

ADMINISTRATIVE AMENDMENT (PD) ADD2022-00149

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Bayside Pet Resort filed an application for an administrative amendment to a Commercial Planned Development (CPD) on a project known as Bayside Pet Resort for relief from LDC Section 34-1322(2)b which requires that all pens, cages, runs or outdoor facilities to be at least 200 feet from abutting lots and parcels under separate ownership or street rights-of-way or easements to allow a 47.6-foot setback from the western property line, a 100.4-foot setback from the southern boundary line, and a 85.1-foot setback from the eastern property line for proposed outdoor kennels and an outdoor play area on property located at 13500 Riverside Center Court, described more particularly as:

LEGAL DESCRIPTION: In Section 21, Township 45 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in Resolution Z-98-025 with subsequent amendments in Resolution Z-02-069 and Case Number ADD2022-00045 (see Exhibit "B"); and

WHEREAS, ADD2022-00045 amended the Schedule of Uses to include, "Animal clinic or kennel with outdoor runs or exercise facilities, limited to parcel A-I, subject to LDC Section 34-1321 et seq."; and

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

WHEREAS, the applicant proposes to construct outdoor kennels and an open play area on the south side of the subject property (see Exhibit "C"); and

WHEREAS, the outdoor kennels will be located 85.1 feet from the right of way to the east and 136.6 feet from the south property line; and

WHEREAS, the outdoor play area will be located 100.4 feet from the south boundary, 47.6 feet from the west boundary, and 108.8 feet from the eastern right-of-way; and

WHEREAS, LDC Section 34-1322(2)b requires that all pens, cages, runs, and outdoor facilities be at least 200 feet from abutting lots, easements, and rights of way; and

WHEREAS, the proposed outdoor play area will be fenced in; and

WHEREAS, the property abutting on the south and west boundaries is in the Wetlands Future Land Use category and is also subject to a conservation easement; and

WHEREAS, the presence of the conservation easement on the abutting property provides an additional buffer between the proposed outdoor play area on the subject property and the abutting property; and

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

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

WHEREAS, LDC Section 34-174(i)(2) lists approval criteria for an amendment to a planned development; and

WHEREAS, it is found that the proposed amendment does not increase height, density, or intensity within the development; does not underutilize public resources or infrastructure; does not decrease open space required by the LDC by more than 10 percent; does not reduce total open space, buffering, landscaping or preservation areas; does not otherwise adversely impact on surrounding land uses; and is consistent with the Lee Plan.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to Commercial Planned Development is **APPROVED**.

Approval is subject to the following conditions:

1. **The Development must be in compliance with the amended Site Plan titled, "Bayside Pet Resort," dated August 15, 2022. Site Plan for ADD2022-00149 is hereby APPROVED and adopted. A reduced copy is attached hereto.**
2. **The terms and conditions of the original zoning resolutions, as amended, remain in full force and effect.**
3. **If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Zoning Manager may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.**

Duly passed, adopted, and electronically signed on 11/23/2022

Audra Ennis, Regulatory Review Manager

Exhibit List:

- A. Legal Description
- B. ADD2022-00045
- C. Site Plan

EXHIBIT A

LEGAL DESCRIPTION

**LOT 3, PLAT OF RIVERSIDE CENTER, LOCATED IN SECTION 21,
TOWNSHIP 45 SOUTH, RANGE 25 EAST AS RECORDED IN PLAT
BOOK 72, PAGE 14, OF THE PUBLIC RECORDS OF LEE COUNTY,
FLORIDA**

STRAP NUMBER

21-45-25-11-00000.0030

**REVIEWED
ADD2022-00149
Hunter Searson, GIS
Planner
Lee County Government
9/23/2022**

Exhibit B

ADMINISTRATIVE AMENDMENT (PD) ADD2022-00045

ADMINISTRATIVE AMENDMENT LEE COUNTY, FLORIDA

WHEREAS, Bayside Pet Resort and Spa, Inc. filed an application for an administrative amendment to a Commercial Planned Development on a project known as Bayside Pet Resort for the addition to the Schedule of Uses on Parcel A-1 of an animal clinic or kennel with outdoor runs (i.e., a pet resort) on property located at 13500 Riverside Center Court, described more particularly as:

LEGAL DESCRIPTION: In Section 21, Township 45 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT "A"

WHEREAS, the property was originally rezoned in Resolution Z-98-025 (with subsequent amendments in Resolution Z-02-069 and ADD2012-00125); and

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

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

WHEREAS, the application proposes to amend the approved Schedule of Uses to permit the addition of an animal clinic or kennel with outdoor runs; and

WHEREAS, Lee County Land Development Code Section 34-1322(2)a provides the minimum lot size for any animal clinic, kennel or boarding facility which contains outdoor pens, cages, runs or exercise facilities is 2.0 acres and the subject property has a size of 2.4 acres; and

WHEREAS, Lee County Land Development Code Section 34-1322(2)b provides no portion of any pen, cage, run or other outdoor exercise facility shall be located closer than 200 feet to any abutting lot or parcel under separate ownership, or from any street right-of-way line or easement and the applicant will be required to demonstrate compliance with this separation requirement at the time of local development order; and

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

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

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to the Commercial Planned Development is **APPROVED**.

Approval is subject to the following conditions:

1. The terms and conditions of the original Resolution Number Z-98-025 and as amended by Resolution Number Z-02-069 and case number ADD2012-00125 remain in full force and effect, except as amended herein.
2. The Schedule of Uses set forth in Section B.2.a. of Resolution Z-98-025 for Parcels A & A-I , is amended by adding animal clinic or kennel with outdoor runs or exercise facilities, as set forth below.

Parcels "A" & "A-I":

Administrative Offices

Animal clinic or kennel with outdoor runs or exercise facilities, limited to Parcel A-I, subject to LDC Section 34-1321 et seq.

Assisted Living Facility

Banks & Financial Institutions, Group 1 (With Drive-Through facility, without an amplified speaker system, and the drive-through is limited to Parcel A-I)

Business Services, Group 1

Caretakers Residence

Contractor and Builders, Group 1

Communication Tower (up to 100 feet)

Day Care Center, Adult & Child Only in conjunction with Religious Facilities

Emergency Operations Center

Excavation, water retention

Fences & walls

Insurance Companies

Medical Offices

Parking Lot, accessory

Place of Worship

Religious Facilities

3. The Minimum Setbacks set forth in Section B2b. of Resolution Z-98-025 is amended by adding the following language:

Minimum Setbacks:

Additional Setbacks:

West Property Line of Parcel "C":

50 feet for structures with a maximum height of 35 feet

150 feet for structures with a height between 35 and 45 feet; (45 feet is the maximum allowable height)

South Property Line of Parcels "B" and "C" 30 feet

4. If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at

any time, the Zoning Manager may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.

Duly passed, adopted, and electronically signed on 4/19/2022

Anthony R. Rodriguez, AICP, Zoning Manager

List of Exhibits

Exhibit "A" - Legal Description

Exhibit "B" - Prior Zoning Approvals (Resolution Z-98-025, Resolution Z-02-069, and ADD2021-00125)

EXHIBIT A

LEGAL DESCRIPTION

**LOT 3, RIVERSIDE CENTER, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 72,
PAGE 13, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.**

STRAP NO. 06-45-25-11-00000.0030

**REVIEWED
ADD2022-00045
Rick Burris, Principal
Planner
Lee County DCD/Planning
4/8/2022**

EXHIBIT "B"

RESOLUTION NUMBER Z-96-009

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

WHEREAS, Saxon Properties, Inc. filed an application for a rezoning from AG-2 (Agricultural) to Commercial Planned Development, in reference to Daniels Parkway Business Center; and

WHEREAS, the subject property is located contiguous to the north side of Daniels Parkway right-of-way between Appaloosa Lane and Pinto Lane, and is described more particularly as:

LEGAL DESCRIPTION: In Section 21, Township 45 South, Range 25 East, Lee County, Florida:

The North Half (N $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), Section 21, Township 45 South, Range 25 East; and

The North Half (N $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$), Section 21, Township 45 South, Range 25 East.

