



June 2, 2023

Mr. Dirk A. Danley, Jr.
Lee County Department of Community Development
1500 Monroe Street
Fort Myers, FL 33901

Re: River Hall
DCI2022-00026 – Major PD

Dear Mr. Danley:

Please accept the following information in response to your correspondence dated September 12, 2022 regarding the above referenced project. In addition to the responses provided below, the following revisions have been made to the application and supporting documents:

- The density request has been increased to 3,244 units and the commercial footage has been reduced to 15,000 sf.
- The CPD area has been reduced to 5.55 acres. Sketches and descriptions of the CPD and RPD areas are included. The new CPD area now includes the fire station parcel, the old sales center and parking lot parcel, and a small triangle-shaped area within the “10-ac” parcel that is being added to River Hall through this Amendment.
- Open space calculations for RPD/CPD areas have been revised to conform with revised zoning district boundaries.
- Due to the project’s complexity, density calculations are provided in a document separate from the application. New wetland preservation areas are proposed with this application. In accordance with Policy 124.1.1, preserved wetlands are allowed the same density rights as the abutting Future Land Use. For consistency in application of Policy 124.1.1, the allowable density table has been updated to current regulations and provides an analysis of previously impacted wetlands at 1 du/20 acres, and all preserved wetlands (which have not clearly been historically surrounded by Suburban FLU) at the Rural FLU rate of 1 du/ac. The requested density of 3,244 units is 141 units below allowable units.
- The requested density is less than the allowed density when applying Policy 124.1.1. The proposed density is derived from taking general density terms discussed in public hearings and community meetings to-date.

Density Overview - 2022	
Current Density	2,695 units
CPA increase as transmitted and included in Zoning Application	489 units
10-ac Parcel	60 units
REQUEST:	3,244 units

- Notes have been added to the MCP to provide a maximum density threshold for each of the future residential areas; north by the main entrance, and undeveloped land remaining in the southeast portion of the project.

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- Due to the text amendment proposed by CPA2022-00007, Conditions 5.a. – 5.c. of the approved Zoning Resolution are proposed to be eliminated, allowing density to be allocated throughout the project. However, the MCP provides a density limitation of 310 units for the northern area and 600 units for the southern area.
- The environmental report has been revised to show some upland areas within the “10-ac” added parcel.
- Deviation #10 (multi-family units related to CPD commercial square footage) has been removed. Deviations from previous Amendments which were withdrawn have been eliminated and the remaining Deviations have been renumbered, for a total of seven (7) Deviations.

The following responses are provided in order with respect to the County’s comments.

Zoning Review:

Comment 1:

Repeat Comment – LDC Section 34-201(a)(1)c states “Where the property is a subdivision, an application or petition may be initiated by no less than 75 percent of the total number of lot or parcel owners and the homeowners’ association.” Please provide evidence of initiation of no less than 75 percent of the property owners within the River Hall Community in order to request this zoning.

Staff recognizes the applicant comment, but notes that the three properties referenced in the application do not result in a new zoning district of three non-contiguous becoming a new zoning district but rather adding land to an existing planned development, creating a new RPD/CPD and transferring densities throughout the project. Staff notes that 75 percent of property owners in accordance with LDC Section 34-201(c) is required to initiate this project and to find it sufficient.

Response 1:

This LDC requirement is being revised and was heard before the LPA on May 22, 2023. Once approved, this comment will no longer be applicable.

Comment 2:

On Page 8 of the request statement (Allowable Density Table) – The suburban future land use density calculations provide for 550.08 dwelling units which is not an accurate allowable density based on the stated acreage. Please revise.

Comment 3:

On Page 8 of the request statement (Allowable Density Table) there is 15.00 acres designated as commercial, but the MCP states that the CPD is 24 acres. The Commercial Planned Development boundary includes a reference to residential uses are still proposed within the Commercial Town Center Area. Please explain how, and to what extent (proposed number of units) this density will be used in commercial areas.

Responses 2 and 3:

Please see revised Density Calculation tables provided with this resubmittal.

Comment 4:

Staff Note – Multiple-family uses are only permitting within a commercial Planned Development in conjunction with 50,000 square feet of commercial uses per LDC Section 34-934, Note 10. The MCP notes that the maximum square feet of commercial

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uses is 45,000 square feet. Because this is a rezoning request, please confirm consistency with the Commercial Planned Development requirements for multiple family uses.

Response 4:

The CPD area and Schedule of Uses have been reduced and revised to exclude multi-family from the CPD portion of the project.

Legal Description Review:

Comment 1:

Sec. 34-303(a). Submittal requirements for applications requiring public hearing. The proposed rezoning increased the acreage of the River Hall planned development and will reallocate uses within the project. In accordance with LDC §34-303(a)(5), (6), and (7) please provide:

- a legal description and sketch of the revised project boundaries, including descriptions for the RPD/CPD areas;*
- a boundary survey for the revised project boundary; and*
- Certification of Title for the revised project boundary.*

Response:

Please see the enclosed sketches and legal descriptions of the revised CPD areas.

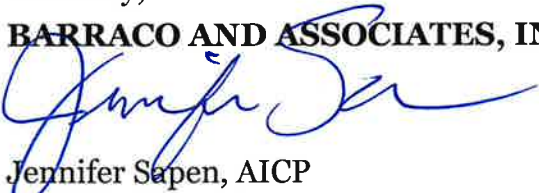
The following documents are provided as part of this resubmittal for review:

1. Application
 - a. Density Calculations
2. Request Statement and Lee Plan Compliance
3. Protected Species Survey and FLUCFCS
4. Existing and Future Conditions Analysis
5. Deviations
6. Master Concept Plan
7. Allowable Density Exhibit
8. ERP Permit No. 36-04006-P
9. ERP Permit Modification Application No. 051122-18
10. LDC Amendments to 34-201 – from May 22, 2023 LPA Agenda Package
11. Lee Plan Text Amendment to Lee Plan Policy 5.1.10 – Lee County's transmittal package to State on January 20, 2023 (Grand Bay)

If you should have any questions or require additional information, please advise.

Sincerely,

BARRACO AND ASSOCIATES, INC.



Jennifer Sopen, AICP
Vice President of Land Planning

JS/cmh
23898
Enclosure
cc: Grady Miars – GreenPointe Communities



APPLICATION FOR PLANNED DEVELOPMENT PUBLIC HEARING UNINCORPORATED AREAS ONLY

Project Name: River Hall

Request: Rezone from: RPD/CPD To: RPD/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 to add 9.98 acres, decrease the CPD area to 5.55 acres, and increase density by 549 dwelling units within specified unplatted areas of River Hall.

PART 1 APPLICANT/AGENT INFORMATION

- A. Name of Applicant:** GreenPointe Holdings, LLC
 Address: 7807 Baymeadows Road East, Suite 205
 City, State, Zip: Jacksonville, FL 32256
 Phone Number: 352.397.2922
 E-mail Address: gmars@greenpointellc.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: Barraco and Associates, Inc.
 Contact Person: Jennifer Sapien, AICP, Vice President of Land Planning
 Address: 2271 McGregor Boulevard, Suite 100
 City, State, Zip: Fort Myers, Florida 33901
 Phone Number: 239.461.3170 Email: jennifers@barraco.net
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: Please see attached "Owners of Record" list.

Address: _____

City, State, Zip: _____

Phone Number: _____

Email: _____

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

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

C. Multiple parcels:

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

☒ 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): 5/5/2011, 10/17/2012

PART 3 PROPERTY INFORMATION

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

Please see attached "Owners of Record" list.

B. Street Address of Property: Please see attached "Owners of Record" list.

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: RPD/CPD

☒ Provide a list of all Zoning Resolutions and Zoning Approvals applicable to the subject property.
Please see attached "List of Zoning Resolutions & Approvals"

F. Use(s) of Property:

1. Current uses of property are: Vacant Residential / Undeveloped AG

2. Intended uses of property are: Residential

G. Future Land Use Classification (Lee Plan):

Suburban	<u>99.98</u>	Acres	<u>5.03</u>	% of Total
Outlying Suburban	<u>308.77</u>	Acres	<u>15.53</u>	% of Total
Sub-Outlying Suburban	<u>275.59</u>	Acres	<u>13.86</u>	% of Total
Wetlands	<u>189.20</u>	Acres	<u>9.52</u>	% of Total
Rural	<u>1,114.84</u>	Acres	<u>56.07</u>	% of Total

H. Property Dimensions: Multiple, see attached "Application - Part 3, Section H. Property Dimensions"

1. Width (average if irregular parcel): _____ Feet
2. Depth (average if irregular parcel): _____ Feet
3. Total area: _____ Acres or square feet
4. Frontage on road or street: _____ Feet on _____ Street
- 2nd 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)

- | | | | |
|----|--|---------------|-------|
| 1. | Submerged land subject to tidal influence | <u>0</u> | Acres |
| 2. | a. Preserved freshwater wetlands | <u>189.20</u> | Acres |
| | b. Impacted wetlands | <u>64.24</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>253.44</u> | Acres |
| 3. | R-O-W providing access to non-residential uses | <u>0</u> | Acres |
| 4. | Non-residential use areas ^{(1) (2)} | <u>5.55</u> | Acres |

B. Total area not eligible as gross residential acreage (Items A.1. + A.3. + A.4.).5.55 Acres**C. Gross residential acres. (A minus B) ⁽³⁾**1982.83 Acres**D. Gross residential acres (by Land Use Category)**

- | | | | |
|----|--|-------|-------|
| 1. | a. Intensive Development – upland | _____ | Acres |
| | b. Intensive Development – preserved freshwater wetlands | _____ | Acres |
| | c. Intensive Development – impacted wetlands | _____ | Acres |
| 2. | a. Central Urban – upland | _____ | Acres |
| | b. Central Urban – preserved freshwater wetlands | _____ | Acres |
| | c. Central Urban – impacted wetlands | _____ | Acres |
| 3. | a. Urban Community or Suburban – upland | _____ | Acres |
| | b. Urban Community or Suburban – preserved freshwater wetlands | _____ | Acres |
| | c. Urban Community or Suburban – impacted wetlands | _____ | Acres |

4.	a.	Suburban – upland	92.93	Acres
	b.	Suburban – preserved freshwater wetlands	21.14	Acres
	c.	Suburban – impacted wetlands	1.50	Acres
5.	a.	Outlying Suburban – upland	308.77	Acres
	b.	Outlying Suburban – preserved freshwater wetlands		Acres
	c.	Outlying Suburban – impacted wetlands		Acres
6.	a.	Sub-Outlying Suburban – upland	275.59	Acres
	b.	Sub-Outlying Suburban – preserved freshwater wetlands		Acres
	c.	Sub-Outlying Suburban – impacted wetlands		Acres
7.	a.	Rural, Outer Island, Rural Community Preserve – upland	1052.10	Acres
	b.	Rural, Outer Island, Rural Community Preserve – wetlands	168.06	Acres
8.	a.	Open Lands – upland	62.74	Acres
	b.	Open Lands – wetlands		Acres
9.	a.	Resource – upland		Acres
	b.	Resource – wetlands		Acres
10.	a.	Wetlands		Acres
11.	a.	New Community – upland		Acres
	b.	New Community – wetlands		Acres
12.	a.	University Community – upland		Acres
	b.	University Community – wetlands		Acres
13.	a.	Coastal Rural – upland		Acres
	b.	Coastal Rural – wetlands		Acres

TOTAL (should equal "C" above)

1982.83 **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 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: See attachment for Table.

		Lee Plan Table 1(a)		Units
		Max. standard density		
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

		Height	Total Floor Area (Square Feet)
A. Commercial			
1.	Medical		N/A
2.	General Office		N/A
3.	Retail	35'	N/A
4.	Other: <u>Any combination of office/retail/medical</u>		15,000
5.	TOTAL FLOOR AREA		15,000
		Height	Total Floor Area (Square Feet)
B. Industrial			
1.	Under Roof		N/A
2.	Not Under Roof		N/A
3.	TOTAL FLOOR AREA		N/A
		Depth	Total Acres
C. Mining			
1.	Area to be excavated		N/A
		Height	Total Beds/Units
D. Assisted Living Facilities			
1.	Dependent Living Units		N/A
2.	Independent Living Units		N/A
3.	TOTAL BEDS/UNITS		N/A
		Height	Total Rental Units
E. Hotels/Motels (Room Size)			
1.	< 425 sq. ft.		N/A
2.	426-725 sq. ft.		N/A
3.	725 < sq. ft.		N/A
4.	TOTAL UNITS		N/A

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:**
- 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)]**
 - 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.]**
 Please see attached Quadrangle map.
-
- 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)].
-
- C. Preservation/Conservation of Natural Features:** Describe how the lands listed in PART 6.B. above will be protected by the completed project:
-
- D. Shoreline Stabilization:** If the project is located adjacent to navigable natural waters, describe the method of shoreline stabilization, if any, being proposed:
 N/A
-
- 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.]**
- 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.]**
- 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.]**
- 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.]**

**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:
 N/A
-
- 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:
 2. Quality of the effluent:

3. Expected life of the facility:

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

5. Receiving bodies or other means of effluent disposal:

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

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

2. Current water table conditions:

3. Proposed rate of application:

4. Back-up system capacity:

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. Rezone Area 1 and Area 2
- ☐ 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	☐	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	☒	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	☒	Boundary Survey – not required if platted lot (2 originals required) [34-202(a)(6)]
3	☒	Property Owners list (if applicable) [34-202(a)(8)]
3	☒	Property Owners map (if applicable) [34-202(a)(8)]
3	☒	Confirmation of Ownership/Title Certification [34-202(a)(7)]
3	☒	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	☒	List of Zoning Resolutions and Approvals
3	☒	Summary of Public Informational Session (if applicable)
3	☐	Waivers from Application Submission Requirements (if applicable) [34-201(c)]
3	☐	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	☒	Topography (if available) [34-373(a)(4)b.iv.]
3	☒	Soils Map [34-373(a)(4)b.9.]
3	☒	FLUCCS Map [34-373(a)(4)c.]
3	☒	Rare & Unique Upland Habitat Map [34-373(a)(4)b.iii.]
3	☐	Existing and Historic Flow-Ways Map [34-373(a)(4)b.v.]
3	☒	Surface Water Management Plan (if applicable) [34-373(b)(1)]
3	☐	Phasing Program (if applicable) [34-373(b)(3)]
3	☒	Protected Species Survey (if applicable) [34-373(b)(2)]
3	☐	Proof of Notice (if applicable) [34-373(c)]

3	☐	Binding Letter from DCA (if applicable) [34-373(d)(9)]
3	☐	Master Concept Plan (MCP), PRFPD (if applicable) [34-941(g)(1)]
3	☐	Conceptual Surface Water Management Plan (if applicable) [34-941(d)(3)b.i.1]]
3	☐	Well Drawdown Information (if applicable) [34-941(d)(3)d.]
3	☐	Preliminary Indigenous Restoration Plan (if applicable) [34-941(e)(5)f.iii.]
3	☐	Environmental Assessment (if applicable) [34-941(g)(2)]
3	☐	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	☐	Existing Agricultural Use Affidavit (if applicable) [34-202(a)(12)]
3	☐	Information Regarding Proposed Blasting (if applicable).
3	☐	Hazardous Materials Emergency Plan (if applicable)
3	☐	Mobile Home Park Dislocated Owners Information (if applicable) [34-202(b)(4)]
3	☐	Tall Structures Permit (if applicable) [34-1108]

Please reference Page 4 of the Application for PUD, Part 5, A.1. thru A.3.

Allowable Density - with 10-ac parcel added - Commercial excluded from Suburban - all preserved wetlands per Policy 124.1.1 - impacted wetlands at 1 du/20 ac - FLU per CPA2021-00016 as revised April 2023				
FLU	AC	Less CPD	Rate	Allowable Density
Suburban	98.48	5.55 (= 92.93)	6	557.58
Wetlands - preserved at Suburban rate	21.14		6	126.84
Outlying Suburban	308.77		3	926.31
Sub-Outlying Suburban	275.59		2	551.18
Rural	1051.80		1	1051.80
Wetlands - preserved at Rural rate	168.06		1	168.06
Impacted Wetlands	64.54		0.05	3.23
TOTAL:	1988.38			3385.00

Allowable Density: 3385 units

RIVER HALL RPD/CPD

REZONING Request Statement & Lee Plan Compliance

BACKGROUND AND REQUEST

The Subject Property is located in Alva, Florida (Unincorporated Lee County), southeast of the intersection of Buckingham Road and State Road 80 (See Figure 1.) and consists of ± 172.67 acres encompassing six (6) parcels, further referenced as the Subject Property. The proposed zoning request runs concurrently with the proposed River Hall Map Amendment (CPA2021-00016).

The proposed rezoning seeks to add 9.98 acres to the River Hall RPD and increase density to allow 3,244 units, for a total of 1.6 units per acre on 1,988 acres. The CPD is proposed to 5.55 acres, with a maximum of 15,000 sf of commercial uses.

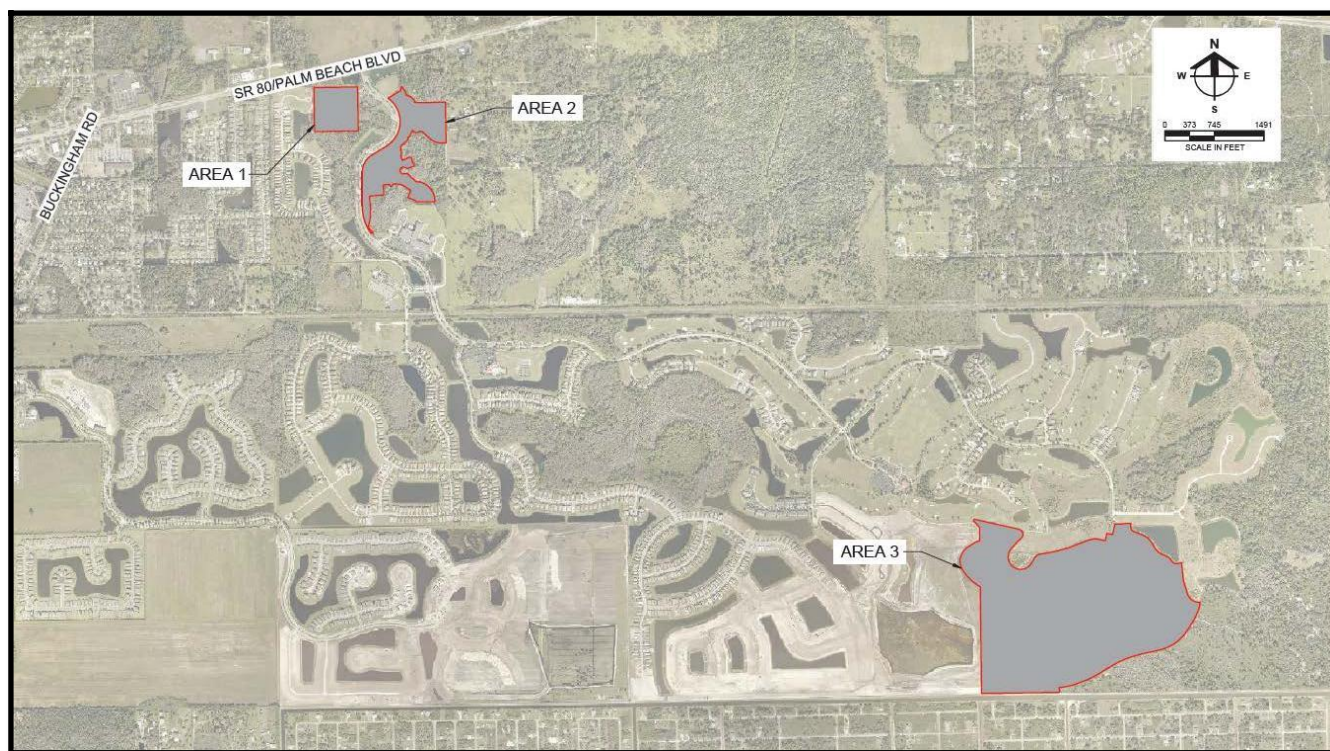


Figure 1. Subject Property Location Map

HISTORY

1999 - The River Hall Project, which refers to the 1,798 acres that make up the entire development, was rezoned from AG-2 to RPD to allow 1,598 units through zoning resolution Z-99-056.

- Project size: 1,798 acres
- All land Rural FLU

2005 - Followed by a rezone from AG-2/RPD to RPD/CPD to allow 1,999 units on 1,978 acres through zoning resolution Z-05-2015.

- Project size: 1,978 acres
- All land Rural FLU

2015 - The project then underwent a rezoning and Comprehensive Plan Amendment (CPA) to increase density to allow 3,244 units through Z-15-003 and CPA2012-00001.

- Project size unchanged at 1,978 acres
- 1,064 acres of Rural and 223 acres of Wetlands converted to 153 acres of Conservation Lands Wetlands, 264 acres of Conservation Lands Uplands, and 870 acres of Sub-Outlying Suburban (SOS)
- Created irregular, isolated SOS shapes in the Future Land Use Map (FLUM)

RIVER HALL II - 2022

Shown on the MCP as “River Hall II – 2022”, the Subject Property is located in three unplatted areas of River Hall, totaling 172.67 acres:

Rezone Area 1 – Southwest of River Hall Project Entrance – ±9.98 Acres

- Proposed to be 100% preserved
- Located on west side of River Hall Parkway, undeveloped
- Current FLU: Suburban / Wetlands
- Current zoning: AG-2
- Proposed zoning: RPD
- Proposed use: preserve

Rezone Area 2 – Southeast of River Hall Project Entrance – ±22.74 Acres

- Located on east side of River Hall Parkway, undeveloped
- Current FLU: SOS
- Proposed FLU: Suburban (CPA2021-00016)
- Zoning: CPD & RPD
- Proposed use: Commercial and/or residential

Rezone Area 3 – Southeastern portion of River Hall – ±139.95 acres

- Proposed density cap of 420 units (140 ac x 3 du/ac)
- Located east of the platted portion of Hampton Lakes, undeveloped
- Current FLU: SOS
- Proposed FLU: Outlying Suburban (CPA2021-00016)
- Zoning: RPD
- Proposed use: Residential

Approval of this rezoning will allow a total of 3,244 units for River Hall. The proposed increase in density and acreage equates to 1.6 dwelling units per acre for the overall River Hall Project, an increase of 0.2 units per acre when compared to the current approval.

ADJACENT LAND USE AND ZONING

The adjacent properties to the north, south, east, and west of the three Subject Property locations are all within the Urban Community, Suburban, Outlying Suburban, Rural, and Wetlands FLUM categories, based on the concurrent CPA's proposed FLUM, as shown in tables 1.a, 1.b, and 1.c.

North - To the north of the River Hall Project, and abutting the Subject Property, are properties within the Rural FLU category. The River Hall Project also abuts Commercial FLU just north of Palm Beach Boulevard, at the entrance to the River Hall Community.

South - To the south of the River Hall Project, including the canal, are properties within the Urban Community category, which allows a standard density range of 1 du/ac to 6 du/ac under Policy 1.1.4. The Urban Community FLU also allows a maximum total density of 10 du/ac, as well as the potential to increase to 15 du/ac utilizing Greater Pine Island Transfer of Development Units. In addition to the River Hall Project, the Urban Community FLU also abuts the southern boundary of Rezone Area 3.

East - To the east of the River Hall Project are the Rural and Urban Community FLU categories. A LAMSID canal abuts the southern portion of the River Hall Project's eastern boundary, designated as Urban Community, followed by Hickey Creek Mitigation Park (Conservation lands). The northern portion of the eastern boundary abuts a Rural FLU, including a portion of the Subject Property in Rezone Area 2.

West - To the west of the River Hall Project, along the northern portion of the western boundary line, are lands designated Suburban, which allows a standard density range of 1 du/ac to 6 du/ac under Policy 1.1.5, as well as the potential to increase to 8 du/ac utilizing Greater Pine Island Transfer of Development Units. The southern portion of the western boundary line abuts two RPD developments under the Outlying Suburban FLUM Category, which allows up to 3 du/ac.

COMPATIBILITY WITH SURROUNDING PROPERTY

The proposed rezoning is compatible with the existing and planned uses in the surrounding area. Being located within and/or completely surrounded by for the River Hall Project, the Subject Property's specified locations mostly abut land within the River Hall RPD/CPD, designated as Suburban, Outlying Suburban, Rural, and Wetlands on the CPA's proposed FLUM. The perimeter of the River Hall Project also abuts Outlying Suburban to the west, Urban Community to the south, and Rural to the east. Please refer to the tables below, which inventory in further detail the Subject Property's surrounding Future Land Use categories, zoning and existing land uses.

TABLE 1.a – Rezone Area 1			
	Existing Future Land Use	Zoning District	Existing Uses/Notes
NORTH	Suburban, Rural, Wetlands	RPD:CPD _(RH)	Vacant Commercial, indigenous open space, lake
SOUTH	Suburban, Rural, Wetlands	RPD:CPD _(RH)	Indigenous open space
EAST	Suburban, Rural, Wetlands	RPD:CPD _(RH)	Indigenous open space, sales center
WEST	Suburban, Wetlands	RPD:CPD _(RH)	Residential, lake, indigenous open space

(RH) – River Hall RPD/CPD

(OFF) – Offsite

TABLE 1.b - Rezone Area 2			
	Existing Future Land Use	Zoning District	Existing Uses/Notes
NORTH	Rural	RPD:CPD (RH)	Vacant Commercial, indigenous open space, undeveloped
SOUTH	Rural	RPD:CPD (RH)	Elementary School, indigenous open space
EAST	Rural	RPD:CPD (RH) /AG-2 (OFF)	Residential, indigenous open space
WEST	Suburban, Rural	RPD:CPD (RH)	ROW, sales center

(RH) – River Hall RPD/CPD

(OFF) – Offsite

TABLE 1.c – Rezone Area 3			
	Existing Future Land Use	Zoning District	Existing Uses/Notes
NORTH	Outlying Suburban, Rural	RPD (RH)	Residential, lake
SOUTH	Urban Community Rural & Wetlands	RS:1 (OFF) RPD (RH)	Vacant residential, residential, conservation easements
EAST	Rural, Wetlands	RPD (RH)	Conservation easements, lake, residential
WEST	Outlying Suburban	RPD (RH)	Residential

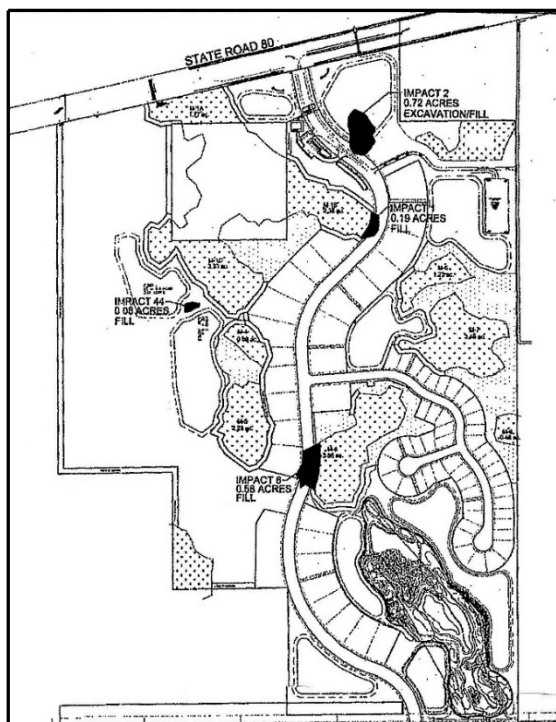
(RH) – River Hall RPD/CPD

(OFF) – Offsite

The proposed uses are compatible with the surrounding development. Rezone Area 1 is entirely preserve. The uses proposed in Rezone Areas 2 and 3 are unchanged from the previous approval. Rezone Areas 2 and 3 are land areas that have been included within River Hall since the first rezoning in 1999, deemed compatible and consistent with the surrounding properties through 3 public hearing processes. Acknowledging a potential for incompatibility near the project entry, additional provisions are proposed where density increase is proposed by offsite Rural Future Land Use. As noted on the MCP, if multifamily height exceeds 35' (allowed height of abutting rural/AG land), principal building setback will be increased to 150-feet. Additionally, to ensure a parking lot isn't constructed in the separation to rural land, a transition lake is required. Notes have been added to the eastern boundary of the CPD outlining these requirements.

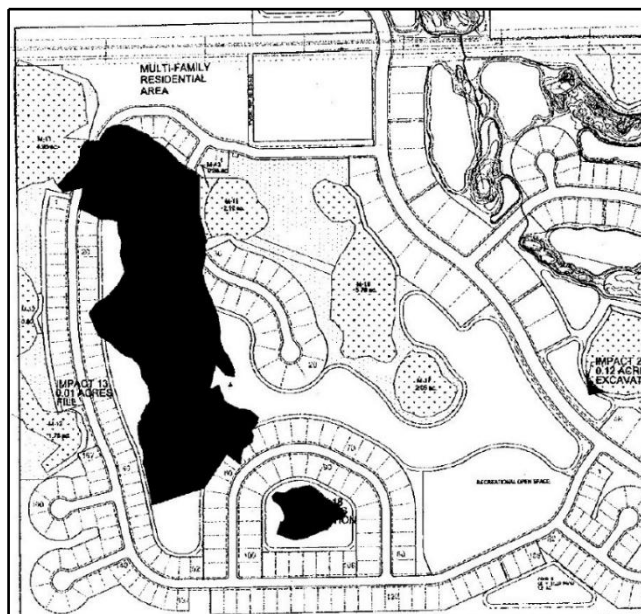
WETLAND IMPACTS

The wetland impacts have been calculated using two approved ERP Permits. Wetland impacts were permitted in 2001 through ERP Permit No. 36-04006-P (Application No. 9910123) and modified in 2006 through ERP Permit No. 36-04006-P (Application No. 051122-18). The modified application applied only to land south of the powerline easement. As such, the impacts north of the powerline easement are calculated from the 2001 permit through four wetland impact areas. As shown on the "Impact Plan" prepared by Consul-tech Engineering, 1.57 acres of wetland impacts have been permitted north of the powerline easement. Please see the table and image below and page EN-3/EN-21 included within the enclosed Environmental Resource Permit Staff Review Summary for Permit No. 36-04006-P. As shown in the table below, one wetland impact area was in the Suburban Future Land Use category, with the remaining wetland impacts in the Rural Future Land Use category.



Wetland Impacts North of Powerlines		
Impact ID #	Size	FLU
1, 2, 8	1.49 ac	Rural
44	0.08 ac	Suburban
TOTAL	1.57 ac	

South of the powerline easement, 62.67 acres of wetland impacts are permitted as modified through ERP No. 36-04006-P (see page 14 of 27 of the enclosed permit from SFWMD). As shown in the table below, only one area was in the Suburban Future Land Use category.



Wetland Impacts South of Powerlines		
Impact ID #	Size	FLU
19 Areas	61.25 ac	Rural
19	1.42 ac	Suburban
TOTAL	62.67 ac	

For a comprehensive map of River Hall wetlands (impacted and preserved) and FLU, please see enclosed "Allowable Density Exhibit." Wetland summary is as follows:

Wetland Summary	
Preserved Rural	168.06 ac
Preserved Suburban	21.14 ac
Impacted (Sub=1.50, Rural=62.74)	64.54 ac
TOTAL:	253.74 ac

FUTURE LAND USE ELEMENT

Upon approval of the concurrent River Hall CPA, the ±172.67 acre Subject Property will have FLU designations of Suburban, Outlying Suburban, Rural, and Wetland. The proposed rezoning complies with the maximum densities permitted in each future land use category, as proposed by the concurrent CPA, which are associated with Policies 1.1.5, 1.1.6, 1.4.1, and Objective 1.5. The requested density of 3,244 units is less than the allowable density of 3,385 units.

The proposed rezoning is consistent with Objective 1.1 (Future Urban and Suburban Areas) and corresponding Policies 1.1.5 and 1.1.6 for Suburban and Outlying Suburban future land use categories, based on approval of the companion CPA's proposed map amendment to the Lee Plan. This rezoning application will ensure the Subject Property is developed at the density approved by the concurrent CPA request. The proposed increase of 549 dwelling units will allow for buffers, open space, recreational/amenities, and increased flexibility to allow for continued protection of environmentally sensitive lands. The proposed density is compatible and consistent with existing densities found in residential developments adjacent to the Subject Property east of Buckingham Road.

Allowable Density - with 10-ac parcel added - Commercial excluded from Suburban - all preserved wetlands per Policy 124.1.1 - impacted wetlands at 1 du/20 ac - FLU per CPA2021-00016 as revised April 2023				
FLU	AC	Less CPD	Rate	Allowable Density
Suburban	98.48	5.55 (=92.93)	6	557.58
Wetlands - preserved at Suburban rate	21.14		6	126.84
Outlying Suburban	308.77		3	926.31
Sub-Outlying Suburban	275.59		2	551.18
Rural	1051.80		1	1051.80
Wetlands - preserved at Rural rate	168.06		1	168.06
Impacted Wetlands	64.54		0.05	3.23
TOTAL:	1988.38			3385.00

Allowable Density: 3385 units

LEE PLAN – VISION STATEMENT

The Fort Myers Shores vision statement provides an overview of the existing conditions and unique characteristics of the Fort Myers Shores Community. Although encompassed by residential single-family homes in a more rural character, the community is anticipated to grow substantially, with majority of the land designated as Suburban, Outlying Suburban, Rural or Urban Community, and planned commercial nodes for higher intensity development. The vision for this plan is to allow the Fort Myers Shores Community to continue to develop a commercial/employment center for the adjacent communities.

The Subject Property is located within the Fort Myers Shores Community, as shown on Lee Plan Map 1-B. Listed as Goal 21 within the Lee Plan (Caloosahatchee Shores Community Plan), the intent for the area outlines the need to “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.” The requested rezone will reinforce this goal by promoting an increase in new residential development in a location already planned for future residential.

In line with the Fort Myers Shores Community's intent to support continued development of a commercial/employment center, the additional rooftops proposed by this request will help aide future commercial development. Viability of future commercial development is often dependent on the availability of surrounding residential homesites. As such, the proposed additional dwelling units may play a vital role in the timing associated with the future commercial development within the Fort Myers Shores Planning Community. The proposed increase of 549 dwelling units mirrors the additional density allowed by the concurrent CPA's proposed FLUM changes, which is consistent with this vision. The proposed rezoning areas represent a location where slightly greater density is compatible with the surrounding uses and where existing infrastructure can support the proposed project.

Adequate urban services exist to justify and support future development under the proposed request without negatively impacting the surrounding natural resources or burdening the surrounding infrastructure and public services. Under this zoning application for the River Hall Project, the intended development plan will create a residential community consisting of 549 units more than the currently approved River Hall RPD. Buffering, open space/preserve areas, environmental stewardship, and recreational areas are incorporated within the current development and can be modified, if necessary, to accommodate the additional density, providing sufficient facilities and ensuring compatibility with the surrounding properties and consistency with the objectives provided in the Fort Myers Shores Community vision.

GROWTH MANAGEMENT

The request is consistent with Goal 2, Objective 2.1 (DEVELOPMENT LOCATION), and corresponding applicable Policies 2.1.1 and 2.1.2, which outline the intent to promote contiguous and compact growth patterns, contain urban sprawl, and prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities. Upon approval of the concurrent CPA, the acreage included in this request is within the Suburban, Outlying Suburban, Rural and Wetland FLU categories, and is located where adequate urban services not only exist, but are in place for development to proceed without negatively affecting natural resources or requiring additional infrastructure.

The existing urban services support the appropriateness for the proposed density increase, and indicate the residential development intensification in this region, supported by the approved CPAs/Rezoning to increase density on properties adjacent to the River Hall Project. Subsequently, the proposed density increase represents a logical extension of existing development patterns and an efficient use of public infrastructure. The developments that have recently went through a CPA and rezoning are located to the west of the River Hall Project.

The northern parcels included in this request (Rezone Areas 1 and 2) abut land within the Suburban FLU designation to the west. Its location adjacent to the Suburban FLU, access to urban services, and proximity to State Road 80 and future commercial substantiates the appropriateness of the increased density proposed by this request. In addition, the timing of this request is appropriate given the need for additional dwelling units in this area based on the continued population growth trend in Southwest Florida and the limited housing availability for both renters and buyers.

The proposed rezoning will not result in urban sprawl, which is defined in the Lee Plan as "The uncontrolled, premature, or untimely expansion and spreading out of urban levels of density or intensity into out-lying, non-urban areas." Conversely, the proposed rezoning will help to prevent

leap-frogging of density into out-lying non-urban areas by permitting the additional density in a logical location as an extension of existing development patterns within the Community. The availability and current existence of urban services provides supporting evidence for development to take place in the proposed rezone areas, which will utilize and adhere to the strict regulations associated with the planned development process to deliver a quality product, which closely aligns with the needs and desires of the Fort Myers Shores Community.

The request is consistent with Objective 2.2 (DEVELOPMENT TIMING), which outlines the intent to direct new growth to future urban areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. The existing and future residential uses surrounding the property, and adequate urban services justify the timing of this rezoning, which will allow for medium to low-density development that will help fulfill housing needs in Lee County. The attached letters of determination of existing support facilities (Fire, EMS, Law Enforcement, Solid Waste, Mass Transit, Schools) further emphasize the adequacy of timing and support in place for the purposed development. Please note that the attached letters of determination are associated with the companion CPA and are based on single family units, the largest rate generator for utilities and schools. As such, any combination of single family and/or multi-family will comply with the capacities found sufficient by Lee County Utilities and The School District of Lee County, for the requested 549 additional dwelling units.

The project will comply with Objective 2.5 (HISTORIC RESOURCES). A Historical Resources query was made to the Florida Master Site File and the results included with this submittal delineating the location of the property regarding historical and culturally sensitive areas in Lee County. The Subject Property was found to be clear of any cultural or historical resources.

GENERAL DEVELOPMENT STANDARDS

The request is consistent with Standard 4.1.1 (WATER), AND 4.1.2 (SEWER), and 4.1.4 (ENVIRONMENTAL FACTORS).

The River Hall Project's existing and proposed density does not and will not exceed 2 dwellings units per acre. However, the Subject Property is located within the LCU future water service area, according to Map 4-A of the Lee Plan, and as a result is required to connect to a public water system, in accordance with Standard 4.1.1. The project intends to tap into LCU for potable water service. A letter of availability from LCU is included with this submittal, demonstrating sufficient capacity within the Olga Water Treatment Plant.

Due to the development's location within the LCU future sewer service area, as shown on Map 4-B of the Lee Plan, it must connect to sewer utility if there is existing infrastructure adequate to accept the effluents of the development within ¼ mile from any part of the development, as required by Standard 4.1.2. The project intends to tap into City of Fort Myers Utilities for sewer service. A letter of availability from LCU is included with this submittal, demonstrating sufficient treatment capacity within the City of Fort Myers South Water Reclamation Facility.

Consistent with Standard 4.1.4, an Environmental Assessment Report is included with this submittal. The report analyzes environmentally sensitive areas of the site. No environmentally sensitive lands will be impacted by the proposed rezone. As shown on the MCP, the added 9.98 parcel will be entirely preserved.

RESIDENTIAL LAND USES

Pursuant to Goal 5 (RESIDENTIAL LAND USES) of the Lee Plan, the County needs “to accommodate the projected population of Lee County in the year 2045 in appropriate locations, guided by the Future Land Use Map, and in attractive and safe neighborhoods with a variety of price ranges and housing types.” According to the Bureau of Economic and Business Research (BEBR), the medium range population projection for Lee County anticipates a population increase from 750,493 in 2020 to 904,700 by 2030. This influx of an additional 154,207 residents further emphasizes the need to provide housing to accommodate the projected population growth for the area. Additionally, the Subject Property is located within Unincorporated Lee County (a sub-section of Lee County), which has housed approximately half of the County’s total population from 2010 to 2020. As such, Unincorporated Lee County should anticipate garnering a large percentage of the County’s total population increases year after year. The utilization of the Subject Property for some additional housing will assist in achieving this goal. Consistent with Policy 5.1.1, River Hall will be developed as a planned development. Furthermore, in alliance with Policy 5.1.3 – which emphasizes directing residential developments to locations near employment and shopping centers, parks and schools – the proposed development is proximate to SR 80 corridor growth and existing and future commercial nodes within 3 miles, public parks, and public schools to serve its residents.

The request is consistent with Policy 5.1.2, which outlines the intent to prohibit residential development where physical constraints or hazards exist. The Subject Property is outside of any Coastal High Hazard Area as delineated in Map 5-A of the Lee Plan. Through the Planned Development process, the proposed cluster development will provide the necessary environmental, historical, water quality, and infrastructure enhancement measures needed to ensure proper functionality and design.

Policy 5.1.6 calls for development regulations requiring high-density, multi-family, cluster, and mixed-use developments to have open space, buffering, landscaping, and recreation areas appropriate for their density and design. The River Hall Project is currently a clustered development plan and the proposed rezoning to increase density and acreage will comply with the community’s development regulations providing sufficient open space, preservation areas and recreational areas incorporated within the development.

Policy 5.1.7 requires that community facilities (such as park, recreational, and open space areas) in residential developments to be functionally related to all dwelling units and easily accessible via pedestrian and bicycle pathways. The proposed development has an existing centrally located amenity center facility with multi-access for all residents. Additionally, open space areas will meet or exceed requirements of the LDC, and passive recreational areas will be provided, such as a shared-use pathway network linked to interior sidewalks and any proposed pedestrian/bicycle facilities along State Road 80.

COMMUNITY PLANNING

The Subject Property is identified within Lee Plan Map 2-A as being within the Caloosahatchee Shores Planning Community. Listed as Goal 21 within the Lee Plan (Caloosahatchee Shores Community Plan), the intent for the area outlines the need to “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.” The requested rezoning will reinforce this goal by promoting new residential development in an ideal location planned for growth. Additionally, and consistent with Policy 21.1.3, a rezoning to RPD is requested by this application. The requested RPD, through “appropriate conditions of approval,” will implement protection from inconsistent and incompatible urban development and ensure compatibility with the rural character through buffers and open space and a clustered development land use pattern.

TRANSPORTATION ELEMENT

A Traffic Impact Statement prepared by David Plummer & Associates is included in this submittal.

In summary, the study reveals that with or without the proposed rezoning request the resulting project will not:

- The proposed density increase is expected to generate 251, 381, and 3,538 more net new external trips during the AM peak hour, PM peak hour, and on a weekday, respectively, as compared to the development allowed under the current zoning;
- The proposed density increase has no significant and adverse impacts on County-maintained roadways
- The segment of SR 80 from SR 31 to Buckingham road is anticipated to operate at LOS F under future conditions with the current zoning and with the proposed amendment;
- The applicant will meet Lee County requirements regarding the payment of road impact fees at the time of development order application. Road impact fees can be used by Lee County to fund road or intersection improvements needed to support all area development as deemed necessary through the MPO LRTP process.
- The proposed amendment for the River Hall CPD/RPD does not trigger additional transportation infrastructure improvements beyond those identified in the Lee Plan.

Objectives 39.2, 39.6, and associated policies of the Transportation Element ensure coordination of land use development with planned transportation facilities appropriate for that area, resulting in increased mobility options and improving all modes of transportation. The concurrent rezone application will ensure consistency with Policy 39.2.2 by providing connectivity and accessibility via incorporating pedestrian, bicycle, and alternative modes other than motor vehicles, while ensuring connection to the adjacent public right-of-way (Palm Beach Blvd/SR 80).

Consistent with Policies 39.6.1, 39.6.2, and 39.6.3, the proposed River Hall development, at time of Development Order, will ensure all necessary traffic management infrastructure and pedestrian/bicycle connections are in place. Providing proper access both internally as well as externally to the planned shared use path/sidewalk along Palm Beach Blvd per Map 3-D and connection with the Pine Island – Hendry Trail per Map 4-E of the Lee Plan.

COMMUNITY FACILITIES & SERVICES ELEMENT

Potable Water - The Subject Property is currently located within the Lee County Utilities (LCU) service area based on the most recent Lee County Utilities Future Water Service Areas Map 4-A, dated November of 2021. The LCU Potable Water and Wastewater Availability Letter, dated August

31, 2021, indicates that potable water mains are in operation adjacent to the property and presently have sufficient capacity to service the 549 SF dwelling units proposed by this rezoning request.

In summary, LCU has sufficient potable water capacity to meet the needs of the requested rezoning based on consistency with Policies 53.1.2 and 95.1.3, and pursuant to the LOA and supporting data presented in the Existing and Future Conditions Analysis.

Sanitary Sewer - The Subject Property is located within the Lee County Utilities future sewer service area based on Lee Plan Map 4-B. The LCU Potable Water and Wastewater Availability Letter, dated August 31, 2021, indicates that sanitary sewer lines are in operation adjacent to the property and presently have sufficient capacity to service the 549 SF dwelling units proposed by the companion FLUM amendment and this rezoning request.

In summary, LCU has sufficient sanitary sewer capacity to meet the needs of the requested rezoning based on consistency with Policies 56.1.2 and 95.1.3, and pursuant to the LOA and supporting data presented in the Existing and Future Conditions Analysis.

Surface Water Management - The Subject Property is located within the South Florida Water Management District's (SFWMD) Tidal Caloosahatchee Basin. Lee Plan Map 5-D shows the property within the Olga Creek Watershed area. The River Hall RPD has a current surface water management system on site and a surface water management permit on file with the South Florida Water Management District. There are existing wetlands on site. The existing and proposed system meets the applicable County's LOS Standard, which is as follows per Lee Plan Policy 95.1.3.4:

Policy 95.1.3.4: Stormwater Management Facilities LOS: *The existing surface water management system in the unincorporated areas of the county will be sufficient to prevent the flooding of designated evacuation routes (see Map3-F) from the 25-year, 3-day storm event (rainfall) for more than 24 hours.*

A modified storm water management system will be provided for the property and will benefit the public through clearly defining storm water treatment methods, establishing maintenance accountability, and providing runoff attenuation consistent with Objective 60.1 and Policy 60.1.1. Treated runoff from the developed site will discharge to adjacent tidal creeks and rivers. The Lee County Public Facilities 2020 LOS and Concurrency Report (2020 Report) indicates that all watersheds within the county were studied and concluded that no evacuation routes located within these watersheds are expected to be flooded for more than a 24-hour period. Per the 2020 Report, Lee County states that all new developments receiving approval from SFWMD and in compliance with appropriate standards will be deemed concurrent with the Lee Plan's surface water management level-of-service standards.

The proposed development will seek and obtain all applicable South Florida Water Management District approvals, as well as comply with all Florida Administrative Code Chapter 62-330 standards to ensure consistency with the stated LOS standards per Policy 95.1.3.4 of the Lee Plan. Additionally, through the utilization of clustered development, the proposed development will ensure preservation of existing waterways and wetland habitats consistent with Policy 60.1.2.

Objective 60.4 outlines the intent to incorporate natural systems into surface water management systems to improve water quality, air quality, water recharge/infiltration, water

storage, wildlife habitat, recreational opportunities, and visual relief. The proposed development will provide Florida Friendly Landscaping vegetation, retention/detention lakes, and preserved wetlands and conservation easements. It will also provide a surface water management system that will incorporate natural flow ways through utilization of the existing wetland systems, complying with policies 60.4.1, 60.4.2, and 60.4.3.

PARKS, RECREATION & OPEN SPACE

Pursuant to Section 10-415 of the LDC, the development is required to provide 40% open space with 50% of the required open space provided as indigenous native vegetation preserve areas. The clustered design and site layout of the proposed MCP allows a significant amount of land area to be provided for open space, meeting the LDC's requirements. These open spaces will encompass preserve areas, passive recreational areas, lakes, and buffers ensuring consistency with Goal 77 – requiring new development “to provide adequate open space for improved aesthetic appearance, visual relief, environmental quality, preservation of existing native trees and plant communities, and the planting of required vegetation.” Consistent with Policy 77.3.1, the development will provide more than half of the required 40% open space as existing native plant communities. Additionally, the project's clustered design incorporates “large, contiguous open space areas in the development design,” consistent with Policy 77.3.4. Additionally, the added 9.98 parcel will be preserved, adding to the provided open space of the overall development.

CONSERVATION & COASTAL MANAGEMENT ELEMENT

The Subject Property is not within the Coastal High Hazard Area or Coastal Building Zone, based on Lee Plan Map 5-A.

To ensure consistency with Goal 123 of the Lee Plan, an environmental assessment was conducted and a report by Passarella & Associates, Inc., dated October 2021 is included as part of this submittal (Exhibit M13). Consistent with Policies 123.1.5, 123.1.7, 123.2.2 and 123.2.4, the proposed clustered development provides designated preserve areas and conservation easements. These preserves/conservation easements protect high quality wetlands, plant communities, and indigenous uplands, while addressing restoration and management of non-indigenous/invasive areas of the property. In addition, the preserves/conservation easements located in the eastern portion of the River Hall Project abut a LAMSID Canal followed by Hickey Creek mitigation park (County owned conservation land), supporting “connectivity between public and private conservation and preservation efforts,” outlined in Policy 123.1.5. Consistent with the intent of Policies 123.2.8, 123.2.9, 123.2.10, and 123.2.11, the River Hall Project is subject to a long-term plan, as approved by Lee County, to provide management and maintenance of the preservation areas and be designed to protect the natural character of adjacent nature preserves.

Lee Plan Goal 124 provides language to ensure adequate maintenance and enforcement for any development in wetlands that is cost-effective, complements federal and state permitting processes, and protects the fragile ecological characteristics of wetland systems. Portions of the 9.98 acres added parcel contain wetlands, but no development is proposed in this parcel. As such, there will be no development related impacts to the River Hall Project's existing wetlands by the requested rezoning. The Project's provided wetlands and conservation areas will be reviewed for compliance with the Lee Plan during the rezoning process. The use of a cluster development pattern on the urban designated lands, included in this request, permits an increase in the Project's density without impacting the project's existing wetlands, preservation, and conservation areas. The development, as it moves through the permitting

process, will be reviewed by the South Florida Water Management District and as a result will be consistent with overall Goal 124, Objective 124.1, and Policies 124.1.1 and 124.1.2.

The proposed rezoning to the River Hall Project will be consistent with Lee Plan Goal 125, Objective 125.1, and Policies 125.1.2 and 125.1.3. The concurrent comprehensive plan map amendment and rezoning application review processes will ensure that water quality is maintained or improved through a comprehensive surface water management system, which will be modified if needed to support the additional 549 dwelling units. The proposed development will reduce nutrient loading and impacts to adjacent waterways; preserve high-quality wetlands; and eliminate the potential for hundreds of individual wells and septic systems by requiring connection to the adjacent potable water and sanitary sewer infrastructure.

HOUSING ELEMENT

Consistent with Goal 135, the proposed rezoning will help to provide adequate housing for existing and future residents of Lee County. The County's objective is to work with private and public housing providers to ensure the types, costs, and locations of housing are provided to meet the needs of the County's population, per Objective 135.1 of the Lee Plan. Southwest Florida is one of the state's leading in-migration areas with Fort Myers being among one of the fastest growing metro areas in the nation, based on data from the U.S. Census Bureau. The County's population is estimated to increase to approximately 900,000 by 2030 (8 years), pursuant to the University of Florida's BEBR Projections of Florida Population by County 2025-2045, and will need additional dwelling units to be provided in unincorporated Lee County to meet the needs of the County's existing and future residents. The proposed rezoning and companion comprehensive plan amendment will allow for up to 549 new housing units to help meet Goal 135 and the intent of Objective 135.1. The proposed rezoning and companion amendment are also consistent with Policy 135.1.9, which outlines the need to provide "a wide variety of allowable housing densities and types through the planned development process."

PLANNING COMMUNITY ACREAGE ALLOCATION – TABLE 1(b) ANALYSIS & EFFECT ON POPULATION

Lee Plan Policy 1.6.5 outlines, by reference Lee Plan Map 1-B and Table 1(b), the "proposed distribution, extent, and location of generalized land uses through the Plan's horizon." As discussed with Staff on February 1, 2022, there is adequate acreage within Table 1(b) at this time for the proposed River Hall CPA, companion to this rezoning request, which will be re-evaluated prior to development.

Lee County's population projections will not be impacted negatively by the proposed rezoning. There are 2.64 persons per household and an overall population of 618,754 (2010 Census) in Lee County, as estimated by the United States Census Bureau's Quick Facts database. The Subject Property under the proposed rezoning and concurrent map amendment, which caps density at 549 additional units, could accommodate approximately 1,449 additional persons (549 units x 2.64 persons per household).

Lee County's 2020 population estimate was 760,822 according to the United States Census Bureau QuickFacts. The County's 2030 projected population is 904,700 and 1,010,900 in the year 2040, according to the UFCLAS – Bureau of Economic and Business Research. Taking these projections into consideration, more than 50,000 dwelling units will be needed within the next 5 to 10 years, with over one third of those dwelling units needed in Unincorporated Lee County. The proposed rezoning and concurrent map amendment will provide 549

additional dwelling units that are compatible and complimentary to the surrounding community and support the future population growth in Lee County.

SANDSTONE AQUIFER

The use of the Sandstone aquifer at the project site is permitted under South Florida Water Management District Irrigation Water Use Permit No. 36-04006-W. The irrigation system is permitted with the supply derived from the lake system with groundwater from the Sandstone and Lower Hawthorn aquifers discharged to the lakes as recharge. The permit has a source limitation on the Sandstone aquifer and allocates a maximum monthly usage of 16.76 million gallons (MG) and an annual use of 203.67 MG from the aquifer.

During the application and review process of the permit prior to development, computer impact analyses were conducted to determine the allowable allocation to be derived from each source. As the Sandstone aquifer is also a source for nearby domestic use, the allocation from the aquifer was limited to volumes that computer modeling showed did not create adverse impacts to adjacent users and that met the applicable SFWMD permitting criteria.

With respect to the Sandstone aquifer and the requirements of the Lee Plan policy 60.1.1 (POLICY 60.1.1: Require design of surface water management systems to protect or enhance the groundwater), the permitted use of the aquifer is as an irrigation source that discharges to the surface water system to recharge the water withdrawn from the lake system. The specific use of the Sandstone aquifer and the surface water system is balanced as there is no net change in the water levels in the lake system resulting from use of the Sandstone aquifer as the recharge from the aquifer is replacing an equal volume withdrawn for irrigation. The Sandstone aquifer on site is a confined aquifer that is separated from the water-table aquifer/surface water system by an approximately 40 foot thick confining unit (District Publication WS-35) which limits interaction between zones. Therefore, the interaction between the surface water management system and the Sandstone aquifer is negligible and has no net positive or negative effect. No changes to the allocation or use of the Sandstone aquifer are proposed.

The Lee Plan's Goal 126: Water Resources is to "Conserve, manage, and protect the natural hydrologic systems of Lee County to ensure continued water resource availability." The use of the Sandstone aquifer on site meets this goal and the requirements of policy 126.1.2 (POLICY 126.1.2: Recognize and encourage water and wastewater management practices that do not exceed the natural assimilative capacity of the environment or applicable health standards. Conservation and Coastal Management VII-16 November 2021 Water and wastewater management includes, but is not limited to, aquifer recharge, aquifer storage and recovery, reuse water, reverse osmosis, dual water systems, use of low volume irrigation systems, use of water-conserving vegetation, and other conservation and recycling techniques.).

As noted, the impacts of the use of the Sandstone aquifer had been evaluated during the SFWMD permitting process. Computer modeling conducted during the permitting process done in 2005 and 2006 (Application No. 050531-4) assessed the impacts of Sandstone aquifer withdrawals at the maximum monthly withdrawals of 16.76 MG. The District noted in the Staff Report prepared for the permit that modeling data were consistent with the criteria set forth in Subsection 3.1.2 of the SFWMD Applicant's Handbook. The aquifer parameters for the Sandstone aquifer modeling were obtained from onsite pump tests and aquifer parameters determined from the testing. Withdrawals of the recommended maximum monthly allocation were simulated for 90 days with no recharge. The purpose of the analysis was to simulate

withdrawals of the maximum monthly allocations during a 1-in-10 year drought scenario. The modeling results showed that the maximum drawdown as a result of the maximum monthly withdrawals from the Sandstone aquifer was 5.77 feet at a well node.

To assess the impacts on the regional Sandstone aquifer, a determination of the effect of the modeled drawdown on the Maximum Developable Limit (MDL) was undertaken. The assessment assumed a land surface elevation at the project site of approximately 13 feet NGVD. The top of the Sandstone in the vicinity of the site is approximately -50 feet NGVD (District Publication WS-35). The MDL, which is defined as water levels 20 feet above the top of the aquifer, is -30 feet NGVD. The lowest recorded water level in the Sandstone aquifer, obtained from USGS Monitor Well L-1975, located approximately 1.5 miles north of the site was 4.10 feet NGVD. The modeling results submitted under Application 050531-4 show a drawdown of approximately 5.8 feet in the aquifer at the project's wells as a result of the withdrawal of the permitted allocation, leaving approximately 28 feet of head above the MDL. Therefore, the potential for harm to occur to water resource availability of the Sandstone aquifer as a result of the withdrawal of the recommended allocation was considered minimal.

To assess the water levels in the Sandstone aquifer on site, two monitor wells were constructed in June 2019 at the northern and southern property boundaries (Figure 1). Monitoring data have shown that the minimum level in the aquifer on site during the period of record occurred in April 2021 at the northern monitor well location. The minimum level recorded was -2.43 feet NAVD (approximately -1.23 feet NGVD). The minimum recorded level was greater than 28 feet above the MDL.

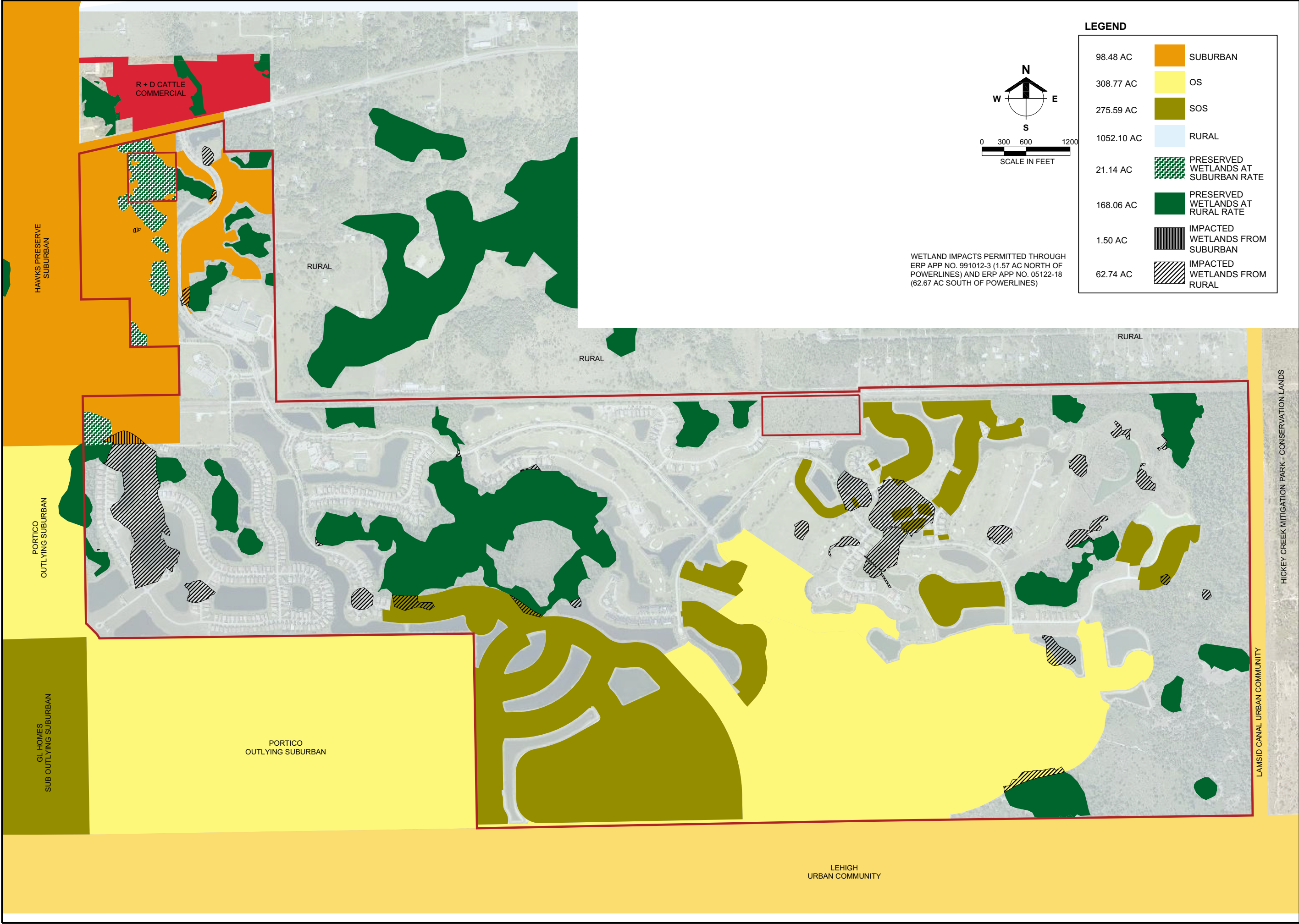
The site is currently utilizing onsite resources to supply the irrigation demands of the project. The use of reclaimed water as an irrigation source has been investigated with Lee County Utilities. A July 2021 letter (River Hall Reuse 07-16-21) from Nathan Beal, Utilities Planning Manager, indicates that the Utility does not have the capability to supply reuse water to the site. The use of reclaimed water as an irrigation source will be considered for use in the future as it becomes available.

The project uses best management practices to limit unnecessary irrigation including the use of xeriscaping principles, soil moisture sensors, rain gauges, monitoring of site conditions by qualified onsite personnel, and employs the use of calibrated totalizing flow meters on all withdrawal sources. The project limits water usage to mandated irrigation schedules and watering restrictions. In addition, all irrigation measures comply with the mandatory year-round landscape measures for Lee, Charlotte, and Collier Counties, per Chapter 40E-24, F.A.C. A compliance monitoring program is currently in place to monitor water levels and water quality within the source aquifers and the lake system.

RIVER HALL Deviations

The following deviations have been approved and will carry forward into the proposed zoning amendment.

1. Deviation from Section 10-385(d)(3)a requirement to provide a maximum fire hydrant spacing of 800 feet in the one- and two-dwelling unit area, to eliminate this requirement in areas along the "spine" road where no homes exist.
2. Deviation from Section 10-329(d)(4) requirement to provide lake banks to be sloped 4:1, to allow bulkheads for up to 25 percent of the shoreline of lake banks.
3. Deviation from Section 34-2194(b) requirement to provide a 25-foot setback from bodies of water, to allow 20-foot setbacks for the manmade lakes to be consistent with the existing development orders and permits.
4. Deviation from Section 30-152(2)c to allow a reduction in the minimum setback from residential subdivision entrance signage from 15 feet to 5 feet from the right-of-way.
5. Deviation from LDC Section 10-415(b)(1)c which requires a minimum setback of 20 feet from buildings and a 30 foot setback for indigenous plant communities subject to fire to allow a side setback of 17 feet for the following existing platted lots: river hall country club, phase two, block k, lots 29, 57, 76 and 77; Hampton Lakes at River Hall, Phase one, Lot 87.
6. Deviation from LDC Section 10-415(b)(1)c which requires a minimum setback of 20 feet from buildings and a 30 foot setback for indigenous plant communities subject to fire to allow a rear setback of 20 feet for all existing platted lots.
7. Deviation from LDC Section 10-296(e)(1)(i)(5) which requires a closed drainage cross-section for local roadways in the Urban Community Future Land Use category to provide an open drainage cross-section in accordance with LDC 10-296(e)(2)(h)(5) (iii)(b) which depicts an open drainage cross section in Suburban Future Land Use categories.



Barraco

and Associates, Inc.

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2271 MCGREGOR BLVD., SUITE 100
POST OFFICE DRAWER 2800
FORT MYERS, FLORIDA 33902-2800
PHONE (239) 461-3170
FAX (239) 461-3169

FLORIDA CERTIFICATES OF AUTHORIZATION
ENGINEERING 7995 - SURVEYING LB-6940

PREPARED FOR

GREENPOINTE
COMMUNITIES,
LLC

7807 BAYMEADOWS ROAD E
SUITE 205
JACKSONVILLE, FL 32256

PHONE (904) 562-1358
FAX (904) 996-2481

PROJECT DESCRIPTION

RIVER HALL

COMPREHENSIVE
PLAN
AMENDMENT

PART OF SECTION 36,
TOWNSHIP 43, RANGE 26
LEE COUNTY, FLORIDA

THIS PLAN IS PRELIMINARY AND
INTENDED FOR CONCEPTUAL
PLANNING PURPOSES ONLY.

SITE LAYOUT AND LAND USE
INTENSITIES OR DENSITIES MAY
CHANGE SIGNIFICANTLY BASED
UPON SURVEY, ENGINEERING,
ENVIRONMENTAL AND / OR
REGULATORY CONSTRAINTS AND /
OR OPPORTUNITIES.

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FILE NAME J:\23898CPA-X02-ALLOWABLEDENSITY.DWG

LOCATION J:\23898\DWG\CPAL

PLOT DATE TUE, 5-23-2023 - 10:44 AM

PLOT BY ALYSSA FONTAINE

CROSS REFERENCED DRAWINGS

BASEPLAN = 23898CPA00-WITHIMPACTS.DWG

PLAN REVISIONS

DATE	DESCRIPTION
3-27-2023	INCREASE RURAL FLU

PLAN STATUS

ALLOWABLE
DENSITY
EXHIBIT

PROJECT / FILE NO.	SHEET NUMBER
23898	



Board of County Commissioners

Kevin Ruane
District One

Cecil L. Pendergrass
District Two

Ray Sandelli
District Three

Brian Hamman
District Four

Mike Greenwell
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
County Hearing
Examiner

January 20, 2023

Barbara Powell, Plan Processing Administrator
State Land Planning Agency
Caldwell Building
107 East Madison – MSC 160
Tallahassee, FL 32399-4120

**Re: Amendment to the Lee Plan
Transmittal Submission Package
CPA2022-00006 and CPA2022-00007
Grand Bay Map and Text Amendments**

Dear Ms. Powell:

In accordance with the provisions of F.S. Chapter 163.3184(3) for Expedited State Review, please find attached proposed Comprehensive Plan Amendments, known locally as CPA2021-00006 and CPA2022-00007 (Grand Bay). The amendments are as follows:

CPA2022-00006 (Map):

Amend Map 1-C to extend the boundary of the Mixed Use Overlay to the west side of S. Tamiami Trail, across from the intersection with San Carlos Boulevard, to include 15.64± acres.

CPA2022-00007 (Text):

Amend Lee Plan Policy 5.1.10 to align how density is calculated with how it is defined in the Glossary and with existing processes.

The Local Planning Agency held a public meeting for the plan amendment on December 12, 2022. The Board of County Commissioners voted to transmit the amendment on January 18, 2023. The proposed amendment is not applicable to an area of critical state concern. The Board of County Commissioners stated their intent to hold an adoption hearing following the receipt of the review agencies' comments.

The name, title, address, telephone number, and email address of the person for the local government who is most familiar with the proposed amendment is as follows:

Mr. Brandon Dunn, Principal Planner
Lee County Planning Section
P.O. Box 398
Fort Myers, Florida 33902-0398
(239) 533-8585
Email: bdunn@leegov.com

By copy of this letter and its attachments, I certify that this amendment and supporting data and analysis have been sent on this date to the agencies listed below.

Sincerely,

**Lee County Department of Community Development
Planning Section**



Mikki Rozdolski,
Manager, Community Development Operations

Cc Brandon Dunn, Planner, Principal
Case File

All documents and reports attendant to this transmittal are also being sent by copy of this cover in an electronic format to:

Comprehensive Plan Review
Department of Agriculture and Consumer Services

Morgan Runion, AICP
Department of Education

Plan Review
Department of Environmental Protection

Alissa S. Lotane
Florida Department of State

Scott Sanders
Florida Fish and Wildlife Conservation Commission

Vitor Suguri
FDOT District One

Ms. Margaret Wuerstle
Southwest Florida Regional Planning Council

Terry Manning, AICP
South Florida Water Management District

CPA2022-00006
&
CPA2022-00007

Grand Bay

STAFF REPORT FOR CPA2022-00006 & CPA2022-00007: GRAND BAY



Privately Initiated Map & Text Amendments to the Lee Plan

Recommendation:

Transmit

Applicant:

Grand Bay Ft Myers MF LLC

Representatives:

Stacy Ellis Hewitt, AICP
Banks Engineering

Property Location:

West side of US 41 at San Carlos Boulevard

Size:

± 15.64 acres

Planning District:

#13 - San Carlos

Commissioner District:

District #3

Hearing Dates:

LPA: 12/12/2022
BoCC #1: 01/18/2023
BoCC #2: TBD

Attachment(s):

1: Proposed Amendments

REQUEST

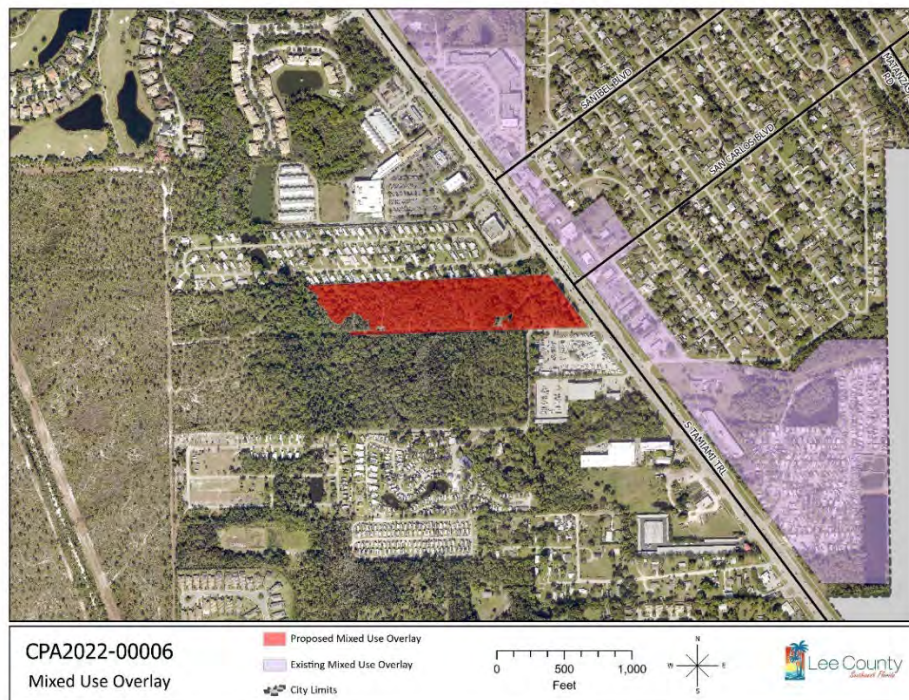
- Amend Lee Plan Map 1-C to include 15.64 acres of the subject property in the Mixed-Use Overlay.
- Amend Lee Plan Policy 5.1.10 to align how density is calculated with how it is defined in the Glossary and with existing processes.

SUMMARY OF AMENDMENTS

The requested amendments will allow for a mixed use development which, as proposed in the concurrent rezoning, will have up to 300 multi-family residential dwelling units (including bonus density), and 30,000 square feet of commercial uses clustered on the eastern side of the property allowing for substantial preservation within the Coastal High Hazard Area, adjacent to the Estero Bay Preserve State Park.

PROJECT LOCATION

- The proposed text amendments to Policy 5.1.10 will apply county-wide.
- The proposed amendment to Map 1-C will apply only to the subject located on the west side of US41 at the intersection of San Carlos Boulevard and US41, as shown below.



RECOMMENDATION

Staff recommends that the Board of County Commissioners **transmit** the amendments to the Lee Plan as provided in Attachment 1 based on the analysis and findings provided in this staff report.

PART 1 - STAFF REVIEW

CONCURRENT APPLICATION REVIEW

The applicant has filed a companion rezoning application (DCI2022-00018) that is being reviewed concurrently with this plan amendment application. Chapter 163.3184(12), F.S. provides: "At the request of an applicant, a local government shall consider an application for zoning changes that would be required to properly enact any proposed plan amendment transmitted pursuant to this subsection."

The concurrent rezoning request is to rezone ±46.33 acres from Mobile Home District (MH-1) and General Commercial District (CG) to Minor Mixed-Use Planned Development (MPD) to allow a maximum of 300 dwelling units (179 dwelling units, with 121 units of bonus density) and 30,000 square feet of commercial retail or office uses with a maximum height of 53 feet.

If the Board of County Commissioners amends the Lee Plan to incorporate the proposed changes discussed in this report, the applicant **MUST** demonstrate consistency with the Lee Plan, as amended, prior to rezoning approval.

DISCUSSION AND ANALYSIS – MAP AMENDMENT

The applicant is proposing an amendment to Lee Plan Map 1-C to expand the Mixed Use Overlay to the subject property. The properties to the east of the subject property across US-41 are currently in the Mixed Use Overlay.

Subject Property

The subject property consists of approximately 15.64 acres located on the west side of US 41, directly across from San Carlos Blvd. The subject property is part of a larger proposed mixed-use development project that is the subject of a concurrent rezoning, DCI2022-00018. The subject property is currently zoned GC along Us 41, with the remainder being in the MH-1 (mobile home residential district). The subject property is within the Urban Community and Wetland future land use categories.

Surrounding Properties

To the **west** of the subject property exists the remainder (majority) of the Grand Bay project property that is subject to the concurrent rezoning. These lands are currently in the Rural and Wetlands future land use categories and are zoned MH-1. The boundary of the concurrent rezoning extends approximately 990 feet to the west of lands proposed to be added to the Mixed Use Overlay. Further to the west is Estero Bay Preserve State Park within the Conservation Lands (Upland) future land use category.

North of the subject property is the Sheltering Pines Mobile Home Village, an existing mobile home development in the Urban Community, Rural, and Wetlands future land use categories zoned MH-2. The Sheltering Pines Mobile Home Village has a platted density of roughly 8.62 dwelling units per acre and a built density of roughly 7.05 dwelling units per acre, both of which are above the maximum of the standard density range for properties in the Urban Community future land use category. Also to the north, along the US 41 frontage, is a vacant parcel in the Urban Community future land use category zoned CPD.

Further north are several commercial properties with a range of commercial retail and office uses, each within the Urban Community future land use category and zoned CPD.

To the **east**, across US-41, are several commercial properties ranging in size between approximately 1/3 of an acre to 1 acre. These properties are in the Urban Community future land use category, the Mixed

Use Overlay, and are zoned C-1. Further to the east is San Carlos Park, a large area of primarily single-family homes in the Urban Community and Suburban future land use categories. These homes are zoned RS-1.

To the **south** is Calusa Cove RV Park, platted for 131 dwelling units and a density of roughly 6.55 dwelling units per acre. Several of the platted lots border the concurrent rezoning DCI are inhabited, but the majority of the lots remain vacant. Also to the south is a multi-family housing complex with bonus density approved by ADD2020-00104 and is currently under construction pursuant to local Development Order DOS2020-00127. This multi-family development is within both the Urban Community and Wetlands future land use categories. Further to the south is the Shady Acres RV Travel Park.

Lee Plan Analysis

As previously stated, the applicant is requesting to add approximately 15.64 acres to the Mixed Use Overlay as identified on Lee Plan Map 1-C. All additions to the Mixed Use Overlay must be reviewed for consistency with **Policy 11.2.1**, which provides criteria that must be met to add land to the Mixed Use Overlay. Policy 11.2.1 is provided below, followed by an analysis of each criteria.

POLICY 11.2.1: The Mixed Use Overlay identifies locations where mixed use development will have a positive impact on transportation facilities through increased transit service, internal trip capture, and reduced travel distance. Requests to expand the Mixed Use Overlay will be evaluated based on all of the following criteria:

1. Located within the extended pedestrian shed of established transit routes; and,
2. Distinct pedestrian and automobile connections to adjacent uses can be achieved without accessing arterial roadways; and,
3. Located within the Intensive Development, Central Urban, or Urban Community future land use categories; and,
4. Availability of adequate public facilities and infrastructure; and
5. Will not intrude into predominately single-family residential neighborhoods.

Located within the extended pedestrian shed of established transit routes: The subject property is located on US 41 and is served by LeeTran Route 240. Existing sidewalks allow pedestrian access from the development to the nearest bus stop, which is less than 200 feet, or .05 miles, from the subject property. As defined in the Lee Plan, Pedestrian Shed is $\frac{1}{4}$ mile and an extended pedestrian shed is $\frac{1}{2}$ mile. Therefore the subject property is within the extended pedestrian shed of an existing LeeTran route.

Distinct pedestrian and automobile connections to adjacent uses can be achieved without accessing arterial roadways: The subject property is directly south of commercially zoned property. A connection can be made in the future from the subject property to Unique Circle. Access to Unique Circle will provide residents access to significant commercial development and pedestrian services without having to use US-41. The commercial uses that can be accessed through the proposed interconnection include multiple pharmacies, a grocery store, a self-service gas station, multiple restaurants, a self-storage facility, and other miscellaneous commercial offerings. The proposed interconnect also provides pedestrian access to a sidewalk that connects to two bus stops along US-41. The applicant is proposing a shared access road with the multi-family development to the south, creating a connection between the two neighborhoods.

Staff recommends that the companion rezoning application be conditioned to provide an access easement through the neighboring, vacant parcel to connect to Unique Circle. The access easement will also assure consistency with this criteria and with **Policy 11.2.2**.

Located within the Intensive Development, Central Urban, or Urban Community future land use categories: The subject property is located within the Urban Community future land use category. It should be noted that portions of the overall Grand Bay rezoning project site are within the Rural and Wetlands future land use categories, however these areas are not be included in the expansion of the Mixed-use Overlay.

A Jurisdictional Determination from South Florida Water Management District was provided by the applicant confirming that the proposed expansion of the Mixed Use Overlay does not include any lands within the Wetlands future land use category.

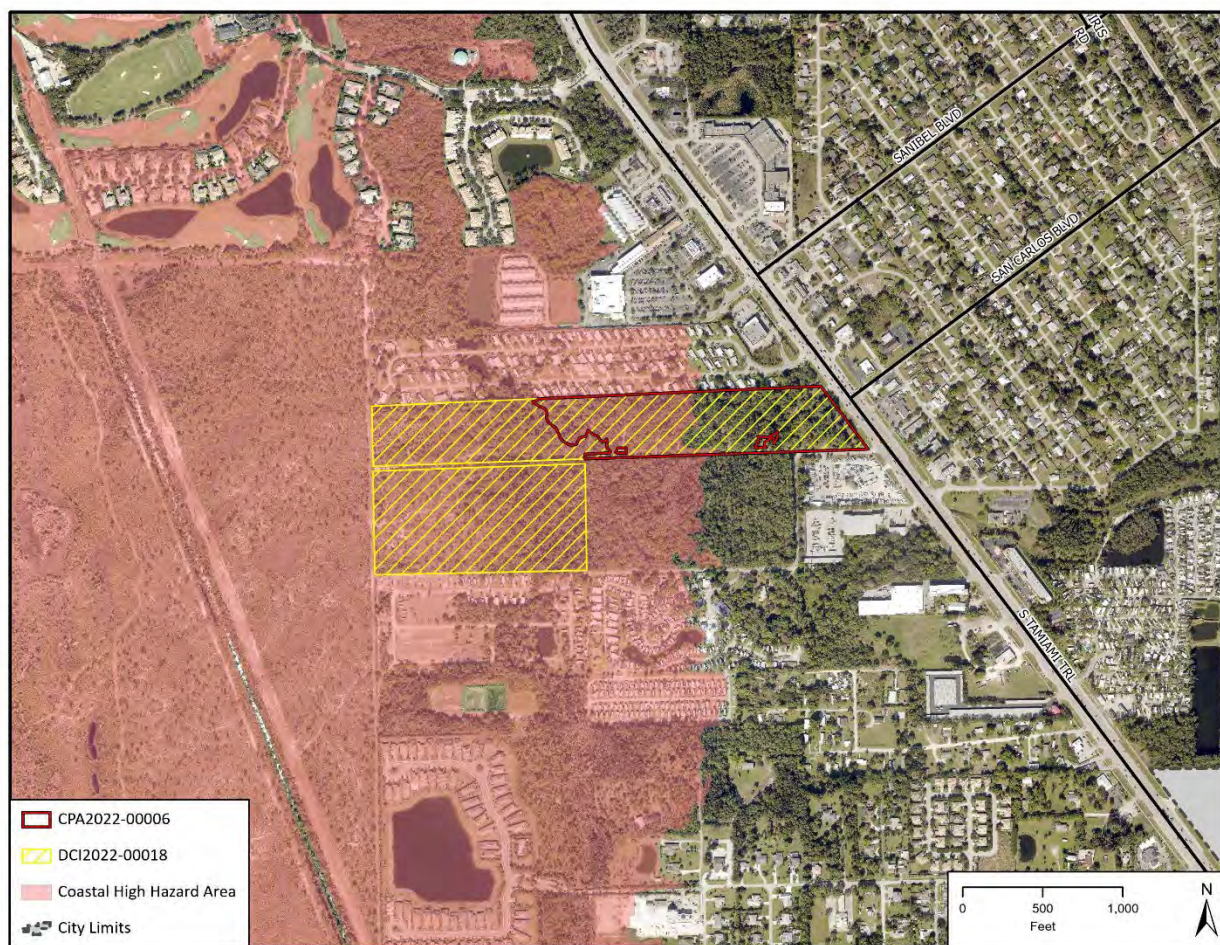
Availability of adequate public facilities and infrastructure: All necessary public facilities serving the subject property are able to provide service as provided for in the “public facilities impact” section of this report.

Will not intrude into predominately single-family residential neighborhoods: The south of the subject property is bordered by a multi-family development that is currently under construction and the north of the subject property is bordered by a relatively high-density mobile home park. Neither of the bordering uses are incompatible with mixed-use development.

As discussed above, adding the subject property to the Mixed Use Overlay is consistent with Policy 11.2.1. In addition to Policy 11.2.1, which must be reviewed for all proposed expansions of the Mixed Use Overlay, the Lee Plan must be reviewed for consistency with other Goals, Objectives, and Policies based on specific characteristics of the subject property.

The subject property is within the Urban Community future land use category. As previously stated, lands that were identified as wetlands by the Jurisdictional Determination are not included in the request to be added to the Mixed Use Overlay. **Policy 1.1.4**, describing the Urban Community future land use category, provides that “predominant land uses in this category will be residential, commercial, public and quasi-public, and limited light industrial **with future development encouraged to be mixed use**, as described in Objective 11.1, where appropriate.” Adding the subject property to the Mixed Use Overlay will further the ability of future development to be mixed use in an area that is appropriate based on availability of public services and infrastructure as well as compatibility with adjacent uses as discussed above in the analysis of Policy 11.2.1. The proposed amendments are consistent with and further Policy 1.1.4 of the Lee Plan.

As shown below, the subject property contains approximately 7.11 acres within the Coastal High Hazard Area (CHHA). There are no Goals, Objectives, or Policies in the Lee Plan that prohibit the Mixed Use Overlay from being added to lands within the CHHA. Currently there are approximately 938.07 acres of land within the Mixed Use Overlay that is also in the CHHA. Staff also notes that the development standards typically allowed in the Mixed Use Overlay, and as demonstrated in the concurrent rezoning case, facilitates clustering development to the eastern side of the property, out of the CHHA as much as possible.



Public Facilities Impact

- **Fire:** The subject property is served by San Carlos Park Fire Protection and Rescue Service District. The nearest station is station 51 approximately 0.76 miles from the subject property with a response time of less than three minutes. The district is able to provide fire suppression, emergency medical services, fire prevention and public education service.
- **Emergency Medical Services (EMS):** Lee County Emergency Medical Services will provide service to the subject property. Lee County EMS has indicated that they can adequately serve the property. The primary ambulance for the location is Medic 9, located 0.9 miles east. There are three additional EMS stations located within 5 miles of the property.
- **Utilities:** The subject property is located within the Lee County Utilities Future Service Area. Potable water and sanitary sewer lines are in operation adjacent to the property, but developer-funded system enhancements may be required to provide service to the subject parcel. Sanitary sewer service will be provided by Three Oaks Water Reclamation Facility.
- **Public Transit:** The subject property is within one-quarter mile and adjacent of a fixed route. The closest bus stop is also within one-quarter mile of the property and the area is identified as an area of need for enhanced or additional transit services. Developer funded system enhancements may be required at time of development order.

- Schools: The School District of Lee County has determined that capacity is an issue within the Concurrency Service Area (CSA) at the elementary school level; however, capacity is available within the adjacent CSA.
- Police: The Lee County Sheriff's Office will serve the subject property, and has indicated that there is sufficient capacity for service. Law enforcement will be provided from the South District offices in Bonita Springs.
- Solid Waste: Lee County Solid Waste is capable of providing solid waste collection service to the subject property. Service will be provided through franchised hauling contractors, with disposal of waste accomplished at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill.
- Traffic: The short range and long range level of service (LOS) analyses indicate that all roadways within a three-mile radius are anticipated to operate at or better than the adopted LOS standard for 2027 and 2045. US 41 is an arterial road maintained by the State of Florida.

The proposed amendments to Map 1-C, adding 15.64 acres to the Mixed Use Overlay, is consistent with the Lee Plan.

DISCUSSION AND ANALYSIS – TEXT AMENDMENT

In addition to the proposed map amendment, a text amendment to Lee Plan Policy 5.1.10 is proposed. Policy 5.1.10 outlines how to calculate density on properties that are divided into two or more future land use categories. With the exception of policies that are related to the calculation of density within various overlays, there are no other policies in the Lee Plan that discuss how to calculate density for properties with multiple future land use categories.

When calculating density, Policy 5.1.10 allows the total number of dwelling units on a property with two or more future land use categories to be the sum of the dwelling units allowed for each land use category. The policy also specifies how the allowable density can be "allocated" across the property by defining four standards that must be followed: 1) development must be a planned development; 2) the development may not place more dwelling units within future non-urban areas than would otherwise be allowed; 3) the land within the development must have been under single ownership at the time this policy was adopted: August 7, 1992; and 4) the resulting planned development protects environmentally sensitive land, if present on the property.

The proposed amendment will align Policy 5.1.10 with the Lee Plan's definition of density and standard density calculation practices within Lee County. The proposed amendments are provided below followed by an analysis of the changes.

Policy 5.1.10: In those instances where contiguous land under single ownership is divided within to two or more land use categories by the adoption or revision of the Future Land Use Map, the allowable number of dwelling units density under this Plan will be the sum of the allowable dwelling units densities for each land use category for each portion of the land. This density can be allocated The dwelling units may be distributed across the property provided that: the resultant development affords further protection to environmentally sensitive lands, if they exist on the property, and the number of dwelling units within any Future Non-Urban Area land use category does not exceed the density allowed in that future land use category.

1. ~~The planned development zoning is utilized; and~~

~~2. No density is allocated to lands designated as non-urban or Environmentally Critical that would cause the density to exceed that allowed on such areas; and~~

~~3. The land was under single ownership at the time this policy was adopted and is contiguous; in situations where land under single ownership is divided by roadways, railroads, streams (including secondary riparian systems and streams but excluding primary riparian systems and major flow ways such as the Caloosahatchee River and Six Mile Cypress Slough), or other similar barriers, the land will be deemed contiguous for purposes of this policy; and~~

~~4. The resultant planned development affords further protection to environmentally sensitive lands if they exist on the property.~~

While providing clarity by differentiating between allowable units (the total number of units permitted on any piece of land) and density (the number of units allowed per acre), the proposed amendment maintains how the allowable number of dwelling units are calculated on a property with two or more future land use category designations. The proposed amendment also maintains the limitation on the number of dwelling units within future non-urban areas which helps to address compatibility with adjacent future non-urban areas with lower allowable densities.

The proposed amendment will eliminate the requirement for a planned development. As previously stated this is the only policy that addresses calculating density for properties with multiple future land use categories. While use of planned development rezonings for projects with multiple future land use categories is common, it is not practicable to require use of a planned development rezoning in every case. Some projects are smaller and do not meet the thresholds that require a planned development and there are also cases that do not involve rezoning but require the calculations of density on properties with multiple future land use categories such as lot splits, which can be done administratively. To fully enforce this requirement would mean that a planned development rezoning would be required for every lot split of properties with multiple future land use categories.

The proposed amendment will also eliminate the requirement that all lands within the development were under single-ownership on August 7, 1992 and replaces it with the requirement that land is contiguous. This requirement was project specific and is otherwise arbitrary.

Staff has reviewed the Lee Plan and has not identified any Goals, Objectives, or Policies that would be internally inconsistent with the proposed amendments.

CONCLUSIONS

Staff has reviewed the proposed amendments and finds that adding the subject property to the Mixed Use Overlay is consistent with the Lee Plan as the property is in close proximity to established transit routes, can provide connections to adjacent uses, is within the Urban Community future land use category, has adequate public facilities and infrastructure available, and does not intrude into predominately single-family neighborhoods. Additionally, the proposed amendments to Policy 5.1.10 maintain the intent of allowing the density of multiple land use categories to be summed and allocated across the site, while eliminating internal inconsistencies and arbitrary past ownership requirements.

Staff recommends that the Board of County Commissioners **transmit** the proposed amendment as shown in Amendment 1.

PART 2
LOCAL PLANNING AGENCY
REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: December 12, 2022

A. LOCAL PLANNING AGENCY REVIEW

The applicant's representatives provided a presentation addressing the requested amendments, subject property, impact analysis, access to the property, surrounding uses, consistency with the Lee Plan, and concurrent rezoning.

During the applicant's presentation members of the LPA asked about access to adjacent properties, traffic, bonus density, and lands within the concurrent rezoning that are proposed to be preserved. These questions were clarified by the applicant's representative during their presentation.

Following this, staff made a presentation addressing the requested amendments, subject property, and consistency with the Lee Plan and staff recommendation.

Members of the LPA had questioned why this amendment did not qualify as a small scale amendment. Staff provided the proposed text amendment to Policy 5.1.10 had county wide implications and precluded this application from being processed as small scale amendment.

No members of the public addressed the LPA concerning the proposed amendments.

B. LOCAL PLANNING AGENCY RECOMMENDATION

A motion was made to recommend that the Board of County Commissioners **transmit** CPA2022-00006 and CPA2022-00007. The motion passed 5 to 0.

RAYMOND BLACKSMITH	<u>AYE</u>
DUSTIN GARDNER	<u>AYE</u>
JAMES M. INK	<u>ABSENT</u>
ALICIA OLIVO	<u>ABSENT</u>
DON SCHROTENBOER	<u>AYE</u>
STAN STOUDE	<u>AYE</u>
HENRY ZUBA	<u>AYE</u>

C. STAFF RECOMENDDATION

Staff recommends that the Board of County Commissioners **transmit** the amendments to the Lee Plan as provided in Attachment 1.

PART 3
BOARD OF COUNTY COMMISSIONERS
TRANSMITTAL HEARING

DATE OF PUBLIC HEARING: January 18, 2023

A. BOARD REVIEW:

Staff provided a brief presentation for the proposed amendment which included an overview of the proposed amendments, location, Lee Plan consistency, and LPA and Staff recommendations. Following staff's presentation, the applicant's consultants provided a brief overview of the request and stated agreement with the staff recommendation.

No members of the public addressed the Board of County Commissioners concerning the proposed amendment.

B. BOARD ACTION:

A motion was made to transmit CPA2021-00005 as recommended by staff and the LPA. The motion passed 3 to 0.

VOTE:

MIKE GREENWELL	<u>AYE</u>
BRIAN HAMMAN	<u>AYE</u>
CECIL L. PENDERGRASS	<u>ABSENT</u>
KEVIN RUANE	<u>ABSENT</u>
RAY SANDELLI	<u>AYE</u>

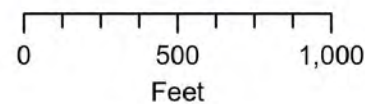
ATTACHMENT 1

- **Map Amendments (CPA2022-00006)**
- **Text Amendments (CPA2022-00007)**



CPA2022-00006
Mixed Use Overlay

-  Proposed Mixed Use Overlay
-  Existing Mixed Use Overlay
-  City Limits



ATTACHMENT 1

PROPOSED TEXT AMENDMENTS

FUTURE LAND USE ELEMENT

Policy 5.1.10: In those instances where contiguous land under single ownership is divided withint~~o~~ two or more land use categories ~~by the adoption or revision of the Future Land Use Map~~, the allowable number of dwelling units density under this Plan will be the sum of the allowable dwelling units densities for each land use category ~~for each portion of the land~~. ~~This density can be allocated~~ The dwelling units may be distributed across the property provided that: the resultant development affords further protection to environmentally sensitive lands, if they exist on the property, and the number of dwelling units within any Future Non-Urban Area land use category does not exceed the density allowed in that future land use category.

1. ~~The planned development zoning is utilized; and~~
2. ~~No density is allocated to lands designated as non-urban or Environmentally Critical that would cause the density to exceed that allowed on such areas; and~~
3. ~~The land was under single ownership at the time this policy was adopted and is contiguous; in situations where land under single ownership is divided by roadways, railroads, streams (including secondary riparian systems and streams but excluding primary riparian systems and major flow ways such as the Caloosahatchee River and Six Mile Cypress Slough), or other similar barriers, the land will be deemed contiguous for purposes of this policy; and~~
4. ~~The resultant planned development affords further protection to environmentally sensitive lands if they exist on the property.~~

RECEIVED
NOV 16 2022

COMMUNITY DEVELOPMENT

Grand Bay

Comprehensive Plan Map & Text Amendments

October 2022



Professional Engineers, Planners & Land Surveyors

Exhibit M1

Completed Application

Grand Bay
Revised **October** 2022



Professional Engineers, Planners & Land Surveyors

Revised October 2022



APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT - MAP

Project Description: Applicant is requesting a Map Amendment to extend the Mixed Use Overlay boundary to the west on S. Tamiami Trail across from intersection with San Carlos Blvd. to include two parcels totaling 15.64± acres to accommodate a mixture of multi-family residential and commercial uses with concurrent Text Amendment to Policy 5.1.10.

Map(s) to Be Amended: Map 1-C

State Review Process: ☐ Small-Scale Review ☐ State Coordinated Review ☒ Expedited State Review

- Phone Number: c/o 239-770-2527/239-939-5490

E-mail: c/o shewitt@bankseng.com

- Phone Number: 239-770-2527/239-939-5490

E-mail: shewitt@bankseng.com

- Phone Number: c/o 239-770-2527/239-939-5490

E-mail: c/o shewitt@bankseng.com

2. STRAP(s): 20-46-25-01-00005.0000 & 20-46-25-01-00004.0000

- Existing Land Use: Vacant

- Industrial Intensity: N/A

*Total project: Assuming 2.73± acres currently zoned CG allocated towards commercial and remaining acreage residential

- Industrial Intensity: N/A

*Total project: Assuming 3± acres commercial and residential density calculated on whole acreage

Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on the maximum development.

1. Traffic Circulation Analysis: The analysis is intended to determine the affect of the land use change on the Financially Feasible Highway Plan Map 3A (20-year plus horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit a Traffic Impact Statement (TIS) consistent with Lee County Administrative Code (AC)13-17.

- a. Proposals affecting less than 10 acres, where development parameters are contained within the Traffic Analysis Zone (TAZ) or zones planned population and employment, or where there is no change in allowable density/intensity, may be eligible for a TIS requirement waiver as outlined in the Lee County TIS Guidelines and AC-13-17. Identification of allowable density/intensity in order to determine socio-economic data for affected TAZ(s) must be coordinated with Lee County Planning staff. Otherwise a calculation of trip generation is required consistent with AC-13-17 and the Lee County TIS Guidelines to determine required components of analysis for:
 - i. Total peak hour trip generation less than 50 total trip ends – trip generation.
 - ii. Total peak hour trip generation from 50 to 300 total trip ends – trip generation, trip distribution and trip assignment (manual or Florida Standard Urban Transportation Modeling Structure (FSUTMS) analysis consistent with AC-13-17 and TIS Guidelines), short-term (5 year) and long-range (to current Lee Plan horizon year) segment LOS analysis of the nearest or abutting arterial and major collector segment(s) identified in the Transportation Inventory based on the trip generation and roadway segment LOS analysis criteria in AC-13-17. A methodology meeting is recommended prior to submittal of the application to discuss use of FSUTMS, any changes to analysis requirements, or a combined CPA and Zoning TIS short term analysis.
 - iii. Total peak hour trip generation is over 300 total trip ends - trip generation, mode split, trip distribution and trip assignment (manual or FSUTMS analysis consistent with AC-13-17 and TIS Guidelines), short-term (five-year) and long-range (to current Lee Plan horizon year) segment LOS analysis of arterial and collector segments listed in the Transportation Inventory. LOS analysis will include any portion of roadway segments within an area three miles offset from the boundary of the application legal description metes and bounds survey. LOS analysis will also include any additional segments in the study area based on the roadway segment LOS analysis criteria in AC-13-17. A methodology meeting is required prior to submittal of the application.
- b. Map amendment - greater than 10 acres -Allowable density/intensity will be determined by Lee County Planning staff.

2. Provide an existing and future conditions analysis for the following (see Policy 95.1.3):

- a. Sanitary Sewer
- b. Potable Water
- c. Surface Water/Drainage Basins
- d. Parks, Recreation, and Open Space
- e. Public Schools

Analysis for each of the above should include (but is not limited to) the following (see the Lee County Concurrency Management Report):

- a. Franchise Area, Basin, or District in which the property is located
- b. Current LOS, and LOS standard of facilities serving the site
- c. Projected 2030 LOS under existing designation
- d. Projected 2030 LOS under proposed designation
- e. Existing infrastructure, if any, in the immediate area with the potential to serve the subject property
- f. Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements
- g. Provide a letter of service availability from the appropriate utility for sanitary sewer and potable water

In addition to the above analysis, provide the following for potable water:

- a. Determine the availability of water supply within the franchise area using the current water use allocation (Consumptive Use Permit) based on the annual average daily withdrawal rate.
- b. Include the current demand and the projected demand under the existing designation, and the projected demand under the proposed designation.
- c. Include the availability of treatment facilities and transmission lines for reclaimed water for irrigation.
- d. Include any other water conservation measures that will be applied to the site (see Goal 54).

3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:

- a. Fire protection with adequate response times
- b. Emergency medical service (EMS) provisions
- c. Law enforcement
- d. Solid Waste
- e. Mass Transit
- f. Schools

In reference to above, the applicant must supply the responding agency with the information from application items 5, 6, and 7 for their evaluation. This application must include the applicant's correspondence/request to the responding agency.

Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed change based upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
2. A map and description of the soils found on the property (identify the source of the information).
3. A topographic map depicting the property boundaries and 100-year flood prone areas indicated (as identified by FEMA).
4. A map delineating the property boundaries on the most recent Flood Insurance Rate Map.
5. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
6. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

Impacts on Historic Resources

List all historic resources (including structure, districts, and/or archaeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites listed on the Florida Master Site File which are located on the subject property or adjacent properties.
2. A map showing the subject property location on the archaeological sensitivity map for Lee County.

Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Lee Plan Table 1(b) and the total population capacity of the Lee Plan Future Land Use Map.
2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment or that affect the subject property. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.

State Policy Plan and Regional Policy Plan

List State Policy Plan and Regional Policy Plan goals, strategies and actions, and policies which are relevant to this plan amendment.

Justify the proposed amendment based upon sound planning principles

Support all conclusions made in this justification with adequate data and analysis.

Planning Communities/Community Plan Area Requirements

If located within a planning community/community plan area, provide a meeting summary document of the required public informational session [Lee Plan Goal 17].

Sketch and Legal Description

The certified legal description(s) and certified sketch of the description for the property subject to the requested change. A metes and bounds legal description must be submitted specifically describing the entire perimeter boundary of the property with accurate bearings and distances for every line. The sketch must be tied to the state plane coordinate system for the Florida West Zone (North America Datum of 1983/1990 Adjustment) with two coordinates, one coordinate being the point of beginning and the other an opposing corner. If the subject property contains wetlands or the proposed amendment includes more than one land use category a metes and bounds legal description, as described above, must be submitted in addition to the perimeter boundary of the property for each wetland or future land use category.

SUBMITTAL REQUIREMENTS

Clearly label all submittal documents with the exhibit name indicated below.

For each map submitted, the applicant will be required to submit a 24"x36" version and 8.5"x11" reduced map for inclusion in public hearing packets.

MINIMUM SUBMITTAL ITEMS (3 Copies)

☒	Completed Application (Exhibit – M1)
☒	Filing Fee (Exhibit – M2)
☒	Disclosure of Interest (Exhibit – M3)
☒	Surrounding Property Owners List, Mailing Labels, and Map For All Parcels Within 500 Feet of the Subject Property (Exhibit – M3)
☒	Future Land Use Map - Existing and Proposed (Exhibit – M4)
☒	Map and Description of Existing Land Uses (Not Designations) of the Subject Property and Surrounding Properties (Exhibit – M5)
☒	Map and Description of Existing Zoning of the Subject Property and Surrounding Properties (Exhibit – M6)
☒	Signed/Sealed Legal Description and Sketch of the Description for Each FLUC Proposed (Exhibit – M7)
☒	Copy of the Deed(s) of the Subject Property (Exhibit – M8)
☒	Aerial Map Showing the Subject Property and Surrounding Properties (Exhibit – M9)
☒	Authorization Letter From the Property Owner(s) Authorizing the Applicant to Represent the Owner (Exhibit – M10)
☒	Lee Plan Analysis (Exhibit – M11)
☒	Environmental Impacts Analysis (Exhibit – M12)
☒	Historic Resources Impact Analysis (Exhibit – M13)
☒	Public Facilities Impacts Analysis (Exhibit – M14)
☒	Traffic Circulation Analysis (Exhibit – M15)
☒	Existing and Future Conditions Analysis - Sanitary Sewer, Potable Water, Surface Water/Drainage Basins, Parks and Rec, Open Space, Public Schools (Exhibit – M16)
☒	Letter of Determination For the Adequacy/Provision of Existing/Proposed Support Facilities - Fire Protection, Emergency Medical Service, Law Enforcement, Solid Waste, Mass Transit, Schools (Exhibit – M17)
☒	State Policy Plan and Regional Policy Plan (Exhibit – M18)
☒	Justification of Proposed Amendment (Exhibit – M19)
☒	Planning Communities/Community Plan Area Requirements (Exhibit – M20)

APPLICANT – PLEASE NOTE:

Once staff has determined the application is sufficient for review, 15 complete copies will be required to be submitted to staff. These copies will be used for Local Planning Agency hearings, Board of County Commissioners hearings, and State Reviewing Agencies. Staff will notify the applicant prior to each hearing or mail out to obtain the required copies.

If you have any questions regarding this application, please contact the Planning Section at (239)533-8585.

AFFIDAVIT

I, Noam Magence as Secretary of Grand Bay Ft Myers MF LLC certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data, or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize 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 through this application.

Grand Bay Ft Myers MF LLC

[Signature]
Signature of Applicant

3/15/22
Date

Noam Magence, Secretary

Printed Name of Applicant

Ohio
STATE OF FLORIDA

Cuyahoga
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization on 3/15/22 (date) by Noam Magence (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

[Signature]
Signature of Notary Public

Emma Samuels
(Name typed, printed or stamped)



Emma Samuels
Notary Public, State of Ohio
My Commission Expires:
June 30, 2026

Exhibit M3

Disclosure of Interest

Grand Bay



Professional Engineers, Planners & Land Surveyors

DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME this day appeared Bernard G. Freeland as Manager of Freeland FL Holdings, LLC, 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 20-46-25-01-00004.0000, 20-46-25-01-00004.0010, 20-46-25-01-00005.0000 & 20-46-25-01-00006.0000 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
N/A	

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.



Property Owner

Bernard G. Freeland, Manager of Freeland FL Holdings,
LLC

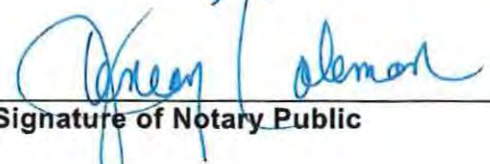
Print Name

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

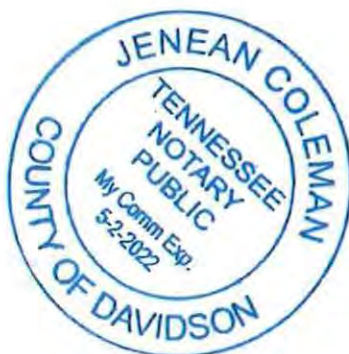
STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, on 3-14-2022 (date) by Bernard Freeland (name of person providing oath or affirmation), who is personally known to me or who has produced Personally known to me (type of identification) as identification.

STAMP/SEAL



Signature of Notary Public



DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME this day appeared Noam Magence as Secretary of Grand Bay Ft Myers MF LLC, 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 20-46-25-01-00004.0000, 20-46-25-01-00004.0010, 20-46-25-01-00005.0000 & 20-46-25-01-00006.0000 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.

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

Name and Address	Percentage of Ownership
N/A	

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.

Grand Bay Ft Myers MF LLC


Applicant

Noam Magence, Secretary

Print Name

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

STATE OF FLORIDA
COUNTY OF LEE

Ohio
Cuyahoga

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, on 3/15/22 (date) by Noam Magence (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.



