kwiktag® 026 614 613

PLANNING DIVISION
M E M O R A N D U M

LEE COUNTY
SOUTHWEST FLORIDA

to: Board of County Commissioners

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

subject: Lee County's 2001/2002 Regular Comprehensive Plan Amendment Cycle

date: December 23, 2002

Attached are the agenda and staff reports for the public hearing to be held beginning at 9:30 A.M. on Thursday, January 9th, 2003. This is an adoption hearing for the 2001/2002 Comprehensive Plan Amendment Cycle. The Board of County Commissioners transmitted the 2000/2001 Lee Plan amendments to the State for review on September 19, 2002. The Department of Community Affairs (DCA) issued it's Objections, Recommendations and Comments (ORC) Report on November 22, 2002. The DCA did not pose any objections or recommendations to any of the 15 transmitted amendments. The DCA did provide one comment regarding CPA2001-10, the Captiva Island Community Planning Effort. The comment points out that proposed Policy 21.9, which states that "mangroves on Captiva Island should be protected," is vague and should be revised to establish guidelines on how they should be protected. Per the DCA's comment, staff is proposing modified language in order to satisfy the Captiva residents desire to further protect mangroves on the island.

Three other amendments have been revised to reflect recent updates that have occurred since the transmittal hearing. The next revised amendment is CPA2001-12, which adds a specific access management plan to Policy 1.3.8 for Alico Road in the vicinity of the I-75 interchange, and adds the maps of the specific access management plans to the Future Land Use Map series. Since the time of transmittal, the connection between Three Oaks Parkway and Oriole Road has been revised and has been coordinated with the adjacent property owners.

CPA2001-28, which amends the Capital Improvements Element (Tables 3 & 4) to reflect the latest adopted Capital Improvement Program, has also been revised to reflect the latest tables approved by the Board at the budget meetings. The changes to the tables occurred after the plan amendment transmittal hearings and are updated in the attached staff report..

The final amendment that is being modified since the transmittal hearing is CPA2001-27. This amendment adds a new Objective and Policy to the Community Facilities and Services Element of the Lee Plan regarding the incorporation of green infrastructure into the surface water management systems of proposed developments as well as providing definitions for green infrastructure and flow-way in the Glossary. Since transmittal, staff has been meeting with the public and state agencies on issues raised at the Transmittal hearing. Staff has revised the proposed language in the attached staff report as a result of those meetings. The revisions to the subject amendment were sent to the DCA for review on November 8, 2002 prior to the issuance of the ORC Report.

Other than these 3 amendments that will require modifications as noted above, the remaining documents were simply updated to reflect that there were no objections, recommendations, or comments by the DCA.

P.O. Box 398 ▪ Fort Myers, FL 33902-0398 ▪ (941) 479-8585 ▪ Fax (941) 479-8319

If you have any questions regarding the adoption hearing, do not hesitate to call me at 479-8309.

cc: *Donald Stilwell, County Administrator*
Mary Gibbs, Director, Department of Community Development
Minutes
Lee Cares
Tim Jones, Assistant County Attorney
Donna Marie Collins, Assistant County Attorney
Janet Watermeier, Director, Economic Development
Dave Loveland, DOT
Diana Parker, County Hearing Examiner
Wayne Daltry, Smart Growth Director

January 9, 2003
9:30 A.M.
AGENDA

1. **Call to order; Certification of Affidavit of Publication**

2. **Community Plan Agenda**

3. **Public Comment on Consent Agenda**

4. **Consent Agenda:**
   - **Items to be pulled for discussion by the Board**
   - **Motion to approve the balance of items**
   - **Consideration of items pulled for discussion**

5. **Adopt the following ordinance which adopts the consent agenda items:**

   AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE LAND USE PLAN, COMMONLY KNOWN AS THE "LEE PLAN" ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENTS APPROVED ON THE CONSENT AGENDA DURING THE COUNTY'S 2001/2002 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT AND MAPS; PURPOSE AND SHORT TITLE; LEGAL EFFECT; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

6. **Administrative Agenda**

7. **Adjourn**

COMMUNITY PLAN AGENDA

A. CPA 2001-10

Amend the Lee Plan to incorporate the recommendations of the Captiva Island Community Planning effort, establishing a Goal and subsequent Objectives and Policies specific to the Captiva Island community.

B. Adopt the following ordinance which adopts CPA 2001-10:

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT CPA2001-10 (PERTAINING TO THE CAPTIVA ISLAND COMMUNITY PLAN) APPROVED DURING THE COUNTY'S 2001/2002 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT AND MAPS; PURPOSE AND SHORT TITLE; LEGAL EFFECT OF "THE LEE PLAN"; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

C. CPA 2001-09

Amend the Future Land Use Element text of the Lee Plan to incorporate the recommendations of the Bayshore Steering Committee, establishing a Vision Statement, Goal and subsequent Objectives and Policies specific to the Bayshore Community.

D. Adopt the following ordinance which adopts CPA 2001-09:

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT CPA2001-09 (PERTAINING TO THE BAYSHORE COMMUNITY PLAN) APPROVED DURING THE COUNTY'S 2001/2002 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT AND MAPS; PURPOSE AND SHORT TITLE; LEGAL EFFECT OF "THE LEE PLAN"; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

E. CPA2001-18

Amend the Future Land Use Element of the Lee Plan, text and Future Land Use Map series to incorporate the recommendations of the Greater Pine Island Community Planning effort, establish a new Vision Statement, establish a revised Goal 14, amend subsequent Policies specific to Greater Pine Island, amend Objective 1.4 "Non-Urban Areas" by establishing a new "Coastal Rural" future

land use category and amend the Future Land Use Map series to reclassify from "Outlying Suburban" to "Coastal Rural" 157 acres of agricultural land between Bokeelia and September Estates and to reclassify all "Rural" designated land to "Coastal Rural."

F. Adopt the following ordinance which adopts CPA2001-18:

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT CPA2001-18 (PERTAINING TO THE GREATER PINE ISLAND COMMUNITY PLAN) APPROVED DURING THE COUNTY'S 2001/2002 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT AND FUTURE LAND USE MAP; PURPOSE AND SHORT TITLE; LEGAL EFFECT OF "THE LEE PLAN"; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

CONSENT AGENDA

A. CPA 2001-11
Amend the Future Land Use Element, Policy 1.2.2, the Airport Commerce descriptor policy, to broaden the allowable uses and to establish relationships and criteria for those uses.

B. CPA 2001-15
Amend the Future Land Use Map series, Map 1, by updating the Conservation Lands land use categories.

C. CPA 2001-22
Amend the Future Land Use Map Series, Map 12, the Water Dependent Overlay (WDO) Zones, by evaluating and updating the status of the overlay areas and the Goals, Objectives, and Policies that pertain to the WDO.

D. CPA 2001-23
Evaluate and amend the Future Land Use Map series, Map 20, the Agricultural Overlay and Goal 9, Agricultural Land Uses, and its subsequent objectives and policies.

E. CPA 2001-24
Update Table 2(b), Recommended Operational Improvements on Constrained Roads.

F. CPA 2001-31
Amend Policy 80.1.7 of the Conservation and Coastal Management Element by updating the policy to reflect a new percentage for replacement values and revising the target date when development regulations will require implementation of this policy.

G. CPA 2001-32
Amend the Intergovernmental Coordination Element and the Community Facilities Element to bring the elements into compliance with the provisions of F.S. Chapter 163.3177

H. CPA 2001-33
Amend the Build Back Policy of the Procedures and Administration Element by replacing references to the term "cost" with the term "value."

I. CPA 2001-35
Review all elements of the Lee Plan, and replace, where applicable, references to the Lee County Regional Water Supply Authority with Lee County Utilities or the Division of Natural Resources in conjunction with the County taking over the responsibilities of the Water Supply Authority.

ADMINISTRATIVE AGENDA

A. CPA 2001-12

Modify Policy 1.3.8 to create specific access management plans for Alico Road, Bonita Beach Road, and Luckett Road in the vicinity of I-75 (follow-up to PAT 99-27). In addition, include access management maps in the Future Land Use Map series.

B. Adopt the following ordinance which adopts CPA 2001-12:

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT CPA2001-12 (PERTAINING TO THE CREATION OF SPECIFIC ACCESS MANAGEMENT PLANS FOR ALICO ROAD, BONITA BEACH ROAD, AND LUCKETT ROAD IN THE VICINITY OF I-75 AND TO INCLUDE ACCESS MANAGEMENT MAPS IN THE FUTURE LAND USE MAP SERIES) APPROVED DURING THE COUNTY'S 2001/2002 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT AND ACCESS MANAGEMENT MAPS; PURPOSE AND SHORT TITLE; LEGAL EFFECT OF "THE LEE PLAN"; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

C. CPA 2001-27

Amend Community Facilities and Services Element, Goal 40: Coordinated Surface Water Management and Land Use Planning on a Watershed Basis to add a new Objective and Policy regarding incorporation of green infrastructure into the surface water management systems of proposed developments, and provide definitions for green infrastructure and flow-way in the Glossary.

D. Adopt the following ordinance which adopts CPA 2001-27:

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT CPA2001-27 (PERTAINING TO THE ADDITION OF A NEW OBJECTIVE AND POLICY UNDER GOAL 40 REGARDING THE INCORPORATION OF GREEN INFRASTRUCTURE INTO THE SURFACE WATER MANAGEMENT SYSTEMS OF PROPOSED DEVELOPMENTS AND TO THE ADDITION OF TWO DEFINITIONS TO THE GLOSSARY FOR "GREEN INFRASTRUCTURE" AND "FLOW-WAY") APPROVED DURING THE COUNTY'S 2001/2002 REGULAR

COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT AND MAPS; PURPOSE AND SHORT TITLE; LEGAL EFFECT OF "THE LEE PLAN"; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

E. CPA 2001-28

Amend the Capital Improvements Element (Tables 3 & 4) to reflect the latest adopted Capital Improvement Program.

F. Adopt the following ordinance which adopts CPA 2001-28:

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT CPA2001-28 (PERTAINING TO TABLES 3 AND 4 OF THE CAPITAL IMPROVEMENT ELEMENT) APPROVED DURING THE COUNTY'S 2001/2002 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT AND MAPS; PURPOSE AND SHORT TITLE; LEGAL EFFECT OF "THE LEE PLAN"; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

LEE COUNTY ORDINANCE NO. 03-_____
(Consent Ordinance)

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE LAND USE PLAN, COMMONLY KNOWN AS THE "LEE PLAN" ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENTS APPROVED ON THE CONSENT AGENDA DURING THE COUNTY'S 2001/2002 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT AND MAPS; PURPOSE AND SHORT TITLE; LEGAL EFFECT; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan (hereinafter referred to as the "Lee Plan") Policy 2.4.1 and Chapter XIII, provides for adoption of amendments to the Plan in compliance with State statutes and in accordance with administrative procedures adopted by the Board of County Commissioners; and,

WHEREAS, the Lee County Board of County Commissioners, in accordance with Section 163.3181, Florida Statutes, and Lee County Administrative Code AC-13-6 provide an opportunity for the public to participate in the plan amendment public hearing process; and,

WHEREAS, the Lee County Local Planning Agency ("LPA") held public hearings pursuant to Chapter 163, Part II, Florida Statutes, and the Lee County Administrative Code on March 25, April 22, July 22, and August 26, 2002; and,

WHEREAS, the Board of County Commissioners, pursuant to Florida Statutes and the Lee County Administrative Code held a public hearing for the transmittal of the proposed amendments on September 4 and 5, 2002. At those hearings the Board approved a motion to send, and did later send, the proposed amendment to the Florida Department of Community Affairs ("DCA") for review and comment; and,

WHEREAS, at the transmittal hearings on September 4 and 5, 2002, the Board

announced its intention to hold a public hearing after the receipt of DCA's written comments commonly referred to as the "ORC Report." DCA issued their ORC report on November 22, 2002; and,

WHEREAS, the Board moved to adopt the proposed amendments to the Lee Plan set forth herein during its statutorily prescribed public hearing for the plan amendments on January 9, 2003.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, conducted a series of public hearings to consider proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt the certain amendments to the Lee Plan discussed at those meetings and approved by a majority of the Board. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as amended, will continued to be the "Lee Plan." **This ordinance may be referred to as the "2001/2002 Regular Comprehensive Plan Amendment Cycle Consent Ordinance."**

SECTION TWO: ADOPTION OF LEE COUNTY'S 2000/2001 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE (Consent Agenda Items)

The Lee County Board of County Commissioners amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting amendments, as revised by the Board of County Commissioners on January 9, 2003, known as: CPA2001-11, CPA2001-15, CPA2001-22, CPA2001-23, CPA2001-24, CPA2001-31, CPA2001-32, CPA2001-33, and CPA2001-35. The aforementioned amendments amend the text of the

Lee Plan including the Future Land Use Map series, the Transportation Map series, and the tables of the Lee Plan. A brief summary of the content of those amendments is set forth below:

CPA 2001-11

Amend the Future Land Use Element, Policy 1.2.2, the Airport Commerce descriptor policy, to broaden the allowable uses and to establish relationships and criteria for those uses.

CPA 2001-15

Amend the Future Land Use Map series, Map 1, by updating the Conservation Lands land use categories.

CPA 2001-22

Amend the Future Land Use Map Series, Map 12, the Water Dependent Overlay (WDO) Zones, by evaluating and updating the status of the overlay areas and the Goals, Objectives, and Policies that pertain to the WDO.

CPA 2001-23

Evaluate and amend the Future Land Use Map series, Map 20, the Agricultural Overlay and Goal 9, Agricultural Land Uses, and its subsequent objectives and policies.

CPA 2001-24

Update Table 2(b), Recommended Operational Improvements on Constrained Roads.

CPA 2001-31

Amend Policy 80.1.7 of the Conservation and Coastal Management Element by updating the policy to reflect a new percentage for replacement values and revising the target date when development regulations will require implementation of this policy.

CPA 2001-32

Amend the Intergovernmental Coordination Element and the Community Facilities Element

to bring the elements into compliance with the provisions of F.S. Chapter 163.3177

CPA 2001-33

Amend the Build Back Policy of the Procedures and Administration Element by replacing references to the term "cost" with the term "value."

CPA 2001-35

Review all elements of the Lee Plan, and replace, where applicable, references to the Lee County Regional Water Supply Authority with Lee County Utilities or the Division of Natural Resources in conjunction with the County taking over the responsibilities of the Water Supply Authority.

The corresponding Staff Reports and Analysis, along with all attachments for these amendments are adopted as "Support Documentation" for the Lee Plan.

SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"

No public or private development will be permitted except in conformity with the Lee Plan. All land development regulations and land development orders must be consistent with the Lee Plan as amended.

SECTION FOUR: GEOGRAPHIC APPLICABILITY

The Lee Plan is applicable throughout the unincorporated area of Lee County, Florida, except in those unincorporated areas included in joint or interlocal agreements with other local governments that specifically provide otherwise.

SECTION FIVE: SEVERABILITY

The provisions of this ordinance are severable and it is the intention of the Board of County Commissioners of Lee County, Florida, to confer the whole or any part of the powers herein provided. If any of the provisions of this ordinance are held unconstitutional by a court of competent jurisdiction, the decision of that court will not affect or impair the

remaining provisions of this ordinance. It is hereby declared to be the legislative intent of the Board of County Commissioners that this ordinance would have been adopted had the unconstitutional provisions not been included therein.

SECTION SIX: INCLUSION IN CODE, CODIFICATION, SCRIVENERS' ERROR

It is the intention of the Board of County Commissioners that the provisions of this ordinance will become and be made a part of the Lee County Code. Sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or other appropriate word or phrase in order to accomplish this intention; and regardless of whether inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered. The correction of typographical errors that do not affect the intent, may be authorized by the County Manager, or his or her designee, without need of public hearing, by filing a corrected or recodified copy with the Clerk of the Circuit Court.

SECTION SEVEN: EFFECTIVE DATE

The plan amendments adopted herein are not effective until a final order is issued by the DCA or Administrative Commission finding the amendment in compliance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before the amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status. A copy of such resolution will be sent to the DCA, Bureau of Local Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

THE FOREGOING ORDINANCE was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and, when

put to a vote, the vote was as follows:

Robert P. Janes

Douglas St. Cerny

Ray Judah

Andrew Coy

John Albion

DONE AND ADOPTED this 9th day of January 2003.

ATTEST:
CHARLIE GREEN, CLERK

BY:_____
Deputy Clerk

LEE COUNTY
BOARD OF COUNTY COMMISSIONERS

BY: _____
Chairman

DATE:_____

Approved as to form by:

_____
Donna Marie Collins
County Attorney's Office

LEE COUNTY ORDINANCE NO. 03-_____
(Captiva Island Community Plan)
(CPA2001-10)

AN ORDINANCE AMENDING THE LEE COUNTY COMPREHENSIVE PLAN, COMMONLY KNOWN AS THE "LEE PLAN," ADOPTED BY ORDINANCE NO. 89-02, AS AMENDED, SO AS TO ADOPT AMENDMENT CPA2001-10 (PERTAINING TO THE CAPTIVA ISLAND COMMUNITY PLAN) APPROVED DURING THE COUNTY'S 2001/2002 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE; PROVIDING FOR AMENDMENTS TO ADOPTED TEXT AND MAPS; PURPOSE AND SHORT TITLE; LEGAL EFFECT OF "THE LEE PLAN"; GEOGRAPHICAL APPLICABILITY; SEVERABILITY, CODIFICATION, SCRIVENER'S ERRORS, AND AN EFFECTIVE DATE.

WHEREAS, the Lee County Comprehensive Plan ("Lee Plan") Policy 2.4.1 and Chapter XIII, provides for adoption of amendments to the Plan in compliance with State statutes and in accordance with administrative procedures adopted by the Board of County Commissioners ("Board"); and,

WHEREAS, the Board, in accordance with Section 163.3181, Florida Statutes, and Lee County Administrative Code AC-13-6 provide an opportunity for private individuals to participate in the plan amendment public hearing process; and,

WHEREAS, the Lee County Local Planning Agency ("LPA") held public hearings pursuant to Florida Statutes and the Lee County Administrative Code on March 25 and April 22, 2002; and,

WHEREAS, the Board held a public hearing for the transmittal of the proposed amendment on September 4, 2002. At that hearing, the Board approved a motion to send, and did later send, proposed amendment CPA2001-10 pertaining to the Captiva Island Community Planning effort to the Florida Department of Community Affairs ("DCA") for review and comment; and,

WHEREAS, at the September 4, 2002 meeting, the Board announced its intention

to hold a public hearing after the receipt of DCA's written comments commonly referred to as the "ORC Report." DCA issued their ORC report on November 22, 2002; and,

WHEREAS, at a public hearing on January 9, 2003, the Board moved to adopt the proposed amendment to the Lee Plan adopting the Captiva Island Community Plan as more particularly set forth herein.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEE COUNTY, FLORIDA, THAT:

SECTION ONE: PURPOSE, INTENT AND SHORT TITLE

The Board of County Commissioners of Lee County, Florida, in compliance with Chapter 163, Part II, Florida Statutes, and with Lee County Administrative Code AC-13-6, conducted public hearings to review proposed amendments to the Lee Plan. The purpose of this ordinance is to adopt the amendments to the Lee Plan discussed at those meetings and approved by a majority of the Board of County Commissioners. The short title and proper reference for the Lee County Comprehensive Land Use Plan, as hereby amended, will continue to be the "Lee Plan." **This amending ordinance may be referred to as the "2001/2002 Regular Comprehensive Plan Amendment Cycle CPA2001-10 Captiva Island Community Plan Ordinance."**

SECTION TWO: ADOPTION OF LEE COUNTY'S 2000/2001 REGULAR COMPREHENSIVE PLAN AMENDMENT CYCLE

The Lee County Board of County Commissioners amends the existing Lee Plan, adopted by Ordinance Number 89-02, as amended, by adopting an amendment, as revised by the Board on January 9, 2003, known as CPA2001-10. CPA2001-10 amends the Plan to incorporate the recommendations of the Captiva Island Community Planning effort by establishing a Goal and subsequent Objectives and Policies specific to the

Captiva Island Community.

The corresponding Staff Reports and Analysis, along with all attachments for this amendment are adopted as "Support Documentation" for the Lee Plan.

SECTION THREE: LEGAL EFFECT OF THE "LEE PLAN"

No public or private development will be permitted except in conformity with the Lee Plan. All land development regulations and land development orders must be consistent with the Lee Plan as amended.

SECTION FOUR: GEOGRAPHIC APPLICABILITY

The Lee Plan is applicable throughout the unincorporated area of Lee County, Florida, except in those unincorporated areas included in joint or interlocal agreements with other local governments that specifically provide otherwise.

SECTION FIVE: SEVERABILITY

The provisions of this ordinance are severable and it is the intention of the Board of County Commissioners of Lee County, Florida, to confer the whole or any part of the powers herein provided. If any of the provisions of this ordinance are held unconstitutional by a court of competent jurisdiction, the decision of that court will not affect or impair the remaining provisions of this ordinance. It is hereby declared to be the legislative intent of the Board that this ordinance would have been adopted had the unconstitutional provisions not been included therein.

SECTION SIX: INCLUSION IN CODE, CODIFICATION, SCRIVENERS' ERROR

It is the intention of the Board of County Commissioners that the provisions of this ordinance will become and be made a part of the Lee County Code. Sections of this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or other appropriate word or phrase in order to accomplish this intention;

and regardless of whether inclusion in the code is accomplished, sections of this ordinance may be renumbered or relettered. The correction of typographical errors that do not affect the intent, may be authorized by the County Manager, or his or her designee, without need of public hearing, by filing a corrected or recodified copy with the Clerk of the Circuit Court.

SECTION SEVEN: EFFECTIVE DATE

The plan amendments adopted herein are not effective until a final order is issued by the DCA or Administrative Commission finding the amendment in compliance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before the amendment has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status. A copy of such resolution will be sent to the DCA, Bureau of Local Planning, 2555 Shumard Oak Boulevard, Tallahassee, Florida 32399-2100.

THE FOREGOING ORDINANCE was offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____, and, when put to a vote, the vote was as follows:

Robert P. Janes

Douglas St. Cerny

Ray Judah

Andrew Coy

John Albion

DONE AND ADOPTED this 9th day of January 2003.

ATTEST:
CHARLIE GREEN, CLERK

BY:_____
Deputy Clerk

LEE COUNTY
BOARD OF COUNTY COMMISSIONERS

BY:_____
Chairman

DATE:_____

Approved as to form by:

_____
Donna Marie Collins
County Attorney's Office

CPA2001-10
BoCC SPONSORED AMENDMENT TO THE

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

BoCC Public Hearing Document
for the January 9th
Adoption Hearing

Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(941) 479-8585

November 22, 2002

LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2001-00010

☑ **Text Amendment** ☐ **Map Amendment**

✓	This Document Contains the Following Reviews:
✓	Staff Review
✓	Local Planning Agency Review and Recommendation
✓	Board of County Commissioners Hearing for Transmittal
✓	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: April 18, 2002

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. SPONSOR/APPLICANT:

a. SPONSOR:
LEE COUNTY BOARD OF COUNTY COMMISSIONERS
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING

b. APPLICANT:
CAPTIVA ISLAND PROPERTY OWNERS ASSOCIATION, INC.
REPRESENTED BY DAVID W. DEPEW, AICP
MORRIS-DEPEW ASSOCIATES, INC.

2. REQUEST:

Amend the Lee Plan to incorporate the recommendations of the Captiva Island Community Planning effort, establishing a Goal and subsequent Objectives and Policies specific to the Captiva Island community.

B. LANGUAGE TRANSMITTED BY THE BOCC:

GOAL 21: To maintain and enhance the historic pattern of development on Captiva, consisting of unobtrusive, low-density residential use in an environment characterized by diverse and healthy native vegetation, clean offshore water with diverse and healthy marine life, and limited commercial development and traffic. The purpose of this goal is to provide policies to confirm and reinforce that historic pattern.

OBJECTIVE 21: Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island.

POLICY 21.1 No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on January 1, 2002, regardless of their zoning at any time thereafter, may be permitted unless all of the resulting lots comply with all of the minimum lot size and dimensional requirements in the RSC-2 district.

POLICY 21.2: No building or structure may be erected or altered so that the peak of the roof exceeds 35 feet above the average grade of the lot in question or 42 feet above mean sea level, whichever is lower.

POLICY 21.3: Lee County will encourage and support efforts by Captivans to strengthen existing vegetation ordinances to establish a landscaping code for Captiva Island that will require all new development, including single family residences, to implement minimum landscaping requirements intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. New landscaping requirements will focus on areas including, but not limited to, buffering and separation between new structures and Captiva Drive, buffering between adjoining properties, preservation and enhancement of native plant communities including, but not limited to, beach dune community, tropical hardwood hammock, coastal scrub and mangroves.

POLICY 21.4: Lee County will continue to support the effort of the Captiva Erosion Prevention District, a beach and shore preservation authority under provisions of Chapter 161, Florida Statutes, to preserve, protect and maintain Captiva's beaches using environmentally responsible methods.

POLICY 21.5: Lee County will encourage and support efforts by the Captiva community to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island. Such measures may include sewers only if sized to limit development to that permitted by this plan.

POLICY 21.6: The Captiva Island Community will establish a "document clearing house" on Captiva, where copies of selected zoning submittal documents, staff reports, Hearing Examiner recommendations and resolutions will be provided for public inspection. The County's failure to provide or to timely provide documents to the document clearing house, or failure of the document clearing house to receive documents, will not constitute a defect in notice or bar a public hearing from occurring as scheduled.

POLICY 21.7: The owner or agent for any rezoning, variance, or special exception request within the Captiva Planning Community must conduct one public informational session on Captiva where the agent will provide a general overview of the project for any interested citizens. Lee County encourages zoning staff to participate in such public workshops. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space and providing security measures as needed. Subsequent to this meeting, the applicant must provide county staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised.

POLICY 21.8: Lee County will encourage and support the solicitation of the widest possible range of public input for any future Lee Plan amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan. To that end, Lee County is committed to provide continuing assistance to the Captiva Community as part of the Evaluation and Appraisal Report process as well as ongoing technical expertise related to the functioning of the adopted policies.

POLICY 21.9: Mangroves on Captiva Island should be protected.

POLICY 21.10: Lee County will encourage and support efforts by Captivans to develop and submit ordinances that will encourage the siting and building of structures consistent with the historical character of the island

C. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:

1. RECOMMENDATION: Planning staff recommends that the Board of County Commissioners transmit the proposed amendment as provided below. This recommendation includes the deletion of the policy limiting the development of South Seas Plantation to 912 dwelling units which was recommended by the LPA, but was not part of staff's original recommendation. The LPA also recommended deletion of the policy disallowing the granting of variances, deviations or administrative relief for new or expanded development on Captiva which was not part of staff's original recommendation. Staff agrees with the removal of those policies. Staff recommends different language for Policy 21.11 than the LPA.

GOAL 21: To maintain and enhance the historic pattern of development on Captiva, consisting of unobtrusive, low-density residential use in an environment characterized by diverse and healthy native vegetation, clean offshore water with diverse and healthy marine life, and limited commercial development and traffic. The purpose of this goal is to provide policies to confirm and reinforce that historic pattern.

OBJECTIVE 21: Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island.

POLICY 21.1: New requests for residential rezonings at a density exceeding one unit per acre, are not permitted. (Nothing in this policy will be deemed to prevent the replacement of an existing dwelling unit or commercial use in the event of a natural disaster, hurricane, flood, fire or other similar occurrence.)

POLICY 21.2 No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on January 1, 2002, regardless of their zoning at any time thereafter, may be permitted unless all of the resulting lots comply with all of the minimum lot size and dimensional requirements in the RSC-2 district.

POLICY 21.3: No building or structure may be erected or altered so that the peak of the roof exceeds 35 feet above the average grade of the lot in question or 42 feet above mean sea level, whichever is lower.

POLICY 21.4: Lee County will encourage and support efforts by Captivans to strengthen existing vegetation ordinances to establish a landscaping code for Captiva Island that will require all new development, including single family residences, to implement minimum landscaping requirements intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. New landscaping requirements will focus on areas including, but not limited to, buffering and separation between new structures and Captiva Drive, buffering between adjoining properties, preservation and enhancement of native plant communities including, but not limited to, beach dune community, tropical hardwood hammock, coastal scrub and mangroves.

POLICY 21.5: Lee County will continue to support local efforts to preserve, protect, and renourish Captiva's beaches through the use of environmentally responsible methods.

POLICY 21.6: Lee County will encourage and support efforts by the Captiva community to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island. Such measures may include sewers only if sized to limit development to that permitted by this plan.

POLICY 21.7: The Captiva Island Community will establish a "document clearing house" on Captiva, where copies of selected zoning submittal documents, staff reports, Hearing Examiner recommendations and resolutions will be provided for public inspection. The County's failure to provide or to timely provide documents to the document clearing house, or failure of the document clearing house to receive documents, will not constitute a defect in notice or bar a public hearing from occurring as scheduled.

POLICY 21.8: The owner or agent for any rezoning, variance, or special exception request within the Captiva Planning Community must conduct one public informational session where the agent will provide a general overview of the project for any interested citizens. Lee County encourages zoning staff to participate in such public workshops. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space and providing security measures as needed. Subsequent to this meeting, the applicant must provide county staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues

that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised.

POLICY 21.9: Lee County will encourage and support efforts by Captivans to develop and submit a compatibility ordinance, which identifies and addresses external impacts of commercial uses on existing residential areas on Captiva Island.

POLICY 21.10: Lee County will encourage and support the solicitation of the widest possible range of public input for any future Lee Plan amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan. To that end, Lee County is committed to provide continuing assistance to the Captiva Community as part of the Evaluation and Appraisal Report process as well as ongoing technical expertise related to the functioning of the adopted policies.

POLICY 21.11: Mangroves on Captiva Island will be protected to the greatest extent possible. Previously approved projects with impacts to mangroves that have not been constructed are required to reduce impacts through redesign.

POLICY 21.12: Lee County will encourage and support efforts by Captivans to develop and submit ordinances in addition to the height ordinance that will encourage the siting and building of structures consistent with the historical character of the island

D. ORIGINAL STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:

(This section shows staff's original recommendation that was provided to the LPA. Staff's original recommendation has been revised as shown in Section C. above.)

1. RECOMMENDATION: Planning staff recommends that the Board of County Commissioners transmit the proposed amendment, with the modifications proposed by staff. Staff's recommended language is provided below, with recommended changes from the applicant's language highlighted in strike-thru, double underline format.

GOAL 21: To maintain and enhance the historic pattern of development on Captiva, consisting of unobtrusive, low-density residential use in an environment characterized by diverse and healthy native vegetation, clean offshore water with diverse and healthy marine life, and limited commercial development and traffic. The purpose of this goal is to provide policies to confirm and reinforce that historic pattern.

OBJECTIVE 21: ~~Develop and maintain discretionary and regulatory programs as soon as possible to further adherence to the goal. Provide policies to confirm and reinforce the goal.~~

POLICY 21.1: New requests for residential rezonings at a density exceeding one unit per acre, ~~shall~~ are not ~~be~~ permitted. (Nothing in this policy ~~shall~~ will be deemed to prevent the replacement of an existing dwelling unit or commercial use in the event of a natural disaster, hurricane, flood, fire, or other similar occurrence.)

POLICY 21.2: No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on January 1, 2002, regardless of their zoning at any time thereafter, may be permitted unless all of the resulting lots comply with all of the minimum lot size and dimensional requirements in the RSC-2 district.

POLICY 21.3: Residential development in South Seas Plantation is limited to a maximum of 912 dwelling units.

POLICY 21.4: No building or structure may be erected or altered so that the peak of the roof exceeds 35 feet above the average grade of the lot in question or 42 feet above mean sea level, whichever is lower.

POLICY 21.5: Lee County ~~shall~~ will encourage and support efforts by Captivans to strengthen existing vegetation ordinances to establish a landscaping code for Captiva Island that will require all new development, including single family residences, to implement minimum landscaping requirements intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. New landscaping requirements ~~shall~~ will focus on areas including, but not limited to, buffering and separation between new structures and Captiva Drive, buffering between adjoining properties, preservation and enhancement of native plant communities including, but not limited to, ~~the~~ beach dune community ~~vegetation~~, tropical hardwood hammock, coastal scrub and ~~preservation and enhancement of the~~ mangroves ~~adjoining Pine Island Sound~~.

POLICY 21.6: Lee County ~~shall~~ will continue to support local efforts to preserve, protect, and renourish Captiva's beaches through the use of environmentally responsible methods.

POLICY 21.7: Lee County ~~shall~~ will encourage and support efforts by the Captiva community to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island. Such measures ~~shall give preference to individual owner control and~~ may include sewers only if sized to limit development to that permitted by this plan

~~**POLICY 21.8:** Lee County shall implement a procedure for all proposed future comprehensive plan amendments, rezoning requests and all variance, special exception and special permit applications for parcels located on Captiva Island that will require a public hearing to be held, at the applicants expense, at a location on Captiva. The public hearing shall be for the purpose of explaining the request to the public and shall be advertised in the same manner that rezoning, variance, special exception or special permit is advertised for hearing before the Lee County Hearing Examiner. In the case of proposed comprehensive plan amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan, such future amendments also will require notification of Captiva registered voters and property owners taxing roll, maintained by the Lee County Property Appraiser, by certified letter. At the public hearing, property owners and registered voters who are unable to be present shall be permitted to provide their comments in writing.~~

~~**POLICY 21.9:** Due to the seasonal nature of the population inhabiting Captiva, and due to the County's desire to encourage the broadest possible public participation, zoning or rezoning requests, and all variance, special exception and special permit applications for parcels located on Captiva Island shall only be scheduled for public hearing between November 1 and May 1 of any year. For applications received during other months, the first available hearing date after November 1 shall be provided, subject to a determination that the application in sufficient and in accordance with all applicable regulations concerning application requirements. In the event of a hurricane, fire, fire, flood or other natural disaster, the Lee County Board of Commissioners may suspend this requirement by finding the extraordinary circumstances apply.~~

POLICY 21.~~10~~8: Lee County ~~shall~~ will encourage and support efforts by Captivans to develop and submit a compatibility ordinance, which identifies and address external impacts of commercial uses on existing residential areas on Captiva Island.

POLICY 21.~~11~~9: Lee County ~~shall~~ will encourage and support the solicitation of the widest possible range of public input for any future Lee Plan amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan. To that end, Lee County is committed to provide continuing assistance to the Captiva Community as part of the Evaluation and Appraisal Report process as well as ongoing technical expertise related to the functioning of the adopted policies. ~~Additionally, future amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan will require that public input be solicited from all segments of Captiva through measures that may include, but are not limited to, public meetings, focus groups, opinion surveys, electronic opinion forums, etc.~~

POLICY 21.~~12~~10: No variances, deviations or administrative relief will be granted for new or expanded developments, including single-family homes, on Captiva unless it can be demonstrated that the absence of such relief will result in a regulatory taking of the property in question.

POLICY 21.~~13~~11: ~~County discretionary acts involving development on Captiva Island shall not permit the destruction or alteration of mangroves. (This is not intended to limit the rights of individual owners to build provide access to docks through mangroves if otherwise lawful).~~ Mangroves on Captiva Island will be protected to the greatest extent possible. Previously approved projects with impacts to mangroves that have not been constructed are required to reduce impacts through redesign.

~~**POLICY 21.14:** Any Resurfacing of Captiva Drive shall be done in a fashion that decreases the possibility of roadway wash-out and other damage that would result from storm or flooding; no such resurfacing shall result in widening the road, increasing the speed limits, or affecting the tree canopy adjacent to and overhanging the road.~~

POLICY 21.~~15~~12: Lee County ~~shall~~ will encourage and support efforts by Captivans to develop and submit ~~innovative~~ ordinances in addition to the height ordinance that will encourage the siting and building of ~~unobtrusive~~ structures consistent with the historical character of the island..

~~**POLICY 21.16:** Lee County will designate an employee to serve as code enforcement inspector giving priority to Captiva Island upon enactment of this amendment, but in no case later than January 1, 2003. Such person will respond to and report on such alleged code violations and complaints within 5 working days from the day of receipt.~~

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

- The proposed amendments to the Lee Plan are based on a collaborative effort between the Captiva Property Owners Association, the Captiva Civic Association, the Captiva Community Planning Panel and County Staff.

- The Captiva Island Community Plan was initiated by the Captiva Property Owners Association in an effort to forestall the incorporation of Captiva Island.

- Currently, the Lee Plan contains few regulations that are specific to the Captiva Island Community.

- The Board of County Commissioners has provided financial and political support to community planning efforts in Lee County.

- The Captiva Island Community Plan actively solicited direction from citizens of Captiva through numerous public meetings held between August 2, 2001 and April 9, 2002. Additional community input was provided by surveys conducted by the Captiva Civic Association. There was also a great deal of individual communication between Captiva residents and the CPOA planning consultant. The proposed Lee Plan changes reflect the direction provided by Captiva citizens through these visioning processes.

- The Community has expressed a desire to implement a stronger community approach to land use and zoning issues to proactively address community character, density, natural resources, public participation and transportation.

- The Community identified a desire to maintain the historic pattern of development on Captiva Island.

- The Community has expressed a desire to limit density on Captiva to help ensure reasonable egress from the Island in the event of an evacuation.

- The Community expressed a desire for extra protection of groundwater resources, wetlands, and mangroves through incentives, and increased regulations.

- The Captiva Community has publicly expressed concerns with the current public notification and operating procedures for comprehensive plan amendments, rezoning requests and all variance, special exception and special permit applications for parcels located on Captiva Island. The community wants additional opportunities to become more involved in the land use planning and zoning process.

- Several of the policies proposed by the Captiva Community call for an increase in the County's core level of service, but have not provided any analysis of the additional costs associated with providing these additional resources. In the absence of such analysis, staff has recommended that such policies be modified or deleted to remove the additional resource burden from the County.

- The processes of rezoning, Lee Plan amendment, or Land Development Code amendment require one or more public hearings, which require the County to provide public notice by law. The County provides this public notice as part of its core level of service.

E. BACKGROUND INFORMATION

The development of the Captiva Island Community Plan was initiated by the Captiva Island Property Owners Association in early November, 2000, in an effort to forestall incorporation of the Island.

On November 1, 2000, the Board of County Commissioners (BoCC) authorized $5,000 in seed money for CPOA to begin developing the Captiva Island Community Plan. Because, among other things, there was no Administrative Code in place which provided procedures and criteria for community planning efforts and which established the minimum acceptable criteria for community plans in order to be eligible for public financial support, that money was never issued. In June of 2001, Administrative Code 13-3, Administrative Procedures Governing Community Planning Efforts Receiving Financial Support from the BoCC, was adopted by the BoCC. The Captiva Island Community Plan was submitted to Lee County on September 27, 2001. In early January, 2002, the BoCC entered into an agreement with the Captiva Island Property Owners Association for $25,000 of community planning funds to help defray the costs of their Community Planning effort.

The September 27, 2001 community plan contained a Goal, Objective, and fourteen Policies resulting from several public hearings conducted with the community and their planning consultant. Almost from the start, members of the Captiva Civic Association opposed several aspects of both the plan and the planning process. At the public hearing approving the funding agreement with the CPOA the BoCC was petitioned to not approve the funding. At that meeting, a representative from the CCA advised the Commission that they were going to submit their own set of amendments, based in part on surveys they conducted of Captiva residents. In response to this information, the BoCC urged the two community groups to work together on the Policy language and made as a condition of funding approval a requirement that the CCA be afforded the opportunity to appoint two of its members to the Community Planning Panel, if they so chose.

The Captiva Island Community Panel held a meeting at the Captiva Civic Association on March 26, 2002, at which time two members of the Captiva Civic Association were appointed to the Community Panel. Subsequent to that action, the Community Panel began the process of approving compromise policy language that was acceptable to both organizations. At a follow up meeting on April 9, 2002, the Community Panel finalized policy language that was generally agreed upon by both organizations and that language is included in this report. While the language represents a general consensus of the members of the community that participated in those meetings, staff believes there are still some minor differences of opinion on some of the policies; however, we have received no written correspondence that indicates a difference of opinion.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

The proposed privately-initiated amendment application was received by the County on September 25, 2001. Planning staff provided copies of the proposed amendment and requested comments from various County departments, including:

- Public Safety
- EMS Division
- Lee County Sheriff
- Natural Resources Division
- Lee Tran
- Parks and Recreation
- School District of Lee County
- Lee County Department of Transportation
- Development Services Division
- Environmental Sciences Division
- Lee County Port Authority
- Economic Development
- Public Works Department
- Utilities Division
- Zoning Division

Comments were received from the Lee County Department of Transportation, the Division of Public Safety, the Division of Public Safety, the Division of Natural Resources and the Lee County School District Department of Construction Services. Those comments are attached to this report.

The Captiva Community Plan was initiated by the Captiva Property Owners Association (CPOA) in early November of 2000.

The community concerns have been summarized and categorized into five general areas by planning staff, as follows:

1. **Community Character** - The community wishes to enhance the historic pattern of development on Captiva and to prohibit all variances, deviations or administrative relief unless it can be shown that the absence of such relief will result in a regulatory taking of the property in question. They also request that Lee County will encourage and support efforts for the community to develop and submit an ordinance which addresses external impact of commercial uses on existing residential areas on Captiva Island. In addition, they have included a policy that would require that no subdivision of parcels that were zoned RSC-2 on January 1, 2002, regardless of their zoning at any time thereafter may be permitted unless all of the resulting lots comply with the RSC-2 zoning district.

2. **Density** - The community wishes to limit density on the island by limiting subdivisions of land to a density not exceeding one dwelling unit per acre, by limiting the height of buildings and by ensuring that South Seas Plantation will be limited to 912 dwelling units.

3. **Natural Resources** - The community has a strong desire to strengthen vegetation ordinances and to establish a landscaping code for the Island that will implement minimum landscaping requirements. They desire to preserve, protect and renourish beaches, implement measures that will improve water quality in the Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island and wish to preserve and protect mangroves.

4. **Public Participation** - The community has requested the opportunity to have more involvement in the development approval process. They have requested a special procedure that would require all future comprehensive plan amendments, rezoning requests and all variance, special exception and special permit applications for parcels located on Captiva Island that will require a public hearing, to be held at the applicants expense at a location on Captiva. They also have requested that those public hearings should only be scheduled between November 1 and May 1 of any year. They have requested that Lee County will encourage and support the solicitation of the widest possible range of public input for any future Lee Plan amendments that directly apply to Captiva. That solicitation would include, but not be limited to, public meetings, focus groups, opinion surveys, electronic opinion forums, etc.

5. **Transportation** - The community has requested that any resurfacing of Captiva Drive should be done in a fashion that decreases the possibility of roadway wash-out and other damage that would result from storm or flooding. They request that no resurfacing will result in widening the road, increasing speed limits, or affecting the tree canopy adjacent to and overhanging the road.

The following section of this report includes a proposed new Goal, Objective and supporting Policies as submitted by the Captiva Island Property Owner's Association. Staff suggestions are presented in strike through, double underline format. Following each modification are comments and suggestions from Staff. Please note that the word "shall" has been replaced with "will" or "must" throughout the proposal in order to correspond with current language in the rest of the Lee Plan.

GOAL 21: To maintain and enhance the historic pattern of development on Captiva, consisting of unobtrusive, low-density residential use in an environment characterized by diverse and healthy native vegetation, clean offshore water with diverse and healthy marine life, and limited commercial development and traffic. The purpose of this goal is to provide policies to confirm and reinforce that historic pattern.

Later in this report staff has objected to the use of the word "unobtrusive" in Policy 21.15 because of the subjectivity that is required in determining what is and what is not obtrusive. The use of that term may be appropriate in a generalized goal statement; however, and we have no objection to Goal 21 as it is written.

OBJECTIVE 21: ~~Develop and maintain discretionary and regulatory programs as soon as possible to further adherence to the goal. Provide policies to confirm and reinforce the goal.~~

Staff does not know what the proposed objective means. If the discretionary and regulatory programs that are mentioned are to be enacted through Land Development Code changes, then the objective should be to create Land Development Code regulations that implement this comprehensive plan amendment. The residents of Captiva would be responsible for submitting Land Development Code amendments during one of the two regularly scheduled LDC amendment cycles that occur in the Spring and the Fall. The last sentence is unnecessary. The establishment of Goals, Objectives and Policies is a format that is used throughout the Lee Plan; restating that format as an objective is redundant. The proposed language was provided by the Captiva Civic Association and was agreed to by the Captiva Community Planning Panel at a public meeting in April. Staff recommends this proposed objective should not be included in this amendment.

Staff believes that the original Objective statement that was submitted by the CPOA is more comprehensible and staff would have no objection to using that language which follows:

> ***OBJECTIVE 21:*** *Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island.*
>
> **POLICY 21.1:** New requests for residential rezonings at a density exceeding one unit per acre, ~~shall~~ will not be permitted. (Nothing in this policy ~~shall~~ will be deemed to prevent the replacement of an existing dwelling unit or commercial use in the event of a natural disaster, hurricane, flood, fire, or other similar occurrence.)

Staff generally supports this policy, given the likely road constraints during a possible evacuation; however, while this policy may be justifiable, there are potential Bert Harris implications involved. Property located in the Outlying Suburban land use category can be developed at up to 3 dwelling units per acre. Decreasing the allowable density to one dwelling unit per acre may reduce the value of personal property, which could trigger Bert Harris litigation.

> **POLICY 21.2:** No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on January 1, 2002, regardless of their zoning at any time thereafter, may be permitted unless all of the resulting lots comply with all of the minimum lot size and dimensional requirements in the RSC-2 district.

Like with Policy 21.1, staff believes this Policy is justifiable because it will help limit density on the Island. In addition, the Policy merely requires that property owners will abide by the regulations that were in place and in effect as of January 1, 2002. Staff recommends that this proposed policy should be approved as written.

> **POLICY 21.3:** Residential development in South Seas Plantation is limited to a maximum of 912 dwelling units.

This Policy proposes to limit the development at South Seas Plantation to 912 units, which is the current limit imposed by its zoning resolution. If proposed Policy 21.1 is adopted, which limits density on upland

property to one dwelling unit per acre, that policy will clearly prevent any additional density at South Seas Plantation. If Policy 21.1 is not adopted the current land use category, Outlying Suburban, limits density to three dwelling units per upland acre. The approved 912 units is considerably higher than this current land use category allows. Therefore, under any scenario, other than a comprehensive plan amendment, additional units cannot be granted to this property. Additionally, staff believes this policy is a departure from our intent not to single out specific developments in a comprehensive planning document; however, staff would not object if the proposed policy were it to be adopted.

> **POLICY 21.4:** No building or structure may be erected or altered so that the peak of the roof exceeds 35 feet above the average grade of the lot in question or 42 feet above mean sea level, whichever is lower.

This Policy is very clear and definable and staff has no problem with the proposed Policy. The proposed Policy may help control density somewhat, and staff does not object to the language. Staff believes that the desire to control density on Captiva Island is justifiable, given the likely road constraints during a possible evacuation. Staff recommends that the proposed policy should be approved as written.

> **POLICY 21.5:** Lee County ~~shall~~ will encourage and support efforts by Captivans to strengthen existing vegetation ordinances to establish a landscaping code for Captiva Island that will require all new development, including single family residences, to implement minimum landscaping requirements intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. New landscaping requirements ~~shall~~ will focus on areas including, but not limited to, buffering and separation between new structures and Captiva Drive, buffering between adjoining properties, preservation and enhancement of native plant communities including, but not limited to, ~~the~~ beach dune community ~~vegetation~~, tropical hardwood hammock, coastal scrub and ~~preservation and enhancement of the~~ mangroves ~~adjoining Pine Island Sound~~.

The revised language emphasizes the preservation and enhancement of the unique native plant communities found on Captiva Island. Staff recommends that the proposed policy should be amended as indicated above.

> **POLICY 21.6:** Lee County ~~shall~~ will continue to support local efforts to preserve, protect, and renourish Captiva's beaches through the use of environmentally responsible methods.

Other than the use of the word "shall" staff has no problem with the language in Policy 21.6. Staff recommends that the proposed policy should be amended as indicated above.

> **POLICY 21.7:** Lee County ~~shall~~ will encourage and support efforts by the Captiva community to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island. Such measures ~~shall give preference to individual owner control and~~ may include sewers only if sized to limit development to that permitted by this plan.

Staff agrees, in general, with the language in this Policy, but does not know what "shall give preference to individual owner control" means. The Policy does not appear to be diminished by striking that language. Staff recommends that the proposed policy should be amended as indicated above.

> ~~**POLICY 21.8:** Lee County shall implement a procedure for all proposed future comprehensive plan amendments, rezoning requests and all variance, special exception and special permit applications for parcels located on Captiva Island that will require a public hearing to be held, at the applicants expense, at a location on Captiva. The public hearing shall be for the purpose of explaining the request to the public and shall be advertised in the same manner that rezoning, variance, special exception or special permit is advertised for hearing before the Lee County Hearing Examiner. In the case of proposed comprehensive plan amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan, such future amendments also will require notification of Captiva registered voters and property owners taxing roll, maintained by the Lee County Property Appraiser, by certified letter. At the public hearing, property owners and registered voters who are unable to be present shall be permitted to provide their comments in writing.~~

Staff queried the Tidemark permit tracking system and other records back to June 8, 1998, and found that there has been only one request for a rezoning and eleven requests for a variance on Captiva Island since that date. It is unlikely that any special exceptions have been requested because those apply primarily to mines and towers. The County does not issue special permits. Staff does not believe that creating a special situation whereby public hearings would be held on Captiva Island, which would create a precedent, is appropriate. The relatively low number of public hearings that have occurred since June of 1998 only reinforces that opinion. Staff feels the creation of a local "document clearing house" on Captiva where copies of selected zoning submittal documents, staff reports, Hearing Examiner recommendations and resolutions would be provided for public inspection, as described below, would provide adequate additional public involvement.

The processes of rezoning, Lee Plan amendment, or Land Development Code amendment require one or more public hearings, which require the County to provide public notice by law. The County provides this public notice as part of its core level of service. Listed below is Sec. 34-236 of the Land Development Code which describes the method of providing notice for public hearings and Administrative Code 2-8C.1.)c. *Posting* which prescribes the method of posting signs on property pending public hearings before the Hearing Examiner and the Board of County Commissioners:

> Sec. 34-236 (b), *Method of providing notice.* Notices of hearings before the Board of County Commissioners, the hearing examiner and the local planning agency will be provided in accordance with applicable statutes and the County Administrative Code. The "surrounding property owners list and map" required by section 34-202(a) is for the purpose of mailing notice to property owners within *500 feet of the property described. The notice is a courtesy only and is not jurisdictional. Accordingly, the county's failure to mail or to timely mail the notice or failure of any affected property owner to receive mailed notice will not constitute a defect in notice or bar the public hearing as scheduled.

***NOTE: In those instances where fewer than 10 owners of property would be notified, the distance must be expanded to include all owners of property within 750 feet.**

Administrative Code 2-8 identifies the notice which must be given prior to hearings on those matters described in the LDC. Section C.1.)c., *Posting*, states the following:

As a courtesy to adjacent property owners, at least fifteen (15) calendar days before the initial public hearing, the applicant must, in accordance with the instructions outlined by the Department of Community Development (DCD):

1.) Post the sign(s) supplied by DCD indicating the action requested by the applicant, the date of the initial public hearing and the county assigned case number,

2.) Make a good faith effort to maintain the sign(s) in accordance with the instructions supplied along with the sign(s) in place(s) selected to provide maximum visibility and exposure to the public, and in readable condition until the requested action has been heard and a final decision rendered, and

3.) Prior to the initial public hearing on its case, submit the affidavit provided attesting to the applicant's compliance with all of the requirements for posting.

The requirements of Section C.1.)c., *Posting,* apply to Board of County Commissioner initiated rezoning of private property, including ancillary variances, and special exceptions and owner initiated rezoning and rezoning of County owned property (includes attendant variances and special exceptions) which require public hearings before the Hearing Examiner or The Board of County Commissioners. Any type of additional notification or community outreach activities, such as those desired by the Captiva Community, would require the County to commit to raising its current levels of service.

Alternative policies that the Captiva community may want to consider, and that staff would support, are two policies that were adopted for the Estero community in January of this year. Those policies are included below as they were adopted:

Policy 19.5.2: *The Estero Community will establish a "document clearing house" in Estero, where copies of selected zoning submittal documents, staff reports, Hearing Examiner recommendations and resolutions will be provided for public inspection. The County's failure to provide or to timely provide documents to the document clearing house, or failure of the document clearing house to receive documents, will not constitute a defect in notice or bar a public hearing from occurring as scheduled.*

Policy 19.5.3: *The owner or agent for any Planned Development request within the Estero Planning Community must conduct one public informational session where the agent will provide a general overview of the project for any interested citizens. Lee County encourages zoning staff to participate in such public workshops. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space and providing security measures as need. Subsequent to this meeting, the applicant must provide county staff with a meeting*

summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised.

~~**POLICY 21.9:** Due to the seasonal nature of the population inhabiting Captiva, and due to the County's desire to encourage the broadest possible public participation, zoning or rezoning requests, and all variance, special exception and special permit applications for parcels located on Captiva Island shall only be scheduled for public hearing between November 1 and May 1 of any year. For applications received during other months, the first available hearing date after November 1 shall be provided, subject to a determination that the application in sufficient and in accordance with all applicable regulations concerning application requirements. In the event of a hurricane, fire, fire, flood or other natural disaster, the Lee County Board of Commissioners may suspend this requirement by finding the extraordinary circumstances apply.~~

Staff believes that this Policy would present an unfair burden to individuals wishing to develop property requiring a zoning or rezoning request, a variance or special exception. Staff recommends that this proposed policy should not be included in the amendment.

POLICY 21.~~10~~8: Lee County ~~shall~~ will encourage and support efforts by Captivans to develop and submit a compatibility ordinance, which identifies and address external impacts of commercial uses on existing residential areas on Captiva Island.

Staff does not know what a compatibility ordinance is, but the Policy indicates that Captivans will develop and submit the ordinance. If the ordinance is in the form of a Land Development Code amendment, staff will review the proposed amendment during one of the two regularly scheduled LDC amendment cycles in the Spring and the Fall. Staff recommends that the proposed policy should be amended as indicated above.

POLICY 21.~~11~~9: Lee County ~~shall~~ will encourage and support the solicitation of the widest possible range of public input for any future Lee Plan amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan. To that end, Lee County is committed to provide continuing assistance to the Captiva Community as part of the Evaluation and Appraisal Report process as well as ongoing technical expertise related to the functioning of the adopted policies. ~~Additionally, future amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan will require that public input be solicited from all segments of Captiva through measures that may include, but are not limited to, public meetings, focus groups, opinion surveys, electronic opinion forums, etc.~~

Staff does not have a problem with the first part of Policy 21.11 because we currently encourage and support solicitation of public input. The language does not change what staff is already required to do under Florida Statutes that regulate the public participation process for comprehensive planning. The last sentence of this Policy; however, goes well beyond the level of service that the County is required to provide by Florida law and would require a significant increase in staff time and funding. If the residents of Captiva feel that additional public meetings, focus groups, opinion surveys, electronic opinion forums, etc., would be beneficial, staff recommends that the Policy be reworded to encourage the Captiva

community undertake those measures and provide input to staff that can be used to evaluate specific proposals more thoroughly. Staff recommends that this policy should be amended as indicated above.

A policy establishing a "document clearing house" similar to Policy 19.5.2 for the Estero Community, as listed above, that would provide the residents of Captiva with additional information than is currently readily available to them and would help facilitate the opportunity for additional community input.

> **POLICY 21.~~12~~10:** No variances, deviations or administrative relief will be granted for new or expanded developments, including single-family homes, on Captiva unless it can be demonstrated that the absence of such relief will result in a regulatory taking of the property in question.

The effect of this Policy would be to effectively eliminate all relief from the requirements of the Land Development Code. Staff believes it would be advisable to allow for some potential relief from the Land Development Code over what is proposed in this Policy. Staff has not received input from the County Attorneys Office on this newly added Policy, and is not recommending changes to the proposed language at this time, but will be consulting with County attorneys for advice on the potential legal problems that may occur with the Policy, as written.

> **POLICY 21.13:** ~~County discretionary acts involving development on Captiva Island shall not permit the destruction or alteration of mangroves. (This is not intended to limit the rights of individual owners to build provide access to docks through mangroves if otherwise lawful).~~ Mangroves on Captiva Island will be protected to the greatest extent possible. Previously approved projects with impacts to mangroves that have not been constructed are required to reduce impacts through redesign.

The County does not undertake independent review of impacts to wetlands. Permits to impact wetlands are granted by the Southwest Water Management District, the Department of Environmental Protection and the Army Corps of Engineers. If permits are issued by those agencies, the County's current practice is to incorporate that permit in the development order approval. The County currently has indigenous species requirements that afford protection to mangroves and other indigenous species in certain instances. Planning staff agrees that mangroves located on barrier islands should be afforded the highest level of protection.

The language in parenthesis indicating that the Policy is not intended to limit the rights of individual owners to provide access to docks through mangroves if otherwise lawful would also apply to corporations, and may not provide the protection to mangroves that is desired. Staff believes that the Policy, as it is worded, will not accomplish the intended goal, and that it should be removed or changed in a way that will effectuate the desired outcome. Staff believes the revised policy language better achieves the desired outcome of reducing impacts to mangroves.

The Lee Plan includes numerous policies that strive to protect the natural resources of the County. For example, the Plan's vision statement provides the following:

> *The county will protect its natural resource base in order to maintain a high quality of life for its residents and visitors. This will be accomplished through an aggressive public land acquisition*

program and by maintaining and enforcing cost-effective land use and environmental regulations that supplement, where necessary, federal, state, and regional regulatory programs.

Objective 74.1, Environmentally Critical Areas, includes wetlands, such as mangroves, and provides that the county will manage and regulate these areas to conserve and enhance their natural functions. Policy 74.1.1 provides that development will be "strictly controlled in wetlands in the coastal planning area." The Plan contains other relevant portions addressing protection of wetlands including Goal 77, Goal 83, and Goal 84.

However, as stated in Policy 84.1.2, the "county will not undertake an independent review of the impacts to wetlands resulting from development in wetlands that is specifically authorized by a DEP or SFWMD." These conflicting provisions of the Plan afford staff an opportunity to preserve indigenous wetlands through the rezoning process. At the time of local Development Order approval, staff merely incorporates the agency's permit requirements into the approval.

~~**POLICY 21.14:** Any Resurfacing of Captiva Drive shall be done in a fashion that decreases the possibility of roadway wash-out and other damage that would result from storm or flooding; no such resurfacing shall result in widening the road, increasing the speed limits, or affecting the tree canopy adjacent to and overhanging the road.~~

DOT staff found no supporting data and analysis for this policy in either the Discussion and Analysis or the Traffic Analysis sections of the draft plan. The only explanation that DOT staff found was in the Service Availability Letters section, which offered to the service providers some brief rationale for each proposed policy. The identified intention is to "insure that Lee County will consider maintenance and reconstruction options that help limit the roadway's vulnerability to storm damage" - however, there is no analysis of the extent of vulnerability, or what type of improvements would limit that vulnerability. The explanation notes that the requirement could increase the cost of roadway improvements. This is a significant understatement. The cost of resurfacing Captiva Drive would be fairly easy to determine and should fit within the County's annual budget for Countywide road resurfacing. However, if the roadway has to be elevated 2 feet or 4 feet or whatever is determined necessary to decrease "the possibility of roadway wash-out and other damage", then the cost would be significantly greater, perhaps in the millions of dollars and could go way beyond the County's available resurfacing budget. Supporting data and analysis needs to be provided for this policy, and some measurable standard needs to be included. Staff recommends that this proposed policy should not be included in the amendment.

POLICY 21.~~15~~11: Lee County ~~shall~~ will encourage and support efforts by Captivans to develop and submit ~~innovative~~ ordinances in addition to the height ordinance that will encourage the siting and building of ~~unobtrusive~~ structures consistent with the historical character of the island.

Staff does not know what "innovative ordinances" means. Deletion of that word does not change the policy and eliminates trying to determine if an ordinance is innovative or not. Likewise, the word unobtrusive is too subjective to determine a meaning. What appears unobtrusive to one may be considered offensive to another. Removing that word does not change the policy. Staff recommends that the proposed policy should be amended as indicated above.

~~**POLICY 21.16:** Lee County will designate an employee to serve as code enforcement inspector giving priority to Captiva Island upon enactment of this amendment, but in no case later than January 1, 2003. Such person will respond to and report on such alleged code violations and complaints within 5 working days from the day of receipt.~~

The County's Building Official does not believe there is enough work on Captiva Island to warrant dedicating a code officer to the island. The County's code enforcement is complaint driven, and when complaints about possible code violations have been received, a code officer is assigned to Captiva two days a week. During times when no complaints have been received about possible code violations on Captiva, code officers are assigned elsewhere. Code officers attempt to respond to most complaints the next day; but depending on the situation, some complaints are responded to in as long as 72 hours.

If a code officer were assigned sole responsibility to Captiva Island, the response time to investigate complaints would be reduced. Providing that code officer would increase the County's core level of service to Captiva and would require funding to hire that individual, or to reassign an existing code officer and hire a replacement. Staff recommends that this proposed policy should not be included in the amendment.

B. CONCLUSIONS

The proposed goals, objectives, and policies are the result of over a year long planning process. They directly reflect the vision that the Captiva Community has for its future growth and development. Staff believes that this amendment should be viewed as a first step in a continuous process that addresses planning needs in Captiva. Many issues have been addressed through this amendment, but there are others, such as those policies (or portions thereof) that staff has recommended for deletion, that will require more consideration in the future. The initial establishment of Goal 21 of the Lee Plan is the important first step that will open the door to address other land use planning issues in Captiva as they arise.

C. STAFF RECOMMENDATION

Staff recommends that the Board of County Commissioners transmit the proposed amendment with staff's recommended language as shown in Part I, Section C.1of this report.

PART III - LOCAL PLANNING AGENCY REVIEW

DATE OF PUBLIC HEARING: **March 25, 2002**

A. LOCAL PLANNING AGENCY REVIEW

The Local Planning Agency held an informational meeting on this date. No staff report was given to the LPA at this time and no formal action took place by the LPA. The stated purpose of this meeting was to brief the LPA members on the status of the request, allow the applicants to discuss the proposal and allow the public the opportunity to provide comments concerning the proposed language. Following a brief presentation by staff, copies of language that was recently submitted by the applicant was given to the LPA. Staff explained that the language in this handout was different from what was sent to them along with the applicants original submittal. Following this action the LPA asked the applicant's representative to present the Captiva Community Plan and to provide background information.

The applicant's representative explained that about a year and a half ago the Captiva Property Owners Association (CPOA) approached the Commission and requested funding for community planning. That initial request was approved, but the funds were not sought until the policies were developed regulating the use of public money for community planning. He explained that the Community Planning Panel had only recently been formed and they were in the process of reviewing the various materials that were part of the original submittal. He explained that the planning effort is ongoing and is one which is reflective of the evolving consensus on Captiva.

The applicant's representative stated that while there was general agreement on many of the communities concerns, there remained some disagreement on some specifics. He listed landscaping, bike and pedestrian corridors, tree canopy and waste water treatment as examples. One area of agreement he stated was the communities desire to restrict public hearings for special permits, special exceptions, variance and any rezoning requests be held for the period October 15th through May 15th of any given year. He then explained that the Captiva Community Panel (Panel) would be meeting with the Captiva Civic Association (CCA) Land Use Committee to discuss the proposed amendments. He explained that there were two main players in this planning effort, the CPOA and the CCA and that many members of the CPOA were also CCA members.

One LPA member asked the applicant's representative if South Seas Plantation had agreed that they had 912 total units that could be constructed. He responded saying it was his understanding they had, but there was not general agreement about what a dwelling unit was. The Panel decided not to go into that. When asked about Bert Harris implications the applicant's representative did not think the plan would substantially impair property values and would not be an issue. A county attorney was then asked the same question and she replied that she would wait to see the final language for the Plan Amendment before ruling because the plan has evolved quite a bit.

The CCA attorney was then asked to speak. He began by explaining that the CCA has existed on Captiva since 1959 and that the CPOA was only organized two years ago to fight incorporation. He stated that the community plan that has been proposed was designed to be an alternative to incorporation. He did not feel

that was a matter of dispute. He went on to say that members of the CCA were concerned about the process that was being used and were particularly concerned that the policies that were being proposed didn't address a number of significant issues for Captiva and that it wasn't a true community plan because it hadn't been run by the entire island for their review. He said that a straw poll was conducted by the CCA and 91% of the respondents indicated they thought the process up to that date had been flawed and they hadn't had a chance to vote on the document before it was submitted. He stated that the CCA wanted the LPA to support their version of the plan rather than the one that was submitted. One member of the LPA asked CCA's attorney if the plan they presented today was submitted to staff. He responded that it had not been. CCA's attorney was then asked who would pay for a code inspector for Captiva Island. He responded that Captiva gave many more resources to the County than it gets back and stated that the funding for the Code Inspector would come from tax funds as a whole. Several members of the LPA expressed the desire for the CPOA and CCA to work together toward consensus.

A representative from Maristar was asked to speak and he stated that Mariner and Maristar acknowledged and accepted the density cap of 912 dwelling units at South Seas Resort, that they propose to clearly define the limits of the commercial development at the entrance of South Seas Resort, that they propose to significantly limit any future development in the mangrove wetland areas and that they reaffirm their prior commitment to preserve, in addition to the 80 acres of wetlands, to dedicate more than 100 acres of the sensitive lands to third party stewardship entities in the near future. He went on to say that South Seas has proposed building height limitations that will absolutely preclude any possibility of high rises or mid-rise types of development at South Seas Resort. Regarding the policy limiting how the public hearing processes are going to take place, Mariner/Maristar's representative stated that they had some real concerns. He stated that businesses that operate on a year-round basis and not just on a seasonal basis would be put in a position where their permits or approvals could only be heard on a seasonal basis, and he stated that would be a significant detriment to them.

Following some brief discussion by a representative from the CCA regarding consensus building and the importance of hearing from residents in Captiva the meeting was adjourned.

PART IV - LOCAL PLANNING AGENCY CONTINUED REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: **April 22, 2002**

A. LOCAL AGENCY REVIEW:

The Local Planning Agency (LPA) held a public hearing on this date and voted to transmit staff's recommended language with some modification. Staff is in agreement with the LPA's recommendation. This was the second public hearing on the Captiva Community Plan and the stated purpose of the meeting was to allow for a formal presentation by the applicant, allow the applicants to discuss the proposal and allow the public the opportunity to provide comments concerning the proposed language. Planning staff briefly introduced the proposed request to amend the Future Land Use element of the Lee Plan. Staff indicated that the request was being made by the Captiva Property Owners Association (CPOA) and that the application was the result of a generally cooperative effort between the CPOA and the Captiva Civic

Association (CCA) but there remained some points of disagreement between the two organizations that will be discussed during the public hearing. Staff recommended transmittal of the language shown in strike-through, underline format in Part 1, Section D of this report. Staff was asked if they had been present at the planning meetings that were held on Captiva Island and staff responded in the affirmative. Following staff's introduction the LPA asked the applicant's consultant to make a presentation explaining what had transpired during the planning process over the last month. The applicants representative agreed to speak but asked that the president of the newly formed Community Planning Panel (Panel) to speak first.

The president of the Panel began by stating that the planning process had been going on for the last year and a half. He went on to state that the LPA would likely hear some opposing views on what was being presented and asked that the LPA listen to what's being said and try and find some common ground.

The applicants representative was next to speak and he began by stating that the Captiva community had been working on this plan for a long time and that they intentionally did not attempt to tackle all issues at once, but rather that the planning process was incremental and they would likely come back to the LPA in a year or two with additional amendments.

Next he addressed staff's recommended replacement of the objective language that was submitted by the Community Planning Panel with the language that was originally submitted in September by the CPOA. He urged the LPA to recommend transmittal of the language that was modified by the Community Planning Panel. He stated that the next area of concern were policies 21.8 and 21.9 regarding holding public hearings on Captiva prior to meetings with the hearing examiner and limiting them to dates between November 1 and May 1. He felt those were important policies and urged the LPA to recommend transmittal of those policies as submitted by the Panel. Finally, he urged the LPA to recommend transmittal of proposed Policies 21.11, 21.13, 21.14 and 21.16 as they were submitted by the Panel. A member of the LPA asked where the language regarding building heights contained in policy 21.4 came from and the response was "directly out of the Land Development Code". He was then asked why we are putting it in as a policy and the response was that he asked the Panel the same thing, but was told they felt very strongly that needed to be articulated in the Plan as well.

Following some discussion regarding septic systems on Captiva Island and the residents desire to maintain individual control of state of the art septic systems that may only be used for individual dwelling units, rather than a central sewer line that would increase the carrying capacity of the island the discussion turned to Policy 21.10 which states: "No variances, deviations or administrative relief will be granted for new or expanded developments, including single-family homes, on Captiva unless it can be demonstrated that the absence of such relief will result in a regulatory taking of the property in question." One member of the LPA suggested that the policy may be overkill and not warranted. The applicants representative agreed that it is a very restrictive policy.

A member of Department of Transportation (DOT) staff was asked to comment on transportation issues. He stated that most of the concerns of DOT had been worked out but they still had a problem with Policy 21.14 regarding resurfacing of Captiva Drive. He noted that staff had recommended deletion of this policy.

The attorney for Mariner Advisory Group then spoke about policies in the plan that pertained to his client. He questioned whether there would be Bert Harris implications with Policy 21.1 which limits rezonings to one unit per acre. He also felt that Policy 21.3 limiting South Seas Plantation to 912 dwelling units was unnecessary and was more appropriate from a zoning standpoint. He also thought policy 21.4 limiting building height was unnecessary and redundant. He felt Policy 21.5 that deals with strengthening the existing vegetation ordinance belonged in the Land Development Code and agreed with staff that Policies 21.8 and 21.9 should be deleted. He felt that Policy 21.12 regarding no variances, deviations or administrative relief was far too harsh to put in the comprehensive plan. He also agreed with staff that Policy 21.16 was not necessary.

A representative of the CCA then spoke and discussed his opinion that the policies submitted by the CCA were done in a more open and representative fashion than those submitted by the CPOA. He generally supported the CCA amendments. Two other representatives of the CCA asked the LPA to support the language that was submitted by the Panel. Following additional discussion by the public generally in support of the language submitted by the Panel the LPA closed the public hearing.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:** The LPA recommended that the Board of County Commissioners transmit the proposed amendment with the language changes shown in Item D. below.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as advanced by staff.

C. VOTE:

1. Motion to recommend transmittal of Goal 21, Policy 21.1, Policy 21.2, Policy 21.6, Policy 21.7, new number Policy 21.8, new number Policy 21.9 new number Policy 21.11 and new number Policy 21.12 as modified below in item D. Motion passed 4-2.

NOEL ANDRESS	**AYE**
MATT BIXLER	**NAY**
SUSAN BROOKMAN	**AYE**
RONALD INGE	**AYE**
GORDON REIGELMAN	**ABSENT**
ROBERT SHELDON	**AYE**
GREG STUART	**NAY**

2. Motion to substitute Policies 21.8 and 21.9 with the Estero Policy 19.5.3, changing Estero to Captiva and the replacing development orders with zoning requests, variances and special exceptions as shown in new Policies 21.7 and 21.8 in item D below. Motion passes 6-0

NOEL ANDRESS	AYE
MATT BIXLER	AYE
SUSAN BROOKMAN	AYE
RONALD INGE	AYE
GORDON REIGELMAN	ABSENT
ROBERT SHELDON	AYE
GREG STUART	AYE

3. Motion not to transmit Policy 21.12. The motion passes 4-2.

NOEL ANDRESS	AYE
MATT BIXLER	AYE
SUSAN BROOKMAN	NAY
RONALD INGE	AYE
GORDON REIGELMAN	ABSENT
ROBERT SHELDON	NAY
GREG STUART	AYE

4. Motion not to transmit Policy 21.14. The motion passed 6-0.

NOEL ANDRESS	AYE
MATT BIXLER	AYE
SUSAN BROOKMAN	AYE
RONALD INGE	AYE
GORDON REIGELMAN	ABSENT
ROBERT SHELDON	AYE
GREG STUART	AYE

5. Motion not to transmit Policy 21.16. The motion passed 6-0.

NOEL ANDRESS	AYE
MATT BIXLER	AYE
SUSAN BROOKMAN	AYE
RONALD INGE	AYE
GORDON REIGELMAN	ABSENT
ROBERT SHELDON	AYE
GREG STUART	AYE

6. Motion to transmit Objective 21.1 under Goal 21 that was drafted by the Captiva Property Owner's Association. The motion passed 6-0.

NOEL ANDRESS	AYE
MATT BIXLER	AYE
SUSAN BROOKMAN	AYE
RONALD INGE	AYE
GORDON REIGELMAN	ABSENT
ROBERT SHELDON	AYE
GREG STUART	AYE

D. LANGUAGE RECOMMENDED FOR TRANSMITTAL BY THE LPA:

GOAL 21: To maintain and enhance the historic pattern of development on Captiva, consisting of unobtrusive, low-density residential use in an environment characterized by diverse and healthy native vegetation, clean offshore water with diverse and healthy marine life, and limited commercial development and traffic. The purpose of this goal is to provide policies to confirm and reinforce that historic pattern.

OBJECTIVE 21: Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island.

POLICY 21.1: New requests for residential rezonings at a density exceeding one unit per acre, are not permitted. (Nothing in this policy will be deemed to prevent the replacement of an existing dwelling unit or commercial use in the event of a natural disaster, hurricane, flood, fire or other similar occurrence.)

POLICY 21.2 No subdivisions of parcels that were zoned RSC-2 (Captiva Estate) on January 1, 2002, regardless of their zoning at any time thereafter, may be permitted unless all of the resulting lots comply with all of the minimum lot size and dimensional requirements in the RSC-2 district.

~~**POLICY 21.3:** Residential development in South Seas Plantation is limited to a maximum of 912 dwelling units.~~

POLICY 21.43: No building or structure may be erected or altered so that the peak of the roof exceeds 35 feet above the average grade of the lot in question or 42 feet above mean sea level, whichever is lower.

POLICY 21.54: Lee County will encourage and support efforts by Captivans to strengthen existing vegetation ordinances to establish a landscaping code for Captiva Island that will require all new development, including single family residences, to implement minimum landscaping requirements intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. New landscaping requirements will focus on areas including, but not limited to, buffering and separation between new structures and Captiva Drive, buffering between adjoining properties, preservation and enhancement of native plant communities including, but not limited to, beach dune community, tropical hardwood hammock, coastal scrub and mangroves.

POLICY 21.65: Lee County will continue to support local efforts to preserve, protect, and renourish Captiva's beaches through the use of environmentally responsible methods.

POLICY 21.76: Lee County will encourage and support efforts by the Captiva community to investigate and recommend measures that will improve water quality in Pine Island Sound and the Gulf of Mexico adjacent to Captiva Island. Such measures may include sewers only if sized to limit development to that permitted by this plan.

Policy 21.7: The Captiva Island Community will establish a "document clearing house" on Captiva, where copies of selected zoning submittal documents, staff reports, Hearing Examiner recommendations and resolutions will be provided for public inspection. The County's failure to provide or to timely provide documents to the document clearing house, or failure of the document clearing house to receive documents, will not constitute a defect in notice or bar a public hearing from occurring as scheduled.

POLICY 21.8: The owner or agent for any rezoning, variance, or special exception request within the Captiva Planning Community must conduct one public informational session where the agent will provide a general overview of the project for any interested citizens. Lee County encourages zoning staff to participate in such public workshops. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space and providing security measures as needed. Subsequent to this meeting, the applicant must provide county staff with a meeting summary document that contains the following information: the date, time, and location of the meeting; a list of attendees; a summary of the concerns or issues that were raised at the meeting; and a proposal for how the applicant will respond to any issues that were raised.

POLICY 21.~~10~~89: Lee County will encourage and support efforts by Captivans to develop and submit a compatibility ordinance, which identifies and addresses external impacts of commercial uses on existing residential areas on Captiva Island.

POLICY 21.~~11~~910: Lee County will encourage and support the solicitation of the widest possible range of public input for any future Lee Plan amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan. To that end, Lee County is committed to provide continuing assistance to the Captiva Community as part of the Evaluation and Appraisal Report process as well as ongoing technical expertise related to the functioning of the adopted policies.

POLICY 21.~~13~~11: County discretionary acts involving development on Captiva Island shall not permit the destruction or alteration of mangroves. (This is not intended to limit the rights of individual owners to build provide access to docks through mangroves if otherwise lawful). ~~Mangroves on Captiva Island will be protected to the greatest extent possible. Previously approved projects with impacts to mangroves that have not been constructed are required to reduce impacts through redesign.~~

POLICY 21.~~15~~12: Lee County will encourage and support efforts by Captivans to develop and submit ordinances in addition to the height ordinance that will encourage the siting and building of structures consistent with the historical character of the island.

PART V - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT

DATE OF TRANSMITTAL HEARING: **September 4, 2002**

A. BOARD REVIEW: Following a brief staff summary of the application the Board opened the hearing to public comments. There was considerable public comments. Most of the speakers expressed a desire for the Board to transmit the amendment as it was originally submitted to staff. Others spoke asking the Board to include additional policies. Following a call for additional public comment, and seeing none, the Chairman closed the hearing for public comments. The Chairman then asked staff to explain the proposed Goal, Objective and Policies and to justify their recommendation. Staff went through all of the policies one by one and explained the policies and their recommendation.

The Board had concerns about proposed Policy 21.1 and asked staff what density was currently allowed on Captiva Island. Staff informed the Board that, aside from the wetlands, three dwelling units per acre was the current allowable density. A County Attorney advised the Board that this policy that would reduce density to one dwelling unit per acre had clear Bert J. Harris implications. The Board decided they would likely not transmit this policy.

The Board then decided to revise proposed Policy 21.5 to include some of the applicant's proposed language. The Board asked staff to remove Policy 21.8 which would require owners or agents requesting rezoning, variance or special exceptions to hold public informational sessions on Captiva Island and replace it with language similar to that approved for the Estero community in January of 2002. Staff then explained that proposed Policy 21.9 was confusing because they did not know what a compatibility ordinance was. The Board asked staff to remove that policy.

The Board was informed by a County Attorney that Policy 21.11, regarding impacts to mangroves, had clear Bert J. Harris implications the way it was written. The Board asked staff to revise that policy.

Finally, the Board asked staff to revise Policy 21.12 to remove unnecessary language.

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. **BOARD ACTION:** The Board voted to transmit the amendment to DCA with the above mentioned revisions. The language to be transmitted contained revisions to both staff and LPA recommendations. The language to be transmitted is shown under Part II, Section B above.

2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of fact as advanced by staff and the LPA.

C. VOTE:

JOHN ALBION	**AYE**
ANDREW COY	**ABSENT**
BOB JANES	**AYE**
RAY JUDAH	**AYE**
DOUG ST. CERNY	**AYE**

PART VI - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS, RECOMMENDATIONS, AND COMMENTS (ORC) REPORT

DATE OF ORC REPORT: November 22, 2002

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS

The Department of Community Affairs provided the following comment:

"...the Department raises the following comment regarding the amendment for Captiva Island. While the proposed Objective 21 requires the county to develop and maintain incentives and/or regulatory programs to ensure the long-term protection of resources on Captiva Island, the associated Policy 21.9, regarding mangrove protection states that "mangroves on Captiva Island should be protected", without providing any guideline on how they should be protected. This policy is vague and should be revised to establish the guidelines that will be applicable to development activities on Captiva Island, and shall direct negative impacts away from mangroves, so as to ensure that this vital environmental resource is protected."

B. STAFF RESPONSE

Staff notes that the placement of fill adjacent to mangroves and other wetlands has been a chronic code compliance issue. In the development process it is not unusual for fill material to erode, slough, or wash into adjacent wetland areas. A setback between the fill placement and the wetland or the inclusion of appropriate interface practices would greatly reduce this inadvertent impact to wetlands. The County's Land Development Code could be amended to address this issue with a variety of options.

In lieu of the DCA comments, and in an attempt to satisfy Captiva residents expressed desire to further protect mangroves on the island, staff is recommending that the following language be used for Policy 21.9:

Amend the Land Development Code to establish a sufficient setback requirement to place fill near existing mangroves or require development designs that address the interface of fill areas with existing mangroves to eliminate impacts from fill sloughing or washing into mangrove areas. Development designs in this context include setbacks, stabalized slopes, retaining walls, rip rap revetments, etc.

Staff recommends that the Board of County Commissioners adopt the amendment as transmitted with the exception of Policy 21.9. Staff recommends that the language above be included for Policy 21.9.

PART VII - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT

DATE OF ADOPTION HEARING: _____

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

	_____
JOHN ALBION	_____
ANDREW COY	_____
BOB JANES	_____
RAY JUDAH	_____
DOUG ST. CERNY	_____

Memo

To: Jim Mudd, Principal Planner

From: David Loveland, Manager, Transportation Planning DML

Date: November 15, 2001

Subject: **LCDOT COMMENTS ON DRAFT CAPTIVA ISLAND COMMUNITY PLAN**

The Lee County Department of Transportation has reviewed the draft community plan for Captiva Island dated September 27, 2001. On a general note, the frequent use of the word "shall" is inconsistent with recent language changes in the plan. Specific to each proposed policy, we offer the following comments:

Proposed Policy 2.) Lee County recognizes that Captiva Drive is a roadway facility with unique characteristics that limit the ability to expand its carrying capacity. Notwithstanding any other policies found herein, once the peak hour, peak season, peak direction number of trips reaches 550 on Captiva Drive, as calculated using FDOT methodology and reflected in the annual Lee County Concurrency Management Report, Lee County shall approve no additional building permits that would increase the number of trips on Captiva Drive. However, in no instance shall a property owner be denied the issuance of a permit to replace an existing unit so long as the proposed replacement complies with all applicable Policies, Codes, and Ordinances. Additionally, this policy shall not be interpreted to contradict provisions XIII.a.E and XIII.b.B.4, found in the Administrative section of this Plan guaranteeing a lot owner the right to build a single-family residence.

As an initial comment, the proposed policy represents a significant change in direction from the current regulatory standard applied to Captiva Drive as a constrained road. Despite the language that says "Notwithstanding any other policies found herein ...", staff feels it will be confusing to have two different regulatory standards called out in the plan for this road. If the policy is ultimately included in the plan, it should be accompanied by a corresponding change to remove Captiva Drive from the constrained roads list, or some other amendment to make clear the regulatory standard applied to constrained roads excludes Captiva Drive.

As far as the proposed new regulatory standard of 550 peak season, peak hour, peak direction trips, staff has a problem with how it was developed. The Traffic Analysis included as an appendix notes that traffic counts along Captiva Drive have historically been stable, then veers into a discussion about how much it varies from year to year on a

peak hour basis, citing 1994, 1995, 1997 and 1998 peak hour, peak season volumes from the County's annual Concurrency Management Report. The analysis then jumps to the peak hour, peak season, peak direction volume from the 2000 Concurrency Management Report, compares back to the 1998 peak hour, peak season volume (not directionalized) to estimate an 8.8% growth rate, and then assumes a 5% per year compounded growth rate applied to the 2000 volume over 5 years to get to the 550 standard. Other than a vague reference to being roughly equivalent to the 1998-2000 growth rate, there is no real explanation of where the 5% growth rate comes from or why it was applied over 5 years to develop the new standard.

The comprehensive plan horizon is 20 years, not 5. If a growth trend is to be used, it should be consistent with the plan horizon. Is the analysis indicating that Captiva will be completely built out in 5 years? Where is the data to support that? The comparison of non-directionalized Concurrency Report volumes to the 2000 directionalized volume is also in error, in essence comparing apples to oranges. Also, the Concurrency Report volumes don't reflect actual counts – they are estimates derived by adding traffic from approved building permits to the actual counts. A more accurate reflection of peak hour, peak season, peak direction traffic trends would be to calculate them from the historic AADT counts. Staff was able to do so as far back as 1995, when the directional information first became available from Permanent Count Station #26. The calculations are below.

PEAK HOUR, PEAK SEASON, PEAK DIRECTION TRAFFIC VOLUMES CALCULATED FROM AADT USING PERMANENT COUNT STATION #26 "K" AND "D" FACTORS
CAPTIVA DRIVE

YEAR	AADT	"K" FACTOR	"D" FACTOR	PHPSPD VOLUME
1995	6200	0.117	0.55	399
1996	6500	0.118	0.55	422
1997	6400	0.116	0.54	401
1998	6300	0.116	0.55	402
1999	6400	0.115	0.55	405
2000	6300	0.111	0.54	378
2001	6300	0.116	0.59	431

Based on the above, it is clear the 550 PHPSPD standard has no relationship to historic counts, and as noted, has no real relationship to the plan horizon. On page 26 of the Discussion and Analysis section, the rationale for the proposed standard is offered, as a "mechanism for halting growth that would degrade service below acceptable levels." However, 550 peak season, peak hour, peak direction trips as a standard is not reflective of acceptable levels of service elsewhere in the County.

The maximum service volumes (capacities) for Captiva Drive were those developed for all collector roads in Lee County. In order to be sensitive to the concern, staff revisited the capacity calculations for Captiva Drive and attempted to make them more reflective of its unique characteristics. The resultant calculation, using FDOT's level of service software (R2LN-TAB 4.0) is below.

PEAK HOUR, PEAK DIRECTION VOLUME
CAPTIVA DRIVE

	LEVEL OF SERVICE					
LANES	A	B	C	D	E	F
1	N/A	80	260	450	880	

In comparing the proposed standard to the maximum service volumes at various levels of service, 550 represents a point within the range of level of service "E". The existing traffic count of 431 represents level of service "D". The maximum service volume at level of service "E" is the acceptable standard defined for most arterials and collectors in Lee County, which, for Captiva Drive, would not be exceeded until volumes went beyond 880 trips. If the intention is to change the regulatory standard from the one applied to constrained roads, the new standard should at least be consistent with other County arterials and collectors. In that vein, the policy should use 880 trips as the threshold instead of 550 trips.

Proposed Policy 3.) Recognizing that Captiva Drive is vulnerable to flooding and storm damage, any resurfacing of Captiva Drive shall be done in a fashion that decreases the possibility of roadway wash-out and other damage that would result from a storm or flooding.

There is no supporting data and analysis for this policy in either the Discussion and Analysis or the Traffic Analysis sections of the draft plan. The only explanation that staff found was in the Service Availability Letters section, which offered to the service providers some brief rationale for each proposed policy. The identified intention is to "insure that Lee County will consider maintenance and reconstruction options that help limit the roadway's vulnerability to storm damage" – however, there is no analysis of the extent of vulnerability, or what type of improvements would limit that vulnerability. The explanation notes that the requirement could increase the cost of roadway improvements. This is a significant understatement. The cost of resurfacing Captiva Drive would be fairly easy to determine and should fit within the County's annual budget for Countywide road resurfacing. However, if the roadway has to be elevated 2 feet or 4 feet or whatever is determined necessary to decrease "the possibility of roadway wash-out and other damage", then the cost would be signficantly greater, perhaps in the millions of dollars, and could go way beyond the County's available resurfacing budget. Supporting data and analysis needs to be provided for this policy, and some measurable standard needs to be included.

Proposed Policy 4.) ***Funding of roadway improvements such as resurfacing and flood/storm protection shall be undertaken in a fashion that considers not only local utilization of Captiva Drive, but also the use to which that facility is put by non-residents of Captiva Island. It is recognized that while Captiva Drive is a collector roadway, it is the only road connecting the Island to Sanibel and the mainland, and represents a unique scenic and aesthetic resource for Lee County. Lee County shall preserve and enhance the tree canopy within the right of way to the greatest extent possible.***

The first part of the policy does not really make sense. Why is the distinction between on-island and off-island usage necessary, especially if you are limiting the scope of improvements to resurfacing and flood/storm protection? Resurfacing-type improvements would not be different for on-island vehicles versus off-island vehicles. This isn't addressed in the supporting data and analysis, other than just saying the distinction is being noted. Is this intended to relate to the level of funding or the scope of improvements? We understand that a significant portion of the traffic comes from off-island (although no supporting data is offered), but what is being proposed as a policy issue to address that other than a vague reference to consideration? The policy statement doesn't really provide any direction.

The second sentence of the policy seems to mix issues and should perhaps be separated as a stand-alone policy. That would then lead to a separate policy offering some protections for the roadway (properly supported by data and analysis that inventories the unique features that should be protected). However, safety considerations such as clear zone requirements also need to be included in any discussion of protecting roadway features. Since proposed policy #5 addresses the protection of the tree canopy, the last sentence does not need to be included in proposed policy #4.

Staff would offer one additional comment. Although the County identifies Captiva Drive as a major collector, and the proposed policy acknowledges that it is a collector, the explanation offered in the Service Availability Letter section says the policy clearly notes that it is an arterial. The policy does no such thing; it says the road is a unique scenic and aesthetic resource and that it is a collector.

Proposed Policy 5.) *Lee County specifically recognizes that the existing tree canopy on Captiva Island is significant and must be preserved in order to provide a storm buffer, shelter for birds, habitat for various animals, enhance outdoor recreation and aesthetic values, and maintain the historic ambience of Captiva Island. To that end, public works projects shall not remove canopy trees, even if such trees are deemed to be exotic vegetation, unless absolutely necessary. Further, if such trees are removed, replacement trees shall be planted in the largest size readily available as part of a mitigation effort for those that were removed. Additionally, Lee County shall not approve any variance or deviation that results in a reduction of landscaping or buffering requirements without evidence that such approval clearly and substantially benefits the public health, safety, and welfare.*

The intent of the policy is clear, but the standards are somewhat vague. There may be some disagreement over the absolute necessity to remove a tree for a public works project, so the policy should make clear that the determination of necessity will be made by the Public Works agency doing the project. Also, the phrase applied to replacement trees of "the largest size readily available" leaves some room for interpretation. Cost should be a consideration. There may be 20-foot trees available but at three or four times the cost of a 10-foot tree. The policy would be strengthened by specifying the minimum tree size and maybe a cost limitation. In a similar vein, the phrase in the last sentence also raises a question – how is "clearly and substantially" defined? Also, the policy doesn't say what kind of trees should be used for replacement, but hopefully the expectation is not for the County to replace exotics with exotics – any replacement trees would have to be consistent with other County policies in this regard. Finally, the explanatory material in the Service Availability Letters section suggests that the policy is intended to apply to all County-owned property on the island. What about private property? If the concern is with the overall tree canopy on the island, why does the tree replacement portion of the policy only apply to public works projects? Shouldn't private property owners also be required to replace any trees they take down?

Proposed Policy 6.) The Captiva Community shall investigate, draft, and submit to Lee County recommended methods for traffic calming on Captiva Drive from Blind Pass to the entrance of South Seas Plantation, with special emphasis on the area south of 'Tween Waters. Specific options, reflecting the unique nature of the area, including but not limited to the recognition of the necessity for low operating speeds, the limited rights-of-way, the limited numbers of parked vehicles, the desirability of preserving the tree canopy along Captiva Drive, and the seasonal nature of facility demand, shall be considered. The results of this investigation and proposed recommendations shall be reported to the residents of Captiva at a public meeting to take place on Captiva to be held at some point not later than during the months between December 1, 2002 and March 31, 2003 in order to disseminate the results of the investigation to the broadest number of residents possible. Further, subsequent to the public hearing to be held on Captiva, the results of these investigations and recommendations shall be brought to the Board of County Commissioners at a public hearing along with input from the public meeting held on Captiva. At that time, the Board of Commissioners shall consider what measures need to be taken to provide for traffic calming opportunities on Captiva. The investigations and recommendations shall be completed not later than November 30, 2002, and the presentation to the County Commission shall occur not later than April 30, 2003.

We would note that no supporting data and analysis has been submitted indicating a speeding problem on Captiva Drive, the type of problem that would typically be addressed with traffic calming options. Another possible need for traffic calming would relate to safety, but on page 26 of the Discussion and Analysis section, there is a statement "Investigation into accidents and traffic enforcement problems suggest that there is not an overwhelming number of reported difficulties on Captiva Drive in relation to the amount of traffic that it is carrying". The concern appears to be simply the number of vehicles on Captiva Drive during season, which really isn't a traffic calming issue.

We don't have any problem with the residents investigating traffic calming options, but such an investigation should include consultation with DOT's Traffic Section, which has significant experience in this field. We also don't agree with the language in the second sentence about recognizing the necessity for low operating speeds – it is a desire, not a necessity (at least not without some back-up data). The language should be revised as follows: "... including but not limited to the recognition of the ~~necessity~~ desire for low operating speeds,...".

Proposed Policy 7.) Lee County shall encourage and support efforts by Captivans to establish innovative approaches to establish alternatives for pedestrian and bicycle traffic facilities from Blind Pass to the entrance of South Seas Plantation.

DOT staff supports the concept of expanding travel options on Captiva to include bicycle and pedestrian facilities, and would note that we were prepared to build a bike path along Captiva Drive several years ago but removed it from our budget when several Captiva residents objected. The supporting data and analysis doesn't really explain what is meant by "innovative approaches" or "alternatives for pedestrian and bicycle traffic facilities". Is this a recognition of the limited right-of-way along Captiva Drive (especially given the desire to keep the trees in the right-of-way)? Do innovative approaches mean establishing paths outside the right-of-way? If so, there may be a question about maintenance responsibility, since DOT does not typically maintain facilities outside rights-of-way.

Thank you for this opportunity to comment on the draft Captiva Island Community Plan. Please contact me if you have any questions.

DML/mlb

cc: Lou Rossi
Administrative File

LEE COUNTY
SOUTHWEST FLORIDA

DEPARTMENT OF TRANSPORTATION

Memo

To: Jim Mudd, Principal Planner

From: David Loveland, Manager, Transportation Planning DWL

Date: April 18, 2002

Subject: **LCDOT COMMENTS ON CAPTIVA ISLAND COMMUNITY PLAN**

The Lee County Department of Transportation has reviewed the community plan proposal for Captiva Island dated April 9, 2002, and notes that it deletes most of the transportation-related policy proposals, thereby addressing most of our comments of November 15, 2001. However, there is one exception; proposed policy #14 is a modified version of a previous proposal, which now reads:

Proposed Policy 14.) Any resurfacing of Captiva Drive shall be done in a fashion that decreases the possibility of roadway wash-out and other damage that would result from storm or flooding; no such resurfacing shall result in widening the road, increasing the speed limits, or affecting the tree canopy adjacent to and overhanging the road.

As we previously commented, there is no data included in the Community Plan to document the extent of Captiva Drive's vulnerability to storm damage, and there is no analysis on what type of improvements would limit its vulnerability. Because the type of improvements envisioned aren't specified, we're concerned that cost could become an issue – the cost of resurfacing Captiva Drive would be easy to determine and should fit within the County's annual budget for Countywide road resurfacing, but if the road also has to be elevated 2 feet or 4 feet or whatever is deemed necessary to "decrease the possibility of roadway wash-out and other damange", then the cost would be significantly greater, perhaps in the millions of dollars, and would go way beyond the County's available resurfacing budget. As we had previously noted, if the policy is incorporated into the plan, then some measurable standard needs to be included based on solid data and analysis; however, staff recommends NOT including the policy and creating a potential limitation on the County's ability to do basic road resurfacing as necessary.

The latter portion of the policy is new, and staff feels it represents an unreasonable limitation on the County's responsibility to protect the public's health, safety and welfare. The County would be vulnerable legally if some accident occurred that could have been prevented if the County had put in some paved shoulder at a particular location or

removed a dead tree from the right-of-way, but didn't because of this policy. Operational improvements are sometimes necessary to protect public safety, and staff does not agree with limitations on our ability to address those kinds of concerns. Again, staff recommends NOT including this policy in the Lee Plan.

Thank you for this opportunity to comment on the Captiva Island Community Plan. Please contact me if you have any questions.

