

June 25, 2018

Via E-Mail Only

John Manning  
*District One*

Cecil L. Pendergrass  
*District Two*

Larry Kiker  
*District Three*

Brian Hamman  
*District Four*

Frank Mann  
*District Five*

Roger Desjarlais  
*County Manager*

Richard Wm. Wesch  
*County Attorney*

Donna Marie Collins  
*Hearing Examiner*

Tina M. Ekblad, MPA, AICP, LEED AP  
Morris-Depew Associates, Inc.  
2914 Cleveland Avenue  
Fort Myers, FL 33901

**RE: CPA2018-00004 Portico 2<sup>nd</sup> Insufficiency Letter**

Dear Ms. Ekblad:

Staff has reviewed the sufficiency response for the comprehensive plan amendment application CPA2018-00004 Portico stamped received on May 25, 2018. Planning staff finds that the application materials are insufficient and further information is needed. A public hearing date will not be scheduled until a complete application is submitted. If you do not provide the requested supplements of corrections within 90 days of this letter, this application will be considered withdrawn.

**APPLICATION MATERIALS COMMENTS:**

1. Four copies of Page 1 of the Application were submitted with information missing from each of the documents. You may want to consider having a representative from Morris Depew & Associates sign the front page as the agent for all the land owners and verify the information on the page is correct. In the alternative, please see the following comments:
  - a. The first page one is unsigned and incorrectly states that the application is a state coordinated review. The document should be signed and the Expedited State Review process box should be checked.
  - b. The second page one is signed by the VP of WCI Communities LLC and is missing the project summary and incorrectly states that the application is a state coordinated review. Please fill in the project summary and check the Expedited State Review process box.
  - c. The third page one is signed by the VP of Portico Master Property's Owners Assoc. Inc. and is missing the project summary and incorrectly states that the application is a state coordinated review. Please fill in the project summary and check the Expedited State Review process box.
  - d. The fourth page one is signed by the Chairwoman of the Portico CDD and is also missing the project summary and incorrectly states that the application is a state coordinated review. Please fill in the project summary and check the Expedited State Review process box.
  - e. Please provide the same information for the individual land owners included in this request.

2. Additional clarification is needed to identify the subject property. The land owners within the boundary of the subject request is identified by the list of STRAP numbers provided in the 20 page document labeled as the "Property Ownership Report." The report indicates there are 404 parcels associated with this request. The report contains parcels owned by WCI Communities LLC, Portico Master Property Owners Association, Inc. Portico CDD and 37 individual land owners. However, it appears from the Existing Future Land Use Map and the Sketch & Description that these 37 land owners are being excluded from the request to designate their land to the Outlying Suburban future land use category. Please confirm whether the identified 37 land owners' properties in the Report are for lands being included or excluded from the application.

Information is only needed for the parcels to be **included** in the request. If the 37 properties are to be excluded, please provide a list of STRAP numbers for the parcels that are included in the request to be designated as Outlying Suburban. Please note that the sketch and description indicates 40 parcels will be excluded and that 22 other individual property owners will be included.

The sufficiency response letter indicates that that "individual lots within Portico will continue to be sold to individual homeowners and may be excluded from the Outlying Suburban future land use" request. In order to be deemed sufficient for review, the subject parcels will need to be identified and the application and exhibits will need to match.

3. Please provide the Agent Authorizations from all individual landowners that will be included in the amendment to designate their lands to the Outlying Suburban future land use map category. Authorizations are required for the individual land owners listed in the Property Ownership Report that will need to be revised per comment 2.
4. In the event that the 37 deeds submitted represent all the individual land owners that are **within** this request, please provide a deed for Allen Bruce Humfleet (Lot 66). A Special Warranty Deed was provided for Peter Giessmann and Janice Rubinstein (Lot 34) but they are not identified on the Property Ownership Report. Please provide the missing deed and update the Property Ownership Report if necessary.

In the event that the 37 deeds that were provided are for **excluded lots**, please provide the deeds for the parcels that are within the Portico boundaries that are subject to the map amendment.

5. The certified legal description has an incorrect call describing Lots 64 through 66, 199 - 202 and omits calls describing Lots 5 and 3.
6. The subject property is within the Caloosahatchee Shores Community planning area. We understand you plan to meet with the Community in the near future. In order to be deemed sufficient for review, please provide the public informational session summary document as required by Lee Plan Policy 17.3.2, 17.3.3 and 17.3.4.

7. Page 3 Item II. E.1. indicates that the maximum number of residential units under the existing FLUM is 1,207 and 1,712 units for the proposed FLUM. According to the application, the boundary subject to the amendment contains 581.96 acres and these items should be corrected to read 1,164 and 1,746 units.

Please feel free to contact me at (239) 533-8535 if you have any questions.

Sincerely,

**Lee County DCD Planning Section**



Sharon Jenkins-Owen, AICP  
Planner, Principal

Cc: Mikki Rozdolski, Manager, Community Development Operations