



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

October 4, 2023

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

**Reference: Application for a Conventional Rezoning – 14290 N. Cleveland Ave.
0.52-acre portion of 14180 N. Cleveland Ave, North Fort Myers
Lee County S03-T44S-R24E**

Dear Mr. Rodriguez,

Attached herewith is a completed application and associated support material for a Conventional Rezoning request. The Applicant is requesting to rezone the 0.52-acre AG-2 zoned portion of the overall 6.41-acre property located at 14180 to the commercial C-1 zoning district. The subject property with the site address of 14180 N. Cleveland Avenue was previously four (4) lots, each with their own STRAP number. The applicant combined the four (4) lots through the Property Appraiser's office in April 2023 with the intent of developing the property; however, a small 0.52-acre portion is zoned AG-2. The applicant is requesting to rezone that land to the C-1 zoning district for a consistent zoning of the entire property. The boundary survey included with this application provides the information for the 0.52-acre portion. Please see the Narrative of Request for additional information.

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

1. One (1) copy of the completed Application for Conventional Rezoning – Public Hearing;
2. One (1) copy of the notarized Affidavit of Authorization Form;
3. One (1) copy of the Additional Agents Form;
4. One (1) copy of the notarized Disclosure of Interest Form;
5. One (1) copy of the notarized Authorization to Represent Affidavit;
6. One (1) copy of the Sketch and Legal Description;
7. One (1) copy of the Boundary Survey;
8. One (1) copy of the Confirmation of Ownership/Title Insurance Policy with Affidavit of No Change;

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9. One (1) copy of the List and Map of surrounding property owners with one set of mailing labels;
10. One (1) copy of the Summary of Public Informational Session;
11. One (1) copy of the Area Location Map, Exhibit A;
12. One (1) copy of the Future Land Use Map, Exhibit B;
13. One (1) copy of the Mixed-Use Overlay Map, Exhibit C;
14. One (1) copy of the Surrounding Zoning Map, Exhibit D;
15. One (1) copy of the Request Statement, including Lee Plan Compliance Narrative; and
16. One (1) copy of the Letter of Availability from Lee County Utilities (LCU) and Florida Governmental Utility Authority (FGUA).

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

Sincerely,

TDM CONSULTING, INC.

A handwritten signature in blue ink that reads "Veronica Martin". The signature is written in a cursive, flowing style.

Veronica Martin
Senior Planner



APPLICATION FOR CONVENTIONAL REZONING PUBLIC HEARING UNINCORPORATED AREAS ONLY

Project Name: 14290 N. Cleveland Avenue

Request: ☒ Rezoning from: AG-2 To: C-1
☐ Variance included? ☒ NO ☐ YES¹ for: _____
☐ Special Exception included? ☒ NO ☐ YES¹ for: _____
☐ Bonus Density included? ☒ NO ☐ YES² for: _____ Bonus Units

¹ If YES, submit applicable application and fee

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

PART 1 APPLICANT/AGENT INFORMATION

A. Name of Applicant: 14290 N. Cleveland Ave, LLC
 Address: 16 Winewood Ct
 City, State, Zip: Fort Myers, FL 33919
 Phone Number: 239-633-4100 E-mail: randy@krisecg.com

B. Relationship of Applicant to owner (check one) and provide [Affidavit of Authorization](#) form:
☐ Applicant is the sole owner of the property. [34-201(a)(1)a.1.]
☒ Applicant has been authorized by the owner(s) to represent them for this action. [34-202(a)(3)]
☐ Application is County initiated. Attach BOCC authorization.

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

1. Company Name: TDM Consulting, Inc.
 Contact Person: Veronica Martin
 Address: 43 Barkley Cir, Suite 200
 City, State, Zip: Fort Myers, FL 33907
 Phone Number: 239-433-4231 Email: vmartin@tdmconsulting.com

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

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: Same as applicant
 Address: _____
 City, State, Zip: _____
 Phone Number: _____ Email: _____

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

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

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

C. Multiple parcels: NA

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

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

- Title certification document, no greater than 90 days old. [34-202(a)(7)]
- Date property was acquired by present owner(s): June 14, 2018 and April 8, 2022

**PART 3
PROPERTY INFORMATION**

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

03-44-24-00-00017.0000

B. Street Address of Property: 14180 N. Cleveland Ave, North Fort Myers, FL 33903**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):

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

☒ Provide a list of all Zoning Resolutions and Zoning Approvals applicable to the subject property. [34-202(b)]

F. Use(s) of Property:

- Current uses of property are: vacant
- Intended uses of property are: Mixed use - commercial and residential

G. Future Land Use Classification (Lee Plan):

<u>Intensive Development</u>	<u>0.52</u>	Acres	<u>100</u>	% of Total
		Acres		% of Total
		Acres		% of Total

H. Property Dimensions:

- Width (average if irregular parcel): 175 avg Feet
- Depth (average if irregular parcel): 115 avg Feet
- Total area: 22,666 sf Acres or square feet
- Frontage on road or street: 168 Feet on N. Cleveland Ave 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; Lee Plan Policy 25.1.1]
 - ☐ 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 ACTION REQUESTED

- A. **Reason(s) for Request:** Provide a statement explaining the nature of the request and how the property qualifies for the rezoning and, if applicable, bonus density. This statement should explain how the request meets the applicable findings/review criteria set forth in LDC section 34-145(d)(4) and, if applicable, LDC Section 2-146(b). This statement 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. [34-202(b)(3)]

PART 5 ADDITIONAL REQUIREMENTS

- A. **Potable Water:** Will the project be connected to potable water and central sewer as part of any development of the property?
- ☒ **YES** (Provide 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)]
- B. **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)]
- C. **Flood Hazard:**
- ☐ Not applicable
 - ☐ The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s.
 - ☒ The minimum elevation required for the first habitable floor is AE-EL7 NAVD (MSL)
- D. **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).
- E. **Mobile Home Park:** [34-202(b)(4)]
- ☒ 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).

F. 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 6
SUBMITTAL REQUIREMENT CHECKLIST

Two copies required for submittal
Clearly label your attachments as noted in bold below

☒	Completed application for Public Hearing [34-202(a)(1)]
☒	Filing Fee - [34-201(d)]
NA	Bonus Density Filing Fee - (if applicable) [34-202(a)(11)]
☒	Affidavit of Authorization (notarized) Form [34-202(a)(3)]
☒	Additional Agents [34-202(a)(4)]
NA	Multiple Owners List (if applicable) [34-202(a)(2)]
☒	Disclosure of Interest Form (multiple owners) [34-202(a)(2)]
☒	Legal description (must submit one) [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.)
☒	Boundary Survey (not required if platted lot) [34-202(a)(6)]
NA	Property Owners list (if applicable) [34-202(a)(8)]
NA	Property Owners map (if applicable) [34-202(a)(8)]
☒	Confirmation of Ownership/Title Certification [34-202(a)(7)]
NA	STRAP Numbers (if additional sheet is required) [34-203(a)(5)]
☒	List of Surrounding Property Owners [34-202(a)(9)]
☒	Map of Surrounding Property Owners [34-202(a)(9)]
☒	Mailing labels [34-202(a)(9)]
NA	List of Zoning Resolutions and Approvals
☒	Summary of Public Informational Session (if applicable)
NA	Waivers from Application Submission Requirements [34-201(c)]
☒	Reason(s) for Request [34-202(b)(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)]
NA	Agricultural Use Affidavit (if applicable) [34-202(a)(12)]
NA	Information Regarding Proposed Blasting (if applicable)
NA	Mobile Home Dislocated Owners Information (if applicable) [34-202(b)(4)]
NA	Tall Structures Permit (if applicable) [34-1108]

AFFIDAVIT OF AUTHORIZATION

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

I, Randy L. Krise (name), as Managing Member (owner/title) of 14290 N. Cleveland Ave, LLC (company/property), swear or affirm under oath, that I am the owner or the authorized representative of the owner(s) of the property and that:

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

***Notes:**

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

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

Randy L. Krise
Signature

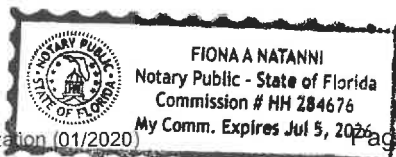
11/15/22
Date

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

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☒ physical presence or ☐ online notarization, this 15 day of November, 2022, by Randy L. Krise (name of person providing oath or affirmation), who is personally known to me or who has produced Florida Drivers License (type of identification) as identification.

STAMP/SEAL



[Signature]
Signature of Notary Public

ADDITIONAL AGENTS

Company Name:	J H McCarrier Land Surveying, Inc.		
Contact Person:	Judith H. McCarrier, P.S.M.		
Address:	2460 Sunrise Blvd		
City, State, Zip:	Fort Myers, FL 33907		
Phone Number:	239-277-7821	Email:	judy@jhmsurvey.com

Company Name:			
Contact Person:			
Address:			
City, State, Zip:			
Phone Number:		Email:	

Company Name:			
Contact Person:			
Address:			
City, State, Zip:			
Phone Number:		Email:	

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City, State, Zip:			
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Company Name:			
Contact Person:			
Address:			
City, State, Zip:			
Phone Number:		Email:	

DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME this day appeared Randy L. Krise, 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 14290, 14250, 14286, and 14180 N. Cleveland Avenue, North Fort Myers, FL and is the subject of an Application for zoning action (hereinafter the "Property").

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

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

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

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

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

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

Name and Address	Percentage of Ownership
NONE	

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

Randy L. Krise
Property Owner

Randy L. Krise
Print Name

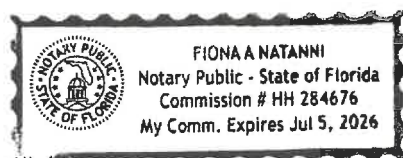
*****NOTE: NOTARY PUBLIC IS NOT REQUIRED FOR ADMINISTRATIVE APPROVALS*****
ALL OTHER APPLICATION TYPES MUST BE NOTARIZED

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 November 15, 2022 (date) by Randy L. Krise (name of person providing oath or affirmation), who is personally known to me or who has produced Florida Drivers License (type of identification) as identification.

