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Fort Myers, FL 33907
Phone 239-433-4231 Fax 239-433-9632
www.tdmcivilengineering.com
Certificate of Authorization # 29086**

June 21, 2022

Anthony Rodriguez, AICP
Section Manager
Lee County Department of Community Development
1500 Monroe Street
Fort Myers, FL 33901

**Reference: Application for a Planned Development – Tropical Fence
0.46 acres at 393 and 397 Balboa Ave, Fort Myers
STRAP Nos. 04-44-25-04-00028.8870 and -00028.8890**

Dear Mr. Rodriguez,

Attached herewith is a completed application and associated support material for a Planned Development rezoning. The Applicant is requesting to rezone the 0.46± acre property from TFC-2 to Commercial Planned Development (CPD) in order to legitimize the previous expansion of the commercial business and to bring the lots into compliance with the current Land Development Code and the Lee Plan. Please note the Public Informational Meeting with the Caloosahatchee Shores Planning Community will be held prior to a finding of sufficiency.

Please find attached the following items in relation to this application:

1. One (1) copy of the completed Application for a Planned Development – Public Hearing;
2. One (1) check for the filing fee (\$5,000.00);
3. One (1) copy of the notarized Affidavit of Authorization Form;
4. One (1) copy of the notarized Disclosure of Interest Form;
5. One (1) copy of the notarized Authorization to Represent Affidavit;
6. One (1) copy of the Legal Description;
7. One (1) copy of the Russell Park Annex Plat, PB 7, PG 8;
8. One (1) copy of the Boundary Survey;
9. One (1) copy of the Confirmation of Ownership/Title Certification;
10. One (1) copy of the List and Map of surrounding property owners) with one set of mailing labels;

Tropical Fence

Page 2 of 2

11. One (1) copy of the Area Location Map, Exhibit A;
12. One (1) copy of the Future Land Use Map, Exhibit B;
13. One (1) copy of the Surrounding Zoning Map, Exhibit C;
14. One (1) copy of the approved Waiver from Application Submission Requirements;
15. One (1) copy of the Request Statement, including Lee Plan Compliance Narrative;
16. One (1) copy of the Traffic Impact Statement;
17. One (1) copy of the Master Concept Plan/Site Plan with Deviations Identified;
18. One (1) copy of the Property Development Regulations;
19. One (1) copy of the Schedule of Uses;
20. One (1) copy of the Schedule of Deviations and Written Justification;
21. One (1) copy of the Surface Water Management Plan Narrative;
22. One (1) copy of the Explanation of Utilities; and
23. One (1) copy of the Warranty Deed.

Your time and attention to this matter is greatly appreciated. Should County staff require additional information or have any questions regarding this submittal, please feel free to contact this office.

Sincerely,

TDM CONSULTING, INC.



Veronica Martin
Senior Planner

cc: Mark and Sue Murphy



APPLICATION FOR PLANNED DEVELOPMENT PUBLIC HEARING UNINCORPORATED AREAS ONLY

Project Name: Tropical Fence

Request: Rezone from: TFC-2 To: CPD

Type: ☐ Major PD ☒ Minor PD ☐ DRI w/Rezoning ☐ PRFPD
☐ Major PD Amendment ☐ Minor PD Amendment

Bonus Density included? ☒ NO ☐ YES¹ for: _____ Bonus Units

¹ If **YES**, submit additional fee required by LDC 2-147(A)(3)

Summary of Project:

Rezone from TFC-2 to CPD to legitimize the expansion of the existing commercial business located along Palm Beach Boulevard.

PART 1 APPLICANT/AGENT INFORMATION

A. Name of Applicant: Mark and Sue Murphy

Address: 4822 Palm Beach Blvd.

City, State, Zip: Fort Myers, FL 33905

Phone Number: 239-896-4966

E-mail Address: sue@tropicalfence.com

B. Relationship of Applicant to owner (check one) and provide [Affidavit of Authorization](#) form:

☐ Applicant is the sole owner of the property. [34-201(a)(1)a.1.]

☒ Applicant has been authorized by the owner(s) to represent them for this action. [34-202(a)(3)]

☐ Application is County initiated. Attach BOCC authorization.

C. Authorized Agent: (If different than applicant) Name of the person who is to receive all County-initiated correspondence regarding this application. [34-202(a)(4)]

1. Company Name: TDM Consulting, Inc.

Contact Person: Veronica Martin

Address: 43 Barkley Cir, Suite 200

City, State, Zip: Fort Myers, FL 33907

Phone Number: 239-433-4231

Email: vmartin@tdmconsulting.com

2. **[Additional Agent\(s\)](#):** Provide the names of other agents that the County may contact concerning this application. [34-202(a)(4)]

LEE COUNTY COMMUNITY DEVELOPMENT
PO BOX 398 (1500 MONROE STREET), FORT MYERS, FL 33902
PHONE (239) 533-8585

**PART 2
PROPERTY OWNERSHIP**

A. Property owner(s): If multiple owners (corporation, partnership, trust, association), provide a list with owner interest. [34-202(a)(2)]

Name: Trop-Snoop, LLC

Address: 4822 Palm Beach Blvd

City, State, Zip: Fort Myers, FL 33905

Phone Number: 239-896-4966

Email: sue@tropicalfence.com

B. Disclosure of Interest [34-202(a)(2)]:

☒ Attach [Disclosure of Interest](#) Form.

C. Multiple parcels:

na Property owners list. [34-202(a)(8)]

na Property owners map. [34-202(a)(8)]

D. Certification of Title and Encumbrances [34-202(a)(7)]

1. Title certification document, no greater than 90 days old.

2. Date property was acquired by present owner(s): May 18, 2022

**PART 3
PROPERTY INFORMATION**

A. STRAP Number(s): [Attach extra sheets if additional space is needed.] [34-203(a)(5)]

04-44-25-04.00028.8870

04-44-25-04-00028.8890

B. Street Address of Property: 393 and 397 Balboa Ave, Fort Myers, FL 33905

C. Legal Description (must submit) [34-202(a)(5)]:

☐ Legal description (metes and bounds) (8½"x11") and sealed sketch of the legal description.

OR

☒ Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. ([Click here](#) to see an example of a legal description with no metes and bounds.)

AND

Boundary Survey [34-202(a)(6)]:

☐ A Boundary survey, tied to the state plane coordinate system.

OR

☒ Not required if the property is located within a subdivision platted per F.S. Chapter 177.

D. Surrounding property owners (within 500 feet of the perimeter of the subject parcel or portion thereof that is subject of the request):

1. ☒ List of surrounding property owners. [34-202(a)(9)]

2. ☒ Map of surrounding property owners. [34-202(a)(9)]

3. ☒ One set of mailing labels. [34-202(a)(9)]

Note: When the case is found complete/ sufficient, a new list and mailing labels must be submitted.

E. Current Zoning of Property: TFC-2

na Provide a list of all Zoning Resolutions and Zoning Approvals applicable to the subject property.

F. Use(s) of Property:

1. Current uses of property are: Fence Contractor

2. Intended uses of property are: Fence Contractor

G. Future Land Use Classification (Lee Plan):

Intensive Development (3,375 SF)	<u>0.08</u>	Acres	<u>17%</u>	% of Total
Central Urban (16,875 SF)	<u>0.38</u>	Acres	<u>83%</u>	% of Total
		Acres		% of Total

H. Property Dimensions:

1. Width (average if irregular parcel):	<u>150</u>	Feet		
2. Depth (average if irregular parcel):	<u>135</u>	Feet		
3. Total area:	<u>20,250</u>	Acres or square feet		
4. Frontage on road or street:	<u>150</u>	Feet on	<u>Balboa Avenue</u>	Street
2 nd Frontage on road or street:		Feet on		Street

I. Planning Communities/Community Plan Area Requirements: If located in one of the following planning communities/community plan areas, provide a meeting summary document of the required public informational session.

- ☐ Not Applicable
☐ Captiva Planning Community (Captiva Island). [33-1612(a)&(b); Lee Plan Policy 13.1.7]
☐ North (Upper) Captiva Community Plan area. [33-1711]
☐ Boca Grande Planning Community. [Lee Plan Policy 22.1.5]
☒ Caloosahatchee Shores Community Plan area. [33-1482(a)&(b); Lee Plan Policy 21.6.3]
☐ Page Park Community Plan area. [33-1203(a) & (b); Lee Plan Policy 27.11.2]
☐ Palm Beach Boulevard Community Plan area. [Lee Plan Policy 23.5.2]
☐ Buckingham Planning Community. [Lee Plan Policy 17.7.2]
☐ Pine Island Planning Community. [33-1004(a) & (b); Lee Plan Policy 14.7.1]
☐ Lehigh Acres Planning Community. [33-1401(a)&(b); Lee Plan Policy 32.12.2]
☐ North Fort Myers Planning Community. [33-1532(a)&(b)]
☐ North Olga Community Plan area. [33-1663(a)&(b)]

J. Waivers from Application Submission Requirements: Attach waivers, if any, approved by the Director of Zoning. [34-201(c)]

PART 4 TYPES OF LAND AREA ON PROPERTY

A. Gross Acres (total area within described parcel)		<u>0.46</u>	Acres
1. Submerged land subject to tidal influence		<u>0</u>	Acres
2. a. Preserved freshwater wetlands	<u>0</u>	Acres	
b. Impacted wetlands	<u>0</u>	Acres	
c. Preserved saltwater wetlands	<u>0</u>	Acres	
d. Total wetlands (A.2.a. plus A.2.b. plus A.2.c.)		<u>0</u>	Acres
3. R-O-W providing access to non-residential uses		<u>0</u>	Acres
4. Non-residential use areas ^{(1) (2)}		<u>0.46</u>	Acres
B. Total area not eligible as gross residential acreage (Items A.1. + A.3. + A.4.).		<u>0.46</u>	Acres
C. Gross residential acres. (A minus B) ⁽³⁾		<u>0</u>	Acres
D. Gross residential acres (by Land Use Category)			
1. a. Intensive Development – upland	<u>0</u>	Acres	
b. Intensive Development – preserved freshwater wetlands	<u>0</u>	Acres	
c. Intensive Development – impacted wetlands	<u>0</u>	Acres	
2. a. Central Urban – upland	<u>0</u>	Acres	
b. Central Urban – preserved freshwater wetlands	<u>0</u>	Acres	
c. Central Urban – impacted wetlands	<u>0</u>	Acres	
3. a. Urban Community or Suburban – upland	<u>0</u>	Acres	
b. Urban Community or Suburban – preserved freshwater wetlands	<u>0</u>	Acres	
c. Urban Community or Suburban – impacted wetlands	<u>0</u>	Acres	

4.	a.	Suburban – upland	0	Acres
	b.	Suburban – preserved freshwater wetlands	0	Acres
	c.	Suburban – impacted wetlands	0	Acres
5.	a.	Outlying Suburban – upland	0	Acres
	b.	Outlying Suburban – preserved freshwater wetlands	0	Acres
	c.	Outlying Suburban – impacted wetlands	0	Acres
6.	a.	Sub-Outlying Suburban – upland	0	Acres
	b.	Sub-Outlying Suburban – preserved freshwater wetlands	0	Acres
	c.	Sub-Outlying Suburban – impacted wetlands	0	Acres
7.	a.	Rural, Outer Island, Rural Community Preserve – upland	0	Acres
	b.	Rural, Outer Island, Rural Community Preserve – wetlands	0	Acres
8.	a.	Open Lands – upland	0	Acres
	b.	Open Lands – wetlands	0	Acres
9.	a.	Resource – upland	0	Acres
	b.	Resource – wetlands	0	Acres
10.	a.	Wetlands	0	Acres
11.	a.	New Community – upland	0	Acres
	b.	New Community – wetlands	0	Acres
12.	a.	University Community – upland	0	Acres
	b.	University Community – wetlands	0	Acres
13.	a.	Coastal Rural – upland	0	Acres
	b.	Coastal Rural – wetlands	0	Acres

TOTAL (should equal "C" above)

0 Acres

Notes:

- (1) Lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses must not be included except within the Mixed Use Overlay {see Note (2) below}.
- (2) Within the Mixed Use Overlay, lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses may be included in density calculations {see Lee Plan Objective 4.3}.
- (3) Lands to be used for residential uses including land within the development proposed to be used for streets & street rights of way, utility rights-of-way, public & private parks, recreation & open space, schools, community centers, & facilities such as police, fire & emergency services, sewage & water, drainage, and existing man-made waterbodies.

PART 5 NA

RESIDENTIAL DEVELOPMENT - PRELIMINARY DENSITY CALCULATIONS

- i. Complete only if living units are proposed in a Future Land Use Category.
- ii. If more than one classification, calculations for each classification must be submitted. Attach extra sheets as necessary.
- iii. If wetlands are located on the property, density calculations are considered preliminary pending a wetlands jurisdictional determination.

A. Future Land Use Category: _____

		Lee Plan Table 1(a)		
		Max. standard density		Units
1.	Standard Units			
	a. Total upland acres (from Part 4, D.)	_____ x _____	equals	_____
	b. Total preserved freshwater wetlands acres (from Part 4, D.)	_____ x _____	equals	_____
	c. Total impacted wetlands acres (from Part 4, D.)	_____ x _____	equals	_____
	d. Total Allowed Standard Units ⁽¹⁾			_____
2.	Bonus Units [2-143]			
	a. Site-built Affordable Housing			_____
	b. Transferrable Dwelling Units			_____
	c. Sub-total			_____
3.	Total Permitted Units ⁽¹⁾			_____

Note:

- (1) Subject to revision if wetlands jurisdictional determination indicates a different acreage of wetlands.

PART 6
COMMERCIAL, INDUSTRIAL, MINING, ASSISTED LIVING FACILITIES, HOTELS & MOTELS
PRELIMINARY INTENSITY CALCUATIONS

A. Commercial 1. Medical 2. General Office 3. Retail 4. Other: <u>Storage yard</u> 5. TOTAL FLOOR AREA	Height 0 	Total Floor Area (Square Feet) 0
B. Industrial 1. Under Roof 2. Not Under Roof 3. TOTAL FLOOR AREA	Height 	Total Floor Area (Square Feet)
C. Mining 1. Area to be excavated	Depth 	Total Acres
D. Assisted Living Facilities 1. Dependent Living Units 2. Independent Living Units 3. TOTAL BEDS/UNITS	Height 	Total Beds/Units
E. Hotels/Motels (Room Size) 1. < 425 sq. ft. 2. 426-725 sq. ft. 3. 725 < sq. ft. 4. TOTAL UNITS	Height 	Total Rental Units

PART 7
ACTION REQUESTED

- A. Request Statement:** Provide a single narrative explaining the nature of the request and how the property qualifies for the rezoning to a planned development. This narrative should include how the proposed development complies with the Lee Plan, the Land Development Code, and the applicable findings/review criteria set forth in LDC section 34-145(d)(4). This narrative may be utilized by the Board of County Commissioners, Hearing Examiner and staff in establishing a factual basis for the granting or denial of the rezoning. **[34-373(a)(5)]**
- B. Traffic Impact Statement.** A traffic impact statement in a format and to the degree of detail required by the County and in conformance with the adopted Lee County Administrative Code. TIS is not required for an existing development. **[34-373(a)(7)]**
- C. Master Concept Plan:**
- 1. Master Concept Plan, Non-PRFPD:** A graphic illustration (Master Concept Plan) of the proposed development, showing and identifying the information required by LCLDC Section 34-373(a)(6)a. Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. In addition to the Master Concept Plan, an open space design plan delineating the indigenous preserves and/or native tree preservation areas as required by LDC Section 10-415(b) must be submitted. **[34-373(a)(6)]**
 - 2. Schedule of Uses:** A schedule of uses keyed to the Master Concept Plan as well as a summary for the entire property including the information required by LCLDC Section 34-373(a)(8)]. **[34-373(a)(8)]**

3. **Schedule of Deviations and Written Justification:** A schedule of deviations and a written justification for each deviation requested as part of the Master Concept Plan accompanied by documentation including sample detail drawings illustrating how each deviation would enhance the achievement of the objectives of the planned development and will not cause a detriment to public interests. The location of each requested deviation must be located/shown on the Master Concept Plan. [34-373(a)(9)]

D. **Bonus Density:** [34-202(a)(11)]

- ☒ Not Applicable
☐ Bonus Density will be used. Provide the number of Bonus Density units being requested and a narrative of how the request meets the requirements of LDC Section 2-146.

