

COMMERCIAL ZONED PROPERTIES - COASTAL RURAL FUTURE LAND USE

STRAP NUMBER/ACRES	ADDRESS	ZONING	ZONING RESOLUTION/DEVELOPMENT ORDERS	CURRENT USE
06-44-22-02-00000.0090 1.04 ± acres Owner, Great Atlantic Marine, Inc. *2008 Taxes PAID	14320 Stringfellow Bokeelia	CT	Z-80-251-Rezone from C-1A to CT w/SEZ for Auto Service Station, minor repairs only	"Grab Bag" Grocery
03-45-22-01-00000.0620 0.62 ± acres Owner, Paul Hartmann Estate *2008 Taxes PAID	8078 Stringfellow St. James City	C-1A	Z-69-79-Rezone from GU to BU-3-A w/special permit for light manufacturing metal (as converted to C-1A)	Vacant
08-44-22-02-00012.0090 0.25 ± acres Owner, Dallas Stanfield *2008 Taxes PAID	13960 Stringfellow Bokeelia	CS-1	Z-81-221-Rezone from AG to CT w/VAR from minimum lot size- Denied Z-81-221A-Rezone from AG to CS w/VAR from minimum lot size from 20,000 sf to 12,000 sf	Real Estate Office and Commercial School (Sewing School)
08-44-22-02-00012.0180 comprised of five parcels 0.99 ± acres Owner, Russell Smith *2008 Taxes PAID	13924 Stringfellow Bokeelia	CG, AG-2	Z-81-223/223A-Rezone from AG and C-1A to CG w/VAR for side setbacks from 15 ft to 12 ft NOTE: A portion of this parcel is zoned AG-2 Pending rezoning action to CPD, not submitted as of 8-11-09	Restaurant (Bokeelia Cracker Café), Self-Storage and Calusa Ghost Tours
16-44-22-10-00000.0320 1.28 ± acres Owner, Royal Real Estate LLC *2008 Taxes PAID	12579 Tiffany w/ frontage on Stringfellow Bokeelia	CC	Z-78-122 Rezone from AG to CC for business w/stipulation that only banks & financial institutions; business, professional and non-profit organization offices; business, stenographic; interior decorating studio; personal services limited to barber & beauty shops; specialty shop including bookstore, butcher, florist, gift & souvenir shop, newsstand, music shop, optical shops, stationery store, shoe shop, art, hobby & craft shop, tobacco shop Z-81-155 Uphold rezoning from AG to CC for business w/stipulation	Vacant

STRAP NUMBER/ACRES	ADDRESS	ZONING	ZONING RESOLUTION/DEVELOPMENT ORDERS	CURRENT USE
16-44-22-10-00000.032B 1.28 ₊ acres Owner, Royal Real Estate LLC *2008 Taxes PAID	12549 Tiffany w/ frontage on Stringfellow Bokeelia	CC	Z-78-122 and Z-81-155 See above-referenced detail of Resolutions	Vacant
33-44-22-00-00008.0020 one parcel comprised of three individual zoning districts 57.92 ₊ acres CC & CG portions 28 ₊ acres Owner, Leechar, LLC *2007 and 2008 Taxes UNPAID	9720 Stringfellow St. James City	CC, CG, and RM-2	Z-79-25- Rezoned from AG and RS-1 to CG w/SEZ for consumption of alcoholic beverages on the premises; approved for CC zoning on the first 150' back from SR 767 and CG zoning on the remainder of the property with a SEZ for consumption of alcoholic beverages on premises for the entire parcel w/stipulations: the developer must run his road for the shopping center behind the shopping center North to the Industrial Park and through to SR 767; the developer will conform to the plans submitted on file; the development will follow DCI requirements; and the plans to be signed by the Chairman of the Zoning Board. Z-73-131 - Rezoned from AU (AG-2) to BU-1A and RU-1-1000 (RS1) with a Variance to permit one filling station within the BU-1A area to be used for shopping center with one filling station and single-family residences with the stipulation that provisions for a service road parallel to SR 767 be provided	Vacant
04-45-22-05-0000C.0370 0.45 ₊ acres Owner, William Thrower *2008 Taxes PAID	8561 Stringfellow St. James City	CG	Z-80-342 Uphold rezoning from AG to CG	Vacant
04-45-22-05-0000C.0350 0.45 ₊ acres Owner, C & L Ventures LLC *2008 Taxes PAID	8579 Stringfellow St. James City	CG	Z-80-342 LDO2002-00129 to permit storage yard (vacated)	Vacant

STRAP NUMBER/ACRES	ADDRESS	ZONING	ZONING RESOLUTION/DEVELOPMENT ORDERS	CURRENT USE
04-45-22-05-0000C.0390 0.68+ acres Owner, Covenant Property Investments *2008 Taxes PAID	8541 Stringfellow St. James City	CG	Z-80-342 ZVL2008-00128 to confirm commercial uses permitted within the Coastal Rural future land use category	Vacant
04-45-22-05.0000C.0420 0.22+ acres Owner, William Howard *2008 Taxes PAID	8523 Stringfellow St. James City	CG	Z-80-342	Vacant
04-45-22-05-0000C.0430 0.33+ acres Owner, William Howard *2008 Taxes PAID	8511 Stringfellow St. James City	CG	Z-80-342	Vacant
03-45-22-00-00002.004B 7.12+ acres Owners, Robert Smeja & Jill Gnesda for Land Trust Agreement 1985-1 *2008 Taxes PAID	8379 Stringfellow St. James City	CS-1	Z-81-226-Rezone from AG to RM-2 and CS w/SEZ (CS zone) for restaurant and pharmacy; (RM-2 zone) model home and accessory structures in front 50% of parcel; VAR from north ½ section line set back from 60 ft. to 25 ft.; VAR from east section line setback from 75 ft to 0 ft. w/stipulation that the mangrove area will be placed into conservation easement and to allow nature (boardwalk to be installed by developer) and for the remaining uplands approve to zoning as applied for, as RM-2 and the frontage portion of the property to CS with the understanding that a recreation fee in lieu of a dedication requirement of the comprehensive plan be paid which will reflect the market price of the land at the time of payment, also incorporate frontage road setback, internal road system, one access onto CR 767, and bus stops Z-81-226A-Required dedication of 5.625 acres for public parkland within parameters of development w/conditions LDO2000-00355 Commercial lot split 7.3 acres and 2.7 acre tracts	Vacant

STRAP NUMBER/ACRES	ADDRESS	ZONING	ZONING RESOLUTION/DEVELOPMENT ORDERS	CURRENT USE
03-45-22-00-00002.004C 2.8+ acres Owners, Glen & Betty Twigg *2008 Taxes PAID	8359 Stringfellow St. James City	CS-1	Z-81-226/Z-81-226A Rezone from AG to RM-2 and CS (see above description) COM19982525 - 2,200 sf office building COM2005-00813 - 7,500 sf addition	Pine Island Office Park General/Medical Office Space (dental, CPA, real estate, law, etc.)
03-45-22-01-00000.1650 03-45-22-01-00000.1610 1.20+ acres Owner, Carl Humphrey *2008 Taxes PAID	8336 & 8360 Stringfellow St. James City	CPD	REZ2006-00011-Rezone from CR & AG-2 to CC-Denied Z-08-014-Rezoned AG-2 & CR to CPD to permit continuation of existing auto repair & service business, up to 4,000 sf of which 3,567 sf is for retail, office and storage, not to exceed 7,567 sf LDO2008-00323-approved 2-4-009 for compliance with Z-08-014 LDO2009-00054-addition of a 764+ square foot building	Carl's Automotive Service
03-45-22-01-00000.1350 0.90+ acres Owners, Harold & Deborah Bruner *2008 Taxes PAID	8288 Stringfellow St. James City	CG	Z-82-33-Rezoned from AG to CG DOS2005-0026 - Approved for 5,940 square-foot general office building-Gulf Shores Estate Lots 135-240, issued 1/27/06, expires 1/27/2012	Vacant
10-45-22-00-00001.0000 332+ acres C-1A portion approximately 74 acres Owner, High Point Land Improvement *2008 Taxes PAID	7630 Stringfellow St. James City	C-1A	Z-67-19-Rezoned from AU to BU-1A to permit a shopping center w/VAR for one service station DOS2003-00280 - Stringfellow Lakes Estates - Approved for-347 unit residential development with 180 single-family dwellings and 168 multiple-family dwelling units (84 buildings with 2 units each) 4-phase development, issued 2/26/07, expires 2/26/2013	Vacant

STRAP NUMBER/ACRES	ADDRESS	ZONING	ZONING RESOLUTION/DEVELOPMENT ORDERS	CURRENT USE
09-44-22-00-00017.0030 18.85 ⁺ acres Owner, Wayne Reed *2007 and 2008 Taxes UNPAID	13350 Morningstar Lane Bokeelia	AG-2	Z-76-60 - Approved for a Special Permit for an airstrip in an AU (as converted to AG-2) with stipulation that the location of the airstrip be moved further south on the property and with the further stipulation that the special permit be renewed annually Z-80-152 - Approved an "Unusual Use" in an AG zone for an airstrip and a variance from the West section line and half section line setback SEZ2004-00015 & VAR2005-00011 - Approved Special Exception for to continue an existing landing strip and repair/reconstruction of hangar buildings and variances for airstrip use and hangar repair/reconstruction with conditions LDO2006-00486 - Reconstruction of hangars and barn damaged by Hurricane Charley 180-day extension granted on February 19, 2009 for applicant to obtain easement agreement with adjacent property owner to authorize connection of proposed dry hydrant for firefighting purposes	Pine Island Airport
26-45-22-00-00002.0020 202 ⁺ acres C-1A portion approximately 20 acres Owner, Fort Myers Broadcasting Company *2008 Taxes PAID	4798 Stringfellow St. James City	C-1A RM-2 RS-1	Z-75-247A-Rezoned from GU to BU-1A, RU-3, RU-1 (general use to C-1A, RM-2, RS-1) w/stipulations that the development of the project limited entirely to lands above the approved and accepted mean high tide line, such location not to exceed 3,066.17' from the State Road right-of-way on the North Boundary nor 2,886.17' from the State Road on the South boundary; the proposed RU-3 (RM-2) land use shall be limited to multi-family buildings no greater than 3 stories in height; the proposed BU-1A (C-1A) zoning shall be limited to business associated activities approved under this zoning classification and that no multi-family apartments or condominium use shall be made thereof; and final plans for the multi-family and single-family residential development shall be approved by the BoCC prior to construction commencement; the proposed marina and offshore channel was denied. LDO2007-00035 (Type 15) approved for a 30 ⁺ foot diameter detention pond on the RM-2 and RS-1 parcel with an AG exemption to support existing cattle grazing, issued 8/6/07.	Vacant

STRAP NUMBER/ACRES	ADDRESS	ZONING	ZONING RESOLUTION/DEVELOPMENT ORDERS	CURRENT USE
35-45-22-07-0000B.0010 0.28 ₊ acres Owner, Lee County *2008 Taxes PAID	3463 York St. James City	C-1	SEZ2004-00021-Denied request to permit a commercial boat ramp w/conditions	Vacant
35-45-22-07-0000B.0020 0.35 ₊ acres Owner, Lee County *2008 Taxes PAID	3455 York St. James City	C-1	SEZ2004-00021-Denied	Vacant
35-45-22-07-0000B.0030 0.53 ₊ acres Owner, Lee County *2008 Taxes PAID	3447 York St. James City	C-1	SEZ2004-00021-Denied	Vacant
35-45-22-07-0000B.0040 0.27 ₊ acres Owner, Lee County *2008 Taxes PAID	3435 York St. James City	C-1	SEZ2004-00021-Denied	Vacant

PROPOSED

STRAP NUMBER/ACRES	ADDRESS	ZONING	ZONING RESOLUTION/DEVELOPMENT ORDERS	CURRENT USE
04-45-22-00-00003.0000 3.8 ₊ Owner, Calusa Bay Recreation, LLC *2008 Taxes PAID	5675 Maria St. James City	AG-2	DCI2007-00064 - Barrier Island Shore Port Request to rezone 3.8 ₊ acres from AG-2 to CPD to permit parking & storage of vehicles, boats, trailers in two buildings, 11,520 sf (inside storage); 2,500 sf maintenance building, open/outside storage, office space and limited retail	Vacant

TOTAL EXISTING CONVENTIONAL COMMERCIAL ZONED ACREAGE:

146.84₊ ACRES

History
Carl's Automotive Repair - 8336 Stringfellow Road
Coastal Rural future land use category

Resolution Z-68-48 approved a special exception for the manufacturing of small boats in the GU (converted to AG-2) zoning district. The property was later rezoned from Agricultural (AG-2) to Rural Commercial (CR) by Resolution Number Z-93-099. This parcel was also utilized as a landscaping business and temporary storage of vegetation resulting from Hurricane Charley.

A local development order, Case Number LDO2005-00518 was approved and issued to the previous owner on March 2, 2006 to add asphalt, paving to an existing gravel driveway and a parking area. The request for the LDO indicated that the existing use was "private storage"; however a Use Certificate was issued under Case Number USE2005-01491 for Automotive Service and Light Repair, a use that was not permitted in the Rural Commercial (CR) or Agricultural (AG-2) zoning districts. A Violation was issued, Case Number VIO2006-01843 for the operation of an auto repair and service business, a non-permitted use in the Rural Commercial (CR) zoning district.

The applicant requested a rezoning to Community Commercial (CC), a conventional commercial zoning district, in Case Number REZ2006-00011. The initial Hearing was held on June 21, 2006 before the Lee County Hearing Examiner with a continuation held on June 27 to receive testimony from Planning Staff. Staff recommended denial of this request based on inconsistency with the Lee Plan, specifically the Coastal Rural Future Land Use Category and compatibility with adjacent land uses. Furthermore, the conventional zoning request did not permit staff to propose conditions or limit uses that would enhance the project or ensure compatibility with existing, adjacent land uses. There were several local residents in attendance who spoke in favor of the rezoning and the provision of a much needed service. The Hearing Examiner recommended approval of the rezoning to Community Commercial (CC).

August 21, 2006 - BoCC Zoning Hearing - the case was remanded back to the Hearing Examiner for the purpose of making the rezoning consistent with the rural community commercial zoning district and the Coastal Rural future land use category by having the issue considered as a CPD to allow conditioning the specific use of an auto repair service and a waiver of zoning fees (Z-06-065).