STAMP/SEAL

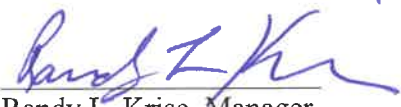
[Signature]
Signature of Notary Public



AUTHORIZATION TO REPRESENT

Please be advised that VERONICA MARTIN, Senior Planner, and DEAN MARTIN, P.E., with TDM Consulting, Inc., 43 Barkley Circle, Suite 200, Fort Myers, FL 33907, are hereby authorized to represent Randy L. Krise, Managing Member of 14290 N. Cleveland Ave, LLC, the Applicant, in all application to Lee County Development Services regarding four (4) lots at 14290, 14250, 14286, and 14180 N. Cleveland Avenue, North Fort Myers, Florida.

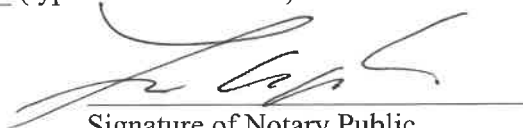
14290 N. Cleveland Ave, LLC

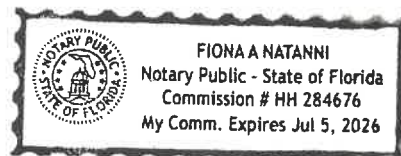
By: 
Randy L. Krise, Manager

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of ☐ physical presence or ☐ online notarization, this 15 day of November, 2022, by Randy L. Krise (name of person providing oath or affirmation), who is personally known to me or who has produced Florida Drivers License (type of identification) as identification.

STAMP/SEAL


Signature of Notary Public





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

14290 N. Cleveland Avenue
Narrative of Request/Lee Plan Compliance

The applicant is requesting to rezone a 0.52± acre parcel along North Cleveland Avenue in North Fort Myers from AG-2 to C-1. The parcel is part of a 6.41-acre property located at 14180 N. Cleveland Avenue. The applicant combined four (4) lots, including the 0.52-acre lot, to create the 6.41-acre property; however, the 0.52-acre lot is zoned AG-2 while the remaining land is zoned C-1. The applicant is requesting to rezone the AG-2 parcel to the C-1 zoning district for a consistent zoning district for future development. The parcel is located in the North Fort Myers planning community along a designated commercial corridor. The future land use classification is Intensive Development and the parcel is located within the Mixed-Use Overlay. The AG-2 zoning district is inconsistent with the Intensive Development future land use classification, the Mixed-Use Overlay, and the uses permitted in the commercial corridor.

Land Development Code Compliance

The subject property is located in the North Fort Myers Planning Community per Lee Plan Maps 1-B and 2-A. Per LDC Chapter 33, Article VIII – North Fort Myers Planning Community, Division 3, the property is also located along a Commercial Corridor. In addition, the property is located within the Mixed-Use Overlay per Lee Plan Map 1-C. The applicant intends to comply with the provisions of the Land Development Code at time of Development Order permitting.

Lee Plan Compliance:

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

The 0.52-acre parcel has a future land use classification of Intensive Development. Lee Plan **Policy 1.1.2** identifies those areas as “well suited to accommodate high densities and intensities” by virtue of their location, the county’s current development patterns, and the available and potential levels of public services. As stated above, the small AG-2 zoned portion is part of the overall 6.41-acre

property, which is zoned C-1. The AG-2 zoned portion is inconsistent with the Intensive Development future land use classification. The applicant is proposing to rezone the 0.52-acre AG-2 zoned parcel to the C-1 zoning district for a consistent zoning district and consistency with the Lee Plan. The parcel is located along an arterial roadway (N. Cleveland Avenue), is located along a commercial corridor, is located within the mixed-use overlay, and urban services are available to serve future development. This proposed rezoning is consistent with **Lee Plan Policy 1.1.2**.

Objective 2.1: Development Location promotes continuous and compact growth patterns through the rezoning process to contain urban sprawl, minimize energy costs, conserve land, water and natural resources, minimize the cost of services, and prevent development patterns where large tracts of land are by-passed in favor of development more distant from services and existing communities.

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

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

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

Policy 2.2.1: Rezoning and Development of Regional Impact 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.

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

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

In all cases where rezoning is approved, such approval does not constitute a determination that the minimum acceptable levels of service (see Policy 95.1.3) will be available concurrent with the impacts of the proposed development. Such a determination must be made prior to the issuance of additional development permits, based on conditions which exist at that time, as required by Lee County's concurrency management system.

This request is to rezone a 0.52-acre parcel of land from AG-2 to C-1 to permit a consistent zoning district of the overall 6.41-acre property located in along N. Cleveland Avenue in N. Fort Myers. The property has a future land use classification of Intensive Development per Lee Plan Map 1-A. In addition, the property is located in the Mixed-Use Overlay per Lee Plan Map 1-C. Existing commercial uses are located nearby to the east of the property and west of N. Cleveland Avenue. A Place of Worship is located to the north. Urban services such as water, sewer, EMS, fire and police protection are located proximate to the property. The property has frontage on a state-maintained arterial roadway with a partial frontage road and existing driveways. This is consistent with Lee Plan **Objective 2.1, Policies 2.1.1 and 2.1.2, Objective 2.2, and Policies 2.2.1 and 2.2.2.**

Urban services are available and adequate to service the proposed commercial development.

Fire/EMS:	North Fort Myers Fire District, Station 2, located at 1280 Barrett Rd, ±1.7 miles away.
Police:	Lee County Sheriff's Office, located at 121 Pondella Rd, ±0.6 miles away.
Solid Waste:	The property is within the Lee County Solid Waste Franchise Area 5 and is serviced by Waste Pro.
Public Transit:	Lee Tran Route 140 services this segment of N. Cleveland Avenue. There is an existing bus shelter located approximately 0.19 miles southeast of the property.
Public Parks:	The property is approximately 1.4 miles southeast from Judd Community Park.
Public Schools:	The rezoning is for a commercial development, so no impacts are anticipated to public schools.
Water:	LCU has provided a letter of availability to serve the commercial development.
Wastewater:	The property is within FGUA's service area. FGUA will provide a letter of availability to serve the commercial development.

Objective 4.1: Water, Sewer, and Environmental Standards. Consider water, sewer, and environmental standards during the rezoning process. Ensure the standards are met prior to issuing a local development order.

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 (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.*
- 4. All waterline extensions to new development will be designed to provide minimum fire flows, as well as adequate domestic services as required by Fla. Admin. Code R. 62-555.*

The parcel is located within LCU's franchise service area for potable water. LCU has provided a letter of availability. The developer will be required to provide waterline extensions and connect to potable water, if the thresholds are met, at time of development order permitting. This is consistent with **Lee Plan 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 parcel is located within FGUA's franchise service area for sanitary sewer. FGUA has provided a letter of availability. The developer will be required to provide sanitary sewer line extensions and connect to sanitary sewer, if the thresholds are met, at time of development order permitting. This is consistent with **Lee Plan Standard 4.1.2.**

Standard 4.1.4: Environmental Factors:

- 1. In any case where there exists or there is the probability of environmentally sensitive areas (as identified by Lee County, the Corps of Engineers, Department of Environmental Protection, South Florida Water Management District (SFWMD), or other applicable regulatory agency), the developer/applicant must prepare an environmental assessment that examines the existing conditions, addresses existing or anticipated environmental problems, and proposes means and mechanisms to protect, conserve, or preserve the environmental and natural resources.*
- 2. Ensure that land uses and structures are well integrated, properly oriented, and functionally related to the topographic and natural features of the site.*
- 3. Ensure development minimizes the need for expansion and construction of street and utility improvements.*

Conventional rezoning applications aren't required to provide a Protected Species Survey; however, a site visit determined that the 0.52-acre parcel suffered damage to existing trees from

Hurricane Ian. No wetlands or environmentally sensitive areas were observed on the parcel to be rezoned. The applicant will be required to comply with the requirements of the North Fort Myers Planning Community, the Land Development Code, the Lee Plan, the SFWMD, and any other governmental agencies during development order permitting. This is consistent with **Standard 4.1.4**.

Goal 5: Residential Land Uses. *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.*

Objective 5.1: *All development approvals for residential, commercial, and industrial land uses must be consistent with the following policies, the general standards under Goal 4, and other provisions of this plan.*

Policy 5.1.6: *Maintain development regulations that require high-density, multi-family, cluster, and mixed use developments to have open space, buffering, landscaping, and recreation areas appropriate to their density and design.*

The C-1 zoning district permits commercial uses, but also permits multi-family dwelling units. The 0.52-acre parcel is part of a larger 6.41-acre property that can be developed as a mixed use development. The Intensive Development future land use category permits the highest density ranges, and the location of the parcel, along an arterial roadway, is ideal as well. This is consistent with **Lee Plan Goal 5, Objective 5.1 and Policy 5.1.6**.

Goal 6: Commercial Land Uses: *To permit orderly and well-planned commercial development at appropriate locations within the county.*

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

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

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

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

Policy 6.1.5: *The land development regulations will require that commercial development be designed to protect the traffic-carrying capacity of roads and streets. Methods to achieve this include, but are not limited to: frontage roads; clustering of activities; limiting access; sharing*

access; setbacks from existing rights-of-way; acceleration, deceleration and right-turn-only lanes; and, signalization and intersection improvements.