**PART 8
ENVIRONMENTAL REQUIREMENTS**

- A. **Topography:** Describe the range of surface elevations of the property. Attach a county topographic map (if available) or a USGS quadrangle map showing the subject property. [34-373(a)(4)b.iv.]
See Waiver.
-
- B. **Sensitive Lands:** Identify any environmentally sensitive lands, including, but not limited to, wetlands (as defined in the LEE Plan Section XII), flowways, creek beds, sand dunes, other unique land forms [see LEE Plan Policy 77.1.1 (2)] or listed species occupied habitat [see LCLDC Section 10-473(f)].
See Waiver.
-
- C. **Preservation/Conservation of Natural Features:** Describe how the lands listed in PART 6.B. above will be protected by the completed project:
NA
-
- D. **Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:
NA
-
- E. **Soils Map:** Attach maps drawn at the same scale as the Master Concept Plan marked or overprinted to show the soils classified in accordance with the USDA/SCS System. [34-373(a)(4)b.i.] **See Waiver.**
- F. **FLUCCS Map:** A Florida Land Use, Cover and Classification System (FLUCCS) map, at the same scale as the Master Concept Plan, prepared by an environmental consultant. The FLUCCS map must clearly delineate any Federal and State jurisdictional wetlands and other surface waters, including the total acreage of Federal and State wetlands. [34-373(a)(4)c.] **See Waiver.**
- G. **Rare & Unique Upland Habitat Map:** Maps drawn at the same scale as the Master Concept Plan marked or overprinted to show significant areas of rare and unique upland habitat as defined in the LEE Plan Section XII. [34-373(a)(4)b.iii.] **See Waiver.**
- H. **Existing and Historic Flow-Ways Map:** Map(s) drawn at the same scale as the master concept plan marked or overprinted to show existing and historic flow-ways. [34-373(a)(4)b.v.] **See Waiver.**

**PART 9
SANITARY SEWER & POTABLE WATER FACILITIES**

- A. **Special Effluent:** If the discharge of any special effluent is anticipated, please specify what it is and what strategies will be used to deal with its' special characteristics:
No structures are proposed on site – NA.
-
- B. **Private On-Site Facilities:** If a private on-site wastewater treatment and disposal facility is proposed, please provide a detailed description of the system including:
1. Method and degree of treatment:
NA
 2. Quality of the effluent:
NA
-

3. Expected life of the facility:
NA

4. Who will operate and maintain the internal collection and treatment facilities:
NA

5. Receiving bodies or other means of effluent disposal:
NA

C. Spray Irrigation: If spray irrigation will be used, specify:

1. The location and approximate area of the spray fields:
NA

2. Current water table conditions:
NA

3. Proposed rate of application:
NA

4. Back-up system capacity:
NA

**PART 10
ADDITIONAL REQUIREMENTS**

A. Major Planned Developments:

1. **Surface Water Management Plan.** A written description of the surface water management plan as required by LCLDC Section 34-373(b)(1). **[34-373(b)(1)]**
2. **Phasing Program.** If the development is to be constructed in phases or if the Traffic Impact Statement utilized phasing, then a description of the phasing program must be submitted. **[34-373(b)(3)]**
3. **Protected Species Survey.** A protected species survey is required for large developments (as defined in LCLDC Section 10-1) as specified in LCLDC Section 10-473. **[34-373(b)(2)]**

B. Amendments to Built Planned Developments: The consent of the owners of the remainder of the original planned development is not required, but these owners must be given notice of the application and other proceedings as if they were owners of property abutting the subject property regardless of their actual proximity to the subject property. Attach proof of notice to other property. **[34-373(c)]**

C. Development of Regional Impact: Binding letter of interpretation from DCA or a complete and sufficient ADA. (See also Application for Public Hearing for DRI Form.) **[34-373(d)(9)]**

D. Private Recreational Facility Planned Developments (PRFPDs):

1. **Master Concept Plan, PRFPD.** Master Concept Plan showing and identifying information required by LDC Section 34-941(g)(1). Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. **[34-941(g)(1)]**
2. **Conceptual Surface Water Management Plan.** A Conceptual Surface Water Management Plan must be submitted. The plan must be viable and take into consideration any natural flowway corridors, cypress heads, natural lakes, and the restoration of impacted natural flowway corridors. **[34-941(d)(3)b.i.1]**
3. **Well Drawdown Information.** If within an area identified as an anticipated drawdown area for existing or future well development, demonstration of compliance with LCLDC Section 34-941(d)(3)d.i & ii. must be provided. **[34-941(d)(3)d.]**
4. **Preliminary Indigenous Restoration Plan.** A Preliminary Indigenous Restoration Plan must be provided if on-site indigenous restoration is being used to meet the indigenous native plant community preservation requirement. **[34-941(e)(5)f.iii.]**

5. **Environmental Assessment.** An Environmental Assessment must be provided which includes, at a minimum, an analysis of the environment, historical and natural resources. **[34-941(g)(2)]**
6. **Demonstration of Compatibility.** Written statements concerning how the applicant will assure the compatibility of the proposed development with nearby land uses (by addressing such things as noise, odor, lighting and visual impacts), and the adequate provision of drainage, fire and safety, transportation, sewage disposal and solid waste disposal must be provided. **[34-941(g)(4)]**
- E. **Potable Water & Central Sewer.** Will the project be connected to potable water and central sewer as part of any development of the property?
- ☐ **YES** (Provide a letter from the appropriate Utility to which the connection(s) are proposed confirming availability of service.) **[34-202(a)(10)]**
- ☒ **NO** (Provide a narrative explaining why the connection is not planned and how the water and sewer needs of the project will be met.) **[34-202(a)(10)]**
- F. **Existing Agricultural Use:** If the property owner intends to continue an existing agricultural use on the property subsequent to the zoning approval, an Existing Agricultural Use Affidavit must be provided. Entitle as "Existing Agricultural Uses at Time of Zoning Application." **[34-202(a)(12)]**
- G. **Flood Hazard:**
- ☒ Not applicable
- ☐ The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s.
- ☐ The minimum elevation required for the first habitable floor is _____ NAVD (MSL)
- H. **Excavations/Blasting:**
- ☒ No blasting will be used in the excavation of lakes or other site elements.
- ☐ If blasting is proposed, provide Information Regarding Proposed Blasting (including soil borings, a map indicating the location of the proposed blasting, and other required information).
- I. **Hazardous Materials Emergency Plan for Port Facilities: [12-110(a)(16)]**
- ☒ Not Applicable
- ☐ Provide a Hazardous materials emergency plan.
- J. **Mobile Home Park: [34-174(h)]**
- ☒ Not Applicable
- ☐ Request includes rezoning of a Mobile Home Park. Provide facts related to the relocation of dislocated owners that meets the requirements of F.S. § 723.083 (1995).
- K. **Airport Zones & Lee County Port Authority (LCPA) Requirements:**
- ☒ Not Applicable
- ☐ Property is located within _____ Airport Noise Zone: **[34-1104]**
- ☐ Property is located within Airport Runway Protection Zone. Indicate which Zone below. **[34-1105]**
- ☐ Property is located within Airport Residential and Educational Protection Zone: **[34-1106]**
- ☐ Property is located in an Airport Obstruction Notification Zone and subject to LCPA regulations. **[34-1107]**
- ☐ A Tall Structures Permit is required. **[34-1108]**

PART 5 SUBMITTAL REQUIREMENT CHECKLIST		
<i>Clearly label your attachments as noted in bold below</i>		
Copies Required		SUBMITTAL ITEMS
3	☒	Completed application for Public Hearing [34-202(a)(1)]
1	☒	Filing Fee - [34-201(d)]
1	NA	Bonus Density Filing Fee - (if applicable) [34-202(a)(11)]
3	☒	Affidavit of Authorization (notarized) Form [34-202(a)(3)]
3	☒	Additional Agents [34-202(a)(4)]
3	NA	Multiple Owners List (if applicable) [34-202(a)(2)]
3	☒	Disclosure of Interest Form (multiple owners) [34-202(a)(2)]
3	☒	Legal description (must submit) [34-202(a)(5)]
	☐	Legal description (metes and bounds) and sealed sketch of legal description
		OR
	☒	Legal description (NO metes and bounds) if the property is located within a subdivision platted per F.S. Chapter 177, and is recorded in the Official Records of Lee County under Instruments or Plat Books. (Click here to see an example of a legal description with no metes and bounds.)
3	NA	Boundary Survey – not required if platted lot (2 originals required) [34-202(a)(6)]
3	NA	Property Owners list (if applicable) [34-202(a)(8)]
3	NA	Property Owners map (if applicable) [34-202(a)(8)]
3	☒	Confirmation of Ownership/Title Certification [34-202(a)(7)]
3	NA	STRAP Numbers (if additional sheet is required) [34-202(a)(5)]
1	☒	List of Surrounding Property Owners [34-202(a)(9)]
1	☒	Map of Surrounding Property Owners [34-202(a)(9)]
1	☒	Mailing labels [34-202(a)(9)]
3	NA	List of Zoning Resolutions and Approvals
3	X	Summary of Public Informational Session (if applicable)
3	☒	Waivers from Application Submission Requirements (if applicable) [34-201(c)]
3	NA	Preliminary Density Calculations (if applicable)
3	☒	Request Statement [34-373(a)(5)]
3	☒	Traffic Impact Statement (TIS) (not required for existing development) [34-373(a)(7)]
3	☒	Master Concept Plan (MCP), Non-PRFPD [34-373(a)(6)]
3	☒	Schedule of Uses [34-373(a)(8)]
3	☒	Schedule of Deviations and Written Justification [34-373(a)(9)]
3	NA	Topography (if available) [34-373(a)(4)b.iv.]
3	NA	Soils Map [34-373(a)(4)b.9.]
3	NA	FLUCCS Map [34-373(a)(4)c.]
3	NA	Rare & Unique Upland Habitat Map [34-373(a)(4)b.iii.]
3	NA	Existing and Historic Flow-Ways Map [34-373(a)(4)b.v.]
3	☒	Surface Water Management Plan (if applicable) [34-373(b)(1)]
3	NA	Phasing Program (if applicable) [34-373(b)(3)]
3	NA	Protected Species Survey (if applicable) [34-373(b)(2)]
3	NA	Proof of Notice (if applicable) [34-373(c)]

3	NA	Binding Letter from DCA (if applicable) [34-373(d)(9)]
3	NA	Master Concept Plan (MCP), PRFPD (if applicable) [34-941(g)(1)]
3	NA	Conceptual Surface Water Management Plan (if applicable) [34-941(d)(3)b.i.1]]
3	NA	Well Drawdown Information (if applicable) [34-941(d)(3)d.]
3	NA	Preliminary Indigenous Restoration Plan (if applicable) [34-941(e)(5)f.iii.]
3	NA	Environmental Assessment (if applicable) [34-941(g)(2)]
3	NA	Demonstration of Compatibility (if applicable) [34-941(g)(4)]
3	☒	Potable Water & Sanitary Sewer. Letter from the appropriate utility entity indicating the utility entity or explanation of how water and sewer needs will be met if connection will not be made. [34-202(a)(10)]
3	NA	Existing Agricultural Use Affidavit (if applicable) [34-202(a)(12)]
3	NA	Information Regarding Proposed Blasting (if applicable).
3	NA	Hazardous Materials Emergency Plan (if applicable)
3	NA	Mobile Home Park Dislocated Owners Information (if applicable) [34-202(b)(4)]
3	NA	Tall Structures Permit (if applicable) [34-1108]

DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME this day appeared Deborah S. Murphy, who, being first duly sworn and deposed says:

1. That I am the record owner, or a legal representative of the record owner, of the property that is located at 393 and 397 Balboa Avenue, Fort Myers 33905 and is the subject of an Application for zoning action (hereinafter the "Property").

2. That I am familiar with the legal ownership of the Property and have full knowledge of the names of all individuals that have an ownership interest in the Property or a legal entity owning an interest in the Property.

[OPTIONAL PROVISION IF APPLICANT IS CONTRACT PURCHASER: In addition, I am familiar with the individuals that have an ownership interest in the legal entity that is under contract to purchase the Property.]

3. That, unless otherwise specified in paragraph 6 below, no Lee County Employee, County Commissioner, or Hearing Examiner has an Ownership Interest in the Property or any legal entity (Corporation, Company, Partnership, Limited Partnership, Trust, etc.) that has an Ownership Interest in the Property or that has contracted to purchase the Property.

4. That the disclosure identified herein does not include any beneficial Ownership Interest that a Lee County Employee, County Commissioner, or Hearing Examiner may have in any entity registered with the Federal Securities Exchange Commission or registered pursuant to Chapter 517, whose interest is for sale to the general public.

5. That, if the Ownership Interest in the Property changes and results in this affidavit no longer being accurate, the undersigned will file a supplemental Affidavit that identifies the name of any Lee County Employee, County Commissioner, or Hearing Examiner that subsequently acquires an interest in the Property.

6. Disclosure of Interest held by a Lee County Employee, County Commissioner, or Hearing Examiner.

Name and Address	Percentage of Ownership
NONE	

Under penalty of perjury, I declare that I have read the foregoing and the facts alleged are true to the best of my knowledge and belief.

Deborah S. Murphy
Property Owner

Deborah Sue Murphy
Print Name

*****NOTE: NOTARY PUBLIC IS NOT REQUIRED FOR ADMINISTRATIVE APPROVALS*****
ALL OTHER APPLICATION TYPES MUST BE NOTARIZED

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, on April 13, 2022 (date) by Deborah S. Murphy (name of person providing oath or affirmation), who is personally known to me or who has produced personally known (type of identification) as identification.

