ADD2024-00081 Lee County ePlan

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

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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

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:

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.

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

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

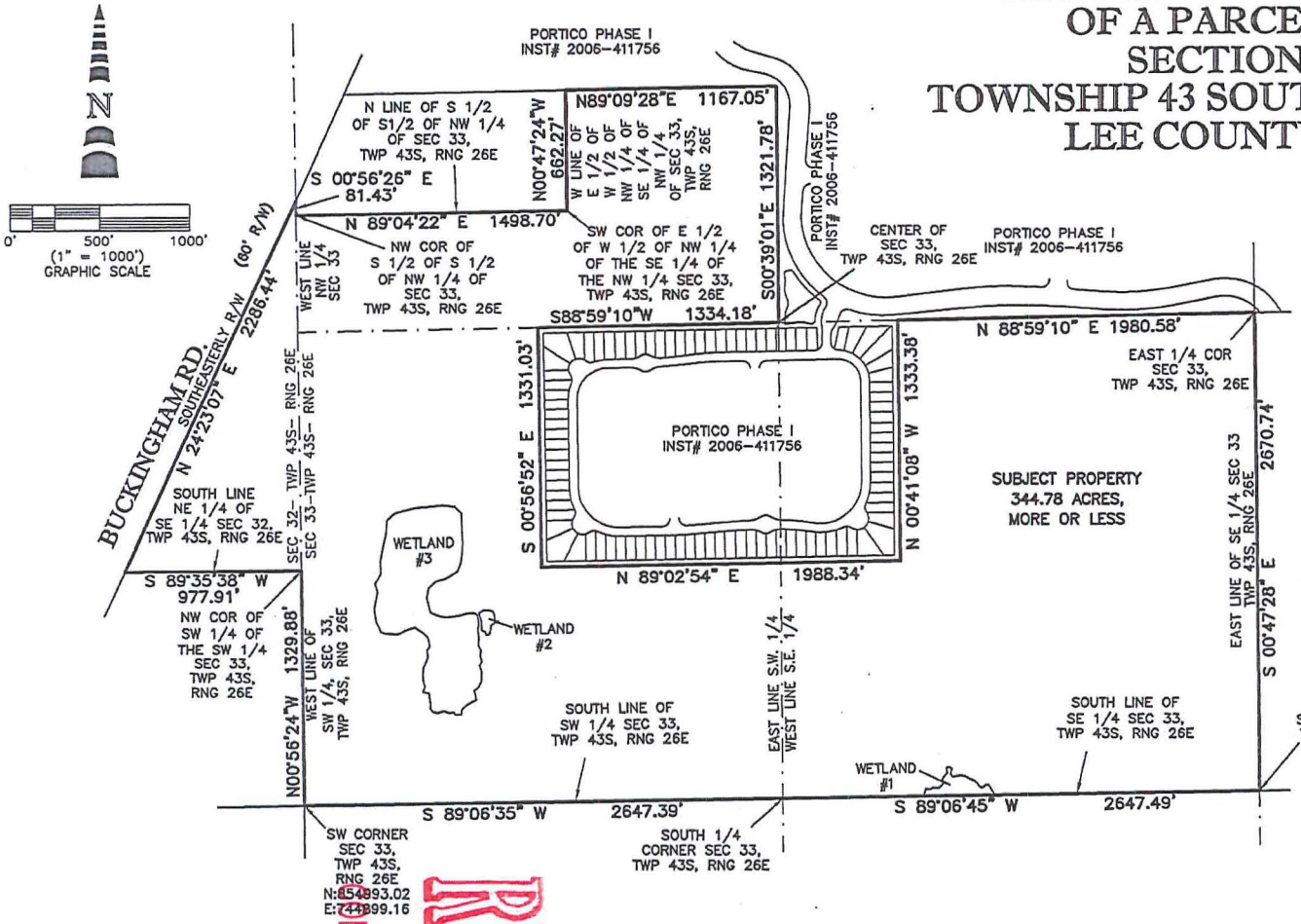
FILE NAME:	FIELD BOOK/PAGE:	PROJECT NO.:	SHEET:
14879OVERALL.dwg	SEE FILE	14879	1 OF 2

