

EXHIBIT B

RESOLUTION NUMBER Z-98-070

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

WHEREAS, Mastercraft Homes, Ltd., filed an application to rezone a 126± acre parcel from Agricultural (AG-2) to Mixed Use Planned Development (MPD), on behalf of James E. Kinsey, Jr., Trustee, and Sun Trust Bank of Southwest Florida f/k/a Sun Bank of Lee County, the owners of the property, in reference to Beach Walk; and

WHEREAS, James E. Kinsey, Jr., Trustee and SunTrust Bank of Southwest Florida f/k/a Sun Bank of Lee County, the owners of the subject parcel, authorized Planning Development Incorporated/Michael R Fernandez, AICP Banks Engineering, Inc./David Underhill, P.E. to act as agent to pursue this zoning application; and

WHEREAS, a public hearing was advertised and held on September 2, 1998, written response dates of September 9, 1998, September 16, 1998 and September 30, 1998 were provided to bring this case before the Lee County Hearing Examiner who gave full consideration to the evidence in the record (Case # 98-03-252.03Z 01.01); and

WHEREAS, a second public hearing was advertised and held on November 2, 1998, 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 the 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 126± acre parcel from Agricultural (AG-2) to Mixed Use Planned Development (MPD) in the Central Urban Land Use Category. The legal description of the subject property is set forth in Exhibit A attached to this resolution. The request is hereby APPROVED subject to the conditions and deviations set forth in Sections B and C below.

SECTION B. CONDITIONS:

1. The development and use of the subject property must be in substantial compliance with the approved 4-page Master Concept Plan (MCP) entitled "Beach Walk" (Project #: 97.01028, last revised 09-22-98, stamped received September 24, 1998) prepared by Banks Engineering/Planning Development Incorporated - Joint Venture, except as modified by the conditions herein. Unless specifically approved as part of this rezoning, development must comply with all applicable local development regulations.

General Note 1 on Page 1 of 4 relating to the potential change in parcel size, intensity, and combination of the parcel with another parcel in the development found on the approved MCP has no force or effect as part of this zoning approval.

General Note 7 on Page 1 of 4 relating to the hurricane mitigation is only a portion of the

mitigation required (Condition 10 below) and should be amended to reflect the additional requirements or deleted from the MCP. The terms and provisions of Condition 10 below shall control the hurricane mitigation required from this developer.

Changes and amendments to the approved MCP and Planned Development zoning will be ruled by the regulations contained in Chapter 34 of the Lee County Land Development Code (LDC). No changes in the number of residential dwelling units may be achieved, except through the amendment process as addressed in the LDC. Substitution of commercial square footage between office and retail uses are permitted without an amendment.

2. The following are the maximum allowed development parameters for the project:

San Carlos Boulevard Commercial Parcel No. 1:	78,700 square feet
San Carlos Boulevard Commercial Parcel No. 2:	30,000 square feet
(aka Pine Ridge Road Commercial Parcel No. 2)	
Hotel/Adult Living Facility Parcel:	125 units
Multi-Family Parcel No. 1:	433 dwelling units
Multi-Family Parcel No. 2:	286 dwelling units
Single-Family Residential Parcel:	182 dwelling units

3. The following are the Permitted Uses (except as noted or as allowed by Special Exception or as an Ancillary Use to a principal use):

a. **San Carlos Boulevard Commercial Parcel No. 1 (7.87 acres)**

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 *et seq.*, 34-2441 *et seq.*, 34-1863, and 34-2141 *et seq.*)

ADMINISTRATIVE OFFICES

ATM (automatic teller machine)

* AUTO PARTS STORE - with or without installation facilities

* AUTOMOBILE SERVICE STATION

* AUTO REPAIR AND SERVICE [LDC Section 34-622(c)(2)], Group I only (LDC Section 34-1351)

* BAIT AND TACKLE SHOP

BANKS AND FINANCIAL ESTABLISHMENTS [LDC Section 34-622(c)(3)]: Groups I & II (without drive-in facilities)

* BOATS: Boat parts store

BUSINESS SERVICES, Group I [LDC Section 34-622(c)(5)]

* CLOTHING STORES, general [LDC Section 34-622(c)(8)]

* CONVENIENCE FOOD AND BEVERAGE STORE

DAY CARE CENTER, CHILD, ADULT

DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE (except as noted)

ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 *et seq.*)

ESSENTIAL SERVICES (LDC Sections 34-1611 *et seq.*, and 34-1741 *et seq.*)

ESSENTIAL SERVICE FACILITIES [LDC Section 34-622(c)(13)]: Group I only (LDC Sections 34-1611 *et seq.*, 34-1741 *et seq.*, and 34-2141 *et seq.*)

* FOOD STORES [LDC Section 34-622(c)(16)]: Group I only

* HARDWARE STORE

HEALTH CARE FACILITIES [LDC Section 34-622(c)(20)]: Group III only

- * HOBBY, TOY AND GAME SHOPS [LDC Section 34-622(c)(21)]
- * HOUSEHOLD AND OFFICE FURNISHINGS [LDC Section 34-622(c)(22)]: All Groups
- * INSURANCE COMPANIES [LDC Section 34-622(c)(23)]
- LAUNDRY OR DRY CLEANING [LDC Section 34-622(c)(24)]: Group I only
- MEDICAL OFFICE
- PARKING LOT: Accessory
- * PERSONAL SERVICES [LDC Section 34-622(c)(33)]: Group I only
- * PET SERVICES
- * PET SHOP
- * PHARMACY
- * RENTAL OR LEASING ESTABLISHMENT [LDC Section 34-622(c)(39)]: Groups I & II only (LDC Section 34-1201 *et seq.*, 34-1352, and 34-3001 *et seq.*)
- REPAIR SHOPS [LDC Section 34-622(c)(40)]: Group I only
- * RESTAURANTS [LDC Section 34-622(c)(43)]: Groups I, II, & III only
- * RETAIL AND WHOLESALE SALES, when clearly incidental and subordinate to a permitted principal use on the same premises
- * SCHOOLS: Commercial [LDC Sections 34-622(c)(45) and 34-2381]
- * SELF SERVICE FUEL PUMP STATION
- SIGNS, in accordance with Chapter 30
- * SPECIALTY RETAIL SHOPS [LDC Section 34-622(c)(47)]: Groups I, II, & III
- * STUDIOS [LDC Section 34-622(c)(49)]
- TEMPORARY USES (LDC Section 34-3041 *et seq.*)
- * USED MERCHANDISE STORES [LDC Section 34-622(c)(54)]: Group II only
- * VARIETY STORE

Uses marked with an asterisk (*) will not be permitted until the Lee Plan Commercial Site Location Standards are met.

b. **San Carlos Boulevard Commercial Parcel No. 2 (3.00 acres)**

- ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 *et seq.*, 34-2441 *et seq.*, 34-1863, and 34-2141 *et seq.*)
- ADMINISTRATIVE OFFICES
- ATM (automatic teller machine)
- * AUTO PARTS STORE - with or without installation facilities
- * AUTOMOBILE SERVICE STATION
- * AUTO REPAIR AND SERVICE [LDC Section 34-622(c)(2)]: All Groups (LDC Section 34-1351)
- * BAIT AND TACKLE SHOP
- BANKS AND FINANCIAL ESTABLISHMENTS [LDC Section 34-622(c)(3)]: Groups I & II
- * BOATS: Boat parts store
- BUSINESS SERVICES [LDC Section 34-622(c)(5)]: Group I only
- * CLOTHING STORES, general [LDC Section 34-622(c)(8)]
- * CONVENIENCE FOOD AND BEVERAGE STORE
- DAY CARE CENTER, CHILD, ADULT
- DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE
- ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 *et seq.*)

ESSENTIAL SERVICES (LDC Sections 34-1611 *et seq.*, and 34-1741 *et seq.*)
 ESSENTIAL SERVICE FACILITIES [LDC Section 34-622(c)(13)]: Group I only (LDC Sections 34-1611 *et seq.*, 34-1741 *et seq.*, and 34-2141 *et seq.*)
 * FOOD STORES [LDC Section 34-622(c)(16)]: Group I only
 * HARDWARE STORE
 HEALTH CARE FACILITIES [LDC Section 34-622(c)(20)]: Group III
 * HOBBY, TOY AND GAME SHOPS [LDC Section 34-622(c)(21)]
 * HOUSEHOLD AND OFFICE FURNISHINGS [LDC Section 34-622(c)(22)]: All Groups
 * INSURANCE COMPANIES [LDC Section 34-622(c)(23)]
 LAUNDRY OR DRY CLEANING [LDC Section 34-622(c)(24)]: Groups I & II
 MEDICAL OFFICE
 PARKING LOT: Accessory
 * PERSONAL SERVICES [LDC Section 34-622(c)(33)]: Group I only
 * PET SERVICES
 * PET SHOP
 * PHARMACY
 * RENTAL OR LEASING ESTABLISHMENT [LDC Section 34-622(c)(39)]: Groups I & II only (LDC Section 34-1201 *et seq.*, 34-1352, and 34-3001 *et seq.*)
 REPAIR SHOPS [34-622(c)(40)]: Group I only
 * RESTAURANTS [LDC Section 34-622(c)(43)]: Groups I, II, & III
 * RETAIL AND WHOLESALE SALES, when clearly incidental and subordinate to a permitted principal use on the same premises
 * SCHOOLS: Commercial [LDC Section 34-622(c)(45)] (LDC Section 34-2381)
 * SELF-SERVICE FUEL PUMPS
 * SELF SERVICE FUEL PUMP STATION
 SIGNS in accordance with Chapter 30
 * SPECIALTY RETAIL SHOPS [LDC Section 34-622(c)(47)]: Groups I, II, & III
 * STUDIOS [LDC Section 34-622(c)(49)]
 TEMPORARY USES (LDC Section 34-3041 *et seq.*)
 * USED MERCHANDISE STORES [LDC Section 34-622(c)(54)]: Group II only
 * VARIETY STORE

Uses marked with an asterisk (*) will not be permitted until the Lee Plan Commercial Site Location Standards are met.

c. **Hotel/Adult Living Facility**

HOTEL/MOTEL (LDC Section 34-1801 *et seq.*)
 OR
 ASSISTED LIVING FACILITY (LDC Sections 34-1491 *et seq.*, and 34-1411)

Ancillary Uses allowed in conjunction with one of the above Permitted Uses

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 *et seq.*, 34-2441 *et seq.*, 34-1863, and 34-2141 *et seq.*)
 ADMINISTRATIVE OFFICES
 ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 *et seq.*)
 ESSENTIAL SERVICES (LDC Sections 34-1611 *et seq.*, and 34-1741 *et seq.*)
 ESSENTIAL SERVICE FACILITIES [LDC Section 34-622(c)(13)]: Group I only (LDC

