 x 12.5 SPACES/1,000 SF. = 61 SPACES
FLOOR AREA POOLSIDE: 2,486 SF.
PARKING REQUIRED: 2,486 SF. x 12.5 SPACES/1,000 SF. = 31
TOTAL RESTAURANT PARKING REQUIRED: 92 SPACES
SPACES REQUIRED EQUALS GREATER OF GOLF OR RESTAURANT = 108 SPACES
D) CLUBHOUSE FITNESS CENTER:
PER LDC SEC. 34-2020 RECREATION = 4 SPACES PER 1,000 SF.
2,781 x 4/1,000 = 11 SPACES
TOTAL SPACES REQUIRED: 9+30+108+11 = 158
CAR SPACES PROVIDED: EXIST. 158
GOLF CART SPACES PROVIDED: 21
TOTAL SPACES PROVIDED = 179, 113.3% OF REQUIRED.



EXISTING & DEMO PLAN



RECEIVED
JUN 27 2017
COMMUNITY DEVELOPMENT

PROPOSED PLAN

SEZ 2017-00003

ATTACHMENT F

PREPARED FOR:
OLDE HICKORY GOLF & COUNTRY CLUB MASTER ASSN. INC.
14670 OLD HICKORY BLVD.
FORT MYERS FL. 33912

NO.	DATE	REVISION DESCRIPTION	BY
3	6/14/2017	PER SETTLEMENT AGREEMENT	SEH
2	4/7/2017	UPDATED SEATING	SEH
1	2/14/2017	1ST SUFFICIENCY RESPONSE	SEH

BANKS ENGINEERING
Professional Engineers, Planners, & Land Surveyors
Serving The State Of Florida
10511 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33966
PHONE: (239) 939-5490 FAX: (239) 939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690
WWW.BANKSENG.COM

OUTDOOR COP SPECIAL EXCEPTION PLAN
OLDE HICKORY GOLF & COUNTRY CLUB
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
12/22/2016	8150P	EXIST. COND.		JLS	SEH	AS SHOWN	1

D:\USERS\JMS\DOCUMENTS\OLDE HICKORY GOLF & COUNTRY CLUB-POOL AREA 3-16-2017.DWG 6/27/2017 10:48 PM JOSE SANCHEZ

33.00
$5.00 BILLED

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS

2603438

OF LEE COUNTY, FLORIDA

OR2050

PG4081

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;

ATTACHMENT G

(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:

OR2050 PG1082

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.

OR2050 PG4083

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.

OR2050 PG1084

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

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

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.

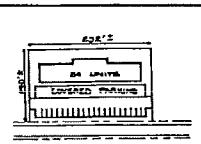
Approved as to form by:

County Attorney's Office

OR2050 PG4086

(5144L/48)

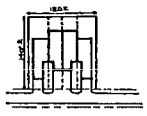
FEB 22 8 43 AM '89



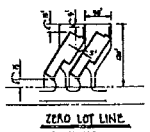
4-STORY CONDOMINIUM



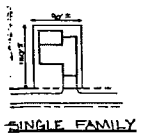
2-STORY CONDOMINIUM



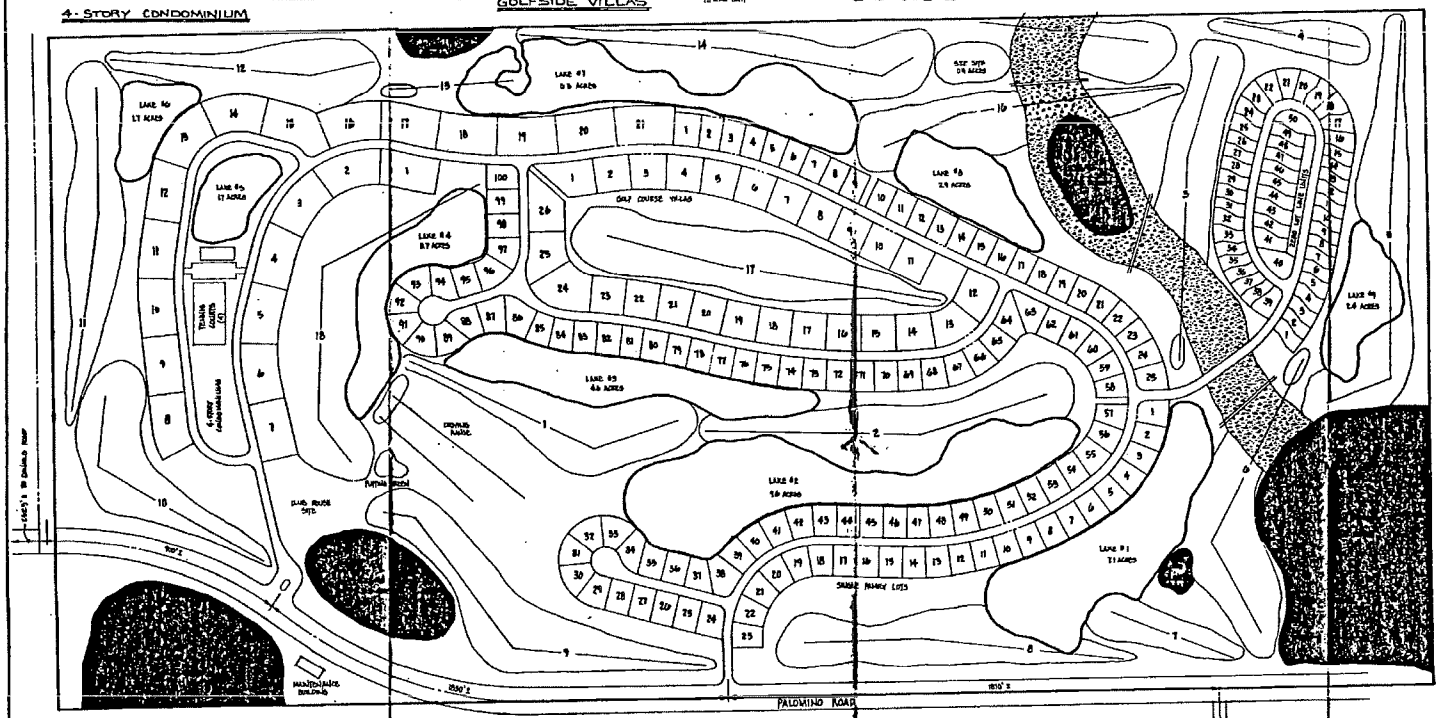
GOLFSIDE VILLAS

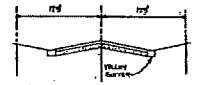


ZERO LOT LINE
TYPICAL UNIT

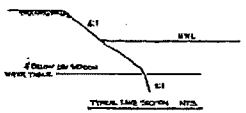


SINGLE FAMILY
CONVENTIONAL LOT

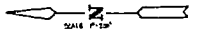




TYPICAL ROAD SECTION N.T.S.



TYPICAL LAKE SECTION N.T.S.



PROPOSED 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 (SERVICE & GOLFING EQUIPMENT)
COUNTRY CLUB
DWELLING UNITS
-CONVENTIONAL MULTIPLE FAMILY BUILDING
-CONVENTIONAL SINGLE FAMILY RESIDENCE
-ZERO LOT LINE SINGLE FAMILY RESIDENCE
-TOWNHOUSE
ENTRANCE GATES
ESSENTIAL SERVICE
ESSENTIAL SERVICE FACILITY - GROUPS I AND II
EXCAVATION, WATER RETENTION
GATEHOUSE
MODEL HOMES, HOME SITES, AND MODEL DISPLAY CENTER
MONUMENTATION OF SECTION LINE AND STREET DEFINITES
RECREATIONAL FACILITIES, PRIVATE
-18 HOLE GOLF COURSE
-TENNIS COURTS
-SWIMMING POOL
-PICNIC AREA
-GOLF DRIVING RANGE
-PRACTICE GREEN
-COMMUNITY WIDE: RESTAURANT AND LOUNGE
LOCKER ROOMS
PRO SHOP
MANAGER'S OFFICE
CART BARN
MAINTENANCE BUILDING
MULTI-USE ROOM
-OTHER SIMILAR NON-COMMERCIAL FACILITIES
RESIDENTIAL ACCESSORY USES
SIGNS

PROPOSED SCHEDULE OF DEVELOPMENT REGULATIONS

1. Minimum setback between structures and a section line of 75 feet (per Section 34(B.15.D.2.a.) of the Lee County Zoning Regulations) to 30 feet for the northernmost line between Sections 27 & 28 and the southeast line between Sections 28 & 29.

2. Minimum setback between structures and a quarter section line of 25 feet (per Section 34(B.15.D.2.a.) of the Lee County Zoning Regulations) to 0 feet for the easternmost line in Section 27.

3. Minimum depth for an excavation for water retention of 12 feet (per Section 34(B.9 of the Lee County Zoning Regulations) to 20 feet.

4. Minimum excavation setback for water retention to a quarter section line of an 184 foot (per Section 34(B.6.d of the Lee County Zoning Regulations) to 0 feet for the easternmost line in Section 27.

5. Minimum maintenance easement for water retention to a street right-of-way of the west (per Section 34(B.6.b. of the Lee County Zoning Regulations) to 80 feet.

6. Requirement that no boats be used for water retention for water retention shall not be permitted on lakes not greater than all in surface area (per Section 34(B.6.a. of the Lee County Zoning Regulations) to allow boats on lakes not greater than 10 acres in size.

7. Minimum required buffer type 'B' along local streets for residential developments other than those for single family and/or two family dwelling units (per Section 2(B.6.b(1)(b)(iii), 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 Traffic Map, but not owned by the Lee County Circulation Plan (per Section 34(B.15.D.2.a.) of the Lee County Zoning Regulations) to 30 feet for the northernmost line between Sections 27 & 28 and the southeast line between Sections 28 & 29.

9. Minimum building separation for the attached villa housing of 10 feet from the building opposite the zero lot line (per Section 34(B.2.a.(2) of the Lee County Zoning Regulations) to 0 feet from both lot lines with a minimum 5 foot separation between buildings.

10. Minimum building setback for the detached zero lot line dwelling of 10 feet from the building opposite the zero lot line (per Section 34(B.2.a.(2) of the Lee County Zoning Regulations) to 0 feet from both lot lines with a minimum 5 foot separation between buildings.

11. Minimum setback from the centerline of 80 foot (per Section 34(B.15.D.2.a.) of the Lee County Zoning Regulations) to 0 feet for zero lot line dwelling units.

12. Minimum setback from the centerline of an 80 foot private roadway easement of 1/2 the right of way (80 feet (per Section 34(B.15.D.2.a.) of the Lee County Zoning Regulations) to a minimum of 1/2 the right-of-way (15 feet for zero lot line units only.

13. Minimum building separation for the attached villa housing of 10 feet from the building opposite the zero lot line (per Section 34(B.2.a.(2) of the Lee County Zoning Regulations) to 0 feet from both lot lines with a minimum 5 foot separation between buildings.

14. Minimum building setback for the detached zero lot line dwelling of 10 feet from the building opposite the zero lot line (per Section 34(B.2.a.(2) of the Lee County Zoning Regulations) to 0 feet from both lot lines with a minimum 5 foot separation between buildings.

15. Minimum setback from the centerline of 80 foot (per Section 34(B.15.D.2.a.) of the Lee County Zoning Regulations) to 0 feet for zero lot line dwelling units.

