



March 13, 2024

Joseph Sarracino
Planner
Lee County Community Development, Planning Section
1500 Monroe Street
Fort Myer, FL 33908

**Re: Royal Palm Multifamily CPA – Map Amendment
2nd INSUFFICIENCY RESPONSE LETTER
CPA2023-00011**

Dear Katie:

Enclosed please find responses to your insufficiency letter dated *March 5, 2024*. The following information has been provided to assist with the approval process:

1. Revised Exhibit M3 – Property Ownership List and Map Exhibit
2. Exhibit M4 – Archaeological Sensitivity Map
3. Revised Exhibit M5 – Surrounding Land Uses Map
4. Revised Exhibit M7 – Boundary Survey and Sketch
5. Revised Exhibit M11 – Lee Plan Narrative
6. Exhibit M14 – Surface Water Management Plan-Royal Palm
7. Exhibit M14 – Water Quality Monitoring Plan-Royal
8. Revised Exhibit M17 – Letters of Determination of Availability (Fire)

The following is a list of staff comments with our responses in **bold**:

APPLICATION MATERIALS COMMENTS

1. Please provide physical copies of the mailing labels for property owners within 500 feet of the subject parcel.

RESPONSE: Labels have been printed and dropped off at counter on Floor 2 with a cover letter.

2. Exhibit M20 is not applicable to the proposed amendment. Remove Exhibit M20 from the application materials.

RESPONSE: We request that Exhibit M20 be removed from the Accela file.

3. Provide a map showing the subject property's location on the archaeological sensitivity map for Lee County.

RESPONSE: It abuts Archaeological Sensitivity 2 area along Old Gladiolus but is not within an area. A map under Exhibit M4 - Archaeological Sensitivity Map has been created.



RECEIVED
MAR 14 2024

COMMUNITY DEVELOPMENT

4. Include the current use of the subject property on the Surrounding Land Uses Map.

RESPONSE: Exhibit M5 - Surrounding Land Uses Map has been edited to add the current use which is a vacated mobile home park.

5. Exhibit M16 of the original submittal states that an application was filed to add the property to the Lee County Utilities (LCU) service area. The property is already in the LCU service area. Remove this statement and resubmit Exhibit M16.

RESPONSE: Changed as requested.

6. Confirm that no "Living Units" as referenced in the Plan of Termination exist on the property.

RESPONSE: All but two or three units have been removed from the property. The units that remain are uninhabitable. They do not have running water or power to the site. The units were never reinhabited post-lan.

7. The Property Owners exhibit lists 126 STRAP numbers associated with the request. Lee County GIS lists 136 STRAP numbers within the boundaries of the subject property. Explain the discrepancy between submitted materials and County data.

RESPONSE: We reran the LeePA database and corrected the Exhibit M3 – Property Ownership List and Map Exhibit to show 136 STRAP numbers which matches the GIS database.

8. Approval, Consent and Joinder of Unit Owner documents were not provided for several addresses. Provide the Approval, Consent and Joinder of Unit Owner documents for the following addresses or clarify why they were not provided:

RESPONSE: The provided Approval, Consent and Joinder of Unit Owner only requires 80% of the property owners to sign in order to proceed with vacating all properties. The missing addresses were part of the 20% that did not physically sign a notarized document but were not necessary for the passing of the act.

PLANNING COMMENTS

9. Analysis of Policy 61.3.6 and Exhibit M14 reference a surface water management plan that was not included in the submittal materials. Include the surface water management plan.

RESPONSE: The exhibit was included in the companion zoning application and is now included as Exhibit M14 - Surface Water Management Plan-Royal Palm v01.pdf in this insufficiency response.

10. Analysis of Policy 125.1.3 references a water quality management plan that was not included in the submittal materials. Include the draft water quality management plan.

RESPONSE: The exhibit was included in the companion zoning application and is now included as Exhibit M14 - Water Quality Monitoring Plan-Royal Palm v01.pdf in this insufficiency response.

11. The resubmittal package did not include a letter of service availability for Fire. Submit the letter of availability from the appropriate Fire District.

RESPONSE: The letter is included in the resubmittal.

12. Analysis of Policy 54.1.6 continues to state that reuse is available to the subject property. Revise to clarify that reuse is not available to the subject property.

RESPONSE: Corrected.

13. Analyze Lee Plan Policies 1.6.5, 5.1.2, and 5.1.5.

RESPONSE: Added to the Lee Plan Analysis.

LEGAL DESCRIPTION/SURVEY COMMENTS

14. The sketch of the subject property does not include a state plane coordinate at the point of beginning (POB) and a second point at an opposing corner. These are found on the boundary survey which is not a required submittal document.

RESPONSE: A revised survey is included in the resubmittal.

15. The revised legal description of the property does not incorporate the directional call for the centerline of Phillips Creek as it shows in the sketch.

RESPONSE: The legal description has been corrected.

16. The legal description does not close at an acceptable level using either the written description (incorporating the call for Phillips Creek) or the measured distances on the sketch. Directional calls within the legal description are inconsistent with the sketch. The measured calls on the boundary survey do result in an acceptable level of accuracy but are not the same as the legal descriptions on any of the documents.

RESPONSE: The legal description has been corrected.

If you have any further questions, please do not hesitate to contact me directly at (239) 318-6707 or fdrovdlic@rviplanning.com.

Sincerely,

RVi Planning + Landscape Architecture



Fred Drovdllic, AICP
Planning Director

WAL-MART STORES EAST LP
PROPERTY TAX DEPT
PO BOX 8050 MS 0555
BENTONVILLE AR 72716

BJA PROPERTIES I LLC
8850 TERRENE CT
BONITA SPRINGS FL 34135

TT OF CYPRESS INC
505 S FLAGLER DR STE 700
WEST PALM BEACH FL 33401

STATE OF FL DOT
PO BOX 1249
BARTOW FL 33831

LOWES HOME CENTERS INC
1000 LOWE'S BLVD, TAX52
MOORESVILLE NC 28117

LOST TREE APARTMENTS LLC
300 OREGON ST #306
HOLLYWOOD FL 33019

LOST TREE APARTMENTS LLC
300 OREGON ST #306
HOLLYWOOD FL 33019

BARKIS CARWASH INC
15834 BROTHERS CT
FORT MYERS FL 33912

SCHNEIDER TIMOTHY & KACEY
1477 CUMBERLAND CT
FORT MYERS FL 33919

BLANTON CHRISTA
15321 WIL-LEW LANE
FORT MYERS FL 33908

KENDALL TIMOTHY W & JODI E
15291 WILL-LEW LN
FORT MYERS FL 33908

SEWELL TERRY W & JONI B
15469 CHLOE CIR
FORT MYERS FL 33908

PARKSIDE PLACE CONDO ASSN
SAK + ASSOC; ATTN: S KOLENUT
8695 COLLEGE PKWY STE 2031
FORT MYERS FL 33919

PARK HOWARD R & ALEX ANN
7070 PHILIPS CREEK CT
FORT MYERS FL 33908

DUDEK GREGORY P & TERESA M
7090 PHILIPS CREEK CT
FORT MYERS FL 33908

ESTRELLA THOMAS
7110 PHILIPS CREEK CT
FORT MYERS FL 33908

SHANKLE ZACHARY R
7130 PHILIPS CREEK CT
FORT MYERS FL 33908

MARTINEAU JOEL F &
7150 PHILIPS CREEK CT
FORT MYERS FL 33908

BOSWAY THOMAS & LINDA
7171 PHILIPS CREEK CT
FORT MYERS FL 33908

SMOLYAR ALBERT & YANA
14021 CLEAR WATER LANE
FORT MYERS FL 33907

FYODOROV GALINA +
7131 PHILIPS CREEK CT
FORT MYERS FL 33908

HELFERT ERIN
7111 PHILIPS CREEK CT
FORT MYERS FL 33908

DOROTHY A TARI TRUST
7091 PHILIPS CREEK CT
FORT MYERS FL 33908

PHILIPS CREEK PROP OWNERS ASSN
7150 PHILIPS CREEK CT
FORT MYERS FL 33908

JAMAICA BAY VENTURE III LLC
COVE COMMUNITIES
2999 N 44TH ST #200
PHOENIX AZ 85018

SUSENCE FL HOLDINGS LLC
13279 AVILA BEACH COVE
DELRAY BEACH FL 33446

SUSENCE FL HOLDINGS LLC
13279 AVILA BEACH COVE
DELRAY BEACH FL 33446

SPEEDWAY LLC
PROPERTY TAX DEPARTMENT
539 SOUTH MAIN ST
FINDLAY OH 45840

BURHANS LINDSEY & SUSAN +
9300 VITTORIA CT
FORT MYERS FL 33912

FIFTH THIRD BANK
MD 10ATA1 CORP FAC
38 FOUNTAIN SQUARE PLZ
CINCINNATI OH 45263

DORIS HILL TRUST +
893 CYPRESS LAKE CIR
FORT MYERS FL 33919

BREECE JACK J TR
PO BOX 305
AMANDA OH 43102

SUSENCE FL HOLDINGS LLC
1614 COLONIAL BLVD STE 101
FORT MYERS FL 33907

A + K REALTY LLC
101 LITTLE NAHANT RD
NAHANT MA 01908

SANJO REALTY CORP
10608 PLANTATION BAY DR
TAMPA FL 33647

15051 THINK BIGGIE LLC
420 JEFFERSON AVENUE
MIAMI FL 33138

BULLARD JOHN
15051 PARKSIDE DR #101
FORT MYERS FL 33908

SUTTLE LONNIE R L/E
15051 PARKSIDE DR #102
FORT MYERS FL 33908

SUTTLE LONNIE R L/E
15051 PARKSIDE DR #103
FORT MYERS FL 33908

AZAR CEZAR +
11419 MESSMORE RD
UTICA MI 48317

BULLARD DONALD T & BRENDA TR
10160 PALMER RD
BROOKLYN MI 49230

SHUCK WILLIAM
15166 PARKSIDE DR #6
FORT MYERS FL 33908

POAGE SHERRY ANN
15051 PARKSIDE DR #203
FORT MYERS FL 33908

MUNRO GERALD K SR TR
39647 TUNSTALL DR
CLINTON TOWNSHIP MI 48038

SAVCHETZ DAVID & SHERI
11040 CHAMPIONSHIP DR
FORT MYERS FL 33913

KORMOS GEORGE
21665 INDIAN BAYOU DR
FORT MYERS BEACH FL 33931

EASTCOTT GORDON J & LINDA M TR
35209 DEWBERRY ST
FARMINGTON HILLS MI 48331

CARFORE CINDY
15176 BAHIA CT
FORT MYERS FL 33908

CUNIBERTI EDOARDO S &
2550 JARDIN LN
WESTON FL 33327

HAWKS RICHARD K L/E
15075 PARKSIDE DR SW #6
FORT MYERS FL 33908

FRIDH KYLE N &
24920 DIVOT DR
BONITA SPRINGS FL 34135

MATHISEN THELMA L L/E
311 HIGHLAND DR
ENGLEWOOD OH 45322

WALSH PATRICK F & MARY P
14 MARINE RD # 1
BOSTON MA 02127

WIEMAN DENNIS C & JULIE A +
16226 ASHEBORO CT
FORT MYERS FL 33908

HINDLEY MARK +
15101 PARKSIDE DR UNIT 103
FORT MYERS FL 33908

KEPLEY CHARLES G & CONNIE R
15101 PARKSIDE DR #104
FORT MYERS FL 33908

KENYON WARREN H JR &
15101 PARKSIDE DR UNIT 5
FORT MYERS FL 33908

GARDELIS DEMETRIOUS +
15101 PARKSIDE DR #202
FORT MYERS FL 33908

KROB KEVIN A + SHERRI L
4967 210TH ST NE
SOLON IA 52333

SLOAN DOUGLAS E & AMY
305 BUNDY AVE
NEW CASTLE IN 47362

DESOTELL MATTHEW JON
9012 WATER TUPELO RD
FORT MYERS FL 33912

REID THOMAS H JR & NANCY J
17 DUNHAM LN
EASTAMPTON NJ 08060

HARRINGTON SHARON L TR
15125 PARKSIDE DR #103
FORT MYERS FL 33908

KOHLBUS STEVEN & CARIN +
15125 PARKSIDE DR #104
FORT MYERS FL 33908

KILCOYNE DENNIS P &
3511 SOLEDAD CANYON RD
ACTON CA 93510

MICOVIC MIRJANA
2209 CARA CARA WAY
NAPLES FL 34120

AKHMEDJANOV SHUKHRAT
5640 CHELSEY LN STE 204
FORT MYERS FL 33912

DESANTIS VITO +
40 FLEETWOOD AVE APT 6C
MOUNT VERNON NY 10552

GIZZI BRIAN P +
15155 PARKSIDE DR #401
FORT MYERS FL 33908

RENDE CONNIE
15155 PARKSIDE DR #102
FORT MYERS FL 33908

ENNIS HALEY +
15155 PARKSIDE DR #103
FORT MYERS FL 33908

RANDALL PETER EDWARD
117 OLD FORT RD
NEWPORT RI 02840

HACKER ROBERT A & BONNIE J
6361 PAWNEE RIDGE DR
LOVELAND OH 45140

WOOD ANDREW BLAKE
15155 PARKSIDE DR #202
FORT MYERS FL 33908

THOMPSON SUSAN
15155 PARKSIDE DR #203
FORT MYERS FL 33908

WRIGHT JOHN ROBERT GORDON &
2-17 HILL ST
PICTON ON K0K 2T0
CANADA

HURLES BETHEL J + DAVID A
3973 BUR OAK TRL
LIMA OH 45807

NOWOGRODZKI KONRAD
15177 PARKSIDE DR #102
FORT MYERS FL 33908

LYONS AMY
261 TIMOTHY DR
NICHOLASVILLE KY 40356

PIONTKOWSKI GARY TR
8622 BANYAN BAY BLVD
FORT MYERS FL 33908

KLINGENMEIER SCOT
15177 PARK SIDE DR APT 5
FORT MYERS FL 33908

KNIGHT GAVIN D
10976 CHERRY LAUREL DR
FORT MYERS FL 33912

RANDY R + SARA E WHITMER
1101 N BANCORFT ST
INDIANAPOLIS IN 46201

SHUCK WILLIAM L
15166 PARKSIDE DR UN 6
FORT MYERS FL 33908

SWEATT SVETLANA
15205 PARKSIDE DR #101
FORT MYERS FL 33908

ODONNELL MARY B TR
5119 N OAK PARK AVE
CHICAGO IL 60656

GOMEZ WENDY
15205 PARKSIDE DR #103
FORT MYERS FL 33908

COSTIGLIOLA NANCY A
15205 PARKSIDE DR #104
FORT MYERS FL 33908

TABARRINI CAROL L
15205 PARK SIDE DR APT 5
FORT MYERS FL 33908

SUTTON TONI FERRELL
15205 PARKSIDE DR #202
FORT MYERS FL 33908

GIARDINA MICHAEL A +
15205 PARK SIDE DR APT 7
FORT MYERS FL 33908

LEMIEUX ARMAND H L/E
15205 PARK SIDE DR APT 8
FORT MYERS FL 33908



FLOURNOY MULTIFAMILY RPD

Property Owners Exhibit

DATABASE FROM ALL PARCELS SELECTED ON LEEPA

1. 35-45-24-05-00000.0010,
2. 35-45-24-05-00000.0020,
3. 35-45-24-05-00000.0030,
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131. 35-45-24-05-00000.1320,
132. 35-45-24-05-00000.1330,
133. 35-45-24-L2-05000.01CE,
134. 35-45-24-L2-05000.02CE,
135. 35-45-24-L2-05000.03CE,
136. 35-45-24-L2-0500R.00CE



Legend

- Subject Boundary
- Parcels



FLOURNOY MULTIFAMILY RPD • PARCELS MAP

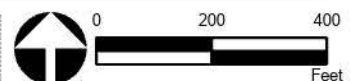
📍 Lee County, FL

📅 11/1/2023

23001957

👤 Flournoy Development Group

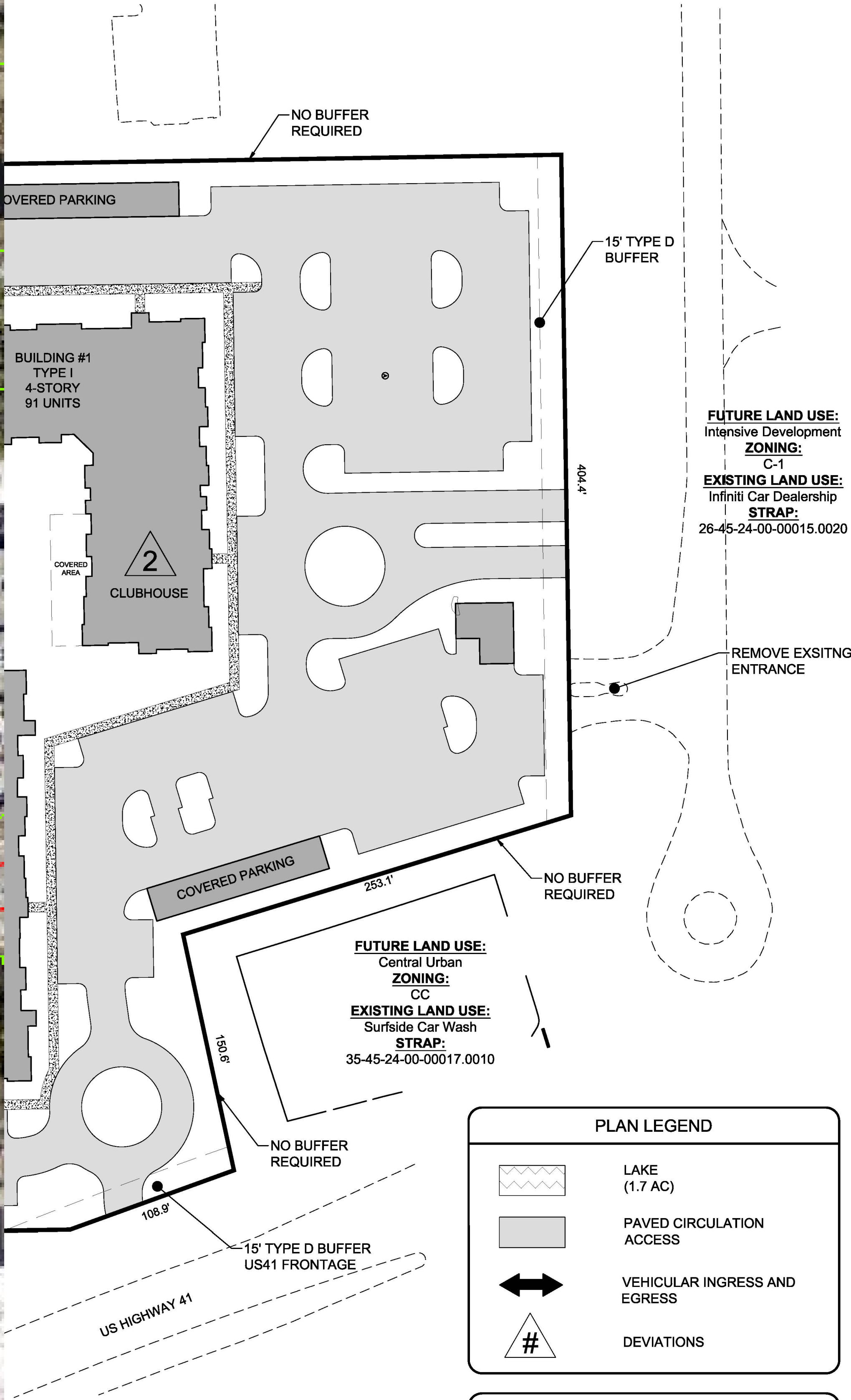
28100 Bonita Grande Drive
Suite 305
Bonita Springs, FL 34135
Tel: 239.405.7777
www.rviplanning.com



Information furnished regarding this property is from sources deemed reliable. RVi has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.

