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

TYPE OF CASE:	PLANNED DEVELOPMENT/DCI
CASE NUMBER:	DCI2020-00010
HEARING EXAMINER DATE:	February 11, 2021
SUFFICIENCY DATE:	December 16, 2020

Applicant: Morris-Depew Associates, Inc. in reference to Lee County Homes (Buckingham 345) RPD.

Request: Request to amend Resolution #Z-05-074, an existing 344± acres Buckingham 345 Residential Planned Development (RPD) to amend the Master Concept Plan, Schedule of Uses, Site Development Regulations, Buffers, and other conditions and deviations, and to allow for up to 1,015 residential dwelling units (Companion to CPA 2020-00002).

Location: The subject property is located on Buckingham Road, Fort Myers Shores Planning Community, Lee County, FL (District #5). The applicant indicates the STRAP numbers are: 32-43-26-00-00003.0000, 32-43-26-00-00004.0000, 32-43-26-00-00004.0010

Summary
Staff recommends APPROVAL of the applicant's request to amend Resolution Z-05-074 with the conditions and deviations found in Attachment C.

The conditions have been prepared to address the proposed development and consistency with the Lee County Comprehensive Plan (Lee Plan), compatibility with surrounding land uses, and addressing future infrastructure needed to support the development.

The applicant's request includes seven (7) deviations from the requirements of the Land Development Code. Staff has reviewed and recommends denial of one and approval of the remaining six deviations subject to conditions.

Character of the Area
The area is mostly developed with residential uses. There are some large Residential Planned Developments, including Verandah, Portico, and River Hall in the vicinity of the site, as well as a school and some agricultural uses in the area.

To the north, northeast and east there are two large developments, Portico, a 581-acre property approved for 1,600 residential dwelling units, and River Hall a 1,978-acre development approved for 2,695 residential units.

To the south, there are mostly large properties zoned agricultural with some developed with single family dwellings.

To the west, across Buckingham Road, there is a large development known as Verandah, a 1,455-acre development approved for 1,700 residential dwelling units and 230,000 square feet of commercial uses.

Analysis
The subject site, which consists of 344± acres, is currently zoned Residential Planned Development via Resolution Z-05-074, which amended Resolution Z-00-039. The original approval in the year 2000 was for 640 dwelling units on 324 acres. In 2005, the applicant added an additional 20 acres to the site; Resolution Z-05-074 approved a maximum of 690 dwelling units on 344 acres.

The current request is to amend the existing RPD to allow for a maximum of 1,015 dwelling units on the 344 acres. There is a companion application (CPA 2020-00002) to change the Future Land Use designation of the property from Sub-Outlying Suburban to Outlying Suburban to allow a maximum density of three dwelling units per acre on the subject property. This amendment will increase the density of the project from two dwelling units per acre to approximately 2.95 dwelling units per acre.

This amendment will rescind and replace Resolution Z-05-074, as amended by ADD2007-00018.

Environmental
Environmental staff has provided a recommended set of conditions which have been incorporated into the conditions proposed by staff (Attachment F).

Transportation
Infrastructure Planning staff has reviewed this project and has recommended approval (Attachment G).

It is anticipated that this project, when completed by 2028, will generate 8,927 daily trips. The roadway level of service analysis indicates Buckingham Road from SR 80 to Orange River Boulevard will operate below the adopted Level of Service standard (LOS “F”) in year 2028 as a result of the proposed development, while Orange River Boulevard from Buckingham Road to SR 80 and SR 80 from Buckingham Road to SR 31 will operate at LOS “F” in Year 2028 both with and without the proposed development.

An intersection LOS analysis shows that the Buckingham Road/SR 80 intersection will operate at LOS “D” without the project and LOS “F” with the project in the PM peak hour in Year 2028.

Lee Plan
The subject property is located in the Sub-Outlying Suburban and Wetlands Future Land Use categories and the companion application seeks to change that designation to Outlying Suburban. This report evaluated the request based on Outlying Suburban criteria of the Lee County Comprehensive Plan.

Approximately 11.09 acres of the property is comprised of Wetlands; of which 7.9 acres will be preserved and 3.11 acres will be impacted. The Lee Plan allows full density of the Outlying Suburban for preserved Wetlands and 1 unit per 20 acres for impacted wetlands. The project’s density takes into account the impacted wetlands and relocated the density from the preserved Wetlands to the Outlying Suburban area. The overall density of the project is approximately 2.95 dwelling units per acre, which is in compliance of Policy 1.1.6 of the Lee Plan.

Lee Plan Policy 20.1.6 requires that residential developments adjacent to the Rural Community Preserve Future Land Use category, when possible, to provide appropriate transitions with a graduated increase in density as development moves away from the Rural Community Preserve Future Land Use category boundary. This policy also requires appropriate buffers. In order to comply with this requirement, the applicant proposes to have large lots of 13,500 square feet in area along the southern boundary of the site graduating to 6,500-square foot lots and then to 4,500-square foot lots as the project transitions away from the Rural Community Preserve. Large 13,500-square foot lots with 45-foot rear setbacks and with a 30-foot-wide enhanced buffer achieve the requirement of Lee Plan Policy 20.1.6.

The proposed development promotes contiguous and compact growth patterns, limits urban sprawl and minimizes the costs of services. Adequate public services exist to serve the property. Sewer and water are available to the site. The property has direct frontage on Buckingham Road. Therefore, the request is consistent with Objectives 2.1 and 2.2 and Policies 2.1.1 and 2.2.1 of the Lee Plan.

The proposed development is located in the Caloosahatchee Shore Community Plan area. Goal 21 of the Lee Plan requires protection of the existing character, natural resources and quality of life in this community plan area, while promoting new development, redevelopment and maintaining a more rural identity for the neighborhoods east of I-75. This project by its design and relatively low density achieves this goal.

Policy 21.1.2 of the Lee Plan requires all buffering, landscaping, signage and architectural deviations to comply with the variance criteria set forth in chapter 34 of the Land Development Code. This application requests 7 deviations but none from the above mentioned requirements.

Water and sewer services from Lee County Utilities are available to the site and the site will be connected to those services. Staff finds the request CONSISTENT with Standards 4.1.1 and 4.1.2 of the Lee Plan (Attachment I).

Urban Services

Urban services are defined by the Lee Plan as the requisite services, facilities, capital improvements, and infrastructure necessary to support growth and development at levels of urban density and intensity.

Public sewer and water: Municipal potable water service is available to the site from Lee County Utilities, with adequate capacity to serve this development. Development must connect to public water and sewer services when development activity triggers the connection requirements of the LDC.

Paved streets and roads: The subject property fronts on Buckingham Road, providing adequate access to the site.

Public transit: Bus route 50, starting at the Sanibel Outlet Mall travelling on Summerlin Road to Winkler Road, then Cypress Lake Drive and Daniels Parkway, turning to Treeline Avenue, and ending at the RSW Airport, with a bus stop within close proximity of this site, is the only public transit route available to the subject site.

Parks and recreation facilities/Community facilities: Shores Natural Trail Park is located on Fifth Street and Olga Park located on South Olga Drive are within close proximity of this site.

Urban levels of police, fire, and emergency services: The subject property will be provided urban levels of police, fire and emergency services. Fire protection is provided by Fort Myers Shores Fire District, located at 12345 Palm Beach Boulevard. Ambulance services will be provided by Lee County Medic 11 located approximately 5.5 miles from this site.

Urban surface water management: Any future development will be required to comply with the LDC, including provisions for surface water management.

Schools: River Hall Elementary School located on River Hall Parkway, Oak Hammock Middle School, located on Tice Street, and Riverdale High School, located on Buckingham Road are the closest public schools to this site.

Employment and commercial centers: The subject property is in close proximity of existing commercial uses on Palm Beach Boulevard and Buckingham Road. These commercial centers provide employment and shopping opportunities in the area.

Planning Community Map and Allocation Table
POLICY 1.7.6: The Planning Communities Map and Acreage Allocation Table (see Map 16 and Table 1(b) and Policies 1.1.1 and 2.2.2) depict the proposed distribution, extent, and location of generalized land uses for the year 2030.

The subject property is located in the Fort Myers Shores Planning Community. The Planning Community Year 2030 Allocations indicate that 4,500 acres are allocated to residential uses in the Fort Myers Shores Planning Community. From that number, 2,429 acres of residential acreage is still available. Staff finds the request CONSISTENT with the allocations for the Fort Myers Shores Planning Community.

The applicant is in compliance with the Lee County Land Development Code Chapter 33-1482 which requires that the owner or agent applying for rezoning to conduct one publicly-advertised information session within the Caloosahatchee Shores Planning Community. The applicant conducted a public informational meeting in the community on July 6, 2020 (Attachment J).

The applicant is requesting seven deviations including, one already approved via Resolution Z-05-074, Staff reviewed these deviations and recommends denial of one and approval of six deviations.

Findings and Conclusions

Based upon an analysis of the application and the standards for approval of planned development rezonings, as required by Land Development Code Section 34-145(d)(4)a.1, staff offers the following findings and conclusions:

The request, as conditioned:

- Complies with Lee Plan as discussed in the Lee Plan analysis section of this report, specifically Lee Plan Policies 1.1.5, 2.1.1, 2.2.1 and 1.7.6; Objectives 2.1 and 2.2 Standards 4.1.1 and 4.1.2;

- Meets the Land Development Code and other applicable County regulations or qualifies for deviations;

- Is compatible with existing and planned uses in the surrounding area;

- Will provide access sufficient to support the proposed development intensity and the expected impacts on existing or planned transportation facilities will be mitigated through existing County regulations or conditions of approval;

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

- Will be served by urban services, as defined in the Lee Plan; and

- The proposed mix of uses is appropriate at the proposed location;

- 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: and

- The requested deviations (except Deviation #5), as conditioned: pursuant to section 34-373(a)(9):

    - Enhance the achievement of the objectives of the planned development; and

    - Preserve and promote the general intent of this Code to protect the public health, safety and welfare.

Closing Remarks
Lee County staff has reviewed the proposed rezoning request and recommends approval of the RPD amendment with conditions. The applicant has sought seven deviations from the Lee County Land Development Code, six of which are recommended for approval. The uses and density proposed by this request are consistent with the Lee Plan and compatible with surrounding existing land uses.

ATTACHMENTS:

A. Expert Witness Information
B. Maps: surrounding zoning, future land use and aerial photograph
C. Recommended Conditions and Deviations
D. Master Concept Plan
E. Site Development Regulations
F. Memorandum from Lee County Section of Zoning, Environmental Review
G. Memorandum from Lee County Section of Infrastructure Planning
H. Memorandum from Lee County Section of Natural Resources

I. Letter of availability for water and sewer
J. Public Informational Meeting Summary
K. Affidavit of Agricultural Use
L. Resolution Z-05-074
M. ADD2007-00018
N. Application and narrative
O. Legal Description

cc: Applicant
County Attorney
Zoning File

ATTACHMENT A

LEE COUNTY STAFF EXPERT WITNESS INFORMATION

PROVIDED PURSUANT TO AC-2-6, SECTION 2.2.b(5)(f)3.

Case Number: DCI2020-00011

Project Name: Lee County Homes RPD

Hearing Examiner Date: February 11, 2021

Chahram Badamtchian, AICP, Planner, Senior, Zoning Section, 1500 Monroe Street, Fort Myers, FL 33901

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

Elizabeth Workman, Environmental Planner, Senior, Zoning Section, 1500 Monroe Street, Fort Myers, FL 33901

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

Marcus Evans, Engineer, Senior, Development Services Section, 1500 Monroe Street, Fort Myers, FL. 33901

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

Brandon D. Dunn, Planner, Principal, Planning Section, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.

- Seeking to be qualified as an expert witness in the Lee Plan and land use planning.

- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application

Rebecca Sweigert, Planner, Principal, Planning Section, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Current resume is on file with the Hearing Examiner.

- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan, and environmental planning as it pertains to the Land Development Code, and Lee Plan.

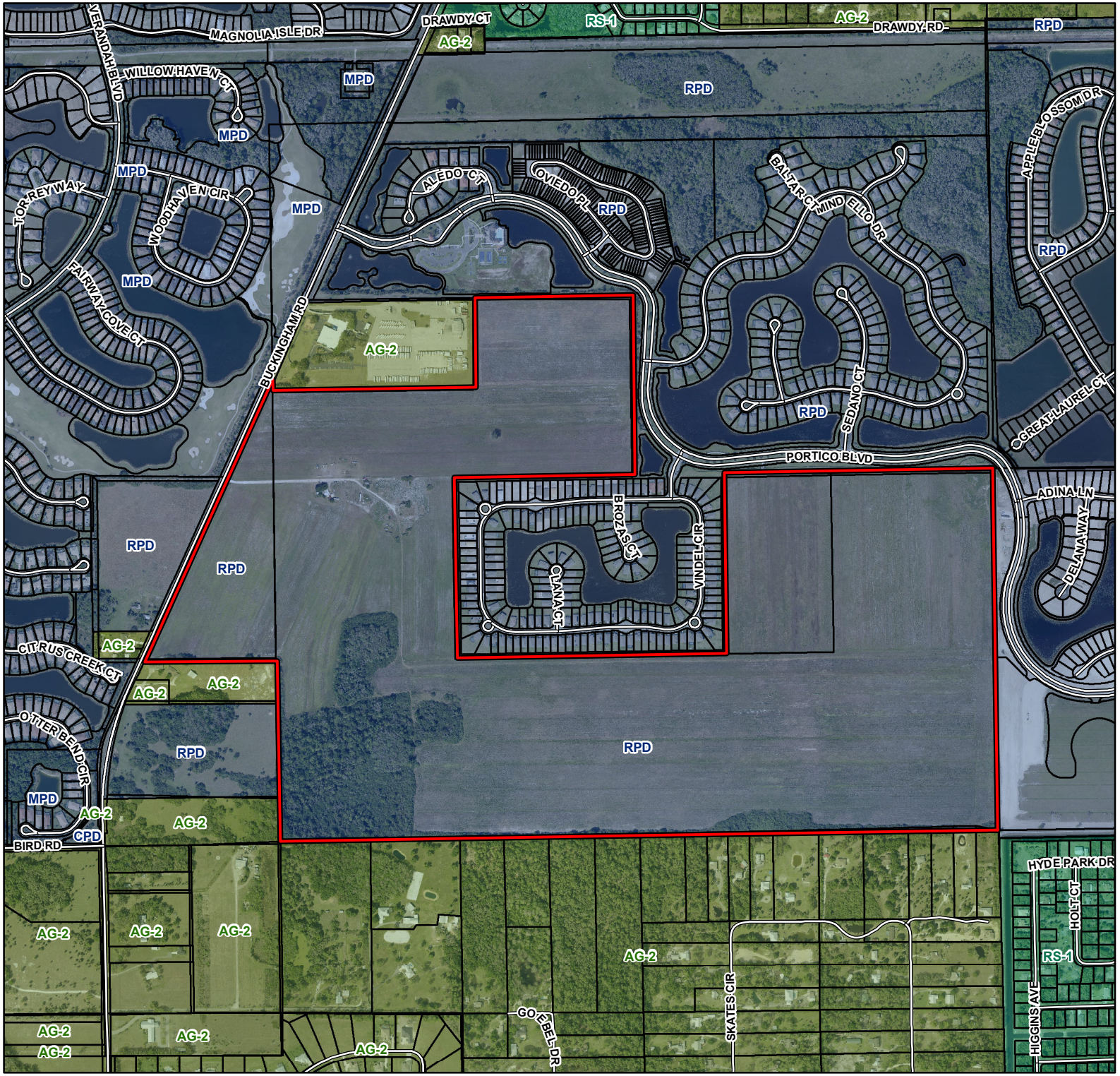
- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application

Brian Roberts, Planner, Zoning Section, 1500 Monroe Street, Fort Myers, FL 33901

- Previously qualified as an expert witness by the Lee County Hearing Examiner. Updated resume will be provided to the Hearing Examiner.

- Seeking to be qualified as an expert witness in the Lee County Land Development Code, Lee Plan, zoning, and land use planning.

- Report and documents are submitted with the Staff Report for this case. Additional documents that may be relied upon and used as evidence during the hearing include: the Lee County Land Development Code; the Lee Plan; and documentation submitted by the applicant as part of the subject application.



DCI2020-00010
Zoning

ATTACHMENT B

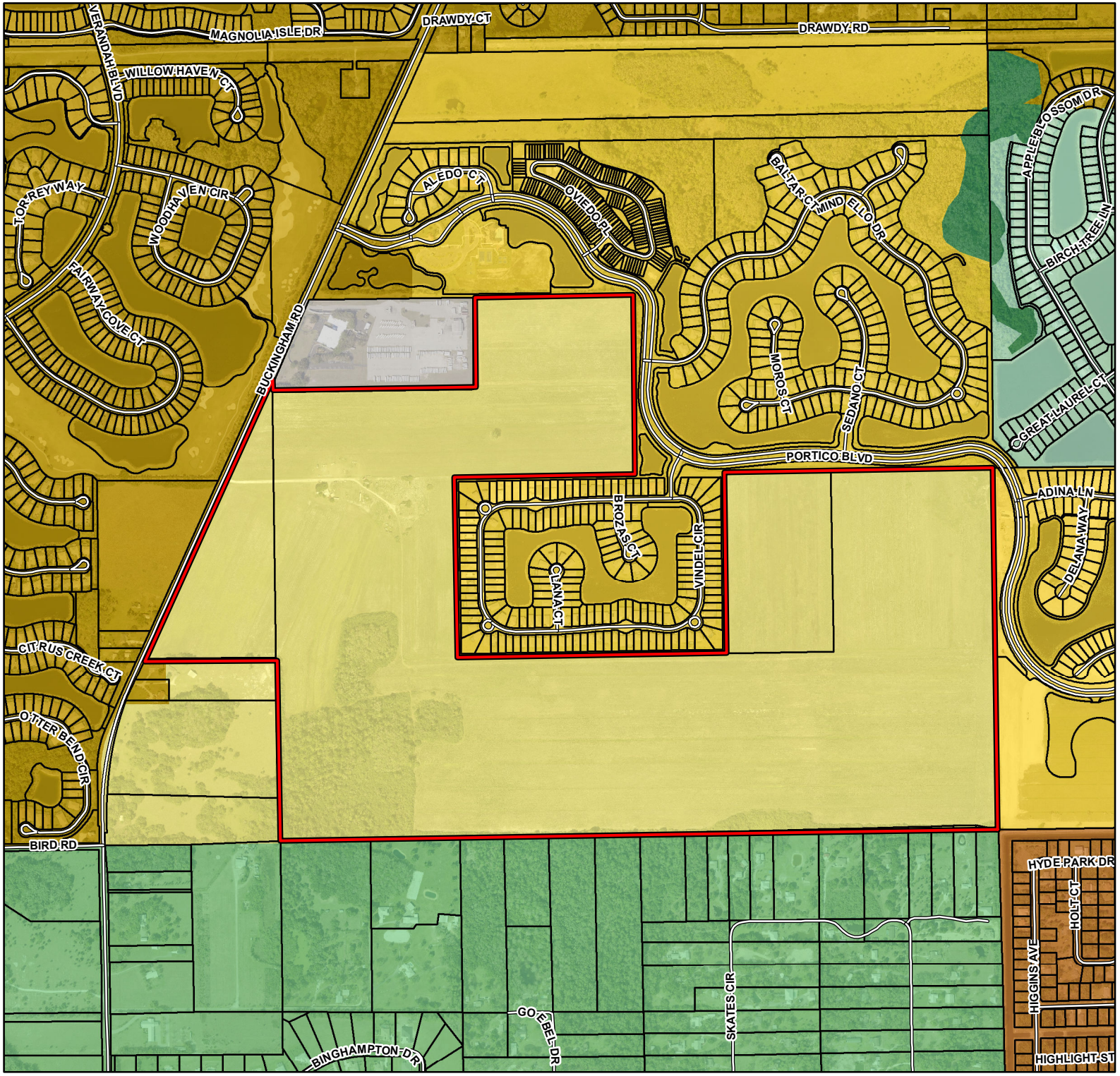
Legend

Subject Parcel

N

0 640
Feet

Lee County
Southwest Florida



DCI2020-00010
Future Land Use

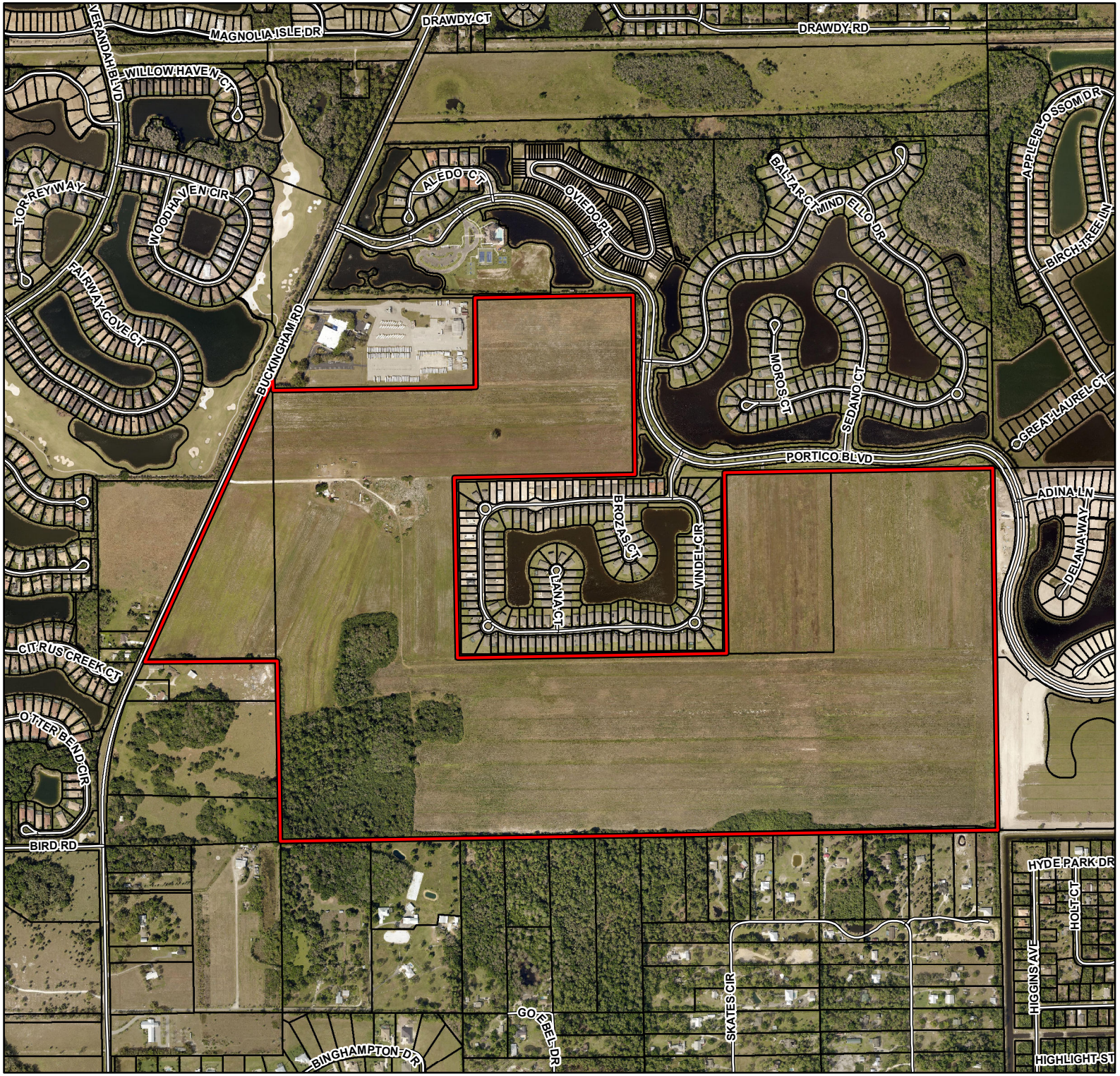
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- Subject Parcel
- Urban Community
- Suburban
- Outlying Suburban
- Sub-Outlying Suburban
- Public Facilities
- Rural
- Rural Community Preserve
- Wetlands

N

0 640
Feet

Lee County
Southwest Florida



DCI2020-00010
Aerial

Legend

Subject Parcel

N

0 640
Feet

Lee County
Southwest Florida

ATTACHMENT C

DCI2020-00010, Lee County Homes RPD
Conditions and Deviations

A. Conditions

1. MASTER CONCEPT PLAN/DEVELOPMENT PARAMETERS

The development of this project must be consistent with the five-page Master Concept Plan entitled **"**Lee County Homes Associates I, LLLP Residential Planned Development" dated November 17, 2020, except as modified by the conditions below. This development must comply with all requirements of the Lee County Land Development Code (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 Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.

The Resolution approving this amendment will rescind and replace Z-05-074 and ADD2007-00018.

This amendment will allow a maximum of 1,015 dwelling units for the entire development.

2. USES AND SITE DEVELOPMENT REGULATIONS

a. Schedule of Uses

RESIDENTIAL R-1

Accessory Uses and Structures
Dwelling Units
Single-family
Entrance gate, gatehouse
Essential Services
Essential Service Facilities: Group I
Excavation, Water Retention
Fences, walls
Home Occupation
Model Home and Model Unit
Model Display Center
Parking Lot, Accessory
Real Estate Sales Office
Signs
Temporary Uses, limited to construction trailers at the time of development

RESIDENTIAL R-2

Accessory Uses and Structures
Dwelling Units
- Single-family
- Zero Lot Line
- Two Family Attached
- Townhomes

Entrance gate, gatehouse
Essential Services
Essential Service Facilities: Group I
Excavation, Water Retention
Fences, walls
Home Occupation, No outside help
Model Home and Model Unit
Model Display Center
Model Display Group
Parking Lot, Accessory
Real Estate Sales Office
Signs
Temporary Uses, limited to construction trailers at the time of development

RESIDENTIAL R-3

Accessory Uses and Structures
Dwelling Units
    Single-family
Entrance gate, gatehouse
Essential Services
Essential Service Facilities: Group I
Excavation, Water Retention
Fences, walls
Home Occupation, No outside help
Model Home and Model Unit
Model Display Center
Parking Lot, Accessory
Real Estate Sales Office
Signs
Temporary Uses, limited to construction trailers at the time of development

RESIDENTIAL AMENITY (RA)

Accessory Uses and Structures
Administrative Offices
Banks and Financial Establishments, Group I (Including ATMs)
Communication Facility, Wireless (Antenna only, Towers prohibited)
Consumption on Premises
Club, Private
Essential Services
Essential Services 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
Signs

Specialty Retail Shops, Groups I and II
Storage, Indoor
Temporary uses

b. Site Development Regulations

Attached to the staff report as Exhibit "E"

3. VEHICULAR/PEDESTRIAN IMPACTS

Zoning approval does not address mitigation of vehicular or pedestrian traffic impacts. Additional conditions consistent with the Lee County LDC may be required to obtain a local development order.

4. PLAN CONSISTENCY

Zoning approval 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.

5. CONCURRENCY

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

6. DEVELOPMENT PERMITS

County development permits do not establish a right to obtain permits from state or federal agencies. Further, it does not establish liability on the part of the County if the Developer: (a) does not obtain requisite approvals or fulfill obligations imposed by state or federal agencies or (b) undertakes actions that result in a violation of state or federal law.

7. HURRICANE PREPAREDNESS

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 Section 2-481 et seq.

8. MODEL HOMES, MODEL UNITS, MODEL DISPLAY CENTERS

Model units, model homes, model display centers, 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.

b. All Model Home 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.

c. Prior to model home construction, the lots upon which model homes will be constructed must be shown on a preliminary plat. 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. The number of model homes or model units will be limited to no more than 15 within the development at one time.

e. Real estate sales are limited to the sale of lots or units within the development only.

f. Real estate sales are limited to temporary real estate trailers, model units, model display centers, and the Recreational Amenity area (Tract RA).

g. Hours of operation for both models and real estate sales are limited to Monday through Sunday 8 a.m. to 8 p.m.

h. Model homes and real estate sales will be valid for a period of up to 5 years from the date of issuance of a certificate of occupancy of a model home.

9. BUFFERS

A. SOUTHERN PROPERTY LINE

The development order plans must depict a 30-foot-wide buffer along the southern property line (excluding indigenous preserve area) with the development order establishing lots adjacent to this property boundary. The 30-foot-wide buffer must contain the following:

1. Berm with a wall or fence that is a minimum of eight feet in height, except where it would encroach into the upland preserve as identified on the MCP; and
2. Vegetation installed between the southern property line and the eight foot berm/wall combination must contain ten oak trees (Quercus virginiana) per 100 linear feet and a double hedge row; and

3. All trees must be 10 feet, two inches caliper, and four-foot spread; and

4. All shrubs must be a minimum of 36 inches in height at time of planting and create a visual screen; and

5. Existing indigenous native vegetation may be counted toward the vegetation requirements of this condition.

B. BUFFER ON LANDS ABUTTING BUCKINGHAM ROAD
The Development Order must depict an enhanced 25-foot Type - D buffer along Buckingham Road that includes 10 trees per 100 linear feet (which must include live oaks, no palms) located between the eight foot minimum in height berm/wall or fence and the Buckingham Road right-of-way.

C. BUFFER ADJACENT TO PORTICO AND INTERNAL RIGHT OF WAY
The Development Order must depict an enhanced 20-foot-wide Type C buffer where internal roads are located less than 125 feet from an adjacent single-family subdivision. A berm with a wall or fence at a minimum height of eight feet may be constructed closer than 25 feet from the abutting property if the following plant material is proposed:

1. Between the wall/berm and the property line - Ten South Florida Slash Pine (Pinus elliottii var. densa) and 18 shrubs per 100 linear feet; and

2. Between the wall/berm and the internal right-of-way - Five shade trees per 100 linear feet; and

3. Between the wall/berm and the internal right-of-way - Clusters of three South Florida Slash Pine (Pinus elliottii var. densa) between the shade trees; and

4. Between the wall/berm and the internal right-of-way – 18 shrubs per 100 linear feet.

D. All required buffers must utilize 100% native vegetation.

10. PROTECTED SPECIES

The development order must provide a species management plan that includes a section explaining how the cardinal airplant (Tillandsia fasciculate) and the wild pine airplant (Tillandsia utriculata) will be protected during development and exotic removal.

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

12. Right-of-way dedication

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

13. 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 a second access point on Buckingham Road.

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.