Emma Samuels
Notary Public, State of Ohio
My Commission Expires:
June 30, 2026


Signature of Notary Public

Exhibit M3

Surrounding Property Owners List, Map & Labels

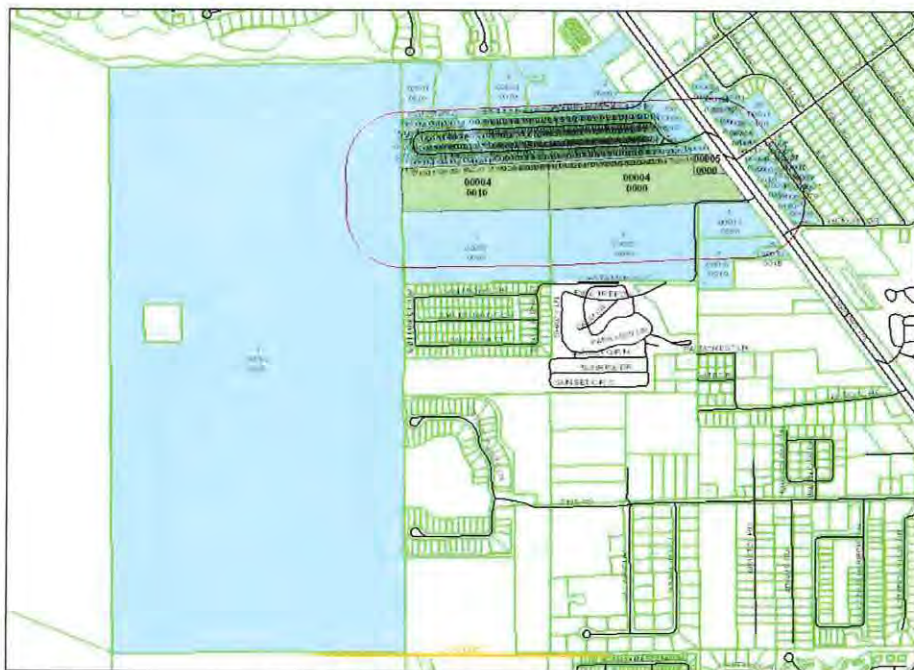
Grand Bay
Revised August 2022



Professional Engineers, Planners & Land Surveyors

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Variance Map and Info



Date of Report: August 03, 2022
 Buffer Distance: 500 feet
 Parcels Affected: 150
 Subject Parcels: 20-46-25-01-00004.0000, 20-46-25-01-00004.0010, 20-46-25-01-00005.0000

[Click here to download the map image, mailing labels \(Avery 5161\) and CSV formatted information.](#)

To change, add or remove subject parcels please change the parcel selection in [GeoView](#)

OWNER NAME AND ADDRESS	STRAP AND LOCATION	LEGAL DESCRIPTION	MAP INDEX
TIITF/REC + PARKS DEPT OF ENVIR PROTECTION 3900 COMMONWEALTH BLVD TALLAHASSEE FL 32399	19-46-25-00-00002.0000 GOVT LOT FORT MYERS FL 33908	E 1/2 SEC 19 LESS 2.001 SEC 19	1
BLP GRAND BAY LLC 160 NW 26TH ST UT 201 MIAMI FL 33127	20-46-25-01-00001.0020 18990/100 S TAMiami TRL FORT MYERS FL 33908	SAN CARLOS GROVE TRACTS PB4PG75 PORT OF LOT 1 AS DESC IN OR 4197 PG 3941 LESS INST #2010000119996 + LESS INST #2011000143480	2
TIITF/REC + PARKS DEPT OF ENVIR PROTECTION 3900 COMMONWEALTH BLVD TALLAHASSEE FL 32399	20-46-25-01-00001.0060 GOVT LOT FORT MYERS FL 33908	SAN CARLOS GROVE TRACTS PB 4 PG 75 DESC IN OR 4085 PG 3114	3
WILLOW PARTNERS LLC 317 GARDEN AVE HOLLAND MI 49424	20-46-25-01-00001.0070 7225 SANIBEL BLVD FORT MYERS FL 33908	PARL LOC IN NW 1/4 OF NW 1/4 OF SECT	4
FREELAND FL HOLDINGS LLC BERNARD G FREELAND 5333 HICKORY PKWY ANTIOCH TN 37013	20-46-25-01-00006.0000 ACCESS UNDETERMINED FORT MYERS FL	SAN CARLOS GROVE TRACTS PB 4 PG 75 LOTS PT 3 + 4	5
PSW ESTERO LLC 2647 S HOMER LAKE RD HOMER IL 61849	20-46-25-01-00007.0000 4098 SANTA MARIA ST FORT MYERS FL 33908	SAN CARLOS GROVE TRACTS PB 4 PG 75 E 1320 FT OF LOT 3 LESS RD R/W	6
LIFE STORAGE LP 6467 MAIN ST BUFFALO NY 14221	20-46-25-01-00012.0010 19400 S TAMiami TRL FORT MYERS FL 33908	SAN CARLOS GROVE TRACT PB 4 PG 75 LOTS 19 + 20 DESC IN OR 3742/3982 LESS OR 1972 PG 2906 LESS .001B	7
VJP HOLDINGS LP VINCENT SCOLA 17 GROVE TER SPARTA NJ 07871	20-46-25-01-00012.001B 19420 S TAMiami TRL FORT MYERS FL 33908	SAN CARLOS GROVE TRACT PB 4 PG 75 LOTS 19 + 20 DESC IN OR 3742/3982 LESS OR 1972 PG 2906	8
MARINA MIKE'S LLC 5671 HARBORAGE DR FORT MYERS FL 33908	20-46-25-01-00013.0000 19300 S TAMiami TRL FORT MYERS FL 33908	SAN CARLOS GROVE TRACTS PB 4 PG 75 LOT 21 LESS 13.001 + RD R/W	9
SHEBESH ANNA + 1017 N BROAD ST GRIFFITH IN 46319	20-46-25-03-00007.0010 19149 ACORN RD FORT MYERS FL 33967	SAN CARLOS PK UNIT 2 BLK 7 PB 10 PG 128 LOTS 1 THRU 3 INCL.	10
LIBAK CHRISTOPHER H + DONNA TR 8293 WINGED FOOT DR FORT MYERS FL 33967	20-46-25-03-00007.0040 19133 ACORN RD FORT MYERS FL 33967	SAN CARLOS PARK UNIT 2 BLK 7 PB 10 PG 128 LOTS 4 THRU 6	11
HOBBS MIRJAMA 19121 ACORN RD FORT MYERS FL 33967	20-46-25-03-00007.0070 19121 ACORN RD FORT MYERS FL 33967	SAN CARLOS PK UNIT 2 BLK 7 PB 10 PG 128 LOTS 7 + 8	12
RODRIGUEZ RAFAEL 2355 55TH ST SW NAPLES FL 34116	20-46-25-03-00007.0090 19113 ACORN RD FORT MYERS FL 33967	SAN CARLOS PARK UNIT 2 PB 10 PG 128 BLK 7 LOTS 9 + 10	13
BARRIOS MARIELL G 7468 SAN CARLOS BLVD ESTERO FL 33967	20-46-25-03-00007.0110 7468 SAN CARLOS BLVD FORT MYERS FL 33967	SAN CARLOS PK UNIT 2 BLK 7 PB 10 PG 128 LOTS 11 + 12	14
BRODBECK JOSEPH W & 19153 ACORN RD	20-46-25-03-00007.0470 19153 ACORN RD	SAN CARLOS PARK UNIT 2 BLK 7 PB 10 PG 128	15

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FORT MYERS FL 33967	FORT MYERS FL 33967	LOTS 47 + 48	
SAN CARLOS VENTURE INC JOHN W MEYER CPA 1207 3RD ST S STE 4 NAPLES FL 34102	20-46-25-03-00008.0010 19133-147 S TAMIAAMI TRL FORT MYERS FL 33908	SAN CARLOS PARK UNIT 2 BLK 8 PB 10 PG 128 LOTS 1 THRU 5 + LOTS 10 THRU 14	16
COACH LLC TR PO BOX 110052 NAPLES FL 34108	20-46-25-03-00008.0060 7460 SAN CARLOS BLVD FORT MYERS FL 33967	SAN CARLOS PARK UNIT 2 BLK 8 PB 10 PG 128 LOTS 6 THRU 9 LESS RD R/W	17
BARKIS SAN CARLOS CAR WASH INC 15834 BROTHERS CT FORT MYERS FL 33912	20-46-25-03-00008.0150 19136 ACORN RD FORT MYERS FL 33967	SAN CARLOS PARK UNIT 2 BLK 8 PB 10 PG 128 LTS 15 THRU 17+LTS35THRU37 LS R/W	18
ART REAL ESTATE HOLDINGS LLC 2135 IMPERIAL CR NAPLES FL 34110	20-46-25-03-00008.0180 19150 ACORN RD FORT MYERS FL 33967	SAN CARLOS PARK UNIT 2 BLK 8 PB 10 PG 128 LTS 18 THRU 21 + LTS 31 THRU 34	19
CIRCLE K STORES INC PO BOX 52085 DC-17 PHOENIX AZ 85072	20-46-25-03-00008.0220 19373 S TAMIAAMI TRL FORT MYERS FL 33908	SAN CARLOS PARK UNIT 2 BLK 8 PB 10 PG 128 LOTS 22 THRU 30 LESS R/W	20
NEW DAY CHRISTIAN CHURCH INC 19091 S TAMIAAMI TRL FORT MYERS FL 33908	20-46-25-04-00009.0010 19091 S TAMIAAMI TRL FORT MYERS FL 33908	SAN CARLOS PK UNIT 3 + 4 BLK 9 PB 11 PG 11 LOTS 1 - 3 + LTS 42 - 44	21
NEW DAY CHRISTIAN CHURCH INC 19091 S TAMIAAMI TRL FORT MYERS FL 33908	20-46-25-04-00009.0040 19089 S TAMIAAMI TRL FORT MYERS FL 33908	SAN CARLOS PK UNIT 3 + 4 BLK 9 PB 11 PG 11 LOTS 4 + 5 + 40 + 41	22
ADVANCE STORES CO INC #9333 TAX ACCOUNTING PO BOX 2710 ROANOKE VA 24001	20-46-25-04-00009.0060 19087 S TAMIAAMI TRL FORT MYERS FL 33908	SAN CARLOS PK UNIT 3 + 4 BLK 9 PB 11 PG 11 LOTS 6 THRU 9 + 36 THRU 39	23
EMBARQ FLORIDA INC PROPERTY TAX DEPT 1025 ELDORADO BLVD BROOMFIELD CO 80021	20-46-25-04-00009.0100 19071 S TAMIAAMI TRL FORT MYERS FL 33908	SAN CARLOS PK U 3 + 4 BLK 9 PB 11 PG 11 LTS 10 11 34 + 35 +SELY 30FT LTS 12 +33	24
OZTURK FAMILY INC 19051 S TAMIAAMI TRL FORT MYERS FL 33908	20-46-25-04-00009.0160 19051 S TAMIAAMI TRL FORT MYERS FL 33908	SAN CARLOS PARK UNIT 3 + 4 BLK 9 PB 11 PG 11 LOTS 16 17 18 + 19 + LOTS 26 THRU 29	25
CLOSE LARRY & LORINDA 6730 BRIARCLIFF RD FORT MYERS FL 33912	20-46-25-04-00009.0300 19059 S TAMIAAMI TRL FORT MYERS FL 33908	SAN CARLOS PARK UNIT 3 + 4 BLK 9 PB 11 PG 11 LOTS 13 THRU 15 + LT 12 N 10FT + 30 THRU 32 + LT 33 N 10FT	26
HANNAHS TERESA M + 15640 KINGSLEY RD NINILCHIK AK 99639	20-46-25-04-00011.0010 7386 PINE DR FORT MYERS FL 33967	SAN CARLOS PK UNIT 3 + 4 BLK 11 PB 11 PG 11 PT LOT 2 ALL 1	27
SAN CARLOS PARK ALLIANCE 7469 SAN CARLOS BLVD FORT MYERS FL 33967	20-46-25-04-00011.0130 7469 SAN CARLOS BLVD FORT MYERS FL 33967	SAN CARLOS PK UNIT 3 + 4 BLK 11 PB 11 PG 11 LOT 13	28
DICKEY DAVID B + 6514 WILLOW LAKE CIR FORT MYERS FL 33966	20-46-25-05-00000.00C0 19190 S TAMIAAMI TRL FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL OR 493 PG 607 UNNUMBERED TRACT	29
KOONTZ MARY E 2560 W DOUBLE DOWN CT BLOOMINGTON IN 47403	20-46-25-05-00001.0010 3842 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HOME VLG BLK 1 OR 493 PG 607 LOT 1	30
PURTLEBAUGH JAMES K SR 8385 N FOX HOLLOW RD BLOOMINGTON IN 47408	20-46-25-05-00001.0020 3838 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 1 OR 493 PG 607 LOT 2	31
DECKARD DAVID + 8465 S OLD ST RD 37 BLOOMINGTON IN 47403	20-46-25-05-00001.0030 3834 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 1 OR 493 PG 607 LOT 3	32
PURTLEBAUGH JAMES KEITH 8385 N FOX HOLLOW RD BLOOMINGTON IN 47408	20-46-25-05-00001.0040 3830 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 1 OR 493 PG 607 LOT 4	33
TAYLOR BRUCE G 9 1/2 N LIMESTONE ST JAMESTOWN OH 45335	20-46-25-05-00001.0050 3826 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINE MOBILE HOME VILL BLK 1 OR 493 PG 607 LOT 5 LESS W 5 FT	34
ADKINS ROBIN 17900 JAYNE CT FORT MYERS FL 33913	20-46-25-05-00001.0060 3822 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK 1 OR 493 PG 607 LOT 6 PLUS W 5 FT OF LOT 5	35
TOMAS LORENZO JOAQUIN 3814 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00001.0070 3818 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK 1 OR 493 PG 607 LOT 7	36
TOMAS LORENZO 3814 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00001.0080 3814 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK 1 OR 493 PG 607 LOT 8	37
VILLALPANDO MARIA DEL CARMEN 3810 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00001.0090 3810 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK 1 OR 493 PG 607 LOT 9	38
VILLALPANDO MARIA DEL CARMEN 3808 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00001.0100 3808 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK 1 OR 493 PG 607 LOT 10	39
PUPO MAXIMO O 3802 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00001.0110 3802 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 1 OR 493 PG 607 LOT 11	40
RAMSEY RICHARD + 3798 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00001.0120 3798 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK 1 OR 493 PG 607 LOT 12	41
VILLA CRESCENCIO & 3794 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00001.0130 3794 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK 1 OR 493 PG 607 LOT 13	42
SANDLIN GARY M & DEBORAH J 3790 UNIQUE CIR SW FORT MYERS FL 33908	20-46-25-05-00001.0140 3790 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK 1 OR 493 PG 607 LOT 14	43
MONTOYA JUAN RUIZ &	20-46-25-05-00001.0150	SHELTER PINES MOBILE HO.VL	44

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3777 UNIQUE CIR FORT MYERS FL 33908	3786 UNIQUE CIR FORT MYERS FL 33908	BLK.1 OR 493 PG 607 LOT 15	
MUNOZ CONRADO 26650 ROBIN WAY BONITA SPRINGS FL 34135	20-46-25-05-00001.0160 3782 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK.1 OR 493 PG 607 LOT 16	45
HAYMAN STANLEY G & LEILANI 239 THORNHILL RD COLUMBIA SC 29212	20-46-25-05-00001.0170 3778 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK.1 OR 493 PG 607 LOT 17	46
TORRES ELIZABETH A 18414 FERN RD FORT MYERS FL 33967	20-46-25-05-00001.0180 3774 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK.1 OR 493 PG 607 LOT 18	47
SHREWSBERRY ADA 344 SETTLEMENT LOOP STONEVILLE NC 27048	20-46-25-05-00001.0190 3770 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK.1 OR 493 PG 607 LOT 19	48
APPLEYARD LYNN & BARB 18094 DORAL DR FORT MYERS FL 33967	20-46-25-05-00001.0200 3766 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK.1 OR 493 PG 607 LOT 20	49
MURILLO JUAN 19040 Ocala RD S FORT MYERS FL 33967	20-46-25-05-00001.0210 3762 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK.1 OR 493 PG 607 LOT 21	50
GARCIA JOSE JAIME & ESTHER 3758 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00001.0220 3758 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES M/H VLG BLK.1 OR 493 PG 607 LOT 22	51
HANSON BRIAN 31093 VIA GILBERTO TEMECULA CA 92592	20-46-25-05-00001.0230 3754 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK.1 OR 493 PG 607 LOT 23	52
LOPEZ ALBERTO A & 3750 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00001.0240 3750 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES M/H VLG BLK.1 OR 493 PG 607 LOT 24	53
KERN JAMES R 27530 WASHINGTON ST BONITA SPRINGS FL 34135	20-46-25-05-00001.0250 3746 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK.1 OR 493 PG 607 LOT 25	54
SANTIAGO DE JESUS MARIO 3742 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00001.0260 3742 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK.1 OR 493 PG 607 LOT 26	55
SANTIAGO DE JESUS MARIO 3742 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00001.0270 3738 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK.1 OR 493 PG 607 LOT 27	56
KORN ROBERT + 3528 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0010 19100 UNICORN LN FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK.2 OR 493 PG 607 LOT 1	57
MURILLO RAFAEL 3833 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0020 3833 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO V BLK.2 OR 493 PG 607 LOT 2	58
PURTLEBAUGH ROBERT D 8535 N CROSSOVER BLOOMINGTON IN 47404	20-46-25-05-00002.0030 3829 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK.2 OR 493 PG 607 LOT 3	59
DUARTE EDUARDO + 3825 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0040 3825 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK.2 OR 493 PG 607 LOT 4	60
BLACK DONALD & ALEKSANDRA 20500 PINE TREE LANE ESTERO FL 33928	20-46-25-05-00002.0050 3821 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK.2 OR 493 PG 607 LOT 5	61
ADKINS ROBIN 17900 JAYNE CT FORT MYERS FL 33913	20-46-25-05-00002.0060 3817 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK.2 OR 493 PG 607 LOT 6	62
RAMOS DE YANEZ AMELIA 18511 GERANIUM RD FORT MYERS FL 33967	20-46-25-05-00002.0070 3813 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK.2 OR 493 PG 607 LOT 7	63
UNKNOWN HEIRS OF 3809 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0080 3809 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK.2 OR 493 PG 607 LOT 8	64
BAZAN ANTONIA 18612 DOGWOOD RD FORT MYERS FL 33967	20-46-25-05-00002.0090 3805 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK.2 OR 493 PG 607 LOT 9	65
TOMAS LORENZO 3814 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0100 3801 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK.2 OR 493 PG 607 LOT 10 + 11	66
CERDA LOERA LILIAN + 3793 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0120 3793 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK.2 OR 493 PG 607 LOT 12	67
MYERS LAUREN A 3789 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0130 3789 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK.2 OR 493 PG 607 LOT 13	68
CALDERON JAVIER BRITO 3785 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0140 3785 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES M/H VLG BLK.2 OR 493 PG 607 LOT 14	69
WEILER SHIRLEY + 9077 MURCOTT DR. W FORT MYERS FL 33967	20-46-25-05-00002.0150 3781 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK.2 OR 493 PG 607 LOT 15	70
RUIZ JUAN + 2145 S TAMiami TRAIL # 94 ESTERO FL 33928	20-46-25-05-00002.0160 3777 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES M/H VLG BLK.2 OR 493 PG 609 LOT 16	71
JUAREZ RAMIRO 3773 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0170 3773 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES M/H VLG BLK.2 OR 493 PG 607 LOT 17	72
KAJY KENT 8495 LAUREL LAKES COVE NAPLES FL 34119	20-46-25-05-00002.0180 3769 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK.2 OR 493 PG 607 LOT 18	73
VILLA GALVAN CRESENCIO &	20-46-25-05-00002.0190	SHELTER PINES MOBILE HO.VL	74

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3757 UNIQUE CIR FORT MYERS FL 33908	3765 UNIQUE CIR FORT MYERS FL 33908	BLK 2 OR 493 PG 607 LOT 19 + 20	
VILLA CRESCENCIO & 3765 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0210 3757 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 2 OR 493 PG 607 LOTS 21 + 22	75
ZIMNICKI NICHOLAS 3749 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0230 3749 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 2 OR 493 PG 607 LOT 23	76
REMEDIOS RAMOS MARIA 3745 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0240 3745 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 2 OR 493 PG 607 LOT 24	77
DOOLEY DIANA 8130 LAKE SAN CARLOS CIR FORT MYERS FL 33967	20-46-25-05-00002.0250 3741 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HOME VILLAGE BLK 2 OR 493 PG 607 LOT 25	78
OLIVEROS JUDITH 8418 WINGED FOOT DR FORT MYERS FL 33967	20-46-25-05-00002.025A 3737 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HOME VILLAGE BLK 2 OR 493 PG 607 LOTS 25A + 25B	79
MCNIER WILLIAM M 3619 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0260 3619 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HOME VILLAGE BLK 2 OR 493 PG 607 LOT 26	80
MECA TRUCKING INDUSTRY LLC 23660 WALDEN CENTER DR 203 BONITA SPRINGS FL 34134	20-46-25-05-00002.026A 3623 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HOME VILLAGE BLK 2 OR 493 PG 607 LOTS 26A + 26B	81
PENDERGRAPH RACHEL 3615 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0270 3615 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES M H VIL BLK 2 OR 493 PG 607 LOTS 27 + 28	82
PENDERGRAPH RACHEL KEITH JARVIS 3615 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0290 3607 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES M H VIL BLK 2 OR 493 PG 607 LOT 29	83
PENDERGRAPH RACHEL 1623 ROOSEVELT AVE LEHIGH ACRES FL 33972	20-46-25-05-00002.0300 3603 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES M H VIL BLK 2 OR 493 PG 607 LOT 30	84
RAMIREZ MIGUEL LOPEZ + PO BOX 366524 BONITA SPRINGS FL 34136	20-46-25-05-00002.0310 3599 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES M H VIL BLK 2 OR 493 PG 607 LOTS 31 + 32	85
CUEVAS RIVERA GUSTAVO 4421 PINE RD #3 FORT MYERS FL 33908	20-46-25-05-00002.0330 3591 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOB HO VIL BLK 2 OR 493 PG 607 LOTS 33 + 34	86
BROUGHTON BARBARA L 3579 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0350 3579 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOB HOM VIL BLK 2 OR 493 PG 607 LOTS 35 + 36	87
SCOFIELD LAURIE 1309 RIDGE ST NAPLES FL 34103	20-46-25-05-00002.0370 3575 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES M/H VLG BLK 2 OR 493 PG 607-8 LOT 37	88
RIJO FRANKLYN 3571 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0380 3571 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES M/H VLG BLK 2 OR 493 PG 607-8 LOT 38	89
RESENDIZ NORMA & ENEMESIO 3567 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0390 3567 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES MOB HO VL BLK 2 OR 493 PG 607 LOT 39	90
JEFFREY E LEWIS TRUST + PO BOX 295 ESTERO FL 33929	20-46-25-05-00002.0400 3563 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES MBH VIL BLK 2 OR 493 PG 607 LOT 40	91
QUETEL VALERIE 3559 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0410 3559 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES MBH VIL BLK 2 OR 493 PG 607 LOT 41	92
OLIVIA NOE GIRON & 3555 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0420 3555 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES MBH VIL BLK 2 OR 493 PG 607 LOT 42	93
DELAPENA SUZANNA + PO BOX 695 ESTERO FL 33929	20-46-25-05-00002.0430 3551 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINE MOB HO VLG BLK 2 OR 493 PG 607 LOT 43	94
TOMLINSON DIANE 3547 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0440 3547 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES MBH VIL BLK 2 OR 493 PG 607 LOTS 44 + 45	95
BLACK DONALD & ALEKSANDRA 20500 PINE TREE LANE ESTERO FL 33928	20-46-25-05-00002.0460 3539 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES MBH VIL BLK 2 OR 493 PG 607 LOT 46	96
STROUSE ROBERT L 3535 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0470 3535 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES MBH VLGE BLK 2 OR 493 PG 607 LOT 47	97
ALTAMIRANO MARIA + 3531 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00002.0480 3531 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES MBH VLGE BLK 2 OR 493 PG 607 LOT 48	98
GERENCSEK STEVE + SUSAN 19106 UNICORN LN FORT MYERS FL 33908	20-46-25-05-00002.0490 19106 UNICORN LN FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 2 OR 493 PG 607 LOTS 49 + 50	99
REYNOLDS JAMES W JR & ILENE LEE A REYNOLDS 63 SOPER AVE NORTHPORT NY 11768	20-46-25-05-00003.0010 3624 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 3 OR 493 PG 607 LOT 1	100
NEVERS JENNIFER + PO BOX 695 ESTERO FL 33928	20-46-25-05-00003.0020 3620 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES M H VILLAGE BLK 3 OR 493 PG 607 LOTS 2 + 3	101
DEJESUS ZENaida GONZALEZ 7447 MELLON RD FORT MYERS FL 33967	20-46-25-05-00003.0040 3612 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES MBH VIL BLK 3 OR 493 PG 607 LOT 4	102
LAMPILA JOHN T III & 14851 DAVID DR	20-46-25-05-00003.0050 3608 UNIQUE CIR	SHELTERING PINES MBH VIL BLK 3 OR 493 PG 607	103

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Variance Map and Info

FORT MYERS FL 33908	FORT MYERS FL 33908	LOT 5	
MARTINEZ MARIA 3604 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00003.0060 3604 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 3 OR 493 PG 607 LOT 6	104
R&S INVESTMENT HOLDINGS LLC 2708 SANTA BARBARA BLVD CAPE CORAL FL 33914	20-46-25-05-00003.0070 3600 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES MBH VIL BLK 3 OR 943 PG 607 LOT 7	105
JOHNSON LINDA B + 3596 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00003.0080 3596 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 3 OR 493 PG 607 LOT 8	106
GOMEZ MARTINA 3592 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00003.0090 3592 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 3 OR 493 PG 607 LOT 9	107
POLLOCK ROBERT H & JUDITH A 19087 PINE RUN LN FORT MYERS FL 33967	20-46-25-05-00003.0100 3588 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES M/H VLG BLK 3 OR 493 PG 607 LOT 10	108
CURTIS LYNNET J 3584 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00003.0110 3584 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 3 OR 493 PG 607 LOT 11	109
CONSTANCE R BARBOUR TRUST + 15564 OMAI CT SW FORT MYERS FL 33908	20-46-25-05-00003.0120 3580 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO.VL BLK 3 OR 493 PG 607 LOT 12	110
MURILLO JUAN 19040 Ocala RD S FORT MYERS FL 33967	20-46-25-05-00003.0130 3576 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES M/H VLG BLK 3 OR 493 PG 607 LOT 13	111
MCMAHON DANIEL W + 2311 WOODLAND ESTATES RD NAPLES FL 34117	20-46-25-05-00003.0140 3572 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES MOB HO VL BLK 3 OR 493 PG 607 LOT 14	112
JUDIS INVESTMENTS LLC PO BOX 467 ESTERO FL 33929	20-46-25-05-00003.0150 3568 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 3 OR 493 PG 607 LOT 15	113
HERNANDEZ YURI D 3564 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00003.0160 3564 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES M/H VLG BLK 3 OR 493 PG 607 LOT 16	114
NEVERS MELODEE A PO BOX 695 ESTERO FL 33929	20-46-25-05-00003.0170 3560 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 3 OR 493 PG 607 LOT 17	115
NEVERS MELODEE ANN PO BOX 695 ESTERO FL 33929	20-46-25-05-00003.0180 3556 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES M/H VLG BLK 3 OR 493 PG 607 LOT 18	116
UNKNOWN HEIRS OF 3552 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00003.0190 3552 UNIQUE CIR FORT MYERS FL 33908	SHELTERNG PINES MOB.HO.VIL BLK.3 OR 493 PG 607 LOT 19	117
GOMEZ LORENZO REYES & 3548 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00003.0200 3548 UNIQUE CIR FORT MYERS FL 33908	SHELTERNG PINES MOB.HO.VIL BLK.3 OR 493 PG 607 LOT 20	118
GOMEZ LORENZO R & CRISTINE 3548 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00003.0210 3544 UNIQUE CIR FORT MYERS FL 33908	SHELTERNG PINES MOB HO VIL BLK 3 OR 493 PG 607 LOT 21	119
REYES LORENZO + 3548 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00003.0220 3540 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 3 OR 493 PG 607 LOT 22	120
WIN FALLON 3536 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00003.0230 3536 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES MOB HM VL BLK 3 OR 493 PG 607 LOT 23	121
KORN ROBERT + 3528 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00003.0240 3532 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 3 OR 493 PG 607 LOT 24	122
KORN ROBERT J 3528 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00003.0250 3528 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 3 OR 493 PG 607 LOT 25	123
NANIA SUZANNE SYLVIA 20001 OAKS FAIRWAYS CT ESTERO FL 33928	20-46-25-05-00003.0260 3524 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 3 OR 493 PG 607 LOT 26	124
JEANNOTTE LAURA ROSE 3520 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00003.0270 3520 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 3 OR 493 PG 607 LOTS 27 + 28	125
FORBES MELVIN & CAROLYN 1118 E COUNTY RD 300N SULLIVAN IN 47882	20-46-25-05-00003.0290 3512 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK.3 OR 493 PG 607 LOT 29 + 30	126
LANDEROS JAMIE RAMIERZ 3726 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00004.0010 3726 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK.4 OR 493 PG 607 LOTS 1 + 2	127
FAUSON JAMES & JULIE 1612 ALPHA ST LANSING MI 48910	20-46-25-05-00004.0030 3714 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 4 OR 493 PG 607 LOTS 3 + 4	128
GOMEZ MARTINA 3592 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00004.0050 3710 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK.4 OR 493 PG 607 LOTS 5 + 6	129
REYES LORENZO F & 3702 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00004.0070 3702 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOB HO VIL BLK 4 OR 493 PG 607-8 LOTS 7 + 8	130
ARANA MARTIN & HERIBERTA 3694 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00004.0090 3694 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOB HO VIL BLK 4 OR 493 PG 607 LOTS 9 + 10	131
LENTZ DUANE & LUANNE 14036 FENWOOD CT ESTERO FL 33928	20-46-25-05-00004.0110 3686 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBIL HO VIL BLK 4 OR 493 PG 607 LOTS 11 + 12	132
STEFANIK RONALD J + 18414 FERN RD	20-46-25-05-00004.0130 3678 UNIQUE CIR	SHELTERING PINES MBH VIL BLK 4 OR 493 PG 607	133

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Variance Map and Info

FORT MYERS FL 33967	FORT MYERS FL 33908	LOTS 13 + 14	
CRUZ ENRIQUE NESTOSO & 21450 S TAMiami TRAIL # 65 ESTERO FL 33928	20-46-25-05-00004.0150 3666 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 4 OR 493 PG 607 LOTS 15 + 16	134
BAUTISTA BENITO RAMIREZ & 3662 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00004.0170 3662 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 4 OR 493 PG 607 LOTS 17 + 18	135
CONTRERAS HECTOR SILVA 164 NIMITZ ST NAPLES FL 34104	20-46-25-05-00004.0190 3650/3654 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 4 OR 493 PG 607 LOTS 19 + 20	136
GOMEZ FIDENCIO R & JOSEFINA PO BOX 95 BONITA SPRINGS FL 34133	20-46-25-05-00004.0210 3646 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES M H VL BLK 4 OR 493 PG 607 LOTS 21 + 22	137
JEFFREY E LEWIS TRUST + PO BOX 295 ESTERO FL 33929	20-46-25-05-00004.0230 3634 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 4 OR 493 PG 607 LOTS 23 + 24	138
TOMAS SANTIAGO 3721 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00005.0010 3721 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 5 OR 493 PG 607 LOTS 1 + 2	139
HUNTER KEVIN L 4665 E EARL YOUNG RD BLOOMINGTON IN 47408	20-46-25-05-00005.0030 3713 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 5 OR 493 PG 607 LOTS 3 + 4	140
PUGH DAVID 1438 SE 22ND ST CAPE CORAL FL 33990	20-46-25-05-00005.0050 3705 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES M/H VIL BLK 5 OR 493 PG 607-8 LOTS 5 + 6	141
SHADDUCK CATHERINE L 3697 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00005.0070 3697 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES M/H VIL BLK 5 OR 493 PG 607-8 LOTS 7 + 8	142
GOMEZ LORENZO REYES & 3548 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00005.0090 3667 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 5 OR 493 PG 607 LOTS 9 + 10	143
SCOTT JOHN WILLIAM PO BOX 98 ESTERO FL 33929	20-46-25-05-00005.0110 3659 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 5 OR 493 PG 607 LOTS 11 + 12	144
SIMON PABLO ESTEBAN 10411 STRIKE LN BONITA SPRINGS FL 34135	20-46-25-05-00005.0130 3651 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HO VL BLK 5 OR 493 PG 607 LOT 13	145
ARRENDONDO RAFAEL + 26330 LONDON LN BONITA SPRINGS FL 34135	20-46-25-05-00005.0140 3647 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES M/H VILG BLK 5 OR 493 PG 607 LOT 14	146
TOMAS SANTIAGO 3721 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00005.0150 3643 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HOME VIL BLK 5 OR 493 PG 607 LOT 15	147
TOMAS ROSALIO PEDRO 3639 UNIQUE CIR FORT MYERS FL 33908	20-46-25-05-00005.0160 3639 UNIQUE CIR FORT MYERS FL 33908	SHELTER PINES MOBILE HOME VIL BLK 5 OR 493 PG 607 LOT 16	148
SHELTERING PINES IMPROVEMENT PO BOX 201 ESTERO FL 33928	20-46-25-05-0000A.00CE RIGHT OF WAY FORT MYERS FL 33908	SHELTERINES MOBILE HOME VILL OR 493 PG 607 ALL SLOUGH AREAS AND ALL ROADS LESS INST #2011000142219	149
WALGREEN CO REAL ESTATE PROPERTY TAX PO BOX 1159 DEERFIELD IL 60015	20-46-25-21-00000.0010 3501 UNIQUE CIR FORT MYERS FL 33908	SHELTERING PINES COMMERCIAL AS DESC IN INST# 2012000094517 LOT 1	150

TIITF/REC + PARKS
DEPT OF ENVIR PROTECTION
3900 COMMONWEALTH BLVD
TALLAHASSEE FL 32399

BLP GRAND BAY LLC
160 NW 26TH ST UT 201
MIAMI FL 33127

TIITF/REC + PARKS
DEPT OF ENVIR PROTECTION
3900 COMMONWEALTH BLVD
TALLAHASSEE FL 32399

WILLOW PARTNERS LLC
317 GARDEN AVE
HOLLAND MI 49424

FREELAND FL HOLDINGS LLC
BERNARD G FREELAND
5333 HICKORY PK WY
ANTIOCH TN 37013

PSW ESTERO LLC
2647 S HOMER LAKE RD
HOMER IL 61849

LIFE STORAGE LP
6467 MAIN ST
BUFFALO NY 14221

VJP HOLDINGS LP
VINCENT SCOLA
17 GROVE TER
SPARTA NJ 07871

MARINA MIKE'S LLC
5671 HARBORAGE DR
FORT MYERS FL 33908

SHEBESH ANNA +
1017 N BROAD ST
GRIFFITH IN 46319

LIBAK CHRISTOPHER H + DONNA TR
8293 WINGED FOOT DR
FORT MYERS FL 33967

HOBBS MIRIAMA
19121 ACORN RD
FORT MYERS FL 33967

RODRIGUEZ RAFAEL
2355 55TH ST SW
NAPLES FL 34116

BARRIOS MARIELL G
7468 SAN CARLOS BLVD
ESTERO FL 33967

BRODBECK JOSEPH W &
19153 ACORN RD
FORT MYERS FL 33967

SAN CARLOS VENTURE INC
JOHN W MEYER CPA
1207 3RD ST S STE 4
NAPLES FL 34102

COACH LLC TR
PO BOX 110052
NAPLES FL 34108

BARKIS SAN CARLOS CAR WASH INC
15834 BROTHERS CT
FORT MYERS FL 33912

ART REAL ESTATE HOLDINGS LLC
2135 IMPERIAL CR
NAPLES FL 34110

CIRCLE K STORES INC
PO BOX 52085 DC-17
PHOENIX AZ 85072

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NEW DAY CHRISTIAN CHURCH INC
19091 S TAMIAMI TRL
FORT MYERS FL 33908

NEW DAY CHRISTIAN CHURCH INC
19091 S TAMIAMI TRL
FORT MYERS FL 33908

ADVANCE STORES CO INC #9333
TAX ACCOUNTING
PO BOX 2710
ROANOKE VA 24001

EMBARQ FLORIDA INC
PROPERTY TAX DEPT
1025 ELDORADO BLVD
BROOMFIELD CO 80021

OZTURK FAMILY INC
19051 S TAMIAMI TRL
FORT MYERS FL 33908

CLOSE LARRY & LORINDA
6730 BRIARCLIFF RD
FORT MYERS FL 33912

HANNAHS TERESA M +
15640 KINGSLEY RD
NINILCHIK AK 99639

SAN CARLOS PARK ALLIANCE
7469 SAN CARLOS BLVD
FORT MYERS FL 33967

DICKEY DAVID B +
6514 WILLOW LAKE CIR
FORT MYERS FL 33966

KOONTZ MARY E
2560 W DOUBLE DOWN CT
BLOOMINGTON IN 47403

PURTLEBAUGH JAMES K SR
8385 N FOX HOLLOW RD
BLOOMINGTON IN 47408

DECKARD DAVID +
8465 S OLD ST RD 37
BLOOMINGTON IN 47403

PURTLEBAUGH JAMES KEITH
8385 N FOX HOLLOW RD
BLOOMINGTON IN 47408

TAYLOR BRUCE G
9 1/2 N LIMESTONE ST
JAMESTOWN OH 45335

ADKINS ROBIN
17900 JAYNE CT
FORT MYERS FL 33913

TOMAS LORENZO JOAQUIN
3814 UNIQUE CIR
FORT MYERS FL 33908

TOMAS LORENZO
3814 UNIQUE CIR
FORT MYERS FL 33908

VILLALPANDO MARIA DEL CARMEN
3810 UNIQUE CIR
FORT MYERS FL 33908

VILLALPANDO MARIA DEL CARMEN
3808 UNIQUE CIR
FORT MYERS FL 33908

PUPO MAXIMO O
3802 UNIQUE CIR
FORT MYERS FL 33908

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RAMSEY RICHARD +
3798 UNIQUE CIR
FORT MYERS FL 33908

VILLA CRESCENCIO &
3794 UNIQUE CIR
FORT MYERS FL 33908

SANDLIN GARY M & DEBORAH J
3790 UNIQUE CIR SW
FORT MYERS FL 33908

MONTOKA JUAN RUIZ &
3777 UNIQUE CIR
FORT MYERS FL 33908

MUNOZ CONRADO
26650 ROBIN WAY
BONITA SPRINGS FL 34135

HAYMAN STANLEY G & LEILANI
239 THORNHILL RD
COLUMBIA SC 29212

TORRES ELIZABETH A
18414 FERN RD
FORT MYERS FL 33967

SHREWSBERRY ADA
344 SETTLEMENT LOOP
STONEVILLE NC 27048

APPLEYARD LYNN & BARB
18094 DORAL DR
FORT MYERS FL 33967

MURILLO JUAN
19040 OCALA RD S
FORT MYERS FL 33967

GARCIA JOSE JAIME & ESTHER
3758 UNIQUE CIR
FORT MYERS FL 33908

HANSON BRIAN
31093 VIA GILBERTO
TEMECULA CA 92592

LOPEZ ALBERTO A &
3750 UNIQUE CIR
FORT MYERS FL 33908

KERN JAMES R
27530 WASHINGTON ST
BONITA SPRINGS FL 34135

SANTIAGO DE JESUS MARIO
3742 UNIQUE CIR
FORT MYERS FL 33908

SANTIAGO DE JESUS MARIO
3742 UNIQUE CIR
FORT MYERS FL 33908

KORN ROBERT +
3528 UNIQUE CIR
FORT MYERS FL 33908

MURILLO RAFAEL
3833 UNIQUE CIR
FORT MYERS FL 33908

PURTLEBAUGH ROBERT D
8535 N CROSSOVER
BLOOMINGTON IN 47404

DUARTE EDUARDO +
3825 UNIQUE CIR
FORT MYERS FL 33908

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BLACK DONALD & ALEKSANDRA
20500 PINE TREE LANE
ESTERO FL 33928

ADKINS ROBIN
17900 JAYNE CT
FORT MYERS FL 33913

RAMOS DE YANEZ AMELIA
18511 GERANIUM RD
FORT MYERS FL 33967

UNKNOWN HEIRS OF
3809 UNIQUE CIR
FORT MYERS FL 33908

BAZAN ANTONIA
18612 DOGWOOD RD
FORT MYERS FL 33967

TOMAS LORENZO
3814 UNIQUE CIR
FORT MYERS FL 33908

CERDA LOERA LILIAN +
3793 UNIQUE CIR
FORT MYERS FL 33908

MYERS LAUREN A
3789 UNIQUE CIR
FORT MYERS FL 33908

CALDERON JAVIER BRITO
3785 UNIQUE CIR
FORT MYERS FL 33908

WEILER SHIRLEY +
9077 MURCOTT DR. W
FORT MYERS FL 33967

RUIZ JUAN +
2145 S TAMiami TRAIL # 94
ESTERO FL 33928

JUAREZ RAMIRO
3773 UNIQUE CIR
FORT MYERS FL 33908

KAJY KENT
8495 LAUREL LAKES COVE
NAPLES FL 34119

VILLA GALVAN CRESENCIO &
3757 UNIQUE CIR
FORT MYERS FL 33908

VILLA CRESENCIO &
3765 UNIQUE CIR
FORT MYERS FL 33908

ZIMNICKI NICHOLAS
3749 UNIQUE CIR
FORT MYERS FL 33908

REMEDIOS RAMOS MARIA
3745 UNIQUE CIR
FORT MYERS FL 33908

DOOLEY DIANA
8130 LAKE SAN CARLOS CIR
FORT MYERS FL 33967

OLIVEROS JUDITH
8418 WINGED FOOT DR
FORT MYERS FL 33967

MCNIER WILLIAM M
3619 UNIQUE CIR
FORT MYERS FL 33908

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MECA TRUCKING INDUSTRY LLC
23660 WALDEN CENTER DR 203
BONITA SPRINGS FL 34134

PENDERGRAPH RACHEL
3615 UNIQUE CIR
FORT MYERS FL 33908

PENDERGRAPH RACHEL
KEITH JARVIS
3615 UNIQUE CIR
FORT MYERS FL 33908

PENDERGRAPH RACHEL
1623 ROOSEVELT AVE
LEHIGH ACRES FL 33972

RAMIREZ MIGUEL LOPEZ +
PO BOX 366524
BONITA SPRINGS FL 34136

CUEVAS RIVERA GUSTAVO
4421 PINE RD #3
FORT MYERS FL 33908

BROUGHTON BARBARA L
3579 UNIQUE CIR
FORT MYERS FL 33908

SCOFIELD LAURIE
1309 RIDGE ST
NAPLES FL 34103

RIJO FRANKLYN
3571 UNIQUE CIR
FORT MYERS FL 33908

RESENDIZ NORMA & ENEMESIO
3567 UNIQUE CIR
FORT MYERS FL 33908

JEFFREY E LEWIS TRUST +
PO BOX 295
ESTERO FL 33929

QUETEL VALERIE
3559 UNIQUE CIR
FORT MYERS FL 33908

OLIVIA NOE GIRON &
3555 UNIQUE CIR
FORT MYERS FL 33908

DELAPENA SUZANNA +
PO BOX 695
ESTERO FL 33929

TOMLINSON DIANE
3547 UNIQUE CIR
FORT MYERS FL 33908

BLACK DONALD & ALEKSANDRA
20500 PINE TREE LANE
ESTERO FL 33928

STROUSE ROBERT L
3535 UNIQUE CIR
FORT MYERS FL 33908

ALTAMIRANO MARIA +
3531 UNIQUE CIR
FORT MYERS FL 33908

GERENCSEK STEVE + SUSAN
19106 UNICORN LN
FORT MYERS FL 33908

REYNOLDS JAMES W JR & ILENE
LEE A REYNOLDS
63 SOPER AVE
NORTHPORT NY 11768

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NEVERS JENNIFER +
PO BOX 695
ESTERO FL 33928

DEJESUS ZENaida GONZALEZ
7447 MELLON RD
FORT MYERS FL 33967

LAMPILA JOHN T III &
14851 DAVID DR
FORT MYERS FL 33908

MARTINEZ MARIA
3604 UNIQUE CIR
FORT MYERS FL 33908

R&S INVESTMENT HOLDINGS LLC
2708 SANTA BARBARA BLVD
CAPE CORAL FL 33914

JOHNSON LINDA B +
3596 UNIQUE CIR
FORT MYERS FL 33908

GOMEZ MARTINA
3592 UNIQUE CIR
FORT MYERS FL 33908

POLLOCK ROBERT H & JUDITH A
19087 PINE RUN LN
FORT MYERS FL 33967

CURTIS LYNNET J
3584 UNIQUE CIR
FORT MYERS FL 33908

CONSTANCE R BARBOUR TRUST +
15564 OMAI CT SW
FORT MYERS FL 33908

MURILLO JUAN
19040 OCALA RD S
FORT MYERS FL 33967

MCMAHON DANIEL W +
2311 WOODLAND ESTATES RD
NAPLES FL 34117

JUDIIS INVESTMENTS LLC
PO BOX 467
ESTERO FL 33929

HERNANDEZ YURI D
3564 UNIQUE CIR
FORT MYERS FL 33908

NEVERS MELODEE A
PO BOX 695
ESTERO FL 33929

NEVERS MELODEE ANN
PO BOX 695
ESTERO FL 33929

UNKNOWN HEIRS OF
3552 UNIQUE CIR
FORT MYERS FL 33908

GOMEZ LORENZO REYES &
3548 UNIQUE CIR
FORT MYERS FL 33908

GOMEZ LORENZO R & CRISTINE
3548 UNIQUE CIR
FORT MYERS FL 33908

REYES LORENZO +
3548 UNIQUE CIR
FORT MYERS FL 33908

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WIN FALLON
3536 UNIQUE CIR
FORT MYERS FL 33908

KORN ROBERT +
3528 UNIQUE CIR
FORT MYERS FL 33908

KORN ROBERT J
3528 UNIQUE CIR
FORT MYERS FL 33908

NANIA SUZANNE SYLVIA
20001 OAKS FAIRWAYS CT
ESTERO FL 33928

JEANNOTTE LAURA ROSE
3520 UNIQUE CIR
FORT MYERS FL 33908

FORBES MELVIN & CAROLYN
1118 E COUNTY RD 300N
SULLIVAN IN 47882

LANDEROS JAMIE RAMIERZ
3726 UNIQUE CIR
FORT MYERS FL 33908

FAUSON JAMES & JULIE
1612 ALPHA ST
LANSING MI 48910

GOMEZ MARTINA
3592 UNIQUE CIR
FORT MYERS FL 33908

REYES LORENZO F &
3702 UNIQUE CIR
FORT MYERS FL 33908

ARANA MARTIN & HERIBERTA
3694 UNIQUE CIR
FORT MYERS FL 33908

LENTZ DUANE & LUANNE
14036 FENWOOD CT
ESTERO FL 33928

STEFANIK RONALD J +
18414 FERN RD
FORT MYERS FL 33967

CRUZ ENRIQUE NESTOSO &
21450 S TAMiami TRAIL # 65
ESTERO FL 33928

BAUTISTA BENITO RAMIREZ &
3662 UNIQUE CIR
FORT MYERS FL 33908

CONTRERAS HECTOR SILVA
164 NIMITZ ST
NAPLES FL 34104

GOMEZ FIDENCIO R & JOSEFINA
PO BOX 95
BONITA SPRINGS FL 34133

JEFFREY E LEWIS TRUST +
PO BOX 295
ESTERO FL 33929

TOMAS SANTIAGO
3721 UNIQUE CIR
FORT MYERS FL 33908

HUNTER KEVIN L
4665 E EARL YOUNG RD
BLOOMINGTON IN 47408

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PUGH DAVID
1438 SE 22ND ST
CAPE CORAL FL 33990

SHADDUCK CATHERINE L
3697 UNIQUE CIR
FORT MYERS FL 33908

GOMEZ LORENZO REYES &
3548 UNIQUE CIR
FORT MYERS FL 33908

SCOTT JOHN WILLIAM
PO BOX 98
ESTERO FL 33929

SIMON PABLO ESTEBAN
10411 STRIKE LN
BONITA SPRINGS FL 34135

ARRENDONDO RAFAEL +
26330 LONDON LN
BONITA SPRINGS FL 34135

TOMAS SANTIAGO
3721 UNIQUE CIR
FORT MYERS FL 33908

TOMAS ROSALIO PEDRO
3639 UNIQUE CIR
FORT MYERS FL 33908

SHELTERING PINES IMPROVEMENT
PO BOX 201
ESTERO FL 33928

WALGREEN CO
REAL ESTATE PROPERTY TAX
PO BOX 1159
DEERFIELD IL 60015

Exhibit M4

Future Land Use Map

Grand Bay
Revised October 2022

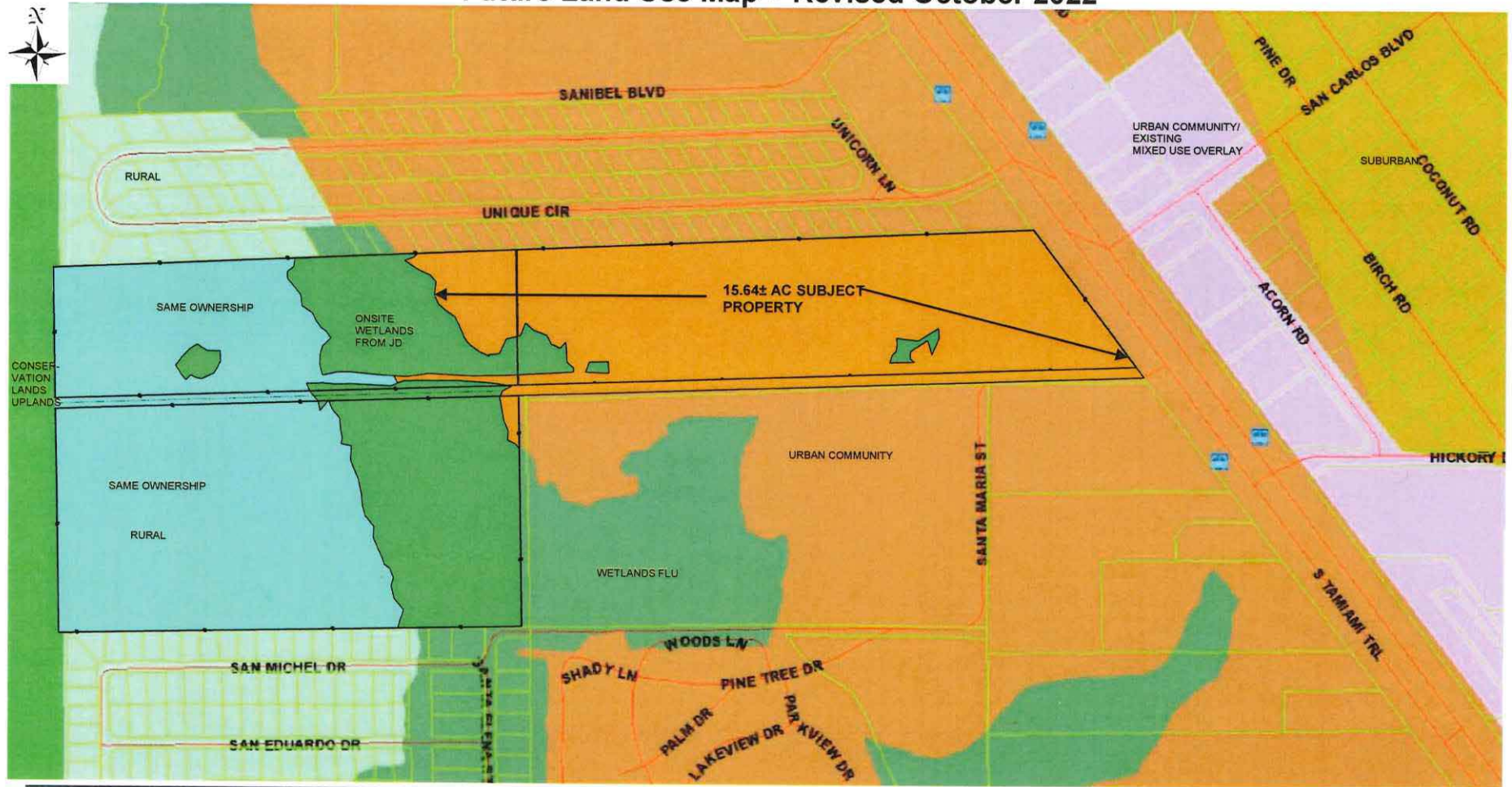


Professional Engineers, Planners & Land Surveyors



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Grand Bay Comprehensive Plan Amendment
CPA2022-00006 & CPA2022-00007
Future Land Use Map - Revised October 2022



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Grand Bay Comprehensive Plan Amendment
CPA2022-00006 & CPA2022-00007
Existing Mixed-Use Overlay - Lee Plan Map 1-C
Revised August 2022





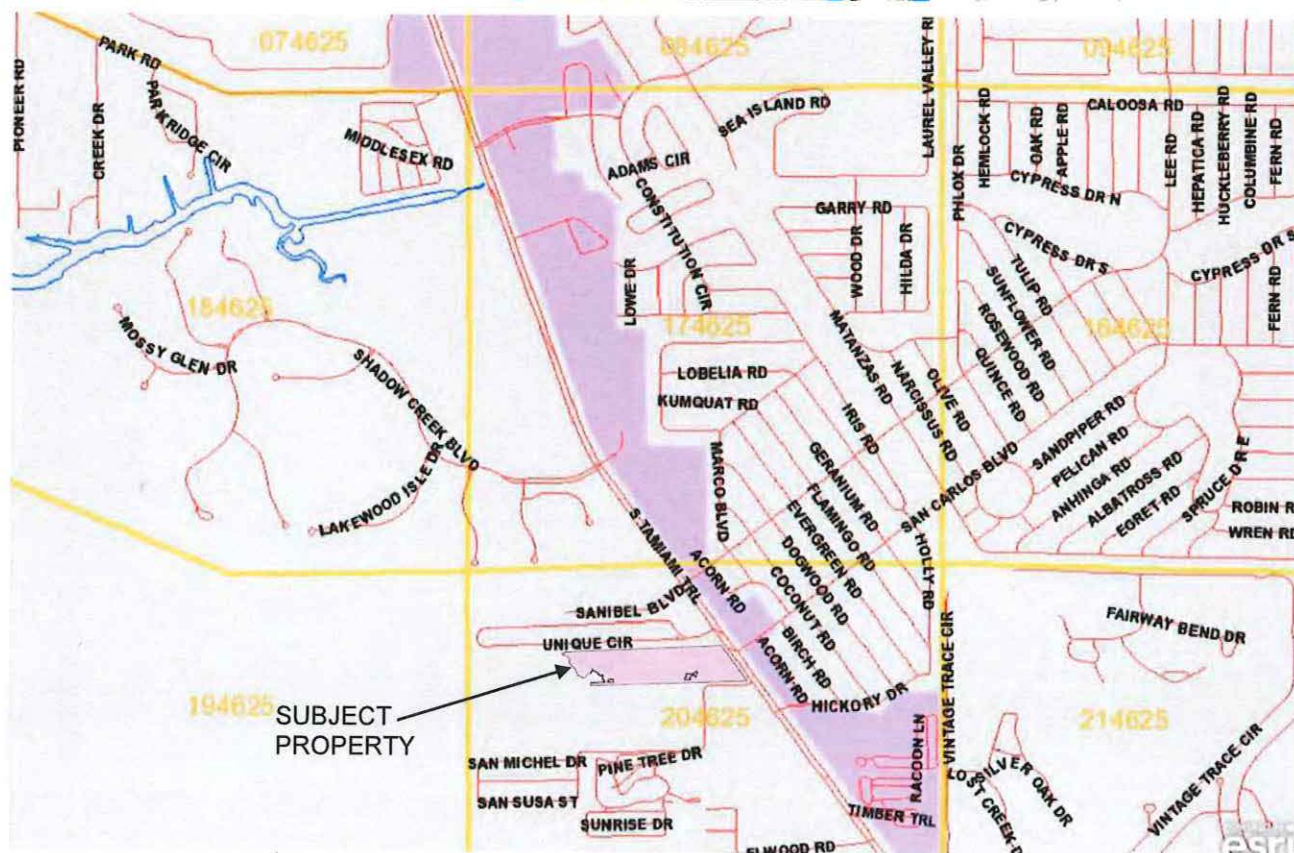
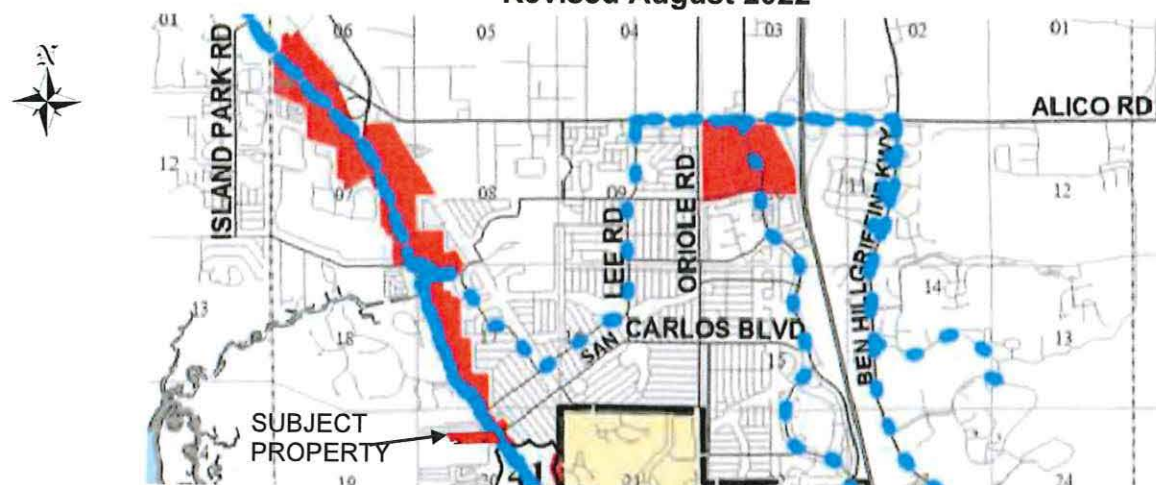
Professional Engineers, Planners & Land Surveyors

Grand Bay Comprehensive Plan Amendment

CPA2022-00006 & CPA2022-00007

Proposed Mixed Use Overlay - Lee Plan Map 1-C

Revised August 2022



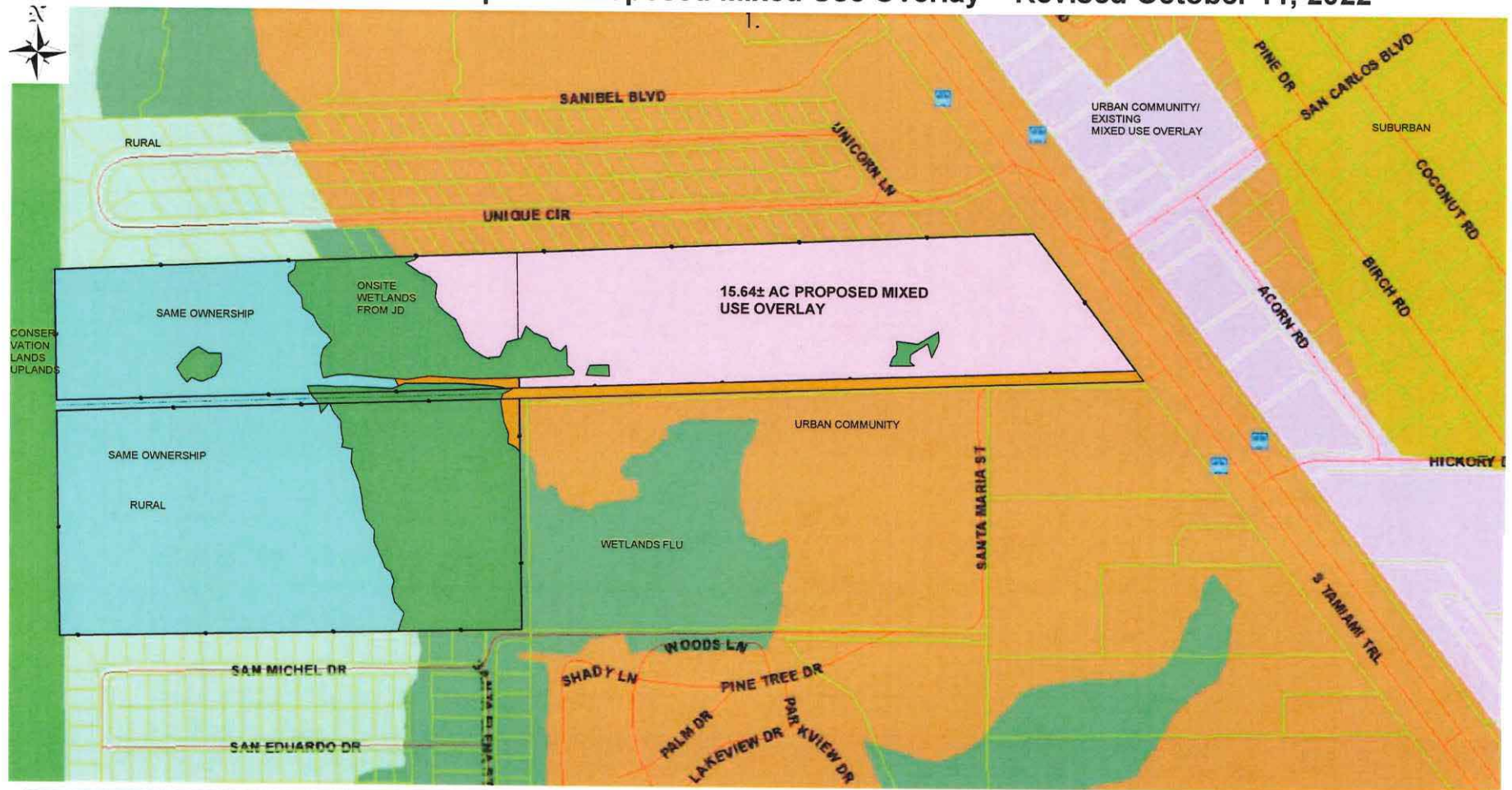


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Grand Bay Comprehensive Plan Amendment

CPA2022-00006 & CPA2022-00007

Future Land Use Map with Proposed Mixed Use Overlay – Revised October 11, 2022



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Exhibit M5

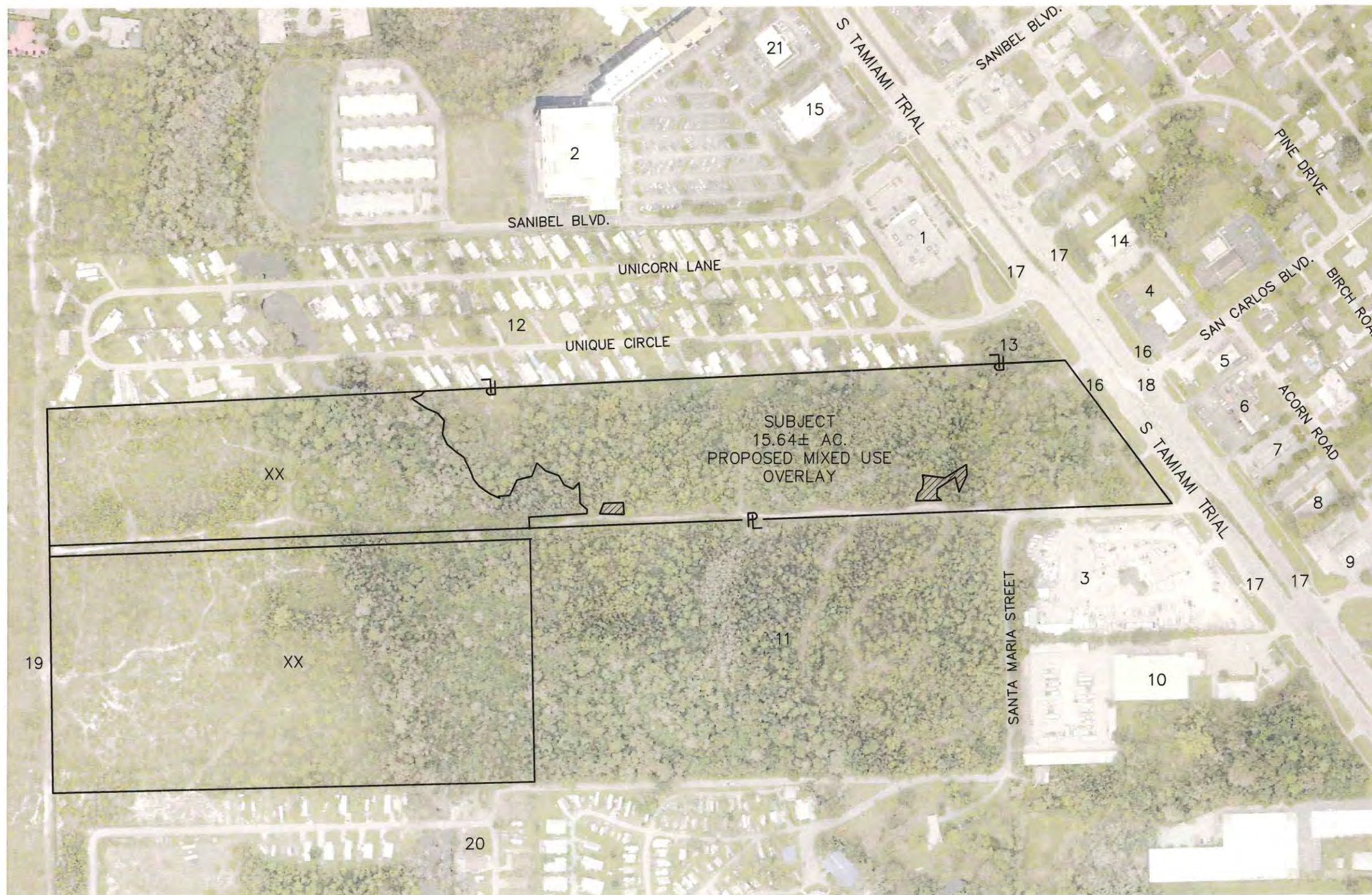
Map & Description of Existing Land Uses

Grand Bay
Revised August 2022



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S:\JOBS\84XX\8433GB\DOCUMENTS\ZONING\8433GB GRAND BAY AERIAL PHOTOGRAPH MAP.DWG 8/2/2022 2:06 PM JORGE SANCHEZ



0 300 600
GRAPHIC SCALE 1"= 300'

NOT INCLUDED



MAP ID	EXISTING USE
SUBJECT	VACANT COMMERCIAL & RESIDENTIAL
XX	SAME OWNERSHIP-VACANT RESIDENTIAL
1	WALGREENS
2	COMMUNITY SHOPPING CENTER/ GRAND BAY PLAZA/PUBLIX
3	MARINA MIKES
4	NEW DAY CHRISTIAN CHURCH
5	NEIGHBORHOOD SHOPPING CENTER
6	NEIGHBORHOOD SHOPPING CENTER
7	CARWASH
8	MULTIPLE OCCUPANCY CENTER
9	CIRCLE K WITH GAS PUMPS
10	LIFE STORAGE
11	DO FOR ESTERO VISTA 144 MF DU
12	SHELTER PINES MOBILE HOME VILLAGE
13	VACANT COMMERCIAL
14	ADVANCE DISCOUNT AUTO PARTS
15	CVS
16	EXISTING SIDEWALK, BIKE LANE & PAVED SHOULDER/PROPOSED SHARED USE PATH
17	LEE TRAN ROUTES 240, 600 & 140-SUNDAY
18	PROPOSED TRAFFIC LIGHT
19	ESTERO BAY STATE BUFFER PRESERVE
20	SHADY ACRES/BUEWAY RV VILLAGE
21	RESTAURANT (41 DINER)

NO.	DATE	REVISION DESCRIPTION
2	7/29/2022	UPDATE BOUNDARY
1	6/20/2022	REVISED AREA

BANKS
ENGINEERING

Professional Engineers, Planners, & Land Surveyors
Serving The State Of Florida

10511 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33966
PHONE: (239) 939-5490 FAX: (239) 939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690
WWW.BANKSENG.COM

EXISTING USES AERIAL MAP GRAND BAY-COMPREHENSIVE PLAN AMENDMENT LEE COUNTY, FLORIDA								
DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	
3/8/2022	8433GB	AERIAL	SEH	JLS	SEH	1"=300'	1	



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Grand Bay Comprehensive Plan Amendment

CPA2022-00006 & CPA2022-00007

Description of Existing Land Uses of the Subject Property and Surrounding Properties

Exhibit M5 - Revised August 2022

Subject Property

The subject property is the eastern 15.64± acres of the overall ±46.33-acre site. The property is located at the northwest corner of the intersection of Santa Maria Street and S. Tamiami Trail (US 41) across from its intersection with San Carlos Boulevard. The overall site consists of four parcels separated by a 30-foot platted right-of-way. There is a dirt road constructed east to west through the site. The proposed site access onto S. Tamiami Trail/US 41 has received development order approval under DOS2020-00128 which provides pedestrian and automobile connection with the proposed adjacent development to the south. The access aligns with the San Carlos Boulevard intersection which is proposed for signalization by FDOT. Mullock Creek floodway bisects the site from the northwest to the southeast.

East

Adjacent to the east is S. Tamiami Trail (US 41-arterial roadway) with existing sidewalk, bike lane and paved shoulder and Lee Tran routes 240, 600 and 140-Sunday. Across S. Tamiami Trail is the intersection with San Carlos Boulevard (major collector) where a traffic signal is proposed. New Day Christian Church is north of this intersection and commercial parcels to the south of the intersection consist of two shopping centers, a car wash, a multiple-occupancy center and a Circle K with gas pumps. Behind the commercial parcels are primarily single-family homes and a daycare.

South

Adjacent to the south is Santa Maria Street (private local) then Marina Mikes boat sales and service then Life Storage and Napa Auto Parts store. Adjacent to the south and west of Santa Maria Street is vacant land that just received development order approval for 144 multiple-family dwelling units (including 21 bonus density units) in 3 four-story buildings with a clubhouse with an interconnect with the subject property's permitted proposed access. South of these properties is Shady Acres/Blueway RV Village.

West

Adjacent to the west is vacant property owned by the applicant. Further west of the overall project site is lands within the Estero Bay State Buffer Preserve.

North

Adjacent to the north is a vacant commercial parcel fronting S. Tamiami Trail (US 41) then Shelter Pines Mobile Home Village then Walgreens and Grand Bay Plaza shopping center with Publix, CVS, 41 Diner, Subway and various shops.

Exhibit M6

Map & Description of Existing Zoning

Grand Bay
Revised August 2022

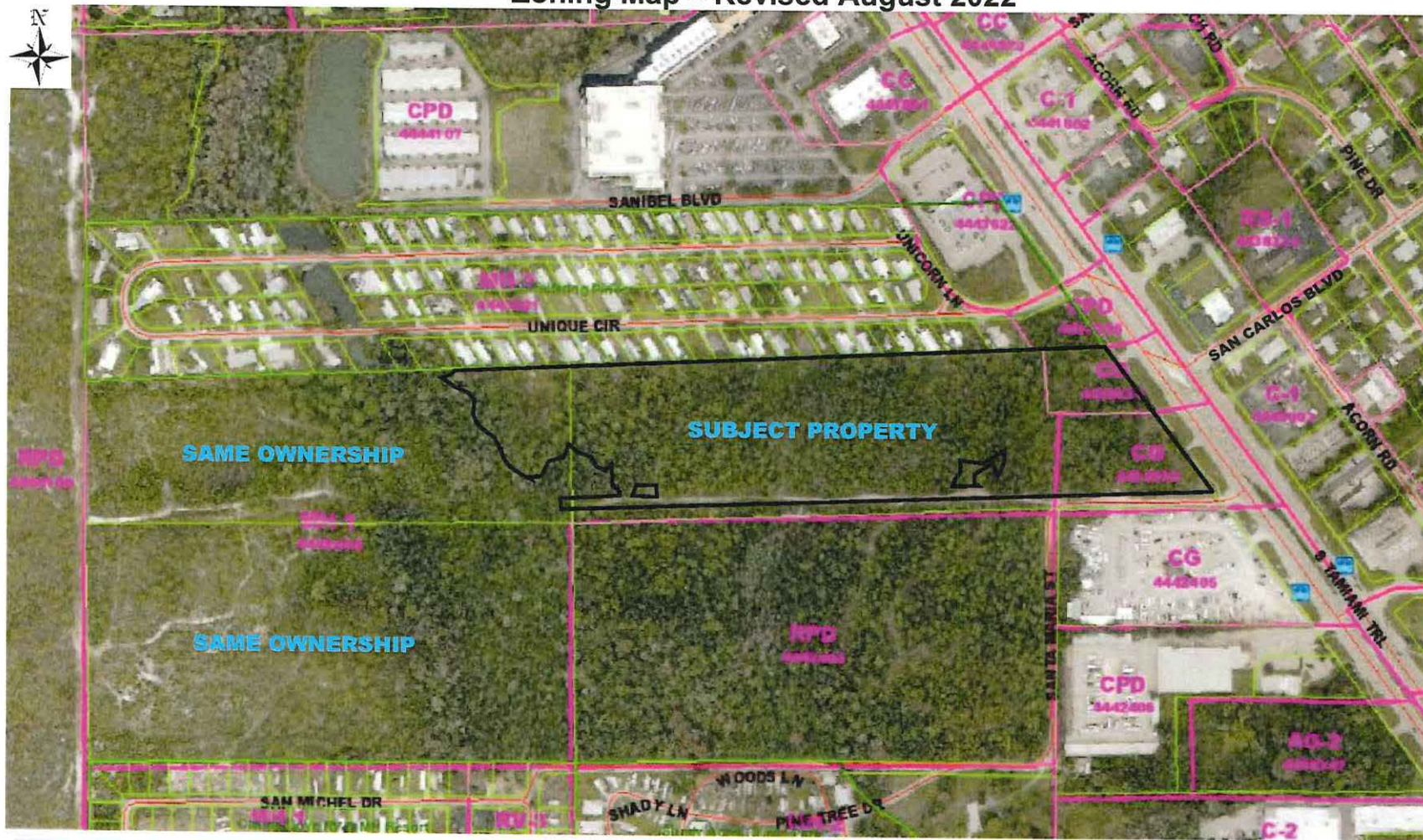


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Professional Engineers, Planners & Land Surveyors

Grand Bay Comprehensive Plan Amendment
CPA2022-00006 & CPA2022-00007
Zoning Map – Revised August 2022



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Grand Bay Comprehensive Plan Amendment

CPA2022-00006 & CPA2022-00007

Description of Existing Zoning of Subject and Surrounding Properties

Exhibit M6 - Revised August 2022

Subject Property

The subject property is the eastern 15.64± acres of the overall ±46.33 acre site. The eastern ±2.73 acres of the subject property fronting on S. Tamiami Trail/US 41 is currently zoned General Commercial (CG) by resolution ZAB-84-241 and the balance of the property to the west is currently zoned Mobile Home Residential (MH-1) by resolution Z-68-050. The applicant is requesting to rezone the overall property to Minor Mixed Use Planned Development to allow development of the site with a maximum of 300 multi-family dwelling units (including 114 bonus density units and 186 standard units) and 30,000 square feet of commercial uses. The proposed site access onto S. Tamiami Trail/US 41 has received development order approval under DOS2020-00128 which provides pedestrian and automobile connection with the proposed adjacent development to the south. The access aligns with the San Carlos Boulevard intersection which is proposed for signalization.

East

Adjacent to the east is S. Tamiami Trail (US 41-arterial roadway) then properties within the Mixed Use Overlay zoned Commercial C-1 on both sides of the intersection with San Carlos Boulevard (major collector). Further east is Residential Single-Family RS-1 zoned parcels.

South

Adjacent to the south is Santa Maria Street (private local) then General Commercial (CG) zoning abutting S. Tamiami Trail and Estero Vista Residential Planned Development (RPD) to the west of Santa Maria Street. The RPD was approved by zoning resolution Z-05-016 for 144 multi-family units including bonus density with a maximum height of 55 feet. The zoning was last amended by zoning resolution ADD2020-00104 which proposed connection to the subject property's approved proposed access point. Further south are lands zoned Mobile Home MH-2.

West

Adjacent to the west is property owned by the applicant that is zoned Mobil Home Residential (MH-1) then land zoned Estero River Bay RPD which was purchased by the State for conservation.

North

Adjacent to the north is a parcel fronting S. Tamiami Trail zoned John Latzman CPD (Commercial Planned Development) approved by zoning resolution number Z-88-319 for 4,500 square feet of commercial uses then Walgreens @ Unique Circle CPD. To the west of these CPDs is Shelter Pines Mobile Home Village zoned Mobile Home Residential (MH-2) by Z-62-003. North of Shelter Pines Mobile Home Village is San Carlos Park Center CPD originally approved by Z-95-005, last amended by ADD2019-00173, with 142,800 square feet of commercial approved including 48,000 square feet of mini-warehouse use.

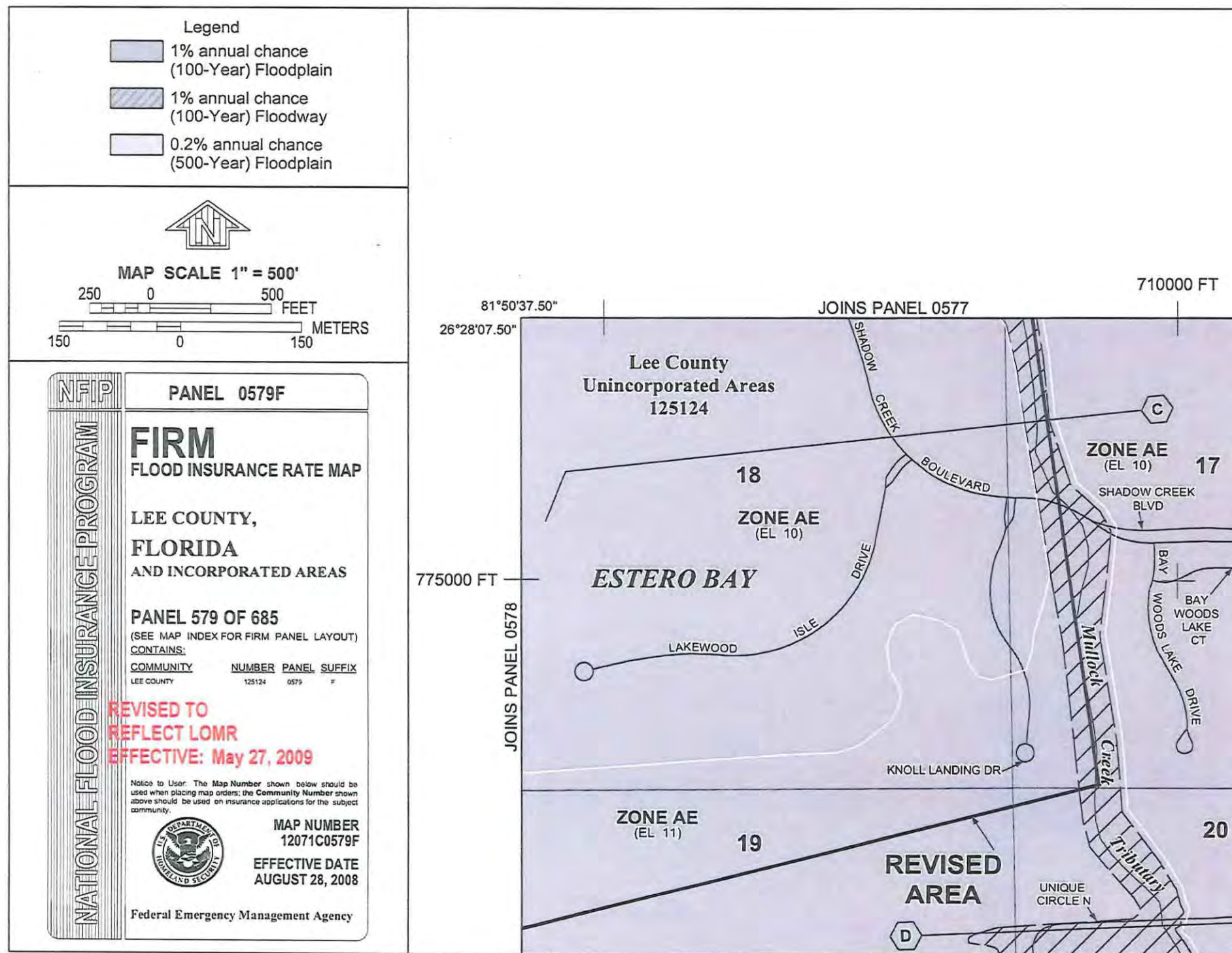
Exhibits M12 & T7

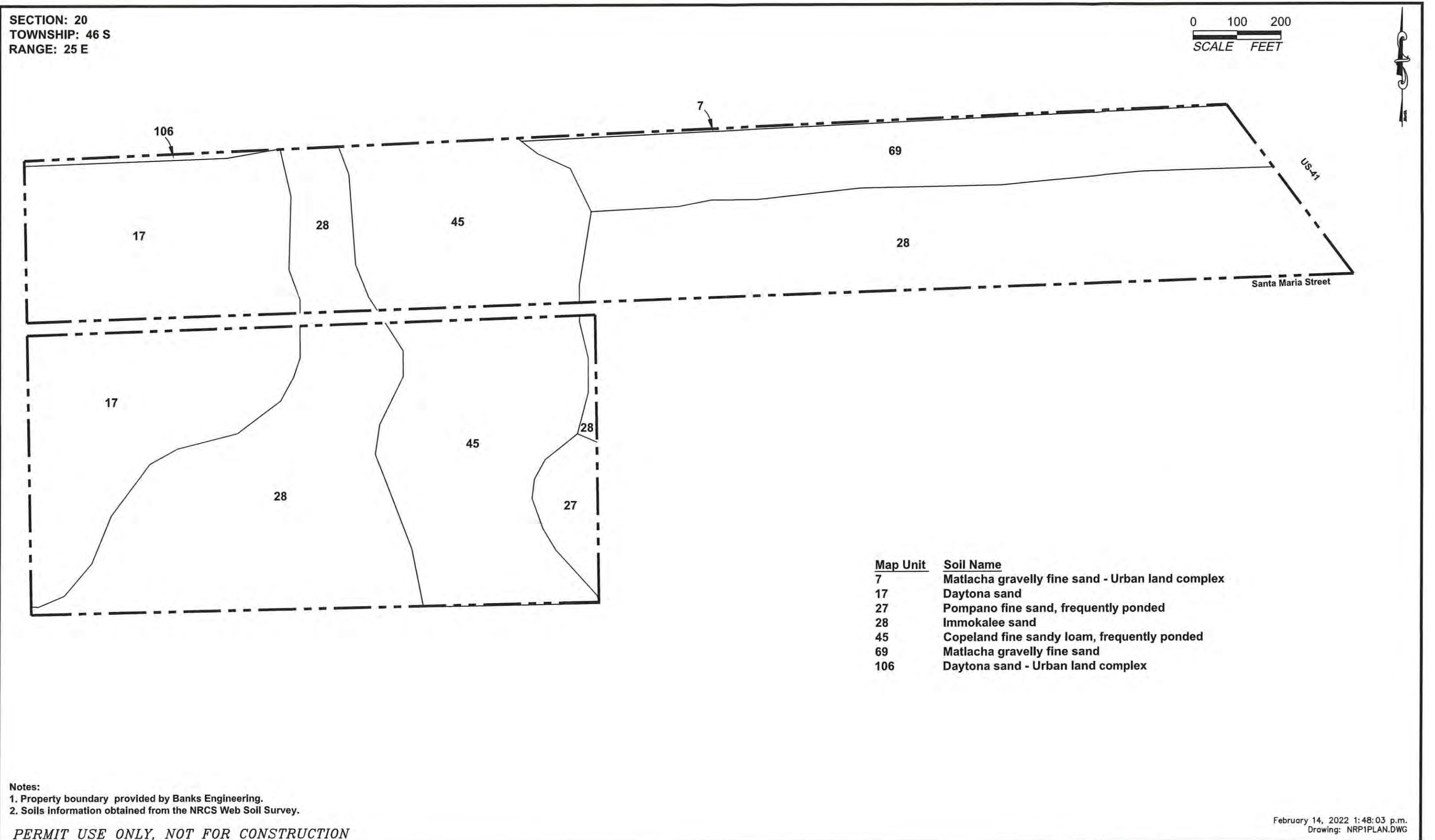
Environmental Impacts Analysis

Grand Bay
Revised August 2022



Professional Engineers, Planners & Land Surveyors

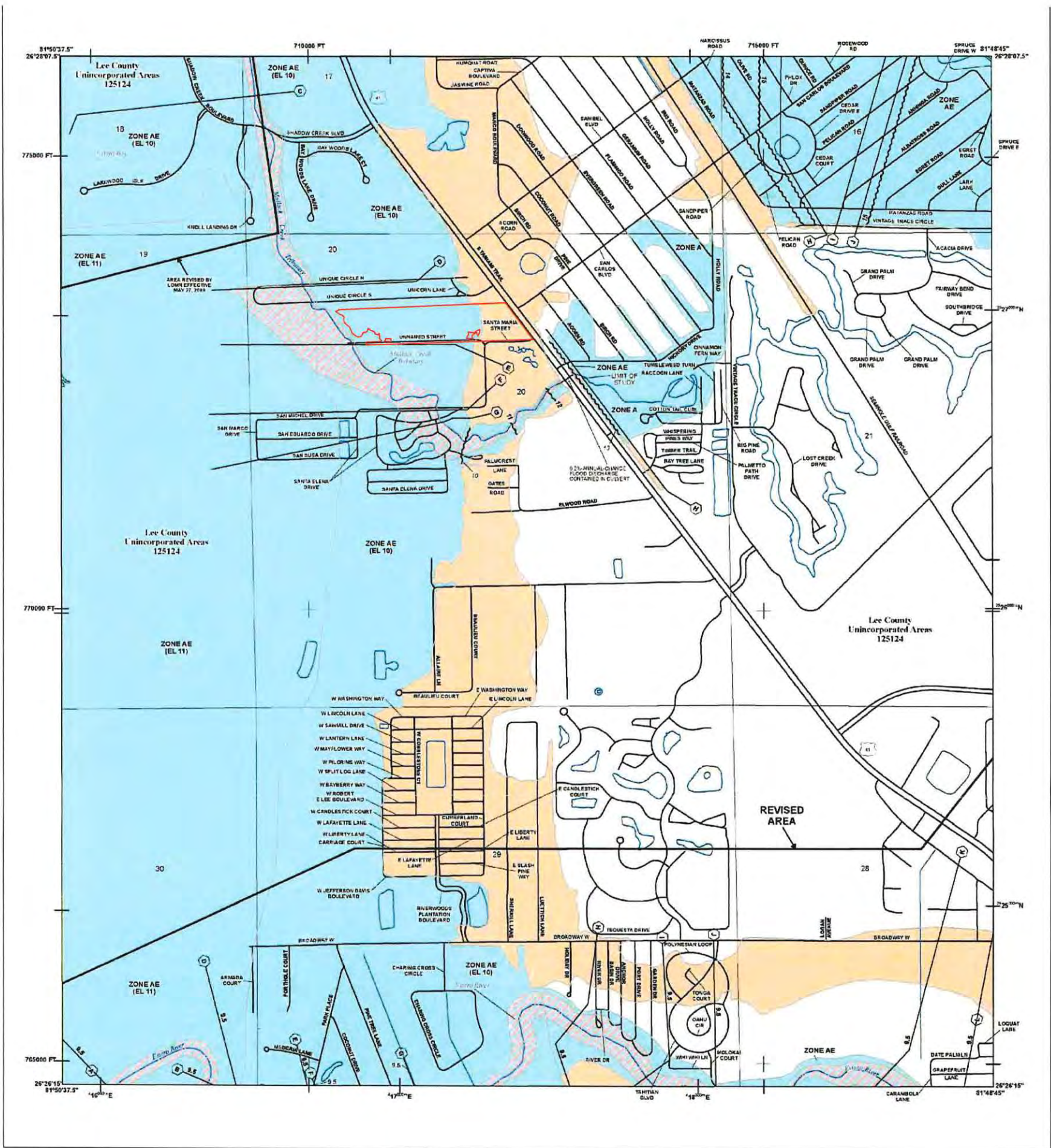




Soils Map

Grand Bay

BDEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3680



FLOOD HAZARD INFORMATION

SEE THIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT
THE INFORMATION DEPicted ON THIS MAP AND SUPPORTING
DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT
[HTTPS://MSC.FEMA.GOV](https://msc.fema.gov)

SPECIAL FLOOD HAZARD AREAS	Without Base Flood Elevation (BFE)
	With BFE or Depth
OTHER AREAS OF FLOOD HAZARD	Regulatory Floodway
	0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile
OTHER AREAS	Future Conditions 1% Annual Chance Flood Hazard
	Area with Reduced Flood Risk due to Levee
GENERAL STRUCTURES	See Notes, Zone A
	Area with Flood Risk due to Levee
OTHER FEATURES	Area of Minimal Flood Hazard
	Area of Undetermined Flood Hazard
GENERAL STRUCTURES	Channel, Culvert, or Storm Sewer
	Levee, Dike, or Floodwall
OTHER FEATURES	Cross Sections with 1% Annual Chance Water Surface Elevation
	Coastal Transect
OTHER FEATURES	Profile Baseline
	Hydrographic Feature
OTHER FEATURES	Base Flood Elevation Line (BFE)
	Limit of Study
OTHER FEATURES	Jurisdiction Boundary

NOTES TO USERS

For information and confirm about Risk Flood Insurance Rate Map (FIRM) available products, associated with this FIRM including future versions, the current map data for each FIRM panel how to order products, or the National Flood Insurance Program (NFIP) in general, please call the FEMA Mapping and Insurance website at 1-877-336-6767 or visit the FEMA Flood Map Service Center website at <https://www.fema.gov/flood-maps>. Available products may include preliminary maps, letters of map change, a flood insurance study report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website.

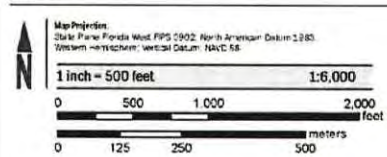
Communities seeking land on additional FIRM panels must obtain a current copy of the adjacent panels as well as the current FIRM map. These may be obtained directly from the Flood Map Service Center when number values above.

For community and jurisdiction map data refer to the Flood Insurance Study Report for this jurisdiction. To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-888-456-4522.

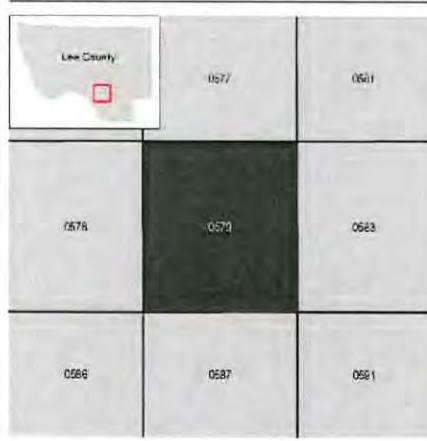
Base map information shown on this FIRM was provided in digital format by the Lee County GIS Department. The base map information was constructed based on orthorectified aerial photography produced at a scale of 1"=100' from aerial imagery from 1988 and updated using aerial photography from 2002 and 2009. The surface water features were also constructed based on orthorectified aerial photography produced at a scale of 1"=100' from aerial imagery from 1988.

Local vertical measurements were used to create this map. To obtain current measured information, please contact the Information Systems Branch of the National Geographic Survey at (201) 713-3322 or visit the website at <https://www.ngs.noaa.gov>.

SCALE



PANEL LOCATOR





SOUTH FLORIDA WATER MANAGEMENT DISTRICT

June 7, 2022

** Delivered via email*

Noam Magence *
NRP Holdings LLC
1228 Euclid Avenue 4th Floor
Cleveland, OH 44115

**Subject: Grand Bay
Petition for Formal Determination of Wetlands and Surface Waters
Permit No. 36-107223-P
Application No. 220216-33230
Lee County**

Your petition for a formal determination of wetlands and other surface waters is approved. This action is taken based on Chapter 373, Part IV of Florida Statutes (F.S.) and the rules in Chapters 62-330 and 62-340, Florida Administrative Code (F.A.C.). Please read this entire agency action thoroughly and understand its contents.

This action is subject to:

- Not receiving a filed request for a Chapter 120, F.S., administrative hearing.
- All referenced Exhibits.

Should you object to these conditions, please refer to the attached "Notice of Rights" which addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. Please contact this office if you have any questions concerning this matter. If we do not hear from you in accordance to the "Notice of Rights", we will assume that you concur with the District's action.

CERTIFICATE OF SERVICE

I hereby certify that this Formal Wetland Determination and Notice of Rights have been mailed or electronically submitted to the addressee (and the persons listed on the attached distribution list) on June 6, 2022 in accordance with Section 120.60(3), F.S. Notice was also electronically posted on this date through a link on the home page of the District's website (www.sfwmd.gov/ePermitting).

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Lawrence", enclosed within a blue oval.

Melissa M. Lawrence, P.E.
Bureau Chief, Environmental Resource Bureau

**South Florida Water Management District
Formal Wetland Determination Permit No. 36-107223-P
Date Issued: June 7, 2022**

Project Name: Grand Bay

Petitioner: Noam Magence
NRP Holdings LLC
1228 Euclid Avenue
4th Floor
Cleveland, OH 44115

Application No. 220216-33230

Location: Lee County, See Exhibit 1

Acres: 47.86

Expiration Date: June 7, 2027

Type: Certified Survey

Project Summary

The application is for a formal determination of the landward extent of wetlands and other surface waters (OSW), pursuant to Rule 62-330.201 Florida Administrative Code (F.A.C.), for a 47.86 acre property known as Grand Bay. The methodology used for the determination is consistent with Rule 62-340 F.A.C.

Project Site Description

The 47.86 acre property is located in Section 20, Township 46 South, Range 25 East, Lee County, Florida. More specifically, the property is located on the west side of U.S. 41 (South Tamiami Trail), approximately 1.1 miles north of Estero Parkway in Estero, Florida. A Location Map is attached as Exhibit 1.0. The property is surrounded by single family homes to the north and south, commercial development to the east, and undeveloped forested uplands and wetlands to the west. These wetlands, as well as wetlands on the property, are considered as tributary wetlands to the Estero River, which is an Outstanding Florida Water (OFW). An aerial photograph depicting the property is attached as Exhibit 2.0.

Formal Determination of Wetlands and Other Surface Waters

On February 16, 2022, the District received a request for a formal determination of the boundary of wetlands and OSW on a 47.86 acre property known as Grand Bay. The landward extent of wetlands and OSW was established by DexBender Environmental Consulting and verified by District staff, Matt Brosious, CWE, on March 31, 2022. Wetlands, as defined by Subsection 373.019(27) F.S. and Rule 62-340 F.A.C., were identified on the property. No OSW were identified on the property. Wetlands on the property were delineated using the methods established in Rule 62-340 F.A.C.; more specifically, the wetlands were delineated using the B and D tests. Wetlands delineated on the property totaled 11.13 acres. A specific purpose survey depicting the wetlands on the property is attached as Exhibit 3.0. Wetland delineation information, including wetland data point location map, wetland data forms, and representative photographs of the wetlands and upland areas can be found in the permit file. Wetland data forms were filled out by District staff on March 31, 2022.

Wetland Description:

The wetlands identified on the property totaled 11.13 acres (Exhibit 3.0). The wetland canopy and sub-canopy generally consisted of laurel oak, pine, red maple, and cabbage palm with varying degrees of exotic vegetation. Ground cover was mostly absent, except for widely scattered swamp fern. The wetland was delineated using the B and D tests. As mentioned above, the wetlands on the property are considered as tributary wetlands of the Estero River.

Soil Types and Hydrologic Indicators:

Based on the National Resource Conservation Service (NRCS) data, the property contains two historically mapped hydric soils. The mapped hydric soils on the property include Pompano Fine Sand, Frequently Ponded (Map Unit 27) and Copeland Fine Sand, Frequently Ponded (Map Unit 45). A soils map is attached as Exhibit 4.0. Soil pit data is included within the wetland data forms which were filed out on March 31, 2022.

Hydrologic Indicators observed during the delineation included Hydric Soil Indicator A7 (Mucky Mineral) starting at the soil surface and adventitious rooting on melaleuca trees.

This Formal Determination of Wetlands and Other Surface Waters is the District's determination of the landward extent (boundaries) of wetlands and other surface waters within the property based on the documentation submitted by the Petitioner and field application of Chapter 62-340, F.A.C. This action does not authorize any construction activities or constitute conceptual approval of any anticipated projects or activities in wetlands or other surface waters. It does not in any way establish boundaries of sovereign submerged lands, high water elevations or other elevations/ boundaries.

Pursuant to Subsection 373.421 (4), F.S., the Governing Board may revoke the Formal Wetland Determination upon a finding that the Petitioner has submitted inaccurate information to the District.

The Formal Wetland Determination shall be binding for the stated duration provided physical conditions on the property do not change so as to alter the boundaries of wetlands and other surface waters during that period.

Distribution List

Bernard G Freeland, Freeland FL Holdings LLC

Dan F Underhill, DexBender *

Florida Department of Environmental Protection SLERC *

Lee County Property Appraiser *

Florida Department of Environmental Protection - Environmental Administrator *

Exhibits

The following exhibits to this permit are incorporated by reference. The exhibits can be viewed by clicking on the links below or by visiting the District's ePermitting website (<http://my.sfwmd.gov/ePermitting>) and searching under this application number 220216-33230 .

[Exhibit No. 1.0 Location Map](#)

[Exhibit No. 2.0 Aerial With Inspection Boundary](#)

[Exhibit No. 3.0 Wetland Certified Survey](#)

[Exhibit No. 4.0 Soils Map](#)

NOTICE OF RIGHTS

As required by Chapter 120, Florida Statutes, the following provides notice of the opportunities which may be available for administrative hearing pursuant to Sections 120.569 and 120.57, Florida Statutes, or judicial review pursuant to Section 120.68, Florida Statutes, when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Some of the legal proceedings detailed below may not be applicable or appropriate for your situation. You may wish to consult an attorney regarding your legal rights.

RIGHT TO REQUEST ADMINISTRATIVE HEARING

A person whose substantial interests are or may be affected by the South Florida Water Management District's (District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569 and 120.57, Florida Statutes. Persons seeking a hearing on a District decision which affects or may affect their substantial interests shall file a petition for hearing in accordance with the filing instructions set forth herein within 21 days of receipt of written notice of the decision unless one of the following shorter time periods apply: (1) within 14 days of the notice of consolidated intent to grant or deny concurrently reviewed applications for environmental resource permits and use of sovereign submerged lands pursuant to Section 373.427, Florida Statutes; or (2) within 14 days of service of an Administrative Order pursuant to Section 373.119(1), Florida Statutes. "Receipt of written notice of agency decision" means receipt of written notice through mail, electronic mail, posting, or publication that the District has taken or intends to take final agency action. Any person who receives written notice of a District decision and fails to file a written request for hearing within the timeframe described above waives the right to request a hearing on that decision.

If the District takes final agency action that materially differs from the noticed intended agency decision, persons who may be substantially affected shall, unless otherwise provided by law, have an additional point of entry pursuant to Rule 28-106.111, Florida Administrative Code.

Any person to whom an emergency order is directed pursuant to Section 373.119(2), Florida Statutes, shall comply therewith immediately, but on petition to the board shall be afforded a hearing as soon as possible.

A person may file a request for an extension of time for filing a petition. The District may grant the request for good cause. Requests for extension of time must be filed with the District prior to the deadline for filing a petition for hearing. Such requests for extension shall contain a certificate that the moving party has consulted with all other parties concerning the extension and whether the District and any other parties agree to or oppose the extension. A timely request for an extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

FILING INSTRUCTIONS

A petition for administrative hearing must be filed with the Office of the District Clerk. Filings with the Office of the District Clerk may be made by mail, hand-delivery, or e-mail. Filings by facsimile will not be accepted. A petition for administrative hearing or other document is deemed filed upon receipt during normal business hours by the Office of the District Clerk at the District's headquarters in West Palm Beach, Florida. The District's normal business hours are 8:00 a.m. – 5:00 p.m., excluding weekends and District holidays. Any document received by the Office of the District Clerk after 5:00 p.m. shall be deemed filed as of 8:00 a.m. on the next regular business day.

Additional filing instructions are as follows:

- Filings by mail must be addressed to the Office of the District Clerk, 3301 Gun Club Road, West Palm Beach, Florida 33406.
- Filings by hand-delivery must be delivered to the Office of the District Clerk. Delivery of a petition to the District's security desk does not constitute filing. It will be necessary to request that the District's security officer contact the Office of the District Clerk. An employee of the District's Clerk's office will receive and process the petition.
- Filings by e-mail must be transmitted to the Office of the District Clerk at clerk@sfwmd.gov. The filing date for a document transmitted by electronic mail shall be the date the Office of the District Clerk receives the complete document.

INITIATION OF ADMINISTRATIVE HEARING

Pursuant to Sections 120.54(5)(b)4. and 120.569(2)(c), Florida Statutes, and Rules 28-106.201 and 28-106.301, Florida Administrative Code, initiation of an administrative hearing shall be made by written petition to the District in legible form and on 8 1/2 by 11 inch white paper. All petitions shall contain:

1. Identification of the action being contested, including the permit number, application number, District file number or any other District identification number, if known.
2. The name, address, any email address, any facsimile number, and telephone number of the petitioner, petitioner's attorney or qualified representative, if any.
3. An explanation of how the petitioner's substantial interests will be affected by the agency determination.
4. A statement of when and how the petitioner received notice of the District's decision.
5. A statement of all disputed issues of material fact. If there are none, the petition must so indicate.
6. A concise statement of the ultimate facts alleged, including the specific facts the petitioner contends warrant reversal or modification of the District's proposed action.
7. A statement of the specific rules or statutes the petitioner contends require reversal or modification of the District's proposed action.
8. If disputed issues of material fact exist, the statement must also include an explanation of how the alleged facts relate to the specific rules or statutes.
9. A statement of the relief sought by the petitioner, stating precisely the action the petitioner wishes the District to take with respect to the District's proposed action.

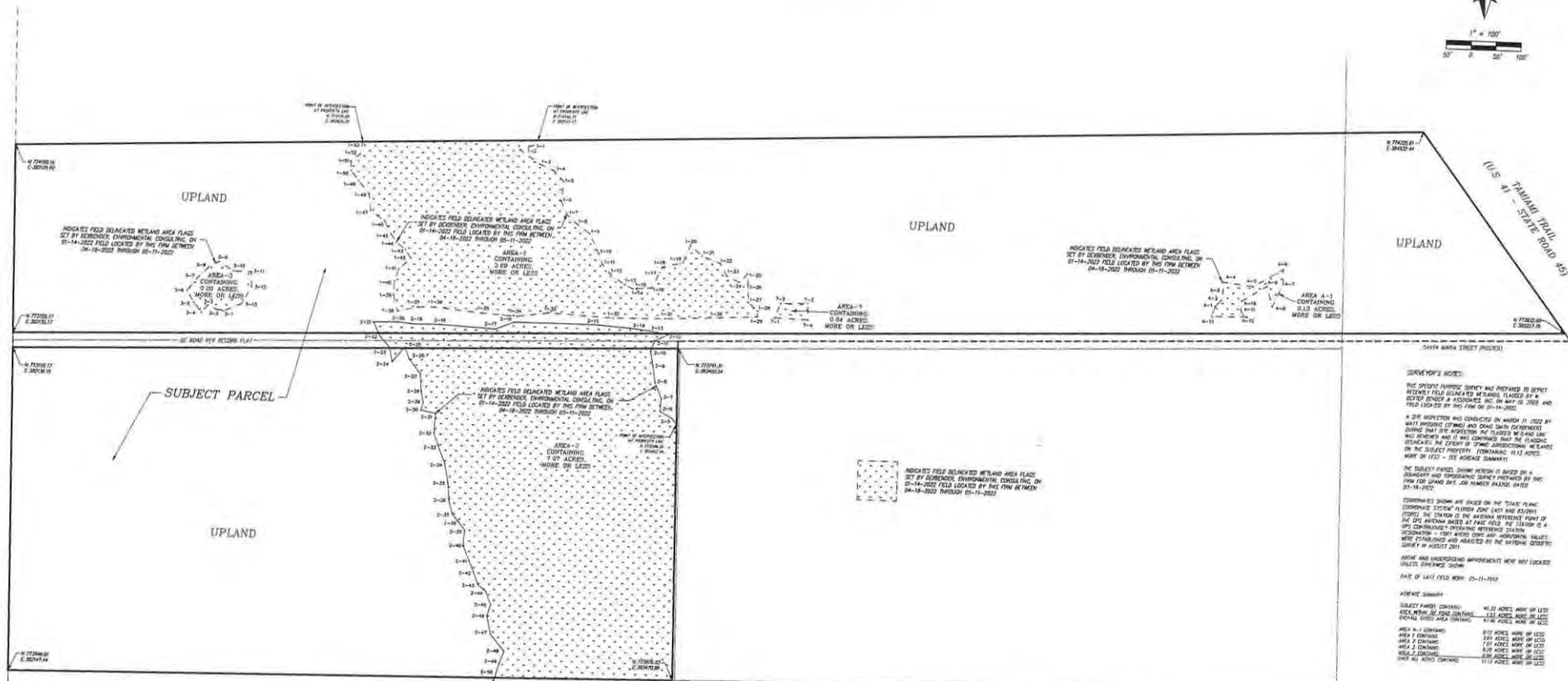
MEDIATION

The procedures for pursuing mediation are set forth in Section 120.573, Florida Statutes, and Rules 28-106.111 and 28-106.401-.405, Florida Administrative Code. The District is not proposing mediation for this agency action under Section 120.573, Florida Statutes, at this time.

RIGHT TO SEEK JUDICIAL REVIEW

Pursuant to Section 120.68, Florida Statutes, and in accordance with Florida Rule of Appellate Procedure 9.110, a party who is adversely affected by final District action may seek judicial review of the District's final decision by filing a notice of appeal with the Office of the District Clerk in accordance with the filing instructions set forth herein within 30 days of rendition of the order to be reviewed, and by filing a copy of the notice with the appropriate district court of appeals via the Florida Courts E-Filing Portal.

OF
FIELD DELINEATED WETLAND FLAGS LYING IN
SECTION 20, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA



SHOOTER'S MOOT:

THE SHOOTING SURVEY WAS PREPARED IN DEFECT WITH FIVE UNLabeled METALS PLACED IN A BOXES BEHIND THE SHOOTING RANGE IN 1982 AND YIELD LOCATED BY Hqs FROM 10-14-82.

A DNR INSPECTOR WAS CONDUCTED ON 10-14-82 BY AN ARMY ENGINEER (PM) AND CHAS DAVID (ENGINEER) DURING THAT TIME THE SHOOTING RANGE WAS LAMINATED AND REMOVED AND IT WAS CONFIRMED THAT THE EXISTING METALS WERE NOT THE SAME AS THE METALS LOCATED ON THE SUBJECT PROPERTY. (CONTAINING 112 METALS MORE OR LESS - SEE ATTACHED SHEET)

THE SUBJECT FARM, SHOOTING PROPERTY IS OWNED BY A BRANCH OF THE ARMY AND THE PROPERTY WAS USED BY THE ARMY FOR GROUND ART. HQS MAJOR BRANCH LOCATED 07-15-1982.

CONSIDERABLE SHOTS ARE BASED ON THE STATE PLANT COMMUNITY IN FLORIDA ZONE (ART 14) AND (ART 15) (FEDS). THE STATION IS IN THE SOUTHERN DIFFERENCE ZONE OF THE ONE ANTENNA BASED AT FIVE FEET THE STATION IS IN THE COMMUNITY DIFFERENCE ZONE.

IN ADDITION - FIRST THREE DAYS ARE INDICATED. VALUES MORE THAN 1000 METALS BY THE SHOOTING SURVEY IN AUGUST 2001.

AGENCY Summary
 SUBJECT PROPERTY CONTAINS: 46.33 ACRES MOIST W/ 1231
 AREA 1B ACRES MOIST W/ 1231
 DETAIL CHED AREA CONTAINS: 97.86 ACRES MOIST W/ 1231
 AREA 1A CONTAINS: 8.73 ACRES MOIST W/ 1231
 AREA 1 CONTAINS: 2.61 ACRES MOIST W/ 1231
 AREA 2 CONTAINS: 1.70 ACRES MOIST W/ 1231
 AREA 3 CONTAINS: 4.26 ACRES MOIST W/ 1231
 AREA 7 CONTAINS: 8.30 ACRES MOIST W/ 1231
 AREA 8 ACRES MOIST W/ 1231
 AREA 9 ACRES MOIST W/ 1231

[illegible][illegible]

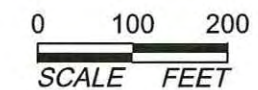
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SPECIFIC PURPOSE SURVEY
GRAND BAY

DATE	THRU	CHECKED	SCALE	SHEET	OF	P.L.
12-11-62	AMY	AMY	1" = 100'	1		

SECTION: 20
TOWNSHIP: 46 S
RANGE: 25 E



- Notes:
1. Property boundary and surveyed wetland lines provided by Banks Engineering.
 2. Mapping based on photointerpretation of 2021 aerial photography and ground truthing in January 2022.
 3. Delineation of jurisdictional wetlands reviewed and approved by SFWMD on April 14, 2022.

PERMIT USE ONLY, NOT FOR CONSTRUCTION

FLUCCS	Description	Acreage
411E1	Pine Flatwoods Invaded by Exotics (10-25%)	12.86 ac.
411E3	Pine Flatwoods Invaded by Exotics (51-75%)	3.40 ac.
411E4	Pine Flatwoods Invaded by Exotics (76-90%)	5.03 ac.
416	Scrubby Pine Flatwoods	0.72 ac.
450	Mixed Exotic Upland Forest	11.93 ac.
617E4	Mixed Wetland Hardwoods Invaded by Exotics (76-90%)	9.88 ac.
619	Exotic Wetland Hardwoods	0.71 ac.
740H	Hydric Disturbed Land	0.17 ac.
8146	Dirt Road	1.63 ac.
Total		46.33 ac.

May 20, 2022 10:06:57 a.m.
Drawing: NRP1PLAN.DWG

Vegetation Map

Grand Bay

BDEXBENDER
ENVIRONMENTAL CONSULTING
FORT MYERS 239-334-3680

Grand Bay

Section 20, Township 46 South, Range 25 East
Lee County, Florida

Protected Species Assessment

June 2022

Prepared for:

**NRP Holdings, LLC
1228 Euclid Avenue 4th Floor
Atlanta, GA 30309**

Prepared by:

***DexBender*
4470 Camino Real Way, Suite 101
Fort Myers, FL 33966
(239) 334-3680**

INTRODUCTION

The 46.33± acre project is located within a portion of Section 20, Township 46 South, Range 25 East, Lee County, Florida. The parcel is bordered to the west by portions of the Estero Bay Buffer Preserve, to the east by US-41 and undeveloped land, and to the north by existing residential development. Undeveloped land and existing residential development is present to the south. An existing road right-of-way bisects the property.

SITE CONDITIONS

The site consists primarily of pine flatwoods and mixed hardwood wetlands that have been invaded by exotics. By 1979, a small area of clearing was present in the western portion of the site. Clearing in the eastern portion of the site was also initiated prior to 1979 and continued through the 1990's.

VEGETATIVE CLASSIFICATIONS

The predominant vegetation associations were mapped in the field on 2021 digital 1" = 200' scale aerial photography. The property boundary was obtained from Banks Engineering and inserted into the digital aerial. The property boundary was not staked in the field at the time of our site inspection and was, therefore, estimated based on the overlay of the boundary on the aerial photography. Nine vegetation associations were identified using the Florida Land Use, Cover and Forms Classification System (FLUCCS). Figure 1 depicts the approximate location and configuration of these vegetation associations and Table 1 summarizes the acreages by FLUCCS Code. A brief description of each FLUCCS Code is also provided below.

Table 1. Acreage Summary by FLUCCS Code

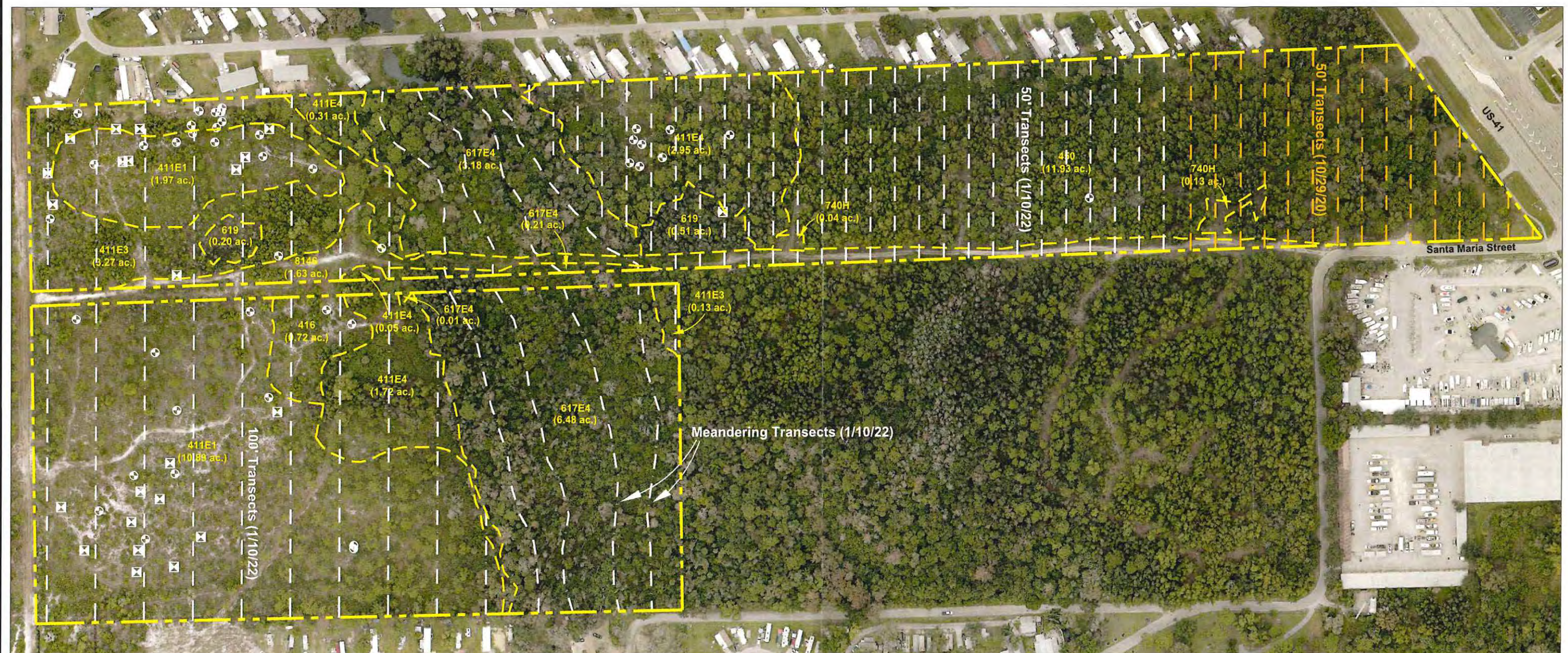
FLUCCS CODE	DESCRIPTION	ACREAGE
411E1	Pine Flatwoods invaded by Exotics (10-25%)	12.86
411E3	Pine Flatwoods invaded by Exotics (51-75%)	3.40
411E4	Pine Flatwoods invaded by Exotics (76-90%)	5.03
416	Scrubby Pine Flatwoods	0.72
450	Mixed Exotic Upland Forests	11.93
617E4	Mixed Wetland Hardwoods Invaded by Exotics (76-90%)	9.88
619	Exotic Wetland Hardwoods	0.71
740H	Hydric Disturbed Areas	0.17
8146	Dirt Road	1.63
Total		46.33

FLUCCS Code 411E1, Pine Flatwoods Invaded by Exotics (10-25%)

This upland habitat is located in the western portion of the site and characterized by a relatively open canopy of slash pine (*Pinus elliotii*) and a groundcover strata dominated

SECTION: 20
TOWNSHIP: 46 S
RANGE: 25 E

0 100 200
SCALE FEET



- ⊕ Potentially Occupied Gopher Tortoise Burrow (41)
- ⊠ Tree with Cavity (23)

Notes:
1. Property boundary and surveyed wetland lines provided by Banks Engineering.
2. Mapping based on photointerpretation of 2021 aerial photography and ground truthing in January 2022.
3. Delineation of jurisdictional wetlands reviewed and approved by SFWMD on April 14, 2022.

PERMIT USE ONLY, NOT FOR CONSTRUCTION

FLUCCS	Description	Acreage
411E1	Pine Flatwoods Invaded by Exotics (10-25%)	12.86 ac.
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617E4	Mixed Wetland Hardwoods Invaded by Exotics (76-90%)	9.88 ac.
619	Exotic Wetland Hardwoods	0.71 ac.
740H	Hydric Disturbed Land	0.17 ac.
8146	Dirt Road	1.63 ac.
Total		46.33 ac.

June 13, 2022 4:21:27 p.m.
Drawing: NRP1PLAN.DWG

Figure 1. Protected Species Assessment Map

Grand Bay

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by saw palmetto (*Serenoa repens*). Additional vegetative species present in this association include rusty lyonia (*Lyonia ferruginea*), wiregrass (*Aristida* sp.), broomsedge (*Andropogon* sp.), penny royal (*Piloblephis rigida*), pinweed (*Lechea* sp.), grapevine (*Vitis* sp.), greenbrier (*Smilax* sp.), and dwarf live oak (*Quercus minima*). Very widely scattered sand live oak (*Quercus geminata*) and Chapman oak (*Quercus chapmanii*) are also present. Exotic vegetation, primarily downy rose myrtle (*Rhodomyrtus tomentosa*) and ear-leaf acacia (*Acacia auriculiformis*), has invaded portions of these areas. Numerous pine tree snags are also present in this habitat type.

