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August 28, 2020

Mr. Chahram Badamtchian, AICP
Lee County Community Development
Zoning Section
1500 Monroe Street
Fort Myers, FL 33901

**RE: DCI2020-00010 Lee County Homes Insufficiency Letter
Lee County Homes Associates I, LLLP (MDA 19079)**

Dear Mr. Badamtchian:

The purpose of this letter is to provide a response to the Lee County Community Development Zoning Staff review comments dated June 18, 2020 for the above referenced Residential Planned Development application. We have modified the application form and all materials to clearly identify the existing wetlands on-site, the wetlands proposed to be impacted and the associated density. Additionally, the concurrent Map Amendment has been amended to place the subject property in the Outlying Suburban FLU category only. A Jurisdictional Determination is being sought from the South Florida Water Management District for the property and will be provided upon receipt.

We always appreciate interaction with Staff on matters related to this application and welcome additional calls and emails that will assist us to address all the concerns in the most efficient manner to the extent this request can be scheduled for public hearing.

APPLICATION MATERIALS COMMENTS:**Zoning Review**

1. You are proposing Communications Facility. Please explain if it is a free standing tower or a rooftop antenna. Please provide maximum height for the tower/antenna.

Response:

Wireless Communication facility is expected to be a rooftop antenna. A revised schedule of uses is enclosed which states towers are prohibited. The communication facility height will be consistent with LDC Section 34-1447 for roof-mounted antennae.

2. Your proposed corner lot street setback of 5 feet may not comply with the LDC SEC 34-3131 requirements. Please consider revising the setback or provide a line of sight graphics (sight triangle) per LDC SEC34-3131 to show that no motorist view will be impeded by the buildings with reduced setbacks.

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Response:

Acknowledged. Should a corner lot be proposed, the lot layout submitted with the D.O. will demonstrate compliance with LDC Section 34-3131.

3. Please provide Lee Plan analysis.

Response:

The revised Lee Plan Analysis is enclosed.

4. Per LDC Sec33-148(a)&(b) Please provide meeting notes from the required community informational meeting.

Response:

The meeting summaries for the community information meetings held on July 6th and July 7th are enclosed.

5. There are inconsistencies in the acreages between the application and environmental reports that may have an impact on density. Please review acreages and density calculation and provide corrections as necessary.

Response:

The acreages were adjusted in the application form, narratives and MCP; which are enclosed. A jurisdictional determination application was submitted to the South Florida Water Management District and a field review was conducted the first week in August. The results of the Jurisdiction Determination will be provided under separate cover when received. Please note as a result of the on-site visit with SFWMD, a new FLUCCS Map has been provided as well.

Planning Review

1. Application Page 3, Item G. Please complete the associated Future Land Use category acres and percentages as required.

Response:

The requested revisions were made to the application and are enclosed. Note that the map amendment was revised and all 344.7 acres will be amended to the Outlying Suburban FLU. The wetland acreages reflect the submittal to the South Florida Water Management District for a Jurisdiction Determination. A new FLUCCS Map is provided to reflect the wetland acreages and on-site visit with the SFWMD.

2. Please provide the separate narrative referenced on Page 9 of the "Request Narrative."

Response:

The revised Lee Plan Consistency is enclosed and has been updated to reflect the revisions to the concurrent map amendment. For reference, the entire property is proposed to be placed within the Outlying Suburban FLU category.

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Legal Description Review:

LDC Sec. 34-202.(a) - General submittal requirements for applications requiring public hearing.

LDC Sec. 34-202.(a) (6) Boundary survey. The survey must be based upon the title certification submitted in accord with section 34-202(7) (the title certification submitted was merely a commitment for title insurance and not an executed document and therefore not sufficient). The boundary survey must identify and depict all easements affecting the subject property, whether recorded or unrecorded, and all other physical encumbrances readily identified by a field inspection.

All boundary surveys must meet the minimum technical standards for land surveying in the state, as set out in Chapter 5J-17, F.A.C. The survey must be tied to the state plane coordinate system for the Florida West Zone (the most current adjustment is required) with two coordinates, one coordinate being the point of beginning (POB) and the other an opposing corner.

Sec. 34-202.(a) (7) Certification of title and encumbrances. Certification of title and encumbrances submitted for property subject to zoning approval must meet the following criteria:

- a. Form. The certification of title must be in one of the following forms:
 - i. Title certificate or title opinion, no greater than 90 days old at the time of the initial development order submittal. The title certification submittal must be either an opinion of title meeting the Florida Bar Standards prepared by a licensed Florida attorney or a certification of title/title certification prepared by a title abstractor or company.
 - ii. Title insurance policy with appropriate schedules, no greater than five years old at the time of the initial zoning case submittal and an affidavit of no change covering the period of time between issuance of the policy and the application date. If submission of a complete affidavit of no change is not possible, a title certificate, or title opinion must be submitted in the alternative.
- b. Content. The certification of title must include, at a minimum, the following:
 - i. The name of the owner or owners of the fee title;
 - ii. All mortgages secured by the property;
 - iii. All easements encumbering the property;
 - iv. The legal description of the property; and
 - v. The certification of title documentation must be unequivocal.

Response:

A revised Opinion of Title and Boundary Survey are enclosed reflecting the revised Opinion of Title and the required coordinates referenced in email received from Daniel Munt's dated July 13, 2020.

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Environmental Review

Open Space

1. Revise the open space table on sheet C-102 of the MCP to state the acreage and open space required and provided for each development area (R-1, R-2, RA, School Site). Currently, the table states R-1 provides no open space because that development area meets the minimum 6,500 square foot lot size to exempt it from open space requirements. However, each of the development areas are lumped into "Remaining Area" that must be separated into R-2, RA, and School Site.
2. Please state what the General Open Space consists of and separate the cell from the Lake and School Site.

Response:

The following response is provided to address both items 1 and 2 above. The open space table on Sheet C-101 was revised and a copy of the revised MCP is enclosed. As requested, the "Remaining Area" has been revised to identify the area of each development type. The R-1 Tracts continue to represent lots a minimum of 6,500SF and therefore are not required to provide open space as part of the RPD.

Open Space is defined in LDC Section 10-413; the applicant considers the following items from the definition in 10-413 to be "General Open Space" as included on the Open Space Plan on Sheet C-102.

- (1) Areas replanted with vegetation after construction such as natural systems, lawns, landscaped areas and greenways which comply with the minimum dimensional requirements of 10-415(d).*
- (2) Outdoor recreational facilities as listed in 10-415(d)*
- (3) Plazas, atriums and courtyards and other similar public spaces.*

Sheet C-102 of the Master Concept Plan includes a legend which identifies the location of General Open Space within the proposed development.

Indigenous Open Space

3. Deviation 2 is being requested to allow less than 50% of the required open space (17.03 acres) to meet the indigenous open space requirements. Please overlay the site plan over the FLUCCS map to be included as part of the justification for the deviation.

Response:

An additional exhibit is enclosed that overlays the site plan and the FLUCCS Map. Please note as a result of an on-site visit with the SFWMD a revised FLUCCS Map is also provided.

4. Staff has reviewed the impacts to the wetlands and uplands and finds that 0.52 acres of Hardwood Conifer (FLUCCS 4349 E2) and 0.47 acres of Willow (FLUCCS 6189 E2) are the indigenous areas that are being impacted in accordance with the indigenous open space definition in LDC 10-1. Please include in the Deviation #2 justification the total indigenous

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as defined in LDC 10-1 that exists on the site and compare it to the indigenous that is being preserved, the significance of the habitat that is being preserved utilizing Lee Plan Objectives and subsequent Policies in 123 (critical habitat for Limpkin, Florida Black Bear, etc), and the importance of preserving a mosaic of upland and wetland habitat that transition into each other (Lee Plan Policy 123.3.1).

Response:

As discussed via teleconference with Lee County staff on July 1, 2020, there are no impacts proposed to Hardwood/Conifer Mixed, Disturbed (25-49% Exotics) (Florida Land Use, Cover and Forms Classification System (FLUCFCS) Code 4349 E2) habitat. The only indigenous habitat proposed to be impacted is 0.14± acre of Willow, Disturbed (25-49% Exotics) (FLUCFCS Code 6189 E2). An exhibit overlaying the FLUCFCS onto the Master Concept Plan is attached to aid in staff's review. The justification for Deviation #2 has been revised as per staff's request and is enclosed. Please note the FLUCCS Map has been revised to reflect the wetland jurisdictional determination reviewed and approved in the field by the South Florida Water Management District

5. Please provide information as to the mitigation that will be required for the impacts to State wetlands.

Response:

Impacts to State wetlands will be offset through on-site or off-site mitigation in accordance with State standards. Per Chapter 373, F.S., the proposed project will be required to obtain a State Environmental Resource Permit authorizing wetland impacts prior to construction. Mitigation for proposed wetland impacts will be in accordance with State rules and regulations to ensure that the proposed project results in no net loss in wetland functions. The applicant acknowledges that a condition may be included in the zoning that construction may not commence until an ERP is approved by the SFWMD.

6. Depict the wetland and upland acreages on the MCP. Ensure that the upland acreage is a contiguous 3 acres to receive the 150% open space credit.

Response:

The revised wetland and upland acreages are depicted on sheet C-102 of the MCP. Please note the upland areas has been identified as multiple areas to address the open space credits. A copy of the revised MCP is enclosed.

7. Please review the 150% open space credit on sheet C-102. The credit received states 15.07 acres but staff believes it should be 15.33 acres. Please review and make changes appropriately.

Response:

The open space credit was revised on sheet C-102 to separate the upland into multiple areas to address the application of indigenous credits. A copy of the revised MCP is enclosed.

Lakes

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8. Please indicate if the proposed lakes will comply with planted littoral shelf requirements in LDC 10-418. A typical lake cross section is being provided as part of the MCP sheet C-501 but a typical littoral cross section has not been provided.

Response:

The lakes will comply with the planted littoral shelf requirements of LDC 10-418; the applicant did not request a deviation from this requirement.

9. Deviation #7 is a request to not provide sinuous lakes for the majority of the proposed lakes. Sinuous lakes are required in order to provide opportunities for increased habitat for aquatic species, wading birds, and large mammals to feed, roost, and nest. In addition, these pockets along the shoreline provide areas for littorals to thrive and filter the surface water providing water quality. Please explain how proposing non-sinuous lakes complies with Lee Plan Policies 61.3.2, 61.2.4, and 60.4.1 for mimicking a natural system and water quality. In addition, provide Lee Plan analysis for Objective 123 and subsequent policies (where applicable) to justify how non-sinuous lakes support protected species such as Limpkin that was observed onsite as well as other wading birds that utilize shallow water for survival. Include cross sections (if necessary) to support Deviation #7 if an alternative is being proposed.

Response:

The required planted littoral shelves will be provided. It is expected at the time of Development Order approximately 3.45 acres of planted littoral shelves will be provided in association with the proposed design of the Master Concept Plan. The littoral shelves will provide habitat necessary to support aquatic species, including wading birds and other waterfowl and associated water quality benefits including filtration. The planted areas will include Florida Friendly landscaping and native plant species within the littoral shelves consistent with Policy 60.4.1 which will support wading birds and other animals as well as provide surface water filtration. Wetlands are preserved as shown on the MCP along with associated uplands providing further habitat for wading birds and protected species. The proposed development area is connected by an interconnected wet detention lake system with three (3) offsite discharge outfall structures. Stormwater runoff within the controlled basins will be directed to the interconnected drainage structures via sheet flow, conveying the runoff to the wet detention lakes. This is consistent with Policy 61.2.4 which encourages surface water management plans that mimic natural systems. The property is no longer located in a flood zone subject to the 100-year inundation as indicated on the current FEMA FIRM as reflected on the Lee County GIS depicted in the enclosed Surface Water Management Plan, flooding of the property shall be limited consistent with Policy 61.3.2.

The proposed project provides the required features per Section 10-418(2) of the LDC, which "are considered sufficient to mimic the function of natural systems, improve water quality and provide habitat for a variety of aquatic species, including wading birds and other waterfowl." The proposed design will provide over three acres of littoral shelves which do not currently exist on-site and which may be utilized by limpkin and other wading birds for foraging.

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Goal 123 of the Lee Plan is to "Manage coastal, wetland and upland ecosystems and natural resources in order to maintain and enhance native habitats, floral and faunal species diversity, water quality, and natural surface water characteristics." The proposed design will protect and enhance 99 percent of the existing on-site indigenous upland and wetland ecosystems (i.e. native habitats) through preservation and exotic vegetation removal. Specifically, the project will preserve and enhance the Cypress, Disturbed (FLUCFCS Code 6219) habitat which may be utilized by limpkin and other wading birds. The only policy under Goal 123 relating to littoral shelf design is Policy 123.10.3, which does not indicate that shorelines are required to be sinuous to be found consistent with the Lee Plan. The areas proposed to be preserved on-site with the required PLS will provide adequate habitat for wading bird species; even with the requested deviation, which enhances the planned development and maintains public health, safety and welfare.

To support this response, a revised Schedule of Deviations, the Surface Water Management Plan and the revised Lee Plan Consistency narrative are enclosed. A discussion of Objective 123 is included in the revised Lee Plan Consistency.

Buffers

10. Please move the buffer and deviation legend on sheet C-501 of the MCP to sheet C-101.

Response:

Acknowledged. Buffer and deviation legend were moved from sheet C-501 to sheet C-101. A revised copy of the MCP is enclosed.

11. Deviation #1 applies to the two buffer areas where the spine road are within 125-feet from the Portico RPD. In addition to these areas, please evaluate the hammerhead areas being proposed for their proximity to the offsite residential developments. If LDC 10-416(d)(6) cannot be met, please revise the MCP Deviation #1 locations accordingly. Condition 5A (old 8A) may affect this as well.

Response:

The distance between the dead end roads and the offsite residential development was evaluated and the MCP was altered to have the proposed residential lots between the dead end right-of-way and the property boundary extended. As a result, the ROW terminates at the boundary of the proposed residential tracts within the Lee County Homes Associates I, LLLP property (See Figure 1). Therefore, additional buffering and infrastructure improvements are not necessary. Pursuant to LDC 10-416(d)(6) "Where residences will be constructed between the road, drive or parking area and the existing residential subdivision or lots, the wall or wall and berm combination are not required." The justification for Deviation 6 was revised to further explain the extension of the lot. Additionally, a separate entry for R-1 and R-2 lots adjacent to the dead end ROW have been added to the PDRs to address the orientation of these lots.

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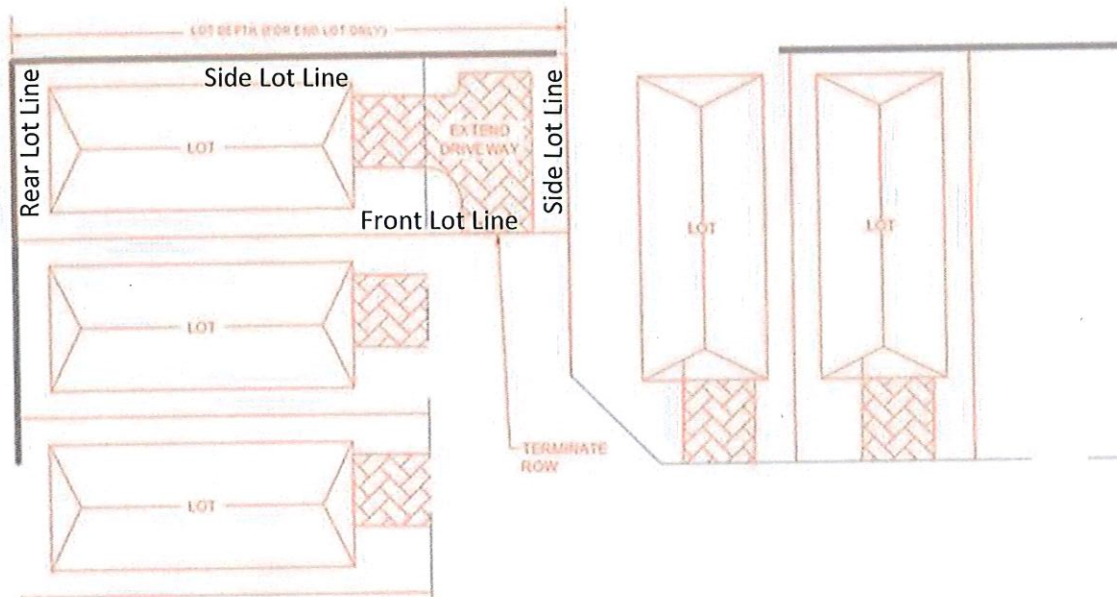


Figure 1. EXAMPLE Extended Lots Along Dead-end Roads.

12. Please indicate if an optional residential wall is being proposed around the perimeter where walls are not required per the LDC or zoning conditions. If so, please depict on the MCP and demonstrate compliance with LDC 34-1743(b)(3).

Response:

To promote clarity the MCP was revised to include cross-sections for the various buffers and property boundaries; please refer to Sheet C-501. Additionally, the Proposed Conditions were revised to promote further clarity and address discrepancies found between the original resolution text and cross sections. Please see the attached revised Proposed Conditions.

13. Please indicate if the perimeter buffers will be recorded in a "landscape tract" to ensure compliance in perpetuity.

Response:

The perimeter buffer is not included in the R-1 or R-2 development tracts on the MCP. Rather, the area is shaded separately as "General Open Space" on sheet C-102 of the MCP. How the tract will be platted will be appropriately addressed at the time of development order when consistency with the ultimate approved Master Concept Plan is demonstrated.

14. The Type A buffer being provided is not required by the LDC or the approved zoning. Please describe the buffer and explain if this is an enhancement.

Response:

A Type B buffer was shown on the MCP attached to Zoning Resolution Z-05-074. Figure 1 is an excerpt of the approved MCP with the buffer highlighted. The Type B buffer is retained. Sheets C-101 and C-501 were revised to reflect the Type B buffer.

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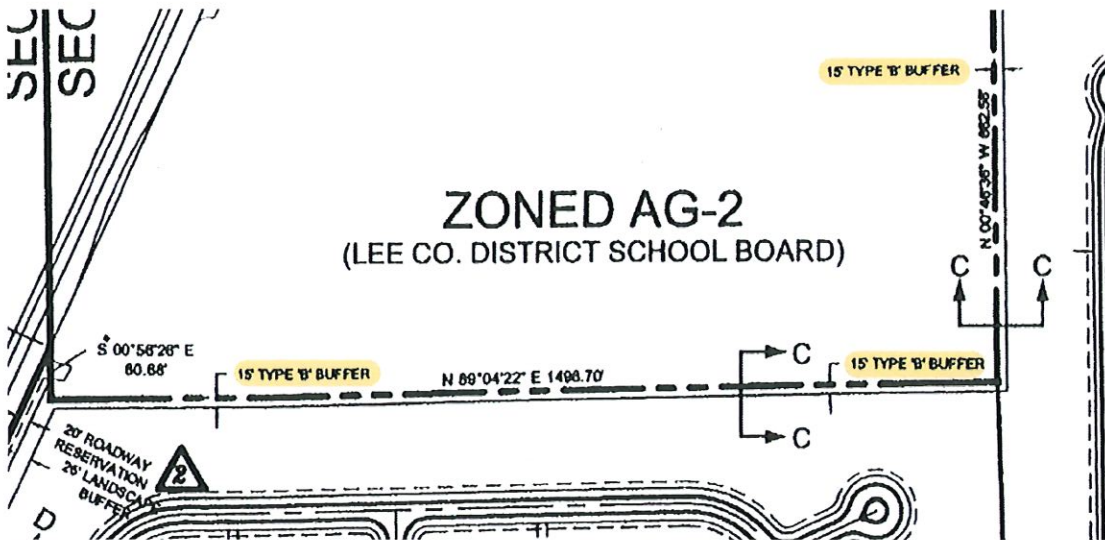


Figure 2. Excerpt of Approved Master Plan with 15' Type B buffer highlighted.

15. COURTESY COMMENT: Condition 5A (old Condition 8A) staff is suggesting revising the timing of buffer installation in Tracts 4 and 5 to the infrastructure development order for Tracts 4 and 5.

Response:

Tracts 4 and 5 are no longer existing on the new MCP. The applicant intends to continue to provide and enhanced landscape buffer consistent with Z-05-074. However, the written text of Z-05-074 and the attached cross sections were not consistent. The applicant has revised the Proposed Conditions to closely reflect the approved cross section which provided additional plantings. Please see the attached revised Proposed Conditions for additional detail.

Natural Resources Review:

1. Provide a general surface water summary discussing existing conditions for surface water runoff including discharge location, offsite flows, and whether there are wells located on the property per LDC34-373(b)(1). Please provide an exhibit with existing conditions aerial with arrows for the drainage pattern. Adjacent planned development communities contain water quality monitoring requirement, please include a draft water quality monitoring plan. If the site contains any free-flowing wells and how those wells will be addressed. Please provide Lee Plan narrative for stormwater and water quality policies for this project.

Response: A revised copy of the Lee Plan Consistency narrative is enclosed addressing stormwater and water quality policies of the Lee Plan. A Surface Water Management Plan is also enclosed along with several exhibits of the drainage patterns for the immediate area. Any existing wells on the site will be capped after the appropriate applications are filed with Lee County – if they are found on-site. A water quality monitoring plan will be provided at the time of development order for review and approval by the Department of Natural Resources. The

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applicant would propose to provide water quality monitoring consistent with the following condition:

At the time of Development Order water quality monitoring plan for review and approval by the Lee County Division of Natural Resources will be provided. At a minimum, the Water Quality Monitoring Plan must establish:

- 1. The overall Goals and Objectives of the Water Quality Monitoring Plan;*
- 2. An outfall monitoring schedule during "wet" season of June through October, for Field Temperature, Total Kjeldahl Nitrogen, Total Nitrogen, Chlorophyll A, Nitrite, Nitrate, Phosphorus, Turbidity and Stage.*
- 3. Water quality monitoring data must be provided to the Division of Natural Resources annually for 5 years and shall include a report with a comparison of State water quality standards, plots of parameters, and recommendations. Results shall also be reported as an Electronic Data Deliverable (EDD), in a format approved by the Division of Natural Resources.*
- 4. A contingency plan in the event an exceedance of State Water Quality Standards is discovered. This plan must include notification to impacted residents and applicable authorities.*

A revised copy of the proposed conditions including the above is enclosed.

Please let us know if there is anything else needed for the approval of this request.

Sincerely,

MORRIS-DEPEW ASSOCIATES, INC.

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

Enclosures:

Schedule of Uses
Lee Plan Consistency
Community Meeting Summary
Master Concept Plan
FLUCCS Map
Application Form
Title Opinion
Boundary Survey
Schedule of Deviations
Proposed Conditions

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Surface Water Management Plan

Regional Drainage Exhibits

Project Narrative

Property Development Regulations

Cc: Mr. Kevin Ratterree
Steve C. Hartsell, Esq.

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APPLICATION FOR PLANNED DEVELOPMENT PUBLIC HEARING UNINCORPORATED AREAS ONLY

Project Name: Lee County Homes Associates I, LLLP (Lee County Homes)

Request: Rezone from: RPD To: RPD

Type: ☒ Major PD ☐ Minor PD ☐ DRI w/Rezoning ☐ PRFPD
☐ Major PD Amendment ☐ Minor PD Amendment

Bonus Density included? ☒ NO ☐ YES¹ for: _____ Bonus Units

¹ If YES, submit additional fee required by LDC 2-147(A)(3)

Summary of Project:

Rezoning of an existing Residential Planned Development of 344 acres to permit 1,025 dwelling units

.....

PART 1 APPLICANT/AGENT INFORMATION

A. Name of Applicant: Lee County Homes I Corporation General Partner, Kevin Ratterree, Vice President

Address: 1600 Sawgrass Corporate Pkwy, Suite 400

City, State, Zip: Sunrise, Florida, 33323

Phone Number: 954-753-1730, Ext 2240

E-mail Address: Kevin.ratterree@glhomes.com

B. Relationship of Applicant to owner (check one) and provide [Affidavit of Authorization](#) form:

☐ Applicant is the sole owner of the property. [34-201(a)(1)a.1.]

☒ Applicant has been authorized by the owner(s) to represent them for this action. [34-202(a)(3)]

☐ Application is County initiated. Attach BOCC authorization.

C. Authorized Agent: (If different than applicant) Name of the person who is to receive all County-initiated correspondence regarding this application. [34-202(a)(4)]

1. Company Name: Morris-Depew Associates, Inc.

Contact Person: Tina M. Ekblad

Address: 2914 Cleveland Ave.

City, State, Zip: Fort Myers, FL. 33901

Phone Number: 239-337-3993

Email: Tekblad@m-da.com

2. **[Additional Agent\(s\)](#):** Provide the names of other agents that the County may contact concerning this application. [34-202(a)(4)]

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PO BOX 398 (1500 MONROE STREET), FORT MYERS, FL 33902
PHONE (239) 533-8585

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**PART 2
PROPERTY OWNERSHIP**

A. Property owner(s): If multiple owners (corporation, partnership, trust, association), provide a list with owner interest. [34-202(a)(2)]

Name: Lee County Homes Associates I, LLLP (Lee County Homes)

Address: 1600 Sawgrass Corporate Pkwy, Suite 400

City, State, Zip: Sunrise, FL. 33323

Phone Number: 954-753-1730 Ext 2240

Email: Tekblad@m-da.com

B. Disclosure of Interest [34-202(a)(2)]:

☒ Attach [Disclosure of Interest](#) Form.

C. Multiple parcels:

☐ Property owners list. [34-202(a)(8)]

☐ Property owners map. [34-202(a)(8)]

D. Certification of Title and Encumbrances [34-202(a)(7)]

1. Title certification document, no greater than 90 days old.

2. Date property was acquired by present owner(s): March 3, 2004 and September 30, 2004

**PART 3
PROPERTY INFORMATION**

A. STRAP Number(s): [Attach extra sheets if additional space is needed.] [34-203(a)(5)]

See Attached List

B. Street Address of Property: Access Undetermined

C. Legal Description (must submit) [34-202(a)(5)]:

☒ Legal description (metes and bounds) (8½"x11") and sealed sketch of the legal description.

OR

☐ Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. ([Click here](#) to see an example of a legal description with no metes and bounds.)

AND

Boundary Survey [34-202(a)(6)]:

☒ A Boundary survey, tied to the state plane coordinate system.

OR

☐ Not required if the property is located within a subdivision platted per F.S. Chapter 177.

D. Surrounding property owners (within 500 feet of the perimeter of the subject parcel or portion thereof that is subject of the request):

1. ☒ List of surrounding property owners. [34-202(a)(9)]

2. ☒ Map of surrounding property owners. [34-202(a)(9)]

3. ☒ One set of mailing labels. [34-202(a)(9)]

Note: When the case is found complete/ sufficient, a new list and mailing labels must be submitted.

E. Current Zoning of Property: Residential Planned Development

☒ Provide a list of all Zoning Resolutions and Zoning Approvals applicable to the subject property.

F. Use(s) of Property:

1. Current uses of property are: Agricultural

2. Intended uses of property are: Residential

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G. Future Land Use Classification (Lee Plan):

Outlying Suburban	<u>344.77</u>	Acres	100	% of Total
		Acres		% of Total
		Acres		% of Total

H. Property Dimensions:

1. Width (average if irregular parcel):	<u>6000</u>	Feet		
2. Depth (average if irregular parcel):	<u>3300</u>	Feet		
3. Total area:	<u>344.76</u>	Acres or square feet		
4. Frontage on road or street:	<u>2200</u>	Feet on	<u>Buckingham Road</u>	Street
2 nd Frontage on road or street:		Feet on		Street

I. Planning Communities/Community Plan Area Requirements: If located in one of the following planning communities/community plan areas, provide a meeting summary document of the required public informational session.

- ☐ Not Applicable
☐ Captiva Planning Community (Captiva Island). [33-1612(a)&(b); Lee Plan Policy 13.1.7]
☐ North (Upper) Captiva Community Plan area. [33-1711]
☐ Boca Grande Planning Community. [Lee Plan Policy 22.1.5]
☒ Caloosahatchee Shores Community Plan area. [33-1482(a)&(b); Lee Plan Policy 21.6.3]
☐ Page Park Community Plan area. [33-1203(a) & (b); Lee Plan Policy 27.11.2]
☐ Palm Beach Boulevard Community Plan area. [Lee Plan Policy 23.5.2]
☐ Buckingham Planning Community. [Lee Plan Policy 17.7.2]
☐ Pine Island Planning Community. [33-1004(a) & (b); Lee Plan Policy 14.7.1]
☐ Lehigh Acres Planning Community. [33-1401(a)&(b); Lee Plan Policy 32.12.2]
☐ North Fort Myers Planning Community. [33-1532(a)&(b)]
☐ North Olga Community Plan area. [33-1663(a)&(b)]

J. Waivers from Application Submission Requirements: Attach waivers, if any, approved by the Director of Zoning. [34-201(c)]

PART 4
TYPES OF LAND AREA ON PROPERTY

A. Gross Acres (total area within described parcel)		<u>344.7</u>	Acres
1. Submerged land subject to tidal influence	<u>0</u>	Acres	
2. a. Preserved freshwater wetlands	<u>7.9</u>	Acres	
b. Impacted wetlands	<u>3.19</u>	Acres	
c. Preserved saltwater wetlands		Acres	
d. Total wetlands (A.2.a. plus A.2.b. plus A.2.c.)	<u>11.09</u>	Acres	
3. R-O-W providing access to non-residential uses		Acres	
4. Non-residential use areas ^{(1) (2)}		Acres	
B. Total area not eligible as gross residential acreage (Items A.1. + A.3. + A.4.).	<u>3.19</u>	Acres	
C. Gross residential acres. (A minus B) ⁽³⁾	<u>341.51</u>	Acres	
D. Gross residential acres (by Land Use Category)			
1. a. Intensive Development – upland		Acres	
b. Intensive Development – preserved freshwater wetlands		Acres	
c. Intensive Development – impacted wetlands		Acres	
2. a. Central Urban – upland		Acres	
b. Central Urban – preserved freshwater wetlands		Acres	
c. Central Urban – impacted wetlands		Acres	
3. a. Urban Community or Suburban – upland		Acres	
b. Urban Community or Suburban – preserved freshwater wetlands		Acres	
c. Urban Community or Suburban – impacted wetlands		Acres	

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4.	a.	Suburban – upland	_____	Acres
	b.	Suburban – preserved freshwater wetlands	_____	Acres
	c.	Suburban – impacted wetlands	_____	Acres
5.	a.	Outlying Suburban – upland	333.68	Acres
	b.	Outlying Suburban – preserved freshwater wetlands	7.9	Acres
	c.	Outlying Suburban – impacted wetlands	3.19	Acres
6.	a.	Sub-Outlying Suburban – upland	_____	Acres
	b.	Sub-Outlying Suburban – preserved freshwater wetlands	_____	Acres
	c.	Sub-Outlying Suburban – impacted wetlands	_____	Acres
7.	a.	Rural, Outer Island, Rural Community Preserve – upland	_____	Acres
	b.	Rural, Outer Island, Rural Community Preserve – wetlands	_____	Acres
8.	a.	Open Lands – upland	_____	Acres
	b.	Open Lands – wetlands	_____	Acres
9.	a.	Resource – upland	_____	Acres
	b.	Resource – wetlands	_____	Acres
10.	a.	Wetlands	_____	Acres
11.	a.	New Community – upland	_____	Acres
	b.	New Community – wetlands	_____	Acres
12.	a.	University Community – upland	_____	Acres
	b.	University Community – wetlands	_____	Acres
13.	a.	Coastal Rural – upland	_____	Acres
	b.	Coastal Rural – wetlands	_____	Acres
TOTAL (should equal "C" above)			344.776	Acres

Notes:

- (1) Lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses must not be included except within the Mixed Use Overlay (see Note (2) below).
- (2) Within the Mixed Use Overlay, lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses may be included in density calculations (see Lee Plan Objective 4.3).
- (3) Lands to be used for residential uses including land within the development proposed to be used for streets & street rights of way, utility rights-of-way, public & private parks, recreation & open space, schools, community centers, & facilities such as police, fire & emergency services, sewage & water, drainage, and existing man-made waterbodies.

PART 5 RESIDENTIAL DEVELOPMENT - PRELIMINARY DENSITY CALCULATIONS

- i. Complete only if living units are proposed in a Future Land Use Category.
- ii. If more than one classification, calculations for each classification must be submitted. Attach extra sheets as necessary.
- iii. If wetlands are located on the property, density calculations are considered preliminary pending a wetlands jurisdictional determination.

A. Future Land Use Category: Outlying Suburban

		Lee Plan Table 1(a)		
		Max. standard density		Units
1.	Standard Units			
	a. Total upland acres (from Part 4, D.)	333.68	x 3du/ac equals	1,001.05
	b. Total preserved freshwater wetlands acres (from Part 4, D.)	7.95	x 3du/ac equals	23.7
	c. Total impacted wetlands acres (from Part 4, D.)	3.11	x 1du/20ac equals	0
	d. Total Allowed Standard Units ⁽¹⁾			1,024.75
2.	Bonus Units [2-143]			
	a. Site-built Affordable Housing			
	b. Transferrable Dwelling Units			
	c. Sub-total			
3.	Total Permitted Units ⁽¹⁾			1,025

Note:

- (1) Subject to revision if wetlands jurisdictional determination indicates a different acreage of wetlands.

