



APPLICATION FOR PLANNED DEVELOPMENT PUBLIC HEARING UNINCORPORATED AREAS ONLY

Project Name: Diplomat House a/k/a Diplomat North RPD Amendment

Request: Rezone from: _____ To: _____

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:

Request to amend 35.18± acres of the Diplomat North RPD/CPD from the Z-11-002/ADD2019-00085
approvals to replace 238 dwelling units (or 138 dwelling units and 400 assisted living facility units) and 50,000
SF of commercial with a maximum height of 50 feet; to allow 360 multi-family dwelling units with amenities with
a maximum height of 60 feet within the Mixed Use Overlay.

**PART 1
APPLICANT/AGENT INFORMATION**

A. Name of Applicant: Diplomat Fort Myers, LLC
Address: 7200 Corporate Center Drive, Suite 316
City, State, Zip: Miami, FL 33126
Phone Number: c/o 239-770-2527/239-939-5490
E-mail Address: c/o shewitt@bankseng.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: Banks Engineering
Contact Person: Stacy Ellis Hewitt, AICP
Address: 10511 Six Mile Cypress Pkwy
City, State, Zip: Fort Myers, FL 33966
Phone Number: 239-770-2527/239-939-5490 Email: shewitt@bankseng.com

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

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

**PART 2
PROPERTY OWNERSHIP**

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

Name: Habitat Diplomat North LLC

Address: 12751 New Brittany Blvd, Suite 100

City, State, Zip: Fort Myers, FL 33907

Phone Number: c/o 239-770-527/239-939-5490

Email: c/o shewitt@bankseng.com

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): 01/17/2019

**PART 3
PROPERTY INFORMATION**

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

35.18± ac portion of 34-43-24-00-00001.3030

B. Street Address of Property: Access Undetermined, Diplomat Pkwy, North Fort Myers, FL

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

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

F. Use(s) of Property:

1. Current uses of property are: Vacant

2. Intended uses of property are: Multi-Family

G. Future Land Use Classification (Lee Plan):

Central Urban	<u>35.18±</u>	Acres	<u>100</u>	% of Total
_____	_____	Acres	_____	% of Total
_____	_____	Acres	_____	% of Total

H. Property Dimensions:

1. Width (average if irregular parcel):	<u>1,485±</u>	Feet		
2. Depth (average if irregular parcel):	<u>1,296±</u>	Feet		
3. Total area:	<u>35.18± ac</u>	Acres or square feet		
4. Frontage on road or street:	<u>80±</u>	Feet on	<u>Diplomat Pkwy E</u>	Street
2 nd Frontage on road or street:	_____	Feet on	_____	Street

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

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

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

**PART 4
TYPES OF LAND AREA ON PROPERTY**

A. Gross Acres (total area within described parcel)		<u>35.18±</u>	Acres
1. Submerged land subject to tidal influence		<u>0</u>	Acres
2. a. Preserved freshwater wetlands	<u>0</u>	Acres	
b. Impacted wetlands	<u>0</u>	Acres	
c. Preserved saltwater wetlands	<u>0</u>	Acres	
d. Total wetlands (A.2.a. plus A.2.b. plus A.2.c.)		<u>0</u>	Acres
3. R-O-W providing access to non-residential uses		<u>0</u>	Acres
4. Non-residential use areas ⁽¹⁾⁽²⁾		<u>0</u>	Acres
B. Total area not eligible as gross residential acreage (Items A.1. + A.3. + A.4.).		<u>0</u>	Acres
C. Gross residential acres. (A minus B) ⁽³⁾		<u>35.18±</u>	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		<u>35.18±</u>	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	_____	Acres
	b.	Suburban – preserved freshwater wetlands	_____	Acres
	c.	Suburban – impacted wetlands	_____	Acres
5.	a.	Outlying Suburban – upland	_____	Acres
	b.	Outlying Suburban – preserved freshwater wetlands	_____	Acres
	c.	Outlying Suburban – impacted wetlands	_____	Acres
6.	a.	Sub-Outlying Suburban – upland	_____	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	_____	Acres
	b.	Rural, Outer Island, Rural Community Preserve – wetlands	_____	Acres
8.	a.	Open Lands – upland	_____	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)	<u>35.18±</u>	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: Central Urban

		Lee Plan Table 1(a)		
		Max. standard density		Units
1. Standard Units				
a.	Total upland acres (from Part 4, D.)	<u>35.18*</u>	x <u>10</u> equals	<u>351.8</u>
	* MUO so plus Commercial Parcels 1 (1.48 ac) & 2 (1.47 ac) =	<u>2.95</u>	x <u>10</u> equals	<u>29.5</u>
b.	Total preserved freshwater wetlands acres (from Part 4, D.)	<u>0</u>	x _____ equals	<u>0</u>
c.	Total impacted wetlands acres (from Part 4, D.)	_____	x _____ equals	<u>0</u>
d.	Total Allowed Standard Units ⁽¹⁾			<u>381.3</u>
2. Bonus Units [2-143]				
a.	Site-built Affordable Housing			_____
b.	Transferrable Dwelling Units			_____
c.	Sub-total (up to 10)			<u>381.3</u>
3. Total Permitted Units ⁽¹⁾				<u>762.6</u>

Note:

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

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

A. Commercial	Height	Total Floor Area (Square Feet)
1. Medical	_____	N/A
2. General Office	_____	N/A
3. Retail	_____	N/A
4. Other: _____	_____	N/A
5. TOTAL FLOOR AREA	_____	N/A
B. Industrial	Height	Total Floor Area (Square Feet)
1. Under Roof	_____	N/A
2. Not Under Roof	_____	N/A
3. TOTAL FLOOR AREA	_____	N/A
C. Mining	Depth	Total Acres
1. Area to be excavated	_____	N/A
D. Assisted Living Facilities	Height	Total Beds/Units
1. Dependent Living Units	_____	N/A
2. Independent Living Units	_____	N/A
3. TOTAL BEDS/UNITS	_____	N/A
E. Hotels/Motels (Room Size)	Height	Total Rental Units
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:**
1. **Master Concept Plan, Non-PRFPD:** A graphic illustration (Master Concept Plan) of the proposed development, showing and identifying the information required by LCLDC Section 34-373(a)(6)a. Copies of the Master Concept Plan must be provided in two sizes, 24"x36" and 11"x17", and must be clearly legible and drawn at a scale sufficient to adequately show and identify the required information. In addition to the Master Concept Plan, an open space design plan delineating the indigenous preserves and/or native tree preservation areas as required by LDC Section 10-415(b) must be submitted. **[34-373(a)(6)]**
 2. **Schedule of Uses:** A schedule of uses keyed to the Master Concept Plan as well as a summary for the entire property including the information required by LCLDC Section 34-373(a)(8). **[34-373(a)(8)]**

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

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

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

PART 8

ENVIRONMENTAL REQUIREMENTS

- A. Topography:** Describe the range of surface elevations of the property. Attach a county topographic map (if available) or a USGS quadrangle map showing the subject property. **[34-373(a)(4)b.iv.]**
 The existing elevations range from -5.3'± (existing borrow lake) to 17.3'± along north top of existing ditch.
-
- 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)].
 The only sensitive land on the parcel is an existing mapped FEMA floodway located on the western portion of the site.
-
- C. Preservation/Conservation of Natural Features:** Describe how the lands listed in PART 6.B. above will be protected by the completed project:
 The MCP keeps development outside of the FEMA floodway and no fill will be placed within the floodway. Condition 23 will continue to require preservation of native vegetation within the floodway.
-
- 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:
 N/A
 2. Quality of the effluent:
 N/A

3. Expected life of the facility:

N/A

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

N/A

5. Receiving bodies or other means of effluent disposal:

N/A

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

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

N/A

2. Current water table conditions:

N/A

3. Proposed rate of application:

N/A

4. Back-up system capacity:

N/A

PART 10 ADDITIONAL REQUIREMENTS

A. Major Planned Developments:

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

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

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

D. Private Recreational Facility Planned Developments (PRFPDs):

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

5. **Environmental Assessment.** An Environmental Assessment must be provided which includes, at a minimum, an analysis of the environment, historical and natural resources. **[34-941(g)(2)]**
6. **Demonstration of Compatibility.** Written statements concerning how the applicant will assure the compatibility of the proposed development with nearby land uses (by addressing such things as noise, odor, lighting and visual impacts), and the adequate provision of drainage, fire and safety, transportation, sewage disposal and solid waste disposal must be provided. **[34-941(g)(4)]**
- E. **Potable Water & Central Sewer.** Will the project be connected to potable water and central sewer as part of any development of the property?
- YES** (Provide a letter from the appropriate Utility to which the connection(s) are proposed confirming availability of service.) **[34-202(a)(10)]**
- NO** (Provide a narrative explaining why the connection is not planned and how the water and sewer needs of the project will be met.) **[34-202(a)(10)]**
- F. **Existing Agricultural Use:** If the property owner intends to continue an existing agricultural use on the property subsequent to the zoning approval, an Existing Agricultural Use Affidavit must be provided. Entitle as "Existing Agricultural Uses at Time of Zoning Application." **[34-202(a)(12)]**
- G. **Flood Hazard:**
- Not applicable
- The property is within an Area of Special Flood Hazard as indicated in the Flood Insurance Rate Maps (FIRM)s.
- The minimum elevation required for the first habitable floor is AE EL 15.1 +1 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	<input checked="" type="checkbox"/>	Completed application for Public Hearing [34-202(a)(1)]
1	<input checked="" type="checkbox"/>	Filing Fee - [34-201(d)]
1	<input type="checkbox"/>	Bonus Density Filing Fee - (if applicable) [34-202(a)(11)]
3	<input checked="" type="checkbox"/>	<u>Affidavit of Authorization</u> (notarized) Form [34-202(a)(3)]
3	<input checked="" type="checkbox"/>	<u>Additional Agents</u> [34-202(a)(4)]
3	<input type="checkbox"/>	Multiple Owners List (if applicable) [34-202(a)(2)]
3	<input checked="" type="checkbox"/>	<u>Disclosure of Interest</u> Form (multiple owners) [34-202(a)(2)]
3	<input checked="" type="checkbox"/>	Legal description (must submit) [34-202(a)(5)]
	<input checked="" type="checkbox"/>	Legal description (metes and bounds) and sealed sketch of legal description
		OR
	<input type="checkbox"/>	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	<input checked="" type="checkbox"/>	Boundary Survey – not required if platted lot (2 originals required) [34-202(a)(6)]
3	<input type="checkbox"/>	Property Owners list (if applicable) [34-202(a)(8)]
3	<input type="checkbox"/>	Property Owners map (if applicable) [34-202(a)(8)]
3	<input checked="" type="checkbox"/>	Confirmation of Ownership/Title Certification [34-202(a)(7)]
3	<input type="checkbox"/>	STRAP Numbers (if additional sheet is required) [34-202(a)(5)]
1	<input checked="" type="checkbox"/>	List of Surrounding Property Owners [34-202(a)(9)]
1	<input checked="" type="checkbox"/>	Map of Surrounding Property Owners [34-202(a)(9)]
1	<input checked="" type="checkbox"/>	Mailing labels [34-202(a)(9)]
3	<input type="checkbox"/>	List of Zoning Resolutions and Approvals
3	<input checked="" type="checkbox"/>	Summary of Public Informational Session (if applicable)
3	<input checked="" type="checkbox"/>	Waivers from Application Submission Requirements (if applicable) [34-201(c)]
3	<input type="checkbox"/>	Preliminary Density Calculations (if applicable)
3	<input checked="" type="checkbox"/>	Request Statement [34-373(a)(5)]
3	<input checked="" type="checkbox"/>	Traffic Impact Statement (TIS) (not required for existing development) [34-373(a)(7)]
3	<input checked="" type="checkbox"/>	Master Concept Plan (MCP), Non-PRFPD [34-373(a)(6)]
3	<input checked="" type="checkbox"/>	Schedule of Uses [34-373(a)(8)]
3	<input checked="" type="checkbox"/>	Schedule of Deviations and Written Justification [34-373(a)(9)]
3	<input type="checkbox"/>	Topography (if available) [34-373(a)(4)b.iv.]
3	<input checked="" type="checkbox"/>	Soils Map [34-373(a)(4)b.9.]
3	<input checked="" type="checkbox"/>	FLUCCS Map [34-373(a)(4)c.]
3	<input type="checkbox"/>	Rare & Unique Upland Habitat Map [34-373(a)(4)b.iii.]
3	<input type="checkbox"/>	Existing and Historic Flow-Ways Map [34-373(a)(4)b.v.]
3	<input type="checkbox"/>	Surface Water Management Plan (if applicable) [34-373(b)(1)]
3	<input type="checkbox"/>	Phasing Program (if applicable) [34-373(b)(3)]
3	<input checked="" type="checkbox"/>	Protected Species Survey (if applicable) [34-373(b)(2)]
3	<input type="checkbox"/>	Proof of Notice (if applicable) [34-373(c)]

3	<input type="checkbox"/>	Binding Letter from DCA (if applicable) [34-373(d)(9)]
3	<input type="checkbox"/>	Master Concept Plan (MCP), PRFPD (if applicable) [34-941(g)(1)]
3	<input type="checkbox"/>	Conceptual Surface Water Management Plan (if applicable) [34-941(d)(3)b.i.1)]
3	<input type="checkbox"/>	Well Drawdown Information (if applicable) [34-941(d)(3)d.]
3	<input type="checkbox"/>	Preliminary Indigenous Restoration Plan (if applicable) [34-941(e)(5)f.iii.]
3	<input type="checkbox"/>	Environmental Assessment (if applicable) [34-941(g)(2)]
3	<input type="checkbox"/>	Demonstration of Compatibility (if applicable) [34-941(g)(4)]
3	<input checked="" type="checkbox"/>	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	<input type="checkbox"/>	Existing Agricultural Use Affidavit (if applicable) [34-202(a)(12)]
3	<input type="checkbox"/>	Information Regarding Proposed Blasting (if applicable).
3	<input type="checkbox"/>	Hazardous Materials Emergency Plan (if applicable)
3	<input type="checkbox"/>	Mobile Home Park Dislocated Owners Information (if applicable) [34-202(b)(4)]
3	<input type="checkbox"/>	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, Terry A. Wellons (name), as Manager (owner/title) of Diplomat Fort Myers, 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.

[Signature]
Signature

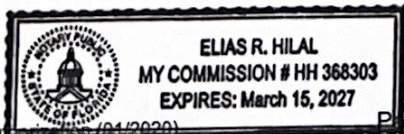
12/18/2023
Date

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

STATE OF FLORIDA
COUNTY OF LEE Boward

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, this 1 day of December, 2023, by Terry Wellons (name of person providing oath or affirmation), who is personally known to me or who has produced FL DL (type of identification) as identification.

STAMP/SEAL



[Signature]
Signature of Notary Public

AFFIDAVIT OF AUTHORIZATION

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

I, John O'Donnell (name), as Chief Financial Officer (owner/title) of Habitat Diplomat North, 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."
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- 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.

John O'Donnell
Signature

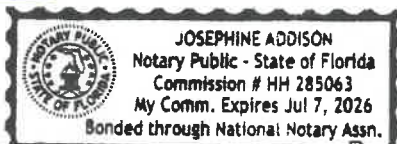
12-5-23
Date

*****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 5th day of DECEMBER, 2023, by John O'Donnell (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

STAMP/SEAL



Josephine Addison
Signature of Notary Public

DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME this day appeared Terry A. Wellons, as Manager of Diplomat Fort Myers, 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 35.18 ac portion of 34-43-24-00-00001.3030 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.

[Handwritten Signature]

Property Owner

Terry A. Wellons, as Manager of Diplomat Fort Myers, 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~~ Broward

The foregoing instrument was sworn to (or affirmed) and subscribed before me by means of physical presence or online notarization, on 12/1/23 (date) by Terry Wellons (name of person providing oath or affirmation), who is personally known to me or who has produced POC (type of identification) as identification.

STAMP/SEAL

[Handwritten Signature]

Signature of Notary Public



**DISCLOSURE OF INTEREST
AFFIDAVIT**

BEFORE ME this day appeared John O'Donnell, as Chief Financial Officer of Habitat Diplomat North, 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 35.18 ac portion of 34-43-24-00-00001.3030 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
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

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.

John O'Donnell
Property Owner

John O'Donnell, as Chief Financial Officer of Habitat
Diplomat North, 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 12/5/23 (date) by John O'Donnell (name of person providing oath or affirmation), who is personally known to me or who has produced _____ (type of identification) as identification.

STAMP/SEAL

Josephine Addison
Signature of Notary Public



LETTER OF AUTHORIZATION

I, Terry A Wellons, as Manager, being first duly sworn, depose and say that Diplomat Fort Myers, LLC, a Florida limited liability company is the Applicant and legal representative of the property described as:

Address: Access Undetermined

STRAP: 35.18 ac portion of 34-43-24-00-00001.3030 (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 Diplomat Fort Myers, LLC, a Florida limited liability company and hereby designate Banks Engineering, as designated agents 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 Applicant and Legal Representative:
Diplomat of Fort Myers, LLC, a Florida limited liability company

By: [Signature]
Terry A. Wellons, Manager
Printed or Typed Name and Title

STATE OF Florida
COUNTY OF Broward

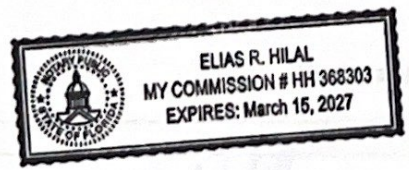
The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 12/1/23 (date) by Terry Wellons, manager (name of member, manager, officer or agent, title of member, manager, officer or agent), of Diplomat Fort Myers, LLC (name of company acknowledging), a Florida (state or place of formation) limited liability company, on behalf of the company, who is personally known to me or has produced POOL (type of identification) as identification.

[Signature]
(Signature of person taking acknowledgment)

Elías R. Hilal
(Name typed, printed or stamped)

(Title or rank)

(Serial number, if any)



LETTER OF AUTHORIZATION

I, John O'Donnell, as Chief Financial Officer of Habitat Diplomat North, LLC, a Florida limited liability company, being first duly sworn, depose and say that Habitat Diplomat North, LLC, a Florida limited liability company, is the owner of the property described as:

Address: Access Undetermined

STRAP: 35.18 ac portion of 34-43-24-00-00001.3030 (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 Habitat Diplomat North, LLC, a Florida limited liability company, and hereby designate Diplomat Fort Myers, 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. This also acknowledged authorization of transfer of residential density from Commercial Parcels 1 (1.48± acres) and 2 (1.47± acers) owned by Habitat Diplomat North, LLC for use of the Applicant with no impact to commercial use since within the Mixed Use Overlay.

Name of Owner:
Habitat Diplomat North, LLC, a Florida limited liability company

By: *John O'Donnell*

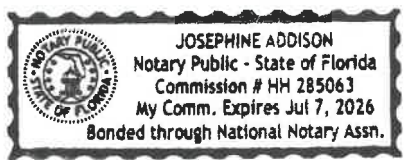
John O'Donnell, Chief Financial Officer
Printed or Typed Name and Title

STATE OF FLORIDA
COUNTY OF LEE

The foregoing instrument was acknowledged before me by means of physical presence or online notarization, this 12/5th/2023 (date) by John O'Donnell (name of member, manager, officer or agent, title of member, manager, officer or agent), of _____ (name of company acknowledging), a _____ (state or place of formation) limited liability company, on behalf of the company, who is personally known to me or has produced _____ (type of identification) as identification.

Josephine Addison
(Signature of person taking acknowledgment)

JOSEPHINE ADDISON
(Name typed, printed or stamped)



(Title or rank)

(Serial number, if any)



Professional Engineers, Planners & Land Surveyors

Diplomat House f/k/a North Diplomat RPD Amendment Narrative of Request

Introduction/Request

The applicant, Diplomat Fort Myers, LLC, is requesting approval of an amendment to 35.18± acres of the Diplomat North RPD/CPD from the Z-11-002/ADD2019-00085 approvals to replace 238 dwelling units (or 138 dwelling units and 400 assisted living facility units) and 50,000 SF of commercial with a maximum height of 50 feet; to allow 360 multi-family dwelling units with amenities with a maximum height of 60 feet within the Mixed Use Overlay. The site is located on the north side of Diplomat Parkway E. (City of Cape Coral maintained arterial), 0.31± mile west of its intersection with N. Cleveland Ave/U.S. 41 (State maintained arterial).

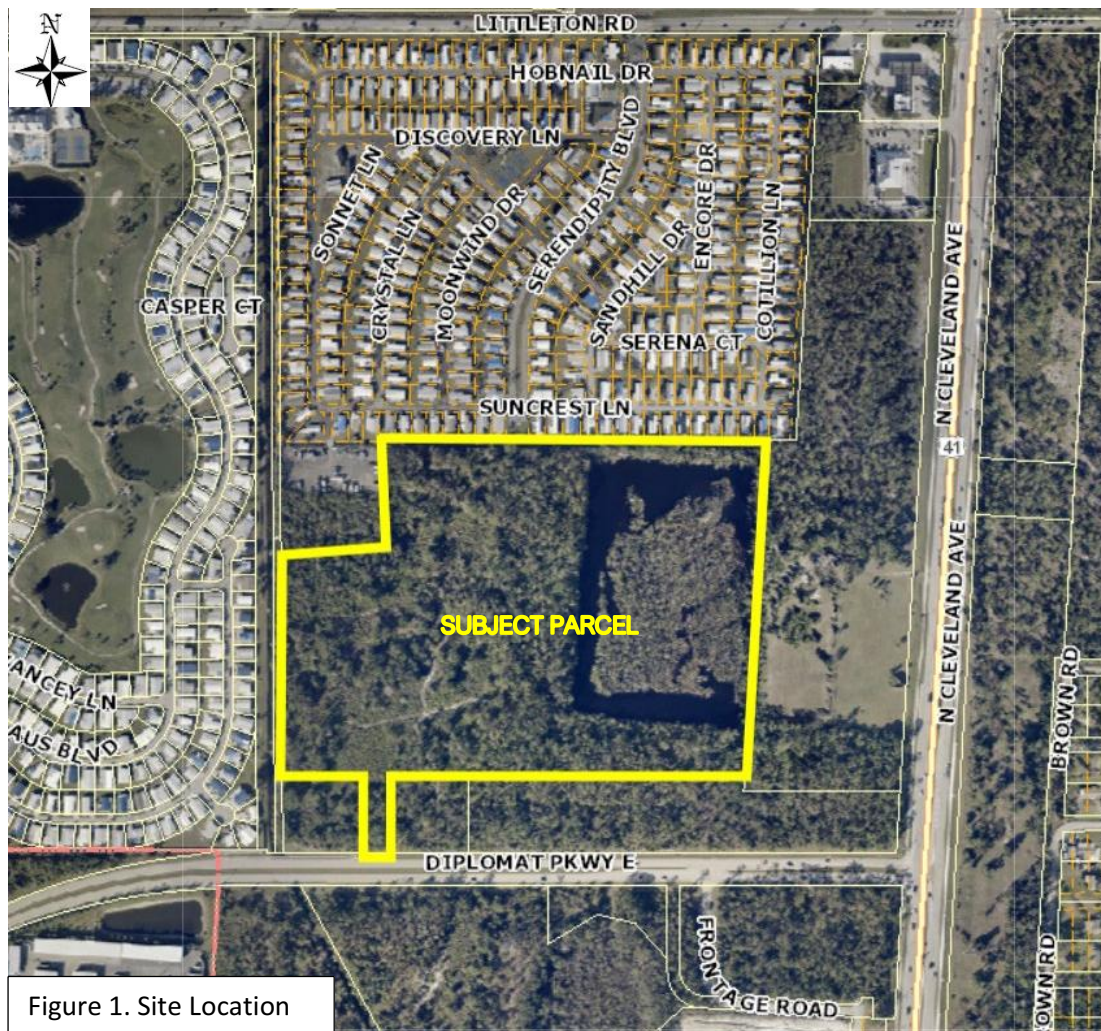


Figure 1. Site Location

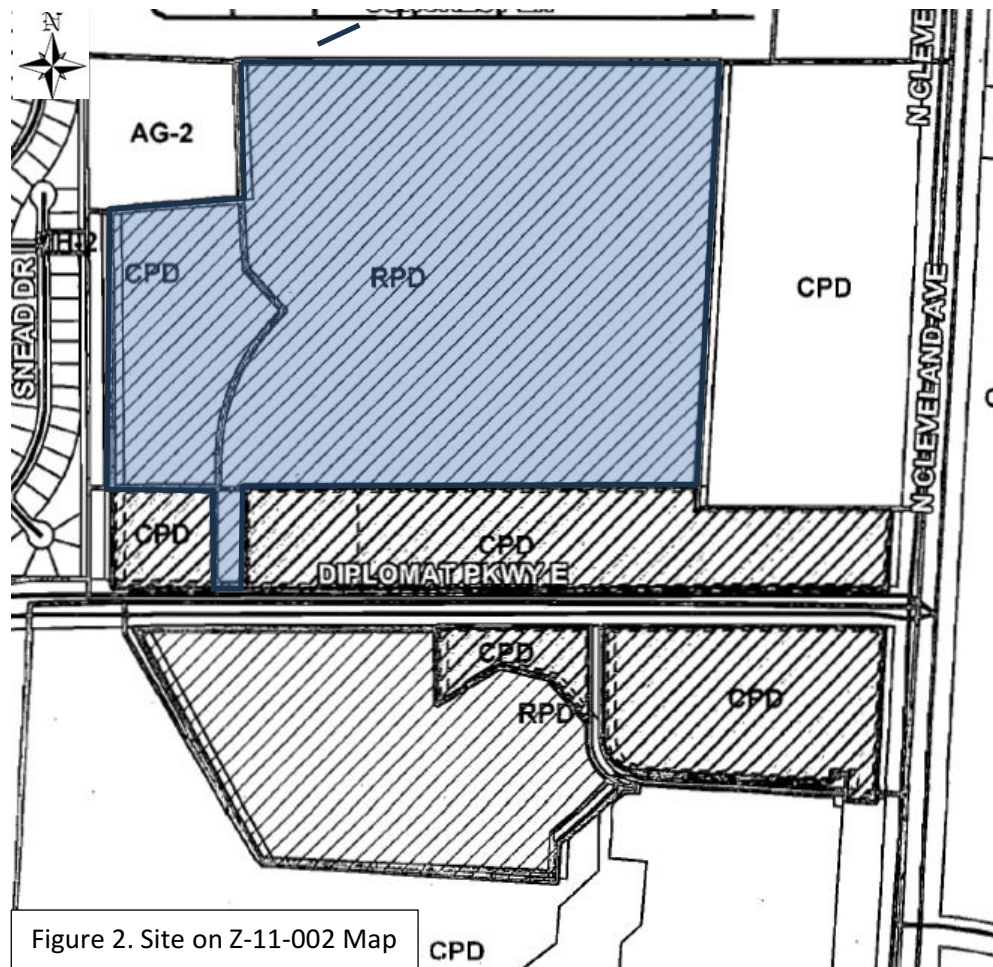
The subject property is a 35.18±-acre portion of STRAP number 34-43-24-00-00001.3030 which consists of the north RPD portion of the Diplomat Property Residential Planned Development (RPD)/Commercial Planned Development (CPD). The remainder of this STRAP number consists of Commercial Parcels 1 and 2 of the RPD/CPD. The property is within the Central Urban future land use category and the Mixed Use Overlay within the North Fort Myers Community Planning Area. The property is currently vacant with an existing borrow lake with active South Florida Water Management District (SFWMD) and Development Order (DO) permits for development as outlined below.

Background

The 65.13±-acre Diplomat Property RPD/CPD covers property north and south of Diplomat Parkway East. The property was originally rezoned from AG-2 to RPD/CPD December 21, 2006, by resolution number Z-06-004 which granted approval for a maximum of 457 dwelling units and 200,000 square feet of commercial of which 100,000 square feet could be retail and 120 hotel rooms. This approval allowed for the indigenous preservation requirements for the entire development to be located within the southern parcel and a single access point with secondary emergency access.

The original zoning approval was later amended administratively by ADD2007-00169 which amended the Master Concept Plan, revised the site development regulations for townhouses and added a deviation to allow curbside garbage pickup.

On March 21, 2011, zoning resolution Z-11-002 approved an amendment to the northern ±35.18-acre RPD to allow for a maximum of 400 assisted living facility beds, 138 standard dwelling units, a 5.43± acre north optional CPD with a maximum 50,000 square feet of commercial, a conversion table, and an amendment to the master concept plan. The following image shows the overall Diplomat Property RPD/CPD as attached to Z-11-002 with the subject property highlighted.



ADD2019-00085 was approved on April 16, 2019, to clarify condition 1 of Z-11-002 that the northerly 35.18 acres may be optionally developed with RPD uses consistent with the MCP approved by ADD2007-00169 or ALF/CCF with or without the 5.43-acre CPD parcel consistent with the MCP approved by Z-11-002.

Although not applicable to the property included in this application, the following amendments to the planned development have also been approved:

ADD2019-00181 was approved on October 31, 2019, for an Alternate MCP to reflect existing schedule of uses which allows single family/duplex/two-family townhomes and clarify maximum height of 35 feet for the southern (south of Diplomat Parkway) parcel.

ADD2020-00034 was approved on June 22, 2020, for an amendment to Commercial Parcels 3 and 4 to remove references to commercial site location standards, amend schedule of uses to allow multi-family and establish a conversion ratio for commercial intensity to residential density for a maximum of 116 dwelling units.

Development Order DOS2007-00255 and Concurrency CNC2007-00291 on the subject property were approved on June 17, 2008 for 252 multi-family dwelling units in 36 buildings and a 1,980 SF clubhouse w/swimming pool & spa that is currently still in effect on the subject property and valid through February 28, 2030. The subject property also has an active South Florida Water

Management District (SFWMD) permit on the site (36-05906-P). There is an existing active development order on the southern RPD (DOS2007-00267 valid through February 15, 2030) as well as an active SFWMD permit (36-06259-P) . Both of the active development orders were approved under the ADD2007-00169 MCP which is proposed to remain along with the Alternate Diplomat South RPD MCP and the proposed Alternate North RPD MCP. Copies of the existing MCPs are included with this application.

In 2022, the following applications were filed by a previous applicant on the subject property, along with the 1.53± acre parcel that is a 25-foot wide strip of land along the western boundary within a drainage easement (STRAP No. 34-43-24-00-00001.306A). This adjacent strip is not included with the subject application. These applications are intended to be withdrawn upon submittal of this request:

- REZ2022-00021 – Conventional rezoning
- VAR2022-00021 - Variance
- ADD2022-00143 – Administrative Deviations

The previous applicant also filed a development order under case number DOS2022-00156 which will either be revised or withdrawn, and a new development order application filed for concurrent review. Upon approval of the new development order for the site, DOS2007-00255 will be withdrawn.

Land Development Code Analysis

The property qualifies for the amendment and the request meets the applicable required findings/review criteria set forth in Land Development Code section 34-145(d)(4)a.1. as follows:

(a) Complies with the Lee Plan

The proposed amendment to the RPD/CPD is consistent with the Lee Plan. The subject property is located in the Central Urban future land use category and within the Mixed Use Overlay where existing public facilities exist. The Lee Plan describes the Central Urban future land use designation as follows:

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

The proposed amendment will facilitate infill development within the Central Urban future land use category, the second-most intense future land use category. Central Urban properties are the "urban core" of the county, with high levels of service to support intense development. Although conventional

rezonings are encouraged within the Mixed Use Overlay to promote continued redevelopment, the nature and history of the subject property requires continuation of the planned development zoning. The proposed amendment will allow the applicant to develop a multi-family neighborhood on a previously permitted site providing multi-family housing options near a major intersection of two arterial roadways, Diplomat Parkway East, and North Cleveland Avenue (U.S. 41) where there are existing public services. The Central Urban future land category allows up to 10 standard density units per acre, up to 15 dwelling units per acre utilizing bonus density or up to 20 dwelling units per acre utilizing Greater Pine Island Transfer of Development Units (GPITDU). The subject property is 35.18± acres. The current property owner has agreed to allow residential density to be transferred to the subject property from Commercial Parcels 1 (1.48± acre) and 2 (1.47± acre) with no impact to the allowable commercial on these parcels. Maximum density potential that can be requested is:

- 381± dwelling units standard density
- 763± dwelling units which includes 191 bonus density units and 191 GPITDUs

The existing zoning allows 238 dwelling units (or 138 dwelling units and 400 assisted living facility units) and 50,000 SF of commercial on the subject property. The applicant is requesting approval for a multi-family neighborhood consisting of 360 dwelling units in an area where increased densities are encouraged. The requested height increase from 50 feet to 60 feet is appropriate in this area and is consistent with the height approved for the development to the east. Pursuant to Lee County Land Development Code (LDC) Section 34-2175(b)(1), the Central Urban future land use category allows a height up to 135 feet. The proposed amendment is consistent with Policy 1.1.3.

POLICY 1.6.5: The Planning Districts Map and Acreage Allocation Table (Map 1-B and Table 1(b)) depict the proposed distribution, extent, and location of generalized land uses through the Plan's horizon. Acreage totals are provided for land in each Planning District in unincorporated Lee County. No development orders or extensions to development orders will be issued or approved by Lee County that would allow the acreage totals for residential, commercial or industrial uses contained in Table 1(b) to be exceeded..

Table 1(b) indicates that the North Fort Myers planning district has 2,225 acres allocated for residential development within the Central Urban future land use category. The subject property has existing approvals for residential development within the North Fort Myers planning community. The proposed amendment is consistent with Policy 1.6.5.

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 proposed amendment is located within a designated Future Urban Area and has been approved for development since 2006 and promotes contiguous and compact growth patterns. The site's inclusion in the Mixed Use Overlay further demonstrates that it is appropriate for infill development with existing residential development along the north and west and commercial and/or multi-family development approved to the south and east. Infrastructure is available to support the proposed amendment. The proposed amendment is 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.

North: Adjacent to the north is Serendipity Mobile Home Park and storage area on one commonly owned parcel within the Central Urban future land use category zoned Mobile Home Residential District (MH-2).

West: Adjacent to the west is a 25-foot drainage ditch parcel then Six Lakes Country Club Mobile Home Park with individual mobile home lots separated by 58± feet of their common elements within the Central Urban future land use category zoned Mobile Home Residential District (MH-2).

South: Adjacent to the south are vacant Commercial Parcels 1, 2 and 3 of the same Diplomat Property zoning as the subject property zoned CPD within the Central Urban future land use category and within the Mixed Use Overlay. These parcels, along with Commercial Parcel 4 south of Diplomat, allow for up to 200,000 SF of commercial development. The ownership is fractured as Commercial Parcels 3 and 4 of the RPD/CPD are no longer under common ownership with the subject property. Commercial Parcels 3 and 4 also have the option to convert commercial to up to 116 multi-family residential. Residential density is proposed to be transferred from Commercial Parcels 1 and 2 to the subject property with no impact to the commercial development allowed. The Diplomat Property south RPD across Diplomat Parkway is approved for 105 dwelling units with an additional 21 dwelling units for moderate income households. There is an active development order for the development of 44 multiple-family dwelling units and the indigenous preserve for the entire RPD/CPD.

East: Adjacent to the east is the MIVO North Fort Myers RPD which is within the Central Urban future land use category and within the Mixed Use Overlay. Zoning resolution Z-23-003 approved a rezoning from C-1A and CPD to RPD to allow for up to 285 multiple-family dwelling units (including 95 bonus density units) with a maximum height of 60 feet. The development order for development of the site is under review under case number DOS2022-00141.