Sections 34-1611 *et seq.*, 34-1741 *et seq.*, and 34-2141 *et seq.*)
 EXCAVATION: Water retention (LDC Section 34-1651)
 PARKS [LDC Section 34-622(c)(32)]: Groups I or II
 PARKING LOT: Accessory
 RECREATIONAL FACILITIES: Personal
 Private, On-Site
 SIGNS, in accordance with Chapter 30
 SOCIAL SERVICES [LDC Section 34-622(c)(46)]: Groups I, II, III, & IV
 SPECIALTY RETAIL SHOPS [LDC Section 34-622(c)(47)]: Groups I, II, III, & IV
 STORAGE:
 Indoor only (LDC Section 34-3001 *et seq.*)
 STUDIOS [LDC Section 34-622(c)(49)]
 TEMPORARY USES (LDC Section 34-3041 *et seq.*)

d. **Multiple-Family Residential Parcels No. 1 and No. 2**

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 *et seq.*, 34-2441
 et seq., 34-1863, and 34-2141 *et seq.*)
 ADMINISTRATIVE OFFICES
 DWELLING UNIT: (Uses marked with an asterisk (*) may only be permitted if the
 MCP is first amended, in accordance with LDC Section 34-380, to show their
 location and layout in the parcel, and Property Development Regulations are
 adopted as part of the amendment process.)
 * Single-family
 * Duplex
 * Two-family attached
 Townhouse
 Multiple-family building
 * Zero lot line
 ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 *et seq.*)
 EMERGENCY MEDICAL SERVICE (ambulance station)
 EMERGENCY OPERATIONS CENTER
 ESSENTIAL SERVICES (LDC Sections 34-1611 *et seq.*, and 34-1741 *et seq.*)
 ESSENTIAL SERVICE FACILITIES [LDC Section 34-622(c)(13)]: Groups I, II, & III
 (LDC Sections 34-1611 *et seq.*, 34-1741 *et seq.*, and 34-2141 *et seq.*)
 EXCAVATION: Water retention (LDC Section 34-1651)
 HOME OCCUPATION (LDC Section 34-1771 *et seq.*)
 MODELS:
 Model homes (LDC Section 34-1951 *et seq.*)
 Model units (LDC Section 34-1951 *et seq.*)
 PARKING LOT: Accessory
 PARKS [LDC Section 34-622(c)(32)]: Groups I or II
 REAL ESTATE SALES OFFICE (LDC Sections 34-1951 *et seq.*, and 34-3021) -
 limited to sales of homes within this residential parcel only
 RECREATIONAL FACILITIES: Personal
 Private, On-Site
 RESIDENTIAL ACCESSORY USES [LDC Section 34-622(c)(42)] (LDC Section
 34-1171 *et seq.*)
 SIGNS, in accordance with Chapter 30

e. **Single-Family Parcel**

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 *et seq.*, 34-2441 *et seq.*, 34-1863, and 34-2141 *et seq.*)
 CLUB: Private
 DWELLING UNIT:
 Single-family
 ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 *et seq.*)
 ESSENTIAL SERVICES (LDC Sections 34-1611 *et seq.*, and 34-1741 *et seq.*)
 ESSENTIAL SERVICE FACILITIES [LDC Section 34-622(c)(13)]: Group I only (LDC Sections 34-1611 *et seq.*, 34-1741 *et seq.*, and 34-2141 *et seq.*)
 EXCAVATION: Water retention (LDC Section 34-1651)
 HOME OCCUPATION (LDC Section 34-1771 *et seq.*)
 MODELS: Model homes (LDC Section 34-1951 *et seq.*)
 PARKS [LDC Section 34-622(c)(32)]: Groups I or II
 REAL ESTATE SALES OFFICE (LDC Sections 34-1951 *et seq.*, and 34-3021) - limited to sales of homes within this residential parcel only
 RECREATIONAL FACILITIES:
 Personal
 Private, On-Site
 RESIDENTIAL ACCESSORY USES [LDC Section 34-622(c)(42)] (LDC Section 34-1171 *et seq.*)
 SIGNS - in accordance with Chapter 30

4. Development of the MPD must comply with the following Property Development Regulations:

a. **San Carlos Boulevard Commercial Parcels No. 1 and No. 2**

Minimum Lot Area and Dimensions:

Area: 10,000 square feet
 Width: 75 feet
 Depth: 100 feet

Minimum Setbacks:

Street: variable according to the functional classification of the street or road (Section 34-2191 *et seq.*)
 Side: 15 feet
 0 feet when internal to the commercial tract
 Rear: 50 feet
 Water Body: 25 feet

Accessory Use and Structure setbacks must comply with LDC Sections 34-1171 *et seq.* and 34-2194.

Maximum Lot Coverage: 40 percent

Maximum Building Height: 35 feet (additional building height to a maximum of 50 feet may be permitted as regulated by LDC Section 34-

2174 with the provision of additional setbacks)

b. Hotel/Adult Living Facility

Development of a Hotel/Motel on the subject property will be regulated by Section 34-1801 *et seq.*, except as noted in the following:

Maximum Lot Coverage: 40 percent

Maximum Building Height: 35 feet (additional building height to a maximum of 50 feet may be permitted as regulated by LDC Section 34-2174 with the provision of additional setbacks)

c. Multiple-Family Parcels No. 1 and No. 2

Townhouse Dwelling Unit:

Minimum Lot Area and Dimensions:

Area per unit: 3,750 square feet

Width: 37.5 feet

Depth: 100 feet

Minimum Setbacks:

Street: variable according to the functional classification of the street or road (Section 34-2191 *et seq.*)

Side: 7 feet

Rear: 20 feet

Water Body: 20 feet

Accessory Use and Structure setbacks must comply with LDC Sections 34-1171 *et seq.* and 34-2194.

Maximum Lot Coverage: 45 percent

Maximum Building Height: 35 feet (additional building height to a maximum of 50 feet may be permitted as regulated by LDC Section 34-2174 with the provision of additional setbacks)

Multiple-Family Dwelling Unit:

Minimum Lot Area: 10,000 square feet

Minimum Lot Area per Unit: 2,700 square feet

Lot Width: 100 feet

Lot Depth: 100 feet

Minimum Setbacks:

Street: variable according to the functional classification of the street or road (Section 34-2191 *et seq.*)

Side: 20 feet

Rear: 20 feet (except as provided by approved deviations)

Water Body: 20 feet (except as provided by approved deviations)

Accessory Use and Structure setbacks must comply with LDC Sections 34-1171 *et seq.* and 34-2194 (except as provided by approved deviations).

Maximum Lot Coverage: 45 percent

Maximum Building Height: 35 feet (additional building height to a maximum of 50 feet may be permitted as regulated by LDC Section 34-2174 with the provision of additional setbacks)

d. Single-Family Parcel

Minimum Lot Area and Dimensions:

Area: 6,500 square feet

Width: 65 feet [except as provided in Deviation (6)]

Depth: 100 feet

Minimum Setbacks:

Street: variable according to the functional classification of the street or road (Section 34-2191 *et seq.*)

Side: 5 feet

Rear: 20 feet (except as provided by approved deviations)

Water Body: 25 feet (except as provided by approved deviations)

Accessory Use and Structure setbacks must comply with LDC Sections 34-1171 *et seq.* and 34-2194 (except as provided by approved deviations).

Maximum Lot Coverage: 45 percent

Maximum Building Height: 35 feet

5. A buffer consistent with LDC Section 10-414(a) and including a concrete block or masonry wall, must be provided between the San Carlos Boulevard Commercial Parcel No. 1 and the Single-Family Residential Parcel.
6. For this development to be consistent with the Commercial Site Location Standards of the Lee Plan, the existing access easement located along the west boundary of the commercial parcels to the north must be extended south through both commercial parcels to Kelly Road. The connection to Kelly Road should be at a point directly across from (north of) an existing access point on the south side of Kelly Road. Staff encourages the interconnection of this easement with the proposed single-family residential parcel to the east. The interconnection of the access easement to the internal roadway of the single-family development would provide another means of access, thereby giving the residents additional route options onto the surrounding road network.
7. All the access points to San Carlos Boulevard (shown on the approved MCP) have not been specifically approved. The MCP merely depicts anticipated (potential) access points to this

roadway, which are subject to FDOT (Florida Department of Transportation) approval.

8. Approval of this zoning request does not indicate that all of the project's vehicular or pedestrian traffic requirements have been addressed. Additional conditions may be required to obtain a local Development Order, consistent with local development regulations.
9. Approval of this rezoning does not give the Developer an undeniable right to receive local development order approval. Future development order approvals must satisfy the requirements of the 2020 Lee Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table 1(b), of the Lee Plan.
10.
 - a. The Applicant must initiate the establishment of a property owners' or residents' association for each residential component of this project. The organization must provide an educational program on an annual basis, in conjunction with the staff of Emergency Management, which will provide literature, brochures and technical assistance for Hurricane Awareness/Preparedness Seminars, describing the risks of natural hazards. The intent of this recommendation is to provide a mechanism to educate residents concerning the actions they should take to mitigate the dangers inherent in these hazards.
 - b. The Applicant must formulate an emergency hurricane notification and evacuation plan for the development that will be subject to review and approval by the Lee County Office of Emergency Management.
 - c. If access to this development or into portions of this development is through a security gate or similar device, which is not manned 24 hours a day, it must be equipped with an override strip installed in a glass-covered box to be used by drivers of emergency vehicles to gain entry consistent with LDC Section 34-1749.
 - d. The purchaser/end user of any parcel that will be used to store, manufacture, or use hazardous materials, must contact the Lee County Office of Emergency Management Hazardous Material Representative, to discuss the proposed development in relation to the potential type, use, and storage of hazardous materials, which will be located on the premises.
 - e. The Applicant must establish an emergency notification system for its residents and commercial employees to be used in the event of a hazardous material release.
 - f. The Applicant must cooperate with the Division of Emergency Management in determining and participating in a means to lessen their adverse impacts on the County's hurricane preparedness process and public safety. These means could include the provision of equipment, monies in lieu of equipment, or such other goods, materials or actions deemed appropriate by Emergency Management that results in the provision of additional shelters, or improvement of roads for use as additional evacuation routes.
11. The "Wildlife and Habitat Management Plan" for Beach Walk, counter stamped July 10, 1998, is hereby adopted. The existing lake within the Multi-Family Parcel No. 1 (northwest quadrant of the tract) may be reconfigured, provided that at least 50 percent of its littoral

zones, measured linearly, are retained and protected; and, provided that the impacted littoral areas are replanted with plants of like species, size and numbers. The retained littoral area must be a singular linear length.

12. A minimum of 40 percent open space is required with a minimum of 30 percent provided as common open space within all residential areas except those with conventional single-family lots of not less than 6,500 square feet. Commercial parcels must contain a minimum of 30 percent open space.

SECTION C. DEVIATIONS:

Deviation (1), requests relief from LDC Section 34-2194(c)(1)a. to reduce the required setback for dwelling units from an artificial body of water under unified control of 25 feet, to allow a 15-foot setback. Deviation (1) is DENIED FOR LACK OF SUFFICIENT DETAIL TO ESTABLISH LOCATIONS, PERCENTAGES OF LAKE SHORELINE, AND POTENTIAL EFFECTS.

Deviation (2), requests elimination of the 25-foot water body setback in LDC Section 34-2194(b) for common facility buildings, recreational structures, and other common buildings. Deviation (2) is DENIED FOR LACK OF SUFFICIENT DETAIL TO ESTABLISH LOCATIONS, PERCENTAGES OF LAKE SHORELINE, AND POTENTIAL EFFECTS.

Deviation (3), requests elimination of the required drainage easement, inclusive of a 20-foot easement for maintenance purposes around a lake, found in LDC Section 10-328(a). Deviation (3) is DENIED WITH THE CONDITION THAT THE APPLICANT MUST NOT ENCROACH INTO ANY EASEMENTS REQUIRED BY THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT, AND THAT EACH REQUEST WILL BE ADMINISTRATIVELY REVIEWED/APPROVED BY THE DIRECTOR DURING THE LOCAL DEVELOPMENT ORDER PROCESS.