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PART 6
COMMERCIAL, INDUSTRIAL, MINING, ASSISTED LIVING FACILITIES, HOTELS & MOTELS
PRELIMINARY INTENSITY CALCUATIONS

		Height	Total Floor Area (Square Feet)
A. Commercial	1. Medical	NA	NA
	2. General Office	NA	NA
	3. Retail	NA	NA
	4. Other: _____	NA	NA
	5. TOTAL FLOOR AREA		NA
		Height	Total Floor Area (Square Feet)
B. Industrial	1. Under Roof	NA	NA
	2. Not Under Roof	NA	NA
	3. TOTAL FLOOR AREA		NA
		Depth	Total Acres
C. Mining	1. Area to be excavated	NA	NA
		Height	Total Beds/Units
D. Assisted Living Facilities	1. Dependent Living Units	NA	NA
	2. Independent Living Units	NA	NA
	3. TOTAL BEDS/UNITS		NA
		Height	Total Rental Units
E. Hotels/Motels (Room Size)	1. < 425 sq. ft.	NA	NA
	2. 426-725 sq. ft.	NA	NA
	3. 725 < sq. ft.	NA	NA
	4. TOTAL UNITS		NA

PART 7
ACTION REQUESTED

- A. Request Statement:** Provide a single narrative explaining the nature of the request and how the property qualifies for the rezoning to a planned development. This narrative should include how the proposed development complies with the Lee Plan, the Land Development Code, and the applicable findings/review criteria set forth in LDC section 34-145(d)(4). This narrative may be utilized by the Board of County Commissioners, Hearing Examiner and staff in establishing a factual basis for the granting or denial of the rezoning. [34-373(a)(5)]
- B. Traffic Impact Statement.** A traffic impact statement in a format and to the degree of detail required by the County and in conformance with the adopted Lee County Administrative Code. TIS is not required for an existing development. [34-373(a)(7)]
- C. Master Concept Plan:**
- Master Concept Plan, Non-PRFPD:** A graphic illustration (Master Concept Plan) of the proposed development, showing and identifying the information required by LCLDC Section 34-373(a)(6)a. Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. In addition to the Master Concept Plan, an open space design plan delineating the indigenous preserves and/or native tree preservation areas as required by LDC Section 10-415(b) must be submitted. [34-373(a)(6)]
 - Schedule of Uses:** A schedule of uses keyed to the Master Concept Plan as well as a summary for the entire property including the information required by LCLDC Section 34-373(a)(8). [34-373(a)(8)]

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3. **Schedule of Deviations and Written Justification:** A schedule of deviations and a written justification for each deviation requested as part of the Master Concept Plan accompanied by documentation including sample detail drawings illustrating how each deviation would enhance the achievement of the objectives of the planned development and will not cause a detriment to public interests. The location of each requested deviation must be located/shown on the Master Concept Plan. [34-373(a)(9)]

D. **Bonus Density:** [34-202(a)(11)]

- ☒ Not Applicable
☐ Bonus Density will be used. Provide the number of Bonus Density units being requested and a narrative of how the request meets the requirements of LDC Section 2-146.

PART 8 ENVIRONMENTAL REQUIREMENTS

- A. **Topography:** Describe the range of surface elevations of the property. Attach a county topographic map (if available) or a USGS quadrangle map showing the subject property. [34-373(a)(4)b.iv.]
 Please see the attached Topography Map
-
- B. **Sensitive Lands:** Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the LEE Plan Section XII), flowways, creek beds, sand dunes, other unique land forms [see LEE Plan Policy 77.1.1 (2)] or listed species occupied habitat [see LCLDC Section 10-473(f)].
 Please see the attached environmental report prepared by Passarella and Associates
-
- C. **Preservation/Conservation of Natural Features:** Describe how the lands listed in PART 6.B. above will be protected by the completed project:
 Please see the attached environmental report prepared by Passarella and Associates
-
- D. **Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:
 Please see the attached environmental report prepared by Passarella and Associates
-
- E. **Soils Map:** Attach maps drawn at the same scale as the Master Concept Plan marked or overprinted to show the soils classified in accordance with the USDA/SCS System. [34-373(a)(4)b.i.]
- F. **FLUCCS Map:** A Florida Land Use, Cover and Classification System (FLUCCS) map, at the same scale as the Master Concept Plan, prepared by an environmental consultant. The FLUCCS map must clearly delineate any Federal and State jurisdictional wetlands and other surface waters, including the total acreage of Federal and State wetlands. [34-373(a)(4)c.]
- G. **Rare & Unique Upland Habitat Map:** Maps drawn at the same scale as the Master Concept Plan marked or overprinted to show significant areas of rare and unique upland habitat as defined in the LEE Plan Section XII. [34-373(a)(4)b.iii.]
- H. **Existing and Historic Flow-Ways Map:** Map(s) drawn at the same scale as the master concept plan marked or overprinted to show existing and historic flow-ways. [34-373(a)(4)b.v.]

PART 9 SANITARY SEWER & POTABLE WATER FACILITIES

- A. **Special Effluent:** If the discharge of any special effluent is anticipated, please specify what it is and what strategies will be used to deal with its' special characteristics:
 NA
-
- B. **Private On-Site Facilities:** If a private on-site wastewater treatment and disposal facility is proposed, please provide a detailed description of the system including:
1. Method and degree of treatment:
 NA
 2. Quality of the effluent:
 NA

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3. Expected life of the facility:
NA

4. Who will operate and maintain the internal collection and treatment facilities:
NA

5. Receiving bodies or other means of effluent disposal:
NA

C. Spray Irrigation: If spray irrigation will be used, specify:

1. The location and approximate area of the spray fields:
NA

2. Current water table conditions:
NA

3. Proposed rate of application:
NA

4. Back-up system capacity:
NA

**PART 10
ADDITIONAL REQUIREMENTS**

A. Major Planned Developments:

1. **Surface Water Management Plan.** A written description of the surface water management plan as required by LCLDC Section 34-373(b)(1). [34-373(b)(1)]
2. **Phasing Program.** If the development is to be constructed in phases or if the Traffic Impact Statement utilized phasing, then a description of the phasing program must be submitted. [34-373(b)(3)]
3. **Protected Species Survey.** A protected species survey is required for large developments (as defined in LCLDC Section 10-1) as specified in LCLDC Section 10-473. [34-373(b)(2)]

B. Amendments to Built Planned Developments: The consent of the owners of the remainder of the original planned development is not required, but these owners must be given notice of the application and other proceedings as if they were owners of property abutting the subject property regardless of their actual proximity to the subject property. Attach proof of notice to other property. [34-373(c)]

C. Development of Regional Impact: Binding letter of interpretation from DCA or a complete and sufficient ADA. (See also Application for Public Hearing for DRI Form.) [34-373(d)(9)]

D. Private Recreational Facility Planned Developments (PRFPDs):

1. **Master Concept Plan, PRFPD.** Master Concept Plan showing and identifying information required by LDC Section 34-941(g)(1). Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. [34-941(g)(1)]
2. **Conceptual Surface Water Management Plan.** A Conceptual Surface Water Management Plan must be submitted. The plan must be viable and take into consideration any natural flowway corridors, cypress heads, natural lakes, and the restoration of impacted natural flowway corridors. [34-941(d)(3)b.i.1)]
3. **Well Drawdown Information.** If within an area identified as an anticipated drawdown area for existing or future well development, demonstration of compliance with LCLDC Section 34-941(d)(3)d.i & ii. must be provided. [34-941(d)(3)d.]
4. **Preliminary Indigenous Restoration Plan.** A Preliminary Indigenous Restoration Plan must be provided if on-site indigenous restoration is being used to meet the indigenous native plant community preservation requirement. [34-941(e)(5)f.iii.]

5. **Environmental Assessment.** An Environmental Assessment must be provided which includes, at a minimum, an analysis of the environment, historical and natural resources. [34-941(g)(2)]
6. **Demonstration of Compatibility.** Written statements concerning how the applicant will assure the compatibility of the proposed development with nearby land uses (by addressing such things as noise, odor, lighting and visual impacts), and the adequate provision of drainage, fire and safety, transportation, sewage disposal and solid waste disposal must be provided. [34-941(g)(4)]
- E. **Potable Water & Central Sewer.** Will the project be connected to potable water and central sewer as part of any development of the property?
- ☒ **YES** (Provide a letter from the appropriate Utility to which the connection(s) are proposed confirming availability of service.) [34-202(a)(10)]
- ☐ **NO** (Provide a narrative explaining why the connection is not planned and how the water and sewer needs of the project will be met.) [34-202(a)(10)]
- F. **Existing Agricultural Use:** If the property owner intends to continue an existing agricultural use on the property subsequent to the zoning approval, an Existing Agricultural Use Affidavit must be provided. Entitle as "Existing Agricultural Uses at Time of Zoning Application." [34-202(a)(12)]
- G. **Flood Hazard:**
- ☐ Not applicable
- ☐ The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s.
- ☒ The minimum elevation required for the first habitable floor is 13 NAVD (MSL)
- H. **Excavations/Blasting:**
- ☒ No blasting will be used in the excavation of lakes or other site elements.
- ☐ If blasting is proposed, provide Information Regarding Proposed Blasting (including soil borings, a map indicating the location of the proposed blasting, and other required information).
- I. **Hazardous Materials Emergency Plan for Port Facilities:** [12-110(a)(16)]
- ☒ Not Applicable
- ☐ Provide a Hazardous materials emergency plan.
- J. **Mobile Home Park:** [34-174(h)]
- ☒ Not Applicable
- ☐ Request includes rezoning of a Mobile Home Park. Provide facts related to the relocation of dislocated owners that meets the requirements of F.S. § 723.083 (1995).
- K. **Airport Zones & Lee County Port Authority (LCPA) Requirements:**
- ☒ Not Applicable
- ☐ Property is located within _____ Airport Noise Zone: [34-1104]
- ☐ Property is located within Airport Runway Protection Zone. Indicate which Zone below. [34-1105]
- ☐ Property is located within Airport Residential and Educational Protection Zone: [34-1106]
- ☐ Property is located in an Airport Obstruction Notification Zone and subject to LCPA regulations. [34-1107]
- ☐ A Tall Structures Permit is required. [34-1108]

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PART 5 SUBMITTAL REQUIREMENT CHECKLIST		
<i>Clearly label your attachments as noted in bold below</i>		
Copies Required		SUBMITTAL ITEMS
3	<input checked="" type="checkbox"/>	Completed application for Public Hearing [34-202(a)(1)]
1	<input checked="" type="checkbox"/>	Filing Fee - [34-201(d)]
1	<input type="checkbox"/>	Bonus Density Filing Fee - (if applicable) [34-202(a)(11)]
3	<input checked="" type="checkbox"/>	<u>Affidavit of Authorization</u> (notarized) Form [34-202(a)(3)]
3	<input checked="" type="checkbox"/>	<u>Additional Agents</u> [34-202(a)(4)]
3	<input type="checkbox"/>	Multiple Owners List (if applicable) [34-202(a)(2)]
3	<input checked="" type="checkbox"/>	<u>Disclosure of Interest</u> Form (multiple owners) [34-202(a)(2)]
3	<input checked="" type="checkbox"/>	Legal description (must submit) [34-202(a)(5)]
	<input type="checkbox"/>	Legal description (metes and bounds) and sealed sketch of legal description
		OR
	<input checked="" type="checkbox"/>	Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. (Click here to see an example of a legal description with no metes and bounds.)
3	<input checked="" type="checkbox"/>	Boundary Survey – not required if platted lot (2 originals required) [34-202(a)(6)]
3	<input type="checkbox"/>	Property Owners list (if applicable) [34-202(a)(8)]
3	<input type="checkbox"/>	Property Owners map (if applicable) [34-202(a)(8)]
3	<input checked="" type="checkbox"/>	Confirmation of Ownership/Title Certification [34-202(a)(7)]
3	<input checked="" type="checkbox"/>	STRAP Numbers (if additional sheet is required) [34-202(a)(5)]
1	<input checked="" type="checkbox"/>	List of Surrounding Property Owners [34-202(a)(9)]
1	<input checked="" type="checkbox"/>	Map of Surrounding Property Owners [34-202(a)(9)]
1	<input checked="" type="checkbox"/>	Mailing labels [34-202(a)(9)]
3	<input checked="" type="checkbox"/>	List of Zoning Resolutions and Approvals
3	<input type="checkbox"/>	Summary of Public Informational Session (if applicable)
3	<input type="checkbox"/>	Waivers from Application Submission Requirements (if applicable) [34-201(c)]
3	<input checked="" type="checkbox"/>	Preliminary Density Calculations (if applicable)
3	<input checked="" type="checkbox"/>	Request Statement [34-373(a)(5)]
3	<input checked="" type="checkbox"/>	Traffic Impact Statement (TIS) (not required for existing development) [34-373(a)(7)]
3	<input checked="" type="checkbox"/>	Master Concept Plan (MCP), Non-PRFPD [34-373(a)(6)]
3	<input checked="" type="checkbox"/>	Schedule of Uses [34-373(a)(8)]
3	<input checked="" type="checkbox"/>	Schedule of Deviations and Written Justification [34-373(a)(9)]
3	<input checked="" type="checkbox"/>	Topography (if available) [34-373(a)(4)b.iv.]
3	<input type="checkbox"/>	Soils Map [34-373(a)(4)b.9.]
3	<input checked="" type="checkbox"/>	FLUCCS Map [34-373(a)(4)c.]
3	<input checked="" type="checkbox"/>	Rare & Unique Upland Habitat Map [34-373(a)(4)b.iii.]
3	<input checked="" type="checkbox"/>	Existing and Historic Flow-Ways Map [34-373(a)(4)b.v.]
3	<input type="checkbox"/>	Surface Water Management Plan (if applicable) [34-373(b)(1)]
3	<input type="checkbox"/>	Phasing Program (if applicable) [34-373(b)(3)]
3	<input checked="" type="checkbox"/>	Protected Species Survey (if applicable) [34-373(b)(2)]
3	<input type="checkbox"/>	Proof of Notice (if applicable) [34-373(c)]

3	<input type="checkbox"/>	Binding Letter from DCA (if applicable) [34-373(d)(9)]
3	<input type="checkbox"/>	Master Concept Plan (MCP), PRFPD (if applicable) [34-941(g)(1)]
3	<input type="checkbox"/>	Conceptual Surface Water Management Plan (if applicable) [34-941(d)(3)b.i.1]]
3	<input type="checkbox"/>	Well Drawdown Information (if applicable) [34-941(d)(3)d.]
3	<input type="checkbox"/>	Preliminary Indigenous Restoration Plan (if applicable) [34-941(e)(5)f.iii.]
3	<input checked="" type="checkbox"/>	Environmental Assessment (if applicable) [34-941(g)(2)]
3	<input type="checkbox"/>	Demonstration of Compatibility (if applicable) [34-941(g)(4)]
3	<input checked="" type="checkbox"/>	Potable Water & Sanitary Sewer. Letter from the appropriate utility entity indicating the utility entity or explanation of how water and sewer needs will be met if connection will not be made. [34-202(a)(10)]
3	<input type="checkbox"/>	Existing Agricultural Use Affidavit (if applicable) [34-202(a)(12)]
3	<input type="checkbox"/>	Information Regarding Proposed Blasting (if applicable).
3	<input type="checkbox"/>	Hazardous Materials Emergency Plan (if applicable)
3	<input type="checkbox"/>	Mobile Home Park Dislocated Owners Information (if applicable) [34-202(b)(4)]
3	<input type="checkbox"/>	Tall Structures Permit (if applicable) [34-1108]

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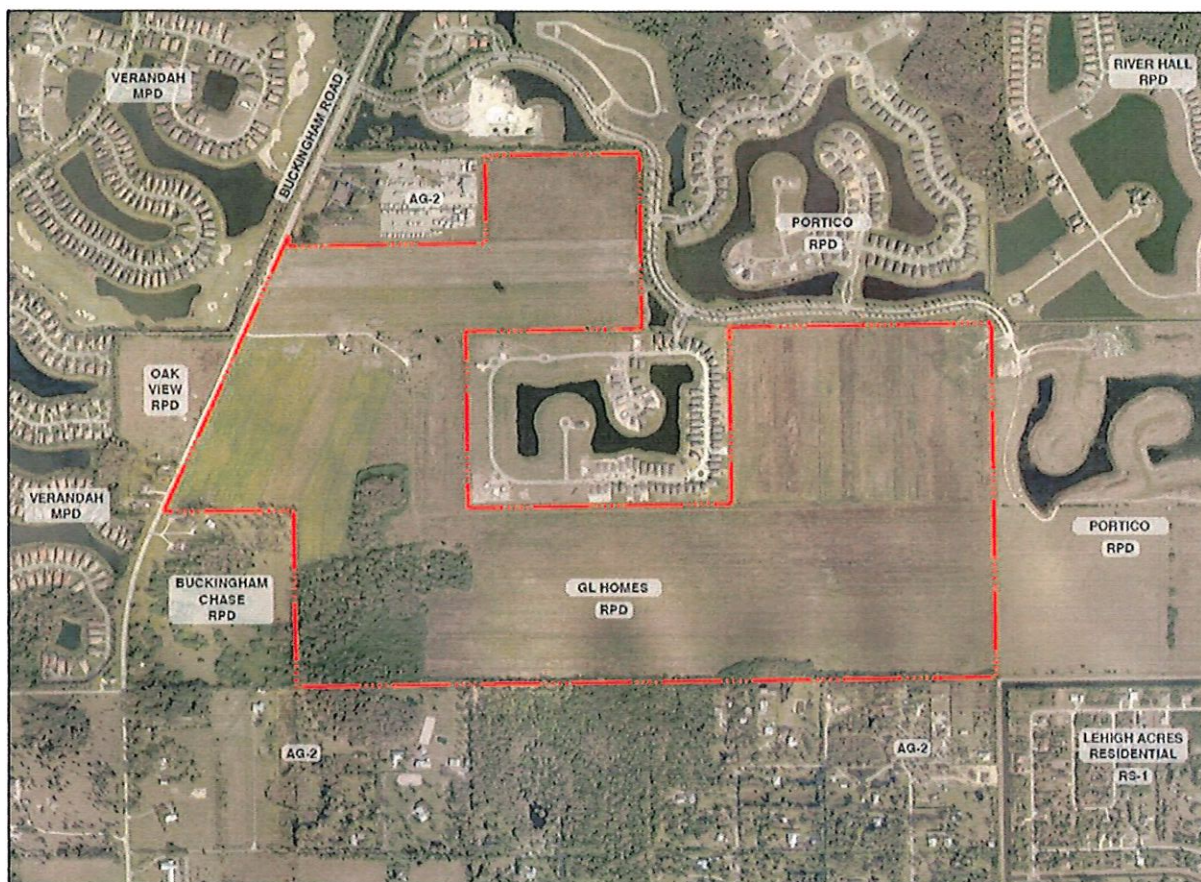
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Lee County Homes Associates I, LLLP
Residential Planned Development Amendment
Project Request Narrative

The property subject to this application request is the existing Buckingham 345 Residential Planned Development, an approximately ±344 acre community located on Buckingham Road in eastern Lee County in the Fort Myers Shores Planning Community. The property is currently designated Sub-Outlying Suburban and is zoned Residential Planned Development.

**Figure 1. Project Aerial**

The subject property was originally approved as a residential planned development in December 2000 by Resolution Z-00-029. At that time, Resolution Z-00-029 authorized 640 single family units on approximately 325 acres. In 2005, the existing 325 acres was rezoned, and an additional 20 acres were included in the overall project, increasing the density, and amending the property development regulations to permit a maximum density of 690 dwelling units per Resolution Z-05-074.

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Concurrent Applications

Lee County Homes Associates I, LLLP, (hereinafter "Lee County Homes") is seeking a companion Comprehensive Plan Amendment to move approximately 344 acres from the Sub-Outlying Suburban FLU to the Outlying Suburban FLU. The proposed FLUM Map amendment will increase the residential density by 1 unit per acre and provides a transition from the slightly higher densities west in the Verandah Planned Development and the existing Portico subdivision at 2 dwelling units per acre, River Hall to the northeast corner at a range of 1 to 2 dwelling units per acre and the Lehigh Acres Community at 6 dwelling units per acre southeast of the subject property. Text Amendment is also requested to accommodate the population from the proposed density increase of 1 dwelling unit per acre as compared to the existing FLU.

This Planned Development is requested to permit the additional units allocated to the property by the companion Comprehensive Plan Amendment. The requested RPD Amendment will limit the maximum number of dwelling units to 1,025 establishing an overall density of 2.9 dwelling units per acre for the subdivision.

Future Land Use

The subject property is currently within the Sub-Outlying Suburban Future Land Use Category and the Fort Myers Shores/Caloosahatchee Shores Planning Community. The Lee County Comprehensive Plan (Lee Plan) outlines the permitted densities and intensities for each Future Land Use Category as well as additional planning requirements for development within the Planning Communities.

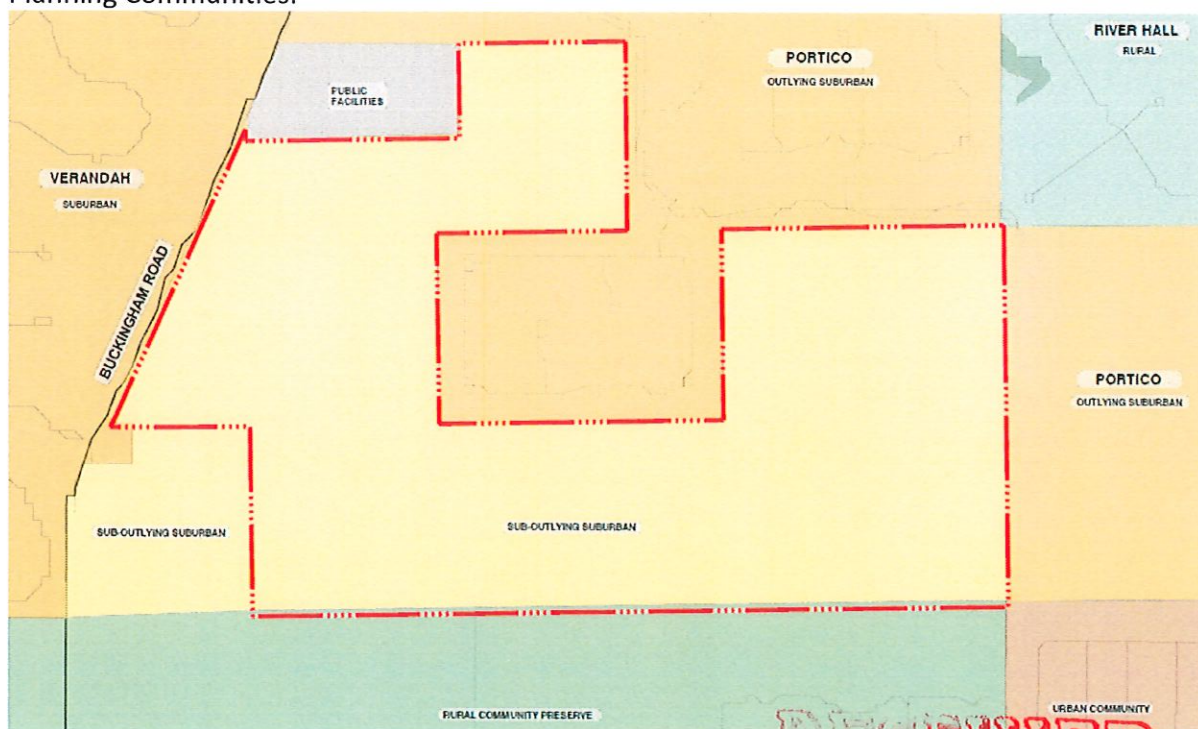


Figure 2. Existing Future Land Use Map

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Outlying Suburban

Approximately 337 acres of the subject property is proposed to be designated Outlying Suburban which is described by Policy 1.1.6 as “characterized by its peripheral location in relation to established urban areas. In general, this category is rural in nature or contains existing low-density development.” The Outlying Suburban FLU category will permit the subject property to act as a transition between the surrounding varying densities. Given the existing land uses in the immediate proximity to the existing subdivision (Verandah, River Hall, Portico and Lehigh Acres) which range from 6 dwelling units per acre to 1-2 dwelling units per acre, the requested density will provide a mid-range density and promote infill development for more efficient use of the land and existing available public services. Additionally, permitting additional units within an existing residential subdivision reduces development pressure on undeveloped, large acreage lands further east in Lee County and combats urban sprawl.

Wetlands

A jurisdictional determination was recently initiated with the South Florida Water Management District to confirm the extent of the wetlands; which will be provided to Lee County when complete. A total of 11.09 acres are identified as wetlands; approximately 7.9 acres will be preserved by the Master Concept Plan with the remaining approximately 3.11 acres being impacted. Table 1A Note 8 of the Lee Plan allows dwelling units to be relocated at the rate of the developable contiguous uplands designated Outlying Suburban, when wetlands are preserved. When wetlands are impacted density is calculated at 1 unit per 20 acres. The density associated with the approximately 7.9 acres of wetlands is 23.7 dwelling units and proposed for transfer to the contiguous uplands. The MCP identifies the location of the preserved wetlands on site as well as the development tracts for the proposed maximum of 1,025 dwelling units on the 344.7 acre subject property.

Proposed Future Land Use			
	Acreage	Dwelling Units/Acre	Dwelling Units permitted
Outlying Suburban			
Uplands	±333.68	3 du/ac	1,001.05
Preserved Wetlands	±7.9	3 du/ac	23.7
Impacted Wetlands	±3.19	1du/20acs	0
Total Acres	±344.776	Total Dwelling Units	1024.75
Rounded Density			1,025

Surrounding Land Uses

The subject property is surrounded by significant residential development as well as vacant, residential, agricultural, and school supporting land uses. This area of Lee County is continuing to develop and is transitioning to a more urban area. The expansion of Palm Beach Boulevard as part of the State’s Strategic Intermodal System along with new commercial development, will

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ensure more services are available to existing and future residents within proximity to the existing and approved subdivisions of Portico, Verandah, River Hall, Hemmingway Pointe, etc.

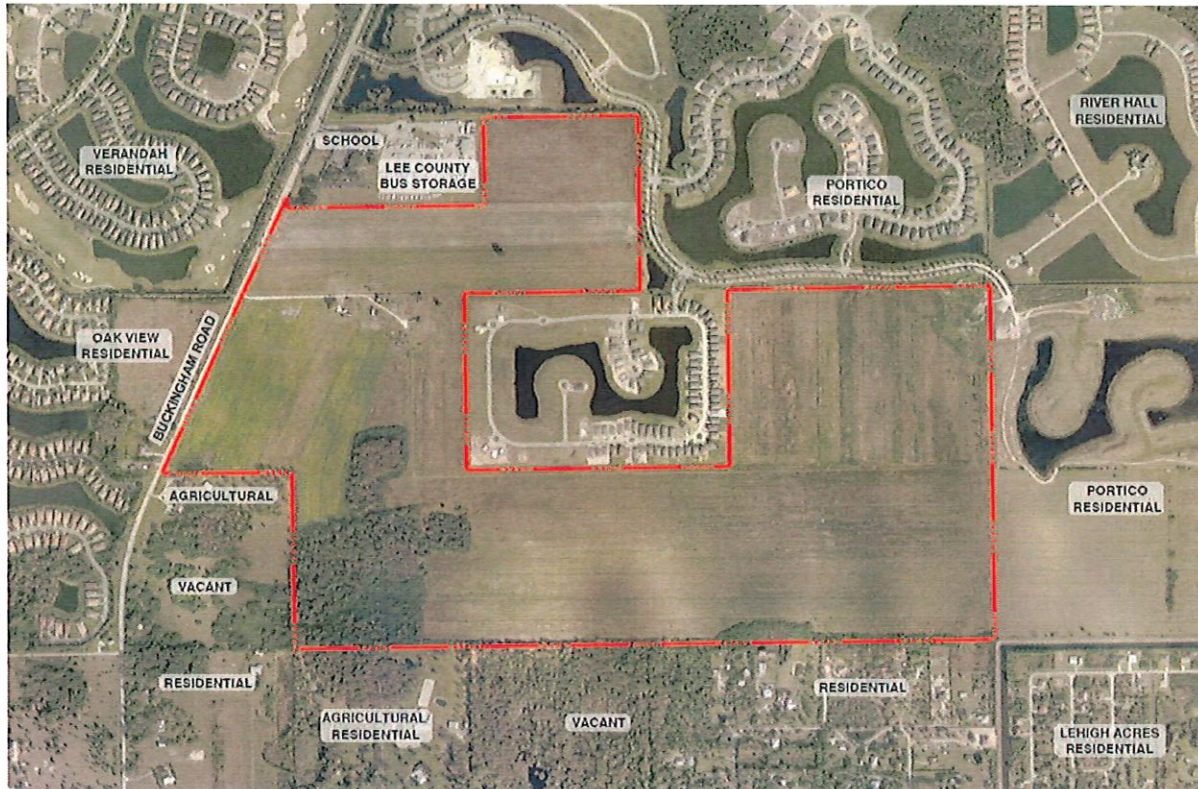


Figure 3. Surrounding Land Uses

North

The subject property has a unique geometry along the northern property boundary. Beginning at Buckingham Road for approximately .25 miles to the east, the adjacent northern property is owned by the Lee County School District. The front quarter of the School District property adjacent to Buckingham Road is the Lee County Buckingham Exceptional Student Center which is a special needs school from grade Pre-K to 12th grade. The remaining 3/4 of the property is utilized by the School District for outdoor storage of the District's bus fleet. The remainder of the northern property boundary is immediately adjacent to the Portico Subdivision, an existing Residential Planned Development that was amended in 2019 by Zoning Resolution Z-19-006 to allow 1,600 dwelling units on 589 acres.

At the northeast corner of the subject property, the Portico Subdivision is approximately 105 feet wide. The Portico spine road separates the subject property from the existing River Hall Subdivision which is approved by Zoning Resolution Z-15-003 for 2,695 dwelling units on approximately 1,978.5 acres for an overall density of 1.36 dwelling units per acre.

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The requested residential planned development for the subject property will establish approximately 3 dwelling units per acre in a clustered development pattern with a master stormwater management system and community open space consistent with the adjacent and surrounding subdivisions of Portico and River Hall located north of the subject property. The proposed residential community is compatible with the existing surrounding residential communities.

East

The Portico Master Concept Plan in Z-19-006 shows single family residential along the Lee County Homes entire eastern property boundary, approximately 2,600 linear feet, which is also proposed for single family residential development in a similar development pattern. The requested residential planned development is compatible with the adjacent Portico Subdivision which has a similar development pattern and density as both communities are within the Outlying Suburban FLU.

South

Adjacent to the southwest corner of the subject property where the Master Concept Plan shows preservation of existing indigenous habitat is a 20 acre property owned by the School District that is currently vacant. North and south of the School District site are approximately 10 acre parcels, zoned Agricultural, each of which appears to have a single family home, and according the Property Appraiser are used for cattle grazing.

The southern property boundary, approximately 6,600 linear feet, is adjacent to large lots ranging from 5 to 20 acres within the Buckingham Community. These properties are within the Rural Community Preserve and are vacant, used for agricultural activities, or single family residential.

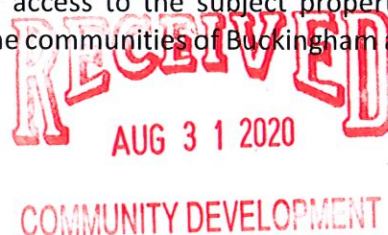
The southeast corner of the subject property is cater-corner to the platted community of Lehigh Acres. Lehigh Acres is an old platted subdivision with more than 500 acres of single-family lots with areas of multi-family residential uses within the Urban Community Future Land Use and is platted at a density of approximately 4 units per acre.

The proposed Master Concept Plan demonstrates the southwestern most portion of the property is indigenous preserve, open spaces associated with the amenity and a reserved portion of the property for the school district possible acquisition. The remaining portion of the southern property boundary is a clustered residential development pattern with lots a minimum of 6,500 square feet, the average size of the residential lots within the existing RPD approval. The design features ensure the proposed residential planned development remains compatible with the existing and future land uses adjacent to the southern property boundary.

West

On the west boundary and serving as primary access to the subject property is the existing Buckingham Road, an arterial roadway serving the communities of Buckingham and Lehigh Acres.

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Further west of Buckingham Road is the Verandah a $\pm 1,455$ -acre Mixed Use Planned Development, approved for 1,700 dwelling units, 36 holes of golf with accessory and recreational uses and a maximum of 230,000 square feet of commercial uses. The residential density and commercial intensity are consistent with the community's Suburban Future Land Use Category. Much of the development is setback from Buckingham Road due to the Golf Course design. However, the lots within the vicinity of the subject property are developed with single family units at approximately 8,500 square feet or approximately 5 units to the acre. Like the proposed Master Concept Plan, the Verandah was developed with a clustered development pattern of single-family units incorporating open spaces and water management areas.