14. COMMERCIAL USES AND CONSUMPTION ON PREMISES

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

b) Commercial uses are for the strict use of the residents and guests and are not open to the general public.

c) Hours of operation for consumption on premises is limited to 7:00 a.m. to midnight, daily.

15. PUBLIC SCHOOL USE

a. If the school site is conveyed 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 1,015 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 Property Development Regulations for R-1 and R-2, and the enhanced buffer along Buckingham Road, with an Administrative Amendment.

c. If the "Future School Site" is utilized for residential development, no more than 1,015 dwelling units may be permitted for the entire development.

16. Natural Resources Conditions

Prior to local development order approval the developer must provide:

a) A map depicting locations of all free-flowing wells on the property. Any well that is not part of an irrigation system or designated groundwater monitoring network must be permanently plugged and abandoned in accordance with Lee County Code of Ordinances 32-99.

b) A Water Quality Monitoring Plan 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;

2. An outfall monitoring schedule during “wet” season of June through October, for Field Temperature, Total Kjedahl Nitrogen, Total Nitrogen, Chlorophyll A, Nitrite, Nitrate, Phosphorus, Turbidity and Stage.

3. A baseline monitoring event to be part of the monitoring plan that must be completed prior to commencement of construction.

4. Water quality monitoring data must be provided to the Division of Natural Resources annually for a minimum of 5 years and must include a report with a comparison of State water quality standards, plots of parameters, and

recommendations. After five years of meeting or exceeding state water quality monitoring standards, the developer may amend water quality monitoring and reporting after written request, review, and approval by the Division of Natural Resources. Results must be reported as an Electric Data Deliverable (EDD), in a format approved by the Division of Natural Resources.

5. 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.

C. DEVIATIONS:

1. Deviation (1) seeks relief from LDC Section 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.

   This is a previously approved deviation. Staff recommends approval of this deviation subject to Environmental condition 9-c.

2. Deviation (2) seeks relief from LDC Section 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 communities to allow 17.3 acres existing native vegetation communities to be maintained onsite.

   The site has been previously cleared and is currently utilized for cattle grazing. Staff recommends approval of this deviation subject to the following condition:

   The development order must depict 105.06 acres of open space that includes 83.35 acres of general open space and 21.71 acres of indigenous open space that includes 150% upland credits for upland indigenous area #1.

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

   Staff recommends approval of this deviation. This will be a gated community with low vehicular traffic and lower speed limits. Allowing sidewalk on one side of each road will allow for more green space throughout the development.

4. Deviation (4)) seeks relief from LDC Section 10-296(e)(2)(h)(5) Table 15 Suburban Local Streets which requires residential land use to have 10-foot travel lane with, 5-foot planting strip and 5 foot pedestrian facility width on both sides of the roadway to allow a roadway cross

section with 10- to 12-foot travel lane, a 5-foot planting strip and a 5-foot pedestrian facility on only one side of the primary road at the community entry.

Staff recommends approval of this deviation subject to Condition 13. This design was previously approved by Resolution Z-05-074. This deviation allows flexibility in the design of the entrance street with larger landscaping within the median of the road.

5. Deviation (5) seeks relief from LDC Section 10-291(3) which requires residential development of more than five acres to provide more than one means of ingress or egress for the development and prohibits access points designated for emergency use from being used to meet this requirement, to memorialize a single point of access previously approved via Resolution Z-05-074 and an additional access point to Buckingham Road.

   Staff recommends denial of this deviation. When this project was amended in 2005, the Code allowed one main and one emergency access points to the site. In 2007 the Code was amended to require two access points for residential projects over 5 acres in area. This amendment will add 325 additional dwelling units to the site, which contains over 2,000 feet of road frontage with no impediment to provide a second access point.

6. Deviation (6) seeks relief from LDC Section 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.

   Staff recommends approval of this deviation subject to the condition below. This is a very low traffic development and the dead end portion of the roads will allow only a maximum of 2 lots and therefore, will not be detrimental to public health and safety.

   Dead end portion of the roads shall serve a maximum of two residential lots.

7. Deviation (7) seeks relief from LDC Section 10-418(1) which requires “Shorelines to 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”.

   Staff recommends approval of this deviation subject to the following condition:

   The development order must provide a detailed plan of the planted littoral shelf for all non-sinuous lakes that depicts the littoral plants installed in a serpentine or undulating design to simulate a sinuous shoreline.

DCI2020-00010 Lee County ePlan

MASTER CONCEPT PLAN FOR

LEE COUNTY HOMES ASSOCIATES I, LLLP

LEE COUNTY, FLORIDA

SECTION 33, TOWNSHIP 43, RANGE 26E

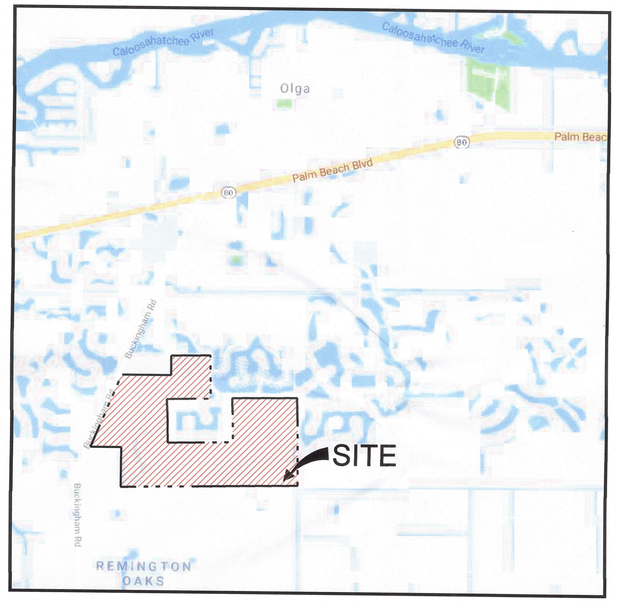
LEE COUNTY, FLORIDA



SITE VICINITY MAP

N.T.S.

BID	CONSTRUCTION	LEE COUNTY	SFWMD	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.

ATTACHMENT D

PROJECT:

LEE COUNTY HOMES ASSOCIATES I, LLLP

LOCATION:

BUCKINGHAM ROAD
LEE COUNTY, FLORIDA

CLIENT:

LEE COUNTY HOMES ASSOCIATES I, LLLP

CONSULTANT:

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
FL CA NO. 6532 / FL CERT NO. LB6891 / LC26000330

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Tallahassee, Florida 32301
Toll free: 866-337-7341

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:	11/17/2020
SHEET TITLE:	COVER SHEET
SHEET NUMBER:	COVER
JOB/FILE NUMBER:	19079-01

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PORTICO
RPD
Z-19-006

VERANDAH
MPD
Z-05-08

SCHOOL AND LEE COUNTY
SCHOOL BUS STORAGE

RIVER HALL
RPD
Z-15-003

OAK
VIEW
RPD
Z-17-005

PORTICO
RPD
Z-19-006

BUCKINGHAM
CHASE
RPD
Z-05-91

PORTICO
RPD
Z-19-006

LEHIGH ACRES
RESIDENTIAL
RS-1

AG-2
SINGLE FAMILY

AG-2
VACANT

AG-2
SINGLE FAMILY

NOTES

1. 25' TYPE 'D' LANDSCAPE BUFFER* - SEE DETAIL 5 ON SHEET C-501
2. 30' LANDSCAPE BUFFER* - SEE DETAIL 6 ON SHEET C-501
3. 15' TYPE 'B' BUFFER* - SEE DETAIL 7 ON SHEET C-501
4. 20' ENHANCED TYPE 'C' BUFFER* - SEE DETAIL 8 ON SHEET C-501
5. PRESERVE TO PROVIDE BUFFER

*PER ZONING RESOLUTION Z-05-074

Request: Rezoning to RPD for Residential uses.

1,015 Dwelling units

Future land use designation per CPA2020-00002: Outlying Suburban

Not on a Lee Tran Route

Lee County Utilities will service the proposed project.

Thirty feet (30') principal setback from indigenous areas to be provided.

DEVIATIONS

A. ENHANCED TYPE 'C' BUFFER
B. INDIGENOUS PRESERVATION
C. SUBURBAN STREETS
D. SUBURBAN STREETS
E. SINGLE ACCESS POINT
F. HAMMERHEAD TURNAROUND
G. SINUOUS LAKE BANKS

NO BUFFER REQUIRED (SEE DETAIL 9 ON SHEET C-501)

VILLAGE ROAD

PRIMARY ROAD

BUFFER TRANSITION

BUCKINGHAM ROAD (2 LANE ARTERIAL)

1295.12'

2286.09'

131.60'

859.38'

SCHOOL SITE

RA

WETLAND PRESERVE #1

UPLAND PRESERVE #1

UPLAND PRESERVE #2

WETLAND PRESERVE #2

UPLAND PRESERVE #3

UPLAND PRESERVE #4

LAKE

R-1

R-2

R-3

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
R-3 TRACTS LOTS THAT ARE A MINIMUM 13,600 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	DATE

PROJECT MANAGER:	TME
DRAWING BY:	MML
JURISDICTION:	LEE COUNTY
DATE:	11/17/2020

SHEET TITLE:

MASTER CONCEPT PLAN

SHEET NUMBER: C-101

250 0 125 250
SCALE 1"=250'

JOB/FILE NUMBER: 19079-01

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DCI2020-00010 Lee County ePlan

AREA	ACREAGE	REQUIRED OPEN SPACE 40%	REQUIRED INDIGENOUS OPEN SPACE
R-1 Development Area***	67.75	0.00	
R-2 Development Area	242.54	97.02	
R-3 Development Area****	14.39	0.00	
RA Development Area	6.92	2.77	
School Site	13.18	5.27	
TOTAL ACREAGE	**344.78**		
Required Acreage		**105.06**	**52.53**

AREA	ACREAGE	PROVIDED OPEN SPACE	PROVIDED INDIGENOUS OPEN SPACE
GENERAL OPEN SPACE	51.81	51.81	
LAKE**	40.53	26.26	
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		**83.35**	**21.71**
TOTAL PROVIDED OPEN SPACE	**105.06**		

* 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))

**** R-3 DEVELOPMENT AREA, LOT MINIMUM AREA 13,600 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.

PROJECT:

LEE COUNTY HOMES ASSOCIATES I, LLLP

LOCATION:

BUCKINGHAM ROAD
LEE COUNTY, FLORIDA

CLIENT:

LEE COUNTY HOMES ASSOCIATES I, LLLP

CONSULTANT:

MORRIS DEPEW
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REVISIONS	DATE

PROJECT MANAGER:	TME
DRAWING BY:	MML
JURISDICTION:	LEE COUNTY
DATE:	11/17/2020

SHEET TITLE:

OPEN SPACE PLAN

SHEET NUMBER:

C-102

250 0 125 250
SCALE 1"=250'

JOB/FILE NUMBER:

19079-01

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LEHIGH ACRES
RESIDENTIAL
RS-1

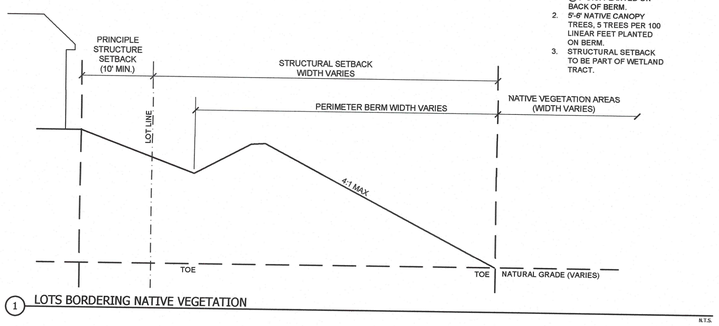
- LAKE
- WETLAND PRESERVE
- UPLAND PRESERVE
- AMENITY (RA)
- SURROUNDING PLANNED DEVELOPMENT

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

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

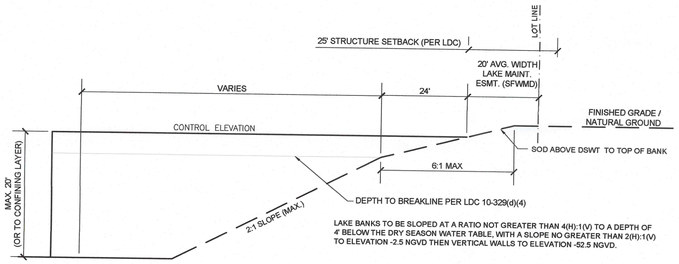
R-3 TRACTS LOTS THAT ARE A MINIMUM 13,600 SQ FT

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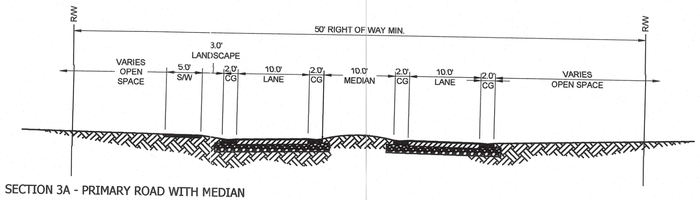
1 LOTS BORDERING NATIVE VEGETATION

N.T.S.

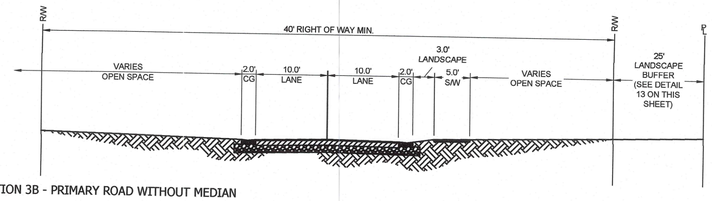


2 TYPICAL LAKE SECTION

N.T.S.



SECTION 3A - PRIMARY ROAD WITH MEDIAN



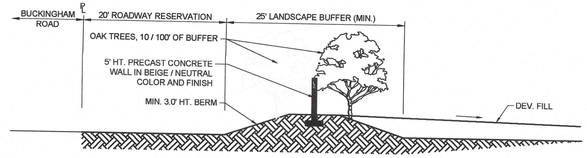
SECTION 3B - PRIMARY ROAD WITHOUT MEDIAN

3 PRIMARY ROAD

1" = 10'-0"

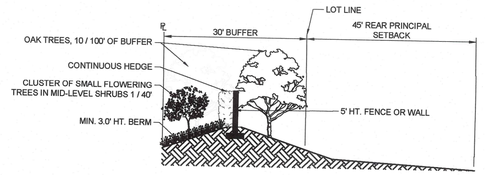
4 VILLAGE ROAD

1" = 10'-0"



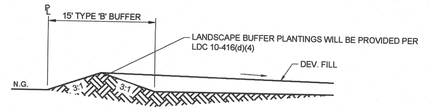
5 25' ENHANCED TYPE D LANDSCAPE BUFFER

1" = 10'-0"



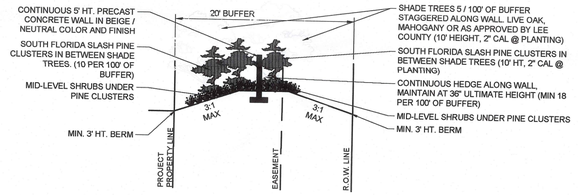
6 30' LANDSCAPE BUFFER

1" = 10'-0"



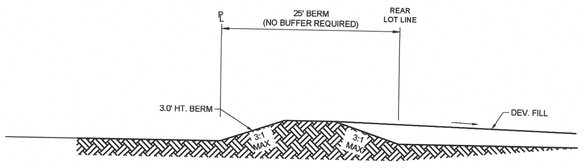
7 15' TYPE B BUFFER

1" = 10'-0"



8 20' ENHANCED TYPE C BUFFER

1" = 10'-0"



9 PERIMETER BERM

1" = 10'-0"

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	DATE

PROJECT MANAGER:	TME
DRAWING BY:	MML
JURISDICTION:	LEE COUNTY
DATE:	11/17/2020

TITLE:

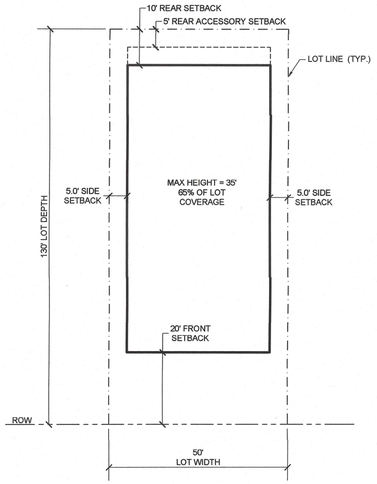
NOTES AND TYPICAL SECTIONS

SHEET NUMBER: C-501

JOB/FILE NUMBER: 19079-01

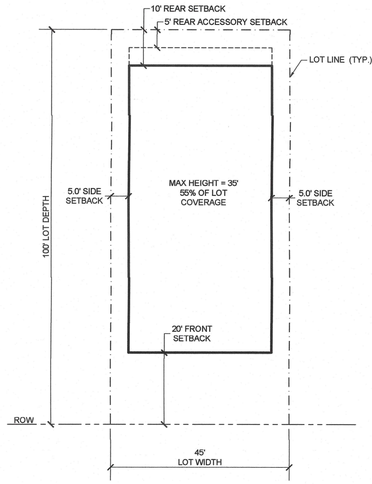
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DCI2020-00010 Lee County ePlan



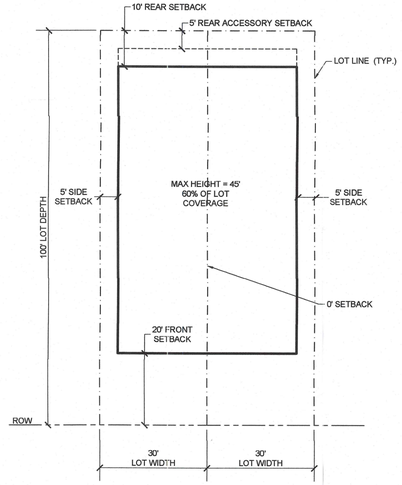
1 TYPICAL R-1 SINGLE FAMILY LOT N.T.S.

NOTE: 15' FRONT SETBACK FOR SIDE LOAD GARAGE.

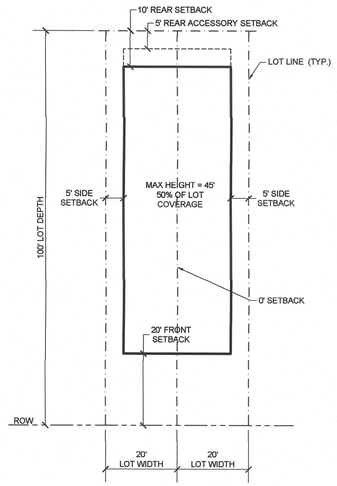


2 TYPICAL R-2 SINGLE FAMILY LOT N.T.S.

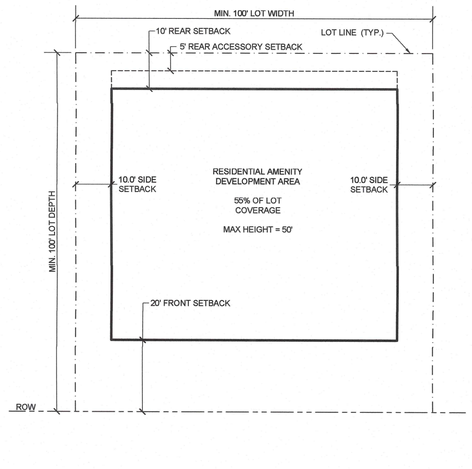
NOTE: 15' FRONT SETBACK FOR SIDE LOAD GARAGE.



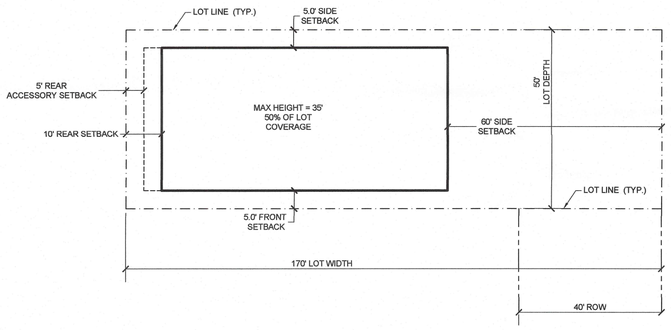
3 TYPICAL TWO FAMILY ATTACHED LOT(S) N.T.S.



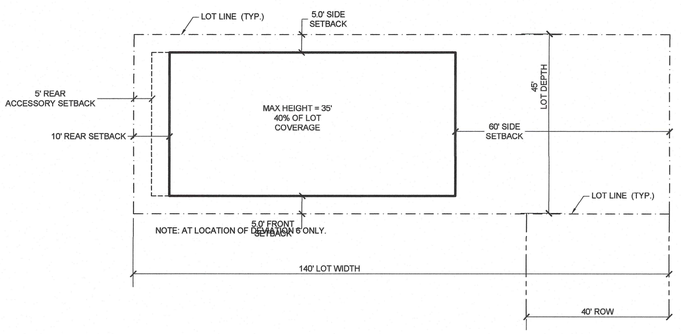
4 TYPICAL TOWNHOME LOT(S) N.T.S.



5 TYPICAL AMENITY LOT N.T.S.

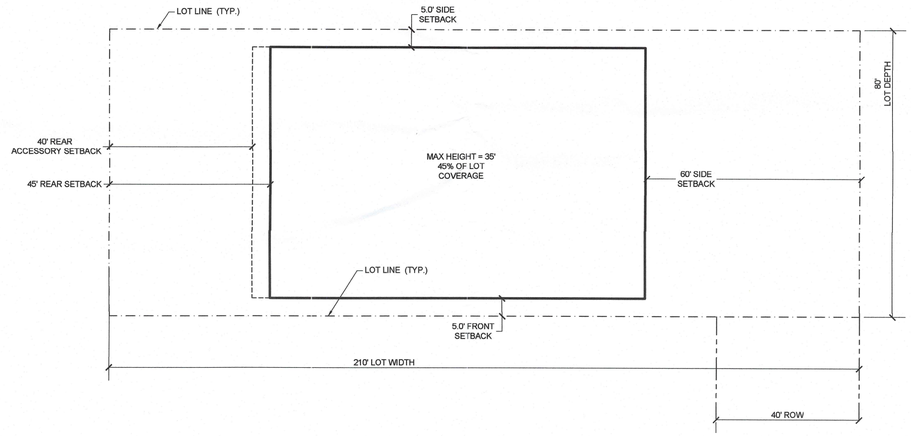


6 TYPICAL R-1 SINGLE FAMILY LOT AT DEAD END R.O.W. N.T.S.

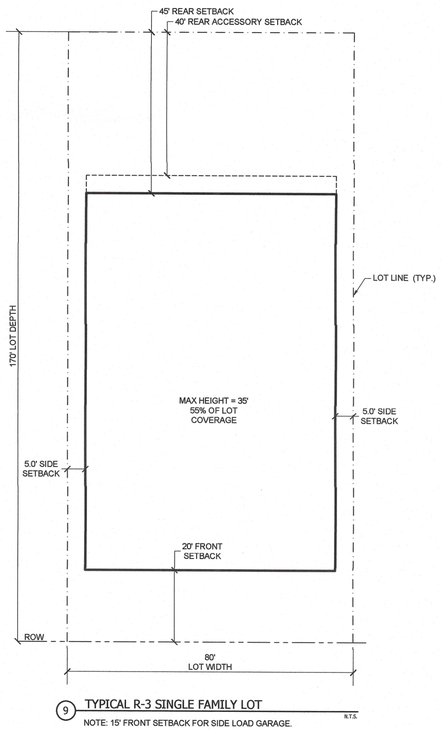


7 TYPICAL R-2 SINGLE FAMILY LOT AT DEAD END R.O.W. N.T.S.

NOTE: AT LOCATION OF DEVIATION 6 ONLY.



8 TYPICAL R-3 SINGLE FAMILY LOT AT DEAD END R.O.W. N.T.S.



9 TYPICAL R-3 SINGLE FAMILY LOT N.T.S.

NOTE: 15' FRONT SETBACK FOR SIDE LOAD GARAGE.

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:	11/17/2020

TITLE:

LOT TYPICALS

SHEET NUMBER: C-502

JOB/FILE NUMBER: 19079-01

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Lee County Homes Associates I, LLLP
Residential Planned Development
Property Development Regulations
November 16, 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]	8,500	170	50	5	5 & 60	10	5	5	10	35	50
R-2											
Single-Family	4,500	45	100	20	5	10	5	5	10	35	55
Single-Family[4]	7,000	140	50	5	5 & 60	10	5	5	10	35	40
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
R-3											
Single Family	13,600	80	170	20	5	45	5	40	10	35	55
Single-Family[4]	16,800	80	210	60	5	45	5	40	10	35	45
Non-Residential											
Clubhouse/Amenity Sites	10,000	100	100	20	10	10	10	5	10	50	55

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 only apply to a residential lot intersecting with a dead end ROW consistent with the location of Deviation 6.

ATTACHMENT E

ATTACHMENT F

Date: **January 7, 2021**

To: **Chahram Badamtchian, Senior Planner**

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

Subject: **DCI2020-00010**
Lee County Homes

An application has been submitted for a to rezone a Residential Planned Development (RPD) that was approved for 690 dwelling units to increase the dwelling units to 1,035 dwelling units and revise previously approved master concept plan. The applicant has proposed revisions to existing conditions to provide clarity, greater consistency with the Lee Plan and new deviations.

OPEN SPACE

The applicant is required to provide 40% open space for all residential lots that are less than 6,500 square feet in size in accordance with Land Development Code (LDC) Section 10-415(a). The master concept plan received December 8, 2020 provides an open space chart depicting the development areas that are less than 6,500 square feet and must provide open space. The applicant is required to provide 105.06 acres of open space and is providing 105.06 acres of open space that includes 150% indigenous open space credits per LDC Section 10-415(b)(3).

INDIGENOUS OPEN SPACE

The property has existing indigenous plant communities that were previously preserved as part of the zoning approval (Z-05-074). The applicant has requested a new deviation from LDC 10-415(b) (1) (a) that requires 50% of the open space required to be indigenous open space (52.53 acres) to allow less than 50% (17.30 acres) of indigenous to be provided and impact a small wetland and abutting upland indigenous strip of pine flatwood along the southern property line. The small wetland located along the southern property line is a little over a tenth of an acre of indigenous willow with 25% - 50% exotics (FLUCCS 6189E2). This meets the indigenous definition in LDC 10-1. However, the willow is surrounded by Brazilian pepper that is an invasive species that is non-indigenous (FLUCCS 4221). The Brazilian pepper and the development of single family to the south that has cut off this wetland results in an isolated wetland providing very little value for wildlife habitat. Furthermore, if this area were preserved, would not provide enough indigenous to comply with the 50% indigenous open space requirement and would not be as viable as the southwest indigenous area that is being preserved.

The indigenous areas located to the southwest that are being preserved to comply with less than 50% of the indigenous open space as requested in Deviation #2 provides a plethora of habitat due to the mixture of upland and wetland indigenous areas. The applicant is designing the site around 21.71 acres of upland and wetland indigenous

plant communities (see attachment A). The 13.81 acres of upland preserve consists of a mixture of hardwood/conifer (FLUCCS 4349E2) and cypress/pine/cabbage palm (FLUCCS6249E2). The 7.90 acres of wetland preserve consists of cypress (FLUCCS 6219E2) and cypress/pine/cabbage palm (FLUCCS 6249E2). The upland preserves are located at the southwestern corner of the site and transition to the north into the wetland preserve that serves as a buffer to the amenity area. This transition of saving upland indigenous surrounding wetland indigenous provides habitat for wildlife to nest, roost, feed, and raise young. In addition, the upland/wetland indigenous mosaic provides water filtration that improves water quality. This design meets **Lee Plan Policy 123.3.1** that encourages upland preservation in and around preserved wetlands to provide habitat diversity, enhance edge effect, and promote wildlife conservation. The applicant is using the upland indigenous credits per LDC 10-415(b)(3) for the upland preserve #1 that is over three acres to receive 150% open space credits thus complying with the overall open space requirement per LDC 10-415(a).

The 21.71 acre preserve area provides more environmental benefits than the isolated wetland located along the southern property line.

Environmental Sciences Zoning staff recommends approval of Deviation #2 and provides the following condition:

> *The development order must depict 105.06 acres of open space that includes 83.35 acres of general open space and 21.71 acres of indigenous open space that includes 150% upland credits for upland indigenous area #1.*

PROTECTED SPECIES

A protected species survey was conducted on February 7, 2020 by Passarella and Associates, Inc. (see attachment B). The meandering transects survey method per Wilson Miller, Inc. was used to survey the site. Two Limpkin (*Aramus guarauna*) were documented within the pasture and Florida Black Bear (*Ursus amerianus floridanus*) scratch tree was observed within the Cypress wetland. Both species are protected per the Lee County LDC Appendix H.

It is also important to note that two State of Florida designated endangered airplants, cardinal (Tillandsia fasciculata) and wild pine (Tillandsia utriculata) were found within the hardwood/conifer habitat. Although not on the protected list per Lee County, these are protected by the Florida Department of Agriculture and Consumer Services and in accordance with **Lee Plan Objective 123.4** that protects habitats of endangered or threatened species and species of special concern in order to enhance existing populations, they must be preserved. The submitted species survey includes appendix B (see attachment B) that depicts the location of all species, including the Tillandsia species, or evidence of species. The majority of the species found onsite are within the proposed preserve areas. The applicant will be required to provide a species management plan at time of development order. Environmental Sciences Zoning staff has proposed a condition to ensure that the species management plan required at time

of development order includes a section that explains the protection measures for these Tillandsia species during the site development and preserve management.

Environmental Sciences Zoning staff provides the following condition to include the Tillandsia species within the species management plan:

> *The development order must provide a species management plan that includes a section explaining how the cardinal airplant (Tillandsia fasciculate) and the wild pine airplant (Tillandsia utriculata) will be protected during development and exotic removal.*

BUFFERING

The applicant has proposed revisions to the previously approved buffer conditions (Z-05-074) to clarify and provide consistency with the master concept plan cross sections. Furthermore, the enhanced buffer conditioned along the southern property line is being designed at a greater width to demonstrate consistency with Lee Plan Policy 20.1.6.

Portico Buffer

Deviation #1 that was previously approved did not include a written condition clarifying the buffer requirements to approve the deviation. The applicant requested to allow the eight foot wall or wall/berm combination to be setback less than 25-feet as LDC 10-416(d)(6) requires. The deviation was approved with no condition provided to explain the cross section included in Exhibit B attached to Z-05-074.