Deviation (4), requests relief from LDC Section 10-328(a), which requires a drainage easement or right-of-way inclusive of a 20-foot easement; to allow a drainage easement or right-of-way width of 15 feet. Deviation (4) is APPROVED AS CONDITIONED IN DEVIATION (3) ABOVE.

Deviation (5), requests elimination of the requirement of LDC Sections 10-294 and 10-295 for continuation of, and intersection of, street stubs between projects and shared local streets. Deviation (5) is APPROVED ON THE CONDITION THAT THE GATED EMERGENCY ACCESSES ARE PROVIDED AS CONDITIONED IN DEVIATION (9) BELOW.

Deviation (6), requests relief from LDC Section 34-659, which requires a lot width of 75 feet for a single-family detached dwelling, to allow an average lot width of 50 feet for lots that abut a curvilinear right-of-way. Deviation (6) is APPROVED.

Deviation (7), requests relief from LDC Section 10-296(d) Table 4(7)(c)2., which requires street wearing surfaces meet FDOT Standard Specifications, to allow the use of traffic bearing brick pavers, stamped concrete, or similar materials within the project's right-of-way. Deviation (7) is APPROVED PROVIDED THE BRICK PAVERS ARE USED ONLY IN PRIVATE STREETS AND THE DEVELOPER, DURING THE LOCAL DEVELOPMENT ORDER PROCESS, DEMONSTRATES THAT THE BRICK PAVERS HAVE THE STRUCTURAL EQUIVALENCY AS THE LDC STREET STANDARD.

Deviation (8), requests relief from LDC Section 296(d) Table 4(11)(c), which references traffic control support systems, to allow the alternative specifications of AASHTO Break-A-Way criteria for frangible wooden sign posts. Deviation (8) is APPROVED WITH THE CONDITION THAT THE DIMENSIONS OF THE SIGNAGE MUST BE IN CONFORMANCE WITH THE "MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES."

Deviation (9), requests relief from LDC Section 10-291(3), which requires two or more means of ingress or egress for residential projects with an area of five or more acres, to allow a singular access to the development's centralized circulation spine for the single-family parcel and the Multi-Family Parcel No. 2. Deviation (9) is APPROVED ON THE CONDITION THAT TWO GATED EMERGENCY ACCESS POINTS ARE PROVIDED - ONE BETWEEN THE TWO RESIDENTIAL PARCELS, AND ONE ONTO THE PROJECT'S CENTRAL (SPINE) ROADWAY AT THE STUBOUT DEPICTED AT THE SOUTHWEST CORNER OF THE MULTI-FAMILY PARCEL NO. 2.

Deviation (10), requests relief from LDC Sections 10-152(2)(a)(1) and 34-935(b)(1), which require ground mounted signs be set back a minimum of 15 feet from any street right-of-way or easement, to allow a 10-foot setback. Deviation (10) is DENIED FOR LACK OF SUFFICIENT DETAIL TO ESTABLISH SPECIFIC LOCATIONS AND POTENTIAL EFFECTS.

Deviation (11), requests relief from LDC Section 10-328(b), which requires a drainage easement of 15 feet in width for drainage pipe of 48 inches in diameter or less, to allow an easement of 10 feet for drainage easements over pipe of 24 inches in diameter or less. Deviation (11) is DENIED FOR LACK OF SUFFICIENT DETAIL TO ESTABLISH SPECIFIC LOCATIONS AND POTENTIAL EFFECTS.

Deviation (12) - WITHDRAWN AFTER THE PUBLIC HEARING.

Deviation (13) - WITHDRAWN AFTER THE PUBLIC HEARING.

Deviation (14) - WITHDRAWN AFTER THE PUBLIC HEARING.

SECTION D. EXHIBITS:

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

- Exhibit A. The legal description and STRAP numbers of the subject property.
- Exhibit B. A reduced copy of the Beach Walk Master Concept Plan.
- Exhibit C. A map depicting the subject parcel (shaded in) in relation to the surrounding area.

SECTION E. FINDINGS AND CONCLUSIONS:

1. The Applicant proved entitlement to the rezoning by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations.
2. The requested MPD zoning classification, as conditioned:
 - a. will meet or exceed all performance and locational standards set forth for the potential uses allowed by the request;

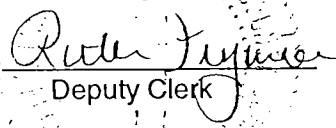
- b. is consistent with the densities, intensities and general uses set forth in the Lee Plan;
 - c. is compatible with existing or planned uses in the surrounding area; and
 - d. will not adversely affect environmentally critical areas or natural resources.
3. The proposed use or mix of uses is appropriate at the subject location.
 4. The development will not place an undue burden upon existing transportation or planned infrastructure facilities and the project will be served by streets with the capacity to carry traffic generated by the development.
 5. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest, and the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
 6. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
 7. As conditioned, the approved deviations enhance the achievement of the objectives of the mixed use planned development, and preserve and promote the general intent of Chapter 34, Land Development Code, which is to protect the public health, safety and welfare.
 8. In the event of a hurricane, the proposed residential development will add 38 minutes to the existing evacuation time for Gladiolus Drive and will create a demand for 6,300 square feet of shelter space for the 315 residents who will evacuate to a public shelter inside the County.

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

John E. Manning	Aye
Douglas R. St. Cerny	Aye
Ray Judah	Aye
Andrew W. Coy	Aye
John E. Albion	Aye

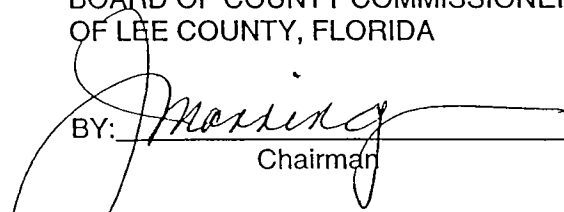
DULY PASSED AND ADOPTED this 2nd day of November, 1998.

ATTEST:
CHARLIE GREEN, CLERK

BY: 

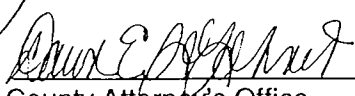
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: 

Chairman

Approved as to form by:


County Attorney's Office

MINUTES DEPARTMENT

FILED NOV 10 1998

EXHIBIT A

LEGAL DESCRIPTION

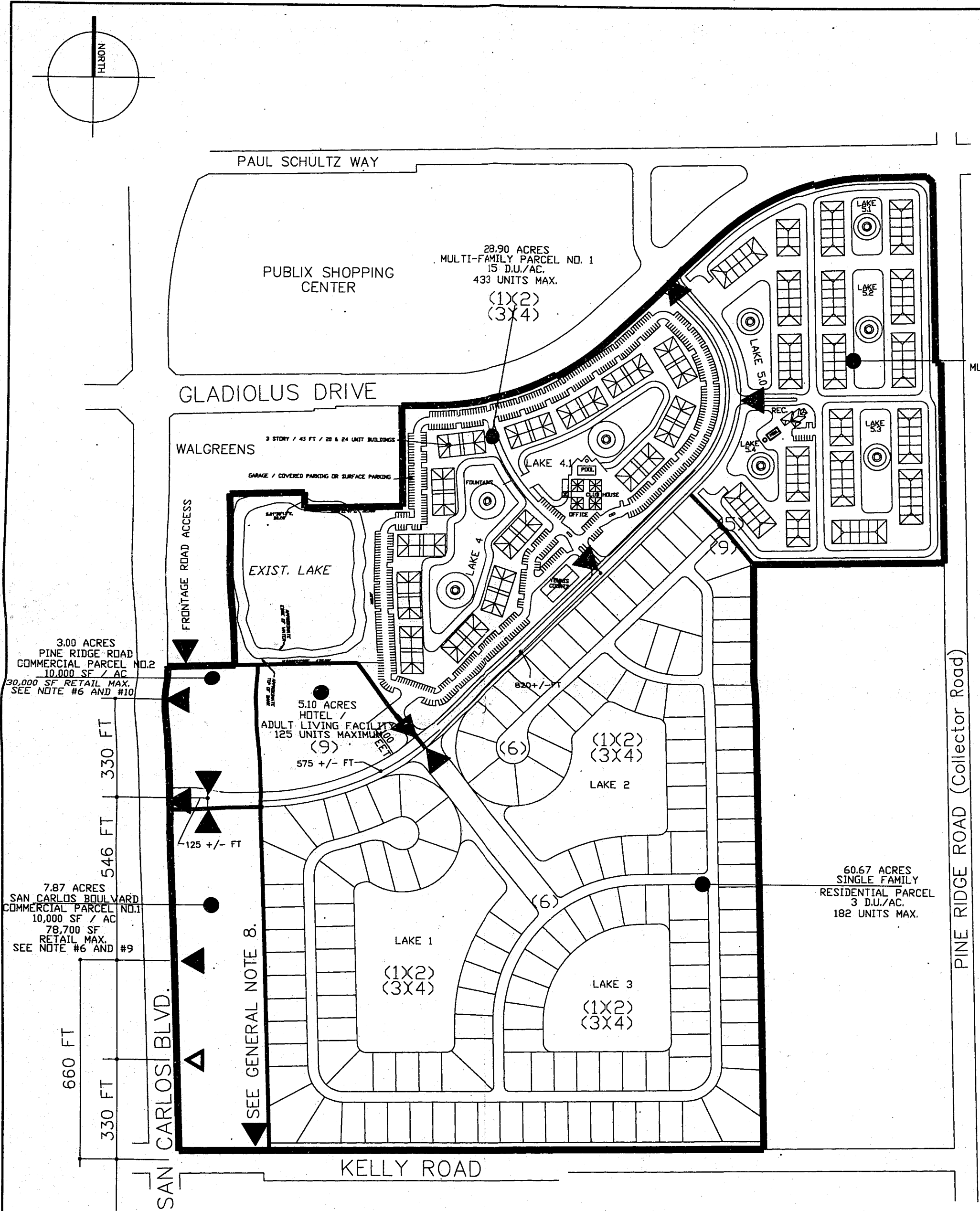
A tract or parcel of land lying in the East Half (E½) of Section 31, Township 45 South, Range 24 East, Lee County, Florida which is described as follows:

From the point of commencement at the Northwest corner of the Southeast Quarter (SE¼) of said Section 31;
 THENCE S89°05'38"W for 20.39 feet along the North line of the Southwest Quarter (SW¼) of said Section 31;
 THENCE S01°38'13"E for 147.12 feet along the centerline of survey of San Carlos Boulevard (S.R. 865) according to the Florida Department of Transportation right-of-way maps (Section 12040-2515);
 THENCE N88°21'47"E for 550.00 feet along the Southerly right-of-way of Gladiolus Drive (re-alignment);
 THENCE N01°38'13"W for 7.41 feet;
 THENCE N89°03'36"E for 72.25 feet;
 THENCE N00°56'24"W for 8.00 feet;
 THENCE N89°03'36"E for 217.67 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING;
 THENCE continue N89°03'36"E along said Southerly right-of-way for 114.33 feet to the Point of Curvature of a curve to the left, radius 868.51 feet, central angle 27°34'48", chord 414.04 feet, chord bearing N75°16'12"E;
 THENCE Easterly and Northeasterly along the arc of said curve for 418.07 feet;
 THENCE S28°31'12"E radially for 6.00 feet to a point on a curve to the left, radius 874.51 feet, central angle 14°25'12", chord 219.51 feet, chord bearing N54°16'12"E;
 THENCE Northeasterly along the arc of said curve for 220.09 feet to a Point of Tangency;
 THENCE N47°03'36"E for 310.00 feet;
 THENCE N42°56'24"W along said Southerly right-of-way for 6.00 feet;
 THENCE N47°03'36"E for 178.15 feet to the beginning of a curve to the right having a radius of 768.51 feet;
 THENCE Northeasterly along said curve and said Southerly right-of-way through a central angle 27°13'10" for 365.10 feet;
 THENCE radially S15°43'14"E along said Southerly right-of-way for 6.00 feet to an intersection with a curve to the right having a radius of 762.51 feet and to which intersection a radial line bears N15°43'14"W;
 THENCE Easterly along said curve and said Southerly right-of-way through a central angle of 14°50'26" for 197.50 feet;
 THENCE N89°07'12"E along said Southerly right-of-way for 174.50 feet;
 THENCE S46°08'36"E for 28.36 feet;
 THENCE S01°24'21"E along the Westerly right-of-way line of Pine Ridge Road (91.00 feet wide) for 595.92 feet to the South line of the Northeast Quarter (NE¼) of said Section 31;
 THENCE N89°03'33"E for 17.00 feet along said South line;
 THENCE S01°23'27"E for 660.66 feet along said right-of-way (said right-of-way lies 33.00 feet West of the East line of the Southeast Quarter (SE¼) of said Section 31;
 THENCE S89°04'35"W for 628.43 feet along the North line of the South Half (S½) of the North Half (N½) of the Southeast Quarter (SE¼) of said Section 31;
 THENCE S01°20'18"E for 1,956.40 feet along the East line of the West Half (W½) of the East Half (E½) of the Southeast Quarter (SE¼) of said Section 31);
 THENCE S89°07'40"W for 1,939.89 feet along the North right-of-way of Kelly Road (said right-of-

way lies 25.00 feet North of the South line of the Southeast Quarter (SE¼) of said Section 31;
THENCE N01°38'13"W for 1,623.17 feet along the East right-of-way of San Carlos Boulevard
(SR 865) (50.00 feet from centerline);
THENCE N88°21'47"E for 225.00 feet;
THENCE N01°38'13"W for 524.00 feet;
THENCE S88°21'47"W for 5.00 feet;
THENCE N01°38'13"W for 50.00 feet;
THENCE N88°21'47"E for 247.00 feet;
THENCE S01°38'13"E for 52.00 feet;
THENCE N88°21'47"E for 323.00 feet;
THENCE N01°38'13"W for 334.88 feet to the POINT OF BEGINNING.
Containing 126.0 acres, more or less.

STRAP NUMBERS

The applicant has indicated the STRAP #'s of the subject property are 31-45-24-00-00009.0000,
31-45-24-00-00010.0010 and 31-45-24-00-00011.1020.



OPEN SPACE REQUIREMENTS

USE	ACREAGE	MIN. PERCENTAGE OF DEVELOPMENT AREA
COMMERCIAL		
SAN CARLOS BOULEVARD PARCEL NO.1	07.87	30 PERCENT
SAN CARLOS BOULEVARD PARCEL NO.2	03.00	30 PERCENT
OTHER		
HOTEL / ADULT LIVING FACILITY	05.10	30 PERCENT
RESIDENTIAL		
MULTI-FAMILY PARCEL NO. 1	28.90	40 PERCENT
MULTI-FAMILY PARCEL NO. 2	20.46	40 PERCENT
SINGLE FAMILY PARCEL	60.67	NONE

NOTE: THE ABOVE SITES ARE EXISTING AGRICULTURAL CROP FIELDS AND SUPPORT NO INDIGENOUS NATIVE VEGETATION

LANDSCAPE BUFFERS

USE				ADJACENT USE					
	MPD-SF	MPD-MF	MPD-C	PUBLIC R/W	PRIVATE R/W	EXISTING CC	EXISTING AG	EXISTING RM-6	EXISTING TFC-2
MPD-SF	NONE	NONE	NONE	D	D	NA	D	D	D
MPD-MF	C	C	C	B	C	C	C	NA	NA
MPD-C	A.1	A.1	NONE	A	A	A	NA	NA	NA

- A. 15 Ft. Planting Requirements per Lee County LDC Subsection 10-415(b)(1), as May Be Amended
- A.1 15 Ft. Planting and Improvement Requirements per Lee County LDC Subsection 10-414(a), as May Be Amended
- B 15 Ft. Planting Requirements per Lee County LDC Subsection 10-415(b)(2), as May Be Amended
- C 10 Ft. Planting Requirements per Lee County LDC Subsection 10-415(b)(2), as May Be Amended
- D 5 Ft. Continuous 6 Ft Hedge (3 Ft at Installation) with Tree Requirements per Lee County LDC Subsection 10-415(b)(2), as May Be Amended or 6 Ft Concrete Component or Equivalent Wall with Tree Requirements per Lee County LDC Subsection 10-415(b)(2), as May Be Amended

GENERAL NOTES

- The Acreage of Individual Parcels Are Approximate and Subject to Change to Meet End User Requirements. Acreage of Individual Parcels May Change. However, the Intensity (Units per Acre or SF per Acre) May Not Be Increased and the Gross Number of Units and Square Footage of Commercial May Not Be Exceeded. Office and Medical May Be Substituted for Retail.
- Lakes Shown May or May Not Be Developed and Are Shown as Graphic Representations of Potential Locations.
- Access Locations Are Approximate. Locations on San Carlos Must Be Permitted Through the Florida Department of Transportation (FDOT). Full Access Locations on San Carlos Are Subject to Modification upon the Wielding of this FDOT Roadway.
- The Single Family Lot Layout Which Is Graphically Depicted Within the Single Family Tract Has Been Submitted as a Development Order Application and Is Generally Consistent with this Depiction.
- The Rental Apartment Community Graphically Depicted Within Multi-Family Tract No. 1 Is Proposed for Development and a Development Order Application Generally Consistent with this Depiction Anticipated.
- See Sheet 4 of 4 of this Master Plan Set for Graphic Depiction of Deviations Listed on this Sheet.
- Commercial Development Is Limited To Financial Institutions Without Drive-Ins, Hotels or Motels, General or Medical or Professional Offices until the Proposed Collector Road Linking San Carlos Boulevard to Gladiolus Drive Is Placed in Use for the Project and General Public.
- The Existing Lake Within Multi-family Tract No. 1 May Be Reconfigured Provided That a Maximum of 50 Percent of its Littoral Zone, Measured Linearly, Is Retained and Protected, and, Provided That the Impacted Littoral Area Are Replanted. No net must be included on the Development Order Plans that require protective barricades during construction activities to prevent any disturbance to the littoral zone of the existing lake.
- This Connection to Kelly Road Shall Be at a Point Directly Across from the Existing Commercial Access Point on the South Side of Kelly Road. This Access Is Located Approximately 300 Feet East of San Carlos Boulevard.
- Prior to Exceeding 30,000 Square Feet of Retail Development Within San Carlos Commercial Parcel No. 1, the Developer Shall Provide a North-South Access Easement from Kelly Road to the Proposed New Collector Road Which Separates the Two Commercial Parcels on San Carlos Boulevard.
- Approval of this rezoning does not give the Developer an undeniable right to receive Local Development Order approval. Future Development Order approvals must satisfy the requirements of the Lee-Plan Planning Community Map and Acreage Allocation Table, Map 16 and Table 1(b).
- The developer shall initiate the establishment of a property or resident's association. The organization must provide an educational program on an annual basis, in conjunction with the staff of Emergency Management, which will provide literature, brochures and technical assistance for Hurricane Awareness/Preparedness Seminars, describing the risks of natural hazards. The intent of this requirement is to provide a mechanism to educate residents concerning the actions they should take to mitigate the dangers inherent in these hazards. Furthermore, the developer shall formulate an emergency hurricane notification and evacuation plan for the development, which will be subject to review and approval by the Lee County Office of Emergency Management.
- If access to this development or into portions of this development is through a security gate or similar device, which is not manned twenty-four hours a day, it must be equipped with an override strip installed in a glass-covered box to be used by drivers of emergency vehicles to gain entry consistent with LDC Section 34-1749.
- The purchaser/user of any parcel which will be used to store, manufacture, or use hazardous materials, shall contact the Lee County Office of Emergency Management/Hazardous Material Representative, to discuss the proposed development in relation to the potential type, use, and storage of hazardous materials, which will be located on the premises. The developer shall establish an emergency notification system to be used in the event of a hazardous material release.

SCHEDULE OF DEVIATIONS

- Deviation (1) Relief From LDC Subsection 34-2194(b) Requirement of 25 Foot Setback to a Setback of 15 Feet For Dwelling Units From an Artificial Body of Water When Entire Body of Water Is Under Unified Control Per Subsection 34-2194(c);
- Deviation (2) Relief From LDC Subsection 34-2194(b) Requirement of 25 Foot Setback to No Setback Required For Common Facility Buildings or Recreational Structures or Commercial Structures Which Are Designed to Take Advantage of The Waterfront Provided Such Structures May Occupy a Maximum of 10 Percent of a Lake's Perimeter and Provided that the Entire Body of Water is Under Unified Control.
- Deviation (3) Relief From LDC Subsection 10-328(a) Requirement for a Drainage Easement or Right-of-Way Inclusive of a 20 Foot Easement for Maintenance Purposes to Allow a Reduction in Width to 0 Feet for Common Facility Buildings or Recreational Structures, ALF, or Hotel Structures Which Are Designed to Take Advantage of The Waterfront Provided Such Structures May Occupy a Maximum of 10 Percent of a Lake's Perimeter and Provided the Entire Body of Water is Under Unified Control.
- Deviation (4) Relief From LDC Subsection 10-328(a) Requirement for a Drainage Easement or Right-of-Way Inclusive of a 20 Foot Easement for Maintenance Purposes to Allow a Reduction to 15 Feet for Dwelling Units From an Artificial Body of Water When the Entire Body of Water is Under Unified Control.
- Deviation (5) Relief From LDC Subsection 10-294 And 10-295 Which Require Continuation of And Interconnection of Street Stubs Between Projects And Shared Local Streets.
- Deviation (6) Relief From LDC Subsection 34-695, Table 34-695 Which Requires a Minimum Lot Width for Single Family Detached of 75 Feet to Allow a Minimum of Lot Width of 50 Feet for Lots Which Abut a Curvilinear Right-of-Way.
- Deviation (7) Relief From LDC Subsection 10-296(d) Table 4(7)(c)2 Which Requires That Street Wearing Surfaces to Meet FDOT Standard Specifications to Allow The Use of Traffic Bearing Brick Pavers, Stamped Concrete or Similar Materials Within The Project's Right-of-ways.
- Deviation (8) Relief From LDC Subsection 10-296(d) Table 4(1)(c) Which References Traffic Control Support Systems to Allow the Alternative Specification of AASHTO Break-A-Way Criteria for Frangible Wooden Street Sign Posts.
- Deviation (9) Relief From LDC Subsection 10-291(3) Which Requires Two or More Means of Ingress or Egress For Residential Projects With an Area of 5 or More Acres to Allow a Singular Access to The Development's Centralized Circulation Spine Provided an Gated Emergency Access Is Developed as Interconnect Between Tracts or Directly to the Centralized Circulation Spine.
- Deviation (10) Relief From LDC Subsection 30-152(2)(A)(1) And 34-935(b)(1) Requirements That a Ground Mounted Identification Sign Be Setback a Minimum Distance of 15 Feet From Any Street Right-of-way to Allow a 10 Foot Setback For Signage Provided LDC Sight Distance Requirements are Maintained.
- Deviation (11) Requests Relief From LDC Subsection 10-328(b) Which Requires a Drainage Easement of 15 Feet in Width for Drainage Pipe of 48 inches in Diameter or less; to Allow an Easement of 10 Feet for Drainage Easements Over Pipe of 24 inches in Diameter or Less.