DML/mlb

cc: Lou Rossi
Administrative File

To: J. Mudd

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number:_____

John E. Manning
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

November 13, 2001

Mr. Paul O'Connor, Director
Lee County Division of Planning
P.O. Box 398
Fort Myers, FL 33902-0398

Re: Captiva Island Community Plan

Dear Paul:

Upon review of the proposed plan, I offer the following:

While Policies 3 & 4 correctly recognize the need to protect Captiva Drive from storm surge flooding because of its use as an evacuation route, Policy 5 does little to help the residents return quickly to their homes after a major hurricane strikes our area. While I understand the Captiva Island residents desire to maintain their beautiful tree canopy, this will impede reentry back onto Captiva Island until debris removal crews are able to clear the roadway. If this policy is approved, residents need to understand this and not foster unrealistic expectations on when they may be able to return to the Island. Identifying potential areas on the Island where such debris could be temporarily staged would decrease the time frame needed by county resources to clear Captiva Road of wind borne debris.

Chris Hansen, the EMS Program Manager, has already presented written concerns about Policy 6 (traffic calming) relating to response times and access to residential homes. This letter is part of the amendment package and I will not elaborate further other than to agree with them.

Terry Kelly from the Lee County Emergency Management Program also has sent you a response regarding this amendment package.

If you have any questions concerning this response or need additional information, please call our office at 335-1600 or email me at wilsonjd@leegov.com.

Sincerely,

DIVISION OF PUBLIC SAFETY

John Wilson
Director

JDW:cmm

cc: Michael Bridges, Deputy Director
David Saniter, Emergency Programs Manager
Terry Kelly, Emergency Management Coordinator
Chris Hansen, EMS Programs Manager

THE SCHOOL DISTRICT OF LEE COUNTY

2055 CENTRAL AVENUE • FORT MYERS, FLORIDA 33901-3916 • (941) 334-1102

KATHERINE BOREN
CHAIRMAN - DISTRICT 4

TERRI K. WAMPLER
VICE CHAIRMAN - DISTRICT 1

JEANNE S. DOZIER
DISTRICT 2

JANE E. KUCKEL, PH.D.
DISTRICT 3

LISA POCKRUS
DISTRICT 5

JOHN W. SANDERS, ED.D.
SUPERINTENDENT

KEITH B. MARTIN
BOARD ATTORNEY

November 7, 2001

LEE COUNTY
RECEIVED
01 NOV -7 AM 10:29
COMM. DEV./
PUB. WRKS. CNTR.
SECOND FLOOR

Mr. Jim Mudd, Principal Planner
Division of Planning
P. O. Box 398
Ft. Myers, FL 33902-0398

Re: Request for Determination of Adequacy
Proposed Captiva Island Community Plan

Dear Mr. Mudd:

This letter is in response to your request for a determination of adequacy from the Lee County School District on the proposed Captiva Island Community Plan. Please be advised that we have reviewed the draft proposed plan policies that have been provided. These proposed plan policies do not, in our opinion, increase the overall development intensity on the island. We will continue to service the island with the same level of service that we have been currently providing, and the District believes that this level of service meets or exceeds the current requirements. There are no schools planned for Captiva Island in any upcoming long range plans for the Lee County School District.

Should you have any questions or require further information in this regard, please contact me.

Sincerely,

Stephanie Keyes

Stephanie Keyes, AICP, Facilities Planner
Department of Construction Services

cc: Tyler F. Patak, NCARB, Director

'Mudd

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number:_____

John E. Manning
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

November 7, 2001

Mr. Paul O'Conner, Director
Lee County Division of Planning
PO Box 398
Fort Myers, FL 33902-0398

Subject: Captiva Island Community Plan Application for Comprehensive Plan Amendment & Review of Proposed Plan Policies

I have reviewed the draft proposed plan policies that you provided with your letter dated October 2, 2001.

Lee County Emergency Management sees no proposed plan policy changes relating to emergency management in the Captiva Island Community Plan Application for Comprehensive Plan Amendment.

Sincerely,
DIVISION OF PUBLIC SAFETY
Emergency Management Program

Terry M. Kelley

Terry M. Kelley
Emergency Management Coordinator

LEE COUNTY
RECEIVED
01 NOV -8 PM 1:45
PUBLIC WKS. CNTR.
DEV.

From: Roland Ottolini
To: Mudd, James
Date: 11/27/01 3:52PM
Subject: Captiva Community Plan

it is my understanding that the Captiva Community will be conducting the water quality investigation and make recommendations for improvements. we will be glad to review and comment, but do not have the resources to conduct the study.

Roland Ottolini
Division Director, Natural Resources
ottolire@leegov.com
phone: (941) 479-8127
fax: (941) 479-8108

Captiva Community Planning Panel

Response to Staff Comments
February 19, 2002

A. Transportation Comments

Policies:

2.) Lee County recognizes that Captiva Drive is a roadway facility with unique characteristics that limit the ability to expand its carrying capacity. Notwithstanding any other policies found herein, once the peak hour, peak season, peak direction number of trips reaches 550 on Captiva Drive, as calculated using FDOT methodology and reflected in the annual Lee County Concurrency Management Report, Lee County shall approve no additional permits that would increase the number of trips on Captiva Drive. However, in no instance shall a property owner be denied the issuance of a permit to replace an existing unit so long as the proposed replacement complies with all applicable Policies, Codes, and Ordinances. Additionally, this policy shall not be interpreted to contradict provisions XIII.a.E and XIII.b.B.4, found in the Administrative section of this Plan guaranteeing a lot owner the right to build a single-family residence.

This is potentially a severe restriction in that it would stop all permits, building or otherwise, that would have an impact of increasing traffic above 550 peak hour, peak season, peak direction vehicular trips. As of 2000, there were 408 peak hour, peak season, peak direction trips on Captiva Drive. This means that there is some room for additional activity, but it is limited, and will serve to establish an absolute maximum on the amount of development that can occur on the Island. Staff is concerned that 550 is a number within LOS E, and that there is little support for that number. The number is +/- 20% greater than the LOS D upper limit, and was based upon counting potential additional guest houses in the RSC-2 district and adding a 'fudge factor'. There are +/- 100 additional guest houses that could be constructed on the Island under current regulations. There are potentially an additional 25-30 lots that could be split and that currently do not have guest houses. Taking the 408 peak hour, peak season, peak direction trips and adding 130 additional peak hour trips yields a total of 538. I rounded upward to 550 in order to provide a margin of error.

There is no requirement that states the Island cannot have a unique standard that applies only to Captiva. Utilization of 880 is a very high standard, and may not be appropriate for the Captiva Drive. In any event, the historical data suggests that traffic on Captiva Drive has remained stable over the last decade.

The inclusion of the reference to XIII.a.E. in the Administrative section references the existing Lee Plan build back policy in the event of a hurricane, fire, etc. Additionally, there may be a legal difficulty if the denial of a permit causes an owner to no longer have a reasonable use of his property, so the addition of the Single Family Residence provision (XIII.b.B.4) is intended to establish a safety valve for that eventuality. Without question, the most overwhelming concern is the traffic along Captiva Drive. Virtually everyone

that made comments mentioned the increased traffic and concerns regarding traffic congestion, suggesting that some effort to control the growth of traffic on Captiva Drive is warranted.

Suggested Action: Retain the language as it now stands and provide back-up data to explain how the number was calculated.

Alternative Action: Adopt 880 (LOS E) as a standard.

2nd Alternative Action: Remove this policy from the proposed amendments.

3.) Recognizing that Captiva Drive is vulnerable to flooding and storm damage, any resurfacing of Captiva Drive shall be done in a fashion that decreases the possibility of roadway wash-out and other damage that would result from a storm or flooding.

Staff has identified the fact that this Policy could increase the cost of roadway improvements, but would provide, over time, a safer evacuation route. There was some concern manifested over evacuation issues in workshops and on some of the surveys. This policy is intended to insure that Lee County will consider maintenance and reconstruction options that help limit the roadway's vulnerability to storm damage. Current road elevations appear to range between 4' and 6.5' NGVD along most of Captiva Drive. Minimum flood elevations in these areas range from 9' to 15', NGVD. While it was not the intent of the Policy to redesign the roadway, it was intended that reconstruction of the roadway would be done in a fashion that worked to provide a facility that would be less vulnerable to flood and storm damage.

Suggestion: Let the Policy stand unchanged and provide additional back-up for the Staff to consider as data and analysis.

Alternative: Remove policy from amendment package.

2nd Alternative: Amend policy to make specific recommendations for reconstruction based upon existing elevations and potential reconstruction options.

4.) Funding of roadway improvements such as resurfacing and flood/storm protection shall be undertaken in a fashion that considers not only local utilization of Captiva Drive, but also the use to which that facility is put by non-residents of Captiva Island. It is recognized that while Captiva Drive is a collector roadway, it is the only road connecting the Island to Sanibel and the mainland, and represents a unique scenic and aesthetic resource for Lee County. Lee County shall preserve and enhance the tree canopy within the right of way to the greatest extent possible.

This policy is intended to recognize that considerable off-Island traffic uses Captiva Drive. Additionally, it appears that there is some question as to whether Captiva Drive is

a collector or an arterial roadway, so this policy clearly notes that it is an arterial roadway and the sole connection to the mainland. Finally, it establishes a special status for Captiva Drive as a scenic roadway and aesthetic resource, specifically allowing trees to be planted in the road right of way. A great deal of comment was noted regarding the fact that the County does not return to Captiva what some consider to be a fair share in maintenance and improvement funds. This policy is intended to specify the significant off-island traffic using Captiva's roadway facilities as well as to note that Captiva Drive is a unique roadway for which certain 'non-engineering' considerations will be included in any improvement plan made by Lee County.

Staff comments reflect that this policy is a merging of a number of concepts and policies that might be more clearly articulated if separated. Further, Staff is requesting additional explanation for elements within the policy relating to the roadway's status and how to consider its functionality in the future. These concerns are probably well founded in light of the fact that the policy does merge a number of concepts.

Suggestion: Break the policy into at least three distinct policy statements and support each with data and analysis. Return draft language to the Panel for consideration.

Alternative: Remove policy as not necessary for the overall amendment package.

5.) Lee County specifically recognizes that the existing tree canopy on Captiva Island is significant and must be preserved in order to provide a storm buffer, shelter for birds, habitat for various animals, enhance outdoor recreation and aesthetic values, and maintain the historic ambience of Captiva Island. To that end, public works project shall not remove canopy trees, even if such trees are deemed to be exotic vegetation, unless absolutely necessary. Further, if such trees are removed, replacement trees shall be planted in the largest size readily available as part of a mitigation effort for those that were removed. Additionally, Lee County shall not approve any variance or deviation that results in a reduction of landscaping or buffering requirements without evidence that such approval clearly and substantially benefits the public health, safety, and welfare.

This is intended to establish the unique nature of the trees along the Captiva Drive right of way, even if the County deems them to be 'exotic' vegetation in other areas of the Land Development Code. Although there may be some justification for removal of trees at some unforeseen point in the future, the policy will also require that replacements be planted in as large a size as possible. This would apply not only to Captiva Drive, but to all County owned property on the Island. Clearly the Australian Pines along Captiva Drive are deemed to be a special aspect of the Island with 387 positive responses to the special status proposed in question # 22 as opposed to 131 negative responses. Going further, it is also clear that Captivans support the idea of enhancement of the overall Island tree canopy with 447 positive responses and 61 negative responses to the idea of undertaking current efforts for replacement trees. The requirement that clear and substantial evidence be presented for any variance or deviation requesting a reduction in

landscape or buffer standards places a large burden upon the applicant in order to achieve approval. The Staff desires absolute standards for removal and replacement in order to make this policy more easily implemented. Also, the Staff is concerned that replacement also applies to County owned property but not private property.

Suggestion: Add standards to the policy describing the conditions under which trees can be removed and specifying the minimum size of replacement trees. Remove any language that implies County lands are to be treated differently than other properties.

Alternative: Provide suggestions rather than absolute standards.

6.) The Captiva Community shall investigate, draft, and submit to Lee County recommended methods for traffic calming on Captiva Drive from Blind Pass to the entrance of South Seas Plantation, with special emphasis on the area south of 'Tween Waters. Specific options, reflecting the unique nature of the area, including but not limited to the recognition of the necessity for low operating speeds, the limited rights of way, the limited numbers of parked vehicles, the desirability of preserving the tree canopy along Captive Drive, and the seasonal nature of facility demand, shall be considered. The results of this investigation and proposed recommendations shall be reported to the residents of Captiva at a public meeting to take place on Captiva to be held at some point not later than during the months between December 1, 2002 and March 31, 2003 in order to disseminate the results of the investigation to the broadest number of residents possible. Further, subsequent to the public hearing to be held on Captiva, the results of these investigations and recommendations shall be brought to the Board of County Commissioners at a public hearing along with input from the public meeting held on Captiva. At that time, the Board of Commissioners shall consider what measures need to be taken to provide for traffic calming opportunities on Captiva. The investigations and recommendations shall be completed not later than November 30, 2002, and the presentation to the County Commission shall occur not later than April 30, 2003.

"Traffic calming" is simply a term that refers, on Captiva, to the slowing of traffic. The overall results of the survey indicated that traffic, especially in the South Island area, can be overwhelming during certain times of the year. There are a number of options for slowing things down that can be reviewed and discussed including speed humps, speed tables (which can be used as pedestrian crossings), raised or textured intersections, textured pavements, traffic circles, chicanes (curves in the roadway), lateral shifts, center islands, and realigned intersections. A review of all options can be undertaken as part of a planning mandate, with a report to the Island residents during that time of year when residency is at its highest level. An amendment has been placed in this policy, removing Lee County from primary responsibility and placing the responsibility upon Captivans to propose traffic calming measures unique for Captiva. Such language will require additional community action to investigate and develop such standards.

Staff feels that this policy lacks supporting data and analysis, but it is intended only to mandate additional study and possible action on behalf of the Panel. The comments appear to be related to some unknown future outcome of the study and analysis called for in the policy rather than the mandate for further study on this matter. Inclusion of LCDOT representatives in the study and analysis will be critical and should be supported as part of the process.

Suggestion: Modify language as suggested by Staff and further refine language in policy to better explain the further actions being proposed.

Alternative: Leave policy as it now reads. Add explanatory language in discussion section of amendment application.

7.) Lee County shall encourage and support efforts by Captivans to establish innovative approaches to establish alternatives for pedestrian and bicycle traffic facilities from Blind Pass to the entrance of South Seas Plantation.

This is potentially a controversial issue. Discussions among the public participants suggests that a more extensive effort to address the question of pedestrian and bicycle transportation alternatives may have to wait on additional efforts and study. Although current opportunities appear limited for the provision of bicycle and pedestrian opportunities, the residents appear quite united in the desire for more bike paths and/or sidewalks. This policy simply states that the County will support and encourage efforts on the part of residents to consider facility alternatives. There are a number of alternatives that can be considered related to bike paths that are non-standard in width and/or location. The need to establish an 8' wide two-way bike path separated from the right of way, while attractive to engineers, may not be an absolute requirement given the unique characteristics of the Island. Considerable flexibility has been shown recently by Lee County regarding non-standard facilities with limited liability implications. There were 375 respondents that supported additional pedestrian and bicycling opportunities on the Island (# 24) as opposed to 146 responses against.

Staff is supportive of this policy, but noted that past efforts were unsuccessful in their attempts to add a bike path to Captiva Drive. Additionally, it is noted that Staff is concerned about non-traditional bike paths and ongoing maintenance responsibilities. Concerns regarding the bike and pedestrian facilities are well known, however, and the policy intends only that this issue be addressed in the future efforts of the Panel.

Suggestion: Leave language unchanged and add explanatory language in the data and analysis section of the amendment package.

Flexbon
Paint

The Board recessed for lunch at 12:45 p.m. and reconvened at 1:45 p.m.

Mr. Reigelman had a meeting to attend and was absent from the remaining portion of the Local Planning Agency meeting.

b. CPA2001-10 - Amend the text of the Future Land Use Element of the Lee Plan to incorporate the recommendations of the Captiva Island Community Planning effort establishing a Goal and subsequent Objectives and Policies specific to the Captiva Island community.

Mr. Mudd noted that even though this plan was a cooperative effort between the Captiva Property Owners Association, the Captiva Civic Association, and the Captiva Community's planning panel along with other members of the Captiva community, there were still some points of disagreement, which he knew would be discussed during today's proceedings. Mr. Mudd stated that staff recommends the LPA transmit the proposed amendment with staff's recommended language as shown in Part 1, Section B of the staff report.

Mr. Inge opened the meeting to the public.

Mr. Hal Miller, Chairman of the Community Panel and resident of 11529 Andy Rosse Lane on Captiva, stated he was also one of the charter members of the Captiva Property Owners Association and a long-term member of the Captiva Civic Association. He noted there was a group of individuals who wanted to incorporate Captiva. This was a concern for several other Captiva property owners who were very much in favor of continuing to work with the County. They formed an organization referred to as CPOA. He was hoping today's discussions would focus on what things could be done as well as finding a common ground instead of focussing on hard line issues.

Mr. Dave Depew, 216 Altamont Avenue, planner for the Captiva Community Panel, gave the Board extensive background on how these organizations and plan amendments were started and the process taken to receive public input. He urged the Board to vote to transmit this set of amendments as well as the goals, objectives and policies as submitted rather than as amended by staff. He also commented on some modifications suggested by staff involving Objective 21, and Policies 21.6, 21.7, 21.8, 21.9, 21.11, 21.13, 21.14, and 21.16.

Mr. Bixler noted that when staff struck Policy 21.8, they suggested a couple of policies from the Estero Planning Community and asked for Mr. Depew's thoughts on that option.

Mr. Depew stated he did not yet have an opportunity to discuss this with the panel. He felt they would prefer to keep Policy 21.8 in place and come back in the next round and add a document clearinghouse and any of the other provisions that you find in 19.5 as well.

Mr. Stuart commended Mr. Depew on their public outreach and data and analysis. He asked a variety of questions, which were answered by Dave Depew and staff. The questions were as follows: 1) Policy 21.8: What is meant by "Compatibility Ordinance", 2) Policy 21.1: Is there data that pertains to the deintensification aspect (i.e. how many units are being taken off the island in relation to the Hurricane Evacuation ordinance), 3) Policy 21.4: Under Building Height "...35 feet or 42 above mean sea level" - What is the current standard?, 4) Policy 21.7: Sanitary Sewers - Mr. Stuart expressed concern with this issue because of leaching directly into an aquatic preserve, 5) Policy 21.10: "no variances, no deviations," - Mr. Stuart felt this was too strict as it would take away someone's right to petition the government for any type of administrative relief.

Mr. Dave Loveland stated that an additional memo with a revised comment from DOT had been omitted from the packets. He distributed the new memorandum and reviewed DOT's position on the transportation issues. He noted that DOT's original comments outlined in the November 21, 2001 memorandum had been addressed, however, one issue remains dealing with the resurfacing issue. DOT staff felt this section was too open-ended and is not defined enough. DOT does not want to limit their ability to just resurface the road if that is necessary based on the roadway condition. DOT is concerned about being limited on their basic police power responsibilities to maintain public health, safety and welfare. They are also concerned about the vulnerability if they did not remove a dead tree from the right-of-way or do not add a shoulder where it might be necessary. He felt the County could be facing some kind of liability in cases such as these. DOT feels these are operational issues that they should have the right to address in order to maintain public safety.

Mr. Scott Barker, an attorney representing the CPOA, wanted to be on record as supporting the proposal that his client has submitted and reserve further comments until a later time in the proceeding if necessary.

Mr. Steve Hartsell, Pavese Law Firm, representing the Mariner Advisory Group who is the agent for Maristar (the owner of South Seas Resort and Plantation Development, Limited), stated that his client could not support any measures that would remove approvals or rights that have been granted over the years that would reduce their property values or rights. He felt there was a question as to how many of these policies and objectives were really necessary. Mr. Hartsell commented as follows on the various policies: 1) Policy 21.1 "new requests for residential rezonings at a density exceeding one unit per acre are not permitted" - How will one unit per acre be determined?, 2) Does Policy 21.1 effectively change the land use map so that instead of outlying suburban being the land use designation for Captiva, it is now more appropriately outer island or rural or suburban, which is one of the land use categories that permits only one unit per acre, 3) If this is done, what implications does it have with regard to Bert Harris?, 4) Policy 21.3: The residential development in South Seas is limited to a maximum of 912 dwelling units, which Mr. Hartsell felt was a very specific limitation. He noted this was the kind of limitation that is more often made as a condition of a zoning approval as opposed to a comprehensive plan amendment, 5) Policy 21.4 regarding height limitations. Mr. Hartsell noted this regulation was already in the Land Development Code and should not be in the Comprehensive Plan, 6) Policy 21.5 dealing with strengthening the existing vegetation ordinances. He noted these types of regulations are already in the Land Development Code and should not be part of the Comprehensive Plan, 7) Policies 21.8 and 21.9 - He and his client agree with staff's recommendations and outlined why he did not feel these amendments were appropriate, 8) Policy 21.10 regarding the compatibility ordinance. Mr. Hartsell felt the County Comprehensive Plan already recognizes there are compatibility issues with regard to differing types of land uses. He felt it was premature to presuppose there needs to be some special type of compatibility ordinance on Captiva, 9) Policy 21.12 - "no variances, deviations or administrative relief." Mr. Hartsell felt this was too stringent and removed any possibility of addressing unexpected hardships that might otherwise occur out on Captiva, 10) Policy 21.13 - He agreed with staff's recommendations. He was concerned with the requirement that previously approved projects with impacts to mangroves that have not been constructed are required to reduce impacts through redesign. He felt there would be Bert Harris implications, 11) Policy 21.15 - He agreed with staff that this policy is not necessary nor is it appropriate in the Comprehensive Plan.

Mr. Bill Riley, resident of Captiva, and Chairman of the Captiva Civic Association Land Use Committee, stated that the civic association was the only large open organization on the island. He gave background information on the civic association. He stated their position was that land use rules on Captiva should be those which the community wishes to have unless those rules or laws are contrary to public policy or unlawful. The people of Captiva should decide what land use rules should govern Captiva. He noted they had surveyed people in Captiva to determine what the residents want in terms of land use. He noted they received 600 responses to their last survey. He noted that what was before them was what the people of Captiva have said they would like to have unless they are asking for something that is violative of public policy or of law. He reviewed the individual items with the Board.

Ms. Sharon Brace, resident of Captiva Island, stated she fully supported the Land Use Committee's response to the plan amendment. She also noted that many people had worked a long time on this document by consulting with attorneys and planners. She requested that the Board approve the documents as presented by the CPOA.

Mr. Robert Brace, 11530 Gore Lane in Captiva, stated he was a member of the community panel on Captiva and was in support of the language that has been crafted as a result of the work between the community panel, the citizenry, and the Captiva Civic Association. He stated this was an effort that had taken place over the last two years to try and find out what the people of the island want. He hoped the Board would approve the proposal as submitted as long as it is consistent with the law.

Mr. Scott Barker, attorney for the Captiva Property Owner's Association, noted that the Captiva Property Owner's Association is a separate entity from the Captiva Civic Association. He noted the Board of County Commissioners had supported the work of the Captiva Property Owners Association in preparing land use amendments. He felt this proposal was an attempt to follow the directive of the Board of County Commissioners. He outlined concerns he had with the submittal made by the Captiva Civic Association and why he did not feel some of their changes should be in the comprehensive plan. He felt his client, the Captiva Property Owner's Association, worked very hard to try to find out some way to bridge the gap between the interests of the people in Captiva with having a say in their government and with County government.

Mr. Ron Gibson, member of the community panel, felt his panel had worked hard to get this community plan in action as well as bring Captiva closer together as they were years before. He discussed the septic situation on Captiva and stated that although he was not convinced that we need to mandate that everyone hook up to a sewer, he encouraged residents to at least look at new technology for septics. He stated the septic proposal was being submitted by the community panel, not the CCA or the CPOA.

Mr. Rene Melville, full time resident of Captiva since December 21, 1986, stated he used to serve on the Captiva Erosion Prevention District. During that time, they created the nation's first emergency response plan by doing the proper research and working with the County. He felt the Captiva Property Owner's Association, which created the idea of community planning, has done their homework and presented their proposal before the County. He felt what Captiva really wanted was to protect, preserve, and use the land use plan as a way of protecting what they have now in the highest form of legal law available today.

Mr. Stuart reviewed the aspects of the plan that he was in favor of. He noted that he was not in favor of the deviations, variances, and administrative relief restrictions because it precludes someone the ability to petition government. He stated he would vote for transmittal with the exclusion of that.

Mr. Andress stated he was opposed to having Policies 21.3 and 21.4 in the Comprehensive Plan versus the Land Development Code. He was opposed to Policy 21.5 and 21.10 which restricts someone from being able to petition government for a variance, etc. He was not certain Policy 21.13 dealing with mangroves should be in the Comprehensive Plan since it is mandated by the Department of Environmental Protection and is outside of this Board's jurisdiction. He agreed with staff that Policies 21.16 and 21.14 should be deleted.

Mr. Sheldon was in support of the community panel's language. He hoped there would be a way to amend their language so that it addresses all of the policies in some form as opposed to passing this on without accepting them. He felt it deserved deliberation by the Local Planning Agency to try and come up with some way to preserve these thoughts because they are heartfelt. He noted it was a very difficult situation out there.

Mr. Stuart moved to recommend to the Board transmittal of the following goals and policies in the staff report, starting with Goal 21, Policy 21.1, Policy 21.2, Policy 21.6, Policy 21.7, Policy 21.8, Policy 21.9, Policy 21.12, Mr. Depew's submitted language for Policy 21.9, original language submitted by the applicant for Policy 21.1 where it states specifically "County discretionary acts involving development on Captiva Island shall not permit the destruction or alteration of mangroves," seconded by Mr. Andress.

Mr. Inge clarified that Mr. Stuart was recommending transmittal of goal 21, Policy 21.1, Policy 21.2, Policy 21.6, Policy 21.7, new Number 21.8, new number 21.9 with the structured language added back in, New numbered 21.11 with the structured language replacing the double underlined language, and new number 21.12. Mr. Stuart confirmed this was his motion.

Mr. Inge questioned Policy 21.1 due to the implications under the Bert Harris Act.

Mr. Jones discussed the Bert Harris Act and stated it was feasible that this Policy might cause damages and implications under the Bert Harris Act.

Mr. Inge moved to amend Mr. Stuart's motion to delete Policy 21.1 from the recommended transmittal policy, seconded by Ms. Brookman. The motion failed 2-4. Mr. Inge and Ms. Brookman were in favor. Mr. Bixler, Mr. Stuart, Mr. Andress, and Mr. Sheldon were opposed.

Ms. Brookman asked for more specifics on why staff was opposed to Policy 21.9.

Mr. Noble and Mr. O'Connor stated they were not certain what they were supposed to do with that solicited information as outlined in this policy. They stated it was also a matter of the work load. This policy would involve additional public meetings, focus group opinions, surveys, electronic mail, etc. Staff did not feel it was necessary given the state of comprehensive planning in Lee County and the fact that everyone is encouraged to participate.

Mr. Andress did not see the harm in having this policy in the comprehensive plan stating that we should make every effort to include public participation.

Ms. Brookman felt the harm would be to employed staff members not being clear on what this section means, which would open up a lot of opportunity for contention and ambiguity.

Ms. Brookman moved to amend Mr. Stuart's amendment to delete the portion of Policy 21.9 that was added in and going back to staff's original language, seconded by Mr. Inge. Mr. Inge, Mr. Andress, Ms. Brookman, and Mr. Sheldon were in favor. Mr. Bixler and Mr. Stuart were opposed. The motion passed 4-2.

The Board took a 10 minute break and then reconvened.

Mr. Sheldon moved to recommend transmittal of Policy 21.3, seconded by Ms. Brookman. Mr. Sheldon and Ms. Brookman were in favor. Mr. Inge, Mr. Stuart, Mr. Andress, and Mr. Bixler were opposed. The motion failed 2-4.

Mr. Stuart moved to transmit staff language on Policies 21.4 and 21.5, seconded by Mr. Andress. There being no further discussion, the motion passed 5-1. Mr. Inge was opposed because he felt those items were more properly placed in the Land Development Code.

Mr. Stuart made a motion to substitute Policy 21.8 with Policy 19.5.1, Estero Community policy pertaining to document clearinghouse and to substitute Policy 21.9 with the Estero Policy 19.5.3, changing Estero to Captiva, seconded by Ms. Brookman.

Mr. Inge clarified we had a motion to substitute in lieu of originally numbered Policy 21.8 and 21.9 language similar to Policies 19.5.2 and 19.5.3, with the change from Estero Planning Community to Captiva Island Planning Community and the insertion of any zoning request as opposed to any planned development request in the first sentence of Policy 19.5.3.

Mr. Stuart stated he defined zoning matters as variances and special exceptions also, so it would not just be just "zoning request".

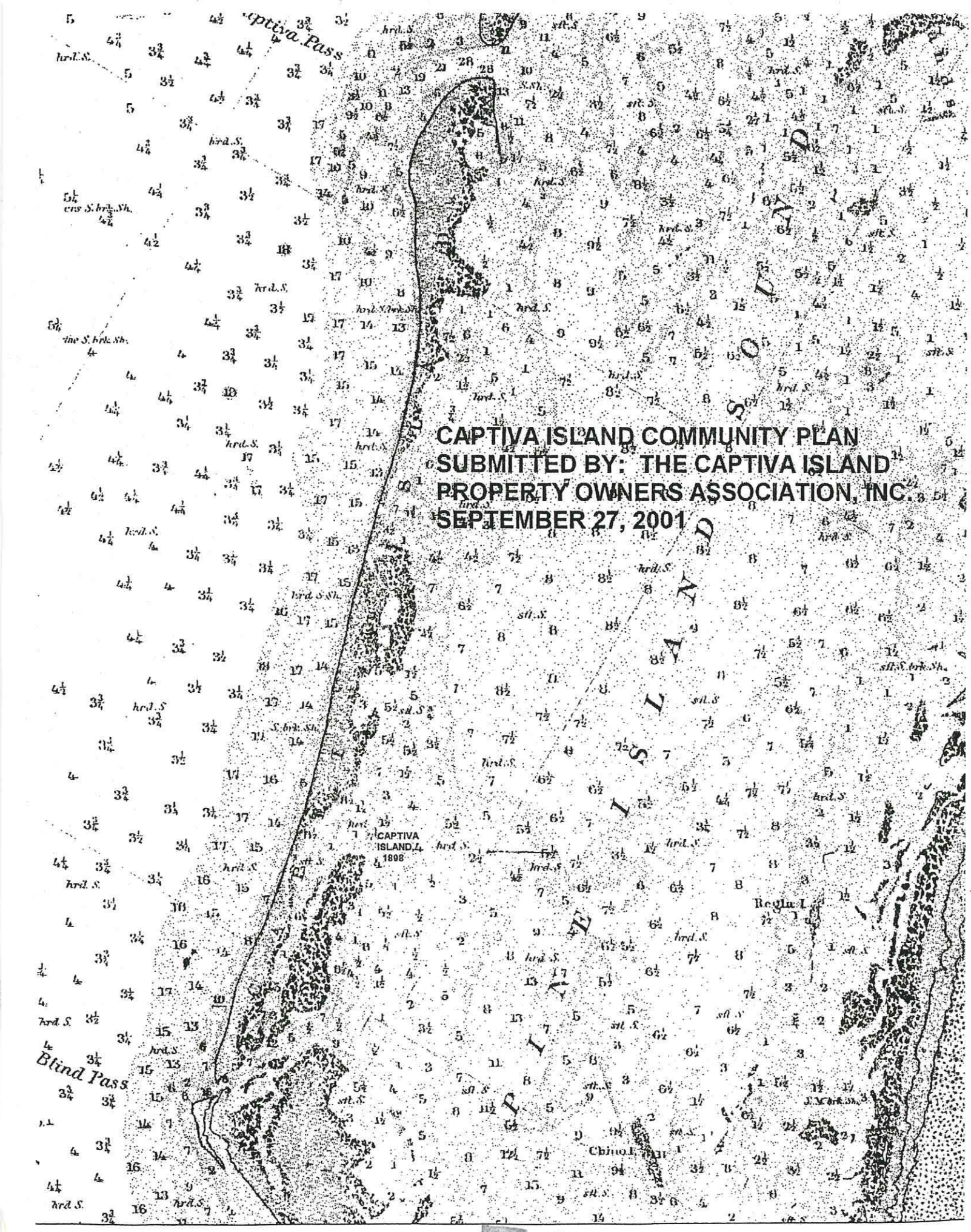
The motion passed 6-0.

Mr. Stuart made a motion not to transmit Policy 21.12, seconded by Mr. Andress, seconded by Mr. Andress. Mr. Inge, Mr. Stuart, Mr. Andress, and Mr. Bixler were in favor. Mr. Sheldon and Ms. Brookman were opposed. The motion passed 4-2.

Mr. Andress moved not to transmit Policy 21.14, seconded by Ms. Brookman. The motion passed 6-0.

Mr. Andress moved not to transmit Policy 21.16, seconded by Ms. Brookman. The motion passed 6-0.

Mr. Andress moved to transmit Objective 21.1 under Goal 21 on Page 9 of 21 that was drafted by the Captiva Property Owner's Association, seconded by Ms. Brookman. The motion passed 6-0.



EPA 2001-00010

MORRIS-DEPEW ASSOCIATES, INC.
ENGINEERS • PLANNERS • SURVEYORS & MAPPERS
2216 Altamont Avenue • Fort Myers, Florida 33901 • (941) 337-3993 • FAX (941) 337-3994

September 27, 2001

Mr. Paul O'Connor, Director
Lee County Division of Planning
P. O. Box 398
Fort Myers, FL 33902-0398

Subject: Attached Lee Plan Amendment Application

Dear Mr. O'Connor:

Attached please find six (6) completed sets of application materials for the Captiva Community Plan. Additionally, please find supplemental information in the form of survey responses from the two surveys conducted on Captiva over the past 9 months related to planning issues.

This material represents the combined efforts of many of the residents and concerned citizens seeking to protect and preserve Captiva's unique lifestyle. Over the past 11 months numerous public meetings and focus group sessions have been conducted with the residents, and in each of these gatherings I have been impressed with the depth of commitment that has emerged time and again. The folks living and visiting on Captiva see it as a unique community, priceless in its charm and beauty. Overwhelmingly, the residents and guests, whether permanent, seasonal, or transitory have indicated that they desire to protect and preserve the quality of life found on the Island.

The proposed Policies represent a first step in the establishment of growth management parameters for Captiva. They will undoubtedly be expanded and elaborated over the coming years. As a number of Captivans have stated, however, as a community Captiva must learn to walk before it can run, and these proposals represent a fundamental basis upon which future policies can be built. Without these basic policies, arrived at through an arduous consensus building process, there can be no future evolution and there will be no adequate current protections.

Thank you for your support and assistance during this process. I look forward to speaking with you and your Staff as the amendment process develops over the coming months.

Regards,
Morris-Depew Associates, Inc.

David W. Depew, AICP
President

RECEIVED
DEC 20 2002
COMMUNITY DEVELOPMENT
CPA 2001-00010

APPLICATION

LEE COUNTY
SOUTHWEST FLORIDA

Lee County Board of County Commissioners
Department of Community Development
Division of Planning
Post Office Box Fort
Myers, FL 33902-0398398
Fort Myers Fl

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

(To be completed at time of intake)

DATE REC'D:_____ REC' D BY: _____

APPLICATION FEE:_____ TIDEMARK NO: _____

THE FOLLOWING VERIFIED:

Zoning ☐ Commissioner District ☐

Designation on FLUM ☐

(To be completed by Planning Staff)

Plan Amendment Cycle: ☐ Normal ☐ Small Scale ☐ DRI ☐ Emergency

Request No: _____

APPLICANT PLEASE NOTE:
Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: _____.

Submit **6** copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Additional copies may be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

DATE SIGNATURE OF OWNER OR AUTHORIZED REPORSENTATIVE

_____ _____

I. APPLICANT/AGENT/OWNER INFORMATION

Captiva Island Property Owners Association, Inc.
APPLICANT

c/o Mr. Hal Miller, President, 11529 Andy Rose Lane
ADDRESS

Captiva	Florida	33924
CITY	STATE	ZIP
941/395-3974	E-Mail: captivahal@aol.com	
TELEPHONE NUMBER	FAX NUMBER	

Morris-Depew Associates, Inc., David W. Depew, AICP
AGENT*

2216 Altamont Avenue
ADDRESS

Fort Myers	Florida	33901
CITY	STATE	ZIP
941/337-3993	941/337-3994 E-Mail: planning@m-da.com	
TELEPHONE NUMBER	FAX NUMBER	

See attached list of STRAP numbers.
OWNER(S) OF RECORD

See attached list of STRAP numbers.
ADDRESS

See attached list of STRAP numbers		
CITY	STATE	ZIP
N/A	N/A	
TELEPHONE NUMBER	FAX NUMBER	

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

* This will be the person contacted for all business relative to the application.

II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

A. TYPE: (Check appropriate type)

☒ Text Amendment ☐ Future Land Use Map Series Amendment (Maps 1 thru 19)
List Number(s) of Map(s) to be amended
_____

B. SUMMARY OF REQUEST (Brief explanation):
The attached material is intended to request a portion of the Lee Plan be devoted exclusively to growth management on Captiva. The attached proposed Goal, Objective, and Policies are intended to reflect the public input and consensus building process that was undertaken over the last 9 months, and represent a basis for additional growth management efforts dealing with Captiva. The intent of the amendments is to provide a more detailed blueprint for future development approvals and assist the County's efforts in permitting.

III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY (for amendments affecting development potential of property)

A. Property Location:

1. Site Address: Captiva Island

2. STRAP(s): See attached list of STRAP numbers.

B. Property Information

Total Acreage of Property: +/- 725 acres

Total Acreage included in Request: +/- 725 acres (Captiva Island)

Area of each Existing Future Land Use Category: No change

Total Uplands: +/- 685 acres

Total Wetlands: +/- 40 acres

Current Zoning: Varies, see attached maps.

Current Future Land Use Designation: Outlying Suburban and Wetlands

Existing Land Use: Estate residential, multi-family residential, resort commercial, community facilities.

C. State if the subject property is located in one of the following areas and if so how does the proposed change effect the area:

Lehigh Acres Commercial Overlay: N/A

Airport Noise Zone 2 or 3: N/A

Acquisition Area: N/A

Joint Planning Agreement Area (adjoining other jurisdictional lands): N/A

Community Redevelopment Area: N/A

D. Proposed change for the Subject Property:
Proposed change will establish a community plan for the island of Captiva. Establishes a Goal and Objective and a series of Policies dealing exclusively with development and redevelopment issues affecting Captiva.

E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density +/- 2,057

Commercial intensity N/A

Industrial intensity N/A

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density +/- 1,500

Commercial intensity N/A

Industrial intensity N/A

IV. **AMENDMENT SUPPORT DOCUMENTATION**

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats)

A. General Information and Maps

NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11') for inclusion in public hearing packets.

The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

1. Provide any proposed text changes.

2. Provide a Future Land Use Map showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.

3. Map and describe existing land *uses* (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.

4. Map and describe existing zoning of the subject property and surrounding properties.

5. The legal description(s) for the property subject to the requested change.

6. A copy of the deed(s) for the property subject to the requested change.

7. An aerial map showing the subject property and surrounding properties.

8. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.

B. Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

1. Traffic Circulation Analysis

   The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

   Long Range - 20-year Horizon:

   a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;

b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);
c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;
d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;
f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

Short Range - 5-year CIP horizon:

a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediated development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);
b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;

Projected 2020 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);

c. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;
d. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.

2. Provide an existing and future conditions analysis for:
   a. Sanitary Sewer
   b. Potable Water
   c. Surface Water/Drainage Basins
   d. Parks, Recreation, and Open Space.

   Analysis should include (but is not limited to) the following:
   - Franchise Area, Basin, or District in which the property is located;
   - Current LOS, and LOS standard of facilities serving the site;
   - Projected 2020 LOS under existing designation;
   - Projected 2020 LOS under proposed designation;
   - Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and
   - Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).

3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:
   a. Fire protection with adequate response times;
   b. Emergency medical service (EMS) provisions
   c. Law enforcement;
   c. Solid Waste;
   d. Mass Transit; and
   e. Schools.

In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.

C. Environmental Impacts

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

1. A map of the Plant Communities as defined by the, Florida Land Use Cover and Classification system (FLUCCS).

2. A map and description of the soils found on the property (identify the source of the information).

3. A topographic map with property boundaries and 100-year flood prone areas Indicated (as identified by FEMA).

4. **A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.**

5. **A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).**

D. Impacts on Historic Resources

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

1. **A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.**

2. **A map showing the subject property location on the archeological sensitivity map for Lee County.**

E. Internal Consistency with the Lee Plan

1. **Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2020 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.**

2. **List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.**

3. **Describe how the proposal affects adjacent local governments and their comprehensive plans.**

4. **List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.**

F. Additional Requirements for Specific Future Land Use Amendments

1. **Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from)**

   a. **State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals,**
   b. **Provide data and analysis required by Policy 2.4.4,**

c. The affect of the proposed change on county's industrial employment goal specifically policy 7.1.4.

2. Requests moving lands from a Non-Urban Area to a Future Urban Area

a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: low-intensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.

3. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.

4. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.

G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

Item 1: Fee Schedule

Ma Amendment Flat Fee	$500.00 each
Map Amendment > 20 Acres	$500.00 and $20.00 per 10 acres up to a maximum of $2,255.00
Text Amendment Flat Fee	$1,250.00 each

AFFIDAVIT

I, _____ certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data, or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

Signature of owner or owner-authorized agent

9/25/07
Date

CPA 2001-00010

RECEIVED
DEC 20 2002
COMMUNITY DEVELOPMENT

David W. Depew

Typed or printed name

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 25th day of September 2002, by David W. Depew, who is personally known to me or who has produced Himself as identification.

(SEAL)



Signature of notary public

Stacy E. Hewitt

Printed name of notary public

RECEIVED
DEC 20 2002
COMMUNITY DEVELOPMENT

CPA 2001-00010

PROPOSED AMENDMENT LANGUAGE

Proposed Lee Plan Amendments

Captiva Island Property Owners Association, Inc.

September 27, 2001

Goal:

Conserve, protect and manage the physical and socio-economic resources of Captiva Island, including, but not limited to, the beaches, wetlands, upland ecosystems, land use patterns, facilities and infrastructure capacity, quality of life, and community values so as to maintain and enhance native habitats, floral and faunal species diversity, water quality, natural surface water characteristics, neighborhood cohesion, access to necessary services and facilities, public participation, and historic resources.

Objective:

Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island.

Policies:

1.) New requests for residential rezonings at a density exceeding one unit per acre, shall not be permitted. (Nothing in this policy shall be deemed to prevent the replacement of an existing dwelling unit or commercial use in the event of a natural disaster, hurricane, flood, fire, or other similar occurrence.)

2.) Lee County recognizes that Captiva Drive is a roadway facility with unique characteristics that limit the ability to expand its carrying capacity. Notwithstanding any other policies found herein, once the peak hour, peak season, peak direction number of trips reaches 550 on Captiva Drive, as calculated using FDOT methodology and reflected in the annual Lee County Concurrency Management Report, Lee County shall approve no additional permits that would increase the number of trips on Captiva Drive. However, in no instance shall a property owner be denied the issuance of a permit to replace an existing unit so long as the proposed replacement complies with all applicable Policies, Codes, and Ordinances. Additionally, this policy shall not be interpreted to contradict provisions XIII.a.E and XIII.b.B.4, found in the Administrative section of this Plan guaranteeing a lot owner the right to build a single-family residence.

3.) Recognizing that Captiva Drive is vulnerable to flooding and storm damage, any resurfacing of Captiva Drive shall be done in a fashion that decreases the possibility of roadway wash-out and other damage that would result from a storm or flooding.

4.) Funding of roadway improvements such as resurfacing and flood/storm protection shall be undertaken in a fashion that considers not only local utilization of Captiva Drive, but also the use to which that facility is put by non-residents of Captiva Island. It is recognized that while Captiva Drive is a collector roadway, it is the only road connecting the Island to Sanibel and the mainland, and represents a unique scenic and aesthetic resource for Lee

County. Lee County shall preserve and enhance the tree canopy within the right of way to the greatest extent possible.

5.) Lee County specifically recognizes that the existing tree canopy on Captiva Island is significant and must be preserved in order to provide a storm buffer, shelter for birds, habitat for various animals, enhance outdoor recreation and aesthetic values, and maintain the historic ambience of Captiva Island. To that end, public works project shall not remove canopy trees, even if such trees are deemed to be exotic vegetation, unless absolutely necessary. Further, if such trees are removed, replacement trees shall be planted in the largest size readily available as part of a mitigation effort for those that were removed. Additionally, Lee County shall not approve any variance or deviation that results in a reduction of landscaping or buffering requirements without evidence that such approval clearly and substantially benefits the public health, safety, and welfare.

6.) The Captiva Community shall investigate, draft, and submit to Lee County recommended methods for traffic calming on Captiva Drive from Blind Pass to the entrance of South Seas Plantation, with special emphasis on the area south of 'Tween Waters. Specific options, reflecting the unique nature of the area, including but not limited to the recognition of the necessity for low operating speeds, the limited rights of way, the limited numbers of parked vehicles, the desirability of preserving the tree canopy along Captive Drive, and the seasonal nature of facility demand, shall be considered. The results of this investigation and proposed recommendations shall be reported to the residents of Captiva at a public meeting to take place on Captiva to be held at some point not later than during the months between

December 1, 2002 and March 31, 2003 in order to disseminate the results of the investigation to the broadest number of residents possible. Further, subsequent to the public hearing to be held on Captiva, the results of these investigations and recommendations shall be brought to the Board of County Commissioners at a public hearing along with input from the public meeting held on Captiva. At that time, the Board of Commissioners shall consider what measures need to be taken to provide for traffic calming opportunities on Captiva. The investigations and recommendations shall be completed not later than November 30, 2002, and the presentation to the County Commission shall occur not later than April 30, 2003.

7.) Lee County shall encourage and support efforts by Captivans to establish innovative approaches to establish alternatives for pedestrian and bicycle traffic facilities from Blind Pass to the entrance of South Seas Plantation.

8.) Lee County shall encourage and support efforts by Captivans to establish a landscaping code for Captiva Island that will require all new development, including single family residences, to implement minimum landscaping requirements intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. New landscaping requirements shall focus on areas including, but not limited to, buffering and separation between new structures and Captiva Drive, buffering between adjoining properties, preservation and enhancement of the beach dune vegetation, and preservation and enhancement of the mangroves adjoining Pine Island Sound.

9.) Lee County shall continue to support local efforts to preserve, protect, and renourish Captiva's beaches through the use of environmentally responsible methods.

10.) Lee County shall encourage and support efforts by the Captiva Community to investigate and recommend measures that will improve water quality in Pine Island Sound, adjacent to Captiva Island. Such measures may include the establishment of additional regulations regarding stormwater runoff and the utilization of wastewater treatment and septic systems in areas where water quality problems have been identified. Lee County shall assist Captivans in their efforts to investigate water quality issues in this area and provide support for the preparation of a report summarizing findings and recommendations for addressing any problems discovered, with special emphasis on methods and technology for improving water quality entering septic fields and ultimately the local groundwater. The results of this investigation and the proposed recommendations shall be reported to the residents of Captiva at a public meeting to take place on Captiva to be held at some point during the months between December 1 until March 31 in order to disseminate the results of the investigation to the broadest number of residents possible. Further, subsequent to the public hearing to be held on Captiva, the results of these investigations and recommendations shall be brought to the Board of County Commissioners at a public hearing along with input from the public meeting held on Captiva. At that time, the Board of Commissioners shall consider what measures need to be taken to provide for improved water quality and wastewater treatment measures for this area of Captiva. The investigations and recommendations

shall be completed not later than November 2002, and the presentation to the County Commission shall occur not later than April 2003.

11.) Lee County shall implement a procedure for all proposed future comprehensive plan amendments, rezoning requests and all variance, special exception, and special permit applications for parcels located on Captiva Island that will require a public hearing to be held, at the applicant's expense, at a location on Captiva. The public hearing shall be for the purpose of explaining the request to the public, and shall be advertised in the same manner that the rezoning, variance, special exception, or special permit is advertised for hearing before the Lee County Hearing Examiner. In the case of proposed comprehensive plan amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan, such future amendments will also require notification to property owners, as listed on the then current property owners taxing roll, maintained by the Lee County Property Appraiser, by certified letter.

12.) Due to the seasonal nature of the population inhabiting Captiva, and due to the County's desire to encourage the broadest possible public participation, rezoning requests, and all variance, special exception, and special permit applications for parcels located on Captiva Island that will require a public hearing to be held shall only be scheduled for public hearings between October 15 through May 15 of any given year. For applications received during other months, the first available hearing date after October 15 shall be provided, subject to a determination that the application is sufficient and in accordance with all applicable regulations concerning application requirements. In the event of a hurricane, fire, flood,

or other natural disaster, the Lee County Board of Commissioners may suspend this requirement by finding that extraordinary circumstances apply.

13.) Lee County shall encourage and support the Captiva Community in conjunction with Captiva business owners in the preservation of existing commercial uses on Captiva in order to provide for dining and shopping opportunities for the residents and visitors to Captiva Island. Such assistance shall include, but not be limited to, investigation of appropriate parking requirements for Island businesses, alternate parking surfaces to preserve some level of surface permeability, roadway and drainage improvements, preservation of the mixed use activities in the existing commercial areas, and the possibility of a community redevelopment effort for existing commercial neighborhoods.

14.) Lee County shall encourage and support the solicitation of the widest possible range of public input for any future Lee Plan amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan. To that end, Lee County is committed to provide continuing assistance to the Captiva Community as part of the Evaluation and Appraisal Report process as well as ongoing technical expertise related to the functioning of the adopted policies. Additionally, future amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan will require that public input be solicited from all segments of Captiva through measures that may include, but are not limited to, public meetings, focus groups, opinion surveys, electronic opinion forums, etc.

AMENDMENT ANALYSIS

Captiva Community Plan:
Proposed Amendments to the Lee County Comprehensive Plan
Discussion and Analysis

Introduction

Take a moment to consider the process of planning. Planning is nothing more than a systematic approach to data gathering and decision analysis for a given situation in order to provide a rational basis for a decision. The process of planning reviews the various facts of the situation, alternate approaches to resolve the issues or challenges presented, and the eventual impacts associated with a proposed choice. In our everyday lives every person engages in planning, from a decision regarding what to wear, determining how to avoid rush hour traffic, selecting where and when to take a vacation, or calculating the requirements for retirement. A community such as Captiva, being more complex than any single individual, needs to engage in the process of planning so that it can accommodate the needs and desires of its residents and stakeholders for housing, municipal services, commercial opportunities, resort activities, offices, etc., as well as to preserve the physical features that make the community unique.

Planning has become a recognized need for all communities, and is mandated by the Florida Statutes. Currently, the comprehensive plan for Captiva is a part of the Lee County Comprehensive Plan (the Lee Plan), and is administered by the Planning Division of the Lee County Department of Community Development. The Planning Division consists of a number of professional planners and support personnel, and is responsible for all

comprehensive planning activities throughout the unincorporated portion of Lee County. For the 2000-2001 fiscal year, there are 22 positions budgeted for the Lee County Planning Division to cover all the various responsibilities of planning throughout unincorporated Lee County.

The Lee Plan is a comprehensive or master plan, that is to say a broad policy related plan. It has a series of interrelated statements along with a series of maps, the centerpiece of which is the Future Land Use Map, showing general areas of preferred uses. While the Lee Plan addresses such topics as land uses, housing, transportation, economy, culture, utilities, services, parks, and neighborhoods, what it says about these areas tends to be at a level associated with the County as a whole. Because the Lee Plan must cover all of Lee County, it does not deal with issues unique to a small community such as Captiva in a fashion that provides both the sensitivity and flexibility necessary for such a distinctive physical and socio-economic neighborhood.

Lee County is an area evidencing intense development pressures as an average of more than 6,200 people per year move into Lee County and more than 3,900 dwelling units per year are constructed. The Lee Plan is intended to manage and direct this growth into areas that are prepared to handle such development pressure. Stable areas with little opportunities for continued development, such as Captiva, are not addressed in the detail that the citizens of the Island desire. Local traffic issues, water quality in Roosevelt Channel, commercial preservation and redevelopment along Andy Rosse Lane, hurricane evacuation for the Island, and the preservation of Captiva's unique vegetation are issues that are generally not seen as significant on a

County-wide basis, even though they can be of paramount importance in a small geographic area such as Captiva. Further, the implementation of a 'maintenance/preservation' attitude regarding land uses on the Island may not be reflected well in a comprehensive plan intended to guide growth and development on the scale that the Lee Plan addresses.

Captiva is one of the best known and most often visited barrier islands on the southwest Florida coast. Yet, it was not always a part of the Florida landscape. Six thousand years ago, sediments emptied into the Gulf of Mexico by the Caloosahatchee River formed the both Captiva and Sanibel, islands that were once joined as one. Perhaps as recently as a thousand years ago a powerful sub-tropical storm swept the peninsula, opening a narrow pass between the islands. This channel, Blind Pass, has appeared and disappeared many times since with the passing of the centuries.

People have lived on Captiva since the islands first formed. Drawn by the pristine environment and the remarkable supply of fish and shellfish produced by nearby estuaries, ancient peoples and their Calusa Indian descendants inhabited more than fifteen major archaeological sites on Sanibel and Captiva islands. The Calusa, a complex and powerful tribe that controlled all of south Florida, first encountered European explorers shortly after Columbus' arrival in the New World. In 1513, Juan Ponce de Leon made landfall nearby during his voyage of discovery. The discoverer of 'La Florida' returned in 1521 to establish a settlement, according to historians perhaps on Sanibel, where he was attacked and ultimately killed by the warlike Calusa.

By the early 1800's, Cuban fishing camps were well established in the rich, productive waters behind Captiva and Sanibel. Trout, mullet, drum and pompano were netted, salted and dried at fishing "ranchos" throughout Pine Island Sound and San Carlos Bay, then shipped by schooner to Havana and Key West. Euro-Americans who inhabited the islands before mid-century grew citrus and vegetables to supplement their diets of fresh local seafood. Shellfish were plentiful, just as in days past. Wild turkey, deer, hogs, and sea turtles rounded out the early settlers' menus.

In 1897, the first school district was organized for Captiva, and by February 1898, there were 12 students attending at the first schoolhouse located on Buck Key at the Ormsby property. By 1903 the students had transferred to a more formal schoolhouse on Captiva proper. By that time, the dawn of the twentieth century, Captiva supported an active farming community, with avocado, melons, citrus, peppers, tomatoes and eggplant grown as cash crops for the resident farmers. In 1901 a post office was established for Captiva on the Captiva Bulkhead approximately 0.5 miles from shore. Due to the water depths, the wood-burning steamers that brought supplies, mail, freight and passengers to the islands docked at bulkheads built into Pine Island Sound and transferred cargo into skiffs and rowboats to make landfall. By March 23, 1903 the post office was moved on the Island, where Hattie Brainard, later Hattie Gore, remained postmistress for the next 37 years.

During historical times, six major hurricanes have struck the islands of Sanibel and Captiva, the most notable in 1910, 1921, and 1926. Floodwaters from the 1910 hurricane, the worst ever recorded in southwest Florida,

completely covered low-lying parts of both Sanibel and Captiva islands. The hurricane of 1921washed through 'The Narrows', a strip of land similar to the Blind Pass of today, between Captiva and Upper Captiva creating a channel that would later become Redfish Pass. Tides from the 1926 storm reached 14 feet, buffeting residents, farming operations, and native flora and fauna alike.

In 1926, regularly scheduled ferry service began between Punta Rassa and Sanibel's Old Town. The last ferry of the day closed down Sanibel at 5:30 p.m. A roadway connected Captiva to Sanibel, with a single lane wooden bridge across Blind Pass. By 1945, the Sanibel National Wildlife Refuge had opened, today known as the J.N. Ding Darling National Wildlife Refuge, providing one of the original 'eco-tourist' destinations for Southwest Florida's barrier islands. In 1954 the wooden bridge across Blind Pass was replaced with a two-lane concrete facility formally linking the two islands with a structure capable of supporting truck traffic.

The Sanibel Causeway opened in 1963, providing a road connection to the mainland. Since that time Captiva has faced increasing development pressures based upon the natural amenities found on the Island. As awareness of development pressures has increased, the residents and property owners have evidenced an increasing desire to preserve the historic values associated with Captiva and the Island lifestyle. This document is intended to help establish planning precepts to manage growth and protect, preserve, and enhance the physical and socio-economic features that characterize life on Captiva as it currently exists. The challenge of comprehensive planning is not to accept the inevitability of growth, but to

recognize that the potential for growth exists, if only because of this area's geographic location and natural beauty. Thus, while continuing to implement programs that are necessary to meet the needs of today's population, it is incumbent upon the Captiva Community to establish mechanisms to preserve their quality of life in the face of pressures that could over-build and over-develop their Island, limiting the negative impacts that such growth could bring.

Background

A barrier island, Captiva connects to the mainland via Captiva Drive, Sanibel-Captiva Drive, Periwinkle Way, and the Sanibel Causeway. The Island is located within the Captiva Planning District, according to Lee County, and contains a total of +/- 794.6 acres. Lee County aggregates Upper Captiva and Cayo Costa in their calculations, considering that there are a total of 4,053 acres within the entirety of the Captiva Planning District. Proposed allocations for the Captiva Planning District are as follows:

Residential use by future land use category (in acres)

	2020 allocation	Existing	Available
Outlying Suburban	435	386	49
Public Facilities	1	1	0
Outer Island	171	66	105
Wetlands	4	39	-35
Total residential	611	492	119
Other uses:			
Commercial	112	104	8
Industrial	0	0	0

According to the Captiva Fire District, in 2000 there were, 736 permanent residents listed for Captiva. There were also an additional 1,999 seasonal residents for a functional total of 2,735. There were 1,393 dwelling units with 324 listed as being permanently occupied. This yields an estimated persons per household ratio of 1.96 for the total number of units and the entirety of the functional population. According to Lee County, in 1998, there were 771 permanent residents on Captiva, with a projected 826 permanent residents expected by 2020. If one reviews the 2000 U. S. Census, however, there were 379 permanent residents and 1,150 total housing units. Of the counted 379 permanent residents, there were a total of 194 household families, yielding an average household size of 1.95 persons per household.

The discrepancies between these figures are understandable given the seasonality of the Captiva population and the time of year for the Census counts. Further, differences in the total housing unit counts can be explained by the local knowledge that exists for the Captiva Fire Department in an area where all units are not generally recognizable to broader governmental entities. Finally, it is noted that the local taxing authorities tally for the number of properties must also be considered to obtain a more accurate picture of the existing conditions on the Island.

According to the Lee County Property Appraiser's Office, there were 1,098 separate parcels located on Captiva in 2000, along with 214 tax notices of which 105 contained homestead exemptions. Property values for 2000 are listed as follows:

Total Properties	1,098 parcels	
Market value	$819,405,590	
Taxable value	$788,566,850	96.24 %
Land value	$360,496,470	44 %
Building value	$458,909,120	56 %
Properties by Neighborhood		
South Seas	566	51.55 %
Village	291	26.50 %
'Tween Waters	104	9.47 %
Gold Coast	137	12.48 %
Market Value by Neighborhood:		
South Seas	$392,430,050	47.89 %
Village	$127,247,380	15.53 %
'Tween Waters	$97,861,340	11.94 %
Gold Coast	$201,866,820	24.64 %
Taxable Value by Neighborhood:		
South Seas	$385,582,290	48.90 %
Village	$119,799,620	15.19 %
'Tween Waters	$92,520,100	11.73 %
Gold Coast	$190,664,830	24.18 %
Land Value by Neighborhood:		
South Seas	$98,452,190	27.31 %
Village	$73,045,710	20.26 %
'Tween Waters	$51,488,340	14.28 %
Gold Coast	$137,510,230	38.14 %
Building Value by Neighborhood:		
South Seas	$293,977,860	64.06 %
Village	$54,201,670	11.81 %
'Tween Waters	$46,373,000	10.11 %
Gold Coast	$64,356,590	14.02 %
HOMESTEAD EXEMPTIONS by Neighborhood		
South Seas	16	15.24 %
Village	44	41.90 %

Tween Waters	18	17.14 %
Gold Coast	27	25.72 %

A review of voting statistics suggests that there are more permanent residents than accounted for by the Census Bureau. Over the last decade, the Lee County Supervisor of Elections has recorded the following votes for Captiva and Upper Captiva:

Lee County Elections Office

Registered voters – Precinct 17 (includes North Captiva)
1990: 510
1992: 494
1994: 503
1996: 475
1998: 483
2000 (Presidential Primary): 481
2000 (First Primary): 519

This suggests that there are more than the 379 permanent residents counted by the Census Bureau, and appears to lend greater credence to at least the Fire Department's numbers if not Lee County's 1998 projections.

Utilities on the Island currently are limited. There are two wastewater treatment plants, one located at 'Tween Waters and another at South Seas Plantation. The two facilities are sized to service each resort, but opportunities for expansion appear non-existent. Additionally, there are a number of smaller treatment systems serving individual condominium or subdivision developments. The remainder of the Island uses individual wastewater treatment systems for effluent. Permitting is undertaken through the Lee County Health Department and/or the Florida Dept. of Environmental Protection.

The closest municipal water treatment system is found on Sanibel. Island Water System services the Island, and a copy of the water main layout map is included in the Appendix. The primary water main for the Island runs along Captiva Drive from Blind Pass into South Seas Plantation.

The Captiva Fire District provides fire and Emergency services. Located at 14981 Captiva Drive, the District serves the entire Island from that location. The Lee County Sheriff's Department provides police protection. Florida Power and Light's facilities that cross Pine Island Sound, coming ashore on Sanibel and extending northward to Captiva, provide electricity. There are no public transit routes serving Captiva. There is a permitted helistop located at South Seas Plantation.

Captiva Drive is currently listed, by Lee County, as a two-lane undivided collector roadway. The Institute of Traffic Engineers (Traffic Engineering Handbook, 4th Edition, page 314) describes the differences between arterial, collector, and local roadways thusly:

> *"Major Arterial: That part of the roadway system serving as the principal network for through traffic flow. The routes connect areas of principal traffic generation and important rural highways entering the city.*
>
> *Collector: The distributor and collector roadways servicing traffic between major and local roadways. These are roadways used mainly for traffic movements within residential, commercial, and industrial areas.*

Local: Roadways used primarily for direct access to residential, commercial, industrial, or other abutting property. They do not include roadways carrying through traffic. Long local roadways will generally be divided into short sections by collector roadway systems."

Khisty (Transportation Engineering: An Introduction, pages 16-18) describes the differences between the kinds of streets in a similar fashion:

"The urban principal arterials serve the major activity centers, such as universities, shopping centers, and stadiums, and also the highest-traffic-volume corridors. Notice that they carry a high proportion of the total urban area travel on a low mileage. Urban minor arterials accommodate trips of moderate length at fairly high speeds and connect the principal arterial system with the collectors. The collector street system provides both land access service and traffic circulation within residential neighborhoods and commercial and industrial areas. Collector systems interconnect the minor arterial system with the local street system. Direct access to abutting lands is provided through a local street system."

Overall, looking at the definitions of an arterial, collector, and local street suggests that the distinction is not as fine as one would hope. The determination does not have to be made, however, as Lee County has already classified Captiva Drive as a collector roadway for purposes of permitting and concurrency standards.

According to the Lee County Year 2000 Network Peak Hour Peak Season Peak Direction LOS Road Link Volumes in the Transportation Section of the Concurrency Report, Captiva Drive from Blind Pass to South Seas

Plantation currently operates at Level of Service (LOS) D. The road segment length is 3.3 miles, and, as noted above, it is a two-lane undivided roadway. The current concurrency standard is LOS E, with a two-way capacity of 1,730 vehicles per hour. According to the County's figures, the roadway is currently listed as a 'constrained facility' meaning that opportunities for improvements are limited.

The Institute of Traffic Engineers define levels of service thusly:

> "***Level of Service A:*** *Free flow traffic with individual users virtually unaffected by the presence of others in the traffic stream;*
>
> ***Level of Service B:*** *Stable traffic flow with a high degree of freedom to select speed and operating conditions but with some influence from other users;*
>
> ***Level of Service C:*** *Restricted flow which remains stable but with significant interactions with others in the traffic stream. The general level of comfort and convenience declines noticeably at this level;*
>
> ***Level of Service D:*** *High-density flow in which speed and freedom to maneuver are severely restricted and comfort and convenience have declined even though flow remains stable;*
>
> ***Level of Service E:*** *Unstable flow at or near capacity levels with poor levels of comfort and convenience; and*
>
> ***Level of Service F:*** *Forced traffic flow in which the amount of traffic approaching a point exceeds the amount that can be served. LOS F is characterized by stop-and-go waves, poor travel times, low comfort and convenience and increased accident exposure.*"

It is also noted that the Lee County Concurrency Report considers Captiva Drive as a 'constrained facility. According to Lee Plan Objective 22.2, *"Due to scenic, historic, environmental, aesthetic, and right-of-way characteristics and considerations, Lee County has determined that certain roadway segments will be deemed "constrained" and therefore will not be widened. Reduced peak hour levels of service will be accepted on those constrained roads as a trade-off for the preservation of the scenic, historic, environmental, and aesthetic character of the community."* Additionally, Policy 22.2.2 states, "*A maximum volume-to-capacity (v/c) ratio of 1.85 is established for the constrained roads identified in Table 2(a). No permits will be issued by Lee County that cause the maximum volume-to-capacity ratio to be exceeded or that affect the maximum volume-to-capacity ratio once exceeded. Permits will only be issued when capacity enhancements and operational improvements are identified and committed for implementation that will maintain the volume-to-capacity ratio on the constrained segment at or below 1.85.*" The current volume-to-capacity ratio for Captiva Drive, according to the Concurrency Report, is 0.37. This means that the v/c ratio can increase by a factor of 5 before Policy 22.2.2 becomes applicable. Further, although Policy 22.2.3 states that an Operational Improvement Program is established for each constrained facility, no such program is listed in the Lee Plan for Captiva Drive.

Historically traffic counts along Captiva Drive have been stable. The following table shows the annual variation in traffic counts from 1991 through 2000.

Captiva Drive Traffic Counts: 1991-2000

Count Station	Year	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
North of Blind Pass		6600	6300	6000	6500	6200	6500	6400	6300	6400	6300

Looking at the data from the County's permanent count station located north of Blind Pass (#26), it appears that the 4:00 P. M. southbound direction is consistently the peak hour and peak direction for traffic on Captiva Drive. Likewise, historically, the months of January, February, March, and April are the peak months for traffic on Captiva. Interestingly enough, the data show that Friday and Saturday are the peak days for traffic along Captiva Drive, suggesting that the traffic is only partially related to standard working hours and also connected to resort related activities found on the Island.

Public Participation

The Captiva Property Owners' Association was formed as a group of concerned Captiva residents who saw the potential for a community plan to keep Captiva from going the way of so many Gulf Coast communities: over-developed and underserved by infrastructure. At the same time, CPOA was determined to allow everyone to have a say in what protections were needed for the Island and how they should be implemented.

The primary goal of the CPOA has been, and remains, the formulation of a community plan for Captiva. The vision of the CPOA's founders was endorsed by almost 1,700 Captivans who signed a petition asking the fledgling organization to fight incorporation of Captiva in favor of pursuing a community plan. Even better, almost 200 Captivan families backed their

words and signatures with checks, donating most generously to get CPOA operations started. In the end, CPOA as an organization does nothing more or less than asking Captivans for their opinions, wants, and desires on any and all issues confronting this island. In this sense, the CPOA is entirely apolitical. The true function of the CPOA has been, and remains, dealing with the myriad details involved in getting the community plan formulated, alerting Captivans to issues of importance, gathering their consensus, and implementing that consensus.

Implementing the goal of public participation in the formulation of a community plan, the CPOA through the auspices of its professional planner, has held a series of workshops over the last 10 months to elicit input and develop a consensus on the issues facing Captiva as it enters the new millennium. A pilot survey was developed and distributed at meetings early in 2001 with the results and comments used to design a wider survey distributed in May, 2001. The survey was mailed to every property owner of record as well as distributed electronically, posted on the CPOA website, and forwarded to all timeshare owners at South Seas Plantation. The results of the survey were surprising in that despite the appearance of dissension on the Island, the residents overall appear to be remarkably unified on the nature of the challenges facing Captiva and the desire to manage potential problems associated with growth and development. Although not all issues lend themselves to ready solutions, a general consensus of core values was discernable from the responses.

From the pilot survey, although the results are probably not as significant as one might hope, there are some interesting trends that were later reflected in

the larger set of responses from the full questionnaire. (A copy of the pilot survey can be found in the Appendix.) Asked to rank the issues facing Captiva, the respondents listed the following:

Pilot Survey Summary

1.) Totals all neighborhoods (90 responses):

A.) Issue Importance:

1) Beach Preservation/Restoration
2) Land Use Planning
3) Environmental Protection
4) Enforce Existing Zoning Codes
5) Enactment of Stricter Building Codes

B.) Services and Facilities Lacking or In Need of Attention:

1) Zoning Code Enforcement
2) Building Code Enforcement
3) Drainage
4) Bicycle Facilities
5) Street Maintenance

2.) South Seas (42 responses):

A.) Issue Importance:

1) Land Use Planning
2) Environmental Protection
3) Beach Preservation/Restoration
4) Enforcement of Existing Zoning Codes
5) Enactment of Stricter Building Codes

B.) Service and Facilities Lacking or In Need of Attention:

1) Drainage
2) Bicycle Facilities
3) Street Maintenance
4) (tie) Public Parking
   Zoning Code Enforcement
5) (tie) Traffic Control
   Beach Preservation

3.) The Village (24 responses):

A.) Issue Importance:

1) Beach Preservation/Restoration

2) Environmental Protection
3) Enforcement of Existing Zoning Codes
4) Land Use Planning
5) Citizen Participation in Local Planning

B.) Services and Facilities Lacking or In Need of Attention:

1) Building Code Enforcement
2) Zoning Code Enforcement
3) Redevelopment Regulations
4) Drainage
5) (tie) Street Maintenance
   Public Parking
   Bicycle Facilities

4.) 'Tween Waters (9 responses):

A.) Issue Importance:

1) Land Use Planning
2) Beach Preservation/Restoration
3) Enforcement of Existing Zoning Codes
4) (tie) Enactment of Stricter Building Codes
   Environmental Protection
5) (tie) Economic Development
   Hurricane Evacuation
   Citizen Participation in Local Planning

B.) Services and Facilities Lacking or In Need of Attention:

1) (tie) Phone Service
   Building Code Enforcement
2) (tie) Speed Control
   Zoning Code Enforcement
3) (tie) Drainage
   Water Service
   Gas/Electric Service
4) Bicycle Facilities
5) (tie) Street Maintenance
   Sewer Service
   Public Parking

5.) The Gold Coast/South Island (15 responses):

A.) Issue Importance:

1) Enforcement of Existing Zoning Codes
2) Beach Preservation/Restoration

3) Environmental Protection
4) Citizen Participation in Local Planning
5) Land Use Planning

B.) Services and Facilities Lacking or In Need of Attention:

1) (tie) Building Code Enforcement
   Zoning Code Enforcement
2) Bicycle Facilities
3) Beach Preservation
4) (tie) Street Maintenance
   Commercial Preservation
5) Traffic Control

Although limited conclusions can be reached from the initial data set, it is nevertheless illuminating to look at not only the overall responses but also the input by neighborhood. In the overall tally, beach preservation and restoration is clearly the most important issue identified by the respondents. The beaches are the signature element for the Captiva lifestyle, and it is that element of Island life that is deemed to be most important. However, planning and growth management is also seen as a critical element in the preservation of the Island's quality of life as well, and that issue is reflected in the second, fourth, and fifth overall response. The third element, environmental protection, is connected to beach preservation as well as to the overall lifestyle found on the Island. During this process, it became apparent that there was a small but vocal minority of residents that wanted no changes whatsoever in the Lee Plan. Although virtually all of these elements expressed concerns regarding preservation of the Island's lifestyle, they concluded that any change would be for the worse and thus registered opposition to any attempts at proposing amendments to the Lee Plan.

The pilot survey was a valuable exercise, however, in that it provided input not only on the various issues, but also on the distribution of the final

survey, the overall style and content of the final effort, and the context in which responses to the survey were made. In the final effort, a total of 567 responses were received, 40 from the South Island (Gold Coast), 22 from 'Tween Waters, 83 from the Village, and 422 from South Seas, of which 250 were identifiable as timeshare owners. A copy of the survey is attached as an appendix.

Like the pilot survey, these questions consisted of some limited response sets (primarily yes/no), but unlike the pilot survey, far more questions had an 'essay' component. One of the major critiques of the pilot survey was that additional space was not available to explain answers. Additional explanation options were added although that increased the analysis efforts that were undertaken later. On the plus side, increased flexibility was provided for the respondents to explain answers; on the minus side, analysis was more difficult because of the lack of uniform categories of answers. Nevertheless, clear trends were discernable in the new data set that then formed the basis for proposed Lee Plan policies. Overall numbers reported herein may differ slightly on a question-by-question basis because of non-responsive surveys or undecided responses.

The current three dwelling unit cap established by the Outlying Suburban land use category (question 10) was supported by 490 respondents and opposed by 34. In general, there was strong sentiment to allow no additional density than that already established for Captiva under the current Future Land Use Map (FLUM) designation. This support of the current FLUM designation is contrasted with a response to Question 14b in which the respondents very strongly (473 in favor and 50 opposed) supported the

preservation of existing densities and intensities of land use. This was interpreted to mean that while properties currently zoned and/or developed at a density of as much as three units per acre were supported, higher densities for properties not so zoned or developed were not supported. Further, there was a great deal of comment on the need to preserve the unique features of the various neighborhoods of the Island as they currently exist.

Stricter enforcement of building and zoning codes (# 11) was supported 369 to 120, and better land use planning and growth management (# 12) was supported 394 to 112. This suggests that there is a clear recognition that better growth management efforts, from the standpoint of planning as well as zoning and building codes, are deemed necessary for the preservation of Captiva's quality of life. Although these issues were identified as important to the preservation of Captiva's lifestyle, and additionally identified as areas that needed to be more effectively addressed by Lee County's administration, zoning and building code enforcement issues are not readily addressed through comprehensive plan policies. The overall commitment to growth management is one that is addressed through the preparation of the community plan, and enforcement must flow from that effort. However, code issues in general, and specific code issues as identified below, are difficult to address as part of the overall planning effort.

One of the highest questions supported in the survey was # 13 regarding the size of new and redeveloped homes on the Island. There were 464 responses supporting limitations on the size of houses compared to 74 responses against such limitations. A random sample of houses across the Island in

relation to the parcels upon which they were built was undertaken to ascertain if some kind of floor area ratio could be developed. A review of residential structures throughout Captiva revealed widely varying lot sizes and house areas. The analysis demonstrated that house size is not always correlated with lot area, and that the ratio of residential floor area is not generally related to lot size. For houses that were greater than 4,000 square feet in size, floor area ratios varied between 6.03% up to 51.77%. For houses that were less than 4,000 square feet in size, floor area ratios ranged from a low of 5.53% up to a high of 73.69%. In the group of residences analyzed, lot areas ranged from 0.08 acres up to 1.85 acres. In general, the smaller size parcels had correspondingly smaller homes, but lot coverage or floor area ratios did not correlate with parcel size. The conclusion from the analysis was that establishment of a floor area ratio for redevelopment purposes, even with a sliding scale based upon lot area, would not be possible without significant additional effort. This area is identified as one that may warrant additional study as further planning efforts progress, but is not one that was possible to develop Lee Plan policies that could be fairly applied in the amount of time available for this particular planning effort.

Survey question # 14a deals with the possibility for better sewage treatment in certain areas of the Island, as long as the Lee Plan density limits are not exceeded. The respondents supported the concept of better wastewater treatment facilities with 327 positive responses to 123 negative. Overall this echoes the results of the pilot survey in that environmental and water quality issues appear to be of great importance to Captivans. The policy that evolved from these responses is intended to demonstrate that Lee County supports efforts to provide new and innovative efforts at wastewater

treatment and that the County will support and encourage the residents in their attempts to develop new permitting standards that will serve to improve the quality of effluent moving from treatment systems into the groundwater aquifer. It is recognized that the process will be gradual in the sense that new and replacement systems will eventually be upgraded to new standards, once those standards are developed, as the old systems obsolesce or new permits are requested. The intention is not to require existing residents and businesses to replace functional systems, but rather to phase in more efficient processes and systems over time.

Concern for preserving the commercial and business activities on the Island as they currently exist (# 18) were expressed with 415 responses favorable and 60 negative. To that end, a focus meeting was held with the business owners, May 24, 2001 at a local Captiva restaurant. At that meeting the business owners expressed their support for the planning efforts and indicated that additional efforts on behalf of the business community were necessary to preserve the current mix of residential and commercial activities on the Island. Additional meetings were held in a one-on-one format with business owners over the next 60 days to discuss options related to business policies for the Lee Plan. Without exception, the business owners identified the most significant problem as continuing cash flow as it related to overall business values. The prices that can be obtained for the underlying land in a residential configuration, as a general rule, far exceed the values of the income stream associated with the businesses located on the parcels in question. As a result, there is a continued pressure to convert business properties to residential use based on the ability to achieve a higher rate of return on the property owner's dollars. Rental income, or in the

instance where the business operator is also the property owner, simply does not rise to the level that can be achieved by selling a parcel for residential development. The effects of this fact can already be seen in the conversions underway along Andy Rosse Lane at this time, and there is a general expectation that such conversions will likely increase over time. The policy recommendation is one that suggests Lee County will encourage efforts by the local business community to preserve itself, a worthy effort in itself, but the long term outlook for continuing commercial activity on Captiva is not particularly optimistic.

Question # 19 regarding the possibility of renting out guesthouses was the most evenly divided of the survey. There were 224 respondents in favor of the rental of guesthouses with 282 against. There was some concern expressed that the question was not clear in that it was intended to suggest an 'either-or' situation. In other words, either the guesthouse or the main house could be rented, but not both. The related question regarding other rental issues needing to be addressed (# 20) suggests that most Captivans do not feel that there are a great deal of other issues associated with rentals with 115 respondents feeling that there are other issues to consider and 232 stating that there are not. A majority of the responses from the South Island/Gold Coast neighborhood supported the ability to rent guesthouses, while the vote ran against such actions in each of the other neighborhoods. It is noted that the RSC-2 zoning district that encompasses the Gold Coast area of the Island is unique to Captiva, found nowhere else in the County. The nature of the estate type uses is such that permanent occupation of the guesthouses was not anticipated when the district was first established. The arguments proffered in favor of renting out guesthouses suggest that a

guesthouse is simply an additional portion of the main house, and will not add more impacts if rented. In other words, because the guesthouse could be occupied on a year round basis by family members, then there is no effective difference between such occupancy and renting the structure to non-family members. In any event, no level of consensus was achieved on this issue and no proposed policy was formulated. Further study on this issue is warranted.

Overall, as question # 21 was worded, Captivans feel the height limitation, even for cupolas and captain's walks, is adequate. There were 198 respondents that felt such architectural features were okay, while 316 felt that such things should not be permitted. Some of the comments received demonstrated that this issue was one that had been used by elements of the community to galvanize political opposition to the planning effort. There were a number of responses that indicated support for the height restriction, but also support for certain limited architectural features that would penetrate the upper height limitation. Finally there were comments that demonstrated a significant opposition to the limitation based upon the unanticipated consequences for the Island's architectural and aesthetic features. Again, further study and input on height related issues is warranted. Further, because the LDC requirements remain in effect, there is no danger that developments will seek to extend building features above the height restrictions while a consensus is sought.

Clearly the Australian pines along Captiva Drive are deemed to be a special aspect of the Island with 387 positive responses to the special status proposed in question # 22 as opposed to 131 negative responses. Going

further, it is also clear that Captivans support the idea of enhancement of the overall Island tree canopy with 447 positive responses and 61 negative responses to the idea of undertaking current efforts for replacement trees. The support for canopy trees, and the Australian pines in particular, have resulted in a policy that establishes special status for vegetation in the County rights of way. Additionally, a policy has been proposed to establish added planting and buffering standards for the Island in an attempt to provide more canopy in the event that a storm event removes the Australian pines.

Finally, there were 375 respondents that supported additional pedestrian and bicycling opportunities on the Island (# 24) as opposed to 146 responses against. Within the essay portion of the survey, this issue was one that was mentioned as being one of the primary improvements to Captiva that would be widely supported. It was recognized that there are areas of the Island in which the establishment of a bike/pedestrian path system would be problematic. Further, there is a general recognition that traditional bike/pedestrian path design criteria may have to be modified for a more creative and site specific approach. The policy that evolved from this area of citizen interest calls for County support of the effort of the Community to investigate alternate methods by which bicycle and pedestrian circulation can be established and improved.

Without question, the most overwhelming concern evidenced by the essay responses to the survey was the traffic along Captiva Drive. Virtually everyone that made comments mentioned the increased traffic and concerns regarding traffic congestion. Many of the Islanders felt that the traffic

problems are connected, in part, to the lack of bicycling and pedestrian facilities, although some respondents also mentioned the need for a public trolley system to reduce the number of cars. Investigation into accidents and traffic enforcement problems suggest that there is not an overwhelming number of reported difficulties on Captiva Drive in relation to the amount of traffic that it is carrying. However, the overall number of vehicles, especially during peak hours, is deemed to be a serious concern during certain times of the year. As noted above, Captiva Drive is a constrained facility, and there are limited opportunities for improvement. For that reason, a couple of policies are being proposed. First, it is noted that Captiva Drive is a collector roadway with significant off-Island traffic resulting from daily visitors and workers. Second, an upper limit for peak season, peak hour, peak direction traffic is suggested as a mechanism for halting growth that would degrade service below acceptable levels.

There were also some respondents that were concerned about placing limits on further development at South Seas, as well as about a dozen that wanted to stop all development entirely across the Island. There were no respondents that specified exactly what additional development at South Seas would be the problem. In discussions with various Captivans, the 28 dwelling units currently under discussion by Plantation Development were mentioned as a potential problem. Although this issue is not directly connected to the planning effort, there are certainly planning issues that may be raised. Upon a review of various memoranda associated with the 28 units in question it appears that a vesting question may well be involved that will eventually be settled in circuit court. There are no resources in this planning effort that can be diverted to an effort that will involve legal challenges,

vested rights questions, or administrative hearings. No policies have been offered in this area, and it is recommended that the existing mechanisms be used to deal with the question of any existing vested rights at South Seas or any other parcels on the Island.

Conclusion

Planning is a process in which policies and practices evolve in order to meet new challenges. Captiva has little experience with growth management, and the residents are understandably cautious about the tools that should be established to control development. Although they appear to be uniformly committed to the preservation of the current land use configuration of the Island, they are hesitant to place their trust in a County administration that is perceived as being more focused on events elsewhere. Further, the process of planning is one that must be commenced and then refined as time passes. The efforts made in this proposed amendment to the Lee Plan will be built upon as time goes by, further refining policies and building consensus as the community becomes more comfortable with the regulatory structure that accompanies planning and growth management activities as established by Chapter 163, F. S.

The proposed amendment seeks to establish minimum standards for preserving the existing quality of life on Captiva. It is believed that additional efforts will be necessary over the coming 24—36 months. In addition to seeking consensus on issues that were unable to be resolved in this round of amendments, some degree of work on accompanying land development regulations and enforcement procedures appear to be necessary. The current amendments, however, provide the basis for future

actions, and should be considered a necessary and vital first step in the preservation of Captiva into the next century.

