LAW OFFICE OF
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SENT WEBCONNECT UPLOAD

November 14, 2024

Adam Mendez
Lee County Community Development
1500 Monroe St.
Fort Myers, FL 33901

RE: VB BTS II, LLC
Site Name: US-FL-7108 Myerlee
Project: DCI2024-00010
Response to Staff Comments Dated April 12, 2024

Dear Mr. Mendez:

On behalf of our firm's client, VB BTS II, LLC (Vertical Bridge), please find the enclosed Response to comments dated April 12, 2024, and supporting documentation:

- Revised Project Narrative, analyzing
  - Lee Plan Policies
    - 1.1.4,
    - 2.1.3,
    - 5.1.5,
    - 6.1.6,
    - 101.1.1
  - Lee Plan Goal 101
  - LDC Section 34-145(c)(3)
  - LDC Section 34-1038
- Draft PUD Conditions
- Deviation Justification Sheet
- COA Process Opinion Letter
- Lee County Port Authority Tall Structures Permit Approval Package
- Arborist Report dated September 9, 2024
- Opinion of Title Letter dated November 6, 2024
- Sketches and Legal Descriptions of the Monopole's lease area and access easement – Digitally Signed and Sealed PDF and Word document
- Revised Boundary Survey – 1 Digitally Signed and Sealed
- Revised Site Plan Set – 1 Digitally Signed and Sealed

Summary of Response

Vertical Bridge respectfully responds to staff comments dated April 12, 2024. For clarity, staff comments are *italicized* while Vertical Bridge's responses are **bolded**.

Comment Responses

Zoning Review:

1. Amendments to Planned Developments must provide all relevant information found in LDC Section 34-373.

Please see the responses below.

2. Please provide an amended Master Concept Plan for the approved Planned Unit Development. Please provide an amended set of conditions from Z-07-001, as amended.

Please see Sheets CP-1 and PUD-1.

3. Please provide a letter of no objection from the Lee County Port Authority per LDC Section 34-1446(a)(6)a.

Please see the enclosed letter of no objection.

4. Please demonstrate compliance with LDC Section 34-1038.

Please see the enclosed Revised Project Narrative.

5. In addition to the findings for Planned Development Rezonings and Variances , please amend the request statement to include the decision-making criteria for Special Exceptions found in LDC Section 34-202(5)(a).

Please see the enclosed Revised Project Narrative.

6. Tower height setback must be measured from the exterior of the tower, not the center. Please provide updated plans to demonstrate this.

The setbacks and separations depicted on Sheets C-1.0 and C-1.1. are measured from edge of the Monopole while the distances on Sheet C-2 are measured from the Monopole's centerline. Sheet C-2 now depicts distances from the edge of the Monopole.

Planning Review:

1. Provide analysis of Lee Plan Policies 1.1.4, 2.1.3, 5.1.5, 6.1.6, and Goal 101, and Policy 101.1.1 in the Request Statement.

Please see the enclosed Revised Project Narrative.

Development Services Review:
1. Please provide a Surface Water Management Plan in accordance with LDC Sec. 34-373(b).

The Surface Water Management Plan is depicted on Sheet C-1.0.1

2. Pursuant to LCLDC Sec. 34-373(a)(6), all applications must be accompanied by a graphic illustration (Master Concept Plan) of the proposed development.

Please see Sheet CP-1.

3. 34-373(a)(8) - Deviations were noted in the Request Statement. If the applicant intends to request any deviations in the resubmittal please ensure the deviations are noted in the appropriate location on the MCP. The deviations must include a separate written request and justifications.

Please see the enclosed Deviation Justification Sheet.

Legal Description Review:

1. Please provide a legal description and sketch in accordance with the requirements of Lee County LDC §34-202(a)(5). The document submitted is missing a sketch to accompany the legal description. Please provide a sketch of the legal description of the lease area.

Please see the enclosed Sketches and Legal Descriptions of the Monopole's lease area and access easement.

2. Please provide a boundary survey of the subject property in accordance with the requirements of Lee County LDC §34-202(a)(6). The survey must be based upon the title certification submitted in accordance with Section 34-201(a)(7) and certified to the present owner as reflected in the title documentation submitted in accordance with Section 34-201(a)(7). The survey must be tied to the State plane coordinate system for the Florida West Zone (the most current adjustment is required) with two coordinates, one coordinate being the point of beginning (POB) and the other an opposing corner.

a. *The boundary survey must indicate tie to the correct form of title certification when it is submitted (see item 7 below).*

b. *Please include the state plane coordinates for the Point(s) of Beginning and opposing corner(s) of the parent parcel.*

Please see the enclosed revised Boundary Survey and supporting Opinion of Title Letter dated November 6, 2024.

3. Please provide a title certification for the property subject to zoning approval in accordance with the requirements of Lee County LDC §34-202(a)(7). A title commitment is not accepted as a form of title certification. Certification of title and encumbrances submitted for property subject to zoning approval must meet the following criteria:

a. *The certification of title must be in one of the following forms:*
   i. *Title certificate or title opinion, no greater than 90 days old at the time of the initial application submittal. The title certification submittal must be either an opinion of title meeting the Florida Bar Standards prepared by a licensed Florida attorney or a certification of title/title certification prepared by a title abstractor or company.*
   ii. *ii. Title insurance policy with appropriate schedules, no greater than five years old at the time of the initial zoning case submittal and an affidavit of no change covering the period of time between issuance of the policy and the application date. If submission of a complete affidavit of no change is not possible, a title certificate, or title opinion must be submitted in the alternative.*
b. *The certification of title must include, at a minimum, the following content:*
   i. *The name of the owner of the fee title,*
   ii. *All mortgages secured by the property,*
   iii. *All easements encumbering the property,*
   iv. *The legal description of the property, and*
   v. *The certification of title documentation must be unequivocal.*

Please see the enclosed Opinion of Title Letter dated November 6, 2024.

Environmental Review:

1. Please provide a protected species survey and FLUCCS map with the methodology approved in Ordinance 89-34. Please provide the specific methodology. A waiver may be submitted for the areas that are not being developed/impacted.

The FLUCCS Codes for the project area are also stated on Sheet FLU-1.

2. Please provide a map of the nearest eagle location in relation to the proposed cell tower (please provide the physical location of the nest in relation to the project, as well as the approximate distance).

The nearest bald eagle nest is located approximately 0.7 miles to the Southwest while the nearest wood stork colony is located approximately 10.4 miles to the Northeast. Please see Sheet C-1.0.2.

3. Please provide a map of the woodstork foraging habitat location in relation to the proposed cell tower (please provide the physical location of the woodstork foraging habitat in relation to the project, as well as the approximate distance).

Please see Sheet C-1.0.2.

4. Please provide a strike through and underline of the prior resolution to distinguish the changes within the amendment.

Please see the enclosed draft PUD Conditions for review.

5. Please bring in the entirety of the PUD area in to be codified. This includes site plans, acreage, open space, buffers, etc. (LDC 10-415, 10-416, 34-373).

Please see Sheets CP-1 and PUD-1.

6. Please provide an open space exhibit for the entire PUD, and a separate page for the open space of the proposed communications tower.

Please see Sheet CP-1.

7. Please provide a Clearance to Proceed from FWC.

This document is typically provided during the site plan review process, after zoning approval is granted.

8. The applicant is indicating the removal of a canopy tree as part of the development foot print. Please describe how the removal affects the general tree calculation as part of the parent parcels development. If it is impacting the general tree requirement, please indicate how the applicant intends on offsetting the impact.

The Monopole is sited so that it will require the removal of one strangler fig. Vertical Bridge respectfully submits removal in this instance is necessary due to the poor health of the tree. Please see Sheet C-1.2 as well as the enclosed arborist report dated September 9, 2024.

9. Please provide a narrative on how the proposed development will impact the parcel parcels open space, buffers, indigenous, etc.

The Monopole will be proposed in common area of the Myerlee PUD on property that is developed as an open lawn adjacent to a shuffleboard court. Tract B, which is the Golf Course tract of the Myerlee PUD, and provides 99.3% open space. Tract B, post development of the Monopole will provide 99.2% open space. Please see Sheet CP-1 as well as the enclosed Boundary Survey and the PUD resolution on file.

10. The landscaping proposed does not depict a double hedge row per LDC 34-1447(d)(4)(c)(2). Please provide a revised plan. Please note that landscaping must meet 34-1447(D)(4)(c) and will be conditioned at time of staff report.

The landscape plan has been revised to meet LDC planting requirements. Please see Sheet L-1.

11. The applicant is not proposing any screening/ buffering near the amenity center. Please note that this does not meet lee plan policy 6.1.6 and 5.1.5. Please indicate how the applicant intends to screen the development to the multi-family residents.

Landscape buffer plantings are not proposed along Southeast side of the compound because there is no space between the compound and the shuffle board courts. The compound is as small as possible while still providing the Monopole with the ability to collocate multiple users, as required under the LDC. All required plantings will be placed immediately to the East of the Shuffleboard Court, between the court and the clubhouse. This configuration will meet the sound planning objective of providing buffering on the southeast side while also providing the LDC required buffering between the Monopole's compound and the semi-public space of the golf course and providing a LDC required buffer plantings. Please see Sheets C-1.2 and L-1.

12. Staff did not see a notation for automatic irrigation . Please note that staff will require automatic irrigation as a requirement per LDC 10-417.

Automatic irrigation will be provided. Please see Sheet L-2.

DOT Review:

1. The site plan must accurately delineate the location where the proposed access easement intersects with Edgewater Circle.

Please see Sheet C-1.2.1.

Natural Resources Review:

1. Please provide a written description of the surface water management plan that complies with LDC 34-373(b)(1)

Please see the enclosed Surface Water Management Plan on Sheet C-1.0.1.

2. Please note that Staff may have additional comments after submittal of a complete application.

Noted.

Thank you for your assistance in this matter. Please do not hesitate to contact me if I am able to provide you with additional information.

Sincerely,

Mattaniah S. Jahn Esq.
MSJ/cjlb

Enclosures

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SENT VIA WEBCONNECT UPLOAD

November 14, 2024

Adam Mendez
Senior Planner
Lee County Department of Community Development
1500 Monroe Street, Fort Myers, FL 33901

RE: VB BTS II, LLC – US-FL-7108 Myerlee
Revised Project Narrative
PUD Amendment DCI2024-00010

Dear Mr. Mendez:

On behalf of my client, VB BTS II, LLC (Vertical Bridge), find the included PUD Amendment and Final Plan Approval application to amend the Myerlee PUD - DCI2006-00037(84-3-28-DCI) with deviation requests for tower design and setback requirements and concurrent Final Plan Approval to allow a 149' AGL monopole style communications tower on STRAP 27-45-24-22-00000.00CE along with supporting documentation:

Please see Documents Currently on file for application DCI2024-00010

Summary of Request

Vertical Bridge respectfully requests a PUD Amendment Approval upon STRAP 27-45-24-22-00000.00CE, to allow the use of Wireless Communication Facilities, with deviations from tower height and setback requirements, to allow a 149' AGL monopole style communication tower (monopole) and a 60.0' X 64.7' X 69.3' X 30.0' fenced equipment compound. The site is situated on the southwest corner of Myerlee Country Club Boulevard and Edgewater Circle. This request is being made on behalf of the property owner, Myerlee Golfside East Condominium Association, Inc., with the approval of the Homeowner's Association.

Applicable Lee Plan Policies

POLICY 1.1.4: The Urban Community future land use category are areas characterized by a mixture of relatively intense commercial and residential uses. The residential development in these areas will be at slightly lower densities then other future urban categories described in this plan. As vacant properties within this category are developed, the existing base of public services will need to be maintained which may include expanding and strengthening them accordingly. As in

the Central Urban future land use category, predominant land uses in this category will be residential, commercial, public and quasi-public, and limited light industrial with future development encouraged to be mixed use, as described in Objective 11.1, where appropriate. The standard density range is from one dwelling unit per acre (1 du/acre) to six dwelling units per acre (6 Future Land Use II-2 April 2024 du/acre), with a maximum total density of ten dwelling units per acre (10 du/acre). The maximum total density may be increased to fifteen dwelling units per acre (15 du/acre) utilizing Greater Pine Island Transfer of Development Units. (Ord. No. 94-30, 02-02, 09-06, 10-10, 10-33, 16-07, 21-09)

Vertical Bridge respectfully submits the Monopole is a quasi-public use that will provide the essential service of reliable wireless service to the area in and around the Myerlee PUD. Reliable wireless service is a central component of our everyday lives. Nowhere is this more evident than in 911 call statistics. In neighboring Collier County, 84.14% of all 911 calls in 2021 came from wireless numbers. This shows that reliable wireless service is no longer a luxury, it is a necessity. Please see the enclosed Site Plan Set, T-Mobile RF package, and Collier County 911 Call Statistics.

POLICY 2.1.3: All land use categories and Planning Districts permit the consideration of churches and schools (except in Wetlands and Airport Noise Zones A and B), public uses and buildings, public utilities and resource recovery facilities, public recreational uses (including franchised quasi commercial uses in conjunction with a public use), and sites for compatible public facilities when consistent with the goals, objectives, policies, and standards in this plan and applicable zoning and development regulations. (Ord. No. 94-30, 98-09, 21-09)

Vertical Bridge respectfully submits the Monopole is an infrastructure like quasi-public use in that it will resolve a significant gap in T-Mobile's wireless service to the public. As discussed below and shown in the RF Package, the siting maximizes compatibility given the constraints of the Gap's search area and the availability of viable sites within the gap by placing the Monopole on the West side of the common area of a condominium, adjacent to a golf course. This maximizes residential separation, with the closest residential units being part of the landlord condominium. Please see Sheet C-1.1 as well as the enclosed Photo Simulations, and RF Package.

POLICY 5.1.5: Protect existing and future residential areas from any encroachment of uses that are potentially destructive to the character and integrity of the residential environment. Requests for conventional rezonings will be denied in the event that the buffers provided in the LDC, Chapter 10, are not adequate to address potentially incompatible uses in a satisfactory manner. If such uses are proposed in the form of a Planned Development or special exception and generally applicable development regulations are deemed to be inadequate, conditions will be attached to minimize or eliminate the potential impacts or, where no adequate conditions can be devised, the application will be denied altogether. The LDC will continue to require appropriate buffers for new developments. (Ord. No. 94-30, 99-15, 00-22)

The Monopole will not be destructive to the residential character of the area but, rather, support it through providing reliable wireless service to the area in and around the Myerlee PUD by resolving a significant gap in T-Mobile's service. This infrastructure like use will

be akin to the high voltage powerlines that run through STRAP 28-45-24-00-00003.0030. Please see the enclosed RF Package.

POLICY 6.1.6: Maintain land development regulations that require commercial development provide adequate and appropriate landscaping, open space, buffering, and architectural standards. (Ord. No. 23-08)

While the use is a quasi-public infrastructure like use, rather than a commercial one, the Monopole will provide all required landscaping plantings. While landscape plantings will not be planted immediately adjacent to the southeast side of the compound fence, this request is only for the purposes of preserving the functionality of the parent parcel's amenity center. The required plantings for the Southeast side of the compound will provided approximately 20' away from the compound fence, immediately adjacent to the shuffle board court which, in turn, will be immediately adjacent to the Southeast Side of the compound.

The Monopole's parent PUD tract will remain in compliance with the PUD's open space requirements and the Monopole will provide the code required 100% tower height separation from all residential units not associated with the lease. Finally, the Monopole will meet the LDC's design standards and be completely dark at night. Please see Sheets CP-1, C-1.0, C-1.1, C-1.2, C-1.3, C-2.0, and L-1 as well as the enclosed Photo Simulations, FAA Determination of No Hazard to Air Navigation, Lee County Port Authority Tall Structures Permit, and RF Package.

POLICY 101.1.1: Require that development within the Coastal High Hazard Area be compatible with natural systems, such as, water retention and purification, wildlife habitat, primary productivity, and defense against coastal flooding. (Ord. No. 00-22, 18-28)

The Monopole will be located upon a parent parcel developed as common area to a condominium and as such, will not impact wildlife habitat. The Monopole will have a minimal footprint and any stormwater structures, if required at Limited Development Order review, will be minimal. The Monopole will be compliant with the Base Flood Elevation. Finally, the Monopole will be unstaffed, requiring only power and telco connections. Therefore it will not create wastewater or sewage runoff that would require water purification. Please see Sheets FLU-1, C-1.0, C-1.0.2, C-1.1, and C-1.2.

<u>Applicable Lee Plan Goal</u>

GOAL 101: COASTAL AREAS. Protect human life along with current and future development from the impacts of coastal flooding. Coastal flooding includes, but is not limited to, high tide events, storm surge, flash floods, stormwater runoff, and impacts of sea level rise. (Ord. No. 94-30, 18-28)

The Monopole will have a minimal footprint and any stormwater structures, if required at Limited Development Order review, will be minimal. The Monopole will be compliant with the Base Flood Elevation. Finally, the Monopole will be unstaffed, requiring only power and

telco connections. Therefore it will not create wastewater or sewage runoff that would require water purification.