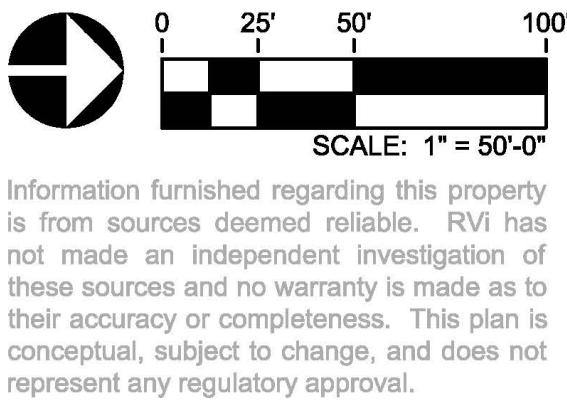
FUTURE LAND
Central Urban
ZONING:
RS-1
EXISTING LAND
Single-Family Home
STRAPS:
35-45-24-07-0000
35-45-24-07-0000
35-45-24-07-0000
35-45-24-07-0000

Archaeological Sensitivity Area 2



LAND USE TABLE		
OPEN SPACE	7.73 AC	40%
PAVEMENT/PARKING	X AC	X%
BUILDING	X AC	X%
TOTAL SITE AREA	19.33 AC	100.0%

OPEN SPACE TABLE	
PROJECT BOUNDARY	19.33 AC
OPEN SPACE REQUIRED (40%)	7.73 AC
OPEN SPACE PROVIDED	7.73 AC
LAKE / WET RETENTION (25%)	0.43 AC
BUFFER & GRASSED AREA	7.30 AC





28100 Bonita Grande Drive
Suite 305
Bonita Springs, FL 34135
Tel: 239.405.7777
www.rviplanning.com

FLOURNOY MULTIFAMILY RPD • SURROUNDING LAND USES MAP

📍 Lee County, FL

📅 11/1/2023

23001957

👤 Flournoy Development Group



Information furnished regarding this property is from sources deemed reliable. RVI has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.

EASEMENTS

PER OPINION OF TITLE PREPARED BY STRAYHORN, PERSONS-MULICKA & FISHER,
EFFECTIVE DATE OF OPINION OF TITLE: OCTOBER 17, 2023 @ 5:00 PM

1. EASEMENTS FOR PUBLIC ROAD RIGHT OF WAY AS CONTAINED IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 944, PAGE 359, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

AFFECTS THE SUBJECT PROPERTY AND IS SHOWN HEREON.

2. EASEMENT AS DESCRIBED IN THE IN THE WARRANTY DEED AS RIGHTS OF WAY DITCHES FOR THE BENEFIT OF IONA DRAINAGE DISTRICT WHICH RIGHTS OF WAY WERE DESIGNATED ON THE MINUTES OF SAID DRAINAGE DISTRICT. RECORDED IN DEED BOOK 182, PAGE 401 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

AFFECTS THE SUBJECT PROPERTY, BUT IS BLANKET IN NATURE AND CAN'T BE GRAPHICALLY DEPICTED HEREON.

3. AN 8" UTILITY EASEMENT FOR THE BENEFIT OF THE PARCEL DESCRIBED IN LEE COUNTY PUBLIC RECORDS BOOK 1906, PAGE 3548, FOR THE PURPOSE OF INSTALLING A SEWER SERVICE LINE AND FOR PROVIDING ACCESS TO THE ROYAL PALM CONDOMINIUM ASSOCIATION, INC.'S MAIN SEWER LINE AS CONTAINED IN THE AGREEMENT FOR EASEMENT, CONSTRUCTION AND MAINTENANCE RECORDED IN OFFICIAL RECORDS BOOK 1996, PAGE 4730, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

AFFECTS THE SUBJECT PROPERTY AND IS SHOWN HEREON.

4. AN EASEMENT FOR THE PURPOSE OF MAINTAINING THE EXISTING SEWAGE DISPOSAL SERVICE LINES AS CONTAINED IN THE AGREEMENT FOR EASEMENT AND MAINTENANCE OF SEWAGE DISPOSAL SERVICE LINES RECORDED IN OFFICIAL RECORDS BOOK 2022, PAGE 1179, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

AFFECTS THE SUBJECT PROPERTY AND IS SHOWN HEREON.

5. AN EASEMENT FOR THE BENEFIT OF COMCAST OF CALIFORNIA, XIV, LLC FOR CONSTRUCTION, USE AND MAINTENANCE OF A BROADBAND COMMUNICATIONS SYSTEM AS CONTAINED IN THE GRANT OF EASEMENT RECORDED AT INSTRUMENT NUMBER 20209000095034, OFFICIAL RECORDS OF LEE COUNTY, FLORIDA.

AFFECTS THE SUBJECT PROPERTY, BUT IS BLANKET IN NATURE AND CAN'T BE GRAPHICALLY DEPICTED HEREON.

6. AN EASEMENT FOR THE BENEFIT OF COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC FOR THE CONSTRUCTION, USE AND MAINTENANCE OF A BROADBAND COMMUNICATIONS SYSTEM AS CONTAINED IN THE GRANT OF EASEMENT. RECORDED AT INSTRUMENT NUMBER 2020000022559, IN OFFICIAL RECORDS OF LEE COUNTY, FLORIDA.

AFFECTS THE SUBJECT PROPERTY, BUT IS BLANKET IN NATURE AND CAN'T BE GRAPHICALLY DEPICTED HEREON.

PER TITLE COMMITMENT PREPARED BY FIDELITY NATIONAL TITLE INSURANCE COMPANY,
COMMITMENT NUMBER 11292068, DATED 09/02/2023 @ 5:00 PM

4. EASEMENTS FOR PUBLIC ROAD RIGHT OF WAY AS CONTAINED IN WARRANTY DEED RECORDED IN DEED BOOK 60, PAGE 61, AND IN WARRANTY DEED RECORDED IN OFFICIAL RECORDS BOOK 944, PAGE 359, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

AFFECTS THE SUBJECT PROPERTY AND IS SHOWN HEREON.

5. EASEMENT FOR RIGHTS OF WAY DITCHES FOR THE BENEFIT OF IONA DRAINAGE DISTRICT AS CONTAINED IN WARRANTY DEED RECORDED IN DEED BOOK 182, PAGE 401, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

AFFECTS THE SUBJECT PROPERTY, BUT IS BLANKET IN NATURE AND CANT BE GRAPHICALLY DEPICTED HEREON.

6. AGREEMENT FOR EASEMENT, CONSTRUCTION AND MAINTENANCE RECORDED IN OFFICIAL RECORDS BOOK 1996, PAGE 4730, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

AFFECTS THE SUBJECT PROPERTY AND IS SHOWN HEREON.

7. AGREEMENT FOR EASEMENT AND MAINTENANCE OF SEWAGE DISPOSAL SERVICE LINES RECORDED IN OFFICIAL RECORDS BOOK 2022, PAGE 1179, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

AFFECTS THE SUBJECT PROPERTY AND IS SHOWN HEREON.

8. LEE COUNTY ORDINANCE NO. 86-14 RELATING TO GARBAGE AND SOLID WASTE COLLECTION RECORDED IN OFFICIAL RECORDS BOOK 2189, PAGE 3281, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

NOT A SURVEY MATTER.

9. EASEMENT TO COMCAST OF CALIFORNIA, XIV, LLC RECORDED IN OFFICIAL RECORDS INSTRUMENT NUMBER 20090000095034, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

AFFECTS THE SUBJECT PROPERTY, BUT IS BLANKET IN NATURE AND CANT BE GRAPHICALLY DEPICTED HEREON.

10. GRANT OF EASEMENT TO COMCAST CABLE COMMUNICATIONS MANAGEMENT, LLC RECORDED IN OFFICIAL RECORD INSTRUMENT NUMBER 202000002059, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

AFFECTS THE SUBJECT PROPERTY, BUT IS BLANKET IN NATURE AND CANT BE GRAPHICALLY DEPICTED HEREON.

11. ANY CLAIM THAT ANY PORTION OF THE INSURED LAND IS SOVEREIGN LANDS OF THE STATE OF FLORIDA, INCLUDING SUBMERGED, FILLED OR ARTIFICIALLY EXPOSED LANDS ACCRETED TO SUCH LAND.

MAY AFFECT THE SUBJECT PARCEL, CURRENT SHORELINE IS SHOWN, ANY PORTION OF THE LAND ARTIFICIALLY FILLED OR ACCRETED IS NOT DETERMINED BY THIS SURVEY.

12. NOTWITHSTANDING THE LEGAL DESCRIPTION IN SCHEDULE A, THIS POLICY DOES NOT INSURE TITLE TO ANY LANDS LYING BELOW THE MEAN OR ORDINARY HIGH WATER LINE OF ANY NAVIGABLE OR TIDALLY INFLUENCED WATERS.

NOT A SURVEY MATTER.

13. THE INALIENABLE RIGHTS OF THE PUBLIC TO USE THE NAVIGABLE WATERS COVERING THE LANDS DESCRIBED ON SCHEDULE A.

NOT A SURVEY MATTER.

14. THE NATURE, EXTENT OR EXISTENCE OF RIPARIAN RIGHTS OR LITTORAL RIGHTS IS NOT INSURED.

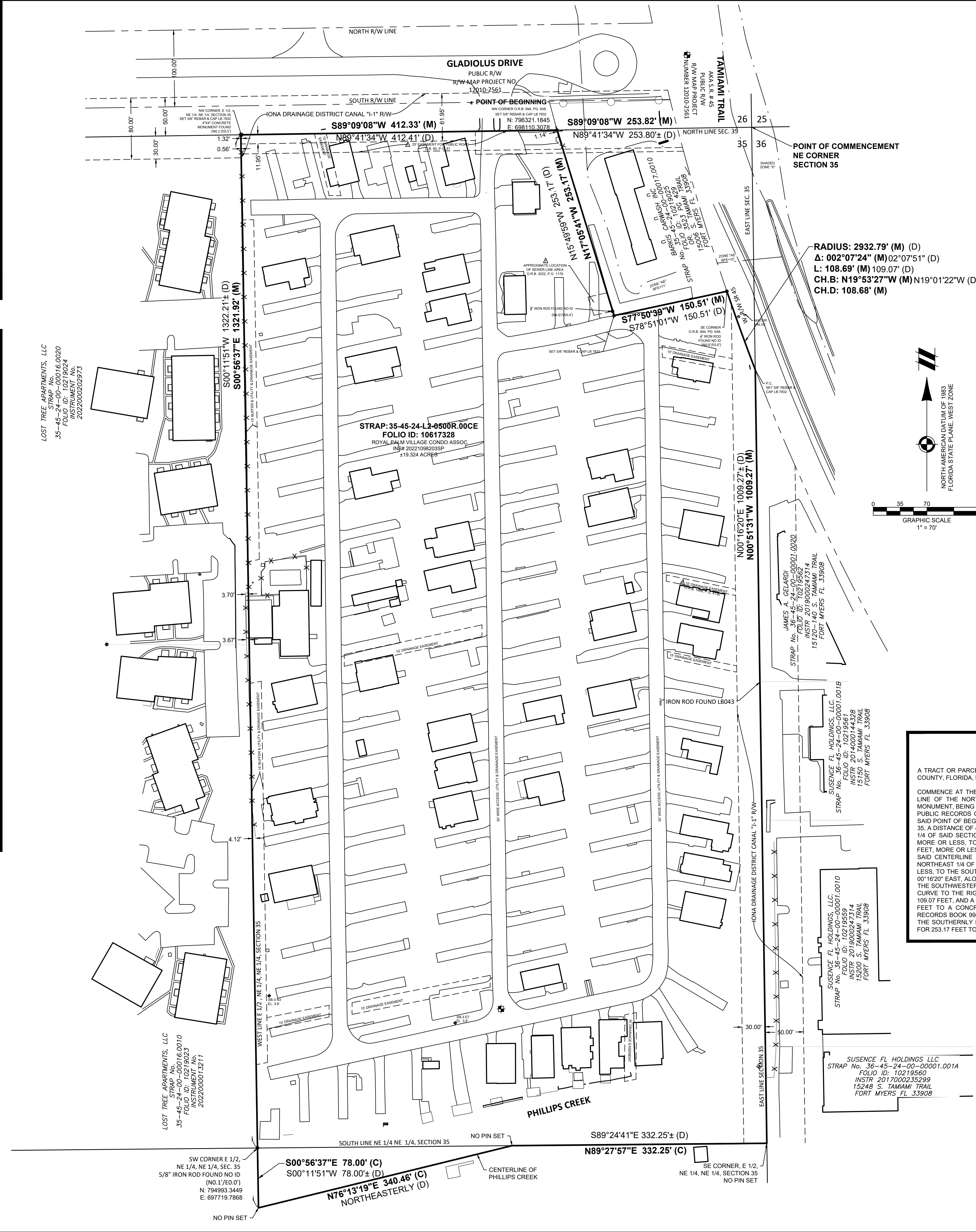
NOT A SURVEY MATTER.

15. THE INSURED "LAND" AS DEFINED BY THE POLICY SHALL NOT INCLUDE ANY MOBILE HOME WHICH MAY BE AFFIXED TO OR LOCATED ON THE LAND, AND TITLE TO ANY SUCH MOBILE HOME IS NOT INSURED.

NOT A SURVEY MATTER.

16. RIGHTS OF FORMER UNIT OWNERS TO OCCUPY SUBJECT PROPERTY IN ACCORDANCE WITH SECTION 7 (A) OF THE PLAN OF TERMINATION OF ROYAL PALM VILLAGE CONDOMINIUM RECORDED IN OFFICIAL RECORDS INSTRUMENT NUMBER 202300025473, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

NOT A SURVEY MATTER.



Abbreviations		Symbol Legend	
PSM	PROFESSIONAL SURVEY & MAPPER	Symbol	Denotes
LS	LICENSED SURVEYOR	①	SIGN
LCB	LICENSED BUSINESS	②	GUY ANCHOR
IRC	IRON ROD & CAP	③	MAILBOX
MHS	SANITARY SEWER	④	AERIAL TARGET
MHD	MANHOLE	⑤	CONCRETE MONUMENT FOUND
MES	DRAINAGE MANHOLE	⑥	CONCRETE POWER POLE
INV	MITERED END SECTION	⑦	DRAINAGE INLET
RCP	PIPE	⑧	FIRE HYDRANT
CMP	CORROUGATED METAL PIPE	⑨	IRON ROD
R/W	RIGHT-OF-WAY	⑩	TRANSFORMER
OR	OFFICIAL RECORD	⑪	ELECTRIC CABINET
NO.	NUMBER	⑫	LIGHT POLE
(M)	MEASURED	⑬	SANITARY SEWER MANHOLE
(D)	DESCRIBED	⑭	STORM DRAINAGE MANHOLE
(C)	CALCULATED BASED ON FIELD MEASUREMENTS	⑮	ELECTRIC METER
ID	IDENTIFICATION	⑯	MITERED END SECTION
Δ	DELTA	⑰	OAK TREE
L	LENGTH	⑱	PALM TREE
CH.B	CHORD BEARING	⑲	PALM TREE
CH.D	CHORD DISTANCE	⑳	PALM TREE
D.B.	DEED BOOK	㉑	PINE TREE
P.G.	PAGE	㉒	TELEVISION RISER
O.R.B.	OFFICIAL RECORD BOOK	㉓	TELEPHONE RISER
		㉔	ELECTRIC RISER
		㉕	WOODEN POWER POLE
		㉖	MEAN HIGH WATER FLAG

	GUARDRAIL		SD STORM DRAINAGE LINE
	FENCE LINE		SS SANITARY SEWER LINE
	OVERHEAD ELECTRIC LINE		SUBJECT PROPERTY LINE
	BUILDING		ADJACENT PROPERTY LINE
	ASPHALT PAVEMENT		EASEMENT LINE
	CONCRETE		RIGHT-OF-WAY LINE
			WATER'S EDGE LINE
			FEMA FLOOD LINE

1. THIS MAP OF BOUNDARY & TOPOGRAPHIC SURVEY IS NOT VALID UNLESS IT BEARS EITHER THE DIGITAL OR PHYSICAL SIGNATURE AND SEAL OF THE FLORIDA LICENSED SURVEYOR IDENTIFIED BELOW.
2. ELEVATIONS SHOWN HEREON ARE RELATIVE TO THE NORTH AMERICAN DATUM OF 1983 (NAD83) AND IS BASED ON THE "REFERENCE BENCHMARK" STATED HEREON. THE SITE BENCHMARKS SHOWN HEREON WERE ESTABLISHED USING A REAL-TIME KINEMATIC (RTK) GPS SOLUTION ON BOTH THE REFERENCE BENCHMARK AND SET SITE BENCHMARKS, MEETING OR EXCEEDING THE STANDARDS OF PRACTICE.
3. HORIZONTAL COORDINATES SHOWN HEREON ARE BASED ON THE NORTH AMERICAN DATUM OF 1983 (NAD83), 2011 ADJUSTMENT, FLORIDA STATE PLANE, WEST ZONE AND IS BASED ON THE "REFERENCE BENCHMARK" STATED HEREON. THE SITE BENCHMARKS SHOWN HEREON WERE ESTABLISHED USING A REAL-TIME KINEMATIC (RTK) GPS SOLUTION ON BOTH THE REFERENCE BENCHMARK AND SET SITE BENCHMARKS, MEETING OR EXCEEDING THE STANDARDS OF PRACTICE.
4. THE LANDS SHOWN HEREON LIE IN ZONE "AE" DESCRIBED AS BASE FLOOD ELEVATION DETERMINED AT 11 FEET, PER THE FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL NO. 1207140438H FOR LEE COUNTY UNINCORPORATED AREAS, EFFECTIVE 11/07/2022. THE LIMITS OF SAID ZONES ARE GRAPHICALLY DEPICTED HEREON AS NEAR AS MAY BE SCALED BY THE MAP OR IMPORTED FROM GIS DATA PROVIDED BY FEMA. THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND WE ASSUME NO LIABILITY FOR THE CORRECTNESS OF THE CITED MAP(S). IN ADDITION, THE ABOVE STATEMENT DOES NOT REPRESENT THE SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING.
5. NO ABSTRACT FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP OR OTHER INSTRUMENTS OF RECORD, EXCEPT FOR THOSE NOTED HEREON, HAVE BEEN PROVIDED TO THIS FIRM.
6. ATTENTION IS DIRECTED TO THE FACT THAT THIS MAP MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.
7. SYMBOLS DEPICTED HEREON DO NOT REFLECT ACTUAL SIZE. PUBLISHED DIMENSIONS PRECEDE MAP SCALED.
8. THE SURVEYED LANDS MAY BE SUBJECT TO JURISDICTIONAL ENTITIES.
9. THE DELINEATION OF LANDS SHOWN HEREON IS AS PER THE CLIENT'S INSTRUCTIONS.

