ADD2022-00190 Lee County ePlan

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Lee County Homes Associates I, LLP filed an application for an administrative amendment to a Residential Planned Development on a project known as Buckingham 345 to:

1-Revise the Master Concept Plan;
2-Amend Deviations #2 and #5 and eliminate Deviation #7 of Resolution Z-21-002; and
3-Amend Condition 6.a, “Southern Property Line” and Condition 6.c, “Buffers adjacent to Portico and Internal Right-of-Way” of Resolution Z-21-002;

on property located on the east side of Buckingham Road, south of Palm Beach Blvd., described more particularly as:

LEGAL DESCRIPTION: In Sections 32 & 33, Township 43 South, Range 26 East, Lee County, Florida:

ATTACHED AS EXHIBIT “A”

WHEREAS, the property was originally rezoned by Resolution Z-00-029 and was subsequently amended by ADD2003-00067, Resolution Z-05-074, ADD2006-00220, ADD2007-00018, and Resolution Z-21-002; and

WHEREAS, the subject property is located in the Outlying Suburban Future Land Use Category as designated by the Lee Plan; and

WHEREAS, the Lee County Land Development Code provides for certain administrative changes to planned development master concept plans and planned unit development final development plans; and

WHEREAS, the applicant proposes to amend the Master Concept plan to:

1- Increase R-1 Development Area from 68.34 acres to 74.83 acres;
2- Decrease R-2 Development Area from 241.95 acres to 211.55 acres;
3- Increase R-3 Development Area from 14.39 acres to 16.45 acres;
4- Increase RA Development Area from 6.92 acres to 10.87 acres; and
5- Amend the Land Use Summary to include Upland/Wetland Preserve; and

WHEREAS, this action will reduce the approved open space by less than 10%, as limited by Land Development Code Section 34-174(i) for Administrative Amendments; and

WHEREAS, the applicant is requesting to amend the condition approved in conjunction with Deviation #2, to take into account the open space reduction resulting from the request to modify the areas of different development tracts; and

WHEREAS, the applicant also requests to amend Deviation #5 concerning "Access Connection Separation" to allow the main entrance to Buckingham 345 to align with the entrance to Oak View RPD along Buckingham Road; and

WHEREAS, aligning the two driveways along Buckingham Road will create a safer road condition; and

WHEREAS, due to the proposed changes to the Master Concept Plan Deviation #7 is no longer necessary and the applicant proposed to withdraw this Deviation; and

WHEREAS, the applicant is proposing to amend Conditions 6.a (Southern Property Line Buffer) and 6.c (Buffers adjacent to Portico and Internal Right-of-Way) of Resolution Z-21-002; and

WHEREAS, the proposed revised Condition 6.a will allow a wall or a chain link fence with a berm/fence combination and larger shrubs to provide visual screening; and

WHEREAS, the proposed revised Condition 6.c will require a wall or an opaque/solid fence in conjunction with an enhanced 20-foot-wide Type-C buffer where internal roads are less than 125 feet from an adjacent single-family subdivision; and

WHEREAS, the applicant conducted a publicly advertised information session on March 3, 2022, as required by LDC Sec. 33-1482; and

WHEREAS, this application was reviewed by the Lee County Department of Transportation, the Development Services Section and the Zoning Section Environmental staff and is recommended for approval; and

WHEREAS, the subject application and plans have been reviewed by the Lee County Department of Community Development in accordance with applicable regulations for compliance with all terms of the administrative approval procedures; and

WHEREAS, it is found that the proposed amendment does not increase density or intensity within the development; does not decrease buffers or open space required by the LDC; does not underutilize public resources or infrastructure; does not reduce total open space, buffering, landscaping or preservation areas; and does not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an amendment to the Residential Planned Development to amend two deviations, eliminate one deviation and amend the Master Concept Plan and two of the conditions of Resolution Z-21-002 is **APPROVED subject to the following conditions:**

1. **The Development must be in compliance with the amended Master Concept Plan, revised on 05/04/2023. Master Concept Plan for ADD2022-00190 is hereby APPROVED and adopted. A reduced copy is attached hereto as Exhibit "B".**

2. **The terms and conditions of the original zoning resolution remain in full force and effect, except as amended herein.**

3. **The condition of approval of Deviation #2 of Resolution Z-21-002 is hereby amended as follows:**

   This deviation is APPROVED SUBJECT TO the condition that the development order must depict 101.40 acres open space comprised of 79.69 acres general open space and 21.71 acres indigenous open space that includes 150% upland credits for upland indigenous area #1.

4. **Deviation #5 of Resolution Z-21-002 is hereby amended as follows:**

   Deviation (5) seeks relief from the LDC Section 10-285 requirement of 660 feet of access connection separation within a future Suburban future land use category on a principal arterial, to allow 531± feet from the primary access to the proposed second egress and 461± feet from the proposed egress to the existing access to the north.

   Amendment to Deviation #5 is approved subject to the following condition:

   The County retains the right and authority to modify or restrict access, turning movements, median openings and use of traffic control devices on or affecting County rights-of-way as it deems necessary to address operational and safety issues.

5. **Deviation #7 of Resolution Z-21-002 is hereby withdrawn and no longer applicable to this Planned Development.**

6. **Sections "a" and "c" of Condition 6 (Buffers) of Resolution Z-21-002 is hereby amended as follows:**

   a. <u>Southern Property Line</u>

   Development order plans must depict a 30-foot-wide buffer along the southern property line (excluding indigenous preserve area) with the development order establishing lots adjacent to this property boundary. The 30-foot-wide buffer must abide by the following:

   i. ***Contain a berm, a minimum of 3 feet in height, with a wall or chain link fence at least five feet in height, except where it encroaches in the upland preserve as shown on the MCP;***

ii. ***Vegetation installed between the southern property line and the minimum eight-foot berm/wall or chain link fence combination must contain ten trees (alternating oak and Silver Buttonwood trees) per 100 linear feet and a double hedge row;***

iii. ***Trees must be 10 feet, two-inch caliper, and four-foot spread;***

iv. ***Shrubs comprising the double hedgerow must be at least 48 inches in height at time of planting to create a visual screen and must be maintained at 60 inches in height; and***

v. ***Existing indigenous native vegetation may be counted toward the vegetation requirements of this condition.***

c. <u>Buffer Adjacent to Portico and Internal Right-of-Way</u>

Development order plans must depict an enhanced 20-foot-wide Type-C buffer where internal roads are less than 125 feet from an adjacent single-family subdivision. A berm with a wall, or a solid fence, at least eight feet in height may be constructed closer than 25 feet from the abutting property if the following plant material is proposed:

i. ***Between the opaque/solid fence or wall/berm and the property line – Ten South Florida Slash Pine (Pinus elliottii var. densa) and 18 shrubs per 100 linear feet; and***

ii. ***Between the opaque/solid fence or wall/berm and the internal right-of-way***

1) ***Five shade trees per 100 linear feet;***
2) ***Clusters of three South Florida Slash Pine (Pinus elliottii var. densa) between the shade trees; and***
3) ***18 shrubs per 100 linear feet.***

7. If it is determined that inaccurate or misleading information was provided to the County or if this decision does not comply with the LDC when rendered, then, at any time, the Zoning Manager may issue a modified decision that complies with the Code or revoke the decision. If the approval is revoked, the applicant may acquire the necessary approvals by filing an application for public hearing in accordance with Chapter 34.

Duly passed, adopted, and electronically signed on 5/19/2023

Anthony R. Rodriguez, AICP, CPM, Zoning Manager

Attachments: Exhibit “A” Legal Description
Exhibit “B” Master Concept Plan
Exhibit “C” Resolution Z-21-002

ADD2022-00190 Lee County ePlan

Exhibit A

RHODES & RHODES LAND SURVEYING, INC.
26100 BONITA GRANDE DRIVE SUITE 107
BONITA SPRINGS, FLORIDA 34135
PHONE (239) 405-8166 FAX (239) 405-8163

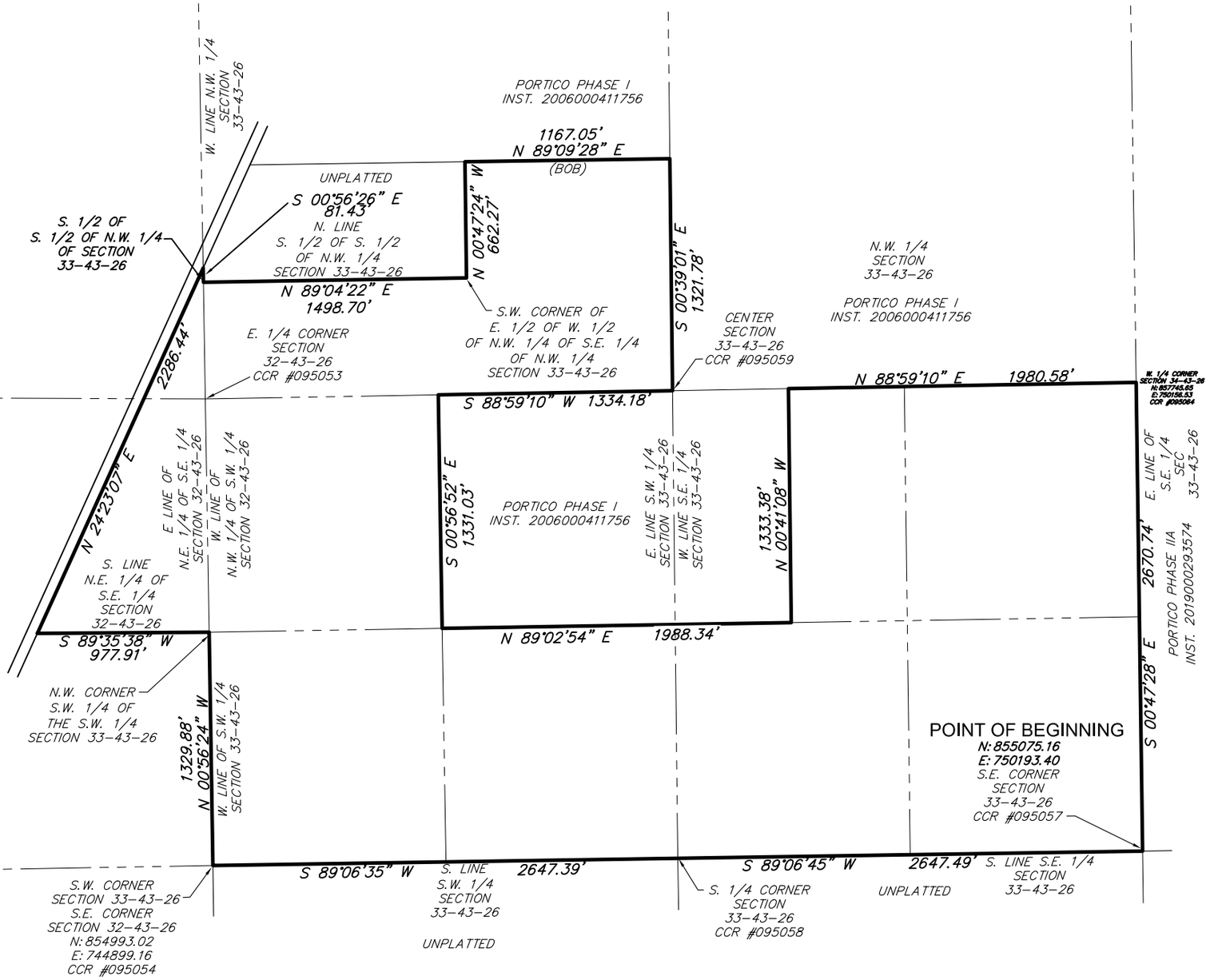
LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE BEING A PORTION OF SECTIONS 32 AND 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SECTION 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN S.89°06'45"W. ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 2647.49 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 33; THENCE S.89°06'35"W. ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33 FOR A DISTANCE OF 2647.39 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 33; THENCE N.00°56'24"W. ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1329.88 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33; THENCE S.89°35'38"W. ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST, FOR A DISTANCE OF 977.91 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BUCKINGHAM ROAD., A 60' RIGHT-OF-WAY; THENCE N.24°23'07"E. ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BUCKINGHAM ROAD., FOR A DISTANCE OF 2286.44 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE S.00°56'26"E. ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 81.43 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE N.89°04'22"E. ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1498.70 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE N.00°47'24"W. ALONG THE WEST LINE OF THE EAST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 662.27 FEET TO A POINT ON THE PLATTED BOUNDARY LINE OF PORTICO PHASE I, RECORDED AS INSTRUMENT #2006000411756, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°09'28"E. ALONG SAID LINE, FOR A DISTANCE OF 1167.05 FEET; THENCE S.00°39'01"E. ALONG SAID PLATTED BOUNDARY OF PORTICO PHASE 1, FOR A DISTANCE OF 1321.78 FEET TO THE CENTER OF SAID SECTION 33; THENCE S.88°59'10"W. ALONG SAID PLATTED BOUNDARY OF PORTICO PHASE 1, FOR A DISTANCE OF 1334.18 FEET; THENCE S.00°56'52"E. ALONG SAID PLATTED BOUNDARY OF PORTICO PHASE 1, FOR A DISTANCE OF 1331.03 FEET; THENCE N.89°02'54"E. ALONG SAID PLATTED BOUNDARY OF PORTICO PHASE 1, FOR A DISTANCE OF 1988.34 FEET; THENCE N.00°41'08"W. ALONG SAID PLATTED BOUNDARY OF PORTICO PHASE 1, FOR A DISTANCE OF 1333.38 FEET; THENCE N.88°59'10"E. ALONG SAID PLATTED BOUNDARY OF PORTICO PHASE 1, FOR A DISTANCE OF 1980.58 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 33 AND A NORTHWEST CORNER OF PORTICO PHASE IIA, RECORDED AS INSTRUMENT #2019000293574, OF SAID PUBLIC RECORDS; THENCE S.00°47'28"E. ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33 AND THE WEST LINE OF SAID PORTICO PHASE IIA, FOR A DISTANCE OF 2670.74 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 15,018,447 SQUARE FEET, 344.776 ACRES, MORE OR LESS.

