

EXHIBIT E

RESOLUTION NUMBER Z-22-011

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

WHEREAS, Panda Restaurant Group filed an application on behalf of the property owner, Wal-Mart Stores East, LP, to amend an existing Commercial Planned Development (CPD), an 18.57± acre parcel in reference to Panda Express Lehigh Acres; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Amanda L. Rivera, was advertised and held on April 7, 2022. At the conclusion of the hearing, the Hearing Examiner left the record open and requested Staff and the Applicant to submit written submissions to her Office on or before April 15, 2022. On April 18, 2022, the applicant requested an extension to April 25, 2022 and the Hearing Examiner granted the request. On April 25, 2022, applicant requested a second extension to May 25, 2022, and the Hearing Examiner granted the request; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2021-00031 and recommended APPROVAL of the Request; and

WHEREAS, a second public hearing was advertised and held on August 3, 2022 before the Lee County Board of Commissioners; and,

WHEREAS, the Lee County Board of Commissioners 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 amend an existing CPD to: revise the Master Concept Plan (MCP) to create an outparcel with a fast-food restaurant; amend the schedule of uses; and request three deviations.

The property is located in the Central Urban 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).

Conditions and deviations represent a codification of prior approvals from Resolution Z-93-101, Z-99-082 and Administrative Approvals ADD2007-00176 and ADD2016-00022. This resolution supersedes all prior zoning actions.

1. Master Concept Plan (MCP) and Development Parameters

- a. MCP. Development must be in substantial compliance with the two-page MCP entitled "Master Concept Plan Amendment – Lee Blvd. & Elva Avenue N." prepared by CPH, Inc., Page 1 stamped received May 18, 2022 and Page S2 stamped received June 8, 1999 (Exhibit C), except where modified by the conditions below.
- b. LDC and Lee Plan. Development must comply with the LDC and Lee Plan at time of local development order approval, except where deviations are approved herein. Subsequent amendments to the MCP, conditions, or deviations may require further development approvals.
- c. Development Parameters. Development is limited to a maximum 222,656 square feet of commercial uses.

2. Schedule of Uses and Site Development Regulations

a. Schedule of Uses

Administrative offices
 Aircraft landing facilities, private, new accessory buildings
 Animals: Clinic
 ATM (automatic teller machine)
 Auto parts store
 Automobile repair and service, Group I
 Automobile service station
 Bait and tackle shop
 Banks & financial establishments, Groups I and II
 Boat parts store
 Boat rental
 Broadcast studio, commercial radio and television
 Business services, Group I
 Caretaker's residence
 Car wash
 Cleaning and maintenance services
 Clothing stores, general
 Clubs, Commercial, Fraternal, Membership Organization, Private
 Contractors and builders, Groups I & II
 Convenience food and beverage store
 Day Care Center, adult, child
 Department store
 Drive-through facility for any permitted use
 Drugstore, pharmacy
 Entrance gates and gatehouse
 EMS, fire or sheriff's station
 Essential service facilities, Group I
 Excavation: Water retention
 Flea market: Indoor
 Food stores, Groups I and II
 Funeral home or mortuary, no cremation

Hardware store
 Health care facility, Group III
 Hobby, toy and game shops
 Household and office furnishings, Groups I & II
 Laundry or dry cleaning, Group I
 Lawn and garden supply store
 Library
 Medical office
 Non-store retailers, all groups
 Package store
 Paint, glass and wallpaper
 Parks, Group I
 Parking lot: Accessory, Temporary
 Personal services, Groups I, II, III & IV
 Pet services
 Pet shop
 Pharmacy
 Place of worship
 Post office
 Recreation facilities, commercial: Group I
 Religious facilities
 Rental or leasing establishments, Groups I, II & III
 Repair shops, Groups I & II
 Research and development laboratories, Group II
 Restaurant, fast food
 Restaurants, Groups I, II, III and IV
 Schools: Commercial & Non-Commercial
 Self-service fuel pumps (a maximum of 16 fuel pumps)
 Signs
 Social Services, Group I
 Specialty retail shop, Groups I, II, III and IV
 Storage: Indoor and Open
 Studios
 Theater: Indoor
 Transportation services, Group II
 Used merchandise stores, Groups I, II & III
 Variety store
 Vehicle and equipment dealers, Group II
 Wholesale establishment, Groups I, III & IV

b. Site Development Regulations

Minimum Building Setbacks:

Street	50 feet
Side Yard	15 feet/buffer width (whichever is greater)
Rear Yard	20 feet

Maximum Building Height	25 feet
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3. Environmental Conditions

- a. Trees impacted by the proposed change must be relocated/replanted. Relocated trees receive no credit since they were previously planted and are not existing indigenous trees.
- b. The CPD must provide 16.42 acres of open space, of which 6.99 acres is indigenous area.
- c. Dry detention must be planted with cold tolerant, native herbaceous grasses installed:
 - i. at one foot on center;
 - ii. in a minimum of one gallon container size; and
 - iii. no mulch required.

For each 400 square feet of detention planted, the general tree requirement may be reduced by one ten-foot tree.

- d. Code required trees proposed along Lee Boulevard and West First Street must be small canopy trees installed 15 feet from the power line and be ten feet in height measured from parking lot grade with a two-inch caliper and a four-foot canopy spread at time of installation.

4. Development Permits

County issuance of a development permit does not create rights to obtain permits from state or federal agencies, nor does it create County liability if the applicant fails to obtain requisite approvals or fulfill obligations imposed by state or federal agencies, or if applicant undertakes actions resulting in violation of state or federal law.