16. Minimum 25 foot privately maintained right-of-ways to be retained along Zoning (per Section Code) of the Lee County Development Standards Ordinance) to a 25 foot privately maintained easement which will be included as part of the lot.

17. Minimum reduction of the perimeter of intensity file, the number of dwelling units or density factor of 10 percent that may be authorized administratively by a minor change to the Development Director (per Section 34(B.2.a.) of the Lee County Zoning Regulations) to a reduction of 10 percent.

UNIT DATA

TOTAL ACREAGE	193.0	AC.
RESOURCE PROTECTION AREAS	23.0	AC.
LAKES	23.0	AC.
CLUBHOUSE SITE	5.0	AC.
SEWAGE TREATMENT AREA	2.0	AC.
WATERFRONT AREA	5.0	AC.

DWELLING UNITS
-CONVENTIONAL SINGLE FAMILY LOTS 108
-ZERO LOT LINE UNITS 108
-GOLFSIDE VILLAS 160
-2 STORY CONDOMINIUM UNITS 128
-4 STORY CONDOMINIUM UNITS 192
628 TOTAL

MAXIMUM BUILDING HEIGHT : 45'

NOTES: TYPICAL LOTS FOR MULTI-FAMILY AND ZERO LOT LINE UNITS MAY VARY SLIGHTLY FROM WHAT SHOWN ON THIS PLAN ONLY FINAL ARCHITECTURAL PLANS ARE COMPLETED, DETERMINE THE AREAS FOR MULTI-FAMILY AND ZERO LOT LINE DEVELOPMENT % WILL VARY BY BETWEEN 20 TO 25% SINCE DEVELOPMENT OF THE INDIVIDUAL LOTS PLANNED AS SECTION 27, T. 45 S., R. 25 E., WILL VARY DEPENDING.

THE LOCATION OF MODELS AND THE 4 STORY CONDOMINIUM UNITS, ZERO LOT LINE UNITS, GOLFSIDE VILLAS, NON-ZERO LOT LINE UNITS AND TOWNHOUSE UNITS IS APPROXIMATE AS ALL DEVELOPMENT SHALL NOT BE FINALIZED AT ONE TIME.

MAINTENANCE AREA MAY BE SHIFTED ADJACENT TO SEWAGE TREATMENT AREA.

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

RECEIVED
JUL 28 1988
ZONING COUNTER

PRINTED ON
JUL 28 1988

INK ENGINEERING INC.
ENGINEERS • SURVEYORS • PLANNERS
PHONE (813) 936-5020 • 6220 BEAU 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

CERTIFIED TO BE A TRUE AND CORRECT COPY OF THE ORIGINAL
Charlie Green
CLERK CIRCUIT COURT
LEE COUNTY, FLORIDA

ADMINISTRATIVE APPROVAL AMENDMENT NUMBER PD-92-001

ADMINISTRATIVE APPROVAL
AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Charles J. Huether, Trustee, represented by U.S. Home Corporation, Contract Purchaser, has filed an application for administrative approval of an amendment to a Residential Planned Development on a project known as Olde Hickory Golf and Country Club to allow the restaurant in the clubhouse to be open to the public pursuant to Lee County Ordinance #91-34 that allows CN-2 uses in an RPD. This amendment would allow one Restaurant, Standard, Group III on property located at 14670 Olde Hickory Boulevard, described more particularly as:

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

> Tract F, THE OLDE HICKORY GOLF AND COUNTRY CLUB, as recorded in Plat Book 48 of the Public Records of Lee County, Florida.

WHEREAS, the property was originally rezoned in hearing number 87-12-7-DCI; and

WHEREAS, Lee County Ordinance 89-04 amends the Zoning Ordinance (Ordinance No. 86-17) to provide for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

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

WHEREAS, the originally approved Lee County Development Order Plans provided some parking for the proposed restaurant as well as the golf course and tennis courts (see Site Plan Sheet 1 of 1, entitled "Old Hickory Clubhouse", last revised 4-18-91, which is attached.)

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

Approval is subject to the following conditions:

ATTACHMENT H

1. The restaurant use shall be limited to a maximum of 8,979 square feet minus any square feet utilized by the pro shop or any other retail use.

2. The restaurant use shall be conducted in conformance with the Olde Hickory Master Site Plan, stamped "received zoning 92Feb13," and Sheet 1 of 1 of a drawing identified as "Old Hickory Clubhouse," prepared by Ink Engineering, dated 2/28/91, last revised 4-18-91 and stamped "D.S.O. Approved."

3. The public restaurant use permitted by this approval shall be limited to a maximum of three years from the date of this Administrative Approval. Any amendment request for an extension of the three years shall be accompanied by a parking study, which shall provide an analysis of parking availability at the clubhouse during lunch and dinner hours for three week days and two weekend days. The exact methodology shall be determined by Zoning and Development Review Divisions prior to the application's submittal.

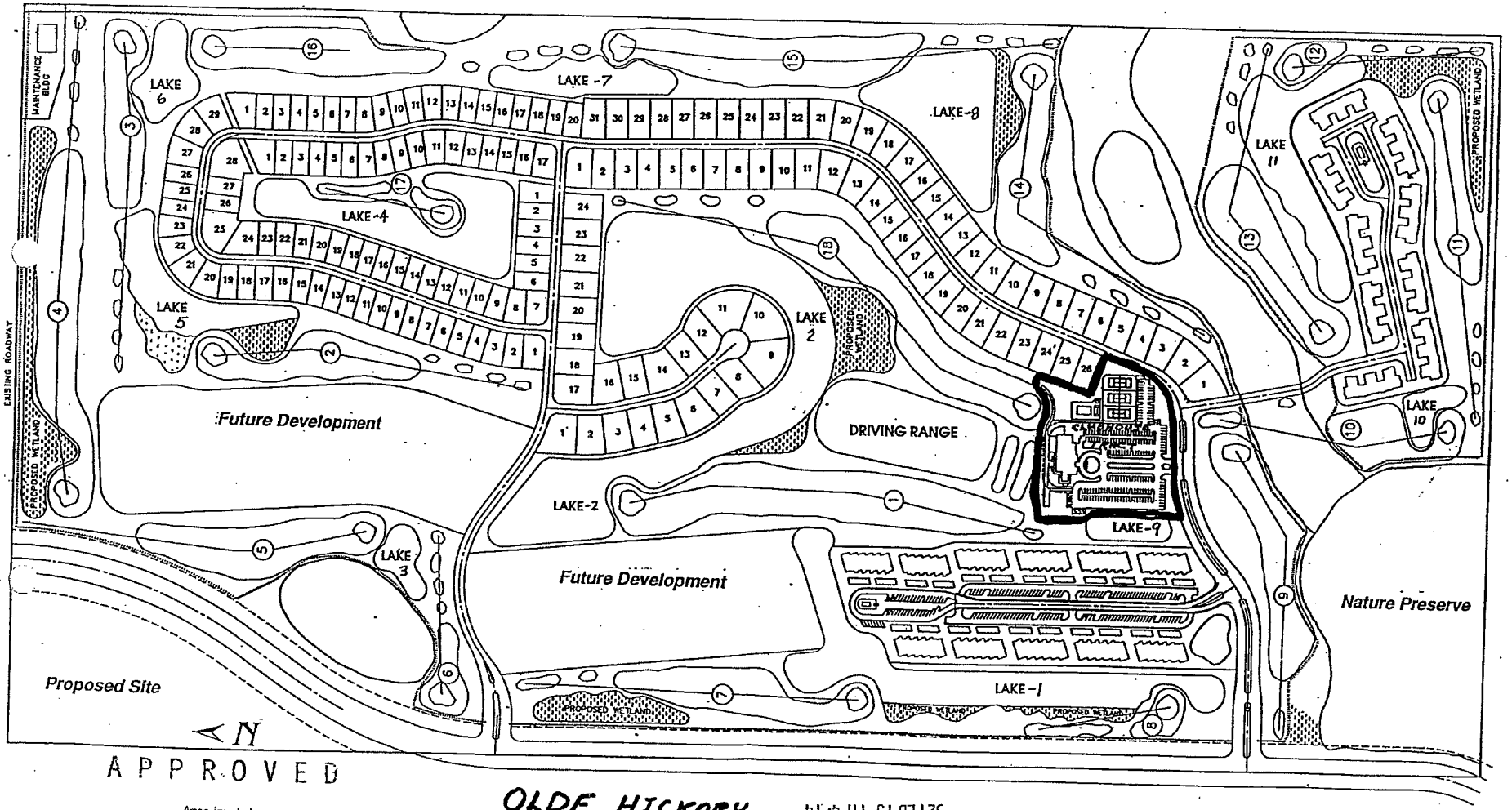
4. The terms and conditions of the original zoning resolution(s) remain in full force and effect.

5. Site Plan AAA-PD-92-001 is attached hereto and is incorporated herein by reference as a reduced copy of the Master Concept Plan.

DULY SIGNED this 11th day of March, A.D., 1992.

BY: Mary Gibbs

Mary Gibbs
Acting Director
Department of Community Development



APPROVED

Amendment to
Master Concept Plan
Subject to conditions in Resolution BOA-PD-92-001
Zoning Case # 87-12-7-OC(a)
Date 3-11-92

OLDE HICKORY
MASTER SITE PLAN

92 FEB 13 PM 4:14
RECEIVED

N

OLD HICKORY CLUB - INLET SCHEDULE FOR CLUBHOUSE

INLET NO.	GR. EL	INVERT	TYPE
59	26.78	18.87	DBI
60-A	21.30	15.95	DBI
60-B	21.20	15.72	DBI
60-C	21.30 E.O.P.	15.43	CURB
60-D	21.30 E.O.P.	15.46	CURB
60-E	21.20	15.35	DBI
60-F	21.20	15.16	DBI
60-G	22.00	15.23	DBI
60-H	24.00	15.73	DBI
60-I	24.00	15.67	DBI
60-J	21.00	17.50	DBI

NOTE:
THIS BUILDING IS TO BE HANDICAP ACCESSIBLE. THE WALKWAY/RAMP IS TO BE 44" MINIMUM WIDTH AND SLOPED NO GREATER THAN 1:12. SEE ARCH. PLANS.

SECTION A-A

SECTION B-B

SECTION C-C

PARKING:
GOLF: 100 FOR GOLF COURSE
15 FOR TENNIS
35 FOR CLUBHOUSE 8,000 ± SQ FT
150 TOTAL
PROVIDED 157 SPACES

DRIVING RANGE
TRACT BOUNDARY
TO BE FIELD LOCATED
PUTTING GREEN (FIELD LOCATE)
CLUBHOUSE BLDG. 2 STORIES
LAKE NO. 9
OLD HICKORY BLVD
BLOCK 6
BLOCK 5
APPROVED
D.S.O. Approved

INK ENGINEERING INC.
ENGINEERS · SURVEYORS
OLD HICKORY CLUBHOUSE
PART OF
SECTION 27, TOWNSHIP 45 S., RANGE
LEE COUNTY, FLORIDA
8749-US

Lee County
Southwest Florida

Department of Community Development
Zoning Division
Environmental Review

MEMORANDUM

Date: **February 3, 2017**

To: **Jessica Leatherman, Planner**

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

Subject: **Olde Hickory Golf and Country Club**
SEZ2017-00003
A portion of 27-45-25-02-0000D.00CE

The applicant is requesting a special exception for outdoor seating consumption on premises (COP) for proposed poolside food and beverage service, limited, that will replace the existing pool cabana at the existing Olde Hickory Golf and Country Club clubhouse.