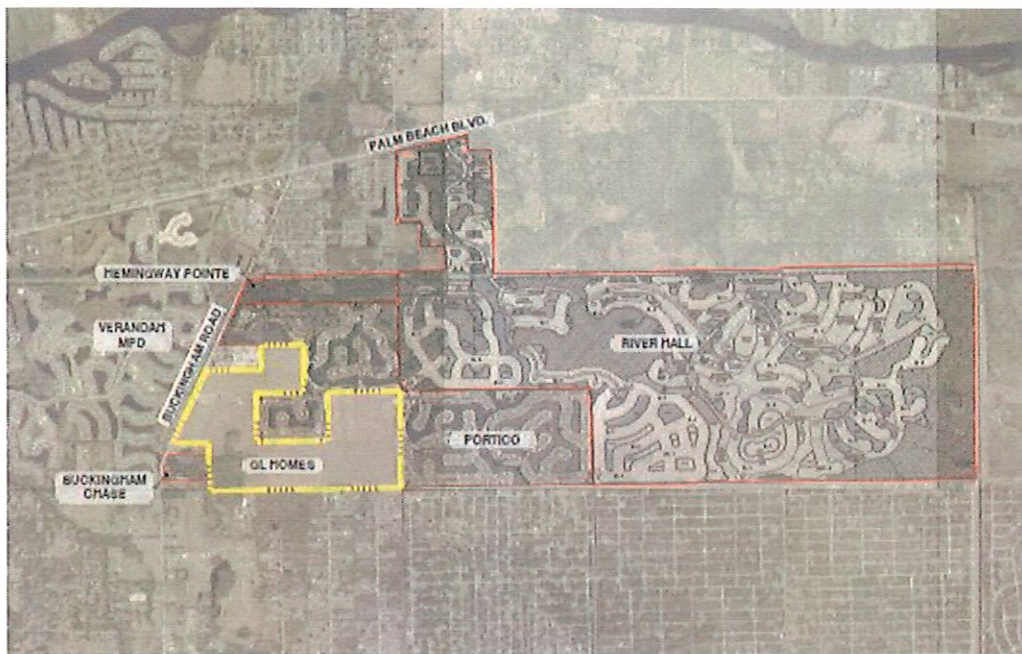


Figure 4. Surrounding Planned Developments

As demonstrated by the Master Concept Plan, the Lee County Homes proposed development pattern is similar to the existing and approved surrounding residential subdivisions. Each of the existing and approved subdivisions utilizes a clustered development pattern with preservation areas, open space and stormwater management lakes with similar dwelling unit types and minimum lot sizes. The requested Planned Development Amendment promotes infill development through the efficient utilization of existing infrastructure and available land by locating additional dwelling units within an already developed area that has urban services. The subject property is within proximity to existing clustered commercial nodes and Lee County Schools. The infrastructure necessary to support the additional dwelling units is in place.

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Surrounding Land Uses			
	FLU Designation	Use	Notes
North	Public Facilities, Outlying Suburban	School & Fleet Storage, Residential	Buckingham Exceptional Student Center and Portico
South	Rural Community Preserve, and Urban Community	Vacant, Agricultural and Residential Development	Buckingham Community & Lehigh Acres
East	Outlying Suburban	Residential Development	Portico
West	Suburban	County Maintained Arterial Road, Residential Development	Buckingham Road & Verandah RPD

Table 2. Surrounding Land Uses

Urban Services & Accessibility

The subject property is in an area of the County which has a full slate of Urban services available to support the existing and proposed development. All urban services are located adjacent to the subject property and are available to serve the property. A copy of all received Letters of Availability from each service provided are attached to the application for reference.

Utilities

The subject property is within the service area for Lee County Utilities as depicted on Maps 6 and 7 of the Lee Plan. Potable water and sewer infrastructure are available adjacent to the Lee County Homes Planned Development along Buckingham Road. Lee County Utilities has adequate capacity at the Olga Treatment Plant to provide water service to the additional dwelling units and associated population. The City of Fort Myers Central Advance Wastewater Treatment Facility will provide wastewater service. A Letter of Availability has been received from Lee County Utilities and is included in the application materials to demonstrate that adequate capacity is available to serve the additional units and associated population proposed by the Comprehensive Plan Amendment.

Public Safety

The subject property is well within the service limits for Emergency Medical Services, Fire and Police services. Lee County Emergency Medical Service is the primary EMS transport for the subject property. The primary ambulance for the subject property is Medic 11, located 5.6 miles west of the subject property. A Letter of Availability from the Lee County Emergency Medical Service Division has been received and is included in the application materials to demonstrate the ability to serve the requested additional units and associated population.

The subject property is served by the Fort Myers Shores Fire District from Station 81 located at 12345 Palm Beach Boulevard. A Letter of Availability from the Fort Myers Shores Fire District has

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been received and is included in the application materials to demonstrate the ability to serve the requested additional units and associated population.

The subject property is located wholly within the service area for the Lee County Sheriff. The Central District Station located at 14750 Six Mile Cypress Parkway is responsible for providing service to the subject property. A Letter of Availability from the Lee County Sheriff has been received and is included in the application materials to demonstrate the ability to serve the requested additional units and associated population.

Schools

The subject property is within the Lee County School District East Zone, E2. A request for a Letter of Availability from the Lee County School District was submitted but has not yet been received. Based on the 2019 Concurrency Report, the proposed development is estimated to generate 306 school-age children. The East Zone is currently experiencing a deficit in seating for middle and high schools with and without the project. To address the immediate deficit, additional portable seats will be added at Harns Marsh, Oak Hammock and Lehigh middle schools. A new 1,200 seat middle school is programmed to open in the East Zone during the 2021-22 school year. At the high school level an addition to Lehigh Acres high school will address the immediate deficiencies. Additionally, it is important to note Lee County Schools has also acquired a school site in Gateway for a future high school, which is expected to be constructed and open August 2021. All projected deficits in the East Zone will be addressed within the 2030-time horizon of the Lee Plan. There is capacity within the entire school district to accommodate the additional students from the proposed development.

Solid Waste

The property is within the Lee County Solid Waste Franchise area and is served through Lee County's franchised hauling contractor. Disposal of waste generated from the subject property will be accomplished at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill. Service is available to the subject property and plans have been established that target growth and long-term disposal capacity for this area. A Letter of Availability has been received from Lee County Solid Waste confirming capacity to serve the additional dwelling units and associated population.

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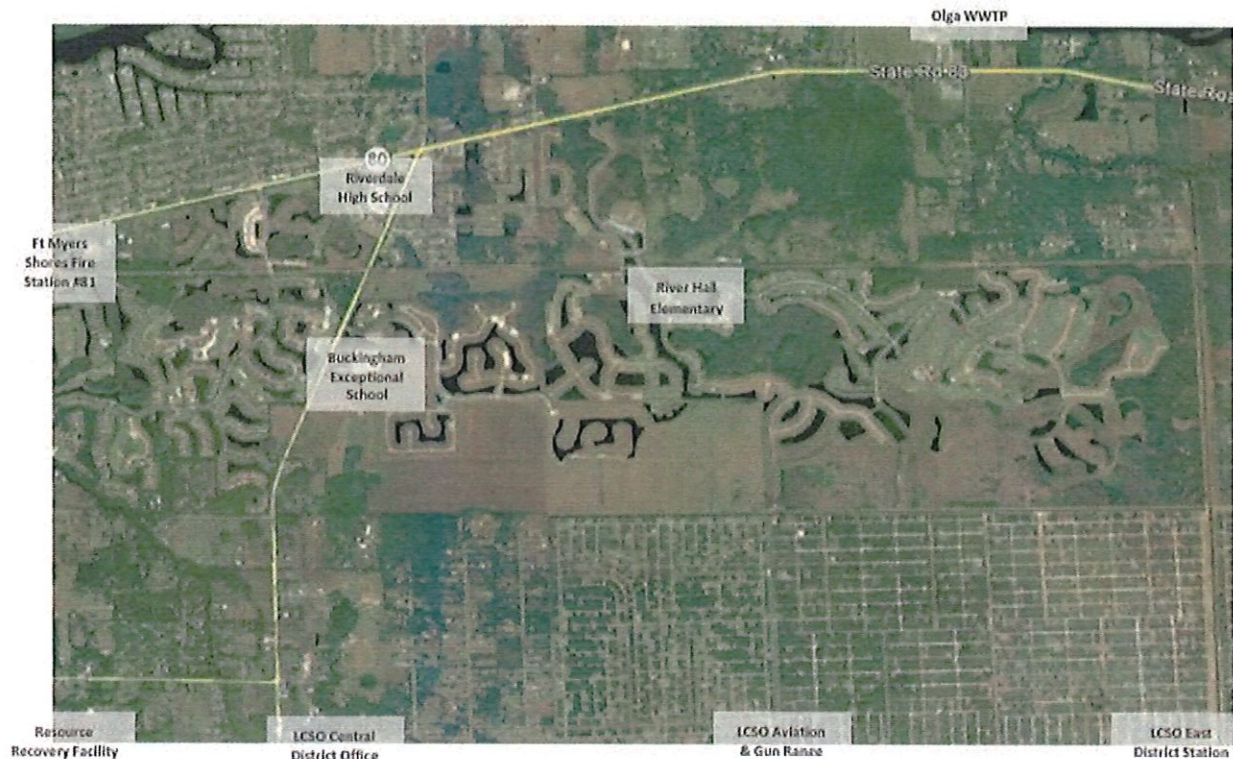


Figure 10. Surrounding Area Urban Services

Amended Zoning Conditions

Due to the existing approval of a Residential Planned Development on the subject property, several amendments are proposed to the Zoning Conditions. These amendments are proposed to reflect the changing conditions of the subject property and surrounding properties, address existing conditions, and improve clarity. A separate document has been prepared in strikethrough and underlined format of the existing zoning conditions to demonstrate with additional detail the amendments requested.

Conclusions and Findings

Pursuant to 34-145(d)(4)a, to recommend approval of the requested Residential Planned Development Amendment, the Hearing examiner must find:

1. *The Request Complies with the Lee Plan*

A separate narrative is attached to the application materials demonstrating the request's consistency and compliance with the Lee Plan as codified in June 2020.

2. *Meets this Code and other applicable County regulations or qualifies for deviations*

A single deviation was approved via Z-05-074 and is requested to be carried forward into this Planned Development Amendment request. Additional deviations are requested to address the

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existing conditions of the current approval that are proposed to remain as well as address the desired development pattern of the requested Residential Planned Development. If a deviation is not requested, the applicant intends to abide by the regulations of the land development code.

3. Is compatible with existing and planned uses in the surrounding area

The development pattern of the proposed Master Concept Plan demonstrates the layout of the internal roadways and lots clusters the residential development around preserve areas, open spaces and stormwater management lakes in a similar pattern to the existing and approved residential subdivisions of the surrounding area. By exhibiting similar characteristics to the surrounding developments, the requested Residential Planned Development is compatible to the surrounding development as that term is defined by LDC Section 34-2.

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

Access to the subject property is already approved and conditioned. The applicant is proposing to retain the condition requiring the donation of right of way toward future improvement of Buckingham Road and turn lanes will be constructed if needed at the time of Development Order. The existing conditions governing the single access point and emergency access are also proposed to be retained.

5. The expected impacts on transportation facilities will be addressed by existing County regulations or conditions of approval;

Access to the subject property is already approved, right of way will be donated toward future improvement of Buckingham Road and turn lanes will be constructed if necessary. Should additional mitigation measures be necessary, impact fees will be assessed at the time of building permit as will Growth Increment Funding – a County program which allocates the increase in property tax from new construction to an infrastructure fund

The Traffic Impact Statement prepared by TR Transportation concludes that all county-maintained road segments are not adversely impacted by the proposed additional residential units. Additionally, the proposed units do not trigger additional improvements. The improvements identified are already needed due to future traffic conditions with and without the project.

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

The proposed Master Concept Plan demonstrates the design of the residential community with existing indigenous habitat on-site and provides a minimum 25-foot separation from the development tracts.

7. Will be served by urban services, defined in the Lee Plan, if located in a Future Urban area category.

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The subject property is located in area of Lee County with a full slate of urban services. A discussion of the urban services is provided in this narrative above and Letters of Availability were provided for the companion Comprehensive Plan Amendment.

Additionally, the Hearing Examiner must also find:

a) The proposed use or mix of uses is appropriate at the proposed location;

The uses included in the requested Schedule of Uses are the same as previously approved and remain appropriate. The uses have been restructured to demonstrate which uses are expected to be located within the residential development tracts and which uses are expected to be located within the residential amenity areas.

b) The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development.

The applicant has included a strikethrough underline version of the existing conditions and a brief discussion of any revisions proposed. Most of the requested revisions seek to promote clarity due to changes in the existing conditions of the surrounding properties.

c) If the application includes deviations pursuant to section 34-373(a)(9), that each requested deviation:

1) Enhances the achievement of the objectives of the planned development;

The applicant requests the existing deviations previously approved to be carried forward and to memorialize existing conditions of the current approval that will be retained by the current request. Additional deviations are requested to promote a flexible design that enhances the planned development. These deviations will promote a consistent development pattern throughout the community, which is also similar to the development patterns of the surrounding constructed and approved subdivisions.

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

The existing deviations were found to preserve and promote the general intent of the code to protect the public health, safety and welfare. The newly requested deviations include a detailed justification demonstrating no impact to the public health, safety and welfare. A copy of the deviations with detailed justifications is attached to the application materials for review.

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www.morris-depew.com**Lee County Homes Associates I, LLP**
Residential Planned Development
Proposed Conditions

The requested Residential Planned Development is technically a new zoning request; however, the subject property is currently an RPD. The applicant is proposing an amendment to the existing conditions to demonstrate compliance with the existing approval and modifications that may be necessary to address the additional density.

1. Development must be consistent with the two-page Master Concept Plan (MCP) for Lee County Homes Associates I, LLP Residential Planned Development Buckingham 345, Sheets 1 and 2 (Exhibit B__), prepared by TKW Consulting Engineers Morris-Depew Associates, Inc. dated November 2004, last revised November 8, 2005, and date stamped "Received November 9, 2005 Zoning," except as modified by the conditions below.

Development must comply with all requirements of the Lee County 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 Resolution approving this amendment contains the pertinent conditions of the previous zoning approval, as well as new conditions relating to the proposed changes to the RPD. The Resolution approving this amendment rezoning supersedes all that previous Resolutions (#Z-00-029), thereby rendering it them null and void.~~

Maximum Number of Dwelling Units: ~~690~~ 1,025

~~Commercial uses are limited to a maximum of 7,500 square feet of floor area and ancillary to a recreational/clubhouse use only. See "Club, Private" and Condition 23.~~

~~Upon passage of this Zoning Resolution, Zoning Resolution #Z-00-29 and Administrative Amendment ADD2003-00067 will become null and void.~~

Applicants Justification: The proposed revisions reflect the current conditions of the application and zoning request. The proposed deletions seek to promote clarity and eliminate duplicate references to the land development code (section 34-937(2)). As a full rezoning of the subject property the applicant acknowledges all previous resolutions and amendments would be null and void.

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2. The following limits apply to the project and uses:

B. Schedule of Uses

Residential R-1

Accessory Uses and Structures

~~Administrative Offices~~

~~Agricultural Uses SEE AGRICULTURAL CONDITION 9~~

~~Club, private LIMITED TO "REC. TRACT" ON THE APPROVED MASTER CONCEPT PLAN. CLUBHOUSE BUILDINGS MAY NOT EXCEED 40,000 SQUARE FEET IN TOTAL FLOOR AREA. This total includes the 7,500 square feet permitted for limited commercial uses. Also see Condition 23~~

Dwelling Units

Single-family, minimum lot size 6,5000 square feet

~~Zero Lot Line~~

~~The number of units is also subject to compliance with concurrency requirements.~~

Entrance Gates and Gatehouse

Essential Services

Essential Service Facilities, Group I

~~Excavation, Water Retention not to include the removal of excavated material from the site. Blasting is prohibited.~~

Fences and Walls

Home Occupation, No outside help.

~~Model Home and Model Unit must be in compliance with LDC §34-1954 only. ALSO SEE MODEL HOME/REAL ESTATE SALES CONDITION 6.~~

~~Model Display Center must be in compliance with LDC §34-1955, limited to one, which must be located in the sales center area shown on the MCP and must only serve this project. ALSO SEE MODEL HOME/REAL ESTATE SALES CONDITION 6.~~

Parking Lot, Accessory

~~Real Estate Sales Office limited to sales of lots, homes or units within the development, except as may be permitted in LDC §34-1951 et seq. The location of, and approval for, the real estate sales office will be valid for a period of time not to exceed five years from the date the Certificate of Occupancy for the sales office is issued. ALSO SEE MODEL HOME/REAL ESTATE SALES CONDITION 6.~~

~~Recreational Facilities Private, On-site only. LIMITED TO "REC. TRACT ON THE APPROVED MASTER CONCEPT PLAN.~~

~~Residential Accessory Uses In compliance with LDC §34-622(c)(42) and LDC Article VII, Division 2~~

Schools, Non-commercial

Signs, in compliance with LDC Chapter 30

~~Storage, Indoor LIMITED TO RESIDENTS WITHIN THE DEVELOPMENT ONLY.~~

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Temporary Uses, Temporary Sales, Temporary Construction

Residential R-2

Accessory Uses and Structures

Dwelling Units

Single-family

Zero Lot Line

Two Family Attached

Townhomes

Entrance Gates and Gatehouse

Essential Services

Essential Service Facilities, Group I

Excavation, Water Retention

Fences and Walls

Home Occupation

Model Home and Model Unit

Model Display Center

Model Display Group

Parking Lot, Accessory

Real Estate Sales Office

Signs

Temporary Uses, Temporary Sales, Temporary Construction

~~The following commercial uses may be located in the clubhouse/on-site recreational facilities only and in compliance with Condition 23.~~

Residential Amenity (RA)

Accessory Uses and Structures

Administrative Offices

Bank and Financial Establishments - Group I (including ATMs)

Communication Facility, Wireless -Towers prohibited

Consumption on Premises -Indoor only

Club, Private

Essential Services

Essential Service Facilities, Group I

Excavation, Water Retention

Fences and Walls

Food & Beverage Service, Limited

Parking Lot, Accessory

Personal Services, Group I

Recreational Facilities, Private

Real Estate Sales Office

Restaurant, Groups I, II, and III

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SignsSpecialty Retail Shops, Groups I and IIStorage, IndoorTemporary Uses, Temporary Sales, Temporary Construction

Applicant's Justification: The revisions proposed to the schedule of uses are to establish specific areas for related uses as identified on the Master Concept Plan and improve clarity. References to the Land Development Code and/or conditions below were removed to address duplication and improve clarity.

- Agricultural Uses – Condition 9 will remain to appropriately address this interim use of the property until the approval of a Development Order.
- Commercial Uses accessory to an RPD – LDC Section 34-937 will continue to govern the proposed commercial uses at the residential amenity.
- Concurrency – Conditions 15 and 16 will remain to appropriately address concurrency.
- Models – Condition 6 is will remain with an amendment to eliminate duplication of LDC Section 34-1954
- Blasting – Removed condition to reflect current regulations of the Land Development Code

C. Site Development Regulations.

Overall Project

~~Setbacks: (structure, parking areas, water management areas and pavement): In compliance with LDC §10-329 for water detention/retention excavation setbacks and LDC §10-416(d)(6)~~

Building Height:

~~35 feet/two stories for single family and zero lot line residential uses.~~

~~45 feet/two stories for all other structures such as, two family attached and townhome residential uses.~~

~~50 feet/three stories for clubhouses and recreational facilities. Also See Condition 14~~

~~45 feet/three stories for gatehouses. Also See Condition 14~~

~~Open Space: 40 percent minimum.~~

~~10 percent must be distributed to individual dwelling units having immediate private ground floor access.~~

~~Indigenous open space must be provided as depicted on the MCP.~~

Tracts 2 and 5***Single Family***

~~Minimum Lot Areas and Dimensions~~

~~Lot Size: 7,350 square feet~~

~~Lot Width: 70 feet~~

~~Lot Depth: 105 feet~~

~~Minimum Setbacks~~

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Lee County Homes Associates I LLLP
Proposed Conditions
July 31, 2020
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~~Street 20 feet—garage 15 feet—house~~
~~Side: 6 5 feet~~
~~Side Corner 17.5 feet or 25 percent of lot width for lots over 50 feet wide.~~
~~Rear 10 feet~~

~~Accessory Use: Per the LDC~~
~~Perimeter Setbacks: 25 feet~~
~~Maximum Lot Coverage: 50 percent~~

~~Tracts 1, 3 and 4~~

~~Zero-Lot-Line~~

~~Minimum Lot Areas and Dimensions~~
~~Lot Size: 5,250 square feet~~
~~Lot Width: 50 feet~~
~~Lot Depth: 105 feet~~

~~Minimum Setbacks~~
~~Street: 20 feet—garage 15 feet—house~~
~~Side Zero feet and 10 feet for Zero-lot-line~~
~~Rear: 10 feet~~
~~Side corner: 12.5 feet or 25 percent of lot width for lots greater than 50 feet wide.~~
~~Water body: 25 feet~~
~~Accessory Use: Per the LDC~~
~~Perimeter Setbacks: 25 feet~~
~~Maximum Lot Coverage: 55 percent~~

~~Recreational Tract~~

~~Minimum Lot Areas and Dimensions~~
~~Lot Size: +/- 5.6 Acres~~
~~Lot Width: N/A feet~~
~~Lot Depth: N/A feet~~

~~Minimum Setbacks~~
~~Street: Buckingham Road 25 feet 20 feet all other streets~~
~~Side: 15 feet~~
~~Rear: 20 feet~~
~~Water body: 25 feet~~

~~Accessory Use: Per the LDC.~~
~~Minimum Building Separation: 20 feet.~~
~~Maximum Lot Coverage: 40 percent.~~

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Land Uses	Min Lot Area (SF)	Min Lot Width (FT)	Min Lot Depth (FT)	Min Street Setback ² (FT)	Min Side Setback (FT)	Min Rear Lot Setback ³ (FT)	Min Accessory Structure Side Setback (FT)	Min Accessory Structure Rear Setback (FT)	Building Separation (FT)	Max Building Height (FT)	Max Lot Coverage (%)
R-1											
Single-Family	6,500	50	130	20	5	10	5	5	10	35	65
Single-Family ⁴	6,500	170	50	5	5	10	5	5	10	35	65
R-2											
Single-Family	4,500	45	100	20	5	10	5	5	10	35	55
Single-Family ⁴	4,500	140	50	5	5	10	5	5	10	35	35
Zero-lot Line ¹	4,500	45	100	20	0 or 5	10	5	5	10 ¹	35	55
Two-Family Attached	3,000	30	100	20	0 or 5	10	5	5	10	45	60
Townhouse	2,000	20	100	20	0 or 5	10	5	5	10	45	50
Non-Residential											
Clubhouse/Amenity Sites	10,000	100	100	20	10	10	10	10	10	50	60

Note1: A minimum 10 foot building separation for zero lot line structures must be maintained.

Note 2: For Corner Lots, the secondary street setback is reduced to 5 feet to function as a side yard.

Note 3: Where lots abut a waterbody, setback is measured from the rear lot line.

Note 4: Lot dimensions and setbacks apply only for a residential lot intersecting with a dead end ROW consistent with Deviation 6.

Applicant's Justification: The written site development section was replaced with a table to reflect the proposed Master Concept Plan.

3. The following recommendations are presented to mitigate future hurricane damage and loss of life, as well as to ensure compliance with Lee Plan objectives.

A. The developer must establish a homeowners' or residents' association. The organization must provide an educational program on an annual basis, in conjunction with the staff of Emergency Management, that will provide literature, brochures and speakers for Hurricane Awareness/Preparedness Seminars, describing the risks of natural hazards. The intent of this condition is to provide a mechanism to educate residents concerning the actions necessary to mitigate the dangers inherent in these hazards.

B. The developer must formulate an emergency hurricane notification and evacuation plan for the development that will be subject to review and approval by the Lee County Office of Emergency Management.

C. Hurricane preparedness and impact mitigation, if required, must comply with the provisions of LDC §2-481 *et seq.*

~~4. DELETED.~~

- ~~5. The developer must provide written disclosure to all potential and actual property owners of the existence of The School District of Lee County's transportation facility on the Buckingham campus and the potential for expansion of this facility.~~

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Applicant's Justification: The transportation site owned by the School District is an existing use, visible from Buckingham Road adjacent to the subject property; additional disclosures are not necessary.

~~4. 6.~~ Model units, homes, model display centers, and real estate sales and homes (and real estate sales) are permitted in compliance with the following conditions:

- ~~a. Each model must be a unique example. Multiple examples of the same unit are not permitted.~~
- ~~a. b.~~ All Model Sites, Model Display Centers or Model Groups must be designated on the development order plans. Parking areas for these uses will be buffered with a single-row hedge and tree canopy for parking areas per the LDC.
- ~~c. Prior to model home construction, the lots upon which model homes will be constructed must be shown on a preliminary plat (not the final). The preliminary plat must be filed concurrently with the local development order application. The model homes must comply with the setbacks set forth in the property development regulations for this project.~~
- ~~d. Dry models are prohibited.~~
- ~~b. e.~~ The number of model homes or model units will be limited to no more than 15 within the development at one time.
- ~~f. Model homes or units must be developed within the areas identified as "model homes, sales location center, parking for sales center, rec. tract" on the approved MCP.~~
- ~~g. Model display Centers or Model Display Groups must be shown on the development order plans. Parking areas for these uses will be buffered with a single-row hedge and tree canopy for parking areas per the LDC.~~
- ~~c. h.~~ Real estate sales are limited to the sale of lots or units within the development only. Real estate sales are limited to temporary real estate trailers, model units, model display centers, recreational area and clubhouse.
- ~~i. Real estate sales are limited to temporary real estate trailers, model units, model display centers, recreational area and clubhouse.~~
- ~~d. j.~~ Hours of operation for both models and real estate sales are limited to Monday through Sunday 8 a.m. to 8 p.m.
- ~~e. k.~~ Model homes and real estate sales uses will be permissible for a period of up to 5 years from the date of issuance of a certificate of occupancy of a model home. in accordance with LDC 34-1954(d)(1).

Applicant's Justification: The proposed revisions to this condition seek to address the type of models included in the schedule of uses, eliminate duplications from LDC Section 34-1951 et.al., provide clarity, and reflect the current process for permitting models.

~~7. DELETED.~~

~~5. 8.~~

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A. BUFFER ON SOUTHERN AND WESTERN PROPERTY LINES

A buffer 20 feet in width must be planted along the southern and western property line (excluding lands abutting Buckingham Road) with the development order establishing lots adjacent to these property boundaries prior to the approval of building permits for dwelling units in Tracts 4 and 5.

The developer must also install a berm with a wall or fence at a minimum height of 6 8-feet foot-high wall or fence along the southern property line - in compliance with the provisions of LDC Chapter 10, except where it would encroach into the upland preserved wetlands as identified on the MCP. The vegetation in the buffer must contain, at a minimum, six ten native oak trees per 100 linear feet along the with clusters of 10 slash pines between native trees. All trees must be a minimum of 10 feet tall at time of planting. All shrubs must be a minimum of four feet 36 inches tall at the time of planting and must create an unbroken hedge. Existing indigenous native vegetation may be counted toward the vegetation requirements of this condition, and no buffer is required in the area on the approved MCP shown as upland preserve areas.

Applicant's Justification: The Western Property Boundary is adjacent to the Portico Residential Subdivision. There is a discrepancy between the text of the condition and the attached Exhibit B depicting the landscape buffer layout and cross sections. The applicant agrees to maintain the enhanced buffer adjacent to the Buckingham Rural Preserve to address the transition that needs to occur between the Outlying Suburban and Rural Preserve Densities. However, Portico and Lee County Homes are within the same Future Land Use Category, have similar development layouts, and an enhanced buffer is not necessary. The applicant would propose to delete the enhanced buffer from the western property boundary to be consistent with approved Exhibit B in the original Resolution.

The additional revisions to the condition seek to improve clarity and reflect the cross sections associated with Exhibit B of the previously approved MCP.

B. BUFFER ON LANDS ABUTTING BUCKINGHAM ROAD

The Development Order must provide an enhanced 25-foot Type "D" buffer along Buckingham Road including 10 trees per 100 linear feet (which must include live oaks, no palms) and a berm with a wall or fence at a minimum of 3 8 feet in height.

Applicant's Justification: The applicant intends to provide a wall or fence adjacent to Buckingham Road and has added this to the written condition and cross sections on the MCP. The reference to the height has been adjusted to reflect the minimum height of the combined berm and wall or fence.

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C. **BUFFER ADJACENT TO PORTICO AND INTERNAL ROW**

The Development Order must provide an enhanced 20-foot Type C Buffer where the Primary Road is less than 125 feet of an adjacent single-family subdivision. A berm with a wall or fence at a minimum height of 8 feet must be installed. The vegetation in the buffer must contain, at a minimum of 10 South Florida Slash Pine per 100 ft of buffer and mid-level shrubs under the Slash Pine clusters on the outside of the wall of fence. Additionally, 5 Shade Trees per 100 ft as well as, clustered Slash Pine and a continues hedge maintained at 36 inches must be provided internal to the wall.

Applicant's Justification: This condition accompanies Deviation #1 and reflects the cross section included in Exhibit B attached to Z-05-074. It was previously not included in the text of the Resolution but probably should have been.

6. 9. AGRICULTURAL USES: Existing bona fide agricultural uses on this site in the form of cattle pasture and the raising of hay are allowed only in strict compliance with the following:

- (a) Bona fide agricultural uses of cattle grazing and the raising of hay in existence at the time the application for rezoning was filed, and as shown on Exhibit D__ attached hereto, may continue until approval of a local development order for the area of the project containing those uses.
- (b) Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be maintained, i.e., mowed, but not cleared or expanded. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.
- (c) Prior to issuance of a local development order, the property owner must provide written proof, subject to approval by the County Attorney's Office, of the following:
 - (1) Termination of all agricultural use on any portion of the property included in the development order application/approval. Proof must include a sworn affidavit from the person or entity holding title to the subject property that specifically provides:
 - a) the date the agricultural uses ceased;
 - b) the legal description of the property subject to the development order approval;
 - c) an affirmative statement that the owner acknowledges and agrees that all agricultural uses are illegal and prohibited on the property and that the owner covenants with the county that they will not allow any such uses on the property unless and until the property is rezoned to permit such uses; and,
 - d) that the affidavit constitutes a covenant between the owner and the county that is binding on the owner and their assignees and successors in interest. The covenant must be properly recorded in the public records of the county at the owner's expense.
 - (2) Termination of the agricultural tax exemption for any portion of the property included in the development order application/approval. Proof as to termination

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must include of a copy of the request to terminate the tax exemption provided to the Property Appraiser.

~~10. DELETED.~~

~~11. DELETED.~~

~~12. DELETED.~~

~~13. DELETED.~~

~~14. Buildings exceeding 35 feet in height must maintain additional building separation as regulated by LDC§§ 34-2174(a) and 34-935(e)(4).~~

Applicant's Justification: This is duplicate of the Land Development Code and is not necessary.

7. Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

8. Approval of this rezoning 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), be reviewed for, and found consistent with all other Lee Plan provisions.

~~17. No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.~~

Applicant's Justification: Since the time of the approval, the LDC has been amended to eliminate the residential blasting provisions.

~~18. Accessory uses must be located on the same tract, parcel or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, parcel or outparcel.~~

Applicant's Justification: Duplication of LDC §34-1173 & §34-1174.

9. ~~19.~~ The developer has offered to voluntarily reserve a 20-foot wide strip along Buckingham Road for county right of way purposes. Dedication of this 20-foot strip may be accomplished by recording an instrument (i.e. deed or plat) that grants or dedicates to the County an exclusive easement for right-of-way purposes. The developer will be eligible for 100% road impact fee credits for land dedicated for Buckingham Road.

If the easement is dedicated via a plat, the dedication must be clear and unambiguous. Use of the label "Future Right-of-Way" will not be acceptable. The dedicated area may not be used for required development buffering or any other non-county right-of-way

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improvements. This dedication must be complete prior to the issuance of the first building permit allowing vertical construction within the project.

~~20. SETBACKS Applicable to Tracts 2 and 5.~~

- ~~A. No structures, including but not limited to, sidewalks, mechanical equipment, door stoops, walls, etc. may be constructed or placed within the required 6 foot side setbacks; or~~
- ~~B. Prior to issuance of Certificate of Occupancy on each lot, the Engineer of Record must certify that the drainage for each lot is built in compliance with the typical lot grading detail provided as part of the building permit process.~~

Applicant's Justification. This condition is a duplication of LDC §34-2191 and 34-3104.

10. ~~21.~~ All required buffers must utilize 100% native vegetation.

11. ~~22.~~ ACCESS TO BUCKINGHAM ROAD

- A. The approved MCP and local development order must depict a minimum 70-foot wide divided entrance on Buckingham Road that includes a 14-foot wide median with two 11-foot wide lanes on both sides of the median for ingress and egress.
- B. The local development orders must include an emergency access point on Buckingham Road as shown on the approved MCP.
- C. Prior to issuance of a development order, the developer must provide written documentation from the Fort Myers Shores Fire District indicating that these access points are acceptable and provide adequate access for emergency vehicles.

12. ~~23.~~ COMMERCIAL USES AND CONSUMPTION ON PREMISES.

