MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY

VIA EMAIL ONLY

DATE: June 21, 2021

TO: Eileen Gabrick
Minutes Office Manager

FROM: Joseph A. Adams
Assistant County Attorney

RE: Resolution Z-18-002, Adopted April 18, 2018
Gully Creek RPD (DCI2016-00024)
Scrivener's Error

Lee County Resolution Z-18-002, adopting the Gully Creek RPD Zoning Resolution, Case No. DCI2016-00024, contains a scrivener's error on page 5. The error replacement consists of the following:

- Page 5 mistakenly includes the number 17.71 in Condition 10 Indigenous Open Space. The correct number in Condition 10 is 15.7.

Consequently, we respectfully request that you replace page 5 in Resolution Z-18-002 with the attached page so that it correctly reflects the text adopted by the County.

Should you have any questions concerning the above, please do not hesitate to contact me.

JAA/les
Attachment

cc via email only: Anthony Rodriguez, Manager, DCD
Jamie Princing, Administrative Specialist

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

WHEREAS, an application was filed by the property owners, Daniel N. Light & Gully Creek, LLC; David Johnson Trust & Slater Bend, LLC; and L.B. Anderson & Co. Inc.; to rezone a 66± acre parcel from Agricultural (AG-2) to Residential Planned Development (RPD) in reference to Gully Creek RPD; and.

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Laura B. Belflower, was advertised and held on January 18, 2018 and January 19, 2018; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2016-00024 and recommended APPROVAL of the Request; and

WHEREAS, a second public hearing was advertised and held on April 18, 2018 before the Lee County Board of Commissioners and continued to a second public hearing on May 16, 2018; and,

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

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

SECTION A. REQUEST

The applicant filed a request to rezone a 66± acre parcel from AG-2 to RPD, to allow up to 330 single-family, two-family attached, townhouse, or multiple-family residential dwelling units.

The property is located in the Suburban and Rural Future Land Use Categories and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. Development of this project must be consistent with the five-page Master Concept Plan (MCP) entitled "Master Concept Plan," prepared by Barraco & Associates, Inc., date stamped received September 28, 2017, and attached hereto as Exhibit C, except as modified by the conditions below. Development must comply with all requirements of the LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

The development is permitted a maximum of 330 dwelling units, of which no more than 210 units may be single-family detached or two-family attached. No more than 11 units may be located in the 11.26 acres in the Rural Future Land Use category.

2. **Uses and Site Development Regulations**

a. The following uses are permitted within this planned development:

Accessory Uses and Structures
Dwelling Unit:
- Single-Family (R-1 and R-2 areas)
- Two-Family Attached (R-1 and R-2 areas)
- Townhouse (R-2 area only)
- Multiple-Family (R-2 area only)

Entrance Gates and Gatehouse
Essential Services
Essential Services Facilities, Group I
Excavation, Water Retention
Fences, Walls
Home Occupation
Models: (See Condition 3)
- Model Display Center
- Model Display Group
- Model Homes

Parking Lot: Accessory
Real Estate Sales Office
Recreational Facilities, Private-On-Site
Residential Accessory Uses and Structures
Signs
Temporary Uses – limited solely to Temporary contractor's office and equipment storage shed.

b. Site Development Regulations:

DEVELOPMENT REGULATIONS	R-1 Areas		R-2 Areas			
	SINGLE-FAMILY	TWO-FAMILY ATTACHED	SINGLE-FAMILY	TWO-FAMILY ATTACHED	TOWNHOUSE	MULTIFAMILY
Minimum Lot Width	50 feet	30 feet	42 feet	30 feet	20 feet	54 feet
Minimum Lot Depth	120 feet	125 feet	120 feet	120 feet	100 feet	100 feet
Minimum Lot Area	6,500 sq. ft.	3,750 sq. ft.	5,040 sq. ft.	3,600 sq. ft.	2,000 sq. ft.	5,400 sq. ft.
Max. Building Height	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet
Maximum Lot Coverage	45%	45%	60%	70%	60%	60%
Minimum Setbacks:						
Front (right-of-way)	20 feet (*)	20 feet (*)	20 feet (*)	20 feet (*)	20 feet (*)	20 feet (*)
Side Yard	5 feet	5 or 0 feet (**)	5 feet	5 or 0 feet (**)	5 or 0 feet (**)	7.5 feet
Rear Yard (principal)	10 feet	15 feet	10 feet	15 feet	15 feet	20 feet
Rear Yard (accessory)	5 feet	5 feet	5 feet	5 feet	5 feet	5 feet
Preserve (***)	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet
Preserve to fire dependent uplands	30 feet	30 feet	30 feet	30 feet	30 feet	30 feet

Notes:

*Setback shall be reduced to 15 feet for side entry garages.
**0 (zero) foot setback shall apply to an internal lot line.
***Applicable to primary structure.

3. **Model Display Center, Model Homes, and Model Units**

Administrative Approval, as provided for in LDC §34-1954, is required prior to approval to construct any of the approved model uses.

4. **Development within Floodway**

The Daughtrey's Creek floodway crosses the site. Any encroachment in or crossing of the floodway must be in accordance with all local, state, and federal regulations.

5. **Vehicular/Pedestrian Impacts**

Approval of this request does not address mitigation of impacts to vehicular traffic impacts or pedestrian facilities resulting from subsequent development of the subject property. Site-related traffic improvements to the nearby roadway network or improvements to pedestrian facilities required to accommodate the proposed development will be determined at the time of local development order review.

6. **Lee Plan Consistency**

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

7. **Concurrency**

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

8. **Development Permits**

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

9. **Gopher Tortoises**

a. Prior to the issuance of a development order, an off-site management plan will be prepared which will address all gopher tortoises that will be relocated from within the development footprint to an off-site FWC approved mitigation bank. Also prior to the development order, an on-site protected species management plan will be prepared that addresses the onsite gopher tortoise that are currently located and will remain within the indigenous and non-indigenous preserve areas.

b. Prior to clearing pursuant to the vegetation removal permit, a gopher tortoise fence must be installed around the limits of the preserves to ensure that no impacts will occur to any gopher tortoise burrow located in the preserve. Gopher tortoises located in the 25-foot buffer area to the preserves must either be relocated to the preserve or relocated off-site in accordance with FWC criteria. No machinery or mechanical excavation of gopher tortoise burrows can occur within the indigenous preserve or onsite preserve area(s).

10. **Indigenous Open Space**

Prior to the issuance of a development order, the development order plans must illustrate ~~17.74~~15.7 acres of open space (includes 7.51 acres of indigenous open space credits) per the MCP.

11. **Existing Agricultural Uses**

The existing bona fide agricultural uses of cattle grazing and hay-production that exists on the property at the time of rezoning may continue in the areas depicted in the "Existing Agricultural Use Affidavit" (Exhibit D) until approval of a local development order for the area containing the agricultural uses.

a. Clearing or injury of native trees or other native vegetation, including understory, in these agricultural areas is prohibited. Existing grass pastures may be mowed, but those areas may not be cleared or expanded. This prohibition does not preclude County approved removal of invasive exotic vegetation.

b. Prior to issuance of a local development order, the developer must submit written proof, subject to approval by the County Attorney's Office, of the following:

i. Termination of all agricultural uses on the property subject to the development order application/approval. Proof must include a sworn affidavit from the person or entity holding title to the property that provides:
(1) The date agricultural use ceased;
(2) The legal description of the property subject to development order approval; and
(3) An affirmative statement that the owner acknowledges and agrees that agricultural uses are prohibited on the property unless the property is rezoned to permit agricultural uses.

ii. Proof of termination of the agricultural tax exemption on the property subject to the development order application/ approval. Proof of termination must include a copy of the owner's request to terminate the tax exemption provided to the Property Appraiser.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC §10-254(c) requirement to provide that side lot lines be at specified angles, to allow the side lot in Deviation 1 areas to parallel the road, with the road accessing the side of the lot, and shown on Sheet 5 of the MCP. This deviation is APPROVED.

2. Deviation (2) seeks relief from the LDC §10-296(k) requirement to provide that a circular turnaround close the end of a dead-end street, to allow a dead-end road segment less than 150 feet long without a cul-de-sac. This deviation is APPROVED, SUBJECT TO the condition that prior to local development order approval, the developer must provide letters from the local fire district and Lee County Public Safety indicating they have reviewed and approved the design of the proposed dead-end road subject to this deviation.

10. **Indigenous Open Space**

Prior to the issuance of a development order, the development order plans must illustrate 15.7 acres of open space (includes 7.51 acres of indigenous open space credits) per the MCP.

11. **Existing Agricultural Uses**

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3. Deviation (3) seeks relief from the LDC §10-703 requirement to provide lot depth measurements perpendicular to the street and lot widths between the side lot line at the street, to allow an alternative width and depth measurement method for lots addressed by Deviation 1. The wide measurement would be along the side lot line parallel to the road and the lots' depth measurements would be from the point the road right-of-way intersects the lot to the rear of the lot, as indicated on Sheet 5 of the MCP. This deviation is APPROVED.

4. Deviation (4) seeks from the LDC §10-329(d)(1)a.3 requirement to provide an excavation setback of 50 feet from any private property line under separate ownership, to allow an excavation setback of 30 feet from the property boundary. This deviation is APPROVED, SUBJECT TO the condition that prior to development order approval, the development order plans must illustrate a 5-foot wide enhanced Type A buffer (5 trees per 100 linear feet and a hedge row installed at 48 inches in height) where the lake excavation is less than 50 feet from the property line. If an optional project wall or fence is proposed, then a 7.5-foot wide buffer must be provided.

5. Deviation (5) seeks relief from the LDC §10-285(a) requirement to provide intersection separations of 440 feet for minor arterial roads (Slater Road), to allow a 170-foot intersection separation on Slater Road between the project entrance and Bee Charmer Lane. This deviation is APPROVED.

SECTION D. EXHIBITS:

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

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

SECTION E. FINDINGS AND CONCLUSIONS:

The Request, as conditioned:

1. Complies with the Lee Plan, specifically Lee Plan Objectives 2.1 and 2.2, Policies 1.1.1, 1.1.5, 1.4.1, 1.7.6, 2.2.1, 2.2.2, 5.1.2, 5.1.5, 135.1.9, 135.9.5, and 135.9.6, Standards 4.1.1 and 4.1.2, and Table 1(b);

2. Meets or will meet the LDC and other applicable County regulations, including the stormwater and flood management regulations, or qualifies for deviations;

3. Is compatible with existing and planned uses in the surrounding area, in that it will not conflict or negatively influence the uses or character of the existing and planned future surrounding area;

4. Will provide access sufficient to support the proposed development intensity;

5. Will mitigate the expected impacts on existing or planned transportation facilities through the existing County regulations and conditions of approval;

6. Will not adversely affect environmentally critical or sensitive areas and natural resources; and

7. Although not in a Future Urban area category, will be served by the requisite urban services.

8. The proposed uses are appropriate at the proposed location;

9. The recommended conditions provide sufficient safeguards to the public interest and reasonably relate to the impacts on the public's interest expected from the proposed development; and

10. Each deviation:

    a. Enhances the achievement of the objectives of the planned development; and

    b. Preserves and promotes the general intent of this Code to protect the public health, safety, and welfare.

SECTION F. SCRIVENER'S ERRORS

The Board intends that this resolution can be renumbered or relettered and typographical errors that do not affect the intent and are consistent with the Board's action can be corrected with the authorization of the County Manager or his designee, without the need for a public hearing.

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

Adopted by unanimous consent.

John Manning	Aye
Cecil Pendergrass	Aye
Larry Kiker	Aye
Brian Hamman	Aye
Frank Mann	Nay

DULY PASSED AND ADOPTED this 16 day of May 2018.