FLUCCS Code 411E1, Pine Flatwoods Invaded by Exotics (10-25%)

This upland habitat is located in the western portion of the site and characterized by a relatively open canopy of slash pine (*Pinus elliottii*) and a groundcover strata dominated by saw palmetto (*Serenoa repens*). Additional vegetative species present in this association include rusty lyonia (*Lyonia ferruginea*), wiregrass (*Aristida* sp.), broomsedge (*Andropogon* sp.), penny royal (*Piloblephis rigida*), pinweed (*Lechea* sp.), grapevine (*Vitis* sp.), greenbrier (*Smilax* sp.), and dwarf live oak (*Quercus minima*). Very widely scattered sand live oak (*Quercus geminata*) and Chapman oak (*Quercus chapmanii*) are also present. Exotic vegetation, primarily downy rose myrtle (*Rhodomyrtus tomentosa*) and ear-leaf acacia (*Acacia auriculiformis*), has invaded portions of these areas. Numerous pine tree snags are also present in this habitat type.

FLUCCS Code 411E3, Pine Flatwoods Invaded by Exotics (51-76%)

The canopy and midstory in portions of the upland pine flatwoods are currently dominated by earleaf acacia. Slash pine is present in the canopy and saw palmetto dominates the ground cover stratum.

FLUCCS Code 411E4, Pine Flatwoods Invaded by Exotics (76-90%)

In these upland areas the canopy and midstory consists almost entirely of earleaf acacia, java plum (*Syzygium cumini*), melaleuca (*Melaleuca quinquenervia*), and Brazilian pepper (*Schinus terebinthifolius*). Scattered slash pine, cabbage palm (*Sabal palmetto*), and myrsine (*Rapanea punctata*) are also present. Saw palmetto, grapevine, greenbrier, and leaf duff are common in the ground cover.

FLUCCS Code 416, Scrubby Pine Flatwoods

Similar in composition to the pine flatwoods habitat describe above, this upland habitat includes a greater amount of sand live oak along with myrtle oak (*Quercus myrtifolia*), and Chapman oak. Blueberry (*Vaccinium myrsinites*), greenbrier, dwarf live oak and hog plum (*Ximenia americana*) are also present.

FLUCCS Code 450, Exotic Upland Hardwoods

The eastern portion of the site that was partly cleared is currently dominated by exotics such as earleaf acacia, Australian pine (*Casuarina equisetifolia*), and Brazilian pepper. Java plum, woman's tongue (*Albizia lebbek*), and mother-in-law's tongue (*Sansevieria hyacinthoides*) are also common. Widely scattered slash pine, cabbage palm, myrsine, saw palmetto, and wild coffee (*Psychotria nervosa*) are also present. Leaf duff is common ground cover.

FLUCCS Code 617E4, Mixed Wetland Hardwoods Invaded by Exotics (76-90%)

The canopy and midstory of this wetland association are dominated by exotic vegetation including melaleuca, bishopwood (*Bischofia javanica*), Java plum, and Brazilian pepper. Native species such as laurel oak (*Quercus laurifolia*), cypress (*Taxodium* sp.), red maple (*Acer rubrum*), willow (*Salix caroliniana*), and cabbage palm are also present. Additional species in this association include myrsine, buttonbush (*Cephalanthus occidentalis*), and pond apple (*Annona glabra*). Groundcover vegetation includes swamp fern (*Blechnum serrulatum*), leather fern (*Acrostichum* sp.), chain fern (*Woodwardia virginica*), swamp lily (*Crinum americanum*), smartweed (*Polygonum punctatum*), wild coffee, and false nettle (*Boehmeria cylindrica*).

FLUCCS Code 619, Exotic Wetland Hardwoods

This wetland habitat is dominated by melaleuca and Brazilian pepper. Scattered cabbage palm, slash pine, wild coffee, and myrsine are also present.

FLUCCS Code 740H, Hydric Disturbed Land

Two small areas of wetland created by land disturbance are located adjacent to the existing dirt road. Canopy and midstory species present in this area consist of widely scattered Australian pine, melaleuca, and cabbage palm. Ground cover species include white-top sedge (*Rhynchospora colorata*), torpedo grass (*Panicum repens*), yellowtop (*Flaveria linearis*), saw-grass (*Cladium jamaicense*), and water-hyssops (*Bacopa caroliniana*).

FLUCCS Code 8146, Dirt Road

A dirt road bisects the majority of the subject parcel. When present, vegetation includes very widely scattered slash pine in the canopy along with groundcover species such as false buttonweed (*Spermacoce* sp.), Bahia grass (*Paspalum notatum*), St. Augustine grass, smutgrass (*Sporobolus indicus*), and rustweed (*Polypremum procumbens*).

SURVEY METHOD

Lee County Protected Species Ordinance No. 89-34 lists several protected species of animals that could potentially occur on-site based on the general vegetative associations found on the subject parcel. Each habitat type was surveyed for the occurrence of these and any other listed species likely to occur in the specific habitat types. The survey was conducted using meandering linear pedestrian belt transects. This survey methodology is based on the Lee County administratively approved Meandering Transect Methodology. As part of this survey all live trees and snags were inspected for the evidence of cavities that could potentially be used as roosts by the Florida bonneted bat (*Eumops floridanus*). In order to provide at least 80 percent visual coverage of habitat types listed in Ordinance No. 89-34, the transects were spaced approximately 50 feet apart in the proposed development areas. Transects were spaced approximately 100 feet apart in the western uplands and meandering transects were conducted through the exotic dominated mixed wetlands hardwoods (FLUCCS Code 617E4). The approximate locations of all direct sighting or signs (such as tracks, nests, and droppings) of a listed

species were denoted on the aerial photography. The 1" = 200' scale aerial Protected Species Assessment Map (Figure 1) depicts the approximate location of the survey transects and the results of the survey. Most of the subject parcel was surveyed for listed species during the morning and mid-day hours of January 10, 2022. During the survey the weather was warm and mostly sunny. As indicated on the attached Protected Species Assessment Map, the eastern 700± feet of the subject parcel was surveyed for listed species on October 29, 2020 during review of SFWMD Permit No. 36-104286-P. This area of exotic vegetation was also briefly reinspected during the January 10, 2022 listed species survey event.

Species listed as endangered, threatened, or species of special concern by the Florida Fish and Wildlife Conservation Commission (FWC) or the United States Fish and Wildlife Service (FWS) that could potentially occur on the subject parcel according to the Lee County Protected Species Ordinance are shown in Table 2. This list from the Lee County Protected Species Ordinance is general in nature, contains species that were subsequently delisted by the state, does not necessarily reflect existing conditions within or adjacent to the 46.33± acre property, and is provided for general informational purposes only. The bald eagle (*Haliaeetus leucocephalus*) (which has been delisted by the FWC and FWS but is still protected by other regulations), the Florida black bear (*Ursus americanus floridanus*) (delisted in 2012 and still protected by the Florida Black Bear Management Plan), and the Florida bonneted bat (*Eumops floridanus*) (which was listed by the FWS after Ordinance No. 89-34 was adopted by Lee County) were also included in the survey.

Prior to conducting the protected species survey, a search of the FWC listed species database was conducted to determine the known occurrence of listed species in the project area. This search revealed no known protected species occurring on or immediately adjacent to the site.

Table 2. Listed Species That Could Potentially Occur On-site

FLUCCS CODE	Percent Survey Coverage	Species Name	Present	Absent
411E1	50-80	Gopher Frog (<i>Rana areolata</i>)*	√	√
411E3		Eastern Indigo Snake (<i>Drymarchon corais couperi</i>)		√
411E4		Gopher Tortoise (<i>Gopherus polyphemus</i>)		√
		Red-cockaded Woodpecker (<i>Picoides borealis</i>)		√
		Southeastern American Kestrel (<i>Falco sparverius paulus</i>)		√
		Big Cypress Fox Squirrel (<i>Sciurus niger avicennia</i>)		√
		Florida Black Bear (<i>Ursus americanus floridanus</i>)*		√
		Florida Panther (<i>Felis concolor coryi</i>)		√

Table 2. Listed Species That Could Potentially Occur On-site (continued)

[illegible]

* Species delisted subsequent to adoption of Lee County Protected Species Ordinance No. 89-34.

** Lee County Protected Species Ordinance No. 89-34 does not list this species for this FLUCCS Code but it was observed on-site.

SURVEY RESULTS

Gopher Tortoise

A total of 41 potentially occupied gopher tortoise burrows were found during the listed species survey. The majority of the burrows are located in the western portion of the site. A total of nine potentially occupied gopher tortoise burrows were found in proposed development footprint which is located east of the areas of mixed wetland hardwoods (FLUCCS Code 617E4). Based on 80 percent survey coverage in that portion of the site, it is estimated that 11 potentially occupied gopher tortoise burrows occur within this general area. Using the FWC standard burrow occupancy correction factor of 0.5 gopher tortoises per burrow, it is estimated that five to six gopher tortoises are present within the proposed development area.

Florida Bonneted Bat

A total of 23 dead slash pine trees containing potential cavities entrances were identified (Figure 1). The vast majority of identified potential cavity entrances are less than approximately two inches in diameter, very shallow, and do not appear to penetrate the heartwood of the snag. No evidence of bat utilization (bat vocalization/chatter from within the potential cavities or guano on or around the snags) was observed. No live trees with cavities or artificial structures were observed on-site.

Other Listed Species

No other species listed by either the FWS or the FWC were observed on the site during the protected species survey or during other site visits. There is the potential for periodic opportunistic foraging by both listed and non-listed species of wading birds within the onsite wetlands. In addition to the site inspections, a search of the FWC species database revealed no known protected species within or immediately adjacent to the project limits.

Exhibit M7

Signed/Sealed Legal Description & Sketch

Grand Bay
Revised August 2022



Professional Engineers, Planners & Land Surveyors



Professional Engineers, Planners & Land Surveyors

DESCRIPTION
OF
A PARCEL OF LAND
LYING IN
SECTION 20, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 20, TOWNSHIP 46 SOUTH, RANGE 25 EAST, BEING A PORTION OF LOT 2, SAN CARLOS GROVE TRACT, RECORDED IN PLAT BOOK 4, PAGE 75, PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER SAID SECTION 20; THENCE S 01°00'14" E ALONG THE WEST LINE OF SAID SECTION FOR 934.55 FEET TO AN INTERSECTION WITH A LINE LYING 934.2 FEET SOUTH OF AND PARALLEL WITH (AS MEASURED ON A PERPENDICULAR) THE NORTH LINE OF SAID SECTION; THENCE N 87°26'16" E ALONG SAID PARALLEL LINE FOR 1,041.21 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE N 87°26'16" E ALONG SAID PARALLEL LINE FOR 1,765.03 FEET TO **POINT "A"**, SAID POINT LYING ON THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF TAMiami TRAIL (STATE ROAD 45 – 200 FEET WIDE); THENCE S 36°56'36" E ALONG SOUTH SOUTHWESTERLY RIGHT-OF-WAY LINE FOR 491.36 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID LOT 2; THENCE S 88°00'17" W ALONG SAID SOUTH LINE FOR 1,768.76 FEET; THENCE N 00°53'51" W FOR 29.89 FEET; THENCE N 87°03'40" E FOR 81.86 FEET; THENCE N 86°25'09" E FOR 75.73 FEET TO **POINT "B"**; THENCE N 01°52'36" E FOR 11.39 FEET; THENCE N 49°04'10" W FOR 25.92 FEET; THENCE N 01°15'53" W FOR 29.47 FEET; THENCE N 04°50'56" W FOR 27.35 FEET; THENCE S 42°14'55" W FOR 23.53 FEET; THENCE N 65°52'23" W FOR 27.40 FEET; THENCE N 28°32'58" W FOR 28.85 FEET; THENCE N 69°30'27" W FOR 39.96 FEET; THENCE N 48°12'03" W FOR 31.30 FEET; THENCE S 21°12'15" W FOR 38.51 FEET; THENCE S 75°27'28" W FOR 42.23 FEET; THENCE S 25°17'36" W FOR 20.64 FEET; THENCE S 25°04'16" W FOR 25.76 FEET; THENCE S 85°27'12" W FOR 31.73 FEET; THENCE S 35°30'41" E FOR 5.94 FEET; THENCE N 66°03'17" W FOR 28.99 FEET; THENCE N 55°22'52" W FOR 35.73 FEET; THENCE N 40°05'40" W FOR 24.22 FEET; THENCE N 20°53'49" W FOR 23.40 FEET; THENCE N 25°44'29" W FOR 43.64 FEET; THENCE N 54°41'58" W FOR 30.97 FEET; THENCE N 48°56'50" W FOR 28.69 FEET; THENCE N 25°13'26" W FOR 28.83 FEET; THENCE N 06°51'00" E FOR 38.33 FEET; THENCE N 42°04'40" W FOR 27.55 FEET; THENCE N 66°47'38" W FOR 33.91 FEET; THENCE N 56°00'51" W FOR 47.86 FEET; THENCE N 69°32'40" E FOR 27.64 FEET; THENCE N 41°37'13" E FOR 14.07 FEET TO THE **POINT OF BEGINNING**.

LESS AND EXCEPT

PARCEL "A"

COMMENCING AT AFORESAID **POINT "A"**; THENCE S 43°37'00" W FOR 392.87 FEET TO THE **POINT OF BEGINNING**; THENCE S 02°29'42" E FOR 29.33 FEET; THENCE S 24°33'22" W FOR 50.07 FEET; THENCE N 15°36'57" W FOR 42.19 FEET; THENCE S 57°18'59" W FOR 59.16 FEET; THENCE S 01°45'20" W FOR 21.03 FEET; THENCE S 51°03'04" E FOR 16.18 FEET; THENCE S 88°52'20" W FOR 70.78 FEET; THENCE N 17°14'16" E FOR 21.57 FEET; THENCE N 42°59'46" E FOR 17.41 FEET; THENCE N 08°27'22" E FOR 20.25 FEET; THENCE N 08°50'05" W FOR 17.10 FEET; THENCE S 83°08'30" E FOR 62.73 FEET; THENCE N 58°27'39" E FOR 68.76 FEET TO THE **POINT OF BEGINNING**.

SHEET 1 OF 5

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ALSO LESS AND EXCEPT**PARCEL "B"**

COMMENCING AT AFORESAID **POINT "B"**; THENCE S 89°07'36" E FOR 34.64 FEET TO THE **POINT OF BEGINNING**; THENCE N 20°48'05" E FOR 31.08 FEET; THENCE N 88°26'28" E FOR 54.04 FEET; THENCE S 03°14'29" E FOR 32.77 FEET; THENCE N 88°07'23" W FOR 66.95 FEET TO THE **POINT OF BEGINNING**.

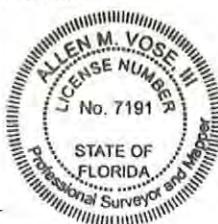
SUBJECT PARCEL CONTAINS: 15.64 ACRES, MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS AND DISTANCES ARE BASED ON THE "STATE PLANE COORDINATE SYSTEM" FLORIDA ZONE WEST NAD 83/2011 (CORS), WHEREIN THE WEST LINE OF SECTION 20, TOWNSHIP 46 SOUTH, RANGE 25 EAST BEARS S 01°00'14" E. THE SCALE FACTOR IS 0.999944648.

DESCRIPTION PREPARED: 07-19-2022.

DESCRIPTION REVISED: 07-28-2022



ALLEN M. VOSE III, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATION NO. 7191
DATE SIGNED 08-04-2022

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SURVEY LICENSE # LB 6690

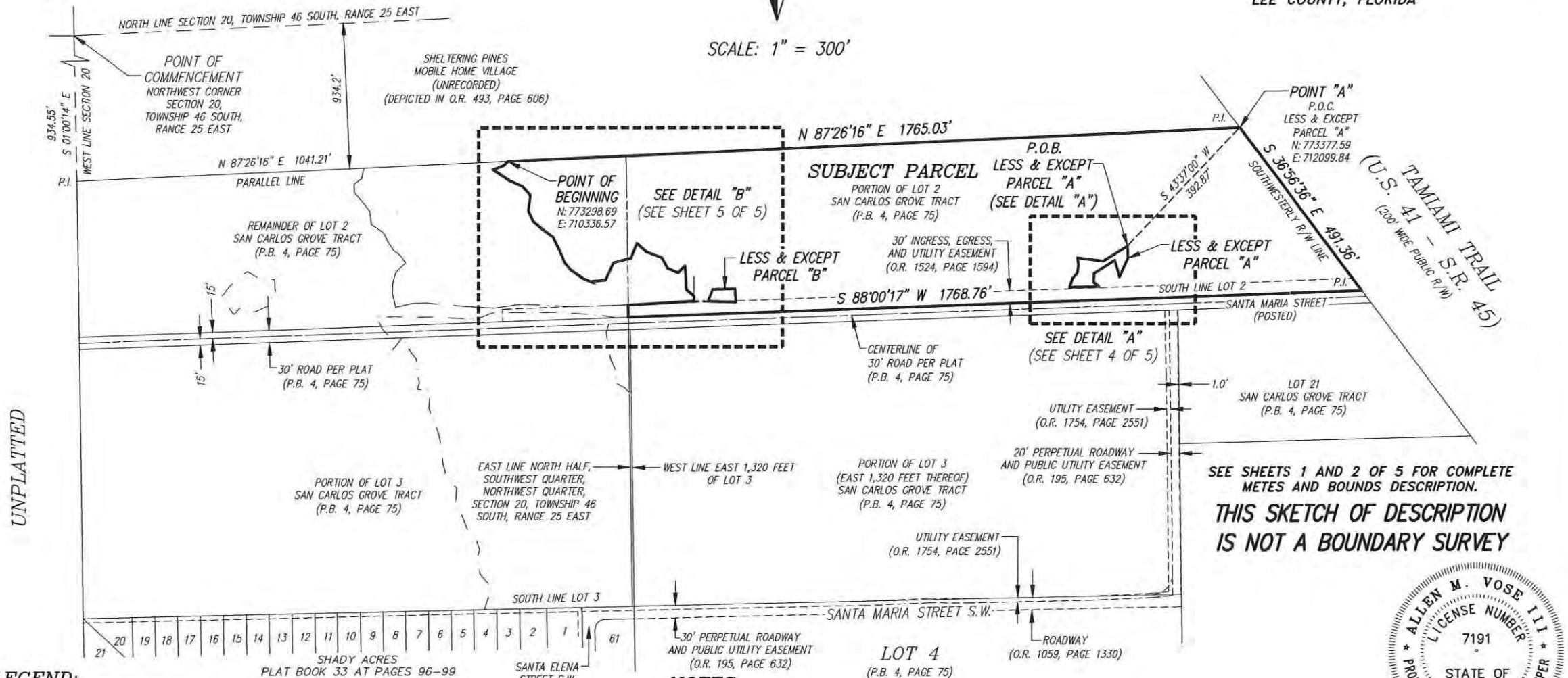
WWW.BANKSENG.COM

SKETCH OF DESCRIPTION

OF
A PARCEL OF LAND LYING IN
SECTION 20, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA



SCALE: 1" = 300'



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SCALE: 1" = 50'

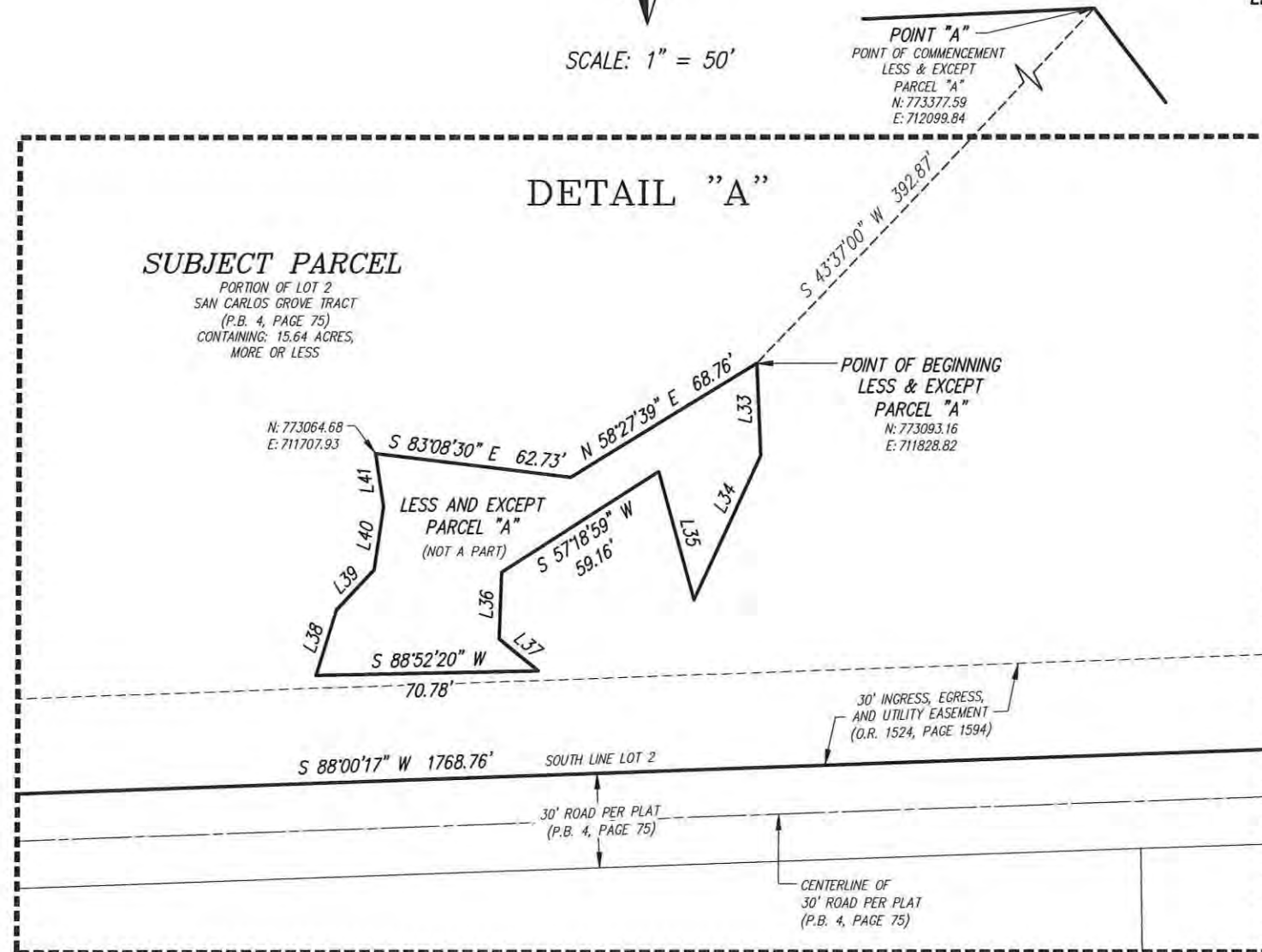
SKETCH OF DESCRIPTION

OF
A PARCEL OF LAND LYING IN
SECTION 20, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

DETAIL "A"

SUBJECT PARCEL

PORTION OF LOT 2
SAN CARLOS GROVE TRACT
(P.B. 4, PAGE 75)
CONTAINING: 15.64 ACRES,
MORE OR LESS



LINE TABLE

LINE	BEARING	DISTANCE
L33	S 02°29'42" E	29.33'
L34	S 24°33'22" W	50.07'
L35	N 15°36'57" W	42.19'
L36	S 01°45'20" W	21.03'
L37	S 51°03'04" E	16.18'
L38	N 17°14'16" E	21.57'
L39	N 42°59'46" E	17.41'
L40	N 08°27'22" E	20.25'
L41	N 08°50'05" W	17.10'

LEGEND:

P.B. INDICATES PLAT BOOK
S.R. INDICATES STATE ROAD
R/W INDICATES RIGHT-OF-WAY
O.R. INDICATES OFFICIAL RECORDS
LB INDICATES LICENSED BUSINESS
P.I. INDICATES POINT OF INTERSECTION
P.O.C. INDICATES POINT OF COMMENCEMENT
LI INDICATES LINE DATA: SEE LINE TABLE
P.S.M. INDICATES PROFESSIONAL SURVEYOR AND MAPPER
N: 773298.69 INDICATES THE "STATE PLANE COORDINATE SYSTEM"
E: 710336.57 FLORIDA ZONE WEST NAD 83/2011 (CORS)
CORS INDICATES CONTINUOUSLY OPERATING REFERENCE STATION
S: \JOBS\84XX\8433\SURVEYING\DESCRIPTIONS\8433GB GRAND BAY - MUO LGL.DOC
S: \JOBS\84XX\8433\SURVEYING\DESCRIPTIONS\8433GB GRAND BAY - MUO SKT.DWG

PREPARED 07-19-2022
REVISED 07-28-2022
SHEET 4 OF 5

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SCALE: 1" = 100'

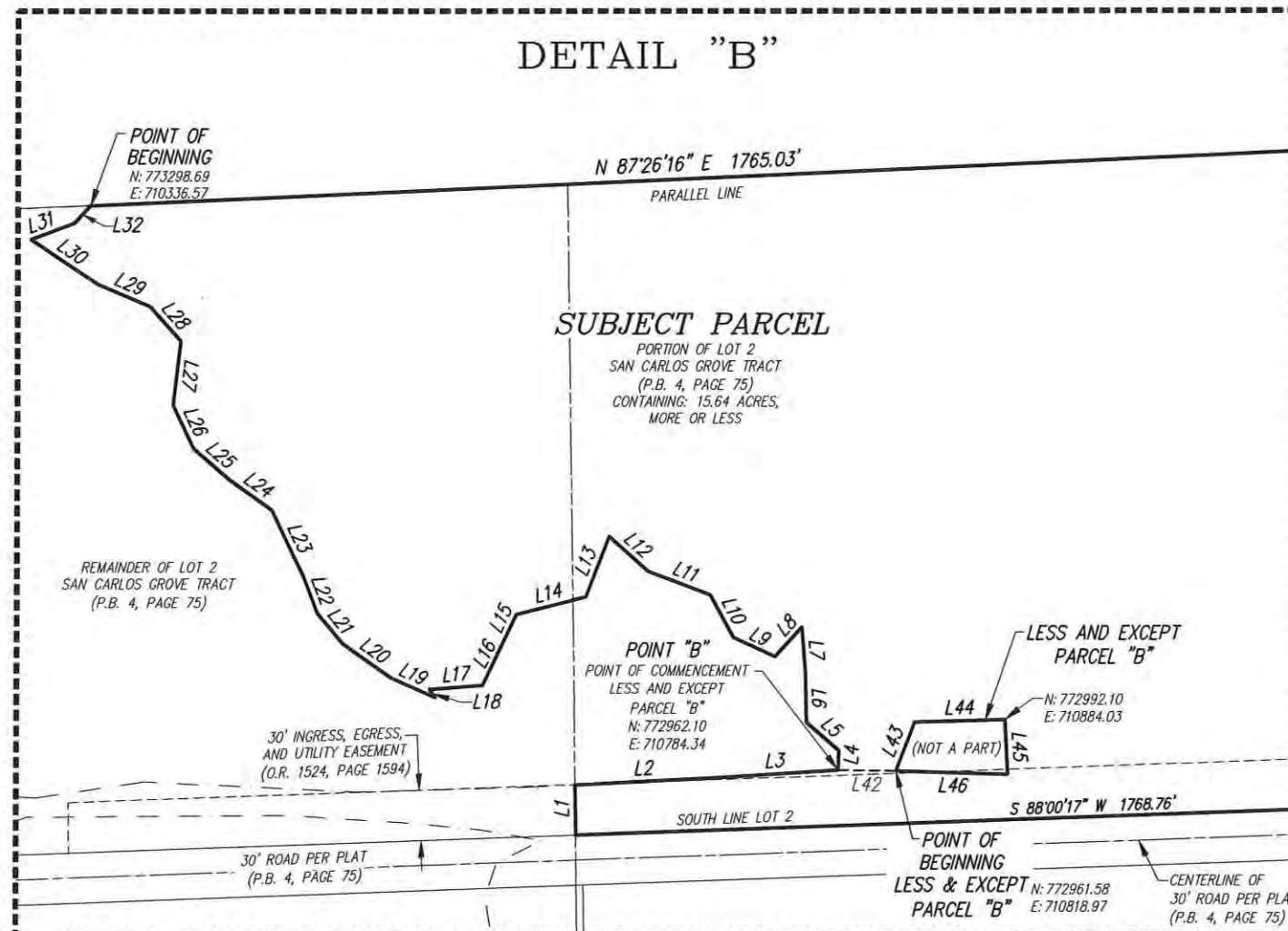
SKETCH OF DESCRIPTION

OF
A PARCEL OF LAND LYING IN
SECTION 20, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
LEE COUNTY, FLORIDA

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 00°53'51" W	29.89'
L2	N 87°03'40" E	81.86'
L3	N 86°25'09" E	75.73'
L4	N 01°52'36" E	11.39'
L5	N 49°04'10" W	25.92'
L6	N 01°15'53" W	29.47'
L7	N 04°50'56" W	27.35'
L8	S 42°14'55" W	23.53'
L9	N 65°52'23" W	27.40'
L10	N 28°32'58" W	28.85'
L11	N 69°30'27" W	39.96'
L12	N 48°12'03" W	31.30'
L13	S 21°12'15" W	38.51'
L14	S 75°27'28" W	42.23'
L15	S 25°17'36" W	20.64'
L16	S 25°04'16" W	25.76'
L17	S 85°27'12" W	31.73'
L18	S 35°30'41" E	5.94'
L19	N 66°03'17" W	28.99'
L20	N 55°22'52" W	35.73'
L21	N 40°05'40" W	24.22'
L22	N 20°53'49" W	23.40'
L23	N 25°44'29" W	43.64'
L24	N 54°41'58" W	30.97'
L25	N 48°56'50" W	28.69'
L26	N 25°13'26" W	28.83'
L27	N 06°51'00" E	38.33'
L28	N 42°04'40" W	27.55'
L29	N 66°47'38" W	33.91'
L30	N 56°00'51" W	47.86'
L31	N 69°32'40" E	27.64'
L32	N 41°37'13" E	14.07'
L42	S 89°07'36" E	34.64'
L43	N 20°48'05" E	51.08'
L44	N 88°26'28" E	54.04'
L45	S 03°14'29" E	32.77'
L46	N 88°07'23" W	66.95'

DETAIL "B"



LEGEND:

P.B. INDICATES PLAT BOOK
S.R. INDICATES STATE ROAD
R/W INDICATES RIGHT-OF-WAY
O.R. INDICATES OFFICIAL RECORDS
LB INDICATES LICENSED BUSINESS
P.I. INDICATES POINT OF INTERSECTION
P.O.C. INDICATES POINT OF COMMENCEMENT
LI INDICATES LINE DATA: SEE LINE TABLE
P.S.M. INDICATES PROFESSIONAL SURVEYOR AND MAPPER
N:773298.69 INDICATES THE "STATE PLANE COORDINATE SYSTEM
E:710336.57 FLORIDA ZONE WEST NAD 83/2011 (CORS)
CORS INDICATES CONTINUOUSLY OPERATING REFERENCE STATION
S:\JOBS\84XX\8433\SURVEYING\DESCRIPTIONS\8433GB GRAND BAY - MUO LGL.DOC
S:\JOBS\84XX\8433\SURVEYING\DESCRIPTIONS\8433GB GRAND BAY - MUO SKT.DWG

PREPARED 07-19-2022
REVISED 07-28-2022
SHEET 5 OF 5

Exhibit M8

Copy of the Deeds of the Subject Property

Grand Bay
Revised August 2022



Professional Engineers, Planners & Land Surveyors

Kevin C. Karnes, Lee County Clerk of Circuit Court

INSTR. # 2022000179409, Doc Type D, Pages 3, Recorded 5/27/2022 at 4:14 PM, Deputy Clerk sdejager

Rec Fees: \$27.00 Deed Doc: \$0.70

This instrument prepared by
and after recording return to:

Fredric J. Robbins, Esq.
Robbins, Kelly, Patterson & Tucker
312 Elm Street, Suite 2200
Cincinnati, Ohio 45202
(513) 721-3330

**THIS DEED IS BEING RE-RECORDED
TO CORRECT THE LEGAL DESCRIPTION
ATTACHED AS EXHIBIT "A" ON
INSTRUMENT NO. 2021000006560 AND
2021000009593**

WARRANTY DEED

This Indenture, made this 12 day of May, 2022, between GEORGE T. FREELAND (aka GEORGE FREELAND), a married man, whose post office address is 4830 Griffin Boulevard, Fort Myers, Florida 33908, Grantor, and FREELAND FL HOLDINGS, LLC, a Florida limited liability company, whose post office address is c/o Bernard G. Freeland, 5333 Hickory Hollow Parkway, Antioch, TN 37013, Grantee.

Witnesseth that said Grantor, for and in consideration of the sum of TEN DOLLARS, and other good and valuable consideration, to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, have 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:

SEE EXHIBIT "A" ATTACHED HERETO

Prior Instrument Reference: Instrument No. 2021000006560 and Instrument No. 2021000009593

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, and hereby warrant 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 accrued if any, subject to easements, restrictions and reservations of record common to the subdivision.

The land described herein (You must make a selection):

 is homestead property of the said Grantor.
XX is **NOT** homestead property of the said Grantor, nor is it contiguous to or a part of
homestead property of the said Grantor.

In Witness Whereof, the Grantor has hereunto set his hand the day and year first above written.

Signed, sealed and delivered
in our presence:

GB Miller
Printed Name Gloria Bigelow-Miller

George T. Freeland
GEORGE T. FREELAND

Carmen Sanchez
Printed Name Carmen Sanchez

STATE OF FLORIDA)
) SS:
COUNTY OF LEE)

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online
notarization, this 12 day of May, 2022, by GEORGE T. FREELAND



Notary Public

Malary K. Curran
Printed Notary Name

Personally Known ☒ OR Produced Identification _____
Type of Identification Produced: _____

EXHIBIT "A"

PARCEL A: A parcel in Section 20, Township 46 South, Range 25 East, Lee County, Florida, lying in part of Lot 2 of SAN CARLOS GROVE TRACT, as recorded in Plat Book 4, Page 75 of the Public Records of Lee County, Florida, more particularly described as follows: From the point of intersection of the West line of said Section 20 with a line 934.2 feet (measured on a perpendicular to the North line of Lot 1 of SAN CARLOS GROVE TRACT) South of and parallel with the north line of Lot 1 of SAN CARLOS GROVE TRACT, said point of intersection being the POINT OF BEGINNING, thence East along said parallel line for 1,023 feet; thence South along a line parallel to the West line of said Section 20 to the centerline of a 30 foot roadway lying between Lot 2 and Lot 3 of SAN CARLOS GROVE TRACT as shown on said recorded plat of SAN CARLOS GROVE TRACT; thence West along said centerline to the West line of said Section 20; thence North along the West line of said Section 20 to the POINT OF BEGINNING;

and

PARCEL B: The North one-half ($N\frac{1}{2}$) of the Southwest quarter ($SW\frac{1}{4}$) of the Northwest quarter ($NW\frac{1}{4}$) of Section 20, Township 46 South, Range 25 East, Lee County, Florida:

Together with an easement for ingress, egress and utility purposes over and across the following described parcel: A parcel in Section 20, Township 46 South, Range 25 East, Lee County, Florida, lying in part of Lot 2 of SAN CARLOS GROVE TRACT, as recorded in Plat Book 4, Page 75 of the Public Records of Lee County, Florida, more particularly described as follows: From the point of intersection of the West line of said Section 20 and the North right-of-way of a 30 foot roadway lying between Lot 2 and Lot 3 of SAN CARLOS GROVE TRACT, as shown on said recorded plat of SAN CARLOS GROVE TRACT run 1,023 feet more or less along the North right-of-way of said roadway to a point lying on the East boundary of Parcel A, said point being the POINT OF BEGINNING; thence North 30 feet along the East boundary of Parcel A; thence East along a line parallel to the North right-of-way of said roadway to the Westerly right-of-way line of Tamiami Trail (S.R. 45-U.S. 41); thence Southeasterly along said right-of-way line of Tamiami Trail to the point of intersection of said right-of-way line of Tamiami Trail with the North right-of-way of said roadway; thence run West along the North right-of-way of said roadway to the POINT OF BEGINNING. Said easement shall be an easement appurtenant only to Lot 2 of SAN CARLOS GROVE TRACT and Parcel B described above.

Linda Doggett, Lee County Clerk of Circuit Court

INSTR. # 2021000006555, Doc Type D, Pages 3, Recorded 1/6/2021 at 5:18 PM, Deputy Clerk SJENSEN ERECORD

Rec Fees: \$27.00

This instrument prepared by
and after recording return to:

Fredric J. Robbins, Esq.
Robbins, Kelly, Patterson & Tucker
7 W. Seventh Street, Suite 1400
Cincinnati, Ohio 45202
(513) 721-3330

WARRANTY DEED

This Indenture, made this 31st day of December, 2020, between GEORGE T. FREELAND (aka GEORGE FREELAND), a married man, whose post office address is 4830 Griffin Boulevard, Fort Myers, Florida 33908, Grantor, and FREELAND FL HOLDINGS, LLC, a Florida limited liability company, whose post office address is c/o Bernard G. Freeland, 5333 Hickory Hollow Parkway, Antioch, TN 37013, Grantee.

Witnesseth that said Grantor, for and in consideration of the sum of TEN DOLLARS, and other good and valuable consideration, to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, have 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:

SEE EXHIBIT "A" ATTACHED HERETO

Parcel Identification No.: 20-46-25-01-00004.0000

Prior Instrument Reference: Official Record 1524, Page 1596

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, and hereby warrant 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 accrued if any, subject to easements, restrictions and reservations of record common to the subdivision.

The land described herein (You must make a selection):

XX is homestead property of the said Grantor.
is **NOT** homestead property of the said Grantor, nor is it contiguous to or a part of
homestead property of the said Grantor.

INSTR. # 2021000006555 Page Number: 2 of 3

In Witness Whereof, the Grantor has hereunto set his hand the day and year first above written.

Signed, sealed and delivered
in our presence:

Printed Name

Bernard G. Freeland

GEORGE T. FREELAND (AKA GEORGE
FREELAND)

Printed Name

Talor Camp

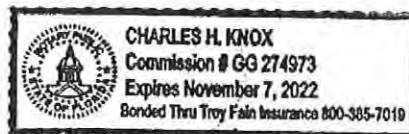
STATE OF FLORIDA

)

) SS:

COUNTY OF LEE

)



I hereby certify that on this 31st day of December, 2020, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared GEORGE T. FREELAND (AKA GEORGE FEELAND), known to me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, and an oath was not taken.

Check One: (☒) said persons are personally known to me. (☐) said persons provided the following type of identification: _____

Charles H. Knox
Notary Public

Charles H. Knox
Printed Notary Name

EXHIBIT A

PARCEL A: A parcel in Section 20, Township 46 South, Range 25 East, Lee County, Florida, lying in part of Lot 2 of SAN CARLOS GROVE TRACT, as recorded in Plat Book 4, Page 75 of the Public Records of Lee County, Florida, more particularly described as follows: From the point of intersection of the West line of said Section 20 with a line 934.2 feet (measured on a line perpendicular to the North line of Lot 1 of SAN CARLOS GROVE TRACT) South of and parallel with the North line of said Lot 1, run East along said parallel line for 1,023 feet to the POINT OF BEGINNING. From the POINT OF BEGINNING run South along a line parallel to the West line of said Section 20 to the centerline of a 30 foot roadway lying between Lot 2 and Lot 3 of SAN CARLOS GROVE TRACT, as shown on said recorded plat of SAN CARLOS GROVE TRACT; thence East along said centerline to the point of intersection of said centerline with the Westerly right-of-way line of Tamiami Trail (S.R. 45-U.S. 41); thence Northwesterly along said right-of-way line of Tamiami Trail to the point of intersection of said Tamiami Trail with a line 934.2 feet (measured on a line perpendicular to the North line of Lot 1 of SAN CARLOS GROVE TRACT) South of and parallel to the North line of Lot 1 of SAN CARLOS GROVE TRACT; thence West along said parallel line to the POINT OF BEGINNING,

LESS:

PARCEL B: That part of Parcel A described as follows: Beginning at the Northeast corner of Parcel A, said point being the POINT OF BEGINNING; thence West 210 feet along the North boundary of Parcel A; thence South along a perpendicular to the north boundary of Parcel A for 185 feet; thence East along a line parallel to the North boundary of Parcel A to the point of intersection of said parallel line with the Westerly right-of-way of Tamiami Trail; thence Northwesterly along said Westerly right-of-way line of Tamiami Trail to the POINT OF BEGINNING.

SUBJECT TO an easement appurtenant to Lot 2 of SAN CARLOS GROVE TRACT and the North one-half (N $\frac{1}{2}$) of the Southwest quarter (SW $\frac{1}{4}$) of the Northwest quarter (NW $\frac{1}{4}$) of Section 20, Township 46 South, Range 25 East for ingress, egress and utility purposes over and across the following described parcel: A parcel in Section 20, Township 46 South, Range 25 East, Lee County, Florida, lying in part of Lot 2 of SAN CARLOS GROVE TRACT, as recorded in Plat Book 4, Page 75 of the Public Records of Lee County, Florida, more particularly described as follows: From the point of intersection of the West line of said Section 20 and the North right-of-way of a 30 foot roadway lying between Lot 2 and Lot 3 of SAN CARLOS GROVE TRACT as shown on said recorded plat of SAN CARLOS GROVE TRACT run 1,023 feet more or less along the North right-of-way of said roadway to a point lying on the West boundary of Parcel A, said point being the POINT OF BEGINNING; thence North 30 feet along the West boundary of Parcel A; thence East along a line parallel to the North right-of-way of said roadway to the Westerly right-of-way line of Tamiami Trail (S.R. 45-U.S. 41); thence Southeasterly along said right-of-way line of Tamiami Trail to the point of intersection of said right-of-way line of Tamiami Trail with the North right-of-way of said roadway; thence West along the North right-of-way of said roadway to the POINT OF BEGINNING.

Linda Doggett, Lee County Clerk of Circuit Court

INSTR. # 2021000006563, Doc Type D, Pages 3, Recorded 1/6/2021 at 5:19 PM, Deputy Clerk SJENSEN ERECORD

Rec Fees: \$27.00

This instrument prepared by
and after recording return to:

Fredric J. Robbins, Esq.
Robbins, Kelly, Patterson & Tucker
7 W. Seventh Street, Suite 1400
Cincinnati, Ohio 45202
(513) 721-3330

WARRANTY DEED

This Indenture, made this 31st day of December, 2020, between GEORGE T. FREELAND, a married man, whose post office address is 4830 Griffin Boulevard, Fort Myers, Florida 33908, Grantor, and FREELAND FL HOLDINGS, LLC, a Florida limited liability company, whose post office address is c/o Bernard G. Freeland, 5333 Hickory Hollow Parkway, Antioch, TN 37013, Grantee.

Witnesseth that said Grantor, for and in consideration of the sum of TEN DOLLARS, and other good and valuable consideration, to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, have 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:

SEE EXHIBIT "A" ATTACHED HERETO

Parcel Identification No.: 20-46-25-01-00005.0000

Commonly known as: 19200 S. Tamiami Trail, Fort Myers, FL 33908

Prior Instrument Reference: Official Record 1199, Page 818

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, and hereby warrant 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 accrued if any, subject to easements, restrictions and reservations of record common to the subdivision.

INSTR. # 2021000006563 Page Number: 2 of 3

The land described herein (You must make a selection):

XX is homestead property of the said Grantor.
is **NOT** homestead property of the said Grantor, nor is it contiguous to or a part of
homestead property of the said Grantor.

In Witness Whereof, the Grantor has hereunto set his hand the day and year first above written.

Signed, sealed and delivered
in our presence:

Printed Name

George T. Freeland

GEORGE T. FREELAND

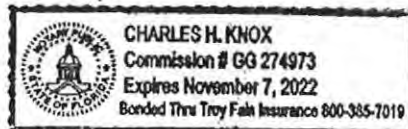
Printed Name

Todd Carter

STATE OF FLORIDA)

COUNTY OF LEE)

) SS:



I hereby certify that on this 31st day of December, 2020, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared GEORGE T. FREELAND, known to me to be the persons described in and who executed the foregoing instrument, who acknowledged before me that they executed the same, and an oath was not taken.

Check One: (☒) said persons are personally known to me. (☐) said persons provided the following type of identification: _____

Notary Public

Printed Notary Name

EXHIBIT "A"

A lot or parcel of land lying in Lot 2, San Carlos Grove Tracts, according to plat recorded in Plat Book 4 at Page 75, of the public records of Lee County, Florida, which lot or parcel is described as follows: From an intersection of the southwesterly line (50 feet from the centerline) of the former location of the Tamiami Trail (State Road #45) and a line parallel with and 934.2 feet (measured along a line perpendicular to the North line of Lot 1 of said San Carlos Grove Tracts) South of the North line of said Lot 1, run westerly along said parallel line for 210 feet; thence deflect 90° to the left and run southerly perpendicular to said North line of Lot 1 for 185 feet; thence deflect 90° to the left and run easterly parallel with said North line for 336.5 feet to said southwesterly right-of-way line of said former location of the Tamiami Trail; thence run northwesterly along said southwesterly right-of-way line for 224.2 feet to the point of beginning. EXCEPTING THEREFROM that part of the hereinabove described land lying within the new right-of-way of the Tamiami Trail Subject to easements, restrictions and reservations of record.

Exhibit M9

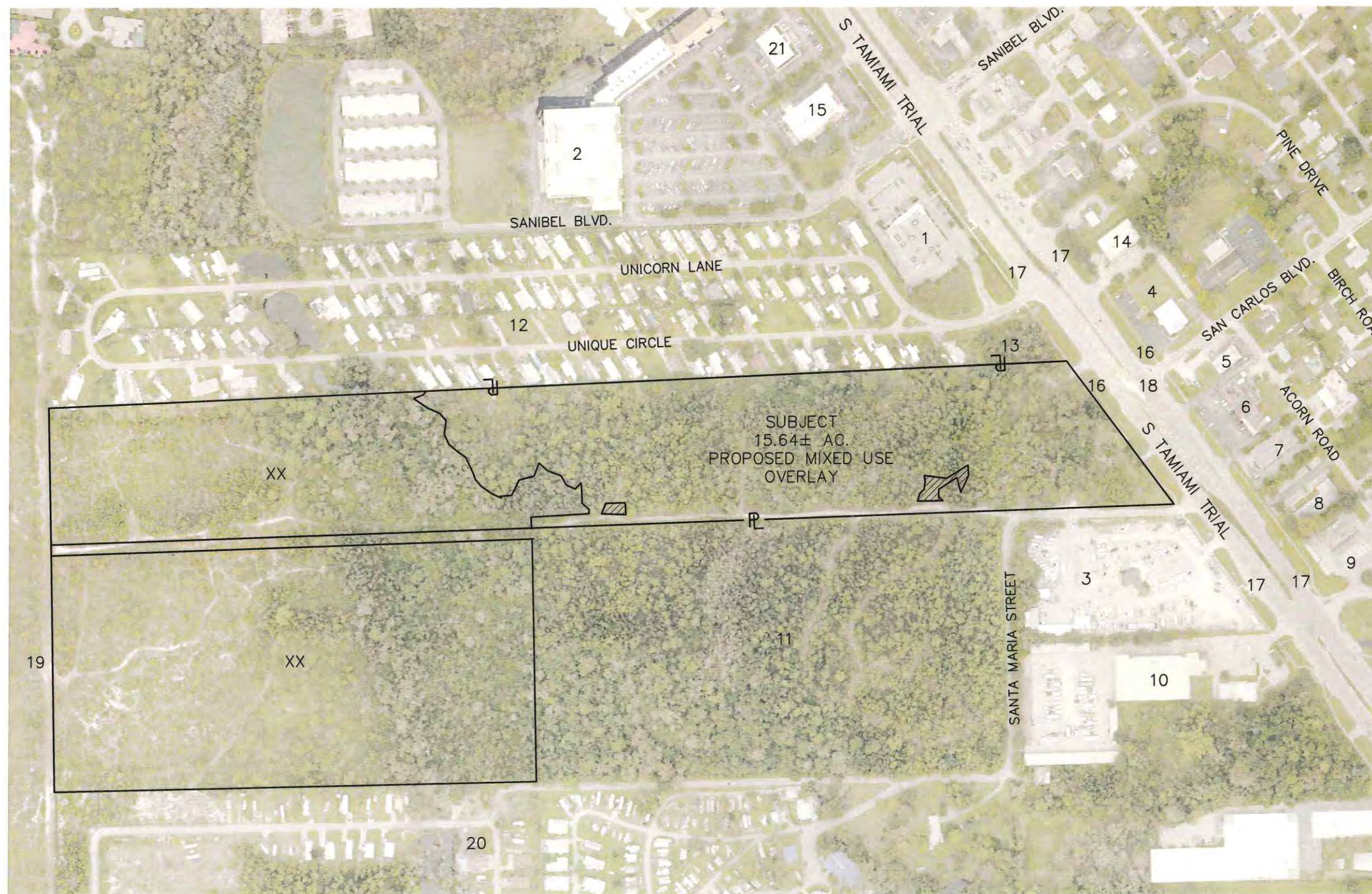
Aerial Map

Grand Bay
Revised August 2022



Professional Engineers, Planners & Land Surveyors

S:\JOBS\84XX\8433GB\DOCUMENTS\ZONING\8433GB GRAND BAY AERIAL PHOTOGRAPH MAP.DWG 8/2/2022 2:06 PM JORGE SANCHEZ



NOT INCLUDED 

MAP ID	EXISTING USE
SUBJECT	VACANT COMMERCIAL & RESIDENTIAL
XX	SAME OWNERSHIP-VACANT RESIDENTIAL
1	WALGREENS
2	COMMUNITY SHOPPING CENTER/ GRAND BAY PLAZA/PUBLIX
3	MARINA MIKES
4	NEW DAY CHRISTIAN CHURCH
5	NEIGHBORHOOD SHOPPING CENTER
6	NEIGHBORHOOD SHOPPING CENTER
7	CARWASH
8	MULTIPLE OCCUPANCY CENTER
9	CIRCLE K WITH GAS PUMPS
10	LIFE STORAGE
11	DO FOR ESTERO VISTA 144 MF DU
12	SHELTER PINES MOBILE HOME VILLAGE
13	VACANT COMMERCIAL
14	ADVANCE DISCOUNT AUTO PARTS
15	CVS
16	EXISTING SIDEWALK, BIKE LANE & PAVED SHOULDER/PROPOSED SHARED USE PATH
17	LEE TRAN ROUTES 240, 600 & 140-SUNDAY
18	PROPOSED TRAFFIC LIGHT
19	ESTERO BAY STATE BUFFER PRESERVE
20	SHADY ACRES/BLUEWAY RV VILLAGE
21	RESTAURANT (41 DINER)

NO.	DATE	REVISION DESCRIPTION	BY
2	7/29/2022	UPDATE BOUNDARY	SEH
1	6/20/2022	REVISED AREA	SEH

BANKS
ENGINEERING

Professional Engineers, Planners, & Land Surveyors
Serving The State Of Florida

10511 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33966
PHONE: (239) 939-5490 FAX: (239) 939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690
WWW.BANKSENG.COM

EXISTING USES AERIAL MAP GRAND BAY-COMPREHENSIVE PLAN AMENDMENT LEE COUNTY, FLORIDA								
DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	
3/8/2022	8433GB	AERIAL	SEH	JLS	SEH	1"=300'	1	

Exhibit M10

Authorization Letter from Property Owner

Grand Bay



Professional Engineers, Planners & Land Surveyors

LETTER OF AUTHORIZATION

I, Bernard G. Freeland, as Manager of Freeland FL Holdings, LLC, a Florida limited liability company, being first duly sworn, depose and say that Freeland FL Holdings, LLC, a Florida limited liability company, is the owner of the property described as:

Address: 19200 S. Tamiami Trail; Access Undetermined; 4050 Santa Maria ST & Access Undetermined

STRAP: 20-46-25-01-00005.0000; 20-46-25-01-00004.0000; 20-46-25-01-00004.0010 & 20-46-25-01-00006.0000 (the "Property").

The Property described herein is the subject of an application for zoning or development. I have the requisite authority to act on behalf of Freeland FL Holdings, LLC, a Florida limited liability company, and hereby designate Grand Bay Ft Myers MF LLC ("Applicant"), as the legal representative of the Property and as such, the Applicant and its designated agents are authorized to legally bind the owner of the Property in the course of seeking the necessary approvals for zoning and development. This authorization includes but is not limited to the Applicant hiring and authorizing agents to assist in the preparation of applications, plans, surveys and studies necessary to obtain zoning and development on the Property.

Name of Owner:

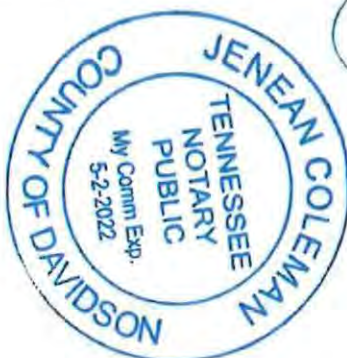
Freeland FL Holdings, LLC, a Florida limited liability company

By: _____

Bernard G. Freeland, Manager
Printed or Typed Name and Title

STATE OF Tennessee
COUNTY OF Davidson

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 3-14-22 (date) by Bernard Freeland Manager Member (name of member, manager, officer or agent, title of member, manager, officer or agent), of Freeland FL Holdings, LLC (name of company acknowledging), a Florida (state or place of formation) limited liability company, on behalf of the company, who is personally known to me or has produced Personally Known to me (type of identification) as identification.



(Signature of person taking acknowledgment)

Jenean Coleman
(Name typed, printed or stamped)

Controller
(Title or rank)

(Serial number, if any)

Exhibits M11 & T6

Lee Plan Analysis

Grand Bay
Revised October 2022



Professional Engineers, Planners & Land Surveyors



Professional Engineers, Planners & Land Surveyors

Grand Bay Comprehensive Plan Amendment

CPA2022-00006 & CPA2022-00007

Lee Plan Analysis

Exhibit M11 - Revised October 2022

The subject property is the eastern 15.64± acres of the overall ±46.33 acre site. The property is located at the northwest corner of the intersection of Santa Maria Street and S. Tamiami Trail (US 41) across from its intersection with San Carlos Boulevard. The overall site consists of four parcels separated by a 30-foot platted right-of-way as demonstrated in the below aerial. The eastern ±2.73 acres of the subject property fronting on S. Tamiami Trail/US 41 is zoned General Commercial (CG) and the balance of the property to the west is zoned Mobile Home Residential (MH-1).



The surrounding area has been previously developed with a mixture of commercial and residential uses and properties to the east are within the Mixed Use Overlay. The future land use, zoning, land use and Mixed Use Overlay designations of the adjacent parcels are indicated on the following page.

	<i>Future Land Use</i>	<i>Zoning</i>	<i>Use</i>	<i>Mixed Use Overlay</i>
Subject Property (15.64± ac) Existing	Urban Community	CG (2.73± acres) and MH-1 (12.91± acres)	Vacant commercial and residential	No
Subject Property Proposed		Concurrent MPD for overall 46.33± acre property	Commercial and residential	Yes
	<i>Surrounding Future Land Use</i>	<i>Surrounding Zoning</i>	<i>Surrounding Use</i>	
North	Urban Community	CPD fronting S. Tamiami Trail/US 41 then MH-2	Vacant Commercial then Shelter Pines Mobile Home Village	No
South	Urban Community & Wetlands	Estero Vista RPD & CG	Vacant with DO for 144 Multi-family & Marina Mikes Boat sales fronting S. Tamiami Trail	No
East	S. Tamiami Trail then Urban Community	C-1	Church, shopping centers, car wash	Yes
West	Urban Community, Wetlands & Rural	MH-1	Vacant under same ownership	No

The remainder of the overall site lies within the Urban Community, Wetlands and Rural future land use categories. The Wetlands also lie within the Mullock Creek Floodway that bisects the property and the Rural lands abut the Estero Bay State Buffer Preserve to the west that are within the Conservation Lands Upland future land use category and zoned RPD. The maximum intensity the existing overall site could have requested would have been 297 dwelling units, including 20 single-family dwelling units located in the western Rural area, and 30,000 square feet of commercial in the easter CG zoned area.

The applicant is requesting to amend Lee Plan Map 1-C to allow the Mixed Use Overlay to be extended to the west to include the ±15.64 acres of the subject property and amend Future Land Use Element Policy 5.1.10.3 to revise the timing requirement for single ownership of property that is divided into two or more land use categories. The Map Amendment allows the clustered mixed use development with the commercial acreage included in density (increase of 41 dwelling units) and the Text Amendment allows the western portion of the overall Parcel that lies within the Rural future land use category to be transferred to the Urban Community portion allowing preservation of 30± acres consisting of Rural uplands and adjacent wetlands covering over 64% of the overall site. to be preserved. The maximum residential density that could then be requested is 338 dwelling units.



The applicant is filing a companion rezoning application that is being reviewed concurrently with this plan amendment application. Chapter 163.3184(12), F.S. provides: "At the request of an applicant, a local government shall consider an application for zoning changes that would be required to properly enact any proposed plan amendment transmitted pursuant to this subsection."

The applicant is requesting to rezone the overall property to Minor Mixed Use Planned Development to allow development of the site with a maximum of 300 multi-family dwelling units (including 114 bonus density units and 186 standard units) and 30,000 square feet of commercial uses. The proposed MPD also includes 17.44± acres of community facilities consisting of a proposed perpetual stormwater drainage and access easement over the floodway and adjacent preserved wetlands. The proposed Master Concept Plan clusters the development on the eastern portion with commercial or mixed uses abutting S. Tamiami Trail/US 41 then three multi-family buildings while allowing preservation of the western portions of the overall site.

The property is located within the San Carlos Planning District and has a future land use classification of Urban Community. The proposed Map and Text Amendment are consistent with the following goals, objectives, standards and policies of the Lee Plan:

POLICY 1.1.4: The Urban Community future land use category are areas characterized by a mixture of relatively intense commercial and residential uses. The residential development in these areas will be at slightly lower densities than other future urban categories described in this plan. As vacant properties within this category are developed, the existing base of public services will need to be maintained which may include expanding and strengthening them accordingly. As in the Central Urban future land use category, predominant land uses in this category will be residential, commercial, public and quasi-public, and limited light industrial with future development encouraged to be mixed use, as described in Objective 11.1, where appropriate. The standard density range is from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 du/acre), with a maximum total density of ten dwelling units per acre (10 du/acre). The maximum total density may be increased to fifteen dwelling units per acre (15 du/acre) utilizing Greater Pine Island Transfer of Development Units.

The subject property is located along an arterial roadway (S. Tamiami Trail/US 41) across from its intersection with a major collector roadway (San Carlos Blvd) which is proposed for a traffic signal. Adequate infrastructure and public services are available to support the proposed mixed use planned development encouraged by the Urban Community future land use category. The proposed uses are consistent with the mixture of relatively intense commercial and residential uses that characterize this future land use category. The site is appropriate for the Mixed Use Overlay as properties to the east are already included and the surrounding area provides a variety of existing residential, employment, shopping, service and civic uses within the pedestrian shed of the site. The requested Map and Text Amendments are consistent with Policy 1.1.4.

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.

The subject property is located within a designated future urban area with existing development to the north, south and east with development order approval for additional development to the south. Approval of the requested Map and Text Amendments will allow for the concurrent planned development application to cluster the proposed commercial and residential uses to the eastern portion of the site which will allow preservation of the western ±30 acres of the overall site that is adjacent to state preserve lands and removal of density from the Rural future land use designation. The requested Map and Text Amendments are consistent with Objective 2.1 and Policy 2.1.1.

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. Development orders and permits (as defined in §163.3164, Fla. Stat.) will be granted only when consistent with the provisions of §163.3202(2)(g) and § 163.3180, Fla. Stat. and the concurrency requirements in the LDC.

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

The subject property is located within a designated future urban area where adequate public facilities exist. The site has frontage on an arterial roadway (S. Tamiami Trail/US 41) across from its intersection with a major collector roadway (San Carlos Boulevard) that is proposed to be signalized. The submitted Traffic Impact Statement demonstrates that all analyzed roadways are projected to operate above the minimum adopted Level of Service. Lee County Utilities has existing potable water and sanitary sewer lines in operation adjacent to the subject property and has provided a letter of availability which is included with the application. San Carlos Park Elementary School is ±2.5 miles from the site, Three Oaks Middle School is ±2.7 miles from the site and Island Park High School is ±3.6 miles from the site. San Carlos Park Fire Station 51 and EMS Medic 9 are located ±0.8 mile from the property at 8013 Sanibel Blvd. Lee County Sheriff's Office Central District Substation is ±5.8 miles from the site. There is existing development to the north, south and east with approval for additional development to the south. Approval of the requested Map and Text Amendments will allow for infill development providing a compact and contiguous development pattern, consistent with Objective 2.2 and Policy 2.2.1.

STANDARD 4.1.1: WATER.

1. *Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a "community" water system as that is defined by Fla. Admin. Code R. 62-550).*
2. *If the proposed development lies within the boundaries of a water utility's certificated or franchised service area, or Lee County Utilities' future potable water service area w(see Map 4-A), then the development must be connected to that utility.*
3. *The developer must provide proof that the prior commitments of the water utility, plus the projected need of the developer, do not exceed the supply and facility capacity of the utility....*

The subject property is located within the Lee County Utilities future water service area as depicted on Lee Plan Map 4-A. Lee County Utilities has existing potable water lines in operation adjacent to the subject property and has provided a letter of availability which is included with the application. Potable water service will be provided through the Pinewood Water Treatment Plant. The requested Map and Text Amendments are consistent with Standard 4.1.1.

STANDARD 4.1.2: SEWER.

1. *Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system.*
2. *If the proposed development exceeds the thresholds listed above and lies within the boundaries of a sewer utility's certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 4-B), and that utility has sufficient capacity to provide minimum service to the development, then the development must connect to that sewer utility if there is existing infrastructure adequate to accept the effluents of the development within 1/4 mile from any part of the development...*

The subject property is located within the Lee County Utilities future sewer service area as depicted on Lee Plan Map 4-B. Lee County Utilities has existing sanitary sewer lines in operation adjacent to the subject property and has provided a letter of availability which is included with the application. Sanitary Sewer service will be provided through the Three Oaks Water Reclamation Facility. The requested Map and Text Amendments are consistent with Standard 4.1.2.

POLICY 5.1.2: Prohibit residential development where physical constraints or hazards exist, or require the density and design to be adjusted accordingly. Such constraints or hazards include but are not limited to flood, storm, or hurricane hazards; unstable soil or geologic conditions; environmental limitations; aircraft noise; or other characteristics that may endanger the residential community.

The requested Map and Text Amendments facilitate the transfer of density to the eastern portion of the site adjusting the density location and design to relocate dwelling units including

bonus density to the eastern portion of the property. The westerly portion of the subject property is located within the Coastal High Hazard Area and the concurrent MPD will cluster development to the east and preserve the western 30± acres including the floodway and adjacent wetlands and uplands resulting in appropriate adjustments to the development's design. The requested Map and Text Amendments will facilitate a rezoning that will be consistent with Policy 5.1.2.

POLICY 5.1.3: During the rezoning process, direct high-density residential developments to locations that are near employment and shopping centers; are close to parks and schools; and are accessible to mass transit and bicycle facilities.

There are existing commercial developments offering employment and shopping opportunities all along S. Tamiami Trail/US 41 with restaurants, businesses and shopping centers, most notable being Grand Bay Plaza Publix only 3 minutes to the north. The subject property also proposes 30,000 square feet of commercial uses. San Carlos Park Elementary School is 2.5± miles from the site, Three Oaks Middle School is 2.7± miles from the site and Island Park High School is 3.6± miles from the site. Karl Drews Park and Community Center is within 1.3± miles, San Carlos Community Pool is 1.4± miles, Three Oaks Park is within 2.9± miles, Koreshan State Park is within 3± miles, Estero River Scrub-Estero Bay Preserve is within 3.3± miles and Estero Park is within 3.5± miles of the site. Lee Tran Routes 240, 600 and 140-Sunday run along US 41 at this location with existing bus stops ±602' to the north and ±675' to the south. There are existing sidewalks on both sides of US 41, an existing bike lane, existing paved shoulder and proposed shared use path. The requested Map and Text Amendments will facilitate a rezoning that is consistent with Policy 5.1.3.

POLICY 5.1.5: Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in the LDC, Chapter 10, are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a planned development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The LDC will continue to require appropriate buffers for new developments.

The concurrent planned development application will include conditions of approval requiring appropriate buffers and setbacks. Properties to the east that are within the existing Mixed Use Overlay are adjacent to single-family lots demonstrating compatibility of the required buffering in the LDC. The proposed MCP includes enhanced buffering by adding an opaque fence to the north and increased setbacks.

POLICY 5.1.10: In those instances where contiguous land under single ownership is divided withinto two or more land use categories by the adoption or revision of the Future Land Use Map, the allowable number of dwelling units density under this Plan

~~will be the sum of the allowable dwelling units densities for each land use category for each portion of the land. This density can be allocated~~ The dwelling units may be distributed across the property provided that: the resultant development affords further protection to environmentally sensitive lands, if they exist on the property, and the number of dwelling units within any Future Non-Urban Area land use category does not exceed the density allowed in that future land use category.

- ~~1. The planned development zoning is utilized; and~~
- ~~2. No density is allocated to lands designated as non-urban or Environmentally Critical that would cause the density to exceed that allowed on such areas; and~~
- ~~3. The land was under single ownership at the time this policy was adopted and is contiguous; in situations where land under single ownership is divided by roadways, railroads, streams (including secondary riparian systems and streams but excluding primary riparian systems and major flow ways such as the Caloosahatchee River and Six Mile Cypress Slough), or other similar barriers, the land will be deemed contiguous for purposes of this policy; and~~
- ~~4. The resultant planned development affords further protection to environmentally sensitive lands if they exist on the property.~~

The applicant is requesting to amend Policy 5.1.10 to revise the timing requirement for single ownership of property that is divided into two or more land use categories to clarify the language. In coordination with staff, the language has been modified to make sure the edits allow for calculation of density as provided in the definition within the glossary. The overall subject property has been in the same family ownership since 1968 by various individuals or organizations, but same underlying family ownership of the Freeland's. Literal interpretation of this Policy language would not allow the transfer of 20 dwelling units from the Rural lands abutting a state preserve to the Urban Community lands to the east allowing preservation of the western 30± acres of the site which is above and beyond LDC requirements. The portion of the Policy originally requested to be changed by the applicant was added at the end of the review process and resulted in this unintended impact on the subject property. The requested language ensures that density and intensity can be properly allocated at the time of zoning and not be affected if future potential outparcels change ownership during or after development. The main purpose of the 3rd requirement in this policy was to clarify that properties divided by barriers such as the Caloosahatchee River are not contiguous. The requested clarification will promote sound planning by allowing properties to cluster development and preserve natural resources.

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.

Adding the site to the Mixed Use Overlay and the associated Text Amendment provides incentives and flexibility to allow the clustering of activities and infill development at a location

providing shared access where intersection improvements are permitted and signalization is proposed by FDOT. The request is consistent with Policy 6.1.5.

OBJECTIVE 11.1: MIXED USE DEVELOPMENT. Allow and encourage mixed use development within certain future land use categories and at appropriate locations where sufficient infrastructure exists to support development.

POLICY 11.1.1: Developments located within the Intensive Development, Central Urban, or Urban Community future land use categories that have existing connectivity or can demonstrate that connectivity may be created to adjacent neighborhoods are strongly encouraged to be developed with two or more of the following uses: residential, commercial (including office), and light industrial (including research and development use).

The portion of the property proposed to be added to the Mixed Use Overlay is within the Urban Community future land use category and sufficient infrastructure exists to support development as demonstrated by the submitted letters of review and recommendation. The site access has received development order approval under DOS2020-00128 which provides connectivity to the adjacent development to the south. A concurrent mixed use planned development application is under review that proposes both residential and commercial uses. The request is consistent with Objective 11.1 and Policy 11.1.1.

POLICY 11.2.1: The Mixed Use Overlay identifies locations where mixed use development will have a positive impact on transportation facilities through increased transit service, internal trip capture, and reduced travel distance. Requests to expand the Mixed Use Overlay will be evaluated based on all of the following criteria:

- 1. Located within the extended pedestrian shed of established transit routes; and,*
- 2. Distinct pedestrian and automobile connections to adjacent uses can be achieved without accessing arterial roadways; and,*
- 3. Located within the Intensive Development, Central Urban, or Urban Community future land use categories; and,*
- 4. Availability of adequate public facilities and infrastructure; and*
- 5. Will not intrude into predominately single-family residential neighborhoods.*

Lee Tran Routes 240, 600 and 140-Sunday run along S. Tamiami Trail/US 41 at this location with existing bus stops $\pm 602'$ to the north and $\pm 675'$ to the south. There are existing sidewalks on both sides of US 41, an existing bike lane, existing paved shoulder and proposed shared use path. The site access has received development order approval under DOS2020-00128 which provides pedestrian and automobile connection with the adjacent development to the south without accessing an arterial roadway. The portion of the site proposed for inclusion in the Mixed Use Overlay is within the Urban Community future land use category. The submitted letters of review and recommendation demonstrate that adequate public facilities and infrastructure are available. The proposal will not intrude into predominately single-family residential neighborhoods. While the $15.64\pm$ acres abuts approximately 25 mobile home lots within Shelter Pines Mobile Home Village to the north, the site is not located in a predominantly single family neighborhood. The subject property and the properties to the north and south have existing commercial zoning along the S. Tamiami Trail/US 41 frontage. The property to

the south that has been approved for multi-family development with a maximum height of 55 feet since 2005 which abuts MH-2 zoning with Shady Acres RV Travel Park. The request is consistent with Policy 11.2.1.

POLICY 11.2.2: Development in the Mixed Use Overlay should accommodate connections to adjacent uses.

The site access has received development order approval under DOS2020-00128 which provides pedestrian and automobile connection with the adjacent development to the south. The request is consistent with Policy 11.2.2.

POLICY 11.2.3: At the discretion of the Board of County Commissioners, the Mixed Use Overlay boundary may be extended up to one-quarter mile to accommodate developments located partially within a Mixed Use Overlay or immediately adjacent to a Mixed Use Overlay.

This Policy is not applicable to the subject request. It provides an alternative to the process outlined in Policy 11.2.1 and is not a review requirement for requests pursuant to Policy 11.2.1. The majority of the site is located within one-quarter mile of the existing Mixed Use Overlay boundary.

POLICY 11.2.4: Use of conventional zoning districts will be encouraged within the Mixed Use Overlay in order to promote continued redevelopment.

A concurrent application for a Minor Mixed Use Planned Development zoning is under review. The overall site has extraordinary circumstances that make a planned development application more appropriate to allow the clustered mixed use planned development and preservation of 30± acres consisting of Rural lands and adjacent wetlands abutting the state preserve lands and providing further protection of the Mullock Creek floodway.

POLICY 11.2.6: Properties in a Mixed Use Overlay are encouraged to utilize bonus density. Projects utilizing Greater Pine Island TDUs are eligible for increased maximum densities and additional development incentives as set forth in this plan to encourage a compact and functional development pattern.

The concurrent application for a Minor Mixed Use Planned Development zoning includes a request to utilize bonus density including Greater Pine Island TDUs, consistent with Policy 11.2.6.

POLICY 11.2.7: Development, redevelopment, and infill development located within the Mixed Use Overlay may use the area of non-residential uses in their density calculations.

The concurrent application for a Minor Mixed Use Planned Development zoning applies this Policy pending approval of the requested Map Amendment.

POLICY 59.1.3: Maintain floodplain regulations in accordance with the most recently adopted Flood Insurance Rate Map (FIRM) and other available sources.

POLICY 59.1.4: Continue to develop, update, and improve technical information, with the assistance of the USDA Natural Resources Conservation Service, United States Geological Survey, Federal Emergency Management Agency (FEMA), SFWMD, and other agencies, in order to better determine the current flooding risks associated with severe rainfall events.

POLICY 59.1.9: Maintain the floodplain management plan and analyze the flooding problem in the unincorporated areas of Lee County, inventory the flood hazard area, review possible activities to remedy identified flooding problems, select appropriate alternatives, and formulate a schedule for implementation.

POLICY 61.3.2: Maintain floodplains to minimize the potential loss of life and damage to property by flooding.

POLICY 61.3.5: The County will maintain regulations which provide for the management and protection of floodplains, consistent with state and federal regulations.

The property is within a FEMA flood zone. This will be mitigated by placing fill such that the finished floor elevation is one foot above the FEMA base flood elevation. No fill will be placed within the Mullock Creek floodway. As part of the companion zoning application, the applicant proposes 17.44± acres of community facilities consisting of a proposed perpetual stormwater drainage and access easement over the floodway and adjacent preserved wetlands. A total of 30.62± acres of wetlands, uplands and compensating storage within and adjacent to the floodway are proposed to remain undeveloped as a result of the proposed amendment. The request is consistent with Policies 59.1.3, 59.1.4, 59.1.9, 61.3.2 and 61.3.5.

In conclusion, the proposed Map and Text Amendments are consistent with and further the Goals, Objectives and Policies of the Lee Plan.

Exhibits M13 & T8

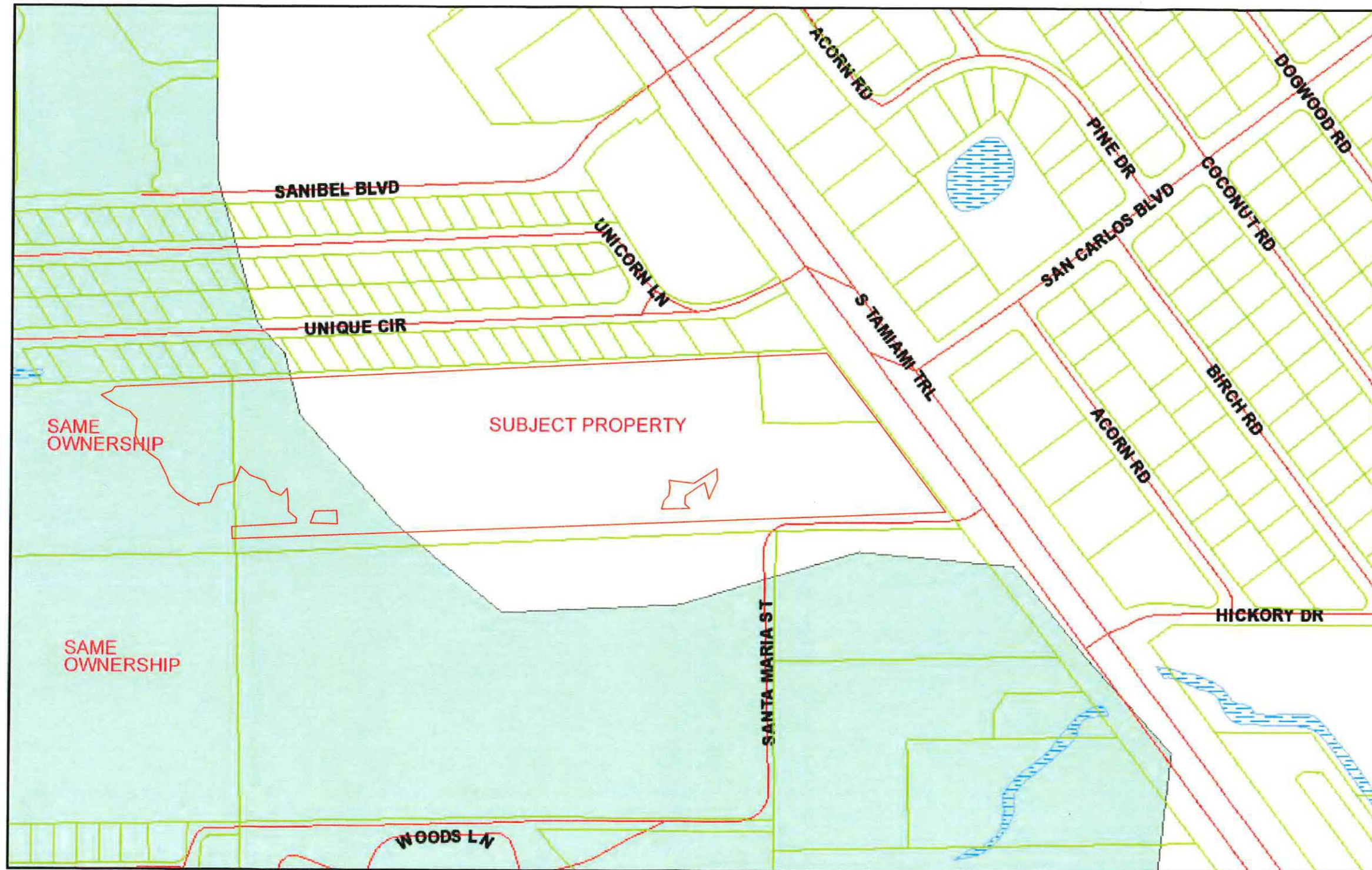
Historic Resources Impact Analysis

Grand Bay
Revised August 2022



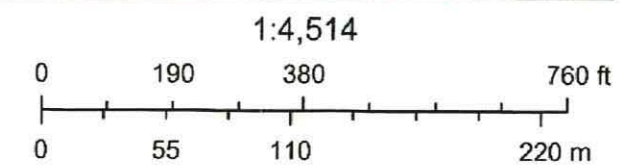
Professional Engineers, Planners & Land Surveyors

Lee County Archaeological Sensitivity Map Grand Bay



3/8/2022, 7:38:11 PM

- | | | |
|------------------------|-------------------------|------------------------------------|
| Government Land Labels | Parcel Lines | Coastline |
| Condo Building | Hydrology | Road Centerlines |
| Parcel Hooks | Coastal Range Monuments | Archaeological Sensitivity Level 2 |



From: [Stacy Hewitt](#)
To: [Jennifer Shampod](#)
Cc: [Ken Kelum](#); [Brent Addison](#); [Tam Lehouet](#)
Subject: Fwd: Florida Master Site File Inquiry
Date: Tuesday, March 1, 2022 3:12:53 PM
Attachments: [Temsiste_102.pdf](#)

Could you please print below email and attached PDF to the comp plan amendment folder for 8433GB? Thank you
Stacy 239-770-2527

Get [Outlook for iOS](#)

From: Vovsi, Eman M. <Eman.Vovsi@DOS.MyFlorida.com>
Sent: Tuesday, March 1, 2022 2:33 PM
To: Stacy Hewitt
Subject: RE: Florida Master Site File Inquiry

 IRONSCALES couldn't recognize this email as this is the first time you received an email from this sender Eman.Vovsi@DOS.MyFlorida.com

Completed; no cultural resources detected

From: Stacy Hewitt <SHewitt@BanksEng.com>
Sent: Tuesday, March 1, 2022 1:19 PM
To: FMSFILE <FMSFILE@dos.myflorida.com>
Subject: Florida Master Site File Inquiry

EMAIL RECEIVED FROM EXTERNAL SOURCE

Good afternoon I hope all is well.

Please accept this email as a request to perform an archaeological search on the property listed below. I have also included a location map for your information. Please do not hesitate to contact me via cell or email if you should have any questions.

STRAP Numbers: 20-46-25-01-00004.0000
 20-46-25-01-00004.0010
 20-46-25-01-00005.0000
 20-46-25-01-00006.0000

Property Addresses: 19200 S. Tamiami Trail & 4050 Santa Maria St, Fort Myers, FL 33908
 2 parcels with access undetermined

Thank you and please take care,

Stacy



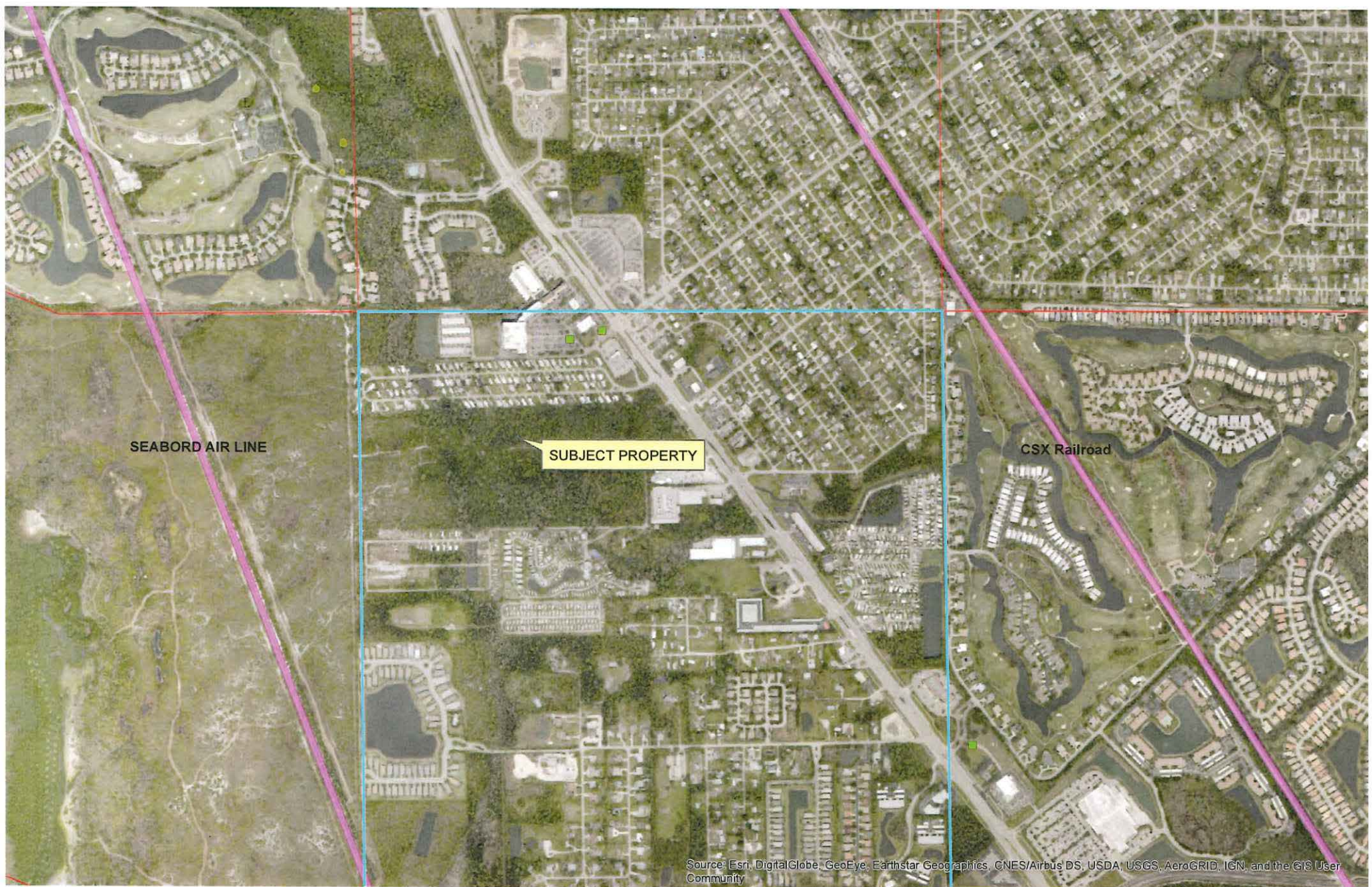
Stacy Ellis Hewitt, AICP
Director of Planning

C: 239-770-2527

P: 239-939-5490

F: 239-939-2523

E: shewitt@bankseng.com



Exhibits M14 & M16

Existing and Future Public Facilities Impacts Analysis

Grand Bay
Revised **October** 2022



Professional Engineers, Planners & Land Surveyors



Professional Engineers, Planners & Land Surveyors

**Grand Bay Comprehensive Plan Amendment
CPA2022-00006 & CPA2022-00007
Existing and Future Public Facilities Impacts Analysis
Exhibit M14 & M16
Revised October 2022**

Sanitary Sewer

The subject property is within Lee County Utilities (LCU) future sewer service area as depicted on Lee Plan Map 4-B. LCU has sanitary sewer lines in operation adjacent to the property including a 12" force main in the easterly right-of-way of S. Tamiami Trail. LCU's Three Oaks Water Reclamation Facility will provide sanitary sewer service to the proposed minor mixed use planned development.

Existing Development Potential: 297 DU maximum (20 SF & 277 MF) and 30,000 SF commercial:

$(297 \text{ units} \times 200 \text{ GPD}) + (30,000 \times 15/100) = 63,900 \text{ GPD}$

Proposed Development Potential: 41 additional dwelling units (338 MF DU maximum and 30,000 SF commercial):

$41 \text{ units} \times 200 \text{ GPD} = 8,200 \text{ GPD}$

Total: 72,100 GPD

According to the Lee County Public Facilities Level of Service and Concurrency Report 2021 Inventory and Projections, Lee County Utilities WWTP capacity is evaluated using the interlocal agreement that effectively makes the LCU and CFM central systems one combined central system. The combined LCU/CFM central system design capacity is 43.4 million gallons per day (MGD) and has a projected demand of 36.3 MGD in 2025. There is sufficient capacity to service the project as stated in the provided letter of availability.

The Lee County CIP contains two projects to increase LCU central system capacity. A 2.0-MGD expansion of the existing Three Oaks Water Reclamation Facility (TOWRF) is scheduled for completion in fiscal year 2023/2024. In addition, a new Southeast Water Reclamation Facility (SEWRF) is planned to serve areas currently within the TOWRF service area. The SEWRF is planned with a 4.0-MGD capacity and will be completed in fiscal year 2027/2028.

Potable Water

The subject property is within the Lee County Utilities (LCU) potable water franchise area as depicted on Lee Plan Map 4-A. LCU has potable water lines in operation adjacent to the

property including a 16" water main in the westerly right-of-way of S. Tamiami Trail. LCU's Pinewood Water Treatment Plant will provide potable water service to the proposed minor mixed use planned development.

Existing Development Potential: 297 DU maximum (20 SF & 277 MF) and 30,000 SF commercial:

$(20 \text{ SF units} \times 250 \text{ GPD} = 5,000) + (277 \text{ MF units} \times 200 \text{ GPD} = 55,400) + (30,000 \times 15/100 = 4,500) = 64,900 \text{ GPD}$

Proposed Development Potential: 41 additional units (338 MF DU maximum and 30,000 SF commercial):

$41 \text{ MF units} \times 200 \text{ GPD} = 8,200 \text{ GPD}$

$(20 \text{ SF units now MF units so } 50 \text{ GPD less per unit} = -1,000 \text{ GPD}$

Total: 72,100 GPD

According to the Lee County Public Facilities Level of Service and Concurrency Report 2021 Inventory and Projections, LCU WTP system design capacity is 50.9 MGD and has a projected demand of 32.6 MGD in 2025. There is sufficient capacity to service the project as stated in the provided letter of availability.

Surface Water/Drainage Basins

The existing site is undeveloped with the exception of a dirt road from east to west. There are existing stormwater swales along the ROW of S. Tamiami Trail. The existing stormwater runoff sheet flows generally to the west until it discharges into the Mullock Creek flowway. The property has an existing stormwater management permit on the eastern 5.97± acres (South Florida Water Management District Individual Environmental Resource Permit No. 36-104286-P) for a stormwater management system serving 0.91 acres of commercial and 5.06 acres of future development for construction of an access road to support the future multi-use commercial development, including sidewalks, underground utilities, and a dry retention pond with 0.14 acre of permitted wetland impact. A Lee County development order (DOS2020-00128) was also approved for construction of the access road and sidewalks, watermain and forcemain extensions and other support infrastructure.

LOS standards for surface water management are contained in Lee Plan Policy 95.1.3 which provides a system requirement to prevent the flooding of designated evacuation routes on Lee Plan Map 3-J from the 25-year, 3-day storm event (rainfall) for more than 24 hours. Runoff from the developed site will continue to discharge to tidal creeks and rivers and will not cross any public road or evacuation route. The 2021 Concurrency Report confirms that none of the evacuation routes in the studied watersheds are anticipated to be flooded for more than 24 hours, and that new developments that receive approval from the South Florida Water Management District and comply with standards in Florida Administrative Code Chapter 62-330 will be deemed concurrent with the Lee Plan's surface water management LOS. The Grand Bay project will receive approval for an Environmental Resource Permit from the South Florida Water Management District and, as such, will be consistent with the surface water management Level of Service standards of the Lee Plan.

Parks, Recreation and Open Space

Regional Parks

The Lee County Public Facilities Level of Service and Concurrency Report 2021 indicates a total of 7,064 acres of existing regional parks operated by county, local, state, and federal governments within Lee County. The capacity required to meet The Lee Plan Policy 95.1.3 non-regulatory level of-service standard of 6 acres per 1,000 total seasonal county population is equal to:

$$886,000 \text{ [seasonal county population]} \times (6 \text{ acres}/1,000 \text{ population}) = 5,316 \text{ acres}$$

The Bureau of Economic and Business Research (BEBR) Projections of Florida Population by County, 2020-2045, with Estimates for 2019 provided a high projected population of 997,000 for Lee County in 2030. This would require 5,982 acres to meet the level of service standard. There is more than adequate existing Regional Park acreage in Lee County to meet the needs of the project.

Community Parks

The Lee County Public Facilities Level of Service and Concurrency Report 2021 indicates a total of 743.1 acres of existing community parks operated by Lee County or jointly operated with The School District of Lee County within Lee County. The capacity required to meet the Lee Plan Policy 95.1.3 non-regulatory level of-service standard of 0.8 acres per 1,000 total permanent county population is equal to:

$$368,415 \text{ [permanent unincorporated county population]} \times (0.8 \text{ ac}/1,000 \text{ population}) = 295 \text{ ac}$$

The existing inventory of community parks within Lee County meets the community park level-of-service standard in the County for the year 2020 and will continue to do so at least through the next five years. The level of service standard increased from 285 acres in 2019 to 295 acres in 2021 which represents here is more than adequate existing Community Park acreage in Lee County to meet the needs of the project.

Public Schools

The subject property is within the South Zone, sub-zone S-2. Lee Plan Policy 95.1.3 provides that Public Schools Facilities LOS standards for Elementary Schools, Middle Schools, High Schools and Special Purpose Facilities is based upon Permanent Florida Inventory School Houses (FISH) capacity and is 100% as adjusted by the School Board annually to account for measurable programmatic changes.

According to the Lee County Public Facilities Level of Service and Concurrency Report 2021, the South Zone showed an available capacity of 893 elementary school seats, 368 middle school seats, and 612 high school seats. The letter of review and recommendation received from the School District of Lee County indicated that capacity is an issue within the Concurrency Service Area (CSA) at the elementary school level, however capacity is available in the adjacent CSA.

Exhibit M15

Traffic Circulation Analysis

Grand Bay
Revised June 2022



Professional Engineers, Planners & Land Surveyors



2726 OAK RIDGE COURT, SUITE 503
FORT MYERS, FL 33901-9356
OFFICE 239.278.3090
FAX 239.278.1906

TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

MEMORANDUM

TO: Ms. Stacy Hewitt, AICP
Banks Engineering

FROM: Yury Bykau, P.E.
Transportation Consultant

DATE: June 6, 2022

RE: Grand Bay
Comprehensive Plan Amendment
Lee County, Florida

TR Transportation Consultants, Inc. has completed a traffic circulation analysis for the proposed Comprehensive Plan Amendment for approximately 14.25 acres of property located at the northwest corner of US 41 and Santa Maria Street in Lee County, Florida. Based on the discussion with Banks Engineering, approximately 14.25 acres of property will be subject to a Map Amendment to extend the Mixed Use Overlay boundary to the west side of US 41 as well as a Text Amendment to amend Policy 5.1.10.3 to accommodate a mixture of residential and commercial uses on site.

The transportation related impacts of the proposed Amendment to the Lee Plan were evaluated pursuant to the criteria in the application document. This included an evaluation of the long range impact (20-year horizon) and short range impact (5-year horizon) the proposed amendment would have on the existing and future roadway infrastructure.

Under the existing Urban Community Future Land Use Category (FLU), approximately 46.33 acres of property can be developed with up to 298 residential dwelling units (20 Single-Family Dwelling Units & 278 Multi-Family Dwelling Units) and up to 30,000 square feet of commercial uses.

The Applicant is proposing a Map and Text Amendment on approximately 14.25 acres of property to extend the Mixed Use Overlay boundary to the west side of US 41, which will permit a maximum allowable development on the 46.33 acres of property with up to 340 multi-family residential dwelling units and up to 30,000 square feet of commercial uses. Note, the site could also be developed with a single-family residential option



Ms. Stacy Hewitt, AICP
Grand Bay CPA
June 6, 2022
Page 2

consisting of up to 101 dwelling units. However, to be conservative in terms of trip generation analysis, the site was assumed to consist of 340 multi-family dwelling units as a result of the proposed amendment. **Table 1** summarizes the intensities that could be developed under the existing land use designations and intensities that could be developed as a result of the proposed Map and Text Amendment.

Table 1
Land Uses
Grand Bay CPA

Existing/ Proposed	Land Use Category	Intensity
Existing	Urban Community/ Wetlands/Rural (± 46.33)	20 Single-Family Dwelling Units, 278 Multi-Family Dwelling Units & 30,000 Sq. Ft. Commercial
Proposed	Mixed Use Overlay/Urban Community (± 14.25) Wetlands/Rural (± 32.08)	340 Multi-Family Dwelling Units & 30,000 Sq. Ft. Commercial

The trip generation for the with and without amendment scenarios was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled ***Trip Generation Manual***, 11th Edition. Land Use Code 210 (Single-Family Detached Housing) was utilized for the trip generation purposes of the single-family residential uses, Land Use Code 220 (Multifamily Housing Low-Rise) was utilized for the trip generation purposes of the multi-family residential uses and Land Use Code 822 (Strip Retail Plaza) was utilized for the trip generation purposes of the commercial uses. Note, the accompanying rezoning request indicates that the main intent is to allow for multi-family residential uses on site.

Table 2 and **Table 3** outline the anticipated weekday AM and PM peak hour and daily trip generation for the without and with the proposed amendment scenarios, respectively. Both tables also incorporated trips due to "pass-by" traffic. Consistent with Lee County guidelines, the pass-by rate for commercial uses was limited to 30%. Note, there will be also a certain internal capture between the residential and commercial uses on site. However, to be conservative in terms of analysis, the reduction in trips due to internal capture was not considered. The trip generation equations utilized are attached to this Memorandum for reference.



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Table 2
Trip Generation
Based on Existing Land Use Categories
Grand Bay CPA

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Single-Family Detached Housing (20 Dwelling Units)	4	13	17	14	8	22	230
Multi-Family Housing Low-Rise (278 Dwelling Units)	26	83	109	88	52	140	1,857
Strip Retail Plaza (30,000 Sq. Ft.)	35	24	59	85	85	170	1,496
Total Trips	65	120	185	187	145	332	3,583
Less Retail Pass-by (30%)	-9	-9	-18	-25	-25	-50	-449
New Trips	56	111	167	162	120	282	3,134

Table 3
Trip Generation
Based on Proposed Map & Text Amendment
Grand Bay CPA

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Multi-Family Housing Low-Rise (340 Dwelling Units)	31	97	128	105	62	167	2,255
Strip Retail Plaza (30,000 Sq. Ft.)	35	24	59	85	85	170	1,496
Total Trips	66	121	187	190	147	337	3,751
Less Retail Pass-by (30%)	-9	-9	-18	-25	-25	-50	-449
New Trips	57	112	169	165	122	287	3,302

Table 4 indicates the trip generation change between the proposed and existing land use categories (Table 2 vs Table 3). The resultant trip change in Table 4 indicates that the trip generation will be slightly increased in the AM and PM peak hour conditions as a result of the proposed amendment.



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Table 4
Trip Generation – Resultant Trip Change (Table 2 vs Table 3)
Grand Bay CPA

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Proposed Land Use Designations	57	112	169	165	122	287	3,302
Existing Land Use Designations	-56	-111	-167	-162	-120	-282	-3,134
Resultant Trip Change	+1	+1	+2	+3	+2	+5	+168

Long Range Impacts (20-year horizon)

The Lee County Metropolitan Planning Organization's (MPO) 2045 Long Range Transportation Plan was reviewed to determine if any future roadway improvements were planned in the vicinity of the subject site. Based on the review, the only roadway improvement within the vicinity of the subject site that was shown on the 2045 Financially Feasible Plan was the widening of Corkscrew Road to a six-lane facility from US 41 to Ben Hill Griffin Parkway. The Lee County 2045 Highway Cost Feasible Plan is attached to this Memorandum for reference.

The Lee County Metropolitan Planning Organization's (MPO) long range transportation travel model was also reviewed in order to determine the impacts the amendment would have on the surrounding area. The base 2045 loaded network volumes were determined for the roadways within the study area and then the PM peak hour trips to be generated by additional trips in Table 3 were added to the projected 2045 volumes. The Level of Service for the surrounding roadways was then evaluated. The Level of Service threshold volumes were derived based on the attached *Lee County Generalized Peak Hour Directional Service Volumes* table as well as *FDOT's Generalized Peak Hour Directional Volumes*, Table 7.

The results of the analysis indicate that the addition of the trips as a result of the proposed amendment to the projected 2045 volumes will not cause any roadway link to fall below the recommended minimum acceptable Level of Service thresholds as recommended in Policy 37.1.1 of the Lee County Comprehensive Plan. Therefore, no changes to the adopted long range transportation plan are required as result of the proposed Map and Text Amendment. Attached **Table 1A** and **Table 2A** reflect the Level of Service analysis based on the 2045 conditions.



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Short Term Impacts Analysis (2025)

The 2020/2021-2024/2025 Lee County Transportation Capital Improvement Plan and the 2022-2026 Florida Department of Transportation Adopted Work Program were reviewed to determine the short term impacts the proposed land use change would have on the surrounding roadways. Based on the review, there are no programmed improvements in the vicinity of the subject site. Note, FDOT is constructing a traffic signal at the intersection of US 41 and San Carlos Boulevard as part of the Safety Improvement project on US 41.

Table 3A and **Table 4A** attached to this report indicate the projected 5-year planning Level of Service on the surrounding roadways based on the additional trips shown in Table 3. The existing peak hour, peak season, peak direction traffic volumes on the various roadway links were obtained from the most recent *Lee County Public Facilities Level of Service and Concurrency Report*.

The existing peak hour, peak season, peak direction traffic volumes were then factored by the appropriate annual growth rates in order to obtain the 2027 background traffic conditions on the area roadway network. The growth rates for each roadway were calculated based on historical traffic data obtained from the FDOT's *Florida Traffic Online* webpage as well as the traffic data from the latest *Lee County Traffic Count Report*. Based on the project traffic distribution illustrated within Table 4A, the roadway link data was analyzed for the year 2027 without the proposed amendment and year 2027 with the proposed amendment. Traffic data obtained from the aforementioned Lee County and FDOT resources is attached to this Memorandum for reference.

The results of the analysis indicate that the addition of the trips as a result of the proposed amendment to the projected 2027 volumes will not cause any roadway link to fall below the minimum acceptable Level of Service standards. All analyzed roadway segments were shown to operate at acceptable Level of Service in 2027 both with and without the proposed Map and Text Amendment request. Therefore, based on this analysis no modifications will be necessary to the Lee County or FDOT short term capital improvement programs. Capacity analysis will be evaluated again at the time the project will seek rezoning and local Development Order approvals.

Conclusion

The proposed Comprehensive Plan/Text Amendment is for a property located at the northwest corner of US 41 and Santa Maria Street in Lee County, Florida. Based upon the roadway link Level of Service analysis conducted as a part of this Memorandum, the proposed amendment will not cause any roadway links to fall below the recommended minimum acceptable Level of Service thresholds as recommended in Policy 37.1.1 of the Lee County Comprehensive Plan. Therefore, no roadway capacity improvements will be warranted as a result of the additional traffic to be generated by the proposed amendment.



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No modifications are necessary to the Short Term Capital Improvement Plan or the Long Range Transportation Plan to support the proposed Amendment. In addition, the proposed amendment will not significantly alter the socio-economic data forecasts that were utilized in the development of the Long Range Transportation Plan.

Attachments

TABLES 1A & 2A
2045 LOS ANALYSIS

TABLE 1A
LEVEL OF SERVICE THRESHOLDS
2045 LONG RANGE TRANSPORTATION ANALYSIS - GRAND BAY CPA

<u>ROADWAY</u>	<u>ROADWAY SEGMENT</u>	<u>2045 E + C NETWORK LANES</u>		<u>GENERALIZED SERVICE VOLUMES</u>				
		<u># Lanes</u>	<u>Roadway Designation</u>	<u>LOS A</u> <u>VOLUME</u>	<u>LOS B</u> <u>VOLUME</u>	<u>LOS C</u> <u>VOLUME</u>	<u>LOS D</u> <u>VOLUME</u>	<u>LOS E</u> <u>VOLUME</u>
US 41	N. of Alico Rd	6LD	Arterial	0	0	3,087	3,171	3,171
	N. of Site	6LD	Arterial	0	0	3,087	3,171	3,171
	S. of Site	6LD	Arterial	0	0	3,087	3,171	3,171
	S. of Estero Pkwy	6LD	Arterial	0	0	3,087	3,171	3,171
	S. of Corkscrew Rd	6LD	Arterial	0	0	3,087	3,171	3,171
Alico Rd	E. of US 41	6LD	Arterial	0	400	2,840	2,940	2,940
San Carlos Blvd	E. of US 41	2LU	Collector	0	0	310	660	740
Estero Pkwy	E. of US 41	4LD	Arterial	0	250	1,840	1,960	1,960
Michael G. Rippe Pkwy	N. of US 41	6LD	Arterial	0	0	3,087	3,171	3,171
Corkscrew Rd	E. of US 41	6LD	Arterial	0	400	2,840	2,940	2,940

- Denotes the LOS Standard for each roadway segment

* Level of Service Thresholds for Lee County roadways were taken from the Generalized Peak Hour Directional Service Volume tables for Urbanized Areas (dated April 2016)

* Level of Service Thresholds for State maintained roadways were taken from FDOT's Generalized Peak Hour Directional Volumes for Florida's Urbanized Areas Table 7.

**TABLE 2A
2045 ROADWAY LINK LEVEL OF SERVICE CALCULATIONS
GRAND BAY CPA**

TOTAL PM PEAK HOUR PROJECT TRAFFIC = 287 VPH IN= 165 OUT= 122

		2045										2045 BACKGROUND PLUS PROJ			
ROADWAY	ROADWAY SEGMENT	2045	COUNTY PCS /	AADT	K-100	100TH HIGHEST	D	PM PK HR	PEAK DIRECTION		PROJECT	PK DIR	PEAK DIRECTION		
		FSUTMS		BACKGROUND		HOUR PK DIR		PEAK	TRAFFIC VOLUMES & LOS	TRAFFIC			PM PROJ	TRAFFIC VOLUMES & LOS	
		AADT	FDOT SITE #	TRAFFIC	FACTOR	2-WAY VOLUME	FACTOR	DIRECTION	VOLUME	LOS	DIST.	TRAFFIC	VOLUME	LOS	
US 41	N. of Alico Rd	61,372	120067	61,372	0.090	5,523	0.531	NORTH	2,933	C	20%	33	2,966	C	
	N. of Site	42,357	120034	42,357	0.090	3,812	0.531	NORTH	2,024	C	45%	74	2,098	C	
	S. of Site	56,927	126025	56,927	0.090	5,123	0.531	NORTH	2,720	C	40%	66	2,786	C	
	S. of Estero Pkwy	56,737	120089	56,737	0.090	5,106	0.531	NORTH	2,711	C	25%	41	2,752	C	
	S. of Corkscrew Rd	63,224	120065	63,224	0.090	5,690	0.531	NORTH	3,021	C	15%	25	3,046	C	
Alico Rd	E. of US 41	45,128	126010	45,128	0.090	4,082	0.531	WEST	1,905	C	15%	25	1,930	C	
San Carlos Blvd	E. of US 41	10,665	124617	10,665	0.090	960	0.531	WEST	450	D	15%	25	475	D	
Estero Pkwy	E. of US 41	15,257	124465	15,257	0.090	1,373	0.531	WEST	644	C	15%	25	669	C	
Michael G. Rippe Pkwy	N. of US 41	29,648	125036	29,648	0.090	2,668	0.526	NORTH	1,403	C	10%	17	1,420	C	
Corkscrew Rd	E. of US 41	40,957	124247	40,957	0.090	3,686	0.531	EAST	1,957	C	10%	17	1,974	C	

* The K-100 and D factors were obtained from Florida Traffic Online resource.

TABLES 3A & 4A
5-YEAR LOS ANALYSIS

**TABLE 3A
LEVEL OF SERVICE THRESHOLDS
GRAND BAY CPA**

ROADWAY	ROADWAY SEGMENT	# LANES	ROADWAY DESIGNATION	GENERALIZED SERVICE VOLUMES				
				LOS A VOLUME	LOS B VOLUME	LOS C VOLUME	LOS D VOLUME	LOS E VOLUME
US 41	N. of Alico Rd	6LD	Arterial	0	0	3,087	3,171	3,171
	N. of Site	6LD	Arterial	0	0	3,087	3,171	3,171
	S. of Site	6LD	Arterial	0	0	3,087	3,171	3,171
	S. of Estero Pkwy	6LD	Arterial	0	0	3,087	3,171	3,171
	S. of Corkscrew Rd	6LD	Arterial	0	0	3,087	3,171	3,171
Alico Rd	E. of US 41	6LD	Arterial	0	400	2,840	2,940	2,940
San Carlos Blvd	E. of US 41	2LU	Collector	0	0	310	660	740
Estero Pkwy	E. of US 41	4LD	Arterial	0	250	1,840	1,960	1,960
Michael G. Rippe Pkwy	N. of US 41	6LD	Arterial	0	0	3,087	3,171	3,171
Corkscrew Rd	E. of US 41	4LD	Arterial	0	250	1,840	1,960	1,960

- Denotes the LOS Standard for each roadway segment

* Level of Service Thresholds for Lee County arterials/collectors taken from the Generalized Peak Hour Directional Service Volume tables for Urbanized Areas (dated April 2016)

* Level of Service Thresholds for State maintained roadways were taken from FDOT's Generalized Peak Hour Directional Volumes for Florida's Urbanized Areas Table 7.

**TABLE 4A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
GRAND BAY CPA**

TOTAL PROJECT TRAFFIC AM = 169 VPH IN = 57 OUT = 112
 TOTAL PROJECT TRAFFIC PM = 287 VPH IN = 165 OUT = 122

ROADWAY	ROADWAY SEGMENT	LCDOT PCS OR FDOT SITE #	BASE YR ADT	2019/2020 ADT	YRS OF GROWTH. ¹	ANNUAL RATE	2020	2027	PERCENT					2027			2027		
							PK HR	PK HR	PK SEASON	V/C	PROJECT	AM PROJ	PM PROJ	BCKGRND		BCKGRND			
							PK SEASON	PEAK DIRECTION	+ AM PROJ					V/C	+ PM PROJ	V/C			
							PEAK DIR. ²	VOLUME									LOS	Ratio	TRAFFIC
US 41	N of Alico Rd	120067	61,500	60,000	15	2.00%	2,069	2,377	C	0.75	20%	22	33	2,399	C	0.76	2,410	C	0.76
	N of Site	120034	50,500	50,500	15	2.00%	2,069	2,377	C	0.75	45%	50	74	2,427	C	0.77	2,451	C	0.77
	S. of Site	126025	40,670	48,500	13	2.00%	1,901	2,184	C	0.69	40%	45	66	2,228	C	0.70	2,250	C	0.71
	S of Estero Pkwy	120089	41,500	48,000	15	2.00%	1,901	2,184	C	0.69	25%	28	41	2,212	C	0.70	2,225	C	0.70
	S of Corkscrew Rd	120065	56,000	49,000	15	2.00%	2,020	2,320	C	0.73	15%	17	25	2,337	C	0.74	2,345	C	0.74
Alico Rd	E of US 41	204	21,700	25,600	8	2.09%	1,171	1,353	C	0.46	15%	17	25	1,370	C	0.47	1,378	C	0.47
San Carlos Blvd	E of US 41	124617	5,300	8,400	10	4.71%	448	618	D	0.84	15%	17	25	635	D	0.86	643	D	0.87
Estero Pkwy	E of US 41	465	11,500	17,100	6	6.84%	790	1,255	C	0.64	15%	17	25	1,272	C	0.65	1,280	C	0.65
Michael G Rippe Pkwy	N of US 41	125036	16,800	29,500	8	7.29%	1,070	1,751	C	0.55	10%	11	17	1,762	C	0.56	1,768	C	0.56
Corkscrew Rd	E of US 41	247	16,600	20,800	6	3.83%	1,007	1,310	C	0.67	10%	11	17	1,321	C	0.67	1,327	C	0.68

1 AGR for roadways was calculated based the historical traffic data obtained from Florida Traffic Online webpage and Lee County Traffic Count Report.

2 Current peak hour peak season peak direction traffic volumes for all roadways were obtained from the 2021 Lee County Public Facilities Level of Service and Concurrency Report.

LEE COUNTY GENERALIZED SERVICE VOLUME TABLE

Uninterrupted Flow Highway						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	130	420	850	1,210	1,640
2	Divided	1,060	1,810	2,560	3,240	3,590
3	Divided	1,600	2,720	3,840	4,860	5,380

Arterials						
Class I (40 mph or higher posted speed limit)						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	140	800	860	860
2	Divided	*	250	1,840	1,960	1,960
3	Divided	*	400	2,840	2,940	2,940
4	Divided	*	540	3,830	3,940	3,940

Class II (35 mph or slower posted speed limit)						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	*	330	710	780
2	Divided	*	*	710	1,590	1,660
3	Divided	*	*	1,150	2,450	2,500
4	Divided	*	*	1,580	3,310	3,340

Controlled Access Facilities						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	160	880	940	940
2	Divided	*	270	1,970	2,100	2,100
3	Divided	*	430	3,050	3,180	3,180

Collectors						
Level of Service						
Lane	Divided	A	B	C	D	E
1	Undivided	*	*	310	660	740
1	Divided	*	*	330	700	780
2	Undivided	*	*	730	1,440	1,520
2	Divided	*	*	770	1,510	1,600

Note: the service volumes for I-75 (freeway), bicycle mode, pedestrian mode, and bus mode should be from FDOT's most current version of LOS Handbook.