APPROVED
Master Concept Plan

Site Plan # 98-02, Page 1 of 4
Subject to conditions in Resolution 2-98-070
Zoning Case # 98-03-252.03 Z 01.01

RECEIVED
SEP 24 1998
ZONING COUNTER

LEGEND

- ▲ FULL ACCESS
- △ RIGHT-IN/RIGHT OUT

PROJECT # 98-03-252.03 Z 01.01
PROJECT TYPE 12

BANKS ENGINEERING, INC.
PLANNING DEVELOPMENT INCORPORATED
- JOINT VENTURE
10501-104 SIX MILE CYPRESS PARKWAY, FT MYERS, FL 33912
941 / 939-5490 941 / 939-2523 FAX

title: **BEACH WALK
MIXED USE PLANNED DEVELOPMENT**

client: **MASTERCRAFT HOMES, LTD.**
9311 COLLEGE PARKWAY
941 / 433-2323; 941 / 482-7631 FAX

contact:

title: **MASTER CONCEPT PLAN**

subtitle: **MASTER PLAN GRAPHIC
MPD REZONE EXHIBIT IV-E**

project location: **LEE COUNTY, FLORIDA**

designer: **MRF**

project manager: **MICHAEL FERNANDEZ**

checked - date / by: **09-22-98 MRF**

approved for: **MPD APP SUBMITTAL**

acad #: **97.01028**

project #: **97.01028**

scale: **1 : 200**

view: **LIMITS**

date: **03-24-98**

revisions: **05-14-98
06-26-98
09-08-98
09-22-98**

sheet no: **1 / 4**

San Carlos Boulevard Commercial Parcels 1 and 2

Minimum Lot Area and Dimensions:

Area: 10,000 square feet
Width: 75 feet
Depth: 100 feet

Minimum Setbacks:

Street: variable according to the functional classification of the street or road (Section 34-2191 et seq.)

Side: 15 feet
Side Yard: 0 feet when internal to commercial tract
Rear: 50 feet
Water Body: 25 feet

Accessory Use and Structure setbacks must comply with LDC Sections 34-1171 et seq. and 34-2194.

Maximum Lot Coverage: 40 percent

Maximum Building Height: 35 Feet and two (2) habitable stories (additional building height to a maximum of 50 feet may be permitted as regulated by LDC Section 34-2171 with the provision of additional setbacks.)

Hotel/Adult Living Facility

Development of a Hotel/Motel on the subject property will be regulated by Section 34-1801 et seq., except as noted in the following:

Maximum Lot Coverage: 40 percent

Maximum Building Height: 35 Feet (additional building height to a maximum of 50-75 feet and 6 habitable stories may be permitted as regulated by LDC Section 34-2171 with the provision of additional setbacks.)

Single Family Parcel

Minimum Lot Area and Dimensions:

Area: 6,500 square feet
Width: 65 feet (except as provided by approved deviations)
Depth: 100 feet

Minimum Setbacks:

Street: variable according to the functional classification of the street or road (Section 34-1291 et seq.)

Side: 5 feet
Rear: 20 feet (except as provided by approved deviations)
Water Body: 25 feet (except as provided by approved deviations)

Accessory Use and Structure setbacks must comply with LDC Sections 34-1171 et seq. and 34-2194. (except as provided by approved deviations)

Maximum Lot Coverage: 45 percent

Maximum Building Height: 35 Feet

Multiple Family Parcels 1 and 2

Minimum Lot Area and Dimensions:

Townhouse Dwelling Unit:

Area per unit: 3,750 square feet
Width: 37.5 feet
Depth: 100 feet

Minimum Setbacks:

Street: variable according to the functional classification of the street or road (Section 34-1291 et seq.)

Side: 7 feet
Rear: 20 feet
Water Body: 20 feet

Accessory Use and Structure setbacks must comply with LDC Sections 34-1171 et seq. and 34-2194.

Maximum Lot Coverage: 45 percent

Maximum Building Height: 35 Feet (additional building height to a maximum of 50 feet may be permitted as regulated by LDC Section 34-2174 with the provision of additional setbacks.) and four habitable stories

Multiple Family Dwelling Unit:

Minimum Lot Area: 10,000 square feet
Minimum Lot Area per Unit: ~~3000~~ 2,700 feet
Lot Width: 100 feet
Depth: 100 feet

Minimum Setbacks:

Street: variable according to the functional classification of the street or road (Section 34-1291 et seq.)

Side: 7 feet
Rear: 20 feet (except as provided by approved deviations)
Water Body: 20 feet (except as provided by approved deviations)

Accessory Use and Structure setbacks must comply with LDC Sections 34-1171 et seq. and 34-2194; (except as provided by approved deviations)

Maximum Lot Coverage: 45 percent

Maximum Building Height: 35 Feet (additional building height to a maximum of 50 feet may be permitted as regulated by LDC Section 34-2174 with the provision of additional setbacks.) and four habitable stories

APPROVED

Master Concept Plan

Site Plan # 98-070 Page 2 of 4

Subject to conditions in Resolution E-98-070

Zoning Case # 98-03-252.032 01.01

RECEIVED
SEP 24 1998

ZONING COUNTER

BANKS ENGINEERING, INC.
PLANNING DEVELOPMENT INCORPORATED
— JOINT VENTURE

10501-104 SIX MILE CYPRESS PARKWAY, FT MYERS, FL 33912
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MIXED USE PLANNED DEVELOPMENT

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9311 COLLEGE PARKWAY
941 / 433-2323; 941 / 482-7631 FAX

contact:

title: MASTER CONCEPT PLAN
subtitle: ZONING DISTRICT
DEVELOPMENT STANDARDS

project location: LEE COUNTY, FLORIDA

designer: MRF

project manager: MICHEAL FERNANDEZ

checked - date / by: 09-08-98 MRF

approved for: MPD APP SUBMITTAL

acad #:

project #: 97.01028

scale: 1 : 200

view: LIMITS

date: 03-24-98

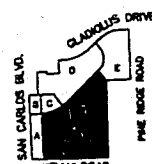
revisions:

05-14-98

09-08-98

sheet no:

2 / 4



Single Family Parcel

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 et seq., 34-2441 et seq., 34-1863, and 34-2141 et seq.)

CLUB: Private

DWELLING UNIT:

Single Family

ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 et seq.)

ESSENTIAL SERVICES (LDC Sections 34-1611 et seq., and 34-1741 et seq.)

ESSENTIAL SERVICE FACILITIES (LDC Section 34-622(c)(13)): Group I only (LDC Sections 34-1611 et seq., 34-1741 et seq., and 34-2141 et seq.)

EXCAVATION: Water retention (LDC Section 34-1651)

HOME OCCUPATION (LDC Section 34-1771 et seq.)

MODELS: Model Home (LDC Section 34-1951 et seq.)

PARKS (LDC Section 34-622(c)(32)): Groups I or II

REAL ESTATE SALES OFFICE, (LDC Sections 34-1951 et seq., and 34-3021) - limited to sales of homes within this residential parcel only

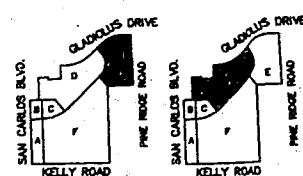
RECREATIONAL FACILITIES:

Personal

RESIDENTIAL ACCESSORY USES (LDC Section 34-622(c)(42)) (LDC Section 34-1171 et seq.)

SIGNS in accordance with Chapter 30

TEMPORARY SALES CENTER AND TEMPORARY SALES



Multiple Family Residential Parcels No. 1 and No. 2

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 et seq., 34-2441 et seq., 34-1863, and 34-2141 et seq.)

ADMINISTRATIVE OFFICES

DWELLING UNIT: (Uses marked with * may only be permitted if the Master Concept Plan, through an Administrative Amendment, is first amended to show their location and layout in the Parcel and Property Development Regulations are adopted as part of the amendment process.)

*Single-family

*Duplex

*Two-family attached

Townhouse

Multiple-family building

*Zero lot line

ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 et seq.)

EMERGENCY MEDICAL SERVICE (ambulance station)

EMERGENCY OPERATIONS CENTER

ESSENTIAL SERVICES (LDC Sections 34-1611 et seq., and 34-1741 et seq.)

ESSENTIAL SERVICE FACILITIES (LDC Section 34-622(c)(13)): Groups I, II and III

(LDC Sections 34-1611 et seq., 34-1741 et seq., and 34-2141 et seq.)

EXCAVATION: Water retention (LDC Section 34-1651)

HOME OCCUPATION (LDC Section 34-1771 et seq.)

MODELS:

Model Home (LDC Section 34-1951 et seq.)

Model Unit (LDC Section 34-1951 et seq.)

PARKING LOT: Accessory

PARKS (LDC Section 34-622(c)(32)): Groups I and II

REAL ESTATE SALES OFFICE, (LDC Sections 34-1951 et seq., and 34-3021) - limited to sales of homes within this residential parcel only

RECREATIONAL FACILITIES:

Personal

Private On-Site

RESIDENTIAL ACCESSORY USES (LDC Section 34-622(c)(42)) (LDC Section 34-1171 et seq.)

SIGNS in accordance with Chapter 30

TEMPORARY SALES CENTER AND TEMPORARY SALES

Hotel/Adult Living Facility

HOTEL/MOTEL (LDC Section 34-1801 et seq.)

OR

ASSISTED LIVING FACILITY (LDC Sections 34-1491 et seq., and 34-1411)

Auxiliary Uses allowed in conjunction with one of the above Permitted Uses

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 et seq., 34-2441 et seq., 34-1863, and 34-2141 et seq.)

ADMINISTRATIVE OFFICES

ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 et seq.)

ESSENTIAL SERVICES (LDC Sections 34-1611 et seq., and 34-1741 et seq.)

ESSENTIAL SERVICE FACILITIES (LDC Section 34-622(c)(13)): Group I only (LDC Sections 34-1611 et seq., 34-1741 et seq., and 34-2141 et seq.)

EXCAVATION: Water Retention (LDC Section 34-1651)

PARKS (LDC Section 34-622(c)(32)): Groups I or II

PARKING LOT: Accessory

RECREATIONAL FACILITIES:

Personal

Private On-Site

RESTAURANTS (LDC Section 34-622(c)(43)): Groups I, II and III

SIGNS in accordance with Chapter 30

SOCIAL SERVICES (LDC Section 34-622(c)(46)): Groups I, II, III and IV

SPECIALTY RETAIL SHOPS (LDC Section 34-622(c)(47)): Groups I, II, III and IV

STABLE:

Boarding (LDC Section 34-1291 et seq.)