The applicant has proposed the following language that staff agrees and has provided a few edits to provide clarity during development order review:

> *C. BUFFER ADJACENT TO PORTICO AND INTERNAL ROW*
> *The Development Order must depict an enhanced 20-foot-wide Type-C buffer where internal roads are located less than 125-feet from an adjacent single-family subdivision. A berm with a wall or fence at a minimum height of eight feet may be constructed closer than 25-feet from the abutting property if the following plant material is proposed:*
> 1. *Between the wall/berm and the property line - Ten South Florida Slash Pine (Pinus elliottii var. densa) and 18 shrubs per 100 linear feet; and*
> 2. *Between the wall/berm and the internal right-of-way - Five shade trees per 100 linear feet; and*
> 3. *Between the wall/berm and the internal right-of-way - Clusters of three South Florida Slash Pine (Pinus elliottii var. densa) between the shade trees; and*
> 4. *Between the wall/berm and the internal right-of-way – 18 shrubs per 100 linear feet.*

Buckingham Road Buffer

The applicant has provided revised language for a previous condition approved for the buffer abutting Buckingham Road. Environmental Sciences Zoning staff has reviewed the change in comparison with the cross section and finds that the proposed buffer must be located between the proposed wall and the property line in accordance with LDC 10-421(8). Cross section five depicts trees located on the internal side of the proposed wall/berm combination and no trees on the external side of the wall between the wall and Buckingham Road. Cross section five does not comply with LDC 10-421(8).

Environmental Sciences Zoning staff recommends the following revision to the Buckingham Road right-of-way condition:

B. BUFFER ON LANDS ABUTTING BUCKINGHAM ROAD
The Development Order must depict an enhanced 25-foot Type - D buffer along Buckingham Road that includes10 trees per 100 linear feet (which must include live oaks, no palms) located between the eight foot minimum in height berm/wall or fence and Buckingham Road right-of-way.

Southern Property Line
The subject property is adjacent to the Buckingham Rural Community Preserve located to the south and east of the property. In accordance with **Lee Plan Policy 20.1.6**, residential development adjacent to the Rural Community Preserve future land use category should make appropriate transitions to the Community Plan area with a graduated increase in density as development moves away from the Rural Community Preserve future land use category boundary. This policy goes on to state that appropriate buffers will be established for projects adjacent to the Rural Community Preserve future land use category boundary during the rezoning process. The LDC 10-416(d) does not require a landscape buffer when a single-family residential development is proposed abutting a single-family residential development. The current zoning approval (Z-05-074) was conditioned to provide an enhanced 20-foot-wide buffer with ten trees and a double hedge row along the southern boundary. The applicant is proposing a revision to this condition to come into greater conformity with **Lee Plan Policy 20.1.6** by providing a 30-foot-wide buffer with a berm/wall combination, increased single-family lot setback, and larger lots along the southern portion of the development with a decrease in lot size transitioning to the north. The applicant states that this buffer will only be provided along the southern property line and not along the eastern property line. Portico residential development abuts the subject property to the east and is in the same future land use category as Lee County Homes, have similar development layouts, and an enhanced buffer is not necessary to demonstrate compliance with **Lee Plan 20.1.6**.
Environmental Sciences Zoning staff agrees with the proposed revision to condition 8 of Z-05-74 as follows:

A. BUFFER ON SOUTHERN PROPERTY LINE
The development order plans must depict a 30 - foot wide buffer along the southern property line (excluding indigenous preserve area) with the

development order establishing lots adjacent to this property boundary. The 30-foot-wide buffer must contain the following:

1. *Berm with a wall or fence that is a minimum of eight-feet-in-height, except where it would encroach into the upland preserve as identified on the MCP; and*
2. *Vegetation installed between the southern property line and the eight foot berm/wall combination and contain ten oak trees (Quercus virginiana) per 100 linear feet and a double hedge row; and*
3. *All trees must be 10-feet, two-inch caliper, and four-foot spread; and*
4. *All shrubs must be a minimum of 36-inches-in-height at time of planting and create a visual screen; and*
5. *Existing indigenous native vegetation may be counted toward the vegetation requirements of this condition.*

The approved zoning resolution condition #21 required the development to design all required buffers with 100% native vegetation. This condition was set aside by itself, where all other conditions pertaining to buffering were within condition #8. Staff has recommends striking condition #21 and adding it as a subsection “D” to condition #8.

D. All required buffers must utilize 100% native vegetation.

SURFACE WATER MANAGEMENT DESIGN (Deviation #7)

The applicant has requested a deviation from LDC Section 10-418(1) requesting to not design some of the lakes in a serpentine shoreline but rather a rectangular shoreline. The applicant states that the design of the residential development is to mimic a city block and they cannot provide the serpentine shoreline with this design. LDC Section 10-418(1) is required to provide pockets within the shoreline for nesting, feeding, and protection for wildlife. In order to grant this deviation, Environmental Sciences Zoning staff is conditioning the littoral installation to be depicted on the development order in a serpentine, wavy, or bending design to create littoral pockets to mimic the intent of LDC Section 10-418.

Environmental Sciences Zoning staff recommends approval of Deviation #7 for the rectangular lakes only with the following condition:

The development order must provide a detailed plan of the planted littoral shelf for all non-sinuous lakes that depicts the littoral plants installed in a serpentine or undulating design to simulate a sinuous shoreline.

REVISED CONDITIONS (per Z-05-074 numbering)

8. BUFFERS

A. SOUTHERN PROPERTY LINE

The development order plans must depict a 30 - foot wide buffer along the southern property line (excluding indigenous preserve area) with the development order establishing lots adjacent to this property boundary. The 30-foot-wide buffer must contain the following:

1. *Berm with a wall or fence that is a minimum of eight-feet-in-height, except where it would encroach into the upland preserve as identified on the MCP; and*
2. *Vegetation installed between the southern property line and the eight foot berm/wall combination and contain ten oak trees (Quercus virginiana) per 100 linear feet and a double hedge row; and*
3. *All trees must be 10-feet, two-inch caliper, and four-foot spread; and*
4. *All shrubs must be a minimum of 36-inches-in-height at time of planting and create a visual screen; and*
5. *Existing indigenous native vegetation may be counted toward the vegetation requirements of this condition.*

B. BUFFER ON LANDS ABUTTING BUCKINGHAM ROAD

The Development Order must depict an enhanced 25-foot Type - D buffer along Buckingham Road that includes10 trees per 100 linear feet (which must include live oaks, no palms) located between the eight foot minimum in height berm/wall or fence and Buckingham Road right-of-way.

C. BUFFER ADJACENT TO PORTICO AND INTERNAL ROW

The Development Order must depict an enhanced 20-foot-wide Type-C buffer where internal roads are located less than 125-feet from an adjacent single-family subdivision. A berm with a wall or fence at a minimum height of eight feet may be constructed closer than 25-feet from the abutting property if the following plant material is proposed:

5. *Between the wall/berm and the property line - Ten South Florida Slash Pine (Pinus elliottii var. densa) and 18 shrubs per 100 linear feet; and*
6. *Between the wall/berm and the internal right-of-way - Five shade trees per 100 linear feet; and*
7. *Between the wall/berm and the internal right-of-way - Clusters of three South Florida Slash Pine (Pinus elliottii var. densa) between the shade trees; and*
8. *Between the wall/berm and the internal right-of-way – 18 shrubs per 100 linear feet.*

D. All required buffers must utilize 100% native vegetation.

PROTECTED SPECIES (new condition)

The development order must provide a species management plan that includes a section explaining how the cardinal airplant (Tillandsia fasciculate) and the wild pine airplant (Tillandsia utriculata) will be protected during development and exotic removal.

DEVIATION #1 INDIGENOUS OPEN SPACE

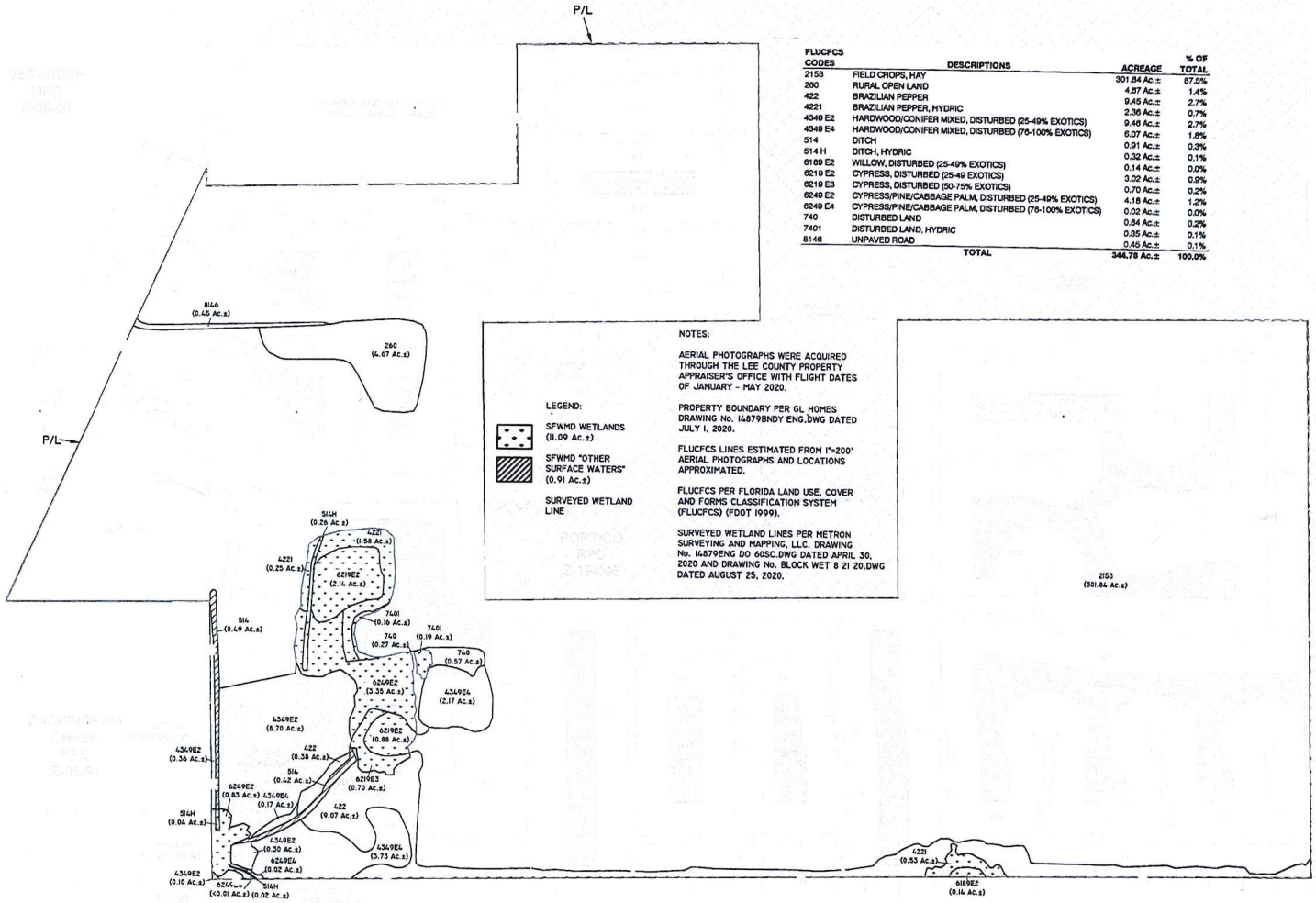
The development order must provide a species management plan that includes a section explaining how the cardinal airplant (Tillandsia fasciculate) and the wild pine airplant (Tillandsia utriculata) will be protected during development and exotic removal.

DEVIATION #7 SINOUS LAKES

The development order must provide a detailed plan of the planted littoral shelf for all non-sinuous lakes that depicts the littoral plants installed in a serpentine or undulating design to simulate a sinuous shoreline.

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Additional info submitted 08-31-2020



FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
2153	FIELD CROPS, HAY	301.84 Ac.±	87.5%
260	RURAL OPEN LAND	4.87 Ac.±	1.4%
422	BRAZILIAN PEPPER	9.45 Ac.±	2.7%
4221	BRAZILIAN PEPPER, HYDRIC	2.36 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%

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.

ATTACHMENT A

PROJECT:

LEE COUNTY HOMES ASSOCIATES I, LLLP

LOCATION:

BUCKINGHAM ROAD
LEE COUNTY, FLORIDA

CLIENT:

LEE COUNTY HOME ASSOCIATES I, LLL

CONSULTANT:

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
FL CA NO. 8302 / FL CERT NO. LB0001 / LC26000530

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Destin
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Unit 201
Santa Rosa Beach, Florida
Toll Free: 866-337-7

REVISIONS

PROJECT MANAGER:

DRAWING BY:

JURISDICTION: LEE COU

DATE: 8/28/

SHEET TITLE:

MASTER CONCEPT PLAN & FLUCCSS EXHIBIT

SHEET NUMBER: X-

JOB/FILE NUMBER: 14879

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BUCKINGHAM 345
LEE COUNTY PROTECTED SPECIES SURVEY

May 2020

Prepared For:

Lee County Homes Associates I, LLP
1401 University Drive, Suite 200
Coral Springs, Florida 33071
(239) 293-4220

Prepared By:

Passarella & Associates, Inc.
13620 Metropolis Avenue, Suite 200
Fort Myers, Florida 33912
(239) 274-0067

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ATTACHMENT B

Project No. 20LCH3210

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TABLE OF CONTENTS

		Page
1.0	Introduction	1
2.0	Land Uses and Vegetation Associations	1
3.0	Methodology and Discussion	4
4.0	Survey Results	7
5.0	Abundance of Protected Species Observed	7
6.0	Management Plan	10
7.0	References	10

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LIST OF FIGURES

Page

Figure 1. Project Location Map.....2

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LIST OF TABLES

		Page
Table 1.	Existing Land Use and Cover Summary	1
Table 2.	Potential Lee County Protected Species by Habitat Type	5
Table 3.	Summary of Habitat Coverage	6
Table 4.	Lee County Protected Species Abundance Calculations	8
Table 5.	Lee County Protected Species Survey Summary	8

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LIST OF APPENDICES

Page

Appendix A. Aerial with FLUCFCS and Wetlands Map A-1

Appendix B. Aerial with FLUCFCS, Survey Transects, and Protected Species Locations B-1

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1.0 INTRODUCTION

This report documents the Lee County Protected Species Survey (PSS) conducted by Passarella & Associates, Inc. (PAI) for Buckingham 345 (Project). The purpose of the survey was to review the Project for protected species in accordance with Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) Standards.

The Project is 344.78± acres and is located in Sections 32 and 33, Township 43 South, Range 26 East, Lee County (Figure 1). The Project is approximately 1.2 miles south of State Road 80, on the east side of Buckingham Road.

The majority of the Project site consists of fields utilized for the production of hay, and contains forested uplands and wetlands in the southwest corner.

2.0 LAND USES AND VEGETATION ASSOCIATIONS

The vegetation mapping for the Project was conducted using January 2019 Lee County rectified aerials. Groundtruthing to map the vegetative communities was conducted on January 28, 2020 utilizing the Florida Land Use, Cover and Forms Classification System (FLUCFCS) Levels III and IV (Florida Department of Transportation 1999). Level IV FLUCFCS was utilized to denote hydrological conditions and disturbance. "E" codes were used to identify levels of exotic infestation (i.e., melaleuca (*Melaleuca quinquenervia*), aquatic soda apple (*Solanum tampicense*) and Brazilian pepper (*Schinus terebinthifolia*)). AutoCAD Map 3D 2017 software was used to determine the acreage of each mapping area, produce summaries, and generate the FLUCFCS map. An Aerial with FLUCFCS and Wetlands Map is provided as Appendix A.

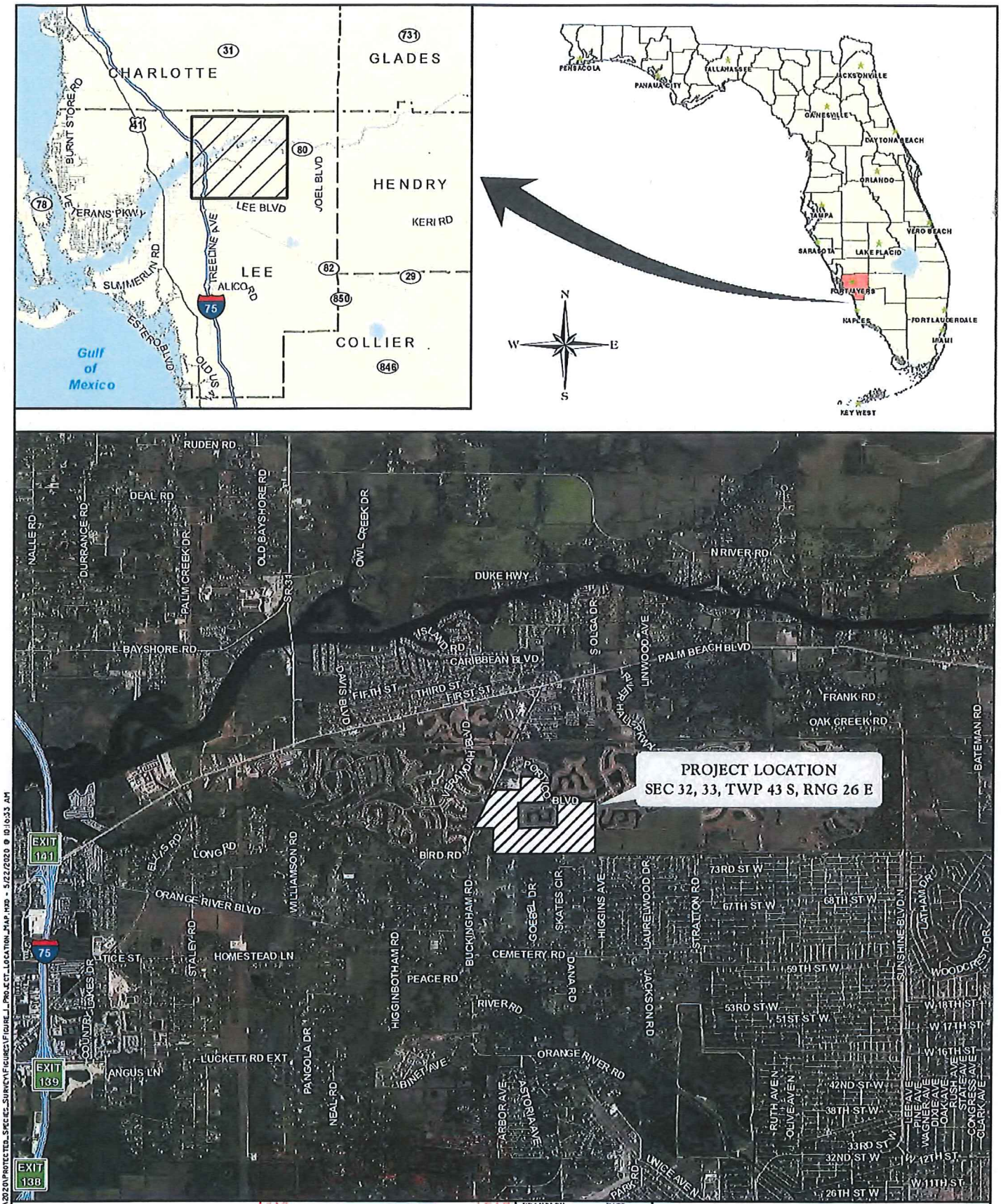
A total of 14 vegetative associations and land uses (i.e., FLUCFCS codes) were identified on the property. Table 1 provides the breakdown of the FLUCFCS codes by acreage, while a description of each of the classifications follows.

Table 1. Existing Land Use and Cover Summary

FLUCFCS Code	Description	Acreage	Percent of Total
2153	Field Crops, Hay	301.84	87.5
260	Rural Open Land	4.67	1.4
422	Brazilian Pepper	9.72	2.8
4221	Brazilian Pepper, Hydric	2.36	0.7
4349 E2	Mixed Hardwood Conifer, Disturbed (25-49% Exotics)	10.22	3.0
4349 E4	Mixed Hardwood Conifer, Disturbed (76-100% Exotics)	6.22	1.8
514	Ditch	0.90	0.3
6189 E2	Willow, Disturbed (25-49% Exotics)	0.14	<0.1
6219 E2	Cypress, Disturbed (25-49% Exotics)	3.02	0.9
6219 E3	Cypress, Disturbed (50-75% Exotics)	0.70	0.2
6249 E2	Cypress/Pine/Cabbage Palm, Disturbed (25-49% Exotics)	3.35	1.0

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J:\2020\20L045201GIS\2020PROTECTED_SPECIES_SURVEY\FIGURES\FIGURE1_PROJECT_LOCATION_MAP.MXD - 5/22/2020 @ 10:10:33 AM

FIGURE 1. PROJECT LOCATION MAP
BUCKINGHAM 345

DRAWN BY T.S.	DATE 2/4/20
REVIEWED BY C.C.	DATE 2/4/20
REVISED D.B.	DATE 5/21/20

PASSARELLA & ASSOCIATES INC

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Table 1. (Continued)

FLUCFCS Code	Description	Acreage	Percent of Total
740	Disturbed Land	0.84	0.2
7401	Disturbed Land, Hydric	0.35	0.1
8146	Unpaved Road	0.45	0.1
Total		**344.78**	**100.0**

Field Crops, Hay (FLUCFCS Code 2153)
This land use type consists of hay fields. The canopy and sub-canopy of this land use type are open. The ground cover contains primarily bahiagrass (*Paspalum notatum*), with some broomgrass (*Andropogon virginicus*), torpedograss (*Panicum repens*), bermudagrass (*Cynodon dactylon*), spermacoce (*Spermacoce verticillata*), and common ragweed (*Ambrosia artemisiifolia*), scattered water pennywort (*Hydrocotyle umbellata*), fingergrass (*Eustachys petraea*), musky mint (*Hyptis alata*), and tickseed (*Coreopsis* spp.).

Rural Open Lands (FLUCFCS Code 260)
This land use type consists of agricultural support structures, farm equipment and supplies. The canopy and sub-canopy vegetation may include scattered slash pine (*Pinus elliottii*), live oak (*Quercus virginicus*), cabbage palm (*Sabal palmetto*), and Brazilian pepper. The ground cover is mostly bahiagrass with some scattered common ragweed and broomgrass.

Brazilian Pepper (FLUCFCS Code 422)
The canopy of this vegetative community contains widely scattered cabbage palm, live oak, and laurel oak (*Quercus laurifolia*). The sub-canopy is dominated by Brazilian pepper, with some scattered cabbage palm. The ground cover is mostly open but may contain some scattered swamp fern (*Telmatoblechnum serrulatum*) and muscadine grape (*Vitis rotundifolia*).

Brazilian Pepper, Hydric (FLUCFCS Code 4221)
The canopy of this vegetative community contains widely scattered cabbage palm, live oak, and laurel oak. The sub-canopy is dominated by Brazilian pepper, with some scattered cabbage palm. The ground cover is mostly open but may contain some scattered swamp fern.

Mixed Hardwood Conifer, Disturbed (25-49% Exotics) (FLUCFCS Code 4349 E2)
The canopy of this upland habitat consists of a combination of species including slash pine, laurel oak, live oak, cabbage palm, and java plum (*Syzygium cumini*). The sub-canopy contains laurel oak, myrsine (*Myrsine cubana*), java plum, and Brazilian pepper. The ground cover includes some saw palmetto (*Serenoa repens*), caesarweed (*Urena lobata*), and greenbrier (*Smilax* spp.).

Mixed Hardwood Conifer, Disturbed (76-100% Exotics) (FLUCFCS Code 4349 E4)
The vegetative composition of this habitat is similar to FLUCFCS Code 4349 E2 except it contains 76-100 percent coverage by exotic species.

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The canopy of this land use type is mostly open. The sub-canopy contains Brazilian pepper, Peruvian primrose willow (*Ludwigia peruviana*) or Carolina willow (*Salix caroliniana*). The ground cover vegetation may include torpedograss, and water pennywort.

Willow, Disturbed (25-49% Exotics) (FLUCFCS Code 6189 E2)
The canopy of this vegetative community is open. The sub-canopy vegetation is dominated by Carolina willow with Brazilian pepper and Peruvian primrose willow. Typical ground cover vegetation includes red ludwigia (*Ludwigia repens*), cattail (*Typha latifolia*), climbing hempvine (*Mikania scandens*), and swamp fern.

Cypress, Disturbed (25-49% Exotics) (FLUCFCS Code 6219 E2)
The canopy of this vegetative community is dominated by bald cypress (*Taxodium distichum*) with scattered cabbage palm and red maple (*Acer rubrum*). The sub-canopy contains cabbage palm, Brazilian pepper red maple, myrsine, bald cypress and scattered java plum. The ground cover includes swamp fern, leather fern (*Acrostichum danaeifolium*), sawgrass (*Cladium jamaicense*), aquatic soda apple, and greenbrier.

Cypress, Disturbed (50-75% Exotics) (FLUCFCS Code 6219 E3)
The vegetative composition of this habitat is similar to FLUCFCS Code 6219 E2 except it contains 50-75 percent coverage by exotic species.

Cypress/Pine/Cabbage Palm, Disturbed (25-49% Exotics) (FLUCFCS Code 6249 E2)
The canopy of this vegetative community contains mixed cypress, pine, cabbage palm, and laurel oak. The sub-canopy contains cabbage palm, bald cypress, laurel oak, java plum, and Brazilian pepper. The ground cover contains swamp fern, greenbrier, and aquatic soda apple.

Disturbed Land (FLUCFCS Code 740)
The canopy and sub-canopy of this land use type are open. The ground cover vegetation includes bahiagrass, smutgrass *(Sporobolus indicus)*, dog fennel *(Eupatorium capilifolium)* caesarweed, common ragweed, muscadine grape, and peppervine *(Nekemias arborea)*.

Disturbed Land, Hydric (FLUCFCS Code 7401)
The canopy of this land use type is open. The sub-canopy consists of Brazilian pepper and Peruvian primrose willow. The ground cover vegetation includes torpedograss.

Unpaved Road (FLUCFCS Code 8146)
This land use type consists of a well-traveled and maintained gravel road.

3.0 METHODOLOGY AND DISCUSSION

Surveys for Lee County protected species are based on the presence of specific vegetation associations and habitat types as outlined in Appendix H of the LDC. The frequency of transects performed in these habitats was designed to meet or exceed the 80 percent minimum coverage requirement. Table 2 outlines those protected species that may inhabit or utilize a particular vegetation association.

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Table 2. Potential Lee County Protected Species by Habitat Type

FLUCFCS Code and Description		Potential Protected Species
2153*	Field Crops, Hay	Burrowing Owl (*Athene cunicularia*)
		Gopher Tortoise (*Gopherus Polyphemus*)
		Southeastern American Kestrel *(Falco sparverius paulus)*
260*	Rural Open Land	Burrowing Owl (*Athene cunicularia*)
		Gopher Tortoise (*Gopherus Polyphemus*)
		Southeastern American Kestrel *(Falco sparverius paulus)*
422	Brazilian Pepper	N/A
4221	Brazilian Pepper, Hydric	N/A
4349 E2	Mixed Hardwood Conifer, Disturbed (25-49% Exotics)	Florida Panther (*Puma concolor coryi*)
4349 E4	Mixed Hardwood Conifer, Disturbed (76-100% Exotics)	Florida Panther (*Puma concolor coryi*)
514	Ditch	American Alligator (*Alligator mississippiensis*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Reddish Egret (*Egretta rufescens*)
		Roseate Spoonbill (*Ajaia ajaja*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Everglades Mink (*Mustela vison evergladensis*)
6189 E2	Willow, Disturbed (25-49% Exotics)	Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
6219 E2	Cypress, Disturbed (25-49% Exotics)	American Alligator (*Alligator mississippiensis*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Wood Stork (*Mycteria americana*)
6129 E3	Cypress, Disturbed (50-75% Exotics)	American Alligator (*Alligator mississippiensis*)
		Limpkin (*Aramus guarauna*)
		Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Wood Stork (*Mycteria americana*)

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Table 2. (Continued)

FLUCFCS Code and Description		Potential Protected Species
6129 E3 (Continued)	Cypress, Disturbed (50-75% Exotics) (Continued)	Florida Black Bear (*Ursus americanus floridanus*)
		Florida Panther (*Puma concolor coryi*)
6249 E2	Cypress/Pine/Cabbage Palm, Disturbed (25-49% Exotics)	Little Blue Heron (*Egretta caerulea*)
		Snowy Egret (*Egretta thula*)
		Tri-Colored Heron (*Egretta tricolor*)
		Florida Black Bear (*Ursus americanus floridanus*)
		Florida Panther (*Puma concolor coryi*)
740*	Disturbed Land	N/A
7401*	Disturbed Land, Hydric	N/A
8146	Unpaved Road	N/A

*Habitat surveyed for the species noted, although not required per the LDC
N/A – Not Applicable

The PSS for the Project was conducted by PAI on February 7, 2020. The survey was conducted during daylight hours. Weather conditions at the start of the day during the survey period consisted of temperatures in the mid-60s, overcast skies, and winds out of the northwest at 10 to 15 miles per hour. The type of survey utilized for the PSS included meandering pedestrian transects, per WilsonMiller, Inc. methodology previously approved by Lee County.

Visibility in the surveyed habitats varied due to the density of vegetation. A summary of the limits of visibility, number, length of transects walked, and percent of coverage by habitat type is provided in Table 3. These summaries are not provided for habitats not technically required to be surveyed per the LDC, unless a Lee County protected species was observed within that habitat. Habitats were surveyed at or greater than 80 percent coverage.

Table 3. Summary of Habitat Coverage

FLUCFCS Code	Description	Total Area (Acres)	Transect Length (Feet)	Average Visibility (Feet)[1]	Percent Coverage
2153*	Field Crops, Hay	301.84	29,583	200	90
260*	Rural Open Land	4.67	644	150	95
4349 E2	Mixed Hardwood Conifer, Disturbed (25-49% Exotics)	10.22	2,374	75	80
4349 E4	Mixed Hardwood Conifer, Disturbed (76-100% Exotics)	6.22	3,613	30	80
514	Ditch	0.90	314	50	80
6189 E2	Willow, Disturbed (25-49% Exotics)	0.14	58	45	85

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Table 3. (Continued)

FLUCFCS Code	Description	Total Area (Acres)	Transect Length (Feet)	Average Visibility (Feet)[1]	Percent Coverage
6219 E2	Cypress, Disturbed (25-49% Exotics)	3.02	1,184	50	90
6219 E3	Cypress, Disturbed (50-75% Exotics)	0.70	274	50	90
6249 E2	Cypress/Pine/Cabbage Palm, Disturbed (25-49% Exotics)	3.35	1,313	50	90

[1]Average visibility to one side of transect.
*Habitat surveyed as a precautionary measure, although not required per the LDC.