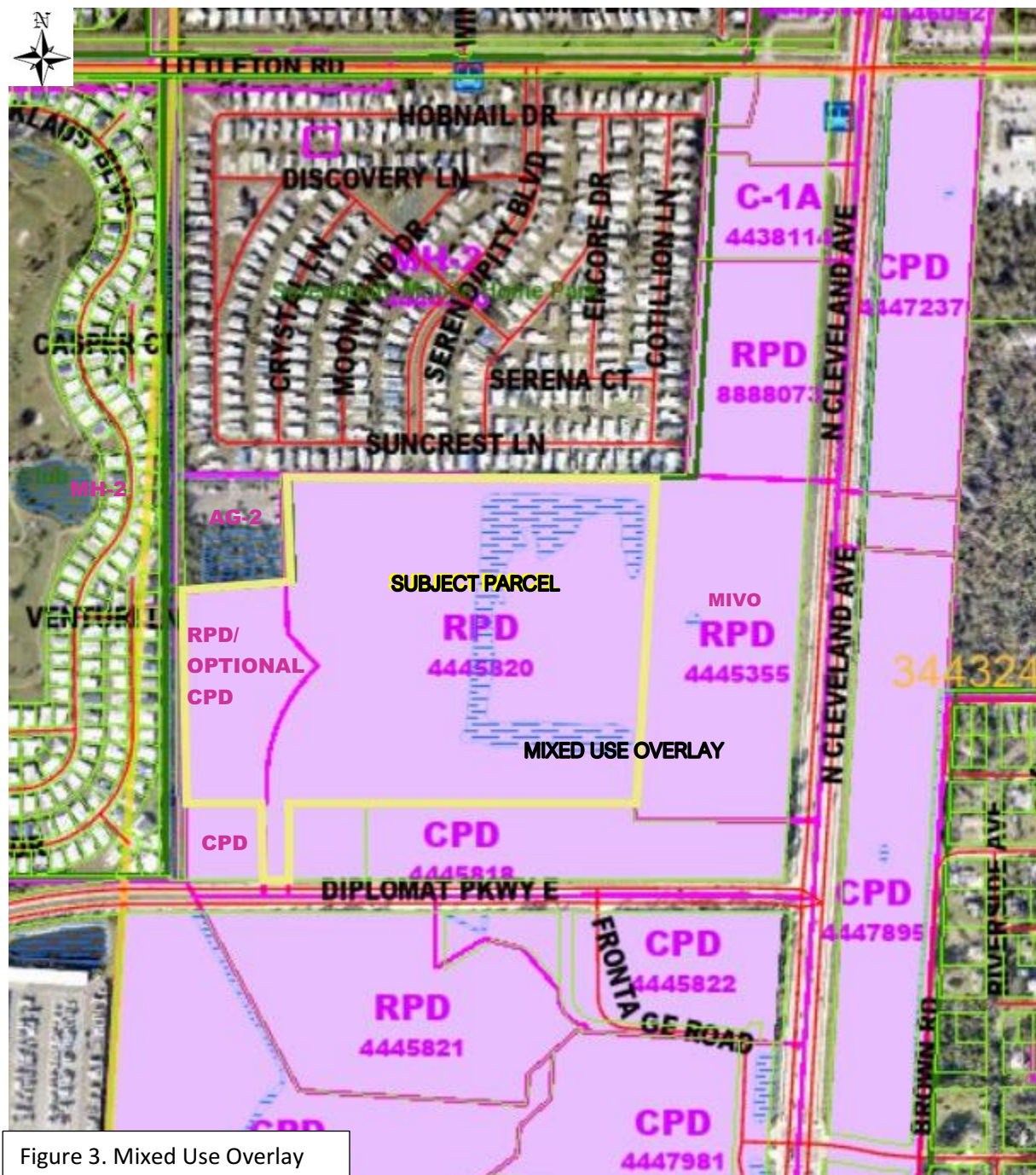


Figure 3. Mixed Use Overlay

The proposed amendment is to allow for infill development promoting a compact and contiguous development pattern as evidenced by the property's inclusion within the Mixed Use Overlay and existing development approvals. The existing Diplomat Property RPD/CPD zoning included approval of deviation 6.a. from requiring 2 access points by allowing the main access onto Diplomat Parkway East and the emergency access easement at the southeast corner of the property to serve as the second access. This previously approved access configuration is proposed to remain. The main access to Diplomat Parkway East, a 4-lane, divided City maintained arterial, aligns with the proposed access to the RPD/CPD on the south side of Diplomat Parkway East and the emergency access

aligns with the existing frontage road on the south side of Diplomat Parkway East. The site is located within the Lee County Utilities Water service area and Florida Governmental Utility Authority Wastewater service area. There are existing water and sewer facilities adjacent to the site and letters of availability are included with the application demonstrating that sufficient capacity is available to serve the site. An analysis of the excessive availability and proximity of public facilities and services is below:

Facility Type	Name	Distance from site
Fire	North Fort Myers Fire Station 2	2.6± miles
Fire	North Fort Myers Fires Station 1	4.3± miles
EMS	Lee County EMS Medic 31	3± miles
EMS	Lee County EMS Medic 7	2.7± miles
Sheriff	Lee County Sheriffs Office, North District	2.7± miles
School	Dr. Carrie D. Robinson Littleton Elementary School	1.7± miles
School	Diplomat Elementary School	3± miles
School	Diplomat Middle School	3.3± miles
School	North Fort Myers High School	3.4± miles
Park	Judd Community Park	2.3± miles
Park	North Fort Myers Recreation Center	2.9± miles
Park	Mary Moody Park	3.3± miles
Park	Kurt Donaldson Community Park	3.4± miles
Park	North Fort Myers Community Pool	3.5± miles
Transit	Lee Tran Route 595	0 feet
Transit	Lee Tran Transfer Station/ Routes 590 & 140	0.5± mile
Bikeways	Existing Bike lanes on Diplomat Pkwy	0 feet
Shopping/Employment	Merchants Crossing	0.6± mile
Shopping/Employment	Walmart Shopping Center	1± mile

There are two fire stations, two EMS stations and a Sheriff substation within close proximity to the site. There are several schools and parks near the property. Lee Tran Route 595 runs along the project's frontage with a Lee Tran transfer station located approximately ½ mile south of the site at Merchants Crossing that connects to Routes 590 and 140. Merchants Crossing and the nearby Walmart Shopping Center provide shopping and employment opportunities. There are existing bike lanes on Diplomat Parkway East. Development of the site with multi-family residential or a mixture of commercial, assisted living facility and multi-family residential were previously found compatible with surrounding land uses and the proposed amendment remains compatible with surrounding land uses. The proposed amendment is 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 Chapter 62-550, F.A.C.).*
- 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 6), 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 site is located within the Lee County Utilities Water service area. There are existing water facilities located nearby at US 41 and a letter of availability is included with the application. The development will connect to Lee County Utilities for potable water service. The project is 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 7), 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.*
- 3. If there is not sufficient capacity nor adequate infrastructure within 1/4 mile of the development, the developer must provide proof in the form of a clearly stated rejection of service.*

The site is located within the Florida Governmental Utility Authority Wastewater service area. There are existing sewer facilities located nearby at US 41 and a letter of availability is included with the application. The development will connect to Florida Governmental Utility Authority for sanitary sewer service. The project is consistent with 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.*

The only sensitive land on the parcel is an existing mapped FEMA floodway located on the western portion of the site. The MCP keeps development outside of the FEMA floodway and no fill will be placed within the floodway. Condition 23 will continue to require preservation of native vegetation within the floodway. The existing zoning includes deviation 3 from LDC Section 10-415(b)(1)a which requires that large developments with indigenous vegetation communities provide 50 percent of their open space percentage requirement through on-site preservation of existing native vegetation communities to permit 0.45 acres of right of way to be vacated, enhanced and preserved to count toward the preservation requirement and allowed the preservation area for the entire RPD/CPD to be located within the portion of the development south of Diplomat Parkway. The existing approved indigenous preserve provides for 12.33 acres of indigenous preserve utilizing credits and includes a gopher tortoise preserve if required and accounts for 7.04 acres of indigenous preserve for the subject property. Given the site is now within the Mixed Use Overlay, its open space requirement is reduced from the previous 40 percent to 20 percent. The 35.18 acre parcel now requires a total of 7.04 acres of open space of which 50% or only 3.52 acres is required to be indigenous. As noted on the open space notes on the proposed Alternate Diplomat North RPD MCP, 0.55 acres of indigenous open space is provided on site within the FEMA floodway. Only the portion of the floodway with FLUCCS code 411 as identified on the submitted FLUCCS map are included. This area meets the minimum 0.5 acre/average 50-foot width allowing for 110% credit for a total of 0.61± acre/credit provided on site. This leaves a total of 2.91 acres remaining required indigenous. The indigenous open space provided on the south RPD for the residential north per existing DOS2007-00267 is 7.03 acres. The applicant proposes to provide 2.92 acre/credit phased portion of the upland indigenous preserve on the south RPD parcel to be provided before certification of completion of DO for the north RPD. Utilizing 135% credit for minimum 1 acre/75' width (125%) plus an additional 10% for being adjacent to the offsite preserve to the west for a total of 135% credit, this equates to a minimum

of 2.16 acres for the 2.92 AC/CR. The remainder of the southern preserve will be provided upon development of the southern parcel. The subject application results in an increase in overall indigenous open space provided, although the Mixed Use Overlay reduces the amount required. An excerpt from DOS2007-00267 plans demonstrating the approved overall preserve is included with the application for reference. The project 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 5.1.1: Residential developments requiring rezoning and meeting Development of County Impact (DCI) thresholds must be developed as planned developments except if located within the Mixed Use Overlay.

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

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.

The proposed development will not meet DCI thresholds and is located within the Mixed Use Overlay but the nature and history of the project approvals make it more appropriate to amend the existing planned development in lieu of a conventional rezoning request for the project. No physical constraints or hazards exist on site as demonstrated by the previous approvals for development on the site. Portions of the western property line are within a FEMA floodway. The density and site design have been adjusted from the existing approvals to avoid this area and no fill will be placed in the floodway. 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. As evidenced by the above summary of existing public facilities and the project's location within the Mixed Use Overlay, it is near employment and shopping centers, is close to parks and schools and is accessible to mass transit and bicycle facilities demonstrating the appropriateness for residential development of the site. The requested amendment remains consistent with Policies 5.1.1, 5.1.2 and 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 subject property abuts existing residential areas to the north and west and has existing approval for multi-family or a mixture of multi-family, assisted living facility and commercial development which has been found compatible with these adjacent uses. Adjacent to the north is the Serendipity Mobile Home Park on one commonly owned parcel within the Central Urban future land use category zoned Mobile Home Residential District (MH-2). Adjacent to the west is a drainage ditch then Six Lakes Country Club Mobile Home Park with individual mobile home lots within the Central Urban future land use category zoned Mobile Home Residential District (MH-2). The existing RPD zoning for the subject property provides enhanced Type "F" buffers (10 trees per 100 linear feet and double staggered hedge row) along both the north and west property lines. There is a 20± foot drainage ditch along the north property line within the subject property. The Mixed Use Overlay only requires a 10-foot wide buffer with Type "B" buffer plantings (5 trees/100 linear feet and a double staggered hedge row) abutting single-family residential. Serendipity Mobile Home Park is considered multi-family since the units are not located on individual lots. Although no buffer is required, the proposed MCP demonstrates that the 30-foot enhanced buffer will continue to be provided along the 20± foot drainage ditch along the north property line where onsite residential uses are proposed abutting Serendipity Mobile Home Park. Where the onsite lake abuts the adjacent Serendipity Mobile Home Park, a 10-foot wide buffer with Type "B" buffer plantings will be provided adjacent to the 20± foot drainage ditch, although no buffer is required. Adjacent to the west, Six Lakes Country Club's mobile home lot lines are separated by 58± feet of drainage and common elements within the Six Lakes Country Club development, then an adjacent 25' drainage ditch parcel. The lot lines are 83± feet from the subject property's west property line. The onsite FEMA floodway within the western portion of the subject property varies in width from 17± feet on the south to a maximum of 90± feet providing for additional separation between the proposed development and the existing mobile home lots. No buffer is required in this area and the existing indigenous vegetation within the floodway is required to be retained per Condition 23.a and will provide appropriate buffering. No buffers are required or provided to the existing storage area to the northwest, the commercial parcels to the south, or the multi-family to the east. The proposed amendment remains compatible with the surrounding uses and continues to protect the adjacent residential neighborhoods. The proposed amendment is consistent with Policy 5.1.5.

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.

POLICY 5.1.7: Maintain development regulations that require that community facilities (such as park, recreational, and open space areas) in residential developments are functionally related to all dwelling units and easily accessible via pedestrian and

bicycle pathways. These pathways must be interconnected with adjoining developments and public pathways whenever possible. Townhouses, condominiums, apartments, and other types of multi-family residential development must have directly accessible common open space.

The proposed MCP provides adequate open space, buffering, landscaping and recreation areas appropriate for the proposed density and design. The internal sidewalks provide access to walkways to directly accessible common open space areas along the internal lake to the east and the internal clubhouse and recreation area to the west. The requested amendment is consistent with Policies 5.1.6 and 5.1.7.

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 11.2.2: 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.

The subject property's inclusion in the Mixed Use Overlay demonstrates that it has been identified as an appropriate location for mixed use located in proximity to public transit, schools, recreation, existing residential, shopping and employment centers as demonstrated in the above public facilities analysis. The existing planned development provides commercial zoning on 8.78± acres to the south between the subject property and Diplomat Parkway East with an option for multi-family on commercial parcels 3 and 4. The proposed main access onto Diplomat Parkway East will continue to provide connection to the commercial parcels as well as the emergency only access. Connections to the north and west are not possible due to existing drainage ditches. The requested amendment is consistent with Objective 11.2 and Policies 11.2.2 and 11.2.4.

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.

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.

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 Mixed Use Overlay allows for urban forms of development and a variety of uses. The amendment will allow development of the subject property at a more appropriate multi-family density while leaving the adjacent CPD zoned parcels to provide a variety of uses. The requested amendment will allow the subject property to utilize the Mixed Use Overlay land development regulations consistent with Policy 11.2.5. Although bonus density is not proposed at this time, Policies 11.2.5 through 11.2.7 demonstrate the appropriateness of increasing the density, increasing the height, and support the request for reduced building separation in new deviation 10. Increasing the density above the 8 dwelling units per acre currently allowed encourages a more compact and functional development pattern where existing public facilities exist. These Policies encourage bonus density which would allow up to 20 dwelling units per acre so the maximum standard density of 10 units per acre on the subject property is appropriate for the site. Additional density is also proposed to be included from the adjacent commercial parcels 1 and 2 with no impact on the allowable commercial use consistent with Policy 11.2.7. The requested amendment is consistent with these Policies.

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.

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.

The requested amendment will facilitate the proposed infill development of the subject property which has been approved for development since 2006 yet has remained vacant. The request will add multi-family housing to the diversity of housing types in the area on a site that is adjacent to and interconnects with parcels zoned for retail and service uses. The amendment will accommodate investment to revitalize development in this area stabilizing and enhancing the existing neighborhoods while preserving natural resources such as the floodway and providing indigenous preservation. The requested amendment is consistent with Goal 30 and Policy 30.1.3.

POLICY 61.3.3: Keep floodways as unobstructed as possible.

A portion of the western property line is within a FEMA floodway. Although the existing development orders for the site reflect development in this area, the proposed amended MCP removes development from the floodway and no fill is proposed and exotic vegetation will be removed from within the FEMA floodway. The proposed amendment is consistent with Policy 61.3.3.

GOAL 125: WATER QUALITY. To ensure that water quality is maintained or improved for the protection of the environment and people of Lee County.

POLICY 125.1.2: New development and additions to existing development must not degrade surface and ground water quality.

POLICY 125.1.3: The design, construction, and maintenance of artificial drainage systems must provide for retention or detention areas and vegetated swale systems that minimize nutrient loading and pollution of freshwater and estuarine systems.

While Goal 125 is not self-implementing, the applicant will comply with the fertilizer ordinance which protects surface and groundwater. The site is not near any wellfield protection zones. The drainage system within the development has existing SFWMD and DO approval which will be modified to reflect the updated development plan which reduces impervious area and increases open space. Stormwater will be treated by dry detention or wet detention before discharging. Pursuant to SFWMD Environmental Resource Permit Applicant's Handbook Volume II, Part IV-Stormwater Quality, 4.1.1, issuance of the ERP ensures that surface and ground water quality won't be adversely impacted. The request furthers Policies 125.1.2 and 125.1.3.

GOAL 135: MEETING HOUSING NEEDS. To provide decent, safe, and sanitary housing in suitable neighborhoods at affordable costs to meet the needs of the present and future residents of the County.

OBJECTIVE 135.1: HOUSING AVAILABILITY. To ensure the types, costs, and locations of housing are provided to meet the needs of the County's population by working with private and public housing providers.

POLICY 135.1.9: The County will ensure a mix of residential types and designs on a Countywide basis by providing for a wide variety of allowable housing densities and types through the planned development process and a sufficiently flexible Future Land Use Map.

Approval of the requested amendment will allow development of the site with townhouse or multi-family units at an appropriate density to facilitate development of the site adding the alternative housing options to the residential product mix in the area, consistent with the Central Urban future land use category and the Mixed Use Overlay. The requested amendment is consistent with Goal 135, Objective 135.1 and Policy 135.1.9.

b) Meets this Code and other applicable County regulations or qualifies for deviations:

The proposed amendment is within the Mixed Use Overlay and has had existing development approval since 2006. The project continues to qualify for the existing approved deviations and demonstrates compliance with the proposed revised deviations and new deviations as outlined in the submitted Schedule of Deviations and Justifications. The requested amendment is consistent with the North Fort Myers Planning Community regulations contained in the LDC. Consistent with LDC Section 33-1532, the applicant will present the proposed amendment within the North Fort Myers Planning Community at a publicly advertised meeting after receiving initial comments back from Lee County. Prior to finding of sufficiency, the applicant will provide the required public informational meeting summary providing proof of advertising and a summary of any concerns or issues raised at the meeting; and a proposal for how the applicant will respond to any issues that are raised.

The site does not abut any existing large lot residential subdivisions so LDC Sections 33-1541 through 33-1545 are not applicable. Diplomat Parkway is not a designated commercial corridor or town center so the remaining community regulations do not apply to the subject property.

c) Is compatible with existing and planned uses in the surrounding area;

The subject property has existing approvals for development of multi-family or a mixture of multi-family, assisted living facility and commercial uses which were found compatible with existing and planned uses in the surrounding area.

The subject property abuts existing residential areas to the north and west and has existing approvals for multi-family or a mixture of multi-family, assisted living facility and commercial uses which were found compatible with existing and planned uses in the surrounding area. The requested amendment will remain compatible. The subject property and all surrounding properties are within the Central Urban future land use category. The subject property and properties to the east and south are also within the Mixed Use Overlay. Adjacent to the north is the Serendipity Mobile Home Park on one commonly owned parcel zoned Mobile Home Residential District (MH-2). Adjacent to the west is a drainage ditch then Six Lakes Country Club Mobile Home Park with individual mobile home lots zoned Mobile Home Residential District (MH-2). The existing RPD zoning for the subject property provides enhanced Type "F" buffers (10 trees per 100 linear feet and double staggered hedge row) along both the north and west property lines. There is a 20± foot drainage ditch along the north property line within the subject property. The Mixed Use Overlay only requires a 10-foot wide buffer with Type "B" buffer plantings (5 trees/100 linear feet and a double staggered hedge row) abutting single-family residential. Serendipity Mobile Home Park is considered multi-family since the units are not located on individual lots. Although no buffer is required, the proposed MCP demonstrates that the 30-foot enhanced buffer will continue to be provided along the 20± foot drainage ditch along the north property line where onsite residential uses are proposed abutting Serendipity Mobile Home Park. Where the onsite lake abuts the adjacent Serendipity Mobile Home Park, a 10-foot wide buffer with Type "B" buffer plantings will be provided adjacent to the 20± foot drainage ditch, although no buffer is required. Adjacent to the west, Six Lakes Country Club's mobile home lot lines are separated by 58± feet of drainage and common elements within the Six Lakes Country Club development, then an adjacent 25' drainage ditch parcel. The lot lines are 83± feet from the subject property's west property line. The onsite FEMA floodway within the western portion of the subject property varies in width from 17± feet on the south to a maximum of 90± feet providing for additional separation between the proposed development and the existing mobile home lots. No buffer is required in this area and the existing indigenous vegetation within the floodway is required to be retained per Condition 23.a and will provide appropriate buffering. No buffers are required or provided to the existing storage area to the northwest, the commercial parcels to the south, or the multi-family to the east. The proposed amendment remains compatible with the surrounding uses.

d) Will provide access sufficient to support the proposed development intensity;

Access will be provided to the site from Diplomat Parkway East, a 4-lane, divided City of Cape Coral maintained arterial roadway. The 2006 Diplomat Property RPD/CPD zoning included approval of deviation 6.a. from requiring 2 access points by allowing the main access onto Diplomat Parkway East and the emergency access easement at the southeast corner of the property to serve as the

second access. The previously approved access configuration is proposed to remain which serves the subject property and the adjacent commercial parcels along Diplomat Parkway. The main access to Diplomat Parkway East aligns with the proposed access to the RPD/CPD on the south side of Diplomat Parkway East and the emergency access aligns with the existing frontage road on the south side of Diplomat Parkway East. The access configuration has existing development approvals and continues to provide access sufficient to support the proposed development intensity. The TIS submitted with this application demonstrates that the requested amendment results in a reduction in trips from that which is currently approved on the site, which further demonstrates that the provided access is sufficient.

e) The expected impacts on transportation facilities will be addressed by existing County regulations and conditions of approval:

The subject property has existing approvals for development of multi-family or a mixture of multi-family, assisted living facility and commercial uses. The site has had development order approval since 2008. The TIS submitted with this application demonstrates that the requested amendment results in a reduction in trips from that which is currently approved on the site. The TIS also concludes that the amendment will not have a detrimental impact on the surrounding roadway system. The Level of Service analysis indicates U.S. 41 will operate above the minimum adopted Level of Service in 2027 with and without the proposed development and no roadway capacity improvements are warranted as a result of the request. There is sufficient roadway capacity projected to accommodate the request and mitigation will be provided by the payment of road impact fees. Diplomat Parkway E is now a City maintained roadway, so the applicant proposes a minor revision to condition 11 which requires a proportionate share of costs of the intersection improvements at the time a traffic control device is warranted at the intersection of U.S. 41 and Diplomat since it is no longer a County maintained roadway. The revised language states this will be provided if requested by the appropriate authority of Florida Department of Transportation or City of Cape Coral. The remainder of conditions related to access and transportation are proposed to remain. Any potential impacts on transportation facilities can and will be addressed adequately through these existing conditions of approval and Lee County regulations at the time of local development order approval.

f) Will not adversely affect environmentally critical or sensitive areas and natural resources; and

The proposed amendment will not adversely affect environmentally critical or sensitive areas and natural resources. The site has been approved for development since 2006. The only sensitive land on the parcel is an existing mapped FEMA floodway located on the western portion of the site. The MCP keeps development outside of the FEMA floodway and no fill will be placed within the floodway. Condition 23 will continue to require preservation of native vegetation within the floodway. The existing zoning includes deviation 3 from LDC Section 10-415(b)(1)a which requires that large developments with indigenous vegetation communities provide 50 percent of their open space percentage requirement through on-site preservation of existing native vegetation communities to permit 0.45 acres of right of way to be vacated, enhanced and preserved to count toward the

preservation requirement and allowed the preservation area for the entire RPD/CPD to be located within the portion of the development south of Diplomat Parkway. The existing approved indigenous preserve provides for 12.33 acres of indigenous preserve utilizing credits and includes a gopher tortoise preserve if required and accounts for 7.04 acres of indigenous preserve for the subject property. Given the site is now within the Mixed Use Overlay, its open space requirement is reduced from the previous 40 percent to 20 percent. The 35.18 acre parcel now requires a total of 7.04 acres of open space of which 50% or only 3.52 acres is required to be indigenous. As noted on the open space notes on the proposed Alternate Diplomat North RPD MCP, 0.55 acres of indigenous open space is provided on site within the FEMA floodway. Only the portion of the floodway with FLUCCS code 411 as identified on the submitted FLUCCS map are included. This area meets the minimum 0.5 acre/average 50-foot width allowing for 110% credit for a total of 0.61± acre/credit provided on site. This leaves a total of 2.91 acres remaining required indigenous. The indigenous open space provided on the south RPD for the residential north per existing DOS2007-00267 is 7.03 acres. The applicant proposes to provide 2.92 acre/credit phased portion of the upland indigenous preserve on the south RPD parcel to be provided before certification of completion of DO for the north RPD. Utilizing 135% credit for minimum 1 acre/75' width (125%) plus an additional 10% for being adjacent to the offsite preserve to the west for a total of 135% credit, this equates to a minimum of 2.16 acres for the 2.92 AC/CR. The remainder of the southern preserve will be provided upon development of the southern parcel. The subject application results in an increase in overall indigenous open space provided, although the Mixed Use Overlay reduces the amount required. An excerpt from DOS2007-00267 plans demonstrating the approved overall preserve is included with the application for reference.

g) Will be served by urban services, defined in the Lee Plan, if located in a Future Urban area category.

The property is located within the Central Urban future land use category which is a Future Urban area and is located within the Mixed Use Overlay where sufficient public facilities exist. Existing levels of urban services as defined in the Lee Plan are available and adequate to service the proposed amendment. Details of the existing urban services are discussed in detail on pages 7 through 9 under consistency discussion on Policy 2.2.1. The site is located within the Lee County Utilities Water service area and Florida Governmental Utility Authority Wastewater service area. There are existing water and sewer facilities adjacent to the site and letters of availability are included with the application demonstrating that sufficient capacity is available to serve the site. There are two fire stations, two EMS stations and a Sheriff substation within close proximity to the site. There are several schools and parks near the property. Lee Tran Route 595 runs along the project's frontage with a Lee Tran transfer station located approximately ½ mile south of the site at Merchants Crossing that connects to Routes 590 and 140. Merchants Crossing and the nearby Walmart Shopping Center provide shopping and employment opportunities. There are existing bike lanes on Diplomat Parkway East.

The proposed amendment complies with the findings provided in the Land Development Code Section 34-145(d)(4)a.2 as follows:

a) The proposed use or mix of uses is appropriate at the proposed location;

The site has already had zoning and development order approval for multi-family since 2008 demonstrating appropriateness of the use at this infill location. The proposed amendment increases the density and height which is appropriate in the Mixed Use Overlay while also increasing open space and indigenous preservation where reductions are allowed.

b) The recommended conditions provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development.

The proposed revised conditions of approval provided with this amendment will continue to provide sufficient safeguards to the public interest and are reasonably related to the impacts on the public's interest expected from the proposed development.

c) If the application includes deviations pursuant to section 34-373(a)(9), that each requested deviation:

- 1)Enhances the achievement of the objectives of the planned development; and***
- 2)Preserves and promotes the general intent of this Code to protect the public health, safety, and welfare.***

The project continues to qualify for the existing approved deviations and demonstrates compliance with the proposed revised deviations and new deviations as outlined in the submitted Schedule of Deviations and Justifications. All existing and proposed deviations enhance the achievement of the objectives of the planned development and protect the public health, safety and welfare.

In conclusion, the proposed amendment is in compliance with the Lee Plan, the Land Development Code and other applicable codes and regulations; is compatible with existing or planned uses in the surrounding area; provides sufficient access to support the proposed development; the expected impact on transportation facilities will be addressed by existing County regulations; will not adversely affect environmentally critical or sensitive areas and natural resources; and will be served by urban services. The use is appropriate for the location as demonstrated by existing approvals; the proposed revised conditions continue to provide sufficient safeguards to the public interest and are reasonably related to the expected impacts and the existing and proposed deviations enhance the achievement of the objectives of the planned development and protect the public health, safety and welfare. For these reasons, the applicant respectfully submits that the amendment should be approved.

Attachments:

- Existing South DO approval showing overall indigenous preserve titled: Pages from Diplomat South-DO Approved Plans-DOS2007-00267
- Proposed Revisions to Schedule of Uses, PDR and Conditions along with following:
 - Existing Overall Master Concept Plan to remain that existing North and South development orders are based on titled: MCP Overall received Jan 30 2008 to remain-ADD2007-00169
 - Existing Alternate South RPD Master Concept Plan titled: MCP-Alternate South 10-28-19 from ADD2019-00181 RESO



Professional Engineers, Planners & Land Surveyors

Diplomat House f/ka Diplomat North RPD Amendment Schedule of Deviations and Justifications

Deviations 1 through 8 were previously approved and remain applicable to the RPD/CPD and are included in the submitted Schedule of Uses, Property Development Regulations and Conditions document with minor language clarifications shown in strike-through/underline. Revisions to Deviations 7 and 8 are proposed and new Deviations 9 and 10 are provided below with justifications.

7. **Curbside garbage collection for townhouse units and reduction in collection area for multi-family units** - Deviation 7 (townhouse previously contained in ADD2007-000169 and subsequent approvals) seeks relief from the LDC §10-261 requirement that all new multiple-family residential developments to provide sufficient space for the placement of garbage containers or receptacles, to allow for curbside garbage pick up at the proposed townhouse units that are planned within the project. This deviation is APPROVED.

Request to amend this deviation to allow reduction in required multi-family container space of 216 SF (120 + 96) for first 25 multi-family units plus 8 SF for each additional unit; to allow space for the compactor and a minimum 144 square feet for recyclable materials collection area for the North RPD.

Justification: The requested deviation is included in LDC Section 10-104(a)(1) list of provisions where the Development Services Director is authorized to grant administrative deviations. This deviation is necessary for the multi-family option only since the townhome option was previously approved for curbside pickup. The amended request is for the multi-family to allow one central location for the trash compactor and recyclable area instead of requiring multiple stops for solid waste collection.

LDC Section 10-261 (a) provides the breakdown between garbage and recyclable area for the first 25 dwelling units (DU), then combines the requirement for DU over 25. The recyclable calculation for the first 25 DU is 96 SF out of 216 SF total so 44%. 44% of 8 is 3.5 SF per unit for recyclable collection for each dwelling unit above 25.

First 25 DU = 96 SF

360 DU – 25 DU = 335 DU

335 DU x 3.5 SF = 1,172.5 SF

Total: 1,268.5 SF recyclable collection area required

Provided: 144 SF recyclable collection area provided

Consistent with LDC 10-261(d), sufficient space for the compactor and receiver is provided. According to Lee County's 2022 Concurrency Report, historic level-of-service demand for recyclables has consistently been 0.6 pounds/person/day for 2018 through 2021. According to U.S. Census bureau Population Estimates, July 1, 2021, the number of persons per household for 2016-2020 is 2.58 pph. 360 DU x 2.58 pph = 929 people. 929x.6lbs recyclables/person/day = 557.4 lbs/day * 365 = 203,451 lbs/year / 52 = 3,913

SERVING SOUTHWEST FLORIDA FOR OVER 30 YEARS

lbs/week/2 for 2 collections per week = 1,957 lbs. According to the following excerpts from the Volume-to-Weight Conversion Factors from U.S. Environmental Protection Agency Office of Resource Conservation and Recovery dated April 2016, commingled recyclables are estimated at 262 pounds per cubic yard. $1,957 \text{ lbs}/262 \text{ lbs per CY} = 7.47 \text{ CY}$. The provided minimum 144 square feet allows for adequate room for an 8 CY dumpster (Waste Pro dimensions: 86" width X 82" depth X 75" height) with required minimum 2' clearance on all sides ($7.17' + 4' \times 6.84' + 2' = 94.75'$).

Volume-to-Weight Conversion Factors
U.S. Environmental Protection Agency
Office of Resource Conservation and Recovery
April 2016

Standard Volume-to-Weight Conversion Factors

Recyclable Materials	Volume	Estimated Weight (lbs)
Containers (Plastic bottles, Aluminum cans, Steel cans, Glass bottles) and Paper		
<i>Commingled Recyclables</i>	cubic yard	262

The requested deviation is internal to the site and enhances the achievement of the objectives of the planned development and will protect public health, safety and welfare. The provided collection area has been situated off the internal roadway internal to the site. The solid waste collection area enclosure meets setbacks, consistent with LDC Section 10-261(e) requirement that enclosures may not be located within or encroach into the required perimeter landscape buffer width. Written approval from Lee County Solid Waste will be provided prior to development order approval. The development will coordinate with Lee County Solid Waste regarding the frequency of service at the time of development. This deviation has previously been approved and has proven successful. The request is also consistent with the applicable criteria for administrative deviations contained in LDC Section 10-104(b): (1) The alternative proposed to the standards contained herein is based on sound engineering practices (2) The alternative is no less consistent with the health, safety and welfare of abutting landowners and the general public than the standard from which the deviation is being requested; (3) not applicable; (4) The granting of the deviation is not inconsistent with any specific policy directive of the Board of County Commissioners, any other ordinance or any Lee Plan provision; and (5) not applicable; and (6) not applicable.

8. **Certain internal buffers not required** - Deviation 8 (previously contained in Z-11-002 and subsequent approvals) seeks relief from the LDC §10-416(d)(3) requirement that a Type C/F buffer between the proposed RPD/CPD uses internal to the development, to allow no buffer between the RPD/CPD uses where the commercial uses are separated from the residential uses within the project by a private road. This deviation is APPROVED.

Request to amend this deviation to allow no buffers to internal rights-of-way for the North RPD.

Justification: The site is located within the Mixed Use Overlay which only requires buffers along rights-of-way and single-family uses. The North RPD property is separated from the

external rights-of-way of Diplomat Parkway E by 250± feet of commercial parcels and from N. Cleveland Ave./U.S. 41 by 500± feet of the adjacent RPD. There is an internal private right-of-way within the RPD where the applicant proposes this deviation to allow no right-of-way buffer internal to the site. LDC Section 10-416(d) is titled “buffering adjacent property” and subsection (1) states that a buffering area is required along the perimeter of the proposed development. The proposed internal private rights-of-way should not be required to provide a buffer since they are internal to the RPD. Portions of this internal private right-of-way function as parking lot aisles furthering justification of the request. The Mixed Use Overlay does not require buffers to the CPD adjacent to the south. The requested deviation is internal to the site and enhances the achievement of the objectives of the planned development and will protect the public health, safety and welfare.

9. **Backout parking within internal right-of-way – New Deviation 9 seeks relief from LDC §34-2013(a)(2) requirement that parking that backs out into rights-of-way in residential developments must be for amenities to the development such as parks and recreational facilities and not for dwelling units or commercial uses; to allow backout parking spaces for dwelling units and guests limited to the location shown on the MCP.**

Justification: This deviation is requested to allow backout parking spaces for the dwelling units and guests limited to the location shown on the MCP and will include a maximum 47 spaces. The backout parking is located in one specific area on the internal privately owned and maintained right-of-way within the gated development. Parking spaces will comply with the parking space dimensions set forth in section 34-2016(1) at the location of backout parking. The posted speed limit will be 25 miles per hour or less. The right-of-way provides a seamless connection and extension to the remainder of the parking lot aisles within the development and will function in the same manner. The requested deviation enhances the achievement of the objectives of the planned development and protects the public health, safety, and welfare.

10. **Minimum Building Separation – New Deviation 10 seeks relief from LDC §34-935(e)(4) requirement to provide a minimum building separation of one-half the sum of the building heights, or 20 feet, whichever is greater; to allow a minimum building separation of 20 feet.**

Justification: This deviation is requested to accommodate the proposed updated master concept plan for the updated multi-family development plan. The site is located within the Mixed Use Overlay and within the Central Urban future land use category which are appropriate for a more urban setting. Building heights are allowed up to 135 feet in these Central Urban areas within the Mixed Use Overlay and conventional zoning districts are encouraged which do not have a minimum building separation requirement. Lee Plan Policy 11.2.5 states in part that Lee County will maintain land development regulations for properties within the Mixed Use Overlay that allow for urban forms of development. Policy 11.2.6 states in part that properties in a Mixed Use Overlay are eligible for development incentives to encourage a compact and functional development pattern.

The requested increased height and reduced building separation and consistent with these Policies. The existing property development regulations allow for reductions in building separation below the requirements of LDC Section 34-935(e)(4). The north multi-family allows a building height of 50 feet with a building separation of $\frac{1}{2}$ the building height (but not less than 15 feet) or 25 feet which allows a 50% reduction. The ALF allows a building height of 45 feet with a building separation of $\frac{1}{2}$ building height or 22.5 feet which allows a 50% reduction from what this code would require. The north and south RPDs allow for single-family, duplex, two-family attached and recreation buildings with a maximum height of 35 feet with a building separation of 10 feet which allows a 71% reduction from what this code would require. The subject request is to allow a building height of 60 feet with a building separation of 20 feet which is a 67% reduction from what this code requires. The requested minimum 20 foot building separation allows adequate room for safety, allows for increased open space and recreation areas, and ensures the economic viability of the development. The recent approval for MIVO North Fort Myers adjacent to the east was approved for multi-family with a maximum height of 60 feet and does not have a minimum building separation included in the resolution, however the approved MCP demonstrates the compact nature and reduced building separation which is appropriate for this area. The requested deviation enhances the achievement of the objectives of the planned development and will protect the public health, safety and welfare.

DIPLOMAT HOUSE f/k/a DIPLOMAT NORTH RPD AMENDMENT
SCHEDULE OF DEVIATIONS AND JUSTIFICATIONS

DIPLOMAT HOUSE f/k/a DIPLOMAT NORTH RPD AMENDMENT
SCHEDULE OF USES, PROPERTY DEVELOPMENT REGULATIONS & CONDITIONS
 Conditions from Z-11-002 with footnotes to approved subsequent ADDs and proposed revisions for
 this amendment application provided in red strike-through/underline text.

1. Development north of Diplomat Parkway East¹ must be substantially consistent with the 1-page Master Concept Plan (MCP) entitled "~~ALTERNATE DIPLOMAT NORTH RPD MASTER CONCEPT PLAN, DIPLOMAT HOUSE~~" dated ~~12/12/23 DIPLOMAT PROPERTY RPD/CPD (NORTH PARCEL),~~ dated ~~09-22-10, last revised 4-22-11 and date stamped "Received APR 27 2011 Community Development"~~ AND OR² the 1-page MCP entitled "Master Concept Plan, DIPLOMAT PARCEL, Lee County, Florida," dated 08-27-2007, last revised 01-23-2008 and date-stamped "Received JAN 30 2008 Permit Counter,". Development south of Diplomat Parkway East must be substantially consistent with the 1-page MCP entitled "Master Concept Plan, DIPLOMAT PARCEL, Lee County, Florida," dated 08-27-2007, last revised 01-23-2008 and date-stamped "Received JAN 30 2008 Permit Counter," OR the 1-page MCP entitled "ALTERNATE DIPLOMAT SOUTH RPD MCP, DIPLOMAT PARCEL" dated 10-28-2019¹ except as modified by the conditions below.

~~NOTE: The portion of the project on the north side of Diplomat Parkway includes Commercial Development Parcels 1, 2 and 3 (West 3 and East 3). It also includes a 29.75 acres² 35.2 acre site² that may be developed either as an RPD with RPD uses², or and and/or² ALF/CCF, with or without a commercial component on the westerly portion of that site identified as the 5.43-acre North CPD Parcel.~~

This development must comply with all requirements of the LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

Maximum Number of Dwelling Units (North RPD Parcel): ~~138~~ 360 dwelling units (standard density utilizing North RPD 35.18 acres and Commercial Parcel 1 – 1.48 acres and Commercial Parcel 2 – 1.47 acres plus a maximum of 400 beds for assisted living facilities/continuing care facilities. Dwelling units may be converted per Table "B" of the approved MCP.