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

The C-1 zoning district permits both commercial and multi-family residential uses. The 0.52-acre parcel is part of a larger 6.41-acre property that can be developed as a mixed use development. The parcel has a future land use classification of Intensive Development, is located along a commercial corridor, is in the mixed-use overlay, and urban services are available and adequate to serve future development, including nearby Lee Tran bus stops. Any future development will be reviewed for traffic impacts, open space and buffering, environmental concerns, etc. at time of development order permitting. This is consistent with **Lee Plan Goal 6, Objective 6.1 and Policies 6.1.1, 6.1.4, 6.1.5, and 6.1.6**

Objective 11.2: Mixed Use Overlay. *The County will maintain an Overlay in the future land use map series identifying locations appropriate for mixed use located in proximity to: public transit routes; education facilities; recreation opportunities; and, existing residential, shopping and employment centers. Mixed Use, Traditional Neighborhood, and Transit Oriented development patterns are encouraged and preferred within the Mixed Use Overlay.*

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.*

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

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

Policy 11.2.5: *Lee County will maintain land development regulations for properties within the Mixed Use Overlay that allow for urban forms of development and a variety of uses.*

The 0.52-acre parcel is located in the Mixed-Use Overlay along a commercial corridor in the Intensive Development future land use category. Urban services are available and adequate to serve the proposed development, including Lee Tran bus stops along N. Cleveland Avenue. As previously noted, the 0.52-acre parcel is part of an overall 6.41-acre property with C-1 zoning. Future development will be able to utilize the more urban forms of development, including but not limited to, reduced buffers, open space, and parking and providing frontage roads and interconnects to adjacent commercial uses. Rezoning of the 0.52-acre parcel is consistent with **Lee Plan Objective 11.2 and Policies 11.2.1, 11.2.2, 11.2.4, and 11.2.5.**

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

Narrative of Request

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

A Public Information Meeting was advertised in the News-Press and presented to the North Fort Myers Planning and Design Review Panel. A summary of the meeting is included with this application. This is consistent with **Lee Plan Policy 17.3.4.**

GOAL 30: North Fort Myers Community Plan. *Improve the livability and economic vitality in the North Fort Myers Community Plan area by: promoting compact, mixed use development in the form of town and neighborhood centers; attracting appropriate investment to revitalize older neighborhoods and commercial corridors; stabilizing and enhancing, existing neighborhoods; and preserving natural resources.*

Objective 30.2: Land Use Centers and Corridors. *To encourage revitalization of designated Town Center overlay districts, road corridor overlay districts and redevelopment areas.*

Policy 30.1.3: *Encourage a diversity of housing types in the North Fort Myers Community Plan area by supporting mixed use projects, with residential above or adjacent to retail and service uses, within the Mixed Use Overlay.*

Policy 30.2.3: *Maintain provisions allowing for greater minimum, maximum base, and maximum total densities and building heights in the Mixed Use Overlay.*

Policy 30.2.5: *Certain areas along major road corridors outside designated Town Centers and Neighborhood Centers, are located within a Corridor Overlay District with provisions in the Land Development Code requiring enhanced landscaping, greater buffering and shading of parking areas, improved commercial signage, enhanced standards to ensure architectural quality and compatibility, and incentives for quality development. Within the Corridor Overlay District, deviations from landscaping, buffering, signage or architectural requirements may not be granted, unless the request meets the approval criteria for variances set forth in Chapter 34 of the Land Development Code.*

Policy 30.2.6: *Development within the Town and Neighborhood Centers and the Corridor Overlay Districts may use the development standards allowed within the Mixed Use Overlay.*

The property is located in the North Fort Myers planning community along a commercial corridor and within the mixed-use overlay. As previously stated, the 0.52-acre parcel is part of the overall 6.41-acre property. The applicant assembled the four (4) lots with the intention of redeveloping

Narrative of Request

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the property. The 0.52-acre parcel is zoned AG-2. The applicant is requesting to rezone the AG-2 parcel to C-1 for a consistent zoning district. If this rezoning request is approved, the applicant will be able to redevelop the 6.41-acre property. There is an existing Place of Worship (Guiding Light Community Church) to the north, a U-Haul dealer and Self-Storage warehouse to the east along with two residential lots. North Cleveland Avenue right-of-way is located to the west of this triangular shaped property. The existing commercial businesses on the subject property (used car sales with storage and strip plaza) will be demolished to make room for the new development. Rezoning the 0.52-acre parcel complies with Lee Plan Goal 30. It allows for a consistent zoning district in the mixed-use overlay, in the intensive development future land use category, along a commercial corridor with the opportunity to revitalize an old commercial property. This rezoning promotes compact infill development in an area that is already established, but has become neglected and is need of redevelopment. This is consistent with **Lee Plan Goal 30, Objective 30.2, and Policies 30.1.3, 30.2.3, 30.2.5, and 30.2.6.**

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

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

LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SECTION 3, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, BEING FOR PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE INTERSECTION OF THE NORTH LINE OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 3 WITH THE WEST LINE OF THE EAST ONE-HALF (E 1/2) OF THE WEST ONE-HALF (W 1/2) OF THE EAST ONE-HALF (E 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 3; THENCE S89°27'08"E, ALONG SAID NORTH LINE, FOR 168.64 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF THE WEST ONE-HALF (W 1/2) OF THE EAST ONE-HALF (E 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 3; THENCE S00°29'17"E, ALONG SAID EAST LINE, FOR 175.03 FEET TO A POINT OF INTERSECTION WITH A LINE LYING 175 FEET SOUTH OF AND PARALLEL WITH SAID NORTH LINE OF OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 3; THENCE N89°27'08"W, ALONG SAID PARALLEL LINE, FOR 62.60 FEET TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY LINE OF STATE ROAD 45 (U.S. 41 / N. CLEVELAND AVENUE - 200-FOOT WIDE PER FDOT RIGHT-OF-WAY MAP 12010-2121); THENCE N39°28'06"W, ALONG SAID EAST RIGHT-OF-WAY LINE, FOR 168.40 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE EAST ONE-HALF (E 1/2) OF THE WEST ONE-HALF (W 1/2) OF THE EAST ONE-HALF (E 1/2) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF THE SOUTHEAST ONE-QUARTER (SE 1/4) OF SAID SECTION 3; THENCE N00°36'05"W, ALONG SAID WEST LINE, FOR 46.04 FEET TO **POINT OF BEGINNING**.

SAID PARCEL CONTAINS 0.52 ACRES, MORE OR LESS.

SURVEYOR'S NOTES

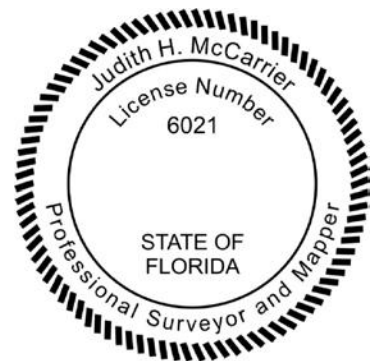
1. BEARINGS SHOWN HEREON ARE BASED UPON FIXING THE MONUMENTED EAST LINE OF THE SE 1/4 OF SECTION 3, TOWNSHIP 44 SOUTH, RANGE 24 EAST, AS S00°15'43"E.
2. THIS MAP IS NOT VALID WITHOUT EITHER THE SIGNATURE AND THE ORIGINAL RAISED SEAL, OR A VALIDATED ELECTRONIC SIGNATURE, OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. SUBJECT TO EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS-OF-WAY OF RECORD.
4. FDOT = FLORIDA DEPARTMENT OF TRANSPORTATION

PREPARED BY:

Judith H McCarrier, PSM
License No. 6021
State of Florida

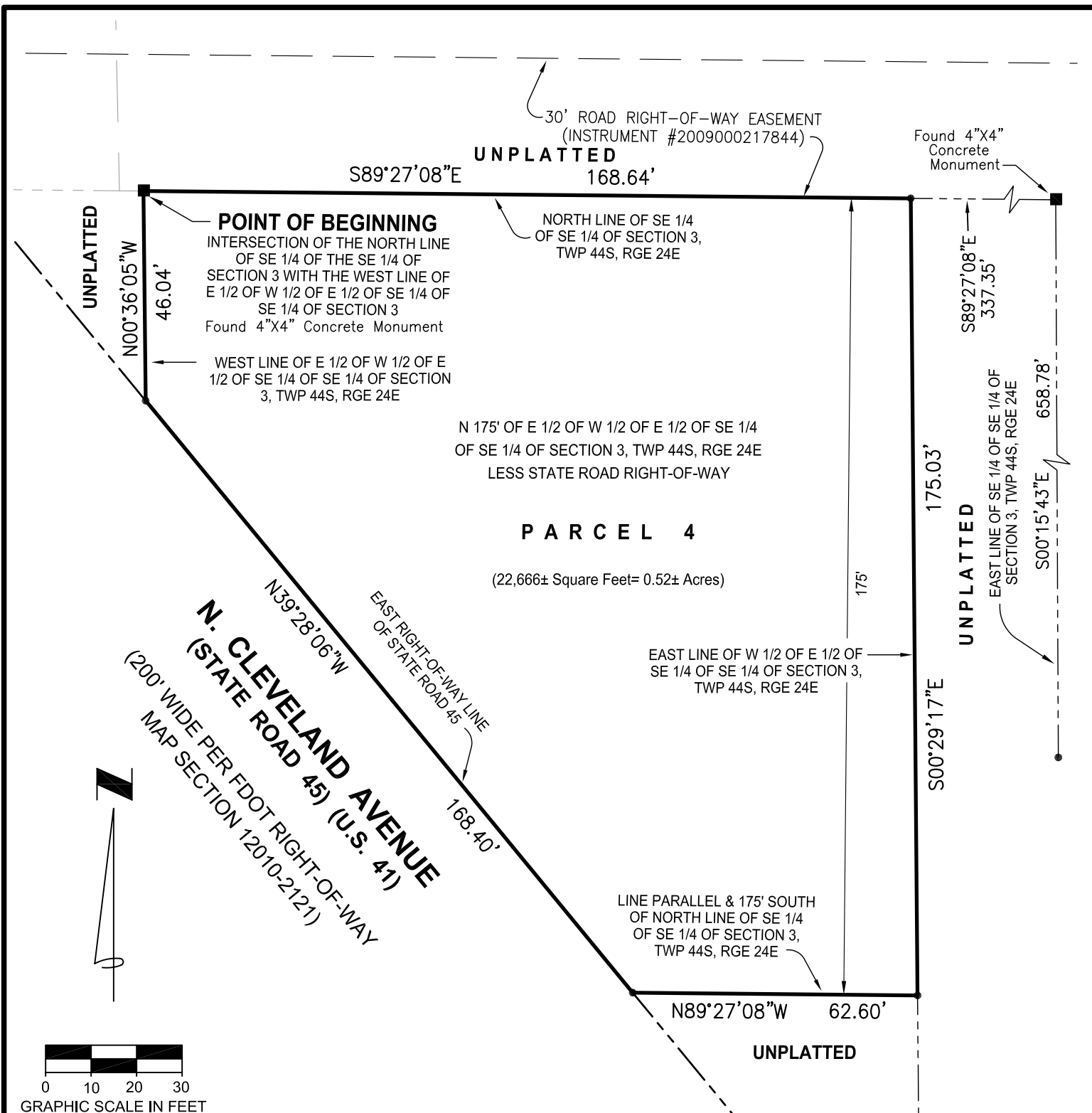
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JUDITH H. MCCARRIER
PROFESSIONAL SURVEYOR & MAPPER
FLORIDA LICENSE NO. 6021



SEE SHEET 2 OF 2 FOR SKETCH.