4.0 SURVEY RESULTS

During the survey, two limpkins (*Aramus guarauna*) were documented on the Project site. Also observed was a Florida black bear (*Ursus americanus floridanus*) scratch tree. An aerial with FLUCFCS, survey transects, and protected species locations is provided as Appendix B. Additionally, although not designated as a Lee County protected species, multiple state endangered cardinal airplants (*Tillandsia fasciculata*) and giant wild pine airplants (*Tillandsia utriculata*) were also observed within forested areas of the Project site.

The two limpkins were observed in fields utilized for the production of hay (FLUCFCS Code 2153) and rural open lands (FLUCFCS Code 260). The limpkin is not listed by the U.S. Fish and Wildlife Service (USFWS) or the Florida Fish and Wildlife Conservation Commission (FWCC), but is designated as protected per the Lee County LDC. The Florida black bear scratch tree was observed in cypress habitat (FLUCFCS Code 6219). The Florida black bear is not listed, but is designated as protected per the Lee County LDC.

The airplant species were observed within cypress habitat (FLUCFCS Code 6219), cypress, pine, and cabbage palm habitat (FLUCFCS Code 6249), and mixed hardwood/conifer habitat (FLUCFCS Code 4349). The cardinal airplant and giant wild pine airplant are listed as endangered by the Florida Department of Agriculture and Consumer Services (FDACS) under rule 5B-40.0055 of the Regulated Plant Index.

5.0 ABUNDANCE OF PROTECTED SPECIES OBSERVED

Density calculations are provided for each Lee County protected species documented within each habitat type. Separate calculations will be provided if more than one of the same protected species is observed within different habitat types. Please note that density estimates for wildlife species are only provided for direct sightings. Density calculations will not be provided for protected plant species unless there is a carrying capacity for that species.

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The Lee County protected species abundance calculations are provided in Table 4, while Table 5 summarizes the protected species survey findings.

Table 4. Lee County Protected Species Abundance Calculations

Protected Species Density:

$$= \{n/[L_1(W_1+W_2)]\}(43{,}560\ ft^2/ac.)$$

where n = Number of individuals observed
L_1 = Length of transect (feet)
W_1 = Distance of visibility to the right of transect (feet)
W_2 = Distance of visibility to the left of transect (feet)

Limpkin

FLUCFCS Code 2153

$= \{1/ [(29{,}583\ ft.)\ (200\ ft. + 200\ ft.)]\}(43{,}650)$
$= \{1/ 11{,}833{,}200\}(43{,}560)$
$= \{8.451 \times 10^{-8}\}(43{,}560)$
$= 0.004$ limpkin/acre

FLUCFCS Code 260

$= \{1/ [(644\ ft.)\ (150\ ft. + 150\ ft.)]\}(43{,}650)$
$= \{1/ 193{,}200\}(43{,}560)$
$= \{5.176 \times 10^{-6}\}(43{,}560)$
$= 0.225$ limpkin/acre

Table 5. Lee County Protected Species Survey Summary

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Present	Absent	Density (Per Acre)
Reptiles					
American Alligator (*Alligator mississippiensis*)	514	80		X	
	6219 E2	90		X	
	6219 E3	90		X	
Gopher Tortoise (*Gopherus polyphemus*)	2153	90		X	
	260	95		X	
Birds					
Burrowing Owl (*Athene cunicularia*)	2153	90		X	
	260	95		X	
Limpkin (*Aramus guarauna*)	2153	90	X		0.004
	260	95	X		0.225
	514	80		X	

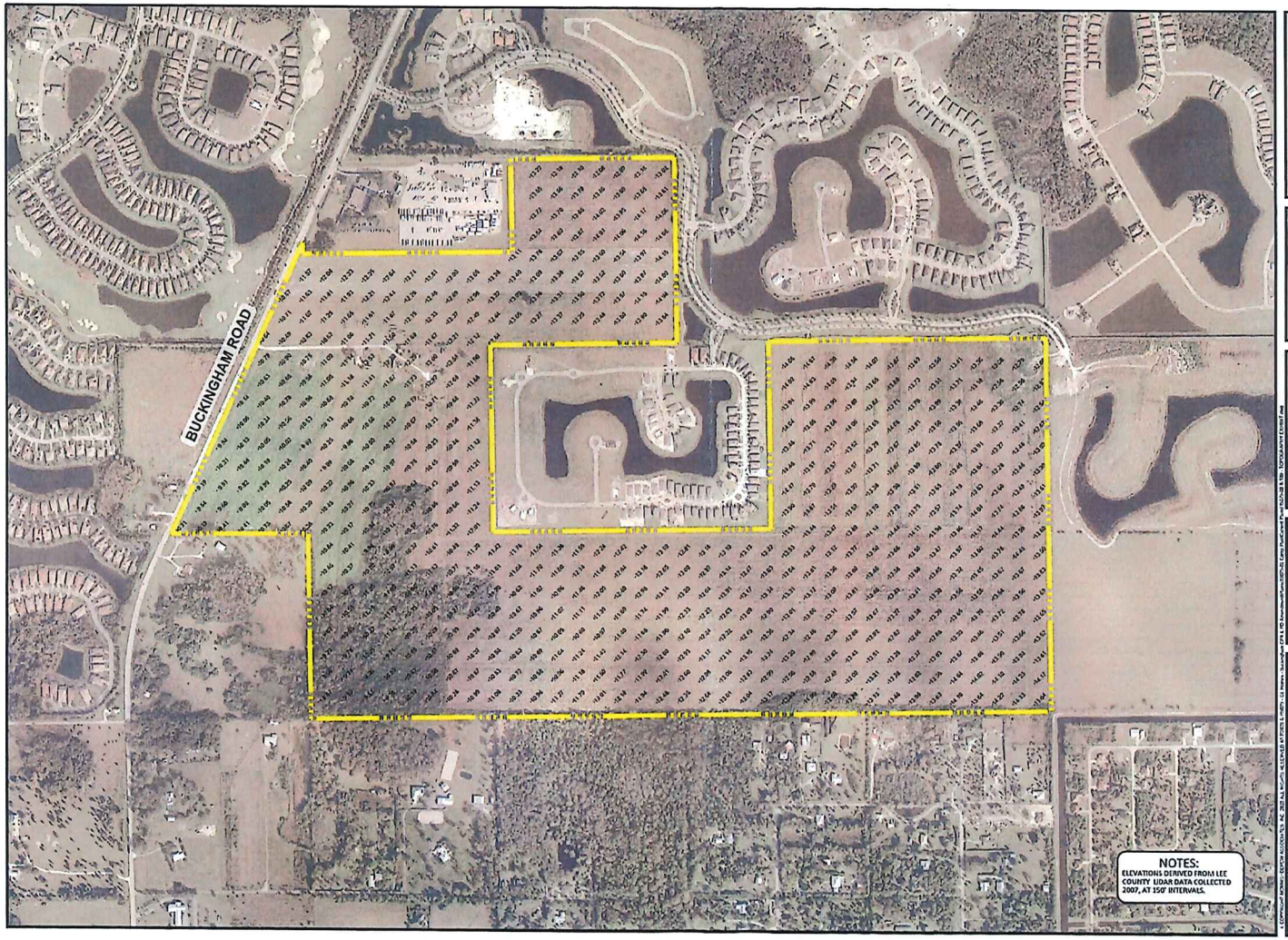
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Table 5. (Continued)

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Present	Absent	Density (Per Acre)
Birds (Continued)					
Limpkin (*Aramus guarauna*) (Continued)	6219 E2	90		X	
	6219 E3	90		X	
Little Blue Heron (*Egretta caerulea*)	514	80		X	
	6189 E2	85		X	
	6219 E2	90		X	
	6219 E3	90		X	
	6249 E2	90		X	
Reddish Egret (*Egretta rufescens*)	514	80		X	
Roseate Spoonbill (*Ajaia ajaja*)	514	80		X	
Snowy Egret (*Egretta thula*)	514	80		X	
	6189 E2	85		X	
	6219 E2	90		X	
	6219 E3	90		X	
	6249 E2	90		X	
Southeastern American Kestrel (*Falco sparverius paulus*)	2153	90		X	
	260	95		X	
Tri-Colored Heron (*Egretta tricolor*)	514	80		X	
	6189 E2	85		X	
	6219 E2	90		X	
	6219 E3	90		X	
	6249 E2	90		X	
Wood Stork (*Mycteria americana*)	6219 E2	90		X	
	6219 E3	90		X	
Mammals					
Everglades Mink (*Mustela vison evergladensis*)	514	80		X	
Florida Black Bear (*Ursus americanus floridanus*)	6219 E2	90		X	
	6219 E3	90		X	
	6249 E2	90		X	
Florida Panther (*Puma concolor coryi*)					
	4349 E2	80		X	
	4349 E4	80		X	
	6219 E2	90		X	
	6219 E3	90		X	
	6249 E2	90		X	

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PROJECT:

GL HOMES

LOCATION:

ACCESS UNDETERMINED
FORT MYERS, FL

CLIENT:

GL HOMES

CONSULTANT:

MORRIS DEPEW

ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS

Fort Myers

Tallahassee

Destin

PREPARED BY:

REVISIONS	DATE

PROJECT MANAGER	TME
DRAWING BY	CJV
JURISDICTION	LEE COUNTY
DATE	04/17/2020

SHEET TITLE:

TOPOGRAPHY EXHIBIT

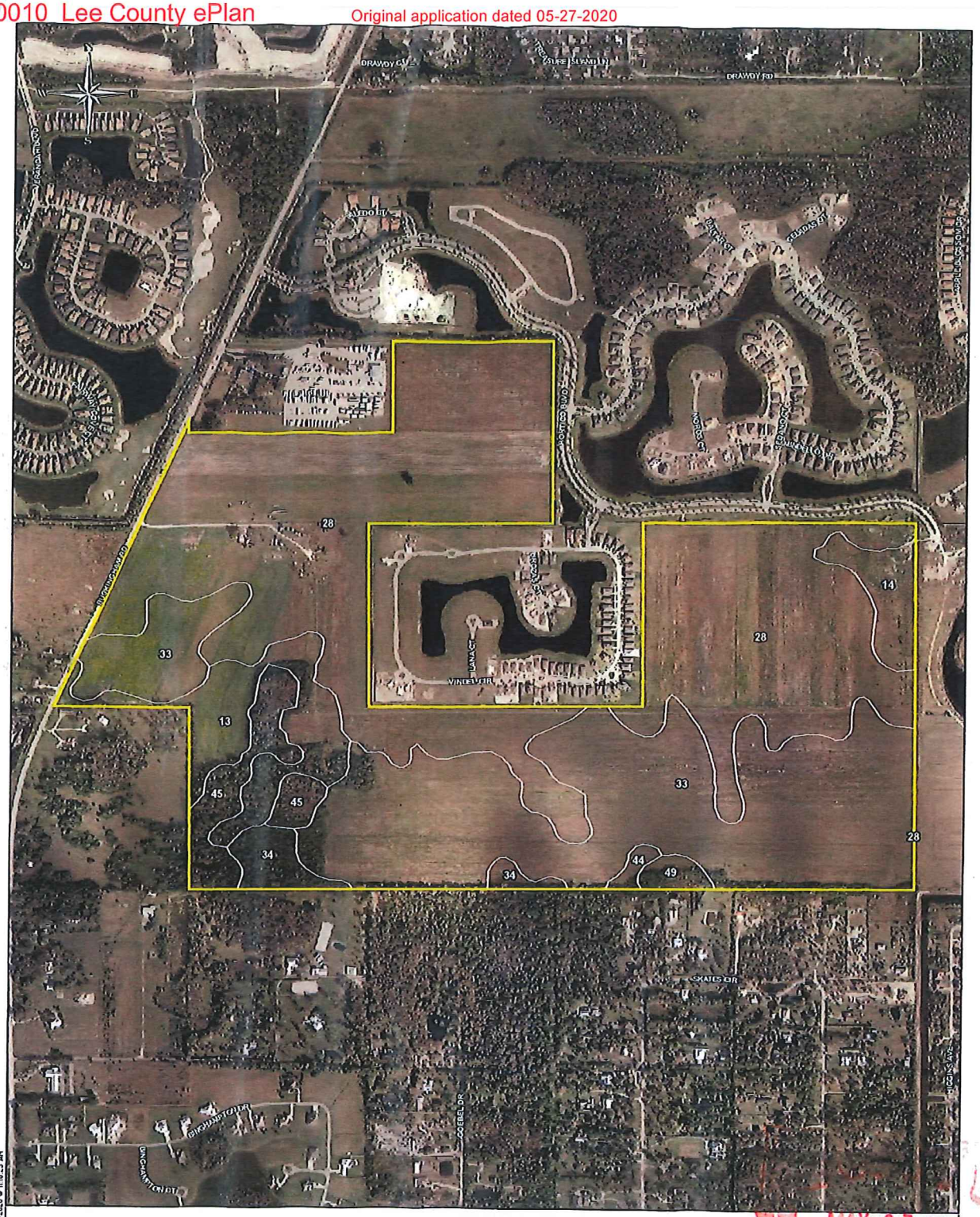
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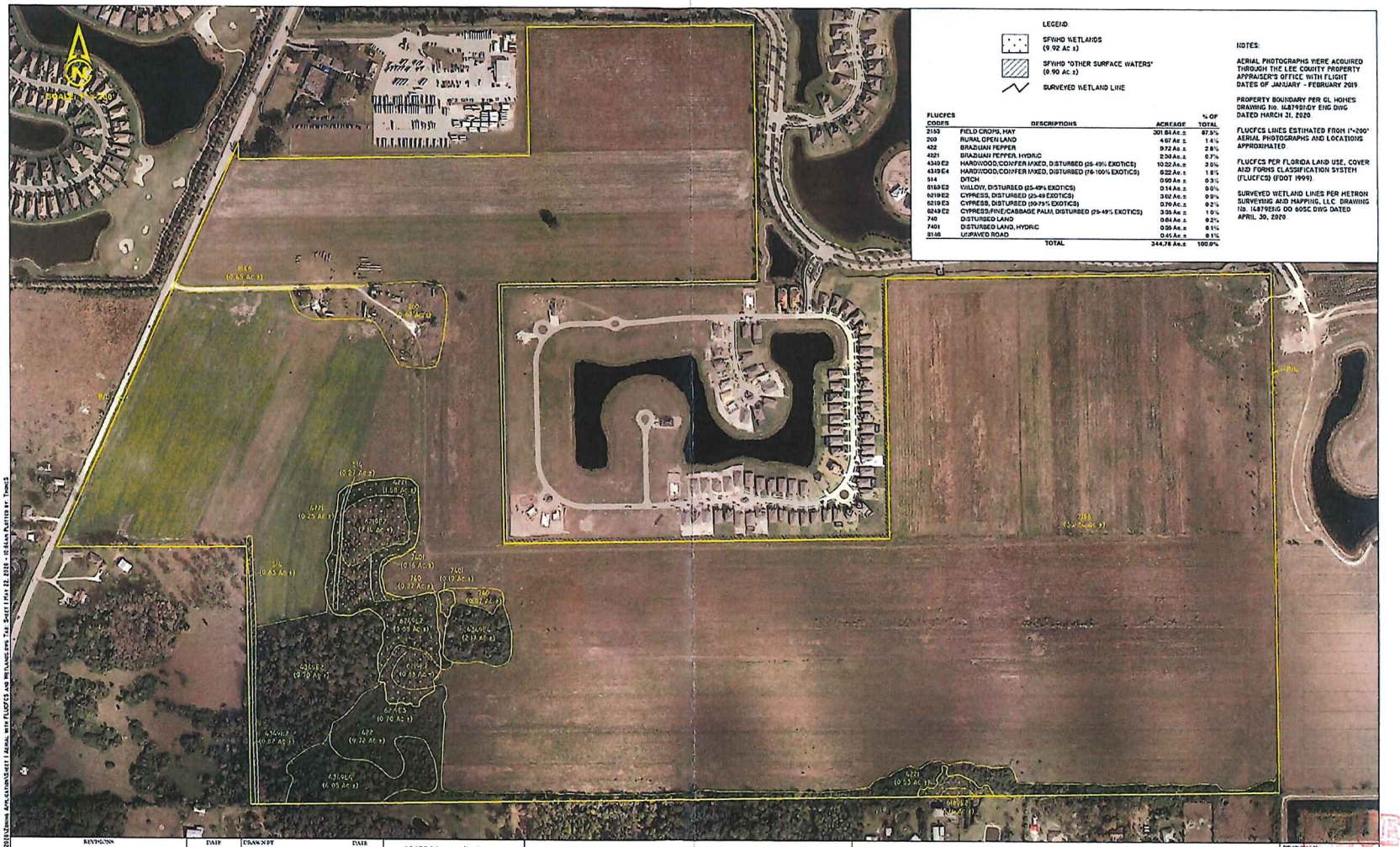
SCALE 1"=300'

JOB FILE NUMBER: 19079.00

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DRAWDY CV
DRAWDY RD
TREASURE ISLAND LN
SUMMERLIN RD
SUEDO HT
BUCKINGHAM RD
BUCKINGHAM CROSSING BLVD
BUCKINGHAM CROSSING DR
BUCKINGHAM CROSSING CIR
BUCKINGHAM CROSSING CT
BUCKINGHAM CROSSING LOOP
BUCKINGHAM CROSSING WAY
BUCKINGHAM CROSSING PL
BUCKINGHAM CROSSING PKWY
BUCKINGHAM CROSSING TRL
BUCKINGHAM CROSSING BLVD

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REVISIONS	DATE	DRAWN BY	DATE
Updated Boundary	03/31/20	R.F.	01/31/20
Revised per Survey Wetland Lines	04/30/20	CHECKED BY C.C.	01/31/20
		REVIEWED BY C.C.	01/31/20

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Suite 200
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Phone (239) 274-0067
Fax (239) 274-0069

PASSARELLA & ASSOCIATES, LLC

BUCKINGHAM 345
AERIAL WITH FLUCFCS AND WETLANDS

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SHEET NO. SHEET 1

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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.]***

A soils map is attached as Sheet 2.

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.]***

A FLUCFCS and Wetlands Map is attached as Sheet 1. There are approximately 9.93 acres of jurisdictional SFWMD wetlands on the property and 0.90± acre of "other surface waters."

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.]***

There is no rare and unique upland habitat on the Project site.

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.]***

Not applicable.

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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)d.iv.]***

Please refer to the maps prepared by Morris-Depew Associates.

B. ***Sensitive Lands:*** *Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the LEE Plan Section XII), flow-ways, 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].*

Vegetation mapping for the Project was conducted using 2019 rectified color aerials. Groundtruthing to map the vegetative communities was conducted on January 28, 2020 utilizing the Florida Land Use, Cover and Forms Classification System (FLUCFCS) Levels III and IV (Florida Department of Transportation 1999). The property consists of Field Crops, Hay (FLUCFCS Code 2153), Rural Open Land (FLUCFCS Code 260), Brazilian Pepper (*Schinus terebinthifolius*) (FLUCFCS Code 422), Brazilian Pepper, Hydric (FLUCFCS Code 4221), Mixed Hardwood Conifer, Disturbed (25-49% Exotics) (FLUCFCS Code 4349 E2), Mixed Hardwood Conifer, Disturbed (76-100% Exotics) (FLUCFCS Code 4349 E4), Ditch (FLUCFCS Code 514), Willow, Disturbed (25-49% Exotics) (FLUCFCS Code 6189 E2), Cypress, Disturbed (25-49% Exotics) (FLUCFCS Code 6219 E2), Cypress, Disturbed (50-75% Exotics) (FLUCFCS Code 6219 E3), Cypress/Pine/Cabbage Palm, Disturbed (25-49% Exotics) (FLUCFCS Code 6249 E2), Disturbed Land (FLUCFCS Code 740), Disturbed Land, Hydric (FLUCFCS Code 7401) and Unpaved Road (FLUCFCS Code 8146). AutoCAD Map 3D 2017 software was used to determine the acreage of each mapping area, produce summaries, and generate the FLUCFCS and Wetlands Map (Sheet 1). According to the FLUCFCS and Wetlands Map, there are approximately 9.93 acres of jurisdictional wetlands located on the property.

A Lee County protected species survey was conducted on the property on February 7, 2020. Two limpkins (*Aramus guarauna*) were documented on the site. Also observed was a Florida black bear (*Ursus americanus floridanus*) scratch tree. In addition to the Lee County protected species observed, multiple cardinal airplants (*Tillandsia fasciculata*) and giant wild pine (*Tillandsia utriculata*) were observed within the site. The cardinal airplant and giant wild pine airplant are listed as endangered by the Florida Department of Agriculture and Consumer Services (FDACS). Please refer to Appendix B in the attached Protected Species Survey report for the locations of protected species observed.

C. ***Preservation/Conservation of Natural Features:*** *Describe how the lands listed in PART 8.B. above will be protected by the completed project:*

Approximately 7.07 acres of wetland habitat will be preserved, all of which are considered indigenous native vegetation per the Lee County Land Development Code (LDC) Section 10-1. Additionally, 10.22± acres of uplands will be preserved, all of which are considered indigenous native vegetation. The preserved areas will be enhanced by the removal of exotic vegetation. The preserve areas will be maintained free of exotic vegetation in perpetuity.

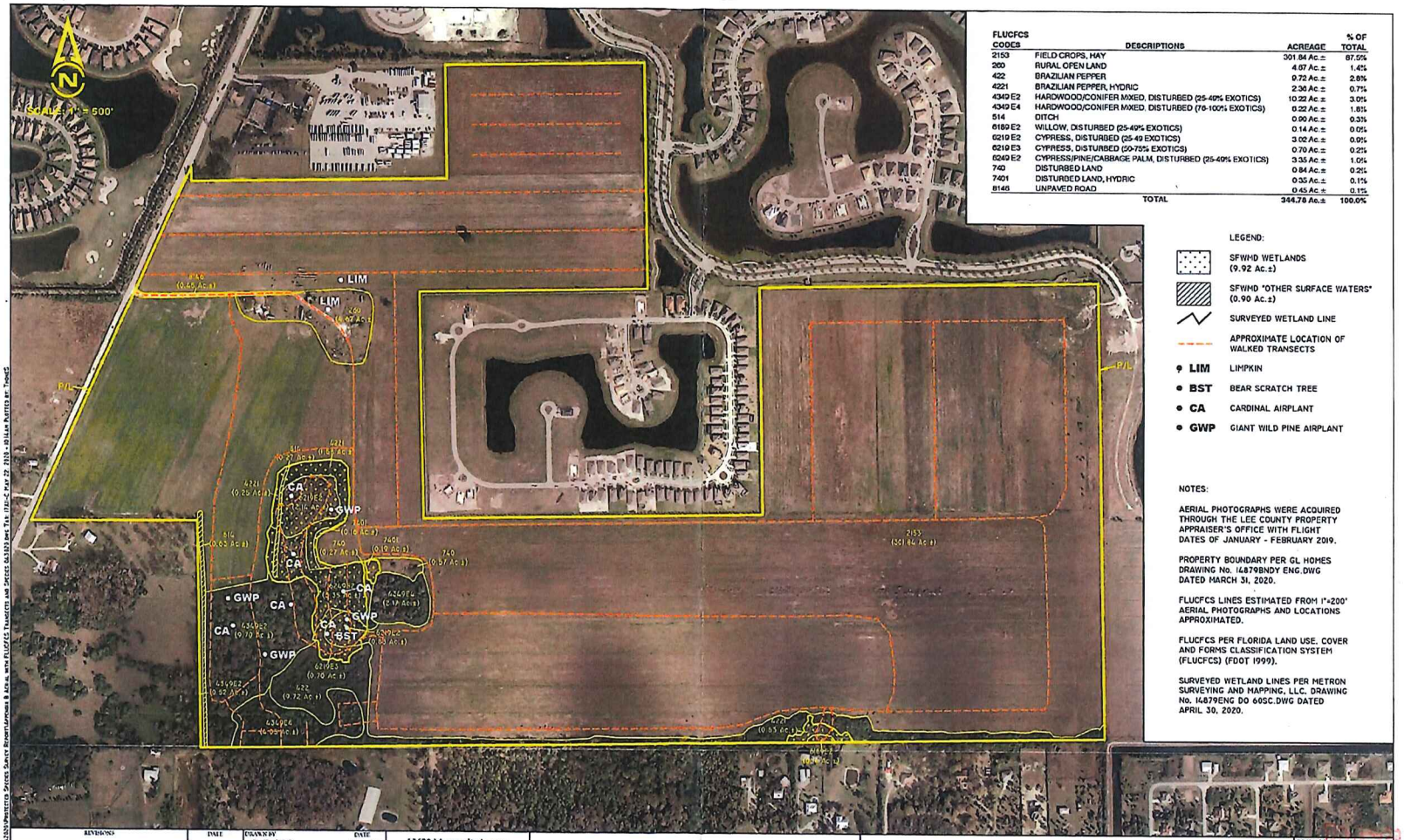
D. ***Shoreline Stabilization:*** *If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:*

Not applicable

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FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
2153	FIELD CROPS, HAY	301.84 Ac.±	87.5%
260	RURAL OPEN LAND	4.87 Ac.±	1.4%
422	BRAZILIAN PEPPER	9.72 Ac.±	2.8%
4221	BRAZILIAN PEPPER, HYDRIC	2.36 Ac.±	0.7%
4349 E2	HARDWOOD/CONIFER MIXED, DISTURBED (25-49% EXOTICS)	10.22 Ac.±	3.0%
4349 E4	HARDWOOD/CONIFER MIXED, DISTURBED (76-100% EXOTICS)	6.22 Ac.±	1.8%
514	DITCH	0.90 Ac.±	0.3%
6169 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)	3.35 Ac.±	1.0%
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%

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH FLIGHT DATES OF JANUARY - FEBRUARY 2019.

PROPERTY BOUNDARY PER GL HOMES DRAWING No. 14879BNDY ENG.DWG DATED MARCH 31, 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.

REVISIONS	DATE	DRAWN BY	DATE
		R.F./T.S.	2/10/20
Updated boundary	03/31/20	DESIGNED BY	DATE
Revised per surveyed wetland Lines	04/30/20	C.C.	2/10/20
		I.E.	DATE
		C.C.	2/10/20

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

PASSARELLA & ASSOCIATES, LLC

BUCKINGHAM 345
AERIAL WITH FLUCFCS AND WETLANDS, SURVEY TRANSECTS, AND PROTECTED SPECIES LOCATIONS MAP

DRAWING NO. 20LCH3210
SHEET NO. APPENDIX B

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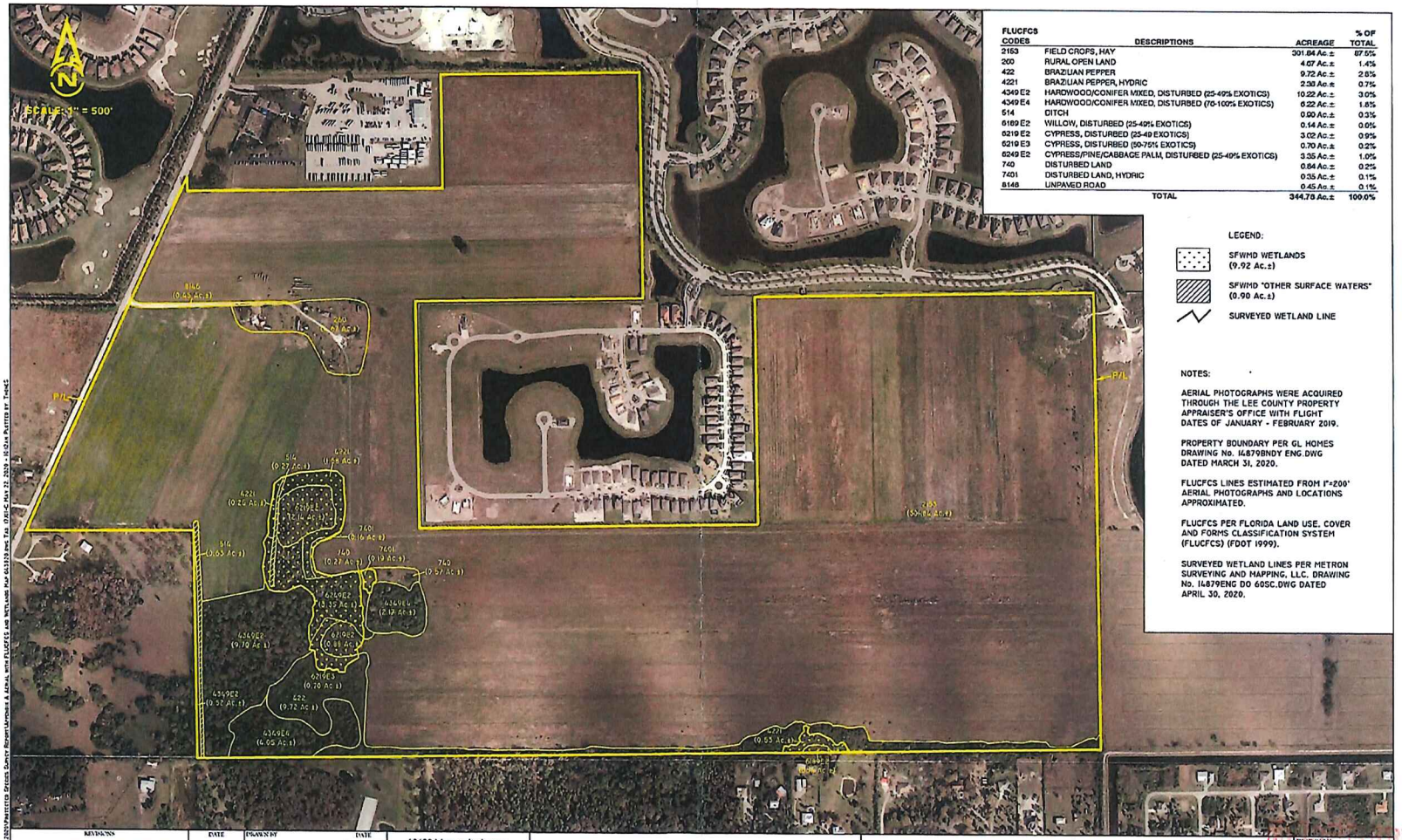
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APPENDIX B

AERIAL WITH FLUCFCS, SURVEY TRANSECTS, AND PROTECTED SPECIES LOCATIONS

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FLUCFCS CODES	DESCRIPTIONS	ACREAGE	% OF TOTAL
2153	FIELD CROPS, HAY	301.84 Ac.±	87.5%
200	RURAL OPEN LAND	4.87 Ac.±	1.4%
422	BRAZILIAN PEPPER	9.72 Ac.±	2.8%
4221	BRAZILIAN PEPPER, HYDRIC	2.38 Ac.±	0.7%
4349 E2	HARDWOOD/CONIFER MIXED, DISTURBED (25-49% EXOTICS)	10.22 Ac.±	3.0%
4349 E4	HARDWOOD/CONIFER MIXED, DISTURBED (76-100% EXOTICS)	6.22 Ac.±	1.8%
514	DITCH	0.00 Ac.±	0.3%
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)	3.35 Ac.±	1.0%
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%

LEGEND:

SFWMD WETLANDS (9.92 Ac.±)

SFWMD "OTHER SURFACE WATERS" (0.90 Ac.±)

SURVEYED WETLAND LINE

NOTES:

AERIAL PHOTOGRAPHS WERE ACQUIRED THROUGH THE LEE COUNTY PROPERTY APPRAISER'S OFFICE WITH FLIGHT DATES OF JANUARY - FEBRUARY 2019.