Maximum Number of Dwelling Units (South RPD parcel): 105 dwelling units. An additional 21 units may be constructed if they are marketed at a price point that is affordable to moderate income households at the time of building permit application. Further, the additional 21 units may only be sold to buyers who qualify as a moderate income household at time of purchase. Moderate income household means 120 percent of the yearly median income based on yearly income levels developed for the SHIP Program by the Housing Section of the Lee County Division of Planning.

Eight (8.0) dwelling units per acre maximum, for the 13.19 acres of RPD (South of Diplomat Parkway). An additional 1.6 units per acre may be constructed subject to the affordability requirements above.

~~Maximum Commercial Floor Area (North CPD Parcel): 50,000 square feet of medical office. Medical office may be converted per Table "B" of the approved MCP.~~

¹ ADD2019-00181

² ADD2019-00085

Maximum Total Commercial Floor Area (CPD Parcels 1, 2, 3 and 4): 200,000 square feet of commercial uses. ~~A maximum of 100,000 s/f of which may be retail.~~³ North RPD utilizing CPD Parcels 1 and 2 acreage for residential density with no impact to commercial use since within Mixed Use Overlay.

~~Retail development is limited to Parcel 4 (which meets Commercial Site Location standards). Retail development is not permitted on Commercial Parcels 1, 2 or 3 (which do not meet Site Location standards).~~³

2. The following limits apply to the project and uses:

a. SCHEDULE OF USES

RPD- South of Diplomat Parkway

Accessory Uses and Structures

Administrative Office

Clubs, Private - as shown on the approved MCP.

Community Garden

Dwelling Units, single-family, duplex, two-family attached, multiple-family and townhomes - 105 (up to 126 pursuant to Condition 1)

Entrance Gates and Gatehouse

Essential Services

Essential Service Facilities, Group I only

Excavation, Water Retention - not to include the removal of excavated material from the site.
No blasting.

Fences and Walls.

Home Occupation, No outside help.

Home Care Facility.

Model Home, Model Display Center, Model Unit - ALSO SEE MODEL HOME/REAL ESTATE SALES CONDITIONS

Parking Lot, Accessory

Real Estate Sales - limited to sales of lots, homes or units within the development. Model home and club locations only. ALSO SEE MODEL HOME/REAL ESTATE SALES CONDITIONS.

Recreational Facilities - Private, On-site only. LIMITED TO THOSE SHOWN ON THE APPROVED MCP.

Residential Accessory Uses

Signs, in compliance with LDC Chapter 30

Temporary Uses, Temporary Real Estate Sales Office

CPD - Parcels 1, 2, 3 & 4 - North and South of Diplomat Parkway

Administrative Office

Animals: Clinic, Kennel, Control Center (including Humane Society) - indoors, no outdoor runs.

Automatic Teller Machine

³ ADD2020-00034

Auto Parts Store - No installation service.
Auto Repair and Service, Group I only
Bait and Tackle Shop
Banks and Financial Establishments, Groups I and II
Boat Part Stores
Building Material Sales (indoor only, no outdoor display)
Business Services, Groups I and II (no impound yards or armored car services)
Cleaning and Maintenance Services Clothing Stores, General
Communication facilities, wireless (in accordance with LDC Chapter 34, Division 11) A wireless communication facility may be administratively approved, provided it is co-located on a building and the height of the tower does not exceed 50 feet from existing grade
Community Garden (Note: This use may not be utilized until such time as the LDC is amended to permit this use in a CPD.)
Consumption on Premises - Indoors. In conjunction with Group III restaurants only. Outdoor Consumption on Premises will require special exception approval (public hearing)
Contractors and Builders, Groups I and II (but not Group III)
Cultural Facilities
Day Care, Adult, Child
Department Store
Drive-through facility for any permitted use. No fast food drive-through.
Drugstore, Pharmacy (limited to 1 on Parcel 3 or 4)
Dwelling units, multifamily (Limited to Parcels 3 and 4)³ [See ADD2020-00034 Conditions 3, 4 & 5.](#)
Entrance Gate and Gatehouse
Emergency Operations Center
EMS, Fire or Sheriff's Station
Essential Services
Essential Service Facilities, Group I only
Excavation, Water Retention - not to include the removal of excavated material from the site.
No blasting.
Fences and Walls
Flea Market, Indoor Only
Food and Beverage Services, Limited
Food Stores, .Groups I and II
Funeral Home or Mortuary, with or without cremation
Gasoline Dispensing System, Special
Hardware Store
Health Care Facility, Groups I, II and III (but not Group IV).
Hobby, Toy and Game Store
Hotel/Motel - Limited to 120 rooms maximum.
Household and Office Furnishings - (indoor only, no outdoor display)
Insurance Companies
Lawn and Garden Supply Stores - (indoor only, no outdoor display)
Library

Medical Office

Model Home, Model Display Center, Model Unit (Limited to Parcels 3 and 4)³

Nonstore Retailer

Paint, Glass and Wallpaper - (indoor only, no outdoor display)

Parking Lot, Accessory, Commercial, Garage, Public Parking, Temporary

Personal Services, Groups I, II, III and IV. Excluding Laundromats,

Laundry Agents, Massage Establishments, Massage Parlors, Steam or Turkish Baths,

Dating Services, Escort Services, Palm Readers, Fortune Tellers, Card Readers, Tattoo Parlors.

Pet Services, Pet Shops - Indoor only, no outdoor display. No outdoor runs.

Place of Worship

Plant Nursery

Post Office

Printing and Publishing

Processing and Warehousing

Real Estate Sales

Limited to rental/sales of units within multifamily development permitted on Parcels 3 and 4³

Real Estate Sales Office

Religious Facilities

Rental or Leasing Establishments, Group II only (and excluding tools and equipment primarily for home use). Indoor only. No outdoor display.

Repair Shop, Groups I, II and III

Research and Development Laboratories, Groups I, II, III and IV

Residential accessory uses (Limited to Parcels 3 and 4)³

Restaurants, Groups I, II, III and IV

Restaurant, Fast Food, No stand-alone or drive-through – within a multiple-occupancy building only.

Schools, Commercial and Non-Commercial

Signs in Accordance with LDC Chapter 30

Social Services Group I only

Specialty Retail, Groups I, II, III and IV

Storage, Indoor Only

Studios Supermarkets

Temporary Uses

Used Merchandise, Groups I and II, Indoor only. No outdoor display.

Variety Store

RPD - North of Diplomat Parkway

Accessory Uses and Structures

Administrative Office

~~Assisted Living Facilities – (pursuant to Condition 1)~~

Clubs, Private - as shown on the approved MCP (Recreation Areas)

Community Garden

Continuing Care Facilities

Dwelling Units, ~~single family, duplex, two family attached,~~ multifamily, townhomes - (pursuant to Condition 1)

Entrance Gates and Gatehouse

Essential Services

Essential Service Facilities, Group I only

Excavation, Water Retention - not to include the removal of excavated material from the site.
No blasting.

Fences and Walls.

Home Occupation, No outside help

Home Care Facility

Model Home, Model Display Center, Model Unit - ALSO SEE MODEL HOME/REAL ESTATE SALES CONDITIONS.

Parking Lot, Accessory.

Real Estate Sales - limited to sales of lots, homes or units within the development. Model home and club locations only. ALSO SEE MODEL HOME/REAL ESTATE SALES CONDITIONS.

Recreational Facilities - Private, On-site only. LIMITED TO THOSE SHOWN ON THE APPROVED MCP.

Religious Facilities

Residential Accessory Uses

Signs, in compliance with LDC Chapter 30

Temporary Uses, Temporary Real Estate Sales Office

~~CPD - 5.43-Acre Parcel north of Diplomat Parkway~~

~~Administrative Office~~

~~Animals: Clinic, Kennel, Control Center (including Humane Society) - indoors, no outdoor runs~~

~~Automatic Teller Machine~~

~~Banks and Financial Establishments, Groups I and II~~

~~Business Services, Groups I and II (no impound yards or armored car services)~~

~~Cleaning and Maintenance Services~~

~~Communication facilities, wireless (in accordance with LDC Chapter 34, Division 11) A wireless communication facility may be administratively approved, provided it is co-located on a building and the height of the tower does not exceed 50 feet from existing grade.~~

~~Community Garden (Note: This use may not be utilized until such time as the LDC is amended to permit this use in a CPD.)~~

~~Cultural Facilities~~

~~Entrance Gate and Gatehouse~~

~~Emergency Operations Center~~

~~EMS, Fire or Sheriff's Station~~

~~Essential Services~~

~~Essential Service Facilities, Group I only~~

~~Excavation, Water Retention - not to include the removal of excavated material from the site.~~

- ~~————— No blasting.~~
- ~~————— Fences and Walls.~~
- ~~————— Health Care Facility, Groups I, II and III (no Group IV)~~
- ~~————— Insurance Companies~~
- ~~————— Medical Office~~
- ~~————— Parking Lot, Accessory~~
- ~~————— Personal Services, Groups I and II~~
- ~~————— Pharmacy – accessory to medical office use only~~
- ~~————— Real Estate Sales Office~~
- ~~————— Religious Facilities~~
- ~~————— Research and Development Laboratories, Groups I, II, III and IV~~
- ~~————— Schools, Commercial and Non-Commercial~~
- ~~————— Signs in Accordance with LDC Chapter 30~~
- ~~————— Social Services Group I only~~
- ~~————— Temporary Uses~~

b. SITE DEVELOPMENT REGULATIONS – South RPD and Commercial Parcels 1, 2, 3 and 4 may request administrative amendment to request to apply Mixed Use Overlay incentives.

RPD - South of Diplomat Parkway

SINGLE-FAMILY:

Minimum Lot Areas and Dimensions

Lot Size:	7,500 square feet
Lot Width:	75 feet
Lot Depth:	100 feet

Minimum Setbacks

Street	25 feet (public)/20 feet (private)
Side	5 feet
Rear	30 feet on all lots containing enhanced buffer 20 feet on all other lots

Water body 25 feet

All Accessory Uses: Per the LDC.

Setbacks from Preserves (All structures): 25 feet, per the LDC.

Minimum Perimeter Setbacks:	25 feet 30 feet on all lots containing an enhanced buffer
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Minimum Building Separation:	10 feet
Maximum Building Height:	35 feet/ 3 stories ¹
Maximum Lot Coverage:	45 percent

DUPLEX, TWO-FAMILY ATTACHED, TOWNHOUSE:

Minimum Lot Areas and Dimensions

Lot Size:	7,500 square feet
Lot Width:	75 feet (37.5 per unit)
Lot Depth:	100 feet

Minimum Setbacks

Street	25 feet (public)/20 feet (private)
Side	5 feet (zero feet for common wall unit)
Rear	30 feet on all lots containing enhanced buffer 20 feet on all other lots

Water body	25 feet
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All Accessory Uses: Per the LDC.

Setbacks from Preserves (All structures): 25 feet, per the LDC.

Minimum Perimeter Setbacks:	25 feet 30 feet on all lots containing an enhanced buffer
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Minimum Building Separation:	10 feet.
Maximum Building Height:	35 feet/ 2 stories ¹
Maximum Lot Coverage:	45 percent.

MULTIPLE-FAMILY:

Minimum Lot Areas and Dimensions

Lot Size:	10,000 square feet
Lot Width:	100 feet
Lot Depth:	100 feet

Minimum Setbacks

Street	25 feet (public)/20 feet (private)
Side	10 feet
Rear	30 feet on all lots containing enhanced buffer 20 feet

Water body 25 feet

All Accessory Uses: Per the LDC.

Setbacks from Preserves (All structures): 25 feet, per the LDC.

Minimum Perimeter Setbacks: 25 feet

30 feet on all lots containing an enhanced buffer

Minimum Building Separation: 20 feet.

Maximum Building Height: 35 feet/~~2 stories~~¹

Maximum Lot Coverage: 45 percent.

RECREATIONAL AREA/FACILITIES:

Minimum Lot Areas and Dimensions

Lot Size: 9,000 square feet

Lot Width: 50 feet

Lot Depth: 120 feet

Minimum Setbacks - Also see Deviation 5

Street 25 feet (public)/20 feet (private)

Side 10 feet

Rear 20 feet

Water body 25 feet

All Accessory Uses: Per the LDC.

Setbacks from Preserves (All structures): 25 feet, per the LDC.

Minimum Perimeter Setbacks: 25 feet

Minimum Building Separation: 10 feet

Maximum Building Height: 35 feet/2 stories

Maximum Lot Coverage: 45 percent

CPD - PARCELS 1, 2, 3 & 4:

Minimum Lot Areas and Dimensions

Lot Size: 10,000 square feet

Lot Width: 100 feet
Lot Depth: 100 feet

Minimum Setbacks

Street 25 feet (public)/20 feet (private)
Side 10 feet
Rear 20 feet

Water body 25 feet

All Accessory Uses: Per the LDC.

Setbacks from Preserves (All structures): 25 feet, per the LDC.

Minimum Perimeter Setbacks: 25 feet

Minimum Building Separation: 20 feet, but buildings exceeding 35 feet in height must maintain additional building separation as regulated by LDC §34-2174(a).

Maximum Building Height: 50 feet/ 3 stories
35 feet/2 stories - adjacent to west boundary

Maximum Lot Coverage: 60 percent

RPD - NORTH OF DIPLOMAT PARKWAY:

~~ASSISTED LIVING:~~

~~Minimum Lot Areas and Dimensions~~

~~Lot Size: 10,000 square feet
Lot Width: 100 feet
Lot Depth: 100 feet~~

~~Minimum Setbacks~~

~~Street 25 feet (public)/20 feet (private)
Side 10 feet
Rear 30 feet on all lots containing enhanced buffer
20 feet on all other lots~~

~~Water body 25 feet~~

~~All Accessory Uses: Per the LDC.~~

~~Setbacks from Preserves (All structures): 25 feet, per the LDC.~~

~~Minimum Perimeter Setbacks: 25 feet~~

~~30 feet on all lots containing and enhanced buffer~~

~~Minimum Building Separation: ½ building height, but not less than 15 feet~~

~~Maximum Building Height: 45 feet~~

~~Maximum Lot Coverage: 45 percent~~

~~**SINGLE-FAMILY:**~~

~~Minimum Lot Areas and Dimensions~~

~~Lot Size: 7,200 square feet~~

~~Lot Width: 60 feet~~

~~Lot Depth: 100 feet~~

~~Minimum Setbacks~~

~~Street 25 feet (public)/20 feet (private)~~

~~Side 5 feet~~

~~Rear 30 feet on all lots containing enhanced buffer~~

~~20 feet on all other lots~~

~~Water body 25 feet~~

~~All Accessory Uses: Per the LDC.~~

~~Setbacks from Preserves (All structures): 25 feet, per the LDC.~~

~~Minimum Perimeter Setbacks: 25 feet~~

~~30 feet on all lots containing an enhanced buffer~~

~~Minimum Building Separation: 10 feet~~

~~Maximum Building Height: 35 feet~~

~~Maximum Lot Coverage: 45 percent~~

~~**DUPLEX:**~~

~~Minimum Lot Areas and Dimensions~~

~~Lot Size: 7,000 square feet~~

~~Lot Width: 70 feet~~

~~Lot Depth: 100 feet~~

~~Minimum Setbacks~~

~~Street 25 feet (public)~~

~~20 feet (private)~~

~~Side 5 feet~~

~~Rear 30 feet on all lots containing enhanced buffer
20 feet on all other lots~~

~~Water body 25 feet~~

~~All Accessory Uses: Per the LDC.~~

~~Setbacks from Preserves (All structures): 25 feet, per the LDC.~~

~~Minimum Perimeter Setbacks: 25 feet
30 feet on all lots containing an enhanced buffer~~

~~Minimum Building Separation: 10 feet.~~

~~Maximum Building Height: 35 feet~~

~~Maximum Lot Coverage: 45 percent~~

TOWNHOME:

Minimum Lot Areas and Dimensions

Lot Size: ~~1,600~~ square feet
Lot Width: 16 feet
Lot Depth: ~~100~~ feet

Minimum Setbacks

Street ~~25 0~~ feet (public)
~~20~~ feet (private)
Side ~~10~~ feet
0 feet (for a common wall)
Rear ~~30 feet on all lots containing enhanced buffer
20 feet on all other lots~~

Water body 25 feet

All Accessory Uses: ~~Per the LDC.~~ 0

Setbacks from Preserves (All structures): ~~25 feet,~~ per the LDC.

Minimum Perimeter Setbacks: ~~2~~15 feet
~~30 feet on all lots containing an enhanced buffer~~

Minimum Building Separation: 20 feet

Maximum Building Height: 35 feet

Maximum Lot Coverage: ~~55 percent~~ No maximum

MULTIPLE-FAMILY:

Minimum Lot Areas and Dimensions

Lot Size: ~~10,000~~ square feet
 Lot Width: ~~100~~25 feet
 Lot Depth: ~~100~~ feet

Minimum Setbacks

Street ~~250~~ feet (public)
~~20~~ feet (private)
 Side ~~10~~ feet
 Rear ~~30~~ feet on all lots containing enhanced buffer

20 feet on all other lots

Water body 25 feet

All Accessory Uses: ~~Per the LDC.0~~

Setbacks from Preserves (All structures): ~~25 feet,~~ per the LDC

Minimum Perimeter Setbacks: ~~2~~15 feet

Minimum Building Separation: ~~1/2 building height, but not less than 15~~20 feet

Maximum Building Height: ~~5~~60 feet

Maximum Lot Coverage: ~~45 percent~~ No maximum

RECREATION AREA/CLUBHOUSE:

Minimum Lot Areas and Dimensions

Lot Size: ~~9,000~~ square feet
 Lot Width: ~~100~~25 feet
 Lot Depth: ~~100~~ feet

Minimum Setbacks

Street ~~250~~ feet (public)
~~20~~ feet (private)
 Side ~~10~~ feet
 Rear ~~20~~ feet

Water body 25 feet

All Accessory Uses: ~~Per the LDC-0~~
Setbacks from Preserves (All structures): ~~25 feet,~~ per the LDC.

Minimum Perimeter Setbacks: ~~215 feet~~
~~30 feet on all lots containing an enhanced buffer~~

Minimum Building Separation: 10 feet

Maximum Building Height: 35 feet
Maximum Lot Coverage: ~~45 percent~~ No maximum

~~**CPD - 5.43-acre North CPD Parcel:**~~

~~Minimum Lot Areas and Dimensions~~

~~Lot Size: 10,000 square feet~~
~~Lot Width: 100 feet~~
~~Lot Depth: 100 feet~~

~~Minimum Setbacks~~

~~Street 25 feet (public)~~
~~20 feet (private)~~
~~Side 10 feet~~
~~Rear 20 feet~~
~~20 feet on all other lots~~

~~Water body 25 feet~~

~~All Accessory Uses: Per the LDC~~

~~Setbacks from Preserves (All structures): 25 feet, per the LDC~~

~~Minimum Perimeter Setbacks: 25 feet~~

~~Minimum Building Separation: 1/2 building height not less than 15 feet~~

~~Building Height: 35 feet~~

~~Maximum Lot Coverage: 60 percent~~

3. CONCURRENCY

Approval of this rezoning does not constitute a finding that the proposed project meets the concurrency requirements set forth in LDC Chapter 2 and the Lee Plan. The developer is required

to demonstrate compliance with all concurrency requirements prior to issuance of a local development order.

4. MODEL HOME AND REAL ESTATE SALES

Model units and homes (and real estate sales) are permitted in compliance with the following conditions:

- a. Each model must be a unique example. Multiple examples of the same unit are not permitted.
- b. All model sites must be designated on the development order plans.
- c. Prior to model home construction, the lots upon which model homes will be constructed must be shown on a preliminary plat (not the final). The preliminary plat must be filed concurrently with the local development order application. The model homes must comply with the setbacks set forth in the property development regulations for this project.
- d. Dry models are prohibited.
- e. The number of model homes or model units will be limited to no more than 10 within the development at one time.
- ~~f. Any model homes or units must be developed within the areas identified as "models" on the approved MCP. DELETED~~
- g. Real estate sales within the RPD are limited to the sale of lots or units within the development only. Real Estate sales are a permitted use within the CPD.
- h. Real estate sales within the RPD are limited to within model homes or clubhouse only.
- i. Hours of operation for both models and real estate sales (within the RPD) are limited to Monday through Sunday 8:00 a.m. to 8:00 p.m.
- j. Model homes and real estate sales within the RPD will be valid for a period of up to five years from the date of issuance of a certificate of occupancy of a model home per LDC §34-1954(d)(1).

5. NO AGRICULTURAL USES APPROVED

No agricultural uses are permitted on site.

6. BLASTING

No development blasting is permitted as part of this project unless approved at a subsequent public hearing as an amendment to the planned development.

7. NATIVE VEGETATION REQUIRED IN THE ENTIRE RPD AND CPD

All required buffers must utilize 100 percent all native vegetation.

8. ADDITIONAL BUILDING ~~SEPARATION~~ SETBACK REQUIRED

Buildings exceeding 35 feet in height must maintain additional building setback as regulated by LDC §34-2174(a).

9. TRAFFIC

Approval of this zoning request does not address mitigation of the project's vehicular or pedestrian traffic impacts. Additional conditions consistent with the LDC may be required to obtain a local development order.

10. LEE PLAN

Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), ~~be reviewed for, and found consistent with, the retail commercial standards for site area, including range of gross floor area, location, tenant mix and general function,~~ as well as all other Lee Plan provisions.

11. INTERSECTION IMPROVEMENTS

The developer must contribute its proportionate share of the costs of intersection improvements at the time a traffic control device is warranted at the intersection of US 41 and Diplomat Road if requested by Florida Department of Transportation or City of Cape Coral.

12. WIRELESS COMMUNICATION FACILITIES

- a. Freestanding wireless communication facilities (towers, including stealth type) are not permitted. Approval of freestanding wireless communication facilities will require an amendment to the planned development (public hearing).
- b. Wireless Communication Facilities (including wall-mounted and roof-mounted antennas) may be approved in accordance with LDC §34-1441, et. seq. (Commercial parcels only).

13. ACCESSORY USES

Accessory uses must be located on the same tract, parcel or outparcel where a principal use is located. Accessory uses must be incidental and subordinate to the principal use of the tract, parcel or outparcel.

14. OPEN SPACE

Prior to local development order approval, the landscape plans must demonstrate that each ~~commercial~~ parcel is providing a minimum of 20 percent open space for large projects and 10 percent open space for small projects~~30 percent open space, and a minimum of 40 percent common open space is provided within the residential tract.~~

15. ENVIRONMENTAL

Prior to local development order approval, if the Florida Fish and Wildlife Conservation Commission (FWC) allows the relocation of tortoises within on-site indigenous preserves:

- a. The developer must submit a detailed indigenous preservation management plan for the Lee County Division of Environmental Sciences (DES) Staff review and approval that includes methods of maintaining the western 3.0 acres of the preserve as gopher tortoise habitat; and
- b. The landscape plans must include a permanent gopher tortoise fence along Diplomat Parkway where the three-acre gopher tortoise preserve abuts this roadway and a double staggered native hedge (minimum three-gallon container size; 24-inch height at planting; maintained at a minimum 36-inch height) planted on the roadside of the fence; and
- c. The landscape plans must delineate a double staggered native hedge (minimum three-gallon container size; 24-inch height at planting; maintained at a minimum 36-inch height) planted along the interface of the indigenous preserve with the residential tract.
- d. Prior to issuance of a Vegetation Removal Permit, all invasive exotic vegetation and manmade debris must be hand removed from the indigenous preserve.

16. COMMERCIAL PARCELS NORTH OF DIPLOMAT PARKWAY

Commercial buildings located within Parcels 1, 2 and the westernmost 2.3 acres of Parcel 3 are limited to a maximum of 10,000 square feet per building, and must not exceed two stories/35 feet in height. The building locations must alternate (be staggered) between the front and rear of the commercial parcels to provide a more campus-like setting. A parking plan must be devised to keep the amount of parking spaces along Diplomat Parkway to an absolute minimum. These parking areas and commercial buildings must be buffered, from Diplomat Parkway, by, at a minimum, a two-foot high berm with 10 trees and a staggered 36-inch high hedge per 100 linear feet. ~~Applicant is strongly encouraged to utilize the commercial site locational criteria established for the Estero community.~~

The commercial buildings on Commercial Parcels 1, 2, and 3 must be of the same or similar architectural design and coloring as the residential buildings, to identify them as a unified project. All project identification signs (commercial and residential) must also be of the same or similar architectural design and coloring.

17. NOT UTILIZED

18. SOLID WASTE/RECYCLING

Prior to local development order approval for vertical development, the Developer must provide facilities in compliance with LDC §10-261 and Lee County Solid Waste Ordinance #08-10 for the pick up/disposal of solid waste and recyclables. The minimum area required for and specific locations of these facilities will be reviewed at the time of local development order application (Also see Deviation 7).

19. PRIOR ZONING

The terms and conditions of ~~the original~~ Zoning Resolution Nos. Z-06-004 and Z-11-002 and Administrative Amendments ADD2007-00169, ADD2019-00085 and ADD2019-00181 are superceded by this zoning action and are rendered null and void by this approval. The terms and conditions herein apply to the entire planned development previously covered by Zoning Resolution Nos. Z-06-004 and Z-11-002. See ADD2020-00034 Conditions 3, 4 & 5 for multi-family on Commercial Parcels 3 and 4.

20. INDIGENOUS PRESERVATION/HERITAGE TREES (~~NORTH CPD PARCEL AND~~ NORTH RPD PARCEL)

- a. Prior to local development order approval, a tree survey must be submitted depicting the location, diameter at breast height, and species of all heritage trees within the development area.
- b. Prior to local development order approval, landscape plans must depict heritage trees, located within the development footprint, that are determined to be of good health as per a certified arborist. Those trees must be incorporated into the internal open space (i.e., perimeter planting, enlarged landscape areas, etc), or must be replaced with a 20-foot like species to a suitable open space area where final site design constraints (i.e., fill requirements, entrance roads, etc) do not allow preservation.

21. PROTECTED SPECIES

- a. Prior to development order approval, the Applicant must first seek approval for on-site preservation of the gopher tortoises through avoidance or relocation before pursuing off-site relocation options. All communication with FWC verifying on-site avoidance or relocation attempts were made must be provided to DES Staff.
- b. A copy of the appropriate gopher tortoise relocation permit issued by the FWC must be submitted to the DES Staff prior to excavation and moving of any gopher tortoises. The Applicant must first seek approval for an on-site relocation before pursuing off-site relocation options. Any gopher tortoises and commensal species found during burrow excavation must be moved to preserves containing suitable gopher tortoise habitat as approved by the FWC and DES Staff.

22. OPEN SPACE (~~NORTH CPD PARCEL AND~~ NORTH RPD PARCEL)

~~Prior to local development order approval, the development order plans must delineate a minimum of 1.63 acres of open space for the CPD and 11.9~~ 7.04 ~~acres of open space for the RPD consistent with the MCP.~~

23. BUFFERS (~~NORTH CPD PARCEL AND~~ NORTH RPD PARCEL)

- a. Prior to local development order approval, the development plans must demonstrate the preservation of native vegetation within the flood way. ~~This vegetation may be utilized to meet the required type "F" buffer plantings. Upon removal of exotics from this area if it is found that the existing vegetation does not satisfy the buffer planting requirements,~~

~~additional plants must be provided. These plants must be designed to mimic the natural area through the use of similar species and random planting throughout the area.~~

- b. An enhanced type "F" buffer must be provided along the north property line west of the lake, as shown on the MCP. This buffer must be 30 feet in width and include 10 native canopy trees per 100 linear feet, and a double hedge row planted at 48" in height at time of planting.

24. NATIVE PLANTINGS REQUIRED (~~NORTH CPD PARCEL AND~~ NORTH RPD PARCEL)

All required buffer plantings, general trees, and internal canopy trees must be 100 percent native species.

SECTION C. DEVIATIONS:

(Deviations 1 through ~~7~~8 were previously approved and remain applicable to the RPD/CPD and are recited below with minor language clarifications. Deviations 7 and 8 are proposed to be revised and Deviations 89 and 10 isare new.)

1. **Intersection Separation** - Deviation 1 (previously contained in Resolution Z- 06-004 and ~~ADD2007-00169~~subsequent approvals) seeks relief from the LDC §10-285(a) requirement to provide a minimum access connection separation of 660 feet on an arterial road to permit an access separation of 364 feet between the project's proposed main access and the proposed exit-only access for the residential portion of the southern parcel. This deviation is APPROVED.
2. **One dead-end street permitted** - Deviation 2 (previously contained in Resolution Z-06-004 and ~~ADD2007-00169~~subsequesnt approvals) seeks relief from the LDC §10-296(k)(1) requirement that dead-end streets be closed at one end by a circular turn-around, to allow one dead-end street as shown on the approved MCP on the southern RPD. This deviation is APPROVED.
3. **Calculation for Open Space** - Deviation 3 (previously contained in Resolution Z-06-004 and ~~ADD2007-00169~~subsequent approvals) seeks relief from the LDC §10-415(b)(1)(a) requirement that large developments with indigenous vegetation communities to provide 50 percent of their open space percentage requirements through on-site preservation of existing native vegetative communities, to permit 0.45 acres of right of way to be vacated, enhanced and preserved to count toward the preservation requirement. This deviation is APPROVED, SUBJECT TO the following condition:

Prior to local development order approval for Commercial Parcel 4, the existing roadway easement depicted within the indigenous preserve must be vacated.

This deviation applies to the southern RPD and CPD.

4. **Installation of storm water management system** - Deviation 4 (previously contained in Resolution Z-06-004 and ~~ADD2007-00169~~susequent approvals) seeks relief from the LDC §10-415(b)(1)a.

requirement that large developments with existing indigenous native vegetation communities provide 50 percent of their open space requirement through on-site preservation of indigenous native vegetation, to allow portions of the preservation area to be disturbed and restored in order to install a storm water management system. This deviation is APPROVED, SUBJECT TO the following conditions:

- a. Prior to local development order, the development order plans must delineate the general location of the surface water management outfall through the indigenous preserve to the canal. The outfall must be designed as an open system that can be planted with native vegetation.
- b. Prior to issuance of a Vegetation Removal Permit, the location of the surface water management outfall through the indigenous preserve must be field staked to avoid impacting any large native trees or gopher tortoise burrows for the Division of Environmental Sciences Staff review and approval.

This deviation applies to the southern RPD and CPD.

5. **Separation from residential uses** - Deviation 5 (previously contained in Resolution Z-06-004 and ~~ADD2007-00169~~subsequent approvals) seeks relief from the LDC §34-2474(b)(6) requirement that recreation halls and ancillary facilities and private clubs be located at least 40 feet from any residential dwelling unit, to allow a 20-foot minimum separation for any recreation building from a residential dwelling unit. This deviation is APPROVED, SUBJECT TO the following condition:

Development of a recreational facility and clubhouse must be generally consistent with the location shown on the approved MCP.

This deviation applies to the recreation area shown on the RPD to the north.

6. a. **Single ingress into the development** - Deviation 6a (previously contained in Resolution Z-06-004 and ~~ADD2007-00169~~subsequent approvals) seeks relief from the LDC §10-291(3) requirement (when practical) that residential developments of more than five acres in size provide two or more means of ingress into the development, to allow the residential portion to the north of Diplomat Parkway to be constructed with a single ingress/egress connection onto Diplomat Parkway. This deviation is APPROVED, SUBJECT TO the following conditions:
 - a. Access to the residential component north of Diplomat Parkway must be generally consistent with the approved MCP; and
 - b. The approved MCP and local development order must depict a minimum 70-foot-wide divided entrance on the north side of Diplomat Parkway that includes a median with two lanes on both sides of the median for ingress and egress; and
 - c. Prior to issuance of a development order, the developer must provide written documentation from the North Fort Myers Fire District indicating that these access points are acceptable and provide adequate access for emergency vehicles. The development order must also include the plans for the secondary/emergency access required in the following paragraph.

- d. Prior to build-out of the north residential development, Applicant must install a secondary/emergency access from the residential tract to commercial Parcel 3, as shown on the MCP. Any emergency access gate must comply with all applicable regulations with respect to required equipment for an emergency override mechanism at the time of installation. Additionally, if an emergency necessitates the breaking of an entrance gate, the cost of repairing the gate and the emergency vehicle (if applicable) will be the responsibility of the owner or operator of the gate.
- 6b. Deviation 6b (previously contained in Resolution Z-06-004 [and subsequent approvals](#)) seeks relief from the LDC §10-291(3) requirement (when practical) that residential developments of more than five acres in size provide two or more means of ingress into the development, to allow the residential portion to the south of Diplomat Parkway to be constructed with a single ingress/egress connection onto Diplomat Parkway. This deviation is APPROVED, SUBJECT TO the following conditions.
 - a. Access to the residential component south of Diplomat Parkway must be generally consistent with the approved MCP; and
 - b. Any emergency access gate must comply with all applicable regulations with respect to required equipment for an emergency override mechanism at the time of installation. Additionally, if an emergency necessitates the breaking of an entrance gate, the cost of repairing the gate and the emergency vehicle (if applicable) will be the responsibility of the owner or the operator of the gate; and
 - c. Prior to issuance of a development order, the developer must provide written documentation from the North Fort Myers Fire District indicating that these access points are acceptable and provide adequate access for emergency vehicles.
7. **Curbside garbage collection for townhouse units [and reduction in collection area for multi-family units](#)** - Deviation 7 ([townhouse](#) previously contained in ADD2007-000169 [and subsequent approvals](#)) seeks relief from the LDC §10-261 requirement that all new multiple-family residential developments to provide sufficient space for the placement of garbage containers or receptacles, to allow for curbside garbage pick up at the proposed townhouse units that are planned within the project. This deviation is APPROVED.
[Request to amend this deviation to allow reduction in required multi-family container space of 216 SF \(120 + 96\) for first 25 multi-family units plus 8 SF for each additional unit; to allow space for the compactor and a minimum 144 square feet for recyclable materials collection area for the North RPD.](#)
8. **Certain internal buffers not required** - Deviation 8 ([previously contained in Z-11-002 and subsequent approvals](#)) seeks relief from the LDC §10-416(d)(3) requirement that a Type C/F buffer between the proposed RPD/CPD uses internal to the development, to allow no buffer between the RPD/CPD uses where the commercial uses are separated from the residential uses within the project by a private road. This deviation is APPROVED.
[Request to amend this deviation to allow no buffers to internal rights-of-way for the North RPD.](#)

9. **Backout parking within internal right-of-way** – New Deviation 9 seeks relief from LDC §34-2013(a)(2) requirement that parking that backs out into rights-of-way in residential developments must be for amenities to the development such as parks and recreational facilities and not for dwelling units or commercial uses; to allow backout parking spaces for dwelling units and guests limited to the location shown on the MCP.

10. **Minimum Building Separation** – New Deviation 10 seeks relief from LDC §34-935(e)(4) requirement to provide a minimum building separation of one-half the sum of the building heights, or 20 feet, whichever is greater; to allow a minimum building separation of 20 feet.

**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

April 18, 2022

Mr. Samuel W. Marshall
Banks Engineering
10511 Six Mile Cypress Parkway
Fort Myers, FL 33966
smarshall@bankseng.com & jsheppard@bankseng.com

RE: Wastewater and Reclaim Water Availability – LOA ID#: 22-068 NFMD

Parcel ID No.: 34-43-24-00-00001.3030

Diplomat Pkwy E & N Cleveland Ave, North Fort Myers, FL

Diplomat North

Dear Mr. Samuel W. Marshall:

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 360 multi-family units with an estimated usage of 90,000 GPD for wastewater disposal. Currently, FGUA facilities are able to accommodate these demands. 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 water and wastewater systems.

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 SSpencer@govmserv.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: 2022.04.18 15:51:34 -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 SSpencer@govmserv.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.



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: 34-43-24-00-00001.3030System: North Fort Myers 416Development/Project Name: Diplomat NorthDate: April 12, 2022County: LeeLOA ID: 22-068 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	4/12/2022	4/1/2022	33971	BANKS ENGINEERING	\$ 100.00
1 Map Only					
2 Letter Only					



John E. Manning
District One

Cecil L Pendergrass
District Two

Larry Kiker
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*

April 1, 2022

Via E-Mail

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

RE: **Potable Water Availability**
Diplomat North, Diplomat Parkway E. North Fort Myers, FL
STRAP # 34-43-24-00-00001.3030

Dear Ms. Sheppard:

The subject property is located within Lee County Utilities Future Service Area as depicted on Maps 6 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 360 multi-family residential units with an estimated flow demand of approximately 90,000 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.

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.

Diplomat North - Letter.Docx

April 1, 2022

Page 2

Further, this letter of availability of potable water service is to be utilized for Financing only. Individual letters of availability will be required for the purpose of obtaining building permits.

Sincerely,

LEE COUNTY UTILITIES

A handwritten signature in blue ink that reads "Mary McCormic". The signature is written in a cursive style.