The Monopole will protect human life by providing reliable wireless service to the area through resolving a significant gap in T-Mobile's service in and around the Myerlee PUD. Nowhere is this more evident than in 911 call statistics. In neighboring Collier County, 84.14% of all 911 calls in 2021 came from wireless numbers. This shows that reliable wireless service is no longer a luxury, it is a necessity. Please see Sheets C-1.0, C-1.0.1, C-1.1, and C-1.2 as well as the enclosed RF package, and Collier County 911 Call Statistics.

Applicable Land Development Code

DIVISION 10. - SPECIAL PURPOSE DISTRICTS

Subdivision I. - In General

…

Subdivision IV. - Planned Unit Development District

…

Sec. 34-1038. Changes to final development plan.

(a) The Director of the Department of Community Development may approve those minor changes specifically allowed pursuant to an approved final PUD development plan for a PUD. For any approved final PUD development plan for a PUD which does not specifically set forth those minor changes that may be approved by the Director of the Department of Community Development or any PUD development plan which has not received final approval prior to the effective date of the ordinance from which this subdivision is derived (July 6, 1987), minor changes (amendments) that may be approved by the Department Director include, in general, any change to the interior of the development which does not increase density or intensity (i.e., number of dwelling units or quantity of commercial or industrial floor area), or which does not decrease buffers or open space. The Director shall not approve any change which results in a substantial underutilization of public resources and public infrastructure committed to the support of the development, nor shall the Director approve any change which results in a reduction of total open space, buffering, landscaping and preservation areas, or which adversely impacts on surrounding land uses.

Vertical Bridge respectfully submits the Monopole would meet the definition a minor change under the strict reading of the LDC as it is applicable to a PUD that was enacted prior to July 6, 1987. Further, the Monopole is an infrastructure use, being added to support the existing uses on the PUD. However, Vertical Bridge has provided the analysis herein out of an abundance of preparation.

(b) Any other changes or amendments to the approved final development plan for a PUD not authorized pursuant to this section shall only be approved by the Board of County Commissioners after public hearing.

Noted.

…

DIVISION 11. WIRELESS COMMUNICATION FACILITIES

Sec. 34-1441. Purpose and intent.

…

Sec. 34-1442. Definitions.

…

Sec. 34-1443. Applicability and exemptions.

…

Sec. 34-1444. Permissible wireless facility locations.

…

Sec. 34-1445. Development review process.

(a) *Pre-application conference.*

(1) Prior to submitting an application for a wireless communication facility, the applicant may file a request for a pre-application conference with the Director. The purpose of the pre-application conference is to acquaint the participants with the applicable requirements of this chapter and with preliminary concerns of the Department.

Noted.

(b) *Zoning.*

(1) *Administrative review.* Where provided by this division, new antenna-supporting structures may be administratively approved in accordance with Section 34-174.

(2) *Special exception.*

a. Where, pursuant to Table 34-1447, a special exception is required, the application must be reviewed pursuant to the provisions of section 34-145(c) and this division.

b. *Appeal.* The Director or any aggrieved party may appeal decisions of the Hearing Examiner to the Board of County Commissioners following the procedures set forth in section 34-83(b), Zoning Actions. The Board of County Commissioners will treat the decision of the Hearing Examiner as a recommendation and not as a final decision. Appeals must be filed with the Director within 30 calendar days after the decision has been rendered.

(c) *Building permits and development orders.* Building permits and development orders are required for all wireless communication facilities in accordance with this chapter and Chapters 6 and 10.

Noted.

Sec. 34-1446. Application submittal requirements.

(a) *Minimum required information for all wireless communication facilities applications.* Every application for wireless communication facilities must include the following information. However, upon written request, on a form prepared by the County, the Director may modify the submittal requirements contained in this section where it can be clearly demonstrated that the submission will have no bearing on the review and processing of the application. The request for a waiver or modification must be submitted to the Director prior to submitting the application. A copy of the request and the Director's written response must accompany the application and will become a part of the permanent file. The Director's decision is discretionary and may not be appealed.

(1) Documentation of authority and acceptance of responsibility for compliance with these regulations, executed by the property owner, the applicant, and the provider who will be placing antennas on the proposed or existing wireless communications facility.

Please see the enclosed Agent of Record Affidavits and Joint Responsibility Affidavit.

(2) The name, address, and telephone contact information for the owner of all proposed or existing antenna-supporting structures and wireless communication facilities; and an affidavit that such information will be updated annually or upon a change of ownership after the application is approved.

Vertical Bridge's contact information is provided on the enclosed Agent of Record Affidavit. Vertical Bridge will update their contact information with the County annually, in the event the contact information changes.

(3) A license (and for broadcast structures, a construction permit) issued by the FCC to transmit radio signals in Lee County.

Please see the enclosed FCC Licenses for T-Mobile.

(4) New antenna-supporting structures must demonstrate there are no existing suitable structures available or higher priority zoning districts in the geographic search area. As part of that demonstration, the application must include a graphical representation of the geographic search area.

There are no existing communication towers in the area capable of meeting T-Mobile's RF objectives. T-Mobile's search ring consists of an area that includes a variety of residential districts, AG-2, CT, CS-1, CF, CC, CG, CPD, CFPD, C-1A, and MPUD zoning. The Monopole is proposed to be located within Myerlee PUD zoning, which allows the Monopole

to be sited so that it has some of the largest residential separations possible in the area given the prevailing development pattern. Please see the enclosed RF Package.

(5) A statement confirming the overall height of the facility and all other facilities on the subject property, in terms of grade and sea-level.

Please see the enclosed FAA Determination of No Hazard Notice.

(6) A letter or letters:

a. Demonstrating consent from the Executive Director of the Lee County Port Authority if the wireless communications facilities is to be located within the County airspace notification limits of section 34-1107;
b. Confirming review and recommendation from the Lee County Mosquito Control District, the Lee County Sheriff's Department and the Director of Public Safety or their respective designee, for any wireless communication facility exceeding 35 feet;
c. Evidence of compliance with applicable Federal Aviation Administration requirements under 14 C.F.R. § 77, as amended, and evidence of proper Federal Communications Commission licensure, or other evidence of Federal Communications Commission authorized spectrum use.

These letters are not required for collocated and surface-mounted antennas.

Please see the enclosed Sheriff Concurrency Letter, as well as submittals to Public Safety, Port Authority, and Mosquito Control as well as the FAA Determination of No Hazard to Air Navigation.

(7) A survey of the subject property completed by a registered land surveyor which shows all existing conditions. This requirement does not apply to roof-mounted and surface-mounted antennas.

Please see the enclosed Survey.

(8) Photo-simulated post-construction renderings of the proposed wireless communications facility, equipment enclosures, and ancillary appurtenances as they would look after construction from areas where the proposed wireless communication facility will be visible according to the balloon test and sight lines. This requirement does not apply to collocations.

Please see the enclosed Photo Simulations.

(9) Shared use plan or copy of an executed shared use plan for the existing facility. (This is not required for a broadcast facility until such time as a request is made to collocate personal wireless service equipment.)

Please see the enclosed Collocation Affidavit confirming that the Monopole will be designed to support 3 sets of antennas and will be made available to co-locators at market rates. Please see the enclosed collocation affidavit as well as Sheet C-1.3.

(10) For new antenna support structures, to allow a determination that there are no existing structures on which the provider's proposed antennas could be located, a list and map identifying all existing wireless communications facilities to which the proposed facility will be a handoff candidate, including latitude, longitude, and power levels of each.

Please see pages 4 – 6 of the enclosed RF Package.

(11) Floor plans, elevations, and cross sections at a scale no smaller than ¼″ = 1′ (1:48) of any proposed accessory structure.

Please see the enclosed Site Plan Set.

(12) To scale elevation drawings, indicating the roof, facades, doors, and other exterior appearance and materials of the proposed wireless communication facility (signed and sealed by a professional engineer).

Please see the enclosed Site Plan Set.

(b) *Additional required information for wireless communication facilities requiring a public hearing.* In addition to the submittals required by sections 34-202 and 34-203, and the requirements of subsection (a) above, the following information must be provided:

(1) *Lease required.* If the property owner is not a provider, the application must include a copy of an executed lease agreement or memorandum of lease between the applicant or property owner and a provider. Where no lease agreement has been executed, the applicant must include an affidavit signed by a provider attesting to the provider's intent to make application for development order approval to place antennas on the wireless communications facility if the zoning application is approved.

Please see the enclosed Memorandum of Lease Agreement.

(2) For antenna supporting structures, the graphic results of the balloon test conducted by the applicant pursuant to the requirements set forth in section 34-1446(d).

Vertical Bridge will comply.

(c) *Additional information for wireless communication facilities required at time of application for a development order or building permit.* In addition to the submittals required by subsection (a) above, the following information must be provided along with the application for a development order or building permit:

(1) A certificate of insurance as required by section 34-1450.

(2) Proof the wireless communications facility has been designed to withstand sustained winds in accordance with the Florida Building Code.

(3) Proof the antenna-supporting structure has been designed so that, in the event of structural failure, it will collapse within the boundaries of the leased area of the lot on which it is located.

(4) A stamped or sealed structural analysis of the wireless communication facility prepared by a professional engineer indicating the proposed and future loading capacity of the facility and specifying the design structural failure modes of the proposed facility; OR, where the wireless communication facility is to be mounted on an existing building or structure, a stamped or sealed structural analysis prepared by a professional engineer showing the ability of the building or structure to carry the load of the wireless communication facility.

(5) A landscape plan prepared by and bearing the seal of a landscape architect, including a narrative and calculations to ensure that the proposed landscaping will be in compliance with this Land Development Code. This requirement does not apply to roof-mounted or surface-mounted antennas.

(6) *Surety for removal.* A financial surety or other form of financial guarantee, payable to the County, to ensure timely removal of the facility in the event of abandonment, non-use or cessation of use. The surety must conform with the following requirements:

a. *Approval required.* The surety must be posted prior to issuance of a building permit or development order to guarantee the removal of the antenna-supporting structure. The amount of the surety must be acceptable to the Director. Additionally, before any surety instrument is accepted by the Director as in compliance with this section, the surety instrument must be reviewed and approved by the County Attorney's Office. Once approved and funded, the surety instrument must be filed with the clerk of the Board of County Commissioners.

b. *Types of surety.*
   1. *Cash performance bond.*
   2. *Other types of security.* The Board may accept letters of credit or escrow account agreements or other forms of security provided the reasons for not obtaining the bond are stated and the County Attorney approves the document.

c. *Certified cost estimate required.* The amount of the surety will be based upon a professional engineer's certified cost estimate of the cost of removing the antenna-supporting structure from the site and properly disposing of the dismantled antenna-supporting structure.

d. *Initial amount of surety.* The required surety must be posted with the Board and made payable to the County in an amount equal to 110 percent of the full cost of removal of the wireless communication facility as set forth in the professional engineer's certified cost estimate.

e. *Annual increase required.* The amount of the surety must be kept in full force and effect and must be increased by ten percent compounded for each year the antenna-supporting structure remains on the site.

f. *Surety to remain in effect.* The approved surety must remain funded until the wireless communication facility is removed from the site and properly disposed of.

g. *County's use of surety funds.* The County may use the posted surety funds to remove or secure a wireless communication facility upon a determination of abandonment, non-use or cessation of use as set forth in section 34-1451. In the event the posted amount

of surety funds is insufficient to cover the full cost of removal, the County may file a lien on the site property for the amount of unpaid costs, including legal fees.

h. *Exemption from surety requirement.* The Director may, with approval from the County Attorney's Office, exempt a municipality or governmental entity from the surety requirement,

Noted.

(d) *Balloon test.* Within 35 calendar days after an Application for an antenna-supporting structure has been deemed complete, the applicant must conduct a balloon test in accordance with the following regulations:

(1) Seven to 14 calendar days in advance of the first test date, the applicant must advertise, in a newspaper of general circulation in the County the dates (including a second date, in case of poor visibility on the initial date), times, and location of this balloon test. A copy of the ad and proof of publication must be provided to the Director as part of the application.

(2) At least 14 calendar days in advance of this balloon test, the applicant must inform the Director, in writing, of the dates and times of the test.

(3) The balloon must be flown for at least eight consecutive hours between 7:00 am and 7:00 pm on the dates chosen.

(4) The applicant must provide photographs of the balloon taken from each sight line. The photographs must identify the sight lines and distances from the proposed antenna-supporting structure.

Please see the enclosed Photo simulations. A Ballon Test will be performed once the application is deemed complete.

Sec. 34-1447. Development regulations.

The development regulations set forth herein apply to all wireless communications facilities as indicated.

(a) *Collocations.*

(b) Where permissible—Antenna-supporting structures.

TABLE 34-1447. PERMISSIBLE
ANTENNA-SUPPORTING
STRUCTURE HEIGHTS, LOCATIONS
AND APPLICABLE REVIEW PROCESS

Zoning Classification	Maximum Overall Height Allowed by the Administrative Approval Process	Overall Height Requiring Approval by Special Exception

Agricultural[5]	75 feet[1]	75.1—149 feet
Residential[2, 4]	**35 feet**	**35.1—75 feet**
PRFPD[3]	35 feet	Not Allowed
All other zoning districts[5]	*90 feet*	*90.1—149 feet*

(***Emphasis*** provided)

Notes:

[2] Includes single-family, two-family, multiple-family, and mobile home residential zoning districts, recreational vehicle park districts, and residential, mobile home, recreational vehicle, residential planned developments, and mixed use planned developments, and planned unit developments.

[4] A variance is required, in addition to the special exception, for an antenna supporting structure which exceeds 75-foot height limit.

Vertical Bridge respectfully proposes to construct a 149' AGL monopole style communications tower in order to meet T-Mobile's RF objectives. As such, Vertical Bridge respectfully requests a PUD deviation 34-1447(b) of 74' to allow a 149' tall structure in lieu of the 75' height cap.

(c) *District impacts minimized.*

(1) *Generally.* Antenna-supporting structures must be located in a manner that is consistent with the County's interest in land use compatibility, within and between zoning districts, as set forth in this chapter's zoning district regulations, section 34-611, et seq.

The Monopole and its compound will be setback as follows:

Monopole:

	Required:	Provided:	Relief Requested:
North:	**149'**	**1,210'**	**N/A**
East:	**149'**	**683'**	**N/A**
South:	**149'**	**117'**	**32'**
West:	**149'**	**28'**	**121'**

Compound:

	Required:	Provided:
North:	**20'**	**1,188'**
East:	**20'**	**111'**
South:	**15'**	**70'**
West:	**15'**	**15'**

The Monopole and its compound will meet or exceed the LDC required district standards, with the exception of reductions of 32' to the south and 121' to the west. Therefore, Vertical Bridge respectfully requests the following three deviations:

First Deviation (Proposed PUD Deviation 3):

Deviation 3 seeks relief from §34-1447(c)(1) in the amount of 32', allowing a southern tower setback of 117' in lieu of 149' and one deviation from 34-1447(c)(1) in the amount of 125', allowing a western tower setback of 28' in lieu of 149'. Both deviation requests are technical in nature as the neighboring parcel to the South and West is a golf course. Therefore, the sound planning objective of providing 100% tower height separation from the nearest residential properties in those directions is met several times over as the nearest residential structures to the South and West are located 789' and 858' away, respectively.

Second Deviation (Proposed PUD Deviation 4):

One deviation four seeks relief from §34-1447(b) in the amount of 74' to allow a 149' tall structure in lieu of the 75' height cap.

Third Deviation (Proposed PUD Deviation 5):

Deviation 5 seeks relief from §34-1447(d)(4)c.1 to allow the landscape buffer on the Southeast side of the compound to be shifted approximately 20' away from the compound fence, to allow the continued operation of the existing Shuffle Board Court, which is immediately adjacent to the compound fence.

The Setback deviation request is technical in nature as the neighboring parcel to the South and West is a golf course. Therefore, the sound planning objective of providing 100% tower height separation from the nearest residential properties in those directions is met several times over as the nearest residential structures to the South and West are located 789' and 858' away, respectively. Please see Sheets PUD-1, C-1.0 and C-1.1 as well as the enclosed Deviation List.

(2) *Siting priorities.* In order to justify the construction of an antenna-supporting structure, the applicant must demonstrate that higher ranking alternatives in the following hierarchy, beginning with a., do not constitute reasonable, compatible or feasible alternatives. Such demonstration must include a statement of position, qualifications, and experience by a qualified radio frequency engineer.

a. Collocated or combined antennas.
b. Surface-mounted antennas.
c. Roof-mounted antennas.
d. Antenna supporting structures.

There are no existing towers or tall structures in the area that T-Mobile could collocate upon and meet its RF objectives. Please see the enclosed RF Package and Sheet C-1.0.

(3) *Proliferation minimized.*

a. *Generally.* No antenna-supporting structure will be permitted unless the applicant demonstrates that the proposed antenna cannot be accommodated on an existing building, structure or antenna supporting structure.