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

ADD2020-00010

BUCKINGHAM 345 ACRES, OVER ALL

TITLE: SKETCH OF DESCRIPTION

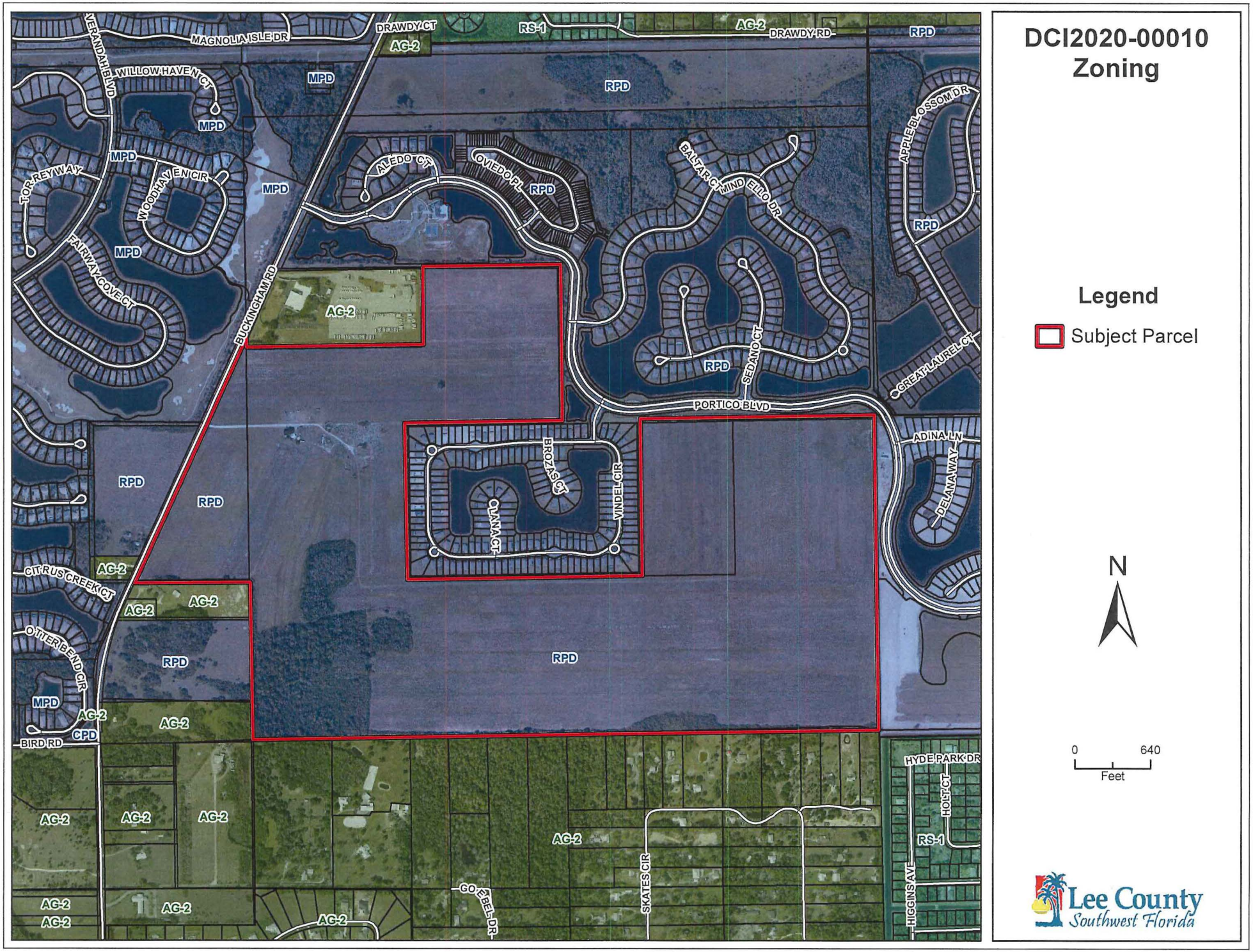
METRON
SURVEYING & MAPPING, LLC
LAND SURVEYORS · PLANNERS
LB# 7071

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:
148790VERALL.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