**FDOT GENERALIZED PEAK HOUR
DIRECTIONAL VOLUMES
TABLE 7**

TABLE 7

Generalized **Peak Hour Directional** Volumes for Florida's
Urbanized Areas

January 2020

INTERRUPTED FLOW FACILITIES						UNINTERRUPTED FLOW FACILITIES					
STATE SIGNALIZED ARTERIALS						FREEWAYS					
Class I (40 mph or higher posted speed limit)						Core Urbanized					
Lanes	Median	B	C	D	E	Lanes	B	C	D	E	
1	Undivided	*	830	880	**	2	2,230	3,100	3,740	4,080	
2	Divided	*	1,910	2,000	**	3	3,280	4,570	5,620	6,130	
3	Divided	*	2,940	3,020	**	4	4,310	6,030	7,490	8,170	
4	Divided	*	3,970	4,040	**	5	5,390	7,430	9,370	10,220	
						6	6,380	8,990	11,510	12,760	
Class II (35 mph or slower posted speed limit)						Urbanized					
Lanes	Median	B	C	D	E	Lanes	B	C	D	E	
1	Undivided	*	370	750	800	2	2,270	3,100	3,890	4,230	
2	Divided	*	730	1,630	1,700	3	3,410	4,650	5,780	6,340	
3	Divided	*	1,170	2,520	2,560	4	4,550	6,200	7,680	8,460	
4	Divided	*	1,610	3,390	3,420	5	5,690	7,760	9,520	10,570	
Non-State Signalized Roadway Adjustments						Freeway Adjustments					
(Alter corresponding state volumes by the indicated percent)						Auxiliary Lane + 1,000					
Non-State Signalized Roadways - 10%						Ramp Metering + 5%					
Median & Turn Lane Adjustments						UNINTERRUPTED FLOW HIGHWAYS					
Lanes	Median	Exclusive Left Lanes	Exclusive Right Lanes	Adjustment Factors		Lanes	Median	B	C	D	E
1	Divided	Yes	No	+5%		1	Undivided	580	890	1,200	1,610
1	Undivided	No	No	-20%		2	Divided	1,800	2,600	3,280	3,730
Multi	Undivided	Yes	No	-5%		3	Divided	2,700	3,900	4,920	5,600
Multi	Undivided	No	No	-25%							
-	-	-	Yes	+ 5%		Uninterrupted Flow Highway Adjustments					
One-Way Facility Adjustment						Lanes	Median	Exclusive left lanes	Adjustment factors		
Multiply the corresponding directional volumes in this table by 1.2						1	Divided	Yes	+5%		
BICYCLE MODE²						Multi	Undivided	Yes	-5%		
(Multiply vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)						Multi	Undivided	No	-25%		
Paved Shoulder/Bicycle Lane Coverage						¹ Values shown are presented as peak hour directional volumes for levels of service and are for the automobile/truck modes unless specifically stated. This table does not constitute a standard and should be used only for general planning applications. The computer models from which this table is derived should be used for more specific planning applications. The table and deriving computer models should not be used for corridor or intersection design, where more refined techniques exist. Calculations are based on planning applications of the HCM and the Transit Capacity and Quality of Service Manual.					
		B	C	D	E	² Level of service for the bicycle and pedestrian modes in this table is based on number of vehicles, not number of bicyclists or pedestrians using the facility.					
0-49%		*	150	390	1,000	³ Buses per hour shown are only for the peak hour in the single direction of the higher traffic flow.					
50-84%		110	340	1,000	>1,000	* Cannot be achieved using table input value defaults.					
85-100%		470	1,000	>1,000	**	** Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached. For the bicycle mode, the level of service letter grade (including F) is not achievable because there is no maximum vehicle volume threshold using table input value defaults.					
PEDESTRIAN MODE²						Source: Florida Department of Transportation Systems Implementation Office https://www.fdot.gov/planning/systems/					
(Multiply vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)											
Sidewalk Coverage											
		B	C	D	E						
0-49%		*	*	140	480						
50-84%		*	80	440	800						
85-100%		200	540	880	>1,000						
BUS MODE (Scheduled Fixed Route)³											
(Buses in peak hour in peak direction)											
Sidewalk Coverage											
		B	C	D	E						
0-84%		> 5	≥ 4	≥ 3	≥ 2						
85-100%		> 4	≥ 3	≥ 2	≥ 1						

TRAFFIC DATA
FDOT FLORIDA TRAFFIC ONLINE

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2021 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 0034 - SR 45/US 41, NW OF SANIBEL BOULEVARD

LC424

YEAR	AADT		DIRECTION 1		DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2021	50500	C	N 25000		S 25500	9.00	53.10	5.30
2020	42500	C	N 21000		S 21500	9.00	52.80	5.30
2019	54000	C	N 26500		S 27500	9.00	53.30	3.70
2018	49000	C	N 24500		S 24500	9.00	53.30	5.00
2017	48000	C	N 23500		S 24500	9.00	53.20	4.00
2016	48500	C	N 24500		S 24000	9.00	56.20	4.00
2015	45000	C	N 22500		S 22500	9.00	54.50	4.00
2014	42000	C	N 21000		S 21000	9.00	54.60	3.50
2013	39500	C	N 19500		S 20000	9.00	59.70	4.20
2012	41000	C	N 20500		S 20500	9.00	54.30	3.40
2011	40000	C	N 20000		S 20000	9.00	55.00	3.30
2010	38500	C	N 19000		S 19500	10.32	57.60	3.30
2009	41000	C	N 20500		S 20500	10.24	54.47	3.90
2008	44500	C	N 22500		S 22000	10.37	58.94	4.60
2007	53500	F	N 26500		S 27000	10.16	54.76	3.80
2006	50500	C	N 25000		S 25500	10.23	54.38	3.80

AADT FLAGS: C = COMPUTED; E = MANUAL ESTIMATE; F = FIRST YEAR ESTIMATE

S = SECOND YEAR ESTIMATE; T = THIRD YEAR ESTIMATE; R = FOURTH YEAR ESTIMATE

V = FIFTH YEAR ESTIMATE; 6 = SIXTH YEAR ESTIMATE; X = UNKNOWN

*K FACTOR: STARTING WITH YEAR 2011 IS STANDARDK, PRIOR YEARS ARE K30 VALUES

FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2021 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 6025 - US 41, 500' S OF HICKORY DR, PTMS 105, LCPR 25

YEAR	AADT	DIRECTION 1		DIRECTION 2		*K FACTOR	D FACTOR	T FACTOR
2021	48500 T		0		0	9.00	53.10	4.60
2020	48000 S		0		0	9.00	52.80	5.30
2019	50000 F		0		0	9.00	53.30	3.90
2018	50261 C		0		0	9.00	53.30	5.00
2017	40500 X		0		0	9.00	53.20	4.00
2016	39500 E		0		0	9.00	56.20	4.30
2015	38500 E		0		0	9.00	54.50	3.90
2014	38000 X					9.00	54.60	3.30
2013	37500 E	N	0	S	0	9.00	59.70	3.90
2012	37000 S		0		0	9.00	53.00	4.10
2011	37000 F	N	0	S	0	9.00	53.00	3.60
2010	39114 C	N	19100	S	20014	10.18	52.96	3.50
2009	40293 C	N	19799	S	20494	10.29	54.98	4.40
2008	40670 C	N	20031	S	20639	10.44	54.81	4.00

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FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2021 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 0089 - SR 45/US 41/TAMIAMI TR, S OF BROADWAY

YEAR	AADT		DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2021	48000	C	N 24500	S 23500	9.00	53.10	3.80
2020	40000	C	N 20000	S 20000	9.00	52.80	4.90
2019	50500	C	N 25000	S 25500	9.00	53.30	3.70
2018	45000	C	N 22500	S 22500	9.00	53.30	4.80
2017	42500	C	N 21500	S 21000	9.00	53.20	3.90
2016	41500	C	N 21500	S 20000	9.00	56.20	4.10
2015	42000	C	N 21000	S 21000	9.00	54.50	3.40
2014	40500	C	N 20000	S 20500	9.00	54.60	3.00
2013	35000	C	N 18000	S 17000	9.00	59.70	3.60
2012	34000	C	N 17000	S 17000	9.00	54.30	3.90
2011	36500	F	N 19000	S 17500	9.00	55.00	3.70
2010	36500	C	N 19000	S 17500	10.32	57.60	3.70
2009	36500	C	N 18500	S 18000	10.24	54.47	4.90
2008	40500	C	N 20500	S 20000	10.37	58.94	4.30
2007	44500	C	N 21500	S 23000	10.16	54.76	7.70
2006	41500	C	N 21000	S 20500	10.23	54.38	5.40

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FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2021 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 0065 - SR 45/US 41, NORTH OF COCONUT RD.

LC436

YEAR	AADT		DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2021	49000	C	N 25000	S 24000	9.00	53.10	4.30
2020	42500	C	N 21500	S 21000	9.00	52.80	5.60
2019	55500	C	N 28500	S 27000	9.00	53.30	3.70
2018	49000	C	N 25000	S 24000	9.00	53.30	4.10
2017	43000	C	N 22000	S 21000	9.00	53.20	4.20
2016	48500	C	N 25000	S 23500	9.00	56.20	4.00
2015	49500	C	N 25000	S 24500	9.00	54.50	3.00
2014	48000	C	N 23500	S 24500	9.00	54.60	3.10
2013	47500	C	N 24000	S 23500	9.00	59.70	3.60
2012	47000	C	N 23500	S 23500	9.00	54.30	3.20
2011	52500	C	N 27000	S 25500	9.00	55.00	3.10
2010	51500	C	N 26000	S 25500	10.32	57.60	3.20
2009	48500	C	N 25000	S 23500	10.24	54.47	3.40
2008	51000	C	N 26000	S 25000	10.37	58.94	3.40
2007	60000	F	N 30500	S 29500	10.16	54.76	4.80
2006	56000	C	N 28500	S 27500	10.23	54.38	4.80

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FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2021 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 6010 - ALICO RD, 1000' W OF I-75 PTMS 2010 LCPR 10

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2021	47500 T	0	0	9.00	53.10	7.70
2020	47000 S	0	0	9.00	53.40	4.80
2019	48500 F	0	0	9.00	53.30	3.40
2018	48114 C	0	0	9.00	52.40	3.40
2017	44000 F	0	0	9.00	52.40	4.30
2016	43896 C	E 22423	W 21473	9.00	52.40	4.90
2015	37915 C	E 18433	W 19482	9.00	59.80	5.20
2014	28000 F	E	W	9.00	59.80	3.00
2013	29213 C	E 12064	W 17149	9.00	59.80	4.20
2012	27084 C	E 9725	W 17359	9.00	57.50	3.90
2011	25406 C	E 10942	W 14464	9.00	57.50	3.10
2010	26061 C	E 11693	W 14368	10.10	57.46	3.40
2009	27337 C	E 12407	W 14930	10.19	54.58	4.30
2008	25831 C	E 11650	W 14181	10.77	53.61	8.50

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FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2021 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 4465 - ESTERO PKWY, E OF SR45/US 41 LC 465

YEAR	AADT	DIRECTION 1		DIRECTION 2		*K FACTOR	D FACTOR	T FACTOR
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2021	20500 X		0		0	9.00	53.10	2.30
2020	20500 E	E		W		9.00	59.30	2.30
2019	20500 C	E	10500	W	10000	9.00	53.30	2.30
2018	15000 C	E	7500	W	7500	9.00	53.30	2.00
2017	10800 T					9.00	53.20	4.00
2016	11200 S	E	5600	W	5600	9.00	60.30	3.50
2015	11600 F	E	5800	W	5800	9.00	61.00	3.50
2014	11000 C	E	5500	W	5500	9.00	52.00	3.50
2013	10500 S	E	5300	W	5200	9.00	54.60	2.60
2012	10100 F	E	5100	W	5000	9.00	52.80	2.60
2011	10100 C	E	5100	W	5000	9.00	53.20	2.60
2010	7400 S	E	3900	W	3500	10.28	55.69	2.70
2009	7600 F	E	4000	W	3600	10.29	55.14	2.70
2008	8000 C	E	4200	W	3800	10.77	53.61	2.70

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FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2021 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 4247 - CORKSCREW RD, E OF SR 45/US 41 LC 247

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2021	20500 X	0	0	9.00	53.10	5.60
2020	20500 E	E	W	9.00	53.40	5.60
2019	20500 C	E 10500	W 10000	9.00	53.30	5.60
2018	21500 C	E 11000	W 10500	9.00	53.30	6.00
2017	19000 T			9.00	53.20	4.00
2016	20000 S	E 10000	W 10000	9.00	56.10	5.40
2015	21000 F	E 10500	W 10500	9.00	55.50	5.40
2014	19900 C	E 10000	W 9900	9.00	52.00	5.40
2013	19300 S	E 9800	W 9500	9.00	54.60	4.50
2012	18500 F	E 9400	W 9100	9.00	52.80	4.50
2011	18500 C	E 9400	W 9100	9.00	53.20	4.50
2010	20800 S	E 11000	W 9800	10.28	55.69	4.10
2009	21000 F	E 11000	W 10000	10.29	55.14	4.10
2008	22000 C	E 11500	W 10500	10.77	53.61	4.10

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FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2021 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 5036 - SR-739/MICHAEL G RIPPE PKWY- S OF BRIARCLIFF RD - FT MYERS

YEAR	AADT		DIRECTION 1		DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
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2021	29500 C	N	16000	S	13500	9.00	52.60	6.50
2020	23000 C	N	12500	S	10500	9.00	51.70	8.20
2019	29500 C	N	16000	S	13500	9.00	52.00	6.50
2018	27500 C	N	14500	S	13000	9.00	52.30	7.70
2017	24000 C	N	13000	S	11000	9.00	53.20	5.20
2016	23500 C	N	12500	S	11000	9.00	57.90	6.70
2015	21500 C	N	11500	S	10000	9.00	58.40	6.10
2014	21000 C	N	11000	S	10000	9.00	56.40	6.70
2013	16800 C	N	8600	S	8200	9.00	64.00	5.60

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FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2021 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 0067 - SR 45/US 41, NORTHWEST OF ALICO ROAD

LC420

YEAR	AADT		DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2021	60000	C	N 29500	S 30500	9.00	53.10	5.50
2020	46000	C	N 22500	S 23500	9.00	52.80	6.50
2019	60000	C	N 29500	S 30500	9.00	53.30	4.40
2018	52000	C	N 25500	S 26500	9.00	53.30	5.30
2017	52000	C	N 25500	S 26500	9.00	53.20	4.60
2016	53000	C	N 26500	S 26500	9.00	56.20	4.30
2015	58500	C	N 29000	S 29500	9.00	54.50	3.70
2014	52000	C	N 25500	S 26500	9.00	54.60	3.50
2013	50000	C	N 24500	S 25500	9.00	59.70	4.20
2012	60500	C	N 30500	S 30000	9.00	54.30	4.80
2011	63000	C	N 31500	S 31500	9.00	55.00	4.40
2010	62000	C	N 31500	S 30500	10.32	57.60	4.00
2009	56500	C	N 28500	S 28000	10.24	54.47	4.60
2008	59000	C	N 30000	S 29000	10.37	58.94	5.10
2007	55000	C	N 28500	S 26500	10.16	54.76	5.40
2006	61500	C	N 31500	S 30000	10.23	54.38	5.40

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FLORIDA DEPARTMENT OF TRANSPORTATION
TRANSPORTATION STATISTICS OFFICE
2021 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 4617 - E. CARLOS BLVD., EAST OF S.R. 45 / U.S. 41

YEAR	AADT	DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2021	8400 X	0	0	9.00	53.10	4.30
2020	8400 E	E	W	9.00	59.30	3.90
2019	8400 F	E 4300	W 4100	9.00	53.30	3.90
2018	8400 C	E 4300	W 4100	9.00	53.30	3.90
2017	8800 T	E 4300	W 4500	9.00	53.20	4.20
2016	8600 S	E 4200	W 4400	9.00	60.30	4.40
2015	9000 F	E 4400	W 4600	9.00	55.50	4.40
2014	8600 C	E 4200	W 4400	9.00	55.20	4.40
2013	5300 S	0	0	9.00	55.00	3.30
2012	5300 F	0	0	9.00	55.30	2.90
2011	5300 C	E 0	W 0	9.00	55.20	2.80

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TRAFFIC DATA FROM LEE COUNTY TRAFFIC COUNT REPORT

Updated 3/31/22			Daily Traffic Volume (AADT)									
STREET	LOCATION	Station #	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
A & W BULB RD	N OF GLADIOLUS DR	215		6800		6600		7100		7700		
ALABAMA RD	N OF IMMOKALEE RD	201				6800		7100		6000		
ALABAMA RD	S OF HOMESTEAD RD	200	11100	9000	9300	10300	11000		10200	10700	7900	
ALICO RD	E OF US 41	204	21700	23400	19900	21900	24100	22100	22800	24200	25600	
ALICO RD	W OF I - 75	10	27200	29100	38400	41100	43600	44800	47900	49800	41900	49600
ALICO RD	E OF I - 75	53	26000	26900	28400	25600	24300	24600	26200	24200	20200	26100
ALICO RD	E OF BEN HILL GRIFFIN PKWAY	205			7500		8500		8900			
BASS RD	N OF SUMMERLIN RD	216		8400		8200		11500		11400		10600
BAYSHORE RD (SR 78)	W OF HART RD	104				28600	29900		30800	30900	24200	26800
BAYSHORE RD (SR 78)	W OF WILLIAMSBURG DR	64	18400	20100	21000	22900	23900	21900	26300	28100	25800	29200
BELL BLVD	S OF LEELAND HEIGHTS BV	203	9500	8100	8800	9600	9900	10000	10800	12300	12700	
BEN HILL GRIFFIN	S OF ALICO RD	514			29900		22800		24400	28400	21500	25600
BEN HILL GRIFFIN	N OF ESTERO PKWY	71		18800	19100	19400	20800	21000	22000	25200	21000	25200
BEN HILL GRIFFIN	N OF CORKSCREW RD	517	16200	15100	19500	19600		21200		18900		
BETH STACEY RD	S OF HOMESTEAD RD	220		7700		7500		7500		7700		
BONITA BEACH RD	E OF HICKORY BLVD	132									10500	14300
BONITA BEACH RD	E OF VANDERBILT RD	7	23500	23400	24600	25700	25900	25600	25000	25100	22500	26000
BONITA BEACH RD	W OF SPANISH WELLS	131									24700	31800
BONITA BEACH RD	E OF RACE TRACK RD	130									29300	39700
BONITA BEACH RD	W OF I-75	42	26100	28800	35100	35300		36400	38900	40500	37900	43500
BROADWAY (ESTERO)	W OF US 41	463		5200		5700		6200		6300		5700

Updated 3/31/22			Daily Traffic Volume (AADT)											
STREET	LOCATION	Station #	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021		
DANIELS PKWY	W OF I - 75	264	60900	48700	51500	60600	52400							
DANIELS PKWY	E OF I - 75	52	49500	44800	47100	44200	52600 51800 54500 48400 55800							
DANIELS PKWY	E OF CHAMBERLIN PKWY	48	35800		38100	37300	41900	45600	41400	41900	40600	46200		
DANIELS PKWY	W OF GATEWAY BLVD	89					35800	34500	35700		39000			
DANIELS PKWY	S OF IMMOKALEE RD	524	29800	20600	28200	29000	33400	32100	37400 38700					
DANLEY RD	W OF METRO PKWY	518	4900			6300			6700		4500			
DEL PRADO BLVD	S OF BEACH PKWY	86								25500		25500		
DEL PRADO BLVD	S OF CORNWALLIS PKWY	2	36600	37100	37800	38300	40700			40700	36000	45800		
DEL PRADO BLVD	S OF FOUR MILE COVE RD	40	45200	45800	46500	45600	46500	46400	45200	45100	40400	45000		
DEL PRADO BLVD	E OF US 41	443	4700		5400	6000	6600	7200	7800	7800	8800			
ESTERO BLVD	@ BIG CARLOS PASS BR.	274	9600			9400			10200					
ESTERO BLVD	N OF DENORA ST	44	13700	13500	13500	12700	12400	11000			11400	13400		
ESTERO PKWY	W OF BEN HILL GRIFFIN PKW	459	15700		15800		19500		17400		12500			
ESTERO PKWY	E OF US 41	465	8200		11500		16200		15700		17100			
FIDDLESTICKS BLVD	S OF DANIELS PKWY	276	7200			7700		7800		7700				
FOWLER ST	E OF US 41	511	20700			23300		22100		18800				
FOWLER ST	S OF MORENO ST	28	19400	21700	23000	24500	23700	24900	23900	27400	24800	27700		
FOWLER ST	S OF M.L.K. BLVD (SR 82)	119								14400		17400		
GASPARILLA BLVD	S OF CHARLOTTE CO. LINE	510	6500											
GATEWAY BLVD	S OF GRIFFIN	536								22460				
GILCHRIST AVE	S OF 4TH STREET W	535										13500		

Updated 3/31/22			Daily Traffic Volume (AADT)									
STREET	LOCATION	Station #	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
COLLEGE PKWY	W OF SOUTH POINTE BLVD	83				38000	40900					
COLLEGE PKWY	E OF WINKLER RD	43	30400	31700	32300	36100	37600	37100	37200	37500		
COLLEGE PKWY	W OF NEW BRITTANY	87				33500	33300			32200	28900	
COLLEGE PKWY	E OF KENWOOD LN	237			26900							
COLONIAL BLVD	E OF SUMMERLIN RD	14	51500	52500	53100	54600	55600	55900	56900	56500	51100	57700
COLONIAL BLVD	W OF WINKLER AVE	78				56000						
COLONIAL BLVD	W OF TREELINE AVE	91				45100	45500			48300	53400	
COLONIAL BLVD	W OF IMMOKALEE RD	246		35400	39500	41500		43000				44500
CORKSCREW RD	E OF US 41	247		14300		16600		17000		20000		20800
CORKSCREW RD	W OF I - 75	15	29500	28800	30600	31600	33400	34200	36500	39500		
CORKSCREW RD	E OF I - 75			13000								
CORKSCREW RD	E OF I-75	70		21900	21900	22000	22200	22000	22900	20300	16900	17600
CORKSCREW RD	E OF BEN HILL GRIFFIN PKWAY	249				15600		18900		20900		
CORKSCREW RD	W OF ALICO RD	248		3800								
CORKSCREW RD	E OF ALICO RD	250			3100		4400		6700			
CRYSTAL DR	E OF US 41	254		8600	11200		12300		12100		8200	
CRYSTAL DR	E OF METRO PKWY	255			6100		6400		7900		5500	
CYPRESS LAKE DR	E OF SOUTH POINTE BLVD	81				20300	22300	22300		20900	18200	20000
CYPRESS LAKE DR	E OF OVERLOOK DR	73		29400	24700	25800	24200	27100	27200	27100	22600	25400
CYPRESS LAKE DR	W OF SUMMERLIN RD	259	27900	27800				27700		29000		28900
CYPRESS LAKE DR	E OF REFLECTION PKWY	82				42300	38900	39900	40700		35100	39800
CYPRESS LAKE DR	W OF US 41	258	31700	34000	35900	35200				36000		35400
DANIELS PKWY	W OF METRO PKWY	30	40500	40100	46400	47400	48300	48300	49400	49900	41900	49300
DANIELS PKWY	W OF PLANTATION RD	263			48000		47600					
DANIELS PKWY	E OF SIX MILE PKWY	31	52200	53200	51800	53200	59700		60700	62500	54100	63100

**LEE COUNTY PUBLIC FACILITIES
LEVEL OF SERVICE AND
CONCURRENCY REPORT**

9/23/2021

LEE COUNTY Road Link Volumes (County- and State-Maintained Roadways)

LINK NO	NAME	ROADWAY LINK		ROAD TYPE	PERFORMANCE STANDARD		2020 100TH HIGHEST HOUR		FORECAST FUTURE		NOTES
		FROM	TO		LOS	CAPACITY	LOS	VOLUME	LOS	VOLUME	
00100	A & W BULB RD	GLADIOLUS DR	McGREGOR BLVD	2LN	E	860	C	410	C	431	
00200	ALABAMA RD	SR 82	MILWAUKEE BLVD	2LN	E	990	C	270	C	284	
00300	ALABAMA RD	MILWAUKEE BLVD	HOMESTEAD RD	2LN	E	990	C	355	C	373	
00400	ALEXANDER BELL	SR 82	MILWAUKEE BLVD	2LN	E	990	D	571	D	600	
00500	ALEXANDER BELL	MILWAUKEE BLVD	LEELAND HEIGHTS	2LN	E	990	D	571	E	664	Shadow Lakes
00590	ALICO RD	US 41	DUSTY RD	4LD	E	1,980	B	1,171	B	1,230	
00600	ALICO RD	DUSTY RD	LEE RD	6LD	E	2,960	B	1,171	B	1,532	Alico Business Park
00700	ALICO RD	LEE RD	THREE OAKS PKWY	6LD	E	2,960	B	1,171	B	1,419	Three Oaks Regional Center
00800	ALICO RD	THREE OAKS PKWY	I-75	6LD	E	2,960	B	2,051	B	2,156	EEPCO Study
00900	ALICO RD	I-75	BEN HILL GRIFFIN BLVD	6LD	E	2,960	B	1,061	B	1,208	EEPCO Study
01000	ALICO RD	BEN HILL GRIFFIN BLVD	GREEN MEADOW DR	2LN	E	1,100/1,840	C	378	E	782	4 Ln constr 2018, EEPCO Study*
01050	ALICO RD	GREEN MEADOW DR	CORKSCREW RD	2LN	E	1,100	B	131	B	224	EEPCO Study
01200	DABCOCK RD	US 41	ROCKEFELLER CIR	2LN	E	860	C	55	C	162	old count
01400	BARRETT RD	PONDELLA RD	PINE ISLAND RD	2LN	E	860	C	103	C	116	old count projection(2009)
01500	BASS RD	SUMMERLIN RD	GLADIOLUS DR	4LN	E	1,790	C	607	C	865	
01600	BAYSHORE RD (SR 78)	BUS 41	NEW POST RD/HART RD	4LD	D	2,100	C	1,750	C	1,925	
01700	BAYSHORE RD (SR 78)	HART RD	SLATER RD	4LD	D	2,100	C	1,774	C	2,236	
01800	BAYSHORE RD (SR 78)	SLATER RD	I-75	4LD	D	2,100	C	1,191	C	1,462	
01900	BAYSHORE RD (SR 78)	I-75	NALLE RD	2LN	D	924	C	691	C	877	
02000	BAYSHORE RD (SR 78)	NALLE RD	SR 31	2LN	D	924	C	532	C	673	
02100	BEN HILL GRIFFIN PKWY	CORKSCREW RD	FGCU ENTRANCE	4LD	E	2,000	B	1,403	B	1,475	
02200	BEN HILL GRIFFIN PKWY	FGCU BOULEVARD S	COLLEGE CLUB DR	4LD	E	2,000	B	1,403	B	1,475	
02250	BEN HILL GRIFFIN PKWY	COLLEGE CLUB DR	ALICO RD	6LD	E	3,000	A	1,129	A	1,221	
26950	BEN HILL GRIFFIN PKWY	ALICO RD	TERMINAL ACCESS RD	4LD	E	1,980	A	985	A	1,035	
02300	BETH STACEY BLVD	23RD ST	HOMESTEAD RD	2LN	E	860	C	316	C	518	
02400	BONITA BEACH RD	HICKORY BLVD	VANDERBILT DR	4LD	E	1,900	C	651	C	685	Constrained In City Plan *
02500	BONITA BEACH RD	VANDERBILT DR	US 41	4LD	E	1,900	C	1,494	C	1,571	Constrained In City Plan
02600	BONITA BEACH RD	US 41	OLD 41	4LD	E	1,860	C	1,532	C	1,610	Constrained, old count projection(2010)
02700	BONITA BEACH RD	OLD 41	IMPERIAL ST	6LD	E	2,800	C	1,818	C	1,910	Constrained In City Plan(2010)
02800	BONITA BEACH RD	IMPERIAL ST	W OF I-75	6LD	E	2,800	C	1,995	C	2,097	Constrained In City Plan
02900	BONITA BEACH RD	E OF I-75	BONITA GRAND DR	4LD	E	2,020	B	667	B	701	Constrained In City Plan
02950	BONITA BEACH RD	BONITA GRANDE DR	END OF CO. MAINTAINED	4LD	E	2,020	B	667	B	701	Constrained In City Plan
03100	BONITA GRANDE DR	BONITA BEACH RD	E TERRY ST	2LN	E	860	D	692	E	782	old count projection(2009)
03200	BOYSCOUT RD	SUMMERLIN RD	US 41	6LN	E	2,520	E	1,766	E	1,856	
03300	BRANTLEY RD	SUMMERLIN RD	US 41	2LN	E	860	C	275	C	289	
03400	BRIARCLIFF RD	US 41	TRIPLE CROWN CT	2LN	E	860	C	157	C	165	
03500	BROADWAY RD (ALVA)	SR 80	N. RIVER RD	2LN	E	860	C	299	C	314	old count projection(2009)
03700	BUCKINGHAM RD	SR 82	GUNNERY RD	2LN	E	990	D	477	D	501	
03730	BUCKINGHAM RD	GUNNERY RD	ORANGE RIVER BLVD	2LN	E	990	C	383	C	403	
03800	BUCKINGHAM RD	ORANGE RIVER BLVD	SR 80	2LN	E	990	D	529	E	884	Buckingham 345, Portico
03900	BURNT STORE RD	SR 78	VAN BUREN PKWY	4LD	E	2,950	B	923	B	970	
04000	BURNT STORE RD	VAN BUREN PKWY	COUNTY LINE	2LN	E	1,140	C	506	C	604	
04200	BUS 41 (N TAMIAMI TR, SR	CITY LIMITS (N END EDIS	PONDELLA RD	6LD	D	3,171	C	1,249	C	1,554	
04300	BUS 41 (N TAMIAMI TR, SR	PONDELLA RD	SR 78	6LD	D	3,171	C	1,249	C	1,554	
04400	BUS 41 (N TAMIAMI TR, SR	SR 78	LITTLETON RD	4LD	D	2,100	C	1,000	C	1,275	
04500	BUS 41 (N TAMIAMI TR, SR	LITTLETON RD	US 41	4LD	D	2,100	C	614	C	827	
04600	CAPE CORAL BRIDGE	DEL PRADO BLVD	McGREGOR BLVD	4LB	E	4,000	D	3,053	D	3,209	
04700	CAPTIVA DR	BLIND PASS	SOUTH SEAS	2LN	E	860	C	267	C	302	Constrained, old count(2010)
04800	CEMETERY RD	BUCKINGHAM RD	HIGGINS AVE	2LN	E	860	C	328	C	345	
04900	CHAMBERLIN PKWY	AIRPORT ENT	DANIELS PKWY	4LN	E	1,790	C	105	C	150	Port Authority maintained
05000	COCONUT RD	WEST END	VIA VENETTO BLVD	2LN	E	860	C	268	C	420	Estero maintains to east
05100	COLLEGE PKWY	McGREGOR BLVD	WINKLER RD	6LD	E	2,980	D	2,292	D	2,409	*
05200	COLLEGE PKWY	WINKLER RD	WHISKEY CREEK DR	6LD	E	2,980	D	2,059	D	2,164	
05300	COLLEGE PKWY	WHISKEY CREEK DR	SUMMERLIN RD	6LD	E	2,980	D	2,059	D	2,164	
05400	COLLEGE PKWY	SUMMERLIN RD	US 41	6LD	E	2,980	D	1,815	D	1,907	
05500	COLONIAL BLVD	McGREGOR BLVD	SUMMERLIN RD	6LD	E	2,840	D	3,049	D	3,204	*
05600	COLONIAL BLVD	SUMMERLIN RD	US 41	6LD	E	2,840	D	2,821	D	2,965	
06200	COLONIAL BLVD	DYNASTY DR	SR 82	6LD	D	3,040	B	2,241	C	2,355	*
06300	COLUMBUS BLVD	SR 82	MILWAUKEE BLVD	2LN	E	860	C	100	C	105	old count
06400	CONSTITUTION BLVD	US 41	CONSTITUTION CIR	2LN	E	860	C	217	C	245	old count projection(2010)
06500	CORBETT RD	SR 78 (PINE ISLAND RD)	LITTLETON RD	2LN	E	860	C	22	C	226	old count, added VA clinic(2009)
06600	CORKSCREW RD	US 41	THREE OAKS PKWY	4LD	E	1,900	C	1,007	C	1,272	Galleria at Corkscrew
06700	CORKSCREW RD	THREE OAKS PKWY	W OF I-75	4LD	E	1,900	D	2,129	D	2,238	
06800	CORKSCREW RD	E OF I-75	BEN HILL GRIFFIN BLVD	4LD	E	1,900	C	1,022	C	1,234	
06900	CORKSCREW RD	BEN HILL GRIFFIN BLVD	ALICO RD	4LD	E	1,960	C	1,181	C	1,393	
07000	CORKSCREW RD	ALICO RD	COUNTY LINE	2LN	E	1,140	C	499	E	978	EEPCO Study, The Place, Verdana Village
07100	COUNTRY LAKES BLVD	LUCKETT RD	TICE ST	2LN	E	860	C	143	C	293	old count projection(2010)
07200	CRYSTAL DR	US 41	METRO PKWY	2LN	E	860	C	336	C	353	
07300	CRYSTAL DR	METRO PKWY	PLANTATION RD	2LN	E	860	C	225	C	237	

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LEE COUNTY Road Link Volumes (County- and State-Maintained Roadways)

LINK NO.	NAME	ROADWAY LINK		ROAD TYPE	PERFORMANCE STANDARD		2020 HIGHTH HIGHEST HOUR		FORECAST FUTURE		NOTES
		FROM	TO		LOS	CAPACITY	LOS	VOLUME	LOS	VOLUME	
07400	CYPRESS LAKE DR	McGREGOR BLVD	SOUTH POINT BLVD	4LD	E	1,940	D	1,131	D	1,189	
07500	CYPRESS LAKE DR	SOUTH POINT BLVD	WINKLER RD	4LD	E	1,940	D	1,392	D	1,463	
07600	CYPRESS LAKE DR	WINKLER RD	SUMMERLIN RD	4LD	E	1,940	D	1,392	D	1,463	
07700	CYPRESS LAKE DR	SUMMERLIN RD	US 41	6LD	E	2,940	D	2,161	D	2,271	
07800	DANIELS PKWY	US 41	METRO PKWY	6LD	E	2,680	D	2,263	D	2,378	
07900	DANIELS PKWY	METRO PKWY	SIX MILE PKWY	6LD	E	2,680	D	2,109	E	2,520	Constrained
08000	DANIELS PKWY	SIX MILE PKWY	PALOMINO LN	6LD	E	3,040	E	3,030		3,303	Constrained
08100	DANIELS PKWY	PALOMINO LN	I-75	6LD	E	3,040	E	3,030		3,185	Constrained
08200	DANIELS PKWY	I-75	TREELINE AVE	6LD	E	3,260	A	2,396	B	2,518	
08300	DANIELS PKWY	TREELINE AVE	CHAMBERLIN PKWY	6LD	E	3,260	A	2,396	B	2,518	
08400	DANIELS PKWY	CHAMBERLIN PKWY	GATEWAY BLVD	6LD	E	3,260	B	2,737	B	2,876	
08500	DANIELS PKWY	GATEWAY BLVD	SR 82	4LD	E	2,160		2,355		2,632	Sky Walk, Timber Creek*
08600	DANLEY DR	US 41	METRO PKWY	2LN	E	860	C	273	C	304	
08700	DAVIS RD	McGREGOR BLVD	IONA RD	2LN	E	860	C	15	C	29	old count projection(2010)
08800	DEL PRADO BLVD	CAPE CORAL PKWY	SE 46TH ST	6LD	E	2,660	C	1,404	C	1,586	old count projection(2009)
08900	DEL PRADO BLVD	SE 46TH ST	CORONADO PKWY	6LD	E	2,660	C	1,404	C	1,586	old count projection(2009)
09000	DEL PRADO BLVD	CORONADO PKWY	CORNWALLIS PKWY	6LD	E	2,660	D	1,769	D	1,859	
09100	DEL PRADO BLVD	CORNWALLIS PKWY	CORAL POINT DR	6LD	E	2,660	D	2,090	D	2,196	
09200	DEL PRADO BLVD	CORAL POINT DR	HANCOCK B. PKWY	6LD	E	2,800	D	2,038	D	2,142	
09300	DEL PRADO BLVD	HANCOCK B. PKWY	SR 78	6LD	E	2,800	C	1,555	C	1,635	*
09400	DEL PRADO BLVD	US 41	SLATER RD	2LN	E	860	C	435	C	715	Crane Landing
09700	EAST 21ST ST	JOEL BLVD	GRANT AVE	2LN	E	860	C	29	C	30	*
09800	ESTERO BLVD	BIG CARLOS PASS BRIDGE	PISCADORA AVE	2LN	E	726	A	336	A	354	Constrained*
09900	ESTERO BLVD	PISCADORA AVE	VOORHIS ST	2LN	E	726	B	601	C	631	Constrained*
10000	ESTERO BLVD	VOORHIS ST	TROPICAL SHORES WAY	2LN	E	726	B	601	C	631	Constrained*
10100	ESTERO BLVD	TROPICAL SHORES WAY	CENTER ST	2LN	E	671		716		779	Constrained, old count(2010)
14400	ESTERO PKWY	US 41	THREE OAKS PKWY	4LD	E	2,000	B	790	B	1,083	East & West Cypress View*
14450	ESTERO PKWY	THREE OAKS PKWY	BEN HILL GRIFFIN PKWY	4LD	E	2,000	B	876	B	921	*
10200	EVERGREEN RD	US 41	BUS 41	2LN	E	860	C	100	C	116	old count projection
10300	FIDDESTICKS BLVD	GUARDHOUSE	DANIELS PKWY	2LN	E	860	C	403	C	436	
10400	FOWLER ST	US 41	N AIRPORT RD	6LD	E	2,300	D	1,251	D	1,315	
10500	FOWLER ST	N AIRPORT RD	COLONIAL BLVD	6LD	E	2,300	D	1,496	D	1,572	
10800	GASPARILLA BLVD	FIFTH ST	COUNTY LINE	2LN	E	860	C	240	C	267	Constrained*
	GATEWAY BLVD	DANIELS PKWY	GATEWAY LAKES BLVD	4LD	E	1,790	C	1,233	C	1,296	
	GATEWAY BLVD	GATEWAY LAKES BLVD	SR82	2LN	E	860	C	505	C	531	Old Count
10900	GLADIOLUS DR	McGREGOR BLVD	PINE RIDGE RD	4LD	E	1,840	C	550	C	578	
11000	GLADIOLUS DR	PINE RIDGE RD	BASS RD	4LD	E	1,840	C	1,217	C	1,352	
11100	GLADIOLUS DR	BASS RD	WINKLER RD	6LD	E	2,780	C	1,217	C	1,279	
11200	GLADIOLUS DR	WINKLER RD	SUMMERLIN RD	6LD	E	2,780	B	1,217	B	1,279	
11300	GLADIOLUS DR	SUMMERLIN RD	US 41	6LD	E	2,780	C	2,089	C	2,195	
11400	GREENBRIAR BLVD	RICHMOND AVE	JOEL BLVD	2LN	E	860	C	75	C	79	*
11500	GUNNERY RD	SR 82	LEE BLVD	4LD	E	1,920	B	1,548	B	1,643	
11600	GUNNERY RD	LEE BLVD	BUCKINGHAM RD	2LN	E	1,020	C	870	C	1,005	
11700	HANCOCK BRIDGE PKWY	DEL PRADO BLVD	NE 24TH AVE	4LD	E	1,880	B	1,024	B	1,076	
11800	HANCOCK BRIDGE PKWY	NE 24TH AVE	ORANGE GROVE BLVD	4LD	E	1,880	B	1,414	B	1,486	
11900	HANCOCK BRIDGE PKWY	ORANGE GROVE BLVD	MOODY RD	4LD	E	1,880	B	1,394	B	1,465	
12000	HANCOCK BRIDGE PKWY	MOODY RD	US 41	4LD	E	1,880	B	1,394	B	1,465	
12100	HART RD	SR 78	TUCKER LANE	2LN	E	860	C	357	C	375	*
12200	HICKORY BLVD	BONITA BEACH RD	McLAUGHLIN BLVD	2LN	E	890	E	529	E	556	Constrained*
12300	HICKORY BLVD	McLAUGHLIN BLVD	MELODY LANE	2LN	E	890	E	529	E	556	Constrained*
12400	HICKORY BLVD	MELODY LANE	ESTERO BLVD	2LN	E	890	E	529	E	556	Constrained*
12480	HOMESTEAD RD	SR 82	MILWAUKEE BLVD	2LN	E	1,010	D	526	E	696	*
12490	HOMESTEAD RD	MILWAUKEE BLVD	SUNRISE BLVD	2LN	E	1,010	D	526	E	696	*
12500	HOMESTEAD RD	SUNRISE BLVD	LEELAND HEIGHTS	4LN	E	2,960	C	526	C	696	4 lane under construction
12600	HOMESTEAD RD	LEELAND HEIGHTS	LEE BLVD	4LN	E	2,960	C	963	C	1,059	
31800	I-75	BONITA BEACH RD	CORKSCREW RD	6LF	D	5,620	D	5,557		6,562	
31900	I-75	CORKSCREW RD	ALICO RD	6LF	D	5,620	D	4,907	E	5,804	
32000	I-75	ALICO RD	DANIELS PKWY	6LF	D	5,620	C	4,972	C	5,632	
32100	I-75	DANIELS PKWY	COLONIAL BLVD	6LF	D	5,620	C	4,544	D	5,435	
	I-75	COLONIAL BLVD	M.L.K.(SR 82)	6LF	D	5,620	C	4,336	D	5,036	
32300	I-75	M.L.K.(SR 82)	LUCKETT RD	6LF	D	5,620	C	4,596	D	5,253	
32400	I-75	LUCKETT RD	SR 80	6LF	D	5,620	B	4,363	C	4,933	
32500	I-75	SR 80	SR 78	6LF	D	5,620	B	3,635	B	4,145	
32600	I-75	SR 78	COUNTY LINE	6LF	C	4,670	B	2,696	B	2,990	
12700	IDLEWILD ST	METRO PKWY	RANCHETTE RD	2LN	E	860	C	200	C	210	
13000	IMMOKALEE RD (SR 82)	E OF COLONIAL BLVD	GATEWAY BLVD	6LD	D	3,171	C	1,701	C	2,177	
13100	IMMOKALEE RD (SR 82)	GATEWAY BLVD	GUNNERY RD	6LD	D	3,171	C	1,191	C	1,532	
13200	IMMOKALEE RD (SR 82)	GUNNERY RD	ALABAMA RD	6LD	D	4,860	B	1,385	B	1,683	
13300	IMMOKALEE RD (SR 82)	ALABAMA RD	BELL BLVD	4LD	D	3,240	B	564	B	688	

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LEE COUNTY Road Link Volumes (County- and State-Maintained Roadways)

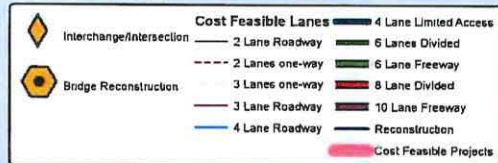
LINK NO	NAME	ROADWAY LINK		ROAD TYPE	PERFORMANCE STANDARD		2020 100TH HIGHEST HOUR		FORECAST FUTURE		NOTES
		FROM	TO		LOS	CAPACITY	LOS	VOLUME	LOS	VOLUME	
13400	IMMOKALEE RD (SR 82)	BELL BLVD	COUNTY LINE	4LD	D	3,240	B	569	B	698	
13500	IMPERIAL PKWY	COUNTY LINE	BONTA BEACH RD	4LD	E	1,920	B	1,009	B	1,061	
13550	IMPERIAL PKWY	E TERRY ST	COCONUT RD	4LD	E	1,920	B	973	B	1,023	
13600	IONA RD	DAVIS RD	McGREGOR BLVD	2LN	E	860	C	381	C	460	*
13700	ISLAND PARK RD	PARK RD	US 41	2LN	E	860	C	75	C	247	
13800	JOEL BLVD	BELL BLVD	18TH ST	4LN	E	2,120	B	625	B	835	Joel Blvd CPD
13900	JOEL BLVD	18TH ST	SR 80	2LN	E	1,010	D	490	D	515	
14000	JOHN MORRIS RD	BUNCHE BEACH	SUMMERLIN RD	2LN	E	860	C	62	C	72	old count projection
14100	JOHN MORRIS RD	SUMMERLIN RD	IONA RD	2LN	E	860	C	256	C	269	*
14200	KELLY RD	McGREGOR BLVD	SAN CARLOS BLVD	2LN	E	860	C	282	C	296	
14300	KELLY RD	SAN CARLOS BLVD	PINE RIDGE RD	2LN	E	860	C	106	C	120	old count projection(2010)
14500	LAUREL DR	BUS 41	BREEZE DR	2LN	E	860	C	436	C	458	
14600	LEE BLVD	SR 82	ALVIN AVE	6LD	E	2,840	B	2,335	B	2,454	
14700	LEE BLVD	ALVIN AVE	GUNNERY RD	6LD	E	2,840	B	2,037	B	2,216	
14800	LEE BLVD	GUNNERY RD	HOMESTEAD RD	6LD	E	2,840	B	2,257	B	2,372	
14900	LEE BLVD	HOMESTEAD RD	WILLIAMS AVE	4LD	E	1,980	B	1,006	B	1,057	
14930	LEE BLVD	WILLIAMS AVE	LEELAND HEIGHTS	2LN	E	1,020	C	1,006		1,057	
15000	LEE RD	SAN CARLOS BLVD	ALICO RD	2LN	E	860	C	544	D	614	old count projection(2015)
15100	LEELAND HEIGHTS	HOMESTEAD RD	JOEL BLVD	4LN	E	1,800	B	832	B	867	*
15200	LEONARD BLVD	GUNNERY RD	WESTGATE BLVD	2LN	E	860	E	843		917	
15300	LITTLETON RD	CORBETT RD	US 41	2LN	E	860	C	470	C	494	
15400	LITTLETON RD	US 41	BUS 41	2LN	E	860	C	496	C	522	
15500	LUCKETT RD	ORTIZ AVE	I-75	2LN	E	880	B	338	B	413	4 Ln design & ROW
15600	LUCKETT RD	I-75	COUNTRY LAKES DR	2LN	E	860	C	304	C	319	
15700	MAPLE DR*	SUMMERLIN RD	2ND AVE	2LN	E	860	C	77	C	89	old count projection
15800	McGREGOR BLVD	SANBEL T PLAZA	HARBOR DR	4LD	E	1,960	B	1,176	B	1,236	
15900	McGREGOR BLVD	HARBOR DR	SUMMERLIN RD	4LD	E	1,960	B	1,105	B	1,162	
16000	McGREGOR BLVD	SUMMERLIN RD	KELLY RD	4LD	E	1,960	A	943	A	1,001	
16100	McGREGOR BLVD	KELLY RD	GLADIOLUS DR	4LD	E	1,960	A	943	A	991	
16200	McGREGOR BLVD (SR 867)	OLD McGREGOR BLVD/G	IONA LOOP RD	4LD	D	2,100	C	1,451	C	1,625	
16300	McGREGOR BLVD (SR 867)	IONA LOOP RD	PINE RIDGE RD	4LD	D	2,100	C	1,599	C	1,625	
16400	McGREGOR BLVD (SR 867)	PINE RIDGE RD	CYPRESS LAKE DR	4LD	D	2,100	C	1,599	C	1,798	
16500	McGREGOR BLVD (SR 867)	CYPRESS LAKE DR	COLLEGE PKWY	4LD	D	2,100	C	1,599	C	1,798	
16600	McGREGOR BLVD (SR 867)	COLLEGE PKWY	WINKLER RD	2LN	D	924	C	727	C	802	Constrained
16700	McGREGOR BLVD (SR 867)	WINKLER RD	TANGLEWOOD BLVD	2LN	D	970	C	1,057		1,168	Constrained
16800	McGREGOR BLVD (SR 867)	TANGLEWOOD BLVD	COLONIAL BLVD	2LN	D	970	C	1,057		1,168	Constrained
16900	METRO PKWY (SR 739)	SIX MILE PKWY	DANIELS PKWY	6LD	D	3,171	C	977	C	1,376	
17000	METRO PKWY (SR 739)	DANIELS PKWY	CRYSTAL DR	4LD	D	2,100	C	1,140	C	1,452	
17100	METRO PKWY (SR 739)	CRYSTAL DR	DANLEY DR	4LD	D	2,100	C	1,303	C	1,623	
17200	METRO PKWY (SR 739)	DANLEY DR	COLONIAL BLVD	4LD	D	2,100	C	1,349	C	1,880	
	MICHAEL RIPPÉ PKWY	US 41	SIX MILES PKWY	6LD	D	3,171	C	1,070	C	1,537	
17600	MILWAUKEE BLVD	ALABAMA BLVD	BELL BLVD	2LN	E	860	C	171	C	180	*
17700	MILWAUKEE BLVD	BELL BLVD	COLUMBUS BLVD	2LN	E	860	C	171	C	184	*
17800	MOODY RD	HANCOCK B. PKWY	PONDELLA RD	2LN	E	860	C	182	C	206	old count projection(2009)
17900	NALLE GRADE RD	SLATER RD	NALLE RD	2LN	E	860	C	64	C	67	
18000	NALLE RD	SR 78	NALLE GRADE RD	2LN	E	860	C	114	C	133	*
18100	NEAL RD	ORANGE RIVER BLVD	BUCKINGHAM RD	2LN	E	860	C	120	C	126	*
18200	NO RIVER RD	SR 31	FRANKLIN LOCK RD	2LN	E	1,140	A	164	B	283	
18300	NO RIVER RD	FRANKLIN LOCK RD	BROADWAY RD	2LN	E	1,140	A	164	B	309	
18400	NO RIVER RD	BROADWAY RD	COUNTY LINE	2LN	E	1,140	A	113	A	146	
18900	OLGA RD*	SR 80 W	SR 80 E	2LN	E	860	C	82	C	95	old count projection
19100	ORANGE GROVE BLVD	CLUB ENTR	HANCOCK B. PKWY	2LN	E	860	C	393	C	488	old count(2009)
19200	ORANGE GROVE BLVD	HANCOCK B. PKWY	PONDELLA RD	4LN	E	1,790	C	614	C	645	
19300	ORANGE RIVER BLVD	SR 80	STALEY RD	2LN	E	1,000	D	510	D	536	
19400	ORANGE RIVER BLVD	STALEY RD	BUCKINGHAM RD	2LN	E	1,000	D	510	D	544	
19500	ORIOLE RD	SAN CARLOS BLVD	ALICO RD	2LN	E	860	C	147	C	154	
19600	ORTIZ AVE	COLONIAL BLVD	SR 82	2LN	E	900	C	805	C	846	
19700	ORTIZ AVE	SR 82	LUCKETT RD	2LN	E	900	C	838	C	880	4 Ln design & ROW
19800	ORTIZ AVE	LUCKETT RD	SR 80	2LN	E	900	B	350	B	368	4 Ln design & ROW
19900	PALM BEACH BLVD (SR 80)	PROSPECT AVE	ORTIZ AVE	4LD	D	2,100	C	1,096	C	1,210	
20000	PALM BEACH BLVD (SR 80)	ORTIZ AVE	I-75	6LD	D	3,171	C	1,096	C	1,205	
20100	PALM BEACH BLVD (SR 80)	I-75	SR 31	6LD	D	3,171	C	1,619	C	2,006	
20200	PALM BEACH BLVD (SR 80)	SR 31	BUCKINGHAM RD	4LD	D	2,100	C	1,619	C	1,905	
20300	PALM BEACH BLVD (SR 80)	BUCKINGHAM RD	WERNER DR	4LD	D	3,280	B	1,764	C	2,208	
20330	PALM BEACH BLVD (SR 80)	WERNER DR	JOEL BLVD	4LD	C	2,210	C	1,402	C	1,797	
20400	PALM BEACH BLVD (SR 80)	JOEL BLVD	HENDRY CO. LINE	4LD	C	2,210	B	1,224	C	1,541	
20500	PALOMINO LN	DANIELS PKWY	PENZANCE BLVD	2LN	E	860	C	466	C	489	
20600	PARK MEADOWS DR	SUMMERLIN RD	US 41	2LN	E	860	C	196	C	206	
20800	PENZANCE BLVD	RANCHETTE RD	SIX MILE PKWY	2LN	E	860	C	147	C	159	

9/23/2021

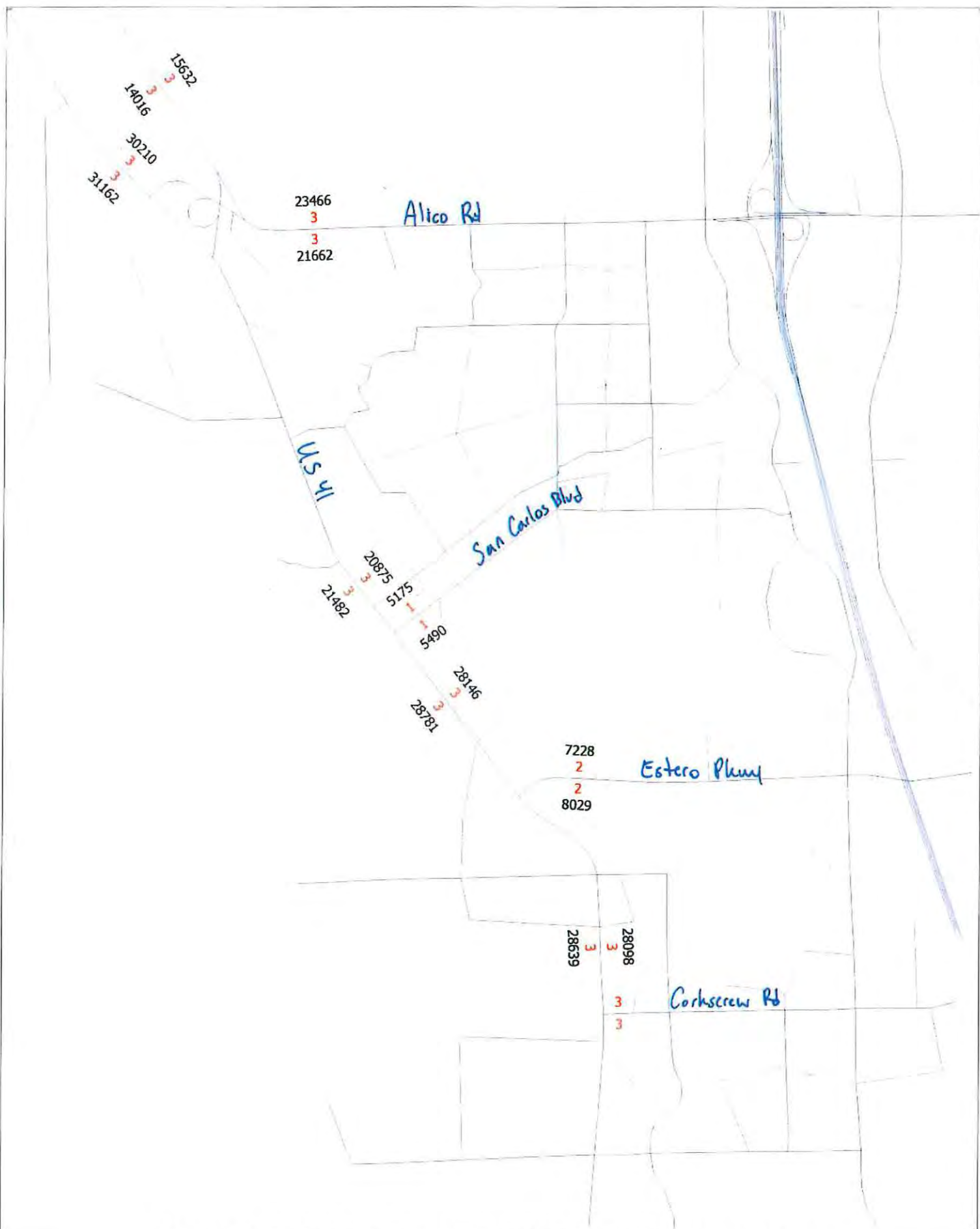
LEE COUNTY Road Link Volumes (County- and State-Maintained Roadways)

LINK NO.	NAME	ROADWAY LINK		ROAD TYPE	PERFORMANCE STANDARD		2020 100TH HIGHEST HOUR		FORECAST FUTURE		NOTES
		FROM	TO		LOS	CAPACITY	LOS	VOLUME	LOS	VOLUME	
20900	PINE ISLAND RD	STRINGFELLOW RD	BURNT STORE RD	2LN	E	950	E	594	E	644	Constrained
21400	PINE ISLAND RD (SR 78)	CITY LIMITS E OF BARRETT RD	US 41	4LD	D	2,100	C	1,621	D	2,037	
21500	PINE ISLAND RD (SR 78)	US 41	BUS 41	4LD	D	2,100	C	1,580	C	1,855	
21600	PINE RIDGE RD	SAN CARLOS BLVD	SUMMERLIN RD	2LN	E	860	C	489	C	535	*
21700	PINE RIDGE RD	SUMMERLIN RD	GLADIOLUS DR	2LN	E	860	C	293	D	532	Heritage Isle*
21800	PINE RIDGE RD	GLADIOLUS DR	MCGREGOR BLVD	2LN	E	860	C	293	C	308	
21900	PLANTATION RD	SIX MILE PKWY	DANIELS PKWY	2LN	E	860	C	285	C	414	Intermed Park
22000	PLANTATION RD	DANIELS PKWY	IDLEWILD ST	2LN	E	860	D	740	D	778	FDOT Metro Pkwy 6-laning
22050	PLANTATION RD	IDLEWILD ST	COLONIAL BLVD	4LN	E	1,790	C	510	C	536	
22100	PONDELLA RD	SR 78	ORANGE GROVE BLVD	4LD	E	1,890	B	736	B	774	*
22200	PONDELLA RD	ORANGE GROVE BLVD	US 41	4LD	E	1,890	B	1,101	B	1,176	
22300	PONDELLA RD	US 41	BUS 41	4LD	E	1,890	B	1,094	B	1,150	
22400	PRITCHETT PKWY	SR 78	RICH RD	2LN	E	860	C	73	C	541	old count, Stonybrook North(2009)
22500	RANCHETTE RD	PENZANCE BLVD	IDLEWILD ST	2LN	E	860	C	93	C	98	
22600	RICH RD	SLATER RD	PRITCHETT PKWY	2LN	E	860	C	55	C	62	old count projection(2009)
22700	RICHMOND AVE	LEELAND HEIGHTS	E 12TH ST	2LN	E	860	C	77	C	89	
22800	RICHMOND AVE	E 12TH ST	GREENBRIAR BLVD	2LN	E	860	C	77	C	81	
23000	SAN CARLOS BLVD (SR 86S)	MANTANZAS PASS B.	MAIN ST	2LD	D	970		1,022		1,151	Constrained
23100	SAN CARLOS BLVD (SR 86S)	MAIN ST	SUMMERLIN RD	4LD	D	2,100	C	1,022	C	1,151	PD&E Study
23180	SAN CARLOS BLVD (SR 86S)	SUMMERLIN RD	KELLY RD	2LD	D	970	C	689	C	767	
23200	SAN CARLOS BLVD (SR 86S)	KELLY RD	GLADIOLUS DR	4LD	D	2,100	C	689	C	767	
23230	SAN CARLOS BLVD	US 41	THREE OAKS PKWY	2LN	E	860	C	448	C	471	*
23260	SANIBEL BLVD	US 41	LEE RD	2LN	E	860	D	591	D	621	
23300	SANIBEL CAUSEWAY	SANIBEL SHORELINE	TOLL PLAZA	2LN	E	1,140	E	937	E	985	
23400	SHELL POINT BLVD	MCGREGOR BLVD	PALM ACRES	2LN	E	860	C	294	C	309	*
23500	SIX MILE PKWY (SR 739)	US 41	METRO PKWY	4LD	D	2,100	C	1,512	C	1,764	
23600	SIX MILE CYPRESS	METRO PKWY	DANIELS PKWY	4LD	E	2,000	B	1,481	B	1,556	
23700	SIX MILE CYPRESS	DANIELS PKWY	WINKLER EXT.	4LD	E	1,900	B	1,069	B	1,272	
23800	SIX MILE CYPRESS	WINKLER EXT.	CHALLENGER BLVD	4LD	E	1,900	B	1,038	B	1,091	
23900	SIX MILE CYPRESS	CHALLENGER BLVD	COLONIAL BLVD	6LD	E	2,860	A	1,038	A	1,091	
24000	SLATER RD	SR 78	NALLE GRADE RD	2LN	E	1,010	C	399	C	419	*
24100	SOUTH POINTE BLVD	CYPRESS LAKE DR	COLLEGE PKWY	2LD	E	910	D	640	D	673	*
24200	SR 31 (ARCADIA RD)	SR 80	SR 78	2LN	D	970	C	652	C	831	PD&E/SEIR Study
24300	SR 31 (ARCADIA RD)	SR 78	COUNTY LINE	2LN	C	820	B	460	B	669	PD&E/SEIR Study
24400	STALEY RD	TICE	ORANGE RIVER BLVD	2LN	E	860	C	211	C	237	*
24500	STRINGFELLOW RD	1ST AVE	BERKSHIRE RD	2LN	E	1,060	B	315	D	672	Constrained
24600	STRINGFELLOW RD	BERKSHIRE RD	PINE ISLAND RD	2LN	E	1,060	B	315	C	448	Constrained
24700	STRINGFELLOW RD	PINE ISLAND RD	PINELAND RD	2LN	E	1,060	D	712	E	813	Constrained
24800	STRINGFELLOW RD	PINELAND RD	MAIN ST	2LN	E	1,060	D	712	E	809	
24900	SUMMERLIN RD	MCGREGOR BLVD	KELLY COVE RD	4LD	E	1,980	A	1,243	A	1,306	
25000	SUMMERLIN RD	KELLY COVE RD	SAN CARLOS BLVD	4LD	E	1,980	A	1,243	A	1,306	
25100	SUMMERLIN RD	SAN CARLOS BLVD	PINE RIDGE RD	6LD	E	3,000	A	1,896	A	2,126	
25200	SUMMERLIN RD	PINE RIDGE RD	BASS RD	6LD	E	3,000	A	1,896	A	1,993	
25300	SUMMERLIN RD	BASS RD	GLADIOLUS DR	6LD	E	3,000	A	1,896	A	1,993	
25400	SUMMERLIN RD	GLADIOLUS DR	CYPRESS LAKE DR	4LD	E	1,900	C	1,517	C	1,618	
25500	SUMMERLIN RD	CYPRESS LAKE DR	COLLEGE PKWY	6LD	E	2,880	B	1,489	B	1,565	
25600	SUMMERLIN RD	COLLEGE PKWY	PARK MEADOW DR	6LD	E	2,880	B	1,526	B	1,604	
25700	SUMMERLIN RD	PARK MEADOW DR	BOY SCOUT	6LD	E	2,880	B	1,526	B	1,604	
25800	SUMMERLIN RD	BOY SCOUT	MATHEWS DR	4LD	E	1,820	D	1,189	D	1,250	
25900	SUMMERLIN RD	MATHEWS DR	COLONIAL BLVD	4LD	E	1,820	D	1,189	D	1,250	
26000	SUNRISE BLVD	BELL BLVD	COLUMBUS BLVD	2LN	E	860	C	42	C	53	Old Count
26100	SUNSHINE BLVD	SR 82	23RD ST SW	2LN	E	1,010	C	443	C	466	*
26150	SUNSHINE BLVD	23RD ST SW	LEE BLVD	2LN	E	1,010	C	443	C	466	*
26200	SUNSHINE BLVD	LEE BLVD	W 12TH ST	2LN	E	1,010	E	730	E	767	*
26300	SUNSHINE BLVD	W 12TH ST	W 75TH ST	2LN	E	860	D	600	D	630	
26400	SW 23RD ST	GUNNERY RD	SUNSHINE BLVD	2LN	E	860	E	855		1,012	Copperhead
26500	THREE OAKS PKWY	COCONUT RD	ESTERO PKWY	4LD	E	1,940	B	1,502	B	1,685	
26600	THREE OAKS PKWY	ESTERO PKWY	SAN CARLOS BLVD	4LD	E	1,940	B	855	B	964	
26700	THREE OAKS PKWY	SAN CARLOS BLVD	ALICO RD	4LD	E	1,940	B	855	B	1,198	
26800	TICE ST	SR 80	ORTIZ AVE	2LN	E	860	C	199	C	209	
26900	TICE ST	ORTIZ AVE	STALEY RD	2LN	E	860	C	188	D	701	Elementry U.
27000	TREELINE AVE	TERMINAL ACCESS RD	DANIELS PKWY	4LD	E	1,980	A	1,050	A	1,288	Harley Davidson
27030	TREELINE AVE	DANIELS PKWY	AMBERWOOD RD	4LD	E	1,980	A	799	A	840	
27070	TREELINE AVE	AMBERWOOD RD	COLONIAL BLVD	4LD	E	1,980	A	793	A	833	
29800	US 41 (S TAMIAHI TR)	OLD 41	CORKSCREW RD	6LD	D	3,171	C	2,020	C	2,273	
29900	US 41 (S TAMIAHI TR)	CORKSCREW RD	SANIBEL BLVD	6LD	D	3,171	C	1,901	C	2,354	
30000	US 41 (S TAMIAHI TR)	SANIBEL BLVD	ALICO RD	6LD	D	3,171	C	2,069	C	2,812	
30100	US 41 (S TAMIAHI TR)	ALICO RD	ISLAND PARK RD	6LD	D	3,171	C	2,069	C	2,467	

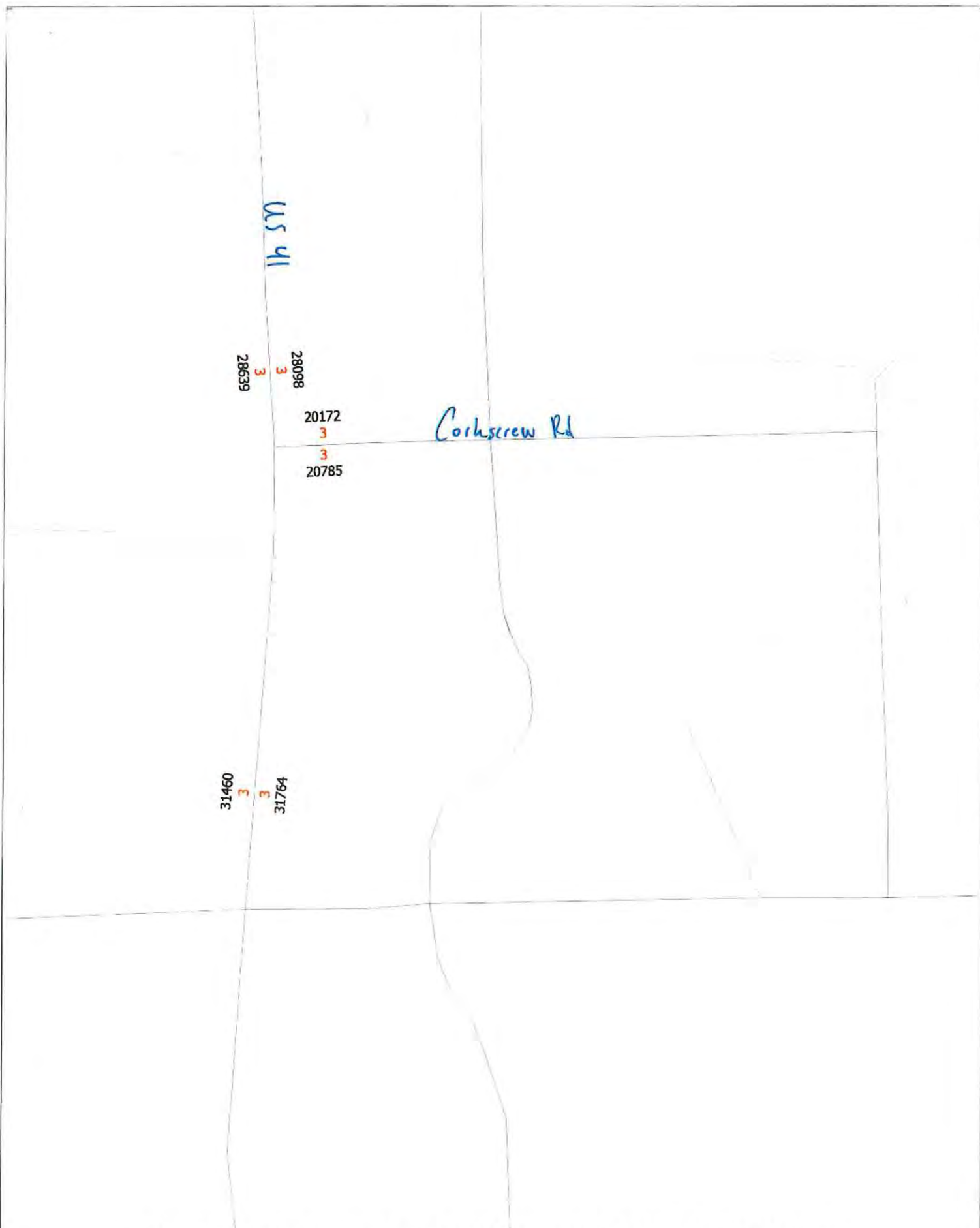
LEE COUNTY MPO 2045 COST FEASIBLE HIGHWAY PLAN



2045 E+C NETWORK VOLUMES



2045 LRTP COST FEASIBLE ROADWAY NETWORK LANES AND VOLUMES



2045 LRTP COST FEASIBLE ROADWAY NETWORK LANES AND VOLUMES

TRIP GENERATION EQUATIONS

Single-Family Detached Housing (210)

Vehicle Trip Ends vs: Dwelling Units
On a: Weekday

Setting/Location: General Urban/Suburban

Number of Studies: 174

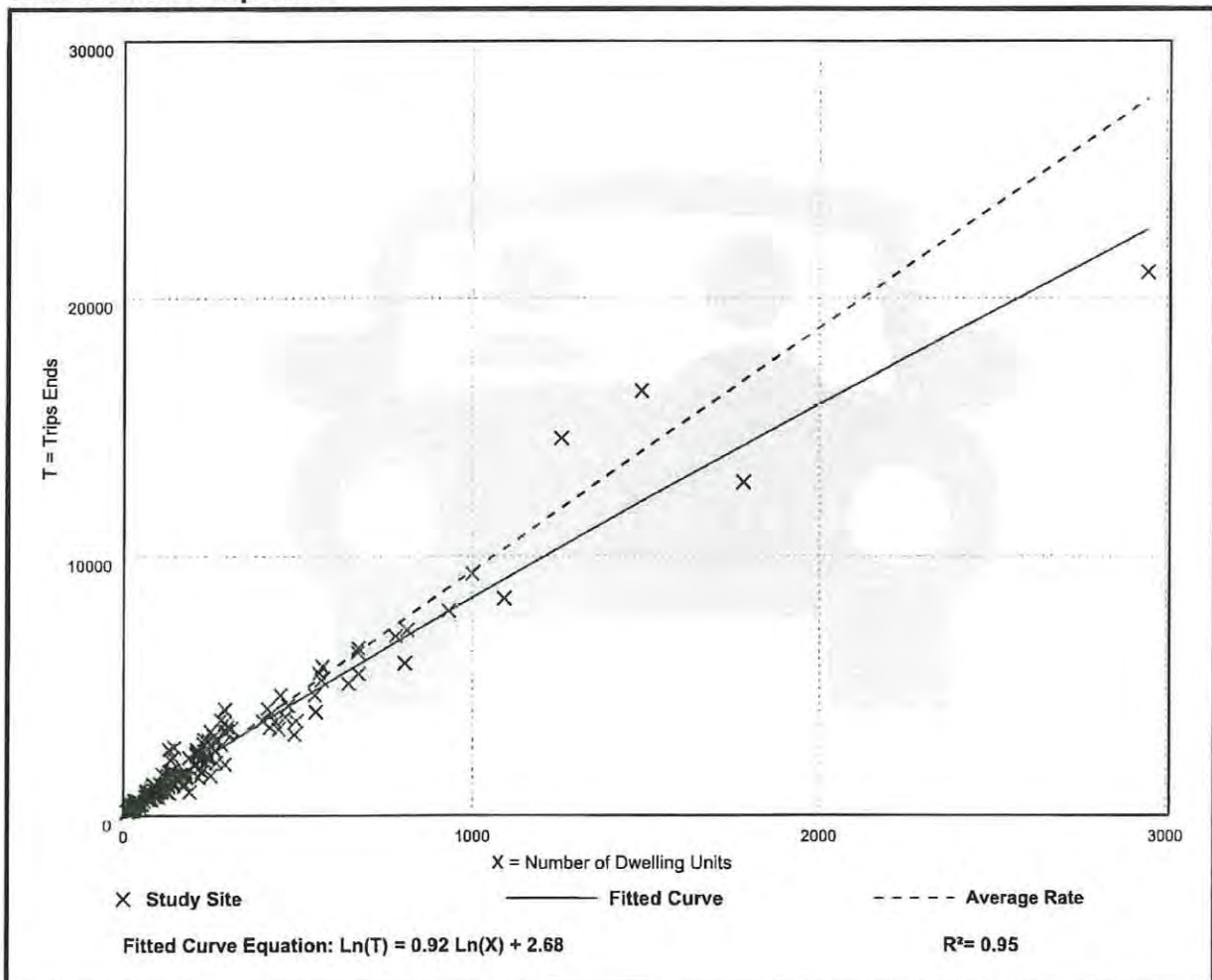
Avg. Num. of Dwelling Units: 246

Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
9.43	4.45 - 22.61	2.13

Data Plot and Equation



Single-Family Detached Housing (210)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 192

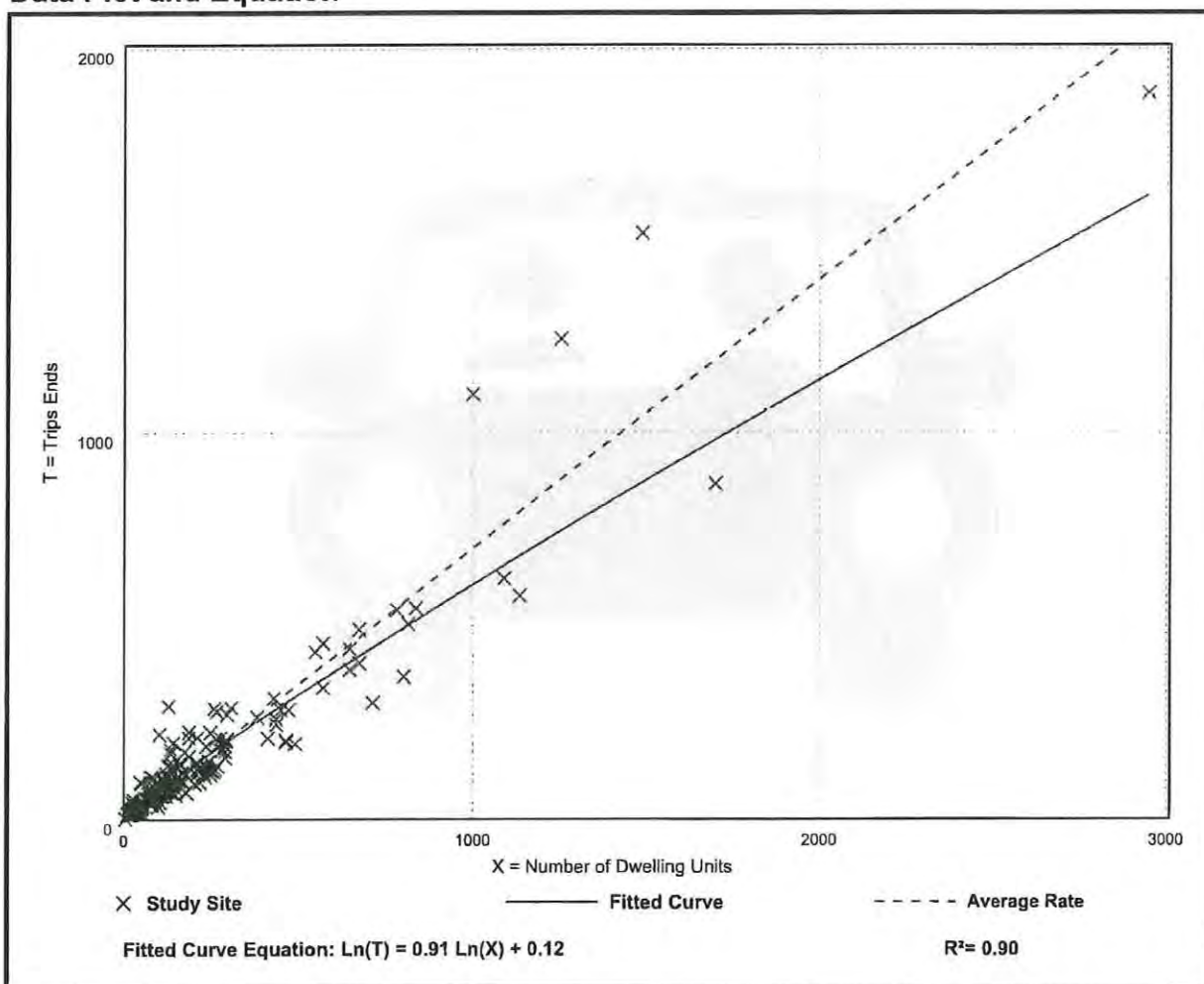
Avg. Num. of Dwelling Units: 226

Directional Distribution: 26% entering, 74% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.70	0.27 - 2.27	0.24

Data Plot and Equation



Single-Family Detached Housing (210)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 208

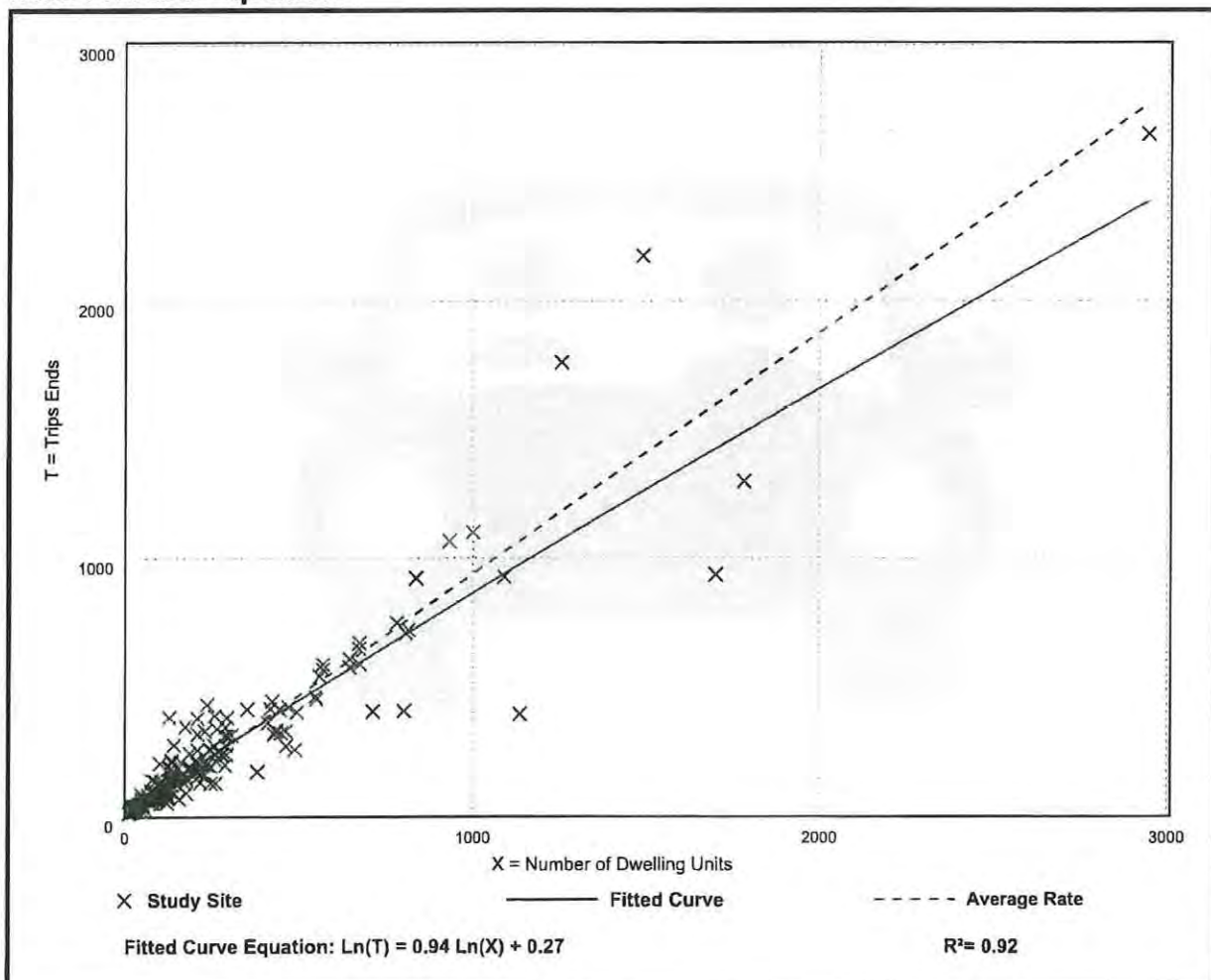
Avg. Num. of Dwelling Units: 248

Directional Distribution: 63% entering, 37% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.94	0.35 - 2.98	0.31

Data Plot and Equation



Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday

Setting/Location: General Urban/Suburban

Number of Studies: 22

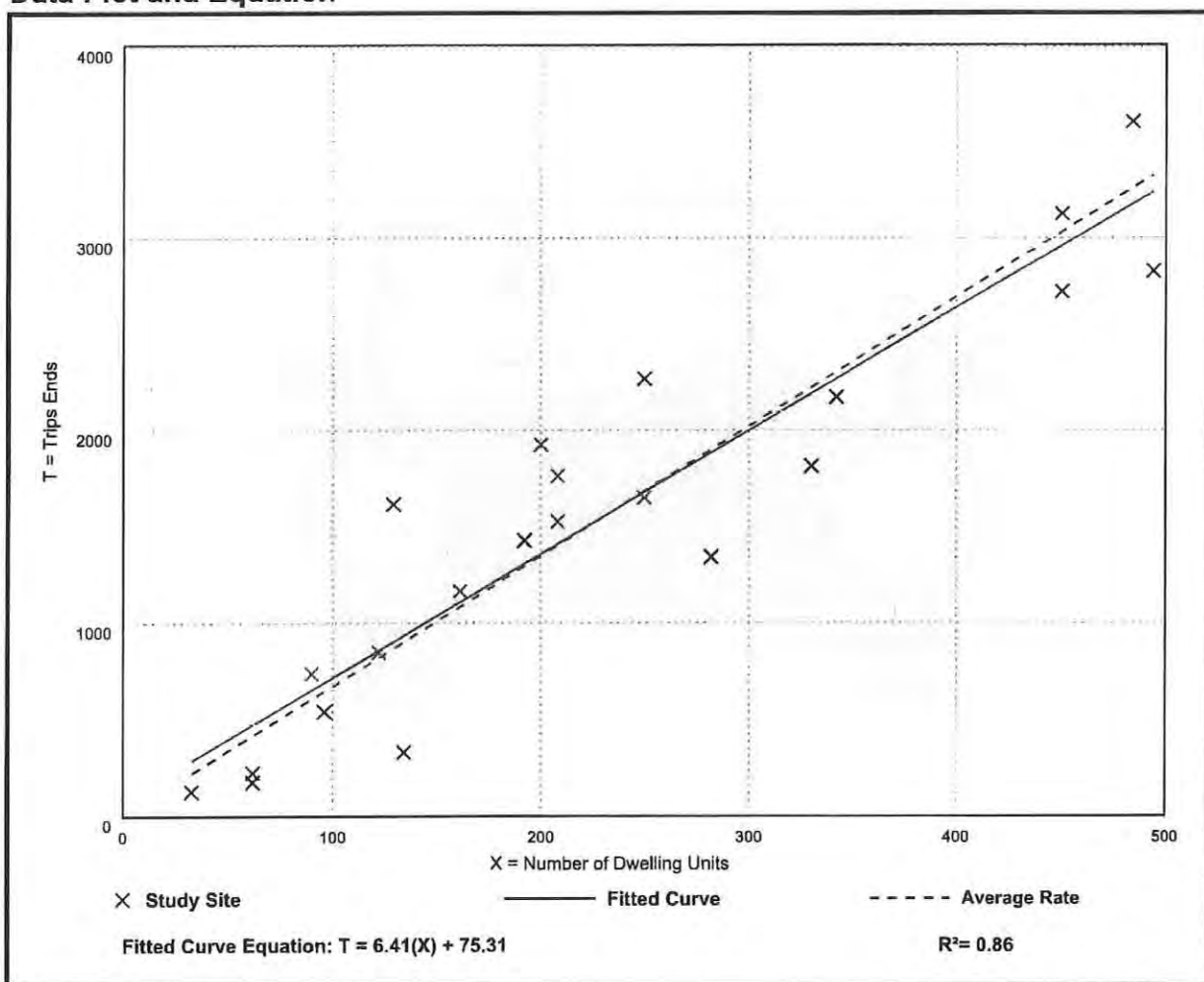
Avg. Num. of Dwelling Units: 229

Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
6.74	2.46 - 12.50	1.79

Data Plot and Equation



Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 49

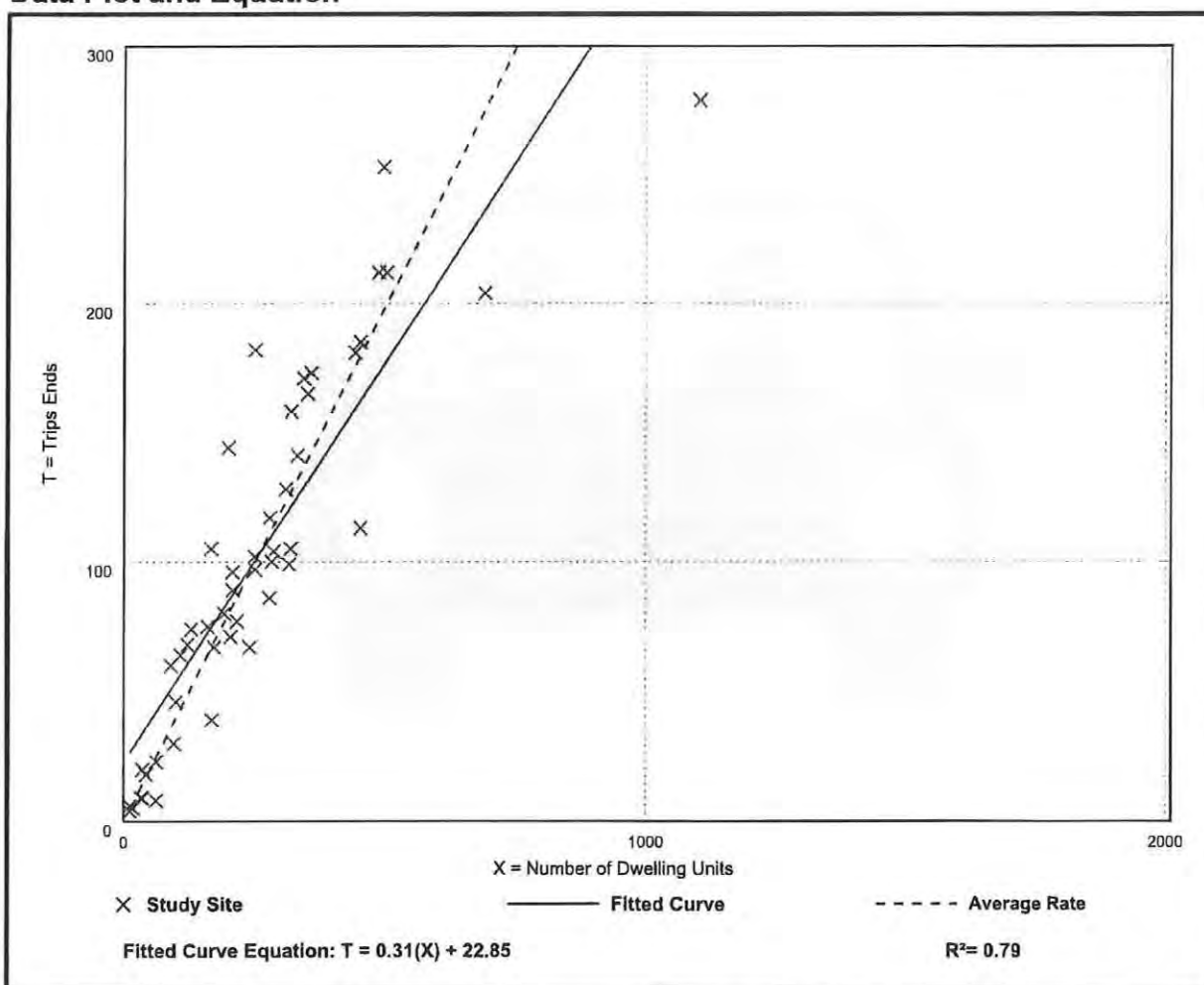
Avg. Num. of Dwelling Units: 249

Directional Distribution: 24% entering, 76% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.40	0.13 - 0.73	0.12

Data Plot and Equation



Multifamily Housing (Low-Rise) Not Close to Rail Transit (220)

Vehicle Trip Ends vs: Dwelling Units

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 59

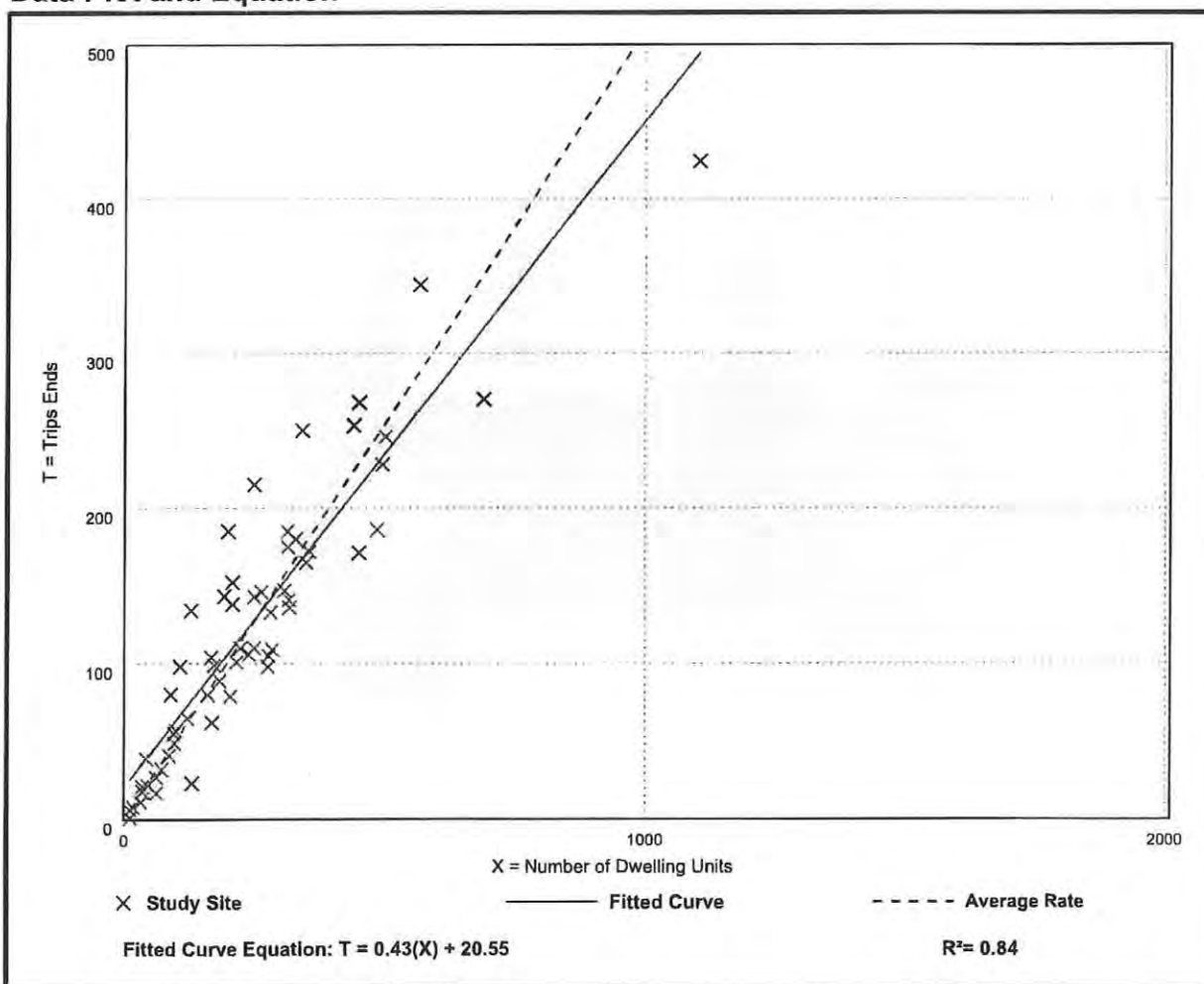
Avg. Num. of Dwelling Units: 241

Directional Distribution: 63% entering, 37% exiting

Vehicle Trip Generation per Dwelling Unit

Average Rate	Range of Rates	Standard Deviation
0.51	0.08 - 1.04	0.15

Data Plot and Equation



Strip Retail Plaza (<40k) (822)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA

On a: Weekday

Setting/Location: General Urban/Suburban

Number of Studies: 4

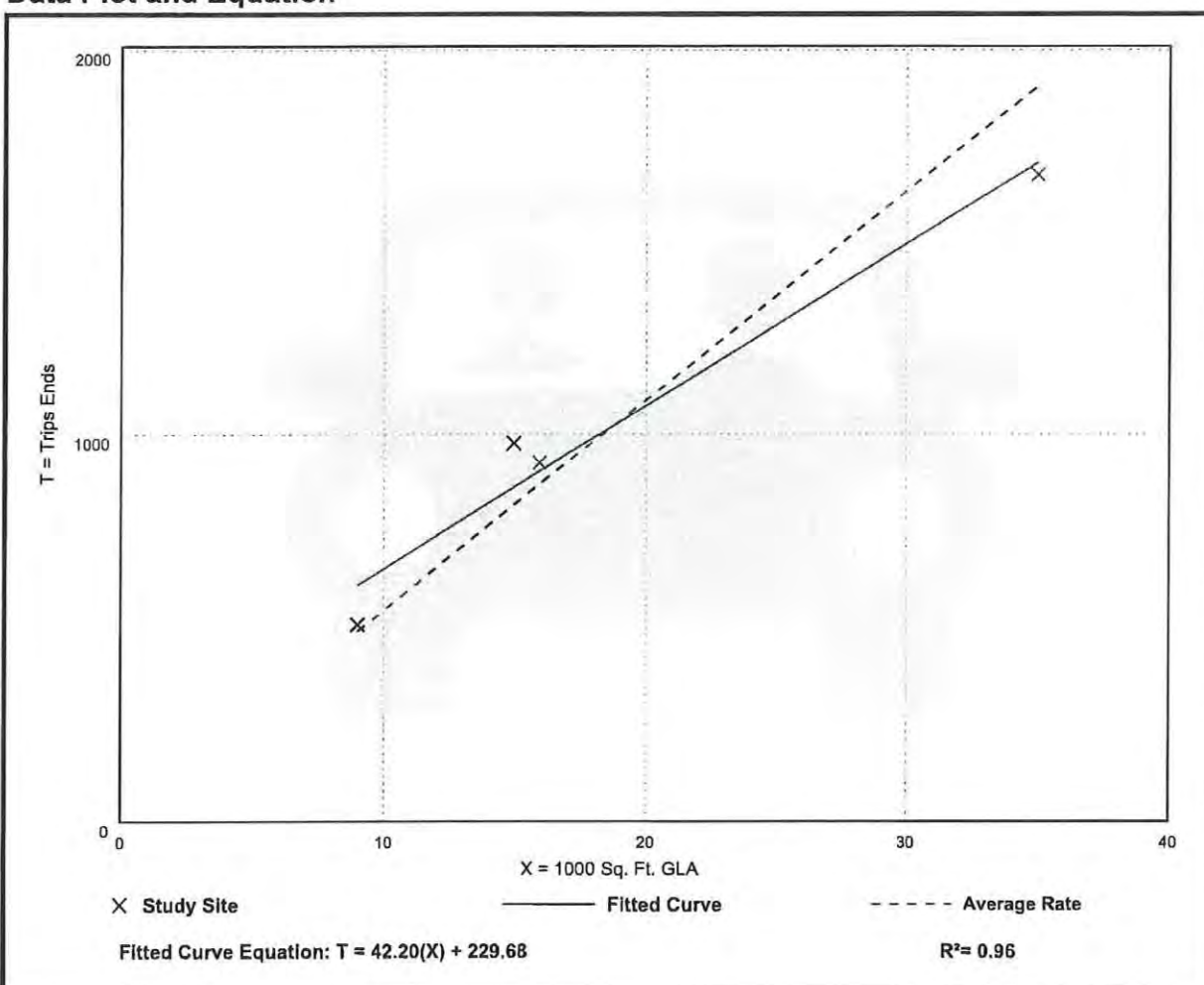
Avg. 1000 Sq. Ft. GLA: 19

Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
54.45	47.86 - 65.07	7.81

Data Plot and Equation



Strip Retail Plaza (<40k) (822)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 7 and 9 a.m.

Setting/Location: General Urban/Suburban

Number of Studies: 5

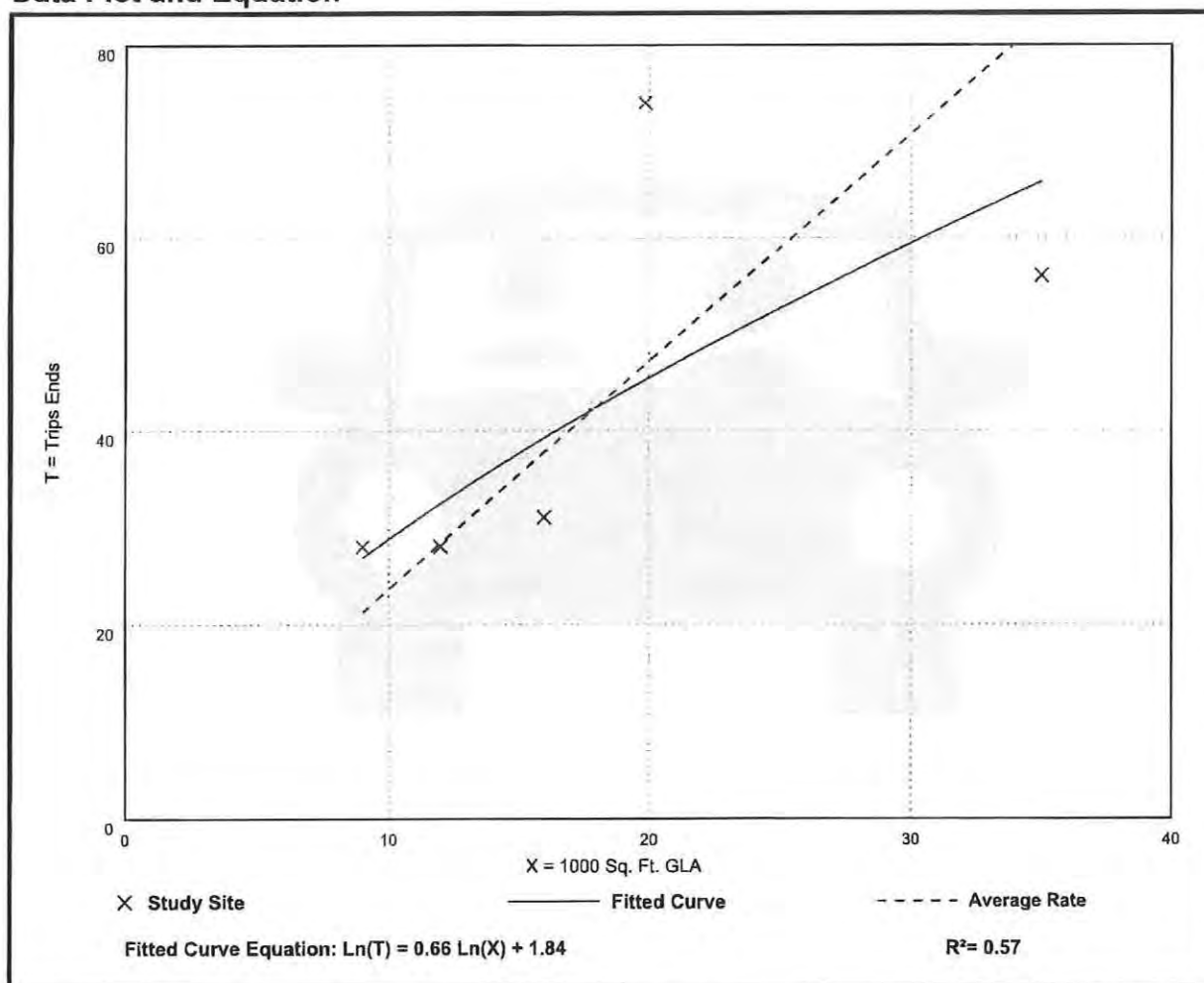
Avg. 1000 Sq. Ft. GLA: 18

Directional Distribution: 60% entering, 40% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
2.36	1.60 - 3.73	0.94

Data Plot and Equation



Strip Retail Plaza (<40k) (822)

Vehicle Trip Ends vs: 1000 Sq. Ft. GLA

On a: Weekday,

Peak Hour of Adjacent Street Traffic,

One Hour Between 4 and 6 p.m.

Setting/Location: General Urban/Suburban

Number of Studies: 25

Avg. 1000 Sq. Ft. GLA: 21

Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
6.59	2.81 - 15.20	2.94

Data Plot and Equation

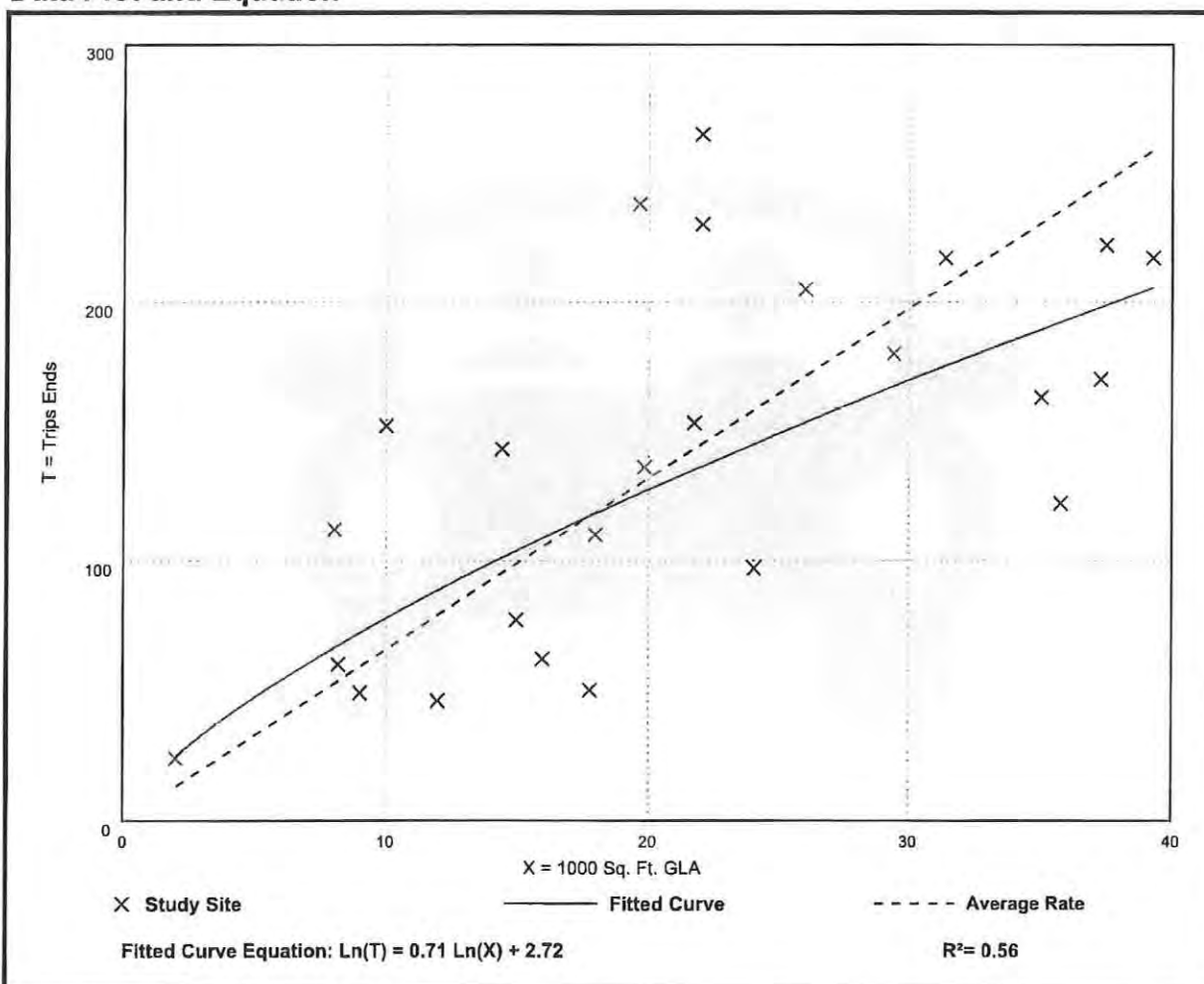


Exhibit M17

Letters of Determination for Adequacy/Provision

Grand Bay



Professional Engineers, Planners & Land Surveyors



BOARD OF COUNTY COMMISSIONERS

John E. Manning
District One

March 15, 2022

Via E-Mail

Cecil L. Pendergrass
District Two

Raymond Sandelli
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm Wesch
County Attorney

Donna Marie Collins
*County Chief
Hearing Examiner*

Jennifer Sheppard
Banks Engineering, Inc.
10511 Six Mile Cypress Parkway
Fort Myers, FL 33966

**RE: Potable Water and Wastewater Availability
Grand Bay, 19200 S. Tamiami Trail
STRAP # 20-46-25-01-00005.0000, 20-46-25-01-00004.0000,
20-46-25-01-00004.0010, and 20-46-25-01-00006.0000**

Dear Ms. Sheppard:

The subject property is located within Lee County Utilities Future Service Area as depicted on Maps 4A and 4B of the Lee County Comprehensive Land Use Plan. Potable water and sanitary sewer lines are in operation adjacent to the property mentioned above. However, in order to provide service to the subject parcels, developer funded system enhancements such as line extensions may be required.

Your firm has indicated that this project will consist of 300 multi-family residential units and 30,000 SF of commercial with an estimated flow demand of approximately 79,500 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and sanitary sewer service as estimated above.

Availability of potable water and sanitary sewer service is contingent upon final acceptance of the infrastructure to be constructed by the developer. Upon completion and final acceptance of this project, potable water service will be provided through our Pinewood Water Treatment Plant.

Sanitary sewer service will be provided by Three Oaks Water Reclamation Facility. The Lee County Utilities' Design Manual requires the project engineer to perform hydraulic computations to determine what impact this project will have on our existing system.

There are no reuse mains in the vicinity of this parcel.

Prior to beginning design work on this project, please meet with LCU Staff to determine the best point of connection and discuss requirements for construction.

This letter should not be construed as a commitment to serve, but only as to the availability of service. Lee County Utilities will commit to serve only upon receipt of all appropriate connection fees, a signed request for service and/or an executed service agreement, and the

Grand Bay - Letter.Docx

March 15, 2022

Page 2

approval of all State and local regulatory agencies.

Further, this letter of availability of potable water and sanitary sewer service is to be utilized for Development Review, SFWMD, and Zoning only. Individual letters of availability will be required for the purpose of obtaining building permits.

Sincerely,

LEE COUNTY UTILITIES



Mary McCormic
Technician Senior
239-533-8532
UTILITIES ENGINEERING



San Carlos Park Fire Protection and Rescue Service District

19591 Ben Hill Griffin Parkway • Fort Myers, Florida 33913-8989

Emergency 911
Office 239.267.7525
Fax 239.267.7505

March 10, 2022

Banks Engineering
Ms. Stacy Ellis Hewitt, AICP
10511 Six Mile Cypress Parkway
Fort Myers, FL 33966

Re: Grand Bay

Dear Ms. Ellis Hewitt,

Thank you for this opportunity to inform you about our fire district. The San Carlos Park Fire Protection and Rescue Service District is one of 17 Special Fire Districts in Lee County. The Insurance Service Office (ISO) currently rates our department with a Property Protection Class (PPC) of 2/2X. The district consists of a 52 square mile area with 4 stations staffed 24/7 with 59 full time firefighters, which also provide non-transport Advanced Life Support (ALS) services and supported by an administrative staff.

The property in question, located at 19200 S. Tamiami Trail, just south of Sanibel Boulevard, on the west side of US 41, is within the jurisdiction of the San Carlos Park Fire District and is located approximately .76 miles from our station 51 located at 8013 Sanibel Boulevard, Fort Myers, FL 33967. With a response time of less than 3 minutes.

We are able to provide fire suppression and emergency medical services to the proposed development, as well as fire prevention, and public education service. If you require additional information, please do not hesitate to contact my office at (239) 267.7525. Trusting this meets with your approval, I remain,

Yours in Service,

A handwritten signature in blue ink, appearing to read "D. Cambareri", is written over a horizontal line.

David Cambareri,
Fire Chief



Professional Engineers, Planners & Land Surveyors

March 4, 2022

Mr. David Cambareri, Fire Chief
San Carlos Park Fire District
19591 Ben Hill Griffin Parkway
Fort Myers, Florida 33913

REFERENCE: GRAND BAY - LETTER OF AVAILABILITY
PROPERTY ADDRESS: 19200 S. TAMiami TRAIL & ACCESS UNDETERMINED
STRAP NO.: 20-46-25-01-00005.0000 & 20-46-25-01-00004.0000

Dear Chief Cambareri:

We are seeking an amendment to the Lee County Comprehensive Plan to add 14.77± acres of a 46.33± site into the Mixed-Use Overlay and an associated text amendment for allow Rural density to be transferred to Urban Community for the proposed Grand Bay Minor Residential Planned Development. The application is intended to extend the Mixed-Use Overlay boundary on S. Tamiami Trail across from San Carlos Boulevard intersection to the west to include two parcels to accommodate a mixture of multi-family residential and commercial uses with an associated text amendment. If approved, the request will result in a maximum increase of 45 residential dwelling units. Please find below the property information, including a property location map, for your use:

Property Information:

Total Acreage of Property: ±46.33	Total Acreage Included in Request: ±14.77
Total Uplands: ±13.38 ac of 14.77	Total Wetlands: ±1.39 ac of 14.77
Current Zoning: CG & MH-1	Current Future Land Use Category(ies): Urban Community & Wetlands
Area in Each Future Land Use Category: Urban Community: ±13.38 ac	Wetlands: ±1.39 ac
Existing Land Use: Vacant	

Calculation of maximum allowable development under current Lee Plan:

Residential Units/Density: 284 du Commercial Intensity: ±30,000 SF

Calculation of maximum allowable development with proposed amendments:

Residential Units/Density: 329 du Commercial Intensity: ±30,000 SF



San Carlos Park Fire District
Grand Bay

March 4, 2022
Page 2 of 2

As part of the approval process, Lee County requires a letter from your agency determining the adequacy/provision of existing/proposed support facilities, including fire protection with adequate response times to serve the increase in demand.

At your earliest convenience, please forward a letter verifying that the increase in demand will be adequately served. If you have any questions or I may be of further assistance, please feel free to contact me at (239) 770-2527 or shewitt@bankseng.com.

Sincerely,

BANKS ENGINEERING



Stacy Ellis Hewitt, AICP
Director of Planning

SEH:jms



Board of County Commissioners

Kevin Ruane
District One

Cecil L. Pendergrass
District Two

Ray Sandelli
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
County Hearing
Examiner

March 11, 2022

Stacy Hewitt
Banks Engineering
10511 Six Mile Cypress Pkwy., Suite 101
Fort Myers, FL 33966

Re: Letter of Service Availability – Grand Bay

Ms. Hewitt,

I am in receipt of your letter requesting a Letter of Service Availability for Grand Bay. This property consists of four parcels located west of the intersection of US 41 and San Carlos Boulevard.

Lee County Emergency Medical Services is the primary EMS transport agency responsible for coverage at the address you have provided. Because we currently serve this area and have a sufficient response data sample, we evaluated response times in this vicinity to simulate the anticipated demand and response.

The primary ambulance for this location is Medic 9, located 0.9 miles east; there are three additional EMS stations within 5 miles of the proposed location. These locations are projected to be able to meet existing service standards, as required in County Ordinance 08-16, and no additional impacts are anticipated at this time.

It is our opinion that the service availability for the proposed development of this property is adequate at this time. Should the plans change, especially the density, a new analysis of this impact would be required.

Sincerely,

Benjamin Abes
Director, Public Safety

Carmine Marceno
Sheriff



"Proud to Serve"

State of Florida
County of Lee

March 7, 2022

Stacy Ellis Hewitt
Banks Engineering
10511 Six Mile Cypress Parkway
Fort Myers, FL 33966

Ms. Hewitt,

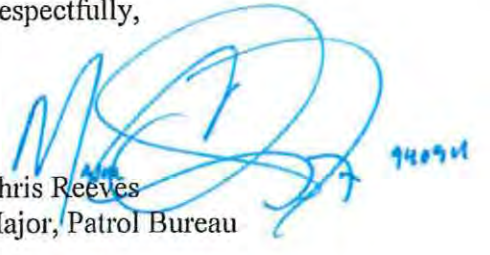
The Lee County Sheriff's Office has reviewed your Lee County Comprehensive Plan amendment request to add 14.77 +/- acres of a 46.33 +/- site into the Mixed Use Overlay and an associated text amendment for Rural density to be transferred to Urban Community for the proposed Grand Bay Minor Residential Planned Development.