March 13, 2008 - HEX hearing was held to consider a rezoning from CR and AG-2 to CPD.

The labeled attachments provide a history of staff's recommendation, revised schedule of uses, HEX recommendation and BoCC approval on June 2, 2008.

Staff's recommendation to limit the uses to existing conditions was superceded by the HEX recommendation and subsequent BoCC approval. The majority of the approved uses in Z-06-065 are not consistent with staff's recommendation for CPA2008-00017 and the Coastal Rural future land use category.

Staff Ex.
8/24/09

II. RECOMMENDATION:

1. The applicant has submitted a range of commercial uses within the Schedule of Uses for the subject property. However, the submitted Master Concept Plan (MCP) is designed to accommodate the existing business and future expansion. Therefore, Staff has provided a "strike-through" list of proposed uses, recommending only those that complement or are ancillary to the existing automotive repair and service business.
2. The CPD is limited to the continuation of an existing auto repair and service business up to 4,000 square feet and 3,567 square feet of retail, office and storage not to exceed a total development of 7,567 square feet as follows:

a. Schedule of Uses

Accessory Uses and Structures, limited to uses ancillary to the principle use

Administrative Offices, limited to offices ancillary to the principle use

~~ATM (Automatic teller machine)~~

Auto Part Store, ancillary to the principle use

Automobile Repair and Service, ~~All Groups~~ Group I, Limited to the existing automotive repair and service business

~~Automobile Service Station~~

~~Bait and Tackle Shop~~

~~Boats:~~

Boat part store

Boat repair and service

Building Materials

~~Business Services, Groups I and II~~

~~Care Taker's Residence~~

~~Car Wash (non-automated)~~

~~Cleaning and Maintenance Services~~

~~Contractors and Builders, All Groups~~

Essential Services, Group I as defined in the Land Development Code (LDC), Section 34-2

Excavation: Water Retention only

Fences, Walls

~~Hardware Store~~

~~Hobby, Toy and Game Shop~~

~~Insurance Company~~

Personal Services, Groups I and II

Plant Nursery

~~Printing and Publications~~

~~Real Estate Sales office~~

~~Repair Shops, Groups I, II and III~~

Signs in accordance with the Land Development Code (LDC), Chapter 30 and Section 33-1042

~~Specialty Retail, Groups I, II and III~~

Storage: Indoor and Outdoor, as conditioned in Condition Number 17

Temporary Uses, limited to those ancillary to the existing use

**DCI 2007-00019
HUMPHREY CPD**

RECOMMENDATION:

Staff recommends **APPROVAL** of the Applicant's request for rezoning from Rural Commercial (CR) and Agricultural (AG-2) to Commercial Planned Development (CPD) to permit continuance of an existing automobile repair and service business up to 4,000 square feet; 3,567 square feet of retail, office and storage not to exceed a total development of 7,567 square feet with the following conditions and deviations:

A. Conditions:

1. The development of this project must be consistent with a revised master Concept Plan (MCP) entitled "Humphrey CPD". 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 MCP are subsequently pursued, appropriate approvals will be necessary.
2. The applicant has submitted a range of commercial uses within the Schedule of Uses for the subject property. However, the MCP is designed to accommodate the existing business and future expansion. Therefore, Staff has provided a "strike-through" list of proposed uses, recommending those that complement or are ancillary to the existing automotive repair and service business or those that are deemed appropriate in the Coastal Rural future land use category and consistent with the Greater Pine Island character.

a. Schedule of Uses

Accessory Uses and Structures, limited to uses ancillary to the principal use
Administrative Offices
ATM (Automatic Teller Machine), without drive-through
Auto Part Store, ancillary to the existing Auto Repair and Service business
Automobile Repair and Service, ~~All Groups~~ Group I, limited to the existing
automotive repair and service business
~~Automobile Service Station~~
Bait and Tackle Shop
~~Boats:~~
 ~~Boat part store~~
 ~~Boat repair and service~~
 ~~Building Materials~~
Business Services, Group(s) I and II
~~Garetaker's Residence~~
~~Gar Wash (non-automated)~~
~~Cleaning and Maintenance Services~~
Contractors and Builders, ~~All Groups~~, Group I
Essential Services, ~~Group I~~, as defined in the LDC, Section 34-2
Excavation, Water Retention only
Fences, Walls

Hardware Store
~~Hobby, Toy and Game Shop~~
~~Insurance Company~~ (Included in Business Services, Group I)
~~Personal Services, Groups I and II~~
 Plant Nursery
~~Printing and Publications~~
~~Real Estate Sales office~~ (included in Business Services, Group I)
~~Repair Shops, Groups I, II and III~~
 Signs in accordance with the LDC, Chapter 30 and Section 33-1042
~~Specialty Retail, Group I, II and III~~
 Storage: Indoor and Outdoor, as conditioned in Condition Number 17
 Temporary Uses, limited to those ancillary to the existing use

b. **Site Development Regulations:**

Minimum Lot Size	7,500 square feet 20,000 square feet
Minimum Street Setback:	25 feet
Minimum Side Setback:	15 feet
Minimum Rear Setback:	20 feet
Maximum Building Height:	35 feet/1 story (2 stories)
Maximum Lot Coverage:	40%
Minimum Open Space:	20% or 12,220 square feet

3. **Environmental Conditions:**

- a. Prior to local development order approval, all development order plans must delineate a minimum of 12,220 square feet of open space.
- b. Prior to local development order approval, development order plans must provide a minimum of 830 square feet of perimeter planting abutting the 4,000 square foot proposed building and a minimum of 520 square feet of perimeter plantings abutting the 3,567 square foot existing/proposed building meeting the LDC, Section 10-416(b) standards.
- c. Prior to local development order approval, development order plans must provide a buffer not less than 10 feet in width along the northerly property boundary with Type "C" plantings consistent with Condition #11.
- d. Consistent with Condition #11, a buffer not less than 10 feet in width, consisting of a minimum of five trees per 100 linear feet, must be planted along the western perimeter of the alley (roadway easement). No plantings are permitted to encroach into the platted easement.
- e. Within 18 months of approval of the rezoning, all required buffer and perimeter plantings approved per deviations 3, 6 and 7 and as conditioned, must be installed and a separate Certificate of

granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

2. The Applicant has submitted a range of commercial uses within the Schedule of Uses for the subject property. However, the MCP is designed to accommodate the existing business and future expansion. Therefore, Staff has provided a "strike-through" list of proposed uses, recommending those that complement or are ancillary to the existing automotive repair and service business or those that are deemed appropriate in the Coastal Rural future land use category and consistent with the Greater Pine Island character.

a. **Schedule of Uses**

Accessory Uses and Structures, limited to uses ancillary to the principle use

Administrative Offices

ATM (Automatic Teller Machine), without a drive-through

Auto Part Store, ancillary to the existing Auto Repair and Service business

Automobile Repair and Service, Group I, Limited to the existing automotive repair and service business

Bait and Tackle Shop

Boats:

Boat part store

Boat repair and service

Business Services, Group I

Cleaning and Maintenance Services - NO outdoor storage

Contractors and Builders, Groups I - NO outdoor storage

Essential Services, as defined in the Land Development Code (LDC), Section 34-2

Excavation: Water Retention only

Fences, Walls

Hardware Store

Hobby, Toy and Game Shop

Personal Services, Group I

Plant Nursery

Repair Shops, Groups I and II

Signs in accordance with the Land Development Code (LDC), Chapter 30 and Section 33-1042

Storage: Indoor and Outdoor, as conditioned in Condition Number 17

Temporary Uses, limited to those ancillary to the existing use

b. **Site Development Regulations**

Minimum Lot Size: 20,000 square feet

Minimum Street Setback: 25 feet

Minimum Side Setback: 15 feet

Minimum Rear Setback: 20 feet

Maximum Building Height: 35 feet/1 story

Maximum Lot Coverage: 40%

Minimum Open Space: 20% or 12,220 square feet

hereto as Exhibit C. Development must comply with all requirements of the 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.

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

a. Schedule of Uses

Accessory Uses and Structures, limited to uses ancillary to the principle use
Administrative Offices
ATM (Automatic Teller Machine), without a drive-through
Auto Parts Store, ancillary to the existing Auto Repair and Service business
Automobile Repair and Service, Group I only, and Limited to the existing automotive repair and service business
Bait and Tackle Shop
Boats:
 Boat parts store
 Boat repair and service
Business Services, Group I only
Cleaning and Maintenance Services - NO outdoor storage
Contractors and Builders, Groups I - NO outdoor storage
Essential Services
Excavation: Water Retention only
Fences, Walls
Hardware Store
Hobby, Toy and Game Shop
Personal Services, Group I only
Plant Nursery
Repair Shops, Groups I and II
Signs in accordance with LDC Chapter 30 and LDC §33-1042
Storage: Indoor and Outdoor, and subject to Condition 17
Temporary Uses, limited to those ancillary to the existing use

b. Site Development Regulations

Minimum Lot Size:	20,000 square feet
Minimum Street Setback:	25 feet
Minimum Side Setback:	15 feet
Minimum Rear Setback:	20 feet
Maximum Building Height:	35 feet/1 story
Maximum Lot Coverage:	40%
Minimum Open Space:	20% or 12,220 square feet

3. Environmental Conditions:

- a. Prior to local development order approval, all development order plans must delineate a minimum of 12,220 square feet of open space.

Sec. 34-843. Use regulations table.

Use regulations for conventional commercial districts are as follows:

TABLE 34-843. USE REGULATIONS FOR CONVENTIONAL COMMERCIAL DISTRICTS

	<i>Special Notes or Regulations</i>	<i>C-1A</i>	<i>C-1</i>	<i>C-2</i>	<i>C-2A</i>	<i>CN-1</i>	<i>CN-2</i>	<i>CN-3 (21, 23)</i>	<i>CC</i>	<i>CG</i>	<i>CS-1</i>	<i>CS-2</i>	<i>CH</i>	<i>CT</i>	<i>CR</i>	<i>CI</i>	<i>CP</i>
Accessory apartment	Note (1) & (25), 34-1177	P	P	P	—	—	—	—	—	—	—	—	—	—	—	—	—
Administrative offices		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	—
Aircraft landing facilities, private:																	
Lawfully existing:																	
Expansion of aircraft land- ing strip, helistop or heli- port landing pad	34-1231 et seq.	SE	SE	SE	SE	SE	SE	—	SE	SE	SE	SE	SE	SE	SE	SE	—
New accessory buildings	34-1231 et seq.	P	P	P	P	P	P	—	P	P	P	P	P	P	P	P	—
New:																	
Aircraft landing strip and ancillary hangars, sheds and equipment	34-1231 et seq.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Heliport	34-1231 et seq.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Helistop	34-1231 et seq.	SE	SE	SE	SE	SE	SE	—	SE	SE	SE	SE	SE	SE	SE	SE	—
Animals	34-1291 et seq.	—	SE	SE	SE	—	—	—	—	—	—	—	—	SE	—	—	—
Keeping and breeding of Class I or Class II(d)																	
Amateur radio antennas and satel- lite earth stations when accessory to an existing principal use	34-1175	Refer to 34-1175 for regulations.															
Amusement park, less than ten acres		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Animals:																	
Clinic	34-1321 et seq.	—	P	P	P	—	—	—	P	P	—	—	—	—	P	—	—
Kennel	34-1321 et seq.	—	—	P (3)	—	—	—	—	—	P (3)	—	—	—	—	P	—	—
Control center (including Hu- mane Society)		P	P	P	P	—	—	—	—	P	P	SE	—	—	—	P	—
Assisted living facility	Note (29), 34-1411 et seq.	—	—	—	—	—	—	P	—	—	—	—	—	P(13)	—	—	—
ATM (automatic teller machine)		P	P	P	P	P	P	P(16)	P	P	P	SE	—	P	P	—	—
Auto parts store:																	
No installation service	34-1351	P	P	P	P	—	P	P	P	P	—	—	—	—	—	—	—
With installation service	34-1351	—	P	P	P	—	—	—	P	P	—	—	—	—	—	—	—
Automobile repair and service (34-622(c)(2)):																	
Group I		—	P	P	P	—	—	—	P	P	—	—	—	—	—	P	—
Group II		—	—	P	P	—	—	—	—	SE	—	—	—	—	—	P	—
Automobile service station	Note (34)	—	P	P	P	—	P	—	P	P	—	—	P	SE	P	P	—
Bait and tackle shop		P	P	P	P	P	P	P	P	P	—	SE (5)	—	P	P	—	—