There are no existing towers or tall structures in the area that T-Mobile could collocate upon and meet its RF objectives. Please see the enclosed RF Package and Sheet C-1.0.

b. *Additional documentation.* Additional documentation may also be submitted to demonstrate compliance with this section:
   1. That no existing buildings or structures within the geographic search area meets the applicant's radio frequency engineering requirements;
   2. That no building or structure within the geographic search area has sufficient structural strength to support the applicant's radio frequency engineering requirements; or
   3. That there are other radio frequency engineering factors that render surface-mounted, roof-mounted or collocated wireless communication facilities unfeasible.

Please see the enclosed RF Package.

(4) *Zoning district priorities.* In order to justify locating a proposed antenna-supporting structure within a zoning district lower in the hierarchy below, the applicant must adequately demonstrate that siting alternatives within higher ranked districts, beginning with a., are not reasonable or feasible. This demonstration must include the submission of a statement of position, qualifications, and experience by a qualified radio frequency engineer.

a. Industrial;
b. Commercial;
c. Marine-oriented;
d. Community Facilities (CF) and Airport Operations Planned Development (AOPD);
e. Agricultural;
f. Recreational vehicle;
g. ***Residential (including mobile home);***
h. Private recreational facilities planned development (PRFPD);
i. Environmentally critical (EC).

(***Emphasis*** provided)

There are no existing communication towers in the area capable of meeting T-Mobile's RF objectives. T-Mobile's search ring consists of an area that includes a variety of residential districts, AG-2, CT, CS-1, CF, CC, CG, CPD, CFPD, C-1A, and MPUD zoning. While some higher priority districts exist within the search ring, siting the Monopole within Myerlee PUD zoning, allows the Monopole to be sited so that it will have some of the largest residential separations possible in the area given the prevailing development pattern. Please see Sheet C-1.0 as well as the enclosed RF Package.

(d) *Visual impacts minimized.*

(1) *Generally.* Antennas must be configured in a manner that is consistent with the character of the surrounding community and must be of a color that blends with the structure to which it is attached, so that adverse visual impacts on adjacent properties are minimized. Antenna concealment screening should also be used when possible.

The Monopole will be on condominium common lands, near the clubhouse building, abutting land for the Myerlee Golf Course. The buildings of the condominium itself help function as intervening buffers between the Monopole and most off-site residential uses to the North and East. Further, the Myerlee Golf Course's open space provides separation buffering several times the distance required under the LDC (5.75 times tower height to the West and 5.3 times tower height to the South, respectively). Further, mature trees are scattered throughout the area, which help break up the area's viewsheds and buffer the Monopole from off-site residential uses. Finally, the Monopole will be a dull gray and completely dark at night. Please see the enclosed Site Plan Set, and Photo Simulations, and FAA Determination of No Hazard to Air Navigation.

(2) *Monopole design required.* Unless approved as either a roof-mounted or surface-mounted facility, all antenna support structures must be a monopole, with all transmission cable/wiring concealed inside.

Vertical Bridge is proposing to construct a monopole style communication tower. Please see Sheet C-1.3.

(3) *Antenna type priorities.* In order to justify the use of an antenna-type lower in the hierarchy below, the applicant must adequately demonstrate that higher ranked alternatives in the following hierarchy, beginning with a., are not reasonable or feasible. This demonstration must include the submission of a statement of position, qualifications, and experience by a qualified radio frequency engineer.

a. Flush-mounted;
b. Panel;
c. Whip;
d. Dish.

T-Mobile's deployment will consist of panel antennas to meet its RF objectives. Please see the enclosed RF package.

(4) *Camouflage, screening, taping, and placement.*

a. *Color.* Antenna-supporting structures and ancillary appurtenances, including transmission lines, must maintain a galvanized gray finish or other contextual or compatible color as determined by the County, except as otherwise required by the FAA or FCC.

The Monopole will be galvanized gray and taped per the LDC. Please see Sheet C-1.3.

b. *Fencing.* The developer of a wireless communication facility must install a fence or wall not less than eight feet and not more than ten feet in height from finished grade to enclose the base of the antenna-supporting structure and equipment enclosures associated with any wireless communication facility. Access to the antenna-supporting structure must be controlled by a locked gate. The fence must be constructed in accordance with section 34-1742. Not more than three strands of barbed wire, spaced six inches apart, may be allowed above the fence.

Vertical Bridge will comply. Please see Sheets C-1.2 and C-2.0.

c. *Landscaping.*
   1. A landscaped buffer of at least ten feet in width must be planted along the entire exterior perimeter of the fence or wall required by subsection b. above. Where the proposed antenna-supporting structure will be located adjacent to a residential or public recreational use, or a lot within a residential zoning district, the landscaped buffer must be at least 15 feet in width.
   2. A buffer required by this section must contain sabal palms planted ten feet on center, and a double hedge row of native shrubs. Section 10-420 planting standards must be met. The hedge must be maintained at a minimum height equivalent to the fence height. Except where the proposed antenna-supporting structure will be located adjacent to a residential lot, public recreational use, or right-of-way, the landscaped buffer must include six feet in height native canopy trees planted ten feet on center, instead of the sabal palms required above.
   3. Where these regulations would require existing facilities to meet current landscape requirements, the Director may reduce or eliminate such requirements if the Director determines that the requirements would be unreasonable, infeasible or otherwise inequitable under the circumstances. The Director's decision is discretionary and may not be appealed. Applicants may apply for a variance from the landscaping requirements herein.

The Monopole's compound will have the code required 10' landscape buffer on the North, South, and West sides. Vertical Bridge respectfully requests to place the landscape buffer plantings that would normally be on the East side of the compound immediately to the Southwest. This moves the buffer plantings from a side of the compound that is internal to the parent parcel and places them in an area where they can help buffer the compound from external views. Please see Sheets C-1.0, C-1.1, C-1.2, and L-1.

d. *Other facilities.*
   1. …

e. *Taping.* The developer of a wireless communication facility must install taping around the antenna-supporting structure in conformance with the following:
   1. The tape must be six-inch 3M Diamond Grade^{tm} VIP Reflective Sheeting, series 3990.
   2. The taping must start at 20 feet above surface.
   3. The taping must be at ten-foot intervals.

4. The tape must be wrapped around the support pole and overlap by one inch for a good seal.

Vertical Bridge will comply. Please see Sheet C-1.3.

(e) *General property development regulations.*

(1) *Setbacks.*

a. *New facilities.* All new antenna-supporting structures must meet the setback requirements for the zoning district in which they are proposed or a distance equal to their overall height from all lot lines of the fee property on which they are proposed, which ever is greater; unless a greater distance is required as a condition of the approval. A monopole with internal antennas must be setback a distance equal to one-half of its overall height from all lot lines of the fee property on which it is proposed, unless a greater distance is required as a condition of the approval or a variance is granted.

The Monopole and its compound will be setback as follows:

Monopole:

	Required:	Provided:	Relief Requested:
North:	**149'**	**1,210'**	**N/A**
East:	**149'**	**683'**	**N/A**
South:	**149'**	**117'**	**32'**
West:	**149'**	**28'**	**121'**

Compound:

	Required:	Provided:
North:	**20'**	**1,188'**
East:	**20'**	**111'**
South:	**15'**	**70'**
West:	**15'**	**15'**

The Monopole and its compound will meet or exceed the LDC required district standards, with the exception of reductions of 32' to the south and 121' to the west. Therefore, Vertical Bridge respectfully requests the following two deviations

One deviation from 34-1447(c)(1) in the amount of 32', allowing a southern tower setback of 117' in lieu of 149' and one deviation from 34-1447(c)(1) in the amount of 125', allowing a western tower setback of 28' in lieu of 149'. Both deviation requests are technical in nature as the neighboring parcel to the South and West is a golf course. Therefore, the sound planning objective of providing 100% tower height separation from the nearest residential properties in those directions is met several times over as the nearest residential structures to the South and West are located 789' and 858' away, respectively. Please see Sheets C-1.0 and C-1.1

b. *Replacement facilities.* No replacement facility within the approved compound area may be placed closer to a lot line than the wireless communication facility it is replacing.

N/A.

c. Ancillary appurtenances, and equipment enclosures must meet the minimum setback requirements for the zoning district in which they are proposed, as well as those set forth in section 34-2191, et seq.

The Monopole's compound will have the following setbacks:

	Required:	Provided:
North:	**20'**	**1,188'**
East:	**20'**	**111'**
South:	**15'**	**70'**
West:	**15'**	**15'**

Therefore, the Monopole's compound will meet all required setbacks for this PUD. Please see Sheet C-1.1.

(2) *Height.*

a. All antenna-supporting structures must comply with the requirements of section 34-1008.

…

e. In all other cases, the overall height of an antenna-supporting structure approved in accordance with section 34-1445 may not exceed 149 feet, except as provided below:
   1. FCC approved AM broadcast antenna-supporting structures may not exceed 250 feet in overall height.
   2. All other FCC approved broadcast antenna-supporting structures may not exceed 500 feet.

The Monopole will be 149' AGL, therefore, it will comply with this section of the LDC. Please see Sheet C-1.3.

f. In no event may the provisions set forth in section 34-2174 apply to wireless communication facilities.

Noted.

g. The overall height of ground-mounted equipment or equipment enclosure may not exceed 12 feet.

Vertical Bridge will comply.

h. Private aircraft and helicopter landing facilities. In addition to the provisions of section 34-1001, et seq., antenna-supporting structures proposed within a designated notification height boundary of a private aircraft or helicopter landing facility, as specified on the Airspace Notification Map, will be limited to the height specified by that boundary, according to the proposed facility's distance from the runway or landing facility.

Noted.

(f) *Construction.*

(1) *Type of construction.* Broadcast facilities may utilize lattice or guyed antenna-supporting structures. All other wireless facilities are limited to monopole antenna-supporting structures.

Vertical Bridge is proposing to construct a monopole style communication tower. Please see Sheet C-1.3.

(2) *Accommodation of future collocations.*

a. Antenna-supporting structures should be designed to accommodate future collocations.
b. The applicant must submit a shared use plan that commits the owner of the proposed antenna-supporting structure to accommodating future collocations where reasonable and feasible in light of the criteria set forth in this section.

The Monopole will be designed to support up to 3 sets of antennas. Vertical Bridge will make the unused collocations available at market rates. Please see Sheet C-1.3 as well as the enclosed Collocation Affidavit.

(3) *Lighting.*

a. Except for security lighting and site lighting, other types of lights, signals or illumination will only be permitted on an antenna-supporting structure or ancillary appurtenances where lighting is required by the FAA, FCC, the County, or the Lee County Mosquito Control District.

The Monopole will not be lighted. Please see Sheet C-1.3 as well as the enclosed FAA Determination of No Hazard to Air Navigation.

b. *Security lighting.* Security lighting and site lighting may be placed in association with an approved equipment enclosure. Site lighting must remain unlit except when

authorized personnel are present at the facility. Security lighting and site lighting must be shielded to prevent light trespass.

Noted.

c. *Required lighting.*
   1. All antenna-supporting structures 150 feet or greater in height above ground level must be artificially lighted and maintained pursuant to the technical requirements of the Federal Aviation Administration's current Advisory Circular 70/7460-1K, Obstruction Marking and Lighting, as amended, or other appropriate aviation authority. Unless pre-empted by FAA or FCC regulations, all lighting must be approved in conjunction with the development order for the facility.
   2. If the height of a structure under construction equals or exceeds the height at which permanent obstruction lights are required by the FAA, FCC or the Division of Development Services, temporary high or medium intensity flashing lights must be installed at that level in accordance with Advisory Circular 70/7460-1K, Obstruction Marking and Lighting, as amended.

N/A.

(4) *Notice of commencement of construction.*

a. Forty-eight hours before commencing construction of an antenna-supporting structure, and within 48 hours after the antenna-supporting structure construction reaches its maximum height, the Lee County Port Authority, Sheriff's office, Emergency Medical Services, the local fire district and the Lee County Mosquito Control District must be notified by the entity constructing the antenna-supporting structure. Notice must include the location of the antenna-supporting structure tied to the state plane coordinate system for the Florida West Zone (North American Datum of 1983/1990 Adjustment).

Noted.

b. The tall structures permit application will not be issued if the proposed construction or alteration is found to violate the provisions of this Article VI, division 10, subdivision iii (section 34-1001, et seq.) or any other applicable federal or state rules or regulations. No tall structures permit will be issued if all Federal Aviation Administration and County Port Authority comments are not addressed to the satisfaction of the County Port Authority. The applicant will be forwarded a written notice if the tall structures permit is denied, from the County Port Authority. This written notice must specify the reason for objections and suggestions for compliance under this subdivision and all other applicable federal or state rules and regulations.

Please see the enclosed Lee County Port Authority Tall Structures Permit Request.

(5) *Floor area.* Floor area will be calculated based on the total impervious surface associated with an equipment enclosure. Floor area may not exceed 400 square feet per antenna array without approval by special exception.

The compound equipment will consist of equipment cabinets and generators. No shelters are currently proposed. Please see Sheet C-1.3.

(g) *Signage.*

(1) Signs on antenna-supporting structures, ancillary appurtenances, equipment enclosures, or on any fence or wall are prohibited unless permitted in accordance with this subsection.

(2) If high voltage is necessary for the operation of proposed wireless communications facilities, "High Voltage-Danger" and "No Trespass" warning signs not greater than one square foot in area must be permanently attached to the fence or wall at intervals of not less than 40 feet and upon the access gate, or as otherwise required by the FAA or FCC.

(3) A sign not greater than one square foot in area must be attached to the access gate that includes the following information:

a. Federal registration number, if applicable;
b. Name of property owner, facility owner, providers, and contact person; and
c. An emergency contact number for the contact person.

Please see Sheets C-2.2 and N1, Signage Note.

Secs. 34-1448, 34-1449. Reserved.

Sec. 34-1450. Fees and insurance.

(a) Antenna-supporting structures and wireless communications facilities must be insured by the owner against damage to persons and against damage to property. Owner must provide a Certificate of Insurance to the Director annually.

Vertical Bridge will comply.

(b) Fees for antenna-supporting structures and wireless communications facilities permitting and renewal, monitoring of emissions and inspection of structures, and other fees will be established by the Board.

Noted.

Sec. 34-1451. Discontinued use.

(a) *Notice of discontinued use.* The owner of an antenna-supporting structure 750 feet or greater in height, the use of which has been discontinued for a period of one year, on an annual basis must provide the Director with an affidavit of an intention to continue the use, including a description of the owner's efforts to keep the facility in use. If the affidavit is not provided the

Director may make a preliminary determination of discontinued use. For any other antenna-supporting structure, the use of which is discontinued for a period of 180 days, the Director may make a preliminary determination of discontinued use. In making such a determination, the Director may request documentation and affidavits from the property owner regarding the structure's usage, including evidence that use of the structure is imminent. The failure of a property owner to provide updated contact information on the owner of the antenna-supporting structure for two consecutive years will be presumptive evidence of discontinued use. If the Director determines that the use of an antenna-supporting structure or antenna has been discontinued, the Director will provide the property owner with a written notice of discontinued use by certified mail.

(b) *Declaration of discontinued use.* If the property owner fails to respond to the notice of discontinued use or to adequately demonstrate that the use of the antenna or antenna-supporting structure is not discontinued within 90 days, such failure will be evidence of discontinued use. Based on the foregoing, or on any other relevant evidence provided to the Director, the Director may make a final determination of discontinued use, whereupon a declaration of discontinued use will be issued to the property owner by certified mail.

(c) *Removal of facility.* Within 120 days of a declaration of discontinued use, the property owner must either: (1) reactivate the use of the antenna or antenna-supporting structure as a wireless communications facility or transfer ownership of the antennas or antenna-supporting structure to another owner who will make use of the facility; or (2) dismantle and remove the facility. If transfer of ownership occurs, the new owner must supply the Director with an affidavit attesting that the antennas or antenna-supporting structure will be in use within 120 days of the transfer in accordance with (1), above. If the facility remains discontinued upon the expiration of 120 days, the County may enter upon the property and remove the facility, with all costs to be borne by the property owner. The County may use the funds posted in the surety for this purpose.

Please see Sheet GN1, Discontinued Use Note.

Sec. 34-1452. Nonconforming antenna-supporting structures.

…

Sec. 34-1453. Variance criteria.

…

Secs. 34-1454—34-1490. Reserved.

Subdivision IV. Planned Unit Development District

Sec. 34-1031. Applicability.

…

Sec. 34-1039. Amendments to built Planned Unit Developments.

Any part or all of a PUD Planned Unit Development which is built may be the subject of an application for a variance, special exception or other approval covered by this chapter wherein the subject property is the only part of the original PUD for which the approval is sought. If the subject property meets the threshold for a Development of County Impact, it must be reviewed in accordance with the provisions in this chapter which apply to Developments of County Impact. If the subject property is not a Development of County Impact, it will be reviewed in accordance with the provisions in this chapter which apply to conventional zoning districts. In either case, the applicant must be the owner of the property and the consent of the owners of the remainder of the original PUD is unnecessary. However, these owners must be given notice of the application and other proceedings as if they were owners of property abutting the subject property regardless of their actual proximity to the subject property.

For the purposes of this section, the term "built" means that the roads, utilities, buffering, open space, surface water management features and structures, common space, common amenities, common landscaping, gatehouses, entrance signs, entrance ways and other similar items identified as part of the final approved Master Concept Plan have been constructed and acknowledged by the County as complete. In the case of PUDs, which include residential structures, the term "built" does not mean that all residential structures have been constructed on individual platted lots.