Mary McCormic
Technician Senior
239-533-8532
UTILITIES ENGINEERING



REQUEST FOR SUBMITTAL REQUIREMENT WAIVER FOR UNINCORPORATED AREAS ONLY

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

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

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

State the Type of Administrative Application: _____

PLEASE PRINT OR TYPE:

STRAP Number: 35.18± ac portion of 34-43-24-00-00001.3030

Name of Project: Diplomat House a/k/a Diplomat North RPD

Name of Agent: Stacy Ellis Hewitt, AICP, Banks Engineering

Street Address: 10511 Six Mile Cypress Pkwy

City, State, Zip: Fort Myers, FL 33966

Phone Number: 239-770-2527/239-939-5490 Email Address: SHewitt@BanksEng.com

Name of Applicant*: Diplomat Fort Myers, LLC

Street Address: 7200 Corporate Center Drive, Suite 316

City, State, Zip: Miami, FL 33126

Phone Number: c/o 239-770-2527/239-939-5490 Email Address: c/o SHewitt@BanksEng.com

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

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

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

	Section Number	Requirement
#1	34-202(a)(6)/34-373(a)(4)a	Boundary Survey
#2	34-202(a)(7)/	Title Certification
#3	34-373(a)(4)b.iv.	Topography
#4	34-373(a)(4)b.v.	Existing and Historic Flow-Ways Map
#5	34-373(b)(1)	Surface Water Management Plan
#6	34-373(a)(4)d	Historic/Archaeological
#7		
#8		
#9		

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

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

We are preparing an application for a minor public hearing amendment to the North RPD portion (35.18± ac) of the Diplomat North RPD/CPD from the Z-11-002/ADD2019-00085 approval to replace 238 dwelling units (or 138 dwelling units and 400 assisted living facility units) and 50,000 SF of commercial with a maximum height of 50 feet; to allow 360 multi-family dwelling units with amenities with a maximum height of 60 feet within the Mixed Use Overlay. The subject property has extensive information on file with prior zoning cases as well as existing active South Florida Water Management District and Development Order permits (DOS2007-00255). The DO is valid through February 28, 2030. The legal description and sketch for the North RPD attached to the existing zoning resolution remains the same and a copy will be submitted with the application. The applicant proposes to submit a boundary survey and opinion of title (dated 10/5/2022) that covers the subject 35.18 ac and also includes the 1.53 ac-25' strip adjacent to the west that is not included in the subject application (STRAP No. 34-43-24-00-00001.306A). This parcel was previously included in the prior applications REZ2022-00021, VAR2022-00021 & ADD2022-00143 that will be withdrawn upon submittal. Please see attached email correspondence with staff requesting to submit these title and survey documents to avoid unnecessary survey and title costs. The applicant will address the comments provided in the attached email prior to the application being found sufficient. There have been no changes in ownership or encumbrances since the 10/5/2022 title. Since the applicant already has SFWMD and DO approvals with only minor amendments proposed to increase dwelling units and height, the topography, existing and historic flow-ways map and surface water management plan are not necessary given the extent of information that exists in existing county records. The site is not located within an archaeological sensitivity area. Given the existing approvals and extent of information available in existing county records, the applicant respectfully requests that the waiver be approved. Submittal of any of these documents would have no bearing on the review and processing of the application.

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

Signature of Applicant

12/7/23

Date

.....
FOR STAFF USE ONLY

DIRECTOR'S DECISION:

Request Denied

Request Approved

Request Approved Per Attached Comments

Director Signature

Date

OPINION OF TITLE

This opinion is provided to:

To: LEE COUNTY BOARD OF COUNTY COMMISSIONERS

With the understanding that this opinion of title is furnished to and relied upon by the Lee County Board of County Commissioners ("County"), Florida, in connection with the site plan application for the real property hereinafter described, it is hereby certified that I have examined the ALTA Commitment for Title Insurance issued by First American Title Insurance Company, File No. NCS-1115774-PHX1, Revision No.: 02, having a Commitment Date of July 5, 2022 at 7:30 AM and last updated and revised on July 12, 2022 ("Title Evidence"), which covers all public records on file in Lee County, Florida through July 5, 2022 at 7:30 a.m., of the following described real property ("Property"):

See Exhibit "A" attached hereto and made a part hereof.

This Opinion of Title is provided to satisfy the requirements of Florida Statutes, Section 177.041, and Lee County Land Administrative Code AC-13-19.

Based solely on the foregoing Title Evidence and assuming the accuracy of the information contained therein, I am of the opinion that on the last mentioned date, the fee simple title to the Property was vested in:

Habitat Diplomat North, LLC, a Florida limited liability company, by virtue of Special Warranty Deed, recorded as Instrument No. 2019000014145 of the Public Records of Lee County, Florida.

Subject to the following liens, encumbrances, and other exceptions:

EXCEPTIONS AS TO PROPERTY

1. All taxes for the year in which this opinion is rendered, unless noted below that such taxes have been paid.
2. Rights of tenants and persons other than the above owners who are in possession.
3. Facts that would be disclosed upon accurate survey.
4. Any unrecorded labor, mechanics' or materialmens' liens.
5. Zoning and other restrictions imposed by governmental authority.
6. Easements or claims of easements not shown on the Public Records.
7. Any and all rights of the United States of America over artificially filled lands in what were formerly navigable waters, arising by reason of the United States of America's control over navigable waters in the interest of navigation and commerce, and any conditions contained in any permit authorizing the filling in of such areas.

8. Riparian rights together with title to any submerged land included within the Property.
9. Drainage Easement, granted from T. Lawrence Williams and Maude C. Williams his wife to State of Florida, recorded in Deed Book 237, Page 564; as affected by Public Purpose Quitclaim Deed recorded in Official Records Book 2084, Page 2319, all of the Public Records of Lee County, Florida.
10. Right-of-Way Easement, granted from Edward B. Rood, Trustee to Lee County Electric Co-Operative, Inc., its successors and assignees, recorded in Official Records Book 960, Page 205, of the Public Records of Lee County, Florida.
11. Easement for Drainage created by Warranty Deed recorded in Official Records Book 1135, Page 183; as affected by Corrective Deed recorded in Official Records Book 1153, Page 1203, all of the Public Records of Lee County, Florida.
12. The terms, provisions, and conditions contained in that certain Lee County Ordinance No. 86-14, By the Board of County Commissioners of Lee County, Florida, recorded in Official Records Book 2189, Page 3281, as affected by Lee County Ordinance No. 86-38, recorded in Official Records Book 2189, Page 3334, all of the Public Records of Lee County, Florida.
13. Terms and conditions of the Agreement between Serendipity Properties, Inc., a Florida corporation and Edward B. Rood, an individual recorded in Official Records Book 2316, Page 645, of the Public Records of Lee County, Florida.
14. Relocatable Access Easement, granted from Cooper Street Property, Inc., a Florida corporation to Athyrio Development Associates, LLC, a Florida limited liability company, recorded in Instrument No. 2006000428972, of the Public Records of Lee County, Florida.
15. The terms, provisions, and conditions contained in that certain South Florida Water Management District Environmental Resource Permit Notice, recorded in Instrument No. 2007000204604; as affected by South Florida Water Management District Environmental Resource Permit Notice recorded in Instrument No. 2008000082634; as affected by South Florida Water Management District Notice of Environmental Resource or Surface Water Management Permit recorded in Instrument No. 2011000200040, all of the Public Records of Lee County, Florida..
16. The terms, provisions, and conditions contained in that certain Notice of Development Order Approval, recorded in Instrument No. 2009000124737, of the Public Records of Lee County, Florida.

SPECIAL EXCEPTIONS

1. RECORDED MORTGAGES:

(a) Mortgage executed by Habitat Diplomat North, LLC, in favor of Florida Community Loan Fund, Inc., recorded January 18, 2019 in Instrument No. 2019000014146 of the Public Records of Lee County, Florida.

(b) Assignment of Rents and Leases from Habitat Diplomat North, LLC, to Florida Community Loan Fund, Inc. recorded January 18, 2019, in Instrument No. 2019000014147 of the Public Records of Lee County, Florida.

(c) UCC-1 Financing Statement naming Florida Community Loan Fund, Inc., as secured party and Habitat Diplomat North, LLC as debtor, recorded January 18, 2019, Instrument No. 2019000014148 of the Public Records of Lee County, Florida.

2. RECORDED CONSTRUCTION LIENS, CONTRACT LIENS AND JUDGMENTS

NONE

3. NOTICES OF COMMENCEMENT

NONE

I, the undersigned, further clarify that I am an attorney-at-law duly admitted to practice in the State of Florida, and am a member in good standing of the Florida Bar.

Respectfully submitted this 5th day of October, 2022.

By: Sandra E. Krumbein Sadov, Esq.

Sandra E. Krumbein Sadov, Esq.
Florida Bar No. 578894
200 E. Broward Blvd., Suite 2100
Fort Lauderdale, Florida 33301
(954) 847-3855

EXHIBIT "A"
LEGAL DESCRIPTION

The Land referred to herein below is situated in the County of Lee, State of Florida, and is described as follows:

(NORTH RESIDENTIAL)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 34, TOWNSHIP 43 SOUTH, RANGE 24 EAST AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF U.S. 41 (STATE ROAD 45) (200 FEET WIDE) AND THE SOUTHERLY RIGHT-OF-WAY OF LITTLETON ROAD (50 FEET WIDE) THENCE 94.14 FEET ALONG THE WESTERLY RIGHT-OF-WAY AND ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 5829.58 FEET AND SUBTENDED BY A CHORD HAVING A LENGTH OF 94.14 FEET AND BEARING S.03°47'10"W. TO A POINT OF TANGENCY; THENCE S.03°25'50"W. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 2338.37 FEET TO THE SOUTHEASTERLY CORNER OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 1972 AT PAGE 335 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE CONTINUE S.03°25'50"W. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 199.95 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF DIPLOMAT PARKWAY (100 FEET WIDE) AS DESCRIBED IN OFFICIAL RECORDS BOOK 2833 AT PAGE 4156 OF SAID PUBLIC RECORDS; THENCE N86°35'21"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR 12.52 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 2150.00 FEET; THENCE WESTERLY ALONG SAID RIGHT-OF-WAY LINE AND SAID CURVE THROUGH A CENTRAL ANGLE OF 3°32'51" FOR 133.12 FEET; THENCE S89°51'48"W. ALONG SAID RIGHT-OF-WAY LINE FOR 1484.79 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.89°51'48"W. ALONG SAID RIGHT-OF-WAY LINE FOR 80.00 FEET; THENCE N.00°08'12"W. FOR 250.00 FEET; THENCE S.89°51'48"W. FOR 257.48 FEET TO AN INTERSECTION WITH THE EASTERLY LINE OF A DRAINAGE EASEMENT (50 FEET WIDE) DESCRIBED IN DEED BOOK 237 AT PAGES 564 AND 565 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°20'36"W. ALONG SAID EASTERLY LINE FOR 703.76 FEET TO THE SOUTHERLY LINE OF SERENDIPITY SOUTH MOBILE HOME PARK (UNRECORDED); THENCE ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID PARK FOR THE FOLLOWING THREE (3) DESCRIBED COURSES: N.85°23'00"E. FOR 335.22 FEET; THENCE N.02°25'15"W. FOR 346.19 FEET; THENCE S.89°54'50"E. FOR 1231.65 FEET TO THE WESTERLY LINE OF THE AFORESAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 1972 AT PAGE 335; THENCE S.03°25'50"W. ALONG THE WESTERLY LINE OF SAID PARCEL FOR 1073.15 FEET; THENCE S.89°51'48"W. FOR 1145.24 FEET; THENCE S.00°08'12"E. FOR 250.00 FEET TO THE POINT OF BEGINNING.

AND

(RELOCATABLE ACCESS EASEMENT)

TOGETHER WITH THE RELOCATABLE ACCESS EASEMENT RECORDED IN INSTRUMENT NUMBER 2006000428972, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

AND

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 43 SOUTH, RANGE 24 EAST, BEING FURTHER BOUND AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE SECTION CORNER COMMON TO SECTIONS 27, 28, 33 AND 34; THENCE S.89°54'30"E. ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER OF SECTION 34 FOR 25.00 FEET TO AN INTERSECTION WITH A LINE 25.00 FEET EAST OF AND PARALLEL WITH (AS

MEASURED ON A PERPENDICULAR) THE CENTERLINE OF A DRAINAGE EASEMENT AS DESCRIBED IN OFFICIAL RECORDS BOOK 945, PAGE 359 OF THE PUBLIC RECORDS OF SAID LEE COUNTY; THENCE S.00°20'12"E. ALONG SAID PARALLEL LINE FOR 2,657.29 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID FRACTION, SAID POINT ALSO BEING AN INTERSECTION WITH THE NORTH LINE OF LANDS DESCRIBED IN OFFICIAL RECORDS BOOK 2422, PAGE 2521 OF THE PUBLIC RECORDS OF SAID LEE COUNTY; THENCE N.89°56'22"W. ALONG SAID SOUTH AND NORTH LINE FOR 25.00 FEET TO AN INTERSECTION WITH SAID CENTERLINE; THENCE N.00°20'12"W. ALONG SAID CENTERLINE FOR 2,657.31 FEET TO THE POINT OF BEGINNING.

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 (CORS). WHEREIN THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 34, TOWNSHIP 43 SOUTH, RANGE 24 EAST BEARS N.03°26'32"E. THE SCALE FACTOR IS 0.999942288.

DCI 2010-00015

Banks Engineering

Professional Engineers, Planners & Land Surveyors

2515 Northbrooke Plaza Drive - Suite 200

Naples, Florida 34119

(239) 597-2061

Fax (239) 597-3082

DESCRIPTION

OF A

PARCEL OF LAND

LYING IN

SECTION 34, TOWNSHIP 43 SOUTH, RANGE 24 EAST **COMMUNITY DEVELOPMENT**

LEE COUNTY, FLORIDA

(CPD ZONING DESCRIPTION)**RECEIVED**
APR 27 2011

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 34, TOWNSHIP 43 SOUTH, RANGE 24 EAST AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

NORTH CPD ZONING PARCEL

COMMENCING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF U.S. 41 (STATE ROAD 45) (200 FEET WIDE) AND THE SOUTHERLY RIGHT-OF-WAY LINE OF LITTLETON ROAD (50 FEET WIDE); THENCE 94.14 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 5829.58 FEET AND SUBTENDED BY A CHORD HAVING A LENGTH OF 94.14 FEET AND BEARING S.03°47'10"W. TO A POINT OF TANGENCY; THENCE S.03°25'50"W. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 2338.37 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE S.03°25'50"W. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 199.95 FEET TO POINT "A" AND TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF DIPLOMAT PARKWAY (100 FEET WIDE); THENCE N.86°35'21"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR 12.52 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 2150.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND ALONG SAID NORTHERLY RIGHT-OF-WAY LINE THROUGH A CENTRAL ANGLE OF 3°32'51" FOR 133.12 FEET; THENCE S.89°51'48"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR 1484.79 FEET TO **POINT "B"**; THENCE N.00°08'12"W. FOR 250.00 FEET; THENCE N.89°51'48"E. FOR 1145.24 FEET; THENCE S.03°25'50"W. FOR 53.49 FEET; THENCE S.89°54'50"E. FOR 500.85 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 8.78 ACRES, MORE OR LESS.

TOGETHER WITH: ADDITIONAL NORTH CPD ZONING PARCEL

COMMENCING AT SAID POINT "B" ; THENCE S.89°51'48"W. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF DIPLOMAT PARKWAY (100 FEET WIDE) FOR 80.00 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE S.89°51'48"W. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR 253.42 FEET; THENCE N.28°32'51"W. FOR 6.70 FEET; THENCE N.00°20'36"W. FOR 244.12 FEET; THENCE N.89°51'48"E. FOR 257.48 FEET; THENCE S.00°08'12"E. FOR 250.00 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 1.48 ACRES, MORE OR LESS.

TOGETHER WITH: SOUTH CPD ZONING PARCEL

COMMENCING AT SAID POINT "A"; THENCE S.03°25'50"W. ALONG SAID WESTERLY RIGHT-OF-WAY LINE OF U.S. 41 (STATE ROAD 45) (200 FEET WIDE) FOR 100.00 FEET TO THE **POINT OF BEGINNING**;

SHEET 1 OF 3

S:\Jobs\20xx\2028\SURVEY\Descriptions\Zoning\2028_ZONING_CPD_REV_DESC.doc

Fort Myers Office
10511 Six Mile Cypress Pkwy, Suite #101
Fort Myers, Florida 33966
(239) 939-5490
Fax (239) 939-2523

Sarasota Office
1144 Tallevast Road Suite #115
Sarasota, Florida 34243
(941) 360-1618
Fax (941) 360-6918

Port Charlotte Office
12653 SW CR 769 Suite B
Lake Suzy, Florida 34269
(941) 625-1165
Fax (941) 625-1149

EXHIBIT "A"
(Page 1 of 6)

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THENCE CONTINUE S.03°25'50"W. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 429.00 FEET TO THE NORTHEAST CORNER OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2113 AT PAGE 1590 OF SAID PUBLIC RECORDS, ALSO BEING THE NORTHEAST CORNER OF MERCHANTS CROSSING, A SUBDIVISION RECORDED IN PLAT BOOK 52 AT PAGES 37 THROUGH 47 OF SAID PUBLIC RECORDS; THENCE N.86°34'10"W. ALONG THE NORTH LINE OF SAID PARCEL AND SAID SUBDIVISION FOR 72.00 FEET TO THE SOUTHEAST CORNER OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2833 AT PAGE 4156 OF SAID PUBLIC RECORDS; THENCE N.03°25'50"E. ALONG THE EASTERLY LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2833 AT PAGE 4156 FOR 65.00 FEET; THENCE N.86°33'36"W. ALONG THE NORTHERLY LINE OF SAID PARCEL FOR 39.68 FEET; THENCE S.03°26'24"W. ALONG THE WESTERLY LINE OF SAID PARCEL FOR 8.00 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 17.00 FEET; THENCE SOUTHWESTERLY ALONG SAID PARCEL AND SAID CURVE THROUGH A CENTRAL ANGLE OF 90°00'01" FOR 26.70 FEET; THENCE N.86°33'36"W. ALONG THE NORTHERLY LINE OF SAID PARCEL FOR 487.82 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 80.00 FEET; THENCE NORTHWESTERLY ALONG SAID PARCEL AND SAID CURVE THROUGH A CENTRAL ANGLE OF 86°25'24" FOR 120.67 FEET; THENCE N.00°08'12"W. ALONG THE EASTERLY LINE OF SAID PARCEL FOR 274.66 FEET TO POINT "C" AND TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF DIPLOMAT PARKWAY (100 FEET WIDE) AS DESCRIBED IN OFFICIAL RECORDS BOOK 2833 AT PAGE 4156 OF SAID PUBLIC RECORDS; THENCE N.89°51'48"E. ALONG SAID SOUTHERLY RIGHT-OF-WAY FOR 575.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 2050.00 FEET; THENCE EASTERLY ALONG SAID RIGHT-OF-WAY AND SAID CURVE THROUGH A CENTRAL ANGLE OF 3°32'51" FOR 126.93 FEET; THENCE S.86°35'21"E. ALONG SAID RIGHT-OF-WAY FOR 12.49 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 6.00 ACRES, MORE OR LESS.

TOGETHER WITH: ADDITIONAL SOUTH CPD ZONNING PARCEL

COMMENCING AT SAID POINT "C"; THENCE S.89°51'48"W. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE OF DIPLOMAT PARKWAY (100 FEET WIDE) FOR 40.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S.89°51'48"W. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR 383.07 FEET; THENCE S.00°08'12"E. FOR 186.04 FEET; THENCE N.59°04'35"E. FOR 185.65 FEET; THENCE S.76°11'27"E. FOR 125.61 FEET; THENCE S.41°41'10"E. FOR 153.30 FEET TO AN INTERSECTION WITH THE WESTERLY LINE OF THE AFORESAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2833 AT PAGE 4156 OF SAID PUBLIC RECORDS; THENCE N.00°08'12"W. ALONG THE WESTERLY LINE FOR 236.02 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 1.22 ACRES.

NET AREA AS DESCRIBED CONTAINS 17.48 ACRES, MORE OR LESS.

COMMUNITY DEVELOPMENT

BEARINGS ARE BASED ON THE WESTERLY RIGHT-OF-WAY OF U.S. 41 (STATE ROAD 45) AS BEARING S.03°25'50"W.

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

DESCRIPTION PREPARED NOVEMBER 2, 2006.

Richard M. Ritz
RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4006

Applicant's Legal Checked
by 11/08/06 csl

EXHIBIT "A"
(Page 2 of 6)

DCI 2010-00015

SKETCH TO ACCOMPANY DESCRIPTION

OF A PARCEL OF LAND LYING IN SECTION 34, TOWNSHIP 43 SOUTH, RANGE 24 EAST LEE COUNTY, FLORIDA



1"=300'

COORDINATE TABLE

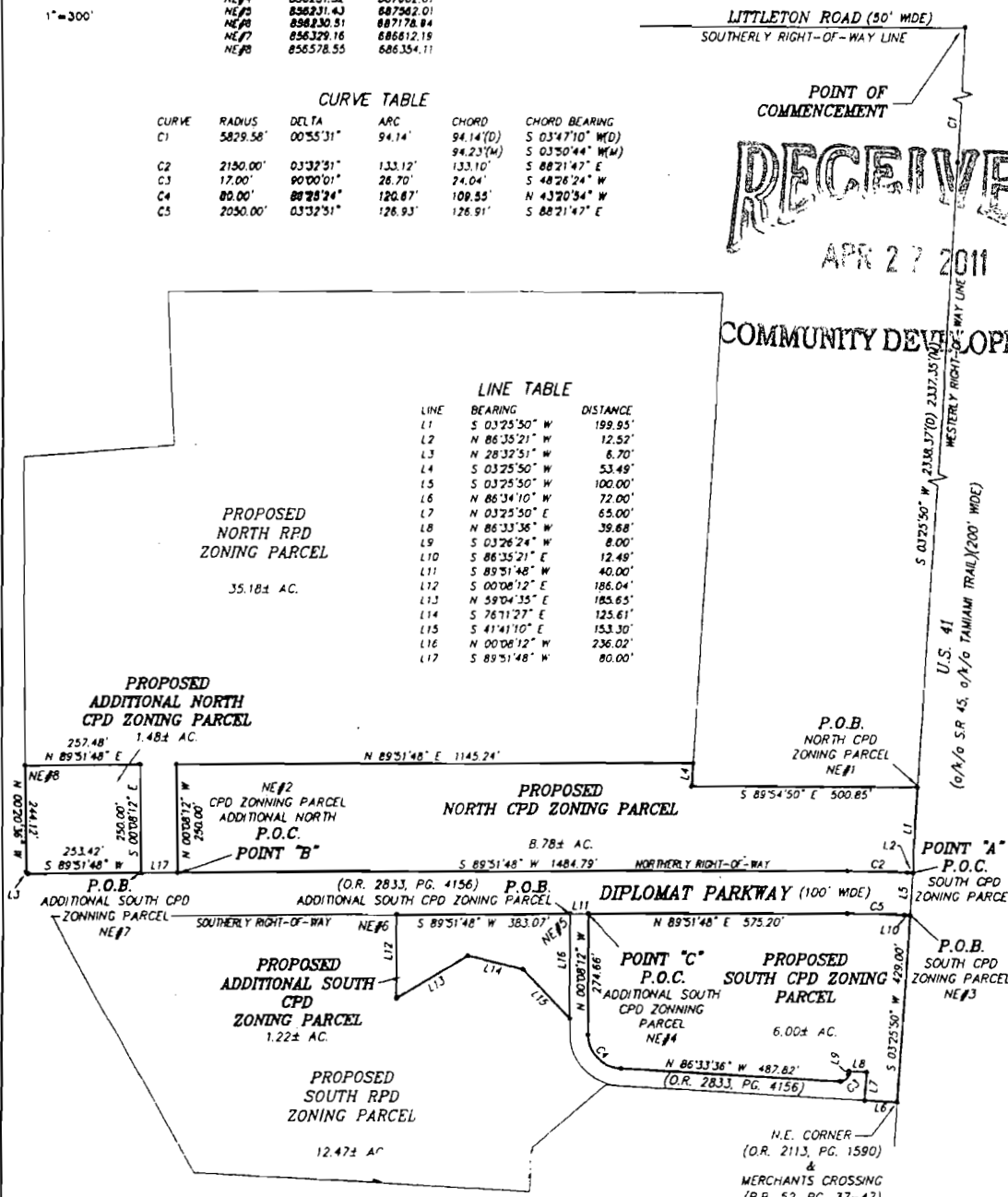
POINT	NORTHING	EASTING
NE#1	896487.03	808334.48
NE#2	896389.35	808602.18
NE#3	856228.53	688316.53
NE#4	856231.52	687602.01
NE#5	856231.43	687562.01
NE#6	856230.51	687178.84
NE#7	856329.16	686612.19
NE#8	856578.55	686354.11

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1	5829.58'	00°55'31"	94.14'	94.14'(D)	S 03°47'10" W(D)
				94.23'(M)	S 03°50'44" W(M)
C2	2150.00'	03°32'51"	133.12'	133.10'	S 88°21'47" E
C3	17.00'	90°00'01"	26.70'	24.04'	S 48°26'24" W
C4	80.00'	88°25'24"	120.87'	109.55'	N 43°20'34" W
C5	2050.00'	03°32'51"	126.93'	126.91'	S 88°21'47" E

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 03°25'50" W	199.95'
L2	N 86°35'21" W	12.52'
L3	N 28°32'51" W	6.70'
L4	S 03°25'50" W	53.49'
L5	S 03°25'50" W	100.00'
L6	N 86°34'10" W	72.00'
L7	N 03°25'50" E	65.00'
L8	N 86°33'36" W	39.68'
L9	S 03°26'24" W	8.00'
L10	S 86°35'21" E	12.49'
L11	S 89°51'48" W	40.00'
L12	S 00°08'12" E	186.04'
L13	N 59°04'35" E	185.65'
L14	S 76°11'27" E	125.61'
L15	S 41°41'10" E	153.30'
L16	N 00°08'12" W	236.02'
L17	S 89°51'48" W	80.00'



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COMMUNITY DEVELOPMENT

- NOTES:**
1. SEE ACCOMPANYING SHEETS FOR COMPLETE METES AND BOUNDS DESCRIPTION.
 2. STATE PLANE COORDINATES (FLORIDA ZONE WEST) SHOWN HEREON ARE BASED ON NAD83 AND ARE FOR GIS PURPOSES ONLY.
 3. BEARINGS ARE BASED ON THE WESTERLY RIGHT-OF-WAY OF U.S. 41 AS S.0125°50' W.

- LEGEND:**
- P.O.C. INDICATES POINT OF COMMENCEMENT
 - P.O.B. INDICATES POINT OF BEGINNING
 - O.R. INDICATES OFFICIAL RECORDS BOOK OF LEE COUNTY
 - PG. INDICATES PAGE NUMBER
 - P.B. INDICATES PLAT BOOK
 - C1 INDICATES CURVE 1 OF THE CURVE TABLE
 - L1 INDICATES LINE 1 OF THE LINE TABLE
 - NE#1 INDICATES COORDINATE #1 OF THE COORDINATE TABLE

THIS IS NOT A SURVEY

sketch *Richard M. Ritz*
 RICHARD M. RITZ
 REGISTERED LAND SURVEYOR
 FLORIDA CERTIFICATION NO. 4000

THIS SKETCH IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA PROFESSIONAL SURVEYOR AND MAPPER.
 -PREPARED NOVEMBER 2, 2008-

PREPARED BY:
Wanks Engineering
 ENGINEERING, SURVEYING & LAND PLANNING
 2015 NORTHBROOK PLAZA DRIVE - SUITE 200
 NAPLES, FLORIDA 34119
 (889) 887-8061
 FLORIDA SURVEYING BUSINESS CERTIFICATION NO. 8690

S:\Jobs\2008\2008SURVEY\Descriptions\Zoning\2028_ZONING_REV_SK.dwg, 1/12/2008 4:24:53 PM, David Behrschmidt

DCI 2010-00015

Banks Engineering

Professional Engineers, Planners & Land Surveyors
 2515 Northbrooke Plaza Drive-Suite 200
 Naples, Florida 34119
 (239) 597-2061
 Fax (239) 597-3082

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 APR 27 2011

DESCRIPTION
 OF A
 PARCEL OF LAND
 LYING IN

COMMUNITY DEVELOPMENT

SECTION 34, TOWNSHIP 43 SOUTH, RANGE 24 EAST
 LEE COUNTY, FLORIDA
 (RPD ZONING DESCRIPTION)

A TRACT OR PARCEL OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTION 34, TOWNSHIP 43 SOUTH, RANGE 24 EAST AND BEING FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

NORTH RPD PARCEL:

COMMENCING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF U.S. 41 (STATE ROAD 45) (200 FEET WIDE) AND THE SOUTHERLY RIGHT-OF-WAY LINE OF LITTLETON ROAD (50 FEET WIDE) THENCE 94.14 FEET ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 5829.58 FEET AND SUBTENDED BY A CHORD HAVING A LENGTH OF 94.14 FEET AND BEARING S.03°47'10"W. TO A POINT OF TANGENCY; THENCE S.03°25'50"W. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 2338.37 FEET; THENCE N.89°54'50"W. FOR 500.85 FEET; THENCE N.03°25'50"E. FOR 53.49 FEET TO THE **POINT OF BEGINNING**; THENCE S.89°51'48"W. FOR 1145.24 FEET; THENCE S.00°08'12"E. FOR 250.00 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF DIPLOMAT PARKWAY (100 FEET WIDE) AS DESCRIBED IN OFFICIAL RECORDS BOOK 2833 AT PAGE 4156 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE S.89°51'48"W. ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR 80.00 FEET; THENCE N.00°08'12"W. FOR 250.00 FEET; THENCE S.89°51'48"W. FOR 257.48 FEET; THENCE N.00°20'36"W. FOR 703.76 FEET; THENCE N.85°23'00"E. FOR 335.22 FEET; THENCE N.02°25'15"W. FOR 346.19 FEET; THENCE S.89°54'50"E. FOR 1231.65 FEET; THENCE S.03°25'50"W. FOR 1073.15 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 35.18 ACRES, MORE OR LESS.

AND;

SOUTH RPD PARCEL:

COMMENCING AT THE INTERSECTION OF THE WESTERLY RIGHT-OF-WAY OF U.S. 41 (STATE ROAD 45) (200 FEET WIDE) AND THE SOUTHERLY RIGHT-OF-WAY OF LITTLETON ROAD (50 FEET WIDE) THENCE 94.14 FEET ALONG THE WESTERLY RIGHT-OF-WAY AND ALONG THE ARC OF A CURVE CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 5829.58 FEET AND SUBTENDED BY A CHORD HAVING A LENGTH OF 94.14 FEET AND BEARING S.03°47'10"W. TO A POINT OF TANGENCY; THENCE S.03°25'50"W. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 2338.37 FEET TO THE SOUTHEASTERLY CORNER OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 1972 AT PAGE 335 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE CONTINUE S.03°25'50"W. ALONG SAID WESTERLY RIGHT-OF-WAY LINE FOR 728.95 FEET TO THE NORTHEAST CORNER OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2113 AT PAGE 1590 OF SAID PUBLIC RECORDS, ALSO BEING THE NORTHEAST CORNER OF MERCHANTS CROSSING, A SUBDIVISION RECORDED IN PLAT BOOK 52 AT PAGES 37 THROUGH 47 OF SAID PUBLIC RECORDS; THENCE N.86°34'10"W. ALONG THE NORTH LINE OF SAID PARCEL AND SAID SUBDIVISION FOR 616.50 FEET TO THE **POINT OF**

SHEET 1 OF 3

S:\Jobs\20xx\2028\SURVEY\Descriptions\Zoning\2028_ZONING_RPD_REV_DESC.doc

Fort Myers Office
 10511 Six Mile Cypress Pkwy, Suite #101
 Fort Myers, Florida 33966
 (239) 939-5490
 Fax (239) 939-2523

Sarasota Office
 1144 Tallevast Road Suite #115
 Sarasota, Florida 34243
 (941) 360-1618
 Fax (941) 360-6918

Port Charlotte Office
 12653 SW CR 769 Suite B
 Lake Suzy, Florida 34269
 (941) 625-1165
 Fax (941) 625-1149

EXHIBIT "A"
 (Page 4 of 6)

RECEIVED
APR 27 2011

BEGINNING; THENCE CONTINUE N.86°34'10"W. ALONG SAID NORTHERLY LINE FOR 33.50 FEET TO THE NORTHWEST CORNER OF SAID PARCEL; THENCE S.48°25'48"W. ALONG THE WESTERLY LINE OF SAID PARCEL AND SAID SUBDIVISION FOR 212.13 FEET; THENCE S.03°25'50"W. ALONG THE WESTERLY LINE OF SAID PARCEL AND SAID SUBDIVISION FOR 100.00 FEET TO THE SOUTHWESTERLY CORNER OF SAID PARCEL AND TO THE SOUTH LINE OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2389 AT PAGE 1936 OF SAID PUBLIC RECORDS; THENCE N.86°34'10"W. ALONG THE SOUTH LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2389 AT PAGE 1936 AND THE NORTHERLY LINE OF SAID SUBDIVISION FOR 747.11 FEET TO AN INTERSECTION WITH THE NORTHEASTERLY LINE OF A DRAINAGE EASEMENT (50 FEET WIDE) DESCRIBED IN DEED BOOK 237 AT PAGES 564 AND 565 OF SAID PUBLIC RECORDS; THENCE N.28°32'51"W. ALONG THE NORTHEASTERLY LINE OF SAID DRAINAGE EASEMENT FOR 666.39 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF DIPLOMAT PARKWAY (100 FEET WIDE) AS DESCRIBED IN OFFICIAL RECORDS BOOK 2833 AT PAGE 4156 OF SAID PUBLIC RECORDS; THENCE N.89°51'48"E. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE FOR 765.84 FEET; THENCE S.00°08'12"E. FOR 186.04 FEET; THENCE N.59°04'35"E. FOR 185.65 FEET; THENCE S.76°11'27"E. FOR 125.61 FEET; THENCE S.41°41'10"E. FOR 153.30 FEET TO AN INTERSECTION WITH THE WESTERLY LINE OF A PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2833 AT PAGE 4156 OF SAID PUBLIC RECORDS; THENCE S.00°08'12"E. ALONG THE WESTERLY LINE OF SAID PARCEL DESCRIBED IN OFFICIAL RECORDS BOOK 2833 AT PAGE 4156 FOR 38.64 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 120.00 FEET; THENCE SOUTHEASTERLY ALONG SAID WESTERLY LINE AND SAID CURVE THROUGH A CENTRAL ANGLE OF 86°25'24" FOR 181.00 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 12.47 ACRES, MORE OR LESS.

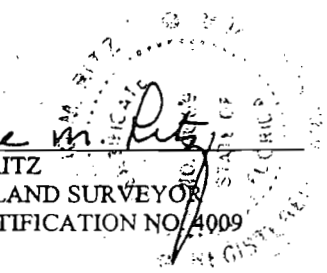
DCI 2010-00015

NET ACREAGE IS 47.65 ACRES, MORE OR LESS.

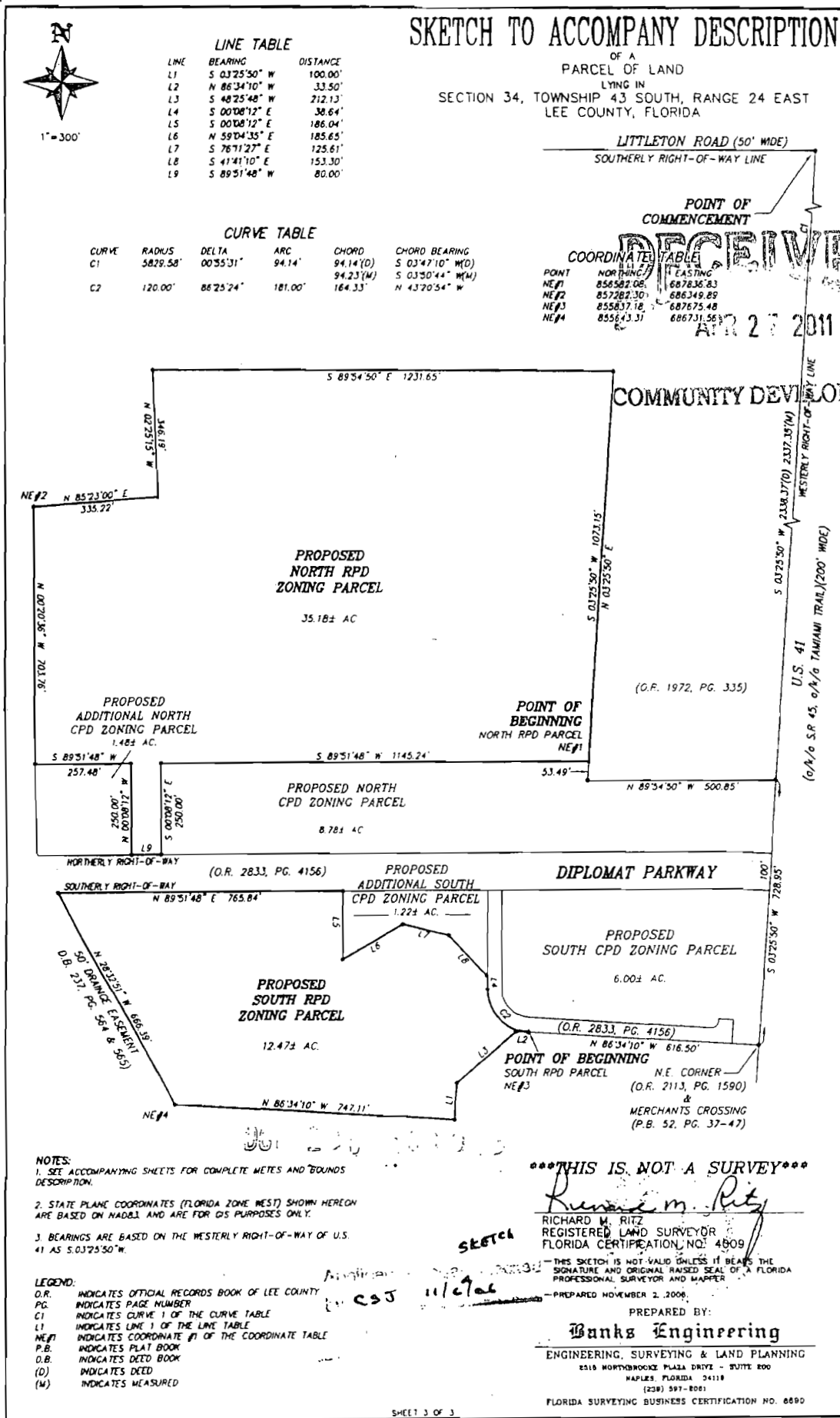
BEARINGS ARE BASED ON THE WESTERLY RIGHT-OF-WAY OF U.S. 41 (STATE ROAD 45) AS BEARING S.03°25'50"W.