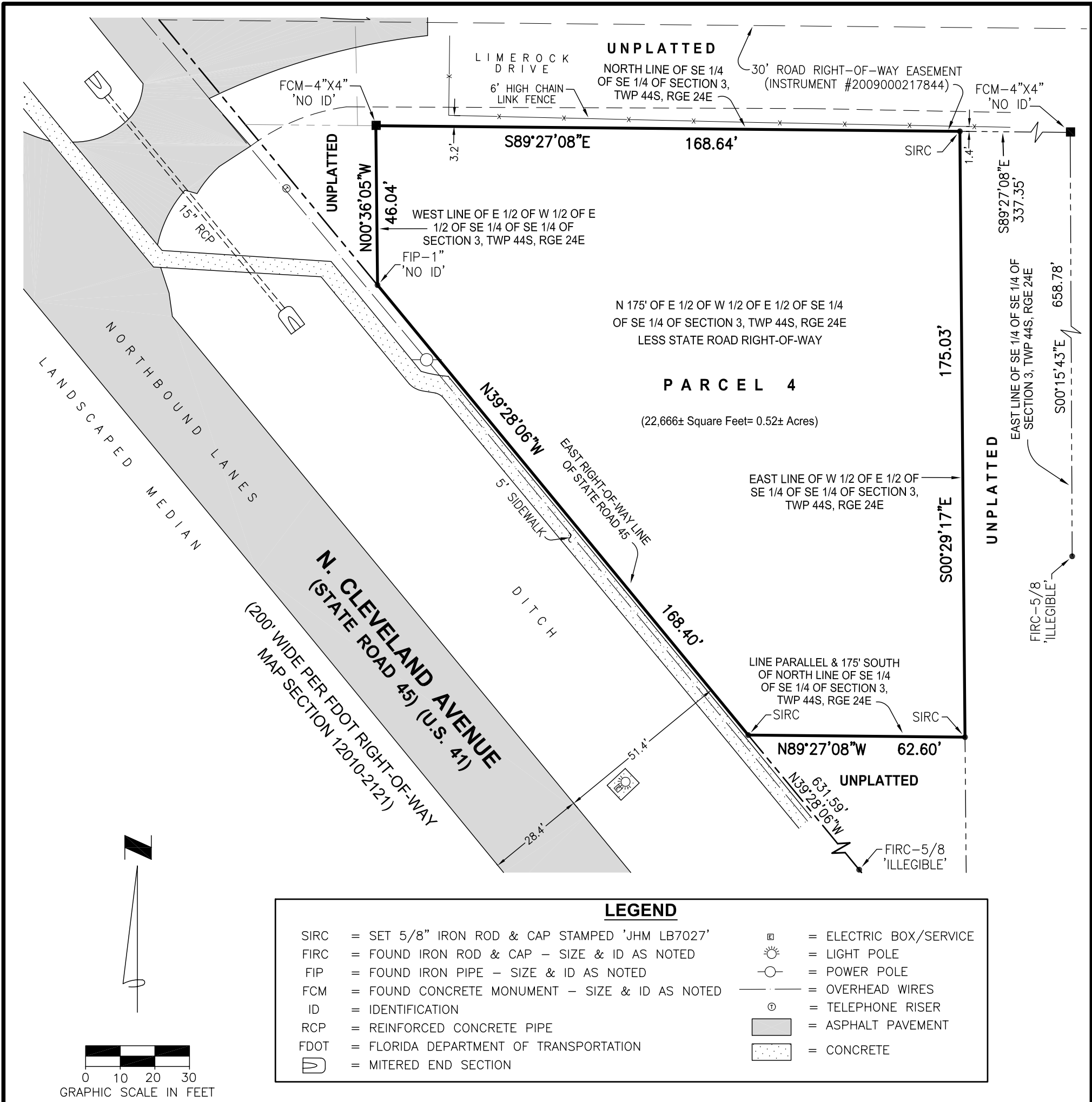
 J H McCARRIER LAND SURVEYING, INC. Licensed Business No. 7027 2460 SUNRISE BOULEVARD FORT MYERS, FLORIDA 33907 Phone: (239) 277-7821	PROJECT SKETCH AND LEGAL DESCRIPTION PARCEL 4 - N 175' OF E 1/2 OF W 1/2 OF E 1/2 OF SE 1/4 SECTION 3, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA		
	CLIENT 14290 N CLEVELAND AVE, LLC 16 WINEWOOD COURT FORT MYERS, FLORIDA 33919 PHONE: (239) 690-4100		SCALE N.A.
	FILENAME NFM_14180NCleveland_P4_S+L.dwg		DATE SEPT. 29, 2023
	PROJECT NO. 22-041.20		SHEET 1 OF 2



THIS IS NOT A BOUNDARY SURVEY.

SEE SHEET 1 OF 2 FOR LEGAL DESCRIPTION, SURVEYOR'S NOTES & CERTIFICATION.

 J H McCARRIER LAND SURVEYING, INC. Licensed Business No. 7027 2460 SUNRISE BOULEVARD FORT MYERS, FLORIDA 33907 Phone: (239) 277-7821	PROJECT SKETCH AND LEGAL DESCRIPTION PARCEL 4 - N 175' OF E 1/2 OF W 1/2 OF E 1/2 OF SE 1/4 OF SE 1/4 SECTION 3, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA		
	CLIENT 14290 N CLEVELAND AVE, LLC 16 WINEWOOD COURT FORT MYERS, FLORIDA 33919 PHONE: (239) 690-4100	SCALE	1"=30'
		DATE	SEPT. 29, 2023
		FILENAME	NFM_14180NCleveland_P4_S+L.dwg
		PROJECT NO.	22-041.20
		SHEET	2 OF 2



LEGAL DESCRIPTION THE NORTH 175 FEET OF THE EAST 1/2 OF THE WEST 1/2 OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 IN SECTION 3, TOWNSHIP 44 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, LESS AND EXCEPT STATE ROAD RIGHT-OF-WAY.			
SURVEYOR'S NOTES - UNDERGROUND ENCROACHMENTS &/OR IMPROVEMENTS WERE NOT LOCATED OR SHOWN HEREON. - BEARINGS SHOWN HEREON ARE BASED UPON FIXING THE MONUMENTED EAST LINE OF THE SOUTHEAST ONE-QUARTER OF SECTION 3, TOWNSHIP 44 SOUTH, RANGE 24 EAST, AS S00°15'43"E. - THIS MAP IS NOT VALID WITHOUT EITHER THE SIGNATURE & THE ORIGINAL RAISED SEAL, OR A VALIDATED ELECTRONIC SIGNATURE, OF A FLORIDA LICENSED SURVEYOR & MAPPER. - FIELD SURVEY COMPLETED APRIL 5, 2022. - TOTAL AREA OF SUBJECT PROPERTY = 22,666 SQUARE FEET (0.52± ACRES). - SUBJECT PROPERTY LIES IN ZONE X (NO BASE FLOOD ELEVATION) ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NO. 12071C0288H, DATED 11/17/2022. - RECORDING REFERENCES ARE TO THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA. - THIS SURVEY WAS PREPARED WITH THE BENEFIT OF AND BASED UPON TITLE COMMITMENT No. 22-0028, PREPARED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, DATED JANUARY 19, 2022.		TO: I HEREBY CERTIFY THAT THIS SURVEY WAS PERFORMED UNDER MY DIRECTION & SUPERVISION & MEETS THE STANDARDS OF PRACTICE AS PER CHAPTER 5J-17.050 THRU 0.52, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES. Judith H McCarrier, PSM License No. 6021 State of Florida 2023.09.29 12:41:41 -04'00'	
 J H McCARRIER L& SURVEYING, INC. Licensed Business No. 7027 2460 SUNRISE BOULEVARD FORT MYERS, FLORIDA 33907 Phone:(239) 277-7821	PROJECT BOUNDARY SURVEY A PORTION OF THE SE 1/4 OF THE SE 1/4 OF SECTION 3, TOWNSHIP 44 SOUTH, RANGE 24 EAST LEE COUNTY, FLORIDA		SCALE 1"=30' DATE SEPT. 22, 2023 FILENAME 14180NClevAve_P4.dwg PROJECT NO. 22-041.10 DRAWN BY RAS CHECKED BY JHM SHEET 1 OF 1
	CLIENT 14290 N CLEVELAND AVE, LLC 16 WINEWOOD COURT FORT MYERS, FLORIDA 33919 PHONE: (239) 690-4100	REVISIONS	
F.B. / PG.: NFM_14286 N Cleveland Ave.survey			

**Affidavit of No Change to Title
Pursuant to Lee County
Land Development Code §10-154(2) and §34-202(a)(7)**

Before me, the undersigned authority, after having been duly sworn, personally appeared Randy Krise, Manager of 14290 N Cleveland Ave, LLC., a Florida Limited Liability Corporation company who deposes and states as follows:

1. That Affiant is the current owner of the real property located at 14180 N Cleveland Ave., Fort Myers, Lee County, Florida, also identified by the Lee County Property Appraiser as Strap Number 03-44-24-00-00017.0000, which property is more particularly describe in the following instrument:

The Warranty Deed in favor 14290 N Cleveland Ave, LLC., a Florida Limited Liability Corporation company dated June 14, 2018, and recorded in the Public Records of Lee County, Florida, on June 15, 2018, in Instrument Number 2018000146110 (the "Property").