WHEREAS, the applicant has indicated the property's current STRAP number is 21-45-25-00-00001.2560 and 21-45-25-00-00001.2570; and

WHEREAS, Saxon Properties, Inc., the owner of the subject parcel, authorized John Lang and Allen, Knudsen, Swartz et al, to act as agents to pursue this zoning application; and

WHEREAS, a public hearing was advertised and held on February 6, 1996 before the Lee County Hearing Examiner who gave full consideration of the evidence available; and

WHEREAS, a public hearing was advertised and held on April 15, 1996 before the Lee County Board of County Commissioners who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on file with the county, and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that the Board MAKES A FINDING OF "SPECIAL CASE" UNDER THE PROVISIONS OF THE LEE PLAN STANDARD 13.1.10 for the Applicant's request for a rezoning from AG-2 to CPD with the following conditions:

SECTION A. CONDITIONS:

4/15/96

EXHIBIT "B"

The rezoning and Master Concept Plan are subject to the following conditions:

1. The development and use of the subject property is to be in substantial compliance with the approved Master Concept Plan entitled "Master Concept Plan for Daniels Parkway Business Center" (dated 10/20/95, Revised February 2, 1996) prepared by Florida Land Planning, Inc., except as may be modified by the conditions herein.
2. Commercial retail development of this site may not exceed 60,000 square feet, and may only be located as set out in Condition 3 hereinbelow. In addition, the cumulative traffic impacts for any proposed plan of development may not exceed 5,136 daily trips or 474 peak hour trips, unless an updated Traffic Impact Statement is approved by Lee County.
3. The following are the approved land uses and their location within the approved planned development:

EASTERN PORTION (PARCELS D & E)

ADMINISTRATIVE OFFICES
 AUTOMOTIVE REPAIR & SERVICE, Groups I and II - only in conjunction
 with Vehicle & Equipment Dealers
 BANKS & FINANCIAL ESTABLISHMENTS, Groups I & II
 BUSINESS SERVICES, Group I
 CAMERA SHOP
 CLEANING & MAINTENANCE SERVICES
 CLOTHING STORE
 CONSUMPTION ON PREMISES- only in conjunction with a Standard
 Restaurant
 DRIVE-THROUGH FACILITY for any permitted use
 DRUG STORE
 ESSENTIAL FACILITIES
 EXCAVATION, Water Retention
 HEALTH CARE FACILITY, Group III
 HOBBY, TOY & GAME SHOP
 HARDWARE STORE
 HOUSEHOLD & OFFICE FURNISHINGS
 INSURANCE COMPANIES
 LAUNDRY OR DRY CLEANING, Group I
 MUSIC STORE
 NON-STORE RETAILERS, Groups I, II, and III
 PERSONAL SERVICES, Groups I, II, III, and IV
 PET SHOP
 PHARMACY
 RENTAL OR LEASING ESTABLISHMENTS, Groups II and III
 REPAIR SHOPS, Groups I and II
 RESEARCH & DEVELOPMENT LABORATORIES, Group II
 RESTAURANTS, Group III
 SCHOOLS, COMMERCIAL
 SOCIAL SERVICES, Group I
 SIGNS, in conformance with the Land Development Code

EXHIBIT "B"

SOCIAL SERVICES, Groups I and II
 SPECIALTY RETAIL, Group I
 STUDIOS
 VARIETY STORE
 VEHICLE & EQUIPMENT DEALERS, Groups I

WESTERN PORTION (PARCELS A - C)

ADMINISTRATIVE OFFICES
 BANKS & FINANCIAL ESTABLISHMENTS, Groups I & II
 BUSINESS SERVICES, Group I
 CAMERA SHOP - PARCEL C ONLY
 CLEANING & MAINTENANCE SERVICES
 CONSUMPTION ON PREMISES, only in conjunction with Standard
 Restaurant
 DRIVE-THROUGH FACILITY for any permitted use - PARCEL C ONLY
 ESSENTIAL FACILITIES
 EXCAVATION, Water Retention
 HEALTH CARE FACILITY, Group III - PARCEL C ONLY
 HOBBY, TOY & GAME SHOP - PARCEL C ONLY
 INSURANCE COMPANIES
 MUSIC STORE - PARCEL C ONLY
 NON-STORE RETAILERS - GROUP I
 PERSONAL SERVICES - GROUPS I & II - PARCEL C ONLY
 REPAIR SHOPS - GROUPS I & II - PARCEL C ONLY
 RESEARCH & DEVELOPMENT LABORATORIES - Group II
 RESTAURANTS - GROUP III - PARCEL C ONLY
 SCHOOLS, COMMERCIAL
 SPECIALTY RETAIL - GROUP I - PARCEL C ONLY
 STUDIOS
 SIGNS, in conformance with the Land Development Code

4. The following represents the Property Development Regulations within this planned development:

Minimum Lot Area and Dimensions:

Area: 20,000 square feet
 Width: 100 feet
 Depth: 100 feet

Minimum Setbacks:

Street: Variable according to the functional classification of the
 street or road (Section 34-2192)
 Side Yard: 10 feet
 Rear: 20 feet
 Water Body: Primary Structures: 25 feet
 Accessory Structures: zero (0) feet
 [Deviation (1)]

EXHIBIT "B"

Maximum Lot Coverage: 40 percent

Maximum Building Height: 45 feet

5. The developer must provide a 40-foot-wide buffer strip with a 2-foot-high undulating berm along the Daniels Parkway right-of-way (south property line). This buffer must include plantings consisting of six trees and 30 shrubs per 100 linear feet.
6. This zoning approval does not address the mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions may be required at the time of local Development Order.
7. Approval of this rezoning does not give the Developer the undeniable right to receive local Development Order approval that exceeds the Year 2010 Overlay use allocation for the applicable district.
8. This development must comply with all of the requirements of the Lee County Land Development Code at the time of local Development Order approval, except as may be granted by deviation as part of this planned development.

SECTION B. DEVIATIONS:

The Master Concept Plan deviates from several Lee County development standards. The proposed deviations are granted or denied as set forth below:

1. Deviation (1), to eliminate the required setback for accessory structures (Section 34- 2194) from a body of water, is **APPROVED**.
2. Deviation (2) - WITHDRAWN
3. Deviation (3), to reduce the required setback from the Daniels Parkway right-of-way from 65 feet with a frontage road [Section 34-2192(a)], to a requested 25 feet with a reverse frontage road concept, is **APPROVED**.

SECTION C. Master Concept Plan:

A one page reduced copy of the Master Concept Plan is attached and incorporated into this resolution by reference.

SECTION D. FINDINGS AND CONCLUSIONS:

The following findings and conclusions were made in conjunction with the approval of the requested CPD rezoning:

1. The applicant has proved entitlement to the rezoning or special exception by demonstrating compliance with the Lee Plan, the Land Development Code, and other applicable codes and regulations.
2. The requested zoning:

EXHIBIT "B"

- a) meets or exceeds 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
- 3. Approval of the request will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development.
 - 4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.
 - 5. The proposed use or mix of uses is appropriate at the subject location.
 - 6. The recommended conditions to the concept plan and other applicable regulations provide sufficient safeguards to the public interest.
 - 7. The recommended conditions are reasonably related to the impacts on the public's interest created by or expected from the proposed development.
 - 8. The deviations granted:
 - a) enhance the objectives of the planned development; and
 - b) preserve and promote the general intent of the LDC to protect the public health, safety and welfare.

EXHIBIT "B"

The foregoing resolution was adopted by the Lee County Board of County Commissioners upon a motion by Commissioner John E. Manning, and seconded by Commissioner Andrew W. Coy 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 15th day of April, A.D., 1996.

ATTEST:
CHARLIE GREEN, CLERK

BY: Ruth F. Green
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: [Signature]
Chairman

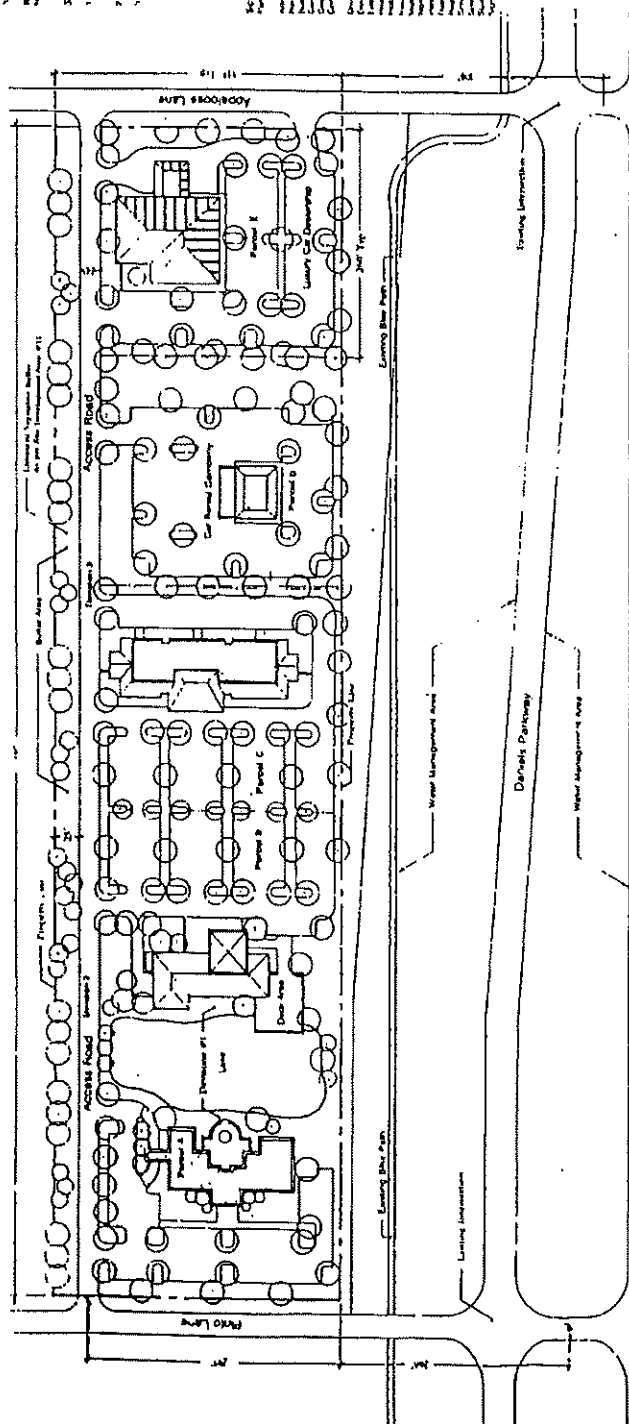
Approved as to form by:

[Signature]
County Attorney's Office

FILED

APR 17 1996

CLERK CIRCUIT COURT
BY: Ruth F. Green D.C.