	Special Notes or Regulations	C-1A	C-1	C-2	C-2A	CN-1	CN-2	CN-3 (21, 23)	CC	CG	CS-1	CS-2	CH	CT	CR	CI	CP
Banks and financial establishments (34-622(c)(3)):																	
Group I		P	P	P	P	—	P	P(16)	P	P	P	P(16)	—	P	—	—	—
Group II		—	P	P	P	—	—	—	P	P	P	P(16)	—	—	—	—	—
	Special Notes or Regulations	C-1A	C-1	C-2	C-2A	CN-1	CN-2	CN-3 (21, 23)	CC	CG	CS-1	CS-2	CH	CT	CR	CI	CP
Bar or cocktail lounge	34-1201 et seq. 34-1261 et seq.	—	AA/SE	AA/SE	AA/SE	—	—	—	AA/SE	AA/SE	—	—	AA/SE (6)	AA/SE	AA/SE	—	—
Bed and breakfast (df)	Note (25), 34-1494	—	P	P	P	—	—	—	—	—	—	SE	—	P	—	—	—
Boarding house	Note (25)	—	P	P	P	—	—	—	—	—	—	SE	—	P	—	—	—
Boats:																	
Boat parts store		P	P	P	P	—	P	P(2, 4)	P	P	—	—	—	—	—	—	—
Boat ramp		EO/SE	EO/SE	P	P	—	—	—	P	P	—	—	—	P	P	—	—
Boat rental		P	P	P	P	—	P	—	P	EO	—	—	P	P(7)	—	—	—
Boat repair and service	34-1352, 34-3001 et seq.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Boat sales		—	P	P	P	—	—	—	—	P	—	—	—	—	—	—	—
Boat storage, dry, not exceeding 18 feet above grade	Note (32)	—	P	P	P	—	—	—	—	P	—	—	—	—	—	—	—
Boat storage, dry, exceeding 18 feet above grade	Note (32)	—	SE	SE	SE	—	—	—	—	SE	—	—	—	—	—	—	—
Broadcast studio, commercial radio and television	34-1441 et seq.	—	—	P	P	—	—	—	P	P	—	—	—	—	—	—	—
Building materials sales (34-622(c)(4))		—	—	P	P	—	—	—	—	P	—	—	—	—	—	P	—
Business services (34-622(c)(5)):																	
Group I		P	P	P	P	—	P	P	P	P	P	P (8)	—	P	P	P	—
Group II		—	P	P	P	—	—	SE	—	P	—	—	—	—	—	P	—
Bus station/depot	34-1381 et seq.	—	—	P	P	—	—	—	SE	P	—	—	P	—	—	P	—
Caretaker's residence	Note (30)	—	SE	SE	SE	—	—	SE	SE	SE	—	—	—	—	—	—	—
Car wash		—	P	P	P	—	—	—	P	P	—	—	P	—	—	—	—
Cleaning and maintenance services (34-622(c)(7))		P	P	P	P	—	—	SE	P	P	P	P	—	—	—	—	—
Clothing stores, general (34-622(c)(8))		P	P	P	P	—	—	—	P	P	—	—	—	P	—	—	—
Clubs:																	
Country		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Commercial		—	—	P	P	—	—	—	P	EO	—	SE	—	—	—	—	—
Fraternal	34-2111	—	P	P	P	—	—	—	P	EO	—	SE	—	P	—	—	—
Membership organization	34-2111	—	P	P	P	—	—	—	P	EO	—	—	—	—	—	—	—
Private		—	—	—	—	P	P	—	P	—	—	SE	—	P	P	—	—
Cold storage warehouse and pro- cessing plant (including precooling)		—	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—
Commercial fishery		—	—	EO	—	—	—	—	—	—	—	—	—	—	—	—	—
Commercial use of beachfront sea- ward of the water body setback line	34-3151	SE (7)	SE (7)	SE (7)	SE (7)	—	—	—	SE (7)	SE (7)	—	—	—	SE (7)	—	—	—
Communication facility, wireless	34-1441 et seq.	Refer to 34-1441 et seq. for regulations.															
Community residential home	Note (29)	P	P	P	P	—	—	P	—	—	—	—	—	—	—	—	—

	Special Notes or Regulations	C-1A	C-1	C-2	C-2A	CN-1	CN-2	CN-3 (21, 23)	CC	CG	CS-1	CS-2	CH	CT	CR	CI	CP
Consumption on premises	34-1261 et seq.	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/ SE(22)	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	AA/SE	—	—
Contractors and builders (34-622(c)(9)):																	
Group I		P	P	P	P	—	—	P	P	P	—	—	—	—	—	—	—
Group II		—	P	P	P	—	—	—	P	P	—	—	—	—	—	—	—
Group III		—	—	—	—	—	—	—	—	P	—	—	—	—	—	—	—
Convenience food and beverage store		P(19)	P(19)	P(19)	P(19)	—	SE(19)	—	P	P	—	—	P	SE(19)	P	P	—
Cultural facilities (34-622(c)(10))		—	P	P	P	—	—	—	—	—	—	—	—	P	—	—	—
Day care center, adult, child	Note (25)	P	P	P	P	P	P	P	P	EO	—	—	—	P	P	—	—
Department store		P	P	P	P	—	—	—	P	P	—	—	—	—	—	—	—
Dormitory	Note (25)	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—
Drive-through facility for any per- mitted use		P	P	P	P	—	SE	—	P	P	SE	SE	P	P	P	P	—
Drive-in theater	Note (25)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Drugstore, pharmacy		P	P	P	P	—	P	P	P	P	—	—	—	—	P	—	—
Dwelling unit:																	
Duplex	Note (25) & (35)	P	P	P	P	—	—	—	—	—	—	P	—	—	—	—	—
Single-family	Note (26)	P	P	P	P	—	—	—	—	—	—	P	—	—	—	—	—
Two-family attached	Note (25) & (35)	P	—	—	P	—	—	—	—	—	—	—	—	—	—	—	—
Townhouse	Note (25)	EO	—	—	EO	—	—	—	—	—	—	—	—	—	—	—	—
Mobile home		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Multiple-family building	Note (25)	EO	P	P	EO	SE (10)	SE (10)	SE (10)	—	—	SE (10)	SE (10)	—	P	—	—	—
Entrance gates and gatehouse	34-1748	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Emergency operations center		P	P	P	P	—	—	—	—	P	P	SE	—	—	P	P	—
EMS, fire or sheriff's station		P	P	P	P	—	—	—	P	P	P	—	—	—	P	P	—
Essential services	34-1611 et seq.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Essential service facilities (34-622(c)(13)):																	
Group I	34-1611 et seq.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Group II	34-1611 et seq.	SE	SE	SE	SE	SE	SE	—	SE	SE	SE	SE	SE	SE	SE	SE	SE
Excavation:																	
Mining		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Water retention	34-1651 et seq.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Oil or gas		SE	SE	SE	SE	SE	SE	—	SE	SE	SE	—	SE	SE	SE	SE	—
Farm equipment, sales, storage, rental or service		—	—	—	—	—	—	—	—	P	—	—	—	—	P	—	—
Feed or fertilizer, mixing and sales		—	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—
Fish house, wholesale		—	—	P (11)	—	—	—	—	—	—	—	—	—	—	—	—	—
Flea market:																	
Open		—	—	SE	SE	—	—	—	—	SE	—	—	—	—	—	—	—
Indoor		—	P	P	P	—	—	—	P	P	—	—	—	—	—	—	—
Food and beverage service, limited		SE	SE	SE	SE	SE	SE	SE	SE	SE	—	SE	—	—	—	—	—
Food stores (34-622(c)(16)):																	
Group I		P	P	P	P	P (12)	P	P (12)	P	P	—	—	—	P	P	—	—
Group II		P	P	P	P	—	P	P	P	P	—	—	—	—	—	—	—
Fraternity house	Note (25)	—	—	—	—	—	—	—	—	—	—	—	—	P	—	—	—

	<i>Special Notes or Regulations</i>	<i>C-1A</i>	<i>C-1</i>	<i>C-2</i>	<i>C-2A</i>	<i>CN-1</i>	<i>CN-2</i>	<i>CN-3 (21, 23)</i>	<i>CC</i>	<i>CG</i>	<i>CS-1</i>	<i>CS-2</i>	<i>CH</i>	<i>CT</i>	<i>CR</i>	<i>CI</i>	<i>CP</i>
Freight and cargo handling establishments (34-622(c)(17))		—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—
Funeral home or mortuary:																	
No cremation		P	P	P	P	—	—	—	P	P	P	SE	—	—	—	—	—
With cremation		SE	SE	SE	SE	—	—	—	SE	P	P	SE	—	—	—	—	—
Gasoline dispensing system, special		—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—
Hardware store		P	P	P	P	P	P	P	P	P	—	—	—	—	P	—	—
Health care facility (34-622(c)(20)):																	
Group I (less than 50 beds)	Note (25)	—	—	—	—	—	—	—	—	—	P (13)	SE (13)	—	—	—	—	—
Group II (less than 50 beds)	Note (25)	—	—	—	—	—	—	—	—	—	P (13)	SE (13)	—	—	—	—	—
Group III		P	P	P	P	—	P	P	P	P	P	SE(13)	—	—	P	—	—
Group IV	Note (25)	—	—	—	—	—	—	—	—	—	P (13)	SE (13)	—	—	—	—	—
Heliport or helistop		See Aircraft landing facilities, private															
Hobby, toy and game shops (34-622(c)(21))		P	P	P	P	—	P	P	P	P	—	—	—	—	—	—	—
Home care facility	Note (25)	P	P	P	P	SE	SE	—	—	—	SE	SE	—	P	—	—	—
Home occupation:																	
No outside help	Note (27), 34-1771 et seq.	P	P	P	P	P	P	P	—	—	P	P	—	P	—	—	—
With outside help	Note (27), 34-1771 et seq.	AA	AA	AA	AA	AA	AA	AA	—	—	AA	AA	—	AA	—	—	—
Hotel/motel	Note (31), 34-1801 et seq.	—	P	P	P	—	—	—	—	—	—	SE	P	P	—	—	—
Household and office furnishings (34-622(c)(22)):																	
Group I		P	P	P	P	—	—	P	P	P	—	—	—	—	—	—	—
Group II		P	P	P	P	—	—	P	P	P	—	—	—	—	—	—	—
Group III		—	—	—	—	—	—	—	—	P	—	—	—	—	—	—	—
Impound yard	Note (33)	—	EO (33)	EO (33)	—	—	—	—	EO (33)	EO (33)	—	—	—	—	—	—	—
Insurance companies (34-622(c)(23))		P	P	P	P	—	—	—	—	—	P	—	—	—	—	—	—
Laundromat		P	P	P	P	P	P	P	P	P	—	SE (5)	—	P	P	—	—
Laundry or dry cleaning (34-622(c)(24)):																	
Group I		P	P	P	P	—	P	P	P	P	—	—	—	P	P	—	—
Group II		—	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—
Lawn and garden supply store	34-2081	P	P	P	P	—	—	—	P	P	—	—	—	—	P	—	—
Library	Note (25)	P	P	P	P	—	P	P	P	P	—	—	P	P	—	—	—
Maintenance facility (government)		P	P	P	P	—	—	—	—	P	P	SE	—	—	—	P	—

	Special Notes or Regulations	C-1A	C-1	C-2	C-2A	CN-1	CN-2	CN-3 (21, 23)	CC	CG	CS-1	CS-2	CH	CT	CR	CI	CP
Manufacturing of:																	
Apparel products (34-622(c)(1))		—	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—
Dairy products (SIC 202 only)		—	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—
Electrical machinery and equipment (34-622(c)(11))		—	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—
Fabricated metal products (34-622(c)(14)), group III		—	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—
Food and kindred products (34-622(c)(15)), group III		—	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—
Leather products (34-622(c)(25)), group II		—	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—
Lumber and wood products (34-622(c)(26)), group II		—	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—
Measuring, analyzing and controlling instruments (34-622(c)(28))		—	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—
Novelties, jewelry, toys and signs (34-622(c)(29)), all groups		—	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—
Rubber and plastic products (34-622(c)(44)), group II		—	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—
Marina	34-1862	EO	EO	EO	EO	—	—	—	—	EO	—	—	—	EO	—	—	—
Marina, ancillary uses		EO	EO	EO	EO	—	—	—	—	EO	—	—	—	EO	—	—	—
Mass transit depot or maintenance facility (government-operated)		P	P	P	P	—	—	—	—	P	P	SE	—	—	—	P	—
Medical office		P	P	P	P	—	P	P	P	P	P	P	—	P	P	—	—
Mobile home dealers	34-1352	—	—	P	—	—	—	—	—	SE	—	—	—	—	—	—	—
Model:																	
Home	34-1951 et seq.	P	P	P	P	—	—	—	—	—	—	—	—	SE	—	—	—
Unit	34-1951 et seq.	P	P	P	P	—	—	—	—	—	—	—	—	SE	—	—	—
Display center	34-1951 et seq.	—	P	P	P	—	—	—	P	P	—	—	—	SE	—	—	—
Multislip docking facility		—	P	P	P	—	—	—	—	—	—	—	—	P	—	—	—
Nightclubs	34-1201 et seq. 34-1261 et seq.	—	AA/SE	AA/SE	AA/SE	—	—	—	AA/SE	AA/SE	—	—	AA/ SE(6)	AA/SE	AA/SE	—	—
Nonstore retailers (34-622(c)(30)), all groups		P	P	P	P	—	—	—	P	—	—	—	—	—	—	—	—
Package store	34-1261 et seq.	P	P	P	P	P	P	P	P	P	—	—	—	P	P	—	—
Paint, glass and wallpaper		P	P	P	P	—	—	P	P	P	—	—	—	—	—	—	—
Parks (34-622(c)(32))																	
Group I		P	P	P	P	—	—	—	P	P	—	—	—	P	—	—	—
Group II		SE	SE	P	P	—	—	—	—	P	—	—	—	P	—	—	—
Parking lot:																	
Accessory		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Commercial		—	SE	SE	—	—	—	—	SE	SE	—	—	—	—	—	—	—
Garage, public parking		—	SE	SE	P	—	—	—	SE	SE	—	—	—	—	—	—	—
Temporary	Note (14), 34-3049	P	P	P	P	P	P	—	P	P	P	P	P	P	P	P	P