PROPERTY BOUNDARY PER GL HOMES DRAWING No. 14879BNDY ENG.DWG DATED MARCH 31, 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.

REVISIONS	DATE	DRAWN BY	DATE
Updated boundary	01/31/20	R.F.	01/31/20
Revised per surveyed wetland Lines	04/30/20	DESIGNED BY	DATE
		C.C.	01/31/20
		REVIEWED BY	DATE
		C.C.	01/31/20

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

PASSARELLA & ASSOCIATES, LLC

BUCKINGHAM 345
AERIAL WITH FLUCFCS AND WETLANDS MAP

DRAWING No.: 20LCH9210
SHEET No.: APPENDIX A

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DC|2020-00010

DCI2020-00010 Lee County ePlan

APPENDIX A

AERIAL WITH FLUCFCS AND WETLANDS MAP

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DCI2020-00010

DCI2020-00010 Lee County ePlan

6.0 MANAGEMENT PLAN

A protected species management plan per LDC 10-474 will be prepared and submitted to the Division of Environmental Sciences prior to Development Order approval. The protected species management plan will outline protection measures for the protected species documented on the Project site.

7.0 REFERENCES

Florida Department of Transportation. 1999. Florida Land Use, Cover and Forms Classification System. Procedure No. 550-010-001-a. Third Edition.

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DCI2020-00010

ATTACHMENT G

DEPARTMENT OF COMMUNITY DEVELOPMENT

Memo

To: Chahram Badamtchian, Planner, Senior

From: Lili Wu, Planner, Senior

Date: Dec. 28, 2020

Subject: Lee County Homes Associates I (Lee County Homes) (DCI2020-00010) Transportation-Related Analysis

Proposed Development

This application is requesting to permit 1,015 dwelling units for the subject 345 acres property.

Site Location & Existing Conditions

The subject site is located on the east side of Buckingham Road approximately 1.1 miles to the south of Palm Beach Blvd (SR 80). The subject site is currently vacant.

Site Access

Access to the subject site is proposed to Buckingham Road via a single connection and an emergency access only is also proposed to be provided to Buckingham Road.

Buckingham Road is a two-lane arterial and Orange River Blvd is a collector maintained by County. Palm Beach Blvd (SR 80) is an arterial maintained by State.

Trip Generation Review

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) Trip Generation 10th Edition Report. Table 1 outlines the proposed project's trip generation for weekday A.M and P.M peak hour and daily traffic volumes.

.

Table 1

Trip Generation

Land Use	Weekday A.M Peak Hour			Weekday P.M Peak Hour			Daily
	In	Out	Total	In	Out	Total	(2-Way)
Proposed 1,015 dwelling Units	185	555	740	604	354	958	8,927

Roadway Section Traffic Operation Level of Service Analysis

It was assumed that the proposed development would be completed by 2028 (build-out year). Therefore, the roadway links significant impacted by the proposed development were analyzed for the 2028 projected traffic conditions without the proposed development and with the proposed development (Table 2).

Table 2

Arterial/Collector Roadway Section(s) Adjacent to Site

Expected to be Significant Impacted by the Proposed Development

Roadway	Location	Significant Impact Expected	Level of Service		
			Existing	Future 2028	Future + Project
Buckingham Rd	South of SR 80	Yes	C	C	F
	South of access	Yes	C	C	F
	South of Orange River Blvd	Yes	C	C	D
Orange River Blvd	West of Buckingham Rd	Yes	C	F	F
SR 80	West of Buckingham Rd	Yes	C	F	F

Roadway Intersection Traffic Operation Level of Service Analysis

New trips were assigned to the surrounding road network in order to assess LOS impact as necessary at site access, and intersections expected to be most impacted by the proposed development. In this case, using trip assignment described in the applicant's final traffic study, the following intersections are expected to be significantly impacted by the proposed development:

1. Buckingham Rd/SR 80
2. Buckingham Rd/Orange River Blvd
3. Buckingham Rd/Site Access

Table 3 describes the intersections that are expected to be most impacted by the proposed zoning along with their corresponding pre- and post-project built-out level of service.

Table 3
Roadway Intersection(s) Immediately Adjacent to Subject Site
Expected to be significantly Impacted by Proposed Development

Intersection		Significant	Existing	Peak	Level of Service (2040)		
Roadway A	Roadway B	Impact Expected	Traffic Control	Hour	Existing	Future	Future + Project
Buckingham	SR 80	Yes	Traffic Signal	AM	--	D	D
				PM	--	D	F
Buckingham	Orange River Blvd	Yes	Traffic Signal	AM	--	C	C
				PM	--	C	C
Buckingham	Site Access	Yes	N/A	AM	--	C	C
				PM	--	C	C

Conclusion

The roadway level of service analysis indicates Buckingham Road from SR 80 to Orange River Blvd will operate below adopted LOS standard (LOS "F") in year 2028 as a result of the proposed development and Orange River Blvd from Buckingham Road to SR 80, SR 80 from Buckingham Road to SR 31 will operate LOS "F" in Year 2028 both with and without the proposed development.

Intersection LOS analysis shows Buckingham Rd/SR 80 intersection will operate LOS "D" without project and LOS "F" with the project in the PM peak hour in Year 2028.

ATTACHMENT H

Date: January 12, 2020

To: Chahram Badamtchian, Principal Planner

From: Nic DeFilippo, Environmental Planner
239.533.8983
ndefilippo@leegov.com

Subject: DCI2020-00010
Natural Resource Staff Report and Conditions for Lee County Homes RPD
STRAP # 32-43-26-00-00003.0000

The request is to rezone 344 acres from AG-2 to Residential Planned Development. The proposed rezoning will allow for a maximum number of 1,015 dwelling units. The proposed development straddles the Olga and Orange River watersheds. The proposed stormwater management system will convey a portion of the stormwater runoff north to the existing Portico development, which was designed to accommodate the additional stormwater. The remaining stormwater runoff will convey to Orange River through interconnected drainage structures, wet detention lakes, and finally through the wetland in the Southwestern corner. This conceptual stormwater system design is consistent with Lee Plan Policies 60.4.2 and 61.2.4.

The property has been previously cleared and historically been used for agricultural. As a result improperly constructed free-flowing wells may be present on the property. Lee Plan Policy 125.1.8 requires that improperly constructed wells be plugged as they are detrimental to the County's groundwater resources. In order to maintain consistency with this policy staff recommends the following condition:

> **Prior to local development order approval the developer must provide:**
> **A map depicting locations of all free-flowing wells on the property. Any well that is not part of an irrigation system or designated groundwater monitoring network must be permanently plugged and abandoned in accordance with Lee County Code of Ordinances 32-99.**

Adjacent planned development communities (Portico Z-19-006 and River Hall Z-15-003) contain water quality requirements due to proximity to impaired waterways and potential to further degrade water quality in the region. Lee Plan Policy 125.1.2 requires that new developments not degrade surface or ground water quality. Policy 125.1.4 requires developments which have the potential of lowering existing water quality below State and Federal water quality standards to provide standardized appropriate monitoring data. In order to maintain consistency with these policies staff recommends the following conditions:

Prior to local development order approval the developer must provide:

I. A Water Quality Monitoring Plan for review and approval by the Lee County Division of Natural Resources. At a minimum, the Water Quality Monitoring Plan must establish:
   - **i) The overall Goals and Objectives of the Water Quality Monitoring Plan;**
   - **ii) An outfall monitoring schedule during "wet" season of June through October, for Field Temperature, Total Kjedahl Nitrogen, Total Nitrogen, Chlorophyll A, Nitrite, Nitrate, Phosphorus, Turbidity and Stage.**

iii) **A baseline monitoring event to be part of the monitoring plan that must be completed prior to commencement of construction.**

iv) **Water quality monitoring data must be provided to the Division of Natural Resources annually for a minimum of 5 years and must include a report with a comparison of State water quality standards, plots of parameters, and recommendations. After five years of meeting or exceeding state water quality monitoring standards, the developer may amend water quality monitoring and reporting after written request, review, and approval by the Division of Natural Resources. Results must be reported as an Electric Data Deliverable (EDD), in a format approved by the Division of Natural Resources.**

v) **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.**

ATTACHMENT I

Lee County
Southwest Florida
BOARD OF COUNTY COMMISSIONERS

John E. Manning
District One

Cecil L Pendergrass
District Two

Raymond Sandelli
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm Wesch
County Attorney

Donna Marie Collins
County Chief Hearing Examiner

January 23, 2020 Via E-Mail

Heather M Urwiller, AICP, CFM
Morris Depew Associates, Inc.
2914 Cleveland Avenue
Fort Myers, FL 33901

RE: **Potable Water and Wastewater Availability**
GL Homes, +/- 345-Acre Parcel for Residential Development
STRAP # 32-43-26-00-00003.0000 and 33-43-26-00-00004.0000

Dear Ms. Urwiller:

The subject property is located within Lee County Utilities Future Service Area as depicted on Maps 6 and 7 of the Lee County Comprehensive Land Use Plan. Potable water and sanitary sewer lines are in operation adjacent to the property mentioned above. However, in order to provide service to the subject parcels, developer funded system enhancements such as line extensions may be required.

Your firm has indicated that this project will consist of 1035 single family residential units with an estimated flow demand of approximately 258,750 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and sanitary sewer service as estimated above.

Availability of potable water and sanitary sewer service is contingent upon final acceptance of the infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through our Olga Water Treatment Plant.

Sanitary sewer service will be provided by our the City of Fort Myers North Water Reclamation Facility. The Lee County Utilities' Design Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on our existing system.

Prior to beginning design work on this project, please meet with LCU Staff to determine the best point of connection and discuss requirements for construction.

This letter should not be construed as a commitment to serve, but only as to the availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service and/or an executed service agreement, and the approval of all State and local regulatory agencies.

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Further, this letter of availability of potable water and sanitary sewer service is to be utilized for Comprehensive Plan Amendment only. Individual letters of availability will be required for the purpose of obtaining building permits.

Sincerely,

LEE COUNTY UTILITIES

Mary McCormic

Mary McCormic
Technician Senior
239-533-8532
UTILITIES ENGINEERING

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ATTACHMENT J

MORRIS DEPEW
ENGINEERS · PLANNERS · SURVEYORS
LANDSCAPE ARCHITECTS

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

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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(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:
Advertisment Affidavit
Meeting Sign In Sheet

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0004247633 / FNP-0000005058

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 Renstrom, 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 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.

Affiant

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

This is not an invoice

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 session will be conducted regarding the applications for a Comprehensive Plan Amendment (CPA2020-00001/ CPA2020-00002) and rezoning (DCI2020-00010) for the proposed residential subdivision located approximately 1.3 miles south of the intersection of Palm Beach Boulevard and Buckingham Road. Please contact Tina M. Ekblad, Planning Director at Morris Depew Associates for additional information, tekblad@mdadesign.com or 239-337-3993.
AD#4247633 6/22/2020

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DCI2020-00010

PUBLIC INFORMATION SESSION SIGN-IN SHEET

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		

Name:	Phone:	E-Mail:
Corey Stakewicz Ed Kimball	239-728-2015 239-694-7822	[illegible]@timberr[illegible].com KIMELK2252@gmail

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DCI2020-00010

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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ATTACHMENT K

Statement by Owner Regarding Agricultural Uses.

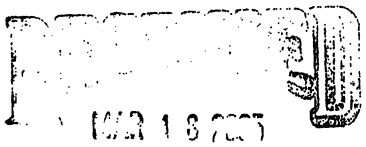
All 640 units are under lease for a bona fide commercial purpose of raising hay with David W. Meloy. This is bona fide agricultural use in existence at the time the application was filed. No additional clearing or grading for agricultural use in anticipated.

Property Owner Statement, Lee County Homes Associates, I, LLP,
a Florida limited liability partnership

EXHIBIT K

~~EXHIBIT~~ "D"

Affidavit of Agricultural Use
(Page 1 of 3)



PERMIT COUNTER

DCI 2004-00090

Affidavit by Owner Regarding Agricultural Uses

All 345 acres as shown on Exhibit "A" attached to and made a part of this Affidavit are owned by Lee County Homes Associates I, LLLP and are leased to David W. Meloy for the bona fide agricultural use of pasturing cattle and/or growing hay. This agricultural use was in existence at the time this application was filed. No additional clearing or grading for agricultural use is anticipated.

Lee County Homes Associates I, LLLP,
a Florida limited liability limited partnership

By: Lee County Homes I Corporation,
a Florida corporation, its general partner

By: _____
Name: Richard M Norwalk
Title: Vice President

The foregoing instrument was acknowledged before me this 2 day of May, 2005 by Richard M. Norwalk. He personally appeared before me, and is personally known to me or produced _____ as identification.

Notary: Carol DeLuca
Print Name: _____
Notary Public, State of Florida
My commission expires: _____

[NOTARY SEAL]

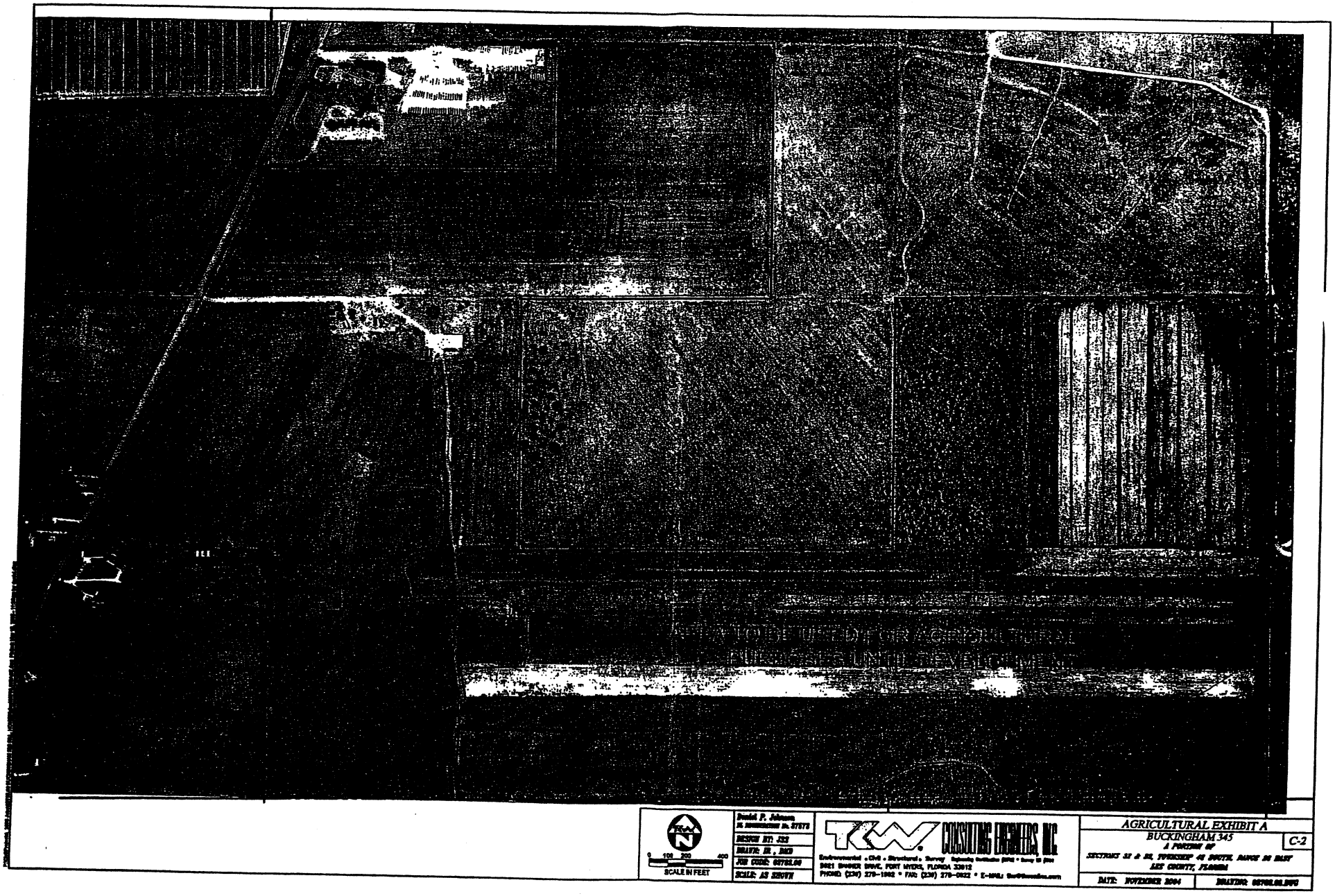
CAROL DELUCA
MY COMMISSION # DD 067829
EXPIRES: February 25, 2006
Bonded Thru Notary Public Underwriters

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MAY 20 2005

DCI2004-00090

Exhibit K

~~EXHIBIT D~~



~~EXHIBIT "D"~~

(Page 3 of 3)

Exhibit K

ATTACHMENT L

RESOLUTION NUMBER Z-05-074

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

WHEREAS, the property owners, Lee County Homes Associates I, LLLP, filed an application to rezone a 20±-acre parcel from Agricultural (AG-2) to Residential Planned Development (RPD) and to amend an existing 325 acre RPD to incorporate those 20 acres in reference to a project known as Buckingham 345; and,

WHEREAS, a public hearing was advertised and held on September 14, 2005, before the Lee County Zoning Hearing Examiner, Diana M. Parker. Written submissions were requested by the Hearing Examiner at the close of hearing with a due date of September 30, 2005. The Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2004-00090; and,

WHEREAS, a second public hearing was advertised and held on November 21, 2005, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

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

SECTION A. REQUEST

The applicant filed a request to:

1. rezone a 20±-acre parcel from AG-2 to RPD; and

2. amend Zoning Resolution Z-00-029 to permit a RPD with a maximum of 690 single-family dwelling units (an increase of 50 dwelling units) on 345± acres of land. The 345± acres includes the 20± acres rezoned from AG-2 to RPD; and

3. limit proposed maximum building heights to three (3) stories/35 feet for residential uses, and three (3) stories/45 feet for other uses (gate houses, recreational facilities); and

4. include a potential public school site, and a maximum of 7,500 square feet of commercial uses within a clubhouse setting.

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

SECTION B. CONDITIONS:

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

1. Development must be consistent with the two-page Master Concept Plan (MCP) for Buckingham 345, Sheets 1 and 2 (Exhibit B),prepared by TKW Consulting Engineers, 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 supersedes that previous Resolution (#Z-00-029), thereby rendering it null and void.

   Maximum Number of Dwelling Units: 690

   Commercial uses are limited to a maximum +/- 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.

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

   a. Schedule of Uses

   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, 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©)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.

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.

Bank and Financial Establishments - Group I (including ATMs)

Consumption on Premises - Indoor only

Food & Beverage Service, Limited

Personal Services, Group I

b. 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 residential uses.
	45 feet/two stories for all other structures such as, 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

Street	20 feet - garage 15 feet - house
Side	6 feet
Side Corner	17.5 feet or 25 percent of lot width for lots over 50 feet wide.
Rear	10 feet
Water body	25 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
Lot Depth:	N/A

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

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.

6. Model units 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.

b. All model sites must be designated on the development order plans.

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.

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.

h. Real estate sales are limited to the sale of lots or units within the development only.

I. Real estate sales are limited to temporary real estate trailers, model units, model display centers, recreational area and clubhouse.

j. Hours of operation for both models and real estate sales are limited to Monday through Sunday 8 a.m. to 8 p.m.

k. Model homes and real estate sales will be valid 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).

7. DELETED.

8. 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) prior to the approval of building permits for dwelling units in Tracts 4 and 5. The developer must also install a 6-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 preserved wetlands. The vegetation in the buffer must contain, at a minimum, six native trees per 100 linear feet. All trees must be a minimum of 10 feet tall at time of planting. All shrubs must be a minimum of four feet 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.

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 a minimum of 3 feet in height.

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 re-zoned 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 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).

15. 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.

16. 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.

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.

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 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.

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

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.

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.

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.

24. PUBLIC SCHOOL USE.

A. If the school site is transferred 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 single-family dwelling units on the remaining portion of the land covered by the approved MCP.

B. The "Future School Site" may be developed with single-family and accessory uses consistent with the Land Development Regulations for Tracts 2 and 5.

C. If the "Future School Site" is utilized for residential development, no more than 690 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.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief 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 in accordance with the landscape buffer plan attached as Exhibit C. This DEVIATION IS APPROVED, SUBJECT TO the following condition:

   Development must be consistent with the one-page G.L. Homes "Buckingham 345 Landscape Buffer Plan," Sheet 3, date stamped "Received September 28, 2005."

SECTION D. EXHIBITS AND STRAP NUMBER:

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

Exhibit A: Legal description
Exhibit B: Master Concept Plan
Exhibit C: Landscape Buffer Plan
Exhibit D: Affidavit of Bona fide Agricultural Uses
Exhibit E: Zoning Map (subject parcel identified with shading)

The applicant has indicated that the STRAP number for the 20 acre parcel is: 32-43-26-00-00003.0000.

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the RPD rezoning by demonstrating compliance with the Lee Plan, the LDC, and other applicable codes or regulations.

2. The RPD rezoning, as approved:

   a. meets or exceeds the performance and locational standards set forth for the potential uses allowed by the request; and,

   b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and,

   c. is compatible with existing or planned uses in the surrounding area; and,

   d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and,

   e. will not adversely affect environmentally critical areas or natural resources.

3. The RPD rezoning satisfies the following criteria:

   a. the proposed use or mix of uses is appropriate at the subject location; and

   b. the recommended conditions to the master concept plan and other applicable regulations provide sufficient safeguard to the public interest; and

   c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

4. Urban services, as defined in the Lee Plan, will be available and adequate to serve the proposed land use.

5. The approved deviation, as conditioned, enhances achievement of the planned development objectives, and preserves and promotes the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner John E. Albion, seconded by Commissioner Douglas R. St. Cerny and, upon being put to a vote, the result was as follows:

Robert P. Janes	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Tammara Hall	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 21st day of November 2005.

ATTEST:
CHARLIE GREEN, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Tammara Hall, Chairwoman

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MINUTES OFFICE
2005 DEC -6 PM 3:11

Approved as to form by:

_____
Donna Marie Collins
County Attorney's Office

mtal • civil • structural

LEGAL DESCRIPTION

BUCKINGHAM 345

A PARCEL OF LAND LOCATED IN SECTIONS 32 AND 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, 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 SOUTHEAST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 2,647.58 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 33; THENCE RUN S 89°06'35" W, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 2,647.40 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 33; THENCE RUN N 00°56'26" W, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,329.87 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE RUN 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 DISTNACE OF 978.47 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BUCKINGHAM ROAD, A 60 FOOT RIGHT-OF-WAY; THENCE RUN N 24°23'58" E, ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BUCKINGHAM ROAD, FOR A DISTANCE OF 2,286.09 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE RUN S 00°56'26" E, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 80.68 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE RUN 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 1,498.70 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 RUN N 00°46'36" 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 662.58 FEET TO THE NORTHWEST 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 RUN N 89°09'14" E, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,167.13 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33, THENCE RUN S 00°38'54" E, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,321.87 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE RUN S 88°59'29" W, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,330.50 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE RUN S 00°47'40" E, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,331.24 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE RUN N 89°03'02" E, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE

TKW CONSULTING ENGINEERS, INC.
5621 Banner Drive, Fort Myers, FL 33912, Tel: 239.278.1992, Website: www.tkwonline.com

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SOUTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,327.10 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE RUN N 89°03'03" E, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 661.05 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 33; THENCE RUN N 00°41'05" W, ALONG THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,333.31 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 33; THENCE RUN N 88°59'29" E, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,980.63 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 33; THENCE RUN S 00°47'37" E, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 2,670.83 FEET TO THE **POINT OF BEGINNING**, CONTAINING 344.882 ACRES, MORE OR LESS.

Applicant's Legal Checked
by lgm 3/29/2005.

TKW CONSULTING ENGINEERS, INC.

ERIC V. SANDOVAL
STATE OF FLORIDA
REGISTERED

SIGNED: Eric V. Sandoval DATE: 1-14-05

ERIC V. SANDOVAL P.S.M STATE OF FLORIDA # 5223

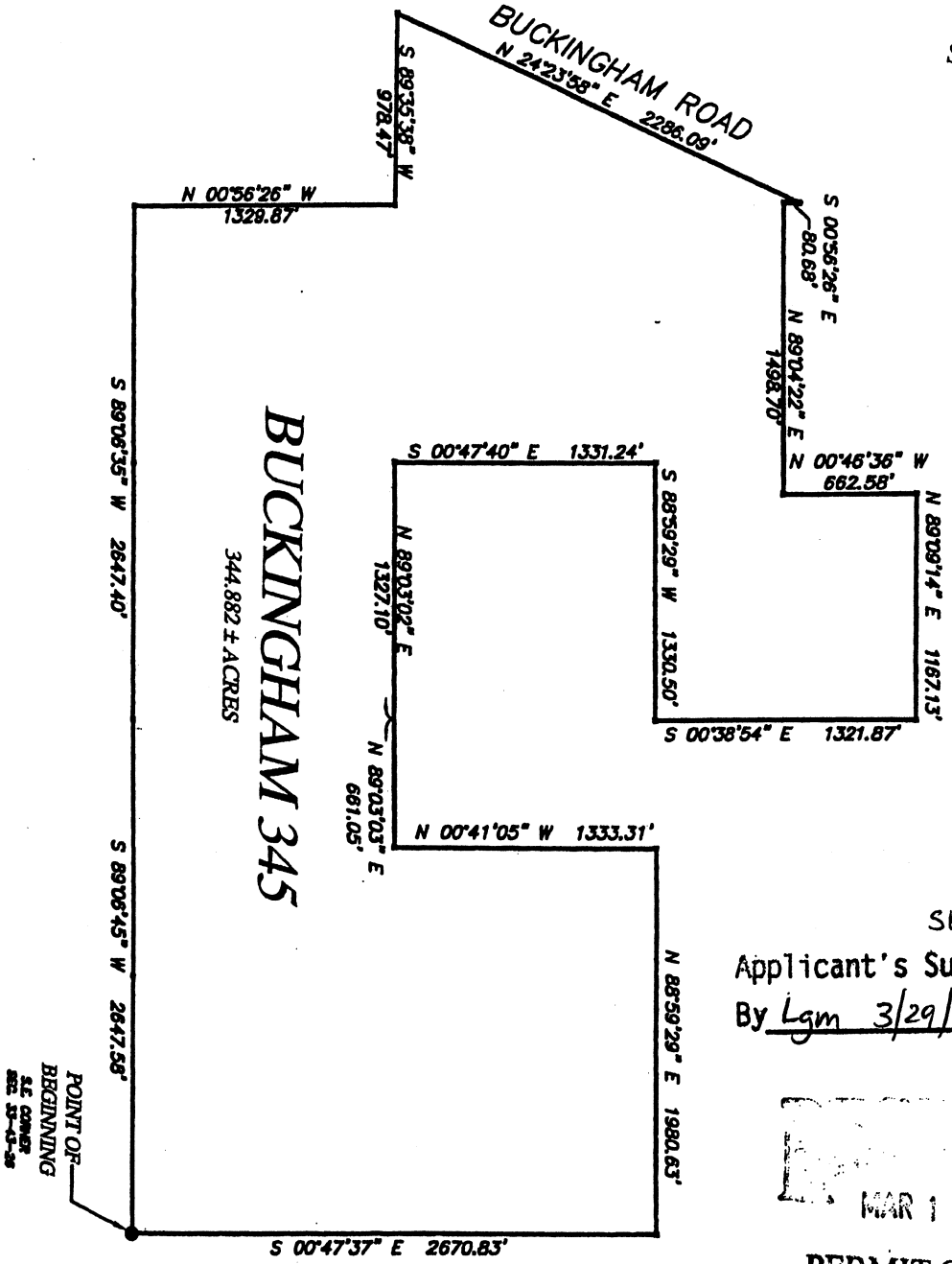
EXHIBIT "A"
(Page 2 of 4)

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TKW CONSULTING ENGINEERS, INC.

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SKETCH OF
Applicant's Survey Checked
By Lgm 3/29/2005.