STRAPS, OWNERS, ADDRESSES

STRAP NUMBER	NAME	OTHERS1	OTHERS2 OTHERS3 OTHERS4	CARE OF	ADDRESS1	ADDRESS2	CITY	STATE
354521120000D0000	OBRIEN JOSEPH D JR				P O BOX 818		CAPTIVA ISLAND	FL
354521120000C0000	WILDMAN DONALD C				830 ANGEL WING DR		SANIBEL	FL
354521120000B0000	NIESEL CHESTER A + NANCY S				SEVEN SOUTH STOLP		AURORA	IL
354521120000A0000	MILLER HAROLD E + SHIRLEY R				P O BOX 596		CAPTIVA ISLAND	FL
354521100000200D0	MILLER HAROLD E + SHIRLEY R				PO BOX 596		SANIBEL	FL
354521100000200C0	PERLIN ALBERT B JR + JOAN K				15561 CAPTIVA DR		CAPTIVA	FL
354521100000100B0	KING JEROME L +	REISS DALE ANNE H/W T/C			210 CENTRAL PARK S		NEW YORK	NY
354521100000100A0	TENTLER LYNN A TR +	TENTLER JUDITH E TR	FOR THE TENTLER REVOC TRUST		292 E HARBOR VIEW DR		FOND DE LAC	WI
354521080000A3020	CANYON LAKE PROPERTIES LTD				1465 F M 2673		CANYON LAKE	TX
354521080000A3010	MORE SALLY A TR				6105 HUNTERS TRL		CINCINNATI	OH
354521080000A2040	MASON JOSEPH V + LINDA A				159 W HUTCHINSON AVE		PITTSBURGH	PA
354521080000A2030	WEISINGER SHERYL A TR +	WEISINGER CHARLES TR			5621 SOLERA CT SW		FT MYERS	FL
354521080000A2020	ROSE JOHN K +	ALBRECHT CHARLES F T/C			P O BOX 1521		BURNSVILLE	MN
354521080000A2010	MARESCA FRANK J 1/4 ETAL			C/O WHITE WAY LAUNDRY INC	PO BOX 6081		WALLINGFORD	CT
354521080000A1040	MARKLE THOMAS W				14 STAGECOACH RD		CAPE MAY COURTHOUSE	NJ
354521080000A1030	COX TOWNSEND ANN L TR				WHITE HORSE VILLAGE #V173	535 GRADYVILLE RD	NEWTOWN SQUARE	PA
354521080000A1020	SHERLOCK S BARRY + SUSAN M				7019 HILLCREEK LN		GATES MILLS	OH
354521080000A1010	CHRISTOPHER JUDITH A				14949 EAST COUNTY HOUSE RD		ALBION	NY
354521070000800B0	CAYANNI JEAN L + PATRICIA M				149 DAVIS HILL RD		WESTON	CT
354521070000800A0	GROSS EVELYN				#6 L AMBIANCE CT		BARDONIA	NY
354521070000700B0	REISER HOWARD B				26 TERRA MAR DR		HALESITE	NY
354521070000700A0	CHASTAIN THOMAS G + CAROL L				777 STONY LANE		NOBLESVILLE	IN
354521070000600D0	WETZEL CARROLL R JR + BERTA				1248 GREACEN POINT RD		MAMARONECK	NY
354521070000600C0	CRIMMINS WILLIAM A + GAIL A				677 INDIAN AVE		MIDDLETOWN	RI
354521070000600B0	MCDERMOTT THOMAS J +	MCDERMOTT ELIZABETH H/W			15411 CAPTIVA DR #B6	PO BOX 1175	CAPTIVA	FL
354521070000600A0	BOOTH HOWARD D + LUANNE R				13560 NORTH LAKE RD		GREGORY	MI
354521070000500D0	SMITH JAMES D + TONI R				PO BOX 1053	2301 S FIRST	KIRKSVILLE	MO
354521070000500C0	KIMIN INC				PO BOX 699		CONTOOCOOK	NH
354521070000500B0	PILON JEAN M TR +	PILON JOHN L JR TR	FOR JEAN M PILON TRUST		6500 MEADOWBROOK LN		SEDALIA	CO
354521070000500A0	HARDY BETTY ST CLAIR				11 ELIOT RD		LEXINGTON	MA
354521070000400B0	RUDD V A + ANDREW T TR	FOR RUDD FAMILY TRUST			35 VALLEY VIEW RD		ORINDA	CA
354521070000400A0	CONROY MARTIN F + JOAN T				PO BOX 1089		CAPTIVA	FL
354521070000300B0	TECKLENBURG MARY LOUISE				8131 WITTS MEADOW LN		CINCINNATI	OH
354521070000300A0	CASHERO FIDELL A JR TR				755 STONE HENGE		CANTON	MI
354521070000200B0	WRIGHT LAURA				50 MOSS LN		SK97H-N ALDERLY EDGE	CHESHIRE
354521070000200A0	WOLFE MARTIN S + LISE-LOTTE				4119 LELAND ST		CHEVY CHASE	MD
354521070000100B0	MORRIS SALLY S				4500 DUBLIN RD		COLUMBUS	OH
354521070000100A0	PVV OF CAPTIVA INC				15411 CAPTIVA DR #1-A		CAPTIVA	FL
354521060000300B0	CAPTIVA PARTNERS				516 AUBURN AVE		WYNDMOOR	PA
354521060000300A0	FOX ROBERT C + JEAN C				415 SOMERSET AVE		SAINT LOUIS	MO
354521060000200B0	OCHSNER PETER B TR				PO BOX 220		LUTSEN	MN
354521060000200A0	BARTON MARGARET D TRUST				P O BOX 354		CAPTIVA	FL
354521060000100B0	BROOKS PROVISIONS INC				3445 S FRONT ST		PHILADELPHIA	PA
354521060000100A0	SANCHEZ PEDRO A TR +	PALM CHERYL A TR	FOR THE CHERYL ANN PALM TRUST		15641 CAPTIVA DR		CAPTIVA	FL
354521060000000C0	ARMENIA JOHN + LUCY				P O BOX 716		SANIBEL	FL
354521050000500B0	CHILDERS WENDY U				P O BOX 156		NORMANDY BEACH	NJ
354521050000500A0	HANNA MICHAEL A + ELIZABETH A				3732 LINCOLN RD		BLOOMFIELD HILLS	MI
354521050000400B0	ADAMS SARA K TR	FOR SARA K ADAMS TRUST			331 SUMMIT ST SW		CANTON	OH
354521050000400A0	SCHAFFNER WILLIAM +	KNIGHT LOIS C H/W			809 TIMBER LN		NASHVILLE	TN
354521050000300B0	WENDELL STEVEN + DEBORAH H/W +	WENDELL MARILYN			1121 WARREN AV STE 140		DOWNERS GROVE	IL
354521050000300A0	BERNHARD PAUL J + YVONNE M				1213 DORCHESTER RD		BIRMINGHAM	MI
354521050000200B0	CHAPMAN JEFFERSON L/E	CHAPMAN JENNIE 1/2 +	BIGGS CATHERINE M CHAPMAN 1/2		812 HIGHLAND AV		MANHATTAN BEACH	CA
354521050000200A0	PAWLUS KATHLEEN M 1/3 INT ETAL			C/O JAMES PAWLUS	17 SUMAC LN		SCHAUMBURG	IL
354521050000100B0	NEALON KEVIN J + LINDA TR				1802 N CARSON ST	#212-2019	CARSON CITY	NV
354521050000100A0	LORD MARGOT H				109 HARTFORD AVE		MADISON	CT
354521040000200A0	ROCHESTER RESORTS INC				PO BOX 249		CAPTIVA	FL
354521040000019D	GALLOWAY SAM M JR TR +	GALLOWAY KATHERINE K TR			PO BOX 70		FT MYERS	FL
354521040000019C	SILVERGLIDE HARRY R +EDYTHE TR	FOR SILVERGLIDE LIVING TRUST			20150 RANCHO BELLA VISTA		SARATOGA	CA
354521040000019B	SZAMBECKI ANTHONY + DIANA				PO BOX 671		KENT	OH
354521040000019A	HARRIS BRIAN				14929 CALEB DR		FT MYERS	FL
354521040000017A	BETTCHER WILLIAM H				PO BOX 170		VERMILION	OH
354521040000015A	STEGEMAN JANE L			C/O T TYLER	814 WESAW RD		NILES	MI
354521040000010C	WEINER ALEXANDRA W				4 PARSONS WAY		S NATICK	MA
354521040000010B	DONAHUE RICHARD J + DEBORAH B				68 COMMONWEALTH AV #3		BOSTON	MA
354521040000010A	WEINER MICHAEL				15867 CAPTIVA DR		CAPTIVA	FL
354521030000700C	RUSSELL ROY				15001 BINDER DR		CAPTIVA	FL
354521030000700B	GODARD STEPHENIE TR				P O BOX 745		CAPTIVA	FL
354521030000500A	H V REAL ESTATE CORPORATION				254 CLARKSON RD		ELLISVILLE	MO
354521010000A0000	CHAPEL BY THE SEA CAPTIVA			C/O THOMAS M EHLERS	CEMETERY	4741 TRADEWINDS DR	SANIBEL	FL
354521000000703A	BRACE ROBERT J + SHARON L				P O BOX 906		CAPTIVA	FL
354521000000701A	CAPTIVA L P				4911 TANGLEWOOD DR		NASHVILLE	TN
354521000000701A	KOSSACK REINHARD + ANNETTE			% P M R	P O BOX 5		SANIBEL	FL
354521000000700A	GRIMES RICHARD H + ALLISON S				P O BOX 2467		BONITA SPRINGS	FL
354521000000700A	MARTIGNAGO ALEX + TERRY				14 FRONTENAC PL		ST LOUIS	MO
354521000000700A	PRESTERA LILLIAN ANN				PO BOX 1136		CAPTIVA	FL
354521000000700A	JENSEN BETTY J TR				15166 WILES DRIVE		CAPTIVA	FL
274521010000001A	BAXTER GARY Z 36% INT +	BAXTER GARY Z TR 64 % INT			2141 N SEDGWICK ST		CHICAGO	IL
264521300000C3120	BELL THOMAS P ETAL				CONDO 4324	59 WOODSON BEND RESC	BRONSTON	KY
264521300000C3110	KELLER TRINA OLIVIERI				8 WILLOW DR		CHESTER	NJ
264521300000C3100	LUPI ROBERT S + KRISTINE S				131 WEST 88TH ST		NEW YORK	NY
264521300000C3090	SNADOWSKY STANLEY				3111 BEL AIR DR	REGENCY TOWERS	LAS VEGAS	NV
264521300000C3080	COLTON ROGER S + JUDY Z				3 LONG MARSH LN		NORTH OAKS	MN
264521300000C3070	VANJURA JOSEPH J + LAURA L				126 DORAN DR		TRUCKSVILLE	PA
264521300000C3060	SOUKUP JOSEPH TR				420 CREEKSIDE CT		HINSDALE	IL
264521300000C3050	FRIEDERSDORF FRANK D +	FRIEDERSDORF PATRICIA H/W			P O BOX 775		CAPTIVA	FL
264521300000C3040	GLOWACKI F W + MARGARET M				841 CORTBRIDGE RD		PALATINE	IL
264521300000C3030	FRASCATI J MICHAEL +	FRASCATI FLORENCE C T/C			17 CURTISS ROAD		WOODBURY	CT
264521300000C3020	WOLFE CAROL A				3941 HILLTOP DR		HURON	OH
264521300000C3010	WAGGONER HARRY J + NANCY M +	TEMCO H-M PARTS CO 1/2 INT			3669 S GALLOWAY DR		MEMPHIS	TN

264521300000C2120	BUSSA MICHAEL J + DENISE W			1123 MISSISSIPPI AVE		DULUTH MN
264521300000C2110	LAVIN JOHN + KATHLEEN MARY			7 LONGHOPE PL		WILLOWDALE ON
264521300000C2100	FAIRFIELD GAIL P			2 RIVER RD		GLOUCESTER MA
264521300000C2090	FRETTE JOHN EL + MARGARET C			4310 EAST 779TH ST		TULSA OK
264521300000C2080	FAIRFIELD GAIL			2 RIVER RD		GLOUCESTER MA
264521300000C2070	STEIN BERNADETTE B			42 STONEWALL DR		NORTHAMPTON MA
264521300000C2060	CASSIDY PHILLIP J + MARY KAY			7935 SADDLE RIDGE DR		ATLANTA GA
264521300000C2050	MAGGIO FERDINAND L + KATHLEEN			3750 WINDSOR DR		BETHPAGE NY
264521300000C2040	MANCE M PATSY			595 MAIN ST		NEW YORK NY
264521300000C2030	GOLDSTEIN STANLEY J + JUDITH			41 MILLAY RD		MORGANVILLE NJ
264521300000C2020	WEHMANN NANELLE TR	FREDERICK J WEHMANN MARITAL	TRUST	PO BOX 265		CAPTIVA FL
264521300000C2010	ADAMS ANTHONY J + ELLEN E +	MULCAHY PAUL + JEAN		921 IVYCROFT RD		WAYNE PA
264521300000C1120	PRESTIPINO RICHARD + RENEE			14894 CRESCENT COVE DR		FT MYERS FL
264521300000C1110	NIEDERMAYR PAUL E			REDNERSVILLE ROAD	RR#1	BELLEVILLE ON
264521300000C1100	SAUNDERS D O + JACQUELINE R			9250 WHISPERING PINES DR		SALINE MI
264521300000C1090	FRASCATI J MICHAEL + FLORENCE			P O BOX 97		CAPTIVA FL
264521300000C1080	MAGG KARL G TR			723 SAND DOLLAR DR		SANIBEL FL
264521300000C1070	MILUNEC THOMAS J + SARAH C			24058 42ND AVE		FLUSHING NY
264521300000C1060	STEIN BERNADETTE B			42 STONEWALL DR		NORTHAMPTON MA
264521300000C1050	WETMER DAVID B			21447 N ANDOVER RD		KILDEER IL
264521300000C1040	ZACCARDI PETER E + MARYANN			90 GILSON ROAD		SCITUATE MA
264521300000C1030	VALAN JOHN M +	HILL MELINDA I H/W		663 CARDINAL HILL LN		POWELL OH
264521300000C1020	WACYK RICHARD J + EUGENIA E			4104 BAYSIDE VILLAS		CAPTIVA FL
264521300000C1010	PRESTIPINO RICHARD + RENEE			14894 CRESCENT COVE DR		FT MYERS FL
264521300000B3220	CORSON WILFRED A + SUSAN L			5212 MALIBU DR		EDINA MN
264521300000B3210	CASSIDY DOLORES TR			1254 GANTT DR		HUNTINGDON VALLEY PA
264521300000B3200	HELLINGS BRIAN A + ANN			76 W RIVER RD		RUMSON NJ
264521300000B3190	SAINT P MICHAEL + ANNE B			369 LAKEVALLEY DR		FRANKLIN TN
264521300000B3180	POWERS RICHARD W + MARILYN B			825 ELLIS PL		ORADELL NJ
264521300000B3170	PATE RICHARD S + KATHLEEN J			360 BROADVIEW LN		ANNAPOLIS MD
264521300000B3160	HELLINGS BRIAN A + ANN			RIVERLANDS WEST RIVER ROAD		RUMSON NJ
264521300000B3150	CONNOLLY TOM H +	PRESCOTT PAMELA H H/W		650 LINDEN AVE		BOULDER CO
264521300000B3140	VARGAS FERNANDO + SLYVIA L			APARTADO AEREO 89356 ZONA 8		BOGOTA
264521300000B3130	YEAGER FRED + DORIS A TR 1/3	FOR DORIS A YEAGER TRUST		VACATION VILLAS	3550 MCKELVEY ROOM 20	BRIDGETON MO
264521300000B3120	BEDFORD BRUCE P + ANN LOGAN			300 PERRY CABIN DR		ST MICHAELS MD
264521300000B3110	HUNEKE DENNIS + DONNA			19 BIRITZ CT		SAINT LOUIS MO
264521300000B3100	OCHESTER RAYMOND J + ANNE C			SEA CLIFF ON THE GREENS	6102 EAGLECREST DR	HUNTINGTON BEACH CA
264521300000B3090	SZETO MICHAEL W			18 MINUTE MAN HL		WESTPORT CT
264521300000B3080	BERGER JOEL + ELAINE			15 TREADWELL CT		WESTON CT
264521300000B3070	HELLINGS BRIAN ALIOL + ANN			RIVERLANDS 76 W RIVER RD		RUMSON NJ
264521300000B2220	MANZELLA CHARLES S + JANET A			PO BOX 865		SANIBEL FL
264521300000B2210	SOSTHEIM JUNE A			1803 B GLENWOOD OAKS CT		URBANA IL
264521300000B2200	RICHMOND HELEN M			P O BOX 535		CAPTIVA FL
264521300000B2190	WENDELKEN THOMAS A SR + M L			30 MILLS AVE		NORWOOD NJ
264521300000B2180	SLOUS LAURENCE + JOYCE			2 BROWN RIDGE CT		CEDAR GROVE NJ
264521300000B2170	BOWDEN CHARLES V 1/3 +	YEAGER F M + DORIS A TR	FOR DORIS A YEAGER TRUST 1/3	3550 MCKELVEY ROOM 202		BRIDGETON MO
264521300000B2160	KEEFE TIMOTHY T + VALARIE H			108 N BARTON ST		NEW BUFFALO MI
264521300000B2150	LAURIE LAVERNE +	LAURIE CHARLES R JR + CAROLE		8180 BRECKSVILLE RD		BRECKSVILLE OH
264521300000B2140	SCOTT FAMILY PTNSP			706 AUTOPARK BLVD		WEST CHESTER PA
264521300000B2130	KELLY ROXANNE A			P O BOX 891		SANIBEL FL
264521300000B2120	GOLS A GEORGE + CORINNE TR			186 CONCORD RD		WAYLAND MA
264521300000B2110	MOTT ELEANORA I			459 FOXWOOD TER		ONEIDA NY
264521300000B2100	SAVANI GEORGE R JR + PATRICIA			57 BOONE TR		SEVERNA PARK MO
264521300000B2090	WELLER JEROME P + KATHLEEN W			26 REDCOAT RD		NORWALK CT
264521300000B2080	LA GUARDIA THOMAS S + VIRGINIA			38 PELL MELL DR		BETHEL CT
264521300000B2070	BREDA WILLIAM + ANN M TR			P O BOX 846		CAPTIVA FL
264521300000B1220	FRIEDERSDORF FRANK D +	FRIEDERSDORF PATRICIA C H/W		P O BOX 775		CAPTIVA FL
264521300000B1210	LAURIE CHARLES R JR 1/3			8180 BRECKSVILLE RD		BROCKSVILLE OH
264521300000B1200	METZGER CHRISTOPHER J +	METZGER KATHERINE G T/C		2757 NW 26TH STREET		BOCA RATON FL
264521300000B1190	MENDEZ PEDRO E + LOURDES I			4700 N HABANA AVE STE 702		TAMPA FL
264521300000B1180	BOYNTON JACQUELINE D TR			THISTLE DEW II	4620 RUE BAYOU	SANIBEL FL
264521300000B1170	HAIGH CHRISTOPHER + MARIA T			8525 CLEAT CT		INDIANAPOLIS IN
264521300000B1160	COOLEY PHYLLIS J			7848 LOWELL AV		SKOKIE IL
264521300000B1150	LAURIE CHARLES R JR ETAL 1/3			8180 BRECKSVILLE RD		BRECKSVILLE OH
264521300000B1140	GOODE JAMES R + KAREN E			P O BOX 670		E DENNIS MA
264521300000B1130	KENNEDY NANCY M			1408 RUFFNER RD		ALEXANDRIA VA
264521300000B1120	RUBY RICHARD D			RUBY & QUIRI	50 ELMWOOD AVE	GLOVERSVILLE NY
264521300000B1110	GASSER ROBERT C + BARBARA M			36 DIANA RD	OGDEN DUNES	PORTAGE IN
264521300000B1100	CIRILLA ALFRED J + MARY B			2474 TURK HILL RD		VICTOR NY
264521300000B1090	NEOPOLITAN CARMEN +	HERSHEY KEVIN F		550 FIFTH STREET		STRUTHERS OH
264521300000B1080	NEEL JOHN D + JEAN W			382 OLD CLAIRTON RD		PITTSBURGH PA
264521300000B1070	LIPKA NORMA RUTH TR			4938 LAGOONS CIR		WEST BLOOMFIELD MI
264521300000A3060	SCHARLAU EDWIN + CAROL			301 E SHERWIN DR		URBANA IL
264521300000A3050	DOYLE DENNIS M TR +	DOYLE JUDITH N TR	FOR DOYLE INTER VIVOS TRUST	212 DEER FOX LN		TIMONIUM MD
264521300000A3040	CREAMER FRANK G + KATHLEEN			27 FERN ST		FLORAL PARK NY
264521300000A3030	PERKINS HARRY L + JANICE L +	GOLDBERG FREDRIC N +	PERKINS HOLLY A H/W J/T	6900 OAK BROOK ST SE		GRAND RAPIDS MI
264521300000A3020	MOYNIHAN JOAN C TR +	MOYNIHAN WILLIAM S TR	FOR JOAN C MOYNIHAN TRUST	131 CARDIGAN RD		TEWKSBURY MA
264521300000A3010	SMITH THOMAS J TR +	SMITH WENDY A TR	FOR THOMAS J SMITH TRUST	4949 GLEN MEADOWS CT SE		GRAND RAPIDS MI
264521300000A2060	LEGE DOMINIC J + MARY J			755 S SPRINGFIELD AVE		SPRINGFIELD NJ
264521300000A2050	SMART JANICE L TR			10206 FORD RD		PERRYSBURG OH
264521300000A2040	BERRIAN THOMAS G			156 E FORT LEE RD		BOGOTA NJ
264521300000A2030	BUSSA MICHAEL J + DENISE W			808 RIDGEWOOD RD		DULUTH MN
264521300000A2020	VAN VOORHIS PEGGY J TR			5350 CHIPPENDALE CIR		FT MYERS FL
264521300000A2010	BEST WILLIAM R + RUTH J			1712 WAVERLY CIR		SAINT CHARLES IL
264521300000A1060	PERKINS HARRY L + JANICE L			821 PARK ST		BELDING MI
264521300000A1050	MUSLER JOSEPH + JACQUELINE			1621 NW 100TH AV		OCALA FL
264521300000A1040	SAHA SUSHIL K + SABITA R			330 MARSH RD		PITTSFORD NY
264521300000A1030	BERGER JOEL + ELAINE			15 TREADWELL CT		WESTON CT
264521300000A1020	WILLIAMS VREELAND + JANET			40 FISK RD		WAYNE NJ
264521300000A1010	KURFESS LOUIS P TR			6585 N TAHOMA AVE		CHICAGO IL
264521290000G3080	HAYSEY DAVID JOHN+ LINDA OLIVE			ROXFORD HOUSE ST MARYS LN	HERTINGFORDBURY	HERTFORD HERTS SE142LF

264521290000G3070	DYLE DAVID L +	MULLINGER L ROBYN H/W		1531 OXFORD RD		GROSSE POINTE	MI
264521270000B6100	FREEDMAN JAMES P +	NEUMAN KATE		P O BOX 757		CAPTIVA	FL
264521270000B6090	GALLION WILLIAM J +	MORGAN JOHN W		21 AVENUE OF CHAMPIONS		NICHOLASVILLE	KY
264521270000B6080	LOCKYEAR JAMES +	MAROLDT THOMAS		5 SANDRIFT SQ WEST HILL		TORONTO	ON
264521270000B6070	STEWART C D + ANN BARBARA			415 OLD HOUSE LN		MEDIA	PA
264521270000B6060	DERIDDER JOHAN +	HEIRBAUT MYRIAM H/W		GROTE BAAN 254		B-9130 HERDERSEM	
264521270000B6050	BRAND RENEE M			9465 BEVERLY LN		SANIBEL	FL
264521270000B6040	LARESCA LEONARD T + LYNN C			3 SHADY TREE LN		COLTS NECK	NJ
264521270000B6030	NICHOLS HELEN D +	MOSKOVITES MARILYN L J/T		7365 HITCHCOCK RD		BOARDMAN	OH
264521270000B6020	PORTER BERNAJEAN			15228 RAINBOW DR		SEDALIA	CO
264521270000B6010	FROEHLE THOMAS C + SARA J			2321 E RECHTER RD		BLOOMINGTON	IN
264521270000B5100	TRAGONE PETER R + ELSA L			P O BOX 1046		CAPTIVA	FL
264521270000B5090	WELENCE CRAIG S + SARAH V			126 HAMILTON RD		RIDGEWOOD	NJ
264521270000B5080	SCHRAMM MARGARET R +	SCHRAMM LAURA MARIE T/C		240 E 55TH ST #12D		NEW YORK	NY
264521270000B5070	MERLINO ANTHONY JR + NANCY A			PO BOX 238		HADLEY	NY
264521270000B5060	BLINKOFF MICHAEL M 2/5INT +	ETAL	RICHARD MATILDA ROBERT T ONEILL 1/5INT T/C	2746 DELAWARE AVE		KENMORE	NY
264521270000B5050	BROUSTER T H + RUTH A 1/2 J/T			FOX R C + JEAN C 1/2 INT J/T	415 SOMERSET	ST LOUIS	MO
264521270000B5040	ROBINS MARTIN B			133 PIERCE RD		HIGHLAND PARK	IL
264521270000B5030	SCOTT DOUGLAS G + ELIZABETH A			P O BOX 687		CAPTIVA	FL
264521270000B5020	BOLSTERLI HANS W + BARBARA			21 CHEMIN DU VIEUX CLOS		1231 CONCHES	
264521270000B5010	LAIPPLY RONALD E + EFTIHIA			1180 BROOKPARK RD		MARION	OH
264521270000B4100	SCHEER STUART C + DAGNIJA			P O BOX 131		SPENCERTOWN	NY
264521270000B4090	GERSTLE MARK 1/10 INT ETAL		C/O MARTHA S BARNA	3107 GRIGGSVIEW CT		COLUMBUS	OH
264521270000B4080	ROHN MADELAINE B TR			7417 LIONS HEAD DR		INDIANAPOLIS	IN
264521270000B4070	SEPE WILLIAM R + PATRICIA A			903 CENTRAL AVE		SPRING LAKE	NJ
264521270000B4060	JAMES J DOUGLAS + JEAN B			3847 MYRTLE ST		ERIE	PA
264521270000B4050	MATHEWS PATRICIA			853 LOCUST ST		RAYNHAM	MA
264521270000B4040	DOYLE DENNIS M + JUDITH N			212 DEER FOX LN		TIMONIUM	MD
264521270000B4030	FLUKMAN ALICE +	RUIZ FABIAN		7 ENNESS AVE		BETHPAGE	NY
264521270000B4020	SWAIN PENTECH INC			BOX 367		THREE LAKE	WI
264521270000B4010	GROSS RICHARD B			720 GLADSTONE AVE		BALTIMORE	MD
264521270000A3100	D'AURIA & PULLO			PO BOX 189		POUGHQUAG	NY
264521270000A3090	JACKSON JOHN K II TR	FOR JOHN K JACKSON II TRUST		3131 TENNIS VILLAS		CAPTIVA	FL
264521270000A3080	GERSTLE MARK R + DIANE L			3530 WOODSIDE DR		COLUMBUS	IN
264521270000A3070	BURGESS JAMES M + IRENE H TR			91 OAKLEIGH LN		MAITLAND	FL
264521270000A3060	COLTON JUDITH Z			3 LONG MARSH LN		NORTH OAKS	MN
264521270000A3050	LAWTON RHOADES + LINDA J			6 COLT RD		SUMMIT	NJ
264521270000A3040	FITZGIBBON EDWARD G + VALERIE			303 LAWTON RD		RIVERSIDE	IL
264521270000A3030	ZELKOWITZ LYNN C			21015 APOLLO CIR		OLYMPIA FIELDS	IL
264521270000A3020	KIM MARTHE G			45 BOWDITCH RD		SUDBURY	MA
264521270000A3010	LEEKLEY MARCIA B TR +	LEEKLEY PHILIP A TR		3121 COUNTRY LN		WILMETTE	IL
264521270000A2100	MARTIN DAVID J + K KELLY			5013 WOODSIDE RD		FAYETTEVILLE	NY
264521270000A2090	PISTORIO FRANCIS T			601 E IRVING PARK RD		ROSELLE	IL
264521270000A2080	WRIGHT MARTIN R + EILEEN K			8 ANDREW CIR		HAMPDEN	MA
264521270000A2070	TOMARO ANTHONY JOHN +	BARBAGLIA-TOMARO SUSAN ANN H/W		7 BIRCHMONT LANE		WARREN	NJ
264521270000A2060	NORRIS KATYANA			438 S HAMEL RD # 15		LOS ANGELES	CA
264521270000A2050	MCELROY CHARLES A TR			R PROF COUTINHO FROIS 546	BARRA DA TIJUCA	COL RIO DEJANEIRO CEP22620	
264521270000A2040	ST CLAIR DAVID E + JACKIE			205 PENUEL DR		COPPELL	TX
264521270000A2030	SEETHALER JAMES R + JOANNE A			3154 DEERFIELD LN		MURRYSVILLE	PA
264521270000A2020	BIRK R F + DENISE E			3909 LITHIA RIDGE BLVD		VALRICO	FL
264521270000A2010	CONROY MARTIN + JOAN			P O BOX 1089		CAPTIVA	FL
264521270000A1100	SPENCER DEBBIE J			1 SPENCER LN		BEDMINSTER	NJ
264521270000A1090	KORNDOERFER E G + KATHLEEN G			8 HEWLETT AVE		POINT LOOKOUT	NY
264521270000A1080	PACE WILLIAM A + MAXINE H			16037 SW 74TH PL		MIAMI	FL
264521270000A1070	LOHBAUER THOMAS A + RITA A			735 BENT RIDGE LN		ELGIN	IL
264521270000A1060	USEMAN HOWARD I + ROSEMARIE B			PO BOX 537		CASCADE	CO
264521270000A1050	BROWN LAWRENCE K			105 CLEARVIEW LN		NEW CANAAN	CT
264521270000A1040	MURRAY JAMES L			11305 SPUR WHEEL LN		POTOMAC	MD
264521270000A1030	POTRATZ HOWARD M			4570 LACLEDE AVE #301		ST LOUIS	MO
264521270000A1020	TODD DEBBIE SPENCER			1 SPENCER LANE		BEDMINSTER	NJ
264521270000A1010	BANK MICHAEL S +	BANK BARRY A T/C		CROSSWEST OFFICE CENTER	399 KNOLLWOOD RD	WHITE PLAINS	NY
264521260000G3060	COPELAND LOIS J TR			25 SPARROW BUSH RD		SADDLE RIVER	NJ
264521260000G3050	PICKELS ROBERT F			4621 E SENECA ST		SHERRILL	NY
264521260000G3040	SMITH PAULA H			1501 PINETREE CRESCENT		MISSISSAUGA	ON
264521260000G3030	LANDUYT WILLIAM M + JUDITH K			17 BRANDYWINE LN		COLTS NECK	NJ
264521260000G3020	IVAN PAUL S + ROBERTA J			7151 MARSH RD		MARINE CITY	MI
264521260000G3010	HENRY GREGORY L + MARGENE A			1850 WASHTENAW		ANN ARBOR	MI
264521260000G2080	STRONG FRANK P JR + BARBARA B			11 ALLEYNS RISE		FAIRPORT	NY
264521260000G2070	STIRRATT JAMES R + ARLENE L TR			9216 FAWNRIDGE CIR		BLOOMINGTON	MN
264521260000G2060	WING MARGARET T 2/3 +	WING GARY M 1/3		571 SW 141ST AV N312		PEMBOKE PINES	FL
264521260000G2050	DUFFY MICHAEL D + DONNA J			237 SURREY LANE		LAKE FOREST	IL
264521260000G2040	SCHUMAN KEVIN H + CAROL J			12261 COUNTRY EAGLE LN		CAPE CORAL	FL
264521260000G2030	BAZANT ZDENEK P TR +	BAZANT IVA M TR		707 ROSLYN TER		EVANSTON	IL
264521260000G2020	FAYTIS STEPHEN L + MARY E			1255 ISABEL DR		SANIBEL	FL
264521260000G2010	CAPTIVA ISLAND LC			160 BARNDOOR HILLS RD		SUFFIELD	CT
264521260000G1080	MARTINDALE DAVID L + JEANETTE			1136 S LAMKIN DR		HARBOR SPRINGS	MI
264521260000G1070	DAVID PETER W + ERIKA			N14 W23833 STONE RIDGE		WAUKESHA	WI
264521260000G1060	BRIGHAM DAVID W + BARBARA G			946 DELVIN DR		SAINT LOUIS	MO
264521260000G1050	CARNIOL FRANKLIN			AVE KAMERDELLE 101		1180 BRUSSELS	
264521260000G1040	DONKER DAVID W + MARILYN R			12 SEVEN TRAILS LN		WAYNE	NJ
264521260000G1030	ALTAVILLA PHILIP + SALLY			1 MYSTIC LN		NORTHPORT	NY
264521260000G1020	LEE J K T + CHRISTINA T TR			212 CHESLEY LN		CHAPEL HILL	NC
264521260000G1010	FITZGIBBON EDWARD G + VALERIE			303 LAWTON RD		RIVERSIDE	IL
264521260000F3080	PATTERSON DAVID J + LINDA R			5308 BLACKHAWK RD		ROCKFORD	IL
264521260000F3070	PLUMLEY ALLAN R JR + MARIE C			3231 N ALBEMARLE ST		ARLINGTON	VA
264521260000F3060	EASTON RICHARD W + THERESE L S			2740 BROWNING DR		LAKE ORION	MI
264521260000F3050	PITTARD SANDRA			4270 WEST CLUB LANE		ATLANTA	GA
264521260000F3040	SJOGREN ROBERT W JR TR 50% +	SJOGREN MARIA H TR 50%		11612 SWAINS LOCK TER		POTOMAC	MD
264521260000F3030	NAU VICTOR + MARION B			14571 OLD HICKORY BLVD		FT MYERS	FL
264521260000F3020	CASEY JEANNE S			311 CUTTRISS		PARK RIDGE	IL
264521260000F3010	PAONESSA THOMAS JR + CAROL L			359 POWERVILLE RD		BOONTON TOWNSHIP	NJ

264521260000F2080	BOWDEN CHARLES V + BERNA +	YEAGER F M + DORIS A TR	FOR DOR INT	3550 MCKELVEY ROOM 202		BRIDGETON	MO
264521260000F2070	HARRIS LARRY D + CANDACE L			3457 INNSBROOK DR		ROCHESTER HILLS	MI
264521260000F2060	STEINER ERIC A + LINDA			9 HOOVER DR		MT ARLINGTON	NJ
264521260000F2050	BRIGAR COMPUTER SVCS INC			25 SAND CREEK RD		ALBANY	NY
264521260000F2040	MCCURDY G G + KATHERINE B			1 WHITNEY LN		ROCHESTER	NY
264521260000F2030	GARLAND FLORENCE S			3319 CAPRI CT		GREEN BAY	WI
264521260000F2020	LITTLE BRITCHES LLC			7666 N CR #875 E		SEYMOUR	IN
264521260000F2010	KELLY CHARLES A			111 W MONROE ST		CHICAGO	IL
264521260000F1080	ALLISON JAMES C +	ALLISON CAROL M		11 GRACE WAY		MORRISTOWN	NJ
264521260000F1070	SCHMITZ RICHARD D + HELEN D			18 VICTORIAN CT		HUNTINGTON	NY
264521260000F1060	MORMILE RALPH P			10 PORPOISE CT		NORTHPORT	NY
264521260000F1050	WAETJEN JAMES R + LINDA F			512 BLACKJACK OAK		SAN ANTONIO	TX
264521260000F1040	BRANDT CHARLES H + PATRICIA A			27863 KINGS KEW		BONITA SPRINGS	FL
264521260000F1030	GULF COAST REALTY TRUST ETAL			34 WILDMEADOW RD		BOXFORD	MA
264521260000F1020	LIVENGOOD CHARLES + MARY LEILA			8717 RIDGE HILL DR		INDIANAPOLIS	IN
264521260000F1010	TIBBETTS S E + JOYCE-ELLEN			109 OAK KNOLL RD		CARLISLE	MA
264521260000E3080	CRAM BARCLAY M + JUNE E TR			31 SUMMIT VIEW		NORTH OAKS	MN
264521260000E3070	LAKE DAVID L + CAROLE A			1213 EUNA VISTA DR		HOLLAND	MI
264521260000E3060	KRAMER THOMAS A + JACQUELINE G			1810 W RIDGEWOOD LANE		GLENVIEW	IL
264521260000E3050	YOUNG ROBERT H + TERRY B TR	FOR BEACH VILLAS III REALTY	TRUST	22 HILLCREST ROAD		WESTON	MA
264521260000E3040	SCHUVER MARK T +	SCHUVER LINDA K +	SCHMIDG SCHMIDGALL SARAH L J/T	810 EMERALD CT		LAFAYETTE	IN
264521260000E3030	BATTIKHA ABRAHAM + SUSANNE			145 TWIN FAWN DR		HANOVER	MA
264521260000E3020	SOUTHWESTERN LAND CO INC			2824 MAYFIELD RD		WAYZATA	MN
264521260000E3010	ALEXANDER WILLIAM + DEBORAH			36 TIMBER TRL		RAMSEY	NJ
264521260000E2080	WEISS MANUEL + KAREN			BOX 2301		DUXBURY	MA
264521260000E2070	HANLEY CHARLES S JR TR			42 GODAIR DR		HINSDALE	IL
264521260000E2060	MARKS ALFRED W + ANNE L			2601 MERRICK AVE S		MERRICK	NY
264521260000E2050	CLARK JOHN B + RENAE A			9925 N TOWNSEND DR		PEORIA	IL
264521260000E2040	KINGSTON WILLIAM J JR			21 YOUNG AV E		LONGMEADOW	MA
264521260000E2030	LEWIS BARBARA L			9730 SPRING ST		OMAHA	NE
264521260000E2020	PIE PIERRE B II + SUSAN S			1415 MONK RD		GLADWYNE	PA
264521260000E2010	DARLING WILLIAM A			1111 DELAFIELD ST		WAUKESHA	WI
264521260000E1080	JEFFREY DAVID L K + HOPE			191 DEVON RD		TENAFLY	NJ
264521260000E1070	BAHN MICHAEL M +MARY C		D/B/A BAHN MGMT CO	445 ENTERRISE CT		BLOOMFIELD HILLS	MI
264521260000E1060	CAMPANARO SALVATORE +	CAMPANARO TERESA J GLEASON H/W		4961 BACOPA LN S # 501B		SAINT PETERSBURG	FL
264521260000E1050	BALTUS VERNON F			814 SCHMIDT AV	PO BOX 1180	MARSHFIELD	WI
264521260000E1040	KIN NILES A + JEAN B			4619 PINE MNR		CLARENCE	NY
264521260000E1030	URSINI ANATOLIJ + BRENDA E			75 PINE BROOK CT		CHESHIRE	CT
264521260000E1020	CALLAHAN STUART J			14018 CREST DR		SENECA	SC
264521260000E1010	KREUTZJANS WILLIAM A			2020 EDENDERY DR		FORT MITCHELL	KY
264521260000D3080	KATSAROS DENISE S			2450 BALLYBUNION ROAD		CENTER VALLEY	PA
264521260000D3070	CHRISTO CHRIST +	CHRISTO KALIOPE H/W		28011 COPPERCREEK LN		FARMINGTON HILLS	MI
264521260000D3060	MILLER W C + LORRAINE A TRUST			227 GLEN HOLLOW RD		MADISON	WI
264521260000D3050	SAILSTAD C A + RUTH A			PO BOX 2806		TOLEDO	OH
264521260000D3040	BUKOWSKI THOMAS + JOYCE			78 WILDWOOD LANE		KENSINGTON	CT
264521260000D3030	WREIOLE AUGUST L + MELVINA C			48 NOTTINGHAM WAY		LITTLE SILVER	NJ
264521260000D3020	M L RAY FAMILY LIMITED	LIABILITY CORP		6233 PRESTON CREEK DR		DALLAS	TX
264521260000D3010	MCKINLEY JAMES F JR +	MCKINLEY SHARON M T/C		1177 ROCKY BEACH LANE		JOHNSBURG	IL
264521260000D2080	FOSTER KELLY +	FOSTER JILL A		4375 HIGHFIELD CT		BROOKFIELD	WI
264521260000D2070	DICKERSON JOHN A + ANITA J			5536 SAIL CT		ORLANDO	FL
264521260000D2060	STEPHENSON G E JR + MARCIA			PO BOX 607		CAPTIVA	FL
264521260000D2050	YEAGER FRED M + DORIS A +	YEAGER F M + DORIS A TR	FOR DORIS A YEAGER TRUST 1/4	37 SAN CARLOS		ST CHARLES	MO
264521260000D2040	LAURIE C R JR + CAROLE L +	LAURIE C R SR + LAVERNE		8180 BRECKSVILLE RD		BRECKSVILLE	OH
264521260000D2030	DALENSTAM JAN-ANDERS +	DALENSTAM ELISABETH SOFIA H/W		5714 CLUB HILL CIR		DALLAS	TX
264521260000D2020	BOY'S MOOSE LIMITED COMPANY			WOLFGANGSTRASSE 24		60322 FRANKFORT	
264521260000D2010	THOMAS RICHARD H + JEAN W +	THOMAS BARBARA L 1/3INT J/T		1900 BERREL CT		YARDLEY	PA
264521260000D1080	RYAN KENNETH E + MAUREEN E			120 LAKE ST		UPPER SADDLE RIVER	NJ
264521260000D1070	FOSTER RICHARD W +	FOSTER SHARON M T/C		8533 TIMBER TRAIL		BRECKSVILLE	OH
264521260000D1060	DEVUONO LARRY P + PATRICIA F			617 WOOD FERN DR		ST LOUIS	MO
264521260000D1050	BLAZE WILLIAM A + NANCY A			215 ROBINWOOD CIR		SANIBEL	FL
264521260000D1040	WIGAL W C + ANITA J			RR 5 BOX 190A		MARIETTA	OH
264521260000D1030	PALAIA FRANK L JR + JOAN AB			2331 ETTAS CIR		CONYERS	GA
264521260000D1020	MCVEIGH JOHN N III			15 CEDAR LN		RIDGEFIELD	CT
264521260000D1010	CRESSMAN PETER T + DEBORAH P			PO BOX 265A		DUXBURY	MA
264521260000C3080	BESANT WILSON J + BARBARA L			635 COUNTRY LN		GLENCOE	IL
264521260000C3070	BALOTA R C + NANCY J			4 THE PINES CT		SAINT LOUIS	MO
264521260000C3060	BRUHN MARGARET A TR	FOR MARGARET A BRUHN CAPTIVE	ISLAND RESIDENCE TRUST	99 CHESTNUT AV		POQUOTT	NY
264521260000C3050	COIN DANA S + LINDA			49 SOUTH HOLCOMB		CLARKSTON	MI
264521260000C3040	PASTA HOUSE COMPANY			1143 MACKLIND AVE		SAINT LOUIS	MO
264521260000C3030	BEDFORD B P + ANN L			300 PERRY CABIN DR		ST JICHAELS	MD
264521260000C3020	WEBSTER JACK T TR			691 CHIDESTER AV		GLEN ELLYN	IL
264521260000C3010	BETHEA J S III + MARGARET D			1664 W WESLEY RD NW		ATLANTA	GA
264521260000C2080	HARRIS BENNETT L			20 BLACK ALDER LANE		WILTON	CT
264521260000C2070	LAURIE CHARLES R 1/3 ETAL			8180 BRECKSVILLE RD		BRECKSVILLE	OH
264521260000C2060	HULLSTRUNG MARK W +	HULLSTRUNG ANTONIA SALERNO H/W		1-8 MURRAY AVE		MAHWAH	NJ
264521260000C2050	ACRA WADI J + NANCY S TR			5612 HUNTINGTON PL		NORFOLK	VA
264521260000C2040	POPE LAWRENCE E			P O BOX 664		KERNERSVILLE	NC
264521260000C2030	FULLER JOHN E + MARIAN T			6155 BOBCAT BLUFF		LITTLETON	CO
264521260000C2020	EDSON DANIEL C + T/C	EDSON DEBRA J		1515 CHIMNEY RIDGE		TRAVERSE CITY	MI
264521260000C2010	LUKL PETER			12 INDIAN SPRING WAY		WELLESLEY HILLS	MA
264521260000C1080	GAVIN MICHAEL J SR + PATRICIA			1931 182ND PLACE		LANSING	IL
264521260000C1070	LAURIE CHARLES R JR 1/3 ETAL			8180 BRECKSVILLE RD		BRECKSVILLE	OH
264521260000C1060	ADAMS NORMAN A + MARY J			1305 CHESHIRE RD		BRIDGEWATER	NJ
264521260000C1050	YOGEL LOUIS R + SHEILA M			7711 NEWPORT LN		PARKLAND	FL
264521260000C1040	FLECKENSTEIN W O + JEAN H			3539 NORTH DR		BETHLEHEM	PA
264521260000C1030	MONTIEL PETER J +SUSAN PURCELL			3204 BRYNWOOD PL		HERNDON	VA
264521260000C1020	LAURIE CHARLES R JR ETAL			8180 BRECKSVILLE RD		BRECKSVILLE	OH
264521260000C1010	ROSSI LOUIS P			P O BOX 1141		CAPTIVA	FL
264521240000A0020	DOLL A ROBERT + MARY STANTON W			101 S 5TH ST STE 3300		LOUISVILLE	KY
264521240000A0010	ALEXANDER MARJORIE A			323 OCEAN AVE		MARBLEHEAD	MA
264521230000B2080	SANT J T + ALMIRA B			9 RIDGEWOOD ST		SAINT LOUIS	MO

2645212300000B2070	TSITSERA CONSTANTINE T+LITSA D					420 E 51ST ST		NEW YORK	NY
2645212300000B2060	KOFF STEPHEN A + BERNICE S					5566 DUBLIN RD		DUBLIN	OH
2645212300000B2050	HOCHHAUSER GUNTHER C + ANNE C					2335 BOSTON POST RD		LARCHMONT	NY
2645212300000B2040	NISCH KENNETH + ANNE					955 LONE PINE RD		BLOOMFIELD HILLS	MI
2645212300000B2030	RICH SALLIE				C/O HUNTER RICH	8 LAUREL CIR		TIMONIUM	MD
2645212300000B2020	GREENE VINCENT L + MARY ANN					8 POND VIEW DR		CUMBERLAND	RI
2645212300000B2010	KASKIW EUGENE H + JUDITH 1/2 +	SCUTELLA MICHAEL A + EILEEN R				3660 CULPEPPER DR		ERIE	PA
2645212300000B1080	REISBERG FAMILY LMTD PTNSP					3921 CRYSTAL LAKE BLVD		ROBBINSDALE	MN
2645212300000B1070	BARRY ALLEN G JR + SYLVIA S					17021 TIDEWATER LN		FT MYERS	FL
2645212300000B1060	POTERASKE JOHN F JR + SHARON A					7502 GRANT ST		DARIEN	IL
2645212300000B1050	MARINO FRANK J + RENNIE G					7785 CLIFFVIEW DR		POLAND	OH
2645212300000B1040	MC LEOD A G W + DORIS S					3251 MORRIS LN		MIAMI	FL
2645212300000B1030	CHRISTO PAUL + PATRICIA RUTH					30457 FOX CLUB DR		FARMINGTON HILLS	MI
2645212300000B1020	HAHN LARRY +	CASELLA DONNA H/W				39 S BAYARD LN		MAHWAH	NJ
2645212300000B1010	POCHRON VICKIE M					455 LAURELWOOD CT		BLOOMFIELD HILLS	MI
2645212300000A2120	GULF BREEZE ASSOCIATES LTD CO					87 FAIRFIELD RD		FAIRFIELD	NJ
2645212300000A2110	MCMINN ROBERT W					237 TROTWOOD WEST DR		PITTSBURGH	PA
2645212300000A2100	HESS WILLIAM H + LORAINE J					1689 N 2501ST RD		OTTAWA	IL
2645212300000A2090	SCHUBEL RONALD L + DEBORAH H					109 S BRAINARD		NAPERVILLE	IL
2645212300000A2080	KIN NILES A TR +	KIN JEAN B TR				4619 PINE MANOR RD		CLARENCE	NY
2645212300000A2070	HUMES ELMER C + SUZANNE M					6 PINE NEEDLES DR		PITTSFORD	NY
2645212300000A2060	HAHN JONATHAN F + CAROL S					RR 6 BOX 266B		LEWISBURG	PA
2645212300000A2050	DUGAN ROBERT C +	CARTER CAROL ANN T/C				130 E PROSPECT AV		LAKE BLUFF	IL
2645212300000A2040	VARSAM GEORGE F + LORI					28-07 157 ST		FLUSHING	NY
2645212300000A2030	LEWIS KIRK CHASE					9730 SPRING ST		OMAHA	NE
2645212300000A2020	STEIN BERNADETTE B					42 STONEWALL DR		N HAMPTON	MA
2645212300000A2010	OBRIEN G PETER + PATRICIA A					118 MEADOW RD		RIVERSIDE	CT
2645212300000A1120	DUNNE MICHAEL W + JULIA M					654 SAWGRASS TR		DAKOTA DUNES	SD
2645212300000A1110	FOZO ELIZABETH J TR					225 VENDOME CT		GROSSE POINTE FARMS	MI
2645212300000A1100	SZUMIGATA JOHN E + DOROTHY A					19 ASHFORD DR		ALBANY	NY
2645212300000A1090	KENNEDY JAMES A + VALERIE A					10 MARION DR		HOLMDEL	NJ
2645212300000A1080	VAN RIPER DANIEL S + KATHARINE				%VAN RIPER FAMILY ASSOC	57 FOREMOST MOUNTAIN RD		MONTVILLE	NJ
2645212300000A1070	BARTOK PETER J + COLLEEN J					321 W BURNAM RD		COLUMBIA	MO
2645212300000A1060	LUKL PETER					12 INDIAN SPRING WAY		WELLESLEY HILLS	MA
2645212300000A1050	STRUZZIERO RALPH E + BARBARA E					25 OCEAN AVE		CAPE ELIZABETH	ME
2645212300000A1040	HERRES KIM A					3200 PACES MILL RD SE		ATLANTA	GA
2645212300000A1030	SAUNDERS DAVID O + JACQUELINE					9250 WHISPERING PINES DR		SALINE	MI
2645212300000A1020	GROSS RICHARD B					720 GLADSTONE AVE		BALTIMORE	MD
2645212300000A1010	KLEIN ERNEST V COTR +	THOMAS ROGER M COTR				1 FEDERAL ST		BOSTON	MA
2645212200000H0260	CURRIE SUSAN K					2874 LINCOLN PARK DR		GALESBURG	IL
2645212200000H0250	WILLIAMS LLOYD B + SUSAN W					105 WEST WALKER DR		SUMMERVILLE	SC
2645212200000H0240	MORGAN GEORGE B + JOAN E					84 HITCHING POST LN		BEDFORD	NH
2645212200000H0230	CLARK CORA A					3923 SAINT JOHNS LN		ELLICOTT CITY	MD
2645212200000G0220	DRISSELL NORMAN E TR 2/10 INT+	CALLIS CLAYTON F TR 2/10 INT +	RUGE CO 1/10 +	JOHNSON TEDDY R + BETTY 2/10		914 INNSBROOK ESTATES		WRIGHT CITY	MO
2645212200000G0210	DERRIDINGER PAUL + WILLAMAE +	WATT STANLEY B + BONNIE S				10601 GARDEN CREEK PL		LOUISVILLE	KY
2645212200000G0200	HANLON EDWARD E					256 KING CAESAR RD		DUXBURY	MA
2645212200000G0190	FOZO ELIZABETH J TR					225 VENDOME CT		GROSSE POINTE FARMS	MI
2645212200000C0100	KARR GEORGE W JR + BARBARA M					40 MONUMENT RD		BALA CYNWYD	PA
2645212200000C0090	THOMPSON BRADFORD R + LINDA					109 WOODLAWN DR		BEAVER	PA
2645212200000C0080	LANDOR USA INC					P O BOX 685		CAPTIVA	FL
2645212200000C0070	CLARK GERALD JOSEPH 1/2 INT +	LIESSE LYNN CATHERINE 1/2 INT	T/C			12508 CLARK MANOR CIR		CREVE COEUR	MO
2645212200000B0060	HOLLAND EUGENE P +	HOLLAND JAYNE WESTENDROP T/C				950 N MICHIGAN AVE #3703		CHICAGO	IL
2645212200000B0050	TAYLOR THOMAS M TRUSTEE					1162 WAUKAZOO DR		HOLLAND	MI
2645212200000B0040	MORTIMER CORP					4 WOODLAND RD		ANDOVER	MA
2645212200000B0030	MORTIMER CORP					4 WOODLAND RD		ANDOVER	MA
2645212100000F0180	THRELKEL JAMES B TR					1315 N LAKE ELBERT DR NE		WINTER HAVEN	FL
2645212100000F0170	JEFFREY HOPE H					191 DEVON RD		TENAFLY	NJ
26-45-21-210000E.0171	WHITEHOUSE J DAVID 30% INT +	CURRENT KENNETH A 10% INT+	FRANKOV PERLMAN	JOHN FREDERICK L 10	C/O SPRINGHOUSE FARM	6585 TATES CREEK RD		LEXINGTON	KY
26-45-21-210000E.0161	PARDEE CHESTER M + MARGERET E					864 GREENVIEW COURT		ROCHESTER HILLS	MI
26-45-21-210000E.0151	TUDHOPE DOUGLAS I					P O BOX 8		NORTH HERO	VT
26-45-21-210000E.0141	MCART ROGER W + SANDRA L					19 PIPERS HILL RD		WILTON	CT
2645212100000D0120	LLOYD CAROL H					9112 MARIA AVE		GREAT FALLS	VA
2645212100000D0110	ARTHUR MARY ANN					5 STONEGATE VILLAGE DR		COLUMBUS	OH
26452110000200D0	OBRIEN JOSEPH D JR +	RUSSO J DARREL T/C			C/O ROBO PROPERTY MGMT CORP	P O BOX 1133		CAPTIVA	FL
26452110000200C0	MASON JOHN T +	PETRAKIS-MASON CYNTHIA M H/W				151 WEST HUTCHINSON AV		PITTSBURGH	PA
26452110000200B0	SMART PAUL M TR					P O BOX 748		CAPTIVA	FL
26452110000200A0	PETERSEN ELLEN M A					2188 PERRAN DR		MISSISSAUGA	ON
26452110000100D0	RUSSO JAMES DARREL					6308 CLARK RD		HARRISON	TN
26452110000100C0	BLOUGH JAMES H + JOAN M					5811 WAYSIDE AVE		CINCINNATI	OH
26452110000100B0	STANKUS A B + RITA L TR					1239 THOMAS ST		HOMEWOOD	IL
26452110000100A0	OBRIEN JOSEPH D					PO BOX 899		NORMAL	IL
2645210100003002B	BORREGAARD SHIRLEY				C/O CINDY BORREGAARD	943 ALTADENA DR		FORT MYERS	FL
22452111000100A0	SOUTH SEAS CLUB				C/O HILTON GRAND VACATIONS CO	6355 METRO WEST BLVD STE 180		ORLANDO	FL
2245210100000017B	WILMSEN ELIZABETH ANN 1/2 INT	WILMSEN JOHN G SR 1/2 INT H/W				4 HUNTLEIGH WOODS		ST LOUIS	MO
2245210100000016B	FREEMAN SUE F TR					766 BOLSANA DR		LAGUNA BEACH	CA
2245210100000015B	NEAL JEFFREY C +	CELLMER SUSAN J H/W				1099 PELHAM RD		WINNETKA	IL
2245210100000014B	IMMOLEASING FINANZIERUNGS AG				C/O HEINRICH BAUMANN	CHEMIN DU MONT BLANC		CH 1270 TRELEX	
2245210000006016B	CAPTIVA TRUST COMPANY LTD TR				C/OJAN CHEEZEM	200 S BISCAYNE BLVD 20TH FLOOR		MIAMI	FL
2245210000006016A	SOUTH SEAS LLC					P O BOX 9040		MCLEAN	VA
2245210000005002B	MERISTAR SS PLANTATION CO LLC					1010 WISCONSIN AV NW		WASHINGTON	DC
2245210000005001A	ISLAND WATER ASSOCIATION INC					P O BOX 509		SANIBEL	FL
1146210000017012A	SCHNEIDER RICHARD J + SHEREE					PO BOX 969		CAPTIVA ISLAND	FL
1146210000017011A	WILLIAMS THOMAS W					P O BOX 1273		CAPTIVA	FL
034621020000B0160	LINDNER RICHARD J					16418 CAPTIVA DR		CAPTIVA	FL
034621020000B0150	ROSNER JUNE					16406 CAPTIVA DR	P O BOX 457	CAPTIVA	FL
034621020000B0140	ODEN NANCY TR					P O BOX 172		CAPTIVA ISLAND	FL
034621020000B0120	VANDER MAAZEN WILLIAM M					BOX 612		CAPTIVA	FL
034621020000B0110	ANDERSEN CHRISTINE E 1/2 INT +	ANDERSEN SARAH J 1/2 INT T/C				170 OCEAN BLVD		ATLANTIC HIGHLANDS	NJ
034621020000B0100	ANDERSEN CHRISTINE E 1/2 INT +	ANDERSEN SARAH J 1/2 INT T/C				170 OCEAN BLVD		ATLANTIC HIGHLANDS	NJ
034621020000B0090	KAEMMER ARTHUR TR +	KAEMMER MARTHA TR	FOR ARTI TRUST+M TRUST			4 CROCUS HL		SAINT PAUL	MN
034621020000B0080	MACKENZIE DAVID O TR 1/4 +	MACKENZIE DEBORAH TR 1/4 ETAL				700 E WOODLAND RD		LAKE FOREST	IL

0346210200000B0070	JOHNSTON C R + CONSTANCE S				513 WAYNE DR		WILMINGTON	NC
0346210200000B0060	LUPO INC			C/O JOHN HUGHES ATTY AT LAW	2121 MCGREGOR BLVD		FT MYERS	FL
0346210200000B0050	CAMFERDAM HENRY JR + CHRISTINE				11011 DITCH RD		CARMEL	IN
0346210200000B0030	ANDRE CHAGNON INC				300 VIGER AV EAST		MONTREAL	QC
0346210200000B0020	BUEHLER MAUREEN				P O BOX 502		RIDGWAY	PA
0346210200000B0010	MURTY TIMOTHY J TR	FOR MEHDI + ALEXANDRA RAZAVI			3427 LANARK LANE		PEPPER PIKE	OH
0346210200000A0160	GRALNICK MARVIN J + HELENE B				2340 PERIWINKLE WAY UT M-1		SANIBEL	FL
0346210200000A0150	GRALNICK MARVIN J + HELENE B				2340 PERIWINKLE WAY UT M-1		SANIBEL	FL
0346210200000A0140	RICE MARY H TR + ETALS			C/O WILSON RODNEY M	HRK GROUP INC	345 ST PETER ST SUITE 1:	ST PAUL	MN
0346210200000A0120	RICE MARY H TR + ETALS			C/O WILSON RODNEY M	HRK GROUP INC	345 ST PETER ST SUITE 1:	ST PAUL	MN
0346210200000A011A	ANDERSEN CHRISTINE E 1/2 INT +	ANDERSEN SARAH J 1/2 INT T/C			170 OCEAN BLVD		ATLANTIC HIGHLANDS	NJ
0346210200000A0110	RICE MARY H TR + ETALS			C/O WILSON RODNEY M	HRK GROUP INC	345 ST PETER ST SUITE 1:	ST PAUL	MN
0346210200000A0090	RICE MARY H TR + ETALS			C/O WILSON RODNEY M	HRK GROUP INC	345 ST PETER ST SUITE 1:	ST PAUL	MN
0346210200000A0080	MACKENZIE W J JR + ANNE G				BOX 415		CAPTIVA	FL
0346210200000A0070	MCGRATH J BRIAN				P O BOX 369		CAPTIVA	FL
0346210200000A0060	HENDERSON BETTY J TR				P O BOX 83		CAPTIVA	FL
0346210200000A0050	COVER R LORING + ANNE M				P O BOX 453		CAPTIVA	FL
0346210200000A0040	WOLF SPRING RANCHES INC				18930 W 78TH ST		CHANHASSEN	MN
0346210200000A0030	CAPTIVA MANAGEMENT INC				18930 W 78TH ST		CHANHASSEN	MN
0346210200000A0020	K + M PROPERTIES				1500 42ND AVE E		SEATTLE	WA
0346210200000A0010	COHEN MYRON J + CAROL W				P O BOX 888		CAPTIVA	FL
0346210100000B003B	BOWEN S R + DORIS I				P O BOX 340		CAPTIVA	FL
0346210100000B003A	BOWEN DORIS I				PO BOX 340		CAPTIVA	FL
0346210100000B0030	GRIMES RICHARD + ALLISON				16213 CAPTIVA DR		CAPTIVA	FL
0346210100000B002A	SHIELDS WILLIAM J 30% +	SHIELDS JOHANNE PASCHALL 70%			2410 LAWNMEADOW DR		RICHARDSON	TX
0346210100000B0020	JOHNSON ELIZABETH				P O BOX 730		CAPTIVA	FL
0346210100000B001A	STREHLOW ROBERT				P O BOX 101		CAPTIVA	FL
0346210100000B0010	NELSON THOMAS E + SANDRA B				6100 OLD LAGRANGE		CRESTWOOD	KY
0346210100000A0120	ROSS LUCIANNA G TR +	WELLS KATHERINE G TR			33 PORTLAND PL		SAINT LOUIS	MO
0346210100000A011B	SUITS INVESTMENT LTD CO				4964 SCOTT RD		HOMER	NY
0346210100000A011A	FOOTE EDWARD T + ROBERTA F				8565 OLD CUTLER RD		CORAL GABLES	FL
0346210100000A0110	HUSSAMY CAROLE M TR +	HUSSAMY OMAR TR	FOR CAROLE M HUSSAMY TRUST		1211 INDIAN MOUND TRAIL		VERO BEACH	FL
0346210100000A009E	BRUNING CHARLES II TR +	BRUNING ANN H TR	FOR ANN H BRUNING TRUST		P O BOX 248		CAPTIVA	FL
0346210100000A009D	BRUNING CHARLES II TR +	BRUNING ANN H TR	FOR ANN H BRUNING TRUST		P O BOX 248		CAPTIVA	FL
0346210100000A009C	EDWARDS JOHN F III +	BERG JEFFREY M			7333 WEST HARRISON		FORREST PARK	IL
0346210100000A009B	GIBSON RONALD + PHYLLIS				P O BOX 456		CAPTIVA	FL
0346210100000A009A	LOOMIS ROBERT B				11 CLAYBAR DR		WEST HARTFORD	CT
0346210100000A0090	BANK OF AMERICA NA TR	FOR #020220007959			605 MAIN ST		SARASOTA	FL
0346210100000A008A	STEINER ELIZABETH TR +	MACCIA GEORGE S TR			16155 CAPTIVA DR		CAPTIVA	FL
0346210100000A0080	COCHLAN STEVEN J				1030 NORTH STATE ST	SUITE 30 E	CHICAGO	IL
0346210100000A0070	BROWN JAY W + CYNTHIA A				7 CARRSWOLD		ST LOUIS	MO
0346210100000A005B	OWEN CREEK LLC				2450 S DOWNING ST		DENVER	CO
0346210100000A005A	LIPMAN WILLIAM + JANET				P O BOX 1045		CAPTIVA	FL
0346210100000A0050	CAPTIVA PROPERTIES LLLP				2450 S DOWNING ST		DENVER	CO
0346210100000A0040	TRAFF CLIFF JR TR	FOR CLIFF TRAFF JR TRUST			P O BOX 729		CAPTIVA	FL
0346210100000A0030	O BRIEN JOAN E				1199 FALLS VIEW CT		SAINT PAUL	MN
0346210100000A0020	R + D OF CAPTIVA INC				P O BOX 366128		BONITA SPRINGS	FL
0346210000028005A	DUNBAR WALLACE H JR	CO PER REP FOR ELLEN T DUNBAR	ESTATE	C/O COMMONWEALTH BANK	12906 SHELBYVILLE RD		LOUISVILLE	KY
0346210000005004C	LOOMIS THOMAS H				ACADIA MGMT CO STE 1104	31 MILK ST	BOSTON	MA
0346210000005004B	LOOMIS THOMAS H				P O BOX 966		CAPTIVA	FL
0346210000005003A	RECKER BROOKE E				RD 6 SCAIFE RD		SEWICKLEY	PA
0346210000005002B	WRIGHT LLOYD A				P O BOX 849		CAPTIVA	FL
0346210000005002A	HULLAR GORDON CLARE				P O BOX 155		CAPTIVA	FL
0346210000005001D	DAVIS ROBERT B + MELISSA S				3010 FAWN LANE		FLATWOODS	KY
0346210000005001B	RECKER BROOKE E				RD 6 SCAIFE RD		SEWICKLEY	PA
0346210000005001A	KODOR ASSOC LTD PTNSHP				11910 GLEN MILL RD		POTOMAC	MD
0246210000017007B	DUNBAR WALLACE H JR	CO PER REP FOR ELLEN T DUNBAR	ESTATE		P O BOX 358		CAPTIVA	FL
0246210000017007A	CADMAN TIMOTHY + JEAN				P O BOX 728		CAPTIVA	FL
0246210000004005A	REDMOND THOMAS M + PATRICIA H			C/O PATRICIA H ONEILL	532 FERNDALE RD W		WAYZATA	MN
0246210000004004D	PIGOTT JAMES C TR +	PIGOTT GAYE T TR T/C			1405 42ND AVE E		SEATTLE	WA
0246210000004004B	LOOMIS THOMAS H				P O BOX 966		CAPTIVA	FL
3545211100000000	KOTULA DONALD L + JUDY L			C/O DRW PARTNERSHIP	P O BOX 1341		BURNSVILLE	MN
3545211100000000	GLOBAL INVESTORS LLC				700 WALNUT	SUITE 1600	DES MOINES	IA
3545211100000000	BRUST ROBERT H + JUDITH A				7 ST DAVIDS RD		ST DAVIDS	PA
3545210900001000	NEUMAN KATE				P O BOX 757		CAPTIVA	FL
3545210900001000	JUNGLE DRUMS				11532 ANDY ROSSE LN #101		CAPTIVA	FL
3545210900001000	JUNGLE DRUMS				11532 ANDY ROSSE LN		CAPTIVA	FL
3545210900001000	DRUMS JUNGLE				P O BOX 368		CAPTIVA	FL
3545210700090000	BERGHOFF HERMAN J			C/O BERGHOFF RESTAURANT	17 W ADAMS ST		CHICAGO	IL
3545210400020000	ROCHESTER RESORTS INC				P O BOX 249		CAPTIVA	FL
3545210400000100	WATKINS JANE M TR				P O BOX 598		CAPTIVA	FL
3545210400000100	VOJCEK VICTOR + MONI J				13951 COVINGTON		PLYMOUTH	MI
3545210400000100	VENARGE DAVID R + CHERYL				87 WHITEFRIARS DR		AKRON	OH
3545210400000100	STEGEMAN JANE L				P O BOX 1177		CAPTIVA	FL
3545210400000100	REESE BONNIE M				3405 LAKESHORE DR D B		MICHIGAN CITY	IN
3545210400000100	NIXEL HOLDINGS LLC 33.33 % +	RIEU TIMOTHY J + KIMBERLY	66.67% T/C		3325 GREAT VALLEY DR		WEST FRIENDSHIP	MD
3545210400000100	MEAD WALTER L JR + EMILY C				PO BOX 218		TESUQUE	NM
3545210400000100	EUROPEAN REAL ESTATE INVEST				P O BOX 957		CAPTIVA ISLAND	FL
3545210400000100	DANIELS CAROL				15759 CAPTIVA DR		CAPTIVA	FL
3545210400000100	BETTCHER WILLIAM H +	BETTCHER LAURENCE A TR		C/O BETTCHER INDUSTRIES INC	PO BOX 336		VERMILION	OH
3545210400000000	CAPTIVA ISLAND YACHT CLUB				P O BOX 1239		CAPTIVA	FL
3545210300530000	BIERI ANDREAS 1/4 INT + ETALS				PO BOX 1060		CAPTIVA ISLAND	FL
3545210300520000	BLANK ALVIN H + BEATRICE C				P O BOX 193		CAPTIVA	FL
3545210300510000	BLANK ALVIN H + BEATRICE C				P O BOX 193		CAPTIVA	FL
3545210300500000	NATIONAL EXCHANGE SERVICES INC				610 E BALTIMORE PIKE		MEDIA	PA
3545210300470000	LOMBARDO CARMEN J + VANESSA G				STRATOS CONSTANTINE	P O BOX 942	CAPTIVA	FL
3545210300460000	DAVIS DAVID O + AGNES T				1608 NORTH BRYAN ST		ARLINGTON	VA
3545210300440000	WALKEN PAUL + ROSALIE				11522 ANDY ROSSE LN		CAPTIVA	FL
3545210300430000	LASHER CHRISTOPHER J				55 VALLEY VIEW AVENUE		RIDGEWOOD	NJ
3545210300420000	CAPTIVA ISLAND VACATION	PROPERTIES LLC			3111 FERN VALLEY RD	SUITE 212	LOUISVILLE	KY
3545210300410000	CAPTIVA ISLAND VACATION	PROPERTIES LLC			3111 FERN VALLEY RD	SUITE 212	LOUISVILLE	KY

35452103000400000	CAPTIVA ISLAND VACATION	PROPERTIES LLC			3111 FERN VALLEY RD	SUITE 212	LOUISVILLE	KY
35452103000390000	ONAN ROBERT C SR L/E				5600 W FLORIST AV		MILWAUKEE	WI
35452103000370000	BEGGS JOHN				P O BOX 897		CAPTIVA	FL
35452103000360000	MOBED DARAYES S + GOHER				RD #3 BOX 532	2 RESERVOIR RD	GOSHEN	NY
35452103000340000	GULNAC MICHAEL E				P O BOX 907		CAPTIVA	FL
35452103000340000	DOHERTY DAVID W				P O BOX 224		CAPTIVA	FL
35452103000310000	CAPTIVA LTD			C/O OFFSHORE TRADING CO LLC	2340 PERIWINKLE WAY UNIT M1		SANIBEL	FL
35452103000290000	STILWELL MANAGEMENT LLC				1212 BRAMAN		FT MYERS	FL
35452103000230000	TERRA BELLA L C			C/O FLORIDA MARINE	16480 NW 48TH AVE		HIALEAH	FL
35452103000210000	THROP STEVEN R + TERRY K				1633 GLENGARY BAY		SAGLE	ID
35452103000200000	NOVACK KENNETH J TR +	NOVACK MARIANNE TR	FOR KENNETH J NOVACK TRUST		81 BEACON STREET		BOSTON	MA
35452103000190000	MILLER HAROLD E JR + SUSAN A				11529 ANDY ROSSE LN		CAPTIVA	FL
35452103000180000	MONROE FAMILY ENTERPRISES LTD				256 N SUMMIT		FAIR HOPE	AL
35452103000170000	LINN GORDON D + JUDITH A				316 EAST FIRST STATE		HINSDALE	IL
35452103000160000	FISCHER WILLIAM G + JANE C				1103 BURR RIDGE CLUB DR		BURR RIDGE	IL
35452103000150000	UPP SCOTT F + DEBRA L 1/2 INT	HARRISON MARK H + GOERIGA H	1/2 INT		130 SOUTH ELM ST		HINSDALE	IL
35452103000110000	W G I INC				PO BOX 160		FISH CREEK	WI
35452103000110000	LETOURNEAU RICHARD + VIRGINIA				300 E 33RD ST APT 7C		NEW YORK	NY
35452103000110000	DIETZ CHRISTOPHER P				1250 EDWARDS ROAD		CINNCINATTI	OH
35452103000110000	BORIS MICHAEL J + PATRICIA				18205 THIRD AVE		MINNEAPOLIS	MN
35452103000090000	MAYERON THELMA W TR 2/5 ETAL				P O BOX 1060		CAPTIVA	FL
35452103000080000	GRIMES RICHARD + ALLISON				PO BOX 2467		BONITA SPRINGS	FL
35452103000050000	MARTIN LOLA S			C/O LEE MILLLER US TRUST CO	114 W 47TH ST		NEW YORK	NY
35452103000050000	DOWNEY WILLIAM J + YOLANTA				21 VISTA PL		RED BANK	NJ
35452103000050000	BUBBLE ROOM INC				PO BOX 458		CAPTIVA	FL
35452103000040000	MCCARTHYS MARINA INC				11401 ANDY ROSSE LN		CAPTIVA	FL
35452103000040000	HOWEY CHARLES O TR			C/O PRISCILLA MURPHY RELTY	13831 VECTOR AV		FT MYERS	FL
35452103000030000	MCCARTHYS MARINA INC				11401 ANDY ROSSE LN		CAPTIVA	FL
35452103000030000	MCCARTHYS MARINA INC				P O BOX 580		CAPTIVA ISLAND	FL
35452101000000100	JENSEN BETTY J TR				PO BOX 460		CAPTIVA ISLAND	FL
35452101000000100	JENSEN BETTY J TR				PO BOX 460		CAPTIVA IS	FL
35452101000000100	GIDEL ROBERT H + LINDA C				5427 EDGEHOLLOW PL		DALLAS	TX
35452101000000100	BROUSTER THOMAS H + RUTH A				453 GRAY AV		WEBSTER GROVES	MO
35452101000000000	WFLP FAMILY LTD PARTNERSHIP				223 E ELM ST		GRANVILLE	OH
35452101000000000	P J WILES LLC				8972 MUD CREEK RD		INDIANAPOLIS	IN
35452101000000000	JENSEN BETTY J TR				P O BOX 460		CAPTIVA	FL
35452101000000000	BURGHER PETER H				15158 WILES DR		CAPTIVA	FL
35452101000000000	BLUVAS PETER JAN + PATRICIA E				1479 ST HWY 29		GLOVERSVILLE	NY
35452100000080000	SEASIDE CAPTIVA INC				P O BOX 876		CAPTIVA	FL
35452100000080000	HINSCH DAVID R + JOETTE J				15351 CAPTIVA DR		CAPTIVA	FL
35452100000080000	BRINSON M G + SIDNEY ANN				2244 PALM AV		ST JAMES CITY	FL
35452100000070400	IRION WILLIAM KENNETH +	IRION NANCY L T/C			P O BOX 1191		CAPTIVA	FL
35452100000070300	WU STEPHEN W + JANE E				2627 134TH AVE NE		BELLEVUE	WA
35452100000070300	SYMINGTON JANEY BELLE STUDT TR				745 CELLA RD		ST LOUIS	MO
35452100000070300	STAADT GARY E + MARY RUTH W				313 HOWARD AV		ROCKSVILLE	IN
35452100000070300	OXLEY ROBERT L + JUDITH H				P O BOX 1026		CAPTIVA	FL
35452100000070300	MURPHY CHARLES J +	MANGAN EILEEN A T/C			11525 MURMOND ST		CAPTIVA	FL
35452100000070300	MERRILL MICHAEL W + CHOU CHOU				149 ELIOT ST		CHESTNUT HILL	MA
35452100000070300	MCCARTHY PAUL F				PO BOX 580		CAPTIVA	FL
35452100000070300	JENSEN DAVID M				P O BOX 191		CAPTIVA	FL
35452100000070300	INTOCI GUY +	INTOCI EMANUEL J/T			11540 GOVE LN		CAPTIVA	FL
35452100000070300	BREDA WILLIAM + ANN TR				BOX 846		CAPTIVA	FL
35452100000070200	REYES HERNAN M + DOLORES C				P O BOX 1165		CAPTIVA	FL
35452100000070200	MARINO MICHAEL J +	WRIGHT MARY COOPER H/W			135 W 79TH ST		NEW YORK	NY
35452100000070200	HEMPHILL R T + GEORGIA				211 N.CENTER ST.		CARLINVILLE	IL
35452100000070200	HEDLEY VICTOR HERBERT TR				15148 WILES DR	P O BOX 1118	CAPTIVA	FL
35452100000070200	HAHN LARRY H +	CASELLA DONNA H/W			39 SOUTH BAYARD LANE		MAHWAH	NJ
35452100000070200	FARRINGTON WILLIAM J +	FARRINGTON DOROTHY C			17520 DURRANCE RD		N FT MYERS	FL
35452100000070200	BRUBAKER K L + EDNA M				1440 FAWN CT		BOLINGBROOK	IL
35452100000070200	BIERI ANDREAS				11520 MURMOND LN		CAPTIVA	FL
35452100000070200	BATES JOHN F + MARY E				P O BOX 622		CAPTIVA	FL
35452100000070100	ROSHBERG IRA + JANE				8788 STONEBRIDGE DR		FT MYERS	FL
35452100000070100	PRELL FRANK				P O BOX 14		CAPTIVA	FL
35452100000070100	PRELL FRANK				15311 CAPTIVA DR		CAPTIVA	FL
35452100000070100	MARKLE THOMAS W				14 STAGECOACH RD		CAPE MAY COURT HOUSE	NJ
35452100000070100	HORNE LINDA				P O BOX 311	11515 GORE LANE SW	CAPTIVA	FL
35452100000070100	ESCHERT JOAN M				PO BOX 944	15153 CAPTIVA DR	CAPTIVA	FL
35452100000070100	CAPTIVA CIVIC ASSOC INC				PO BOX 778		CAPTIVA	FL
35452100000070100	BORNHORST DAVID J + BARBARA A				8650 BRADFORD LN		BRECKSVILLE	OH
35452100000070000	WENINGER HOWARD L + PATRICIA A				PO BOX 67		KNOX	IN
35452100000070000	VENTIMIGLIA JOHN + PATRICIA				16395 WINDERMERE CIR		SOUTHGATE	MI
35452100000070000	JENSEN BETTY J TR				PO BOX 460		CAPTIVA ISLAND	FL
35452100000070000	JENSEN BETTY J TR				P O BOX 460		CAPTIVA	FL
35452100000070000	JENNINGS MARTIN III + KATHY T				3776 POWERS FERRY RD NW		ATLANTA	GA
35452100000070000	CUNNINGHAM JOHN R + MICHELE				229 WINFIELD ST		CULVER	IN
35452100000070000	CAPTIVA ISLAND VACATION	PROPERTIES LLC +	OXFOD INVESTMENTS INC		P O BOX 14		CAPTIVA	FL
35452100000070000	BROUSTER THOMAS H + RUTH A				453 GREY AV		WEBSTER GROVES	MO
35452100000070000	BIERI ANDREAS				1448 CAUSEY		SANIBEL	FL
35452100000061000	CAPTIVA CIVIC ASSOC INC				PO BOX 778		CAPTIVA	FL
35452100000050500	WALDROP DAVID W + GRACE P				515 CUTWATER TRAIL		ATLANTA	GA
35452100000050500	THOMAS GARY P + MARY G				519 MIDLINE RD		AMSTERDAM	NY
35452100000050500	STEGMANN MARCIA A TR				18511 SASSAFRAS PLACE DR		GLENCOE	MO
35452100000050500	SONES RUTH A 50% INT +	LEWIS MARY KAY R 50% INT T/C			216 CULPEPER RD		RICHMOND	VA
35452100000050500	NASSIF JOSEPH G + CHRISTINA A				10701 KINGSBRIDGE ESTATES DR		CREVE COEUR	MO
35452100000050500	JENSEN JOHN R				P O BOX 1103		CAPTIVA	FL
35452100000050500	HAHN LARRY H +	CASELLA DONNA A H/W			39 S BAYARD LN		MAHWAH	NJ
35452100000050500	FUGIT ALAN W + DIANE D				8154 NW BEAMAN DR		KANSAS CITY	MO
35452100000050500	BREUHAUS ELIZABETH ANN				1 PLEASANT ST		MARBLEHEAD	MA
35452100000050500	BEARD LOUISE J				59 SANDPIPER CT		CAPTIVA	FL
35452100000050400	YOUNG CHARLES D + PATRICIA A				P O BOX 3129		BALD HEAD ISLAND	NC
35452100000050400	SHELGREN DIANE E				4920 WOODS CT		EXCELSIOR	MN

35452100000050400	SHELGREN DIANE E				4920 WOODS CT		EXCELSIOR	MN
35452100000050400	ROSENBERG GORDON W COTR +	ROSENBERG CONSTANCE F COTR J/T			2401 PENNSYLVANIA AVE # 21		PHILADELPHIA	PA
35452100000050400	REISS MARK A + VIRGINIA F				25181 VILLAGE CIRCLE		GOLDEN	CO
35452100000050400	PETRINI DIANNE M TR				2310 STARKEY RD		LARGO	FL
35452100000050400	PAOLELLA NEIL + ANITA				3980 WEST LOCH ALPINE		ANN ARBOR	MI
35452100000050400	MURPHY BRIAN J + BARBARA J				26 BILTMORE PARK		BLOOMFIELD	CT
35452100000050400	KIRSCH MARK S + LUANN M				402 RIVERVIEW DR		THIENSVILLE	WI
35452100000050400	DINA THOMAS S + SALLY A				6401 JOHNSON CHAPEL RD		BRENTWOOD	TN
35452100000050300	ZASHIN MARCIA G +	COOK GAIL G			3400 LAWTON LN		PEPPER PIKE	OH
35452100000050300	STONE STEPHEN L + REGINA 1/2 +	PALMER LANE + BEVERLY J 1/2	INT T/C		33 URCHIN CT		CAPTIVA	FL
35452100000050300	STEGMANN DENA L TR				12910 TAUNTON CT		SAINT LOUIS	MO
35452100000050300	LAIRD LINDA M +	GOFF CAROLYN E			100 JOAN DR		WATCHUNG	NJ
35452100000050300	KRAMER RONALD E +	KRAMER HELEN			P O BOX 602		CAPTIVA	FL
35452100000050300	FISHER DONALD W + JUDITH F			C/O BP AMOCO (ISTANBUL)	PO BOX 196612		ANCHORAGE	AK
35452100000050300	FATA LAWRENCE J + BARBARA				6006 CLAREMONT CT		LANSING	MI
35452100000050300	ENGELBRECHT ALEXANDRA L B L/E				39 OSTER CT	PO BOX 625	CAPTIVA ISLAND	FL
35452100000050300	ALIZADEH CYRUS + KATHI				17954 SADDLE HORN RD		GLENCOE	MO
35452100000050300	954387 ONTARIO LTD			C/O MAGERMAN	43 KNOLLVIEW CRES		WILLOWDALE	ON
35452100000050200	YOUNG KAREN L				7725 FOX TRAIL LN		CINCINNATI	OH
35452100000050200	STIEGER JACOB + CAROL ANN				10700 MEADOWOOD DR		VIENNA	VA
35452100000050200	RYAN DANIEL E + ANN L				9812 PURGATORY RD		EDEN PRAIRIE	MN
35452100000050200	MERCADANTE LUCILLE +	PLATA ZULEMA			4229 SW 77TH ST		GAINESVILLE	FL
35452100000050200	LYBROOK PHILIP H TR				P O BOX 231		CAPTIVA	FL
35452100000050200	HULLSTRUNG MARK W + ANTONIA				1-8 MURRAY AVE		MAHWAH	NJ
35452100000050200	GIANFRANCESCHI G R + HELENE				52 LAKE PL N		DANBURY	CT
35452100000050200	CHIPMAN JOHN E + PATRICIA				8395 EAST MAIN ST		GALESBURG	MI
35452100000050200	CHILDERS EUGENE L JR + WENDY U				P O BOX 156		NORMANDY BEACH	NJ
35452100000050200	BLUVAS PETER JAN + PATRICIA E				1479 ST HWY 29		GLOVERSVILLE	NY
35452100000050100	VINSON ROBERT K + MARY JANE				1706 S WOODSIDE LN		VIRGINIA BEACH	VA
35452100000050100	TOPKA THOMAS E + MARSHA L				P O BOX 1240		CAPTIVA	FL
35452100000050100	THORSON BRIAN L + PATRICIA M				4466 WEDGEWOOD DR		EAGAN	MN
35452100000050100	SHINNER INGEBORG				4701 PARADISE WAY SE		ST PETERSBURG	FL
35452100000050100	NOLLER KENNETH L + MARY C				31 CEDAR CT		LONGMONT	CO
35452100000050100	GISSY STEVEN J + BETSY J K				2106 PINECREST MANOR		ST LOUIS	MO
35452100000050100	FOX ROBERT L + CYNTHIA P				2025 STEKETEE WOOD LN SE		GRAND RAPIDS	MI
35452100000050100	FENNIMAN WILLIAM W TR	FOR WILLIAM W FENNIMAN TRUST			15 SEASCAPE CT		CAPTIVA	FL
35452100000050100	BROWN WILLIAM A + PHYLLIS				200 RIVER CLOSE		ATLANTA	GA
35452100000050100	BROUSTER THOMAS H SR + RUTH A				453 S GRAY AVE		WEBSTER GROVES	MO
35452100000050000	STORER WILLIAM R + JANET K				6360 AROUND THE HILLS RD		INDIANAPOLIS	IN
35452100000050000	POZZO EMIL 1/2 INT +	RONZIO MARTIN 1/2 INT			9942 WATSON RD		SAINT LOUIS	MO
35452100000050000	MORSE ALEXANDRA F				1500 42ND AVE E		SEATTLE	WA
35452100000050000	JENSEN JOHN R + LILLIAN J				2445 GULF DR A47		SANIBEL	FL
35452100000050000	CUCCIO EDWARD A + CONNIE J				#12 DEERFIELD RIDGE RD		WILDWOOD	MO
35452100000040000	JENSEN BETTY J TR	FOR RICHARD W JENSEN FAMILY	TRUST		BOX 460		CAPTIVA ISLAND	FL
35452100000020000	CHAPEL BY THE SEA CAPTIVA			C/O THOMAS M EHLERS	4741 TRADEWINDS DR		SANIBEL	FL
27452103000020000	UNDERWOOD ALLEN				PO BOX 1613		VENICE	FL
27452103000020000	RICHARDSON EUNICE S				941 PEBBLESHIRE RD		GLENDALE	CA
27452103000020000	APPEL IRA CARL TR				4207 SHERIDAN RD		YOUNGSTOWN	OH
27452103000010000	SOUTH SEAS RESORT LTD PTRSNP				PO BOX 194		CAPTIVA ISLAND	FL
27452103000010000	LEE COUNTY				P O BOX 398		FT MYERS	FL
27452103000010000	BOYLE JAMES C + FRANCES C				P O BOX 147	14790 CAPTIVA DRIVE	CAPTIVA	FL
27452101000000200	MARION JAMES P JR ET AL				81 BANK ST		NEW CANAAN	CT
27452101000000000	MARION JAMES P JR				81 BANK ST		NEW CANAAN	CT
27452101000000000	CAPTIVA PROPERTIES LP				934 TIRRILL FARMS RD		SAINT LOUIS	MO
27452100000050000	JOHNSTON CHAS + ANNIE D/E			C/O C R + CONSTANCE JOHNSTON	P O. BOX 399		CAPTIVA	FL
27452100000010000	MERISTAR SS PLANTATION CO LLC				1010 WISCONSIN AV NW		WASHINGTON	DC
26452131000000000	WILKOWSKI JEAN				2500 VIRGINIA AVE NW # 1116		WASHINGTON	DC
26452131000000000	FRANK THOMAS P + BRIDGET C TR				1300 ALVIN CT		GLENVIEW	IL
26452131000000000	EBERLE MARGARET F TR			C/O CITIZENS BANK/S GRABERT	P O BOX 719		EVANSVILLE	IN
26452131000000000	DICKINSON ANNE M				29 COUNTRY CLUB CIR		SCITUATE	MA
26452131000000000	DAVIS DAVID O + AGNES T				1608 N BRYAN ST		ARLINGTON	VA
26452131000000000	DAVIS DAVID O + AGNES T				1608 N BRYAN ST		ARLINGTON	VA
26452131000000000	DAVIS DAVID O + AGNES T				1608 N BRYAN ST		ARLINGTON	VA
26452131000000000	DAVIS DAVID O + AGNES T				1608 N BRYAN ST		ARLINGTON	VA
26452131000000000	CARTER RUTH M				1431 N FILLMORE ST		ARLINGTON	VA
26452120000000300	WRIGHT ERNEST B + ELIZABETH C				56 LAKE ST		COOPERSTOWN	NY
26452120000000300	GARWOOD R DAVE			C/O ROBERT H DONEHEW	111 VILLAGE PKWY NE BLDG 2		MARIETTA	GA
26452120000000300	BENTELE RAYMOND F TR	FOR RAYMOND F BENTELE TRUST			13043 PEMBROOKE VALLEY CT		ST LOUIS	MO
26452120000000300	BAHN MICHAEL M + MARY C			D/B/A BAHN MGMT CO	445 ENTERPRISE CT		BLOOMFIELD HILLS	MI
26452120000000200	PFRIEM ELIZABETH M				1093 PEQUOT AVENUE	P O BOX 340	SOUTHPORT	CT
26452120000000200	ORESMAN ENID J				49 SUNSWYCK RD		DARIEN	CT
26452120000000200	KELLY FAMILY LIMITED PTNSHP				22 CIRCLE WEST		EDINA	MN
26452120000000200	JOHNSON MARK D + LAURA M E				26820 NOBLE RD		SHOREWOOD	MN
26452120000000200	JOHNSON MARK D + LAURA M E				26820 NOBLE RD		SHOREWOOD	MN
26452120000000200	DUPONT LAMMOT				RIVER BEND RANCH	1963 FRONTAGE RD	FRUITA	CO
26452120000000200	CAPISLE INVESTMENTS INC			C/O TANNENBAUM DUBIN	1140 AVENUE OF THE AMERICAS		NEW YORK	NY
26452120000000200	BRODY GEORGE + FONSA CO-TRS				204 HIGH CANYON CT		RICHARDSON	TX
26452120000000200	BARBEE HARRY JR + NOEL				17 SHERATON LN		RUMSON	NJ
26452120000000200	892271 ONTARIO INC				51 FRONT STREET EAST		TORONTO	ON
26452120000000100	PFRIEM ELIZABETH M			C/O S EARL SHOOK V P	PUTNAM TRUST COMPANY	P O BOX 573	SOUTHPORT	CT
26452120000000100	MENDOZA CRISTINA L TR				1010 COTORRO AV		CORAL GABLES	FL
26452120000000100	LASHER CHRISTOPHER J				55 VALLEY VIEW AVE		RIDGEWOOD	NJ
26452120000000100	FREEMAN J M + BEVERLY				BOX 201		CAPTIVA	FL
26452120000000100	FADIMAN ANNALEE				PO BOX 459		CAPTIVA	FL
26452120000000100	DEDOBJANSCHI FRANCESCA A				1800 SOLITAIR LANE		MCLEAN	VA
26452120000000100	CAPISLE PROPERTIES INC			C/O MARVIN ROBINSON ESQ	1140 AVENUE OF THE AMERICAS		NEW YORK	NY
26452120000000100	BUCHER BRIAN C TR				3871 MISSION HILLS RD		NORTHBROOK	IL
26452120000000100	BRENNAN THOMAS S + MARGARET A				4601 COLLING		TROY	MI
26452120000000100	ALPERT LAURENCE I + GERALDINE				185 HOOK RD		BEDFORD	NY
26452120000000000	SQUADRON HOWARD M + ANNE S				4930 GOODRIDGE AVE		BRONX	NY
26452120000000000	SCHNEIDER RICHARD L + JOYANNE				1 BEACH HOMES SOUTHSEAS PLI	P O BOX 207	CAPTIVA	FL

26452120000000000	RFH INVESTMENTS L P			605 WEST 72ND ST		DARIEN	IL
26452120000000000	LANDOR USA INC			P O BOX 685		CAPTIVA	FL
26452120000000000	KOHN STEVEN BRUCE + ELLEN S			566 S MEADOW VISTA DR		EVERGREEN	CO
26452120000000000	GASSER ROBERT C + BARBARA M			36 DIANA RD		PORTAGE	IN
26452120000000000	DARDICK NATHAN H			2331 ORRINGTON AVE		EVANSTON	IL
26452120000000000	AYRES FREDERIC M			P O BOX 2803		JENSEN BEACH	FL
26452120000000000	AYRES FREDERIC M			P O BOX 2803		JENSEN BEACH	FL
26452104000010000	BOYLE JAMES C +	BAINOR-BOYLE FRANCES C H/W		14790 CAPTIVA DR		CAPTIVA	FL
26452103000790000	CHANDLER WILLIAM M + JANE E			8 DAVIS ROAD		TYNGSBORO	MA
26452103000780000	BAER JOSEPH W 1/2 INT +	BAER NAN T 1/2 INT		PO BOX 123		CAPTIVA	FL
26452103000760000	CAPTIVA FIRE CONTROL DIST			P O BOX 477		CAPTIVA	FL
26452103000730000	NELSON DAVID WALLACE +	STUART SUSAN K T/C		P O BOX 490		CAPTIVA	FL
26452103000730000	HERMAN STEVE + BETSY			1014 JAMIESON RD		TIMONIUM	MD
26452103000730000	CAPTIVA FIRE CONTROL DIST			P O BOX 477		CAPTIVA	FL
26452103000590000	WEINER MICHAEL + ALEXANDRA			4 PARSONS WAY		S NATICK	MA
26452103000590000	SANSONE JOAN +	SANSONE BEVERLY		450 BLEEKER AVE		MAMARONECK	NY
26452103000590000	PEEL SHERRILL S			BOX 145		CAPTIVA	FL
26452103000590000	MILLER ROBERT E			1 MAHOPAC PLAZA		MAHOPAC	NY
26452103000590000	HOOGERHEYDE GENE			153 CENTRAL AVE		HAWTHORNE	NJ
26452103000590000	HACKMAN D F + ZONA			17 BARRINGTON HILLS RD		BARRINGTON	IL
26452103000590000	DEUTSCHMANN TOBE C, JR +	DEUTSCHMANN MARYANNE H/W		P O BOX 478		DOVER	MA
26452103000590000	DAVIS DAVID O + AGNES T			1608 N BRYAN ST		ARLINGTON	VA
26452103000580000	ORR JOHN J + PATRICIA J CO-TRS			P O BOX 998		CAPTIVA	FL
26452103000580000	NELSON DAVID W +	OTTO SUSAN STUART J/T		11411 OLD LODGE LN		CAPTIVA	FL
26452103000580000	HUTTON LYNN C + JUDITH J			224 SCOTTHOLM TER		SYRACUSE	NY
26452103000570000	YOUNG RUSSELL F			851 OHIO PIKE		CINCINNATI	OH
26452103000550000	RIGGS ELIZABETH PLUME			C/ PETER RIGGS	9 CONTEMPORARY DR	DANBURY	CT
26452103000550000	DONEY GEORGE M + VALERIE J			14991 BINDER DR		CAPTIVA	FL
26452102000040200	UNITED TELEPHONE CO OF FL		ATTN: KERI SULLIVAN	P O BOX 12913		SHAWNEE MISSION	KS
26452102000040200	GARSKE EDWARD E + CAROL R			5632 OAKWOOD CIR		LONG GROVE	IL
26452102000040200	BUBBLE ROOM INC			PO BOX 458		CAPTIVA	FL
26452102000040100	WOESSNER WARREN D			34 W MINNEHAHA PKWY		MINNEAPOLIS	MN
26452102000040100	WHITFIELD PHILIP L			808 JEFF DR		KOKOMO	IN
26452102000040100	PAWELEK MICHAEL + LAURA			2305 N LAKE ANGELUS RD		LAKE ANGELUS	MI
26452102000040100	KOURY PETER L			11539 WIGHTMAN LN		CAPTIVA	FL
26452102000040100	KOEBEL LOUISE M TR			PO BOX 52		CAPTIVA	FL
26452102000040100	GROSS RICHARD B			720 GLADSTONE AVE		BALTIMORE	MD
26452102000040100	FARRELL KEVIN			2211 CAMBRIDGE AVE		CARDIFF	CA
26452102000040000	TEMPESTA LELIO M +	CHRISTOFF SOO H/W		P O BOX 115		PERRINEVILLE	NJ
26452102000040000	TAMBURRINO JOSEPH S + ANNE L			147 FRIENDS LN		WESTBURY	NY
26452102000040000	NEDBLAKE G W JR TR			11541 WIGHTMAN LN		CAPTIVA	FL
26452102000040000	MORICONI JAMES J JR + MARY H			11545 WIGHTMAN LN		CAPTIVA	FL
26452102000040000	GRIMES RICHARD + ALLISON			PO BOX 2467		BONITA SPRINGS	FL
26452102000030500	RAUSCHENBERG ROBERT TR			PO BOX 54		CAPTIVA	FL
26452102000030500	BARBEE JOSEPH E + WYNELLE S			11551 LAIKA LN		CAPTIVA	FL
26452102000030400	PORTER GREGORY A + HOLLY L			5 HICKORY LN		BARRINGTON HILLS	IL
26452102000030400	MANDELBAUM ISIDORE			803 SPRING MILL LN		INDIANAPOLIS	IN
26452102000030400	MANDELBAUM I + GERMAINE			PO BOX 344		CAPTIVA	FL
26452102000030400	HARBURN B + HARRIET E			11537 LAIKA LN		CAPTIVA	FL
26452102000030400	FREDERICKS LOIS D			11543 LAIKA LN		CAPTIVA	FL
26452102000030400	DOWNING GEORGE + MOLLY B			1900 E 9TH ST STE 3200		CLEVELAND	OH
26452102000030400	BONNEAU RAYMOND R + LINDA L			2606 BRONCOS HWY		HARRISVILLE	RI
26452102000030300	SZUMIGATA JOHN + DOROTHY			19 ASHFORD DR		ALBANY	NY
26452102000030300	SPRECHER JOHN W + LORI E			S 77 W 20334 WOODBERRY CT		MUSKEGO	WI
26452102000030300	SAWYER CLAIRE F TR			361 DARBYS RUN		BAY VILLAGE	OH
26452102000030300	ODEHNAL IVANA			PO BOX 5		SANIBEL	FL
26452102000030300	MAZZULLA JAMES F + KAREN B			100 DUNROVIN PL		BARRINGTON HILLS	IL
26452102000030300	JOSHA LMTD LIABILITY COMPANY			6951 DEEP LAGOON LANE		FORT MYERS	FL
26452102000030300	FITZ SUZANNE MCDANIEL			111 BUENA VISTA DR		CALHOUN	GA
26452102000030200	MARTIN DENNIS A + ELIZABETH A			54 CUTHBERT BLVD		WESTMONT	NJ
26452102000030200	KATER ENTERPRISES LLC			P O BOX 249		LAKE FOREST	IL
26452102000030200	K + W RAINBOW INC			P O BOX 1611		VINEYARD HAVEN	MA
26452102000030200	HOUSTON JAMES G			PO BOX 567		CAPTIVA	FL
26452102000030200	HAMILTON THOMAS + TERRY			73 CHESTNUT HILL RD		CHESTNUT HILL	MA
26452102000030200	FRACYON MANSOUR +	FRACYON MANSOUREH H/W		1231 SOMERSET DR		MCLEAN	VA
26452102000030200	ATKINS SUSAN			P O BOX 1087		CAPTIVA	FL
26452102000030100	HOWARD ANN M			P O BOX 146		CAPTIVA	FL
26452102000030100	HOWARD ANN M			P O BOX 146		CAPTIVA	FL
26452102000030100	CHERBONNIER ADELAIDE TR			16 KINGSBURY PL		SAINT LOUIS	MO
26452102000030100	CAPTIVA PROPERTIES LLC		C/O DAVID W KIENZLE	28321 W RIVER RD		PERRYSBURG	OH
26452102000030100	BORSCHKE AUGUST J + SUSAN S			1115 EDGEBROOK DR		WINSTON SALEM	NC
26452102000030100	BERGIN RICHARD F TR 1/2 INT +	BERGIN GERTRUDE TR 1/2 INT		P O BOX 892		CAPTIVA	FL
26452102000030100	BARR DOUGLAS A + PAMELA M			12010 CORAL DAWN RD NE		ALBURQUERQUE	NM
26452102000030000	WINSLOW PAUL + CATHERINE			93 STONE FENCE RD		BENARDSVILLE	NJ
26452102000030000	DAVIS D O +AGNES T 1/4INT ETAL			1008 N RANDOLPH ST		ARLINGTON	VA
26452102000030000	DAVIS D O +AGNES T 1/4INT ETAL			1008 N RANDOLPH ST		ARLINGTON	VA
26452102000020300	RAUSCHENBERG ROBERT TR			PO BOX 54		CAPTIVA	FL
26452102000020300	RAUSCHENBERG ROBERT TR			PO BOX 54		CAPTIVA	FL
26452102000020300	RAUSCHENBERG ROBERT M TR			P O BOX 54		CAPTIVA	FL
26452102000020200	TURNER SHEILA H			4369 BAY SHORE DR		STURGEON BAY	WI
26452102000020200	POTTORF DARRYL			P O BOX 64		CAPTIVA	FL
26452102000020200	PICKARD ARTHUR M 1/2 +	PICKARD DONALD M 1/2 TR		PO BOX 471		LAKELAND	FL
26452102000020100	WILLETS LARRY GORDON +	ROSENBLUM JUDITH ANN H/W		5565 POWERS RIDGE CT NW		ATLANTA	GA
26452102000020100	SCHEER AUGUST WILHELM +	KILGER SIGRID		FINKENSTRASSE 10		D-66125 SAARBRUECKEN	
26452102000020100	RAUSCHENBERG ROBERT M TR			P O BOX 54		CAPTIVA	FL
26452102000020100	PYLE NATHALIE CLARK			2011 KENWOOD PKWY		MINNEAPOLIS	MN
26452102000020100	FARRINGTON JUNE M			6596 E QUAKER ST		ORCHARD PARK	NY
26452102000020100	DAVIS DAVID O + AGNES T			1608 N BRYAN ST		ARLINGTON	VA
26452102000020100	CATES DONALD C + SHIRLEY M TR			PO BOX 422		CAPTIVA	FL
26452102000010000	RAUSCHENBERG ROBERT M TR			P O BOX 54		CAPTIVA	FL
26452101000030000	MERISTAR SHIRLEYS PARCEL	COMPANY LLC		1010 WISCONSIN AVE NW		WASHINGTON	DC

26452101000030000	BOYLE JAMES C +	BOYLE FRANCES BAINOR H/W			14790 CAPTIVA DR		CAPTIVA	FL
26452101000030000	BELL WILLIAM A + VICKY E				6047 SAN-CAP RD		SANIBEL	FL
26452100000130000	AQUASOURCE UTILITY INC				16810 BARKER SPRINGS STE B215		HOUSTON	TX
26452100000120000	NORTHERN TRUST BANK OF FLA				MARY L HOLTZ	4001 TAMIAMI TRL N	NAPLES	FL
26452100000110000	MERISTAR SS PLANTATION CO LLC				1010 WISCONSIN AV NW		WASHINGTON	DC
26452100000110000	MERISTAR PLANTATION SHOPPING	CENTER COMPANY LLC			1010 WISCONSIN AVE NW		WASHINGTON	DC
26452100000100000	RAUSCHENBERG ROBERT TR				P O BOX 54		CAPTIVA	FL
26452100000080000	RAUSCHENBERG ROBERT TR				P O BOX 54		CAPTIVA	FL
26452100000070000	YELIN ANETTE				5 BRITTANY LN		LINCOLNSHIRE	IL
26452100000070000	REES CHARLES L + DEBORAH B				P O BOX 355		CAPTIVA	FL
26452100000070000	OBRIEN JOSEPH D JR 50% INT +	PAULEY FLOYD R 33% INT +	HUSTON JAMES G 17% INT T/C		P O BOX 818		CAPTIVA	FL
26452100000070000	MILLER JOHN R JR + SUSAN F				P O BOX 970		CAPTIVA	FL
26452100000060000	SMITH LOWELL F + SUE A L/E				PO BOX 538		CAPTIVA	FL
26452100000060000	GARVEY PAUL E				PO BOX 204		CAPTIVA ISLAND	FL
26452100000060000	FUMEI CINDY HUDSON				14325 RIVER ROAD		CANYON LAKE	TX
26452100000050000	ROYSTER JOHN D TR			C/O F E VOLGER JR	1244 ARBOR RD APT 1112		WINSTON SALEM	NC
26452100000030000	RAUSCHENBERG ROBERT TR				PO BOX 54		CAPTIVA	FL
26452100000030000	RAUSCHENBERG ROBERT TR				P O BOX 54		CAPTIVA	FL
26452100000030000	RAUSCHENBERG ROBERT TR				P O BOX 54		CAPTIVA	FL
26452100000012000	MERISTAR SS PLANTATION CO LLC				1010 WISCONSIN AV NW		WASHINGTON	DC
23452100000010000	PLANTATION DEV LTD 76.25% +	CONNECTICUT MUTUAL LIFE INS	23.75%		#350	12800 UNIVERSITY DR	FT MYERS	FL
22452126000001200	SELVAAG OLE GUNNAR				100 W 5TH ST	STE 1100	TULSA	OK
22452126000001200	LEVINSON RICHARD D + PATRICA B				28 FURNACE WOODS RD		CORTLANDT MANOR	NY
22452126000001200	GARLAND FLORENCE S				3319 CAPRI CT		GREEN BAY	WI
22452126000001200	FLEISHER DAVID M +	KRANTZ MELISSA M H/W			15 FRANKLIN LN		HARRISON	NY
22452126000001200	CROSS RICHARD B + JOAN B H/W				301 W GATEWAY DR		FAIRVIEW	PA
22452126000001200	BUCK STUART D 1/2 INT TR+	BUCK KAREN A 1/2 INT TR	FOR STU/ TRUST		1570 WINBERIE COURT N		NAPERVILLE	IL
22452126000001200	BABBITT WILLIAM A + JUDITH V A				P O BOX 700		CAPTIVA ISLAND	FL
22452126000001200	APPELBAUM SUSAN D TR				469 GROVELAND AVE		HIGHLAND PARK	IL
22452125000009700	PLANTATION BAY VILLAS CONDO			C/O HILTON GRAND VACATIONS CO	6355 METRO WEST BLVD STE 180		ORLANDO	FL
22452124000001900	PLANTATION HOUSE			C/O HILTON GRAND VACATIONS CO	6355 METRO WEST BLVD STE 180		ORLANDO	FL
22452123000001600	WILDS DAVID M + HOLLY A				4415 TYNE BLVD		NASHVILLE	TN
22452123000001600	WEST THOMAS M				P O BOX 57		CAPTIVA	FL
22452123000001600	WALLACE DAVID H + DOLORES				13376 OAK BROOK DR		URBANDALE	IA
22452123000001600	VEERAMACHANENI R K + USHA DEVI				12 WEST GATE TERR		CARMEL	NY
22452123000001600	UNIVERSAL COMPANIES INC				2801 E BELTLINE AVE NE		GRAND RAPIDS	MI
22452123000001600	TRELEX R E CORPORATION				HAGENHOLZSTRASSE 60		8050 ZURICH	
22452123000001600	THACKERAY JONATHAN E + SANDRA				15 BATES FARM LN		DARIEN	CT
22452123000001600	STONE ERIC L + JOANNE KENT				2255 WOODWARD WY		ATLANTA	GA
22452123000001600	STEBEN RAYMOND H JR + ANN W				1044 DEVONSHIRE RD		GROSSE POINTE PARK	MI
22452123000001600	STAFFORD JOHN R + INGE P				11 ARDEN LN		ESSEX FELLS	NJ
22452123000001600	SPANO REALTY CO INC				4405 NW 24TH TERR		BOCA RATON	FL
22452123000001600	SLOVICH GENEVIE M				4878 CHAINCRAFT RD		GARFIELD HEIGHTS	OH
22452123000001600	SHERMAN DONALD A + JOAN A TR				11428 SANDY CREEK CROSSING		FORT WAYNE	IN
22452123000001600	SETTON ROBERT C + MINDY S				24 EMERSON RD		GLEN HEAD	NY
22452123000001600	SCHLOSSMAN JOHN I TR			C/O SCHLOSSMAN FAMILY LTD	232 MARY ST		WINNETKA	IL
22452123000001600	SCHLOSSMAN JOHN + SHIRLEY				SCHLOSSMAN FAMILY LTD PRTRS	232 MARY ST	WINNETKA	IL
22452123000001600	SCHELLE WAYNE N + ELAINE N				10751 FALLS RD STE 308		LUTHERVILLE	MD
22452123000001600	S C JOHNSON + SON INC				1525 HOWE ST		RACINE	WI
22452123000001600	RYLE ALAN G + LYNN E				2802 CHERRY HILLS DR		CHAMPAIGN	IL
22452123000001600	RUSK KATHY J				98 LUCHSINGER RD		PORT CLINTON	OH
22452123000001600	ROHR ROBERT J III				11 DOWNING RD		HANOVER	NH
22452123000001600	RABINOW R A + KATHRYN L E ETAL				3711 SAN FELIPE ST APT 12-1		HOUSTON	TX
22452123000001600	PORTER JAMES T + DEBORAH L				120 RAVINE LAKE RD		BERNARDSVILLE	NJ
22452123000001600	POLLARD JUDITH W TR +	POLLARD CHARLES W III CO-TR			1116 STODDARD AVE		WHEATON	IL
22452123000001600	PELLER JOSEPH A + CONSTANCE S				P O BOX 10550		WINONA	ON
22452123000001600	PAXTON JAMES F + PEGGY S				PO BOX 2300		PADUCAH	KY
22452123000001600	PARKER RONALD E DR + JANE M				PO BOX 788		CAPTIVA	FL
22452123000001600	ORR WAYNE F + DEBORAH P				PO BOX 566908		ATLANTA	GA
22452123000001600	NYGAARD DIANE A TR				12121 GODDARD AVE		OVERLAND PARK	KS
22452123000001600	NESKEY SHARON D TR				236 PERKINS ROW		TOPSFIELD	MA
22452123000001600	NANOVIC ROBERT S				PO BOX 358		CUMBERLAND CENTER	ME
22452123000001600	MULLEN EDWARD K + JOANNE H				136 HOLMES MILL ROAD		CREAM RIDGE	NJ
22452123000001600	MORSANI FAMILY PARTNERSHIP LTD				1725 HENLY RD		LUTZ	FL
22452123000001600	MILLS MATTHEW W + LEIGH ANN				1670 HAMMOND CT		BLOOMFIELD HILLS	MI
22452123000001600	MCCARTHY WILLIAM E + ANN TR				33 GREY LN		LYNNFIELD	MA
22452123000001600	MAY M LEBLANC HOLDINGS LTD			% RIVA DAWSON	MCDONALDS PLACE		TORONTO	ON
22452123000001600	MATTHEWS PETER F				THE REGENCY #1709	1800 OLD MEADOW RD	MC LEAN	VA
22452123000001600	LEE CHARLES V +	CALLAHAN JAMES			68 MELVIN RD		ARLINGTON	MA
22452123000001600	LANGBO ARNOLD G + MARTHA M				5606 BALTUSROL CT		SANIBEL	FL
22452123000001600	LAMOTTA JOSEPH M + GERALDINE C				69 BLACK BROOK RD		POUND RIDGE	NY
22452123000001600	KISER EUGENIA C TR				2985 FALMOUTH RD		SHAKER HEIGHTS	OH
22452123000001600	KANTER ALLEN L + VALENTINA				PO BOX 445		MONTGOMERYVILLE	PA
22452123000001600	HUNTER ROBERT N + ELIZABETH A				P O BOX 502		CAPTIVA	FL
22452123000001600	HOKE CHARLES M				1114 COUNTRY CORK DR		MURRAY	KY
22452123000001600	HILLENBRAND M ROCH +	HILLENBRAND CAROL T/C			219 BEDENS BROOK RD		SKILLMAN	NJ
22452123000001600	HEARD LAWRENCE M + JACQUELINE				3904 HALL OAK CT		VALRICO	FL
22452123000001600	GOLDEN HARVEY E + INGE B				1011 SHERIDAN RD		EVANSTON	IL
22452123000001600	GEORGE DAVID A + VERNA M			C/O GOLDMAN SACHS + CO	85 BROAD ST		NEW YORK	NY
22452123000001600	FULLER ELIZABETH M TR				540 N ELM ST		HINSDALE	IL
22452123000001600	FARMER ELLIOTT E				750 TURNBERRY DR		JEFFERSON CITY	MO
22452123000001600	FADNER KENNETH + PAMELA				145 PIPERS HILL RD		WILTON	CT
22452123000001600	ELLIOTT H JAY + JUDITH L				447 BERWICK CIR		AURORA	OH
22452123000001600	DOWNS WALLACE EARL SR				404 N LOTUS ISLE DR		PORTLAND	OR
22452123000001600	DONOVAN MARY				3222 KNOLLWOOD WAY		MADISON	WI
22452123000001600	DAMON KATHRYN C				P O BOX 133		CAPTIVA	FL
22452123000001600	COWLES HAROLD F + JEAN L				175 N COVE RD		OLD SAYBROOK	CT
22452123000001600	CONLEY JOHN W + CAROL E				22 BENT RD		RUMFORD	RI
22452123000001600	CHARCLEWIN INC				118 LE PARK C	1938 CHAMPEX LAC	VALAIS	
22452123000001600	BUCHANAN STEVEN JAMES				2605 N 160TH AVE		OMAHA	NE
22452123000001600	BRUST ROBERT H + JUDITH A				7 SAINT DAVIDS RD		SAINT DAVIDS	PA