EXHIBIT B


DCI2020-00010
Zoning
Legend
Subject Parcel
N
0
640
Feet
Lee County
Southwest Florida
VERANDAH BLVD
MAGNOLIA ISLE DR
DRAWDY CT
AG-2
RS-1
DRAWDY RD
RPD
WILLOW HAVEN CT
MPD
ALEDO CT
OVIEDO PL
BALTAR CT
MIND FILLO DR
APPLE BLOSSOM DR
TOR REY WAY
WOODHAVEN CIR
FAIRWAY COVE CT
BUCKINGHAM RD
SEDANO CT
GREAT LAUREL CT
PORTICO BLVD
ADINA LN
DELANAWAY
BROZAS CT
VINDEL CIR
DIANA CT
CITRUS CREEK CT
OTTERBEND CIR
BIRD RD
CPD
HYDE PARK DR
HOLT CT
SKATES CIR
GOEBEL DR
HIGGINS AVE

ADD2024-00081 Lee County ePlan

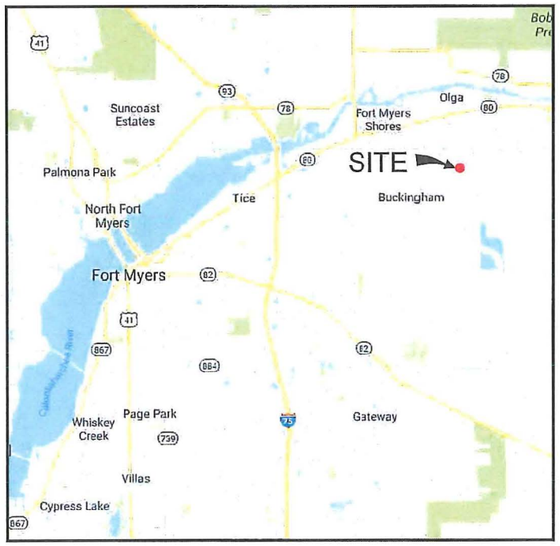
MASTER CONCEPT PLAN FOR

LEE COUNTY HOMES ASSOCIATES I, LLLP

LEE COUNTY, FLORIDA

SECTION 33, TOWNSHIP 43, RANGE 26E

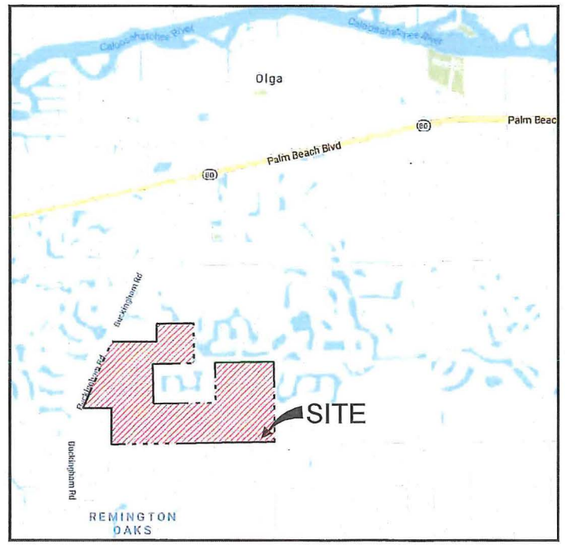
LEE COUNTY, FLORIDA



SITE VICINITY MAP

N.T.S.

BID	CONSTRUCTION	LEE COUNTY	SFWMD	LCU/DOH/FDEP	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
FL CA I IO, 6522 / FL CERT IIO, LB0891 / LC26000333

Fort Myers
2914 Cleveland Avenue
Fort Myers, Florida 33901
(239) 337-3993
Fax: (239) 337-3994
Toll free: 866-337-7341