2. The Property is insured under the terms of a Title Owner's Policy issued by WFG National Title Insurance Company, on or about April 15, 2022 ("Title Policy").
3. The Affiant certifies that subsequent to the issuance of the Title Owner's Policy on the Property and through the date herein, that neither he nor anyone acting on of his behalf has executed any type of conveyance, mortgage, deed of trust, easement or encumbrance of any kind on or upon the Property. Additionally, the Affiant states that he has no knowledge of any of the foregoing, other than the matters set forth in the Title Owner's Policy.
4. That this Affidavit is made for the purpose of inducing Lee County, Florida, to accept a development order and/or zoning action which application requires the Affiant, as the owner of the Property, to provide certain title information pursuant to Lee County Land Development Code §10-154(2)a.ii or §34-202(a)(7)a.ii.

[End of provisions]



Affiant further states that he is familiar with the nature of an oath, and with the penalties as provided by the laws of the State aforesaid for falsely swearing to statements made in an instrument of this nature.

Executed this 22 day of September, 2023.


Randy L. Krise

Affiant

STATE OF FLORIDA
COUNTY OF LEE

Sworn to and subscribed before me this 22 day of September 2023, by Randy Krise, as Manager of 14290 N Cleveland Ave, LLC., a Florida Limited Liability Corporation company. He is personally known to me or he has produced known as identification.

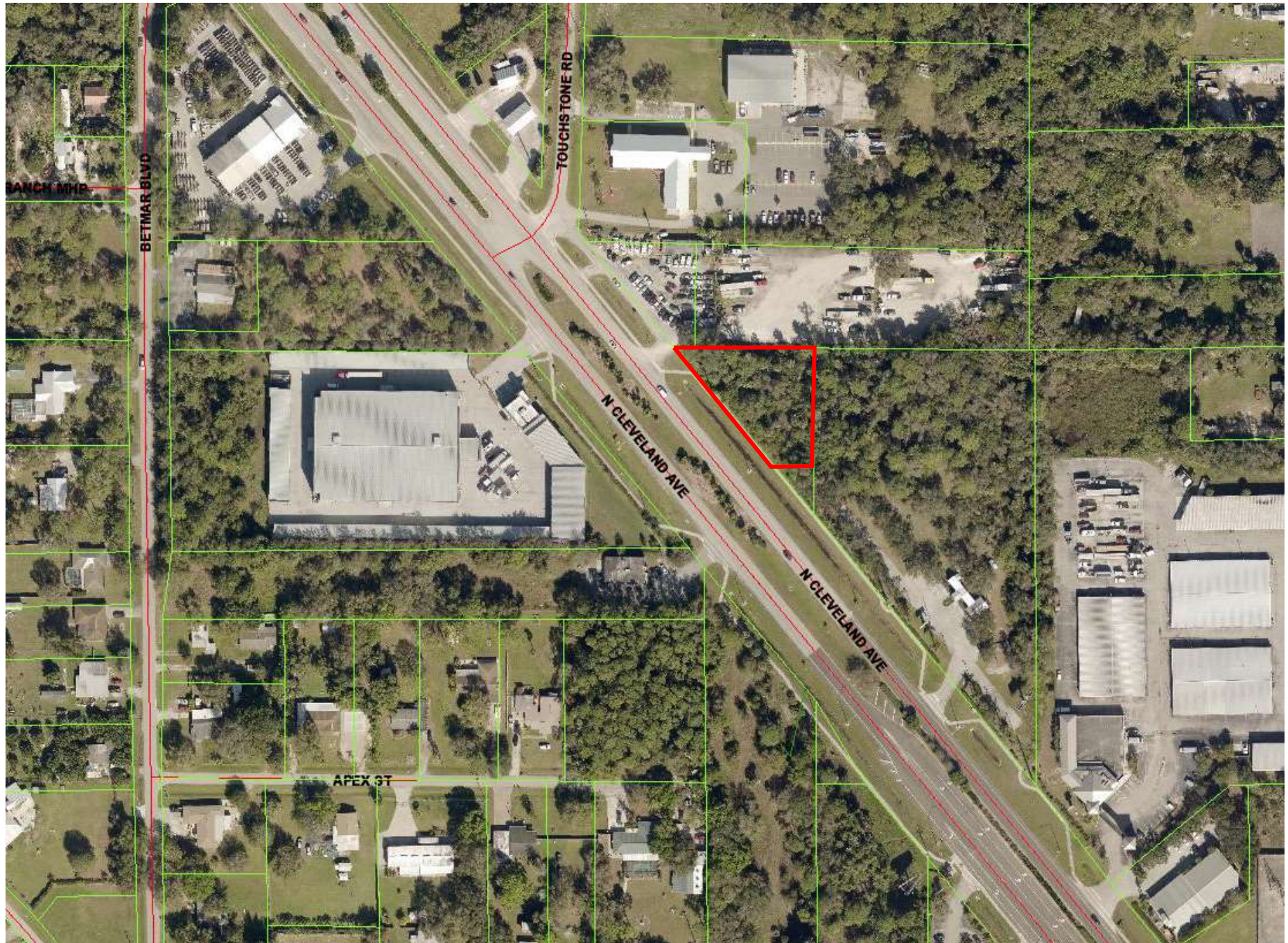


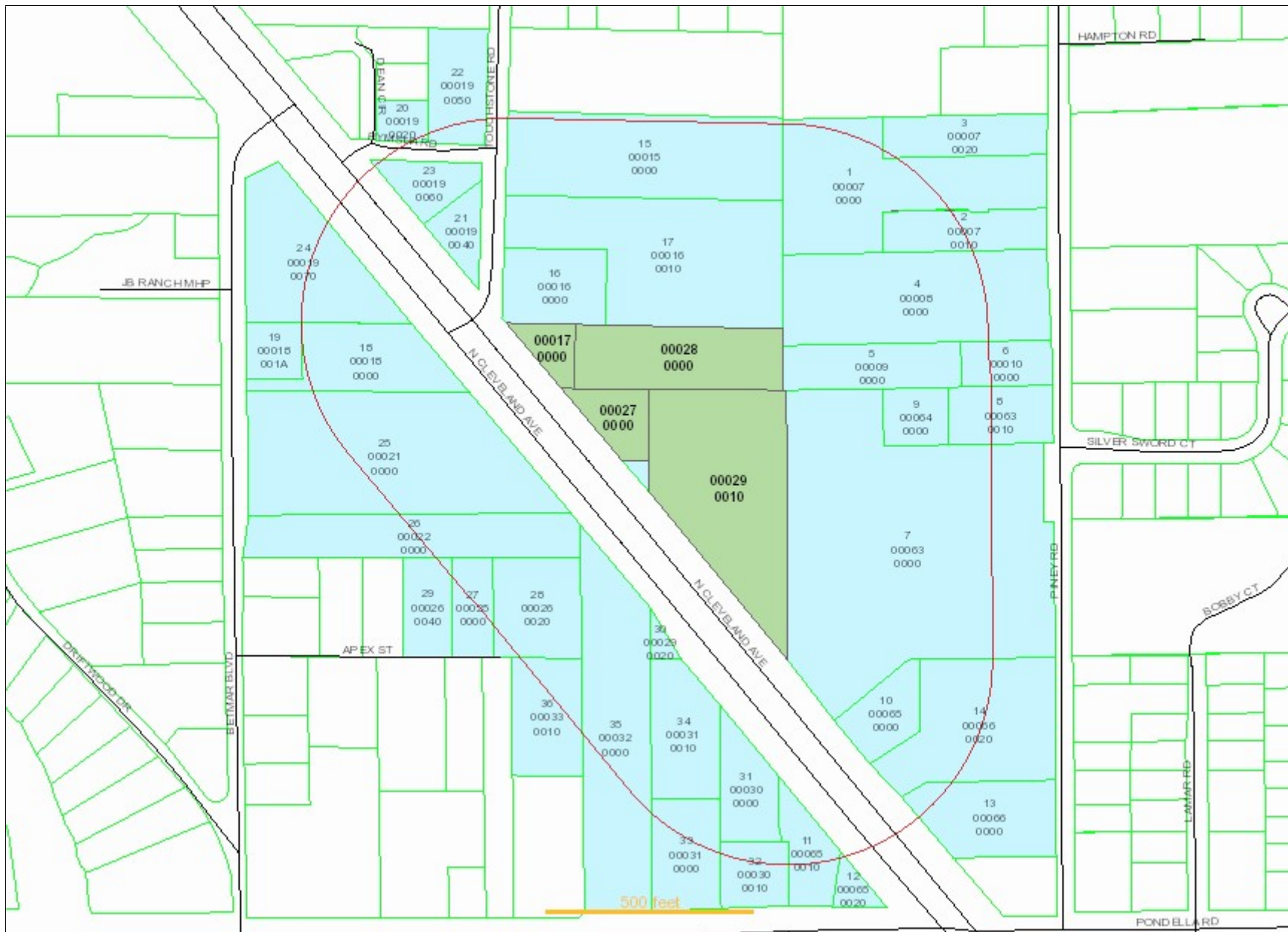
Notary Public

[Stamp or seal]



14290 N. CLEVELAND AVENUE
AREA LOCATION MAP
EXHIBIT A





Date of Report: October 27, 2022
 Buffer Distance: 500 feet
 Parcels Affected: 36

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

Subject Parcels: **03-44-24-00-00017.0000, 03-44-24-00-00027.0000, 03-44-24-00-00028.0000, 03-44-24-00-00029.0010**