The proposed change is internal to the site and will be used to serve members and guests only. There are no adverse impacts to open space. The applicant states in the narrative that they will construct a sound barrier wall between the amenity and the single family homes. Environmental Sciences zoning staff have no issues with the request.

Attachments (X)

ATTACHMENT I

OFFICE OF THE HEARING EXAMINER, LEE COUNTY, FLORIDA

HEARING EXAMINER DECISION

RECEIVED
SEP 29 2010
DEVELOPMENT

SPECIAL EXCEPTION: COP2010-00102
APPLICANT: LEGENDS GOLF & COUNTRY CLUB MASTER ASSOCIATION, INC., in reference to LEGENDS GOLF & COUNTRY CLUB COP
HEARING DATE: SEPTEMBER 2, 2010

I. APPLICATION:

Filed by LEGENDS GOLF & COUNTRY CLUB MASTER ASSOCIATION, INC., 8600 Legends Boulevard, Fort Myers, Florida 33912 (Applicant/Owner); KNOTT, CONSOER, EBELINI, HART & SWETT, P.A., c/o MICHAEL ROEDER, 1625 Hendry Street, Suite 301, Fort Myers, Florida 33901 (Agent).

Request is for a Special Exception in the Residential Planned Development (RPD) zoning district to expand the existing outdoor consumption of alcoholic beverages area of Legends Golf and Country Club to include the swimming pool area. This request is also intended to modify the existing alcoholic beverages license from Consumption on Premises of alcoholic beverages in conjunction with food (4-COP-SRX) to Consumption on Premises of alcoholic beverages (4-COP).

The subject property is located at 8600 Legends Boulevard, Daniels Parkway Planning Community, Section 28, Township 45 South, Range 25 East, Lee County, Florida (District #5).

The Strap numbers as furnished by the Applicant are: 28-45-25-05-0000A.00CE

II. STAFF RECOMMENDATION: APPROVE WITH CONDITIONS

The Department of Community Development Staff Report was prepared by Chahram Badamtchian. The Staff Report is incorporated herein by this reference.

III. HEARING EXAMINER DECISION:

The undersigned Lee County Hearing Examiner **APPROVES** the Applicant's request for a Special Exception to modify the existing liquor license category from 4-COP-SRX to 4-COP and expand the service area to include the swimming pool deck area for the real estate described in Section VIII. Legal Description, WITH THE FOLLOWING CONDITIONS:

A. CONDITIONS:

1. The hours of operation for consumption on premises for the outdoor seating area (including the pool area) will be from 11:00 A.M. to 9:00 P.M..

2. The outdoor seating area is limited to the cross hatched area as shown on the site plan stamped received by Community Development on June 07, 2010 **(EXHIBIT B)**.

ATTACHMENT J

3. Live entertainment and background music are permitted in the pool/outdoor area, provided the volume is kept at or below a normal conservational level.

4. The 4-COP liquor license is not intended for use as a free standing bar. The sale of beer, wine and liquor for consumption on premises must be in conjunction with the food service located within the clubhouse and the pool area.

5. All parts of the pool deck must be available to the residents and guests whether consuming any food or beverages from the clubhouse restaurant or snack bar. No portion of the pool deck shall be reserved exclusively for customers of the said restaurant or snack bar.

IV. HEARING EXAMINER DISCUSSION:

This is a request for a Special Exception to allow the consumption of alcoholic beverages in the pool area of the clubhouse/recreational area of this residential community, located on the west side of Fiddlesticks Boulevard, south of Daniels Parkway. The parcel containing the clubhouse, pool and recreational amenities is located inside the gated community, and is surrounded by lakes (surface water management system), portions of the golf course and various residential pods. This residential development is zoned RPD (Residential Planned Development) and is designated Outlying Suburban in the Lee Plan.

Applicant is the Master Homeowners' Association, which has ownership and control over the community's recreational amenity parcel. They advised that the clubhouse has a full restaurant and has been operating with a 4-COP-SRX liquor license for about 10 years. That type of license requires the service of alcoholic beverages in conjunction with the service of food; the revenue for the food service must be greater than 50 percent. However, during that 10-year time frame, alcoholic beverages have been served both in the clubhouse restaurant and in the pool area. A small snack bar provides food and beverages for residents and their guests in the pool area, when the clubhouse restaurant is closed.

Applicant recently applied to "expand" the alcoholic license to a 4-COP, which would allow them to serve alcoholic beverages without having to serve food. At that time, they learned that their beverage service is in the pool area was "illegal," as it had not been part of the original liquor license approval. The 4-COP-SRX license was only good for the clubhouse restaurant area. A Special Exception is necessary for the outdoor seating in the pool area, because the parcel is within 500 feet of single-family residences.

Applicant explained that the residents of the community were in favor of the Special Exception, noting that there would be no external impacts from the use, since the pool area was located in the middle of their gated community. The residents are well aware of the potential impacts, as alcoholic beverages have been served in the pool area for 10 years.

Staff recommended approval of the Special Exception, with conditions, finding that the request met the criteria for approval in the Land Development Code (LDC), and was consistent with the intent of the Lee Plan and the LDC. They found that the COP use, as conditioned, would not adversely impact any of the residents of this community and would not impact adjacent residential communities.

No members of the public attended the hearing to express an opinion on the COP request, and the Hearing Examiner's files do not contain any letters or notices of support or objection to the request.

The undersigned Hearing Examiner concurs with Staff's analysis, findings and recommendation of approval, as conditioned, finding that the request, as conditioned, meets the criteria for approval set out in LDC Section 34-145, and is consistent with the intent of the Lee Plan and the LDC. She also finds that, given the circumstances surrounding this request, that the use will not adversely impact the nearby residents, and will not impact any of the properties and uses outside this gated residential community.

It is the opinion of the Hearing Examiner that the conditions imposed herein are reasonably related to the impacts anticipated from the proposed use, and, with other regulations, will safeguard the public health, safety and welfare.

V. FINDINGS AND CONCLUSIONS:

Based upon the Staff Report, the testimony and exhibits presented in connection with this matter, the undersigned Hearing Examiner makes the following findings and conclusions:

A. That the Applicant has proved entitlement to the Special Exception, as conditioned, by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations.

B. That the COP use, as conditioned, will meet or exceed all performance and locational standards set forth for that use, and is consistent with the intensities and general uses set forth in the Lee Plan.

C. That the COP use, as conditioned, is compatible with existing or planned uses in the surrounding area, and will not place an undue burden upon existing transportation or planned infrastructure facilities, and the development will be served by streets with the capacity to carry traffic it generates.

D. That the COP use, as conditioned, will not adversely affect environmentally critical areas and natural resources.

E. That urban services, as defined in the Lee Plan, are already serving the residential amenity area.

F. That the conditions imposed herein are reasonably related to the impacts anticipated from the proposed uses and, with other regulations, will safeguard the public's interests.

VI. LIST OF EXHIBITS:

STAFF'S EXHIBITS

1. Aerial photograph, with overlay, depicting the subject property and surrounding area, prepared by Lee County DCD, Mapped August 2010, dated 2010 (color) [24" x 36"]

Résumés of Lee County Staff are on file with the Hearing Examiner's Office and are incorporated herein.

APPLICANT'S EXHIBITS

Résumés of Applicant's consultants are on file with the Hearing Examiner's Office and are incorporated herein.

VII. PRESENTATION SUMMARY:

The Hearing Examiner introduced herself and the case, after which she placed all the hearing participants under oath.

Thomas Hart, Esquire, introduced himself as the general counsel for Applicant, the Legends Golf and Country Club Master Association, Inc. Mike Roeder, Director of Planning, who was an expert in the field of planning, was also present. Mr. Hart stated that the case was a request for a Special Exception to expand the alcoholic beverage services at the clubhouse at the Legends Country Club. He thought they were in total agreement with Staff and there were no issues. He stated that Mr. Roeder would be giving the details, but the community wanted the Special Exception, as there was no one present at the hearing to object to it. He noted that the Applicant was the homeowner's association.

Mr. Roeder was called upon to testify, and he asked to be accepted as an expert witness in land use planning and zoning, as he has been in the past. There were no objections from Staff, and the Hearing Examiner accepted him as such. He explained this was a very simple request, which came about when the management of the country club wanted to change their State liquor license from the 4-COP-SRX (service in conjunction with food) to a 4-COP

When the Applicant went to the State to make that change, the State informed them that they had not had the County sign-off on the use of the swimming pool area. They were quite surprised because they have been serving alcohol in that area for the past 10 years. At that time, the Applicant was told that they needed to get a Special Exception to allow the service to continue in the pool area and they contacted Mr. Hart.

He and Mr. Hart then discussed the matter with Staff. Since there is a residence within 500 feet of the pool area, Staff felt the request needed to go through a public hearing. The Applicant agreed to do that, even though the use had been there for years.

Mr. Roeder referred to the site plan attached to the Staff Report and pointed out the clubhouse area. The clubhouse area was a very large complex, and they already had approval for outdoor seating in the area right off of the clubhouse restaurant. What was not approved, unbeknownst to them, was the area around the swimming pool, which was marked on the site plan with crosshatching.

Next, he referred to the area just above the location of the aerobics studio, which was marked with two asterisks. That area contained a small bar and grill for the pool area. They served things like hamburgers, hotdogs, wraps, beer, wine, margaritas, etcetera. They had been doing that for approximately 10 years, because it wasn't cost-effective to keep the dining room open for 10 hours a day for just a few people. They had been selling alcoholic beverages in the pool area for all of that time, not realizing it was not approved. They were present to get that approval.

He thought Staff had identified the two relevant Lee Plan Policies in their analysis. He referred to the definition of Outlying Suburban, which just meant that this type of operation was very consistent with the golf club and clubhouse use. The other pertinent Policy was Policy 5.1.5. He pointed out the homes located within 500 feet of the pool area. In response to the Hearing Examiner's question, he explained the large area to the west was a driving range, not a building.

In this case, the Applicant already had real world experience in the service of alcoholic beverages in the pool area. That had been occurring for about 10 years and there had been no complaints from neighbors or issues with that use. As noted by Mr. Hart, they had not submitted a 24-hour notice, because they had no issues with the Staff Report or Staff's analysis. Staff had worked with them to revise two conditions, before the hearing.

Originally, the Staff Report prohibited live outdoor music, and Mr. Roeder had asked the manager if they ever had live outdoor music. The manager advised that a couple of times a year they have a steel band in the patio area. With that information, Mr. Roeder asked Staff if they could work out some other condition. Mr. Badamtchian came up with language, which required that music in the outdoor area be kept at or below a conversational level.

The Hearing Examiner indicated concern - given the volume of a steel band and other electronically enhanced instruments. Mr. Roeder explained that they realized it was not supposed to be open to rock bands or anything like that. He did not think that Staff understood, at first, that there was the little snack house built onto the pool area. When it was explained to him, Mr. Badamtchian rewrote the condition to include the pool area, which addressed that situation. The Applicant really has no issues with the recommendation or the conditions.