SECTION C. DEVIATIONS:

- 1. Right-of-Way. Deviation (1) seeks relief from Table 9-2 and Appendix 9-4 of the Development Standards Ordinance that require County-maintained local streets with open drainage to provide 60 feet of right-of-way, to allow First Street West from Lee Boulevard to Sunshine Boulevard and Elva Avenue from Lee Boulevard to First Street West to be constructed within 50 feet of right-of-way utilizing 24 feet of pavement. This deviation is APPROVED, carried forward from prior approval.
- 2. Parking. Deviation (2) seeks relief from the LDC §34-2020 requirement to provide a minimum of one parking space per 200 square feet of retail floor area, to allow the overall Wal-Mart project to have eight parking spaces less than what is required. This deviation is APPROVED, carried forward from prior approval.
- 3. Western Buffer. Deviation (3) seeks relief from the LDC §10-416(d) requirement which requires an "A" type buffer along property lines separating commercial uses to allow no buffer along the western property line. This deviation is APPROVED, carried forward from prior approval.

4. Perimeter Plantings. Deviation (4) seeks relief from the LDC §10-416(b) requirement of building perimeter plantings of 5 feet wide to allow no building perimeter plantings for the 120 square foot, one-story building located immediately north of Outparcel B. This deviation is APPROVED, carried forward from prior approval.
5. Lighting. Deviation (5) seeks relief from the LDC §34-625(d), Table 1 requirement which limits the maximum illumination to 0.5 foot-candle measured at the property line, to allow a maximum illumination of 2.7-foot candles measured at the common property lines for development on parcel immediately north of Outparcel B. This deviation is APPROVED, carried forward from prior approval.
6. Stormwater Management. Deviation (6) seeks relief from the LDC §10-321 requirement that commercial development provide an on-site storm water management system to allow for "two" parcels (identified on the MCP as the "stormwater/conservation parcel and the entire development) to share the existing continuous water management system under the approved unified control document. This deviation is APPROVED, carried forward from prior approval.
7. Parking Facilities. Deviation (7) requests relief from the LDC §34-2020(b) parking requirements for non-residential uses to allow a 5% reduction to required parking spaces for development on Outparcel B for bicycle and pedestrian facilities identified on the Bikeways/Walkways Facility Plan, pursuant to LDC §34-2020(c)(3). This deviation is APPROVED, carried forward from prior approval.
8. Sign Setback. Deviation (8) seeks relief from the LDC §30-153(3)e requirement that signs to be set back a minimum of 15 feet from any right-of-way/easement; to allow the proposed sign on Outparcel B to be set back a minimum of 5 feet from the Lee Boulevard right-of-way. This deviation is APPROVED, carried forward from prior approval.
9. Open Drainage. Deviation (9) seeks relief from the LDC §34-1353(e)(2) requirement that fast food restaurant projects with an open drainage system provide an undulating berm within the 25-foot wide right-of-way buffers, to allow open drainage without an undulating berm for development on Outparcel B. This deviation is APPROVED, carried forward from prior approval.
10. Tree Height. Deviation (10) seeks relief from the LDC §34-1353(e)(4) requirement trees be 14 feet in height for the right-of-way buffer; to allow trees to be 10 feet in height along Lee Boulevard & West First Street rights of way for development on Outparcel B. This deviation is APPROVED, carried forward from prior approval.
11. Driveway Radius. Deviation (11) seeks relief from LDC §10-296(t)(4) Table 6 requirement of a minimum edge of pavement radius for commercial driveways on collector roads with closed drainage of 35 feet; to allow a minimum edge of pavement radius of 25 feet for the driveway onto 1st Street West, a minor collector roadway, for development on Outparcel B. This deviation is APPROVED, carried forward from prior approval.
12. Lane Width. Deviation (12) seeks relief from the LDC §10-288 requirement of a minimum turn lane width of 11 feet for roads with a posted speed of less than 45 mph; to allow a minimum turn lane width of 10 feet on 1st Street West, a minor collector roadway with a

posted speed of 40 mph, for development on Outparcel B. This deviation is APPROVED, carried forward from prior approval.

13. Right-of-Way Buffer. Deviation (13) seeks relief from the LDC §34-1353(e)(1) requirement of a buffer that is a minimum of 25 feet in width adjacent to a right-of-way or 15 feet in width if abutting an internal accessway to a commercial development; to allow a 15-foot right-of-way buffer along with a 5 foot internal accessway buffer for development on the proposed fast food parcel as shown on sheet 3 of the MCP. This deviation is APPROVED.
14. Signs. Deviation (14) seeks relief from the LDC §30-153(2)(a)(4) requirement that identification signs be set back a minimum of 15 feet from any street right-of-way or easement, and ten feet from any other property line; to allow a 5-foot setback back for the proposed monument identification sign for development on the proposed fast food parcel as shown on sheet 3 of the MCP. This deviation is APPROVED.
15. Fast Food Restaurant Frontage. Deviation (15) seeks relief from the LDC §34-1353(c)(1) requirement of minimum frontage of 150 feet for fast food restaurants; to allow 25 feet of frontage on the proposed fast food parcel as shown on sheet 3 of the MCP. This deviation is APPROVED.