STAMP/SEAL

[Signature]
Signature of Notary Public



AFFIDAVIT OF AUTHORIZATION**APPLICATION IS SIGNED BY INDIVIDUAL OWNER, APPLICANT, CORPORATION, LIMITED LIABILITY COMPANY (L.L.C.), LIMITED COMPANY (L.C.), PARTNERSHIP, LIMITED PARTNERSHIP, OR TRUSTEE**

I, Deborah S. Murphy (name), as Managing Member (owner/title) of Trop-Snoop, LLC (company/property), swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

1. I have full authority to secure the approval(s) requested and to impose covenants and restrictions on the referenced property as a result of any action approved by the County in accordance with this application and the Land Development Code;
2. All answers to the questions in this application and any sketches, data or other supplementary matter attached hereto and made a part of this application are honest and true;
3. I have authorized the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made thru this application; and that
4. The property will not be transferred, conveyed, sold or subdivided unencumbered by the conditions and restrictions imposed by the approved action.

***Notes:**

- If the applicant is a corporation, then it is usually executed by the corp. pres. or v. pres.
- If the applicant is a Limited Liability Company (L.L.C.) or Limited Company (L.C.), then the documents should typically be signed by the Company's "Managing Member."
- If the applicant is a partnership, then typically a partner can sign on behalf of the partnership.
- If the applicant is a limited partnership, then the general partner must sign and be identified as the "general partner" of the named partnership.
- If the applicant is a trustee, then they must include their title of "trustee."
- In each instance, first determine the applicant's status, e.g., individual, corporate, trust, partnership, estate, etc., and then use the appropriate format for that ownership.

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

Deborah S. Murphy
Signature

4-13-22
Date

*****NOTE: NOTARY PUBLIC IS NOT REQUIRED FOR ADMINISTRATIVE APPROVALS*****
ALL OTHER APPLICATION TYPES MUST BE NOTARIZED

**STATE OF FLORIDA
COUNTY OF LEE**

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 13th day of April, 2022, by Deborah S. Murphy (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

STAMP/SEAL



[Signature]
Signature of Notary Public

AUTHORIZATION TO REPRESENT

Please be advised that VERONICA MARTIN, SENIOR PLANNER and DEAN MARTIN, P.E., of TDM Consulting, Inc., 43 Barkley Circle, Suite 200, Fort Myers, FL 33907, are hereby authorized to represent TROP-SNOOP, LLC, the Applicant and Property Owner, in all applications to Lee County and subsequent public hearings regarding the properties at 393 and 397 Balboa Avenue, Fort Myers with STRAP Numbers 04-44-25-04-00028.8870 and 04-44-25-04-00028.8890.


Deborah S. Murphy, Managing Member

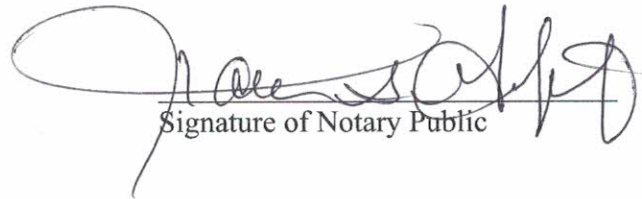
STATE OF FLORIDA

COUNTY OF Lee

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, on April 13, 2022 (date) by Christine P. Johnson (name of person providing oath or affirmation), who is personally known to me or who has produced personally known (type of identification) as identification.

STAMP/SEAL




Signature of Notary Public



REQUEST FOR SUBMITTAL REQUIREMENT WAIVER FOR UNINCORPORATED AREAS ONLY

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

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

- ☐ Public Hearing - General Requirements (34-202)
- ☐ Public Hearing - Mining Excavation Planned Development (12-110)
- ☒ Public Hearing - Additional Requirements for:
- ☐ Development of Regional Impact (34-202(b)(1))
- ☒ Planned Developments (34-202(b)(2))
- ☐ Planned Development Amendment (34-202(b)(2))
- ☐ Rezoning other than Planned Developments (34-202(b)(3))
- ☐ Special Exceptions (34-202(b)(5))
- ☐ Variances (34-202(b)(6))
- ☐ Limited Amendment to Existing Mine Zoning Approval [12-121(j)]
- ☐ Private Recreational Facilities Planned Development (34-941(g))
- ☐ Development Order - Submittal Requirements (10-152)
- ☐ Application Form and Contents (10-153)
- ☐ Additional Required Submittals (10-154)
- ☐ Limited Review Development Order - Submittal Requirements (10-152)
- ☐ Required Submittals (10-175)
- ☐ Administrative Action Application Requirements [34-203]
- State the Type of Administrative Application: _____

PLEASE PRINT OR TYPE:

STRAP Number: 04-44-25-04-00028.8870 and 04-44-25-04-00028.8890

Name of Project: Tropical Fence

Name of Agent: Veronica Martin, TDM Consulting, Inc.

Street Address: 43 Barkley Cir, Suite 200

City, State, Zip: Fort Myers, FL 33907

Phone Number: 239-433-4231

Email Address: vmartin@tdmconsulting.com

Name of Applicant*: Sue Murphy for Trop-Snoop, LLC

Street Address: 4822 Palm Beach Blvd.

City, State, Zip: Fort Myers, FL 33905

Phone Number: 239-896-4966

Email Address: sue@tropicalfence.com

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

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

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

Section Number		Requirement
#1	34-373(a)(4)(b)i	Soils Map
#2	34-373(a)(4)(b)ii	Vegetation & ground cover/FLUCCS Map
#3	34-373(a)(4)(b)iii	Rare & Unique Upland Habitat Map
#4	34-373(a)(4)(b)iv	Topographic Map
#5	34-373(a)(4)(b)v	Existing & Historic Flow-Ways Map
#6	34-373(a)(4)(c)	FLUCCS Map
#7	34-373(a)(4)(d)	Historical or Archaeological site files
#8		
#9		

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

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

The property owner and their family have owned a block of 5 lots since May 19, 2000 (see attached Corporate Warranty Deed). The lots with frontage on Palm Beach Blvd are zoned C-1 (4822, 4818, and 4814 Palm Beach Blvd). The owners "assumed" the lots at 393 and 397 Balboa Avenue had the same C-1 zoning and expanded their fence contracting business onto those lots. As a result, those 2 lots have been developed since 2000-2001. Twenty-two years later, the lots are fully developed, without much green space, buffers, etc. The maps required by LDC Sec. 34-373(a)(4) will not provide staff with any information that isn't readily available on Lee Spins aerials or a site visit.

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

Veronica Martin

Signature of Applicant

4-19-2022

Date

FOR STAFF USE ONLY

DIRECTOR'S DECISION:

☐

Request Denied

☒

Request Approved

☐

Request Approved Per Attached Comments

Electronically signed on 4/25/2022 by
Anthony R. Rodriguez, AICP, Zoning Manager
Lee County Department of Community Development

Director Signature

Date

Corporate Warranty Deed

INSTR # 4881660

OR BK 03258 PG 1968

RECORDED 05/23/00 10:40 AM
CHARLIE GREEN CLERK OF COURT
LEE COUNTY
RECORDING FEE 10.50
DOC TAX PD(F.S.201.02) 700.00
DEPUTY CLERK G Sherwood

10-50
700-
This Indenture, made this 19 day of May
A.D. 2000 , Between
CIRCLE RADIATOR OF FORT MYERS, INC.

whose post office address is: 2135 S.E. 19TH PL.
CAPE CORAL, FL 33990

a corporation existing under the laws of the
State of Florida , Grantor and
PAUL S. MURPHY, As Trustee of the Paul S.
Murphy Trust dated 2-25-92

4822 Palm Beach Blvd.
whose post office address is:
FT. MYERS, FL 33905

Grantees' SSN:

Grantee,

Witnesseth, that the said Grantor, for and in consideration of the sum of (Ten & NO/100)
Dollars, to it in hand paid by the said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and
sold to the said Grantee forever, the following described land, situate, lying and being in the County of
LEE , State of Florida, to wit:
See Schedule A attached hereto and by this reference made a part hereof.

Said property is not the homestead of the Grantor(s) under the laws and constitution
of the state of Florida in that neither Grantor(s) nor any member of the household
of Grantor(s) reside thereon.

Subject to covenants, restrictions and easements of record.

Parcel Identification Number: 04-44-25-04-00028.8820

And the said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful
claims of all persons whomsoever.

In Witness Whereof, the said Grantor has caused this instrument to be executed in its name by its duly
authorized officer and caused its corporate seal to be affixed the day and year first above written.

CIRCLE RADIATOR OF FORT MYERS, INC.

Signed and Sealed in Our Presence:

(TWO SEPARATE WITNESSES REQUIRED)

Witness Print Name: Debra L. Petruzelli

Amanda Heatley
Witness Print Name: Amanda Heatley

State of FLA
County of Lee

By: 
ANTHONY O'DAY
Its PRESIDENT

(Corporate Seal)

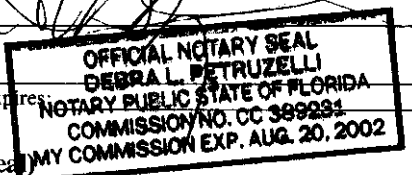
The foregoing instrument was acknowledged before me this 19 day of May , 2000 , by
ANTHONY O'DAY
of CIRCLE RADIATOR OF FORT MYERS, INC.

a corporation existing under the laws of the State of Florida , on behalf of the corporation.
He/She is personally known to me or has produced D.C. as identification.

PREPARED BY: Debra L. Petruzelli
RECORD & RETURN TO:
CAPE CORAL TITLE INSURANCE AGENCY, INC.
1307 Cape Coral Parkway
Cape Coral, Florida 33904
File No: 23557

Notary Public
Print Name:
My Commission Expires:

(Affix Stamp/Seal)



Schedule A

Parcel A-Lots 882,883,887,888,889, Block 28, Less and except the Northerly 42 feet of lots 882 & 883, Block 28, Russell Park Annex Subdivision, Plat Book 7, Page 8, in the Public Records of Lee County, Florida.

Parcel ID No. 04-44-25-04-00028.8820 and
 04-44-25-04-00028.8870 and
 04-44-25-04-00028.8890

This recorded instrument shall confer on the Trustee the Power and authority either to protect, conserve, convey or to sell, or to lease or encumber or to otherwise manage and dispose of the real property described herein.



43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone 239-433-4231 Fax 239-433-9632
www.tdmcivilengineering.com
Certificate of Authorization # 29086

Tropical Fence

Narrative of Request/Lee Plan Compliance

Narrative of Request

The property owners/applicants inherited an existing fence contracting business, Tropical Fence. The previous owners purchased the adjacent lots at 393 and 397 Balboa Avenue and expanded their business onto those vacant lots, using it as a storage yard. The subject property has been used as a storage yard for approximately 20 years and has been in its current configuration since the early 2000's. When the property owners had their business appraised for insurance purposes, it came to their attention that the storage yard was zoned TFC-2. They approached County staff regarding their options, even though a code violation for the use was never issued. The property owners have decided to rezone the subject property from TFC-2 to CPD to legitimize the existing use.

Rezoning of the property will trigger a Development Order and the applicants will be required to bring the site into compliance with the LDC to the maximum extent possible. The only improvements to the site include a chain link fence with slats along the property boundary and a rolling gate. Proposed improvements include 10-foot wide buffers abutting the residential lots and right-of-way and an 8-foot high solid opaque wall/fence set 10 feet back from the property line. This allows the buffer vegetation to be located on the residential side of the wall. In addition, drainage swales and pipes will be provided to address stormwater and pre-treatment before it discharges into the drainage swale along the Balboa Avenue right-of-way. The rezoning is consistent with the Lee Plan, the Land Development Code (except where deviations have been requested), and other applicable codes and regulations.

Land Development Code Compliance

A Development Order will be required to bring the existing site into compliance with the Land Development Code and all other applicable codes and regulations to the maximum extent possible, including buffering and screening, drainage, and fencing. Three deviations have been requested with this rezoning request where existing site conditions interfere with full compliance with the Land Development Code.

Lee Plan Compliance

The subject property at 393 and 397 Balboa Avenue is located on the south side of Palm Beach Boulevard, east of Balboa Avenue, in the Caloosahatchee Shores Planning Community. The majority of the site is in the Central Urban future land use category with a small section in the Intensive Development future land use category (per Lee Spins). The site has been developed as an open storage yard for approximately 20 years, in conjunction with a fence contractor on the abutting property (Tropical Fence). Both the Central Urban and Intensive Development future land use categories are located in areas of the County that are most heavily settled and have the

Narrative of Request/Lee Plan Compliance

Page 2 of 6

greatest range and highest levels of urban services. Commercial uses are permitted in both future land use categories. This is consistent with **Lee Plan Policy 1.1.2 and 1.1.3.**

POLICY 1.1.2: *The **Intensive Development** future land use category is located along major arterial roads. By virtue of their location, the County's current development patterns, and the available and potential levels of public services, areas with this designation are suited to accommodate high densities and intensities. Mixed use developments of high-density residential, commercial, limited light industrial, and office uses are encouraged to be developed as described in Objective 11.1, where appropriate. The standard density range is from eight dwelling units per acre (8 du/acre) to fourteen dwelling units per acre (14 du/acre), with a maximum total density of twenty-two dwelling units per acre (22 du/acre). The maximum total density may be increased to thirty dwelling units per acre (30 du/acre) utilizing Greater Pine Island Transfer of Development Units.*

POLICY 1.1.3: *The **Central Urban** future land use category can best be characterized as the "urban core" of the County. These areas are already the most heavily settled and have, or will have, the greatest range and highest levels of public services. Residential, commercial, public and quasipublic, and limited light industrial land uses will continue to predominate in the Central Urban future land use category. Future development in this category is encouraged to be mixed use, as described in Objective 11.1, where appropriate. The standard density range is from four dwelling units per acre (4 du/acre) to ten dwelling units per acre (10 du/acre), with a maximum total density of fifteen dwelling units per acre (15 du/acre). The maximum total density may be increased to twenty dwelling units per acre (20 du/acre) utilizing Greater Pine Island Transfer of Development Units.*

As stated above, the subject property has been utilized as an open storage yard for approximately 20 years. The previous property owners purchased the property and expanded their fence contracting business onto the vacant lots. The properties on all sides are developed with a mix of commercial and residential uses. This is an area of Lee County that is heavily developed and where urban services are available and adequate to service the site, including surrounding roads. This is consistent with **Objective 2.1: Development Location, Policies 2.1.1, 2.1.2, Objective 2.2: Development Timing, and Policies 2.2.1 and 2.2.2.**

OBJECTIVE 2.1: DEVELOPMENT LOCATION. *Contiguous and compact growth patterns will be promoted through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water, and natural resources, minimize the cost of services, and prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities.*

POLICY 2.1.1: *Most residential, commercial, industrial, and public development is expected to occur within the designated future urban areas on the Future Land Use Map through the assignment of very low densities to the non-urban categories.*

POLICY 2.1.2: *New land uses will be permitted only if they are consistent with the Future Land Use Map and the goals, objectives, policies, and standards of this plan.*

OBJECTIVE 2.2: DEVELOPMENT TIMING. *Direct new growth to those portions of the future urban areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created.*

POLICY 2.2.1: *Rezoning and DRI proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with*

Narrative of Request/Lee Plan Compliance

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surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare.