ATTEST:
LINDA DOGGETT, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Cecil Pendergrass, Chair

BOARD OF COUNTY COMMISSIONERS SEAL LEE COUNTY FLORIDA

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

_____
Amanda L. Swindle
Assistant County Attorney
County Attorney's Office

RECEIVED
MINUTES OFFICE
2018 MAY 30 PM 1:05

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

RECEIVED
SEP 28 2017
COMMUNITY DEVELOPMENT

DESCRIPTION

DCI 2016-00024

Parcel in
Section 19, Township 43 South, Range 25 East,
Lee County, Florida

Applicant's Legal Checked
by JCM 10/2/2017

A tract or parcel of land lying in, Section 19, Township 43 South, Range 25 East, Lee County, Florida, said tract or parcel being more particularly described as follows:

COMMENCING at the South Quarter Corner of said Section 19 run N00°33'00"E along the West line of the Southeast Quarter (SE 1/4) of said Section 19 for 667.91 feet to the Southwest corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 19 and the POINT OF BEGINNING.

From said Point of Beginning continue N00°33'00"E along said West line for 333.96 feet to an intersection with the South line of the North Half (N 1/2) of the North Half (N 1/2) of the South Half (S 1/2) of the Southwest Quarter (SW 1/4) of said Section 19; thence run S89°03'06"W along said South line for 1,377.23 feet to an intersection with the Easterly right of way line of Slater Road, being 25 feet Easterly as measured perpendicular to the center line thereof; thence run along said Easterly right of way line the following two (2) courses: N08°17'52"W for 54.81 feet to a point of curvature and Northerly along an arc of a curve to the right of radius 2,763.25 feet (delta 09°16'29") (chord bearing N03°39'38"W) (chord 446.81 feet) for 447.30 feet to an intersection with the North line of the South Half (S 1/2) of the South Half (S 1/2) of the South Half (S 1/2) of the North Half (N 1/2) of the Southwest Quarter (SW 1/4) of said Section 19; thence run N89°02'52"E along said North line for 1,418.48 feet to an intersection with said West line of the Southeast Quarter (SE 1/4) of Section 19; thence run N00°33'00"E along said West line for 743 feet, more or less, to an intersection with the thread of Foose Gully; thence run Southeasterly along the thread of said Foose Gully for 527 feet, more or less, to an intersection with a line being 350 feet south as measured perpendicular to the North line of the South Half (S 1/2) of the North Half (N 1/2) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of said Section 19; thence run N89°02'28"E parallel with said North line for 262 feet, more or less, to an intersection with the thread of Daughtrey's Creek; thence run Northerly along the thread of said Daughtrey's Creek for 111 feet, more or less, to an intersection with the South line of lands described in deed recorded in Official Records Book 2574, at Page 1274, Lee County Records; thence run N89°02'28"E along said South line for 749 feet, more or less, to an intersection the West line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section 19; thence continue N89°02'28"E along said South line for 398.11 feet to an intersection with the center line of Williams Road; thence run along said center line the following three (3) courses: S39°25'45"E for 566.24 feet to a point of curvature; Southeasterly along an arc of a curve to the left of radius 3,125.43 feet (delta 04°17'59") (chord bearing S41°34'45"E) (chord 234.49 feet) for 234.55 feet to a point of tangency and S43°43'44"E for 168.94 feet to an intersection with the South line of the North

DCI 2016-00024

EXHIBIT A

Half (N 1/2) of the Southeast Quarter (SE 1/4) of said Section 19; thence run N89°02'55"E along said South line for 298.24 feet Northeast corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 19; thence run S00°10'14"E along the East line of said Fraction for 367.98 feet to the Northeast corner of lands described in Official Record Book 2165, at Page 2900, Lee County Records; thence run N85°47'51"W along the Northerly line of said lands for 668.32 feet to an intersection with West line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 19; thence run N00°00'35"E along the West line of said Fraction for 307.95 feet to the Northwest corner of said Fraction; thence run S89°02'55"W along said South line of the North Half (N 1/2) of the Southeast Quarter (SE 1/4) of Section 19 for 1,330.94 feet to the Northeast corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 19; thence run S00°22'12"W along the East line of said Fraction for 667.92 feet to the Southeast Corner of said Fraction; thence run S89°03'13"W along the South line of said Fraction for 667.57 feet to the POINT OF BEGINNING.
Containing 66.42 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS 2007) and are based on the West line of the Southeast Quarter (SE 1/4) of said Section 19 to bear N00°33'00"E.

9/28/17

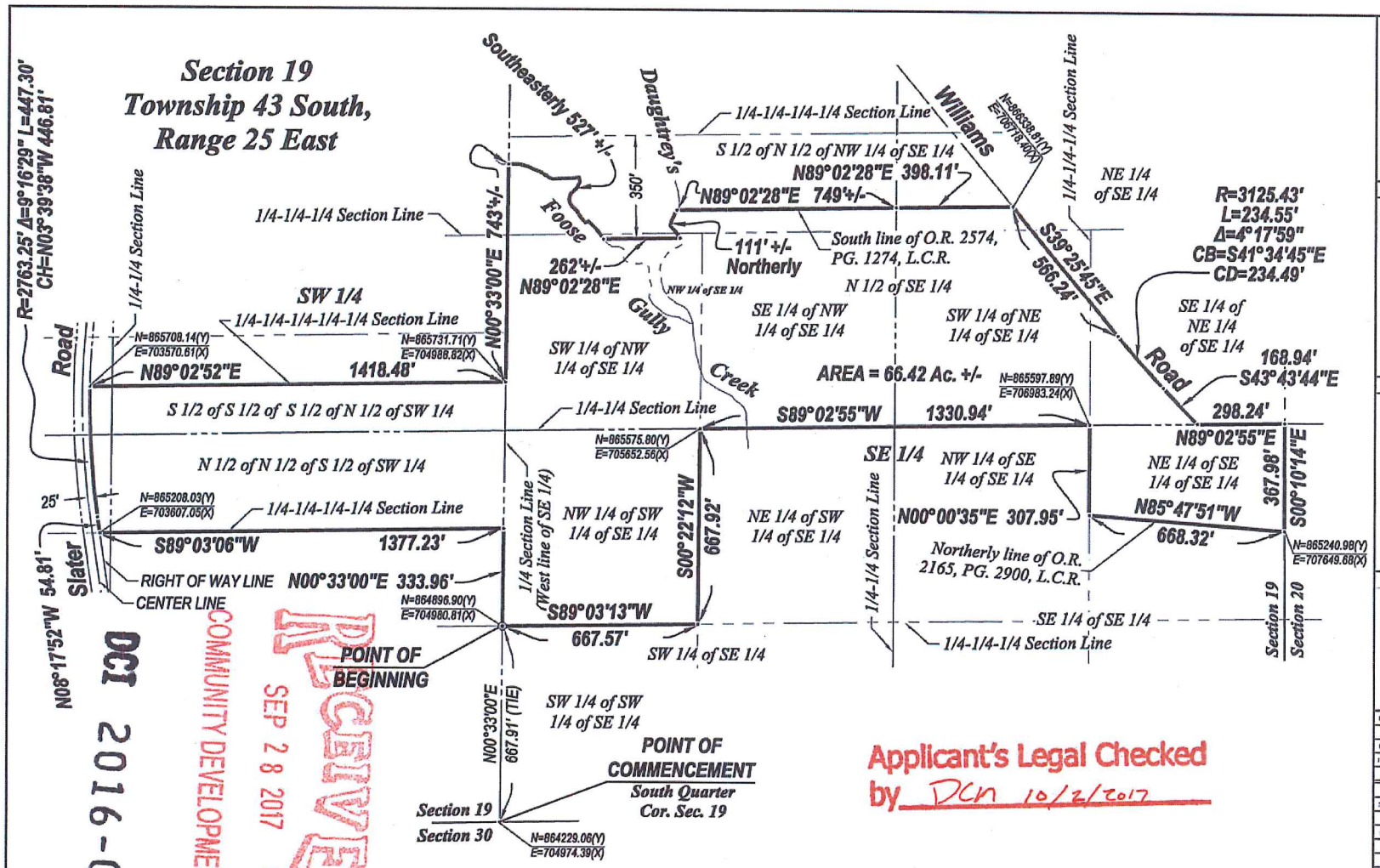
Scott A. Wheeler (For The Firm)
Professional Surveyor and Mapper
Florida Certificate No. 5949

L:\23319 - Gully Creek RPD\Surveying\Descriptions\23319S01.doc

DCI 2016-00024

RECEIVED
SEP 28 2017
COMMUNITY DEVELOPMENT

Applicant's Legal Checked by DCM 10/2/2017



RECEIVED
SEP 28 2017
COMMUNITY DEVELOPMENT

DCI 2016-00021

Applicant's Legal Checked
by DCN 10/2/2017

THIS IS NOT A SURVEY

NOTES:

1. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF. UNLESS OTHERWISE NOTED DISTANCES ARE ALSO (U.S. SURVEY FEET) GROUND AND CAN BE MULTIPLIED BY 0.9999441 TO OBTAIN GRID DISTANCES.
2. INST. No.- DENOTES INSTRUMENT NUMBER, LEE COUNTY PUBLIC RECORDS.
3. O.R. - DENOTES OFFICIAL RECORD BOOK, LEE COUNTY PUBLIC RECORDS.
4. PG. - DENOTES PAGE.
5. BEARINGS AS SHOWN ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007))AND ARE BASED ON THE WEST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 19 TO BEAR N00°33'00"E.
6. DESCRIPTION IS ATTACHED.

Scott A. Wheeler 9/28/17

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

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

Barraco and Associates, Inc.
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE DESIGN
www.barraco.net
2271 McGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169
FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7095 - SURVEYING LB-6940

PREPARED FOR

Land Solutions inc.
10471 BEN C. PRATT / SIX MILE
CYPRESS PKWY. #402
FORT MYERS, FL 33966
PHONE (239) 482-1500
FAX (239) 481-8477
WWW.LANDSOLUTIONS.NET

PROJECT DESCRIPTION

A PARCEL OF LAND IN SECTION 19, TOWNSHIP 43 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

PROJECT SURVEYOR

SCOTT A. WHEELER PROFESSIONAL SURVEYOR AND MAPPER LICENSE NO. 5949 STATE OF FLORIDA

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

FILE NAME	23319SK01.DWG
LAYOUT	3
LOCATION	J:\23319\DWG\SURVEY\SUBSKETCH
PLOT DATE	MON, 4-3-2017 - 12:54PM
PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	04-03-2017
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=500'
FIELD BOOK	