The proposed change would increase the number of residential dwelling units from 284 to 329 and maintain commercial development at 30,000 square feet. This proposed change will not impact our ability to provide law enforcement services to this community.

Law enforcement services will be provided from our South District offices in Bonita Springs. As this development builds out, we will factor its impact into our annual manpower review and make adjustments accordingly. At the time of application for a Development Order or building permit, we request that the applicant provide a Crime Prevention Through Environmental Design (CPTED) report done by the applicant and given to the Lee County Sheriff's Office for review and comment.

Please contact Community Response Unit Crime Prevention Practitioner Beth Schell at (239) 477-1677 with any questions regarding the CPTED study.

Respectfully,


Chris Reeves
Major, Patrol Bureau



"The Lee County Sheriff's Office is an Equal Opportunity Employer"
14750 Six Mile Cypress Parkway • Fort Myers, Florida 33912-4406 • (239) 477-1000



Board of County Commissioners

Kevin Ruane
District One

March 7, 2022

Cecil L Pendergrass
District Two

Ray Sandelli
District Three

Brian Hamman
District Four

Frank Mann
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
County Hearing
Examiner

Banks Engineering
Attn: Stacy Ellis Hewitt, Director of Planning
10511 Six Mile Cypress Parkway
Fort Myers, FL 33966

RE: Grand Bay – Letter of Availability 19200 S. Tamiami Trail & Access Undetermined

Request for Letter of Service Availability

Dear Ms. Hewitt:

The Lee County Solid Waste Department is capable of providing solid waste collection service for Parcel 20-46-25-01-00005.0000 & 20-46-25-01-00004.0000. Disposal of the solid waste generated from the multi-family residential and commercial units will be performed at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill. Plans have been made, allowing for growth, to maintain long-term disposal capacity at these facilities.

Please ensure compliance with Solid Waste Ordinance No. 11-27 and LCLDC 10-261 for space requirements of garbage and recycling containers and accessibility of the collection vehicles. While there is no requirement in Ordinance No. 11-27 for bulk waste storage, please consider some additional space for the storage of bulk waste items that may not fit into a dumpster (mattress, appliance, furniture disposal etc.).

Garbage and recycling collections require the commercial owner the Management Company to secure a service agreement for the collection and an agreement for the lease of waste containers from the County's MSW and Recycling Collection Franchise Hauler.

Solid Waste Ordinance (11-27) establishes that the Property Owner(s) will be responsible for all future applicable solid waste assessments and fees.

Sincerely,

Justin Lighthall

Justin Lighthall
Public Utilities Manager



3401 Metro Parkway
Fort Myers, FL 33901
Phone: (239) 533-0340

Kevin Ruane
District One

March 10, 2022

Cecil L. Pendergrass
District Two

Stacy Ellis Hewitt, AICP

Ray Sandelli
District Three

Banks Engineering

Brian Hamman
District Four

10511 Six Mile Cypress Pkwy

Frank Mann
District Five

Fort Myers, FL 33966

RE: Grand Bay - Letter of Service Availability

Property Address: 19200 S. Tamiami Trail & Access Undetermined

STRAP NO.: 20-46-25-01-00005.0000 & 20-46-25-01-00004.0000

Roger Desjarlais
County Manager

Ms. Hewitt,

Richard Wesch
County Attorney

Donna Marie Collins
County Hearing Examiner

LeeTran has reviewed your request for service availability in regards to a proposed Comprehensive Plan Amendment. After reviewing the site and comparing the location with our existing and planned route locations according to the 2016 Transit Development Plan (TDP), the following has been determined:

- Subject area is within one-quarter mile, and adjacent of a fixed-route corridor
- Closest bus stop, #11744 is within one-quarter mile of the subject parcels
- The 2016 TDP does identify the need for enhanced or additional transit services in the area

Proposed future development does not currently meet applicability outlined in Sec. 10-442 and Sec. 10-443. Developer will not be required to connect to and improve transit facilities because planning action does not trigger relevant Lee County Land Development Code.

If transit services have been modified within one-quarter mile of the subject parcels at time of a DO or LDO type D submittal, necessary improvements will be determined at that time.

Attached is a map of our route serves in relation to the subject parcels. If you have any questions or require further information, please do not hesitate to contact me at (239) 533-0340 or jpunte@leegov.com.

Sincerely,

Jorge J Puente

Jorge J Puente, Transit Service Planner
Lee County Transit

Development Review

LOSA Proposed Development Grand Bay

-  Bus Stops
-  Bus Routes
-  Development Review



0 0.06
Miles



Prepared by LeeTran Planning Department





PERSONAL | PASSIONATE | PROGRESSIVE

THE SCHOOL DISTRICT OF LEE COUNTY**Linda Jo Sanders**

Operations Coordinator

2855 Colonial Boulevard, Fort Myers, FL 33966 | O: 239.335.1473 C: 239.738.6084

March 9, 2022

Banks Engineering
Jennifer Sheppard
Permitting Manager & Planner
10511 Six Mile Cypress Pkwy Ste 101
Fort Myers, FL 33966

RE: Grand Bay Amendment

Dear Ms. Sheppard,

This letter is in response to your request for concurrency review dated March 7, 2022 for the subject property captioned above and within, in regard to student capacity impact.

This development is a request for up to 45 Multi-family housing units. With regard to the inter-local agreement for school concurrency the generation rates are created from the type of dwelling unit and further broken down by grade level.

For multi-family homes, the generation rate is 0.116 and further broken down by grade level into the following, 0.058 for elementary, 0.028 for middle and 0.03 for high. An approximate 5 school-aged children would be generated and utilized for the purpose of determining sufficient capacity to serve the development.

The Concurrency Analysis attached, displays the impact of this development. Capacity is an issue within the Concurrency Service Area (CSA) at the elementary school level, however, capacity is available in the adjacent CSA.

Thank you and if I may be of further assistance, please contact me at 239-335-1473.

Sincerely,

LJ Sanders

Linda Jo Sanders

Operations Coordinator

BOARD MEMBERS: DEBBIE JORDAN, CHAIR, DISTRICT 4 | BETSY VAUGHN, VICE CHAIR, DISTRICT 6 | MARY FISCHER, DISTRICT 1
MELISA W. GIOVANNELLI, DISTRICT 2 | CHRIS N. PATRICCA, DISTRICT 3 | GWYNETTA S. GITTENS, DISTRICT 5
CATHLEEN O'DANIEL MORGAN, DISTRICT 7 | KENNETH A. SAVAGE, Ed.D., SUPERINTENDENT | KATHY DUPUY-BRUNO, ESQ., BOARD ATTORNEY

LEE COUNTY SCHOOL DISTRICT'S SCHOOL CONCURRENCY ANALYSIS

REVIEWING AUTHORITY Lee County School District
NAME/CASE NUMBER Grand Bay
OWNER/AGENT Banks Engineering, /Freeland FL Holdings LLC
ITEM DESCRIPTION Extension of Mixed Use Plan CG & MH1 to RPD & CPD

LOCATION 20-46-25-01-00004.0000, 20-46-25-01-00005.0000
ACRES
CURRENT FLU Urban Community & Wet Lands
CURRENT ZONING CG & MH1

PROPOSED DWELLING UNITS BY TYPE

Single Family	Multi Family	Mobile Home
	45	0

STUDENT GENERATION

Student Generation Rates			
SF	MF	MH	Projected Students
0.149	0.058		2.61
0.071	0.028		1.26
0.077	0.03		1.35
Source: Lee County School District, September 8, 2018 letter			

CSA SCHOOL NAME 2022/23

CSA Capacity (1)	CSA Projected Enrollment (2)	CSA Available Capacity	Projected Impact of Project	Available Capacity W/Impact	LOS is 100% Perm FISH Capacity	Adjacent CSA Available Capacity w/Impact
14,234	14,026	208	3	205	99%	
7,293	6,912	381	1	380	95%	
9,536	8,492	1,044	1	1043	89%	
(1) Permanent Capacity as defined in the Interlocal Agreement and adopted in the five (5) years of the School District's Five Year Plan						
(2) Projected Enrollment per the five (5) years of the School District's Five Year Plan plus any reserved capacity (development has a valid finding of capacity)						
(3) Available Adjacent CSA capacity is subject to adjacency criteria as outlined in the Interlocal Agreement and the School District's School Concurrency Manual						

Prepared by: Linda Jo Sanders, Operations Coordinator

Exhibits M18 & T9-T10

State Policy Plan & Regional Policy Plan

Grand Bay



Professional Engineers, Planners & Land Surveyors



Professional Engineers, Planners & Land Surveyors

**Grand Bay Comprehensive Plan Amendment
State Policy Plan and Regional Policy Plan
Exhibit M18**

State Policy Plan

There are no State Policy Plan goals, strategies, actions or policies which are relevant to this plan amendment.

Regional Policy Plan

There are no Regional Policy Plan goals, strategies, actions or policies which are relevant to this plan amendment.

Exhibit M19

Justification of Proposed Amendment

Grand Bay
Revised **October** 2022



Professional Engineers, Planners & Land Surveyors



Professional Engineers, Planners & Land Surveyors

Grand Bay Comprehensive Plan Amendment

CPA2022-00006 & CPA2022-00007

Justification of Proposed Amendment

Exhibit M19 - Revised October 2022

The applicant is requesting to amend Lee Plan Map 1-C to allow the Mixed Use Overlay to be extended to the west to include 15.64± acres located at the northwest corner of the intersection of Santa Maria Street and S. Tamiami Trail (US 41) across from its intersection with San Carlos Boulevard and amend Future Land Use Element Policy 5.1.10 to revise the timing requirement for single ownership of property that is divided into two or more land use categories. The subject 15.64± acres is the eastern portion of the 46.33± acre overall project site which consists of four parcels separated by a 30-foot platted right-of-way.

The Mixed Use Overlay is currently located to the east of the subject property along the eastern side of S. Tamiami Trail/US 41 from The Village of Estero boundary just north of Vintage Parkway north to Park Road. North of Park Road, the Mixed Use Overlay is on both sides of S. Tamiami Trail until intersection with Miami Street south of Island Park Road.

The surrounding area provides commercial uses and various residential options primarily mobile homes, recreational vehicle park, single-family with some multi-family approved to the south. The Map Amendment allows the clustered mixed use development with the commercial acreage included in density (increase of 41 dwelling units) and the Text Amendment allows the western portion of the overall Parcel that lies within the Rural future land use category to be transferred to the Urban Community portion allowing the Rural uplands to be preserved. The maximum residential density that could then be requested is 338 dwelling units. The proposed development will provide additional clustered density with additional commercial and multi-family uses at the intersection of an arterial (S. Tamiami Trail/US 41) and major collector (San Carlos Boulevard) that is proposed for a traffic signal.

The intent of the Mixed Use Overlay is to identify locations within Lee County that facilitate mixed use development and accommodate future growth in proximity to public transportation; various commercial and residential centers; educational facilities; and recreational opportunities. Proposed expansion of the Mixed Use Overlay depends upon a number of criteria outlined in Policy 11.2.1 including proximity of transit routes, enabling continued pedestrian and automobile connections, location within specific future land use categories, adequate public facilities and infrastructure, and not intruding into predominately single-family residential neighborhoods. The subject property, being located on Lee Tran routes 240, 600 and 140-Sunday, in the Urban Community future land use category and its proximity to several properties within the Mixed Use Overlay and existing public facilities, serves to facilitate continued opportunities for infill clustered development. While the 15.64± acres abuts approximately 25 mobile home lots within Shelter Pines Mobile Home Village to the north, the site is not located in a predominantly single family neighborhood. The subject property and the

properties to the north and south have existing commercial zoning along the S. Tamiami Trail/US 41 frontage. The property to the south that has been approved for multi-family development since 2005 which abuts MH-2 zoning with Shady Acres RV Travel Park. The request is consistent with Policy 11.2.1.

The Lee Plan encourages mixed use development at certain urban locations throughout the county and provides direction and guidelines to allow for expansion of the Mixed Use Overlay. The Lee Plan Analysis submitted with the application demonstrates that the proposed requests are consistent with these Policies and guidelines as a result of the subject property:

- Being within the Urban Community future land use category
- Abutting the Mixed Use Overlay to the east
- Abutting multiple existing transit routes
- Having adequate urban services and infrastructure available
- Providing pedestrian and vehicular connectivity to adjacent uses
- Encouraging the use of bonus density
- Promoting infill development utilizing non-residential uses in density calculations

The applicant is also requesting to amend Policy 5.1.10 to revise the timing requirement for single ownership of property that is divided into two or more land use categories to clarify the language. The overall subject property has been in the same family ownership since 1968 by various individuals or organizations, but same underlying family ownership of the Freeland's. Literal interpretation of this Policy language would not allow the transfer of 20 dwelling units from the Rural lands abutting a state preserve to the Urban Community lands to the east allowing preservation of the western 30± acres of the site which is above and beyond LDC requirements. The portion of the Policy requested to be changed was added at the end of the review process and resulted in this unintended impact on the subject property. The requested language ensures that the subject property is under single-ownership at the time of planned development application so that density and intensity can be properly allocated at the time of zoning and not be affected if future potential outparcels change ownership during or after development. The main purpose of the 3rd requirement in this policy is to clarify that properties divided by barriers such as the Caloosahatchee River are not contiguous. The requested clarification will promote sound planning by allowing properties to cluster development and preserve natural resources.

In conclusion, the application meets the criteria to be included in the Mixed Use Overlay and provides further clarification of the intent of Policy 5.1.10. The proposed Map and Text Amendments are consistent with and further the Goals, Objectives and Policies of the Lee Plan.

Exhibit M20

Planning Communities/ Community Plan Area Requirements

Grand Bay



Professional Engineers, Planners & Land Surveyors



Professional Engineers, Planners & Land Surveyors

**Grand Bay Comprehensive Plan Amendment
Planning Communities/Community Plan Area Requirements
Exhibit M20**

The site is within the San Carlos Planning Community which does not have an adopted Community Plan and does not have any Planning Communities/Community Plan Area requirements.

Exhibit T1

Text Amendment Application

Grand Bay
Revised August 2022



Professional Engineers, Planners & Land Surveyors



APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT - TEXT

Project Name: Grand Bay

Project Description: Text amendment to Policy 5.1.10 to revise timing requirement for single ownership of property that is divided into two or more land use categories. In coordination with staff, the language has been modified to make sure the edits allow for calculation of density as provided in the definition within the glossary.

State Review Process: ☐ State Coordinated Review ☒ Expedited State Review ☐ Small-Scale Text*

*Must be directly related to the implementation of small-scale map amendment as required by Florida Statutes.

APPLICANT – PLEASE NOTE:

A PRE-APPLICATION MEETING IS REQUIRED PRIOR TO THE SUBMITTAL OF THIS APPLICATION.

Submit 3 copies of the complete application and amendment support documentation, including maps, to the Lee County Department of Community Development.

Once staff has determined that the application is sufficient for review, 15 complete copies will be required to be submitted to staff. These copies will be used for Local Planning Agency, Board of County Commissioners hearings, and State Reviewing Agencies. Staff will notify the applicant prior to each hearing or mail out to obtain the required copies.

If you have any questions regarding this application, please contact the Planning Section at (239)533-8585.

1. Name of Applicant: Grand Bay Ft Myers MF LLC

Address: c/o Banks Engineering, ATTN: Stacy Ellis Hewitt, 10511 Six Mile Cypress Parkway

City, State, Zip: Fort Myers, FL 33966

Phone Number: c/o 239-770-2527/239-939-5490

E-mail: c/o shewitt@bankseng.com

2. Name of Contact: Stacy Ellis Hewitt, AICP, Banks Engineering

Address: 10511 Six Mile Cypress Parkway

City, State, Zip: Fort Myers, FL 33966

Phone Number: 239-770-2527/239-939-5490

E-mail: shewitt@bankseng.com

3. Property Information: Provide an analysis of any property within Unincorporated Lee County that may be impacted by the proposed text amendment. Contiguous land within two or more land use categories that wish to distribute dwelling units across the property will still need to demonstrate further protection to environmentally sensitive lands if they exist on the property and that density within Future Non-Urban land use categories do not exceed the density allowed in that future land use category.

4a. Does the proposed change affect any of the following areas?

If located in one of the following areas, provide an analysis of the change to the affected area.

☐ Public Acquisition
[Map 1-D]

☐ Agricultural Overlay
[Map 1-G]

☐ Airport Mitigation Lands
[Map 1-D]

☐ Airport Noise Zones
[Map 1-E]

☐ Southeast Lee County Residential
Overlay [Map 2-D]

☒ Mixed Use Overlay
[Map 1-C]

☐ Community Planning Areas
[Map 2-A]

☐ Urban Reserve [Map 1-D]

☐ Water-Dependent Overlay
[Map 1-H]

☐ Private Recreational Facilities
Overlay [Map 1-F]

4b. 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 [Lee Plan Goal 17].

- ☒ N/A
 ☐ Bayshore [Goal 18]
 ☐ Boca Grande [Goal 19]
 ☐ Buckingham [Goal 20]
- ☐ Caloosahatchee Shores [Goal 21]
 ☐ Olga [Goal 22]
 ☐ Captiva [Goal 23]
 ☐ Greater Pine Island [Goal 24]
- ☐ Lehigh Acres [Goal 25]
 ☐ North Captiva [Goal 26]
 ☐ NE Lee County [Goal 27]
 ☐ Alva [Goal 28]
- ☐ North Olga [Goal 29]
 ☐ North Fort Myers [Goal 30]
 ☐ Page Park [Goal 31]
 ☐ San Carlos Island [Goal 32]
- ☐ Southeast Lee County [Goal 33]
 ☐ Tice [Goal 34]

Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario.

- Traffic Circulation Analysis:** Provide an analysis of the effect of the change on the Financially Feasible Transportation Plan/Map 3-A (20-year horizon) and on the Capital Improvements Element (5-year horizon).
- Provide an existing and future conditions analysis for the following (see Policy 95.1.3):**
 - Sanitary Sewer
 - Potable Water
 - Surface Water/Drainage Basins
 - Parks, Recreation, and Open Space
 - Public Schools

Environmental Impacts

Provide an overall analysis of potential environmental impacts (positive and negative).

Historic Resources Impacts

Provide an overall analysis of potential historic impacts (positive and negative).

Internal Consistency with the Lee Plan

- Discuss how the proposal affects established Lee County population projections, Lee Plan Table 1(b) and the total population capacity of the Lee Plan Future Land Use Map.
- List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
- Describe how the proposal affects adjacent local governments and their comprehensive plans.
- List State Policy Plan goals and policies, and Strategic Regional Policy Plan goals, strategies, actions and policies which are relevant to this plan amendment.

Justify the proposed amendment based upon sound planning principles

Support all conclusions made in this justification with adequate data and analysis.

SUBMITTAL REQUIREMENTS

Clearly label all submittal documents with the exhibit name indicated below.

MINIMUM SUBMITTAL ITEMS

☒	Completed application (Exhibit – T1)
☒	Filing Fee (Exhibit – T2)
☒	Pre-Application Meeting (Exhibit – T3)
☒	Proposed text changes (in strike through and underline format) (Exhibit – T4)
☒	Analysis of impacts from proposed changes (Exhibit – T5)
☒	Lee Plan Analysis (Exhibit – T6)
☒	Environmental Impacts Analysis (Exhibit – T7)
☒	Historic Resources Impacts Analysis (Exhibit – T8)
☒	State Policy Plan Analysis (Exhibit – T9)
☒	Strategic Regional Policy Plan Analysis (Exhibit – T10)

Exhibit T3

Pre-Application Meeting

Grand Bay



Professional Engineers, Planners & Land Surveyors



Professional Engineers, Planners & Land Surveyors

Grand Bay Comprehensive Plan Amendment

Pre-Application Meeting/Teleconference Minutes EXHIBIT T3

Date: February 22, 2022 at 11:00 a.m.

County Staff: Mikki Rozdolski, Brandon Dunn, Becky Sweigert, Joseph Adams

Applicant Representatives: Tom Lehnert, Stacy Ellis Hewitt, Steve Hartsell

Meeting was requested to discuss a potential map amendment to add 14.77± acres of the property to the Mixed Use Overlay and application of density and bonus density and application of Policy 5.1.10. The requested Map and Text Amendment will accommodate a concurrent application for minor mixed use planned development zoning for 46.33± acres.

Following items topics were discussed:

- Verification of Coastal High Hazard Area location
- Isolated exotic wetland impacts within the Coastal High Hazard Area with compensating storage adjacent to floodway with wetland and upland preservation areas
- Application of Policy 5.1.10, history and literal interpretation although the intent is met with family ownership
- Verification that preserved wetlands can be transferred at maximum density instead of standard
- Verification that adjacent private right-of-way can be utilized towards density calculations and discuss potential future vacation
- Bonus density discussion as it relates to Coastal High Hazard Area
- Verification of Bonus density requirements

Exhibit T4

Proposed Text Changes

Grand Bay
Revised August 2022



Professional Engineers, Planners & Land Surveyors



Professional Engineers, Planners & Land Surveyors

Grand Bay Comprehensive Plan Amendment

CPA2022-00006 & CPA2022-00007

Proposed Text Amendments

Exhibit T4 - Revised August 2022

FUTURE LAND USE ELEMENT

POLICY 5.1.10: In those instances where contiguous land ~~under single ownership is divided with~~ into two or more land use categories ~~by the adoption or revision of the Future Land Use Map,~~ the allowable number of dwelling units density under this Plan will be the sum of the allowable dwelling units densities for each land use category ~~for each portion of the land. This density can be allocated~~ The dwelling units may be distributed across the property provided that: the resultant development affords further protection to environmentally sensitive lands, if they exist on the property, and the number of dwelling units within any Future Non-Urban Area future land use category does not exceed the density allowed in that future land use category.

- a. ~~The planned development zoning is utilized; and~~
- b. ~~No density is allocated to lands designated as non-urban or Environmentally Critical that would cause the density to exceed that allowed on such areas; and~~
- c. ~~The land was is under single ownership at the time the planned development application is filed this policy was adopted and is contiguous; in situations where land under single ownership is divided by roadways, railroads, streams (including secondary riparian systems and streams but excluding primary riparian systems and major flow ways such as the Caloosahatchee River and Six Mile Cypress Slough), or other similar barriers, the land will be deemed contiguous for purposes of this policy; and~~
- d. ~~The resultant planned development affords further protection to environmentally sensitive lands if they exist on the property.~~



SOUTH FLORIDA WATER MANAGEMENT DISTRICT

3301 Gun Club Road, West Palm Beach, Florida 33406 • (561) 686-8800 • FL WATS 1-800-432-2045 • TDD (561) 697-2574
Mailing Address: P.O. Box 24680, West Palm Beach, FL 33416-4680 • www.sfwmd.gov

October 11, 2006

Hawks Haven Golf Course
Hawks Haven Developers, LLC
2401 River Hall Parkway
Alva, FL 33920

Subject: Application No. 051122-18, **River Hall Country Club**
Lee County, S27,34, 35,36/T43S/R26E

Enclosed is a copy of the South Florida Water Management District's staff report covering the permit application referenced therein. It is requested that you read this staff report thoroughly and understand its contents. The recommendations as stated in the staff report will be presented to our Governing Board for consideration on **Thursday, October 12, 2006**.

Should you wish to object to the staff recommendation or file a petition, please provide written objections, petitions and/or waivers (refer to the attached "Notice of Rights") to:

Elizabeth Veguilla, Deputy Clerk
South Florida Water Management District
Post Office Box 24680
West Palm Beach, Florida 33416-4680

The "Notice of Rights" addresses the procedures to be followed if you desire a public hearing or other review of the proposed agency action. You are advised, however, to be prepared to defend your position regarding the permit application when it is considered by the Governing Board for final agency action, even if you agree with the staff recommendation, as the Governing Board may take final agency action which differs materially from the proposed agency action.

Please contact the District if you have any questions concerning this matter.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a "Notice of Rights" has been mailed to the addressee this 11th day of October, 2006 in accordance with Section 120.60 (3), Florida Statutes.

Sincerely,

Damon Meiers, P.E., Deputy Director
Environmental Resource Regulation Department

DM/jb

CERTIFIED #7002 3150 0000 8127 0653
RETURN RECEIPT REQUESTED

GOVERNING BOARD

Kevin McCarty, *Chair*
Irela M. Bagué, *Vice-Chair*
Miya Burt-Stewart

Alice J. Carlson
Michael Collins
Nicolás J. Gutiérrez, Jr., Esq.

Lennart E. Lindahl, P.E.
Harkley R. Thornton
Malcolm S. Wade, Jr.

EXECUTIVE OFFICE

Carol Ann Wehle, *Executive Director*

NOTICE OF RIGHTS

As required by Sections 120.569(1), and 120.60(3), Fla. Stat., following is notice of the opportunities which may be available for administrative hearing and/or judicial review when the substantial interests of a party are determined by an agency. Please note that this Notice of Rights is not intended to provide legal advice. Not all the legal proceedings detailed below may be an applicable or appropriate remedy. You may wish to consult an attorney regarding your legal rights.

Right to Request Administrative Hearing

A person whose substantial interests are or may be affected by the South Florida Water Management District's (SFWMD or District) action has the right to request an administrative hearing on that action pursuant to Sections 120.569, 120.57, and 120.60(3), Fla. Stat. Persons seeking a hearing on a District decision which does or may determine their substantial interests shall file a petition for hearing with the District Clerk within 21 days of receipt of written notice of the decision in accordance with Rule 28-106.111, Fla. Admin. Code. Any person who receives written notice of a District decision and fails to file a written request for hearing within 21 days waives the right to request a hearing on that decision as provided by Subsection 28-106.111(4), Fla. Admin. Code.

The Petition must be filed at the Office of the District Clerk of the SFWMD, 3301 Gun Club Road, P.O. Box 24680, West Palm Beach, Florida, 33416, and must comply with the requirements of Rule 28-106.104, Fla. Admin. Code. Filings with the District Clerk may be made by mail, hand-delivery or facsimile. **Filings by e-mail will not be accepted.** A petition for administrative hearing is deemed filed upon receipt during normal business hours by the District Clerk at SFWMD headquarters in West Palm Beach, Florida. Pursuant to Rule 28-106.104, Fla. Admin. Code, any document received by the office of the District Clerk after 5:00 p.m. shall be filed as of 8:00 a.m. on the next regular business day.

- Filings made by mail must include the original and one copy and must be addressed to the Office of the District Clerk, P.O. Box 24680, West Palm Beach, Florida 33416.
- Filings by hand-delivery must also include the original and one copy of the petition. **Delivery of a petition to the District's security desk does not constitute filing. To ensure proper filing, it will be necessary to request the District's security officer to contact the Clerk's office.** An employee of the District's Clerk's office will file the petition and return the extra copy reflecting the date and time of filing.
- Filings by facsimile must be transmitted to the District Clerk's Office at (561) 682-6010. Pursuant to Subsections 28-106.104(7), (8) and (9), Fla. Admin. Code, a party who files a document by facsimile represents that the original physically signed document will be retained by that party for the duration of that proceeding and of any subsequent appeal or subsequent proceeding in that cause. Any party who elects to file any document by facsimile shall be responsible for any delay, disruption, or interruption of the electronic signals and accepts the full risk that the document may not be properly filed with the clerk as a result. The filing date for a document filed by facsimile shall be the date the District Clerk receives the complete document.

The following provisions may be applicable to SFWMD actions in combination with the applicable Uniform Rules of Procedure (Subsections 40E-0.109(1)(a) and 40E-1.511(1)(a), Fla. Admin. Code):

- (1)(a) "Receipt of written notice of agency decision" as set forth in Rule 28-106.111, Fla. Admin. Code, means receipt of either written notice through mail or posting that the District has or intends to take final agency action, or publication of notice that the District has or intends to take final agency action.
- (b) If notice is published pursuant to Chapter 40E-1, F.A.C., publication shall constitute constructive notice to all persons. Until notice is published, the point of entry to request a formal or informal administrative proceeding shall remain open unless actual notice is received.
- (2) If the District's Governing Board takes action which substantially differs from the notice of intended agency decision, the persons who may be substantially affected shall have an additional point of entry pursuant to Rule 28-106.111, Fla. Admin. Code, unless otherwise provided by law. The District Governing Board's action is considered to substantially differ from the notice of intended agency decision when the potential impact on water resources has changed.
- (3) Notwithstanding the timeline in Rule 28-106.111, Fla. Admin. Code, intended agency decisions or agency decisions regarding consolidated applications for Environmental Resource Permits and Use of Sovereign Submerged Lands pursuant to Section 373.427, Fla. Stat., shall provide a 14 day point of entry to file petitions for administrative hearing.

Hearings Involving Disputed Issues of Material Fact

The procedure for hearings involving disputed issues of material fact is set forth in Subsection 120.57(1), Fla. Stat., and Rules 28-106.201-.217, Fla. Admin. Code. Petitions involving disputed issues of material fact shall be filed in accordance with Rule 28-106.104, Fla. Admin. Code, and must comply with the requirements set forth in Rule 28-106.201, Fla. Admin. Code.

Hearings Not Involving Disputed Issues of Material Fact

The procedure for hearings not involving disputed issues of material fact is set forth in Subsection 120.57(2), Fla. Stat., and Rules 28-106.301-.307, Fla. Admin. Code. Petitions not involving disputed issues of material fact shall be filed in accordance with Rule 28-106.104, Fla. Admin. Code, and must comply with the requirements set forth in Rule 28-106.301, Fla. Admin. Code.

Mediation

As an alternative remedy under Sections 120.569 and 120.57, Fla. Stat., any person whose substantial interests are or may be affected by the SFWMD's action may choose to pursue mediation. The procedures for pursuing mediation are set forth in Section 120.573, Fla. Stat., and Rules 28-106.111 and 28-106.401-.405, Fla. Admin. Code. Choosing mediation will not adversely affect the rights to a hearing if mediation does not result in a settlement.

DISTRICT COURT OF APPEAL

Pursuant to Sections 120.60(3) and 120.68, Fla. Stat., a party who is adversely affected by final SFWMD action may seek judicial review of the SFWMD's final decision by filing a notice of appeal pursuant to Florida Rule of Appellate Procedure 9.110 in the Fourth District Court of Appeal or in the appellate district where a party resides and filing a second copy of the notice with the SFWMD Clerk within 30 days of rendering of the final SFWMD action.

Last Date For Agency Action: 12-OCT-2006

INDIVIDUAL ENVIRONMENTAL RESOURCE PERMIT STAFF REPORT

Project Name: River Hall Country Club

Permit No.: 36-04006-P

Application No.: 051122-18

Associated File: 050531-4 WU
060809-6 ERP



Application Type: Environmental Resource (Construction/Operation Modification)

Location: Lee County, S27,34,35,36/T43S/R26E

Permittee : Hawks Haven Golf Course Community Developers
Hawks Haven Developers L.L.C

Operating Entity : River Hall Community Development District

Project Area: 1806.77 acres

Project Land Use: Residential
Golf Course Development

Drainage Basin: TIDAL CALOOSAHATCHEE

Sub Basin: HICKEY CREEK
OLGA CREEK

Receiving Body: CALOOSAHATCHEE RIVER VIA EXISTING DRAINAGE
CONVEYANCE FACILITIES

Class: CLASS III

Special Drainage District: NA

Total Acres Wetland Onsite: 155.54

Total Acres Wetland Preserved Onsite: 155.54

Total Acres Presv/Mit Compensation Onsite: 359.42

Mitigation Previously Permitted: Yes

Conservation Easement To District : Yes

Sovereign Submerged Lands: No

PROJECT PURPOSE:

This application is a request for a modification to an Environmental Resource Permit authorizing Construction and Operation of a surface water management system serving an 1806.77-acre residential and golf course development project known as River Hall Country Club (A.K.A. Hawks Haven Basin 2, 3 and 4) with discharge into Tidal Caloosahatchee via Olga Creek, offsite preserved areas and Hickey Creek via existing drainage conveyance facilities via onsite preserved areas.

PROJECT EVALUATION:**PROJECT SITE DESCRIPTION:**

The 1806.77-acre project site is located 0.80 miles south of S.R. 80 and 0.80 miles east of Buckingham Road. A location map is attached as Exhibit 1.0. A FP&L easement and vacated Railroad easement both of which follow an east-west alignment occupying approximately 39.50 acres of the property area traverse the project site.

Based on the Lee County watershed study and existing drainage conveyance systems, the project site is located within three (3) drainage sub-basins; (from east to west) Hickey Creek, offsite preserved areas with existing drainage facilities and Olga Creek. The existing topography directs stormwater runoff northerly to the Tidal Caloosahatchee via various existing drainage conveyance facilities. A pre-development drainage map is attached as Exhibit 2.36. The site receives offsite flows from farm fields located at the southwest corner of the site, totaling 328.25 acres. A portion of these areas has been permitted as a residential development known as Portico (Permit No. 36-05388-P). The offsite flows contributing to the site were estimated to be 269.72 cfs during the 25 year - 3 day storm event.

The site contains wetlands and upland clusters throughout the terrain, which range in natural ground elevation from approximately 6.00' NGVD in the lower areas to 19.00' NGVD at higher grounds.

The project site consists of both upland and wetland communities. A FLUCCS map is attached as Exhibit 3.0. All wetland impacts within the project site have been permitted and mitigation was provided under the original permit (Application No. 991012-3). The previous modification (Application No. 041001-18) authorized a 0.29-acre reduction in wetland impacts from the original permit. The development footprint is consistent with the previous modification. No additional impacts to wetlands and surface waters are proposed, and no adverse impacts are anticipated as a result of the proposed project modification.

PROJECT BACKGROUND:

The project site was originally permitted on July 12, 2001 under Permit No. 36-04006-P/ Application No. 991012-3 as known as Hawks Haven Phase 1. The project was divided into four (4) major drainage basins; Basin 1, 2, 3 and 4. The original permit authorizes Construction and Operation of surface water management systems serving most of developments in Basin 1 and 2 consisting of 219 single family lots, an 18-hole golf course, driving range, internal roadways and associated facilities. The remainder of developments was authorized as conceptual approval at that time.

A permit modification for Construction and Operation of surface water management systems serving the entire Basin 2, 3 and 4 was authorized on March 22, 2005 under Application No. 041001-18. The permit modification is to convert the portions previously permitted as conceptual approval to Construction and Operation approval and to include additional lands into the project area. However, the clubhouse, amenity center and golf course maintenance facility remained as conceptual authorization. As a result from including additional lands to the project, the total permitted area for Basin 2, 3, 4 and areas outside the controlled drainage basins was 1,766.97 acres.

PROPOSED PROJECT:

This proposed modification includes modifying the previously permitted site plan, land use and surface water management facilities and including 39.80 acres of land (Dean Parcel) into the previously permitted 1,766.97-acre project. The resultant project is an 1806.77-acre residential and golf course development consisting of single-family and multi-family dwelling units, internal roadways and golf courses with associated facilities. This application requests Construction and Operation authorization of the master surface water management system serving the entire Basin 2, 3 and 4 including the clubhouse, amenity center and golf course maintenance facility. The total acreage requested for Construction and Operation is 1,806.77 acres.

The development limit area proposed in this application is divided into three (3) major drainage basins; Basins 2, 3 and 4 with sixteen (16) sub-basins. As originally permitted, each one of these three basins are internally divided into cascading sub-basins with various control elevations as required by surrounding wetlands and natural topography that slopes from the higher ground elevations of the south end of the site towards the lower ground elevations at the north end. The surface water management systems serving all basins are designed to discharge into onsite preserved areas to maintain the hydroperiod for the existing wetlands prior to be conveyed to the ultimate receiving waters, Tidal Caloosahatchee via existing drainage conveyance facilities as illustrated in Exhibit 2.39.

Basin 2, the western portion of the project site, covering 619.93 acres, consists of eight (8) sub-basins; Basins 2-1, 2-2, 2-3, 2-4, 2-5, 2-6, 2-7 and 2-8. Basins 2-8, 2-7, 2-6 and 2-2 are interconnected as one system with different control elevations in each basin. The offsite discharge from these four (4) interconnected basins is through Control Structure CS B2-2 from Basin 2-2. In addition, the surface water management system serving these interconnected basins is designed to receive offsite flows from adjacent lands located on the south end, totaling 269.72 cfs. The remaining basins, Basins 2-1, 2-3, 2-4 and 2-5 are isolated basin with an individual control structure. Storm water runoff within the development limit area shall be directed to the surface water management system via sheetflow and interconnected drainage structures. The interconnected lake system provides the required water quality volume and attenuation during the 25 year - 3 day storm event. The required water quality volume is based on the first inch (1") of runoff from the developed area with an additional 50% water quality treatment volume. The amenity center with associated athletic field located within Basin 2-3 provides the required one-half inch (1/2") dry pretreatment prior to discharging into the interconnected lake system.

Basin 3, covering 442.83 acres, is located at the middle part of the site. Basin 3 consists of six (6) sub-basins; Basins 3-1, 3-2, 3-3, 3-4, 3-5 and 3-6. Basins 3-6, 3-4, 3-2 and 3-1 are interconnected as one system with different control elevations in each basin. The offsite discharge from these four (4) interconnected basins is through Control Structure CS B3-1 from Basin 3-1. Similar to Basins 3-6, 3-4, 3-2 and 3-1, Basins 3-5 and 3-3 are interconnected as one system with different two control elevations. The offsite discharge from these two (2) interconnected basins is through Control Structure CS B3-3 from Basin 3-3. The surface water management system serving these two basins are designed to discharge into a permanent drainage swale conveying the runoff to onsite preserved areas. Storm water runoff within the development limit area shall be directed to the surface water management system via sheetflow and interconnected drainage structures. The interconnected lake system provides the required water quality volume and attenuation during the 25 year - 3 day storm event. The required water quality volume is based on the first inch (1") of runoff from the developed area with an additional 50% water quality treatment volume. The clubhouse located within Basin 3-4 and golf course maintenance facility located within Basin 3-3 provide the required one-half inch (1/2") dry pretreatment prior to discharging into the interconnected lake system.

Basin 4, the eastern portion of the project site, covering 364.46 acres, consists of two (2) sub-basins; Basins 4-1 and 4-2. These two basins are independent basin with an individual control structure. Storm water runoff within the development limit area shall be directed to the surface water management system via sheetflow and interconnected drainage structures. The interconnected lake system provides the required water quality volume and attenuation during the 25 year - 3 day storm event. The required water quality volume is based on the first inch (1") of runoff from the developed area with an additional 50% water quality treatment volume.

The project is in substantial compliance with the original permit. No adverse water quality or quantity impacts are anticipated as a result from the proposed project.

LAND USE:

The land use category "Other" represents areas not included in the controlled drainage basins. These areas consist of upland and wetland preserved areas, FP&L easement and flowway lakes. The land uses

LAND USE:

in these areas were previously permitted. No changes of the land use in these areas are proposed in this application.

The land use category "Preserved" represents preserved areas contained in the controlled Basin 2-2 and Basin 4-2. The preserved areas in Basin 2-2 consists of 10.50-acre wetland preserved areas and 11.03-acre upland preserved areas. The preserved areas in Basin 4-2 consists of 11.50-acre wetland preserved areas and 9.10-acre upland preserved areas.

Construction:**Project:****This Phase**

Building Coverage	262.01	acres
Impervious	97.15	acres
Lake	258.14	acres
Other	379.55	acres
Pervious	767.79	acres
Preserved	42.13	acres
Total:	1806.77	

Basin : 2-1

	This Phase	Total Basin	
Building Coverage	3.05	3.05	acres
Impervious	2.28	2.28	acres
Lake	9.25	9.25	acres
Pervious	13.96	13.96	acres
Total:	28.54	28.54	

Basin : 2-2

	This Phase	Total Basin	
Building Coverage	55.92	55.92	acres
Impervious	14.60	14.60	acres
Lake	61.07	61.07	acres
Pervious	70.02	70.02	acres
Preserved	21.53	21.53	acres
Total:	223.14	223.14	

Basin : 2-3

	This Phase	Total Basin	
Building Coverage	8.18	8.18	acres
Impervious	4.95	4.95	acres

Basin : 2-3

	This Phase	Total Basin	
Lake	8.14	8.14	acres
Pervious	20.74	20.74	acres
Total:	42.01	42.01	

Basin : 2-4

	This Phase	Total Basin	
Building Coverage	8.08	8.08	acres
Impervious	4.88	4.88	acres
Lake	3.46	3.46	acres
Pervious	64.52	64.52	acres
Total:	80.94	80.94	

Basin : 2-5

	This Phase	Total Basin	
Building Coverage	6.79	6.79	acres
Impervious	1.50	1.50	acres
Lake	7.80	7.80	acres
Pervious	24.70	24.70	acres
Total:	40.79	40.79	

Basin : 2-6

	This Phase	Total Basin	
Building Coverage	13.87	13.87	acres
Impervious	3.36	3.36	acres
Lake	8.73	8.73	acres
Pervious	17.97	17.97	acres
Total:	43.93	43.93	

Basin : 2-7

	This Phase	Total Basin	
Building Coverage	8.66	8.66	acres
Impervious	2.09	2.09	acres
Lake	7.85	7.85	acres
Pervious	11.24	11.24	acres
Total:	29.84	29.84	

Basin : 2-8

Basin : 2-8

	This Phase	Total Basin	
Building Coverage	39.98	39.98	acres
Impervious	13.78	13.78	acres
Lake	25.73	25.73	acres
Pervious	51.25	51.25	acres
Total:	130.74	130.74	

Basin : 3-1

	This Phase	Total Basin	
Building Coverage	5.28	5.28	acres
Impervious	1.47	1.47	acres
Lake	1.27	1.27	acres
Pervious	12.29	12.29	acres
Total:	20.31	20.31	

Basin : 3-2

	This Phase	Total Basin	
Building Coverage	.00	.00	acres
Impervious	1.24	1.24	acres
Lake	2.42	2.42	acres
Pervious	6.90	6.90	acres
Total:	10.56	10.56	

Basin : 3-3

	This Phase	Total Basin	
Building Coverage	8.00	8.00	acres
Impervious	3.78	3.78	acres
Lake	9.88	9.88	acres
Pervious	47.09	47.09	acres
Total:	68.75	68.75	

Basin : 3-4

	This Phase	Total Basin	
Building Coverage	15.22	15.22	acres
Impervious	9.13	9.13	acres
Lake	7.47	7.47	acres
Pervious	31.02	31.02	acres
Total:	62.84	62.84	

Basin : 3-5

	This Phase	Total Basin	
Building Coverage	13.57	13.57	acres
Impervious	3.47	3.47	acres
Lake	11.49	11.49	acres
Pervious	62.40	62.40	acres
Total:	90.93	90.93	

Basin : 3-6

	This Phase	Total Basin	
Building Coverage	23.41	23.41	acres
Impervious	8.20	8.20	acres
Lake	25.46	25.46	acres
Pervious	132.37	132.37	acres
Total:	189.44	189.44	

Basin : 4-1

	This Phase	Total Basin	
Building Coverage	11.94	11.94	acres
Impervious	9.76	9.76	acres
Lake	26.08	26.08	acres
Pervious	100.40	100.40	acres
Total:	148.18	148.18	

Basin : 4-2

	This Phase	Total Basin	
Building Coverage	40.06	40.06	acres
Impervious	12.66	12.66	acres
Lake	42.04	42.04	acres
Pervious	100.92	100.92	acres
Preserved	20.60	20.60	acres
Total:	216.28	216.28	

WATER QUANTITY :**Discharge Rate :**

As shown in the table below, the previously permitted allowable discharge for the project is 65 CSM (0.102 cfs/ acre) based on the conveyance limitation and Lee County watershed study.

Basin 2-8 discharges to Basin 2-7. Basin 2-7 discharges to Basin 2-6. Basin 2-6 discharges to Basin 2-2. The offsite discharge from these four (4) interconnected basins is through Control Structure CS B2-2 from

Basin 2-2 only. As a result, the allowable discharge rate for Basin 2-2 shown in the table below is based on the total acreage from Basin 2-2, 2-6, 2-7 and 2-8 with an additional 269.72-cfs offsite flow.

Basin 3-6 discharges to Basin 3-4. Basin 3-4 discharges to Basin 3-2. Basin 3-2 discharges to Basin 3-1. The offsite discharge from these four (4) interconnected basins is through Control Structure CS B3-1 from Basin 3-1 only. As a result, the allowable discharge rate for Basin 3-1 shown in the table below is based on the total acreage from Basin 3-1, 3-2, 3-4 and 3-6.

Basin 3-5 discharges to Basin 3-3. The offsite discharge from these two interconnected basins is through Control Structure CS B3-3 from Basin 3-3 only. As a result, the allowable discharge rate for Basin 3-3 shown in the table below is based on the total acreage from Basin 3-3 and 3-5.

Discharge Storm Frequency : 25 YEAR-3 DAY

Design Rainfall : 10.19 inches

Basin	Allow Disch (cfs)	Method Of Determination	Peak Disch (cfs)	Peak Stage (ft, NGVD)
2-1	2.9	Previously Permitted	2.27	11.31
2-2	313.15	Previously Permitted	310.74	12.17
2-3	4.27	Previously Permitted	4.12	12.85
2-4	8.22	Previously Permitted	7.71	14.29
2-5	4.14	Previously Permitted	3.67	14.99
2-6	n/a	n/a	71.71	14.82
2-7	n/a	n/a	66.42	15.88
2-8	n/a	n/a	61.16	17.11
3-1	28.76	Previously Permitted	28.74	16.71
3-2	n/a	n/a	32.16	17.08
3-3	16.22	Previously Permitted	12.48	17.36
3-4	n/a	n/a	35.68	18.04
3-5	n/a	n/a	41.26	18.08
3-6	n/a	n/a	25.52	18.41
4-1	15.05	Previously Permitted	8.49	16.63
4-2	21.97	Previously Permitted	20.71	17.84

Finished Floors :

Building Storm Frequency : 100 YEAR-3 DAY

Design Rainfall : 12.5 inches

Basin	Peak Stage (ft, NGVD)	Proposed Min. Finished Floors (ft, NGVD)	FEMA Elevation (ft, NGVD)
2-1	12.8	13	N/A
2-2	14.14	14.2	N/A
2-3	14.61	14.7	N/A
2-4	15.2	15.2	N/A
2-5	16.37	16.4	N/A
2-6	16.45	16.5	N/A
2-7	17.4	17.4	N/A
2-8	18.97	19	N/A
3-1	17.5	17.5	N/A

Basin	Peak Stage	Proposed Min. Finished Floors	FEMA Elevation
3-2	17.6	17.7	N/A
3-3	18	18.1	N/A
3-4	19.2	19.2	N/A
3-5	19.6	19.7	N/A
3-6	19.6	19.6	N/A
4-1	17.89	17.9	N/A
4-2	19.3	19.3	N/A

Road Design :

Road Storm Frequency : 5 YEAR-1 DAY

Design Rainfall: 5.5 inches

Basin	Peak Stage (ft, NGVD)	Proposed Min. Road Crown (ft, NGVD)
2-1	10.8	12
2-2	11.84	13.2
2-3	12.37	13.2
2-4	13.95	13.8
2-5	14.36	15
2-6	14.3	15
2-7	15.39	16.3
2-8	16.7	17.5
3-1	16.17	16.2
3-2	16.41	16.5
3-3	16.5	16.7
3-4	17.48	17.5
3-5	17.64	18
3-6	17.76	18
4-1	15.96	16.5
4-2	17.24	18

Parking Lot Design :

Parking Lot Storm Frequency : 5 YEAR-1 DAY

Design Rainfall 5.5 inches

Basin	Peak Stage (ft, NGVD)	Proposed Min. Parking Elev. (ft, NGVD)
2-1	10.8	12
2-2	11.84	13.2
2-3	12.37	13.2
2-4	13.95	13.8
2-5	14.36	15
2-6	14.3	15
2-7	15.39	16.3
2-8	16.7	17.5
3-1	16.17	16.2
3-2	16.41	16.5
3-3	16.65	16.7

Basin	Peak Stage	
3-4	17.48	17.5
3-5	17.64	18
3-6	17.76	18
4-1	15.96	16.5
4-2	17.24	18

Offsite Flows:

As previously permitted, to maintain the conveyance capacity of the pre-development flow pattern the surface water management system serving Basin 2-2 is designed to receive offsite flows from farm fields located at the southwest corner of the project site, totaling 328.25 acres. The peak flow during the 25 year - 3 day storm event was estimated to be 269.72 cfs. The offsite flows shall be directed into the system and discharge into onsite preserved areas (W-20), prior to discharging to the ultimate receiving waters, Caloosahatchee River via the existing drainage conveyance facilities.

Accepted /Routed	Basin Name	Water Quality Provided	Storm Frequency	Receiving Body Name	Rate (cfs/seconds)	Offsite Area (acres)
Accepted	2-2	N	25 Year-3 Day	Onsite Preserved Area	269.72	328.35

Control Elevation :

Basin	Area (Acres)	Ctrl Elev (ft, NGVD)	WSWT Ctrl Elev (ft, NGVD)	Method Of Determination
2-1	28.54	10	10.00	Previously Permitted
2-2	223.14	11.2	11.20	Previously Permitted
2-3	42.01	11.2	11.20	Previously Permitted
2-4	80.94	11.2	11.20	Previously Permitted
2-5	40.79	13	13.00	Previously Permitted
2-6	43.93	13	13.00	Previously Permitted
2-7	29.84	14.25	14.25	Previously Permitted
2-8	130.74	15.5	15.50	Previously Permitted
3-1	20.31	13.5	13.50	Previously Permitted
3-2	10.56	14.5	14.50	Previously Permitted
3-3	68.75	14.5	14.50	Previously Permitted
3-4	62.84	15.5	15.50	Previously Permitted
3-5	90.93	16	16.00	Previously Permitted
3-6	189.44	16	16.00	Previously Permitted
4-1	148.18	14.5	14.50	Previously Permitted
4-2	216.28	16	16.00	Previously Permitted

Receiving Body :

Basin	Str.#	Receiving Body
2-1	CS B2-1	ONSITE PRESERVED AREA (W-19)

Receiving Body :

Basin	Str.#	Receiving Body
2-2	CS B2-2	ONSITE PRESERVED AREA (W-20)
2-3	CS B2-3	ONSITE PRESERVED AREA (W-19)
2-3	S2-407	LAKE NO. 2-3A
2-3	S2-415B	LAKE NO. 2-3A
2-4	CS B2-4	ONSITE PRESERVED AREA (W-20)
2-5	CS B2-5	ONSITE PRESERVED AREA (W-20)
2-6	CS B2-6	LAKE NO. 2-2K (BASIN 2-2)
2-7	CS B2-7	LAKE NO. 2-6C (BASIN 2-6)
2-8	CS B2-8	LAKE NO. 2-7 (BASIN 2-7)
3-1	CS B3-1	ONSITE PRESERVED AREA (W-22)
3-2	CS B3-2	LAKE NO. 3-1 (BASIN 3-1)
3-3	CS B3-3	DRAINAGE CONVEYANCE SWALE
3-3	S3-55	LAKE NO. 3-3
3-4	CS B3-4	LAKE NO. 3-2 (BASIN 3-2)
3-4	S3-123	LAKE NO. 3-4C
3-5	CS B3-5	LAKE NO. 3-3 (BASIN 3-3)
3-6	CS B3-6	LAKE NO. 3-4B (BASIN 3-4)
4-1	CS B4-1	ONSITE PRESERVED AREA (W-32)
4-2	CS B4-2	ONSITE PRESERVED AREA

Discharge Structures: Note: The units for all the elevation values of structures are (ft, NGVD)

Bleeders:

Basin	Str#	Count	Type	Width	Height	Length	Dia.	Invert Angle	Invert Elev.
2-1	CS B2-1	1	Circular Orifice				4.5"		10
2-2	CS B2-2	1	V-Notch	9'	.5'			167.32 deg.	11.2
2-3	CS B2-3	1	Circular Orifice				5.5"		11.2
2-4	CS B2-4	1	Circular Orifice				6.5"		11.2
2-5	CS B2-5	1	Circular Orifice				5.5"		13
3-1	CS B3-1	1	Circular Orifice				3"		13.5
3-3	CS B3-3	1	Circular Orifice				6.5"		14.5
4-1	CS B4-1	1	Circular Orifice				9"		14.5
4-2	CS B4-2	1	Circular Orifice				14"		16

Culverts:

Basin	Str#	Count	Type	Width	Length	Dia.
2-1	CS B2-1	1	Reinforced Concrete Pipe			30"
2-2	CS B2-2	1	Reinforced Concrete Pipe			30"
2-3	CS B2-3	1	Reinforced Concrete Pipe			30"
2-4	CS B2-4	1	Reinforced Concrete Pipe			30"
2-5	CS B2-5	1	Reinforced Concrete Pipe			30"
3-1	CS B3-1	1	Reinforced Concrete Pipe			30"
3-3	CS B3-3	1	Reinforced Concrete Pipe			30"
4-1	CS B4-1	1	Reinforced Concrete Pipe			30"
4-2	CS B4-2	1	Reinforced Concrete Pipe			30"

Inlets:

Basin	Str#	Count	Type	Width	Length	Dia.	Crest Elev.
2-1	CS B2-1	1	Inlet	4.33'	9'		11.3
2-2	CS B2-2	1	Inlet	4.33'	9'		11.7

Discharge Structures:**Inlets:**

2-3	CS B2-3	1	Inlet	4.33'	9'	13.3
2-4	CS B2-4	1	Inlet	4.33'	9'	14.3
2-5	CS B2-5	1	Inlet	4.33'	9'	15.1
3-1	CS B3-1	1	Inlet	4.33'	9'	16.9
3-3	CS B3-3	1	Fdot Mod E Drop Inlet	4.33'	5.83'	17.6
4-1	CS B4-1	1	Inlet	4.33'	9'	16.5
4-2	CS B4-2	1	Inlet	4.33'	9'	17.9

Weirs:

Basin	Str#	Count	Type	Width	Height	Length	Dia.	Elev.
2-1	CS B2-1	1	Rectangular	3'	.3'			11 (crest)
2-3	CS B2-3	1	Rectangular	1'	1.1'			12.2 (crest)
2-4	CS B2-4	1	Rectangular	2'	1.1'			13.2 (crest)
2-5	CS B2-5	1	Rectangular	1'	1'			14.1 (crest)
3-1	CS B3-1	2	Rectangular	3'	1.5'			15.4 (crest)
3-3	CS B3-3	1	Rectangular	1.75'	1.8'			15.8 (crest)
4-2	CS B4-2	2	Rectangular	1.75'	1.3'			16.6 (crest)

SWM(Internal) Structures: Note: The units for all the elevation values of structures are (ft, NGVD)**Bleeders:**

Basin	Str#	Count	Type	Width	Height	Length	Dia.	Invert Angle	Invert Elev.
2-6	CS B2-6	1	V-Notch	1.03'	.8'			65.6 deg.	13
2-7	CS B2-7	1	V-Notch	.96'	.65'			72.7 deg.	14.25
2-8	CS B2-8	1	V-Notch	3.07'	.8'			124.9 deg.	15.5
3-2	CS B3-2	1	Circular Orifice				3"		14.5
3-4	CS B3-4	1	Circular Orifice				6.5"		15.5
3-5	CS B3-5	1	Circular Orifice				8"		16
3-6	CS B3-6	1	Circular Orifice				12"		16

Culverts:

Basin	Str#	Count	Type	Width	Length	Dia.
2-6	CS B2-6	1	Reinforced Concrete Pipe			30"
2-7	CS B2-7	1	Reinforced Concrete Pipe			30"
2-8	CS B2-8	1	Reinforced Concrete Pipe			30"
3-2	CS B3-2	1	Reinforced Concrete Pipe			30"
3-4	CS B3-4	1	Reinforced Concrete Pipe			30"
3-5	CS B3-5	1	Reinforced Concrete Pipe			30"
3-6	CS B3-6	1	Reinforced Concrete Pipe			30"

Inlets:

Basin	Str#	Count	Type	Width	Length	Dia.	Crest Elev.
2-6	CS B2-6	1	Inlet	4.33'	9'		13.8
2-7	CS B2-7	1	Inlet	4.33'	9'		14.9
2-8	CS B2-8	1	Inlet	4.33'	9'		16.3
3-2	CS B3-2	1	Inlet	4.33'	9'		17.1
3-4	CS B3-4	1	Inlet	4.33'	9'		17.9
3-5	CS B3-5	1	Fdot Mod E Drop Inlet	4.33'	5.83'		17.2
3-6	CS B3-6	1	Inlet	4.33'	9'		18.3

SWM(Internal) Structures:**Weirs:**

Basin	Str#	Count	Type	Width	Height	Length	Dia.	Elev.
3-2	CS B3-2	2	Rectangular	3'	2'			15.1 (crest)
3-4	CS B3-4	2	Rectangular	3'	1.3'			16.6 (crest)
3-6	CS B3-6	2	Rectangular	3'	1.3'			17 (crest)

Water Quality Structures: Note: The units for all the elevation values of structures are (ft, NGVD)

Bleeders:

Basin	Str#	Count	Type	Width	Height	Length	Dia.	Invert Angle	Invert Elev.
2-3	S2-407	1	Circular Orifice				3"		11.2
2-3	S2-415B	1	Circular Orifice				3"		11.2
3-3	S3-55	1	Circular Orifice				3"		14.5
3-4	S3-123	1	Circular Orifice				3"		15.5

Culverts:

Basin	Str#	Count	Type	Width	Length	Dia.
2-3	S2-407	1	Reinforced Concrete Pipe			30"
2-3	S2-415B	1	Reinforced Concrete Pipe			30"
3-3	S3-55	1	Reinforced Concrete Pipe			15"
3-4	S3-123	1	Reinforced Concrete Pipe			42"

Inlets:

Basin	Str#	Count	Type	Width	Length	Dia.	Crest Elev.
2-3	S2-407	1	Fdot Mod C Drop Inlet	3.33'	4.42'		13.7
2-3	S2-415B	1	Fdot Mod C Drop Inlet	3.33'	4.42'		13.4
3-3	S3-55	1	Fdot Mod C Drop Inlet	3.33'	4.42'		16.6
3-4	S3-123	1	Fdot Mod C Drop Inlet	3.33'	4.42'		17.5

WATER QUALITY :

As shown in the table below, the proposed surface water management system provides the total water quality volume 191.66 ac-ft (excluding the dry pretreatment volume for the clubhouse, amenity center and golf course maintenance areas), greater than the required water quality volume, 173.17 ac-ft.

Storm water runoff within the development limit area in each controlled basin will be directed to the interconnected wet detention lakes via sheetflow and interconnected drainage structures and pipes. The interconnected wet detention lake system provides the required water quality treatment volume prior to discharge offsite to onsite preserve areas. The required water quality treatment volume for all basins is calculated based on the first inch (1") of runoff within the developed area with an additional 50% water quality volume.

The pretreatment volumes indicated in the table below represent the one-half inch (1/2") dry detention pretreatment volumes required for the amenity center with associated athletic field in Basin 2-3, golf course maintenance facility in Basin 3-3 and clubhouse in Basin 3-4 respectively. Storm water runoff within these areas will be directed to dry detention areas via sheetflow and interconnected drainage structures and pipes. The dry detention areas provide the required one-half inch (1/2") pretreatment volume prior to discharging to the master surface water management system through Control Structures S2-415B and S2-407 for the amenity center with associated athletic field, Control Structure S3-55 for the golf course maintenance facility and Control Structure S3-123 for the clubhouse. The construction material for all buildings in the golf course maintenance facility shall be in compliance with Best Management Practices (BMPs) for Golf Course Maintenance Departments issued by Florida Department of Environmental Protection.

In addition to the required water quality, the system discharges through spreader swales to wetland systems where additional unquantified water quality treatment occurs. Construction Pollution Prevention Plan and Urban Stormwater Management Program specifications and guidelines are part of the required water quality. Construction and daily operation of the project shall be conducted in accordance with Special Conditions No. 17-18 and Exhibits No. 4.0-4.9 and 5.0-5.5 which are incorporated by reference and shall be retained in the permit file.

No adverse water quality impacts are anticipated as a result of the proposed project.

Basin	Treatment Method		Vol Req'd (ac-ft)	Vol Prov'd (ac-ft)
2-1	Treatment	Wet Detention	3.57	3.6
2-2	Treatment	Wet Detention	25.2	25.2
2-3	Treatment	Wet Detention	5.25	8.29
2-3	Pre-Treatment	Dry Detention	.57	.57
2-3	Pre-Treatment	Dry Detention	.09	.09
2-4	Treatment	Wet Detention	10.13	10.27
2-5	Treatment	Wet Detention	5.1	8.81
2-6	Treatment	Wet Detention	5.49	5.49
2-7	Treatment	Wet Detention	3.73	3.73
2-8	Treatment	Wet Detention	16.34	16.34
3-1	Treatment	Wet Detention	2.54	2.58
3-2	Treatment	Wet Detention	1.32	1.46
3-3	Treatment	Wet Detention	8.6	13.25
3-3	Pre-Treatment	Dry Detention	.3	.3
3-4	Treatment	Wet Detention	7.86	8.46
3-4	Pre-Treatment	Dry Detention	.39	.4
3-5	Treatment	Wet Detention	11.37	14.25
3-6	Treatment	Wet Detention	23.68	25.98
4-1	Treatment	Wet Detention	18.53	18.53
4-2	Treatment	Wet Detention	24.46	25.42

WETLANDS:

The project site consists of both upland and wetland communities. All wetland impacts within the site have been permitted under the original permit (Application No. 991012-3).

The project site is comprises 218.50 acres of wetlands located throughout the site. These onsite wetlands consist of mixed wetland forest, cypress wetland, Brazilian pepper, freshwater marsh, wax myrtle, wet prairie, and mixed wetland hardwood. The limits of the onsite wetlands are mostly confined within the boundaries of the property with the exception of Wetland No(s). 11, 12, 13, 14, 15 and 43 located in the northwestern boundary of the property, which are contiguous to offsite wetlands. A wetland map is attached as Exhibit 3.1.

The previous permit authorized a 0.29 acre reduction in wetland impacts from the 62.96 in acres authorized in the original permit; thus resulting in a total of 62.67 acres of wetland impacts. These impacts involve completely filling wetlands No(s) 18, 21, 24, 25, 26, 27, 28, 29, 32, 33, 35, 36, 38 and partially dredging and/or filling wetlands No(s). 14, 15, 20, 34, 42, and 43. The proposed project's impacts

are consistent with the previously approved wetland impacts. A wetland preserve map is attached as Exhibit 3.2.

A total of 155.54 acres wetlands along with 181.27 acres of upland communities have been preserved to offset the wetland impacts. In areas where upland preservation was not proposed, 15 feet minimum, 25 feet average natural upland buffers will be maintained between the development/conservation area interface with the exception of small portions of Wetlands No. 11, 15, 20, and 42, for which a structural buffer consisting of a planted hedge will be provided.

An additional 67.75 acres of upland community, which were not included in the original permit as preserve areas, will remain undeveloped. These upland areas are identified in Exhibit No. 3.2, are located in the eastern portion of the property and will be used for relocation of gopher tortoise found throughout the site as required for Lee County's permitting process. The 67.75 acres of upland community has not been added to the conservation easement areas dedicated to the District.

The control elevation of the site was previously established by utilizing onsite information such as wetland indicators and topography to maintain the hydroperiods of the onsite and adjacent wetlands. Wetlands No. 15, 16, 17, and 34 are incorporated into the water management system and the hydrology of these wetlands are being maintained via sheet-flow and interconnecting pipes from adjacent lakes. Wetlands No(s). 30, 31, 37, 39, 40, 41 and 42, located in the eastern boundary of the property, are outside the surface water management system and are surrounded by onsite upland preserves and other undeveloped upland areas which provide watershed areas for these wetlands and allow them to maintain their hydrologic connection. Wetlands No. 11, 12, and 13, located in the northwestern boundary of the property, extend offsite; these wetlands are outside the water management system and are being hydrologically maintained by the adjacent undeveloped site via the offsite wetlands. The remaining wetlands (Wetlands No(s). 19, 20, 22, and 23) are outside the water management system. The final discharges of the surface management system are through three (3) proposed control structures and outfall into these remaining wetlands. Stabilization rocks have been provided around the discharge pipes and control structures in order to dissipate the sheet flow in the wetlands. Provisions were included on the construction plans to include turbidity and erosion details. Erosion and Sedimentation Best Management Practices such as silt fences will be utilized to prevent inadvertent wetland impacts during construction. The silt fences will stay in place until constructions is completed which includes ensuring bare earth areas are stabilized immediately upon reaching final grades in areas located adjacent to wetlands and/or areas draining to receiving water bodies.

Wetland Inventory :

CONSTRUCTION MOD -River Hall Country Club

Site Id	Site Type	Pre-Development				Post-Development						
		Pre Fluc cs	AA Type	Acreage (Acres)	Current Wo Pres	With Project	Time Lag (Yrs)	Risk Factor	Pres. Adj. Factor	Post Fluc cs	Adj Delta	Functional Gain / Loss
Up Pres ON	400	Preservation		181.27								
Upl Buffr ON	400	Preservation		22.61								
Wet Pre ON	600	Preservation		155.54								
Total:				359.42								

<u>Flucss Code</u>	<u>Description</u>
400	Upland Forests
600	Wetlands

Endangered Species:

A comprehensive survey of the project site was conducted during the review process of the original permit application for the presence of wetland-dependent endangered/threatened species or species of special concern. An American alligator was observed on site. The site contains preferred habitat for several wading bird species including wood storks. No wetland impacts are proposed by the proposed project modification and no adverse impacts to preferred habitat for wetland-dependent endangered or threatened wildlife species or species of special concern are anticipated to occur as a result of the project development. This permit does not relieve the applicant from complying with all applicable rules and any other agencies' requirements regarding endangered/threatened species or species of special concern.

CERTIFICATION AND MAINTENANCE OF THE WATER MANAGEMENT SYSTEM:

It is suggested that the permittee retain the services of a Professional Engineer registered in the State of Florida for periodic observation of construction of the surface water management (SWM) system. This will facilitate the completion of construction completion certification Form #0881 which is required pursuant to Section 10 of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, and Rule 40E-4361(2), Florida Administrative Code (F.A.C.).

Pursuant to Chapter 40E-4 F.A.C., this permit may not be converted from the construction phase to the operation phase until certification of the SWM system is submitted to and accepted by this District. Rule 40E-4.321(7) F.A.C. states that failure to complete construction of the SWM system and obtain operation phase approval from the District within the permit duration shall require a new permit authorization unless a permit extension is granted.

For SWM systems permitted with an operating entity who is different from the permittee, it should be noted that until the permit is transferred to the operating entity pursuant to Rule 40E-1.6107, F.A.C., the permittee is liable for compliance with the terms of this permit.

The permittee is advised that the efficiency of a SWM system will normally decrease over time unless the system is periodically maintained. A significant reduction in flow capacity can usually be attributed to partial blockages of the conveyance system. Once flow capacity is compromised, flooding of the project may result. Maintenance of the SWM system is required to protect the public health, safety and the natural resources of the state. Therefore, the permittee must have periodic inspections of the SWM system performed to ensure performance for flood protection and water quality purposes. If deficiencies are found, it is the responsibility of the permittee to correct these deficiencies in a timely manner.

RELATED CONCERNS:**Water Use Permit Status:**

Irrigation water withdrawal for this project will be conducted under Water Use Permit No. 36-04006-W. The Water Use Permit Application No. 050531-4 is being processed concurrently with this application to reflect the additional irrigated acreage for the project.

The applicant has indicated that dewatering is not required for the additional lakes proposed in this application. Dewatering activities for the excavation of the previously permitted lakes within the project area will be conducted under Water Use Permit No. 36-04005-W/ Application No. 050119-5.

This permit does not release the permittee from obtaining all necessary Water Use authorization(s) prior to the commencement of activities which will require such authorization, including construction dewatering and irrigation, unless the work qualifies for a No-Notice Short-Term Dewatering permit pursuant to Chapter 40E-20.302(3) or is exempt pursuant to Section 40E-2.051, FAC.

Potable Water Supplier:

Lee County Utilities

Waste Water System/Supplier:

Lee County Utilities

Right-Of-Way Permit Status:

A Right-of-Way Permit is not required for this project.

DRI Status:

This project is not a DRI.

Historical/Archeological Resources:

The District has received correspondence from the Florida Department of State, Division of Historical Resources indicating that the agency has no objections to the issuance of this permit.

DCA/CZM Consistency Review:

The District has not received a finding of inconsistency from the Florida Department of Environmental Protection or other commenting agencies regarding the provisions of the federal Coastal Zone Management Plan.

Third Party Interest:

No third party has contacted the District with concerns about this application.

Enforcement:

There has been no enforcement activity associated with this application.

STAFF RECOMMENDATION:

The Staff recommends that the following be issued :

Construction and Operation of a surface water management system serving an 1806.77-acre residential and golf course development project known as River Hall Country Club (A.K.A. Hawks Haven Basin 2, 3 and 4) with discharge into Tidal Caloosahatchee via Olga Creek, offsite preserved areas and Hickey Creek via existing drainage conveyance facilities via onsite preserved areas.

Based on the information provided, District rules have been adhered to.

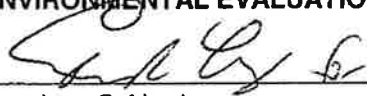
Staff recommendation is for approval subject to the attached
General and Special Conditions.



STAFF REVIEW:

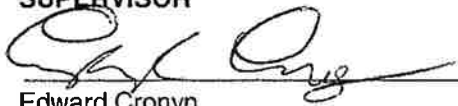
NATURAL RESOURCE MANAGEMENT DIVISION APPROVAL

ENVIRONMENTAL EVALUATION



Jewelene S. Harris

SUPERVISOR



Edward Cronyn

DIVISION DIRECTOR :



Anita R. Bain

DATE: 10/5/06

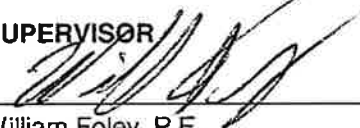
SURFACE WATER MANAGEMENT DIVISION APPROVAL

ENGINEERING EVALUATION



Pakorn Sutitarnnontr, P.E.

SUPERVISOR



William Foley, P.E.

DIVISION DIRECTOR :



Anthony M. Waterhouse, P.E.

DATE: 10/5/06

GENERAL CONDITIONS

1. All activities authorized by this permit shall be implemented as set forth in the plans, specifications and performance criteria as approved by this permit. Any deviation from the permitted activity and the conditions for undertaking that activity shall constitute a violation of this permit and Part IV, Chapter 373, F.S.
2. This permit or a copy thereof, complete with all conditions, attachments, exhibits, and modifications shall be kept at the work site of the permitted activity. The complete permit shall be available for review at the work site upon request by District staff. The permittee shall require the contractor to review the complete permit prior to commencement of the activity authorized by this permit.
3. Activities approved by this permit shall be conducted in a manner which does not cause violations of State water quality standards. The permittee shall implement best management practices for erosion and pollution control to prevent violation of State water quality standards. Temporary erosion control shall be implemented prior to and during construction, and permanent control measures shall be completed within 7 days of any construction activity. Turbidity barriers shall be installed and maintained at all locations where the possibility of transferring suspended solids into the receiving waterbody exists due to the permitted work. Turbidity barriers shall remain in place at all locations until construction is completed and soils are stabilized and vegetation has been established. All practices shall be in accordance with the guidelines and specifications described in Chapter 6 of the Florida Land Development Manual; A Guide to Sound Land and Water Management (Department of Environmental Regulation, 1988), incorporated by reference in Rule 40E-4.091, F.A.C. unless a project-specific erosion and sediment control plan is approved as part of the permit. Thereafter the permittee shall be responsible for the removal of the barriers. The permittee shall correct any erosion or shoaling that causes adverse impacts to the water resources.
4. The permittee shall notify the District of the anticipated construction start date within 30 days of the date that this permit is issued. At least 48 hours prior to commencement of activity authorized by this permit, the permittee shall submit to the District an Environmental Resource Permit Construction Commencement Notice Form Number 0960 indicating the actual start date and the expected construction completion date.
5. When the duration of construction will exceed one year, the permittee shall submit construction status reports to the District on an annual basis utilizing an annual status report form. Status report forms shall be submitted the following June of each year.
6. Within 30 days after completion of construction of the permitted activity, the permittee shall submit a written statement of completion and certification by a professional engineer or other individual authorized by law, utilizing the supplied Environmental Resource/Surface Water Management Permit Construction Completion/Certification Form Number 0881A, or Environmental Resource/Surface Water Management Permit Construction Completion Certification - For Projects Permitted prior to October 3, 1995 Form No. 0881B, incorporated by reference in Rule 40E-1.659, F.A.C. The statement of completion and certification shall be based on onsite observation of construction or review of as-built drawings for the purpose of determining if the work was completed in compliance with permitted plans and specifications. This submittal shall serve to notify the District that the system is ready for inspection. Additionally, if deviation from the approved drawings are discovered during the certification process, the certification must be accompanied by a copy of the approved permit drawings with deviations noted. Both the original and revised specifications must be clearly shown. The plans must be clearly labeled as "as-built" or "record" drawings. All surveyed dimensions and elevations shall be certified by a registered surveyor.
7. The operation phase of this permit shall not become effective: until the permittee has complied with the requirements of condition (6) above, and submitted a request for conversion of Environmental Resource Permit from Construction Phase to Operation Phase, Form No. 0920; the District determines the system to be in compliance with the permitted plans and specifications; and the entity

GENERAL CONDITIONS

approved by the District in accordance with Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit Applications within the South Florida Water Management District, accepts responsibility for operation and maintenance of the system. The permit shall not be transferred to such approved operation and maintenance entity until the operation phase of the permit becomes effective. Following inspection and approval of the permitted system by the District, the permittee shall initiate transfer of the permit to the approved responsible operating entity if different from the permittee. Until the permit is transferred pursuant to Section 40E-1.6107, F.A.C., the permittee shall be liable for compliance with the terms of the permit.

8. Each phase or independent portion of the permitted system must be completed in accordance with the permitted plans and permit conditions prior to the initiation of the permitted use of site infrastructure located within the area served by that portion or phase of the system. Each phase or independent portion of the system must be completed in accordance with the permitted plans and permit conditions prior to transfer of responsibility for operation and maintenance of the phase or portion of the system to a local government or other responsible entity.
9. For those systems that will be operated or maintained by an entity that will require an easement or deed restriction in order to enable that entity to operate or maintain the system in conformance with this permit, such easement or deed restriction must be recorded in the public records and submitted to the District along with any other final operation and maintenance documents required by Sections 9.0 and 10.0 of the Basis of Review for Environmental Resource Permit applications within the South Florida Water Management District, prior to lot or units sales or prior to the completion of the system, whichever comes first. Other documents concerning the establishment and authority of the operating entity must be filed with the Secretary of State, county or municipal entities. Final operation and maintenance documents must be received by the District when maintenance and operation of the system is accepted by the local government entity. Failure to submit the appropriate final documents will result in the permittee remaining liable for carrying out maintenance and operation of the permitted system and any other permit conditions.
10. Should any other regulatory agency require changes to the permitted system, the permittee shall notify the District in writing of the changes prior to implementation so that a determination can be made whether a permit modification is required.
11. This permit does not eliminate the necessity to obtain any required federal, state, local and special district authorizations prior to the start of any activity approved by this permit. This permit does not convey to the permittee or create in the permittee any property right, or any interest in real property, nor does it authorize any entrance upon or activities on property which is not owned or controlled by the permittee, or convey any rights or privileges other than those specified in the permit and Chapter 40E-4 or Chapter 40E-40, F.A.C..
12. The permittee is hereby advised that Section 253.77, F.S. states that a person may not commence any excavation, construction, or other activity involving the use of sovereign or other lands of the State, the title to which is vested in the Board of Trustees of the Internal Improvement Trust Fund without obtaining the required lease, license, easement, or other form of consent authorizing the proposed use. Therefore, the permittee is responsible for obtaining any necessary authorizations from the Board of Trustees prior to commencing activity on sovereignty lands or other state-owned lands.
13. The permittee must obtain a Water Use permit prior to construction dewatering, unless the work qualifies for a general permit pursuant to Subsection 40E-20.302(3), F.A.C., also known as the "No Notice" Rule.
14. The permittee shall hold and save the District harmless from any and all damages, claims, or liabilities which may arise by reason of the construction, alteration, operation, maintenance, removal, abandonment or use of any system authorized by the permit.

GENERAL CONDITIONS

15. Any delineation of the extent of a wetland or other surface water submitted as part of the permit application, including plans or other supporting documentation, shall not be considered binding, unless a specific condition of this permit or a formal determination under Section 373.421(2), F.S., provides otherwise.
16. The permittee shall notify the District in writing within 30 days of any sale, conveyance, or other transfer of ownership or control of a permitted system or the real property on which the permitted system is located. All transfers of ownership or transfers of a permit are subject to the requirements of Rules 40E-1.6105 and 40E-1.6107, F.A.C.. The permittee transferring the permit shall remain liable for corrective actions that may be required as a result of any violations prior to the sale, conveyance or other transfer of the system.
17. Upon reasonable notice to the permittee, District authorized staff with proper identification shall have permission to enter, inspect, sample and test the system to insure conformity with the plans and specifications approved by the permit.
18. If historical or archaeological artifacts are discovered at any time on the project site, the permittee shall immediately notify the appropriate District service center.
19. The permittee shall immediately notify the District in writing of any previously submitted information that is later discovered to be inaccurate.

SPECIAL CONDITIONS

1. The construction phase of this permit shall expire on October 12, 2011.
2. Operation of the surface water management system shall be the responsibility of RIVER HALL COMMUNITY DEVELOPMENT DISTRICT. Within one year of permit issuance or concurrent with the engineering certification of construction completion, whichever comes first, the permittee shall submit a copy of the recorded deed restrictions (or declaration of condominium, if applicable), a copy of the filed articles of incorporation, and a copy of the certificate of incorporation for the association.
3. Discharge Facilities:

Basin: 2-1, Structure: CS B2-1

- 1 - 3.00' W X .3.00' H RECTANGULAR weir with crest at elev. 11.00' NGVD.
- 1 - 4.50" dia. CIRCULAR ORIFICE with invert at elev. 10.00' NGVD.
- 30" dia. REINFORCED CONCRETE PIPE culvert.
- 1 - 4.33' W X 9.00' L Mod. FDOT Type "H" drop inlet with overflow grate at elev. 11.30' NGVD.

Receiving body : ONSITE PRESERVED AREA (W-19)
Control elev : 10.00 feet NGVD.

Basin: 2-2, Structure: CS B2-2

- 1 - 9.00' W X 0.50' H X 167.32 deg. V-NOTCH with invert at elev. 11.20' NGVD.
- 30" dia. REINFORCED CONCRETE PIPE culvert.
- 1 - 4.33' W X 9.00' L Mod. FDOT Type "H" drop inlet with overflow grate at elev. 11.70' NGVD.

Receiving body : ONSITE PRESERVED AREA (W-20)
Control elev : 11.20 feet NGVD.

Basin: 2-3, Structure: CS B2-3

- 1 - 1.00' W X 1.10' H RECTANGULAR weir with crest at elev. 12.20' NGVD.
- 1 - 5.50" dia. CIRCULAR ORIFICE with invert at elev. 11.20' NGVD.
- 30" dia. REINFORCED CONCRETE PIPE culvert.
- 1 - 4.33' W X 9.00' L Mod. FDOT Type "H" drop inlet with overflow grate at elev. 13.30' NGVD.

Receiving body : ONSITE PRESERVED AREA (W-19)
Control elev : 11.20 feet NGVD.

Basin: 2-3, Structure: S2-407 (Pretreatment Control Structure)

- 1 - 3.00" dia. CIRCULAR ORIFICE with invert at elev. 11.20' NGVD.
- 30" dia. REINFORCED CONCRETE PIPE culvert.
- 1 - 3.33' W X 4.42' L Mod. FDOT Type "C" drop inlet with overflow grate at elev. 13.70' NGVD.

Receiving body : LAKE NO. 2-3A
Control elev : 11.20 feet NGVD.

Basin: 2-3, Structure: S2-415B (Pretreatment Control Structure)

- 1 - 3.00" dia. CIRCULAR ORIFICE with invert at elev. 11.20' NGVD.
- 30" dia. REINFORCED CONCRETE PIPE culvert.
- 1 - 3.33' W X 4.42' L Mod. FDOT Type "C" drop inlet with overflow grate at elev. 13.40' NGVD.

Receiving body : LAKE NO. 2-3A

SPECIAL CONDITIONS

Control elev : 11.20 feet NGVD.

Basin: 2-4, Structure: CS B2-4

- 1 - 2.00' W X 1.10' H RECTANGULAR weir with crest at elev. 13.20' NGVD.
- 1 - 6.50" dia. CIRCULAR ORIFICE with invert at elev. 11.20' NGVD.
- 30" dia. REINFORCED CONCRETE PIPE culvert.
- 1 - 4.33' W X 9.00' L Mod. FDOT Type "H" drop inlet with overflow grate at elev. 14.30' NGVD.

Receiving body : ONSITE PRESERVED AREA (W-20)

Control elev : 11.20 feet NGVD.

Basin: 2-5, Structure: CS B2-5

- 1 - 1.00' W X 1.00' H RECTANGULAR weir with crest at elev. 14.10' NGVD.
- 1 - 5.50" dia. CIRCULAR ORIFICE with invert at elev. 13.00' NGVD.
- 30" dia. REINFORCED CONCRETE PIPE culvert.
- 1 - 4.33' W X 9.00' L Mod. FDOT Type "H" drop inlet with overflow grate at elev. 15.10' NGVD.

Receiving body : ONSITE PRESERVED AREA (W-20)

Control elev : 13.00 feet NGVD.

Basin: 2-6, Structure: CS B2-6

- 1 - 1.03' W X 0.80' H X 65.60 deg. V-NOTCH with invert at elev. 13.00' NGVD.
- 30" dia. REINFORCED CONCRETE PIPE culvert.
- 1 - 4.33' W X 9.00' L Mod. FDOT Type "H" drop inlet with overflow grate at elev. 13.80' NGVD.

Receiving body : LAKE NO. 2-2K (BASIN 2-2)

Control elev : 13.00 feet NGVD.

Basin: 2-7, Structure: CS B2-7

- 1 - 0.96' W X 0.65' H X 72.70 deg. V-NOTCH with invert at elev. 14.25' NGVD.
- 30" dia. REINFORCED CONCRETE PIPE culvert.
- 1 - 4.33' W X 9.00' L Mod. FDOT Type "H" drop inlet with overflow grate at elev. 14.90' NGVD.

Receiving body : LAKE NO. 2-6C (BASIN 2-6)

Control elev : 14.25 feet NGVD.

Basin: 2-8, Structure: CS B2-8

- 1 - 3.07' W X 0.80' H X 124.90 deg. V-NOTCH with invert at elev. 15.50' NGVD.
- 30" dia. REINFORCED CONCRETE PIPE culvert.
- 1 - 4.33' W X 9.00' L Mod. FDOT Type "H" drop inlet with overflow grate at elev. 16.30' NGVD.

Receiving body : LAKE NO. 2-7 (BASIN 2-7)

Control elev : 15.50 feet NGVD.

Basin: 3-1, Structure: CS B3-1

- 2 - 3.00' W X 1.50' H RECTANGULAR weirs with crest at elev. 15.40' NGVD.
- 1 - 3.00" dia. CIRCULAR ORIFICE with invert at elev. 13.50' NGVD.
- 30" dia. REINFORCED CONCRETE PIPE culvert.

SPECIAL CONDITIONS

1 - 4.33' W X 9.00' L Mod. FDOT Type "H" drop inlet with overflow grate at elev. 16.90' NGVD.

Receiving body : ONSITE PRESERVED AREA (W-22)

Control elev : 13.50 feet NGVD.

Basin: 3-2, Structure: CS B3-2

2 - 3.00' W X 2.00' H RECTANGULAR weirs with crest at elev. 15.10' NGVD.

1 - 3.00" dia. CIRCULAR ORIFICE with invert at elev. 14.50' NGVD.

30" dia. REINFORCED CONCRETE PIPE culvert.

1 - 4.33' W X 9.00' L Mod. FDOT Type "H" drop inlet with overflow grate at elev. 17.10' NGVD.

Receiving body : LAKE NO. 3-1 (BASIN 3-1)

Control elev : 14.50 feet NGVD.

Basin: 3-3, Structure: CS B3-3

1 - 1.75' W X 1.80' H RECTANGULAR weir with crest at elev. 15.80' NGVD.

1 - 6.50" dia. CIRCULAR ORIFICE with invert at elev. 14.50' NGVD.

30" dia. REINFORCED CONCRETE PIPE culvert.

1 - 4.33' W X 5.83' L Mod. FDOT Type "E" drop inlet with overflow grate at elev. 17.60' NGVD.

Receiving body : DRAINAGE CONVEYANCE SWALE

Control elev : 14.50 feet NGVD.

Basin: 3-3, Structure: S3-55 (Pretreatment Control Structure)

1 - 3.00" dia. CIRCULAR ORIFICE with invert at elev. 14.50' NGVD.

15" dia. REINFORCED CONCRETE PIPE culvert.

1 - 3.33' W X 4.42' L Mod. FDOT Type "C" drop inlet with overflow grate at elev. 16.60' NGVD.

Receiving body : LAKE NO. 3-3

Control elev : 14.50 feet NGVD.

Basin: 3-4, Structure: CS B3-4

2 - 3.00' W X 1.30' H RECTANGULAR weirs with crest at elev. 16.60' NGVD.

1 - 6.50" dia. CIRCULAR ORIFICE with invert at elev. 15.50' NGVD.

30" dia. REINFORCED CONCRETE PIPE culvert.

1 - 4.33' W X 9.00' L Mod. FDOT Type "H" drop inlet with overflow grate at elev. 17.90' NGVD.

Receiving body : LAKE NO. 3-2 (BASIN 3-2)

Control elev : 15.50 feet NGVD.

Basin: 3-4, Structure: S3-123 (Pretreatment Control Structure)

1 - 3.00" dia. CIRCULAR ORIFICE with invert at elev. 15.50' NGVD.

42" dia. REINFORCED CONCRETE PIPE culvert.

1 - 3.33' W X 4.42' L Mod. FDOT Type "C" drop inlet with overflow grate at elev. 17.50' NGVD.

Receiving body : LAKE NO. 3-4C

Control elev : 15.50 feet NGVD.

Basin: 3-5, Structure: CS B3-5

SPECIAL CONDITIONS

- 1 - 8.00" dia. CIRCULAR ORIFICE with invert at elev. 16.00' NGVD.
 30" dia. REINFORCED CONCRETE PIPE culvert.
 1 - 4.33' W X 5.83' L Mod. FDOT Type "E" drop inlet with overflow grate at elev. 17.20' NGVD.

Receiving body : LAKE NO. 3-3 (BASIN 3-3)
 Control elev : 16.00 feet NGVD.

Basin: 3-6, Structure: CS B3-6

- 2 - 3.00' W X 1.30' H RECTANGULAR weirs with crest at elev. 17.00' NGVD.
 1 - 12" dia. CIRCULAR ORIFICE with invert at elev. 16.00' NGVD.
 30" dia. REINFORCED CONCRETE PIPE culvert.
 1 - 4.33' W X 9.00' L Mod. FDOT Type "H" drop inlet with overflow grate at elev. 18.30' NGVD.

Receiving body : LAKE NO. 3-4B (BASIN 3-4)
 Control elev : 16.00 feet NGVD.

Basin: 4-1, Structure: CS B4-1

- 1 - 9.00" dia. CIRCULAR ORIFICE with invert at elev. 14.50' NGVD.
 30" dia. REINFORCED CONCRETE PIPE culvert.
 1 - 4.33' W X 9.00' L Mod. FDOT Type "H" drop inlet with overflow grate at elev. 16.50' NGVD.

Receiving body : ONSITE PRESERVED AREA (W-32)
 Control elev : 14.50 feet NGVD.

Basin: 4-2, Structure: CS B4-2

- 2 - 1.75' W X 1.3' H RECTANGULAR weirs with crest at elev. 16.60' NGVD.
 1 - 14.00" dia. CIRCULAR ORIFICE with invert at elev. 16.00' NGVD.
 30" dia. REINFORCED CONCRETE PIPE culvert.
 1 - 4.33' W X 9.00' L drop inlet with overflow grate at elev. 17.90' NGVD.

Receiving body : ONSITE PRESERVED AREA
 Control elev : 16.00 feet NGVD.

4. The permittee shall be responsible for the correction of any erosion, shoaling or water quality problems that result from the construction or operation of the surface water management system.
5. Measures shall be taken during construction to insure that sedimentation and/or turbidity violations do not occur in the receiving water.
6. The District reserves the right to require that additional water quality treatment methods be incorporated into the drainage system if such measures are shown to be necessary.
7. Lake side slopes shall be no steeper than 4:1 (horizontal:vertical) to a depth of two feet below the control elevation. Side slopes shall be nurtured or planted from 2 feet below to 1 foot above control elevation to insure vegetative growth, unless shown on the plans.
8. Facilities other than those stated herein shall not be constructed without an approved modification of this permit.
9. A stable, permanent and accessible elevation reference shall be established on or within one hundred (100) feet of all permitted discharge structures no later than the submission of the certification report. The location of the elevation reference must be noted on or with the certification report.

SPECIAL CONDITIONS

14. Minimum parking lot elevation:

- Basin: 2-1 - 12.00 feet NGVD.
 Basin: 2-2 - 13.20 feet NGVD.
 Basin: 2-3 - 13.20 feet NGVD.
 Basin: 2-4 - 13.80 feet NGVD.
 Basin: 2-5 - 15.00 feet NGVD.
 Basin: 2-6 - 15.00 feet NGVD.
 Basin: 2-7 - 16.30 feet NGVD.
 Basin: 2-8 - 17.50 feet NGVD.
 Basin: 3-1 - 16.20 feet NGVD.
 Basin: 3-2 - 16.50 feet NGVD.
 Basin: 3-3 - 16.70 feet NGVD.
 Basin: 3-4 - 17.50 feet NGVD.
 Basin: 3-5 - 18.00 feet NGVD.
 Basin: 3-6 - 18.00 feet NGVD.
 Basin: 4-1 - 16.50 feet NGVD.
 Basin: 4-2 - 18.00 feet NGVD.

15. All special conditions and exhibits previously stipulated by permit number 36-04006-P remain in effect unless otherwise revised and shall apply to this modification.
16. The River Hall Community Development District shall maintain and improve, as necessary, the condition of the drainage ditch within the FP&L easement to provide the conveyance capabilities for the offsite flows and discharges from the project.
17. The Permittee shall utilize the criteria contained in the Construction Pollution Prevention Plan (Exhibits No. 4.0-4.9) and on the applicable approved construction drawings for the duration of the projects construction activities. Exhibits No. 4.0-4.9 have been incorporated by reference and shall be retained in the permit file.

SPECIAL CONDITIONS

14. Minimum parking lot elevation:

Basin: 2-1 - 12.00 feet NGVD.
Basin: 2-2 - 13.20 feet NGVD.
Basin: 2-3 - 13.20 feet NGVD.
Basin: 2-4 - 13.80 feet NGVD.
Basin: 2-5 - 15.00 feet NGVD.
Basin: 2-6 - 15.00 feet NGVD.
Basin: 2-7 - 16.30 feet NGVD.
Basin: 2-8 - 17.50 feet NGVD.
Basin: 3-1 - 16.20 feet NGVD.
Basin: 3-2 - 16.50 feet NGVD.
Basin: 3-3 - 16.70 feet NGVD.
Basin: 3-4 - 17.50 feet NGVD.
Basin: 3-5 - 18.00 feet NGVD.
Basin: 3-6 - 18.00 feet NGVD.
Basin: 4-1 - 16.50 feet NGVD.
Basin: 4-2 - 18.00 feet NGVD.

15. All special conditions and exhibits previously stipulated by permit number 36-04006-P remain in effect unless otherwise revised and shall apply to this modification.
16. The River Hall Community Development District shall maintain and improve, as necessary, the condition of the drainage ditch within the FP&L easement to provide the conveyance capabilities for the offsite flows and discharges from the project.
17. The Permittee shall utilize the criteria contained in the Construction Pollution Prevention Plan (Exhibits No. 4.0-4.9) and on the applicable approved construction drawings for the duration of the projects construction activities. Exhibits No. 4.0-4.9 have been incorporated by reference and shall be retained in the permit file.
18. The Permittee shall utilize the criteria contained in the Urban Stormwater Management Program (Exhibits No. 5.0-5.5) for post construction activities. Exhibits No. 5.0-5.5 have been incorporated by reference and shall be retained in the permit file.
19. The construction material for all buildings in the golf course maintenance facility shall be in compliance with Best Management Practices (BMPs) for Golf Course Maintenance Departments issued by Florida Department of Environmental Protection.
20. All contractors must be provided with a copy of the staff report and permit conditions prior to the commencement of construction. The permittee is responsible for ensuring that all contractors adhere to the project construction details and methods indicated on the attached permit Exhibits and described herein.

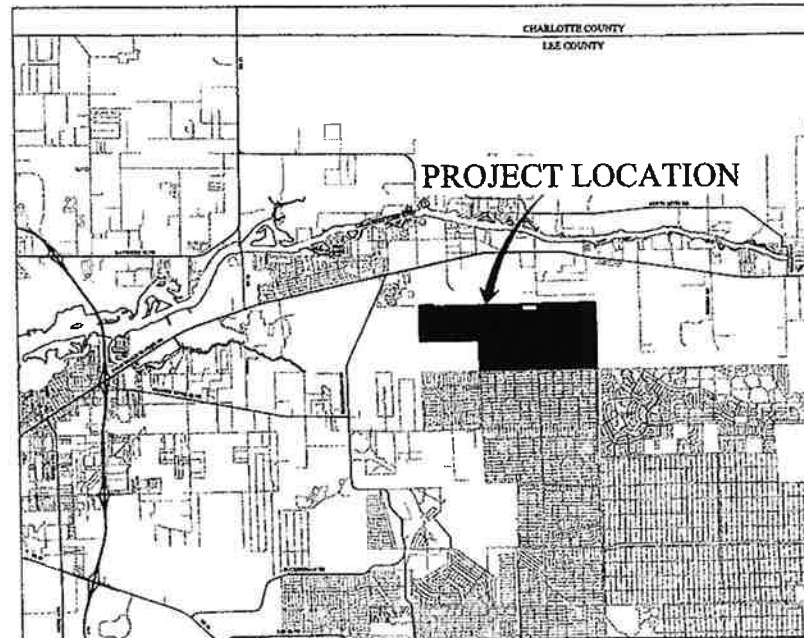
RIVER HALL

SOUTH FLORIDA WATER MANAGEMENT DISTRICT ENVIRONMENTAL PLANS

FOR ENVIRONMENTAL RESOURCE PERMIT MODIFICATION

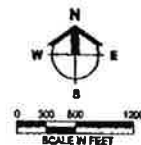
Sections 25, 26, 27, 34, 35 & 36, Township 43 South, Range 26 East
Lee County

Index of Sheets	
Sheet No.	Description
E-1	Cover Sheet
E-2	SFWMD Wetland Map
E-3	SFWMD FLUCFCS And Wetland Map
E-4	SFWMD Wetland Impact Map
E-5	SFWMD Wetland Mitigation And Monitoring Plan
E-6	Conservation Areas Map



Prepared For:
Barraco and Associates, Inc.
2271 McGregor Boulevard
Fort Myers, FL 33901

Prepared By:
PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, FL 33919



**HAWK'S
HAVEN**
DEVELOPERS, LLC

2401 RIVER HILL PARKWAY
MAY 15 1964 TUE

PHONE: (203) 274-0321
E-MAIL: info@nbaa.org

 LandMac

Product Practices

**RIVER
HALL**

SPONTANEOUSLY TOXIC AS HAYNE'S H

ERP PLANS

PAGE TWO OF TWO
 (PENDING)

LEE COUNTY, FLORIDA



Department of Defense
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20301-4500



FOR THE FBI
U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C. 20535

1. *Journal of the American Medical Association*, 1997; 278: 1033-1038.

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FILE NAME	J:\MUSIC\ALL\T004
DATE IN	1/10/2011

LOCATION	PHILADELPHIA
PLANT DATE	FRI 1-25-2008 1:08 PM

PLDT BY	AMERICAN LATHECO
ORIGIN BY	WALT JONES

DATE: 11/11/2010

APPLICATION NUMBER
K 581 08 30

100-442887-1

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AT 10:00 PM

2021

UNIVERSITY OF ALABAMA

PLATE 10

APPROVAL SUBMITTAL PLANS
NOT FOR CONSTRUCTION

100

KEY SHEET

PG#C17142	10/11/14
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21988	2
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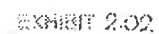
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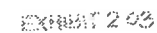
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EXHIBIT 2.00



EXHIBIT 2.01









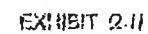




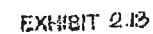


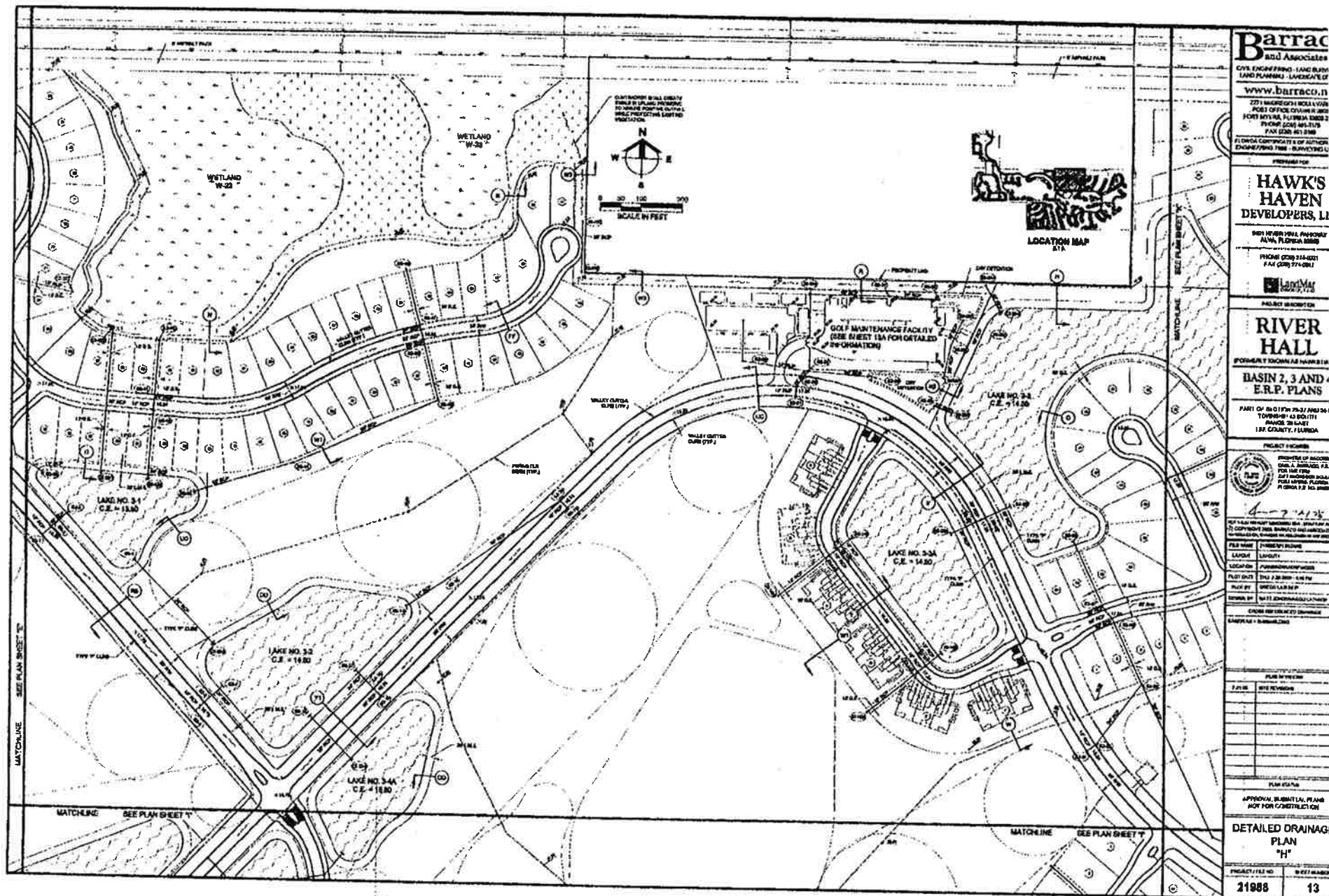












Barraco
and Associates
CIVIL ENGINEERING - LAND SURVEYING
LAND PLANNING - LANDSCAPE ARCHITECTURE
www.barraco.in
2711 MAGNOLIA BOULEVARD
SUITE 100 FORT MYERS, FLORIDA 33901
PHONE (888) 881-1111
FAX (888) 881-1111
FLORIDA CERTIFICATE OF PROFESSIONAL ENGINEERING - SURVEYING LICENSE NO. 10000

HAWK'S HAVEN
DEVELOPERS, L.L.C.

9801 WINTER HAVEN PARKWAY
ALVA, FLORIDA 33420
PHONE (888) 214-4001
FAX (888) 214-4001

LandMark
ENGINEERS, P.C.

PROJECT DESCRIPTION

RIVER HALL
FORMERLY TOWN OF HAWK'S HAVEN
BASIN 2, 3 AND E.R.P. PLANS

PART OF SECTION 25.01 AND 26.01
TOWNSHIP 43 SOUTH
RANGE 28 WEST
LEE COUNTY, FLORIDA

PROJECT NUMBER

PROPOSED BY: HAWK'S HAVEN DEVELOPERS, L.L.C.
FOR THE CITY OF FORT MYERS
DATE: 10/15/2014
PROJECT NO. 14-0001
SHEET NO. 13 OF 13

DATE: 10/15/2014
PROJECT NO. 14-0001
SHEET NO. 13 OF 13

DATE: 10/15/2014
PROJECT NO. 14-0001
SHEET NO. 13 OF 13

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DATE: 10/15/2014
PROJECT NO. 14-0001
SHEET NO. 13 OF 13

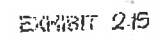
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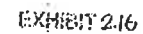
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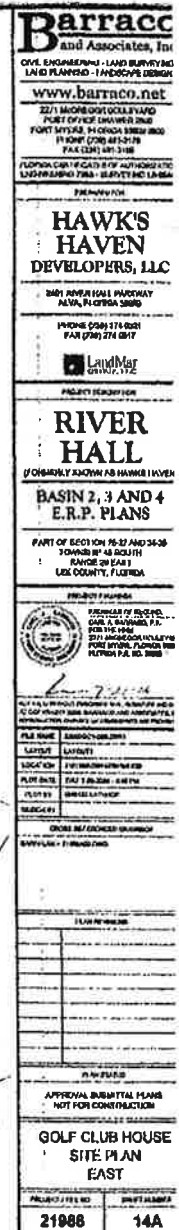
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SHEET NO. 13 OF 13

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SHEET NO. 13 OF 13

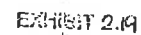
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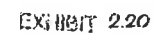














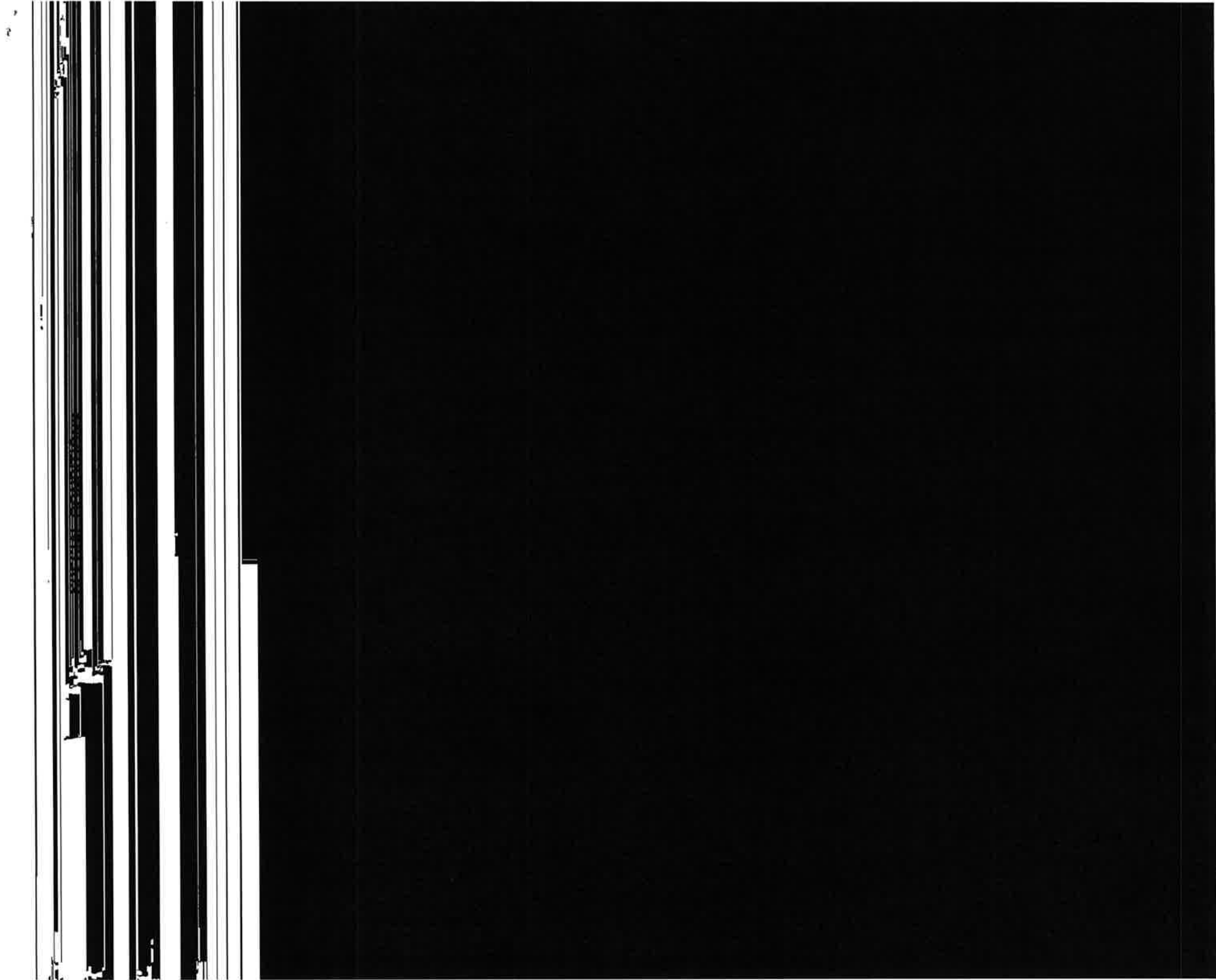


EXHIBIT 3.2

CA-8
(12.88 AC.±)CA-9
(21.56 AC.±)CA-10
(16.66 AC.±)CA-12
(12.18 AC.±)CA-15
(2.33 AC.±)CA-11
(114.99 AC.±)CA-13
(20.60 AC.±)CA-14
(166.41 AC.±)

- LEGEND:
- CONSERVATION AREA
(132.57 AC.±)
 - Gopher Tortoise Preserve
(64.59 AC.±)
 - OPEN SPACE NOT USED FOR MITIGATION
 - OPEN SPACE NOT UNDER PRESERVATION
 - LANDS NOT INCLUDED IN PROJECT AREA

CONSERVATION AREA NO.	ACREAGE
CA-8	12.88 AC.±
CA-9	21.56 AC.±
CA-10	16.66 AC.±
CA-11	114.99 AC.±
CA-12	12.18 AC.±
CA-13	20.60 AC.±
CA-14	166.41 AC.±
CA-15	2.33 AC.±
OPEN SPACE	61.60 AC.±
TOTAL	427.17 AC.±

NOTES:

PROPERTY BOUNDARY AND WETLAND LINES ARE FROM CONSULTING ENGINEERING, INC. DRAWING NO. JO LINES.DWG DATED 12/3/02.

PROPERTY BOUNDARY AND SITE PLAN PER BARRAGO & ASSOCIATES, INC. DRAWING NO. 2198RADD.DWG DATED AUGUST 25, 2006.