	<i>Special Notes or Regulations</i>	<i>C-1A</i>	<i>C-1</i>	<i>C-2</i>	<i>C-2A</i>	<i>CN-1</i>	<i>CN-2</i>	<i>CN-3 (21, 23)</i>	<i>CC</i>	<i>CG</i>	<i>CS-1</i>	<i>CS-2</i>	<i>CH</i>	<i>CT</i>	<i>CR</i>	<i>CI</i>	<i>CP</i>
Personal services (34-622(c)(33)):																	
Group I		P	P	P	P	P	P	P	P	P	—	SE (5)	—	P	—	—	—
Group II		P	P	P	P	—	—	P	P	P	—	—	—	P	—	—	—
Group III		P	P	P	P	—	—	P	P	P	SE	SE (5)	—	P	—	—	—
Group IV		P	P	P	P	—	P	P	P	P	—	—	—	—	—	—	—
Pet services		P	P	P	P	—	—	—	P	P	—	—	—	—	—	—	—
Pet shop		P	P	P	P	—	P	P	P	P	—	—	—	—	—	—	—
Pharmacy		P	P	P	P	P	P	P	P	P	—	—	—	—	P	—	—
Place of worship	Note (25), 34-2051	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	—
Plant nursery	34-2081	P	P	P	P	—	—	—	—	P	—	—	—	—	P	—	—
Post office		P	P	P	P	—	—	—	—	P	P	SE	—	—	—	P	—
Printing and publishing (34-622(c)(36))		—	—	P	—	—	—	—	—	EO	—	—	—	—	—	—	—
Processing and warehousing		—	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—
Racetracks (34-622(c)(37)): Groups I and II	CPD only	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Recreation, facilities:																	
Commercial (34-622(c)(38))																	
Group I		P	P	P	P	—	—	P	P	P	—	—	—	P	—	—	—
Group III	Note(20)	—	P/SE	P/SE	P/SE	—	—	—	—	—	—	—	—	P/SE	—	—	—
Group IV	Note(20)	—	—	—	—	—	—	—	P/SE	P/SE	—	—	—	—	—	—	—
Personal		P	P	P	P	P	P	P	—	—	—	—	—	—	—	—	—
Private:																	
On-site		P	P	P	P	—	—	—	P	—	—	—	—	P	—	—	—
Off-site		SE	P	P	P	—	—	—	—	—	—	—	—	—	—	—	—
Recycling facility		—	—	SE	—	—	—	—	—	SE	—	—	—	—	—	—	—
Religious facilities	Note (25), 34-2051 et seq.	—	—	P	—	—	P	P	P	P	P	SE	—	SE	—	—	—
Rental or leasing establishments (34-622(c)(39)):																	
Group I	34-1352, 34-3001 et seq.	P	P	P	P	—	P	P	P	P	—	—	P	P	—	—	—
Group II	34-1352, 34-3001 et seq.	P	P	P	P	—	P	P	P	P	—	—	P	P	P	—	—
Group III	34-1352, 34-3001 et seq.	—	P	P	P	—	—	—	P	P	—	—	P	P(17)	—	—	—
Group IV	34-1352, 34-3001 et seq.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Repair shops (34-622(c)(40)):																	
Group I		P	P	P	P	P	P	P	P	P	—	—	—	P	P	P	—
Group II		P	P	P	P	—	—	P	P	P	—	—	—	—	P	P	—
Group III		—	—	P	P	—	—	—	—	P	—	—	—	—	—	P	—
Group IV		—	—	P	—	—	—	—	—	P	—	—	—	—	P	P	—
Group V		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Research and development labora- tories (34-622(c)(41)):																	
Group II		P	P	—	—	—	—	—	P	P	P	SE	—	—	—	—	—
Group IV		—	—	P	—	—	—	—	—	—	—	—	—	—	—	—	—

	Special Notes or Regulations	C-1A	C-1	C-2	C-2A	CN-1	CN-2	CN-3 (21, 23)	OC	CG	CS-1	CS-2	CH	CT	CR	CI	CP
Residential accessory uses (34-622(c)(42))	Note (27)	P	P	P	P	P	P	P	—	P	P	P	—	P	—	—	—
Restaurant, fast food		—	P	P	P	—	—	—	P	P	—	—	P	P	SE	—	—
Restaurants (34-622(c)(43)):																	
Group I		P	P	P	P	—	P	P	P	P	—	SE (5)	P	P	P	—	—
Group II		P	P	P	P	—	P	P (24)	P	P	SE	SE (5)	P	P	—	—	—
Group III		P	P	P	P	—	P	P (24)	P	P	—	SE (5)	P	P	P	—	—
Group IV		—	P	P	P	—	—	—	P	P	—	SE (5)	P	P	P	—	—
Roadside stand	34-1714	TP	TP	TP	TP	TP	TP	—	TP	TP	TP	TP	TP	TP	TP	TP	TP
Rooming house	Note (25)	—	—	—	—	—	—	—	—	—	—	SE	—	P	—	—	—
Schools:																	
Commercial (34-622(c)(45))	34-2381	P	P	P	P	—	—	—	P	P	P	SE	—	—	—	—	—
Non-commercial	Note (25), 34-2381	P	P	P	P	—	—	—	P	P	P	SE	—	—	—	—	—
Self-service fuel pumps	Note(18)	SE	SE	SE	SE	—	SE	—	P	P	—	—	SE	SE	SE	P	—
Signs in accordance with chapter 30		P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Social services (34-622(c)(46)):																	
Group I		P	P	P	P	—	—	—	P	—	P	—	—	—	—	—	—
Group II		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Group III	Note (25)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Group IV	Note (25)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Specialty retail shop (34- 622(c)(47)):																	
Group I		P	P	P	P	P	P	P	P	P	SE	SE (5)	P	P	P	—	—
Group II		P	P	P	P	—	P	P	P	P	—	SE (5)	—	P	—	—	—
Group III		P	P	P	P	—	—	P (2)	P	P	—	—	—	—	—	—	—
Group IV		P	P	P	P	—	—	—	P	P	—	—	—	—	—	—	—
Stable, commercial	34-1291 et seq.	—	—	—	—	—	—	—	—	—	—	—	—	—	SE	—	—
Storage:																	
Indoor only	34-3001 et seq.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	—
Storage, open	34-3001 et seq.	—	P	P	P	—	—	—	P	P	—	—	—	—	—	P	—
Studios (34-622(c)(49))		P	P	P	P	—	—	P	P	EO	—	SE	—	P	—	—	—
Supermarket		P	P	P	P	—	P	—	P	P	—	—	—	P	—	—	—
Temporary uses	34-3041 et seq.	P	P	P	P	—	P	P	P	P	P	—	P	P	P	P	P
Theater:																	
Indoor	34-2471 et seq.	—	EO	EO	—	—	—	—	P	P	—	—	—	P	—	—	—
Drive-in	Note (25), CPD or MPD only 34-2471 et seq.	—	—	EO	—	—	—	—	—	—	—	—	—	—	—	—	—
Timeshare units	Note (25)	EO	SE	SE	SE	—	—	—	—	—	—	—	—	P	—	—	—
Transportation services (34-622(c)(53)):																	
Group I		—	—	P	P	—	—	—	—	—	—	—	—	—	—	—	—
Group II		—	—	P	P	—	—	—	P	P	—	—	—	—	—	P	—
Group III		—	—	P	P	—	—	—	—	P	—	—	P	—	—	P	—
Group IV		—	—	P	P	—	—	—	—	—	—	—	—	—	—	P	—
Truck stop		—	—	—	—	—	—	—	—	P	—	—	P	—	—	P	—

	<i>Special Notes or Regulations</i>	<i>C-1A</i>	<i>C-1</i>	<i>C-2</i>	<i>C-2A</i>	<i>CN-1</i>	<i>CN-2</i>	<i>CN-3 (21, 23)</i>	<i>CC</i>	<i>CG</i>	<i>CS-1</i>	<i>CS-2</i>	<i>CH</i>	<i>CT</i>	<i>CR</i>	<i>CI</i>	<i>CP</i>
Trucking terminal, motor, rail, air, including warehousing of goods awaiting shipment, parking, and storage of rolling stock		—	—	—	—	—	—	—	—	—	—	—	—	—	—	P	—
Used merchandise stores (34-622(c)(54)):																	
Group I		—	P	P	P	—	P	—	P	P	—	—	—	—	—	—	—
Group I, limited to indoor display only,		P	—	—	—	—	—	P	—	—	—	—	—	—	—	—	—
Group II		—	P	P	P	—	—	P (2)	P	P	—	—	—	—	—	—	—
Group III		—	P	P	P	—	—	—	P	P	—	—	—	—	—	—	—
Group IV		—	—	P	P	—	—	—	—	P	—	—	—	—	—	—	—
Variety store		P	P	P	P	—	P	P	P	—	—	—	—	—	—	—	—
Vehicle and equipment dealers (34-622(c)(55)):																	
Group I	34-1352	—	P	P	P	—	—	—	—	P	—	—	—	—	—	—	—
Group II	34-1352	—	P	P	P	—	—	—	P	P	—	—	—	—	—	—	—
Group III	34-1352	—	P	P	P	—	—	—	—	P	—	—	—	—	—	—	—
Group IV	34-1352	—	P	P	P	—	—	—	—	P	—	—	—	—	—	—	—
Group V	34-1352	—	—	—	—	—	—	—	—	P	—	—	—	—	—	—	—
Warehouse:																	
Mini-warehouse		—	—	P	—	—	SE	—	SE	SE	—	—	—	—	—	P	—
Private		—	—	P	—	—	—	—	—	—	—	—	—	—	—	P	—
Public		—	—	P	—	—	—	—	—	—	—	—	—	—	—	P	—
Wholesale establishment (34-622(c)(56)):																	
Group I		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Group II		—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Group III		—	P (15)	P	P	—	—	—	P (15)	P (15)	P (15)	P (15)	—	P (15)	P (15)	P	—
Group IV		—	P (15)	P (15)	P (15)	—	—	—	P (15)	P (15)	—	—	—	—	—	P	—

Notes:

- (1) Permitted only when accessory to a lawfully permitted single-family dwelling unit.
- (2) No outdoor display of merchandise permitted.
- (3) Permitted only if completely enclosed within a building.
- (4) No installation service permitted.
- (5) Limited to 500 square feet when in conjunction with one dwelling unit on the same premises.
- (6) Use only permitted when clearly incidental to a hotel or motel.
- (7) The following uses may be permissible seaward of the water body setback line only by special exception: boat rentals (inflatables, sailboats, jet skis, windsurfers and the like), foodstands, rental of cabanas and beach furniture, outdoor amusements including boat balloonist, and seaplane rides, water ski tows, parasail tows and similar activities, fishing and sightseeing piers and towers.

- (8) Bail bonding, blood banks, blood donor stations and caterers permitted only by special exception.
- (9) Reserved.
- (10) The total square footage of the residential uses shall not exceed the total square footage of all existing and proposed commercial uses on the subject property, and the total number of residential units shall not exceed the number of units permitted by the Lee Plan, whichever is less.
- (11) Not permitted within 500 feet of the nearest residence.
- (12) Excluding supermarkets.
- (13) New facilities of 50 or more beds, or the expansion of an existing facility that will bring the number of beds to 50 or more, requires PD zoning. See section 34-341 and Table 34-934.
- (14) Use not permitted on Captiva Island or within the Gasparilla Island conservation district.
- (15) Limited to those commodities and products which are permitted to be sold at retail, provided that parking meets the requirements for retail sales.
- (16) ATM's that are to be available to the public 24 hours a day, must be approved by Special Exception and located so that their uses will not cause a disturbance to adjacent property owners. ATM's located within a building housing a permitted use and available to the public only during normal working hours do not require a Special Exception.
- (17) Limited to rental of passenger cars, vans, and pick-up trucks less than three-quarter ton capacity. Maintenance activities limited to washing, waxing, vacuuming and minor repairs but excluding activities classified as Automotive Repair and Service-Groups I and II. See section 34-622(c)(2).
- (18) Two pumps are permissible as an accessory use to businesses (other than a convenience food and beverage store which is listed separately) to provide fuel for their own fleet of vehicles and equipment. Additional pumps require approval of a special exception.
- (19) Limited to eight pumps unless a greater number is approved as part of a special exception or as specifically approved in the master concept plan. An existing business with more than eight lawfully permitted pumps as of January 31, 1998 will not be considered non-conforming. Existing pumps may be modernized, replaced, or relocated on the same premises but additional new pumps will not be permitted.
- (20) Facilities proposed for ten or more acres or the expansion of an existing facility that will bring the number of acres to ten or more acres must request and be approved as a special exception.
- (21) Regular business hours limited to 7:00 a.m. to 9:00 p.m. unless extended hours are approved by Special Exception for a specific use.
- (22) Use may only be approved when clearly incidental to a permitted restaurant.
- (23) Total floor area of a single use building may not exceed 5,000 square feet. A multi-use building may not exceed 7,500 square feet. If more than one building is in a development, there must be a minimum separation between buildings of fifteen feet.
- (24) No outdoor seating.

- (25) Not permitted in Airport Noise Zone 3.
- (26) Not permitted in Airport Noise Zone 3. See section 34-1006(b)(2) for exceptions.
- (27) Not permitted in Airport Noise Zone 2 or 3 unless accessory to a lawful mobile home or single-family residence. See section 34-1006(b)(2) & (3).
- (28) Limited to active recreation only (ballfields and tennis courts, for example) in Airport Noise Zone 3.
- (29) Not permitted in Airport Noise Zone 3 unless pre-empted by state law.
- (30) Not permitted in Airport Noise Zones 2 and 3 unless required to support a noise compatible use and constructed in compliance with limitations for dwelling unit type set forth in section 34-1006(b)(2) & (3) as applicable.
- (31) Sound attenuating insulation should be considered for hotels and motels in Airport Noise Zone 3.
- (32) For purposes of this use only, grade is the average elevation of the street or streets abutting the property measured along the centerline of the streets, at the points of intersection of the streets with the side lot lines (as extended) and the midpoint of the lot frontage.
- (33) The use is subject to the special setback regulations as set forth in section 34-2443, minimum required setbacks.
- (34) Limited to four pumps, unless a greater number is approved as part of a special exception.
- (35) See sections 34-3107 and 34-3108.

(Ord. No. 93-24, § 7(table 450.A), 9-15-93; Ord. No. 94-02, § 16, 1-10-94; Ord. No. 94-24, § 49, 8-31-94; Ord. No. 95-07, § 35, 5-17-95; Ord. No. 96-06, § 5, 3-20-96; Ord. No. 96-17, § 5, 9-18-96; Ord. No. 97-10, § 6, 6-10-97; Ord. No. 98-03, § 5, 1-13-98; Ord. No. 98-11, § 5, 6-23-98; Ord. No. 99-05, § 9, 6-29-99; Ord. No. 00-14, § 5, 6-27-00; Ord. No. 01-03, § 5, 2-27-01; Ord. No. 01-18, § 5, 11-13-01; Ord. No. 02-20, § 5, 6-25-02; Ord. No. 03-11, § 1, 4-8-03; Ord. No. 03-16, § 6, 6-24-03; Ord. No. 04-05, § 1, 4-27-04; Ord. No. 05-14, § 6, 8-23-05; Ord. No. 06-10, § 1, 6-12-06; Ord. No. 07-24, § 7, 8-14-07)

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

WHEREAS, an application was filed by the property owner, Carl J. Humphrey, to rezone a 1.29±-acre parcel from Agricultural (AG-2) and Rural Commercial (CR) to Commercial Planned Development (CPD) in reference to a project known as the Humphrey CPD; and,

WHEREAS, a public hearing was advertised and held on March 13, 2008, 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 March 28, 2008. The Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2007-00019; and,

WHEREAS, a second public hearing was advertised and held on June 2, 2008, 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 rezone a 1.29±-acre parcel from AG-2 and CR to CPD to allow continuation of an existing auto repair and service business up to 4,000 square feet, of which 3,567 square feet is for retail, office, and storage, and not to exceed a total development of 7,567 square feet. No blasting is proposed as part of this development

The property is located in the Coastal Rural 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).