~~Commercial uses are limited to a maximum of +/- 7,500 square feet of floor area for the entire development.~~

- ~~A. Commercial uses are limited to amenity "Recreation" sites only as shown on the approved MCP.~~
- ~~B. Commercial uses are limited to members and guests of a private club. Use by the general public is prohibited.~~
- ~~C. Consumption on Premises (indoor only) is limited to sales within a residential clubhouse setting only. No restaurants, bars, package stores, or similar uses are permitted.~~
- ~~a. D. Hours of operation for consumption on premises (indoor only) is limited to 7:00 a.m. to midnight, daily. Other commercial uses may operate at hours consistent with the LDC.~~
- ~~E. Outdoor seating for Consumption on Premises may only be approved by Special Exception (public hearing required).~~
- ~~F. Outdoor sale of alcohol is prohibited, and may not be permitted on a temporary or permanent basis.~~

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Applicant's Justification: The Master Concept Plan and Schedule of Uses have been amended to only request Commercial Use and Consumption on Premise as a use within the Residential Amenity Tract. The general location of the amenity building, and outdoor seating have been demonstrated on the Master Concept Plan and are internal to the subdivision with native habitat buffering the amenity area from the adjacent property to the south. Given these changes to the request, the applicant does not feel this condition needs to remain.

13. 24. PUBLIC SCHOOL USE.

- A. If the school site is conveyed through purchase to the Lee County School District, the zoning approval may be amended administratively to remove the 13-acre parcel from the MCP. The deletion of the school site from the MCP will not affect applicant's right to develop 690 1,025 single-family dwelling units on the remaining portion of the land covered by the approved MCP.
- B. If not conveyed, the "Future School Site" may be developed with single-family and accessory uses consistent with the Land Development Regulations for Tracts 2 and 5, R-1 and R-2, and the enhanced buffer along Buckingham Road, without an amendment to the Master Concept Plan.
- C. If the "Future School Site" is utilized for residential development, no more than 690 1,025 dwelling units may be permitted for the entire development.
- ~~D. Deleted at public hearing.~~
- ~~E. Deleted at public hearing.~~

~~25. Prior to local development order approval, the developer must submit a brochure to the Division of Environmental Sciences and the Division of Zoning for review and approval that will be given to all residents advising them of the historically rural environment in Fort Myers Shores, Buckingham, Caloosahatchee Shores and the environmentally sensitive nature of a portion of the property. This brochure must include references to the wetland preserves on site, civic organizations in East Lee County, and history of the Buckingham, Fort Myers Shores, and Caloosahatchee Shores communities.~~

Applicant's Justification: The property has been cleared and is currently being used for an active agricultural use and therefore is not environmentally sensitive. The property is also surrounded by other residential subdivisions with a similar entry features and land patterns, advising residents of the surrounding rural environment does not appear to consistent with the existing conditions surrounding the property. The applicant notes that there are Lee County Parks and Preserves in the surrounding area with education signage and features related to the history of the County and the unique feature existing off-site.

14. At the time of Development Order submittal a water quality monitoring plan must be provided for review and approval by the Lee County Division of Natural Resources. At a minimum, the Water Quality Monitoring Plan must establish:

- 1. The overall Goals and Objectives of the Water Quality Monitoring Plan.

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Lee County Homes Associates I LLLP

Proposed Conditions

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2. An outfall monitoring schedule during "wet" season of June through October, for Field Temperature, Total Kjeldahl Nitrogen, Total Nitrogen, Chlorophyll A, Nitrite, Nitrate, Phosphorus, Turbidity and Stage.
3. Water quality monitoring data must be provided to the Division of Natural Resources annually for 5 years and shall include a report with a comparison of State water quality standards, plots of parameters, and recommendations. Results shall also be reported as an Electronic Data Deliverable (EDD), in a format approved by the Division of Natural Resources.
4. A contingency plan in the event an exceedance of State Water Quality Standards is discovered. This plan must include notification to impacted residents and applicable authorities.

Applicant's Justification: The condition is included to address concerns raised by Department of Natural Resources during the review process. The applicant has provided a Surface Water Management Plan as part of the Planned Development submittal and will provide a water quality monitoring report at the time of Development Order.

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www.morris-depew.com**Lee County Homes Associates I, LLP**
Residential Planned Development
Schedule of Uses**RESIDENTIAL R-1**

Accessory Uses and Structures

Dwelling Units:

Single-Family, minimum lot size 6,5000 square feet

Entrance Gates and Gatehouse

Essential Services

Essential Service Facilities, Group I

Excavation, Water Retention

Fences and Walls

Home Occupation

Model Home and Model Unit

Model Display Center

Model Display Group

Parking Lot, Accessory

Real Estate Sales Office

Signs

Temporary Uses, Temporary Sales, Temporary Construction

RESIDENTIAL R-2

Accessory Uses and Structures

Dwelling Units:

Single-Family

Zero-Lot-Line

Two-Family Attached

Townhomes

Entrance Gates and Gatehouse

Essential Services

Essential Service Facilities, Group I

Excavation, Water Retention

Fences and Walls

Home Occupation

Model Home and Model Unit

Model Display Center

Parking Lot, Accessory

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Real Estate Sales Office

Signs

Temporary Uses, Temporary Sales, Temporary Construction

AMENITY AREA

Accessory Uses and Structures

Administrative Offices

Bank and Financial Establishments - Group I (including ATMs)

Communication Facility, Wireless, rooftop mounted only

Consumption on Premises

Club, private

Essential Services

Essential Service Facilities, Group I

Excavation, Water Retention

Fences and Walls.

Food & Beverage Service, Limited

Model Display Center

Parking Lot, Accessory

Personal Services, Group I & II

Recreational Facilities – Private

Real estate sales office

Restaurant, Groups I, II, & III

Signs

Specialty Retail Shops, Groups I & II

Temporary Uses, Temporary Sales, Temporary Construction

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Lee County Homes Associates I, LLLP**Residential Planned Development****Schedule of Deviations & Justifications**

1. An existing approved deviation from LDC §10-416(d)(6) which requires where a road is located less than 125 feet from an adjacent single-family residential subdivision, the developer must provide a combination berm, and solid wall not less than eight feet in height not less than 25 feet from the abutting property and install landscaping between the wall and abutting property with a Type "C" buffer (a minimum of five (5) trees and 18 shrubs per 100 linear feet) so as to allow landscaping and a three-foot high berm/five-foot high wall combination to be located closer to the abutting property.

Justification: The applicant desires to maintain this deviation as approved by Zoning Resolution Z-05-74. A portion of the Portico Subdivision boundary is within 125 feet of the internal spine road for the residential planned development. The applicant agrees to maintain the enhanced Type C buffer previously included in Z-05-074 (see the location denoted by the blue triangles in Figure 1 below).

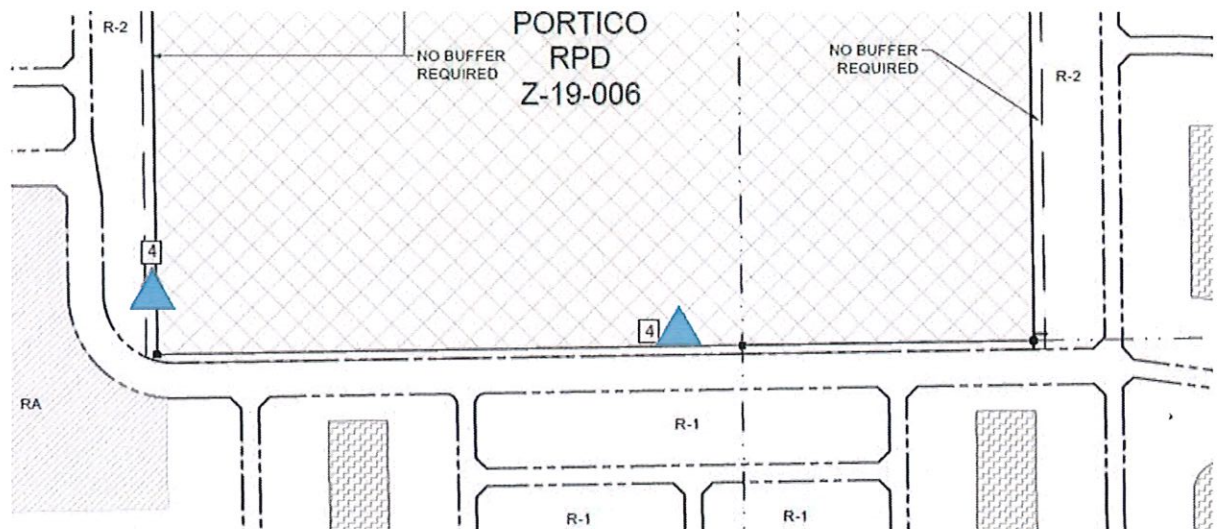


Figure 1. Location of Reduced Buffer

2. Deviation from LDC § 10-415(b)(1)(a) which requires developments, with existing indigenous native vegetation communities to provide 50 percent of their open space percentage requirement through the onsite preservation of existing native vegetation.

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communities to allow 17.3 acres existing native vegetation communities to be maintained onsite.

Justification: The site has been previously cleared and is currently utilized for cattle grazing, which maintains the property in a cleared condition. To comply with this provision of the Land Development Code, 50 acres of the property would need to be existing indigenous habitat. While there is an area of indigenous vegetation along the southwest property corner, which is being maintained by the proposed Master Concept Plan, it is only 17.3 acres. A small wetland (.67 acre) exists along the southern property boundary; however, this area is proposed to be impacted due to size and lack of connectivity to other wetlands. A review of the FLUCCS Map provided by Passarella and Associates demonstrates that the required 50 acres of indigenous habitat does not exist on the subject property. The proposed design of the residential community preserves the larger areas of wetland habitat and adjacent uplands providing larger contiguous indigenous habitat meeting the intent of this provision of the land development code. The master concept plan utilizes the location of the contiguous indigenous; enhancing the planned development by locating the amenity adjacent to this area so all residents can observe the natural resources existing on-site.

3. Deviation from LDC§ 10-296 (e)(2)(h)(5) Table 15 Suburban Local Streets which requires residential land uses to have 10 ft travel lane width, 5 ft planting strip and 5 ft pedestrian facility width on both sides of the roadway to allow a roadway cross section with a 10 to 12 ft travel lane, no planting strip and a 5ft pedestrian facility on only one side of the Primary road and Village road.

Justification: The requested residential planned development will be a private subdivision that is committed to providing pedestrian connectivity; however, the volume of activity on the internal roads will be limited to residents and will not provide interconnectivity to other residential areas. The internal roadways are also expected to have a lower speed than local roads interconnected to multiple neighborhoods. As a result, the Master Concept Plan includes 2 separate cross sections for the internal roadways. In each configuration a sidewalk is proposed to be constructed on only one side of the roadway; thereby providing additional open space on the opposite side of the roadway enhancing the visual aesthetic of the internal roadways and continuing to provide for safe travel for non-motorized vehicular traffic. The limitation of the sidewalk to one side of the road will not limit mobility and will continue to protect the safety of residents and guests.

4. Deviation from LDC§ 10-296 (e)(2)(h)(5) Table 15 Suburban Local Streets which requires residential land uses to have 10 ft travel lane width, 5 ft planting strip and 5 ft pedestrian facility width on both sides of the roadway to allow a roadway cross section with a 10 to 12 foot travel lane, a 5 ft planting strip and a 5ft pedestrian facility on only one side of the primary road at the community entry.

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Justification: At the entry to the community, a boulevard street design is proposed consistent with condition 22 of Z-05-074 and is proposed to be maintained as part of this zoning request. This deviation is requested to permit the planting strip to be provided either on the sides of the road or within the central median and to permit pedestrian facilities on only one side of the roadway. The sidewalk will be placed on the side of the street that will have the greatest benefit to residents and facilitate pedestrian travel within the subdivision, most likely the south side of the road to facilitate pedestrian and vehicular travel in the same direction. Due to the proposed entry gate and boulevard design travel speed on this portion of the roadway is expected to be low and no thru traffic is possible from other adjacent properties.

5. Deviation from LDC§ 10-291 (3) which requires residential development of more than five acres must provide more than one means of ingress or egress for the development. Access points designated for emergency use only may not be used to meet this requirement. To memorialize a single point of access previously approved via Zoning Resolution Z-05-074 and an additional emergency access point to Buckingham Road.

Justification: Resolution Z-05-074 permits a single entry with an emergency access point only.

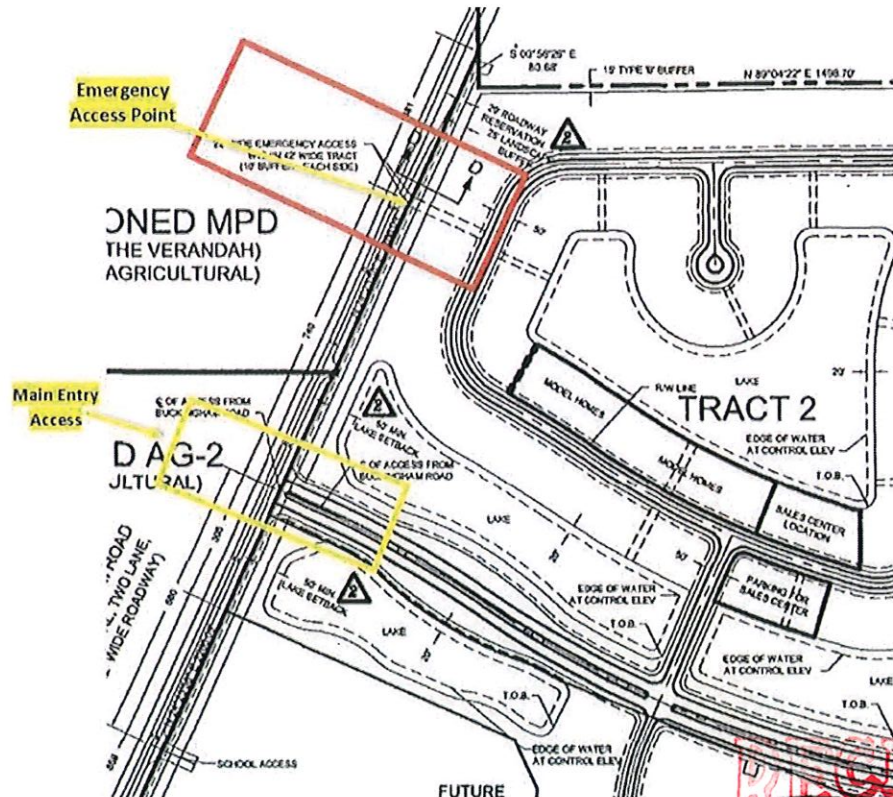


Figure 2. Location of Access Point of Approved MCP(Z-05-074)

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This deviation is requested to memorialize the single point of entry as outlined in Condition 22 of Zoning Resolution Z-05-74:

22. ACCESS TO BUCKINGHAM ROAD

- A. The approved MCP and local development order must depict a minimum 70-foot wide divided entrance on Buckingham Road that includes a 14-foot wide median with two 11-foot wide lanes on both sides of the median for ingress and egress.
- B. The local development orders must include an emergency access point on Buckingham Road as shown on the approved MCP.
- C. Prior to issuance of a development order, the developer must provide written documentation from the Fort Myers Shores Fire District indicating that these access points are acceptable and provide adequate access for emergency vehicles.

Figure 3. Condition 22 Excerpt from Zoning Resolution Z-05-074

As demonstrated by Deviation 4, the applicant intends to continue to abide by the provisions of this condition with a boulevard entry that is a minimum of 70 feet wide. The proposed master concept plan demonstrates that an emergency access point continues to be provided further north along Buckingham Road consistent with the existing master concept plan. The applicant agrees to continue to seek a letter from the Fire District at the time of Development Order that the access points as designed are adequate for emergency vehicles.

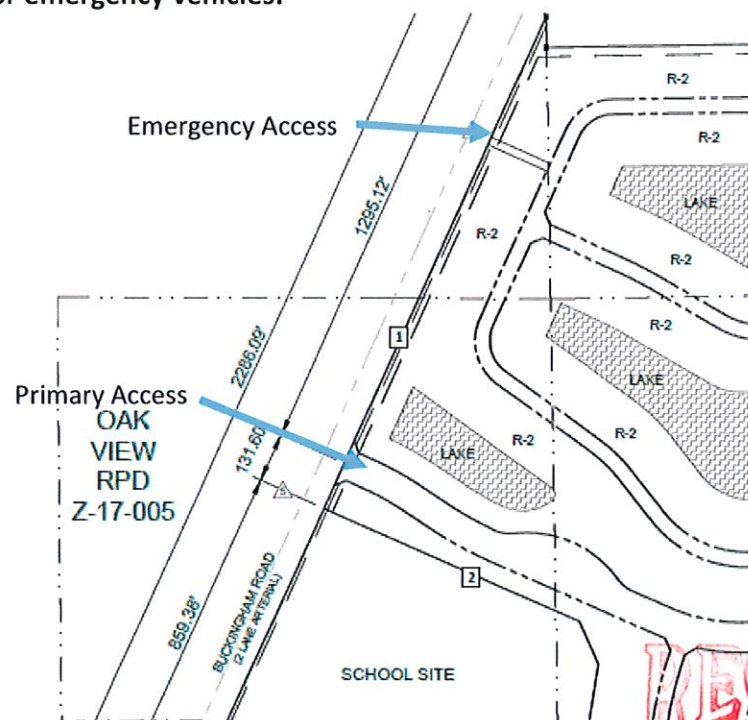


Figure 4. Location of Emergency Access Point New MCP

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6. Deviation LDC §10-296(k)(1) which requires that all dead end streets be closed at one end by a circular turnaround to allow the road to terminate at a residential driveway.

Justification: The proposed MCP has been designed to have an internal road system with a single point of access. The design has incorporated dead-end streets in lieu of cul-de-sacs to promote a more efficient use of the available land area. Several of the internal roadways terminate at residential driveways; which occur approximately 2 lots after a traditional intersection as demonstrated by Figure 6. A graphic example of the dead end ROW terminating at a residential driveway is provided in Figure 5 below. The dead-end roads do not support significant traffic and only allow access to a maximum of 2 lots at minimum sizing and therefore are not a detriment to public safety.

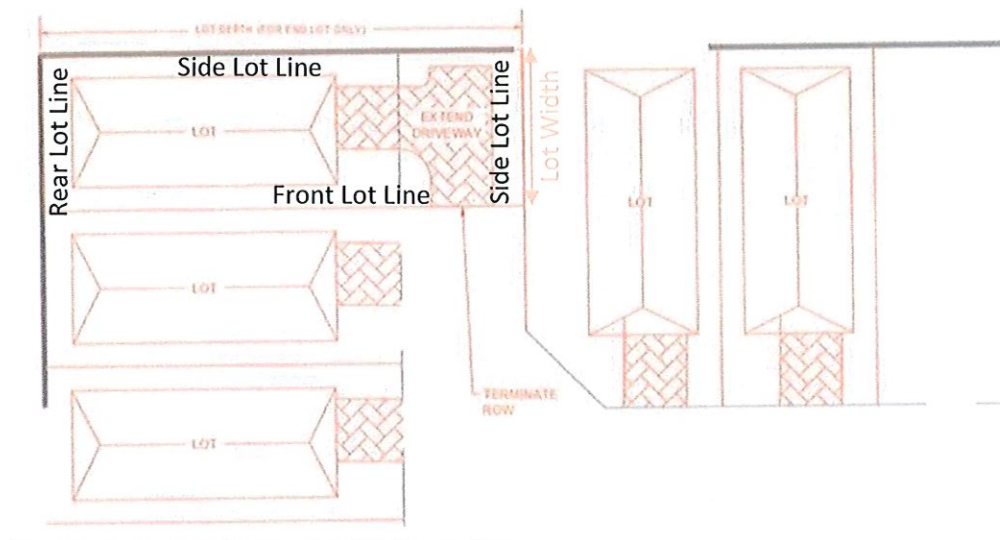


Figure 5. Graphic Example of Lot Layout and Dead End Street.

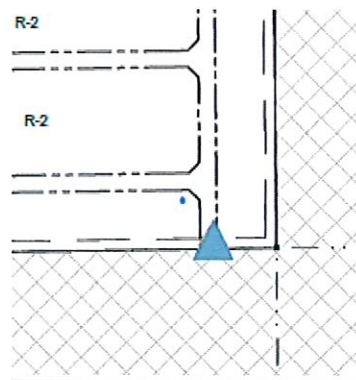


Figure 6. Proposed Dead-end Street Design

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Traffic will have the ability to pull into the driveway for forward access. Upon exit, a three-point turn can be executed within the driveway to also exit in a forward motion. Due to the close proximity to an intersection, emergency vehicles will still be able to access the lots and exit quickly. An emergency vehicle or sanitary truck needing to access the end lot would be

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able to pull forward to the end unit and back up straight past the intersection or conduct a turn in reverse to leave the subdivision ensuring not only adequate entry to the lot but also exit to the internal street network. The adjacent properties are already developed with either residential subdivisions or large lot single family residential inhibiting interconnectivity between neighborhoods. The requested design will continue to promote access by emergency services and will not negatively impact public health safety and welfare.

7. Deviation from LDC §10-418(1) which requires "Shorelines must be sinuous in configuration to provide increased length and diversity of the littoral zone," to allow some of the stormwater management ponds to be more rectangular in shape rather than sinuous which *"is defined as serpentine, bending in and out, wavy or winding."*

Justification: The internal design of the proposed residential planned development generally follows the city block design with interconnecting streets and minimal cul-de-sac neighborhoods. By utilizing smaller linear connections between blocks the residential neighborhood will naturally provide a slower vehicular speed and interconnectivity for residents. When coupled with the unique geometry of the subject property and the shorter intersecting streets, the stormwater management lakes in the rear of the residential lots have a more linear shape.

Despite the proposed design having a more linear layout, the proposed project does provide the required features per Section 10-418(2) of the LDC, which "are considered sufficient to mimic the function of natural systems, improve water quality and provide habitat for a variety of aquatic species, including wading birds and other water fowl." Over three acres of littoral shelves will be provided as part of the construction of subdivision. These littoral areas currently do not exist on-site and upon completion may be utilized by limpkin and other wading birds for foraging. Goal 123 of the Lee Plan is to "Manage coastal, wetland and upland ecosystems and natural resources in order to maintain and enhance native habitats, floral and faunal species diversity, water quality, and natural surface water characteristics." The overall proposed site design protects and enhances 99 percent of the existing on-site indigenous upland and wetland ecosystems (i.e. native habitats) through preservation and exotic vegetation removal. Specifically, the project will preserve and enhance the Cypress, Disturbed (FLUCFCS Code 6219) habitat which may be utilized by limpkin and other wading birds in addition to the required planted littoral shelves. The only policy under Goal 123 relating to littoral shelf design is Policy 123.10.3, which does not indicate that shorelines are required to be sinuous to be found consistent, it states that "the county will encourage the creation of wood stork feeding areas in the mandatory littoral shelf design, construction and plantings." The required slopes, littoral shelves, littoral plantings and design requirements will continue to be met consistent with Goal 123 and the supporting objectives and policies to protect the public health, safety and welfare of future residents of the community and provide habitat for wildlife.

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Lee Plan Consistency

The property subject to this application request is the existing Buckingham 345 Residential Planned Development, an approximately ±344 acre community located on Buckingham Road in eastern Lee County in the Fort Myers Shores Planning Community. The property is currently designated Sub-Outlying Suburban, is zoned Residential Planned Development.

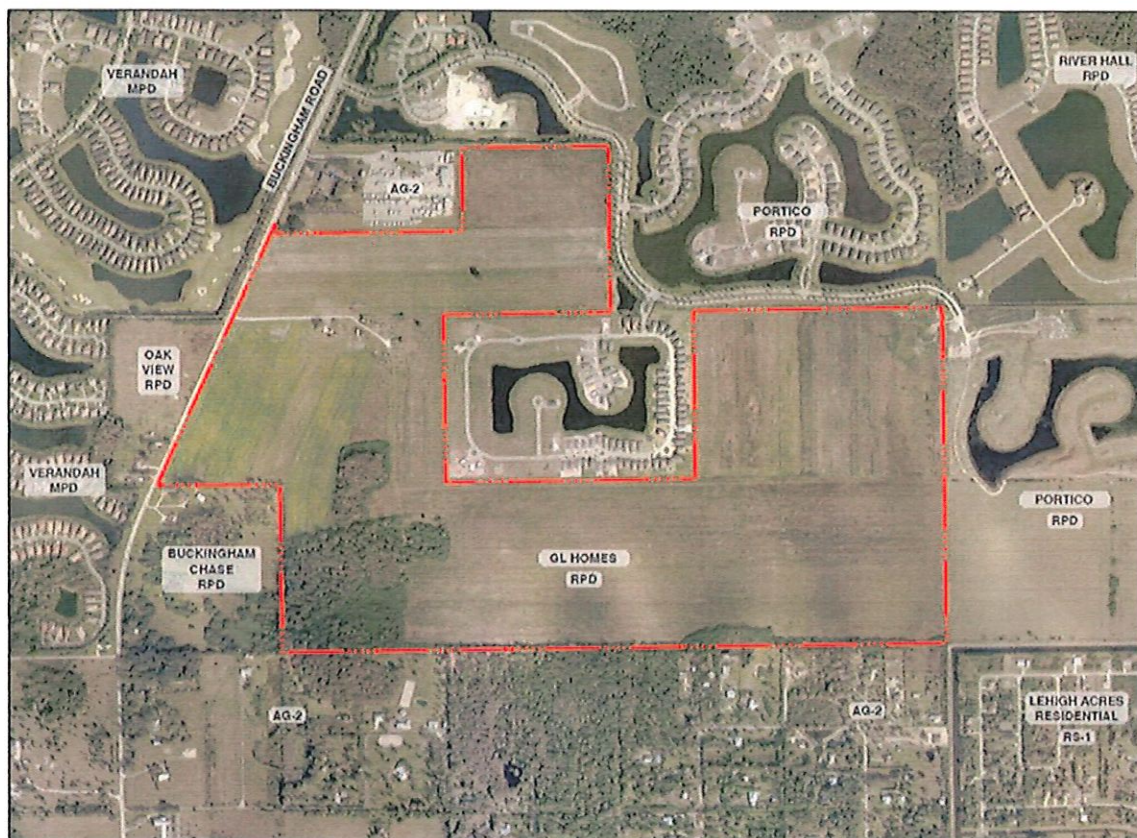


Figure 1. Location of Subject Property

The subject property was originally approved as a residential planned development in December 2000 by Resolution Z-00-029. At that time, Resolution Z-00-029 authorized 640 single family units on approximately 325 acres. In 2005, the existing 325 acres was rezoned, and an additional 20 acres were included in the overall project, increasing the density, and amending the property development regulations to permit a maximum density of 690 dwelling units per Resolution Z-05-074.

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Lee County Homes Associates I, LLLP
Lee Plan Consistency
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Lee County Homes Associates I, LLLP is seeking a rezoning to Residential Planned Development Application to permit the addition of approximately 335 dwelling units to the existing development for a maximum total of 1,025 dwelling units. A concurrent Comprehensive Plan Map Amendment (CPA2019-00002) to reallocate 344 acres from the Sub-Outlying Suburban FLU category to the Outlying Suburban; increasing the overall density by 1 dwelling unit per acre. The proposed FLUM Map amendment will establish a density that transitions from the slightly higher densities west in the Verandah Planned Development to the approved Portico subdivision in the Outlying Suburban FLU at the same density of 3 dwelling units per acre, River Hall to the east at a range of 1 to 2 dwelling units per acre and the Lehigh Acres Community in the Urban Community FLU at 6 dwelling units per acre.

Future Land Use

The ±344 acre subject property is currently within the Sub-Outlying Suburban Future Land Use Category and within the Fort Myers Shores/Caloosahatchee Shores Planning Community. The Lee County Comprehensive Plan (Lee Plan) outlines the permitted densities and intensities for each Future Land Use Category as well as additional planning requirements for development within the Planning Communities.

The companion Comprehensive Plan Amendment would reallocate approximately 344.7 acres of the existing Sub-Outlying Suburban FLU to Outlying Suburban. Given the existing land uses in the immediate proximity, including built and under construction subdivisions of Verandah, River Hall, Portico, and the platted community of Lehigh Acres as well as the proximity to Buckingham Road, the additional density permitted by the requested amendment will be consistent with the surrounding communities and provide an infill location for the additional units to promote more efficient use of the land and existing infrastructure.

Wetlands

A new jurisdictional determination was recently initiated with the South Florida Water Management District to confirm the extent of the wetlands. The results of the jurisdictional determination are provided to support the Planned Development. There are approximately 11.09 acres of wetlands in the southwest portion of the property. Of the 11.09 acres of wetlands, 7.9 acres will be preserved and are considered indigenous vegetation by the LDC. The remaining 3.11 acres are not indigenous and are proposed to be impacted. Table 1A Note 8 of the Lee Plan allows dwelling units to be relocated to developable contiguous uplands designated Outlying Suburban, when wetlands are preserved. When wetlands are impacted density is calculated at 1 unit per 20 acres. The density associated with the approximately 7.9 acres of wetlands being preserved is 23.7 dwelling units and proposed for transfer to the contiguous uplands. The MCP identifies the location of the preserved and impacted wetlands on site and supports a maximum density of 1,025 dwelling units are proposed on the 344.7 acre subject property.

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Outlying Suburban

The Outlying Suburban Future Land Use is described by Policy 1.1.6:

"...characterized by its peripheral location in relation to established urban areas. In general, this category is rural in nature or contains existing low-density development. Some of the requisite infrastructure needed for higher density development is planned or in place. Industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1du/acre) to three dwelling units per acre (3 du/acre). Bonus densities are not allowed."

The subject property is surrounded by a mix of uses in an area of Lee County that has significant residential and commercial development as well as vacant land and some preservation. This area exhibits many of the qualities described by Policy 1.1.6. A full slate of urban services is available to serve the existing units within the community as well as the requested additional dwelling units. The existing surrounding area as well as the subject property exhibits many of the qualities described by Policy 1.1.6.

Transportation

Buckingham Road is the only north/south arterial roadway intersecting with SR 80 east of Interstate 75. The existing approved entry to the subject property which will be maintained is just over a mile south of the intersection of SR 80/Palm Beach Boulevard and Buckingham Road. This intersection supports commercial uses and public facilities at the periphery of urban development. As a roadway within the Strategic Intermodal System, SR 80 is considered a priority roadway for mobility of goods, services, and residents. Therefore, development along this roadway is expected to occur in support of a statewide economic vision as well as local municipal long-range planning efforts. Additionally, interconnecting roadways are expected to support the further distribution of goods, services, and residents. The existing zoning approval includes the required donation of right-of-way along Buckingham Road to support future improvements. The applicant agrees this condition should continue to be carried forward as part of this approval.

Development

A number of the existing surrounding residential communities are within areas defined by the Lee Plan as "Future Urban Areas and Future Suburban Areas." Immediately to the south of the subject property, is the platted community of Lehigh Acres; within the Urban Community Future Land Use and having a density of approximately 4 dwelling units per acre, Lehigh Acres has been defined as a "Future Urban Area" by the Lee Plan. To the west across Buckingham Road is the existing Verandah community within the Suburban FLU which is defined as a "Future Suburban Area" by the Lee Plan. To the north is the Portico community within the Outlying Suburban FLU which is also defined as a "Future Suburban Area" by the Lee Plan.

Public Infrastructure for all Urban Services is available to service the existing communities, as well as the subject property. The proposed development of the subject property is consistent with

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the Outlying Suburban Future Land Use Category and will continue to provide lower density infill development between existing urban areas with adequate public infrastructure in Lee County.

Growth Management

Goal 2 of the Lee Plan establishes land use policy to support projects that propose an economically feasible plan for development. Specifically, the objectives and policies supporting this goal encourage contiguous and compact growth patterns in locations where adequate public facilities exist.

The subject property has access to all urban services. The proposed Residential Planned Development maintains a clustered development pattern, similar to the existing approved Master Concept Plan, to promote the preservation of existing natural resources and provide appropriate open space and recreational activities. The proposed Planned Development continues to promote a compact growth pattern and enables additional units to be located with an existing subdivision that is contiguous to other existing or planned residential subdivisions as desired by Objective 2.1.

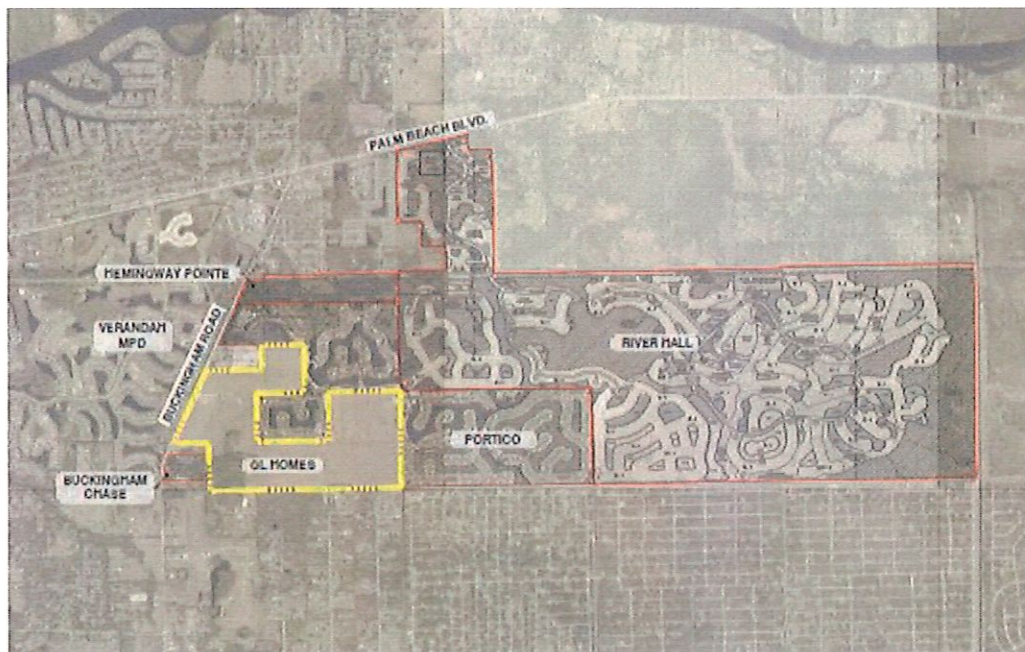


Figure 2. Existing and Planned Residential Developments

A separate Public Facilities analysis has been prepared for the companion Comprehensive Plan Amendment demonstrating urban services are available to service the existing planned development and have adequate capacity to serve the additional dwelling units within the time horizon of the Lee Plan. The available urban services and capacity to serve the additional units

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demonstrates consistency with Objective 2.2 and Policy 2.2.1, which seek to ensure the requested development will be located in area with adequate public infrastructure.