Commercial (LDC Section 34-1291 et seq.)

Private (LDC Section 34-1291 et seq.)

STORAGE:

Indoor only, (LDC Section 34-3001 et seq.)

Storage, open, (LDC Section 34-3001 et seq.)

Large-scale storage of noxious or hazardous materials (flammable, toxic, explosive, corrosive, etc.),

including liquid petroleum, fractions and distillates thereof, and fuel gases, (LDC Section 34-3001 et seq.)

STUDIOS (LDC Section 34-622(c)(49))

TEMPORARY USES (LDC Section 34-3041 et seq.)

San Carlos Boulevard Commercial Parcel 1

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 et seq., 34-2441 et seq., 34-1863, and 34-2141 et seq.)

ADMINISTRATIVE OFFICES

ATM (automatic teller machine)

*AUTO PARTS STORE - with or without installation facilities

*AUTOMOBILE SERVICE STATION

*AUTO REPAIR AND SERVICE (LDC Section 34-622(c)(2)), Group I only and II (34-1351)

*BAIT AND TACKLE SHOP

BANKS AND FINANCIAL ESTABLISHMENTS (LDC Section 34-622(c)(3)): Group I only and II (without drive-in facilities)

*BOATS: Boat parts store

*BUSINESS SERVICES GROUP I

*CLOTHING STORES, general (LDC Section 34-622(c)(8))

*CONVENIENCE FOOD AND BEVERAGE STORE

DAY CARE CENTER, CHILD, ADULT

DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE

ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 et seq.)

ESSENTIAL SERVICES (LDC Sections 34-1661 et seq., and 34-1741 et seq.)

ESSENTIAL SERVICE FACILITIES (LDC Section 34-622(c)(13)): Group I only (LDC Sections 34-1661 et seq., 34-1741 et seq., and 34-2141 et seq.)

*FOOD STORES (LDC Section 34-622(c)(16)): Group I only

GENERAL OFFICE

*HARDWARE STORE

HEALTH CARE FACILITIES (LDC Section 34-622(c)(20)): Group III only

*HOBBY, TOY AND GAME SHOPS (LDC Section 34-622(c)(21))

*HOUSEHOLD AND OFFICE FURNISHINGS (LDC Section 34-622(c)(22)): all Groups

*INSURANCE COMPANIES (LDC Section 34-622(c)(23))

LAUNDRY OR DRY CLEANING (LDC Section 34-622(c)(24)): Group I only

MEDICAL OFFICE

PARKING LOT: Accessory

*PERSONAL SERVICES (LDC Section 34-622(c)(33)): Group I only

*PET SERVICES

*PET SHOP

*PHARMACY

*RENTAL OR LEASING ESTABLISHMENT (LDC Section 34-622(c)(39)): Groups I and II only (LDC Section 34-1201 et seq., 34-1352, and 34-3001 et seq.)

REPAIR SHOPS (34-622(C)(40)): Group I only

*RESTAURANTS (LDC Section 34-622(c)(43)): Groups I, II and II only

*RETAIL AND WHOLESALE SALES, when clearly incidental and subordinate to a permitted principal use on the same premises.

*SCHOOLS: Commercial (LDC Section 34-622(c)(45)) (LDC Section 34-2381)

SELF-SERVICE FUEL PUMP STATION

SIGNS in accordance with chapter 30

*SPECIALTY RETAIL SHOPS (LDC Section 34-622(c)(47)): Groups I, II and III

*STUDIOS (LDC Section 34-622(c)(49))

TEMPORARY USES (LDC Section 34-3041 et seq.)

*USED MERCHANDISE STORES (LDC Section 34-622(c)(54)): Group II only

*VARIETY STORE

Any use marked with an * will not be permitted on this parcel until such time as the Lee Plan Commercial Site Location Standards are met.

San Carlos Boulevard Commercial Parcel 1

ACCESSORY USES AND STRUCTURES (LDC Sections 34-1171 et seq., 34-2441 et seq., 34-1863, and 34-2141 et seq.)

ADMINISTRATIVE OFFICES

ATM (automatic teller machine)

*AUTO PARTS STORE - with or without installation facilities

*AUTOMOBILE SERVICE STATION

*AUTO REPAIR AND SERVICE (LDC Section 34-622(c)(2)), Group I only and II (34-1351)

*BAIT AND TACKLE SHOP

BANKS AND FINANCIAL ESTABLISHMENTS (LDC Section 34-622(c)(3)): Group I only and II (without drive-in facilities)

*BOATS: Boat parts store

*BUSINESS SERVICES GROUP I

*CLOTHING STORES, general (LDC Section 34-622(c)(8))

*CONVENIENCE FOOD AND BEVERAGE STORE

DAY CARE CENTER, CHILD, ADULT

DRIVE-THROUGH FACILITY FOR ANY PERMITTED USE

ENTRANCE GATES AND GATEHOUSE (LDC Section 34-1741 et seq.)

ESSENTIAL SERVICES (LDC Sections 34-1661 et seq., and 34-1741 et seq.)

ESSENTIAL SERVICE FACILITIES (LDC Section 34-622(c)(13)): Group I only (LDC Sections 34-1661 et seq., 34-1741 et seq., and 34-2141 et seq.)

*FOOD STORES (LDC Section 34-622(c)(16)): Group I only

GENERAL OFFICE

*HARDWARE STORE

HEALTH CARE FACILITIES (LDC Section 34-622(c)(20)): Group III only

*HOBBY, TOY AND GAME SHOPS (LDC Section 34-622(c)(21))

*HOUSEHOLD AND OFFICE FURNISHINGS (LDC Section 34-622(c)(22)): all Groups

*INSURANCE COMPANIES (LDC Section 34-622(c)(23))

LAUNDRY OR DRY CLEANING (LDC Section 34-622(c)(24)): Group I only

MEDICAL OFFICE

PARKING LOT: Accessory

*PERSONAL SERVICES (LDC Section 34-622(c)(33)): Group I only

*PET SERVICES

*PET SHOP

*PHARMACY

*RENTAL OR LEASING ESTABLISHMENT (LDC Section 34-622(c)(39)): Groups I and II only (LDC Section 34-1201 et seq., 34-1352, and 34-3001 et seq.)

REPAIR SHOPS (34-622(C)(40)): Group I only

*RESTAURANTS (LDC Section 34-622(c)(43)): Groups I, II and II only

*RETAIL AND WHOLESALE SALES, when clearly incidental and subordinate to a permitted principal use on the same premises.

*SCHOOLS: Commercial (LDC Section 34-622(c)(45)) (LDC Section 34-2381)

SELF-SERVICE FUEL PUMP STATION

SIGNS in accordance with chapter 30

*SPECIALTY RETAIL SHOPS (LDC Section 34-622(c)(47)): Groups I, II and III

*STUDIOS (LDC Section 34-622(c)(49))

TEMPORARY USES (LDC Section 34-3041 et seq.)

*USED MERCHANDISE STORES (LDC Section 34-622(c)(54)): Group II only

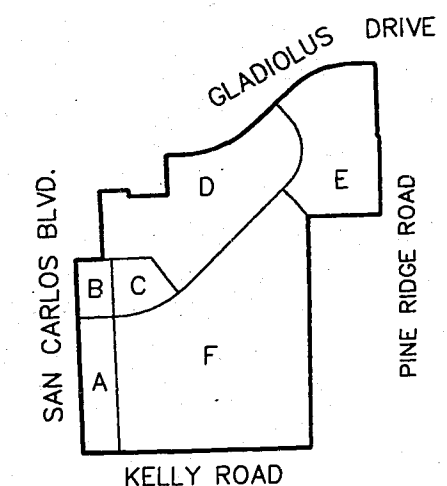
*VARIETY STORE

Any use marked with an * will not be permitted on this parcel until such time as the Lee Plan Commercial Site Location Standards are met.

MPD DENSITY CALCULATIONS

USE	ACREAGE	INTENSITY	YIELD
COMMERCIAL			Retail SF
SAN CARLOS BOULEVARD PARCEL NO.1	07.87	10,000 SF/AC	78,700 SF
SAN CARLOS BOULEVARD PARCEL NO.2	03.00	10,000 SF/AC	30,000 SF
	10.87		108,700 SF
OTHER			
HOTEL / ADULT LIVING FACILITY	05.10		125 UNITS
RESIDENTIAL			
MULTI-FAMILY PARCEL NO. 1	28.90	15.00 U/AC	433 UNITS
MULTI-FAMILY PARCEL NO. 2	20.46	14.00 U/AC	286 UNITS
SINGLE FAMILY PARCEL	60.67	02.96 U/AC	182 UNITS
	110.03	08.19 U/AC	901 UNITS
		AVERAGE	

Note: Office and Medical Office Square Footage May be Substituted for Retail Square Footage.



KEY PLAN

- A SAN CARLOS BOULEVARD COMMERCIAL NO.2
- B SAN CARLOS BOULEVARD COMMERCIAL NO.1
- C HOTEL / ADULT LIVING FACILITY
- D RESIDENTIAL MULTI-FAMILY PARCEL NO.1
- E RESIDENTIAL MULTI-FAMILY PARCEL NO.2
- F SINGLE FAMILY PARCEL

APPROVED

Master Concept Plan

Site Plan # 98-070 Page 3 of 4

Subject to conditions in Resolution 2-98-070

Zoning Case # 98-03-252.03Z-01.01

RECEIVED
SEP 24 1998

ZONING COMMISSION

BANKS ENGINEERING, INC.
PLANNING DEVELOPMENT INCORPORATED
— JOINT VENTURE
10501-104 SIX MILE CYPRESS PARKWAY, FT MYERS, FL 33912
941 / 939-5490 941 / 939-2523 FAX

title: BEACH WALK
MIXED USE PLANNED DEVELOPMENT

client: MASTERCRAFT HOMES, LTD.
8311 COLLEGE PARKWAY
941 / 439-2323; 941 / 482-7831 FAX

contact:

title: MASTER CONCEPT PLAN
subtitle: SCHEDULE OF USES

project location: LEE COUNTY, FLORIDA

designer: MRF

acad #:

date: 03-24-98

sheet no:

project manager: MICHEAL FERNANDEZ

project #: 97.01028

revisions:

checked - date / by: 09-22-98 MRF

scale: n/a

05-14-98

06-26-98

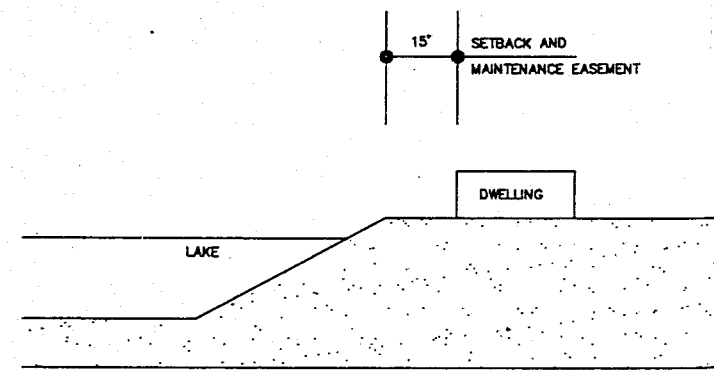
09-08-98

09-22-98

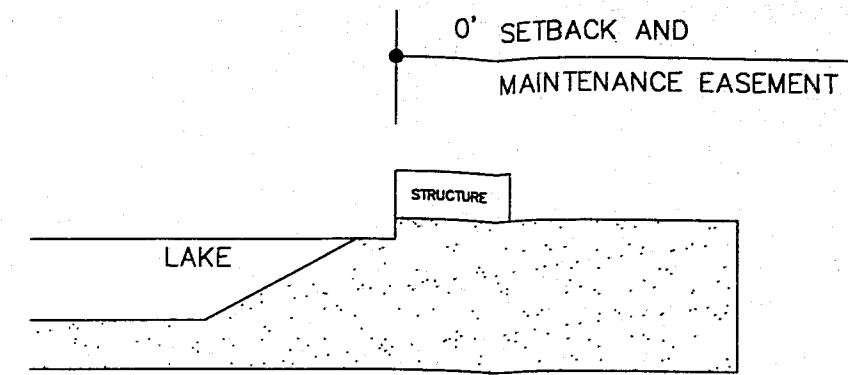
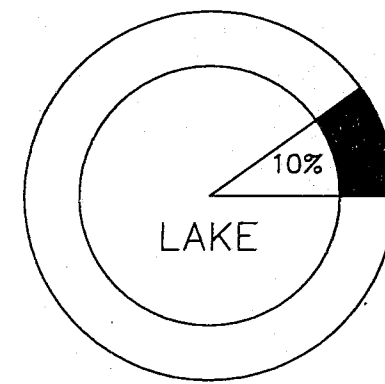
approved for: MPD APP SUBMITTAL

view: LIMITS

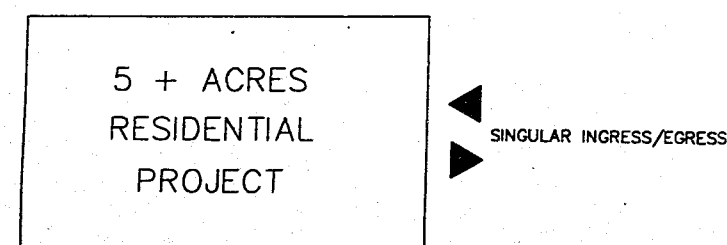
3 / 4



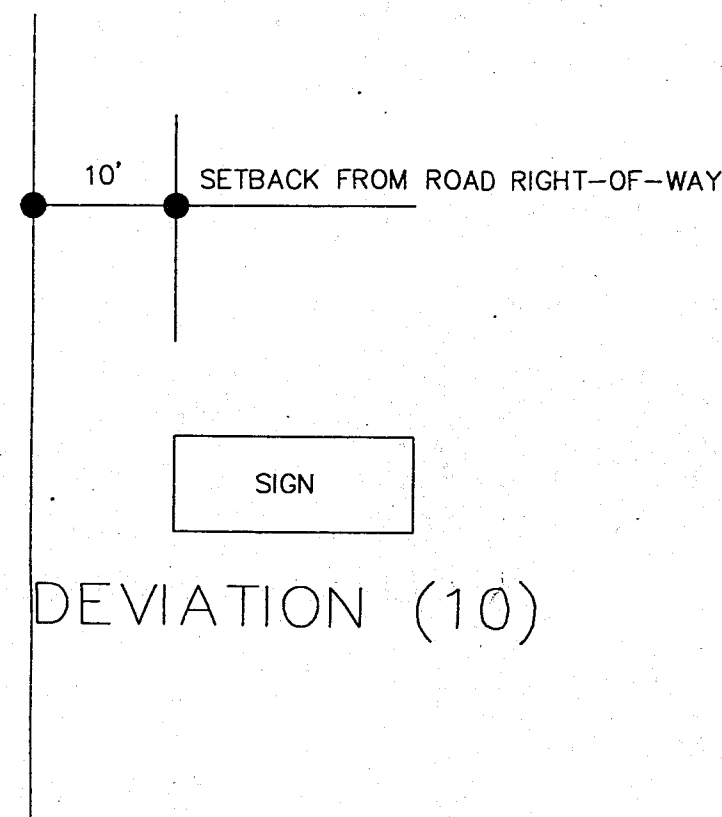
DEVIATION (1) & (4)



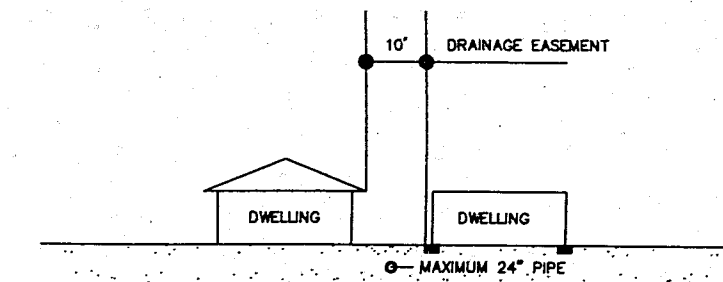
DEVIATION (2) & (3)



DEVIATION (9)



DEVIATION (10)



DEVIATION (11)

NOTES:

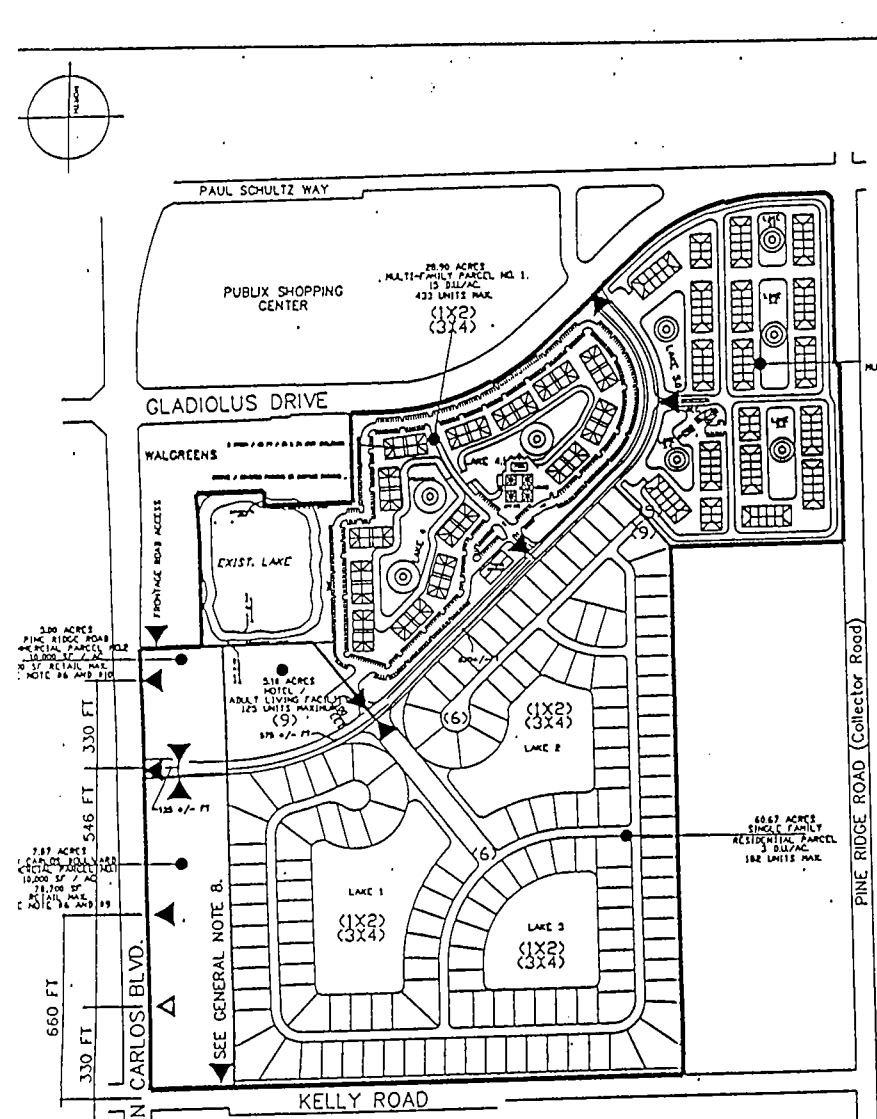
1. DEVIATION (5), (6), (7) & (8) ARE NOT REPRESENTED BY GRAPHICS.

APPROVED
Master Concept Plan
Site Plan # 98-070 Page 4 of 4
Subject to conditions in Resolution Z-98-070
Zoning Case # 98-03-252.03Z 01.01

RECEIVED
SEP 24 1998

ZONING COUNTER

BANKS ENGINEERING, INC. PLANNING DEVELOPMENT INCORPORATED - JOINT VENTURE 10501-104 SIX MILE CYPRESS PARKWAY, FT MYERS, FL 33912 941 / 939-5490 941 / 939-2523 FAX	title: BEACH WALK MIXED USE PLANNED DEVELOPMENT	title: MASTER CONCEPT PLAN subtitle: DEVIATION GRAPHICS	designer: MRF project manager: MICHEAL FERNANDEZ checked - date / by: 09-22-98 MRF approved for: MPD APP SUBMITTAL	acad #: project #: 97.01028 scale: N/A view: LIMITS	date: 05-14-98 revisions: 09-22-98 sheet no: 4 / 4
	client: MASTERCRAFT HOMES, LTD. 9311 COLLEGE PARKWAY 941 / 433-2323; 941 / 482-7631 FAX	project location: LEE COUNTY, FLORIDA			
	contact:				



OPEN SPACE REQUIREMENTS			
USE	ACRES	MIN. PERCENTAGE OF DEVELOPMENT AREA	
COMMERCIAL			
JAN CARLOS BOULEVARD PARCEL NO. 1	28.76	24 PERCENT	
JAN CARLOS BOULEVARD PARCEL NO. 2	28.46	24 PERCENT	
OTHER			
HOTEL/ADULT LIVING FACILITY	28.10	24 PERCENT	
RESIDENTIAL			
MULTI-FAMILY PARCEL NO. 1	28.76	24 PERCENT	
MULTI-FAMILY PARCEL NO. 2	28.46	24 PERCENT	
INDIVIDUAL FAMILY PARCEL	28.10	24 PERCENT	

NOTE: THE ABOVE INTENT IS EXISTING AGRICULTURAL CROP FIELDS AND SURROUNDING INDIGENOUS NATIVE VEGETATION

LANDSCAPE BUFFERS			
USE	ADJACENT USE	MIN. BUFFER WIDTH (FEET)	MIN. BUFFER WIDTH (FEET)
RESIDENTIAL	RESIDENTIAL	10	10
RESIDENTIAL	COMMERCIAL	20	20
RESIDENTIAL	INDUSTRIAL	30	30
RESIDENTIAL	WATER	50	50
RESIDENTIAL	ROAD	10	10
RESIDENTIAL	RAILROAD	50	50
RESIDENTIAL	UTILITY	10	10
RESIDENTIAL	WATER	50	50
RESIDENTIAL	ROAD	10	10
RESIDENTIAL	RAILROAD	50	50
RESIDENTIAL	UTILITY	10	10

- A. 10' Buffer for all other uses except as noted below.
- B. 10' Buffer for all other uses except as noted below.
- C. 10' Buffer for all other uses except as noted below.
- D. 10' Buffer for all other uses except as noted below.