REVIEWED
ADD2022-00190
Rick Burris, Principal Planner
Lee County DCD/Planning
2/24/2023



ABBREVIATIONS

B.O.B. = BASIS OF BEARING
P.S.M. = PROFESSIONAL SURVEYOR & MAPPER
L.B.# = LICENSED BUSINESS NUMBER
INST. = INSTRUMENT NUMBER
PGS. = PAGES
OR = OFFICIAL RECORD

0 400 800

GRAPHIC SCALE IN FEET
1"= 800

REVIEWED
ADD2022-00190
Rick Burris, Principal Planner
Lee County DCD/Planning
2/24/2023

NOTES

1. BEARINGS ARE BASED ON THE BOUNDARY OF PORTICO PHASE I, RECORDED AS INSTRUMENT NUMBER 200600411756, ALSO BEING THE THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA, AS BEING NORTH 89°09'28" EAST AND RELATE TO THE STATE PLANE COORDINATE SYSTEM FOR FLORIDA WEST ZONE, NORTH AMERICAN DATUM 1983/90 ADJUSTMENT (NAD83/90).

2. SUBJECT TO EASEMENTS, RESERVATIONS AND RESTRICTIONS OF RECORD.

3. ALL DIMENSIONS ARE IN FEET AND DECIMALS THEREOF, UNLESS OTHERWISE NOTED.

JOHN SCOTT RHODES CERTIFICATE No. 5739 STATE OF FLORIDA Professional Surveyor & Mapper

BY: John Scott Rhodes PSM # 5739 State of Florida
Digitally signed by John Scott Rhodes PSM # 5739 State of Florida Date: 2022.07.13 08:54:42 -04'00'

JOHN SCOTT RHODES PSM #5739

NOT A SURVEY

SKETCH FOR DESCRIPTION

BOUNDARY SKETCH

RHODES & RHODES LAND SURVEYING, INC.
LICENSE #LB 6897

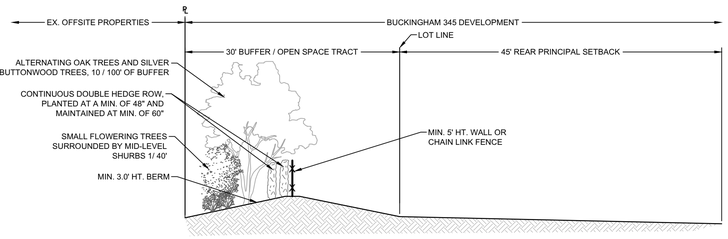
28100 BONITA GRANDE DRIVE SUITE 107
BONITA SPRINGS, FL 34135
(239) 405-8166 (239) 405-8163 FAX

date:	APRIL 4, 2022
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cadd file:	2021-1114DO SKETCH

PSM:	JSR
drawn:	RWC
checked:	JSR
view:	SKETCH
project#:	2021-1114
sheet #:	2 of 2

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ADD2022-00090 Lee County ePlan



6 30' LANDSCAPE BUFFER

SCALE: 1" = 10'

TABLES / NOTES:

NOTES

1. 25' TYPE 'D" LANDSCAPE BUFFER* - SEE DETAIL 5 ON SHEET C-501
2. 30' LANDSCAPE BUFFER* - SEE DETAIL 6 ON THIS SHEET
3. 15' TYPE 'B' BUFFER* - SEE DETAIL 7 ON SHEET C-501
4. 20' ENHANCED TYPE 'C' BUFFER* - SEE DETAIL 8 ON SHEET C-501
5. PRESERVE TO PROVIDE BUFFER
6. 20' LANDSCAPE BUFFER* - SEE DETAIL 11 ON SHEET C-501
7. 20' LANDSCAPE BUFFER* - SEE DETAIL 12 ON SHEET C-501

DEVIATIONS

1. ENHANCED TYPE "C" BUFFER
2. INDIGENOUS PRESERVATION
3. SUBURBAN STREETS
4. SUBURBAN STREETS
5. DRIVEWAY SEPARATION
6. HAMMERHEAD TURNAROUND

GENERAL NOTES:

1. THE SHORELINE CONFIGURATION OF ALL ON-SITE LAKES ARE DESIGNED TO BE SINUOUS IN CONFIGURATION AND COMPLY WITH LDC SECTION 10-418

LEGEND

- LAKE
- WETLAND PRESERVE
- UPLAND PRESERVE
- AMENITY (RA)
- SCHOOL SITE (RESERVED AREA)
- **R1** LOTS THAT ARE A MINIMUM 6,500 SQ. FT
- **R2** LOTS THAT ARE A MINIMUM 4,500 SQ. FT
- **R3** LOTS THAT ARE A MINIMUM 13,600 SQ. FT

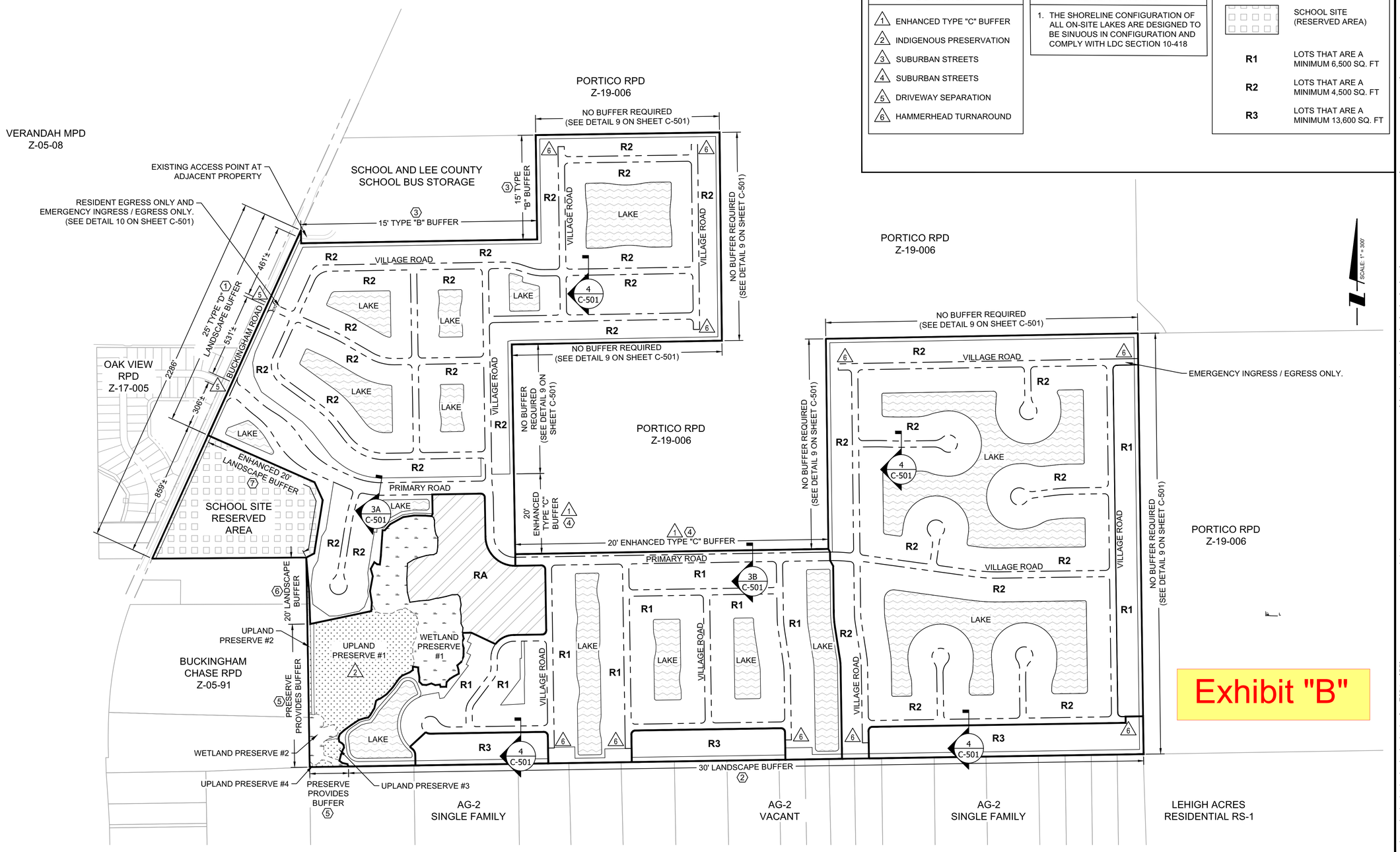


Exhibit "B"

PENINSULA ENGINEERING
• CIVIL ENGINEERING • LANDSCAPE ARCHITECTURE
• PLANNING AND ZONING • SURVEYING
• ENVIRONMENTAL SERVICES • LAND DEVELOPMENT
239.403.6700
Pen-Eng.com

PROJECT:

BUCKINGHAM 345

TITLE:

MASTER CONCEPT PLAN

CLIENT:

LEE COUNTY HOMES ASSOCIATES I, LLLP

REVISIONS:

No:	Revision:	Date:
1	REVISED PER LEE COUNTY COMMENTS	3/15/23
2	REVISED PER LEE COUNTY COMMENTS	4/10/23
3	REVISED PER LEE COUNTY COMMENTS	5/4/23

NOTES:

PROFESSIONAL SEALS:

PROFESSIONAL ENGINEER: DANIEL HARTLEY
FLORIDA LICENSE NUMBER: 73943

Florida Engineering Certificate of Authorization #28275
Florida Landscape Certificate of Authorization #LC26000632

DATUM NOTE:
ALL ELEVATIONS ARE BASED ON NAVD 88 (NORTH AMERICAN VERTICAL DATUM OF 1988).