POLICY 2.2.2: *The Future Land Use Map indicates the uses and density ranges that will ultimately be permitted on a given parcel. However, it is not a guarantee that such densities or uses are immediately appropriate, as the map provides for the County's growth beyond the 2045 planning horizon. During the rezoning process the Board of County Commissioners will balance the overall standards and policies of this plan with three additional factors:*

- 1. Whether a given proposal would further burden already overwhelmed existing and committed public facilities such that the approval should be delayed until the facilities can be constructed; and*
- 2. Whether a given proposal is for land so far beyond existing development or adequate public facilities that approval should be delayed in an effort to encourage compact and efficient growth patterns; and*
- 3. Whether a given proposal would result in unreasonable development expectations that may not be achievable because of acreage limitations contained in the Acreage Allocation Table (see Table 1(b)).*

The open storage yard that has been in existence for approximately 20 years, abutting residential lots. The only improvements to the site consisted of a chain link fence with slats along the property boundary. This rezoning request will not only legitimize the existing commercial use of the site, but it will bring the site into compliance to the maximum possible. Ten-foot wide landscape buffers are proposed abutting the residential lots and the right-of-way and an 8-foot high solid opaque fence is proposed to be located 10 feet from the property line so the buffer vegetation can be installed between the fence the and the property lines. In addition, drainage swales and pipes are provided to collect storm water, pre-treat it as required, and discharge into the Balboa Avenue right of way swales. No building structures are proposed or parking, just open storage. This is consistent with **Lee Plan Goal 6, Objective 6.1, and Policies 6.1.1, 6.1.4, 6.1.5, and 6.1.6.**

GOAL 6: COMMERCIAL LAND USES. *To permit orderly and well-planned commercial development at appropriate locations within the County.*

OBJECTIVE 6.1: *Development approvals for commercial land uses must be consistent with the following policies, the general standards under Goal 4 and other provisions of this plan.*

POLICY 6.1.1: *All applications for commercial development will be reviewed and evaluated as to:*

- 1. Traffic and access impacts (rezoning and development orders);*
- 2. Landscaping and detailed site planning (development orders);*
- 3. Screening and buffering (planned development rezoning and development orders);*
- 4. Availability and adequacy of services and facilities (rezoning and development orders);*
- 5. Impact on adjacent land uses and surrounding neighborhoods (rezoning);*
- 6. Proximity to other similar centers (rezoning); and*
- 7. Environmental considerations (rezoning and development orders).*

Narrative of Request/Lee Plan Compliance

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POLICY 6.1.4: *Commercial development will be approved only when compatible with adjacent existing and proposed land uses and with existing and programmed public services and facilities.*

POLICY 6.1.5: *The land development regulations will require that commercial development be designed to protect the traffic-carrying capacity of roads and streets. Methods to achieve this include, but are not limited to: frontage roads; clustering of activities; limiting access; sharing access; setbacks from existing rights-of-way; acceleration, deceleration and right-turn-only lanes; and, signalization and intersection improvements.*

POLICY 6.1.6: *The land development regulations will require that commercial development provide adequate and appropriate landscaping, open space, and buffering. Such development is encouraged to be architecturally designed so as to enhance the appearance of structures and parking areas and blend with the character of existing or planned surrounding land uses.*

The property is located in the Caloosahatchee Shores planning community. The applicant will hold one public information meeting prior to a finding of sufficiency of this rezoning application. This is consistent with **Lee Plan Objective 17.3 and Policies 17.3.2, 17.3.3, and 17.3.4.**

OBJECTIVE 17.3: PUBLIC INPUT. *To provide opportunities for public input as part of the comprehensive plan and land development code amendment process.*

POLICY 17.3.2: *One public information meeting is required for privately-initiated applications that propose a text change within a community plan or revises a map designation within a community plan area boundary. The meeting must be conducted before the application can be found complete.*

POLICY 17.3.3: *Public information meetings required pursuant to the provisions of this subelement must be held within the established community plan area boundary that is affected by the amendment.*

POLICY 17.3.4: *For required public information meetings, the applicant must provide the following:*

- *Adequate meeting space to accommodate projected attendance and security measures (as needed).*
- *Advance notice of the meeting in a publication of local distribution provided at least ten calendar days prior to the meeting, unless otherwise specified herein.*
- *At the meeting, a general overview of the text or map amendment and effect thereof.*
- *After the meeting, a meeting summary document submitted to the County that contains the following information: the date, time, and location of the meeting; a list of attendees.*

The applicant intends to rezone the property from TFC-2 to CPD in order to legitimize a commercial use that as been in existence on the subject property of approximately 20 years. In doing so, the applicant will be required to bring the site into compliance with the current Land Development Code to the maximum extent possible. As it currently exists, the site doesn't have any buffers, green open space, or drainage. In addition, the property is surrounded by a chain link fence with slats, which are no longer permitted. Proposed improvements include 10-foot wide vegetative buffers and a 8-foot high solid opaque wall/fence on three sides of the property facing the residential lots and right-of-way. There's an existing rolling gate providing access to the site. A knox box will be added to provide access for emergency services. The existing gate may need to be replaced to match the new fence/wall at time of Development Order permitting. In addition, drainage swales and pipes are proposed to address storm water drainage. Upgrading a site that

Narrative of Request/Lee Plan Compliance

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has been used for commercial purposes for 20± years is an improvement to the surrounding community, including the abutting residential properties. The few deviations that have been requested are to address the limitations of the existing site. This is consistent with **Lee Plan Goal 21, Objective 21.1, Policies 21.1.2 and 21.1.3, and Objective 21.2.**

GOAL 21: CALOOSAHATCHEE SHORES COMMUNITY PLAN. *Protect the existing character, natural resources and quality of life in the Caloosahatchee Shores Community Plan area, while promoting new development, redevelopment and maintaining a more rural identity for the neighborhoods east of I-75 by establishing minimum aesthetic requirements, planning the location and intensity of future commercial and residential uses, and providing incentives for redevelopment, mixed use development and pedestrian safe environments.*

OBJECTIVE 21.1: COMMUNITY CHARACTER. *To create a visually attractive community.*

POLICY 21.1.2: *Any deviation from landscaping, buffering, signage or architectural requirements may not be granted unless the request meets the approval criteria for variances set forth in the LDC, Chapter 34.*

POLICY 21.1.3: *Protect Caloosahatchee Shores' rural character from the encroachment of inconsistent and incompatible urban development by requiring that amendments to the future land use map that increase density or intensity be accompanied with a concurrent planned development rezoning that demonstrates compatibility with the rural character.*

OBJECTIVE 21.2: COMMERCIAL LAND USES. *New commercial uses will be limited to properties already zoned for commercial uses as well as properties located at the intersection of I-75 and S.R. 80, the intersection of S.R. 31 and S.R. 80, the State Route 80 Corridor Overlay, the Verandah Boulevard commercial node, and the Commercial, Central Urban and Suburban future land use categories adjacent to S.R. 80. New commercial zoning must be approved through the planned development rezoning process. Commercial redevelopment and increased commercial opportunities on properties adjacent to SR 80 to service the needs of the Caloosahatchee Shores Community Plan area and surrounding areas are encouraged.*

The applicant has proven entitlement to the rezoning as set forth in LDC Sec. 34-145(d)(4). The request:

- (a) Complies with the Lee Plan;
- (b) Meets the Land Development Code and other applicable County regulations or qualifies for deviations;
- (c) Is compatible with existing and planned uses in the surrounding area;
- (d) Will provide access sufficient to support the proposed development intensity;
- (e) The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval;
- (f) Will not adversely affect environmentally critical or sensitive areas and natural resources; and
- (g) Will be served by urban services.

Additional findings for planned developments:

- (a) The proposed use or mix of uses is appropriate at the proposed location;
- (b) The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development;

Narrative of Request/Lee Plan Compliance

Page 6 of 6

- (c) The requested deviations enhance the achievement of the objectives of the planned development and preserves and promotes the general intent of the LDC to protect the public health, safety, and welfare.



**43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone 239-433-4231 Fax 239-433-9632
www.tdmcivilengineering.com
Certificate of Authorization # 29086**

**Tropical Fence
Proposed Schedule of Uses**

Accessory Uses and Structures
Administrative Offices
Contractors and Builders, Groups I and II
Entrance Gate
Essential Services
Essential Services Facilities, Group I
Fences, Walls
Parking Lot, Accessory
Signs in Accordance with Ch. 30
Storage, Indoor, Open



43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone 239-433-4231 Fax 239-433-9632
www.tdmcivilengineering.com
Certificate of Authorization # 29086

Tropical Fence Schedule of Deviations

DEVIATION #1:

Seeks relief from the **LDC §34-1748** requirements for entrance gates. Request to permit the existing gate to be located 21 feet from the Balboa Avenue right-of-way and to not provide a turn-around.

JUSTIFICATION:

When FDOT made improvements to Palm Beach Boulevard back in the early 2000's, it added a median in front of the fence contracting business located at 4822 Palm Beach Boulevard, effectively limiting direct access to the property when traveling west. As a result, vehicles traveling west are forced to make a U-turn on Palm Beach Boulevard. In addition, two of the three driveways on Palm Beach Boulevard were closed and are inoperable. The only direct access onto Palm Beach Boulevard is the one closest to the intersection with Balboa Avenue. Over the years, traffic conditions have created a traffic circulation pattern where vehicles turn south onto Balboa Avenue from Palm Beach Boulevard, enter the fence contracting business at the 393 Balboa Avenue site, and exit through the development at the existing driveway on Palm Beach Boulevard. This is essential for truck deliveries so they can exit the site in a forward manner without backing out as there is no room on-site to turnaround.

The open storage yard is fenced and gated. There is an existing rolling gate located 21 feet into the property. This gate is kept open during business hours and only closed after hours. The site is only 135 feet in depth. It is not possible to comply with the 100-foot setback or to provide sufficient room for a turnaround. This type of business doesn't get much traffic from the public. It's mostly employees and the occasional delivery truck. Fence contractors typically travel to the job site to provide cost estimates and installation/construction. There is no showroom at this location, so customers don't typically visit this site. Permitting the rolling gate to remain at 21 feet from the right-of-way allows delivery trucks and other vehicles to make the turning radius into the property and exit onto Palm Beach Boulevard. Increasing the gate setback or providing a turn-around would be detrimental to this development. Safe and efficient traffic circulation wouldn't be possible. This deviation enhances the achievement of the objective of this planned development and will not cause a detriment to the public interest.

DEVIATION #2:

Seeks relief from the **LDC §10-416(d)(4)** requirement for a Type C buffer to be 15 feet wide. to Request to permit the Type C buffer to be 10 feet wide when abutting single-family developments.

Schedule of Deviations

Page 2 of 3

JUSTIFICATION:

This rezoning request is to legitimize the expansion of the commercial business (fence contractor) located along Palm Beach Boulevard onto the subject property. The expansion by the previous owners occurred between 1998 and 2002 as shown on the Lee Spins Aerial Photography. The site has been used as open storage since that time and has been fenced and gated since around 2007. The property owners/applicants intend to rezone the TFC-2 property to CPD and acquire a Development Order to bring the site into compliance to the maximum extent possible.

LDC Section 10-416(d)(3) requires either a 15-foot wide Type C buffer with 8-foot high wall or a 30' Type F buffer when commercial developments abut single-family developments. The site is only 135 feet in depth. In addition, the gated access to the property on Balboa Avenue is 21 feet from the right-of-way, further limiting the developable area of the site. The applicant is proposing to provide a 10-foot wide Type C buffer with an 8-foot high opaque wall/fence, provide only native vegetation, and increase the height of the trees at time of planting from 10 feet to 12 feet. This is an improvement over what is currently provided between the open storage yard and abutting residential lots, which is a chain link fence with slats right on the property line. No buffer vegetation is provided at all.

Providing a 10-foot wide buffer abutting the residential uses reduces the open storage area by 2,850 square feet; however, the applicant wants to comply with the LDC to the maximum extent possible without losing the ability for continued use of the property. This deviation enhances the achievement of the objective of this planned development and will not cause a detriment to the public interest.

DEVIATION #3:

Seeks relief from the **LDC §10-416(d)(4)** requirement for a Type D buffer to be 15-feet wide. Request to permit the buffer adjacent to Balboa Avenue to be 10 feet wide.

JUSTIFICATION:

This rezoning request is to legitimize the expansion of the commercial business (fence contractor) located along Palm Beach Boulevard onto the subject property. The expansion by the previous owners occurred between 1998 and 2002 as shown on the Lee Spins Aerial Photography. The site has been used as open storage since that time and has been fenced and gated since around 2007. The property owners/applicants intend to rezone the TFC-2 property to CPD and acquire a Development Order to bring the site into compliance to the maximum extent possible.

LDC Sec. 10-416(d)(3) requires a Type D buffer when commercial developments abut a right-of-way. LDC Sec. 10-416(d)(4) requires a Type D buffer to be 15-feet wide; however, the site is only 135 feet in depth. Adding buffers to 3 sides of the property reduces the developable area, or in this case the available storage area, of the property. LDC Sec. 34-3005(b) requires open storage to be shielded behind a continuous visual screening at least 6-feet in height when visible from any street right-of-way or easement. The applicant is proposing to reduce the buffer width to 10 feet, provide an 8-foot high opaque wall/fence, provide only native vegetation, and increase the height of the trees at time of planting from 10 feet to 12 feet. This is an improvement over what is currently provided between the open storage yard and right-of-way, which is a chain link fence with slats right on the property line. No buffer vegetation is provided at all.

Schedule of Deviations

Page 3 of 3

Providing a 10-foot wide buffer abutting the right-of-way reduces the open storage area by 1,260 square feet; however, the applicant wants to comply with the LDC to the maximum extent possible without losing the ability for continued use of the property. This deviation enhances the achievement of the objective of this planned development and will not cause a detriment to the public interest.



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Tropical Fence
Property Development Regulations

Property Development Regulations

Proposed Zoning	= Commercial Planned Development (CPD)
Min. Lot Size	= 20,250 sf/0.46 acres
Max. Intensity	= N/A
Minimum Frontage	= 150 feet
Minimum Depth	= 135 feet
Max. Height	= N/A
Min. Open Space	= 20%

Open Space:

LDC Section 10-415 (small projects)	
Required Open Space	= 20%
	= 0.20 x 20,250 sf
	= 4,050 sf required
Provided Open Space	= 4,110 sf (buffers)

Buffers:

COM to ROW: 10' wide Type D buffer proposed *see Deviation #3
COM to SFR: 10' wide Type C buffer proposed *see Deviation #2

10.00
10.70
(1)



Prepared by and return to:
Jill C. McCrory
Attorney at Law
McCrory Law Firm
150 Laishley Court, Suite 122
Punta Gorda, FL 33950
941-205-1122
File Number: **14279-M**
Parcel Identification Number: **04-44-25-04-00028.8810, 8820, 8840, 8870, 8890**

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this **26th** day of **August, 2014** between **Tropical Industries Real Estate, LLC**, a Florida limited liability company having document number **L06000093615** as filed with the Florida Department of State on **September 22, 2006** whose post office address is **4822 Palm Beach Blvd., Fort Myers, FL 33905**, grantor, and **TROP-SNOOP, LLC**, a Florida limited liability company having document number **L14000119851** as filed with the Florida Department of State on **August 1, 2014** whose post office address is **4822 Palm Beach Blvd., Fort Myers, FL 33905**, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of **TEN AND NO/100 DOLLARS (\$10.00)** and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Lee County, Florida** to-wit:

Lots 881, 882, 883, 884, 885, 886, 887, 888 and 889, excepting therefrom the northerly 42 feet of said lots 881, 882, 883, 884, 885 and 886, Block 28, RUSSELL PARK ANNEX, according to the map or plat thereof as recorded in Plat Book 7, Page 8, Public Records of Lee County, Florida.