PER OPINION OF TITLE PREPARED BY STRATHORN, PERSONS-MULICKA & FISHER,
EFFECTIVE DATE OF OPINION OF TITLE: OCTOBER 17, 2023 @ 5:00 PM

A TRACT OR PORTION OF LAND LYING IN THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 35; THENCE RUN NORTH 89°14'34" WEST, ALONG THE NORTH LINE OF THE NORTHEAST 1/4, OF SAID SECTION 35, A DISTANCE OF 253.90 FEET, MORE OR LESS TO A CONCRETE MONUMENT, BEING THE NORTH-WESTERLY CORNER OF A PARCEL AS RECORDED IN OFFICIAL RECORDS BOOK 994, PAGE 648; PUBLIC RECORDS OF LEE COUNTY, FLORIDA, AND THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; FROM SAID POINT OF BEGINNING, 41°14" WEST ALONG SAID NORTH LINE OF THE NORTHEAST 1/4, OF SECTION 35, A DISTANCE OF 412.41 FEET, TO THE NORTHWEST CORNER OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35; THENCE RUN SOUTH 01°11'51" WEST, ALONG THE WEST LINE OF SAID FRACTION, 132.221 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF SAID FRACTION; THENCE CONTINUE SOUTH 01°11'51" WEST, FOR 78.09 FEET, MORE OR LESS, TO THE CENTERLINE OF THE NORTHEAST 1/4 OF SECTION 35; THENCE RUN SOUTHWEST ALONG THE MEANDERING CENTERLINE OF PHASE 1 OF ITS INTERSECTION WITH THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35; THENCE RUN SOUTH 89°24'41" EAST, ALONG SAID SOUTH LINE, 33.25 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 35; THENCE RUN NORTH 00°16'20" EAST, ALONG THE EAST LINE OF SAID SECTION 35, 100.99 FEET, MORE OR LESS, TO A CONCRETE MONUMENT ON THE CURVE TO THE RIGHT, HAVING FOR ITS ELEMENTS A RADIUS OF 2332.79 FEET, A DELTA ANGLE OF 02°07'51", AN ARC OF 109.07 FEET, AND A CHORD BEARING OF NORTH 19°01'22" WEST; THENCE RUN ALONG SAID CURVE TO THE RIGHT, FOR 109.07 FEET, TO A CONCRETE MONUMENT, BEING THE SOUTHEASTERY CORNER OF A PARCEL, AS RECORDED IN OFFICIAL RECORDS BOOK 994, PAGE 648; FROM SAID POINT OF BEGINNING, 41°14" WEST ALONG THE SOUTHERLY LINE OF SAID PARCEL, 150.51 FEET TO A CONCRETE MONUMENT; THENCE RUN NORTH 15°49'59" WEST, FOR 253.17 FEET TO THE POINT OF BEGINNING.

Flournoy Development Group, LLC

TRACY W. BIRCH, P.S.M.
FLORIDA REGISTRATION NO. 5579
ATWELL, LLC
CERTIFICATE OF AUTHORIZATION NO.: LB 7832
DATE OF SIGNATURE: 01/31/2024
DATE OF SURVEY: 12/05/2023

ROYAL PALM VILLAGE
LEGAL DESCRIPTION

A TRACT OR PARCEL OF LAND LYING IN THE NORTHEAST 1/4 OF SECTION 35, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA, FURTHER DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF SAID SECTION 35; THENCE RUN SOUTH 89°09'08" WEST ALONG THE NORTH LINE OF THE NORTHEAST 1/4, OF SAID SECTION 35, A DISTANCE OF 253.82 FEET TO THE NORTHWESTERLY CORNER OF A PARCEL AS RECORDED IN OFFICIAL RECORDS BOOK 994, PAGE 648, PUBLIC RECORDS OF LEE COUNTY, FLORIDA AND THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED:

THENCE DEPARTING SAID NORTH LINE, RUN SOUTH 17°05'41" EAST, A DISTANCE OF 253.17 FEET; THENCE RUN NORTH 77°50'39" EAST, A DISTANCE OF 150.51 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF TAMiami TRAIL (AKA STATE ROAD 45, A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY PER RIGHT-OF-WAY MAP PROJECT NUMBER 12010-2561), SAID POINT ALSO BEING ON A NON-TANGENT CURVE TO THE LEFT, HAVING A RADIUS OF 2932.79 FEET AND A CENTRAL ANGLE OF 02°07'24", SUBTENDED BY A CHORD WITH A BEARING OF SOUTH 19°53'27" EAST, 108.68 FEET; THENCE RUN ALONG SAID WESTERLY RIGHT-OF-WAY LINE AND SAID NON-TANGENT CURVE, AN ARC DISTANCE OF 108.69 FEET TO A POINT ON THE EAST LINE OF SAID SECTION 35; THENCE DEPARTING SAID WESTERLY RIGHT-OF-WAY LINE AND CURVE, RUN SOUTH 00°51'31" EAST ALONG SAID EAST LINE, A DISTANCE OF 1009.27 FEET TO THE SOUTHEAST CORNER OF THE EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35; THENCE DEPARTING SAID EAST LINE, RUN SOUTH 89°27'57" WEST ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 35, A DISTANCE OF 332.25 FEET TO THE CENTERLINE OF PHILLIPS CREEK; THENCE DEPARTING SAID SOUTH LINE, RUN SOUTH 76°13'19" WEST, MEANDERING ALONG SAID CENTERLINE OF PHILLIPS CREEK, A DISTANCE OF 340.46 FEET TO THE INTERSECTION WITH THE WEST LINE OF THE EAST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4; THENCE DEPARTING SAID MEANDER LINE, RUN NORTH 00°56'37" WEST, A DISTANCE OF 78.00 FEET TO THE SOUTHWEST CORNER OF SAID EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 35; THENCE RUN NORTH 00°56'37" WEST, A DISTANCE OF 1321.92 FEET TO THE NORTHWEST CORNER OF SAID EAST 1/2 OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 35; THENCE RUN NORTH 89°09'08" EAST ALONG SAID NORTH LINE OF SECTION 35, A DISTANCE OF 412.33 FEET TO THE POINT OF BEGINNING.

THE ABOVE-DESCRIBED PARCEL OF LAND LIES IN LEE COUNTY, FLORIDA, AND CONTAINS 19.324 ACRES, MORE OR LESS.

SURVEYOR'S NOTES

1. THIS LEGAL DESCRIPTION IS NOT VALID IF PRINTED, OR WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF THE PROFESSIONAL SURVEYOR AND MAPPER SHOWN HEREON.
2. NO ABSTRACT FOR RIGHTS-OF-WAY, EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD HAVE BEEN PROVIDED BY THIS FIRM.
3. THE "LEGAL DESCRIPTION" HEREON HAS BEEN PREPARED BY THE SURVEYOR AT THE CLIENT'S REQUEST.
4. THIS SKETCH DOES NOT REPRESENT A FIELD SURVEY, AS SUCH.
5. THE DELINEATION OF LANDS SHOWN HEREON IS AS PER THE CLIENT'S INSTRUCTIONS.
6. THIS LEGAL DESCRIPTION DOES NOT CONSTITUTE A BOUNDARY SURVEY, AS SUCH.
7. ATTENTION IS DIRECTED TO THE FACT THAT THIS MAP MAY HAVE BEEN REDUCED IN SIZE BY REPRODUCTION. THIS MUST BE CONSIDERED WHEN OBTAINING SCALED DATA.
8. BEARINGS SHOWN HEREON ARE ASSUMED, DERIVING A BEARING OF N89°09'08"E ALONG THE NORTH LINE OF SECTION 35, TOWNSHIP 45 SOUTH, RANGE 24 EAST, AS MEASURED.
9. NORTHINGS AND EASTINGS SHOWN HEREON ARE REFERENCED TO THE NORTH AMERICAN DATUM OF 1983 (NAD83), 2011 ADJUSTMENT, FLORIDA STATE PLANES, WEST ZONE.

LEGEND & SYMBOLS

POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
POT = POINT OF TERMINATION
R/W = RIGHT-OF-WAY
SEC = SECTION
PID = PARCEL IDENTIFICATION
PB = PLAT BOOK
ORB = OFFICIAL RECORDS BOOK
PG = PAGE
SQ.FT. = SQUARE FEET
AC = ACRES
AKA = ALSO KNOWN AS
(C) = CALCULATED DATA
(D) = RECORDED DATA
(M) = MEASURED DATA
(N) = NORTHING
(E) = EASTING

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT ALL PARTS OF THIS SKETCH HAVE BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF FLORIDA, 5J-17, F.A.C., TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF. NOT VALID WITHOUT A SIGNATURE AND RAISED SEAL FROM THE SURVEYOR.

 DATE 03/13/2024
DALTON R. CROSS, P.S.M.
FLORIDA LICENSE #7329

THIS SKETCH HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE PERSON, PERSONS, OR ORGANIZATIONS IDENTIFIED BELOW AND ITS CERTIFICATION IS NON-TRANSFERABLE. ANY COPY HEREOF, TO BE CONSIDERED VALID, MUST BE EMBOSSED WITH THE SEAL OF A REGISTERED SURVEYOR EMPLOYED BY THIS FIRM.

FLOURNOY DEVELOPMENT GROUP

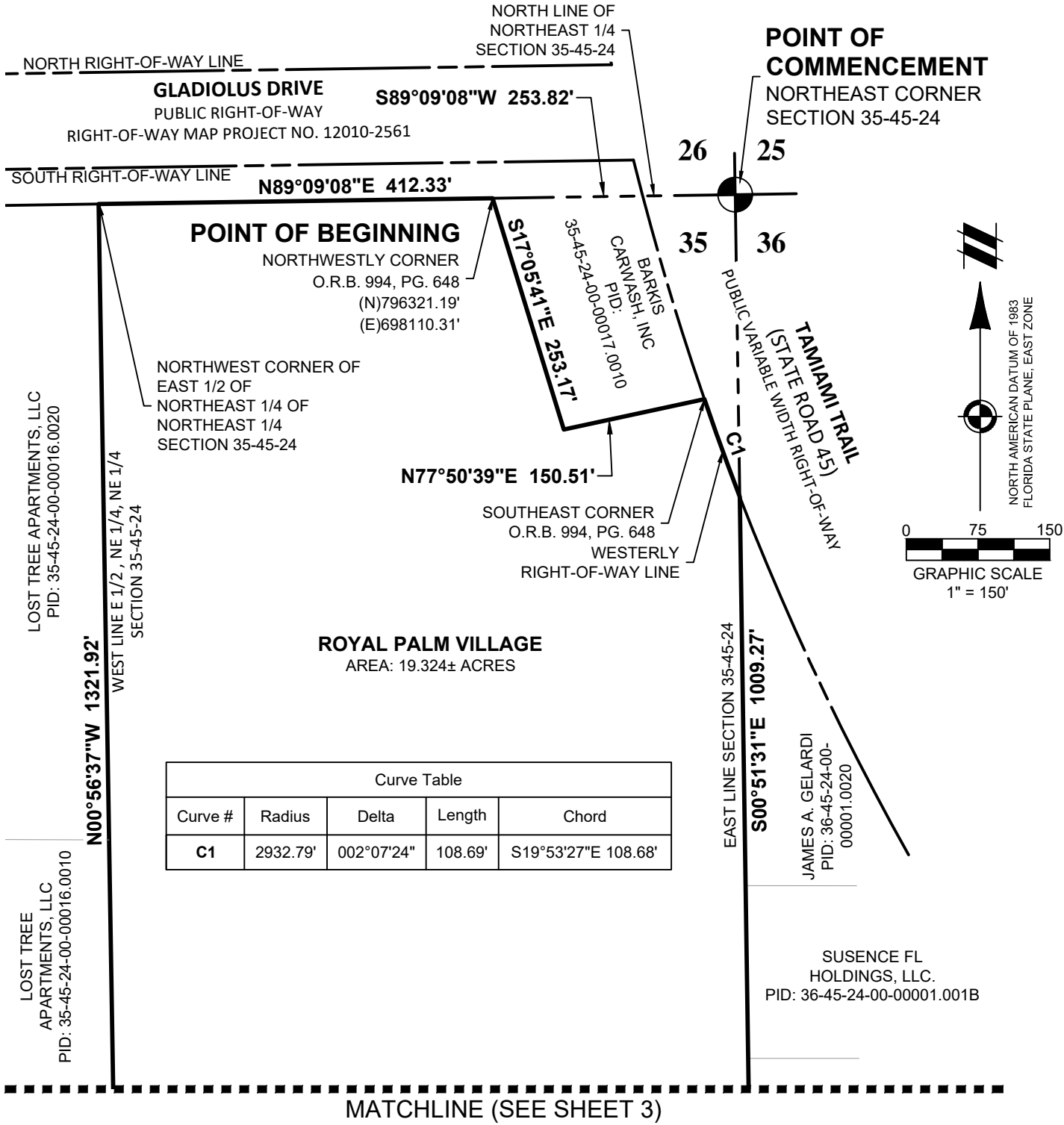
THIS SKETCH IS NOT A SURVEY

SHEET		1	OF	3
DRW:	MC	CHK:	NW	PM: DC
SEC:	35	TWN:	45S	RNG: 24E
PLOT DATE: 03/13/2024				
FILE: 23001930 ROYAL PALM VILLAGE-SOD				

**ATWELL**
www.atwell-group.com

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MAITLAND, FLORIDA 32751
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ROYAL PALM VILLAGE
SKETCH OF LEGAL DESCRIPTION



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FLOURNOY DEVELOPMENT GROUP

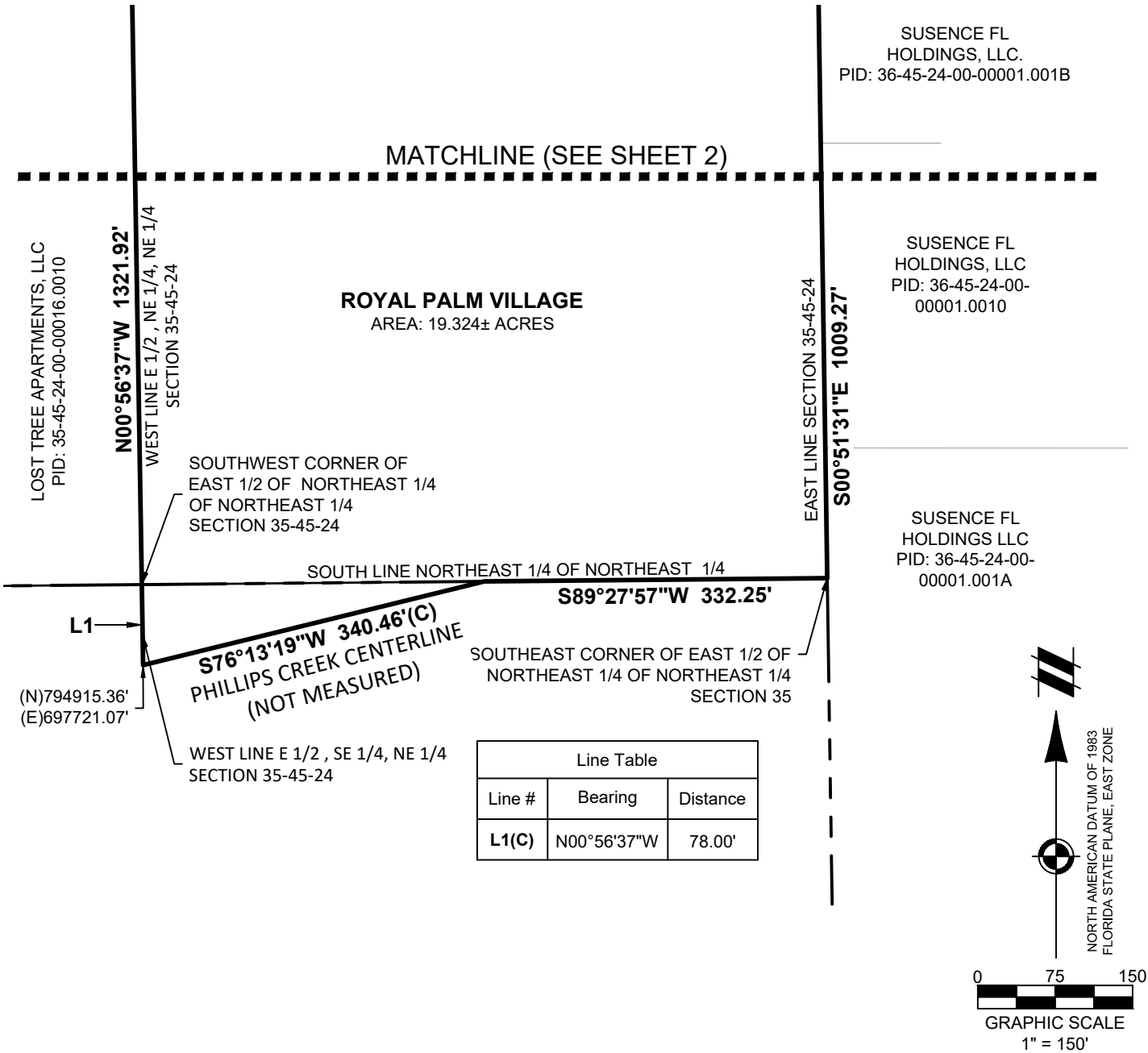
THIS SKETCH IS NOT A SURVEY

SHEET		2	OF		3
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SEC:	35	TWN:	45S	RNG:	24E
PLOT DATE: 03/13/2024					
FILE: 23001930 ROYAL PALM VILLAGE-SOD					

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ROYAL PALM VILLAGE
SKETCH OF LEGAL DESCRIPTION



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FLOURNOY DEVELOPMENT GROUP

THIS SKETCH IS NOT A SURVEY

SHEET	3	OF	3
DRW:	MC	CHK: NW	PM: DC
SEC:	35	TWN: 45S	RNG: 24E
PLOT DATE: 03/13/2024			
FILE: 23001930 ROYAL PALM VILLAGE-SOD			

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Royal Palm Multifamily CPA

Exhibit M11 – Lee Plan Analysis

I. REQUEST

Flournoy Development Group (“Applicant”) seeks to redevelop the former Royal Palm Village mobile home park property, located directly southwest corner of Old Gladius Road and US Highway 41, in unincorporated Lee County, Florida. The park flooded during Hurricane Ian and since that time the Flournoy Group has worked to successfully terminate all property ownership within the park and allow for this urban infill development that will be built to new FEMA flood standards. The Applicant seeks to develop the 19.33 +/- acres to allow for 391 multifamily apartments with supporting amenities.