[illegible]

Department of Psychiatry

1. The first step is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the problem.

Energy 10 April 2011:

- [illegible]

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TOTALS

10-11-77 UNIVERSITY OF TORONTO

Master Concept Plan

203

**Daniels Parkway
Business Center**

Sec. 21, Twp. 45 S., R. 25 E.
Lee County, Florida

See Column, Page 103
10:20-45 Richard February 7, 1964



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- [illegible]

relating them to the results in the paper. A number of the suggestions are included in the paper. It is a pleasure to thank the referees for their comments and suggestions. The author is also grateful to the referees for their comments and suggestions.

EXHIBIT "B"

RESOLUTION NUMBER Z-04-067

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

WHEREAS, an application was filed by the property owner, Salrose Dreams II, LLP, to reinstate the Master Concept Plan (MCP) in reference to a project known as Daniels Parkway Business Center; and

WHEREAS, a public hearing was advertised and held on October 13, 2004, before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2004-00043; and

WHEREAS, a second public hearing was advertised and held on November 29, 2004, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record, and the testimony of all interested persons.

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

SECTION A. REQUEST

The applicant filed a request to reinstate the MCP for the Daniels Parkway Business Center, which was originally approved by Resolution Z-96-009 on April 15, 1996, for a period not to exceed two years and not to exceed 10 years from the original zoning approval. The project was approved as a commercial development not to exceed 60,000 square feet of retail use and with limitations on the project uses and cumulative traffic impacts.

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

SECTION B. CONDITIONS:

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

1. Development must be consistent with the MCP and conditions approved by Resolution Z-96-009. The planned development must comply with all requirements of the LDC at time of local Development Order Approval, except as may be granted by deviation as part of this development. If changes to the Master Concept Plan are subsequently pursued, appropriate approvals will be necessary.
2. This reinstatement expires as of April 15, 2006 (10 years from the original date of approval).

EXHIBIT "B"

3. The project must comply with Land Development Code Section 10-415 concerning open space.

SECTION C. EXHIBITS AND STRAP NUMBER:

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

- Exhibit A: Legal description of the property
Exhibit B: Zoning Map (subject parcel identified with shading)
Exhibit C: Master Concept Plan dated 10/20/95, Revised February 2, 1996, dated stamped Received Jun 16 2004 Permit Counter

The applicant has indicated that the STRAP numbers for the property are:
21-45-25-01-00000.030A and 21-45-25-01-00000.030D

SECTION D. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and other applicable codes and regulations.
2. The CPD zoning, as conditioned:
 - a. meets or exceeds the performance and locational standards set forth for the potential uses allowed by the request; and,
 - b. is consistent with the densities, intensities, and general uses set forth in the Lee Plan; and,
 - c. is compatible with existing or planned uses in the surrounding area; and,
 - d. will not place an undue burden upon existing transportation or planned infrastructure facilities and the site will be served by streets with the capacity to carry traffic generated by the development; and,
 - e. will not adversely affect environmentally critical areas or natural resources.
3. The approval of this rezoning request satisfies the following criteria:
 - a. the proposed use or mix of uses is appropriate at the subject location; and
 - b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and
 - c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.
4. Urban services, as defined in the Lee Plan will be available and adequate to serve the proposed land use.

EXHIBIT "B"

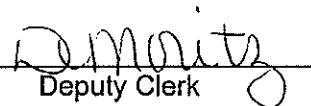
5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34 to protect the public health, safety, and welfare.
6. The property qualifies as a "special case" in accordance with the requirements of Lee Plan Policies 6.12(8) and 19.2.2.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Albion, seconded by Commissioner Janes, and, upon being put to a vote, the result was as follows:

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

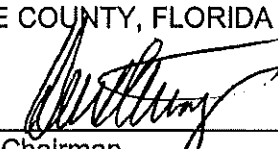
DULY PASSED AND ADOPTED this 29th day of November 2004.

ATTEST:
CHARLIE GREEN, CLERK

BY: 

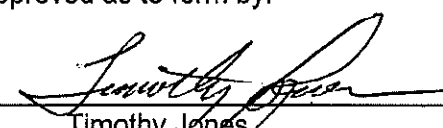
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: 

Chairman

Approved as to form by:


Timothy Jones
County Attorney's Office

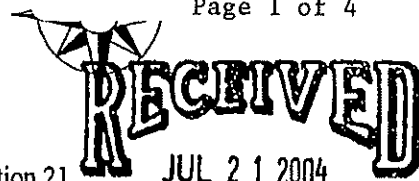


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2004 DEC -7 PM 3:58

EXHIBIT "B"

Exhibit A
 Legal Description
 Property located in Lee County,
 Florida
 Page 1 of 4

E.F. Gaines Surveying Services, Inc.

Legal description of part of the Northeast Quarter of Section 21,
 Township Forty Five South, Range Twenty Five East,
 Lee County, Florida.

PERMIT COUNTER**Parcel I:**

A part of Tract 30 of Colonial Ranchettes, Inc., an unrecorded subdivision, more particularly described as follows:

The North Half (N1/2) of the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of Section twenty one (21), Township Forty Five South (T45S), Range Twenty Five East (R25E), Lee County, Florida, together with ingress and egress over and across road easements as described in Official Record book 444, pages 487 through 489 of the public records of Lee County, Florida.

AND:**DCI 2004-00043****Parcel II:**

A part of Tract 30 of Colonial Ranchettes, Inc., an unrecorded subdivision, more particularly described as follows:

The North Half (N1/2) of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of Section Twenty One (21), Township Forty Five South (T45S), Range Twenty Five East (R25E), Lee County, Florida, together with ingress and egress over and across road easements as described in Official Record book 444, pages 487 through 489 of the public records of Lee County, Florida.

Parcels I and II combined are more particularly described as follows:

Commencing at the southwest corner of the Northeast Quarter of Section Twenty One (21), Township Forty Five South (T45S), Range Twenty Five East (R25E), Lee County, Florida, marked by a 5/8" Iron rod with a cap stamped "A Johnson PSM 6256";

Thence, N.88°41'51"E. along the south line of the Northeast Quarter of said Section 21 for a distance of 1362.57 feet to a 5/8" Iron rod with a cap stamped "A Johnson PSM 6256" marking the southeast corner of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of said Section Twenty One (21);

Thence, N.01°10'03"W, for a distance of 331.24 feet to a 5/8" Iron rod with a cap stamped "Starnes and Assoc." marking the southeast corner of the North Half (N1/2) of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of said Section Twenty One (21) and the Point of Beginning;

Thence, S.88°40'08"W. along the south line of the North Half (N1/2) of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of said Section Twenty One (21) for a distance of 650.83 feet to a 5/8" Iron rod with a cap stamped "A Johnson PSM 6256" marking the east limit of the ingress and egress easement as described in Official Record book 444, pages 487 through 489 of the public records of Lee County, Florida;

Thence, continue S.88°40'08"W. along the south line of the North Half (N1/2) of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of said Section Twenty One (21) for a distance of 30.00 feet to the southwest corner of the North Half (N1/2) of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of said Section Twenty One;

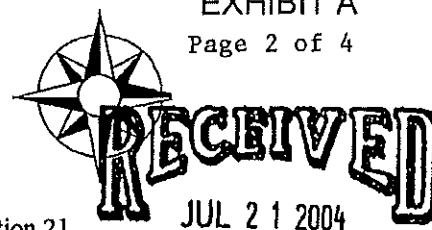
8481 Yorkshire Lane, Fort Myers, Florida 33919

Phone: 239-418-0126 • Fax: 239-418-0127 • E-mail: Liz@EFGaines.com

EXHIBIT "B"

EXHIBIT A

Page 2 of 4

E.F. Gaines Surveying Services, Inc.