Bar Scale: 1" = 300'
0 75' 150' 300' 600' 900'

SEC: 33 TWP: 43 RGE: 26E
City: FORT MYERS County: LEE
Designed by: CURTIS WICKSTROM
Drawn by: CURTIS WICKSTROM
Date: OCT. 2022
Horizontal Scale: 1" = 300'
Vertical Scale: N.T.S.
Project Number: P-GLHO-004-002
File Name: P-GLHO-004-002-X11-1.dwg
Sheet ID: C-101
Sheet Number: 1 of 2

ADD2022-00090 Lee County ePlan

TABLES / NOTES:

LAND USE AND REQUIRED OPEN SPACE SUMMARY

SITE AREA	ACREAGE	REQUIRED OPEN SPACE 40% (PER LDC SEC. 10-415)
R-1 DEVELOPMENT AREA	74.83	0.00
R-2 DEVELOPMENT AREA	211.55	84.62
R-3 DEVELOPMENT AREA	16.45	0.00
RA DEVELOPMENT AREA	10.87	4.35
SCHOOL SITE	13.18	5.27
REMAINING AREA	17.90	7.16
TOTAL	344.78	101.40

PROVIDED OPEN SPACE CALCULATION

LAND TYPE		OPEN SPACE PROVIDED	TOTAL OPEN SPACE PROVIDED
GENERAL OPEN SPACE	GENERAL OPEN SPACE	44.12	79.69
	RECREATION SITE	4.95	
	LAKE**	25.35	
	SCHOOL SITE	5.27	
INDIGENOUS OPEN SPACE	INDIGENOUS UPLAND 1	8.70	21.71*
	INDIGENOUS UPLAND 2	0.36	
	INDIGENOUS UPLAND 3	0.30	
	INDIGENOUS UPLAND 4	0.10	
	INDIGENOUS UPLAND CREDIT***	4.35	
	INDIGENOUS WETLAND 1	7.07	
	INDIGENOUS WETLAND 2	0.83	
TOTAL			101.40

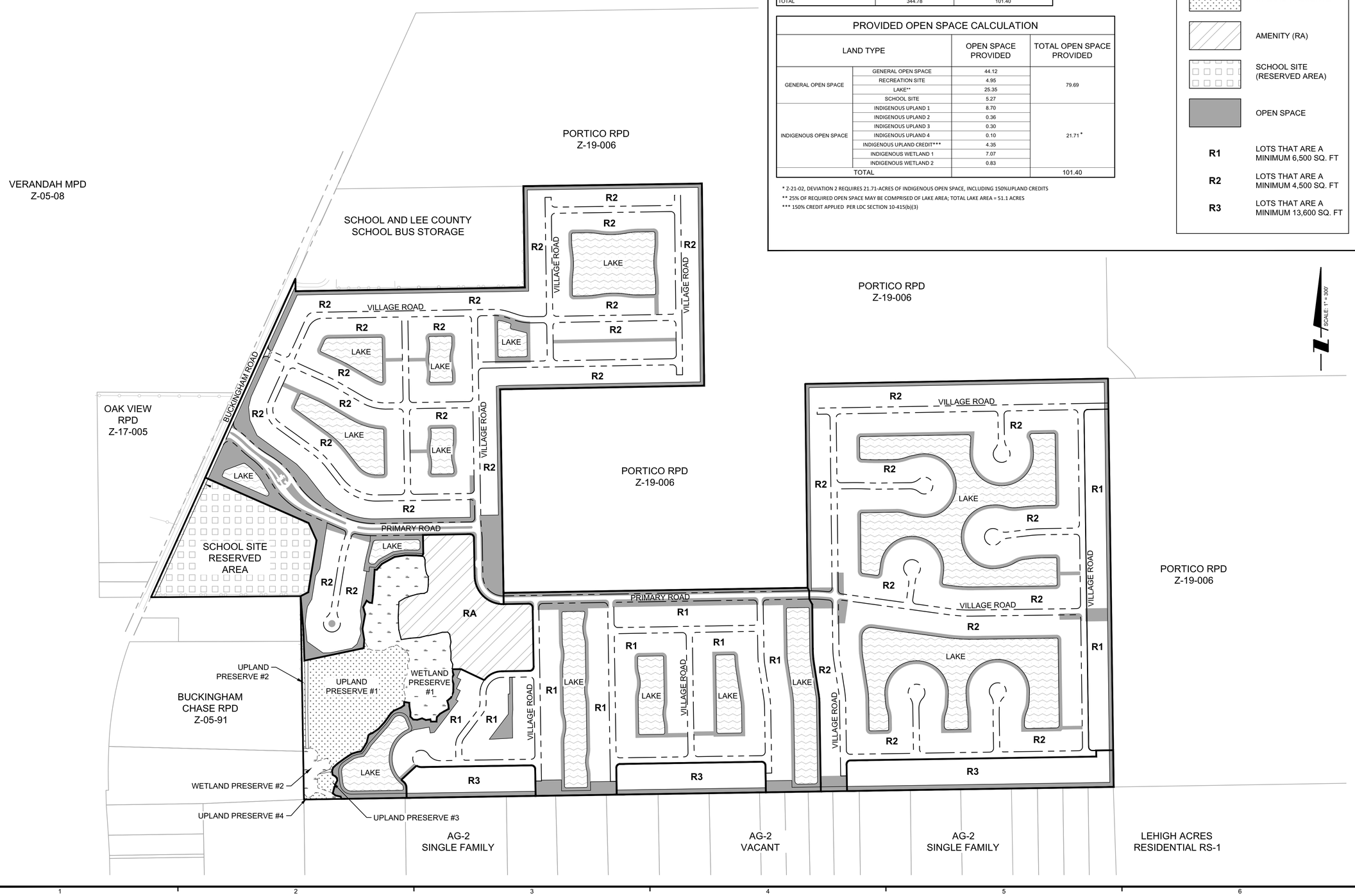
* Z-21-02, DEVIATION 2 REQUIRES 21.71-ACRES OF INDIGENOUS OPEN SPACE, INCLUDING 150%UPLAND CREDITS

** 25% OF REQUIRED OPEN SPACE MAY BE COMPRISED OF LAKE AREA; TOTAL LAKE AREA = 51.1 ACRES

*** 150% CREDIT APPLIED PER LDC SECTION 10-415(b)(3)

LEGEND

- LAKE
- WETLAND PRESERVE
- UPLAND PRESERVE
- AMENITY (RA)
- SCHOOL SITE (RESERVED AREA)
- OPEN SPACE
- **R1** LOTS THAT ARE A MINIMUM 6,500 SQ. FT
- **R2** LOTS THAT ARE A MINIMUM 4,500 SQ. FT
- **R3** LOTS THAT ARE A MINIMUM 13,600 SQ. FT



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• PLANNING AND ZONING • SURVEYING
• ENVIRONMENTAL SERVICES • LAND DEVELOPMENT

239.403.6700
Pen-Eng.com

PROJECT:

BUCKINGHAM 345

TITLE:

OPEN SPACE PLAN

CLIENT:

LEE COUNTY HOMES ASSOCIATES I, LLLP

REVISIONS:

No:	Revision:	Date:
1	REVISED OPEN SPACE CALCULATION	1/11/23
2	REVISED PER LEE COUNTY COMMENTS	3/15/23
3	REVISED PER LEE COUNTY COMMENTS	4/10/23

NOTES:

PROFESSIONAL SEALS:

PROFESSIONAL ENGINEER: DANIEL HARTLEY
FLORIDA LICENSE NUMBER: 73943

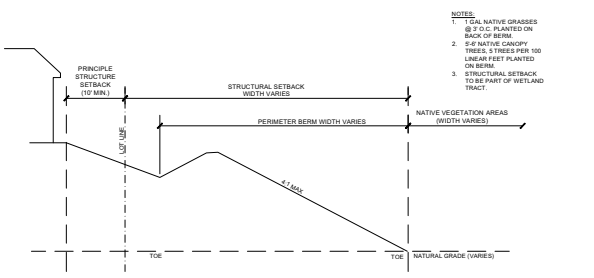
Florida Engineering Certificate of Authorization #28275
Florida Landscape Certificate of Authorization #LC26000632

DATUM NOTE:
ALL ELEVATIONS ARE BASED ON NAVD 88
(NORTH AMERICAN VERTICAL DATUM OF 1988).

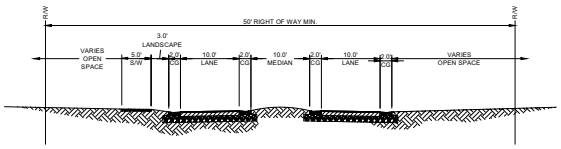
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SEC: 33 TWP: 43 RGE: 26E
City: FORT MYERS County: LEE
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Date: OCT. 2022
Horizontal Scale: 1" = 300'
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Project Number: P-GLHO-004-002
File Name: P-GLHO-004-002-X11-2.dwg
Sheet ID: C-102
Sheet Number: 2 of 2

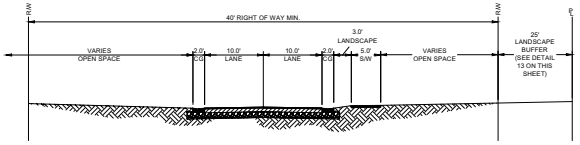
ADD2022-00090 Lee County ePlan



1 LOTS BORDERING NATIVE VEGETATION

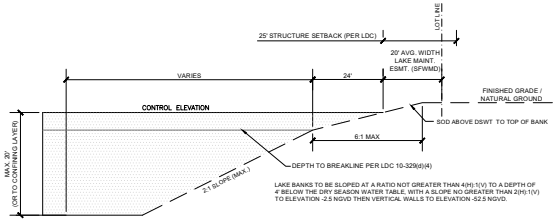


SECTION 3A - PRIMARY ROAD WITH MEDIAN

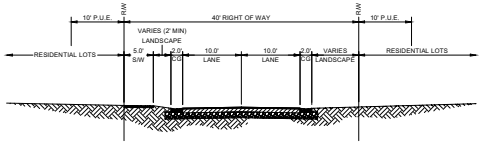


SECTION 3B - PRIMARY ROAD WITHOUT MEDIAN

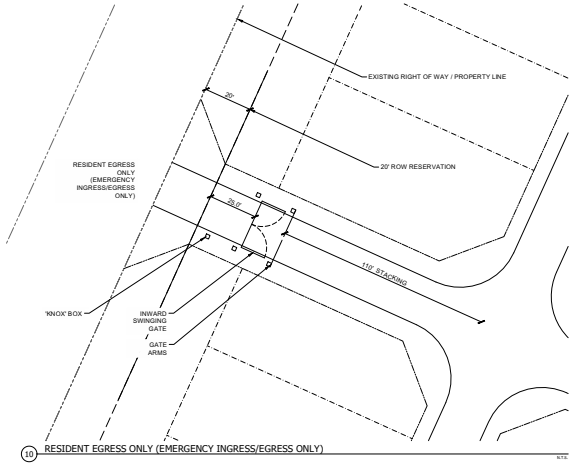
3 PRIMARY ROAD



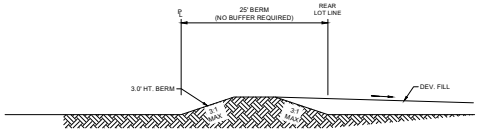
2 TYPICAL LAKE SECTION



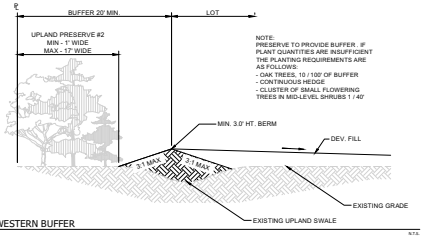
4 VILLAGE ROAD



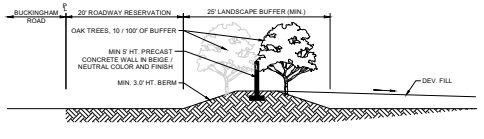
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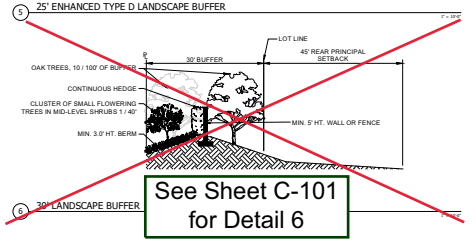
9 PERIMETER BERM



