



## REQUEST FOR SUBMITTAL REQUIREMENT WAIVER FOR UNINCORPORATED AREAS ONLY

Upon written request, the Director may modify the submittal requirements for Public Hearings, Development Orders, Limited Review Development Orders and other Administrative Action Applications where it can be clearly demonstrated that the submission will have no bearing on the review and processing of the application. The request and the Director's written response must accompany the application submitted and will become a part of the permanent file.

### APPLICATION FOR WAIVER OF REQUIRED SUBMITTAL ITEMS (indicate the appropriate application type)

- ☐ Public Hearing - General Requirements (34-202)
- ☐ Public Hearing - Mining Excavation Planned Development (12-110)
- ☒ Public Hearing - Additional Requirements for:
- ☒ Development of Regional Impact (34-203(a)) **To extend the DRI buildout date.**
  - ☐ Planned Developments (34-203(b))
  - ☐ Planned Development Amendment (34-203(b))
  - ☐ Rezoning other than Planned Developments (34-203(c))
  - ☐ Special Exceptions (34-203(e))
  - ☐ Variances (34-203(f))
  - ☐ Limited Amendment to Existing Mine Zoning Approval [12-121(j)]
  - ☐ Private Recreational Facilities Planned Development (34-941(g))
- ☐ Development Order - Submittal Requirements (10-152)
- ☐ Application Form and Contents (10-153)
  - ☐ Additional Required Submittals (10-154)
- ☐ Limited Review Development Order - Submittal Requirements (10-152)
- ☐ Required Submittals (10-175)
- ☐ Administrative Action Application Requirements [34-204(a)]

State the Type of Administrative Application: \_\_\_\_\_

**REVIEWED**  
**DRI2018-10001**  
**Rick Burris, Principal**  
**Planner**  
**Lee County DCD/Planning**  
**11/17/2021**

#### PLEASE PRINT OR TYPE:

STRAP Number: 35-43-24-00-00001.0080 and 35-43-24-09-0000A.0010

Name of Project: Buccaneer Estates

Name of Agent: Peter T. Van Buskirk, PE, AICP, Kimley-Horn & Associates

Street Address: 1412 Jackson Street, Suite 2

City, State, Zip: Fort Myers, FL 33901

Phone Number: 239-271-2635 Email Address: Peter.vanbuskirk@kimley-horn.com

Name of Applicant\*: Brett Hattel, Senior Vice President, Equity Lifestyle Properties, Inc.

Street Address: Two North Riverside Plaza

City, State, Zip: Chicago, IL 60606

Phone Number: (312) 279-1594 Email Address: brett\_hattel@equitylifestyle.com

**\*If applicant is not the owner, a letter of authorization from the owner must be submitted.**

LEE COUNTY COMMUNITY DEVELOPMENT  
P.O. BOX 398 (1500 MONROE STREET), FORT MYERS, FLORIDA 33902  
PHONE (239) 533-8585

**A. SPECIFIC SECTION(S) AND REQUIREMENT(S) FOR WHICH A WAIVER IS SOUGHT:**

Section Number		Requirement
#1	34-202(a)(1)	A metes and bounds legal description along with a sketch of the legal description prepared by a Florida Licensed Surveyor and Mapper.
#2	34-202(a)(2)	A boundary survey of the subject property must be submitted, unless the property consists of one or more undivided lots within a subdivision platted in accordance with F.S. Ch. 177.
#3		
#4		
#5		
#6		
#7		
#8		
#9		

**B. SCOPE OF PROJECT AND REASON(s) FOR REQUEST:**

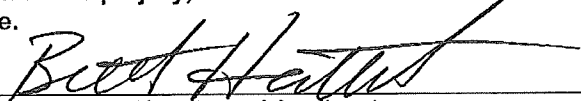
Please provide an explanation of the scope of the project and the reason(s) why you think the request for submittal waiver(s) should be approved. Use additional sheets if necessary and attach to this application form. (Please print or type)

The property is subject to Lee County Development Order (DO) 2-8283-25 that increased the allowable number of residential home sites in the existing Buccaneer Estates mobile home park by 240 units. The DO was issued through the Development of Regional Impact (DRI) process and that DRI has been deemed to be in effect by Lee County staff. Accordingly, the project is entitled for up to 1,220 mobile home park units and 980 have been constructed to date. The DRI buildout date has expired; therefore, the DO must be extended.

Pursuant to the 2018 DRI Bill CS/HB 1151, Chapter 2018-158, Laws of Florida, there is no longer criteria for substantial deviations in the Florida Statutes and DEO rules and non-substantial changes under former Section 380.06(19)e2, Florida Statutes. As a result, HB 1151 transfers responsibility for implementation and amendments to DRI DOs, like those that extend the build out date, to local governments which will then follow a local procedural process.

The property is largely built out and the approved density will remain unchanged. Accordingly, any additional regional impacts are not likely and the submission of these items above will not be helpful in staff's review and processing of the DRI public hearing application.

Under penalties of perjury, I declare that I have read the foregoing application and that the facts stated in it are true.

  
 Signature of Applicant

8/31/2018

Date

.....  
 FOR STAFF USE ONLY  
 .....