Tallahassee
113 South Monroe Stree
1st Floor
Tallahassee, Florida 32301
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5097 Highway 98
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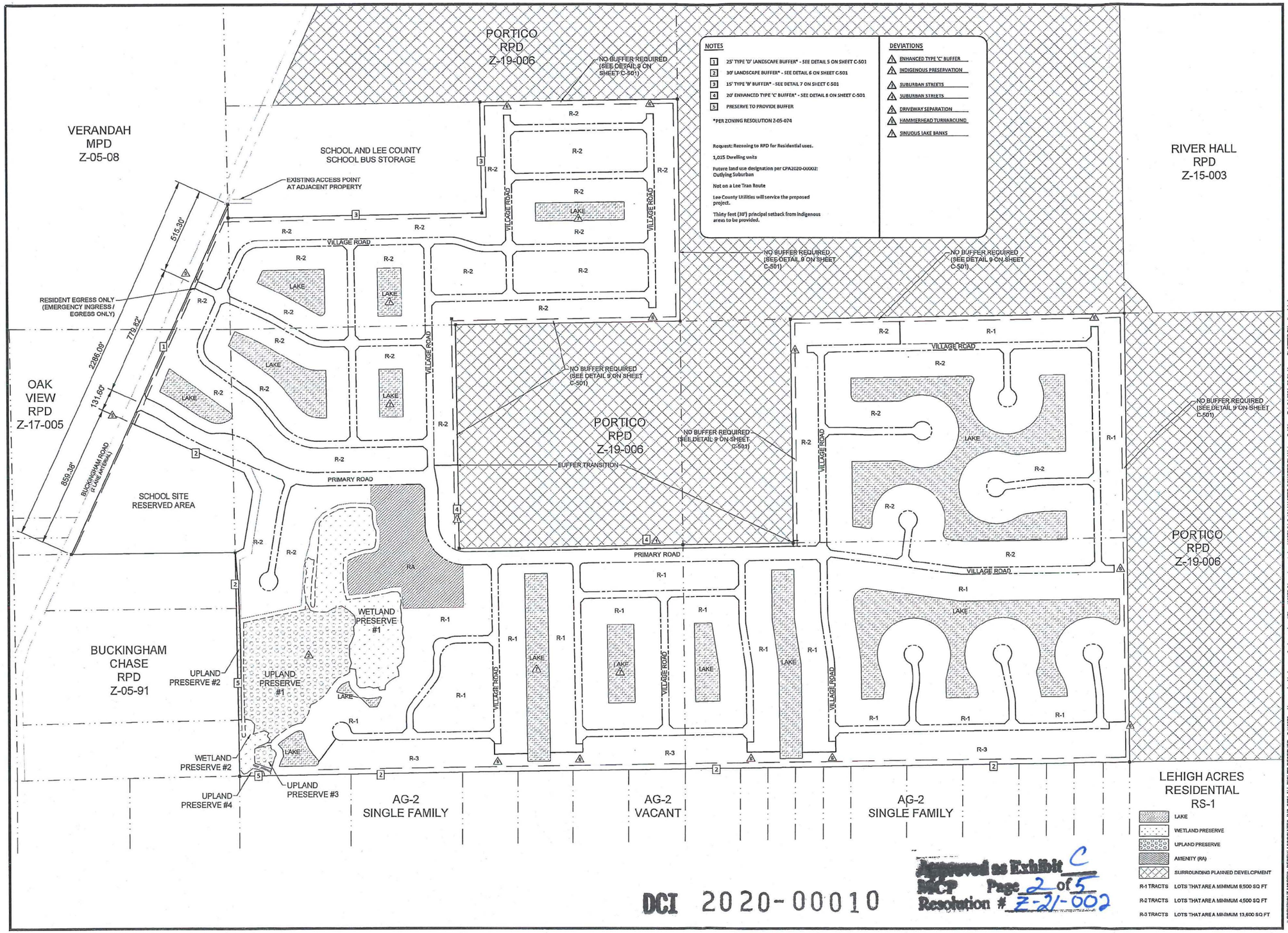
PREPARED BY:

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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ADD2024-00081 Lee County ePlan



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
FL CA I.D. 8552 / PL CERT I.D. LB8591 / LC26000335

Fort Myers
2914 Cleveland Avenue
Fort Myers, Florida 33901
(239) 337-3993
Fax: (239) 337-3994
Toll free: 866-337-7341

Tallahassee
113 South Monroe Street
1st Floor
Tallahassee, Florida 32301
Toll free: 866-337-7341

Destin
6297 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:	2/4/2021

SHEET TITLE:

MASTER CONCEPT PLAN

SHEET NUMBER: C-101

250 0 125 250
SCALE 1"=250'