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* THIS IS NOT A SURVEY *

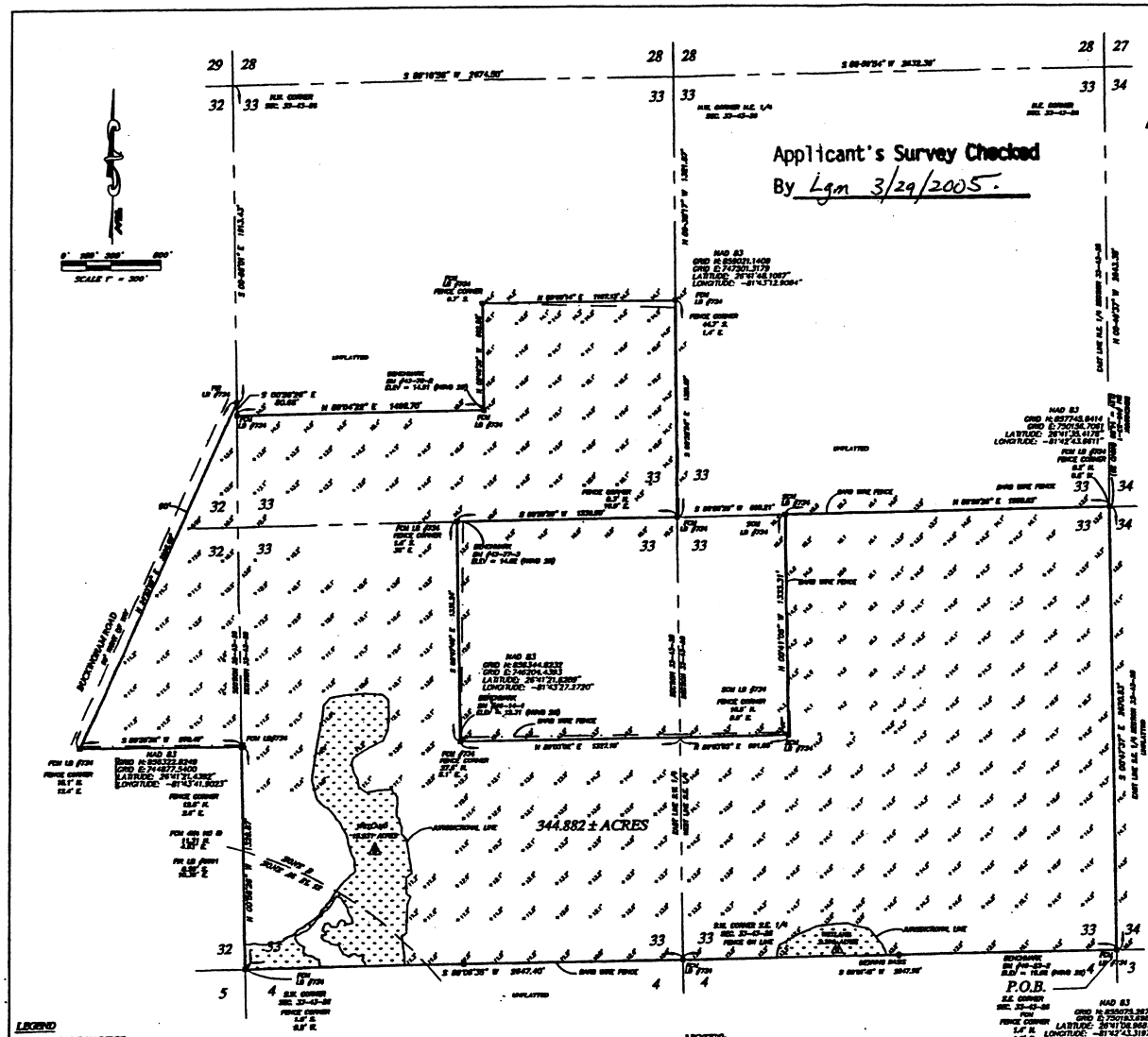
TKW CONSULTING ENGINEERS, INC.
environmental-civil-structural-survey
9481 Banner Drive
Fort Myers, Florida 33912
(239) 278-1992 • FAX (239) 278-0922
E-MAIL tkw@tkwonline.com
Certification # 734

DRAWN BY: A.D.	JOB NO.: 03783.00	SHEET 1 OF 1
SKETCH TO ACCOMPANY LEGAL DESCRIPTION		
BUCKINGHAM 345 A PORTION OF SECTIONS 32 & 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA		
DATE: JANUARY 2005		DRAWING: 03783SCKT

DCI 2004-00090

EXHIBIT "A"

EXHIBIT "A"
(Page 4 of 4)



LEGAL DESCRIPTION

BUCKINGHAM 345

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

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CERTIFIED TO:

G.L. HOMES OF FLORIDA II CORPORATION
FIRST AMERICAN TITLE INSURANCE COMPANY
RUDEN, McCLOSKY, SMITH, SCHUSTER & RUSSELL, P.A.

ERIC T. SANDOVAL, P.S.M. (PROFESSIONAL SURVEYOR AND MAPPER, FLORIDA CERTIFICATE NO. 5221)

DATE SIGNED: 1-31-05

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

LEGEND

POC	POINT OF COMMENCEMENT
POB	POINT OF BEGINNING
○	FOUND IRON ROD
●	SET 5/8" IRON ROD WITH CAP, L.B. #734
⊡	FOUND CONCRETE MONUMENT
⊠	SET CONCRETE MONUMENT WITH ROD, L.B.# 734
FENCE	FENCE
(M)	MEASURED
(P.R.)	PLAT
SEC.	SECTION, RECORDED DATA
R/W	RIGHT-OF-WAY
ESMT.	EASEMENT, RECORDED
POB	POINT OF BEGINNING
SFWMD	SOUTH FLORIDA WATER MANAGEMENT DISTRICT
NGVD	NATIONAL GEODETIC VERTICAL DATUM
NAD 83	NORTH AMERICAN DATUM OF 1983

NOTES:

1. BEARINGS AND COORDINATES SHOWN HEREON ARE REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM, WEST ZONE, NORTH AMERICAN DATUM OF 1983, 1990 ADJUSTMENT (OF 1999 AND 83/1990) AND ARE IN U.S. SURVEY FEET, WITH THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, BEING S.89°08'45"W.
2. THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND/OR RESTRICTIONS OF RECORD.
3. IMPROVEMENTS OTHER THAN THOSE SHOWN, IF ANY HAVE NOT BEEN LOCATED.
4. THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER.
5. DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
6. THIS SURVEY DOES NOT ADDRESS ANY ENVIRONMENTAL CONCERNS, ENDANGERED WILDLIFE OR JURISDICTIONAL WETLANDS, IF ANY, EXCEPT AS SHOWN ON THIS SURVEY.

NOTES:

7. THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "B", HAVING NO BASE FLOOD ELEVATION AND FLOOD ZONE "AE", HAVING A BASE FLOOD ELEVATION OF 12', PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP # 125124 0230 B, DATED SEPTEMBER 19, 1984.
8. THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS, OR FREEDOM OF ENCUMBRANCES.
9. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT OF TITLE AND ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.
10. DATE OF LAST FIELD WORK: 08/27/04
11. SURVEYED PARCEL CONTAINS 344.882 ACRES, MORE OR LESS.
12. BENCH MARK GIVEN: MONUMENTAL GEODETIC SURVEY STAINLESS STEEL ROD IN CONCRETE SLEEVE WITH 3 INCH ALUMINUM ACCESS LID STAMPED D 413 1982 ELEVATION 16.62' (NGVD 29)

CONSULTING ENGINEERS, INC.

5821 Benore Blvd.
Fort Myers, Florida 33912
(239) 274-1900 FAX (239) 278-2082
E-MAIL: mail@tecfl.com
Engineering Certificate # 6782 Survey LB # 734

PREPARED FOR

G L HOMES

2300 CHANEY ISLAND COVE
NAPLES, FLORIDA 34109
PHONE (239)899-2210
FAX (239)566-4765

PROJECT DESCRIPTION

BUCKINGHAM 345
A PORTION OF SECTIONS 32 & 33 TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

PROFESSIONAL SURVEYOR

ERIC T. SANDOVAL, STATE OF FLORIDA, REGISTERED LAND SURVEYOR, NO. 5221, CERTIFICATE

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

DRAWING DATA	
FILE NAME	03781BNDRY.DWG
APPROVED BY	E.V.S.
SURVEY DATE	8/27/2004
DRAWN BY	D.B.
CREW CHIEF	L.B.
SCALE	1" = 300'
FIELD BOOK	431/17-27

REVISIONS		
1	12/27/05	REVISED LEGAL DESCRIPTION
2	1/27/05	ADDED WETLAND AREAS

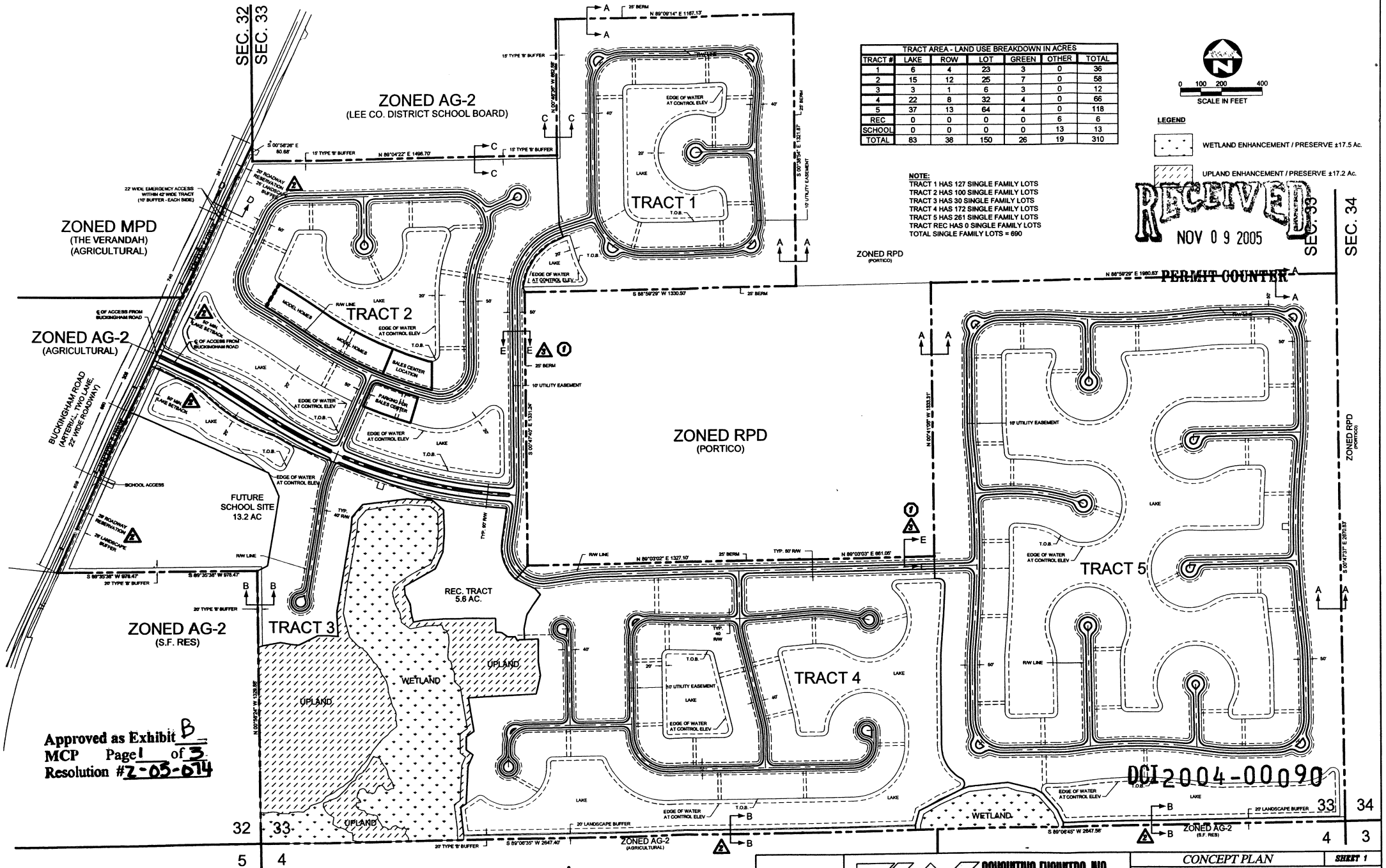
STRAP NUMBERS

STRAP #
33-43-26-00-00004.0000

PERMIT COUNTER

BOUNDARY SURVEY
DCI 2004-00090

PROJECT	SECTION / TOWNSHIP / RANGE
03781.00	32 & 33-43-26



TRACT AREA - LAND USE BREAKDOWN IN ACRES						
TRACT #	LAKE	ROW	LOT	GREEN	OTHER	TOTAL
1	6	4	23	3	0	36
2	15	12	25	7	0	58
3	3	1	6	3	0	12
4	22	8	32	4	0	66
5	37	13	64	4	0	118
REC	0	0	0	0	6	6
SCHOOL	0	0	0	0	13	13
TOTAL	83	38	150	26	19	310

0 100 200 400
SCALE IN FEET

LEGEND

WETLAND ENHANCEMENT / PRESERVE ±17.5 Ac.

UPLAND ENHANCEMENT / PRESERVE ±17.2 Ac.

NOTE:
TRACT 1 HAS 127 SINGLE FAMILY LOTS
TRACT 2 HAS 100 SINGLE FAMILY LOTS
TRACT 3 HAS 30 SINGLE FAMILY LOTS
TRACT 4 HAS 172 SINGLE FAMILY LOTS
TRACT 5 HAS 261 SINGLE FAMILY LOTS
TRACT REC HAS 0 SINGLE FAMILY LOTS
TOTAL SINGLE FAMILY LOTS = 690

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NOV 0 9 2005
PERMIT COUNTER

Approved as Exhibit B
MCP Page 1 of 3
Resolution #Z-05-074

DCI2004-00090

LEGEND
① DEVIATIONS

⚠5 REVISED SHEET 2 11/8/06
⚠4 REVISED 9/27/05
⚠3 REVISED 8/16/05
⚠2 REVISED PER LEE COUNTY STAFF COMMENTS

DESIGN BY: DPJ	
DRAWN: DMD	
JOB CODE: 03783.00	
SCALE: 1" = 200'	

TKW CONSULTING ENGINEERS, INC.
Environmental • Civil • Structural • Survey Engineering Certificate #3782 • Survey LB #734
5621 BANNER DRIVE, FORT MYERS, FLORIDA 33912
PHONE: (239) 278-1992 • FAX: (239) 278-0922 • E-MAIL: tkw@tkwonline.com

CONCEPT PLAN — SHEET 1

BUCKINGHAM 345
A PORTION OF
SECTIONS 32 & 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

DATE: NOVEMBER 2004 — DRAWING: 03783.00.DWG

Exhibit B
Page 1 of 2

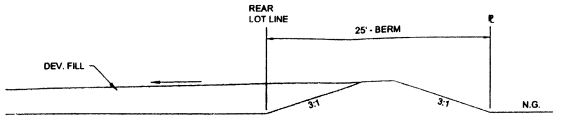
J:\Civil\Projects\ 2003 Jobs\03783.00 BUCKINGHAM 345 (G.L. HOMES)\dwg\03783.00 rpd.dwg, Plotted: Nov 08, 2006 - 3:38pm by daniel.diaz

CONCEPTUAL OPEN SPACE:

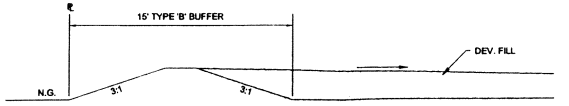
A.) TOTAL REQUIRED OPEN SPACE (40%) (PER L.C.L.D.C.):
±344.9 AC. X 0.4 = ±138.0 AC.

B.) TOTAL PROVIDED OPEN SPACE:

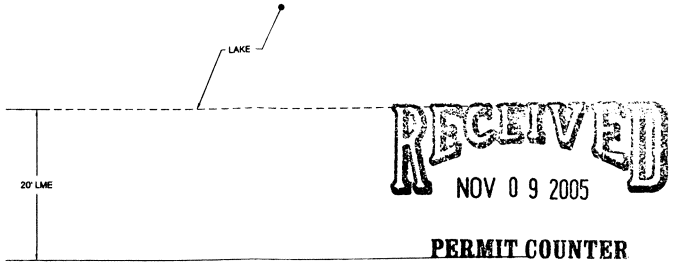
INDIVIDUAL LOT AREAS (@ 10% OF REQ'D. 40%)	±15.0 AC.
PROPOSED LAKE AREAS (@ ≤ 25.0% OF TOTAL AC.)	±20.7 AC.
PROPOSED UPLAND ENHANCEMENT/PRESERVATION AREA	±17.2 AC.
PROPOSED WETLAND ENHANCEMENT/PRESERVATION AREA	±18.1 AC.
GREEN SPACE / OPEN SPACE WITHIN TRACT DEV. AREA	±78.5 AC.
TOTAL OPEN SPACE PROV'D.:	±149.5 AC.



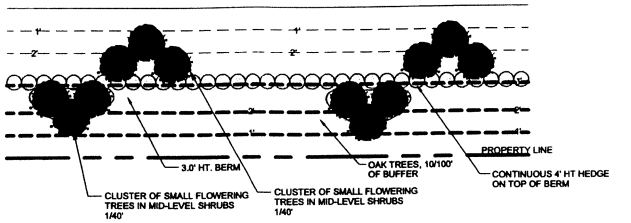
SECTION A-A
N.T.S.

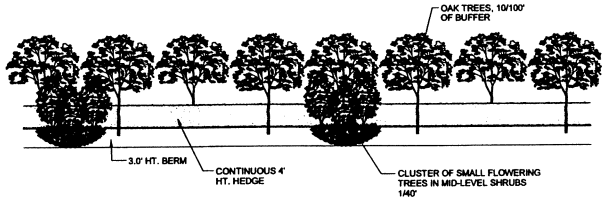


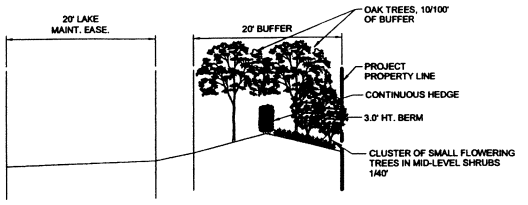
SECTION C-C
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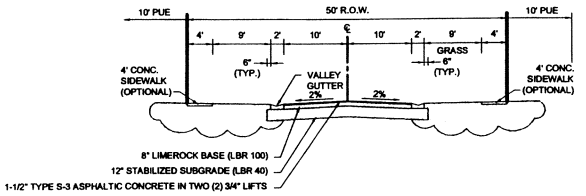


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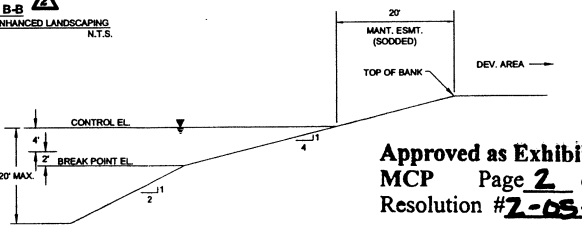






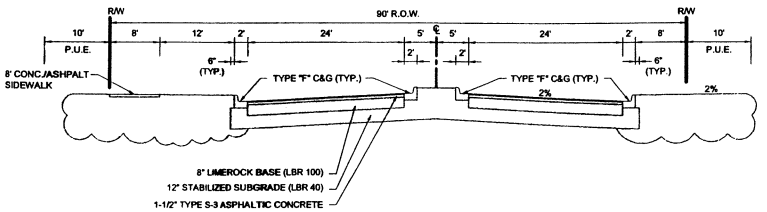
50 ft. R.O.W.
PRIVATE / MINOR COLLECTOR ROAD CROSS SECTION
N.T.S.

SECTION B-B (2)
SOUTH LANDSCAPE BUFFER - ENHANCED LANDSCAPING
N.T.S.

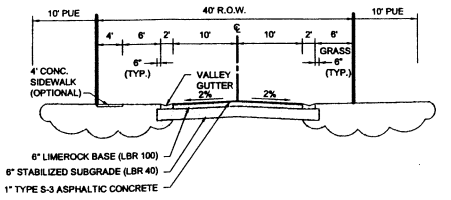


TYPICAL LAKE SECTION
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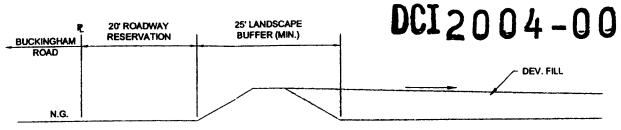
Approved as Exhibit B
MCP Page 2 of 3
Resolution #Z-05-074



TYPICAL SECTION - 90 ft. R.O.W.
N.T.S.



PRIVATE / LOCAL ROAD CROSS SECTION
N.T.S.



SECTION D-D (2)
N.T.S.

DCI2004-00090

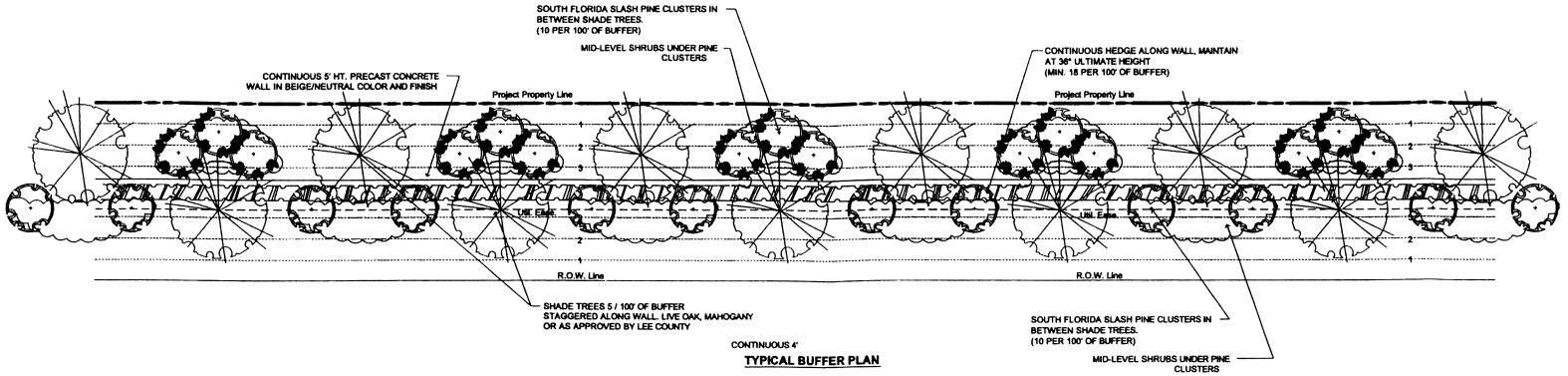
(1) REVISED 11/8/06
(2) REVISED 9/27/06
(3) REVISED 8/16/06

DESIGN BY: DPJ	
DRAWN: DMD	
JOB CODE: 03783.00	
SCALE: N.T.S.	

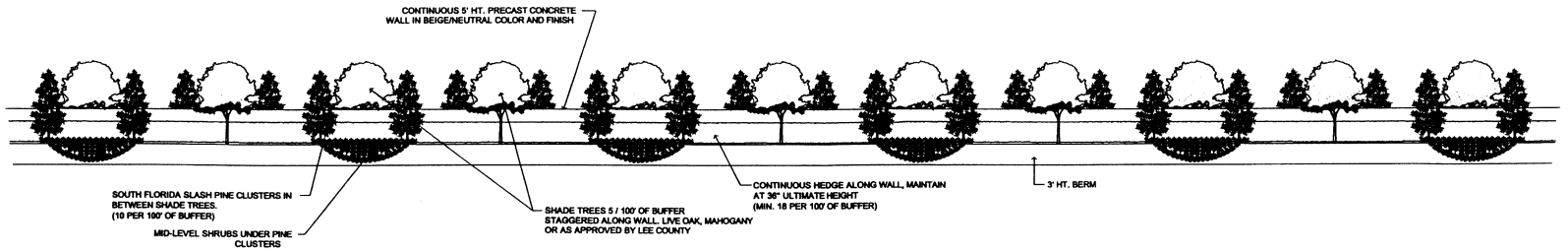
TCW CONSULTING ENGINEERS, INC.
Environmental • Civil • Structural • Survey Engineering Certification #5782 • Survey LB #734
5621 BANNER DRIVE, FORT MYERS, FLORIDA 33912
PHONE: (239) 278-1992 • FAX: (239) 278-0922 • E-MAIL: tcw@tcwonline.com

DETAILS — SHEET 2
BUCKINGHAM 345
A PORTION OF
SECTIONS 32 & 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
DATE: NOVEMBER 2004 — DRAWING: 03783.00.DWG

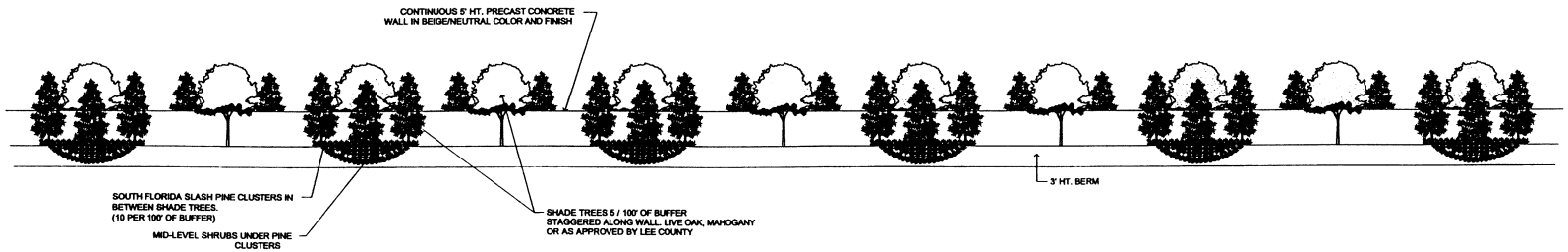
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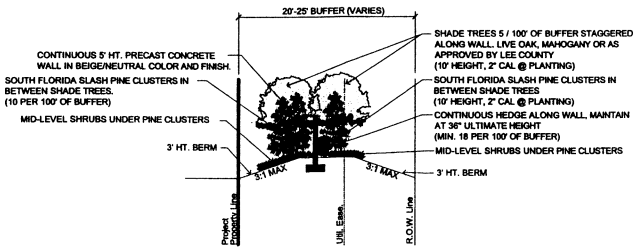
TYPICAL BUFFER PLAN



TYPICAL BUFFER ELEVATION FROM BUCKINGHAM 345



TYPICAL BUFFER ELEVATION FROM PORTICO



TYPICAL BUFFER SECTION E-E

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Exhibit C

Approved as Exhibit C
MCP Page 3 of 3
Resolution #Z-05-074

DCI2004-00090

REVISED 9/27/06

DESIGN BY:	
DRAWN: DMD	
JOB CODE: 03783.00	
SCALE: N.T.S.	

TKW CONSULTING ENGINEERS, INC.
Environmental • Civil • Structural • Survey
5621 BANNER DRIVE, FORT MYERS, FLORIDA 33912
PHONE: (239) 278-1992 • FAX: (239) 278-0622 • E-MAIL: tkw@tkwonline.com

DEVIATION (1) DETAILS — SHEET 3

BUCKINGHAM 345
A PORTION OF
SECTIONS 32 & 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

DATE: NOVEMBER 2004 — DRAWING: 03783.00.DWG

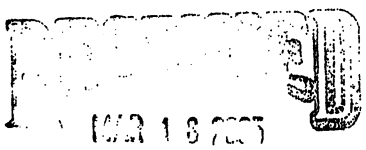
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Statement by Owner Regarding Agricultural Uses.

All 640 units are under lease for a bona fide commercial purpose of raising hay with David W. Meloy. This is bona fide agricultural use in existence at the time the application was filed. No additional clearing or grading for agricultural use in anticipated.

Property Owner Statement, Lee County Homes Associates, I, LLP,
a Florida limited liability partnership

EXHIBIT "D"
Affidavit of Agricultural Use
(Page 1 of 3)



PERMIT COUNTER

DCI 2004-00090

Affidavit by Owner Regarding Agricultural Uses

All 345 acres as shown on Exhibit "A" attached to and made a part of this Affidavit are owned by Lee County Homes Associates I, LLLP and are leased to David W. Meloy for the bona fide agricultural use of pasturing cattle and/or growing hay. This agricultural use was in existence at the time this application was filed. No additional clearing or grading for agricultural use is anticipated.

Lee County Homes Associates I, LLLP,
a Florida limited liability limited partnership

By: Lee County Homes I Corporation,
a Florida corporation, its general partner

By: _____
Name: Richard M Norwalk
Title: Vice President

The foregoing instrument was acknowledged before me this 2 day of May, 2005 by Richard M. Norwalk. He personally appeared before me, and is personally known to me or produced _____ as identification.