PLAN REVISIONS

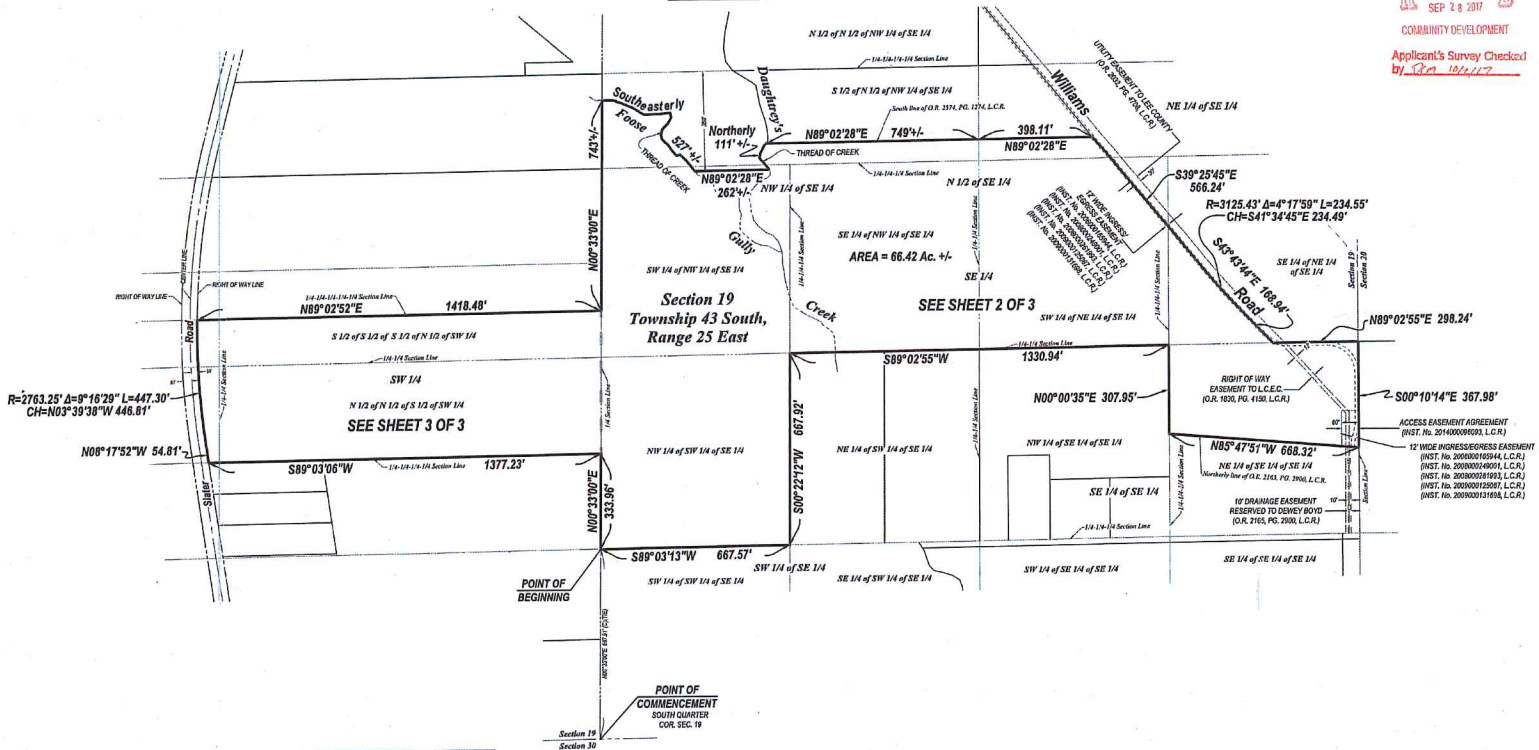
STRAP NUMBERS

SKETCH TO ACCOMPANY DESCRIPTION

PROJECT / FILE NO.	SHEET NUMBER
23319 19-43-25	3 OF 3

OCT 2016 00024

KEY MAP



RECEIVED
SEP 28 2017
COMMUNITY DEVELOPMENT
Applicant's Survey Checked by RM 10/4/17

DESCRIPTION

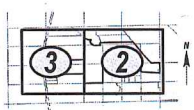
A tract or parcel of land lying in, Section 19, Township 43 South, Range 25 East, Lee County, Florida, said tract or parcel being more particularly described as follows:

COMMENCING at the South Quarter Corner of said Section 19 run N00°33'00"E along the West line of the Southeast Quarter (SE 1/4) of said Section 19 for 667.91 feet to the Southwest corner of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 19 and the POINT OF BEGINNING.
From said Point of Beginning continue N00°33'00"E along said West line for 333.96 feet to an intersection with the South line of the North Half (N 1/2) of the North Half (N 1/2) of the South Half (S 1/2) of the Southeast Quarter (SW 1/4) of said Section 19; thence run S89°03'06"W along said South line for 1,377.23 feet to an intersection with the Easterly right of way line of Slater Road, being 25 feet Easterly as measured perpendicular to the center line thereof; thence run along said Easterly right of way line the following two (2) courses: N08°17'52"W for 54.81 feet to a point of curvature and Northerly along an arc of a curve to the right of radius 2,763.25 feet (delta 05°16'29") (chord bearing N03°39'38"W) (chord 446.81 feet) for 447.30 feet to an intersection with the North line of the South Half (S 1/2) of the South Half (S 1/2) of the North Half (N 1/2) of the Southeast Quarter (SW 1/4) of said Section 19; thence run N89°02'52"E along said North line for 1,418.48 feet to an intersection with said West line of the Southeast Quarter (SE 1/4) of Section 19; thence run N00°33'00"E along said West line for 743 feet, more or less, to an intersection with the thread of Foose Gully; thence run Southeasterly along the thread of said Foose Gully for 527 feet, more or less, to an intersection with a line being 350 feet south as measured perpendicular to the North line of the South Half (S 1/2) of the North Half (N 1/2) of the Northeast Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of said Section 19; thence run N89°02'28"E parallel with said North line for 262 feet, more or less, to an intersection with the thread of Daughtery's Creek; thence run Northerly along the thread of said Daughtery's Creek for 111 feet, more or less, to an intersection with the South line of lands described in deed recorded in Official Records Book 2574, at Page 1274, Lee County Records; thence run N89°02'28"E along said South line for 749 feet, more or less, to an intersection the West line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section 19; thence continue N89°02'28"E along said South line for 398.11 feet to an intersection with the center line of Williams Road; thence run along said center line the following three (3) courses: S39°25'45"E for 566.24 feet to a point of curvature; Southeasterly along an arc of a curve to the left of radius 3,125.43 feet (delta 04°17'59") (chord bearing S41°34'45"E) (chord 234.49 feet) for 234.55 feet to a point of tangency and S43°43'44"E for 169.94 feet to an intersection with the South line of the North Half (N 1/2) of the Southeast Quarter (SE 1/4) of said Section 19; thence run N89°02'55"E along said South line for 298.24 feet Northeast corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 19; thence run S00°10'14"E along the East line of said Fraction for 367.98 feet to the Northeast corner of lands described in Official Record Book 2165, at Page 2900, Lee County Records; thence run N85°47'51"W along the Northerly line of said lands for 668.32 feet to an intersection with West line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 19; thence run N00°00'35"E along the West line of said Fraction for 307.95 feet to the Northwest corner of said Fraction; thence run S89°02'55"W along said South line of the North Half (N 1/2) of the Southeast Quarter (SE 1/4) of Section 19 for 1,330.94 feet to the Northeast corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 19; thence run S00°22'12"W along the East line of said Fraction for 667.92 feet to the Southeast Corner of said Fraction; thence run S89°03'13"W along the South line of said Fraction for 667.57 feet to the POINT OF BEGINNING Containing 66.42 acres, more or less.

LEGEND:

A.E.	ACCESS EASEMENT	D.E.	DRAINAGE EASEMENT	LB	LICENSED BUSINESS	P.R.M.	PERMANENT REFERENCE MONUMENT	▲	SET "MAG" NAIL WITH DISC STAMPED LB6949	⊲⊳	CABLE TV BOX
B.M.	BENCHMARK	El.	ELEVATION	L.B.E.	LANDSCAPE BUFFER EASEMENT			●	SET 1/2" IRON ROD WITH CAP STAMPED LB6949	⋈	WATER VALVE
(C)	CALCULATED	FD.	FOUND	L.C.R.	LEE COUNTY RECORDS	PROP.	PROPERTY	■	SET 4"x4" CONC. MONUMENT STAMPED LB6949	W	WATER BOX
CCR#	CERTIFIED CORNER RECORD	F.D.O.T.	FLORIDA DEPARTMENT OF TRANSPORTATION	L.C.U.E.	LEE COUNTY UTILITY EASEMENT	P.V.C.	PLASTIC PIPE	▲	FOUND NAIL AS NOTED	FH	FIRE HYDRANT
C/L	CENTER LINE					P.U.E.	PUBLIC UTILITY EASEMENT	⊡	FOUND CONC. MONUMENT AS NOTED	BF	BACK FLOW ASSEMBLY
CONC.	CONCRETE	F.P. & L.	FLORIDA POWER & LIGHT CO.	L.M.E.	LAKE MAINTENANCE EASEMENT	R=	RADIUS=	○	FOUND IRON PIPE OR IRON ROD AS NOTED	AR	AIR RELEASE VALVE
CB=	CHORD BEARING=					R.C.P.	REINFORCED CONCRETE PIPE	■	DRAINAGE INLET	IV	IRRIGATION VALVE
CD=	CHORD DISTANCE=	FRAC.	FRACTION	(M)	MEASURED	REF.	REFERENCE	◍	DRAINAGE MANHOLE	IS	IRRIGATION SERVICE
CH=	CHORD BEARING & DISTANCE=	I.E.	IRRIGATION EASEMENT	O.R.	OFFICIAL RECORD BOOK	RW	RIGHT OF WAY	⊟	MITERED END SECTION	W	WELL
C.M.	CONCRETE MONUMENT	INST.	INSTRUMENT	P.B.	PLAT BOOK	TYP.	TYPICAL	•	YARD DRAIN	Ⓢ	SANITARY MANHOLE
COR.	CORNER	I.P.	IRON PIPE	PG.	PAGE	SEC.	SECTION	○	LIGHT POLE	SS	SANITARY SERVICE
Δ=	DELTA ANGLE=	I.R.	IRON ROD	P.K.	PARKER-KALON	W	WITH	⊸	FLOOD LIGHT	S	SIGN
(D)	DEED	L=	LENGTH=			WIT.	WITNESS	▭	CONCRETE POWER POLE	M	MAIL BOX
D.B.	DEED BOOK	L.A.E.	LAKE ACCESS EASEMENT					⊸	WOOD POWER POLE	BO	BLOW OFF
								▲	GUY ANCHOR	⊙	FIBER OPTIC CABLE MARKER
								⊡	TELEPHONE BOX	G	GAS LINE MARKER
								⊲	ELECTRIC BOX	GV	GAS VALVE





SHEET INDEX
SCALE 1"=2000'

NOTES:

1. DATE OF LAST FIELD WORK: FEBRUARY 13, 2017.
2. THIS SURVEY WAS PERFORMED FOR THE PURPOSE SHOWN HEREON AND DOES NOT MAKE ANY REPRESENTATION AS TO THE DELINEATION OF ANY JURISDICTIONAL LINES EXCEPT AS SHOWN OR NOTED HEREON.
3. NO ENVIRONMENTAL ASSESSMENT OR AUDIT WAS PERFORMED ON SUBJECT PARCEL BY THIS FIRM.
4. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF. UNLESS OTHERWISE NOTED DISTANCES ARE ALSO (U.S. SURVEY FEET). GROUND AND CAN BE MULTIPLIED BY 0.9998441 TO OBTAIN GRID DISTANCES.
5. BEARINGS AND COORDINATES HEREON ARE STATE PLANE FLORIDA WEST ZONE (NAD1983 (NSRS 2007)) AND ARE BASED THE WEST LINE OF THE SOUTHEAST QUARTER (SE 1/4) OF SECTION 19 TO BEAR N00°33'00"E.
6. IMPROVEMENTS OTHER THAN THOSE SHOWN IF ANY WERE NOT LOCATED.
7. THERE ARE NO VISIBLE ENCROACHMENTS OTHER THAN THOSE SHOWN.
8. OWNERSHIP OF ANY FENCE SHOWN HEREON IS UNKNOWN.
9. ACCORDING TO F.I.R.M. (FLOOD INSURANCE RATE MAP) No. 12071C0278F, EFFECTIVE DATE: AUGUST 28, 2008. THE PROPERTY IS LOCATED IN FLOOD ZONE X (OTHER AREAS), FLOOD ZONE AE AND A REGULATORY FLOODWAY. IN ZONE AE, THE BASE FLOOD ELEVATION VARIES ACCORDING TO THE BASE FLOOD ELEVATION LINES SHOWN HEREON, WHICH WERE TAKEN FROM THE F.I.R.M.
10. THIS SURVEY WAS PREPARED IN ACCORDANCE WITH A OPINION OF TITLE PREPARED BY: GREG S. TRUXTON, DATED: SEPTEMBER 20, 2017.
11. THE SURVEYED PARCEL CONTAINS 66.42 ACRES, MORE OR LESS.
12. ELEVATIONS SHOWN ARE IN FEET ABOVE NORTH AMERICAN VERTICAL DATUM 1988 AND ARE BASED ON A LEVEL LOOP BY THIS FIRM FROM BENCH MARK NATIONAL GEODETIC SURVEY "P 251" (PID=AD1458) (ELEVATION = 17.06').