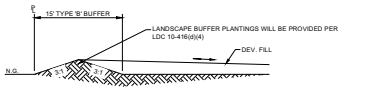
11 WESTERN BUFFER



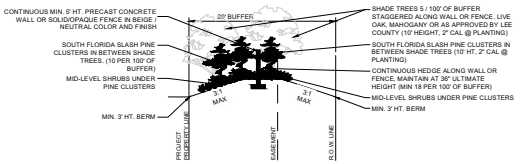
5 25' ENHANCED TYPE D LANDSCAPE BUFFER



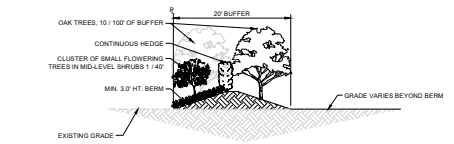
6 30' LANDSCAPE BUFFER



7 15' TYPE B BUFFER



8 20' ENHANCED TYPE C BUFFER



12 WESTERN BUFFER ADJACENT TO SCHOOL SITE

PROJECT:

LEE COUNTY HOMES ASSOCIATES I, LLLP

LOCATION:

BUCKINGHAM ROAD
LEE COUNTY, FLORIDA

CLIENT:

LEE COUNTY HOMES ASSOCIATES I, LLLP

CONSULTANT:

MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
FL CA NO. 6532 / FL CERT NO. LB6691 / LC26000330

Fort Myers
2914 Cleveland Avenue
Fort Myers, Florida 33901
(239) 337-3993
Fax: (239) 337-3994
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Tallahassee
113 South Monroe Street
1st Floor
Tallahassee, Florida 32301
Toll free: 866-337-7341

Destin
5597 Highway 98
Unit 201
Santa Rosa Beach, Florida 32459
Toll free: 866-337-7341

REVISIONS	DATE

PROJECT MANAGER:	TME
DRAWING BY:	MML
JURISDICTION:	LEE COUNTY
DATE:	5/27/2021

TITLE:

NOTES AND TYPICAL SECTIONS

SHEET NUMBER: C-501

JOB/FILE NUMBER: 19079-01

© COPYRIGHT MORRIS-DEPEW ASSOCIATES, INC., 2021 ALL RIGHTS RESERVED 5/27/2021 g:\19079...gt homes - buckingham cos & st.andrews\mmPlans\19079-01 - NOTES AND TYPICAL SECTIONS.dwg

THIS PLAN HAS BEEN MODIFIED BY PENINSULA ENGINEERING ON 4/13/2023

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RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

WHEREAS, Lee County Homes I Corporation, General Partner, Kevin Ratterree, Vice President, filed an application on behalf of the property owner, Lee County Homes Associates I, LLLP (Lee County Homes), to amend the 345± acre Residential Planned Development (RPD) to add 325 units and modify the Master Concept Plan (MCP), Schedule of Uses, Property Development Regulations and Deviations in reference to Lee County Homes (Buckingham 345) RPD; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Amanda L. Rivera, was advertised and held on February 11, 2021; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case # DCI2020-00010 and recommended APPROVAL of the Request with conditions; and

WHEREAS, a second public hearing was advertised and held on April 7, 2021 before the Lee County Board of Commissioners; and,

WHEREAS, the Lee County Board of Commissioners gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS:

SECTION A. REQUEST

The applicant filed a request to rezone a 345± acre RPD to add 325 units and modify the MCP, Schedule of Uses, Property Development Regulations and Deviations. The request is premised on the adoption of a companion comprehensive plan amendment to the Future Land Use Map and Lee Plan Table 1(b).[1]

The property is located in the Outlying Suburban Future Land Use Category, pursuant to the adoption of CPA2020-00002, and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

All references to uses are as defined or listed in the Lee County Land Development Code (LDC).

1. Development of this project must be substantially consistent with the five-page Master Concept Plan (MCP) entitled "Lee County Homes Associates I, LLLP," prepared by Morris Depew, dated February 4, 2021, and attached hereto as Exhibit C, except as modified by the conditions below. Development must comply with all requirements of the LDC and the Lee County Comprehensive Plan (Lee Plan) at time of local development order approval,

[1] CPA2020-00001, CPA2020-00002 adopted April 7, 2021

Exhibit "C"

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except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.
Project density is limited to a maximum of 1,015 dwelling units.

2. Schedule of Uses and Property Development Regulations

a. Schedule of Uses

Residential R-1
Accessory Uses and Structures
Dwelling Units:
Single-family, minimum lot size 6,500 square feet
Entrance Gate, Gatehouse
Essential Services
Essential Service Facilities: Group I
Excavation, Water Retention
Fences, Walls
Home Occupation
Model Home and Model Unit
Model Display Center
Parking Lot, Accessory
Real Estate Sales Office
Signs
Temporary Uses, limited to construction trailers at the time of development

Residential R-2
Accessory Uses and Structures
Dwelling Units:
Single-family, minimum lot size 4,500 square feet
Zero Lot Line
Two Family Attached
Townhomes
Entrance Gate, Gatehouse
Essential Services
Essential Service Facilities: Group I
Excavation, Water Retention
Fences, Walls
Home Occupation, no outside help
Model Home and Model Unit
Model Display Center
Model Display Group
Parking Lot, Accessory
Real Estate Sales Office
Signs
Temporary Uses, limited to construction trailers at the time of development

Residential R-3
Accessory Uses and Structures
Dwelling Units:
Single-family, minimum lot size 13,600 square feet
Entrance Gate, Gatehouse
Essential Services

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Essential Service Facilities: Group I
Excavation, Water Retention
Fences, Walls
Home Occupation, no outside help
Model Home and Model Unit
Model Display Center
Parking Lot, Accessory
Real Estate Sales Office
Signs
Temporary Uses, limited to construction trailers at the time of development

Residential Amenity (RA)
Accessory Uses and Structures
Administrative Offices
Banks and Financial Establishments, Group I (Including ATMs)
Communication Facility, Wireless (Antenna only, Towers prohibited)
Consumption on Premises
Club, Private
Essential Services
Essential Services Facilities, Group I
Excavation, Water Retention
Fences and Walls
Food & Beverage Service, Limited
Parking Lot, Accessory
Personal Services, Group I
Recreational Facilities, Private
Real Estate Sales Office
Restaurant, Groups I, II, and III
Signs
Specialty Retail Shops, Groups I and II
Storage, Indoor
Temporary Uses

b. Site Development Regulations

Attached as Exhibit D.

3. Development Permits

County development permits do not establish a right to obtain permits from state or federal agencies. Further, it does not establish liability on the part of the County if the developer: (a) does not obtain requisite approvals or fulfill obligations imposed by state or federal agencies; or (b) undertakes actions that result in a violation of state or federal law.

4. Hurricane Preparedness

To mitigate future hurricane damage and loss of life, and to ensure compliance with Lee Plan objectives, developer must:

a. Establish a homeowners' or residents' association. The organization must provide an educational program with Emergency Management staff on an annual basis that describes risks of natural hazards through literature, brochures, and speakers

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for Hurricane Awareness/Preparedness Seminars. The intent is to educate residents of the actions necessary to mitigate dangers inherent in these hazards;

b. Formulate an emergency hurricane notification and evacuation plan, subject to approval by the Lee County Office of Emergency Management; and

c. Comply with LDC §2-481 *et seq.* hurricane preparedness and impact mitigation, if required.

5. Model Homes, Model Units, Model Display Centers

Model units, model homes, model display centers, and real estate sales are subject to the following:

a. Each model must be a unique example. Multiple examples of the same unit are prohibited.

b. All Model Home Sites, Model Display Centers, or Model Groups must be designated on development order plans. Parking areas must be buffered with a single-row hedge and tree canopy.

c. Prior to model home construction, model home lots must be shown on a preliminary plat. Developer must file the preliminary plat concurrently with the local development order application. Model homes must comply with setbacks set forth in Exhibit D.

d. Model homes or model units are limited to no more than 15 within the development at one time.

e. Real estate sales are limited to the sale of lots or units within the development only.

f. Real estate sales are limited to temporary real estate trailers, model units, model display centers, and the Recreational Amenity area (Tract RA).

g. Hours of operation for models and real estate sales are limited to 8 a.m. to 8 p.m. daily.

h. Model homes and real estate sales will be valid for up to 5 years from the date of issuance of a certificate of occupancy of a model home.

6. Buffers

a. Southern Property Line

Development order plans must depict a 30 foot wide buffer along the southern property line (excluding indigenous preserve area) with the development order establishing lots adjacent to this property boundary. The 30 foot wide buffer must abide by the following:

i. Contain a berm with a wall or fence at least eight feet in height, except where it encroaches in the upland preserve as shown on the MCP;

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ii. Vegetation installed between the southern property line and the eight foot berm/wall or fence combination must contain ten oak trees (Quercus virginiana) per 100 linear feet and a double hedge row;

iii. Trees must be 10 feet, two inch caliper, and four-foot spread;

iv. Shrubs must be at least 36 inches in height at time of planting and create a visual screen; and

v. Existing indigenous native vegetation may be counted toward the vegetation requirements of this condition.

b. Buffer on Lands Abutting Buckingham Road

Development order plans must depict an enhanced 25 foot Type-D buffer along Buckingham Road that includes 10 trees per 100 linear feet (must include live oaks, no palms) between the eight foot berm/wall or fence and the Buckingham Road right-of-way.

c. Buffer Adjacent to Portico and Internal Right-of-Way

Development order plans must depict an enhanced 20 foot wide Type-C buffer where internal roads are less than 125 feet from an adjacent single family subdivision. A berm with a wall at least eight feet in height may be constructed closer than 25 feet from the abutting property if the following plant material is proposed:

i. Between the wall/berm and the property line - Ten South Florida Slash Pine (Pinus elliottii var. densa) and 18 shrubs per 100 linear feet; and

ii. Between the wall/berm and the internal right-of-way –
1) Five shade trees per 100 linear feet;
2) Clusters of three South Florida Slash Pine (Pinus elliottii var. densa) between the shade trees; and
3) 18 shrubs per 100 linear feet.

d. All required buffers must utilize 100% native vegetation.

7. Protected Species

The development order must provide a Species Management Plan explaining how the cardinal airplant (Tillandsia fasciculate) and wild pine airplant (Tillandsia utriculata) will be protected during development and exotic removal.

8. Agricultural Uses

Existing bona fide agricultural uses in the form of cattle pasture and the raising of hay may continue on the property subject to the following:

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a. Termination of Agricultural Use.

Agricultural uses must terminate on project areas receiving development order approval for vertical development and prior to county issuance of a vegetation removal permit. Development order approvals for plats, infrastructure improvements, landscaping, surface water management, or other non-vertical development do not trigger termination.

b. Additional Clearing Prohibited.

Clearing of native trees or other native vegetation, including understory, in agricultural areas is prohibited. Existing areas of bona fide agricultural use that include existing grass pasture(s) may be mowed, but may not be cleared or expanded. This prohibition does not preclude County approved requests for removal of invasive exotic vegetation.

c. Proof of Termination.

Upon approval of a local development order for vertical development and prior to issuance of a vegetation removal permit, the property owner must provide written proof of the following, subject to approval by the County Attorney's Office:

i. Affidavit.

Sworn affidavit from the property owner confirming:

1) Date agricultural uses ceased;

2) Legal description of the property subject to the development order approved for vertical development;

3) An affirmative statement acknowledging and agreeing agricultural uses are illegal and prohibited on the property, and that the owner covenants with the County they will not allow agricultural uses to resume until the property is rezoned to permit agriculture; and

4) The affidavit constitutes a covenant between the property owner and the County binding on the owner and its successors. The covenant must be properly recorded in the public records of the County at the owner's expense.

ii. Termination of Tax Exemption.

Termination of the agricultural tax exemption for portions of the property subject to development order for vertical development. Proof of termination must include a copy of the request to terminate the tax exemption submitted to the Lee County Property Appraiser.

9. Right-of-Way Dedication

Developer voluntarily reserves a 20 foot wide strip along Buckingham Road for county right-of-way purposes. Developer may dedicate the strip by recording an instrument (i.e.