Legal description of part of the Northeast Quarter of Section 21,
Township Forty Five South, Range Twenty Five East,
Lee County, Florida.
(continued)

PERMIT COUNTER

Thence, N.01°05'19"W. along the west line of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of said Section Twenty One (21) for a distance of 330.93 feet to the northwest corner of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of said Section Twenty One;

Thence, N.88°41'47"E. along the north line of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of said Section Twenty One (21) for a distance of 29.88 feet to a 5/8" Iron rod with a cap stamped "Starnes and Assoc." marking the east limit of the ingress and egress easement as described in Official Record book 444, pages 487 through 489 of the public records of Lee County, Florida;

Thence, continue N.88°41'47"E. along the north line of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of said Section Twenty One (21) for a distance of 651.28 feet to a 4" square concrete monument stamped "Starnes and Assoc. PLS 2465" marking the northeast corner of the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of said Section Twenty One;

Thence, N.88°42'50"E. along the north line of the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of said Section Twenty One (21) for a distance of 651.27 feet to a 5/8" Iron rod with a cap stamped "A Johnson PSM 6256" marking the west limit of the ingress and egress easement as described in Official Record book 444, pages 487 through 489 of the public records of Lee County, Florida;

Thence, continue N.88°42'50"E. along the north line of the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of said Section Twenty One (21) for a distance of 30.00 feet to the northeast corner of the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of said Section Twenty One (21);

Thence, S.01°04'40"E. along the east line of the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of said Section Twenty One (21) for a distance of 330.84 feet to the southeast corner of the North Half (N1/2) of the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of said Section Twenty One (21);

Thence, S.88°43'03"W. along the south line of the North Half (N1/2) of the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of said Section Twenty One (21) for a distance of 29.98 feet to a 5/8" Iron rod with a cap stamped "A Johnson PSM 6256" marking the west limit of the ingress and egress easement as described in Official Record book 444, pages 487 through 489 of the public records of Lee County, Florida;

Thence, continue S.88°43'03"W. along the south line of the North Half (N1/2) of the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of said Section Twenty One (21) for a distance of 651.54 feet to the southwest corner of the North Half (N1/2) of the Southwest Quarter (SW1/4) of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of said Section Twenty One (21) and the Point of Beginning.

DCI 2004-00043

8481 Yorkshire Lane, Fort Myers, Florida 33919

Phone: 239-418-0126 • Fax: 239-418-0127 • E-mail: Liz@EFGaines.com

Z

B-12

EXHIBIT "B"EXHIBIT A
Page 3 of 4**E.F. Gaines Surveying Services, Inc.**

Legal description of part of the Northeast Quarter of Section 21,
Township Forty Five South, Range Twenty Five East,
Lee County, Florida.
(continued)

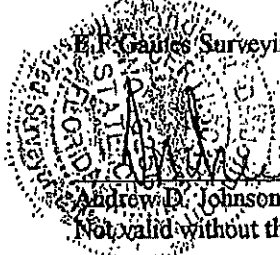
Subject to easements, restrictions, and reservations of record.

Bearings are based on the south line of the Northeast Quarter (NE1/4) of Section 21, Township Forty Five South, Range Twenty Five East, being N.88°41'25"E.

Parcel contains 10.35 acres, more or less.

Prepared By:

E.F. Gaines Surveying Services, Inc.



Andrew D. Johnson, PSM 6256

Date

7-20-04

Not valid without the original raised seal of Florida Professional Surveyor and Mapper.

Applicant's Legal Checked

by GS August 5, 2004.

RECEIVED
JUL 21 2004

PERMIT COUNTER

DCI 2004-00043

8481 Yorkshire Lane, Fort Myers, Florida 33919
Phone: 239-418-0126 • Fax: 239-418-0127 • E-mail: Liz@EFGaines.com

3
B-13

EXHIBIT A

Page 4 of 4

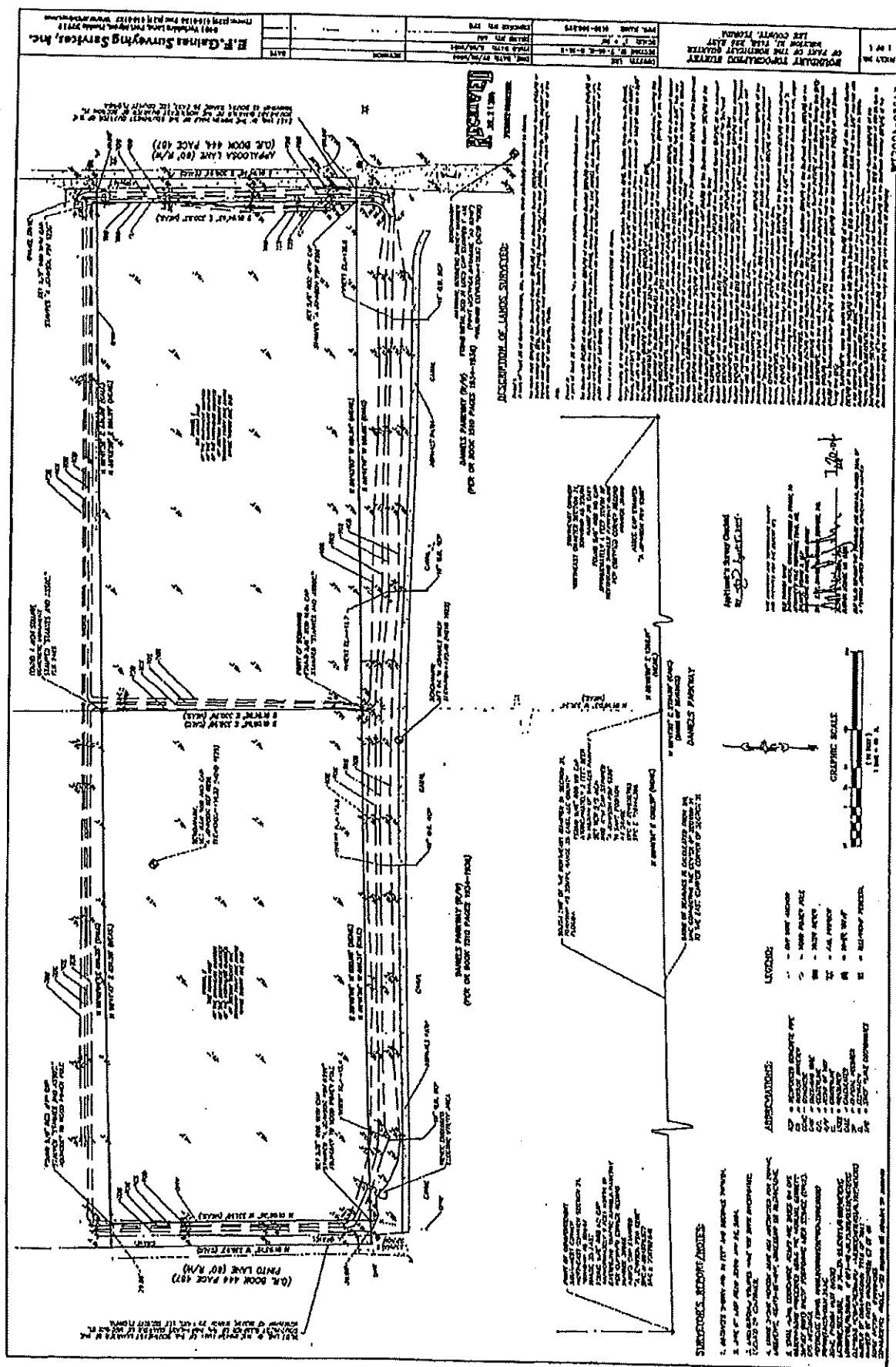


EXHIBIT "B"