GENERAL NOTES

1. The developer shall provide a minimum of 24% of the total area of the development as open space. The open space shall be located within the development and shall be accessible to the public. The open space shall be maintained in a natural state and shall not be used for any other purpose.

2. The developer shall provide a minimum of 24% of the total area of the development as open space. The open space shall be located within the development and shall be accessible to the public. The open space shall be maintained in a natural state and shall not be used for any other purpose.

3. The developer shall provide a minimum of 24% of the total area of the development as open space. The open space shall be located within the development and shall be accessible to the public. The open space shall be maintained in a natural state and shall not be used for any other purpose.

SCHEDULE OF DEVIATIONS	
Deviation 11	Exhibit Form LDC Subchapter 16-11(1)(a) Requirement of 24 Foot Setback to a Street at 11 Feet for Building Footprint on Aerialized Body of Water to be Setback to 24 Feet.
Deviation 12	Exhibit Form LDC Subchapter 16-11(1)(a) Requirement of 24 Foot Setback to a Street at 11 Feet for Building Footprint on Aerialized Body of Water to be Setback to 24 Feet.
Deviation 13	Exhibit Form LDC Subchapter 16-11(1)(a) Requirement of 24 Foot Setback to a Street at 11 Feet for Building Footprint on Aerialized Body of Water to be Setback to 24 Feet.
Deviation 14	Exhibit Form LDC Subchapter 16-11(1)(a) Requirement of 24 Foot Setback to a Street at 11 Feet for Building Footprint on Aerialized Body of Water to be Setback to 24 Feet.
Deviation 15	Exhibit Form LDC Subchapter 16-11(1)(a) Requirement of 24 Foot Setback to a Street at 11 Feet for Building Footprint on Aerialized Body of Water to be Setback to 24 Feet.
Deviation 16	Exhibit Form LDC Subchapter 16-11(1)(a) Requirement of 24 Foot Setback to a Street at 11 Feet for Building Footprint on Aerialized Body of Water to be Setback to 24 Feet.
Deviation 17	Exhibit Form LDC Subchapter 16-11(1)(a) Requirement of 24 Foot Setback to a Street at 11 Feet for Building Footprint on Aerialized Body of Water to be Setback to 24 Feet.
Deviation 18	Exhibit Form LDC Subchapter 16-11(1)(a) Requirement of 24 Foot Setback to a Street at 11 Feet for Building Footprint on Aerialized Body of Water to be Setback to 24 Feet.
Deviation 19	Exhibit Form LDC Subchapter 16-11(1)(a) Requirement of 24 Foot Setback to a Street at 11 Feet for Building Footprint on Aerialized Body of Water to be Setback to 24 Feet.
Deviation 20	Exhibit Form LDC Subchapter 16-11(1)(a) Requirement of 24 Foot Setback to a Street at 11 Feet for Building Footprint on Aerialized Body of Water to be Setback to 24 Feet.

APPROVED
Master Concept Plan
City Plan # 11222-21-01
Subject to conditions in Resolution 2-11-07
Issued Date 8/10/07 02:02 PM
ZONING COUNCIL

LEGEND

▲ FULL ACCESS

△ RIGHT-IN/RIGHT OUT

PROJECT # 11222-21-01
PROJECT TYPE 12

BANKS ENGINEERING, INC. PLANNING DEVELOPMENT INCORPORATED - JOINT VENTURE 0501-104 SIX MILE CYPRESS PARKWAY, FT MYERS, FL 33912 941 / 939-6490 941 / 939-2523 FAX		TITLE: BEACH WALK MIXED USE PLANNED DEVELOPMENT CLIENT: MASTERCRAFT HOMES, LTD. 201 COLLECTOR PARKWAY 941 / 432-3252 941 / 482-7638 FAX CONTACT:		TITLE: MASTER CONCEPT PLAN MASTER PLAN GRAPHIC MPD REZONE EXHIBIT IV-E PROJECT LOCATION: LEE COUNTY, FLORIDA		DESIGNER: MRF PROJECT MANAGER: MICHAEL FERNANDEZ CHECKED: DATE / BY 09-22-98 MRF APPROVED FOR: MPD APP SUBMITTAL		NOTES: 03-24-98 REVISION: 03-24-98 PROJECT # 97-0029 DATE: 04-28-98 BY: 1. J. P. JO DATE: 07-22-98 BY: LAMTS		1 / 4
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EXHIBIT B
Page 1 of 4

San Carlos Boulevard Commercial Parcels 1 and 2

Minimum Lot Area and Dimensions:

Area: 10,000 square feet
Width: 75 feet
Depth: 100 feet

Minimum Setbacks:

Street: variable according to the functional classification of the street or road (Section 34-2191 et seq.)

Side: 15 feet
Side Yard: 0 feet when increased to commercial use
Rear: 30 feet
Water Body: 25 feet

Accessory Use and Structure setbacks must comply with LDC Sections 34-1171 et seq. and 34-2194.

Maximum Lot Coverage: 40 percent

Maximum Building Height: 35 Feet (additional building height to a maximum of 50 feet may be permitted as regulated by LDC Section 34-2174 with the provision of additional setbacks.)

Hotel/Adult Living Facility

Development of a Hotel/Motel on the subject property will be regulated by Section 34-1801 et seq., except as noted in the following:

Maximum Lot Coverage: 40 percent

Maximum Building Height: 35 Feet (additional building height to a maximum of 50 feet and habitable stories may be permitted as regulated by LDC Section 34-2171 with the provision of additional setbacks.)

Single Family Parcel

Minimum Lot Area and Dimensions:

Area: 6,500 square feet
Width: 65 feet (except as provided by approved deviations)
Depth: 100 feet

Minimum Setbacks:

Street: variable according to the functional classification of the street or road (Section 34-1291 et seq.)

Side: 5 feet
Side: 20 feet (except as provided by approved deviations)
Rear: 25 feet (except as provided by approved deviations)
Water Body: 25 feet (except as provided by approved deviations)

Accessory Use and Structure setbacks must comply with LDC Sections 34-1171 et seq. and 34-2194, (except as provided by approved deviations)

Maximum Lot Coverage: 45 percent

Maximum Building Height: 35 Feet

Multiple Family Parcels 1 and 2

Minimum Lot Area and Dimensions:

Townhouse Dwelling Unit: 3,750 square feet
Area per unit: 37.5 feet
Width: 100 feet
Depth: 100 feet

Minimum Setbacks:

Street: variable according to the functional classification of the street or road (Section 34-1291 et seq.)
Side: 7 feet
Rear: 20 feet
Water Body: 20 feet

Accessory Use and Structure setbacks must comply with LDC Sections 34-1171 et seq. and 34-2194.

Maximum Lot Coverage: 45 percent

Maximum Building Height: 35 Feet (additional building height to a maximum of 50 feet may be permitted as regulated by LDC Section 34-2174 with the provision of additional setbacks.) and four habitable stories.

Multiple Family Dwelling Unit:

Minimum Lot Area: 10,000 square feet
Minimum Lot Area per Unit: 5000 square feet
Lot Width: 100 feet
Depth: 100 feet

Minimum Setbacks:

Street: variable according to the functional classification of the street or road (Section 34-1291 et seq.)
Side: 7 feet
Side: 20 feet (except as provided by approved deviations)
Rear: 20 feet (except as provided by approved deviations)
Water Body: 20 feet (except as provided by approved deviations)

Accessory Use and Structure setbacks must comply with LDC Sections 34-1171 et seq. and 34-2194; (except as provided by approved deviations)

Maximum Lot Coverage: 45 percent

Maximum Building Height: 35 Feet (additional building height to a maximum of 50 feet may be permitted as regulated by LDC Section 34-2174 with the provision of additional setbacks.) and four habitable stories.

EXHIBIT B
Page 2 of 4

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Master Concept Plan

Site Plan & Section, P&ID, M&I

Subject to conditions in Resolution 2016-070

Zoning Code & 11-01-252.19R 0101

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ZONING COUNCIL

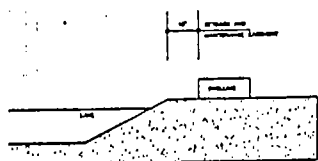
BANKS ENGINEERING, INC.
PLANNING DEVELOPMENT INCORPORATED
- JOINT VENTURE
10501-104 SIX MILE CYPRESS PARKWAY, FT MYERS, FL 33912
941 / 939-6490 941 / 939-2523 FAX

client: BEACH WALK
MIXED USE PLANNED DEVELOPMENT
client: MASTERCRAFT HOMES, LTD.
801 COLLEGE PARKWAY
941 / 432-1232 941 / 444-7434 FAX
contact:

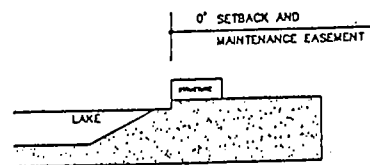
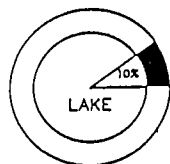
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SUBTITLE: ZONING DISTRICT
DEVELOPMENT STANDARDS
project location: LEE COUNTY, FLORIDA

designer: MRF
project manager: MICHAEL FERNANDEZ
checked - date / by: 09-08-16 MRF
approved for: MPD APP SUBMITTAL
scale: 1:1,000
date: 03-24-16
revisions: 01-11-16
02-08-16
1:1,000
LMTS

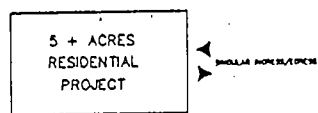
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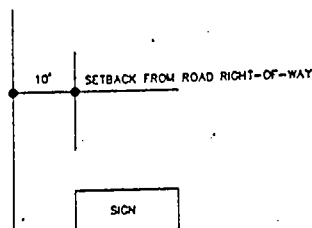
DEVIATION (1) & (4)



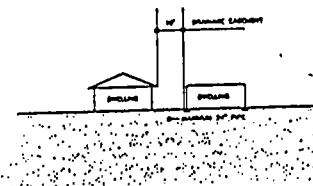
DEVIATION (2) & (3)



DEVIATION (9)



DEVIATION (10)



DEVIATION (11)

NOTES:

1. DEVIATION (5), (6), (7) & (8) ARE NOT REPRESENTED BY GRAPHICS.

APPROVED

Master Concept Plan
The Plan is ST-212 Prop. C. H. 1
Subject to conditions in Resolution 2-12-98
Issued Date 01-21-98 ALE/PLA

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SEP 24 1998

SONING COUNTER

4 / 4

BANKS ENGINEERING, INC.
PLANNING DEVELOPMENT INCORPORATED
- JOINT VENTURE

1501-104 SIX MILE CYPRESS PARKWAY, FT MYERS, FL 33912
941 / 939-8400 941 / 939-2523 FAX

client: BEACH WALK
MIXED USE PLANNED DEVELOPMENT

client: MASTERCRAFT HOMES, LTD.
9311 COLLEGE PARKWAY
941 / 432-2202 941 / 444-7808 FAX

contact:

title: MASTER CONCEPT PLAN
SUBTITLE: DEVIATION GRAPHICS

project location: LEE COUNTY, FLORIDA

designer: MRF
project manager: MICHAEL FERNANDEZ
checked - date / by: 09-22-98 MRF
approved for: WFO APP SUBMITTAL

code: 2
project #: 97.01070
revision: 09-22-98
scale: N/A
sheet: LIMITS