The association really wanted the approval because they have been doing this for a long time and wanted to be in compliance with Lee County regulations. The Hearing Examiner wanted to know if a notification was issued or if it had been presented in a meeting to any of the residents of the development. She also wanted to know if this amenity complex served all of the Legends Golf and Country Club membership, or if it was the amenity for just one small residential area. Mr. Roeder responded it was the clubhouse component for the entire development. The zoning notice was sent to all residents within 500 feet of the pool complex and signs regarding the request had been posted at the clubhouse. Mr. Fredyma pointed out that the Applicant was the Master Association.

At that point, Mr. Hart explained that he didn't know the answer to her specific question. He didn't know if the Association sent the notice. Mr. Roeder reemphasized that the service of alcoholic beverages had been in existence for a long time.

The Hearing Examiner wanted to know if the development was age-restricted, to which Mr. Roeder replied that it was not, but it was a gated community. It was strictly private and only members and their guests would be using the pool area. The Hearing Examiner understood that, if there was a problem. Then the residents could take it up with the Association. She agreed that the requested use would not impact or affect anyone off-property.

Mr. Hart pointed out that anyone with a problem would be calling the same general manager who asked them to bring the case forward before they would be calling Code Enforcement. Mr. Roeder explained that they both endorsed and agreed with the findings and conclusions in the Staff Report.

Mr. Fredyma understood they had no problems with the proposed conditions and that the conditions were the original five conditions, with conditions three and four modified, as discussed and noted in Mr. Badamtchian's 24-hour letter to the Hearing Examiner. Mr. Roeder confirmed that.

Chahram Badamtchian, with Lee County Zoning, introduced himself and asked to be accepted as an expert in land use planning and zoning. Applicant had no objections and the Hearing Examiner accepted him as such. He explained that the Legends Golf and Country Club already had a 4-COP-SRX, which allowed them to serve alcoholic beverages in conjunction with food. They were asking for a 4-COP to serve alcoholic beverages without having to serve food; a 4-COP-SRX requires the restaurant to receive more than 50 percent of its revenue from the sale of food.

The Applicant has been doing it for the past 10 years, but the County chose not to charge an after-the-fact fee. Nothing would be changing. Basically, they were already serving alcoholic beverages around the pool area and they would continue doing the same.

He had added five conditions, and was concerned about the last one, because they had two areas at the pool. One area was for paying customers and one area was for those who were not paying customers. He had conditioned the request, so that the pool area should be accessible to everyone whether or not they made a purchase.

In response to the Hearing Examiner's question, Mr. Badamtchian stated that the paying customer was the one purchasing the liquor. He explained that some people brought their beverages with them, and were directed to the other end of the pool. Mr. Fredyma advised they would not be required to buy a drink to swim.

The Hearing Examiner understood, then, the purpose of the condition was to indicate that the pool deck would be open to everyone, whether or not they were consuming food or beverage. Mr. Badamtchain stated that he did not want one area roped off and reserved for people who were buying drinks. He noted that it was a private club, and the closest houses were separated by a lake, a golf course, and a wall. The pool area was not really visible and the walking distance was greater than 500 feet. The residents wanted to have this amenity in their gated community, and Staff recommended approval of the request.

The Hearing Examiner wanted to know if the 500 feet was measured from the actual pool area or from the property line. In response, Mr. Badamtchian explained that it was measured from the clubhouse property line. At that point, Mr. Roeder reiterated there was a wall around the pool area. The Hearing Examiner explained that she would do a site visit and would look at the pool area.

Mr. Fredyma asked Mr. Badamtchian to refer to the list of property owners who were given notice, noting that it was fairly extensive. Mr. Badamtchian explained that the list included 109 property owners. Mr. Fredyma thought that might answer her question. He noted it did not just go to the association, it went to the property owners surrounding it and he reiterated it was a fairly extensive list. The Hearing Examiner noted she had a five or six-page list of names.

The Hearing Examiner explained that she did not have a particular problem with the request, even with the changes that had been made. She wanted to visit the site, as required by the Lee County LDC, although in this case she would not need to assess off-site impacts, as

there would be none. The Applicant wanted to know if she would need a contact person for the site visit, and the Hearing Examiner told him it would not be necessary.

She explained that since the case was a Special Exception, it would not be going before the Board of County Commissioners (BOCC). She referred to her caseload and indicated she would try to have the Decision out as soon as possible so that they could have it before the season. The hearing was closed.

VIII. OTHER PARTICIPANTS AND SUBMITTALS:

ADDITIONAL APPLICANT'S REPRESENTATIVES:

1. Thomas Hart, Esquire, c/o Knott, Consoer, Ebelini, Hart & Swett, P.A., 1625 Hendry Street, Suite 301, Fort Myers, Florida 33901

ADDITIONAL COUNTY STAFF:

1. John J. Fredyma, Assistant County Attorney, P. O. Box 398, Ft. Myers, Florida 33902

PUBLIC PARTICIPATION:

A. THE FOLLOWING PERSONS TESTIFIED OR SUBMITTED EVIDENCE FOR THE RECORD AT THE HEARING (SEE SECTION VI.):

For: NONE

Against: NONE

General: NONE

B. THE FOLLOWING PERSONS SUBMITTED A LETTER/COMMENT CARD, OR OTHERWISE REQUESTED A COPY OF THE HEARING EXAMINER DECISION:

For: NONE

Against: NONE

General: NONE

IX. LEGAL DESCRIPTION:

See Exhibit A (scanned legal description).

X. UNAUTHORIZED COMMUNICATIONS:

Unauthorized communications shall include any direct or indirect communication in any form, whether written, verbal or graphic, with the Hearing Examiner, or the Hearing Examiner's staff, any individual County Commissioner or their executive assistant, by any person outside of a public hearing and not on the record concerning substantive issues in any proposed or pending matter relating to appeals, variances, rezonings, special exceptions, or any other

matter assigned by statute, ordinance or administrative code to the Hearing Examiner for decision or recommendation. . . . [Administrative Code AC-2-5]

No person shall knowingly have or attempt to initiate an unauthorized communication with the hearing examiner or any county commissioner [or their staff]. . . . [LDC Section 34-52(a)(1), emphasis added]

Any person who knowingly makes or attempts to initiate an unauthorized communication . . . [may] be subject to civil or criminal penalties which may include: [Section 34-52(b)(1), emphasis added]

Revocation, suspension or amendment of any permit variance, special exception or rezoning granted as a result of the hearing examiner action which is the subject of the unauthorized communication. [LDC Section 34-52(b)(1)b.2.]; OR

A fine not exceeding $500.00 per offense, by imprisonment in the county jail for a term not exceeding 60 days, or by both such fine and imprisonment. [LDC Section 1-5(c)]

XI. APPEALS:

This Decision becomes final on the date rendered. A Hearing Examiner Decision may be appealed to the Circuit Court in Lee County. Appeals must be filed within thirty (30) days of the date the Hearing Examiner Decision is rendered. Appeal is by Petition for Writ of Certiorari in accordance with Lee County Land Development Code Section 34-146.

XII. COPIES OF TESTIMONY AND TRANSCRIPTS:

A. A complete verbatim transcript of the testimony presented at the hearing can be purchased from the court reporting service under contract to the Hearing Examiner's Office. The original documents and file in connection with this matter are located at the Lee County Department of Community Development, 1500 Monroe Street, Fort Myers, Florida.

B. The original file and documents used at the hearing will remain in the care and custody of the Department of Community Development. The documents are available for examination and copying by all interested parties during normal business hours.

This decision is rendered this 28th day of September, 2010. Notice or copies of this decision will be delivered to the offices of the Lee County Board of County Commissioners.

DIANA M. PARKER
LEE COUNTY CHIEF HEARING EXAMINER
1500 Monroe Street, Suite 218
Post Office Box 398
Fort Myers, FL 33902-0398
Telephone: 239/533-8100
Facsimile: 239/485-8406

ATTACH MAP A
ATTACH SITE PLAN (if approved)

Legal Description

Tract A, Legends Golf Clubhouse, a subdivision, located in Section 28, Township 45, Range 25 East, according to the plat thereof on file and recorded in Plat Book 63, Page 84 of the Public records of Lee County, Florida.

Strap Number

28-45-25-05-0000A.00CE

COP2010-00102
Corrected Legal

Legal Reviewed By: BJ 9-28-10

EXHIBIT A

OLDE HICKORY
GOLF & COUNTRY CLUB

Lunch Menu

Open Daily for Lunch

Monday through Sunday

11:00 A.M. - 3:00 P.M.

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

RECEIVED
FEB 16 2017
COMMUNITY DEVELOPMENT
SEZ 2017-00003

THE DRIVING RANGE

SOUP DU JOUR
8oz cup 3.75 ~ 16oz bowl 6.5

CHILI
8oz cup 4.25 ~ 16oz bowl 7.5

POTATO SKINS
Four fried potato skins topped with melted cheddar jack cheese, bacon bits and scallions, served with a side of sour cream 7

FRIED MOZZARELLA STICKS
Five golden fried mozzarella sticks served with a side of warm marinara sauce 7

SHRIMP COCKTAIL
Five large chilled served on shredded iceberg lettuce, served with a cocktail sauce, lemon wedge and saltine crackers 10

JUMBO CHICKEN WINGS
Breaded or Naked
Deep fried and prepared in your choice of
Hot, Mild, BBQ, or Teriyaki and served with celery sticks
6 pieces 9 ~ 10 pieces 13.50

FROM THE ROUGH

ROASTED PEAR SALAD
A mix of baby Artesian greens and spinach topped with roasted pears, spiced pecans and bleu cheese crumbles, served with your choice of one our homemade dressings and topped with grilled garlic flatbread 9

FITNESS SALAD
Baby kale and vegetable blend tossed in our homemade fat free citrus poppy vinaigrette, accompanied with toasted almonds, blueberries, craisins, apples, carrots and celery served with a scoop of Quinoa salad and a warm fresh baked roll 9

BISTRO SALAD
Fresh Artesian greens accompanied with red onions, Kalamata olives, roasted red peppers and crumbled feta cheese, topped with sliced vine ripened tomatoes served with grilled garlic flatbread and our homemade balsamic vinaigrette dressing 9

NOT- SO - BASIC MIXED GREENS SALAD
Fresh Artesian greens accompanied with sliced hearts of palm, artichoke hearts, grilled asparagus, shaved red onions, sliced tomatoes, sliced cucumbers and julienne of carrots served with your choice of one of our homemade dressings and warm fresh baked roll 9

ADD ANY OF THE ITEMS BELOW TO THE ABOVE SALADS

Scoop of chicken, egg or tuna salad	3
Sliced grilled chicken breast	4
Grilled bamboo shrimp skewer	6
Grilled Atlantic salmon filet	6
Sliced grilled beef tenderloin	7

RECEIVED
FEB 16 2017
COMMUNITY DEVELOPMENT
SEZ 2017-00003

SOUP & SALAD COMBO
Cup of soup of the day or homemade chili served with a petite house, Caesar salad or roasted pear salad 8

DRESSINGS
Ranch, Bleu Cheese, Balsamic, Italian, Honey Mustard, French, Citrus-ginger Vinaigrette, 1000 Island, and Oriental Mandarin Orange Ginger

FAT FREE DRESSINGS
Ranch, Raspberry Vinaigrette, Toasted Sesame, Sweet Chili Thai and Citrus Poppy Vinaigrette

Consuming raw and undercooked meats, poultry, seafood, shellfish or eggs may increase your risk of foodborne illness.