**DIRECTOR'S DECISION:**

- ☐ Request Denied  
☒ Request Approved  
☐ Request Approved Per Attached Comments

*India Yimmis*

Director Signature

*9/11/18*

Date

**REVIEWED**  
**DRI2018-10001**  
**Rick Burris, Principal**  
**Planner**  
**Lee County DCD/Planning**  
**11/17/2021**

## RESOLUTION NUMBER ZAB-84-36

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

WHEREAS, DeAnza Properties XI-LTD c/o Buccaneer Mobile Estates, has properly filed an application for: AG district based on Resolution Z-72-117 providing mobile home zoning by special permit (which was lost upon adoption of the 1978 Zoning Regulations) MH-2 district (per map based on Resolution Z-72-117) to MH-2 district on a piece of property located at 2210 N. Tamiami Trail, North Fort Myers, Florida, described more particularly as;

Section 35, Township 43 South, Range 24 East, Lee County, Florida.

All that part of the northwest quarter (NW 1/4) and that part of the northeast quarter (NE 1/4) of the southwest quarter (SW 1/4) of Section 35, Township 43 South, Range 24 East, lying easterly of the Tamiami Trail (State Road No. 45) and lying northerly of a line being the northerly line of Dormier Heights according to plat recorded in Plat Book 22 at page 28 of the Public Records of Lee County, and a westerly prolongation of said northerly line to the easterly line of said Tamiami Trail.

SUBJECT TO the maintained right-of-way Queens Road.

The Northeast quarter (NE 1/4) of said Section 35, EXCEPTING THEREFROM the southwest quarter (SW 1/4) of the southwest quarter (SW 1/4) of the northeast quarter (NE 1/4), the south half (S 1/2) of the southeast quarter (SE 1/4) of the southeast quarter (SE 1/4) of the northeast quarter (NE 1/4) and the following described parcel:

A tract or parcel of land lying in the southwest quarter (SW 1/4) of the northeast quarter (NE 1/4) of Section 35, Township 43 South, Range 24 East, Lee County, Florida, which tract or parcel is described as follows:

From the northwest corner of the southwest quarter (SW 1/4) of the southwest quarter (SW 1/4) of the northeast quarter (NE 1/4) of said section run S 89 deg. 48' 43" E along the north line of said fraction of a section along the southerly line of a roadway easement 25 feet wide for 395 feet to the Point of Beginning of the herein described parcel.

From said point of beginning run N 00 deg. 09' 33" W parallel with the west line of said fraction of a section for 495 feet; thence run S 89 deg. 48' 43" E parallel with the north line of said southwest quarter (SW 1/4) of the southwest quarter (SW 1/4) of the northeast quarter (NE 1/4) for 610 feet; thence run S 00 deg. 09' 33" E parallel with the west line of said fraction of a section for 700 feet; thence run N 89 deg. 48' 43" W for 340.87 feet to an intersection with the east line of said southwest quarter (SW 1/4) of the southwest quarter (SW 1/4) of the northeast quarter (NE 1/4); thence run N 00 deg. 11' 58" W along said east line for 205 feet to the northeast corner of said fraction of a section; thence run N 89 deg 48' 43" W along the north line thereof for 268.98 feet to the Point of Beginning.

TOGETHER WITH the hereinabove described roadway easement 25 feet wide.

Bearings hereinabove mentioned are from the centerline survey of State Road No. 45.

Save and except any portion of the foregoing land lying within the right-of-way of the Seaboard Coast Line Railway.

WHEREAS, DeAnza Properties, Ltd., the owner(s) of the subject parcel has given proper authorization to Johnson Engineering, Inc. to act as its agent, and has given them the authority to pursue this zoning action; and,

WHEREAS, a public hearing was legally and properly held before the Lee County Zoning Board, with full consideration of all the evidence available to the Zoning Board; and,

WHEREAS, the Lee County Zoning Board fully reviewed the matter and recommended approval of AG district based on Resolution Z-72-117 providing mobile home zoning by special permit (which was lost upon adoption of the 1978 Zoning Regulations) MH-2 district (per map based on Resolution Z-72-117) to MH-2 district based on the fact that intent of this hearing is to correct zoning and to bring the existing park into conformity with existing regulations; and

WHEREAS, an appeal was timely filed by an aggrieved person/the Division of Community Development; and

WHEREAS, a public hearing was legally and properly advertised and held before the Lee County Board of County Commissioners; and

WHEREAS, the Board of County Commissioners considered the recommendation of the Staff, the Local Planning Authority, the Zoning Board, the documents on file with the County and the testimony of all interested persons,

The Board of County Commissioners after full and complete consideration of the matter does hereby make the following findings of fact:

LEGISLATIVE HISTORY: The Staff recommended approval of the district boundary change and noted that there is no substantial incompatibility of the MH-2 zoning with the surrounding zoning or land use. This particular rezoning is being requested to cure any potential or real procedural defects in the current zoning. The L.P.A. found the district boundary change to be consistent with the Lee County Comprehensive Plan. The Zoning Board recommended that the Board of County Commissioners grant the district boundary change.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS AS THE ZONING APPEALS BOARD, that the Zoning Appeals Board does hereby grant a district boundary change from AG based on Resolution Z-72-117, MH-2 (per map based on Resolution Z-72-117) to the MH-2 district.

The foregoing Resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner Fussell, and seconded by Commissioner Morgan and, upon being put to a vote, was as follows:

Porter J. Goss	Absent
Roland Eastwood	Aye
Roland Roberts	Aye
Bill Fussell	Aye
Melvin Morgan	Aye

DULY PASSED AND ADOPTED this 20th day of February, A.D., 1984.

ATTEST:  
SAL GERACI, CLERK

BY: *Lois Kurtz*  
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS  
OF LEE COUNTY, FLORIDA

BY: *R. Eastwood*  
Chairman

Approved as to form by:

*Michael J. Morgan*  
County Attorney