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 Allocations Table, Map 16 and Table 1(b).

1. Development must be consistent with the Master Concept Plan (MCP), entitled "Zoning Master Concept Plan, Carl J. Humphrey, Humphrey CPD," dated 3/11/07, last revised 05/21/08, date-stamped "Received JUN 16 2008 Community Development," and attached

hereto as Exhibit C. Development must comply with all requirements of the 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.

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

a. Schedule of Uses

Accessory Uses and Structures, limited to uses ancillary to the principle use
Administrative Offices
ATM (Automatic Teller Machine), without a drive-through
Auto Parts Store, ancillary to the existing Auto Repair and Service business
Automobile Repair and Service, Group I only, and Limited to the existing automotive repair and service business
Bait and Tackle Shop
Boats:
 Boat parts store
 Boat repair and service
Business Services, Group I only
Cleaning and Maintenance Services - NO outdoor storage
Contractors and Builders, Groups I - NO outdoor storage
Essential Services
Excavation: Water Retention only
Fences, Walls
Hardware Store
Hobby, Toy and Game Shop
Personal Services, Group I only
Plant Nursery
Repair Shops, Groups I and II
Signs in accordance with LDC Chapter 30 and LDC §33-1042
Storage: Indoor and Outdoor, and subject to Condition 17
Temporary Uses, limited to those ancillary to the existing use

b. Site Development Regulations

Minimum Lot Size:	20,000 square feet
Minimum Street Setback:	25 feet
Minimum Side Setback:	15 feet
Minimum Rear Setback:	20 feet
Maximum Building Height:	35 feet/1 story
Maximum Lot Coverage:	40%
Minimum Open Space:	20% or 12,220 square feet

3. Environmental Conditions:

- a. Prior to local development order approval, all development order plans must delineate a minimum of 12,220 square feet of open space.

- b. Prior to local development order approval, development order plans must provide a minimum of 830 square feet of perimeter planting abutting the 4,000 square-foot proposed building and a minimum of 520 square feet of perimeter plantings abutting the 3,567 square-foot existing/proposed building meeting LDC §10-416(b) standards.
 - c. Prior to local development order approval, development order plans must provide a buffer not less than 10 feet in width along the northerly property boundary with Type "C" plantings consistent with Condition 11.
 - d. Consistent with Condition 11, a buffer not less than 10 feet in width, consisting of a minimum of five trees per 100 linear feet, must be planted along the western perimeter of the alley (roadway easement). No plantings are permitted to encroach into the platted easement.
 - e. Within 18 months of approval of the rezoning, all required buffer and perimeter plantings approved per Deviations 3, 6, and 7, and as conditioned, must be installed and a separate Certificate of Compliance inspection must be submitted to the Lee County Division of Environmental Sciences' staff.
- 4. Building Height: The maximum building height is 35 feet/one story. Additional height must be approved through the public hearing process.
 - 5. Vehicular or Pedestrian Traffic Impacts: Approval of this zoning does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.
 - 6. Local Development Order Approval: Approval of this zoning request does not guarantee local development order approval. Future development order approval 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, the retail commercial standards for site area, including range of gross floor area, location, tenant mix, and general function, as well as all other Lee Plan provisions.
 - 7. 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.
 - 8. Land Development Code Compliance: This development must comply with all of the requirements of the LDC, including the amendment of Chapter 33 to create a new Article III applicable to the Greater Pine Island Planning Community, at the time of local development order approval, except as may be granted by deviations approved as part of this planned development.
 - 9. Agricultural Uses: There are no existing bona-fide agricultural uses or an agricultural exemption on the subject property. As such, agricultural uses are not approved as part of this planned development.

10. Buffers: All required buffers and landscaping must utilize 100 percent native vegetation.
11. Development Order: An application for a local development order must be submitted for review and approval to ensure compliance with the conditions and deviations approved as part of this rezoning request.

The existing building, parking, and landscaping do not constitute development of a substantial portion of the planned development. A development order must be submitted within nine months of approval of the rezoning in compliance with the provisions, approved deviations, and conditions of the rezoning.

Within 180 days of the approval of the zoning request, a limited development order and subsequent commercial permit must be obtained to permit construction of the six-foot high solid fence on the entirety of the eastern property perimeter. The fence must not encroach into the platted 20-foot alley (roadway easement).

12. Architectural: All future development must comply with LDC §33-083, Commercial Building Design Standards.
13. Utilities: The subject property must connect to water for potable and fire protection, as well as reuse for irrigation purposes and sanitary sewer. Water services for potable water and fire protection are provided by the Greater Pine Island Water Association, Inc. Sanitary sewer and reuse water for irrigation services will be provided by Lee County Utilities.

As a condition of the rezoning, a development order must be submitted for review and approval depicting connection to all applicable utilities.

14. Refuse and Solid Waste Disposal Facilities: The developer must provide facilities for solid waste/recyclable storage and pick-up in compliance with the LDC, §10-261. These facilities must be provided for the existing development, as well as future proposed development and expansion(s).
15. Lighting: Lighting of parking areas or for security must be internally directed. Lighted areas must be illuminated with enough intensity to create secure area, yet without creating an overly, intense, commercial image. Lamps must be hooded or globed and must not exceed 15 feet in height. Mercury vapor lamps are prohibited.
16. Hours of Operation: Hours of operation for all permitted uses are limited to Mondays through Saturdays between the hours of 7:00 a.m. and 7:00 p.m.
17. Parking and Storage: Storage of vehicles must be located in the ten parking spaces designated along the southern perimeter of 8360 Stringfellow Road designated on the MCP as "Phase II". However, until such time as "Phase II" is developed, all activity must take place on the subject property located at 8336 Stringfellow Road. Vehicles may be stored in the parking area located along the northeastern property perimeter of the property located at 8336 Stringfellow Road, which is the existing auto repair and service business.

Outdoor storage or parking of vehicles (including customer and employee parking), trailers, or equipment is prohibited on the vacant parcel located at 8360 Stringfellow Road, depicted

as "Phase II", of the proposed commercial project, until such time as this lot is developed under an approved development order and in compliance with this Condition.

A reduction in the required number of parking spaces is not approved as part of this rezoning. The submitted MCP does not depict adequate parking based on the existing and proposed uses. The project must provide parking in compliance with the LDC, §34-2020 for all permitted uses on the planned development site, which must be substantiated upon submitted of a local development order in accordance with proposed uses.

18. Business Activity: All activities associated with the operation of the automotive repair and service business must be conducted on the inside of the existing building and future building, with the exception of storage of vehicles as detailed in Condition Number 17.
19. Development: Any development of uses other than the continuation or proposed expansion of the existing automotive repair and service business, or uses ancillary to the existing use, will require modification of the MCP and a review of whether the approved deviations and accompanying conditions are still applicable. Any modification of these uses, accompanying MCP, or deviation conditions resulting in off-site impacts will be subject to a public hearing.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC §10-283(b)2(a) to provide that a developer construct a local street or access road across the full width of his property, or as needed, to connect to future access points on other property if there is insufficient width, to allow minimum spacing between intersections and to allow the existing roadway (Gulf Shore Road) to not be improved at the cost of the applicant/developer. This deviation is APPROVED, SUBJECT TO the following conditions:
 - a. The applicant must pave Gulf Shores Road a minimum of 91 feet up to the end of their first driveway/eastern end of the radius point, as allowed in Deviation 10.
 - b. The applicant will be responsible for the continued maintenance of Gulf Shores Road from the end of the first driveway to the end of the second driveway (this will be the unpaved portion), which will be required to be maintained to a Category "D" standard, per LDC §10-296.
 - c. Prior to approval of the development order, surety must be provided for the construction of Gulf Shores Road in accordance with LDC §10-154(26) a and b.
2. Deviation (2) seeks relief from LDC §10-416(d)3 requirement to provide a Type "C" or "F" buffer along the north property line, to substitute a Type "A" buffer along the building and a buffer not less than 10 feet in width along the northerly boundary of the site with Type "C" plantings, or an equivalent buffer approved by Lee County Division of Environmental Sciences' staff as part of an alternate betterment landscape plan. All 10-foot wide buffers with Type "C" plantings must be consistent with Condition Number 11. This deviation is APPROVED, SUBJECT TO the following conditions:
 - a. Prior to local development order approval, development plans must provide a minimum of 830 square feet of perimeter planting abutting the 4,000 square-foot

proposed building and a minimum of 520 square feet of perimeter plantings abutting the existing 3,567 square-foot building meeting LDC, §10-416(b) standards.

- b. A minimum 10-foot buffer, consisting of "Type C" plantings, must be planted along the northern property perimeter from the required Type "D" right-of-way buffer up to the proposed parking area (approximately 90 feet) consisting of five trees per 100 linear feet and a minimum of 18 shrubs per 100 linear feet planted to provide visual screening and not be pruned to reduce height consistent with Condition 11.
3. Deviation (3) seeks relief from LDC §10-416(d)3 requirement to provide a Type "C" or "F" buffer along the eastern property line, to allow substitution of 6-foot tall fence along the east property line in lieu of a wall. Refer to Deviation Number 6.
4. Deviation (4) seeks relief from LDC §33-1083(g) requirement to provide that no more than a single row of parking spaces may be located between the primary facade of a building and the front lot line and that at least one-half of all parking spaces provided on a site must be located further from the front lot line than the plane of a primary facade that is closest to the front lot line, to allow the existing building and parking layout on the south half site to remain as is. This deviation is APPROVED.
5. Deviation (5) seeks relief from LDC §10-416(d)(6) requirement to provide that, if roads, drives, or parking areas are located less than 125 feet from an existing single-family residential subdivision or single-family residential lot, a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 linear feet or a 30-foot wide Type "F" buffer with a hedge planted a minimum of 20 feet from the abutting property.

The applicant proposes to construct a six-foot tall fence along the eastern property line and to provide a planted buffer not less than 10 feet in width with Type "C" plantings on the opposite side of the 20-foot alley (roadway easement) in lieu of between the fence and the abutting property. This deviation is APPROVED, SUBJECT TO the following conditions:

- a. A six-foot high fence must be constructed along the eastern property perimeter in compliance with Condition Number 11.
 - b. A buffer not less than 10 feet in width, consisting of a minimum of five canopy trees per 100 linear feet, must be planted along the western perimeter of the alley (roadway easement) in compliance with Condition 11. No plantings are permitted to encroach into the platted easement.
6. Deviation (6) seeks relief from LDC §10-416(d)3 requirement to provide a Type "D" buffer along the south property line, to allow a portion of the south property line to have a reduced Type "A" buffer. This deviation is APPROVED, SUBJECT TO the following conditions:
 - a. A minimum five-foot wide perimeter planting area must be planted along the south side of the existing building.
 - b. The MCP must demonstrate the equivalent of a double-hedge row to include the existing vegetation.

7. Deviation (7) seeks relief from the LDC §33-1083 requirement (commercial design building standards) to allow the existing structure, which was constructed prior to the adoption of this design standard, to remain as is until such time as the building is utilized for a new use. This deviation is APPROVED, SUBJECT TO the following condition:
 - a. If the use of the existing building is changed, all commercial design building standards established in the LDC §33-1083 must be applied and addressed with the submittal of a development order for review and approval.
8. Deviation (8) seeks relief from the LDC §10-416(d)4.1 requirement to provide that buffer trees and shrubs must be planted on the residential side of the wall, to allow required trees in the buffer to be planted on the development side of the wall. This deviation is APPROVED, SUBJECT TO the following conditions:
 - a. The fence must be constructed of a solid material a maximum of six feet in height.
 - b. The fence must not be located within the 20-foot easement.
9. Deviation (9) seeks relief from the LDC §10-285 requirement to provide a connection separation of 125 feet on local roads, to allow a connection separation of 91 feet and 106 feet on Gulf Shore Road. This deviation is APPROVED, SUBJECT TO the following condition:
 - a. Gulf Shore Road must be improved to a Category "A" standard per the LDC §10-296, a minimum of 91 feet (to the existing egress point).

SECTION D. EXHIBITS AND STRAP NUMBER:

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

- Exhibit A: Legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: The Master Concept Plan

The applicant has indicated that the STRAP numbers for the subject property are:

03-45-22-01-00000.1610
03-45-22-01-00000.1650

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the CPD rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.
2. The CPD rezoning, as conditioned:
 - a. meets or exceeds all 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 CPD 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 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, are, or will be, available and adequate to serve the proposed land use.
5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.
6. The commercial use serves local residents and, as conditioned, will minimize any potential disruptive influences in accordance with Lee Plan Policy 14.4.2.

Commissioner Janes made a motion to adopt the foregoing resolution, seconded by Commissioner Mann. The vote was as follows:

Robert P. Janes	Aye
Brian Bigelow	Aye
Ray Judah	Aye
Tammara Hall	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 2nd day of June 2008.