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deed or plat) that grants or dedicates to the County an exclusive easement for right-of-way purposes. Developer will be eligible for 100% road impact fee credits for land dedicated for Buckingham Road. If Developer grants the easement via a plat, the dedication must be clear and unambiguous. Use of the label "Future Right-of-way" is not acceptable. The dedicated area may not be used for required development buffering or any other non-county right-of-way improvements. Developer must complete dedication prior to issuance of the first building permit allowing vertical construction within the project.

10. Access to Buckingham Road

a. The MCP and local development order must depict a minimum 70-foot-wide divided entrance on Buckingham Road that includes a 14-foot wide median with two 11-foot wide lanes on both sides of the median for ingress and egress.

b. Local development orders must include a second access point on Buckingham Road. This access will be an egress point for residents only and an ingress/egress for emergency vehicles. At least 25 feet of separation is required between the gate and the Buckingham Road right-of-way. Access for emergency services to be provided by a Knox Box.

c. Developer must provide written documentation from the Fort Myers Shores Fire District indicating the access points are acceptable and provide adequate access for emergency vehicles.

11. Commercial Uses and Consumption on Premises

a. Commercial uses are limited to a maximum of 7,500 square feet of floor area for the entire development.

b. Commercial uses are for residents and guests only, not open to the general public.

c. Hours of operation for consumption on premises are limited to 7:00 a.m. to midnight, daily.

12. Public School Use

a. If the School Site Reserved Area is conveyed to the Lee County School District, this zoning approval may be amended administratively to remove the 13-acre parcel from the MCP. The deletion of the school site from the MCP will not affect the right to develop 1,015 single-family dwelling units on the remaining portion of land covered by the MCP.

b. If not conveyed, the School Site Reserved Area may be developed with single-family and accessory uses consistent with the Property Development Regulations for R-1, R-2, or R-3 and the enhanced buffer along Buckingham Road, with an Administrative Amendment.

c. Density for the RPD remains limited to 1,015 dwelling units even if the School Site Reserved Area is utilized for residential development.

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13. Natural Resources Conditions

Development order plans must include:

a. A map depicting locations of free-flowing wells. Wells that are not part of an irrigation system or designated groundwater monitoring network must be permanently plugged and abandoned consistent with Lee County Code of Ordinances 32-99.

b. A Water Quality Monitoring Plan approved by the Lee County Division of Natural Resources. The Plan must establish:

i. Overall goals and objectives of the Plan;

ii. An outfall monitoring schedule during "wet" season of June through October for Field Temperature, Total Kjedahl Nitrogen, Total Nitrogen, Chlorophyll A, Nitrite, Nitrate, Phosphorus, Turbidity, and Stage;

iii. A baseline monitoring event prior to construction commencement;

iv. Provision of water quality monitoring data to the Division of Natural Resources annually for at least 5 years, including a comparison of State water quality standards, plots of parameters, and recommendations. Developer may amend water quality monitoring and reporting requirements by written request if State water quality standards are met or exceeded for five consecutive years. The Division of Natural Resources must approve Developer's written request. Results must be reported as an Electric Data Deliverable (EDD) in a format the Division of Natural Resources approves; and

v. A contingency plan if an exceedance of State Water Quality Standards is discovered, including notification to impacted residents and applicable authorities.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the LDC §10-416(d)(6) requirement to provide a combination berm and solid wall eight feet in height not less than 25 feet from the abutting property with landscaping between the wall and abutting property of a Type "C" buffer (five trees and 18 shrubs per 100 linear feet), to allow landscaping and a three foot high berm/five foot high wall combination located closer to the abutting property.

This deviation is APPROVED SUBJECT TO Condition 6.

2. Deviation (2) seeks relief from the LDC §10-415(b)(1)(a) requirement that developments provide 50 percent open space through onsite preservation of existing native vegetation communities, to allow 17.3 acres of existing native vegetation communities to be maintained onsite.

This deviation is APPROVED SUBJECT TO the condition that the development order must depict 105.06 acres open space comprised of 83.35 acres general open space and 21.71 acres indigenous open space that includes 150% upland credits for upland indigenous area #1.

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3. Deviation (3) seeks relief from the LDC §10-296(e)(2)(h)(5) Table 15 Suburban Local Streets requirement that residential land uses have 10 foot travel lane, 5 foot planting strip, and 5 foot pedestrian facility on both sides of the roadway, to allow a roadway cross-section with 10-12 foot travel lane, no planting strip, and a 5 foot pedestrian facility on one side of the primary road and village road.

This deviation is APPROVED.

4. Deviation (4) seeks relief from the LDC §10-296(e)(2)(h)(5) Table 15 Suburban Local Streets requirement that residential land uses have 10 foot travel lane, 5 foot planting strip, and 5 foot pedestrian facility on both sides of the roadway, to allow a roadway cross-section with 10-12 foot travel lane, a 5 foot planting strip, and a 5 foot pedestrian facility on one side of the primary road at the community entry.

This deviation is APPROVED SUBJECT TO Condition 10.

5. Deviation (5) seeks relief from the LDC §10-285 requirement of 660 feet of access connection separation within a future Suburban future land use category on a principal arterial, to allow 738± feet from the primary access to the proposed second egress and 503± feet from the proposed egress to the existing access to the north.

This deviation is APPROVED.

6. Deviation (6) seeks relief from the LDC §10-296(k)(1) requirement that all dead end streets be closed at one end by a circular turnaround, to allow the road to terminate at a residential driveway.

This deviation is APPROVED SUBJECT TO the condition that dead-end portion of the roads shall serve a maximum of two residential lots.

7. Deviation (7) seeks relief from the LDC §10-418(1) requirement that shorelines be sinuous, to allow some of the stormwater management ponds to be more rectangular than sinuous.

This deviation is APPROVED SUBJECT TO the condition that development order plans must include a detailed plan of planted littoral shelves for non-sinuous lakes depicting littoral plants installed in a serpentine or undulating design to simulate a sinuous shoreline.

SECTION D. EXHIBITS:

The following exhibits are attached to this resolution and incorporated by reference:

Exhibit A: Legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: The Master Concept Plan
Exhibit D: Site Development Regulations

SECTION E. FINDINGS AND CONCLUSIONS:

Based upon its review, the Board of County Commissioners adopts the recommendation of the Hearing Examiner, including the following findings and conclusions:

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1. *As conditioned herein*, the proposed amendment to the Buckingham 345 RPD:

   a. Complies with the Lee Plan. *See,* Lee Plan Vision Statement Paragraph 4 (Caloosahatchee Shores Planning Community), Lee Plan Goals 2, 4, 5, 21, 39, 77, Objectives 2.2, 5.1, 21.3, and Policies 1.1.6, 20.1.6, 21.1.3, 135.9.7; Lee Plan Maps 1, 16.

   b. Complies with the LDC and other County regulations. *See*, LDC Chapters 10 and 34; §33-1480 *et. seq*.

   c. Is compatible with existing and planned uses in the area. *See,* Lee Plan Policies 1.1.6, 2.1.1, 2.1.2, 2.2.1, 5.1.5, 5.2.4, 135.1.9, 135.9.5; LDC §§ 34-411(c), (i), and (j).

   d. Will not adversely affect environmentally critical areas and natural resources. *See,* Lee Plan Goals 77, Objectives 4.1, 77.1, LDC §34-411(h).

   e. Will be served by urban services. *See,* Lee Plan Glossary, Maps 6, 7, Goal 2; Objectives 2.1, 2.2, 4.1, 53.1, 56.1; Policies 2.2.1, 5.1.3, 135.9.7 and Standards 4.1.1 and 4.1.2; LDC §34-411(d).

2. The MCP reflects sufficient access to support the intensity of development. In addition, County regulations and conditions of approval will address expected impacts to transportation facilities. *See,* Lee Plan Goal 39, Objective 39.1; LDC §34-411(d).

3. The proposed mix of uses is appropriate at the proposed location. *See,* Lee Plan Policies 1.1.6, 2.1.1, 5.1.3, 5.1.5, and 135.1.9.

4. The recommended conditions are sufficient to protect the public interest and reasonably relate to the impacts expected from the development. *See,* Lee Plan Policies 5.1.5, 135.9.6; *See also,* LDC Chapters 10, 33, and 34.

5. As conditioned herein, the deviations:

   a. Enhance the objectives of the planned development; and

   b. Promote the intent of the LDC to protect the public health, safety, and welfare. *See,* LDC §34-377(b)(4).

SECTION F. SCRIVENER'S ERRORS

The Board intends that this resolution can be renumbered or relettered and typographical errors that do not affect the intent and are consistent with the Board's action can be corrected with the authorization of the County Manager or his designee, without the need for a public hearing.

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Commissioner Pendergrass made a motion to adopt the foregoing resolution, seconded by Commissioner Hamman. The vote was as follows:

Adopted by unanimous consent.

Kevin Ruane	Aye
Cecil Pendergrass	Aye
Raymond Sandelli	Aye
Brian Hamman	Aye
Frank Mann	Aye

DULY PASSED AND ADOPTED this 7th day of April 2021.

ATTEST:
LINDA DOGGETT, CLERK

BY: Missy Flint
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY:
Kevin Ruane, Chair

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

Joseph Adams
Joseph A. Adams
Assistant County Attorney
County Attorney's Office

RECEIVED
MINUTES OFFICE
2021 APR 12 PM 3:35

ADD2022-00090 Lee County ePlan

LEGAL DESCRIPTION
OF A PARCEL LYING IN SECTIONS 32 & 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA

LEGAL DESCRIPTION:

A PARCEL OF LAND LYING IN THE STATE OF FLORIDA, COUNTY OF LEE BEING A PORTION OF SECTIONS 32 AND 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGIN AT THE SOUTHEAST CORNER OF SECTION 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA; THENCE RUN S.89°06'45"W. ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 2647.49 FEET TO THE SOUTH QUARTER CORNER OF SAID SECTION 33; THENCE S.89°06'35"W. ALONG THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33 FOR A DISTANCE OF 2647.39 FEET TO THE SOUTHWEST CORNER OF SAID SECTION 33; THENCE N.00°56'24"W. ALONG THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1329.88 FEET TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 33; THENCE S.89°35'38"W. ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 32, TOWNSHIP 43 SOUTH, RANGE 26 EAST, FOR A DISTANCE OF 977.91 FEET TO THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BUCKINGHAM ROAD., A 60' RIGHT-OF-WAY; THENCE N.24°23'07"E. ALONG THE SOUTHEASTERLY RIGHT-OF-WAY LINE OF BUCKINGHAM ROAD, FOR A DISTANCE OF 2286.44 FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE S.00°56'26"E. ALONG THE WEST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 81.43 FEET TO THE NORTHWEST CORNER OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE N.89°04'22"E. ALONG THE NORTH LINE OF THE SOUTH HALF OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 1498.70 FEET TO THE SOUTHWEST CORNER OF THE EAST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33; THENCE N.00°47'24"W. ALONG THE WEST LINE OF THE EAST HALF OF THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 33, FOR A DISTANCE OF 662.27 FEET TO A POINT ON THE PLATTED BOUNDARY LINE OF PORTICO PHASE I, RECORDED AS INSTRUMENT #2006000411756, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°09'28"E. ALONG SAID LINE, FOR A DISTANCE OF 1167.05 FEET; THENCE S.00°39'01"E. ALONG SAID PLATTED BOUNDARY OF PORTICO PHASE 1, FOR A DISTANCE OF 1321.78 FEET TO THE CENTER OF SAID SECTION 33; THENCE S.88°59'10"W. ALONG SAID PLATTED BOUNDARY OF PORTICO PHASE 1, FOR A DISTANCE OF 1334.18 FEET; THENCE S.00°56'52"E. ALONG SAID PLATTED BOUNDARY OF PORTICO PHASE 1, FOR A DISTANCE OF 1331.03 FEET; THENCE N.89°02'54"E. ALONG SAID PLATTED BOUNDARY OF PORTICO PHASE 1, FOR A DISTANCE OF 1988.34 FEET; THENCE N.00°41'08"W. ALONG SAID PLATTED BOUNDARY OF PORTICO PHASE 1, FOR A DISTANCE OF 1333.38 FEET; THENCE N.88°59'10"E. ALONG SAID PLATTED BOUNDARY OF PORTICO PHASE 1, FOR A DISTANCE OF 1980.58 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 33 AND A NORTHWEST CORNER OF PORTICO PHASE IIA, RECORDED AS INSTRUMENT #2019000293574, OF SAID PUBLIC RECORDS; THENCE S.00°47'28"E. ALONG THE EAST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33 AND THE WEST LINE OF SAID PORTICO PHASE IIA, FOR A DISTANCE OF 2670.74 FEET TO THE POINT OF BEGINNING.