Subject to taxes for 2014 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

Notice to Clerk and Department of Revenue: This deed is given for minimum consideration from an agent to a principal and is subject to minimum documentary stamp tax pursuant to F.A.C. Section 12B 4.014(5).

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2013**.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

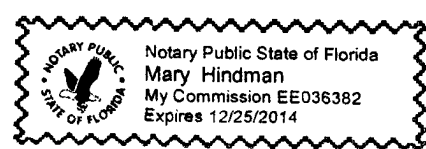
Signed, sealed and delivered in our presence:

Mary Hindman
Witness Name: **MARY HINDMAN**
Jill C. McCrory
Witness Name: **Jill C. McCrory**

TROPICAL INDUSTRIES REAL ESTATE, LLC
By: MARK P. MURPHY (Seal)
Manager

County of Charlotte

The foregoing instrument was acknowledged before me this 26th day of **August, 2014**, by **MARK P. MURPHY**, Manager of **TROPICAL INDUSTRIES REAL ESTATE, LLC**, a Florida limited liability company, on behalf of the company. He is personally known to me or who has produced a driver's license as identification.



Mary Hindman
Notary Public - State of Florida
Print Name: **MARY HINDMAN**

Title Certification/Property Information Report

Showing Information Required by Lee County Land Development Code Section 34-202(a)(7).

Issuer: Attorneys' Title Fund Services, LLC and Roetzel & Andress, L.P.A.

Recipient: Lee County Board of County Commissioners

Fund File Number: 1270525 -A1

Provided For: Roetzel & Andress, L.P.A.

Agent's File Reference: Trop Snoop LLC. TCert

Effective Date of Search: May 5, 2022 at 11:00 PM

Description of Real Property Situated in Lee County, Florida:

Lots 887, 888 and 889, Block 28, RUSSELL PARK ANNEX, according to the map or plat thereof as recorded in Plat Book [7, Page 8](#), Public Records of Lee County, Florida.

Record Title Vested in:

Trop-Snoop, LLC, a Florida limited liability company by Warranty Deed recorded under Instrument Number [2014000180857](#), Public Records of Lee County, Florida.

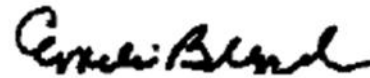
Prepared Date: May 18, 2022

Attorneys' Title Fund Services, LLC

Prepared by: Susan Lowman, Senior Examiner

Phone Number: (800) 526-3855 x6707

Email Address: SLowman@thefund.com



Cyndi Bolyard
Branch Manager

Title Certification/Property Information Report

Fund File Number: 1270525 -A1

The following mortgages are all the mortgages of record that have not been satisfied or released of record nor otherwise terminated by law:

1. Mortgage to Christopher F. Turner and Susan J. Turner, Trustees of The C and S Turner Revocable Living Trust dated October 16, 2006, mortgagee(s), recorded under Instrument Number [2014000180858](#) and re-recorded under Instrument Number [2014000184963](#) and First Modification of Mortgage Note and Mortgage Deed recorded under Instrument Number [2017000174616](#), Public Records of Lee County, Florida.
2. Assignment of Leases, Rents and Profits recorded under Instrument Number [2014000180859](#), Public Records of Lee County, Florida.
3. Mortgage to Florida Community Bank, N.A., mortgagee(s), recorded under Instrument Number [2018000210146](#), Public Records of Lee County, Florida.
4. Assignment of Rents recorded under Instrument Number [2018000210470](#), Public Records of Lee County, Florida.

Other encumbrances affecting the title:

1. All matters contained on the Plat of Russell Park Annex, as recorded in Plat Book [7, Page 8](#), Public Records of Lee County, Florida.
2. Resolution (East Lee County Sewer System) recorded in O.R. Book [1669, Page 3414](#), Public Records of Lee County, Florida.
3. Lee County Ordinance No. 86-14 recorded November 30, 1990, in O.R. Book [2189, Page 3281](#); and amended by Ordinance No. 86-38 in O.R. Book [2189, Page 3334](#), Public Records of Lee County, Florida.

This search is provided pursuant to the requirements of Lee County Land Development Code Section 34-202(a)(7) for the uses and purposes specifically stated therein, and is not to be used as the basis for issuance of an insurance commitment and/or policy. This certificate has been prepared expressly for the appropriate governing body as is defined by Lee County Land Development Code Section 34-202(a)(7), and is not to be relied upon by any other group or person for any other purpose.

LEGAL DESCRIPTION

LOTS 887, 888 AND 889, BLOCK 28, RUSSEL PARK ANNEX, A SUBDIVISION,
LOCATED IN SECTION 04, TOWNSHIP 44 EAST, RANGE 25 SOUTH, ACCORDING TO
THE PLAT THEREOF IN FILE AND RECORDED IN PLAT BOOK 7, PAGE 8, OF THE
PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

STRAP NOS.

04-44-25-04.00028.8870

04-44-25-04-00028.8890

SURVEY NOTES:

1. BASIS OF BEARING SHOWN HEREON TAKEN FROM THE EASTERLY RIGHT-OF-WAY LINE OF BALBOA AVENUE, "ASSUMED" AS BEING N.32°05'07"W.
2. FIELD NOTES IN RUSSELL PARK ANNEX.
3. THIS CERTIFICATION IS ONLY FOR LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING OR FREEDOM OF ENCUMBRANCES.
4. THIS SURVEY IS BASED ON TITLE CERTIFICATION BY ATTORNEYS' TITLE FUND SERVICES, LLC, FUND FILE No. 1270525-A1, DATED MAY 5, 2022.
5. UNDERGROUND STRUCTURES AND UTILITIES, IF ANY, ARE NOT INCLUDED.
6. THIS MAP/PLAT IS CONSIDERED SIGNED USING A DIGITAL SEAL IN ACCORDANCE WITH THE APPLICABLE STATE LAWS AND STATUTES FS 668.001-006; FS 668.50; FS 472.025; 5J-17.062, FLORIDA ADMINISTRATIVE CODE, STATE OF FLORIDA.
7. ALL BEARINGS AND DISTANCES ARE PLAT AND MEASURED, UNLESS OTHERWISE SHOWN.
8. ISSUANCE OF THIS DRAWING, FROM THIS FIRM SHALL NOT RELIEVE THE BUILDER AND/OR CONTRACTORS OF THE RESPONSIBILITY TO REVIEW AND VERIFY ALL NOTES, DIMENSIONS, ELEVATIONS, AND ADHERENCE TO APPLICABLE BUILDING CODES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION. BUILDER MAY NEED TO ADJUST ELEVATION AND/OR SETBACKS PRIOR TO CONSTRUCTION IF OTHER RESTRICTIONS EXIST.
9. THIS SURVEY IS INTENDED TO BE VIEWED AS AN 11X17, 20 SCALE DRAWING.
10. ELEVATIONS ARE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988).
11. SITE BENCHMARK (BM) AS DETERMINED BY USING RTK (REAL TIME KINEMATIC) GPS (ACCURACY 0.02") LEICA CS15, FROM FDOT B.M. RTCM 0103, ELEVATION 35.74 NAVD 1988.

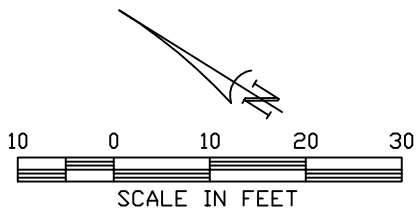
FLOOD ZONE INFORMATION:

FLOOD ZONE: "X" ELEVATION: N/A
COMMUNITY No.: 125124 PANEL No.: 0291
SUFFIX --- F REVISION DATE: 8/28/08
MAP NUMBER: 12071C0291F

THIS SURVEY IS CERTIFIED TO:
TDM CONSULTING, INC.

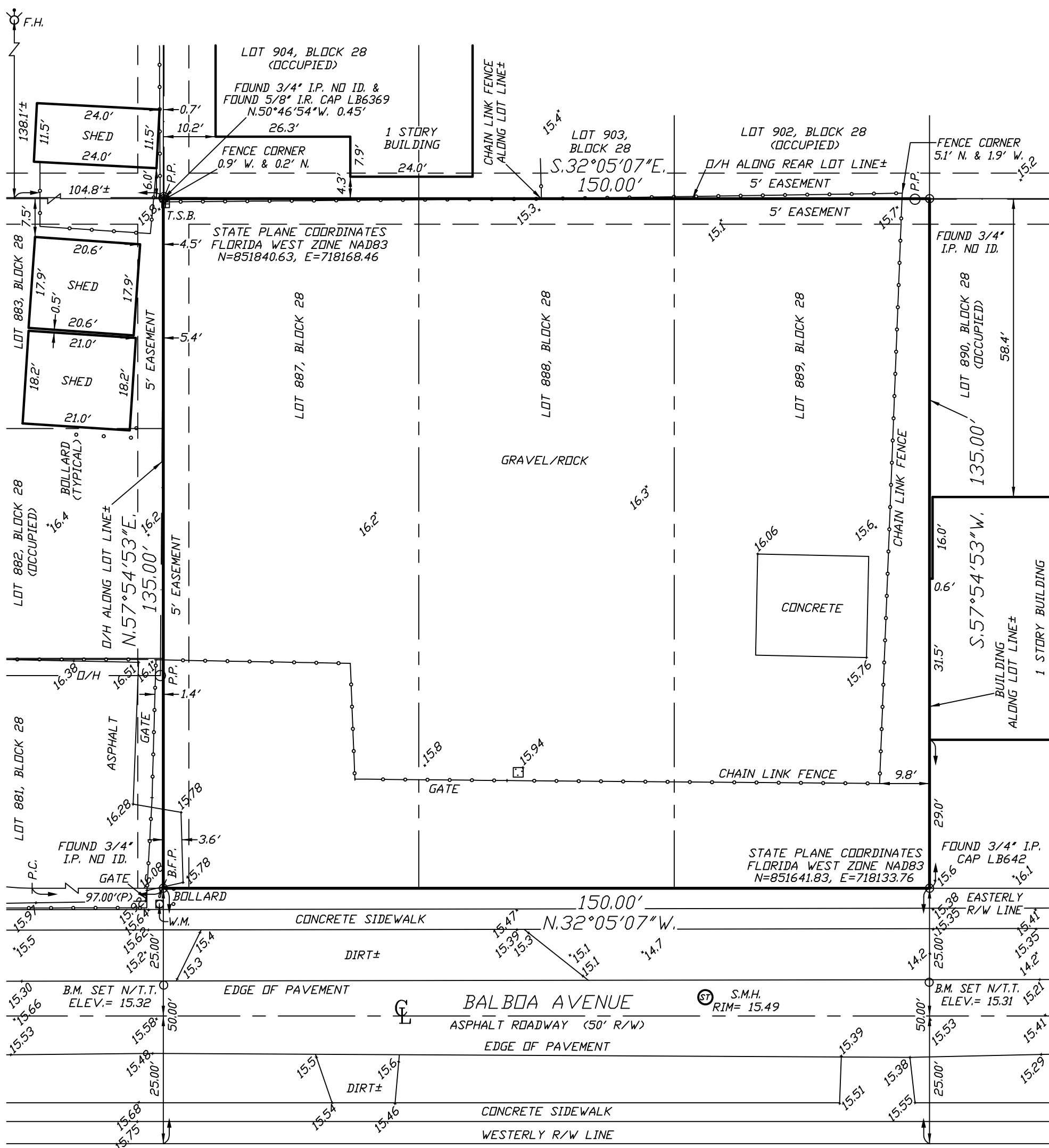
BOUNDARY SURVEY OF
LOTS 887, 888 & 889, BLOCK 28,
RUSSELL PARK ANNEX,

(PLAT BOOK 7, PAGE 8)
SECTION 4, TOWNSHIP 44 SOUTH, RANGE 25 EAST,
PUBLIC RECORDS OF LEE COUNTY, FLORIDA



DESCRIPTION: (PER TITLE CERTIFICATION)

LOTS 887, 888 AND 889, BLOCK 28, RUSSELL PARK ANNEX, ACCORDING TO THE MAP OR PLAT THEREOF AS RECORDED IN PLAT BOOK 7, PAGE 8, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

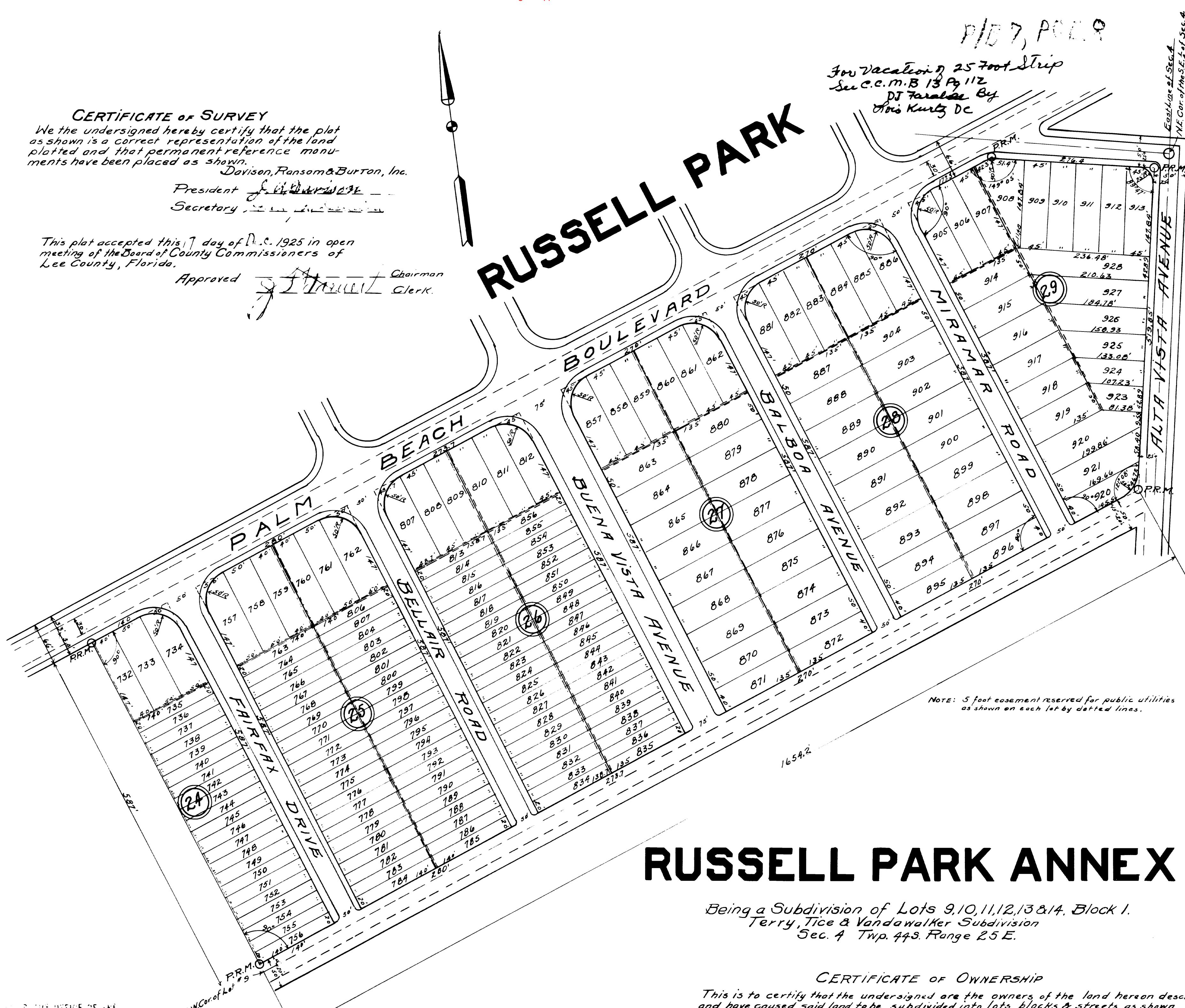


- LEGEND:
- SET 1/2" IRON ROD (CAP LB6921)
 - FOUND IRON ROD (I.R.)
 - P.U.E. PUBLIC UTILITY EASEMENT
 - D.E. DRAINAGE EASEMENT
 - P.C. POINT OF CURVATURE
 - (S) AS PER SURVEY
 - R/W RIGHT-OF-WAY
 - C CENTERLINE
 - CONCRETE
 - B.F.P. BACK FLOW PREVENTER
 - W.M. WATER METER
 - O/H OVERHEAD POWER
 - P.P. POWER POLE
 - G.A.&W. GUY ANCHOR & WIRE
 - T.S.B. TELEPHONE SERVICE BOX
 - N/T.T. NAIL & TINTAB
 - ELEV. ELEVATION
 - B.M. BENCHMARK
 - TYPICAL ELEVATION
 - A/C AIR CONDITIONER
 - S.M.H. STORM MANHOLE
 - B.F.P. BACK FLOW PREVENTER
 - F.H. FIRE HYDRANT