To accomplish the density of the development program a Comprehensive Plan Map Amendment is required. The request will be to move the property from Central Urban to Intensive Development, which allows 14 dwelling units per acre in base density and 8 dwelling units per acre in bonus density, where 255 units are derived from base density and 136 from bonus density. The property is within the Coastal High Hazard Area which restricts the option of using bonus density; therefore, the requested use of the bonus density will be for up site-built affordable housing at 140% AMI.

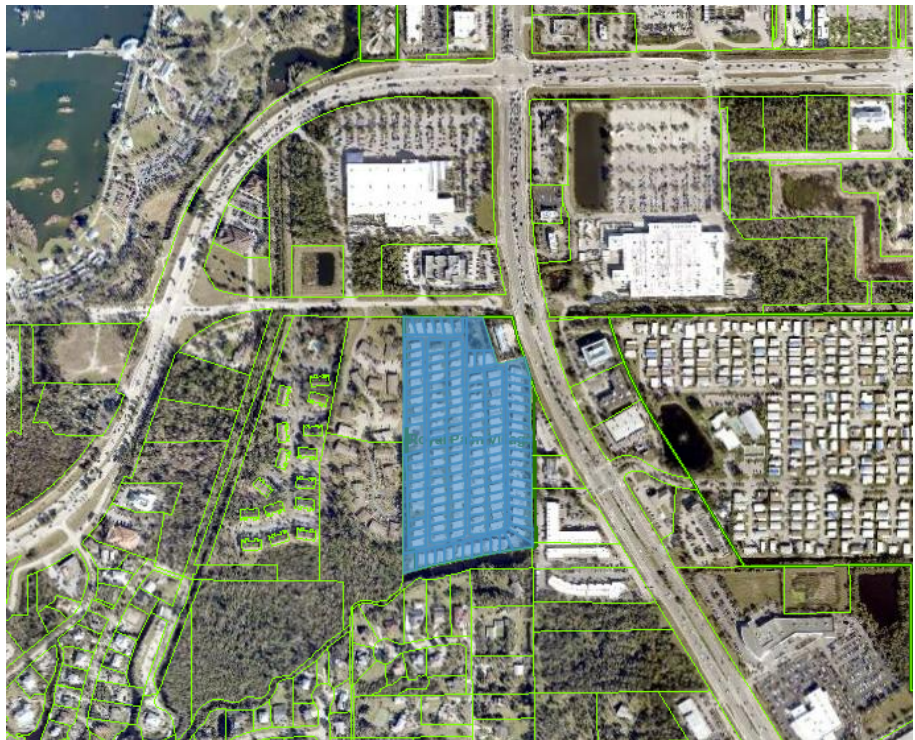
A new access point is proposed on US 41 to provide access to Lee Tran and interconnectivity to the multi-use pedestrian and bicycle regional network in addition to the existing access onto Old Gladiolus Drive.

A companion RPD and Bonus Density Application has been submitted as DCI2023-00049.

II. PROPERTY HISTORY

The Property is located south of Old Gladius Road and west US Highway 41. The Property is located within the South Fort Myers Planning Community Area. The Property is currently developed as the Royal Palm Village property. Access is provided from Old Gladius Road. However, there is a drainage and stormwater management easement located on the southern portion of the property.

The Applicant has filed a Comprehensive Plan Map Amendments to change the Future Land Use (FLU) designation of the Property from “Central Urban” to “Intensive Development”.



III. EXISTING CONDITIONS

The property is in the South Fort Myers Planning Community Area and as mentioned above, it was historically developed as the Royal Palm Village (mobile home park). The mobile home park ownership has been terminated (see attached termination agreement recorded at the Lee County Clerk) and most units have been removed.

There are no known environmentally sensitive areas on site. The site does abut, and the property line extends over a portion of Philips Creek to the south. Philips Creek is a shallow waterway that connects to Otsego Bay and is part of the Hendry Creek watershed but is only navigable near the subject property by kayaks and low drag, small boats.

The area to the north is in Intensive Development, to the east and west Central Urban, and south in the Suburban future land use category. The zoning is a mix of C-1, CC, RM-2, and AG-2 districts. The property to the north, east and west is either multifamily or commercial making this parcel a perfect infill redevelopment in a central employment center. The properties to the south are single-family homes on larger lots that are on average 170 feet from the southern property line and 350-550 feet from the nearest proposed multifamily building.

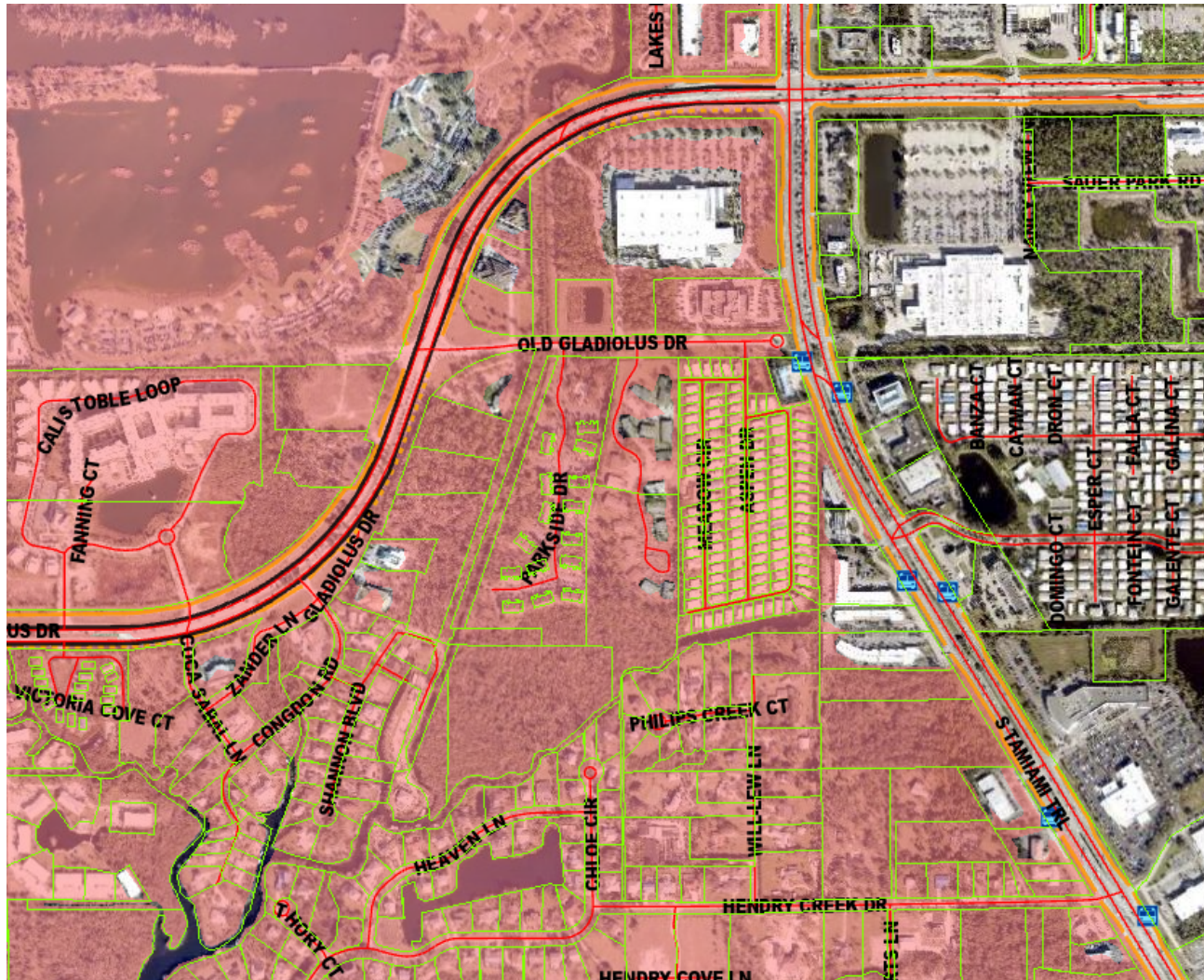
The surrounding area is as follows in the table below and map below.

Table 1: Inventory of Surrounding Lands

	FUTURE LAND USE	ZONING	EXISTING LAND USE
NORTH	Intensive Development	C-1	Infinity Car Dealership / retention
SOUTH	Central Urban / Suburban	RS-1; AG-2	Phillips Creek / Single Family Residential Homes
EAST	Central Urban	CC; C-1	Car Wash; Auto Shop; Speedway Gas Station, Retail Center
WEST	Central Urban	RM-2	Lost Tree Apartments

- **NORTH:** Old Gladius Road and the Infinity Car Dealership.
- **SOUTH:** Phillips Creek along with Single Family Residential Homes
- **EAST:** US 41 and commercial uses such as Car Wash; an Auto Shop, a Speedway Gas Station, and Retail Center
- **WEST:** The Lost Tree Multifamily apartments.

The site is not in any special overlay except the Property is within the Coastal High Hazard Area (CHHA) and Evacuation Zone A, but with no FEMA floodway concerns. The site is at the western most outskirts of the CHHA. The FEMA Flood Map places the site in the AE-11 zone.



Map 1- CHHA

Urban services are in place to serve intense development. The site has access to all major urban services including, but not limited to, public sanitary sewer and water, fire, EMS, police, parks, public schools, solid waste, transit with bus stop within 200 feet, and shared use paths.

V. PUBLIC INFRASTRUCTURE

The Property has access to the necessary utilities to service the project and all urban services are adequate to serve the proposed development.

- Letters of availability have been secured from Lee County Utilities for water and sanitary sewer.
- Roadways have adequate capacity as the site, as proposed, will have direct access onto US 41, a state maintained principal arterial, and secondary access to Gladiolus Drive, a Lee County maintained arterial via Old Gladiolus Drive Lee County local road.
- Lee Tran states the proposed development is within one-quarter mile of a fixed-route corridor and the closest bus stop is # 11490. Bus serves the South Fort Myers Area by via Route 140 (Merchants Crossing/Bell Tower) and Route 240 (Coconut Point Mall/Bell Tower) located at the car wash directly adjacent to the property (approximately less than 200 ft.) on both the northbound and southbound travel lanes along the US Highway 41 roadway.

- The US 41 proposed access provides connection to the shared use path on the west side of US 41.
- The site entrance onto Old Gladiolus Drive is within ¼ mile of the shared path on Gladiolus Drive and the Lakes Park regional Lee County Park.
- South Trail Fire Station #63 is within one mile of the site north on US 41 to Harper Road.
- The Lee County Sheriff's South District primary substation is within one mile as is an EMS substation on Six Mile Cypress Parkway.

VII. LEE PLAN COMPLIANCE

The following is an analysis of the Comprehensive Plan Amendment, and the companion Residential Planned Development, meets consistency with goals, objectives and policies of the Lee County Comprehensive Plan (Lee Plan).

POLICY 1.1.2: The Intensive Development future land use category is located along major arterial roads. By virtue of their location, the County's current development patterns, and the available and potential levels of public services, areas with this designation are suited to accommodate high densities and intensities. Mixed use developments of high-density residential, commercial, limited light industrial, and office uses are encouraged to be developed as described in Objective 11.1, where appropriate. The standard density range is from eight dwelling units per acre (8 du/acre) to fourteen dwelling units per acre (14 du/acre), with a maximum total density of twenty-two dwelling units per acre (22 du/acre). The maximum total density may be increased to thirty dwelling units per acre (30 du/acre) utilizing Greater Pine Island Transfer of Development Units. (Ord. No. 94- 30, 09-06, 10-10, 16-07, 21-09).

The property is currently in the Central Urban FLUC and proposed to be in the Intensive Development FLUC. Both categories encourage uses that best serve the local residents and commuter traffic including dense multifamily development, particularly where urban services are present, and is near employment centers. As discussed in the existing conditions, this site in an excellently placed redevelopment with all urban level services in proximity with available capacities. It replaces a mobile home park that was in a risk area for flooding from tidally influenced waters abutting to the south. New construction at the proper flood elevations of a hurricane resistant multifamily structure is an appropriate infill development.

The property is in the Coastal High Hazard Area which restricts the option to build bonus density to site built affordable housing only. Therefore, the plan is to apply for a land use change to Intensive Development via Map Amendment. In the Intensive Category, this would allow for 14 du/acre of market rate units with an additional 8 du/acre available via bonus density as site-built affordable housing (140% AMI). The affordable housing restriction is not monitored by the state but by Lee County and expires after seven full years of operations. Our intended plan is to develop 391 units, or 21.5 units per acre. Therefore, sufficient acreage is allocated for the proposed development.

The applicant met with Lee County staff to discuss this methodology and staff appeared receptive to this entitlement change request. The request will need to satisfy criteria for hurricane evacuation times and be subject to hurricane impact mitigation.

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

1. For each Planning District the County will maintain a parcel based database of existing land use.
2. Project reviews for development orders must include a review of the capacity, in acres, that will be consumed by buildout of the development order. No development order, or extension of a development order, will be issued or approved if the acreage for a land use, when added to the acreage contained in the updated existing land use database, exceeds the limitation established by Table 1(b) regardless of other project approvals in that Planning District.
3. When updating the Lee Plan's planning horizon, a comprehensive evaluation of the Planning Districts Map and Acreage Allocation Table will be conducted.

Table 1(b) will need to be changed to remove 19 acres from Central Urban and add 19 acres to Intensive Development in the South Fort Myers District 15 planning community as shown below:

**TABLE 1(b)
YEAR 2045 ALLOCATIONS**

Future Land Use Category	Planning District											
	District 11 Daniels Parkway	District 12 Iona / McGregor	District 13 San Carlos	District 14 Sanibel	District 15 South Fort Myers	District 16 Pine Island	District 17 Lehigh Acres	District 18 Southeast Lee County	District 19 North Fort Myers	District 20 Buckingham	District 21 Estero	District 22 Bashore
Intensive Development	-	-	-	-	801	1	30	376	-	-	-	-
Central Urban	-	656	20	-	3,113	-	-	-	-	-	-	-
Urban Community	-	978	1,318	-	863	540	-	-	115	-	-	-
Suburban	-	2,566	2,069	-	1,202	659	-	-	6,387	-	-	-
Outlying Suburban	1,253	438	-	-	-	202	-	-	-	-	90	-
Sub-Outlying Suburban	-	-	13	-	-	-	-	-	-	-	-	950
Commercial	-	-	-	-	-	-	-	-	-	-	-	-
Industrial	-	3	3	-	3	-	-	-	-	-	-	-
Public Facilities	-	-	-	-	-	-	-	-	-	-	-	-
University Community	-	-	503	-	-	-	-	-	-	-	-	-
Destination Resort Mixed Use Water Dependent	-	8	-	-	-	-	-	-	-	-	-	-
Burnt Store Marina Village	-	-	-	-	-	-	-	-	-	-	-	-
Industrial Interchange	-	-	-	-	-	-	-	-	-	-	-	-
General Interchange	58	-	-	-	-	-	-	8	14	-	-	20
General Commercial Interchange	-	-	-	-	-	-	-	-	-	-	-	-
Industrial Commercial Interchange	-	-	-	-	-	-	-	-	-	-	-	-
University Village Interchange	-	-	-	-	-	-	-	-	-	-	-	-
New Community	-	-	-	-	-	-	-	-	-	-	-	-
Airport	-	-	-	-	-	-	-	-	-	-	-	-
Tradeport	-	-	-	-	-	-	-	-	-	-	-	-
Rural	1,573	-	99	-	-	227	14	-	454	50	-	1,387
Rural Community Preserve	-	-	-	-	-	-	-	-	-	3,517	-	-
Coastal Rural	-	-	-	-	-	1,338	-	-	-	-	-	-
Outer Island	-	2	-	-	-	55	-	-	-	-	-	-
Open Lands	80	-	-	-	-	-	-	-	30	-	-	1,667
Density Reduction/ Groundwater Resource	-	-	-	-	-	-	-	4,742	-	-	-	2,101
Conservation Lands Upland	-	-	-	-	-	-	-	-	-	-	-	-
Wetlands	-	-	-	-	-	-	-	-	-	-	-	-
Conservation Lands Wetland	-	-	-	-	-	-	-	-	-	-	-	-
Unincorporated County Total Residential	2,964	4,650	4,024	-	5,982	3,322	24,440	4,750	10,035	3,748	90	6,125
Commercial	326	774	938	-	2,012	288	900	118	1,121	19	18	72
Industrial	5	198	387	-	566	67	218	215	244	4	2	4
Non Regulatory Allocations												
Public	3,214	4,898	6,364	-	5,883	4,831	20,267	17,992	10,117	3,052	653	3,351
Active AG	5	13	5	-	-	2,780	35	12,000	90	630	4	550
Passive AG	10	-	5	-	-	70	50	2,500	250	2,000	-	2,100
Conservation	1,677	9,786	2,232	-	211	15,489	1,077	41,028	1,607	382	1,465	895
Vacant	20	55	158	-	4	2,200	14,804	2,400	1,183	850	130	1,425
Total	8,221	20,374	14,114	-	14,658	29,047	61,791	81,003	24,649	10,684	2,362	14,523
Population Distribution (unincorporated Lee County)	14,322	44,132	54,615	-	76,582	13,431	162,245	17,369	110,722	5,951	741	8,653

November 2021 (Ord. No. 02-02, 03-19, 05-19, 07-13, 09-15, 09-16, 10-15, 10-16, 10-40, 10-43, 14-14, 15-10, 16-02, 16-17, 17-12, 17-23, 18-06, 19-13, 19-14, 19-16, 20-05, 21-03, 21-09)
Printed 11/06/2021

TABLE 1(b) Page 2 of 2

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

The comprehensive plan map change to Intensive development to allow more density and bonus units for affordable housing, coupled with the proposed rezoning, will allow for a compact development pattern in an area intended for urban levels of intensity and density and permit redevelopment of infill units near transit and employment centers, as well as regional park and shared use path system.