Vertical Bridge respectfully proposes to amend the Myerlee PUD - DCI2006-00037(84-3-28-DCI) with three deviation requests for height design and setback requirements, to allow a 149' AGL monopole style communication tower upon STRAP 27-45-24-22-00000.00CE. The Monopole is proposed to solve a significant gap in T-Mobile's service in the area in around the Myerlee Golf Course.

…

DIVISION 4. HEARING EXAMINER

…

Sec. 34-145. Functions and authority.

The Hearing Examiner is limited to the authority that is conferred by the following:

(a) *Appeals of administrative decisions.*

…

[Continued on Next Page]

(b) *Variances.*

…

(3) *Findings/review criteria.* Before granting a variance, the Hearing Examiner must find the following review criteria are satisfied:

a. The property has inherent exceptional conditions that cause the application of the regulation to create a hardship (as defined in Section 34-2) on the property owner.

The shape of the parcel combined with the overall development pattern of the area, when accounting for property availability, creates exceptional conditions. These conditions will effectuate a hardship upon T-Mobile, the ultimate user of the land, as they will not be able to solve a significant in their service to this area of Lee County. Please see Sheets C-1.0 and C-1.1 as well as the enclosed RF package.

b. The exceptional conditions are not the result of actions of the property owner taken subsequent to the adoption of the ordinance.

The exceptional conditions are not the result of actions of the property owner. Rather, they result from a combination of the physical propagation characteristics of T-Mobile's RF signal in the area combined with the overall platting and development patterns of the service gap area.

c. The variance granted is the minimum variance that will relieve the unreasonable burden caused by the application of the regulation to the property.

The height of the Monopole is driven by the RF need. 149' AGL is the minimum height necessary to solve T-Mobile's gap in service. Further, the siting of the Monopole is constrained by the RF propagation characteristics. Given the platting and development patterns in the area, the height and setback deviations are the minimum necessary to both solve T-Mobile's gap in service while meeting the sound planning objective of providing 100% tower height separation from residential units that are not associated with the project.

d. The granting of the variance will not be injurious to the neighborhood or detrimental to the public welfare.

The contrary is true. The deviations are only requested so as to both solve the gap in T-Mobile's wireless service to the public while siting the Monopole so that it provides the LDC required residential separation to houses that are not associated with the project. The Monopole will further both the neighborhood and public welfare through providing reliable wireless coverage that can process the increased traffic demands in the area. In neighboring Collier County, 84.14% of all 911 calls in 2021 came from wireless numbers. This shows that reliable wireless service is no longer a luxury, it is a necessity.

e. The variance is consistent with the Lee Plan.

The Tower Code is the implementation of the Lee Plan relative to communication towers in Lee County. The Vertical Bridge is only requesting the deviations from the height cap and the lot line setback requirements so as to solve a significant gap in T-Mobile's coverage while meeting the spirit of the Lee plan and the Tower Code by providing 100% separation to the off-site residential uses to the East on the other side of Edgewater Court. Please see Sheets C-1.0, C-1.1, and C-1.3 as well as the enclosed RF Package and Photo Simulations.

(4) *Special findings.* The Hearing Examiner must also make special findings in variances for the following:

a. *Wireless communication facilities.*

1. Denial would have the effect of prohibiting the provision of personal wireless services;

Denial of the deviations would prevent T-Mobile from solving a significant gap in its service to the area. Please see the Enclosed RF Package.

2. Denial would unreasonably discriminate among providers of functionally equivalent personal wireless services;

Vertical Bridge respectfully submits that a failure to approve the structure would be unreasonable discrimination as T-Mobile is attempting to resolve a known and present service gap in the area, which prevents T-Mobile's users from obtaining reliable coverage. Please see the enclosed RF Package.

3. The variance is necessary to ensure adequate public safety and emergency management communications;

As discussed above, T-Mobile is attempting to resolve a known and present service gap in reliable service in the area. As also discussed above, wireless connections to the 911 service are prolific, with 84.14% of all 911 calls in neighboring Collier County originating from wireless numbers. Therefore, Vertical Bridge respectfully submits that the Monopole is necessary to ensure adequate public safety and emergency management communications. Please see the enclosed RF Package and 911 Call Statistics.

4. The variance is the minimum necessary in order for the applicant to provide broadcast services pursuant to an FCC-issued license or construction permit (existence of an FCC license requiring a broadcast antenna at a given height will constitute a presumption that this requirement has been met);

The height of the Monopole is driven by the RF need. 149' AGL is the minimum height necessary to solve T-Mobile's gap in service. Further, the siting of the Monopole is constrained by the RF propagation characteristics in T-Mobile's network. Given the platting and development patterns in the area, the height and setback deviations are the minimum

necessary to both solve T-Mobile's gap in service while meeting the sound planning objective of providing 100% tower height separation from residential units that are not associated with the project.

5. Denial would have the effect of prohibiting the provision of amateur radio services; or

Denial of the deviations would prevent T-Mobile from solving a significant gap in its service to the area. Please see the Enclosed RF Package.

6. The variance will obviate the need for additional antenna-supporting structures in the geographic search area.

As stated above, the Monopole is the minimum height necessary to meet T-Mobile's RF objectives. Further, the Monopole will minimize the need for other carriers to deploy multiple towers in the area as it will be designed to collocate up to 3 service providers and those collocations will be made available at market rates. Please see Sheet C-1.3 as well as the enclosed Collocation Affidavit and RF Package.

b. ...

…

(c) *Special exceptions.*

(1) *Authority.* The Hearing Examiner will hear and decide applications for special exceptions permitted by the district use regulations. Special exceptions may be reviewed alone or with an application for a variance or rezoning.

…

(3) *Findings/review criteria.*

a. Prior to granting a special exception, the Hearing Examiner must find the applicant has proven entitlement to the special exception by demonstrating the request:

1. Is consistent with the goals, objectives, policies and intent of the Lee Plan;

The Tower Code is the implementation of the Lee Plan relative to communication towers. Vertical Bridge has additionally provided analysis of Lee Plan Policies 1.1.4, 2.1.3, 5.1.5, 6.1.6, and 101.1.1as well as Goal 101. The Monopole meets or exceeds all of the requirements of the applicable Land Development Code with the exception of the deviation requests for height and setbacks from the golf course parcel the South and West. Given the platting and development patterns in the area, the setback deviations are the minimum necessary to both solve T-Mobile's gap in service while meeting the sound planning objective of providing 100% tower height separation from residential units that are not associated with the project. Therefore, Vertical Bridge respectfully submits that the Monopole is consistent with the Lee

Plan. Please see Sheets C-1.0, C-1.1, and C-1.3 as well as the enclosed RF Package and Photo Simulations.

2. Will protect, conserve or preserve environmentally critical and sensitive areas and natural resources, where applicable;

N/A. The Monopole will be located on a developed parcel and will not impact environmentally critical and sensitive areas or natural resources. Please see Sheet FLU-1 as well as the enclosed NEPA and SHPO Support Research Reports.

3. Will be compatible with existing and planned uses;

As discussed above, the Monopole will meet all requirements of the applicable LDC with the exception of the height and golf course setback deviations. The Monopole will exceed the required separations to off-site residential uses and will take advantage both open space and of mature vegetation to assist in buffering. Therefore, Vertical Bridge respectfully submits that the Monopole will be compatible with the area that it is situated within. Please see Sheets C-1.0, C-1.1, and C-1.3 as well as the enclosed RF Package and Photo Simulations.

4. Will not be injurious to the neighborhood or detrimental to the public welfare; and

The Monopole will not be injurious or detrimental to the public welfare, rather, will further the public welfare through providing reliable wireless coverage that can process the increased traffic demands in the area. In neighboring Collier County, 84.14% of all 911 calls in 2021 came from wireless numbers. This shows that reliable wireless service is no longer a luxury, it is a necessity. Please see the enclosed RF package and 911 Call Statistics.

5. Will be in compliance with zoning regulations pertaining to the use and other applicable regulations.

With the exception of the height, golf course, and landscape buffer deviations, the Monopole meets or exceeds all applicable regulations under the LDC. The height deviation is requested so as to solve a significant gap in T-Mobile's wireless service to the area. Conversely, the golf course setback deviations will allow the Monopole to be sited in a way that meets or exceeds the LDC required residential separation to off-site residential uses. Finally, the Landscape Buffer deviation is requested to preserve the functionality of the existing uses on the parent parcel while providing the compound space to meet the LDC's sound planning objective of minimizing the overall need for additional towers in Lee County by constructing towers that can collocate multiple users. Please see Sheets C-1.0 and C-1.3 as well as the enclosed RF Package.

b. In the case of new antenna-supporting structure wireless communication facilities, the Hearing Examiner must also find, or conclude a finding is not applicable, that:
   1. The applicant is not able to use existing wireless communications facility sites in the geographic search area;

There are no existing wireless communications facilities within the search ring that T-Mobile could collocated upon. Please see the enclosed RF Package.

2. The applicant has agreed to rent or lease available space on the antenna-supporting structure, under the terms of a fair-market lease, without discrimination to other wireless communications service providers;

Vertical Bridge will make the colocation spaces on the Monopole available at market rates. Please see the enclosed Colocation Affidavit.

3. The proposed antenna-supporting structure will not be injurious to historical resources, obstruct scenic views, diminish residential property values, or reduce the quality and function of natural or manmade resources; and

The Monopole will be located on a parent parcel developed as the common not be injurious to historical resources obstruct scenic views, or diminish the

4. The applicant has agreed to implement all reasonable measures to mitigate the potential adverse impacts of the structures and facilities.

…

(d) *Zoning matters.*

(1) *Authority.*

a. …

e. The Hearing Examiner has the final decision-making authority on the following matters:

1. Board-initiated applications to rezone County-owned property to the Environmentally Critical (EC) District.

2. Applications for conventional rezoning.

3. Applications for amendments to planned developments when the request is limited to:

i. Amendments to the master concept plan, schedule of uses, or property development regulations that do not affect the maximum density or intensity permitted in the planned development;

ii. Requests for consumption on premises;

iii. Requests for wireless telecommunication facilities;

iv. Requests for an increase in the maximum number of fuel pumps in conjunction with a convenience food and beverage

store provided that the use is already approved in the planned development;

v. Changes to conditions and deviations; or

vi. Requests to establish or increase density within the Mixed Use Overlay; and (**emphasis** provided)

Vertical Bridge respectfully proposes to amend the Myerlee PUD - DCI2006-00037(84-3-28-DCI) with three deviation requests for tower design and setback requirements, to allow a 149' AGL monopole style communication tower upon STRAP 27-45-24-22-00000.00CE. The Monopole is proposed to solve a significant gap in T-Mobile's service in the area in around the Myerlee Golf Course.

…

(4) *Findings/review criteria.*

a. *Approval.* Before approval or recommending approval for:

1. *Rezonings generally.* The Hearing Examiner must find the request:

a) Complies with the Lee Plan;

The Tower Code is the implementation of the Lee Plan relative to communication towers. The Monopole meets or exceeds all of the requirements of the applicable Land Development Code with the exception of the deviation requests for height and setbacks from the golf course parcel the South and West. Given the platting and development patterns in the area, the setback deviations are the minimum necessary to both solve T-Mobile's gap in service while meeting the sound planning objective of providing 100% tower height separation from residential units that are not associated with the project. Therefore, Vertical Bridge respectfully submits that the Monopole is consistent with the Lee Plan. Please see Sheets C-1.0, C-1.1, and C-1.3 as well as the enclosed RF Package and Photo Simulations.

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

With the exception of the height, golf course setback, and landscape buffer deviations, the Monopole meets or exceeds all applicable regulations under the LDC. The height deviation is requested so as to solve a significant gap in T-Mobile's wireless service to the area. Conversely, the golf course setback deviations will allow the Monopole to be sited in a way that meets or exceeds the LDC required residential separation to off-site residential uses. Finally, the Landscape Buffer deviation is requested to preserve the functionality of the existing uses on the parent parcel while providing the compound space to meet the LDC's sound planning objective of minimizing the overall need for additional towers in Lee County by constructing towers that can collocate multiple users. Please see Sheets C-1.0, C-1.3, and L-1 as well as the enclosed RF Package.

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

As discussed above, the Monopole will meet all requirements of the applicable LDC with the exception of the height and golf course setback deviations. The Monopole will exceed the required separations to off-site residential uses and will take advantage both open space and of mature vegetation to assist in buffering. Therefore, Vertical Bridge respectfully submits that the Monopole will be compatible with the area that it is situated within. Please see Sheets C-1.0, C-1.1, and C-1.3 as well as the enclosed RF Package and Photo Simulations.

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

The Monopole will generate one trip per carrier per month, typically in a pickup truck sized vehicle. Therefore, the Monopole's driveway from Edgewater will provide sufficient access to the project. Please see Sheet C-1.1

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

The Monopole will generate one trip per carrier per month, typically in a pickup truck sized vehicle. Therefore, the Monopole will not impact the County's transportation facilities. Please see Sheet C-1.1

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

N/A. The Monopole will be located on a developed parcel and will not impact environmentally critical and sensitive areas or natural resources. Please see the enclosed NEPA and SHPO Support Research Reports.

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

N/A. The Monopole will only require power and telco connections.

2. *Planned development rezonings.* The Hearing Examiner must also find:
   a) The proposed use or mix of uses is appropriate at the proposed location.

Vertical Bridge respectfully submits that the Monopole will be an appropriate addition to the existing mix of uses as it will allow T-Mobile to provide reliable wireless service to the uses in the area. Please see the enclosed RF Package.

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

Vertical Bridge respectfully submits the Monopole balances the public's interests by solving a significant gap in T-Mobile's service to the public in this area while siting the Monopole so that it will meet or exceed the LDC's required residential separation to off-site residential uses. Please see Sheet C-1.0 as well as the enclosed RF Package and Photo Simulations.

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

1) Enhances the achievement of the objectives of the planned development; and

As discussed above the height and golf course setback deviations will allow the Monopole to be sited in such a way so that it will exceed the required separations to off-site residential uses and will take advantage both open space and of mature vegetation to assist in buffering. Conversely, the deviations will accomplish the sound planning objective of providing reliable wireless service to the public in the area.

2) Protects the public health, safety and welfare.

The Monopole will further the public welfare through providing reliable wireless coverage that can process the increased traffic demands in the area. In neighboring Collier County, 84.14% of all 911 calls in 2021 came from wireless numbers. This shows that reliable wireless service is no longer a luxury, it is a necessity. Please see the enclosed RF package and 911 Call Statistics.

…

Sec. 34-146. Final decision; judicial review.

…

Secs. 34-147—34-170. Reserved.

Thank you in advance for your assistance in this matter. Please do not hesitate to contact me if I am able to provide you with additional information.

Sincerely,

Mattaniah S. Jahn, Esq.
MSJ/cjlb
enclosures

PUD Conditions – Parcel B of the Myerlee PUD

CONDITIONS:

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

1. The development of the proposed project on this portion of the Myerlee development must be consistent with the 18-page Master Concept Plan (MCP) entitled "Myerlee US-FL-7108," dated _____, last revised _____, date stamped "Received _____ Community Development," and attached hereto as Exhibit C, except as modified by the conditions below. This development must comply with all requirements of the LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

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

   a. Schedule of Uses
   The PUD is hereby amended to add a single 149 foot tall Wireless Communication Facility. Uses allowed in this portion of the development are limited to the following:

      Accessory Uses and Structures
      Administrative offices
      Club: Country and Private as limited on the approved MCP
      Consumption on Premises – limited to the clubhouse (including outdoor seating) and golf course
      Dwelling Unit: Multiple-family Building
      Essential Services
      Essential Service Facilities, Group I
      A Wireless Communication Facility
      Parking, accessory
      Signs, in conformance with Chapter 30 of the LDC

   b. Site Development Regulations

MYERLEE PUD PARCEL B

	MULTI-FAMILY "R" MAX OF 250 UNITS	RESIDENTIAL ACCESSORY STRUCTURES	RECREATIONAL ACCESSORY STRUCTURES	GOLF COURSE ACCESSORY STRUCTURE	MAINTENANCE FACILITY"GM" MAX. 10,000 SF	WIRELESS COMMUNICATION FACILITY
AREA (SF)	N/A	N/A	N/A	N/A	N/A	N/A
DEPTH (FT)	N/A	N/A	N/A	N/A	N/A	N/A
WIDTH (FT)	N/A	N/A	N/A	N/A	N/A	N/A
SIDE (FT)	15	5	15	5	5	1210/683/117*
REAR (FT)	10	5	20	5	5	28*
FRONT/ROAD (FT)	20	10	20	10	10	67*
WATER BODY (FT)	20	0	0	0	0	0
GOLF COURSE (FT)	0	0	0	0	0	0
MAX. HEIGHT (FT)	60	45	45	45	35	149
MAX. NO. OF FLOORS	5	3	3	3	2	N/A
MIN. BLDG SEPARATION (FT)	40	N/A	15	10	10	67
MAX. LOT COVERAGE	60	N/A	N/A	N/A	N/A	N/A

The maximum building height may not exceed 60 feet. The maximum Wireless Communications Facility height may not exceed 149 feet, exclusive of lightning rod, except as provided under applicable federal law.

