



**LEE COUNTY**  
SOUTHWEST FLORIDA  
BOARD OF COUNTY COMMISSIONERS

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*Hearing Examiner*

November 15, 2018

Mr. Ray Eubanks  
Plan Processing Administrator  
Florida Department of Economic Opportunity  
Division of Community Development  
107 East Madison Street, MSC 160  
Tallahassee, Florida 32399-4120

**Re: Comprehensive Plan Amendment No. 18-4ESR  
Bay Harbour Marina Village DRMUWD  
Extension of 180-Day Adoption Deadline**

Dear Mr. Eubanks:

In accordance with the provisions of Section 163.3184(3)(c)1., Florida Statutes, this letter is to provide notice to the Florida Department of Economic Opportunity ("DEO") and other state and regional review agencies of an agreement between the applicant, Southern Comfort Storage, LLC and the County to extend adoption of Comprehensive Plan Amendment No. 18-4ESR (the "CPA").

The CPA consists of text and map amendments that are intended to accommodate a destination resort mixed use water dependent development on a 7.47 acre parcel. The CPA is locally known as CPA2017-00005.

The Lee County Board of County Commissioners (BoCC) held a public hearing to transmit the CPA on May 2, 2018, and subsequently transmitted the CPA to the reviewing agencies on May 14, 2018. The County received no comments from the reviewing agencies on the transmitted CPA application. Pursuant to Section 163.3184(3)(c)1., Florida Statutes, the BoCC is required to conduct its second public (adoption) hearing to take final action on the CPA by December 10, 2018 (180 days after receiving no comments) or else the CPA will be deemed withdrawn, unless an agreement to extend the deadline is approved and notice is provided to the Florida Department of Economic Opportunity ("DEO") and any affected person that provided comments on the CPA.

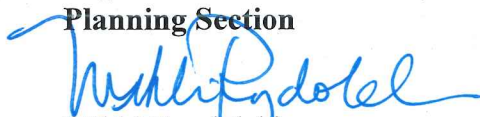
On November 13, 2018, the applicant requested to extend the second public hearing on the CPA until June 8, 2019. A copy of this letter is attached. The concurrent planned development rezoning is in process and the Hearing Examiner Report is pending. The extension is necessary in order to coordinate the CPA and planned development rezoning requests so that both applications may be heard concurrently by the BoCC.

The County agrees to this time extension and respectfully requests that DEO issue a letter recognizing the extension from December 10, 2018 to June 8, 2019, to forward an adopted amendment to DEO and other state and regional agencies for final review. Upon receipt of such acknowledgment, the County will notify all citizens who commented on the amendment of the extension.

Thank you for your time and attention to this matter. If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

**Department of Community Development  
Planning Section**



Mikki Rozdolski  
Manager, Community Development Operations

cc: Comprehensive Plan Review  
Department of Agriculture and Consumer Services

Tracy D. Suber  
Department of Education

Plan Review  
Department of Environmental Protection

Deena Woodward  
Florida Department of State

Scott Sanders  
Florida Fish and Wildlife Conservation Commission

Sarah Catala  
FDOT District One

Margaret Wuerstle  
Southwest Florida Regional Planning Council

Terry Manning, A.I.C.P., Senior Planner, Intergovernmental Coordination Section  
South Florida Water Management District

David Depew, Applicant's Representative  
Morris-Depew Associates, Inc.

Michael Jacob, Deputy County Attorney  
Lee County Attorney's Office

November 13, 2018

Ms. Mikki Rozdolski  
Planning Manager  
Lee County Department of Community Development  
P. O. Box 398  
Fort Myers, FL 33902-0398

**RE: Bay Harbour Comprehensive Plan Amendment Adoption Hearing**

Dear Ms. Rozdolski:

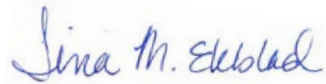
Please allow this letter to serve as notice on behalf of the applicant, Southern Comfort Storage, LLC, agrees to an additional time extension for the adoption of the Comprehensive Plan Amendment No. 18-4ESR ("CPA") until June 8, 2019 pursuant to Section 163.3184(3)(c)1., Florida Statutes.

The Lee County Board of County Commissioners ("Board") voted to approve transmittal of the CPA on May 2, 2018, and subsequently transmitted the CPA to the reviewing agencies on May 14, 2018. The County received no comments from the reviewing agencies on the transmitted CPA application. Pursuant to Section 163.3184(3)(c)1., Florida Statutes, the Board was required to conduct its second public (adoption) hearing to take final action on the CPA by December 10, 2018 (180 days after receiving no comments) or else the CPA would have been deemed withdrawn, absent an agreement to extend the deadline with notice to the Florida Department of Economic Opportunity ("DEO") and any affected person that provided comments on the CPA.

Per the recommendation, the second public hearing on the CPA must be held by December 10, 2018 (180 days after receiving no comments). This deadline is rapidly approaching. The Planned Development (PD) application concluded presentations before the Lee County Hearing Examiner on September 10, 2018 but is awaiting the recommendation report. Southern Comfort Storage, LLC agrees to an additional time extension for the second public hearing on the CPA until June 8, 2019, pursuant to Section 163.3184(3)(c) 1., Florida Statutes. This is in order for Southern Comfort Storage, LLC and the County to finalize the joint CPA and related PD so that both applications may be heard concurrently by the Board of County Commissioners. Southern Comfort Storage, LLC is requesting that the County provide notice of this agreed time extension to DEO and any affected person that provided comments on the CPA. We would appreciate receiving copies of the required notice provided to DEO and any affected person.

Thank you for your continued assistance with the CPA and the related PD application. Please do not hesitate to contact me should you have any questions.

Sincerely,  
Morris-Depew Associates, Inc.

A handwritten signature in blue ink that reads "Tina M. Ekblad". The signature is written in a cursive style and is positioned above the typed name.

Tina M. Ekblad, MPA, AICP, LEED AP  
Partner – Planning Director