JOB/FILE NUMBER: 19079-01

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G:\19079 - gf\comms - buckingham cps & pd amendment\Plans\19079-01 resizement plans\19079-01 C-101 MASTER CONCEPT PLAN.dwg <C-101> - Feb 04 2021 02:28:41 pm PLOTTED BY: mmcclelland

ADD2024-00081 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		104.82	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		83.12	21.71
TOTAL PROVIDED OPEN SPACE	104.83		

* 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))

PORTICO RPD Z-19-006
VERANDAH MPD Z-05-08
SCHOOL AND LEE COUNTY SCHOOL BUS STORAGE
RIVER HALL RPD Z-15-003
OAK VIEW RPD Z-17-005
PORTICO RPD Z-19-006
PORTICO RPD Z-19-006
BUCKINGHAM CHASE RPD Z-05-91
LEHIGH ACRES RESIDENTIAL RS-1
AG-2 SINGLE FAMILY
AG-2 VACANT
AG-2 SINGLE FAMILY
VILLAGE ROAD
PRIMARY ROAD
BUCKINGHAM ROAD (A LANE ANTERIA)
SCHOOL SITE RESERVED AREA
AMENITY RA
WETLAND PRESERVE #1
UPLAND PRESERVE #1
UPLAND PRESERVE #2
WETLAND PRESERVE #2
UPLAND PRESERVE #3
UPLAND PRESERVE #4
LAKE
R-1
R-2
R-3
515.30'
779.82'
2286.09'
131.60'
859.38'
10 C-501
4 C-501
3A C-501
3B C-501

LEGEND
- GENERAL OPEN SPACE
- WETLAND PRESERVE
- UPLAND PRESERVE
- 25% OF OPEN SPACE FOR LAKES
- SCHOOL SITE RESERVED AREA

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

LEHIGH ACRES RESIDENTIAL RS-1
- LAKE
- WETLAND PRESERVE
- UPLAND PRESERVE
- AMENITY (RA)
- SURROUNDING PLANNED DEVELOPMENT
- R-1 TRACTS LOTS THAT ARE A MINIMUM 6,500 SQ FT
- R-2 TRACTS LOTS THAT ARE A MINIMUM 4,500 SQ FT
- R-3 TRACTS LOTS THAT ARE A MINIMUM 13,500 SQ FT

DCI 2020-00010

Approved as Exhibit C
MCP Page 3 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 I/C. 8532 / FL CERT I/C. LB6691 / LC26000332

Fort Myers
3914 Cleveland Avenue
Fort Myers, Florida 33901
(239) 337-3993
Fax: (239) 337-3994
Toll free: 866-337-7341

Tallahassee
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Santa Rosa Beach, Florida 32459
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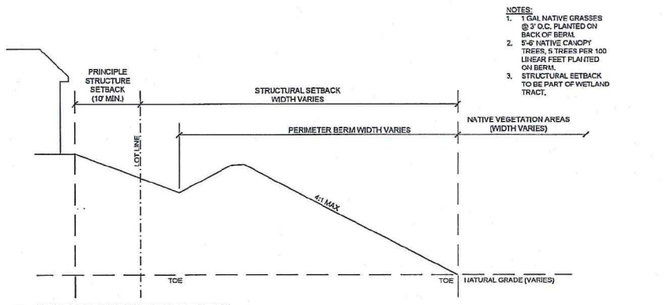
REVISIONS	DATE

PROJECT MANAGER:	TME
DRAWING BY:	MML
JURISDICTION:	LEE COUNTY
DATE:	2/4/2021
SHEET TITLE:	OPEN SPACE PLAN
SHEET NUMBER:	C-102
JOB/FILE NUMBER:	19079-01

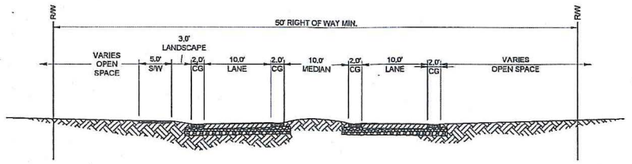
SCALE 1"=250'

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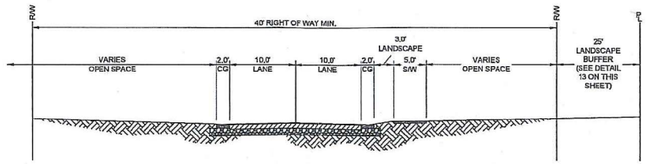
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1 LOTS BORDERING NATIVE VEGETATION