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
PALADINO DUSTIN A + 1357 PINEY RD NORTH FORT MYERS FL 33903	02-44-24-00-00007.0000 1357/1359 PINEY RD NORTH FORT MYERS FL 33903	PAR LOC IN SW 1/4 OF NW 1/4 OF SW 1/4 DESC IN OR 4509 PG 3679 AKA PAR B	1
HAYES ERIC 9210 LITTLETON RD NORTH FORT MYERS FL 33903	02-44-24-00-00007.0010 1355 PINEY RD NORTH FORT MYERS FL 33903	PAR LOC IN SW 1/4 OF NW 1/4 OF SW 1/4 DESC IN OR 4510 PG 1310 AKA PAR A	2
GREATER SUNSHINE RENTALS LLC 4607 SW 6TH AVE CAPE CORAL FL 33914	02-44-24-00-00007.0020 1371 PINEY RD NORTH FORT MYERS FL 33903	PAR LOC IN SW 1/4 OF NW 1/4 OF SW 1/4 DESC IN OR 4394 PG 1259 AKA PAR C	3
STEVENS DOUGLAS E & 1349 PINEY RD NORTH FORT MYERS FL 33903	02-44-24-00-00008.0000 1349 PINEY RD NORTH FORT MYERS FL 33903	S 1/2 OF SW 1/4 OF NW 1/4 OF SW 1/4 LESS S 110 FT + LESS RD R/W	4
RAMOS STEVEN M + 1511 SE 44TH ST CAPE CORAL FL 33904	02-44-24-00-00009.0000 1335 PINEY RD NORTH FORT MYERS FL 33903	W 420 FT OF S 110 FT OF S 1/2 OF SW 1/4 OF NW 1/4 OF SW 1/4	5
SANSOM SAMUEL KEEN 1327 PINEY RD NORTH FORT MYERS FL 33903	02-44-24-00-00010.0000 1327 PINEY RD NORTH FORT MYERS FL 33903	S 110 FT OF S 1/2 OF SW 1/4 OF NW 1/4 OF SW 1/4 LESS W 420 FT + RD R/W	6
ISTORAGE PO LLC 8400 EAST PRENTICE AVE 9TH FLOOR GREENWOOD VILLAGE CO 80111	02-44-24-00-00063.0000 14150 N CLEVELAND AVE NORTH FORT MYERS FL 33903	PAR LOC IN N 2/3 OF W 1/2 OF SW 1/4 OF SW 1/4	7
COLLINS MICAH J 1317 PINEY RD NORTH FORT MYERS FL 33903	02-44-24-00-00063.0010 1317 PINEY RD NORTH FORT MYERS FL 33903	E 280 FT OF N 140 FT OF N 1/2 OF NW 1/4 OF SW 1/4 OF SW 1/4 LESS E 25 FT ROW	8
BERGER BARRY & SHARON 5854 INVERNESS CIR NORTH FORT MYERS FL 33903	02-44-24-00-00064.0000 1315 PINEY RD NORTH FORT MYERS FL 33903	N 140 FT OF E 140 FT OF W 380 FT OF S W 1/4 OF S W 1/4	9
PALM CASUAL FURNITURE 7008 N DALE MABRY TAMPA FL 33614	02-44-24-00-00065.0000 14130 N CLEVELAND AVE NORTH FORT MYERS FL 33903	PAR LOC IN N 1/2 OF SW 1/4 OF SW 1/4 OF SW 1/4 DESC IN OR 4646 PG 392	10

HARTERFTFL LLC 6404 VIA COLINITA RANCHO PALOS VERDES CA 90275	02-44-24-00-00065.0010 14041 N CLEVELAND AVE NORTH FORT MYERS FL 33903	PARL IN S W 1/4 OF S W 1/4 OF SW 1/4 DESC OR2432/3975 LESS R/W OR 2286/3092	11
LEE COUNTY PO BOX 398 FORT MYERS FL 33902	02-44-24-00-00065.0020 14021 N CLEVELAND AVE NORTH FORT MYERS FL 33903	152 FT X 200 FT TRIANGLE IN S W 1/4 OF S W 1/4 OF S W 1/4 S OF SR 45	12
RMC PONDELLA LLC 8902 N DALE MABRY HWY STE 200 TAMPA FL 33614	02-44-24-00-00066.0000 14030 N CLEVELAND AVE NORTH FORT MYERS FL 33903	E 1/2 OF SW 1/4 OF SW 1/4 OF SW 1/4 + PAR PER OR1680 PG 3136 LESS 61 62 + US 41	13
LEE COUNTY ELECTRIC CO-OP INC PO BOX 3455 NORTH FORT MYERS FL 33918	02-44-24-00-00066.0020 1259 PINEY RD NORTH FORT MYERS FL 33903	PARL IN SW 1/4 PER OR 1620 PG 1620 + OR 1619 PG 1136 LESS OR 1680 PG 3136	14
PEREZ LUIS A 705 SE 5TH ST CAPE CORAL FL 33990	03-44-24-00-00015.0000 1370 TOUCHSTONE RD NORTH FORT MYERS FL 33903	S 200 FT OF N 850 FT OF W 640 FT OF E 665 FT OF S E 1/4	15
TOUCHSTONE ROAD LLC 1364 TOUCHSTONE RD NORTH FORT MYERS FL 33903	03-44-24-00-00016.0000 1360 TOUCHSTONE RD NORTH FORT MYERS FL 33903	S 304 FT OF N 1154 FT OF W 642 FT OF E 667 FT OF S E 1/4 LESS 16.1	16
TOUCHSTONE ROAD LLC 1364 TOUCHSTONE RD NORTH FORT MYERS FL 33903	03-44-24-00-00016.0010 1364 TOUCHSTONE RD NORTH FORT MYERS FL 33903	PARL IN E 1/2 OF S E 1/4 AS DESC IN OR 1437 PG 1034	17
NAP EQUITY LLC 14361 N CLEVELAND AVE NORTH FORT MYERS FL 33903	03-44-24-00-00018.0000 14301 N CLEVELAND AVE NORTH FORT MYERS FL 33903	FR SW COR OF NE 1/4 OF SE 1/4 RN E 25 THN N25 TO POB THN E 519.10 NW 215.36 ETC	18
JCTK HOLDINGS LLC 409 E NORTH SHORE DR NORTH FORT MYERS FL 33917	03-44-24-00-00018.001A 1326/1340 BETMAR BLVD NORTH FORT MYERS FL 33903	PARL IN NE 1/4 OF SE1/4 SEC 3 TWP 44 R 24 DESC IN OR 1253 PG 2170	19
PATTERSON WANDA J DAN ONEAL 2905 FLORA DR COLUMBIA MO 65202	03-44-24-00-00019.0020 284 RYMSHA RD NORTH FORT MYERS FL 33903	S 95 FT OF N 725 FT OF W 125 FT OF E 965 FT OF S E 1/4	20
ABBONDANDOLO JOHN + 102 SE 21ST AVE CAPE CORAL FL 33990	03-44-24-00-00019.0040 14320 N CLEVELAND AVE NORTH FORT MYERS FL 33903	PAR IN NE 1/4 OF SE 1/4 W OF HWY AS DESC IN OR 332 PG 760	21

BELL WAYNE C 1385 TOUCHSTONE RD NORTH FORT MYERS FL 33903	03-44-24-00-00019.0050 1385 TOUCHSTONE RD NORTH FORT MYERS FL 33903	FR SW COR OF NE 1/4 OF SE 1/4 N 604.78 E 478.68 TO POB TH N 275/E 125/S 275/W 125	22
ABBONDANDOLO JOHN + 102 SE 21ST AVE CAPE CORAL FL 33990	03-44-24-00-00019.0060 14360 N CLEVELAND AVE NORTH FORT MYERS FL 33903	PARC IN E 1/2 OF SE 1/4 AS DESC IN OR 1719 PG 2737	23
FBC HOME CONCEPT LLC 14361 N CLEVELAND AVE NORTH FORT MYERS FL 33903	03-44-24-00-00019.0070 14361 N CLEVELAND AVE NORTH FORT MYERS FL 33903	PAR IN SE 1/4 DESC IN OR 3409 PG 319	24
SS NORTH FORT MYERS LLC 8400 E PRENTICE AVE STE 900 GREENWOOD VILLAGE CO 80111	03-44-24-00-00021.0000 14251 N CLEVELAND AVE NORTH FORT MYERS FL 33903	PARL IN S E 1/4 OF S E 1/4 SEC 3 TWP 44 R 24 DESC IN OR 1160 PG 2126 LESS R/W	25
MAGDOVITZ AGENCY INC 1005 CORDOVA STATION AVE CORDOVA TN 38018	03-44-24-00-00022.0000 14211 N CLEVELAND AVE NORTH FORT MYERS FL 33903	N 95 FT OF S 1025 FT OF W 813 FT OF E 1320 FT OF S E 1/4	26
CURTIS DAVID D JR 352 APEX ST NORTH FORT MYERS FL 33903	03-44-24-00-00025.0000 352 APEX ST NORTH FORT MYERS FL 33903	PAR LYING IN SE 1/4 OF SE 1/4 OF SECT DESC OR 3537/4486 FROM POB E 100 F 260 W 100 N 260 LESS R/W	27
COPELAND TORY D 15941 CINDY CT FORT MYERS FL 33908	03-44-24-00-00026.0020 348 APEX ST NORTH FORT MYERS FL 33903	PAR LOC IN N 1/2 OF SE 1/4 OF SE 1/4 DESC IN OR 1308/797	28
HIGGINBOTHAM HEIDI E & 360 APEX ST N FORT MYERS FL 33903	03-44-24-00-00026.0040 360 APEX ST NORTH FORT MYERS FL 33903	PARL IN S E 1/4 OF SE 1/4 IN OR 1359 PG 359	29
CCADP LLC 197 PORTLAND ST 6TH FLR BOSTON MA 02114	03-44-24-00-00029.0020 14171 N CLEVELAND AVE NORTH FORT MYERS FL 33903	E 1/2 OF NE 1/4 OF SE 1/4 OF SE 1/4 LYING W OF SR 45	30
ZHANG MING-GUANG + 12306 EUGENES PROSPECT DR BOWIE MD 20720	03-44-24-00-00030.0000 14071 N CLEVELAND AVE NORTH FORT MYERS FL 33903	E 165 FT S OF US 41 LESS S 214.32 FT + LES OR 2432 PG 3975	31
FIRST FLORIDA - FM INVESTMENTS MARVIN F POER + COMPANY PO BOX 52427 ATLANTA GA 30355	03-44-24-00-00030.0010 276 PONDELLA RD NORTH FORT MYERS FL 33903	S 214.32 FT OF E1/2 OF E1/2 OF E1/2 OF S1/2 OF SE1/4 OF SE1/4 LESS R/W OR 2325/762	32