ZONING INTAKE MAP

8/24/2004

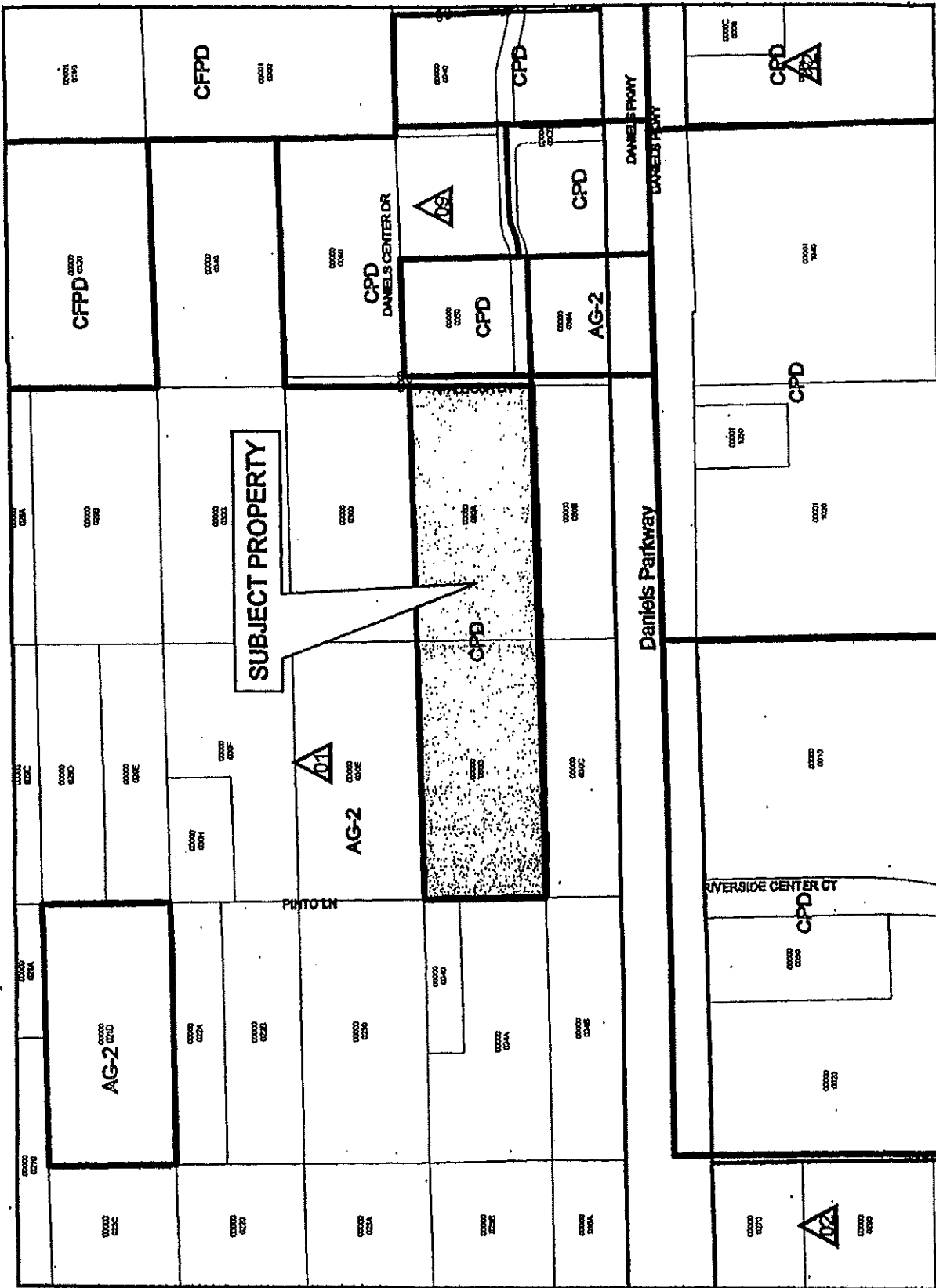


EXHIBIT B

440 220 0 440 Feet

2004-00043

EXHIBIT C

RECEIVED
JUN 16 2004
PERMIT COUNTER

45 OF 913 PAGES

APPROVED

For the Board of Directors
Lee County, Florida

Master Concept Plan

For
**Daniels Parkway
Business Center**

Sec. 21, Chap. 45, S. Reg. 25 E
Lee County, Florida
11700 Daniels Parkway, Suite 200
Fort Myers, Florida 33907

FLORIDA LAND PLANNING, INC.

Lee County, Florida

APPROVED

For the Board of Directors
Lee County, Florida

Master Concept Plan

For
**Daniels Parkway
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APPROVED

For the Board of Directors
Lee County, Florida

Master Concept Plan

For
**Daniels Parkway
Business Center**

Sec. 21, Chap. 45, S. Reg. 25 E
Lee County, Florida
11700 Daniels Parkway, Suite 200
Fort Myers, Florida 33907

FLORIDA LAND PLANNING, INC.

Lee County, Florida

EXHIBIT "B"

PLANNING DIVISION
MEMORANDUM



Case #: ADD2012-00125

Date of Application: Friday, November 30, 2012

Applicant: THOMAS LEHNERT

Owner(s): RIVERSIDE CENTER LLC

STRAP(s): 21-45-25-11-00000.0030

Legal Description:

Boundary Question: The upland wetland split of lot 3 as recorded in Plat Book 72 Page 13 as depicted in the Conservation Easement recorded in OR Book 3704 Page 3050.

Discussion: This application is a wetland determination for the Riverside Center project on Daniels Parkway, Lee County Florida. The applicant submitted a plat of the area showing approved conservation areas. Staff verified that the conservation areas on the Plat are recorded Conservation Easements. Staff has included the entire Riverside Center project in this determination since the data available was not limited to the applicant's parcel of concern.

Decision: Correct the Lee Plan Future Land Use Map by remapping the wetlands on the Riverside Center project to reflect the recorded conservation easements on the property.

Basis for Decision: Planning Staff has accepted the conservation easements recorded in the Official Records Book 3704 Pages 3050 - 3055 as the truer reflection of the upland/wetland delineations on the Riverside Center project.

EXHIBIT "B"

Appeal Procedure:

"An administrative interpretation may be appealed to the Board of County Commissioners by filing a written request within fifteen (15) days after the administrative interpretation has been made. In reviewing such an appeal, the Board shall consider only information submitted in the administrative interpretation process and shall review only whether the designated individual has properly applied to the facts presented and the standards set forth in the plan for such administrative interpretation. No additional evidence shall be considered by the Board. The Board of County Commissioners shall conduct such appellate review at a public meeting.

The Board of County Commissioners shall consider the appeal at a hearing to be held within thirty (30) days after the date of the written request for appeal. A decision overruling the written interpretation shall be in writing and shall be rendered by the Board within thirty (30) days after the date of the hearing. Alternatively, the Board may adopt the administrative interpretation being appealed."

Based on this quoted language, if you disagree with this administrative decision, you have the right to an appeal. In order to exercise your right of appeal, a written Notice of Appeal must be delivered to the County Attorney's Office, at 2115 Second street, Fort Myers, Florida no later than 15 days from the date of this Administrative Interpretation, stating the reasons for your disagreement.

Dated 8th Day of January 20 13

LEE COUNTY PLANNING DIVISION
AS ADMINISTRATIVE DESIGNEE

BY: Paul O'Connor
Paul O'Connor, AICP
Director, Division of Planning

cc: Mary Gibbs, Director, Department of Community Development
Donna Marie Collins, Assistant County Attorney
Planning File

EXHIBIT "B"

From: Tom Lehnert [mailto:TLehnert@BanksEng.com]
Sent: Wednesday, November 14, 2012 10:05 AM
To: Burris, Richard
Cc: Denise Chambré
Subject: FLUMB for lot 2 riverside center

Rick,

My client owns Lot 2, Riverside Center which is a vacant commercial lot.

During the appraisal process it came to their attention that Lee County's land use map has a majority of the property in the wetland land use category.

The subject parcel is zoned, platted and denoted on the approved DO plans as commercial. I believe the proper land use should be outlying suburban not wetlands.

Please revise your map accordingly since this adversely affecting their ability to properly market the parcel to potential buyers.

I have attached your LUMB application and a copy of the recorded subdivision plat for your use.

Please let me know if you have any questions or need any additional information.

Thanks,

Thomas R. Lehnert, Jr., P.S.M.
President



10511 Six Mile Cypress Parkway
Fort Myers, Florida 33966
Ph: 239-939-5490 Fax: 239-939-2523
E-Mail: tlehner@bankseng.com

Please note: Florida has a very broad public records law. Most written communications to or from County Employees and officials regarding County business are public records available to the public and media upon request. Your email communication may be subject to public disclosure.

Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing.


[Home](#) | [Contact Us](#) | [Departments](#) | [Documents](#) | [Calendar](#) | [Jobs](#) | [Translate](#) | [Enter](#)

Environmental Sciences

Permitting/Licensing

Planning

Code Enforcement

Development Services

Zoning

Floor

[Home](#) > [Government](#) > [Departments](#) > [Community Development](#) Home > [Planning](#) > LUMB Ap

Planning

New Horizon 2035

Plan Amendments

Historic Preservation

Affordable Housing

Community Planning

Planning Communities

Density Reduction/
Groundwater Resource

Data Resources

The Lee Plan

Fees

Applications

Staff Directory

Application for Administrative Interp Regarding Clarification Of Land Use Map Boundaries (LUM

Lee County Department of Community Develop
Email: [Planning Division](#)

Applicant Information

Name: TOM LEHNERT
 Street Address: 10511 STE MILE CYPRESS
 City: FM State: FL Zip Co: 33966
 Phone Number: 939-5490 Email: TELEHNERT@BANKS ENG. COM

Owner Information

Owner's Name: RIVERSIDE CENTER, LLC

Property Information

Street Address: 13500 RIVERSIDE CENTER, ~~LLC~~ COURT
 City: FM State: FL Zip Co: 33912

Description of Property Location:

SW CORNER RIVERSIDE CENTER DR. + DANIELS PKWY

Legal Description and/or STRAP Number:

21-45-25-11-00000-0030

What is the size of the property?

104,544 SQUARE FEET

What is the present use of the property?

VACANT Commercial

B-20

EXHIBIT "B"APPLICATION NUMBER
APPLICATION NUMBER

980513-8 00

Standard form - January, 1998

DEED OF CONSERVATION EASEMENT

THIS DEED OF CONSERVATION EASEMENT is given this 24th day
of November, 1998, by Riverside Baptist
Church of Fort Myers, Inc.
(address) Post Office Box 60319, Fort Myers, Florida 33906

("Grantor") to the South Florida Water Management District ("Grantee"). As used herein,
the term Grantor shall include any and all heirs, successors or assigns of the Grantor, and
all subsequent owners of the "Property" (as hereinafter defined) and the term Grantee
shall include any successor or assignee of Grantee.

WITNESSETH

WHEREAS, the Grantor is the owner of certain lands situated in Lee County,
Florida, and more specifically described in Exhibit A attached hereto and incorporated
herein ("Property"); and

WHEREAS, the Grantor desires to construct (name of project) a worship
center/church ("Project") at a site in Lee County,
which is subject to the regulatory jurisdiction of South Florida Water Management District
("District"); and

WHEREAS, District Permit No. _____ ("Permit") authorizes certain
activities which affect waters in or of the State of Florida; and

WHEREAS, this Permit requires that the Grantor preserve, enhance, restore
and/or mitigate wetlands and/or uplands under the District's jurisdiction; and

WHEREAS, the Grantor, in consideration of the consent granted by the Permit, is
agreeable to granting and securing to the Grantee a perpetual conservation easement as
defined in Section 704.06, Florida Statutes (1997), over the Property.