REVISIONS	DESIGNED BY	DATE	HORIZONTAL SCALE
New Site Plan	J.H.	2/15/05	1"=500'
Added Open Space	K.C.P.	2/15/05	N/A
	W.C.O.B.	2/15/05	SEC 7/11/05/11/24

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
 9110 College Pointe Court, Fort Myers, Florida 33919

RIVER HALL
 CONSERVATION AREAS MAP

DRAWING NO.:
 OSPEC0931
 SHEET NO.:
 E-6

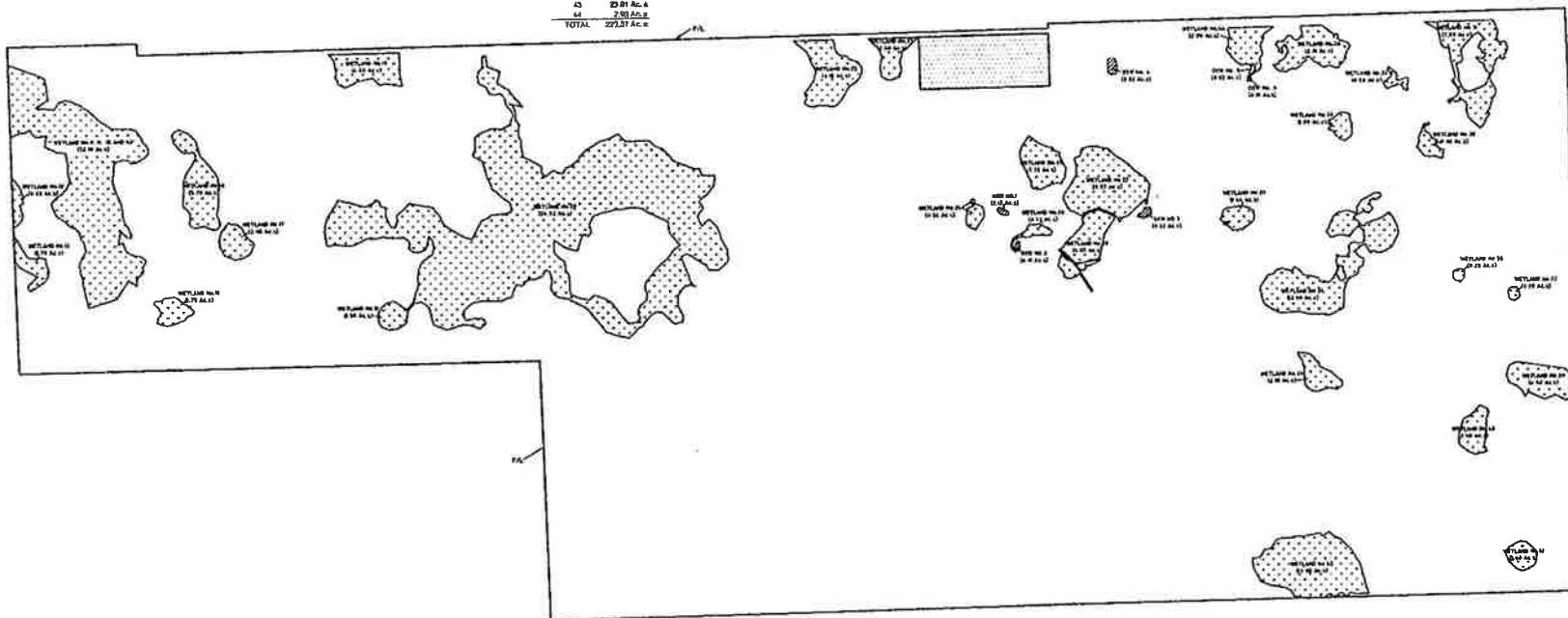


WETLAND NO.	ACREAGE
11	4.89 AC.±
12	0.90 AC.±
13	1.70 AC.±
14	1.20 AC.±
15	2.12 AC.±
16	5.78 AC.±
17	2.06 AC.±
18	1.73 AC.±
19	4.50 AC.±
20	0.87 AC.±
21	1.35 AC.±
22	6.15 AC.±
23	2.40 AC.±
24	0.84 AC.±
25	3.75 AC.±
26	0.72 AC.±
27	0.97 AC.±
28	4.85 AC.±
29	1.14 AC.±
30	8.10 AC.±
31	7.50 AC.±
32	0.08 AC.±
33	1.08 AC.±
34	12.98 AC.±
35	1.08 AC.±
36	0.28 AC.±
37	0.29 AC.±
38	3.15 AC.±
39	4.52 AC.±
40	2.43 AC.±
41	1.80 AC.±
42	13.62 AC.±
43	20.81 AC.±
44	2.50 AC.±
TOTAL	223.37 AC.±

OSW NO.	ACREAGE
1	0.13 AC.±
2	0.10 AC.±
3	0.22 AC.±
4	0.32 AC.±
5	0.02 AC.±
8	0.21 AC.±
TOTAL	0.80 AC.±

WETLAND
PROPERTY BOUNDARY AND WETLAND
LINES ARE FROM CORREL-TECH
ENGINEERING, INC. DRAWING NO.
JO LINDSEY DATED 12/19/97.
WETLAND ACREAGE & BATHYMETRY
CORREL-TECH ENGINEERING, INC.
DRAWING NO. C-000-001 DATED
SEPTEMBER 6, 1999
SURVEYED WETLAND LINES FOR THE DEAN
FABER, PERRY BARROD AND ASSOCIATES,
INC. DRAWING NO. DEAN-WETLANDS-001
DATED MAY 18, 1999

EXHIBIT 3.1



REVISION	DESIGNED BY	DATE	HORIZONTAL SCALE
Added Dean parcel	J.H.	2/15/05	1"=500'
	CHECKED BY	DATE	VERTICAL SCALE
	K.C.P.	2/15/05	N/A
	DRAWN BY	DATE	SEC. 17/18/19/20/21/22/23/24/25/26/27/28/29/30/31/32/33/34/35/36/37/38/39/40/41/42/43/44/45/46/47/48/49/50/51/52/53/54/55/56/57/58/59/60/61/62/63/64/65/66/67/68/69/70/71/72/73/74/75/76/77/78/79/80/81/82/83/84/85/86/87/88/89/90/91/92/93/94/95/96/97/98/99/100
	W.C., D.B.	2/15/05	

PASSARELLA and ASSOCIATES, INC.
Consulting Ecologists
9110 College Pointe Court, Fort Myers, Florida 33919

RIVER HALL
SFWMD WETLAND MAP

DRAWING No.:
03PE0931
SHEET No.:
E-2

EXHIBIT 3.0

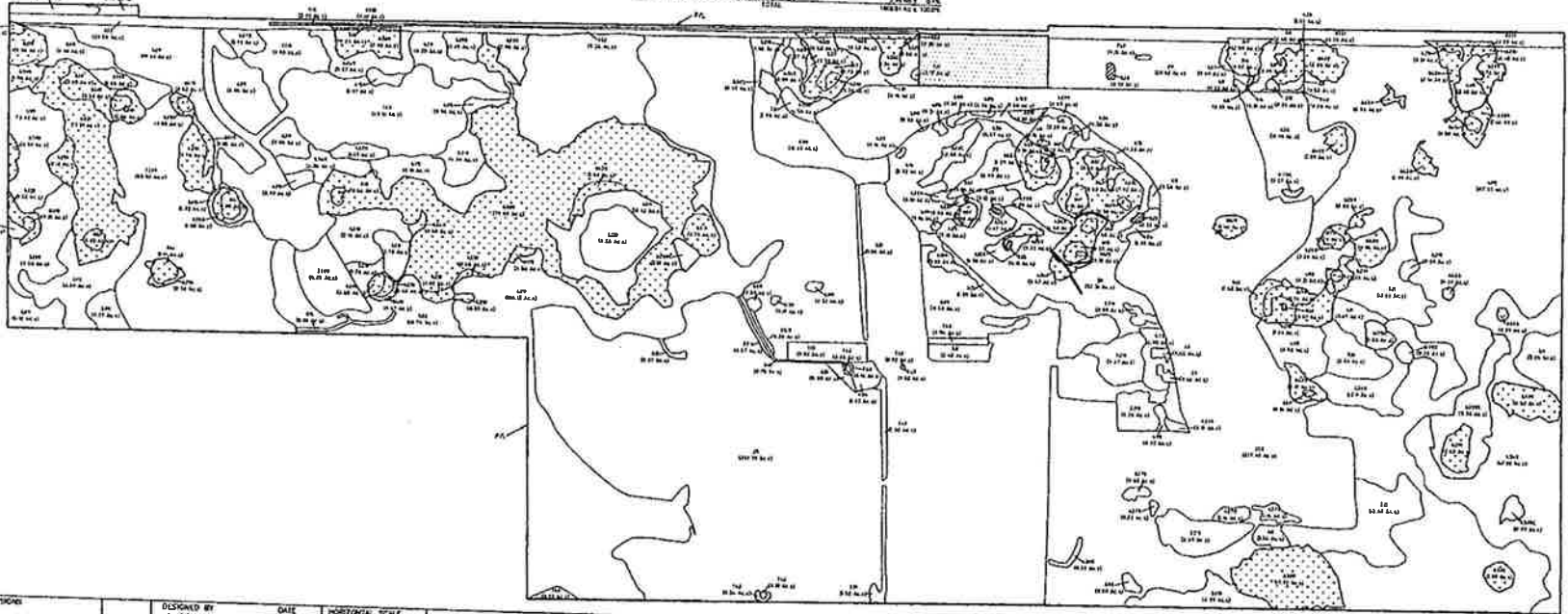


SCALE: 1" = 500'



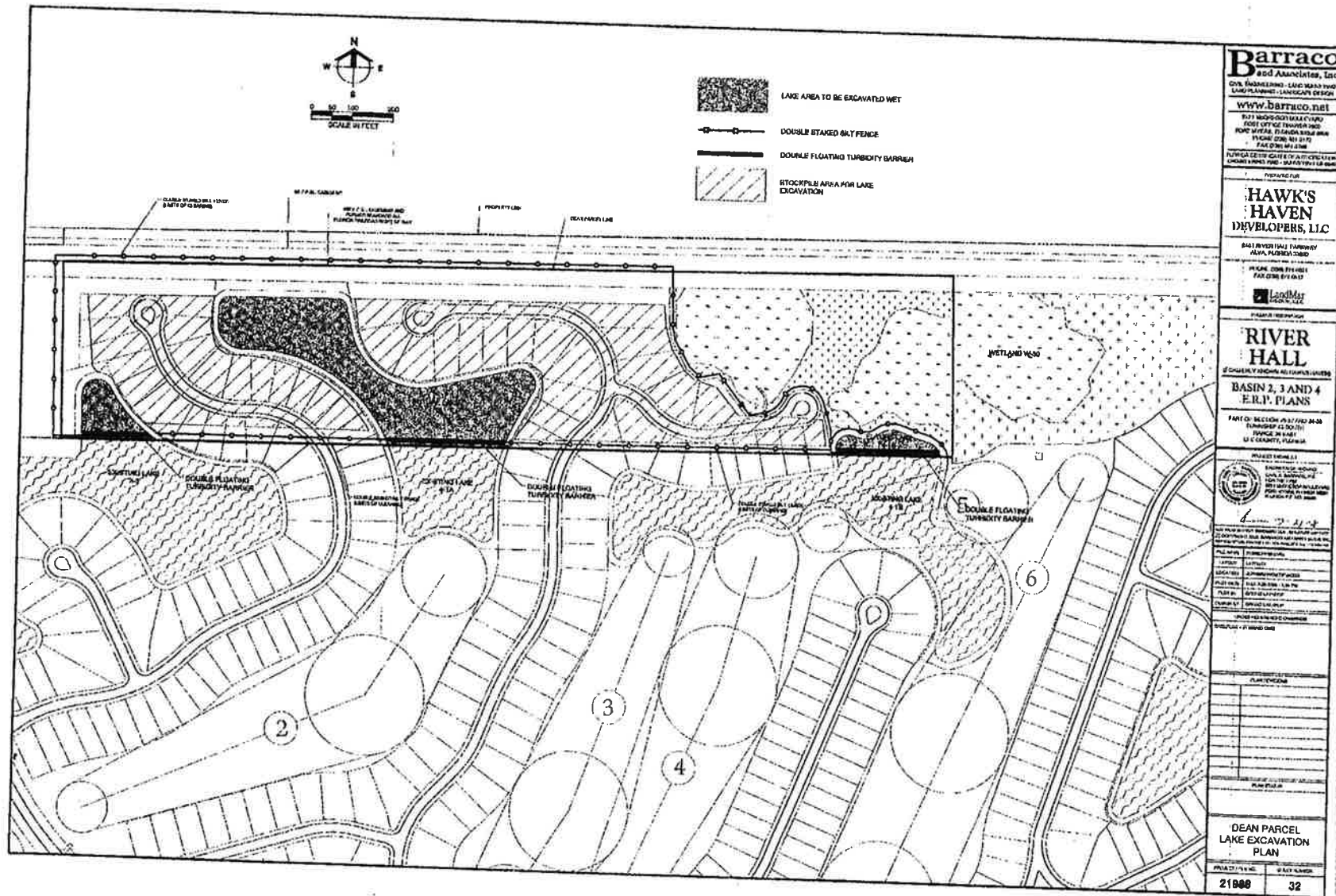
FLUCFC#	DESCRIPTION	ACRES	% OF TOTAL
0000	WATER	145.80	34.2%
0010	SWAMP WETLANDS	207.88	47.8%
0020	SWAMP WETLANDS, DISTURBED	14.08	3.2%
0030	WETLANDS, DISTURBED	14.08	3.2%
0040	WETLANDS, DISTURBED	14.08	3.2%
0050	WETLANDS, DISTURBED	14.08	3.2%
0060	WETLANDS, DISTURBED	14.08	3.2%
0070	WETLANDS, DISTURBED	14.08	3.2%
0080	WETLANDS, DISTURBED	14.08	3.2%
0090	WETLANDS, DISTURBED	14.08	3.2%
0100	WETLANDS, DISTURBED	14.08	3.2%
0110	WETLANDS, DISTURBED	14.08	3.2%
0120	WETLANDS, DISTURBED	14.08	3.2%
0130	WETLANDS, DISTURBED	14.08	3.2%
0140	WETLANDS, DISTURBED	14.08	3.2%
0150	WETLANDS, DISTURBED	14.08	3.2%
0160	WETLANDS, DISTURBED	14.08	3.2%
0170	WETLANDS, DISTURBED	14.08	3.2%
0180	WETLANDS, DISTURBED	14.08	3.2%
0190	WETLANDS, DISTURBED	14.08	3.2%
0200	WETLANDS, DISTURBED	14.08	3.2%
0210	WETLANDS, DISTURBED	14.08	3.2%
0220	WETLANDS, DISTURBED	14.08	3.2%
0230	WETLANDS, DISTURBED	14.08	3.2%
0240	WETLANDS, DISTURBED	14.08	3.2%
0250	WETLANDS, DISTURBED	14.08	3.2%
0260	WETLANDS, DISTURBED	14.08	3.2%
0270	WETLANDS, DISTURBED	14.08	3.2%
0280	WETLANDS, DISTURBED	14.08	3.2%
0290	WETLANDS, DISTURBED	14.08	3.2%
0300	WETLANDS, DISTURBED	14.08	3.2%
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0360	WETLANDS, DISTURBED	14.08	3.2%
0370	WETLANDS, DISTURBED	14.08	3.2%
0380	WETLANDS, DISTURBED	14.08	3.2%
0390	WETLANDS, DISTURBED	14.08	3.2%
0400	WETLANDS, DISTURBED	14.08	3.2%
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0670	WETLANDS, DISTURBED	14.08	3.2%
0680	WETLANDS, DISTURBED	14.08	3.2%
0690	WETLANDS, DISTURBED	14.08	3.2%
0700	WETLANDS, DISTURBED	14.08	3.2%
0710	WETLANDS, DISTURBED	14.08	3.2%
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0790	WETLANDS, DISTURBED	14.08	3.2%
0800	WETLANDS, DISTURBED	14.08	3.2%
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0960	WETLANDS, DISTURBED	14.08	3.2%
0970	WETLANDS, DISTURBED	14.08	3.2%
0980	WETLANDS, DISTURBED	14.08	3.2%
0990	WETLANDS, DISTURBED	14.08	3.2%
1000	WETLANDS, DISTURBED	14.08	3.2%

NOTES:
FLUCFC# LINES ESTIMATED FROM
AERIAL PHOTOGRAPHY AND
LOCATION APPROPRIATE.
FLUCFC# PER FLUCFC# LAND USE,
COVER AND FORM CLASSIFICATION
SYSTEM FLUCFC# 0.00 FLUCFC#
PROPERTY BOUNDARY AND WETLAND
LINES ARE FROM CONDA. TECH.
SURVEYING, INC. SURVEY NO.
JD LINES ONE DATED 10/21/11.
WETLAND AREAS SHOWN PER
CONDA. TECH. SURVEYING, INC.
SURVEY NO. 1, DATED 10/21/11.
10/21/11, 2011.



DESIGNED BY A.K.	DATE 3/2/06	HORIZONTAL SCALE 1"=500'
CHECKED BY E.M.H.	DATE 3/2/06	VERTICAL SCALE N/A
DRAWN BY D.B.	DATE 3/2/06	SEC. 7/10, 7/11, 7/12, 7/13, 7/14, 7/15, 7/16, 7/17, 7/18, 7/19, 7/20, 7/21, 7/22, 7/23, 7/24, 7/25, 7/26, 7/27, 7/28, 7/29, 7/30, 7/31, 7/32, 7/33, 7/34, 7/35, 7/36, 7/37, 7/38, 7/39, 7/40, 7/41, 7/42, 7/43, 7/44, 7/45, 7/46, 7/47, 7/48, 7/49, 7/50, 7/51, 7/52, 7/53, 7/54, 7/55, 7/56, 7/57, 7/58, 7/59, 7/60, 7/61, 7/62, 7/63, 7/64, 7/65, 7/66, 7/67, 7/68, 7/69, 7/70, 7/71, 7/72, 7/73, 7/74, 7/75, 7/76, 7/77, 7/78, 7/79, 7/80, 7/81, 7/82, 7/83, 7/84, 7/85, 7/86, 7/87, 7/88, 7/89, 7/90, 7/91, 7/92, 7/93, 7/94, 7/95, 7/96, 7/97, 7/98, 7/99, 7/100, 7/101, 7/102, 7/103, 7/104, 7/105, 7/106, 7/107, 7/108, 7/109, 7/110, 7/111, 7/112, 7/113, 7/114, 7/115, 7/116, 7/117, 7/118, 7/119, 7/120, 7/121, 7/122, 7/123, 7/124, 7/125, 7/126, 7/127, 7/128, 7/129, 7/130, 7/131, 7/132, 7/133, 7/134, 7/135, 7/136, 7/137, 7/138, 7/139, 7/140, 7/141, 7/142, 7/143, 7/144, 7/145, 7/146, 7/147, 7/148, 7/149, 7/150, 7/151, 7/152, 7/153, 7/154, 7/155, 7/156, 7/157, 7/158, 7/159, 7/160, 7/161, 7/162, 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7/1018, 7





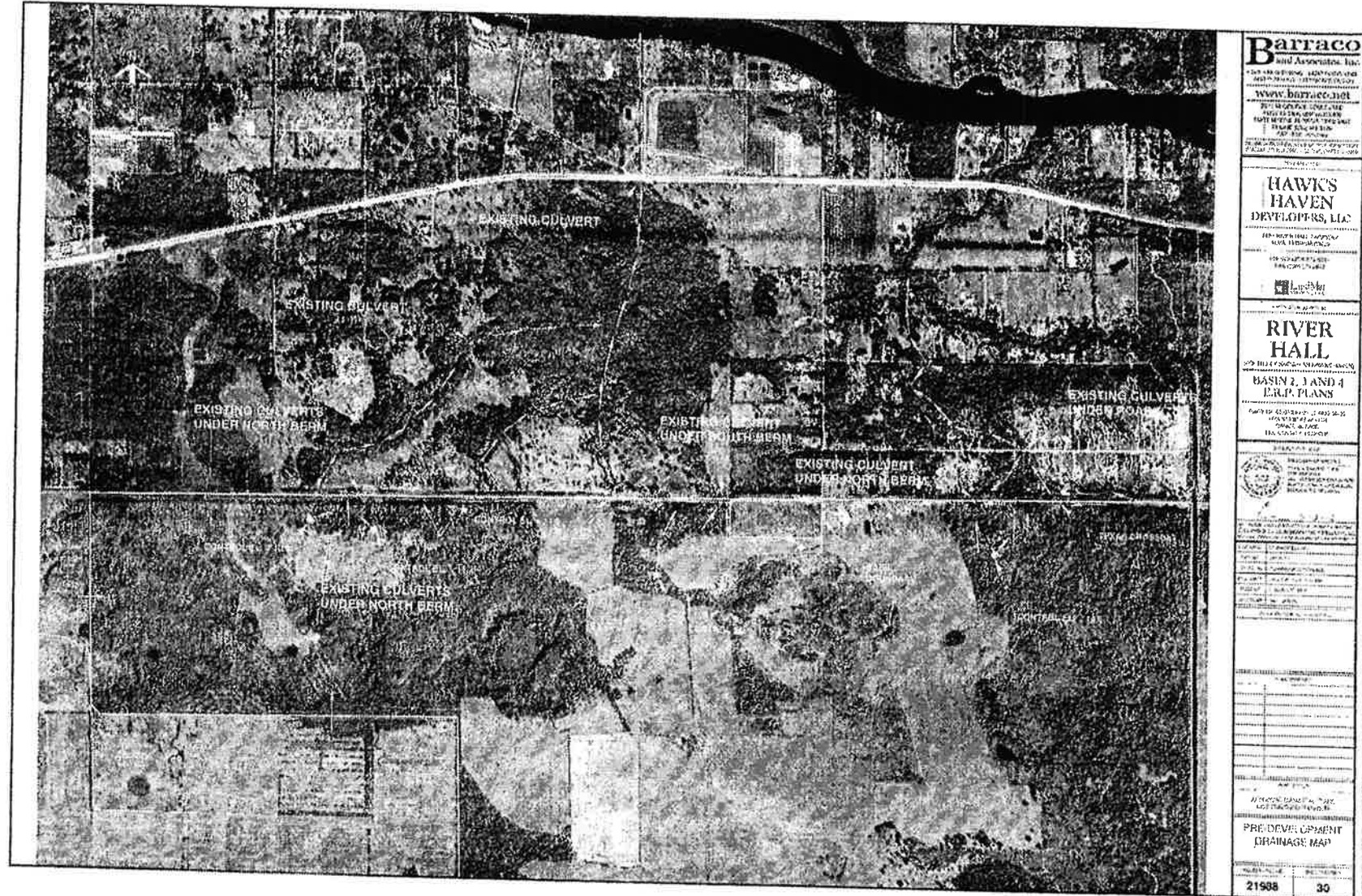
Barraco and Associates, Inc.
 CIVIL ENGINEERING - LAND MARKS SURVEY
 LANDSCAPE ARCHITECTURE - LANDSCAPE DESIGN
 www.barraco.net
 8177 NW 10TH STREET, SUITE 100
 FORT MYERS, FLORIDA 33907
 PHONE: (888) 811-1171
 FAX: (888) 811-1172

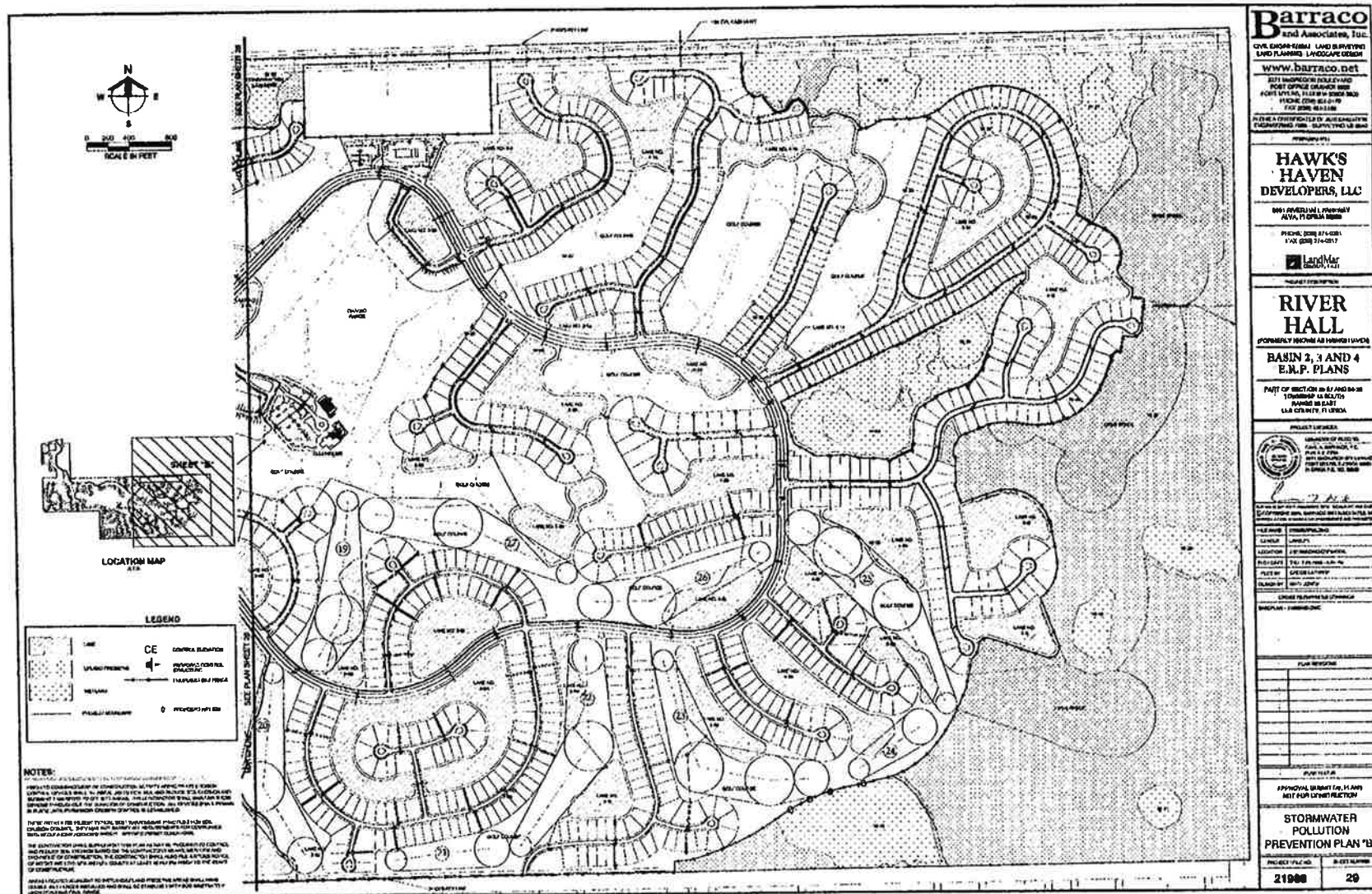
HAWK'S HAVEN DEVELOPERS, LLC
 8411 RIVER HALL TOWNWAY
 ALMA, FLORIDA 32009
 PHONE: (888) 811-1171
 FAX: (888) 811-1172

LandMark
 LANDMARK SURVEYING, LLC
 1000 N. 10TH STREET, SUITE 100
 FORT MYERS, FLORIDA 33907
 PHONE: (888) 811-1171
 FAX: (888) 811-1172

RIVER HALL
 8 CHICKENLY AVENUE, ALMA, FLORIDA 32009
 BASIN 2, 3 AND 4
 E.R.P. PLANS
 PART OF SECTION 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Barraco
and Associates, Inc.
CIVIL ENGINEER LAND SURVEYOR
LAND PLANNING LANDSCAPE DESIGN
WWW.BARRACO.DET
201 WOODBRIDGE AVENUE, SUITE 100
PORT ST. LOUIS, FL 33687
PHONE: (813) 881-1111
FAX: (813) 881-1112
A PROFESSIONAL CORPORATION
FLORIDA CERTIFICATE OF AUTHORIZATION
PROFESSIONAL ENGINEER, LICENSE NO. 12000

**HAWK'S
HAVEN
DEVELOPERS, LLC**
201 WOODBRIDGE AVENUE, SUITE 100
PORT ST. LOUIS, FL 33687
PHONE: (813) 881-1111
FAX: (813) 881-1112
LandMark
DESIGN, LLC

**RIVER
HALL**
FORMERLY RIVER HALL TOWNHOMES
BASIN 2, 3 AND 4
E.M.P. PLANS
PART OF SECTION 30.81 AND 30.82
TOWNSHIP 28 NORTH
RANGE 30 EAST
U.S. COUNTY, FLORIDA

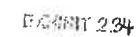
PROJECT LOCATION
SECTION 30.81 AND 30.82
TOWNSHIP 28 NORTH
RANGE 30 EAST
U.S. COUNTY, FLORIDA

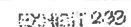
PROJECT DESCRIPTION
STORMWATER POLLUTION PREVENTION PLAN

PROJECT INFORMATION
PROJECT NO. 21008
SHEET NO. 29

**STORMWATER
POLLUTION
PREVENTION PLAN '18'**

SHEET 29







PLAN SHEET J STRUCTURE TABLE

PLAN SHEET K 8 STRUCTURE TABLE

PLAN SHEET L STRUCTURE TABLE

PLAN SHEET M STRUCTURE TABLE

PLAN SHEET N STRUCTURE TABLE

PLAN SHEET Q STRUCTURE TABLE

PLAN SHEET P STRUCTURE TABLE

EXHIBIT 23

PLAN SHEET A STRUCTURE TABLE

PLAN SHEET B STRUCTURE TABLE

PLAN SHEET C STRUCTURE TABLE

PLAN SHEET D STRUCTURE TABLE

PLAN SHEET E STRUCTURE TABLE

PLAN SHEET F STRUCTURE TABLE

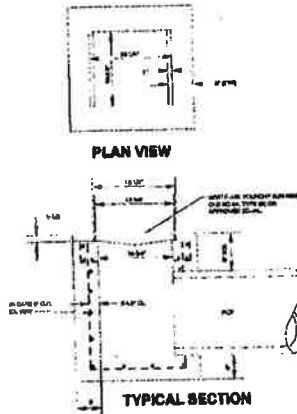
PLAN SHEET G STRUCTURE TABLE

PLAN SHEET G STRUCTURE TABLE

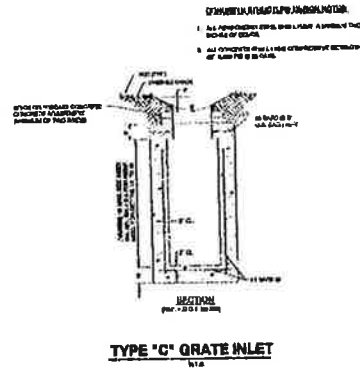
PLAN SHEET H STRUCTURE TABLE

PLAN SHEET I STRUCTURE TABLE

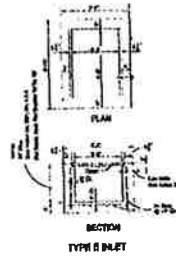
Figure 2.30



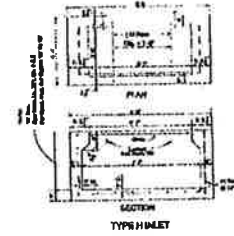
TYPICAL SECTION
TYPE 'X' INLET DETAIL



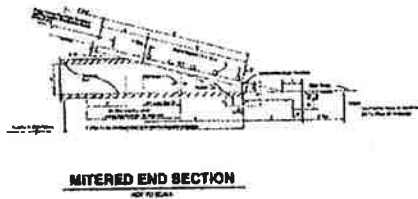
TYPE 'C' GRATE INLET



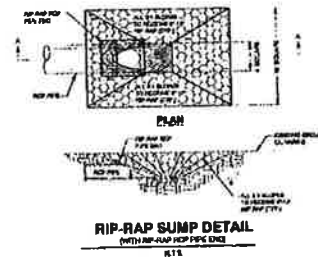
TYPE 'B' INLET



TYPE 'H' INLET



MITERED END SECTION



RIP-RAP SUMP DETAIL

Barraco
and Associates, Inc.
Civil/Storm Drain/ Landscaping/ Landscape Design
www.barraco.net
8271 Mulberry Hollow Lane
Fort Myers, FL 33907
Phone: (813) 481-1170
Fax: (813) 481-1171
Florida Certified Professional Engineer
Professional Seal: [Seal]

HAWK'S HAVEN DEVELOPERS, LLC
8001 Hawk's Haven Parkway
Alva, Florida 33420
Phone: (888) 444-0011
Fax: (888) 444-0017
[Seal]

RIVER HALL
8 (Formerly) River Hall (Lander) (Lander)
BASIN 2, 3 AND 4
E.R.P. PLANS
PART OF SECTION 14-01-01 AND 14-01-02
TOWNSHIP 14-01-01
PLANS 14-01-01
LEE COUNTY, FLORIDA

PROJECT SUMMARY
[Table with 2 columns: Item, Description]
1. [Item] [Description]
2. [Item] [Description]
3. [Item] [Description]
4. [Item] [Description]
5. [Item] [Description]
6. [Item] [Description]
7. [Item] [Description]
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APPROVAL SUBMITTAL PLANS
NOT FOR CONSTRUCTION
TYPICAL DRAINAGE DETAILS
PROJECT NO. 21006 SHEET NUMBER 25

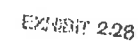
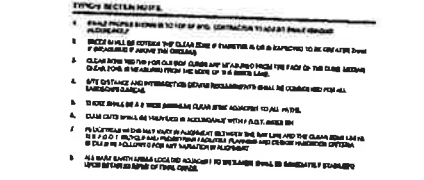
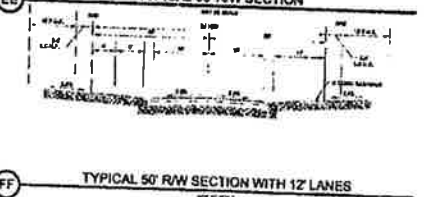
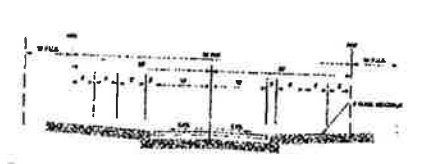
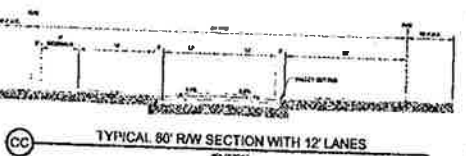
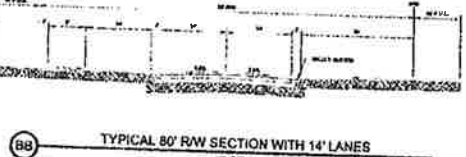
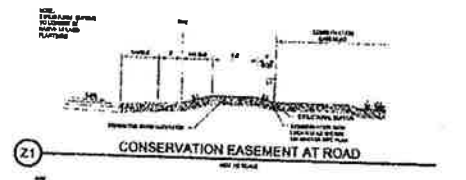
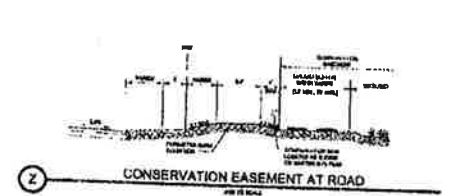
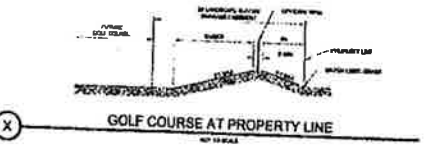
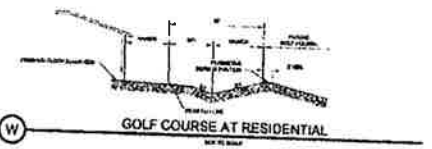
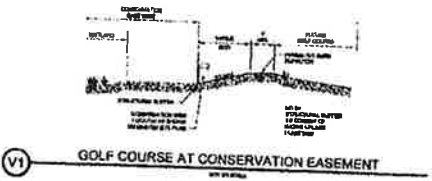
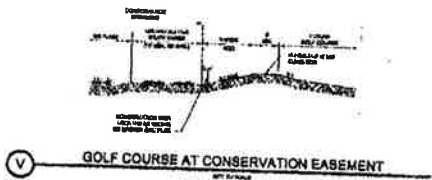
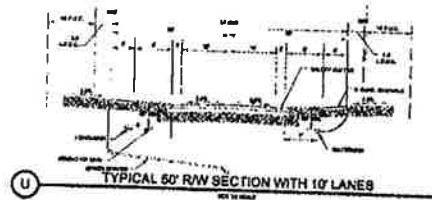




EXHIBIT 227



Barraco
and Associates, Inc.
CIVIL ENGINEERING, LAND SURVEYING
DESIGN, PLANNING & LANDSCAPE DESIGN
www.barraco.net
2011 BARRACCO BLVD, SUITE 200
FORT MYERS, FL 33901
PHONE: 888.888.8888
FAX: 888.888.8888
ALSO A CERTIFIED QUALITY OF AUTHORITY
ENGINEERING FIRM, PLANNING FIRM

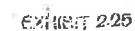
HAWK'S HAVEN DEVELOPERS, LLC
101 HAWK HALL, FORT MYERS
ALVA, FLORIDA 33920
PHONE: 888.888.8888
FAX: 888.888.8888
LandMark
DESIGN, LLC

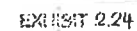
RIVER HALL
300 HAWK HALL, FORT MYERS
ALVA, FLORIDA 33920
BASIN 1, 3 AND 4
E.R.P. PLANS
PART OF SECTION 17 AND 18-00
TOWNSHIP 43 NORTH
RANGE 20 EAST
LEE COUNTY, FLORIDA

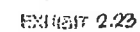
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BY: [Signature]
CHECKED BY: [Signature]
APPROVED BY: [Signature]

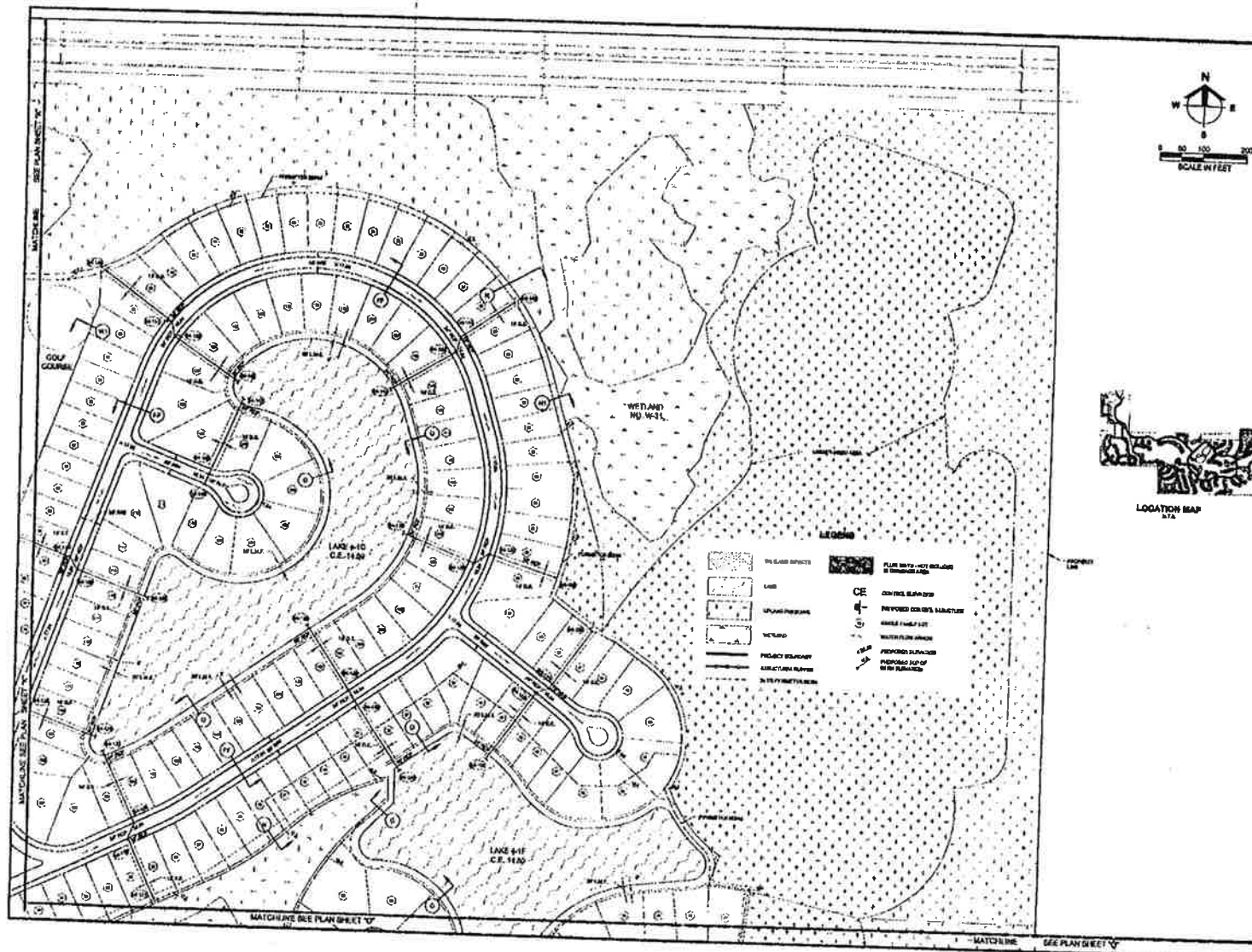
APPROVAL SIGNATURES
DESIGNER: [Signature]
CHECKED: [Signature]
APPROVED: [Signature]
DATE: 06-02-2023

TYPICAL SECTIONS AND DETAILS
21988 23









Barrac
and Associates, Inc.
CIVIL ENGINEERING, LAND SURVEYING
LAND PLANNING, LANDSCAPE DESIGN
www.barrac.net
8771 WOODCROFT BLVD.
PORT WORTH, TEXAS 76070
PHONE (817) 311-7170
FAX (817) 311-7170
FLORIDA CERTIFICATE OF PROFESSIONAL
ENGINEERING 1796 - SURVEYING 13496

**HAWK'S
HAVEN
DEVELOPERS, LLC**
2001 HAWK HILL PARKWAY
ALMA, FLORIDA 32008
PHONE (904) 294-0000
FAX (904) 294-0001

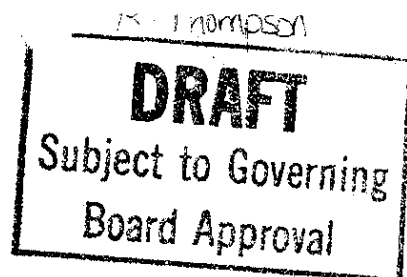
LandMark
SURVEYING

**RIVER
HALL**
PHYSICAL DESIGN & LANDSCAPE DESIGN
**Basin 2, 3 and 4
E.H.P. Plans**
PART OF SECTION 10-1 AND 10-2
TOWNSHIP 14 SOUTH
RANGE 18 EAST
LEE COUNTY, FLORIDA



PROJECT INFORMATION
PROJECT NO. 21988
DATE: 12/15/2011
PROJECT: RIVER HALL
PHASE: E.H.P. PLANS
DESIGNED BY: J. BARRAC
CHECKED BY: J. BARRAC
APPROVED BY: J. BARRAC
DATE: 12/15/2011

A.1		
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LAST DATE FOR GOVERNING BOARD ACTION:
AUGUST 9, 2001

ENVIRONMENTAL RESOURCE PERMIT STAFF REVIEW SUMMARY

I. ADMINISTRATIVE

APPLICATION NUMBER: 991012-3

PERMIT NUMBER: 36-04006-P

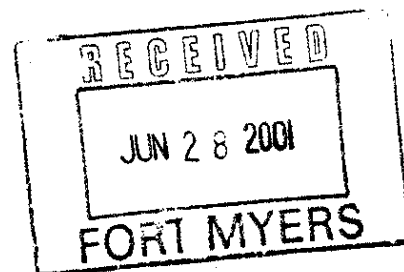
PROJECT NAME: HAWKS HAVEN PHASE 1

LOCATION: LEE COUNTY, S27-34-35-36/T43S/R26E

APPLICANT'S NAME: FLORIDA TAMPA WEST INC

OWNER'S NAME AND ADDRESS: WILLIAM SCHULMAN - TRUSTEE
450 7TH AVENUE
NEW YORK, NY 10123

ENGINEER: CONSUL-TECH ENGINEERING INC



II. PROJECT DESCRIPTION

PROJECT AREA: 1797.60 acres DRAINAGE AREA: 1797.60 acres

DISTRICT DRAINAGE BASIN: OLGA AND HICKEY CREEK BASINS

RECEIVING BODY: CALOOSAHATCHEE RIVER

CLASSIFICATION: CLASS III

PURPOSE:

The purpose of this application is to request Conceptual Authorization of an Environmental Resource Permit for a Surface Water Management System serving a 1,797.6-acre golf course and residential subdivision.

In addition, this application is also requesting Construction and Operation Authorization for 962.2 acres, part of the 1,797.6-acre golf course and residential subdivision.

BACKGROUND:

The project site is currently unpermitted.

EXISTING FACILITIES:

An FPL easement and a vacated Railroad easement both of which follow an east-west alignment occupying approximately 39.5 acres of the property area traverse the project site.

The site contains fallow farm fields and a network of internal uncontrolled drainage-irrigation ditches that provided rudimentary surface water management during previous agricultural activities. The site contains wetlands and upland clusters throughout the terrain, which range in natural ground elevation from approximately 6.0' NGVD in the lower areas to 19.0' NGVD at higher grounds.

The pre-development surface water flow-patterns follow a south to north direction and are part of both the Olga and the Hickey Creek Basins with an ultimate discharge into the Caloosahatchee River.

PROPOSED FACILITIES:

The master surface water management system consists of a combination of interconnected lakes, dry detention ponds and wetlands. The system is divided into four distinctive Basins.

Basin 1 is located within the Olga watershed while Basins 2, 3 and 4 are part of the contributing areas that discharge into the Hickey Creek watershed. Provisions have been made to allow the passage of approximately 885 acres of contributing offsite areas through the master system. The passage of offsite flows was modeled using a conservative criterion that proposes a series of improved direct piped conveyances capable of ensuring adequate flow capacities for the offsite parcels. No adverse effects are anticipated within the offsite upstream parcels.

Each one of these four major Basins are internally divided into cascading Sub Basins controlled at various elevations as required by surrounding wetlands and following the natural topography that slopes from the higher elevations on the South end of the site towards the lower North end.

Basin 1 extends over 171.4 acres, which discharge into an onsite wetland that was purposely excluded from the controlled surface water system. Runoff from this area sheet-flows into an FDOT roadside swale located along State Road 80 where existing culvert crossings convey the storm water runoff towards the North, eventually reaching the Caloosahatchee River.

Basin 2 covers 790.8 acres of land and contains primarily single family lots with golf course facilities. A large wetland extending over approximately 92.5 acres is located at the center of this Basin serving as a discharge route for both on and offsite flows. Basin 2 has two offsite discharge locations along the FPL easement. The most western location identified as N-1 follows a northeast alignment through a natural slough which discharges into an existing ditch that serves as an out-fall route for the second eastern discharge point

for Basin 2, identified in the drawings as N-2. This ditch crosses under State Road 80 through existing culverts, eventually reaching the Caloosahatchee River.

Basin 3 extends over 309.3 acres and will accommodate both residential and golf course tracts. Offsite discharge from this Basin is conveyed through the previously described N-2 out-fall route.

Basin 4 occupies 486.6 acres of land and like the rest of the Basins will also serve as a residential and golf course area. This Basin discharges into Oak Creek, which ties into Hickey Creek, ultimately reaching the Caloosahatchee River.

The Hawks Haven master surface water management system provides water quality and attenuation for the entire subdivision. All control structures have been designed to comply with current District guidelines as well as with the Lee County master drainage plan.

The Construction and Operation authorization approval under this application is located within Basins 1 and 2. These facilities comprise all surface water management lakes and ponds, 219 single family lots, one of the two 18-hole golf courses, driving range, golf maintenance facilities, temporary clubhouse, sales center, RV - boat parking and storage facilities and portions of the internal roadways. Exhibit No.3 illustrates the proposed Construction and Operation activities.

The Conceptual extent of the project covers the multi-family tract within Basin 1, the remainder of residential lots and internal roads within Basin 2 and all of Basins 3 and 4.

BASIN INFORMATION:

Basin	Area Acres	WSWT Elev (ft, NGVD)	Normal/Dry Ctrl Elev (ft, NGVD)	Method of Determination
1-1	49.41	6.50	6.5/6.5	WETLAND INDICATOR ELEVATION
1-2	32.13	6.50	6.5/6.5	WETLAND INDICATOR ELEVATION
1-3	63.36	7.70	7.7/7.7	WETLAND INDICATOR ELEVATION
1-4	10.71	9.20	9.2/9.2	WETLAND INDICATOR ELEVATION
2-1	49.33	10.00	10/10	WETLAND INDICATOR ELEVATION
2-2	232.87	11.20	11.2/11.2	WETLAND INDICATOR ELEVATION

BASIN INFORMATION:

Basin	Area Acres	WSWT Elev (ft. NGVD)	Normal/Dry Ctrl Elev (ft. NGVD)	Method of Determination
2-3	69.62	13.00	13/13	WETLAND INDICATOR ELEVATION
2-4	187.06	15.50	15.5/15.5	WETLAND INDICATOR ELEVATION
2-5	25.13	11.20	11.2/11.2	WETLAND INDICATOR ELEVATION
2-6	24.76	10.00	10/10	WETLAND INDICATOR ELEVATION
2-7	28.80	11.20	11.2/11.2	WETLAND INDICATOR ELEVATION
3-1	215.65	16.00	16/16	WETLAND INDICATOR ELEVATION
3-2	17.63	14.50	14.5/14.5	WETLAND INDICATOR ELEVATION
3-3	44.54	14.50	14.5/14.5	WETLAND INDICATOR ELEVATION
3-4	22.15	13.50	13.5/13.5	WETLAND INDICATOR ELEVATION
4-1	176.34	15.75	15.75/15.75	WETLAND INDICATOR ELEVATION
4-2	96.48	14.50	14.5/14.5	WETLAND INDICATOR ELEVATION
4-3	12.01	13.50	13.5/13.5	WETLAND INDICATOR ELEVATION
4-4	14.83	13.50	13.5/13.5	WETLAND INDICATOR ELEVATION
4-5	114.26	14.50	14.5/14.5	WETLAND INDICATOR ELEVATION
4-6	58.52	16.00	16/16	WETLAND INDICATOR ELEVATION

DISCHARGE STRUCTURE INFORMATION:

Water Quality Structures:

Basin	Str. #	Bleeder Type	Dimensions	Invert Elev. (ft, NGVD)
1-1	1	CIRCULAR ORIFICE	.42' dia.	6.50
1-2	1	RECTANGULAR NOTCH	1.07' wide X .32' high	6.50
1-3	1	CIRCULAR ORIFICE	.42' dia.	7.70
1-4	1	RECTANGULAR ORIFICE	.65' wide X .23' high	9.20
2-1	1	RECTANGULAR NOTCH	1.1' wide X .44' high	10.00
2-2	1	RECTANGULAR NOTCH	4.08' wide X .34' high	11.20
2-3	1	RECTANGULAR NOTCH	3.39' wide X .35' high	13.00
2-4	1	RECTANGULAR NOTCH	3.52' wide X .35' high	15.50
2-5	1	RECTANGULAR NOTCH	.48' wide X .45' high	11.20
2-6	1	CIRCULAR ORIFICE	.33' dia.	10.00
2-7	1	CIRCULAR ORIFICE	.25' dia.	11.20
3-1	1	RECTANGULAR NOTCH	5' wide X .33' high	16.00
3-2	1	CIRCULAR ORIFICE	.33' dia.	14.50
3-3	1	CIRCULAR ORIFICE	.33' dia.	14.50
3-4	1	RECTANGULAR NOTCH	.66' wide X .18' high	13.50
4-1	1	RECTANGULAR NOTCH	1.07' wide X 1.06' high	15.75
4-2	1	RECTANGULAR NOTCH	1.1' wide X .71' high	14.50
4-3	1	CIRCULAR ORIFICE	.25' dia.	13.50
4-4	1	CIRCULAR ORIFICE	.25' dia.	13.50
4-5	1	RECTANGULAR NOTCH	3.06' wide X .38' high	14.50
4-6	1	RECTANGULAR NOTCH	.87' wide X .53' high	16.00

Major Discharge Structures:

Basin	Str. #	Description	Crest Elev. (ft, NGVD)
1-1	1	.42' wide X .42' high CIRCULAR ORIFICE weir	7.45

Major Discharge Structures:

Basin	Str. #	Description	Crest Elev. (ft. NGVD)
1-2	1	.25' wide X 2.15' high RECTANGULAR NOTCH weir	6.82
1-3	1	.83' wide X .83' high CIRCULAR ORIFICE weir	8.89
2-1	1	2.33' wide X 2.57' high RECTANGULAR NOTCH weir	10.44
2-3	1	2.16' wide X 2.4' high RECTANGULAR NOTCH weir	13.35
2-5	1	.33' wide X 2.84' high RECTANGULAR NOTCH weir	11.65
2-6	1	.77' wide X .77' high CIRCULAR ORIFICE weir	10.43
2-7	1	.56' wide X .56' high CIRCULAR ORIFICE weir	11.48
3-1	1	5' wide X 1.91' high RECTANGULAR NOTCH weir	16.33
3-2	1	2' wide X 2.85' high RECTANGULAR ORIFICE weir	15.19
3-3	1	1.58' wide X 3.18' high RECTANGULAR NOTCH weir	15.62
3-4	1	1.46' wide X 3.7' high RECTANGULAR NOTCH weir	13.67
4-1	1	1.07' wide X .58' high RECTANGULAR NOTCH weir	16.81
4-2	1	.63' wide X 2.53' high RECTANGULAR NOTCH weir	15.21
4-4	1	.53' wide X 3.1' high RECTANGULAR NOTCH weir	14.22
4-6	1	1' wide X 1.42' high RECTANGULAR NOTCH weir	16.53

Discharge Culverts:

Basin	Str. #	Description
1-1	1	85' long, 1.5' dia. RCP
1-2	1	414' long, 2' dia. RCP
1-3	1	100' long, 2.5' dia. RCP
1-4	1	172' long, 2' dia. RCP
2-1	1	247' long, 3.5' dia. RCP
2-2	1	416' long, 3' dia. RCP
2-3	1	159' long, 3.5' dia. RCP
2-4	1	227' long, 3' dia. RCP
2-5	1	377' long, 2' dia. RCP
2-6	1	426' long, 2' dia. RCP

Discharge Culverts:

Basin	Str. #	Description
2-7	1	400' long, 2' dia. RCP
3-1	1	416' long, 3' dia. RCP
3-2	1	617' long, 3' dia. RCP
3-3	1	318' long, 3' dia. RCP
3-4	1	68' long, 2' dia. RCP
4-1	1	636' long, 2.5' dia. RCP
4-2	1	575' long, 2.5' dia. RCP
4-3	1	152' long, 1.25' dia. RCP
4-4	1	84' long, 2' dia. RCP
4-5	1	755' long, 2' dia. RCP
4-6	1	402' long, 2' dia. RCP

Receiving Body:

Basin	Str. #	Receiving Body
1-1	1	FDOT DITCH VIA ONSITE WETLAND
1-2	1	FDOT DITCH VIA ONSITE WETLAND
1-3	1	FDOT DITCH VIA ONSITE WETLAND
1-4	1	FDOT DITCH VIA ONSITE WETLAND
2-1	1	ONSITE WETLAND
2-2	1	ONSITE WETLAND
2-3	1	ONSITE WETLAND
2-4	1	ONSITE WETLAND
2-5	1	ONSITE WETLAND
2-6	1	ONSITE WETLAND
2-7	1	ONSITE WETLAND
3-1	1	ONSITE WETLAND
3-2	1	ONSITE WETLAND
3-3	1	ONSITE WETLAND
3-4	1	ONSITE WETLAND
4-1	1	OAK CREEK VIA ONSITE WETLAND
4-2	1	OAK CREEK VIA ONSITE WETLAND
4-3	1	OAK CREEK VIA ONSITE WETLAND
4-4	1	OAK CREEK VIA ONSITE WETLAND
4-5	1	OAK CREEK VIA ONSITE WETLAND
4-6	1	OAK CREEK VIA ONSITE WETLAND

III. PROJECT EVALUATION

Discharge Rate:

As shown in the table below, the proposed project discharge is within the allowable limit for the area.

The maximum allowable discharge rate for Basin 1 within the Olga Basin is 70 CSM while Basins 2, 3 and 4, all part of the Hickey Creek watershed, were designed for 65 CSM. Basin 4 was further more reduced from the allowable rate to 32.5 CSM due to flood protection concerns over existing residential development located along Oak Creek which serves as an out-fall route for Basin 4.

Discharge Storm Frequency: 25YR-3DAY

Design Rainfall: 10.00

Basin	Allow Disch (cfs)	Method of Determination	Design Disch (cfs)	Design Stage (ft, NGVD)
1-1	5.4	LEE COUNTY MASTER DRAINAGE PLAN	2.22	9.69
1-2	11.28	LEE COUNTY MASTER DRAINAGE PLAN	5.08	9
2-1	28.6	LEE COUNTY MASTER DRAINAGE PLAN	28.52	12.9
2-3	29.6	LEE COUNTYD MASTER DRAINAGE PLAN	29.6	15.6
2-6	5.06	LEE COUNTY MASTER DRAINAGE PLAN	4.84	13.84
2-7	2.9	LEE COUNTY MASTER DRAINAGE PLAN	2.89	14.99
3-4	30.5	LEE COUNTY MASTER DRAINAGE PLAND	30.5	17.13
4-2	27.7	CONVEYANCE LIMITATION	13.55	17.78
4-3	1.21	CONVEYANCE LIMITATION	.48	17
4-4	19.05	CONVEYANCE LIMITATION	9.25	17.27

WATER QUALITY:

The master backbone surface water management system provides the necessary water quality and attenuation for the entire subdivision.

Basin	Treatment Method	Vol Req'd. (ac-ft)	Vol Prov'd (ac-ft)
1-1	10.24 acres WET DETENTION	5.71	5.71

Basin	Treatment Method	Vol Req'd. (ac-ft)	Vol Prov'd (ac-ft)
1-2	6.64 acres WET DETENTION	2.42	2.42
1-2	.3 acres DRY DETENTION	0.12	0.12
1-3	6.29 acres WET DETENTION	4.89	4.89
1-3	1.06 acres DRY DETENTION	0.39	0.39
1-4	3.29 acres WET DETENTION	0.89	0.89
2-1	7.84 acres DRY DETENTION	3.96	3.96
2-1	.33 acres DRY DETENTION	0.15	0.15
2-2	50.25 acres WET DETENTION	18.58	18.58
2-2	1.82 acres DRY DETENTION	0.82	0.82
2-3	22.79 acres WET DETENTION	7.80	7.80
2-3	.62 acres DRY DETENTION	0.45	0.45
2-4	32 acres WET DETENTION	12.20	12.20
2-4	8.12 acres DRY DETENTION	3.39	3.39
2-5	3.42 acres WET DETENTION	1.79	1.79
2-5	.5 acres DRY DETENTION	0.30	0.30
2-6	2.5 acres WET DETENTION	1.32	1.32
2-6	1.11 acres DRY DETENTION	0.74	0.74
2-7	2.42 acres WET DETENTION	0.76	0.76
2-7	1.49 acres DRY DETENTION	1.63	1.63
3-1	43.52 acres WET DETENTION	15.74	15.74
3-1	8.5 acres DRY DETENTION	2.23	2.23
3-2	1.85 acres WET DETENTION	1.47	1.47
3-3	1.71 acres WET DETENTION	2.34	2.34
3-3	2.6 acres DRY DETENTION	1.37	1.37
3-4	2.86 acres WET DETENTION	0.59	0.59
3-4	5.29 acres DRY DETENTION	1.26	1.26
4-1	12.26 acres WET DETENTION	14.42	14.42
4-1	1.15 acres DRY DETENTION	0.27	0.27
4-2	10.39 acres WET DETENTION	8.04	8.04
4-3	1.99 acres WET DETENTION	1.00	1.00
4-4	1.2 acres WET DETENTION	1.03	1.03
4-4	1.08 acres DRY DETENTION	0.21	0.21
4-5	20.91 acres WET DETENTION	8.73	8.73
4-5	2.68 acres DRY DETENTION	0.36	0.36
4-6	6.88 acres WET DETENTION	4.19	4.19
4-6	1.71 acres DRY DETENTION	0.68	0.68

ROAD DESIGN:

As shown in the following table, minimum road center lines have been set at or above the calculated design storm flood elevation.

Design Storm Freq: 5YR-1DAY

Design Rainfall: 5.00 inches

Basin	Flood Elevation (ft., NGVD)	Minimum Centerline Elevation (ft., NGVD)
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Basin	Flood Elevation (ft., NGVD)	Minimum Centerline Elevation (ft., NGVD)
1-1	8.1	8.6
1-2	7.78	8.5
1-3	9.91	10
1-4	9.84	11.2
2-1	11.36	12
2-2	12.27	13.2
2-3	14.26	15
2-4	16.79	17.5
2-5	12.65	13.2
2-6	11.83	12.4
2-7	13.3	13.8
3-1	16.99	18
3-2	16.55	17.1
3-3	16.71	17.2
3-4	15.69	16.2
4-1	17.31	17.75
4-2	16.43	16.9
4-3	15.16	15.7
4-4	15.73	16.1
4-5	16.08	16.5
4-6	16.94	18

FINISHED FLOORS:

As shown in the following table, minimum finished floor elevations have been set at or above the calculated design storm flood elevation.

Design Storm Frequency: 100YR-3DAY Design Rainfall: 12.50 inches

Basin	Flood Elevation (ft., NGVD)	FEMA Elevation (ft., NGVD)	Minimum Design Elev (ft., NGVD)
1-1	10.88	n/a	11
1-2	10.67	n/a	10.8
1-3	11.5	n/a	11.6
1-4	11.32	n/a	12.7
2-1	14.47	n/a	14.7
2-2	14.4	n/a	14.7
2-3	16.27	n/a	16.5
2-4	19.07	n/a	19.2
2-5	15.93	n/a	16
2-6	15.93	n/a	16
2-7	16.81	n/a	16.9
3-1	19.36	n/a	19.5
3-2	19.41	n/a	19.5
3-3	19.71	n/a	19.8
3-4	19.49	n/a	19.6
4-1	18.88	n/a	19.25

Basin	Flood Elevation (ft. NGVD)	FEMA Elevation (ft. NGVD)	Minimum Design Elev (ft. NGVD)
4-2	18.8	n/a	18.9
4-3	18.4	n/a	18.5
4-4	19.07	n/a	19.2
4-5	19.21	n/a	19.3
4-6	18.67	n/a	19.5

IV. ENVIRONMENTAL ASSESSMENT

PROJECT SITE DESCRIPTION:

The proposed project site is a 1,797.60 acre tract located on the south side of Highway 80 east of Fort Myers Shores. Surrounding land uses include agricultural and low density single family residences. The project site is bordered on the east and southeast by canals maintained by the East County Water Control District. Hickey Creek Mitigation Park, a 780 acre preserve owned by Lee County, is located on property east of the East County Water Control District canal. A total of 242.81 acres of wetlands, 0.45 acre of other surface waters, and 1,554.34 acres of uplands are present on the project site. Exhibits 23A - 23C indicate the various habitat types and their sizes.

Most of the tract consists of agricultural lands, much of which continues to be utilized by cattle on approximately 500 acres of unimproved pastures. Several areas comprising nearly 200 acres had been utilized previously as a wax myrtle nursery. Most of the other uplands at the site are characterized as pine flatwoods and palmetto prairies of good to very good quality. The largest and highest quality habitat is found in the eastern portion of the property adjacent to the Hickey Creek Mitigation Park.

The onsite wetlands have been significantly impacted by reduced sheetflow that historically entered the site but was severed as a result of construction of two large canals that border the eastern and southern property boundaries. Based on biological indicators and evidence of soil subsidence, it is estimated that wet season water levels are two to three feet lower than historic levels. With the exception of the large 87 acre cypress system (W-20) near the center of the site, few of the forested wetlands experience prolonged inundation more than a few inches above grade. Most of these wetlands are cypress dominated; however, many of them are in transition to mixed cypress - hardwood systems, presumably because the lower levels of inundation are conducive to the establishment of hardwoods, particularly red maple and laurel oak. Mature hardwood systems are also present on site and despite the reduced hydroperiods, all of the forested wetlands are generally very high quality, exhibiting good species diversity and little exotic vegetation. A total of 22 forested wetland areas comprising 176.22 acres are present. There is also a 23.91 acre wetland (W-43) located in the western area of the site that consists almost entirely of Brazilian pepper. Brazilian pepper has invaded some of the forested systems, but rarely exceeds 10%

coverage in the subcanopy.

The remaining 66.59 acres of wetlands consist of 21 herbaceous systems, typically ~~depressional areas, that range~~ from relatively deep marshes to somewhat drier wet prairie habitats. They are scattered throughout the site and often exhibit a fringe of wax myrtle. The two largest of these are a 13 acre wet prairie (W-34) and a 10 acre marsh (W-27) both located in the eastern area of the site. Three small excavated watering holes comprise 0.45 acre of other surface waters.

ENDANGERED, THREATENED & SPECIES OF SPECIAL CONCERN:

POTENTIAL SPECIES	USE TYPE	POTENTIAL OCCURANCE
GOPHER TORTOISES	BURROWS	OBSERVED
HERONS	FORAGING	PREFERRED HABITAT
WOODSTORK	FORAGING	PREFERRED HABITAT
AMERICAN ALLIGATOR	KNOWN USE	OBSERVED
BURROWING OWLS	PREFERRED H	KNOWN RANGE
EASTERN INDIGO SNAKE	PREFERRED H	PREFERRED HABITAT

ENDANGERED, THREATENED & SPECIES OF SPECIAL CONCERN SUMMARY:

A comprehensive survey has been conducted at the site for the presence of wetland-dependent endangered/threatened species or species of special concern. An American alligator has been observed on site. Preferred habitat for a number of wading bird species and wood storks is also present; however, no nesting activities were identified. A wide range of both herbaceous and forested wetlands will be preserved on site and therefore, no significant adverse impacts are anticipated to these wetland dependent listed species.

The site contains several protected species typically found in upland habitats including scrub jays, burrowing owls, gopher tortoises, and indigo snakes. The area of greatest concern is the eastern area of the site adjacent to the Hickey Creek Mitigation Park where these species are also found. In consideration of the value of this area for wildlife utilization, conservation easement areas totalling 182.89 acres are located in this area. Uplands comprise 142.33 acres and include a 64.58 acre preserve in the southeast corner specifically for gopher tortoises. This conservation easement area and a habitat management plan is a requirement of the Incidental Take Permit issued by the Florida Fish and Wildlife Conservation Commission (FWC). The easement will be granted to the FWC; however, the District will retain third party enforcement rights since this area also serves as upland compensation for wetland impacts.

This permit does not relieve the applicant from complying with all applicable rules and any other agencies' requirements if in the future, endangered/threatened species or species of special concern are discovered on the site.

LEGAL/INSTITUTIONAL:

The proposed onsite mitigation areas will be dedicated as conservation areas and placed within a conservation easement which is in substantial conformance to the draft conservation easements attached as Exhibits 26A - 26I. All protected areas shown in Exhibit 26J shall be placed within a conservation easement no later than September 15, 2001. Note that all of the easements will be granted to Lee County with the exception of the Gopher Tortoise Preserve which will be granted to the Florida Fish Wildlife Conservation Commission. In both easement documents, third party enforcement rights are granted to the District.

Draft Declaration of Covenants, Conditions and Restrictions of Hawk's Haven Home Owner's Association were submitted for review and are located in the permit file. The Association will be responsible for maintaining the onsite mitigation areas (conservation easement areas) consistent with SFWMD permits. A preliminary plat designating the easement areas with the required restrictive language is in the permit file.

WETLAND PRESERVATION AND IMPACT SUMMARY:

The project proposes to impact 65.29 acres of wetlands and 0.45 acre of other surface waters as a result of fill and excavation activities for the residential/golf course development. Impacts are proposed to 8.47 acres of forested systems, 33.26 acres of herbaceous wetlands, and 23.56 acres of Brazilian pepper. Approximately half of the project will remain conceptually permitted at this time; however, all wetland impacts are authorized by this permit and the complete mitigation plan will commence in this phase. The project will preserve 174.73 acres of wetlands, enhance 144.92 of these preserved wetlands, and preserve and enhance 212.15 acres of uplands. The preserved habitats total 386.88 acres and are located throughout the site within 16 conservation areas. The impact/preservation plan is presented in tabular form in Exhibit 24. Exhibits 27A - 27F show wetland impacts on construction plans. The preserves are indicated on Exhibit 26J and details of the enhancement activities are provided in Exhibits 25A - 25C and 28A - 28I.

Efforts to avoid and minimize wetland impacts focused on maintaining high quality habitat in large contiguous preserves wherever practicable. Thus, impacts are generally targeted at smaller isolated wetlands with the exception of the large Brazilian pepper wetland (W-43) located in the western area of the site. Impacts to 23.56 acres of this wetland account for more than a third of all wetland impacts in the project. An important aspect of the habitat preservation plan is the incorporation of uplands into the preserves as shown on Exhibit 28I. This approach serves several critical purposes including linking isolated wetlands by contiguous habitat to provide larger more functional preserves; providing extensive buffers between wetlands and the development to prevent secondary impacts; and maximizing the value of habitat adjacent to Hickey Creek Mitigation Park in the eastern area of the project. Two preserve areas totaling 182.89 acres are located in this area of which 142.33 acres are uplands. This plan provides important wildlife habitat to listed species and a buffer to the existing 780 acre Mitigation Park.

Uplands have also been incorporated into the largest, highest quality onsite wetland preserve located near the center of the site. This 113.34 acre conservation area includes 80.33 acres of cypress and pop ash dominated wetlands (W-20), 29.06 acres of contiguous uplands, and an additional 3.95 acres of upland buffers. The largest of the preserved uplands is UP-17 which consists of 19.38 acres of pine-palmetto flatwoods completely surrounded by wetlands. Initial project plans proposed to develop this "island" with 70 single family lots and a boardwalk through the wetlands connecting it to the clubhouse. The inclusion of these uplands as part of the conservation area significantly increases the functional value of the preserve, and secondary impacts that might have resulted from the previous proposal are eliminated. As part of the preserve enhancement activities, an initial controlled burn will be performed in this upland prior to construction of surrounding development.

All runoff from the development will be directed into the surface water management system for treatment prior to discharge into the wetland preserves via spreader swales or lakes spilling into wetlands at grade via littoral shelves. Undisturbed upland buffers are provided adjacent to most preserved

wetlands to minimize secondary impacts due to encroachment. Where this is not feasible, a structural buffer in the form of a berm planted in native vegetation is provided. Cross section details showing the interface of various development features with preserves are provided on Exhibits 18 - 20. The locations where they apply are found on Exhibits 5 - 12 and on the detailed Paving, Grading, and Drainage Plans located in the permit file.

Extensive data including numerous topographic transects and measurement of hydrological indicators in wetlands was collected to determine control elevations that will be compatible with existing hydrologic conditions and provide opportunities for hydrologic enhancement of wetlands where possible. Most of the preserves are located outside the surface water management system and adjacent control elevations are generally consistent with existing estimated wet season water table elevations or are somewhat higher. However, six preserves containing a total of 35.73 acres of wetlands have been incorporated into the system and significant hydrologic enhancement is anticipated in all but one of these preserves. Significant enhancement is anticipated as a result of setting control elevations up to one half foot above existing wet season water table elevations combined with relatively slow recovery times following 5 year - 1 day and 25 year - 3 day storm events. Modeling indicates peak stages following the 5 year and 25 year events to average 1.3 feet and 2.5 feet above control elevations, respectively. Restoration of historic water elevations is not practical; however, the post development hydroperiod in these wetlands will represent an increase in stages and their durations without adversely impacting adjacent preserved uplands or wetland hardwoods that may be sensitive to abrupt changes in hydrologic regime. Wetlands to be enhanced in this manner are W-4, W-5, W-6, W-7, W-15, W-16, W-17, W-34, and WL-40. Minor hydrologic enhancement is expected in W-8 where an elevated control elevation should effectively increase the average wet season water table; however, discharge through culverts results in low peak stages and fast recovery times. Note that W-34 and W-40 are located in Basin 4 and hydrologic enhancement will not occur until future construction phases. However, removal of exotic vegetation in these areas and all other preserves will be completed as part of this phase.

Although it is not incorporated into the water management system, minor hydrologic enhancement is also anticipated to occur in W-20 by construction of a berm at the downstream end. Although water elevations within this depressional system are significantly reduced from historic levels, it continues to be slightly inundated throughout the dry season and existing average wet season water table elevations are up to one foot above grade at 11.0' NGVD. The proposed berm will be constructed at an elevation of 11.2' NGVD thereby slightly raising the water table in the wetland during the wet season. Details are shown on Exhibit 6 and Sheet 31 (Exhibit 50) of the Paving, Grading and Drainage Plans and in cross section W-W on Exhibit 20.

MITIGATION MONITORING:

The project proposes to mitigate for direct impacts to 65.29 acres of wetlands

by preserving 174.73 acres of wetlands, enhancing 144.92 of these preserved wetlands, and preserving and enhancing 212.15 acres of uplands. The preserved habitats total 386.88 acres and are located throughout the site within 16 conservation areas. Enhancement activities will consist of removal of exotic vegetation throughout all preserved areas, planting activities in a few areas, hydrologic enhancement in seven of the preserves as described above, an initial controlled burn in upland UP-17, and ongoing habitat management activities within the gopher tortoise preserve. Wetlands considered only preserved (29.81 acres) contain virtually no exotic vegetation and will not be hydrologically enhanced. Impact and mitigation areas are tabulated in Exhibit 24.

The preserves will be maintained in perpetuity and protected under conservation easements in accordance with Exhibits 26A - 26J. Details of the mitigation and monitoring activities and schedule for a five year period are described in Exhibits 25A - 25C and site specific information is provided in Exhibits 28A - 28I. These plan sheets identify more precisely which mitigation activities will apply for each preserve, the extent of exotic vegetation to be eradicated, topographic and hydrologic information, and the locations of monitoring transects, photo points and staff gauges.

As described in the impact/preservation summary, the mitigation plan seeks to maximize the functional value of preserved wetlands by incorporating uplands to create larger preserves, provide buffers, and connect habitat to the adjacent Hickey Creek Mitigation Park. A diverse mixture of cypress systems, mixed forested and hardwood wetlands, wet prairies, and marshes will be preserved and enhanced within surrounding uplands dominated by pine flatwoods.

In this manner, the project directs mitigation efforts at providing viable long-term preserves that combine different habitats. Based on an evaluation of the mitigation plan to offset proposed impacts to mostly smaller, isolated wetlands, it was determined that the balanced approach of the project adequately compensates for wetland losses. Measures to prevent secondary impacts have been incorporated into the project plans and no cumulative impacts to the water resources in the basin are anticipated.

WETLAND INVENTORY NOTE:

Wetlands indicated as undisturbed are wetlands located within an existing FPL easement. They will not be impacted by the project, but will not be enhanced or placed within conservation easements.

WETLAND INVENTORY:

NEW ENTIRE PRJ-HAWK'S HAVEN

ONSITE

Pre-Development		Post-Development				
	TOTAL EXISTING	PRESERVED	UNDISTURBED	IMPACTED	ENHANCED	RESTORED/ CREATED
FORESTED	176.22	142.45	1.74	32.03	122.21	0
HERBACEOUS/SHRUB	66.59	32.28	1.05	33.26	22.71	0
OSW	.45	0	0	.45	0	0
TOTALS	243.26	174.73	2.79	65.74	144.92	0

UPLAND COMP: PRESERVED: 212.15 ENHANCED: 212.15

ENVIRONMENTAL SUMMARY:

The proposed activities have been evaluated for potential secondary and cumulative impacts and to determine if the project is contrary to the public interest. Sixteen wetland and upland preserves totalling 386.88 acres will provide adequate mitigation for impacts to 65.29 acres of isolated wetlands. A variety of enhancement activities are proposed to increase the values and functions of the diverse habitat to be preserved on site. A large preserve area located in the eastern portion of the site compliments the existing adjacent 780 acre Hickey Creek Mitigation Park owned by Lee County.

Water resource protection is provided by treating all runoff from the development in wet and dry detention areas prior to discharge into preserves. Extensive upland and structural buffers are provided adjacent to preserves in order to prevent secondary impacts due to project development. Conservation easements will protect the preserves in perpetuity.

The Florida Division of Historical Resources recommended a Phase I archaeological and historical survey be performed at the site. A survey was completed and reviewed by the Division. The agency has provided a letter indicating that no cultural resources were identified during the survey and it has no objections to the proposed project.

Based upon the proposed project design, the District has determined that the project will not cause adverse secondary or cumulative impacts to the water resources and is not contrary to the public interest.

SYSTEM OPERATION:

Hawks Haven Homeowners Association

PROPOSED LAND USE(S):

Residential

WATER USE PERMIT STATUS:

Application No. 990928-7 for irrigation and Application No. 000509-9 for de-watering have both been found complete and are scheduled for concurrent presentation to the board with Staff recommendation for approval.

POTABLE WATER SUPPLIER:

Lee County Utilities

WASTE WATER SYSTEM/SUPPLIER:

Lee County Utilities

DRI STATUS:

This project is not a DRI.

SAVE OUR RIVERS:

The project is not within or adjacent to lands under consideration by the Save Our Rivers program.

SWIM BASIN:

The project is not within nor does it discharge directly to a designated SWIM basin.

RIGHT-OF-WAY PERMIT STATUS:

A Right-of-Way Permit is not required for this project.

ENFORCEMENT ACTIVITY:

There has been no enforcement activity associated with this application.

THIRD PARTY INTEREST:

No third party has contacted the District with concerns about this application.

WELL FIELD ZONE OF INFLUENCE:

The project is not located within the zone of influence of a wellfield.

V. APPLICABLE LAND AREA

Area shown under "PRESERVE" category corresponds to 73.54 acres and 313.34 acres of wetland/upland preserves included and excluded from the surface water management system, respectively.

Area shown under "OTHER" category corresponds to golf course area.

39.5 acres of onsite FPL easement are included in the "TOTAL ACRES"; however, they have been excluded from any subsequent fields.

PROJECT

	TOTAL PROJECT	PREVIOUSLY PERMITTED	THIS PHASE	
TOTAL ACRES	1797.60		962.20	acres
WTRM ACREAGE	250.95		147.12	acres
PAVEMENT	103.52		35.75	acres
BUILD COVERAGE	244.92		87.00	acres
PRESERVED	386.88		386.88	acres
PERVIOUS	308.65		88.09	acres
OTHER	463.18		177.86	acres

DRAFT
Subject to Governing
Board Approval

VI. STAFF RECOMMENDATION

The Staff recommends that the following be issued:

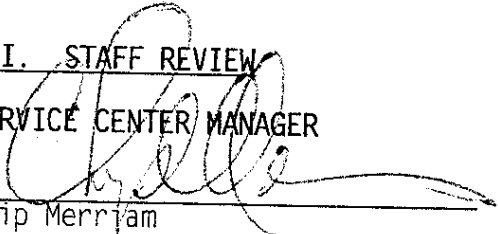
An Environmental Resource Permit allowing Conceptual Authorization for a Surface Water Management System serving a 1,797.6-acre golf course and residential subdivision. In addition, Construction and Operation Authorization for 962.2 acres, part of the 1,797.6-acre subdivision.

Based on the information provided, District rules have been adhered to.

Staff recommendation is for approval subject to the attached General and Special Conditions.

VII. STAFF REVIEW

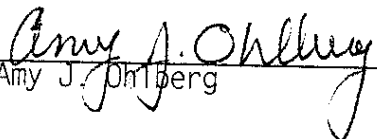
SERVICE CENTER MANAGER


Chip Merriam

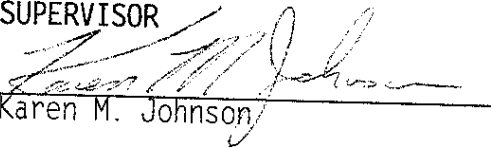
DATE: May 23, 2007

NATURAL RESOURCE MANAGEMENT DEPARTMENT APPROVAL

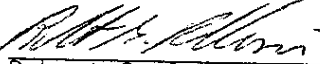
ENVIRONMENTAL EVALUATION


Amy J. Ohlberg

SUPERVISOR


Karen M. Johnson

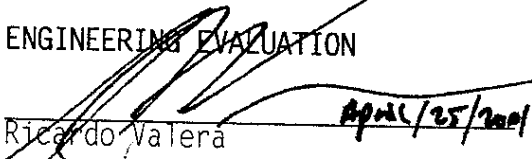
DEPARTMENT DIRECTOR:


Robert G. Robbins

DATE: 5/26/01

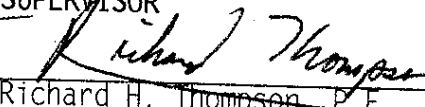
SURFACE WATER MANAGEMENT DEPARTMENT APPROVAL

ENGINEERING EVALUATION

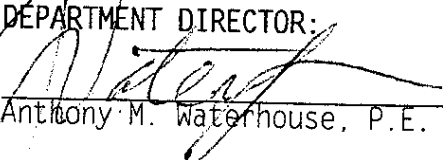

Ricardo Valera

April 25/2001

SUPERVISOR


Richard H. Thompson, P.E.

DEPARTMENT DIRECTOR:


Anthony M. Waterhouse, P.E.

DATE: 6/15/01

GENERAL CONDITIONS

1. ALL ACTIVITIES AUTHORIZED BY THIS PERMIT SHALL BE IMPLEMENTED AS SET FORTH IN THE PLANS, SPECIFICATIONS AND PERFORMANCE CRITERIA AS APPROVED BY THIS PERMIT. ANY DEVIATION FROM THE PERMITTED ACTIVITY AND THE CONDITIONS FOR UNDERTAKING THAT ACTIVITY SHALL CONSTITUTE A VIOLATION OF THIS PERMIT AND PART IV, CHAPTER 373, F.S.
2. THIS PERMIT OR A COPY THEREOF, COMPLETE WITH ALL CONDITIONS, ATTACHMENTS, EXHIBITS, AND MODIFICATIONS SHALL BE KEPT AT THE WORK SITE OF THE PERMITTED ACTIVITY. THE COMPLETE PERMIT SHALL BE AVAILABLE FOR REVIEW AT THE WORK SITE UPON REQUEST BY THE DISTRICT STAFF. THE PERMITTEE SHALL REQUIRE THE CONTRACTOR TO REVIEW THE COMPLETE PERMIT PRIOR TO COMMENCEMENT OF THE ACTIVITY AUTHORIZED BY THIS PERMIT.
3. ACTIVITIES APPROVED BY THIS PERMIT SHALL BE CONDUCTED IN A MANNER WHICH DOES NOT CAUSE VIOLATIONS OF STATE WATER QUALITY STANDARDS. THE PERMITTEE SHALL IMPLEMENT BEST MANAGEMENT PRACTICES FOR EROSION AND POLLUTION CONTROL TO PREVENT VIOLATION OF STATE WATER QUALITY STANDARDS. TEMPORARY EROSION CONTROL SHALL BE IMPLEMENTED PRIOR TO AND DURING CONSTRUCTION, AND PERMANENT CONTROL MEASURES SHALL BE COMPLETED WITHIN 7 DAYS OF ANY CONSTRUCTION ACTIVITY. TURBIDITY BARRIERS SHALL BE INSTALLED AND MAINTAINED AT ALL LOCATIONS WHERE THE POSSIBILITY OF TRANSFERRING SUSPENDED SOLIDS INTO THE RECEIVING WATERBODY EXISTS DUE TO THE PERMITTED WORK. TURBIDITY BARRIERS SHALL REMAIN IN PLACE AT ALL LOCATIONS UNTIL CONSTRUCTION IS COMPLETED AND SOILS ARE STABILIZED AND VEGETATION HAS BEEN ESTABLISHED. ALL PRACTICES SHALL BE IN ACCORDANCE WITH THE GUIDELINES AND SPECIFICATIONS DESCRIBED IN CHAPTER 6 OF THE FLORIDA LAND DEVELOPMENT MANUAL; A GUIDE TO SOUND LAND AND WATER MANAGEMENT (DEPARTMENT OF ENVIRONMENTAL REGULATION, 1988), INCORPORATED BY REFERENCE IN RULE 40E-4.091, F.A.C. UNLESS A PROJECT-SPECIFIC EROSION AND SEDIMENT CONTROL PLAN IS APPROVED AS PART OF THE PERMIT. THEREAFTER THE PERMITTEE SHALL BE RESPONSIBLE FOR THE REMOVAL OF THE BARRIERS. THE PERMITTEE SHALL CORRECT ANY EROSION OR SHOALING THAT CAUSES ADVERSE IMPACTS TO THE WATER RESOURCES.
4. THE PERMITTEE SHALL NOTIFY THE DISTRICT OF THE ANTICIPATED CONSTRUCTION START DATE WITHIN 30 DAYS OF THE DATE THAT THIS PERMIT IS ISSUED. AT LEAST 48 HOURS PRIOR TO COMMENCEMENT OF ACTIVITY AUTHORIZED BY THIS PERMIT, THE PERMITTEE SHALL SUBMIT TO THE DISTRICT AN ENVIRONMENTAL RESOURCE PERMIT CONSTRUCTION COMMENCEMENT NOTICE FORM NO. 0960 INDICATING THE ACTUAL START DATE AND THE EXPECTED COMPLETION DATE.
5. WHEN THE DURATION OF CONSTRUCTION WILL EXCEED ONE YEAR, THE PERMITTEE SHALL SUBMIT CONSTRUCTION STATUS REPORTS TO THE DISTRICT ON AN ANNUAL BASIS UTILIZING AN ANNUAL STATUS REPORT FORM. STATUS REPORT FORMS SHALL BE SUBMITTED THE FOLLOWING JUNE OF EACH YEAR.
6. WITHIN 30 DAYS AFTER COMPLETION OF CONSTRUCTION OF THE PERMITTED ACTIVITY, THE PERMITTEE SHALL SUBMIT A WRITTEN STATEMENT OF COMPLETION AND CERTIFICATION BY A REGISTERED PROFESSIONAL ENGINEER OR OTHER APPROPRIATE INDIVIDUAL AS AUTHORIZED BY LAW, UTILIZING THE SUPPLIED ENVIRONMENTAL

RESOURCE PERMIT CONSTRUCTION COMPLETION/CONSTRUCTION CERTIFICATION FORM NO.0881. THE STATEMENT OF COMPLETION AND CERTIFICATION SHALL BE BASED ON ONSITE OBSERVATION OF CONSTRUCTION OR REVIEW OF ASBUILT DRAWINGS FOR THE PURPOSE OF DETERMINING IF THE WORK WAS COMPLETED IN COMPLIANCE WITH PERMITTED PLANS AND SPECIFICATIONS. THIS SUBMITTAL SHALL SERVE TO NOTIFY THE DISTRICT THAT THE SYSTEM IS READY FOR INSPECTION. ADDITIONALLY, IF DEVIATION FROM THE APPROVED DRAWINGS ARE DISCOVERED DURING THE CERTIFICATION PROCESS, THE CERTIFICATION MUST BE ACCOMPANIED BY A COPY OF THE APPROVED PERMIT DRAWINGS WITH DEVIATIONS NOTED. BOTH THE ORIGINAL AND REVISED SPECIFICATIONS MUST BE CLEARLY SHOWN. THE PLANS MUST BE CLEARLY LABELED AS "ASBUILT" OR "RECORD" DRAWING. ALL SURVEYED DIMENSIONS AND ELEVATIONS SHALL BE CERTIFIED BY A REGISTERED SURVEYOR.

7. THE OPERATION PHASE OF THIS PERMIT SHALL NOT BECOME EFFECTIVE: UNTIL THE PERMITTEE HAS COMPLIED WITH THE REQUIREMENTS OF CONDITION (6) ABOVE, HAS SUBMITTED A REQUEST FOR CONVERSION OF ENVIRONMENTAL RESOURCE PERMIT FROM CONSTRUCTION PHASE TO OPERATION PHASE, FORM NO.0920; THE DISTRICT DETERMINES THE SYSTEM TO BE IN COMPLIANCE WITH THE PERMITTED PLANS AND SPECIFICATIONS; AND THE ENTITY APPROVED BY THE DISTRICT IN ACCORDANCE WITH SECTIONS 9.0 AND 10.0 OF THE BASIS OF REVIEW FOR ENVIRONMENTAL RESOURCE PERMIT APPLICATIONS WITHIN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT - AUGUST 1995, ACCEPTS RESPONSIBILITY FOR OPERATION AND MAINTENANCE OF THE SYSTEM. THE PERMIT SHALL NOT BE TRANSFERRED TO SUCH APPROVED OPERATION AND MAINTENANCE ENTITY UNTIL THE OPERATION PHASE OF THE PERMIT BECOMES EFFECTIVE. FOLLOWING INSPECTION AND APPROVAL OF THE PERMITTED SYSTEM BY THE DISTRICT, THE PERMITTEE SHALL INITIATE TRANSFER OF THE PERMIT TO THE APPROVED RESPONSIBLE OPERATING ENTITY IF DIFFERENT FROM THE PERMITTEE. UNTIL THE PERMIT IS TRANSFERRED PURSUANT TO SECTION 40E-1.6107, F.A.C., THE PERMITTEE SHALL BE LIABLE FOR COMPLIANCE WITH THE TERMS OF THE PERMIT.
8. EACH PHASE OR INDEPENDENT PORTION OF THE PERMITTED SYSTEM MUST BE COMPLETED IN ACCORDANCE WITH THE PERMITTED PLANS AND PERMIT CONDITIONS PRIOR TO THE INITIATION OF THE PERMITTED USE OF SITE INFRASTRUCTURE LOCATED WITHIN THE AREA SERVED BY THAT PORTION OR PHASE OF THE SYSTEM. EACH PHASE OR INDEPENDENT PORTION OF THE SYSTEM MUST BE COMPLETED IN ACCORDANCE WITH THE PERMITTED PLANS AND PERMIT CONDITIONS PRIOR TO TRANSFER OF RESPONSIBILITY FOR OPERATION AND MAINTENANCE OF THE PHASE OR PORTION OF THE SYSTEM TO A LOCAL GOVERNMENT OR OTHER RESPONSIBLE ENTITY.
9. FOR THOSE SYSTEMS THAT WILL BE OPERATED OR MAINTAINED BY AN ENTITY THAT WILL REQUIRE AN EASEMENT OR DEED RESTRICTION IN ORDER TO ENABLE THAT ENTITY TO OPERATE OR MAINTAIN THE SYSTEM IN CONFORMANCE WITH THIS PERMIT, SUCH EASEMENT OR DEED RESTRICTION MUST BE RECORDED IN THE PUBLIC RECORDS AND SUBMITTED TO THE DISTRICT ALONG WITH ANY OTHER FINAL OPERATION AND MAINTENANCE DOCUMENTS REQUIRED BY SECTIONS 9.0 AND 10.0 OF THE BASIS OF REVIEW FOR ENVIRONMENTAL RESOURCE PERMIT APPLICATIONS WITHIN THE SOUTH FLORIDA WATER MANAGEMENT DISTRICT - AUGUST 1995, PRIOR TO LOT OR UNIT SALES OR PRIOR TO THE COMPLETION OF THE SYSTEM, WHICHEVER OCCURS FIRST. OTHER DOCUMENTS CONCERNING THE ESTABLISHMENT AND AUTHORITY OF THE OPERATING ENTITY MUST BE FILED WITH THE SECRETARY OF STATE WHERE APPROPRIATE. FOR THOSE SYSTEMS WHICH ARE PROPOSED TO BE MAINTAINED BY THE

COUNTY OR MUNICIPAL ENTITIES, FINAL OPERATION AND MAINTENANCE DOCUMENTS MUST BE RECEIVED BY THE DISTRICT WHEN MAINTENANCE AND OPERATION OF THE SYSTEM IS ACCEPTED BY THE LOCAL GOVERNMENT ENTITY. FAILURE TO SUBMIT THE APPROPRIATE FINAL DOCUMENTS WILL RESULT IN THE PERMITTEE REMAINING LIABLE FOR CARRYING OUT MAINTENANCE AND OPERATION OF THE PERMITTED SYSTEM AND ANY OTHER PERMIT CONDITIONS.

10. SHOULD ANY OTHER REGULATORY AGENCY REQUIRE CHANGES TO THE PERMITTED SYSTEM, THE PERMITTEE SHALL NOTIFY THE DISTRICT IN WRITING OF THE CHANGES PRIOR TO IMPLEMENTATION SO THAT A DETERMINATION CAN BE MADE WHETHER A PERMIT MODIFICATION IS REQUIRED.
11. THIS PERMIT DOES NOT ELIMINATE THE NECESSITY TO OBTAIN ANY REQUIRED FEDERAL, STATE, LOCAL AND SPECIAL DISTRICT AUTHORIZATIONS PRIOR TO THE START OF ANY ACTIVITY APPROVED BY THIS PERMIT. THIS PERMIT DOES NOT CONVEY TO THE PERMITTEE OR CREATE IN THE PERMITTEE ANY PROPERTY RIGHT, OR ANY INTEREST IN REAL PROPERTY, NOR DOES IT AUTHORIZE ANY ENTRANCE UPON OR ACTIVITIES ON PROPERTY WHICH IS NOT OWNED OR CONTROLLED BY THE PERMITTEE, OR CONVEY ANY RIGHTS OR PRIVILEGES OTHER THAN THOSE SPECIFIED IN THE PERMIT AND CHAPTER 40E-4 OR CHAPTER 40E-40, F.A.C.
12. THE PERMITTEE IS HEREBY ADVISED THAT SECTION 253.77, F.S. STATES THAT A PERSON MAY NOT COMMENCE ANY EXCAVATION, CONSTRUCTION, OR OTHER ACTIVITY INVOLVING THE USE OF SOVEREIGN OR OTHER LANDS OF THE STATE, THE TITLE TO WHICH IS VESTED IN THE BOARD OF TRUSTEES OF THE INTERNAL IMPROVEMENT TRUST FUND WITHOUT OBTAINING THE REQUIRED LEASE, LICENSE, EASEMENT, OR OTHER FORM OF CONSENT AUTHORIZING THE PROPOSED USE. THEREFORE, THE PERMITTEE IS RESPONSIBLE FOR OBTAINING ANY NECESSARY AUTHORIZATIONS FROM THE BOARD OF TRUSTEES PRIOR TO COMMENCING ACTIVITY ON SOVEREIGNTY LANDS OR OTHER STATE-OWNED LANDS.
13. THE PERMITTEE MUST OBTAIN A WATER USE PERMIT PRIOR TO CONSTRUCTION DEWATERING, UNLESS THE WORK QUALIFIES FOR A GENERAL PERMIT PURSUANT TO SUBSECTION 40E-20.302(4), F.A.C., ALSO KNOWN AS THE "NO NOTICE" RULE.
14. THE PERMITTEE SHALL HOLD AND SAVE THE DISTRICT HARMLESS FROM ANY AND ALL DAMAGES, CLAIMS, OR LIABILITIES WHICH MAY ARISE BY REASON OF THE CONSTRUCTION, ALTERATION, OPERATION, MAINTENANCE, REMOVAL, ABANDONMENT OR USE OF ANY SYSTEM AUTHORIZED BY THE PERMIT.
15. ANY DELINEATION OF THE EXTENT OF A WETLAND OR OTHER SURFACE WATER SUBMITTED AS PART OF THE PERMIT APPLICATION, INCLUDING PLANS OR OTHER SUPPORTING DOCUMENTATION, SHALL NOT BE CONSIDERED BINDING UNLESS A SPECIFIC CONDITION OF THIS PERMIT OR A FORMAL DETERMINATION UNDER SECTION 373.421(2), F.S., PROVIDES OTHERWISE.
16. THE PERMITTEE SHALL NOTIFY THE DISTRICT IN WRITING WITHIN 30 DAYS OF ANY SALE, CONVEYANCE, OR OTHER TRANSFER OF OWNERSHIP OR CONTROL OF A PERMITTED SYSTEM OR THE REAL PROPERTY ON WHICH THE PERMITTED SYSTEM IS LOCATED. ALL TRANSFERS OF OWNERSHIP OR TRANSFERS OF A PERMIT ARE SUBJECT TO THE REQUIREMENTS OF RULES 40E-1.6105 AND 40E-1.6107, F.A.C. THE PERMITTEE

TRANSFERRING THE PERMIT SHALL REMAIN LIABLE FOR CORRECTIVE ACTIONS THAT MAY BE REQUIRED AS A RESULT OF ANY VIOLATIONS PRIOR TO THE SALE, CONVEYANCE OR OTHER TRANSFER OF THE SYSTEM.

17. UPON REASONABLE NOTICE TO THE PERMITTEE, DISTRICT AUTHORIZED STAFF WITH PROPER IDENTIFICATION SHALL HAVE PERMISSION TO ENTER, INSPECT, SAMPLE AND TEST THE SYSTEM TO INSURE CONFORMITY WITH THE PLANS AND SPECIFICATIONS APPROVED BY THE PERMIT.
18. IF HISTORICAL OR ARCHAEOLOGICAL ARTIFACTS ARE DISCOVERED AT ANY TIME ON THE PROJECT SITE, THE PERMITTEE SHALL IMMEDIATELY NOTIFY THE APPROPRIATE DISTRICT SERVICE CENTER.
19. THE PERMITTEE SHALL IMMEDIATELY NOTIFY THE DISTRICT IN WRITING OF ANY PREVIOUSLY SUBMITTED INFORMATION THAT IS LATER DISCOVERED TO BE INACCURATE.

SPECIAL CONDITIONS

1. MINIMUM BUILDING FLOOR ELEVATION:
- | | | |
|------------|---|------------------|
| BASIN: 1-1 | - | 11.00 FEET NGVD. |
| BASIN: 1-2 | - | 10.80 FEET NGVD. |
| BASIN: 1-3 | - | 11.60 FEET NGVD. |
| BASIN: 1-4 | - | 12.70 FEET NGVD. |
| BASIN: 2-1 | - | 14.70 FEET NGVD. |
| BASIN: 2-2 | - | 14.70 FEET NGVD. |
| BASIN: 2-3 | - | 16.50 FEET NGVD. |
| BASIN: 2-4 | - | 19.20 FEET NGVD. |
| BASIN: 2-5 | - | 16.00 FEET NGVD. |
| BASIN: 2-6 | - | 16.00 FEET NGVD. |
| BASIN: 2-7 | - | 16.90 FEET NGVD. |
| BASIN: 3-1 | - | 19.50 FEET NGVD. |
| BASIN: 3-2 | - | 19.50 FEET NGVD. |
| BASIN: 3-3 | - | 19.80 FEET NGVD. |
| BASIN: 3-4 | - | 19.60 FEET NGVD. |
| BASIN: 4-1 | - | 19.25 FEET NGVD. |
| BASIN: 4-2 | - | 18.90 FEET NGVD. |
| BASIN: 4-3 | - | 18.50 FEET NGVD. |
| BASIN: 4-4 | - | 19.20 FEET NGVD. |
| BASIN: 4-5 | - | 19.30 FEET NGVD. |
| BASIN: 4-6 | - | 19.50 FEET NGVD. |

2. MINIMUM ROAD CROWN ELEVATION:
- | | | |
|------------|---|------------------|
| BASIN: 1-1 | - | 8.60 FEET NGVD. |
| BASIN: 1-2 | - | 8.50 FEET NGVD. |
| BASIN: 1-3 | - | 10.00 FEET NGVD. |
| BASIN: 1-4 | - | 11.20 FEET NGVD. |
| BASIN: 2-1 | - | 12.00 FEET NGVD. |
| BASIN: 2-2 | - | 13.20 FEET NGVD. |
| BASIN: 2-3 | - | 15.00 FEET NGVD. |
| BASIN: 2-4 | - | 17.50 FEET NGVD. |
| BASIN: 2-5 | - | 13.20 FEET NGVD. |
| BASIN: 2-6 | - | 12.40 FEET NGVD. |
| BASIN: 2-7 | - | 13.80 FEET NGVD. |
| BASIN: 3-1 | - | 18.00 FEET NGVD. |
| BASIN: 3-2 | - | 17.10 FEET NGVD. |
| BASIN: 3-3 | - | 17.20 FEET NGVD. |
| BASIN: 3-4 | - | 16.20 FEET NGVD. |
| BASIN: 4-1 | - | 17.75 FEET NGVD. |
| BASIN: 4-2 | - | 16.90 FEET NGVD. |
| BASIN: 4-3 | - | 15.70 FEET NGVD. |
| BASIN: 4-4 | - | 16.10 FEET NGVD. |
| BASIN: 4-5 | - | 16.50 FEET NGVD. |
| BASIN: 4-6 | - | 18.00 FEET NGVD. |

3. DISCHARGE FACILITIES:

BASIN: 1-1:

1-.42' W X .42' H CIRCULAR ORIFICE WEIR WITH CREST AT ELEV. 7.45' NGVD.
1-.42' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 6.5' NGVD.
85 LF OF 1.5' DIA. RCP CULVERT.

RECEIVING BODY : FDOT DITCH VIA ONSITE WETLAND

CONTROL ELEV : 6.5 FEET NGVD. /6.5 FEET NGVD DRY SEASON.

BASIN: 1-2:

1-.25' W X 2.15' H RECTANGULAR NOTCH WEIR WITH CREST AT ELEV. 6.82' NGVD.
1-1.07' W X .32' H RECTANGULAR NOTCH WITH INVERT AT ELEV. 6.5' NGVD.
414 LF OF 2' DIA. RCP CULVERT.

RECEIVING BODY : FDOT DITCH VIA ONSITE WETLAND

CONTROL ELEV : 6.5 FEET NGVD. /6.5 FEET NGVD DRY SEASON.

BASIN: 1-3:

1-.83' W X .83' H CIRCULAR ORIFICE WEIR WITH CREST AT ELEV. 8.89' NGVD.
1-.42' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 7.7' NGVD.
100 LF OF 2.5' DIA. RCP CULVERT.

RECEIVING BODY : FDOT DITCH VIA ONSITE WETLAND

CONTROL ELEV : 7.7 FEET NGVD. /7.7 FEET NGVD DRY SEASON.

BASIN: 1-4:

1-.65' W X .23' H RECTANGULAR ORIFICE WITH INVERT AT ELEV. 9.2' NGVD.
172 LF OF 2' DIA. RCP CULVERT.

RECEIVING BODY : FDOT DITCH VIA ONSITE WETLAND

CONTROL ELEV : 9.2 FEET NGVD. /9.2 FEET NGVD DRY SEASON.

BASIN: 2-1:

1-2.33' W X 2.57' H RECTANGULAR NOTCH WEIR WITH CREST AT ELEV. 10.44' NGVD.
1-1.1' W X .44' H RECTANGULAR NOTCH WITH INVERT AT ELEV. 10' NGVD.
247 LF OF 3.5' DIA. RCP CULVERT.

RECEIVING BODY : ONSITE WETLAND

CONTROL ELEV : 10 FEET NGVD. /10 FEET NGVD DRY SEASON.

BASIN: 2-2:

1-4.08' W X .34' H RECTANGULAR NOTCH WITH INVERT AT ELEV. 11.2' NGVD.

416 LF OF 3' DIA. RCP CULVERT.

RECEIVING BODY : ONSITE WETLAND

CONTROL ELEV : 11.2 FEET NGVD. /11.2 FEET NGVD DRY SEASON.

BASIN: 2-3:

1-2.16' W X 2.4' H RECTANGULAR NOTCH WEIR WITH CREST AT ELEV. 13.35' NGVD.

1-3.39' W X .35' H RECTANGULAR NOTCH WITH INVERT AT ELEV. 13' NGVD.

159 LF OF 3.5' DIA. RCP CULVERT.

RECEIVING BODY : ONSITE WETLAND

CONTROL ELEV : 13 FEET NGVD. /13 FEET NGVD DRY SEASON.

BASIN: 2-4:

1-3.52' W X .35' H RECTANGULAR NOTCH WITH INVERT AT ELEV. 15.5' NGVD.

227 LF OF 3' DIA. RCP CULVERT.

RECEIVING BODY : ONSITE WETLAND

CONTROL ELEV : 15.5 FEET NGVD. /15.5 FEET NGVD DRY SEASON.

BASIN: 2-5:

1-.33' W X 2.84' H RECTANGULAR NOTCH WEIR WITH CREST AT ELEV. 11.65' NGVD.

1-.48' W X .45' H RECTANGULAR NOTCH WITH INVERT AT ELEV. 11.2' NGVD.

377 LF OF 2' DIA. RCP CULVERT.

RECEIVING BODY : ONSITE WETLAND

CONTROL ELEV : 11.2 FEET NGVD. /11.2 FEET NGVD DRY SEASON.

BASIN: 2-6:

1-.77' W X .77' H CIRCULAR ORIFICE WEIR WITH CREST AT ELEV. 10.43' NGVD.

1-.33' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 10' NGVD.

426 LF OF 2' DIA. RCP CULVERT.

RECEIVING BODY : ONSITE WETLAND

CONTROL ELEV : 10 FEET NGVD. /10 FEET NGVD DRY SEASON.

BASIN: 2-7:

1-.56' W X .56' H CIRCULAR ORIFICE WEIR WITH CREST AT ELEV. 11.48' NGVD.

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 11.2' NGVD.

400 LF OF 2' DIA. RCP CULVERT.

RECEIVING BODY : ONSITE WETLAND

CONTROL ELEV : 11.2 FEET NGVD. /11.2 FEET NGVD DRY SEASON.

BASIN: 3-1:

1-5' W X 1.91' H RECTANGULAR NOTCH WEIR WITH CREST AT ELEV. 16.33' NGVD.

1-5' W X .33' H RECTANGULAR NOTCH WITH INVERT AT ELEV. 16' NGVD.

416 LF OF 3' DIA. RCP CULVERT.

RECEIVING BODY : ONSITE WETLAND

CONTROL ELEV : 16 FEET NGVD. /16 FEET NGVD DRY SEASON.

BASIN: 3-2:

1-2' W X 2.85' H RECTANGULAR ORIFICE WEIR WITH CREST AT ELEV. 15.19' NGVD.

1-.33' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 14.5' NGVD.

617 LF OF 3' DIA. RCP CULVERT.

RECEIVING BODY : ONSITE WETLAND

CONTROL ELEV : 14.5 FEET NGVD. /14.5 FEET NGVD DRY SEASON.

BASIN: 3-3:

1-1.58' W X 3.18' H RECTANGULAR NOTCH WEIR WITH CREST AT ELEV. 15.62' NGVD.

1-.33' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 14.5' NGVD.

318 LF OF 3' DIA. RCP CULVERT.

RECEIVING BODY : ONSITE WETLAND

CONTROL ELEV : 14.5 FEET NGVD. /14.5 FEET NGVD DRY SEASON.

BASIN: 3-4:

1-1.46' W X 3.7' H RECTANGULAR NOTCH WEIR WITH CREST AT ELEV. 13.67' NGVD.

1-.66' W X .18' H RECTANGULAR NOTCH WITH INVERT AT ELEV. 13.5' NGVD.

68 LF OF 2' DIA. RCP CULVERT.

RECEIVING BODY : ONSITE WETLAND

CONTROL ELEV : 13.5 FEET NGVD. /13.5 FEET NGVD DRY SEASON.

BASIN: 4-1:

1-1.07' W X .58' H RECTANGULAR NOTCH WEIR WITH CREST AT ELEV. 16.81' NGVD.
1-1.07' W X 1.06' H RECTANGULAR NOTCH WITH INVERT AT ELEV. 15.75' NGVD.
636 LF OF 2.5' DIA. RCP CULVERT.

RECEIVING BODY : OAK CREEK VIA ONSITE WETLAND

CONTROL ELEV : 15.75 FEET NGVD. /15.75 FEET NGVD DRY SEASON.

BASIN: 4-2:

1-.63' W X 2.53' H RECTANGULAR NOTCH WEIR WITH CREST AT ELEV. 15.21' NGVD.
1-1.1' W X .71' H RECTANGULAR NOTCH WITH INVERT AT ELEV. 14.5' NGVD.
575 LF OF 2.5' DIA. RCP CULVERT.

RECEIVING BODY : OAK CREEK VIA ONSITE WETLAND

CONTROL ELEV : 14.5 FEET NGVD. /14.5 FEET NGVD DRY SEASON.

BASIN: 4-3:

1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 13.5' NGVD.
152 LF OF 1.25' DIA. RCP CULVERT.

RECEIVING BODY : OAK CREEK VIA ONSITE WETLAND

CONTROL ELEV : 13.5 FEET NGVD. /13.5 FEET NGVD DRY SEASON.

BASIN: 4-4:

1-.53' W X 3.1' H RECTANGULAR NOTCH WEIR WITH CREST AT ELEV. 14.22' NGVD.
1-.25' DIA. CIRCULAR ORIFICE WITH INVERT AT ELEV. 13.5' NGVD.
84 LF OF 2' DIA. RCP CULVERT.

RECEIVING BODY : OAK CREEK VIA ONSITE WETLAND

CONTROL ELEV : 13.5 FEET NGVD. /13.5 FEET NGVD DRY SEASON.

BASIN: 4-5:

1-3.06' W X .38' H RECTANGULAR NOTCH WITH INVERT AT ELEV. 14.5' NGVD.
755 LF OF 2' DIA. RCP CULVERT.

RECEIVING BODY : OAK CREEK VIA ONSITE WETLAND

CONTROL ELEV : 14.5 FEET NGVD. /14.5 FEET NGVD DRY SEASON.

BASIN: 4-6:

1-1' W X 1.42' H RECTANGULAR NOTCH WEIR WITH CREST AT ELEV. 16.53' NGVD.

1-.87' W X .53' H RECTANGULAR NOTCH WITH INVERT AT ELEV. 16' NGVD.
402 LF OF 2' DIA. RCP CULVERT.

RECEIVING BODY : OAK CREEK VIA ONSITE WETLAND

CONTROL ELEV : 16 FEET NGVD. /16 FEET NGVD DRY SEASON.

4. THE PERMITTEE SHALL BE RESPONSIBLE FOR THE CORRECTION OF ANY EROSION, SHOALING OR WATER QUALITY PROBLEMS THAT RESULT FROM THE CONSTRUCTION OR OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM.
5. MEASURES SHALL BE TAKEN DURING CONSTRUCTION TO INSURE THAT SEDIMENTATION AND/OR TURBIDITY PROBLEMS ARE NOT CREATED IN THE RECEIVING WATER.
6. THE DISTRICT RESERVES THE RIGHT TO REQUIRE THAT ADDITIONAL WATER QUALITY TREATMENT METHODS BE INCORPORATED INTO THE DRAINAGE SYSTEM IF SUCH MEASURES ARE SHOWN TO BE NECESSARY.
7. LAKE SIDE SLOPES SHALL BE NO STEEPER THAN 4:1 (HORIZONTAL:VERTICAL) TO A DEPTH OF TWO FEET BELOW THE CONTROL ELEVATION. SIDE SLOPES SHALL BE TOP SOILED AND STABILIZED THROUGH SEEDING OR PLANTING FROM 2 FEET BELOW TO 1 FOOT ABOVE THE CONTROL ELEVATION TO PROMOTE VEGETATIVE GROWTH.
8. FACILITIES OTHER THAN THOSE STATED HEREIN SHALL NOT BE CONSTRUCTED WITHOUT AN APPROVED MODIFICATION OF THIS PERMIT.
9. OPERATION OF THE SURFACE WATER MANAGEMENT SYSTEM SHALL BE THE RESPONSIBILITY OF HAWKS HAVEN HOMEOWNERS ASSOCIATION.
10. SILT SCREENS, HAY BALES OR OTHER SUCH SEDIMENT CONTROL MEASURES SHALL BE UTILIZED DURING CONSTRUCTION. THE SELECTED SEDIMENT CONTROL MEASURES SHALL BE INSTALLED LANDWARD OF THE UPLAND BUFFER ZONES AROUND ALL PROTECTED WETLANDS. ALL AREAS SHALL BE STABILIZED AND VEGETATED IMMEDIATELY AFTER CONSTRUCTION TO PREVENT EROSION INTO THE WETLANDS AND UPLAND BUFFER ZONES.
11. PERMANENT PHYSICAL MARKERS DESIGNATING THE PRESERVE STATUS OF THE WETLAND PRESERVATION AREAS AND BUFFER ZONES SHALL BE PLACED AT THE INTERSECTION OF THE BUFFER AND EACH LOT LINE. THESE MARKERS SHALL BE MAINTAINED IN PERPETUITY.
12. PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE PERIMETER OF THE PROTECTED WETLANDS AND BUFFER ZONES SHALL BE FENCED TO PREVENT ENCROACHMENT INTO THE WETLANDS. THE PERMITTEE SHALL NOTIFY THE SFWMD'S ENVIRONMENTAL COMPLIANCE STAFF IN WRITING UPON COMPLETION OF FENCING AND SCHEDULE AN INSPECTION OF THIS WORK. THE PERMITTEE SHALL MODIFY THE FENCING IF SFWMD STAFF DETERMINES IT IS INSUFFICIENT OR IS NOT IN CONFORMANCE WITH THE INTENT OF THIS PERMIT. FENCING SHALL REMAIN IN PLACE UNTIL ALL ADJACENT CONSTRUCTION ACTIVITIES ARE COMPLETE.
13. THE SFWMD RESERVES THE RIGHT TO REQUIRE REMEDIAL MEASURES TO BE TAKEN BY

THE PERMITTEE IF WETLAND AND/OR UPLAND MONITORING OR OTHER INFORMATION DEMONSTRATES THAT ADVERSE IMPACTS TO PROTECTED, CONSERVED, INCORPORATED OR MITIGATED WETLANDS OR UPLANDS HAVE OCCURRED DUE TO PROJECT RELATED ACTIVITIES.