FROM THE TEE BOX

BOAR'S HEAD CHILI AND CHEESE HOT DOG
A foot long all beef hot dog, grilled and topped with our homemade chili, shredded cheddar jack cheese and diced onion 8.5

TRADITIONAL GRILLED CHEESE
Choice of white, whole wheat or rye bread grilled with American, cheddar, provolone or Swiss cheese 8

BACON AND EGG GRILLED CHEESE
Boar's Head Applewood smoked bacon, aged cheddar cheese and a fried egg grilled rye bread 9

FRIED GREEN TOMATO B.L.T. SANDWICH
Southern fried green tomatoes, Applewood smoked bacon and provolone cheese on grilled sourdough bread, garnished with green leaf lettuce and lemon aioli 9

CURRY WURST
Grilled smoked sausage on toasted pretzel hoagie, topped with our homemade German curry sauce 8

THE BIRDIE
Slice chargrilled chicken breast, sautéed peppers, onions and mushrooms and melted aged cheddar jack cheese on a fresh toasted hoagie roll 10

CHICKEN AND WAFFLES
Southern fried boneless chicken breast served with homemade Belgian waffles and maple buttermilk sauce 10

PRIME RIB MUENSTER PANINI
Shaved prime rib, caramelized onions, baby Portobello mushrooms and Muenster cheese layered on grilled sourdough bread, pressed and served with creamy horseradish sauce 11

8 OUNCE SIRLOIN BURGER
Seasoned Angus sirloin patty grilled to your liking and topped with your choice of cheese 12
Add bacon, sautéed mushrooms, sautéed peppers or sautéed onions .50 each

HADDOCK FINGER BASKET
Four haddock strips lightly beer battered and fried golden brown, served with steak fries, Cole slaw, tartar sauce and fresh lemon wedge 10

6 OUNCE GROUPER SANDWICH
Fresh grouper filet prepared grilled, broiled, blackened, beer battered or crunchy and served with tartar sauce and fresh lemon wedge 16

RECEIVED
FEB 16 2017
COMMUNITY DEVELOPMENT
SEZ 2017-00003

All items above are served with your choice of French fries, shoestring fries, sweet potato fries, homemade chips, onion rings, cottage cheese, Cole slaw, fresh fruit or a house or Caesar salad. Cup of soup may be substituted for $1.25 additional charge.

CHICKEN PIZZAIOLO
Sautéed chicken breast smothered with artichoke hearts and black olives in a fresh tomato sauce served over a bed of wild rice with a side of fresh seasonal vegetables 14

GRILLED SCOTTISH SALMON
Six ounce filet of fresh salmon grilled served with wild rice pilaf, fresh seasonal vegetables and tropical fruit salsa on the side 17

Consuming raw and undercooked meats, poultry, seafood, shellfish or eggs may increase your risk of foodborne illness.

PIZZA

Available Tuesday, Wednesday, Friday and Saturday

CREATE YOUR OWN PIZZA

Pizzas are made to order topped with tomato sauce and a three cheese blend.
Additional toppings include pepperoni, sausage, ham, bacon, mushroom, onion, roasted artichoke, anchovies, black or green olives, sliced tomatoes, bell peppers, spinach, banana peppers, jalapeños, garlic, and fresh mozzarella
12" pizza 12 ~ 16" pizza 14
Additional toppings .50 each

DELI FAVORITES

We proudly offer Boar's Head deli meats. All sandwiches are served on white, wheat or rye bread, as a tortilla wrap or on a croissant with your choice of side. Cup of soup may be substituted for $1.25 additional charge.

THE JUNIOR CLUB SANDWICH

Boar's Head turkey, Black Forest ham, Swiss and cheddar cheese served on two slices of bread, stacked lettuce, tomato, Applewood smoked bacon and mayonnaise
Half sandwich 6 ~ Full sandwich 9

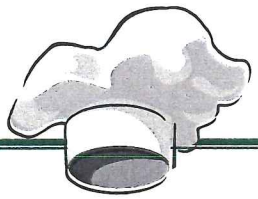
DELI SANDWICHES

Turkey breast, baked ham, roast beef, or B.L.T. served with lettuce, tomato and mayonnaise with your choice of American, Swiss, cheddar or provolone
Chicken salad, egg salad or Albacore tuna salad served with lettuce and tomato
Half sandwich 5.5 ~ Full sandwich 8.5

FRESH MAINE LOBSTER ROLL

New England style roll, buttered and grilled, filled with fresh Maine lobster salad, served with Cole slaw and your choice of side 14

Heart Healthy items low in sodium, unsaturated fat and calories.



LET US DO THE COOKING!
We offer curbside service
Call 239.768.2400, Ext. 211

If you are unable to pick up your order, let us know and we will deliver if volume of business allows.

Menu available upon request by e-mailing
foodandbev@oldehickory.cc

RECEIVED
FEB 16 2017
COMMUNITY DEVELOPMENT
SEZ 2017-00003



Consuming raw and undercooked meats, poultry, seafood, shellfish or eggs may increase your risk of foodborne illness.

Dinner Menu

APPETIZERS

Crab Louis
Cocktail of colossal blue crab, served with sauce Louis 12

Warm Brie and Artichoke Dip
Served with a fresh baked baguette 6

Southwestern Egg Rolls
Smoked chicken, black beans and pepper jack cheese, served with avocado-poblano ranch 8

Frog Legs
Three pairs of legs marinated, breaded and golden fried, served with a fresh wedge of lemon and Cajun tartar sauce 10

Escargot
Large snails baked in garlic herb butter, served with toast points 11

ENTRÉE SALADS

Toasted Almond and Goat Cheese
Mixed baby greens topped with fresh berries, roasted red and golden beets, sliced grilled red onion, toasted almonds and crumbled goat cheese 12

Mediterranean Seafood Salad
Romaine hearts, spinach, black olives, artichoke hearts, cucumbers and tomatoes tossed with a tangy citrus dressing, topped with a fresh seafood salad made with calamari, scallops and shrimp 14

ENTRÉES

Tri-Colored Rotini Pasta
Tossed in Alfredo sauce, topped with sliced, grilled mild Italian sausage, Portobello mushrooms, peppers and sun dried tomatoes, served with a side of garlic bread 15

Vietnamese Noodles
Stir fried egg noodles tossed with bok choy, bean sprouts, carrots, mushrooms, shrimp and beef in a hoisin sauce, topped with toasted cashews and scallions 18

Chicken Piccata
Six ounce chicken breast sautéed in olive oil, served over Cappelini pasta, finished with a lemon caper butter sauce and a side of garlic bread 18

Chicken Marsala
Six ounce chicken breast sautéed in olive oil, served over Cappelini pasta, finished with a mushroom Marsala sauce and a side of garlic bread 18

Grilled Atlantic Salmon
Marinated in orange, lime and tequila, grilled and served with a mild spiced habanero lime butter 22

Pan Seared Jumbo Sea Scallops
Seasoned with cumin and coriander, served on a sweet corn volute 26

Grilled Pork Tenderloin Medallions
Seasoned with rosemary and a three pepper blend, topped with a creamy brandy demi glaze 19

Liver and Onions
Sautéed veal liver topped with caramelized onions and crispy bacon, finished with a red wine demi
Petite 15 ~ Regular 19

Grilled Veal Rib Chop
Twelve ounce veal chop topped with a mushroom Marsala sauce 26

Twelve Ounce New York Strip
Chargrilled to your liking, finished with our garlic herb butter and crispy fried onions 26

Prime Filet Mignon
USDA Prime, center cut aged beef tenderloin, chargrilled and finished with our garlic herb butter, served with sauce béarnaise
Six ounce 26 ~ Eight ounce 30

RECEIVED
FEB 16 2017
COMMUNITY DEVELOPMENT
SEZ 2017-00003

Dinner Specials

TUESDAY, FEBUARY 7

Spaghetti Bolognaise

Our house recipe meat sauce served over spaghetti with a side of garlic bread 14

Veal Stew Cacciatore

Slow braised veal cubes in a tomato sauce with mushrooms, peppers and sliced olives, served over penne with a side of garlic bread 17

WEDNESDAY, FEBRUARY 8

Gourmet Buffet

Seared Ahi Tuna

Served with wasabi, ponsu sauce and pickled ginger

House Cured Gravlax

Served with a honey dill sauce

Slow Roasted Beef Tenderloin

Served with a brandy peppercorn sauce

Roasted Leg of Lamb

Served with a mustard herb crust and mint demi glaze

Saffron risotto with bronzed scallops and shrimp

Chicken ala Oscar

Topped with jumbo lump crab meat, green asparagus and roasted peppers, finished with sauce hollandaise

Fresh seasonal vegetables and roasted baby baked potatoes

Dessert- *Tropical explosion, mango mousse and vanilla cake slice*

$32.00++ per person

THURSDAY, FEBRUARY 9

Veal Parmesan

Veal cutlet breaded with Italian bread crumbs, pan fried and topped with homemade tomato sauce and mozzarella cheese, served over Cappelini 20

Broiled Red Grouper Filet

Broiled with butter, white wine and onion, finished with lump crab meat and a lemon butter sauce 24

FRIDAY, FEBRUARY 10

Canadian Walleye Filet

Lightly breaded and fried golden, served with tartar sauce 21

Wild Mushroom and Venison Stroganoff

Sautéed sliced venison meat with mushrooms, red wine and onions, finished with a dash of sour cream and served over homemade Spätzle

Petite 18 ~ Regular 21

Prime Rib Carving Station

Sliced and served with a creamy horseradish 26

RECEIVED
FEB 16 2017
COMMUNITY DEVELOPMENT

SATURDAY, FEBRUARY 11

Club Championship Awards Dinner from 6:00 P.M.- 9:00 P.M.

Please call Bryan at the Club at 239.768.2400 extension 210 to add your spouse for dinner, Spouses and Past Champions are an additional $35 per person

SEZ2017-00003

Please ask your server about petite portions that are available or any special requests we can accommodate you with. Consuming raw and undercooked meats, poultry, seafood, shellfish, or eggs may increase your risk of foodborne illness.