SECTION D. EXHIBITS:

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

SECTION E. FINDINGS AND CONCLUSIONS:

Based upon its review, the Board of County Commissioners adopts the recommendation of the Hearing Examiner, including the following findings and conclusions:

1. As conditioned herein, the proposed amendment to the CPD:
 - a. Complies with the Lee Plan. See, Lee Plan Goals 2, 4, 11, 25, 39, Objective 2.1, 2.2, and Policies 1.1.3, 6.1.4, 6.1.7, 11.2, 25.1.4; Lee Plan Maps 1-A, 1-B, 2-A, 2-B.
 - b. Complies with the LDC and other County regulations. See, LDC §§ 34-934, 33-1401 *et. seq.*
 - c. Is compatible with existing and planned uses in the area. See, Lee Plan Policies 1.1.3, 2.1.1, 2.1.2, 2.2.1, 6.1.4; LDC §§ 34-411(c), (i), and (j).
 - d. Provides access sufficient to support the proposed development intensity. Expected impacts on transportation facilities will be addressed by county regulations and conditions of approval. Lee Plan Objective 39.1, Policies 2.2.1, 6.1.1, 6.1.3, 39.1.1; LDC §§ 34-411(d) and (e).

- e. Will not adversely affect environmentally critical areas and natural resources. See, Lee Plan Goal 77, Objectives 4.1, 77.2; and LDC §34-411(h).
 - f. Will be served by urban services. See, Lee Plan Glossary, Maps 3-B, 3-D, 4-A, 4-B, Goal 2; Objectives 2.1, 2.2, 4.1; Policies 2.2.1, 25.9.2, and Standards 4.1.1 and 4.1.2; LDC §34-411(d).
2. The MCP reflects sufficient access to support the intensity of development. In addition, County regulations and conditions of approval will address expected impacts to transportation facilities. See, Lee Plan Goal 39; LDC §34-411(d).
 3. The proposed mix of uses is appropriate at the proposed location. See, Lee Plan Goal 25, Policies 1.1.3, 2.1.1, 6.1.4, 6.1.7, 25.1.4.
 4. The recommended conditions are sufficient to protect the public interest and reasonably relate to the impacts expected from the development. See LDC Chapters 10, 33, and 34.
 5. As conditioned herein, the deviations:
 - a. Enhance the objectives of the planned development; and
 - b. Promote the intent of the LDC to protect the public health, safety and welfare. See, LDC §34-377(b)(4).

SECTION F. SCRIVENER'S ERRORS

The Board intends that this resolution can be renumbered or relettered and typographical errors that do not affect the intent and are consistent with the Board's action can be corrected with the authorization of the County Manager or his designee, without the need for a public hearing.

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

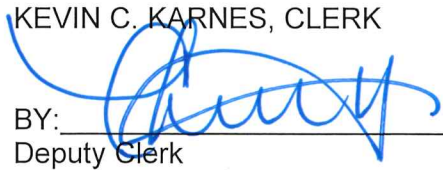
Adopted by unanimous consent.

Kevin Ruane	Aye
Cecil L Pendergrass	Aye
Raymond Sandelli	Absent
Brian Hamman	Aye
Mike Greenwell	Aye

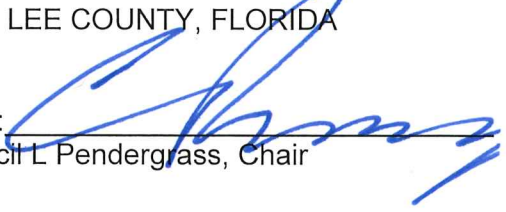
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DULY PASSED AND ADOPTED this 3rd day of August 2022.

ATTEST:
KEVIN C. KARNES, CLERK

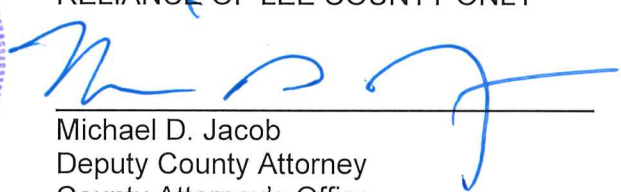
BY: 
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: 
Cecil L. Pendergrass, Chair



APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY


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

RECEIVED
MINUTES OFFICE

2022 AUG 17 AM 11:08

EXHIBIT A

Sketch and Description:

Legal Description:

THIS IS NOT A SURVEY

A PARCEL OF LAND LYING IN SECTION 25, TOWNSHIP 44 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, TOGETHER WITH ALL OF THE FOLLOWING: TRACT A-BLOCK 65-UNIT 5, TRACT A-BLOCK 66-UNIT 5, TRACT A-BLOCK 96-UNIT 12, AND TRACT A-BLOCK 97-UNIT 12, LEHIGH ACRES ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 26, PAGES 96-216 INCLUSIVE, BEING MORE SPECIFICALLY DISPLAYED ON PAGES 144 AND 149, AND A PART OF BLOCK 95 AND A PART OF BLOCK 104, PLAT OF PART OF UNIT 12, LEHIGH ACRES ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGES 1-101 INCLUSIVE, ALL OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, BEING DESCRIBED AS FOLLOWS:

BEGIN (POB (1)) AT THE INTERSECTION OF THE EAST RIGHT-OF-WAY LINE OF ELVA AVENUE AND THE NORTH RIGHT-OF-WAY LINE OF FIRST STREET WEST (BOTH BEING A 50' WIDE RIGHT-OF-WAY PER LEHIGH ACRES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGES 1-101 INCLUSIVE, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA), AND RUN NORTH 00°44'54" WEST ALONG THE SAID EAST RIGHT-OF-WAY LINE OF ELVA AVENUE, A DISTANCE OF 851.92 FEET TO THE NORTHWEST CORNER OF TRACT A-BLOCK 96-UNIT 12, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 26, PAGES 96-216 INCLUSIVE, BEING MORE SPECIFICALLY DISPLAYED ON PAGE 149, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE NORTH 43°15'51" EAST, A DISTANCE OF 53.39 FEET; THENCE NORTH 20°38'06" EAST ALONG THE AFOREMENTIONED EAST RIGHT-OF-WAY LINE OF ELVA AVENUE, A DISTANCE OF 210.88 FEET; THENCE NORTH 73°01'35" EAST, A DISTANCE OF 63.57 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF LEE BOULEVARD (RIGHT-OF-WAY WIDTH VARIES) AND A POINT LYING ON A CURVE CONCAVE SOUTHWESTERLY, HAVING A RADIUS OF 1,355.70 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 58°23'50" EAST, 317.39 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID RIGHT-OF-WAY LINE AND THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 13°26'40", AN ARC LENGTH OF 318.12 FEET TO A POINT OF TANGENCY; THENCE DEPARTING SAID CURVE CONTINUE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING CALLS: SOUTH 51°40'30" EAST, 36.73 FEET; SOUTH 39°16'04" EAST, 54.69 FEET; SOUTH 51°40'30" EAST, 311.13 FEET; SOUTH 38°19'30" WEST, 33.71 FEET; SOUTH 51°40'30" EAST, 31.86 FEET; NORTH 38°19'30" EAST, 45.46 FEET; SOUTH 51°40'30" EAST, 50.00 FEET; SOUTH 38°19'30" WEST, 53.96 FEET; SOUTH 51°40'30" EAST, 2.19 FEET; NORTH 38°19'30" EAST, 3.49 FEET; NORTH 83°36'46" EAST, 71.74 FEET; SOUTH 51°40'30" EAST, 346.85 FEET TO A POINT ON A CURVE CONCAVE NORTHEASTERLY HAVING A RADIUS OF 1,360.21 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 53°48'01" EAST, 100.84 FEET; THENCE RUN SOUTHEASTERLY ALONG SAID CURVE HAVING A CENTRAL ANGLE OF 04°14'55", AN ARC LENGTH OF 100.86 FEET TO THE END OF SAID CURVE; THENCE SOUTH 54°14'02" EAST, 99.44 FEET; THENCE SOUTH 09°11'16" EAST 54.10 FEET TO THE AFORESAID NORTHERLY RIGHT-OF-WAY LINE OF FIRST STREET WEST; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING CALLS: SOUTH 38°19'30" WEST, 188.19 FEET TO A POINT ON A CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS OF 182.72 FEET AND A CHORD BEARING AND DISTANCE OF SOUTH 64°02'15" WEST; THENCE RUN SOUTHWESTERLY ALONG THE ARC OF SAID CURVE HAVING A CENTRAL ANGLE OF 51°25'25", AN ARC LENGTH OF 163.99 FEET TO A POINT OF TANGENCY; THENCE DEPARTING SAID CURVE CONTINUE ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID FIRST STREET WEST, SOUTH 89°44'57" WEST, A DISTANCE OF 1035.20 FEET TO THE POINT OF BEGINNING (1).

AND

BEGIN (POB (2)) AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF FIRST STREET W AND THE WEST RIGHT-OF-WAY LINE OF ELVA AVENUE, LEHIGH ACRES UNIT 5, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 15, PAGES 1-101 INCLUSIVE, BEING MORE SPECIFICALLY DISPLAYED ON PAGE 170 OF AFORESAID PUBLIC RECORDS AND RUN SOUTH 89°44'57" WEST ALONG SAID NORTH RIGHT OF WAY LINE, A DISTANCE OF 800.00 FEET TO THE EAST RIGHT-OF-WAY LINE OF HANNA AVENUE; THENCE NORTH 00°44'54" WEST ALONG SAID EAST RIGHT-OF-WAY LINE, A DISTANCE OF 605.52 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF THIRD STREET W; THENCE NORTH 89°14'48" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 799.97 FEET TO THE AFORESAID WEST RIGHT-OF-WAY LINE OF ELVA AVENUE; THENCE SOUTH 00°44'54" EAST ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 612.54 FEET TO THE POINT OF BEGINNING (2).

SAID PARCELS CONTAINING A TOTAL OF 1,421,069 SQ FT OR 32.61 ACRES MORE OR LESS.

Abbreviation Legend:

(A)	- ACTUAL	Δ	- DELTA
APPROX	- APPROXIMATE	(D)	- DEED
AVG	- AVERAGE	(DE)	- DEED EXCEPTION
(BB)	- BEARING BASIS	DEPT	- DEPARTMENT
BLDG	- BUILDING	D/U	- DRAINAGE AND UTILITY EASEMENT
(C)	- CALCULATED	ELEV	- ELEVATION
C	- CHORD	EOP	- EDGE OF PAVEMENT
CB	- CHORD BEARING	ESMT	- EASEMENT
CCR #	- CERTIFIED CORNER	FDOT	- FLORIDA DEPARTMENT OF TRANSPORTATION
C/L	- CENTERLINE	FF	- FINISH FLOOR
CM	- CONCRETE MONUMENT	FND	- FOUND
CONC	- CONCRETE	FP&L	- FLORIDA POWER AND LIGHT
COR	- CORNER	(G)	- GRID (STATE PLANE)