General Development Standards

Goal 4 of the Lee Plan establishes that land development regulations will be developed that balance service availability and protection of natural resources. Water, sewer and environmental standards are specifically outlined in the standards supporting Objective 4.1.

Water

The subject property is within the service area for Lee County Utilities as demonstrated on Lee Plan Map 6. Consistent with this standard and Policies 53.1.2 and 95.1.3, there is adequate capacity at the Olga Water Treatment Facility to service the existing residential units as well as the proposed 344 dwelling units. A Letter of Availability from Lee County Utilities is included in the supporting materials to the application.

Sewer

The subject property is within an area of the County in which an interlocal agreement has been implemented with the City of Fort Myers for wastewater treatment. According to the Lee County 2019 Concurrency Report there is adequate capacity to service the existing dwelling units as well as the proposed dwelling units consistent with this standard and Policies 56.1.2 and 95.1.3.

Environmental Factors

Due to the existing mostly cleared nature of the subject property and existing agricultural use on-site, only a small portion of wetlands and indigenous habitat exist on-site. The Planned Development proposes to maintain these areas and has provided the required protected species survey and FLUCCS Mapping. Additionally the applicant is undergoing a Jurisdictional Determination with the South Florida Water Management District and will provide a copy upon receipt.

Residential Land Uses

Goal 5 provides for sufficient land to be provided in appropriate locations on the Future Land Use Map to accommodate the projected population of Lee County. The subject property is located within a "Future Suburban Area" which are areas of the county that are expected to grow within the 2030 time horizon of the Lee Plan. Objective 5.1 and its supporting Policies establish the required consistency with the various elements of the Lee Plan and evaluation criteria for residential developments most appropriately implemented at the time of zoning.

The existing approved Residential Planned Development of the subject property is consistent with these criteria and the proposed Residential Planned Development will continue to demonstrate consistency with these criteria. The submittal of the PD application will ensure the proposed development is consistent with policy 5.1.1. The subject property is not in a location of flood, storm or hurricane hazards, airport noise or unstable geologic conditions therefore the

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requested additional dwelling units will not be endangered consistent with policy 5.1.2. The requested density is appropriately considered low-density; however, it is within a mile of existing commercial development, schools and existing mass transit consistent with policy 5.1.3. Utilizing a clustered pattern of development, similar to existing surrounding residential communities, will ensure that appropriate open space, buffering, landscaping and amenities are provided consistent with 5.1.6 and 5.1.7.

The proposed residential planned development is an infill project surrounded by approved housing developments and is in close proximity to urban services. Until Coastal High Hazard Area policies are reevaluated to address the increase in population, it is important to note that the proposed project does not request that density increase occur within the CHHA, thus an increase to the approved number of units at this location is an appropriate request and complies with Policy 14.3.3.

Finally, as previously discussed, the subject property is located in an area that is surrounded by existing residential development. The existing and approved dwelling units are proposed to be clustered within development tracts preserving the existing indigenous habitat on-site and providing appropriate open space and recreational opportunities. Therefore, the requested additional units will not be destructive to the character and integrity of the residential environment consistent with policy 5.1.5.

Caloosahatchee Shores Community Plan

The subject property is identified on Lee Plan Map 16 as being within the Fort Myers Shores Planning Community. Goal 21 and Lee Plan Map 1 page 2 of 8 further specifies this area of the County as the Caloosahatchee Shores Community Planning Area. The Lee Plan describes Caloosahatchee Shores as having a more rural character than the other areas within Fort Myers Shores but that it is anticipated to "grow substantially over the life of this plan. This area also has a mixture of future land use designations." Consistent with Lee Plan Map 1 page 2 of 8, the following analysis demonstrates consistency of the requested residential planned development with the Caloosahatchee Shores Community Plan.

The stated goal of the Caloosahatchee Shores Community Plan is "to protect the existing character, natural resources and quality of life in Caloosahatchee Shores, while promoting new development, redevelopment and maintaining a more rural identity for the neighborhoods east of I-75 by establishing minimum aesthetic requirements, planning the location and intensity of future commercial and residential uses and providing incentives for redevelopment, mixed use development and pedestrian safe environments." This goal is supported by Objective 21.1 and 21.3 which establish residential uses needed to maintain the existing rural character of Caloosahatchee Shores. The requested RPD will reinforce this goal by enabling additional dwelling units to support population growth in a location that is already identified for residential development. No additional impacts will occur to lands identified as low density or contributing to the rural identity of the planning community. Additionally, while the stated goal is to maintain

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"a more rural identity for the neighborhoods east of I-75" many of these neighborhoods are within Future Land Use categories that are identified by the Lee Plan as Suburban and have densities above 1 unit per acre. Policy 21.1.5 requires that amendments to the future land use map which request an increase in density or intensity must be accompanied by a concurrent planned development rezoning application which demonstrates compatibility with the rural character of the area. The current application and companion Comprehensive Plan Amendment (CPA2019-00002) abide by the latest amendments to the Lee Plan regarding Caloosahatchee Shores.

Due to the existing zoning approval for the subject property, right of way is required to be dedicated for Buckingham Road and an enhanced buffer is required by Z-05-047 adjacent to this right-of way. The proposed master concept plan and conditions for the RPD continue to include these requirements ensuring the ultimate residential community constructed on the subject property demonstrates community character consistent with the rural and natural aesthetics of the Caloosahatchee Community.

Policy 21.6.3 requires a public meeting to be held with the Caloosahatchee Shores Community to provide a general overview of the project. The necessary meeting summary is provided in the attached application materials from the June Community Meeting.

Buckingham Community Plan

Per Policy 17.7.2, a public informational session within the Buckingham Community is required for requested zoning actions within or adjacent to the Buckingham Planning Community, or with access to Buckingham Road. Due to the proposed entry being located along Buckingham Road one public information session within the Buckingham Community will be required. The necessary meeting summary is provided in the attached application materials from the June Community Meeting.

Transportation

A detailed transportation analysis has been prepared by TR Transportation and is attached in the supporting materials to this application request. In addition to the conclusions reached by TR Transportation, the Lee Plan establishes in Policy 39.2.2 "Future Suburban areas will have an emphasis on movement by motor vehicle" through a series of criteria. The requested Outlying Suburban FLU is identified as a "future Suburban Area" as are the Suburban and Sub-Outlying Suburban FLU categories within and surrounding the subject property. Consistent with policy 39.2.2, the property utilizes Buckingham Road for vehicular connectivity. As described previously, the applicant will continue to commit to donating right of way along Buckingham as well as installing required turn lanes, sidewalks, and buffering at the time of Development Order consistent with the existing zoning approval and design requirements of the Administrative Code and LDC Chapter 10. The desired pedestrian and vehicular interconnectivity are already identified and supports the existing units within the area and will be available to support the requested dwelling units on the subject property. While the development is a little over a mile from an

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existing transit stop and route, the future build out of this subdivision, with the requested infill units, as well as the other permitted surrounding subdivisions will assist with increasing the area's density to a level that will support mass transit options.

Resource Protection

The Lee Plan has established Goal 107 and its supporting objectives and policies to ensure the protection of wetland and upland habitats as well as species diversity. The proposed master concept plan and additional units will not negatively impact or alter the existing on-site indigenous habitat ensuring consistency with Lee County's policies to protect natural resources.

Goal 60 and Goal 61 along with the supporting objectives and policies speak to the protection of water resources throughout the development process and state that new development and additions to existing development must not degrade surface and ground water quality and that proposed surface water management systems shall mimic function of natural systems. The subject property will be required to secure an Environmental Resource Permit and Development Order subsequent to construction occurring on-site. As part of this permitting process a full review of the proposed stormwater management plan will occur by the WMD and Lee County to ensure surface and ground water is not degraded.

A surface water management plan is included in the current submittal outlining the proposed stormwater management strategy employed in the Planned Development. Two additional drainage exhibits are provided which demonstrate the proposed project outfalls and drainage system. The existing topography which has been previously cleared for farming, directs stormwater runoff from the northeast to southwest, discharging into wetlands at the southwest corner of the property. The stormwater runoff from the wetlands will be directed through proposed on-site drainage conveyance facilities at the time the Development Order and Environmental Resource Permit plans are designed. Ultimately, these on-site conveyances will interconnect with three (3) 60" culverts crossing under Buckingham Road to a drainage ditch which crosses under Bird Road and ultimately directs the runoff to Orange River. The project site straddles two watersheds; Orange River and Olga. The proposed stormwater design is consistent with Policy 60.2.1 as it identifies the basin and most appropriate site outfalls to replicate the natural flow ways, drainage patterns and considers existing development.

Consistent with Policy 60.4.1, Policy 60.4.2 and Policy 60.4.3 The proposed development area is connected by an interconnected wet detention lake system with three (3) offsite discharge outfall structures. Stormwater runoff within the controlled basins will be directed to the interconnected drainage structures via sheet flow, conveying the runoff to the wet detention lakes. The interconnected lake system provides the required water quality and attenuation for the 25 year - 3 day storm event for the entire proposed development (including the future school site). The stormwater runoff from the wetlands shall be directed through proposed on-site drainage conveyance facilities at the time the Development Order and Environmental Resource Permit plans are designed. Ultimately, these proposed on-site conveyances will interconnect with three

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(3) existing 60" culverts crossing under Buckingham Road, to a drainage ditch that meanders through which crosses under Bird Road, ultimately directing the runoff to Orange River. The design is consistent with Objective 61.2 and the supporting policies as it moves water through the proposed project mimicking the natural system as much as possible by moving stormwater through the various lakes and wetland area, controlling velocity and volume of water throughout the project. No adverse water quality or quantity impacts are anticipated as a result from the proposed project consistent with Objective 61.3 and the supporting policies. The property is no longer located in a flood zone subject to the 100-year inundation as indicated on the current FEMA FIRM. The proposed development will have no impact on the floodplain management consistent with Policies 61.3.2 and 61.3.3. The proposed project has maintained extensive natural features in the form of indigenous preserves most of which will be placed under conservation easements with the SFWMD as a requirement of the ERP consistent with intent of Goal 123.

The proposed MCP will provide features which "are considered sufficient to mimic the function of natural systems, improve water quality and provide habitat for a variety of aquatic species, including wading birds and other waterfowl." The proposed design will provide over three acres of littoral shelves which do not currently exist on-site, and which may be utilized by limpkin and other wading birds for foraging. Goal 123 of the Lee Plan is to "Manage coastal, wetland and upland ecosystems and natural resources in order to maintain and enhance native habitats, floral and faunal species diversity, water quality, and natural surface water characteristics." The proposed design will protect and enhance 99 percent of the existing on-site indigenous upland and wetland ecosystems (i.e. native habitats) through preservation and exotic vegetation removal. Specifically, the project will preserve and enhance the Cypress, Disturbed (FLUCFCS Code 6219) habitat which may be utilized by limpkin and other wading birds.

Planning Communities and Acreage Allocation

Policy 1.7.6 provides for the proposed distribution, extent, and location of generalized land uses for the year 2030. The concurrent Comprehensive Plan Amendment would revise Table 1(b) to recognize the future land use map amendment. The approved planned development, existing infrastructure, and concurrent comprehensive plan amendment provides for a suburban level of density which is more consistent with the type of development existing and proposed in this area of the Fort Myers Shores Planning Community. Consistent with the vision for the Caloosahatchee Shores Community Planning Area, the proposal seeks to promote infill. It is noted that Lee County is unable to issue final development orders or extensions which would allow acreage in Table 1(b) to be exceeded.

The applicant has proposed a text amendment to Table 1(b) to address the area of Sub-Outlying Suburban being moved to the Outlying Suburban that will be utilized for residential units. This text amendment is based upon the areas of the Master Concept Plan identified for residential development.

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Exhibit IV-I - Surface Water Management Plan

LDC 34-373(b)(1)a-e

a. Existing Runoff Characteristics of Property in Existing State

The existing topography which has been previously cleared for farming, directs stormwater runoff from the northeast to southwest, discharging into wetlands at the southwest corner of the property. The stormwater runoff from the wetlands is directed through existing drainage conveyance facilities and three (3) 60" culverts crossing under Buckingham Road to a drainage ditch which crosses under Bird Road and ultimately directs the runoff to Orange River.

b. Proposed Drainage Concept

The project site straddles two watersheds; Orange River and Olga. The Portico development that was constructed to the north of the subject property site was designed to take in portions of the property with the majority of the site outfall to the Orange River.

The project site was permitted by the SFWMD for use as a residential community in Environmental Resource Permit 36-05939-P.

The proposed development area is connected by an interconnected wet detention lake system with three (3) offsite discharge outfall structures. Stormwater runoff within the controlled basins will be directed to the interconnected drainage structures via sheet flow, conveying the runoff to the wet detention lakes.

The interconnected lake system provides the required water quality and attenuation for the 25 year - 3 day storm event for the entire proposed development (including the future school site).

The stormwater runoff from the wetlands shall be directed through three (3) 60" culverts crossing under Buckingham Road, part of the existing drainage conveyance facilities to a drainage ditch that meanders through which crosses under Bird Road, ultimately directing the runoff to Orange River.

No adverse water quality or quantity impacts are anticipated as a result from the proposed project.

c. Retention Features incorporated into Drainage System including Maintenance

The project will be designed to comply with the Lee County LDC and SFWMD requirements for stormwater quality and quantity by using a series of interconnected stormwater detention lakes that are located around the site for water quality treatment and attenuation of the 25 year - 3 day storm event.

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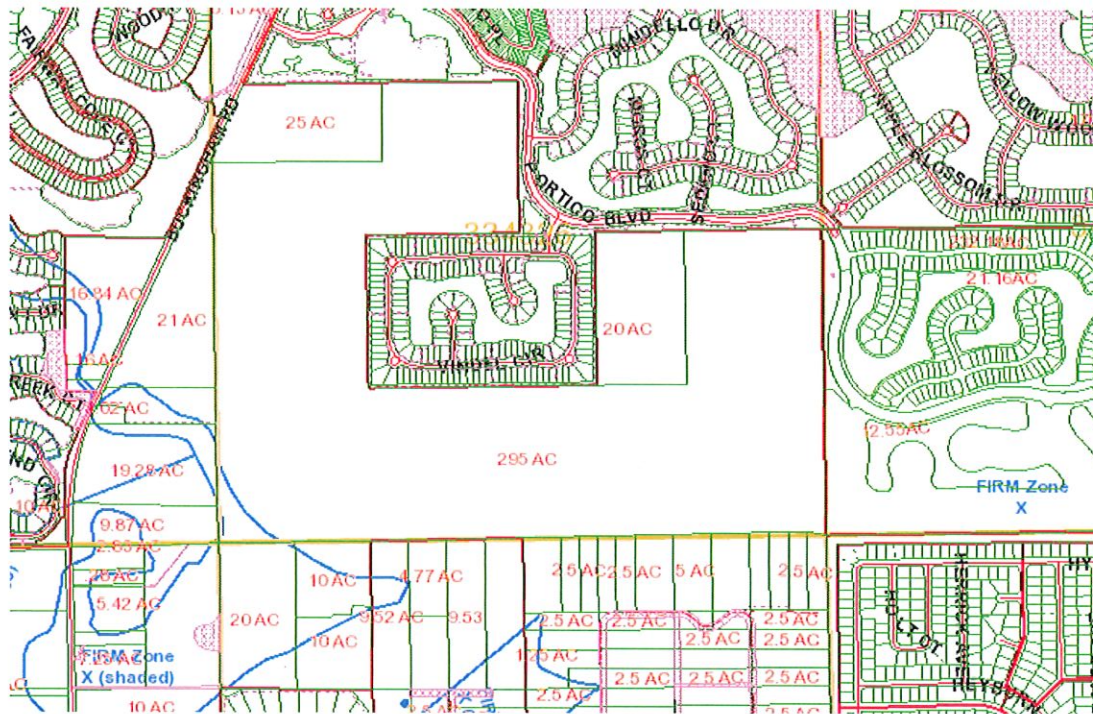
d. Preservation of Existing Natural Features

The existing and proposed project has maintained extensive natural features in the form of indigenous preserves most of which will be placed under conservation easements with the SFWMD as indicated in the ERP.

No changes to the indigenous preserve areas will occur as a result of this request.

e. Flood Protection and Management

The property is no longer located in a flood zone subject to the 100-year inundation as indicated on the current FEMA FIRM as reflected on the Lee County GIS depicted below.

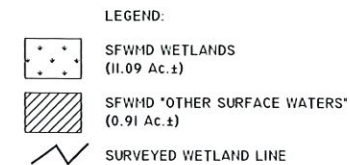


In accordance with the SFWMD and Florida Building Code requirements, this project will be designed to accommodate for the design of the peak stage of the 100 year – 3-day storm event.

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FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
2153	FIELD CROPS, HAY	301.84 Ac. ±	87.5%
260	RURAL OPEN LAND	4.67 Ac. ±	1.4%
422	BRAZILIAN PEPPER	9.45 Ac. ±	2.7%
4221	BRAZILIAN PEPPER, HYDRIC	2.38 Ac. ±	0.7%
4349 E2	HARDWOOD/CONIFER MIXED, DISTURBED (25-49% EXOTICS)	9.46 Ac. ±	2.7%
4349 E4	HARDWOOD/CONIFER MIXED, DISTURBED (76-100% EXOTICS)	6.07 Ac. ±	1.8%
514	DITCH	0.91 Ac. ±	0.3%
514 H	DITCH, HYDRIC	0.32 Ac. ±	0.1%
6189 E2	WILLOW, DISTURBED (25-49% EXOTICS)	0.14 Ac. ±	0.0%
6219 E2	CYPRESS, DISTURBED (25-49% EXOTICS)	3.02 Ac. ±	0.9%
6219 E3	CYPRESS, DISTURBED (50-75% EXOTICS)	0.70 Ac. ±	0.2%
6249 E2	CYPRESS/PINE/CABBAGE PALM, DISTURBED (25-49% EXOTICS)	4.18 Ac. ±	1.2%
6249 E4	CYPRESS/PINE/CABBAGE PALM, DISTURBED (76-100% EXOTICS)	0.02 Ac. ±	0.0%
740	DISTURBED LAND	0.84 Ac. ±	0.2%
7401	DISTURBED LAND, HYDRIC	0.35 Ac. ±	0.1%
8146	UNPAVED ROAD	0.45 Ac. ±	0.1%
TOTAL		344.78 Ac. ±	100.0%

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NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH FLIGHT DATES OF JANUARY - MAY 2020.

PROPERTY BOUNDARY PER GL HOMES DRAWING No. 14879BNDY ENG.DWG DATED JULY 1, 2020.

FLUCFCS LINES ESTIMATED FROM 1"=200' AERIAL PHOTOGRAPHS AND LOCATIONS APPROXIMATED.

FLUCFCS PER FLORIDA LAND USE, COVER AND FORMS CLASSIFICATION SYSTEM (FLUCFCS) (FDOT 1999).

SURVEYED WETLAND LINES PER METRON SURVEYING AND MAPPING, LLC. DRAWING No. 14879ENG DO 60SC.DWG DATED APRIL 30, 2020 AND DRAWING No. BLOCK WET 8 21 20.DWG DATED AUGUST 25, 2020.

DC12020-00010

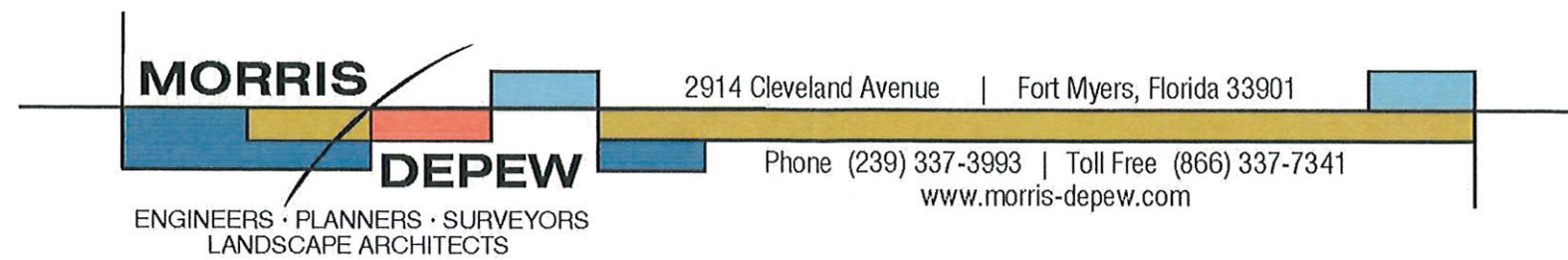
REVISIONS	DATE	DRAWN BY	DATE
Revised per Survey Wetland Lines	04/30/20	R.F., D.B.	01/31/20
Updated Boundary	07/01/20	C.C.	01/31/20
Revised FLUCFCS and Wetlands	08/14/20	REVIEWED BY	DATE
Added Wetland Area	08/25/20	C.C.	01/31/20

13620 Metropolis Avenue
Suite 200
Ft. Myers, FL 33912
Phone (239) 274-0067
Fax (239) 274-0069



LEE COUNTY HOMES ASSOCIATES I, LLLP
AERIAL WITH FLUCFCS AND WETLANDS

DRAWING No.	20LCH3210
SHEET No.	SHEET 1



Lee County Homes Associates I, LLLP
Residential Planned Development
 Property Development Regulations
 August 10, 2020

Land Uses	Min Lot Area (SF)	Min Lot Width (FT)	Min Lot Depth (FT)	Min Street Setback ² (FT)	Min Side Setback (FT)	Min Rear Lot Setback ³ (FT)	Min Accessory Structure Side Setback (FT)	Min Accessory Structure Rear Setback (FT)	Building Separation (FT)	Max Building Height (FT)	Max Lot Coverage (%)
R-1											
Single-Family	6,500	50	130	20	5	10	5	5	10	35	65
Single-Family ⁴	6,500	170	50	5	5	10	5	5	10	35	65
R-2											
Single-Family	4,500	45	100	20	5	10	5	5	10	35	55
Single-Family ⁴	4,500	140	50	5	5 & 60	10	5	5	10	35	35
Zero-lot Line ¹	4,500	45	100	20	0 or 5	10	5	5	10 ¹	35	55
Two-Family Attached	3,000	30	100	20	0 or 5	10	5	5	10	45	60
Townhouse	2,000	20	100	20	0 or 5	10	5	5	10	45	50
Non-Residential											
Clubhouse/Amenity Sites	10,000	100	100	20	10	10	10	10	10	50	60

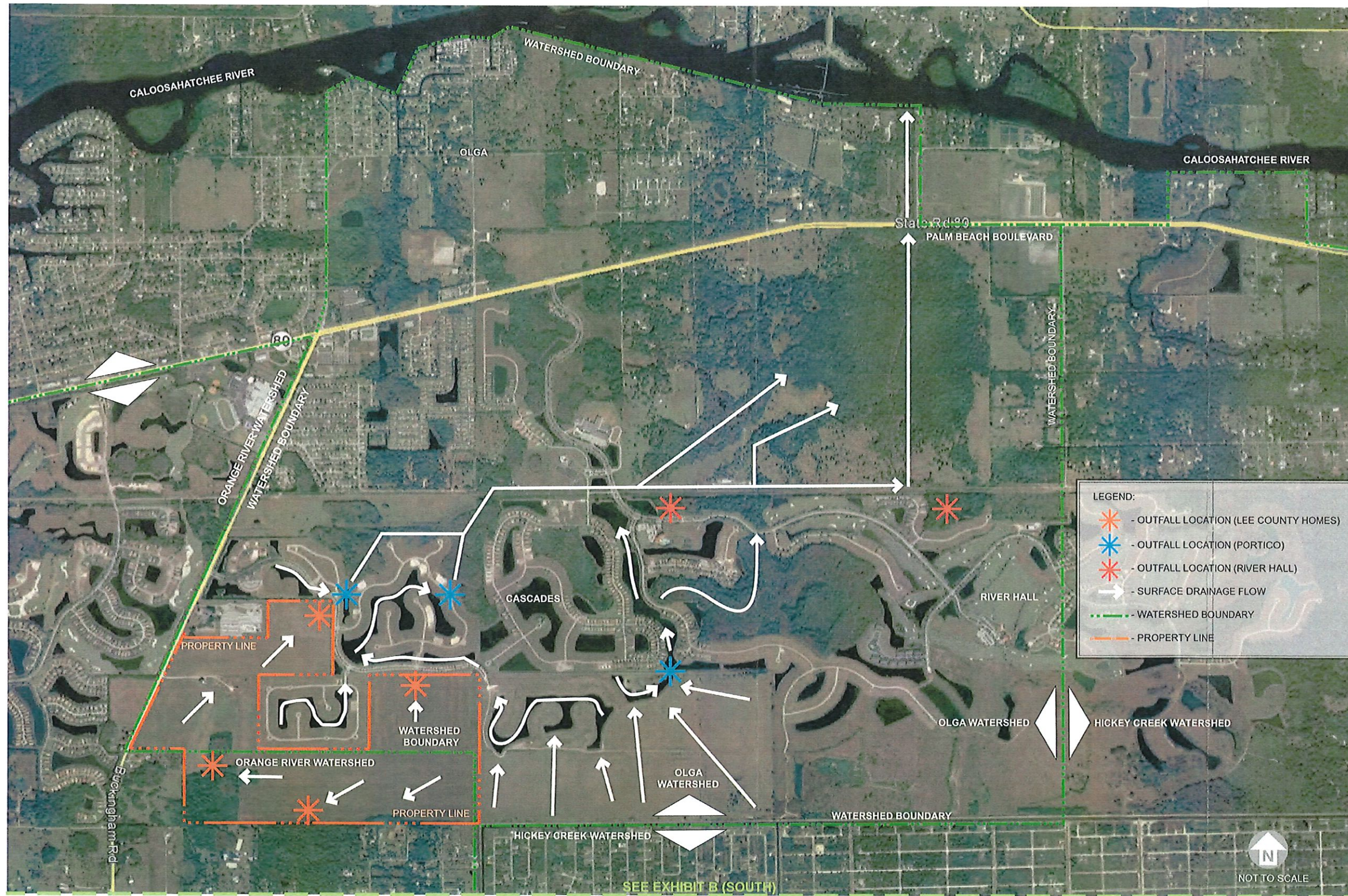
Note 1: A minimum 10 foot building separation for zero lot line structures must be maintained.

Note 2: For Corner Lots, the secondary street setback is reduced to 5 feet to function as a side yard.

Note 3: Where lots abut a waterbody, setback is measured from the rear lot line.

Note 4: Lot dimensions and setbacks only apply to a residential lot intersecting with a dead end ROW consistent with the location of Deviation 6.

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LEE COUNTY HOMES ASSOCIATES I, LLLP

LOCATION:
ACCESS UNDETERMINED
FORT MYERS, FL

CLIENT:

CONSULTANT:
MORRIS DEPEW
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LANDSCAPE ARCHITECTS
FL CA 110, 6532 / FL CERT NO. LB6891 / LC26003333

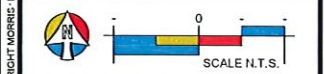
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2914 Cleveland Avenue
Fort Myers, Florida 33901
(941) 337-3999
Fax (941) 337-3998
Toll Free: 855-337-7341

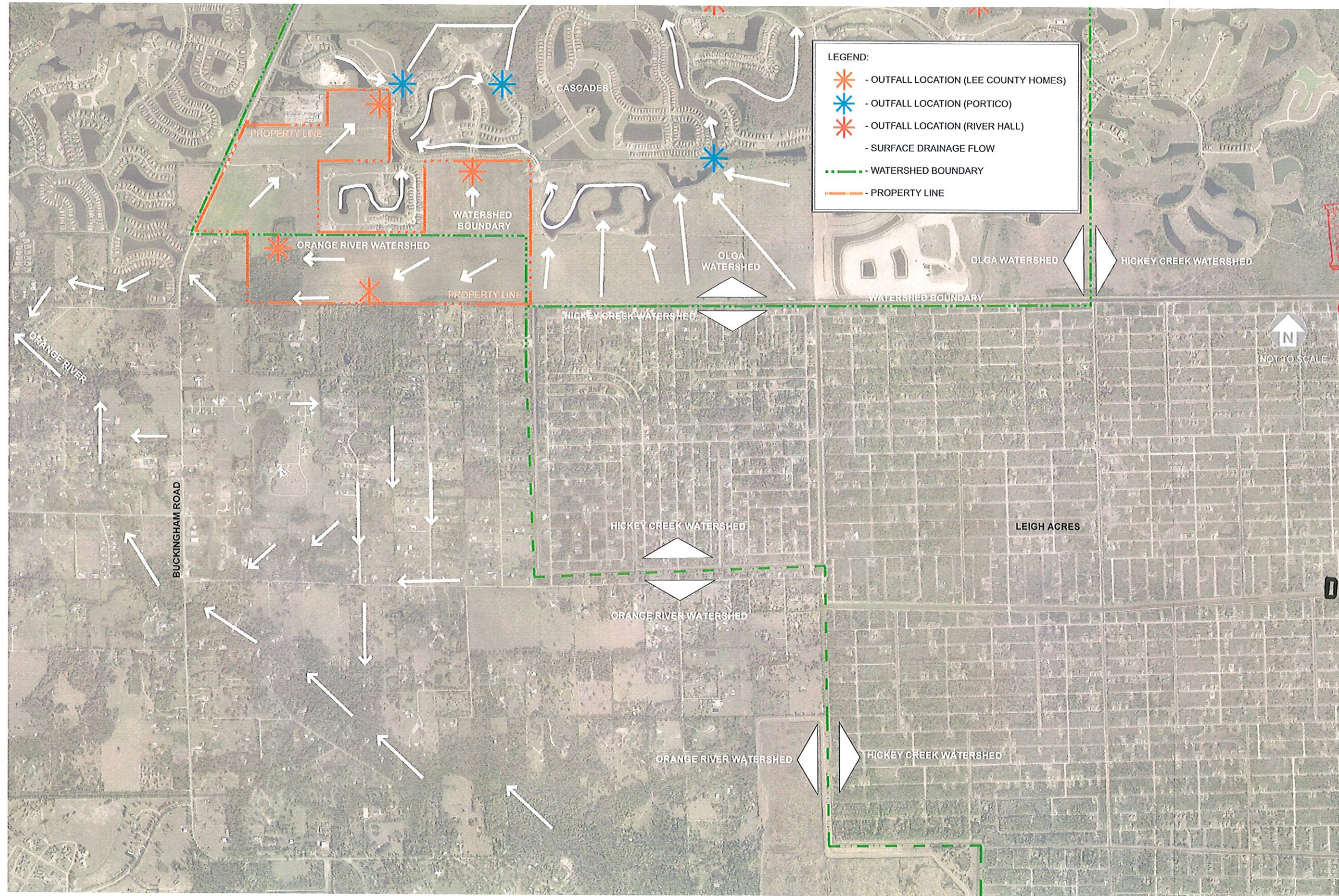
Tallahassee
113 South Monroe Street
1st Floor
Tallahassee, Florida 32301
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Destin
5597 Highway 90
Unit 201
Santa Rosa Beach, Florida 32459
Toll Free: 855-337-7341

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REVISIONS	DATE
PROJECT MANAGER	TME
DRAWING BY:	CJV
JURISDICTION:	LEE COUNTY
DATE:	07/06/2020
SHEET TITLE:	REGIONAL DRAINAGE EXHIBIT (NORTH)
SHEET NUMBER:	X-111A
JOB/FILE NUMBER:	19079-00





PROJECT:

LEE COUNTY HOMES
ASSOCIATES I, LLLP

LOCATION

ACCESS UNDETERMINED
FORT MYERS, FL

CLIENT:

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CONSULTANT:
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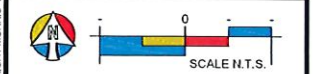
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Fax (239) 337-3994
Toll free 866-337-7341

Tallahassee
113 South Monroe Street
Tallahassee, Florida 32301
Toll free 866-337-7341

Destin
5537 Highway 90
Unit 201
Santa Rosa Beach, Florida 32459
Toll free 866-337-7341

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REVISIONS	DATE
PROJECT MANAGER:	TME
DRAWING BY:	CJV
JURISDICTION:	LEE COUNTY
DATE:	07/07/2020
SHEET TITLE:	REGIONAL DRAINAGE EXHIBIT (SOUTH)
SHEET NUMBER:	X-111B
JOB/FILE NUMBER:	19079-00



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Lee County Homes Associates I, LLLP Residential Planned Development
Caloosahatchee Shores Community Information Meeting
7/6/2020 Meeting Summary

The Community Information Meeting held in the Caloosahatchee Shore Community Planning Area for the Lee County Homes Associates I, LLLP Residential Planned Development was advertised to begin at 6:00PM on July 6, 2020. The meeting was hosted by Tina Ekblad, MPA, AICP, LEED AP, Morris-Depew Associates; Heather Urwiller, AICP, CFM, Morris Depew Associates; Kevin Ratterree, Lee County Homes Associates I, LLLP, project developer; and John Asher, Lee County Homes Associates, I, LLLP, project developer at Calvary Christian Center, 11431 Palm Beach Blvd. Fort Myers, FL 33905.