OULL CABANA GRILL

SOUP DU JOUR

8oz cup 3.75 ~ 16oz bowl 6.5

CHILI

8oz cup 4.25 ~ 16oz bowl 7.5

ROASTED PEAR SALAD

A mix of baby Artesian greens and spinach topped with roasted pears, spiced pecans and bleu cheese crumbles, served with your choice of one our homemade dressings and topped with grilled garlic flatbread 9

FITNESS SALAD

Baby kale and vegetable blend tossed in our homemade fat free citrus poppy vinaigrette, accompanied with toasted almonds, blueberries, craisins, apples, carrots and celery served with a scoop of Quinoa salad and a warm fresh baked roll 9

BISTRO SALAD

Fresh Artesian greens accompanied with red onions, Kalamata olives, roasted red peppers and crumbled feta cheese, topped with sliced vine ripened tomatoes served with grilled garlic flatbread and our homemade balsamic vinaigrette dressing 9

JUMBO CHICKEN WINGS

Breaded or Naked and deep fried with your choice of hot, mild, BBQ, or teriyaki, served with celery sticks

6 pieces 8 ~ 10 pieces 12

SHRIMP COCKTAIL

Five large shrimp chilled and served with cocktail sauce 10

CARIBBEAN CHICKEN SALAD CUPS

Iceberg cups filled with mango chicken salad with Caribbean spices, topped with toasted peanuts 8

TIKI SALAD

Mixed greens, cucumbers, tomatoes, citrus segments, diced grilled pineapple, hearts of palm, avocado and crumbled goat cheese, served with a citrus vinaigrette and a corn muffin 9

Add Grilled Chicken 4

Add Grilled Shrimp or Grilled Mahi 5

6 OUNCE GROUPER SANDWICH

Fresh grouper filet prepared grilled, broiled, blackened, beer battered or crunchy and served with tartar sauce and fresh lemon wedge 16

8 OUNCE SIRLOIN BURGER

Seasoned Angus sirloin grilled to your liking and topped with your choice of cheese 12

Add bacon, sautéed mushrooms, sautéed peppers or sautéed onions .50 each

RECEIVED
FEB 16 2017
COMMUNITY DEVELOPMENT
SEZ 2017-00003

BOAR'S HEAD HOT DOG

A foot long all beef hot dog, grilled and served with traditional condiments 8.5

12" Pizza Pie **$12.00 each**

16" Pizza Pie **$14.00 each**

Create Your Own Pizza

Thin crust pizza topped with tomato sauce, shredded cheese blend of mozzarella, provolone and Parmesan, with your choice of toppings.

Toppings

Pepperoni, sausage, ham, bacon, anchovies, garlic, black olives, green olives, roasted artichoke, spinach, onions, four cheese blend, fresh mozzarella, sliced tomatoes, mushrooms, bell peppers, banana peppers or jalapenos

Each additional topping $.50

RECEIVED
FEB 16 2017
COMMUNITY DEVELOPMENT
SEZ 2017-00003

ATTACHMENT L

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

DIV OF ALCOHOLIC BEVERAGES & TOBACCO
2601 BLAIR STONE ROAD
TALLAHASSEE FL 32399-0783

850.487.1395

OLDE HICKORY GOLF & CC MASTER ASSO INC
OLDE HICKORY GOLF & COUNTRY CLUB
14670 OLDE HICKORY BLVD
FORT MYERS FL 33912

RECEIVED
APR 06 2017
COMMUNITY DEVELOPMENT
SEZ 2017-00003

Congratulations! With this license you become one of the nearly one million Floridians licensed by the Department of Business and Professional Regulation. Our professionals and businesses range from architects to yacht brokers, from boxers to barbeque restaurants, and they keep Florida's economy strong.

Every day we work to improve the way we do business in order to serve you better. For information about our services, please log onto **www.myfloridalicense.com**. There you can find more information about our divisions and the regulations that impact you, subscribe to department newsletters and learn more about the Department's initiatives.

Our mission at the Department is: License Efficiently, Regulate Fairly. We constantly strive to serve you better so that you can serve your customers. Thank you for doing business in Florida, and congratulations on your new license!

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
BEV4602220 ISSUED: 03/07/2017
TOB-DUAL LICENSE
RETAILER OF ALCOHOLIC BEVERAGES
OLDE HICKORY GOLF & CC MASTER ASSO INC
OLDE HICKORY GOLF & COUNTRY CLUB
CONSUMPTION ON PREMISES ONLY

IS LICENSED under the provisions of Ch.561 FS.
Expiration date : MAR 31, 2018
L1703070002573

DETACH HERE

RICK SCOTT, GOVERNOR

MATILDE MILLER, INTERIM SECRETARY

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIV OF ALCOHOLIC BEVERAGES & TOBACCO

LICENSE NUMBER	SERIES	TYPE	TOBACCO
BEV4602220	4COP	SFS	DUAL LICENSE

The RETAILER OF ALCOHOLIC BEVERAGES
Named below IS LICENSED
Under the provisions of Chapter 561 FS.
Expiration date: MAR 31, 2018
CONSUMPTION ON PREMISES ONLY

CANNOT MOVE FROM THIS LOCATION

OLDE HICKORY GOLF & CC MASTER ASSO INC
OLDE HICKORY GOLF & COUNTRY CLUB
14670 OLDE HICKORY BLVD
FORT MYERS FL 33912

DISPLAY AS REQUIRED BY LAW

SEQ # L1703070002573

ATTACHMENT M

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

DIVISION OF HOTELS AND RESTAURANTS
2601 BLAIR STONE ROAD
TALLAHASSEE FL 32399-1011

850-487-1395

RECEIVED
APR 06 2017
COMMUNITY DEVELOPMENT
SEZ 2017-00003

OLDE HICKORY GOLF CC MA INC
OLDE HICKORY GOLF CC
14670 OLD HICKORY BLVD
FORT MYERS FL 339120807

Congratulations! With this license you become one of the nearly one million Floridians licensed by the Department of Business and Professional Regulation. Our professionals and businesses range from architects to yacht brokers, from boxers to barbeque restaurants, and they keep Florida's economy strong.

Every day we work to improve the way we do business in order to serve you better. For information about our services, please log onto **www.myfloridalicense.com**. There you can find more information about our divisions and the regulations that impact you, subscribe to department newsletters and learn more about the Department's initiatives.

Our mission at the Department is: License Efficiently, Regulate Fairly. We constantly strive to serve you better so that you can serve your customers. Thank you for doing business in Florida, and congratulations on your new license!

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

SEA4603944 ISSUED: 11/08/2016

SEATING FOOD SERVICE (2010)
OLDE HICKORY GOLF CC MA INC
OLDE HICKORY GOLF CC

IS LICENSED under the provisions of Ch.509 FS.
Expiration date : DEC 1, 2017 L1611080000818

DETACH HERE

RICK SCOTT, GOVERNOR

KEN LAWSON, SECRETARY

STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF HOTELS AND RESTAURANTS

LICENSE NUMBER	
SEA4603944	NBR. OF SEATS: 209

The SEATING FOOD SERVICE (2010)
Named below IS LICENSED
Under the provisions of Chapter 509 FS.
Expiration date: DEC 1, 2017

NON-
TRANSFERABLE

OLDE HICKORY GOLF CC MA INC
OLDE HICKORY GOLF CC
14670 OLDE HICKORY BLVD
FORT MYERS FL 339120807

ISSUED: 11/08/2016

DISPLAY AS REQUIRED BY LAW

SEQ # L1611080000818

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

CELEBRATING 25 YEARS IN BUSINESS 1992 - 2017

June 22, 2017

RECEIVED
JUN 27 2017
COMMUNITY DEVELOPMENT

Ms. Jessica K. Leatherman
Lee County Development Services
1500 Monroe Street
Fort Myers, Florida 33901

Reference: OLDE HICKORY GOLF & COUNTRY CLUB
SEZ2017-00003

Dear Jessica:

This letter is written in response to negotiations and resulting settlement agreement that have transpired since the correspondence received regarding the above referenced case from Pavese Law Firm dated April 4, 2017.

Attached please find the Agreement between Old Hickory Golf & Country Club Master Association, Inc. and Dr. Mitchell Lasoff, together with several other owners dated May 26, 2017 and recorded June 14, 2017 at Instrument No. 2017000129736 of the Public Records of Lee County. Below is an aerial depicting the location of Dr. Lasoff's residence as well as the location of the additional residences named on Page 2, Item 4.



• SERVING THE STATE OF FLORIDA •

10511 Six Mile Cypress Parkway • Suite 101 • Fort Myers, Florida 33966
Phone 239-939-5490 • www.bankseng.com • Fax 239-939-2523
Engineering License No. EB 6469 • Surveying License No. LB 6690

S:\Jobs\81xx\8150\Documents\Lee County\8150_SEZ2017-00003-SettlementAgreementSubmittaltoLeeCounty.doc

ATTACHMENT N

SEZ 2017-00003

The applicant is submitting the following in accordance with this agreement:

- Page 2, Item 2. Applicant respectfully requests that Lee County incorporate the following conditions into any recommendation of approval of the Special Exception request:
  1) The Association shall advertise that daily phone and walk-up outdoor COP service and sales shall only be from 11:00 a.m. to 5:00 p.m. and enforce said hours.
  2) The Association shall advertise that outdoor COP service for special events, defined as those events held outside when the Association closes its indoor facilities for another function ("Special Events"), and private outdoor events requested by members or individual homeowners' associations ("Private Events") shall only be from 4:00 p.m. to 8:30 p.m. with all patrons and staff leaving the premises and lights out by 9:00 p.m., and enforce said hours.
  3) In October, November, and December there shall be no more than two (2) Special Events per month. In January, February, March, and April there shall be no more than four (4) Special Events per month. Additionally, individual homeowners' associations may hold no more than one (1) private event each, between October 1st and April 30th, and there shall be no more than one (1) private homeowners' association event per month between October 1st and April 30th. There shall be no more than two (2) Special or Private Events in a given week between October 1st and April 30th. Allocations for Special Events or Private Events cannot be carried over from a given week or month.
  4) The use of animated signs (defined as those that are composted of moving parts or lights or lighting devices that change color, flash, alternate illumination, show motion, movement or otherwise change appearance) and neon signs are prohibited. Any signs that are back-lit for display at night shall be oriented to the west away from adjacent residences.
  5) There shall be no amplified music.
  6) Should the Association utilize a permanent or temporary structure ("Structure") for outdoor COP service, the Structure shall not be located in the northeast corner of the pool deck.
- Page 3, Item 5. The applicant respectfully submits the attached amended outdoor COP Special Exception Plan which removes the previously proposed approximately 8-foot tall sound barrier wall which was to be located between the pool and adjacent residences. This wall is no longer a part of this Special Exception application. Since the four adjacent property owners closest to the proposed outdoor COP use have specifically requested that the previously proposed sound barrier wall be removed, the applicant respectfully submits that removal of the sound barrier does not change the fact that the proposed use is compatible with existing and planned uses and will not be injurious to the neighborhood or detrimental to the public welfare.

Please do not hesitate to contact me at (239) 770-2527 if you have any questions or need anything further.

Sincerely,
BANKS ENGINEERING
Stacy E. Hewitt
Stacy Ellis Hewitt, AICP
Director of Planning

RECEIVED
JUN 27 2017
COMMUNITY DEVELOPMENT

cc: Joseph M. Madden, Jr.
Audra Ennis, Section Manager, Zoning Department
John Fredyma, Senior Assistant County Attorney
Kathleen O. Berkey, Esq.

SEZ 2017-00003

INSTR # 2017000129736, Doc Type AGR, Pages 9, Recorded 06/14/2017 at 10:33 AM, Linda Doggett, Lee County Clerk of Circuit Court, Rec. Fee $78.00 Deputy Clerk ERECORD

Prepared by and to be returned to:
Kathleen O. Berkey, Esq.
Pavese Law Firm
P.O. Drawer 1507
Fort Myers, FL 33902-1507

STRAP No.:
27-45-25-02-0000A.00CE

AGREEMENT

THIS AGREEMENT is made this 26th day of May 2017 by and between The Olde Hickory Golf & Country Club Master Association, Inc., a Florida not for profit corporation, whose address is 14670 Old Hickory Boulevard, Fort Myers, Florida 33912 ("Association") and Dr. Mitchell Lasoff, whose address is 14600 Old Hickory Boulevard, Fort Myers, Florida 33912, together with several other owners ("Lasoff").