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

DESCRIPTION PREPARED NOVEMBER 2, 2006.


Richard M. Ritz
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

Applicant's Legal Checked
by CSS 11/6/06

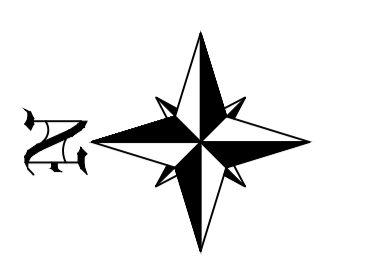


RECEIVED
APR 27 2011

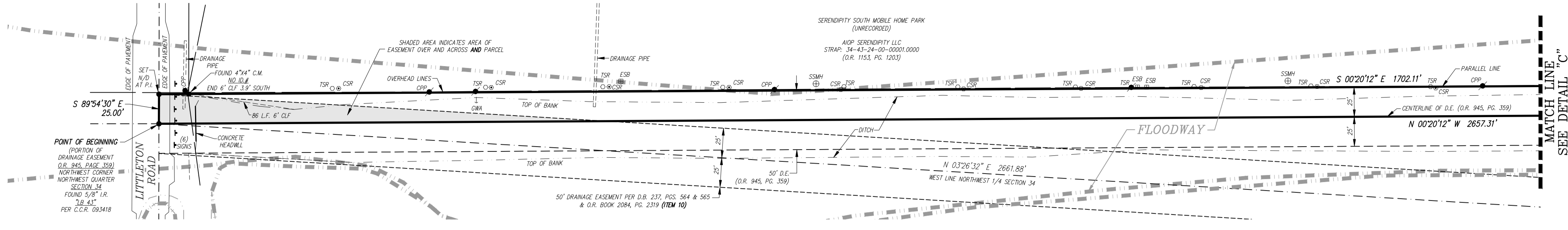
S:\Users\2020281\SURVEY\Descriptions\Zoning\2028_ZONING_RPD_REV_SK.dwg, 11/22/2006 4:25:50 PM, David Blehnschmidt

SURVEY PLAT

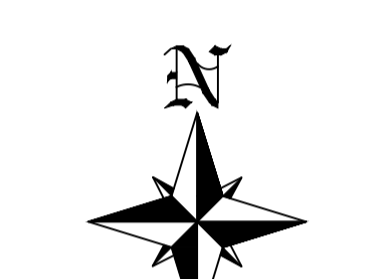
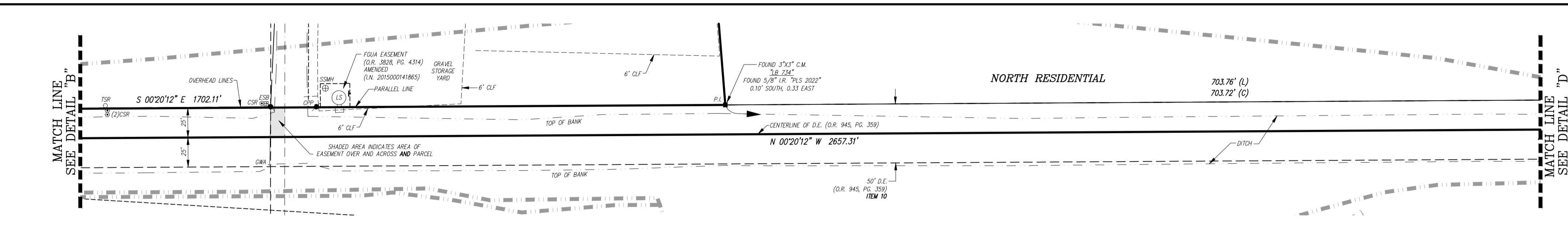
OF
A PARCEL OF LAND LYING IN
SECTION 34, TOWNSHIP 43 SOUTH, RANGE 24 EAST,
LEE COUNTY, FLORIDA



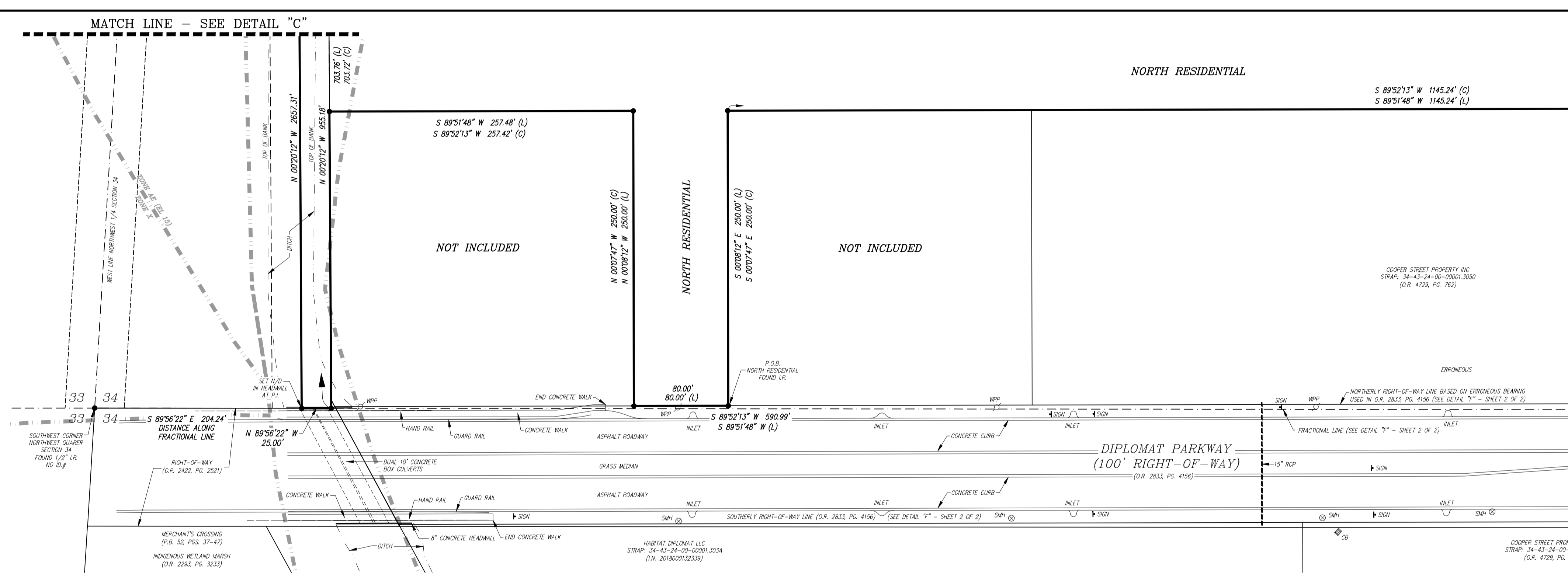
1" = 60'
30' 0 30' 60'
DETAIL "B"



1" = 60'
30' 0 30' 60'
DETAIL "C"



1" = 60'
30' 0 30' 60'
DETAIL "D"



LINE TABLE

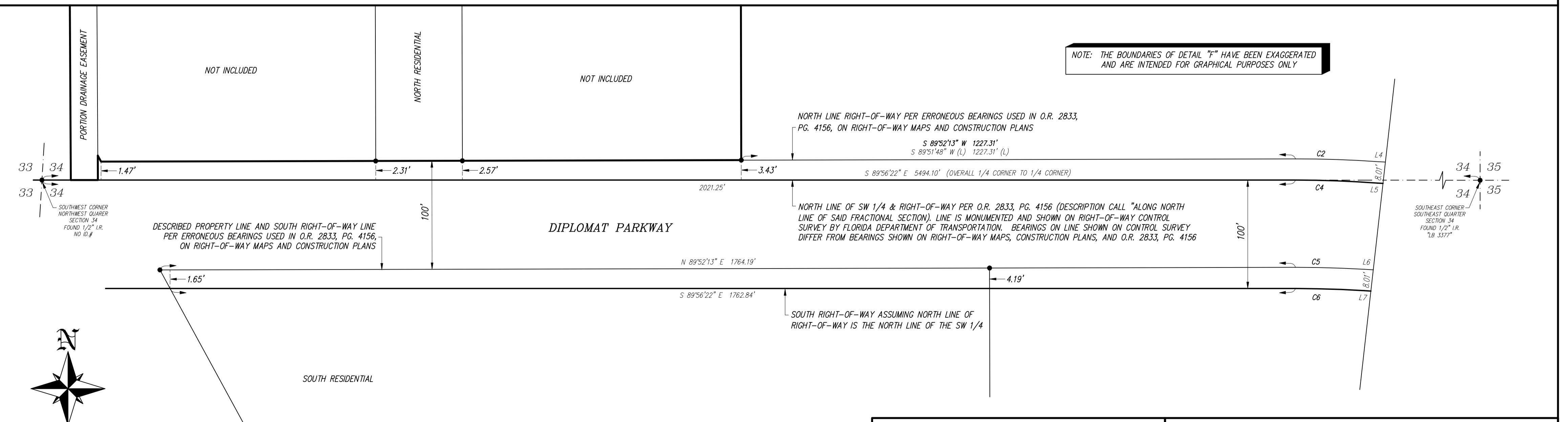
LINE	BEARING	DISTANCE
L1 (L)	N 86°34'10" W	33.50'
L2 (L)	N 86°33'45" W	33.50'
L3 (L)	S 00°08'12" E	38.64'
L4 (L)	N 86°34'56" W	12.52'
L5 (L)	N 86°23'31" E	12.54'
L6 (L)	N 86°34'56" W	12.52'
L7 (L)	N 86°23'31" E	12.37'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	BEARING
C1 (L)	5829.58'	0°55'31"	94.14'	94.14'	S 03°47'10" W
C2 (L)	2150.00'	0°32'51"	133.12'	133.10'	N 86°38'14" E
C3 (L)	120.00'	86°25'24"	181.00'	164.33'	N 43°21'03" W
C4 (L)	2150.00'	0°32'51"	133.12'	133.10'	S 88°09'57" E
C5 (L)	2050.00'	0°32'51"	126.93'	126.91'	S 88°09'57" E
C6 (L)	2050.00'	0°32'51"	126.93'	126.91'	S 88°09'57" E

- LEGEND:**
- PG. INDICATES PAGE
 - PGS. INDICATES PAGES
 - P.B. INDICATES PLAT BOOK
 - D.B. INDICATES DEED BOOK
 - LP. INDICATES LIGHT POLE
 - S.R. INDICATES STATE ROAD
 - L.F. INDICATES LINEAR FEET
 - CB. INDICATES CATCH BASIN
 - ENG. INDICATES ENGINEERING
 - LS. INDICATES LIFT STATION
 - OH. INDICATES OVERHEAD LINES
 - CLF. INDICATES CHAIN LINK FENCE
 - GWA. INDICATES GUY WIRE ANCHOR
 - LB. INDICATES LICENSED BUSINESS
 - P.O.B. INDICATES POINT OF BEGINNING
 - IN. INDICATES INSTRUMENT NUMBER
 - P.C. INDICATES POINT OF CURVATURE
 - INDICATES CABLE SERVICE RISER
 - CM. INDICATES CONCRETE MONUMENT
 - WPP. INDICATES WOODEN POWER POLE
 - ID.# INDICATES IDENTIFICATION NUMBER
 - OPP. INDICATES CONCRETE POWER POLE
 - SMH. INDICATES STORM WATER MANHOLE
 - L1 INDICATES LINE 1 FROM LINE TABLE
 - P.I. INDICATES POINT OF INTERSECTION
 - O.R. INDICATES OFFICIAL RECORDS BOOK
 - ESB. INDICATES ELECTRICAL SERVICE BOX
 - SSMH. INDICATES SANITARY SEWER MANHOLE
 - TSP. INDICATES TELEPHONE SERVICE RISER
 - C/D. INDICATES SANITARY SEWER CLEANOUT
 - RCP. INDICATES REINFORCED CONCRETE PIPE
 - R.L.S. INDICATES REGISTERED LAND SURVEYOR
 - C1 INDICATES CURVE 1 FROM CURVE TABLE
 - L.C.E.C. INDICATES LEE COUNTY ELECTRIC COMPANY
 - PLS. INDICATES PROFESSIONAL LAND SURVEYOR
 - I.R. INDICATES 5/8" IRON ROD, LB 6690 "BANKS ENG" UNLESS OTHERWISE NOTED
 - (C) INDICATES BEARING AND/OR DISTANCE PER CALCULATION UNLESS OTHERWISE NOTED
 - CORS INDICATES CONTINUOUSLY OPERATING REFERENCE STATION
 - (ITEM 7) INDICATES ITEM 7 FROM TITLE COMMITMENT (SEE SURVEYOR'S NOTES)
 - (L) INDICATES BEARING AND/OR DISTANCE PER LEGAL DESCRIPTION IN TITLE COMMITMENT
 - N/D INDICATES PARKER KALON NAIL AND DISC, LB 6690 "BANKS ENG" UNLESS OTHERWISE NOTED

NOTE: THE BOUNDARIES OF DETAIL "F" HAVE BEEN EXAGGERATED AND ARE INTENDED FOR GRAPHICAL PURPOSES ONLY



NOT TO SCALE
DETAIL "F"

NOTE: SEE SHEET 1 OF 3 FOR SURVEYOR'S NOTES
NOTE: SEE SHEET 3 OF 3 FOR OVERALL BOUNDARY DETAIL

BANKS ENGINEERING
Professional Engineers, Planners, & Land Surveyors
Serving the State of Florida

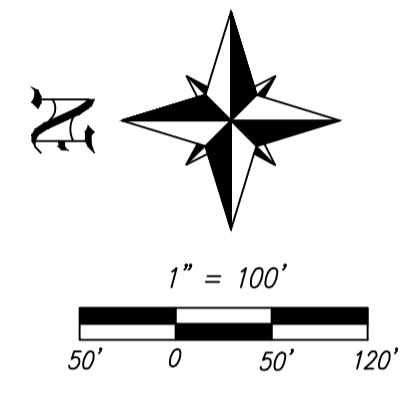
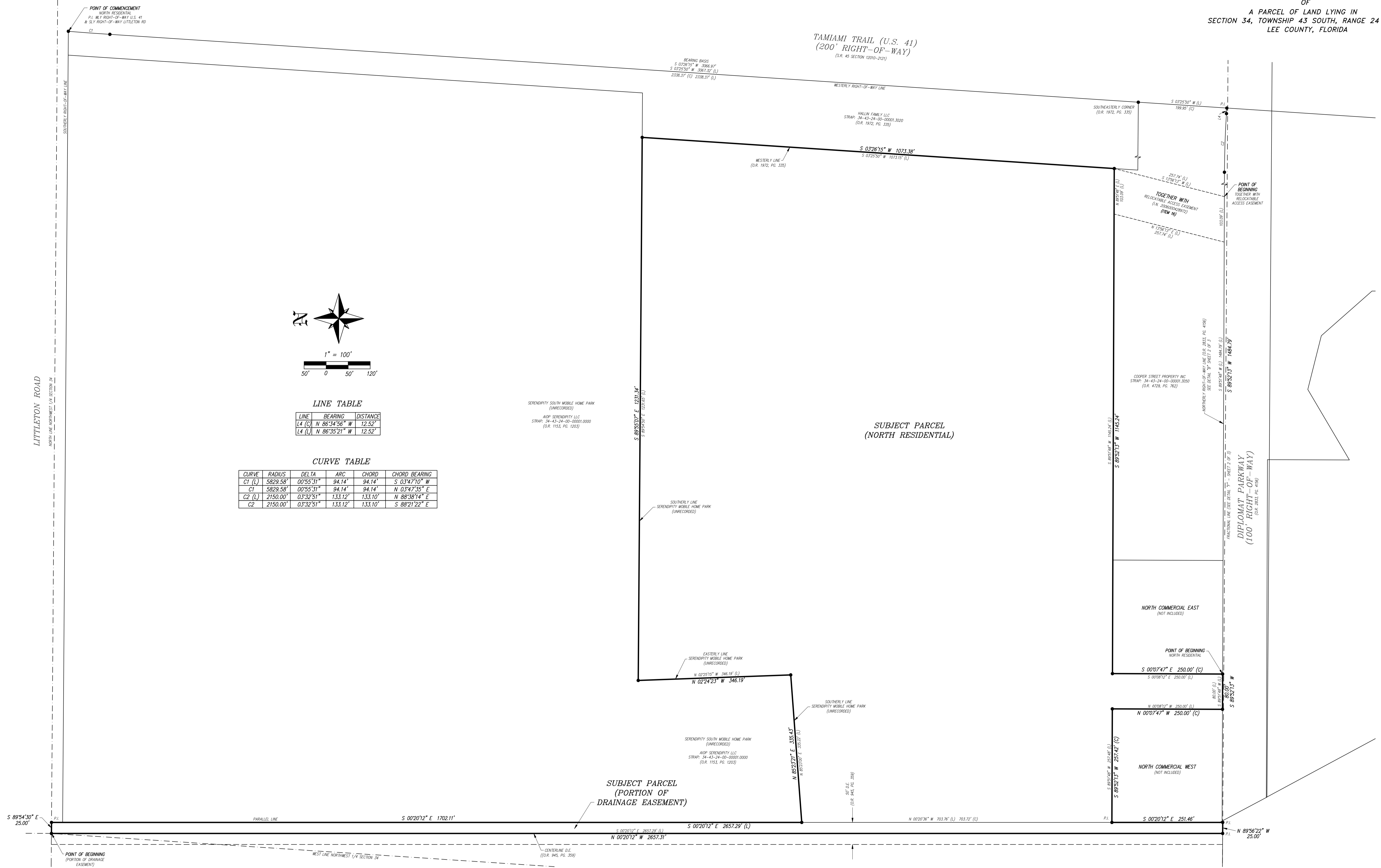
10511 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33966
PHONE: (239) 939-5490
FAX: (239) 939-2523
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690
WWW.BANKSENG.COM

BOUNDARY SURVEY
PORTION OF SEC. 34, TWP. 43S, RNG. 24E
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
1-22-2015	2028A	2028A_SR	AMW/DMV	RMR	1"=60'	2	3	34-43-24

SURVEY PLAT

OF
A PARCEL OF LAND LYING IN
SECTION 34, TOWNSHIP 43 SOUTH, RANGE 24 EAST,
LEE COUNTY, FLORIDA



LINE TABLE

LINE	BEARING	DISTANCE
L4 (C)	N 86°34'56" W	12.52'
L4 (L)	N 86°35'21" W	12.52'

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
C1 (L)	5829.58'	00°55'31"	94.14'	94.14'	S 03°47'10" W
C1	5829.58'	00°55'31"	94.14'	94.14'	N 03°47'35" E
C2 (L)	2150.00'	03°32'51"	133.12'	133.10'	N 88°38'14" E
C2	2150.00'	03°32'51"	133.12'	133.10'	S 88°21'22" E

NOTE: SEE SHEET 1 OF 3 FOR SURVEYOR'S NOTES
NOTE: SEE SHEET 2 OF 3 FOR DETAILS & LEGEND

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	ALTA/NSPS - LAND TITLE SURVEY PORTION OF SEC. 34, TWP. 43S, RNG. 24E LEE COUNTY, FLORIDA	
	DATE: 1-22-2015 PROJECT: 2026A DRAWING: 2026A_SR DRAWN: AMY/DW CHECKED: RMR SCALE: 1"=120' SHEET: 3 OF: 3 FILE NO. (S-T-R): 34-43-24	

DIPLOMAT PARCEL (SOUTH)

SITE CONSTRUCTION PLANS

PREPARED FOR
ATHYRIO DEVELOPMENT ASSOCIATES, INC.

P.O. BOX 1662

FORT MYERS, FLORIDA 33902

PH (561)289-8552

VEGETATION PERMIT REQUIRED
PRIOR TO ANY SITE WORK
Protective barricades must be constructed
and inspected prior to permit issuance.
Please contact Division of Environmental
Sciences (239) 533-8389

UTILITY PERMIT REQUIRED
Plan is not approved for location
or placement of utilities. All work
in county right-of-way and
easements must be permitted
prior to commencing work.

REMOVAL OF EXCAVATED FILL
MATERIAL FROM THE SITE IS
NOT AUTHORIZED.

LEE COUNTY
DOT RIGHT-OF-WAY
PERMIT REQUIRED

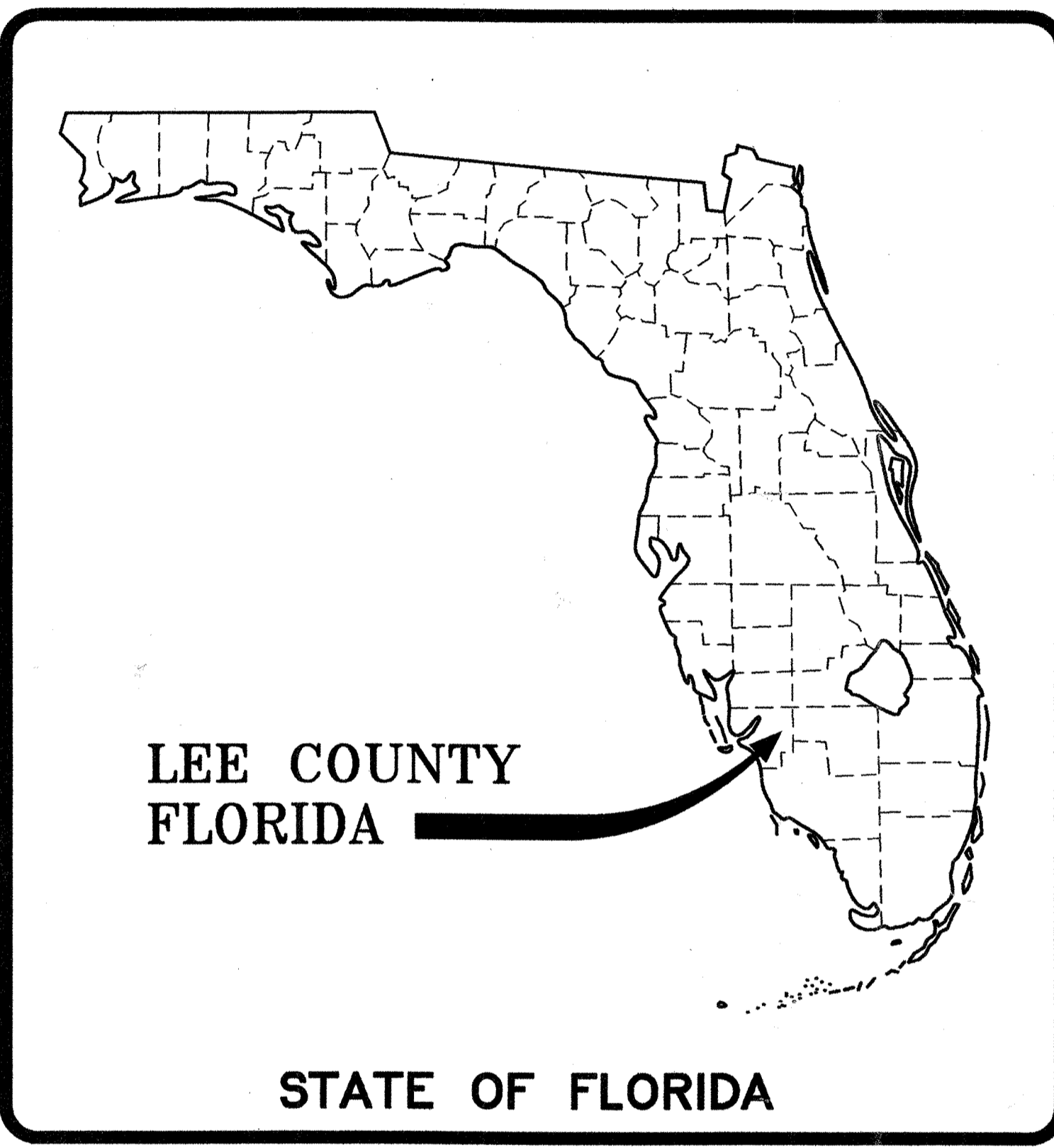
Development Order Approval does not
vest nor guarantee that changes will not
be required, if subsequent changes are
made to the Uniform Lee County Fire Code.

PLEASE NOTE:
Final Development Order does not
confer approval for signage

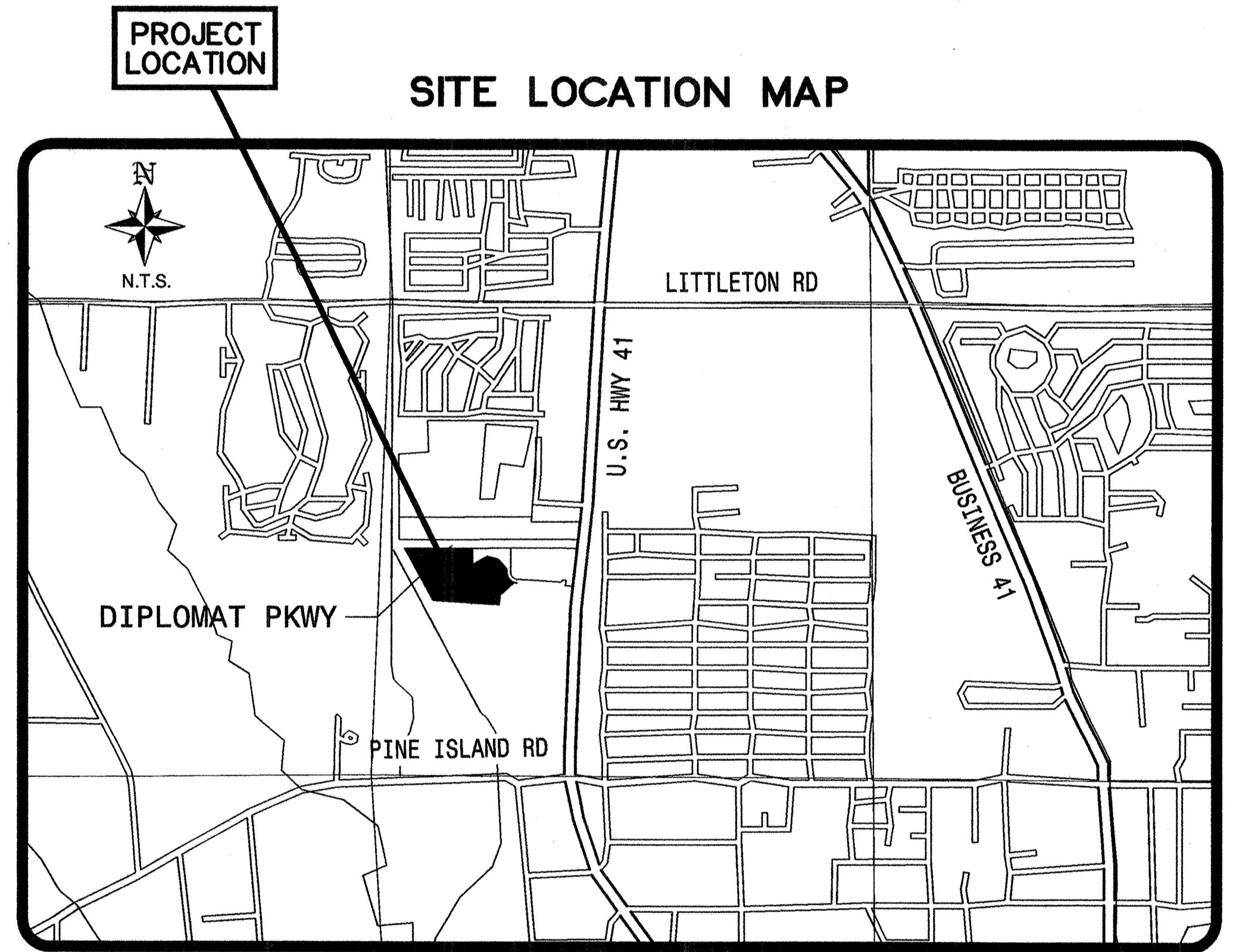
PARCEL STRAP #: 34-43-24-00-00001.3030
S.F.W.M.D. PERMIT NO.: 36-06259-P
D.O. NUMBER: PENDING

Development Order
Number DOS 2007-00267
Approved on 6/3/08
Stip Yes, please see letter.

Ruth Keith
Reviewer Signature
Division of Development Services Section

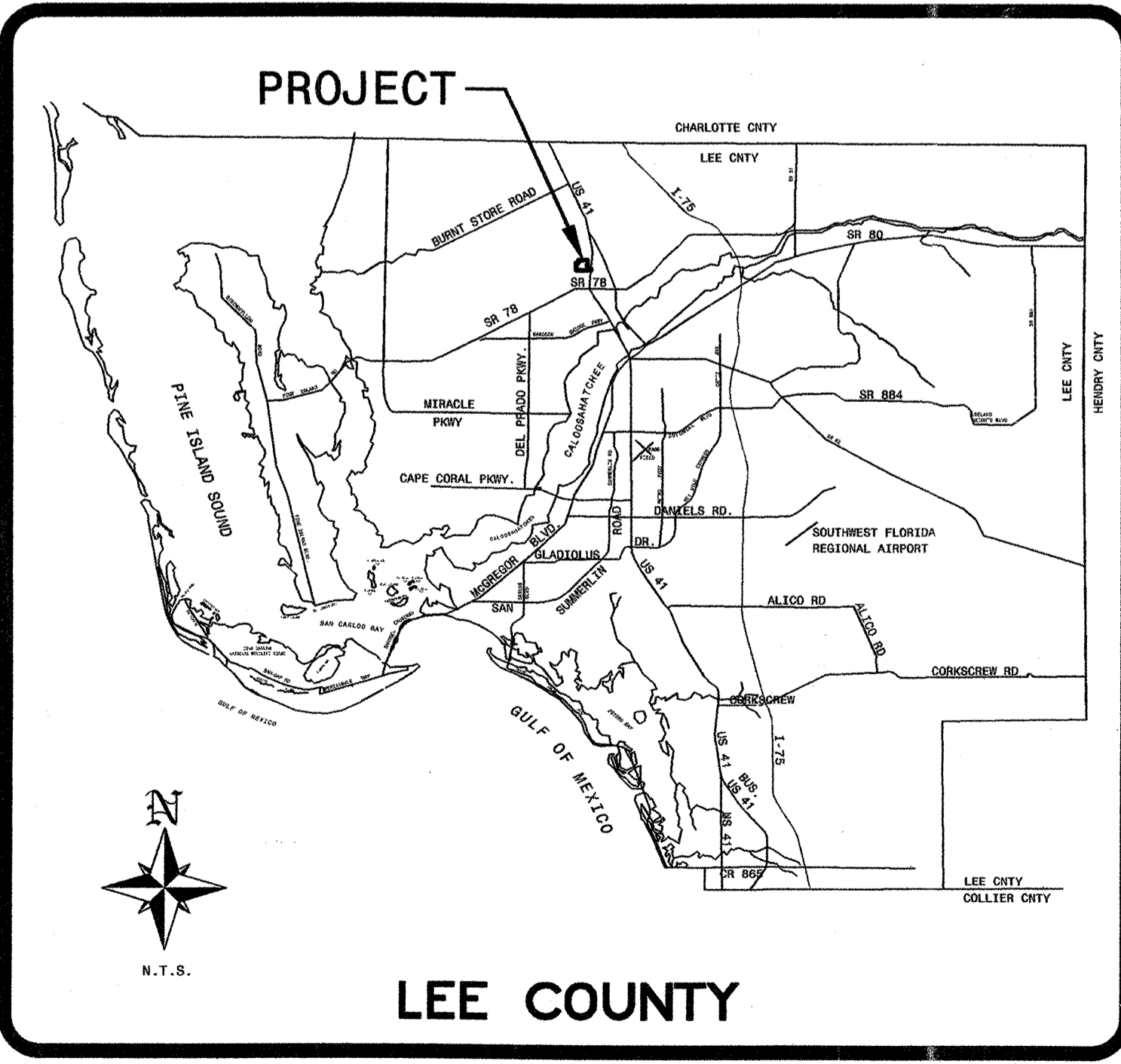


VICINITY MAP



SECTION 34, TOWNSHIP 43 SOUTH, RANGE 24 EAST
LEE COUNTY, FLORIDA

SHEET	TITLE
1	AERIAL PHOTOGRAPH
2	EXISTING CONDITIONS AND DEMOLITION PLAN
2A	FLUCCS/SOILS MAP
3	SITE DEVELOPMENT PLAN
4	PAVING, GRADING, AND DRAINAGE PLAN
5	UTILITIES PLAN
6-7	PLAN AND PROFILES
8	TYPICAL CROSS-SECTIONS
9	PAVING, GRADING, AND DRAINAGE DETAILS
10	POTABLE WATER SYSTEM DETAILS
11	SANITARY SEWER SYSTEM DETAILS
12	STORM WATER POLLUTION PREVENTION PLAN
13	TURN LANE IMPROVEMENT PLAN



LEE COUNTY

UTILITIES AND SERVICES DIRECTORY

WATER:
LEE COUNTY UTILITIES
1500 MONROE STREET
FORT MYERS, FLORIDA 33901
(239) 479-8154

FIRE PROTECTION:
NORTH FORT MYERS FIRE AND RESCUE
42 WILLIS ROAD
FORT MYERS, FLORIDA 33917
(239) 731-1931

TELEPHONE:
EMBARQ
P.O. BOX 370
FORT MYERS, FLORIDA 33902
(239) 335-3111

SEWER:
NORTH FORT MYERS UTILITIES
4000 DEL PRADO BLVD. N.
N. FORT MYERS, FLORIDA 33917
(239) 543-1005

POWER:
LEE COUNTY ELECTRICAL COOPERATIVE
4980 BAYLINE DRIVE
N. FORT MYERS, FLORIDA 33917
(239) 995-2121

CABLE:
COMCAST CABLE
2931 MICHIGAN AVENUE
FORT MYERS, FLORIDA 33916
(239) 334-8828

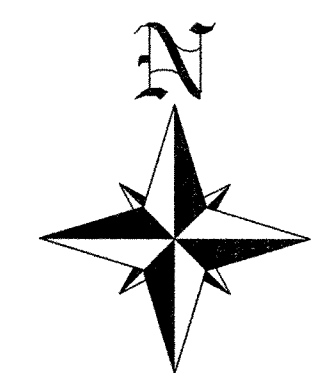
Banks Engineering
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA
2515 NORTHBROOKE PLAZA DRIVE, SUITE 200
NAPLES, FLORIDA 34119
PHONE: (239) 597-2061 FAX: (239) 597-3082
ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690

David R. Underhill
MAY 03 2008
DAVID R. UNDERHILL, P.E.
FLORIDA REG. NO. 47029

LDC
JUN 03 2008
APPROVED

NO.	DATE	REVISION DESCRIPTION	BY
2	04-21-2008	REVISIONS PER COUNTY REVIEW DATED:04-04-08	CMJ
1	JAN 2006	REVISIONS PER COUNTY REVIEW	MLK

RECEIVED
MAY 14 2008
R02
DOS2007-00267



- RESIDENTIAL INDIGENOUS (SEE CORRESPONDING NOTES)
- COMMERCIAL INDIGENOUS (SEE CORRESPONDING NOTES)

INDIGENOUS NOTES:

- A1 = *150% CREDIT FOR MINIMUM 3 ACRES AND 100' WIDTH PER LDC SECTION 10-415(b)(2)a. 110% CREDIT FOR CONNECTION TO OFFSITE ENVIRONMENTAL CONSERVATION OR PRESERVE AREAS PER LDC SECTION 10-415(b)(2)b.**
- A3 = **135% CREDIT FOR MINIMUM 1 ACRE AND 75' WIDTH PER LDC SECTION 10-415(b)(2)a. AND ADDITIONAL 10% CREDIT FOR PRESERVATION ADJACENT TO ROADWAY PER LDC SECTION 10-415(b)(2)b. AND FOR CONNECTION TO OFFSITE ENVIRONMENTAL CONSERVATION OR PRESERVE AREAS PER LDC SECTION 10-415(b)(2)b.**

AG-2 CENTRAL URBAN VACANT

LDC
JUN 09 2008
APPROVED

PER MASTER CONCEPT PLAN

OPEN SPACE CALCULATIONS (30% FOR COMMERCIAL/40% COMMON OPEN SPACE FOR RESIDENTIAL)					
TRACT	AREA	INDIGENOUS REQUIRED	OTHER OPEN SPACE REQUIRED	INDIGENOUS PROVIDED	
COMMERCIAL 1	1.47 AC	0.22 AC	15%	0.22 AC(2)	0.22 AC(1)
COMMERCIAL 2	1.47 AC	0.22 AC	15%	0.22 AC(2)	0.22 AC(1)
COMMERCIAL 3	7.31 AC	1.10 AC	15%	1.10 AC(2)	1.10 AC(1)
COMMERCIAL 4	7.22 AC	1.08 AC	15%	1.08 AC(2)	1.08 AC(1)
RESIDENTIAL NORTH	35.19 AC	7.03 AC	20%	7.03 AC(2)	7.03 AC(1)
RESIDENTIAL SOUTH	12.47 AC	2.49 AC	20%	2.49 AC(2)	2.54 AC(1)
TOTALS	65.13 AC	12.14 AC		12.14 AC(2)	12.17 AC(1)

(1) INDIGENOUS OPEN SPACE AREA IS PROVIDED ON SOUTHERN PORTION OF DEVELOPMENT (12.33 CREDITS TOTAL PROVIDED) AND IS TO PROVIDE TOTAL REQUIRED INDIGENOUS OPEN SPACE FOR ALL TRACTS.
(2) OTHER (NON-INDIGENOUS) OPEN SPACE SHALL BE PROVIDED ON THE RESPECTIVE TRACT AND SHALL BE IDENTIFIED AT THE TIME OF DEVELOPMENT ORDER PERMITTING.