PARCEL CONTAINS 15,018,447 SQUARE FEET, OR 344.78 ACRES, MORE OR LESS

BY: _____
DENIS J. O'CONNELL Jr.
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA CERTIFICATE NO. LS# 5430

DATE SIGNED: 5/7/2020

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

APPROVED
DCI2020-00010
Daniel Munt, Planner
Lee County DCD
10/20/2020

RECEIVED
MAY 27 2020
COMMUNITY DEVELOPMENT

NOTES:

1. BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33, AS BEING S.89°06'45"W.
2. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
3. PARCEL IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS AND RIGHT-OF-WAYS (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).
4. THE STATE PLANE COORDINATES SHOWN HEREON ARE IN FEET, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT) BASED UPON CONTINUOUSLY OPERATING FLORIDA PERMANENT REFERENCE NETWORK (FPRN) STATIONS MAINTAINED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION.

BUCKINGHAM 345 ACRES, OVER ALL

TITLE: LEGAL DESCRIPTION

METRON SURVEYING & MAPPING, LLC
LAND SURVEYORS·PLANNERS
LB# 7071
10970 S. CLEVELAND AVE.
SUITE #605
FORT MYERS, FLORIDA 33907
PHONE: (239) 275-8575
FAX: (239) 275-8457
www.metronfl.com

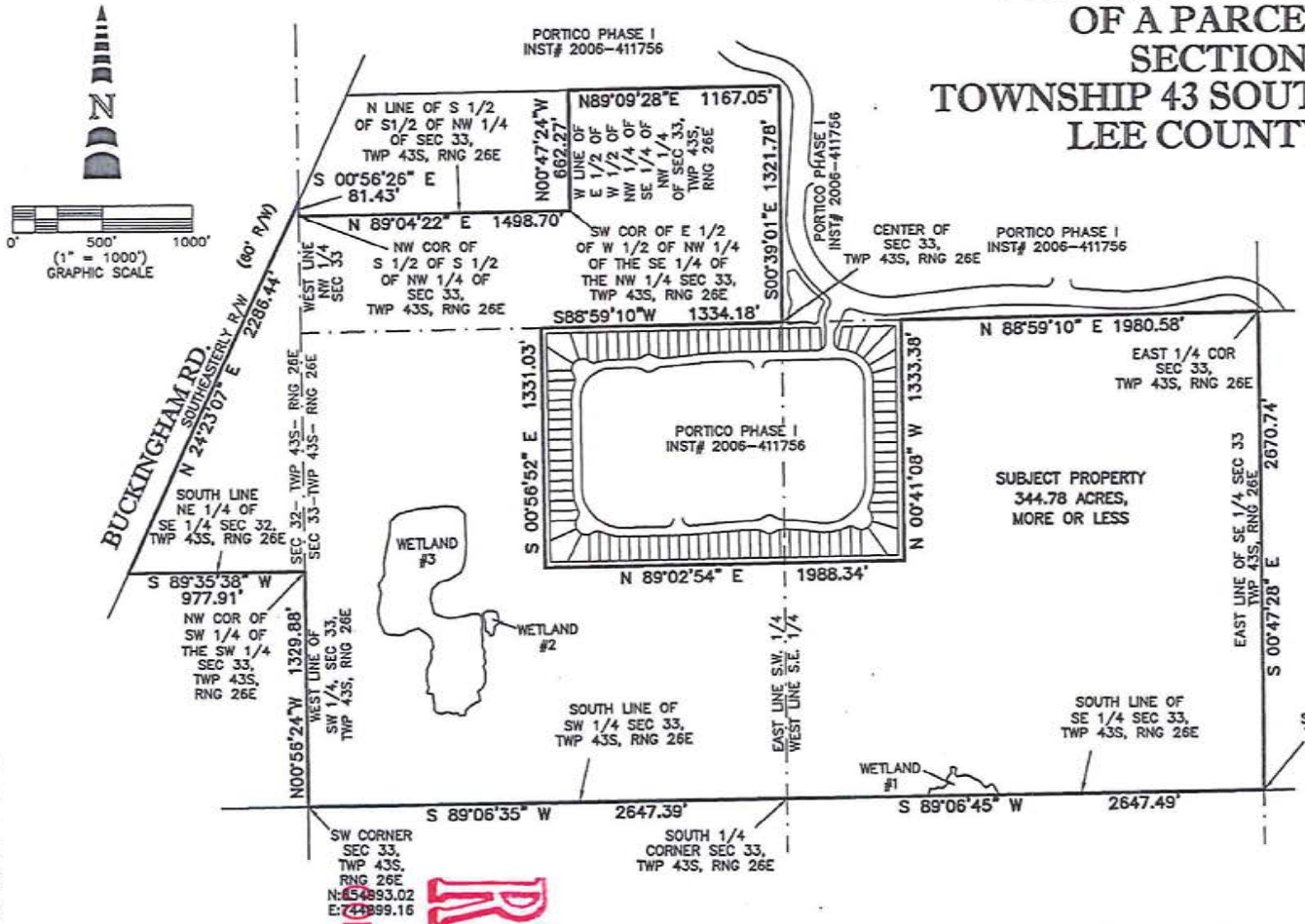
FILE NAME:	FIELD BOOK/PAGE:	PROJECT NO.:	SHEET:
14879OVERALL.dwg	SEE FILE	14879	1 OF 2

EXHIBIT DATE:	DRAWN BY:	SCALE:	CHECKED BY:	FILE NO. (S-T-R)
5/06/2020	BUD	1" = 1000'	DJO	33-43-26

EXHIBIT A

DCI2020-00010

LEGAL DESCRIPTION
OF A PARCEL LYING IN SECTIONS 32 & 33, TOWNSHIP 43 SOUTH, RANGE 26 EAST, LEE COUNTY, FLORIDA



NOTES:

1. BEARINGS ARE BASED ON THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 33, AS BEING S.89°06'45"W.
2. DISTANCES ARE IN FEET AND DECIMALS THEREOF.
3. PARCEL IS SUBJECT TO EASEMENTS, RESERVATIONS OR RESTRICTIONS AND RIGHT-OF-WAYS (RECORDED AND UNRECORDED, WRITTEN AND UNWRITTEN).
4. THE STATE PLANE COORDINATES SHOWN HEREON ARE IN FEET, FLORIDA WEST ZONE, NORTH AMERICAN DATUM OF 1983 (1990 ADJUSTMENT) BASED UPON CONTINUOUSLY OPERATING FLORIDA PERMANENT REFERENCE NETWORK (FPRN) STATIONS MAINTAINED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION.

LEGEND:

P.O.B. = POINT OF BEGINNING
INST = INSTRUMENT
R/W = RIGHT OF WAY
O.R. = OFFICIAL RECORDS BOOK
PG. = PAGE
SEC = SECTION
TWP = TOWNSHIP
RNG = RANGE

RECEIVED
MAY 27 2020
COMMUNITY DEVELOPMENT

DOI2020-00010

BUCKINGHAM 345 ACRES, OVER ALL

TITLE: SKETCH OF DESCRIPTION

METRON SURVEYING & MAPPING, LLC
LAND SURVEYORS · PLANNERS
LB# 7071

10970 S. CLEVELAND AVE.
SUITE #605
FORT MYERS, FLORIDA 33907
PHONE: (239) 275-8575
FAX: (239) 275-8457
www.metronfl.com

FILE NAME:	FIELD BOOK/PAGE:	PROJECT NO.:	SHEET:
14879OVERALL.dwg	SEE FILE	14879	2 OF 2

EXHIBIT DATE:	DRAWN BY:	SCALE:	CHECKED BY:	FILE NO. (S-T-R)
5/05/2020	BUD	1" = 1000'	DJO	33-43-26

ADD2022-00090 Lee County ePlan



DCI2020-00010
Zoning

Legend

Subject Parcel

N

0 640
Feet

Lee County
Southwest Florida

EXHIBIT B

ADD2022-00090 Lee County ePlan

ADD2022-00090 Lee County ePlan

MASTER CONCEPT PLAN FOR

LEE COUNTY HOMES ASSOCIATES I, LLLP

LEE COUNTY, FLORIDA

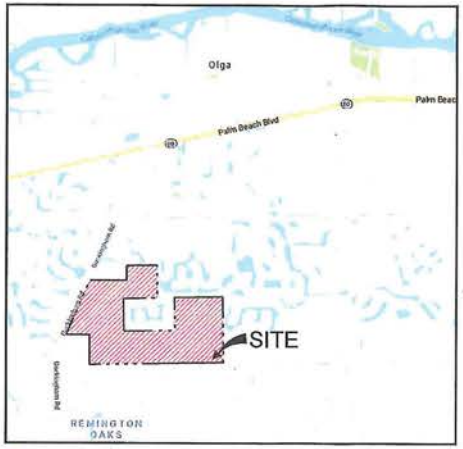
SECTION 33, TOWNSHIP 43, RANGE 26E

LEE COUNTY, FLORIDA



SITE VICINITY MAP N.T.S.

BID	CONSTRUCTION	LEE COUNTY	SFWMD	LCUD/CHPEP	SHEET INDEX DESCRIPTION	SHEET
GENERAL						
		✓			COVER SHEET	COVER
PLANNING						
		✓			MASTER CONCEPT PLAN	C-101
		✓			OPEN SPACE PLAN	C-102
		✓			NOTES AND TYPICAL SECTIONS	C-501
		✓			LOT TYPICALS	C-502



SITE LOCATION MAP N.T.S.