Notary: Carol DeLuca
Print Name: _____
Notary Public, State of Florida
My commission expires: _____

[NOTARY SEAL]

CAROL DELUCA
MY COMMISSION # DD 067829
EXPIRES: February 25, 2006
Bonded Thru Notary Public Underwriters

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MAY 20 2005

DCI2004-00090

EXHIBIT "D"
(Page 2 of 3)

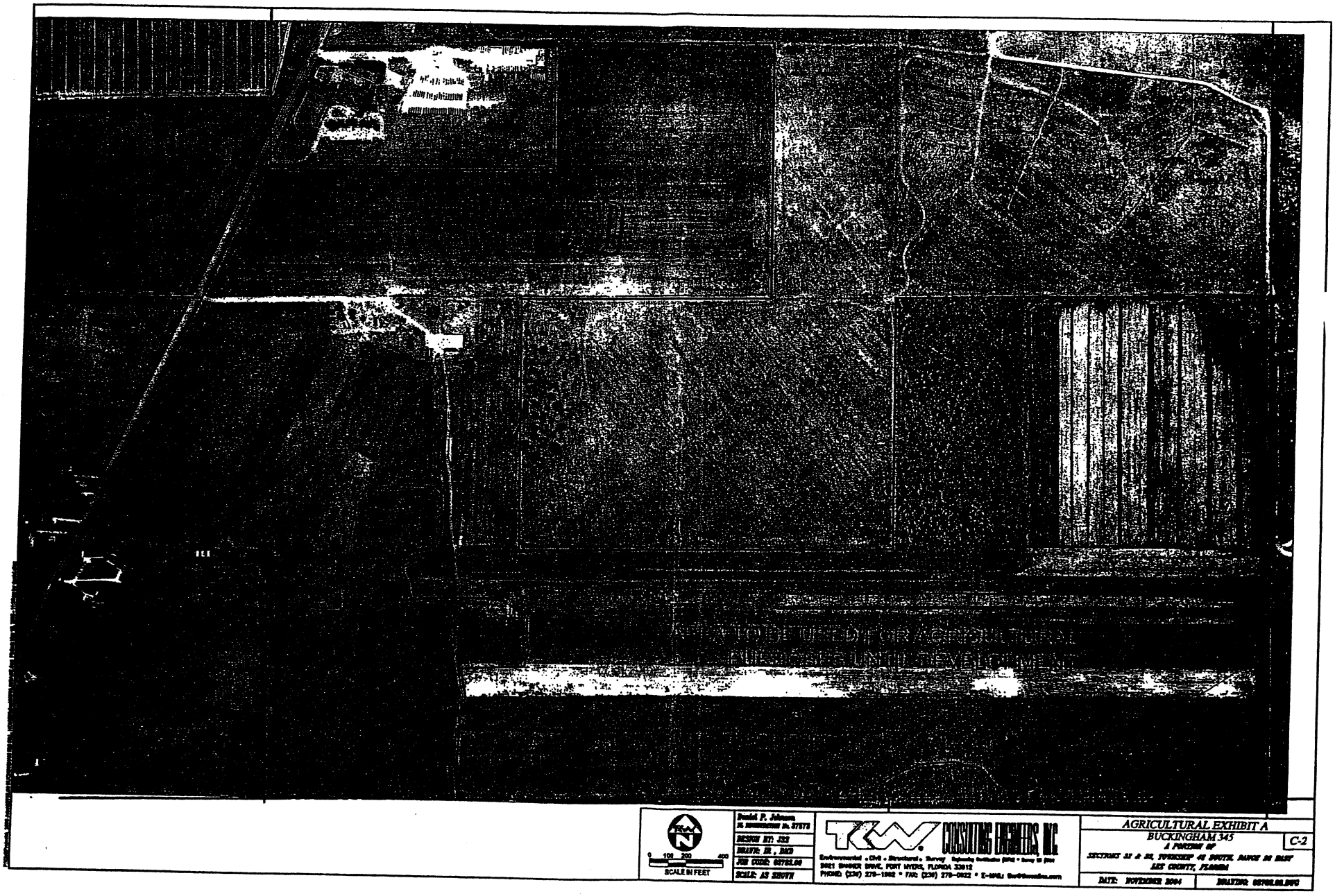


EXHIBIT "D"
(Page 3 of 3)

DCI2004-00090 BUCKINGHAM 345 RPD

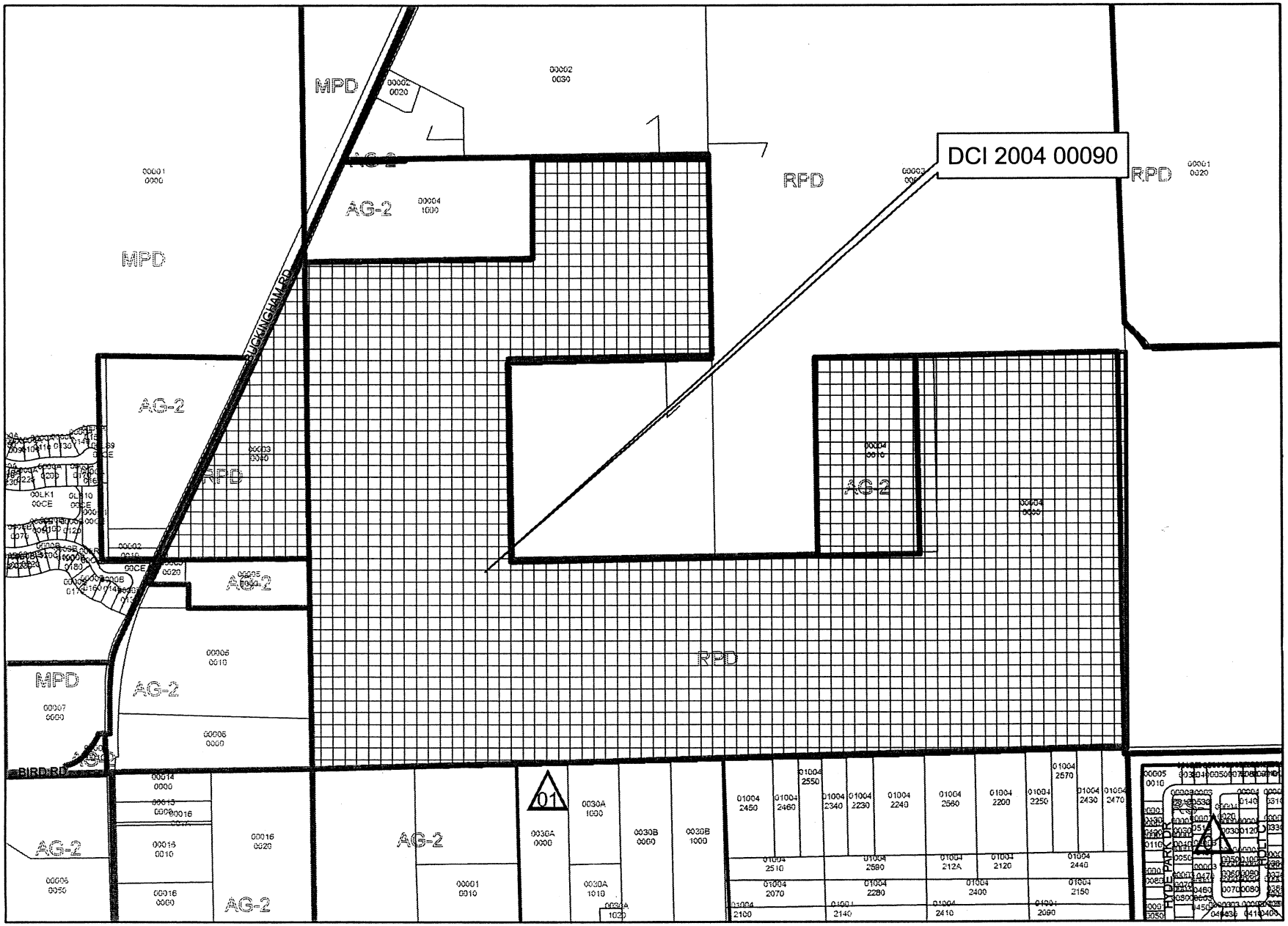


EXHIBIT "E"
Zoning Map

ATTACHMENT M

ADMINISTRATIVE AMENDMENT (PD) ADD2007-00018

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Lee County Homes Associates I, LLLP/Buckingham 345 filed an application for administrative amendment approval to a Residential Planned Development (RPD) on a project known as Buckingham 345 to allow a 45 foot water retention excavation setback for Lakes 7 and 8 where a 50 foot water retention excavation setback is required from an abutting property line under separate ownership on property located at 3621 Buckingham Road, described more particularly as:

LEGAL DESCRIPTION: In Section 33, Township 43 South, Range 26 East, Lee County, Florida:

SEE ATTACHED EXHIBIT "A"

WHEREAS, the property was originally rezoned in resolution number Z-00-029, case number DCI964568 (with subsequent amendments in resolution number Z-05-074, case number DCI2004-00090; and resolution number Z-05-076, case number DCI2005-00075); and

WHEREAS, the subject property is located in the Outlying Suburban Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, resolution number Z-05-074, paragraph 2b, Site Development Regulations, requires setbacks for the overall project be in compliance with Land Development Code (LDC), Section 10-329 for water detention/retention excavation setbacks; and

WHEREAS, LDC, Section 10-329(d)(1)a.3. requires a water retention excavation setback of 50 feet from any private property line under separate ownership; and

WHEREAS, the Master Concept Plan (Attachment "A"), amended and approved in resolution number Z-05-074, depicts a water retention setback of 45 feet; and

WHEREAS, Lee County Development Services in its review of Development Order DOS2006-00078 for 690 single-family units noted the 5 foot discrepancy in the water retention setback of Lakes 7 and 8 advising the applicant to seek an administrative amendment; and

WHEREAS, the applicant is requesting an administrative amendment to the master concept plan to allow a water retention excavation setback of 45 feet for Lakes 7 and 8 from the adjoining southern property line under private ownership; and

WHEREAS, Environmental Sciences reviewed the request with no objections to the administrative amendment on condition that the applicant provide cross-sections for the landscape buffers for Lakes 7 and 8 prior to Development Order (DOS2006-00078) approval; and

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

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Residential Planned Development to allow a 45 foot water retention excavation setback for Lakes 7 and 8 where a 50 foot water retention excavation setback is required from an abutting property line under separate ownership is **APPROVED subject to the following conditions:**

1. **The Development must be in compliance with the three page Administrative Deviation Exhibit I-3.B.2 for Buckingham 345, dated January 12, 2007, received January 29, 2007 Community Development. The three page Administrative Deviation Exhibit 1-3.B.2 for ADD2007-00018 is hereby APPROVED and adopted. A reduced copy is attached hereto (Attachment "B").**

2. **The terms and conditions of the original zoning resolutions, except as amended herein, remain in full force and effect.**

3. **The approval is limited to a 45 foot water retention excavation setback for Lakes 7 and 8 only.**

4. **The applicant must provide cross sections for the landscape buffers for Lakes 7 and 8 prior to Development Order approval.**

DULY SIGNED this 23rd day of March, A.D., 2007.

BY: Pam Houck

Pam Houck, Director
Division of Zoning
Department of Community Development

consultants in civil · structural

EXHIBIT A

ADD 2007-00018

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JAN 29 2007
COMMUNITY DEVELOPMENT

LEGAL DESCRIPTION

BUCKINGHAM 345

A PARCEL OF LAND LOCATED IN SECTIONS 32 AND 33, TOWNSHIP 43 SOUTH, RANGE EAST, LEE COUNTY, FLORIDA, 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 SOUTHEAST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 2,647.58 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 33; THENCE RUN S 89°06'35" W, ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 2,647.40 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 33; THENCE RUN N 00°56'26" W, ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,329.87 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE RUN 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 DISTNACE OF 978.47 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BUCKINGHAM ROAD, A 60 FOOT RIGHT-OF-WAY; THENCE RUN N 24°23'58" E, ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BUCKINGHAM ROAD, FOR A DISTANCE OF 2,286.09 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE RUN S 00°56'26" E, ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 80.68 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE RUN 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 1,498.70 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 RUN N 00°46'36" 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 662.58 FEET TO THE NORTHWEST 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 RUN N 89°09'14" E, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,167.13 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33, THENCE RUN S 00°38'54" E, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,321.87 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE RUN S 88°59'29" W, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,330.50 FEET TO THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE RUN S 00°47'40" E, ALONG THE EAST LINE OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,331.24 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE RUN N 89°03'02" E, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF THE

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TAYLOR, SHELLENBERGER ENGINEERING, INC.
5621 Strand Blvd. Fort Myers, FL 33905 tel 239.275.8575 fax 239.274.9952 website www.tsiflorida.com

(continued)

SOUTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,327.10 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 33; THENCE RUN N 89°03'03" E, ALONG THE NORTH LINE OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 661.05 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 33; THENCE RUN N 00°41'05" W, ALONG THE WEST LINE OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,333.31 FEET TO THE NORTHWEST CORNER OF THE EAST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 33; THENCE RUN N 88°59'29" E, ALONG THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1,980.63 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 33; THENCE RUN S 00°47'37" E, ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 2,670.83 FEET TO THE **POINT OF BEGINNING**, CONTAINING 344.882 ACRES, MORE OR LESS.

Applicant's Legal Checked
by 02FEB07

TKW CONSULTING ENGINEERS, INC.

SIGNED: Eric V. Sandoval DATE: 1-14-05

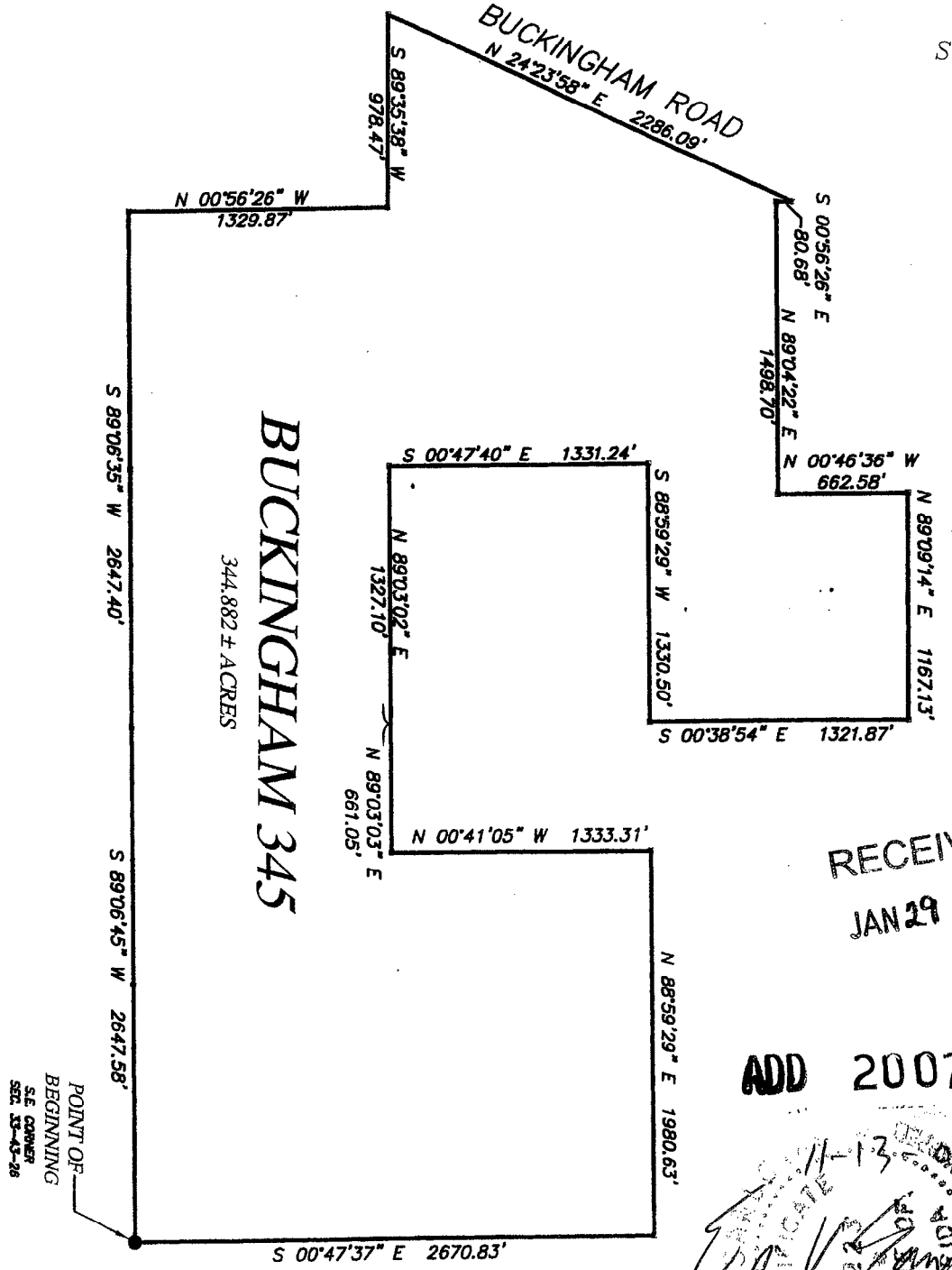
ERIC V. SANDOVAL P.S.M STATE OF FLORIDA # 5223

ADD 2007-00018

RECEIVED
JAN 29 2007
COMMUNITY DEVELOPMENT

P:\Survey\projects\03783.00 BUCKINGHAM 320\LEGALS\OVERALL METES BOUNDS.doc

CONSULTING ENGINEERS, INC.



SCALE: 1" = 800'

RECEIVED
JAN 29 2007

ADD 2007-00018

11-13-06

* THIS IS NOT A SURVEY *

CONSULTING ENGINEERS, INC.
environmental • civil • structural • survey
5621 Banner Drive
Fort Myers, Florida 33912
(239) 278-1992 • FAX (239) 278-0922
E-MAIL tkw@tkwonline.com
Certification # 734

DRAWN BY: A.D.	JOB NO.: 03783.00	SHEET 1 OF 1

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

BUCKINGHAM 345
A PORTION OF
SECTIONS 32 & 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST,
LEE COUNTY, FLORIDA

DATE: JANUARY 2005	DRAWING: 03783SCKT

TRACT AREA - LAND USE BREAKDOWN IN ACRES						
TRACT #	LAKE	ROW	LOT	GREEN	OTHER	TOTAL
1	6	4	23	3	0	36
2	15	12	25	7	0	59
3	3	1	6	3	0	12
4	22	8	32	4	0	66
5	37	13	64	4	0	118
REC	0	0	0	0	6	6
SCHOOL	0	0	0	0	13	13
TOTAL	83	38	150	26	19	310

0 100 200 400
SCALE IN FEET

LEGEND

WETLAND ENHANCEMENT / PRESERVE ±17.5 Ac.

UPLAND ENHANCEMENT / PRESERVE ±17.2 Ac.

NOTE:
TRACT 1 HAS 127 SINGLE FAMILY LOTS
TRACT 2 HAS 100 SINGLE FAMILY LOTS
TRACT 3 HAS 30 SINGLE FAMILY LOTS
TRACT 4 HAS 172 SINGLE FAMILY LOTS
TRACT 5 HAS 261 SINGLE FAMILY LOTS
TRACT REC HAS 0 SINGLE FAMILY LOTS
TOTAL SINGLE FAMILY LOTS = 690

ZONED AG-2
(LEE CO. DISTRICT SCHOOL BOARD)

ZONED MPD
(THE VERANDAH)
(AGRICULTURAL)

ZONED AG-2
(AGRICULTURAL)

ZONED AG-2
(S.F. RES)

ZONED RPD
(PORTICO)

TRACT 1

TRACT 2

TRACT 3

TRACT 4

TRACT 5

REC. TRACT
5.6 AC.

FUTURE
SCHOOL SITE
13.2 AC

BUCKINGHAM ROAD
(ARTERIAL, TWO LANE,
22' WIDE ROADWAY)

SEC. 32 SEC. 33 SEC. 34

APPROVED
Master Concept Plan
Site Plan # 05-074 Page 1 of 3
Subject to conditions in Resolution Z-05-074
Case # DCI2004-00090

RECEIVED
NOV 09 2005
PERMIT COUNTER

DCI2004-00090

LEGEND
(1) DEVIATIONS

4 REVISED SHEET 2 11/8/05
3 REVISED 9/27/05
2 REVISED 8/15/05
1 REVISED PER LEE COUNTY STAFF COMMENTS

DESIGN BY: DPJ
DRAWN: DMD
JOB CODE: 03783.00
SCALE: 1" = 200'

TKW CONSULTING ENGINEERS, INC
Environmental • Civil • Structural • Survey Engineering Certification #3762 • Survey LB #734
5621 BANNER DRIVE, FORT MYERS, FLORIDA 33912
PHONE: (239) 278-1992 • FAX: (239) 278-0922 • E-MAIL: tkw@tkwonline.com

CONCEPT PLAN — SHEET 1
BUCKINGHAM 345
A PORTION OF
SECTIONS 32 & 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
DATE: NOVEMBER 2004 — DRAWING: 03783.00.DWG

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03783_00 RPD SHEET 1 - 1 PAGE 1 - 11/8/2005 4:39:39 PM

ATTACHMENT A

ADMINISTRATIVE DEVIATION EXHBIT I-3.B.2
FOR
BUCKINGHAM 345
SECTIONS 32 & 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA
DOS2006-0078

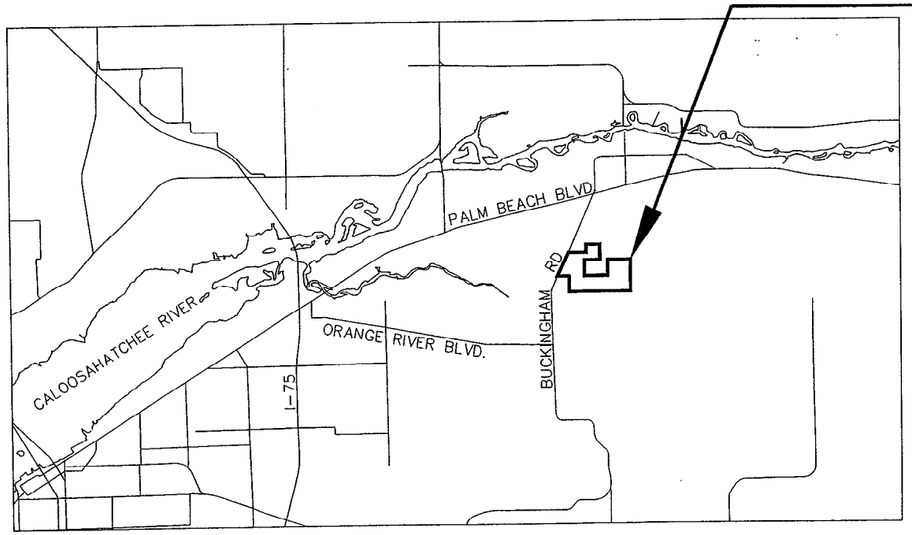
OWNER / PERMITEE

LEE COUNTY HOMES ASSOCIATES I, LLLP
1600 SAWGRASS CORPORATE PARKWAY,
SUITE 300
SUNRISE, FL. 33323
(954) 753-1730

ZONING

RPD - Residential Planned Development

PROJECT LOCATION



VICINITY MAP

N.T.S.

PART OF SECTION 32 & 33, TOWNSHIP 43 SOUTH , RANGE 26 EAST
LEE COUNTY, FLORIDA

SHEET INDEX

SHEET NUMBER	DESCRIPTION
C-1	COVER SHEET AND LOCATION MAP
C-2	MASTER DRAINAGE PLAN
C-3	PAVING, GRADING AND DRAINAGE PLAN

APPROVED
Plan
Subject to Case # ADD2007-00018
Date 3/23/2007

RECEIVED
JAN 29 2007
COMMUNITY DEVELOPMENT

ADD 2007-00018

DATE:	PLAN REVISIONS:	DATE:	PLAN REVISIONS:

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LAYOUT	C1 COVER
DESIGN BY	D. JOHNSON
CHECKED BY	D. JOHNSON
PLOT DATE	FRI. 1-12-2007 - 3:07 PM
PLOT BY	BINOY KOOCHATHINKAL

TWW CONSULTING ENGINEERS INC
Environmental • Civil • Structural • Survey
5681 BANNER DRIVE, FORT MYERS, FLORIDA 33912
PHONE: (239) 278-1992 * FAX: (239) 278-0922 * E-MAIL: tww@twwonline.com
Engineering Certification #5782 * Survey LB #754

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PROJECT ENGINEER
SIGNATURE: DATE: 1/12/07
DANIEL P. JOHNSON
FL REGISTRATION No. 37573
NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE.

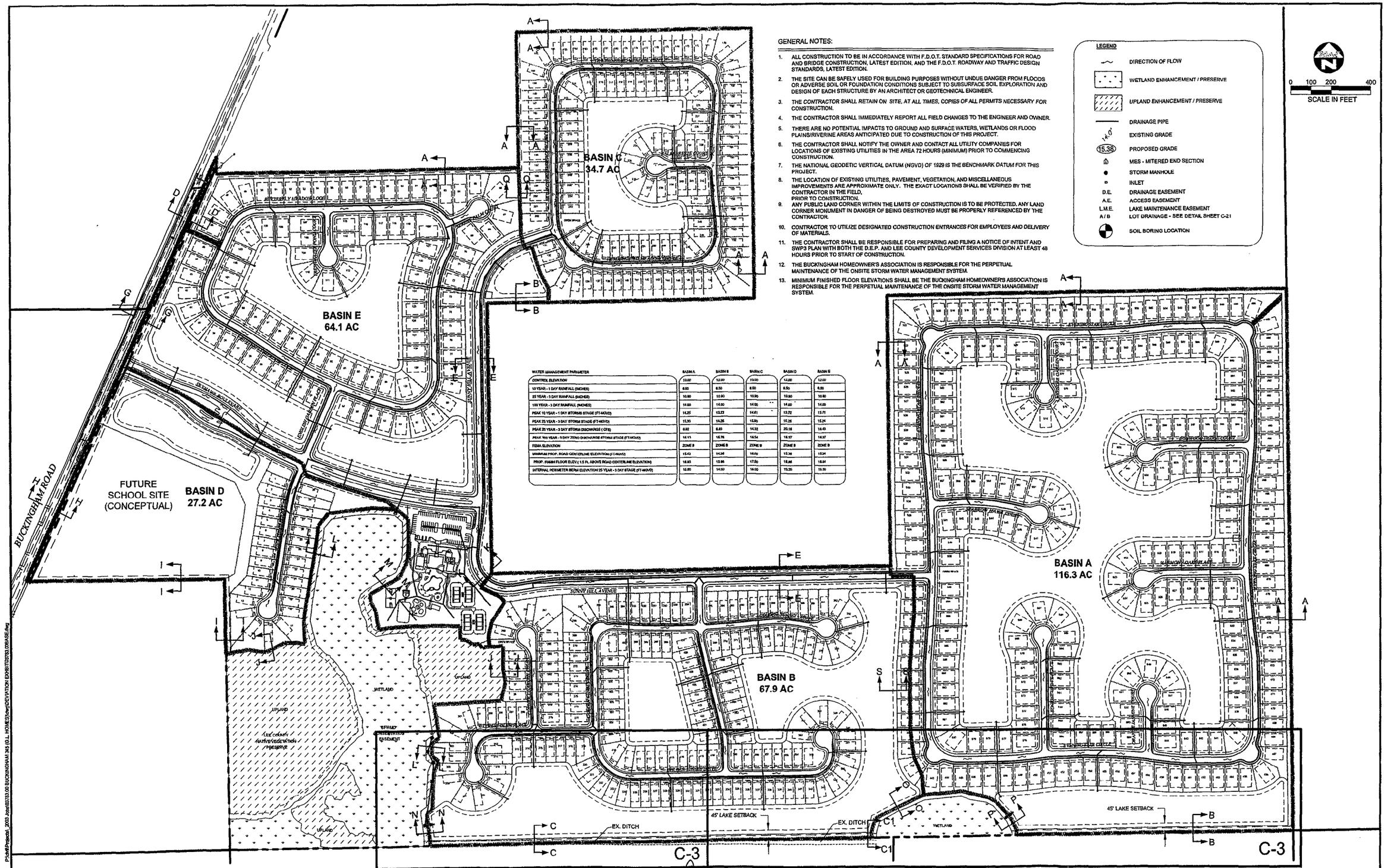
PREPARED FOR
GL HOMES
1600 SAWGRASS CORPORATION PARKWAY, SUITE 300
SUNRISE, FLORIDA 33323
(954) 693-0387

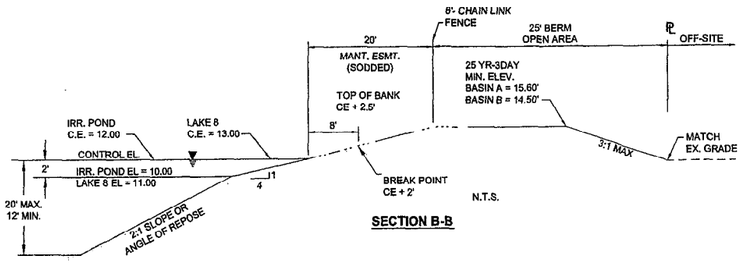
PROJECT DESCRIPTION
COVER SHEET
BUCKINGHAM 345
A PORTION OF
SECTIONS 32 & 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

SCALE:	N.T.S.
PROJECT NO.	03783.00
SHEET NUMBER	C-1

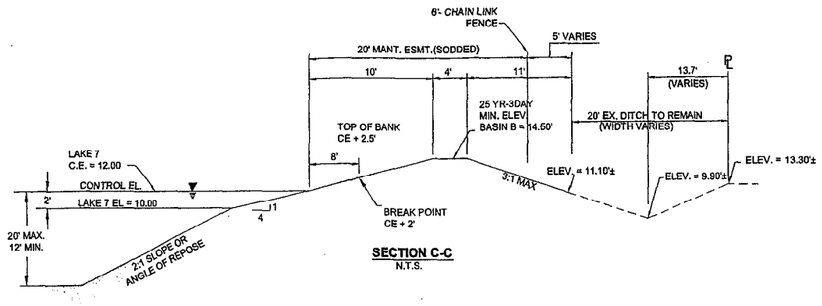
ATTACHMENT B

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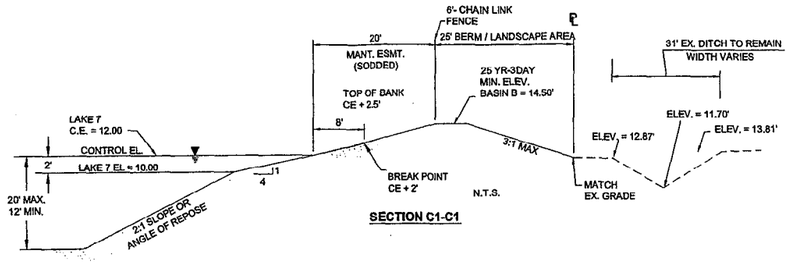

BASIN C
34.7 AC
BASIN E
64.1 AC
FUTURE
SCHOOL SITE
(CONCEPTUAL)
BASIN D
27.2 AC
BASIN A
116.3 AC
BASIN B
67.9 AC
BUCKINGHAM ROAD
SUNNY HILL AVENUE
SUNRISE MEADOW LOOP
SUNRISE MEADOW COURT
SUNRISE MEADOW DRIVE
SUNRISE MEADOW LANE
SUNRISE MEADOW CIRCLE
SUNRISE MEADOW TERRACE
SUNRISE MEADOW BOULEVARD
SUNRISE MEADOW PLACE
SUNRISE MEADOW WAY
SUNRISE MEADOW AVENUE
SUNRISE MEADOW ROAD
SUNRISE MEADOW STREET
SUNRISE MEADOW CENTER
SUNRISE MEADOW PARKWAY
SUNRISE MEADOW BOULEVARD
SUNRISE MEADOW CIRCLE
SUNRISE MEADOW TERRACE



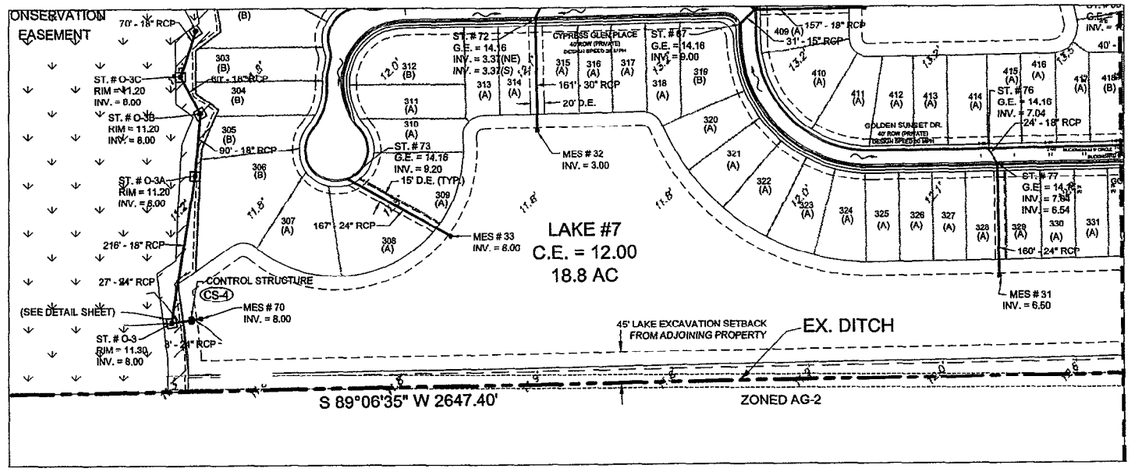
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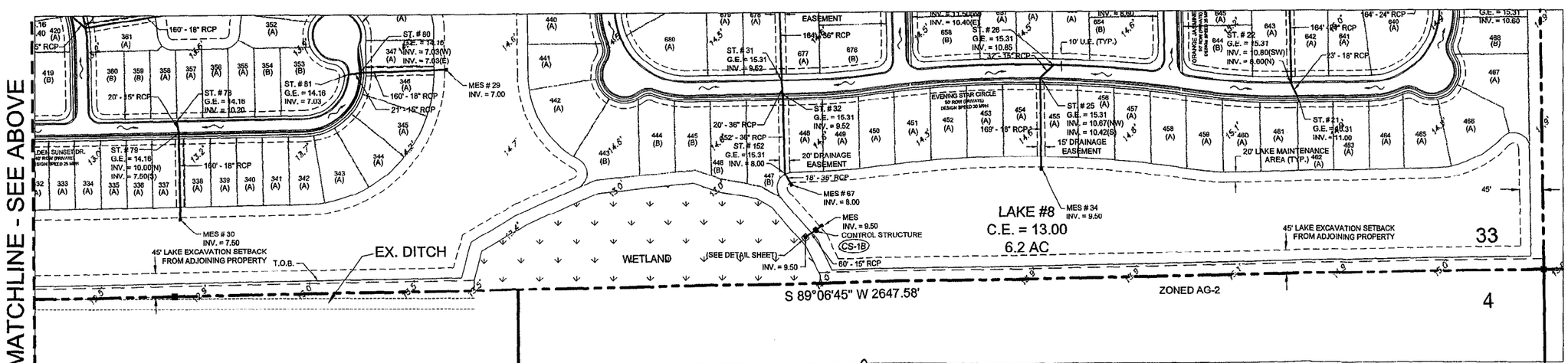


SECTION C-C
N.T.S.