PREPARED FOR: **ATHYRIO DEVELOPMENT ASSOCIATES, INC**

P.O. BOX 1662
FORT MYERS, FLORIDA 33902
PH: (813) 289-8552

Blanks Engineering
Professional Engineers, Planners & Land Surveyors

FORT MYERS • NAPLES • SAASOFTA
2515 N.W. HAWKES, FLORIDA 34119 SUITE 200
PHONE: (239) 597-2001 FAX: (239) 597-2002
FLORIDA LICENSE # 18 6650 SURVEY LICENSE # 18 6650

NO. DATE REVISION DESCRIPTION BY

INDIGENOUS/OPEN SPACE EXHIBIT

DIPLOMAT PARCEL (SOUTH)

LEE COUNTY, FLORIDA

DRAWING DESIGN DRAWN CHECKED SCALE SHEET OF FILE NO. (S-I-R)

PROJECT 2028 DRU DRB DRU DRU 1"=100' 1 34-43-24

DATE 03-05-2008

2028 DIPLOMAT PARCEL



Professional Engineers, Planners & Land Surveyors

Diplomat House f/k/a North Diplomat RPD Amendment Summary of Public Information Session

The subject property is located within the North Fort Myers Community Planning Area and as such will hold the required publicly advertised public information meeting within the community plan area boundaries upon receipt of initial review comments. Consistent with Lee County Land Development Code Section 33-1532, a meeting summary document will be submitted containing the date, time and location of each meeting, a list of attendees, a summary of any concerns raised and the applicant's response prior to the application being found complete.

SERVING SOUTHWEST FLORIDA FOR OVER 30 YEARS

www.banksengfla.com

10511 Six Mile Cypress Parkway, Fort Myers, Florida 33966

Phone: (239) 939-5490

Engineering License CA 6469 | Surveying License LB 6690

Diplomat North Parcel

Section 34, Township 43 South, Range 24 East
Lee County, Florida

Protected Species Assessment

August 2022
Updated December 2023

Prepared for:

Diplomat Fort Myers, LLC
7200 Corporate Center Drive, Suite 316
Miami, FL 33126

Prepared by:

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

INTRODUCTION

The 35.18± acre project is located within a portion of Section 34, Township 43 South, Range 24 East, Lee County, Florida (Figure 1). The parcel is bordered to the north and west by mobile homes and to the east by undeveloped land. Diplomat Parkway E borders the property to the south.

SITE CONDITIONS

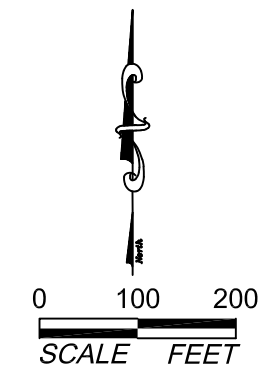
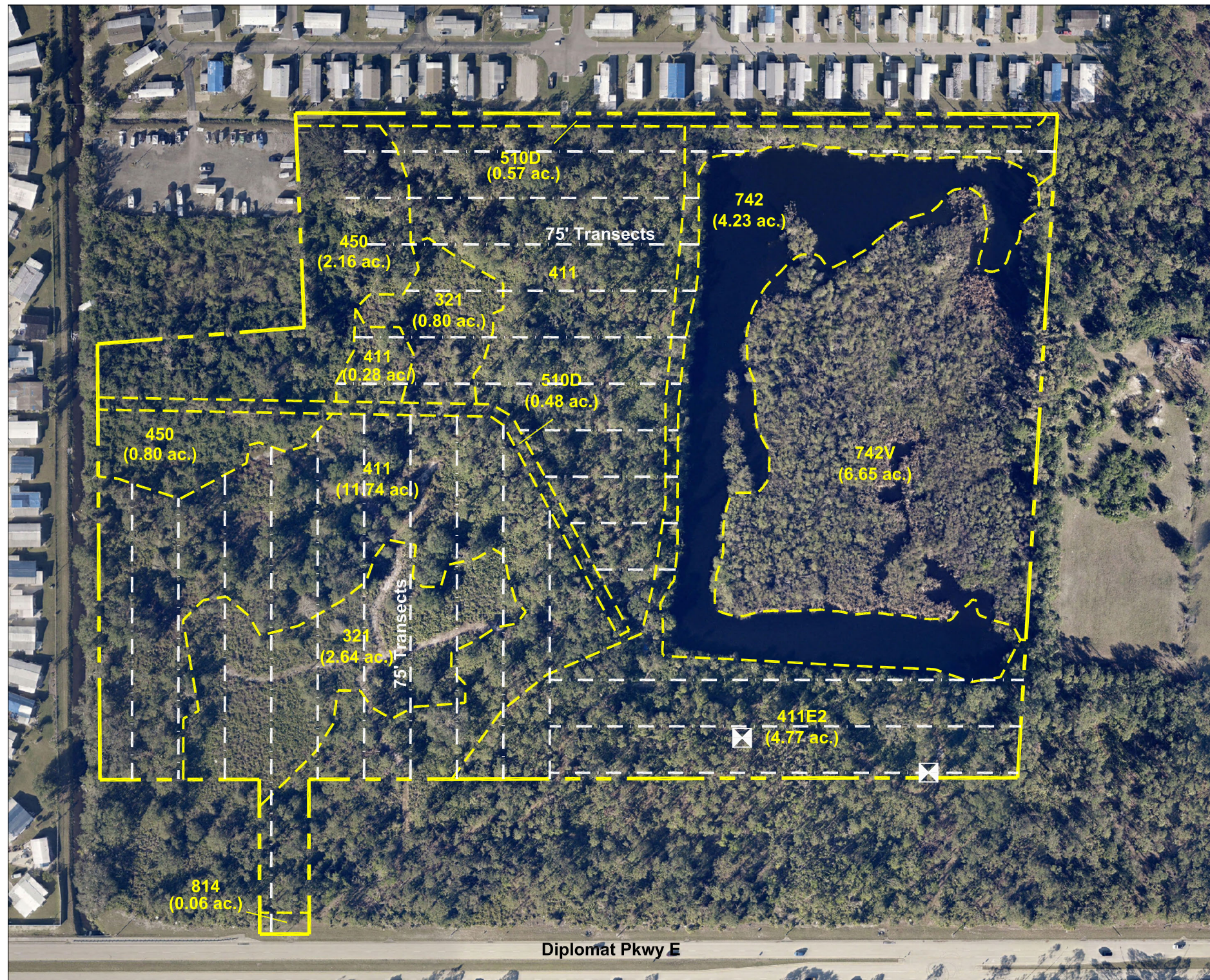
The majority of this site is densely vegetated by upland pine forests and palmetto prairies. There is a large borrow area on the eastern side of the property. Due to clearing activities in the past as seen in historic aerials, no onsite uplands meet the Lee Plan definition of rare and unique.

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 the Banks Engineering, Inc 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 approximate boundary on the aerial photography. Eight 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. In general, as the density of exotics increases the density and diversity of native plants in the canopy, midstory, and ground cover strata decreases. Habitats containing more than 75 percent cover by exotics contain only scattered native plant species.

Table 1. Acreage Summary by FLUCCS Code

FLUCCS CODE	DESCRIPTION	ACREAGE
321	Palmetto Prairies	3.44
411	Pine Flatwoods	12.02
411E2	Pine Flatwoods Invaded by Exotics (26 – 50%)	4.77
450	Mixed Exotic Upland Forest	2.96
510D	Ditches	1.05
742	Borrow Areas	4.23
742V	Borrow Areas – Vegetated	6.65
814	Roads and Highways	0.06
Total		35.18



SECTION: 34
TOWNSHIP: 43 S
RANGE: 24 E

FLUCCS	Description	Acreage
321	Palmetto Prairies	3.44 ac.
411	Pine Flatwoods	12.02 ac.
411E2	Pine Flatwoods Invaded by Exotics (26-50%)	4.77 ac.
450	Mixed Exotic Upland Forest	2.96 ac.
510D	Ditches	1.05 ac.
742	Borrow Areas	4.23 ac.
742V	Borrow Areas - Vegetated	6.65 ac.
814	Roads and Highways	0.06 ac.
		Total 35.18 ac.

☒ Tree with Cavity (2)

- Notes:
1. Property boundary was provided by Banks Engineering, Inc.
 2. Mapping based on photointerpretation of 2021 aerial photography and ground truthing in May 2022. Map includes 2023 aerial photography.
 3. Delineation of jurisdictional areas is preliminary and subject to field review/approval by applicable regulatory agencies.

PERMIT USE ONLY, NOT FOR CONSTRUCTION December 07, 2023 10:24:03 a.m. Drawing: TSDEV1PLAN.DWG

Figure 1. Protected Species Assessment Map

Diplomat North Parcel



FLUCCS Code 321, Palmetto Prairies

A dense groundcover and midstory consisting of saw palmetto (*Serenoa repens*), rusty lyonia (*Lyonia ferruginea*), tar flower (*Bejaria racemosa*), and grape vine (*Vitis* sp.) with widely scattered slash pine (*Pinus elliotii*) and laurel oak (*Quercus laurifolia*) in the canopy are present in this area.

FLUCCS Code 411, Pine Flatwoods

This large portion in the center of the site is vegetated by a slash pine canopy with scattered live oak (*Quercus virginiana*), laurel oak, and earleaf acacia (*Acacia auriculiformis*). The ground cover and midstory consist of dense saw palmetto, grape vine, rusty lyonia, cabbage palm (*Sabal palmetto*), poison ivy (*Toxicodendron radicans*), and greenbrier (*Smilax* sp.).

FLUCCS Code 411E2, Pine Flatwoods Invaded by Exotics (26 – 50%)

The flatwoods near the south end of the property consist of a dense slash pine canopy with Brazilian pepper (*Schinus terebinthifolius*), air potato (*Dioscorea bulbifera*), and rosary pea (*Abrus precatorius*). There is also a large homeless encampment in this area with dispersed trash.

FLUCCS Code 450, Mixed Exotic Upland Forest

Brazilian pepper, carrotwood (*Cupaniopsis anacardioides*), and grapevine dominate this area in addition to widely scattered cabbage palm and live oak.

FLUCCS Code 510D, Ditches

With surface water present in several areas, the ditches consist of widely scattered laurel oak, live oak, cabbage palm, and greenbrier.

FLUCCS Code 742, Borrow Areas

This area is inundated with surface water and is sparsely vegetated by willow (*Salix caroliniana*) and cattail (*Typha* sp.).

FLUCCS Code 742V, Borrow Areas – Vegetated

Willow and cattail densely vegetate the center of the borrow area.

FLUCCS Code 814, Roads and Highways

There is an unpaved, dirt driveway with access immediately off Diplomat Parkway E near the west end of the property.

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 75 feet apart. 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. The listed species survey was conducted during the morning hours of August 10, 2022. During the survey the weather was warm and humid.

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 35.18± 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
321	80	Eastern Indigo Snake (<i>Drymarchon corais couperi</i>)		√
		Gopher Tortoise (<i>Gopherus polyphemus</i>)		√
		Audubon's Crested Caracara (<i>Polyborus plancus audubonii</i>)		√
		Burrowing Owl (<i>Athene cunicularia floridana</i>)		√
		Florida Sandhill Crane (<i>Grus canadensis pratensis</i>)		√
		Southeastern American Kestrel (<i>Falco sparverius paulus</i>)		√
		Florida Black Bear (<i>Ursus americanus floridanus</i>)		√
		Beautiful Pawpaw (<i>Deeringothamnus pulchellus</i>)		√
		Curtis Milkweed (<i>Asclepias curtisii</i>)		√
		Fakahatchee Burmannia (<i>Burmannia flava</i>)		√
		Florida Coontie (<i>Zamia floridana</i>)		√
		411	80	Eastern Indigo Snake (<i>Drymarchon corais couperi</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 Panther (<i>Felis concolor coryi</i>)				√
Beautiful Pawpaw (<i>Deeringothamnus pulchellus</i>)				√
Fakahatchee Burmannia (<i>Burmannia flava</i>)				√
Florida Coontie (<i>Zamia floridana</i>)				√
Satinleaf (<i>Chrysophyllum olivaeforme</i>)		√		

FLUCCS CODE	Percent Survey Coverage	Species Name	Present	Absent
411E2	80	Eastern Indigo Snake (<i>Drymarchon corais couperi</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 Panther (<i>Felis concolor coryi</i>)		√
		Beautiful Pawpaw (<i>Deeringothamnus pulchellus</i>)		√
		Fakahatchee Burmannia (<i>Burmannia flava</i>)		√
		Florida Coontie (<i>Zamia floridana</i>)		√
		Satinleaf (<i>Chrysophyllum olivaeforme</i>)		√
510D	80	American Alligator (<i>Alligator mississippiensis</i>)		√
		Little Blue Heron (<i>Egretta caerulea</i>)		√
		Reddish Egret (<i>Egretta rufescens</i>)		√
		Roseate Spoonbill (<i>Ajaia ajaja</i>)		√
		Tricolored Heron (<i>Egretta tricolor</i>)		√
		Everglades Mink (<i>Mustela vison evergladensis</i>)		√
742	80	None		
742V	80	None		
814	80	None		

SURVEY RESULTS

No species listed by either the FWS or the FWC were observed on the site during the protected species survey. No evidence of scat, tracks, or nesting was observed. In addition to the site inspection, a search of the FWC species database revealed no known protected species within or immediately adjacent to the project limits.

A large homeless encampment is located in FLUCCS Code 411E2 with trash and tents dispersed in various areas.

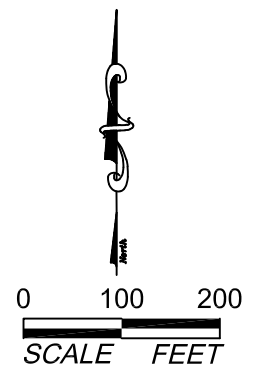
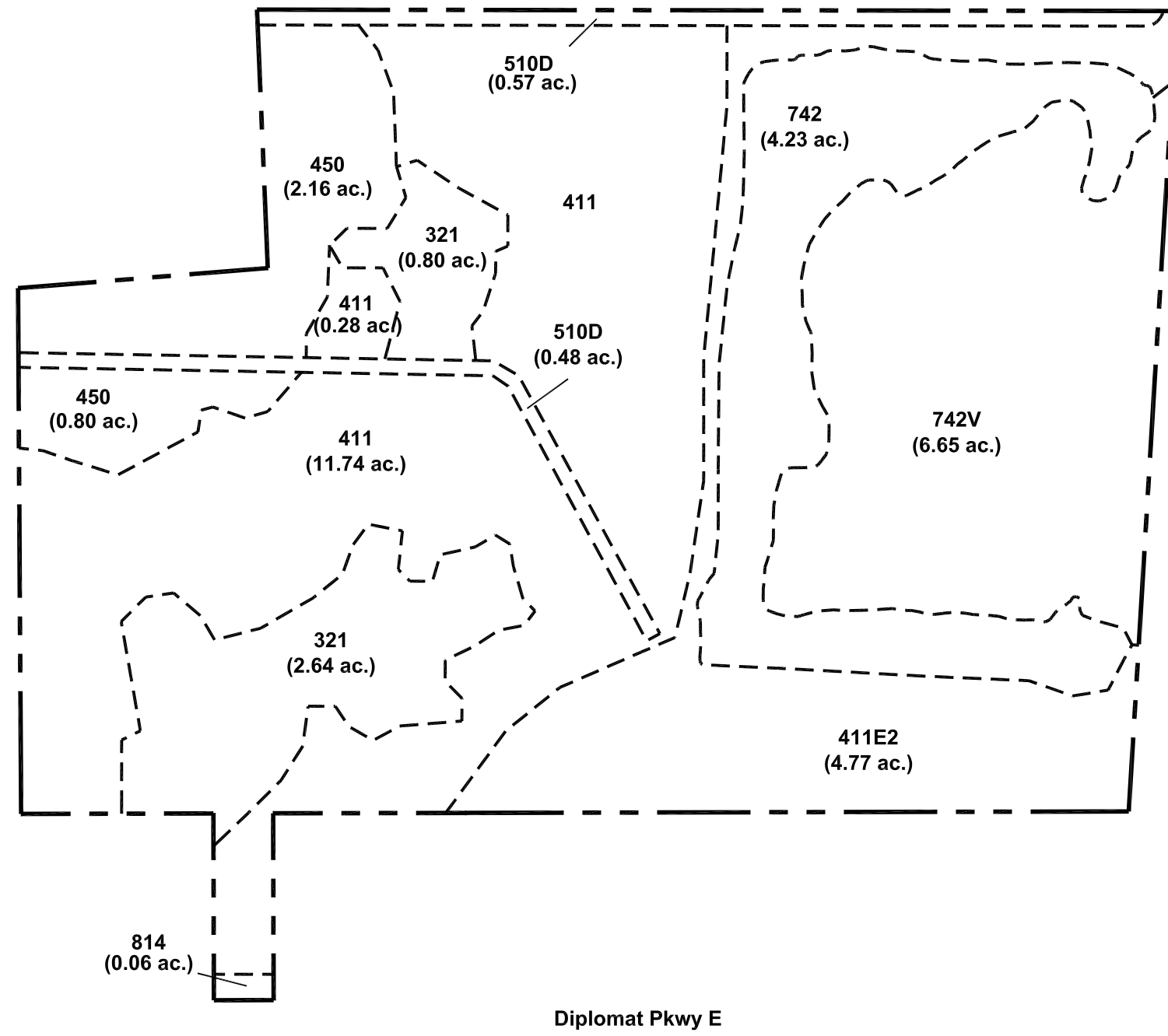
No onsite uplands meet the Lee Plan definition of rare and unique.

Florida Bonneted Bat

A total of two dead trees (slash pine) containing potential cavities entrances were identified (Figure 1). The vast majority of identified potential cavity entrances appear to be less than approximately two inches in diameter, very shallow, and do not 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 borrow area and ditches. In addition to the site inspections, a search of the FWC species database revealed no additional known protected species within or immediately adjacent to the project limits.



SECTION: 34
TOWNSHIP: 43 S
RANGE: 24 E

Map Unit	Soil Name
34	Malabar fine sand
42	Wabasso sand, limestone substratum
50	Oldsmar fine sand, limestone substratum
99	Water

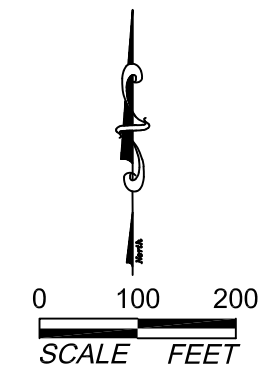
- Notes:
1. Property boundary was provided by Banks Engineering, Inc.
 2. Soils information obtained from the NRCS Web Soil Survey.

PERMIT USE ONLY, NOT FOR CONSTRUCTION

December 07, 2023 10:24:03 a.m.
Drawing: TSDEV1PLAN.DWG

Soils Map

Diplomat North Parcel



SECTION: 34
TOWNSHIP: 43 S
RANGE: 24 E

FLUCCS	Description	Acreage
321	Palmetto Prairies	3.44 ac.
411	Pine Flatwoods	12.02 ac.
411E2	Pine Flatwoods Invaded by Exotics (26-50%)	4.77 ac.
450	Mixed Exotic Upland Forest	2.96 ac.
510D	Ditches	1.05 ac.
742	Borrow Areas	4.23 ac.
742V	Borrow Areas - Vegetated	6.65 ac.
814	Roads and Highways	0.06 ac.
		Total 35.18 ac.

- Notes:
1. Property boundary was provided by Banks Engineering, Inc.
 2. Mapping based on photointerpretation of 2021 aerial photography and ground truthing in May 2022. Map includes 2023 aerial photography.
 3. Delineation of jurisdictional areas is preliminary and subject to field review/approval by applicable regulatory agencies.

PERMIT USE ONLY, NOT FOR CONSTRUCTION December 07, 2023 10:24:03 a.m. Drawing: TSDEV1PLAN.DWG

Vegetation Map

Diplomat North Parcel





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TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

TRAFFIC IMPACT STATEMENT

FOR

DIPLOMAT NORTH REZONING

(PROJECT NO. F2311.04)

PREPARED BY:

**TR Transportation Consultants, Inc.
2726 Oak Ridge Court, Suite 503
Fort Myers, Florida 33901-9356
(239) 278-3090**

December 7, 2023



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TRAFFIC ENGINEERING
TRANSPORTATION PLANNING
SIGNAL SYSTEMS/DESIGN

CONTENTS

- I. INTRODUCTION
- II. EXISTING CONDITIONS
- III. PROPOSED DEVELOPMENT
- IV. TRIP GENERATION
- V. TRIP DISTRIBUTION
- VI. LEVEL OF SERVICE ANALYSIS
- VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS
- VIII. CONCLUSION



I. INTRODUCTION

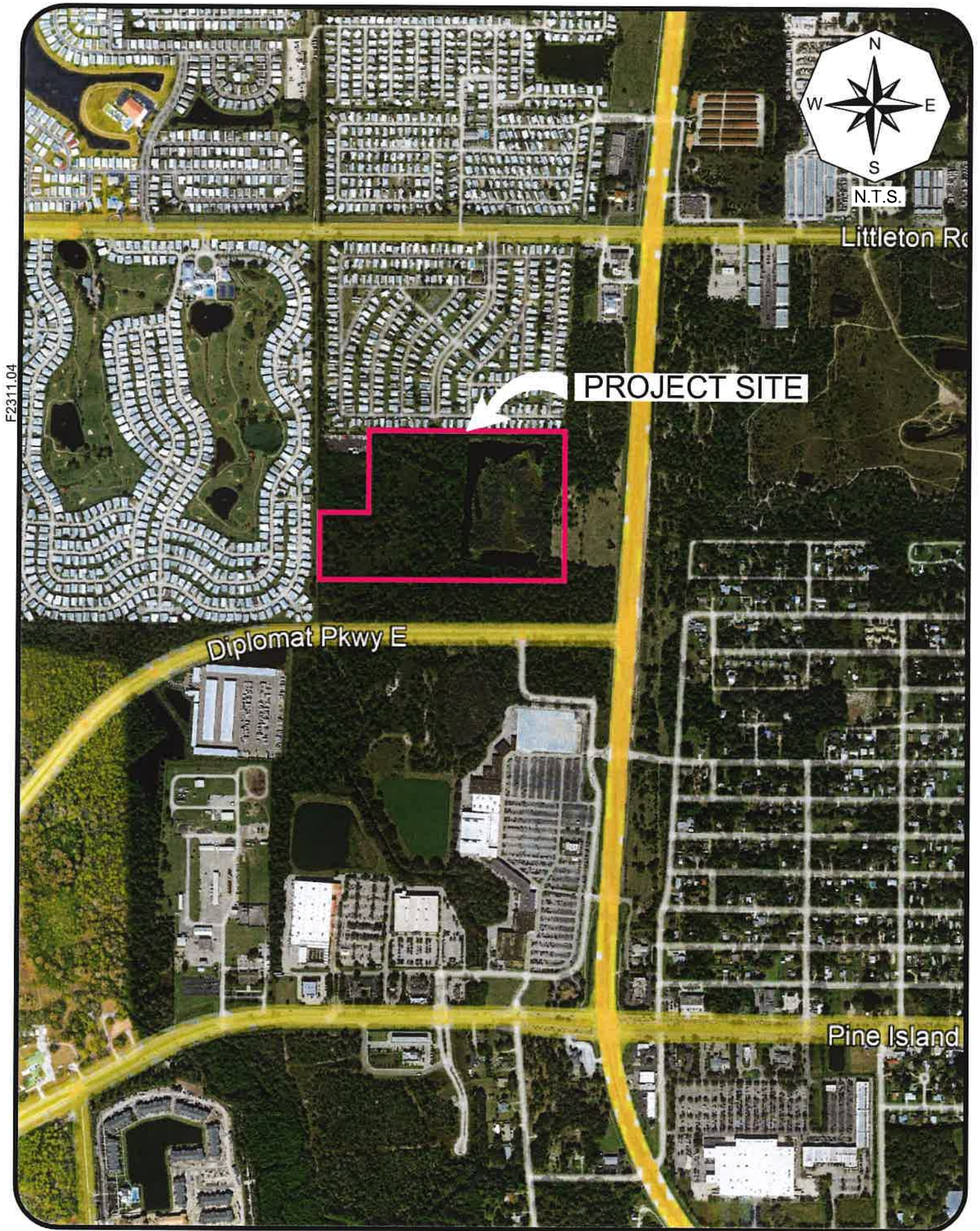
TR Transportation Consultants, Inc. has conducted a traffic impact statement to fulfill requirements set forth by the Lee County Department of Community Development for projects seeking rezoning approval. The subject site is located on the north side of Diplomat Parkway west of its intersection with U.S. 41 in the North Fort Myers area of Lee County, Florida. The approximate location of the subject site is illustrated on **Figure 1**.

The site is currently governed by zoning resolution Z-11-002, which is approved for 238 multi-family dwelling units (138 multi-family units & 400 ALF units) and 50,000 square feet of commercial uses. The zoning amendment would increase the multi-family unit count to permit 360 dwelling units within the Mixed-Use Overlay and remove the 50,000 square feet of commercial uses. Access to the subject site will continue to be provided to Diplomat Parkway via a full site access location.

This report examines the impact of the development on the surrounding roadways and intersections. Trip generation and assignments to the site access drive will be completed and analysis conducted to determine the impacts of the development on the surrounding streets and intersections.

II. EXISTING CONDITIONS

The subject site is currently vacant. To the south and east of the subject site is vacant land currently zoned for commercial uses. To the north and west of the subject site are existing residential developments.



F2311_04



Diplomat Parkway is an east/west four-lane divided arterial roadway in the vicinity of the subject site. Diplomat Parkway currently operates under two-way stop control at its intersection with U.S. 41. Diplomat Parkway has a posted speed limit of 45 mph and is under the jurisdiction of the City of Cape Coral.

III. PROPOSED DEVELOPMENT

Upon approval of the amendment, the site could be developed with up to 360 multi-family dwelling units. **Table 1** summarizes the land uses utilized for trip generation purposes for the subject development.

**Table 1
Land Uses
Diplomat North**

Land Use	Size
Multi-Family Dwelling Units	360 dwelling units

Access to the subject site will be provided to Diplomat Parkway via a full site access location.

IV. TRIP GENERATION

The trip generation for the proposed development was determined by referencing the Institute of Transportation Engineer's (ITE) report, titled *Trip Generation*, 11th Edition. Since the number of floors isn't identified in the zoning, only the building height (up to 50 feet), Land Use Code 220 (Multi-Family Housing Low Rise) was utilized for the trip generation purposes of the proposed development. The equations for this land use are contained in the Appendix of this report for reference. **Table 2** outlines the anticipated weekday A.M. and P.M. peak hour trip generation of the Diplomat North site as currently proposed. The daily trip generation is also indicated in the table.



Table 2
Trip Generation
Diplomat North

Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Multi-Family Housing (360 dwelling units)	32	102	134	110	65	175	2,383

Table 3 illustrates the trip generation of the approved uses on the project based on Z-11-002, which includes 238 multi-family dwelling units and up to 50,000 square feet of commercial uses.

Table 3
Trip Generation
Diplomat North – As Approved Under Z-11-002

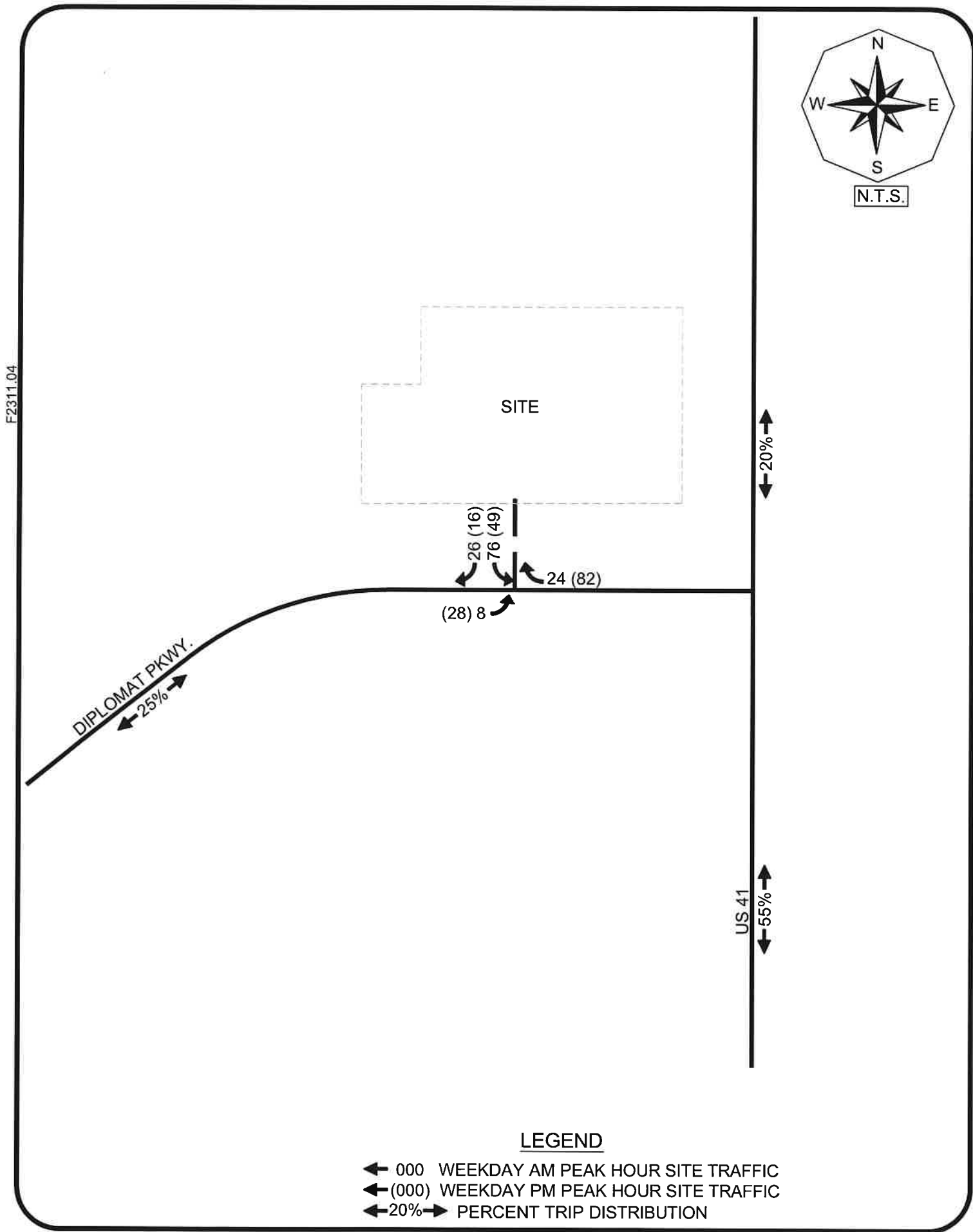
Land Use	Weekday A.M. Peak Hour			Weekday P.M. Peak Hour			Daily (2-way)
	In	Out	Total	In	Out	Total	
Multi-Family Housing (238 dwelling units)	23	74	97	77	46	123	1,601
Commercial (50,000 Sq. Ft.)	54	33	87	127	133	260	3,376
Total Trips	77	107	184	204	179	383	4,977

ITE LUC 220 used for Multi-Family & ITE LUC 821 (No Supermarket used for Commercial)

As can be seen when comparing the trips from Table 3 to the trips in Table 2, the resulting zoning Amendment will have a decrease in the trip generation impact of the site on the adjacent roadway network.

V. TRIP DISTRIBUTION

The trips shown in Table 2 were then assigned to the surrounding roadway system based on the anticipated routes the drivers will utilize to approach the site. The driveway volumes shown in Table 2 were assigned to the site access drives for the proposed development. Current and projected population in the area and other existing or planned competing/complementary uses in the area were utilized to assist in determining a distribution of the site traffic. Based on this information, the anticipated trip distribution of the development traffic is illustrated on **Figure 2**. Also illustrated on Figure 2 is the



LEGEND

- ← 000 WEEKDAY AM PEAK HOUR SITE TRAFFIC
- ← (000) WEEKDAY PM PEAK HOUR SITE TRAFFIC
- ← 20% → PERCENT TRIP DISTRIBUTION

TRIP DISTRIBUTION & SITE TRAFFIC ASSIGNMENT DIPLOMAT NORTH



site traffic assignment to the site access location for the proposed development.

In order to determine which roadway segments surrounding the site may be significantly impacted as outlined in the Lee County Traffic Impact Statement Guidelines, **Table 1A**, in the Appendix, was created. This table indicates which roadway links will accommodate greater than 10% of the Peak Hour Level of Service “C” volumes. The Level of Service threshold volumes were obtained from the *FDOT Generalized Peak Hour Directional Service Volume* tables for Florida’s Urbanized areas (Table 7) from the Quality/Level of Service Handbook (January 2020). Based on Table 1A, none of the roadway links in the vicinity of the subject site are anticipated to be significantly impacted by the proposed development.

VI. FUTURE TRAFFIC CONDITIONS

A horizon year analysis of 2027 was selected as the analysis year to evaluate the future impacts this project will have on the surrounding roadway network. Based on this horizon year, a growth rate was applied to the existing traffic conditions for all roadway links in the study area. A Level of Service Analysis was conducted on the nearest roadway segment accessed by the proposed development. The Level of Service was not analyzed on Diplomat Parkway as Lee County does not currently measure Level of Service on this roadway segment as it is a City of Cape Coral roadway. The growth rates were obtained through comparisons of annual traffic data obtained from the *FDOT Traffic Information Online* resource. Based on the project distribution illustrated on Table 1A, the link data was analyzed for the year 2027 without the development and year 2027 with the development.

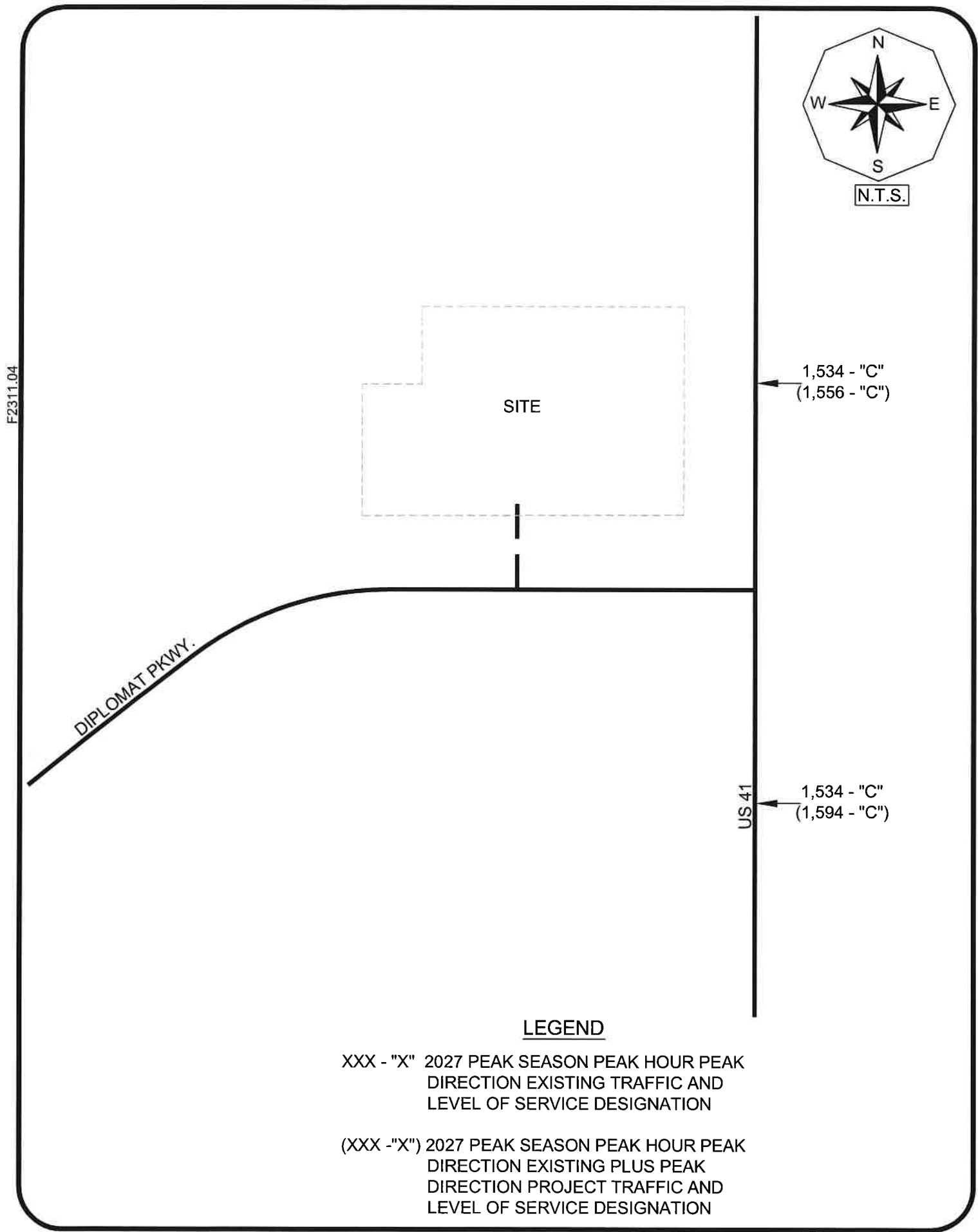
Table 2A in the Appendix of the report indicates the methodology utilized to obtain the year 2027 build-out traffic volumes as well as the growth rate utilized for each roadway segment. The base year traffic volumes were obtained from the 2021 *Lee County Public Facilities Level of Service and Concurrency Report*.