REVISED	DESCRIPTION	BY	DATE
		Phillip M Mould, P.S.M. 6515	
		State of Florida	
		PHILLIP M. MOULD	
		PROFESSIONAL SURVEYOR AND MAPPER	
		LS6515 - STATE OF FLORIDA	
DATE OF LAST FIELD WORK: 5/16/22			
DRAWN: RBH	CHECK: PMM	SCALE: 1"=20'	PROJ. # RPA-28-887
SURVEY DATE: 5/16/22	FILE NO.: 44-25-4	SHT. - 1	OF - 1
HARRIS-JORGENSEN, LLC. 3048 DEL PRADO BLVD. S., SUITE 100 CAPE CORAL, FLORIDA 33904 PHONE: (239) 257-2624 FAX: (239) 257-2921			
FLORIDA CERTIFICATE OF AUTHORIZATION LB6921			

CERTIFICATE OF SURVEY
We the undersigned hereby certify that the plat as shown is a correct representation of the land plotted and that permanent reference monuments have been placed as shown.
Davison, Ransom & Burton, Inc.
President *[Signature]*
Secretary *[Signature]*

This plat accepted this 17 day of Dec. 1925 in open meeting of the Board of County Commissioners of Lee County, Florida.
Approved *[Signature]* Chairman
[Signature] Clerk.



RUSSELL PARK ANNEX

Being a Subdivision of Lots 9, 10, 11, 12, 13 & 14, Block 1,
Terry, Tice & Vandawalker Subdivision
Sec. 4 Twp. 44S. Range 25 E.

CERTIFICATE OF OWNERSHIP
This is to certify that the undersigned are the owners of the land hereon described and have caused said land to be subdivided into lots, blocks & streets as shown, and said streets are hereby dedicated to the use of the public forever.
Witness *[Signature]* *[Signature]*
Charles W. Russell
Florence E. Russell
I hereby certify that on this day personally appeared before me, an officer, duly authorized to administer oaths and take acknowledgements, Charles W. Russell & Florence E. Russell, to me well known to be the persons described in and who executed the foregoing Certificate of Ownership and they acknowledge before me that they executed the same freely and voluntarily for the purposes herein expressed.
Witness my hand and official seal at Ft. Myers, County of Lee State of Florida, this 27 day of December A.D. 1925.
[Signature] Notary Public
My Commission expires *[Date]*

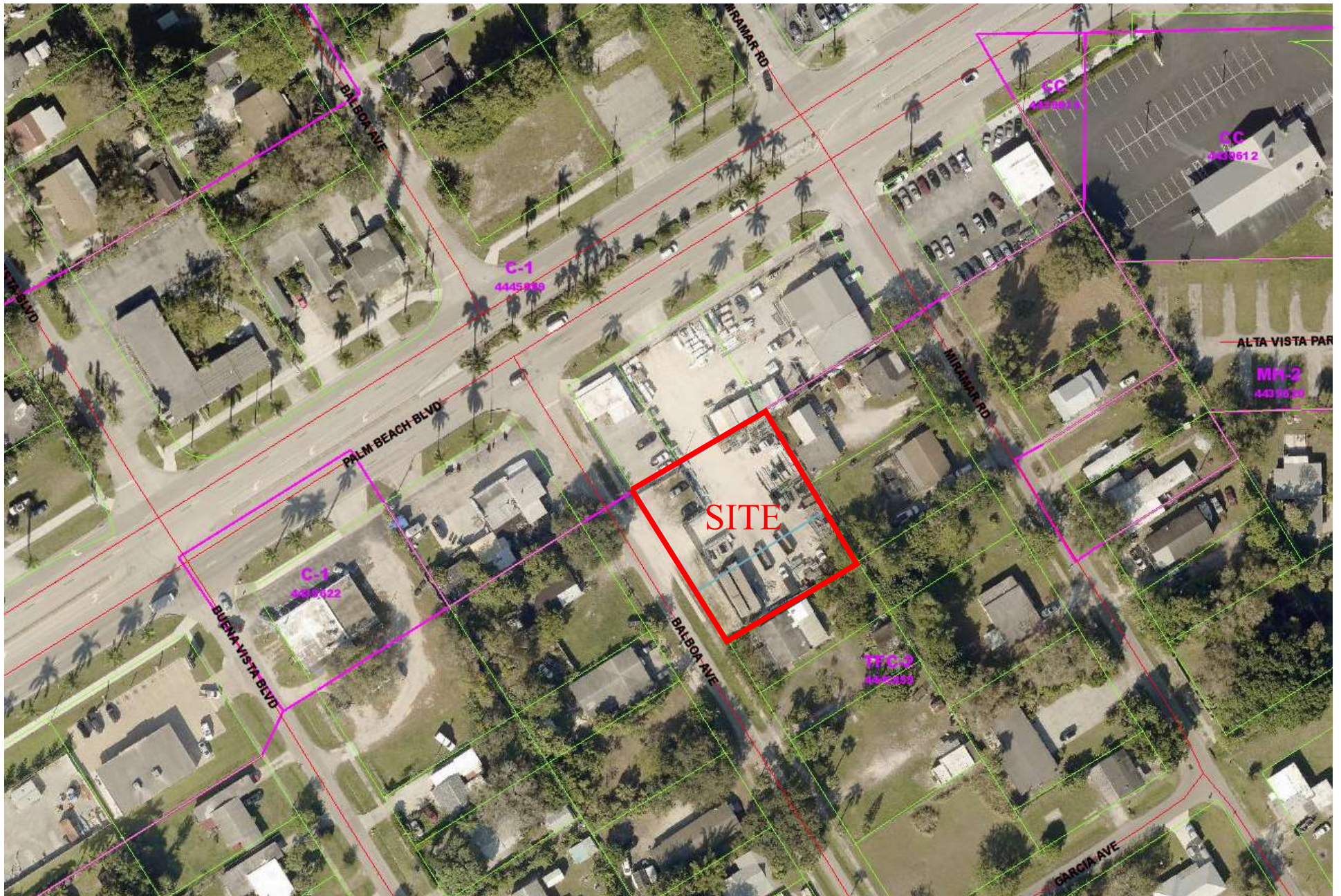
DAVISON, RANSOM & BURTON, INC.
CIVIL ENGINEERS
FT. MYERS FLORIDA
Sept. 30, 1925 Scale 1/4" = 100'

RECORDED IN THE OFFICE OF THE
CLERK OF THE COUNTY COURT,
LEE COUNTY, FLA.
THIS 17th DAY OF DECEMBER 1925
Attest my hand and seal of office
this 17th day of December 1925
[Signature]
Clerk of the County Court

Tropical Fence
Area Location Map
Exhibit A



Tropical Fence
Zoning Map
Exhibit C



Tropical Fence
Future Land Use Map
Exhibit B



Intensive Development

Central Urban

Suburban



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Certificate of Authorization # 29086**

Tropical Fence Explanation of Utilities

The applicant is applying to rezone the lots at 393 and 397 Balboa Avenue in an effort to legitimize the expansion of their fence contracting business onto land with TFC-2 zoning. The subject property is used for storage of fencing materials, collection of solid waste, and the main driveway for deliveries. No buildings are proposed. As a result, there is no need to provide water or sewer facilities on the subject property.



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393 and 397 Balboa Avenue Surface Water Management Narrative

Water quality will be provided by perimeter dry detention areas prior to controlled discharge off-site. Stormwater runoff from the impervious areas will be directed to the dry detention areas via sheet flow.

The property in the existing state has no defined drainage pattern and no defined discharge point. There are no water quality treatment areas. The property is virtually 100% impervious, with most rainfall likely ponding on-site prior to staging up and randomly sheet flowing off-site.

Post-development stormwater discharge from the property will be to the Balboa Avenue roadside swale after water quality treatment is achieved on-site.

The proposed dry detention areas, culverts, and control structure will be owned and maintained by the property owner in perpetuity.

The property is in an X Flood Zone. There will be no proposed buildings on the site.

TRAFFIC IMPACT STATEMENT
FOR
A PROPOSED OPEN STORAGE AREA
393 and 397 Balboa Avenue

PREPARED FOR:

Mr. Mark and Ms. Sue Murphy, Owners
Tropical Fence
4822 Palm Beach Boulevard
Fort Myers, FL 33905

PREPARED BY:



43 Barkley Circle, Suite 200
Fort Myers, FL 33907
Phone 239-433-4231 Fax 239-433-9632
www.tdmcivilengineering.com
Certificate of Authorization # 29086

June 2022



Thomas
Dean Martin
Digitally signed by
Thomas Dean Martin
Date: 2022.06.21
07:44:50 -04'00'

DEAN MARTIN
FLORIDA P.E. #52022
VALID ONLY WITH EMBOSSED SEAL

1. PURPOSE

OBJECTIVE

This report has been prepared in accordance with Lee County Department of Community Development criteria as outlined in the Lee County Traffic Impact Statement Guidelines and the Lee County Turn Lane Policy for projects seeking Development Order approval. This report analyzes the anticipated traffic conditions of the proposed development in order to determine any adverse roadway impacts associated with the addition of **393 and 397 Balboa Avenue**.

The subject parcel per the most recent boundary survey by Harris-Jorgensen is 0.46 acres (20,250 square feet).

This Traffic Impact Statement is based on the assumption that the proposed facility will be completed in 2023.

2. SITE DESCRIPTION

SITE LOCATION

393 and 397 Balboa Avenue is a 0.46-acre project located on the east side of Balboa Avenue in Section 04, Township 44 South, Range 25 East, Lee County, Florida (see Exhibit 1). The applicant proposes to legitimize the existing 20,250 square foot open storage yard.

Access to the development is via one (1) proposed full-access driveway connection to Balboa Avenue. This report is based on this one (1) proposed driveway connection.

3. OBSERVATIONS

3.1 TRIP GENERATION CALCULATIONS

Vehicular trips generated by the development were calculated by using the equations provided by the Institute of Transportation Engineers, 11th Edition of the Trip Generation Manual, Land Use Code 151 (Mini-Warehousing) using the average rates shown in the tables. Note that LUC 151 is generally considered a reliable indicator of trip generations for the open storage use in the absence of actual use data in the ITE Manual.

Table 1. Raw Trip Generation - LUC 151 (Mini-Warehouse)

20,250 Square Feet of Gross Floor Area:

- A.** Daily Average Vehicle Trip Ends, Weekday
 $T = 1.45 (20.250) = 30$ (15 entering, 15 exiting)
- B.** A.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street)
 $T = 0.09 (20.250) = 2$ (1 entering, 1 exiting)
- C.** P.M. Peak Hour Average Vehicle Trip Ends (Adjacent Street)
 $T = 0.15 (20.250) = 3$ (1 entering, 2 exiting)

Source: TDM, 2022

Based on this, the development will be analyzed using the criteria established for developments generating less than three hundred (300) vehicle trips during the peak hour as outlined in the Lee County Traffic Impact Guidelines.

3.2 TRIP DISTRIBUTION

As previously stated herein, traffic will enter and exit the development at the one (1) proposed full-access driveway connection to Balboa Avenue.

Because the nearest arterial street (Palm Beach Boulevard) is north of the site and only limited residential lots are south of the site, it is estimated for this report that 98% of traffic from the development will enter and exit from/to the north while 2% of traffic from the development will enter and exit from/to the south.

3.3 EXISTING TRAFFIC CONDITIONS

Palm Beach Boulevard is the nearest arterial road being indirectly accessed and is classified by the Lee County Comprehensive Plan as a six-lane divided arterial road. Per the 2021 Lee

County Concurrency Report, Palm Beach Boulevard has a “C” Level of Service near the development, a 2020 peak direction of flow volume of one thousand ninety-six (1,096) vehicles per hour, a Performance Standard “D” Level of Service, and a Performance Standard Capacity of three thousand one hundred seventy-one (3,171) vehicles per hour.

Based on the 2021 Traffic Count Report prepared by the Lee County Department of Transportation, traffic on Palm Beach Boulevard near the development heads west 69% of the time and east 31% of the time during the A.M. peak while traffic heads east 60% of the time and west 40% of the time during the P.M. peak.

Balboa Avenue is a County-maintained two-lane local road. It has a posted speed limit of twenty-five (25) miles per hour.

3.4 TURN LANE ANALYSIS (BALBOA AVENUE)

A. Traffic Conditions on Balboa Avenue (Local)

- A.M. Peak Hour Vehicle Trip Ends - 2
- P.M. Peak Hour Vehicle Trip Ends - 3
- Posted Speed Limit - 25 mph

B. Deceleration and Left Turn Lane

Based on the Turn Lane Policy, a deceleration and left turn lane is not required. None of the required warrants are satisfied. The posted speed limit of the local street is below the threshold; the number of left-turning movements from the local street during the peak hour of the local street is below the threshold, the available sight distance for the posted speed limit of the local street is above the threshold; and the access point connection is not controlled by a traffic signal.

C. Separate Left Turn Lane on the Access Point Connection

Based on the Turn Lane Policy, a separate left turn lane on the access point connection is not required. None of the required warrants are satisfied. The posted speed limit of the local street is below the threshold, the number of left-turning vehicles from the access point connection during the peak hour of the local street is below the threshold, and the access point connection is not controlled by a traffic signal.

D. Deceleration and Right Turn Lane

Based on the Turn Lane Policy, a deceleration and right turn lane is not required. None of the required warrants are satisfied. The posted speed limit of the local street is below the threshold, the number of right-turning movements from the local street during the

peak hour of the local street is below the threshold, the available sight distance for the posted speed limit of the local street is above the threshold, and the access point connection is not controlled by a traffic signal.