Two residents were in attendance: Ed Kimball and Gary Stillwell. Heather Urwiller provided a short presentation on the proposed project to the attendees. The Buckingham 345 RPD approval was discussed in the context of the approved 690 units. The approved but expired ERP was discussed in the context of stormwater management on and around the project site.

Mr. Stillwell had several questions about the project including:

- Traffic conditions and existing LOS deficiencies in the immediate area.
 - Tina Ekblad reviewed the existing LOS deficiencies and explained the points Mr. Stillwell was unclear about within the traffic study. The topics of Impacts Fees, Proportionate Fair Share and Incremental Growth Fees were discussed.
- The access point for the project was discussed along with the additional emergency access point.
- Drainage and how stormwater from the project will be addressed was discussed.
 - Tina Ekblad and John Asher explained the proposed drainage system including how the site would drain in relation to the various watersheds in the area. Mr. Stillwell expressed concern with the volume of water entering the various rivers in the area. He provided his understanding of the drainage flow in the area and history of flooding.
- Mr. Stillwell expressed concerns with the proposed density. His understanding of density in the area are a result of the constructed density in the immediate area rather than the density allowed within the different future land uses in the area. Tina Ekblad attempted to clarify the difference between the density permitted by a future land use and the density actually constructed. She explained that most of the existing planned developments were constructed at less than the allowed density. The future land use and zoning of the immediate planned developments were discussed for context to try to further clarify the difference between allowed and constructed density. Kevin Ratterree and John Asher provided Mr. Stillwell several examples of how approved density can change as a project is built out. Kevin Ratterree explained that often times a projects number of units are revised based on sales. Depending on which particular lot/sizes

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Lee County Homes Associates I, LLLP-Community Meeting Summary

Page | 2

(models) are selling fastest. If larger lots are selling faster than smaller lots, the development plan could change by decreasing the number of smaller lots and increasing the number of larger lots, thus reducing the overall number of lots to be developed. Mr. Stillwell did not agree that the proposed density is transitional as the planned developments in the area are developed at less than the allowed densities.

Mr. Kimball expressed general concerns about traffic. He shared that the fire department in the area has response time issues due to traffic. He was in generally agreement with the request to change the future land use and amend the zoning.

All questions were answered, and the meeting concluded at 7:00PM.

Enclosures:

Advertisement Affidavit

Meeting Sign In Sheet

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FORT MYERS, FL 33901

STATE OF FLORIDA COUNTY OF LEE:

Before the undersigned authority personally appeared
Nicholas Rustron, who on oath says that
he or she is a Legal Assistant of the News-Press, a daily
newspaper published at Fort Myers in Lee County, Florida; that
the attached copy of advertisement, being a Legal Ad in the
matter of

Notice of Public Meeting: A public
meeting will be held by Morris-Depew
Associates on Monday July 6, 2020,
from 6PM to 8PM at Calvary Christian
Center, 11431 Palm Beach Blvd. Fort
Myers, FL 33905. An information ses-
sion will be conducted regarding the
applications for a Comprehensive Plan
Amendment (CPA2020-00001/ CPA2020-
00002) and rezoning (DCI2020-00010)
for the proposed residential subdivi-
sion located approximately 1.3 miles
south of the intersection of Palm Beach
Boulevard and Buckingham Road.
Please contact Tina M. Ekblad, Plan-
ning Director at Morris-Depew Associ-
ates for additional information, tekbla
d@m-da.com or 239-337-3993.
AD#4247633 6/22/2020

Notice of Meetings

In the Twentieth Judicial Circuit Court was published in said
newspaper in the issues of:

06/22/2020

Affiant further says that the said News-Press is a paper of
general circulation daily in Lee County and published at Fort
Myers, in said Lee County, Florida, and that the said newspaper
has heretofore been continuously published in said Lee County,
Florida each day and has been entered as periodicals matter at
the post office in Fort Myers, in said Lee County, Florida, for a
period of one year next preceding the first publication of the
attached copy of advertisement; and affiant further says that
he or she has never paid nor promised any person, firm or
corporation any discount, rebate, commission or refund for the
purpose of securing this advertisement for publication in the
said newspaper.

Sworn to and Subscribed before me this 22nd of June 2020, by
legal clerk who is personally known to me.

[Signature]
Affiant

[Signature: Shelly Hora]
Notary State of Wisconsin, County of Brown

8-25-23
My commission expires

SHELLY HORA
Notary Public
State of Wisconsin

of Affidavits 1

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Project:	Lee County Homes RPD/Comprehensive Plan Amendment	Meeting Date:	7-6-2020
Place/Room:	Calvary Christian Center (Assembly of God), 11431 Palm Beach Blvd. Fort Myers, FL 33905		

[illegible]

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COMMUNITY DEVELOPMENT

Caloosahatchee Shores Plan Review Committee

Meeting of 7/6/2020- 6pm

Committee Members:

Ed Kimball – Chairman

Gary Stillwell

Applicant: Buckingham "345" DCI12020-00010, CPA2020-00001, & CPA2020-00002

Kevin Ratterree-Lee County Homes, an affiliate of GL Homes

John Asher-GL Homes

Tina EkBlad, MPA, AICP, LEED AP, Partner-Planning Director, Morris Depew Associates Inc.

Heather Urwiller, AICP, CFM, Principal Planner, Morris Depew Associates Inc.

Comments: The committee reviewed the Property Plan and found it in conformance with the intent of the Community Plan.

Ed Kimball

Chair- Caloosahatchee Shores Planning Comm.

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2914 Cleveland Avenue | Fort Myers, Florida 33901

Phone (239) 337-3993 | Toll Free (866) 337-7341
www.morris-depew.com

Lee County Homes Associates I, LLLP Residential Planned Development
Buckingham Community Information Meeting
7/7/2020 Meeting Summary

The Community Information Meeting held in the Buckingham Community Planning Area for the Lee County Homes Associates I, LLLP Residential Planned Development was advertised to begin at 5:00PM on July 7, 2020. The meeting was hosted by Tina Ekblad, MPA, AICP, LEED AP, Morris-Depew Associates; Heather Urwiller, AICP, CFM Morris Depew Associates; Bill Morris P.E., Morris Depew Associates; Kevin Ratterree, Lee County Homes Associates I, LLLP, project developer; and John Asher, Lee County Homes Associates I, LLLP, project developer at Buckingham Baptist Church, 4461 Buckingham Road. Fort Myers, FL 33905.

Three residents were in attendance: Ken Andersen and Mr. & Mrs. Frank Coleman, who reside in the Portico Subdivision. A brief description of the project request was provided by Tina Ekblad.

The questions asked included the following:

- Where is the main access point?
- What is the type of housing being developed?
- What is the potential lot sizes?
- Is a wall and/or buffering being provided between this project and the Portico subdivision?
- What is the total number of proposed units?
- When will construction start?
- What is the price point of the proposed homes?
- How will the project impact traffic on Buckingham Road?
- When will traffic improvements occur along Buckingham Road?

All questions were answered, and the meeting concluded at 5:45PM.

Enclosures:

Advertisement Affidavit

Meeting Sign In Sheet

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The News-Press media group

news-press.com A GANNETT COMPANY

Attn:

MORRIS DEPEW ASSOC
2914 CLEVELAND AVE
FORT MYERS, FL 33901

STATE OF FLORIDA COUNTY OF LEE:

Before the undersigned authority personally appeared
Nicholas R. Kustrom, who on oath says that
he or she is a Legal Assistant of the News-Press, a daily
newspaper published at Fort Myers in Lee County, Florida; that
the attached copy of advertisement, being a Legal Ad in the
matter of

Notice of Public Meeting: A public
meeting will be held by Morris-Depew
Associates on Tuesday July 7, 2020,
from 5PM to 7PM at Buckingham Bap-
tist Church, 4461 Buckingham Road
Fort Myers, FL 33905. An information
session will be conducted regarding
the applications for a Comprehensive
Plan Amendment (CPA2020-00001/
CPA2020-00002) and rezoning
(DCI2020-00010) for the proposed resi-
dential subdivision located approxi-
mately 1.3 miles south of the intersec-
tion of Palm Beach Boulevard and
Buckingham Road. Please contact Tina
M. Ekblad, Planning Director at Morris
Depew Associates for additional infor-
mation, tekblad@m-da.com or 239-337-
3993.
AD#4247616 6/23/2020

Notice of Meetings

In the Twentieth Judicial Circuit Court was published in said
newspaper in the issues of:

06/23/2020

Affiant further says that the said News-Press is a paper of
general circulation daily in Lee County and published at Fort
Myers, in said Lee County, Florida, and that the said newspaper
has heretofore been continuously published in said Lee County,
Florida each day and has been entered as periodicals matter at
the post office in Fort Myers, in said Lee County, Florida, for a
period of one year next preceding the first publication of the
attached copy of advertisement; and affiant further says that
he or she has never paid nor promised any person, firm or
corporation any discount, rebate, commission or refund for the
purpose of securing this advertisement for publication in the
said newspaper.

Sworn to and Subscribed before me this 23th of June 2020, by
legal clerk who is personally known to me.

Affiant

Notary State of Wisconsin, County of Brown

My commission expires

SHELLY HORA
Notary Public
State of Wisconsin

of Affidavits 1

This is not an invoice

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Project:	Lee County Homes RPD/Comprehensive Plan Amendment	Meeting Date:	7-7-2020
Place/Room:	Buckingham Baptist Church, 4461 Buckingham Road		

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Required Opinion of Title or Title Certification (2017)

OPINION OF TITLE

Steven E. Goldman, Esq.
[Name of Issuing Attorney]

N/A
Plat Number (if known)

DCI2020-00010
Development Order Number (if known)

July 28, 2020 at 11:00 p.m.
Effective Date of Opinion of Title [must be less than 90 days old at the time it is initially submitted to the County]

Certified To: Lee County Board of County Commissioners

I am an attorney licensed and eligible to practice law in the State of Florida and I have reviewed that certain Property Information Report/Certificate of Search prepared by Chicago Title Insurance Company under Order No. 8668095 (the "Title Search"), which is a search of the Public Records of Lee County, Florida of the real property more particularly described in the metes and bounds description attached hereto as Exhibit "A." I have made a careful examination of the Title Search, with respect to the real property described in attached Exhibit "A." This Opinion of Title is provided to satisfy the requirements of Lee County Land Administrative Code AC-13-19. Based on the foregoing, I am of the opinion that:

Title to the property, as of the Effective Date of the Opinion of Title set forth above, is vested in:

Lee County Homes Associates I, LLLP, a Florida limited liability limited partnership
Identify the owner(s)

The following are all of those persons or entities holding a mortgage secured by the property:

NONE
Identify the Mortgage Holder(s) (include recording information)

The following are all recorded easements and rights of way affecting the property:

<u>Type of Easement</u>	<u>Recording Information</u>
No recorded easements or rights of way pursuant to the Title Search	



Steven E. Goldman, Esq.

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Greenberg Traurig, P.A. | Attorneys at Law

333 Southeast Second Avenue | Suite 4400 | Miami, FL 33131 | T +1 305.579.0500 | F +1 305.579.0717

Albany. Amsterdam. Atlanta. Austin. Berlin. Boston. Chicago. Dallas. Delaware. Denver. Fort Lauderdale. Houston. Las Vegas. London. Los Angeles. Mexico City. Miami. Milan. Minneapolis. Nashville. New Jersey. New York. Northern Virginia. Orange County. Orlando. Philadelphia. Phoenix. Sacramento. Salt Lake City. San Francisco. Seoul. Shanghai. Silicon Valley. Tallahassee. Tampa. Tel Aviv. Tokyo. Warsaw. Washington, D.C. West Palm Beach. Westchester County.

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www.gtlaw.com

DCI2020-00010



EXHIBIT "A"

A PARCEL OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE BEING A PORTION OF SECTIONS 32 AND 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SECTION 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN S.89°06'45"W. ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 2647.59 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 33; THENCE S.89°06'35"W. ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33 FOR A DISTANCE OF 2647.39 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 33; THENCE N.00°56'24"W. ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1329.88 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33; THENCE S.89°35'38"W. ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST, FOR A DISTANCE OF 977.91 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BUCKINGHAM ROAD., A 60' RIGHT-OF-WAY; THENCE N.24°23'07"E. ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BUCKINGHAM ROAD., FOR A DISTANCE OF 2286.44 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE S.00°56'26"E. ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 81.43 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE N.89°04'22"E. ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1498.70 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE N.00°47'24"W. ALONG THE WEST LINE OF THE EAST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 662.27 FEET TO A POINT ON THE PLATTED BOUNDARY LINE OF PORTICO PHASE I, RECORDED AS INSTRUMENT #2006000411756, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°09'28"E. ALONG SAID LINE, FOR A DISTANCE OF 1167.05 FEET; THENCE S.00°39'01"E. ALONG SAID PLATTED BOUNDARY OF PORTICO PHASE 1, FOR A DISTANCE OF 1321.78 FEET TO THE CENTER OF SAID SECTION 33; THENCE S.88°59'10"W. ALONG SAID PLATTED BOUNDARY OF PORTICO PHASE 1, FOR A DISTANCE OF 1334.18 FEET; THENCE S.00°56'52"E. ALONG SAID PLATTED BOUNDARY OF PORTICO PHASE 1, FOR A DISTANCE OF 1331.03 FEET; THENCE N.89°02'54"E. ALONG SAID PLATTED BOUNDARY OF PORTICO PHASE 1, FOR A DISTANCE OF 1988.34 FEET; THENCE N.00°41'08"W. ALONG SAID PLATTED BOUNDARY OF PORTICO PHASE 1, FOR A DISTANCE OF 1333.38 FEET; THENCE N.88°59'10"E. ALONG SAID PLATTED BOUNDARY OF PORTICO PHASE 1, FOR A DISTANCE OF 1980.58 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 33 AND A NORTHWEST CORNER OF PORTICO PHASE IIA, RECORDED AS INSTRUMENT #2019000293574, OF SAID PUBLIC RECORDS; THENCE S.00°47'28"E. ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33 AND THE WEST LINE OF SAID PORTICO PHASE IIA, FOR A DISTANCE OF 2670.74 FEET TO THE POINT OF BEGINNING.

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Greenberg Traurig, P.A. | Attorneys at Law

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Albany. Amsterdam. Atlanta. Austin. Berlin. Boston. Chicago. Dallas. Delaware. Denver. Fort Lauderdale. Houston. Las Vegas. London. Los Angeles. Mexico City. Miami. Milan. Minneapolis. Nashville. New Jersey. New York. Northern Virginia. Orange County. Orlando. Philadelphia. Phoenix. Sacramento. Salt Lake City. San Francisco. Seoul. Shanghai. Silicon Valley. Tallahassee. Tampa. Tel Aviv. Tokyo. Warsaw. Washington, D.C. West Palm Beach. Westchester County.

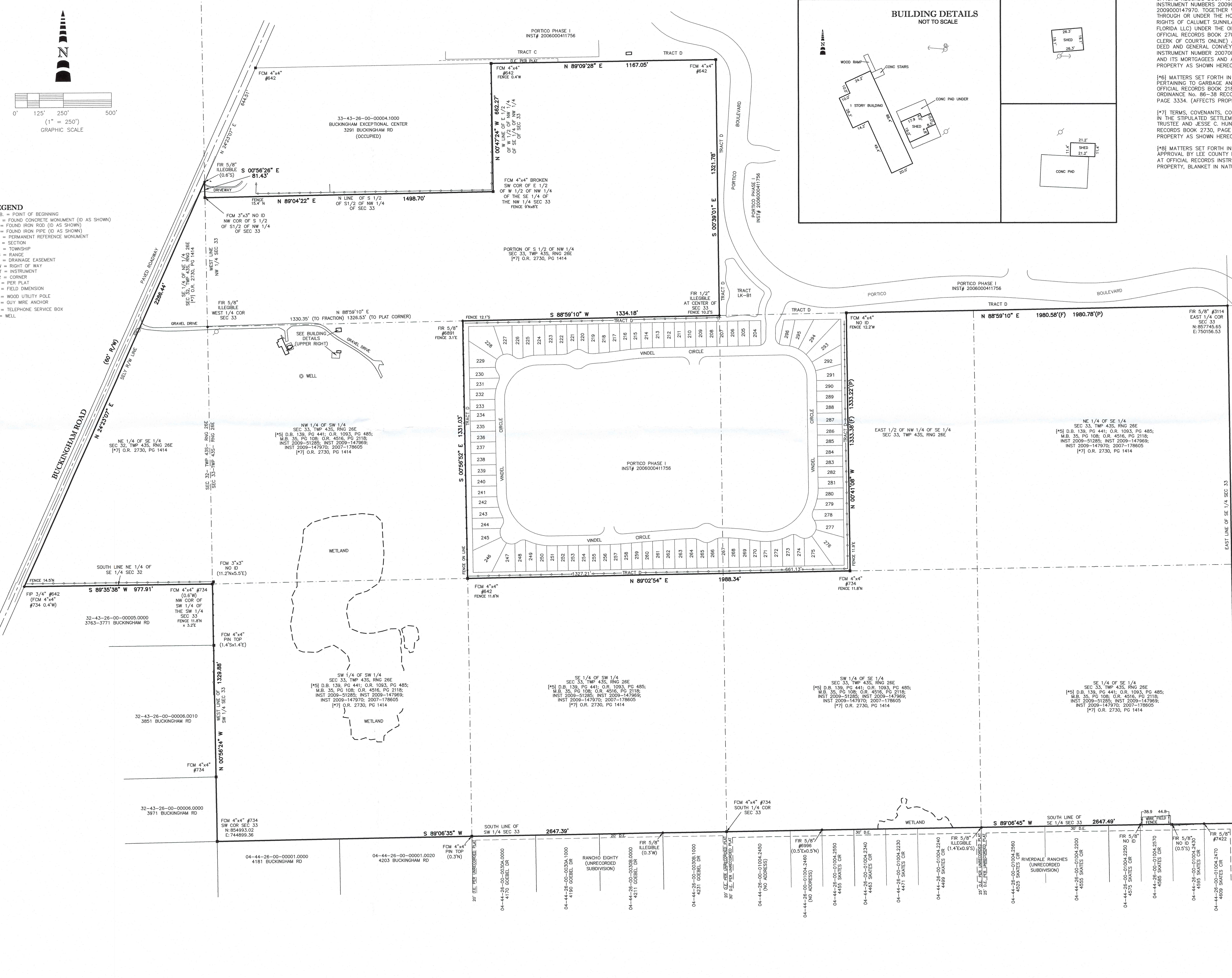
Cyprus law firm "Greenberg Traurig Germany, LLP," A separate UK registered legal entity, "Greenberg Traurig, S.C.," "Greenberg Traurig Santa Maria," "Greenberg Traurig LLP Foreign Legal Consultant Office," A branch of Greenberg Traurig, P.A., Florida, USA, "GT Tokyo Harba Jusho," "Greenberg Traurig Greece sp. a"

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DCI2020-00010

SURVEY PLAT

OF A PARCEL LYING IN SECTION 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA



NOTE:
PER A TITLE REPORT BY CHICAGO TITLE INSURANCE COMPANY, ORDER NO. 8330348, COMMITMENT DATE 3/09/20 AT 11:00 P.M., AND OPINION OF TITLE BY GREENBURG TRAURIG, P.A., DATED JULY 28, 2020, THE PROPERTY SHOWN HEREON IS SUBJECT TO THE FOLLOWING MATTERS OF RECORD:

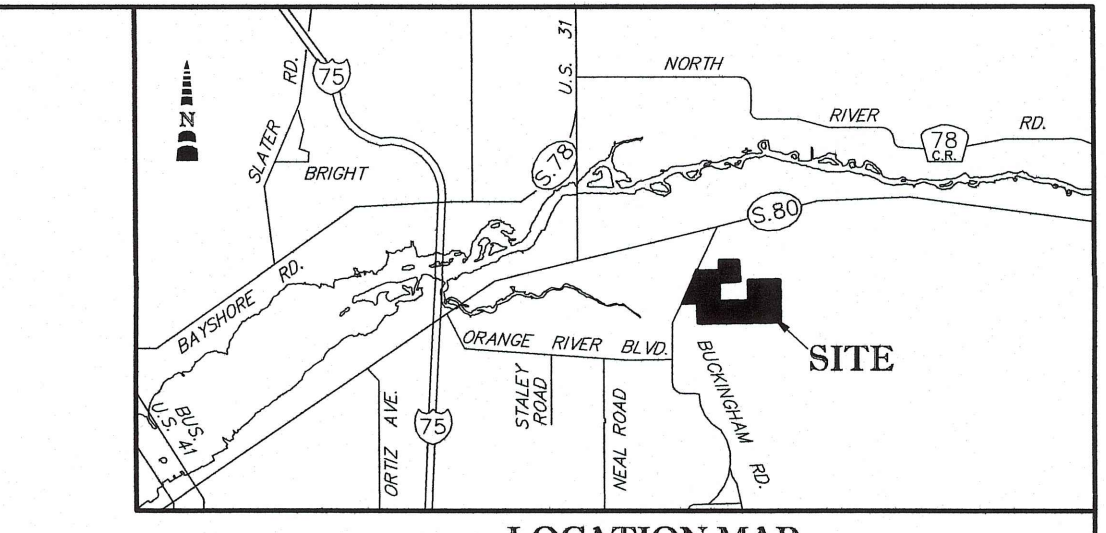
[*6] INDICATES EXCEPTION NUMBER OF SCHEDULE "B" SECTION II OF TITLE REPORT

[*5] OIL, GAS AND MINERAL RIGHTS CONTAINED IN THE DEED FROM CONSOLIDATED LAND STORES COMPANY RECORDED IN DEED BOOK 139, PAGE 441 AS AFFECTED BY THE NOTICE PURSUANT TO SECTION 704.05 FLORIDA STATUTES RECORDED AS OFFICIAL RECORDS BOOK 1093, PAGE 485, AS CONVEYED BY MESSE INSTRUMENTS INCLUDING THOSE RECORDED IN MISCELLANEOUS BOOK 35, PAGE 108, OFFICIAL RECORDS BOOK 4516, PAGE 2118, AND OFFICIAL RECORDS INSTRUMENT NUMBERS 200900001285, 2009000147969, 2009000147970, TOGETHER WITH RIGHTS OF ANY PARTIES CLAIMING, BY, THROUGH OR UNDER THE HOLDERS OF SAID MINERAL RIGHTS, INCLUDING RIGHTS OF CALUMET SUNNLAND, LLC (NOW KNOWN AS BREITBURN FLORIDA LLC) UNDER THE OIL, GAS AND MINERAL LEASE RECORDED IN OFFICIAL RECORDS BOOK 270, PAGE 323, (UNABLE TO RECOVER FROM CLERK OF COURTS RECORDS) AS DISCLOSED BY AND ASSIGNED BY THE DEED AND GENERAL CONVEYANCE RECORDED AT OFFICIAL RECORDS INSTRUMENT NUMBER 2007000178605, (REFERS TO O.R. 270, PG 323) AND ITS MORTGAGES AND ASSIGNMENTS. (AFFECTS PORTIONS OF THE PROPERTY AS SHOWN HEREON)

[*6] MATTERS SET FORTH IN LEE COUNTY ORDINANCE NO. 86-14 PERTAINING TO GARBAGE AND SOLID WASTE COLLECTION RECORDED IN OFFICIAL RECORDS BOOK 2189, PAGE 3281, AS AMENDED BY ORDINANCE NO. 86-38 RECORDED IN OFFICIAL RECORDS BOOK 2189, PAGE 3334. (AFFECTS PROPERTY, BLANKET IN NATURE)

[*7] TERMS, COVENANTS, CONDITIONS AND OTHER MATTERS CONTAINED IN THE TERMINATED SETTLEMENT AGREEMENT BETWEEN THOMAS CORE, TRUSTEE AND JESSE C. HUNTER, ET AL, RECORDED IN OFFICIAL RECORDS BOOK 2730, PAGE 1414. (AFFECTS PORTIONS OF THE PROPERTY AS SHOWN HEREON)

[*8] MATTERS SET FORTH IN THE NOTICE OF DEVELOPMENT ORDER APPROVAL BY LEE COUNTY DEVELOPMENT SERVICES DIVISION RECORDED AT OFFICIAL RECORDS INSTRUMENT NUMBER 2009000016123. (AFFECTS PROPERTY, BLANKET IN NATURE)



NOTES:

SURVEY BASED THE LEGAL DESCRIPTION AS SHOWN, A TITLE REPORT BY CHICAGO TITLE INSURANCE COMPANY, ORDER NO. 8330348, THE PLAT OF PORTICO PHASE I, THE PLAT OF PORTICO PHASE II, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND EXISTING MONUMENTATION.

BEARINGS ARE BASED ON STATE PLANE COORDINATES AND THE PLAT OF PORTICO PHASE I, RECORDED AS INSTRUMENT #206000411756, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

THE STATE PLANE COORDINATES SHOWN HEREON ARE IN FEET, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983 (1980 ADJUSTMENT) BASED UPON CONTINUOUSLY OPERATING FLORIDA PERMANENT REFERENCE NETWORK (FPRN) STATIONS MAINTAINED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION.

PARCEL LIES WITHIN FLOOD ZONE "AE", HAVING A BASE FLOOD ELEVATION 9.0 N.A.V.D. (NORTH AMERICAN VERTICAL DATUM 1988) AND FLOOD ZONE "X" HAVING NO BASE FLOOD ELEVATION, PER FLOOD INSURANCE RATE MAP (FIRM) 125124 0303F, 125124 0304F, 125124 0311F AND 125124 0312F, ALL HAVING AN EFFECTIVE DATE OF AUGUST 28, 2008 AND THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) WEBSITE.

THE F.E.M.A. FLOOD ZONE INFORMATION INDICATED HEREON IS BASED ON MAPS SUPPLIED BY THE FEDERAL AGENCY. THIS FLOOD INFORMATION MUST BE VERIFIED WITH ALL PERMITTING REGULATORY ENTITIES PRIOR TO COMMENCING ANY WORK OR APPLICATION DEPENDENT ON SAID FLOOD INFORMATION.

IRON RODS "SET" ARE 5/8" X 18" REBAR WITH ORANGE CAP BEARING CORPORATION NO. 7071.

ADJOINING INFORMATION WERE TAKEN FROM THE LEE COUNTY PROPERTY APPRAISERS WEBSITE.

UNDERGROUND IMPROVEMENTS, UTILITIES AND/OR FOUNDATIONS WERE NOT LOCATED UNLESS OTHERWISE NOTED.

WETLANDS, IF ANY, WERE NOT LOCATED. (WETLANDS SHOWN WERE LOCATED BY OTHERS AND PROVIDED BY CLIENT)

THIS PLAT PREPARED AS A BOUNDARY SURVEY AND IS NOT INTENDED TO DELINEATE THE JURISDICTION OR JURISDICTIONAL AREAS OF ANY FEDERAL, STATE, REGIONAL OR LOCAL AGENCY, BOARD, COMMISSION OR OTHER ENTITY.

DATE OF LAST FIELD WORK: 3/13/2020.

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE BEING A PORTION OF SECTIONS 32 AND 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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PARCEL CONTAINS 15,018,447 SQUARE FEET, 344.776 ACRES, MORE OR LESS

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FOR THE FIRM
BY: DENNIS J. O'CONNELL, JR.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. LS# 5430
DATE SIGNED: 8/15/2020

REVISED 8/13/20 - REVISE TITLE
REVISED 4/22/20 - ADD TITLE

DC12020-00010

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
THIS SURVEY WAS PREPARED FOR THE LANDS AS DESCRIBED.
THIS SURVEY IS ONLY FOR THE BENEFIT OF A TITLE. ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.

GL HOMES, BUCKINGHAM ROAD

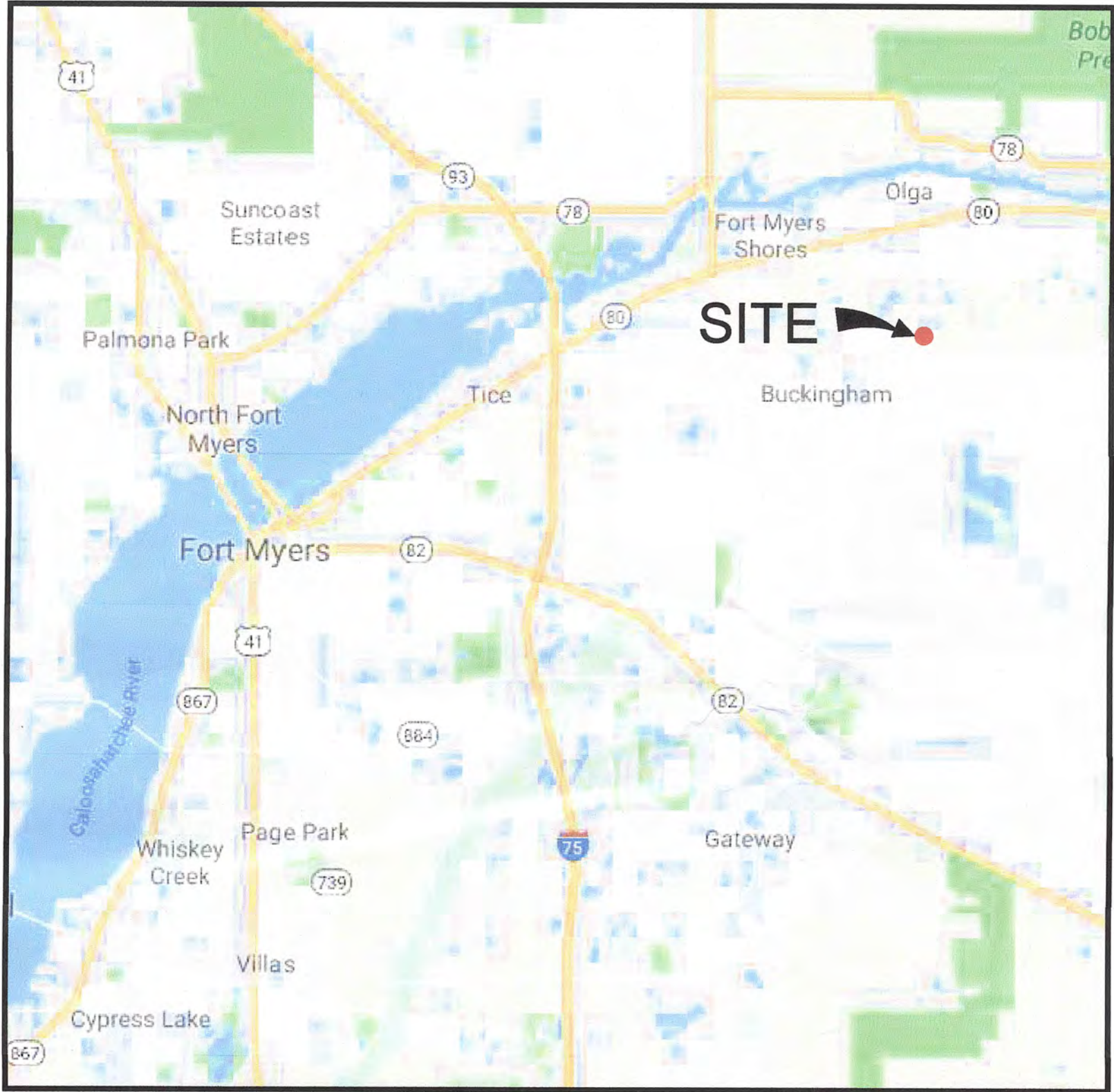
TITLE: BOUNDARY SURVEY		10970 S. CLEVELAND AVENUE, SUITE #605 FORT MYERS, FLORIDA 33907 PHONE: (239) 275-8575 FAX: (239) 275-8457 www.metronll.com	
LB# 7071			
FILE NAME: 14879SR 250SC.DWG	FIELD BOOK/PAGE: 653/10,16-20,23-25	PROJECT NO.: 14879	SHEET: 1 OF 1
SURVEY DATE: 3/17/2020	DRAWN BY: BUD	SCALE: 1"= 250'	CHECKED BY: DJO (S-T-R)
33-43-26			



MASTER CONCEPT PLAN FOR LEE COUNTY HOMES ASSOCIATES I, LLLP

LEE COUNTY, FLORIDA

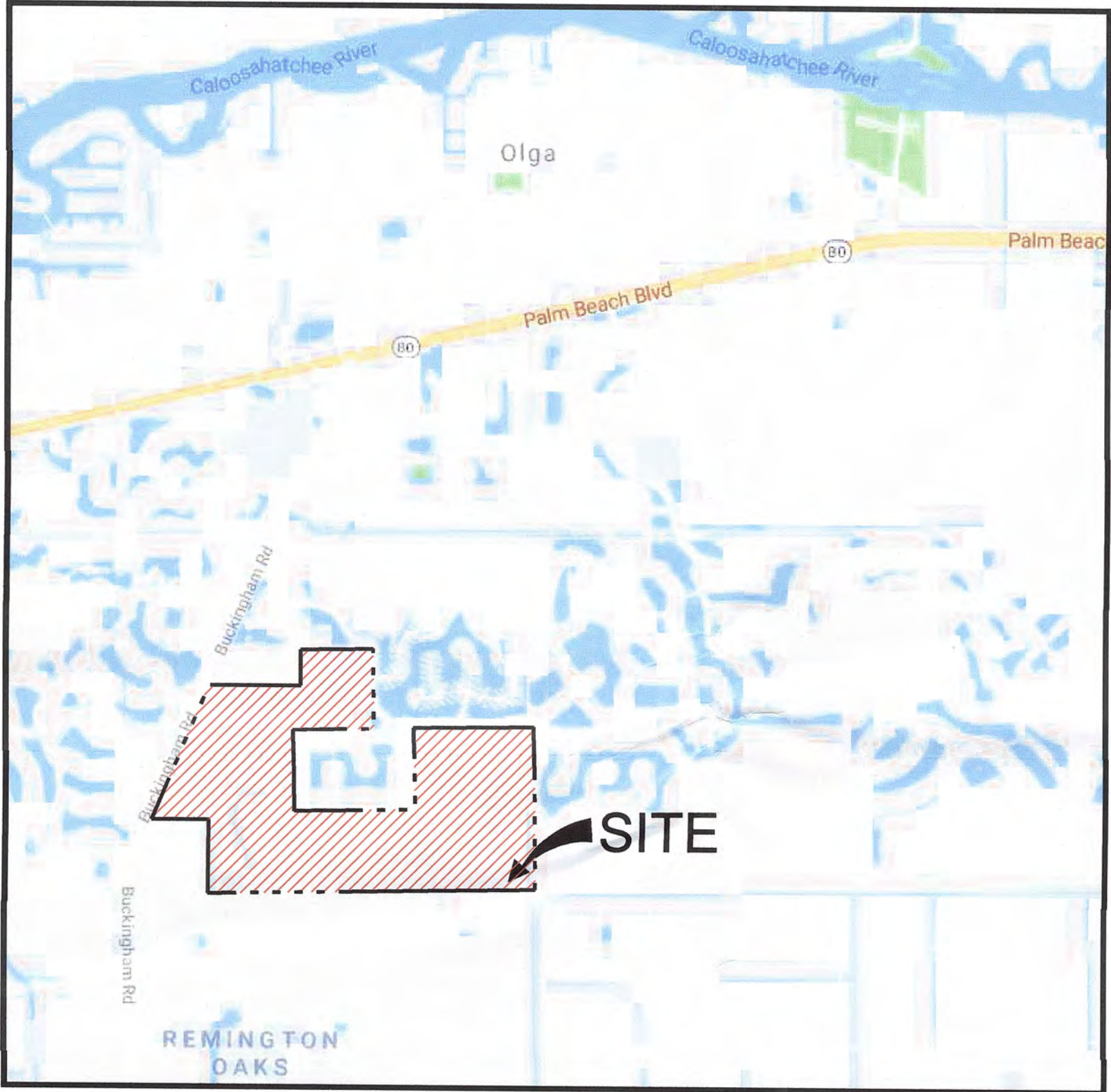
SECTION 33, TOWNSHIP 43, RANGE 26E
LEE COUNTY, FLORIDA



SITE VICINITY MAP

N.T.S.