UPWARD HEAVENLY BOUND LLC 300 PONDELLA RD NORTH FORT MYERS FL 33903	03-44-24-00-00031.0000 300 PONDELLA RD NORTH FORT MYERS FL 33903	PAR LOC IN W 1/2 OF E 1/2 OF E 1/2 OF S 1/2 OF SE 1/4 OF SE 1/4 DESC IN OR 4313/159	33
PSS LLC 30 N GOULD ST STE R SHERIDAN WY 82801	03-44-24-00-00031.0010 14101 N CLEVELAND AVE NORTH FORT MYERS FL 33903	PAR LOC IN W 1/2 OF E 1/2 OF E 1/2 OF S 1/2 OF SE 1/4 OF SE 1/4 DESC IN OR 4313/161	34
CCADP LLC 197 PORTLAND ST 6TH FLR BOSTON MA 02114	03-44-24-00-00032.0000 318 PONDELLA RD NORTH FORT MYERS FL 33903	S 1145 FT OF E 1/2 OF W 1/2 OF E 1/2 OF SE 1/4 OF SE 1/4 LESS OR 2308/1108	35
DREW MICHAEL GABRIEL + 341 APEX ST NORTH FORT MYERS FL 33903	03-44-24-00-00033.0010 341 APEX ST NORTH FORT MYERS FL 33903	N 285.72 FT OF W 1/2 OF W 1/2 OF E 1/2 OF S 1/2 OF SE 1/4 OF SE 1/4	36

PALADINO DUSTIN A +
1357 PINEY RD
NORTH FORT MYERS FL 33903

HAYES ERIC
9210 LITTLETON RD
NORTH FORT MYERS FL 33903

GREATER SUNSHINE RENTALS LLC
4607 SW 6TH AVE
CAPE CORAL FL 33914

STEVENS DOUGLAS E &
1349 PINEY RD
NORTH FORT MYERS FL 33903

RAMOS STEVEN M +
1511 SE 44TH ST
CAPE CORAL FL 33904

SANSOM SAMUEL KEEN
1327 PINEY RD
NORTH FORT MYERS FL 33903

ISTORAGE PO LLC
8400 EAST PRENTICE AVE 9TH FLOOR
GREENWOOD VILLAGE CO 80111

COLLINS MICAH J
1317 PINEY RD
NORTH FORT MYERS FL 33903

BERGER BARRY & SHARON
5854 INVERNESS CIR
NORTH FORT MYERS FL 33903

PALM CASUAL FURNITURE
7008 N DALE MABRY
TAMPA FL 33614

HARTERFTFL LLC
6404 VIA COLINITA
RANCHO PALOS VERDES CA 90275

LEE COUNTY
PO BOX 398
FORT MYERS FL 33902

RMC PONDELLA LLC
8902 N DALE MABRY HWY STE 200
TAMPA FL 33614

LEE COUNTY ELECTRIC CO-OP INC
PO BOX 3455
NORTH FORT MYERS FL 33918

PEREZ LUIS A
705 SE 5TH ST
CAPE CORAL FL 33990

TOUCHSTONE ROAD LLC
1364 TOUCHSTONE RD
NORTH FORT MYERS FL 33903

TOUCHSTONE ROAD LLC
1364 TOUCHSTONE RD
NORTH FORT MYERS FL 33903

NAP EQUITY LLC
14361 N CLEVELAND AVE
NORTH FORT MYERS FL 33903

JCTK HOLDINGS LLC
409 E NORTH SHORE DR
NORTH FORT MYERS FL 33917

PATTERSON WANDA J
DAN ONEAL
2905 FLORA DR
COLUMBIA MO 65202

ABBONDANDOLO JOHN +
102 SE 21ST AVE
CAPE CORAL FL 33990

BELL WAYNE C
1385 TOUCHSTONE RD
NORTH FORT MYERS FL 33903

ABBONDANDOLO JOHN +
102 SE 21ST AVE
CAPE CORAL FL 33990

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14361 N CLEVELAND AVE
NORTH FORT MYERS FL 33903

SS NORTH FORT MYERS LLC
8400 E PRENTICE AVE STE 900
GREENWOOD VILLAGE CO 80111

MAGDOVITZ AGENCY INC
1005 CORDOVA STATION AVE
CORDOVA TN 38018

CURTIS DAVID D JR
352 APEX ST
NORTH FORT MYERS FL 33903

COPELAND TORY D
15941 CINDY CT
FORT MYERS FL 33908

HIGGINBOTHAM HEIDI E &
360 APEX ST
N FORT MYERS FL 33903

CCADP LLC
197 PORTLAND ST 6TH FLR
BOSTON MA 02114

ZHANG MING-GUANG +
12306 EUGENES PROSPECT DR
BOWIE MD 20720

FIRST FLORIDA - FM INVESTMENTS
MARVIN F POER + COMPANY
PO BOX 52427
ATLANTA GA 30355

UPWARD HEAVENLY BOUND LLC
300 PONDELLA RD
NORTH FORT MYERS FL 33903

PSS LLC
30 N GOULD ST STE R
SHERIDAN WY 82801

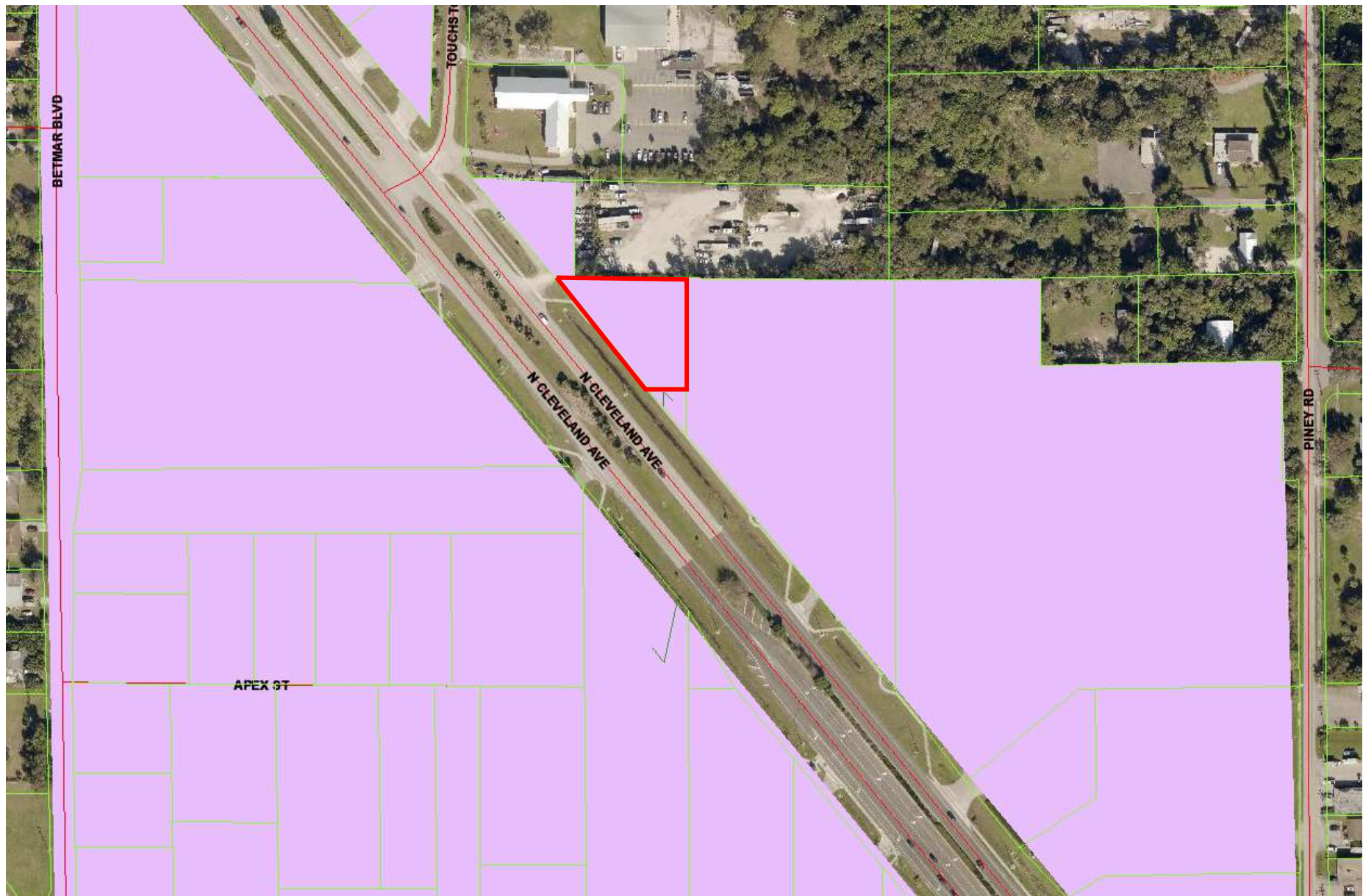
CCADP LLC
197 PORTLAND ST 6TH FLR
BOSTON MA 02114

DREW MICHAEL GABRIEL +
341 APEX ST
NORTH FORT MYERS FL 33903

14290 N. CLEVELAND AVENUE
FUTURE LAND USE MAP
EXHIBIT B



14290 N. CLEVELAND AVENUE
MIXED-USE OVERLAY MAP
EXHIBIT C





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

14290 N. Cleveland Avenue
Public Information Meeting Summary

A Public Information Meeting was held on October 3, 2023 at the North Fort Myers Recreation Center, 2000 Recreation Way, North Fort Myers. The rezoning application was presented to the North Fort Myers Community Planning Panel. The members have seen this site before - when it was originally presented as a CPD rezoning of the entire 6.41 acres. The board members remembered the site and understood the reason for the change to a conventional rezoning of the 0.52-acre parcel from AG-2 to C-1 for a consistent commercial zoning district.