RECITALS

WHEREAS, Peter Tschernitz ("General Manager"), as General Manager on behalf of Association, applied to Lee County, Florida for a special exception (Case No. SEZ2017-00003) in the Residential Planned Development zoning district to allow an amendment to the existing consumption on premises ("COP") license to allow outdoor consumption on premises by the existing Association pool ("Special Exception") on property located at 14670 Old Hickory Boulevard, Fort Myers, Florida 33912 further identified by STRAP No. 27-45-25-02-0000A.00CE and more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference (the "Property"); and

WHEREAS, Association is the record title owner of the Property and Lasoff owns a lot that is approximately 100-feet from the Property, as more particularly described in Exhibit "B" attached hereto and incorporated herein by this reference; and

WHEREAS, Lasoff's lot contains his primary residence; and

WHEREAS, Lasoff has concerns about the impacts of the proposed outdoor COP use on his residence; and

WHEREAS, Association and Lasoff have agreed to certain conditions of approval to be made part of the Special Exception approval, and which conditions will help to address Lasoff's concerns.

NOW THEREFORE, in consideration of the mutual promises contained herein and other good and valuable consideration, the receipt of which is hereby acknowledged by both parties, Association and Lasoff agree as follows:

1. The above recitals are true and correct and incorporated herein by this reference.

RECEIVED
JUN 27 2017
COMMUNITY DEVELOPMENT

SEZ 2017-00003

2. Association shall request that Lee County incorporate the following conditions ("Conditions") into any approval of the Special Exception:

1) The Association shall advertise that daily phone and walk-up outdoor COP service and sales shall only be from 11:00 a.m. to 5:00 p.m. and enforce said hours.
2) The Association shall advertise that outdoor COP service for special events, defined as those events held outside when the Association closes its indoor facilities for another function ("Special Events"), and private outdoor events requested by members or individual homeowners' associations ("Private Events") shall only be from 4:00 p.m. to 8:30 p.m., with all patrons and staff leaving the premises and lights out by 9:00 p.m., and enforce said hours.
3) In October, November, and December there shall be no more than two (2) Special Events per month. In January, February, March, and April there shall be no more than four (4) Special Events per month. Additionally, individual homeowners' associations may hold no more than one (1) private event each, between October 1st and April 30th, and there shall be no more than one (1) private homeowners' association event per month between October 1st and April 30th. There shall be no more than two (2) Special or Private Events in a given week between October 1st and April 30th. Allocations for Special Events or Private Events cannot be carried over from a given week or month.
4) The use of animated signs (defined as those that are composted of moving parts or lights or lighting devices that change color, flash, alternate illumination, show motion, movement or otherwise change appearance) and neon signs are prohibited. Any signs that are back-lit for display at night shall be oriented to the west away from adjacent residences.
5) There shall be no amplified music.
6) Should the Association utilize a permanent or temporary structure ("Structure") for outdoor COP service, the Structure shall not be located in the northeast corner of the pool deck.

3. Regardless of whether Lee County incorporates the Conditions into an approval of the Special Exception, if the Special Exception is approved and/or the Association's existing COP license (BEV4602220) is amended or expanded by the State of Florida, the Association and its agents and representatives shall adhere to the Conditions as though they were a part of the Special Exception approval and/or the State of Florida's approval of an amendment to or expansion of the Association's existing COP license (BEV4602220).

4. Lasoff. as well as other owners that are concerned about the outdoor COP service, including the Postlers, Barkers and Connors, shall not object to the Special Exception at the Lee County Hearing Examiner public hearing scheduled for July 13,

RECEIVED
JUN 27 2017
COMMUNITY DEVELOPMENT

2017, and shall instruct Pavese Law Firm to send a letter withdrawing earlier concerns sent to Lee County Zoning.

5. Simultaneously with the execution and delivery of this Agreement, the Association shall transmit to Lee County an amended outdoor COP Special Exception Plan and a corresponding narrative which explains that the approximately 8-foot tall sound barrier to be located between the pool and Lasoff's lot is no longer a part of its Special Exception application.

6. Association represents and warrants to Lasoff that the execution and delivery of this Agreement has been duly approved by all requisite corporate or partnership action, as applicable, that is required to be taken.

7. Attorneys' Fees. In connection with any litigation, including appellate proceedings, arising out of this Agreement the prevailing party shall be entitled to recover all reasonable attorneys' fees and costs incurred by the enforcement of any of the obligations contained in this Agreement.

8. Injunctive Relief. It is hereby agreed and acknowledged that it will be impossible to measure monetary damages that would be suffered if the parties fail to comply with any of the obligations herein imposed on them and that in the event of any such failure, an aggrieved Person will be irreparably damaged and will not have an adequate remedy at law. Any such Person shall, therefore, be entitled (in addition to any other remedy to which it may be entitled in law or in equity) to injunctive relief, including specific performance, to enforce such obligations, and if any action should be brought in equity to enforce any of the provisions of this Agreement, none of the parties hereto shall raise the defense that there is an adequate remedy at law.

9. Binding Effect. This Agreement shall be binding upon and shall inure to the benefit of the parties hereto and the Association's successors in interest, heirs, and assigns.

10. Governing Law. This agreement shall be governed by, construed and interpreted under the laws of the State of Florida.

11. Venue and Jurisdiction. The venue and jurisdiction of any dispute relating to this Agreement shall be construed in accordance with the laws of Florida, and for the purposes of this contract, venue and jurisdiction for any litigation is construed to be in Lee County, Florida, and both parties waive any objection to said venue or jurisdiction.

12. Entire Agreement. This agreement contains the entire understanding of the parties hereto and supersedes any prior agreement. Neither party shall be bound by any terms, conditions, statements, or representations, oral or written, which are not contained in this Agreement. The parties hereby acknowledge they have not been induced, persuaded, or motivated by any promise or representation made by the other party in entering into this Agreement unless expressly set forth herein.

RECEIVED
JUN 27 2017
COMMUNITY DEVELOPMENT

13. Severability. The illegality, invalidity, or unenforceability of any provision of this agreement shall not affect the remainder of this agreement.

14. Time. Time is of the essence of each provision of this Agreement.

15. Successors and Assigns. All rights and liabilities herein given to, or imposed upon the Association hereto shall extend to and inure to the benefit of the Association's parties, agents, representatives, lessees, employees, heirs, executors, administrators, successors and assigns; and if more than one, shall all be bound jointly and severally by the terms, covenants and agreement herein contained.

16. Amendment. Except as otherwise provided herein, this Agreement may not be amended, altered, or modified except by writing executed by both parties hereto.

17. Section Headings. The section headings and captions in this Agreement are intended for convenience only and shall not be taken into consideration in any construction or interpretation of this Agreement or any of its provisions.

18. Executed Counterparts. This Agreement may be executed in any number of counterparts, each of which when executed and delivered, shall constitute an original, but all counterparts shall together constitute one and the same instrument. The final executed instrument shall be recorded in the Public Records of Lee County at Association's sole expense.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals as of the date set forth above.

RECEIVED
JUN 27 2017
COMMUNITY DEVELOPMENT

[Remainder of Page Intentionally Left Blank]

1st Witness
Print Name: Sandra H. Saint

By: _____
Dr. Mitchell Lasoff

2nd Witness
Print Name: Leslie Hutchinson

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 25th day of May, 2017. The above-named person is personally known to me or has produced _____ as identification.

Signature of Notary Public
Sheldon B. Matzick
Printed Name of Notary Public
My commission expires on 7/25/2020

(Notary Seal)

Notary Public State of Florida
Sheldon B Matzick
My Commission FF 997346
Expires 07/25/2020

RECEIVED
JUN 27 2017
COMMUNITY DEVELOPMENT

SEZ 2017-00003

By: _____
Dr. Mitchell Lasoff

_____
1st Witness
Print Name: _____

_____
2nd Witness
Print Name: _____

STATE OF FLORIDA
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of_____, 2017. The above-named person is personally known to me or has produced _____ as identification.

_____
Signature of Notary Public

(Notary Seal)

_____
Printed Name of Notary Public
My commission expires on_____

The Olde Hickory Golf & Country Club Master Association, Inc.

By: _____
Gerald French, President

Melanie Huh
1st Witness
Print Name: MELANIE Huh

2nd Witness
Print Name: PETER ISGRIGG

RECEIVED
JUN 27 2017
COMMUNITY DEVELOPMENT

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me this 26 day of MAY, 2017 by Gerald French as President of The Olde Hickory Golf & Country Club Master Association, Inc. on behalf of the Florida not for profit corporation. The above-named person is personally known to me or has produced _____ as identification.

SEZ 2017-00003

Melanie A. Huhn
Signature of Notary Public

(Notary Seal)

MELANIE A. HUHN
MY COMMISSION # GG 046298
EXPIRES: March 8, 2021
Bonded Thru Notary Public Underwriters

MELANIE A. HUHN
Printed Name of Notary Public
My commission expires on 03/08/21

RECEIVED
JUN 27 2017
COMMUNITY DEVELOPMENT

SEZ2017-00003

EXHIBIT "A"

PROPERTY DESCRIPTION

A PORTION OF TRACT "F" OF THE OLDE HICKORY GOLF AND COUNTRY CLUB AS RECORDED IN PLAT BOOK 48, AT PAGES 86 THROUGH 114 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LYING IN SECTION 27, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF TRACT "H", THE OLDE HICKORY GOLF AND COUNTRY CLUB, PLAT BOOK 48, AT PAGES 86 THROUGH 114, LEE COUNTY, FLORIDA; THENCE RUN ALONG THE EAST LINE OF SAID TRACK "H" NORTH 00°56'53" WEST, FOR A DISTANCE OF 560.00 FEET; THENCE RUN NORTH 89°03'07" EAST, A DISTANCE OF 593.03 FEET TO A POINT ON THE WESTERLY LINE OF BLOCK 6 OF SAID PLAT; THENCE RUN ALONG SAID WESTERLY LINE SOUTH 19°29'28" WEST, FOR A DISTANCE OF 189.60 FEET TO THE SOUTHWEST CORNER OF LOT 26 OF SAID BLOCK 6; THENCE RUN ALONG THE SOUTH LINE OF SAID LOT 26 SOUTH 70°30'32" EAST, FOR A DISTANCE OF 140.00 FEET TO A POINT ON THE NORTHERLY RIGHT OF WAY LINE OF TRACT "A", (OLD HICKORY BOULEVARD) OF SAID PLAT; THENCE RUN ALONG SAID WESTERLY RIGHT OF WAY LINE FOR THE FOLLOWING SIX (6) COURSES AND DISTANCES:

1. SOUTH 19°29'28" WEST, A DISTANCE OF 143.35 FEET TO A POINT ON A TANGENTIAL CIRCULAR CURVE TO THE RIGHT;
2. THENCE RUN ALONG THE ARC OF SAID CURVE 165.16 FEET, HAVING A RADIUS OF 160.00 FEET, A CENTRAL ANGLE OF 59°08'36", (CHORD, SOUTH 49°03'46" WEST, 157.92 FEET);
3. THENCE RUN SOUTH 78°38'04" WEST, FOR A DISTANCE OF 35.95 FEET TO A POINT ON A TANGENTIAL CIRCULAR CURVE TO THE RIGHT;
4. THENCE RUN ALONG THE ARC OF SAID CURVE 87.73 FEET, HAVING A RADIUS OF 482.50 FEET, A CENTRAL ANGLE OF 10°25'03", (CHORD, SOUTH 83°50'36" WEST, 87.61 FEET);
5. THENCE RUN SOUTH 89°03'07" WEST, A DISTANCE OF 54.82 FEET TO A POINT ON A TANGENTIAL CIRCULAR CURVE TO THE LEFT;
6. THENCE RUN ALONG THE ARC OF SAID CURVE 324.23 FEET, HAVING A RADIUS OF 617.50 FEET, A CENTRAL ANGLE OF 30°50'04", (CHORD, SOUTH 74°00'35" WEST, 320.52 FEET) TO THE POINT OF BEGINNING.