DCI 2020-00010

Approved as Exhibit C
MCP Page 1 of 5
Resolution # Z-21-002

PROJECT:
LEE COUNTY HOMES ASSOCIATES I, LLLP

LOCATION:
BUCKINGHAM ROAD
LEE COUNTY, FLORIDA

CLIENT:
LEE COUNTY HOMES ASSOCIATES I, LLLP

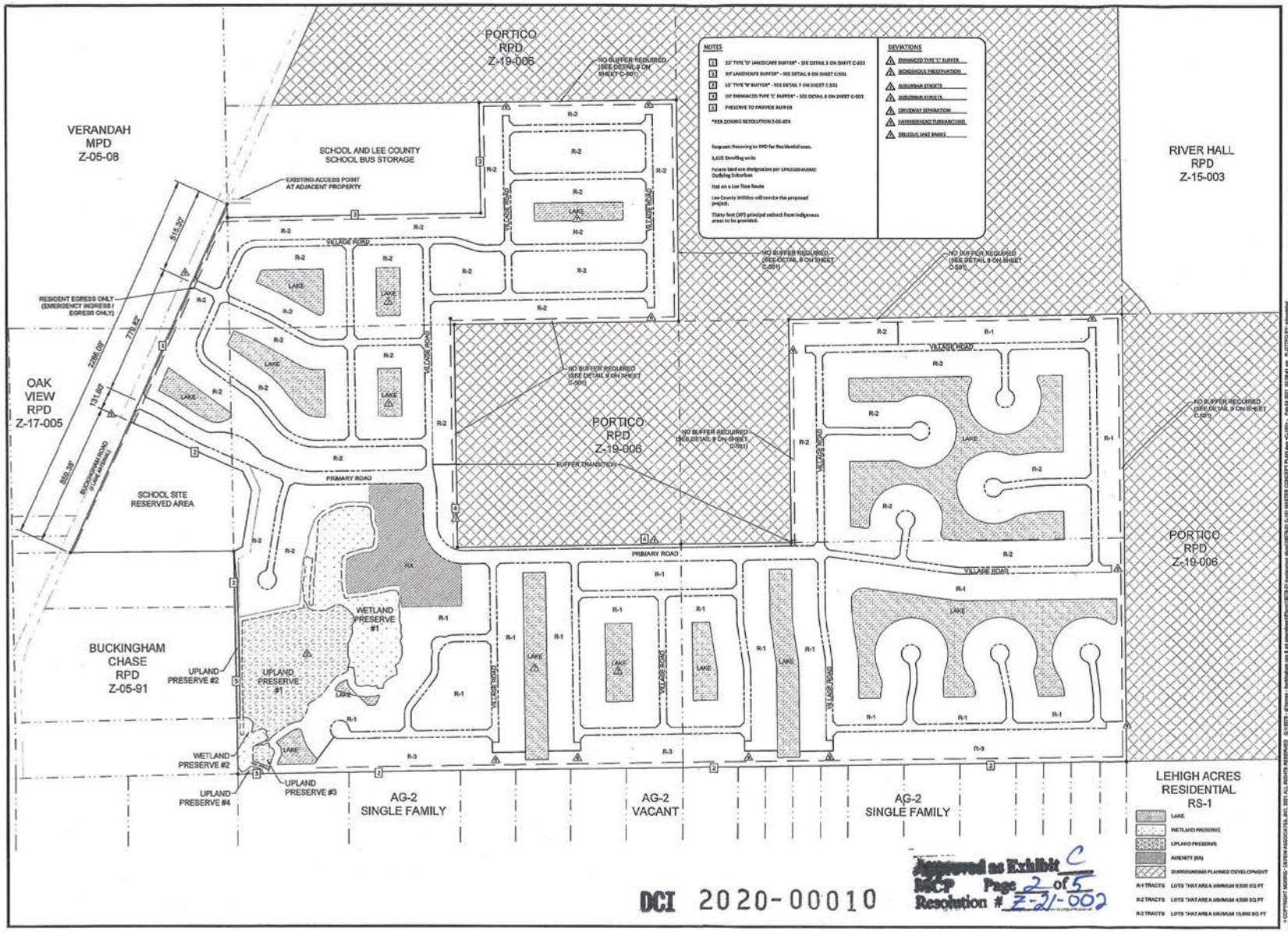
CONSULTANT:
MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
Fort Myers
Tallahassee
Destin

PREPARED BY:

REVISIONS	DATE

PROJECT MANAGER:	TME
DRAWING BY:	MML
JURISDICTION:	LEE COUNTY
DATE:	02/04/2021
SHEET TITLE:	COVER SHEET
SHEET NUMBER:	COVER
JOB/FILE NUMBER:	19079-01

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DCI 2020-00010

Approved as Exhibit C
MCP Page 2 of 5
Resolution # Z-21-002

PROJECT:
LEE COUNTY HOMES ASSOCIATES I, LLLP

LOCATION:
BUCKINGHAM ROAD
LEE COUNTY, FLORIDA

CLIENT:
LEE COUNTY HOMES ASSOCIATES I, LLLP

CONSULTANT:
MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS

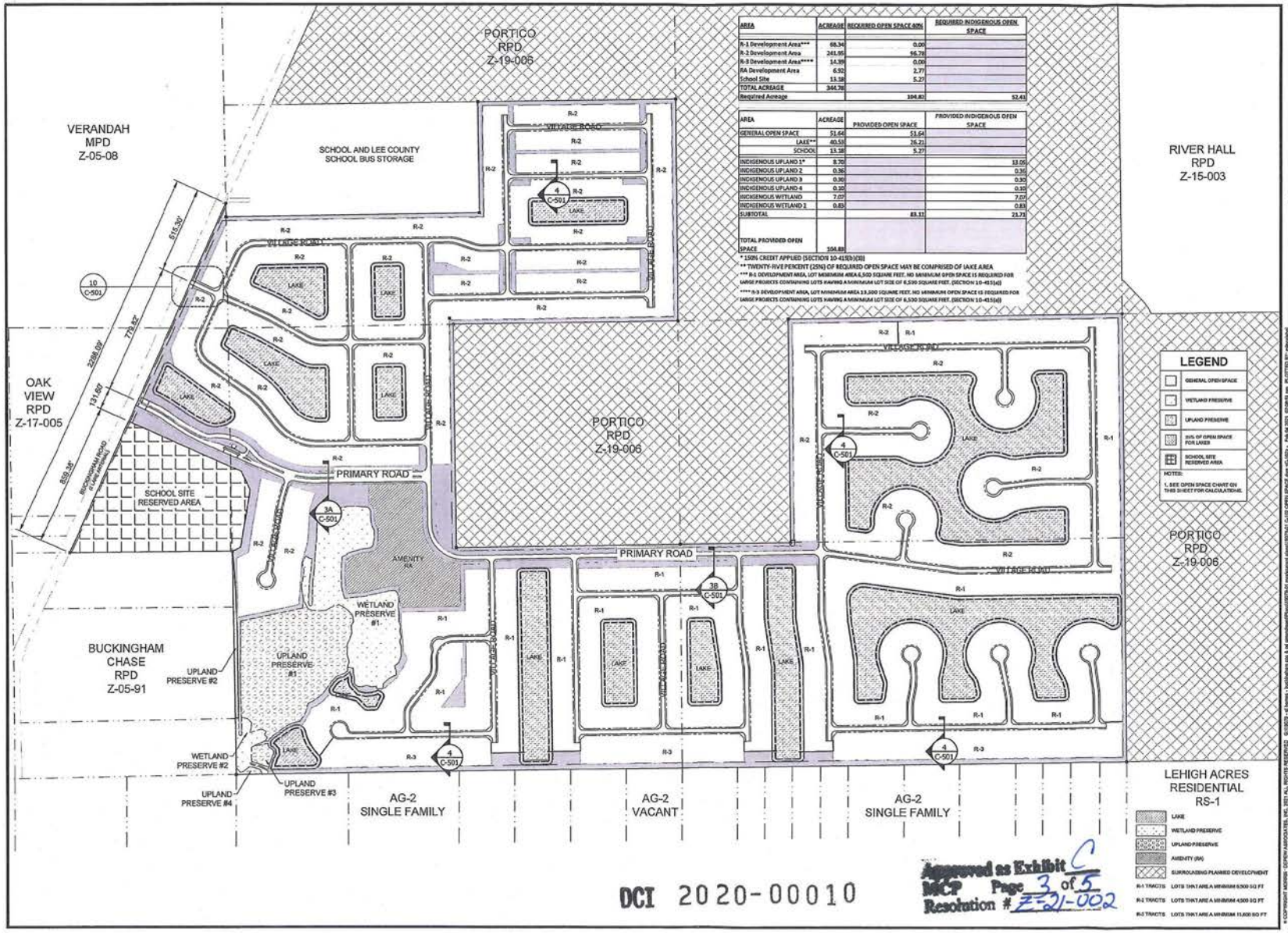
REVISIONS | DATE

PROJECT MANAGER: TME
DRAWING BY: MML
JURISDICTION: LEE COUNTY
DATE: 2/4/2021
SHEET TITLE:
MASTER CONCEPT PLAN
SHEET NUMBER: C-101
SCALE 1"=250'
JOB/FILE NUMBER: 19079-01

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ADD2022-00090 Lee County ePlan

ADD2022-00090 Lee County ePlan



AREA	ACREAGE	REQUIRED OPEN SPACE 40%	REQUIRED INDIGENOUS OPEN SPACE
R-1 Development Area***	68.34	0.00	
R-2 Development Area	241.95	96.78	
R-3 Development Area****	14.39	0.00	
RA Development Area	6.92	2.77	
School Site	13.18	5.27	
TOTAL ACREAGE	344.78		
Required Acreage		104.81	52.41

AREA	ACREAGE	PROVIDED OPEN SPACE	PROVIDED INDIGENOUS OPEN SPACE
GENERAL OPEN SPACE	51.64	51.64	
LAKE**	40.53	26.21	
SCHOOL	13.18	5.27	
INDIGENOUS UPLAND 1*	8.70		13.05
INDIGENOUS UPLAND 2	0.36		0.36
INDIGENOUS UPLAND 3	0.30		0.30
INDIGENOUS UPLAND 4	0.10		0.10
INDIGENOUS WETLAND	7.07		7.07
INDIGENOUS WETLAND 2	0.83		0.83
SUBTOTAL		83.11	21.71
TOTAL PROVIDED OPEN SPACE	104.81		

* 150% CREDIT APPLIED (SECTION 10-415(b)(3))
** TWENTY-FIVE PERCENT (25%) OF REQUIRED OPEN SPACE MAY BE COMPRISED OF LAKE AREA
*** R-1 DEVELOPMENT AREA, LOT MINIMUM AREA 6,500 SQUARE FEET. NO MINIMUM OPEN SPACE IS REQUIRED FOR LARGE PROJECTS CONTAINING LOTS HAVING A MINIMUM LOT SIZE OF 6,500 SQUARE FEET. (SECTION 10-415(a))
**** R-3 DEVELOPMENT AREA, LOT MINIMUM AREA 13,500 SQUARE FEET. NO MINIMUM OPEN SPACE IS REQUIRED FOR LARGE PROJECTS CONTAINING LOTS HAVING A MINIMUM LOT SIZE OF 6,500 SQUARE FEET. (SECTION 10-415(a))

LEGEND

- GENERAL OPEN SPACE
- WETLAND PRESERVE
- UPLAND PRESERVE
- 50% OF OPEN SPACE FOR LAKES
- SCHOOL SITE RESERVED AREA

NOTES:
1. SEE OPEN SPACE CHART ON THIS SHEET FOR CALCULATIONS.

Approved as Exhibit C
MCP Page 3 of 5
Resolution # Z-21-002

DCI 2020-00010

PROJECT:
LEE COUNTY HOMES ASSOCIATES I, LLLP

LOCATION:
BUCKINGHAM ROAD
LEE COUNTY, FLORIDA

CLIENT:
LEE COUNTY HOMES ASSOCIATES I, LLLP

CONSULTANT:
MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
FL CA LC. 0025191, CERT NO. LC26000332

Fort Myers
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Fax: (239) 337-3994
Toll-free: 866-337-7349

Tallahassee
1113 South Monroe Street
1st Floor
Tallahassee, Florida 32301
Toll-free: 855-337-7349

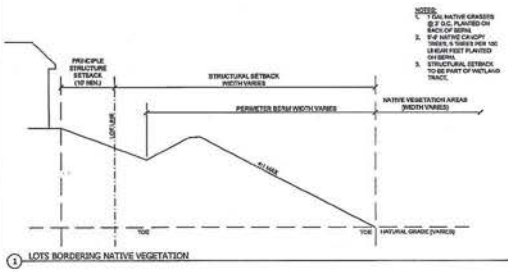
Destin
32187 Highway 98
Unit 201
Santa Rosa Beach, Florida 32459
Toll-free: 866-337-7349

REVISIONS	DATE

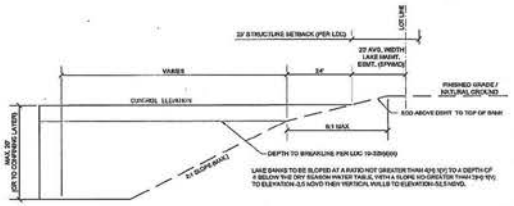
PROJECT MANAGER: TME
DRAWING BY: MWL
JURISDICTION: LEE COUNTY
DATE: 3/4/2021
SHEET TITLE: OPEN SPACE PLAN
SHEET NUMBER: C-102
SCALE 1"=250'
JOBFILE NUMBER: 19079-01

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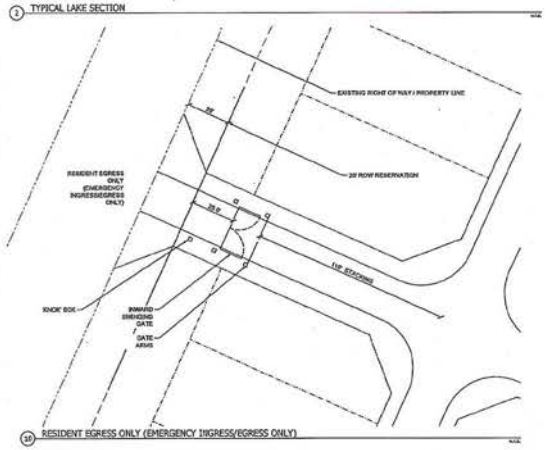
ADD2022-00090 Lee County ePlan