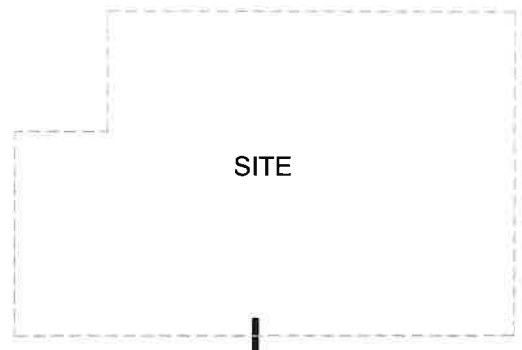
Figure 3 indicates the year 2027 peak hour – peak direction traffic volumes and Level of Service for the various roadway links within the study area. Noted on Figure 3 is the peak hour – peak direction volume and Level of Service of each link should no development occur on the subject site and the peak hour – peak direction volume and Level of Service for the weekday P.M. peak hour with the development traffic added to the roadways. This figure is derived from Table 2A contained in the Appendix.

VII. PROJECTED LEVEL OF SERVICE AND IMPROVEMENTS

Adverse impacts are defined as a degradation of the Level of Service beyond the adopted Level of Service Thresholds for those links as indicated in Table 1A. In comparing the links' functional classification and calculated 2027 traffic volumes to the Service Volume Tables, it was determined U.S. 41 will operate above the minimum adopted Level of Service in 2027 both with and without the proposed development. Therefore, roadway capacity improvements will not be warranted as a result of the additional traffic to be generated by the proposed rezoning request.



F2311.04



1,534 - "C"
(1,556 - "C")

1,534 - "C"
(1,594 - "C")

LEGEND

XXX - "X" 2027 PEAK SEASON PEAK HOUR PEAK
DIRECTION EXISTING TRAFFIC AND
LEVEL OF SERVICE DESIGNATION

(XXX -"X") 2027 PEAK SEASON PEAK HOUR PEAK
DIRECTION EXISTING PLUS PEAK
DIRECTION PROJECT TRAFFIC AND
LEVEL OF SERVICE DESIGNATION



VIII. CONCLUSION

The proposed zoning amendment of the Diplomat North parcel located on the north side of Diplomat Parkway west of its intersection with U.S. 41 in the North Fort Myers area of Lee County, Florida will not have a detrimental impact on the surrounding roadway system. The proposed rezoning request is to decrease the intensity of the uses from 238 multi-family dwelling units (138 multi-family units & 400 ALF units) and 50,000 square feet of commercial uses to only 360 multi-family residential dwelling units and eliminate the commercial uses. The Level of Service analysis conducted as part of this report indicates U.S. 41 will operate above the minimum adopted Level of Service in 2027 both with and without the proposed development. Therefore, roadway capacity improvements will not be warranted as a result of the additional traffic to be generated by the proposed rezoning request. The zoning amendment as proposed is consistent with the goals and objectives of the Lee County Comprehensive Plan in that there is sufficient roadway capacity projected to accommodate the anticipated development and the mitigation of the project will be the payment of road impact fees.

Turn lane improvements at the site access drive intersections will be evaluated at the time the project seeks a Local Development Order approval.

APPENDIX

TABLES 1A & 2A

**TABLE 1A
LEVEL OF SERVICE THRESHOLDS
DIPLOMAT NORTH REZONING**

TOTAL AM PEAK HOUR PROJECT TRAFFIC =	134 VPH	IN=	32	OUT=	102
TOTAL PM PEAK HOUR PROJECT TRAFFIC =	175 VPH	IN=	110	OUT=	65

<u>ROADWAY</u>	<u>ROADWAY SEGMENT</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>	<u>PERCENT</u> <u>PROJECT TRAFFIC</u>	<u>PROJECT TRAFFIC</u>	<u>PROJ/ LOS C</u>
U.S. 41	N. of Diplomat Pkwy.	4LD	Arterial	0	0	1,910	2,000	2,000	20%	22	1.2%
	S. of Diplomat Pkwy.	4LD	Arterial	0	0	1,910	2,000	2,000	55%	61	3.2%

- 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 US 41 taken from FDOT Q/LOS Manul Table 7 Generalized LOS Table

**TABLE 2A
LEE COUNTY TRAFFIC COUNTS AND CALCULATIONS
DIPLOMAT NORTH REZONING**

TOTAL PROJECT TRAFFIC AM = 134 VPH IN = 32 OUT= 102
 TOTAL PROJECT TRAFFIC PM = 175 VPH IN= 110 OUT= 65

ROADWAY	ROADWAY SEGMENT	COUNT	BASE YR	2022	YRS OF GROWTH. ¹	ANNUAL RATE	2021	2027			PERCENT			2027			2027		
							PK HR	PK HR	PK SEASON	V/C	PROJECT	AM PROJ	PM PROJ	BCKGRND		BCKGRND		V/C	
							PK SEASON	PEAK DIRECTION	Ratio	TRAFFIC	TRAFFIC	TRAFFIC	VOLUME	LOS	Ratio	VOLUME	LOS	Ratio	
U.S. 41	N. of Diplomat Pkwy.	125029	23,500	26,000	9	2.00%	1,362	1,534	C	0.77	20%	20	22	1,554	C	0.78	1,556	C	0.78
	S. of Diplomat Pkwy.	125029	23,500	26,000	9	2.00%	1,362	1,534	C	0.77	55%	56	61	1,590	C	0.79	1,594	C	0.80

¹ Annual Growth Rates were calculated based on historical traffic data obtained from FDOT Traffic Data Online report for FDOT Station 125029

² Current peak hour peak season peak direction traffic volumes for all roadways were obtained from the 2022 Lee County Public Facilities Level of Service and Concurrency Report

**2021 LEE COUNTY PUBLIC
FACILITIES LEVEL OF SERVICE AND
CONCURRENCY REPORT**

Table 21 b): Link-Level Service Volumes and LOS Table

Table 21 b) 6 of 7

LEE COUNTY ROAD LINK VOLUMES (County- and State-Maintained Roadways)															
Link No.	NAME	ROADWAY LINK		F. Class	ROAD TYPE	PERFORMANCE STANDARD			2021 100TH HIGHEST HOUR			FUTURE FORECAST (2026)			Notes
		FROM	TO			LOS	DIRECTIONAL CAPACITY	LOS	VOL	V/C	LOS	VOL	V/C		
														LOS	
24300	SR 31 (ARCADIA RD)	SR 78	COUNTY LINE	State	2LN	C	820	C	655	0.80	B	889	0.40	Future Capacity 2210 (for V/C as well)	
24400	STALEY RD	TICE	ORANGE RIVER BLVD	Maj. Col	2LN	E	860	C	197	0.23	C	207	0.24	*	
24500	STRINGFELLOW RD	1ST AVE	BERKSHIRE RD	M. Art	2LN	E	1,060	B	315	0.30	C	445	0.42	Constrained	
24600	STRINGFELLOW RD	BERKSHIRE RD	PINE ISLAND RD	M. Art	2LN	E	1,060	B	315	0.30	C	448	0.42	Constrained	
24700	STRINGFELLOW RD	PINE ISLAND RD	PINELAND RD	M. Art	2LN	E	1,060	D	730	0.69	E	831	0.78	Constrained	
24800	STRINGFELLOW RD	PINELAND RD	MAIN ST	M. Art	2LN	E	1,060	D	730	0.69	E	827	0.78		
24900	SUMMERLIN RD	MCGREGOR BLVD	KELLY COVE RD	Controlled xs	4LD	E	1,980	A	1,243	0.63	A	1,306	0.66	Unincorporated Lee county	
25000	SUMMERLIN RD	KELLY COVE RD	SAN CARLOS BLVD	Controlled xs	4LD	E	1,980	A	1,243	0.63	A	1,306	0.66	Unincorporated Lee county	
25100	SUMMERLIN RD	SAN CARLOS BLVD	PINE RIDGE RD	Controlled xs	6LD	E	3,000	A	1,928	0.64	A	2,158	0.72	Unincorporated Lee county	
25200	SUMMERLIN RD	PINE RIDGE RD	BASS RD	Controlled xs	6LD	E	3,000	A	1,928	0.64	A	2,026	0.68	Unincorporated Lee county	
25300	SUMMERLIN RD	BASS RD	GLADIOLUS DR	Controlled xs	6LD	E	3,000	A	1,928	0.64	A	2,026	0.68	Unincorporated Lee county	
25400	SUMMERLIN RD	GLADIOLUS DR	CYPRESS LAKE DR	Controlled xs	4LD	E	1,900	C	1,530	0.81	C	1,631	0.86	Unincorporated Lee county	
25500	SUMMERLIN RD	CYPRESS LAKE DR	COLLEGE PKWY	Controlled xs	6LD	E	2,880	B	1,808	0.63	B	1,900	0.66	Unincorporated Lee county	
25600	SUMMERLIN RD	COLLEGE PKWY	PARK MEADOW DR	Controlled xs	6LD	E	2,880	B	1,802	0.63	B	1,894	0.66	Unincorporated Lee county	
25700	SUMMERLIN RD	PARK MEADOW DR	BOY SCOUT	Controlled xs	6LD	E	2,880	B	1,802	0.63	B	1,894	0.66	Unincorporated Lee county	
25900	SUMMERLIN RD	BOY SCOUT	MATHEWS DR	P. Art	4LD	E	1,820	D	1,135	0.62	D	1,193	0.66		
25900	SUMMERLIN RD	MATHEWS DR	COLONIAL BLVD	P. Art	4LD	E	1,820	D	1,135	0.62	D	1,193	0.66		
26000	SUNRISE BLVD	BELL BLVD	COLUMBUS BLVD	Min. Col	2LN	E	860	C	42	0.05	C	53	0.06	Old Count	
26100	SUNSHINE BLVD	SR 82	23RD ST SW	P. Art	2LN	E	1,010	C	395	0.39	C	416	0.41	*	
26150	SUNSHINE BLVD	23RD ST SW	LEE BLVD	P. Art	2LN	E	1,010	C	395	0.39	C	416	0.41	*	
26200	SUNSHINE BLVD	LEE BLVD	W 12TH ST	P. Art	2LN	E	1,010	D	651	0.64	D	684	0.58	*	
26300	SUNSHINE BLVD	W 12TH ST	W 75TH ST	Maj. Col	2LN	E	860	D	602	0.70	D	633	0.74		
26500	THREE OAKS PKWY	COCONUT RD	ESTERO PKWY	P. Art	4LD	E	1,940	B	1,560	0.80	B	1,743	0.90		
26600	THREE OAKS PKWY	ESTERO PKWY	SAN CARLOS BLVD	P. Art	4LD	E	1,940	B	707	0.36	B	816	0.42		
26700	THREE OAKS PKWY	SAN CARLOS BLVD	ALICO RD	P. Art	4LD	E	1,940	B	707	0.36	B	743	0.33		
26800	TICE ST	SR 80	ORTIZ AVE	Maj. Col	2LN	E	860	C	199	0.23	C	209	0.24		
26900	TICE ST	ORTIZ AVE	STALEY RD	Maj. Col	2LN	E	860	C	207	0.24	C	243	0.28	Elementry U.	
27000	TREELINE AVE	TERMINAL ACCESS RD	DANIELS PKWY	Controlled xs	4LD	E	1,980	A	1,050	0.53	A	1,288	0.65	Harley Davidson	
27030	TREELINE AVE	DANIELS PKWY	AMBERWOOD RD	P. Art	4LD	E	1,980	A	782	0.39	A	822	0.42		
27070	TREELINE AVE	AMBERWOOD RD	COLONIAL BLVD	P. Art	4LD	E	1,980	A	782	0.39	A	822	0.42		
30500	US 41 (CLEVELAND AVE)	DANIELS PKWY	COLLEGE PKWY	State	6LD	D	3,171	C	2,598	0.82	C	2,904	0.92	SR 739 6 in DES & ROW Progmd	
30600	US 41 (CLEVELAND AVE)	COLLEGE PKWY	SOUTH RD	State	6LD	D	3,171	C	2,598	0.82	C	2,904	0.92	SR 739 6 in DES & ROW Progmd	
30700	US 41 (CLEVELAND AVE)	SOUTH RD	BOY SCOUT RD	State	6LD	D	3,171	C	2,598	0.82	C	2,904	0.92	SR 739 6 in DES & ROW Progmd	
30800	US 41 (CLEVELAND AVE)	BOY SCOUT RD	NORTH AIRPORT RD	State	6LD	D	3,171	C	2,598	0.82	C	2,904	0.92	SR 739 6 in DES & ROW Progmd	
30810	US 41 (CLEVELAND AVE)	NORTH AIRPORT RD	COLONIAL BLVD	State	6LD	D	3,171	C	2,418	0.76	C	2,704	0.85		
30900	US 41 (CLEVELAND AVE)	CITY LIMITS	N. KEY DR	State	4LD	D	2,100	C	1,996	0.95	F	2,240	1.07		
31000	US 41 (CLEVELAND AVE)	N. KEY DR	HANCOCK B. PKWY	State	4LD	D	2,100	C	1,996	0.95	F	2,240	1.07		
31100	US 41 (CLEVELAND AVE)	HANCOCK B. PKWY	PONDELLA RD	State	4LD	D	2,100	C	1,996	0.95	F	2,240	1.07		
31200	US 41 (CLEVELAND AVE)	PONDELLA RD	SR 78	State	4LD	D	2,100	C	1,362	0.65	C	1,523	0.73		
31300	US 41 (CLEVELAND AVE)	SR 78	LITTLETON RD	State	4LD	D	2,100	C	1,362	0.65	C	1,523	0.73		
31400	US 41 (N TAMIAAMI TR)	LITTLETON RD	BUS 41	State	4LD	D	2,100	C	1,087	0.52	C	1,263	0.60		
31500	US 41 (N TAMIAAMI TR)	BUS 41	DEL PRADO BLVD	State	4LD	D	2,100	C	1,087	0.52	C	1,263	0.60		
31600	US 41 (N TAMIAAMI TR)	DEL PRADO BLVD	CHARLOTTE CO. LINE	State	4LD	D	2,100	C	1,577	0.75	C	1,885	0.90		
29800	US 41 (S TAMIAAMI TR)	OLD 41	CORKSCREW RD	State	6LD	D	3,171	C	2,342	0.74	C	2,616	0.82		
29900	US 41 (S TAMIAAMI TR)	CORKSCREW RD	SANIBEL BLVD	State	6LD	D	3,171	C	2,294	0.72	C	2,767	0.87		
30000	US 41 (S TAMIAAMI TR)	SANIBEL BLVD	ALICO RD	State	6LD	D	3,171	C	2,576	0.81	C	3,011	0.95		
30100	US 41 (S TAMIAAMI TR)	ALICO RD	ISLAND PARK RD	State	6LD	D	3,171	C	2,576	0.81	C	3,011	0.95		
30200	US 41 (S TAMIAAMI TR)	ISLAND PARK RD	BRIARCLIFF RD	State	6LD	D	3,171	C	3,002	0.95	F	3,356	1.06		

- County-Maintained Collector Roadway - Unincorporated Lee County
- State-Maintained Arterial Roadway - Unincorporated Lee County
- County-Maintained Collector Roadway - Incorporated Lee County
- County Maintained Controlled Access Arterial Facility
- County-Maintained Arterial Roadway - Unincorporated Lee County
- County Maintained Expressway
- County-Maintained Arterial Roadway - Incorporated Lee County

**FDOT GENERALIZED PEAK HOUR
DIRECTIONAL VOLUMES FOR
FLORIDA'S URBANIZED AREAS
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%		
						Multi	Undivided	Yes	-5%		
						Multi	Undivided	No	-25%		
BICYCLE MODE²						UNINTERRUPTED FLOW HIGHWAYS					
(Multiply vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)						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.					
Paved Shoulder/Bicycle Lane Coverage						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.					
	B	C	D	E		³ Buses per hour shown are only for the peak hour in the single direction of the higher traffic flow.					
0-49%	*	150	390	1,000		* Cannot be achieved using table input value defaults.					
50-84%	110	340	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.					
85-100%	470	1,000	>1,000	**		Source: Florida Department of Transportation Systems Implementation Office https://www.fdot.gov/planning/systems/					
PEDESTRIAN MODE²											
(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							

**FDOT TRAFFIC INFORMATION
ONLINE DATA**

FLORIDA DEPARTMENT OF TRANSPORTATION
 TRANSPORTATION STATISTICS OFFICE
 2022 HISTORICAL AADT REPORT

COUNTY: 12 - LEE

SITE: 5029 - SR 45/US 41, N OF DIPLOMAT PKWY E LC419

YEAR	AADT		DIRECTION 1	DIRECTION 2	*K FACTOR	D FACTOR	T FACTOR
2022	26000	F	N 12500	S 13500	9.00	53.70	6.20
2021	26000	C	N 12500	S 13500	9.00	53.10	6.20
2020	31500	C	N 15500	S 16000	9.00	52.80	4.10
2019	30000	C	N 14500	S 15500	9.00	53.30	4.70
2018	29500	C	N 14500	S 15000	9.00	53.30	4.30
2017	24000	C	N 12000	S 12000	9.00	53.20	4.90
2016	29500	C	N 14500	S 15000	9.00	56.20	4.10
2015	28500	C	N 14000	S 14500	9.00	54.50	3.90
2014	27000	C	N 13500	S 13500	9.00	54.60	3.70
2013	23500	C	N 11500	S 12000	9.00	59.70	5.30
2012	23500	C	N 11500	S 12000	9.00	54.30	4.30
2011	27500	C	N 13000	S 14500	9.00	55.00	4.00
2010	28500	C	N 13500	S 15000	10.32	57.60	4.50
2009	26000	C	N 12500	S 13500	10.24	54.47	5.20
2008	27000	C	N 13000	S 14000	10.37	58.94	3.90
2007	28500	C	N 13000	S 15500	10.16	54.76	5.30

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

TRIP GENERATION EQUATIONS

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

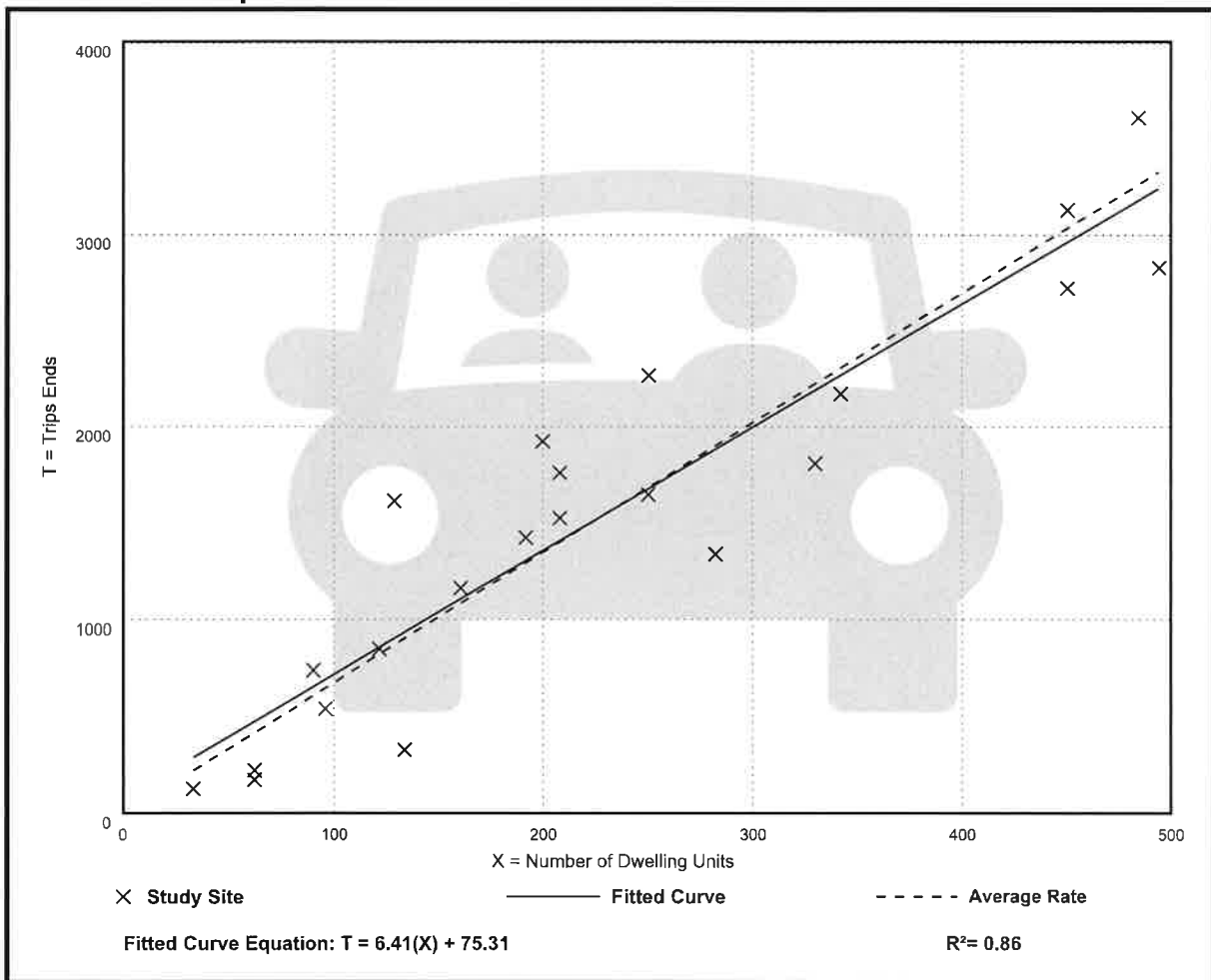
Avg. Num. of Dwelling Units: 229

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

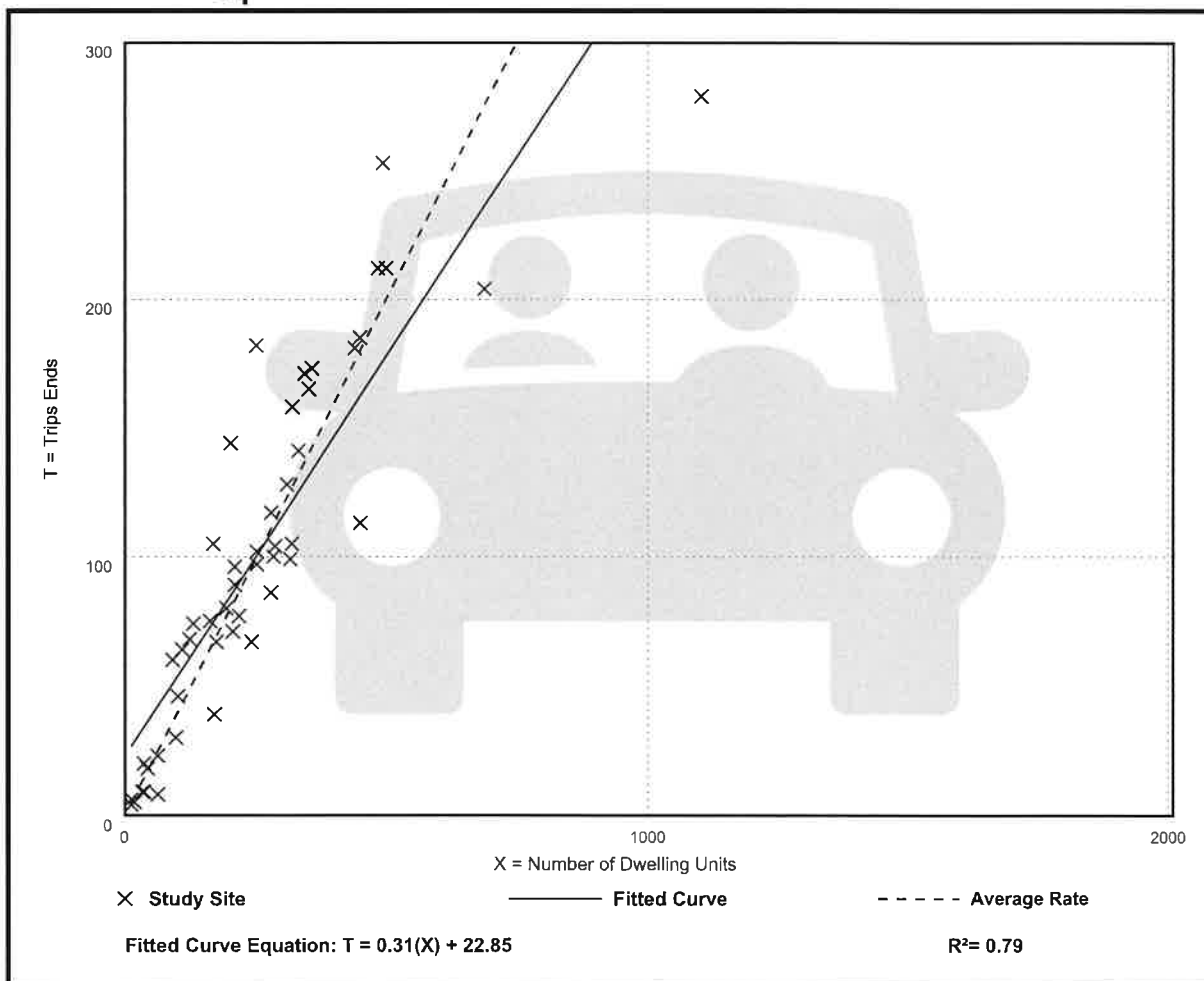
Avg. Num. of Dwelling Units: 249

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

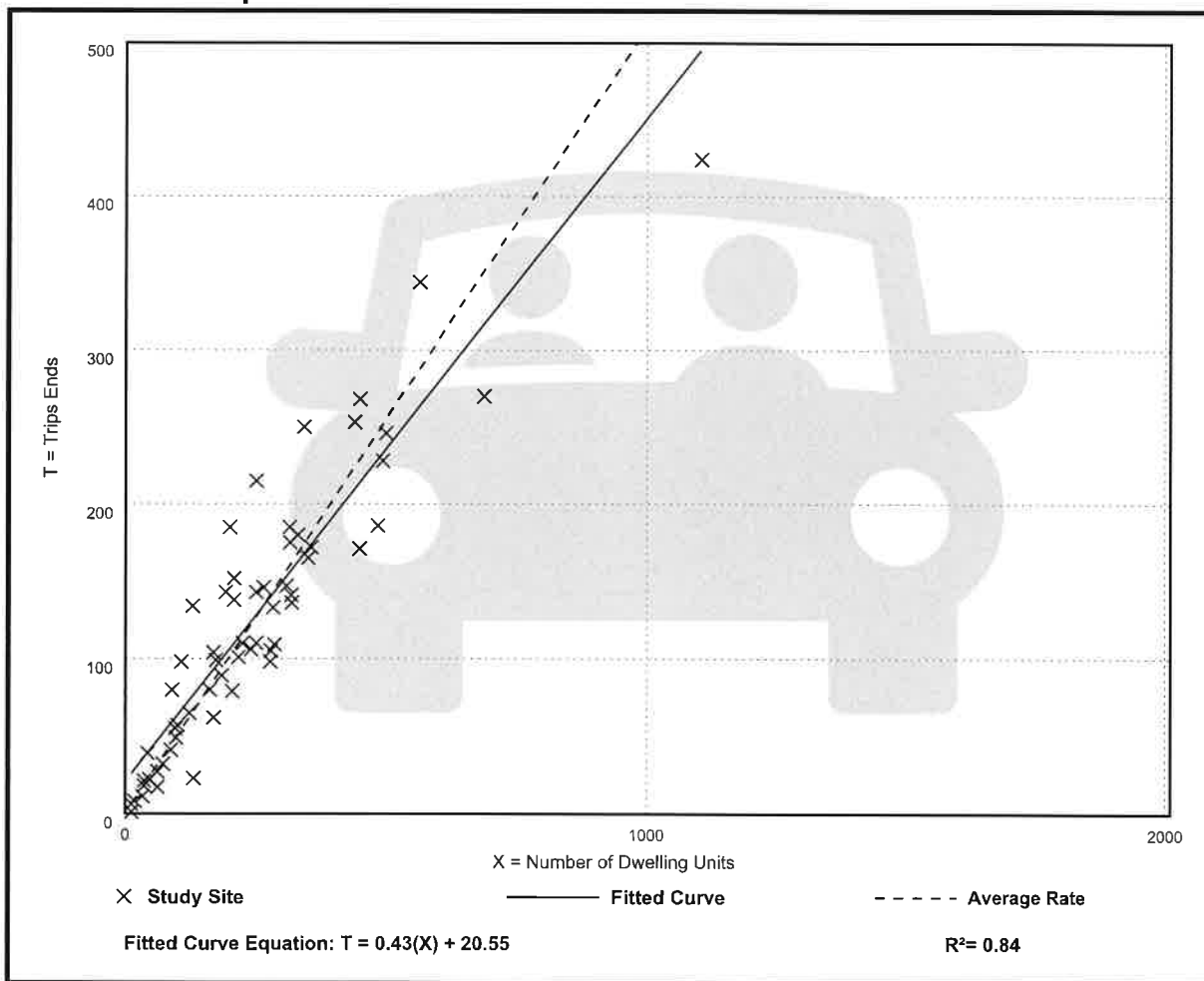
Avg. Num. of Dwelling Units: 241

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



Shopping Plaza (40-150k) - Supermarket - No (821)

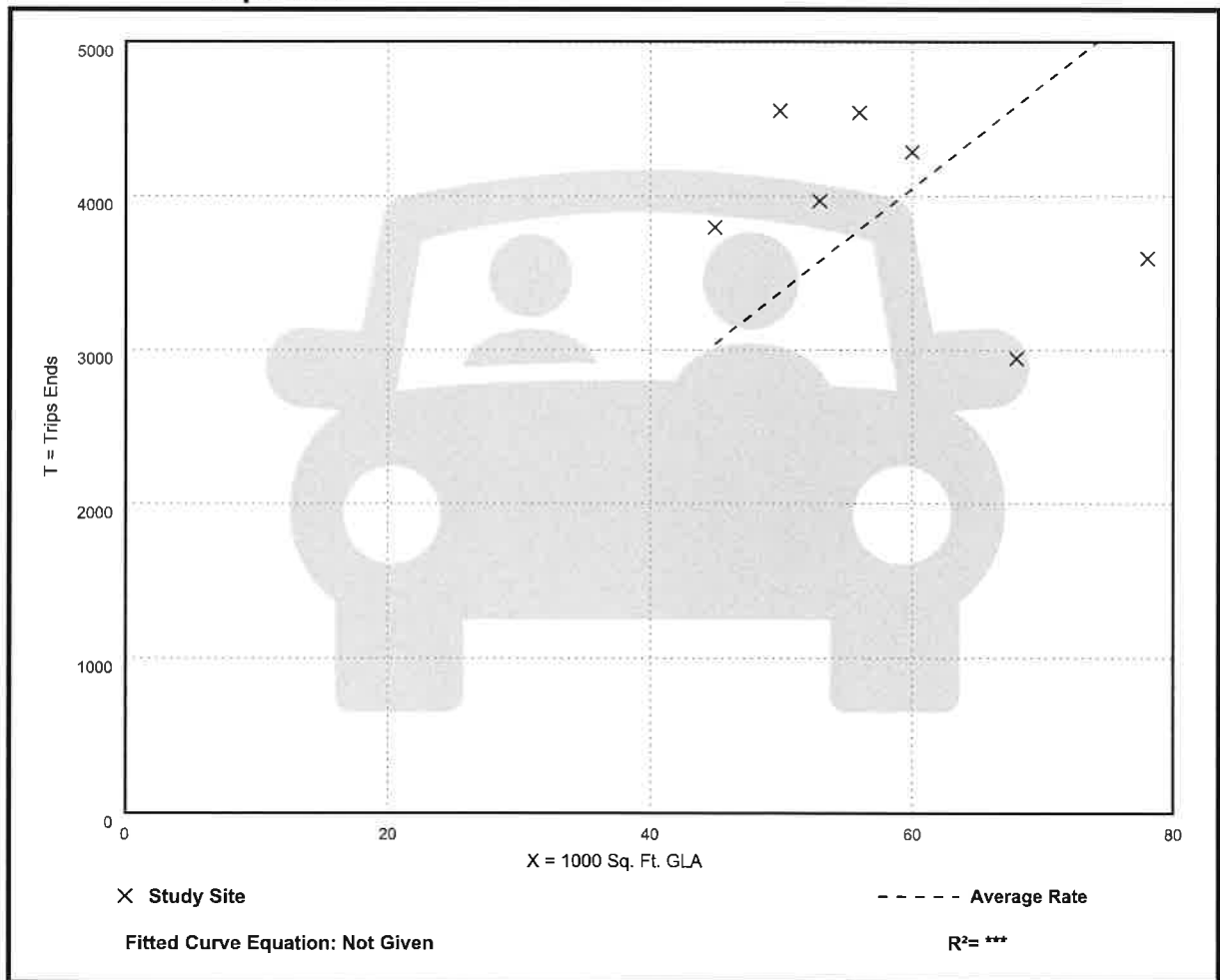
Vehicle Trip Ends vs: 1000 Sq. Ft. GLA
On a: Weekday

Setting/Location: General Urban/Suburban
Number of Studies: 7
Avg. 1000 Sq. Ft. GLA: 59
Directional Distribution: 50% entering, 50% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
67.52	43.29 - 91.06	19.25

Data Plot and Equation



Shopping Plaza (40-150k) - Supermarket - No (821)

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: 13

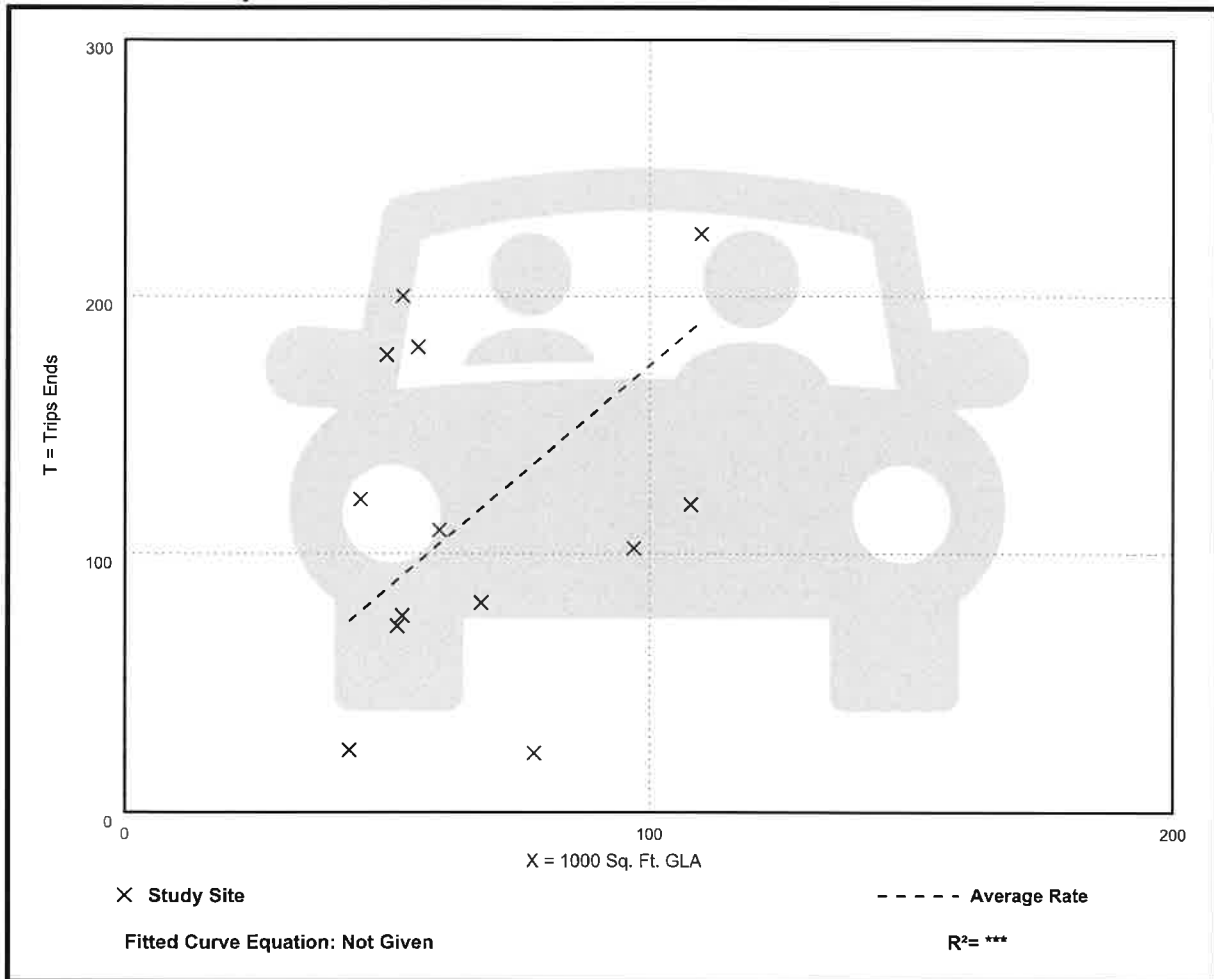
Avg. 1000 Sq. Ft. GLA: 67

Directional Distribution: 62% entering, 38% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
1.73	0.29 - 3.77	1.06