22452123000001600	BROWNELL JOHN E + SHARLEEN				4651 GULF SHORE BLVD N APT 804		NAPLES	FL
22452123000001600	BROWN LAWRENCE K				105 CLEARVIEW LN		NEW CANAAN	CT
22452123000001600	BROOME HENRY G JR				PO BOX 374		NORTHFIELD	NJ
22452123000001600	BROOKS ELIZABETH S				SOUTH SEAS PLANTATION		CAPTIVA	FL
22452123000001600	BRIGGS MALCOLM N + REBECCA N				1717 WILDBERRY RD		BETHLEHEM	PA
22452123000001600	BONAZZOLI ALFRED F				13 PENDULUM PASS		HOPKINTON	MA
22452123000001600	BECKER MICHAEL K +	BECKER HANS PETER			6977 RUVIGLIANA		6977 RUVIGLIANA	
22452123000001600	BAUMGARTEN ARTHUR RAND +	BAUMGARTEN EILEEN L H/W			261 LINDEN ST		WINNETKA	IL
22452122000001500	COTTAGES AT S S PLANTATION			C/O HILTON GRAND VACATIONS CO	6355 METRO WEST BLVD STE 180		ORLANDO	FL
22452112000000000	WATT DAVID H + JULIA G				1750 HICKORY LN		WHEATON	IL
22452112000000000	LANDOR USA INC				P O BOX 685		CAPTIVA	FL
22452112000000000	LANDOR USA INC				P O BOX 685		CAPTIVA	FL
22452112000000000	GLICKSMAN CAROLINE A TR				610 HOLLYHILL DR		BRIELLE	NJ
22452111000000000	PLANTATION BEACH CLUB			C/O HILTON GRAND VACATIONS CO	6355 METRO WEST BLVD STE 180		ORLANDO	FL
22452102000040000	SUMMA SHARON A				155 NORMAN RD		NEW ROCHELLE	NY
22452102000040000	STRUBE CHARLES W + LILLIAN				PO BOX 63		WINDERMERE	FL
22452102000040000	SMITH RICHARD H + ARLENE M				59 WILLIAMSBURG LANE		ATTLEBORO	MA
22452102000040000	SILIGMUELLER DALE S TR	FOR DALE S SILIGMUELLER TRUST			396 N MONTCLAIR AV		GLEN ELLYN	IL
22452102000040000	S & S COLONY ASSOCIATES			C/O GOURLEY CO	80 FELTON ST		WALTHAM	MA
22452102000040000	MCDONALD LEO S + ANN EVE				2562 INDIAN RIDGE DR		GLENVIEW	IL
22452102000040000	HORRELL EUGENE +	HORRELL LINDA			BOX 346		SPEARFISH	SD
22452102000040000	FITZPATRICK JOHN H + JANE P				PROSPECT HILLS		STOCKBRIDGE	MA
22452102000040000	ASSAAD WAFAA F + MAGDA F				790 HARBOUR DR		NAPLES	FL
22452102000040000	ACHILLES VIRGINIA GOODWILL				9 N WILLIAMS AVE		WESTERLY	RI
22452102000030000	SMITH REBECCA R				PO BOX 849		PINEHURST	NC
22452102000030000	NORDEN PETER C + RHONDA P				6 WENTWORTH DR		SOUTHBORO	MA
22452102000030000	MIRANDA JAMES + DONNA				17 LENAPE TRAIL		FREEHOLD	NJ
22452102000030000	HAYES MICHAEL E +	CROTEAU SUELLEN CARROLL H/W	T/C		539 N MADISON RD		GUILFORD	CT
22452102000030000	FINLEY WILLIAM M + SUSAN JANE				2225 PRAIRIE ST		GLENVIEW	IL
22452102000030000	FINLEY WILLIAM M + SUSAN J				2225 PRAIRIE ST		GLENVIEW	IL
22452102000030000	FARMER RITA G				10925 MOCKERNUT DR		HARRISON	OH
22452102000030000	CRIDER MICHAEL K +	FOSTER MARY A H/W			5004 N SOLLARS DR		MARCIA	IN
22452102000030000	CARPENTER ROBERT M + JANE F				PO BOX 776008		STEAMBOAT SPRINGS	CO
22452102000030000	CAREY JACK +	CAREY BRIAN +	CAREY CI CAREY LAUREN T/C		23 SOUTH FIRST ST		BELLEVILLE	IL
22452102000020000	WILLIAMS PATRICIA L				991 LAKE HOLLINGSWORTH DR		LAKELAND	FL
22452102000020000	SILIGMUELLER CINDA TR				396 N MONTCLAIR AVE		GLEN ELLYN	IL
22452102000020000	RYAN MARGARET M				S S P MARINA VILLA 802	BOX 428	CAPTIVA	FL
22452102000020000	OGILVIE R V + MARILYN J				9030 OGILVIE DR		ORLANDO	FL
22452102000020000	MATHIESON KENNETH J + PATRICIA				58 GREENWAYS LN		LAKEWOOD	NJ
22452102000020000	JOHN K LARK COMPANY				28312 HAYES RD		ROSEVILLE	MI
22452102000020000	GAGNON KENNETH L + ROLANDE A				905 MARINA VILLAS		CAPTIVA	FL
22452102000020000	DAVIS GROVE SERVICE INC				PO BOX 177		OCOEE	FL
22452102000020000	DAVIS CARL				312 E HAMLIN ST		EATON RAPIDS	MI
22452102000020000	CONSENTINO ROBERT H + VALARIE				216 WHITMAN DR		BROOKLYN	NY
22452102000010000	WILLIAMSON CY M + ANNIE M				PO BOX 295		HOPKINSVILLE	KY
22452102000010000	TRESSLER ERNEST L + DREAMA D				1129 TROTTING HORSE LN		GREAT FALLS	VA
22452102000010000	TANNER RICHARD A + LORI A				153 MORNINGSIDE DR		VERONA	NJ
22452102000010000	STEVELMAN HAROLD B + BARBARA R				PO BOX 23		CROMPOND	NY
22452102000010000	SMITH STEVEN J + REBECCA R				P O BOX 849		PINEHURST	NC
22452102000010000	PINCELLI NANCY R TR				216 WARREN AVE		PLYMOUTH	MA
22452102000010000	PAYNE FAXON + FRANCIS				3708 HOBBS RD		NASHVILLE	TN
22452102000010000	MERAT ROGER + IRENE				BELLEVRESTRASSE 161		SPIEGEL CH-3095	
22452102000010000	MCDIARMID DONALD JAMES +	MCDIARMID SAMANTHA JANE H/W			10 AVENIDA ARYTON SENNA	QUINTO DO LAGO	ALMANCIL 8135	
22452102000010000	ANGELL EDWARD S + BETTY A				OLD LOUISQUISSET PIKE		LINCOLN	RI
22452101000000200	RONALD PETER + MARY B				PO BOX 877		CAPTIVA	FL
22452101000000200	HALIK MICHAEL + VERA				3364 TWIN LAKES LN		SANIBEL	FL
22452101000000200	BRADLEY C T + HELEN ZOE				PO BOX 324		CAPTIVA	FL
22452101000000200	BERMAN C J + KATHERINE A				31 PEACH TREE CT		CHESHIRE	CT
22452101000000100	NYON CORPORATION			C/O HEINRICH BAUMANN	CHEMIN DU MONT BLANC		CH 1270 TRELEX	
22452101000000100	MAMMEL CARL G JR + JOYCE J				GUARANTEE CENTRE SUITE 375	8805 INDIAN HILLS DR	OMAHA	NE
22452101000000100	KABAREL AG			C/O RUDOLF W HUG	DUFOURSTR 181		8008 ZURICH	
22452101000000100	JACOBS SETH 20% INT ETAL				1325 MILLERSPORT HWY STE 203		WILLIAMSVILLE	NY
22452101000000100	JACOBS SETH 20% INT ETAL				1325 MILLERSPORT HWY STE 203		WILLIAMSVILLE	NY
22452101000000100	IMMOLEAS FINANZIERUNGS ZURICH			C/O HEINRICH BAUMANN	CHEMIN DU MONT BLANC		CH-1261 TRELEX	
22452101000000100	HOOD WARREN A JR				P O BOX 682		HATTIESBURG	MS
22452101000000100	DOSS NELLIE KAY TR				4771 LA VILLA MARINA UNIT J		MARINA DEL REY	CA
22452101000000000	SANFILIPPO JAMES + KATHLEEN M				10436 LITZSINGER ST		ST LOUIS	MO
22452101000000000	PELLER J A				P O BOX 10550		WINONA	ON
22452101000000000	MAZZONE ANTHONY J + PATRICIA A				32 COPPOLA CT		CLIFTON	NJ
22452101000000000	LINN JOHN R + BARBARA ANN				1115 SCHEFFLERA CT		CAPTIVA	FL
22452101000000000	LANDOR USA INC				P O BOX 685		CAPTIVA	FL
22452101000000000	HARRIS RICHARD M JR + MARY S				P O BOX 1237		CAPTIVA	FL
22452101000000000	FLORIDA INVESTORS LIMITED			C/O E BARRY MANSUR	875 N MICHIGAN AVE STE 3620		CHICAGO	IL
22452100000060200	PLANTATION DEV LTD 76.25 % +	CONNECTICUT MUTUAL LIFE INS	23.75%		#350	12800 UNIVERSITY DR	FT MYERS	FL
22452100000060200	MUHLEMANN ERNST R + LISETTE M				71 HALDENSTRASSE		UITIKON 8142	
22452100000060200	MORGAN JAMES S + JANE K +	HAMILTON H S + MARYALLIS			1515 THE FAIRWAY WOODSIDE 282		RYDAL	PA
22452100000060200	CHAPMAN JEFFERSON				2229 DUNCAN RD		KNOXVILLE	TN
22452100000060100	BELLO SHEILA C				727 MALLARD DR		LEXINGTON	KY
22452100000060100	WIENER LEE RUSSELL				4200 TUCKAHOE RD		MEMPHIS	TN
22452100000060100	MCGLYNN PATRICIA J			C/O MCGLYNN BAKERIES	P O BOX 24009		EDINA	MN
22452100000060100	MCGLYNN PATRICIA J				P O BOX 24009		EDINA	MN
22452100000060100	LEE LANEY + ANNE				800 S HANLEY RD APT 2E		SAINT LOUIS	MO
22452100000060100	KOELMEL CARL F TR 50% INT +	KOELMEL ELFRIEDE W TR 50% INT			80 SELLERSVILLE DR		EAST STROUDSBURG	PA
22452100000060100	KOELMEL CARL F TR 50% INT +	KOELMEL ELFRIEDE W TR 50% INT			80 SELLERSVILLE DR		EAST STROUDSBURG	PA
22452100000060100	KOELMEL CARL F TR 50% INT +	KOELMEL ELFRIEDE W TR 50% INT			90 SELLERSVILLE DR		EAST STROUDSBURG	PA
22452100000060100	JAY JOAN S TR				1430 GLENVILLE RD		HAVRE DEGRACE	MD
22452100000060100	CHALFANT MATTHEW C				1012 BLUFF RIDGE DR		NEW ALBANY	IN
22452100000060100	CASE STEPHEN M 80 % INT +	VILLANUEVA JEAN N 20 % INT T/C			1417 MAYHURST BLVD		MCLEAN	VA
22452100000060000	SUAREZ NANCY E				6490 FRIARSGATE DR NW		CANTON	OH
22452100000060000	SOMERS NANCY J				P O BOX 910		CAPTIVA	FL
22452100000060000	PULLAPILLY C K + ELIZABETH A				53310 PEGGY AVE		SOUTH BEND	IN

22452100000060000	PLANTATION DEVELOPMENT LTD				12800 UNIVERSITY DR #350		FT MYERS	FL
22452100000050000	PLANTATION DEV LTD 76.25% +	CONNECTICUT MUTUAL LIFE INS	23.75%		#350	12800 UNIVERSITY DR	FT MYERS	FL
22452100000050000	AQUASOURCE UTILITY INC				16810 BARKER SPRINGS STE B215		HOUSTON	TX
15452100000020000	MERISTAR SS PLANTATION CO LLC				1010 WISCONSIN AV NW		WASHINGTON	DC
11462100000170200	PARKER R GARY + KARMAN D				12030 GAILCREST LN		SAINT LOUIS	MO
11462100000170200	MOBED DARAYES + GOHER D				RD#3 BOX 532	RESERVORIR RD	GOSHEN	NY
11462100000170100	YARBOROUGH GARLAND W + LINDA D				6130 N LAKE DRIVE CT		WHITEFISH BAY	WI
11462100000170100	WILSON RODNEY M TR 50 % INT +	WILSON JENIFER A TR 50 % INT	T/C		20200 LAKEVIEW AVE		EXCELSIOR	MN
11462100000170100	ORMISTON KIM E TR			C/O ROBERT LEE RATLIFF III	2430 PERIWINKLE WAY STE J-3		SANIBEL	FL
11462100000170100	MULLINS MICHAEL C + CANNELLA C				21 WINDROSE WAY		GREENWICH	CT
11462100000170100	MIVILLE RENE + MARGARETHE THYE				PO BOX 9		CAPTIVA	FL
11462100000170100	MCDOWELL NORMAN				PO BOX 104		CAPTIVA	FL
11462100000170100	HOLLEY PARTNERS				213 WEST INSTITUTE PL	SUITE 403	CHICAGO	IL
11462100000170100	HALL ELLA ETAL				P O BOX 762		CAPTIVA	FL
11462100000170100	DUVAL FRANK E + JEANNINE F				4557 CROSSFIELDS RD		TOLEDO	OH
11462100000170100	ATKINS MCDERMOTT				878 PEACHTREE ST APT 527		ATLANTA	GA
11462100000170000	SAVAGE PAUL +	CASALE CARMEL H/W			630 PERIWINKLE WAY		SANIBEL	FL
11462100000170000	PEEL WILLIAM F + BARBARA K				4401 E WEST HWY STE 500		BETHESDA	MD
11462100000170000	MADDEN MARJORIE				P O BOX 305		CAPTIVA	FL
3462111000000050	WEST THOMAS M				1614 LANDS END VILLAGE		CAPTIVA	FL
3462111000000040	FARMER RITA G				10925 MOCKERNUT DR		HARRISON	OH
3462100000280050	DUNBAR WALLACE H JR	CO PER REP FOR ELLEN T DUNBAR	ESTATE		12906 SHELBYVILLE RD		LOUISVILLE	KY
3462100000280040	SLUSSER EUGENE A TR 1/2 INT +	SLUSSER ANNE L TR 1/2 INT			232 PUTNEY HILL RD		HOPKINTON	NH
3462100000280030	DUFFY KATHLEEN E +	SCHRADER WILLIAM L W/H			16898 CAPTIVA DR	BOX 691	CAPTIVA	FL
3462100000280020	SCHRADER WILLIAM L +	DUFFY KATHLEEN E H/W			20082 DAIRY LN		STERLING	VA
3462100000280010	LICHTENSTEIN ROY F + DOROTHY				PO BOX 1369		SOUTHAMPTON	NY
3462100000270000	FREUND JOHN H + SUSAN W				102 TRINITY PASS	P O BOX 179	POUND RIDGE	NY
3462100000260000	JONES WALTER B + JO ANNE P				3090 MAIN ST		BREWSTER	MA
3462100000250000	MADAKET INVESTMENT LIMITED				LIABILITY COMPANY	19100 SOUTH PARK BLVD	SHAKER HEIGHTS	OH
3462100000240010	NOYES FRANK R				9400 CUNNINGHAM		CINCINNATI	OH
3462100000240000	MAFFIA DANIEL + MARY				236 S DWIGHT PL		ENGLEWOOD	NJ
3462100000230010	MCGLYNN BURTON J				P O BOX 276		CAPTIVA	FL
3462100000230000	KRAMER NORBERT A + URSULA C				P O BOX 909		CAPTIVA	FL
3462100000210010	CHERBONNIER ADELAIDE TR				16 KINGSBURY PL		SAINT LOUIS	MO
3462100000200010	SALTZ JOCELYN TR				70 SOUTH LN		MORELAND HILLS	OH
3462100000200000	TISBO THOMAS A TR				17 HERON LN		BARRINGTON	IL
3462100000190040	NEDBLAKE G WESLEY + RENEE J				P O BOX 366		CAPTIVA	FL
3462100000190030	BAHNIK ROGER L + LORE W				50 COVE RD		OYSTER BAY COVE	NY
3462100000190000	PETTUS G T				2 RIDGEWOOD RD		SAINT LOUIS	MO
3462100000180010	HOWARD HOWELL H TR				205 WAGNER RD		NORTHFIELD	IL
3462100000170030	GEORGE DAVID A + VERNA M				502 CENTRE ISLAND RD		OYSTER BAY	NY
3462100000170020	DIPASQUALE MICHAEL				16670 CAPTIVA DR		CAPTIVA	FL
3462100000170010	RILEY WILLIAM + LAURA			C/O OLD LYME CORP	590 MADISON AVE FL 26		NEW YORK	NY
3462100000170000	STAFFORD JOHN R + INGE P				5 GIRALDA FARMS		MADISON	NJ
3462100000160000	LAUTENBACH CAROLE J TR	FOR CAROLE J LAUTENBACH TRUST			1312 SEA SPRAY LN		SANIBEL	FL
3462100000150000	KAISER HENRY A + CAROLYN C				16632 CAPTIVA DR	PO BOX 838	CAPTIVA	FL
3462100000140000	WINSHALL WALTER A				P O BOX 1027		CAPTIVA	FL
3462100000130010	CUTLER STEPHEN + SUE ELLEN				PO BOX 1407		SANIBEL	FL
3462100000130000	KANEB JOHN A				2969 WULFERT RD		SANIBEL	FL
3462100000120000	AX JAMES TR				16590 CAPTIVA DR		CAPTIVA	FL
3462100000110000	BACHMAN STEPHEN M + LAURA H/W				3141 KLONDIKE AVE		LAKE ELMO	MN
3462100000100000	MULLEN JAMES C + JUSTINE M				138 RICHARDSON DR		NEEDHAM	MA
3462100000090000	STANTON WARREN B				16548 CAPTIVA DR		CAPTIVA	FL
3462100000080000	PIGOTT JAMES C + GAYE T				1500 42TH AVENUE EAST		SEATTLE	WA
3462100000070000	PELICAN HOLDINGS INC				20 W HUBBARD ST STE 2W		CHICAGO	IL
3462100000060000	FARWELL STELLA EVANS				16500 CAPTIVA DR		CAPTIVA	FL
3462100000050090	RECKER BROOKE E				#6 SCAIFE RD		SEWICKLEY	PA
3462100000050070	ELDRIDGE BARBARA BUCHANAN TR +	ELDRIDGE HUNTINGTON TR			1201 ELMTREE RD		LAKE FOREST	IL
3462100000050040	CARTER JOHN A + LUCILLE B				BOX 940		CAPTIVA ISLAND	FL
3462100000050030	NEWLAND JOHN A + BETH A H/W				12535 DEVEREAUX RD		ALBION	MI
3462100000050020	WOLFF TIMOTHY E + LESLIE				1804 OCEAN DR		VERO BEACH	FL
3462100000050010	MARTIN JAMES B + INGRID K				16476 CAPTIVA DR		CAPTIVA	FL
3462100000050000	RIEGERT L JOHN +	RIEGERT BETTY JO			PO BOX 1025		CAPTIVA	FL
3462100000040020	BAHN MANAGEMENT CO LLC				5075 JOEWOOD		SANIBEL	FL
3462100000040010	FITZHUGH HAZEL HOLOWAY CO TR	ETAL	ELLIS WII SUTTON WILLIAM D CO TR		667 MADISON AVE		667 MADISON AV	NY
3462100000040000	BAHN MANAGEMENT CO LLC				5075 JOEWOOD		SANIBEL	FL
3462100000030010	CAPTIVA MANAGEMENT INC				18930 W 78TH ST		CHANHASSEN	MN
3462100000030000	COATS WILLIAM + ANN				P O BOX 309		CAPTIVA	FL
2462100000170070	THYE-MIVILLE MARGARETHE +	MIVILLE RENE ANDRE W/H			BOX 9		CAPTIVA	FL
2462100000170060	HEISLER MICHAEL B + DIANA R				36 WEST 720 WILDROSE RD		ST CHARLES	IL
2462100000170040	SCHIBILIA JUNE P 50% INT +	PITHA JAY R 50% INT T/C			30 POINT MOUNTAIN RD		WASHINGTON	NJ
2462100000170030	DUFFY KATHLEEN E +	SCHRADER WILLIAM W/H			20082 DAIRY LN		STERLING	VA
2462100000170020	SCHRADER WILLIAM L +	DUFFY KATHLEEN E H/W			20082 DAIRY LN		STERLING	VA
2462100000160000	WOOD WILLIAM M + HELEN R				P O BOX 357		CAPTIVA	FL
2462100000150000	WOOD WILLIAM M + HELEN R				P O BOX 357		CAPTIVA	FL
2462100000140000	NOYES FRANK R				9400 CUNNINGHAM		CINCINNATI	OH
2462100000130010	KAPLAN EDWARD + MICHELE				PO BOX 1682		SANIBEL	FL
2462100000130000	WATTS DAVID B + LINDA R H/W				P O BOX 427		CAPTIVA	FL
2462100000120020	MCGLYNN BURTON J				PO BOX 268		CAPTIVA	FL
2462100000120010	ASTER KAREL + JANA G				PO BOX 312		CAPTIVA	FL
2462100000120000	ISLAND WATER ASSOC INC				P O BOX 509		SANIBEL	FL
2462100000110000	COOK JOHN W + CAROLE ANNE				PO BOX 727		CAPTIVA	FL
2462100000100000	BOATMAN KATHERYN M TR 50 % +	BOATMAN DENNIS L TR 50% INT			4500 TIMBERHILL RD SE		CEDAR RAPIDS	IA
2462100000090000	BRYFOGLE K G + BARBARA M				PO BOX 250		MUNCY	PA
2462100000080040	BAHNIK ROGER L + LORE W				50 COVE RD		OYSTER BAY COVE	NY
2462100000080030	VANVLECK SARITA TR				16715 CAPTIVA DR BOX 159		CAPTIVA IS	FL
2462100000080020	BRYFOGLE KENNETH G				P O BOX 250		MUNCY	PA
2462100000080010	MC CLELLAN WILLIAM + MARY BETH				16727 CAPTIVA DR		CAPTIVA	FL
2462100000080000	PETTUS G T				2 RIDGEWOOD ST		SAINT LOUIS	MO
2462100000070000	RILEY WILLIAM + LAURA			C/O OLD LYME CORP	590 MADISON AVE FL 26		NEW YORK	NY
2462100000060000	RILEY WILLIAM + LAURA			C/O OLD LYME CORP	590 MADISON AVE FL 26		NEW YORK	NY

2462100000050000	MOODIE R M TR		32700 JACKSON RD	MORELAND HILLS	OH
2462100000040080	SACKS JONATHAN E TR		397 PATOWMACK CT	GREAT FALLS	VA
2462100000040070	ELDRIDGE BARBARA BUCHANAN TR +	ELDRIDGE HUNTINGTON TR	1201 ELMTREE RD	LAKE FOREST	IL
2462100000040060	KING ROGER G + D CHRISTINE		41 HOLLY PL	LARCHMONT	NY
2462100000040040	CARTER JOHN A + LUCILLE B		PO BOX 940	CAPTIVA ISLAND	FL
2462100000040030	NEWLAND JOHN A + BETH A H/W		12535 DEVEREAUX RD	ALBION	MI
2462100000040000	RIEGERT L JOHN +	RIEGERT BETTY JO	PO BOX 1025	CAPTIVA	FL
354521120000	WILDMAN DONALD C		830 ANGEL WING DR	SANIBEL ISLAND	FL

DEMOGRAPHICS

DP-1. **Profile of General Demographic Characteristics: 2000**
Data Set: Census 2000 Summary File 1 (SF 1) 100-Percent Data
Geographic Area: **Captiva CDP, Florida**

NOTE: For information on confidentiality protection, nonsampling error, and definitions, see http://factfinder.census.gov/home/en/datanotes/expsf1u.htm.

Subject	Number	Percent
Total population	**379**	**100.0**
SEX AND AGE		
Male	186	49.1
Female	193	50.9
Under 5 years	7	1.8
5 to 9 years	8	2.1
10 to 14 years	8	2.1
15 to 19 years	9	2.4
20 to 24 years	3	0.8
25 to 34 years	17	4.5
35 to 44 years	37	9.8
45 to 54 years	69	18.2
55 to 59 years	51	13.5
60 to 64 years	47	12.4
65 to 74 years	74	19.5
75 to 84 years	36	9.5
85 years and over	13	3.4
Median age (years)	58.0	(X)
18 years and over	348	91.8
Male	171	45.1
Female	177	46.7
21 years and over	346	91.3
62 years and over	156	41.2
65 years and over	123	32.5
Male	59	15.6
Female	64	16.9
RACE		
One race	377	99.5
White	373	98.4
Black or African American	0	0.0
American Indian and Alaska Native	0	0.0
Asian	3	0.8
Asian Indian	0	0.0
Chinese	0	0.0
Filipino	3	0.8
Japanese	0	0.0
Korean	0	0.0
Vietnamese	0	0.0
Other Asian [1]	0	0.0
Native Hawaiian and Other Pacific Islander	0	0.0
Native Hawaiian	0	0.0
Guamanian or Chamorro	0	0.0
Samoan	0	0.0
Other Pacific Islander [2]	0	0.0
Some other race	1	0.3
Two or more races	2	0.5
Race alone or in combination with one or more other races [3]		
White	375	98.9

Subject	Number	Percent
Black or African American	0	0.0
American Indian and Alaska Native	1	0.3
Asian	3	0.8
Native Hawaiian and Other Pacific Islander	0	0.0
Some other race	2	0.5
HISPANIC OR LATINO AND RACE		
Total population	**379**	**100.0**
Hispanic or Latino (of any race)	3	0.8
Mexican	1	0.3
Puerto Rican	1	0.3
Cuban	0	0.0
Other Hispanic or Latino	1	0.3
Not Hispanic or Latino	376	99.2
White alone	371	97.9
RELATIONSHIP		
Total population	**379**	**100.0**
In households	379	100.0
Householder	194	51.2
Spouse	124	32.7
Child	33	8.7
Own child under 18 years	26	6.9
Other relatives	7	1.8
Under 18 years	1	0.3
Nonrelatives	21	5.5
Unmarried partner	11	2.9
In group quarters	0	0.0
Institutionalized population	0	0.0
Noninstitutionalized population	0	0.0
HOUSEHOLDS BY TYPE		
Total households	**194**	**100.0**
Family households (families)	131	67.5
With own children under 18 years	20	10.3
Married-couple family	124	63.9
With own children under 18 years	14	7.2
Female householder, no husband present	3	1.5
With own children under 18 years	2	1.0
Nonfamily households	63	32.5
Householder living alone	49	25.3
Householder 65 years and over	23	11.9
Households with individuals under 18 years	23	11.9
Households with individuals 65 years and over	80	41.2
Average household size	1.95	(X)
Average family size	2.25	(X)
HOUSING OCCUPANCY		
Total housing units	**1,150**	**100.0**
Occupied housing units	194	16.9
Vacant housing units	956	83.1
For seasonal, recreational, or occasional use	616	53.6
Homeowner vacancy rate (percent)	1.3	(X)
Rental vacancy rate (percent)	76.6	(X)
HOUSING TENURE		
Occupied housing units	**194**	**100.0**
Owner-occupied housing units	155	79.9
Renter-occupied housing units	39	20.1

Subject	Number	Percent
Average household size of owner-occupied unit	1.96	(X)
Average household size of renter-occupied unit	1.92	(X)

(X) Not applicable
[1] Other Asian alone, or two or more Asian categories.
[2] Other Pacific Islander alone, or two or more Native Hawaiian and Other Pacific Islander categories.
[3] In combination with one or more other races listed. The six numbers may add to more than the total population and the six percentages may add to more than 100 percent because individuals may report more than one race.
Source: U.S. Census Bureau, Census 2000 Summary File 1, Matrices P1, P3, P4, P8, P9, P12, P13, P17, P18, P19, P20, P23, P27, P28, P33, PCT5, PCT8, PCT11, PCT15, H1, H3, H4, H5, H11, and H12.

QT-H1. **General Housing Characteristics: 2000**
Data Set: Census 2000 Summary File 1 (SF 1) 100-Percent Data
Geographic Area: **Captiva CDP, Florida**

NOTE: For information on confidentiality protection, nonsampling error, and definitions, see http://factfinder.census.gov/home/en/datanotes/expsf1u.htm.

Subject	Number	Percent
OCCUPANCY STATUS		
Total housing units	**1,150**	**100.0**
Occupied housing units	194	16.9
Vacant housing units	956	83.1
TENURE		
Occupied housing units	**194**	**100.0**
Owner-occupied housing units	155	79.9
Renter-occupied housing units	39	20.1
VACANCY STATUS		
Vacant housing units	**956**	**100.0**
For rent	128	13.4
For sale only	2	0.2
Rented or sold, not occupied	197	20.6
For seasonal, recreational, or occasional use	616	64.4
For migratory workers	1	0.1
Other vacant	12	1.3
RACE OF HOUSEHOLDER		
Occupied housing units	**194**	**100.0**
One race	193	99.5
White	191	98.5
Black or African American	0	0.0
American Indian and Alaska Native	0	0.0
Asian	2	1.0
Native Hawaiian and Other Pacific Islander	0	0.0
Some other race	0	0.0
Two or more races	1	0.5
HISPANIC OR LATINO HOUSEHOLDER AND RACE OF HOUSEHOLDER		
Occupied housing units	**194**	**100.0**
Hispanic or Latino (of any race)	1	0.5
Not Hispanic or Latino	193	99.5
White alone	191	98.5
AGE OF HOUSEHOLDER		
Occupied housing units	**194**	**100.0**
15 to 24 years	0	0.0
25 to 34 years	6	3.1
35 to 44 years	16	8.2
45 to 54 years	37	19.1
55 to 64 years	57	29.4
65 years and over	78	40.2
65 to 74 years	45	23.2
75 to 84 years	24	12.4
85 years and over	9	4.6

(X) Not applicable.
Source: U.S. Census Bureau, Census 2000 Summary File 1, Matrices H3, H4, H5, H6, H7, and H16.

QT-H2. **Tenure, Household Size, and Age of Householder: 2000**
Data Set: Census 2000 Summary File 1 (SF 1) 100-Percent Data
Geographic Area: **Captiva CDP, Florida**

NOTE: For information on confidentiality protection, nonsampling error, and definitions, see http://factfinder.census.gov/home/en/datanotes/expsf1u.htm.

Subject	Number	Percent
TENURE		
Occupied housing units	**194**	**100.0**
Owner-occupied housing units	155	79.9
Renter-occupied housing units	39	20.1
TENURE BY HOUSEHOLD SIZE		
Owner-occupied housing units	**155**	**100.0**
1-person household	36	23.2
2-person household	100	64.5
3-person household	13	8.4
4-person household	4	2.6
5-person household	1	0.6
6-person household	0	0.0
7-or-more-person household	1	0.6
Renter-occupied housing units	**39**	**100.0**
1-person household	13	33.3
2-person household	19	48.7
3-person household	4	10.3
4-person household	3	7.7
5-person household	0	0.0
6-person household	0	0.0
7-or-more-person household	0	0.0
TENURE BY AGE OF HOUSEHOLDER		
Owner-occupied housing units	**155**	**100.0**
15 to 24 years	0	0.0
25 to 34 years	1	0.6
35 to 44 years	9	5.8
45 to 54 years	25	16.1
55 to 64 years	51	32.9
65 years and over	69	44.5
65 to 74 years	41	26.5
75 to 84 years	21	13.5
85 years and over	7	4.5
Renter-occupied housing units	**39**	**100.0**
15 to 24 years	0	0.0
25 to 24 years	5	12.8
35 to 44 years	7	17.9
45 to 54 years	12	30.8
55 to 64 years	6	15.4
65 years and over	9	23.1
65 to 74 years	4	10.3
75 to 84 years	3	7.7
85 years and over	2	5.1

(X) Not applicable.
Source: U.S. Census Bureau, Census 2000 Summary File 1, Matrices H4, H15, and H16.

Table DP-1. Profile of General Demographic Characteristics: 2000

Geographic Area: Lee County, Florida

[For information on confidentiality protection, nonsampling error, and definitions, see text]

Subject	Number	Percent
Total population	**440,888**	**100.0**
SEX AND AGE		
Male	215,504	48.9
Female	225,384	51.1
Under 5 years	22,970	5.2
5 to 9 years	24,224	5.5
10 to 14 years	25,034	5.7
15 to 19 years	22,501	5.1
20 to 24 years	18,816	4.3
25 to 34 years	46,491	10.5
35 to 44 years	59,232	13.4
45 to 54 years	54,833	12.4
55 to 59 years	26,820	6.1
60 to 64 years	27,856	6.3
65 to 74 years	60,563	13.7
75 to 84 years	40,630	9.2
85 years and over	10,918	2.5
Median age (years)	45.2	(X)
18 years and over	354,500	80.4
Male	170,928	38.8
Female	183,572	41.6
21 years and over	342,222	77.6
62 years and over	129,080	29.3
65 years and over	112,111	25.4
Male	52,000	11.8
Female	60,111	13.6
RACE		
One race	434,035	98.4
White	386,598	87.7
Black or African American	29,035	6.6
American Indian and Alaska Native	1,248	0.3
Asian	3,400	0.8
Asian Indian	753	0.2
Chinese	588	0.1
Filipino	824	0.2
Japanese	153	-
Korean	318	0.1
Vietnamese	250	0.1
Other Asian [1]	514	0.1
Native Hawaiian and Other Pacific Islander	209	-
Native Hawaiian	60	-
Guamanian or Chamorro	73	-
Samoan	15	-
Other Pacific Islander [2]	61	-
Some other race	13,545	3.1
Two or more races	6,853	1.6
Race alone or in combination with one or more other races: [3]		
White	391,840	88.9
Black or African American	31,155	7.1
American Indian and Alaska Native	2,700	0.6
Asian	4,519	1.0
Native Hawaiian and Other Pacific Islander	514	0.1
Some other race	17,363	3.9

Subject	Number	Percent
HISPANIC OR LATINO AND RACE		
Total population	**440,888**	**100.0**
Hispanic or Latino (of any race)	42,042	9.5
Mexican	16,055	3.6
Puerto Rican	11,738	2.7
Cuban	2,848	0.6
Other Hispanic or Latino	11,401	2.6
Not Hispanic or Latino	398,846	90.5
White alone	361,439	82.0
RELATIONSHIP		
Total population	**440,888**	**100.0**
In households	435,271	98.7
Householder	188,599	42.8
Spouse	104,693	23.7
Child	96,711	21.9
Own child under 18 years	76,876	17.4
Other relatives	19,791	4.5
Under 18 years	6,984	1.6
Nonrelatives	25,477	5.8
Unmarried partner	10,898	2.5
In group quarters	5,617	1.3
Institutionalized population	4,188	0.9
Noninstitutionalized population	1,429	0.3
HOUSEHOLD BY TYPE		
Total households	**188,599**	**100.0**
Family households (families)	127,611	67.7
With own children under 18 years	42,240	22.4
Married-couple family	104,693	55.5
With own children under 18 years	29,094	15.4
Female householder, no husband present	16,327	8.7
With own children under 18 years	9,662	5.1
Nonfamily households	60,988	32.3
Householder living alone	48,600	25.8
Householder 65 years and over	24,706	13.1
Households with individuals under 18 years	46,816	24.8
Households with individuals 65 years and over	74,765	39.6
Average household size	2.31	(X)
Average family size	2.73	(X)
HOUSING OCCUPANCY		
Total housing units	**245,405**	**100.0**
Occupied housing units	188,599	76.9
Vacant housing units	56,806	23.1
For seasonal, recreational, or occasional use	39,502	16.1
Homeowner vacancy rate (percent)	2.7	(X)
Rental vacancy rate (percent)	15.2	(X)
HOUSING TENURE		
Occupied housing units	**188,599**	**100.0**
Owner-occupied housing units	144,245	76.5
Renter-occupied housing units	44,354	23.5
Average household size of owner-occupied units	2.29	(X)
Average household size of renter-occupied units	2.38	(X)

- Represents zero or rounds to zero. (X) Not applicable.

[1] Other Asian alone, or two or more Asian categories.

[2] Other Pacific Islander alone, or two or more Native Hawaiian and Other Pacific Islander categories.

[3] In combination with one or more of the other races listed. The six numbers may add to more than the total population and the six percentages may add to more than 100 percent because individuals may report more than one race.

Source: U.S. Census Bureau, Census 2000.

Account: W06945
Site: 34030

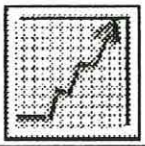
TREND PROFILE REPORT

PREPARED FOR:

Morris-Depew Associates, Inc.

p 27, 2001

Area: 33924



TREND PROFILE The Trend Profile Report identifies the demographic trends in your market area. This report provides a list of key demographic variables from the 1990 Census along with current-year estimates and five-year projections, displayed side by side for comparison.

Description	1990 Census	2000 Estimate	2005 Projection
Total Population	8	8	8
% White	100.0	100.0	100.0
% Black	0.0	0.0	0.0
% Asian	0.0	0.0	0.0
% Other	0.0	0.0	0.0
% Hispanic	0.0	0.0	0.0
Total Households	4	4	4
Household Population	8	8	8
Average Household Size	2.00	2.00	2.00
Household Income			
% $0 - $14,999	0.0	0.0	0.0
% $15,000 - $24,999	100.0	0.0	0.0
% $25,000 - $34,999	0.0	100.0	50.0
% $35,000 - $49,999	0.0	0.0	50.0
% $50,000 - $74,999	0.0	0.0	0.0
% $75,000 - $99,999	0.0	0.0	0.0
% $100,000 - $149,999	0.0	0.0	0.0
% $150,000 +	0.0	0.0	0.0
Median Household Income	$23,750	$28,750	$35,000
Per Capita Income	$6,333	$14,375	$17,500
Median Age Total Population	32.5	45.0	45.0
Median Age Female Population	45.0	62.6	62.6
Median Age Male Population	32.5	32.7	32.7

© Copyright 2000 CACI

TREND PROFILE REPORT

PREPARED FOR:

Morris-Depew Associates, Inc.

Area: 33924

Description	1990 Census	2000 Estimate	2005 Projection
Total Population by Age	8	8	8
% 0 - 4	0.0	0.0	0.0
% 5 - 14	25.0	25.0	25.0
% 15 - 17	0.0	0.0	0.0
% 18 - 24	0.0	0.0	0.0
% 25 - 34	37.5	25.0	25.0
% 35 - 44	0.0	0.0	0.0
% 45 - 54	0.0	0.0	0.0
% 55 - 64	25.0	25.0	25.0
% 65 - 74	0.0	12.5	12.5
% 75 - 84	12.5	12.5	12.5
% 85 +	0.0	0.0	0.0
Female Population by Age	4	5	5
% 0 - 4	0.0	0.0	0.0
% 5 - 14	25.0	20.0	20.0
% 15 - 17	0.0	0.0	0.0
% 18 - 24	0.0	0.0	0.0
% 25 - 34	25.0	20.0	20.0
% 35 - 44	0.0	0.0	0.0
% 45 - 54	0.0	0.0	0.0
% 55 - 64	25.0	20.0	20.0
% 65 - 74	0.0	20.0	20.0
% 75 - 84	25.0	20.0	20.0
% 85 +	0.0	0.0	0.0
Male Population by Age	4	3	3
% 0 - 4	0.0	0.0	0.0
% 5 - 14	25.0	33.3	33.3
% 15 - 17	0.0	0.0	0.0
% 18 - 24	0.0	0.0	0.0
% 25 - 34	50.0	33.3	33.3
% 35 - 44	0.0	0.0	0.0
% 45 - 54	0.0	0.0	0.0
% 55 - 64	25.0	33.3	33.3
% 65 - 74	0.0	0.0	0.0
% 75 - 84	0.0	0.0	0.0
% 85 +	0.0	0.0	0.0

© Copyright 2000 CACI

Demographic and Income Forecast

PREPARED FOR:

Morris-Depew Associates, Inc.

Area: 33924

Snapshot	1990 Census	2000 Update	2005 Forecast
Population	8	8	8
Households	4	4	4
Families	2	2	0
Average Household Size	2.00	2.00	2.00
Owner-occupied HHs	2	0	0
Renter-occupied HHs	2	0	0
Median Household Income	23,750	28,750	35,000
Average Household Income	23,000	28,750	28,750
Per Capita Income	6,333	14,375	17,500
Median Age	32.5	45.0	45.0

Trends	Annual Percent Change for 2000-2005 Area	National
Population		0.88%
Households		1.04%
Families		0.74%
Owner HHs		1.41%
Per Capita Income		4.57%

	1990 Census		2000 Update		2005 Forecast	
Households by Income	Number	Percent	Number	Percent	Number	Percent
< $15,000	0	0.0%	0	0.0%	0	0.0%
$15,000 - $24,999	2	100.0%	0	0.0%	0	0.0%
$25,000 - $34,999	0	0.0%	4	100.0%	2	50.0%
$35,000 - $49,999	0	0.0%	0	0.0%	2	50.0%
$50,000 - $74,999	0	0.0%	0	0.0%	0	0.0%
$75,000 - $99,999	0	0.0%	0	0.0%	0	0.0%
$100,000 - $149,999	0	0.0%	0	0.0%	0	0.0%
$150,000+	0	0.0%	0	0.0%	0	0.0%
Population by Age						
< 5	0	0.0%	0	0.0%	0	0.0%
5 - 14	2	25.0%	2	25.0%	2	25.0%
15 - 19	0	0.0%	0	0.0%	0	0.0%
20 - 24	0	0.0%	0	0.0%	0	0.0%
25 - 34	3	37.5%	2	25.0%	2	25.0%
35 - 44	0	0.0%	0	0.0%	0	0.0%
45 - 64	2	25.0%	2	25.0%	2	25.0%
65 - 74	0	0.0%	1	12.5%	1	12.5%
75 - 84	1	12.5%	1	12.5%	1	12.5%
85+	0	0.0%	0	0.0%	0	0.0%
Race and Ethnicity						
White	8	100.0%	8	100.0%	8	100.0%
Black	0	0.0%	0	0.0%	0	0.0%
Asian/Pacific Islander	0	0.0%	0	0.0%	0	0.0%
Other Races	0	0.0%	0	0.0%	0	0.0%
Hispanic (Any Race)	0	0.0%	0	0.0%	0	0.0%

© Copyright 2000 CACI

TRAFFIC

Captiva Community Plan,
Proposed Lee Plan Amendments:
Traffic Analysis

According to the Lee County Year 2000 Network Peak Hour Peak Season Peak Direction LOS Road Link Volumes in the Transportation Section of the Concurrency Report, Captiva Drive from Blind Pass to South Seas Plantation currently operates at Level of Service (LOS) D. The road segment length is 3.3 miles, and, as noted above, it is a two-lane undivided roadway. The current concurrency standard is LOS E, with a two-way capacity of 1,730 vehicles per hour. According to the County's figures, the roadway is currently listed as a 'constrained facility' meaning that opportunities for improvements are limited. Existing peak hour, peak season, peak direction traffic counts are listed as 408 vehicles per hour.

It is also noted that the Lee County Concurrency Report considers Captiva Drive as a 'constrained facility. According to Lee Plan Objective 22.2, *"Due to scenic, historic, environmental, aesthetic, and right-of-way characteristics and considerations, Lee County has determined that certain roadway segments will be deemed "constrained" and therefore will not be widened. Reduced peak hour levels of service will be accepted on those constrained roads as a trade-off for the preservation of the scenic, historic, environmental, and aesthetic character of the community."* Additionally, Policy 22.2.2 states, "*A maximum volume-to-capacity (v/c) ratio of 1.85 is established for the constrained roads identified in Table 2(a). No permits will be issued by Lee County that cause the maximum volume-to-capacity ratio to be exceeded or that affect the maximum volume-to-capacity ratio*

once exceeded. Permits will only be issued when capacity enhancements and operational improvements are identified and committed for implementation that will maintain the volume-to-capacity ratio on the constrained segment at or below 1.85." The current volume-to-capacity ratio for Captiva Drive, according to the Concurrency Report, is 0.37. This means that the v/c ratio can increase by a factor of 5 before Policy 22.2.2 becomes applicable. Further, although Policy 22.2.3 states that an Operational Improvement Program is established for each constrained facility, no such program is listed in the Lee Plan for Captiva Drive.

Historically traffic counts along Captiva Drive have been stable. The following table shows the annual variation in traffic counts from 1991 through 2000.

Captiva Drive Traffic Counts: 1991-2000

Count Station	**Year**	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
North of Blind Pass		6600	6300	6000	6500	6200	6500	6400	6300	6400	6300

Looking at the data from the County's permanent count station located north of Blind Pass (#26), it appears that the 4:00 P. M. southbound direction is consistently the peak hour and peak direction for traffic on Captiva Drive. Likewise, historically, the months of January, February, March, and April are the peak months for traffic on Captiva. Interestingly enough, the data show that Friday and Saturday are the peak days for traffic along Captiva Drive, suggesting that the traffic is only partially related to standard working hours and also connected to resort related activities found on the Island.

Overall, the stability reflected in the traffic counts is also reflected in the development activity on the Island. Over the last five years, development activity has primarily been limited to replacement/redevelopment of existing homes, although there have been a few instances of development occurring on parcels that had heretofore been vacant. The parcel adjacent to 'Tween Waters is the most conspicuous example of this new activity, but there are a few others as well.

The proposed policy limitation suggests capping permits for new development once traffic exceeds a total of 550 peak hour, peak season, peak direction trips. This represents a 35% increase in peak hour, peak season, peak direction traffic and reflects a reality evident in concurrency statistics that is not reflected in the average daily trip counts. In 1994 and 1995, peak hour, peak season, peak direction traffic counts were 570 vehicles and 544 vehicles respectively. This represents a decline of 26 peak hour vehicles between 1994 and 1995 peak seasons. Annual average daily trip counts reflect a decline of 300 vehicles between 1994 and 1995, from 6,300 vehicles to 6,200 vehicles. By 1997 a peak hour, peak season, peak direction volume of 374 trips had been recorded, with that number rising only a single trip to 375 by 1978. Annual average daily trips in 1997 were 6,300 while in 1998 that number was 6,200. A review of the numbers generated at the count station demonstrates that the location of the peak season, peak hour did not change during those years, although a significant drop in traffic was apparently recorded.

In 2000, the Concurrency Report lists peak hour, peak season, peak direction volumes as 408 vehicles. This represents an 8.8% increase over the 1998

counts or an annual increase of 16.5 peak hour, peak season, peak direction vehicles. If we consider that the counts for 2000 are 408 and compute a 5% growth rate from 2000 until 2006 (five years from the current date), the traffic will grow to 547 peak hour, peak season, peak direction trips. Rounding that figure to the nearest ten yields a total of 550 peak hour, peak season, peak direction trips as the maximum that would be expected with a growth rate that roughly equals that which occurred between 1998 and 2000. This provides a normal rate of growth for resort related traffic while restricting additional trips for development greater than single-family densities and intensities or replacement development.

ROAD LINK VOLUMES
Peak Direction of Flow

ROADWAY LINK NAME	FROM	TO	ROAD TYPE	PERFORMANCE STANDARD		EXISTING 9/7/00		FORECAST 9/7/00		NOTES*	LINK NO.
				LOS	CAPACITY	LOS	VOLUME	LOS	VOLUME		
BUCKINGHAM RD	IMMOKALEE RD. (S.R. 82)	ORANGE RIVER BLVD.	2LU	E	1,170	C	256	C	256		36
BUCKINGHAM RD	ORANGE RIVER BLVD.	PALM BEACH BLVD. (S.R. 80)	2LU	E	1,170	C	335	C	256		37
BURNT STORE RD (C.R. 765)	PINE ISLAND RD. (S.R. 78)	DIPLOMAT PKWY.	2LU	E	1,260	B	315	D	638		38
BURNT STORE RD (C.R. 765)	DIPLOMAT PKWY.	CHARLOTTE COUNTY LINE	2LU	E	1,260	B	326	D	699		39
BUSINESS 41 (S.R. 739)	FT. MYERS CITY LIMITS	PONDELLA RD (C.R. 78A)	6LD	E	3,630	C	2,049	C	2,050		40
BUSINESS 41 (S.R. 739)	PONDELLA RD (C.R. 78A)	PINE ISLAND RD (S.R. 78)	6LD	E	3,630	C	1,893	C	1,893		41
BUSINESS 41 (S.R. 739)	PINE ISLAND RD (S.R. 78)	LAUREL DR	2LU	E	1,280	D	1,265	D	1,265	Part 4L Funded in 01/02	42
BUSINESS 41 (S.R. 739)	LAUREL DR	U.S. 41	2LU	E	1,280	B	701	B	701		43
CAPE CORAL BRIDGE ROAD	DEL PRADO BLVD.	MCGREGOR BLVD. (C.R. 867)	4L	E	3,400	C	1,739	C	1,739		44
CAPTIVA DR	BLIND PASS BR	SOUTH SEAS PLANTATION	2LU	E	1,040	D	408	D	408	Constrained v/c = 0.37	45
CEMETERY RD.	BUCKINGHAM RD	HIGGINS AVE.	2LU	E	1,040	B	136	B	136		46
COCONUT RD.	SPRING CREEK RD.	U.S. 41	2LU	E	1,040	C	162	C	163		48
COLLEGE PARKWAY	MCGREGOR BLVD. (C.R. 867)	WINKLER RD.	6LD	E	3,150	C	1,948	C	2,149		49
COLLEGE PARKWAY	WINKLER RD.	WHISKEY CREEK DR	6LD	E	3,150	C	2,026	C	2,053		50
COLLEGE PARKWAY	WHISKEY CREEK DR	SUMMERLIN RD. (C.R. 869)	6LD	E	3,150	C	2,072	C	2,114		51
COLLEGE PARKWAY	SUMMERLIN RD. (C.R. 869)	U.S. 41	6LD	E	3,150	C	1,408	C	1,408		52
COLONIAL BLVD. (S.R. 884)	METRO PARKWAY	WINKLER AVE.	6LD	E	3,030	C	1,821	C	1,837		53
COLONIAL BLVD. (S.R. 884)	WINKLER AVE.	SIX MILE CYPRESS PKWY.	6LD	E	3,030	C	2,776	C	2,776		54
COLONIAL BLVD. (S.R. 884)	SIX MILE CYPRESS PKWY	I-75	6LD	E	3,030	D	2,811	D	2,811		55
COLONIAL BLVD.	I-75	IMMOKALEE RD. (S.R. 82)	4LD	E	2,990	B	1,196	B	1,196		56
CONSTITUTION BLVD.	U.S. 41	CONSTITUTION CIR.	2LU	E	1,040	D	453	D	453		57
CORKSCREW RD. (C.R. 850)	U.S. 41	THREE OAKS PKWY.	4LD	E	2,030	B	961	C	1,476	4 Lane Under way in 99/00	58
CORKSCREW RD. (C.R. 850)	THREE OAKS PKWY.	I-75	4LD	E	2,030	E	909	E	1,100		59
CORKSCREW RD. (C.R. 850)	I-75	BEN HILL GRIFFIN BLVD (S.R. 80)	4LD	E	2,760	A	474	C	1,438		60
CORKSCREW RD. (C.R. 850)	BEN HILL GRIFFIN BLVD.	COLLIER COUNTY LINE	2LN	E	1,210	B	104	B	123		61
COUNTRY LAKES BLVD.	LUCKETT RD	TICE STREET	2LU	E	1,040	B	115	B	115		62
CRYSTAL DRIVE	U.S. 41	METRO PKWY	2LU	E	810	C	588	E	745		63
CYPRESS LAKE DRIVE	MCGREGOR BLVD (C.R. 867)	SOUTH POINTE BLVD	4LD	E	1,990	D	703	D	709		64
CYPRESS LAKE DRIVE	SOUTH POINTE BLVD	WINKLER RD.	4LD	E	1,990	D	1,022	D	1,032		65
CYPRESS LAKE DRIVE	WINKLER RD.	SUMMERLIN RD. (C.R. 869)	4LD	E	1,990	D	1,271	D	1,325		66
CYPRESS LAKE DRIVE	SUMMERLIN RD. (C.R. 869)	U.S. 41	4LD	E	1,990	D	1,626	F	2,338	6 Lane Funded in 00/01	67
DANIELS PARKWAY	U.S. 41	METRO PARKWAY	6LD	E	2,710	D	1,841	D	1,967		68
DANIELS PARKWAY	METRO PARKWAY	SIX MILE CYPRESS PKWY	6LD	E	2,710	D	1,945	F	2,950	Constrained v/c = 0.83	69
DANIELS PARKWAY	SIX MILE CYPRESS PKWY	PALAMINO LN.	6LD	E	3,120	C	2,446	D	3,003	Constrained v/c = 0.86	70

Link No.	Road Segment	From:	To:	Length (Mile)	1997 VOLUME (EV1)		1998VOLUME (EV2)		SERVICE VOLUME AT LOS STANDARD							
									BEGINNING(1/1/98) NETWORK		INC W/COMMITTED IMPROVEMENTS		CHANGE W/INTERIM IMPROVEMENTS		ENDING(12/31/97) NETWORK	
					V1	VM1	V2	VM2	SV1	SVM1	SV2	SVM2	SV3	SVM3	SV1	SVM1
DISTRICT 6																
199.0	Pine Island Rd	C.R. 767	Little Pine Is.	2.8	562	1,574	589	1,649	1,780	4,984	0	0	0	0	1,780	4,984
198.0	Pine Island Rd	Little Pine Is	Shoreview Dr	1.3	562	731	589	765	1,500	1,950	0	0	0	0	1,500	1,950
229.1	Stringfellow Rd	York St	Gulfgate Rd	4.7	289	1,359	301	1,414	1,200	5,640	0	0	0	0	1,200	5,640
229.2	Stringfellow Rd	Gulfgate Rd	Pine Island Rd	3.1	632	1,959	650	2,013	1,200	3,720	0	0	0	0	1,200	3,720
230.1	Stringfellow Rd	Pine Island Rd	Baypoint Rd	2.6	578	1,503	595	1,547	1,260	3,276	0	0	0	0	1,260	3,276
230.2	Stringfellow Rd	Baypoint Rd	Main St	4.4	242	1,065	239	1,053	1,260	5,544	0	0	0	0	1,260	5,544
DISTRICT 7																
43.0	Captiva Rd	Blind Pass	South Seas Pl.	3.3	374	1,236	375	1,239	1,040	3,432	0	0	0	0	1,040	3,432
215.0	Sanibel Causeway	Periwinkle Way	Sanibel Shoreline	0.5	899	476	934	495	1,330	705	0	0	0	0	1,330	705
217.0	Sanibel-Captiv Rd	Blind Pass	Tarpon Bay Rd	7.4	608	4,503	620	4,586	1,040	7,696	0	0	0	0	1,040	7,696
DISTRICT 8																
26.0	Bonita Beach Rd	Hickory Blvd	Vanderbilt Blvd	1.5	751	1,124	657	982	1,860	2,783	0	0	0	0	1,860	2,783
27.0	Bonita Beach Rd	Vanderbilt Blvd	U.S. 41	0.7	1,227	860	1,094	767	1,860	1,303	0	0	0	0	1,860	1,303
28.1	Bonita Beach Rd	U.S. 41	Trans. Line Ease.	0.7	1,381	967	1,054	738	1,730	1,211	0	0	0	0	1,730	1,211
28.2	Bonita Beach Rd	Trans. Line Ease.	Old 41	1.0	1,381	1,381	1,054	1,054	1,730	1,730	0	0	0	0	1,730	1,730
29.0	Bonita Beach Rd	Old 41	I-75	1.8	1,177	2,119	1,285	2,313	2,130	3,834	0	0	0	0	2,130	3,834
30.0	Bonita Beach Rd	I-75	Bonita Grande Rd	0.7	490	343	580	406	2,350	1,645	0	0	0	0	2,350	1,645
111.1	Hickory Blvd	Fish Trap Bay	McLaughlin	0.1	751	75	657	66	1,020	102	0	0	0	0	1,020	102
111.2	Hickory Blvd	McLaughlin	Big Hickory Pass	2.1	519	1,091	524	1,101	1,020	2,142	0	0	0	0	1,020	2,142
111.3	Hickory Blvd	Big Hickory Pass	Big Carlos Pass	3.5	376	1,315	392	1,372	1,020	3,570	0	0	0	0	1,020	3,570
291.0	Old 41	County Line	Bonita Beach Rd	1.2	484	577	593	707	1,010	1,205	0	0	0	0	1,010	1,205
292.0	Old 41	Bonita Beach Rd	Terry St	1.0	1,002	1,002	1,010	1,010	1,020	1,020	0	0	0	0	1,020	1,020
293.0	Old 41	Terry St	Rosemary Rd	0.3	950	285	936	281	840	252	0	0	0	0	840	252
294.0	Old 41	Rosemary Rd	U.S. 41	2.7	373	1,007	462	1,246	1,260	3,402	0	0	0	0	1,260	3,402
242.0	Terry St	U.S. 41	Old 41	1.8	489	880	457	823	910	1,638	0	0	0	0	910	1,638
243.0	Terry St	Old 41	I-75	1.6	356	569	418	669	1,040	1,664	0	0	0	0	1,040	1,664
256.0	U.S. 41	County Line	Bonita Beach Rd	1.0	1,441	1,446	1,361	1,367	2,390	2,399	0	0	0	0	2,390	2,399
257.0	U.S. 41	Bonita Beach Rd	Terry St	1.2	1,719	1,977	1,714	1,971	2,500	2,875	0	0	0	0	2,500	2,875
258.0	U.S. 41	Terry St	Old 41	2.3	1,492	3,433	1,451	3,337	2,660	6,118	0	0	0	0	2,660	6,118
259.0	U.S. 41	Old 41	Corkscrew Rd	3.5	1,580	5,530	1,496	5,235	2,880	10,080	0	0	0	0	2,880	10,080
295.0	I-75	County Line	Bonita Beach Rd	1.0	1,750	1,750	2,959	2,959	3,240	3,240	0	0	0	0	3,240	3,240
296.0	I-75	Bonita Beach Rd	Corkscrew Rd	7.4	2,115	15,652	2,879	21,308	3,240	23,976	0	0	0	0	3,240	23,976
DISTRICT 9																
102.0	Gulf Blvd	County Line	Port Boca Grande	4.8	255	1,224	260	1,248	1,780	8,544	0	0	0	0	1,780	8,544

ıppendix "A", District Traffic Growth/Service Volume Growth Calculations provides ıformation on the Traffic District Calculations. Roads are listed alphabetically within each istrict and the individual segments are listed in order from south to north or west to east. nformation for each segment includes the following:

ength: Length of the road segment in miles rounded to the nearest tenth of a mile.

V1: The 1997 Peak Hour, Peak Season volume of traffic.

VM1: The 1997 Peak Hour, Peak Season vehicle miles traveled on that segment (V1 x Length).

V2: The 1998 Peak Hour, Peak Season volume of traffic.

VM2: The 1998 Peak Hour, Peak Season vehicle miles traveled on that segment (V2 x Length).

SV1: The maximum service volume as of January 1998, at the level of service standard for the roadway as set forth by the Lee County Division of Transportation's calculations or the General service Volumes set forth in the 1990 Amendments to the Lee Plan, Volume 1 of 3, Traffic Circulation Element. The service volume is a function of the number of lanes, type of median, and signal timing.

SVM1: The maximum vehicle miles available on the segment (SV1 x Length).

SV2: The increase in the maximum service volume, as a result of construction contracts begun during 1998, which will increase the number of lanes on the segment.

SVM2: The increase of vehicle miles available on the segment due to increased lanes (service volume increases x segment length).

SV3: Changes in the maximum service volume as a result of construction contracts begun in 1998 which signalize intersections and/or provide separate lanes for left or right turn (interim improvements). Numbers in parentheses indicate decreases in service volume caused by signalizing a new intersection resulting in a change in the signal spacing group.

SVM3: The change in vehicle miles available on the segment due to changes in signal spacing group or interim improvements.

Appendix "A", District Traffic Growth/Service Volume Growth Calculations provides information on the Traffic District Calculations. Roads are listed alphabetically within each district and the individual segments are listed in order from south to north or west to east. Information for each segment includes the following:

Length: Length of the road segment in miles rounded to the nearest tenth of a mile.

V1: The 1994 Peak Hour, Peak Season volume of traffic.

VM1: The 1994 Peak Hour, Peak Season vehicle miles traveled on that segment (V1 x Length).

V2: The 1995 Peak Hour, Peak Season volume of traffic.

VM2: The 1995 Peak Hour, Peak Season vehicle miles traveled on that segment (V2 x Length).

SV1: The maximum service volume as of January 1995, at the level of service standard for the roadway as set forth in the 1990 Amendments to the Lee Plan, Volume 1 of 3, Traffic Circulation Element. The service volume is a function of the number of lanes, type of median, and the signal spacing group. The signal spacing group is determined by the number of traffic signals in the segment and its length.

SVM1: The maximum vehicle miles available on the segment (SV1 x Length).

SV2: The increase in the maximum service volume, as a result of construction contracts begun during 1995, which will increase the number of lanes on the segment.

SVM2: The increase of vehicle miles available on the segment due to increased lanes (service volume increases x segment length).

SV3: Changes in the maximum service volume as a result of construction contracts begun in 1995 which signalize intersections and/or provide separate lanes for left or right turns (interim improvements). Numbers in parentheses indicate decreases in service volume caused by signalizing a new intersection resulting in a change in the signal spacing group.

SVM3: The change in vehicle miles available on the segment due to changes in signal spacing group or interim improvements.

Link No.	Road Segment	From:	To:	Length (Mile)	1994 VOLUME (EV1)		1995 VOLUME (EV2)		SERVICE VOLUME AT LOS STANDARD BEGINNING(1/1/95) NETWORK		INC W/COMMITTED IMPROVEMENTS		CHANGE W/INTERIM IMPROVEMENTS		ENDING(12/31/95) NETWORK	
					V1	VM1	V2	VM2	SV1	SVM1	SV2	SVM2	SV3	SVM3	SV1	SVM1
DISTRICT 6																
199.0	Pine Island Rd	C.R. 767	Little Pine Is.	2.8	749	2,096	765	2,143	1,780	4,984		0		0	1,780	4,984
198.0	Pine Island Rd	Little Pine Is.	Shoreview Dr	1.3	749	973	765	995	1,500	1,950		0		0	1,500	1,950
229.1	Stringfellow Rd	York St	Gulfgate Rd	4.7	316	1,486	341	1,603	1,780	8,366		0		0	1,780	8,366
229.2	Stringfellow Rd	Gulfgate Rd	Pine Island Rd	3.1	657	2,038	689	2,136	1,780	5,518		0		0	1,780	5,518
230.1	Stringfellow Rd	Pine Island Rd	Baypoint Rd	2.6	666	1,730	666	1,730	1,780	4,628		0		0	1,780	4,628
230.2	Stringfellow Rd	Baypoint Rd	Main St	4.4	266	1,171	283	1,244	1,780	7,832		0		0	1,780	7,832
DISTRICT 7																
43.0	Captiva Rd	Blind Pass	South Seas Pl.	3.3	570	1,881	544	1,794	1,500	4,950		0		0	1,500	4,950
215.0	Sanibel Causeway	Periwinkle Way	Sanibel Shoreline	0.5	1,690	896	1,690	896	1,780	943		0		0	1,780	943
217.0	Sanibel-Captiv Rd	Blind Pass	Tarpon Bay Rd	7.4	956	7,072	1,064	7,873	1,500	11,100		0		0	1,500	11,100
DISTRICT 8																
26.0	Bonita Beach Rd	Hickory Blvd	Vanderbilt Blvd	1.5	1,335	1,997	1,423	2,129	1,590	2,379		0		0	1,590	2,379
27.0	Bonita Beach Rd	Vanderbilt Blvd	U.S. 41	0.7	2,198	1,540	2,149	1,506	3,040	2,130		0		0	3,040	2,130
28.1	Bonita Beach Rd	U.S. 41	Trans. Line Ease.	0.7	2,218	1,552	2,159	1,511	3,750	2,625		0	(360)	(252)	3,390	2,373
28.2	Bonita Beach Rd	Trans. Line Ease.	Old 41	1.0	1,698	1,698	1,766	1,766	3,480	3,480		0		0	3,480	3,480
29.0	Bonita Beach Rd	Old 41	I-75	1.8	1,642	2,956	1,625	2,925	3,750	6,750		0		0	3,750	6,750
30.0	Bonita Beach Rd	I-75	Bonita Grande Rd	0.7	614	430	726	508	1,990	1,393		0		0	1,990	1,393
111.1	Hickory Blvd	Fish Trap Bay	McLaughlin	0.1	1,335	133	1,423	142	1,780	178		0		0	1,780	178
111.2	Hickory Blvd	McLaughlin	Big Hickory Pass	2.1	864	1,813	942	1,978	1,780	3,738		0		0	1,780	3,738
111.3	Hickory Blvd	Big Hickory Pass	Big Carlos Pass	3.5	638	2,233	677	2,370	1,780	6,230		0		0	1,780	6,230
291.0	Old 41	County Line	Bonita Beach Rd	1.2	665	794	709	846	1,640	1,957		0		0	1,640	1,957
292.0	Old 41	Bonita Beach Rd	Terry St	1.0	1,046	1,046	1,331	1,331	1,600	1,600		0		0	1,600	1,600
293.0	Old 41	Terry St	Rosemary Rd	0.3	1,305	392	1,461	438	1,580	474		0		0	1,580	474
294.0	Old 41	Rosemary Rd	U.S. 41	2.7	553	1,493	553	1,493	1,780	4,806		0		0	1,780	4,806
242.0	Terry St	U.S. 41	Old 41	1.8	786	1,415	695	1,250	1,780	3,204		0		0	1,780	3,204
243.0	Terry St	Old 41	I-75	1.6	519	830	553	885	1,240	1,984		0		0	1,240	1,984
256.0	U.S. 41	County Line	Bonita Beach Rd	1.0	2,029	2,037	2,276	2,285	3,480	3,493		0		0	3,480	3,493
257.0	U.S. 41	Bonita Beach Rd	Terry St	1.2	2,952	3,395	2,824	3,248	3,480	4,002		0		0	3,480	4,002
258.0	U.S. 41	Terry St	Old 41	2.3	2,210	5,084	2,176	5,004	3,750	8,625		0		0	3,750	8,625
259.0	U.S. 41	Old 41	Corkscrew Rd	3.5	2,271	7,948	2,496	8,737	4,200	14,700		0		0	4,200	14,700
295.0	I-75	County Line	Bonita Beach Rd	1.0	3,656	3,656	3,407	3,407	6,250	6,250		0		0	6,250	6,250
296.0	I-75	Bonita Beach Rd	Corkscrew Rd	7.4	3,473	25,704	3,199	23,675	6,250	46,250		0		0	6,250	46,250
DISTRICT 9																
102.0	Gulf Blvd	County Line	Port Boca Grande	4.8	220	1,055	226	1,086	1,780	8,544		0		0	1,780	8,544

PERMANENT COUNT STATION 26
CAPTIVA RD NORTH OF BLIND PASS
2000 AADT = 6300

1. Monthly ADT as a % of Annual ADT

October	88
November	94
December	93
January	101
February	121
March	121
April	113
May	103
June	103
July	101
August	85
September	77

2. Day of Week ADT as % of Annual ADT

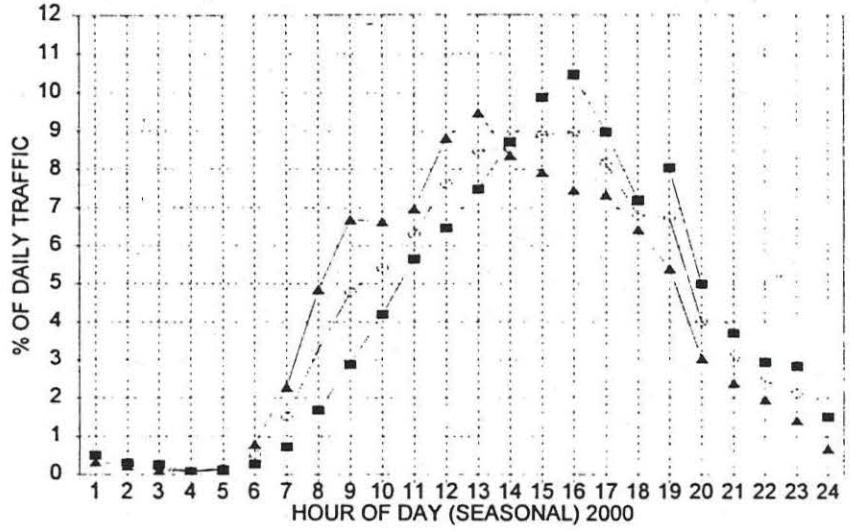
Monday	101
Tuesday	99
Wednesday	103
Thursday	101
Friday	105
Saturday	103
Sunday	88

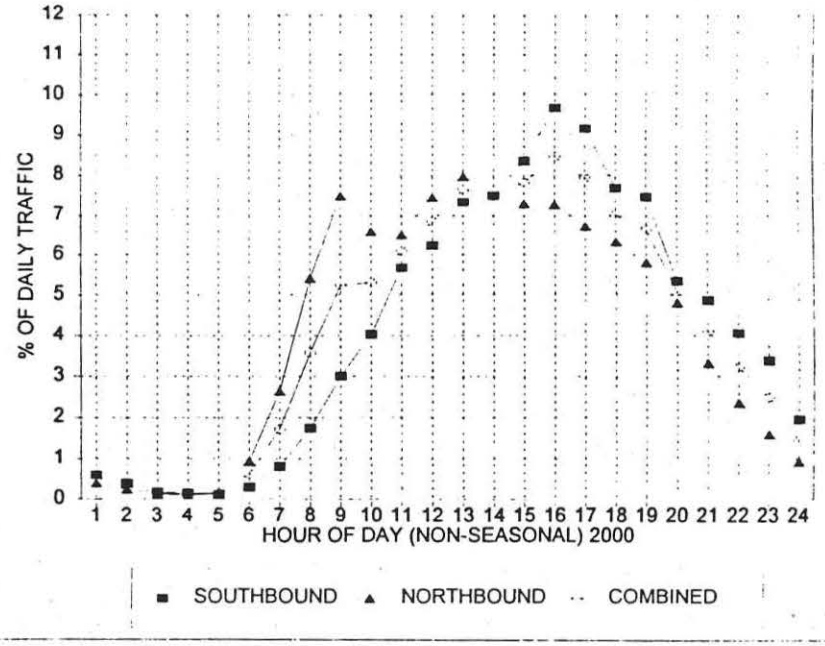
3. Peak Flow Characteristics	Non-Season	Season
a) Peak Flow between 7 am and 9 am		
(1) as a % of weekday traffic	4	4
(2) directional Split	28 % SB	29 % SB
	72 % NB	71 % NB
b) Peak Flow between 4 pm and 6 pm		
(1) as a % of weekday traffic	7	7
(2) directional Split	57 % SB	54 % SB
	43 % NB	46 % NB

NOTE: THE USUAL PEAK PERIODS, 7-9 & 4-6, MAY NOT BE THE ACTUAL PEAKS AT THIS STATION, CHECK THE GRAPHS

STA # 26 CAPTIVA ROAD

NORTH OF BLIND PASS





PERMANENT COUNT STATION 26
CAPTIVA RD NORTH OF BLIND PASS
1999 AADT = 6400

1. Monthly ADT as a % of Annual ADT

October	88
November	95
December	90
January	99
February	121
March	127
April	121
May	98
June	93
July	101
August	91
September	76

2. Day of Week ADT as % of Annual ADT

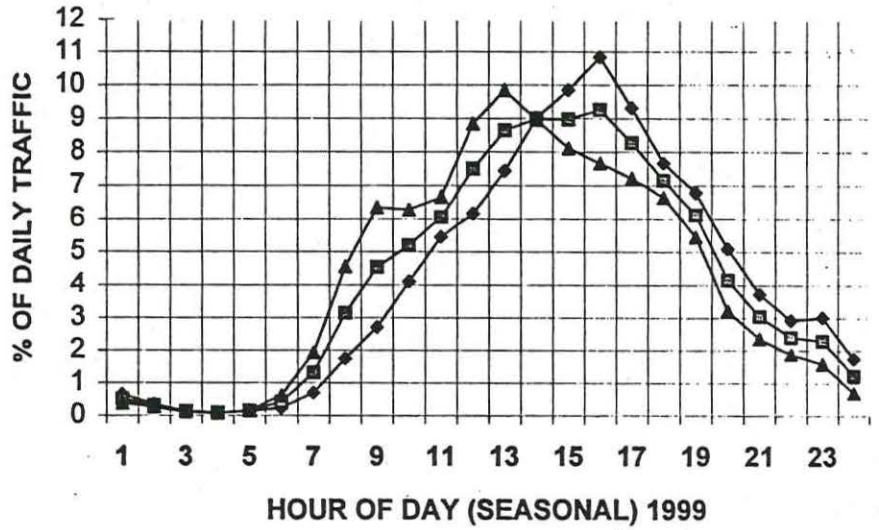
Monday	100
Tuesday	99
Wednesday	99
Thursday	101
Friday	106
Saturday	104
Sunday	91

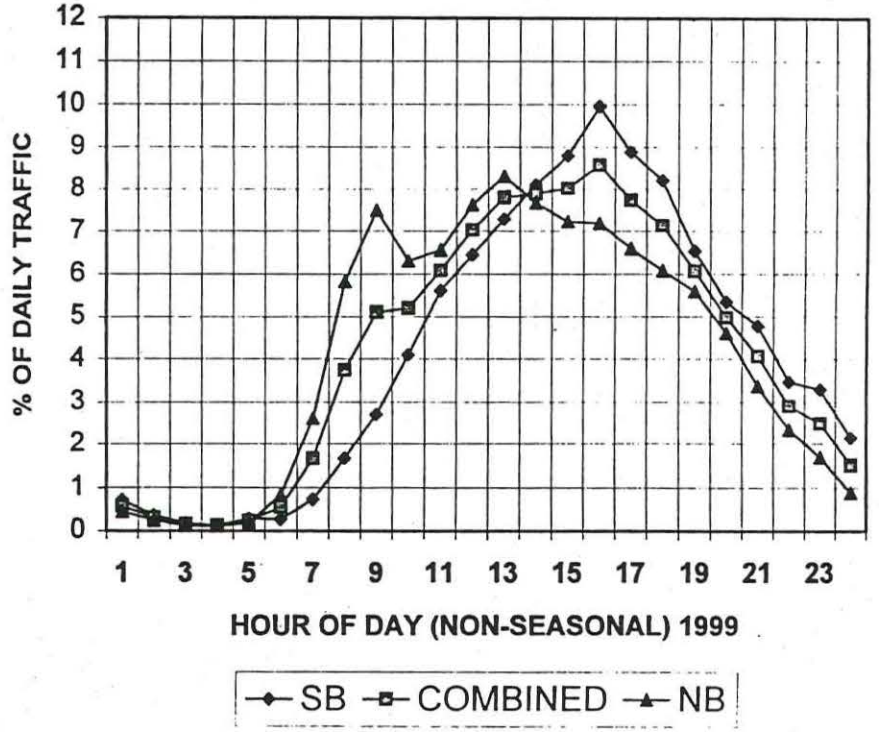
3. Peak Flow Characteristics

	Non-Season	Season
a) Peak Flow between 7 am and 9 am		
(1) as a % of weekday traffic	4	4
(2) directional Split	25 % SB	29 % SB
	75 % NB	71 % NB
b) Peak Flow between 4 pm and 6 pm		
(1) as a % of weekday traffic	7	8
(2) directional Split	57 % SB	55 % SB
	43 % NB	45 % NB

NOTE: THE USUAL PEAK PERIODS, 7-9 & 4-6, MAY NOT BE THE ACTUAL PEAKS AT THIS STATION, CHECK THE GRAPHS

STA #26 CAPTIVA ROAD
NORTH OF BLIND PASS





PERMANENT COUNT STATION 26
CAPTIVA RD NORTH OF BLIND PASS
1998 AADT = 6300

1. Monthly ADT as a % of Annual ADT

October	87
November	96
December	92
January	104
February	121
March	125
April	118
May	100
June	94
July	98
August	90
September	75

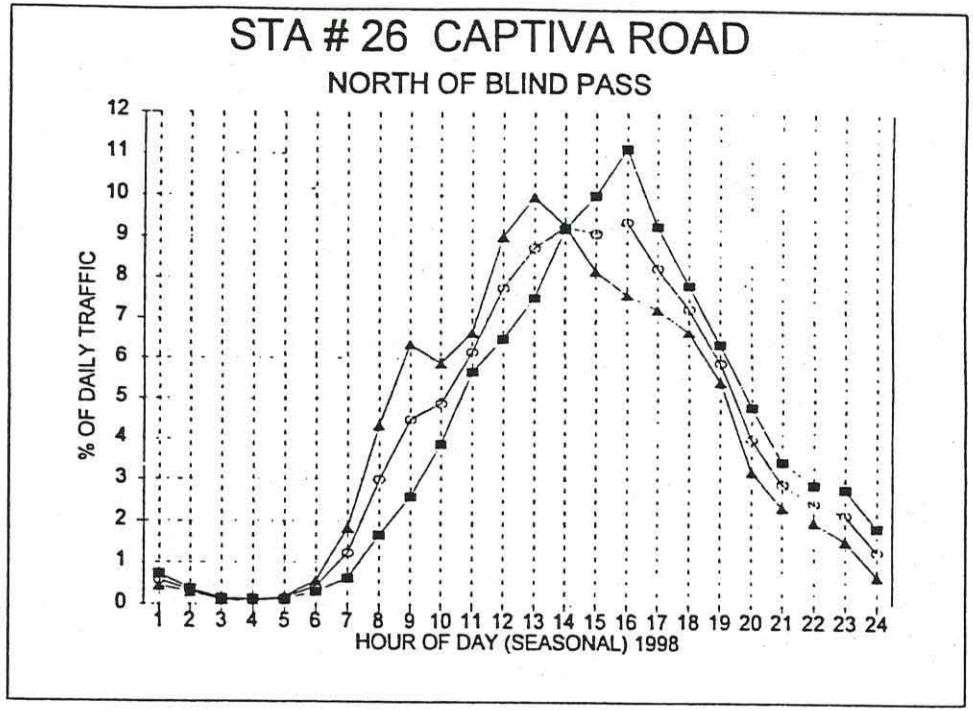
2. Day of Week ADT as % of Annual ADT

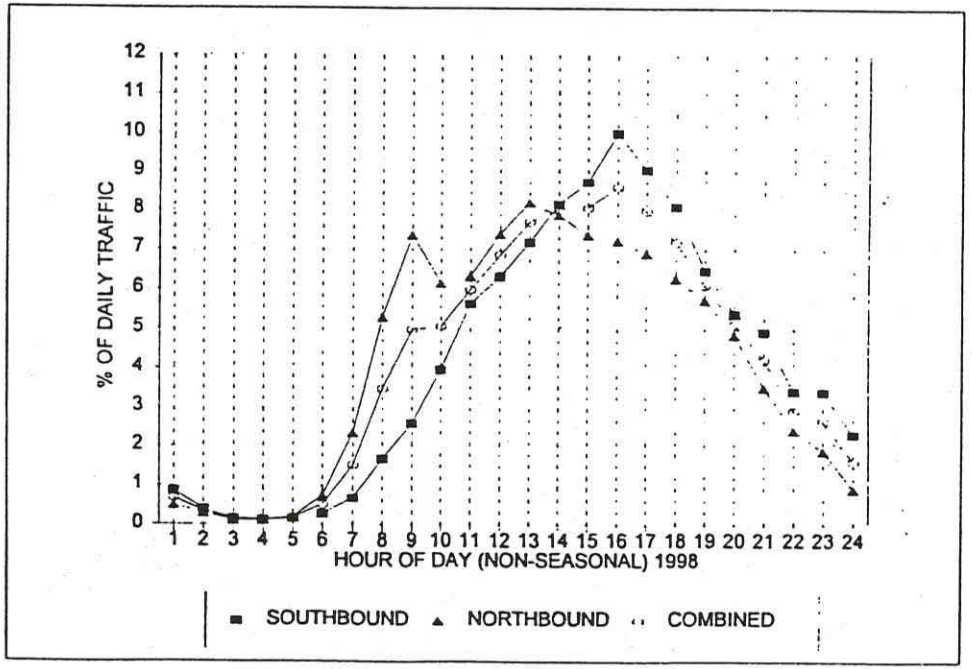
Monday	100
Tuesday	100
Wednesday	100
Thursday	100
Friday	105
Saturday	102
Sunday	93

3. Peak Flow Characteristics

	Non-Season	Season
a) Peak Flow between 7 am and 9 am		
(1) as a % of weekday traffic	4	4
(2) directional Split	25 % SB	28 % SB
	75 % NB	72 % NB
b) Peak Flow between 4 pm and 6 pm		
(1) as a % of weekday traffic	8	8
(2) directional Split	56 % SB	55 % SB
	44 % NB	45 % NB

NOTE: THE USUAL PEAK PERIODS, 7-9 & 4-6, MAY NOT BE THE ACTUAL PEAKS AT THIS STATION, CHECK THE GRAPHS





PERMANENT COUNT STATION 26
CAPTIVA RD NORTH OF BLIND PASS
1997 AADT = 6400

1. Monthly ADT as a % of Annual ADT

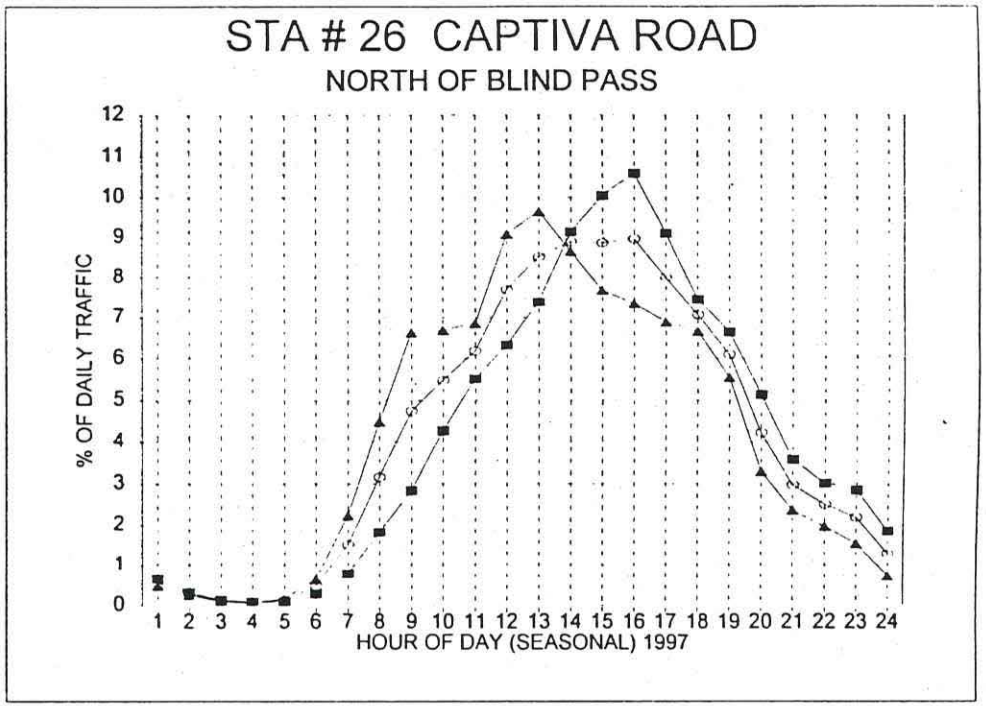
October	85
November	97
December	91
January	104
February	122
March	128
April	116
May	100
June	93
July	98
August	93
September	73

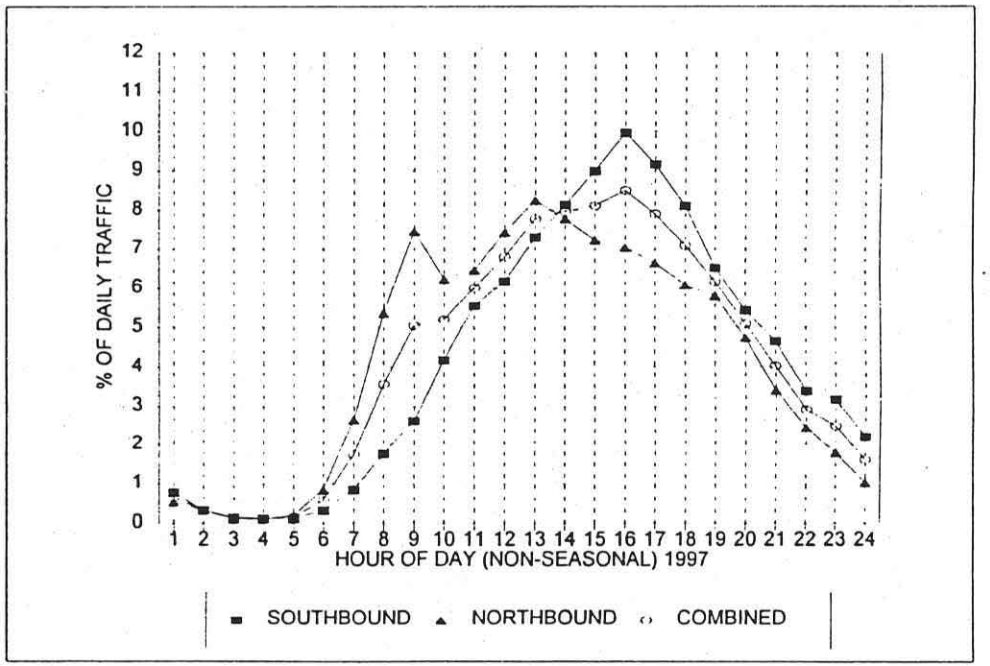
2. Day of Week ADT as % of Annual ADT

Monday	98
Tuesday	101
Wednesday	100
Thursday	101
Friday	104
Saturday	102
Sunday	94

3. Peak Flow Characteristics	Non-Season	Season
a) Peak Flow between 7 am and 9 am		
(1) as a % of weekday traffic	4	3
(2) directional Split	25 % SB	30 % SB
	75 % NB	70 % NB
b) Peak Flow between 4 pm and 6 pm		
(1) as a % of weekday traffic	8	8
(2) directional Split	57 % SB	54 % SB
	43 % NB	46 % NB

NOTE: THE USUAL PEAK PERIODS, 7-9 & 4-6, MAY NOT BE THE ACTUAL PEAKS AT THIS STATION, CHECK THE GRAPHS





PERMANENT COUNT STATION 26
CAPTIVA RD NORTH OF BLIND PASS
1996 AADT = 6500

1. Monthly ADT as a % of Annual ADT

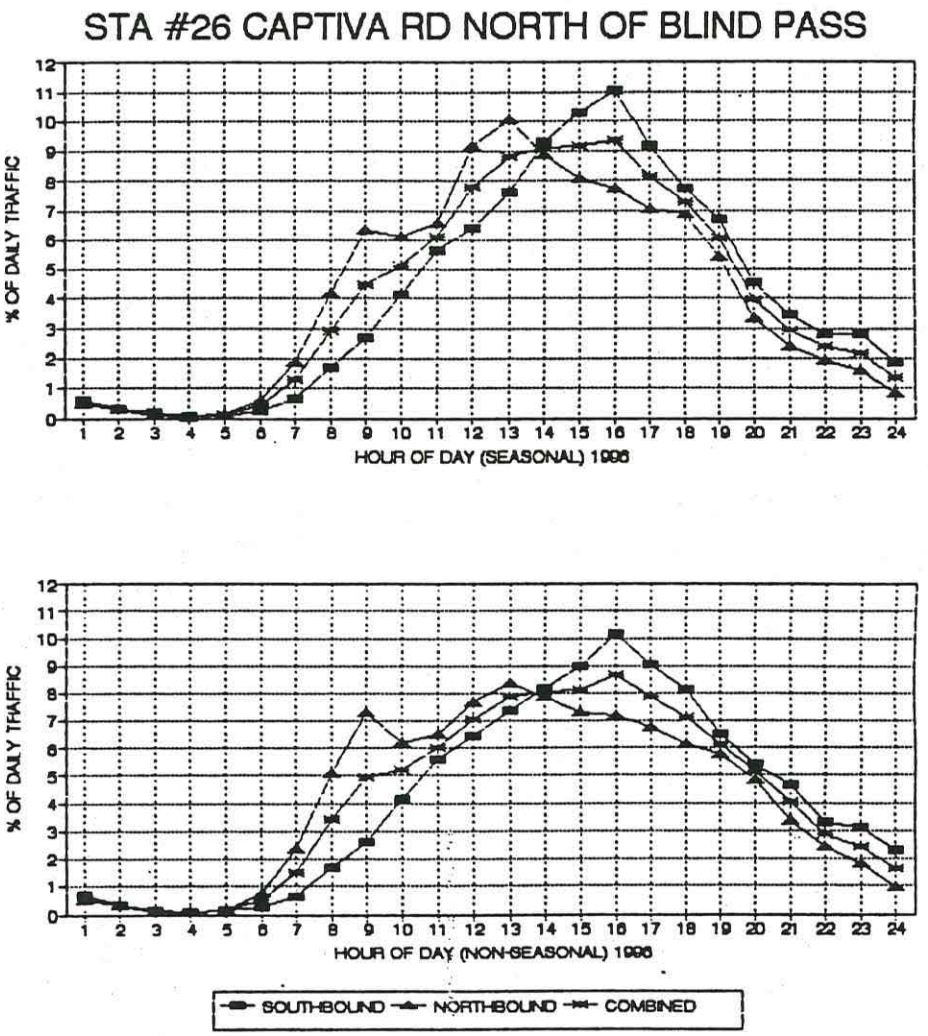
October	81
November	95
December	91
January	102
February	124
March	129
April	123
May	100
June	92
July	96
August	92
September	75

2. Day of Week ADT as % of Annual ADT

Monday	95
Tuesday	101
Wednesday	100
Thursday	102
Friday	106
Saturday	103
Sunday	93

3. Peak Flow Characteristics	Non-Season	Season
a) Peak Flow between 7 am and 9 am		
(1) as a % of weekday traffic	4	4
(2) directional Split	26 % SB	29 % SB
	74 % NB	71 % NB
b) Peak Flow between 4 pm and 6 pm		
(1) as a % of weekday traffic	8	8
(2) directional Split	57 % SB	55 % SB
	43 % NB	45 % NB

NOTE: THE USUAL PEAK PERIODS, 7-9 & 4-6, MAY NOT BE THE ACTUAL PEAKS AT THIS STATION. CHECK THE GRAPHS



PERMANENT COUNT STATION 26
CAPTIVA RD NORTH OF BLIND PASS
1995 AADT = 6200

1. Monthly ADT as a % of Annual ADT

October	87
November	97
December	92
January	104
February	123
March	129
April	119
May	102
June	90
July	96
August	86
September	75

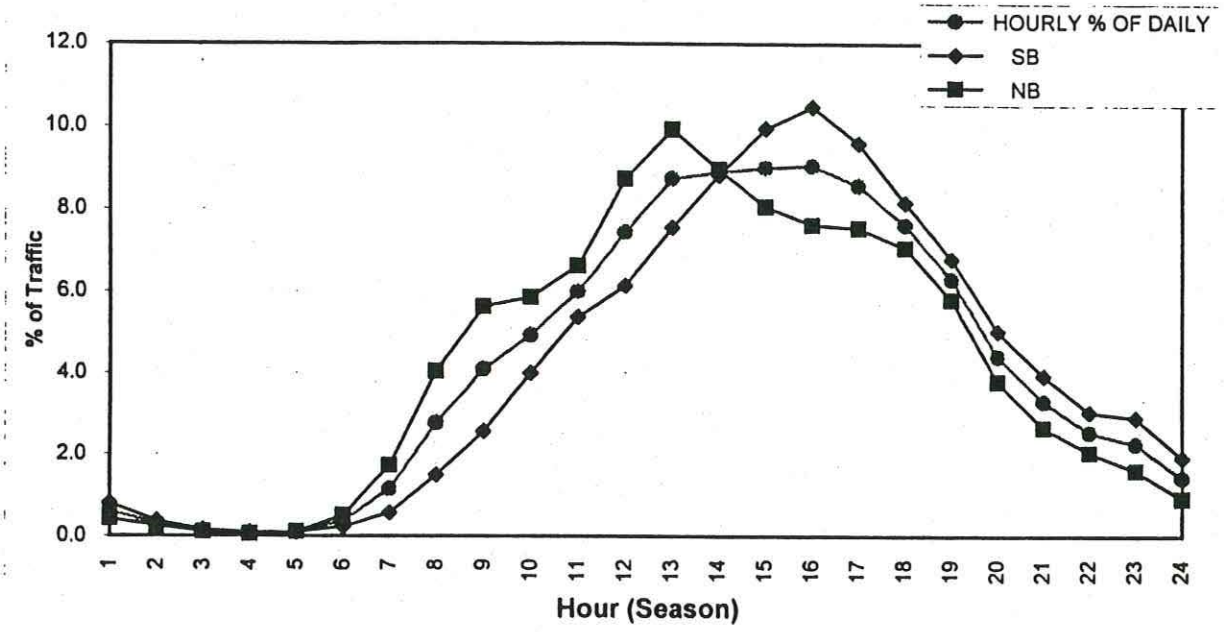
2. Day of Week ADT as % of Annual ADT

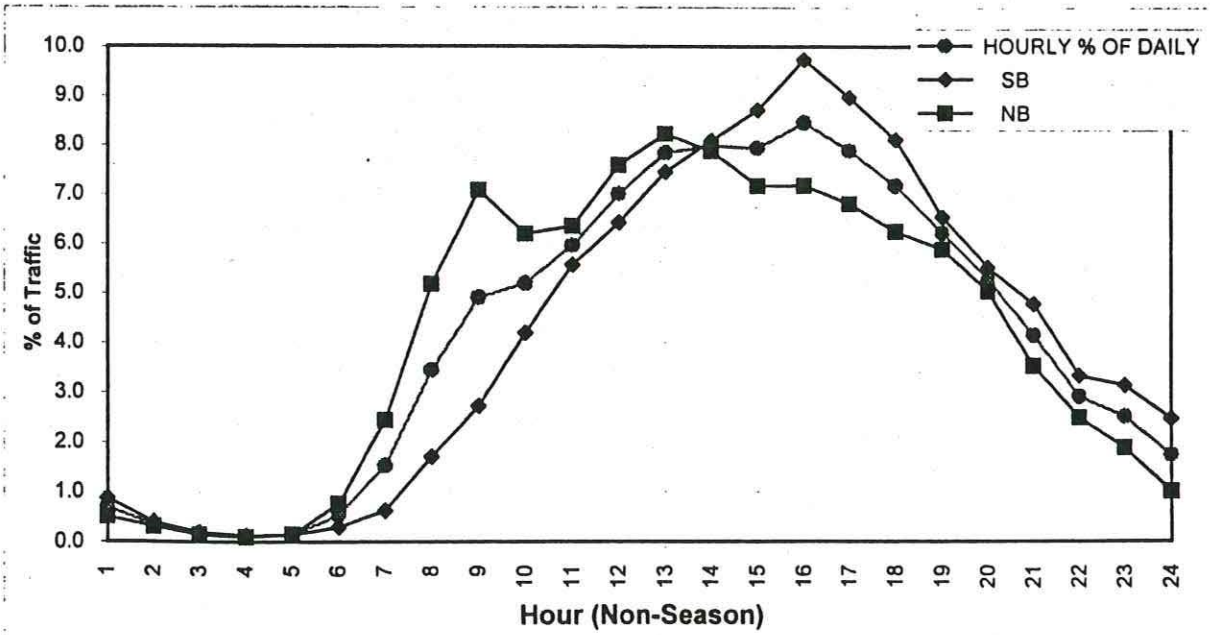
Monday	98
Tuesday	98
Wednesday	99
Thursday	103
Friday	107
Saturday	104
Sunday	91

3. Peak Flow Characteristics	Non-Season		Season	
a) Peak Flow between 7 am and 9 am				
(1) as a % of weekday traffic	4		3	
(2) directional Split	27	% SB	30	% SB
	73	% NB	70	% NB
b) Peak Flow between 4 pm and 6 pm				
(1) as a % of weekday traffic	8		8	
(2) directional Split	56	% SB	55	% SB
	44	% NB	45	% NB

NOTE: THE USUAL PEAK PERIODS, 7-9 & 4-6, MAY NOT BE THE ACTUAL PEAKS AT THIS STATION, CHECK THE GRAPHS

Station 26 - Captiva Rd. n. of Blind Pass





PERMANENT COUNT STATION 26
SANIBEL/CAPTIVE RD NORTH OF BLIND PASS
1994 AADT = 6500

1. Monthly ADT as a % of Annual ADT

January	**N/A**
February	**126**
March	**128**
April	**111**
May	**98**
June	**86**
July	**89**
August	**87**
September	**75**

2. Day of Week ADT as % of Annual ADT

Monday	**100**
Tuesday	**100**
Wednesday	**97**
Thursday	**99**
Friday	**104**
Saturday	**104**
Sunday	**96**

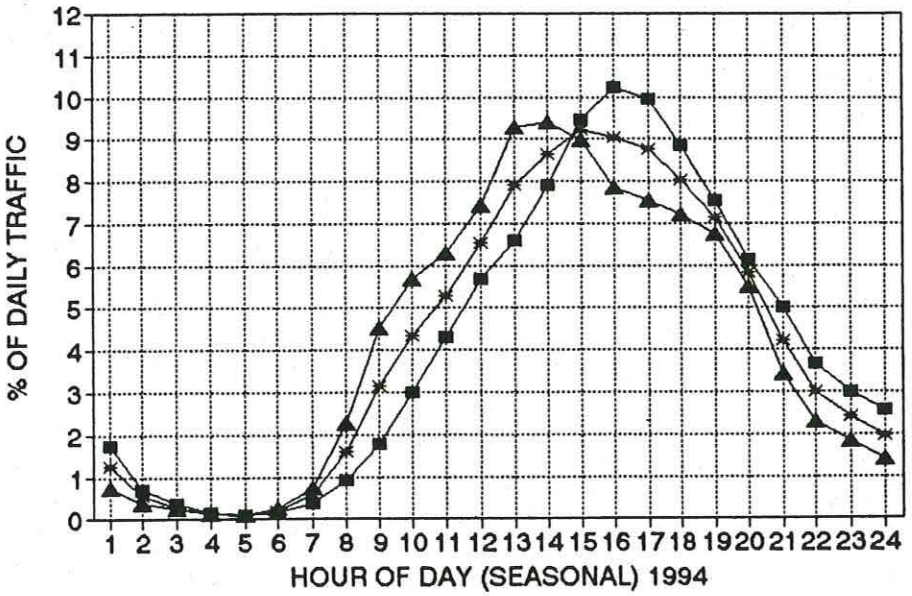
3. Peak Flow Characteristics

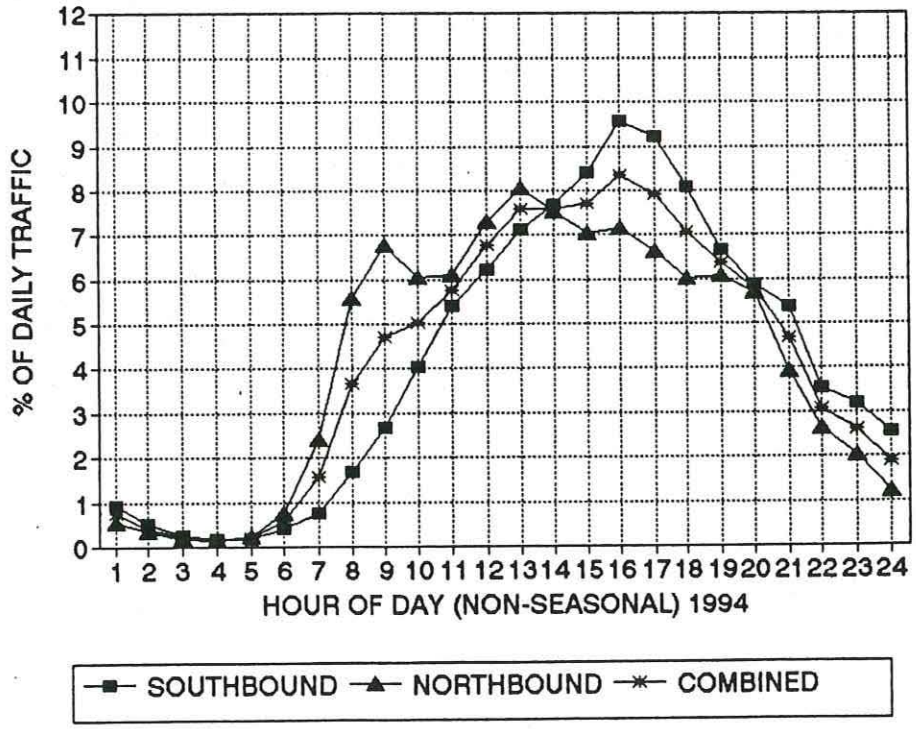
	Non-Season	Season
a) Peak Flow between 7 am and 9 am		
(1) as a % of weekday traffic	4	2
(2) directional Split	26 % SB	28 % SB
	74 % NB	72 % NB
b) Peak Flow between 4 pm and 6 pm		
(1) as a % of weekday traffic	7	8
(2) directional Split	58 % SB	57 % SB
	42 % NB	43 % NB

NOTE: THE USUAL PEAK PERIODS, 7-9 & 4-6, MAY NOT
BE THE ACTUAL PEAKS AT THIS STATION, CHECK THE GRAPHS

STA #26 SANIBEL/CAPTIVA ROAD

NORTH OF BLIND PASS BRIDGE





SERVICE AVAILABILITY LETTERS

LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 335-1604

Bob Janes
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing Examiner

September 19, 2001

RECEIVED
SEP 26 2001
BY:

Mr. David W. Depew, AICP
Morris - Depew Associates, Inc.
2216 Altamont Avenue
Fort Myers, Florida 33901

Re: Letter verifying services for Captiva Island Application for Comprehensive Plan Amendment & Review of Proposed Plan Policies

Dear Mr. Depew:

I have reviewed the draft proposed plan policies that you provided with your letter dated September 13, 2001.