THIS SURVEY IS FOR THE BENEFIT OF:

THE BOARD OF COMMISSIONERS OF LEE COUNTY, FLORIDA

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

SCOTT A. WHEELER, (FOR THE FIRM LB-6949) PROFESSIONAL SURVEYOR AND MAPPER, FLORIDA CERTIFICATE NO.5949

DATE SIGNED: 9/26/17

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

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PREPARED FOR
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FORT MYERS, FL 33966
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FAX (239) 481-8477
WWW.LANDSOLUTIONS.NET

PROJECT DESCRIPTION

A PARCEL OF LAND IN SECTION 19, TOWNSHIP 43 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

PROJECT SURVEYOR

SCOTT A. WHEELER, PROFESSIONAL SURVEYOR AND MAPPER, LICENSE NUMBER 5949, STATE OF FLORIDA

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

FILE NAME	23319901.DWG
LAYOUT	1
LOCATION	J:\23319\DWG\SURVEYING\
PLOT DATE	WED. 9-20-2017 - 2:33 PM
PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	02-13-2017
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=200'
FIELD BOOK	

PLAN REVISIONS

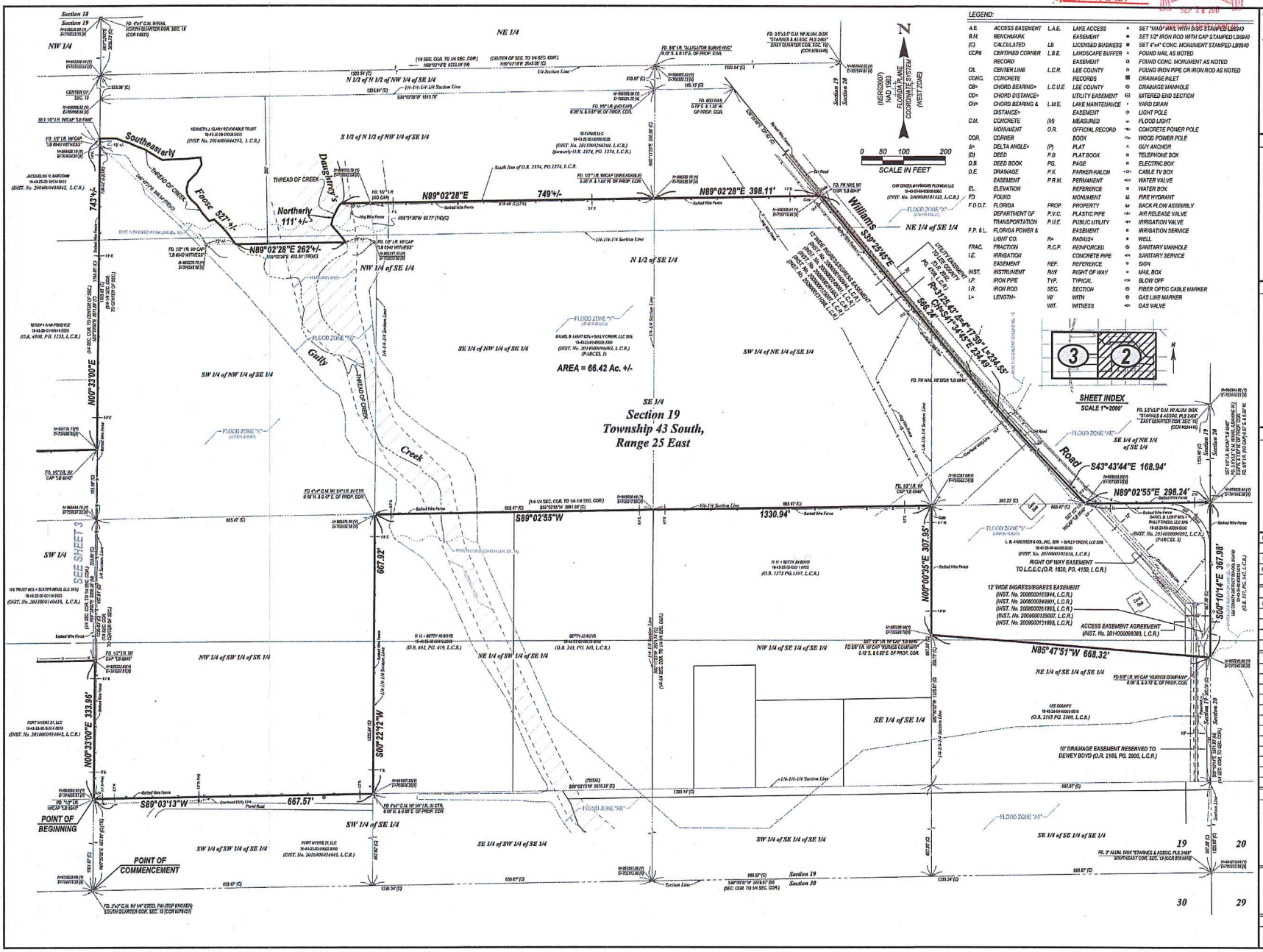
09-20-2017	REV. PER TITLE OPINION

STRAP NUMBERS

19-43-25-00-00009.0000
19-43-25-00-00009.0030
19-43-25-00-00014.0020

BOUNDARY SURVEY

PROJECT / FILE NO.	SHEET NUMBER
23319	1 OF 3
19-43-25	



Applicant's Survey Checked by RSN 10/2/2017

RECEIVED SEP 26 2017

OCT 2016 00024

LEGEND:

A.E.	ACCESS EASEMENT	L.A.E.	LAKE ACCESS EASEMENT	▲	SET "MAG" NAIL WITH DISC STAMPED LB6940
B.M.	BENCHMARK			●	SET 1/2" IRON ROD WITH CAP STAMPED LB6940
(C)	CALCULATED	LB	LICENSED BUSINESS	■	SET 4"x4" CONC. MONUMENT STAMPED LB6940
CCR#	CERTIFIED CORNER RECORD	L.B.E.	LANDSCAPE BUFFER EASEMENT	^	FOUND NAIL AS NOTED
				□	FOUND CONC. MONUMENT AS NOTED
CL	CENTER LINE	L.C.R.	LEE COUNTY RECORDS	○	FOUND IRON PIPE OR IRON ROD AS NOTED
CONC.	CONCRETE			▩	DRAINAGE INLET
CB=	CHORD BEARING=	L.C.U.E.	LEE COUNTY UTILITY EASEMENT	⊙	DRAINAGE MANHOLE
CD=	CHORD DISTANCE=			(E)	MITERED END SECTION
CH=	CHORD BEARING & DISTANCE=	L.M.E.	LAKE MAINTENANCE EASEMENT	•	YARD DRAIN
				☆	LIGHT POLE
C.M.	CONCRETE MONUMENT	(M)	MEASURED	☼	FLOOD LIGHT
		O.R.	OFFICIAL RECORD	⊸	CONCRETE POWER POLE
COR.	CORNER		BOOK	⊸	WOOD POWER POLE
Δ=	DELTA ANGLE=	(P)	PLAT	⚓	GUY ANCHOR
(D)	DEED	P.B.	PLAT BOOK	☎	TELEPHONE BOX
D.B.	DEED BOOK	PG.	PAGE	⊟	ELECTRIC BOX
D.E.	DRAINAGE EASEMENT	P.K.	PARKER-KALON	⊟	CABLE TV BOX
		P.R.M.	PERMANENT REFERENCE MONUMENT	⋈	WATER VALVE
EL.	ELEVATION			⊟	WATER BOX
FD.	FOUND			⊠	FIRE HYDRANT
F.D.O.T.	FLORIDA DEPARTMENT OF TRANSPORTATION	PROP.	PROPERTY	⊠	BACK FLOW ASSEMBLY
		P.V.C.	PLASTIC PIPE	⊸	AIR RELEASE VALVE
F.P. & L.	FLORIDA POWER & LIGHT CO.	P.U.E.	PUBLIC UTILITY EASEMENT	⊸	IRRIGATION VALVE
				⊟	IRRIGATION SERVICE
FRAC.	FRACTION	R=	RADIUS=	⊛	WELL
I.E.	IRRIGATION EASEMENT	R.C.P.	REINFORCED CONCRETE PIPE	Ⓢ	SANITARY MANHOLE
				⊸	SANITARY SERVICE
INST.	INSTRUMENT	REF.	REFERENCE	▿	SIGN
I.P.	IRON PIPE	R/W	RIGHT OF WAY	✉	MAIL BOX
I.R.	IRON ROD	TYP.	TYPICAL	⊸	BLOW OFF
L=	LENGTH=	SEC.	SECTION	Ⓕ	FIBER OPTIC CABLE MARKER
		W	WITH	Ⓖ	GAS LINE MARKER
		WIT.	WITNESS	⊸	GAS VALVE

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FAX (239) 481-6477
WWW.LANDSOLUTIONS.NET

PROJECT DESCRIPTION

A PARCEL OF LAND IN SECTION 19, TOWNSHIP 43 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

PROJECT SURVEYOR

SCOTT A. WHEELER LICENSE NUMBER 5943 STATE OF FLORIDA SURVEYOR AND MAPPER

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

FILE NAME	23319SB1.DWG
LAYOUT	2
LOCATION	J:\23319\DWG\SURVEYING\
PLOT DATE	WED. 9-20-2017 - 2:34 PM
PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	02-13-2017
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