GOV'T	- GOVERNMENT	PC	- POINT OF CURVATURE
IP	- IRON PIPE	PCC	- POINT OF COMPOUND
INST#	- INSTRUMENT NUMBER	PCP	- CURVATURE
IR	- IRON ROD	PG	- PERMANENT CONTROL POINT
IR&C	- IRON REBAR & CAP	PG	- PAGE
L	- ARC LENGTH	PGS	- PAGES
LB#	- LICENSED BUSINESS NUMBER	PI	- POINT OF INTERSECTION
N & D	- NAIL AND DISK	POB	- POINT OF BEGINNING
NR	- NON-RADIAL	PCC	- POINT OF COMMENCEMENT
NT	- NON-TANGENT	PCL	- POINT ON LINE
OR	- OFFICIAL RECORDS	POL	- POINT OF REVERSE CURVATURE
ORB	- OFFICIAL RECORDS BOOK	PT	- POINT OF TANGENCY
(P)	- PLAT	R28E	- RANGE 28 EAST
PB	- PLAT BOOK		
FS	- FLORIDA STATUTE		

Surveyor's Notes:

- COPIES OF THIS SKETCH AND DESCRIPTION ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- BEARINGS SHOWN HEREON ARE RELATIVE TO THE STATE PLANE COORDINATE SYSTEM, FLORIDA WEST ZONE, FIXING THE NORTH RIGHT-OF-WAY OF FIRST STREET W, AS BEING S 89°44'57" W.
- THE "LEGAL DESCRIPTION" HEREON WAS PREPARED BY SURVEYOR PER CLIENT REQUEST.
- THIS IS NOT A BOUNDARY SURVEY, THIS SKETCH AND DESCRIPTION WAS PREPARED FROM INFORMATION FURNISHED TO THE SURVEYOR.

REVIEWED
DCI2021-00031
Rick Burris, Principal
Planner
Lee County DCD/Planning
3/24/2022

THE ELECTRONIC SIGNATURE HEREON IS IN COMPLIANCE WITH THE FLORIDA ADMINISTRATIVE CODE (FAC) 5J-17.062(3) AND THE SEAL APPEARING ON THIS DOCUMENT WAS AUTHORIZED BY PAUL J. KATREK, PSM, 6233 ON 3/23/22 PER 5J-17.062(2)

Surveyor's Certification:

I hereby certify that the attached "Sketch and Description" of the hereon-described property is true and correct to the best of my knowledge, information and belief as prepared under my direction on March 23, 2022. I further certify that this "Sketch and Description" meets the standards of practice set forth in Rule Chapter 5J-17 of the Florida Administrative Code, pursuant to FS 472.027.



Digitally signed by Paul J. Katrek
DN: c=US, o=CPI INC,
ou=801410C000001d11AA0009
A000015E3, cn=Paul J. Katrek
Date: 2022.03.23 14:47:28
+04'00'

For the Firm By:

Paul J. Katrek
Professional Surveyor and Mapper
Florida Registration No. 6233

TITLE BLOCK ABBREVIATIONS			
Eng. = ENGINEERING	L.B. = LICENSED BUSINESS		
C.O.A. = CERTIFICATE OF AUTHORIZATION	Arch. = ARCHITECTURAL		
Landsc. = LANDSCAPE	N/A = NOT APPLICABLE	Lic. = LICENSED	
No. = NUMBER	P.O. = POST OFFICE	© = COPYRIGHT	

NOT VALID WITHOUT
SHEETS 1 THROUGH 3 OF 3.

Date: 3/23/22	Job No. P7361
Drawn by: JTF	Scale: N/A
	File: P7361 PD.DWG



A Full Service A & E Firm

500 West Fulton Street
Sanford, FL 32771
Ph: 407.322.6841

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BELLE CENTRE
2523 LEE BOULEVARD
LYING IN
SECTION 25-TOWNSHIP 44 SOUTH-RANGE 26 EAST
(LEHIGH ACRES) LEE COUNTY, FLORIDA

SKETCH AND DESCRIPTION

Sheet

1

1 of 3

Sketch and Description:

THIS IS NOT A SURVEY

REVIEWED
DCI2021-00031
Rick Burris, Principal
Planner
Lee County DCD/Planning
3/24/2022

LINE	BEARING	LENGTH
L1	S 51°40'30" E	36.73'
L2	S 39°16'04" E	54.69'
L3	S 38°19'30" W	33.71'
L4	S 51°40'30" E	31.86'
L5	N 38°19'30" E	45.46'

LINE	BEARING	LENGTH
L6	S 51°40'30" E	50.00'
L7	S 38°19'30" W	53.96'
L8	S 51°40'30" E	2.19'
L9	N 38°19'30" E	3.49'
L10	N 83°36'46" E	71.74'

LINE	BEARING	LENGTH
L11	S 54°14'02" E	99.44'
L12	S 09°11'16" E	54.10'
L13	S 38°19'30" W	188.19'

$\Delta = 13^\circ 26' 40''$
 $R = 1355.70'$
 $C = 317.39'$
 $L = 318.12'$
 $CB = S 58^\circ 23' 50'' E$

N 73°01'35" E
63.57'
 N 20°38'06" E
210.88'
 N 43°15'51" E
53.39'

NW COR OF
TRACT A-
BLOCK 96-UNIT 12,
PB 26, PGS 96-216

TRACT A-BLK 96-UNIT 12
PB 26, PGS 96-216
(PLAT NOT VACATED) 2

MATCHLINE "A" - SEE SHEET 3 OF 3

ELVA AVENUE
(50' R/W WIDTH PER LEHIGH ACRES, PB 15, PGS 1-101)

E R/W LINE OF ELVA AVE.
PER PB 15, PGS 1-101

851.92'

S 88°44'57" W
50.00'

POB(1)