As the state licensed EMS provider for all of Lee County, Florida, Lee County EMS will continue to provide advanced life support ground and air ambulance services to the residents and visitors of Captiva Island.

During review of the proposed policies, I have noted two areas which may present issues warranting further discussion. First, item 6 calls for traffic calming devices. While LCEMS does not oppose these measures, it must be noted that certain methods of providing traffic calming can delay ambulance responses, or may cause discomfort for patients during transport.

Lastly, item 8 calls for a landscaping code...intended to preserve, promote and enhance...tree canopy on the island. Lee County EMS does not oppose this measure as long as due consideration is given to assure adequate ingress / egress corridors are provided to structures / homes.

If you would like to discuss this further, please call me at the above referenced number.

Respectfully submitted,

DIVISION OF PUBLIC SAFETY

Chris Hansen

H.C. "Chris" Hansen
EMS Program Manager

RECEIVED
DEC 20 2002
COMMUNITY DEVELOPMENT

CPA 2001-00010

MORRIS-DEPEW ASSOCIATES, INC.
ENGINEERS • PLANNERS • SURVEYORS & MAPPERS
2216 Altamont Avenue • Fort Myers, Florida 33901 • (941) 337-3993 • FAX (941) 337-3994

September 13, 2001

Mr. Chris Hansen, Program Manager
Lee County EMS
P. O. Box 398
Fort Myers, FL 33902

RE: Request for Letter verifying service for Captiva Island
Application for a Comprehensive Plan Amendment

Dear Mr. Hansen:

Please accept this letter as a request for a letter from your agency determining the adequacy/provision of existing/proposed support facilities for Captiva Island. We are in the process of submitting an application for a Comprehensive Plan Amendment to Lee County Community Development Planning Division, and the requested letter is listed as a submittal requirement by Lee County. The application request is for the addition of a Captiva Island Community Plan to the existing Lee Plan. I have attached a copy of the draft proposed plan policies for your evaluation. We intend to submit the application to the County no later than September 28, 2001.

I have attached a draft response letter for your review. Please forward your response to my attention at your earliest convenience. Should you have any questions or require further information in this regard, please do not hesitate to contact me.

Sincerely,

MORRIS-DEPEW ASSOCIATES, INC.

David W. Depew, AICP
President

RECEIVED
DEC 20 2001
COMMUNITY DEVELOPMENT

CPA 2001-00010

Attachments

DWD/seh

COPY

Date

Mr. David W. Depew, AICP
Morris-Depew Associates, Inc.
2216 Altamont Avenue
Fort Myers, FL 33901

RE: Letter verifying service for Captiva Island
Application for a Comprehensive Plan Amendment

Dear Mr. Depew:

Please be advised that we have reviewed the draft proposed plan policies that you have provided. These proposed plan policies do not, in our opinion, increase the overall development intensity on the island. We will continue to service the island with the same level of service that we have been currently providing and feel that this level of service meets or exceeds the current requirements.

Should you have any questions or require further information in this regard, please contact me.

Sincerely,

Draft Proposed Captiva
Comprehensive Plan Amendments
Amendments to the Lee County Comprehensive Plan
September 12, 2001

Goal:

Conserve, protect and manage the physical and socio-economic resources of Captiva Island, including, but not limited to, the beaches, wetlands, upland ecosystems, land use patterns, facilities and infrastructure capacity, quality of life, and community values so as to maintain and enhance native habitats, floral and faunal species diversity, water quality, natural surface water characteristics, neighborhood cohesion, access to necessary services and facilities, public participation, and historic resources.

Comment: This is a general and all-encompassing goal intended to set the stage for additional policies.

Objective:

Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island.

Comment: Another general statement intended to establish the basis for the new proposed policies.

Policies:

1.) New requests for residential rezonings at a density exceeding one unit per acre, shall not be permitted. (Nothing in this policy shall be deemed to prevent the replacement of an existing dwelling unit or commercial use in the event of a natural disaster, hurricane, flood, fire, or other similar occurrence.)

Comment: This would effectively limit any new rezoning request to a residential activity of less than one dwelling unit per acre. This could have the effect of shutting down all new residential rezoning requests. In the latest survey, the three dwelling unit cap (question 10) was supported by 490 respondents and opposed by 34. For that reason, it is not being suggested that the Lee Plan Future Land Use Map be changed to lower the overall density. However, question # 14b, suggesting that existing densities and intensities of use be preserved as they currently exist on the ground, was another big winner with 473 responses in support compared to 50 against. For these two responses to be consistent, it appears that a policy that prohibits rezonings to higher densities is necessary, but no effort to roll back existing uses or potential densities for existing zoning approvals is called for.

2.) Lee County recognizes that Captiva Drive is a roadway facility with unique characteristics that limit the ability to expand its carrying capacity. Notwithstanding any other policies found herein, once the peak hour, peak season, peak direction number of trips reaches 550 on Captiva Drive, as calculated using FDOT methodology and reflected in the annual Lee County Concurrency Management Report, Lee County shall approve no additional permits that would increase the number of trips on Captiva Drive. However, in no instance shall a property owner be denied the issuance of a permit to replace an existing unit so long as the proposed replacement complies with all applicable Policies, Codes, and Ordinances. Additionally, this policy shall not be interpreted to contradict provisions XIII.a.E and XIII.b.B.4, found in the Administrative section of this Plan guaranteeing a lot owner the right to build a single-family residence.

Comment: This is potentially a severe restriction in that it would stop all permits, building or otherwise, that would have an impact of increasing traffic above 550 peak hour, peak season, peak direction vehicular trips. As of 2000, there were 408 peak hour, peak season, peak direction trips on Captiva Drive. This means that there is some room for additional activity, but it is limited, and will serve to establish an absolute maximum on the amount of development that can occur on the

Island. The inclusion of the reference to XIII.a.E. in the Administrative section references the existing Lee Plan build back policy in the event of a hurricane, fire, etc. Additionally, there may be a legal difficulty if the denial of a permit causes an owner to no longer have a reasonable use of his property, so the addition of the Single Family Residence provision (XIII.b.B.4) is intended to establish a safety valve for that eventuality. Without question, the most overwhelming concern is the traffic along Captiva Drive. Virtually everyone that made comments mentioned the increased traffic and concerns regarding traffic congestion, suggesting that some effort to control the growth of traffic on Captiva Drive is warranted.

3.) Recognizing that Captiva Drive is vulnerable to flooding and storm damage, any resurfacing of Captiva Drive shall be done in a fashion that decreases the possibility of roadway wash-out and other damage that would result from a storm or flooding.

Comment: This could increase the cost of roadway improvements, but would provide, over time, a safer evacuation route. If this is adopted, there should also be language regarding the protection of the Australian Pines along certain sections of Captiva Drive so that this policy is not used to justify the removal of the trees along the road. There was some concern manifested over evacuation issues in workshops and on some of the surveys. This policy is intended to insure that Lee County will consider maintenance and reconstruction options that help limit the roadway's vulnerability to storm damage.

4.) Funding of roadway improvements such as resurfacing and flood/storm protection shall be undertaken in a fashion that considers not only local utilization of Captiva Drive, but also the use to which that facility is put by non-residents of Captiva Island. It is recognized that while Captiva Drive is a collector roadway, it is the only road connecting the Island to Sanibel and the mainland, and represents a unique scenic and aesthetic resource for Lee County. Lee County shall preserve and enhance the tree canopy within the right of way to the greatest extent possible.

Comment: This policy is intended to recognize that considerable off-Island traffic uses Captiva Drive. Additionally, it appears that there is some question as to whether Captiva Drive is a collector or an arterial roadway, so this policy clearly notes that it is an arterial roadway and the sole connection to the mainland. Finally, it establishes a special status for Captiva Drive as a scenic roadway and aesthetic resource, specifically allowing trees to be planted in the road right of way. A great deal of comment was noted regarding the fact that the County does not return to Captiva what some consider to be a fair share in maintenance and improvement funds. This policy is intended to specify the significant off-island traffic using Captiva's roadway facilities as well as to note that Captiva Drive is a unique roadway for which certain 'non-engineering' considerations will be included in any improvement plan made by Lee County.

5.) Lee County specifically recognizes that the existing tree canopy on Captiva Island is significant and must be preserved in order to provide a storm buffer, shelter for birds, habitat for various animals, enhance outdoor recreation and aesthetic values, and maintain the historic ambience of Captiva Island. To that end, public works project shall not remove canopy trees, even if such trees are deemed to be exotic vegetation, unless absolutely necessary. Further, if such trees are removed, replacement trees shall be planted in the largest size readily available as part of a mitigation effort for those that were removed. Additionally, Lee County shall not approve any variance or deviation that results in a reduction of landscaping or buffering requirements without evidence that such approval clearly and substantially benefits the public health, safety, and welfare.

Comment: This is intended to preserve the trees along the Captiva Drive right of way, even if the County deems them to be 'exotic' vegetation in other areas of the Land Development Code. Although there may be some justification for removal of trees at some unforeseen point in the future, the policy will also require that replacements be planted in as large a size as possible. This would apply not only to Captiva Drive, but to all County owned property on the Island. Clearly the Australian Pines along Captiva Drive are deemed to be a special aspect of the Island with 387 positive responses to the special status proposed in question # 22 as opposed to 131 negative responses. Going further, it is also clear that Captivans support the idea of enhancement of the overall Island tree canopy with 447 positive responses and 61 negative responses to the idea of undertaking current efforts for replacement trees. The requirement that clear and substantial evidence be presented for any variance or deviation requesting a reduction in landscape or buffer standards places a large burden upon the applicant in order to achieve approval.

6.) The Captiva Community shall investigate, draft, and submit to Lee County recommended methods for traffic calming on Captiva Drive from Blind Pass to the entrance of South Seas Plantation, with special emphasis on the area south of 'Tween Waters. Specific options, reflecting the unique nature of the area, including but not limited to the recognition of the necessity for low operating speeds, the limited rights of way, the limited numbers of parked vehicles, the desirability of preserving the tree canopy along Captive Drive, and the seasonal nature of facility demand, shall be considered. The results of this investigation and proposed recommendations shall be reported to the residents of Captiva at a public meeting to take place on Captiva to be held at some point not later than during the months between December 1, 2002 and March 31, 2003 in order to disseminate the results of the investigation to the broadest number of residents possible. Further, subsequent to the public hearing to be held on Captiva, the results of these investigations and recommendations shall be brought to the Board of County Commissioners at a public hearing along with input from the public meeting held on Captiva. At that time, the Board of Commissioners shall consider what measures need to be taken to provide for traffic calming opportunities on Captiva. The investigations and recommendations shall be completed not later than November 30, 2002, and the presentation to the County Commission shall occur not later than April 30, 2003.

Comment: "Traffic calming" is simply a term that refers, on Captiva, to the slowing of traffic. The overall results of the survey indicated that traffic, especially in the South Island area, can be overwhelming during certain times of the year. There are a number of options for slowing things down that can be reviewed and discussed including speed humps, speed tables (which can be used as pedestrian crossings), raised or textured intersections, textured pavements, traffic circles, chicanes (curves in the roadway), lateral shifts, center islands, and realigned intersections. A review of all options can be undertaken as part of a planning mandate, with a report to the Island residents during that time of year when residency is at its highest level. An amendment has been placed in this policy, removing Lee County from primary responsibility and placing the responsibility upon Captivans to propose traffic calming measures unique for Captiva. Such language will require additional community action to investigate and develop such standards.

7.) Lee County shall encourage and support efforts by Captivans to establish innovative approaches to establish alternatives for pedestrian and bicycle traffic facilities from Blind Pass to the entrance of South Seas Plantation.

Comment: Discussions among the public participants suggests that a more extensive effort to address the question of pedestrian and bicycle transportation alternatives may have to wait on additional efforts and study. Although current opportunities appear limited for the provision of bicycle and pedestrian opportunities, the residents appear quite united in the desire for more bike paths and/or sidewalks. This policy simply states that the County will support and encourage efforts on the part of residents to consider facility alternatives. There are a number of alternatives that can be considered related to bike paths that are non-standard in width and/or location. The need to establish an 8' wide two-way bike path separated from the right of way, while attractive to engineers, may not be an absolute requirement given the unique characteristics of the Island. Considerable flexibility has been shown recently by Lee County regarding non-standard facilities with limited liability implications. There were 375 respondents that supported additional pedestrian and bicycling opportunities on the Island (# 24) as opposed to 146 responses against.

8.) Lee County shall encourage and support efforts by Captivans to establish a landscaping code for Captiva Island that will require all new development, including single family residences, to implement minimum landscaping requirements intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. New landscaping requirements shall focus on areas including, but not limited to, buffering and separation between new structures and Captiva Drive, buffering between adjoining properties, preservation and enhancement of the beach dune vegetation, and preservation and enhancement of the mangroves adjoining Pine Island Sound.

Comment: This is intended to require the County to establish additional landscaping requirements for Captiva, applicable to all development, including single-family building permits, for the purpose of enhancing the existing vegetation and tree canopy. Additional vegetation should help to provide visual buffers for houses adjacent to Captiva Drive as well as promoting the preservation and enhancement of sea oats, mangroves, and other such unique Island vegetative communities. This policy will also work to provide additional canopy trees in the event that the Australian Pines fall. The survey made it clear that Captivans support the idea of enhancement of the overall Island tree canopy with 447 positive responses and 61

negative responses to the idea of undertaking current efforts for replacement trees. Again, this language places the responsibility upon Captivans rather than upon Lee County to propose additional landscaping and buffering standards on Captiva. This would remove the requirement from the County and require additional community action to draft such standards.

9.) Lee County shall continue to support local efforts to preserve, protect, and renourish Captiva's beaches through the use of environmentally responsible methods.

Comment: This simply places a formal commitment into the Plan for the protection of the beaches along Captiva Island.

10.) Lee County shall encourage and support efforts by the Captiva Community to investigate and recommend measures that will improve water quality in Pine Island Sound, adjacent to Captiva Island. Such measures may include the establishment of additional regulations regarding stormwater runoff and the utilization of wastewater treatment and septic systems in areas where water quality problems have been identified. Lee County shall assist Captivans in their efforts to investigate water quality issues in this area and provide support for the preparation of a report summarizing findings and recommendations for addressing any problems discovered, with special emphasis on methods and technology for improving water quality entering septic fields and ultimately the local groundwater. The results of this investigation and the proposed recommendations shall be reported to the residents of Captiva at a public meeting to take place on Captiva to be held at some point during the months between December 1 until March 31 in order to disseminate the results of the investigation to the broadest number of residents possible. Further, subsequent to the public hearing to be held on Captiva, the results of these investigations and recommendations shall be brought to the Board of County Commissioners at a public hearing along with input from the public meeting held on Captiva. At that time, the Board of Commissioners shall consider what measures need to be taken to provide for improved water quality and wastewater treatment measures for this area of Captiva. The investigations and recommendations shall be completed not later than November 2002, and the presentation to the County Commission shall occur not later than April 2003.

Comment: Although there is great concern regarding water quality and septic tanks on small lots, there is virtually no option regarding the establishment of a wastewater treatment system for the area of the Island that has the greatest potential negative impact (The Village) upon water quality. There may be new technologies that can be implemented for new or replacement systems, however, the transfer to these systems will be a gradual process. Permitting efforts will also need to be coordinated with the Florida Department of Health. Question # 14a regarding possibilities for better sewage treatment in certain areas of the Island, as long as the density limits were not exceeded, was supported with 327 positive responses to 123 negative, but comments at workshops and on the survey indicate that there is a realization that limited options for protection of water quality may be available.

11.) Lee County shall implement a procedure for all proposed future comprehensive plan amendments, rezoning requests and all variance, special exception, and special permit applications for parcels located on Captiva Island that will require a public hearing to be held, at the applicant's expense, at a location on Captiva. The public hearing shall be for the purpose of explaining the request to the public, and shall be advertised in the same manner that the rezoning, variance, special exception, or special permit is advertised for hearing before the Lee County Hearing Examiner. In the case of proposed comprehensive plan amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan, such future amendments will also require notification to property owners, as listed on the then current property owners taxing roll, maintained by the Lee County Property Appraiser, by certified letter.

Comment: Local input for the permitting process was supported by the survey results with 468 responses for and 34 against. This policy will require that the County adopt a set of procedures establishing a 'pre-Hearing Examiner' public hearing to take place on Captiva for all rezoning, variance, special exception, and special permit requests. Although the hearing will not result in any decision, it would serve to more widely disseminate information across the Island community for any development proposals involving an appearance before the Lee County Hearing Examiner. The tenor or comments regarding the need for better information relating to development requests suggests that while better dissemination of information is desired, the establishment of a new bureaucracy to administer development requests is possibly overkill.

12.) Due to the seasonal nature of the population inhabiting Captiva, and due to the County's desire to encourage the broadest possible public participation, rezoning requests, and all variance, special exception, and special permit applications for parcels located on Captiva Island that will require a public hearing to be held shall only be scheduled for public hearings between October 15 through May 15 of any given year. For applications received during other months, the first available hearing date after October 15 shall be provided, subject to a determination that the application is sufficient and in accordance with all applicable regulations concerning application requirements. In the event of a hurricane, fire, flood, or other natural disaster, the Lee County Board of Commissioners may suspend this requirement by finding that extraordinary circumstances apply.

Comment: This has the effect of prohibiting public hearings for rezonings, variances, special exceptions, and special permits during summer months when the Island's population is not in residence. This proposed policy is in response to the complaint that actions impacting the community at large are often undertaken during the off-season. There is some question as to whether establishing a delay such as this can be done within the current legal and administrative framework.

13.) Lee County shall encourage and support the Captiva Community in conjunction with Captiva business owners in the preservation of existing commercial uses on Captiva in order to provide for dining and shopping opportunities for the residents and visitors to Captiva Island. Such assistance shall include, but not be limited to, investigation of appropriate parking requirements for Island businesses, alternate parking surfaces to preserve some level of surface permeability, roadway and drainage improvements, preservation of the mixed use activities in the existing commercial areas, and the possibility of a community redevelopment effort for existing commercial neighborhoods.

Comment: The survey demonstrated that preservation of the existing commercial uses was viewed as quite important. Additionally, the mixed-use nature of the Village area was deemed to be part of the overall charm of the Island, although there was also recognition that parking opportunities were limited and some creative efforts in that area should be considered.

14.) Lee County shall encourage and support the solicitation of the widest possible range of public input for any future Lee Plan amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan. To that end, Lee County is committed to provide continuing assistance to the Captiva Community as part of the Evaluation and Appraisal Report process as well as ongoing technical expertise related to the functioning of the adopted policies. Additionally, future amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan will require that public input be solicited from all segments of Captiva through measures that may include, but are not limited to, public meetings, focus groups, opinion surveys, electronic opinion forums, etc.

Comment: This policy is intended to insure that future amendments will undergo a public solicitation process at least as rigorous as that which has been undertaken for the current set of amendments. This places Lee County squarely in the position of eliciting the maximum possible input for any future changes to the proposed plan.

RECEIVED
SEP 19 2001
BY:

CAPTIVA ISLAND FIRE CONTROL DISTRICT

14981 Captiva Drive; P.O. Box 477, Captiva, Florida 33924 Phone: (941) 472-9494 Fax: 472-0247

September 17, 2001

Mr. David W. Depew, AICP
Morris-Depew Associates, Inc.
2216 Altamont Avenue
Fort Myers, Fl 33901

RE: Request for a letter verifying service for Captiva Island
Application for a Comprehensive Plan Amendment

Dear Mr. Depew:

The Captiva Island Fire Control District provides fire protection and basic life support (BLS) rescue services to the citizens of Captiva Island. To the best of my knowledge, this level of service meets or exceeds current requirements.

The district was rated a fire protection class 5 by the Insurance Services Office Inc. in August of 1993. This fire protection class 5 was again confirmed as appropriate in April of 2001. This rating is used in the calculation of property insurance premiums for residential as well as commercial properties. Fire prevention and construction inspections are conducted by the district's Municipal Fire Safety Inspector via an interlocal agreement with Lee County.

The district provides first response BLS (Emergency Medical Technicians trained to utilize an external defibrillator and Combitube esophageal tracheal airway) in conjunction with Lee County provided advanced life support (ALS) and transport. Patients are transported to local hospitals on the mainland via ground or air ambulances.

I have reviewed the draft proposal plan policies that you have provided with your request and found that these policies would not, in my opinion, adversely affect the current level of service that the district provides.

If you have any questions regarding this matter, please contact me.

Sincerely,

John F. Bates
Chief

MORRIS-DEPEW ASSOCIATES, INC.
ENGINEERS • PLANNERS • SURVEYORS & MAPPERS
2216 Altamont Avenue • Fort Myers, Florida 33901 • (941) 337-3993 • FAX (941) 337-3994

September 13, 2001

Captain Jay Halverson
Captiva Fire District
P. O. Box 477
Captiva, FL 33924

RE: Request for Letter verifying service for Captiva Island
Application for a Comprehensive Plan Amendment

Dear Captain Halverson:

Please accept this letter as a request for a letter from your agency determining the adequacy/provision of existing/proposed support facilities for Captiva Island. We are in the process of submitting an application for a Comprehensive Plan Amendment to Lee County Community Development Planning Division, and the requested letter is listed as a submittal requirement by Lee County. The application request is for the addition of a Captiva Island Community Plan to the existing Lee Plan. I have attached a copy of the draft proposed plan policies for your evaluation. We intend to submit the application to the County no later than September 28, 2001.

I have attached a draft response letter for your review. Please forward your response to my attention at your earliest convenience. Should you have any questions or require further information in this regard, please do not hesitate to contact me.

Sincerely,

MORRIS-DEPEW ASSOCIATES, INC.

David W. Depew, AICP
President

Attachments

DWD/seh

RECEIVED
DEC 20 2002
COMMUNITY DEVELOPMENT

CPA 2001-00010

COPY

Date

Mr. David W. Depew, AICP
Morris-Depew Associates, Inc.
2216 Altamont Avenue
Fort Myers, FL 33901

RE: Letter verifying service for Captiva Island
Application for a Comprehensive Plan Amendment

Dear Mr. Depew:

Please be advised that we have reviewed the draft proposed plan policies that you have provided. These proposed plan policies do not, in our opinion, increase the overall development intensity on the island. We will continue to service the island with the same level of service that we have been currently providing and feel that this level of service meets or exceeds the current requirements.

Should you have any questions or require further information in this regard, please contact me.

Sincerely,

Draft Proposed Captiva
Comprehensive Plan Amendments
Amendments to the Lee County Comprehensive Plan
September 12, 2001

Goal:

Conserve, protect and manage the physical and socio-economic resources of Captiva Island, including, but not limited to, the beaches, wetlands, upland ecosystems, land use patterns, facilities and infrastructure capacity, quality of life, and community values so as to maintain and enhance native habitats, floral and faunal species diversity, water quality, natural surface water characteristics, neighborhood cohesion, access to necessary services and facilities, public participation, and historic resources.

Comment: This is a general and all-encompassing goal intended to set the stage for additional policies.

Objective:

Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island.

Comment: Another general statement intended to establish the basis for the new proposed policies.

Policies:

1.) New requests for residential rezonings at a density exceeding one unit per acre, shall not be permitted. (Nothing in this policy shall be deemed to prevent the replacement of an existing dwelling unit or commercial use in the event of a natural disaster, hurricane, flood, fire, or other similar occurrence.)

Comment: This would effectively limit any **new** rezoning request to a residential activity of less than one dwelling unit per acre. This could have the effect of shutting down **all** new residential rezoning requests. In the latest survey, the three dwelling unit cap (question 10) was supported by 490 respondents and opposed by 34. For that reason, it is not being suggested that the Lee Plan Future Land Use Map be changed to lower the overall density. However, question # 14b, suggesting that existing densities and intensities of use be preserved as they currently exist on the ground, was another big winner with 473 responses in support compared to 50 against. For these two responses to be consistent, it appears that a policy that prohibits rezonings to higher densities is necessary, but no effort to roll back existing uses or potential densities for existing zoning approvals is called for.

2.) Lee County recognizes that Captiva Drive is a roadway facility with unique characteristics that limit the ability to expand its carrying capacity. Notwithstanding any other policies found herein, once the peak hour, peak season, peak direction number of trips reaches 550 on Captiva Drive, as calculated using FDOT methodology and reflected in the annual Lee County Concurrency Management Report, Lee County shall approve no additional permits that would increase the number of trips on Captiva Drive. However, in no instance shall a property owner be denied the issuance of a permit to replace an existing unit so long as the proposed replacement complies with all applicable Policies, Codes, and Ordinances. Additionally, this policy shall not be interpreted to contradict provisions XIII.a.E and XIII.b.B.4, found in the Administrative section of this Plan guaranteeing a lot owner the right to build a single-family residence.

Comment: This is potentially a severe restriction in that it would stop all permits, building or otherwise, that would have an impact of increasing traffic above 550 peak hour, peak season, peak direction vehicular trips. As of 2000, there were 408 peak hour, peak season, peak direction trips on Captiva Drive. This means that there is some room for additional activity, but it is limited, and will serve to establish an absolute maximum on the amount of development that can occur on the

Island. The inclusion of the reference to XIII.a.E. in the Administrative section references the existing Lee Plan build back policy in the event of a hurricane, fire, etc. Additionally, there may be a legal difficulty if the denial of a permit causes an owner to no longer have a reasonable use of his property, so the addition of the Single Family Residence provision (XIII.b.B.4) is intended to establish a safety valve for that eventuality. Without question, the most overwhelming concern is the traffic along Captiva Drive. Virtually everyone that made comments mentioned the increased traffic and concerns regarding traffic congestion, suggesting that some effort to control the growth of traffic on Captiva Drive is warranted.

3.) Recognizing that Captiva Drive is vulnerable to flooding and storm damage, any resurfacing of Captiva Drive shall be done in a fashion that decreases the possibility of roadway wash-out and other damage that would result from a storm or flooding.

Comment: This could increase the cost of roadway improvements, but would provide, over time, a safer evacuation route. If this is adopted, there should also be language regarding the protection of the Australian Pines along certain sections of Captiva Drive so that this policy is not used to justify the removal of the trees along the road. There was some concern manifested over evacuation issues in workshops and on some of the surveys. This policy is intended to insure that Lee County will consider maintenance and reconstruction options that help limit the roadway's vulnerability to storm damage.

4.) Funding of roadway improvements such as resurfacing and flood/storm protection shall be undertaken in a fashion that considers not only local utilization of Captiva Drive, but also the use to which that facility is put by non-residents of Captiva Island. It is recognized that while Captiva Drive is a collector roadway, it is the only road connecting the Island to Sanibel and the mainland, and represents a unique scenic and aesthetic resource for Lee County. Lee County shall preserve and enhance the tree canopy within the right of way to the greatest extent possible.

Comment: This policy is intended to recognize that considerable off-Island traffic uses Captiva Drive. Additionally, it appears that there is some question as to whether Captiva Drive is a collector or an arterial roadway, so this policy clearly notes that it is an arterial roadway and the sole connection to the mainland. Finally, it establishes a special status for Captiva Drive as a scenic roadway and aesthetic resource, specifically allowing trees to be planted in the road right of way. A great deal of comment was noted regarding the fact that the County does not return to Captiva what some consider to be a fair share in maintenance and improvement funds. This policy is intended to specify the significant off-island traffic using Captiva's roadway facilities as well as to note that Captiva Drive is a unique roadway for which certain 'non-engineering' considerations will be included in any improvement plan made by Lee County.

5.) Lee County specifically recognizes that the existing tree canopy on Captiva Island is significant and must be preserved in order to provide a storm buffer, shelter for birds, habitat for various animals, enhance outdoor recreation and aesthetic values, and maintain the historic ambience of Captiva Island. To that end, public works project shall not remove canopy trees, even if such trees are deemed to be exotic vegetation, unless absolutely necessary. Further, if such trees are removed, replacement trees shall be planted in the largest size readily available as part of a mitigation effort for those that were removed. Additionally, Lee County shall not approve any variance or deviation that results in a reduction of landscaping or buffering requirements without evidence that such approval clearly and substantially benefits the public health, safety, and welfare.

Comment: This is intended to preserve the trees along the Captiva Drive right of way, even if the County deems them to be 'exotic' vegetation in other areas of the Land Development Code. Although there may be some justification for removal of trees at some unforeseen point in the future, the policy will also require that replacements be planted in as large a size as possible. This would apply not only to Captiva Drive, but to all County owned property on the Island. Clearly the Australian Pines along Captiva Drive are deemed to be a special aspect of the Island with 387 positive responses to the special status proposed in question # 22 as opposed to 131 negative responses. Going further, it is also clear that Captivans support the idea of enhancement of the overall Island tree canopy with 447 positive responses and 61 negative responses to the idea of undertaking current efforts for replacement trees. The requirement that clear and substantial evidence be presented for any variance or deviation requesting a reduction in landscape or buffer standards places a large burden upon the applicant in order to achieve approval.

6.) The Captiva Community shall investigate, draft, and submit to Lee County recommended methods for traffic calming on Captiva Drive from Blind Pass to the entrance of South Seas Plantation, with special emphasis on the area south of 'Tween Waters. Specific options, reflecting the unique nature of the area, including but not limited to the recognition of the necessity for low operating speeds, the limited rights of way, the limited numbers of parked vehicles, the desirability of preserving the tree canopy along Captive Drive, and the seasonal nature of facility demand, shall be considered. The results of this investigation and proposed recommendations shall be reported to the residents of Captiva at a public meeting to take place on Captiva to be held at some point not later than during the months between December 1, 2002 and March 31, 2003 in order to disseminate the results of the investigation to the broadest number of residents possible. Further, subsequent to the public hearing to be held on Captiva, the results of these investigations and recommendations shall be brought to the Board of County Commissioners at a public hearing along with input from the public meeting held on Captiva. At that time, the Board of Commissioners shall consider what measures need to be taken to provide for traffic calming opportunities on Captiva. The investigations and recommendations shall be completed not later than November 30, 2002, and the presentation to the County Commission shall occur not later than April 30, 2003.

Comment: "Traffic calming" is simply a term that refers, on Captiva, to the slowing of traffic. The overall results of the survey indicated that traffic, especially in the South Island area, can be overwhelming during certain times of the year. There are a number of options for slowing things down that can be reviewed and discussed including speed humps, speed tables (which can be used as pedestrian crossings), raised or textured intersections, textured pavements, traffic circles, chicanes (curves in the roadway), lateral shifts, center islands, and realigned intersections. A review of all options can be undertaken as part of a planning mandate, with a report to the Island residents during that time of year when residency is at its highest level. An amendment has been placed in this policy, removing Lee County from primary responsibility and placing the responsibility upon Captivans to propose traffic calming measures unique for Captiva. Such language will require additional community action to investigate and develop such standards.

7.) Lee County shall encourage and support efforts by Captivans to establish innovative approaches to establish alternatives for pedestrian and bicycle traffic facilities from Blind Pass to the entrance of South Seas Plantation.

Comment: Discussions among the public participants suggests that a more extensive effort to address the question of pedestrian and bicycle transportation alternatives may have to wait on additional efforts and study. Although current opportunities appear limited for the provision of bicycle and pedestrian opportunities, the residents appear quite united in the desire for more bike paths and/or sidewalks. This policy simply states that the County will support and encourage efforts on the part of residents to consider facility alternatives. There are a number of alternatives that can be considered related to bike paths that are non-standard in width and/or location. The need to establish an 8' wide two-way bike path separated from the right of way, while attractive to engineers, may not be an absolute requirement given the unique characteristics of the Island. Considerable flexibility has been shown recently by Lee County regarding non-standard facilities with limited liability implications. There were 375 respondents that supported additional pedestrian and bicycling opportunities on the Island (# 24) as opposed to 146 responses against.

8.) Lee County shall encourage and support efforts by Captivans to establish a landscaping code for Captiva Island that will require all new development, including single family residences, to implement minimum landscaping requirements intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. New landscaping requirements shall focus on areas including, but not limited to, buffering and separation between new structures and Captiva Drive, buffering between adjoining properties, preservation and enhancement of the beach dune vegetation, and preservation and enhancement of the mangroves adjoining Pine Island Sound.

Comment: This is intended to require the County to establish additional landscaping requirements for Captiva, applicable to all development, including single-family building permits, for the purpose of enhancing the existing vegetation and tree canopy. Additional vegetation should help to provide visual buffers for houses adjacent to Captiva Drive as well as promoting the preservation and enhancement of sea oats, mangroves, and other such unique Island vegetative communities. This policy will also work to provide additional canopy trees in the event that the Australian Pines fall. The survey made it clear that Captivans support the idea of enhancement of the overall Island tree canopy with 447 positive responses and 61

negative responses to the idea of undertaking current efforts for replacement trees. Again, this language places the responsibility upon Captivans rather than upon Lee County to propose additional landscaping and buffering standards on Captiva. This would remove the requirement from the County and require additional community action to draft such standards.

9.) Lee County shall continue to support local efforts to preserve, protect, and renourish Captiva's beaches through the use of environmentally responsible methods.

Comment: This simply places a formal commitment into the Plan for the protection of the beaches along Captiva Island.

10.) Lee County shall encourage and support efforts by the Captiva Community to investigate and recommend measures that will improve water quality in Pine Island Sound, adjacent to Captiva Island. Such measures may include the establishment of additional regulations regarding stormwater runoff and the utilization of wastewater treatment and septic systems in areas where water quality problems have been identified. Lee County shall assist Captivans in their efforts to investigate water quality issues in this area and provide support for the preparation of a report summarizing findings and recommendations for addressing any problems discovered, with special emphasis on methods and technology for improving water quality entering septic fields and ultimately the local groundwater. The results of this investigation and the proposed recommendations shall be reported to the residents of Captiva at a public meeting to take place on Captiva to be held at some point during the months between December 1 until March 31 in order to disseminate the results of the investigation to the broadest number of residents possible. Further, subsequent to the public hearing to be held on Captiva, the results of these investigations and recommendations shall be brought to the Board of County Commissioners at a public hearing along with input from the public meeting held on Captiva. At that time, the Board of Commissioners shall consider what measures need to be taken to provide for improved water quality and wastewater treatment measures for this area of Captiva. The investigations and recommendations shall be completed not later than November 2002, and the presentation to the County Commission shall occur not later than April 2003.

Comment: Although there is great concern regarding water quality and septic tanks on small lots, there is virtually no option regarding the establishment of a wastewater treatment system for the area of the Island that has the greatest potential negative impact (The Village) upon water quality. There may be new technologies that can be implemented for new or replacement systems, however, the transfer to these systems will be a gradual process. Permitting efforts will also need to be coordinated with the Florida Department of Health. Question # 14a regarding possibilities for better sewage treatment in certain areas of the Island, as long as the density limits were not exceeded, was supported with 327 positive responses to 123 negative, but comments at workshops and on the survey indicate that there is a realization that limited options for protection of water quality may be available.

11.) Lee County shall implement a procedure for all proposed future comprehensive plan amendments, rezoning requests and all variance, special exception, and special permit applications for parcels located on Captiva Island that will require a public hearing to be held, at the applicant's expense, at a location on Captiva. The public hearing shall be for the purpose of explaining the request to the public, and shall be advertised in the same manner that the rezoning, variance, special exception, or special permit is advertised for hearing before the Lee County Hearing Examiner. In the case of proposed comprehensive plan amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan, such future amendments will also require notification to property owners, as listed on the then current property owners taxing roll, maintained by the Lee County Property Appraiser, by certified letter.

Comment: Local input for the permitting process was supported by the survey results with 468 responses for and 34 against. This policy will require that the County adopt a set of procedures establishing a 'pre-Hearing Examiner' public hearing to take place on Captiva for all rezoning, variance, special exception, and special permit requests. Although the hearing will not result in any decision, it would serve to more widely disseminate information across the Island community for any development proposals involving an appearance before the Lee County Hearing Examiner. The tenor or comments regarding the need for better information relating to development requests suggests that while better dissemination of information is desired, the establishment of a new bureaucracy to administer development requests is possibly overkill.

12.) Due to the seasonal nature of the population inhabiting Captiva, and due to the County's desire to encourage the broadest possible public participation, rezoning requests, and all variance, special exception, and special permit applications for parcels located on Captiva Island that will require a public hearing to be held shall only be scheduled for public hearings between October 15 through May 15 of any given year. For applications received during other months, the first available hearing date after October 15 shall be provided, subject to a determination that the application is sufficient and in accordance with all applicable regulations concerning application requirements. In the event of a hurricane, fire, flood, or other natural disaster, the Lee County Board of Commissioners may suspend this requirement by finding that extraordinary circumstances apply.

Comment: This has the effect of prohibiting public hearings for rezonings, variances, special exceptions, and special permits during summer months when the Island's population is not in residence. This proposed policy is in response to the complaint that actions impacting the community at large are often undertaken during the off-season. There is some question as to whether establishing a delay such as this can be done within the current legal and administrative framework.

13.) Lee County shall encourage and support the Captiva Community in conjunction with Captiva business owners in the preservation of existing commercial uses on Captiva in order to provide for dining and shopping opportunities for the residents and visitors to Captiva Island. Such assistance shall include, but not be limited to, investigation of appropriate parking requirements for Island businesses, alternate parking surfaces to preserve some level of surface permeability, roadway and drainage improvements, preservation of the mixed use activities in the existing commercial areas, and the possibility of a community redevelopment effort for existing commercial neighborhoods.

Comment: The survey demonstrated that preservation of the existing commercial uses was viewed as quite important. Additionally, the mixed-use nature of the Village area was deemed to be part of the overall charm of the Island, although there was also recognition that parking opportunities were limited and some creative efforts in that area should be considered.

14.) Lee County shall encourage and support the solicitation of the widest possible range of public input for any future Lee Plan amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan. To that end, Lee County is committed to provide continuing assistance to the Captiva Community as part of the Evaluation and Appraisal Report process as well as ongoing technical expertise related to the functioning of the adopted policies. Additionally, future amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan will require that public input be solicited from all segments of Captiva through measures that may include, but are not limited to, public meetings, focus groups, opinion surveys, electronic opinion forums, etc.

Comment: This policy is intended to insure that future amendments will undergo a public solicitation process at least as rigorous as that which has been undertaken for the current set of amendments. This places Lee County squarely in the position of eliciting the maximum possible input for any future changes to the proposed plan.

Office of the Sheriff
Rodney Shoap

County of Lee
State of Florida

September 27, 2001

Mr. David W. Depew, AICP
Morris-Depew Associates, Inc.
2216 Altamont Avenue
Fort Myers, Florida 33901

RE: Captiva Island
Comprehensive Plan Amendment

Dear Mr. Depew:

The "Captiva Island Comprehensive Plan Amendment" is within the service area for the Lee County Sheriff's Office. It is policy of the Lee County Sheriff's Office to support community growth and we will do everything possible to accommodate the law enforcement needs.

We anticipate that we will receive the reasonable and necessary funding to support growth in demand. We therefore believe that the Lee County Sheriff's Office will be able to serve your project as it builds out.

Sincerely,

Captain Daniel Johnson
Planning and Research

RECEIVED
DEC 20 2002
COMMUNITY DEVELOPMENT

Copy: File

CPA [redacted] 2001-00010

14750 Six Mile Cypress Parkway • Fort Myers, Florida 33912-4406 • (941) 477-1000

MORRIS-DEPEW ASSOCIATES, INC.
ENGINEERS • PLANNERS • SURVEYORS & MAPPERS
2216 Altamont Avenue • Fort Myers, Florida 33901 • (941) 337-3993 • FAX (941) 337-3994

September 13, 2001

Major David Bonsall
Lee County Sheriff's Office
14750 Six Mile Cypress Parkway
Fort Myers, FL 33912

RE: Request for Letter verifying service for Captiva Island
Application for a Comprehensive Plan Amendment

Dear Major Bonsall:

Please accept this letter as a request for a letter from your agency determining the adequacy/provision of existing/proposed support facilities for Captiva Island. We are in the process of submitting an application for a Comprehensive Plan Amendment to Lee County Community Development Planning Division, and the requested letter is listed as a submittal requirement by Lee County. The application request is for the addition of a Captiva Island Community Plan to the existing Lee Plan. I have attached a copy of the draft proposed plan policies for your evaluation. We intend to submit the application to the County no later than September 28, 2001.

I have attached a draft response letter for your review. Please forward your response to my attention at your earliest convenience. Should you have any questions or require further information in this regard, please do not hesitate to contact me.

Sincerely,

MORRIS-DEPEW ASSOCIATES, INC.

David W. Depew, AICP
President

Attachments

DWD/seh

RECEIVED
DEC 20 2002
COMMUNITY DEVELOPMENT

CPA 2001-00010

COPY

Date

Mr. David W. Depew, AICP
Morris-Depew Associates, Inc.
2216 Altamont Avenue
Fort Myers, FL 33901

RE: Letter verifying service for Captiva Island
Application for a Comprehensive Plan Amendment

Dear Mr. Depew:

Please be advised that we have reviewed the draft proposed plan policies that you have provided. These proposed plan policies do not, in our opinion, increase the overall development intensity on the island. We will continue to service the island with the same level of service that we have been currently providing and feel that this level of service meets or exceeds the current requirements.

Should you have any questions or require further information in this regard, please contact me.

Sincerely,

Draft Proposed Captiva
Comprehensive Plan Amendments
Amendments to the Lee County Comprehensive Plan
September 12, 2001

Goal:

Conserve, protect and manage the physical and socio-economic resources of Captiva Island, including, but not limited to, the beaches, wetlands, upland ecosystems, land use patterns, facilities and infrastructure capacity, quality of life, and community values so as to maintain and enhance native habitats, floral and faunal species diversity, water quality, natural surface water characteristics, neighborhood cohesion, access to necessary services and facilities, public participation, and historic resources.

Comment: This is a general and all-encompassing goal intended to set the stage for additional policies.

Objective:

Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island.

Comment: Another general statement intended to establish the basis for the new proposed policies.

Policies:

1.) New requests for residential rezonings at a density exceeding one unit per acre, shall not be permitted. (Nothing in this policy shall be deemed to prevent the replacement of an existing dwelling unit or commercial use in the event of a natural disaster, hurricane, flood, fire, or other similar occurrence.)

Comment: This would effectively limit any **new** rezoning request to a residential activity of less than one dwelling unit per acre. This could have the effect of shutting down **all** new residential rezoning requests. In the latest survey, the three dwelling unit cap (question 10) was supported by 490 respondents and opposed by 34. For that reason, it is not being suggested that the Lee Plan Future Land Use Map be changed to lower the overall density. However, question # 14b, suggesting that existing densities and intensities of use be preserved as they currently exist on the ground, was another big winner with 473 responses in support compared to 50 against. For these two responses to be consistent, it appears that a policy that prohibits rezonings to higher densities is necessary, but no effort to roll back existing uses or potential densities for existing zoning approvals is called for.

2.) Lee County recognizes that Captiva Drive is a roadway facility with unique characteristics that limit the ability to expand its carrying capacity. Notwithstanding any other policies found herein, once the peak hour, peak season, peak direction number of trips reaches 550 on Captiva Drive, as calculated using FDOT methodology and reflected in the annual Lee County Concurrency Management Report, Lee County shall approve no additional permits that would increase the number of trips on Captiva Drive. However, in no instance shall a property owner be denied the issuance of a permit to replace an existing unit so long as the proposed replacement complies with all applicable Policies, Codes, and Ordinances. Additionally, this policy shall not be interpreted to contradict provisions XIII.a.E and XIII.b.B.4, found in the Administrative section of this Plan guaranteeing a lot owner the right to build a single-family residence.

Comment: This is potentially a severe restriction in that it would stop all permits, building or otherwise, that would have an impact of increasing traffic above 550 peak hour, peak season, peak direction vehicular trips. As of 2000, there were 408 peak hour, peak season, peak direction trips on Captiva Drive. This means that there is some room for additional activity, but it is limited, and will serve to establish an absolute maximum on the amount of development that can occur on the

Island. The inclusion of the reference to XIII.a.E. in the Administrative section references the existing Lee Plan build back policy in the event of a hurricane, fire, etc. Additionally, there may be a legal difficulty if the denial of a permit causes an owner to no longer have a reasonable use of his property, so the addition of the Single Family Residence provision (XIII.b.B.4) is intended to establish a safety valve for that eventuality. Without question, the most overwhelming concern is the traffic along Captiva Drive. Virtually everyone that made comments mentioned the increased traffic and concerns regarding traffic congestion, suggesting that some effort to control the growth of traffic on Captiva Drive is warranted.

3.) Recognizing that Captiva Drive is vulnerable to flooding and storm damage, any resurfacing of Captiva Drive shall be done in a fashion that decreases the possibility of roadway wash-out and other damage that would result from a storm or flooding.

Comment: This could increase the cost of roadway improvements, but would provide, over time, a safer evacuation route. If this is adopted, there should also be language regarding the protection of the Australian Pines along certain sections of Captiva Drive so that this policy is not used to justify the removal of the trees along the road. There was some concern manifested over evacuation issues in workshops and on some of the surveys. This policy is intended to insure that Lee County will consider maintenance and reconstruction options that help limit the roadway's vulnerability to storm damage.

4.) Funding of roadway improvements such as resurfacing and flood/storm protection shall be undertaken in a fashion that considers not only local utilization of Captiva Drive, but also the use to which that facility is put by non-residents of Captiva Island. It is recognized that while Captiva Drive is a collector roadway, it is the only road connecting the Island to Sanibel and the mainland, and represents a unique scenic and aesthetic resource for Lee County. Lee County shall preserve and enhance the tree canopy within the right of way to the greatest extent possible.

Comment: This policy is intended to recognize that considerable off-Island traffic uses Captiva Drive. Additionally, it appears that there is some question as to whether Captiva Drive is a collector or an arterial roadway, so this policy clearly notes that it is an arterial roadway and the sole connection to the mainland. Finally, it establishes a special status for Captiva Drive as a scenic roadway and aesthetic resource, specifically allowing trees to be planted in the road right of way. A great deal of comment was noted regarding the fact that the County does not return to Captiva what some consider to be a fair share in maintenance and improvement funds. This policy is intended to specify the significant off-island traffic using Captiva's roadway facilities as well as to note that Captiva Drive is a unique roadway for which certain 'non-engineering' considerations will be included in any improvement plan made by Lee County.

5.) Lee County specifically recognizes that the existing tree canopy on Captiva Island is significant and must be preserved in order to provide a storm buffer, shelter for birds, habitat for various animals, enhance outdoor recreation and aesthetic values, and maintain the historic ambience of Captiva Island. To that end, public works project shall not remove canopy trees, even if such trees are deemed to be exotic vegetation, unless absolutely necessary. Further, if such trees are removed, replacement trees shall be planted in the largest size readily available as part of a mitigation effort for those that were removed. Additionally, Lee County shall not approve any variance or deviation that results in a reduction of landscaping or buffering requirements without evidence that such approval clearly and substantially benefits the public health, safety, and welfare.

Comment: This is intended to preserve the trees along the Captiva Drive right of way, even if the County deems them to be 'exotic' vegetation in other areas of the Land Development Code. Although there may be some justification for removal of trees at some unforeseen point in the future, the policy will also require that replacements be planted in as large a size as possible. This would apply not only to Captiva Drive, but to all County owned property on the Island. Clearly the Australian Pines along Captiva Drive are deemed to be a special aspect of the Island with 387 positive responses to the special status proposed in question # 22 as opposed to 131 negative responses. Going further, it is also clear that Captivans support the idea of enhancement of the overall Island tree canopy with 447 positive responses and 61 negative responses to the idea of undertaking current efforts for replacement trees. The requirement that clear and substantial evidence be presented for any variance or deviation requesting a reduction in landscape or buffer standards places a large burden upon the applicant in order to achieve approval.

6.) The Captiva Community shall investigate, draft, and submit to Lee County recommended methods for traffic calming on Captiva Drive from Blind Pass to the entrance of South Seas Plantation, with special emphasis on the area south of 'Tween Waters. Specific options, reflecting the unique nature of the area, including but not limited to the recognition of the necessity for low operating speeds, the limited rights of way, the limited numbers of parked vehicles, the desirability of preserving the tree canopy along Captive Drive, and the seasonal nature of facility demand, shall be considered. The results of this investigation and proposed recommendations shall be reported to the residents of Captiva at a public meeting to take place on Captiva to be held at some point not later than during the months between December 1, 2002 and March 31, 2003 in order to disseminate the results of the investigation to the broadest number of residents possible. Further, subsequent to the public hearing to be held on Captiva, the results of these investigations and recommendations shall be brought to the Board of County Commissioners at a public hearing along with input from the public meeting held on Captiva. At that time, the Board of Commissioners shall consider what measures need to be taken to provide for traffic calming opportunities on Captiva. The investigations and recommendations shall be completed not later than November 30, 2002, and the presentation to the County Commission shall occur not later than April 30, 2003.

Comment: "Traffic calming" is simply a term that refers, on Captiva, to the slowing of traffic. The overall results of the survey indicated that traffic, especially in the South Island area, can be overwhelming during certain times of the year. There are a number of options for slowing things down that can be reviewed and discussed including speed humps, speed tables (which can be used as pedestrian crossings), raised or textured intersections, textured pavements, traffic circles, chicanes (curves in the roadway), lateral shifts, center islands, and realigned intersections. A review of all options can be undertaken as part of a planning mandate, with a report to the Island residents during that time of year when residency is at its highest level. An amendment has been placed in this policy, removing Lee County from primary responsibility and placing the responsibility upon Captivans to propose traffic calming measures unique for Captiva. Such language will require additional community action to investigate and develop such standards.

7.) Lee County shall encourage and support efforts by Captivans to establish innovative approaches to establish alternatives for pedestrian and bicycle traffic facilities from Blind Pass to the entrance of South Seas Plantation.

Comment: Discussions among the public participants suggests that a more extensive effort to address the question of pedestrian and bicycle transportation alternatives may have to wait on additional efforts and study. Although current opportunities appear limited for the provision of bicycle and pedestrian opportunities, the residents appear quite united in the desire for more bike paths and/or sidewalks. This policy simply states that the County will support and encourage efforts on the part of residents to consider facility alternatives. There are a number of alternatives that can be considered related to bike paths that are non-standard in width and/or location. The need to establish an 8' wide two-way bike path separated from the right of way, while attractive to engineers, may not be an absolute requirement given the unique characteristics of the Island. Considerable flexibility has been shown recently by Lee County regarding non-standard facilities with limited liability implications. There were 375 respondents that supported additional pedestrian and bicycling opportunities on the Island (# 24) as opposed to 146 responses against.

8.) Lee County shall encourage and support efforts by Captivans to establish a landscaping code for Captiva Island that will require all new development, including single family residences, to implement minimum landscaping requirements intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. New landscaping requirements shall focus on areas including, but not limited to, buffering and separation between new structures and Captiva Drive, buffering between adjoining properties, preservation and enhancement of the beach dune vegetation, and preservation and enhancement of the mangroves adjoining Pine Island Sound.

Comment: This is intended to require the County to establish additional landscaping requirements for Captiva, applicable to all development, including single-family building permits, for the purpose of enhancing the existing vegetation and tree canopy. Additional vegetation should help to provide visual buffers for houses adjacent to Captiva Drive as well as promoting the preservation and enhancement of sea oats, mangroves, and other such unique Island vegetative communities. This policy will also work to provide additional canopy trees in the event that the Australian Pines fall. The survey made it clear that Captivans support the idea of enhancement of the overall Island tree canopy with 447 positive responses and 61

negative responses to the idea of undertaking current efforts for replacement trees. Again, this language places the responsibility upon Captivans rather than upon Lee County to propose additional landscaping and buffering standards on Captiva. This would remove the requirement from the County and require additional community action to draft such standards.

9.) Lee County shall continue to support local efforts to preserve, protect, and renourish Captiva's beaches through the use of environmentally responsible methods.

Comment: This simply places a formal commitment into the Plan for the protection of the beaches along Captiva Island.

10.) Lee County shall encourage and support efforts by the Captiva Community to investigate and recommend measures that will improve water quality in Pine Island Sound, adjacent to Captiva Island. Such measures may include the establishment of additional regulations regarding stormwater runoff and the utilization of wastewater treatment and septic systems in areas where water quality problems have been identified. Lee County shall assist Captivans in their efforts to investigate water quality issues in this area and provide support for the preparation of a report summarizing findings and recommendations for addressing any problems discovered, with special emphasis on methods and technology for improving water quality entering septic fields and ultimately the local groundwater. The results of this investigation and the proposed recommendations shall be reported to the residents of Captiva at a public meeting to take place on Captiva to be held at some point during the months between December 1 until March 31 in order to disseminate the results of the investigation to the broadest number of residents possible. Further, subsequent to the public hearing to be held on Captiva, the results of these investigations and recommendations shall be brought to the Board of County Commissioners at a public hearing along with input from the public meeting held on Captiva. At that time, the Board of Commissioners shall consider what measures need to be taken to provide for improved water quality and wastewater treatment measures for this area of Captiva. The investigations and recommendations shall be completed not later than November 2002, and the presentation to the County Commission shall occur not later than April 2003.

Comment: Although there is great concern regarding water quality and septic tanks on small lots, there is virtually no option regarding the establishment of a wastewater treatment system for the area of the Island that has the greatest potential negative impact (The Village) upon water quality. There may be new technologies that can be implemented for new or replacement systems, however, the transfer to these systems will be a gradual process. Permitting efforts will also need to be coordinated with the Florida Department of Health. Question # 14a regarding possibilities for better sewage treatment in certain areas of the Island, as long as the density limits were not exceeded, was supported with 327 positive responses to 123 negative, but comments at workshops and on the survey indicate that there is a realization that limited options for protection of water quality may be available.

11.) Lee County shall implement a procedure for all proposed future comprehensive plan amendments, rezoning requests and all variance, special exception, and special permit applications for parcels located on Captiva Island that will require a public hearing to be held, at the applicant's expense, at a location on Captiva. The public hearing shall be for the purpose of explaining the request to the public, and shall be advertised in the same manner that the rezoning, variance, special exception, or special permit is advertised for hearing before the Lee County Hearing Examiner. In the case of proposed comprehensive plan amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan, such future amendments will also require notification to property owners, as listed on the then current property owners taxing roll, maintained by the Lee County Property Appraiser, by certified letter.

Comment: Local input for the permitting process was supported by the survey results with 468 responses for and 34 against. This policy will require that the County adopt a set of procedures establishing a 'pre-Hearing Examiner' public hearing to take place on Captiva for all rezoning, variance, special exception, and special permit requests. Although the hearing will not result in any decision, it would serve to more widely disseminate information across the Island community for any development proposals involving an appearance before the Lee County Hearing Examiner. The tenor or comments regarding the need for better information relating to development requests suggests that while better dissemination of information is desired, the establishment of a new bureaucracy to administer development requests is possibly overkill.

12.) Due to the seasonal nature of the population inhabiting Captiva, and due to the County's desire to encourage the broadest possible public participation, rezoning requests, and all variance, special exception, and special permit applications for parcels located on Captiva Island that will require a public hearing to be held shall only be scheduled for public hearings between October 15 through May 15 of any given year. For applications received during other months, the first available hearing date after October 15 shall be provided, subject to a determination that the application is sufficient and in accordance with all applicable regulations concerning application requirements. In the event of a hurricane, fire, flood, or other natural disaster, the Lee County Board of Commissioners may suspend this requirement by finding that extraordinary circumstances apply.

Comment: This has the effect of prohibiting public hearings for rezonings, variances, special exceptions, and special permits during summer months when the Island's population is not in residence. This proposed policy is in response to the complaint that actions impacting the community at large are often undertaken during the off-season. There is some question as to whether establishing a delay such as this can be done within the current legal and administrative framework.

13.) Lee County shall encourage and support the Captiva Community in conjunction with Captiva business owners in the preservation of existing commercial uses on Captiva in order to provide for dining and shopping opportunities for the residents and visitors to Captiva Island. Such assistance shall include, but not be limited to, investigation of appropriate parking requirements for Island businesses, alternate parking surfaces to preserve some level of surface permeability, roadway and drainage improvements, preservation of the mixed use activities in the existing commercial areas, and the possibility of a community redevelopment effort for existing commercial neighborhoods.

Comment: The survey demonstrated that preservation of the existing commercial uses was viewed as quite important. Additionally, the mixed-use nature of the Village area was deemed to be part of the overall charm of the Island, although there was also recognition that parking opportunities were limited and some creative efforts in that area should be considered.

14.) Lee County shall encourage and support the solicitation of the widest possible range of public input for any future Lee Plan amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan. To that end, Lee County is committed to provide continuing assistance to the Captiva Community as part of the Evaluation and Appraisal Report process as well as ongoing technical expertise related to the functioning of the adopted policies. Additionally, future amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan will require that public input be solicited from all segments of Captiva through measures that may include, but are not limited to, public meetings, focus groups, opinion surveys, electronic opinion forums, etc.

Comment: This policy is intended to insure that future amendments will undergo a public solicitation process at least as rigorous as that which has been undertaken for the current set of amendments. This places Lee County squarely in the position of eliciting the maximum possible input for any future changes to the proposed plan.

MORRIS-DEPEW ASSOCIATES, INC.
ENGINEERS • PLANNERS • SURVEYORS & MAPPERS
2216 Altamont Avenue • Fort Myers, Florida 33901 • (941) 337-3993 • FAX (941) 337-3994

September 13, 2001

VIA HAND DELIVERY

Mr. Lindsey J. Sampson, P.E., Director of Solid Waste
Lee County Solid Waste
3rd Floor
1500 Monroe Street
Fort Myers, FL 33901

RE: Request for Letter verifying service for Captiva Island
Application for a Comprehensive Plan Amendment

Dear Mr. Sampson:

Please accept this letter as a request for a letter from your agency determining the adequacy/provision of existing/proposed support facilities for Captiva Island. We are in the process of submitting an application for a Comprehensive Plan Amendment to Lee County Community Development Planning Division, and the requested letter is listed as a submittal requirement by Lee County. The application request is for the addition of a Captiva Island Community Plan to the existing Lee Plan. I have attached a copy of the draft proposed plan policies for your evaluation. We intend to submit the application to the County no later than September 28, 2001.

I have attached a draft response letter for your review. Please forward your response to my attention at your earliest convenience. Should you have any questions or require further information in this regard, please do not hesitate to contact me.

Sincerely,

MORRIS-DEPEW ASSOCIATES, INC.

David W. Depew, AICP
President

RECEIVED
DEC 20 2002
COMMUNITY DEVELOPMENT

Attachments

DWD/seh

CPA 2001-00010

COPY

Date

Mr. David W. Depew, AICP
Morris-Depew Associates, Inc.
2216 Altamont Avenue
Fort Myers, FL 33901

RE: Letter verifying service for Captiva Island
Application for a Comprehensive Plan Amendment

Dear Mr. Depew:

Please be advised that we have reviewed the draft proposed plan policies that you have provided. These proposed plan policies do not, in our opinion, increase the overall development intensity on the island. We will continue to service the island with the same level of service that we have been currently providing and feel that this level of service meets or exceeds the current requirements.

Should you have any questions or require further information in this regard, please contact me.

Sincerely,

Draft Proposed Captiva
Comprehensive Plan Amendments
Amendments to the Lee County Comprehensive Plan
September 12, 2001

Goal:

Conserve, protect and manage the physical and socio-economic resources of Captiva Island, including, but not limited to, the beaches, wetlands, upland ecosystems, land use patterns, facilities and infrastructure capacity, quality of life, and community values so as to maintain and enhance native habitats, floral and faunal species diversity, water quality, natural surface water characteristics, neighborhood cohesion, access to necessary services and facilities, public participation, and historic resources.

Comment: This is a general and all-encompassing goal intended to set the stage for additional policies.

Objective:

Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island.

Comment: Another general statement intended to establish the basis for the new proposed policies.

Policies:

1.) New requests for residential rezonings at a density exceeding one unit per acre, shall not be permitted. (Nothing in this policy shall be deemed to prevent the replacement of an existing dwelling unit or commercial use in the event of a natural disaster, hurricane, flood, fire, or other similar occurrence.)

Comment: This would effectively limit any **new** rezoning request to a residential activity of less than one dwelling unit per acre. This could have the effect of shutting down **all** new residential rezoning requests. In the latest survey, the three dwelling unit cap (question 10) was supported by 490 respondents and opposed by 34. For that reason, it is not being suggested that the Lee Plan Future Land Use Map be changed to lower the overall density. However, question # 14b, suggesting that existing densities and intensities of use be preserved as they currently exist on the ground, was another big winner with 473 responses in support compared to 50 against. For these two responses to be consistent, it appears that a policy that prohibits rezonings to higher densities is necessary, but no effort to roll back existing uses or potential densities for existing zoning approvals is called for.

2.) Lee County recognizes that Captiva Drive is a roadway facility with unique characteristics that limit the ability to expand its carrying capacity. Notwithstanding any other policies found herein, once the peak hour, peak season, peak direction number of trips reaches 550 on Captiva Drive, as calculated using FDOT methodology and reflected in the annual Lee County Concurrency Management Report, Lee County shall approve no additional permits that would increase the number of trips on Captiva Drive. However, in no instance shall a property owner be denied the issuance of a permit to replace an existing unit so long as the proposed replacement complies with all applicable Policies, Codes, and Ordinances. Additionally, this policy shall not be interpreted to contradict provisions XIII.a.E and XIII.b.B.4, found in the Administrative section of this Plan guaranteeing a lot owner the right to build a single-family residence.

Comment: This is potentially a severe restriction in that it would stop all permits, building or otherwise, that would have an impact of increasing traffic above 550 peak hour, peak season, peak direction vehicular trips. As of 2000, there were 408 peak hour, peak season, peak direction trips on Captiva Drive. This means that there is some room for additional activity, but it is limited, and will serve to establish an absolute maximum on the amount of development that can occur on the

Island. The inclusion of the reference to XIII.a.E. in the Administrative section references the existing Lee Plan build back policy in the event of a hurricane, fire, etc. Additionally, there may be a legal difficulty if the denial of a permit causes an owner to no longer have a reasonable use of his property, so the addition of the Single Family Residence provision (XIII.b.B.4) is intended to establish a safety valve for that eventuality. Without question, the most overwhelming concern is the traffic along Captiva Drive. Virtually everyone that made comments mentioned the increased traffic and concerns regarding traffic congestion, suggesting that some effort to control the growth of traffic on Captiva Drive is warranted.

3.) Recognizing that Captiva Drive is vulnerable to flooding and storm damage, any resurfacing of Captiva Drive shall be done in a fashion that decreases the possibility of roadway wash-out and other damage that would result from a storm or flooding.

Comment: This could increase the cost of roadway improvements, but would provide, over time, a safer evacuation route. If this is adopted, there should also be language regarding the protection of the Australian Pines along certain sections of Captiva Drive so that this policy is not used to justify the removal of the trees along the road. There was some concern manifested over evacuation issues in workshops and on some of the surveys. This policy is intended to insure that Lee County will consider maintenance and reconstruction options that help limit the roadway's vulnerability to storm damage.

4.) Funding of roadway improvements such as resurfacing and flood/storm protection shall be undertaken in a fashion that considers not only local utilization of Captiva Drive, but also the use to which that facility is put by non-residents of Captiva Island. It is recognized that while Captiva Drive is a collector roadway, it is the only road connecting the Island to Sanibel and the mainland, and represents a unique scenic and aesthetic resource for Lee County. Lee County shall preserve and enhance the tree canopy within the right of way to the greatest extent possible.

Comment: This policy is intended to recognize that considerable off-Island traffic uses Captiva Drive. Additionally, it appears that there is some question as to whether Captiva Drive is a collector or an arterial roadway, so this policy clearly notes that it is an arterial roadway and the sole connection to the mainland. Finally, it establishes a special status for Captiva Drive as a scenic roadway and aesthetic resource, specifically allowing trees to be planted in the road right of way. A great deal of comment was noted regarding the fact that the County does not return to Captiva what some consider to be a fair share in maintenance and improvement funds. This policy is intended to specify the significant off-island traffic using Captiva's roadway facilities as well as to note that Captiva Drive is a unique roadway for which certain 'non-engineering' considerations will be included in any improvement plan made by Lee County.

5.) Lee County specifically recognizes that the existing tree canopy on Captiva Island is significant and must be preserved in order to provide a storm buffer, shelter for birds, habitat for various animals, enhance outdoor recreation and aesthetic values, and maintain the historic ambience of Captiva Island. To that end, public works project shall not remove canopy trees, even if such trees are deemed to be exotic vegetation, unless absolutely necessary. Further, if such trees are removed, replacement trees shall be planted in the largest size readily available as part of a mitigation effort for those that were removed. Additionally, Lee County shall not approve any variance or deviation that results in a reduction of landscaping or buffering requirements without evidence that such approval clearly and substantially benefits the public health, safety, and welfare.

Comment: This is intended to preserve the trees along the Captiva Drive right of way, even if the County deems them to be 'exotic' vegetation in other areas of the Land Development Code. Although there may be some justification for removal of trees at some unforeseen point in the future, the policy will also require that replacements be planted in as large a size as possible. This would apply not only to Captiva Drive, but to all County owned property on the Island. Clearly the Australian Pines along Captiva Drive are deemed to be a special aspect of the Island with 387 positive responses to the special status proposed in question # 22 as opposed to 131 negative responses. Going further, it is also clear that Captivans support the idea of enhancement of the overall Island tree canopy with 447 positive responses and 61 negative responses to the idea of undertaking current efforts for replacement trees. The requirement that clear and substantial evidence be presented for any variance or deviation requesting a reduction in landscape or buffer standards places a large burden upon the applicant in order to achieve approval.

6.) The Captiva Community shall investigate, draft, and submit to Lee County recommended methods for traffic calming on Captiva Drive from Blind Pass to the entrance of South Seas Plantation, with special emphasis on the area south of 'Tween Waters. Specific options, reflecting the unique nature of the area, including but not limited to the recognition of the necessity for low operating speeds, the limited rights of way, the limited numbers of parked vehicles, the desirability of preserving the tree canopy along Captive Drive, and the seasonal nature of facility demand, shall be considered. The results of this investigation and proposed recommendations shall be reported to the residents of Captiva at a public meeting to take place on Captiva to be held at some point not later than during the months between December 1, 2002 and March 31, 2003 in order to disseminate the results of the investigation to the broadest number of residents possible. Further, subsequent to the public hearing to be held on Captiva, the results of these investigations and recommendations shall be brought to the Board of County Commissioners at a public hearing along with input from the public meeting held on Captiva. At that time, the Board of Commissioners shall consider what measures need to be taken to provide for traffic calming opportunities on Captiva. The investigations and recommendations shall be completed not later than November 30, 2002, and the presentation to the County Commission shall occur not later than April 30, 2003.

Comment: "Traffic calming" is simply a term that refers, on Captiva, to the slowing of traffic. The overall results of the survey indicated that traffic, especially in the South Island area, can be overwhelming during certain times of the year. There are a number of options for slowing things down that can be reviewed and discussed including speed humps, speed tables (which can be used as pedestrian crossings), raised or textured intersections, textured pavements, traffic circles, chicanes (curves in the roadway), lateral shifts, center islands, and realigned intersections. A review of all options can be undertaken as part of a planning mandate, with a report to the Island residents during that time of year when residency is at its highest level. An amendment has been placed in this policy, removing Lee County from primary responsibility and placing the responsibility upon Captivans to propose traffic calming measures unique for Captiva. Such language will require additional community action to investigate and develop such standards.

7.) Lee County shall encourage and support efforts by Captivans to establish innovative approaches to establish alternatives for pedestrian and bicycle traffic facilities from Blind Pass to the entrance of South Seas Plantation.

Comment: Discussions among the public participants suggests that a more extensive effort to address the question of pedestrian and bicycle transportation alternatives may have to wait on additional efforts and study. Although current opportunities appear limited for the provision of bicycle and pedestrian opportunities, the residents appear quite united in the desire for more bike paths and/or sidewalks. This policy simply states that the County will support and encourage efforts on the part of residents to consider facility alternatives. There are a number of alternatives that can be considered related to bike paths that are non-standard in width and/or location. The need to establish an 8' wide two-way bike path separated from the right of way, while attractive to engineers, may not be an absolute requirement given the unique characteristics of the Island. Considerable flexibility has been shown recently by Lee County regarding non-standard facilities with limited liability implications. There were 375 respondents that supported additional pedestrian and bicycling opportunities on the Island (# 24) as opposed to 146 responses against.

8.) Lee County shall encourage and support efforts by Captivans to establish a landscaping code for Captiva Island that will require all new development, including single family residences, to implement minimum landscaping requirements intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. New landscaping requirements shall focus on areas including, but not limited to, buffering and separation between new structures and Captiva Drive, buffering between adjoining properties, preservation and enhancement of the beach dune vegetation, and preservation and enhancement of the mangroves adjoining Pine Island Sound.

Comment: This is intended to require the County to establish additional landscaping requirements for Captiva, applicable to all development, including single-family building permits, for the purpose of enhancing the existing vegetation and tree canopy. Additional vegetation should help to provide visual buffers for houses adjacent to Captiva Drive as well as promoting the preservation and enhancement of sea oats, mangroves, and other such unique Island vegetative communities. This policy will also work to provide additional canopy trees in the event that the Australian Pines fall. The survey made it clear that Captivans support the idea of enhancement of the overall Island tree canopy with 447 positive responses and 61

negative responses to the idea of undertaking current efforts for replacement trees. Again, this language places the responsibility upon Captivans rather than upon Lee County to propose additional landscaping and buffering standards on Captiva. This would remove the requirement from the County and require additional community action to draft such standards.

9.) Lee County shall continue to support local efforts to preserve, protect, and renourish Captiva's beaches through the use of environmentally responsible methods.

Comment: This simply places a formal commitment into the Plan for the protection of the beaches along Captiva Island.

10.) Lee County shall encourage and support efforts by the Captiva Community to investigate and recommend measures that will improve water quality in Pine Island Sound, adjacent to Captiva Island. Such measures may include the establishment of additional regulations regarding stormwater runoff and the utilization of wastewater treatment and septic systems in areas where water quality problems have been identified. Lee County shall assist Captivans in their efforts to investigate water quality issues in this area and provide support for the preparation of a report summarizing findings and recommendations for addressing any problems discovered, with special emphasis on methods and technology for improving water quality entering septic fields and ultimately the local groundwater. The results of this investigation and the proposed recommendations shall be reported to the residents of Captiva at a public meeting to take place on Captiva to be held at some point during the months between December 1 until March 31 in order to disseminate the results of the investigation to the broadest number of residents possible. Further, subsequent to the public hearing to be held on Captiva, the results of these investigations and recommendations shall be brought to the Board of County Commissioners at a public hearing along with input from the public meeting held on Captiva. At that time, the Board of Commissioners shall consider what measures need to be taken to provide for improved water quality and wastewater treatment measures for this area of Captiva. The investigations and recommendations shall be completed not later than November 2002, and the presentation to the County Commission shall occur not later than April 2003.

Comment: Although there is great concern regarding water quality and septic tanks on small lots, there is virtually no option regarding the establishment of a wastewater treatment system for the area of the Island that has the greatest potential negative impact (The Village) upon water quality. There may be new technologies that can be implemented for new or replacement systems, however, the transfer to these systems will be a gradual process. Permitting efforts will also need to be coordinated with the Florida Department of Health. Question # 14a regarding possibilities for better sewage treatment in certain areas of the Island, as long as the density limits were not exceeded, was supported with 327 positive responses to 123 negative, but comments at workshops and on the survey indicate that there is a realization that limited options for protection of water quality may be available.

11.) Lee County shall implement a procedure for all proposed future comprehensive plan amendments, rezoning requests and all variance, special exception, and special permit applications for parcels located on Captiva Island that will require a public hearing to be held, at the applicant's expense, at a location on Captiva. The public hearing shall be for the purpose of explaining the request to the public, and shall be advertised in the same manner that the rezoning, variance, special exception, or special permit is advertised for hearing before the Lee County Hearing Examiner. In the case of proposed comprehensive plan amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan, such future amendments will also require notification to property owners, as listed on the then current property owners taxing roll, maintained by the Lee County Property Appraiser, by certified letter.

Comment: Local input for the permitting process was supported by the survey results with 468 responses for and 34 against. This policy will require that the County adopt a set of procedures establishing a 'pre-Hearing Examiner' public hearing to take place on Captiva for all rezoning, variance, special exception, and special permit requests. Although the hearing will not result in any decision, it would serve to more widely disseminate information across the Island community for any development proposals involving an appearance before the Lee County Hearing Examiner. The tenor or comments regarding the need for better information relating to development requests suggests that while better dissemination of information is desired, the establishment of a new bureaucracy to administer development requests is possibly overkill.

12.) Due to the seasonal nature of the population inhabiting Captiva, and due to the County's desire to encourage the broadest possible public participation, rezoning requests, and all variance, special exception, and special permit applications for parcels located on Captiva Island that will require a public hearing to be held shall only be scheduled for public hearings between October 15 through May 15 of any given year. For applications received during other months, the first available hearing date after October 15 shall be provided, subject to a determination that the application is sufficient and in accordance with all applicable regulations concerning application requirements. In the event of a hurricane, fire, flood, or other natural disaster, the Lee County Board of Commissioners may suspend this requirement by finding that extraordinary circumstances apply.

Comment: This has the effect of prohibiting public hearings for rezonings, variances, special exceptions, and special permits during summer months when the Island's population is not in residence. This proposed policy is in response to the complaint that actions impacting the community at large are often undertaken during the off-season. There is some question as to whether establishing a delay such as this can be done within the current legal and administrative framework.

13.) Lee County shall encourage and support the Captiva Community in conjunction with Captiva business owners in the preservation of existing commercial uses on Captiva in order to provide for dining and shopping opportunities for the residents and visitors to Captiva Island. Such assistance shall include, but not be limited to, investigation of appropriate parking requirements for Island businesses, alternate parking surfaces to preserve some level of surface permeability, roadway and drainage improvements, preservation of the mixed use activities in the existing commercial areas, and the possibility of a community redevelopment effort for existing commercial neighborhoods.

Comment: The survey demonstrated that preservation of the existing commercial uses was viewed as quite important. Additionally, the mixed-use nature of the Village area was deemed to be part of the overall charm of the Island, although there was also recognition that parking opportunities were limited and some creative efforts in that area should be considered.

14.) Lee County shall encourage and support the solicitation of the widest possible range of public input for any future Lee Plan amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan. To that end, Lee County is committed to provide continuing assistance to the Captiva Community as part of the Evaluation and Appraisal Report process as well as ongoing technical expertise related to the functioning of the adopted policies. Additionally, future amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan will require that public input be solicited from all segments of Captiva through measures that may include, but are not limited to, public meetings, focus groups, opinion surveys, electronic opinion forums, etc.

Comment: This policy is intended to insure that future amendments will undergo a public solicitation process at least as rigorous as that which has been undertaken for the current set of amendments. This places Lee County squarely in the position of eliciting the maximum possible input for any future changes to the proposed plan.

THE SCHOOL DISTRICT OF LEE COUNTY

2055 CENTRAL AVENUE • FORT MYERS, FLORIDA 33901-3916 • (941) 334-1102

KATHERINE BOREN
CHAIRMAN · DISTRICT 4

TERRI K. WAMPLER
VICE CHAIRMAN · DISTRICT 1

JOANNE G. DOZIER
DISTRICT 2

JANE E. KUCKEL, PH.D.
DISTRICT 3

LISA POCKRUS
DISTRICT 5

JOHN W. SANDERS, ED.D.
SUPERINTENDENT

KEITH B. MARTIN
BOARD ATTORNEY

September 26, 2001

Mr. David W. Depew, AICP
Morris-Depew Associates, Inc.
2216 Altamont Avenue
Fort Myers, FL 33901

RE: Letter verifying service for Captiva Island
Application for a Comprehensive Plan Amendment

Dear Mr. Depew:

Please be advised that we have reviewed the draft proposed plan policies that you have provided. These proposed plan policies do not, in our opinion, increase the overall development intensity on the island. We will continue to service the island with the same level of service that we have been currently providing and feel that this level of service meets or exceeds the current requirements.

Should you have any questions or require further information in this regard, please contact me

Sincerely,

Stephanie Keyes

Stephanie Keyes, AICP, Facilities Planner
Construction Services

cc: Tyler F. Patak, NCARB, Director

RECEIVED
DEC 20 2002
COMMUNITY DEVELOPMENT

CPA 2001-00010

Stacy Hewitt

From: Stacy Hewitt
Sent: Monday, September 24, 2001 3:10 PM
To: 'StephanieK@lee.k12.fl.us'
Subject: Request for Letter verifying service for Captiva Island

Please accept this as a request for a letter from your agency determining the adequacy/provision of existing/proposed support facilities for Captiva Island. We are in the process of submitting an application for a Comprehensive Plan Amendment to Lee County Community Development Planning Division, and the requested letter is listed as a submittal requirement by Lee County. The application request is for the addition of a Captiva Island Community Plan to the existing Lee Plan. I have attached a copy of the draft proposed plan policies for your evaluation. We intend to submit the application to the County no later than September 28, 2001.

I have attached a draft response letter for your review. Please forward your response to my attention at your earliest convenience. Should you have any questions or require further information in this regard, please do not hesitate to contact me.

Sincerely,

David W. Depew, AICP
President
Morris-Depew Associates, Inc.
2216 Altamont Avenue
Fort Myers, FL 33901
Phone: (941) 337-3993
Fax: (941) 337-3994
<mailto:planning@m-da.com>


00254-09-12-01 Draft Proposed ...


00254-01-09-13-Draft agency re...

COPY

Date

Mr. David W. Depew, AICP
Morris-Depew Associates, Inc.
2216 Altamont Avenue
Fort Myers, FL 33901

RE: Letter verifying service for Captiva Island
Application for a Comprehensive Plan Amendment

Dear Mr. Depew:

Please be advised that we have reviewed the draft proposed plan policies that you have provided. These proposed plan policies do not, in our opinion, increase the overall development intensity on the island. We will continue to service the island with the same level of service that we have been currently providing and feel that this level of service meets or exceeds the current requirements.

Should you have any questions or require further information in this regard, please contact me.

Sincerely,

Draft Proposed Captiva
Comprehensive Plan Amendments
Amendments to the Lee County Comprehensive Plan
September 12, 2001

Goal:

Conserve, protect and manage the physical and socio-economic resources of Captiva Island, including, but not limited to, the beaches, wetlands, upland ecosystems, land use patterns, facilities and infrastructure capacity, quality of life, and community values so as to maintain and enhance native habitats, floral and faunal species diversity, water quality, natural surface water characteristics, neighborhood cohesion, access to necessary services and facilities, public participation, and historic resources.

Comment: This is a general and all-encompassing goal intended to set the stage for additional policies.

Objective:

Develop and maintain incentive and/or regulatory programs to ensure the long-term protection and enhancement of wetland habitats, water quality, natural upland habitats, community facilities, existing land use patterns, infrastructure capacity, and historically significant features on Captiva Island.

Comment: Another general statement intended to establish the basis for the new proposed policies.

Policies:

1.) New requests for residential rezonings at a density exceeding one unit per acre, shall not be permitted. (Nothing in this policy shall be deemed to prevent the replacement of an existing dwelling unit or commercial use in the event of a natural disaster, hurricane, flood, fire, or other similar occurrence.)

Comment: This would effectively limit any new rezoning request to a residential activity of less than one dwelling unit per acre. This could have the effect of shutting down all new residential rezoning requests. In the latest survey, the three dwelling unit cap (question 10) was supported by 490 respondents and opposed by 34. For that reason, it is not being suggested that the Lee Plan Future Land Use Map be changed to lower the overall density. However, question # 14b, suggesting that existing densities and intensities of use be preserved as they currently exist on the ground, was another big winner with 473 responses in support compared to 50 against. For these two responses to be consistent, it appears that a policy that prohibits rezonings to higher densities is necessary, but no effort to roll back existing uses or potential densities for existing zoning approvals is called for.

2.) Lee County recognizes that Captiva Drive is a roadway facility with unique characteristics that limit the ability to expand its carrying capacity. Notwithstanding any other policies found herein, once the peak hour, peak season, peak direction number of trips reaches 550 on Captiva Drive, as calculated using FDOT methodology and reflected in the annual Lee County Concurrency Management Report, Lee County shall approve no additional permits that would increase the number of trips on Captiva Drive. However, in no instance shall a property owner be denied the issuance of a permit to replace an existing unit so long as the proposed replacement complies with all applicable Policies, Codes, and Ordinances. Additionally, this policy shall not be interpreted to contradict provisions XIII.a.E and XIII.b.B.4, found in the Administrative section of this Plan guaranteeing a lot owner the right to build a single-family residence.

Comment: This is potentially a severe restriction in that it would stop all permits, building or otherwise, that would have an impact of increasing traffic above 550 peak hour, peak season, peak direction vehicular trips. As of 2000, there were 408 peak hour, peak season, peak direction trips on Captiva Drive. This means that there is some room for additional activity, but it is limited, and will serve to establish an absolute maximum on the amount of development that can occur on the

Island. The inclusion of the reference to XIII.a.E. in the Administrative section references the existing Lee Plan build back policy in the event of a hurricane, fire, etc. Additionally, there may be a legal difficulty if the denial of a permit causes an owner to no longer have a reasonable use of his property, so the addition of the Single Family Residence provision (XIII.b.B.4) is intended to establish a safety valve for that eventuality. Without question, the most overwhelming concern is the traffic along Captiva Drive. Virtually everyone that made comments mentioned the increased traffic and concerns regarding traffic congestion, suggesting that some effort to control the growth of traffic on Captiva Drive is warranted.

3.) Recognizing that Captiva Drive is vulnerable to flooding and storm damage, any resurfacing of Captiva Drive shall be done in a fashion that decreases the possibility of roadway wash-out and other damage that would result from a storm or flooding.

Comment: This could increase the cost of roadway improvements, but would provide, over time, a safer evacuation route. If this is adopted, there should also be language regarding the protection of the Australian Pines along certain sections of Captiva Drive so that this policy is not used to justify the removal of the trees along the road. There was some concern manifested over evacuation issues in workshops and on some of the surveys. This policy is intended to insure that Lee County will consider maintenance and reconstruction options that help limit the roadway's vulnerability to storm damage.

4.) Funding of roadway improvements such as resurfacing and flood/storm protection shall be undertaken in a fashion that considers not only local utilization of Captiva Drive, but also the use to which that facility is put by non-residents of Captiva Island. It is recognized that while Captiva Drive is a collector roadway, it is the only road connecting the Island to Sanibel and the mainland, and represents a unique scenic and aesthetic resource for Lee County. Lee County shall preserve and enhance the tree canopy within the right of way to the greatest extent possible.

Comment: This policy is intended to recognize that considerable off-Island traffic uses Captiva Drive. Additionally, it appears that there is some question as to whether Captiva Drive is a collector or an arterial roadway, so this policy clearly notes that it is an arterial roadway and the sole connection to the mainland. Finally, it establishes a special status for Captiva Drive as a scenic roadway and aesthetic resource, specifically allowing trees to be planted in the road right of way. A great deal of comment was noted regarding the fact that the County does not return to Captiva what some consider to be a fair share in maintenance and improvement funds. This policy is intended to specify the significant off-island traffic using Captiva's roadway facilities as well as to note that Captiva Drive is a unique roadway for which certain 'non-engineering' considerations will be included in any improvement plan made by Lee County.

5.) Lee County specifically recognizes that the existing tree canopy on Captiva Island is significant and must be preserved in order to provide a storm buffer, shelter for birds, habitat for various animals, enhance outdoor recreation and aesthetic values, and maintain the historic ambience of Captiva Island. To that end, public works project shall not remove canopy trees, even if such trees are deemed to be exotic vegetation, unless absolutely necessary. Further, if such trees are removed, replacement trees shall be planted in the largest size readily available as part of a mitigation effort for those that were removed. Additionally, Lee County shall not approve any variance or deviation that results in a reduction of landscaping or buffering requirements without evidence that such approval clearly and substantially benefits the public health, safety, and welfare.

Comment: This is intended to preserve the trees along the Captiva Drive right of way, even if the County deems them to be 'exotic' vegetation in other areas of the Land Development Code. Although there may be some justification for removal of trees at some unforeseen point in the future, the policy will also require that replacements be planted in as large a size as possible. This would apply not only to Captiva Drive, but to all County owned property on the Island. Clearly the Australian Pines along Captiva Drive are deemed to be a special aspect of the Island with 387 positive responses to the special status proposed in question # 22 as opposed to 131 negative responses. Going further, it is also clear that Captivans support the idea of enhancement of the overall Island tree canopy with 447 positive responses and 61 negative responses to the idea of undertaking current efforts for replacement trees. The requirement that clear and substantial evidence be presented for any variance or deviation requesting a reduction in landscape or buffer standards places a large burden upon the applicant in order to achieve approval.