E. Separate Right Turn Lane on the Access Point Connection

Based on the Turn Lane Policy, a separate right turn lane on the access point connection is not required. None of the required warrants are satisfied. The posted speed limit of the intersecting street is below the threshold, the number of right-turning movements from the access point connection during the peak hour of the local street is below the threshold, and the access point connection is not controlled by a traffic signal.

3.5 RECOMMENDED IMPROVEMENTS (BALBOA AVENUE)

One (1) typical full-access driveway connection is proposed. No other improvements are required or proposed.

3.6 LEVEL OF SERVICE ANALYSIS (PALM BEACH BOULEVARD)

The development will not introduce a significant increase in traffic flows and will not degrade the Level of Service of Palm Beach Boulevard during the peak season below the Performance Standard Level of Service (see attached 100th Highest Hour Level of Service Calculation).

3.7 DETERMINATION OF POTENTIAL IMPACTS (PALM BEACH BOULEVARD)

The development will add one (1) vehicle trip to Palm Beach Boulevard in the peak hour peak direction. The maximum service volume at LOS “D” of Palm Beach Boulevard is three thousand one hundred seventy-one (3,171) vehicles in the peak hour in the peak direction.

Significance determination percentage = (Cumulative project traffic)/(maximum service volume at LOS standard) = (1)/(3,171) = 0.03%.

This does not meet the definition of a significant impact on Palm Beach Boulevard with less than 5% of the adopted peak hour LOS maximum service volume of the roadway.

The proposed development is not required to pay a proportionate share towards a future improvement of Palm Beach Boulevard.

100TH HIGHEST HOUR LEVEL OF SERVICE CALCULATION PALM BEACH BOULEVARD

ENGINEER:TDM Consulting, Inc.
Dean Martin, P.E.**DATE:**

June 20, 2022

PROJECT NAME:

393 and 397 Balboa Avenue

PROJECT LOCATION:

Balboa Avenue, South of PBB

PERMANENT COUNTING STATION NUMBER:

5

100TH HOUR V.P.H.**(Year & Rate) =**

2020

1,096

YEAR FOLLOWING PROJECT CONSTRUCTION:

2024

ADJUSTMENT FACTOR =**Count & Yr_{min}**

N/A

Count & Yr_{max}

N/A

Adjustment Factor = $(\quad 0 / \quad 0 \text{ ##### })^4$

1.000

ADJUSTED 100TH HOUR V.P.H. =

1,096 x 1.000

1,096

EXISTING LEVEL OF SERVICE =

C

PROJECT V.P.H. =

2 (P.M. Exiting) x 98% x 60% (East-Bound)

1

TOTAL V.P.H. =

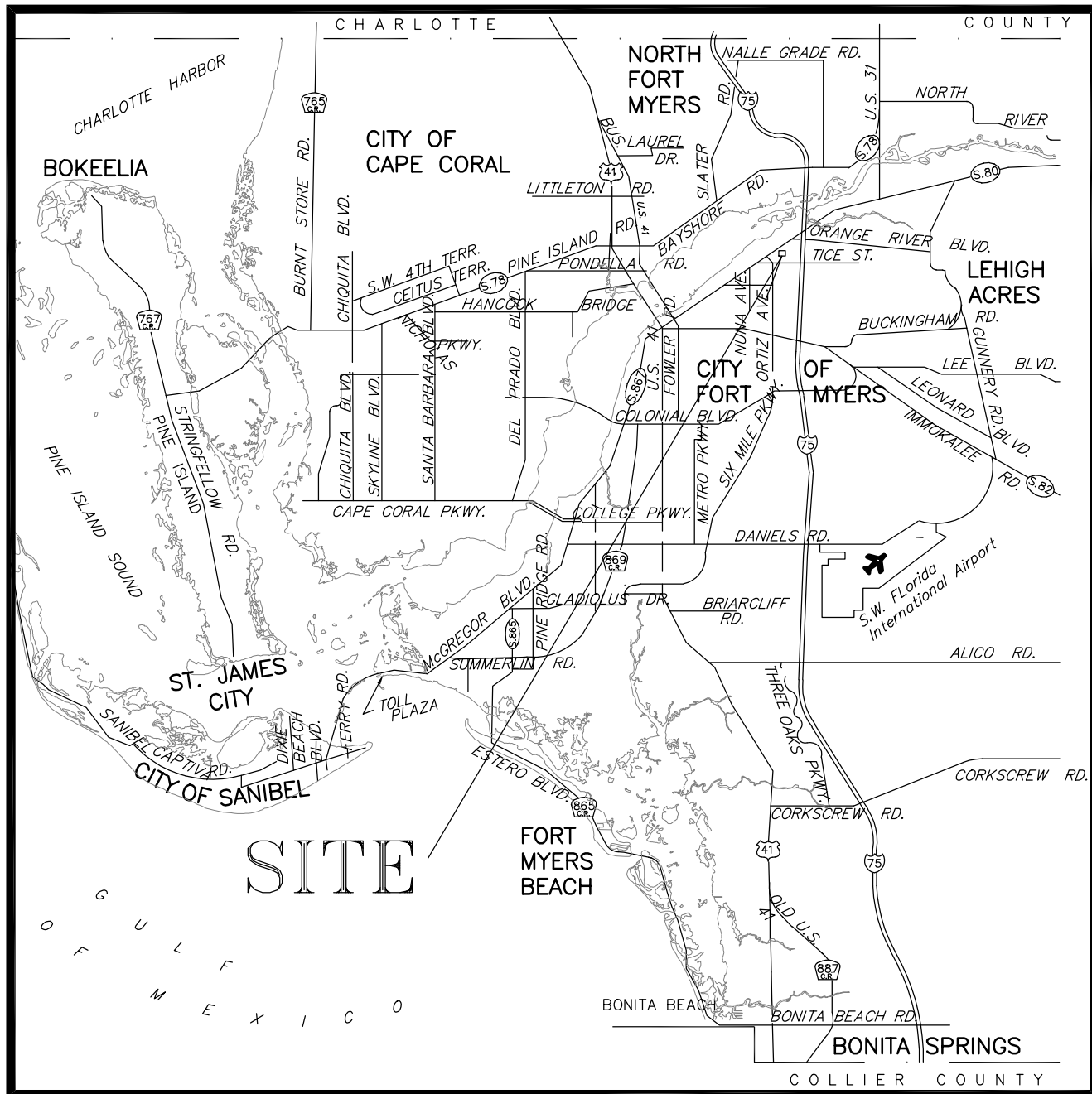
1,096 + 1

1,097

LEVEL OF SERVICE =

C

COMMENTS:



LOCATION SKETCH
N.T.S.

EXHIBIT 1
TRAFFIC IMPACT STATEMENT
LOCATION MAP
363 AND 397 BALBOA AVENUE
FORT MYERS, FL, 33905

SOURCE: TDM, 06/22



43 Barkley Circle, Suite #200
Fort Myers, FL 33907
Phone: (239) 433-4231
Fax: (239) 433-9632
Email: dean@tdmconsulting.com
Certificate of Authorization # 29086

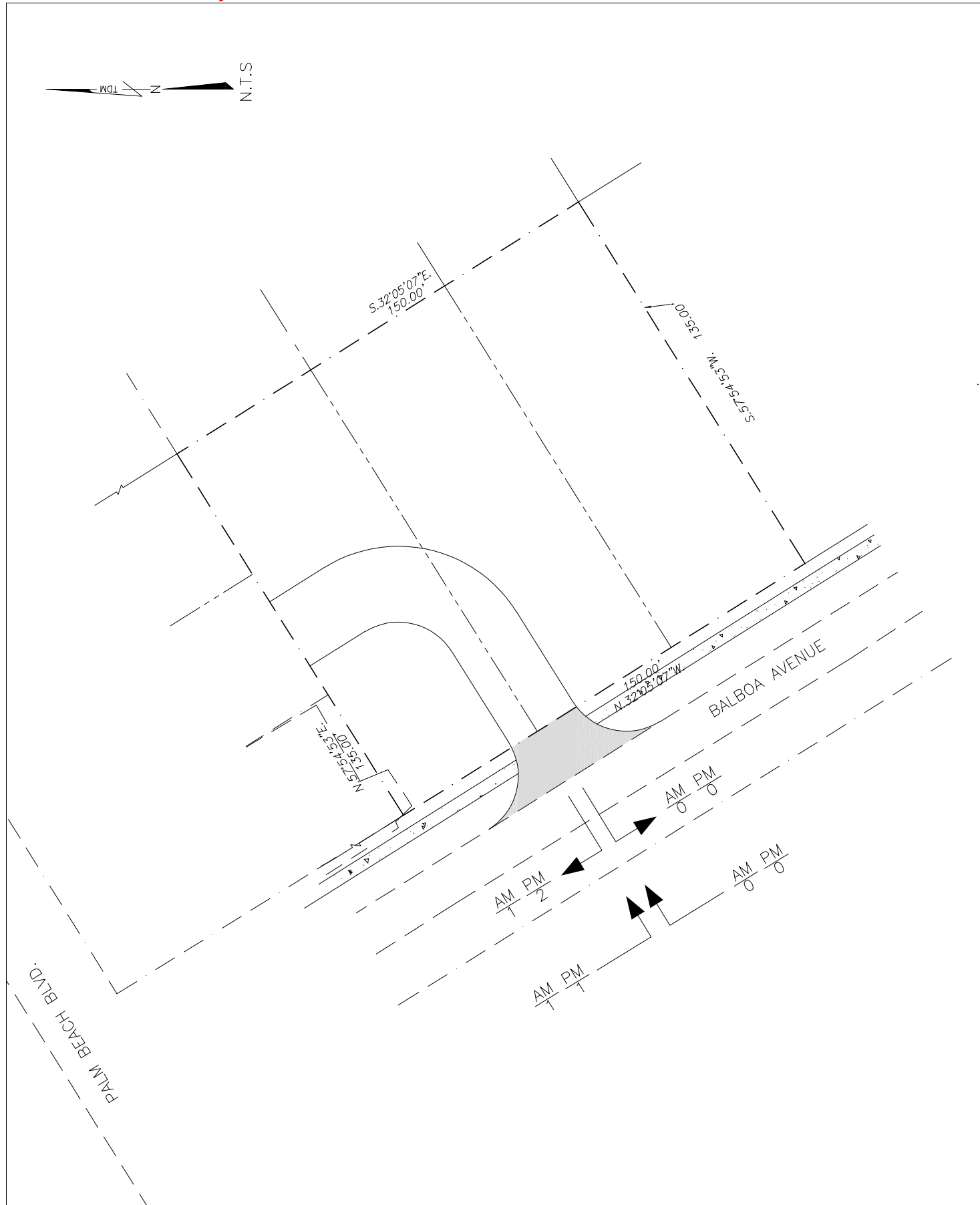


EXHIBIT 2
 TRAFFIC IMPACT STATEMENT
 PEAK HOUR TRAFFIC DISTRIBUTION
 393 AND 397 BALBOA AVENUE
 FORT MYERS, FL, 33905

SOURCE: TDM, 06/22



43 Barkley Circle, Suite #200
 Fort Myers, FL 33907
 Phone: (239) 433-4231
 Fax: (239) 433-9632
 Email: dean@tdmconsulting.com
 Certificate of Authorization # 29086

SCALE: AS NOTED



Date of Report: April 13, 2022

Buffer Distance: 500 feet

Parcels Affected: 71

Subject Parcels: **04-44-25-04-00028.8870, 04-44-25-04-00028.8890**To change, add or remove subject parcels please change the parcel selection in [GeoView](#)
[Click here to download the map image, mailing labels \(Avery 5161\) and CSV formatted information.](#)

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	MAP INDEX
JAMES M CARRIGAN LLC 6464 PINE AVE SANIBEL FL 33957	03-44-25-08-0000B.0020 4620 UNDERWOOD DR FORT MYERS FL 33905	UNDERWOOD SUBD. BLK B PB 12 PG 27 LOT 2	1
UNDERWOOD FREDA P + 4640 UNDERWOOD DR FORT MYERS FL 33905	03-44-25-08-0000B.0030 4640 UNDERWOOD DR FORT MYERS FL 33905	UNDERWOOD SUBD. BLK B PB 12 PG 27 LOT 3	2
LOZADA LUIS A + 4660 UNDERWOOD DR FORT MYERS FL 33905	03-44-25-08-0000B.0040 4660 UNDERWOOD DR FORT MYERS FL 33905	UNDERWOOD SUBD. BLK.B PB 12 PG 27 LOT 4	3
TIITF STATE OF FLORIDA DEPT OF ENVIR PROTECTION 3900 COMMONWEALTH BLVD TALLAHASSEE FL 32399	04-44-25-00-00017.0000 KINGSTON DR FORT MYERS FL 33905	BEG SE COR NE 1/4 N 200 FT SWLY TO 1/2 SEC LINE E TO POB	4
CULLETON THOMAS P 2003 SE 13TH ST CAPE CORAL FL 33990	04-44-25-03-00011.4370 304/306 GRANADA BLVD FORT MYERS FL 33905	RUSSELL PARK BLK 11 PB 6 PG 12 LOT 437	5
DENNYS AUTO SALES INC 4829 PALM BEACH BLVD	04-44-25-03-00011.4400 4829 PALM BEACH BLVD	RUSSELL PARK BLK 11 PB 6 PG 12 LOTS 438	6