Questions:

1. What about the small triangle shaped property that's part of the larger lot south of Cleveland Avenue (318 Pondella Rd)?

Randy Krise contacted the property owner but hasn't been able to purchase that small piece of property.

2. What could the property owner possible build on that lot?

Not sure. Maybe he's keeping it for a billboard??

3. How will they access the property? Are they extending the frontage road? Where is the full-cut median located? How will traffic circulate here?

The applicant does plan to extend the frontage road to the south to connect to the existing driveway and close off at least one of the existing driveways north near Touchstone Road. There's a full cut median directly across from Touchstone Road. An FDPT permit will be required along with a Traffic Impact Study at time of development order permitting. That will determine the number of access points, turn lanes, etc. Another presentation will be made to the NFM Design Review Panel and their questions will be answered more completely at that time.

Summary

The 5-member board voted unanimously to support the rezoning of the 0.52-acre portion from AG-2 to C-1 for a consistent zoning district.

News-Press.

Public Notice

Originally published at news-press.com on 09/21/2023

NOTICE OF MEETING TDM Consulting, Inc. will be presenting a Rezoning application at the North Fort Myers Community Planning Panel meeting on October 3, 2023 at 6:00 pm. The meeting will be held at the North Fort Myers Recreation Center, 2000 Recreation Way, North Fort Myers. The applicant, 14290 N. Cleveland Ave, LLC, is requesting to rezone 0.52-acres located at 14180 N. Cleveland Avenue, North Fort Myers from AG-2 (Agricultural) to the C-1 (Commercial) zoning district. For additional information, please contact Veronica Martin, Senior Planner with TDM Consulting, at 239-433-4231 or vmartin@tdmconsulting.com. AD # 5823757 9/21/23

[illegible]



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

- Representing Randy Krise, Managing Member of 14290 N. Cleveland Avenue, LLC, property owner and applicant
- Requesting to rezone a 0.52-acre portion (Lot 4) of the 6.41-acre property located at 14180 N. Cleveland Ave from AG-2 to C-1 for a consistent commercial zoning district.
- You may remember seeing this site before when the applicant wanted to rezone the entire 6.41-acres to CPD to permit a broad range of automotive sales and service uses. We were in the process of expanding the Schedule of Uses when we met staff on a different project and they suggested that this location was ideal for a true mixed use development. The North Fort Myers Use Regulations Schedule permits both commercial and multi-family residential uses within the commercial corridor. So, as a result, the applicant is withdrawing the CPD application and submitting a conventional rezoning application for just the AG-2 portion of the property.
- FLU is Intensive Development and the property is in the MUO. The property is also located along a Commercial Corridor.
- Urban services are available and adequate to serve the proposed development and will connect to potable water and sanitary sewer.
- Surrounding Zoning includes C-1, C-1A, and CPD with some AG-2 lots to the northeast and southwest of N. Cleveland Ave.

Questions/Comments/Concerns

**FGUA Operations Office**

Government Services Group, Inc.
280 Wekiva Springs Rd., Ste 2070
Longwood, FL 32779-6026

(877) 552-3482 Toll Free
(407) 629-6900 Tel
(407) 629-6963 Fax

September 11, 2023

Veronica Martin
TDM Consulting, Inc.
43 Barkley Cir, Suite 200
Fort Myers, FL 33907
vmartin@tdmconsulting.com

RE: Wastewater and Reclaim Water Availability – LOA ID#: 23-022 NFMD

Parcel ID No.: 03-44-24-00-00017.0000

14180 N. Cleveland Ave, North Fort Myers, FL 33903

14290 N. Cleveland Ave. CPD

Dear Ms. Martin:

The FGUA has received your Application for Service Availability, and upon review, it has been determined that wastewater disposal service is generally available to the address provided. The attached site map indicates the approximate size and location of the existing mains in the area. Please be advised that main extensions, connection to the reclaimed water system, and other system enhancements funded by the project sponsor may be required.

The application indicated that the proposed project consists of a commercial & multi-family building with an estimated wastewater disposal demand of 5,040 GPD. Currently, FGUA facilities are able to accommodate this demand. During the design process, if existing conditions warrant, a hydraulic analysis may need to be performed by the project engineer to evaluate the impacts the proposed project may have on the existing wastewater system.

This letter should not be construed as a commitment to serve, but only as a statement of the availability of service and is effective for twelve (12) months from the date of issue. The FGUA commitment to serve will be made once a Utility Infrastructure Conveyance and Service Agreement (CSA) is fully executed. To move this project forward, contact Development Services via email at devservices@fgua.com to receive a plan submittal package and schedule the pre-application meeting if required.

FGUA Board of Directors

PAM KEYES, P.E. Chair, Lee County / KEN CHEEK, P.E. Vice Chair, Citrus County / SHANE PARKER, P.E., Hendry County / TAMARA RICHARDSON, P.E., Polk County / MICHAEL CARBALLA, P.E., BCEE, Pasco County / JODY KIRKMAN, P.E., Marion County/ HEIDI PETITO, Flagler County

Letter of Availability
Page 2 of 3

Sincerely,

FLORIDA GOVERNMENTAL UTILITY AUTHORITY

Douglas W. Black

Digitally signed by Douglas W Black
Date: 2023.09.12 13:53:30 -04'00'

Douglas W. Black, PSM, PLS
Property & Development Manager

CC: Mike Currier, South Region Area Manager

Encl.

1. Pre-Development Meeting Information
2. Utility Locates
3. Fee Statement/Receipt



Development Services Division

Pre-Application Meeting Information

Purpose:

The pre-application meeting is designed to be an informative discussion, specifically geared toward assisting the applicant (owner/developer/engineer) understand the FGUA's policies and development process. The pre-application meeting may be required prior to the formal submission and review of any utility construction plans by the Development Division.

It is our goal to assist you through the FGUA development process as smoothly as possible, and for your development to be a success. This pre-application meeting, if required, will provide you with the details you need to make this a successful and stress-free process.

What to Expect:

If the meeting is required, you will be provided with a variety of both general and specific information regarding the FGUA's development process. This will include, but not be limited to staff contact information, plan review guidelines, current fees, conveyance, and closeout procedures.

Who Should Attend:

It is encouraged that a representative from the property owner, developer, and engineer, at a minimum, attend this meeting. Representatives of the FGUA's Development Division, including the Development Technician, Development Coordinator, Real Property Coordinator and utility system Area Manager will also be in attendance as required.

In an effort to accommodate the potential long-distance commute between the FGUA's Operations Office in Longwood, Florida and the FGUA system areas, these meetings will take place via Microsoft Teams.

Meeting Requests:

Please e-mail Development Services to request a meeting at devservices@fgua.com.

Please have your FGUA Letter of Availability (LOA) Number (included on the first page of your previously issued Letter of Availability) ready when you email to schedule this meeting.

You will also be required to provide a preliminary site utility plan for staff review before the meeting is scheduled.

Project Name: 14290 N. Cleveland Ave CPD

Property Address: 14180 N. Cleveland Ave, North Fort Myers, FL 33903



ALL UTILITY LOCATIONS SHOWN HERE ARE APPROXIMATE. THE DEVELOPER IS SOLELY RESPONSIBLE FOR DETERMINING THE EXACT UTILITY LOCATIONS VIA POTHOLING OR OTHER ACCEPTABLE MEANS.



FGUA Fee Statement

Letter of Availability and/or Locate Request

Property Address or PID: 03-44-24-00-00017.0000System: North Fort Myers 416Development/Project Name: 14290 N. Cleveland Ave.Date: September 11, 2023County: LeeLOA ID: 23-022 NFMD

All fee amounts are based on the rates in effect as of the date of this statement and are subject to change.

Fees based on:

0 Letter of Utility Location Availability and Locate Map	\$	100.00
1 Utility Availability Map (Map Only)	\$	75.00
2 Letter of Utility Location Availability (Letter Only)	\$	25.00

<i>FGUA</i>	G/L Code	Fees	Total fees	Amt Previously Paid	Balance Due
LOA Request	202098	\$ 100.00	\$ 100.00	\$ 100.00	\$ -

Fees Due: \$ -

<i>Payment History</i>	Date	Check Date	Check #	Payer Name	Amount
0 Letter and Locate Map	9/11/2023	9/5/2023	5938	TDM Consulting INC	\$ 100.00
1 Map Only					
2 Letter Only					

**BOARD OF COUNTY COMMISSIONERS**

Kevin Ruane
District One

Cecil L Pendergrass
District Two

Raymond Sandelli
District Three

Brian Hamman
District Four

Michael Greenwell
District Five

Roger Desjarlais
County Manager

Richard Wm Wesch
County Attorney

Donna Marie Collins
County Chief
Hearing Examiner

January 19, 2023

Via E-Mail

Veronica Martin
TDM Consulting, Inc.
43 Barkley Circle, Suite 200
Fort Myers, FL 33907

RE: **Potable Water Availability**
14290 N Cleveland Ave CPD, 14170, 14250, 14286, and 14290
STRAP # 03-44-24-00-00029.0010, 03-44-24-00-00027.0000,
03-44-24-00-00028.0000 and 03-44-24-00-00017.0000

To whom this may concern:

The subject property is located within Lee County Utilities Future Service Area as depicted on Maps 4A of the Lee County Comprehensive Land Use Plan. Potable water 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 3 commercial units with an estimated flow demand of approximately 5,040 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water service as estimated above.

Availability of potable water 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 North Lee County Water Treatment Plant.

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 approval of all State and local regulatory agencies.

4290 N Cleveland Ave CPD - Letter.Docx

January 19, 2023

Page 2

Further, this letter of availability of potable water service is to be utilized for 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