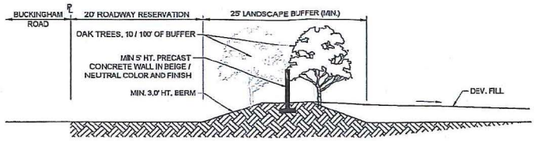


SECTION 3A - PRIMARY ROAD WITH MEDIAN

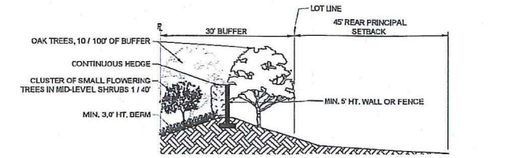


SECTION 3B - PRIMARY ROAD WITHOUT MEDIAN

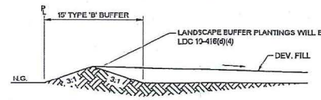
3 PRIMARY ROAD



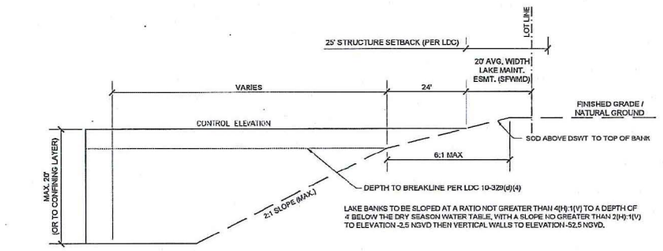
5 25' ENHANCED TYPE D LANDSCAPE BUFFER



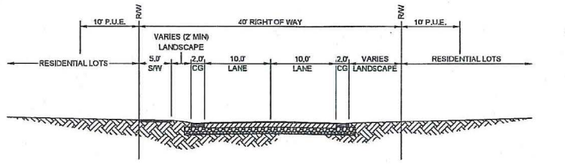
6 30' LANDSCAPE BUFFER



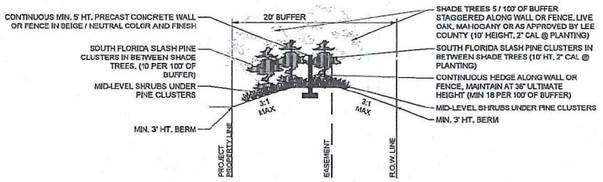
7 15' TYPE B BUFFER



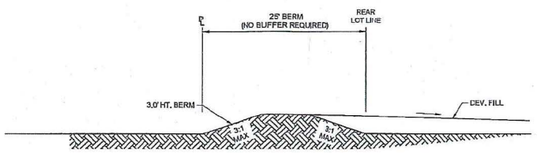
2 TYPICAL LAKE SECTION



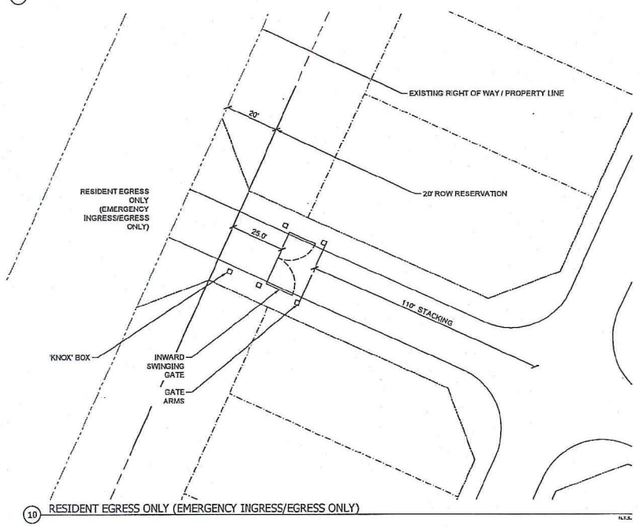
4 VILLAGE ROAD



8 20' ENHANCED TYPE C BUFFER



9 PERIMETER BERM



10 RESIDENT EGRESS ONLY (EMERGENCY INGRESS/EGRESS ONLY)

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:

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LANDSCAPE ARCHITECTS
FL CA #0, 6532 / FL CERT #0, LB6991 / LC26000339

Fort Myers
2914 Cleveland Avenue
Fort Myers, Florida 33901
(239) 337-3993
Fax: (239) 337-3994
Toll free: 866-337-7341

Tallahassee
113 South Monroe Street
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Tallahassee, Florida 32301
Toll free: 866-337-7341

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5597 Highway 98
Unit 201
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REVISIONS	DATE

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

TITLE:

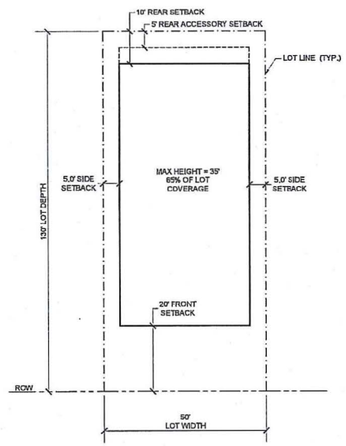
NOTES AND TYPICAL SECTIONS

SHEET NUMBER: C-501

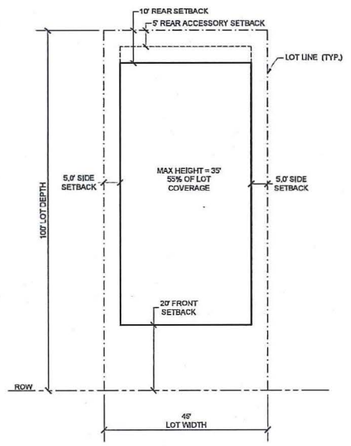
JOB/FILE NUMBER: 19079-01

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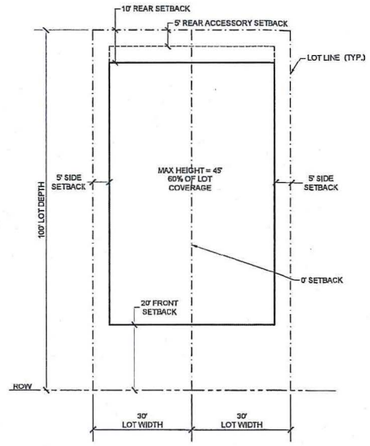
ADD2024-00081 Lee County ePlan



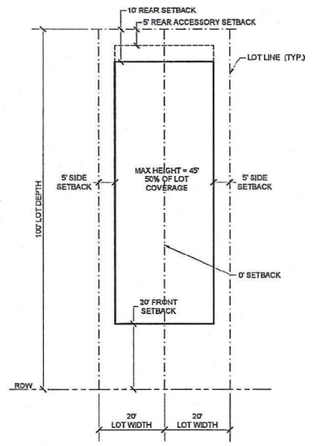
1 TYPICAL R-1 SINGLE FAMILY LOT N.T.S.
NOTE: 15' FRONT SETBACK FOR SIDE LOAD GARAGE.



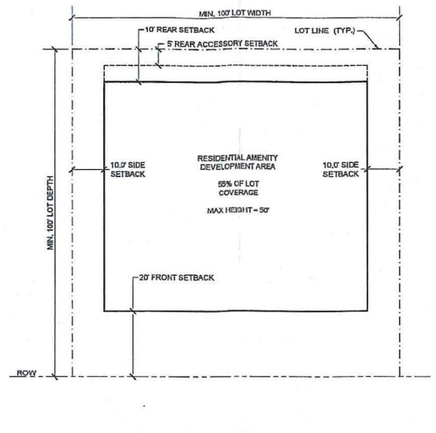
2 TYPICAL R-2 SINGLE FAMILY LOT N.T.S.
NOTE: 15' FRONT SETBACK FOR SIDE LOAD GARAGE.



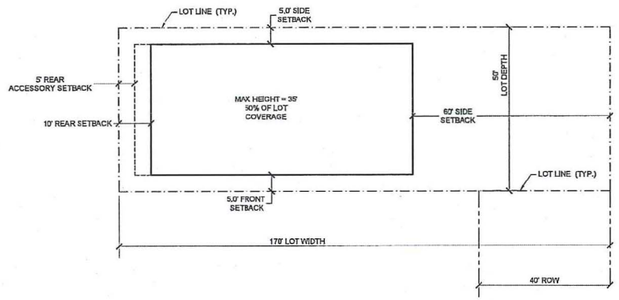
3 TYPICAL TWO FAMILY ATTACHED LOT(S) N.T.S.