6.) The Captiva Community shall investigate, draft, and submit to Lee County recommended methods for traffic calming on Captiva Drive from Blind Pass to the entrance of South Seas Plantation, with special emphasis on the area south of 'Tween Waters. Specific options, reflecting the unique nature of the area, including but not limited to the recognition of the necessity for low operating speeds, the limited rights of way, the limited numbers of parked vehicles, the desirability of preserving the tree canopy along Captive Drive, and the seasonal nature of facility demand, shall be considered. The results of this investigation and proposed recommendations shall be reported to the residents of Captiva at a public meeting to take place on Captiva to be held at some point not later than during the months between December 1, 2002 and March 31, 2003 in order to disseminate the results of the investigation to the broadest number of residents possible. Further, subsequent to the public hearing to be held on Captiva, the results of these investigations and recommendations shall be brought to the Board of County Commissioners at a public hearing along with input from the public meeting held on Captiva. At that time, the Board of Commissioners shall consider what measures need to be taken to provide for traffic calming opportunities on Captiva. The investigations and recommendations shall be completed not later than November 30, 2002, and the presentation to the County Commission shall occur not later than April 30, 2003.

Comment: "Traffic calming" is simply a term that refers, on Captiva, to the slowing of traffic. The overall results of the survey indicated that traffic, especially in the South Island area, can be overwhelming during certain times of the year. There are a number of options for slowing things down that can be reviewed and discussed including speed humps, speed tables (which can be used as pedestrian crossings), raised or textured intersections, textured pavements, traffic circles, chicanes (curves in the roadway), lateral shifts, center islands, and realigned intersections. A review of all options can be undertaken as part of a planning mandate, with a report to the Island residents during that time of year when residency is at its highest level. An amendment has been placed in this policy, removing Lee County from primary responsibility and placing the responsibility upon Captivans to propose traffic calming measures unique for Captiva. Such language will require additional community action to investigate and develop such standards.

7.) Lee County shall encourage and support efforts by Captivans to establish innovative approaches to establish alternatives for pedestrian and bicycle traffic facilities from Blind Pass to the entrance of South Seas Plantation.

Comment: Discussions among the public participants suggests that a more extensive effort to address the question of pedestrian and bicycle transportation alternatives may have to wait on additional efforts and study. Although current opportunities appear limited for the provision of bicycle and pedestrian opportunities, the residents appear quite united in the desire for more bike paths and/or sidewalks. This policy simply states that the County will support and encourage efforts on the part of residents to consider facility alternatives. There are a number of alternatives that can be considered related to bike paths that are non-standard in width and/or location. The need to establish an 8' wide two-way bike path separated from the right of way, while attractive to engineers, may not be an absolute requirement given the unique characteristics of the Island. Considerable flexibility has been shown recently by Lee County regarding non-standard facilities with limited liability implications. There were 375 respondents that supported additional pedestrian and bicycling opportunities on the Island (# 24) as opposed to 146 responses against.

8.) Lee County shall encourage and support efforts by Captivans to establish a landscaping code for Captiva Island that will require all new development, including single family residences, to implement minimum landscaping requirements intended to preserve, promote, and enhance the existing native vegetation and tree canopy on the Island. New landscaping requirements shall focus on areas including, but not limited to, buffering and separation between new structures and Captiva Drive, buffering between adjoining properties, preservation and enhancement of the beach dune vegetation, and preservation and enhancement of the mangroves adjoining Pine Island Sound.

Comment: This is intended to require the County to establish additional landscaping requirements for Captiva, applicable to all development, including single-family building permits, for the purpose of enhancing the existing vegetation and tree canopy. Additional vegetation should help to provide visual buffers for houses adjacent to Captiva Drive as well as promoting the preservation and enhancement of sea oats, mangroves, and other such unique Island vegetative communities. This policy will also work to provide additional canopy trees in the event that the Australian Pines fall. The survey made it clear that Captivans support the idea of enhancement of the overall Island tree canopy with 447 positive responses and 61

negative responses to the idea of undertaking current efforts for replacement trees. Again, this language places the responsibility upon Captivans rather than upon Lee County to propose additional landscaping and buffering standards on Captiva. This would remove the requirement from the County and require additional community action to draft such standards.

9.) Lee County shall continue to support local efforts to preserve, protect, and renourish Captiva's beaches through the use of environmentally responsible methods.

Comment: This simply places a formal commitment into the Plan for the protection of the beaches along Captiva Island.

10.) Lee County shall encourage and support efforts by the Captiva Community to investigate and recommend measures that will improve water quality in Pine Island Sound, adjacent to Captiva Island. Such measures may include the establishment of additional regulations regarding stormwater runoff and the utilization of wastewater treatment and septic systems in areas where water quality problems have been identified. Lee County shall assist Captivans in their efforts to investigate water quality issues in this area and provide support for the preparation of a report summarizing findings and recommendations for addressing any problems discovered, with special emphasis on methods and technology for improving water quality entering septic fields and ultimately the local groundwater. The results of this investigation and the proposed recommendations shall be reported to the residents of Captiva at a public meeting to take place on Captiva to be held at some point during the months between December 1 until March 31 in order to disseminate the results of the investigation to the broadest number of residents possible. Further, subsequent to the public hearing to be held on Captiva, the results of these investigations and recommendations shall be brought to the Board of County Commissioners at a public hearing along with input from the public meeting held on Captiva. At that time, the Board of Commissioners shall consider what measures need to be taken to provide for improved water quality and wastewater treatment measures for this area of Captiva. The investigations and recommendations shall be completed not later than November 2002, and the presentation to the County Commission shall occur not later than April 2003.

Comment: Although there is great concern regarding water quality and septic tanks on small lots, there is virtually no option regarding the establishment of a wastewater treatment system for the area of the Island that has the greatest potential negative impact (The Village) upon water quality. There may be new technologies that can be implemented for new or replacement systems, however, the transfer to these systems will be a gradual process. Permitting efforts will also need to be coordinated with the Florida Department of Health. Question # 14a regarding possibilities for better sewage treatment in certain areas of the Island, as long as the density limits were not exceeded, was supported with 327 positive responses to 123 negative, but comments at workshops and on the survey indicate that there is a realization that limited options for protection of water quality may be available.

11.) Lee County shall implement a procedure for all proposed future comprehensive plan amendments, rezoning requests and all variance, special exception, and special permit applications for parcels located on Captiva Island that will require a public hearing to be held, at the applicant's expense, at a location on Captiva. The public hearing shall be for the purpose of explaining the request to the public, and shall be advertised in the same manner that the rezoning, variance, special exception, or special permit is advertised for hearing before the Lee County Hearing Examiner. In the case of proposed comprehensive plan amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan, such future amendments will also require notification to property owners, as listed on the then current property owners taxing roll, maintained by the Lee County Property Appraiser, by certified letter.

Comment: Local input for the permitting process was supported by the survey results with 468 responses for and 34 against. This policy will require that the County adopt a set of procedures establishing a 'pre-Hearing Examiner' public hearing to take place on Captiva for all rezoning, variance, special exception, and special permit requests. Although the hearing will not result in any decision, it would serve to more widely disseminate information across the Island community for any development proposals involving an appearance before the Lee County Hearing Examiner. The tenor or comments regarding the need for better information relating to development requests suggests that while better dissemination of information is desired, the establishment of a new bureaucracy to administer development requests is possibly overkill.

12.) Due to the seasonal nature of the population inhabiting Captiva, and due to the County's desire to encourage the broadest possible public participation, rezoning requests, and all variance, special exception, and special permit applications for parcels located on Captiva Island that will require a public hearing to be held shall only be scheduled for public hearings between October 15 through May 15 of any given year. For applications received during other months, the first available hearing date after October 15 shall be provided, subject to a determination that the application is sufficient and in accordance with all applicable regulations concerning application requirements. In the event of a hurricane, fire, flood, or other natural disaster, the Lee County Board of Commissioners may suspend this requirement by finding that extraordinary circumstances apply.

Comment: This has the effect of prohibiting public hearings for rezonings, variances, special exceptions, and special permits during summer months when the Island's population is not in residence. This proposed policy is in response to the complaint that actions impacting the community at large are often undertaken during the off-season. There is some question as to whether establishing a delay such as this can be done within the current legal and administrative framework.

13.) Lee County shall encourage and support the Captiva Community in conjunction with Captiva business owners in the preservation of existing commercial uses on Captiva in order to provide for dining and shopping opportunities for the residents and visitors to Captiva Island. Such assistance shall include, but not be limited to, investigation of appropriate parking requirements for Island businesses, alternate parking surfaces to preserve some level of surface permeability, roadway and drainage improvements, preservation of the mixed use activities in the existing commercial areas, and the possibility of a community redevelopment effort for existing commercial neighborhoods.

Comment: The survey demonstrated that preservation of the existing commercial uses was viewed as quite important. Additionally, the mixed-use nature of the Village area was deemed to be part of the overall charm of the Island, although there was also recognition that parking opportunities were limited and some creative efforts in that area should be considered.

14.) Lee County shall encourage and support the solicitation of the widest possible range of public input for any future Lee Plan amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan. To that end, Lee County is committed to provide continuing assistance to the Captiva Community as part of the Evaluation and Appraisal Report process as well as ongoing technical expertise related to the functioning of the adopted policies. Additionally, future amendments that directly apply to Captiva or the policies adopted for Captiva under this section of the Lee Plan will require that public input be solicited from all segments of Captiva through measures that may include, but are not limited to, public meetings, focus groups, opinion surveys, electronic opinion forums, etc.

Comment: This policy is intended to insure that future amendments will undergo a public solicitation process at least as rigorous as that which has been undertaken for the current set of amendments. This places Lee County squarely in the position of eliciting the maximum possible input for any future changes to the proposed plan.

PUBLIC MEETING MINUTES

CPOA

CAPTIVA ISLAND PROPERTY OWNERS ASSOCIATION INC.

CAPTIVA COMMUNITY PLAN TIMELINE

AUG. 2, 2001

1. Resolution for seed money for a community plan approved by Lee BOCC Oct. 31, 2000, on motion by Manning, seconded by Judah.

2. CPOA contracted with David Depew to provide planning services in early November 2000

3. Initial public meetings to explain and explore the planning process were held Nov. 17 (at CCA building) and Nov. 21 (at South Seas). Meetings were advertised on island (postcards & flyers) and written minutes were taken

4. Planning meetings were held Jan. 26, Feb. 7, 14 and 16 at the CCA building. All meetings were advertised in the *Captiva Current* and were posted at the Lee County courthouse. Cards notifying residents about the February meeting were mailed to on-island P.O. boxes. All meetings were videotaped by Morris-Depew & Associates. Written minutes were taken at all meetings and distributed at the subsequent meeting (if possible). These minutes were posted online at the CPOA Web site and placed on file at the Captiva library. They were also e-mailed to Commissioner Janes.

5. A draft survey was crafted from comments at these meetings, and was reviewed by a volunteer committee prior to wider dissemination. From their comments and a follow-up public meeting April 11 (advertised, taped and transcribed as above), a final survey was sent to island stakeholders in mid-May. Surveys were mailed and e-mailed, and were available through the CPOA Web site. All surveys were returned to Morris-Depew for tabulation.

6. By the mid-June deadline, more than 550 responses had been received. Depew tabulated the responses and the essay answers and presented his initial results at a public meeting July 31 (also advertised, taped and transcribed as above). A draft set of potential planning policies was also presented for initial discussion as to scope, applicability and language. All materials will be available at the CPOA Web site and the Captiva library.

7. Additional public meetings are anticipated in August and September to clarify public support and refine potential policies in advance of offering a Captiva-specific amendment to the Lee County Comprehensive Land Use Plan by the

Sept. 28 deadline. Once dates are established, such meetings will be advertised, taped and transcribed as before.

8. To date, all costs for the Captiva planning effort have been borne by the CPOA thanks to donations of time and money from more than 300 island stakeholders. The CPOA board has directed Gooderham & Associates to assess the ramifications of procuring county funding for some portion of the planning effort, to determine feasibility, limitations and possible impact on meeting the CLUP amendment deadline of Sept. 28, 2001.

AREAS OF POTENTIAL CONCERN WITH AC 13-3

- Community Planning Panel – need for creation and role it can play at the latter stages of process
- Community Planning Proposal after the fact – scope of agreement and methods of compliance after the fact
- Defining scope of Sunshine Law requirements to facilitate compliance
- Prepare for and minimize community conflict
- Will decision to shun county funding affect consideration of plan amendments?

CPOA NEEDS FOR FUNDING CONSIDERATION

- Memo from Planning staff outlining anticipated methods for compliance to draft Planning Proposal
- Discussion with County Attorney re: disclosure filings and open records needs
- Decision from CPOA board on whether to proceed

CPOA GENERAL MEETING

Nov. 17, 2000
Captiva Civic Association

Hal called meeting to order. Introductory remarks. A discussion of the events to date, from signs to GAC survey to inception of CPOA. "A watershed moment for our community." Introduction of CPOA board and consultants. John Beggs, Hal Miller, Rene Miville, Jamie Costello, Elaine Smith, Dave Depew, Kate & Ken Gooderham, Steve Cutler, Paul McCarthy and Lou Rossi. Approximately 95 in attendance. As indicated in a show of hands, mostly voters and property owners, on the island for more than five years. A quarter favor referendum, almost the same for incorporation, almost half favor some kind of plan with Lee County.

Comments from Lee County Commissioner-elect Bob Janes. He thanked islanders for their support in the recent election. Noted the pendulum theory of politics . . . people concerned about growth, pull back to better manage growth. Cited recent discussion of a R&D park at FGCU . . . "unbelievable impact on the community." He hopes to be working closely with Captivans. Beach communities have been under-represented for too long on the county level. Wants to work to preserve our environment.

He believes the current commissioners are a serious, dedicated group and are interested in taking a look at the way the county has been growing. "You have a tremendous decision in front of you. I'll support you in your decision whatever it is, whether incorporation or a sector plan. I'm not here to tell you which way to go. I don't live here so that would be presumptuous. But I will represent you on the county board and help you accomplish whatever you decide to do."

QUESTIONS:

- *Explain the recent BOCC vote on the FGCU mall*: "I'm opposed to that, and would have voted against it . . . How are we going to handle growth out there?"
- *Captiva Drive: Are they putting in a bike path?* "No, they're putting in a shoulder, he believes." Some residents still believe the county is doing something different than they said they would do, bike path fight cited.
- *Re: Sanibel's budget . . . Is proposed Captiva budget for city feasible?* "It depends on what you want from the city. What kind of government do you want -- what kind of government are you willing to pay for? There's no such thing as a free lunch."
- *Which options for Captiva offers most direct route to local control?* "That depends on what you put into a sector plan. Both a plan or a city can give you local control."
- "My role is to try to be of service to you. Either way, you want a county responsive to your needs. You will need the county regardless of which way the island decides to go."

Presentation by Dave Depew.

Introduction by Hal. First, Dave discussed his background and credentials in education, planning, and political science. Hired by lee County Dept. of Long-Range Planning in 1980, director of community development 1982-84.

"Unless you know what's out there, you don't know what to plan for." (Showed land use map for Captiva) "You have a very unique community out here -- permanent residents, seasonal residents, resorts, beaches, mangroves, bay bottoms, commercial area to support all the others. A very diverse island with lots of different interests. But your land use plan is very general, with all the island dubbed outlying suburban. For a land use plan you've got vanilla."

For growth planning, the high-growth areas on the mainland received the most attention. County didn't have the time or funds to do more specific plans for communities. The coastal islands received less work, got short-changed, not a lot of detail. Now, the island is ready to make a step forward in terms of growth management.

"The Lee plan is a growth plan, not a preservation plan. It's not intended to be." Residents and property owners on Captiva are more interested in developing growth management tools for the island.

How? Process has evolved significantly over time. Broad-based concern statewide, each area is taking its own approach on managing growth. So you're not alone, it's happening everywhere. People are trying to get a better handle on growth.

Description of role of comprehensive land use planning, land development code, platting and building permits. How a comp plan has to be crafted and adopted, from definition of the area to be covered and data about that area, to input and review as the plan is being crafted, to local adoption and state review. DCA issues an ORC (objections, recommendations and comments) report on plans, to which county/local government has to respond

It's a difficult process to craft a comp plan, once it's in place it's difficult to amend. Plan gives residents standing to sue over decisions that contravene the plan. (FGCU mall cited) But if you have to sue someone to protect your rights, something broke down far earlier in the process.

"You're going have to do a comp plan anywhere to get control of growth in the community. There is no other option. But what options do you have to incorporation? You can adopt a master plan for the island of Captiva. But it won't allow to you to be less vigilant. Incorporation won't allow that either. If you want to control growth and affect your quality of life, you have to take action and get involved. You're going to have to pay attention to this."

Chapter 163.3245 - Optional sector plans introduced. Conceived as an alternative to the DRI process by the state. Comprised of a long-term conceptual buildout plan and specific

area plans in combination. Annual reports required to the DCA, and DCA has standing to intervene preemptively if plan is to be contravened. Local review of permit process can be written into the sector plan. Same process as required in city comp plan. Only three in place statewide: In Orange, Clay and Palm Beach counties.

Lee County has to request this, as in any master plan process. County staff supports such a master plan, or a sector plan if desired including local review.

"I can close the loopholes in a master plan or sector plan, thanks to my firm's experience. But I need your help in setting up focus groups, I need to meet with everybody. Tell me what the problems are out here, what would you like to see n the next five years, the next five months, the next five weeks." E-mail him at Planning@m-da.com. "I will come to you; I will work with you.

Specific issues he wants to address:

- *Amending comp plan/master plan?* Yes, the county can, it's difficult but it's possible.
- *Will county do this planning for us?* No, you have to do it yourself, they don't have time or staff.
- *Can they change it?* Yes, just like they can if you incorporate. Cities can change plans, too. There's no substitute for vigilance.
- "With master planning, you don't have to be a voter to have input."
- *Variances and code enforcement*: County will devote all the resources you want to pay for. With a sector plan, you can demand certain resources; same with incorporation.
- *Boca Grande*: Special act isn't possible, has problems you could drive a truck through. At the time it was revolutionary, now it's considered quaint. Sector plan more suitable and flexible, the plan would be designed for Captiva.

"There are all kinds of issues we're going to have to discuss and decide . . . density, code enforcement, natural resource protection, planning, lot coverage, height and setback restrictions, variances, historic preservation issues, costs involved and funding".

Jamie Costello moderates: Reiterates planning potential for Captiva. "Managing growth is hands-on, something you do forever, you have to be vigilant." Planning is needed for the island. Process needs input, must be inclusive. Get as many people involved as possible.

QUESTIONS:
Is a sector plan faster than master plan? No, but they don't have to wait on county amendment cycle. (twice a year, actually once a year) More akin to DRI (development of regional impact) process, able to file at any time.
Master plan and sector plan? No, it's master plan or sector plan. A master plan is what you have to do if you incorporate and if you want to control growth. A sector plan is more specific and is done without incorporating. Its' an extra step to a master plan, with specific area plans, DCA standing and annual review by the state.

What is the length of time to implement? Normally a process of 6-12 months for first phase, and work on the next step can be done concurrently. But I can't set a firm timetable, it depends in community involvement and support. It's quicker than any other options you've got.
Will sector plan offer real protection or just more loopholes? No absolute guarantees, but crafted properly it can make the Sanibel plan look loose -- and few have successfully challenged the Sanibel plan. You can achieve a level of comfort in this process, bolstered by the DCA power that will provide you with the protection you're after. Can a smart lawyer challenge it? Sure. But a smart lawyer can challenge anything a municipality has done. (Cited Naples lawsuits over recent enacted height restrictions.) A level of comfort that's as good as you can get if you craft the plan properly.
What gives documents validity to the county? Public hearings by LPA and BOCC, possible workshops.
Will developers rush to push for permits? Number of strategies possible. Go to BOCC for relief, ask for a moratorium on approvals. *Smith v. Clearwater* case cited. On notice of pending legislation, the government is within its rights to defer and delay pending passage of that legislation." Otherwise, be vigilant. Show up at hearings. Or I can show up." As far as building permits, it's not a public hearing process. You can delay development orders, however.
Local review of permits? Who makes the final decision on permits? The county issues permits, so it has the final authority -- but it can delegate authority to a local body. Will it? The Fort Myers historic preservation board is cited; cautions that such boards need to comply with Sunshine Laws because they are public bodies.
With variances to sector plan, who has final say? That's what you put into the plan, who has the ultimate authority? The BOCC still has final authority to adopt what you propose in the sector plan, but what's in the plan is what you decide. Look at hearing examiner process as a sign county is willing to consider delegating that authority. It's also then the role of the committee to alert DCA if county is planning to violate the sector plan.
In cases presented to hearing examiner, what are our protections? (Fumei case cited) Write in your own committee to avoid hearing examiner. That case decided on technicalities. Let's close those loopholes.
This committee sounds like a city council, How will they be chosen? No precedent in state, look at CRA (community redevelopment agency) boards for guideline. Elected or appointed
Enforcement through DCA, is its role short-lived? State will respond to squeaky wheels, you have to keep pressure on them. No substitution for vigilance.
Will county give up certain powers to the review committee? Is it a negotiation? Will it require courts? Yes, but the county doesn't know what powers you want for this committee yet. They need to see the details. *If the county ignores us?:* Depends on how committee is set up. Variances can be decided at the local level if you get that power in the plan. County could be forced to defend you on some issues, DCA on others.
Is it fair to look at planning and incorporation as opposite issues? Similar interests involved? Two poles? No, it's a continuum. Planning is a step in the process, look at the costs involved. Planning is the most cost-effective way to solve community problems, but

it's up to the community. City comprehensive planning has many more mandated aspects involved.
Bob Lloyd: We researched committee idea. You cannot have a governmental body delegating responsibility to a subordinate agency. What is legal foundation for what you're saying? It's not delegation of legislative authority. Some land use zoning aspects are not legislative, but administerial in nature. They can be delegated. Adoption of regulations is legislative, enforcement of those regulations is administerial.
How would local oversight board be created? It would be in your plan, how you decide (and the county agrees) you want it.
Cost effectiveness: We would have to pay above what we already pay today. Everything is a negotiation with the county. A surplus in payment vs. services to the island will be found via a sector plan or incorporation, then the county can be forced to provide additional services. Choose services that must be given over, and level of services, as part of the sector plan process.
Visioning process: Geographically? Possibly, also by use/need/theme (business owners, resorts, timeshare owners).
Sector plan is not intended for Captiva... DCA and county must approve. When will we know? Talks have begun, DCA initially not excited but is getting more receptive once they see what the statute can offer to communities. Have to look at specifics as to why you want to do this. Regional planning council supports it due to Captiva's uniqueness -- mangroves, hurricane evacuation, beaches, etc. It will require building a consensus with the agencies involved.
Could city adopt Lee code immediately? That's automatically, and city takes over administration. Fort Myers Beach took over enforcement, had a different perspective on enforcement which has prompted some lawsuits. Moss Marine/casino boats and Bay Beach permits discussed. Once you get the stage of litigation, it's expensive. There's a history you inherit with adopting existing codes. You need to change the language.
Does county have to consult with city on county projects... roads, Fumei? Village keeps working with the county. It's a lot of work to deal with land use revisions, changes, and enforcement.
What's the best option for Captiva? Ultimately, the community has to decide how far down this road they want to go -- a master plan under the county, a sector plan under the state, or independence through incorporation to take over control. Even in incorporation there are levels... "lite," which is what being proposed, all the way to Sanibel, where you take over police, emergency services, etc. Incorporation is extreme, you need to be prepared to take over the responsibilities and costs involved.
Vulnerability to suit if permit is denied? Bert Harris Act discussed with potential for takings. Expectation of value of property, people will seek recompense. Very expensive land means very expensive lawsuits.

Ron Gibson addressed fund-raising for Buck Key -- $943,000 raised as of Nov. 14. Really good support from Sanibel people, 50 percent of donors live on Sanibel.

Meeting adjourned at 12:25 p.m.

CAPTIVA ISLAND PROPERTY OWNERS ASSOCIATION INC.
NOV. 21, 2000
GENERAL MEETING FOR SOUTH SEA RESORTS OWNERS

Meeting called to order at 9:05 a.m.

Introduction by Lou Rossi: Approx. 15 in attendance: 10 condo owners, one timeshare owner, one voter. One who attended Friday's meeting. (Kate Neumann)

LOU: "Can we get an appropriate level of control here without an additional layer of government?"

Introduction of Dave Depew:

Introduction and credentials. "Recognition by property owners that Lee County has not lived up to the mandate folks expect in terms of responsibility." Drive for local control a reflection of the unique nature of Captiva. A single road, very active beach system, hurricane evacuation criteria, back bay mangroves and grass beds.

Unique from a social and economic standpoint. Full-timers, part-timers, tourists, resort activities, commercial, residential areas. Large estate-style homes that are getting bigger every year. Quaint homes being replaced by palatial villas. A lot of micro-neighborhoods that transition quickly from one to another.

People recognizing the unique nature of Captiva, what they want to see in the future for their island. The current Lee plan a growth plan, 10,000 a year moving into the county which creates pressure on growth management administration. But Captiva has limited resources, limited land areas, fragile environment.

Many parcels, many zoning areas, but entire island is plain vanilla in terms of comprehensive land use planning.

Responses: Incorporation. a very radical first step, like using a sledgehammer to kill a gnat. Incorporation is a big effort, it's not going to make your life less expensive. It's a trade-off. There are other measures you can take to address

concerns. Amendment to Lee Comp Plan, more specific to the island. Process done at least once a year or twice a year. Part of a normal amendment process, Estero now in the process of preparing. Describes process.

Questions:
Why something has to be done? Explanation of genesis of local control issues.
How much is Captiva is developed? Looking into that
Would Lee's plan work for Captiva in the future? It could. How far do you as a community want to go to manage growth?
Statistics on island listed. Breakdown on parcels, tax base. Voters, population. Find out how many undeveloped properties are left on the island.
Aren't we just shutting the barn door after the horse is gone? Look at redevelopment -- going to be an issue on this island. *Isn't that (big new homes) good? They pay a ton of taxes.* That's something the community has to answer.
What is a sector plan? How long and involved is the process? Sector plan described. Long-term and specific area plan, DCA intervention explained. Plan would have to be undertaken even if incorporation is undertaken. Local oversight committee explained as part of specific area plan for permitting, advice and monitoring.
Where else is this being done in Florida? Orange County, Horizons West. Clay County, multi-jurisdictional area. Palm Beach County, West Palm Beach.
What legal authority would local oversight group have? That's determined by how the plan is written. It's never been done before. Legal authority as adopted by the county, the regional planning council and the state.
How long a process? It's like a series of plan amendments, on the order of 12 months. Public input part of the process. Focus groups needed, plea for participation made.
Ho wcan you structure local group to give property owners power to participate? Have a group from SSR itself, homeowners association to communicate with the owners. Feedback from full-time to part-time residents. It's going to take vigilance, get involved and stay involved. Solicitation of input by the committee itself. A continuing effort.
Enforcement? Still up in the air. Statute provides for standing of individuals and community groups, make complaints if county acts contrary to the plan through courts and FAC. DCA intervention a strong asset. Annual reports

demonstrate how every permit issued is consistent with the plan. All kinds of other mechanisms that could exist. Depends on how local committee is set up. *What is my role in this? If we don't take action, 500 residents could control our lives?* Legally, it will be the registered voters who will make the decision on incorporation and who will make the decision on the governance of the town and the elected officials. Will that happen? I don't know. We believe there's been an attempt to get everybody involved in this by both sides. Sector plan and incorporation not diametrically opposed. Plan is a series of steps that have to be taken anyway. There are levels of planning, just as there levels of incorporation -- "lite" vs. Sanibel-style city.
What is the role of property owners? Still part of the process even if you don't get to vote. *Can owners vote to do this before incorporation?* Won't come to a vote. Goes before Lee BOCC after evolving a consensus plan. Won't suit everyone to a tee, but will satisfy as many needs as possible.
"It always starts out like this. It's always contentious at the beginning."

LOU: Description of two groups, petition drives. This decision is part of the political process, which will stretch over a number of months. Effort to work under the umbrella of Lee County.

DAVE: County committed to developing a plan for Captiva. How far do you want to take it -- within Lee comp plan? Next to step to a sector plan with additional guarantees and enforcement? Or go a step further and incorporate? *Buck Key TDR : Would we be here without that? How does it target South Seas?* Buck Key energized community. Once you start transferring rights, where do you stop? Buck Key shows the statutory process worked. So is the glass half full or half empty? South Seas supporting planning effort.

Introduced Ken Oertel:

Examining lesser alternatives to perceived problems a legislative mandate. Narrow issue drives incorporation -- to control land use. Looked at alternatives to address CICI concerns, that's why Depew is working on this plan. "A city could be a royal pain to have on Captiva if it's not necessary."

What's really involved, the risks of incorporation, if it achieves what the proponents want it to achieve: Their own city, comp plan, zoning, control development?

Pro-property-rights vs. anti-rights fight in the Legislature: Taking away property rights, inverse condemnation, government may be liable to pay you for the use of the property. Bert Harris Act: A compromise, changed rules on government taking . . . if it substantially impairs property owners value, entity may have to pay the difference of the before and after values.

Effect of law not anticipated: Governments do not take action any more that might create these liabilities, maintain the status quo for comp plan, zoning and state regulations.

Municipal liability on Captiva: High property values, perhaps highest in the state. Value at stake means property owners are intimidated by going to court, hiring an attorney. Cost of litigation not an impediment.

Look at CICI promises: Cost of liabilities could be staggering. $75,000/year budgeted for legal fees, no budget for liabilities. If city seeks rezoning from 3 to 1 unit per acre, on a 2 acre lot, potential liability cost of $4 million plus attorney fees. Could bankrupt city or raise taxes to pay judgments. Naples commercial height restrictions cited Multi-million dollar liability possible.

Isn't there liability insurance? Policies have caps on them, no idea if you'd be able to continue to carry such insurance with a number of claims against them.

What was reason to incorporate if land use is restricted by Bert Harris Act? Only one issue out of the usual municipal formation issues.
Where does liability lie under plan process? Harris act only for actions after 1995, Lee plan is prior to that date. No free ride in this type of regulation anymore as there was in before 1995.
Better protection under comp plan? No, changing plan could trigger exposure. Insurance companies not in the business of taking risks, will pull back if they see a number of settlements pending.
If sector plan done, would Lee County be liable for potential takings? Yes not limited to Captiva. I don't see the county doing anything drastic because they'll be left holding the bag. There's a compromise that has to come about.
Is there a timeline where this has to be finalized? Meeting of local legislative delegation Jan. 19. has to agree incorporation is a good idea to send it to legislative. Special act has to be passed this session to authorize referendum. All registered voters would decide on incorporation.

For comp plan, Sept 2001 is deadline to submit. For sector plan, there is no timeline, they'll take that at any time. But BOCC has to petition DCA to allow plan. Met with county staff and talking at length with DCA and RPC director, favorably disposed.
2700 non-resident property owners: Are they left out of the process? Yes, unless you can persuade legislative delegation. Delegation sees island's division, not sure if they see a good side on this issue. You can become a resident and voter here if you feel strongly enough.
Any communities in Florida offer property owners a vote? No, must be a registered voter in this state.
Could that be built into comp plan? No, can't supersede state law
Could city change rental requirements? Structure of how SSR operates our investment? Yes, it could pass crazy laws and ordinances, which would stay on the books until a court strikes them down

DAVE: A vote vs. a voice. Planning process can provide you a voice, but not a vote.

Lou: Closing . . . join focus groups, sign petitions.

Meeting adjourned at 10:35 a.m.

CAPTIVA ISLAND PROPERTY OWNERS ASSOCIATION

PUBLIC WORKSHOP

Jan. 26, 2001

These meeting notes ate not a verbatim transcription of the workshop, but are reflective of the discussions which occurred at the meeting. When possible, *questions or comments from audience are in italics*, answers and explanation in roman. Questioners not identified.

IN ATTENDANCE (list is not complete):
John Beggs
Bob & Sharon Brace
Mike Cohen
Carol Daniels
Bill Fenniman
Doris Holzheimer
Gordon Hullar
Peter Koury
Tom Loomis
Hal & Susan Miller
Julien Miville
Rene Miville
Kate Neuman
Bob Oden
Warren & Shirley Stanton

Dave Depew & Stacy Ellis, Morris-Depew & Associates
Kate & Ken Gooderham, CPOA/Gooderham & Associates

Session begun at 9:30 a.m. Approx. 25 in attendance

Depew introduction: I'm a planner, not pro or anti incorporation. What happens to Captiva is up to the residents. I'm here to prepare a plan and to talk about the context we currently exist in. We're attempting to evolve a community plan for the island, get together with everybody's interests and concerns. Get folks of Captiva to interact with me, and let me know what their concerns are. Meetings will be videotaped for those who can't attend. Want them to be an informal discussion to get your concerns and set up agenda for future meetings.

Difference between plan developed under CPOA vs. one developed for incorporated area: Implementing agency, city vs. county regulations. For example, for local control of land use decisions, the county has established a historical preservation board and design manual for Boca Grande. That's one option we can look at. With a city, a plan addresses a

broader range of issues. Ultimate implementation of rules, not dependent on who hires me. A public interest I have to serve before I serve the interests of my clients.

The same plan? A lot of similarities.

What are the issues by which we determine we need to have a plan beyond what we currently operate under? Current land use policy of CCA cited.

How realistic is it to expect we can do this through the county? How Boca Grande district works explained. Extensive description of what they do and don't want to see in this district done through design manual. Then they developed series of codes for LDC, then set up a board to review everything that comes up. A certificate of appropriateness is required for any permit that comes forward. Powers of board explained. It's a mechanism we can set up.

Presupposing that incorporation body wants a lot more regulation. Is that fact, or a point of view you bring to this? I want to know what you want. Most people I've spoken to so far want nothing to change.

CCA membership includes 125 single member, 225 couples, 25 business members. CCA land use policy read. Is it a good starting point? Let's talk about these policies.

Max density of 3 units per acre overall... is that reasonable? Residential vs. commercial area, different densities appropriate. Mix of residential and commercial, perceptions? Do you want less commercial? *Bellini's instance cited, where commercial site will be sold to be redeveloped into residential. Rezoning in the 1980s on Andy Rosse Lane discussed, to allow people to live over the store, not a taking of the commercial value of the property. Charm of the village is convenience, ability to walk to shops. Andy Rosse Lane is our commercial district, no more commercial zoning on Captiva Drive*. Conversion of commercial area can be addressed in planning effort. Balance between commercial and residential to sustain a community, to retain the charm of the village. If commercial disappears, you'll have to drive all the time to shop or to go out to eat. Think of a commercial node to serve the island. Highest and best use due to value of property. Commercial conversion issue is unique to Captiva, most other areas the highest and best use is usually commercial.

House held for weekly rentals is not residential, somewhere between house and condo... resort commercial use. Rental question is a separate issue. Look at streetscape issues.

Highest and best use requires compensation? Yes and no. Recognize existing use, but modification has to be consistent with new regulations. *Commercial garage use in new homes? Do you lose commercial status if residential is built there?* Probably yes, but not in every instance. That takes more specific addressing in a plan.

How soon could you put a plan in place to stop this conversion? Let's be realistic -- even unrealistic. Within a year.

When is the horse out of the barn in terms of being able to control change, use of a site and growth overall? Permits in hand, yes. Just in the talking stage, no. *Is that a taking?* Not if you don't interfere with the existing use, if you allow a reasonable economic use. *Not guaranteed of the highest profit, just able to make a profit, to avoid taking -- Buckingham court decision mentioned. That was a concern with incorporation. What about the Gold Coast?*

Doesn't that contradict what MeriStar's lawyer said to the legislative delegation concerning takings? Won't defend Oertel's position re Bert Harris Act, I don't work for MeriStar. There are ways to make refinements to LDC without running afoul of the Bert Harris Act. Fix the barn doors so the rest of the horses don't get out.

Incorporators never asked for changes in regulations, just to have the county enforce ones that are already on the books. Now we're asking for changes in the rules. I perceive Captivans have problems with the county vis-a-vis growth management. Whatever the county's doing they're not doing right. *Code enforcement problems described.* Can't force the county to act unless everyone gets behind the desire to force action. Change the structure of administration of how the rules are enforced on this island.

How do you maintain what we have here? One side says incorporation, the other says an overlay plan. Shouldn't we decide we can enforce this plan before we waste time to create this plan?. County has indicated desire to support plan if it's what Captivans want. Most gripes end up pointing fingers at Lee County. *We have caused most of own problems because we have not maintained a rapport with these organizations.*

County people easy to work with on the simple things. Anything out of the ordinary they're stymied by. You have to make sure the island wants code enforcement.

County says its own codes are not sufficiently robust or enforceable? Exactly. They cite a series of code that are ambiguous or they don't know what the code means in that instance. If the problem is the code, that's easy to fix -- but is that what everyone wants?

If you do code review by a board, it will add 30-60 days to getting a permit. They have to comply with Sunshine Law. Issue is there is not a process for decision making for the out-of-the-ordinary circumstances that come up. You can put the process into the plan, and perhaps more resources.

How would local review boards be chosen? Ultimately, appointed by commissioners, potential to set up planning district alike fire district -- that may be more elaborate than you want.

What's on or off the table in the creation of a plan? Everything is on and off the table. Sector plan: I have a difference perspective than some of you concerning its applicability, but it's true that the state only wants to look at larger issues and not at individual permits. It's something to look at, but there are other options to look at as well.

Can we force the county to provide a full-time code enforcement officer for Captiva? Yes, if we increase our MSTU tax. *How many of you have done things that would require a permit? How much government do you want?* Be aware that it isn't just the big things that will fall under this.

Can you form a committee just for the big things? Look for people who have experience in certain areas. Discussion of Kevin Farrell appt. on LDC board.

Be careful how you designate position on any board based on professions. Sign problems driven by changes made at LDC, not interested in historical nature of Captiva Drive, the widening of the shoulders. We need some protection, we need professionals to do their job and we need protection from professional opinions that are procrustean and not in the spirit of Captiva.

CCA has been the voice for Captiva. Now, they don't know who to talk to, there are so many players. If we're going to drive anything forward, all these other acronyms have to get out of here and you have to get back to a civic association that represents the home owners on Captiva. County wants a liaison with Captiva. Good people, but they can only do so much. We're only a few people.

Return CCA to a community organization.

What will it cost to develop a plan? What other professionals are required? We've heard anything from $50,000 to $200,000. Probably closer to $50,000. Legal review necessary, traffic review probably not necessary

Traffic issues discussed: Commercial use doesn't create traffic, it attracts traffic. Residential (including resort) creates traffic since there are places for people to park their cars and stay.

County money: $5,000 seed money has been allocated by BOCC. County hasn't developed rules on how it will be released. Matching funds up to $25,000. *Is CPOA willing to fund this plan, or will it die for lack of funds?* We don't know yet, we want to get to the point of talking about the problems of this island. *Where we came from doesn't matter anymore to me, we have to talk about what matter to this island today.*

Everything has to be out in the open, like in a political donation.

Can plan move forward in pieces, to address the most crucial issues first? Yes, but there are certain deadlines and dates we have to hit as part of the process. Labor Day is the first

major deadline. *When is a real estate transaction no longer under the umbrella of protection? Permits? Contracts? When is the horse actually out of the barn?* When the application is made, which can be done contingent to purchase. *Can we find out what applications have been filed?* Yes.

Can code enforcement cost come out of MSTU? Yes, BOCC has to adopt but you have a unique opportunity with this commission. Have to create a better code first then get a full-time person to enforce it.

Can you get BOCC to enforce the code? Yes, you can take them to court, either an administrative hearing under Chapter 120 or go direct to circuit court (community members would have standing). By the time you get to that stage, it's a failure -- something's not working when you have to go to court to enforce your rights. The better way is to have a strong unified voice from Captiva going downtown to let their views be known. Yes, the BOCC is the final authority.

Are you adding a layer of bureaucracy? Yes, if you go to local review of permits. No, if you better articulate your goals in a plan for the county to enforce.

Discussion of litigation options and Sam Galloway situation in Estero. If BOCC isn't doing the job, set up some other agency or elect a new commissioner. Either modify the plan to allow the county to enforce them, or set up another agency to enforce what exists. County will enforce the code if they have someone to forcefully explain and defend it to them. Massage the existing system to make it more responsive to Captiva instead of to Lee County.

How long to develop comp plan? We should have something to give to the county by Labor Day. County review the plan and approves it, then it's sent to Department of Community Affairs for 60-day review, comes back with ORC report. It's tweaked, amended and adopted. A consensus will be reached through this process, people will start saying we can agree on this.

Reiteration of process: changed ordinances and policies, a clearer process, a structural position to review and manage and respond to process. Do we have to do all of these things? That's what I'm hearing. *How to establish a relationship with the county on an ongoing basis.* I would urge you to look at all those issues, tweak and modify. We have to do a little, but we don't have to create this gargantuan structure. But what I'm hearing is what you have now isn't working?

Can this be done in a year? Yes, I think so. If you're going back to the delegation asking to incorporate, you'll have plenty of warning that this isn't working to get ready to head back.

Who makes the ultimate decision that this is the plan we're going to have? How do we do this? Decisions made by the people who show up. CPOA will not control what goes into

this plan. Depew has to document what the community wants. *Will CPOA go on the record saying that? Yes, we will show documented consensus.* Lee County will be amenable to that. *Establish community communications, poll the community, get a real answer.*

Communication discussed. Trying to get an electronic and mail list to stay in touch with everyone.

What should we discuss next? Agendas for future meetings.

- How do we live with South Seas? Plans we need to know about? Worried as resort activity (include Tween Waters) or as an area of the island?
- First priority to fix enforcement issues with county.
- Vegetation mitigation or replacement when trees are removed. Revegetation plans
- Rental of guest houses... rental issues on island.
- Advisory options -- heads up on what's happening on the island. How do we stay informed about what's coming up at the county? Notice ahead of time
- CCA land use provisions
- Redevelopment -- enormous houses on small lots

A chance to meet and talk. This is an evolutionary process.

HANDOUTS: Neighborhood Bills of Rights from Jacksonville available for review. They tweaked process to avoid structure and enhance notice. Historical preservation section of Lee LDC, Boca Grande historic plan -- ideas of how things are being done locally.

Anticipated timeline for process, people's engagement. Discuss timing issues at next meeting.

Is there anything we can do to get notice now from county about anything going on with the county? You're going to have to show you represent the island. Depew can get pending applications, CPOA can post them on the Web site. Evolve a procedure to do that. *Invite all four organizations, get their lists? Mail out to their memberships? Issue a report of what went on today, so it won't be rehashed at the next meeting.*

E-mail addresses sought

Workshop adjourned at 11:40 a.m.

CAPTIVA ISLAND PROPERTY OWNERS ASSOCIATION

PUBLIC WORKSHOP

Feb. 7, 2001

These meeting notes are not a verbatim transcription of the workshop, but are reflective of the discussions which occurred at the meeting. Some side discussions may have been missed due to the numerous speakers talking simultaneously. When possible, *questions or comments from the audience are in italics*. Questioners are not identified.

In attendance (list is not complete):
Alan ??? (with daughter)
John Beggs
Sharon Brace
Mike & Carole Cohen
Jack Cunningham
Carol Daniels
Bill & Yola Downey
George Downing
Frank Duval
Kevin Farrell
Bill Fenniman
Jim & Boots Freeman
Fred Hawkins
Jim Houston
Toni Hullstrung
Dave Jensen
Peter Koury
Mason Laderer
Bob Lloyd
Hal Miller
Rene Miville
Danny and Gomer Mobed
David W. Nelson
Bonnie Reese
Sherrill Sims
Warren & Shirley Stanton
Bob Strehlow
Tony & Diana Szambecki
Moni Vojcek

Dave Depew & Stacy Ellis, Morris-Depew & Associates
Ken Gooderham, CPOA/Gooderham & Associates

Meeting convened at 9:30 a.m. Approximately 45 in attendance overall.

Agenda, existing Lee County buildback policy and Jan. 26 workshop notes handed out. Surveys provided to audience after meeting began. Session was videotaped by Depew, recorded by Fenniman, notes taken by Gooderham.

DEPEW: Second of our forums, although we've had other meetings already. Survey introduced and distributed. This is a draft survey, so give us feedback on what works, what we're missing. We will try to do agendas for future meetings, but that doesn't mean we can't talk about other stuff.

Agenda: Timing, neighborhoods, land uses, redevelopment issues. Current Lee County buildback policy and reconstruction issues

Input from e-mails we've received:

- Guest cottage rental: current laws not reasonable, we need to talk about that.
- Provide a separate path to allow people to walk/bike away from cars.
- Sewer: look at tradeoff between better water quality vs. potential for increased development pressure.

Schedule of meetings discussed. After meeting cycle is complete, we'll take time to summarize issues and concerns addressed. Another round of meetings at end of March with an actual proposal to share with everybody. Then to a rough draft of a document by April 12 (target date). More meetings in April and May. I know that's getting late in the season. We'll try to make everything available in print and by electronic means, and we'll have mailing lists. Final draft sometime in August, submittal to the county by beginning of September.

Q: Last year, when we were talking about incorporation and other possibilities, people were uncomfortable coming to those meetings because they felt there were hidden agendas. We need to find a way to name and make the function of these meetings so they are not CPOA or CICI or CHOA meetings, but meetings of the people of Captiva. Until we do that, we will not get past some of the residual feelings that are floating around. We need a separate group that is all of us. They need to be open as these are, reported as these are. No funding surprises, with anyone trying to buy anything to preempt something. We need a committee made up of people from Captiva, not made up of experts. We can hire experts if we need them.

Q: We need an open decision-making process, which we haven't had up to now. In the end there will be a conflicts over density and height. What will we take to the county? This needs to be an open and inclusive decision-making process. Not just those who show up to these meetings, but those who live and own property and vote on this island. Question about minutes from last meeting . . . about what's on or off the table? Some of those things are pretty important to us here on this island. Density, height ordinance, limit of units at SSR -- all terribly important to us. Most people want nothing to change.

Rather than ask questions about what we want to change, ask what we want to keep the same. Get to the real issue... maintenance of the existing regulations and enforcement -- Lee County is not committed to that. If the majority doesn't want change, let's get to the guts of the process and save ourselves some time.

Q: Was Dave was hired to design a comp plan? Obviously Lee is a large county with existing zoning and comp plan. Very complicated agenda in that it covers a lot of regulatory material. You have things in place, they don't get enforced, people get frustrated, there was a movement to incorporate. Simplify the existing regulations so people understand what's in place. Be sure you know what you've got in place before you go reinvent the wheel. Captiva is a small area in a large county, you have to be the squeaky wheel. If you haven't had a voice, you know why you have problems.

Discussion of rental of guest cottages, making legal what is already occurring. *Read regulations closely. Can't live in guest cottage and rent out main house.*

DEPEW: Look at regulations and see if that's what we want. Take a look at what's on the books.

Q: Don't change any regulations unless people of Captiva say they want change. Don't want people to change the density to 4 units per acre or change the height restrictions so we look like Fort Myers Beach. If someone wants to change the regulations concerning rentals, fine. But we don't need to put everything on the table.

DEPEW: You're saying don't bother planning? *No, if it ain't broke don't fix it.*

DEPEW: The final conclusion may be don't touch anything in the plan. I'm hired to hold these public forums to get as much input as possible.

Q: This needs to be bigger than one group. DEPEW: I'm bound by professional ethics to reflect citizens' input. I'm not controlled by whoever pays my bill, which I've explained to the CPOA already.

Q: The concern is your direction. Are you going to take your direction from the consensus of the groups or from the people who hire you? DEPEW: Yes, this is the third time I've said that.

Q: Can we vote on who here today wants the current regulations changed? Approximately 5 yes, 15 no. *Q: Who knows the regulations? Who knows what they're being asked to vote on?*

Q: I don't know the regulations for Lee County. How can we say whether or not they should or should not be changed? Don't know that I like all of them or have some to change. I'm here to learn.

Q: There are going to be exceptions to regulations, legitimate exceptions. People don't know the background and then they start screaming that Lee County doesn't abide by the regulations on the books.

Q: Can we vote on who would to see the present code enforced? Majority of room agreed.

Q: Are you sure you know what you're voting for?

Q: Codes available at CCA, many specific to island. Who wants changes and what are they? DEPEW: That's the intention of this meeting and this process. Every property is unique, and every issue is unique. Look at specific areas of the island.

Q: What you're suggesting is a terribly long process, it's not practical for us to look at each one in depth. From a practical standpoint, posit that the existing Lee plan satisfies most of our concerns and is something people can acquaint themselves with. So let's narrow and prioritize the issues. Let's narrow the focus and the discussion to those things that should be on the table.

Q: There probably are non-negotiables that all of us would agree with. Redevelopment is top of my list, lot coverage and landscaping. I don't know what the code currently is. We might want to change it to be like Sanibel, or we might want something different.

Q: That's a very specific issue, is the code satisfactory as written? DEPEW: You can meet the current vegetation requirements in the setbacks, so you can build setback to setback on most lots. *What about coverage requirements?* Discussion that you could build a 30,000 SF house on a 40,000 SF lot.

Inventory vegetation? Not being done. Is being done but you have to replenish afterward.

Get heads up on Captiva that someone was preparing to do something on their lot. DD: That is a change.

Redevelopment process discussed for beachfront property. Continuous construction line set by DEP rule discussed. CCCL lines discussed. New level of oversight required to build in this area between the CCCLs. Don't want new home built further out toward the beach to protect existing properties

Q: Height and density restrictions at SSR -- is that non-negotiable? HAWKINS: Not planning to do that. No variance will be sought under any plans now under way.

Q: Is that Mariner or MeriStar saying that? HAWKINS: Don't believe it's Mariner's intention either.

Variance process discussed. Notification requirement for adjacent owners mentioned.

Q: Canopy: mandate to require trees to be maintained. Is there a way to do that if there's a consensus to do so? DEPEW: Yes. Two sites cited as problem. *Q: Give it historical status. Lee County right-of-way issues must be addressed.*

Q: Now we're getting some dialogue between one side and another. As to the canopy, look at Dade County after Andrew where people couldn't get anywhere because all the trees along roadways that were blown down. County cut down trees so there wouldn't be a problem after a storm. Sanibel vegetation replacement policy cited. Some were worried that Lee County will sell us out in the long term, others said the county never would do that. We have to get to the middle on this issue.

DEPEW: Not getting as lot of information on this stuff, no avenue for local input on existing regulations.

Q: There's consensus forming. We need a vehicle to share information with people both in the room and not in the room, be specific in the survey. Focus on the ones we need to modify and those we are not going to give way on.

DEPEW: Do surveys now or take them to return at Feb. 14 meeting. On CPOA Web site or we can email one to you. Depew e-mail address given: planning @m-da.com.

Q: We recognize Fred's concern about how South Seas Resort can do business. Does anyone want to change how MeriStar can operate its business?
Q: Remember that MeriStar's name was on the Buck Key TDR application, too.

HAWKINS: It's a matter of interpretation. I resent you making untrue statements that you represent as facts. The lots you say are being offered at Harbour Pointe are handled Mariner, not MeriStar. There is a relationship where MeriStar must agree to what Mariner wants to do. We want to abide by the 3 units per acres. We have to comply with county regulations. Government can be invasive and intrusive – look at Sanibel. That's why we opposed incorporation, to avoid another layer of more invasive government.

Q: Haven't we all said the same thing? That we don't want change.

Q: What about Ken Oertel's statement at an owners' meeting that increased density is good for your property values? HAWKINS: When was that said? I attended all those meetings and I don't remember that. What he said was concerning the Bert Harris Act and property rights if a government moves to decrease existing density.

Q: No one has said that they want to tighten regulations. That's a red-flag issue that doesn't exist. Interpretation over units and density can be settled in court.

Q: Architectural issues addressed... cupolas should be allowed. Q: Only if they're allowed under the height limits. Aesthetics vs. regulations discussed.

FARRELL: Consider these height issues: Current regulations encourage flat roof buildings, where people build a box right up to the limit. The issue is bulk, scale and mass more than height, just like building to the setback lines. What if encroaching on a height limit means increasing setback? Encroachment could only be 10 percent of the roof area maximum. Seaside example cited, with 48-foot height limits on 50-foot-wide lots. *Q: It's an architects dream, but that's not what Captiva needs to look like*. FARRELL: All we're seeking is a little bit of freedom.

Q: Is it possible to get a list of variances over the past five years? DEPEW: Yes, we can e-mail them to you. GOODERHAM: There have been 13 variances applied for, 12 approved by the hearing examiner in approximately five years. Over the past three decades, there have been just over 120 zoning actions on Captiva.

Farrell passed around an example of cupolas to show what's he talking about.

Q: Tough sell to people on Captiva due to fear of South Seas and other variances to follow. Will take a lot of discussion and education to get people to comprehend. Is this the time to do that?

DEPEW: Will bring current regulations on the Feb 16th meeting

Q: Change in height ordinance will open a Pandora's box. Only 4-5 support change of existing ordinance. Q: How many know what current ordinance is? FARRELL: Look at new building between Jensens and McCarthy for example of big box look we're trying to avoid with revised ordinance. *Q: An architectural control committee makes sense, but trying to change the current ordinance doesn't.*

Q: This is not an all-or-nothing, let decide today issue. If there is history behind some of these issues and what's on the books now, some of us would like to hear it. Having been in a community with an architectural review group, we've seen how this can work. When it's right, everybody knows it. When it's wrong, everybody knows it too – there's 20 and 20 percent on either end of the spectrum, good and bad. So you spend your time on the other 60 percent. We'd support a tightly written amendment that would allow people to do something. But until someone has written an amendment, we're wasting a lot of this morning's time discussing this.

Q: Changes: look at some way to increase setbacks proportional to width of the property. increase side setbacks for wider lots, keep front setbacks the same.

Q: Variance for driveways to add extra home on lots which allow it under current density. How does room feel about that?

Q: Can we fax in surveys? DEPEW: Yes to 337-3994 for surveys *Q: Are variances available at CCA or the library?*

DEPEW: Look at the possibility of a community council. Something formal that forces the county to go through the process. *Q: That's not a change since we're going back to what we had before.* DEPEW: It is a change because we have to formally put it in place. It can have a number of levels, from reviewing and approving any permit to variances or exception or rezoning. A significant increase in time for permitting possible.

Discussion of working under a historical preservation review board. *Q: If the work in question is no change from what exists, then it takes no time at all for approval. But if you're changing something, you go through the process.*

DEPEW: Based on what the county has said in the past, it's possible to modify the hearing examiner process to allow Captiva to take over that function of approval of variances and rezonings.

Q: But the key is who gets on that local committee. People who didn't represent Captiva's interests have been named to committees before. You need to get the survey out to more that the people in this room.

DEPEW: Survey will go to everyone on the island. We will mail or e-mail survey to everyone, look at other ways to include as many people as possible.

Changing of commercial zoning on Andy Rosse Lane back to residential discussed.

DEPEW: How much commercial is enough? Some of it is disappearing on Captiva, but there's some that you need for the good of the community. You can designate an area as your commercial core and that no residential could be built there. *Q: Does that trigger Bert Harris Act? Q: Owners are not guaranteed the highest price, As long as government is not taking away their ability to make a profit.* DEPEW: Not if it's a reasonable use they've been taking advantage of for some time, if the change still allows the property to be economically viable.

Discussion of rezoning of Andy Rosse Lane, CCA's efforts to reduce two-use zoning (commercial or residential) DEPEW: Take a look at making an informed decision. You should worry about the conversion of existing commercial space, then everyone has to go off island for everything. There needs to be a ratio between residential and commercial.

Q: Captiva has a unique situation, when residential is more value than commercial. Usually the "highest and best use" goes in the other direction.

Q: Is there a real risk that that commercial will be displaced. DEPEW: Long-term, it's something you need to look. Will be able to give you ratios at next meeting. *Q: It's potential, but is it immediate? Controversial issue at this stage of the game.* DEPEW: I can't decide it for you, the people of Captiva must decide. One way to protect what exists: Anything that continues an existing commercial use in this core area would be fine, but

anything that requires new uses would have to be allowed. That guarantees what's there, but anything new has to be developed according to regulations.

Neighborhoods:

- Gold Coast – OK with room
- Tween Waters Strip
- Village
- South Seas -- OK with room

Q: Can questionnaire not go out as a CPOA item? Q: It's a Dave Depew questionnaire. Q: Have CICI pay for half his fee? Q: We don't need to have so many groups. DEPEW: Questionnaire will go out on my letterhead.

Q: We don't need new regulations and new zoning to stay the same. But we need new rules and new zoning to exceed the current restrictions. DEPEW: But adding a local review council is a change. *Q: Essentially we are satisfied with what's in place.* DEPEW: That's not what I'm hearing from everyone. I'm hearing things that will require some level of change.

Q: If somebody wants a change, they should be able to petition for it. And there ought to be a procedure to do that, and a way you should develop consensus on any changes.

Q: We're all saying the same thing, a consensus is emerging though we're looking it from different perspectives. We're all in the same movie but we haven't gotten to the same place in the movie.

DEPEW: Next time: Get surveys back to me and let's talk about it, give me some feedback. Talk about issues raised so far and issues that come up in the survey. Specific regulations will be provided. I'll bring out the Lee comp plan as it applies to Captiva, the rules as they currently exist. If no changes need to be sought to them, then we're past the deadline thing for comp plan amendments and we can work on implementation issues on our own timetable.

Q: Guest houses: make rentals legal? Doesn't change anything and rising property taxes make it a burden for some not to rent. Some 20 homes involved, how do you get a consensus?

Q: Do it on their own, take it to Lee County on their own. Any rule we don't like, we can change it. Lee County is going to go along with us.

Q: How do you enforce it? Lee County code enforcement will not go on anyone's property. Enforce through real estate associations. I don't think they'll cross you if we told them as a group. Set up some rules for etiquette on the beach, for example.

Q: How do you show consensus? DEPEW: Get involved, get people to meetings, show broad range of opinion coming to agreement.

Q: Canopy mandate? Is it possible? Traffic engineers hate that canopy, county officials want to take it out. Want to change it to look like it does up north, take out the exotics. DEPEW: Yes, you can mandate the canopy. *Q: Sanibel targets Australian pines. Bike path would have made path safe for one-time visitors at the expense of those who live here.* DEPEW: The county regulations target removal of exotics – Australian pine, melaluecas, Brazilian pepper, and the like -- and there are some other trees that won't work well next to roadways due to root problems. You'd need to find out from botanist what kind of trees could be planted.

Meeting adjourned at 11:30 a.m.

CAPTIVA ISLAND PROPERTY OWNERS ASSOCIATION

PUBLIC WORKSHOP

Feb. 14, 2001

These meeting notes are not a verbatim transcription of the workshop, but are reflective of the discussions which occurred at the meeting. Some side discussions may have been missed due to numerous speakers talking simultaneously. When possible, *questions or comments from the audience are in italics*. Questioners are not identified.

Meeting convened at 9:35 a.m. Approx. 55 in attendance overall

Attendees included (list not complete):
John Beggs
Steve Bethea
Sharon Brace
Donna Casella
Jamie Costello
Jack Cunningham
Carol Daniels
T.C. Deutschmann
George Downing
Frank Duval
Joan Eschert
Jim Freeman
Ron & Phyllis Gibson
Larry Hahn
Fred Hawkins
Russell Heath
Doris Holzheimer
Jim Houston
Gordon Hullar
Toni Hullstrung
Dave Jensen
Lauri Kaihlanen
Mike Kelly
Bob Lloyd
David MacKenzie
Ingrid Martin
Paul McCarthy
Hal Miller
Jim Miller???
Julien Miville
Rene Miville
Ray Pavelka

Irina & Frank Prell
Bonnie Reese
Sherrill Sims
Bob & Skippy Strehlow
Jeff Shuff
Warren Stanton
A.E. Szambecki
Sandy Traff
Sheila Turner

David Depew & Stacy Ellis, Morris-Depew & Associates Inc.
Kate & Ken Gooderham, Gooderham & Associates Inc.
Mason Laderer, Captiva Current

Handouts: Minutes from Feb. 7 meeting, planning survey, Lee County zoning map, existing land use and zoning specific to Captiva, bound volume of comp plan and LDC excerpts that relate to Captiva

DEPEW: Introduction. I'm pleased to see the turnout today. A PowerPoint presentation on height will be offered for anyone who wants to take a look at it in the back of the room.

One of the things we talked about last time is leaving everything as it is, so I want everyone to understand what it is they've got. Want walk you through what's in this book.

First section is Lee Plan references to Captiva. There's a description of island and planning district. Nothing else in there until you get into the coastal high hazard stuff. No land use policies specific to the island, only to the zoning designation that's used all through the county. Nothing specific to Captiva. Development and evacuation in coastal high hazard area, tells what the county is going to do to develop their regulatory environment to manage growth. All this stuff applies but, by and large, it doesn't mention Captiva specifically.

Table 2B refers to constrained road, Captive Drive is the first one mentioned. Nothing in here about canopy, either in the plan or in the LDC. It may be one thing we want to think about.

Q: As pertains to the hurricane stuff, do Sanibel, Cape Coral, Fort Myers Beach and other municipalities have their own version of this?
DEPEW: Similar, but not exactly the same. Everyone adopts their own plan and has their own provisions.
Q: Do ones that are newer say more about buildback than they do about evacuation?
DEPEW: No, they have evacuation elements as well. As you deal with a smaller area you can be more specific. Lee County is dealing with a 850 square mile area, so its issues are broader. By the way, this is also on the Lee County Web site and you can check out other

items that pertain to Captiva. The compatibility policy, for example, says you can't bring in uses that are incompatible with the existing uses. It usually pertains to residential areas to keep out commercial. That would apply across the board in the county.

Q: It's important to point out that while there may not be a specific Captiva plan, those yellow areas (on the zoning map) have elements that are important to the island. The CCA has had a policy in place to keep the current land use code as it applies to Captiva. Density, height, vegetation ordinances are very specific to Captiva. CCA has had a policy to maintain the current policies, and the future land use element.
DEPEW: Correct, there are general policies that apply to Captiva. A number of communities around the county that have their own section in the plan -- Pine Island, Estero, for example. Fort Myers Beach and Bonita Springs used to have their own sections until they incorporated. There are other options if you choose to go down that road.

Now looking at the segments of LDC, I searched for sections that addressed Captiva. Construction standards for coastal building zones, flood hazard reduction -- not terribly exciting reading but you'll know what in there. Definition of Class 3 roads. Tree protection ordinance, where it states that exemptions do not apply to Captiva. The sign ordinance, which was mentioned in surveys many times. Residential zoning districts: definitions for TFC-2, RM-2, RSC-2, the districts that cover the island. You need to look at everything in concert, some of these are covered elsewhere in the code.

Commercial use table, which will tell you what people are getting variances for. Shows the various commercial categories on the island.

Guest houses: Concern expressed in survey, language applies to Captiva Island only. Density limitation for Captiva cited. Special development regulations for Captiva: What can be done, administration, variances, density, lockoffs, nonconforming uses.

Q: How does the 3-units-per-acre limit work?
DEPEW: Under RSC zoning, you're allowed one unit plus the guest house. You could get it rezoned to another category, say RM-2, you could conceivably get 3 units under that new category. Could get it rezoned as long as it meets the development requirements. Another proviso in the comp plan that says if you have a platted lot you are guaranteed a minimum use, usually a single family dwelling.

Q: The Bellinis property: Seven houses on that property are certainly more than 3 units per acre. Have these properties been grandfathered? Q: Properties platted in 1916?
DEPEW: If that's the case, each lot could get a building permit.
Q: Can't that be changed? What will you say to the properties on Laika and Wightman Lanes?
DEPEW: Platted lots are a major problem for Florida... look at Lehigh or Cape Coral. Captiva has them too. No one has come up with a way of dealing with platted lots short of buying them. A certain vesting has occurred allowing people to develop those lots. Only

way to change that is to vacate the plat, all property owners in the plat have to agree to vacate it.

Q: Are they letting Bellinis revert back to what it had before?
DEPEW: Under the regulations as they currently written, yes. You all need to decide if that reasonable or acceptable to you. The regulations permit that right now.
Q: This could happen all over the island.
DEPEW: If that's a platted lot, that's a potential problem. Look at the zoning map to see if there are platted lots.

Q: Can we change the zoning laws to say if there's already a building there you can't revert back. Is that possible?
DEPEW: Yes, but it's difficult.
Q: If not, why bother with this?

DEPEW: Look at Andy Rosse Lane, could have said it can only be commercial and not residential.
Q: Ten years ago the movement was to eliminate commercial on Any Rosse to turn it all residential.

DEPEW: The horse is out of the barn on some of these issues Now you need to look at what you can do in the future. Look at these trends, what will happen down the road?

Q: If you convert to residential, can't you require them to comply with the 3 units per acre?
DEPEW: Enact a contiguous lot provision, which is not the easiest thing to enact. You're looking at some pretty thorny issues. As divisive as the height or some of the other issues.

Q: Any consensus about keeping Andy Rosse commercial?
DEPEW: We'll talk about that later.

DEPEW: County ordinance cited in bound handout. Hotel motel density limitations on Captiva, counted differently on Captiva than elsewhere in the county Finally, you get to the height limitations for Captiva. There are a few other odds and ends as well – for example, you'll be happily surprised that carnival and amusement devices are not allowed on Captiva. Also included "Lines on the Beach" from Gooderham & Associates to help explain the DEP lines that exist on the beach.

Q: This is all very helpful. Can you reference the set of rules and regulations that apply to South Seas Plantation enacted over the years? The ones that limit commercial space, how units are counted, etc.?

DEPEW: There is some legal disagreement over what some of those documents mean. It's all public record, I'll bring them in perhaps at the next meeting or the next round of meetings. We still have to decide if we're going to do anything at all.

Surveys: Approx. 60 have been received to date, more coming everyday. Will be available for people to review if they're interested. I'll start compiling this stuff in very short order.

Q: How have surveys been distributed?
DEPEW: Handed out mailed, in library, on Web sites, e-mailed to over 700 addresses. Hoping to get it a little more refined, will send out another one.

Q: Who is eligible and how do you prevent people from filling out 20?
DEPEW: You can't. E-mail shows sender, but we don't have people signing them.
Q: Includes timeshare owners?
DEPEW: Yes, trying to hit all property owners.
KATE G: This is a pretest, not a statistically valid survey.

Q You should make respondents have to show a strap number.
DEPEW: You want to cut out timeshare owners?
Q: Show the difference between people who are here a week a year vs. six months or full-time residents.
Q: We don't own anything here, but we're very interested in the community. Would we be excluded?
Q: How long would someone have to be a renter?
Q: This is a questionnaire, not a vote.
Q: What about at the legislative delegation hearing when 100 people who weren't property owners showed up. They were only there to express an opinion. There are different constituencies who aren't going to agree on everything.
Q: Indicate it on the form.
Q: Identify property owners, include STRAP number, identifying property so it one person and one property.
Q: People who live here care more about the island.
Q It's so unfair to say that. I visited the island two weeks a year for many years, but I was still concerned for Captiva. My long-term goal was to retire here. Everyone is a stakeholder who comes to Captiva. It comes down to people who are concerned about the island.
Q: No STRAP number associated with the interval owner, just with the unit?
HAWKINS: You can differentiate between different owners. My employees have a stake in Captiva. I'm an employee, I've been here 27 years and I have a stake in Captiva. Have everyone who feels they have a stake to get involved. It's gotten me involved in the rest of Captiva. I should have a voice, every one of my employees should have a voice because they have a stake in what happens on this island. To say that they don't have a stake is a mistake.

Q: We want to be able to give some weight, to deal with the differences when we look at this survey.
Q: Differentiate that in the survey.

Q: It already says it in the survey if you are an owner, a renter, where do you live, etc. These questions are moot.
Q: We were part of a survey in Wisconsin, tried to get everybody's opinion, last page showed demographics what percentage comprised each category. We did get everybody's valid opinion, and it was very valuable to us in formulating a land use plan.

DEPEW: Many people are expressing the same opinion regardless of ownership status. There are ways to identify that status in the survey. Should we put a space for names?
Q: Something more clear than what's there to identify who's filling out the survey.
Q: That's terribly important. If timeshare owners feel the same as the other property owners, fine. If timeshare owners disagree, it should be put in perspective. Identify by property owner and registered voters.
Q: Have a block to check off one, then break down the categories.
Q: What about how timeshare at South Seas is weighted, with 52 people renting one unit?
Q: Look at the CPOA petitions, the predominance of timeshare owners.
Q: What's the purpose of this survey? It's easy to code the survey to identify groups. Identify areas of agreement and disagreement, to show where we need to work on the issues and where we agree on the issues. Identify the areas we need to talk about as a community.
DEPEW: That's exactly what we're trying to do.

Q: You people's paranoia is amazing.
Q: We're not talking about paranoia.
Q: This is a legitimate concern, and we can devise something if that issue comes up.
Q: Listen to everyone, but heed only property owners, they only ones that have a stake in this island. Where you live doesn't matter,
Q: Separate perspective to identify areas of concerns.
DEPEW: Look at issues by neighborhoods as well as by ownership. We do need more differentiation.

Q: The job of the planner is to gather consensus, not just general but specific consensus. How many times do we have to say it? Describe how you're going to define consensus
DEPEW: Put together survey, bring it back to you. On Friday, we'll talk about what's starting to emerge. Look at survey in more detail, good questions vs. vague.
Q: It's dangerous to tabulate data and report it if it's incomplete; it gains legitimacy. This survey defines areas and issues, but you may be missing other concerns. I'm disturbed that you're going to make these responses public. Anonymity ensures better responses. Get a professional to do survey. What's being proposed is not consistent with basic tenets of social science research. What happened to the promise of focus groups?
Q: I don't have a problem telling people what's on my mind and putting my name on it. It's nice to get these issues out on the table.
DEPEW: Focus groups: Everyone liked the idea, but nobody followed through on it in terms of hosting one. That's why we went to surveys. There are a lot of divisions in this community about this stuff. It wasn't working, so we went to larger meetings, to explain what's going on. There's no problem in doing smaller meetings later on, but it was more

trouble than it was worth at this point. People complained it was not open enough. That's why I'm making the surveys public. I'm doing this in the open. We can code them, but that's a potential criticism down the road, too.

Q: I'm not saying everything should be anonymous, but make it an option. It's not a difficult thing to do.
DEPEW: If I do it, it is totally anonymous. And I can do that. But some people may complain that it's still unfair because it's not open to public scrutiny.
Q: Ether one or the other. Code everyone or no one.
Q: Have everyone coded, but you have the option to sign it.
DEPEW: It's not viable to number questionnaires. Number them when they come in, not when they go out. As soon as you control it, you limit how broadly the survey can be distributed.
Q: What is in this survey that no one would want to put their name on it or would want to load up on responses?
Q: Nobody would do that, it takes too long to fill out.
DEPEW: You should have seen the first draft, it was 12 pages.
Q: Anonymity will create more animosity; people will put more bad things in their responses.
Q: Give them a signature line and let them decide if they want to sign.

DEPEW: Commercial properties: What commercial is important on the island, if any?
Q: Take segments that we already have. Is Chadwick's Square a given? Off the table?
DEPEW: Vested rights for resort are untouchable, pretty much a given.
HAWKINS: There's a certain amount of commercial that's needed from a corporate perspective. MeriStar plans to continue with the type of commercial operation we have there.
Q: What about 'Tween Waters?
SHUFF: We couldn't convert commercial to residential and stay within the 3 units per acre. Plus we need it to support resort operations.
Q: Assume for the sake of discussion those two areas will remain.
DEPEW: I suspect that's a reasonable approach.
Q: Will some merchants in Chadwick's Square be forced out because they don't sell MeriStar products?
DEPEW: That goes beyond a planning issue.
HAWKINS: That's not happening.

DEPEW: The map handout shows what is currently being used as commercial.
Q: What about those sites that could be used as commercial?
DEPEW: There's a bunch of that. Look at the zoning designations. Anything that starts off with a C could be commercial.
Q: It would be useful if we knew what potential commercial development there was outside Andy Rosse.

DEPEW: In essence that's it. A little bit on Captiva Drive across from SSR and by Andy Rosse. Even Tween Waters is an RM-2 designation, a multi-family holdover. Everything else is residential. The question is what do you want to see on the island?
Q: I like what I see now, I don't want to see an increase. Perhaps a grocery store that's larger than the one on the corner, and a pharmacy. We have enough clothing stores, enough restaurants.

DEPEW: C-1 can be redeveloped as residential if it's now commercial, or commercial if it's now residential. It's an old style of zoning, that allows both residential and commercial.
Q: Is there a real chance of losing commercial on Andy Rosse?
Q: Yes.
DEPEW: Residential values are so high out here there's almost no commercial operation that can equal what's possible by redevelopment to residential.
Q: I thought all that area was under a historic designation.
DEPEW: No, there's only a little historic in that area.
Q: With all these residences, they're going to make it impossible to get off the island in an emergency. And we need commercial to live.
DEPEW: Remember that commercial doesn't create trips, residential create trips to seek out commercial. Commercial is an attractor of traffic, residences generate traffic. In evacuation, residential creates the need to leave, not commercial.
Q: Let's discuss what we want in commercial, knowing that it is an automobile attractor.
DEPEW: It's also a pedestrian attractor, if it's near enough to residences.

Q: Is it a clear and present danger today, or an issue for the future? The loss of one restaurant to residential uses does not make a huge case for redoing our zoning laws to deal with that situation. Hard to know without the specific facts whether they're in danger of being converted back to residential.
Q: If you say goodbye to charm of the village, you say goodbye to the values in the Village. Let's get to the questions and get off the soapboxes.
Q: Ten years ago, everyone wanted residential, then it shifted to need for commercial. Now it's going back. The law of supply and demand will balance things out
Q: It is supply and demand. If the tenants I lease to can't do the business they need to stay, then they leave and I have empty space I have to generate income from. So you look at converting those sites to houses.

PRELL: I did not go looking for Bellinis. Commercial could not sustain itself at the store across the street. Everybody said they did not want more commercial, so we decided to build homes. We did research with the Bellinis site, and there were more people who didn't go back to Bellinis than did -- so we built homes. Now everyone is complaining
Q: We don't want houses jammed in there so we look like Marco Island. The prices are driving a higher intensity of use. What about competition in restaurants? What about the charm?
PRELL: You need to set up a commercial district. If you want to save Bellinis, you better talk about it now, On April 30 that building goes down.

Q: Take down those cute buildings and the commercial properties, you destroy the charm of the Village.
DEPEW: Label that as your commercial node on the island.
Q: Then you're telling him that all he can every do with that property?
DEPEW: You're requiring a process to protect an existing use.
Q: That takes value away from him. You can't do that.
DEPEW: There is a certain ratio of commercial that's necessary to support residential on the island. Under one option you could look at, once that ratio is set any reduction in one area allows an increase in other areas, to maintain a balance.
Q: What about the environment?
DEPEW: That has to be addressed in every issue, we have to address whether environmental values will be affected.

Q: In other places, if they need more commercial space, or more residential, there's more land that can be developed. On Captiva, we don't have any more land, so how do you handle this commercial issue? Tell folks on Laika Lane it's going to become a commercial center?
DEPEW: You have to establish areas where you'd allow commercial. It's going to impact everything if you get rid of all the commercial.
Q: We must preserve the charm of the village, the historic building that are at the ground level. What does an historic district or historic designation accomplish? What are the teeth in those laws? How does this process work?
DEPEWD: Historic means it retains the use.
Q: It's a way to preserve the charm, to designate under the current Lee County laws.
DEPEW: You do not need property owner agreement to designate a structure as historically significant. It has been done over the objections of the property owner. Not more than half dozen that have been designated because owners can get pretty upset.
Q: If someone wants to buy those structures, they can't be torn down? Residential conversion would have to be done in existing structures?
Q: Unless it is a grave hardship. If somebody paid me $6 million for my house, which has a historic designation, and went to the historic preservation committee of Lee County and said "I have a terrible hardship that I'm not allowed to tear this house I paid $6 million for down." Hardship is in the eyes of the committee.
Q: But you walked into this with your eyes open.
DEPEW: Look at Boca Grande manual for what can be done in a preservation district, and at copies of the land dev code -- a few copies available at this meeting. It's not that simple. Maintenance doesn't require going before board. Additions have to follow guidelines of construction and design. You can also pick up the entire structure and move it to another site. If you can demonstrate the historic structure is not worth saving, due to severe damage, it can disappear. It is not so simple that everything has to stay exactly as it is.

Q: The Village now is more valuable residentially. Why is it that people go to Sanibel to shop rather than to local shops? The commercial area is enhanced in other areas of the

country and that draws business. If the charm were enhanced people could make more money. Why don't people want to open stores here, because the money certainly is here? Cultivate the commercial area and you could have the best of both worlds.
Q: Historic preservation, a number of businesses on Andy Rosse did seek historic designation because there are certain advantages under the code. Which buildings are designated?
DEPEW: I'll get that information for an upcoming meeting.

DEPEW: What kinds of commercial do you need?
Q: A restaurant on the dock, like once existed here.
DEPEW: Do you know how hard that is to permit? It's probably easier to build a power plant than to get permission from the state to build one of those.
Q: Is there anything that can be done to encourage commercial?
DEPEW: That is something worth considering. Parking is a definite problem connected to the commercial aspect.
Q: Bring back Shirley's Spirit of Foolishness.

Q: Rentals and guest cottages were supposed to be on today's agenda. Will you bring that up on the 16th?
DEPEW: Yes.

DEPEW: Let's wrap this up for the morning, Look at the PowerPoint presentation before you leave if you're interested. We'll be back here on Friday at 9:30 a.m.

Workshop adjourned at 11:35 a.m.

CAPTIVA ISLAND PROPERTY OWNERS ASSOCIATION

PUBLIC WORKSHOP

Feb. 16, 2001

These meeting notes are not a verbatim transcription of the workshop, but are reflective of the discussions which occurred at the meeting. Some side discussions may have been missed due to numerous speakers talking simultaneously. When possible, *questions or comments from the audience are in italics.* Questioners are not identified.

Meeting convened at 9:40 a.m. Approx. 40 in attendance

Attendees included (list not complete):
John Beggs
Bob Brace
Mike Cohen
Carol Daniels
George Downing
Frank Duval
Bill Fenniman
Jim Freeman
Ron & Phyllis Gibson
Doris Holzheimer
Jim Houston
Gordon Hullar
Toni Hullstrung
Bob Janes
Bill Kiser
Grace Koppel
Peter Koury
Bob Lloyd
Tom Loomis
Ingrid Martin
Paul McCarthy
Hal Miller
Julien Miville
Rene Miville
David W. Nelson
Kate Neuman
Bob Oden
Warren Stanton
Susan Stuart
Sandy Traff
Sheila Turner
DavidWatts

Dave Depew and Stacy Ellis, Morris-Depew & Associates Inc.
Kate and Ken Gooderham, CPOA / Gooderham & Associates
Mason Laderer, *Captiva Current*

Handouts: Summary of preliminary results from draft survey, meeting notes from Feb. 14 meeting.

Issues of importance from the draft survey:
Islandwide:
1. Beach preservation/restoration
2. Land use planning
3. Environmental protection
4. Enforcement of existing zoning codes
5. Citizen participation in local planning
6. Enactment of stricter building codes
7. Hurricane evacuation

Gold Coast – 3 responses
1. Beach preservation/restoration
2. Environmental protection
3. Land use planning
3. Hurricane evacuation
4. Enforcement of existing zoning codes
4. Citizen participation in local planning
5. Enactment of stricter building codes
6. Economic development

Tween Waters – 3 responses
1. Land use planning
2. Beach preservation/restoration
3. Enforcement of existing zoning codes
4. Hurricane evacuation
5. Environmental protection
5. Citizen participation in local planning
5. Economic development

Village – 14 responses
1. Beach preservation/restoration
2. Environmental protection
3. Enforcement of existing zoning codes
4. Land use planning
5. Citizen participation in local planning
6. Enactment of stricter zoning codes
7. Enactment of stricter building codes

South Seas – 29 responses
1. Land use planning
2. Beach preservation/restoration
2. Environmental protection
3. Enforcement of existing zoning codes
4. Citizen participation in local planning
4. Enactment of stricter building codes
5. Hurricane evacuation
6. Enactment of stricter building codes

DEPEW: Beach protection: no surprise at its high ranking. Land use and environment were very close. Zoning codes identified more than building codes. Citizen participation another big issue. Building codes refer the building themselves, zoning codes are how the buildings sit on the land.

Q: Confusion between enforcement and enactment.
Q: How many surveys?
DEPEW: About 60-70 sent back, not all analyzed here due to timeframe. These are preliminary results, simply for discussion.
Q: Define the terms in the next survey.
DEPEW: Some complained survey was too long, but not long enough to include definitions of what these terms are.

Q: Economic development one of the confusing sections
Q: Was there a wide divergence between No. 1 and No. 2?
DEPEW: 57 points, 48 points, 44 points, 43 points and 39 points. Ranking was done by importance and by priority as noted by respondents. Targeting the questionnaire better for the next time. Not drawing any conclusions from this
Q: Can we get a breakdown of South Seas results by employee vs. owners?
DEPEW: No, seasonal vs. full-time. Will do that in the final survey
Q: Environmental response at South Seas reflects Buck Key concerns, as well as loss of mangrove forest.
DEPEW: Perhaps since it's a planned community, residents are more receptive.
Q: Or more aware of planning?

Q: We need a bike path necessary that doesn't destroy the trees. People who live on this island want to enjoy this island. Don't worry about people of Sanibel riding up here. It would enhance property, and value of the island. Speed control: Never see sheriff setting up a speed trap. Could have had a field day out here. "Silent policeman" doesn't stop them, need more speed control. I know they're out here, but don't see them do anything.

Q: Considering the amount of taxes we pay, why can't we see someone to be here all day and all night?
Q: Someone is going to get killed.

Q: We can't spend all our time doing that, police say. Someone out here could more than pay for themselves, hire them on a commission basis. Need a dedicated person for a certain period of time to get it under control, early in the morning and late at night. We should offer to pay for this and let the county reimburse us as they start collecting on tickets.
Q: Be interesting to see what would happen if they were out there.
Q: Have to develop a pattern, have to be out there repeatedly.
Q: And in a passing zone.
Q: When they have an automatic device that can pick up people who run red lights, I can't believe the technology isn't here to catch the speeders.
DEPEW: People do slow down in the areas of those devices. And repetition is crucial to speed control. Look at Sanibel – I know I'm not the only one who has changed the way I drive on San-Cap Road over the years. The Sanibel: police have implemented driver modification through continuous enforcement.
Q: We should hire Sanibel to do it.
DEPEW: Interlocal agreement could be implemented to police the road.
Q: We say a lot of things, but nothing is ever done. Perhaps Commissioner Janes could to something on this.
DEPEW: Police protection is a difficult issue. You need to come up with a process that forces agencies involved to participate in this.
Q: Most police cars are equipped with the technology to catch speeders
Q: Unlike other communities, we have paid extra to get protection. We've shown a willingness to make that commitment.

Q: I'm a reluctant debutant on road safety committee. We've been trying to make speed an issue on the island. In some areas, it's common sense not to drive fast, such as the Village. Between Blind Pass and the first curve, it's the Indy 500 at certain times of the day. Add to that the prospect of a bike path, and it's very dangerous.
DEPEW: There's a big division about the bike path. Let's discuss pros and cons, vehicle traffic vs. pedestrian traffic
Q: Slow down the traffic and it's safer for pedestrians
Q: We're talking about a bike path not like the one at South Seas Resort, but like the one on Sanibel, one that's inland a little bit from the roadway.
DEPEW: A lot are not inclined to look at that
Q: It was looked at five years ago, a great majority against it at that time.
DEPEW: What were some of the reasons for its defeat?
Q: So many driveways, so many places where people coming in and out could have potential impact with bikers. Land problems with owners. The whole subject was very, very carefully looked at. Great majority voted against it.
Q: There's a difference between bikers who are going to the store in the Village vs. over-the-road bikers who are going to Sanibel for a long ride. Difference in kind of bike riding we're talking about. It's a bad idea on the south end, dangerous.

DEPEW: Getting back to the preliminary results, these were the issues people thought were lacking or in need of attention:

Islandwide:
1. Drainage
2. Beach preservation
3. Zoning code enforcement
4. Street maintenance
5. Public parking
5. Bicycle facilities
6. Building code enforcement
6. Road capacity
7. Street lighting
8. Phone service
9. Traffic control
9. Hurricane evacuation
9. Commercial limitations

DEPEW: Drainage, that was a surprise.
Q: That's the Village. It's been so dry, nobody else is thinking it about it.
DEPEW: Beach preservation ranks high, again.
Q: They think it's lacking?
DEPEW: It's an issue of concern, a sign how much in the forefront beach preservation is. It's more an indication of how the survey is going to be organized the next time around. Building code enforcement shows up here, tied with road capacity
Q: No enactment anywhere.
DEPEW: That says it's not the change that's the problem, it's getting what's on the books enforced properly.
Q: It's a 10-year-old issue, it's not new. We've wanted code enforcement for 10 years or longer.
DEPEW: Talk to Mike Cohen, he's got a different take on that. Road capacity shows up. Parking an issue as well.
Q: For beaches or for restaurants?
DEPEW: That's what we have to make clear
Q: Why would stakeholders be concerned about public parking?
Q: Some may want more, others may want less.
Q: There's been concern over parking in the past, particularly trucks parking illegally. Some restaurants are good about providing parking under existing laws, some are not. That's more the concern here.
DEPEW: That question has to be clearer. Street lighting, not a good question. Do they not want any vs. being able to see at night? Phone service apparently an issue. Is it phone service or cellular phones?
Q: You should note that this was an aided question, a list of issues from which to pick rather than an open-ended question seeking your response. Without the list, it might never have occurred to you to make some of these an issue otherwise. People didn't bring it up, they were asked to respond to that. We should make more of the first part, the

issues that people have brought up on their own. Dangerous to ask aided questions such as these, which come more from looking at a typical city situation.
DEPEW: Many of these issues will drop off the final version of the survey, and there will be more open-ended questions
Q: You should form a group to help you redesign the survey
DEPEW: Give me your e-mail address and I'll make sure you're part of the evolution of the next one.
Q: Ask for volunteers to help you pick up the sense of the open-ended questions when you review the returned surveys.
Q: Bike path a done deal. Putting idea in people's minds, so let's stick to the main issues.
Q: People were frightened that Lee County was going to subvert our will and put in bike path, that was there concern over the recent roadwork.
Q: With the residential turnover on the Gold Coast, what do people have to say today? Don't be bound by past decisions. Dave, what do you think the survey needs to be?
DEPEW: More focused. More broad-ranging Lists are not good, but the issues in those lists need to be broached. Day care centers, for example - you have to ask the question even if everyone says no.
Q: Ask a sub-question: Are you willing to grant an easement or deed on your property to make a bike path possible? Or is this something the county is going to have buy right-of-way?
Q: And do you accept the liability that goes with it?
DEPEW A lot of issues to cover. There needs to be a reasonable pruning of the survey, but remember that the plan covers an extended period of time, and you have to think issues and needs in the context of the next 25-30 years. We're looking at a plan, not individual ordinances
Q: When appointed to roadway safety committee, I was told I represented people on the Gold Coast. Sent my own letter out, got 23 responses out of 90 people. Did not raise questions, I raised issues – for example, a bike path and saving Australian pines. People who wanted bike paths also wanted to save the Australian pines. How you put it together matters, a confusing response to evaluate.
DEPEW: More open-ended stuff. needed.
Q: Bike path is a nightmare; just look at Sanibel where the bike path crosses so many driveways. I suggested putting on the beach and I wish you could have been here to see the response. Lee County says they're liable but can you image if I hit somebody?

DEPEW: Let move on. Look at issue by areas:

Gold Coast:
1. Commercial preservation
2. Beach preservation
2. Zoning code enforcement
2. Building code enforcement
2. Drainage
2. Community meeting space
3. 10 issues tied

Tween Waters:
1. Drainage
1. Phone service
2. Sewer service
3. Street maintenance
4. Beach preservation
4. Curbs and gutters
4. Bicycle facilities
5. Water service
5. Electric service
5. Public parking
5. Zoning code enforcement
5. Building code enforcement

Village:
1. Public parking
1. Redevelopment regulations
2. Building code enforcement
3. Beach preservation
4. Phone service
5. Bicycle facilities
5. Commercial limitations
5. Electric service
5. Drainage
5. Street maintenance
6. Road capacity
7. Public beach access

South Seas:
1. Drainage
2. Street maintenance
2. Beach preservation
2. Bicycle facilities
2. Hurricane evacuation
3. Street lighting
3. Zoning code enforcement
4. Traffic controls
5. Water service
6. Road capacity
6. Public parking

Q: Commercial preservation - what's that mean, no more?
DEPEW: To preserve what exists.
Q: With these responses, it's not valid. It's wrong to report it.

DEPEW: It is important for the sake of a preliminary survey.
Q: Nothing relevant about these responses.
DEPEW: Everyone asked me to break this down by neighborhood, so I did. What you see, ultimately, is that a lot of folks regardless of neighborhood are very similarly disposed on this stuff.
Q: One question implies we do not have specific codes. Need to fix that in the next one, letting them know we do have restrictions – density, height, and so forth – and asking, "Do you favor keeping these?"
DEPEW: Add enforcement as well
Q: That's two separate questions.
Q: We don't want to imply there are no codes current in place
Q: You need to detail what's in place

DEPEW: Now, let's look at how respondents felt about regulatory issues:

Favoring the enactment of land use regulations tailored to Captiva:
YES: 38
NO: 5
UNSURE: 4

Favoring architectural review:
YES: 28
NO: 14
UNSURE: 5

Community council for variances, special exceptions, rezoning and DO's:
YES: 29
NO: 10
UNSURE: 8

Community council for building permits:
YES: 24
NO 16
UNSURE: 7

DEPEW: More support for specific regulations for Captiva. Architectural review, it's less clear. Community councils, it's less clear there's support
Q: How people get appointed to these councils is important, too. Election may be the best way.

Goods and services desired:

SERVICES	GOODS
Restaurants	Grocery
Banking	Drugs/medicine
Entertainment	Alcoholic beverages

Medical/dental	Gasoline
Dry cleaning	Clothing
Laundry	Hardware
Beauty/barber shop	Furniture
Auto repair	

DEPEW: From these responses, you'll be a hit if you opened a grocery/pharmacy/liquor store that also has banking. A grocery is clearly sought; a bank, too.
Q: But we already have both.
Q: The size of this island can't support some of these things. That's why we have Sanibel.

Land uses to be increased/decreased:

INCREASED	SS	VILL	TW	GC	TOTAL
Comm./retail	1	3	0	0	4
Resort residential	3	2	0	0	5
S.F. residential	5	4	0	1	10
M.F. residential	4	0	0	0	4
Senior residential	2	0	0	0	2
Moderate cost	0	0	0	0	0
Office	2	0	0	0	2
None	14	7	2	2	25

DECREASED	SS	VILL	TW	GC	TOTAL
Comm./retail	5	2	0	0	7
Resort residential	9	7	0	1	17
S.F. residential	3	0	0	0	3
M.F. residential	5	6	1	1	13
Senior residential	3	2	1	0	6
Moderate cost	4	1	1	0	6
Office	5	2	1	1	9
None	6	3	0	0	9

DEPEW: Land uses: SF residential increase supported. A bunch want resort residential decreased, even with it weighted to South Seas Resort. MF residential second. Most want none increased, some want none decreased.

Q: In next survey, can we have a definition of resort residential, and include as a subset whether resort residential includes properties essentially held for rental for all but 1-2 months of the year. Not in a judgmental way, but in terms of what the reality is.
DEPEW: That's what I want to talk about right now. An issue many folks feel very strongly about. The first issue has to be zoning. Everything from Tween Waters south is RSC-2 district; there are very specific regulations associated with it. Predominantly single family, but it allows guest houses. A guest house not for rental, but the main house can be rented. Lee County not real confident in how these are enforced. But let's talk about rentals all over the island. I got an e-mail from a professor. The thrust of it was he is very

concerned because he has a house with a guest house. He's in the process of finishing his career and he only could afford the property by renting the guest house to help cover taxes. He'd support a change in the regulations to allow the guest house to be rented to help cover taxes, as opposed to having it vacant.

Date: Thu, 15 Feb 2001 23:37:09 -0500 (EST)
From: James B. Martin
Subject: Topic for 02/16/01 Meeting
CPOA:
My understanding is that the issue of rental property will be discussed at the planning meeting to be held on Friday 02/16/01. Since I am unable to attend this meeting, I would like to pass along my thoughts on a rental-related issue, and hope that it can be discussed at the meeting.
As we are all aware, the current ordinance precludes the rental of guesthouses in the estate-zoned area of Captiva. I would like to raise the issue of whether the master plan can address this zoning issue, and allow guest homes to be rented.
Captiva has become a very expensive place to maintain a home, given the rapidly escalating real estate taxes. I would very much like to be able to retain ownership of my Captiva home, in that my wife and I are planning to retire to the island. Being able to rent my guesthouse would be a big help in allowing me to do so.
Some will argue that guesthouse rental will increase the population density of the island. While this may be true to some extent, the resulting density would still be low by any reasonable standard. In comparison, I believe that Sanibel allows no more than four residential units per acre. I also believe that most of the estate-zoned lots on Captiva are approximately an acre to an acre and a half in size. Even with guesthouse rental, there would be only 1.5 - 2.0 residential units/acre, a low number.
I hope that this issue can be addressed at tomorrow's meeting and/or subsequent meetings, and would be glad to participate in related dialogues at any point in time.
Sincerely,
Jim Martin
16476 Captiva Drive

DEPEW: There are a couple of responses to that: If you can't afford it, too bad. Other, sell it for the prices they're going for.
Q: It's one thing for people who have lived here for years. They may have to rent out their property to be able to pay rising property taxes. But I don't feel great pity for a professor who bought this property last year.
Q: Why can't he live in the guest house, and rent the main house?
Q: That's illegal under the current code.
Q: What are the regulations on Sanibel?
KATE GOODERHAM: There's a 28-day minimum, except in the resort housing district.
Q: Someone wants to break another rule. House south of mine was rented constantly. Let's set a rule-- 28 days

Q: Among the people who rent our guest house, we have met some of the nicest people in those time, many of them have bought homes on Captiva. Most are families. It's very expensive to rent here. Not going to get people who will be loud.
Q: One doesn't mean the other.
DEPEW: People can cycle in and out over a number of weeks.
Q: Who's going to enforce this? Who will go into people's yards?
Q: That's what we have government for.
Q: But government won't do it.
Q: If we don't like it, let's change the rules. Change the regulations to rent the guest house and not the main house.
Q: How about only one house, not both houses? This person has a reasonable request. Rent one house at a time.
Q: If you have ways to punish people, you can enforce the rules.
DEPEW: Tourist tax is one way to monitor, if people are renting for a certain period of time.
Q: Call rental agent if the renters are making too much noise. Or go right to the people themselves.
Q: Do it by the numbers. A two-bedroom guest house should have a limit on the number of people staying there.
Q: South Seas allows two people per bedroom plus two extra.
Q: Current ordinance says you can't have any, so it doesn't matter about limits.
Q: This is something we on the governance committee addressed for more than a year. That's why we decided we needed local government and local enforcement with local rules. Then we could use the million dollars in tax money we'd have to spend to deal with this.