BID	CONSTRUCTION	LEE COUNTY	SPVMD	LCU/DOH/FDEP	SHEET INDEX	
					DESCRIPTION	SHEET
					GENERAL	
					COVER SHEET	COVER
					PLANNING	
					MASTER CONCEPT PLAN	C-101
					OPEN SPACE PLAN	C-102
					NOTES AND TYPICAL SECTIONS	C-501
					LOT TYPICALS	C-502



SITE LOCATION MAP

N.T.S.

PROJECT:

LEE COUNTY
HOMES
ASSOCIATES I,
LLLP

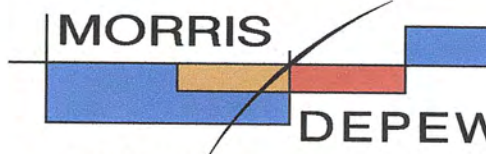
LOCATION:

BUCKINGHAM ROAD
LEE COUNTY, FLORIDA

CLIENT:

LEE COUNTY HOMES
ASSOCIATES I, LLLP

CONSULTANT:



ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
FL CA NO. 6532 / FL CERT NO. LB98991 / LC25600330

Fort Myers
2914 Cleveland Avenue
Fort Myers, Florida 33901
(239) 337-3993
Fax: (239) 337-3994
Toll free: 866-337-7341

Tallahassee
113 South Monroe Street
1st Floor
Tallahassee, Florida 32301
Toll free: 866-937-7341

Destin
5597 Highway 98
Unit 201
Santa Rosa Beach, Florida 32459
Toll free: 866-337-7341

PREPARED BY:

REVISIONS DATE

PROJECT MANAGER: TME

DRAWING BY: MML

JURISDICTION: LEE COUNTY

DATE: 08/27/2020

SHEET TITLE:

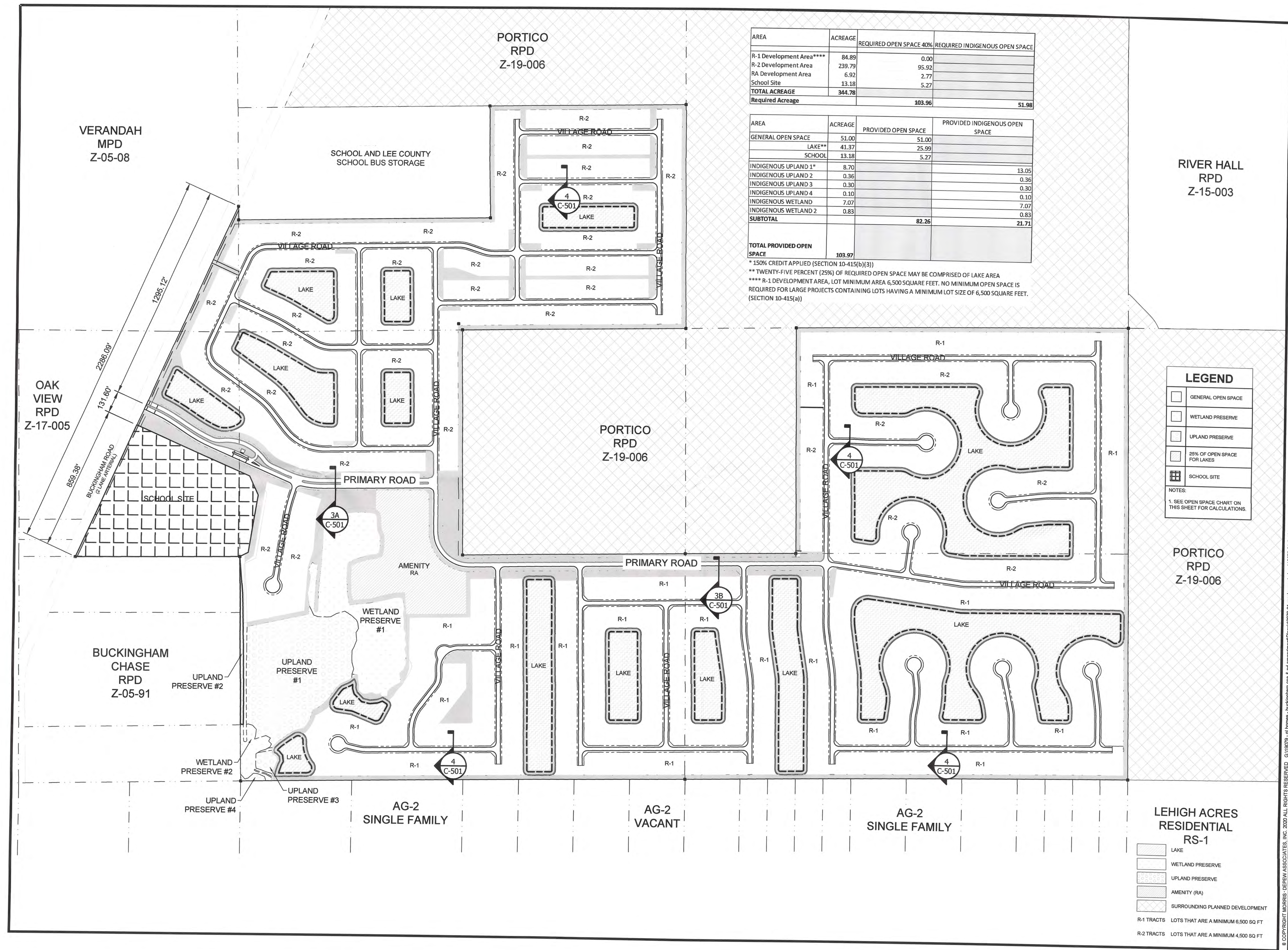
COVER SHEET

SHEET NUMBER: COVER

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JOB/FILE NUMBER: 19079-01





AREA	ACREAGE	REQUIRED OPEN SPACE 40%	REQUIRED INDIGENOUS OPEN SPACE
R-1 Development Area****	84.89	0.00	
R-2 Development Area	239.79	95.92	
RA Development Area	6.92	2.77	
School Site	13.18	5.27	
TOTAL ACREAGE	344.78		
Required Acreage		103.96	51.98

AREA	ACREAGE	PROVIDED OPEN SPACE	PROVIDED INDIGENOUS OPEN SPACE
GENERAL OPEN SPACE	51.00	51.00	
LAKE**	41.37	25.99	
SCHOOL	13.18	5.27	
INDIGENOUS UPLAND 1*	8.70		13.05
INDIGENOUS UPLAND 2	0.36		0.36
INDIGENOUS UPLAND 3	0.30		0.30
INDIGENOUS UPLAND 4	0.10		0.10
INDIGENOUS WETLAND	7.07		7.07
INDIGENOUS WETLAND 2	0.83		0.83
SUBTOTAL		82.26	21.71
TOTAL PROVIDED OPEN SPACE	103.97		

* 150% CREDIT APPLIED (SECTION 10-415(b)(3))
** TWENTY-FIVE PERCENT (25%) OF REQUIRED OPEN SPACE MAY BE COMPRISED OF LAKE AREA
**** R-1 DEVELOPMENT AREA, LOT MINIMUM AREA 6,500 SQUARE FEET. NO MINIMUM OPEN SPACE IS REQUIRED FOR LARGE PROJECTS CONTAINING LOTS HAVING A MINIMUM LOT SIZE OF 6,500 SQUARE FEET. (SECTION 10-415(a))

LEGEND

GENERAL OPEN SPACE

WETLAND PRESERVE

UPLAND PRESERVE

25% OF OPEN SPACE FOR LAKES

SCHOOL SITE

NOTES:
1. SEE OPEN SPACE CHART ON THIS SHEET FOR CALCULATIONS.

LEHIGH ACRES RESIDENTIAL RS-1

LAKE

WETLAND PRESERVE

UPLAND PRESERVE

AMENITY (RA)

SURROUNDING PLANNED DEVELOPMENT

R-1 TRACTS LOTS THAT ARE A MINIMUM 6,500 SQ FT
R-2 TRACTS LOTS THAT ARE A MINIMUM 4,500 SQ FT

PROJECT:
LEE COUNTY HOMES ASSOCIATES I, LLLP

LOCATION:
BUCKINGHAM ROAD
LEE COUNTY, FLORIDA

CLIENT:
LEE COUNTY HOMES ASSOCIATES I, LLLP

CONSULTANT:
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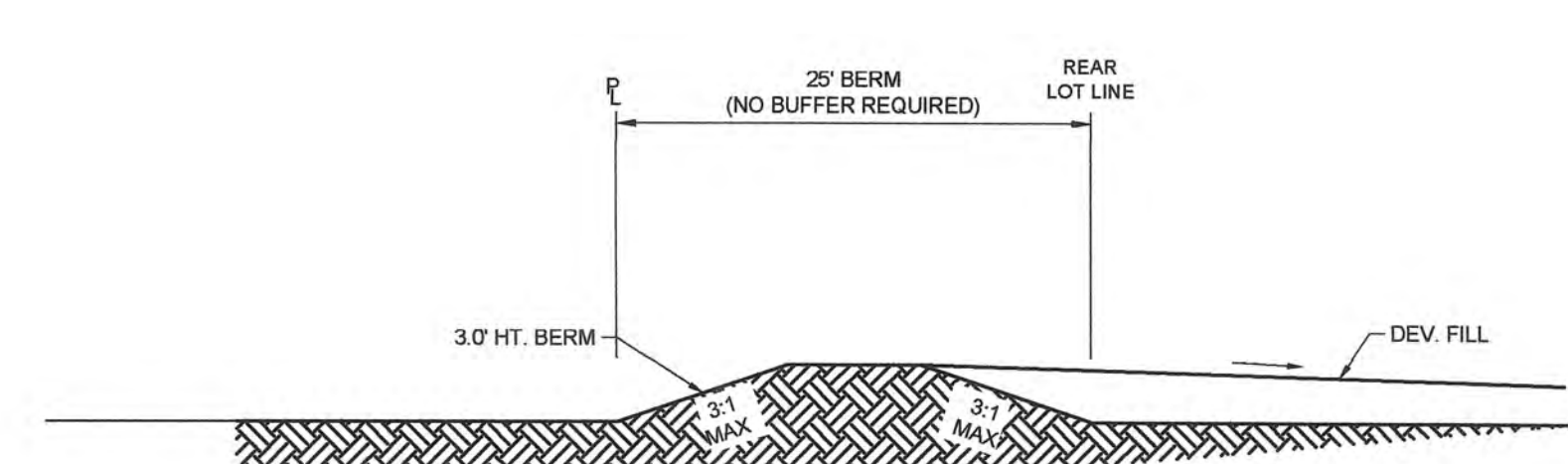
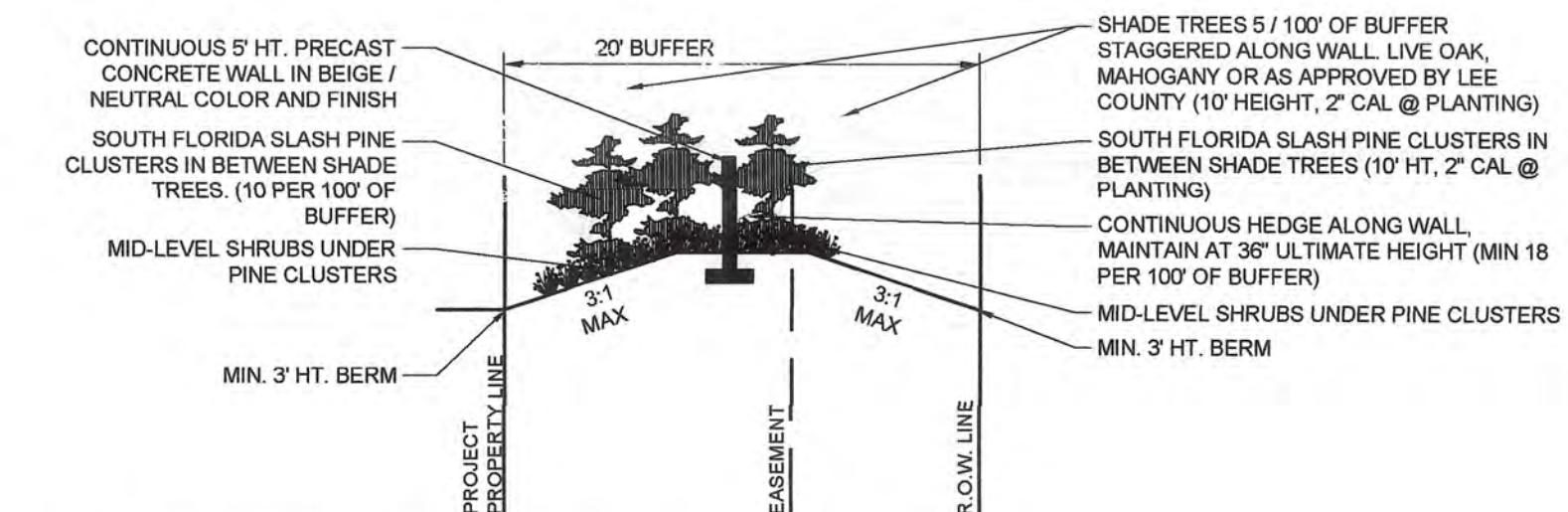
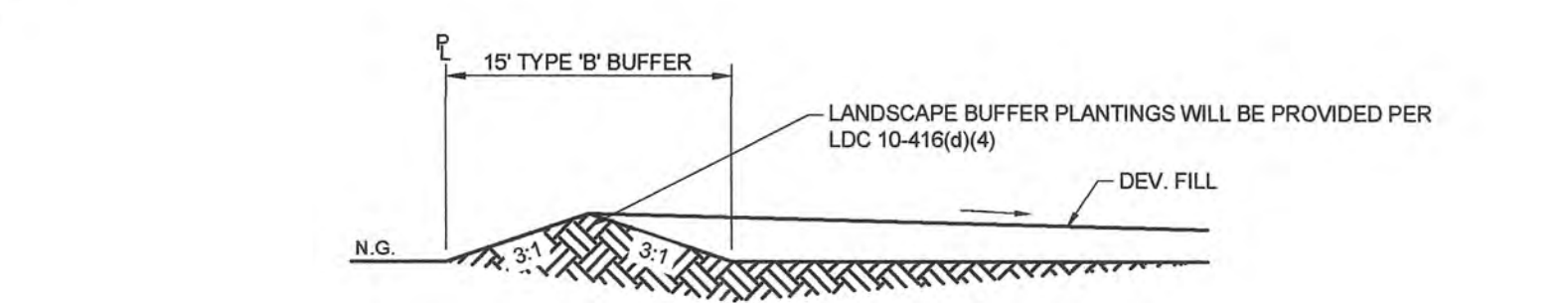
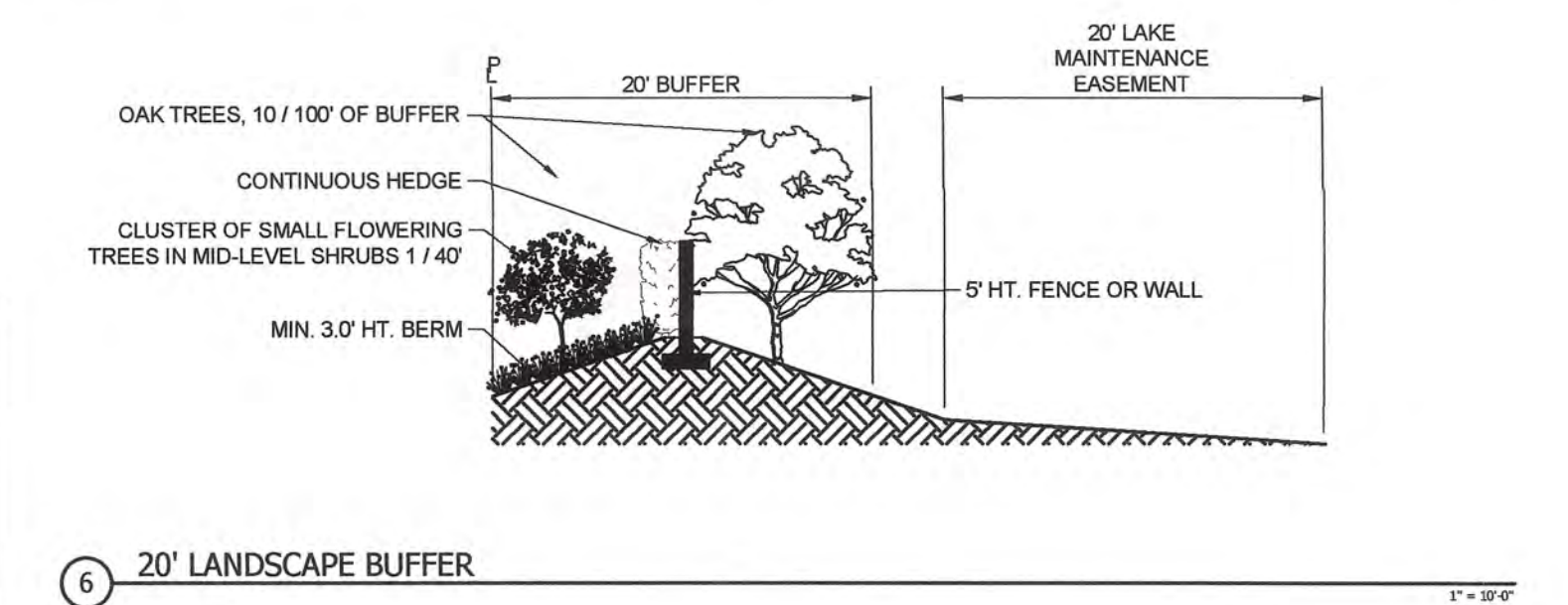
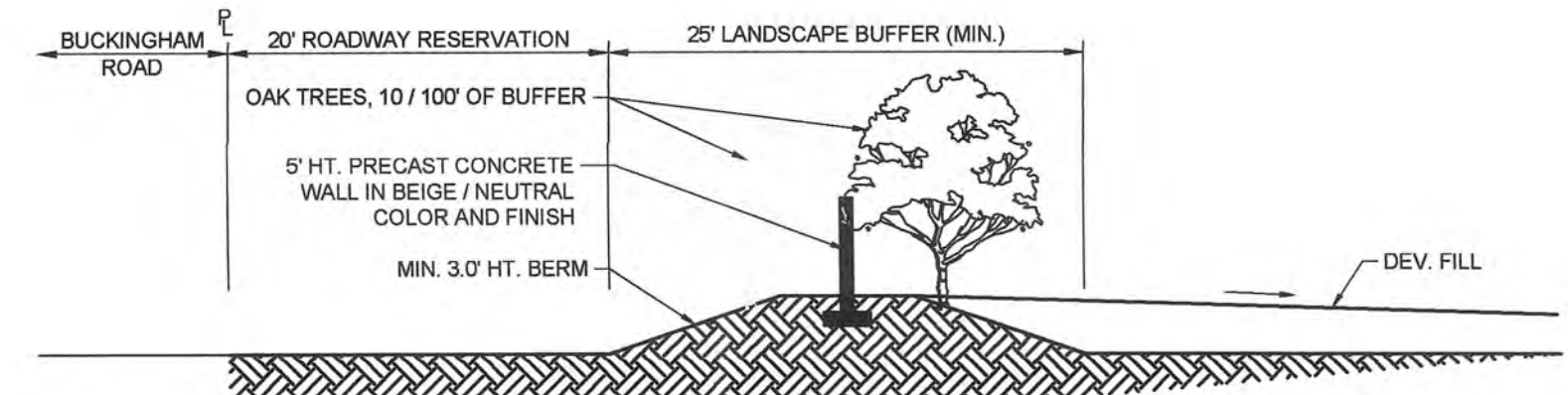
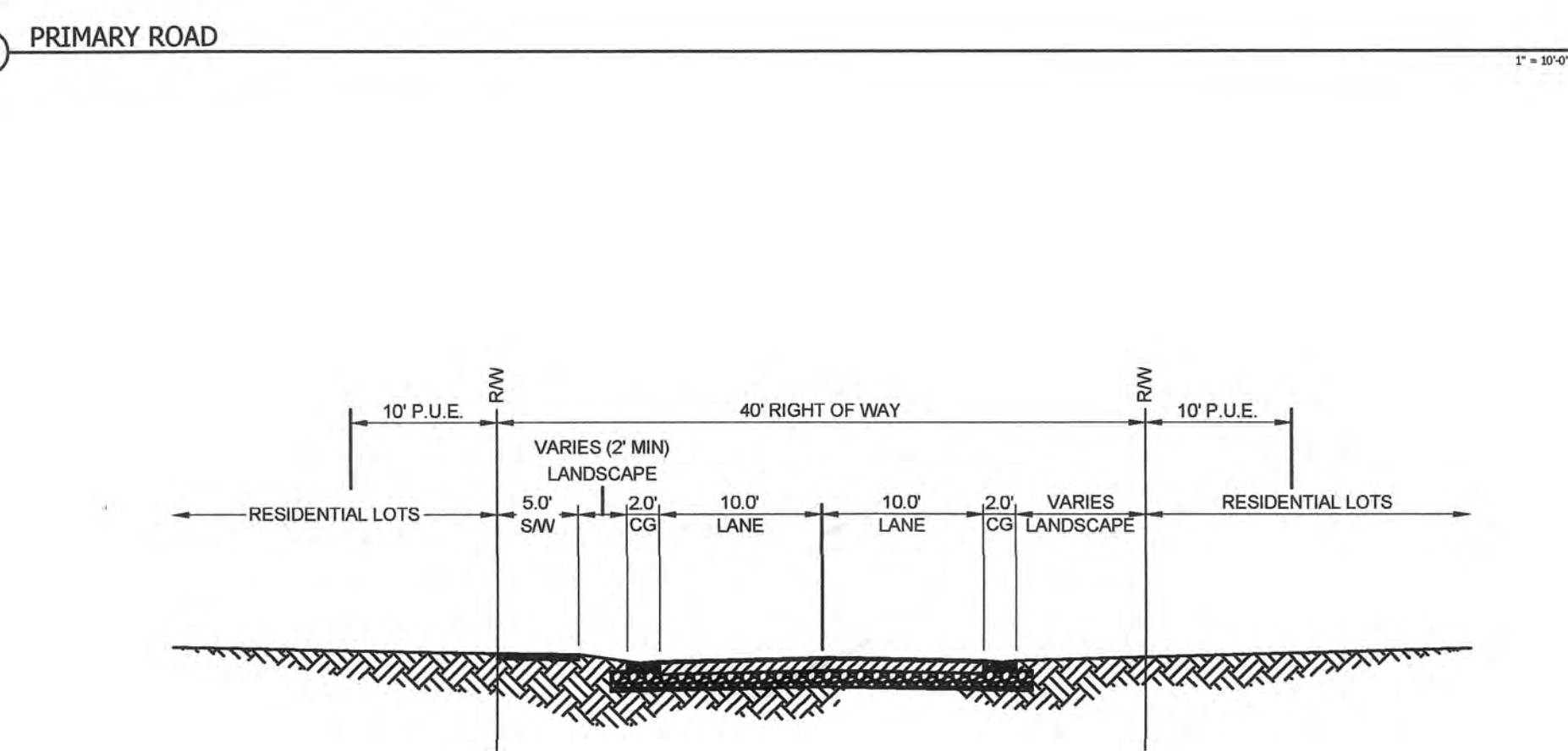
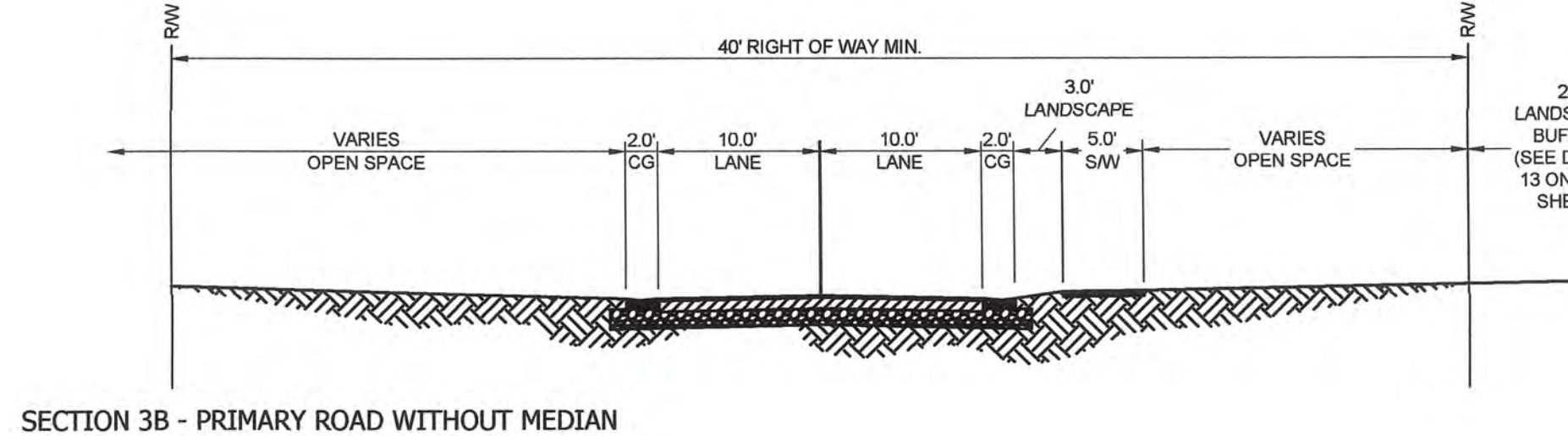
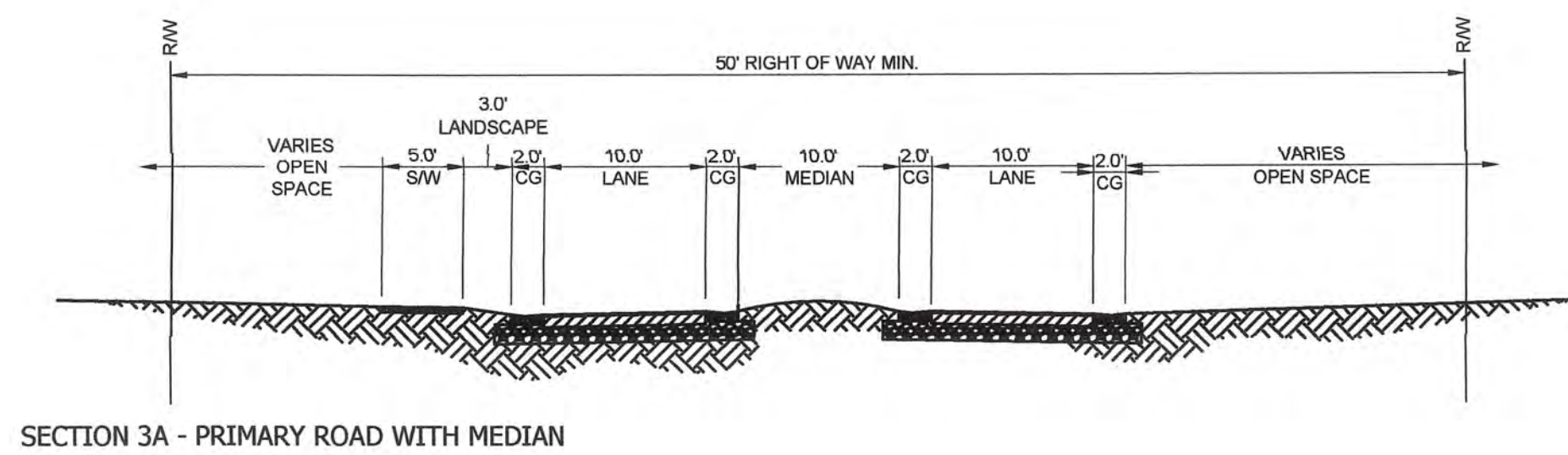
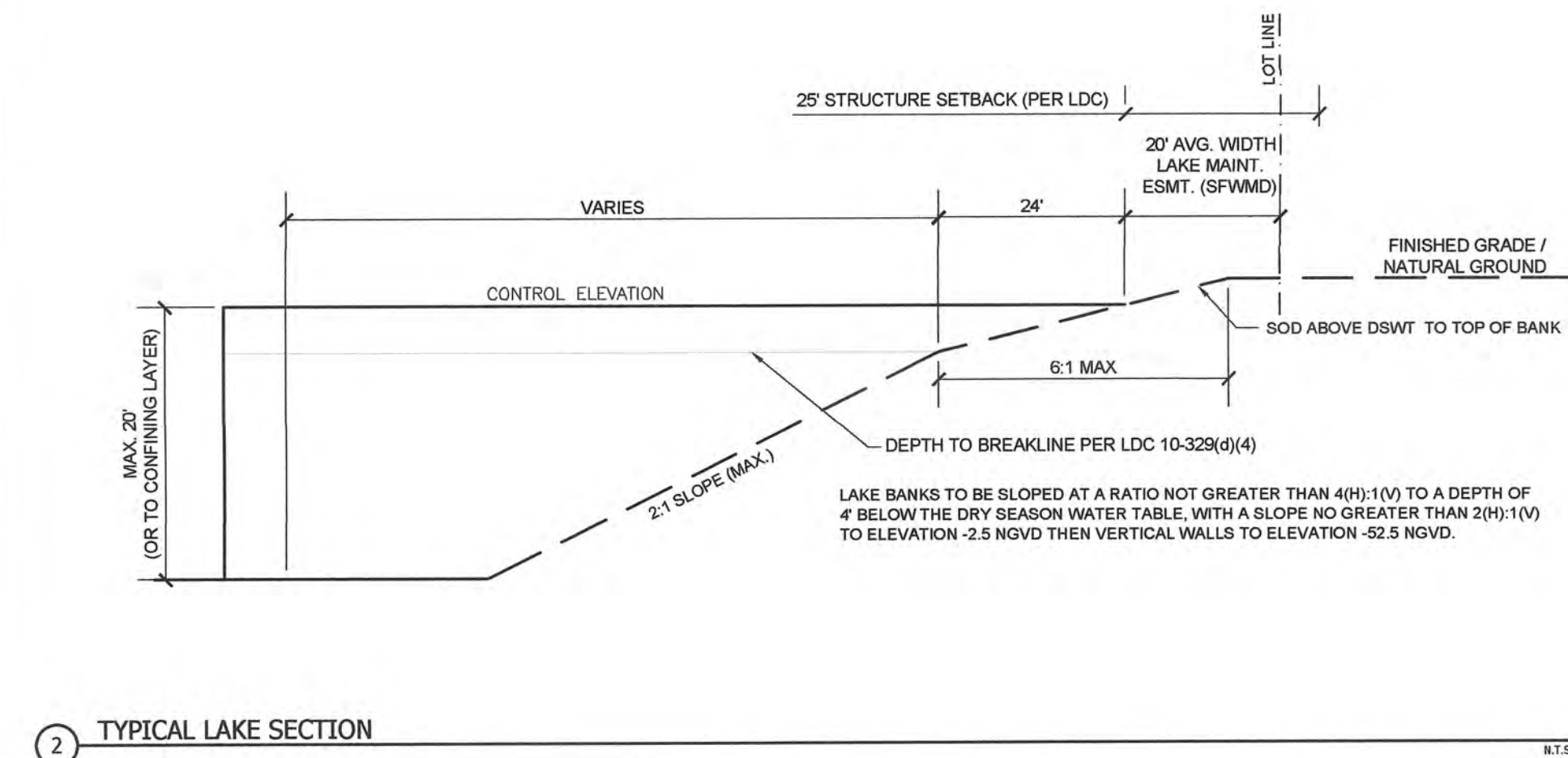
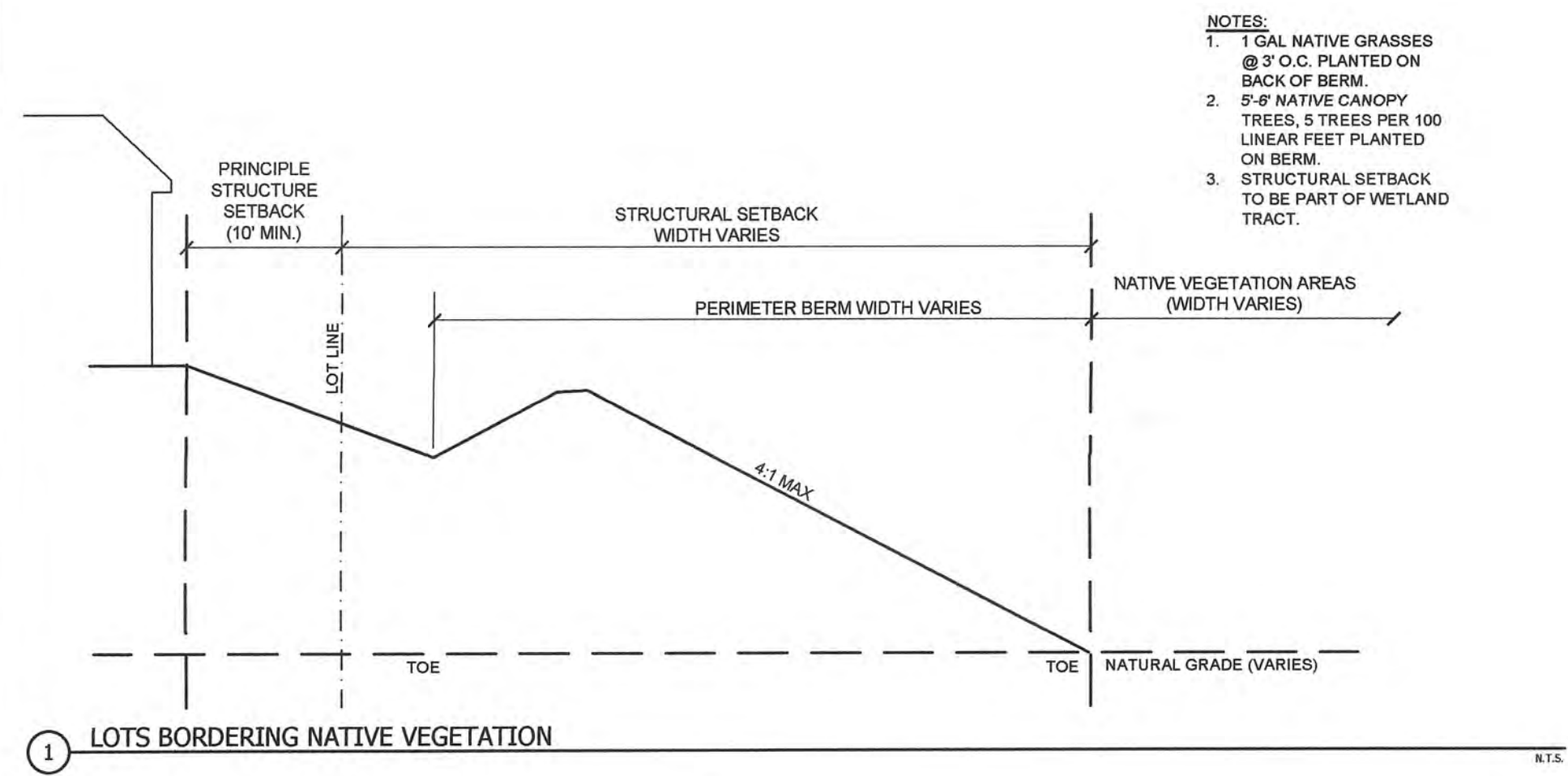
REVISIONS