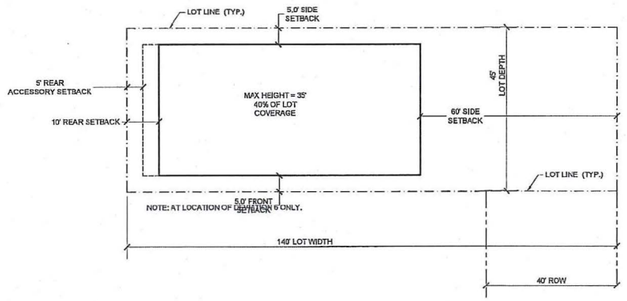
4 TYPICAL TOWNHOME LOT(S) N.T.S.



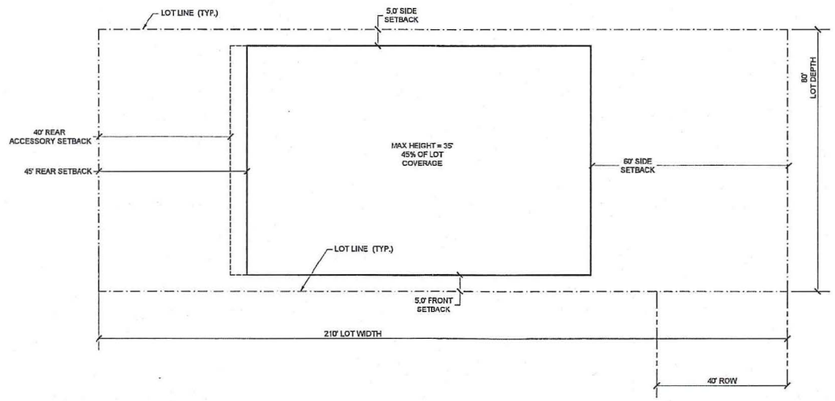
5 TYPICAL AMENITY LOT N.T.S.



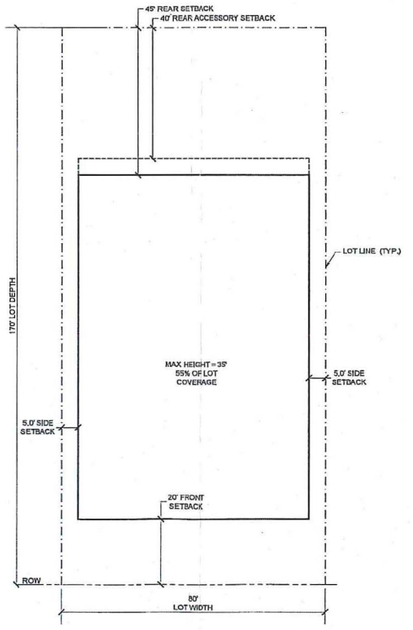
6 TYPICAL R-1 SINGLE FAMILY LOT AT DEAD END R.O.W. N.T.S.



7 TYPICAL R-2 SINGLE FAMILY LOT AT DEAD END R.O.W. N.T.S.
NOTE: AT LOCATION OF DEVIATION 6 ONLY.



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



9 TYPICAL R-3 SINGLE FAMILY LOT N.T.S.
NOTE: 15' FRONT SETBACK FOR SIDE LOAD GARAGE.

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:

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FL CA # 0, 6532 / FL CERT # 0, LB6991 / LC26000330

Fort Myers
2914 Cleveland Avenue
Fort Myers, Florida 33901
(239) 337-3993
Fax: (239) 337-3994
Toll free: 866-337-7241

Tallahassee
113 South Monroe Street
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Destin
5597 Highway 98
Unit 201
Santa Rosa Beach, Florida 32459
Toll free: 866337-7241

REVISIONS	DATE

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

TITLE:

LOT TYPICALS

SHEET NUMBER: C-502

JOB/FILE NUMBER: 19079-01

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ADD2024-00081 Lee County ePlan

MORRIS DEPEW
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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