NOW, THEREFORE, in consideration of the issuance of the Permit to construct
and operate the permitted activity, and as an inducement to Grantee in issuing the
Permit, together with other good and valuable consideration, the adequacy and receipt of
which is hereby acknowledged, Grantor hereby grants, creates, and establishes a
perpetual conservation easement for and in favor of the Grantee upon the Property which
shall run with the land and be binding upon the Grantor, and shall remain in full force and
effect forever.

Initials WMADate 11-24-98

1 of 5

INSTR # 5533533

OR BK 03704 PG 3050

RECORDED 08/12/2002 04:04:02 PM

CHARLIE GREEN, CLERK OF COURT

LEE COUNTY

RECORDING FEE 28.50

DEPUTY CLERK C Keller

APPLICATION NUMBER

980513-8 00

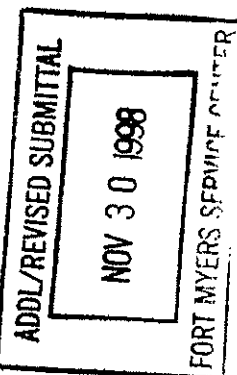


EXHIBIT "B"

Standard form - January, 1998

The scope, nature, and character of this conservation easement shall be as follows:

1. It is the purpose of this conservation easement to retain land or water areas in their natural, vegetative, hydrologic, scenic, open, agricultural or wooded condition and to retain such areas as suitable habitat for fish, plants or wildlife. Those wetland and/or upland areas included in the conservation easement which are to be enhanced or created pursuant to the Permit shall be retained and maintained in the enhanced or created conditions required by the Permit.

To carry out this purpose, the following rights are conveyed to Grantee by this easement:

a. To enter upon the Property at reasonable times with any necessary equipment or vehicles to enforce the rights herein granted in a manner that will not unreasonably interfere with the use and quiet enjoyment of the Property by Grantor at the time of such entry; and

b. To enjoin any activity on or use of the Property that is inconsistent with this conservation easement and to enforce the restoration of such areas or features of the Property that may be damaged by any inconsistent activity or use.

2. Except for restoration, creation, enhancement, maintenance and monitoring activities, or surface water management improvements, which are permitted or required by the Permit, the following activities are prohibited in or on the Property:

a. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground;

b. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;

c. Removal or destruction of trees, shrubs, or other vegetation, except for the removal of exotic or nuisance vegetation in accordance with a District approved maintenance plan;

d. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface;

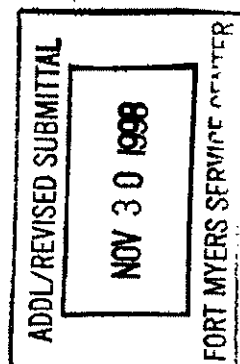
e. Surface use except for purposes that permit the land or water area to remain in its natural condition;

APPLICATION NUMBER

980513-8

APPLICATION NUMBER

980513-8



Initials

[Signature]

Date

11-24-98

EXHIBIT "B"

Standard form - January, 1998

f. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation including, but not limited to, ditching, diking and fencing;

g. Acts or uses detrimental to such aforementioned retention of land or water areas;

h. Acts or uses which are detrimental to the preservation of any features or aspects of the Property having historical or archaeological significance.

3. Grantor reserves all rights as owner of the Property, including the right to engage in uses of the Property that are not prohibited herein and which are not inconsistent with any District rule, criteria, permit and the intent and purposes of this Conservation Easement.

4. No right of access by the general public to any portion of the Property is conveyed by this conservation easement.

5. Grantee shall not be responsible for any costs or liabilities related to the operation, upkeep or maintenance of the Property.

6. Grantor shall pay any and all real property taxes and assessments levied by competent authority on the Property.

7. Any costs incurred in enforcing, judicially or otherwise, the terms, provisions and restrictions of this conservation easement shall be borne by and recoverable against the nonprevailing party in such proceedings.

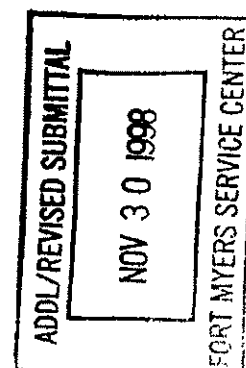
8. Enforcement of the terms, provisions and restrictions of this conservation easement shall be at the reasonable discretion of Grantee, and any forbearance on behalf of Grantee to exercise its rights hereunder in the event of any breach hereof by Grantor, shall not be deemed or construed to be a waiver of Grantee's rights hereunder.

9. Grantee will hold this conservation easement exclusively for conservation purposes. Grantee will not assign its rights and obligations under this conservation easement except to another organization qualified to hold such interests under the applicable state laws.

10. If any provision of this conservation easement or the application thereof to any person or circumstances is found to be invalid; the remainder of the provisions of this conservation easement shall not be affected thereby, as long as the purpose of the conservation easement is preserved.

APPLICATION NUMBER
APPLICATION NUMBER

980513-8



3 of 5

Initials

WHS

Date

11-24-98

OR BOOK 03704 PAGE 3052

EXHIBIT "B"

Standard form - January, 1998

11. Grantor shall insert the terms and restrictions of this conservation easement in any subsequent deed or other legal instrument by which Grantor divests itself of any interest in the Property.

12. All notices, consents, approvals or other communications hereunder shall be in writing and shall be deemed properly given if sent by United States certified mail, return receipt requested, addressed to the appropriate party or successor-in-interest.

13. This conservation easement may be amended, altered, released or revoked only by written agreement between the parties hereto or their heirs, assigns or successors-in-interest, which shall be filed in the public records in Lee County.

TO HAVE AND TO HOLD unto Grantee forever. The covenants, terms, conditions, restrictions and purpose imposed with this conservation easement shall be binding upon Grantor, and shall continue as a servitude running in perpetuity with the Property.

Grantor hereby covenants with said Grantee that Grantor is lawfully seized of said Property in fee simple; that the Property is free and clear of all encumbrances that are inconsistent with the terms of this conservation easement and all mortgages have been joined or subordinated; that Grantor has good right and lawful authority to convey this conservation easement; and that it hereby fully warrants and defends the title to the conservation easement hereby conveyed against the lawful claims of all persons whomsoever.

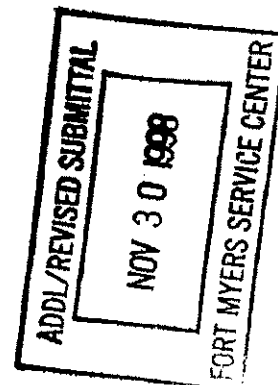
IN WITNESS WHEREOF, William Van Helden has hereunto set its authorized hand this 24th day of November 1998.

Signed, sealed and delivered
in our presence as witnesses:

C. N. DAVIES
Print Name: C. N. DAVIES
Stacy J. Graham
Print Name: STACY J. GRAHAM

Riverside Baptist Church
of Fort Myers, Inc.
A Florida corporation

By: [Signature]
Print Name: William Van Helden
Title: President



APPLICATION NUMBER

980513-8

APPLICATION NUMBER

980513-8

OR BOOK 03704 PAGE 3053

Initials WVHDate 11-24-98

4 of 5

EXHIBIT "B"

OR BOOK 03704 PAGE 3054

Standard form - January, 1998

STATE OF FLORIDA

) ss:

COUNTY OF Lee

On this 24th day of November, 1998 before me, the undersigned notary public, personally appeared William Van Helden, personally known to me to be the person who subscribed to the foregoing instrument and did not take an oath, as the (position) President of Riverside Baptist Church (corporation) of Fort Myers, Inc., a Florida corporation, and acknowledged that he executed the same on behalf of said corporation and that he was duly authorized to do so.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

NOTARY PUBLIC, STATE OF FLORIDA

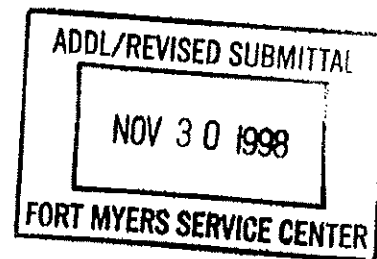
Print Name: Stacy J. Graham

My Commission Expires:



Stacy J. Graham
MY COMMISSION # C0844549 EXPIRES
August 14, 1999
BONDED THRU TROY FAIN INSURANCE, INC.