CONTAINING 6.57 ACRES, MORE OR LESS

RECEIVED
JUN 27 2017
COMMUNITY DEVELOPMENT

SEZ 2017-00003

EXHIBIT B

LEGAL DESCRIPTION

Lot 24, Block 6, of The Olde Hickory Golf and Country Club, as per map or plat thereof recorded in Plat Book 48, Pages 86 through 114, inclusive, of the Public Records of Lee County, Florida.

STRAP Number 27-45-25-02-00006.0240

RECEIVED
JUN 27 2017
COMMUNITY DEVELOPMENT

SEZ2017-00003

E-recording Report of Recorded Documents

Itemized Fee View

Prepared for: Madden Law Firm LLC
Included Organization: Madden Law Firm LLC
For the period: 06/14/2017
Account number: FLTEH8
Report generated: 06/14/2017 08:49 AM MDT

Documents Recorded

NAME	TYPE	PG	ENTRY	RECORD DATE		SF		AMT	TOTAL	PROCESSED
Lee County, FL										
Jun 14, 2017										
OLDE HICKORY										
20170613100827734	*Agreement*	9	E 2017000129736	06/14/2017 10:33 AM EDT	Submission Fee	4.50	Recording Fee	78.00	82.50	06/14/2017
						0.00	No fee	0.00	0.00	06/14/2017
						4.50		***78.00***	***82.50***	
						4.50		**78.00**	**82.50**	
Totals for Lee County, FL						**4.50**		**78.00**	**82.50**	

Recording Fee Totals

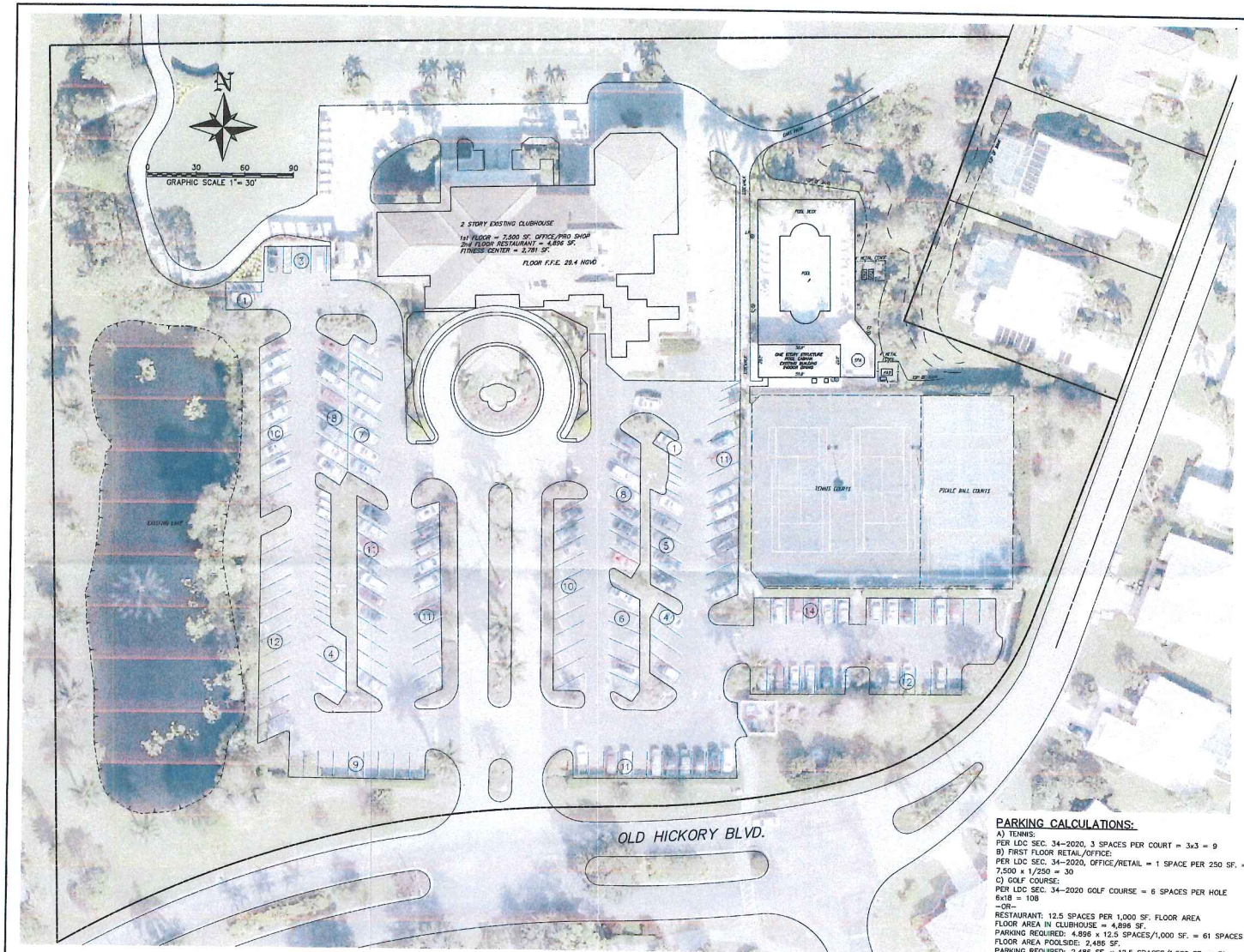
COUNTY	RECORD DATE	SF	AMT	
Lee County, FL	06/14/2017	4.50	78.00	82.50
Totals for Lee County, FL		**4.50**	**78.00**	**82.50**
Total of All Recording Fees		**4.50**	**78.00**	**82.50**

Document Count: 1

Questions Contact:
Simplifile Support 1-800-460-5657, option 3
4844 North 300 West, Suite 202
Provo, UT 84604

RECEIVED
JUN 27 2017
COMMUNITY DEVELOPMENT

SEZ2017-00003

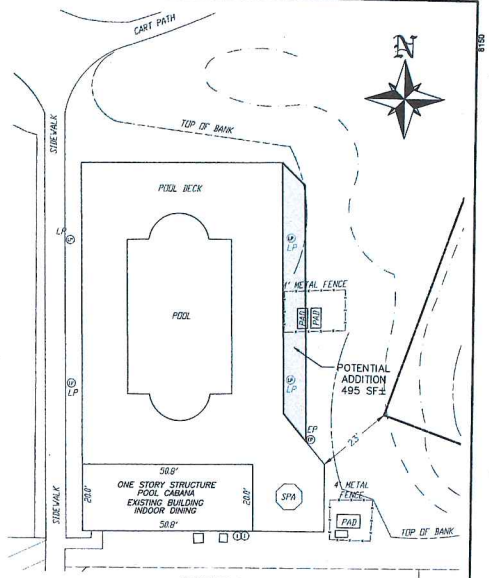


EXISTING CONDITIONS PLAN

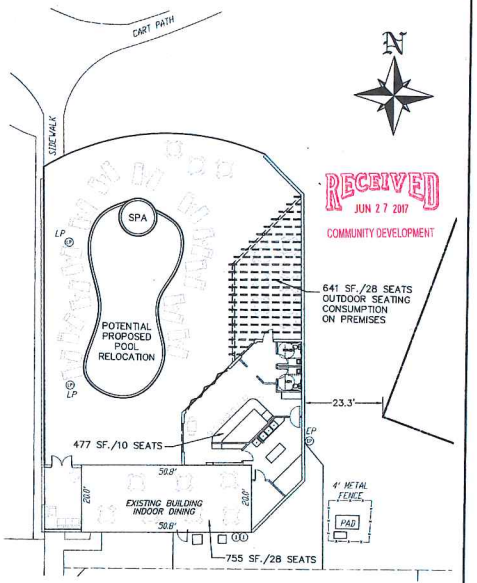
	SERVING AREA	SEATS
EXISTING CLUBHOUSE RESTAURANT	4,896 SF.	209
PROPOSED POOLSIDE INDOOR	1,845 SF.	38
PROPOSED POOLSIDE OUTDOOR	641 SF.	28
TOTAL	7,382 SF.	275

PARKING CALCULATIONS:

A) TENNIS:
PER LDC SEC. 34-2020, 3 SPACES PER COURT = 3x3 = 9
B) FIRST FLOOR RETAIL/OFFICE:
PER LDC SEC. 34-2020, OFFICE/RETAIL = 1 SPACE PER 250 SF. = 7,500 x 1/250 = 30
C) GOLF COURSE:
PER LDC SEC. 34-2020 GOLF COURSE = 6 SPACES PER HOLE
6x18 = 108
-OR-
RESTAURANT: 12.5 SPACES PER 1,000 SF. FLOOR AREA
FLOOR AREA IN CLUBHOUSE = 4,896 SF.
PARKING REQUIRED: 4,896 x 12.5 SPACES/1,000 SF. = 61 SPACES
FLOOR AREA POOLSIDE: 2,486 SF.
PARKING REQUIRED: 2,486 SF. x 12.5 SPACES/1,000 SF. = 31
TOTAL RESTAURANT PARKING REQUIRED: 92 SPACES
SPACES REQUIRED EQUALS GREATER OF GOLF OR RESTAURANT = 108 SPACES
D) CLUBHOUSE FITNESS CENTER:
PER LDC SEC. 34-2020 RECREATION = 4 SPACES PER 1,000 SF.
2,781 x 4/1,000 = 11 SPACES
TOTAL SPACES REQUIRED: 9+30+108+11 = 158
CAR SPACES PROVIDED: EXIST. 158
GOLF CART SPACES PROVIDED: 21
TOTAL SPACES PROVIDED = 179, 113.3% OF REQUIRED.



EXISTING & DEMO PLAN



RECEIVED
JUN 27 2017
COMMUNITY DEVELOPMENT

PROPOSED PLAN

SEZ 2017-00003

PREPARED FOR:
OLDE HICKORY GOLF & COUNTRY CLUB MASTER ASSN. INC.
14670 OLD HICKORY BLVD.
FORT MYERS FL. 33912

NO.	DATE	REVISION DESCRIPTION	BY
3	6/14/2017	PER SETTLEMENT AGREEMENT	SEH
2	4/7/2017	UPDATED SEATING	SEH
1	2/14/2017	1ST SUFFICIENCY RESPONSE	SEH

BANKS ENGINEERING
Professional Engineers, Planners, & Land Surveyors
Serving The State Of Florida
10511 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33966
PHONE: (239) 939-5490 FAX: (239) 939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690
WWW.BANKSENG.COM

OUTDOOR COP SPECIAL EXCEPTION PLAN
OLDE HICKORY GOLF & COUNTRY CLUB
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
12/22/2016	8150P	EXIST. COND.		JLS	SEH	AS SHOWN	1