The Intensive Land Use category and redevelopment proposed is in direct compliance with this and other policies in the Lee Plan. All urban services are available to the sight with major employment centers in close proximity and transit service within ¼ mile.

As outlined in detail within the comprehensive plan and zoning applications, the project provides for compatibility with the surrounding mixed uses of moderately high-density residential development and commercial uses. Development within the project is compacted with four 4-story buildings providing sufficient open space and supporting amenities. Long existing multifamily developments are located directly west of the Property. As a result, this RPD makes efficient use of this planned extension of infrastructure and eliminates development patterns dependent on well and septic as Lee County Utilities has stated they have capacity to serve the increased density proposed.

OBJECTIVE 2.2: DEVELOPMENT TIMING. Direct new growth to those portions of the Future Urban Areas where adequate public facilities exist or are assured and where compact and contiguous development patterns can be created. Development orders and permits (as defined in F.S. 163.3164(7)) will be granted only when consistent with the provisions of Sections 163.3202(2)(g) and 163.3180, Florida Statutes and the county's Concurrency Management Ordinance.

All urban levels of service are available with capacity. The Property is contiguous to developed or developing properties along US 41, representing logical and efficient growth within the Central Urban or Intensive Development FLUC. The Applicant has provided letters of availability and a detailed explanation of the public facilities and services available to support future development of the Property. The proposed rezoning fully complies with the above policy's intent to direct new growth to appropriate Future Urban Areas of the county.

POLICY 2.2.1: Rezoning's and Development of Regional Impact proposals will be evaluated as to the availability and proximity of the road network; central sewer and water lines; community facilities and services such as schools, EMS, fire and police protection, and other public facilities; compatibility with surrounding land uses; and any other relevant facts affecting the public health, safety, and welfare.

The road network in the region has been constructed to support the character of the area with direct access (proposed) onto a major arterial (US 41) and access to Summerlin Road, a second major arterial via Old Gladiolus Drive, both roads with capacity.

The Property is located within Lee County Future Water and Sewer Franchise Areas and will connect to both sewer and water service. The property is near existing networks, utility

services and compatible, similar land uses. The utility service area currently abuts the eastern boundary.

There are adequate public facilities and services in the immediate vicinity of the project to serve the proposed development in terms of schools, fire, EMS and Sheriff's protection.

The proposed Master Concept plan provides compatibility with surrounding areas through the provision of expansive preserve areas and significant distances between residential lots and the project boundary.

As a result, the proposed development is completely internalized from surrounding development. Finally, buffering, maximum building heights, and development standards are similar to other planned developments approved in the South Fort Myers Planning Community.

GOAL 4

OBJECTIVE 4.1: WATER, SEWER, AND ENVIRONMENTAL STANDARDS. Consider water, sewer, and environmental standards during the rezoning process. Ensure the standards are met prior to issuing a local development order. (Ord. No. 17-13)

STANDARD 4.1.1: WATER.

- 1. Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development in excess of 30,000 square feet of gross leasable (floor) area per parcel, must connect to a public water system (or a "community" water system as that is defined by Fla. Admin. Code R. 62-550).***

The site is currently serviced by Lee County Utilities for sewer and water and has capacity to continue serving the increased density proposed. A letter of utility availability has been secured from LCU.

- 2. If the proposed development lies within the boundaries of a water utility's certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map 4- A), then the development must be connected to that utility.***

According to Lee Plan Map 4-A and 4-B the site lies within the LCU Future Sewer and Water Service Area. The project will connect to Lee County Sewer and Water Service.

- 3. The developer must provide proof that the prior commitments of the water utility, plus the projected need of the developer, do not exceed the supply and facility capacity of the utility.***

We have received a letter of utility availability from LCU that states service and capacity is available to serve the projected needs of this sight.

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

There is current service to the site so no need for expanded service lines.

5. ***If a new development is located in a certificated or franchised service area, or Lee County Utilities' future potable water service area (see Map 4-A), and the utility cannot provide the service or cannot provide the service except at a clearly unreasonable cost to the developer, the developer is encouraged to petition the appropriate regulatory agency to contract the service area so that the development may establish its own community water system or invite another adjacent utility to expand its service area in order to provide the required service.***

According to Lee Plan Map 4-A and 4-B the site lies within the LCU Future Sewer and Water Service Area. The site is served by LCU and the project will connect to Lee County Sewer and Water Service.

6. ***If a development lies outside any service area as described above, the developer may:***
 - ***request that the service area of Lee County Utilities or an adjacent water utility be extended to incorporate the property;***
 - ***establish a community water system for the development; or***
 - ***develop at an intensity that does not require a community water system.***

Not applicable.

7. ***Lee County Utilities may provide potable water service to properties not located within the future water service area when such potable water service is found to benefit public health, safety, and welfare, including protection of Lee County's natural resources.***

Not applicable.

STANDARD 4.1.2: SEWER.

1. ***Any new residential development that exceeds 2.5 dwelling units per gross acre, and any new single commercial or industrial development that generates more than 5,000 gallons of sewage per day, must connect to a sanitary sewer system.***

The site is currently serviced by Lee County Utilities for sewer and water and has capacity to continue serving the increased density proposed. A letter of utility availability has been secured from LCU that states there is capacity for service the density proposed.

2. ***If the proposed development exceeds the thresholds listed above and lies within the boundaries of a sewer utility's certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 4-B), and that utility has sufficient capacity to provide minimum service to the development, then the development must connect to that sewer utility if there is existing infrastructure adequate to accept the effluents of the development within 1/4 mile from any part of the development.***

According to Lee Plan Map 4-B it is within the Future Sewer Service Area for Lee County. A letter of utility availability has been secured from LCU that states there is capacity for service the density proposed.

3. *If there is not sufficient capacity nor adequate infrastructure within 1/4 mile of the development, the developer must provide proof in the form of a clearly stated rejection of service.*

Not applicable.

4. *If a new development is located in a certificated or franchised service area, or Lee County Utilities' future sanitary sewer service area (see Map 4-B), and the utility cannot provide the service, or cannot provide the service except at a clearly unreasonable cost to the developer, the developer may establish on a temporary basis a self-provided sanitary sewer facility for the development, to be abated when the utility extends service to the site. The developer may also petition the appropriate regulatory agency to contract the service area of the utility in order that another utility may be invited to provide the service.*

Not applicable.

5. *If a development lies outside any service area as described above, the developer may:*
- *request that the service area of Lee County Utilities or an adjacent sewer utility be expanded to incorporate the property;*
 - *establish a self-provided sanitary sewer system for the development;*
 - *develop at an intensity that does not require sanitary sewer service; or*
 - *if no more than 5000 gallons of effluent per day per parcel is produced, an individual sewage disposal system per Fla. Admin. Code R. 64E-6 may be utilized, contingent on approval by all relevant authorities.*

Not applicable.

6. *Lee County Utilities may provide sanitary sewer service to properties not located within the future sewer service area when such sanitary sewer service is found to benefit public health, safety, and welfare, including protection of Lee County's natural resources.*

Not applicable.

STANDARD 4.1.3: REUSE

According to LCU in the letter of service availability reuse is not served to this site.

GOAL 5 (RESIDENTIAL LAND USES)

OBJECTIVE 5.1: All development approvals for residential, commercial, and industrial land uses must be consistent with the following policies, the general standards under Goal 4, and other provisions of this plan. (Ord. No. 94-30, 00-22)

POLICY 5.1.3: During the rezoning process, direct high-density residential developments to locations that are near employment and shopping centers; are close to parks and schools; and are accessible to mass transit and bicycle facilities. (Ord. No. 94-30)

The request is intended to allow for the development of multifamily residential dwellings on the 19.33-acre property in the form of a Residential Planned Development subject to conditions, performance/design standards, limited schedule of uses, and a binding Master Concept Plan. The request will ensure that the property is developed with uses similar neighboring properties, thereby protecting the character and integrity of the existing communities.

- The site is within one mile of major employment businesses including but not limited to Home Depot, Lowe's Wal-Mart and an entire commercial corridor along US 41 extending a significant distance north and south.
- Lee Tran serves the South Fort Myers Area by via Route 140 (Merchants Crossing/Bell Tower) and Route 240 (Coconut Point Mall/Bell Tower) located at the car wash directly adjacent to the property (approximately less than 200 ft.) on both the northbound and southbound travel lanes along the US Highway 41 roadway.
- The US 41 proposed access provides connection to the shared use path on the west side of US 41.
- The site is entrance onto Old Gladiolus Drive is within ¼ mile of the shared path on Gladiolus Drive and the Lakes Park regional Lee County Park.

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

The proposed residential development is a multifamily structure that is designed to meet the current FEMA design elevation as the property is in the Coastal High Hazard Area. The proposed buildings will be designed to sustain hurricane and the resulting flood waters that made the former mobile home park uninhabitable.

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

In isolation the increasing of potential density and intensity on the site by changing the FLUC from Central Urban to Intensive Development may seem that the request is not compatible with this request as there are a half dozen single-family homes to the south across the creek. However, when taken with the RPD zoning the site plan pays close attention to the layout to keep height and intense uses away from the single-family homes. The site plan complies with LDC requirements for a 50-foot natural waterway buffer which is a substantial increase in buffer area over the previous mobile home location, some of which were with 10 feet to the

top of bank. The building placement is a minimum of 400 feet from the closest home with heights that are barely visible from the edge of the single-family lots to the south. The multifamily use is appropriate in this area as infill development near major employment centers as long as care is taken with site planning and proper buffering as conditioned in the zoning.

POLICY 5.1.6: Maintain development regulations that require high-density, multi-family, cluster, and mixed use developments to have open space, buffering, landscaping, and recreation areas appropriate to their density and design. (Ord. No. 94-30)

The proposed development will maintain the requirements for 40% open space, all required buffers, and a natural waterway 50-foot buffer on the south boundary. Amenities will be on site including pickle ball, dog park, and clubhouse with gym and meeting areas.

POLICY 5.1.7: Maintain development regulations that require that community facilities (such as park, recreational, and open space areas) in residential developments are functionally related to all dwelling units and easily accessible via pedestrian and bicycle pathways. These pathways must be interconnected with adjoining developments and public pathways whenever possible. Townhouses, condominiums, apartments, and other types of multi-family residential development must have directly accessible common open space. (Ord. No. 94-30, 00-22).

The proposed RPD includes 40% open space, car wash area, dog park, pickle ball courts and a community amenity center with additional recreational facilities. Sidewalks are provided on both sides of all internal roadways and provide pedestrian and bicycle connections to US 41. A multi-use pathway is located along US 41. All open space and amenities will be directly accessible to all residents within the RPD.

POLICY 5.2.4: The site design of the proposed development must be compatible with surrounding land uses to the maximum extent possible. (Ord. No. 10-08)

The request will ensure that the property is developed with uses similar to neighboring properties. The intensive land use category abuts this property to the north while the development to the north and east is of intense nature that allows this to be dense urban infill with affordable bonus density units.

Impacts to surrounding land uses are minimal due to the similarity of intent and intensity of uses. The zoning conditions and LDC requirements have adequately addressed any potential impacts on adjacent uses.

The proposed RPD includes development standards which comply with the South Fort Myers Community regulations. A minimum 50-foot buffer will be provided to adjacent single-family properties to the south.

POLICY 54.1.2: In developing and implementing local landscape regulations including the preservation, reforestation, and wetlands restoration requirements, preference will be given to native species which are adapted to the region's climatic regime.

The site is currently developed as a mobile home park. The Project site does not contain any wetlands or surface waters. Phillips Creek is located directly south of the Property.

The attached Environmental Report did not show the existence of the listed species such as the American Alligator, Florida Burrow Owl, Gopher Tortoises, Southeastern American Kestrel, and Wood Storks on the property.

POLICY 54.1.6: Maintain development regulations that require new development to connect to a reuse water system if a system is near the development and has sufficient capacity.

Lee County states that reuse is NOT available to the site.

POLICY 61.1.1: Lee County recognizes that all fresh waters are a resource to be managed and allocated wisely and will support allocations of the resource on the basis 1) of ensuring that sufficient water is available to maintain or restore valued natural systems, and 2) of assigning to any specified use or user the lowest quality freshwater compatible with that use, consistent with financial and technical constraints.

The Applicant will obtain an Environmental Resource Permit from the South Florida Water Management District. The master drainage system and established conservation areas proposed in this amendment request, and which will be established through the ERP and subsequent development orders, are designed in compliance with this policy.

OBJECTIVE 61.3: GENERAL SURFACE WATER MANAGEMENT STANDARDS. Lee County will continue to provide sufficient performance and/or design standards for development protective of the function of natural drainage systems.

POLICY 61.3.6: Require developments to provide surface water management systems, acceptable programs for operation and maintenance, and post-development runoff conditions that reflect the natural surface water flow rate, direction, quality, hydroperiod, and drainage basin.

Please refer to the surface water management plan in Exhibit M14.

POLICY 61.3.7: Channelization of natural streams and rivers is prohibited; channelization of other natural watercourses is discouraged.

No change will be made to the natural stream to the south. A dog park amenity is located within the Project and is adjacent to the Phillips Creek. Regulations are in compliance with the LDC.

POLICY 95.1.3: LOS standards will be the basis for planning and provision of required public facilities and services within Lee County. Regulatory LOS standards will be the basis for determining the adequacy of public facilities for the purposes of permitting new development. Compliance with non-regulatory LOS standards will not be a requirement for continued development permitting but will be used for facility planning purposes. The LOS will be the basis for facility design, for setting impact fees, and (where applicable) for the operation of the Concurrency Management System (CMS).

- a. Sanitary Sewer – Lee County Utilities serves the area and has capacity. LCU has stated in a letter of availability.
- b. Potable Water – Lee County Utilities serves the area and has capacity. LCU has stated in a letter of availability.

- c. Surface Water/Drainage Basins – The property is intended to be developed as part of and RPD (DCI2023-00049). The project will be required to meet all LDC provisions for surface water management, pre-treatment, storage and treatment including the System Requirement: Prevent the flooding of designated evacuation routes on The Lee Plan Map 15 from the 25-year, 3-day storm event (rainfall) for more than 24 hours.
- d. Parks, Recreation, and Open Space – Lee County Parks and Recreation has provided a letter of service availability.
- e. Public Schools – A letter of capacity has been received from Lee County Schools.

POLICY 101.1.4: Require that comprehensive plan amendments which increase density within the Coastal High Hazard Area or on islands meet one of the following criteria in accordance with § 163.3178(8), Fla. Stat.:

1. ***Will not result in an out of County hurricane evacuation time that exceeds 16 hours for a Category 5 storm event (Level E storm surge threat); or***
2. ***Will maintain a 12-hour evacuation time to shelter for a Category 5 storm event (Level E storm surge threat) and ensure shelter space is available to accommodate the additional population; or***
3. ***Will provide appropriate mitigation as determined by Lee County Department of Public Safety, to satisfy both criteria above, which may include the payment of money or construction of hurricane shelters and transportation facilities.***

Please see the report by JR Evans, which is part of the original submittal as “Exhibit M12 - Risk Evac Analysis Comp 01.30.2024”, that addresses these criteria and shows that the proposed development meets at least one of the criteria.

POLICY 101.3.2: Restrict development in the Coastal High Hazard Area to uplands except as needed for the provision of public facilities.

The site contains 18.17 acres of upland out of 19.33 total acres. The proposed Master Concept Plan (MCP) limits development to the upland acreage. The Acreage that is not considered upland is the area of Phillips Creek that is within the boundary. Development is restricted to within 50-feet of this natural waterway by way of required buffers.

POLICY 101.3.6: Prohibit the use of Transferable Development Units (TDUs) and bonus density utilizing cash contributions for affordable housing on property located within the Coastal High Hazard Area.

The proposed development is proposing using up to 145 units of bonus density as permitted by the proposed land use change. According to this policy the request for bonus density includes all units to be site built affordable units at 140% or less of AMI.

POLICY 101.3.7: Bonus density for site-built affordable housing development will be considered within the Coastal High Hazard Area.

As mentioned, the request for bonus density includes the limitation for the units to be site built affordable making the request consistent with this policy.

The applicant feels the consideration of bonus density in this area is good planning. The former mobile home flooded 2-3 feet in Hurricane Ian. Since that time the Flournoy Group and the Royal Palm Village POA have successfully terminated the 132 individual lots making

way for redevelopment. It is telling that this was able to be accomplished. A CHHA is not an appropriate location for mobile homes, particularly on older parcels that are not raised to current base flood elevations. Repeated flood risks prompted the corporation of the termination.

The site is in the middle of a major employment area, abutted by multifamily developments, acts as an appropriate transition from commercial activity on US 41 to lower densities, has access to two major arterials (with proposed new access to US 41), is within one mile of Lakes Park, has access to Lee Tran with ¼ mile of a bus stop, is serviced by all major urban services as confirmed by the letters of availability for the Lee Plan map amendment letters received. The site is perfect for higher density infill redevelopment, particularly when considering the structures will be built to modern codes and FEMA flood elevations.

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

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

The permit process will require a water quality management plan addressing the issues in these policies. The draft plan is part of Exhibit M14.

IX. CONCLUSION

The proposed Flournoy Multifamily CPA allows for redevelopment into a well-planned multifamily community which accommodates increasing demand for vertical density and will allow for increase bonus density, which is limited to affordable multi-family housing, to be integrated into the surrounding employment center.

The proposed Flournoy Multifamily RPD also provides significant protection to the surrounding neighborhood to the south through a site plan which internalizes development through sufficient buffers and setbacks, two access points, and restoration supporting amenities on site.

Royal Palm Village

Surface Water Management Plan Narrative

The following narrative demonstrates compliance with LDC34-373(b)1 and LeePlan Policy 125.1.4.