PLAN REVISIONS

STRAP NUMBERS

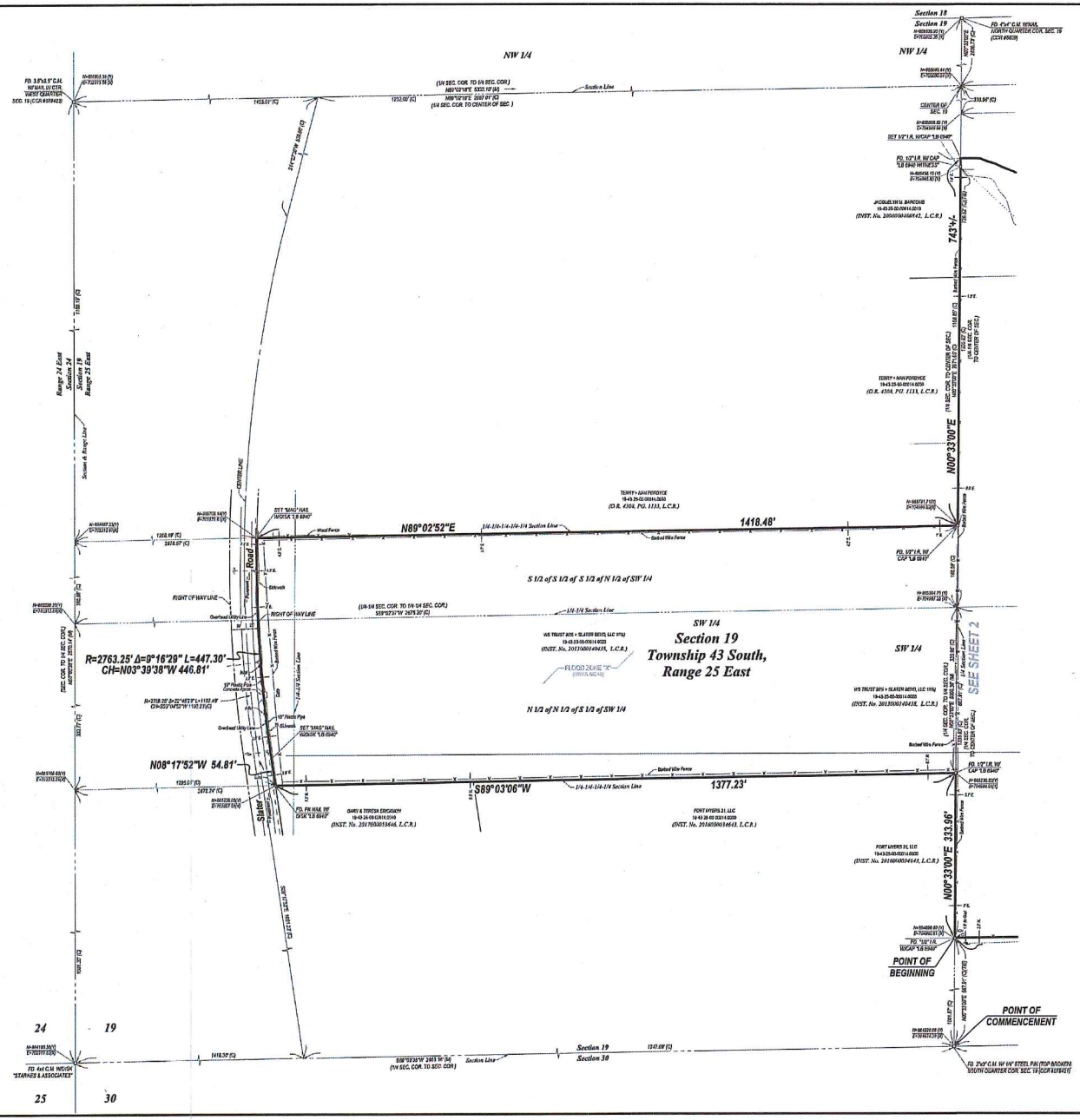
BOUNDARY SURVEY

PROJECT / FILE NO.	SHEET NUMBER
23319 19-43-25	2 OF 3

Applicant's Survey Checked by _____ 10/2/2017

RECEIVED
SEP 29 2017
COMMUNITY DEVELOPMENT

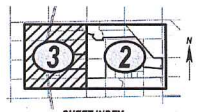
DCI 2016-00024



LEGEND:

A.E.	ACCESS EASEMENT	LB	LICENSED BUSINESS
B.M.	BENCHMARK	L.B.E.	LANDSCAPE BUFFER
(C)	CALCULATED		EASEMENT
CCR#	CERTIFIED CORNER RECORD	L.C.R.	LEE COUNTY RECORDS
CL	CENTER LINE	L.C.U.E.	LEE COUNTY UTILITY EASEMENT
CONC.	CONCRETE	L.M.E.	LAKE MAINTENANCE EASEMENT
CB=	CHORD BEARING=	(M)	MEASURED
CD=	CHORD DISTANCE=	O.R.	OFFICIAL RECORD BOOK
CM	CONCRETE MONUMENT	(P)	PLAT
COR.	CORNER	P.B.	PLAT BOOK
Δ=	DELTA ANGLE=	PG.	PAGE
(D)	DEED	P.K.	PARKER-KALON
D.B	DEED BOOK	P.R.M.	PERMANENT REFERENCE MONUMENT
D.E.	DRAINAGE EASEMENT		
EL.	ELEVATION	PROP.	PROPERTY
FD	FOUND	P.V.C.	PLASTIC PIPE
F.D.O.T.	FLORIDA DEPARTMENT OF TRANSPORTATION	P.U.E.	PUBLIC UTILITY EASEMENT
F.P. & L.	FLORIDA POWER & LIGHT CO.	R=	RADIUS=
FRAC.	FRACTION	R.C.P.	REINFORCED CONCRETE PIPE
I.E.	IRRIGATION EASEMENT	REF	REFERENCE
		R/W	RIGHT OF WAY
INST.	INSTRUMENT	TYP.	TYPICAL
I.P.	IRON PIPE	SEC.	SECTION
I.R.	IRON ROD	W	WITH
L=	LENGTH=	WIT.	WITNESS
L.A.E.	LAKE ACCESS EASEMENT		

- ▲ SET "MAG" NAIL WITH DISC STAMPED LB6940
- ● SET 1/2" IRON ROD WITH CAP STAMPED LB6940
- ■ SET 4"x4" CONC. MONUMENT STAMPED LB6940
- ▲ FOUND NAIL AS NOTED
- □ FOUND CONC. MONUMENT AS NOTED
- ○ FOUND IRON PIPE OR IRON ROD AS NOTED
- DRAINAGE INLET
- DRAINAGE MANHOLE
- MITERED END SECTION
- YARD DRAIN
- LIGHT POLE
- FLOOD LIGHT
- CONCRETE POWER POLE
- WOOD POWER POLE
- GUY ANCHOR
- TELEPHONE BOX
- ELECTRIC BOX
- CABLE TV BOX
- WATER VALVE
- WATER BOX
- FIRE HYDRANT
- BACK FLOW ASSEMBLY
- AIR RELEASE VALVE
- IRRIGATION VALVE
- IRRIGATION SERVICE
- WELL
- SANITARY MANHOLE
- SANITARY SERVICE
- SIGN
- MAIL BOX
- BLOW OFF
- FIBER OPTIC CABLE MARKER
- GAS LINE MARKER
- GAS VALVE



SHEET INDEX
SCALE 1"=2000'

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PREPARED FOR

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FORT MYERS, FL 33966
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FAX (239) 481-8477
WWW.LANDSOLUTIONS.NET

PROJECT DESCRIPTION

A PARCEL OF LAND IN SECTION 19, TOWNSHIP 43 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA

PROJECT SURVEYOR

SCOTT A. WHITE
LICENSE NUMBER
5949
STATE OF FLORIDA
SURVEYOR AND MAPPER

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

FILE NAME	23319501.DWG
LAYOUT	3
LOCATION	J:\2331\DWG\SURVEY\INCL
PLOT DATE	WED. 9-20-2017 - 2:35 PM
PLOT BY	PETER OLSEN

DRAWING DATA

SURVEY DATE	02-13-2017
DRAWN BY	P. OLSEN
CHECKED BY	SAW
SCALE	1"=100'
FIELD BOOK	

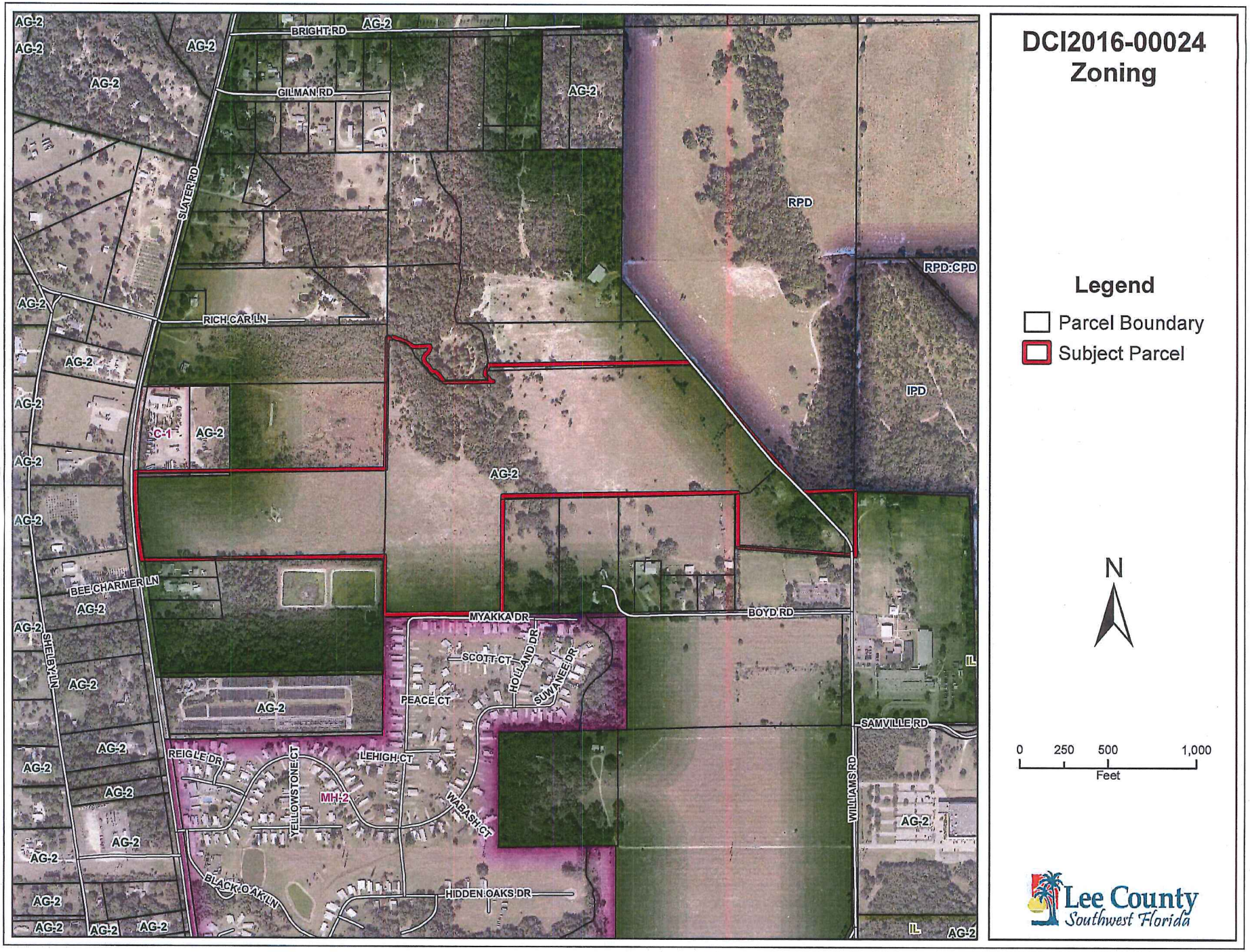
PLAN REVISIONS

STRAP NUMBERS

BOUNDARY SURVEY

PROJECT / FILE NO.	SHEET NUMBER
23319 19-43-25	3 OF 3

EXHIBIT B


DCI2016-00024
Zoning
Legend
Parcel Boundary
Subject Parcel
N
0 250 500 1,000
Feet
Lee County
Southwest Florida
BRIGHT RD
GILMAN RD
SLATER RD
RICH CAR LN
BEE CHARMER LN
MYAKKA DR
BOYD RD
SCOTT CT
HOLLAND DR
SUWANEE DR
PEACE CT
SHELBY LN
REIGLE DR
LEHIGH CT
YELLOWSTONE CT
WABASH CT
MH-2
BLACK OAK LN
HIDDEN OAKS DR
SAMVILLE RD
WILLIAMS RD
RPD
RPD:CPD
IPD
IL
C-1
AG-2