The maximum lot coverage is based on the percentage of coverage on the development parcel, not on the entire land area of the described project which includes the golf course.

Accessory Use and Structure setbacks must comply with LDC §34-1171, *et seq.* and 34-2194.

*See MCP Sheet C-1.1 for graphic depiction of setbacks

3. As part of any local development order approval for vertical development, the developer must include architectural designs for the buildings proposed within this development. These designs are subject to the approval of Lee County Development Services.

4. All Consumption on Premises requests for the clubhouse and golf course can be handled administratively.

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

6. Approval of this rezoning request does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee County Comprehensive Plan Planning Communities Map and Acreage Allocation Table, Map 16 and Table 1(b), as well as all other Lee County Comprehensive Plan provisions.

DEVIATIONS:

1. Deviation (1) seeks relief from the §34-2017(b)(1) requirement of paved surfacing for all parking spaces supporting the clubhouse, to allow the provision of 58 paved parking spaces and 28 grassed parking spaces in support of the clubhouse. This deviation is APPROVED SUBJECT to the condition that parking is consistent with the "Club House Parking Detail" plan depicted on Page 2 of the MCP.

2. Deviation (2) seeks relief from the §34-2020 requirement that meeting halls and other places for group assembly provide one parking space per 100 square feet, to allow the clubhouse parking area to provide a total of 89 parking spaces (as provided for in Deviation 1). This deviation is APPROVED, SUBJECT TO the condition that the clubhouse does not exceed a maximum of 15,000 square feet of floor area. In this instance, floor area also includes any areas devoted to outdoor seating.

3. Deviation (3) seeks relief from §34-1447(c)(1) in the amount of 32', allowing a southern tower setback of 117' in lieu of 149' and one deviation from 34-1447(c)(1) in the amount of 125', allowing a western tower setback of 28' in lieu of 149'. Both deviation requests are technical in nature as the neighboring parcel to the South and West is a golf course. Therefore, the sound planning objective of providing 100% tower height separation from the nearest residential properties in those directions is met several times over as the nearest residential structures to the South and West are located 789' and 858' away, respectively. This deviation is APPROVED, SUBJECT TO the condition that the Wireless Communication Facility be developed in substantial compliance with the MCP.

4. Deviation (4) seeks relief from §34-1447(b) in the amount of 74' to allow a 149' tall structure in lieu of the 75' height cap. This deviation is APPROVED, SUBJECT TO the condition that the Wireless Communication Facility be developed in substantial compliance with the MCP.

5. Deviation (5) seeks relief from §34-1447(d)(4)c.1 to allow the landscape buffer on the Southeast side of the compound to be shifted approximately 20' away from the compound fence, to allow the continued operation of the existing Shuffle Board Court, which is immediately adjacent to the compound fence. This deviation is APPROVED, SUBJECT TO the condition that the Wireless Communication Facility be developed in substantial compliance with the MCP.

US-FL-7108 Myerlee Deviations List

Deviation 3:

Deviation (3) seeks relief from §34-1447(c)(1) in the amount of 32', allowing a southern tower setback of 117' in lieu of 149' and one deviation from 34-1447(c)(1) in the amount of 125', allowing a western tower setback of 28' in lieu of 149'. Both deviation requests are technical in nature as the neighboring parcel to the South and West is a golf course. Therefore, the sound planning objective of providing 100% tower height separation from the nearest residential properties in those directions is met several times over as the nearest residential structures to the South and West are located 789' and 858' away, respectively.

Deviation 4:

Deviation (4) seeks relief from §34-1447(b) in the amount of 74' to allow a 149' tall structure in lieu of the 75' height cap.

Deviation 5:

Deviation (5) seeks relief from §34-1447(d)(4)c.1 to allow the landscape buffer on the Southeast side of the compound to be shifted approximately 20' away from the compound fence, to allow the continued operation of the existing Shuffle Board Court, which is immediately adjacent to the compound fence.

Thomas G. Eckerty

ATTORNEY AT LAW
12734 Kenwood Lane, Suite 89
Fort Myers, Florida 33907-5638
(239)936-8338
Fax: (239) 936-2988
Email: thomaseckerty@embarqmail.com

May 28, 2024

Myerlee Golfside East Condominium Association, Inc.
c/o RAL Resort Property Management, Inc.
VIA email:

RE: Rights of Board of Directors to enter into a lease of effecting the common areas of the Association

Dear Sir or Madam,

You have requested that I review the necessary documents and to issue an opinion letter as to the rights of the Board of Directors of the Myerlee Golfside East Condominium Association, Inc., to enter into a lease for a portion of the common elements of the Condominium, which lease is for the installation of a Cell Tower in a portion of the common elements. It is my understandin upon information provided to me that there will be no cost to the Association involved in the installation and operation of the Cell Tower; that the Cell Tower will not interfere with any of the Condominium units or other facilities and that the Association will be paid a rental fee by the tenant as compensation for the placement and operation of the Cell Tower in the leased portion of the common elements.

Pursuant to the provisions of the Declaration of Condominium for Myerlee Golfside East Condominium the Board has the authority to grant utility easements in the common elements without the approval of the individual owners of the Association. This provision can be found in Article 7.2 (A) of the Declaration of Condominium.

Further, Article 11.7 of the Declaration grants the board the authority to make alterations to the common elements without the approval of the Owners if the cost to the Association of the alteration is less than $10,000.00. In this case there is no cost to the Association and, in fact, the Association will receive income from the operation of the Cell Tower.

Finally, Article 9.5 of the Declaration of Condominium provides that unless the Declaration specifically requires a vote of the Owners for the Board to take a certain action then the Board can act without such approval. In this case there is no requirement in the Declaration that the Owners approve the granting of a utility easement or an addition to the common elements with a cost of less than $10,000.00.

Based upon these sections of the Declaration it is my opinion that the Board has the authority under the Declaration to enter into a lease for a portion of the common elements without a vote of the Owners to approve such action.

If you have any questions in regards to this opinion please contact my office upon your receipt hereof.

Very Truly Yours,

Thomas G. Eckerty

LEE COUNTY PORT AUTHORITY

STEVEN C. HENNIGAN, C.M., A.C.E.
INTERIM EXECUTIVE DIRECTOR

RICHARD WM. WESCH
PORT AUTHORITY ATTORNEY

BOARD OF
PORT COMMISSIONERS

MIKE GREENWELL

BRIAN HAMMAN

CECIL L PENDERGRASS

KEVIN RUANE

RAY SANDELLI

May 3, 2024

Cindy Le-Blanc
Mattaniah S. Jahn. P.A.
935 Main Street, Suite C4
Safety Harbor, FL 34695

RE: Lee County Tall Structures Review Application
Antenna Tower US-FL-7108 Myerlee
154' AGL Permanent Structure
1428 Edgewater Circle, Fort Myers, FL 33919

Dear Mrs. Le-Blanc,

As requested, the Lee County Port Authority has reviewed the attached Tall Structures Review Application and has approved your Tall Structures Permit for a 154'Above Ground Level (AGL) Structure, for the Antenna Tower US-FL-7108 **located at 1428 Edgewater Circle Fort Myers, FL 33919.** The proposed project as described in the review application has been found to be in compliance with the Lee County Land Development Code, Zoning Section 34-1107, as amended, and is approved with the attached **mandatory** stipulations.

Note: A copy of the *signed* approved permit must be kept on the project site during construction. It is to be presented to any county, state or Port Authority representative, upon request, as proof of compliance.

If you have any questions regarding this matter, please feel free to contact this office.

Sincerely,

LEE COUNTY PORT AUTHORITY

Alexander Joseph Reyes

Alexander Reyes
Noise & Airspace Project Coordinator

Attachments: Tier 2 Tall Structures Permit
Application for Tall Structures Permit

CC: Derek Faulkner, Airport Operations Manager, Page Field (FMY) or
Michael Speidel, Airport Safety Coordinator, Page Field (FMY)
Phone: (239) 848-6716 or (239) 416-2437
Email: dfaulkner@flylcpa.com & mspeidel@flylcpa.com

LEE COUNTY PORT AUTHORITY
CONDITIONS/STIPULATIONS FOR THE ISSUANCE OF TIER 2 TALL STRUCTURES PERMIT 2404-04

Project: 154' AGL Permanent Structure

Location: 1428 Edgewater Circle Fort Myers, FL 33919

The above project is approved for a Tier 2 Tall Structures Permit based on the following stipulations:

The Lee County Port Authority has reviewed the attached information provided for Tier II (2) Tall Structures Permit for the Monopole Tower, **located at 1428 Edgewater Cir. Fort Myers, FL 33919.** After review, the LCPA does not object to the project, provided you follow the **mandatory stipulations** below:

1. **Following your notification to the FAA, notifications must be made THREE (3) business days prior to the erection of the temporary structure using the contacts below,** so that a local Notice To Airmen (NOTAM) can be published; and during the notifications, the **crane operator's contact information must be provided** so that two-way communication can be maintained at all times. **In addition, the second contact must be notified the day of the operation, prior to the crane being erected, each day of the project. All contacts must also be notified at the end of the project** so that all NOTAMs can be cancelled. **Voicemail is not an acceptable form of notice.**
    - FMY Air Traffic Control Tower (ATCT) at
    - Derek Faulkner, Airport Operations Manager, Paige Field (FMY), at (239) 416 2437
    - Michael Pedal, Airport Safety Coordinator, Paige Field (FMY), at (239) 848-6716
    - Alexander Reyes, Noise & Airspace project Coordinator (LCPA) at (239) 590-4609
    - Emails (Contacts Above) dfaulkner@flylcpa.com, mspeidel@flylcpa.com & ajreyes@flylcpa.com

2. **It is required that the manager of Page field ATCT (FMY) - (239) 416-2437 be notified at least 3 business days prior to the temporary/permanent structure being erected and again (temporary structure) is removed from the site. Additionally, please provide contact information for the onsite operator and foreman in the event that Air Traffic Control requires the temporary structure to be lowered immediately.**

3. **Aeronautical study revealed that the permanent structure will not exceed any Part 77 obstruction standard. Aeronautical study confirmed that the temporary structure will have no effect on any existing or proposed arrival, departure or en route instrument/visual flight rules (IFR/VFR) operations or procedures. Additionally, aeronautical study confirmed that the temporary structure will have no physical or**

electromagnetic effect on the operation of air navigation and communications facilities and will not impact any airspace and routes used by the military. Based on this aeronautical study, the FAA finds that the temporary structure will have no adverse effect on air navigation and will not impact any aeronautical operations or procedures.

5. This approved permit evaluated possible impacts to Page Field and Southwest Florida International Airport (RSW) only. This airspace approval has been approved for the permanent structure from **April 28, 2024 – April 18, 2025**. After that date, this approval will be null and void, unless this application is extended, revised, or this office approves a new application. Requests for a time extension must be received by this office at least 15 days before the expiration date. Valid FAA Aeronautical Studies will be required

6. **Erection and operation of the temporary equipment is at the discretion of the FMY Airport Operations Manager.**

7. The equipment/structure must operate at the lowest practical height and **must not exceed 154' AGL**.

8. Weather condition and air traffic operations may prevent the permanent and temporary equipment from being erected. **Coordination with the FMY Airport Operations Manager is mandatory.**

9. As a condition to this determination, **the temporary equipment must be lowered to the ground when not in use, during the periods of low visibility (fog, thunderstorm etc.), when the airport is under IFR conditions, during the hours between sunset to sunrise, and/or if requested by the LCPA and/or FAA personnel.**

10. As a condition of this determination, **the FAA 5G band compatibility evaluation process and the FAA approved frequencies found in their determination letter must be followed**.

Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2023-ASO-25531-OE

Issued Date: 09/18/2023

Richard Hickey
VB BTS II, LLC
750 Park of Commerce Dr, Suite 200
Boca Raton, FL 33487

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure:	Antenna Tower US-FL-7108 Myerlee
Location:	fort myers, FL
Latitude:	26-32-06.27N NAD 83
Longitude:	81-54-08.93W
Heights:	6 feet site elevation (SE)
	154 feet above ground level (AGL)
	160 feet above mean sea level (AMSL)

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Emissions from this site must be in compliance with the parameters set by collaboration between the FAA and telecommunications companies and reflected in the FAA 5G C band compatibility evaluation process (such as power, frequencies, and tilt angle). Operational use of this frequency band is not objectionable provided the Wireless Providers (WP) obtain and adhere to the parameters established by the FAA 5G C band compatibility evaluation process. **Failure to comply with this condition will void this determination of no hazard.**

It is required that FAA Form 7460-2, Notice of Actual Construction or Alteration, be e-filed any time the project is abandoned or:

_____ At least 10 days prior to start of construction (7460-2, Part 1)
__X__ Within 5 days after the construction reaches its greatest height (7460-2, Part 2)

See attachment for additional condition(s) or information.
Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best

Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact Terri Johnson, at (404) 305-5540, or teresa.ctr.johnson@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2023-ASO-25531-OE.

Signature Control No: 596210089-599484591 (DNE)
Mike Helvey
Manager, Obstruction Evaluation Group

Attachment(s)
Additional Information
Case Description
Frequency Data
Map(s)

cc: FCC

Additional information for ASN 2023-ASO-25531-OE

The FAA 5G C band compatibility evaluation is a data analytics system used by FAA to evaluate operational hazards related to aircraft design. The FAA 5G C band compatibility evaluation process refers to the process in which the telecommunication companies and the FAA have set parameters, such as power output, locations, frequencies, and tilt angles for antenna that mitigate the hazard to aviation. As the telecommunication companies and FAA refine the tools and methodology, the allowable frequencies and power levels may change in the FAA 5G C band compatibility evaluation process. Therefore, your proposal will not have a substantial adverse effect on the safe and efficient use of the navigable airspace by Part 77 authorizes the FAA to evaluate a structure or object's potential electromagnetic effects on air navigation, communication facilities, and other surveillance systems. It also authorizes study of impact on arrival, departure, and enroute procedures for aircraft operating under visual or instrument flight rules, as well as the impact on airport traffic capacity at existing public use airports. Broadcast in the 3.7 to 3.98 GHz frequency (5G C band) currently causes errors in certain aircraft radio altimeters and the FAA has determined they cannot be relied upon to perform their intended function when experiencing interference from wireless broadband operations in the 5G C band. The FAA has adopted Airworthiness Directives for all transport and commuter category aircraft equipped with radio altimeters that prohibit certain operations when in the presence of 5G C band.

This determination of no hazard is based upon those mitigations implemented by the FAA and operators of transport and commuter category aircraft, and helicopters operating in the vicinity of your proposed location. It is also based on telecommunication industry and FAA collaboration on acceptable power levels and other parameters as reflected in the FAA 5G C band aircraft provided the equipment and emissions are in compliance with the parameters established through the FAA 5G C band compatibility evaluation process.

Any future changes that are not consistent with the parameters listed in the FAA 5G C band compatibility evaluation process will void this determination of no hazard.

Case Description for ASN 2023-ASO-25531-OE

new cell site

DCI2024-00010 Lee County ePlan Additional info dated 11-14-2024

Frequency Data for ASN 2023-ASO-25531-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
6	7	GHz	55	dBW
6	7	GHz	42	dBW
10	11.7	GHz	55	dBW
10	11.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
17.7	19.7	GHz	42	dBW
21.2	23.6	GHz	55	dBW
21.2	23.6	GHz	42	dBW
614	698	MHz	2000	W
614	698	MHz	1000	W
698	806	MHz	1000	W
806	901	MHz	500	W
806	824	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
929	932	MHz	3500	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1850	1910	MHz	1640	W
1850	1990	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2360	MHz	2000	W
2305	2310	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W
3700	3980	MHz	1640	W

Sectional Map for ASN 2023-ASO-25531-OE



LEE COUNTY TALL STRUCTURES REVIEW APPLICATION

Lee County Port Authority – Planning & Environmental Compliance Department

Project: US-FL-7108 Myerlee - 149' AGL Monopole Communications Tower **Date:** 01/11/2024

(Circle one) D.O. # / Building Permit Reference #: _____

The undersigned Owner/Lessee hereby requests a Tall Structures Review in accordance with the Lee County Land Development Code, Zoning Section 34-1008, as amended.

PROJECT LOCATION

Address: 1428 Edgewater Cir.

City: Fort Myers State: FL Zip: 33919

STRAP Number: 27-45-24-22-00000.00CE

PROPOSED TEMPORARY CRANE *(closest point or corner to nearest runway)*

Latitude:	26	Degrees	32	Minutes	06.27	Seconds	North
Longitude:	-81	Degrees	54	Minutes	08.93	Seconds	West

Height Above Ground Level: _____ Site Elevation: 6'

Date(s) of Operation: _____ **Hours of Use: _____

Crane operator **MUST coordinate with the Lee County Port Authority prior to use

PROPOSED PERMANENT STRUCTURE *(closest point or corner to nearest runway)*

Type of Structure: 149' AGL Monopole Style Communication Tower

Construction Materials: Galvanized Steel

Base Dimensions: 8' Diameter Top Dimensions: 20' Diameter

Height Above Ground Level: 154' Site Elevation: 6'

Latitude:	26	Degrees	32	Minutes	06.27	Seconds	North
Longitude:	-81	Degrees	54	Minutes	08.93	Seconds	West

ADDITIONAL POINTS (permanent or temporary: balloons, mature vegetation heights, signs, poles, antennas, etc.)