ATTEST:
CHARLIE GREEN, CLERK

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: Marcia Wilson
Deputy Clerk

BY: Ray Judah
Ray Judah
Chair



Approved as to form by:

Michael D. Jacob
Michael D. Jacob
County Attorney's Office

Exhibit A
Legal Description
Property located in Lee County,
Florida
Page 1 of 2

Legal Description

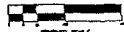
A PARCEL OF LAND LYING IN SECTION 3, TOWNSHIP 45 SOUTH, RANGE 22 EAST, PINE ISLAND, LEE COUNTY, FLORIDA, DESCRIBED AS, LOT 161 THROUGH 169 GULF SHORE ESTATES UNRECORDED SUBDIVISION AS RECORDED IN OFFICIAL RECORDS BOOK 461 AT PAGE 713 AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

FROM THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW1/4) OF THE SOUTHEAST QUARTER (SE1/4) OF SAID SECTION 3, RUN N00°24'30"W ALONG THE EAST LINE OF SAID QUARTER-QUARTER SECTION FOR 676.00 FEET; THENCE RUN S88°43'30"W PARALLEL WITH THE SOUTH LINE OF SAID QUARTER-QUARTER SECTION 3 FOR 1416.95 FEET TO THE WEST LINE OF SAID QUARTER-QUARTER CORNER SECTION; THENCE RUN S89°24'30"W PARALLEL WITH THE SOUTH LINE OF THE SOUTHWEST QUARTER (SW1/4) OF SAID SECTION 3 FOR 1929.88 FEET; THENCE RUN N15°56'10"W FOR 760.09 FEET TO THE POINT OF BEGINNING OF THE LANDS HEREBY CONVEYED.
FROM SAID POINT OF BEGINNING CONTINUE N15°55'10"W FOR 255.00 FEET; THENCE RUN S74°03'50"W FOR 220.00 FEET TO THE EASTERLY RIGHT OF WAY LINE (33 FEET FROM CENTERLINE) OF STRINGFELLOW ROAD (S.R. # 767); THENCE RUN S15°56'10"E ALONG SAID EASTERLY RIGHT OF WAY LINE FOR 255.00 FEET; THENCE RUN N74°03'50"E ALONG THE CENTERLINE OF GULF SHORES ROAD, A ROADWAY EASEMENT 60 FEET WIDE FOR 220.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL SUBJECT TO SAID ROAD RIGHT OF WAY EASEMENT 60 FEET WIDE AND AN EASEMENT FOR ALLEY PURPOSES 20 FEET WIDE; THE EASTERLY LINE OF SAID EASEMENT BEING 220 NORTHEASTERLY AS MEASURED ON A PERPENDICULAR TO AND PARALLEL WITH SAID EASTERLY RIGHT OF WAY LINE.

Applicant's Legal Checked
by 12-4-2007 CBJ

DCI 2007-00019

SKETCH OF SURVEY
SCALE 1" = 20'



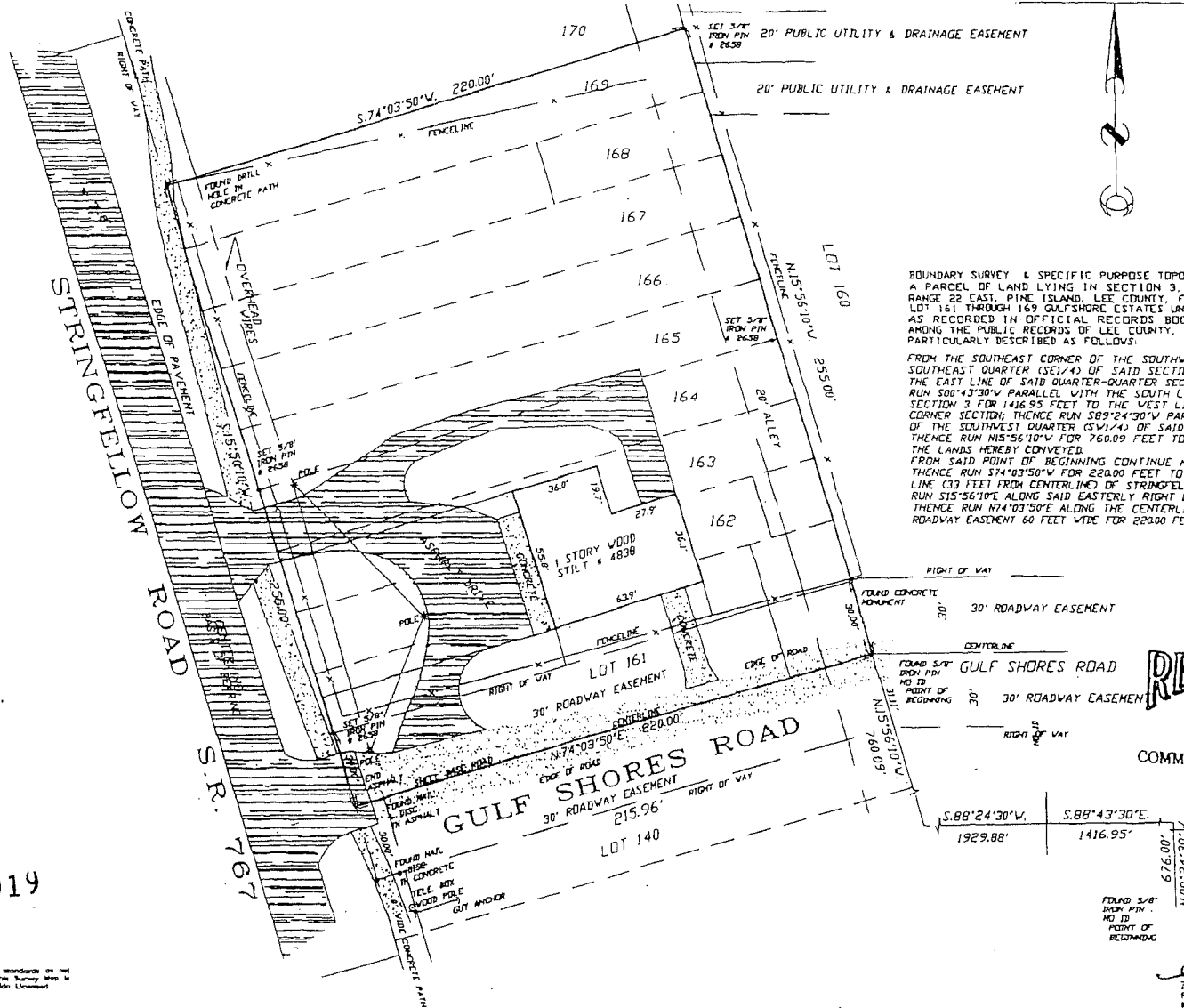
DCI 2007-00019

FOR: NAME
JOB # 00-0000 F.S. L. 99-99
STRAP # STRAP

THIS SURVEY IS IN COMPLIANCE WITH THE MINIMUM TECHNICAL STANDARDS AS SET FORTH IN CHAPTER 110.17-4, FLORIDA ADMINISTRATIVE CODE. THIS SURVEY MAP IS NOT VALID WITHOUT THE SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

NOTE:
Bearings and Distances shown herein are according to the referenced DEED (D) or PLAT (P) unless otherwise noted as referenced (R).

NATIONAL FLOOD INSURANCE DATA, COMMUNITY FLOOD NUMBER: 22124, FLOOD #, FEDERAL FLOOD ZONE #, ELEVATION #, ELEVATIONS BASED ON: NAD 83, FLOOD, BASE



BOUNDARY SURVEY & SPECIFIC PURPOSE TOPOGRAPHICAL SKETCH OF A PARCEL OF LAND LYING IN SECTION 3, TOWNSHIP 45 SOUTH, RANGE 22 EAST, PINE ISLAND, LEE COUNTY, FLORIDA, DESCRIBED AS, LOT 161 THROUGH 169 GULF SHORES ESTATES UNRECORDED SUBDIVISION AS RECORDED IN OFFICIAL RECORDS BOOK 461 AT PAGE 713 AMONG THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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RECEIVED
NOV 30 2007

COMMUNITY DEVELOPMENT

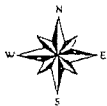
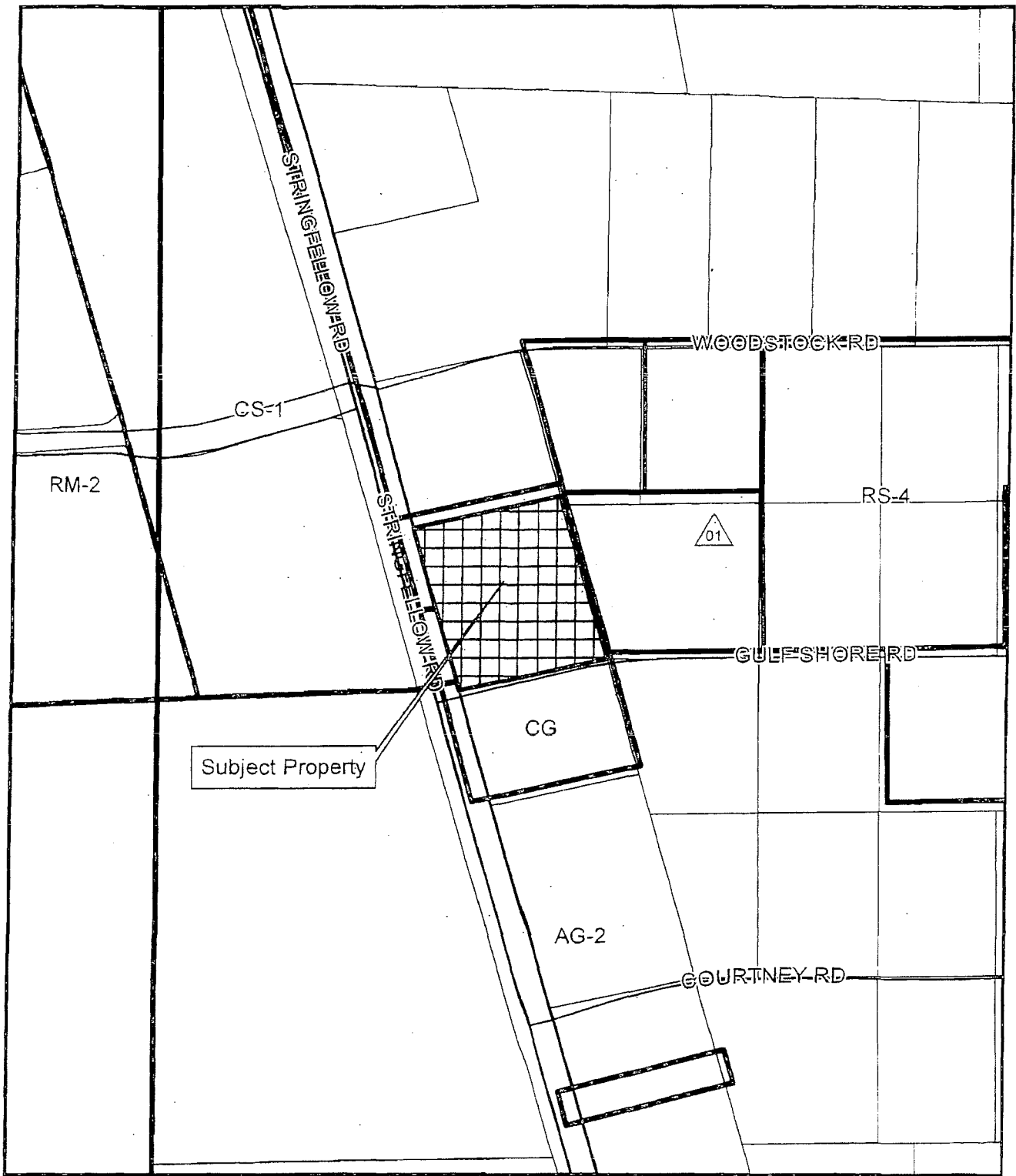
Adrian J. Watson
ADRIAN J. WATSON
PROFESSIONAL SURVEYOR AND MAPPER
#2330 - STATE OF FLORIDA

DATE: DECEMBER 6, 2005
DATE:
DATE:

EXHIBIT B
Zoning Map.

DCI2007-00019

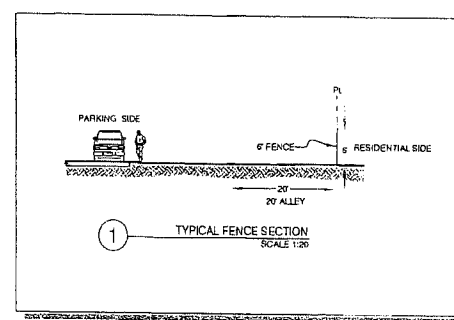
1/4/2008





DCI 2007-00019

Approved as Exhibit C
MCP Page 1 of 1
Resolution # Z-08-014

[illegible]

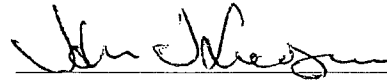
MEMORANDUM
FROM THE
OFFICE OF COUNTY ATTORNEY

DATE: June 17, 2008

To: Dinah Johnson

Executive Assistant to
Commissioner Ray Judah

FROM:



John J. Fredyma
Assistant County Attorney

RE: BOCC ZONING RESOLUTION FROM THE JUNE 2, 2008 MEETING
ZONING RESOLUTION Z-08-014 (HUMPHREY CPD)

Attached is the original resolution adopted by the Board at the June 2, 2008 zoning meeting. The resolution has been reviewed and approved as to form and is ready for the Chairman's signature. After the Chairman signs the resolution, please forward to the Minutes Department for attestation and further processing.

Thank you for your assistance with respect to the above. Should you have any questions, please do not hesitate to contact me.

JJF/mms
Attachment

Via e-mail only: Jamie Pringing, Administrative Assistant, DCD/Administration & Support
Lisa L. Pierce, Minutes Office Manager, Lee County Clerk of Courts
Billie J. Jacoby, Administrative Support Supervisor, DCD

RECEIVED
MINUTES OFFICE
2008 JUN 20 PM 4:52

CORRESPONDENCE

Hock, Donna M.

From: Noble, Matthew
Sent: Thursday, August 20, 2009 1:23 PM
To: Hines, Lisa
Cc: Hock, Donna M.
Subject: FW: FW: Pine Island Coastal Rural commercial facilities
FYI...CPA2008-17...

From: Michael J. Dreikorn [mailto:dreikorn@theiplgroup.com]
Sent: Thursday, August 20, 2009 11:24 AM
To: Noble, Matthew
Subject: FW: FW: Pine Island Coastal Rural commercial facilities

Greetings Matt: I am not sure if you saw Phil's letter below. I thought you'd find it interesting. We (BCA) have had the opportunity to review the new revision and have a couple of concerns.

1) Development is limited to structures less than 5000 sq ft. and no deviations allowed. This prevents a wide array of potential businesses and services from being provided. For example, a professional building, medical facilities, and private educational facilities would all require more than 5000 sq. ft. and would provide good paying jobs on the island. The BCA position is that the 5000 sq. ft. provision stand. However, allow for deviations through normal permitting processes.

2) There is a listing of businesses types that are allowed to be developed. We realize that it is the Staff's intention to only provide examples of desired business types. However, future authorities may not interpret the policy the same way that we understand it today. The BCA position is there needs to be additional emphasis in the policy that the listing is not all inclusive. Possibly a note could be added.