Q: How many properties are we talking about?
DEPEW: Don't know exactly. Not huge number, but significant on the south end of the island. It's tied to the resort nature of the island.
Q: The reality is these new huge homes rent in season between $22,000 to $30,000 per week They're renting out to 6-9 couples who know each other, wedding parties, reunions. People who should be fighting this are South Seas and Teen Waters; they're the ones losing business to these rentals. These houses are renting by the weekend or by the day. Partying all weekend, it's noise all the time. If they were living according to the rules we have we wouldn't have a problem. Target the rental agents Code enforcement can't handle it.
Q: Deal with the rental agents who renting for less than a week
Q: How?
Q: If someone is not staying at a week limit, talk to them. Most agents live in the area, they're in business, they're professionals, they don't want to have angry neighbors. Generalizations are a disservice to these agents.
Q: Why would they want to book a weekend when they could get a week? That's bad business.
Q Promoting wedding receptions. Rent for a week but just use it for a weekend.
Q: That's why on Sanibel it's 28 days

Q: But Sanibel has had a problem enforcing it for years and years. Even with a city with police with code enforcement, they're having a problem
Q: Establish the parameters, and then enforce them.
DEPEW: No problem with parameters. It comes down to an enforcement issue.

Q: The message is Sanibel is trying to enforce it. Perhaps they don't get every one, but they're trying and that message gets out in the community. We don't see that here.
Q: My property has been visited repeatedly, by everyone but the president. I resent code enforcement coming on my property without cause. I hear there's no code enforcement on this island, but I can cite you chapter and verse that there is.
Q: If you're having a problem with rental agencies, don't blanket all of them. Target the violators and go to them directly. Don't hide behind the mob and veiled threats, talk to them directly. Report them to the appropriate agencies. I don't want to lose my business, my community relations. I have had some extraordinary people stay here, people who are leaders of this world. I resent you trying to take this money away from me.
Q: If I call you at 10 o'clock at night, are you willing to help someone resolve this with the people next door?
Q: Yes, but I can't speak for the other agencies.
Q: I don't see how you'd ever legislate some of this. What if someone leaves early?
Q: There are things you can look into first. Does property have two homes? Does she check into the families she rents to?

DEPEW: What should the rules be?
Q: Does anyone have a problem if someone lives in one house and rents the other?
Q: Let's change that.
Q: We're talking about the Gold Coast. Who should decide, everyone or just those who live on the Gold Coast?
Q: I don't live on the Gold Coast, so I don't have an opinion on this. Let's work on the islandwide issues and leave some of these other issues to the neighborhoods.

Q: If you developed a consensus on this issue, how would you go about implementing it?
DEPEW: A two-line amendment in the LDC.
Q: What constitutes consensus, when 2 or 3 are gathered together?
Q: It used to be the CCA coming together and going downtown.
DEPEW: It will mean more questions for the next survey. I'm not discerning consensus from what's happening at these meetings. You'd string me up if I said that. This discussion may sound chaotic, but I'm soaking this up like a sponge. The whole process in this stage of the planning process is to generate input.
Q: I don't know that anyone wants to change anything, just obey the laws that we have. Nobody's trying to turn this into Sanibel. Let be good neighbors out here. Single family homes should have single families; other gatherings should go to the resorts.

Q: It comes down to who we are. People have invested in Captiva for different reasons. Some invested for financial reasons, people who have no intention of living here. Others, like me, live here full- time year-round and we have a different view of how we live here.

If you're on vacation and you don't like the neighbors, you can leave. We live here, so that's not so easy to do. We have a personal, life interest on Captiva. I'm not holding it against anyone, I'm just asking for a little consideration.
DEPEW: You have this big resort on the top of the island. You have this large area on the south end, which is zoned single family. Is it viewed a resort?
Q: It's abused as a resort. It used to be for you and your family and your help. It's now turned into different area, new people who don't have the same interest as those who live here full time.
Q: That's an oversimplification. There are many different elements on the Gold Coast. Some rent, some don't.
Q: This is a tourist designation, in case you forgot. Of the 1,100 tax bills sent out, 90 percent go to elsewhere, not to addresses on this island.
Q: Does that mean they should take precedence?
Q: It means they should be heard. Different people who aren't here this morning would have a different perspective on this issue.

Q: Some have abused it. The island is evolving. Many opposed South Seas Resort 25 years ago, when more of the island was like the Gold Coast. It's one of the different problems we're all going to face as we go through this evolution.
Q: Many of us want to preserve something, to prevent the headlong financial rush to pave everything. The comparison is fair. The island has changed over the years, but should we say, "Let's just go there because it natural evolution"? Why do people want to preserve things such as the canopy?
Q: Ray Pavelka once sat in this room and said "If you feel that way put your money where your mouth is." It's the concept – listen to the message and not the messenger. Are people willing to do that?
Q: We have done that. We are fighting tooth and nail to keep the Gold Coast as it is.
Q: There are many owners that do not rent through an agency. They do it on their own and they don't abide by the rules. There a blame that s being put on agencies that's not entirely deserved. There's abuse among the homeowners, plenty of laws that everyone should be abiding by.

Q: Lee County has enforced building up as opposed to allowing ground-level homes. That was the start of the problem with the big homes. Lee County is to blame for that.
KATE GOODERHAM: That's federal law relating to flood insurance. You may blame the county about a lot of things, but you can't blame Lee County for that.
DEPEW: We'll be talking about this a lot more. Usually you end up with areas with certain kind of uses, Rental is difficult to deal with, but we need to take a stab at it. This interplay has been good for me to help understand the issue.
Q: Why not a different set of rules for the Village than on the Gold Coast?
Q: Why?
Q: Because it's more of a resort area.
Q: I own a home in the Village, and I try to stay within a one-week limit on rentals. I might go for less time with the unit we own at South Seas, since South Seas might rent units for a shorter time overall.

Q: That's wrong. It's supposed to be a week-minimum there, too.
Q: It shouldn't be targeted at the Gold Coast. Set one rule and one set of code enforcement standards. A tally by neighborhood would surprise you.
Q: Changing the code is a slippery slope, not everyone will be happy with what results. Putting everything on the table, you may not like where you come out.
Q: If you know what the rules are. A lot people are oblivious.
Q: We did that last week.

Q: Neighborhood associations, what do you know about them? To protect a certain interest of the area? Would people be able to persuade their neighbor to abide by codes if they had a more informal neighbor association to iron things out among themselves?
DEPEW: It's a possibility, sure. But is that the right way to go? There are some out here now that are very narrow, special purpose associations.

DEPEW: It's coming time to wrap this up, but I have a few questions to help me set up the next round of activities. First, are morning betters? (Consensus of crowd is yes). It is OK to have meetings here? (Consensus of crowd is yes.) Which day of the week is better? Consensus of crowd is that Wednesdays are better.) Two a week is more than I can handle. What about meeting every other week? (General agreement.) How about the method of notification? We've used ads in the Captiva Current, post cards, posting notices in public buildings, e-mails. Anything else?
Q: How about every other meeting being held in the evening for people who work? (No general support from audience for this.)

DEPEW: Unless I hear otherwise, we'll look at meeting in the mornings, on Wednesday, every other week. It will take us a couple of weeks to get through all this stuff. I hope to have a draft survey out in a week or two. Volunteers for survey committee should sign up in the back. A PowerPoint presentation on height restrictions is still running in the back f the room for those who'd like to watch it. Draft policies can be prepared as soon as the next surveys come back in during the month of March and early April. We'll see you in a couple of weeks.

Meeting adjourned at 11:25 a.m.

CAPTIVA ISLAND PROPERTY OWNERS ASSOCIATION

PUBLIC WORKSHOP

April 11, 2001

These meeting notes are not a verbatim transcription of the workshop, but are reflective of the discussions which occurred at the meeting. Some side discussions may have been missed due to numerous speakers talking simultaneously. When possible, *questions or comments from the audience are in italics.* Questioners are not identified.

Meeting convened at 9:35 a.m. Approx. 12 in attendance

In attendance (list not complete)
Bill Fenniman
Hal Miller
Jim Freeman
Mike Kelly
John Beggs
Jim & Sally Houston

Dave Depew and Stacy Ellis, Morris-Depew & Associates Inc.
Ken Gooderham, CPOA / Gooderham & Associates
Barbara Lindstrom, *Island Sun*

Handouts distributed:
Draft goals, objectives and policies outline
Draft cover letter and survey

DEPEW: Excerpts from Lee County Comprehensive Land Use Plan and Land Development Code that pertain to Captiva (previously handed out at earlier workshop) will be offered on CD. Copies will be available at CCA, Captiva Library, CPOA and Our Captiva Web sites, elsewhere. Possibly on a CCA Web site, Bill Fenniman will look into address.

Introduction and survey discussed, including summary of six elements specific to Captiva (density, height, vegetation, flood elevations/coastal construction control line, guest houses and signs). *Q: Put in both front and back of survey.* DEPEW: I hope to send surveys out beginning of next week. More than 140-150 draft surveys received to date. *Q: Who will receive these surveys?* DEPEW Property owners, residents, voters. Will send electronically or snail mail. What's a reasonable time for return -- May 15? May 1? *Q: People will be moving north, mail forwarding will add a step, so give them more time.* DEPEW: End of May? *Q: You'll have three types of people: Those who'll do it immediately, those who'll leave it on the desk and fill it out when they remember it later, and those who will never do it at all.* DEPEW: Then the consensus is May 31 for a return date.

DEPEW: Cover letter summarizes current rules affecting the island, to help people answer questions with a sense of what current regulations are -- mostly Land Development Code stuff. What other things are important to give background on the current situation? *Q: Put summaries with pertinent questions? Q: Yes, put it in the survey -- what is the current situation, have it in one place. Q: Why not in both places? Q: Too much information for people, makes form too long. Q: Still have room to put it in both places, as a parenthetical remark.*

Q: How will you interpret answers to questions 11 (need for stricter enforcement of zoning and building codes) and 12 (need for better land use planning and growth management)? The starting point is their own interpretation; for each person answering, it will not be the same. DEPEW: How would you change it? *Q: I don't know. Q: It's still a matter of perception. Everyone has their own sense of how strict the codes are, etc.* DEPEW: I'm trying to get at perceptions with these questions, All the questions are trying to elicit more of a response. *Q: You'll probably get a 100 percent "yes" for questions 11 and 12. Q: But they'll say, "I want it for everyone else but not for me."*

DEPEW: Are these good questions? Virtually everyone said "yes" on the first survey, yes to more enforcement and yes to tougher codes. Are the questions necessary? *Q: People perceive things aren't being done when they are being done. Q: Nobody said they wanted more enforcement, they wanted more even-handed enforcement.* DEPEW: More county resources devoted to enforcement of zoning and building codes, to get a part- or full-time code enforcement officer.

Q: We need to outline what the problems are. I'm not clear what the mandate is. I can't tell what the CCA wants to do, what the CPOA wants to do. Everyone wants their house, but they don't want the one next door to be bigger. Find the problems before we ask the questions. DEPEW: Tried to do that with Part 1, find out what people perceive are the general difficulties. Some of those from the initial surveys are included because we were starting to get some good responses on these areas. *Q: What is the goal here?* DEPEW: That will be discussed with the second handout, the possible policies. A lot of folks are separating LDC issues from comp plan items. The comp plan is much more broad.

Q: (Discussion of houses Frank Prell is building on Andy Rosse Lane, how the septic/drainage is being handled.) How is he doing this? I've been told it's an experimental effort approved by the county. But I know enough about physics to know water rises. If there's a drainage system where's there's a septic system, you're going to have a floating cesspool back there. The county should let us know about a plan such as this before it's approved. Sure, to find out these things I could go down to the county every day -- I care, but I don't care that much. With a better system, we could review plans such as this one first, to see if that is the appropriate place to do that. How will they develop the Bellini's site? We need a head's-up so we could have some time to react. Is that all pertaining to LDC issues, not the comp plan?

DEPEW: Look at second handout to see how this could be handled in a comp plan policy. Floor area ratios (FAR) could govern size/mass of development for a lot (examples cited). Establish a maximum FAR, stop worrying about kitchens and start worrying about the size of the house. So the comp plan would say the LDC for Captiva shall include a FAR, then you'd spell it out in the LDC. *Q: Don't we have that now with setbacks?* DEPEW: No, setbacks don't do that.

Q: It comes down to the scale issue, a personal preference. Q: Every environmentally sensitive town in America has a FAR. Eventually, everything will be built to the lot setback lines; if we don't want that yet, we'll have to go to what everyone else has done. Q: One or two big houses might be fine in some areas, but 50 in a row could be too much. We have to make that decision. DEPEW: Impact of huge buildings goes beyond the lot lines. Discussion of a Lake Wales house, a huge lakefront Mediterranean-style house that's right next to horse barn. To the neighbors, it's an eyesore. There needs to be an architectural review code. Yeah, he's got a right to build the kind of house he likes, but it imposes so much on every house around it.

Q: That's what we're facing on Captiva They want to preserve the cottages, but you can't do that. If we can find some balance, it's a way to preserve some of the ambience of the island. But how do you get that into a survey? Q: Some people don't mind the houses being big, others want to keep the village look. There's no clear mandate; we have to establish consensus. DEPEW: That will come only when we start kicking around some draft policies. You may not like the language initially, but we'll have something to talk about. *Q: This handout falls under the comp plan?* DEPEW: Yes, but it will be less specific in the comp plan, more detailed in the LDC. *Q: So this is the first umbrella-type step. Q: Make it clear there will be different ratios based on lot size and location. It's a bigger problem is on the smaller lots. Q: Sanibel is dealing with this issue right now. Don't they have a FAR?* DEPEW: No, but it's evolving. *Q: Who does?* DEPEW: Naples does, Fort Myers Beach has been playing with them. *Q: What about Sanibel's sunlight issue, where you can't impede sunlight on your neighor's property? Q: They have lot coverage and clearance.*

DEPEW: With local input, we're talking about a council. It could be specified in the comp plan to operate much like the hearing examiner. You'd have to get a certificate of review before building anything. How will this council be appointed, who's going to run it? I don't know of a way to make it elective. I do know of a way to make it random -- put all the names in the hats, have the county commissioners pick five and two alternates. You miss two meetings and you're off. *Q: Most of the successful councils of this type use categories -- architect, banker, etc. Get different people from different walks of life, to get a mix. Generally speaking, they're a disaster for trying to get anything done, good for the final result in the community. Depends which side of the fence you're on. A two-edged sword. I don't know who I would trust on a board like that. Q: Let's go back to getting a heads-up so the people affected could deal with that. Some mechanism to make us aware on Captiva. Q: But would we have the power to stop something? Q: If enough people are interested, they'll show up.*

DEPEW: You want notification, but then who gets it? The CCA? Everyone? *Q: An agency that represents everyone, when that is established.* DEPEW: The county is willing to set something up, but they want to know who that board will be. A board of final authority or of recommendation? Either way, it adds another layer of some sort to the permitting process. However, there's not enough permits out here to make that an issue. This is a small place. The effect of additional time won't be noticeable. An element of local knowledge, awareness and input – that's probably what you're after. It won't really infringe on the process. *Q: Do we want more government? Lee County hasn't done that bad a job. Not that many variances Q: Two problems: Who has the final authority? And we have an indemnification issue. A heads-up might be the best route.* Q*: I recently got a variance for a lot here. After they found out my plans, the neighbors didn't care, but everyone else on the island will cite this as a big problem of the county issuing variances.*

DEPEW: Informational issues: A hearing could be held before any permit is issued. Have someone from the county come out once a month to discuss all permits applications made in the past 30 days. No issuance before this meeting is held. *Q: What if we don't like it?* DEPEW: You have your normal courses of objection through the hearing examiner or the courts. *Q: But that's another 30 days when you can't build Q: Really getting information about what they really want to do next door.* DEPEW: The applicant can come to these meetings as well, to explain the plans.

Q: Would the applicant have hired an engineer and every thing else before this meeting? DEPEW: Yes, in order to file the permit. *Q: Maybe they should go before a design review board first before they spend all that money.* DEPEW: Smart thing to do is to contact your neighbors first. *Q: Some folks just build it first and pay the fine later. It happens all the time. (Discussion of instances.)*

Q: Code enforcement is the other piece of this. How do we get effective code enforcement here instead of having the county staffers shrugging their shoulders when they come out here? DEPEW: They tell us they don't want to get involved in disputes on Captiva. *Q: It has to be uniform, every house and every violation.* DEPEW: Look at Fort Myers Beach when it tried to crackdown on illegal apartments. Then they found out who all had those apartments, and all of the sudden the issue evaporated. The enforcement can't be selective.

Q: Be careful how much government we ask for out here. We've got 20 years of things being done out here. Q: Permits and variances are public record. What part of code enforcement are we looking for? Q: The island is different, not like it was 10, 20 or 26 years ago. Not worse, just different. It's been working pretty good overall. Now these newcomers want to change everything, but it isn't that bad. Q: Future doesn't look to good for our kids. Q: Sure I'd rather have the cottages we had 10 years ago – and the prices we had 10 years ago, too. Q: What about the future? Q: You want to stop what? Q: What is, is. Maybe we can help the future. Q: If we don't do something we won't have this island. No trees and wildlife can live in seven-foot easements. We're trying to look for balance. Q: Go back to the cabins. Same as it was built in the 1940s.

DEPEW: What about the commercial areas, the commercial strip from the Green Flash to South Seas? Do we look at some kind preservation of commercial. *Q: It's too late on Andy Rosse Lane.* DEPEW Pick a date to stop conversion. *Q: Ten years ago, they said there's too much business space. Now we say there's too little. Q: Commercial won't survive if residential encroachment grows. It's market driven. There's not enough business for those little shops. Q: Not enough for some time. If you put in restrictions, some will stay commercial, everyone else will convert now and accelerate the shift. We have to be careful. The threat of a city spurred a building boom on the island. Q: Right now, there are 58 homes on the island for sale, compared to 13 last year. There's 40 for sale for between $1 million and $4 million. Supply and demand will affect a lot of this. Things will soften up and balance out.*

DEPEW: What about tax incentives to maintain commercial enterprises? *Q: Look at the tax rolls to see what homes are worth vs. what they're paying with Save Our Homes caps and homestead exemptions, etc. Commercial assessments aren't protected like that, and they getting taxed right out of here.*

DEPEW: Fort Myers has commercial redevelopment areas. We could talk about incentive and redevelopment on the island, even make it site specific. *Q: Restrictions will force their value (and taxes) down.* DEPEW: Don't mix restrictions with incentives. We just agreed it's not a good idea to block conversion. *Q: The island will still need a design review board. Allocate seats according to organizations. Might make everyone happy or nobody happy. Q: Getting the county out here once a month will satisfy me. Q: That won't get anything done. Q: What do you want? We just want to bitch about our neighbors. The county has acted, I've seen some cease-and-desist orders. Q: Can't undo what's already been done. We should be working toward the future*. DEPEW: If the community gets behind a comp plan amendment, you have a better chance to get county folks to put together a reasonable code enforcement effort. Not perfect, but workable. Everyone has been polarized out here, groups vs. groups over variance or code enforcement issues. With consensus, the county will be more willing to get involved. County staffers are overworked and not in a position to be looking for creative solutions. They are not willing to step into what they perceive as a conflict between a number of groups.

Q: But there is consensus. Nobody wants high rises or high density. There are outside issues that people took sides on, but on the issues that matter to Captiva we're in agreement. Q: Forget about the inequities of the past and look to the future. Let's not point fingers. We've been left on our own out here, and that's not so bad sometimes. We need some instrument to protect our island, our birds, our canopy, our lifestyle. We need to come to some middle ground. We must work together and share responsibility to represent everyone on the island. DEPEW: There really are no differences on the major issues. *Q: One zealot can screw up everything on the island. Look at the sign issue, a big screw-up.*

DEPEW: Vegetation: Australian pines are removed by the county whenever they have a chance. It's a big deal for county staff, the pines are viewed as exotic vegetation. That can be dealt with in general in the plan, via preservation of the existing canopy to include even exotic canopy vegetation. The problem isn't residents, but the county public works department. We could establish Captiva as a special case as regards the tree canopy. Is that worth considering? *Q: Imagine what it would be like without it. Q: We would have almost 100 percent agreement on that issue. Q: Except for the fire department, which is worried about evacuation issues. Let's get the things we can agree on in writing, establish a clearer mandate. Then we'd see that everyone wants the same thing -- perhaps a different way of doing it, but basic agreement on the goals.*

DEPEW: Bike traffic: Residents on the south end have no support for any kind of path. Further north, there's a lot of sentiment for landscape-type lights, pedestrian paths, etc., due to safety issues. There's room in the Village platted streets to have some pathways -- not on Captiva Drive, but on some of the side streets. Is it worth putting something in there to have county investigate something like this. *Q: County wants to clear-cut to create a bike path, put up stop signs, do brush removal. They would wreck the street. You need paths on main streets, not side streets. It's almost a dead issue. Q: Why is there opposition? Q: Vegetation, safety, stop signs. Q: Sanibel paths not safe to drive across. Q: Vegetation the main issue last time that quashed a bike path. Why get involved with that with all the other problems we have? It's been turned down a number of times in the past. Nobody wants a bike path the way they have to do it now. Q: I'm surprised there are not more accidents on Captiva Drive.*

Q: Could they widen the road instead of a full-blown bike path? Q: That would change the look of the island forever. DEPEW: It's a big issue for the north end. *Q: They don't understand all the ramifications. Q: Explain the history in the survey so they'll know the impact of this.*

Q: Can people list what's critical to them on the survey? List their top 3 issues instead of those less important to guide what we address in these policies. Address the issues that matter to people the most. We ought to have a program to assess land use issues, that's absolute critical to consensus. We should look at the South Seas master plan, to be a partner with the resort on those things that don't offend us. We need restaurants other than at Tween Waters and South Seas. We don't want to become a bedroom community way out in the boonies. We've been blessed -- you can come here for a week and visit a different restaurant every night. It's a terrible future problem. Let's address that instead of worrying about who's putting a sign up someplace – that's last on my agenda. Get a sense of what people's priorities really, see consensus in these responses. My issues would be vegetation and canopy, sewer problem.

Q: Let's think about that down the road we have to do. DEPEW: The water quality in Pine Island Sound is starting to suffer. Ecosystem is being overloaded. *Q: Demand a new system to handle this. Q: We need an island-wide sewer system. If we build on every lot, there's no way you can say we don't need a full sewer system. Q: Draw the line so that*

anything new is done a different way. That's a way to stop it now. We can't stop people building the giant homes, but you can stop what goes into the ground. Sewer, vegetation, commercial development would be my issues. Q: We only need a sewer solution in the Village area. The Gold Coast has the land to accommodate septic systems.

Q: Look at alternatives that do work short of an island-wide system. DEPEW: They tend to be high maintenance. *Q: Ask people which are the critical pieces, what's most important to you, at the end of this survey. Q: Put it up front. That's all some will fill out.*

DEPEW: Traffic: Tied to commercial... if you have to drive to Sanibel for everything, it increases traffic. Captiva Drive: There's a perception it's a race track. *Q: Can't show by an accident ratio that this is critical. Q: Deputies are running speed traps out there. They say there are violators but it's a very small percentage they're able to arrest. Not much they can do, it's talking to the sheriff about them. Nothing we can to with the road. This is a law enforcement issue, not a planning issue.* DEPEW: There are things you can do that will slow people down; for example, put different color stripes in the road. Look at West First Street: The colored, grooved pavement slows people driving there by 5 mph. *Q: Will that work on a main road? Tourists will be slamming on their brakes in the middle of the road and causing even more accidents. Q: It's a matter of enforcement, not planning. A non-issue. Q: All of this stuff is non-critical issues.*

DEPEW: Beach nourishment showed up in almost ever survey. What else needs to be addressed? *Q: It's been taken care of, another non-issue. Q: Everyone is satisfied. Q: Everyone wants beach nourishment, the mention in surveys is a sign of agreement. Q: Move through those to attack the issues critical to people. Q: If fewer are presented, they will be more important. Q: What about commercial responses?* DEPEW: Basic stuff. Being able to buy groceries, medicines, liquor on island. Another ATM or bank. Hardware. *Q: A general variety store so they don't have to run all the way to Sanibel.* DEPEW: Nothing elaborate, just the basic necessities of life. *Q: The Island Store could close, but what can we do about it?*

DEPEW: What haven't I mentioned that somebody wants to talk about? *Q: Less would be more. If they are non-issues, why put them on the survey? Q: Stick to the things that are most important. Try to look at priorities. Put your arms around what we can call a consensus. Q: A paragraph about the things that can't be done about, address those so we can concentrate on the things that would be more important to more people*

DEPEW: A final version will be out by next week, to return them by end of May. It will be the third or fourth week of June before there are any more meetings. The survey will be released on the Web sites. Call or e-mail me with questions.

Meeting adjourned at 11:25 a.m.

CAPTIVA ISLAND PROPERTY OWNERS ASSOCIATION

PUBLIC WORKSHOP

Tuesday, July 31, 2001
Captiva Civic Association building

These meeting notes are not a verbatim transcription of the workshop, but are reflective of the discussions which occurred at the meeting. Some side discussions may have been missed due to numerous speakers talking simultaneously. When possible, *questions or comments from the audience are in italics.* Questioners are not identified.

In attendance:
Bob Brace
Sharon Brace
Jim Freedman
Jim Houston
Bob Lloyd
Victor Mayeron
Hal Miller
Julien Miville
Rene Miville
Brian Podlasek
Sandra Stilwell

Anna Liakis, Captiva Current
Dave Depew & Stacy Ellis, Morris-Depew & Associates
Ken Gooderham, Gooderham & Associates

Handouts: "Captiva Planning Survey Summary," "Draft Lee Plan Policies: Captiva"

Meeting convened at 9:40 a.m.

DEPEW: (Showed map with guests houses and additional structures, discussed Eagle Bay hearing map submitted by applicant.) There are 163 lots south of Tween Waters, 54 with guest houses. A handful of additional structures in the Village area. (Briefly recapped Eagle Bay hearing.) Updated planning summary, tallies and essay questions, Incorrectly tabulated some timeshare vs. South Seas condo units, split may shift. Not a large difference across the island neighborhood by neighborhood. Ratios have not changed.

Responses to questions in survey:
Question 10 -- 490 yes, 34 no, question on 3 units maximum per acre. *Q: My interpretation is that that includes South Seas Resort, True?* DEPEW: Yes. In the essays, a dozen who said all development should be stopped on the island, a half dozen cited South Seas Resort as a concern. *Q: They love it just the way it is. People at South Seas Resort are among the most abused by proposals made over the last seven years. South*

Seas Resort already at 3 units per acre. DEPEW: Four residents at South Seas Resort claimed development was a problem, 10 who said to stop all development. 371 South Seas Resort said 3 units max.

Question 11 -- Not quite as strong 369 to 120, still some support for stricter enforcement of building and zoning codes.

Land use management (#12), not as strong again, 464 supported limitations on the size of houses, identified as on of the top three issues on the essay portion of the surveys. No. 3 issue overall, redevelopment of the large houses around the island. A lot of interest.

Sewage treatment (#14a) 327 to 123 favoring, not nearly as strong as some. In essays the Village area recognized water quality a concern, something needs to be done about septic tanks and water quality in the bay, a lot of concern that this would allow increase density, response always conditions with some concern about density. *Q: Sewer would help with drainage problem?* DEPEW: Limitation of space so severe on the island, we're looking for wastewater treatment by way of alternate technology, not with a mass treatment facility. Could be restrictions on new and replacement septic fields, done on an individual basis. Drainage is a problem; you need to have space for pre-treatment, physical constraints tough to get around. Alternate technology can be a maintenance headache. Any replacements can be addressed slowly over time. You'll notice improvements over the course of a decade or two, not next year.

Q: Land use problem, too. DEPEW: Look at Tarpon Bay, which won approval because it was next to the Tween Waters sewage treatment plant. Serious constraints. *Q: What abut the capacity of existing plants? South Seas Resort plant was downgraded in recent months by EPA due to capacity*. DEPEW: Doubtful any of these facilities could ever be expanded. Truck the sludge off the island, like a septic tank cleanout situation? Not a great solution either. Contributes to traffic problems, which are already deemed to be the No. 1 problem on Captiva. *Q: Alternate system at my home working well (cited recent experience during heavy rain period).*

Question 14B – existing densities and intensities of use: 473 supported. How do you put it together with No. 10? A concern there. Three units is apparently fine for those developed at the current time, but no increase elsewhere on the island.

More local input for permitting -- this one was kicked around a lot. Mentioned an elective agency rather than appointive agency on land uses and permits. Essay questions suggest local input important with some caveats.

Lot of support for preserving commercial activities as they currently exist, big issue on essays, felt existing areas needed to be supported and preserved, a lot of support for the mixed use aspect of it as well. Definite negative feeling about the Green Flash in essay questions. Did not say specifically, perhaps too massive compared to Timmy's Nook, hard

to tell. *Q: Use vegetation to make up for a lack of interesting architecture. Q: Height requirement for septic system. Q: Very imposing. Q: Not owner's fault.*

Renting of guest houses: Feeling on that was really split, 224 to 232, a lot of discussion needed on how this proceeds. Only rental issue on the island, look at essay questions. *Q: What was the spread on the Gold Coast and those who actually have guest houses?* DEPEW: Haven't done split on that. South end of island had lowest response rate; favored 22-15 to rent out guest house and main house. Comments on whether it would either-or, not rent both out and to different individuals. A lot more discussion that really needs to evolve.

Q: Was there a discussion on limit of time for rentals? DEPEW: Weekly rentals OK, some said it's a problem, some said a monthly basis is OK, a couple that said season was OK, others that suggested a limit on the number of guests. Tells me that's a very thorny issue, one that's unlikely to be resolved and should not be elevated to the plan yet. If there are changes, we'll need a lot more discussion on that. *Q: How many do it illegally. Q: Eagle Bay applicant argued they should be allowed to because the existing code was being violated. Three instances cited. Illegality allows permission. Q: So two wrongs make a right. Q: Lee planner argued that staff will not change zoning because illegal uses are going on; that it was a code enforcement problem not a zoning problem.*

DEPEW: Perception was you can rent one and not the other. Eagle Bay shows question, that a guest house is supposed to be for guests -- not a garage apartment. It may be that the people of Captiva want to change that. You want to look at this issue very carefully. Estate zoning is not a duplex district, two dwelling units. Guest house facilities for short-term guests of the folks in the main house. Look at the compounds you find at other estate areas around the country – there, they bring folks in to have them as guests at your place for a few weeks. However, there is no effective difference between renting a guest house out and having a constant stream of guests using it.

Q: Some people don't want to stay at South Seas Resort; they would prefer to stay at homes down there. The quality of renters must also be considered. Q: Planning staff was very good presenting this issue at the Eagle Bay hearing. Can't use illegality as a precedence; the down side of permitting is justice. Vast majority in survey saying we don't want to change density. You can't leave rentals out of that. Can't let just one horse out of the barn. Eagle Bay just the first effort of this kind. Q: Pleased with level of expertise of county planning staff, particularly Chip Block. We had a good group representing us, but the county was exceptional. Q: Differences in perspective between planning staff and county commissioners were noted by staffers; planners look at policies, commission also looks at politics.

Q: Mary Gibbs and Paul O'Connor (with Lee County Department of Community Development) were not aware there was anything in Land Development Code about guest houses on Captiva. It's an old law from the 1970s that's not enforced. Issue is integrity of the people or the integrity of the ordinance. Q: It's the integrity of the enforcement

mechanism. Not if it's a dumb ordinance, but if it was not enforced. Do you change the ordinance or the people who enforce it? Survey says you do something about the enforcement. Q: Not necessarily. Look at the breakdown by area. Q: When do groups in the community bow to the will of the community for the good of the whole?

DEPEW: This demonstrates what I said, thorny, evenly split, won't lend itself to a comp plan policy. *Q: What also matters is who is in that guest unit next door? It's how they behave, not who they are -- guests, friends, renters. It's how they're acting Q: A population density issue too, don't have back-to-back guests all year. Some free time is needed – that won't happen if you rent all year long.* DEPEW: Guests houses are not dwelling units, as was argued in Eagle Bay. *Q: It all comes down to interpretation of the language.*

DEPEW: I'm already on the record with Eagle Bay case about estate zoning. An issue that has pluses and minuses on both sides of the argument, and one we're not going to resolve this go-around. It's a code issue, not a plan issue. *Q: We could address enforcement issue via a taxing district.* DEPEW: That brings up a Community Redevelopment Agency for island and the commercial area. We'll discuss it later. *Q: Hire our own code enforcement officer. County should hire more people to do that. Problem is not the code officers, but with the management downtown. Q: Yeah, I like the idea of people knocking on my door every day asking to see my papers. That's just what the island needs.*

Question 21-- Height limitations. There were half a dozen who said Rene got his question, let's move on. *Q: Give his cupola to him and maybe it will go away.* DEPEW: Some split, 198-316, a little surprised. The law's on the books at this point. A code issue, not a planning issue, wrapped up into the "large house" issue. It's a redevelopment issue -- not to be addressed in a planning document, but a code question.

The pines on Captiva Drive -- everyone feels that's fairly unique on the island. Negative responses related to evacuation concerns, storm surge, winds, etc. What would happen if pines blow over? Everyone supports tree canopy. Pedestrian and bike opportunities, no. 2 issue in essay questions. More than the large houses. Traffic the No. 1 issue. *Q: Do you have a subset on where that came from? Is it stronger in one area over another? Why would people who love to bicycle want to live here?* DEPEW: Village 25 in favor, Gold coast 8 out of 40, South Seas Resort another big one. A lot of the responses said they realized that roadways don't have much room, there are problems on the right of way. Still they would like to see increased bike-pedestrian opportunities. *Q: Contradictory responses.* DEPEW: Diametrically opposed. Related to traffic and parking issues, since more use of bikes reduced traffic and parking demand. Don't have an answer on any of this stuff yet.

Mixed use in Village deemed best and most charming element of the Village. Some said remove Jet Skis operations entirely, or confine them to South Seas Resort. Boat ramp or launching area mentioned. One person concerned about raccoons. *Q: But they constitute*

our wildlife. DEPEW: Trolley or public transit brought up, related to traffic and congestion.

HANDOUT: Draft Proposed Lee Plan Policies: Captiva

1.) New requests for commercial or industrial zoning, or requests for residential rezonings at a density exceeding one unit per acre, shall not be permitted. However, nothing in this policy shall be deemed to prevent the replacement of an existing dwelling unit or commercial use in the event of a natural disaster.

2.) Lee County recognizes that Captiva Drive is a roadway facility with unique characteristics that limit the ability to expand its carrying capacity. Notwithstanding any other policies found herein, Lee County shall approve no permits that would decrease the level of service on Captiva Drive below LOS D.

3.) Recognizing that Captiva Drive is vulnerable to flooding and storm damage, any resurfacing of Captiva Drive shall be done in a fashion that decreases the possibility of roadway wash-out and other damage that would result from a storm or flooding.

4.) Funding of roadway improvements such as resurfacing and flood/storm protection shall be undertaken in a fashion that considers not only local utilization of Captiva Drive, but also the use to which that facility is put by non-residents of Captiva Island. It is recognized that Captiva Drive is the only arterial roadway connecting the Island to Sanibel and the mainland, and represents a unique scenic resource for Lee County. Lee County shall preserve and enhance the tree canopy within the right of way to the greatest extent possible.

5.) Lee County specifically recognizes that the existing tree canopy on Captiva Island is significant and must be preserved in order to provide a storm buffer, shelter for birds, habitat for various animals, enhance outdoor recreation and aesthetic values, and maintain the historic ambience of Captiva Island. To that end, public works project shall not remove canopy trees, even if such trees are deemed to be exotic vegetation, unless absolutely necessary. Further, if such trees are removed, replacement trees shall be planted in the largest size readily available as part of a mitigation effort for those that were removed.

6.) Lee County shall investigate and recommend methods for pedestrian and bicycle traffic facilities in the area north of Murmond Lane to the entrance of South Seas Plantation. Specific options, reflecting the unique nature of the area, including but not limited to the recognition that low operating speeds, limited rights of way, limited parked vehicles, and the seasonal nature of facility demand, shall be considered. The results of this investigation and the proposed recommendations shall be reported to the residents of Captiva at a public meeting to take place on Captiva to be held at some point during the months between December 1 until March 31 in order to disseminate the results of the investigation to the broadest number of residents possible. Further, subsequent to the

public hearing to be held on Captiva, the results of these investigations and recommendations shall be brought to the Board of County Commissioners at a public hearing along with input from the public meeting held on Captiva. At that time, the Board of Commissioners shall consider what measures need to be taken to provide for pedestrian and bicycle transportation opportunities in this area of Captiva. The investigations and recommendations shall be completed not later than November 2002, and the presentation to the County Commission shall occur not later than April 2003.

7.) All new single-family residential development permits on Captiva Island shall be subject to the following:

For lots greater than or equal to 1 acre: Floor Area Ratio shall not exceed 0.10;

For lots less than 1 acre, but greater than or equal to ¾ acre: Floor Area Ratio shall not exceed 0.12;

For lots less than ¾ of an acre, but greater than or equal to ½ acre: Floor Area Ratio shall not exceed 0.14;

For lots less than ½ acre: Floor Area Ratio shall not exceed 0.16

This figure shall be the total floor area allowed on the lot, including the floor area for any guest house or servants quarters, as applicable.

8.) Lee County shall continue to support local efforts to preserve, protect, and renourish Captiva's beaches through the use of environmentally responsible methods.

9.) Lee County shall seek to implement measures that will improve water quality in Pine Island Sound, adjacent to Captiva Island. Such measures may include the establishment of additional regulations regarding stormwater runoff and the utilization of wastewater treatment and septic systems in areas where water quality problems have been identified. Lee County shall investigate water quality issues in this area and prepare a report summarizing findings and recommendations for addressing any problems discovered. The results of this investigation and the proposed recommendations shall be reported to the residents of Captiva at a public meeting to take place on Captiva to be held at some point during the months between December 1 until March 31 in order to disseminate the results of the investigation to the broadest number of residents possible. Further, subsequent to the public hearing to be held on Captiva, the results of these investigations and recommendations shall be brought to the Board of County Commissioners at a public hearing along with input from the public meeting held on Captiva. At that time, the Board of Commissioners shall consider what measures need to be taken to provide for pedestrian and bicycle transportation opportunities in this area of Captiva. The investigations and recommendations shall be completed not later than November 2002, and the presentation to the County Commission shall occur not later than April 2003.

(Full text including Depew's comments available at CPOA Web site, www.captivapropertyowners.com.)

DEPEW: Next, I tried to draft some potential policies on those issues we might be able to address. I'm trying to work as a facilitator; comments articulate what I intended based on

the planning surveys. No commercial policies are here, not until I can discuss that with those in the commercial area. Might want to look at a CRA for Village area to preserve commercial interests. *Q: These policies are not your opinion, just your words.* DEPEW: Not oriented toward business uses; I still need to meet with you guys. These are just some things we can do; I'm not here to impose anything on you. It has to come from you all. I don't know your businesses.

Policy 1 -- Requests for zonings over 1 unit per acre. Not trying to change any land use categories, not going to change the map. Not going to do any new zoning unless it already exists. If you're going to stop Eagle Bays in the future, you'll need to do something like this. *Q: If this is in place, you could still request a RPD.* DEPEW: If it doesn't exceed one unit per acre. *Q: Surveys say to keep things as they are, by the rules that currently exist. Isn't there a danger in changing the current language? Can't we just increase the legal standing of the current rules? They've been around for a long time; changing them suggests people on the island are nursing the idea of change.* DEPEW: This will not change ordinances that exist now at all. Just says densities greater than a unit per acre will not be accepted. Allows staff to turn down Eagle Bays out of hand. You'll still have to fight those that meet this criteria. This acts as a filter. I'm worried about Chuck Basinait's request; clearly his client has a piece of property that they want to do the same thing {as Eagle Bay} on. *Q: And there's a third one waiting in the wings?* DEPEW: Two dozen parcels on the south end that could do something like that. *Q: Why not tweak road footage limits to further restrict possible subdivisions? Q: This policy is layered on top of that.*

Q: What about the Village? DEPEW: Add some language about platted lots providing minimum use – is it already in the plan? This wording allows rebuilding. *Q: What about destruction by fire?* DEPEW: Need to adjust language. Even if we win Eagle Bay, the next one could come in slightly different to try it again. *Q: Underscores precedent-setting basis of request. Q: There are a number of lots that need to be addressed in the Village, look at the wording first.* DEPEW: There's a guarantee already in the plan for platted lots. Q: That's how our homes (on Andy Rosse Lane) got built. *Q: I don't agree with that. Q: There's no effect on platted lots? Q: What about unplatted lots?* DEPEW: If it (the lot) existed prior to 1983, it's protected. If it was created after 1983, there could be difficulties. But this language won't change that. This takes effect if you have to rezone lots. *Q: What added protection will this actually give? There's a number of ways to get around this. Once you suggest a revision to the plan, you've opened Pandora's box. Basinait, MeriStar will all follow along once you put it on the table. The last time we tried that with Buck Key we lost that hands down.* DEPEW: What's to prevent that now? *Q: We won't have initiated the process. We start up a process we will end up wishing we hadn't started.* DEPEW: I'm not convinced that the threat of something happening if we do the right thing means we shouldn't do it. We can control this process and control the outcome. We have a commission that's very different from a few years ago. *Q: Remember that Judah voted against us. And Buck Key proved that a roomful of people don't count in the final vote.* DEPEW: Any developer can do this now. It's not persuasive to me. *Q: It's not misdirected. Things we don't know about now can be offered up by others and*

included by the county. DEPEW: You'll forgo chance to protect the island for fear that something could be added? *Q: Some of us are worried about the concerns we should have about this process.*
Q: Your comments recently concerning a "suspicion" of preservation is not a ringing endorsement. People want what they have enforced, and staff says you seem to want enforcement. Should I have a concern about basing something on a thing you suspect might happen? That's a less than wholehearted endorsement. DEPEW: What you have now will give you more and more Eagle Bays, and one of these days one of them will pass. What you have in the plan -- not the code or the ordinances -- is lacking. In order to preserve the island, you will have to make some changes in the plan. It's pretty loose. The only thing you have is the 3 units per acre. *Q: This sidetracks us from enforcement concerns.* DEPEW: That's equally important, but the planning issue is crucial. *Q: The planning issue was presented all last year as an answer to enforcement. Sold very heavily as an enforcement tool.*

Q: Some people are always concerned about South Seas Resort. I'm really concerned about Eagle Bay, looking at the potential it holds for the Gold Coast. Letting Rome burn really concerns me. Q: I was concerned about Buck Key, not South Seas Resort. It's a matter of risk assessment. The first policy carries little reward; here are too many ways to get around it. Low reward with a very high risk in a process we can't control. We have differing opinions on this. DEPEW: Take a look at the Gold coast, the properties less than an acre. With this, they can't come in and ask for a change. *Q: You assume the Board of County Commissioners will approve this policy. Q: They will approve that because the next step is incorporation. Q: Won't the other side come in and complain?* DEPEW: We can win that. *Q Please record there was serious concern about opening up the process for a low-reward item.* DEPEW: I don't see this as a low-reward item.

Q: Once we put this forward, the county will consider other counter proposals and ideas? DEPEW: It will go to public hearings. *Q: Everyone will have input on this. County can accept or reject this wording or change it. Once the county makes that decision, do we have any recourse?* DEPEW: There are public hearings on county level, it's sent to the state Department of Community Affairs for review and comments, sent back to county for changes, they can review or drop it altogether. Then there's a final hearing before the county commission. To be honest, there are no guarantees. *Q: I'd like to hear something from Lee County to back up what you just said. Q: At any point does it come back to those who submitted it? Or are we one among many commenting on this? Does the county listen to public hearing attendees more than those who submitted the original proposal? Q: If we don't like the final result, we don't have the ultimate veto power?* DEPEW: I believe as long as we are applicants, we can withdraw it up to the final moment. I need to check that with an attorney. Of course, the county could still sponsor its own amendment. *Q: I'd like to see that from Lee County, not from the CPOA attorney. It flies in the face of what the county has said in other language.*

Q: Commissioners have the right to shoot down bad ideas. This paranoia is holding us back. Q: It's not paranoia, it's our legitimately held concerns. Q: On Buck Key, the

county was laughing at us all the way through the process. The only way we got out of it was to get enough money to buy our way out of it. DEPEW: These are legitimate concerns. The need for vigilance never goes away. (Further discussion of Buck Key circumstances.)

Q: What's the difference between this and any other application? Q They can slip something in at the last minute. Q: Can't we sue them if something is included we don't want? Q: Some of us don't have the money to settle all our issues with litigation. DEPEW: I will find out if there's a final veto power by the applicant of the amendment is hijacked. But remember, anything one attorney can say one way, another will say the opposite. *Q: What about funding criteria, doing what's necessary to get money from the county?* DEPEW: We've met everything we need concerning the planning process. But that's different from the funding.

Policy 2-- Attempt to limit growth and limit impacts. This is potentially a biggie, something that's a concern. Might need to modify language to address existing single-family lots. No permits can be issued if it will degrade level of service (LOS) on Captiva Drive below Level D. *Q: Define LOS.* DEPEW: It's a mathematical capacity definition. Look at Captiva Drive in season at height of drive time – that's Level D. Any permit that has the effect of adding cars to lower the LOS will deny the permit. There's a policy relating to Pine Island Road already in the LDC, impacting development orders. This is much more severe, since no more permits will be issued. This may be more than you want. *Q: The county will not enforce this on Pine Island, that's why they're looking for recourse to traffic problems. The county won't degrade property rights, so it's unwilling to enforce. Again, a relative low-reward item -- good if we could do it, but probably useless.* DEPEW: I have to disagree. Some projects proposed for Pine Island haven't even bothered to make an application due to that rule. It's a significant limit. *Q: Pine Island Civic Association would disagree with you. Can't take away property rights away, nor should they.* DEPEW: The difference is that Captiva is built out, Pine Island is not. That's why this policy can work for this island, it limits redevelopment activities on the south end of the island. *Q: Some would disagree that Captiva is built out.*

Policy 3 -- An easy one, addressing concerns about evacuation re: road resurfacing. Explore technologies to preserve the road as best as possible. *Q: Two conflicting instructions in the rule -- preserving the roadway and the pines.* DEPEW: This forces the county to review both areas. Engineers will traditionally just say get rid of the trees. This forces them to look at other options to save the trees when addressing road issues.

Policy 4 -- Addresses off-island traffic that uses Captiva Drive. It would define it as arterial roadway and subject to county funding since it's used by those other than Captivans. Policy may be superfluous.

Policy 5 -- Intended to treat Australian pines as a special case for Captiva. County planners are determined to remove any exotics, whatever the circumstances. (Bonita example given.) They're absolutely adamant on removal. With this, there's no removal

unless there's no other alternative. *Q: What other vegetation choices do we have?* DEPEW: I don't know. *Q: If you go back far enough, there was nothing growing on this island. So everything is an exotic. Q: Is there a way to control vegetation to mandate there is a certain amount of cover left on any lot?* DEPEW: That should be addressed in the code, not the plan.

Policies 6 and 9 -- Essentially the same. One takes look at bike path, other storm runoff and wastewater management. We want the county to empanel a committee to study it, look at what the options are, meet on the island during season, take recommendations to board for action along with public input from meeting held on Captiva. *Q: Why not do that for everything? More public input overall?* DEPEW: Haven't grappled with that yet. It's coming. Comments from survey sought more information, more input, make it elective. The middle ground could be to mandate any rezoning or variance have a public information meeting on Captiva. No mandate from island, but have to hold this meeting before they go to the hearing examiner. Forces Eagle Bays to come out here and present their plans to the public. *Q: Factor in time of year in any meetings. I'm concerned about how people get selected to run these things -- sewers and bike paths. Very important.* DEPEW: That's why county is doing investigations but has to come out here to hear input from Captivans. That's the only way I could think about that. *Q: I'm worried because people get appointed to county committees who don't have the interests of Captivans behind them.* DEPEW: That's why I had the county do it.

Q: The county has made it clear it feels there were others areas that needed attention first, especially since they met resistance when they tried to work the island in the past. Will they come out again? DEPEW: If we define the issues for them, they will be willing to do that. There was, shall we say, a lively debate and some differences of opinion in the past.

Policy 8 -- Everyone is concerned about the beaches; this is a "motherhood and apple pie" policy.

Policy 7 -- Probably one of the more controversial ones. It may be that the ratio is not right, trying to come up with ratios that give you a certain mass to area on the lot. These figures are not set in stone, something to react to. Get an idea of what is a reasonable house. Don't want to limit choice. *Q: How big is a 50 by 200 lot? (Roughly a quarter acre)*

Q: What's out there now? Use that as a guideline to keep what's in place now. These are too restrictive, on the low end. Q: Is this footprint or total square footage under roof? (Told it's total square footage) This will not work. Q: Fine to have a benchmark for discussion. How do we want to go about putting something together? DEPEW: Do an inventory of what's out there now; we're doing that. These numbers are based on a quick review of what's out there now. *Q: You're cutting value of properties. Q: But it's still worth more than you paid for it. Life's filled with risk. Q: Is this a comp plan issue?* DEPEW: Yes, but not everyone puts it there. We may just say that big homes are not

welcome and have the county look into the issue. *Q: Southampton has a 10 percent limit, but a 4-acre minimum lot size. That's a big difference. Look at vegetation options, you can build bigger but set back further and harder to see. Q: At South Seas Resort, what we liked were the trees, rarely see the buildings unlike other resort areas. Q: Like the homes on Andy Rosse that are set back from the road; they're not so imposing. Buffer of trees helps. Q: Tie Floor Area Ratio to vegetation coverage.*

DEPEW: This one definitely needs more work, I expected it to be the most controversial. *Q: Idea of vegetation brought up by Kevin Farrell first. Q: Dealing with perception people have, hard to define what that means.*

DEPEW: Past time to end this meeting. Going to do this again soon. *Q: I notice there's no item in here on the height restrictions.* DEPEW: That's already on the books. No changes. *Q: Why wouldn't we enhance that one if we're going to do that for other issues?* DEPEW: I'll look at it, but it's already working fine. Mostly a zoning regulation. *Q: I have other questions for Dave Depew and the CPOA (handed out list of questions).*

Meeting adjourned at 11: 40 a.m.

CAPTIVA ISLAND PROPERTY OWNERS ASSOCIATION

PUBLIC WORKSHOP

Wednesday, Aug. 29, 2001
South Seas Resort Conference Center

These meeting notes are not a verbatim transcription of the workshop, but are reflective of the discussions that occurred at the meeting. Some side discussions may have been missed due to numerous speakers talking simultaneously. When possible, *questions or comments from the audience are in italics.* Questioners are not identified.

In attendance:
John Asp
Bob & Sharon Brace
Mike Cohen
James Costello (for Robert Rauschenberg)
Steve Cutler
Kevin Farrell
Wendy Haedo
Fred Hawkins
Dave Jensen
Roger King
Hal Miller
Douglas Rucker
Anna Liakis, *Captiva Current*
Dave Depew & Stacy Ellis, Morris-Depew & Associates Inc.
Kate & Ken Gooderham, Gooderham & Associates Inc.

Convened 9:35 a.m. Approximately 20 in attendance overall

Handouts:
Draft policies dated Aug. 29, 2001 by Dave Depew
Comprehensive plan process description by Gooderham & Associates

DEPEW: Tried to e-mail revised policies out yesterday. They're, available in the back for those who need one, along with a description of the comp plan approval process. Will discuss individual policies. Get input from everybody across Captiva, find out what everybody thinks are concerns and are not concerns, what should stay the same or what needs a little work. This represents the best I've been able to come up with discussing potential plan policies for Captiva.

Q: All these represent changes to the Lee Plan? DEPEW: Additions to the county plan. *Q: In the future Lee can entertain changes once a year. Anyone would have to go through process of 5-6 meetings or hearings to change anything. This will make future change on Captiva very difficult.* DEPEW: That's the effect of all of these policies. Not

the overall purpose, which is to better manage growth and preserve the lifestyle of Captiva. But the consequence is to make the change very difficult. The idea is to preserve what's out here as best as we can given the status of the law and the other elements that apply. To preserve the Captiva lifestyle. *Q: It's a laborious process we're going through. Would someone would have to go through this again to change anything?* DEPEW: That's not the reason, but that's one of the consequences.

Q: What's the difference between a code and an ordinance? DEPEW: The comp plan is the foundation of the Land Development Code (LDC), the LDC is foundation of enforcement. The LDC can be changed in accordance with comp plan, with two public hearings. *Q: Something in the LDC is found contrary to the comp plan as decided by whom?* DEPEW: The Local Planning Agency (LPA) has initial authority to determine consistency with the plan. Then it goes to the Bound of County Commissioners (BOCC), then to Department of Community Affairs (DCA) for determination. If a citizen feels it is still inconsistent, they're allowed to take it to court to let a judge decide.

DEPEW: The idea is to put together a set of policies that better reflect the idea of Captivans, as opposed to the ideas you find on the mainland which has a different economy and a different mindset. This island is very unique. The surveys we did demonstrated a lot of people on the island feel the same ways about the issues, even though there are a lot of different ways to get there, such as incorporation vs. a comp plan amendment. By Sept. 28, we have to submit to the county the full set of amendments. After that, the LPA will schedule public hearings on the amendments, open to the public to present written and verbal comments. Next stage is a public hearing in front of the BOCC, same thing in terms of written and verbal comment. They will decide whether to transit the amendments to the DCA in Tallahassee. The department will review and issue an ORC report – which stands for Objections, Recommendations and Comments -- which is sent back to the county with comments and suggested changes. County staff will look at the policies we submit, has indicated they will get back with us and work with us on changes, then it goes back to the BOCC for adoption.

LPA hearings would be set for late October-early November through November to early December. Mid-December to early January will be the first round of BOCC hearings, then it goes to DCA. They will take 60 days, so it's mid-March till we get stuff back from DCA, early April for final action on any amendments. The bad part: What we're doing now is in the middle of the off season. The good part: The rest of this will occur during season so more Captivans can get involved. The entire set of e-mails, surveys, etc, will be turned in as part of this amendment, a huge set of material. Lots of stuff available for anyone who wants to look at it. It will take you days to get through all this.

First policy talks about new request for residential rezonings; it limits any residential requests on the island. I call it the Eagle Bay policy, a strict limitation of density for one unit to the acre for new residential rezoning. Anything already in place you're not going to touch those. One comment was "What about natural disaster?" So we put a proviso in there about that. This policy would shut down all new residential rezoning requests in

excess of one unit per acre. But you could get a request that would get property back into estate zoning, which would be allowable under this.

Q: What about estates that are large enough to get one unit per acre? DEPEW: Yes that's possible. There are a few on the south end of the island that could get that. But they won't get more than one unit per acre. *Q: What about 100 feet of road frontage requirement?* DEPEW: That's in the county code, but you can create your own road to comply with that. Eagle Bay was talking about that. But they might lose the lot depth, and would still require a variance. If the lot width was 250 feet, they could do it. But they'll still have to go for one unit per acre. *Q: The road easement doesn't count as part of the acre?* DEPEW: Correct. That was stopped in the mid-1980s. *Q: Wasn't Eagle Bay trying to do that?* DEPEW: Yes, but they'll still need a variance. *Q: What about platted lots*? DEPEW: Untouched, grandfathered in. Idea of the plan is preservation, not development and growth.

Next one is a bit of a change from the last version. Out of the county's concurrency report (on the county Web site), I have road length volume figures based on peak direction and peak hour. For Captiva Drive, 4 p.m. is peak hour, southbound is peak direction. It's based on the 20th busiest hour of the year, to adjust for abnormal spikes in traffic -- 408 cars per hour. Have the ability to put another 50-60 cars one way on there before you run into problems. Remember it's peak hour/peak direction, Two-way adds another 50-60 cars, add in both directions and non-peak hours. For San-Cap Road, daily average trips north of Blind Pass is 6,300 approximately same time of year; 24 hour period both directions. County's current standard for Captiva Drive is 1,040 cars per hour peak hour/peak direction -- so the concurrency limit is 2.5 times what currently exists. This policy brings that down to only an additional 50-100 vehicles a day.

We're not trying to deal with replacement of existing units; you'd be able to get a minimum single family unit on a lot. What it says is we're not going to be satisfied with the county's current scheme to allow traffic to increase 2.5 times what it is now. This should mean there's a little bit of room in there, not a lot of room for new development. Virtually every survey came back saying there's too much traffic on Captiva Drivel. *Q: How does this interact with decrease in commercial activity on the island? As commercial drops, traffic will rise as people have to drive to get those services? Will this prompt an increase in traffic and force constraint?* DEPEW: Commercial tends to be an attractor of trips. As commercial shuts down, off-island traffic dwindles.

Say, for example, you replace the Bubble Room with a couple of houses. Traffic will increase in peak hours, which is what residential traffic usually is. A problem is possible, a tradeoff is likely if commercial declines and is replaced by residential. *Q: When is peak time?* DEPEW: 4 p.m. heading off-island. *Q: People on the road at that time aren't residents.* DEPEW: Northbound peak is 1 p.m., then noon, then 2 p.m. Southbound peak is 4 p.m., then 5 p.m., then 6 p.m. *Q: How many undeveloped lots are left?* DEPEW: Within the potential limits of this plan. Not many, but there are some... maybe 25?

Q: Redevelopment could change traffic? DEPEW: No. Guest house rentals has a far greater impact. That was not anticipated when estate zoning was put in place. Potentially severe restriction in this policy as traffic levels creep up. Maybe we need to not discuss LOS, but instead choose a number that actually makes sense -- say, when peak hour and peak direction exceeds 600. That's still potentially severe. *Q: Captiva Drive is considered a constrained road?* DEPEW: What that means is, for a concurrency calculation, a roadway designated as unique so that concurrency restrictions do not apply. Captiva Drive and McGregor Blvd. are constrained facilities, because they cannot be improved to accommodate additional traffic.

Q: What about Pine Island's comp plan process, which also involves a constrained road much like this? Yet development has not been curtailed regardless of the road. DEPEW: Road condition is similar in Matlacha, but Pine Island is largely undeveloped; there are vast areas ready to be developed. The Cloisters was the last successful rezoning that didn't involve a single family lot, so rezoning has been severely restricted on Pine Island. Limitations have not kicked in on development orders yet, but will do so shortly. The county looking at some serious lawsuits due to this. The county's trying to work around that, working for more road capacity, looking into buying a property, finding another mechanism to play with the numbers so roadway is not the criteria. Captiva is in a different situation, virtually no property left undeveloped. Pine Island has a lot of undeveloped property, so there's a lot of pressure to issue permits.

Q: If someone takes an existing two-bedroom house and puts in a five-bedroom house, it's a replacement issue. How do they consider the traffic impact? DEPEW: There's no change in projected trips, but more people means more traffic. Numbers will go up that will be reflected over time. If we decide this policy is a good one, to have to set an upper limit, we need something with some flexibility in there. Have it reconsidered every two years, maybe, instead of the required five-year review. But replacement will not kick in restraints. *Q: Only exact replacement?* DEPEW: No, any replacement.

Q: We can discuss going this way or having a cap on cars, but is the debate really over? Is it too late to discuss this, realistically? DEPEW: No, we can still adjust policies, even after submission when it shifts to the LPA and the BOCC. *Q: Will someone in planning see that distinction? Are Captivans out of that loop? Who will make that decision?* DEPEW: Partly this group, partly the e-mail responses. *Q: Do people understand the implications of these things? Everyone is upset with traffic. A lot of the discussion is about how long it takes to get to the airport, which has nothing to do with what's happening on Captiva.* DEPEW: That's why I throw it out. I think this is a very restrictive policy. *Q: Just how restrictive is this? I might like to live here seasonally and have guests. Could this prevent us from adding a few bedrooms or a guest cottage?* DEPEW: No, but if you could now divide your property into two parcels, it could affect your decision to build or the ability of someone who bought that site to build. *Q: It allows you to use it as you can today. Q: Then it doesn't deal with the traffic issue. It targets certain traffic, but not other traffic.* DEPEW: We can't address every issue in every policy. *Q: Redevelopment could cause traffic creep.* DEPEW: I haven't been able to deal with

redevelopment issues, with more bedrooms and bigger houses. *Q: It's only a problem when they rent them out. Competing with South Seas Resort. Many of them are two people rattling around in this huge house, others look to rent them as an investment property.*

Q: Is it easier just to limit any future subdivision? Any legal parcel now remains legal, but no subdivision allowed. DEPEW: Flag lots aren't legal anyway. *Q: What is the county's history of granting variances?* DEPEW: Depends on who you ask. A mixed record, depends on variance and situation. *Q: Former county commissioner John Manning told us once that the planning department is told to grant variances, no hardship needed. Q: If there's no opposition, then the governmental entity doesn't have a reason not to grant the variance as long as it falls within the guidelines. Q: That's aggravated since most requests here are made during the summer months.* DEPEW: The hardship standard has been removed from LDC. *Q: The county wants development. Development is tax money.*

Q: Is there any way to get standing for all islanders? DEPEW: No, standing is based solely on legal decisions of the past. *Q: No matter what rules we get, you'll have the right to challenge it. Summer is an excuse, not a reason. If you're here, you have to get involved -- or things will happen.* DEPEW: We turned in some 150 proxies to the hearing examiner on Eagle Bay, CCA did the same thing. It demonstrated a very strong community feeling on this. *Q: On the subdivision of properties, how many lots are out there with that potential?* DEPEW: There are 15-18 properties you could do that to, you could subdivide. *Q: Sanibel put on those restrictions when they incorporated.* DEPEW: County has a law too, nobody's looked closely at it. *Q: I like putting a number on cars allowed on Captiva Drive rather than LOS... one is arguable and the other is fixed.* DEPEW: If I come up with a calculation based on what we have left to build, we can calculate a growth rate over he next five years that is modest, and re-evaluate in five years. *Q: Lot depth limits subdivision anyway.*

Q: If we approach buildout on Captiva, look at peak traffic hours. It's not traffic from South Seas or people leaving the island, but associate it with construction people and landscapers. As we approach buildout that will eventually diminish except for landscapers. There are 6-10 vehicles per lot if you look at the construction sites now. DEPEW: That's why it's tough to make those predictions. As a rule, even 4-5 single family homes can't hope to match the traffic a commercial operation attracts. *Q: If we lose all our commercial, it will generate more trips off island. One of the unique aspects about Captiva is that visitors at South Seas and the Village can walk to dinner. That's what attracted us.*

DEPEW: Policies 3-4: road and storm damage. A lot of people were concerned. These two policies address those issues. Arterial vs. collector road -- it makes more sense to work with Captiva Drive as an arterial roadway. *Q: As to evacuation... in an emergency one of the large pines will go across the road, can we set up a plan with the fire department to have the equipment ready to remove it in an emergency?* DEPEW:

Emergency management already has a plan, I've been told. Q*: Won't this allow the county to do what it pleases with the road, with the excuse they're addressing the concerns about evacuation etc.?* DEPEW: Forces the county to look at these concerns, but another policy protects the pines. Also recognizes the impact of daytrippers on Captiva Drive.

Policy 6. About traffic calming. There are a lot of different ways to do traffic calming. Don't know at this point what is most appropriate for Captiva Drive; a number of potential things that can be done. Nobody likes speed bumps; there are also speed tables -- a gentle rise up, a flat area, then a gentle drop. Those will regulate speed at 40-45 mph. *Q: The speed monitor in front of the Sanibel Elementary is effective, people slow down.* DEPEW: Things like that are things that need to be explored for Captiva Drive. Speed can be a concern out there certain times of the day. Some of that may be a perception caused by the number of cars going by. Textured pavement, striping the roadways, a lot of mechanisms for traffic calming. We want someone in the county with the traffic expertise to look at options for Captiva Drive, put together options to present to Captivans, then take it to the county commission. *Q: Do we have veto power over their recommendations?* DEPEW: No. You have the power to provide input to the commissioners.

Same idea on bike and pedestrian traffic. Survey respondents were aware that there are problem providing space for bike and pedestrian traffic on the south end of the island. *Q: Was that equally held by all groups?* DEPEW: Everybody, even a large group on the south island. *Q: You mentioned that some of these should not be in this submission, that they are too complex or too controversial. Should this one on bike paths move forward? Q: I agree. Even though I might agree with the idea, so many of my neighbors are adamantly opposed to it. I'm not sure it really belongs in there. Q: Allows the county to make the decision. Gets into issues of eminent domain and the right-of-way. Look at the unintended consequences in some of these. Q: Should we look at this as an issue the island is going to further investigate, not to close the door on it, but keep working on it? Q: Why not wait on them all until season?* DEPEW: There are some policies in here that are supported by all and should be moved forward. *Q: The biggest concern of mine is addressing the rezoning problem. Q: Can we protect mixed use zoning that we already have?*

DEPEW: That brings us to Policy 14 -- one of the new ones. Haven't been successful in getting commercial sector together to talk about these things. Tried to craft something that would reflect what I think is their idea. A broad and general policy. There was a lot of concern on the surveys that the commercial options were disappearing. I put in some general language – that the county will assist with this, but doesn't mean they're going to do it. It says the county will be favorably disposed, will help in this operation, if commercial and residential interests want to get together and discuss things such as parking requirement (to avoid everything having to be paved), drainage improvements (which may be done shortly anyway), preservation of mixed uses (part of the charm of the Village, what makes it unique). A community redevelopment effort for Andy Rosse so that

any increase in tax revenue would be brought back to Andy Rosse to improve overall ambiance on the area, landscaping, lighting etc.

Q: If it's not specific, then doesn't do much good having this here other than making people feel good, suggest things might be happening that really aren't? DEPEW: We're not establishing anything at this point, but the county will assist commercial and residential interests to move forward under their own power. Directed and focused enough so that we're not going to have a problem. *Q: The county has been asked to do a study on parking and delivery and assist island to organize that. But the county declined. They're not interested in participating. Plus, if commercial isn't successful or viable, it isn't up to someone else to make it succeed.* DEPEW: County will assist with a CRA, this provides them authority to go forward with that. *Q: "They" being the people on Andy Rosse?* DEPEW: And they would have a veto on any decision with that.

Q: Has anyone considered any language to put a freeze on converting commercial to residential? DEPEW: Virtually everyone opposed putting any limitation on their property rights. *Q: We're going to lose this, and there goes the possibility of having pedestrian traffic. We'll never re-create it, we'll never get it back. The Mucky Duck, McCarthy's -- one of the greatest properties left, the headpiece of Andy Rosse Lane. If everything goes residential and this just becomes a bedroom community, we've lost the ambience that characterized Captiva for many years. Q: You can't force people to stay in business. Q: That's correct. Q: Are you willing to compensate that person for that property? Q: Are we willing as a community to lose what we have? Q: What are you willing to do? Q: The commercial district was designed in the original subdivision of the island. Lost through loopholes and redevelopment. Let's preserve what we have.*

DEPEW: The value of a piece of property can be calculated in different ways -- income stream vs. development potential. Swapping one for the other may significantly diminish the value of the property and open you up to a Bert Harris lawsuit. Commercial owners have said they will oppose the plan if we propose this (blocking any conversion to residential); it affects them because their loan values are based on income stream. *Q: The fact is we're going to be a bedroom community?* DEPEW: Look seriously at No. 14, a CRA is an important effort. Commercial community sounded interested in moving forward with this, but we have to help them out with this. *Q: Is there a way to keep mixed use?* DEPEW: I think there is as part of the overall CRA effort. It's tied together with parking, drainage, redevelopment -- all that has to be part of the package.

Q: If the county declined to help in the past, how do we force them to come through with their part of this? DEPEW: A CRA is independent of the county. *Q: The county is saying they don't have a reason to expend more hours unless someone comes forth with a proposal to do something. With a plan, the county would review that as part of redevelopment. You'd have to abide by more current regulations, handled on a case-by-case basis. Q: A manpower problem with the county. You see where they spend they time based on growth. This is just a request for their help, not a requirement. Q: Doesn't a CRA mean they're required to respond?* DEPEW: Language says they shall assist. *Q:*

What the problem with this policy? Q: I'm worried about the unintended consequences. Q: There's an enforcement a problem. They have no idea what the rules are on Andy Rosse Lane, so they don't want to touch it. Q: This has lots of things that are feel-good, nothing wrong with that. But nothing will happen. Q: Something could happen if Andy Rosse Lane owners get together, if they take the initiative.

DEPEW: Touching on other issues -- 12 and 13. Policy 12 is a mandate for holding a meeting on the island prior to the public hearing and every owner has to be notified prior to hearing. Did this to try to generate some discussion. Using a certified letter was suggested by Paul O'Connor; it's kind of extreme, they don't even do that for rezoning request. *Q: I like it. Q: Good idea. Q: We never knew about the height change until it happened.* DEPEW: That was a LDC change , so it would not have come under this. Do we add any LDC provision dealing solely with Captiva to this list? *Q: Yes. If it's specifically for Captiva, we deserve to have something said to us. Q: Who would cover postage costs?* DEPEW: The applicant. The county if it's a county amendment. *Q: Has there ever been a county amendment?* DEPEW: No. *Q: If the county can accept this, doesn't mean it's a done deal.*

Q: Is there a precedent for certified mailings and local meetings? DEPEW: First I've ever seen. May be overkill. Could have the applicant turn in mailing labels and pay for postage for county to mail. Sounds like it's OK with everyone here. Do you want me to throw in ordinance modification, should that be certified as well? County will pick that up. If you want to put up a screen enclosure, that's OK. But if you want a variance, then you have to come out here and have a meeting and tell your neighbors about your plans. Doesn't say how where or when for these public meetings. It will require a little bit of effort on the part of the applicant. It could be a meeting on the property, at the CCA, at South Seas or 'Tween Waters.

Next one restricts requests to season, between Nov. 1 and end of April. *Q: Is that possible?* DEPEW: I don't know; it's not illegal. *Q: If Eagle Bay had been in season, we could have had 150 people there. Q: Add that they have to be off the island by 4 p.m. if they're going to meet in season.* DEPEW: It's worth trying. The staff could have some heartburn over this. It may not impact many people at all. Just 14 variances over the past six years. We could work this in to such a schedule. It's worth a shot. *Q: You could submit application anytime, but public hearing must be held during this time period?* DEPEW: Yes, hearing examiner as well, a six month window of opportunity. *Q: At what point are changes possible?* DEPEW: Trying to get a letter from the county attorney that we could withdraw. No clear answer if the whole nature of the amendment is changed so that the applicant doesn't want it. Q*: Anybody could speak at the public hearing. I'm concerned over influence developers and others have over the county commissioners. All of us can come speak at that, but does that carry any weight? Who is it that can kill it? Q: Possible gain overrides the risk. I have a feeling about the county commission that something underhanded is not going to happen. I'm willing to risk because I think the gain is necessary. Q: There are a whole bunch of communities coming forward with their own plans, commissioners looking at plans for content and not just process. Are communities'*

concerns, wants and desires being reflected in what goes forward, in what is transmitted from the county commission? We'll have an impact far broader than the microcosm of Captiva. DEPEW: Staff is most upset about what will come in on Babcock Ranch. That plan will be produced in a short period of time for a large parcel, will be very controversial. Any Captiva amendment, I suspect, is not going to be very controversial. You may even be disappointed, very little discussion and comment because it's not that big.

Q: Are these written so we get the results we expect, no loopholes? Q: Anything that going to be enacted by a municipal entity goes through legal review. Language here is pretty good, tight, clear as to what is encompassed and what is excluded. Any language gets hashed out. No markers in here that draw those red flags, all pretty neutral and evenhanded and utterly devoid of controversy. Process allows for more of this. In a head-on collision of rights between a group and an individual, there's always going to be some attempt to interpret in a way that benefits those who are doing the interpretation. Q: There's a reason for legalese is to be specific. Q: Or to be evasive. Q: Want it written tight enough to protect ourselves, not losing through oversight. Q: County attorney's office doesn't want to put its stamp on something that will challenged later on. They might add some legalese to clarify their concerns. Q: Who is "we"? Q: This entire process. Q: Can we help define language after the fact? Q: Sometimes. Q: Can the county staff define it with our input, or on their own? Q: If the definition affects the substantive implementation or enforcement of this plan amendment, they'll look to the group for a decision. But they'll provide existing options. They tend not to make that decision for you, to give credence to the plan.

DEPEW: That's exactly what they do. *Q: It's still within the political process to make that determination. If county doesn't have vested interest in it they'll turn to those who do.*

DEPEW: There will be more meetings shortly. More meetings after we submit as well. *Q: Are there issues too complex to be included in this submission?* DEPEW: Sounds like there are a number that we may want to put off. They are not critical, too complex. -- bike path, for example, put into the hopper for the next round of stuff A lot of different input. *Q: Could you form a committee of Captivans to look at that? Concern is about property rights. Leaving that door open to the county to offer direction.* DEPEW: The flip side is CCA bike path committee looked at that and said there's no way. *Q: Can you give us a sense of what will stay in draft?* DEPEW: Didn't talk about Floor Area Ratios (FAR), very controversial. (Discussion of findings) For single family homes under 4,000 square feet the FAR range now is 6 percent to 52 percent. For homes more than 4,000 square feet, it's 5.5 percent to 75percent floor area ratios. I don't know how to deal with it at this point. My recommendation to push it off at this point. I know everyone is concerned about redevelopment, but FARs do not appear to one of the things that lend themselves to solution of that problem. We should also look at landscaping etc. No way to get a real good handle on it, don't know what to recommend as a good ratio to recommend. *Q: FARs are not the issue, it's a question of scale and setback. With the Bellini properties, drainage is my biggest concern. Q: Can we require some type of on-site retention of*

drainage water. Existing homes will be flooded out by these new homes. Q: And paved driveways. Q: Require 50 percent permeable surface on driveways. Q: Is it too late for that? Q: State has ceded authority to water management district for surface water management. County has no power in that regard. Private individuals have as much power as the county, due to the right of trespass if surface water flows on to your property due to altering the course of surface water management. No one has divested the individual of their rights, which go back more than 400 years. Limited strictly to the water management district, though, since state has given it authority. DEPEW: Very strong preemptive language. *Q: There are some instances where county can control water management, can intercede in actions.* DEPEW: You have to sue the property owner. *Q: (Description of how to prove surface water intrusion for evidentiary purposes.) Q: Sanibel requires water retention area on the lot, but not Captiva. Sanibel doesn't do it formally, but engineer knows they'll look at that.* DEPEW: Drainage, vegetation, setbacks – the more I look at FARs, the more I'm convinced it's not the answer for Captiva. Put it in the next cycle, try for a more comprehensive approach. Sewer treatment, drainage, vegetation, setbacks.

Q: There's a risk of trying to establish a number that won't be considered arbitrary. Copious amounts of testimony as to what constitutes a reasonable use of floor area. Floor area of volume, coverage is a different factor. Q: FAR was transposed to lot coverage ratio in your language, was that intentional? DEPEW: Should have been FAR throughout. *Q: Moot point, since it should not move forward. Q: Regardless of what we do, it won't stop people from building up to the setback. Taller buildings have a greater scale, need to adjust ideas accordingly. Landscaping can buffer it, reduce scope. Let's not worry about what people do within their lot -- live and let live – but let's not have it in our face. Buffer it somehow.*

Workshop adjourned at 11:40 a.m.

PUBLIC INPUT SURVEYS

MORRIS-DEPEW ASSOCIATES, INC. MEMORANDUM

To: Captiva Island Residents and Property Owners

From: David W. Depew, AICP
President
(planning@m-da.com)

Subject: Planning Survey and Citizen Input

Date: May 7, 2001

Please take a moment to consider the process of planning. Planning is nothing more than a systematic approach to a given situation in order to provide a rational basis for a decision. The process of planning reviews the various facts of the situation, alternate approaches to resolve the issues or challenges presented, and the eventual impacts associated with any proposed solution. In our everyday lives every person plans from a decision regarding what to wear, determining how to avoid rush hour traffic, selecting where and when to take a vacation, or calculating the requirements for our retirement. A community such as Captiva, being more complex than any single individual, needs to engage in the process of planning so that it can accommodate the needs and desires of its residents and stakeholders for housing, municipal services, commercial opportunities, resort activities, offices, etc.

In order to complete this process, a broad range of citizen input is necessary. As part of this process, public meetings, focus groups, questionnaires, and other mechanisms intended to solicit opinions and perspectives from all of the varied interests on the Island are being undertaken. The attached questionnaire is part of the attempt to obtain input on the long term vision that each stakeholder and/or resident has when looking at the future for Captiva. Please take a moment of your time and help us provide for the future of the Island by filling out the questionnaire.

In order to provide a basis for some understanding of the existing growth management tools that are currently in place, there has been an effort undertaken to provide a summary of all Lee County Comprehensive Plan policies and Lee County Land Development Code provisions that are applicable to Captiva Island. A complete transcript of those policies and provisions are available at www.captivapropertyowners.com . To summarize some of the most significant of those provisions:

1. Density. The maximum residential density for the island of Captiva has been set at three (3) dwelling units per acre.
2. Height. The current maximum height limitation was adopted in 1999, and is set at 35' from existing grade or 42' above mean sea level, whichever is less. No variances to this provision are currently allowed.
3. Vegetation. County regulations require the relocation of existing native vegetation when feasible for parcels undergoing development. When deemed to be infeasible, replanting of vegetation is permitted. (County regulations, however, do not permit the planting of Australian pines.)
4. Flood elevations/Coastal Construction Control Lines. Federal, State, and County regulations address minimum habitable floor elevations, setbacks from mean high water, and buildback after storm events.
5. Guest Houses. County regulations permit construction of guest houses in certain single family districts, but do not permit rental of the guest houses, even if the primary residence on the parcel has been rented.
6. Signs. County regulations regulate the size and nature of signage on all parcels.

Citizen Survey
Planning Issues, Captiva Island, Florida
May 7, 2001
(Please return not later than June 18, 2001)

Part 1: General Perceptions

1. What about living on Captiva do you like most?

_____
_____
_____

2. What about living on Captiva do you like least?

_____
_____
_____

3. What about living on Captiva would you most like to change?

_____
_____
_____

4. What about living on Captiva would you least like to change?

_____
_____
_____

5. Please describe how you envision Captiva ten years from now?

_____
_____
_____

Part 2: Residency and Housing

6. In what type of housing do you live? (Circle one)
   1 – single-family house
   2 – duplex
   3 – multi-family
   4 – other (specify) _____

7. Are you a full-time resident or a seasonal resident? (Circle one)
   1 – full time 2 – seasonal

8. If you are not a full time resident, for how long during the year, on average, do you reside on Captiva?

_____

9. In which part of the Island do you live?
   1- Gold Coast Area (South Island) 2 – 'Tween Waters (between the two turns)
   3 – Village area (Green Flash to South Seas) 4 – South Seas

What is the address of your residence/vacation home? _____

Part 3: Community Facilities and Services

10. Do you agree that the maximum residential development density of not more than three dwelling units per acre is appropriate for Captiva and should continue to be enforced?

____ Yes _____ No Explanation: _____

_____

_____

11. Do you perceive a need for stricter enforcement of the zoning or building codes on Captiva?

____ Yes _____ No Explanation (e.g. Which codes or issues in particular are of greatest concern?):

_____

_____

12. Do you perceive the need for better land use planning and growth management on Captiva?

____ Yes _____ No Explanation (Which issues or areas of concern are of greatest importance?):

_____

_____

13. In order to address the size of some of the newer residential units being built in relation to the lots upon which they are being placed, do you believe that a maximum dwelling unit size or maximum dwelling unit to lot area ratio should be considered for new residential units or redeveloped residential units on Captiva?

____ Yes _____ No Explanation: _____

_____

_____

14. a. If the Island's residential density cap is maintained at three (3) units per acre, would you support establishing a central sewage treatment facility for areas of the island with small lots and water quality concerns?

____ Yes _____ No Explanation: _____

_____

_____

14.b. Do you believe that a land use map amendment should be adopted that would preserve the existing densities and intensities of use as they currently exist? (This would preserve the existing land use patterns across the island, limiting future rezonings for higher densities or intensities, even if currently allowed.)

____ Yes _____ No Explanation: _____

_____

_____

15. Do you feel that more local input should be solicited during the County's permitting processes for development or redevelopment activities on Captiva?

____ Yes _____ No Explanation (How best should that be accomplished?): _____

_____

_____

16. Of the services and facilities that you feel need more attention, which three (3) deserve the highest priority?

1 ._____ 2._____ 3._____

Explanation: _____

_____

17. What three types of commercial purchases (e.g. groceries, medicine, liquor, etc.) should Captivans be able to make without leaving the Island?

1 - _____ 2 - _____ 3- _____

Explanation: _____

18. Do you think that planning efforts should be undertaken to address issues related to island businesses and commercial property?

____ Yes _____ No Explanation: _____
_____
_____

19. Current regulations allow for the construction of guest houses in certain areas of the Island (predominantly the Gold Coast area), but do not allow for the rental of those guest houses, even though the main dwelling can be rented. Do you feel that owners of properties with guest houses should be allowed to rent guest houses to non-family members?

____ Yes _____ No Explanation: _____
_____
_____

20. Are there other regulations and/or issues regarding rentals on the Island that you feel should be addressed?

____ Yes _____ No Explanation: _____
_____
_____

21. As a result of the regulations adopted in 1999, new construction creates low roof lines and large wall masses on new and redeveloped houses based on the height restrictions. As long as strong language is included to prevent the construction of high-rise, multi-story buildings, do you feel that architectural features such as 'captain's walks' or cupolas that might extend above the current maximum height allowed should be permitted on single family houses?

____ Yes _____ No Explanation: _____
_____
_____

22. Over the last decade, a number of the Australian Pines along Captiva Drive have been removed or succumbed to age or disease. Although the trees are not a native species, and they are not protected by any regulations, many residents view them as a unique part of Captiva's charm. Do you think that Captiva should be considered as a special case with regard to the preservation/protection of the existing Australian pine trees along Captiva Drive and elsewhere on the Island?

____ Yes _____ No Explanation (The Captiva Drive canopy is predominantly Australian Pine, but there are also other areas where these trees exist.): _____
_____
_____

23. Do you think that planning efforts should be undertaken now to plant native species of canopy trees to provide for replacement tree canopy?

____ Yes _____ No Explanation: _____
_____
_____

24. Do you feel that additional pedestrian or bicycling opportunities are important for the future of the Island at large or in some of the various neighborhoods on the Island?

____ Yes _____ No Explanation: _____
_____
_____

Part 4: Recreation

25. What social or recreation programs or facilities do you and your family regularly use **on** the island?

1._____ 2._____ 3._____

Explanation: _____

26. What social or recreation programs or facilities do you and your family regularly use **off** the island?

1._____ 2._____ 3._____

Explanation: _____

27. What one major recreation improvement would you like to see made in Captiva during the next year?

Explanation: _____
_____
_____
_____

Part 5. Additional Comments

28. Additional comments about any issues not covered in this questionnaire:
_____
_____
_____
_____
_____

29. Where can we contact you, if you so desire, with results of this survey and any proposed draft policies?
E-mail: _____
Mailing address: _____
_____
_____
_____

Please return this survey to: **David W. Depew, AICP, Morris-Depew Associates, Inc., 2216 Altamont Avenue, Fort Myers, Florida 33901. Telephone: 941/337-3993; Facsimile: 941/337-3994. E-Mail: planning@m-da.com**

This survey can also be found at: **www.captivapropertyowners.com .**
Excerpts of the Lee County Comprehensive Plan and the Lee County Land Development Code provisions concerning Captiva Island can also be found at **www.captivapropertyowners.com .**

Planning Issues, Captiva Island, Florida
Citizen Survey
February 7, 2001

Please take a moment to consider the process of planning. Planning is nothing more than a systematic approach to a given situation in order to provide a rational basis for a decision. The process of planning reviews the various facts of the situation, alternate approaches to resolve the issues or challenges presented, and the eventual impacts associated with any proposed solution. In our everyday lives every person plans from a decision regarding what to wear, determining how to avoid rush hour traffic, selecting where and when to take a vacation, or calculating the requirements for our retirement. A community such as Captiva, being more complex than any single individual, needs to engage in the process of planning so that it can accommodate the needs and desires of its residents and stakeholders for housing, municipal services, commercial opportunities, resort activities, offices, etc.

In order to begin the first phase of this process, a broad range of citizen input is necessary. As part of this process, public meetings, focus groups, questionnaires, and other mechanisms intended to solicit opinions and perspectives from all of the varied interests on the Island are being undertaken. The attached questionnaire is part of the attempt to obtain input on the long term vision that each stakeholder and/or resident has when looking at the future for Captiva. Please take a moment of your time and help us provide for the future of the Island by filling out the questionnaire.

Part 1: General Perceptions

What about living on Captiva do you like most?

_____
_____
_____
_____

What about living on Captiva do you like least?

_____
_____
_____
_____

What about living on Captiva would you most like to change?

_____
_____
_____
_____

What about living on Captiva would you least like to change?

_____
_____
_____
_____

Part 2: Residency and Housing

In what type of housing do you live? (Circle one)

1 – single-family house
2 – duplex
3 – multi-family
4 – other (specify) _____

Are you a full-time resident or a seasonal resident? (Circle one)

1 – full time 2 – seasonal

What types of housing redevelopment do you think should be encouraged on Captiva? (Circle no more than 2 numbers)

1 - none
2 – moderate cost housing
3 – single-family houses
5 – hotel/motel
5 - townhouses/condominiums
6 - apartments
7 - all of the above
8 - other (specify) _____

In which part of the Island do you live?

1- Gold Coast Area (South Island)
2 – 'Tween Waters (between the two turns)
3 – Village area (Green Flash to So. Seas)
4 – South Seas

Part 3: Community Facilities and Services

How important are each of the following Captiva issues, if any, to you? (Circle one answer for each question.)

	very important	somewhat important	not important
1. enactment of stricter building codes	1	2	3
2, land use planning	1	2	3
3. enforcement of existing zoning codes	1	2	3
4. enactment of stricter zoning codes	1	2	3
5. central utility services	1	2	3
6. enactment of animal control codes	1	2	3
7. public park/recreation programs	1	2	3
8. environmental protection	1	2	3
9. economic development	1	2	3
10. hurricane evacuation	1	2	3
11. citizen participation in local planning	1	2	3
12. beach preservation/restoration	1	2	3
13. other (specify)_____	1	2	3

Of those you have marked as "very important" in Question 1 above, list your priority (using the numbers in the left column) that local government should work on during the next year.

Your first priority:_____
Your second priority:_____
Your third priority:_____

Which of the following services and facilities do you feel that Captiva is lacking and in need of attention? (Circle one answer for each category.)

	Excellent	Adequate	In Need of Improvement	Non-Existent	Don't Know
1. street maintenance	1	2	3	4	5
2. street lighting	1	2	3	4	5
3. road capacity	1	2	3	4	5
4. curbs and gutters	1	2	3	4	5
5. drainage	1	2	3	4	5
6. police protection	1	2	3	4	5
7. speed control	1	2	3	4	5
8. traffic control	1	2	3	4	5
9. fire protection	1	2	3	4	5
10. animal control	1	2	3	4	5
11. water service	1	2	3	4	5
12. sewer service	1	2	3	4	5
13. phone service	1	2	3	4	5
14. gas/electric service	1	2	3	4	5
15. health service	1	2	3	4	5
16. recreation facilities	1	2	3	4	5
17. parks	1	2	3	4	5
18. entertainment facilities	1	2	3	4	5
19. day care centers	1	2	3	4	5
20. beach preservation	1	2	3	4	5
21. community meeting space	1	2	3	4	5
22. hurricane evacuation plans	1	2	3	4	5
23. hurricane shelter plans	1	2	3	4	5
24. commercial preservation	1	2	3	4	5
25. commercial limitations	1	2	3	4	5
26. resort facilities	1	2	3	4	5
27. public parking	1	2	3	4	5
28. public beach access	1	2	3	4	5
29. bicycle facilities	1	2	3	4	5
30. building code enforcement	1	2	3	4	5
31. zoning code enforcement	1	2	3	4	5
32. redevelopment regulations	1	2	3	4	5
33. other (specify)					

_____

Of the services and facilities that you feel need more attention, which three (3) deserve the highest priority?

1 ._____ 2._____ 3._____

Part 4: Land Use Planning

Please describe how you envision Captiva ten years from now?

_____

_____

_____

_____

Please circle the category which *best* reflects how you feel about each of the following statements.

	Strongly Agree	Agree	Disagree	Strongly Disagree
1. No one has the right to tell land-owners what they can and cannot do with their own land.	1	2	3	4
2. Land use controls are very useful in achieving orderly growth of a community.	1	2	3	4
3. Land use controls are a poor means of protecting natural resources.	1	2	3	4
4. Community input is essential for the protection of neighborhoods.	1	2	3	4
5. We need more local input in land use controls for Captiva.	1	2	3	4
6. Land use controls will make the island a better place to live.	1	2	3	4
7 Land use controls would reduce conflict between land owners and the public.	1	2	3	4
8. Land use controls will increase the value of my property.	1	2	3	4
9. Most people will be harmed by land use controls.	1	2	3	4

Would you be in favor of the enactment of land use regulations (building height, residential density, commercial floor area ratios, parking requirements, setbacks, etc.) specifically tailored to the island of Captiva? (Circle one)

1 - yes 2 - no 3 - unsure

Would you be in favor of the enactment of architectural review (building style and/or design) ordinances specific to the island of Captiva?
(Circle one)

1 - yes 2 - no 3 - unsure

Would you be in favor of a community council of Captivans that would review all applications for variances, special exceptions, special permits, rezonings, and development orders, even if such a council would slow the speed at which such permits could be issued by 4-6 weeks? (Circle one)

1 - yes 2 - no 3 - unsure

Would you be in favor of a community council of Captivans that would review all applications for building permits, even if such a council would slow the speed at which such permits could be issued by 4-6 weeks? (Circle one)

1 - yes 2 - no 3 - unsure

Part 5: Economic Conditions

Which of the following activities would you and your family like to see provided and where? (Circle one number for each line.)

Services

	Captiva	San/Cap	Other	Don't Care
beauty shop	1	2	3	4
barber shop	1	2	3	4
dry cleaning	1	2	3	4
laundry	1	2	3	4
medical and dental	1	2	3	4
banking	1	2	3	4
restaurant (eating out)	1	2	3	4
auto repair	1	2	3	4
construction services	1	2	3	4
legal services	1	2	3	4
entertainment	1	2	3	4

Goods

	Captiva	San/Cap	Other	Don't Care
grocery	1	2	3	4
drugs/medicine	1	2	3	4
clothing	1	2	3	4
hardware	1	2	3	4
alcoholic beverages	1	2	3	4
gasoline	1	2	3	4
appliances	1	2	3	4
furniture	1	2	3	4
auto parts	1	2	3	4
landscape supplies	1	2	3	4

From the above list or other, what three are most important for Captivans to have on the Island?

1 - _____ 2 - _____ 3- _____

Which, if any, of the following land uses should be **increased** on Captiva? (Circle no more than 3 numbers.)

1 - commercial/retail
2 – resort residential
3 - single family residential
4 - multifamily residential
5 - senior citizen housing
6 – moderate cost housing
7 - professional/technical offices
8 - none
9 - other (specify)_____

Which, if any, of the following land uses should be **decreased** on Captiva? (Circle no more than 3 numbers.)

1 - commercial/retail
2 – resort residential
3 - single family residential
4 - multifamily residential
5 - senior citizen housing
6 – moderate cost housing
7 - professional/technical offices
8 - none
9 - other (specify)_____

Part 6: Recreation

What recreation programs or facilities do you and your family regularly use **on** the island?

1._____ 2._____ 3._____

What recreation programs or facilities do you and your family regularly use **off** the island?

1._____ 2._____ 3._____

Do you think that the following groups have sufficient recreational opportunities in the town of Captiva?

Group	Yes	No	No Opinion
1. children	1	2	3
2. teens	1	2	3
3. adults	1	2	3
4. seniors	1	2	3
5. families	1	2	3

What one major recreation improvement would you like to see made in Captiva during the next year?