FORT MYERS FL 33905	FORT MYERS FL 33905	THRU 444 + S 1/2 LOT 445 LESS RD R/W	
EL PATRON LLC 1720 WERNER DR ALVA FL 33920	04-44-25-03-00011.4460 283/289 MIRAMAR RD FORT MYERS FL 33905	RUSSELL PARK BLK 11 PB 8 PG 25 LOTS 446 + N 1/2 LOT 445 + LOTS 447 + 448	7
RUSSELL PARK CIVIC ASSN 290 MIRAMAR RD FORT MYERS FL 33905	04-44-25-03-00012.00CE 290 MIRAMAR RD FORT MYERS FL 33905	RUSSELL PK BLK 12 PB 8 PG 25 LOTS 483 THRU 485 COMMON ELEMENT	8
KETZBEAU MEVILLE ROCHA ROSALINA VILLAGE 3 BALIOK TALOMA DAVAO CITY 8000 PHILIPPINES	04-44-25-03-00012.4860 4823 PALM BEACH BLVD FORT MYERS FL 33905	RUSSELL PARK BLK 12 PB 8 PG 25 LOT 486 LESS RD R/W	9
CHARLES W FLINT JR TRUST + 5991 BUCKINGHAM RD FORT MYERS FL 33905	04-44-25-03-00012.4870 4821 PALM BEACH BLVD FORT MYERS FL 33905	RUSSELL PARK BLK 12 PB 8 PG 25 LOTS 487 + 488 LESS SLY 42	10
KETZBEAU MEVILLE ROCHA ROSALINA VILLAGE 3 BALIOK TALOMA DAVAO CITY 8000 PHILIPPINES	04-44-25-03-00012.4890 4813 PALM BEACH BLVD FORT MYERS FL 33905	RUSSELL PARK BLK 12 PB 8 PG 25 LOTS 489 THRU 491	11
RICH MICHAEL J TR 2045 MCGREGOR BLVD FORT MYERS FL 33901	04-44-25-03-00012.4920 349/351 BALBOA AVE FORT MYERS FL 33905	RUSSELL PARK BLK 12 PB 8 PG 25 LOT 492	12
RICH MICHAEL J TR 2045 MCGREGOR BLVD FORT MYERS FL 33901	04-44-25-03-00012.4930 345/347 BALBOA AVE FORT MYERS FL 33905	RUSSELL PARK BLK 12 PB 8 PG 25 LOT 493	13
SEABOARD INVESTMENTS INC 2950 VALENCIA WAY FORT MYERS FL 33901	04-44-25-03-00012.4940 339 BALBOA AVE FORT MYERS FL 33905	RUSSELL PARK BLK 12 PB 8 PG 25 LOTS 494 + 495	14
FRONTZEK HORST 1320 SE 23RD PL CAPE CORAL FL 33990	04-44-25-03-00013.5310 340-346 BALBOA AVE FORT MYERS FL 33905	RUSSELL PARK BLK 13 PB 8 PG 25 LOTS 531 THRU 533	15
TICE TRADING POST INC TR PO BOX 50488 FORT MYERS FL 33994	04-44-25-03-00013.5340 4805/4807 PALM BEACH BLVD FORT MYERS FL 33905	RUSSELL PARK BLK 13 PB 8 PG 25 LOTS 534 THRU 536	16
4801 PALM BEACH LLC 4801 PALM BEACH BLVD FORT MYERS FL 33905	04-44-25-03-00013.5370 4801 PALM BEACH BLVD FORT MYERS FL 33905	RUSSELL PARK BLK 13 PB 8 PG 25 LOTS 537 THRU 540 LESS S 42 FT R/W	17
VIDAL RE LLC TR 731 SUNFLOWER CR WESTON FL 33327	04-44-25-03-00013.5410 341/343 BUENA VISTA BLVD FORT MYERS FL 33905	RUSSELL PARK BLK 13 PB 8 PG 25 LOTS 541 + 542	18
ENRIQUE JORGE F + 346 BUENA VISTA BLVD FORT MYERS FL 33905	04-44-25-03-00014.5810 346 BUENA VISTA BLVD FORT MYERS FL 33905	RUSSELL PARK BLK 14 PB 8 PG 25 PT OF LOTS 581 + 582 N 55FT	19
EL DORADO JOYERIAS LLC 4737 PALM BEACH BLVD FORT MYERS FL 33905	04-44-25-03-00014.5830 4739 PALM BEACH BLVD FORT MYERS FL 33905	RUSSELL PARK BLK 14 PB 8 PG 25 LOT 583 + PT LOT 582 + PT LOT 581	20
LIGHT DANIEL B & LEAH RAE 11125 GULF SHORE DR UNIT 500 NAPLES FL 34108	04-44-25-04-00026.8100 4786/4788 PALM BEACH BLVD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 26 PB 7 PG 8 LOTS 810 THRU 812 + LOT 856	21
NYENHUIS PAUL & ROBIN + 418 BUENA VISTA BLVD FORT MYERS FL 33905	04-44-25-04-00026.8350 418 BUENA VISTA BLVD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 26 PB 7 PG 8 LOTS 835 THRU 837	22
JACKSON SONYA 414 BUENA VISTA BLVD	04-44-25-04-00026.8380 414 BUENA VISTA BLVD	RUSSELL PARK ANNEX BLK 26 PB 7 PG 8	23

FORT MYERS FL 33905	FORT MYERS FL 33905	LOTS 838 THRU 840	
HOGG KRISTY 412 BUENA VISTA BLVD FORT MYERS FL 33905	04-44-25-04-00026.8410 412 BUENA VISTA BLVD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 26 PB 7 PG 8 LOTS 841 THRU 843	24
GRANT JAHPHET Y 410 BUENA VISTA BLVD FORT MYERS FL 33905	04-44-25-04-00026.8440 410 BUENA VISTA BLVD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 26 PB 7 PG 8 LOTS 844 THRU 849 INC	25
RICHEY CHRISTOPHER S 406 BUENA VISTA BLVD FORT MYERS FL 33905	04-44-25-04-00026.8500 406 BUENA VISTA BLVD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 26 PB 7 PG 8 LOTS 850 THRU 852	26
LIGHT DANIEL B & LEAH RAE 11125 GULF SHORE DR UNIT 500 NAPLES FL 34108	04-44-25-04-00026.8530 404 BUENA VISTA BLVD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 26 PB 7 PG 8 LOTS 853 THRU 855	27
ERNEST M SCHULTZ III POST NO 3 4800 PALM BEACH BLVD FORT MYERS FL 33905	04-44-25-04-00027.8570 4800 PALM BEACH BLVD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 27 PB 7 PG 8 LOTS 857 THRU 859 + LOTS 863 + 864	28
MASON GRAY ENTERPRISES INC 1819 NW 19TH PL CAPE CORAL FL 33993	04-44-25-04-00027.8600 4812 PALM BEACH BLVD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 27 PB 7 PG 8 POR LOTS 860 THRU 862	29
ALVARADO MANUEL DE JESUS 4702 NOTTINGHAM DR FORT MYERS FL 33905	04-44-25-04-00027.8650 405 BUENA VISTA BLVD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 27 PB 7 PG 8 LOT 865	30
WASKO ALLEN G 10221 BELLAVISTA CIR APT 202 MIROMAR LAKES FL 33913	04-44-25-04-00027.8660 407 BUENA VISTA BLVD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 27 PB 7 PG 8 LOT 866 + PT LOT 867	31
PAZ ROSA MODESTA + 409 BUENA VISTA BLVD FORT MYERS FL 33905	04-44-25-04-00027.8670 409 BUENA VISTA BLVD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 27 PB 7 PG 8 PT LOTS 867 + 868 LESS N 5 FT	32
NYENHUIS PAUL & ROBIN + 415 BUENA VISTA BLVD FORT MYERS FL 33905	04-44-25-04-00027.8690 415 BUENA VISTA BLVD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 27 PB 7 PG 8 LOTS 869 THRU 871 INC	33
CRUZ BERNARDO AZPEITIA & 4923 GARCIA AVE FORT MYERS FL 33905	04-44-25-04-00027.8720 4923 GARCIA AVE FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 27 PB 7 PG 8 LOTS 872 + 873	34
GONZALEZ MANUEL + 17120 CORAL CAY LANE FORT MYERS FL 33908	04-44-25-04-00027.8750 402/404 BALBOA AVE FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 27 PB 7 PG 8 LOT 875 + S 1/2 LOT 876	35
GOLDEN HOME PROPERTY LLC 7730 NW 183RD ST MIAMI GARDENS FL 33015	04-44-25-04-00027.8770 400 BALBOA AVE FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 27 PB 7 PG 8 LOT 877 + N1/2 LOT 876	36
GUTIERREZ-PEREZ TOMAS PO BOX 50751 FORT MYERS FL 33994	04-44-25-04-00027.8780 398 BALBOA AVE FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 27 PB 7 PG 8 LOT 878	37
MASON GRAY ENTERPRISES INC 1819 NW 19TH PL CAPE CORAL FL 33993	04-44-25-04-00027.8790 394 BALBOA AVE FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 27 PB 7 PG 8 LOTS 879 + 880	38
TROP SNOOP LLC 4822 PALM BEACH BLVD FORT MYERS FL 33905	04-44-25-04-00028.8810 4814 PALM BEACH BLVD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 28 PB 7 PG 8 LOT PT 881	39
TROP SNOOP LLC 4822 PALM BEACH BLVD FORT MYERS FL 33905	04-44-25-04-00028.8820 4818 PALM BEACH BLVD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 28 PB 7 PG 8 PT LOTS 882 + 883	40
TROP SNOOP LLC 4822 PALM BEACH BLVD FORT MYERS FL 33905	04-44-25-04-00028.8840 4822 PALM BEACH BLVD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 28 PB 7 PG 8 LOTS PT 884 THRU 886	41
PALM BAY RENTALS LLC PO BOX 62684 FORT MYERS FL 33906	04-44-25-04-00028.8900 399 BALBOA AVE FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 28 PB 7 PG 8 LOT 890	42

PALM BAY RENTALS LLC PO BOX 62684 FORT MYERS FL 33906	04-44-25-04-00028.8910 401 BALBOA AVE FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 28 PB 7 PG 8 LOT 891	43
FLORES J ELEAZER PEREZ 2401 PARKVIEW DR FORT MYERS FL 33905	04-44-25-04-00028.8920 405 BALBOA AVE FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 28 PB 7 PG 8 LOTS 892 + 893	44
CRUZ BERNARDO AZPEITIA & 4923 GARCIA AVE FORT MYERS FL 33905	04-44-25-04-00028.8940 4933 GARCIA AVE FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 28 PB 7 PG 8 LOTS 894 + 895	45
HAMPTON JEFF & WENDY 1933 HUNTINGTON PL BRENTWOOD CA 94513	04-44-25-04-00028.8960 402 MIRAMAR RD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 28 PB 7 PG 8 LOT 896	46
MARTINEZ PATRICIA 400 MIRAMAR RD FORT MYERS FL 33905	04-44-25-04-00028.8970 400 MIRAMAR RD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 28 PB 7 PG 8 LOTS 897 + 898	47
NGUYEN GIANG THI 410 GOODMAN DR GALLATIN TN 37066	04-44-25-04-00028.8990 396 MIRAMAR RD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 28 PB 7 PG 8 LOTS 899 + 900	48
NGUYEN GIANG THI 410 GOODMAN DR GALLATIN TN 37066	04-44-25-04-00028.9010 392 MIRAMAR RD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 28 PB 7 PG 8 LOT 901	49
ROSALES ELENA 390 MIRAMAR RD FORT MYERS FL 33905	04-44-25-04-00028.9020 390 MIRAMAR RD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 28 PB 7 PG 8 LOT 902 + PT 903 S 1/2	50
QUESADA LURIER ANTONIO 386 MIRAMAR RD FORT MYERS FL 33905	04-44-25-04-00028.9040 386-388 MIRAMAR RD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 28 PB 7 PG 8 LOT 904 + N1/2 OF LOT 903	51
4830 PALM BEACH LLC 1901 E INDIAN SCHOOL RD PHOENIX AZ 85016	04-44-25-04-00029.9060 4826 PALM BEACH BLVD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 29 PB 7 PG 8 LOTS 906 + 905	52
4830 PALM BEACH LLC 1901 E INDIAN SCHOOL RD PHOENIX AZ 85016	04-44-25-04-00029.9070 4830 PALM BEACH BLVD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 29 PB 7 PG 8 LOT 907	53
TICE TRADING POST INC TR PO BOX 50488 FORT MYERS FL 33994	04-44-25-04-00029.9080 4834 PALM BEACH BLVD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 29 PB 7 PG 8 LTS 908-913 + VAC ROW CCMB 13/112 + LOT 928 LESS RD R/W	54
4830 PALM BEACH LLC 1901 E INDIAN SCHOOL RD PHOENIX AZ 85016	04-44-25-04-00029.9140 385 MIRAMAR RD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 29 PB 7 PG 8 LOTS 914 + 915	55
TICE TRADING POST INC TR PO BOX 50488 FORT MYERS FL 33994	04-44-25-04-00029.9160 389 MIRAMAR RD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 29 PB 7 PG 8 LOT 916	56
TICE TRADING POST INC TR PO BOX 50488 FORT MYERS FL 33994	04-44-25-04-00029.9170 391 MIRAMAR RD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 29 PB 7 PG 8 LOT 917	57
MYERS DANNY L PO BOX 51931 FORT MYERS FL 33994	04-44-25-04-00029.9180 393 MIRAMAR RD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 29 PB 7 PG 8 LOT 918	58
HAWLEY PHILLIP E & PAUL M 14380 RIVA DEL LAGO DR # 1404 FORT MYERS FL 33907	04-44-25-04-00029.9190 395 MIRAMAR RD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 29 PB 7 PG 8 LOT 919	59
HAWLEY PHILLP E 14380 RIVA DEL LAGO DR #1404 FORT MYERS FL 33907	04-44-25-04-00029.9200 397 MIRAMAR RD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 29 PB 7 PG 8 LOT 920 LESS PORTION DESC IN OR 1184/1406	60
PEREZ ISAIAS R + 394 ALTA VISTA AVE FORT MYERS FL 33905	04-44-25-04-00029.920A 394 ALTA VISTA AVE FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 29 PB 7 PG 8 LOTS 923+ 924+ PT LOT 920 OR1184/1406	61

TICE TRADING POST INC TR PO BOX 50488 FORT MYERS FL 33994	04-44-25-04-00029.9210 399 MIRAMAR RD FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 29 PB 7 PG 8 LOTS 921 + 922	62
TICE TRADING POST INC TR PO BOX 50488 FORT MYERS FL 33994	04-44-25-04-00029.9250 390 ALTA VISTA AVE FORT MYERS FL 33905	RUSSELL PARK ANNEX BLK 29 PB 7 PG 8 LOTS 925 THRU 927 AKA ALTA VISTA MANOR	63
ROJAS LUPE PRADA 3507 PLANTATION WAY APT 233 NAPLES FL 34112	04-44-25-12-00015.0000 407 MIRAMAR RD FORT MYERS FL 33905	SUBD OF S 1/2 SEC 4 44 24 BLK.1 PB 1 PG 53 LOT 15 LESS BEG NE COR LOT	64
HARTMAN WILLIAM SPENCER & 412 MIRAMAR RD FORT MYERS FL 33905	04-44-25-12-00016.0000 412 MIRAMAR RD FORT MYERS FL 33905	PARL IN S E 1/4 SEC 4 TWP 44 R 25 BLK 1 DESC IN OR 242 PG 101	65
HARTMAN W S TR 4940 GARCIA AVE FORT MYERS FL 33905	04-44-25-12-00016.0040 4940 GARCIA AVE FORT MYERS FL 33905	PARL IN S E 1/4 SEC 4 TWP 44 R 25 BLK 1 DESC IN OR 1240 PG 1361	66
DONMARTIN ALTURO 4407 CYPRESS LN FORT MYERS FL 33905	04-44-25-12-00017.0000 4930 GARCIA AVE FORT MYERS FL 33905	SUBD OF S 1/2 SEC 4 44 25 BLK 1 PB 1 PG 53 LOT 16 LESS OR 2948 PG 2677	67
TROPIC HOME PROPERTIES LLC PO BOX 0473 BALDWIN NY 11510	04-44-25-24-00000.0070 431 BUENA VISTA BLVD FORT MYERS FL 33905	JONES COURT PB 14 PG 116 LOT 7 + NW 10 FT LOT 6	68
MENDOZA GLADYS S 4906 GARCIA AVE FORT MYERS FL 33905	04-44-25-24-00000.0090 4906 GARCIA AVE FORT MYERS FL 33905	JONES COURT PB 14 PG 116 LOT 9	69
COLON GLADYS + 4914 GARCIA AVE FORT MYERS FL 33905	04-44-25-24-00000.0100 4914 GARCIA AVE FORT MYERS FL 33905	JONES COURT PB 14 PG 116 LOT 10	70