South Florida Water Management District
Legal Form Approved: SFWMD - January, 1998



APPLICATION NUMBER

980513-8 00

APPLICATION NUMBER

980513-8 00

Initials WVH

Date 11-24-98

RIVERSIDE SUBDIVISION EXHIBIT "A"

A SUBDIVISION LYING IN
SECTIONS 25, 35 & 36 TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

PLAT BOOK PAGE

SHEET 2 OF 2

Banks Engineering, PC
ENGINEERING, SURVEYING & LAND PLANNING
10001 3RD AVE. SUITE 100
FORT MYERS, FLORIDA 33912
(941) 938-5440
FLORIDA BUSINESS CERTIFICATE NUMBER LB 9480

CURVE TABLE

CURVE TABLE

NO.	RADIUS	CHORD	ARC	CHORD BEARING
1	412.00'	67.71'	17.77'	S 17° 17' 17" E
2	1272.00'	247.20'	17.77'	S 17° 17' 17" E
3	50.00'	10.00'	17.77'	S 17° 17' 17" E
4	50.00'	10.00'	17.77'	S 17° 17' 17" E
5	50.00'	10.00'	17.77'	S 17° 17' 17" E
6	50.00'	10.00'	17.77'	S 17° 17' 17" E
7	50.00'	10.00'	17.77'	S 17° 17' 17" E
8	50.00'	10.00'	17.77'	S 17° 17' 17" E
9	50.00'	10.00'	17.77'	S 17° 17' 17" E
10	50.00'	10.00'	17.77'	S 17° 17' 17" E
11	50.00'	10.00'	17.77'	S 17° 17' 17" E
12	50.00'	10.00'	17.77'	S 17° 17' 17" E
13	50.00'	10.00'	17.77'	S 17° 17' 17" E
14	50.00'	10.00'	17.77'	S 17° 17' 17" E
15	50.00'	10.00'	17.77'	S 17° 17' 17" E
16	50.00'	10.00'	17.77'	S 17° 17' 17" E
17	50.00'	10.00'	17.77'	S 17° 17' 17" E
18	50.00'	10.00'	17.77'	S 17° 17' 17" E
19	50.00'	10.00'	17.77'	S 17° 17' 17" E
20	50.00'	10.00'	17.77'	S 17° 17' 17" E
21	50.00'	10.00'	17.77'	S 17° 17' 17" E
22	50.00'	10.00'	17.77'	S 17° 17' 17" E
23	50.00'	10.00'	17.77'	S 17° 17' 17" E
24	50.00'	10.00'	17.77'	S 17° 17' 17" E
25	50.00'	10.00'	17.77'	S 17° 17' 17" E
26	50.00'	10.00'	17.77'	S 17° 17' 17" E
27	50.00'	10.00'	17.77'	S 17° 17' 17" E
28	50.00'	10.00'	17.77'	S 17° 17' 17" E
29	50.00'	10.00'	17.77'	S 17° 17' 17" E
30	50.00'	10.00'	17.77'	S 17° 17' 17" E

APPLICATION

980513-8

DATE 10-10-1993
BY 1000-1993

ADD/REVISED SUBMITTAL

SEP 23 1998

FORT MYERS

CONVEYANCE RECORD
1218 ADAMS ROAD ON LOTS

DRAINAGE EASEMENT
3.65 ACRES MORE OR LESS

LOT 2

LOT 1

DR BOOK 03704 PAGE 3055

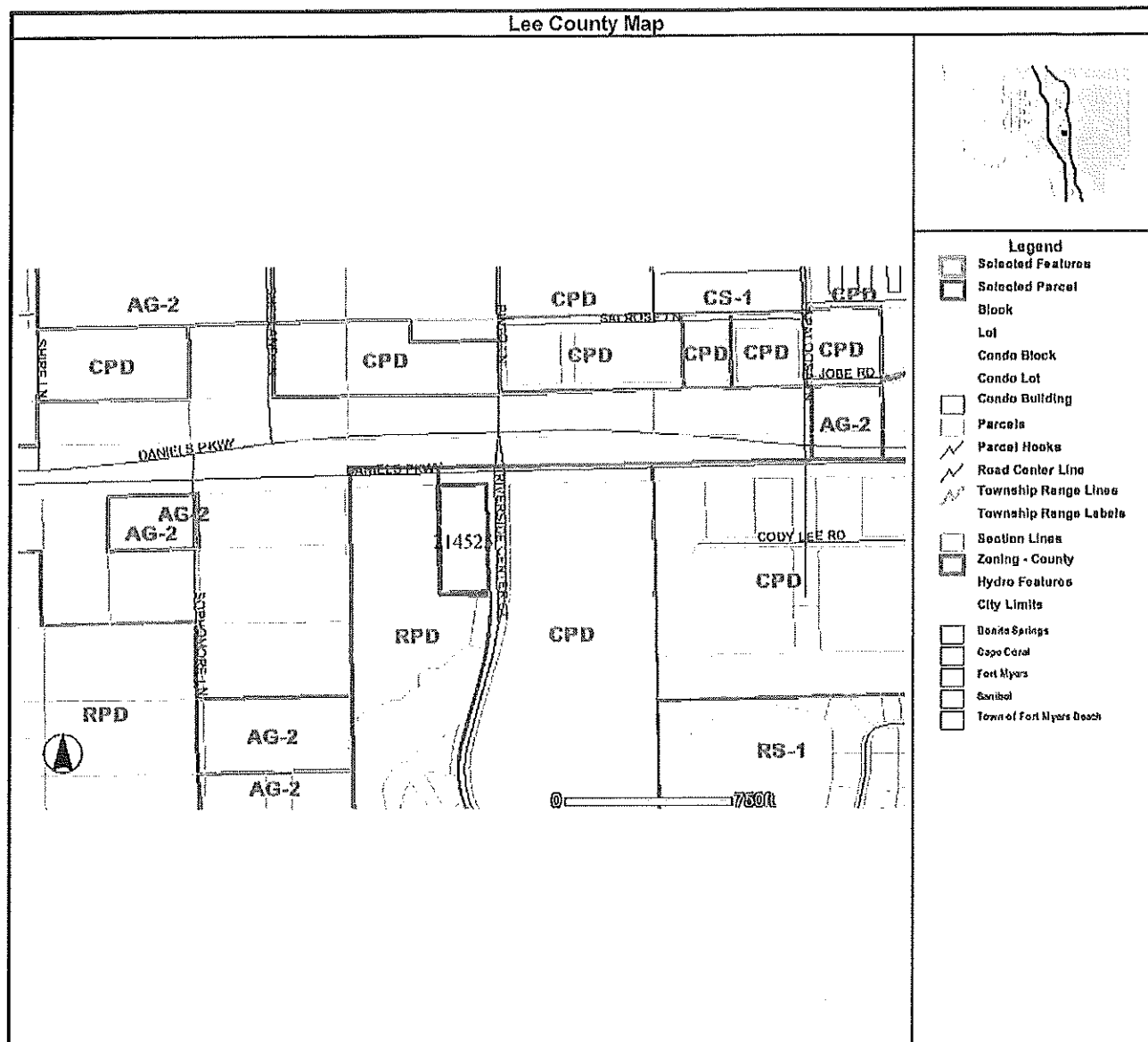


EXHIBIT "B"





Lee County Property Appraiser

Tax Year
[Next Lower Parcel Number](#) [Next Higher Parcel Number](#) [Tax Estimator](#) [Tax Bills](#) [Print](#)

Property Data for Parcel 21-45-25-11-00000.0030

Owner Of Record

RIVERSIDE CENTER LLC
PO BOX 07264
FORT MYERS FL 33919

Site Address

13500 RIVERSIDE CENTER CT
FORT MYERS FL 33912

Legal Description

RIVERSIDE CENTER
PB 72 PGS 13-14
LOT 3

Classification / DOR Code

VACANT COMMERCIAL / 10

[Tax Map Viewer]



[Pictometry Aerial Viewer]

Property Values (2012 Tax Roll)

Exemptions

Attributes

		Homestead / Additional	0 / 0	Land Units Of Measure	SF
Just	418,176	Widow / Widower	0 / 0	Units	104544.00
Assessed	418,176	Disability	0	Frontage	0
Portability Applied	0	Wholly	0	Depth	0
Cap Assessed	418,176	Senior	0	Total Number of Buildings	0
Taxable	418,176	Agriculture	0	Total Bedrooms / Bathrooms	0 / 0
Cap Difference	0			Total Living Area	0
				1st Year Building on Tax Roll	0
				Historic District	No



Taxing Authorities



Sales / Transactions



Parcel Numbering History



Solid Waste (Garbage) Roll Data



Flood and Storm Information



Appraisal Details

Land					
Land Tracts					
Use Code	Use Code Description	Depth	Frontage	Number of Units	Unit of Measure
1000	Commercial, Vacant	0	0	104544.00	Square Feet

TRIM (proposed tax) Notices are available for the following tax years
[2007 2008 2009 2010 2011 2012]

[Next Lower Parcel Number](#) [Next Higher Parcel Number](#) [New Query](#) [Search Results](#) [Home](#)

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Spatial District Query Report