Data Plot and Equation



Shopping Plaza (40-150k) - Supermarket - No (821)

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: 42

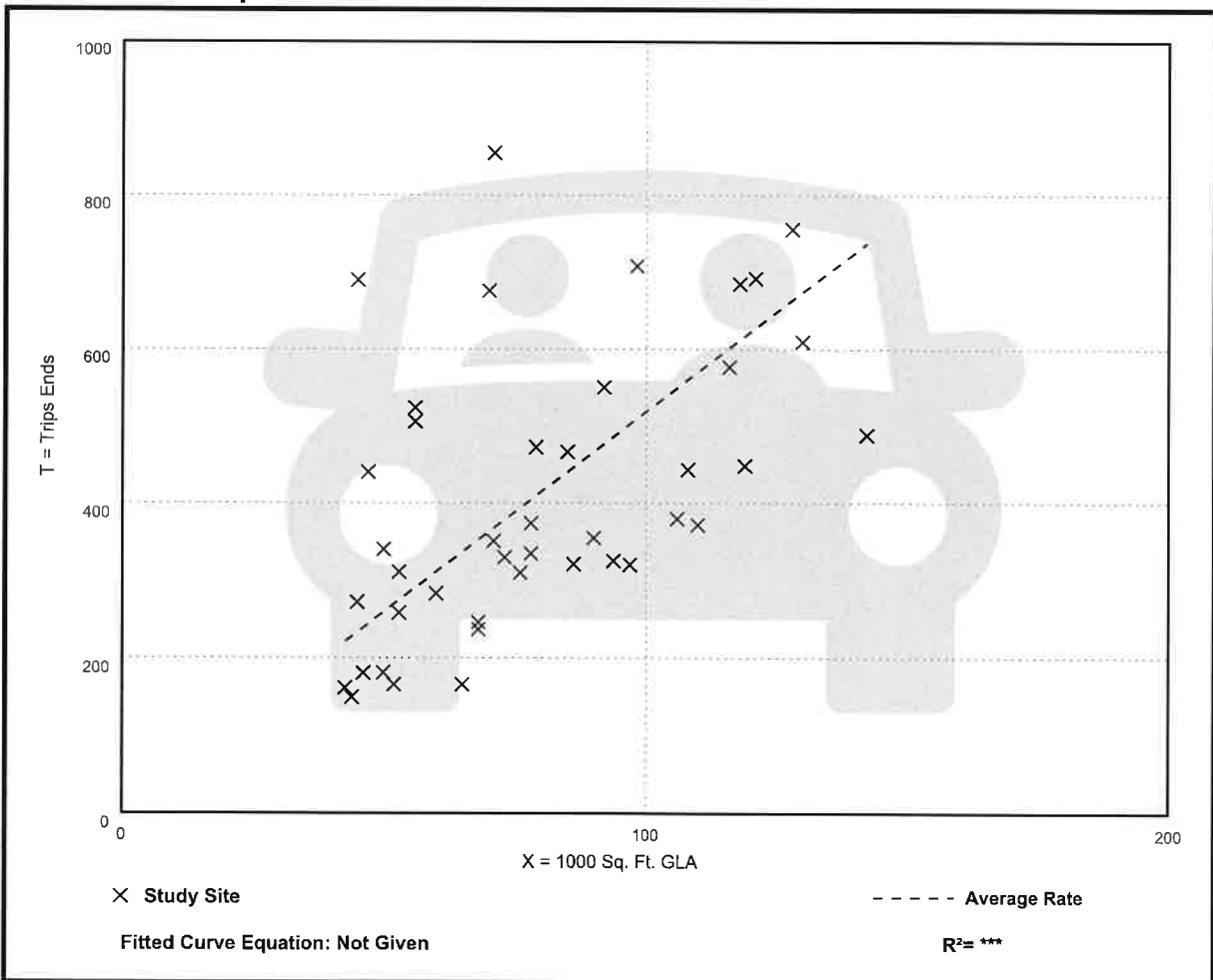
Avg. 1000 Sq. Ft. GLA: 79

Directional Distribution: 49% entering, 51% exiting

Vehicle Trip Generation per 1000 Sq. Ft. GLA

Average Rate	Range of Rates	Standard Deviation
5.19	2.55 - 15.31	2.28

Data Plot and Equation



DICKSON ARTHUR T JR +
35 CASPER CT
NORTH FORT MYERS FL 33903

COHEN SHELDON A & SANDRA S TR
386 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

SOSTAR MICHAEL E & JUDY A
42 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

HENN JANICE E +
43 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

RITCHIE RONALD ALLEN +
44 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

PERSON GEORGE & SHARON
45 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

TEIXEIRA LOUIS T & KATHLEEN
46 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

DEARIE IRENE B +
12271 AZTEC PL
WOODBIDGE VA 22192

DURBIN DENNIS & BRIDGET
48 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

DELL PATRICIA K & WILLIAM M
49 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

MOORE JUDITH G +
50 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

STELTER JACK T TR +
25245 275TH AVE
HOLCOMBE WI 54745

GUERIN-SCHRUER KATHLEEN TR
3425 ARROYO RD
BROOKFIELD WI 53045

HIGGINBOTHAM CECELIA +
53 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

WINIEWICZ JOHN P & MARIE F
54 VENTURI LN
NORTH FORT MYERS FL 33903

GEARY BEATRICE L
55 SNEAD DR
NORTH FORT MYERS FL 33903

PUNYAHOTRA JASON &
56 SNEAD DR
NORTH FORT MYERS FL 33903

LINDRIDGE EDITH F
57 SNEAD DR
NORTH FORT MYERS FL 33903

DESSART LORRAINE E TR
58 SNEAD DR
NORTH FORT MYERS FL 33903

BOREN GARY D
59 SNEAD DR
NORTH FORT MYERS FL 33903

DERICO SANTO +
60 SNEAD DR
NORTH FORT MYERS FL 33903

JOHNSON GERALD A &
61 SNEAD DR
NORTH FORT MYERS FL 33903

OREILLY DANIEL L & DEBRA A
62 SNEAD DR
NORTH FORT MYERS FL 33903

BOND JAMES HOWARD
63 SNEAD DR
NORTH FORT MYERS FL 33903

MOORE TERRY D & KATHERINE A
64 SNEAD DR
NORTH FORT MYERS FL 33903

BOLTON JEFFERY E
65 SNEAD DR
NORTH FORT MYERS FL 33903

PORTMANN RICHARD L JR &
66 SNEAD DR
NORTH FORT MYERS FL 33903

GRIFFITH JERRY L &
67 SNEAD DR
NORTH FORT MYERS FL 33903

SEGGEMAN DEBORAH MARIE +
68 SNEAD DR
NORTH FORT MYERS FL 33903

LUESSENHEIDE KAREN &
69 SNEAD DR
NORTH FORT MYERS FL 33903

WOODALL TERRY L & ANN B
70 SNEAD DR
NORTH FORT MYERS FL 33903

GIBBS RALPH W & THERESE A
71 SANDERS CT
NORTH FORT MYERS FL 33903

SPIRNAK RICHARD & CAROLE A
72 SANDERS CT
NORTH FORT MYERS FL 33903

FRIEDENBERG ROCHELLE
73 SANDERS CT
NORTH FORT MYERS FL 33903

DE CUICIES ANTHONY
74 SANDERS CT
NORTH FORT MYERS FL 33903

MINERD CHARLES W & ANGELA R
75 SANDERS CT
NORTH FORT MYERS FL 33903

SCHOENBECK ROY W & DIANE A
76 SNEAD DR
NORTH FORT MYERS FL 33903

HOFFMANN WILLIAM J +
77 SNEAD DR
NORTH FORT MYERS FL 33903

TUSON CLAUDIA A +
78 SNEAD DR
NORTH FORT MYERS FL 33903

DROLEMA THOMAS & VICKI +
79 SNEAD DR
NORTH FORT MYERS FL 33903

MILLER PATRICIA A
80 SNEAD DR
NORTH FORT MYERS FL 33903

LANGMAID FRANK
108 SNEAD DR
NORTH FORT MYERS FL 33903

STACKPOLE DENNY R
109 SNEAD DR
NORTH FORT MYERS FL 33903

TRAVERS EVELYN TR
110 SNEAD DR
NORTH FORT MYERS FL 33903

DEFILIPPO JOYCE M TR
111 SNEAD DR
NORTH FORT MYERS FL 33903

LAMOTHE CAROLYN A & BRIAN R
112 SNEAD DR
NORTH FORT MYERS FL 33903

LONG DENNIS J & CHRISTINE M
113 SNEAD DR
NORTH FORT MYERS FL 33903

TANK GARY W & JANICE K
114 SNEAD DR
NORTH FORT MYERS FL 33903

BOLTON BETTY C & HARRY H +
115 SNEAD DR
NORTH FORT MYERS FL 33903

SWIERK LAURIE
116 SNEAD DR
NORTH FORT MYERS FL 33903

MILLAR IRENE J TR
117 SNEAD DR
NORTH FORT MYERS FL 33903

LEUPP GREGORY A & THERESA J
118 SNEAD DR
NORTH FORT MYERS FL 33903

ZASKOWSKI WILLIAM J &
119 SNEAD DR
NORTH FORT MYERS FL 33903

VANHOUTEN JOHN & EMMA J
120 SNEAD DR
NORTH FORT MYERS FL 33903

DUFFY ERNEST J & DEBORAH
121 SNEAD DR
NORTH FORT MYERS FL 33903

FROELICH KENNETH
122 SNEAD DR
NORTH FORT MYERS FL 33903

CRIST CRAIG M
123 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

BAKER RONALD S
124 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

WANGERIN RICHARD G & GWEN C
W10406 SUNNY POINT RD
BEAVER DAM WI 53916

LEONARD TIMOTHY JAMES
126 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

NICHOLSON WAYNE & KIMBERLY
127 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

DONAHUE JOSEPH M &
128 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

ELIZABETH BETTY JANE RAYMOND T
129 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

SIX LAKES COUNTRY CLUB INC
130 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

HIGHLEY PATRICK E & DEBRA R
1652 COUNTY HIGHWAY 42
SHELBYVILLE IL 62565

SLATER GLEN & SUSAN
132 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

GERBER DAVID & SUSAN
133 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

KEMPF WILLIAM EMIEL &
2233 MEADOWGLEN NE
GRAND RAPIDS MI 49505

JONES WILLIAM TREBY
135 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

THIEKE DONALD B &
6135 E SR 218
WALTON IN 46994

KETT DAVID & LINDA
36887 ROWE CT
STERLING HEIGHTS MI 48312

UNKNOWN HEIRS OF
160 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

JENKENS RONALD L & BRENDA D TR
161 YANCEY LN
NORTH FORT MYERS FL 33903

MURPHY THOMAS B & IVANKA
182 YANCEY LN
NORTH FORT MYERS FL 33903

COFFIN JOAN O +
183 YANCEY LN
NORTH FORT MYERS FL 33903

STRAILE DAVID W TR
3409A URBANA PIKE
FREDERICK MD 21704

MUSKUS JOSEPH TR
185 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

KROSTUE MICHAEL R & SALLY I TR
186 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

JOHNSON BOYD LEE +
8 TANGLEWOOD ESTS
SULLIVAN IL 61951

ODELL STEWART HARRY
188 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

WHELAN EDWARD L & CAROL J
5 BUTTERNUT LANE
HINGHAM MA 02043

RUDD JEANNETTE M TR
190 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

DELANEY NANCY E
191 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

ODOM ROBERT E +
192 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

COOKSON JUDITH DUNHAM TR
193 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

ADRAGNA RONALD +
194 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

WELCH DOROTHY A TR
195 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

TODD WILLIAM A & VICTORIA L
196 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

SUPERCHI ARNOLD E & LANA C
197 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

SMITH ROBERT A TR
198 NICKLAUS BLVD
NORTH FORT MYERS FL 33903

GOODSTEIN MARK B &
19 CRESTON RD
WINDSOR LOCKS CT 06096

SIX LAKES COUNTRY CLUB INC
9151 LITTLETON RD
NORTH FORT MYERS FL 33903

SIX LAKES COUNTRY CLUB INC
9151 LITTLETON RD
NORTH FORT MYERS FL 33903

LIGHT DANIEL B +
6810 INTERNATIONAL CENTER BLVD
FORT MYERS FL 33912

DIPLOMAT RV & BOAT STORAGE LLC
2900 DIPLOMAT PKWY E
FORT MYERS FL 33901

AIOP SERENDIPITY LLC
AMERICAN LAND LEASE
27777 FRANKLIN RD STE 200
SOUTHFIELD MI 48034

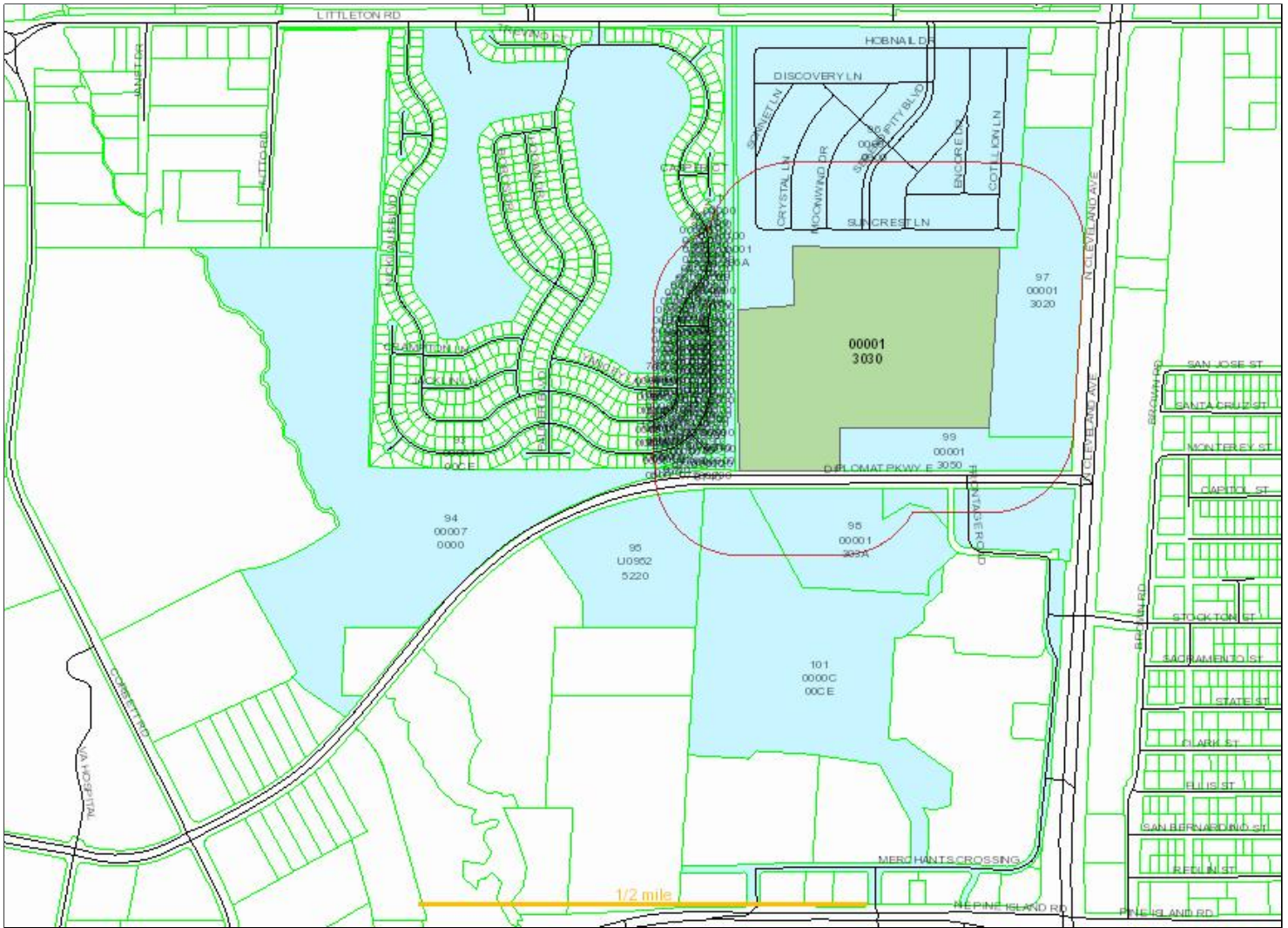
KQ NORTH FORT MYERS LLC
211 N STADIUM BLVD #201
COLUMBIA MO 65203

HABITAT DIPLOMAT LLC
1288 N TAMIAMI TR
FORT MYERS FL 33903

COOPER STREET PROPERTY INC
3200 BAILEY #199
NAPLES FL 34105

HABITAT DIPLOMAT NORTH LLC
1288 NORTH TAMIAMI TRL
NORTH FORT MYERS FL 33903

RB MERCHANTS LLC +
RD MANAGEMENT LLC
810 SEVENTH AVE 10TH FL
NEW YORK NY 10019



Date of Report: November 06, 2023
 Buffer Distance: feet
 Parcels Affected: 101
 Subject Parcel: **34-43-24-00-00001.3030**

[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
DICKSON ARTHUR T JR + 35 CASPER CT NORTH FORT MYERS FL 33903	33-43-24-01-00000.0350 35 CASPER CT NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 35	1
COHEN SHELDON A & SANDRA S TR 386 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.0410 41 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 41	2
SOSTAR MICHAEL E & JUDY A 42 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.0420 42 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 42	3
HENN JANICE E + 43 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.0430 43 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 43	4
RITCHIE RONALD ALLEN + 44 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.0440 44 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 44	5
PERSON GEORGE & SHARON 45 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.0450 45 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 45	6

TEIXEIRA LOUIS T & KATHLEEN 46 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.0460 46 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 46	7
DEARIE IRENE B + 12271 AZTEC PL WOODBIDGE VA 22192	33-43-24-01-00000.0470 47 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 47	8
DURBIN DENNIS & BRIDGET 48 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.0480 48 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 48	9
DELL PATRICIA K & WILLIAM M 49 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.0490 49 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 49	10
MOORE JUDITH G + 50 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.0500 50 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 50	11
STELTER JACK T TR + 25245 275TH AVE HOLCOMBE WI 54745	33-43-24-01-00000.0510 51 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 51	12
GUERIN-SCHRUER KATHLEEN TR 3425 ARROYO RD BROOKFIELD WI 53045	33-43-24-01-00000.0520 52 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 52	13
HIGGINBOTHAM CECELIA + 53 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.0530 53 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 53	14
WINIEWICZ JOHN P & MARIE F 54 VENTURI LN NORTH FORT MYERS FL 33903	33-43-24-01-00000.0540 54 VENTURI LN NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 54	15
GEARY BEATRICE L 55 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.0550 55 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 55	16
PUNYAHOTRA JASON & 56 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.0560 56 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 56	17
LINDRIDGE EDITH F 57 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.0570 57 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 57	18
DESSART LORRAINE E TR 58 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.0580 58 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 58	19
BOREN GARY D 59 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.0590 59 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 59	20
DERICO SANTO + 60 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.0600 60 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 60	21
JOHNSON GERALD A & 61 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.0610 61 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 61	22
OREILLY DANIEL L & DEBRA A 62 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.0620 62 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 62	23
BOND JAMES HOWARD 63 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.0630 63 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 63	24
MOORE TERRY D & KATHERINE A 64 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.0640 64 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 64	25

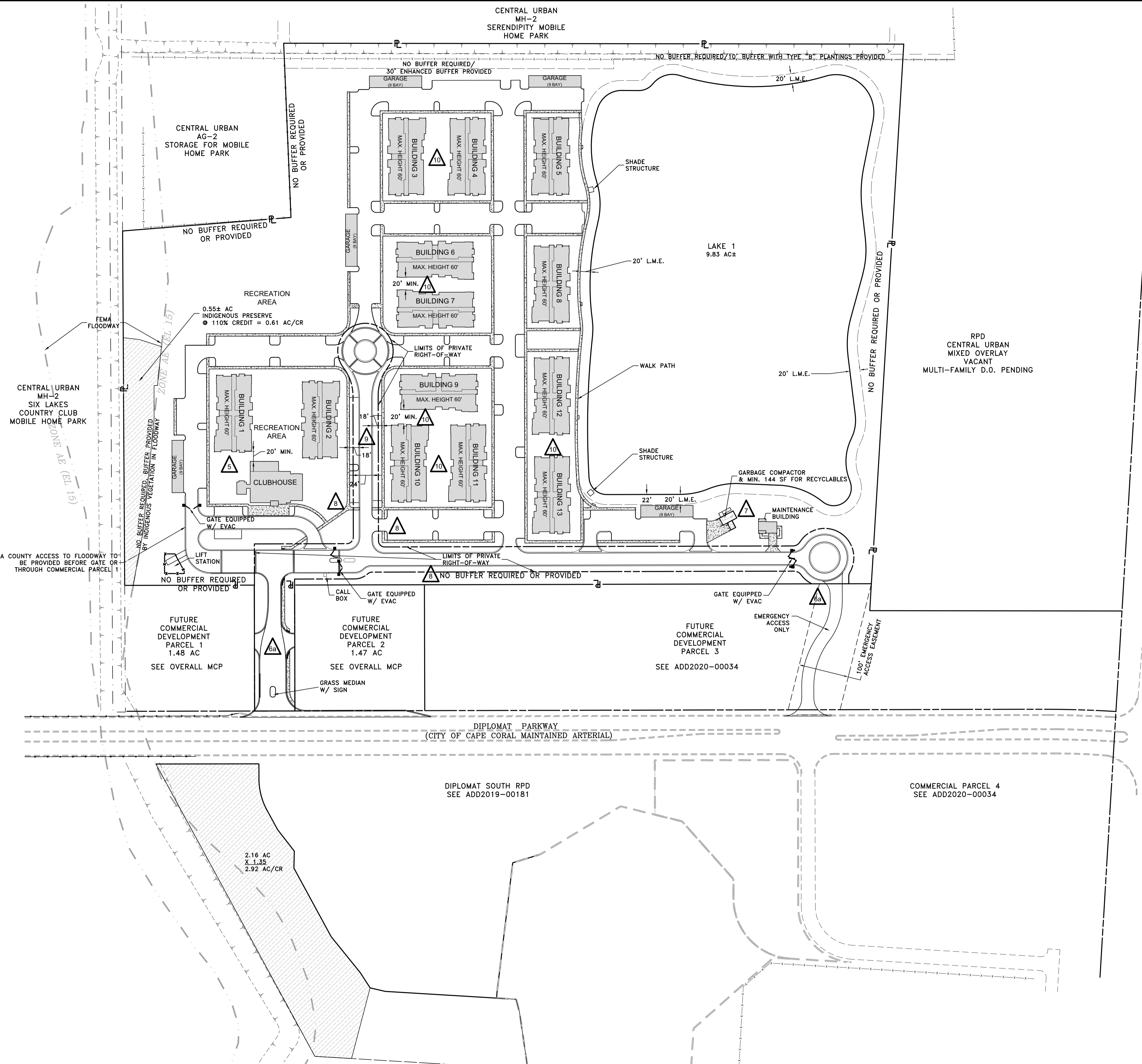
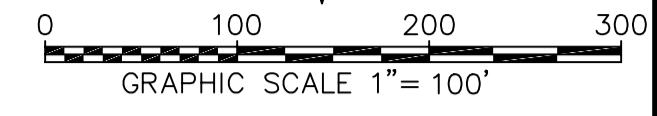
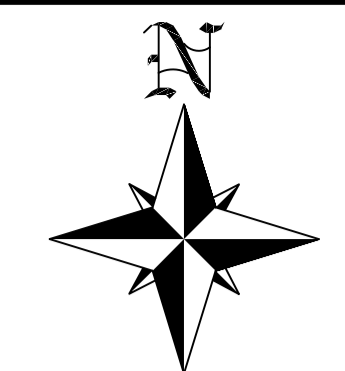
BOLTON JEFFERY E 65 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.0650 65 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 65	26
PORTMANN RICHARD L JR & 66 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.0660 66 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 66	27
GRIFFITH JERRY L & 67 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.0670 67 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 67	28
SEGGEMAN DEBORAH MARIE + 68 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.0680 68 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 68	29
LUESSENHEIDE KAREN & 69 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.0690 69 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 69	30
WOODALL TERRY L & ANN B 70 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.0700 70 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 70	31
GIBBS RALPH W & THERESE A 71 SANDERS CT NORTH FORT MYERS FL 33903	33-43-24-01-00000.0710 71 SANDERS CT NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 71	32
SPIRNAK RICHARD & CAROLE A 72 SANDERS CT NORTH FORT MYERS FL 33903	33-43-24-01-00000.0720 72 SANDERS CT NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 72	33
FRIEDENBERG ROCHELLE 73 SANDERS CT NORTH FORT MYERS FL 33903	33-43-24-01-00000.0730 73 SANDERS CT NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 73	34
DE CUICIES ANTHONY 74 SANDERS CT NORTH FORT MYERS FL 33903	33-43-24-01-00000.0740 74 SANDERS CT NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 74	35
MINERD CHARLES W & ANGELA R 75 SANDERS CT NORTH FORT MYERS FL 33903	33-43-24-01-00000.0750 75 SANDERS CT NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 75	36
SCHOENBECK ROY W & DIANE A 76 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.0760 76 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 76	37
HOFFMANN WILLIAM J + 77 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.0770 77 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 77	38
TUSON CLAUDIA A + 78 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.0780 78 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 78	39
DROLEMA THOMAS & VICKI + 79 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.0790 79 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 79	40
MILLER PATRICIA A 80 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.0800 80 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 80	41
LANGMAID FRANK 108 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.1080 108 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 108	42
STACKPOLE DENNY R 109 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.1090 109 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 109	43
TRAVERS EVELYN TR 110 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.1100 110 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 110	44

DEFILIPPO JOYCE M TR 111 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.1110 111 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 111	45
LAMOTHE CAROLYN A & BRIAN R 112 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.1120 112 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 112	46
LONG DENNIS J & CHRISTINE M 113 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.1130 113 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 113	47
TANK GARY W & JANICE K 114 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.1140 114 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 114	48
BOLTON BETTY C & HARRY H + 115 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.1150 115 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 115	49
SWIERK LAURIE 116 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.1160 116 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 116	50
MILLAR IRENE J TR 117 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.1170 117 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 117	51
LEUPP GREGORY A & THERESA J 118 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.1180 118 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 118	52
ZASKOWSKI WILLIAM J & 119 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.1190 119 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 119	53
VANHOUTEN JOHN & EMMA J 120 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.1200 120 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 120	54
DUFFY ERNEST J & DEBORAH 121 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.1210 121 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 121	55
FROELICH KENNETH 122 SNEAD DR NORTH FORT MYERS FL 33903	33-43-24-01-00000.1220 122 SNEAD DR NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 122	56
CRIST CRAIG M 123 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1230 123 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 123	57
BAKER RONALD S 124 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1240 124 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 124	58
WANGERIN RICHARD G & GWEN C W10406 SUNNY POINT RD BEAVER DAM WI 53916	33-43-24-01-00000.1250 125 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 125	59
LEONARD TIMOTHY JAMES 126 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1260 126 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 126	60
NICHOLSON WAYNE & KIMBERLY 127 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1270 127 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 127	61
DONAHUE JOSEPH M & 128 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1280 128 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 128	62
ELIZABETH BETTY JANE RAYMOND T 129 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1290 129 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 129	63

SIX LAKES COUNTRY CLUB INC 130 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1300 130 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 130	64
HIGHLEY PATRICK E & DEBRA R 1652 COUNTY HIGHWAY 42 SHELBYVILLE IL 62565	33-43-24-01-00000.1310 131 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 131	65
SLATER GLEN & SUSAN 132 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1320 132 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 132	66
GERBER DAVID & SUSAN 133 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1330 133 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 133	67
KEMPF WILLIAM EMIEL & 2233 MEADOWGLEN NE GRAND RAPIDS MI 49505	33-43-24-01-00000.1340 134 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 134	68
JONES WILLIAM TREBY 135 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1350 135 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 135	69
THIEKE DONALD B & 6135 E SR 218 WALTON IN 46994	33-43-24-01-00000.1580 158 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 158	70
KETT DAVID & LINDA 36887 ROWE CT STERLING HEIGHTS MI 48312	33-43-24-01-00000.1590 159 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 159	71
UNKNOWN HEIRS OF 160 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1600 160 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 160	72
JENKENS RONALD L & BRENDA D TR 161 YANCEY LN NORTH FORT MYERS FL 33903	33-43-24-01-00000.1610 161 YANCEY LN NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 161	73
MURPHY THOMAS B & IVANKA 182 YANCEY LN NORTH FORT MYERS FL 33903	33-43-24-01-00000.1820 182 YANCEY LN NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 182	74
COFFIN JOAN O + 183 YANCEY LN NORTH FORT MYERS FL 33903	33-43-24-01-00000.1830 183 YANCEY LN NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 183	75
STRAILE DAVID W TR 3409A URBANA PIKE FREDERICK MD 21704	33-43-24-01-00000.1840 184 YANCEY LN NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 184	76
MUSKUS JOSEPH TR 185 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1850 185 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 185	77
KROSTUE MICHAEL R & SALLY I TR 186 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1860 186 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 186	78
JOHNSON BOYD LEE + 8 TANGLEWOOD ESTS SULLIVAN IL 61951	33-43-24-01-00000.1870 187 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 187	79
ODELL STEWART HARRY 188 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1880 188 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 188	80
WHELAN EDWARD L & CAROL J 5 BUTTERNUT LANE HINGHAM MA 02043	33-43-24-01-00000.1890 189 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 189	81
RUDD JEANNETTE M TR 190 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1900 190 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 190	82

DELANEY NANCY E 191 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1910 191 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 191	83
ODOM ROBERT E + 192 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1920 192 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 192	84
COOKSON JUDITH DUNHAM TR 193 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1930 193 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 193	85
ADRAGNA RONALD + 194 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1940 194 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 194	86
WELCH DOROTHY A TR 195 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1950 195 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 195	87
TODD WILLIAM A & VICTORIA L 196 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1960 196 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 196	88
SUPERCHI ARNOLD E & LANA C 197 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1970 197 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 197	89
SMITH ROBERT A TR 198 NICKLAUS BLVD NORTH FORT MYERS FL 33903	33-43-24-01-00000.1980 198 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 198	90
GOODSTEIN MARK B & 19 CRESTON RD WINDSOR LOCKS CT 06096	33-43-24-01-00000.1990 199 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 199	91
SIX LAKES COUNTRY CLUB INC 9151 LITTLETON RD NORTH FORT MYERS FL 33903	33-43-24-01-00000.2000 200 NICKLAUS BLVD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB M/H PK OR 1775 PG 4634 LOT 200	92
SIX LAKES COUNTRY CLUB INC 9151 LITTLETON RD NORTH FORT MYERS FL 33903	33-43-24-01-00001.00CE 9151 LITTLETON RD NORTH FORT MYERS FL 33903	SIX LAKES COUNTRY CLUB C/E CLUB HSE +TENNIS +POOL SHUFFLEBOARD + GOLF COURSE OR 1775 PG 4634	93
LIGHT DANIEL B + 6810 INTERNATIONAL CENTER BLVD FORT MYERS FL 33912	33-43-24-C3-00007.0000 ACCESS UNDETERMINED CAPE CORAL FL 33909	PARL DESC OR 1985 PG 4580 + OR 4085 PG 3688 LESS OR 2087 PG 3197 LESS OR 2268 PG 4260 + LESS OR 4085 PG 3692 LESS ROW OR 2833 PG 4141 LESS PARS S OF DIPLOMAT PKWY	94
DIPLOMAT RV & BOAT STORAGE LLC 2900 DIPLOMAT PKWY E FORT MYERS FL 33901	33-43-24-C3-U0952.5220 2890/2900 DIPLOMAT PKWY E CAPE CORAL FL 33909	PAR IN NE 1/4 OF SE 1/4 SEC 33 TWP 43 R 24 AS DESC INST #2017000076606	95
AIOP SERENDIPITY LLC AMERICAN LAND LEASE 27777 FRANKLIN RD STE 200 SOUTHFIELD MI 48034	34-43-24-00-00001.0000 8791 LITTLETON RD NORTH FORT MYERS FL 33903	PARL IN N W 1/4 DESC IN OR 1153 PG 1203	96
KQ NORTH FORT MYERS LLC 211 N STADIUM BLVD #201 COLUMBIA MO 65203	34-43-24-00-00001.3020 15781 N CLEVELAND AVE NORTH FORT MYERS FL 33903	PARL IN W 1/2 AS DESC IN OR 1972 PG 335 PARCEL 2	97
HABITAT DIPLOMAT LLC 1288 N TAMIAMI TR FORT MYERS FL 33903	34-43-24-00-00001.303A DIPLOMAT PKWY E CAPE CORAL FL 33909	PARL W OF US 41 AS PORT DESC IN INST 2005-145398 S OF DIPLOMAT	98
COOPER STREET PROPERTY INC 3200 BAILEY #199 NAPLES FL 34105	34-43-24-00-00001.3050 ACCESS UNDETERMINED NORTH FORT MYERS FL	PAR W OF US 41 DESC IN OR 4729 PG 762	99

HABITAT DIPLOMAT NORTH LLC 1288 NORTH TAMIAMI TRL NORTH FORT MYERS FL 33903	34-43-24-00-00001.306A DIPLOMAT PKWY E NORTH FORT MYERS FL 33903	W 25FT OF THE NW 1/4 LYING W OF US 41 AND N OF DIPLOMAT	100
RB MERCHANTS LLC + RD MANAGEMENT LLC 810 SEVENTH AVE 10TH FL NEW YORK NY 10019	34-43-24-03-0000C.00CE MERCHANTS CROSSING C/E NORTH FORT MYERS FL 33903	MERCHANTS CROSSING PB 52 PGS 37-47 TRACTS C D E J	101



OPEN SPACE:

- OPEN SPACE REQUIRED: 20% (35.18 AC X 0.2 = 7.04 AC)
- 50% OF REQUIRED OPEN SPACE MUST BE INDIGENOUS OPEN SPACE: (3.52 AC)
- 0.55± AC INDIGENOUS PROVIDED WITHIN FLOODWAY
- ONSITE WITH 110% CREDIT FOR MINIMUM 1/2 ACRE/50' WIDTH = 0.61 ACRE CREDIT. 3.52-0.61 = 2.91 AC REQUIRED TO BE MET ON SOUTH PARCEL.
- INDIGENOUS OPEN SPACE PROVIDED ON SOUTH RPD FOR RESIDENTIAL NORTH PER DOS2007-00267: (7.03 AC)
- 2.92 ACRE/CREDIT PHASED PORTION OF UPLAND INDIGENOUS PRESERVE ON SOUTH RPD PARCEL TO BE PROVIDED BEFORE CERTIFICATION OF COMPLETION OF D.O. FOR NORTH RPD. 2.92 AC/135% CREDIT* = MINIMUM 2.16 AC *135% CREDIT FOR MINIMUM 1 AC/75' WIDTH AND ADJACENT TO OFFSITE PRESERVE.
- REGULAR OPEN SPACE REQUIRED ON SITE: (3.52 AC)
- PROVIDED REGULAR OPEN SPACE ON SITE: MINIMUM 3.52 AC

LEGEND:

DEVIATIONS:

- △5 TO ALLOW MINIMUM 20' SEPARATION BETWEEN RECREATION BUILDING AND DWELLING UNIT
- △6a TO ALLOW ONE ACCESS AND EMERGENCY ONLY ACCESS
- △7 TO ALLOW REDUCED MINIMUM COLLECTION CONTAINER AREA FOR RECYCLABLE MATERIALS DUE TO COMPACTOR
- △8 TO ALLOW NO INTERNAL R.O.W. BUFFER
- △9 TO ALLOW BACKOUT PARKING INTO R.O.W.
- △10 TO ALLOW MINIMUM BUILDING SEPARATION OF 20'

INDIGENOUS PRESERVATION

ZONE X
ZONE AE
(EL 15)

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ALTERNATE DIPLOMAT NORTH RPD MASTER CONCEPT PLAN

DIPLOMAT HOUSE
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
12/7/2023	2028TW	ALT_MCP	NFK	NFK	SWM	1"=100'	01