Description: Balloon for Balloon Test

Latitude:	26	Degrees	32	Minutes	06.27	Seconds	North
Longitude:	-81	Degrees	54	Minutes	08.93	Seconds	West

Height Above Ground Level: 149' Site Elevation: 6'

Description: _____

Latitude:	_____	Degrees	_____	Minutes	_____	Seconds	North
Longitude:	_____	Degrees	_____	Minutes	_____	Seconds	West

Height Above Ground Level: _____ Site Elevation: _____

11000 Terminal Access Road, Suite 8671, Fort Myers, FL 33913
[1] Email: tallstructure@flylcpa.com / Phone: 239.590.4609 / FAX: 239.590.4688

LEE COUNTY TALL STRUCTURES REVIEW APPLICATION

Lee County Port Authority – Planning & Environmental Compliance Department

CONTACT INFORMATION

Property Owner Name: Myerlee Golfside East Condominium Association c/o Mattaniah S. Jahn, Esq.
Address: 935 Main Street, Suite C4
City: Safety Harbor State: FL ZIP: 34695
Phone: 727.773.2221 FAX: 727.773.2616 Email: mjahn@thelawmpowered.com

Applicant Name: VB BTS II, LLC c/o Mattaniah S. Jahn, Esq.
Address: 935 Main Street, Suite C4
City: Safety Harbor State: FL ZIP: 34695
Phone: 727.773.2221 FAX: 727.773.2616 Email: mjahn@thelawmpowered.com

REQUIRED ATTACHMENTS

If cranes are to be used during the project, include the maximum operating height necessary to complete the work during construction on the application and an attachment. Additionally, shade in their envelope of maneuverability on the attachment. A printout on Google Earth annotating locations and heights of points can satisfy this requirement.

IF PERMIT SEEKER IS NOT LANDOWNER, attach a copy of the authorization to construct or lease on the land involved.

Attach hereto a scaled drawing showing the size and dimensions of the proposed construction.

Special considerations, if any: _____

SIGNATURE REQUIRED

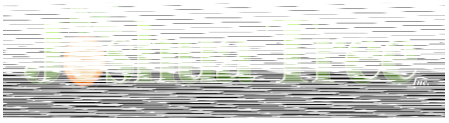
I do solemnly swear (or affirm) that the statements and information contained herein and on the required supporting documents are true and correct.

Applicant Signature: _____ **Date:** 01/11/24
Print Applicant Name: Mattaniah S. Jahn

Please forward this application, and direct any questions regarding the completion of this application, to the Lee County Port Authority – Planning & Environmental Compliance Department at tallstructure@flylcpa.com.

11000 Terminal Access Road, Suite 8671, Fort Myers, FL 33913
Email: tallstructure@flylcpa.com / Phone: 239.590.4609 / FAX: 239.590.4688

Ryan Ishley
ISA Certified Arborist
FL-10098A
1242 SW Pine Island Rd.
Cape Coral, FL 33991 Suite #42





9 September 2024

James McNicol

1428 Edgewater Circle

Fort Myers, Florida 33919

Dear Lee county,

I am writing to inform you of the need for the removal of (1) Tree at

1428 Edgewater Circle

Fort Myers, Florida 33919

As a certified arborist, I have conducted a thorough on-site Tree risk assessment of the tree in question and have determined that removal is necessary due to safety concerns and the health of the surrounding environment.

The (1) tree identified for removal is as follows:

1. Strangler Fig: Ficus aurea

Right side Community Center/Golf course]. **The tree poses an unacceptable risk to the surrounding area. The multiple trunk Decurrent leaders have been severely damaged beyond the point of mitigation. Large wounds will not be capable of sealing and currently showing signs of branch inclusion and decay in wood. I Highly recommended the removal of the tree to avoid unforeseen damages.**

It is crucial to address these issues promptly to prevent any potential accidents or further damage. The removal of this tree will also help promote the overall health and safety of the property and the surrounding landscape.

Please feel free to contact me if you have any questions or require further information regarding the tree removal process. Thank you for your attention to this matter. .

Sincerely,

Ryan Ishley

ISA Certified Arborist

FL-10098A

Rishley@myjoshuatree.com

Ryan C Ishley







ZKSLAW
ZIMMERMAN KISER SUTCLIFFE

OPINION OF TITLE

Name of Issuing Attorney:	Lisa M. Super, Esq.
Plat Number (if known):	Unknown
Development Order Number (if known):	Unknown
Effective Date of Option of Title:	November 6, 2024
Certified To:	Lee County Board of County Commissioners

I am an attorney licensed and eligible to practice law in the State of Florida and I have searched the Public Records of Lee County, Florida and have examined the title to the real property more particularly described in the legal description attached hereto as Exhibit "A." I have made a careful examination of Fidelity National Title Insurance Company Commitment No. VTB-130475-C dated October 1, 2024, with respect to the real property described in attached Exhibit "A." This Opinion of Title is provided to satisfy the requirements of Florida Statutes Section 177.041 and Lee County Land Administrative Code AC-13-19. Based on the foregoing, I am of the opinion that:

Title to the property, as of the Effective Date of the Opinion of Title set forth above, is vested in:

Myerlee Golfside East Condominium Association, an association organized pursuant to Chapter 711, Laws of Florida, 1971, from L & M Development Corp., a Florida corporation in a Declaration of Condominium of Myerlee Golf East Condominium dated June 23, 1974 and recorded June 24, 1974 in Official Records Book 1019, Page 1141 of the Public Records of Lee County, Florida.

The following are all of those persons or entities holding a mortgage secured by the property:

NONE.

The following are all easements and rights of way affecting the property to be platted, whether recorded or unrecorded:

1. Terms and conditions contained in that Declaration of Condominium dated January 23, 1974 and recorded January 25, 1974 in Official Records Book 1019, Page 1141, as Instrument No. 777946 of the Public Records of Lee County, Florida, and as:
    a. Affected by a(n) Amended and Restated Declaration of Condominium dated March 18, 1988 and recorded April 11, 1988 in Official Records Book 1982, Page 0433, as Instrument No. 2436694, Public Records of Lee County, Florida.

DCI2024-00010 Lee County ePlan Additional info dated 11-14-2024

b. Affected by a(n) Certificate of Amendment dated May 28, 1991 and recorded May 28, 1991 in Official Records Book 2223, Page 2708, as Instrument No. 3028872, Public Records of Lee County, Florida.
c. Affected by a(n) Certificate of Amendment dated April 22, 1996 and recorded April 22, 1996 in Official Records Book 2697, Page 3675, as Instrument No. 3950156, Public Records of Lee County, Florida.
d. Affected by a(n) Certificate of Amendment dated January 26, 1998 and recorded January 27, 1998in Official Records Book 2913, Page 3430, as Instrument No. 4315857, Public Records of Lee County, Florida.
e. Affected by a(n) Certificate of Amendment dated March 6, 2000 and recorded March 6, 2000 in Official Records Book 03227, Page 2069, as Instrument No. 4825871, Public Records of Lee County, Florida.
f. Affected by a(n) Certificate of Amendment of Declaration of Condominium dated May 27, 2009 and recorded June 2, 2009, as Instrument No. 2009000149401, Public Records of Lee County, Florida.
g. Affected by a(n) Second Amendment and Restated Declaration of Condominium dated June 1, 2009 and recorded June 9, 2009, as Instrument No. 2009000156069, Public Records of Lee County, Florida.
h. Affected by a(n) Certificate of Amendment of Declaration of Condominium dated June 11, 2010 and recorded July 2, 2010 as Instrument No. 2010000165898, Public Records of Lee County, Florida.
i. Affected by a(n) Amendment to the By-Laws dated December 16, 2015 and recorded December 21, 2015 as Instrument No. 2015000271565, Public Records of Lee County, Florida.
j. Affected by a(n) Amendment to the Declaration of Condominium dated February 17, 2017 and recorded March 8, 2017 as Instrument No. 2017000049083, Public Records of Lee County, Florida.
k. Affected by a(n) Amendment to the Declaration of Condominium dated March 22, 2021 and recorded April 8, 2021 as Instrument No. 2021000111886, Public Records of Lee County, Florida.

2. Grant of Easement between L & M Development Corp., a Florida corporation, and Myerlee Golfside East Condominium Association, a Florida non-profit corporation; and Florida Cities Water Company, a Florida corporation, dated October 14, 1974 and recorded January 27, 1975 in Official Records Book 1071, Page 1969, as Instrument No. 840738, Public Records of Lee County, Florida.

3. Grant of Easement between L & M Development Corp., a Florida corporation, and Myerlee Golfside East Condominium Association, a Florida non-profit corporation; and Florida Cities Water Company, a Florida corporation, dated October 14, 1974 and recorded June 14, 1976 in Official Records Book 1144, Page 224, Public Records of Lee County, Florida.

DCI2024-00010 Lee County ePlan Additional info dated 11-14-2024

4. Terms and conditions of an unrecorded license, as evidenced by a(n) License between Myerlee Park Apartments Condominium Association, the Myerlee Park North Condominium Association and the Myerlee Golfside East Condominium Association and United Telephone Company of Florida, dated January 15, 1982 and recorded January 18, 1982 in Official Records Book 1574 (page) 1783, as Instrument No. 1509254, Public Records of Lee County, Florida.

5. Grant of Easement between Comcast Cablevision of California, LLC; and Myerlee Golfside East Condominium Association, Inc., dated March 25, 2003 and recorded July 24, 2003 in Official Records Book 04004, Page 1151, as Instrument No. 5905025, Public Records of Lee County, Florida.

6. Terms and conditions of an unrecorded lease, as evidenced by a(n) Memorandum of Option to Lease between Myerlee Golfside East Condominium Association and VB BTS II, LLC, a Delaware limited liability company, dated September 8, 2023 and recorded September 26, 2023 in as Instrument No. 2023000314903, Public Records of Lee County, Florida.

Sincerely,

Lisa M. Super

DCI2024-00010 Lee County ePlan Additional info dated 11-14-2024

Exhibit “A”

An interest in land, said interest being over a portion of the following described parent parcel:

Situated in the State of Florida, County of Lee, being a part of Section 28 and Section 27, Township 45 South, Range 24 East, and further bounded and described as follows:

Starting at the Northwest corner of aforesaid Section 27; thence S 0° 16’ 12” E along the West line of aforesaid Section 27 a distance of 50.00 feet; thence N 89° 54’ 45” E, a distance of 30.00 feet to a point and the principal place of beginning; thence S 0° 16’ 12” E a distance of 140.00 feet; thence N 89° 54’ 45” E, a distance of 310.00 feet; thence S 0° 16’ 12” E, a distance of 1163.27 feet; thence S 42° 56’ 20” E, a distance of 116.03 feet; thence N 79° 09’ 09” E, a distance of 127.14 feet; thence S 10° 50’ 51” E, a distance of 200.00 feet; thence S 30° 41’ 16” E, a distance of 176.78 feet; thence S 68° 19’ 34” E, a distance of 200.00 feet; thence N 22° 14; 45” E, a distance of 559.41 feet; thence by curve deflecting to the left a distance of 102.12 feet, said curve having a radius of 52.00 feet and a chord that bears N 34° 00’ 44” W, a distance of 86.48 feet; thence S 89° 43’ 48” W, a distance of 436.53 feet; thence by a curve deflecting to the right a distance of 212.06 feet, said curve having a radius of 135.00 feet and a chord that bears N 45° 16’ 12” W, a distance of 190.92 feet; thence N 0° 16’ 12” W, a distance of 1035.10 feet; thence by a curve deflecting to the left a distance of 47.03 feet, said curve having a radius of 30.00 feet and a chord that bears N 45° 10’ 44” W, a distance of 42.36 feet; thence S 89° 54’ 45” W, a distance of 390.10 feet to the place of beginning.

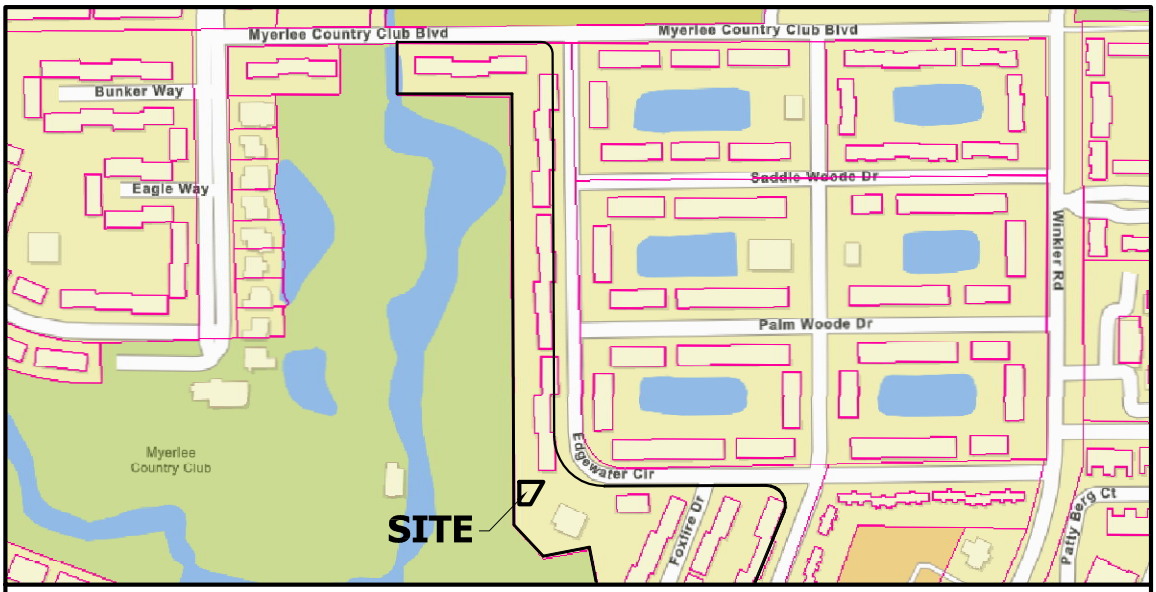
Also starting at the Northeast corner of Section 28; thence S 0° 16’ 12” E along the Easterly line of the aforesaid Section 28, a distance of 50.0 feet to a point on the Southerly right-of-way line of Myerlee Country Club Boulevard; thence S 89° 54’ W along the aforesaid right-of-way line a distance of 150.0 feet to a point and the principal place of beginning; thence S 0° 16’ 12” E, a distance of 140.0 feet; thence S 89° 54’ W, a distance of 300.0 feet to a point on the Easterly right-of-way line of Myerlee Country Club Boulevard; thence N 0° 16’ 12” W along the aforesaid right-of-way line, a distance of 114.93 feet; thence by a curve deflecting to the right a distance of 39.34 feet, said curve having a radius of 25.0 feet and a chord that bears N 44° 48’ 54” E, a distance of 35.41 feet; thence N 89° 54’ E along the Southerly right-of way line of Myerlee Country Club Boulevard a distance of 274.93 feet to the point of beginning.

Parcel ID No.: 27-45-24-22-00000.00CE

VB BTS II, LLC LEASE AREA DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; THENCE S00° 16' 12"E ALONG THE WEST LINE OF SAID SECTION 27 FOR 50.00 FEET; THENCE N89° 54' 45"E FOR 30.00 FEET; THENCE S00° 16' 12"E FOR 140.00 FEET; THENCE N89° 54' 45"E FOR 310.00 FEET; THENCE S00° 16' 12"E FOR 858.18 FEET; THENCE CONTINUE S00° 16' 12"E FOR 250.00 FEET; THENCE N89° 43' 48"E FOR 15.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE N00° 16' 12"W FOR 60.00 FEET; THENCE N89° 43' 48"E FOR 64.70 FEET; THENCE S29° 46' 20"W FOR 69.31 FEET; THENCE S89° 43' 48"W FOR 30.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND SITUATE, LYING AND BEING IN LEE COUNTY, FLORIDA, CONTAINING 2,841 SQUARE FEET MORE OR LESS.