STRAP Number: 21-45-25-11-00000.0030

District Name	District Value	Pct of Parcel in District (If fractional)	Notes
Airport Noise Zone		NOT FOUND	
Airspace Notification		NOT FOUND	
Census Tract	Tract ID	401.07	100.01%
Coastal Building Zone		NOT FOUND	
Coastal High Hazard Area		NOT FOUND	
Fire District	Fire District Taxing Authority	South Trail 085	
Evacuation Zone	Zone	C	
Active Evacuation Status		NOT FOUND	
Flood Insurance Zone	Flood Zone Assigned Number	X 100	1
Flood Insurance Zone - Old	Flood Zone	B	
FIRM Floodway	Floodway	OUTSIDE	
FIRM Floodway - Old		NOT FOUND	
Flood Insurance Panel	Community Panel Map Number Effective Date	125124 0437 12071C0437F 8/28/2008 12:00:00 AM	
Flood Insurance Panel - Old	Community Panel Version Date	125124 0350 B 091984	
Flowway - 2005	Composition	MALABAR FINE SAND, DEPRESSIONAL	56.1%
(DNR Flood Zones) Zone A BFE		NOT FOUND	
DNR Flood Zones - Old		NOT FOUND	
Coastal Barrier Resources System (COBRA)		NOT FOUND	
Coastal Barrier Resources System (COBRA) - Old		NOT FOUND	
Lighting District/MSTBU		NOT FOUND	
Preliminary MSTBU Districts		NOT FOUND	
Taxing Authorities	Authority Name	SFL Water MGMT Okeechobee Levy	
	Authority Name	Preservation Lands MSTU	
	Authority Name	Lee County Mosquito Control	
	Authority Name	Lee County Library Fund	
	Authority Name	Solid Waste Area 3	
	Authority Name	South Trail Fire	
	Authority Name	Lee County Unincorporated	

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EXHIBIT "B"

Spatial District Query Report

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		MSTU		
	Authority Name	Lee County All Hazards Uninc		
	Authority Name	School District By Local Board		
	Authority Name	School District By State Law		
	Authority Name	SFL Water Mgmt District Levy		
	Authority Name	West Coast Inland Waterway		
	Authority Name	Lee County Hyacinth Control		
	Authority Name	SFL Water Mgmt Everglades Const		
	Authority Name	Lee County Capital Improvement		
	Authority Name	Lee County General Revenue		
Planning Community	ID	11		
	Plan Community	Daniels Parkway		
Community Planning Area			NOT FOUND	
Planning Land Use 2010	Landuse	Wetlands	93.93%	
	Landuse	Outlying Suburban	6.07%	
Sanibel/County Agreement			NOT FOUND	
School Board District	District	2		
	School Board Member	Jeanne S. Dozier		
School Choice Zone	Choice Zones	South Zone 2		
	Choice Zones	South Zone		
Solid Waste District	District Area	Area 3		
Storm Surge	Category	C		
Subdivisions	Subdivision No.	21452511		
	Subdivision Name	RIVERSIDE CENTER		
	Book Page 1	PB 72 PG 13		
	Book Page 2			
	Book Page 3			
Traffic Analysis Zone				
Archaeological Sensitivity			NOT FOUND	
Sea Turtle Lighting Zone			NOT FOUND	
Watersheds	Shed ID	Six Mile Cypress		
FLUCCS1999			100.01%	
Vegetation Permit Required			NOT FOUND	
Soil	Map Symbol	44	56.1%	2
	Soil Name	MALABAR FINE SAND, DEPRESSIONAL		
	Map Symbol	14	38.81%	2
	Soil Name	VALKARIA FINE SAND		
	Map Symbol	34	5.08%	3 2
	Soil Name	MALABAR FINE SAND		
Panther Habitat			NOT FOUND	
Eagle Nesting Site Buffer			NOT FOUND	
Commissioner District	District	2		
	Commissioner	Cecil L. Pendergrass		

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Unincorporated Lee County Zoning	Zoning Designation	CPD	96.52%	<u>Zoning Notes</u>
	Zoning Designation	RPD	3.48%	<u>3</u>
Minimum Use Determination		NOT FOUND		
Development Orders	Development Order Status	98-08-270-00D	95.46%	
	Wet Season Water Table			
	Development Order Status	DOS2003-00150	1.76%	<u>3</u>
	Wet Season Water Table			
Road Impact Fee Districts	District	4		
	Tidemark ID	54		
	Name	SOUTHWEST		
Water Franchise	Franchise Name	Lee County Utilities		
Water Treatment Plant Service Area	Treatment Plant	Corkscrew WTP		
Wastewater Franchise	Franchise Name	Lee County Utilities		
Wastewater Treatment Plant Service Area	Treatment Plant	CFM - South WWTP		
Res. Garbage Collection Day	Hauling Day	Friday		
Res. Recycling Collection Day	Hauling Day	Thursday		
Res. Horticulture Collection Day	Hauling Day	Thursday		
Microwave Radio Relay Path		NOT FOUND		
DEP Impaired Waters and TMDLs	TMDL Status	No TMDL		
	IWR_Status	Impaired (Category 5)		
	IWR Parameters	DO (5) Fecal Coliform (5)		
Wind Speed Building Risk Category I	Design Wind Speed	150 mph		
	FL Building Code Figure	1609C		
Wind Speed Building Risk Category II	Design Wind Speed	160 mph		
	FL Building Code Figure	1609A		

[Modify Report Settings]

Note	Details
1	The Flood Zone with the highest corresponding assigned number is the recognized flood zone designation for this property. Residents of unincorporated Lee County may call Zoning Review at (239) 533-8597 (option #4) with additional questions. Residents of incorporated areas should call the city in which they reside to verify flood zone status.
2	Contact DEP (239) 344-5600 for wetland determination
3	Small percentages can result from slight variations in the way lines are drawn or imported into our system. Such values may not accurately reflect an overlap with the subject parcel.

EXHIBIT "B"

Zone Notes Query Results

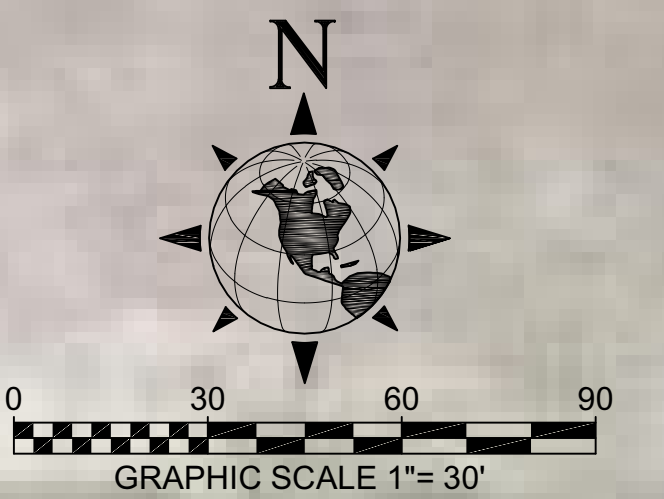
Page 1 of 1

ZONE NOTES QUERY REPORT

ZONE NOTES ID: ZONE:CPD:001213
ZONING: CPD
STRAP: 21-45-25-11-00000.0030

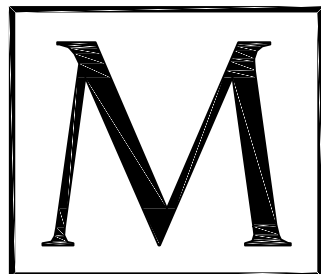
Z-02-069, DCI2001-00030, 17FEB03, APRVL TO AMEND MCP, RIVERSIDE CTR; CONDS.
Z-98-25, 97-10-028.03Z, CPD, 6/29/98, RIVERSIDE ALF CPD, 79.9 AC, 239000 SF COMM,
BCC APP REZN RPD AND AG-2 TO CPD, SUBJ TO CONDS.
97-10-028.03Z, RPD, 10/8/97, PROPOSED RIVERSIDE ALF CPD
Z-87-157, 87-8-9 DCI, DBC FM AG-2 TO RPD SUBJ TO COND & SP-87-157; IN THE AG-2 FOR A
WASTEWATER TREATMENT PLANT, SUBJ TO COND & SP-87-157.
SIX MILE CYPRESS WATERSHED BASIN. ORD 83-5.

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1. ADMINISTRATIVE VARIANCE REQUEST FROM L.D.C. SECTION 34-1322 (2)B. TO ALLOW ANY PEN, CAGE, RUN OR ANY OTHER OUTDOOR EXERCISE FACILITY TO BE LOCATED CLOSER THAN 200 FEET TO ANY ABUTTED LOT OR PARCEL UNDER SEPARATE OWNERSHIP OR FROM ANY STREET RIGHT OF WAY LINE OR EASEMENT TO ALLOW OUTDOOR KENNELS AT 100 FEET AND OUTDOOR PLAY AREA TO THE PROPERTY LINE.

2. NO REDUCTION IN BUFFERS OR OPEN SPACE IS BEING REQUESTED.

[illegible]

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Civil Engineering and Land Development Consulting
6997 Professional Parkway East, Suite B, Sarasota, Florida 34240 C.A.28780 941-444-6644 www.morrisengineering.net

DATE 08-15-2022	
PROJECT BPR	
DRAWING SP	
DRAWN SPM	CHECKED MJM

SITE PLAN - 01

BAYSIDE PET RESORT

LEE COUNTY, FLORIDA

SCALE 1"=30'	
SEC.-TSP.-RNG. -36S-18E	
SHEET 1	OF 1