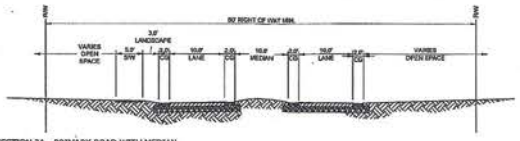
1 LOTS BORDERING NATIVE VEGETATION



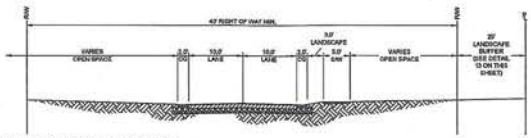
2 TYPICAL LAKE SECTION



10 RESIDENT EGRESS ONLY (EMERGENCY INGRESS/EGRESS ONLY)

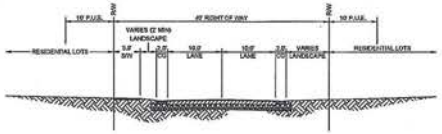


SECTION 3A - PRIMARY ROAD WITH MEDIAN

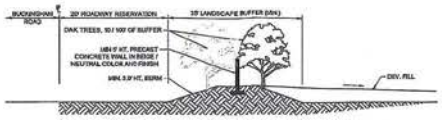


SECTION 3B - PRIMARY ROAD WITHOUT MEDIAN

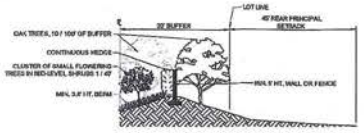
3 PRIMARY ROAD



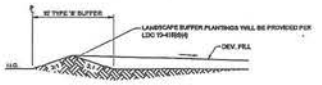
4 VILLAGE ROAD



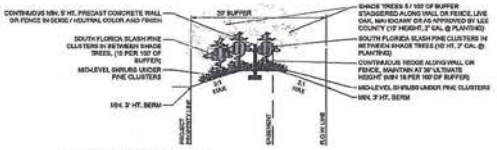
5 25' ENHANCED TYPE D LANDSCAPE BUFFER



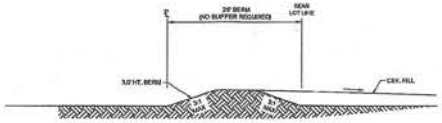
6 30' LANDSCAPE BUFFER



7 15' TYPE B BUFFER



8 20' ENHANCED TYPE C BUFFER



9 PERIMETER BERM

DCI 2020-00010

Approved as Exhibit C
MCP Page 4 of 5
Resolution # Z-21-002

PROJECT:
LEE COUNTY HOMES ASSOCIATES I, LLLP

LOCATION:
BUCKINGHAM ROAD
LEE COUNTY, FLORIDA

CLIENT:
LEE COUNTY HOMES ASSOCIATES I, LLLP

CONSULTANT:
MORRIS DEPEW
ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
FL CA 163, EB32, FL CERT NO. LB3591 / LC26001358
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Fax: (239) 337-3994
Toll free: 866-337-3741
Tallahassee
1119 South Monroe Street
1st Floor
Tallahassee, Florida 32301
Toll free: 866-337-3741
Destin
3347 Highway 98
Unit 3F
Santa Rosa Beach, Florida 32459
Toll free: 866-337-3741

REVISIONS | DATE

PROJECT MANAGER:	TME
DRAWING BY:	MML
JURISDICTION:	LEE COUNTY
DATE:	2/4/2021

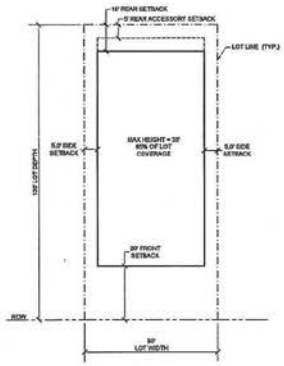
TITLE:
NOTES AND TYPICAL SECTIONS

SHEET NUMBER: C-501

JOB/FILE NUMBER: 19079-01

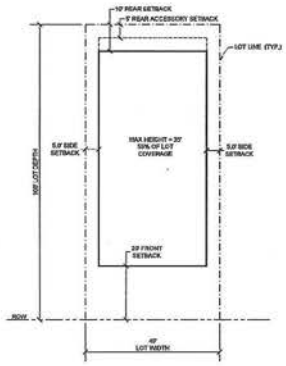
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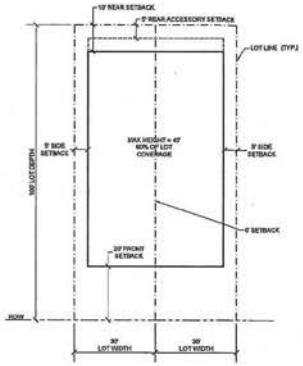
1 TYPICAL R-1 SINGLE FAMILY LOT

NOTE: 15' FRONT SETBACK FOR SIDE LOAD GARAGE.

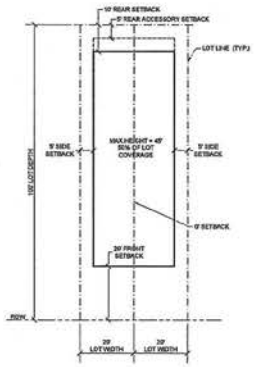


2 TYPICAL R-2 SINGLE FAMILY LOT

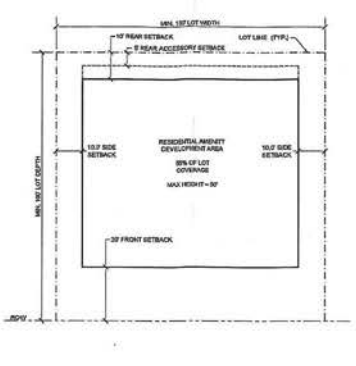
NOTE: 15' FRONT SETBACK FOR SIDE LOAD GARAGE.



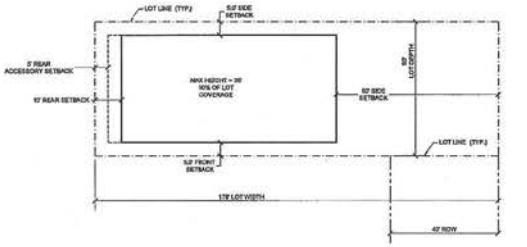
3 TYPICAL TWO FAMILY ATTACHED LOT(S)



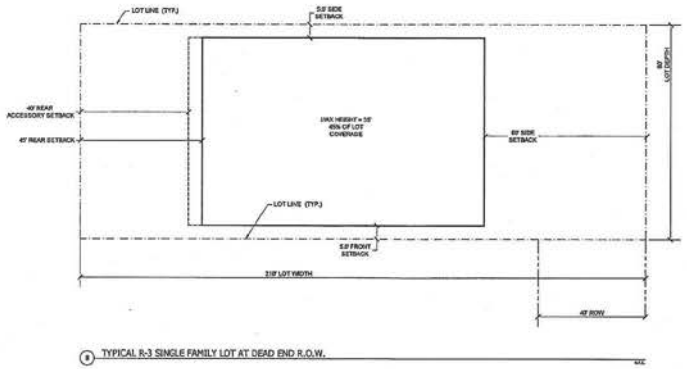
4 TYPICAL TOWNHOME LOT(S)



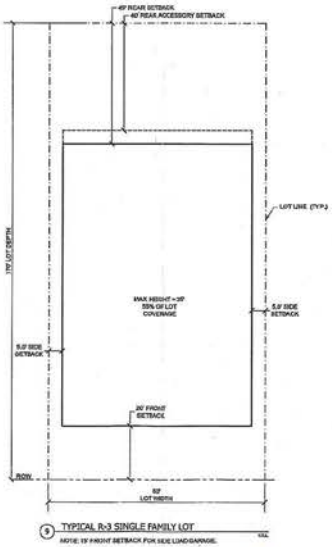
5 TYPICAL AMENITY LOT



6 TYPICAL R-1 SINGLE FAMILY LOT AT DEAD END R.O.W.

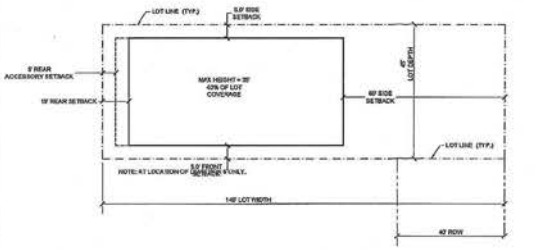


8 TYPICAL R-3 SINGLE FAMILY LOT AT DEAD END R.O.W.



9 TYPICAL R-3 SINGLE FAMILY LOT

NOTE: 15' FRONT SETBACK FOR SIDE LOAD GARAGE.



7 TYPICAL R-2 SINGLE FAMILY LOT AT DEAD END R.O.W.

NOTE: AT LOCATION OF DEVIATION B ONLY.

DCI 2020-00010

Approved as Exhibit C
MCP Page 5 of 5
Resolution # Z-21-002

PROJECT:

LEE COUNTY HOMES ASSOCIATES I, LLLP

LOCATION:

BUCKINGHAM ROAD
LEE COUNTY, FLORIDA

CLIENT:

LEE COUNTY HOMES ASSOCIATES I, LLLP

CONSULTANT:

MORRIS DEPEW

ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS

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Fax: (239) 337-3994
Toll free: 866-337-7344

Tallahassee
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1st Floor
Tallahassee, Florida 32301
Toll free: 866-337-7344

Destin
9297 Highway 98
Unit 201
Santa Rosa Beach, Florida 32459
Toll free: 866-337-7344

REVISIONS	DATE

PROJECT MANAGER:	TME
DRAWING BY:	MML
JURISDICTION:	LEE COUNTY
DATE:	2/4/2021

TITLE:

LOT TYPICALS

SHEET NUMBER: C-502

JOBFILE NUMBER: 19079-01

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MORRIS DEPEW
ENGINEERS · PLANNERS · SURVEYORS
LANDSCAPE ARCHITECTS
2914 Cleveland Avenue | Fort Myers, Florida 33901
Phone (239) 337-3993 | Toll Free (866) 337-7341
www.morris-depew.com

Lee County Homes Associates I, LLLP
Residential Planned Development
Property Development Regulations
November 16, 2020

Land Uses	Min Lot Area (SF)	Min Lot Width (FT)	Min Lot Depth (FT)	Min Street Setback[2] (FT)	Min Side Setback (FT)	Min Rear Lot Setback[3] (FT)	Min Accessory Structure Side Setback (FT)	Min Accessory Structure Rear Setback (FT)	Building Separation (FT)	Max Building Height (FT)	Max Lot Coverage (%)
R-1											
Single-Family	6,500	50	130	20	5	10	5	5	10	35	65
Single-Family[4]	8,500	170	50	5	5 & 60	10	5	5	10	35	50
R-2											
Single-Family	4,500	45	100	20	5	10	5	5	10	35	55
Single-Family[4]	7,000	140	50	5	5 & 60	10	5	5	10	35	40
Zero-lot Line[1]	4,500	45	100	20	0 or 5	10	5	5	10[1]	35	55
Two-Family Attached	3,000	30	100	20	0 or 5	10	5	5	10	45	60
Townhouse	2,000	20	100	20	0 or 5	10	5	5	10	45	50
R-3											
Single Family	13,600	80	170	20	5	45	5	40	10	35	55
Single-Family[4]	16,800	80	210	60	5	45	5	40	10	35	45
Non-Residential											
Clubhouse/Amenity Sites	10,000	100	100	20	10	10	10	5	10	50	55

Note1: A minimum 10 foot building separation for zero lot line structures must be maintained.
Note 2: For Corner Lots, the secondary street setback is reduced to 5 feet to function as a side yard.
Note 3: Where lots abut a waterbody, setback is measured from the rear lot line.
Note 4: Lot dimensions and setbacks only apply to a residential lot intersecting with a dead end ROW consistent with the location of Deviation 6.

EXHIBIT D

ADD2022-00090 Lee County ePlan