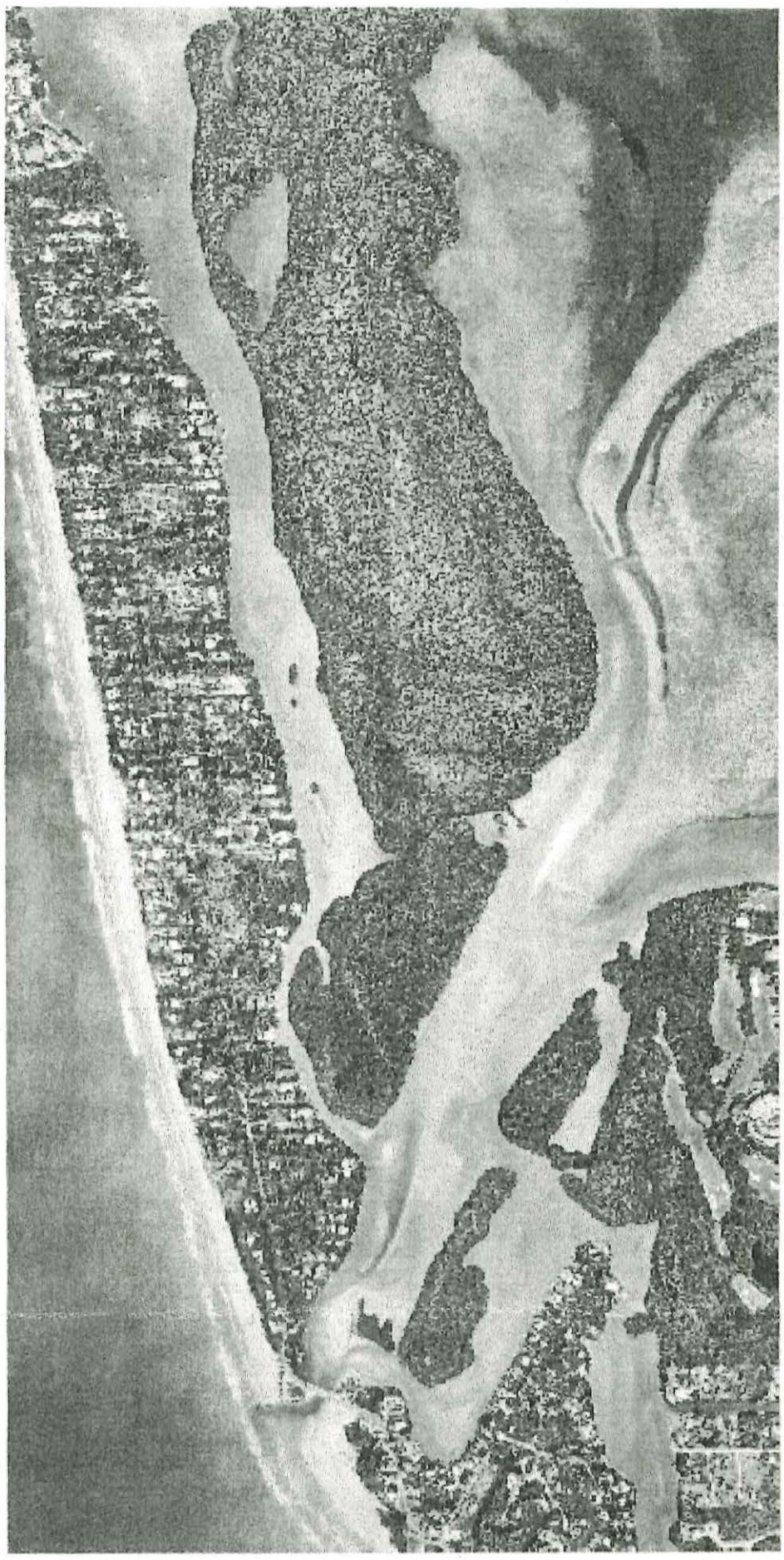
_____
_____
_____

AERIAL PHOTOGRAPHS

RECEIVED
DEC 20 2002
COMMUNITY DEVELOPMENT
CPA 2001-00010

CAPTIVA ISLAND
AERIAL PHOTOGRAPH

NOT TO SCALE



MORRIS - DEPEW ASSOCIATES, INC.
ENGINEERS • PLANNERS • SURVEYORS & MAPPERS
2216 Altamont Avenue • Fort Myers, Florida 33901 • (941) 337-3993 •(FAX) 337-3994

PHOTO DATE:
SPRING, 1998

RECEIVED
DEC 20 2001
COMMUNITY DEVELOPMENT

2001-00010

CAPTIVA ISLAND
AERIAL PHOTOGRAPH

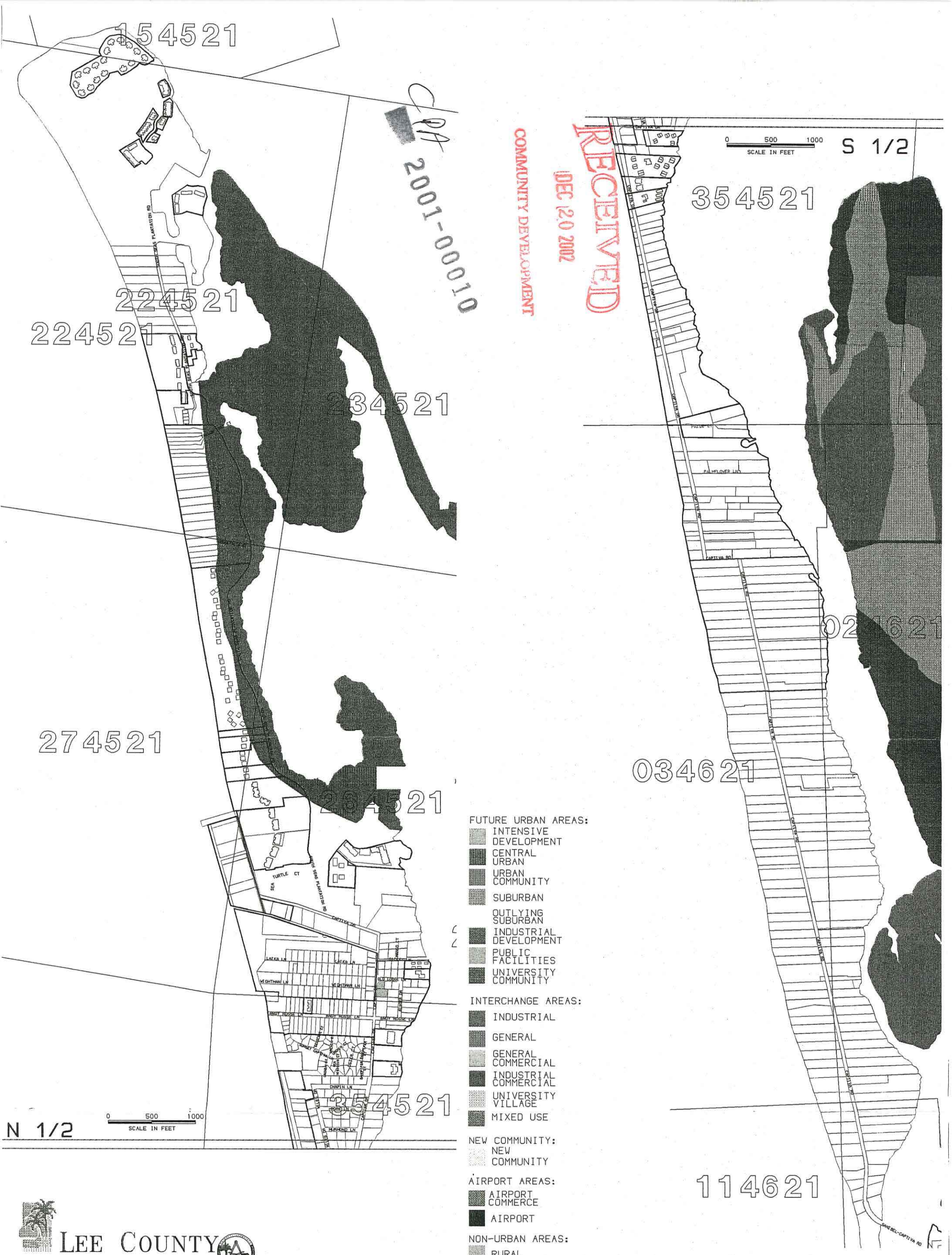
NOT TO SCALE



MD
MORRIS - DEPEW ASSOCIATES, INC.
ENGINEERS • PLANNERS • SURVEYORS & MAPPERS
2216 Altamont Avenue • Fort Myers, Florida 33901 • (941) 337-3993 •(FAX) 337-3994

PHOTO DATED
SPRING, 1998

FUTURE LAND USE MAP



RECEIVED
DEC 20 2002
COMMUNITY DEVELOPMENT

CPA 2001-00010

FUTURE URBAN AREAS:
- INTENSIVE DEVELOPMENT
- CENTRAL URBAN
- URBAN COMMUNITY
- SUBURBAN
- OUTLYING SUBURBAN
- INDUSTRIAL DEVELOPMENT
- PUBLIC FACILITIES
- UNIVERSITY COMMUNITY

INTERCHANGE AREAS:
- INDUSTRIAL
- GENERAL
- GENERAL COMMERCIAL
- INDUSTRIAL COMMERCIAL
- UNIVERSITY VILLAGE
- MIXED USE

NEW COMMUNITY:
- NEW COMMUNITY

AIRPORT AREAS:
- AIRPORT COMMERCE
- AIRPORT

NON-URBAN AREAS:
- RURAL
- RURAL COMMUNITY PRESERVE
- OUTER ISLANDS
- OPEN LANDS
- DENSITY REDUCTION / GROUNDWATER RESOURCE
- UPLAND CONSERVATION LANDS

WETLANDS
- WETLANDS
- WETLAND CONSERVATION LANDS

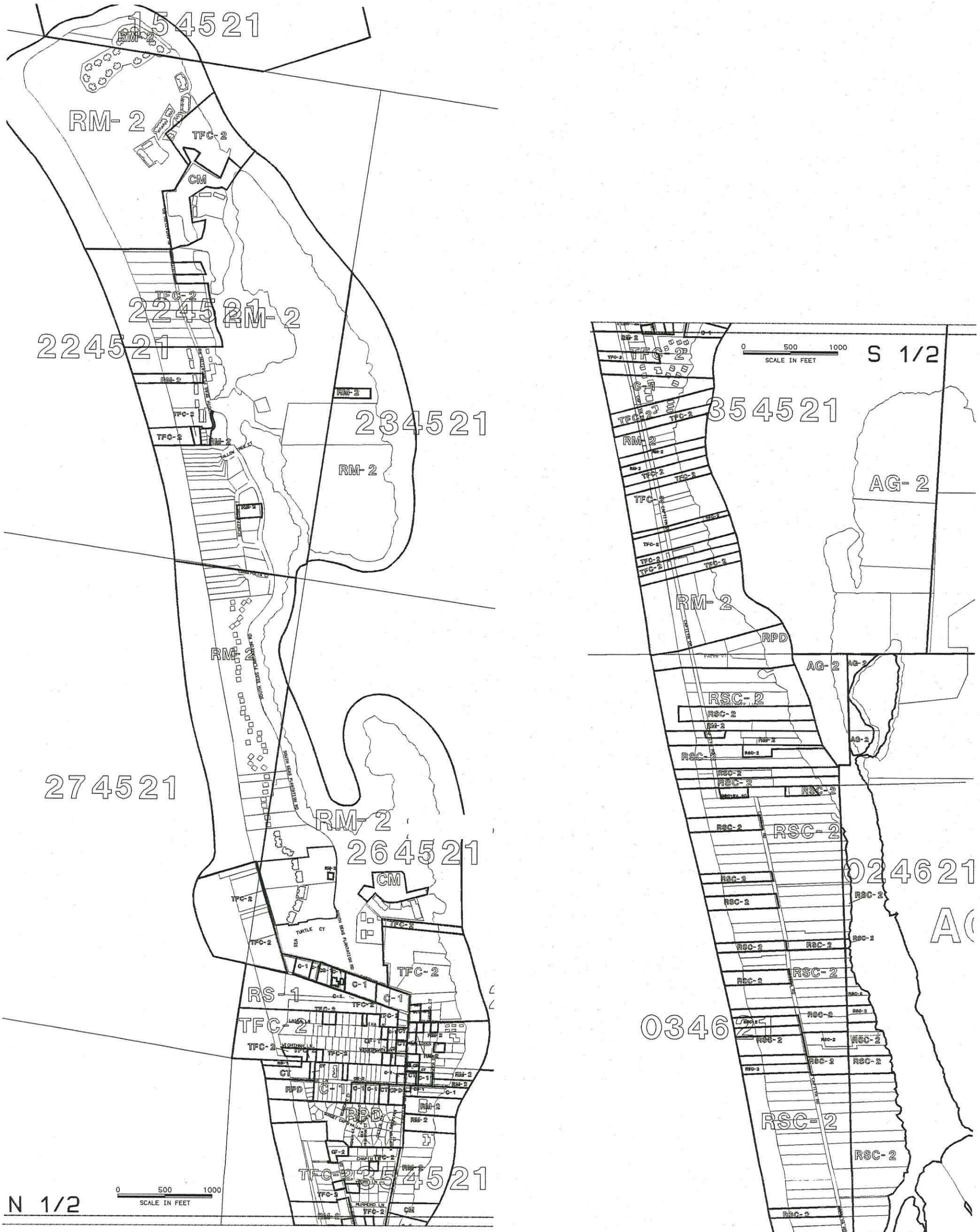
CHAPTER XIII OF THIS PLAN CONTAINS AN ADMINISTRATIVE PROCESS, INCLUDING A FIELD CHECK, TO PRECISELY DEFINE THE BOUNDARIES OF A WETLANDS AREA, AND TO CORRECT ANY SUCH BOUNDARIES THAT ARE BASED ON CLEAR FACTUAL ERROR.

LEE COUNTY
SOUTHWEST FLORIDA

N
W E
S

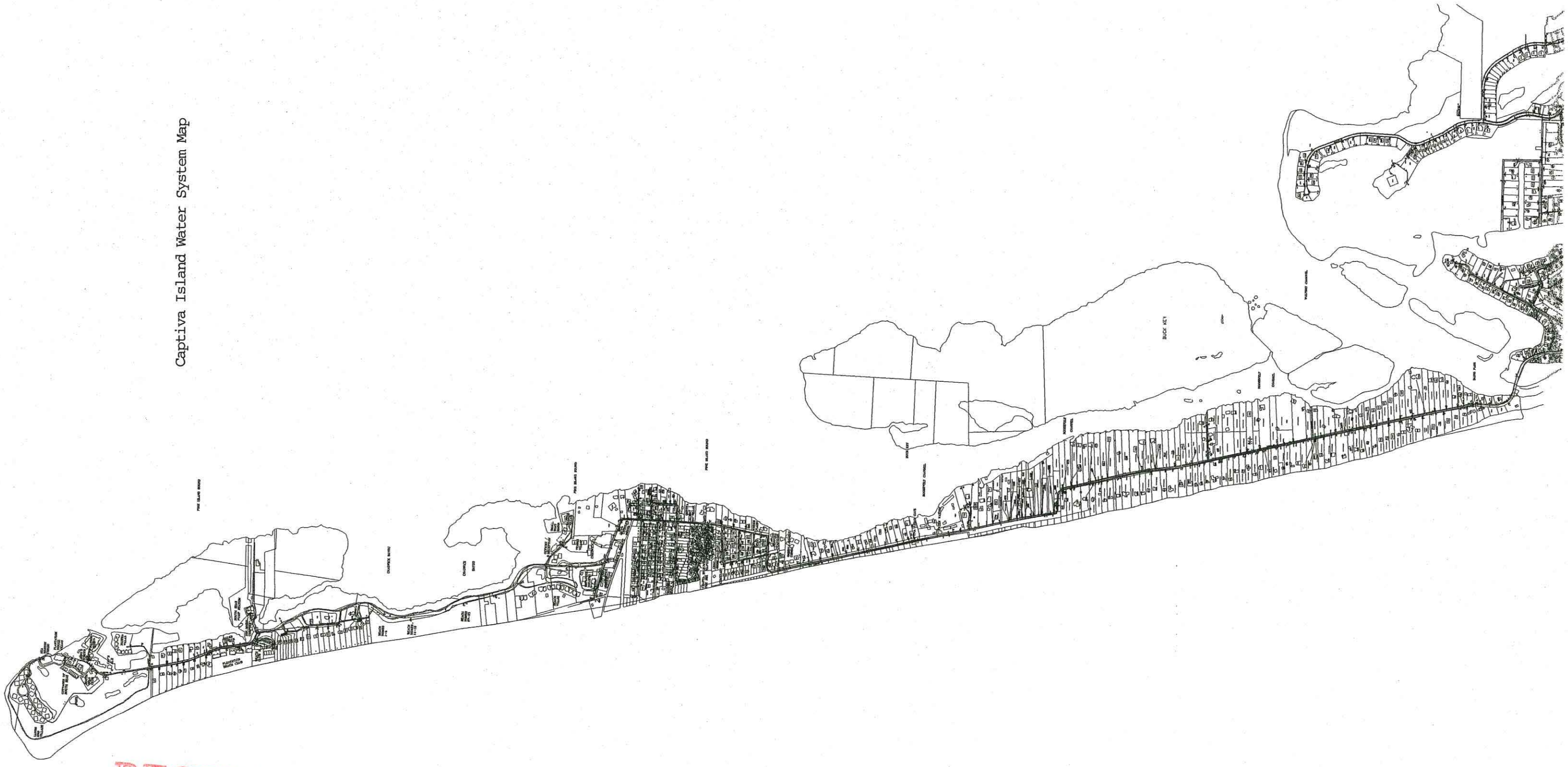
09/2001

EXISTING ZONING


154521
RM-2
RM-2
TFC-2
CM
TFC-2
224521
RM-2
224521
RM-2
TFC-2
TFC-2
RM-2
234521
RM-2
RM-2
RM-2
RM-2
274521
RM-2
264521
CM
TFC-2
TFC-2
TFC-2
TURTLE CT
C-1
C-1
C-1
TFC-2
RS-1
TFC-2
TFC-2
TFC-2
RPD
C-1
RPD
RM-2
RM-2
TFC-2
TFC-2
354521
CM
N 1/2
0 500 1000
SCALE IN FEET
S 1/2
0 500 1000
SCALE IN FEET
354521
TFC-2
RM-2
AG-2
RM-2
RPD
AG-2
RSC-2
RSC-2
RSC-2
RSC-2
RSC-2
RSC-2
RSC-2
024621
RSC-2
RSC-2
RSC-2
RSC-2
RSC-2
RSC-2
RSC-2

EXISTING WATER SYSTEM

Captiva Island Water System Map



RECEIVED
DEC 20 2002
COMMUNITY DEVELOPMENT

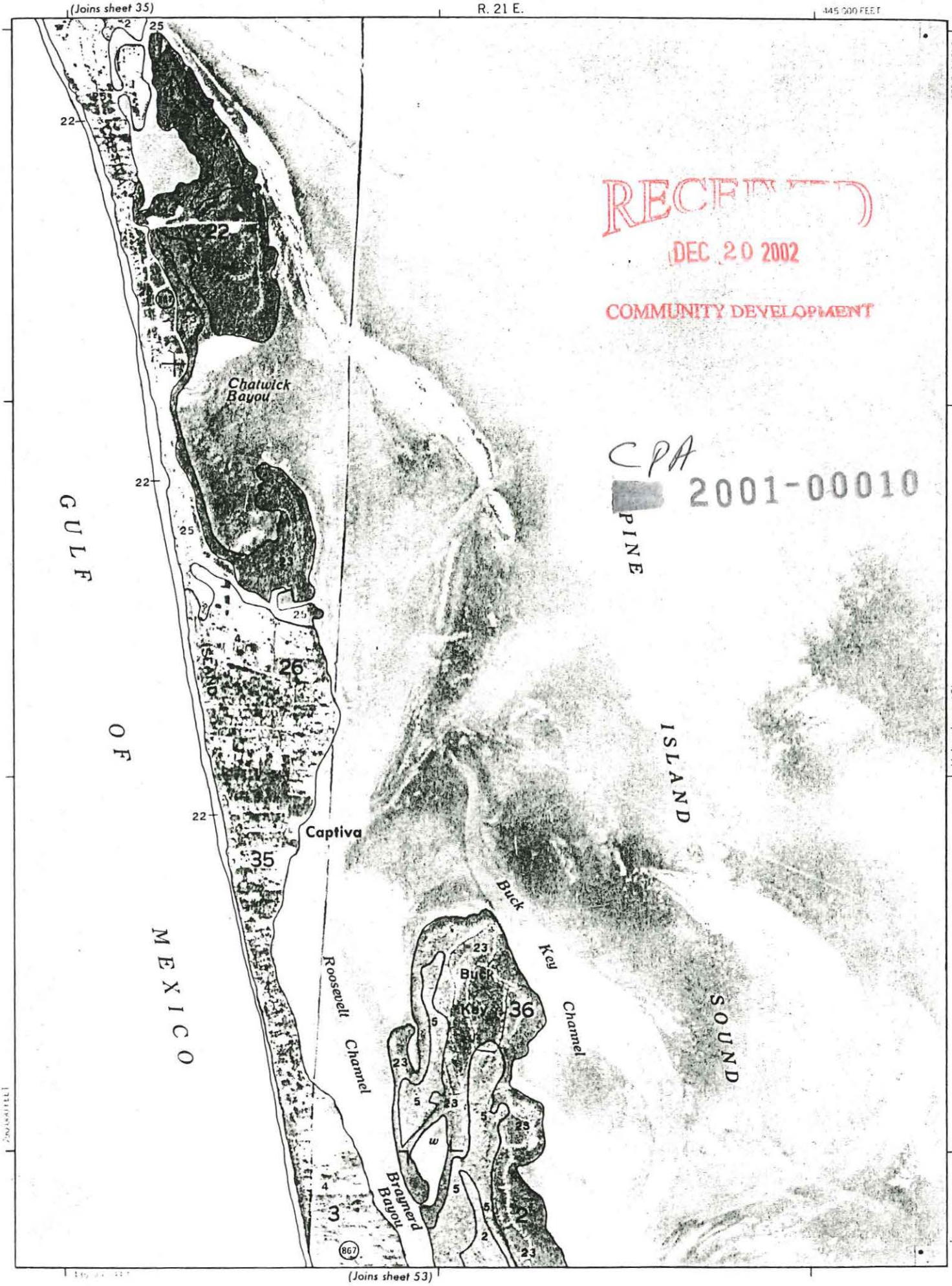
CPA
2001-00010

PUBLIC NOTICES

SOILS

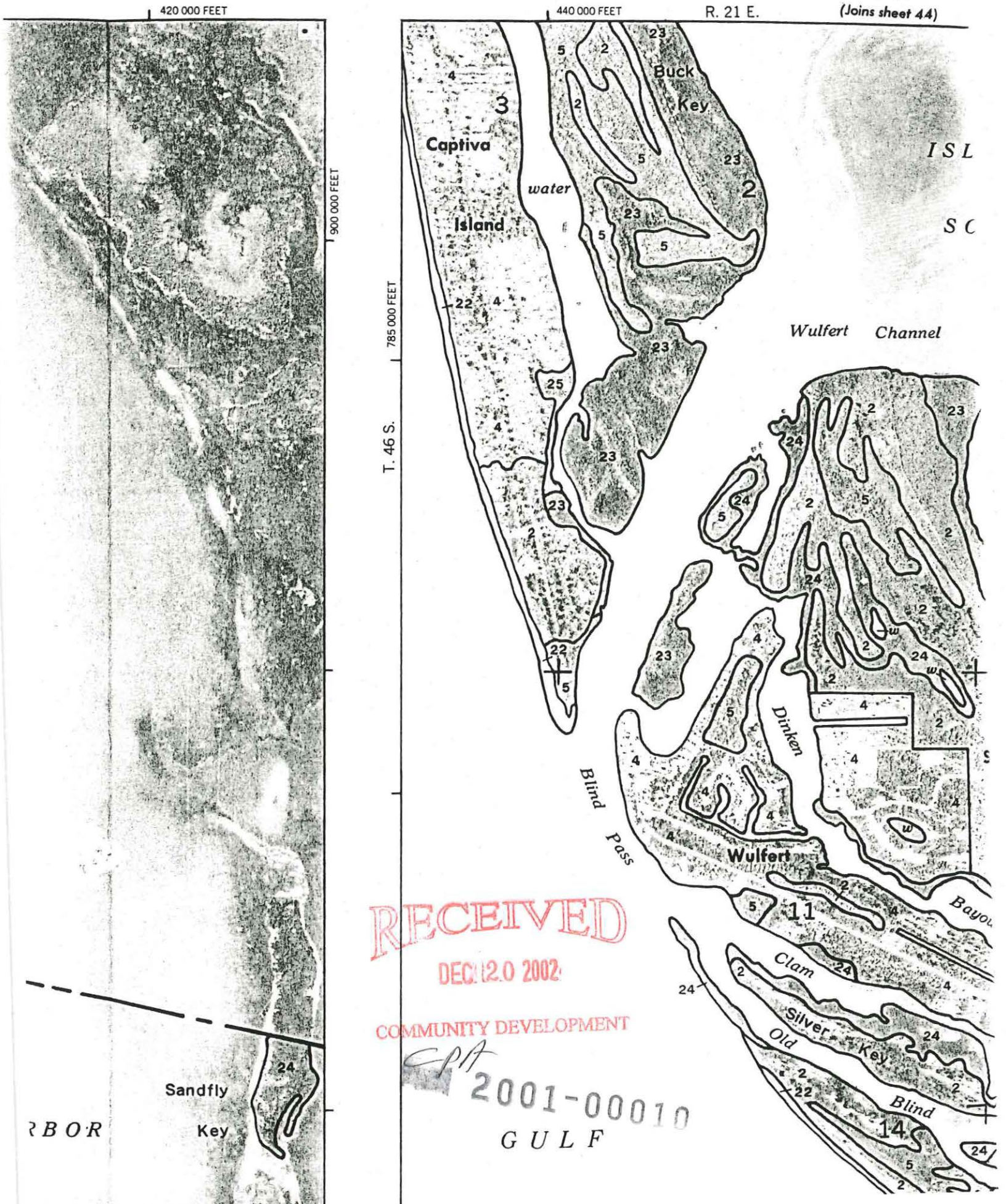
CPA 2001-00010

RECEIVED
DEC 20 2002
COMMUNITY DEVELOPMENT



RECEIVED
DEC 20 2002
COMMUNITY DEVELOPMENT
CPA 2001-00010

DA — SHEET NUMBER 53



SOIL LEGEND

SYMBOL	NAME
2	Canaveral fine sand
4	Canaveral-Urban Land complex
5	Captiva fine sand
6	Hallandale fine sand
7	Matlacha-Urban Land complex
8	Hallandale fine sand, tidal
9	EauGallie sand
10	Pompano fine sand
11	Myakka fine sand
12	Felda fine sand
13	Boca fine sand
14	Valkaria fine sand
15	Estero muck
16	Peckish mucky fine sand
17	Daytona sand
18	Matlacha gravelly fine sand, limestone substratum
19	Gator muck
20	Terra Ceia muck
22	Beaches
23	Wulfert muck
24	Kesson fine sand
25	St. Augustine sand, organic substratum-Urban land complex
26	Pineda fine sand
27	Pompano fine sand, depressional
28	Immokalee sand
29	Punta fine sand
33	Oldsmar sand
34	Malabar fine sand
35	Wabasso sand
36	Immokalee-Urban land complex
37	Satellite fine sand
38	Isles fine sand, slough
39	Isles fine sand, depressional
40	Anclote sand, depressional
41	Valkaria fine sand, depressional
42	Wabasso sand, limestone substratum
43	Smyrna fine sand
44	Malabar fine sand, depressional
45	Copeland sandy loam, depressional
48	St. Augustine sand
49	Felda fine sand, depressional
50	Oldsmar fine sand, limestone substratum
51	Floridana sand, depressional
53	Myakka fine sand, depressional
55	Coca fine sand
56	Isles muck
57	Boca fine sand, tidal
59	Urban land
61	Orsino fine sand
62	Winder sand, depressional
63	Malabar fine sand, high
64	Hallandale-Urban land complex
66	Caloosa fine sand
67	Smyrna-Urban land complex
69	Matlacha gravelly fine sand
70	Heights fine sand
72	Bradenton fine sand
73	Pineda fine sand, depressional
74	Boca fine sand, slough
75	Hallandale fine sand, slough
76	Electra fine sand
77	Pineda fine sand, limestone substratum
78	Chobee muck

CULT

BOUNDARIE

National, s

County or

Minor civil

Reservatior
state for
and large

Land grant

Limit of so

Field sheet

AD HOC BOU

Small airpor
cemetery

STATE COOR

LAND DIVISI
(sections an

ROADS

Divided (me
d scale p

Other roads

Trail

ROAD EMBLE

Interstate

Federal

State

County, farm

RAILROAD

POWER TRANS
(normally no

PIPE LINE
(normally no

FENCE
(normally no

LEVEES

Without road

With road

With railroad

DAMS

Large (to scal

Medium or sm

PITS

Gravel pit

Mine or quarr

General Soil Map Units

The general soil map at the back of this publication shows broad areas that have a distinctive pattern of soils, relief, and drainage. Each map unit on the general soil map is a unique natural landscape. Typically, a map unit consists of one or more major soils and some minor soils. It is named for the major soils. The soils making up one unit can occur in other units but in a different pattern.

The general soil map can be used to compare the suitability of large areas for general land uses. Areas of suitable soils can be identified on the map. Likewise, areas where the soils are not suitable can be identified.

Because of its small scale, the map is not suitable for planning the management of a farm or field or for selecting a site for a road or building or other structure. The soils in any one map unit differ from place to place in slope, depth, drainage, and other characteristics that affect management.

The soils in the survey area vary widely in their suitability or potential for major land uses. Table 2 shows the extent of the map units shown on the general soil map. It lists the suitability or potential of each, in relation to that of the other map units, for major land uses and shows soil properties that limit use. Soil suitability ratings are based on the practices commonly used in the survey area to overcome soil limitations. These ratings reflect the ease of overcoming the limitations. They also reflect the problems that will persist even if such practices are used.

Each map unit is rated for *community development, citrus, improved pasture, vegetables,* and *woodland.* Community development includes residential and industrial uses. Citrus includes fruits that generally require intensive management. Improved pasture includes grasses grown for livestock grazing. The vegetable crops are those grown extensively in the survey area. Woodland refers to areas of native or introduced trees.

Soils of the Flatwoods and Sloughs

The five general soil map units in this group consist of nearly level, poorly drained soils on flatwoods. Some soils in this unit are sandy to a depth of 80 inches, some are loamy at a depth of 20 to 40 inches, and some are loamy below a depth of 40 inches.

1. Immokalee-Pompano

Nearly level, poorly drained, deep soils that are sandy throughout; some have an organic-stained subsoil

This map unit occurs as five mapped areas. The largest is about 11 miles long and about 8 miles wide at the widest place. One of the other areas is about 5 1/2 miles long and about 2 miles wide at the widest place. These two areas are in the southeastern part of the county. Another mapped area is north of the San Carlos area. It is about 5 miles long and about 3 miles wide at the widest place. The other two mapped areas are in the western part of the county, south of the Caloosahatchee River. The areas are interspersed with depressions and marshes.

This map unit consists mainly of nearly level soils on flatwoods and in sloughs. The native vegetation is South Florida slash pine. The wetter areas have cypress. Sawpalmetto and pineland threeawn are common on the flatwoods (fig. 1). Maidencane is common in the sloughs.

This map unit makes up about 64,760 acres, or 13.0 percent of the land area of the county. It is about 30 percent Immokalee soils, 30 percent Pompano soils, and 40 percent soils of minor extent.

Immokalee soils are poorly drained. Typically, the surface layer is black sand about 4 inches thick. The subsurface layer is dark gray sand in the upper 5 inches and light gray sand in the lower 27 inches. The subsoil is sand about 33 inches thick. The upper 14 inches is black and firm, the next 5 inches is dark reddish brown, and the lower 14 inches is dark yellowish brown. The substratum is very pale brown sand to a depth of 80 inches or more.

Pompano soils are poorly drained and in the slough position. Typically, the surface layer is dark gray fine sand about 4 inches thick. The underlying sand layers extend to a depth of 80 inches or more and are light gray, very pale brown, and white.

Of minor extent in this map unit are Anclote, Valkaria, Oldsmar, Malabar, Pineda, Felda, Floridana, and Myakka soils.

The soils of this map unit are used mostly as cropland and rangeland. Some areas have been cleared and used for urban development.

2. Hallandale-Boca

Nearly level, poorly drained, shallow to moderately deep,



Figure 1.—An area of flatwoods on Immokalee sand. Pine, sawpalmetto, and several species of threeawn are the dominant vegetation.

sandy soils; some are sandy throughout and some have a loamy subsoil

This map unit occurs as six mapped areas. The largest, about 12 miles long and about 3 miles wide at the widest place, is in the west-central part of the county occupying areas along and northeast of U.S. Highway 41. Another mapped area is northeast of Estero and is about 3 miles long and 1 1/2 miles wide. A mapped area east of Estero is about 5 miles long and about 1 1/2 miles wide. Two mapped areas are south of Estero. The larger is about 6 miles long and 3 miles wide at the widest place, and the smaller is about 2 miles long and 3 miles wide. The areas are interspersed with depressions, sloughs, and drainageways.

This map unit consists mainly of nearly level soils on flatwoods. The native vegetation is South Florida slash pine. The wetter areas have cypress. Sawpalmetto and pineland threeawn are common on the flatwoods.

This map unit makes up about 43,550 acres, or 8.7 percent of the land area of the county. It is about 40 percent Hallandale soils, 30 percent Boca soils, and 30 percent soils of minor extent.

Hallandale soils are poorly drained. Typically, the surface layer is gray fine sand about 2 inches thick. The subsurface layer is light gray fine sand about 5 inches thick. The substratum is very pale brown fine sand about 5 inches thick. Hard, fractured limestone is at a depth of 12 inches.

Boca soils are poorly drained. Typically, the surface layer is gray fine sand about 3 inches thick. The subsurface layer is fine sand about 22 inches thick. The upper 11 inches is light gray and the lower 11 inches is very pale brown. The subsoil is gray fine sandy loam with brownish yellow mottles and calcareous nodules. A layer of fractured limestone is at a depth of 30 inches.

Of minor extent in this map unit are Wabasso, Oldsmar, Felda, and Pineda soils.

The soils of this map unit are used mostly for urban development. The areas in sawpalmetto and South Florida slash pine are used as wildlife habitat.

3. Immokalee-Myakka

Nearly level, poorly drained, deep, sandy soils that have a sandy, organic-stained subsoil

This map unit occurs as five mapped areas. The largest, about 14 miles long and 2 miles wide at the widest place, is in the north-central part of the county along the Caloosahatchee River. Other large areas are on Pine Island, which is in the western part of the county, and in the Spring Creek area, which is in the southern part of the county. The mapped area on Pine Island is about 12 miles long and 2 miles wide at the widest place. The mapped area in the Spring Creek area is about 10 miles long and 3 miles wide at the widest place. The areas are interspersed with a few depressions, drainageways, and slightly higher ridges.

This map unit consists mainly of nearly level soils on flatwoods. The native vegetation is South Florida slash pine. The wetter areas have willow and cypress. Waxmyrtle, sawpalmetto, and pineland threeawn are common on the flatwoods.

This map unit makes up about 53,110 acres, or 10.7 percent of the land area of the county. It is about 40 percent Immokalee soils, 35 percent Myakka soils, and 25 percent soils of minor extent.

Immokalee soils are poorly drained. Typically, the surface layer is black sand about 4 inches thick. The subsurface layer is dark gray sand in the upper 5 inches and light gray sand in the lower 27 inches. The subsoil is sand about 33 inches thick. The upper 14 inches is black and firm, the next 5 inches is dark reddish brown, and the lower 14 inches is dark yellowish brown. The substratum is very pale brown sand to a depth of 80 inches or more.

Myakka soils are poorly drained. Typically, the surface layer is very dark gray fine sand about 3 inches thick. The subsurface layer is fine sand about 23 inches thick. The upper 3 inches is gray, and the lower 20 inches is light gray. The subsoil is fine sand to a depth of 80 inches or more. The upper 4 inches is black and firm; the next 5 inches is dark reddish brown and friable; the next 17 inches is black and firm; the next 11 inches is dark reddish brown and friable; and the lower 17 inches is mixed black and dark reddish brown and friable.

Of minor extent in this map unit are Orsino, Satellite, Smyrna, Punta, and Oldsmar soils.

The soils of this map unit are used mostly for urban development. Some areas remain in sawpalmetto and South Florida slash pine.

4. Oldsmar-Malabar-Immokalee

Nearly level, poorly drained, deep, sandy soils; some have a sandy, organic-stained subsoil underlain by a loamy subsoil, some have just a loamy subsoil, and some have just a sandy organic-stained subsoil

This map unit occurs as five mapped areas. The largest, about 13 miles long and about 12 miles wide at the widest place, is in the east-central part of the county. Another large area is north of the Caloosahatchee River in the northeastern part of the county. It is about 3 miles long and 16 miles wide. The three smaller mapped areas are scattered throughout the county. The mapped areas are interspersed with depressions and drainageways.

This map unit consists mainly of nearly level soils on flatwoods and in sloughs on the flatwoods. The native vegetation is South Florida slash pine. The wetter areas have cypress. Sawpalmetto and pineland threeawn are common on the flatwoods. Maidencane is common in the sloughs.

This map unit makes up about 109,582 acres, or 22.0 percent of the land area of the county. It is about 25 percent Oldsmar soils, 20 percent Malabar soils, 10 percent Immokalee soils, and 45 percent soils of minor extent.

Oldsmar soils are poorly drained. Typically, the surface layer is black fine sand about 3 inches thick. The subsurface layer is gray and light gray fine sand about 39 inches thick. The upper part of the subsoil is very dark gray fine sand about 5 inches thick. The lower part of the subsoil is yellowish brown and mixed light brownish gray and brown sandy loam and fine sandy loam about 16 inches thick. Pale brown fine sand is below the subsoil and extends to a depth of 80 inches or more.

Malabar soils are poorly drained and in the slough position on the flatwoods. Typically, the surface layer is dark gray fine sand about 5 inches thick. The next 12 inches is light gray and very pale brown fine sand. Below this is a 16-inch layer of light yellowish brown fine sand with yellowish mottles and a 9-inch layer of brownish yellow fine sand. The subsoil is gray loamy fine sand about 9 inches thick with large yellowish brown mottles. The next 8 inches is gray fine sandy loam with large brownish yellow mottles. Below is light gray loamy fine sand with yellowish brown mottles to a depth of 80 inches or more.

Immokalee soils are poorly drained. Typically, the surface layer is black sand about 4 inches thick. The subsurface layer is dark gray sand in the upper 5 inches and light gray sand in the lower 27 inches. The subsoil is sand to a depth of 69 inches. The upper 14 inches is black and firm, the next 5 inches is dark reddish brown, and the lower 14 inches is dark yellowish brown. The substratum is very pale brown sand about 11 inches thick.

Of minor extent in this map unit are Pineda, EauGallie, Wabasso, Boca, Pompano, and Hallandale soils.

The soils of this map unit are used mostly as rangeland and wildlife habitat. Some areas have been cleared and are used for urban development.

5. Pineda-Boca-Wabasso

Nearly level, poorly drained, deep and moderately deep, sandy soils; some have a sandy subsoil, some have a loamy subsoil, and some have a sandy, organic-stained subsoil underlain by a loamy subsoil

This map unit occurs as three mapped areas. The largest is about 5 miles long and about 17 miles wide at the widest place. This area is in the northern part of the county on both sides of U.S. Highway 41. Another large area is in the northeastern part of the county. It is about 11 miles long and 7 miles wide at the widest place. One small area occurs southeast of Matlacha. It is about 2 miles long and 2 miles wide at the widest place. The mapped areas are interspersed with depressions.

This map unit consists mainly of nearly level soils on flatwoods and in sloughs. The native vegetation is South Florida slash pine. The wetter areas have cypress. Sawpalmetto and pineland threeawn are common on the flatwoods. Maidencane is common in the sloughs.

This map unit makes up about 79,300 acres, or 15.9 percent of the land area of the county. It is about 20 percent Pineda soils, 16 percent Boca soils, 15 percent Wabasso soils, and 49 percent soils of minor extent.

Pineda soils are poorly drained and in the slough position. Typically, the surface layer is black fine sand about 1 inch thick. The subsurface layer is very pale brown fine sand about 4 inches thick. The upper part of the subsoil is brownish yellow fine sand about 8 inches thick and strong brown fine sand about 10 inches thick. Between the upper and lower parts of the subsoil is 7 inches of light gray fine sand with brownish yellow mottles. The lower part of the subsoil to a depth of 54 inches is light brownish gray fine sandy loam with light gray sandy intrusions. The substratum is light gray fine sand to a depth of 80 inches or more.

Boca soils are poorly drained. Typically, the surface layer is grayish brown fine sand about 3 inches thick. The subsurface layer is light gray and very pale brown fine sand about 30 inches thick. The subsoil is gray sandy clay loam with yellowish brown and brownish yellow mottles. Hard, fractured limestone bedrock is at a depth of 38 inches.

Wabasso soils are poorly drained. Typically, the surface layer is dark gray sand about 6 inches thick. The subsurface layer is sand to a depth of 24 inches. The upper 11 inches is light brownish gray with dark grayish brown stains along root channels, and the lower 7 inches is white with dark grayish brown stains. The subsoil is about 38 inches thick. The upper 4 inches is dark brown sand with few iron concretions. The next 8 inches is brownish yellow sandy clay loam with light brownish gray, light gray, and reddish brown mottles. The lower 26 inches is light gray sandy clay loam with pale olive mottles and stains along root channels. Light gray fine sandy loam with olive mottles extends to a depth of 80 inches or more.

Of minor extent in this map unit are Malabar, Oldsmar, Hallandale, Felda, Copeland, and Chobee soils.

The soils of this map unit are used mostly for urban development. The uncleared areas are used as rangeland and wildlife habitat.

Soils of the Swamps and Sloughs

The one map unit in this group consists of nearly level, poorly drained soils. Some are moderately deep, loamy soils over limestone and others are loose sandy soil to a depth of 80 inches or more.

6. Isles-Boca-Pompano

Nearly level, poorly drained, deep and moderately deep, sandy soils; some have a loamy subsoil and some are sandy throughout

This map unit occurs as three mapped areas. The largest is about 8 miles long and about 5 miles wide. This area is in the southeastern part of the county. Another area occurs along the 6-mile cypress swamp, and the smallest is southeast of the 6-mile cypress area. The mapped areas are interspersed with slightly higher flatwoods.

This map unit consists mainly of nearly level soils in sloughs and depressions. The native vegetation consists of cypress in the depressions and South Florida slash pine, maidencane, and sparse sawpalmetto in the sloughs. Pineland threeawn is common on the higher positions in the sloughs.

This map unit makes up about 42,500 acres, or 8.5 percent of the land area of the county. It is about 20 percent Isles soils, 20 percent Boca soils, 15 percent Pompano soils, and 45 percent soils of minor extent.

Isles soils are poorly drained and are in the depressions. Typically, the surface layer is very dark gray fine sand about 5 inches thick. The subsurface layer is about 5 inches of light gray fine sand. Next is 11 inches of very pale brown fine sand with yellowish brown mottles. The subsoil is 26 inches of gray fine sandy loam with brownish yellow mottles and pockets of light brownish gray loamy sand. Limestone bedrock is at a depth of 47 inches.

Boca soils are poorly drained. Typically, the surface layer is grayish brown fine sand about 3 inches thick. The subsurface layer is light gray and very pale brown fine sand about 30 inches thick. The subsoil is gray sandy clay loam with yellowish brown and brownish yellow mottles. Hard, fractured limestone bedrock is at a depth of 38 inches.

Pompano soils are poorly drained and are in

Most improved grasses and clovers adapted to the area grow well on this soil if water is properly controlled. Pangolagrass, bahiagrass, and white clover grow well. Water control that maintains the water table near the surface prevents excessive oxidation of the organic horizons. Fertilizers high in potassium, phosphorus, and minor elements are needed. Grazing should be controlled to permit maximum yields.

This soil is not suitable for citrus.

This soil has moderate potential for desirable range plant production. The dominant forage is maidencane and cutgrass. Because the depth to the water table fluctuates throughout the year, a natural deferment from cattle grazing occurs. Although this rest period increases forage production, the periods of high water may reduce the grazing value of the site. This Gator soil is in the Fresh Water Marshes and Ponds range site.

This soil is not suitable for pine trees. It has severe limitations for urban and recreational development because of ponding.

This Gator soil is in capability subclass VIIw.

20—Terra Ceia muck. This is a nearly level, very poorly drained organic soil on freshwater marsh areas. Slopes range from 0 to 1 percent.

Typically, the surface layer is black, well decomposed organic material about 8 inches thick. The underlying organic material extends to a depth of 53 inches. The upper 27 inches is black, well decomposed organic material. The next 18 inches is very dark grayish brown, well decomposed organic material. Mineral material extends to a depth of 80 inches or more. The upper 3 inches is black mucky fine sand. The next 3 inches is light brownish gray fine sand. The lower 21 inches is dark gray and gray fine sandy loam.

Included with this soil in mapping are Gator soils and areas of similar soils in which the organic material is less than 16 inches thick. Also included are small areas where the organic material is more than 80 inches thick. Included soils make up about 15 percent of any mapped area.

In most years, under natural conditions, the soil is covered with water for 3 to 6 months. The water table is 10 to 24 inches below the surface during extended dry periods.

The available water capacity is medium. Natural fertility is moderate. Permeability is rapid.

Natural vegetation consists of sawgrass, sand cordgrass, and waxmyrtle.

This soil is poorly suited to cultivated crops because of wetness. In its natural condition it is not suitable for cultivation, but with adequate water control it is well suited to most vegetable crops and sugar cane. A well designed and maintained water control system is needed. The water control system should remove excess water when crops are on the land and keep the soil saturated with water at all other times. Fertilizers that contain phosphates, potash, and minor elements are needed. This soil needs high applications of lime. Water-tolerant cover crops should be kept on the soil when it is not in use for row crops.

Most improved grasses and clovers adapted to the area grow well on this soil if water is properly controlled. High yields of pangolagrass, bahiagrass, and white clover can be grown. Water control that maintains the water table near the surface prevents excessive oxidation of the organic horizons. Fertilizers high in potash, phosphorus, and minor elements are needed. Grazing should be controlled to permit maximum yields.

This soil is not suitable for citrus.

This soil has moderate potential for desirable range plant production. The dominant forage is maidencane and cutgrass. Since the depth of the water table fluctuates throughout the year, a natural deferment from cattle grazing occurs. Although this rest period increases forage production, the periods of high water may reduce the grazing value of the site. This Terra Ceia soil is in the Fresh Water Marshes and Ponds range site.

This soil is not suitable for pine trees. It has severe limitations for urban development and recreational uses because of the ponding and high organic matter content.

This Terra Ceia soil is in capability subclass IIIw.

22—Beaches. Beaches consist of narrow strips of nearly level, mixed sand and shell fragments along the Gulf of Mexico. These areas are covered with saltwater at daily high tides. The areas are subject to movement by the wind and tide and are bare of vegetation in most places. The only vegetation is salt-tolerant plants.

Beaches are geographically associated with Canaveral soils.

Beaches are used intensively for recreation during the entire year. Homes, condominiums, beach cottages, and motels have been built on the fringes of beaches in many places.

23—Wulfert muck. This is a nearly level, very poorly drained soil on broad tidal swamps. Slopes are smooth and range from 0 to 1 percent.

Typically, the surface layer is muck that is dark reddish brown to a depth of 12 inches and dark brown to a depth of 36 inches. Beneath the muck is gray fine sand with light gray streaks and about 10 percent shell fragments.

Included with this soil in mapping, and making up about 15 percent of the map unit, are small areas of Kesson soils and soils similar to Wulfert soils but with limestone at a depth of 20 to 40 inches.

The water table fluctuates with the tide. Areas are subject to tidal flooding.

The available water capacity is high in the organic horizons and low in the horizons below. Natural fertility is medium. Permeability is rapid.

Natural vegetation consists of American mangrove, black mangrove, and needlegrass.

This soil has moderate potential for range plant production. Saltwater marshes are on level sites where tidal flow of saltwater and brackish water have a significant effect on plant composition. When in good or excellent condition, the saltwater marsh is dominated by smooth cordgrass, marshhay cordgrass, seashore saltgrass, and numerous other grasses and forbs. These grasses and forbs provide high levels of palatable forage for livestock grazing. Good grazing and burning management is required to maintain these sites in their most desirable condition. This Wulfert soil is in the Salt Water Marsh range site.

This soil has severe limitations for urban development and recreational uses. It is not suitable for cultivated crops, pasture grasses, citrus, or woodland. The flood hazard and high salt and sulfur content are limitations to these uses.

This soil is in capability subclass VIIIw.

24—Kesson fine sand. This is a nearly level, very poorly drained soil in broad tidal swamps. Areas are subject to tidal flooding. Slopes are smooth and range from 0 to 1 percent.

Typically, the surface layer is about 6 inches of sand that contains shell fragments. The underlying layers are fine sand that contains shell fragments, and they extend to a depth of 80 inches or more. The upper 4 inches is pale brown, the next 3 inches is light brownish gray, the next 25 inches is light gray with dark gray streaks, and the lower 42 inches is white.

Included with this soil in mapping are areas of Captiva and Wulfert soils and soils that have organic surface layers. Also included are soils that have loamy material throughout. Included soils make up about 10 to 15 percent of any mapped area.

The water table fluctuates with the tide.

The available water capacity is low. Natural fertility is low. Permeability is moderately rapid or rapid.

Natural vegetation consists of black mangrove, batis, oxeye daisy, and American mangrove.

This soil has severe limitations for urban development, and it is poorly suited for cultivated crops, pasture grasses, citrus, and woodland because of the flood hazard and high salt and sulfur content.

This Kesson soil is in capability subclass VIIIw.

25—St. Augustine sand, organic substratum-Urban land complex. This map unit consists of nearly level St. Augustine sand, organic substratum, and areas of Urban land. The areas of the St. Augustine soil and of Urban land are so intermingled that it was not practical to map them separately at the scale used for mapping. The mapped areas range from about 10 to 100 acres.

About 50 to 65 percent of each mapped area is St. Augustine sand, organic substratum, and about 20 to 35 percent is Urban land that is covered by houses and other buildings and streets and other forms of pavement. The remainder of the mapped area consists of canals.

The St. Augustine soil is in marshes and mangrove swamps. It consists of gray to pale brown sand, with about 25 percent multicolored shell fragments, overlying organic layers. Slopes are smooth to slightly convex and range from 0 to 2 percent.

St. Augustine sand, organic substratum, does not have an orderly sequence of soil layers in the fill material above the organic substratum. The layers are a variable mixture of sands and multicolored shell fragments. Thickness of the fill material ranges from about 26 to 68 inches. Typically, the material is about 51 inches of mixed dark gray, dark grayish brown, grayish brown, and gray sand and about 25 percent multicolored shell fragments. Below that, to a depth of 80 inches or more, there is dark reddish brown compressed muck.

Included in this complex are small areas of Kesson soils and areas where the fill material is less than 20 inches thick over the organic substratum. Also included are areas where the fill material is high in salt content or contains fragments of a former subsoil. In several included areas there are no buildings or other urban structures. Inclusions make up less than 15 percent of most mapped areas.

The depth to the water table varies with the amount of fill material and the extent of artificial drainage within any mapped area. However, in most years, the water table is 24 to 48 inches below the surface of the fill material for 2 to 4 months. It is below a depth of 48 inches during extended dry periods.

The available water capacity is low in the fill material and high in the underlying organic material. Permeability is estimated to be rapid. Natural fertility is low.

Most of the natural vegetation has been removed. There are scattered weeds in vacant lots. The soil is poorly suited to most plants unless topsoil is spread over the surface to make a suitable root zone.

The soil has severe limitations for most kinds of community development and related uses. The underlying organic material can cause subsidence problems. The rapid permeability and high water table could cause pollution of canals or ground water in areas with septic tank absorption fields.

This complex was not assigned to a capability subclass.

26—Pineda fine sand. This is a nearly level, poorly drained soil on sloughs. Slopes are smooth to slightly concave and range from 0 to 1 percent.

Typically, the surface layer is black fine sand about 1 inch thick. The subsurface layer is very pale brown fine sand about 4 inches thick. The upper part of the subsoil is brownish yellow fine sand about 8 inches thick. The next 10 inches is strong brown fine sand. The next 6 inches is yellowish brown fine sand. The next 7 inches is

Island news

Sanibel Police Sgt. Jamie Phillips honored by county

By Pete Bishop
Staff writer

Sanibel Police Sgt. Jamie Phillips was commended by the Lee Board of County Commissioners (BOCC) Tuesday, Jan. 30, for his heroics saving a child who fell from a Sanibel resort's second-story window.

Phillips, a member of the Sanibel Police Department since 1978, responded to a 911 call on Nov. 25 to find a two-year-old girl unconscious and not breathing. She had apparently been looking out a window and fell through the screen, hitting a car below.

Phillips immediately administered CPR on the girl and continued until Sanibel Fire and Rescue arrived. The girl and her partents were taken to Lee Memorial Hospital. The child is now recovering at home with her family in Atlanta.

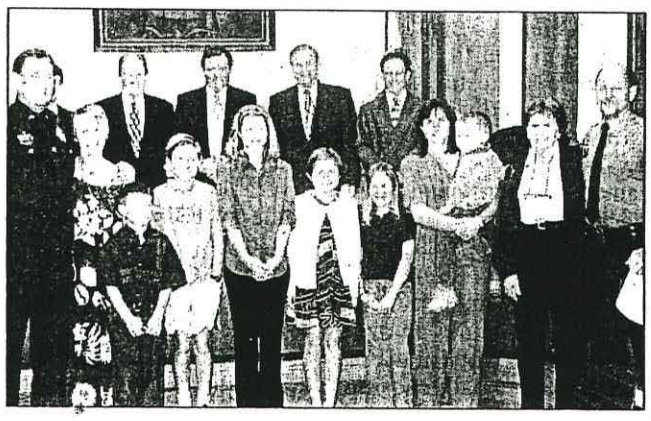
"I talked to her mother on Dec. 7, and she's expected to make a full recovery with no aftereffects," Phillips said Tuesday.

"It was very frightening — frightening for the girl and scary for me, too," Phillips said. "As fate would have it, I just happened to be a few doors down. It was very, very fortunate."

During Tuesday's county commission meeting, Commissioner Bob Janes called Phillips forward and read a resolution praising the Phillips' "quick thinking and heroic actions" during a situation that "may have had a very tragic ending." Phillips was then presented with a framed proclamation.

Joining Phillips at the ceremony were his mother, Georgia, and wife Trish with the couple's four children, Sanibel Deputy Chief Jack Primm, Sanibel Police Chief Lew Phillips, his wife Helene and three children.

Jamie Phillips holds numerous certifications as a training instructor in law enforcement courses, the recipient of several awards during his tenure in the department. In 1995 he was named Lee County Bar Association Officer of the Year and 100 Club Outstanding Police Officer Special Nominee. He was named Optimist International Officer of the Year in 1999.





Photos / Michael Pistella

AT LEFT: Jamie Phillips, far right, was joined by his immediate and extended family Tuesday.
AT RIGHT: Phillips, middle, is joined by brother Police Chief Lew Phillips and Deputy Chief Jack Primm.

Sanibel Police Chief Lew Phillips said his brother "exemplifies the officers in this department and an outstanding example of service" to the community.

"Saving lives is the most important thing we can do as a police department."

Chief Phillips also said the department will ask Sanibel City Council to make room on its next agenda to honor Jamie Phillips, who will also receive the department's Lifesaving Medal, its highest award.

Jamie Phillips noted Tuesday that Sanibel Police Officers Jane Cechman, Frank Crandon, Dave Jalbert and Mark Steele also responded to the emergency Nov. 25, and he also wanted to recognize Sanibel Fire and Rescue.

"Credit is due the fire department, who trains us to respond and give CPR," Phillips said. "Chief Dickerson does a good job over there and keeps us ready."

Have a news item? Call us at 472-1587 or send an e-mail to SanCapNews@flguide.com

NOTICE OF EXECUTIVE SESSION
CITY OF SANIBEL, FLORIDA

The Sanibel City Council will meet and hold an Executive Session not open to the public on February 6, 2001 at Sanibel City Hall in Council Chambers (MacKenzie Hall), 800 Dunlop Road, Sanibel, Florida, to consider the following:

2:00 P.M. Discussion of pending litigation
Properties in Paradise, Inc. vs.
City of Sanibel and Hendzel.

Attending: Greg Hootman, Esquire
Sanibel City Attorney,
Douglas M. Wyckoff
Sanibel City Manager,
Edward L. Sealover
Sanibel City Council

PUBLIC WORKSHOP

A community comprehensive plan for Captiva

Captiva Civic Association building
11550 Chapin Lane, Captiva

TOPICS:
Wednesday, Feb. 7, 9:30- 11:30 a.m.
Land use, redevelopment, neighborhoods & timing
Wednesday, Feb. 14, 9:30-11:30 a.m.
Commercial, resort, rentals & infrastructure
Friday, Feb. 16, 9:30-11:30 a.m.
Implementation, procedures & design

Meetings will be led by David W. Depew, AICP.
Additional workshops to be announced.
Input concerning our island's future is encouraged from all interested Captiva stakeholders.

CPOA
Captiva Island Property Owners Association Inc.

TWILIGHT CAFE
751 Tarpon Bay Road, Sanibel, FL
THE BONDURANT'S PARADISE
9125 Mockingbird Drive, (The Dunes) Sanibel, FL
host
Chef Brad Walter & Chef Tom Hambor

Food Glorious Food
Winter
Cooking Series

Feb. 23, 6pm-9pm: Angel Hair Pasta w/Sun-Dried Tomato Pesto, Olives & Capers, Salmon Scaloppini Rolls, Balsamic Salad w/Goat Cheese & Croutons; Panna Cotta

Hors d'oeurvres & Appetizers
Feb. 16, 6pm-9pm: Brad's Pate; Phyllo w/Brie & Poached Fruit; Hummus; Grapes Wrapped in Bread w/Walnuts & Blue Cheese; Stuffed Shrimp w/Rice Noodles; Italian Knots

Saturdays at Bondurant's Paradise
Hands-On Pasta & Bread
Feb. 10th, 10am-1pm: Bolognaise Lasagna; Farfalle w/Proscuitto & Peas; Panzanella Salad; Zabaglione w/Fresh Berries
Feb. 17th, 10am-1pm: Tortellini w/Tomato Cream Sauce; Seafood Linguini; Semolina Hard Rolls; Italian Salad; Chocolate Truffee
Feb. 24th, 10am-1pm: Gnocchi w/Cream Sauce; Orchietta w/Eggplant; Focaccia; Garden Salad; Scones w/Lemon Curd & Berries

Sundays at the Twilight Cafe
Chinese Feast — Back by Popular Demand!
Feb. 18th, 1pm-4pm: Peking Duck; Hot & Sour Soup; Asian Pot Stickers; Ginger Carrots; Almond Cookies; Bananas Foster

Sanibel Brunch
Feb. 25th, 1pm-4pm: Salmon Cheesecake; Herb Palmiers; Citrus Salad w/Grapefruit & Avocado; Stuffed Game Hens w/Apricots & Wild Rice; Brioche Dessert Pizza

Fresh Mozzarella Hands-On Class
March 4th, 1pm-4pm: Learn to make your own mozzarella cheese, take home your own creations and save a fortune. Please bring a heat-resistant rubber glove and a 3-pound capacity plastic container with a lid.

Series $540.00 or $65.00 per class
To Register, call Bondurant's Paradise @ (941) 472-9889
Food Glorious Food
Catering*Teaching*Corporate Training
Chef Brad Walter & Chef Tom Hambor
5832 Third Street, Verona, PA 15147, (412) 798-0197, email: thefooddoctors@aol.com.

Current opinions

CICI sends two letters to reresentative



Guest commentary

Bob Lloyd

CICI sent comments to the Delegation to set the record straight regarding the meeting on January 19th

CICI is sure that the Delegation intended the meeting to be fair, but that is not the way it worked out, due to incomplete and inaccurate statements made by those who oppose a referendum.

Nearly 100 residents attended to support a referendum. One woman in her 90th year made the trip to Fort Myers to express concerns about preserving the environment on Captiva for future generations.

She never had an opportunity to speak. After the negative vote many longtime residents were near tears.

CICI was required to submit formal documents, which were subject to detailed, expert staff review. CICI responded to staff questions within 24 hours.

Following are some of the inaccuracies voiced by CPOA with no independent analysis, nor opportunity for CICI to rebut:

CPOA stated that several (3 to 4) public meetings have been conducted on Captiva to begin development of a comprehensive plan.

That is not accurate. Mr. Miller of CPOA described the meeting scheduled for January 26th as the "first in a series" of public meetings.

CPOA stated that Lee County has funded their effort ("$5,000 granted so far")

This also is not accurate. Lee County has not provided any funding.

CPOA funding appears to have come from developers and large businesses on Captiva.

CPOA stated that a comprehensive plan amendment would be ready for Lee County consideration by September 2001, implemented by year-end.

This is not possible based on the experience of Pine Island that has had such a plan in preparation for over 2 years, and is only now approaching completion.

CPOA stated that a comprehensive plan would do the same thing incorporation would do.

This is not accurate. Any plan under Lee County leaves the County in charge of final decisions. Importantly, in the future the role of the Department of Community Affairs is to be reduced. Incorporation provides home-rule.

CPOA stated that only two cities have been approved with less than 5,000 population in recent years.

This is incorrect.

Four such cities have been approved. Half of Florida's cities do not meet the guideline. One quarter are the same size or smaller than Captiva.

The key to success is a sound tax base, and who can say that smaller cities don't serve their citizens well?

CPOA stated that Captiva doesn't meet the density requirement.

This is incorrect. The CICI attorney has shown that our calculation shows compliance.

CPOA calculations included the Gulf and other water surrounding Captiva.

They tendered what they claimed were 1,700 petitions against a referendum.

This number contradicts their own calculation, and would show a density of nearly 2 persons per acre.

CPOA stated that Captiva should be concerned about the consequences of the Bert Harris Act in tightening land use regulations.

This is a grossly misleading statement. CICI has never proposed tightening regulations.

Proposals have always included a reference to continuation of Lee County regulations in the Captiva Charter, with strict enforcement. CICI respects property rights. The issue is who enforces the rules.

CICI has met statutory requirements and followed the Local Government Formation Manual.

Our grass roots process has been ongoing for over 1-1/2 years: Registered voters of Captiva have earned a chance to be heard.

The decision not to approve the bill leaves Captiva in a vulnerable position.

CPOA is left in charge of the process of formulating a comprehensive plan, with no incentive to be inclusive.

A memo on the CPOA's own Website reveals their concern that "CICI people could co-opt" the comprehensive planning process "if county funding means county appointed boards."

This of course could explain why CPOA has not accepted funding. County support would also mean operating under Florida Sunshine Laws that prohibit secret meetings and undisclosed funding.

A dual-track proposal was made at the meeting that would require introduction of a bill, even as the CPOA begins work on a comprehensive plan.

The dual-track plan will work in an equitable way to provide essential incentives to CPOA to be truly inclusive.

We request that the delegation:

Ask the House of Representatives Staff to continue their analysis of the CICI submission. We will work with the staff to resolve any and all questions.

Reopen the vote on the bill on the basis that incomplete and inaccurate information was provided by CPOA at the hearing.

Subject CPOA comments, past and future, to the same analysis as those of the CICI.

Re-vote to permit the dual-track arrangement to proceed.

PUBLIC WORKSHOP

A community comprehensive plan for Captiva

Captiva Civic Association building
11550 Chapin Lane, Captiva

TOPICS:
Wednesday, Feb. 7, 9:30- 11:30 a.m.
Land use, redevelopment, neighborhoods & timing
Wednesday, Feb. 14, 9:30-11:30 a.m.
Commercial, resort, rentals & infrastructure
Friday, Feb. 16, 9:30-11:30 a.m.
Implementation, procedures & design

Meetings will be led by David W. Depew, AICP.
Additional workshops to be announced.
Input concerning our island's future is encouraged from all interested Captiva stakeholders.

CPOA
Captiva Island Property Owners Association Inc.

Attention : Readers

The staff of the **Island Reporter** and **Captiva Current** would like to thank those local merchants whose financial assistance has made **The Sanibel School's** *Newspaper in Education* program a success.

When Education benefits, we ALL benefit.

Newspaper In Education is a cooperative effort between **The Sanibel School** and our publications to promote newspapers as an educational resource.

Thank You !

...and be sure to patronize the businesses below who have made this possible.

BAILEY'S general store

Dairy Queen

Jerry's Foods

Pass

From page 1

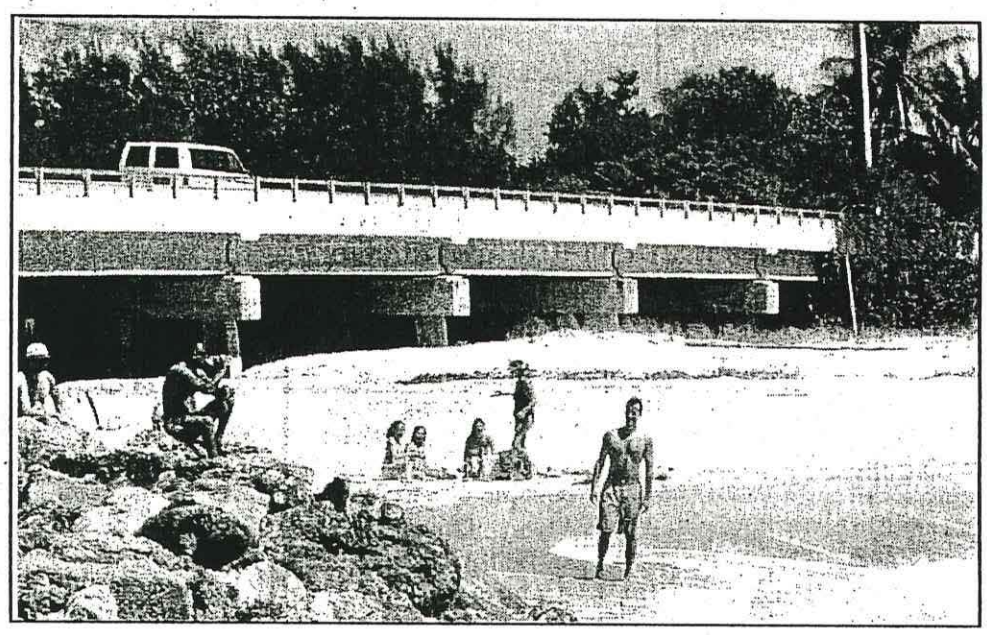
The project to clear the front side of the pass cost nearly $400,000 and was divided between the Captiva Erosion Prevention District, the City of Sanibel, Lee County, the State of Florida and the West Coast Inland Navigation District.

The project originally included the dredging of the entire pass, but was reduced to the gulf side due to permitting problems brought about by different environmental groups claiming the entire project might disrupt the natural order of the pass. Conclusions suggest the sand currently collecting in the pass comes from recent beach renourishment projects.

Last month's dredging project was conducted to prevent the pass being labeled a "closed pass" which, according to CEPD Administrator Alison Hagerup, would have made it nearly impossible to get any kind of dredging permit.

Measures to ensure that the pass would stay open in a future dredging project are currently being considered. One such consideration is a jetty added to the northern shore of Sanibel to help prevent sand washing into the gulf side of the pass.

The Captiva Erosion Prevention District's monthly meeting that was scheduled for April 17 has been canceled due to scheduling conflicts. A special meeting, however has been scheduled for Tuesday, April 10 at noon. the agenda for the special meeting will that of the proposed agenda for the canceled meeting.



Photos / Michael Pistella

ABOVE: Blind Pass is closed again after February's dredging project. BELOW, LEFT: Blind Pass as it was at the beginning of February. BELOW, RIGHT: Blind Pass is opened at the end about a month ago.





FURNITURE WORLD

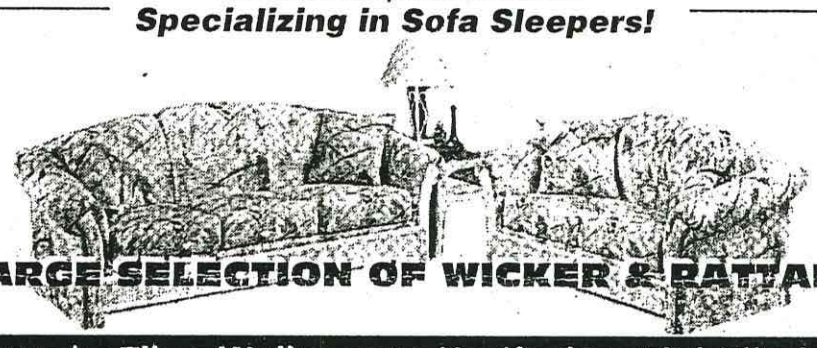
WE SELL FOR LESS

TIME TO REFURBISH YOUR HOME OR CONDO?

Furniture World Can Handle All Your Needs!

Living Room, Bedroom, Dining Room, Patio, Mattress Sets, Commercial, Hotel/Motel

Specializing in Sofa Sleepers!



LARGE SELECTION OF WICKER & RATTAN

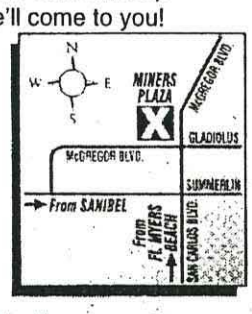
Carpet • Tile • Wallpaper • Verticals • Mini-Blinds
Draperies • Wood Shutters • Lamps • Bedspreads
Accessories • Painting - Interior/Exterior

We have the BEST Prices in Lee Co. and can package your purchase to SAVE you even MORE MONEY! Serving Ft. Myers for over 9 years! Join our LONG list of SATISFIED CUSTOMERS!

Please visit out 11,000 sq. ft. Showroom. Our experienced staff will help coordinate while you're here or away. Or, call us and we'll come to you!

FURNITURE WORLD

CONVENIENT LOCATION FROM SANIBEL & FT. MYERS BEACH



489-3311

MINERS PLAZA • 15501 McGREGOR BLVD.

www.furniture-world.net

PUBLIC WORKSHOP

A community comprehensive plan for Captiva

Captiva Civic Association building
11550 Chapin Lane, Captiva

Wednesday, April 11
9:30 – 11:30 a.m.

TOPICS:
Additional citizen input,
the Captiva planning survey,
and a timetable for producing
planning principles for land use
and zoning on the island

Meetings will be led by David W. Depew, AICP.
Input concerning our island's future is encouraged
from all interested Captiva stakeholders.

CPOA

CAPTIVA ISLAND PROPERTY OWNERS ASSOCIATION INC.

Cottages

From page 1

the space to "set down a claw foot tub," says Schuff, who has recently returned from a trip "abroad" to the Naples Home Depot where he has been perusing the hardware and bathroom fixture aisles for chrome showerheads and porcelain knobs.

The roofs as well are up for a new look, with Schuff proposing to replace the tired asphalt shingles with a shiny new metal covering. The staff report from the Historic Preservation Board notes that in photographs that were taken of the buildings during their residence in Buckingham during WWII, there were both tar paper and 2 V-crimp metal roofs that originally covered the cottages.

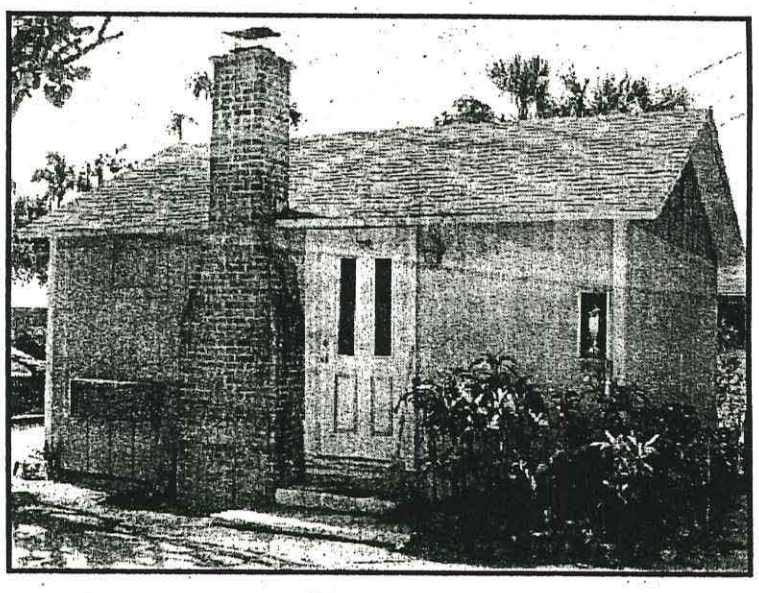
Gloria Sajgo, principal planner for Lee County's Planning Division remarks, "We'll definitely recommend approval for the proposal. They are minimal expansions that leave the historical integrity of the buildings intact."

Sajgo goes on to explain, "Although historically-designated landmarks like these are significant records of the past, they must fit within the 21st century as well. We don't want to make them into museum pieces."

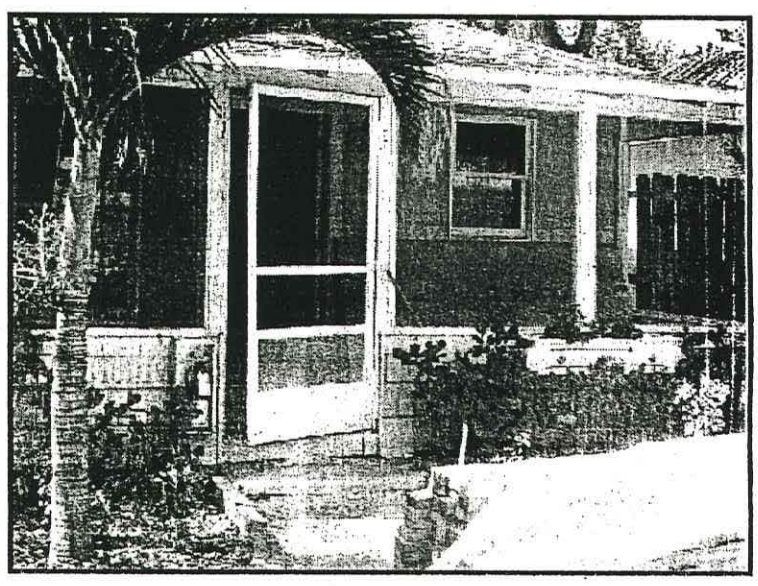
In making a decision regarding any proposal to alter an historic landmark, Sajgo says, the Historic Preservation Board uses as guideline the Secretary of the Interior's Standards for Rehabilitation, which notes that "each property shall be recognized as a physical record of its time, place and use. Above all, the historic character and integrity of a building shall be retained and preserved."

'Tween Waters is already working on the renovation of several of it's other historically significant cottages, having just finished the gutting of Ding Darling's studio along with the cottage just beside it where he and his family stayed during their visits here.

Another pink cottage finds itself stripped bare to the rafters. Inside, next to the hunched brick fireplace that narrows gradually above the curve of its shoulders into a mortared neck, stretching upwards into the shadows of the wooden beams, a solitary wicker chair beckons a weary traveler. Perhaps the ghost of Anne Morrow Lindberg, who is rumored to have slept beneath the dusty, open rafters, will come to rest here late one evening, when the moonlight reaches out to gently stroke the laths of the wooden floor. Perhaps she'll jot down a few suggestions for Schuff in her weathered notebook, on the choice of bathroom fixtures and the merits of iron versus cane and wicker beds and leave them on a yellowed sheet of paper next to a pile of sawdust swept neatly by the workers into the middle of the floor.



This cottage was transported to 'Tween Waters Inn from the Buckingham Air base.



This cottage was once used as an art's studio by cartoonist J.N. "Ding" Darling

CAPTIVA PHOTOS



The American Cancer Society held an Elvis Junior Prom last week at the Sanibel Harbour Resort.
Left and Below: the Mayeron family and friends joined in the festivities.





Engagement

Stephanie Moore and Jason Kinser of Captiva have announced their engagement, with a wedding date set for Dec. 13, 2001 at South Seas Resort. Stephanie works at the South Seas Shoppe, and Jason is the restaurant manager at The Porterhouse in South Seas Resort. The bride's parents are Mr. and Mrs. Stan Moore of Louisville, and the groom's parents are Mr. and Mrs. James Kinser of Captiva.

PUBLIC WORKSHOP

A community comprehensive plan for Captiva

Captiva Civic Association building
11550 Chapin Lane, Captiva

Tuesday, July 31
9:30 – 11:30 a.m.

TOPICS:
Final results from the community planning survey and a timetable for future activities

Meetings will be led by David W. Depew, AICP.
Input concerning our island's future is encouraged from all interested Captiva stakeholders.

CPOA
CAPTIVA ISLAND PROPERTY OWNERS ASSOCIATION INC.

CROW turtle tanks permitted by state

By Dawn deBoer
Staff writer

Injured sea turtles now have a home for long-term care on-island with the state's recent approval of the Clinic for Rehabilitation of Wildlife on Sanibel.

A required inspection of the three tanks installed and operating at the center for well over a month now was rescheduled several times by state before two inspectors showed up the last week of July.

"We talked about the turtle network, how rescue was going to work and how we were going to receive turtles from other counties that we don't currently work with," said Anita Pinder, operations manager at the clinic.

"They said they liked it and that it looked wonderful and made a couple of minor suggestions, but nothing hinged on whether we got the permit or not," she said. "We were all standing there with our mouths open, but they said we would be hearing from them soon."

The final word came in last week's mail.

"We don't have turtles, but the permit did come," said Pinder of that short but sweet inspection.

The state permit, which requires an annual report to the state for renewal, allows the clinic to keep injured or diseased sea turtles for long-term care instead of transferring them to accredited care centers. Currently two sea turtle centers serve Southwest Florida out of Miami and Sarasota. CROW's permit is good until January 2002.

"We'll take turtles any time that someone gives us one, but we don't go out and actively solicit them," Pinder said, "and the state didn't say they had turtles they needed to transfer here at this moment, although we were expecting them to do that."

This year's cases of ailing turtles is way down, at least in Southwest Florida.

"This year is nothing compared to last year's cold stun," said Pinder, who reports only two Kemp Ridley's brought to the center two weekends in a row last month with minor hook injuries.

"The hooks were removed and the turtles returned to the beach they were found for release with no hold or transfer," she said.

CROW's annual veterinary intern, Dr. Cheryl Hoggard, and sea turtle technician, Kristie Horn, stand ready to head up the rehab program at the hospital. The $30,000 project put in place an outdoor pavilion with three 900-gallon tanks equipped with independent filter, heater and chiller systems.

CROW made it a condition of its permit application not to accept any turtle greater than 200 pounds based on its smaller tank sizes. Loggerheads can amass up to 1,000 pounds.

Volunteers for the sea turtle program, which is now under way, are in need at the clinic.

"We are very dependent on volunteers to make this facility work, and it won't be any different for the sea turtles," said P.J. Deitschel, staff veterinarian.

Sea turtle rehab is expected to run $10,000 a year in maintenance, diagnostic treatment and medical costs.

Turtle rescue

Injury to an endangered species must be reported within 24 hours to the Florida Fish and Wildlife Conservation Commission, the state agency which applies federal rules administered by the U.S. Fish and Wildlife Service for endangered species.

By recent year estimates, CROW reports up to 12 cases for a 71 percent increase in sea turtle admissions from the Sanibel-Captiva-Fort Myers Beach area within the last five years. Previously, these were transferred to Miami Sea Aquarium or Clearwater Aquarium and Mote Marine Research in Sarasota.

The Kemp's Ridley and the green sea turtle are likely species for the island rehab center.

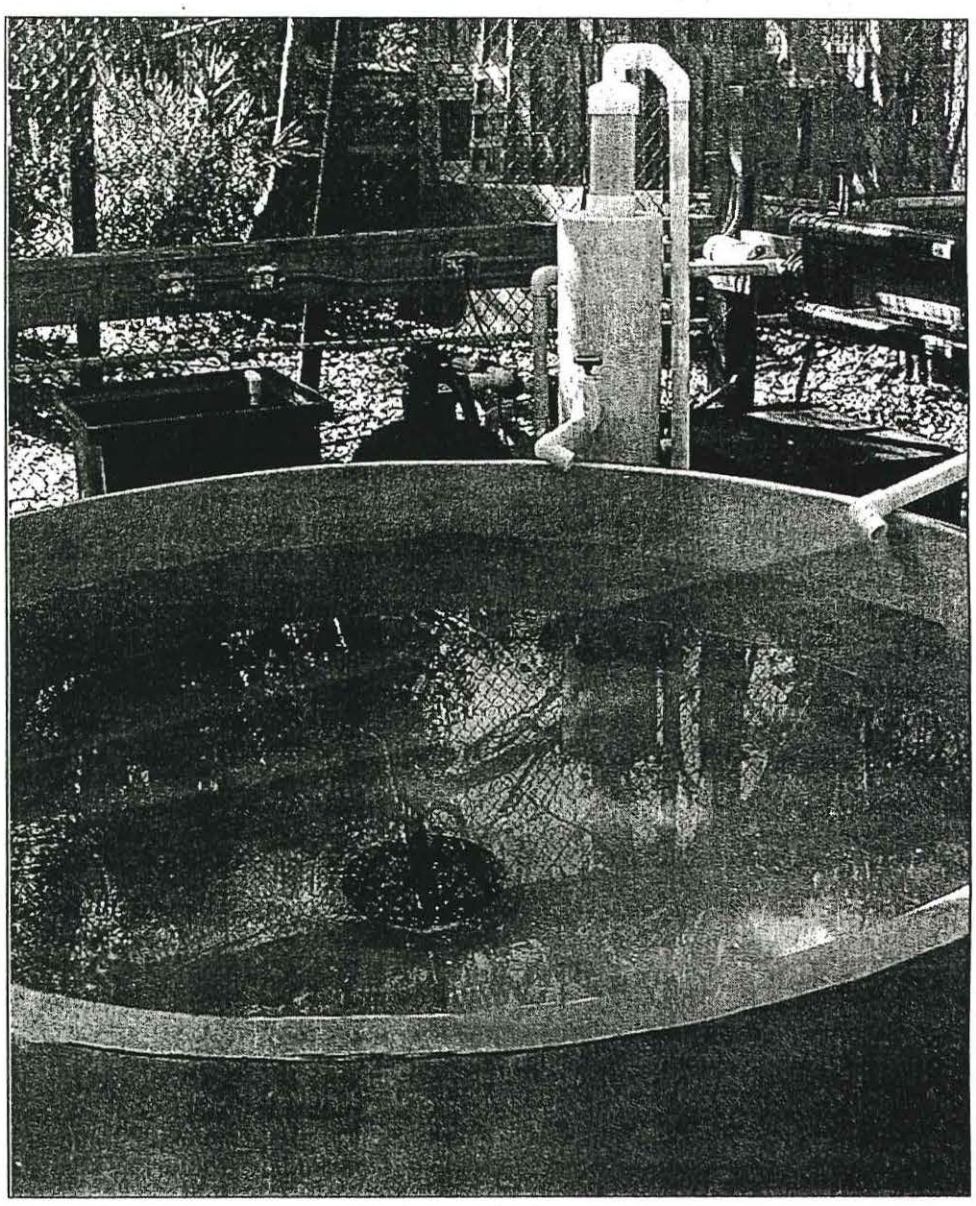
In finding an injured turtle on the beach, the rehab center advises the best route to take for the turtle's safety is to call the center immediately.

"Just because it's an endangered species does not mean the general public cannot bring this animal to us, only call CROW or SCCF for a medical advisory first," Deitschel said. "Then, if the turtle's small enough, pick it up and bring it on in."

The rehab hospital answers its main line during business hours, 8 a.m. to 5 p.m., seven days a week.

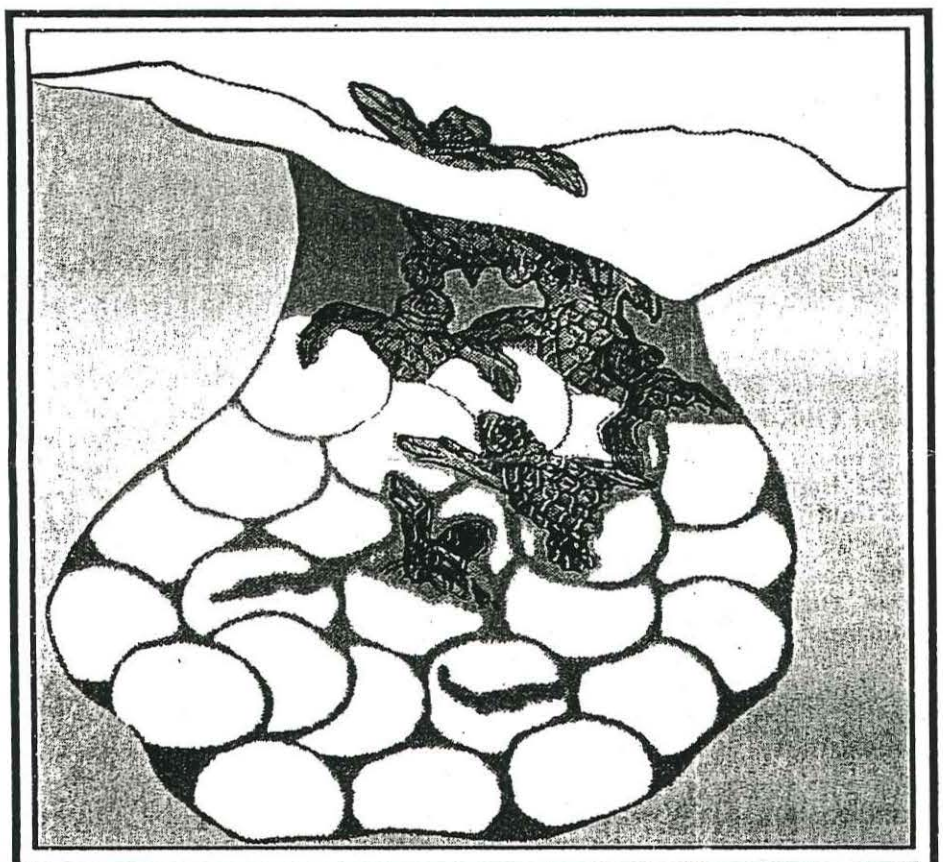
"We need communication and all the help we can get," said Deitschel. "We need to know that turtle is out there and a rescue is organized with the exact location of the stranded turtle."

• Numbers to report stranded or injured sea turtles are CROW at 472-3644 or SCCF at 472-2329.



Michael Pistella / File

The newly approved turtle tanks at CROW are ready for injured sea turtles in need of a place to recover.



KEEP SEA TURTLES IN THE DARK!
MAY - OCTOBER
Sanibel-Captiva Conservation Foundation
Phone 941-472-2329

PUBLIC WORKSHOP

A community comprehensive plan for Captiva

South Seas Resort
Main Conference Center – Salon A
between Chadwicks and Chadwicks Square

Wednesday, Aug. 29
9:30–11:30 a.m.

TOPICS:
Further discussion of
proposed Lee Plan policies for Captiva

If possible, revised policies will be available online at www.captivapropertyowners.com prior to this meeting.

The meeting will be led by David W. Depew, AICP.
Input concerning our island's future is encouraged from all interested Captiva stakeholders.

CPOA
CAPTIVA ISLAND PROPERTY OWNERS ASSOCIATION INC.
Online at www.captivapropertyowners.com

CPOA

P.O. Box 72
Captiva, FL 33924

PRSRT – STD
U.S. POSTAGE
PAID
CAPTIVA, FL
PERMIT #1

**GENERAL
POSTAL
CUSTOMER**

Stay informed on the CPOA and Captiva's community planning effort online at
www.captivapropertyowners.com
or join the CPOA e-mail list
by sending your e-mail address to
**webmaster@
captivapropertyowners.com**

CPOA

P.O. Box 72
Captiva, FL 33924

PRSRT – STD
U.S. POSTAGE
PAID
CAPTIVA, FL
PERMIT #1

**GENERAL
POSTAL
CUSTOMER**

Stay informed on the CPOA and Captiva's community planning effort online at
www.captivapropertyowners.com
or join the CPOA e-mail list
by sending your e-mail address to
**webmaster@
captivapropertyowners.com**

PUBLIC WORKSHOP

A community comprehensive plan for Captiva

Captiva Civic Association building
11550 Chapin Lane, Captiva

TOPICS:

Wednesday, Feb. 7, 9:30-11:30 a.m.

Land use, redevelopment, neighborhoods & timing

Wednesday, Feb. 14, 9:30-11:30 a.m.

Commercial, resort, rentals & infrastructure

Friday, Feb. 16, 9:30-11:30 a.m.

Implementation, procedures & design

Meetings will be led by David W. Depew, AICP.
Additional workshops to be announced.
Input concerning our island's future is encouraged
from all interested Captiva stakeholders.

CPOA

CAPTIVA ISLAND PROPERTY OWNERS ASSOCIATION INC.

PUBLIC WORKSHOP

A community comprehensive plan for Captiva

Captiva Civic Association building
11550 Chapin Lane, Captiva

TOPICS:

Wednesday, Feb. 7, 9:30-11:30 a.m.

Land use, redevelopment, neighborhoods & timing

Wednesday, Feb. 14, 9:30-11:30 a.m.

Commercial, resort, rentals & infrastructure

Friday, Feb. 16, 9:30-11:30 a.m.

Implementation, procedures & design

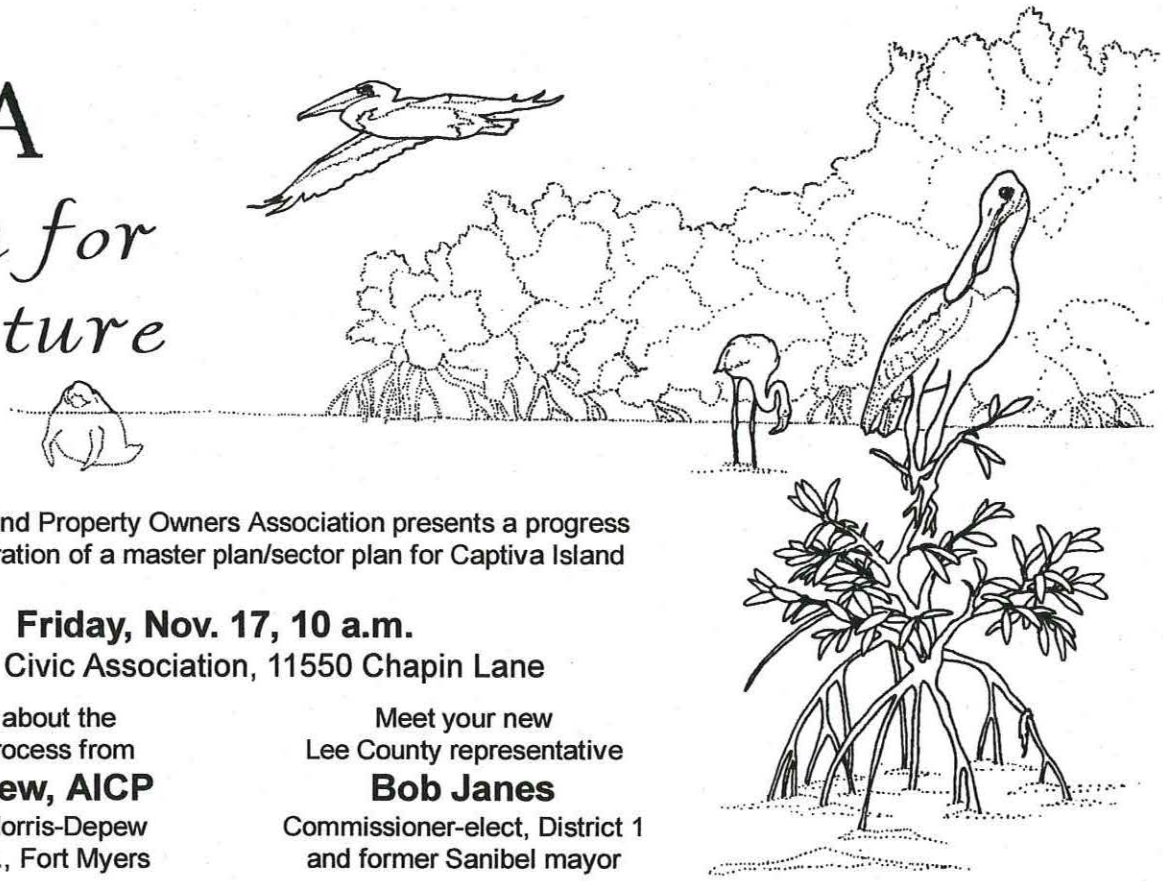
Meetings will be led by David W. Depew, AICP.
Additional workshops to be announced.
Input concerning our island's future is encouraged
from all interested Captiva stakeholders.

CPOA

CAPTIVA ISLAND PROPERTY OWNERS ASSOCIATION INC.

CPOA

A plan for our future



The Captiva Island Property Owners Association presents a progress report on preparation of a master plan/sector plan for Captiva Island

Friday, Nov. 17, 10 a.m.

Captiva Civic Association, 11550 Chapin Lane

Learn more about the sector plan process from

David Depew, AICP

President of Morris-Depew Associates Inc., Fort Myers

Meet your new Lee County representative

Bob Janes

Commissioner-elect, District 1 and former Sanibel mayor

CPOA

CAPTIVA ISLAND PROPERTY OWNERS ASSOCIATION, INC.

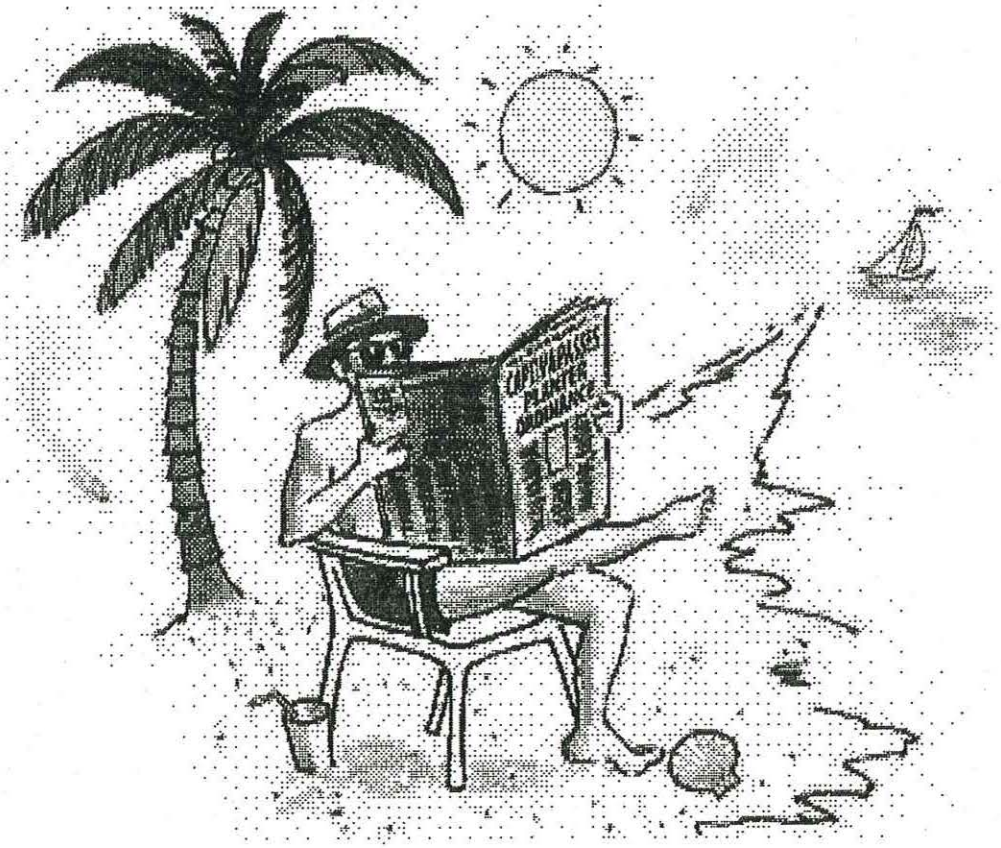
P.O. BOX 72, CAPTIVA, FL 33924

PRSRT-STD
U.S. POSTAGE
PAID
CAPTIVA, FL
PERMIT # 1

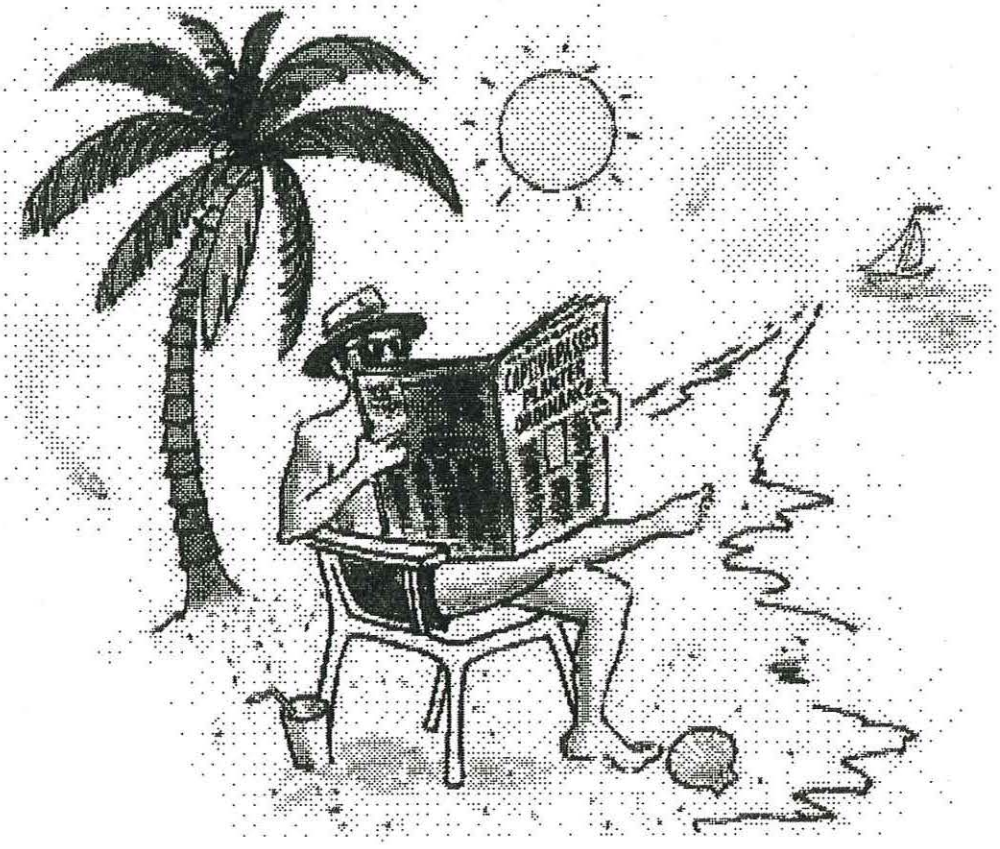


Friday, Nov. 17, 10 a.m. at CCA Building

GENERAL POSTAL
CUSTOMER
CAPTIVA, FL 33924



". . . and, after six months of rancorous debate, the Captiva City Council established that all outdoor planters must be 18 inches in diameter, 12 inches tall, and made solely of terra cotta . . ."



". . . and, after six months of rancorous debate, the Captiva City Council established that all outdoor planters must be 18 inches in diameter, 12 inches tall, and made solely of terra cotta . . ."

Interested in finding out more about an **alternative to incorporation?** Come to the next meeting of the **Captiva Property Owners Association** on **Thursday, Sept. 14, at 1 p.m.,** in the Wakefield Room at **'Tween Waters Inn**

BULK RATE
U.S. POSTAGE
PAID
FORT MYERS, FL
PERMIT NO. 810

GENERAL POSTAL CUSTOMER
CAPTIVA, FL 33924

Interested in finding out more about an **alternative to incorporation?** Come to the next meeting of the **Captiva Property Owners Association** on **Thursday, Sept. 14, at 1 p.m.,** in the Wakefield Room at **'Tween Waters Inn**

BULK RATE
U.S. POSTAGE
PAID
FORT MYERS, FL
PERMIT NO. 810

GENERAL POSTAL CUSTOMER
CAPTIVA, FL 33924

TOPOGRAPHIC AERIALS