INT OF THE E R/W LINE OF ELVA AVE &
N R/W LINE OF FIRST ST W
PER LEHIGH ACRES, PB 15, PGS 1-101

TRACT A-
BLK 97-UNIT 12
PB 26, PGS 96-216
(PLAT NOT VACATED) 2

SUBJECT PARCEL
FOLIO ID# 10320686
STRAP: 25-44-26-00-00002.0000
OWNER: WAL-MART STORES EAST LP
ADDRESS: 2523 LEE BLVD
LEHIGH ACRES FL 33971

CONTAINS 933,866 SQ FEET
OR 21.53 ACRES±

NORTH R/W LINE OF
FIRST STREET WEST
PB 15, PGS 1-101

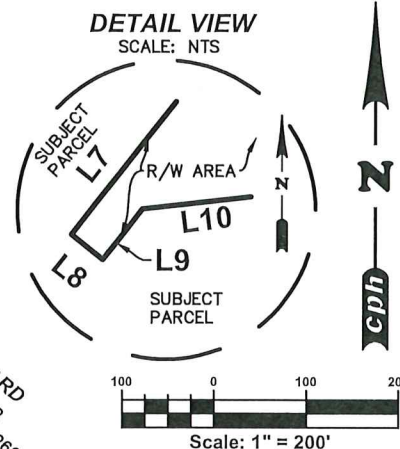
(BEARING BASIS)
S 89°44'57" W

FIRST STREET W
(50' R/W WIDTH PER LEHIGH ACRES, PB 15, PGS 1-101)

1035.20'

$\Delta = 51^\circ 25' 25''$
 $R = 182.72'$
 $C = 158.54'$
 $L = 163.99'$

CB = S 64°02'15" W



FOLIO ID# 10467882
STRAP: 25-44-26-00-00002.0010
OWNER: MURPHY OIL
USA INC
ADDRESS: 2515 LEE BLVD
LEHIGH ACRES FL 33971

FOLIO ID# 10320687
STRAP: 25-44-26-00-00008.0000
OWNER: S & L
PROPERTIES LEHIGH ACRES
ADDRESS: 2511 LEE BLVD
LEHIGH ACRES FL 33971

TITLE BLOCK ABBREVIATIONS
 Eng. = ENGINEERING L.B. = LICENSED BUSINESS
 C.O.A. = CERTIFICATE OF AUTHORIZATION Arch. = ARCHITECTURAL
 Landsc. = LANDSCAPE N/A = NOT APPLICABLE Lic. = LICENSED
 No. = NUMBER P.O. = POST OFFICE © = COPYRIGHT

NOT VALID WITHOUT
SHEETS 1 THROUGH 3 OF 3.

Date: 3/23/22 Job No. P7361
 Drawn by: JTF Scale: 1"=200' File: P7361 PD.DWG

cph

www.cphcorp.com

A Full Service A & E Firm

500 West Fulton Street
Sanford, FL 32771
Ph: 407.322.6841

© 2022

BELLE CENTRE
2523 LEE BOULEVARD
LYING IN

SECTION 25-TOWNSHIP 44 SOUTH-RANGE 26 EAST
(LEHIGH ACRES) LEE COUNTY, FLORIDA

SKETCH AND DESCRIPTION

Sheet

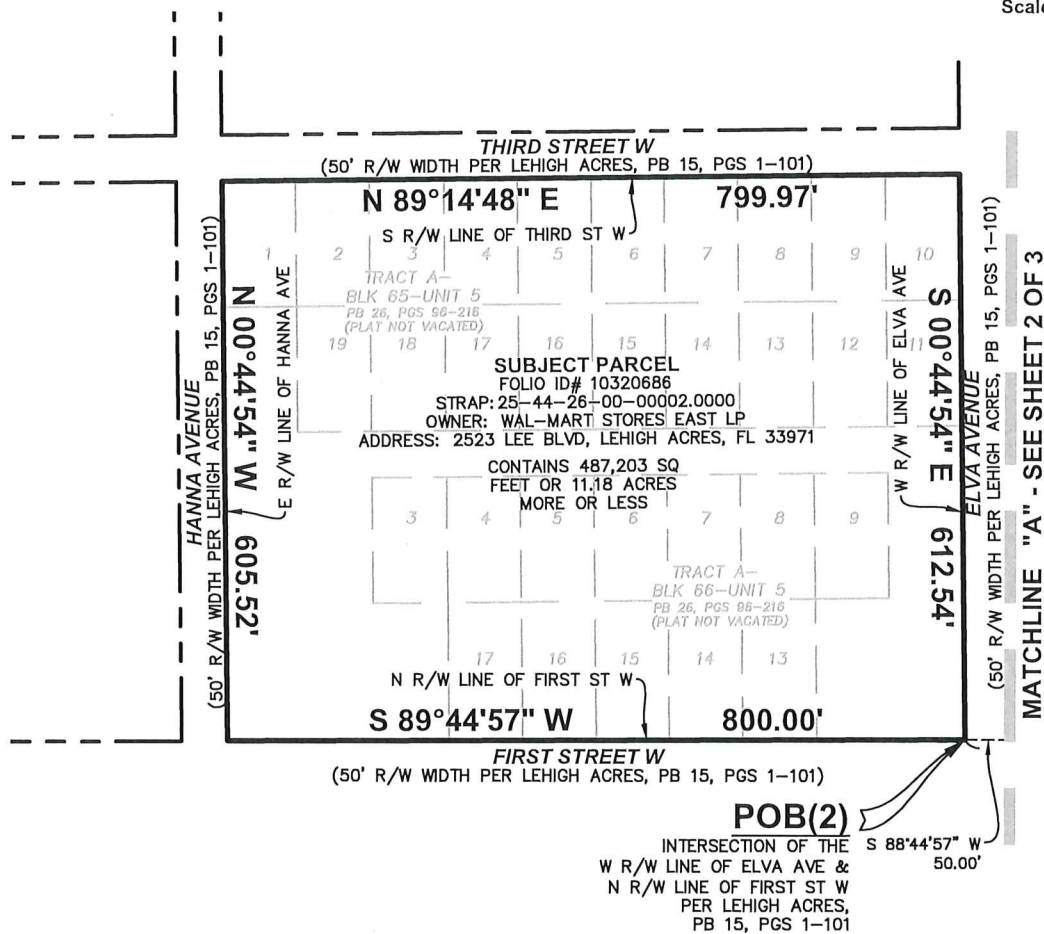
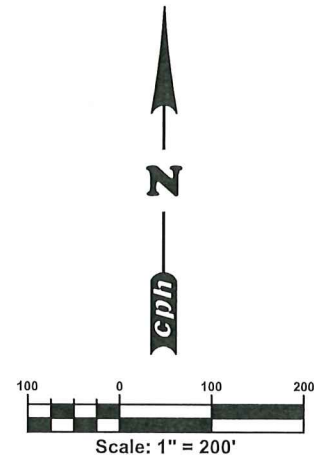
2