Thank you and your staff for all the great work you are doing. We realize that there are a lot of voices trying to influence the process, and we appreciate you listening to ours.

Regards, Michael

Dr. Michael J. Dreikorn
President, Bokeelia Civic Association

5697 Bay Point Rd.
Bokeelia, Florida 33922 USA
Office +1.239.283.2839
Cell +1.239.898.7660
Fax +1.239.283.2197
Email: Dreikorn@TheIPLGroup.com



Please consider your environmental responsibility before printing this e-mail

From: Phil Buchanan [mailto:coolcherokee@comcast.net]
Sent: Wednesday, August 19, 2009 10:32 PM
To: undisclosed-recipients
Subject: Fwd: Pine Island Coastal Rural commercial facilities

----- Forwarded Message -----

From: "Phil Buchanan" <coolcherokee@comcast.net>
Sent: Wednesday, August 19, 2009 10:26:57 PM GMT -05:00 US/Canada Eastern
Subject: Pine Island Coastal Rural commercial facilities

To all Pine Islanders:

Attached is the most recent county staff rewrite of the coastal rural commercial provisions. They did a fantastic job. The so-called "day to day commercial" facilities are now designated as belonging (very properly, I think) in the urban areas instead of the rural areas.

The revision provides that rural commercial "uses are limited to those that reflect the Coastal Rural character and unique culture of Greater Pine Island such as animal clinics, bait and tackle shops, ecotourism, farm and feed supply stores, food stores, lawn and garden supply stores, restaurants (excluding fast food), roadside/produce stands, speciality retail, and plant nurseries." I think this language is excellent, and I heartedly recommend that all of Pine Island endorse the entire staff report.

We all owe a big thank you to the many Pine Islanders that sent emails and made calls regarding the original (in my opinion flawed) staff proposal. Their efforts are why this task has resulted in such an excellent conclusion. We also owe a great thank you to the county staff--they really do listen to citizen input.

Phil Buchanan
3861 Galt Island Avenue
St James City, FL 33956
Phone/fax: 239-283-4067
cell: 239-789-6114
email: coolcherokee@comcast.net

Remarks to the LPA, 27 July 2009, re Pine Island coastal rural commercial activities

Good morning. I am Phil Buchanan, spokesperson for the Greater Pine Island Civic Association. First of all, we would very much prefer that this matter is dealt with at a different time of year. Right now is vacation season, and it is not possible to hold meetings or hearings on Pine Island to review matters such as this. But, if we must deal with it now, we will.

Two of you reside on Pine Island, and I am sure the rest of you have visited us. As you know, Pine Island is 17 miles long and 2 miles wide at the widest point. You enter the island on a causeway through the mangroves. When you enter, you go through Matlacha, through Little Pine Island (a conservation area) and you arrive at in the center of the island at the four-way stop, which we call Pine Island Center.

Pine Island Center is the commercial and industrial center of Pine Island, what the Lee Plan calls the Future land Use "Urban Center," and that's where we have all of the larger commercial facilities on Pine Island. Those facilities include five banks, a large hardware store, a Winn-Dixie, a big-box pharmacy, professional offices including lawyers, doctors, dentists, , veterinarians, and real estate offices, as well as gas stations, storage facilities, restaurants and retail outlets, etc, etc. That's where all of our current major commercial activity is located and that's where we hope and expect our future major commercial facilities to be located.

From the Center, you can go north some 7 or 8 miles to Bokeelia and Pineland or south some 7 or 8 miles to St James City. Those areas, as well as Matlacha, are our residential villages, or in the words of the Lee Plan, our "Urban Areas." The villages have convenience stores , barber shops, beauty shops, more real estate offices, and perhaps more importantly for our economy, marinas and bait shops, boat launches, canoe and kayak rental facilities, restaurants and bars, and lots and lots of art and gift shops that serve our thriving ecotourism industry. Whether they go boating or fishing or enjoying the art or just sightseeing, afterward they stop in our village bars and restaurants for food and drink.

Between Pine Island Center and St James City, and between Pine Island Center and Bokeelia /Pineland are our rural areas, which in the Land Plan are called future land use "Coastal Rural." That area is largely palm farms, tropical produce farms, cattle farms, horse farms, and rural residences. With few exceptions, the only commercial activities in the coastal rural areas are produce stands, ornamental plant nurseries, feed stores, and sequestration facilities. These facilities form the second leg of our Pine Island ecotourism economy. Day trippers from the mainland spend a lot of money at these facilities buying mangoes, tropical fruit, and tropical plants, or they ride horses, or they just ride around in their cars enjoying our coastal rural tropical environment. Afterward, they too stop in our villages for food and drink. That's Pine Island. We like it. The tourists like it. That's our way of life. That's our economy.

The narrow causeway through the mangroves prevents extensive development on Pine Island. Traffic through Matlacha is level of service E, and will one day be F. Because the causeway cannot be widened or replaced with a larger causeway and/or bridge, Florida infrastructure requirements prevent extensive development of Pine Island, and the Lee Plan thus contains numerous restrictions on Pine Island

development. That's fine with some 95% of Pine Islanders because they like Pine Island just the way it is anyway.

The Lee County Staff has come up with what they present as a solution to that problem. The Lee County Staff says that if only Lee County opened the Pine Island countryside (the Coastal Rural area) to more extensive commercial development, traffic through Matlacha would lessen. The infrastructure problem, they think, would be solved, and restrictions on development would be unnecessary. That's a cute theory, but it's based on a very wrong set of facts.

The county staff report says that if only Pine Islanders had more access to banks, gas stations, convenience stores, restaurants, bait shops, beauty and barber shops, etc, etc, Pine Islanders would not have to go through Matlacha to Cape Coral to get such services. The problem with that theory, as I have already told you, is that Pine Island already has access to all those commercial services—right there on Pine Island. Nobody on Pine Island goes to the mainland to get any of the services listed by the county staff in this proposal as being unavailable on Pine Island. We already have all that stuff. Pine Island has 5 banks, 2 service stations, 15 to 20 restaurants, a convenience store in every village, several hardware stores, lots and lots of marinas and bait shops and such, and numerous other commercial services.

To be sure, Pine Islanders do go to the mainland to get access to Walmart, and Home Depot, and a hospital. Nothing in the county staff proposal is going to change that. We don't have a Walmart or a Home Depot because we don't have the market to support them and that's not going to change for a very long time (Heck, Cape Coral, the biggest city in Lee County, only got those facilities some ten years ago). If we ever get a Walmart or Home Depot, we have plenty of room for them in our Urban Center—there is no need to push them into the countryside. We don't ever expect to get a hospital—Florida law does not allow hospitals or nursing homes in coastal high hazard zones for evacuation reasons—in my opinion, a very sensible law.

The fact is that the county staff recommendation does not make sense because it is based on an erroneous set of facts. Pine Island already has all of the commercial services which the county says we need to avoid trips to the mainland. Building more of those same facilities in the Pine Island countryside would constitute urban sprawl, and would serve no purpose—it's not smart growth. If we need more gas stations, restaurants, bait shops or whatever, and sometimes we do, we have plenty of undeveloped properties for them in our existing urban areas.

The action arose because the county commissioners, during a zoning hearing, asked for a clarification of the permissible commercial uses in the coastal rural areas. That was a sensible request. The County commissioners did not ask that permissible commercial uses be expanded—that was solely the county staff's idea. We agree that clarification is a good idea, and we would like to take this opportunity to clarify the distinctions between what should be encouraged in the urban areas as opposed to the rural areas. Please allow me to hand out the GPICA view of how commercial facilities should be planned on Pine Island. This sheet lists the provisions as we would like them to read, as well as the necessary changes to the staff report.

Note that we would like commercial activates in the coastal rural areas to be limited to those that promote farming and related rural activities. That's important to us to protect the second leg of our ecotourism-based economy as well as our rural way of life. Note that the activities we list as desirable in our urban village areas include not only services to residents but also critical services to our very important ecotourism industry.

Nothing in any of these provisions will get us a Walmart or Home Depot or a hospital, and Pine Islanders are going to have to continue to cross the bridge for those services. By the looks of things, we are also going to have to continue to cross the bridge to attend LPA and BOCC meetings—I don't have a solution for that either.

I ask that you reject the county staff proposal. At your meeting in June, at my request, you postponed review of this action so the GPICA could have more time to work with the county staff. Those efforts were unsuccessful, so at this point, rejection of their proposal is the only alternative.

So, I ask that you vote to reject the staff proposal, and I ask that you instead recommend to the BOCC that they adopt the revised changes to the Lee Plan and the changes to the staff report that I just handed out to you.

Thank you.

Miller, Janet

From: O Connor, Paul
Sent: Friday, July 31, 2009 9:47 AM
To: Miller, Janet
Subject: FW: Pine Island Plan Amendment

Please add this individual to the comp plan notification list.

Thanks

From: Buettner, David L [mailto:buettner@fvtc.edu]
Sent: Friday, July 31, 2009 9:13 AM
To: O Connor, Paul
Cc: Pamela Buettner
Subject: Pine Island Plan Amendment

Thanks for listening to my concerns this morning, Paul. I appreciate your willingness to add my name and email address to public information efforts related to this matter.

I trust you understand that my concerns are two-fold. One, is that key actions on this matter appear to be happening while many residents of the affected area are away. With such a sensitive issue, that seems unwise and unfair, if not unethical.

Second, my concern that this amendment, its intentions and origins notwithstanding, could lead to disorderly development of Pine Island. Such development could easily destroy the very environment that brought so many of us to the area. I am confident that if many of my neighbors knew of this potential, there would be a substantial outcry.

David Buettner
3321 Stabile Road
St. James City, FL 33956

8/3/2009

GPICA Recommended Revision to County Staff Recommendation

The Greater Pine Island Civic Association strongly feels that our coastal rural areas should remain rural, and therefore that commercial activities between the village areas should be clarified as limited to those that promote farming and related rural activities. We also feel that commercial activities in the village areas (other Future Urban Areas) should be made much clearer. We also feel strongly that we need to be very clear in supporting ecotourism on Pine Island, which along with farming is the basis of our island economy.

With those goals in mind, the GPICA proposes that the land plan changes be revised to read as follows:

POLICY 14.4.1: The designated Future Urban Area at Pine Island Center is targeted for most future commercial and industrial uses, as permitted by other portions of this plan. [NOTE: This policy is unchanged and included here for reference purposes only.]

POLICY 14.4.2: Commercial development at other Future Urban Areas ~~locations~~ on Greater Pine Island (that is, the villages of Bokeelia, Matlacha, Pineland, and St James City) should be limited to marinas, fish houses, minor commercial uses to serve local residents, and uses to promote ecotourism and serve island visitors. Such urban uses include (but are not limited to) art and gift shops, restaurants, motels, bait and tackle shops, boat and kayak sales and rentals, convenience stores, gasoline sales, and barber and beauty shops. Commercial uses in the coastal rural areas (areas between the villages) should be limited to uses that promote farming and related rural activities. Such rural uses include (but are not limited to) produce stands, nurseries, farm and feed supply stores, lawn and garden supply, and equestrian facilities. All such development must be sited and designed to minimize disruptive influences to the greatest degree possible. (Amended by Ordinance No. 94-30, 00-22)

The staff proposed new Policy 14.4.6. is unnecessary and should be dropped altogether. There is no need to limit farm-related commercial activities such as nurseries and equestrian facilities to two acres.

Here follows are proposed changes to the Division of Planning Staff Report of July 17, 2009, consistent with the above revised land plan change.

Page 3, paragraph 3, Policy 14.4.1. is improperly labeled as 14.1.1. Please correct.

Page 3, replace paragraph 4, proposed policy 14.4.2, as indicated above and delete paragraph 5 (proposed Policy 14.4.6).

Delete the last paragraph on page 3. Contrary to the existing wording, Pine Island does not have gas stations and retail outlets in rural areas.

Page 6, third paragraph, line 6, change "among the" to "between" and delete the last sentence.

Page 6, last paragraph, delete the last sentence.

Page 7, paragraph 1, delete the last sentence.

Page 7, paragraph 2, should be deleted. Contrary to the existing wording, St James City has had a convenience store appropriately located in the center of the village for at least several decades. Each of the other villages in Greater Pine Island also has a convenience store.

Page 7, paragraph 4, change to read as follows: "Staff finds that minor commercial uses promoting farming and related activities could be appropriately located within the Coastal Rural future land use areas, such as produce stands, nurseries, farm and feed supply stores, lawn and garden supply, and equestrian facilities. These uses are typically approved in rural settings

Page 4, delete paragraph 4 and change the last paragraph to read: "This amendment is intended to clarify the appropriate minor commercial uses in the coastal rural area by comparison and contrast with those in the urban areas."

where commercial zoning exists and requires development order review and approval. Commercial development standards have been implemented to insure compatibility with existing, adjacent uses. The proper location of these uses will promote farming and related rural activities while maintaining the character and culture of the community."

Page 7, delete the last paragraph.

Given these changes, we do not believe the limitation of coastal rural commercial facilities to two acres is necessary. In fact nurseries and equestrian facilities will often exceed that acreage. Accordingly, change Page 8, last paragraph, to read in its entirety as follows: "Along with the clarification of minor commercial uses in the Coastal Rural descriptor policy, staff is recommending an amendment to Policy 14.4.2 also clarifying commercial uses in other urban locations in Greater Pine Island. The latter changes emphasize not only the continued need for existing commercial facilities in urban areas to serve island residents, thus reducing trips both off island and on Stringfellow Road, but also the promotion of facilities that serve ecotourism, a mainstay of the island economy."

Page 9, Delete the 4th and 6th full paragraphs and replace the 5th full paragraph with the following: "Staff finds that minor commercial development promoting farming and related rural activities within the Coastal Rural future land use area is appropriate, but that most commercial development on Greater Pine Island should be permitted in the central urban area of Pine

Island Center and the future urban areas of Bokeelia, Matlacha, Pineland, and St James City. Staff's research indicates that St James City is the most populated community in Greater Pine Island with two-thirds of the population, and that the majority of the existing commercial development is located in Pine Island Center and St James City."

Page 9, last paragraph, 2nd sentence, change to read: "Staff's intent is to clarify commercial uses in both the coastal rural and urban areas, with an emphasis on the need for services to both residences and visitors as well as critical support of ecotourism on Pine Island."