MASTER CONCEPT PLAN

FOR

GULLY CREEK RPD

RESIDENTIAL PLANNED DEVELOPMENT

PART OF SECTION 19, TOWNSHIP 43 SOUTH, RANGE 25 EAST
NORTH FORT MYERS, LEE COUNTY, FLORIDA

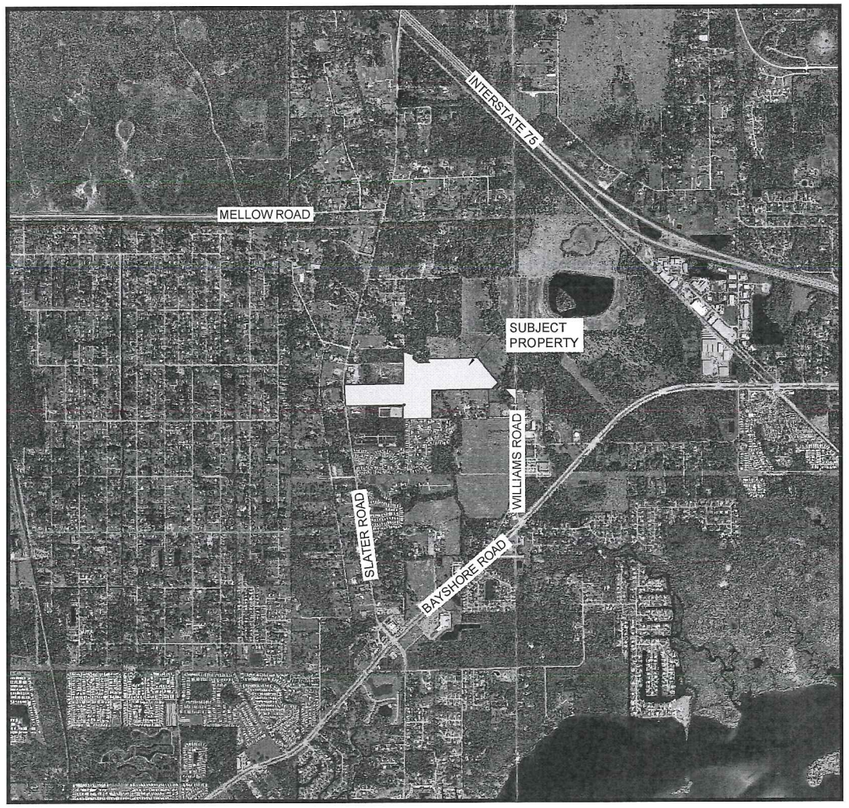
PROJECT DATA

SITE ADDRESS
17220 SLATER ROAD
NORTH FORT MYERS, FLORIDA 33917

PROJECT DATUM
FLORIDA STATE PLANE WEST ZONE (NAD1983(NSRS 2007))
NATIONAL GEODETIC VERTICAL DATUM (NGVD) 1929

ZONING
CURRENT: AG-2
PROPOSED: RPD

STRAP NUMBERS
19-43-25-00-00014.0020
19-43-25-00-00009.0000



PROJECT LOCATION

N
W E
S

LOCATION MAP
0 900 1800 3600
SCALE IN FEET

THESE PLANS MAY HAVE BEEN MODIFIED IN SIZE BY REPRODUCTION.
THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.

INDEX OF DRAWINGS

SHEET	DESCRIPTION	XREF	DRAWING NAME
1	COVER SHEET AND LOCATION MAP	A	23319Z01.DWG
2	MASTER CONCEPT PLAN A	B	23319Z02A.DWG
3	MASTER CONCEPT PLAN B	C	23319Z02B.DWG
4	OPEN SPACE / PRESERVE PLAN	-	23319Z03.DWG
5	DETAILS, DEVIATIONS	-	23319Z04.DWG

Approved as Exhibit C
MCP Page 1 of 5
Resolution # Z-18-002

CROSS-REFERENCED DRAWINGS:

XREF	DESCRIPTION	DRAWING NAME
A	AERIAL PHOTOGRAPH	PROJLOC2014.JPG
B	BASE PLAN	23319Z00A.DWG
C	BASE PLAN	23319Z00B.DWG

RECEIVED
SEP 28 2017
COMMUNITY DEVELOPMENT

DCI 2016-00024

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PREPARED FOR

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FAX (239) 481-8477
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PROJECT DESCRIPTION

GULLY CREEK

LEE COUNTY, FLORIDA

FILE NAME	23319-Z01.DWG
LOCATION	J:\23319\DWG\ZONING\
PLOT DATE	FRI. 8-18-2017 - 1:20 PM
PLOT BY	ANGELICA HARDY

CROSS REFERENCED DRAWINGS
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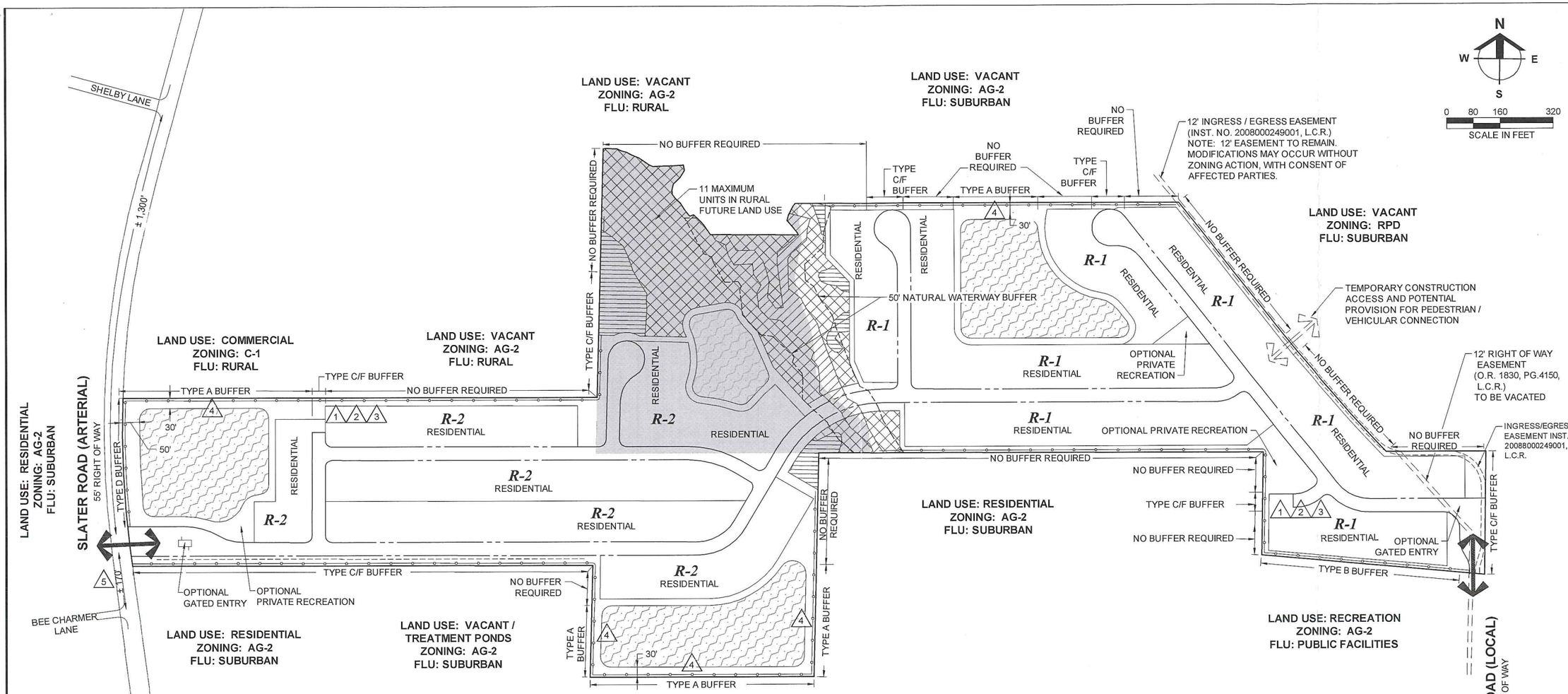
PLAN REVISIONS

4-13-17	SUFFICIENCY

PLAN STATUS

COVER SHEET AND LOCATION MAP

PROJECT / FILE NO.	SHEET NUMBER
23319	1



LEGEND

- LAKE
- PRESERVE
- DEVIATION REQUEST
- ACCESS
- OPTIONAL WALL / FENCE (SEE NOTE BELOW)
- RURAL FUTURE LAND USE DESIGNATION (11.26 AC)

NOTE:
MINIMUM 7.5' BUFFER ON WALL EXTERIOR IN ACCORDANCE WITH LDC SEC. 34-1743(b).

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MCP Page 2 of 5
Resolution # Z-18-002

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

PREPARED FOR

Land Solutions inc.
10471 BEN C. PRATT / SIX MILE CYPRESS PKWY. #402
FORT MYERS, FL 33966
PHONE (239) 482-1500
FAX (239) 481-8477
WWW.LANDSOLUTIONS.NET

PROJECT DESCRIPTION

GULLY CREEK

LEE COUNTY, FLORIDA

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FILE NAME	23319-Z02A.DWG
LOCATION	J:\23319\DWG\ZONING\
PLOT DATE	FRI, 8-18-2017 - 1:20 PM
PLOT BY	ANGELICA HARDY

CROSS REFERENCED DRAWINGS

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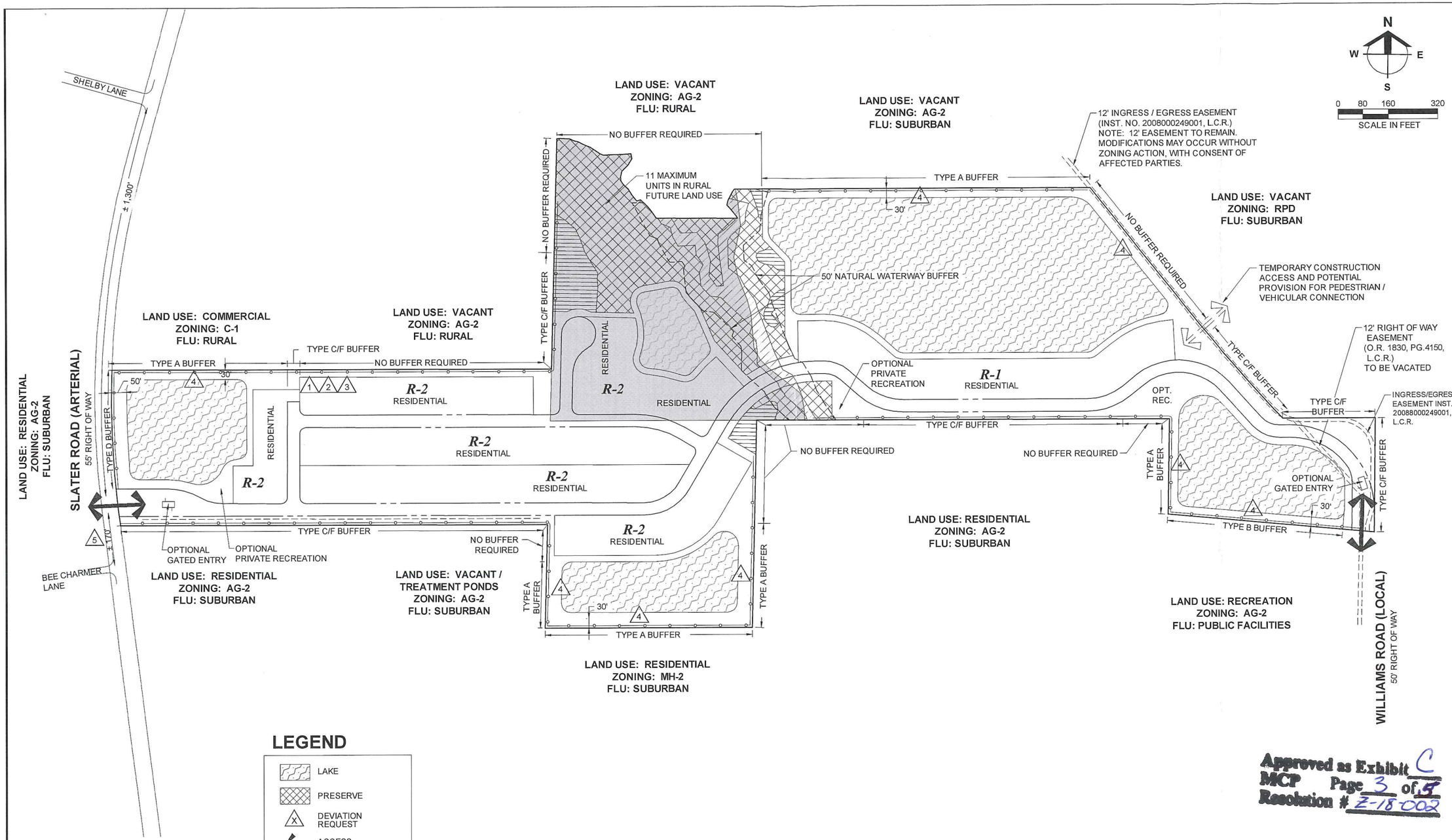
PLAN REVISIONS

2/17	SUFFICIENCY

PLAN STATUS

MASTER CONCEPT PLAN A

PROJECT / FILE NO.	SHEET NUMBER
23319	2



LEGEND

- LAKE
- PRESERVE
- DEVIATION REQUEST
- ACCESS
- OPTIONAL WALL / FENCE (SEE NOTE BELOW)
- RURAL FUTURE LAND USE DESIGNATION (11.26 AC)

NOTE:
MINIMUM 7.5' BUFFER ON WALL EXTERIOR IN ACCORDANCE WITH LDC SEC. 34-1743(b).