2 of 3

Sketch and Description:

THIS IS NOT A SURVEY

REVIEWED
DCI2021-00031
Rick Burris, Principal
Planner
Lee County DCD/Planning
3/24/2022



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BELLE CENTRE

2523 LEE BOULEVARD

LYING IN

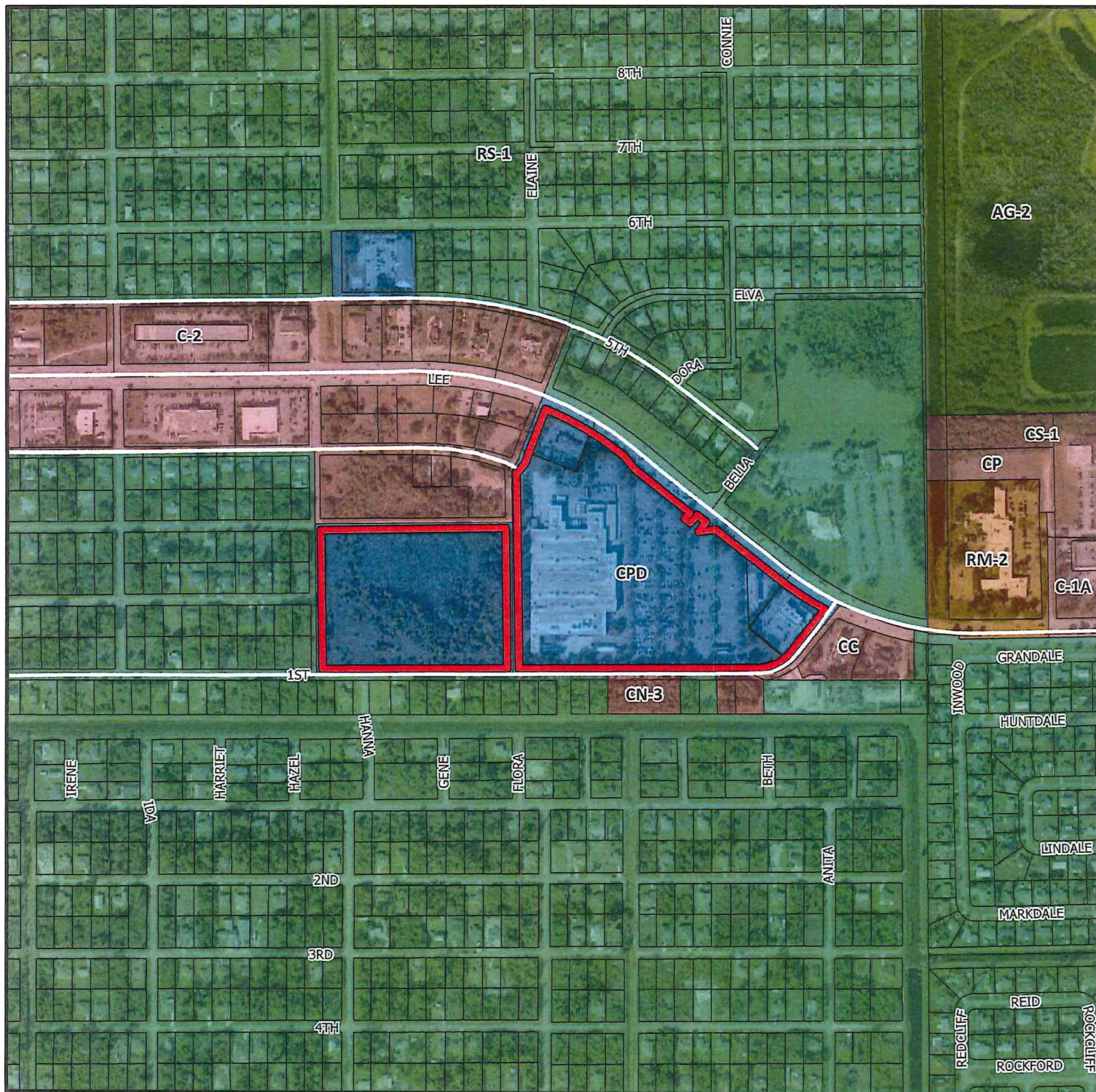
SECTION 25-TOWNSHIP 44 SOUTH-RANGE 26 EAST
 (LEHIGH ACRES) LEE COUNTY, FLORIDA

SKETCH AND DESCRIPTION

Sheet

3

3 of 3

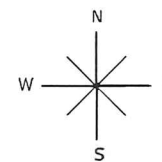


DCI2021-00031

Zoning

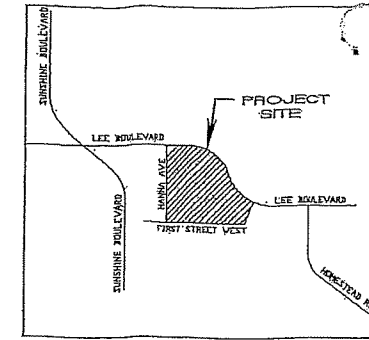
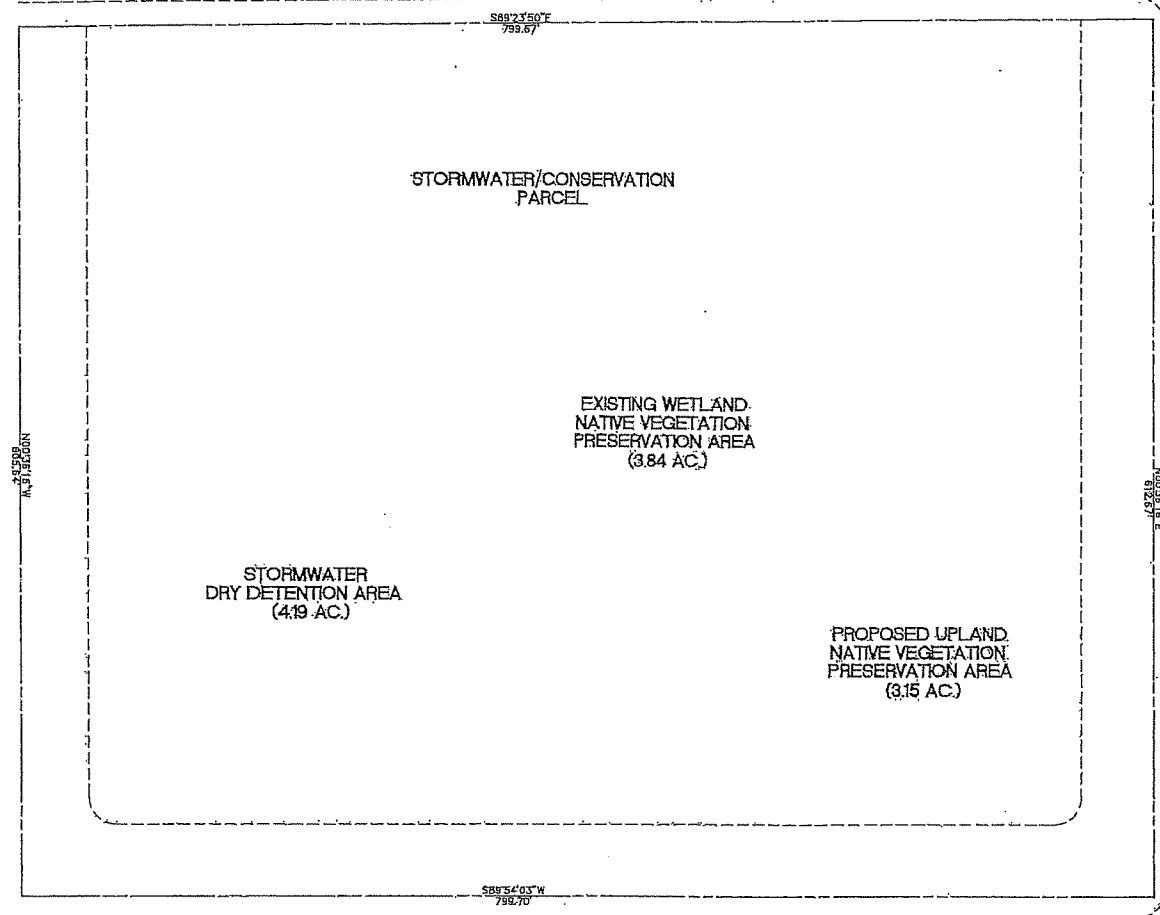
EXHIBIT B

 Subject Property



0 500 1,000
Feet





LOCATION MAP

BASED ON A ASBUILT SURVEY
DRAWING BY
KING ENGINEERING ASSOC.
DATED: 3-24-95

Approved as Exhibit C
MCP Page 2 of 7
Resolution # 2-22-011

RECEIVED
JUN 28 1999
ZONING COUNTER



Scale 1" = 50'
50 25 0 25 50 100



Kimley-Horn
and Associates, Inc.

Engineering
Planning
and
Environmental
Consultants

Suite 400
601 21st Street
Vero Beach, Florida
32960
Phone: 561-562-7981
Fax: 561-562-9689

DATE	BY	REVISION	NO.

JOB NO. 047280.07	DATE 04/28/07	CHECKED BY ND	APPROVED BY TCY	DATE ISSUED 4/28/09
COMPOSITE SITE PLAN				
MURPHY OIL FUELING STATION LEHIGH ACRES LEE COUNTY, FLORIDA				

SCALE 1" = 50'
SHEET NO. S2

PROJECT # 99 05-005-02 Z 01.01
PROJECT TYPE 13