Page 10, 2nd paragraph, add "consistent with protection of the rural environment" following the phrase "commercial uses" in line 2.

O Connor, Paul

From: M J PERLMAN [mjperلمان7@q.com]
Sent: Thursday, August 13, 2009 11:13 PM
To: O Connor, Paul
Cc: Noble, Matthew
Subject: Fw: Preserving Pine Island

Marsha J. Perlman
Author, Editor, Photographer
Colorado and Florida
mjperلمان7@q.com

----- Original Message -----

From: M J PERLMAN
To: dist1@leegov.com
Sent: Monday, August 10, 2009 7:40 PM
Subject: Preserving Pine Island

Dear Commissioner Janes;

It has always been our pleasure to talk with you during the meetings you attended on Pine Island, as well as those we attended in Four Myers.

We were shocked to learn about the new proposals for our rural piece of Florida. All these hasty speculators can take their plans and go elsewhere. We want rural Pine Island to remain as it is. We have commerce on the island. We support our local businesses and our farm enterprises. That is sufficient. We moved here to enjoy exactly what we have right now. We do not want shoddy commercialism along Stringfellow and Pine Island Road.

This time, we are asking you to delay the hearing on the proposed changes for Pine Island until early December when residents will all be able to attend. It seems to us that is the least that can be done for those of us who oppose what is happening.

We don't appreciate having something this serious be pulled over us in such haste when you all know that many property owners are not available. To say that this needs to be done immediately smacks of sleaze, dishonesty and cowardness; fear and trepidation of facing an audience and explaining what is being proposed.

After many hours of work by so many people on the existing PI Plan, and its

8/14/2009

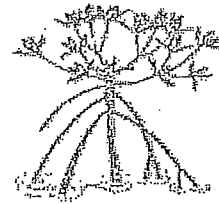
acceptance all around, how did this change so suddenly? How could this change so suddenly?

You are our representative, why don't you represent the people of Pine Island?

Sincerely,
Marsha Perlman
Eugene Rossman
3066 Bounty Lane
St. James City, FL 33956

cc Paul O'Connor
Matt Noble

Responsible
Growth
Management
Coalition, Inc.



P.O. Box 1826
Fort Myers, Florida 33902

TO: Matt Noble – LPA Staff

FROM: Dave Urich, Life Member of RGMC

RE: Pine Island Plan – Future Commercial Proposal

DATE: August 1, 2009

It has come to our attention that the LPA discussed the above proposal on July 27th, and it will come up for vote on August 24th. Our group has been very involved in the development and monitoring of the existing Pine Island Plan.

RGMC is shocked that a massive change has been proposed which would allow future commercial development in the rural areas of Pine Island which are currently protected from such development. The existing Pine Island Plan allows commercial development in the Pine Island Center area and also in the villages of St. James City, Bokeelia, Matlacha, and Pineland.

As we understand this new proposal, it would open up the rural areas along Stringfellow Road for commercial “day to day” needs. The existing commercial plan for Pine Island places commercial into the more urban areas, not the rural ones.

It seems that this new Future Commercial Proposal is urban sprawl at its worst, and certainly is not “Smart Growth” as we understand it. Please do not continue to seek this massive change to the Pine Island Plan, it removes the very protections that we have worked for years to insure for Pine Island’s future and preservation.

Since 1988, RGMC has been a vocal proponent of sound growth management strategies and plans. We advocate for sustainable development practices that link growth to public needs. This relates to infrastructure, environmental impacts, public space, and a safe accessible lifestyle. RGMC is a 501 (c) (3) organization.

Judith Ann Wenzel
James E. Wenzel
3559 Emerald Avenue
St. James City, Florida 33956

RECEIVED
AUG 19 2009
COMMUNITY DEVELOPMENT

August 14, 2009

Lee County Community Planning Committee
P. O. Box 298
Fort Myers, Florida 33902

Attn: Mr. Paul O'Connor
Mr. Matt Noble

Subject: Pine Island Plan

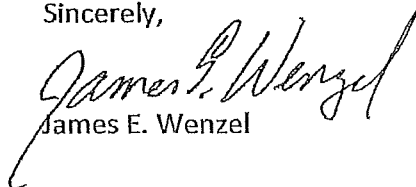
Last week I was shocked to see that the residents of Pine Island must again fight to save the "Pine Island Plan". It seems like we are in a continuous battle with the large landowners and speculators over proposed changes to the Pine Island Plan.

If action must be taken . . . It requires the following:

1. A timetable must be developed that assures time to develop and present all information to the maximum number of Pine Island homeowners.
2. Wait until November when the majority of the Pine Island residents return to the island.
3. Any discussion concerning commercial construction properties must include facts on the amount of commercial buildings that are empty at this time.

When is a plan . . . not a plan? How many times do we have to defend our approved plan?
"NO MORE CHANGES".

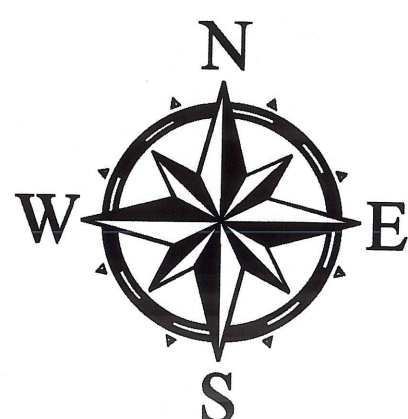
Sincerely,


James E. Wenzel

Cc: Bob Janes
Brian Bigelow
Ray Judah
Tammy Hall
Frank Mann



Prepared by:
Lee County DCD
Mapped March 4, 2008



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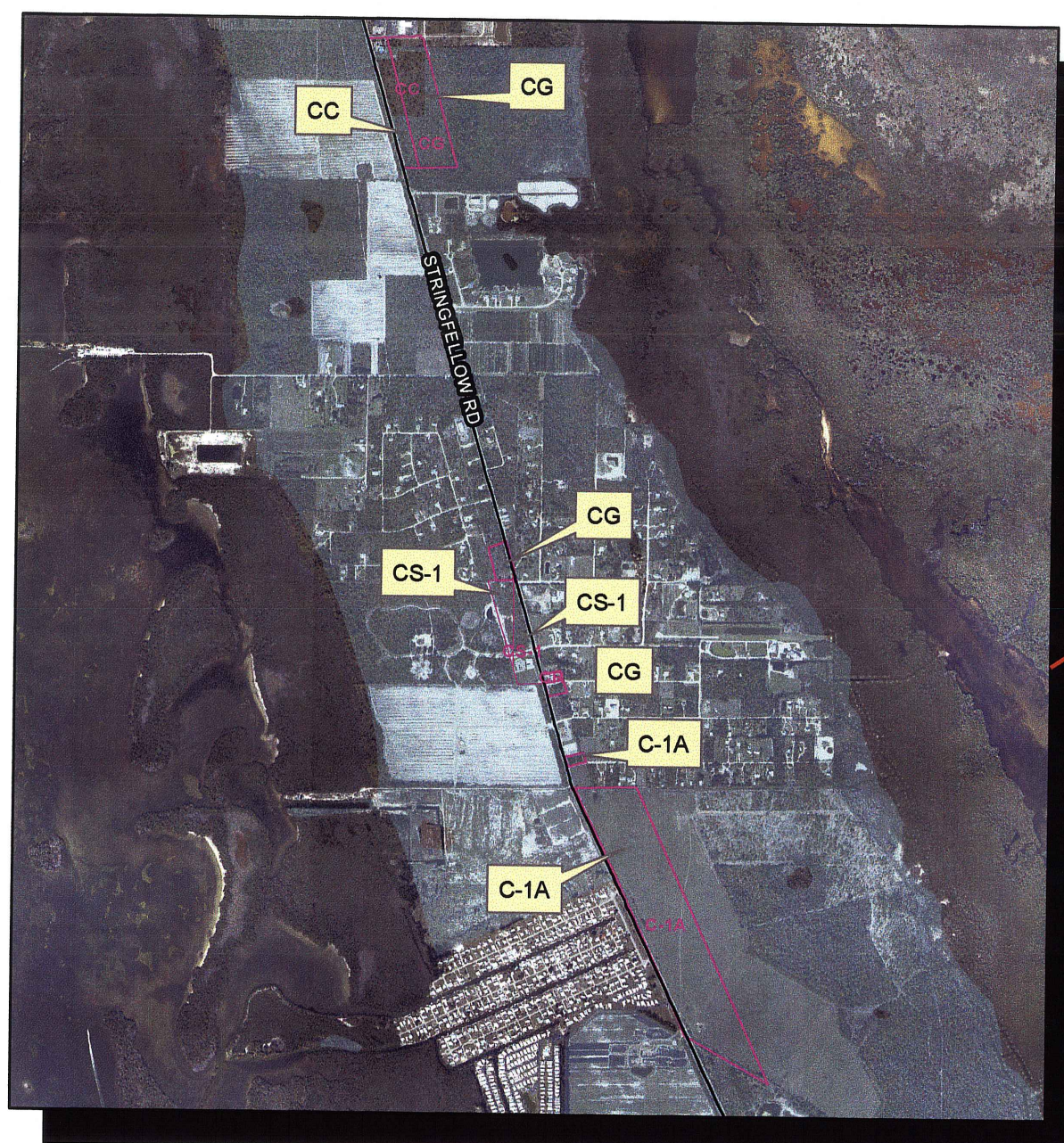
Legend

- Commercial Zone
- Coastal Rural FLU

This map drawn for visual purposes only.
Not to be used for official zoning map.

2008 Aerial Photograph

Coastal Rural Commercial Zoning CPA2008-00017



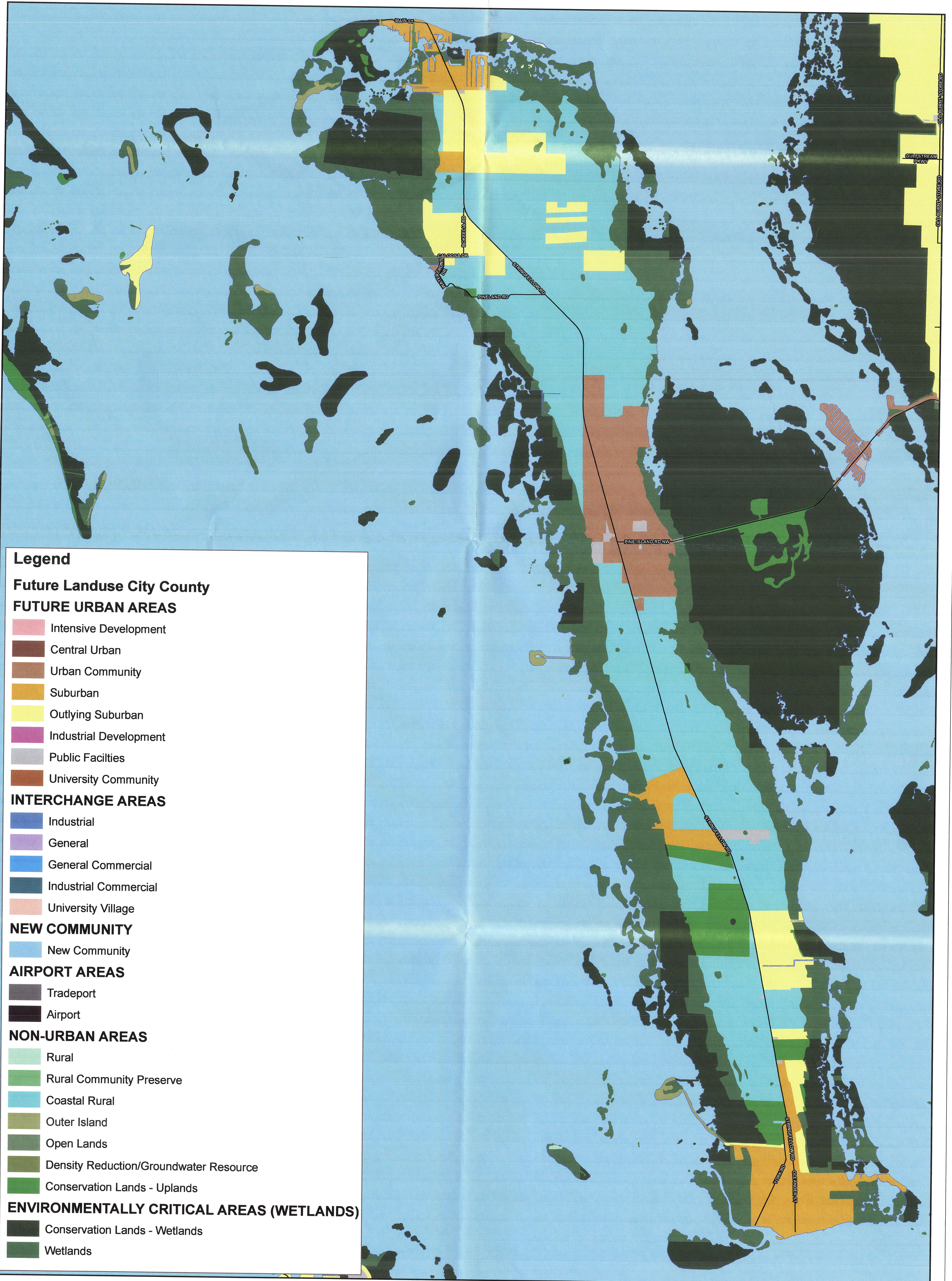


Prepared by:
Lee County DCD
Mapped August 7, 2009



0 0.5 1 1.5 2
Miles

Greater Pine Island Future Land Use



Legend

Future Landuse City County

FUTURE URBAN AREAS

- Intensive Development
- Central Urban
- Urban Community
- Suburban
- Outlying Suburban
- Industrial Development
- Public Facilities
- University Community

INTERCHANGE AREAS

- Industrial
- General
- General Commercial
- Industrial Commercial
- University Village

NEW COMMUNITY

- New Community

AIRPORT AREAS

- Tradeport
- Airport

NON-URBAN AREAS

- Rural
- Rural Community Preserve
- Coastal Rural
- Outer Island
- Open Lands
- Density Reduction/Groundwater Resource
- Conservation Lands - Uplands

ENVIRONMENTALLY CRITICAL AREAS (WETLANDS)

- Conservation Lands - Wetlands
- Wetlands