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Resolution # Z-18-002

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LOCATION	J:\23319\DWG\ZONING\
PLOT DATE	FRI. 8-18-2017 - 1:20 PM
PLOT BY	ANGELICA HARDY

CROSS REFERENCED DRAWINGS

BASEPLAN = 23319-Z00B.DWG

PLAN REVISIONS

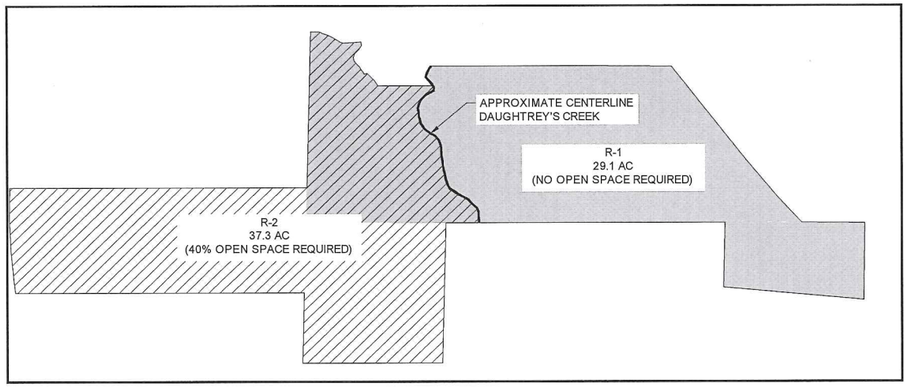
4-13-17	SUFFICIENCY

PLAN STATUS

MASTER CONCEPT PLAN B

PROJECT / FILE NO.	SHEET NUMBER
23319	3

REQUIRED OPEN SPACE MAP



OPEN SPACE AND INDIGENOUS PRESERVE

OPEN SPACE:

TOTAL PROJECT AREA:	66.4 AC
AREA WITH LOTS > 6500 SF	29.1 AC
AREA SUBJECT TO OPEN SPACE REQUIREMENTS	37.3 AC
OPEN SPACE REQUIRED (@ 40%): (3.7 AC MAY BE LAKE)	14.9 AC
OPEN SPACE PROVIDED:	
LAKE	3.7 AC
INDIGENOUS PRESERVE	7.5 AC
NON-INDIGENOUS PRESERVE	1.3 AC
OTHER (PERIMETER BUFFERS, LAKE SLOPE, COMMON OPEN SPACE)	3.2 AC
TOTAL PROVIDED:	15.7 AC

INDIGENOUS OPEN SPACE:

REQUIRED: 14.9 AC X 50% = 7.5 AC

PROVIDED:

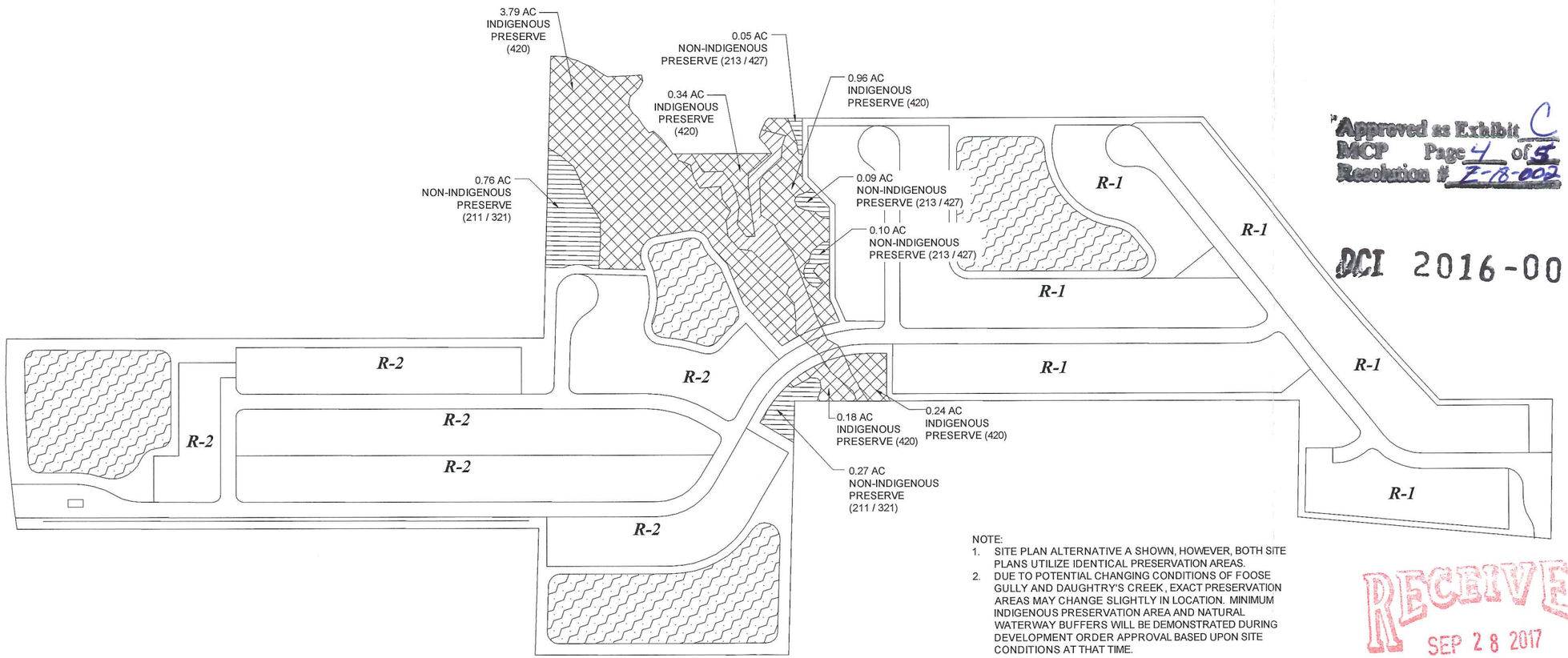
SOUTH CREEK PORTIONS

EAST: 0.24 @ 100% = 0.24 AC
WEST: 3.79 @ 150% = 5.69 AC
SOUTH CREEK TOTAL = 5.93 AC

NORTH CREEK PORTIONS

MID: 0.34 @ 100% = 0.34 AC
EAST: 0.96 @ 110% = 1.06 AC
WEST: 0.18 @ 100% = 0.18 AC
NORTH CREEK TOTAL = 1.58 AC

TOTAL PROVIDED = 7.51 AC



LEGEND

- LAKE
- NON-INDIGENOUS PRESERVE
- INDIGENOUS PRESERVE
- DAUGHTREY CREEK

NOTE:
1. SITE PLAN ALTERNATIVE A SHOWN, HOWEVER, BOTH SITE PLANS UTILIZE IDENTICAL PRESERVATION AREAS.
2. DUE TO POTENTIAL CHANGING CONDITIONS OF FOOSE GULLY AND DAUGHTRY'S CREEK, EXACT PRESERVATION AREAS MAY CHANGE SLIGHTLY IN LOCATION. MINIMUM INDIGENOUS PRESERVATION AREA AND NATURAL WATERWAY BUFFERS WILL BE DEMONSTRATED DURING DEVELOPMENT ORDER APPROVAL BASED UPON SITE CONDITIONS AT THAT TIME.

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Resolution # Z-18-002

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PROJECT DESCRIPTION

GULLY CREEK

LEE COUNTY, FLORIDA

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PLOT BY	ANGELICA HARDY

CROSS REFERENCED DRAWINGS

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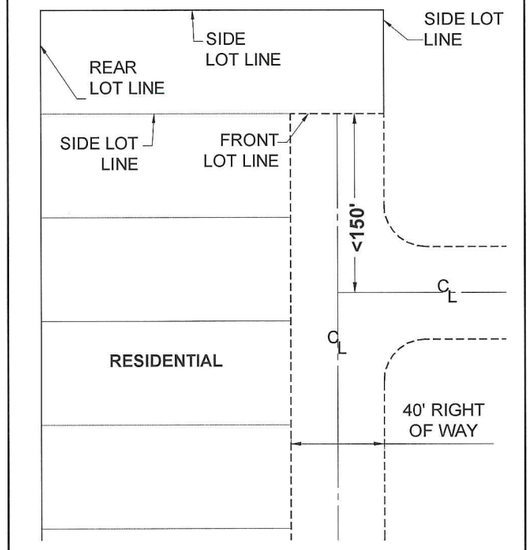
PLAN REVISIONS