14. ANY FUTURE CHANGES IN LAND USE OR TREATMENT OF WETLANDS AND/OR UPLAND BUFFER/COMPENSATION AREAS MAY REQUIRE A SURFACE WATER MANAGEMENT PERMIT MODIFICATION AND ADDITIONAL ENVIRONMENTAL REVIEW BY DISTRICT STAFF. PRIOR TO THE PERMITTEE INSTITUTING ANY FUTURE CHANGES NOT AUTHORIZED BY THIS PERMIT, THE PERMITTEE SHALL NOTIFY THE SFWMD OF SUCH INTENTIONS FOR A DETERMINATION OF ANY NECESSARY PERMIT MODIFICATIONS.
15. THE PERMITTEE SHALL BE RESPONSIBLE FOR THE SUCCESSFUL COMPLETION OF THE MITIGATION WORK, INCLUDING THE MONITORING AND MAINTENANCE OF THE MITIGATION AREAS FOR THE DURATION OF THE PLAN. THE MITIGATION AREA(S) SHALL NOT BE TURNED OVER TO THE OPERATION ENTITY UNTIL THE MITIGATION WORK IS ACCOMPLISHED AS PERMITTED AND SFWMD STAFF HAS CONCURRED.
16. A WETLAND MONITORING PROGRAM SHALL BE IMPLEMENTED WITHIN THE PROTECTED WETLANDS AND UPLANDS AND DETENTION AREAS. MONITORING SHALL BE CONDUCTED IN ACCORDANCE WITH EXHIBIT(S) 25A - 25C & 28A - 28I AND SHALL INCLUDE ANNUAL REPORTS SUBMITTED TO THE SFWMD FOR REVIEW. MONITORING SHALL CONTINUE FOR A PERIOD OF 5 YEARS.
17. A WETLAND MITIGATION PROGRAM SHALL BE IMPLEMENTED IN ACCORDANCE WITH EXHIBIT(S) 25A - 25C & 28A - 28I. THE PERMITTEE SHALL PRESERVE 20.24 ACRES OF FOREST WETLANDS AND 9.57 ACRES OF HERBACEOUS/SHRUB WETLANDS. ENHANCE 122.21 ACRES OF FORESTED WETLANDS AND 22.71 ACRES OF HERBACEOUS/SHRUB WETLANDS AND PRESERVE 212.15 ACRES OF UPLAND COMPENSATION AREA(S).
18. A WETLAND MONITORING PROGRAM AND MAINTENANCE PROGRAM SHALL BE IMPLEMENTED IN ACCORDANCE WITH EXHIBIT(S) 25A - 25C & 28A - 28I. THE MONITORING PROGRAM SHALL EXTEND FOR A PERIOD OF 5 YEARS WITH ANNUAL REPORTS SUBMITTED TO SFWMD STAFF. AT THE END OF THE FIRST MONITORING PERIOD THE MITIGATION AREA(S) SHALL CONTAIN AN 80% SURVIVAL OF PLANTED VEGETATION. THE 80% SURVIVAL RATE SHALL BE MAINTAINED THROUGHOUT THE REMAINDER OF THE MONITORING PROGRAM. AT THE END OF THE 5 YEARS MONITORING PROGRAM THE MITIGATION AREA(S) SHALL CONTAIN AN 80% SURVIVAL OF PLANTED VEGETATION AND AN 80% COVERAGE OF DESIRABLE OBLIGATE AND FACULTATIVE WETLAND SPECIES.
19. A BASELINE WETLAND MONITORING REPORT SHALL BE CONDUCTED IN ACCORDANCE WITH EXHIBIT(S) 25A - 25C & 28A - 28I.
20. THE WETLAND CONSERVATION AREAS AND UPLAND BUFFER ZONES AND/OR UPLAND PRESERVATION AREAS SHOWN ON EXHIBIT(S) 26J MAY IN NO WAY BE ALTERED FROM THEIR NATURAL STATE. ACTIVITIES PROHIBITED WITHIN THE CONSERVATION AREAS INCLUDE, BUT ARE NOT LIMITED TO: CONSTRUCTION OR PLACING OF BUILDINGS ON OR ABOVE THE GROUND; DUMPING OR PLACING SOIL OR OTHER SUBSTANCES SUCH AS TRASH; REMOVAL OR DESTRUCTION OF TREES, SHRUBS, OR OTHER VEGETATION - WITH THE EXCEPTION OF EXOTIC/NUISANCE VEGETATION REMOVAL; EXCAVATION, DREDGING,

OR REMOVAL OF SOIL MATERIAL; DIKING OR FENCING; AND ANY OTHER ACTIVITIES DETRIMENTAL TO DRAINAGE, FLOOD CONTROL, WATER CONSERVATION, EROSION CONTROL, OR FISH AND WILDLIFE HABITAT CONSERVATION OR PRESERVATION.

21. ACTIVITIES ASSOCIATED WITH IMPLEMENTATION OF THE WETLAND MITIGATION, MONITORING AND MAINTENANCE SHALL BE IN ACCORDANCE WITH THE FOLLOWING WORK SCHEDULE. ANY DEVIATION FROM THESE TIME FRAMES SHALL REQUIRE FORMAL SFWMD APPROVAL. SUCH REQUESTS MUST BE MADE IN WRITING AND SHALL INCLUDE (1) REASON FOR THE MODIFICATION; (2) PROPOSED START/FINISH DATES; AND (3) PROGRESS REPORT ON THE STATUS OF THE EXISTING MITIGATION EFFORTS.

COMPLETION DATE	ACTIVITY
AUGUST 1, 2001	BASELINE MONITORING REPORT
SEPTEMBER 15, 2001	SUBMIT RECORDED CONSERVATION EASEMENTS
JULY 1, 2002	EXOTIC VEGETATION REMOVAL, PLANTING AND GRADING ACTIVITIES
JULY 15, 2002	SUBMIT AS-BUILT SURVEYS FOR GRADED AREAS
AUGUST 1, 2002	TIME ZERO MONITORING REPORT
AUGUST 1, 2003	FIRST ANNUAL MONITORING REPORT
AUGUST 1, 2004	SECOND ANNUAL MONITORING REPORT
AUGUST 1, 2005	THIRD ANNUAL MONITORING REPORT
AUGUST 1, 2006	FOURTH ANNUAL MONITORING REPORT
AUGUST 1, 2007	FIFTH ANNUAL MONITORING REPORT

22. ENDANGERED SPECIES, THREATENED SPECIES, OR SPECIES OF SPECIAL CONCERN HAVE BEEN OBSERVED ONSITE AND/OR THE PROJECT CONTAINS SUITABLE HABITAT FOR THESE SPECIES. IT SHALL BE THE PERMITTEE'S RESPONSIBILITY TO COORDINATE WITH THE FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION AND/OR U.S. FISH AND WILDLIFE SERVICE FOR APPROPRIATE GUIDANCE, RECOMMENDATIONS, AND/OR NECESSARY PERMITS TO AVOID IMPACTS TO LISTED SPECIES.
23. A MAINTENANCE PROGRAM SHALL BE IMPLEMENTED IN ACCORDANCE WITH EXHIBITS 25A - 25C & 28A - 28I FOR THE WETLAND AND UPLAND PRESERVES ON A REGULAR BASIS TO ENSURE THE INTEGRITY AND VIABILITY OF THESE AREAS AS PERMITTED. MAINTENANCE SHALL BE CONDUCTED IN PERPETUITY TO ENSURE THAT THE MITIGATION AREAS AND UPLAND PRESERVES ARE FREE OF EXOTIC VEGETATION (AS CURRENTLY DEFINED BY THE FLORIDA EXOTIC PEST PLANT COUNCIL) IMMEDIATELY FOLLOWING A MAINTENANCE ACTIVITY AND THAT EXOTIC AND NUISANCE SPECIES SHALL CONSTITUTE NO MORE THAN 5% OF TOTAL COVER.
24. NO LATER THAN SEPTEMBER 15, 2001, THE PERMITTEE SHALL RECORD A CONSERVATION EASEMENT OVER THE REAL PROPERTY DESIGNATED AS A CONSERVATION EASEMENT AREA ON THE ATTACHED EXHIBITS 26J. THE EASEMENT SHALL BE GRANTED FREE OF ENCUMBRANCES OR INTERESTS WHICH THE DISTRICT DETERMINES ARE CONTRARY TO THE INTENT OF THE EASEMENT. THE EASEMENT SHALL BE GRANTED TO THE DISTRICT USING THE APPROVED FORM ATTACHED HERETO AS EXHIBITS 26A - 26I. ANY PROPOSED MODIFICATIONS TO THE APPROVED FORM MUST RECEIVE WRITTEN CONSENT FROM THE DISTRICT. UPON RECORDATION, THE PERMITTEE SHALL FORWARD THE ORIGINAL RECORDED EASEMENT TO THE NATURAL RESOURCE MANAGEMENT POST PERMIT COMPLIANCE STAFF IN THE DISTRICT SERVICE CENTER WHERE THE

APPLICATION WAS SUBMITTED.

25. ANY IMPACTS TO PRESERVED WETLANDS OR UPLANDS RESULTING FROM CONSTRUCTION OF STRUCTURAL BUFFERS ADJACENT TO THE PRESERVE AREAS WILL BE RESTORED IN COORDINATION WITH DISTRICT COMPLIANCE STAFF.
26. THE PERMITTEE IS REQUIRED TO RECEIVE A PERMIT MODIFICATION PRIOR TO CONSTRUCTION OF ANY PASSIVE RECREATIONAL FACILITIES WITHIN THE PRESERVED WETLANDS OR UPLANDS.
27. PRIOR TO THE COMMENCEMENT OF ANY SITE ACTIVITY AUTHORIZED BY THIS PERMIT, A PRE-CONSTRUCTION MEETING SHALL BE HELD WITH SFWMD FIELD ENGINEERING AND ENVIRONMENTAL POST PERMIT COMPLIANCE STAFF FROM THE FT. MYERS OFFICE.
28. EXHIBITS NO. 30 THROUGH NO. 118, ALL PART OF THE CONSTRUCTION PLANS FOR HAWKS HAVEN PHASE I, PREPARED BY CONSUL-TECH ENGINEERING, INC., SIGNED AND SEALED BY LAURIE SWANSON, PE. ARE INCORPORATED BY REFERENCE INTO THIS PERMIT AND WILL BE RETAINED IN THE PERMIT FILE.

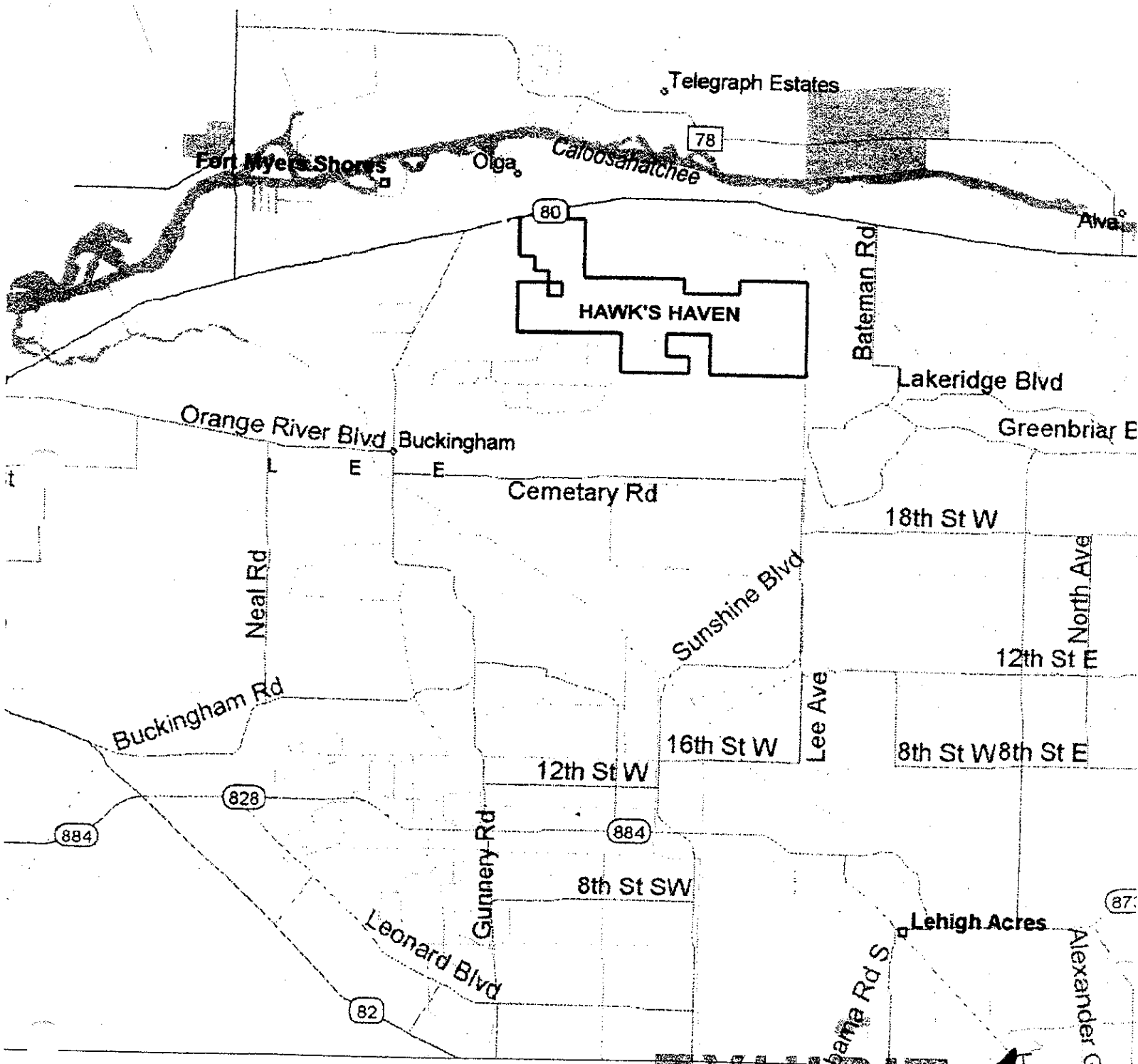


EXHIBIT 1



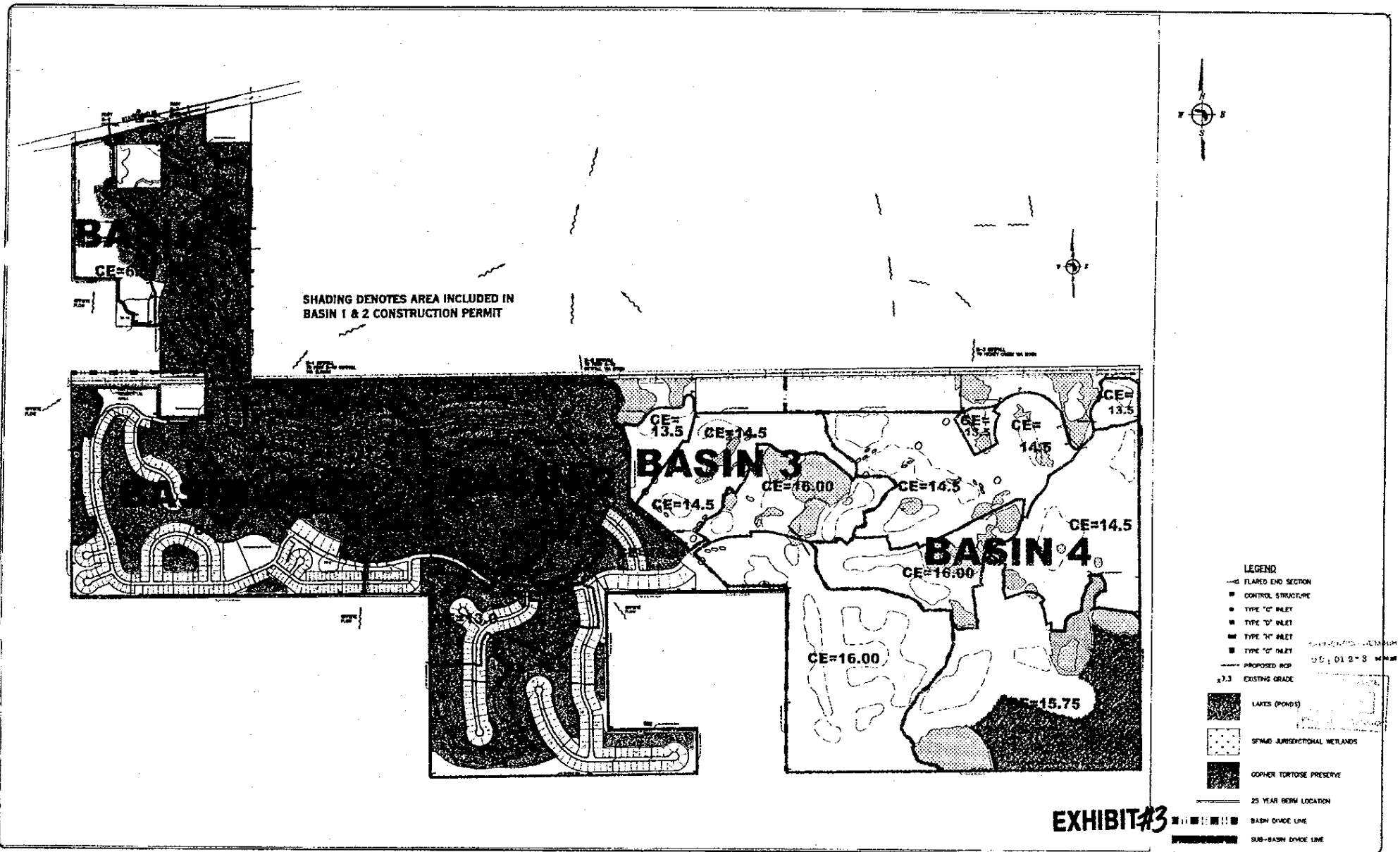
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DATE: APRIL 1980

CAP FILE
C-500-BASINS
SFC 24
C-545-DRN

SCALE 1"=500'
PROJECT NUMBER 980408
CITY DENVER
SHEET 5 OF 83

DCI2022-00026 Lee County ePlan



DATE	REVISIONS PER SPWMD COMMENTS
5/26/2000	25 YEAR BERM LOCATION
8/26/2000	REVISIONS PER SPWMD COMMENTS
11/20/2000	REVISIONS PER SPWMD COMMENTS
01/02/2001	REVISIONS PER SPWMD COMMENTS
05/12/2001	REVISIONS PER SPWMD COMMENTS

CONSUL-TECH ENGINEERING, INC.
 Consulting Engineers, Land Plan and Land Surveyors
 28111 U.S. 90, Suite 100, Boca Raton, Florida 33434
 Phone: (561) 369-7777 Fax: (561) 369-7778
 E-Mail: info@consult-tech.com
 Office of Administration at 87427

FL. TAMPA WEST, INC.
 5307 FOX HUNT DRIVE
 WESLEY CHAPEL, FLORIDA 33543
 (813) 907-1539

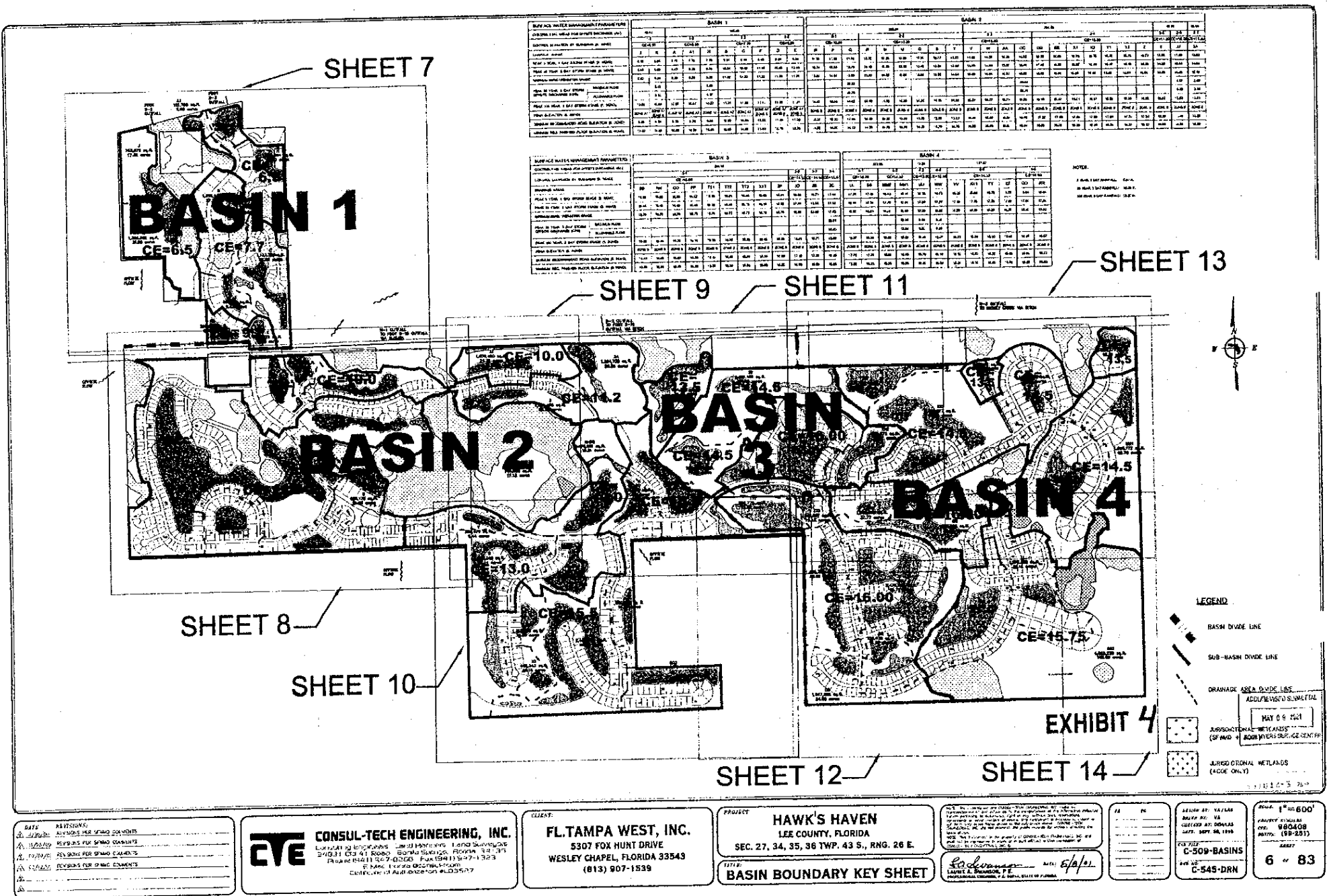
PROJECT
HAWK'S HAVEN
 LEE COUNTY, FLORIDA
 SEC. 27, 34, 35, 36 TWP. 43 S., RING. 26 E.

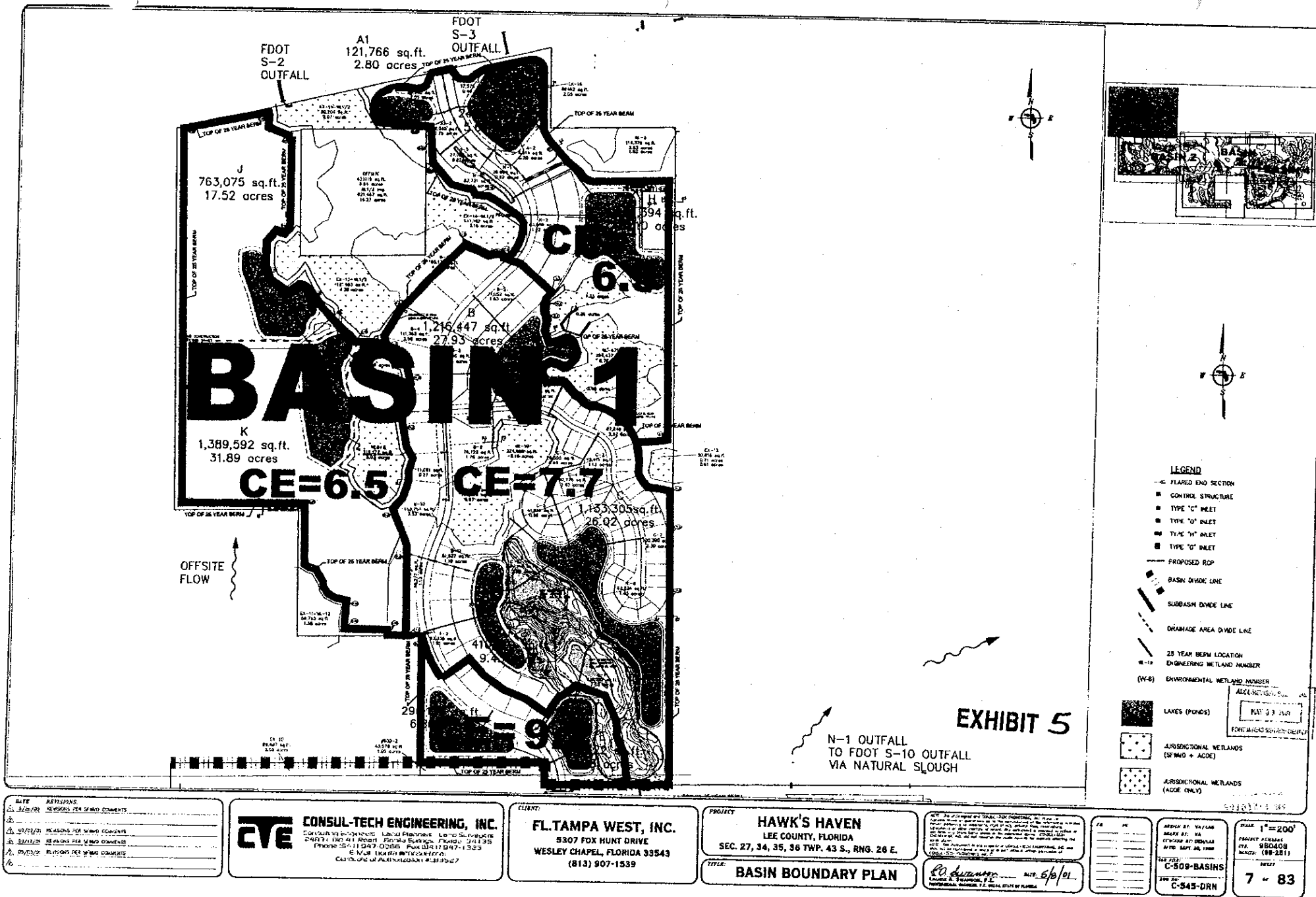
TITLE
 SPWMD CONSTRUCTION PERMIT PLAN

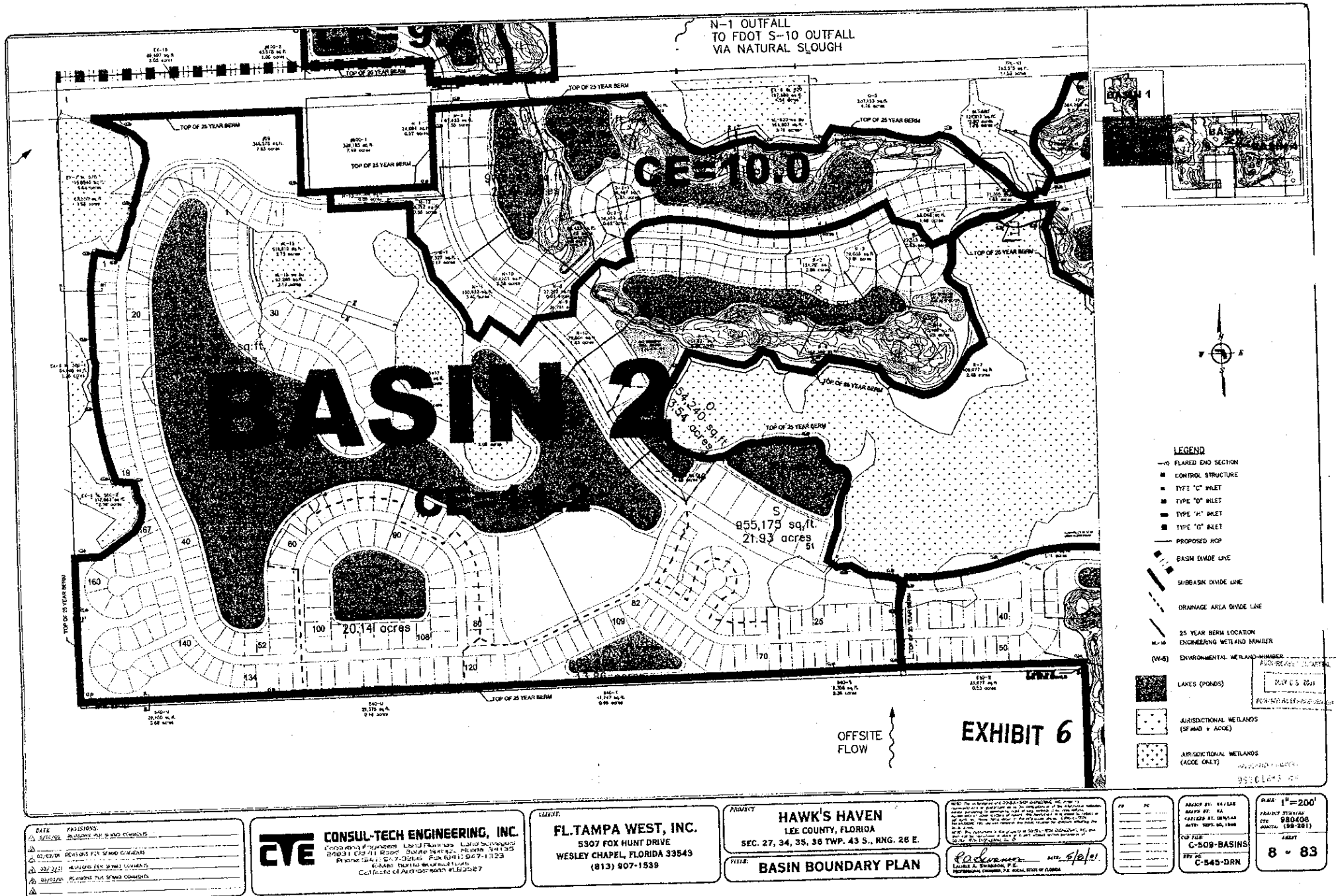
DATE: 4/5/01
 DRAWN BY: J. SWANSON
 CHECKED BY: J. SWANSON
 APPROVED BY: J. SWANSON

DATE: 4/5/01
 DRAWN BY: J. SWANSON
 CHECKED BY: J. SWANSON
 APPROVED BY: J. SWANSON

SCALE: 1"=800'
 PROJECT NUMBER: 800408
 SHEET: 15 OF 83

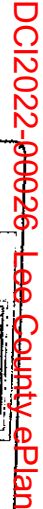


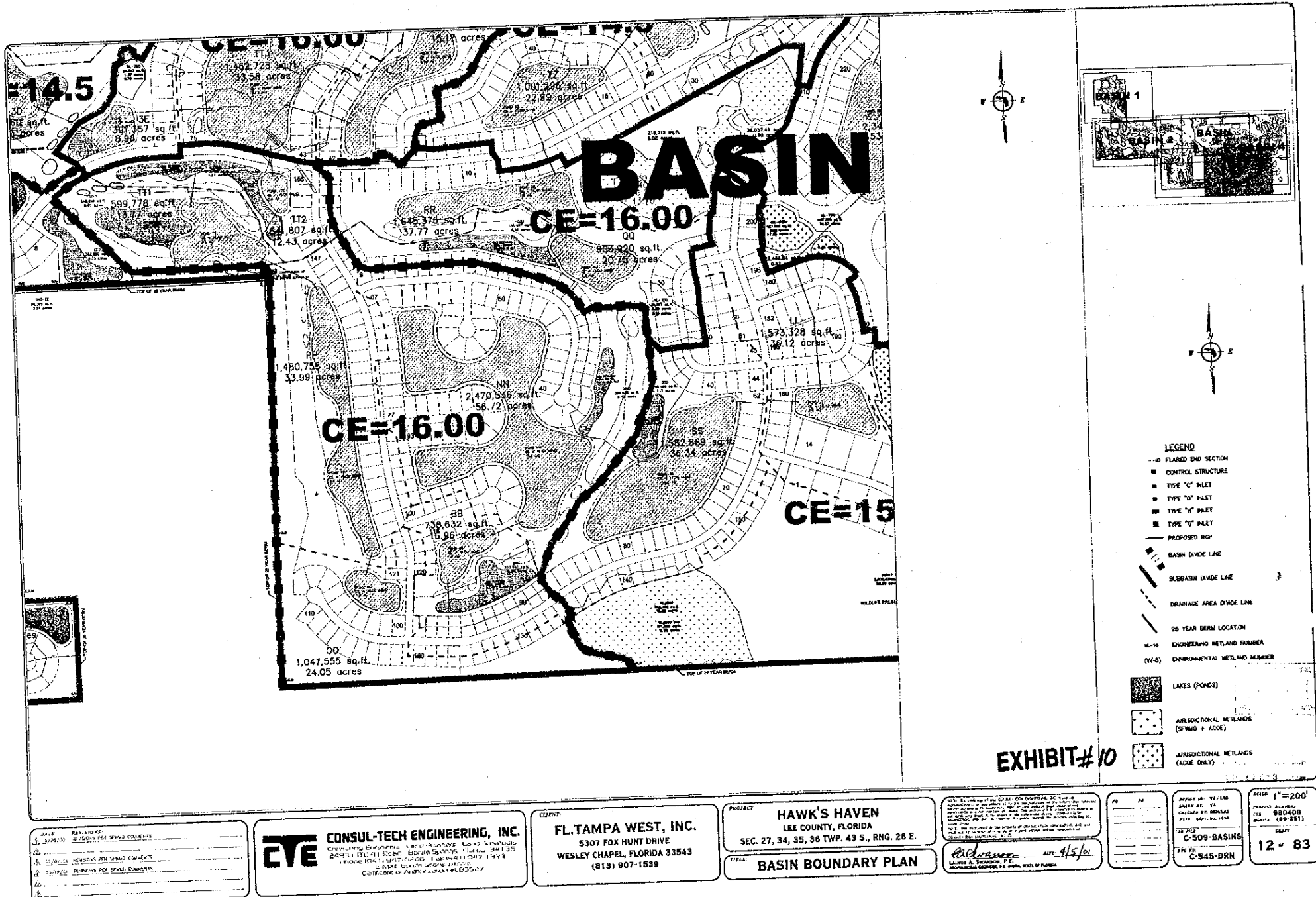


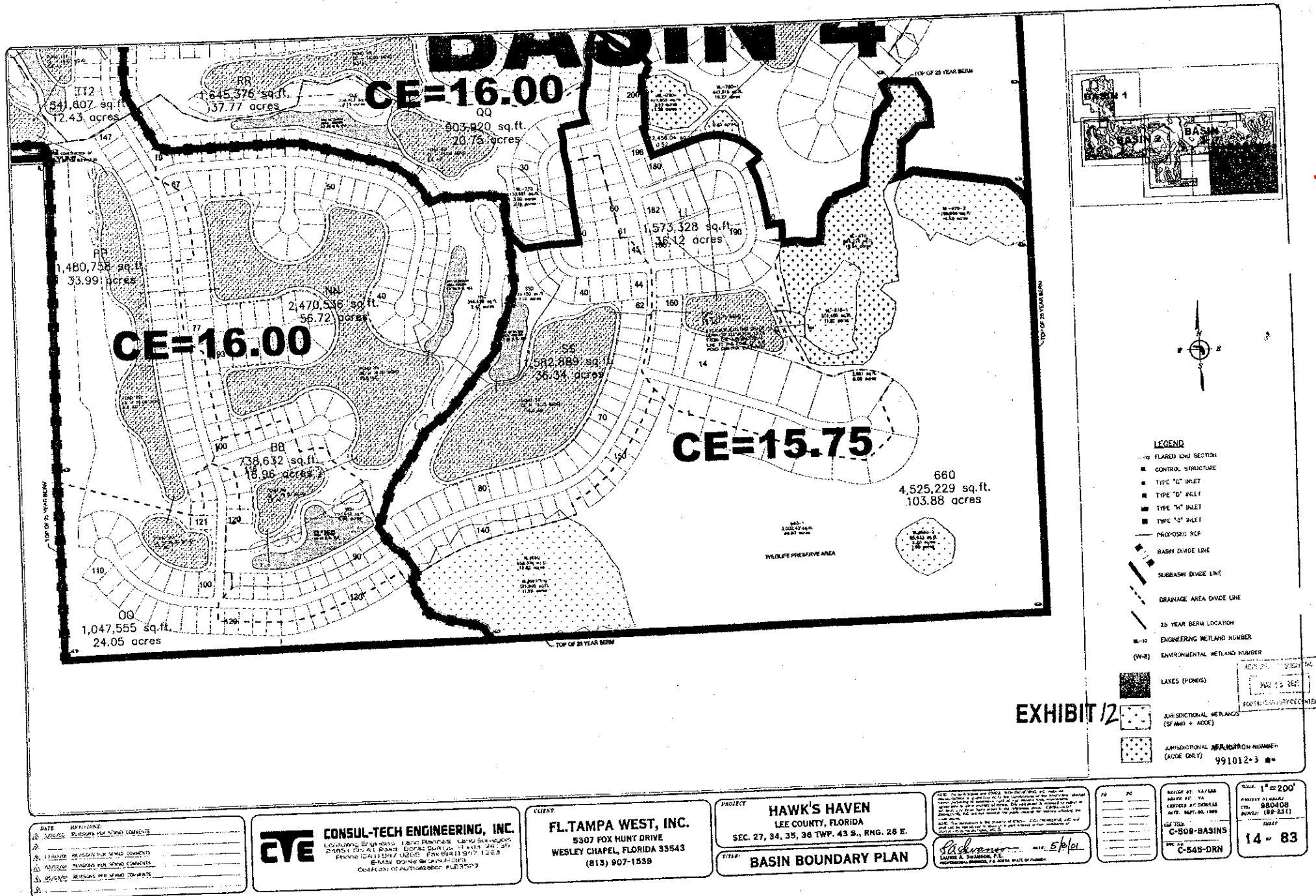


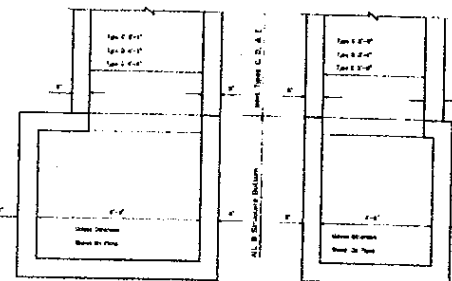












NOYt: All @ Structures Bottom Only. See Index No. 200

GENERAL NOTES

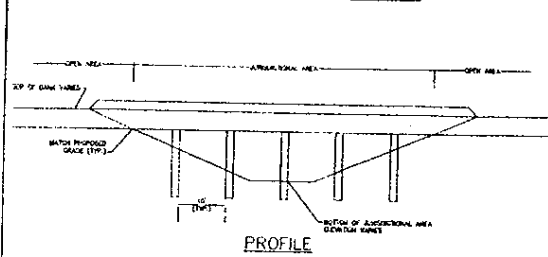
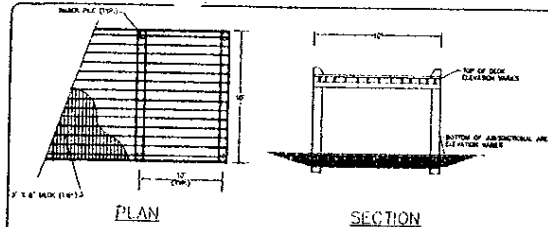
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PROPOSED CONTROL STRUCTURE SCHEDULE													
C.E.#	BASE TYPE (L.B.E. #)	SHEATH TYPE / SERVICE	DIMENSION		P. NUMBER	S.D.	CHARACTER OF MEMBERS	CONNECTION DETAILS		SHEATH THICKNESS	SHEATH GRADE	SHEATH TYPE	SHEATH GRADE
			W	H				W	H				
H0	C	CIRCULAR	8"	8.00	16						7.75	12"	1.50
H2	C	CIRCULAR	8"	8.00							8.00	12"	1.50
C11	C	CIRCULAR	8"	11.00	5						13.75	18.50"	1.50
B	D	CIRCULAR	8"	7.75	5	9.00	8	CIRCULAR	18"	20.00	30"	2.00	
C	D	CIRCULAR	9"	7.75	02						18.75	20"	1.50
C8	D	CIRCULAR	8"	9.00	0						20.00	20"	1.50
E	D	RECTANGULAR		8.50	0	1.00 X 7.50					18.50	18"	1.77
H	D	RECTANGULAR		8.50	0	1.00 X 7.50	5.00	8	RECTANGULAR	10.00	8.50	24"	2.00
K	D	CIRCULAR	8"	8.75	5		7.50	8	CIRCULAR	8"	9.00	18"	1.51
N7	C	CIRCULAR	8"	8.00	00								
M6	C	CIRCULAR	9"	15.00	0						11.00	24"	1.50
M8	D	CIRCULAR	8"	11.00	0						12.75	20"	1.50
M1	D IN BOTTOM	CIRCULAR	8"	10.00	00						11.00	20"	1.50
M2	D	CIRCULAR	8"	12.00	00						13.50	20"	1.50
J23	D	CIRCULAR	8"	11.00	00		11.00	10	CIRCULAR	8.75"	10.00	18"	2.00
S2	D	RECTANGULAR		14.00	0	17.00 X 7.50	6.00	8	RECTANGULAR	1.00 X 8.00	10.00	30"	2.00
M11	D	CIRCULAR	8"	14.00	0						17.00	30"	2.00
M4	D	CIRCULAR	8"	13.00	00						14.00	30"	2.00
E	D	RECTANGULAR		11.00	0	8.75 X 4.00	11.00	8	RECTANGULAR	1.00 X 8.00	10.00	30"	2.00
A2	C	CIRCULAR	8"	9.00	0		10.00	8	CIRCULAR	8.75"	10.00	30"	2.00
J17	D	CIRCULAR	8"	10.00	0						11.00	30"	2.00
K	D	RECTANGULAR		11.00	0	8.00 X 4.00					12.00	30"	1.50
A1	D	CIRCULAR	8"	10.00	00						11.00	30"	2.00
V1	D	RECTANGULAR		11.00	0	4.00 X 11.00					12.00	30"	2.00
V3	D	CIRCULAR	8"	10.00	00						11.00	30"	2.00
M0	D	CIRCULAR	8"	10.00	00		10.00	00	RECTANGULAR	1.00 X 11.00	10.00	30"	2.00
M4	D	CIRCULAR	8"	10.00	0						11.00	30"	2.00
N0	D	CIRCULAR	8"	10.00	0						11.00	30"	2.00
M1	D	CIRCULAR	8"	11.00	0		10.00	0	RECTANGULAR	1.00 X 11.00	10.00	30"	2.00
M12	D	CIRCULAR	8"	11.00	0						12.00	30"	2.00
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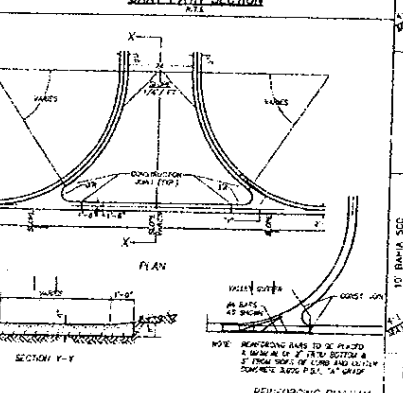
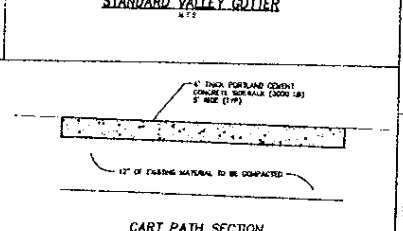
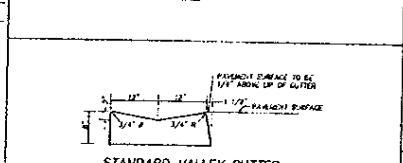
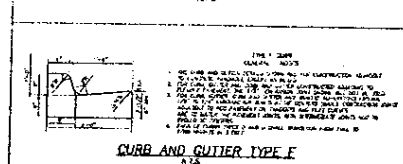
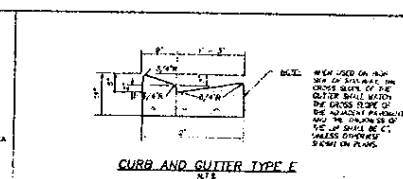
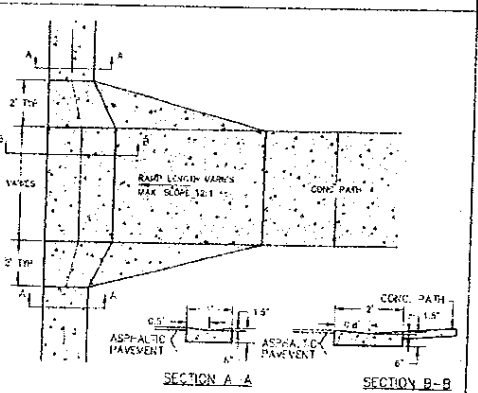
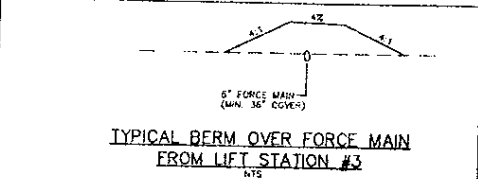
EXHIBIT #13

NOTES: Steel Gaskets Are Ringed On Walls With Transverse Slots And On Posts Where Bayonet Traffic Is Anticipated.

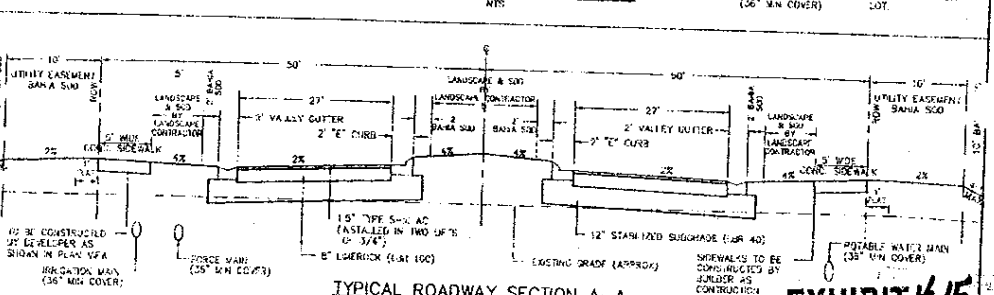
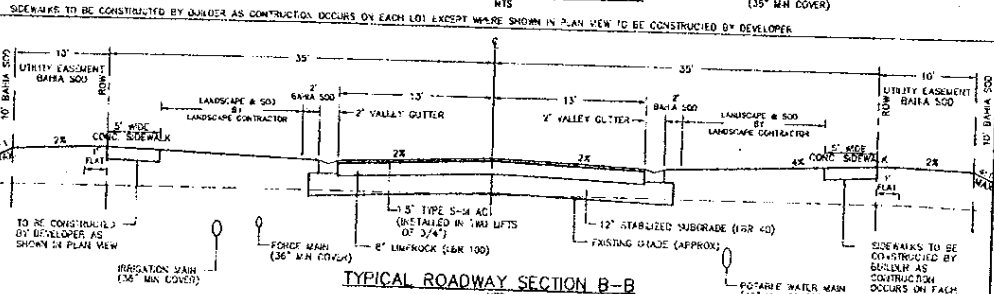
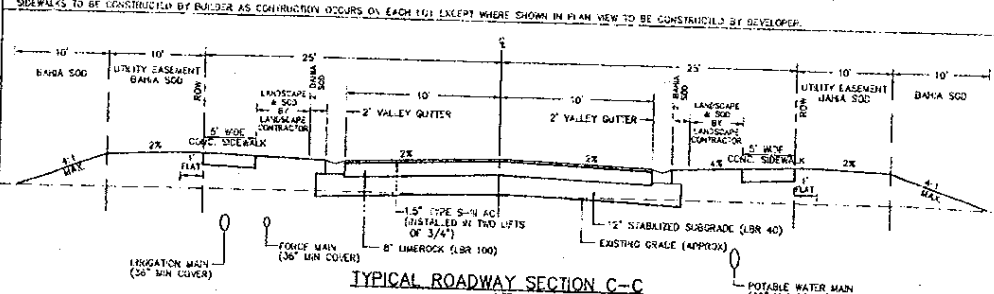
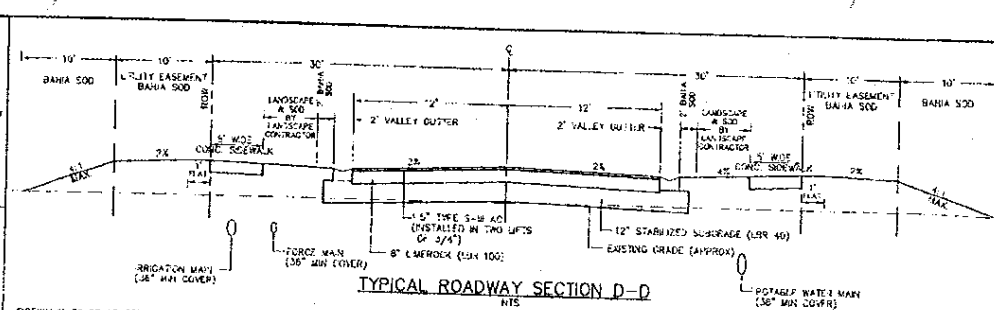
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SCHEMATIC TYPICAL BOARDWALK THROUGH JURISDICTIONAL AREA
(STRUCTURAL PLANS PROVIDED BY OWNER)



STANDARD VALLEY CROSSING
N.T.S.



DATE	REVISION
06/02/2023	REVISED FOR OWNER COMMENTS
06/02/2023	REVISED FOR OWNER COMMENTS
06/02/2023	REVISED FOR OWNER COMMENTS
06/02/2023	REVISED FOR OWNER COMMENTS
06/02/2023	REVISED FOR OWNER COMMENTS

CONSUL-TECH ENGINEERING, INC.
CONSULTING ENGINEERS
20011 10th Ave. North, Suite 100
Tampa, FL 33613
Phone: (813) 547-0200 Fax: (813) 547-1111
Email: info@consul-tech.com
Website: www.consul-tech.com

FL. TAMPA WEST, INC.
5307 FOX HUNT DRIVE
WESLEY CHAPEL, FLORIDA 33643
(813) 907-1539

HAWK'S HAVEN
LEE COUNTY, FLORIDA
SEC. 27, 34, 35, 36 TWP. 43 S., RING. 26 E.
TITLE: CONST. DETAILS - TYPICAL ROAD SECTIONS

EXHIBIT #15
N.T.S.
C-509 DET-SPRINK
C-509

EXHIBIT #15
N.T.S.
C-509 DET-SPRINK
C-509

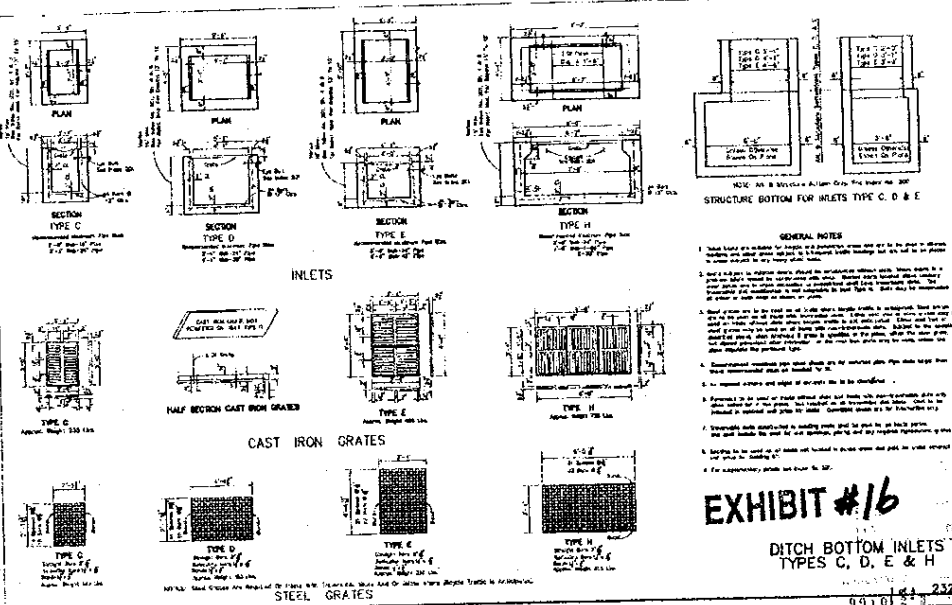
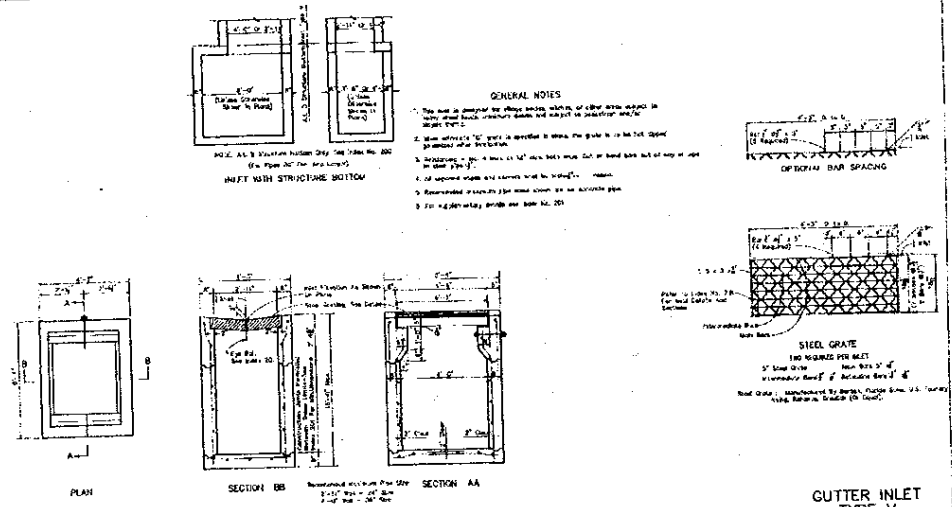
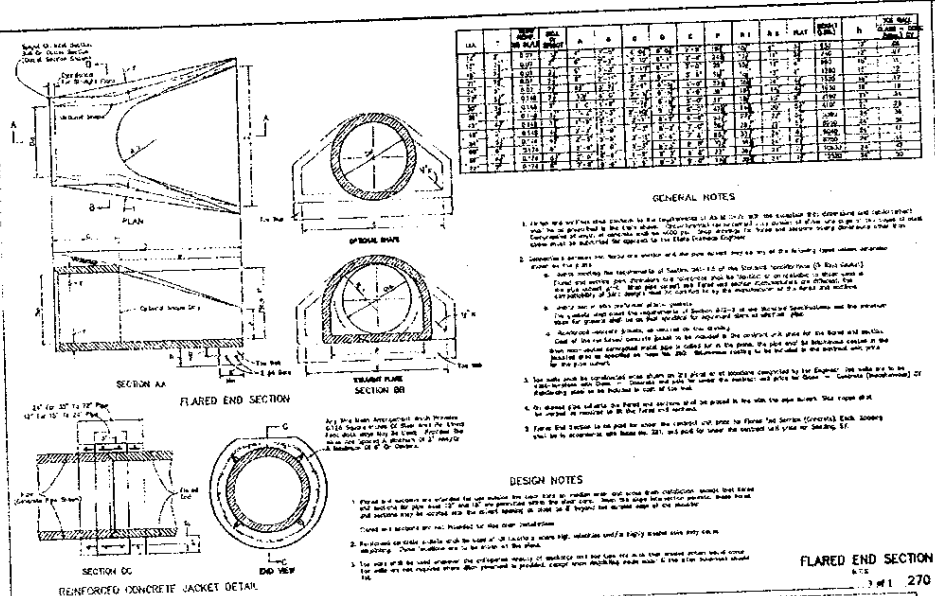
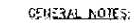


EXHIBIT #16

DITCH BOTTOM INLETS
TYPES C, D, E & H

DATE 9/29/2000 REVISIONS _____
1 REVISIONS PER SPKWD COMMENTS _____
2 REVISIONS PER SPKWD COMMENTS _____
3 _____
4 _____
5 _____
6 _____

 CONSUL-TECH ENGINEERING, INC. 10000 North 30th Avenue, Suite 200 Denver, CO 80238 Phone: (303) 751-5500 Fax: (303) 751-5501 E-Mail: info@cte-engineering.com Website: www.cte-engineering.com	FL. TAMPA WEST, INC. 5307 FOX HUNT DRIVE WESLEY CHAPEL, FLORIDA 33543 (813) 807-1539	HAWKS HAVEN LEE COUNTY, FLORIDA SEC. 27, 34, 35, 36 TWP. 49 S., RNG. 26 E.	<i>Richard</i> DATE: 3/1/01 LAURIE A. SWANSON, P.E. PROFESSIONAL ENGINEER, P.E. LICENSE NO. 10000	DESIGNED BY: OFFICIAL DATE: 10/25/1999 C-509-DIG-SPWMD C-509	CTE 980408 (98-201) 56 83
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TYPICAL POND SECTION
1175

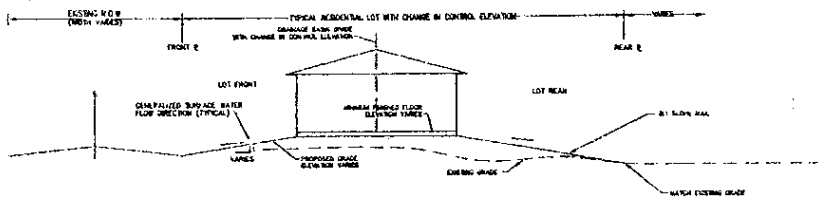
SEE PLAN VIEW

SEE PLAN VIEW

991042-5

NAME N.T.S.
FAMILY NAME(S)
CPL: 980408
ALPHA: (28-251)
EXPIRY
57 - 83





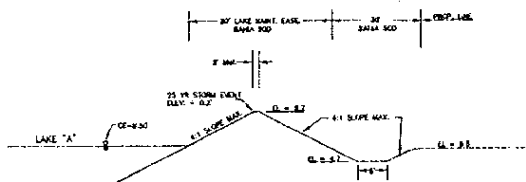
NOTES:

1. ROAD AND FINISHED FLOOR WILL BE CONSTRUCTED TO MINIMUMS OF THE HIGHER DRAINAGE BASIN FLY
2. SLOPES VARY, NOT TO EXCEED 3:1

TYPICAL RESIDENTIAL LOT GRADING WITH CHANGE IN CONTROL ELEVATION

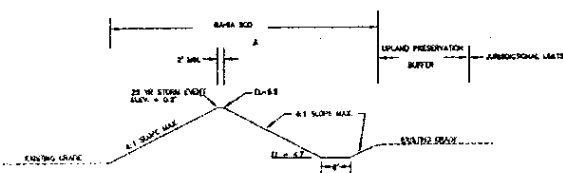
SECTION R5-R5

N.T.S.



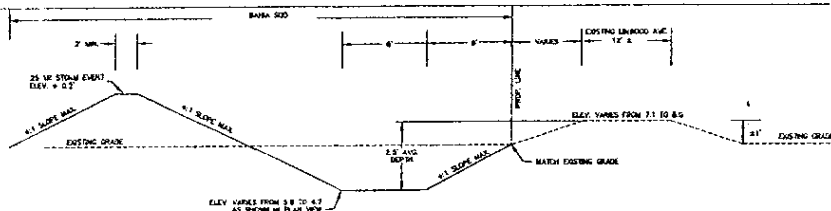
SECTION S1 - S1

N.T.S.



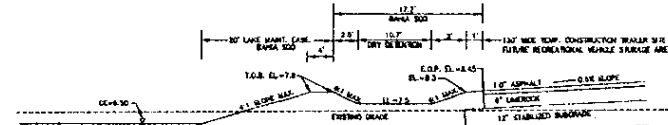
SECTION S2 - S2

N.T.S.



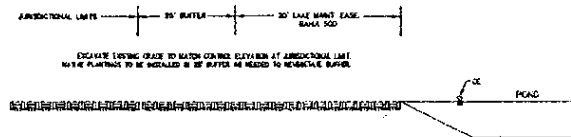
SECTION S3 - S3

N.T.S.



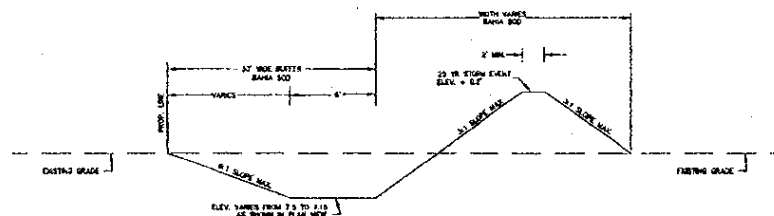
SECTION S3A - S3A

N.T.S.



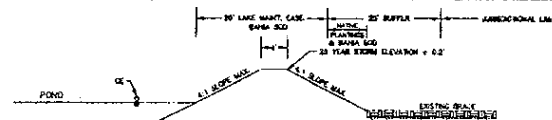
SECTION S4 - S4

N.T.S.



SECTION S5 - S5

N.T.S.



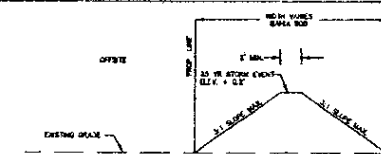
SECTION S6 - S6

N.T.S.

NOTES:

1. SLOPE SLOPES VARY, NOT TO EXCEED 4:1
2. STABILIZE SLOPE SLOPES BY PLANTING WITH NATIVE PLANTINGS
3. SEE LIST OF ACCEPTABLE NATIVE PLANTINGS

ACTUAL PLANTING WILL DEPEND UPON AVAILABILITY OF MATERIALS



SECTION S7 - S7

N.T.S.

EXHIBIT 19

DATE REVISIONS:

- | DATE | REVISIONS |
|----------|------------------------------|
| 3/28/20 | ADDED PD AND SPEND COMMENTS |
| 5/28/20 | REVISIONS PER SPEND COMMENTS |
| 11/15/20 | ADDED SECTION S2A-S3A |
| 12/02/21 | REVISIONS PER SPEND COMMENTS |
| 05/12/21 | REVISIONS PER SPEND COMMENTS |
| 09/22/21 | REVISIONS PER SPEND COMMENTS |



CONSUL-TECH ENGINEERING, INC.
 10000 BAYVIEW BLVD. SUITE 1000
 BAYVIEW, FLORIDA 33154
 PHONE (305) 447-4200 FAX (305) 447-1323
 EMAIL: info@consul-tech.com
 C-509-SECTIONS

CLIENT:

FL. TAMPA WEST, INC.
 5307 FOX HUNT DRIVE
 WESLEY CHAPEL, FLORIDA 33543
 (813) 907-1539

PROJECT:

HAWK'S HAVEN
 LEE COUNTY, FLORIDA
 SEC. 27, 34, 36, 38 TWP. 43 S., RING. 26 E.

TITLE:

MISCELLANEOUS SECTIONS

DATE: 5/2/21
 DRAWN BY: J. SWANSON, P.E.
 CHECKED BY: J. SWANSON, P.E.
 PROJECT: HAWK'S HAVEN, P.L.

DATE:

5/2/21

DRAWN BY:

J. SWANSON, P.E.

CHECKED BY:

J. SWANSON, P.E.

PROJECT:

HAWK'S HAVEN, P.L.

DATE:

5/2/21

DRAWN BY:

J. SWANSON, P.E.

CHECKED BY:

J. SWANSON, P.E.

PROJECT:

HAWK'S HAVEN, P.L.

DATE:

5/2/21

DRAWN BY:

J. SWANSON, P.E.

CHECKED BY:

J. SWANSON, P.E.

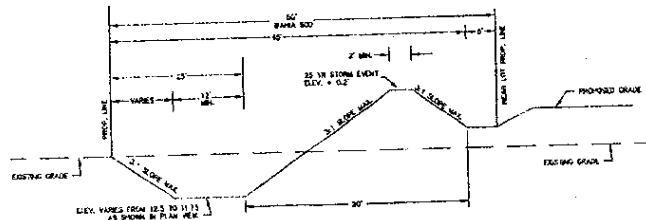
PROJECT:

HAWK'S HAVEN, P.L.

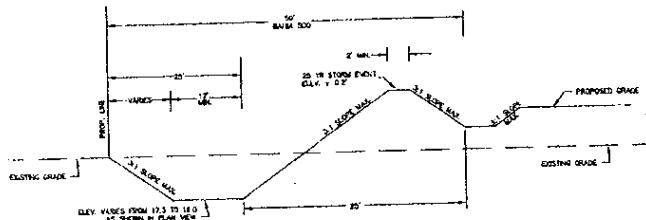
C-509-SECTIONS

C-509

59 of 83

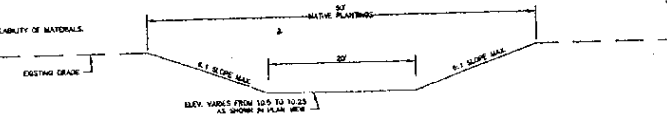


SECTION S8 - S8
N.T.S.

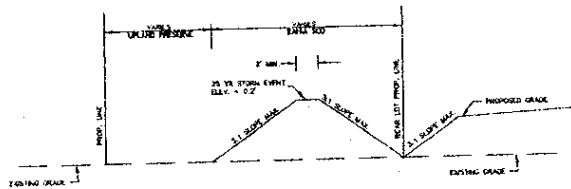


SECTION S9 - S9
N.T.S.

NOTES:
1. SEE LIST OF ACCEPTABLE NATIVE PLANTING.
ACTUAL PLANTING WILL DEPEND UPON AVAILABILITY OF MATERIALS.



SECTION S10 - S10
N.T.S.



SECTION S11 - S11
N.T.S.

DATE	REVISIONS
3/21/07	ADD ROAD STORM COMMENTS
4/14/09	REVISIONS PER STORM COMMENTS
10/14/11	REVISIONS PER STORM COMMENTS
02/12/11	REVISIONS PER STORM COMMENTS
06/25/11	REVISIONS PER STORM COMMENTS



CONSUL-TECH ENGINEERING, INC.
CONSULTING ENGINEERS, ARCHITECTS, LAND SURVEYORS
10000 N. W. 10th Ave., Suite 100, Fort Lauderdale, FL 33309
(954) 571-1000
FAX: (954) 571-1001
WWW.CONSUL-TECH.COM

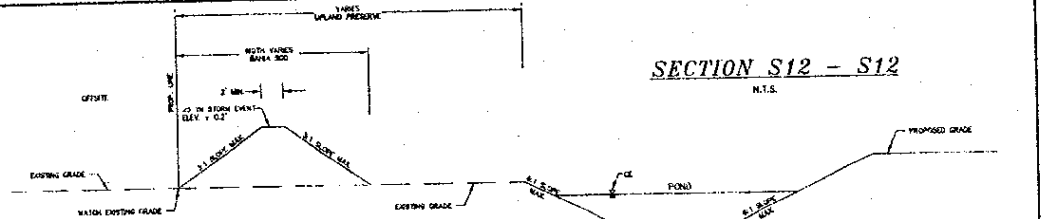
CLIENT:
FL. TAMPA WEST, INC.
5307 FOX HUNT DRIVE
WESLEY CHAPEL, FLORIDA 33543
(813) 907-1539

PROJECT:
HAWK'S HAVEN
LEE COUNTY, FLORIDA
SEC. 27, 34, 35, 36 TWP. 43 S., RNG. 26 E.
TITLE:
MISCELLANEOUS SECTIONS

THIS DOCUMENT IS THE PROPERTY OF THE ENGINEER. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER. THE ENGINEER ASSUMES NO LIABILITY FOR ANY DAMAGE OR INJURY TO PERSONS OR PROPERTY, OR FOR ANY CONSEQUENCES OF ANY ACTION OR INACTION TAKEN BY ANY OTHER PARTY, BASED ON THE USE OF THIS DOCUMENT. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY THE ENGINEER. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY THE ENGINEER.

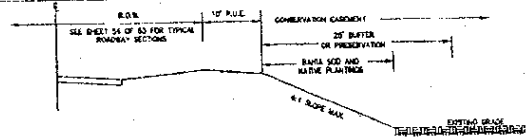
DESIGN BY: TAMS
CHECKED BY: TAMS
DATE: JUN 27, 1999
SCALE: C-509-SECTIONS
DATE: C-509

SCALE: N.T.S.
PROJECT NUMBER: 880408
DATE: (88-251)
DATE: 60' x 83'

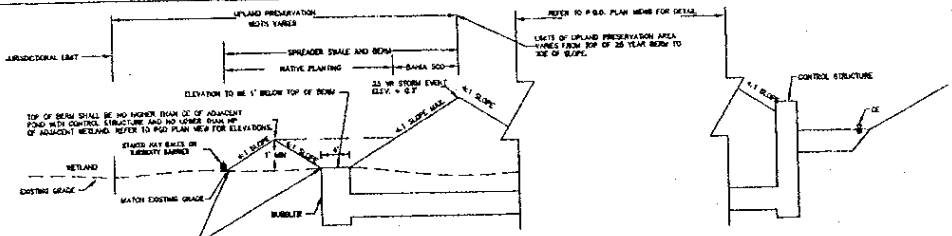


SECTION S12 - S12
N.T.S.

NOTES:
THIS SECTION APPLIES TO ALL AREAS WHERE THE ROAD ROW INTERFACES WITH CONSERVATION AREAS.

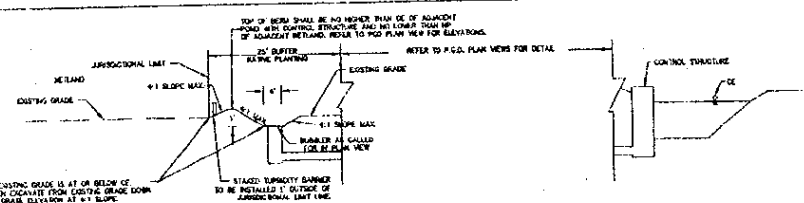


TYPICAL ROW-CONSERVATION EASEMENT INTERFACE



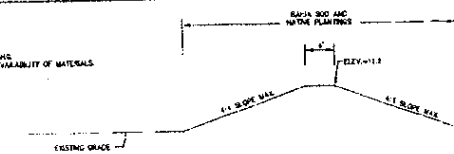
TYPICAL POND OUTFALL SPREADER SWALE
ADJACENT TO WETLAND

NOTES:
1. SEE LIST OF ACCEPTABLE NATIVE PLANTING.
ACTUAL PLANTING WILL DEPEND UPON AVAILABILITY OF MATERIALS.



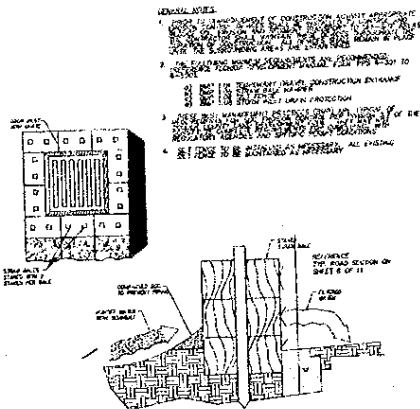
TYPICAL SPREADER SWALE DETAIL

NOTES:
1. SEE LIST OF ACCEPTABLE NATIVE PLANTING.
ACTUAL PLANTING WILL DEPEND UPON AVAILABILITY OF MATERIALS.

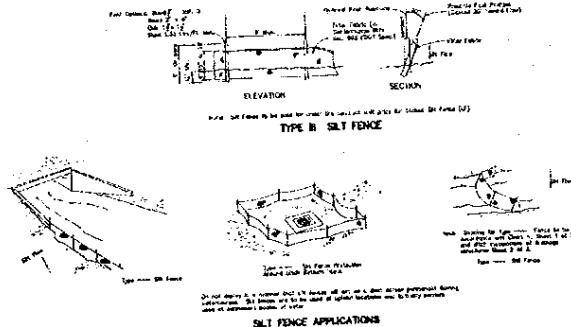


SECTION W-W
EXHIBIT 20
N.T.S.

APPROVED FOR THE PROJECT
DATE: 5/6/01
LAUREN A. SWANSON, P.E.
PROJECT NUMBER: 880408

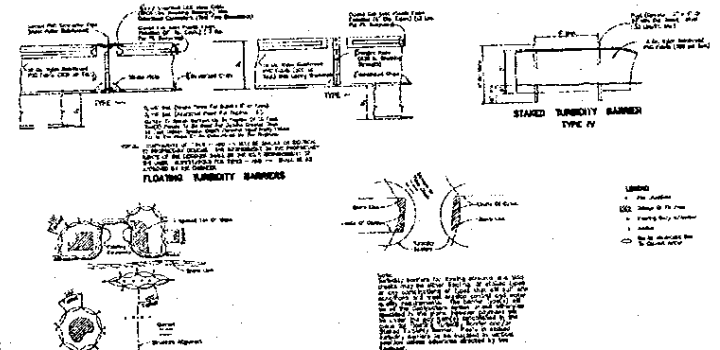


STRAW BALE DROP INLET SEDIMENT FILTER
B.M.P. 1.08
ALT. B



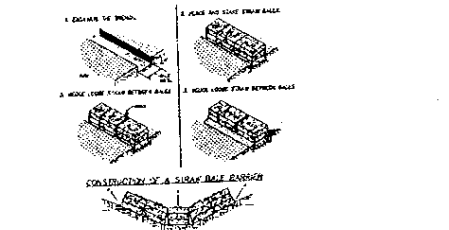
SILT FENCE APPLICATIONS

SILT FENCES

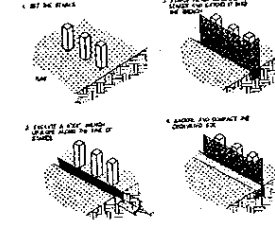


FLOATING TURBIDITY BARRIERS

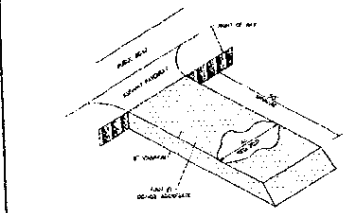
TURBIDITY BARRIERS



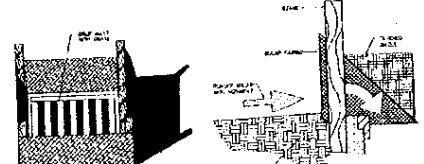
PROPER PLACEMENT OF STRAW BALE BARRIER IN DRAINAGE WAY
B.M.P. 1.05



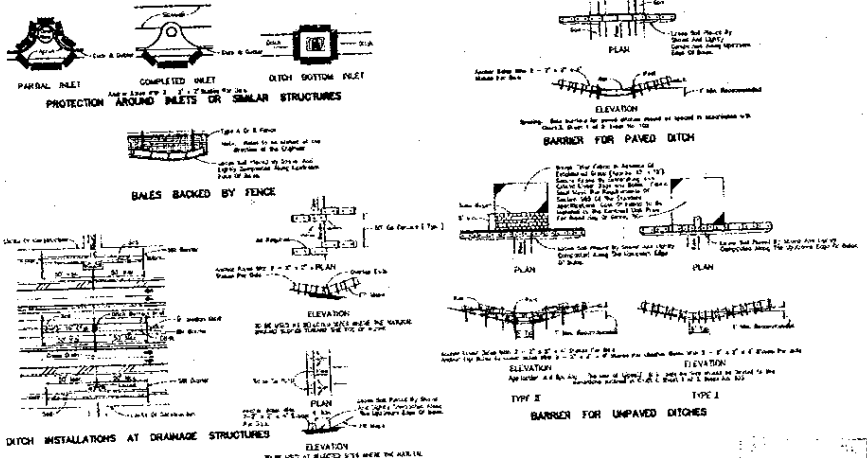
CONSTRUCTION OF A FILTER BARRIER
B.M.P. 1.06



GRAVEL CONSTRUCTION ENTRANCE
B.M.P. 1.01



BURLAP DROP INLET SEDIMENT FILTER
B.M.P. 1.08
ALT. A



BARRIERS FOR FILL SLOPES

BALED HAY OR STRAW BARRIERS

EXHIBIT #22

DATE	REVISIONS
04/20/2000	REVISIONS PER PERMITS COMMENTS
04/20/2001	REVISIONS PER PERMITS COMMENTS
04/20/2002	REVISIONS PER PERMITS COMMENTS
04/20/2003	REVISIONS PER PERMITS COMMENTS
04/20/2004	REVISIONS PER PERMITS COMMENTS
04/20/2005	REVISIONS PER PERMITS COMMENTS
04/20/2006	REVISIONS PER PERMITS COMMENTS
04/20/2007	REVISIONS PER PERMITS COMMENTS
04/20/2008	REVISIONS PER PERMITS COMMENTS
04/20/2009	REVISIONS PER PERMITS COMMENTS
04/20/2010	REVISIONS PER PERMITS COMMENTS
04/20/2011	REVISIONS PER PERMITS COMMENTS
04/20/2012	REVISIONS PER PERMITS COMMENTS
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04/20/2016	REVISIONS PER PERMITS COMMENTS
04/20/2017	REVISIONS PER PERMITS COMMENTS
04/20/2018	REVISIONS PER PERMITS COMMENTS
04/20/2019	REVISIONS PER PERMITS COMMENTS
04/20/2020	REVISIONS PER PERMITS COMMENTS
04/20/2021	REVISIONS PER PERMITS COMMENTS
04/20/2022	REVISIONS PER PERMITS COMMENTS
04/20/2023	REVISIONS PER PERMITS COMMENTS

CONSUL-TECH ENGINEERING, INC.
CONSULTING ENGINEERS
1111 S. GULF BLVD., SUITE 100
FORT MYERS, FL 33901
(813) 938-1111
FAX: (813) 938-1112
WWW.CONSUL-TECH.COM

FL. TAMPA WEST, INC.
5907 FOX HUNT DRIVE
WESLEY CHAPEL, FLORIDA 33543
(813) 907-1539

HAWK'S HAVEN
LEE COUNTY, FLORIDA
SEC. 27, 34, 35, 36 TWP. 43 S., RING. 26 E.
TITLE: CONST. DETAILS - EROSION CONTROL

SAUNDERS & ASSOCIATES, P.A.
ATTY. 2/2/01
PROFESSIONAL SEAL

NO.	REVISION
1	REVISION
2	REVISION
3	REVISION
4	REVISION
5	REVISION
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98	REVISION
99	REVISION
100	REVISION

62 - 83

NEW ENTIRE PRJ HAWK'S HAVEN

ONSITE

Pre-Development					Post-Development				
Env Category	Site Id	Acreage	Quality	Habitat	Presv	Undist	Imp	Enhanc	Rest Cr
OTHER SURFACE WATERS	1	.13	N/A	WATER	.00	.00	.13	.00	.00
OTHER SURFACE WATERS	2	.10	N/A	WATER	.00	.00	.10	.00	.00
OTHER SURFACE WATERS	3	.22	N/A	WATER	.00	.00	.22	.00	.00
WETLAND	01	7.67	GOOD	CYPRESS	7.48	.00	.19	.00	.00
WETLAND	02	.72	GOOD	CYPRESS	.00	.00	.72	.00	.00
WETLAND	03	1.91	GOOD	CYPRESS	1.91	.00	.00	.00	.00
WETLAND	04	.69	GOOD	CYPRESS	.69	.00	.00	.69	.00
WETLAND	05	2.28	GOOD	CYPRESS	2.28	.00	.00	2.28	.00
WETLAND	06	1.23	GOOD	WETLAND	1.23	.00	.00	1.23	.00
WETLAND	07	3.49	GOOD	FORESTED MIXED WETLAND FORESTED MIXED	3.49	.00	.00	3.49	.00
WETLAND	08	4.43	GOOD	CYPRESS	3.85	.00	.58	3.85	.00
WETLAND	09	.46	GOOD	CYPRESS	.46	.00	.00	.46	.00
WETLAND	10	1.35	GOOD	CYPRESS	1.35	.00	.00	.00	.00
WETLAND	11	4.96	GOOD	CYPRESS	4.96	.00	.00	4.96	.00
WETLAND	12	.90	GOOD	CYPRESS	.90	.00	.00	.90	.00
WETLAND	13	1.79	GOOD	FRESHWATER MARSHES	1.78	.00	.01	1.78	.00
WETLAND	14	1.20	GOOD	FRESHWATER MARSHES	.00	.00	1.20	.00	.00
WETLAND	15	2.12	GOOD	FRESHWATER MARSHES	2.12	.00	.00	2.12	.00
WETLAND	16	5.78	GOOD	FRESHWATER MARSHES	5.78	.00	.00	5.78	.00
WETLAND	17	2.05	GOOD	FRESHWATER MARSHES	2.05	.00	.00	2.05	.00
WETLAND	18	1.75	GOOD	FRESHWATER MARSHES	.00	.00	1.75	.00	.00
WETLAND	19	4.59	GOOD	CYPRESS	3.79	.80	.00	.00	.00
WETLAND	20	86.92	VERY GOOD	CYPRESS	82.09	.00	4.83	82.09	.00
WETLAND	21	1.55	GOOD	FRESHWATER MARSHES	.00	.00	1.55	.00	.00
WETLAND	22	6.15	GOOD	WETLAND	5.71	.44	.00	.00	.00

991012-3

EXISTING/PROPOSED LAND USE INFORMATION

NEW ENTIRE PRJ HAWK'S HAVEN

Pre-Development					Post-Development					ONSITE
Env Category	Site Id	Acreage	Quality	Habitat	Presv	Undist	Imp	Enhan	Rest Cr	
WETLAND	23	2.40	GOOD	HARDWOOD FORESTS	1.90	.50		.00	1.90	.00
				WETLAND HARDWOOD FORESTS				.84	.00	.00
WETLAND	24	.84	GOOD	FRESHWATER MARSHES	.00	.00		3.78	.00	.00
WETLAND	25	3.78	GOOD	FRESHWATER MARSHES	.00	.00		.72	.00	.00
WETLAND	26	.72	GOOD	WET PRAIRIES	.00	.00		9.97	.00	.00
WETLAND	27	9.97	GOOD	FRESHWATER MARSHES	.00	.00		4.85	.00	.00
WETLAND	28	4.85	GOOD	FRESHWATER MARSHES	.00	.00		1.44	.00	.00
WETLAND	29	1.44	GOOD	FRESHWATER MARSHES	2.99	.23		.00	.00	.00
WETLAND	30	3.22	GOOD	WET PRAIRIES	6.58	.82		.19	.00	.00
WETLAND	31	7.59	GOOD	WET PRAIRIES	.00	.00		.56	.00	.00
WETLAND	32	.56	GOOD	WET PRAIRIES	.00	.00		1.09	.00	.00
WETLAND	33	1.09	GOOD	WET PRAIRIES	10.98	.00		2.00	10.98	.00
WETLAND	34	12.98	GOOD	WET PRAIRIES	.00	.00		1.08	.00	.00
WETLAND	35	1.08	GOOD	WET PRAIRIES	.00	.00		.28	.00	.00
WETLAND	36	.28	GOOD	WETLAND FORESTED MIXED	.00	.00		.29	.00	.00
WETLAND	37	.29	GOOD	WETLAND FORESTED MIXED	.00	.00		2.15	.00	.00
WETLAND	38	2.15	GOOD	FRESHWATER MARSHES	4.52	.00		.00	4.52	.00
WETLAND	39	4.52	GOOD	CYPRESS	2.45	.00		.00	2.45	.00
WETLAND	40	2.45	GOOD	WETLAND FORESTED MIXED	1.60	.00		.00	1.60	.00
WETLAND	41	1.60	GOOD	WETLAND FORESTED MIXED	11.44	.00		1.58	11.44	.00
WETLAND	42	13.02	GOOD	CYPRESS	.35	.00		23.56	.35	.00
WETLAND	43	23.91	POOR	BRAZILIAN PEPPER	.00	.00		.08	.00	.00
WETLAND	44	.08	GOOD	FRESHWATER MARSHES						

012-3

EXISTING/PROPOSED LAND USE INFORMATION

NEW ENTIRE PRJ HAWK'S HAVEN

ONSITE

Pre-Development					Post-Development				
Env Category	Site Id	Acreage	Quality	Habitat	Presv	Undist	Imp	Enhan	Rest Cr
Totals		243.26			174.73	2.79	65.74	144.92	.00
Env Category	Site Id	Acreage	Quality	Habitat	Presv	Undist	Imp	Enhan	Rest Cr
UPLAND	1		GOOD	SHRUB AND BRUSHLAND	.00	.00	.00	.00	.00
UPLAND	1		GOOD	PALMETTO PRAIRIES	.00	.00	.00	.00	.00
UPLAND	1		GOOD	LIVE OAK	.00	.00	.00	.00	.00
UPLAND	1		GOOD	HARDWOOD - CONIFER MIXED	.00	.00	.00	.00	.00
UPLAND	1		FAIR	MIXED RANGELAND	.00	.00	.00	.00	.00
UPLAND	1		POOR	BRAZILIAN PEPPER	.00	.00	.00	.00	.00
UPLAND	1		N/A	UNIMPROVED PASTURES	.00	.00	.00	.00	.00
UPLAND	1	1554.34	GOOD/FAIR	PINE FLATWOODS	212.15	.00	.00	212.15	.00
Totals		1554.34			212.15	.00	.00	212.15	.00

*revised 5/17/01

SWFMD IMPACT/MITIGATION TABLE

revised 5/17/01

Habitat					Buffer	Impact	Mitigation							
Wetland ID	FLUCCS	Designation	Wetland Area Acres	Conservation Easement	Buffer Area Acres	Permanent Impact Acres	Wetland Undisturbed Acres	Wetland Pres. Acres	Wetland Enhanc. Acres	Upland Preserve			Conservation Easement	
										ID	FLUCCS	Acres		
W1	621	cypress	7.67	CE-1,CE-2	1.64	0.19	0.00	7.48	0.00	UP1	411	2.05	N/A	
W2	621	cypress	0.72	N/A	0.00	0.72	0.00	0.00	0.00	UP2	411	6.23	CE-2	
W3	621	cypress	1.91	CE-3	1.37	0.00	0.00	1.91	0.00	UP3	411	1.34	CE-4	
W4	621	cypress	0.69	CE-4	0.20	0.00	0.00	0.00	0.69	UP4	411	1.69	CE-6	
W5	621	cypress	2.28		0.52	0.00	0.00	0.00	2.28	UP5	321	0.95		
W6	630	wetland forested mixed	1.23	CE-5	0.12	0.00	0.00	0.00	1.23	UP6	434	0.70	CE-8	
W7	630	wetland forested mixed	3.49		0.20	0.00	0.00	0.00	3.49	UP7	411	2.81		
W8	621		4.43	CE-6	0.09	0.58	0.00	0.00	0.46	UP8	330	1.37	CE-9	
W9	621	cypress	0.46	CE-5	0.00	0.00	0.00	0.00	0.46	UP9	29/411/32	10.70		
W10	621	cypress	1.35	CE-7	0.29	0.00	0.00	1.35	0.00	UP10	320	0.61	CE-10	
W11	621	cypress	4.96		0.26	0.00	0.00	0.00	4.96	UP11	411/434	5.15		
W12	621	cypress	0.90	CE-8	0.13	0.00	0.00	0.00	0.80	UP12	422	2.56		
W13	641	freshwater marsh	1.79		0.00	0.01	0.00	0.00	1.78	UP13	320	0.53	CE-11	
W14	641	freshwater marsh	1.20	N/A	0.00	1.20	0.00	0.00	0.00	UP14	320	2.99		
W15	641	freshwater marsh	2.12		0.00	0.00	0.00	0.00	2.12	UP15	320	1.56		
W16	641	freshwater marsh	5.78	CE-9	0.34	0.00	0.00	0.00	5.78	UP16	411	2.69		
W17	641	freshwater marsh	2.05		0.00	0.00	0.00	0.00	2.05	UP17	321	19.38	CE-12	
W18	641	freshwater marsh	1.75		0.00	1.75	0.00	0.00	0.00	UP18	411	1.91		
W19	621	cypress	4.59	CE-10	0.42	0.00	0.80	3.79	0.00	UP19	427	3.44		
W20	621	cypress	88.92	CE-10,CE-11	4.29	4.83	0.00	0.00	82.09	UP20	320	1.16	CE-14	
W21	641	freshwater marsh	1.55	N/A	0.00	1.55	0.00	0.00	0.00	UP21	411	8.63		
W22	610	wetland hardwood forest	6.15	CE-12	0.00	0.00	0.44	5.71	0.00	UP22	411	2.85		
W23	610	wetland hardwood forest	2.40		0	0.00	0.50	0.00	0.00	UP23	411	2.02		
W24	641	freshwater marsh	0.84	N/A	0.00	0.84	0.00	0.00	0.00	UP24	411	50.80	CE-15	
W25	641	freshwater marsh	3.78	N/A	0.00	3.78	0.00	0.00	0.00	UP25	321	4.40		
W26	643	wet prairies	0.72	N/A	0.00	0.72	0.00	0.00	0.00	UP26	321	2.03		
W27	641	freshwater marsh	9.97	N/A	0.00	9.97	0.00	0.00	0.00	UP27	321	2.97		
W28	641	freshwater marsh	4.85	N/A	0.00	4.85	0.00	0.00	0.00	UP28	321	0.21		
W29	641	freshwater marsh	1.44	N/A	0.00	1.44	0.00	0.00	0.00	UP29	320	5.44	CE-16	
W30	641	freshwater marsh	3.22	CE-15	0.00	0.00	0.23	2.99	0.00	UP30	11/321/43	62.98	G.T. preserve	
W31	643	wet prairies	7.59		0.00	0.19	0.82	6.58	0.00					
W32	643	wet prairies	0.56	N/A	0.00	0.56	0.00	0.00	0.00					
W33	643	wet prairies	1.09	N/A	0.00	1.09	0.00	0.00	0.00					
W34	643	wet prairies	12.98	CE-14	0.00	2.00	0.00	0.00	10.98					
W35	643	wet prairies	1.08	N/A	0.00	1.08	0.00	0.00	0.00					
W36	630	wetland forested mixed	0.28	N/A	0.00	0.28	0.00	0.00	0.00					
W37	630	wetland forested mixed	0.29	N/A	0.00	0.29	0.00	0.00	0.00					
W38	641	freshwater marsh	2.15	N/A	0.00	2.15	0.00	0.00	4.52					
W39	621	cypress	4.62	CE-15	0.00	0.00	0.00	0.00	2.45					
W40	630	wetland forested mixed	2.45		0.00	0.00	0.00	0.00	1.60					
W41	630	wetland forested mixed	1.60	G.T. preserve	0.00	0.00	0.00	0.00	11.44					
W42	621	cypress	13.02	CE-16	0.00	1.58	0.00	0.00	0.35					
W43	422	brazilian pepper	23.91	N/A	0.20	23.56	0.00	0.00	0.00					
W44	641	freshwater marsh	0.08	N/A	0.00	0.08	0.00	0.00	0.00					
OSW1	510		0.13	N/A	N/A	0.13	0.00	N/A	N/A					
OSW2	610		0.10	N/A	N/A	0.10	0.00	N/A	N/A					
OSW3	510		0.22	N/A	N/A	0.22	0.00	N/A	N/A					
TOTAL ACRES			N/A	243.28	N/A	10.07	65.74	2.79	29.81	144.92	N/A	N/A	212.15	N/A

2000

RT MYERS SERVICE CENTER

APPLICATION NUMBER

99-1012-3

EXHIBIT
24

Mitigation Plan

(Revised 5/17/01)

Upland and Wetland Enhancement and Preservation

Management and monitoring of upland and wetland preserve areas will follow the same general criteria for exotic species control and monitoring as provided in the Wetland Enhancement and Preservation Specifications enclosed herein. Protected Management Plans approved by Lee County and the Florida Fish and Wildlife Conservation Commission (FWC) will be implemented, where appropriate. The gopher tortoise preserve and other upland conservation areas will be managed in accordance with the guidelines provided in Ecology and Habitat Protection Needs of Gopher Tortoise (*Gopherus polyphemus*) Populations Found on Lands Slated For Large-Scale Development In Florida, Nongame Wildlife Program Technical Report No. 4, FGFWFC, 1987 and Ecology and Development-Related Habitat Requirements of the Florida Scrub Jay (*Aphelocoma coerulescens coerulescens*), Nongame Wildlife Program Technical Report No. 8, FGFWFC, 1991.

Conservation easements will be provided for all upland and wetland preservation areas, granted either to Lee County or to the FWC, with third party enforcement rights granted to the South Florida Water Management District.

Monitoring And Maintenance Schedule

Mitigation monitoring and maintenance schedule is based on an anticipated permit issuance date of June 14, 2001. It is acknowledged that a permit modification is required to revise this activity schedule.

	<u>Completion Date</u>	<u>Activity</u>
	August 1, 2001	Baseline Monitoring Report
	July 1, 2002	Exotic eradication, planting, and earthwork
	July 15, 2002	As-built Survey (at earthwork locations)
1 st Year	August 1, 2002	Time Zero Monitoring Report & Submittal
	November 1, 2002	First Quarterly Monitoring
	February 1, 2003	Second Quarterly Monitoring
	May 1, 2003	Third Quarterly Monitoring
	August 1, 2003	Fourth Quarterly Monitoring Report & Submittal
2 nd Year	November 1, 2003	Fifth Quarterly Monitoring
	February 1, 2004	Sixth Quarterly Monitoring
	May 1, 2004	Seventh Quarterly Monitoring
	August 1, 2004	Eight Quarterly Monitoring Report & Submittal
3 rd Year	February 1, 2005	First Bi-Annual Monitoring
	August 1, 2005	Second Bi-Annual Monitoring & Submittal
4 th Year	February 1, 2006	First Bi-Annual Monitoring
	August 1, 2006	Fourth Bi-Annual Monitoring & Submittal
5 th Year	February 1, 2007	Sixth Bi-Annual Monitoring
	August 1, 2007	Seventh Bi-Annual Monitoring & Submittal

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991012-3

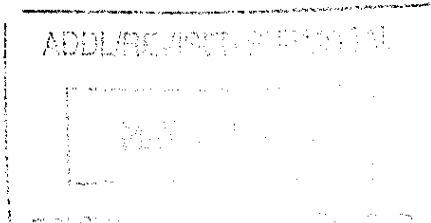


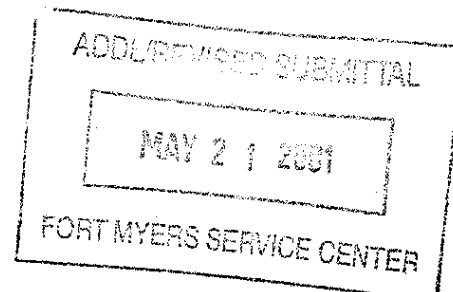
EXHIBIT 25A

Wetland Enhancement and Preservation Specifications

1. The objective of the mitigation effort is to establish and maintain a diversity of native floral species. The potential establishment of a monoculture will be monitored and controlled, as needed. Therefore, the applicant will ensure 80% coverage by desirable species for the herbaceous marsh, mixed hardwood, and cypress communities, to include the three stratum combined, through the duration of the monitoring period. The coverage success criteria will be achieved within 2 years of project completion and will be evaluated each year as follows: (a) first year - 30 percent coverage required; (b) second year - 80 percent coverage required. Eighty percent coverage will be present at the end of the 2-year period except where species composition, density of planted and recruited species and overall wetland condition, growth rates, and viability of the area are of higher quality, as determined by the regulatory agency. Planting to achieve 80-percent coverage of desirable plant species will be undertaken as necessary.
2. All exotic vegetation, as currently defined in the Florida Exotic Pest Council, shall be removed during maintenance events throughout the five year monitoring program and nuisance vegetation coverage will not exceed 5-percent coverage. Exotic and undesirable species include:

<u>Scientific Name</u>	<u>Common Name</u>
<i>Typha</i> spp.	Cattail
<i>Ludwigia peruviana</i>	Primrose willow
<i>Panicum repens</i>	Torpedograss
<i>Bishopia javanica</i>	Bishopia
<i>Cestrum diurnum</i>	Day jasmine
<i>Hibiscus tiliaceus</i>	Mahoe
<i>Colocasia esculenta</i>	Elephant, wild taro
<i>Phragmites australis</i>	Common reed

<u>Scientific Name</u>	<u>Common Name</u>
<i>Malaleuca quinquenervia</i>	Malaleuca
<i>Casuarina equisetifolia</i>	Australian pine
<i>Schinus terebinthifolius</i>	Brazilian pepper



3. A maintenance program for the mitigation area will be implemented by the property owner to ensure its perpetual ecological integrity and viability subsequent to the successful completion of the initial five year monitoring program. Maintenance shall be conducted in perpetuity to ensure that the areas are free from exotic vegetation (as currently defined by the Florida Exotic Pest Plant Council). Exotic /nuisance species shall constitute no more than five (5) percent of the total vegetative cover between maintenance activities.
4. Monitoring and maintenance specifications are outlined in paragraphs a-d below:
 - a. Upon completion of the mitigation construction, the following documentation shall be submitted to the regulatory agency: (a.) certification of elevations in relation to design, and (b) the time zero monitoring report. This documentation will be submitted within 30 days of completion of the improvements. Staff gauge readings will be taken every two weeks for the first year of monitoring and taken every month for years 2 through 5.
 - b. Narrative reports will also be submitted for five years and shall include the data, time, exact locations of monitoring, person responsible for monitoring results, photographs taken for the same permanent stations (photography shall be sufficient to reflect the entire restoration area), and a description of problems encountered and solutions undertaken. Photographs will be taken at each station marked on the plans.

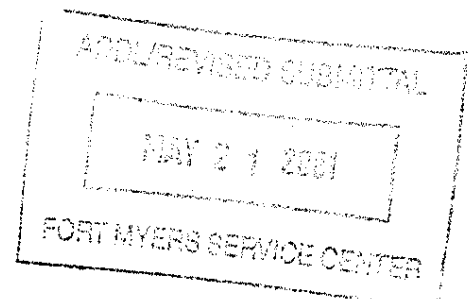
APPLICATION NUMBER

991012-3

EXHIBIT 25B

Quarterly monitoring will be performed for the first year. Bi-annual monitoring (i.e. twice per year) will occur for the third, fourth, and fifth years.

- c. Vegetation quadrat analysis by visual inspection will be performed at sampling stations. Data collected at each station and provided in each report will include dominant, subdominant, and frequently occurring plant species and their associated percent (%) aerial coverage (including Nuisance and exotic species), approximate water depth (staff gauge readings at appropriate stations, and wildlife observations.
 - d. Water level monitoring within wetlands will occur monthly, except for July, August, and September, in which it will occur twice a month.
5. Slit screens, hay bales or other such sediment control measures shall be utilized during construction of the mitigation area (s). The selected sediment control measures shall be installed landward of the wetland mitigation area (s). Construction areas shall be stabilized and vegetated immediately after completion to prevent erosion into the wetlands.

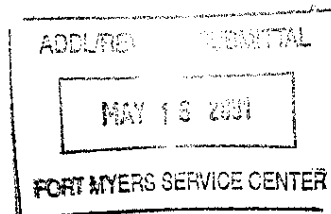


APPLICATION NUMBER

991012-3

EXHIBIT 25C

This Instrument Prepared By:
George L. Consoer, Jr., Esq.
Humphrey & Knott, P.A.
1625 Hendry Street
Fort Myers, FL 33901



DEED OF CONSERVATION EASEMENT
(Passive with Third Party Enforcement Rights)

THIS DEED OF CONSERVATION EASEMENT is given this ____ day of ____, 2001, by William Schulman, individually and as Trustee, whose address is 450 7th Avenue, New York, New York 10123, ("Grantor") to Lee County, a Political Subdivision, ("Grantee"), whose address is P.O. Box 398, Fort Myers, Florida 33902-0398, with third party enforcement rights to the South Florida Water Management District ("District"), whose address is 2301 McGregor Boulevard, Fort Myers, Florida 33901. As used herein, the term Grantor shall include any and all heirs, successors or assigns of the Grantor, and all subsequent owners of the "Property" (as hereinafter defined) and the term Grantee shall include any successor or assignee of Grantee.

WITNESSETH

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

WHEREAS, the Grantor desires to construct a residential subdivision ("Project") at a site in Lee County, which is subject to the regulatory jurisdiction of South Florida Water Management District ("District"); and

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

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

WHEREAS, the Grantor has developed and proposed as part of the permit conditions a conservation tract and maintenance buffer involving preservation of certain wetland and/or upland systems on the property; and

WHEREAS, the Grantor, in consideration of the consent granted by the Permit, is agreeable to granting and securing to the Grantee a perpetual conservation easement as defined in Section 704.06, Florida Statutes (2001), over the Property which includes third party enforcement rights for the District.

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

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

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

1
APPLICATION NUMBER
991012-3

EXHIBIT 26A

Permit.

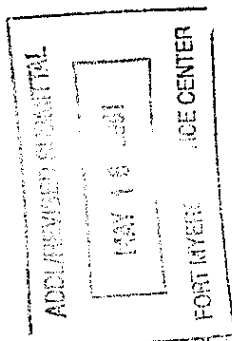
To carry out this purpose, the following rights are conveyed to the Grantee and the District by this easement:

- a. To enter upon the Property at reasonable times with any necessary equipment or vehicles to enforce the rights herein granted in a manner that will not unreasonably interfere with the use and quiet enjoyment of the Property by Grantor at the time of such entry; and
- b. To enjoin any activity on or use of the Property that is inconsistent with this conservation easement and to enforce the restoration of such areas or features of the Property that may be damaged by any inconsistent activity or use.

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

- a. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground;
- b. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;
- c. Removal or destruction of trees, shrubs, or other vegetation, except for the removal of exotic or nuisance vegetation in accordance with a District approved maintenance plan;
- d. Excavation, dredging or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface;
- e. Surface use except for purposes that permit the land or water area to remain in its natural condition;
- f. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation including, but not limited to, ditching, diking and fencing;
- g. Acts or uses detrimental to such aforementioned retention of land or water areas;
- h. Acts or uses which are detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archaeological, or cultural significance.

3. Passive Recreational Facilities. Grantor reserves all rights as owner of the Property, including the right to engage in uses of the Property that are not prohibited herein and that are not inconsistent with any District rule, criteria, the Permit and the intent and purposes of this Conservation Easement. Passive recreational uses that are not contrary to the purpose of this Conservation Easement may be permitted upon written approval by the District.



a. The Grantor may conduct limited land cleaning for the purpose of construction such previous facilities as docks, boardwalks or mulched walking trails. Grantor shall submit plans for the construction of the proposed facilities to the District for review and written approval prior to construction.

b. The construction and use of the approved passive recreational facilities

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APPLICATION NUMBER

991012-3

EXHIBIT 26B

shall be subject to the following conditions:

- i. Grantor shall minimize and avoid, to the fullest extent possible, impact to any wetland or upland buffer areas within the Conservation Easement Area and shall avoid materially diverting the direction of the natural surface water flow in such area;
 - ii. Such facilities and improvements shall be constructed and maintained utilizing Best Management Practices;
 - iii. Adequate containers for litter disposal shall be situated adjacent to such facilities and improvements and periodic improvements and periodic inspections shall be instituted by the maintenance entity, to clean any litter from the area surrounding the facilities and improvements;
 - iv. This Conservation Easement shall not constitute permit authorization for the constitute permit authorization for the construction and operation of the passive recreational facilities. Any such work shall be subject to all applicable federal, state, District or local permitting requirements.
4. No right to access by the general public to any portion of the Property is conveyed by this conservation easement.
5. Neither the Grantee nor the District shall be responsible for any costs or liabilities related to the operation, upkeep or maintenance of the Property.
6. Grantor shall pay any and all real property taxes and assessments levied by competent authority on the Property.
7. Any costs incurred in enforcing, judicially or otherwise, the terms, provisions and restrictions of this conservation easement shall be borne by and recoverable against the non-prevailing party in such proceedings.
8. The District shall have third party enforcement rights of the terms, provisions and restrictions of this Conservation Easement. Enforcement of the terms, provisions and restrictions of this conservation easement shall be at the discretion of Grantee, or the District, and any forbearance on behalf of Grantee or the District to exercise its rights hereunder in the event of any breach hereof by Grantor, shall not be deemed or construed to be a waiver of Grantee's or Districts rights hereunder.
9. Grantee will hold this conservation easement exclusively for conservation purposes. Grantee will not hold assign its rights and obligations under this conservation easement except to another organization determined in advance by the District to be qualified to hold such interests under the applicable state laws. No assignment or conveyance of the conservation easement shall be made unless prior written approval is given by the District to the Grantee.
10. If any provision of this conservation easement or the application thereof to any person or circumstances is found to be invalid, the remainder of the provisions of this conservation easement shall not be affected thereby, as long as the purpose of the conservation easement is preserved.
11. All notices, consents, approvals or other communications hereunder shall be in writing and shall be deemed properly given if sent by United States certified mail, return receipt requested, addressed to the appropriate party or successor-in-interest.
12. The terms, conditions, restrictions and purpose of this conservation easement shall

APPLICATION NUMBER³

991012-3

ADDED/REVISED CURRANTIAL

MAY 13 2021

COURT CLERK'S OFFICE CENTER

EXHIBIT 26C

be referred to by Grantor in any subsequent deed or other legal instrument by which Grantor divests itself of any interest in the Property. Any future holder of the Grantor's interest in the Property shall be notified in writing by Grantor of this conservation easement and the third party enforcement rights of the south Florida Water Management District.

13. Any amendments or modifications to the terms, conditions, restrictions, or purpose of this conservation easement, or any release or termination thereof, shall be subject to prior review and written approval by the District. The District shall be provided no less than 90 days advanced notice in the manner described herein of any such proposed amendment, modification, termination or release. This conservation easement may be amended, altered, released or revoked only by written agreement between the parties hereto and the District or their heirs, assigns or successors in interest, which shall be filed in the Public Records of Lee County.

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

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

IN WITNESS WHEREOF, Grantor has hereunto set its authorized hand this ____ day of _____, 2001.

Signed, sealed and delivered
in our presence as witnesses:

1st Witness

Printed Name

2nd Witness

Printed Name

STATE OF FLORIDA)

)

COUNTY OF LEE)

William Schulman, individually and
as Trustee

On this ____ day of _____, 2001, before me, the undersigned notary public, personally appeared William Schulman, individually and as Trustee, who is personally known to me or who has produced _____ as identification.

MY COMMISSION EXPIRES:

Notary Public

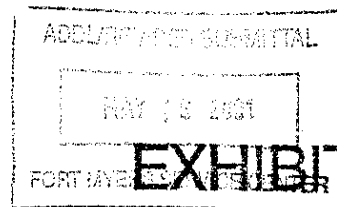
Printed Name

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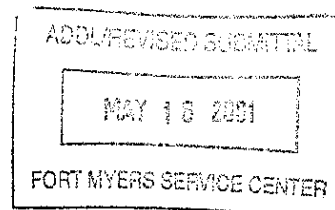
4

APPLICATION NUMBER

991012-3



This Instrument Prepared by:
 George L. Consoer, Jr., Esq.
 Humphrey & Knott, P.A.
 1625 Hendry Street
 Fort Myers, FL 33901



CONSERVATION EASEMENT
(Passive with Third Party Enforcement Rights)

THIS DEED OF CONSERVATION EASEMENT is given this ____ day of ____, 2001, by William Schulman, individually and as Trustee, whose address is 450 7th Avenue, New York, New York 10123, ("Grantor") to The Florida Fish & Wildlife Conservation Commission, ("Grantee"), whose address is 620 South Meridian Street, Tallahassee, Florida 32301, with third party enforcement rights to the South Florida Water Management District ("District"), whose address is 2301 McGregor Boulevard, Fort Myers, Florida 33901, and Lee County, a Political Subdivision ("Lee County") whose address is P.O. Box 398, Fort Myers, Florida 33902-0398. As used herein, the term Grantor shall include any and all heirs, successors or assigns of the Grantor, and all subsequent owners of the "Property" (as hereinafter defined) and the term Grantee shall include any successor or assignee of Grantee.

WITNESSETH:

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

WHEREAS, the Grantor desires to construct a residential subdivision ("Project") at a site in Lee County, which is subject to the regulatory jurisdiction of Grantee and District; and

WHEREAS, the Grantor, in consideration of the consents of the Grantor to Permit No. _____ issued by the Grantee on _____ ("Permit") in favor of the Grantor for the incidental take of listed wildlife species, is required to grant and secure the enforcement of a perpetual Conservation Easement as defined in Section 704.06 Florida Statutes (2001), over the Property; and

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

WHEREAS, the Grantor has developed and proposed as part of the permit conditions a conservation tract and maintenance buffer involving preservation of certain wetland and/or upland systems on the property; and

WHEREAS, the Grantor, in consideration of the consent granted by the Permits, is agreeable to granting and securing to the Grantee a perpetual conservation easement as defined in Section 704.06, Florida Statutes (2001), over the Property, which includes third party enforcement rights for the District and Lee County.

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

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

1. It is the purpose of this conservation easement to retain land or water areas in their

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

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

- a. To enter upon the Property at reasonable times with any necessary equipment or vehicles to enforce the rights herein granted in a manner that will not unreasonably interfere with the use and quiet enjoyment of the Property by Grantor at the time of such entry; and
- b. To enjoin any activity on or use of the Property that is inconsistent with this conservation easement and to enforce the restoration of such areas or features of the Property that may be damaged by any inconsistent activity or use.

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

- a. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures on or above the ground;
- b. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials;
- c. Removal or destruction of trees, shrubs, or other vegetation, except for the removal of exotic or nuisance vegetation in accordance with a District approved maintenance plan;
- d. Excavation, dredging or removal of loam, peat, gravel, soil, rock, or other material substance in such manner as to affect the surface;
- e. Surface use except for purposes that permit the land or water area to remain in its natural condition;
- f. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife habitat preservation including, but not limited to, ditching, diking and fencing;
- g. Acts or uses detrimental to such aforementioned retention of land or water areas;
- h. Acts or uses which are detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archaeological, or cultural significance.

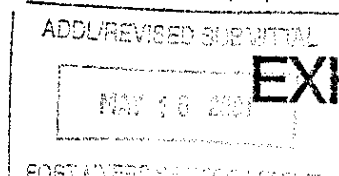
3. Passive Recreational Facilities. Grantor reserves all rights as owner of the Property, including the right to engage in uses of the Property that are not prohibited herein and that are not inconsistent with any District of Lee County rule, criteria, the Permit and the intent and purposes of this Conservation Easement. Passive recreational uses that are not contrary to the purpose of this Conservation Easement may be permitted upon written approval by the District and Lee County.

- a. The Grantor may conduct limited land cleaning for the purpose of

-2-

APPLICATION NUMBER

991012-3



construction such pervious facilities as docks, boardwalks or mulched walking trails. Grantor shall submit plans for the construction of the proposed facilities to the District for review and written approval prior to construction.

b. The construction and use of the approved passive recreational facilities shall be subject to the following conditions:

i. Grantor shall minimize and avoid, to the fullest extent possible, impact to any wetland or upland buffer areas within the Conservation Easement Area and shall avoid materially diverting the direction of the natural surface water flow in such area;

ii. Such facilities and improvements shall be constructed and maintained utilizing Best Management Practices;

iii. Adequate containers for litter disposal shall be situated adjacent to such facilities and improvements and periodic improvements and periodic inspections shall be instituted by the maintenance entity, to clean any litter from the area surrounding the facilities and improvements;

iv. This Conservation Easement shall not constitute permit authorization for the constitute permit authorization for the construction and operation of the passive recreational facilities. Any such work shall be subject to all applicable federal, state, District or local permitting requirements.

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

5. Neither the Grantee nor the District shall be responsible for any costs or liabilities related to the operation, upkeep or maintenance of the Property.

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

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

8. The District and Lee County shall have third party enforcement rights of the terms, provisions and restrictions of this Conservation Easement. Enforcement of the terms, provisions and restrictions of this conservation easement shall be at the discretion of Grantee, or the District or Lee County, and any forbearance on behalf of Grantee or the District or Lee County to exercise its rights hereunder in the event of any breach hereof by Grantor, shall not be deemed or construed to be a waiver of Grantee's or Districts or Lee County's rights hereunder.

9. Grantee will hold this conservation easement exclusively for conservation purposes. Grantee will not hold assign its rights and obligations under this conservation easement except to another organization determined in advance by the District or Lee County to be qualified to hold such interests under the applicable state laws. No assignment or conveyance of the conservation easement shall be made unless prior written approval is given by the District and Lee County to the Grantee.

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

conservation easement is preserved.

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

12. The terms, conditions, restrictions and purpose of this conservation easement shall be referred to by Grantor in any subsequent deed or other legal instrument by which Grantor divests itself of any interest in the Property. Any future holder of the Grantor's interest in the Property shall be notified in writing by Grantor of this conservation easement and the third party enforcement rights of the South Florida Water Management District and Lee County.

13. Any amendments or modifications to the terms, conditions, restrictions, or purpose of this conservation easement, or any release or termination thereof, shall be subject to prior review and written approval by the District and Lee County. The District and Lee County shall be provided no less than 90 days advanced notice in the manner described herein of any such proposed amendment, modification, termination or release. This conservation easement may be amended, altered, released or revoked only by written agreement between the parties hereto and the District and Lee County or their heirs, assigns or successors in interest, which shall be filed in the Public Records of Lee County.