LDC 34-373(b)1 states:

(b)(1) A written description of the surface water management plan that includes:

- a. The runoff characteristics of the property in its existing state;*
- b. In general terms, the drainage concept proposed, including the outfall to canals or natural water bodies including how drainage flow from adjacent properties will be maintained;*
- c. The retention features (including existing natural features) that will be incorporated into the drainage system and the legal mechanism which will guarantee their maintenance;*
- d. How existing natural features will be preserved. Include an estimate of the ranges of existing and post development water table elevations, where appropriate;*
- e. If the property is subject to seasonal inundation or subject to inundation by a stream swollen by the rains of a 100-year storm event, indicate the measures that will be taken to mitigate the effects of expectable flooding.*

LeePlan Policy 125.1.4 states:

*POLICY 125.1.4: Developments which have the potential of lowering existing water quality below state and federal water quality standards will provide standardized appropriate monitoring data.
(Ord. No. 00-22, 18-28)*

Existing Runoff Characteristics

The project site is developed, containing an existing mobile home park. Existing catch basin inlets are located in the streets, with 15" corrugated metal pipe conveyed runoff to multiple outfalls located at the north, east, and south boundaries of the property. Survey and map data show that there are no existing stormwater ponds on the site. SWFWMD shows no previous permitting history for the site. Perimeter swales located along the eastern and western property lines convey runoff to the south, where they outfall to an existing ditch connecting to Hendry Creek. There are two outfall pipes along the southern boundary, both of which connect directly to this ditch. Additionally, there are two outfall pipes along the eastern boundary that connect to an existing swale. This swale is then routed to the ditch connected to Hendry Creek. The northern outfall pipe connects to an existing roadside ditch adjacent to Old Gladiolus Drive. There is a small offsite drainage area in the northeast portion of site, where it appears runoff from a neighboring gas station temporarily enters the property before exiting into an existing offsite swale.

Proposed Conceptual Runoff Characteristics

The design intent of the proposed project is to obtain a new South Florida Water Management District Environmental Resource Permit (SFWMD ERP). Obtaining a SFWMD ERP during the development order process will meet the requirements of 10-321(a) as "establish compliance" with the LDC.

All uses within the project will be developed in one sub-basin. Stormwater attenuation and flood control will be provided onsite, within the water management system. The control elevation for the projects' storm water management system is 2.50 FT and was determined through treatment volume calculations for the developed

sub-basin. The proposed stormwater management system provides greater than the minimum amount of treatment volume required for the sub-basin.

The project has one proposed outfall location to the south at an existing onsite ditch. The project will ultimately flow through existing flow-ways and culverts to Hendry Creek with the ultimate out fall as the Estero Bay. All post-development stormwater run-off will be routed through a lake to an outfall structure designed to provide the required water quality detention on a basin wide basis per the SFWMD handbook. The outfall structure will discharge to the existing onsite ditch located at the southern edge of the property.

It is anticipated during the SFWMD ERP, additional design work will be required to meet impaired water criteria for Hendry Creek. Additional design work may be in the form of retention of a calculated volume of water, engineered design structures to reduce pollutants, or other means to achieve compliance with SFWMD water quality standards.

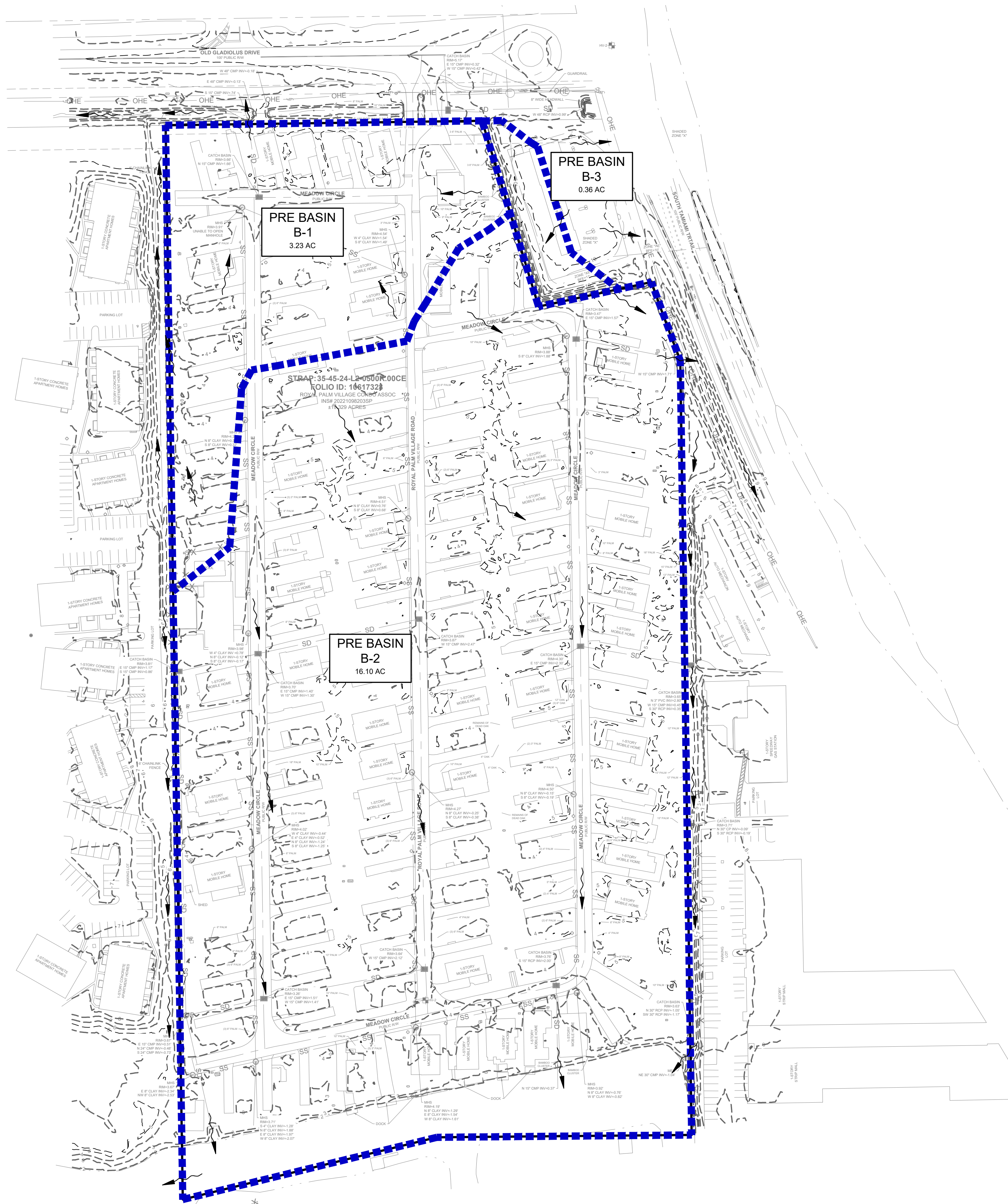
All operation and maintenance work for the proposed project will be the responsibility of a Property Owners Association if subdivided or the property owner if unified property ownership is retained.

According to FEMA Flood Insurance Rate Map (FIRM) Community Panel Number 12071C0438H, which references the Tidal Elevation, the entirety of the subject property is located within FEMA flood Zone AE with a base flood elevation of 11. SFWMD ERP criteria requires design of finish floor elevations of 1 foot above the 100 year storm peak stage, and a minimum perimeter berm elevation at the 25 year storm peak stage. If SFWMD requires compensatory storage due to riverine flooding then the project will comply with SFWMD requirements.

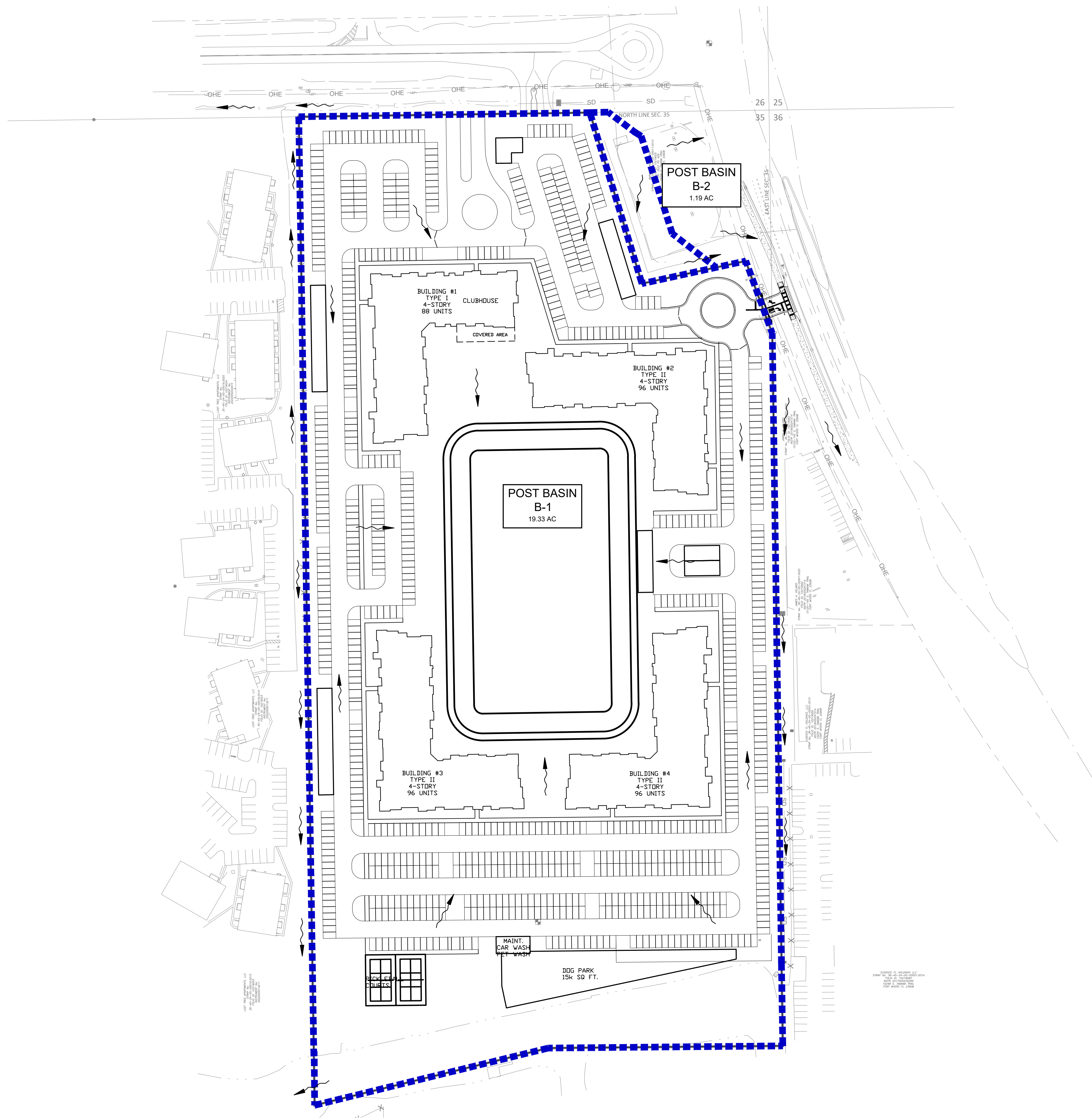
A component of a SFWMD ERP permit is issuance of a water quality certification. Accomplished through design of system to reduce pollutants with special attention to impaired waters such as Hendry Creek, issuance of a SFWMD ERP including a water quality certification is consistent with Policy 125.1.4 for state water quality standards. Not anticipated at the subject site but, if any of the waters are subject to Section 404 standards issuance of a FDEP or ACOE permit will also be consistent with Policy 125.1.4 for federal water quality standards. The water quality permitting process will address the need for appropriate monitoring program to collect data for compliance. This will be under the jurisdiction of SFWMD, FDEP, ACOE permitting. The water quality monitoring program will be provided to Lee County prior to commencement of any site construction requiring a Development Order or Vegetation Permit.

All required stormwater and water quality state and federal permits will be provided to Lee County upon receipt and prior to commencement of any construction.

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1/26/2024 9:51:35 AM



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1/26/2024 9:49:20 AM



Royal Palm Village

Water Quality Monitoring Plan

January 26, 2024

Prepared By:



CONSULTING. ENGINEERING. CONSTRUCTION.

111 N. Magnolia Ave. Suite 1350
Orlando, FL 32801
(407) 743-3524

Prepared For:

Flournoy Development Group, LLC
P.O. Box 6566
Columbus, GA 31917

Engineer of Record:

Brian Cassidy, P.E.
Fl. Registration #67373

Purpose:

The Water Quality Monitoring Plan is being created to monitor water quality conditions at the Royal Palm Village project site. The goal is to prevent turbidity and pollutants from entering into the Hendry Creek basin from the construction and operation of the proposed Storm Water Management system.

1. Baseline Monitoring

Surface water outfall at the south of the property will undergo monitoring. There will be a sampling site established as the South surface water outfall monitoring station. This location is determined as the outfall for the proposed storm water management system. The figure below depicts this location:

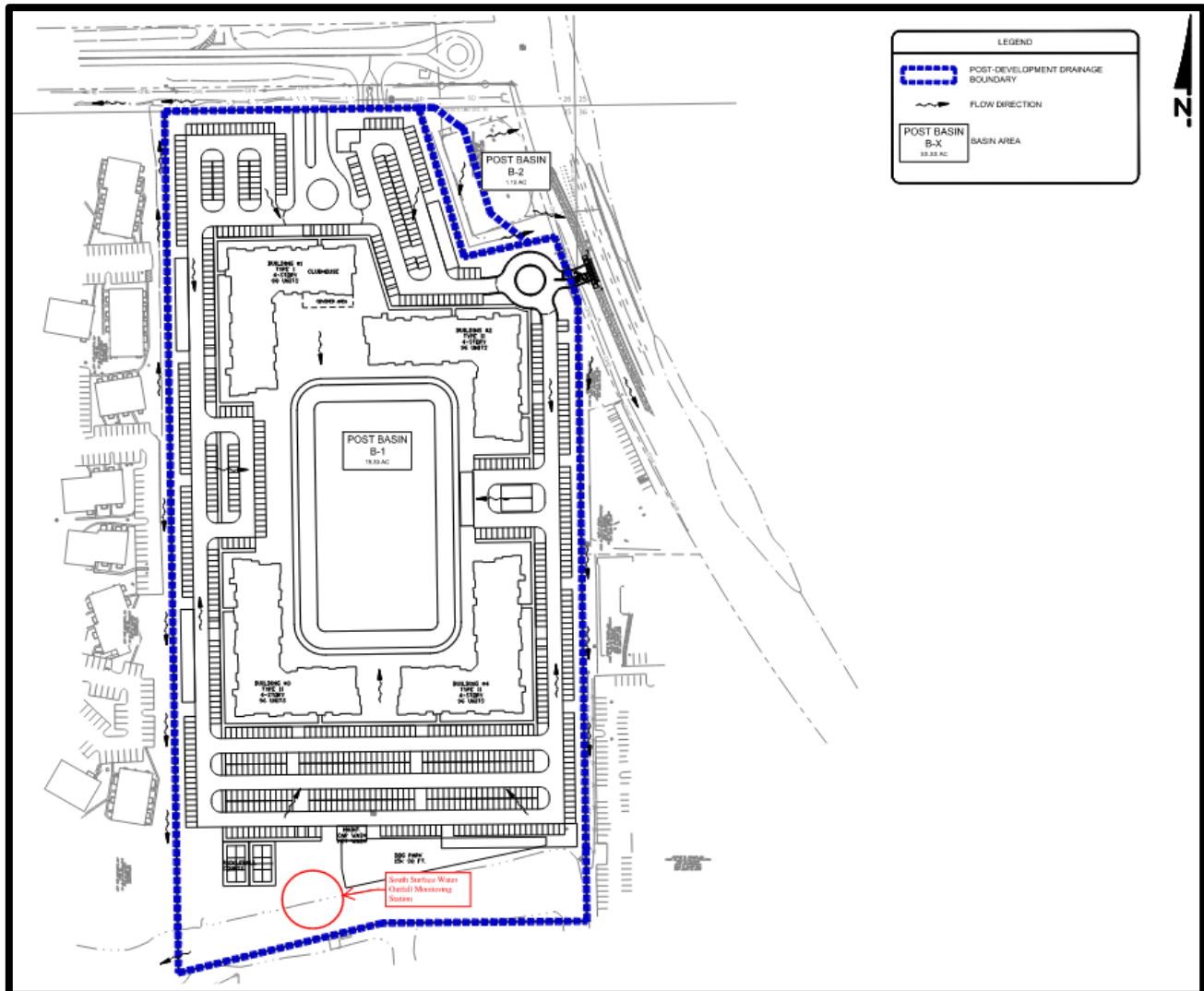


Figure 1: South Surface Water Outfall Monitoring Station location

The included parameters in the monitoring process are as follows: Turbidity, pH, Total Phosphorus, Total Nitrogen, Temperature, Specific Conductance, and Dissolved Oxygen (electrode and % saturation).

Surface Water			
<i>Parameter</i>	<i>Lab or Field</i>	<i>Units</i>	<i>Method</i>
Turbidity	Field	NTU	EPA 180.1
pH	Field	pH units	EPA 150.1
Total Phosphorus	Lab	mg/L as P	EPA 365.4
Total Nitrogen	Lab	mg/L	EPA 351.2/353.2
Temperature	Field	C	EPA 170.1
Specific Conductance	Field	mhos/cm	EPA 120.1
Dissolved Oxygen (electrode and % saturation)	Field	mg/L & %	EPA 350.1

2. Water Quality Monitoring

It is required that water quality monitoring data shall be reported annually, and a comprehensive report will be generated to show findings. Items included in this report shall include state water quality standards in comparison to collected data, visual and graphical aids to depict parameters, conclusive findings, and suggested actions. The Lee County Natural Resources Department (LCNRD) will receive results in an approved format. The annual report will be based on a 12 month calendar year, January to December. Biannual samples are to be collected from the monitoring station for lab analysis. Submittal will be within 90 days of receiving lab results for the final sample. Modifications to the Plan can be requested after a five year period from the stormwater management system's date of certification. All modifications are subject to state water quality standards and approval by the LCNRD.

3. Quality Assurance

Water samples will be obtained according to the standards set in FDEP Quality Assurance Rule F.A.C. 62-160 and adopted as the "Department of Environmental Protection Standard Operating Procedures for Field Activities DEP-SOP-001/01". For quality assurance, one field cleaned equipment blank will be obtained for each sampling event. In the biannual reports submitted to LCNRD, lab analysis reports and chain of custody reports will be given. A laboratory certified under the National Environmental Laboratory Accreditation Program will perform testing using methods and QA standards as stated in F.A.C. 62-160.

4. Data Analysis

A submittal of lab analysis results will be given to LCNRD within 30 days of receiving them. Relevant target levels will be compared to the results, and further assessment will be given to the parameters failing to meet these levels. Statistical analysis will be used on the surface water results, and as additional data is collected through biannual samples a 95% confidence interval and standard deviation values will be computed. Failure to be within this confidence interval will require an assessment to recognize atypical data. Results and data will be separated into seasonal sets, as these factors can pose the possibility of variations. Linear regression analysis will be utilized separately, following the above parameter.