PROJECT MANAGER:
DRAWING BY:
JURISDICTION: LEE COUNTY
DATE: 8/27/20
SHEET TITLE:
OPEN SPACE PLAN

SHEET NUMBER: C-10

250 0 125 250
SCALE 1"=250'

JOB/FILE NUMBER: 19079-C
DATE: AUG 31 2020
COMMUNITY DEVELOPMENT



PROJECT:

LEE COUNTY HOMES ASSOCIATES I, LLLP

LOCATION:

BUCKINGHAM ROAD
LEE COUNTY, FLORIDA

CLIENT:

LEE COUNTY HOMES ASSOCIATES I, LLLP

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REVISIONS	DATE

PROJECT MANAGER: TME

DRAWING BY: MML

JURISDICTION: LEE COUNTY

DATE: 8/27/2020

TITLE:

NOTES AND TYPICAL SECTIONS

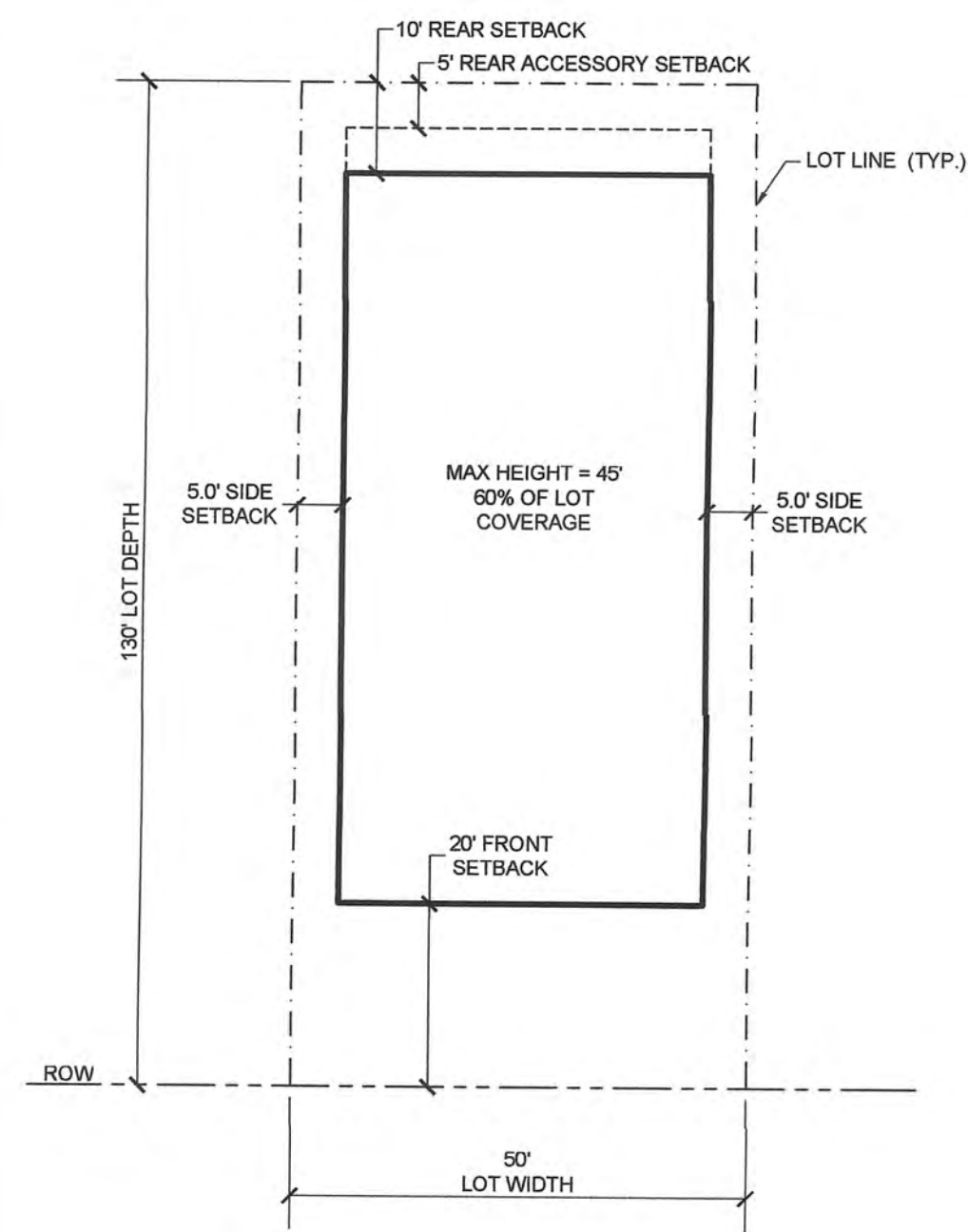
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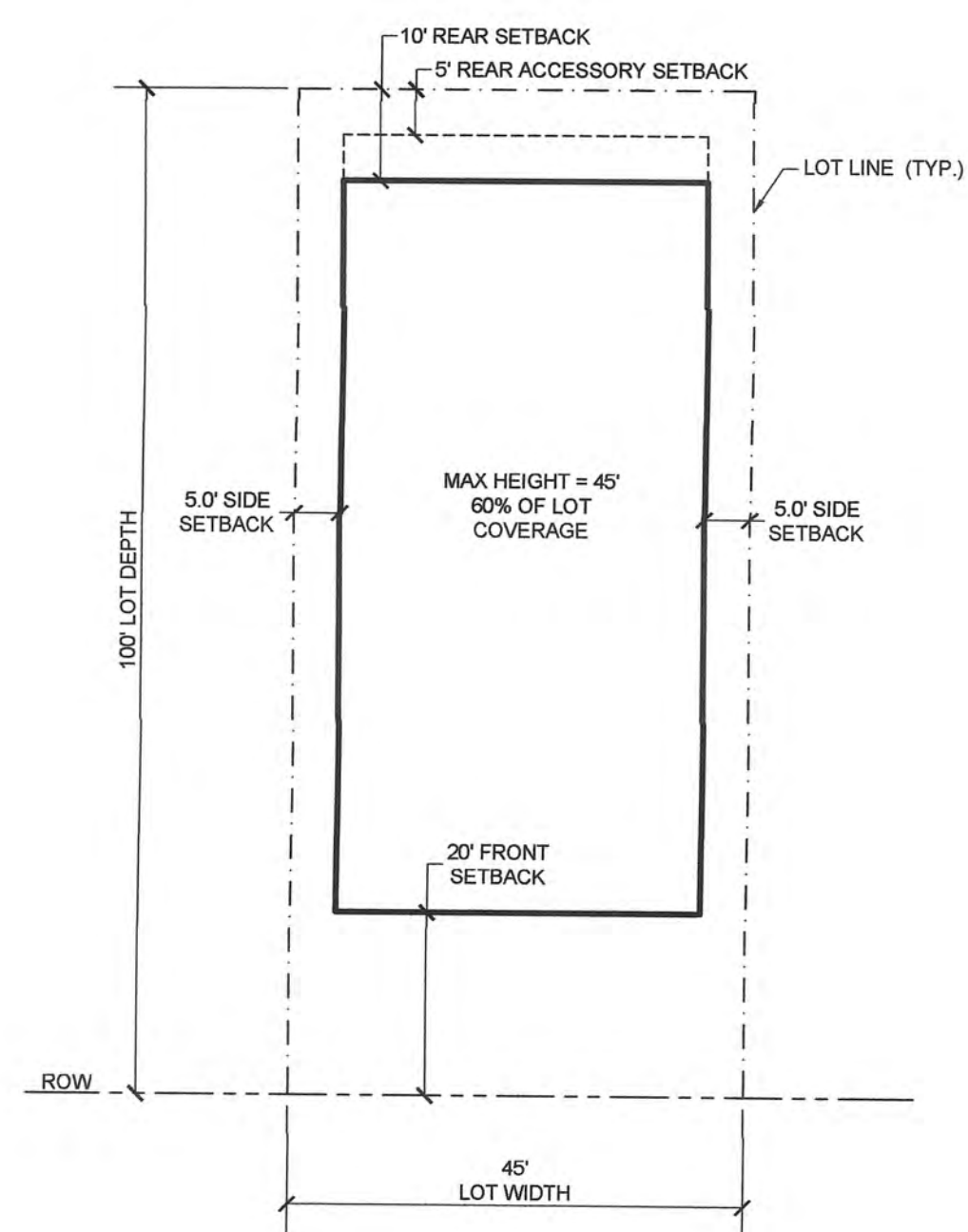
AUG 31 2020

COMMUNITY DEVELOPMENT

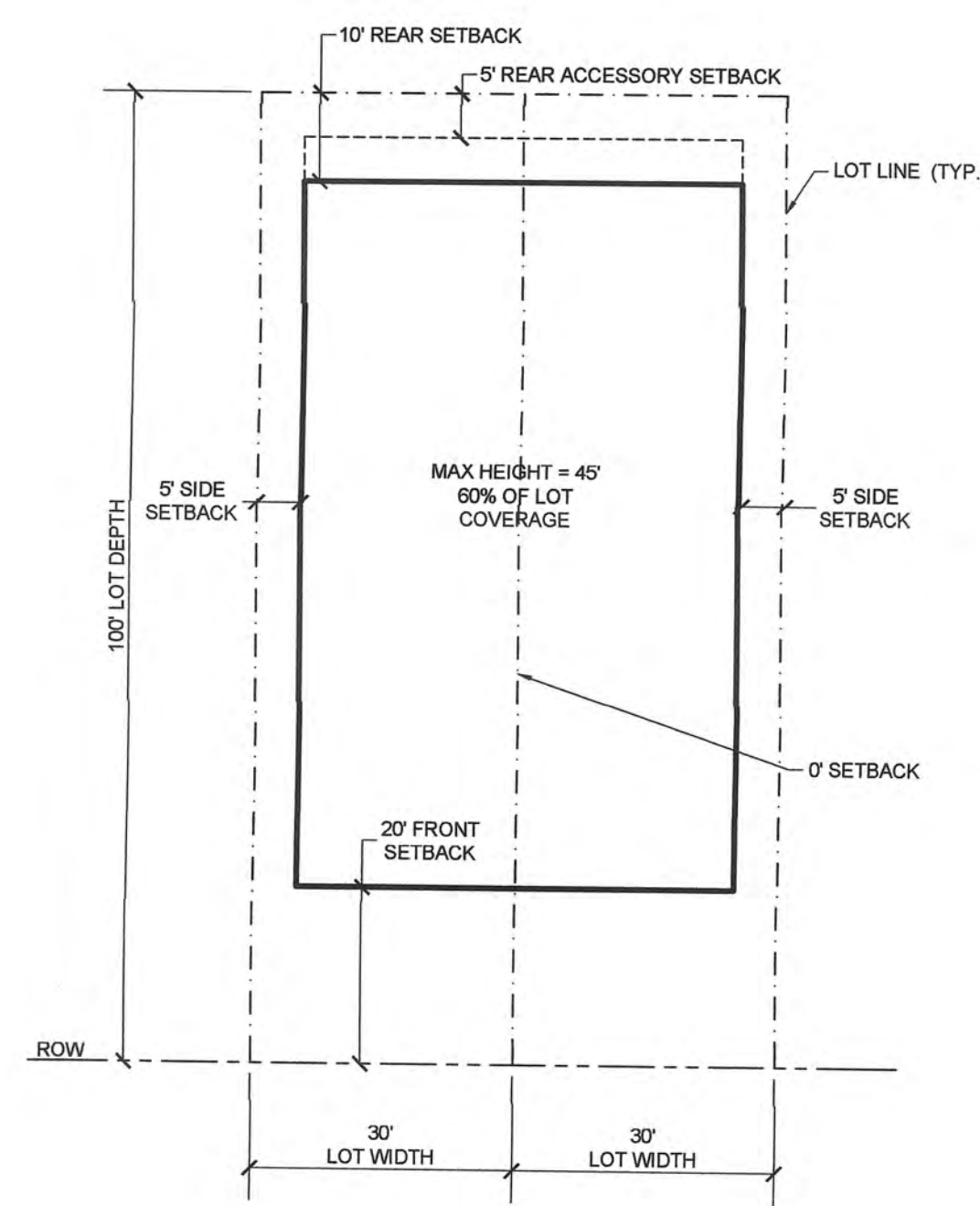
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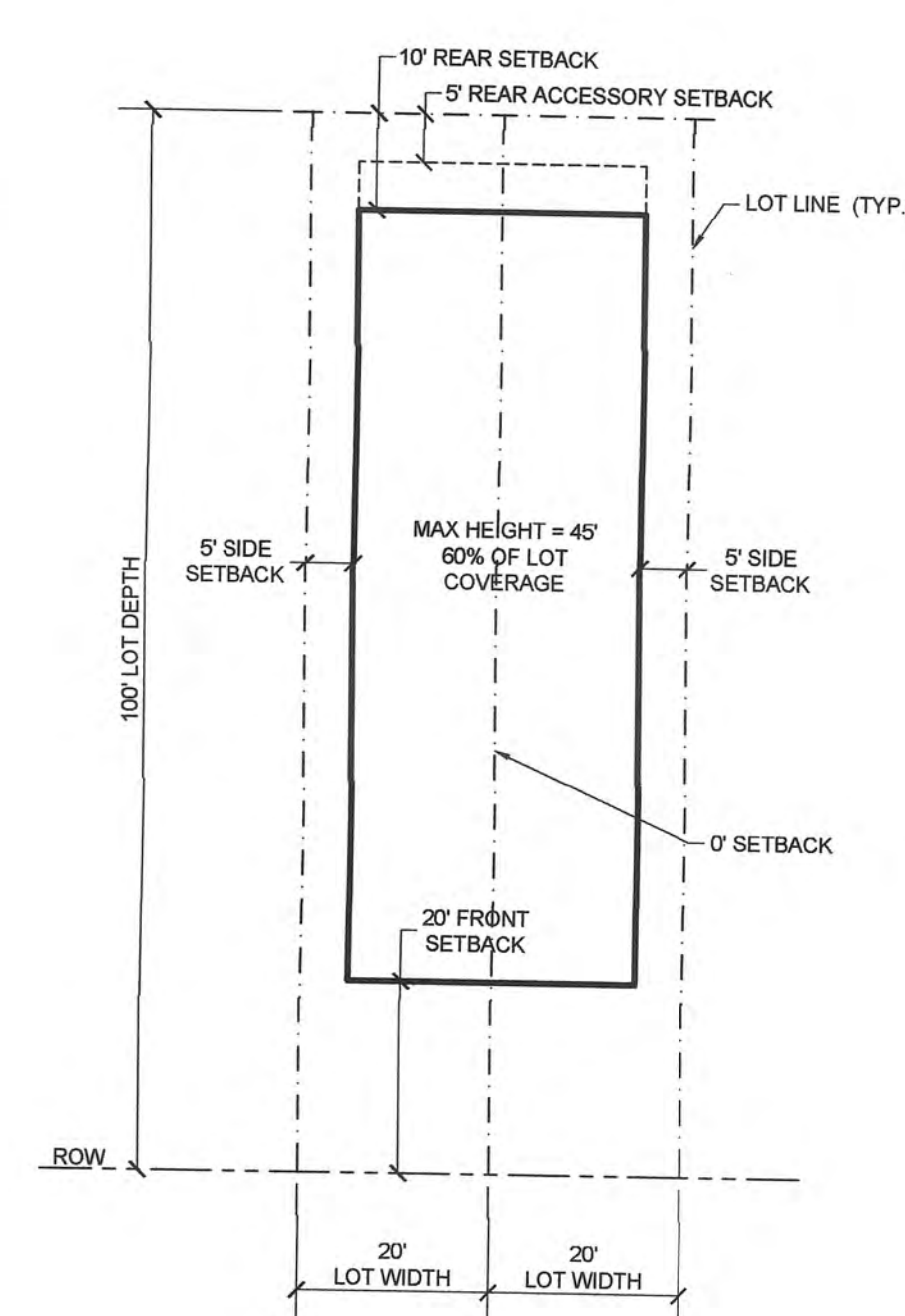
1 TYPICAL R-1 SINGLE FAMILY LOT
NOTE: 15' FRONT SETBACK FOR SIDE LOAD GARAGE. N.T.S.



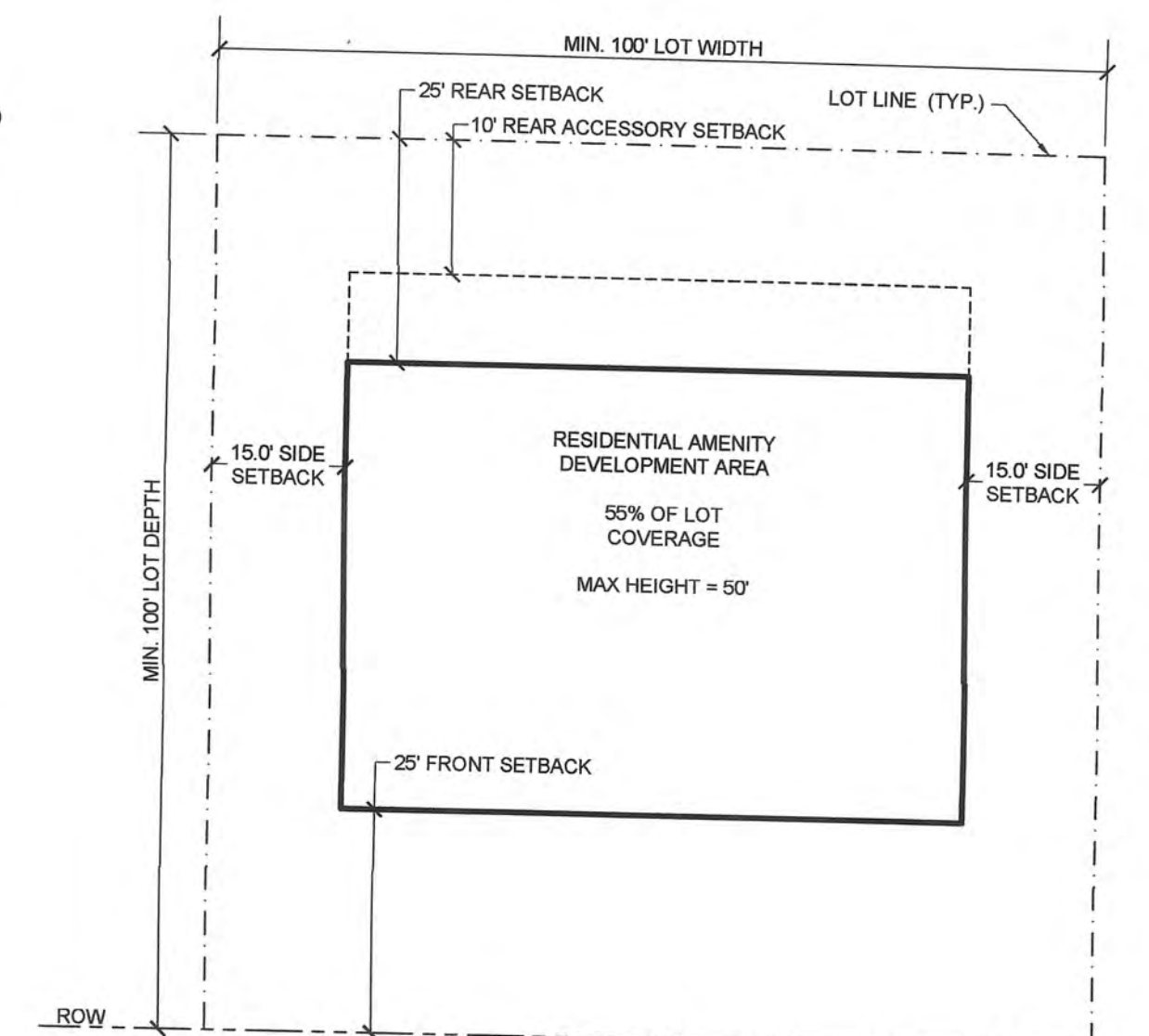
2 TYPICAL R-2 SINGLE FAMILY LOT
NOTE: 15' FRONT SETBACK FOR SIDE LOAD GARAGE. N.T.S.



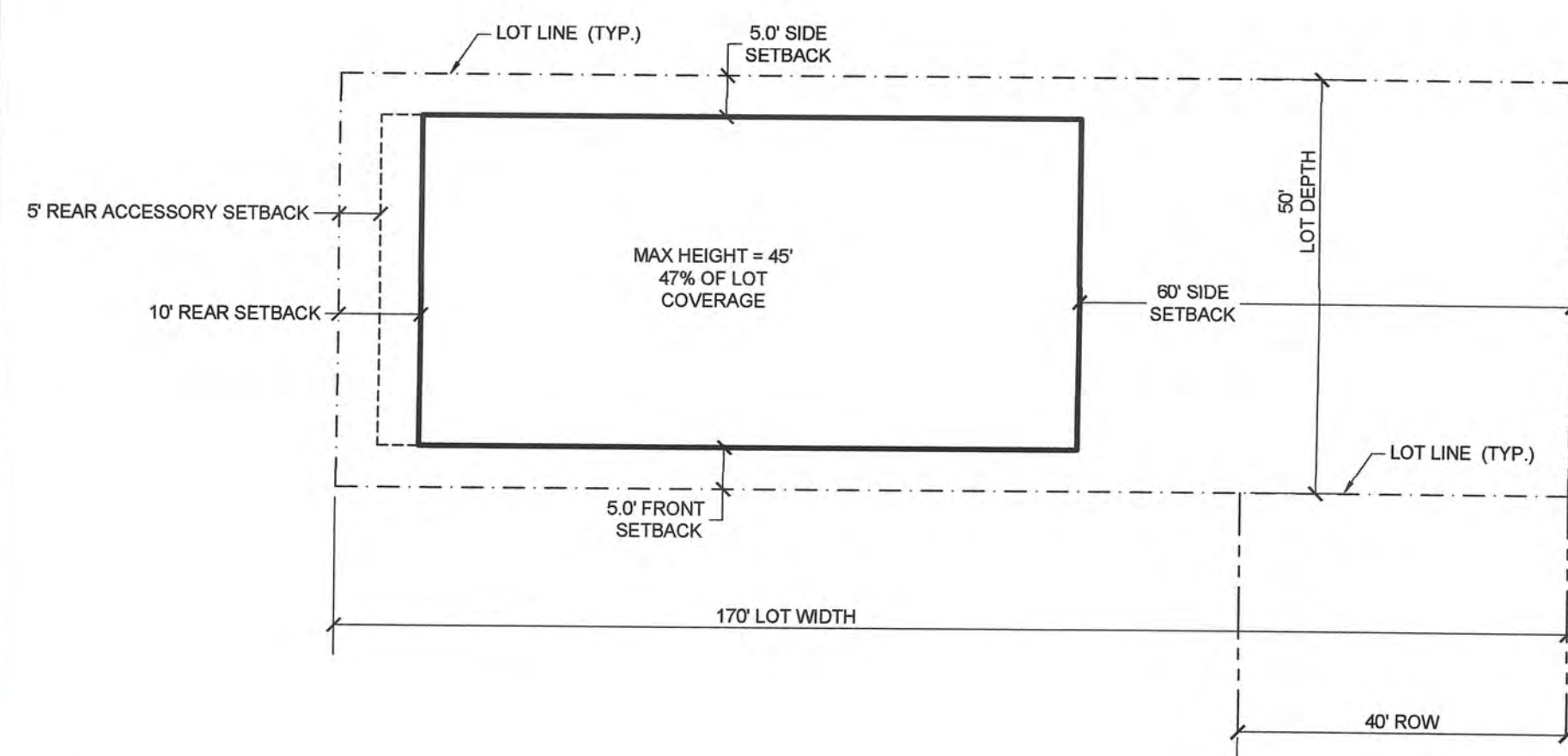
3 TYPICAL TWO FAMILY ATTACHED LOT(S)
N.T.S.



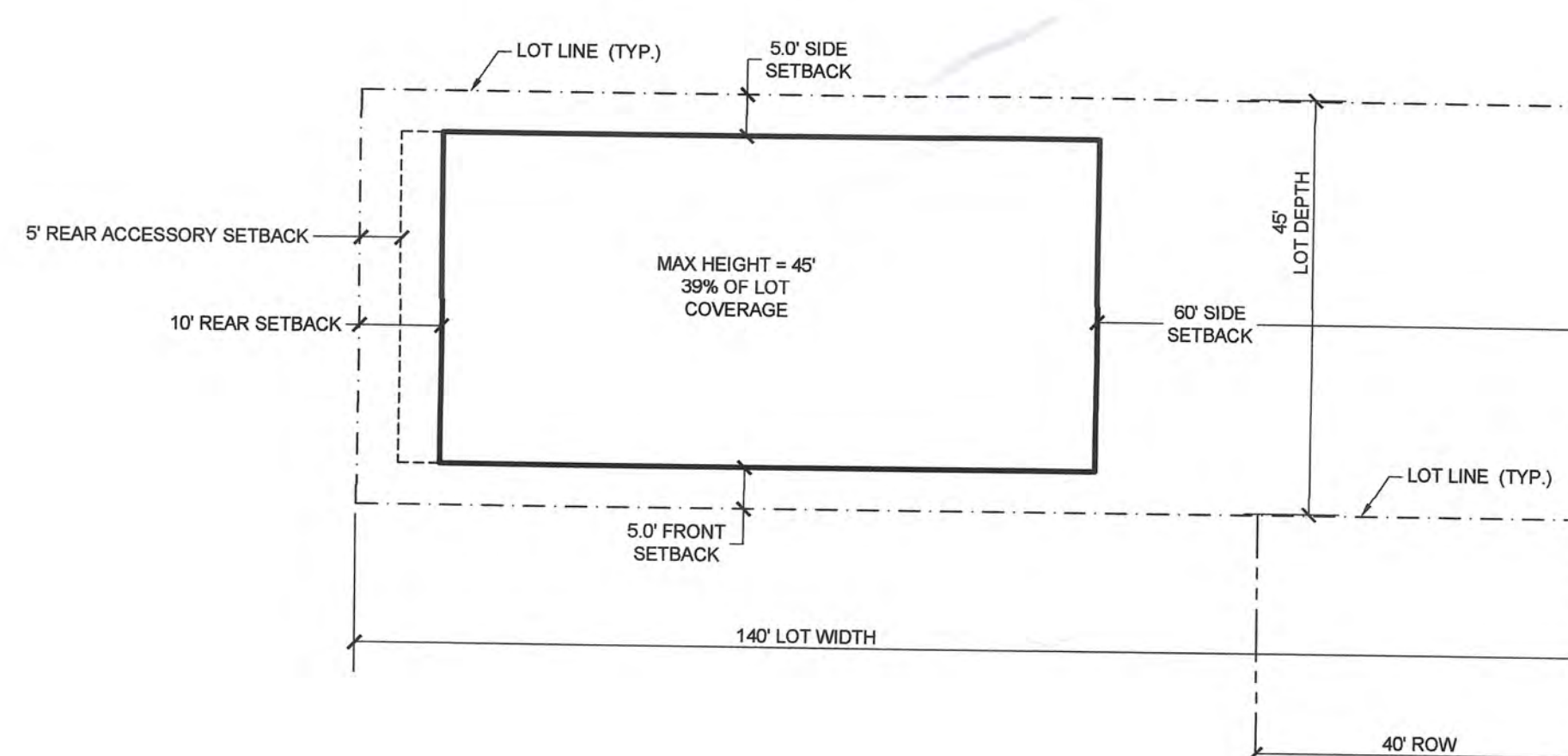
4 TYPICAL TOWNHOME LOT(S)
N.T.S.



5 TYPICAL AMENITY LOT
N.T.S.



6 TYPICAL R-1 SINGLE FAMILY LOT AT DEAD END R.O.W.
NOTE: AT LOCATION OF DEVIATION 6 ONLY. N.T.S.



7 TYPICAL R-2 SINGLE FAMILY LOT AT DEAD END R.O.W.
NOTE: AT LOCATION OF DEVIATION 6 ONLY. N.T.S.

PROJECT:

LEE COUNTY
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ASSOCIATES I,
LLLP

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REVISIONS DATE

PROJECT MANAGER: TME

DRAWING BY: MML

JURISDICTION: LEE COUNTY

DATE: 8/27/2020

TITLE:

LOT TYPICALS

SHEET NUMBER:

C-502

JOB/FILE NUMBER: 18079-01

RECEIVED
AUG 31 2020
COMMUNITY DEVELOPMENT