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

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

IN WITNESS WHEREOF Grantor has set its hand on the day and year first above written.

Signed, Sealed and Delivered
in our presence as witnesses:

GRANTOR

1st Witness

Printed Name

William Schulman, individually
and as Trustee

2nd Witness

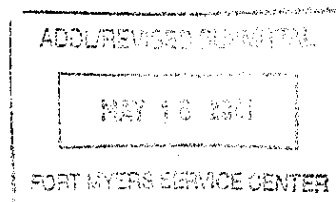
Printed Name

EXHIBIT 26H

APPLICATION NUMBER

991012-3 189

-4-



On this _____ day of _____, 2001, before me, the undersigned notary public, personally appeared William Schulman, individually and as Trustee, who is personally known to me or who has produced _____ as identification.

Notary Public
Print Name: _____

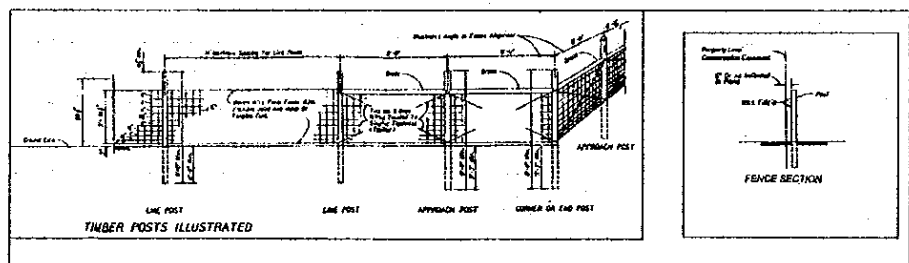
EXHIBIT 26 I

991012-3

ADD/REVISED SERIAL

MAY 16 1961

FORT MYERS SERVICE CENTER

[illegible]

IMPACT PLAN
EN-3

IMPACT PLAN
EN-4

IMPACT PLAN
EN-5

IMPACT PLAN
EN-6

IMPACT PLAN
EN-7

EXHIBIT 27A

DATE	REVISIONS
06/04/21	REVISIONS FOR STAFF COMMENTS
06/12/21	REVISIONS FOR STAFF COMMENTS

CONSUL-TECH ENGINEERING, INC.
 CONSULTING ENGINEERS, LAND PLANNERS, LAND SURVEYORS
 4551 OLD WOOD DRIVE SUITE 200 FORT MYERS, FL 33905
 PHONE (813) 947-0225 FAX (813) 947-1328
 E-MAIL: DORIS.WOOD@CTE.COM
 LICENSED LAND SURVEYOR #12455-27

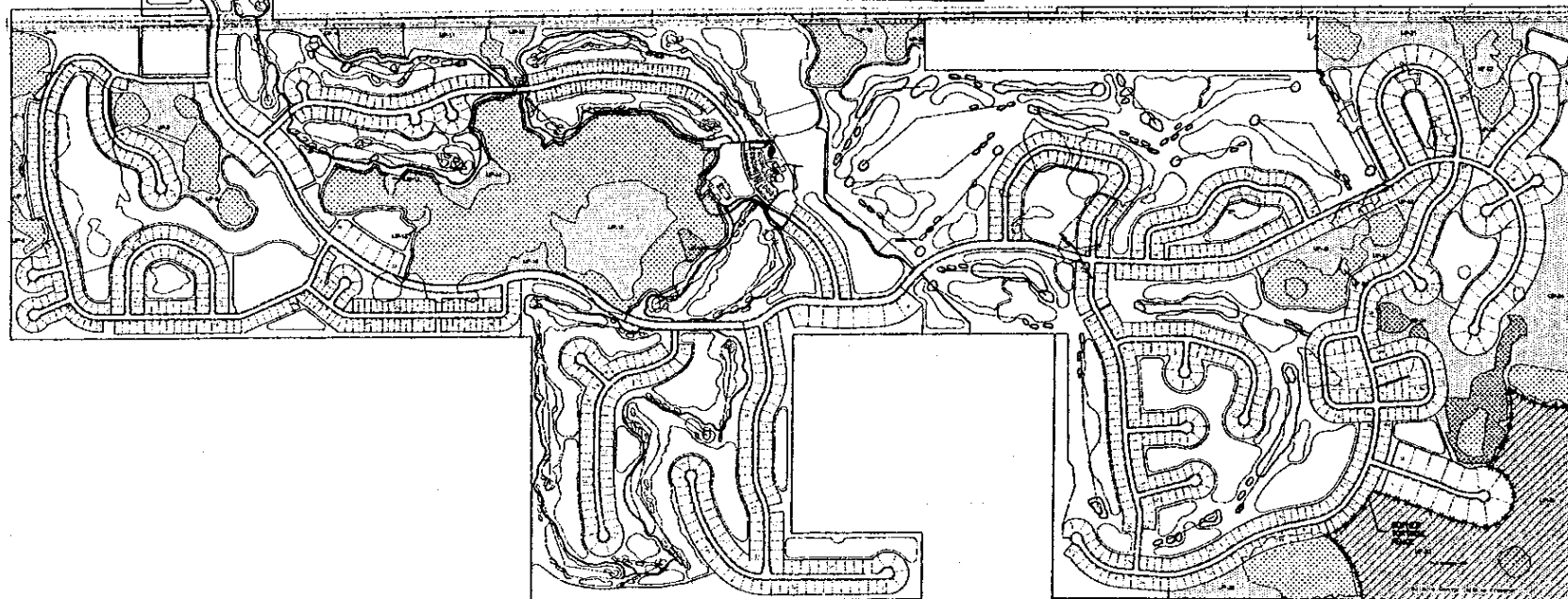
CLIENT:
FL. TAMPA WEST, INC.
 5307 FOX HUNT DRIVE
 WESLEY CHAPEL, FLORIDA 33543
 (813) 907-1539

PROJECT:
HAWK'S HAVEN
 LEE COUNTY, FLORIDA
 SEC. 27, 34, 35, 36 TWP. 43 S., RNG. 26 E.
TITLE:
 IMPACT PLAN SHEET KEY

NOT: THE INFORMATION ON THESE PLANS IS FOR INFORMATIONAL PURPOSES ONLY. IT IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF THE ENGINEER. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY HIMSELF OR HERSELF. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS. THE ENGINEER'S LIABILITY IS LIMITED TO THE PROFESSIONAL SERVICES PROVIDED BY HIMSELF OR HERSELF. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED BY OTHERS.

NO.	NO.
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99	100

NAME	N.T.S.
PROJECT PLANNED BY	900408
DATE	09-28-21
SCALE	EN-2
SCALE	EN-21



FLUCCS LEGEND

	<u>CODE</u>	<u>ACREAGE</u>	<u>%</u>	<u>DESIGNATION</u>
<u>UPLAND</u>	212	517.13	28.8	UNIMPROVED PASTURE
	320	69.90	3.9	SHRUB AND BRUSHLAND
	321	267.57	11.5	PALMETTO PRAIRIE
	330	87.08	4.8	MIXED RANGELAND
	411	405.96	22.6	PINE FLATWOODS
	422--C	10.64	0.6	BRAZILIAN PEPPER
	427	4.49	0.2	LIVE OAK
	429	118.03	6.6	WAX MYRTLE
	434	118.46	6.6	HARDWOOD - CONIFER MIXED
<u>WETLAND</u>	422-A	23.91	1.3	BRAZILIAN PEPPER
	438	6.08	0.3	MIXED HARDWOOD
	510	0.45	0.0	OTHER SURFACE WATER
	610	8.55	0.5	WETLAND HARDWOOD FOREST
	621	133.99	7.5	CYPRESS WETLAND
	630	18.71	1.0	WETLAND FORESTED MIXED
	641	39.34	2.2	FRESHWATER MARSH
	643	27.24	1.5	WET PRAIRIE
	TOTAL =	1797.53	100%	

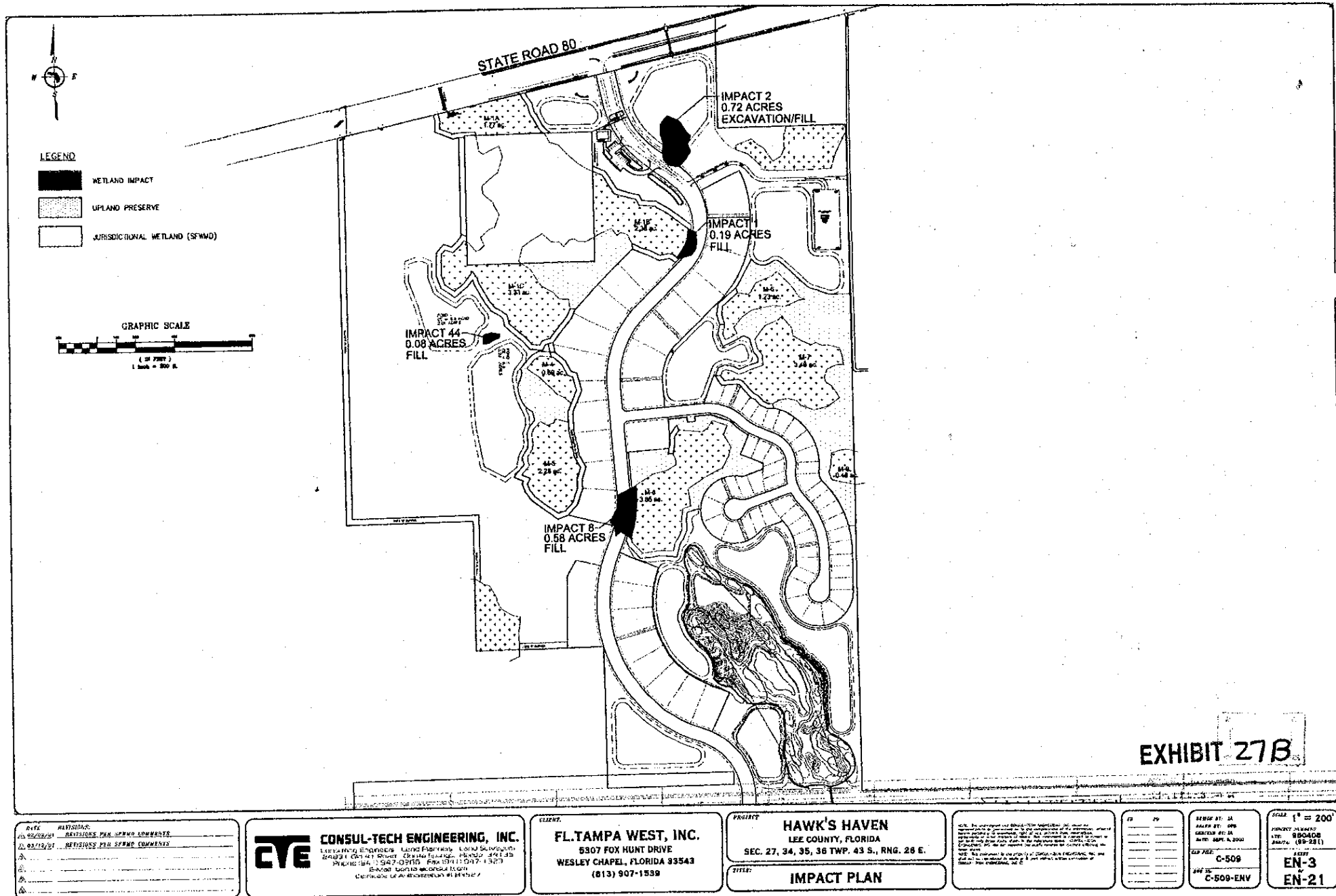
EXHIBIT 281

PROJECT: **HAWK'S HAVEN**
LEE COUNTY, FLORIDA
SEC. 27, 34, 35, 36 TWP. 43 S., RNG. 26 E.

TITLE: **UPLAND PRESERVATION PLAN**

[illegible]

TO	PC	EXPIRY DT: 30 MAINT DT: 098 TRACKING DT: 30 DATE: MAY 6, 2000 CAC FILE C-509-ENV ENC TX C-509-ENV	YEAR: N.T.S. PROJECT NUMBER: 980408 CAC: MAY 6 (99-231)
			SHEET EN-20 OF EN-21



DATE: 05/05/01
REVISIONS: PER SPWM COMMENTS
05/05/01 REVISIONS PER SPWM COMMENTS



CONSUL-TECH ENGINEERING, INC.

Land Surveying, Engineering, Land Planning, Land Development
2800 E. 1st St., Suite 100, Fort Lauderdale, FL 33304
Phone: (954) 581-0000 Fax: (954) 581-1329
E-Mail: info@consul-tech.com
Website: www.consul-tech.com

CLIENT:

FL. TAMPA WEST, INC.

5307 FOX HUNT DRIVE
WESLEY CHAPEL, FLORIDA 33543
(813) 907-1539

PROJECT:

HAWK'S HAVEN

LEE COUNTY, FLORIDA
SEC. 27, 34, 35, 36 TWP. 43 S., RING. 28 E.

TITLE:

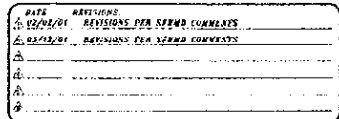
IMPACT PLAN

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DATE: 05/05/01
REVISIONS: PER SPWM COMMENTS
05/05/01 REVISIONS PER SPWM COMMENTS

REVISION BY: JA
DATE: 05/05/01
REVISION BY: JA
DATE: 05/05/01
C-509
C-509-ENV

SCALE: 1" = 200'
PROJECT NUMBER: 890408
DATE: 05/05/01
EN-3
EN-21



CONSUL-TECH ENGINEERING, INC.
Consulting Engineers • Architects • World Surveyors
24631 U.S. 90, Suite 100, Florida Springs, Florida 34435
Phone (941) 947-0300 Fax (941) 947-1071
E-Mail: info@ctecorp.com
Circle 44 on Reader Service Card

FL.TAMPA WEST, INC.
5307 FOX HUNT DRIVE
WESLEY CHAPEL, FLORIDA 33543
(813) 907-1539

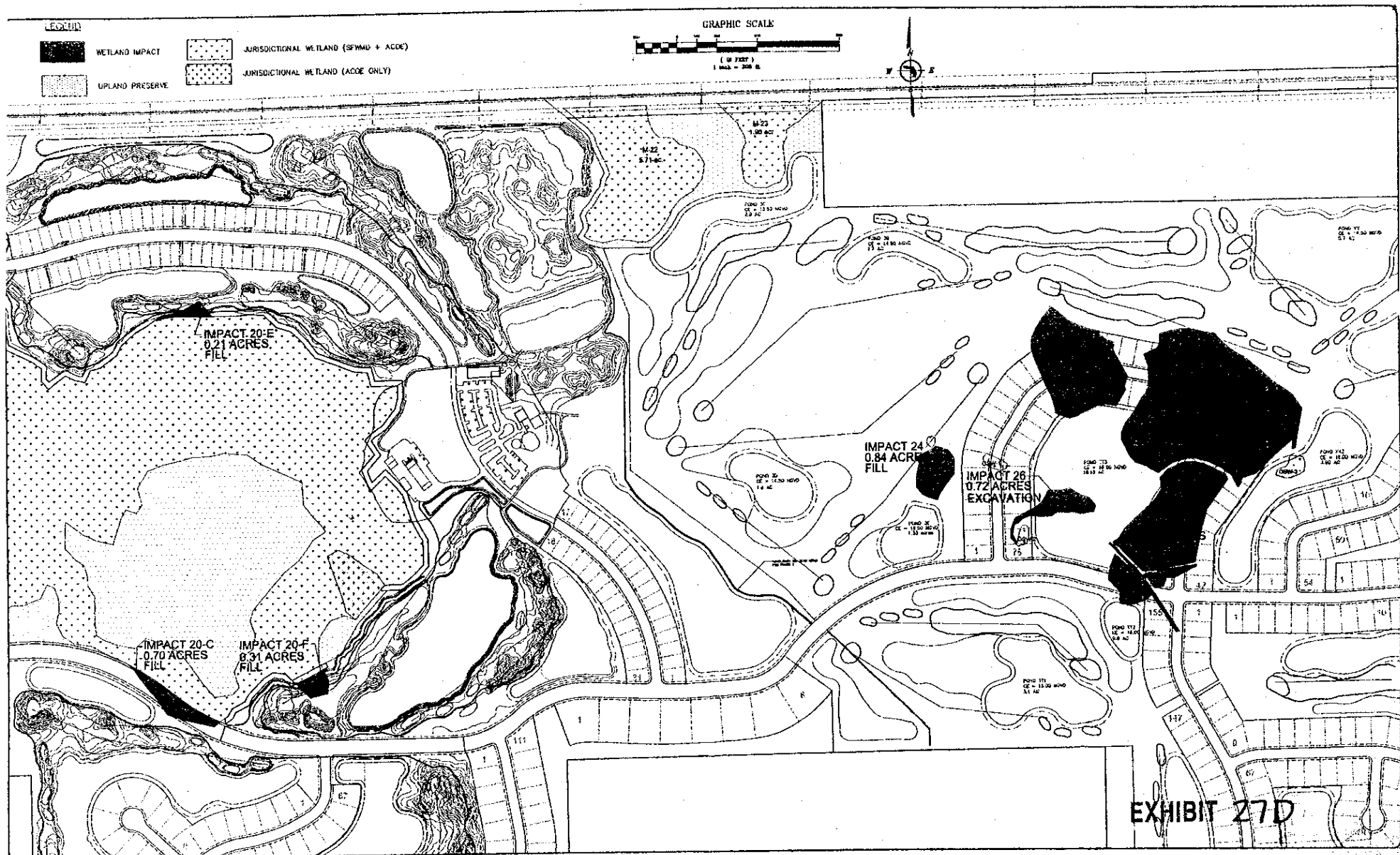
PROJECT: **HAWK'S HAVEN**
LEE COUNTY, FLORIDA
SEC. 27, 34, 35, 36 TWP. 43 S., RNG. 26 E.

TITLE: **IMPACT PLAN**

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1A _____ 1B _____ 1C _____ 1D _____ 1E _____ 1F _____ 1G _____ 1H _____ 1I _____ 1J _____ 1K _____ 1L _____ 1M _____ 1N _____ 1O _____ 1P _____ 1Q _____ 1R _____ 1S _____ 1T _____ 1U _____ 1V _____ 1W _____ 1X _____ 1Y _____ 1Z _____	ADDRESS ST. 3A ADDRESS ST. 3B ADDRESS ST. 3C ADDRESS ST. 3D ADDRESS ST. 3E ADDRESS ST. 3F ADDRESS ST. 3G ADDRESS ST. 3H ADDRESS ST. 3I ADDRESS ST. 3J ADDRESS ST. 3K ADDRESS ST. 3L ADDRESS ST. 3M ADDRESS ST. 3N ADDRESS ST. 3O ADDRESS ST. 3P ADDRESS ST. 3Q ADDRESS ST. 3R ADDRESS ST. 3S ADDRESS ST. 3T ADDRESS ST. 3U ADDRESS ST. 3V ADDRESS ST. 3W ADDRESS ST. 3X ADDRESS ST. 3Y ADDRESS ST. 3Z	1A = 200 1B = 200 1C = 200 1D = 200 1E = 200 1F = 200 1G = 200 1H = 200 1I = 200 1J = 200 1K = 200 1L = 200 1M = 200 1N = 200 1O = 200 1P = 200 1Q = 200 1R = 200 1S = 200 1T = 200 1U = 200 1V = 200 1W = 200 1X = 200 1Y = 200 1Z = 200
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DATE: 06/26/21
REVISIONS: PER SPWD COMMENTS



CONSUL-TECH ENGINEERING, INC.
Civil, Survey, Planning, Land Surveying
54934 Old 91 Road, Suite 100, Ft. Myers, FL 33907
Phone: (813) 947-0000, Fax: (813) 947-1303
E-Mail: info@consul-tech.com

CLIENT:
FL. TAMPA WEST, INC.
5307 FOX HUNT DRIVE
WESLEY CHAPEL, FLORIDA 33543
(813) 907-1539

PROJECT:
HAWK'S HAVEN
LEE COUNTY, FLORIDA
SEC. 27, 34, 35, 36 TWP. 43 S., RNG. 26 E.

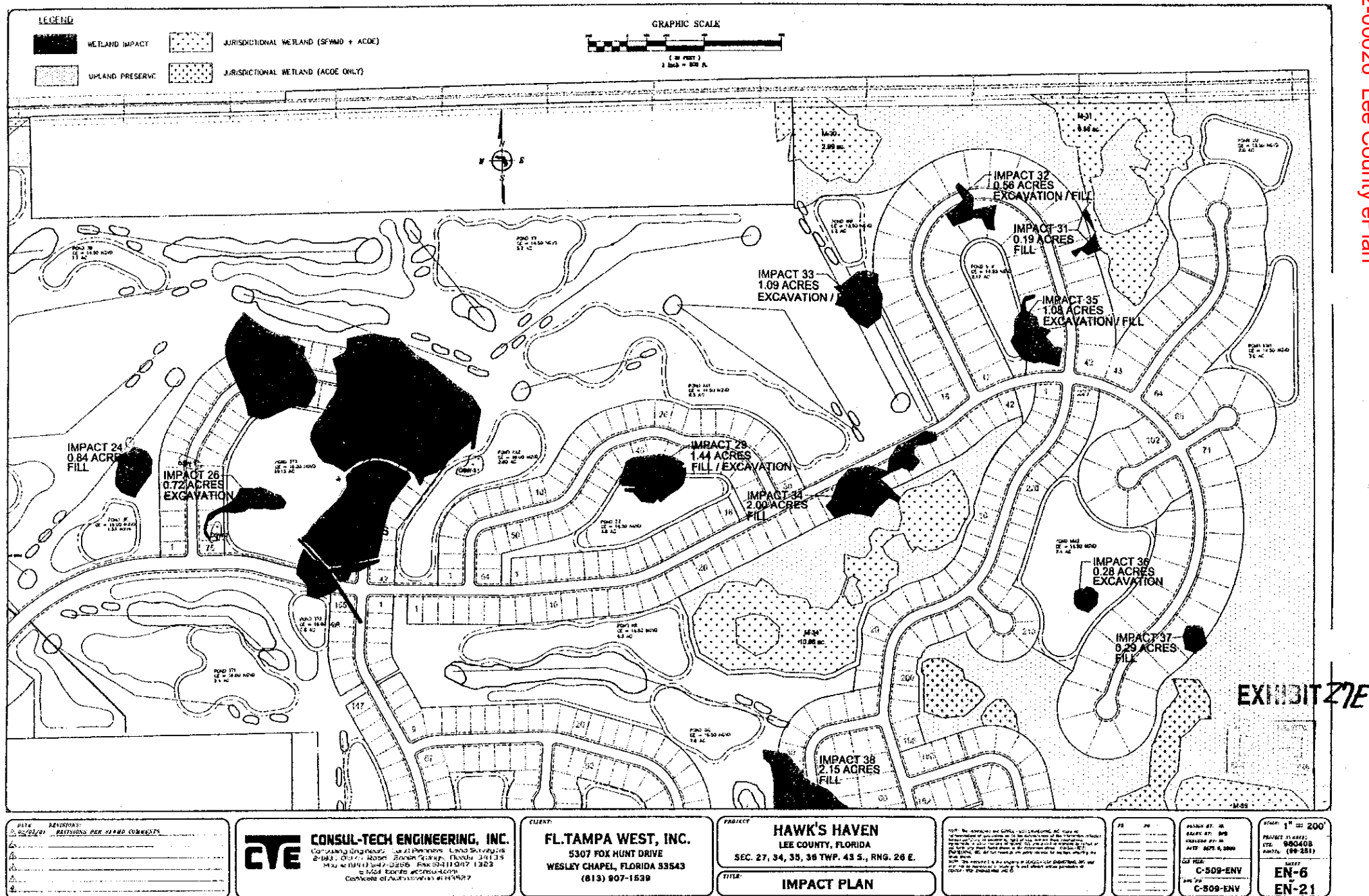
TITLE:
IMPACT PLAN

THIS IS A PRELIMINARY PLAN. IT IS NOT TO BE USED FOR CONSTRUCTION. IT IS THE RESPONSIBILITY OF THE USER TO OBTAIN ALL NECESSARY PERMITS AND APPROVALS. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS. THE USER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.

DATE: 06/26/21
REVISIONS: PER SPWD COMMENTS

SCALE:
1" = 200'

PROJECT NUMBER:
C-509-ENV
EN-5
EN-21



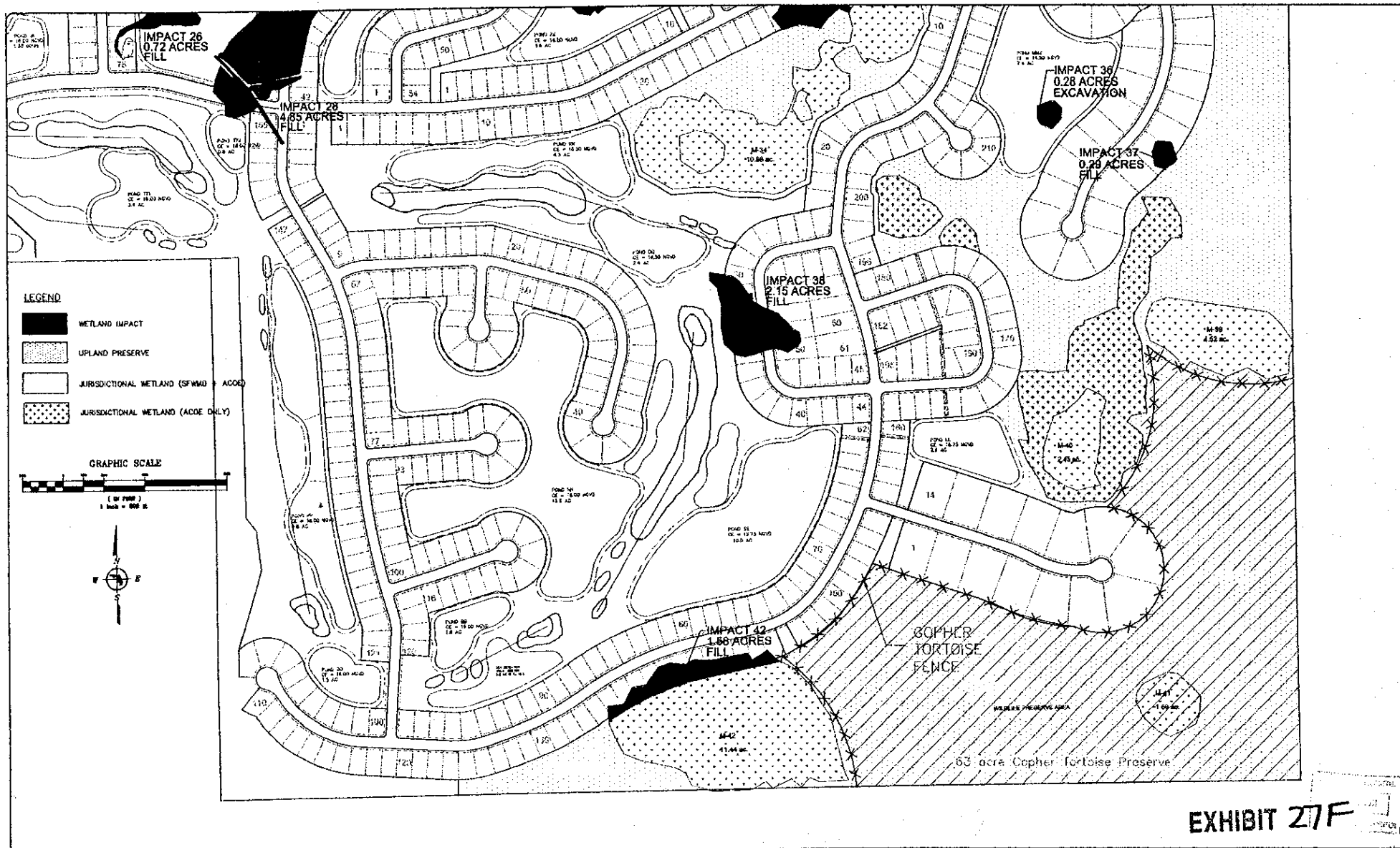


EXHIBIT 27F

DATE	REVISIONS:
01/15/01	ADDITIONS FOR SPREAD COMMENTS
03/15/01	ADDITIONS FOR SPREAD COMMENTS
05/15/01	ADDITIONS FOR SPREAD COMMENTS
07/15/01	ADDITIONS FOR SPREAD COMMENTS
09/15/01	ADDITIONS FOR SPREAD COMMENTS
11/15/01	ADDITIONS FOR SPREAD COMMENTS
01/15/02	ADDITIONS FOR SPREAD COMMENTS
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05/15/02	ADDITIONS FOR SPREAD COMMENTS
07/15/02	ADDITIONS FOR SPREAD COMMENTS
09/15/02	ADDITIONS FOR SPREAD COMMENTS
11/15/02	ADDITIONS FOR SPREAD COMMENTS

CONSUL-TECH ENGINEERING, INC.
Consulting Engineers, Land Planners, Land Surveyors
21831 US 41 Road, North Springs, Florida 34135
Phone (312) 947-1234 Fax (312) 947-1235
E-Mail: info@consul-tech.com
Certificate of Authorization #000557

CLIENT:
FL TAMPA WEST, INC.
5307 FOX HUNT DRIVE
WESLEY CHAPEL, FLORIDA 33543
(813) 907-1539

PROJECT:
HAWK'S HAVEN
LEE COUNTY, FLORIDA
SEC. 27, 34, 35, 36 TWP. 43 S., RNG. 28 E.
TITLE:
IMPACT PLAN

NOTES:
1. This Impact Plan was prepared by CONSULT-TECH ENGINEERING, INC. under contract to FL TAMPA WEST, INC. for the purpose of showing the impact of the proposed development on the wetlands and upland preserves of the project area. The impact plan is based on the best available information and is subject to change as more information becomes available. The impact plan is not a guarantee of the accuracy of the information presented and is not to be used for any other purpose without the written consent of CONSULT-TECH ENGINEERING, INC.

DATE	01/15/01	REVISION	1
DATE	03/15/01	REVISION	2
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DATE	07/15/01	REVISION	4
DATE	09/15/01	REVISION	5
DATE	11/15/01	REVISION	6
DATE	01/15/02	REVISION	7
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DATE	07/15/02	REVISION	10
DATE	09/15/02	REVISION	11
DATE	11/15/02	REVISION	12

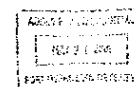
SCALE: 1" = 200'

PROJECT: C-509-ENV

DATE: 01/15/01

BY: EN-7

CHECKED BY: EN-21

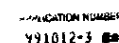


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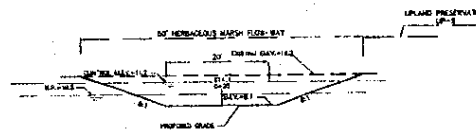
SCALE: 1" = 500'
PROJECT NUMBER:
CITY: 980408
DWG. NO.: (98-281)
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EN-12
OF
EN-21



FR	ZO	DEMO ST. A AMER ST. 000 CROCEA ST. A DATE: FEB. 2, 1961	SOURCE N.T.S. PROJECT NUMBER 980408 CITY (99-281)
CIA FILE C-508-MIGRATION-PROFILE			SECRET EN-13 OF EN-21
ATTN: C-508-ENV			



SCALE: N.T.S.
PROJECT NUMBER:
CITY: 980408
DATE: (09-251)
SHEET
EN-14
of
EN-21



Mitigation Type: Herbaceous Flow-Way Activities

- 1) Grading: Yes
- 2) Exotic Vegetation Eradication: Yes (10%-20%)
- 3) Planting: Yes (ref. planting plan below)
- 4) Hydrologic Enhancement: Yes (significant)



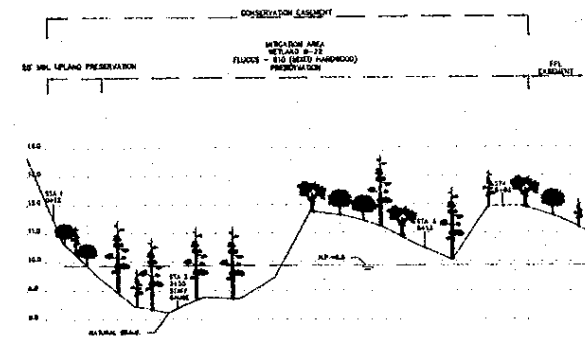
Mitigation - 18 43, Area A (0.36 ac.)

Upland Preservation UF-9

Existing vegetation within UPA-9 may be supplemented with the following species:

Plants will be field located on an as need basis to augment existing vegetation.

MITIGATION ON W-15, MARSH FLOW-WAY, AND UP-9



SECTION 102-102

EXHIBIT 28D

991012-3 229

CVE **CONSUL-TECH ENGINEERING, INC.**
Consulting Engineers • Architects • Land Surveyors
24811 Old Al Road, North Springs, Florida 33135
Phone 813/417-0361 • Telex 881335 CTE
E-Mail: CVE@AOL.COM
Certificate of Authorization #A3527

PROJECT	HAWK'S HAVEN LEE COUNTY, FLORIDA SEC. 27, 34, 35, 36 TWP. 43 S., RNG. 28 E.
TITLE	MITIGATION PROFILES

PR _____ PS _____ TITLE _____ NAME _____ ADDRESS _____ CITY _____ STATE _____ ZIP _____	ATTENTION: _____ MAIL STOP: 000 CRACKER BY JA BATHY PDB-A, 2001 CAP FILE: C-509-INITIATION-PROFILES DATE JA C-509-ENV	FILE NO. _____ N.T.S. PROJECT: JOCKLAND I.F. #80408 DRAFT: (89-251) SHEET EN-15 OF EN-21
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Planting Plan (8.00 ac.)				
Scientific Name	Common Name	KEY	QTY.	Specifications
<i>Sinclairia caroliniana</i>	Swamp fern	BS	145	B.R. or later, 5' - 12" ht., 3' oc.
<i>Thelypteris</i> spp.	Shield fern	TS	145	B.R. or later, 6' - 12" ht., 3' oc.

MITIGATION ON W-20

DATE	REVISIONS
01/26/01	REVISIONS FOR SPINUP COMMENTS
03/11/01	REVISIONS FOR SPINUP COMMENTS
05/02/01	REVISIONS FOR SPINUP COMMENTS

CTE **CONSUL-TECH ENGINEERING, INC.**
Consulting Engineers, Land, Marine, and Surveyors
24931 Die 41 Road, North Saugus, MA 01906
Phone (617) 547-1000 Fax (617) 547-1300
E-Mail: info@cte-usa.com
Web Site: www.cte-usa.com

FL.TAMPA WEST, INC.
5307 FOX HUNT DRIVE
WESLEY CHAPEL, FLORIDA 33543
(813) 907-1539

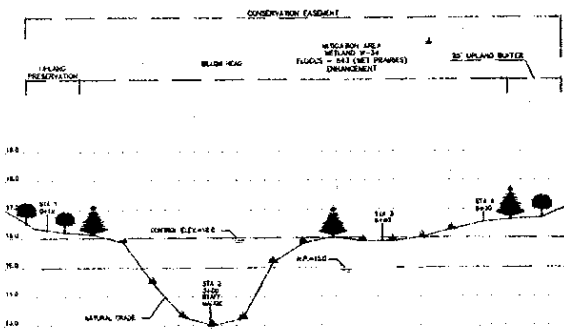
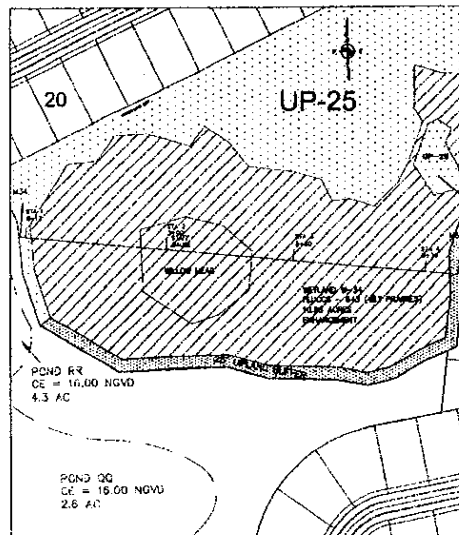
PROJECT
HAWK'S HAVEN
LEE COUNTY, FLORIDA
SEC. 27, 34, 35, 38 TWP. 43 S., RNG. 26 E.

TITLE:
MITIGATION PROFILES

NOTE: The understanding and application of the following facts, which involve an important aspect of public health, are the primary objectives of the laboratory course and hence, you should be encouraged, after a few additional weeks, to participate in opportunities to observe the use of the microscope. The laboratory is to be used in relation to the lecture and other studies in the field of microbiology. The laboratory is to be used in relation to the lecture and other studies in the field of microbiology. The laboratory is to be used in relation to the lecture and other studies in the field of microbiology.

FR	TV
DATE	TIME
FROM	TO
BY	FOR
REMARKS	

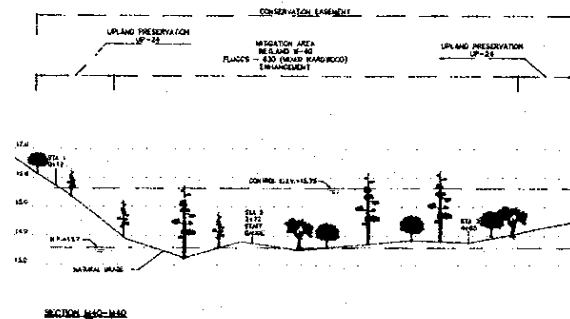
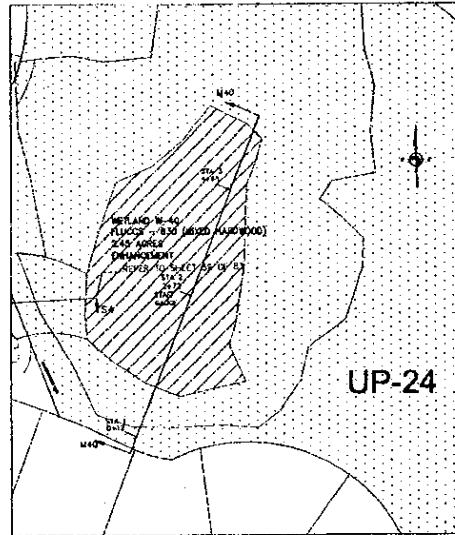
APR 11 1968
N.T.S.
PERMIT NO. 100000
CITY 980408
POSTAL (89-281)
SANDY
EN-15A
EN-21



SECTION W-40-M43

Mitigation Type: Enhancement
Activities:
1) Grading: No
2) Exotic Vegetation Eradication: Yes (< 5%)
3) Planting: No
4) Hydrologic Enhancement: Yes (significant)

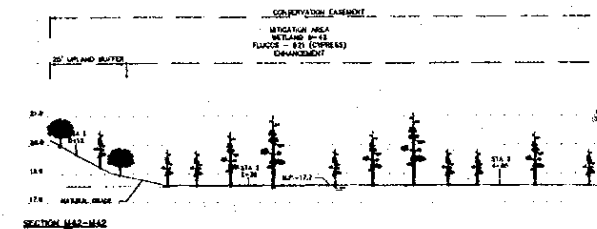
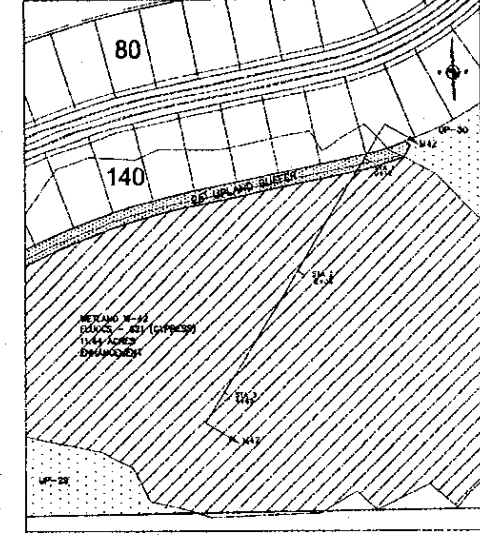
MITIGATION ON W-34



SECTION W-40-M42

Mitigation Type: Enhancement
Activities:
1) Grading: Yes. Excavation for hydrologic connection from pond thru Corps Wetland only (ref. sheet 56 of 63 for section)
2) Exotic Vegetation Eradication: Yes (5%-20%)
3) Planting: No
4) Hydrologic Enhancement: Yes (significant)

MITIGATION ON W-40



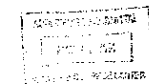
Mitigation Type: Enhancement
Activities:
1) Grading: No
2) Exotic Vegetation Eradication: Yes (30%-40%)
3) Planting: Yes (ref. planting plan below)
4) Hydrologic Enhancement: No

Plants will be field located on an as needed basis to augment existing vegetation.

Scientific Name	Common Name	Height	Spacing
<i>Sagittaria arifolia</i>	Swamp fern	AS	B.R., 6'-12" N., 3' o.c., clusters only
<i>Thelypteris</i> sp.	Shield fern	TS	B.R., 6'-12" N., 3' o.c., clusters only
<i>Oryzopsis latifolia</i>	Coontail	CI	1 gal., 4'-20" N., 10' o.c., clusters only
<i>Psychotria nervosa</i>	Wild coffee	PH	1 gal., 4'-20" N., 10' o.c.
<i>Calliandra americana</i>	Beautyberry	CA	1 gal., 4'-20" N., 10' o.c.

MITIGATION ON W-42

EXHIBIT 28F



REGISTRATION NUMBER 9810123 09

DATE: 06-02-2023
REVISION: 01
DRAWN BY: J. L. LEE
CHECKED BY: J. L. LEE
APPROVED BY: J. L. LEE

CONSUL-TECH ENGINEERING, INC.
CONSULTING ENGINEERS - LAND PLANNING - LAND SURVEYING
24001 DUNN RD. BOCA RATON, FL 33433
TEL: (561) 991-1313 FAX: (561) 991-1314
WWW.CONSUL-TECH.COM

FL TAMPA WEST, INC.
5307 FOX HUNT DRIVE
WESLEY CHAPEL, FLORIDA 33543
(813) 907-1539

HAWK'S HAVEN
LEE COUNTY, FLORIDA
SEC. 27, 34, 35, 36 TWP. 43 S., RNG. 26 E.

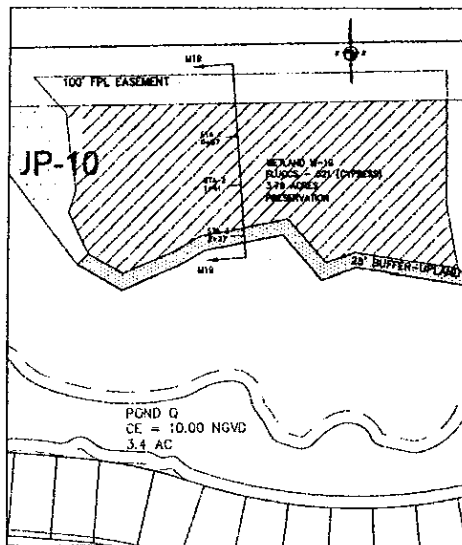
MITIGATION PROFILES

DATE: 06-02-2023
REVISION: 01
DRAWN BY: J. L. LEE
CHECKED BY: J. L. LEE
APPROVED BY: J. L. LEE

FL TAMPA WEST, INC.
5307 FOX HUNT DRIVE
WESLEY CHAPEL, FLORIDA 33543
(813) 907-1539

CONSUL-TECH ENGINEERING, INC.
24001 DUNN RD. BOCA RATON, FL 33433
(561) 991-1313

FL TAMPA WEST, INC.
5307 FOX HUNT DRIVE
WESLEY CHAPEL, FLORIDA 33543
(813) 907-1539

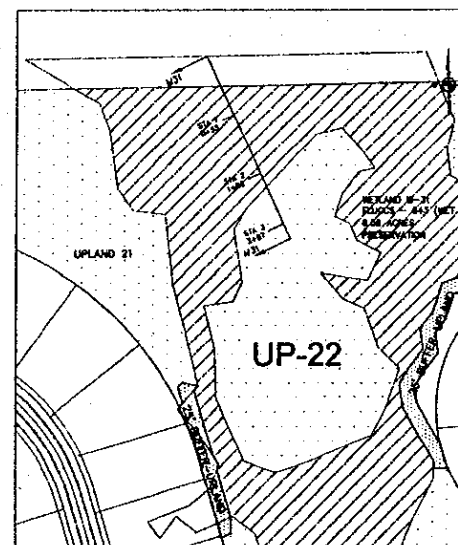


MITIGATION ON W-19

Mitigation Type: Preservation

Activities

- 1) Grading: No
- 2) Exotic Vegetation Eradication: Yes (<5%)
- 3) Planting: No
- 4) Hydrologic Enhancement: No

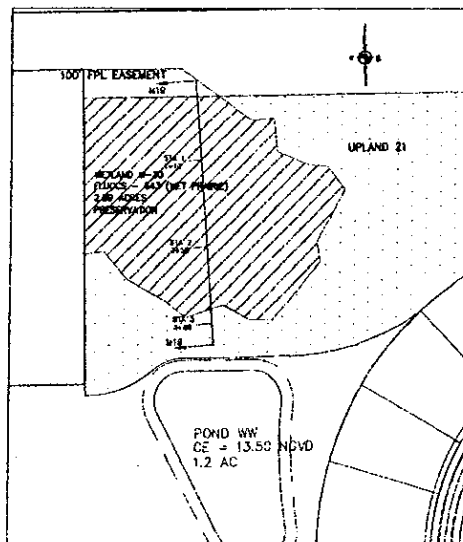


MITIGATION ON W-31

Mitigation Type: Preservation

Activities

- 1) Grading: No
- 2) Exotic Vegetation Eradication: Yes (<5%)
- 3) Planting: No
- 4) Hydrologic Enhancement: No

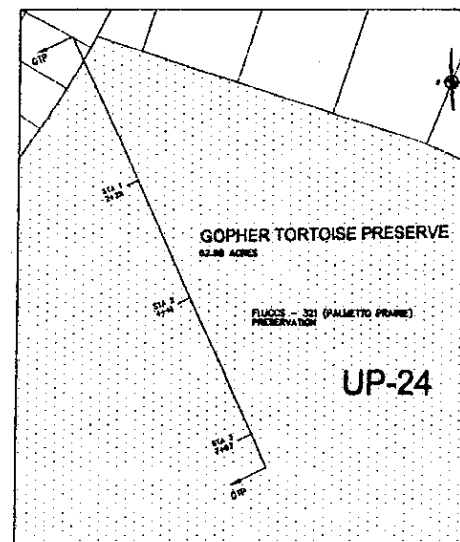


MITIGATION ON W-30

Mitigation Type: Preservation

Activities

- 1) Grading: No
- 2) Exotic Vegetation Eradication: Yes (<5%)
- 3) Planting: No
- 4) Hydrologic Enhancement: No



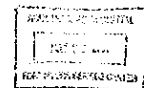
MITIGATION ON GOPHER TORTOISE PRESERVE

Mitigation Type: Preservation

Activities

- 1) Grading: No
- 2) Exotic Vegetation Eradication: Yes (<5%)
- 3) Planting: No
- 4) Hydrologic Enhancement: No
- 5) Controlled burn: Yes. Controlled burns will be performed in accordance with approved FWCC Preserve Management Plan.

EXHIBIT 286



DATE	REVISIONS
01/05/21	REVISIONS PER AFRM COMMENTS
01/11/21	REVISIONS PER AFRM COMMENTS
01/21/21	REVISIONS PER AFRM COMMENTS
02/01/21	REVISIONS PER AFRM COMMENTS
02/01/21	REVISIONS PER AFRM COMMENTS
02/01/21	REVISIONS PER AFRM COMMENTS
02/01/21	REVISIONS PER AFRM COMMENTS

CONSUL-TECH ENGINEERING, INC.
Consulting Engineers, Land Planners, Land Surveyors
24831 Old Hill Road, Bakers Springs, Florida 34135
Phone (813) 777-0055 Fax (813) 777-1174
E-Mail: consutech@comcast.net
Certificate of Authorization #0033527

FL TAMPA WEST, INC.
5307 FOX HUNT DRIVE
WESLEY CHAPEL, FLORIDA 33643
(813) 907-1539

HAWK'S HAVEN
LEE COUNTY, FLORIDA
SEC. 27, 34, 35, 38 TWP. 43 S., RNC. 26 E.
MITIGATION PROFILES

NOTE: The undersigned, N.T.S., is a duly Licensed Professional Engineer, State of Florida, License No. 000408, and is the author of the information contained herein. The undersigned is not responsible for the accuracy or completeness of the information contained herein, nor for the use of the information contained herein for any purpose other than that for which it was prepared.

DATE	01/05/21
DESIGNED BY	JA
DRAWN BY	JA
CHECKED BY	JA
DATE	01/05/21
FILED	000-MITIGATION-PROFILES
DATE	01/05/21
PROJECT	C-509-ENV
SCALE	N.T.S.
PROJECT NUMBER	000408
STATE	FLORIDA
EXHIBIT	EN-16A
EN-21	

BUFFER PLANTING PLAN - TYPICAL

Butter Type	Scientific Name	Common Name	Key	Specification
Cypress	<i>Acrostichum</i> sp.	Leather fern (-)	AS	B. R. 12" - 18" H. 5' o. c.
	<i>Blechnum artemisium</i>	Swamp fern (-)	BS	B. R. or linear, 6" - 12" H. 3' o. c.
	<i>Thelypteris</i> spp.	Shield fern (-)	TS	B. R. or linear, 6" - 12" H. 3' o. c.
	<i>Spartina bakeri</i>	Sand cordgrass (+)	SB	B. R. or linear, +/- 12" H. 8' o. c. - buffer perimeter
	<i>Crataegus occidentalis</i>	Burnthorn (-)	CO	1 gal., +/- 24" H. 8.8' 8' o. c.
	<i>Lycium lucidum</i>	Fedeltree (+)*	LL	1 gal., +/- 24" H. 8.8' 8' o. c.
	<i>Ilex cassine</i>	Darwin holly (-)	IC	1 gal., +/- 24" H. 8.8' 8' o. c.
	<i>Taxodium distichum</i>	Cypress (+)	TD	3 gal., 4' - 8" H. 8.8' 20' o. c.
	<i>Acer rubrum</i>	Red maple (-)	AR	3 gal., 4' - 8" H. 8.8' 20' o. c.
	<i>Fraxinus caroliniana</i>	Pop ash (+)*	FO	3 gal., 4' - 8" H. 8.8' 20' o. c.
	<i>Arundo donax</i>	Wet grass (+)	AS	B. R. or linear, +/- 4" H. 8' o. c.
	<i>Vaccinium</i> spp.	Blueberry (+)	VS	1 gal., +/- 24" H. 8.8' 8' o. c. - buffer perimeter
	<i>Calliopsis americana</i>	Beautyberry (+)	CA	1 gal., +/- 24" H. 8.8' 8' o. c. - buffer perimeter
	<i>Sambucus racemosa</i>	Elderberry (+)*	SC	3 gal., 4' - 8" H. 8.8' 20' o. c.
	<i>Oenothera americana</i>	Wild-olive (+)*	OA	3 gal., 4' - 8" H. 8.8' 20' o. c. - buffer perimeter
	<i>Dasycarpus virginiana</i>	Parrotmim (+)	DV	3 gal., 4' - 8" H. 8.8' 20' o. c. - buffer perimeter
	<i>Quercus virginiana</i>	Live oak (+)	QV	3 gal., 4' - 8" H. 8.8' 20' o. c. - buffer perimeter
Mixed Hardwood	<i>Blechnum artemisium</i>	Swamp fern (-)	BS	B. R. or linear, 6" - 12" H. 3' o. c.
	<i>Thelypteris</i> spp.	Shield fern (-)	TS	B. R. or linear, 6" - 12" H. 3' o. c.
	<i>Spartina bakeri</i>	Sand cordgrass (+)	SB	B. R. or linear, +/- 12" H. 8' o. c. - buffer perimeter
	<i>Lycium carolinianum</i>	Christmas berry (-)	LC	1 gal., +/- 24" H. 8.8' 8' o. c.
	<i>Myrica carolina</i>	Wax myrtle (+)	MC	1 gal., +/- 24" H. 8.8' 8' o. c.
	<i>Corymbolaima lasio</i>	Coccolaim (-)	CI	1 gal., +/- 24" H. 8.8' 8' o. c.
	<i>Psychotria nervosa</i>	Wild coffee (+)	PN	1 gal., +/- 24" H. 8.8' 8' o. c.
	<i>Persea palustris</i>	Red bay (-)	PP	3 gal., 4' - 8" H. 8.8' 20' o. c.
	<i>Quercus laevis</i>	Laurel oak (-)	QL	3 gal., 4' - 8" H. 8.8' 20' o. c.
	<i>Taxodium distichum</i>	Cypress (+)	TD	3 gal., 4' - 8" H. 8.8' 20' o. c.
	<i>Amelanchier</i>	Pond apple (+)*	AG	3 gal., 4' - 8" H. 8.8' 20' o. c.
	<i>Arundo donax</i>	Wet grass (+)	AS	B. R. or linear, +/- 4" H. 8' o. c.
	<i>Vaccinium</i> spp.	Blueberry (+)	VS	1 gal., +/- 24" H. 8.8' 8' o. c. - buffer perimeter
	<i>Calliopsis americana</i>	Beautyberry (+)	CA	1 gal., +/- 24" H. 8.8' 8' o. c. - buffer perimeter
	<i>Sambucus racemosa</i>	Elderberry (+)*	SC	3 gal., 4' - 8" H. 8.8' 20' o. c.
	<i>Oenothera americana</i>	Wild-olive (+)*	OA	3 gal., 4' - 8" H. 8.8' 20' o. c. - buffer perimeter
	<i>Dasycarpus virginiana</i>	Parrotmim (+)	DV	3 gal., 4' - 8" H. 8.8' 20' o. c. - buffer perimeter
	<i>Quercus virginiana</i>	Live oak (+)	QV	3 gal., 4' - 8" H. 8.8' 20' o. c. - buffer perimeter
Herbaceous Marsh	<i>Stachys ciliaris</i>	Lizard's tail (-)	SC	B. R., +/- 12" H. 3' o. c.
	<i>Panicum hemiltonii</i>	Maintenance (-)	PH	B. R. or linear, +/- 12" H. 3' o. c.
	<i>Tripsolan dactyloides</i>	Faintest grass (+)	TD	1 gal., 12" - 24" H. 8.8' 8' o. c. - buffer perimeter
	<i>Acrostichum</i> sp.	Leather fern (-)	AS	B. R. 12" - 18" H. 5' o. c.
	<i>Cyperus fasciatus</i>	Golfen canna (-)	CF	B. R. or linear, 12" - 18" H. 3' o. c.
	<i>Hyssopus</i> spp.	St. Johns wort (+)*	HS	1 gal., +/- 24" H. 8.8' 8' o. c. - buffer perimeter
	<i>Myrica carolina</i>	Wax myrtle (+)	MC	1 gal., +/- 24" H. 8.8' 8' o. c. - buffer perimeter
	<i>Myrica palustris</i>	Myrsine (+)	MG	1 gal., +/- 24" H. 8.8' 8' o. c. - buffer perimeter
	<i>Chamaecrista</i>	Cassida widow (-)	SC	1 gal., +/- 24" H. 8.8' 8' o. c. - buffer perimeter
	<i>Corymbolaima lasio</i>	Coccolaim (+)	CI	1 gal., +/- 24" H. 8.8' 8' o. c. - buffer perimeter

(+) Species to be planted generally "higher" in elevation within the buffer

EXHIBIT 28H

JCR: N.T.S.
 PROJECT: 88-112
 CTE: 980408
 ACCT: 199-251
 SET
 EN-17
 OF
 EN-21

STAFF REPORT DISTRIBUTION LIST

HAWKS HAVEN PHASE 1

APPLICATION NUMBER: 991012-3

PERMIT MODIFICATION NUMBER: 36-04006-P

INTERNAL DISTRIBUTION

Reviewer:

X Amy J. Ohlberg

X Ricardo Valera

X Karen M. Johnson

X Richard H. Thompson, P.E.

X Fort Myers Service Center - 1620

J. Golden - REG

D. Loving - REG (WU)

X R. Robbins - NRM

X A. Waterhouse - REG

P. Bell - LEG

X ERC Engineering

X ERC Environmental

X Enforcement

X Permit File

EXTERNAL DISTRIBUTION

X Owner:

WILLIAM SCHULMAN - TRUSTEE

X Applicant:

FLORIDA TAMPA WEST INC

X Applicant's Consultant

CONSUL-TECH ENGINEERING INC

X Engineer, County of:

LEE

Engineer, City of:

Local Drainage District:

GOVERNING BOARD MEMBERS

Ms. Pamela Brooks-Thomas

Mr. Michael Collins

Mr. Hugh English

Mr. Gerardo B. Fernandez

Dr. Patrick J. Gleason

Mr. Nicolas Gutierrez

Mr. Lennart Lindahl

Mr. Harkley R. Thornton

Ms. Trudi K. Williams

COUNTY

X Lee

-Dept of Environmental
Protection

-Development & Review

-Mosquito Control

BUILDING AND ZONINGDEPT. OF ENVIRONMENTAL PROTECTION

X Ft. Myers

OTHER

X Clara Anne Graham-Elliott

X Div of Recreation and Park - District 8

X Florida Audubon - Charles Lee

X Florida Fish & Wildlife Conservation Com

X Michael N. Vanatta

X Nancy Anne Payton

X S.W.F.R.P.C. - Glenn Heath

RIVER HALL RPD

REZONE

Existing and Future Conditions Analysis

Sanitary Sewer

The subject property is located within the Lee County Utilities Future Sewer Service Area as shown on Lee Plan Map 7. The Lee County Utilities Potable Water and Wastewater Letter of Availability, dated August 31, 2021, indicates sanitary sewer lines “are in operation adjacent” to the subject property and that sufficient capacity exists. As such, the subject property will be served by these existing facilities through planned developer funded system enhancements.

The Level of Service (LOS) Standard for sanitary sewer per Lee Plan Policy 95.1.3:

- Current & Projected LOS Standard: 200 Gallons Per Day (GPD) per Equivalent Residential Connection (ERC)

Existing Density:

- Residential land use with access to centralized sewer service connections.
- Max. 3,244 dwelling units (ERC), per FAC 64E-6.998
 - 3,244 ERC at 200 GPD = 648,800 GPD
 - TOTAL = 648,800 GPD

Proposed Density:

- Residential land use with access to centralized sewer service connections.
- Max. 3,244 Dwelling units (ERC), per FAC 64E-6.008
 - 3,244 ERC at 200 GPD = 648,800 GPD
 - TOTAL = 648,800 GPD

Based on the Letter of Availability, dated August 31, 2021, and the data provided above, Lee County Utilities currently has sufficient capacity to treat the increased demand of approximately 648,800 GPD.

The public benefits from the connection of the 549 additional dwelling units, within the River Hall Project, to the existing adjacent sanitary sewer facilities and not septic systems, as septic system discharge can negatively impact surrounding water resources, pursuant to Environmental Protection Agency findings.

Potable Water

The subject property is also located within the Lee County Utilities (LCU) Future Water Service Area based on Lee Plan Map 6, dated June 2020. The Lee County Utilities Potable Water and Wastewater Letter of Availability, dated August 31, 2021, indicates that potable water mains “are in operation adjacent” to the subject property. Due to the subject

property's location within the Future Water Service Area, LCU is able to serve the future development through their Water Treatment Facilities.

The Level of Service (LOS) Standard for potable water per the 2020 Report and Lee Plan Policy 95.1.3:

- Current & Projected LOS Standard: 250 Gallons Per Day (GPD) per Equivalent Residential Connection (ERC)

Existing Density:

- Residential land use with access to potable water service connections.
- 3,244 ERC at 250 GPD = 811,000 GPD

Proposed Density:

- Residential land use with access to potable water service connections.
- Max. 3,244 Dwelling Units (ERC), per FAC 64E-6.008
 - 3,244 ERC at 250 GPD = 811,000 GPD
 - TOTAL = 811,000 GPD

The proposed rezoning results in an increased demand of approximately 811,000 GPD. Lee County Utilities (LCU) has sufficient capacity to provide potable water service to the project, as determined by the enclosed LCU Letter of Availability. Thus, there is no lack of potable water capacity expected from the proposed development. Having the 549 additional dwelling units within the River Hall Project utilize centralized potable water service and water treatment facilities eliminates numerous individual private wells. This benefits the public by helping to plan and control the surrounding water resources within Lee County, by eliminating competing water consumption use from groundwater sources.

Surface Water/Drainage Basins – South Florida Water Management District

The subject property is located within the South Florida Water Management's (SFWMD) Tidal Caloosahatchee Basin. Lee Plan Map 18 shows the property within the Olga Creek Watershed area. There is current surface water management on site and an existing surface water management permit is on file with the South Florida Water Management District. There are no existing wetlands within the acreage included in this request. The modified system, proposed by this request, will meet or exceed the applicable County's LOS Standard, which is as follows per Lee Plan Policy 95.1.3.4:

Policy 95.1.3.4: Stormwater Management Facilities LOS: The existing surface water management system in the unincorporated areas of the county will be sufficient to prevent the flooding designated evacuation routes (see Map3J) from the 25-year, 3-day storm event (rainfall) for more than 24 hours.

The existing storm water management system will be modified for the property and will benefit the public through clearly defining the storm water treatment methods, maintenance accountability, and runoff attenuation. Runoff from the developed site will continue to discharge to tidal creeks and rivers. The Lee County Public Facilities 2020 LOS and Concurrency Report (2020 Report) indicates all watersheds within the county were studied and found no evacuation routes located within these watersheds are expected to be flooded for more than a 24-hour period. Per the 2020 Report, Lee County states all new developments receiving approval from SFWMD and comply with

appropriate standards will be deemed concurrent with the Lee Plan's surface water management level-of-service standards.

The proposed development will seek and obtain all applicable South Florida Water Management District approvals as well as comply with all Florida Administrative Code Chapter 62-330 standards to ensure consistency with the stated LOS standards per Policy 95.1.3.4 of the Lee Plan for surface water management.

Parks, Recreation, and Open Space

Regional Parks and Community Parks are the two non-regulatory standards utilized for measuring the minimum acceptable level of service for parks, recreation, and open space, pursuant to the Lee Plan. The Lee County 2020 Public Facilities and Level of Service and Concurrency Report states there are over 3,500 acres of developed regional and local park lands. Cumulatively, there are over several thousand acres of recreational options to the community, when including the State and Federal recreational areas.

Per Policy 95.1.3 of the Lee Plan, the County's adopted Level of Service for parks – Non-Regulatory Standards of the Capital Improvements Element is as follows:

- Regional Parks: 6 acres per 1,000 total seasonal county population for all of Lee County
- Community Parks: 0.8 acres per 1,000 unincorporated Lee County permanent population

Existing Density:

- Residential land use with parks, amenities, recreation, and required open space approved by zoning resolution Z-15-003

Proposed Density:

- 549 additional dwelling units at 2.34 estimated persons per household (Lee County, Florida) (The Bureau of Economic and Business Research – University of Florida; April 1, 2020) = 1,284.66 persons projected
 - Regional Park at 6 acres per 1,000 residents = 7.71 acres required
 - Community Park at 0.8 acres per 1,000 residents = 1.03 acres required

The proposed rezoning to allow up to 549 additional dwelling units within the acreage included in this request results in an added demand of 7.71 acres of Regional Park land and 1.03 acres of Community Park land.

As reported by the Lee County 2020 Public Facilities Level of Service and Concurrency Report, the existing inventory of regional parks (consisting of local, state and federal lands) in operation totals 7,051 acres. As such, the existing regional park inventory exceeds the adopted LOS standard by 1,723 acres, based on Table 3 of the Concurrency Report's estimated 2020 population projections for Lee County (888,000 [Seasonal] x (6 acres/1,000 population) = 5,328 acres). In addition, according to Lee County's 2020 Public Facilities Level of Service and Concurrency Report, there are currently 723 acres of existing local regional parklands in operation. As such, the existing local regional parklands exceed the adopted LOS standard by 430 acres, based on Table 3 of the Concurrency Report's estimated 2020 population projections for Unincorporated Lee County (367,000 [Unincorporated Population] x (0.8 acres/1,000 population) = 293 acres).

The requested 549 dwelling units will not negatively impact the regional or community parks level of service. The current non-regulatory level of service standard for both regional and community parks far exceed the targeted levels. There is adequate acreage within the existing parks to meet the needs of the proposed maximum 549 dwelling units.

The requested rezone application will modify the current River Hall RPD's required open space and preserve area to support native habitat as well as areas to provide recreational activities, such as, integrated and shared use trails/greenways, amenity recreational areas for the residents and their guests, if needed.

Public Schools

The School District of Lee County is split into Choice Zones and Sub Zones. The subject property is located within the East Choice Zone, E2, according to the School District of Lee County's 2020-2021 Student Enrollment Zones Map and enclosed concurrency analysis provided by the School District.

Per Section 2-45 of the LDC, school concurrency "means public school facilities needed to serve new development must be in place or under actual construction within three years after the local government approves a development permit, or its functional equivalent, that results in a generation of students."

Level of service (LOS) standards for public schools are based upon Permanent Florida Inventory School Houses (FISH) capacity, pursuant to Lee Plan Policy 68.1.1. The regulatory LOS standards adopted for Elementary, Middle, High, and Special Purpose Facilities, provided in Policy 95.1.3 Regulatory Standards (5) of the Lee Plan, account for measurable programmatic changes are as follows:

- 100% of Permanent FISH Capacity as adjusted by the School Board annually.

The 2020 Concurrency Report shows the following for the East Choice Zone Totals:

- Elementary Schools: 65 seat total available capacity
- Middle Schools: 1,108 seat deficit in available capacity
- High Schools: 469 seat deficit in available capacity

The deficit in Middle Schools will be addressed in two ways: 1) by adding portable seats; and 2) by Middle School "MM," scheduled to open in school year 2021-2022, which will add 1,210 seats of permanent capacity. The deficit in High Schools is also being addressed by Gateway High School, scheduled to open this school year (2021), which will create 525 seats followed by an additional 1,475 seats coming in 2021-2022.

Proposed Density:

- 549 proposed maximum dwelling units associated with the requested rezoning at 0.297 students per household = approximately 163 potential students
- The total number of potential students can be further broken down by grade level:
 - Elementary at 0.149×549 dwelling units = 81 students
 - Middle School at 0.071×549 dwelling units = 38 students
 - High School at 0.077×549 dwelling units = 42 students

The proposed rezoning would result in 163 additional students within the East Choice Zone, E2. Based on the Concurrency Analysis Report and letter of availability provided by The School District of Lee County included with this submittal, there is capacity currently available at all educational levels within East Choice Zone, E2 to handle the proposed rezoning for up to 549 dwelling units.

Solid Waste

Solid waste services for the property will be handled at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill.

The 2020 Concurrency Report details the level of service regulatory standards for solid waste disposal are as follows:

- Required Capacity: 7 pounds per day per capita
- Available Capacity: 7.9 pounds per day per capita

Existing Development Potential: 3,244 maximum dwelling units

3,244 dwelling units x 2.34 person per household = 7,591 persons
7,591 persons x 7 lbs/day = 53,137 lbs

Proposed Development Potential: 3,244 maximum dwelling units (549 additional)

3,244 dwelling units x 2.34 person per household = 7,591 persons
7,591 persons x 7 lbs/day = 53,137 lbs/day

The 549 additional units account for 8,993 lbs/day.

The 2020 Concurrency Report states that all unincorporated areas of Lee County are concurrent with the level of service standard set forth in the Lee Plan for solid waste. Additionally, the report states that at the total system capacity of 1,134,667 tons per year, the Lee County Integrated Waste Management System (IWMS) would be capable of providing a 7.0 pounds-per-capita-per-day level of service to a full-time combined Lee and Hendry County population of 888,000.

The proposed increase in density will result in an additional 8,993 pounds per day. The Lee County Resources Facility and the Lee-Hendry Regional Landfill has available capacity to accommodate the proposed increase in density. Further evidence of adequate capacity is outlined in letter of availability provided by the Lee County Solid Waste Department for the proposed development included with this submittal.

Conclusions

The analysis above confirms that there are sufficient public facilities to support the proposed rezoning request, with a potential maximum number of 549 additional dwelling units. The rezoning areas will be adequately supported and will not cause adverse impacts or insufficiencies to the surrounding public facilities; alternatively, it will benefit the public to increase density in an area where public facilities are in place, promoting contiguous and compact growth patterns and preventing urban sprawl.



**LOCAL PLANNING AGENCY
ADMINISTRATION EAST BUILDING
2201 SECOND STREET, FORT MYERS, FL 33901
ROOM 118 (FIRST FLOOR)
MONDAY, MAY 22, 2023
9:00 AM**

AGENDA

1. Call to Order/Review of Affidavit of Publication/Pledge of Allegiance
2. Public Forum
3. Approval of Minutes – March 27, 2023
4. Lee Plan Amendments
 - A. CPA2022-00016 Barrett Park
Amend Lee Plan Map 1-A to redesignate the ±20.14 acre property from the Sub-Outlying Suburban future land use category to the Urban Community future land use category.
 - B. CPA2023-00004 Building Height and Resiliency
Amend Lee Plan Goal 23 and Policy 23.2.3 to remove requirements that restricts the ability to redevelop or rebuild structures in order to reduce potential flooding threats by accommodating required minimum flood elevations.
5. Land Development Code Amendments
 - A. Building Height and Resiliency
Amendments to LDC Chapters 33 and 34 addressing building height and resiliency, clarifying parking requirements for uses pursuing build-back, and clarifying application requirements.
 - B. Section 30-55 (Non-Conforming Signs)
Amendment to LDC Chapter 30 to allow for a one-time relocation of a previously non-conforming billboard that was rebuilt pursuant to the existing “two-for-one” billboard incentive.
6. Other Business
7. Adjournment

Abutting property through building, conventional remain unchanged.

Building, height of means the vertical distance of a building or structure measured in accordance with 34-2171, from grade to the highest point of the roof surface of a flat or Bermuda roof, to the deck line of a mansard roof, and to the mean height level between eaves and ridge of gable, hip and gambrel roofs. Where minimum floor elevations in floodprone areas have been established by law, the building height will be measured from required minimum floor elevations (see article VII, division 30, subdivision II, of this chapter).

Building official through intensity remain unchanged

Island means any piece of land that is surrounded completely by a natural body or natural bodies of water. Islands created through excavation or dredging activity or lands otherwise surrounded by water as a result of human activity will not be considered islands.

ARTICLE II. – ADMINISTRATION

DIVISION 6. - APPLICATIONS

Sec. 34-201. Application requirements for public hearing and administrative actions.

Staff note: Revise requirement to eliminate need for 75 percent application initiation where association's president, manager or equivalent initiates the application for common elements. Subsequent development tracts or phases may be initiated by property owner(s) of the subsequent phase or tract, which is consistent with existing DCD practice.

(a) Initiation of application. An application for a rezoning, mine excavation planned development under chapter 12, special exception, or variance may be initiated by:

(1) A landowner, or his authorized agent, for his own property; Where there is more than one owner, either legal or equitable, then all owners must jointly initiate the application or petition.
~~provided, however, that:~~

~~a. Except as provided in subsections (a)(1)b. and c. of this section below, where there is more than one owner, either legal or equitable, then all owners must jointly initiate the application or petition.~~

- ~~1a.~~ This does not mean that both a husband and wife must initiate the application on private real property which is owned by them.
- ~~2b.~~ Where the property is subject to a land trust agreement, the trustee may initiate the application.
- ~~3c.~~ Where the fee owner is a corporation, any duly authorized corporate official may initiate the application.
- ~~4d.~~ Where the fee owner is a partnership, a general partner may initiate the application.
- ~~5e.~~ Where the property is a condominium, timeshare condominium, or homeowners' association as defined and regulated in F.S. chs. 718, 720, and 721, respectively,

an application or petition applicable to association property including but not limited to common elements, common area, or future development, may be initiated by the association's president, manager or equivalent when authorized by a resolution of the association's governing body or by previously recorded association documents. Where the fee owner is an association, the association or its governing body may appoint an agent to initiate the application on behalf of the association.

- f. In addition to the authorization required under subsection e, applications that include property that is individually owned by homeowners, condominium unit owners, or timeshare unit owners must be accompanied by a letter of opinion from a licensed Florida attorney, who must attest that he has examined the declaration of condominium, the bylaws of the condominium or homeowners' association documents, and all other relevant legal documents or timeshare documents, as applicable, and concluded that the act of applying or petitioning to the County violates none of the provisions therein, or any federal or state law regulating condominiums, timeshare plans, or homeowners associations, or the rights of any of the unit/homeowners owners, as derived from such documents and laws, and that approval of the requested act by the County would violate no such rights.

~~b. Where the property is a condominium, or a timeshare condominium, or homeowners' association as defined and regulated in F.S. chs. 718, 720, and 721, respectively, an application or petition applicable to property owned by the Association, including but not limited to common elements, future buildings, or future development phases, may be initiated by the Association's President, Manager or equivalent when authorized by a Resolution of the Association's governing body or by previously recorded Condominium documents.~~

~~In addition, applications that include property that is individually owned by homeowners, condominium unit owners, or timeshare unit owners must be approved by no less than 75 percent of the total number of individual unit owners condominium unit owners, or by both the owners' association and no less than 75 percent of timeshare condominium unit owners.~~

- ~~1. For purposes of this subsection, each individually owned condominium or homeowner unit within the condominium complex and each individually owned timeshare unit as defined by F.S. ch. 721 counts as one unit, regardless of the number of individuals who jointly own the unit.~~
- ~~2. In order to verify ownership, the applicants must furnish the County, as part of their application, a complete list of all unit owners, identified by unit number and timeshare period, as applicable, along with proof that all unit owners who did not join in the application were given actual written notice thereof by the applicants, who must verify the list and fact of notice by sworn affidavit.~~
- ~~3. So as to protect the legal rights of nonparticipating unit owners, the application must be accompanied by a letter of opinion from a licensed Florida attorney, who must attest that he has examined the declaration of condominium, the bylaws of~~

~~the condominium or homeowners' association, and all other relevant legal documents or timeshare documents, as applicable, and concluded that the act of applying or petitioning to the County violates none of the provisions therein, or any federal or state law regulating condominiums or timeshare plans, or the rights of any of the nonparticipating unit owners, as derived from such documents and laws, and that approval of the requested act by the County would violate no such rights.~~

~~c. Where the property is a Subdivision, an application or petition may be initiated by no less than 75 percent of the total number of lot or parcel owners and the homeowners' association, if applicable.~~

~~1. For purposes of this subsection, a subdivision is an area of property defined by a specific boundary in which lot divisions have been established on a plat that has been recorded in either a plat book or official records book whereby legal descriptions are referred to by lot or parcel number. This term may include any unit or phase of the subdivision and not the entire subdivision.~~

~~2. In order to verify ownership, the applicants must furnish the County, as part of their application, a complete list of all lot owners, identified by lot number, along with proof that all lot owners who did not join in the application were given actual written notice thereof by the applicants, who must verify the list and fact of notice by sworn affidavit.~~

c. Where the application is applicable to property that is a subsequent phase or development tract located within a development, including but not limited to, a condominium, timeshare condominium, or homeowners' association as defined and regulated in F.S. chs. 718, 720, and 721, respectively, an application or petition may be initiated by the property owner(s) of the subsequent phase or development tract.

(2) The County, which for purposes of this section means the Board of County Commissioners.

(b) Abutting properties. All properties within a single application must be abutting unless the Director determines, in his or her sole discretion, that there is a rational relationship between the properties in question.

(c) Waivers. Upon written request, on a form prepared by the County, the Director may modify the submittal requirements where it can be demonstrated by the applicant that the submission will have no bearing on the review and processing of the application. The decision of the Director is discretionary and may not be appealed.

(d) Filing fee. All fees, in accordance with the County's External Fees and Charges Manual, must be paid in full at the time the application is submitted. No review of the application will commence until payment is received

**RIVER HALL RPD
LEE COUNTY PROTECTED SPECIES SURVEY**

Revised April 2023

Prepared For:

Greenpointe Communities
2401 River Hall Parkway
Alva, Florida 33920
(239) 274-0321

Prepared By:

Passarella & Associates, Inc.
13620 Metropolis Avenue, Suite 200
Fort Myers, Florida 33912
(239) 274-0067

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1.0 INTRODUCTION

Passarella & Associates, Inc. (PAI) conducted a protected species survey on River Hall RPD (Project). The survey was conducted to meet the requirements of the Lee County Land Development Code (LDC) Chapter 10, Article III, Division 8 (Protection of Habitat) Standards.

The Project site totals 172.67± acres and is located in Sections 27, 35, and 36; Township 43 South; Range 26 East; Lee County (Figure 1). More specifically, the Project site is located within River Hall, on the south side of State Road 80, approximately six miles east of Interstate 75. The surrounding land uses include single-family residences and undeveloped land to the north, Lehigh Acres to the south, Lee County Hickey's Creek Mitigation Park to the east, and the Portico residential community to the south and west.

The following information details the land uses, survey methodology, and survey results.

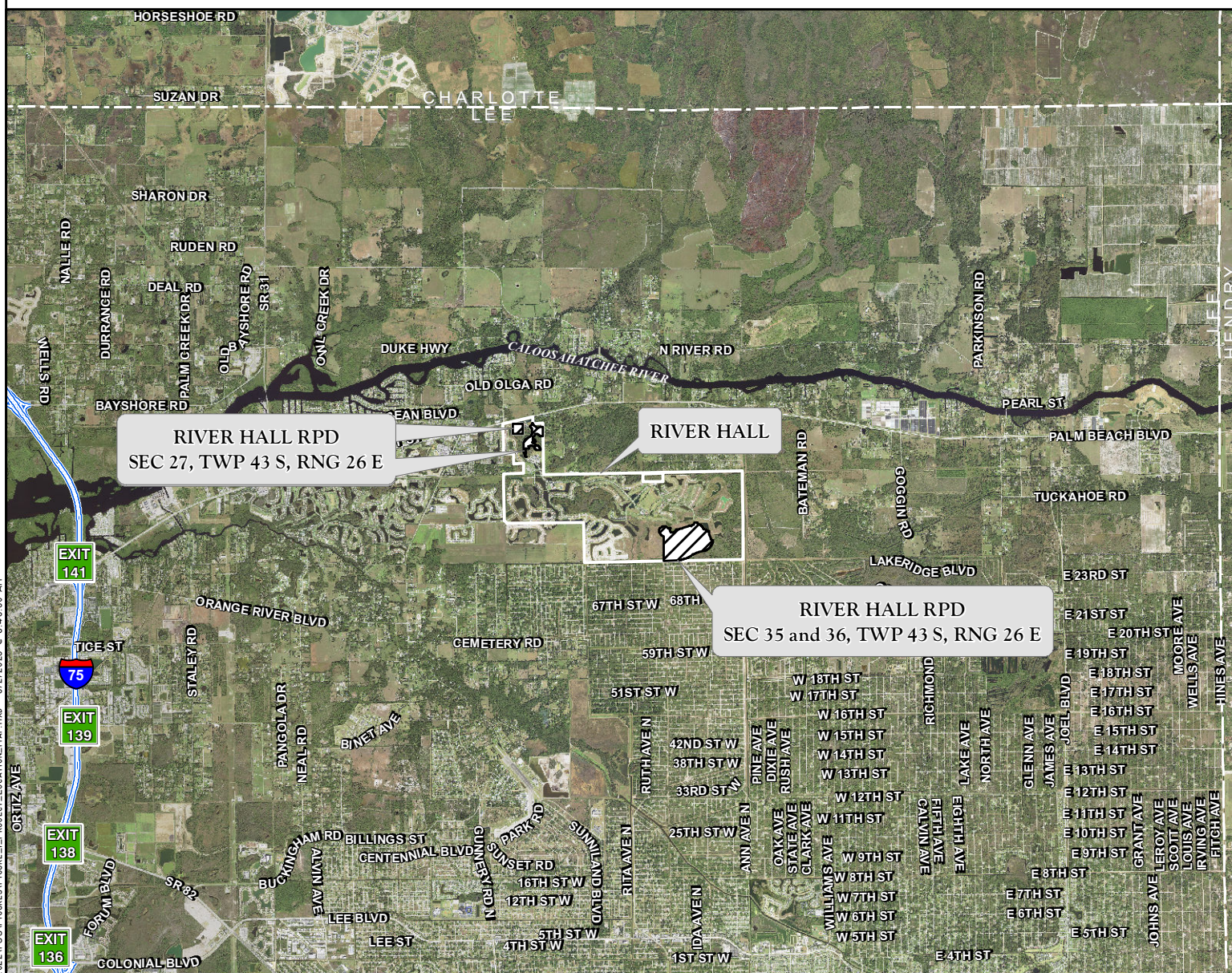
2.0 LAND USES AND VEGETATION ASSOCIATIONS

The vegetation associations for the Project were originally mapped by PAI in August 2003 for the overall River Hall development using 2002 Lee County rectified aerial photographs. Fieldwork to update the Florida Land Use, Cover and Forms Classification System (FLUCFCS) mapping for the Project was conducted in August 2021 and March 2022. Groundtruthing to map the vegetative communities was conducted utilizing FLUCFCS Level III (Florida Department of Transportation 1999). Level IV FLUCFCS was utilized to denote disturbance. "E" codes were used to identify levels of exotic and invasive vegetation (e.g., Brazilian pepper (*Schinus terebinthifolia*)). AutoCAD Map 3D 2021 software was used to determine the acreage of each mapping area, produce summaries, and generate the FLUCFCS map. An aerial photograph of the property with FLUCFCS overlay is provided as Appendix A.

A total of nine vegetative associations and land uses (i.e., FLUCFCS codes) were identified within the Project site. Disturbed land occupies 148.56± acres, or 86.0 percent of the site. Table 1 provides a breakdown of the FLUCFCS codes by acreage, followed by a brief description of each of the classifications.

Table 1. Existing Land Use and Cover Summary

FLUCFCS Code	Description	Acreage (±)	Percent of Total
3209 E2	Shrub and Brushland, Disturbed (25-49% Exotics)	0.14	0.1
4159 E3	Pine, Disturbed (50-75% Exotics)	0.20	0.1
4279 E1	Live Oak, Disturbed (0-24% Exotics)	0.14	0.1
4279 E3	Live Oak, Disturbed (50-75% Exotics)	0.56	0.3
4349 E1	Hardwood/Conifer Mixed, Disturbed (0-24% Exotics)	0.74	0.4
524	Man-Made Lakes	14.13	8.2
6219 E1	Cypress, Disturbed (0-24% Exotics)	2.21	1.3
6259 E2	Pine, Hydric, Disturbed (25-49% Exotics)	0.60	0.3
6309 E1	Mixed Wetland Forest, Disturbed (0-24% Exotics)	3.83	2.2



DRAWN BY	DATE
P.F., R.F.	4/18/23
REVIEWED BY	DATE
J.S.	4/18/23
REVISED	DATE



Table 1. (Continued)

FLUCFCS Code	Description	Acreage (±)	Percent of Total
6309 E2	Mixed Wetland Forest, Disturbed (25-49% Exotics)	1.52	0.9
740	Disturbed Land	148.56	86.0
7401	Disturbed Land, Hydric	0.04	<0.1
Totals		172.67	100.0

Shrub and Brushland, Disturbed (25-49% Exotics) (FLUCFCS Code 3209 E2)

This habitat type occupies 0.14± acre, or 0.1 percent of the Project site. The canopy is open. The sub-canopy contains Brazilian pepper, gallberry (*Ilex glabra*), staggerbush (*Lyonia fruticosa*), winged sumac (*Rhus copallinum*), wild coffee (*Psychotria nervosa*), laurel oak (*Quercus laurifolia*), Walter's viburnum (*Viburnum obovatum*), and hog plum (*Ximenia americana*). The ground cover includes saw palmetto (*Serenoa repens*), staggerbush, gallberry, and caesarweed (*Urena lobata*).

Pine, Disturbed (50-75% Exotics) (FLUCFCS Code 4159 E3)

This habitat type occupies 0.20± acre, or 0.1 percent of the Project site. The canopy is comprised of slash pine (*Pinus elliottii*) and scattered cabbage palm (*Sabal palmetto*). The sub-canopy contains cabbage palm, Brazilian pepper, wax myrtle (*Morella cerifera*), saw palmetto, buckthorn (*Sideroxylon reclinatum* subsp. *reclinatum*), myrsine (*Myrsine cubana*), and scattered live oak (*Quercus virginiana*). The ground cover includes muscadine grapevine (*Vitis rotundifolia*), saw palmetto, Virginia creeper (*Parthenocissus quinquefolia*), poison ivy (*Toxicodendron radicans*), broomsedge (*Andropogon virginicus*), wild coffee, shortleaf wild coffee (*Psychotria tenuifolia*), myrsine, wax myrtle, and caesarweed.

Live Oak, Disturbed (0-24% Exotics) (FLUCFCS Code 4279 E1)

This habitat type occupies 0.14± acre, or 0.1 percent of the Project site. The canopy is comprised of live oak and scattered cabbage palm. The sub-canopy contains live oak, saw palmetto, myrsine, wild coffee, swamp bay (*Persea palustris*), shrub verbena (*Lantana strigocamara*), Brazilian pepper, Javanese bishopwood (*Bischofia javanica*), and scattered laurel oak. The ground cover includes saw palmetto, muscadine grapevine, shrub verbena, Virginia creeper, poison ivy, peppervine (*Nekemias arborea*), and caesarweed.

Live Oak, Disturbed (50-75% Exotics) (FLUCFCS Code 4279 E3)

This habitat type occupies 0.56± acre, or 0.3 percent of the Project site. The vegetative composition is similar to FLUCFCS Code 4279 E1, except with 50 to 75 percent coverage by exotic vegetation such as Brazilian pepper, caesarweed, shrub verbena, and Javanese bishopwood.

Hardwood/Conifer Mixed, Disturbed (0-24% Exotics) (FLUCFCS Code 4349 E1)

This habitat type occupies 0.74± acre, or 0.4 percent of the Project site. The canopy is comprised of live oak, laurel oak, slash pine, and cabbage palm. The sub-canopy contains laurel oak, wild coffee, shortleaf wild coffee, Walter's viburnum, Brazilian pepper, myrsine, and wax myrtle. The ground cover includes saw palmetto, wild coffee, poison ivy, and muscadine grapevine.

Man-Made Lakes (FLUCFCS Code 524)

This land use occupies 14.13± acres, or 8.2 percent of the Project site, and consists of excavated lakes. The sub-canopy contains Carolina willow (*Salix caroliniana*) along the edges. The ground cover includes torpedograss (*Panicum repens*), cattail (*Typha* sp.), dog fennel (*Eupatorium capillifolium*), and spikerush (*Eleocharis cellulosa*).

Cypress, Disturbed (0-24% Exotics) (FLUCFCS Code 6219 E1)

This habitat type occupies 2.21± acres, or 1.3 percent of the Project site. The canopy is dominated by bald cypress (*Taxodium distichum*) but also includes scattered laurel oak and cabbage palm. The sub-canopy is mostly open with scattered pop ash (*Fraxinus caroliniana*), cabbage palm, and Brazilian pepper. The ground cover is mostly open but includes swamp fern (*Telmatoblechnum serrulatum*), false nettle (*Boehmeria cylindrica*), Asiatic pennywort (*Centella asiatica*), red ludwigia (*Ludwigia repens*), poison ivy, chain fern (*Woodwardia virginica*), swamp lily (*Crinum americanum*), and millet beaksedge (*Rhynchospora miliacea*).

Pine, Hydric, Disturbed (25-49% Exotics) (FLUCFCS Code 6259 E2)

This habitat type occupies 0.60± acre, or 0.3 percent of the Project site. The canopy is comprised of mostly slash pine with scattered cabbage palm. The sub-canopy includes slash pine, cabbage palm, myrsine, wax myrtle, and Brazilian pepper, with scattered saw palmetto, laurel oak, and red maple (*Acer rubrum*). The ground cover includes swamp fern, saw palmetto, poison ivy, wild coffee, muscadine grapevine, and millet beaksedge.

Mixed Wetland Forest, Disturbed (0-24% Exotics) (FLUCFCS Code 6309 E1)

This habitat type occupies 3.83± acres, or 2.2 percent of the Project site. The canopy is comprised of bald cypress, laurel oak, slash pine, and cabbage palm. The sub-canopy includes bald cypress, cabbage palm, swamp bay, myrsine, wax myrtle, saltbush (*Baccharis halimifolia*), and wild coffee, with scattered red maple, Javanese bishopwood, Java plum (*Syzygium cumini*), and Brazilian pepper. The ground cover includes swamp fern, Asiatic pennywort, red ludwigia, saw greenbrier (*Smilax bona-nox*), climbing hempvine (*Mikania scandens*), poison ivy, myrsine, wild coffee, shortleaf wild coffee, wax myrtle, muscadine grapevine, shield fern (*Thelypteris* sp.), beaksedge (*Rhynchospora* spp.), and low panicum (*Dichanthelium* spp.).

Mixed Wetland Forest, Disturbed (25-49% Exotics) (FLUCFCS Code 6309 E2)

This habitat type occupies 1.52± acres, or 0.9 percent of the Project site. The vegetative composition is similar to FLUCFCS Code 6309 E1, except with 25 to 49 percent coverage by exotic vegetation such as Brazilian pepper, Java plum, and Javanese bishopwood.

Disturbed Land (FLUCFCS Code 740)

This land use occupies 148.56± acres, or 86.0 percent of the Project site. The canopy is variable but may include scattered cabbage palm and live oak. The sub-canopy may contain scattered saltbush, Brazilian pepper, slash pine, earleaf acacia (*Acacia auriculiformis*), cabbage palm, myrsine, hog plum, red cedar (*Juniperus virginiana*), winged sumac, and wax myrtle. The ground cover includes common ragweed (*Ambrosia artemisiifolia*), bushy bluestem (*Andropogon glomeratus*), caesarweed, knotroot foxtail (*Setaria parviflora*), spermacoce (*Spermacoce* sp.), primrose willow (*Ludwigia octovalvis*), guineagrass (*Panicum maximum*), limpograss (*Hemarthria altissima*), thalia lovegrass (*Eragrostis atrovirens*), St. Augustine grass

(*Stenotaphrum secundatum*), cogongrass (*Imperata cylindrica*), torpedograss, and beggarticks (*Bidens alba*).

Disturbed Land, Hydric (FLUCFCS Code 7401)

This land use occupies 0.04± acre, or less than 0.1 percent of the Project property. The canopy is open. The sub-canopy is mostly open with scattered saltbush, swamp bay, and red maple. The ground cover includes sawgrass (*Cladium jamaicense*), rosy camphorweed (*Pluchea baccharis*), Asiatic pennywort, Leavenworth's tickseed (*Coreopsis leavenworthii*), and Gulf muhly (*Muhlenbergia capillaris* var. *capillaris*).

3.0 METHODOLOGY AND DISCUSSION

Surveys for Lee County protected species are based on the presence of specific vegetation associations and habitat types, as outlined in the LDC. The frequency of transects performed in these habitats was designed to meet the 80 percent minimum coverage requirement, per the LDC. Table 2 outlines those protected species that may inhabit or utilize a particular vegetation association and land cover type.

Table 2. Potential Lee County Protected Species by Habitat Type

FLUCFCS Code	Description	Potential Protected Species
3209 E2	Shrub and Brushland, Disturbed (25-49% Exotics)	Eastern indigo snake (<i>Drymarchon corais couperi</i>)
		Gopher frog (<i>Lithobates capito</i>)
		Gopher tortoise (<i>Gopherus polyphemus</i>)
		Curtiss' milkweed (<i>Asclepias curtissii</i>)
		Fakahatchee burmannia (<i>Burmattia flava</i>)
		Florida coontie (<i>Zamia integrifolia</i>)
4159 E3*	Pine, Disturbed (50-75% Exotics)	Eastern indigo snake (<i>Drymarchon corais couperi</i>)
		Gopher frog (<i>Lithobates capito</i>)
		Gopher tortoise (<i>Gopherus polyphemus</i>)
		Red-cockaded woodpecker (<i>Picoides borealis</i>)
		Southeastern American kestrel (<i>Falco sparverius paulus</i>)
		Big Cypress fox squirrel (<i>Sciurus niger avicennia</i>)
		Florida black bear (<i>Ursus americanus floridanus</i>)
		Florida panther (<i>Puma concolor coryi</i>)
		Beautiful pawpaw (<i>Asimina pulchella</i>)
		Fakahatchee burmannia (<i>Burmattia flava</i>)
		Florida coontie (<i>Zamia integrifolia</i>)
		Satinleaf (<i>Chrysophyllum oliviforme</i>)

Table 2. (Continued)

FLUCFCS Code	Description	Potential Protected Species
4279 E1 4279 E3	Live Oak, Disturbed (0-75% Exotics)	Eastern indigo snake (<i>Drymarchon corais couperi</i>)
		Gopher tortoise (<i>Gopherus polyphemus</i>)
		Florida black bear (<i>Ursus americanus floridanus</i>)
		Florida panther (<i>Puma concolor coryi</i>)
		Hand adder's tongue fern (<i>Ophioglossum palmatum</i>)
		Simpson's stopper (<i>Myrcianthes fragrans</i>)
		Twisted air plant (<i>Tillandsia flexuosa</i>)
4349 E1	Hardwood/Conifer Mixed, Disturbed (0-24% Exotics)	Florida panther (<i>Puma concolor coryi</i>)
524	Man-Made Lakes	American alligator (<i>Alligator mississippiensis</i>)
		Everglade snail kite (<i>Rostrhamus sociabilis plumbeus</i>)
		Limpkin (<i>Aramus guarauna</i>)
		Little blue heron (<i>Egretta caerulea</i>)
		Reddish egret (<i>Egretta rufescens</i>)
		Roseate spoonbill (<i>Platalea ajaja</i>)
		Snowy egret (<i>Egretta thula</i>)
		Tri-colored heron (<i>Egretta tricolor</i>)
		Everglades mink (<i>Mustela vison evergladensis</i>)
6219 E1	Cypress, Disturbed (0-24% Exotics)	American alligator (<i>Alligator mississippiensis</i>)
		Limpkin (<i>Aramus guarauna</i>)
		Little blue heron (<i>Egretta caerulea</i>)
		Snowy egret (<i>Egretta thula</i>)
		Tri-colored heron (<i>Egretta tricolor</i>)
		Wood stork (<i>Mycteria americana</i>)
		Florida black bear (<i>Ursus americanus floridanus</i>)
		Florida panther (<i>Puma concolor coryi</i>)
6259 E2	Pine, Hydric, Disturbed (25-49% Exotics)	Little blue heron (<i>Egretta caerulea</i>)
		Snowy egret (<i>Egretta thula</i>)
		Tri-colored heron (<i>Egretta tricolor</i>)
6309 E1 6309 E2	Mixed Wetland Forest, Disturbed (0-49% Exotics)	American alligator (<i>Alligator mississippiensis</i>)
		Gopher frog (<i>Lithobates capito</i>)
		Limpkin (<i>Aramus guarauna</i>)
		Little blue heron (<i>Egretta caerulea</i>)
		Snowy egret (<i>Egretta thula</i>)
		Tri-colored heron (<i>Egretta tricolor</i>)
		Wood stork (<i>Mycteria americana</i>)
		Everglades mink (<i>Mustela vison evergladensis</i>)
		Florida black bear (<i>Ursus americanus floridanus</i>)
		Florida panther (<i>Puma concolor coryi</i>)

Table 2. (Continued)

FLUCFCS Code	Description	Potential Protected Species
740*	Disturbed Land	Eastern indigo snake (<i>Drymarchon corais couperi</i>)
		Gopher tortoise (<i>Gopherus polyphemus</i>)
		Crested caracara (<i>Caracara cheriway</i>)
		Florida burrowing owl (<i>Athene cunicularia floridana</i>)
		Florida sandhill crane (<i>Grus canadensis pratensis</i>)
		Southeastern American kestrel (<i>Falco sparverius paulus</i>)
		Florida panther (<i>Puma concolor coryi</i>)
7401	Disturbed Land, Hydric	N/A

*Habitat surveyed for the species noted, although not required per the LDC.

PAI conducted the protected species survey on August 24 and 25, 2021 and March 25, 2022. Weather conditions during the August 2021 survey period included temperatures in the upper 70s to low 90s, cloud cover ranging from 0 to 60 percent, and east winds from 0 to 5 miles per hour. Weather conditions during the March 2022 survey period included temperatures in the low 70s to low 80s, cloud cover ranging from 0 to 40 percent, and north winds from 5 to 15 miles per hour. The survey utilized linear belt and meandering pedestrian transects per the WilsonMiller, Inc. methodology.

Visibility on the surveyed habitats varied due to the density of vegetation. A summary of the limits of visibility, total length of transects walked, and percent coverage by habitat type is provided in Table 3. An aerial with the FLUCFCS overlay and approximate locations of walked transects is provided as Appendix B.

Table 3. Summary of Habitat Coverage

FLUCFCS Code	Description	Total Area (Acres ±)	Average Visibility (Feet ±)*	Percent Coverage	Transect Length (Feet ±)
3209 E2	Shrub and Brushland, Disturbed (25-49% Exotics)	0.14	30	80	81
4159 E3	Pine, Disturbed (50-75% Exotics)	0.20	40	80	87
4279 E1	Live Oak, Disturbed (0-24% Exotics)	0.14	30	80	81
4279 E3	Live Oak, Disturbed (50-75% Exotics)	0.56	30	80	325
4349 E1	Hardwood/Conifer Mixed, Disturbed (0-24% Exotics)	0.74	40	80	322
524	Man-Made Lake**	14.13	50	80	4,924
6219 E1	Cypress, Disturbed (0-24% Exotics)	2.21	40	80	963
6259 E2	Pine, Hydric, Disturbed (25-49% Exotics)	0.60	40	80	261
6309 E1	Mixed Wetland Forest (0-24% Exotics)	3.83	40	80	1,668

Table 3. (Continued)

FLUCFCS Code	Description	Total Area (Acres ±)	Average Visibility (Feet ±)*	Percent Coverage	Transect Length (Feet ±)
6309 E2	Mixed Wetland Forest (25-49% Exotics)	1.52	40	80	662
740	Disturbed Land	148.56	60	80	43,142
7401	Disturbed Land, Hydric	0.04	50	80	14

*Average visibility to each side of transect.

**Surveyed from the shoreline.

4.0 SURVEY RESULTS

A total of 57 gopher tortoise (*Gopherus polyphemus*) burrows, one Florida burrowing owl (*Athene cunicularia floridana*) burrow, and two hand ferns (*Ophioglossum palmatum*) were observed on the Project during the protected species surveys. The gopher tortoise and Florida burrowing owl are listed as threatened by the Florida Fish and Wildlife Conservation Commission (FWCC) (2021). The hand fern is listed as endangered by the Florida Department of Agriculture and Consumer Services under rule 5B-40.0055 of the Regulated Plant Index. The locations of the gopher tortoise burrows, Florida burrowing owl burrows, and hand ferns observed are depicted on Appendix B.

5.0 ABUNDANCE OF PROTECTED SPECIES OBSERVED

Density calculations are provided for each Lee County protected species documented within each habitat type. Separate calculations are provided if more than one of the same protected species is observed within different habitat types. Please note that density estimates for wildlife species are only provided for Lee County protected species.

The Lee County protected species abundance calculations are provided in Table 4, while Table 5 summarizes the protected species survey findings.

Table 4. Lee County Protected Species Abundance Calculations

$$\text{Protected Species Density} = \{n (C)/[L (W_1+W_2)]\} (43,560 \text{ ft}^2/\text{ac})$$

Where n = number of individuals observed or active plus inactive
gopher tortoise burrows
L = length of transect
W₁ = distance of visibility to the right of transect
W₂ = distance of visibility to the left of transect
C = gopher tortoise conversion factor (0.5)*

*Used for gopher tortoise calculation only

Table 4. (Continued)**Gopher Tortoise (Burrow)***FLUCFCS Code 740*

$$= \{57 \text{ GT } (0.5) / [43,142 \text{ ft } (60 \text{ ft} + 60 \text{ ft})]\} (43,560 \text{ ft}^2/\text{ac})$$

$$= \{28.5 \text{ GT}/5,177,040 \text{ ft}^2\} (43,560 \text{ ft}^2/\text{ac})$$

$$= \{5.5 \times 10^{-6} \text{ GT}/\text{ft}^2\} (43,560 \text{ ft}^2/\text{ac})$$

$$= 0.24 \text{ gopher tortoise / acre}$$

Florida Burrowing Owl (Burrow)*FLUCFCS Code 740*

$$= \{1 \text{ BO} / [43,142 \text{ ft } (60 \text{ ft} + 60 \text{ ft})]\} (43,560 \text{ ft}^2/\text{ac})$$

$$= \{1 \text{ BO}/5,177,040 \text{ ft}^2\} (43,560 \text{ ft}^2/\text{ac})$$

$$= \{1.9 \times 10^{-7} \text{ BO}/\text{ft}^2\} (43,560 \text{ ft}^2/\text{ac})$$

$$= 0.008 \text{ Florida burrowing owl burrows / acre}$$

Hand Fern (OPH PAL)*FLUCFCS Code 6219 E1*

$$= \{2 \text{ OPH PAL} / [963 \text{ ft } (40 \text{ ft} + 40 \text{ ft})]\} (43,560 \text{ ft}^2/\text{ac})$$

$$= \{2 \text{ OPH PAL} / 77,040 \text{ ft}^2\} (43,560 \text{ ft}^2/\text{ac})$$

$$= \{2.6 \times 10^{-5} \text{ OPH PAL}/\text{ft}^2\} (43,560 \text{ ft}^2/\text{ac})$$

$$= 1.13 \text{ hand fern / acre}$$

Table 5. Lee County Protected Species Survey Summary

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Present	Absent	Density (Per Acre)
Amphibians					
Gopher frog (<i>Lithobates capito</i>)	3209 E2	80		X	
	740	80		X	
	6309 E1	80		X	
	6309 E2	80		X	
Reptiles					
American alligator (<i>Alligator mississippiensis</i>)	524	80		X	
	6219 E1	80		X	
	6309 E1	80		X	
	6309 E2	80		X	

Table 5. (Continued)

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Present	Absent	Density (Per Acre)
Reptiles (Continued)					
Eastern indigo snake (<i>Drymarchon corais couperi</i>)	3209 E2	80		X	
	4159 E3	80		X	
	4279 E1	80		X	
	4279 E3	80		X	
	740	80		X	
Gopher tortoise (burrows) (<i>Gopherus polyphemus</i>)	3209 E2	80		X	
	4159 E3	80		X	
	4279 E1	90		X	
	4279 E3	80		X	
	740	80	X		0.24
Birds					
Crested caracara (<i>Caracara cheriway</i>)	740	80		X	
Everglade snail kite (<i>Rostrhamus sociabilis plumbeus</i>)	524	80		X	
Florida burrowing owl (burrows) (<i>Athene cunicularia floridana</i>)	740	80	X		0.008
Florida sandhill crane (<i>Grus canadensis pratensis</i>)	740	80		X	
Limpkin (<i>Aramus guarauna</i>)	524	80		X	
	6219 E1	80		X	
	6309 E1	80		X	
	6309 E2	80		X	
Little blue heron (<i>Egretta caerulea</i>)	524	80		X	
	6219 E1	80		X	
	6259 E2	80		X	
	6309 E1	80		X	
	6309 E2	80		X	
Reddish egret (<i>Egretta rufescens</i>)	524	80		X	
Red-cockaded woodpecker (<i>Picoides borealis</i>)	4159 E3	80		X	
Roseate spoonbill (<i>Platalea ajaja</i>)	524	80		X	
Southeastern American kestrel (<i>Falco sparverius paulus</i>)	4159 E3	80		X	
	740	80		X	

Table 5. (Continued)

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Present	Absent	Density (Per Acre)
Birds (Continued)					
Snowy egret (<i>Egretta thula</i>)	524	80		X	
	6219 E1	80		X	
	6259 E2	80		X	
	6309 E1	80		X	
	6309 E2	80		X	
Tri-colored heron (<i>Egretta tricolor</i>)	524	80		X	
	6219 E1	80		X	
	6259 E2	80		X	
	6309 E1	80		X	
	6309 E2	80		X	
Wood Stork (<i>Mycteria americana</i>)	6219 E1	80		X	
	6309 E1	80		X	
	6309 E2	80		X	
Mammals					
Big Cypress fox squirrel (<i>Sciurus niger avicennia</i>)	4159 E3	80		X	
Everglades mink (<i>Mustela vison evergladensis</i>)	524	80		X	
	6309 E1	80		X	
	6309 E2	80		X	
Florida black bear (<i>Ursus americanus floridanus</i>)	4159 E3	80		X	
	4279 E1	80		X	
	4279 E3	80		X	
	6219 E1	80		X	
	6309 E1	80		X	
	6309 E2	80		X	
Florida panther (<i>Puma concolor coryi</i>)	4159 E3	80		X	
	4279 E1	80		X	
	4279 E3	80		X	
	4349 E1	80		X	
	6219 E1	80		X	
	6309 E1	80		X	
	6309 E2	80		X	
	740	80		X	

Table 5. (Continued)

Protected Species	FLUCFCS Code/Area	Percent Area Surveyed	Present	Absent	Density (Per Acre)
Plants					
Curtiss' milkweed (<i>Asclepias curtissii</i>)	3209 E2	80		X	
Beautiful pawpaw (<i>Asimina pulchella</i>)	4159 E3	80		X	
Fakahatchee burmannia (<i>Burmannia flava</i>)	3209 E2	80		X	
	4159 E3	80		X	
Florida coontie (<i>Zamia integrifolia</i>)	3209 E2	80		X	
	4159 E3	80		X	
Hand adder's tongue fern (<i>Ophioglossum palmatum</i>)	4279 E1	80		X	
	4279 E3	80		X	
	6219 E1	80	X		1.13
Satinleaf (<i>Chrysophyllum oliviforme</i>)	4159 E3	80		X	
Simpson's stopper (<i>Myrcianthes fragrans</i>)	4279 E1	80		X	
	4279 E3	80		X	
Twisted airplant (<i>Tillandsia flexuosa</i>)	4279 E1	80		X	
	4279 E3	80		X	

6.0 MANAGEMENT ACTIVITIES

A management plan will be prepared to address the protected species documented on the Project. The management plan will be submitted to the County as part of the development order review process. FWCC Gopher Tortoise Incidental Take Permit (ITP) No. LEE-58 was issued for the overall River Hall project on September 6, 2000. Prior to initiating construction activities on the Project, the applicant will relocate gopher tortoises to the designated on-site preserve in accordance with the ITP. The details of ITP No. LEE-58 and gopher tortoise relocation activities will be incorporated into the protected species management plan, accordingly.

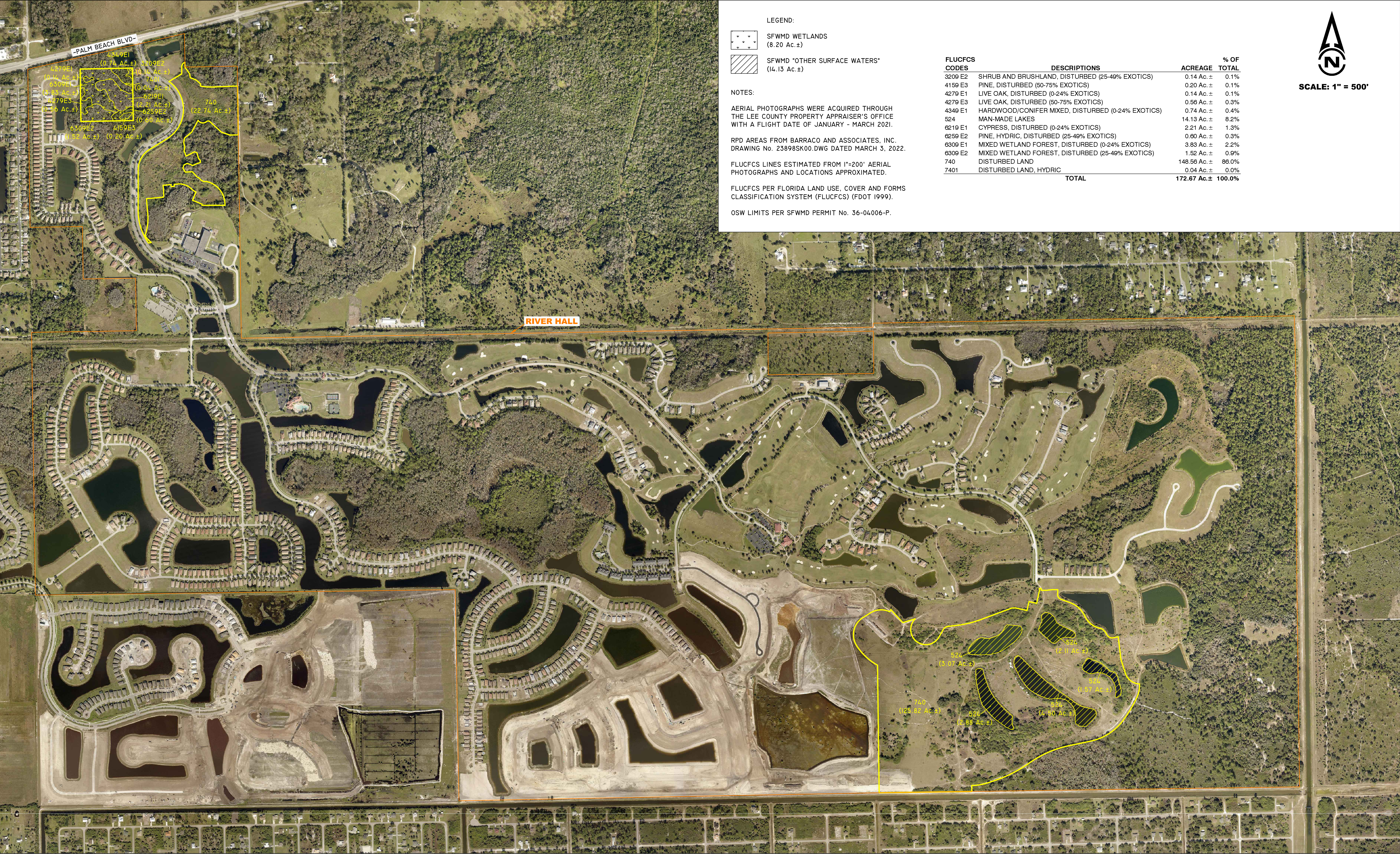
7.0 REFERENCES

Florida Department of Transportation. 1999. Florida Land Use, Cover and Forms Classification System. Procedure No. 550-010-001-a. Third Edition.

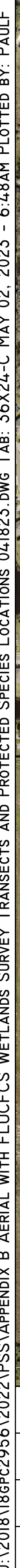
Florida Fish and Wildlife Conservation Commission. 2021. Florida's Endangered Species, Threatened Species and Species of Special Concern. Official Lists. Florida Fish and Wildlife Conservation Commission. Tallahassee, Florida.

APPENDIX A

AERIAL WITH FLUCFCS AND WETLANDS MAP



J:\2018\18GPC2956\2021\SS\APPENDIX A AERIAL WITH FLUCFCS AND WETLANDS MAP 041823.DWG TAB: 36X24-C MAY 02, 2023 - 6:49AM PLOTTED BY: PAULF



REVISIONS	DATE	DRAWN BY P.F., R.F.	DATE 4/18/23	13620 Metropolis Avenue Suite 200 Ft. Myers, FL 33912 Phone (239) 274-0067 Fax (239) 274-0069	 PASSARELLA & ASSOCIATES INC	RIVER HALL RPD AERIAL WITH FLUCFCS, WETLANDS, SURVEY TRANSECTS, AND PROTECTED SPECIES LOCATIONS	DRAWING No. 18GPC2956
		DESIGNED BY J.S.	DATE 4/18/23				SHEET No.
		REVIEWED BY S.J.	DATE 4/18/23				APPENDIX B