5. Reporting

LCNRD will receive Biannual Monitoring Reports from the applicant that provides water quality data for each biannual sampling event. As stated previously, LCNRD will have a submittal of these results within 30 days of receiving them from the lab. Reports will contain cumulative results, conclusions, and recommendations. Water quality concerns will be acknowledged and addressed in combination with LCNRD. This also includes any potential modifications to parameters, frequency, reporting, etc. Biannual reports give a standard review of the data to date and a decision of parameters of concern exist. Comprehensive analysis of complete data will be included in the annual report.

6. Contingencies and Corrective Actions

Action will be taken within 30 days of identified water quality concerns. Conditions both onsite and offsite will be reviewed and additional samples will be collected in needed. Any required corrective actions will be stated to LCNRD. The establishment of a comprehensive notification process will be utilized in the event of any non-compliance to state water quality standards. The LCNRD will be notified per the instruction of www.leegov.com/naturalresources/NPDES/cleanwaterviolations. The FDEP will be notified per floridadep.gov/pollutionnotice. Property owners within a 1 mile radius will also be notified. A contingency plan will be created to acknowledge the possibility of contaminated water in the water management system and the effects it could potentially have on surrounding areas. Prior to a Lee County Development Order Permit, a preliminary plan will be submitted for approval to the LCNRD. Finalization of this preliminary plan will be subject to the final design and construction of the site. LCNRD will be included in collaboration with the applicant to acknowledge any issues and potential changes needed for parameters, frequency, and reporting to guarantee effective solutions.



Royal Palm Multifamily CPA

Exhibit M16 - Existing and Future Conditions Analysis

I. PROPERTY HISTORY

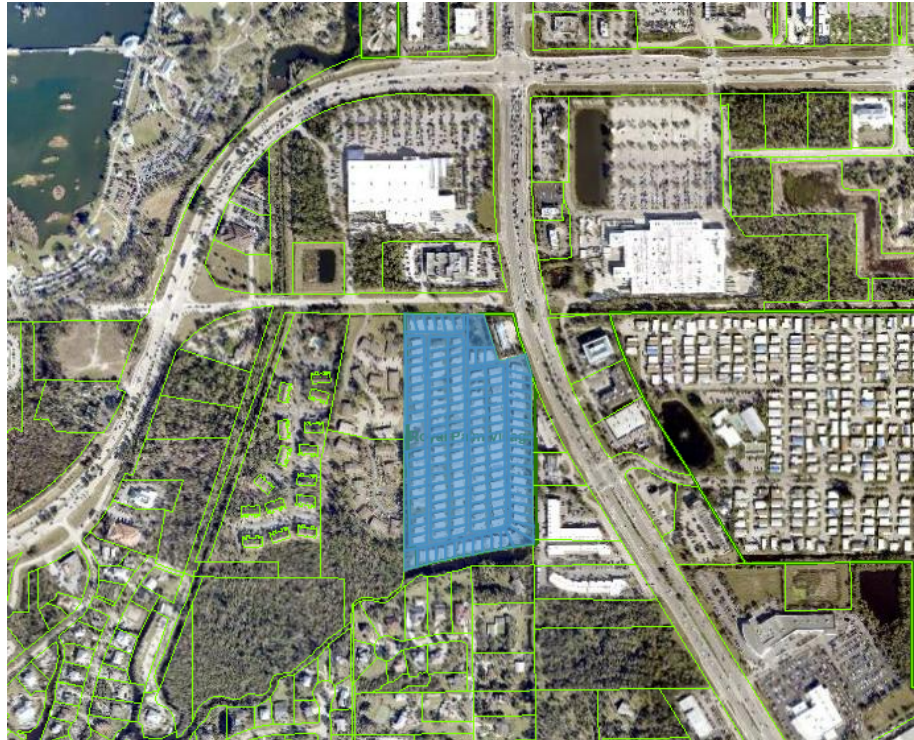
The Property is located south of Old Gladius Road and west US Highway 41. The Property is located within the South Fort Myers Planning Community Area. The Property is currently developed as the Royal Palm Village property. Access is provided from Old Gladius Road. However, there is a drainage and stormwater management easement located on the southern portion of the property.

The Applicant has filed a Comprehensive Plan Map Amendments to change the Future Land Use (FLU) designation of the Property from "Central Urban" to "Intensive Development".

II. EXISTING CONDITIONS

The property is in the South Fort Myers Planning Community Area and as mentioned above, it was historically developed as the Royal Palm Village (mobile home park).

The mobile home park ownership has been terminated (see attached termination agreement recorded at the Lee County Clerk) and most units have been removed.



There are no known environmentally sensitive areas on site. The site does abut, and the property line extends over a portion of Philips Creek to the south. Philips creek is a shallow waterway that connects to Otsego Bay but is only navigable near the subject property by kayaks and low drag, small boats.

The area to the north is in Intensive Development, to the east and west Central Urban, and south in the Suburban future land use category. The zoning is a mix of C-1, CC, RM-2, and AG-2 districts. The property to the north, east and west is either multifamily or commercial making this parcel a perfect infill redevelopment in a central employment center. The properties to the south are single-family homes on larger lots that are on average 170 feet from the southern property line and 350-550 feet from the nearest proposed multifamily building.

The surrounding area is as follows in the table below and map below.

Table 1: Inventory of Surrounding Lands

	FUTURE LAND USE	ZONING	EXISTING LAND USE
NORTH	Intensive Development	C-1	Infinity Car Dealership / retention
SOUTH	Central Urban / Suburban	RS-1; AG-2	Phillips Creek / Single Family Residential Homes
EAST	Central Urban	CC; C-1	Car Wash; Auto Shop; Speedway Gas Station, Retail Center
WEST	Central Urban	RM-2	Lost Tree Apartments

- **NORTH:** Old Gladius Road and the Infinity Car Dealership.
- **SOUTH:** Phillips Creek along with Single Family Residential Homes
- **EAST:** US 41 and commercial uses such as Car Wash; an Auto Shop, a Speedway Gas Station, and Retail Center
- **WEST:** The Lost Tree Multifamily apartments.

III. FUTURE CONDITIONS

The site is not in any special overlay except the Property is within the Coastal High Hazard Area (CHHA) and Evacuation Zone A, but with no FEMA floodway concerns. The site is at the western most outskirts of the CHHA. The FEMA Flood Map places the site in the AE-11 zone.

The request is to increase the potential density by moving the property into the Intensive Development FLUC which allows the property which allows density to be calculated over the residential areas. The increased potential density is justified by the following analysis.

Central Location

In the captured image of the Lee County Future Land Use Map the subject property is marked with a yellow star. The significance of this regional view is to show the central location and significance of the US 41 and Gladius Drive / 6 Mile Cypress Parkway intersection. The interchange is located in the southeast corner of the South Fort Myers Planning District. The area is built out with retail centers, fast food restaurants, a car dealership, Department stores, and home improvement stores. The Property is located within the southwest corridor of the US 41 and Gladius Drive / 6 Mile Cypress Parkway intersection. US 41 is a major arterial roadway that travels north-south in Lee County and serves as a major connection to all of the east-west arterials such as Daniels Parkway, Colonial Boulevard, Estero Parkway, 6 Mile Cypress Parkway, etc.

The applicant feels the consideration of bonus density in this area is good planning. The former mobile home flooded 2-3 feet in Hurricane Ian. Since that time the Flournoy Group and the Royal Palm Village POA have successfully terminated the 132 individual lots making way for redevelopment. It is telling that this was able to be accomplished. A CHHA is not an appropriate location for mobile homes, particularly on older parcels that are not raised to current base flood elevations. Repeated flood risks prompted the corporation of the termination.

Infill

The road is largely developed along US 41. The subject property is located in the southwest quadrant of US 41 and Gladius Parkway. The area is predominantly developed along US 41 to the north and south roadway. North of the Property includes a car dealership and a Lowes Improvement Center. To the east includes various of retail stores such as Wal-Mart and Home Depot, offices, and commercial retail and service plazas. South of the property includes a single-family residential development. However, directly west of the property includes multifamily apartments. The overall area is largely built out with a mix of commercial and residential developments.

The site is in the middle of a major employment area, abutted by multifamily developments, acts as an appropriate transition from commercial activity on US 41 to lower densities, has access to two major arterials (with proposed new access to US 41), is within one mile of Lakes Park, has access to Lee Tran with ¼ mile of a bus stop, is serviced by all major urban services as confirmed by the letters of availability for the Lee Plan map amendment letters received. The site is perfect for higher density infill redevelopment, particularly when considering the structures will be built to modern codes and FEMA flood elevations.

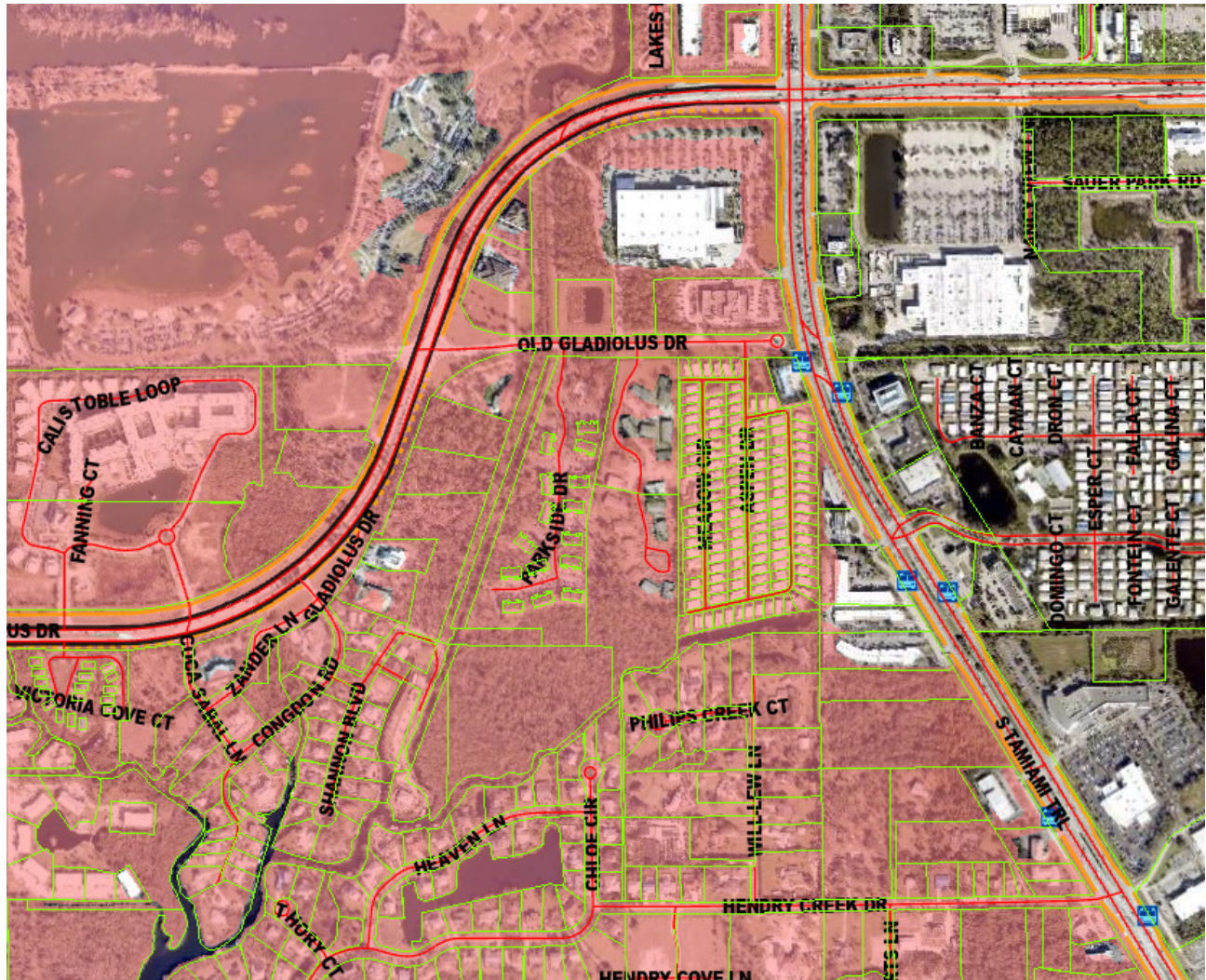
Serves Residential Rooftops

The site sits central to a region that has been developed with surrounding single-family and multifamily dwelling units.

Infrastructure

The Property has access to the necessary utilities to service the project and all urban services are adequate to serve the proposed development.

- Letters of availability have been secured from Lee County Utilities for water and sanitary sewer.
- Roadways have adequate capacity as the site, as proposed, will have direct access onto US 41, a state maintained principal arterial, and secondary access to Gladiolus Drive, a Lee County maintained arterial via Old Gladiolus Drive Lee County local road.
- Lee Tran serves the South Fort Myers Area by via Route 140 (Merchants Crossing/Bell Tower) and Route 240 (Coconut Point Mall/Bell Tower) located at the car wash directly adjacent to the property (approximately less than 200 ft.) on both the northbound and southbound travel lanes along the US Highway 41 roadway.
- The US 41 proposed access provides connection to the shared use path on the west side of US 41.
- The site entrance onto Old Gladiolus Drive is within ¼ mile of the shared path on Gladiolus Drive and the Lakes Park regional Lee County Park.
- South Trail Fire Station #63 is within one mile of the site north on US 41 to Harper Road.
- The Lee County Sheriff's South District primary substation is within one mile as is an EMS substation on Six Mile Cypress Parkway.



Map 1- CHHA

Urban services are in place to serve intense development. The site has access to all major urban services including, but not limited to, public sanitary sewer and water, fire, EMS, police, parks, public schools, solid waste, transit with bus stop within 200 feet, and shared use paths.



**SOUTH TRAIL FIRE PROTECTION
&
RESCUE SERVICE DISTRICT**
Established 1965

"Compassion, Commitment, Courage"

**Board of
Commissioners**

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Jeff Haugh
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Ken Brown
Commissioner

Administration

Gene Rogers
Fire Chief

Dave Bollen
Assistant Chief-
Operations

Todd Anderson
Assistant Chief-
Administration

March 8, 2024

Letter of Serviceability

To Whom It May Concern,

The South Trail Fire District is capable of servicing the proposed Flournoy RPD project at the site of the former Royal Palm Village Mobile Home Park utilizing its current service-delivery model, to include fire/life safety, Advanced Life Support (non-transport), and fire inspection and plan review services.

The sole source of fiscal sustainment for these services is derived from ad valorem property taxes. The District will be able to provide the comprehensive services necessary to meet the needs of this normal community growth, provided that these parcels remain within Unincorporated Lee County and the boundaries of the District's jurisdiction.

Please do not hesitate to contact me anytime, should you need any further assistance.

Thank you for your time.

Respectfully,

Nate Burley

Nate Burley
Division Chief-Fire and Life Safety
South Trail Fire District
239-464-1635 cell (text if not urgent)
239-482-8030 office
nburley@southtrailfire.org

Kevin Ruane
District One

January 29, 2024

Cecil L. Pendergrass
District Two

Fred Drovdic, AICP
Director of Planning

Ray Sandelli
District Three

**Flournoy RPD
Letter of Service Availability Request**

Brian Hamman
District Four

Mike Greenwell
District Five

Mr. Fred,

Roger Desjarlais
County Manager

LeeTran has reviewed your request for service availability regarding a proposed Comprehensive Plan Amendment. After reviewing the site and comparing the location with our existing and planned route locations according to the 2021 Transit Development Plan (TDP), the following has been determined:

Richard Wesch
County Attorney

Donna Marie Collins
County Hearing Examiner

- Subject area is within one-quarter mile of a fixed-route corridor
- Closest bus stop, #11490 is within one-quarter mile of the subject parcels
- The 2021 TDP does identify the need for enhanced or additional transit services in the area

The proposed development is within one-quarter mile of a fixed-route corridor and the closest bus stop is # 11490. If this becomes a DO or LDO type D, the developer must provide an 8' x 30', landing pad within the road right-of-way or dedicated easement, however, there is a sidewalk that can be considered within these dimensions; the only improvement that will need to be completed is an installation of a bicycle storage rack. Therefore, the developer would be required to make the necessary improvements based on the current Lee County Transit LDC section 10-442 (a)(1) but will be reassessed at the time of DO/LDO.

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

If you have any questions or require further information, please do not hesitate to contact me at (239) 533-0340 or cmarinodiaz@leegov.com.

Sincerely,

Clarissa Marino Diaz

Clarissa Marino Diaz,

Transit Service Planner

Phone: (239) 533-0340



Lee County
Southwest Florida

Board of County Commissioners

Kevin Ruane
District One

Cecil L. Pendergrass
District Two

Ray Sandelli
District Three

Brian Hamman
District Four

Mike Greenwell
District Five

Roger Desjarlais
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
County Hearing
Examiner

November 16, 2023

Fred Drovdic
RVI Planning + Landscape Architecture
10401 Highland Manor Dr. #220
Tampa, FL 33610

Re: Letter of Service Availability – Flournoy CPA

Mr. Drovdic,

I am in receipt of your letter requesting a Letter of Service Availability for a Comprehensive Plan Amendment. The property consists of 1 parcel totaling 19.33+/- acres located on the southwest corner of Old Gladius Road and US Highway 41. The Applicant is proposing Large-Scale Comprehensive Plan Map amendment to change the Future Land Use designation of the property from "Central Urban" to the "Intensive Development" classification.

Lee County Emergency Medical Services is the primary EMS transport agency responsible for coverage at the location you have provided. There is one ambulance located 1.6 miles east. A second location is 2.3 miles west.

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

Sincerely,

Benjamin Abes
Director, Public Safety



THE SCHOOL DISTRICT OF LEE COUNTY

Jacqueline Heredia

District Planning Specialist

2855 Colonial Boulevard, Fort Myers, FL 33966 | O: 239.335.1494

November 16, 2023

RE: Flournoy -Comprehensive Plan Amendment

Dear Fred Drovdic:

This letter is in response to your request for concurrency review dated November 10, 2023, for the subject property in Old Gladius Road and US highway 41 in regard to educational impact. This project is located in South choice Zone.

This development is a request for 391 Multifamily housing units. With regard to the inter-local agreement for school concurrency the generation rates are created from the type of dwelling unit and further broken down by grade level.

For multi-family homes, the generation rate is .042 and further broken down by grade level into the following, .035 for elementary, .017 for middle and .039 for high. A total of 16.82 school-aged children would be generated and utilized for the purpose of determining sufficient capacity to serve the development.