SECTION C1-C1





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SCALE IN FEET

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3:08 pm
2, 2007

DATE:	PLAN REVISIONS:	DATE:	PLAN REVISIONS:

FILE NAME	03783.00BASE.DWG
LAYOUT	C-3
DESIGN BY	D. JOHNSON
CHECKED BY	D. JOHNSON
PLOT DATE	FRI, 1-12-2007 - 3:08 PM

TKW CONSULTING ENGINEERS, INC
Environmental • Civil • Structural • Survey
5621 BANNER DRIVE, FORT MYERS, FLORIDA 33912
PHONE: (239) 278-1992 * FAX: (239) 278-0922 * E-MAIL: tkw@tkwonline.com
Engineering Certificate #5742 * Survey LB #734

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PROJECT ENGINEER
SIGNATURE: DANIEL P. JOHNSON
FL REGISTRATION No. 37573
DATE: 1/12/07
NOT VALID WITHOUT EMBOSSED SEAL, SIGNATURE AND DATE.

PREPARED FOR
GL HOMES
1600 SAWGRASS CORPORATION PARKWAY, SUITE 300
SUNRISE, FLORIDA 33323
(954) 603-0387

PROJECT DESCRIPTION
PAVING, GRADING & DRAINAGE PLAN
BUCKINGHAM 345
A PORTION OF
SECTIONS 32 & 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST
LEE COUNTY, FLORIDA

SCALE:	1" = 100'
PROJECT NO.	03783.00
SHEET NUMBER:	C-3

ATTACHMENT N

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 ☐ YES[1] 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 1,015 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, MPA, AICP, LEED AP
   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)]**

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

G. Future Land Use Classification (Lee Plan):

Outlying Suburban	344.77	Acres	100	% of Total
		Acres		% of Total
		Acres		% of Total

H. Property Dimensions:

1. Width (average if irregular parcel): 6000 Feet
2. Depth (average if irregular parcel): 3300 Feet
3. Total area: 344.77 Acres or square feet
4. Frontage on road or street: 2200 Feet on Buckingham Road Street
   2nd 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)				**344.7**	**Acres**
1. Submerged land subject to tidal influence			0	Acres	
2. a. Preserved freshwater wetlands	7.9	Acres			
b. Impacted wetlands	3.19	Acres			
c. Preserved saltwater wetlands		Acres			
d. Total wetlands (A.2.a. plus A.2.b. plus A.2.c.)			11.09	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.).				**3.19**	**Acres**
C. Gross residential acres. (A minus B) (3)				**341.51**	**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	

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.

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

A. Commercial	Height	Total Floor Area (Square Feet)
1. Medical	NA	NA
2. General Office	NA	NA
3. Retail	NA	NA
4. Other: _____	NA	NA
5. **TOTAL FLOOR AREA**		**NA**

B. Industrial	Height	Total Floor Area (Square Feet)
1. Under Roof	NA	NA
2. Not Under Roof	NA	NA
3. **TOTAL FLOOR AREA**		**NA**

C. Mining	Depth	Total Acres
1. Area to be excavated	NA	NA

D. Assisted Living Facilities	Height	Total Beds/Units
1. Dependent Living Units	NA	NA
2. Independent Living Units	NA	NA
3. **TOTAL BEDS/UNITS**		**NA**

E. Hotels/Motels (Room Size)	Height	Total Rental Units
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:**
1. **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)]**
2. **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)]**

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

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]**

PART 5 SUBMITTAL REQUIREMENT CHECKLIST		
Clearly label your attachments as noted in bold below		
Copies Required		**SUBMITTAL ITEMS**
3	☒	Completed application for Public Hearing [34-202(a)(1)]
1	☒	Filing Fee - [34-201(d)]
1	☐	Bonus Density Filing Fee - (if applicable) [34-202(a)(11)]
3	☒	**Affidavit of Authorization** (notarized) Form [34-202(a)(3)]
3	☒	**Additional Agents** [34-202(a)(4)]
3	☐	**Multiple Owners List** (if applicable) [34-202(a)(2)]
3	☒	**Disclosure of Interest** Form (multiple owners) [34-202(a)(2)]
3	☒	**Legal description (must submit)** [34-202(a)(5)]
		☐ Legal description (metes and bounds) and sealed sketch of 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.)
3	☒	**Boundary Survey** – not required if platted lot (2 originals required) [34-202(a)(6)]
3	☐	**Property Owners list** (if applicable) [34-202(a)(8)]
3	☐	**Property Owners map** (if applicable) [34-202(a)(8)]
3	☒	Confirmation of **Ownership/Title Certification** [34-202(a)(7)]
3	☒	**STRAP Numbers** (if additional sheet is required) [34-202(a)(5)]
1	☒	**List of Surrounding Property Owners** [34-202(a)(9)]
1	☒	**Map of Surrounding Property Owners** [34-202(a)(9)]
1	☒	**Mailing labels** [34-202(a)(9)]
3	☒	List of **Zoning Resolutions** and Approvals
3	☐	Summary of **Public Informational Session** (if applicable)
3	☐	**Waivers** from Application Submission Requirements (if applicable) [34-201(c)]
3	☒	Preliminary **Density** Calculations (if applicable)
3	☒	**Request Statement** [34-373(a)(5)]
3	☒	Traffic Impact Statement (**TIS**) (not required for existing development) [34-373(a)(7)]
3	☒	Master Concept Plan (**MCP**), **Non-PRFPD** [34-373(a)(6)]
3	☒	**Schedule of Uses** [34-373(a)(8)]
3	☒	Schedule of **Deviations and** Written **Justification** [34-373(a)(9)]
3	☒	**Topography** (if available) [34-373(a)(4)b.iv.]
3	☐	**Soils Map** [34-373(a)(4)b.9.]
3	☒	**FLUCCS Map** [34-373(a)(4)c.]
3	☒	Rare & Unique **Upland Habitat Map** [34-373(a)(4)b.iii.]
3	☒	Existing and Historic **Flow-Ways Map** [34-373(a)(4)b.v.]
3	☐	**Surface Water Management Plan** (if applicable) [34-373(b)(1)]
3	☐	**Phasing Program** (if applicable) [34-373(b)(3)]
3	☒	**Protected Species Survey** (if applicable) [34-373(b)(2)]
3	☐	**Proof of Notice** (if applicable) [34-373(c)]

3	☐	**Binding Letter** from DCA (if applicable) [34-373(d)(9)]
3	☐	Master Concept Plan (**MCP**), **PRFPD** (if applicable) [34-941(g)(1)]
3	☐	**Conceptual Surface Water Management Plan** (if applicable) [34-941(d)(3)b.i.1)]
3	☐	**Well Drawdown** Information (if applicable) [34-941(d)(3)d.]
3	☐	Preliminary Indigenous **Restoration Plan** (if applicable) [34-941(e)(5)f.iii.]
3	☒	**Environmental Assessment** (if applicable) [34-941(g)(2)]
3	☐	Demonstration of **Compatibility** (if applicable) [34-941(g)(4)]
3	☒	**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	☐	Existing **Agricultural Use Affidavit** (if applicable) [34-202(a)(12)]
3	☐	Information Regarding **Proposed Blasting** (if applicable).
3	☐	Hazardous Materials **Emergency Plan** (if applicable)
3	☐	Mobile Home Park **Dislocated Owners** Information (if applicable) [34-202(b)(4)]
3	☐	**Tall Structures Permit** (if applicable) [34-1108]

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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.

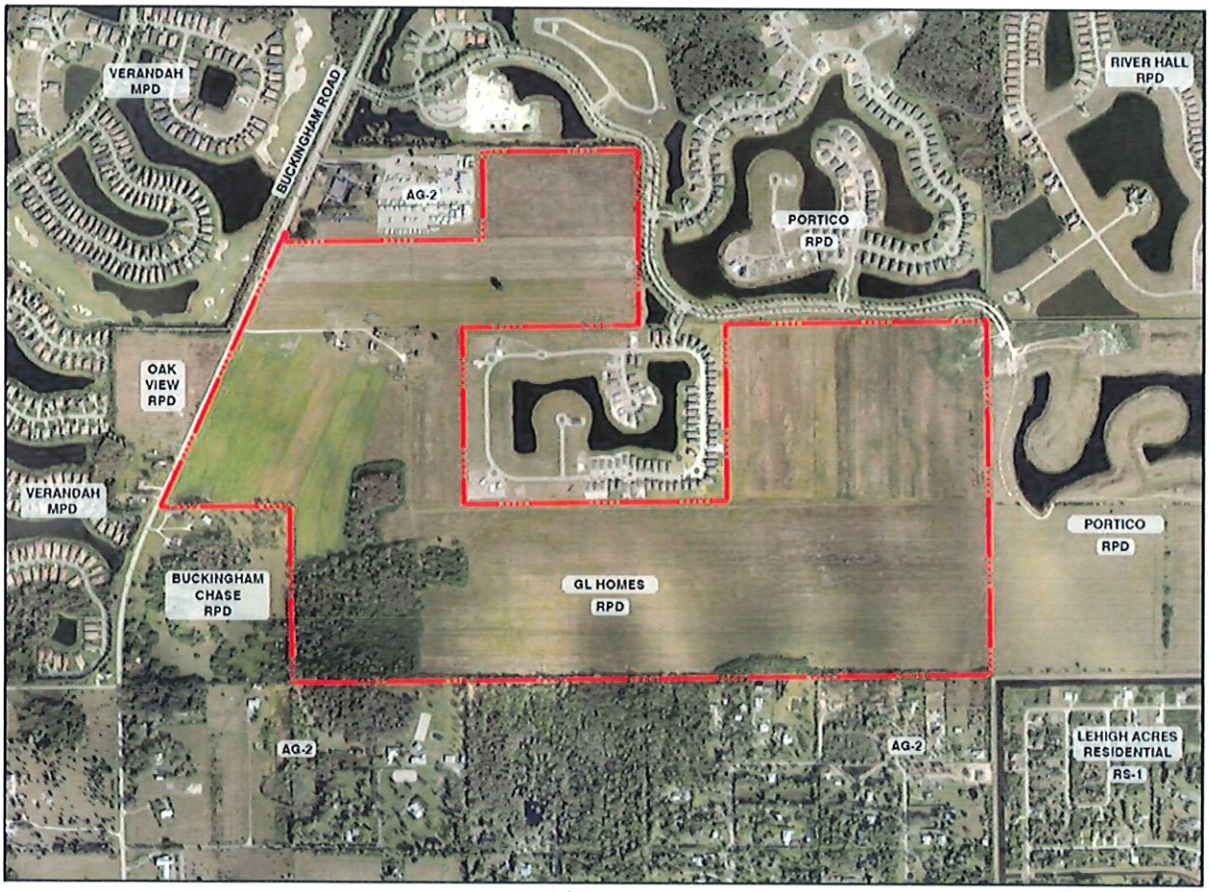


Figure 1. Project Aerial

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.

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 Residential 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 1,015 establishing an overall density of 2.9 dwelling units per acre for the subdivision. The Master Concept Plan is designed with 3 distinct development tracts; located in a manner that enables density to transition away from the south boundary. Larger lots with a lower density are adjacent to the Rural Community Preserve directly south of the subject property. Additionally, the rear setback of the largest lot size is 45 feet; which abuts a 30 foot enhanced buffer, establishing a 75 foot physical separation between future residential structures and the southern property boundary adjacent to the Rural Community Preserve.

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.

Outlying Suburban

Approximately 344 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.

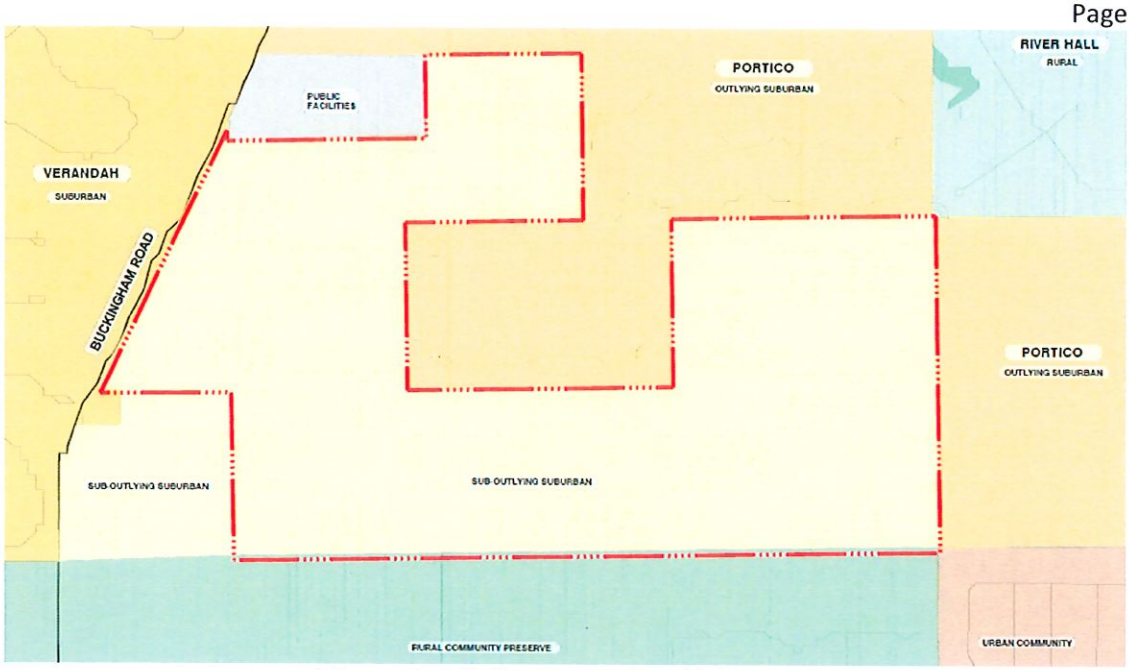


Figure 2. Existing Future Land Use Map

Wetlands

A jurisdictional determination was recently completed with the South Florida Water Management District and confirmed the extent of the wetlands; which were provided to Lee County. 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 1,015 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**

Table 1: Maximum Density of the Subject Property

The requested dwelling unit count has been reduced to 1,015 to provide a gradual transition between the density of the Community Rural Preserve in the south, which is 1 unit per acre, to higher densities in the north of up to 3 dwelling units per acre. The lot sizes along the south property line are the largest proposed at 80 feet by 170 feet with a minimum lot area of 13,600 square feet; thereby reducing the density immediately adjacent to the Rural Community Preserve. The next lot size proposed is 6,500 square feet clustered in the central portion of the community. Finally, the third lot size proposed is 4,500 square feet generally located in the northern portion of the community. This design promotes a gradual density increase across the property from south to north as the development is further from the Rural Community Preserve.

In addition to the location of the lot types and varying minimum lot area, design enhancements are proposed immediately adjacent to the southern property boundary. The Land Development Code does not require a buffer between residential properties; however, the current zoning approval includes and enhanced buffer. The current MCP expands this enhanced buffer to 30 ft and maintains the wall and dense native vegetation to provide screening of the proposed subdivision from the Rural Community Preserve. The large residential lots proposed adjacent to the enhanced buffer have an increased rear setback of 45 feet. Collectively the enhanced buffer and rear setback ensure there is a minimum physical separation between the future residential structure and the southern property boundary of 75 feet. Due to the design characteristics of the large lots and street network, additional open space is also provided adjacent to the southern property boundary as demonstrated by the Master Concept Plan. The lot layout, rear setback and buffer promote compatibility with the Rural Community Preserve and consistency with the necessary density transition described by the Lee Plan.

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 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.

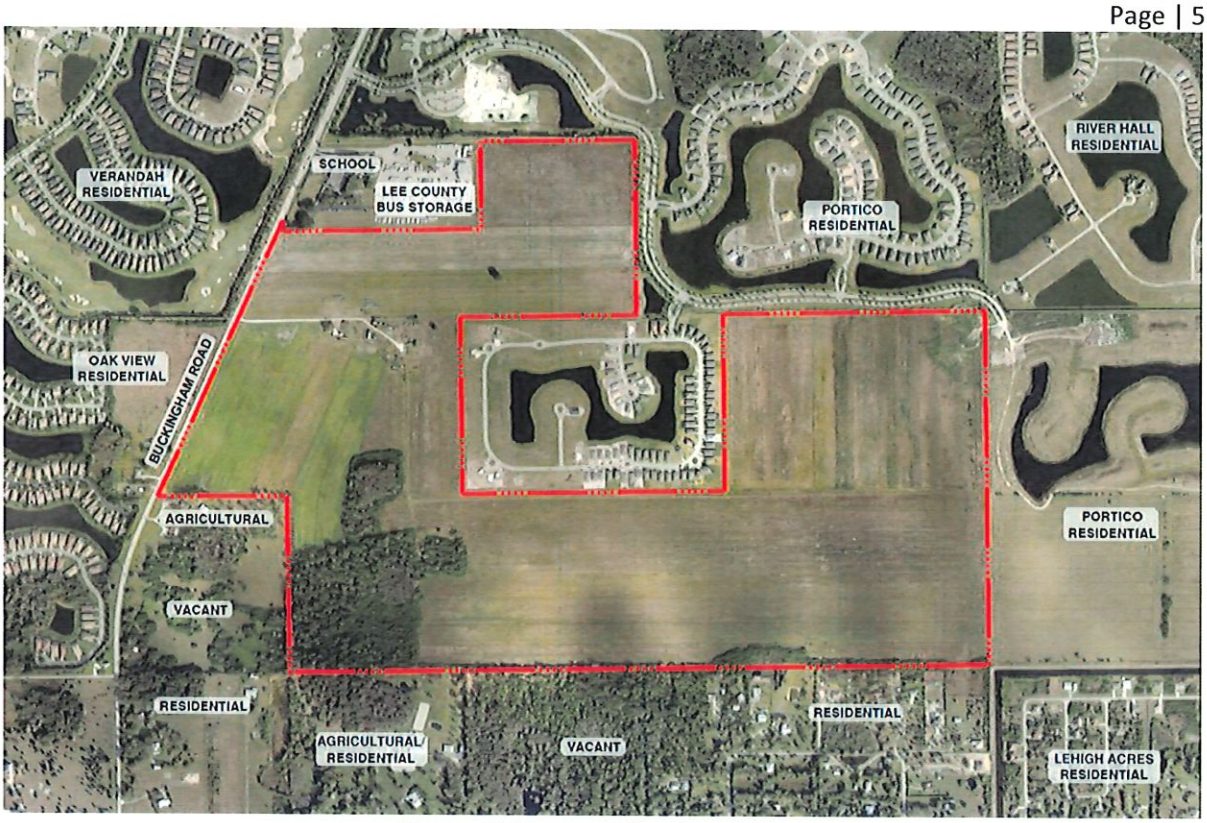


Figure 3. Surrounding Land Uses

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.

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 to 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 13,600 square feet. As demonstrated by the lot types and labels on the development tracts of the MCP, the proposed lot sizes gradually decrease from south to north within the subdivision. The transition in density is to ensure consistency with Lee Plan Policy 20.1.6 of the Buckingham Community Plan. Additional open space, large rear setback, and 30 foot buffer width are additional design features that provide physical separation and 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. Further west of Buckingham Road is the Verandah a ±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.

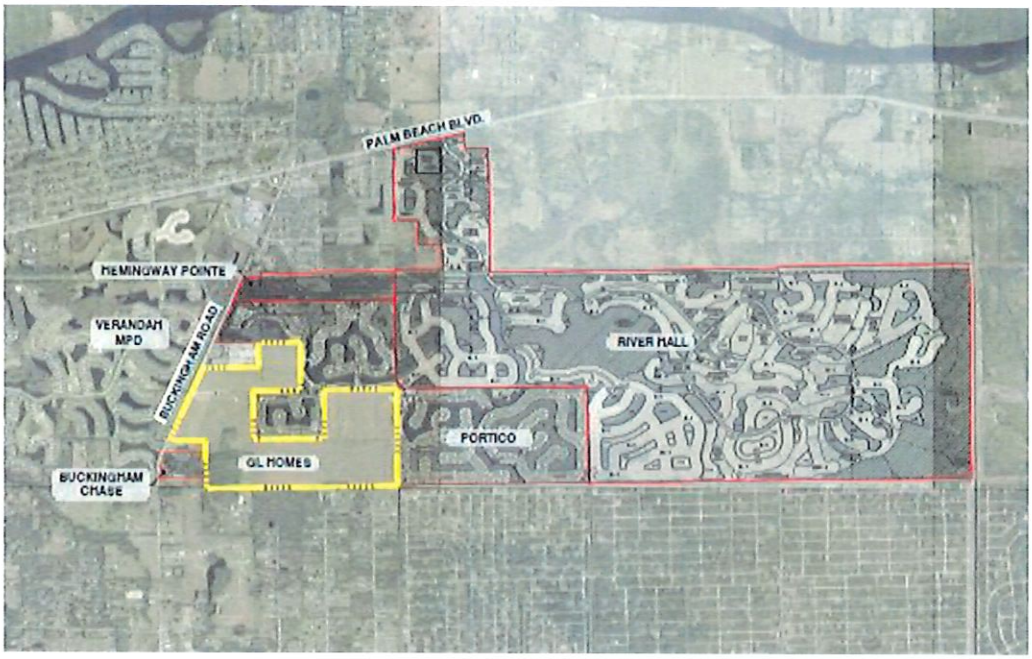


Figure 4. Surrounding Planned Developments

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.

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 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 Sherriff 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 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.



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 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 cluster 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.*

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.

LEGAL DESCRIPTION
OF A PARCEL LYING IN SECTIONS 32 & 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

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:

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 2647.49 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.**

PARCEL CONTAINS 15,018,447 SQUARE FEET, OR 344.78 ACRES, MORE OR LESS

BY: _____
DENIS J. O'CONNELL Jr.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. LS# 5430

DATE SIGNED: 5/7/2020

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

APPROVED
DCI2020-00010
Daniel Munt, Planner
Lee County DCD
10/20/2020

RECEIVED
MAY 27 2020
COMMUNITY DEVELOPMENT

NOTES:

1. BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33, AS BEING S.89°06'45"W.
2. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
3. PARCEL IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS AND RIGHT-OF-WAYS (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).
4. THE STATE PLANE COORDINATES SHOWN HEREON ARE IN FEET, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT) BASED UPON CONTINUOUSLY OPERATING FLORIDA PERMANENT REFERENCE NETWORK (FPRN) STATIONS MAINTAINED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION.

BUCKINGHAM 345 ACRES, OVER ALL

TITLE: LEGAL DESCRIPTION

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SURVEYING & MAPPING, LLC
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LB# 7071

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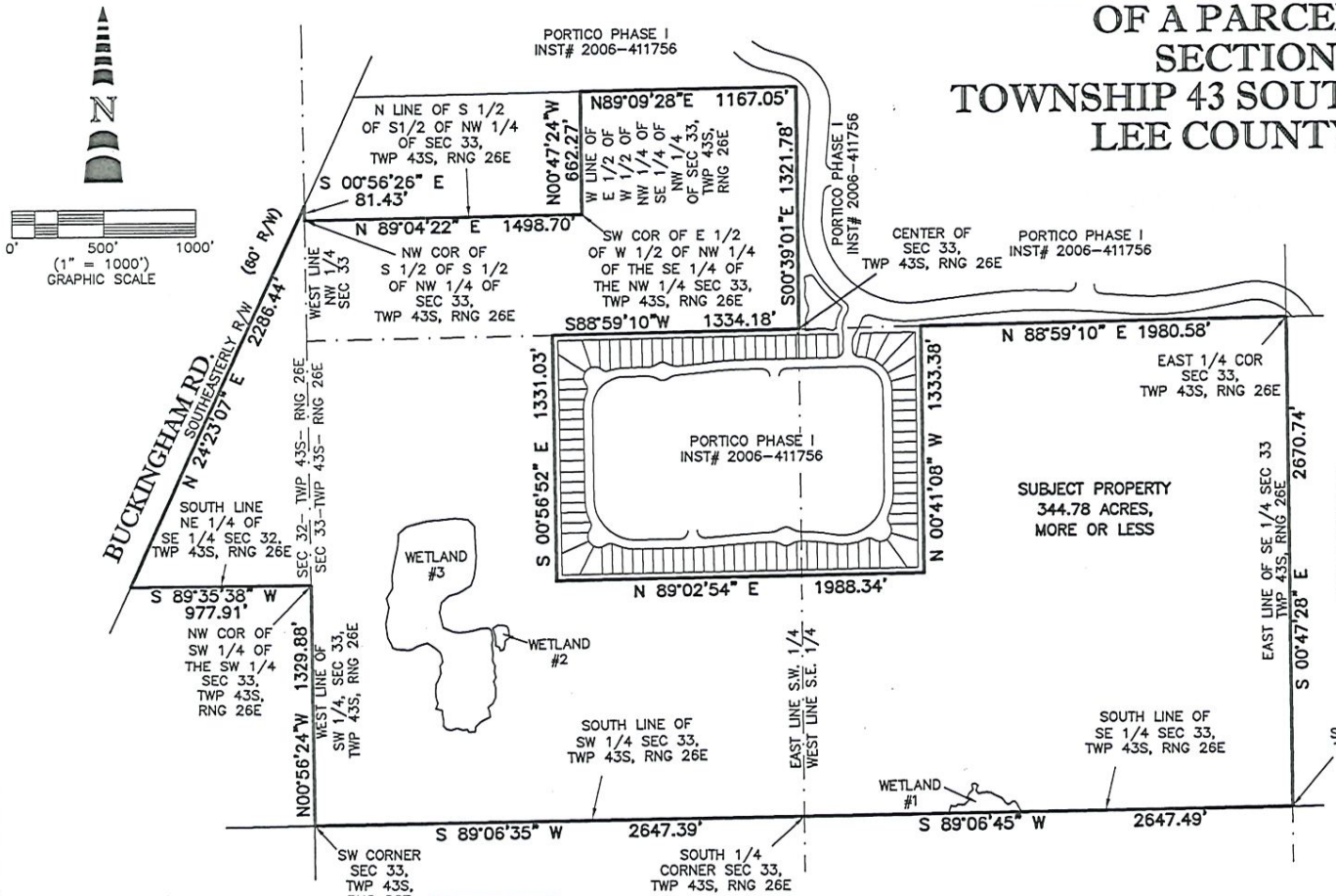
FILE NAME:	FIELD BOOK/PAGE:	PROJECT NO.:	SHEET:
14879OVERALL.dwg	SEE FILE	14879	1 OF 2

EXHIBIT DATE:	DRAWN BY:	SCALE:	CHECKED BY:	FILE NO. (S-T-R)
5/06/2020	BUD	1" = 1000'	DJO	33-43-26

ATTACHMENT O

DCI2020-00010

LEGAL DESCRIPTION
OF A PARCEL LYING IN SECTIONS 32 & 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA



NOTES:

1. BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33, AS BEING S.89°06'45"W.
2. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
3. PARCEL IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS AND RIGHT-OF-WAYS (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).
4. THE STATE PLANE COORDINATES SHOWN HEREON ARE IN FEET, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT) BASED UPON CONTINUOUSLY OPERATING FLORIDA PERMANENT REFERENCE NETWORK (FPRN) STATIONS MAINTAINED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION.

LEGEND:

P.O.B. = POINT OF BEGINNING
INST = INSTRUMENT
R/W = RIGHT OF WAY
O.R. = OFFICIAL RECORDS BOOK
PG. = PAGE
SEC = SECTION
TWP = TOWNSHIP
RNG = RANGE

RECEIVED
MAY 27 2020
COMMUNITY DEVELOPMENT

DC2020-00019

BUCKINGHAM 345 ACRES, OVER ALL

TITLE: SKETCH OF DESCRIPTION

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FILE NAME:	FIELD BOOK/PAGE:	PROJECT NO.:	SHEET:
14879OVERALL.dwg	SEE FILE	14879	2 OF 2
EXHIBIT DATE:	DRAWN BY:	SCALE:	CHECKED BY:	FILE NO. (S-T-R)
5/05/2020	BUD	1" = 1000'	DJO	33-43-26