VICINITY MAP NOT TO SCALE

SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON ARE ASSUMED AND REFERENCED TO THE WEST LINE OF THE PARENT PARCEL AS BEARING S00° 16' 12"E.
2. THIS SKETCH & DESCRIPTION OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THE BOUNDARY INFORMATION SHOWN HEREON IS BASED ON A BOUNDARY SURVEY OF THE VB BTS II, LLC LEASE AREA PERFORMED BY THIS FIRM DATED JULY 13, 2023.
4. **THIS SKETCH & DESCRIPTION IS NOT A SURVEY.**

STONECYPHER SURVEYING INC.
1225 NW 16TH AVENUE GAINESVILLE, FL 32601
Tel.: (352) 379-0948
Email: dws@stone-survey.com
WWW.STONE-SURVEY.COM
Professional Surveying & Mapping Certificate of Authorization No.: LB 7810

This map prepared by: 7-10-2024

DAVID W. STONECYPHER
PROFESSIONAL SURVEYOR & MAPPER FLA. LICENSE NO. 6391

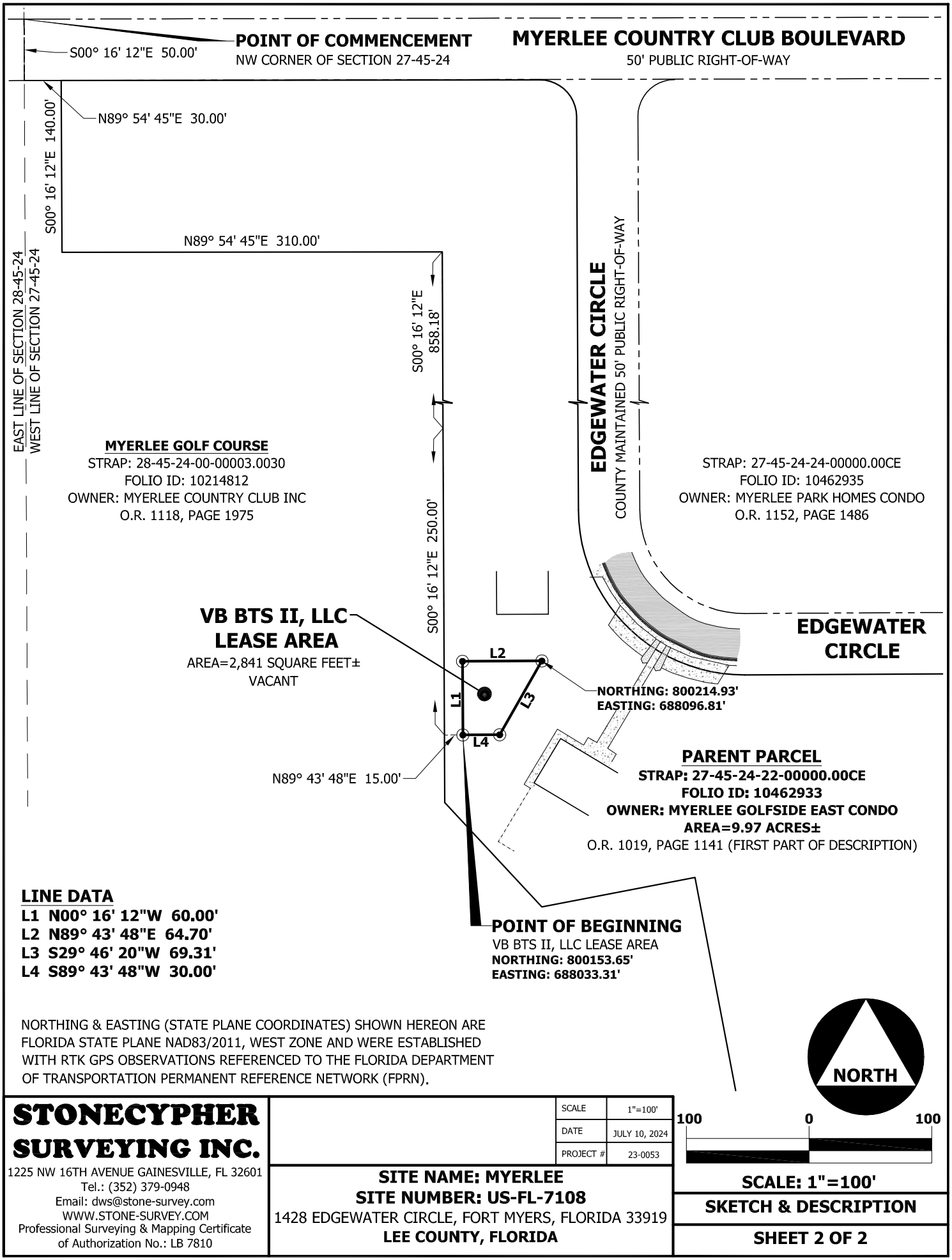
SCALE	N/A
DATE	JULY 10, 2024
PROJECT #	23-0053

David W Stonecypher
Digitally signed by David W Stonecypher
Date: 2024.07.10 15:14:28 -04'00'

SITE NAME: MYERLEE
SITE NUMBER: US-FL-7108
1428 EDGEWATER CIRCLE, FORT MYERS, FLORIDA 33919
LEE COUNTY, FLORIDA

SKETCH & DESCRIPTION

SHEET 1 OF 2



STONECYPHER SURVEYING INC.
1225 NW 16TH AVENUE GAINESVILLE, FL 32601
Tel.: (352) 379-0948
Email: dws@stone-survey.com
WWW.STONE-SURVEY.COM
Professional Surveying & Mapping Certificate of Authorization No.: LB 7810

SCALE	1"=100'
DATE	JULY 10, 2024
PROJECT #	23-0053

SITE NAME: MYERLEE
SITE NUMBER: US-FL-7108
1428 EDGEWATER CIRCLE, FORT MYERS, FLORIDA 33919
LEE COUNTY, FLORIDA

SCALE: 1"=100'
SKETCH & DESCRIPTION
SHEET 2 OF 2

STONECYPHER SURVEYING INC.

1225 NW 16TH AVENUE, GAINESVILLE, FLORIDA 32601 PHONE: 352-379-0948

MYERLEE
SITE NUMBER: US-FL-7108

PARENT PARCEL DESCRIPTION

SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, BEING A PART OF SECTION 28 AND SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, AND FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

STARTING AT THE NORTHWEST CORNER OF AFORESAID SECTION 27; THENCE S 0° 16' 12" E ALONG THE WEST LINE OF AFORESAID SECTION 27 A DISTANCE OF 50.00 FEET; THENCE N 89° 54' 45" E, A DISTANCE OF 30.00 FEET TO A POINT AND THE PRINCIPAL PLACE OF BEGINNING; THENCE S 0° 16' 12" E A DISTANCE OF 140.00 FEET; THENCE N 89° 54' 45" E, A DISTANCE OF 310.00 FEET; THENCE S 0° 16' 12" E, A DISTANCE OF 1163.27 FEET; THENCE S 42° 56' 20" E, A DISTANCE OF 116.03 FEET; THENCE N 79° 09' 09" E, A DISTANCE OF 127.14 FEET; THENCE S 10° 50' 51" E, A DISTANCE OF 200.00 FEET; THENCE S 30° 41' 16" E, A DISTANCE OF 176.78 FEET; THENCE S 68° 19' 34" E, A DISTANCE OF 200.00 FEET; THENCE N 22° 14' 45" E, A DISTANCE OF 559.41 FEET; THENCE BY CURVE DEFLECTING TO THE LEFT A DISTANCE OF 102.12 FEET, SAID CURVE HAVING A RADIUS OF 52.00 FEET AND A CHORD THAT BEARS N 34° 00' 44" W, A DISTANCE OF 86.48 FEET; THENCE S 89° 43' 48" W, A DISTANCE OF 436.53 FEET; THENCE BY A CURVE DEFLECTING TO THE RIGHT A DISTANCE OF 212.06 FEET, SAID CURVE HAVING A RADIUS OF 135.00 FEET AND A CHORD THAT BEARS N 45° 16' 12" W, A DISTANCE OF 190.92 FEET; THENCE N 0° 16' 12" W, A DISTANCE OF 1035.10 FEET; THENCE BY A CURVE DEFLECTING TO THE LEFT A DISTANCE OF 47.03 FEET, SAID CURVE HAVING A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N 45° 10' 44" W, A DISTANCE OF 42.36 FEET; THENCE S 89° 54' 45" W, A DISTANCE OF 390.10 FEET TO THE PLACE OF BEGINNING.

ALSO STARTING AT THE NORTHEAST CORNER OF SECTION 28; THENCE S 0° 16' 12" E ALONG THE EASTERLY LINE OF THE AFORESAID SECTION 28, A DISTANCE OF 50.0 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MYERLEE COUNTRY CLUB BOULEVARD; THENCE S 89° 54' W ALONG THE AFORESAID RIGHT-OF-WAY LINE A DISTANCE OF 150.0 FEET TO A POINT AND THE PRINCIPAL PLACE OF BEGINNING; THENCE S 0° 16' 12" E, A DISTANCE OF 140.0 FEET; THENCE S 89° 54' W, A DISTANCE OF 300.0 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF MYERLEE COUNTRY CLUB BOULEVARD; THENCE N 0° 16' 12" W ALONG THE AFORESAID RIGHT-OF-WAY LINE, A DISTANCE OF 114.93 FEET; THENCE BY A CURVE DEFLECTING TO THE RIGHT A DISTANCE OF 39.34 FEET, SAID CURVE HAVING A RADIUS OF 25.0 FEET AND A CHORD THAT BEARS N 44° 48' 54" E, A DISTANCE OF 35.41 FEET; THENCE N 89° 54' E ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF MYERLEE COUNTRY CLUB BOULEVARD A DISTANCE OF 274.93 FEET TO THE POINT OF BEGINNING.

PARCEL ID NO.: 27-45-24-22-00000.00CE

THIS BEING A PORTION OF THE SAME PROPERTY CONVEYED TO L & M DEVELOPMENT CORP., A FLORIDA CORPORATION, AS TO INTEREST IN FEE SIMPLE, FROM GUY MEMOLI, INDIVIDUALLY AND AS TRUSTEE, JOINED BY HIS WIFE ROSE MEMOLI, IN A WARRANTY DEED DATED NOVEMBER 1, 1972 AND RECORDED JULY 23, 1973 IN BOOK 970, PAGE 546 IN LEE COUNTY, FLORIDA.

THIS FURTHER BEING THE SAME PROPERTY CONVEYED TO MYERLEE GOLFSIDE EAST CONDOMINIUM ASSOCIATION, AN ASSOCIATION ORGANIZED PURSUANT TO CHAPTER 711, LAWS OF FLORIDA, 1971, AS TO MANAGEMENT RIGHTS, FROM L & M DEVELOPMENT CORP., A FLORIDA CORPORATION IN A DECLARATION OF CONDOMINIUM OF MYERLEE GOLF EAST CONDOMINIUM DATED JUNE 23, 1974 AND RECORDED JUNE 24, 1974 IN BOOK 1019 PAGE 1141 IN LEE COUNTY, FLORIDA.

VB BTS II, LLC LEASE AREA DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; THENCE S00° 16' 12"E ALONG THE WEST LINE OF SAID SECTION 27 FOR 50.00 FEET; THENCE N89° 54' 45"E FOR 30.00 FEET; THENCE S00° 16' 12"E FOR 140.00 FEET; THENCE N89° 54' 45"E FOR 310.00 FEET; THENCE S00° 16' 12"E FOR 858.18 FEET; THENCE CONTINUE S00° 16' 12"E FOR 250.00 FEET; THENCE N89° 43' 48"E FOR 15.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE N00° 16' 12"W FOR 60.00 FEET; THENCE N89° 43' 48"E FOR 64.70 FEET; THENCE S29° 46' 20"W FOR 69.31 FEET; THENCE S89° 43' 48"W FOR 30.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND SITUATE, LYING AND BEING IN LEE COUNTY, FLORIDA, CONTAINING 2,841 SQUARE FEET MORE OR LESS.

VB BTS II, LLC 20' WIDE NON-EXCLUSIVE ACCESS & UTILITY EASEMENT DESCRIPTION

A 20-FEET WIDE NON-EXCLUSIVE EASEMENT STRIP OF LAND FOR THE PURPOSES OF ACCESS AND UTILITIES LYING IN SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; SAID EASEMENT STRIP OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; THENCE S00° 16' 12"E ALONG THE WEST LINE OF SAID SECTION 27 FOR 50.00 FEET; THENCE N89° 54' 45"E FOR 30.00 FEET; THENCE S00° 16' 12"E FOR 140.00 FEET; THENCE N89° 54' 45"E FOR 310.00 FEET; THENCE S00° 16' 12"E FOR 858.18 FEET; THENCE CONTINUE S00° 16' 12"E FOR 250.00 FEET; THENCE N89° 43' 48"E FOR 15.00 FEET; THENCE N00° 16' 12"W FOR 60.00 FEET; THENCE N89° 43' 48"E FOR 64.70 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT STRIP OF LAND; THENCE CONTINUE N89° 45' 08"E FOR 6.20 FEET; THENCE N52° 35' 51"E FOR 66.00 FEET, TO A NON-TANGENT POINT ON A CURVE AND AN INTERSECTION WITH THE SOUTHWEST RIGHT-OF-WAY LINE OF EDGEWATER CIRCLE (A COUNTY MAINTAINED 50' RIGHT-OF-WAY); THENCE SOUTHEASTERLY FOR 20.10 FEET ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 135.00 FEET, CENTRAL ANGLE OF 8° 31' 46", SUBTENDED BY A CHORD HAVING A LENGTH OF 20.08 FEET AND BEARING S42° 27' 42"E; THENCE S52° 35' 51"W FOR 95.27 FEET; THENCE N60° 13' 40"W FOR 13.13 FEET; THENCE N29° 46' 20"E FOR 30.00 FEET TO THE POINT OF BEGINNING.

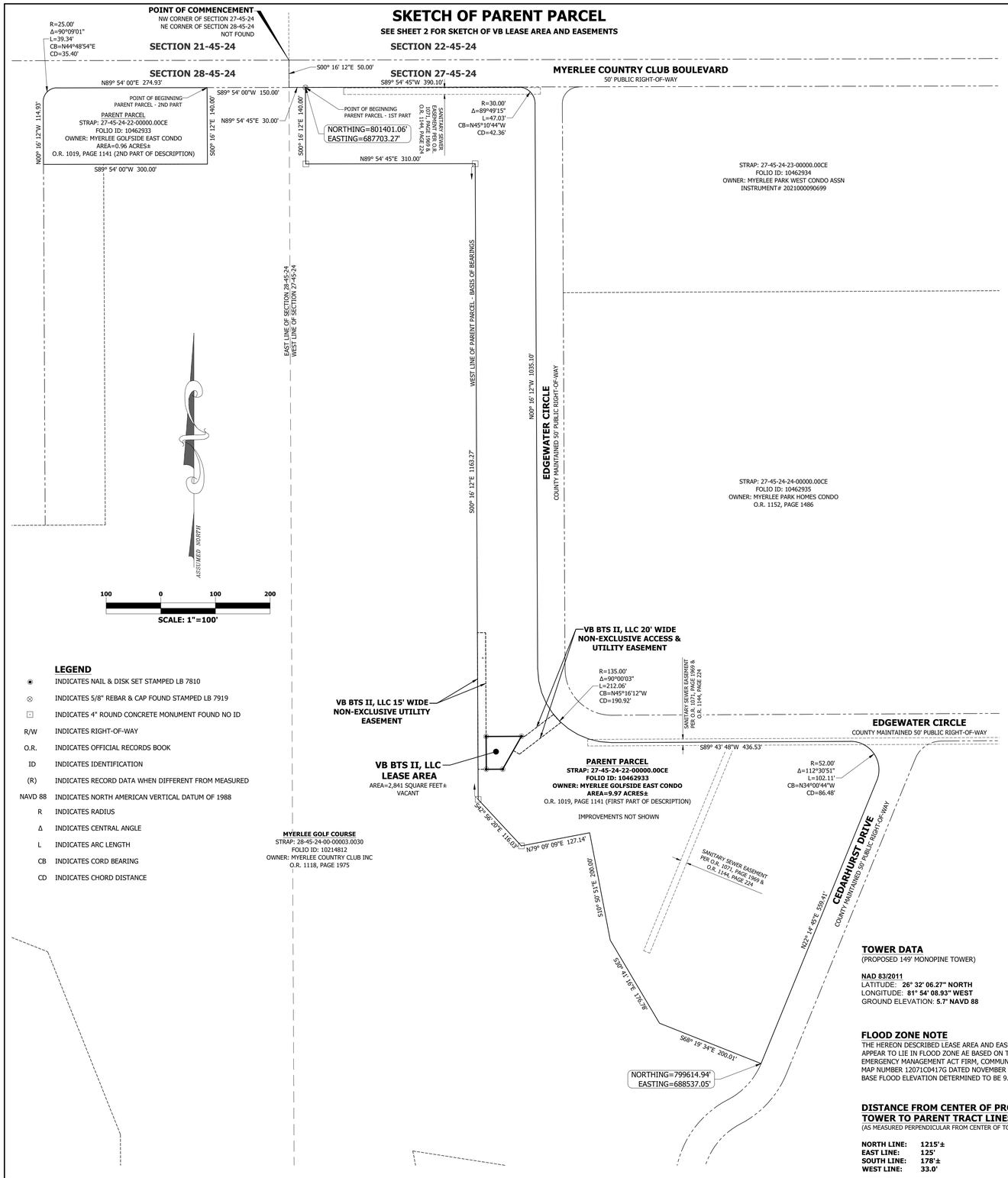
VB BTS II, LLC 15' WIDE NON-EXCLUSIVE UTILITY EASEMENT DESCRIPTION

A 15-FEET WIDE NON-EXCLUSIVE EASEMENT STRIP OF LAND FOR THE PURPOSES OF UTILITIES LYING IN SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; SAID EASEMENT STRIP OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; THENCE S00° 16' 12"E ALONG THE WEST LINE OF SAID SECTION 27 FOR 50.00 FEET; THENCE N89° 54' 45"E FOR 30.00 FEET; THENCE S00° 16' 12"E FOR 140.00 FEET; THENCE N89° 54' 45"E FOR 310.00 FEET; THENCE S00° 16' 12"E FOR 858.18 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT STRIP OF LAND; THENCE CONTINUE S00° 16' 12"E FOR 250.00 FEET; THENCE N89° 43' 48"E FOR 15.00 FEET; THENCE N00° 16' 12"W FOR 250.00 FEET; THENCE S89° 43' 48"W FOR 15.00 FEET TO THE POINT OF BEGINNING.