PLAN STATUS

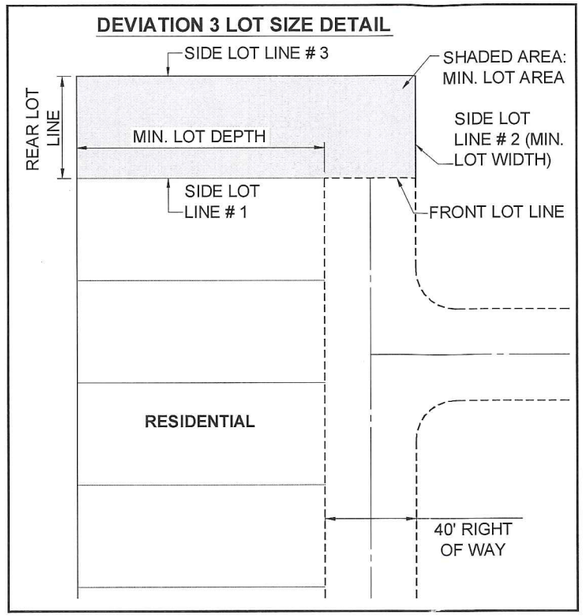
OPEN SPACE AND INDIGENOUS PRESERVE MAP

PROJECT / FILE NO.	SHEET NUMBER
23319	4

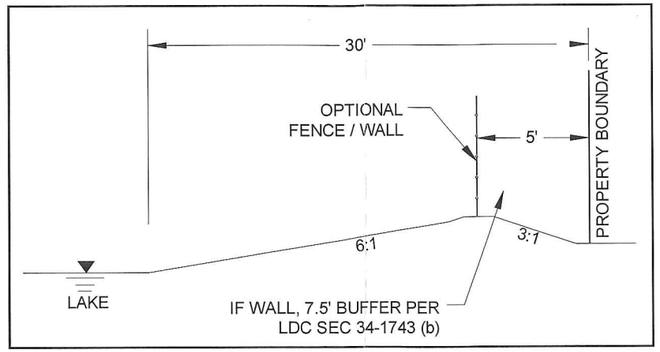
DEVIATION 1 RIGHT ANGLE SIDE LOT LINE
DEVIATION 2 DEAD-END DETAIL



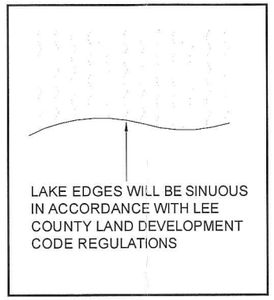
DEVIATION 3 LOT SIZE DETAIL



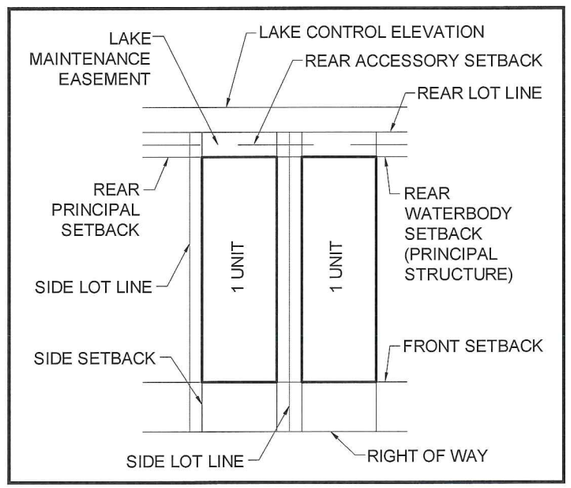
DEVIATION 4 DETAIL



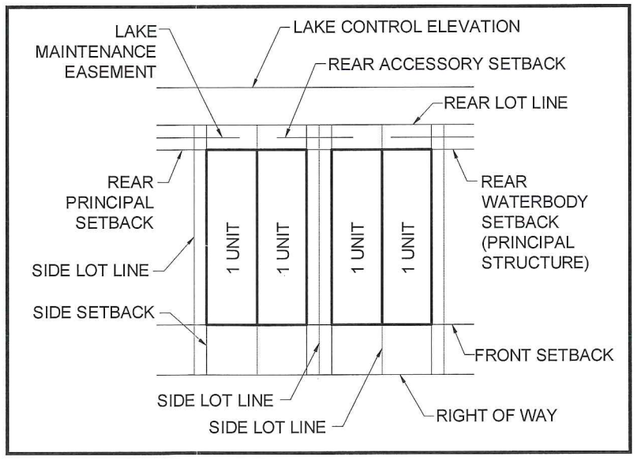
SINUOUS LAKE SHORELINE DETAIL



SINGLE FAMILY DETACHED TYPICAL LOT DETAIL



SINGLE FAMILY ATTACHED TYPICAL LOT DETAIL



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Resolution # Z-18-002

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PREPARED FOR

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PROJECT DESCRIPTION

GULLY CREEK

LEE COUNTY, FLORIDA

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LOCATION	J:\23319\DWG\ZONING\
PLOT DATE	FRI, 8-18-2017 - 1:21 PM
PLOT BY	ANGELICA HARDY

CROSS REFERENCED DRAWINGS

BASEPLAN = 23319-Z00A.DWG

PLAN REVISIONS

PLAN STATUS

DEVIATIONS AND DETAILS

PROJECT / FILE NO.	SHEET NUMBER
23319	5

EXISTING AGRICULTURAL USE AFFIDAVIT
(Gully Creek)

Before me, the undersigned authorities, personally appeared, the Owners of the Property (as defined below) who upon being duly sworn, depose and state, as follows:

1. The following statements are made based upon our personal knowledge.

2. The undersigned are the owners of the real property situated in Lee County, Florida, which is more particularly described on **Exhibit "A"** hereto and incorporated herein by reference (the "Property").

3. Daniel B. Light ("Mr. Light"), as to an undivided eighty (80.00%) percent interest; and Gully Creek, LLC, a Florida limited liability company ("Gully Creek") as to an undivided twenty (20.00%) percent interest, as tenants in common, are the owners and record title holders of the portion of the Property identified as Strap No. 19-43-25-00-00009.0000.

4. L.B. Andersen & Co., Inc., an Illinois corporation ("L.B. Andersen") as to an undivided eighty (80.00%) percent interest; and Gully Creek as to an undivided twenty (20.00%) percent interest, as tenants in common, are the owners and record title holders of the portion of the Property identified as Strap No. 19-43-25-00-00009.0030.

5. David A. Johnson as Trustee of the WS Trust pursuant to Trust Agreement dated January 5, 1972 ("Mr. Johnson"), as to an undivided ninety (90.00%) percent interest, and Slater Bend, LLC, a Florida limited liability company ("Slater Bend"), as to an undivided ten (10.00%) percent interest, as tenants in common are the owners and record title holders of the portion of the Property identified as Strap No. 19-43-25-00-00014.0020.

6. Mr. Light, Gully Creek, L.B. Andersen, Mr. Johnson and Slater Bend shall collectively be referred to herein as the Owners.

7. The agricultural uses that currently exist on the Property include hay production and/or cattle grazing. The location of this use is depicted on the Agricultural Uses at Time of Zoning Application Map attached hereto as **Exhibit "B".**

8. The existing agricultural activities will remain active until approval of a local Development Order affecting the Property described on Exhibit "A" and as depicted on Exhibit "B".

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EXHIBIT D

FURTHER AFFIANTS SAYETH NAUGHT.

AFFIANT:

Daniel B. Light

State of Illinois)
County of Lake)

The foregoing instrument was sworn to and subscribed before me this 22 day of September, 2017, by Daniel B. Light, (X) is personally known to me or has ( ) produced [redacted] as identification.

My Commission Expires Notary Public

OFFICIAL SEAL
SHERRY L MCCONNEY
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:10/17/20

AFFIANT:

L.B. Andersen & Co., Inc.,
an Illinois corporation

By: Daniel B. Light, President

State of Illinois)
County of Lake)

The foregoing instrument was sworn to and subscribed before me this 22 day of September, 2017, by Daniel B. Light, as President of L.B. Andersen & Co., Inc., an Illinois corporation who (X) is personally known to me or has ( ) produced [redacted] as identification.

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My Commission Expires Notary Public

[Signatures continued on following page]

OFFICIAL SEAL
SHERRY L MCCONNEY
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:10/17/20

DCI 2016-00024

AFFIANT:

Gully Creek, LLC,
a Florida limited liability company

By: _____ 9/27/17
Randy Thibaut, Manager

State of Florida)
County of Lee)

The foregoing instrument was sworn to and subscribed before me this 27th day of September, 2017, by Randy Thibaut, as Manager Gully Creek, LLC, a Florida limited liability company who (✓) is personally known to me or has ( ) produced _____ as identification.

_____
Notary Public

My Commission Expires

SUSAN JANEEN JONES
Notary Public - State of Florida
Commission # GG 055701
My Comm. Expires Dec 18, 2020
Bonded through National Notary Assn.

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[Signatures continued on following page]

AFFIANT:

Slater Bend, LLC
a Florida limited liability company

By:_____
Wade Light, Manager

State of Illinois)
County of Lake)

The foregoing instrument was sworn to and subscribed before me this 22. day of September, 2017, by Wade Light, as Manager of Slater Bend, LLC, a Florida limited liability company who (Y) is personally known to me or has ( ) produced _____ as identification.

Sherry L McConney
Notary Public

My Commission Expires

OFFICIAL SEAL
SHERRY L MCCONNEY
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:10/17/20

[signatures continued on following page]

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AFFIANT:

David A. Johnson as Trustee of the WS Trust pursuant to Trust Agreement dated January 5, 1972,

State of Illinois)
County of Lake)

The foregoing instrument was sworn to and subscribed before me this 22 day of September, 2017, by David A. Johnson as Trustee of the WS Trust pursuant to Trust Agreement dated January 5, 1972, who (✓) is personally known to me or has ( ) produced _____ as identification.

My Commission Expires

Notary Public

OFFICIAL SEAL
SHERRY L MCCONNEY
NOTARY PUBLIC - STATE OF ILLINOIS
MY COMMISSION EXPIRES:10/17/20

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Exhibit A
The Property

A tract or parcel of land lying in, Section 19, Township 43 South, Range 25 East, Lee County, Florida, said tract or parcel being more particularly described as follows:

COMMENCING at the South Quarter Corner of said Section 19 run N00°33'00"E along the West line of the Southeast Quarter (SE 1/4) of said Section 19 for 667.91 feet to the Southwest corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 19 and the POINT OF BEGINNING.

From said Point of Beginning continue N00°33'00"E along said West line for 333.96 feet to an intersection with the South line of the North Half (N 1/2) of the North Half (N 1/2) of the South Half (S 1/2) of the Southwest Quarter (SW 1/4) of said Section 19; thence run S89°03'06"W along said South line for 1,377.23 feet to an intersection with the Easterly right of way line of Slater Road, being 25 feet Easterly as measured perpendicular to the center line thereof; thence run along said Easterly right of way line the following two (2) courses: N08°17'52"W for 54.81 feet to a point of curvature and Northerly along an arc of a curve to the right of radius 2,763.25 feet (delta 09°16'29") (chord bearing N03°39'38"W) (chord 446.81 feet) for 447.30 feet to an intersection with the North line of the South Half (S 1/2) of the South Half (S 1/2) of the South Half (S 1/2) of the North Half (N 1/2) of the Southwest Quarter (SW 1/4) of said Section 19; thence run N89°02'52"E along said North line for 1,418.48 feet to an intersection with said West line of the Southeast Quarter (SE 1/4) of Section 19; thence run N00°33'00"E along said West line for 743 feet, more or less, to an intersection with the thread of Foose Gully; thence run Southeasterly along the thread of said Foose Gully for 527 feet, more or less, to an intersection with a line being 350 feet south as measured perpendicular to the North line of the South Half (S 1/2) of the North Half (N 1/2) of the Northwest Quarter (NW 1/4) of the Southeast Quarter (SE 1/4) of said Section 19; thence run N89°02'28"E parallel with said North line for 262 feet, more or less, to an intersection with the thread of Daughtrey's Creek; thence run Northerly along the thread of said Daughtrey's Creek for 111 feet, more or less, to an intersection with the South line of lands described in deed recorded in Official Records Book 2574, at Page 1274, Lee County Records; thence run N89°02'28"E along said South line for 749 feet, more or less, to an intersection the West line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of said Section 19; thence continue N89°02'28"E along said South line for 398.11 feet to an intersection with the center line of Williams Road; thence run along said center line the following three (3) courses: S39°25'45"E for 566.24 feet to a point of curvature; Southeasterly along an arc of a curve to the left of radius 3,125.43 feet (delta 04°17'59") (chord bearing S41°34'45"E) (chord 234.49 feet) for 234.55 feet to a point of tangency and S43°43'44"E for 168.94 feet to an intersection with the South line of the North Half (N 1/2) of the Southeast Quarter (SE 1/4) of said Section 19; thence run N89°02'55"E along said South line for 298.24 feet Northeast corner of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 19; thence run S00°10'14"E along the East line of said Fraction for 367.98 feet to the Northeast corner

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of lands described in Official Record Book 2165, at Page 2900, Lee County Records; thence run N85°47'51"W along the Northerly line of said lands for 668.32 feet to an intersection with West line of the Northeast Quarter (NE 1/4) of the Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of said Section 19; thence run N00°00'35"E along the West line of said Fraction for 307.95 feet to the Northwest corner of said Fraction; thence run S89°02'55"W along said South line of the North Half (N 1/2) of the Southeast Quarter (SE 1/4) of Section 19 for 1,330.94 feet to the Northeast corner of the Northwest Quarter (NW 1/4) of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4) of said Section 19; thence run S00°22'12"W along the East line of said Fraction for 667.92 feet to the Southeast Corner of said Fraction; thence run S89°03'13"W along the South line of said Fraction for 667.57 feet to the POINT OF BEGINNING.

Containing 66.42 acres, more or less.

Bearings hereinabove mentioned are State Plane for the Florida West Zone (1983/NSRS 2007) and are based on the West line of the Southeast Quarter (SE 1/4) of said Section 19 to bear N00°33'00"E.

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Exhibit "B"
Agricultural Uses at Time of Zoning Application Map

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