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

Thank you and if I may be of further assistance, please contact me at 239-335-1494

Sincerely,

Jacqueline Heredia, District Planning Specialist

LEE COUNTY SCHOOL DISTRICT'S SCHOOL CONCURRENCY ANALYSIS

REVIEWING AUTHORITY Lee County School District
 NAME/CASE NUMBER Flournoy Multifamily
 OWNER/AGENT RVI Planning + Landscape Architecture
 ITEM DESCRIPTION

LOCATION Old Gladiud Road US 41
 ACRES 19.33
 CURRENT FLU
 CURRENT ZONING RPD

PROPOSED DWELLING UNITS BY TYPE

Single Family	Multi Family	Mobile Home
	391	

STUDENT GENERATION

Student Generation Rates			
SF	MF	MH	Projected Students
0.035	0.015		5.87
0.017	0.009		3.52
0.039	0.019		7.43

Source: Lee County School District, September 8, 2018 letter

CSA SCHOOL NAME 2022/23

CSA Capacity (1)	CSA Projected Enrollment (2)	CSA Available Capacity	Projected Impact of Project	Available Capacity W/Impact	LOS is 100% Perm FISH Capacity	Adjacent CSA Available Capacity w/impact
14,234	14,026	208	6	202	99%	
7,293	6,912	381	4	377	95%	
9,536	8,492	1,044	7	1037	89%	

(1) Permanent Capacity as defined in the Interlocal Agreement and adopted in the five (5) years of the School District's Five Year Plan

(2) Projected Enrollment per the five (5) years of the School District's Five Year Plan plus any reserved capacity (development has a valid finding of capacity)

(3) Available Adjacent CSA capacity is subject to adjacency criteria as outlined in the Interlocal Agreement and the School District's School Concurrency Manual

Prepared by: Jacqueline Heredia, Planning Specialist



Board of County Commissioners

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District One

Cecil L. Pendergrass
District Two

Ray Sandell
District Three

Brian Hamman
District Four

Mike Greenwell
District Five

Dave Harner
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
County Hearing
Examiner

November 15, 2023

RVI Planning + Landscape Architecture
Attn: Lindsey Craig, Planner staff
10150 Highland Manor Drive, Suite 450
Tampa, FL 33610

**RE: Flourney – Comprehensive Plan Amendment
Letter of Service Availability**

Dear Ms. Craig:

The Lee County Solid Waste Department is capable of providing solid waste collection service for the proposed 391 multi family dwelling units located on the southwest corner of Old Gladius Road and US Highway 41 through our franchised hauling contractors. Disposal of the solid waste from this development will be accomplished at the Lee County Resource Recovery Facility and the Lee-Hendry Regional Landfill. Plans have been made, allowing for growth, to maintain long-term disposal capacity at these facilities.

Please review Lee County Land Development Code, Chapter 10, Section 261, with requirements for on-site space for placement and servicing of solid waste containers. Please note that the property owner will be responsible for all future applicable solid waste assessments and fees.

If you have any questions, please call me at (239) 533-8007.

Sincerely,

Justin Lighthall

Justin Lighthall
Manager, Public Utilities
Lee County Solid Waste Department

Carmine Marceno
Sheriff



"Proud to Serve"

State of Florida
County of Lee

November 13, 2023

Fred Drovdlc
RVi Planning + Landscape Architecture
1514 Broadway, Suite 201
Fort Myers, Florida 33901

Mr. Drovdlc,

The Lee County Sheriff's Office reviewed your Comprehensive Plan Amendment application request for a 19.33 +/- acre parcel located at the southwest corner of Old Gladiolus Road and U.S. 41 in incorporated Lee County.

The proposed Large-Scale Comprehensive Plan Map amendment would change the Future Land Use designation of the property from "Central Urban" to "Intensive Development" and designate the parcel in the Lee County Utilities (LCU) services area to connect to centralized potable water and sanitary sewer services. We acknowledge that the request would allow for a maximum of 391 multifamily dwelling units, with a proposed population at build out of 1,009 people. Buildout would occur by 2030 dependent upon market demand.

This Agency evaluated your rezoning request solely on its ability to provide law enforcement service to the development. Based on that criterion, we do not object to the proposed development. Law enforcement services will be provided from our Central District offices in Fort Myers. As this development builds out, we will factor its impact into our annual manpower review and make adjustments accordingly. At the time of application for new development orders or building permits, the applicant shall provide a Crime Prevention Through Environmental Design (CPTED) report done by the applicant and given to the Lee County Sheriff's Office for review and comments. Please contact Crime Prevention Practitioner Tiffany Wood at (239) 477-1885 with any questions regarding the CPTED study.

Respectfully,

A handwritten signature in black ink, appearing to read "Chris Reeves".

Chris Reeves
Major, Patrol Bureau



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



This record search is for informational purposes only and does NOT constitute a project review. This search only identifies resources recorded at the Florida Master Site File and does NOT provide project approval from the Division of Historical Resources. Contact the Compliance and Review Section of the Division of Historical Resources at CompliancePermits@dos.MyFlorida.com for project review information.

November 9, 2023

Lindsey Craig

Planner Staff

RVi Planning + Landscape Architecture

10150 Highland Manor Drive, Suite 450 • Tampa, FL 33610

813.443.8282 Main

In response to your request on November 9, 2003, the Florida Master Site File lists no cultural resources recorded within Section 35 Township 45S Range 24E for the Flournoy RPD Project, Lee County.

This search area may contain *unrecorded* archaeological sites, historical structures or other resources even if previously surveyed for cultural resources.

- Because vandalism and looting are common at Florida sites, we ask that you limit the distribution of location information on archaeological sites.
- While many of our records document historically significant resources, the documentation of a resource at the Florida Master Site File does not necessarily mean the resource is historically significant.

#

- Federal, state and local laws require formal environmental review for most projects. This search **DOES NOT** constitute such a review. If your project falls under these laws, you should contact the Compliance and Review Section of the Division of Historical Resources at CompliancePermits@dos.MyFlorida.com

Please do not hesitate to contact us if you have any questions regarding the results of this search.

Sincerely,

Eman M. Vovsi, Ph.D.

Florida Master Site File

Eman.Vovsi@DOS.MyFlorida.com



Board of County Commissioners

Kevin Ruane
District One

Cecil L. Pendergrass
District Two

Ray Sandelli
District Three

Brian Hamman
District Four

Mike Greenwell
District Five

Dave Harner, II
County Manager

Richard Wm. Wesch
County Attorney

Donna Marie Collins
County Hearing
Examiner

November 15, 2023

Fred Drovdlc, AICP
Planning Director
RVI Planning + Landscape Architecture
1514 Broadway, Suite 201
Fort Myers, FL 33901

**Re: Flournoy – Comprehensive Plan Amendment
Letter of Service Availability**

Dear Mr. Drovdlc,

In April 2014, the Lee County Board of County Commissioners adopted a comprehensive plan amendment eliminating concurrency requirements for transportation and parks, and moved both from regulatory to non-regulatory standards. In light of this, we do not have the authority to deny your request based on parks service availability.

That being said, the below numbers represent the current required and available acreages for regional and community park land as set forth by the requirements of Policy 95.1.3 in *The Lee Plan*. The Department's available capacity meets the current adopted level-of-service standard, and is projected to meet the adopted level-of-service standard for at least the next five years.

Required Capacity – 5,538 acres of regional parks and 295 acres of community parks

Available Capacity – 7,066 acres of regional parks and 832 acres of community parks

Please feel free to contact me directly at (239) 672-2094 or ARegnaert@leegov.com if you have further questions.

Sincerely,

Armand Regnaert
Principal Planner
Lee County Parks & Recreation
3410 Palm Beach Blvd
Fort Myers, FL 33916



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community



Lee County
Southwest Florida

BOARD OF COUNTY COMMISSIONERS

Kevin Ruane
District One

December 6, 2023

Via E-Mail

Cecil L Pendergrass
District Two

Fred Drovdic, AICP

Ray Sandelli
District Three

RVI Planning and Landscape Architecture

Brian Hamman
District Four

1514 Broadway, Suite 201

Fort Myers, FL 33901

Michael Greenwell
District Five

RE: Potable Water and Wastewater Availability

Dave Harner, II
County Manager

Chief Court Industrial Rezoning - Royal Plam Villages – 15180 Meadow Cir.

Richard Wm Wesch
County Attorney

STRAP # 35-45-24-L2-05000.01CE and Plus See Attached List

Donna Marie Collins
County Hearing Examiner

To whom this may concern:

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

Your firm has indicated that this project will consist of 391 multi-family residential units with an estimated flow demand of approximately 97,750 gallons per day. Lee County Utilities presently has sufficient capacity to provide potable water and sanitary sewer service as estimated above.

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

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

There are no reuse mains in the vicinity of these parcels.

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

December 6, 2023

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

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

Sincerely,

LEE COUNTY UTILITIES

Ashanti Shahriyar

Ashanti Shahriyar

Plan Reviewer

239-533-8531

UTILITIES ENGINEERING



LEE COUNTY UTILITIES
REQUEST FOR LETTERS OF AVAILABILITY

DATE: NOVEMBER 30, 2023

TO: DCAP STAFF
Lcudcap@leegov.com

FROM: FRED DROVDLIC, AICP

FIRM: RVI PLANNING AND LANDSCAPE ARCHITECTURE

ADDRESS: 1514 BROADWAY, SUITE 201

ADDRESS: FORT MYERS, FL 33901 -

PHONE#: (239)318-6707 FAX: () -

E-MAIL ADDRESS: FDROVDLIC@RVIPLANNING.COM

PROJECT NAME: CHIEF COURT INDUSTRIAL REZONING

PREVIOUS PROJECT NAME(S): ROYAL PALM VILLAGES MOBILE HOME PARK

STRAP NUMBER(S): 35-45-24-L2-05000.01CE PLUS SEE ATTACHED LIST

PRIOR STRAP NUMBER(S) (IF ANY):

LOCATION/SITE ADDRESS: 15180 MEADOW CIRCLE, FORT MYERS, FL 33908

PURPOSE OF LETTER:

- ☐ DEVELOPMENT ORDER SUBMITTAL ☐ FINANCING ☐ EFFLUENT REUSE
☐ PERMITTING OF SURFACE WATER MANAGEMENT (SOUTH FLORIDA WATER MANAGEMENT DISTRICT)
☒ OTHER: (PLEASE SPECIFY)

RESIDENTIAL PLANNED DEVELOPMENT AND COMPREHENSIVE PLAN MAP AMENDMENT

PLANNED USE:

- ☐ COMMERCIAL ☐ INDUSTRIAL ☐ RESIDENTIAL - (☐ SINGLE-FAMILY ☒ MULTI-FAMILY)
☐ OTHER: (PLEASE SPECIFY) _____

PLANNED # OF COMMERCIAL/INDUSTRIAL BUILDINGS: 4 TOTAL SQUARE FOOTAGE: _____

RESIDENTIAL UNITS: SINGLE-FAMILY: _____ MULTI-FAMILY: 391

AVERAGE ESTIMATED DAILY FLOW (GPD): 97,750 (☒ WATER ☒ WASTE-WATER) (GPD): _____ ☐ REUSE

PLEASE SHOW CALCULATION USED TO DETERMINE AVERAGE ESTIMATED DAILY FLOW (GPD) PER CRITERIA SET FORTH IN LEE COUNTY UTILITIES DESIGN MANUAL: _____

CHAPTER 64E-6 OF THE FLORIDA ADMINISTRATIVE CODE GUIDELINES

Multi-family residential at 250 GPD per unit = 97,750 GPD

Please e-mail the completed form to Lcudcap@leegov.com.

If you should have any questions or require assistance, please feel free to call our office at (239) 533-8531.





November 10, 2023

Pamela Keyes
Lee County Utilities
7391 College Parkway
Fort Myers, FL 33907

**RE: Flournoy – Comprehensive Plan Amendment
Letter of Service Availability**

Dear Ms. Keyes,

RVi Planning + Landscape Architecture, on behalf of the applicant and contract purchaser of the subject property, the Flournoy Development Group, is preparing a Comprehensive Plan Amendment application for the above referenced project. The property consists of 1 parcel totaling 19.33+/- acres located on the southwest corner of Old Gladius Road and US Highway 41 in unincorporated Lee County, Florida. An aerial location map depicting the subject property has been attached for your reference.

The Applicant is proposing Large-Scale Comprehensive Plan Map amendment to change the Future Land Use designation of the property from "Central Urban" to "Intensive Development" and designate the Property in the Lee County Utilities (LCU) services area to connect to centralized potable water and sanitary sewer services. The request is to allow for a maximum of 391 multifamily dwelling units.

The proposed population at build out is estimated at 1,009 people (maximum of 391 dwelling units X 2.58 persons per dwelling unit). Buildout is anticipated to occur by 2030; however, this date is variable depending upon market demand.

To complete the application process, we are required to secure a service availability letter from your agency stating whether existing facilities are capable of serving this future project. I greatly appreciate your time and consideration of this matter.

If you have any further questions, please do not hesitate to contact me directly at (239) 318-6707 or fdrovdlic@rviplanning.com.

Sincerely,

RVi Planning + Landscape Architecture

A handwritten signature in blue ink, appearing to read 'Fred Drovdlc'.

Fred Drovdlc, AICP

Enclosure

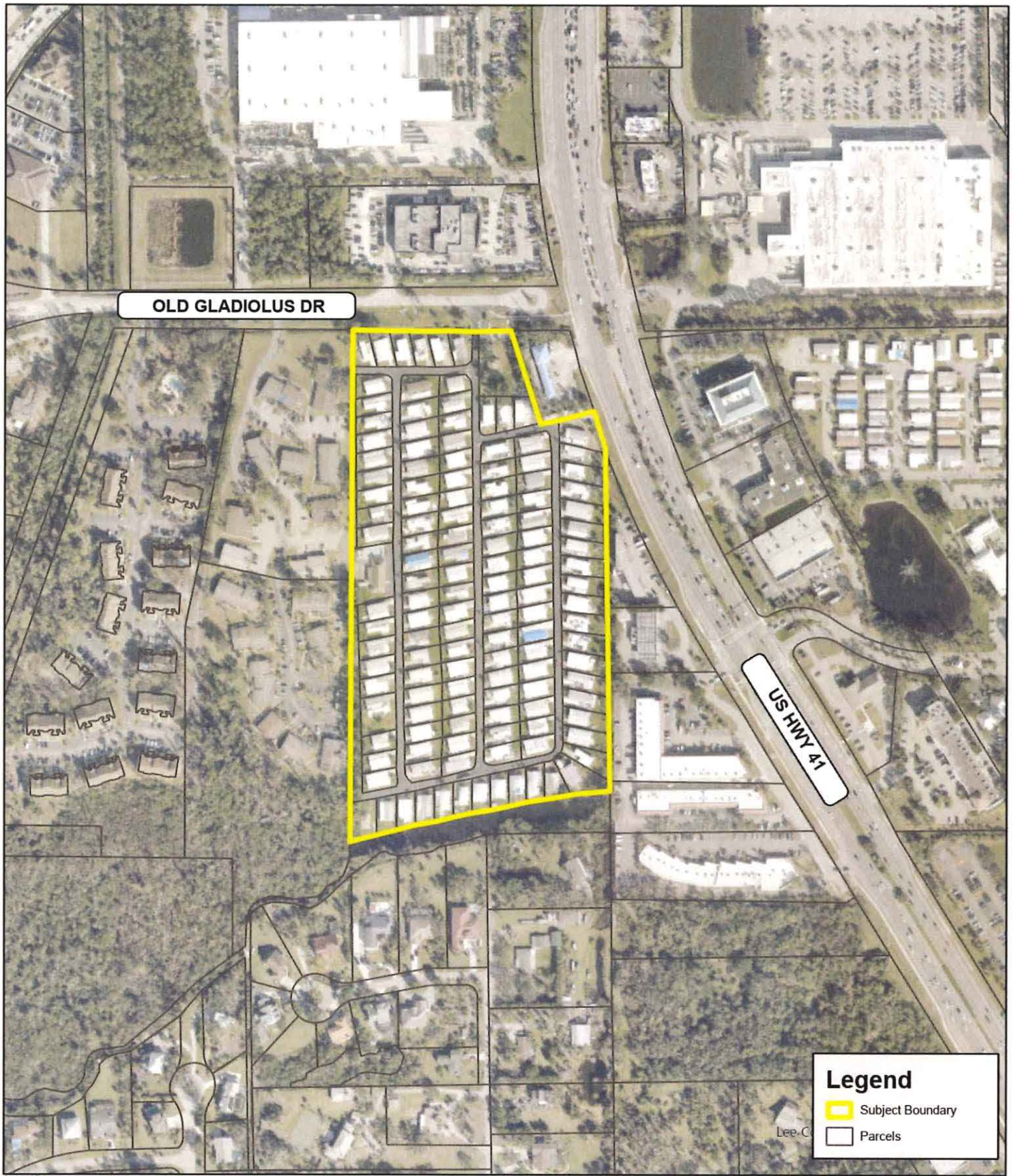


FLOURNEY MULTIFAMILY RPD

List of Lots

STRAP #'s of the terminated lots of Royal Palms Village Mobile Home Park

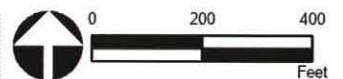
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35-45-24-05-00000.0030	35-45-24-05-00000.0450	35-45-24-05-00000.0860	35-45-24-05-00000.1310
35-45-24-05-00000.0040	35-45-24-05-00000.0460	35-45-24-05-00000.0870	35-45-24-05-00000.1320
35-45-24-05-00000.0050	35-45-24-05-00000.0470	35-45-24-05-00000.0880	35-45-24-05-00000.1330
35-45-24-05-00000.0060	35-45-24-05-00000.0480	35-45-24-05-00000.0890	35-45-24-L2-05000.01CE
35-45-24-05-00000.0070	35-45-24-05-00000.0490	35-45-24-05-00000.0900	35-45-24-L2-05000.02CE
35-45-24-05-00000.0080	35-45-24-05-00000.0500	35-45-24-05-00000.0910	35-45-24-L2-05000.03CE
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35-45-24-05-00000.0400	35-45-24-05-00000.0810	35-45-24-05-00000.1220	



28100 Bonita Grande Drive
Suite 305
Bonita Springs, FL 34135
Tel 239.405.7777
www.rviplanning.com

FLOURNOY MULTIFAMILY RPD • AERIAL MAP

- 📍 Lee County, FL
- 📅 11/1/2023
- # 23001957
- 👤 Flourney Development Group



Information furnished regarding this property is from sources deemed reliable. RVi has not made an independent investigation of these sources and no warranty is made as to their accuracy or completeness. This plan is conceptual, subject to change, and does not represent any regulatory approval.