SKETCH OF PARENT PARCEL

SEE SHEET 2 FOR SKETCH OF VB LEASE AREA AND EASEMENTS



LEGEND

◉	INDICATES NAIL & DISK SET STAMPED LB 7810
⊗	INDICATES 5/8" REBAR & CAP FOUND STAMPED LB 7919
⊡	INDICATES 4" ROUND CONCRETE MONUMENT FOUND NO ID
R/W	INDICATES RIGHT-OF-WAY
O.R.	INDICATES OFFICIAL RECORDS BOOK
ID	INDICATES IDENTIFICATION
(R)	INDICATES RECORD DATA WHEN DIFFERENT FROM MEASURED
NAVD 88	INDICATES NORTH AMERICAN VERTICAL DATUM OF 1988
R	INDICATES RADIUS
Δ	INDICATES CENTRAL ANGLE
L	INDICATES ARC LENGTH
CB	INDICATES CORD BEARING
CD	INDICATES CHORD DISTANCE

TOWER DATA

(PROPOSED 149' MONOPINE TOWER)

NAD 83/2011
LATITUDE: **26° 32' 06.27" NORTH**
LONGITUDE: **81° 54' 08.93" WEST**
GROUND ELEVATION: **5.7' NAVD 88**

FLOOD ZONE NOTE

THE HEREON DESCRIBED LEASE AREA AND EASEMENTS APPEAR TO LIE IN FLOOD ZONE AE BASED ON THE FEDERAL EMERGENCY MANAGEMENT ACT FIRM, COMMUNITY PANEL MAP NUMBER 12071C0417G DATED NOVEMBER 17, 2022. BASE FLOOD ELEVATION DETERMINED TO BE 9.0' NAVD 88.

DISTANCE FROM CENTER OF PROPOSED TOWER TO PARENT TRACT LINES

(AS MEASURED PERPENDICULAR FROM CENTER OF TOWER)

NORTH LINE: 1215'±
EAST LINE: 125'
SOUTH LINE: 178'±
WEST LINE: 33.0'

BOUNDARY & TOPOGRAPHIC SURVEY OF VB BTS II, LLC LEASE AREA

IN SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST,
LEE COUNTY, FLORIDA

PARENT PARCEL DESCRIPTION (PER REFERENCED CERTIFICATE OF TITLE & O.R. 1019, PAGE 1141)

AN INTEREST IN LAND, SAID INTEREST BEING OVER A PORTION OF THE FOLLOWING DESCRIBED PARENT PARCEL:

SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, BEING A PART OF SECTION 28 AND SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, AND FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

STARTING AT THE NORTHWEST CORNER OF AFORESAID SECTION 27; THENCE S 0° 16 21 E ALONG THE WEST LINE OF AFORESAID SECTION 27 A DISTANCE OF 50.00 FEET; THENCE N 89° 54' 45 E, A DISTANCE OF 30.00 FEET TO A POINT AND THE PRINCIPAL PLACE OF BEGINNING; THENCE S 0° 16' 12" E A DISTANCE OF 140.00 FEET; THENCE N 89° 54' 45" E, A DISTANCE OF 310.00 FEET; THENCE S 0° 16' 12" E, A DISTANCE OF 1163.27 FEET; THENCE S 42° 56' 20" E, A DISTANCE OF 116.03 FEET; THENCE N 79° 09' 09" E, A DISTANCE OF 127.14 FEET; THENCE S 10° 50' 51" E, A DISTANCE OF 200.00 FEET; THENCE S 30° 41' 16" E, A DISTANCE OF 176.78 FEET; THENCE S 68° 19' 34" E, A DISTANCE OF 200.00 FEET; THENCE N 22° 14' 45" E, A DISTANCE OF 559.41 FEET; THENCE BY CURVE DEFLECTING TO THE LEFT A DISTANCE OF 102.12 FEET, SAID CURVE HAVING A RADIUS OF 52.00 FEET AND A CHORD THAT BEARS N 34° 00' 44" W, A DISTANCE OF 86.48 FEET; THENCE S 89° 43' 48" W, A DISTANCE OF 436.53 FEET; THENCE BY A CURVE DEFLECTING TO THE RIGHT A DISTANCE OF 212.06 FEET, SAID CURVE HAVING A RADIUS OF 135.00 FEET AND A CHORD THAT BEARS N 45° 16' 12" W, A DISTANCE OF 190.92 FEET; THENCE N 0° 16' 12" W, A DISTANCE OF 1035.10 FEET; THENCE BY A CURVE DEFLECTING TO THE LEFT A DISTANCE OF 47.03 FEET, SAID CURVE HAVING A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N 45° 10' 44" W, A DISTANCE OF 42.36 FEET; THENCE S 89° 54' 45 W, A DISTANCE OF 390.10 FEET TO THE PLACE OF BEGINNING.

ALSO STARTING AT THE NORTHEAST CORNER OF SECTION 28; THENCE S 0° 16' 12" E ALONG THE EASTERLY LINE OF THE AFORESAID SECTION 28, A DISTANCE OF 50.0 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MYERLEE COUNTRY CLUB BOULEVARD; THENCE S 89° 54' W ALONG THE AFORESAID RIGHT-OF-WAY LINE A DISTANCE OF 150.0 FEET TO A POINT AND THE PRINCIPAL PLACE OF BEGINNING; THENCE S 0° 16' 12" E, A DISTANCE OF 140.0 FEET; THENCE S 89° 54' W, A DISTANCE OF 300.0 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF MYERLEE COUNTRY CLUB BOULEVARD; THENCE N 0° 16' 12" W ALONG THE AFORESAID RIGHT-OF-WAY LINE, A DISTANCE OF 114.93 FEET; THENCE BY A CURVE DEFLECTING TO THE RIGHT A DISTANCE OF 39.34 FEET, SAID CURVE HAVING A RADIUS OF 25.0 FEET AND A CHORD THAT BEARS N 44° 48' 54" E, A DISTANCE OF 35.41 FEET; THENCE N 89° 54' E ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF MYERLEE COUNTRY CLUB BOULEVARD A DISTANCE OF 274.93 FEET TO THE POINT OF BEGINNING.

PARCEL ID NO.: 27-45-24-22-00000.00CE

THIS FURTHER BEING THE SAME PROPERTY CONVEYED TO MYERLEE GOLFSIDE EAST CONDOMINIUM ASSOCIATION, AN ASSOCIATION ORGANIZED PURSUANT TO CHAPTER 711, LAWS OF FLORIDA, 1971, AS TO MANAGEMENT RIGHTS, FROM L & M DEVELOPMENT CORP., A FLORIDA CORPORATION IN A DECLARATION OF CONDOMINIUM OF MYERLEE GOLF EAST CONDOMINIUM DATED JUNE 23, 1974 AND RECORDED JUNE 24, 1974 IN BOOK 1019 PAGE 1141 IN LEE COUNTY, FLORIDA.

VB BTS II, LLC LEASE AREA DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; THENCE S00° 16' 12"E ALONG THE WEST LINE OF SAID SECTION 27 FOR 50.00 FEET; THENCE N89° 54' 45"E FOR 30.00 FEET; THENCE S00° 16' 12"E FOR 140.00 FEET; THENCE N89° 54' 45"E FOR 310.00 FEET; THENCE S00° 16' 12"E FOR 858.18 FEET; THENCE CONTINUE S00° 16' 12"E FOR 250.00 FEET; THENCE N89° 43' 48"E FOR 15.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE N00° 16' 12"W FOR 60.00 FEET; THENCE N89° 43' 48"E FOR 64.70 FEET; THENCE S29° 46' 20"W FOR 69.31 FEET; THENCE S89° 43' 48"W FOR 30.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND SITUATE, LYING AND BEING IN LEE COUNTY, FLORIDA, CONTAINING 2,841 SQUARE FEET MORE OR LESS.

VB BTS II, LLC 20' WIDE NON-EXCLUSIVE ACCESS & UTILITY EASEMENT DESCRIPTION

A 20-FEET WIDE NON-EXCLUSIVE EASEMENT STRIP OF LAND FOR THE PURPOSES OF ACCESS AND UTILITIES LYING IN SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; SAID EASEMENT STRIP OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; THENCE S00° 16' 12"E ALONG THE WEST LINE OF SAID SECTION 27 FOR 50.00 FEET; THENCE N89° 54' 45"E FOR 30.00 FEET; THENCE S00° 16' 12"E FOR 140.00 FEET; THENCE N89° 54' 45"E FOR 310.00 FEET; THENCE S00° 16' 12"E FOR 858.18 FEET; THENCE CONTINUE S00° 16' 12"E FOR 250.00 FEET; THENCE N89° 43' 48"E FOR 15.00 FEET; THENCE N00° 16' 12"W FOR 60.00 FEET; THENCE N89° 43' 48"E FOR 64.70 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT STRIP OF LAND; THENCE CONTINUE N89° 45' 08"E FOR 6.20 FEET; THENCE N52° 35' 51"E FOR 66.00 FEET, TO A NON-TANGENT POINT ON A CURVE AND AN INTERSECTION WITH THE SOUTHWEST RIGHT-OF-WAY LINE OF EDGEWATER CIRCLE (A COUNTY MAINTAINED 50' RIGHT-OF-WAY); THENCE SOUTHEASTERLY FOR 20.10 FEET ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 135.00 FEET, CENTRAL ANGLE OF 8° 31' 46", SUBTENDED BY A CHORD HAVING A LENGTH OF 20.08 FEET AND BEARING S42° 27' 42"E; THENCE S52° 35' 51"W FOR 95.27 FEET; THENCE N60° 13' 40"W FOR 13.13 FEET; THENCE N29° 46' 20"E FOR 30.00 FEET TO THE POINT OF BEGINNING.

VB BTS II, LLC 15' WIDE NON-EXCLUSIVE UTILITY EASEMENT DESCRIPTION

A 15-FEET WIDE NON-EXCLUSIVE EASEMENT STRIP OF LAND FOR THE PURPOSES OF UTILITIES LYING IN SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; SAID EASEMENT STRIP OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; THENCE S00° 16' 12"E ALONG THE WEST LINE OF SAID SECTION 27 FOR 50.00 FEET; THENCE N89° 54' 45"E FOR 30.00 FEET; THENCE S00° 16' 12"E FOR 140.00 FEET; THENCE N89° 54' 45"E FOR 310.00 FEET; THENCE S00° 16' 12"E FOR 858.18 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT STRIP OF LAND; THENCE CONTINUE S00° 16' 12"E FOR 250.00 FEET; THENCE N89° 43' 48"E FOR 15.00 FEET; THENCE N00° 16' 12"W FOR 250.00 FEET; THENCE S89° 43' 48"W FOR 15.00 FEET TO THE POINT OF BEGINNING.

SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON ARE ASSUMED AND REFERENCED TO THE WEST LINE OF THE PARENT PARCEL AS BEARING S00° 16' 12"E.

2. THE BOUNDARY & TOPOGRAPHIC SURVEY SHOWN HEREON IS BASED ON ACTUAL FIELD MEASUREMENTS AND OBSERVATIONS DATED JUNE 13, 2023.

3. THIS SURVEY MAP OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

4. CENTER OF PROPOSED TOWER LATITUDE, LONGITUDE AND ELEVATION SHOWN HEREON WERE ESTABLISHED FROM RTK GPS OBSERVATIONS REFERENCED TO THE FLORIDA DEPARTMENT OF TRANSPORTATION PERMANENT REFERENCE NETWORK (FPRN). THE VALUES FOR THE PROPOSED TOWER LATITUDE, LONGITUDE AND ELEVATION SHOWN HEREON EXCEED FAA "1-A" ACCURACY REQUIREMENTS. ELEVATIONS SHOWN HEREON ARE NAVD 88 AND REFERENCED TO THE FLORIDA DEPARTMENT OF TRANSPORTATION PERMANENT REFERENCE NETWORK (FPRN) AND NGS BENCHMARK L 719 (PID: DN3746) HAVING A PUBLISHED ELEVATION OF 5.07' NAVD 88.

5. THE PURPOSE OF THIS SURVEY IS TO SET MONUMENTATION FOR A PROPOSED TOWER SITE LEASE AREA AND PROVIDE LEGAL DESCRIPTIONS FOR SAID LEASE AREA AND ASSOCIATED EASEMENTS. THIS IS NOT A SURVEY OF THE PARENT TRACT.

6. MEASURED BEARINGS AND DISTANCES WERE IN SUBSTANTIAL AGREEMENT WITH RECORD DATA UNLESS OTHERWISE NOTED.

7. PROPERTY TIES ARE PERPENDICULAR MEASURE UNLESS OTHERWISE NOTED.

8. BASED UPON OUR FIELD WORK AND THE TITLE COMMITMENT, THE VB BTS II, LLC LEASE AREA HAS ACCESS TO EDGEWATER CIRCLE (A COUNTY MAINTAINED 50' WIDE PUBLIC RIGHT-OF-WAY) BY MEANS OF THE VB BTS II, LLC 20' WIDE NON-EXCLUSIVE ACCESS & UTILITY EASEMENT SHOWN IN THIS SURVEY, WHICH EASEMENT AREA LIES ENTIRELY WITHIN THE PARENT TRACT. NO EASEMENTS OR OTHER RIGHTS OF THIRD PARTIES DISCLOSED IN TO THIS SURVEYOR PRECLUDE ACCESS OVER THE PARENT TRACT FROM THE VB BTS II, LLC LEASE AREA TO EDGEWATER CIRCLE (THE PUBLIC RIGHT-OF-WAY).

9. THE VB BTS II, LLC LEASE AREA AND THE VB BTS II, LLC 20' WIDE NON-EXCLUSIVE ACCESS & UTILITY EASEMENT AND THE VB BTS II, LLC 15' WIDE NON-EXCLUSIVE UTILITY EASEMENT ARE LOCATED ENTIRELY WITHIN THE DESCRIBED PARENT TRACT.

10. THIS SURVEYOR HAS REVIEWED THE TITLE COMMITMENT, NUMBER VTB-130475-C, PREPARED BY TOWER AGENCY, LLC, AS AN AGENT FOR FIDELITY NATIONAL TITLE INSURANCE COMPANY, DATED OCTOBER 1, 2024. ALL PLOTTABLE MATTERS OF RECORD TITLE IDENTIFIED IN THAT COMMITMENT PERTINENT TO THE PARENT TRACT HAVE BEEN SHOWN OR NOTED HEREON.

11. AT THE TIME OF THIS SURVEY, THERE WERE NO VISIBLE ENCROACHMENTS AFFECTING THE VB BTS II, LLC LEASE AREA OR THE VB BTS II, LLC 20' WIDE NON-EXCLUSIVE ACCESS & UTILITY EASEMENT OR THE VB BTS II, LLC 15' WIDE NON-EXCLUSIVE UTILITY EASEMENT EXCEPT AS DEPICTED HEREON.

12. ACCORDING TO THE LEE COUNTY GOVERNMENT WEBSITE (LEEGOV.COM), EDGEWATER CIRCLE IS A COUNTY MAINTAINED PUBLIC ROAD. THE WIDTH OF EDGEWATER CIRCLE IS BASED ON THE GAP BETWEEN METES AND BOUNDS DESCRIPTIONS OF THE LANDS ON EACH SIDE OF EDGEWATER CIRCLE. RECORDING INFORMATION FOR EDGEWATER CIRCLE WAS NOT FOUND BY NOR PROVIDED TO THIS SURVEYOR.

13. THE BOUNDARY SURVEY DEPICTED HEREON IS BASED ON THE CERTIFICATE OF TITLE PROVIDED BY LISA M. SUPER, ESQ. PER THE OPINION OF TITLE LETTER DATED NOVEMBER 6, 2024.

14. THIS SURVEY CONSIST OF 2 SHEETS. SEE SHEET 2 FOR LEASE AREA AND EASEMENT DATA AND TOPOGRAPHIC INFORMATION AND ADDITIONAL INFORMATION.

TITLE COMMITMENT NOTE

THIS SURVEY MAP DEPICTS THE LOCATION OF RECORDED ENCUMBRANCES, EASEMENTS, AND OTHER MATTERS LISTED IN THE SCHEDULE B-II OF THE TITLE COMMITMENT, NUMBER VTB-130475-C, PREPARED BY TOWER AGENCY, LLC, AS AN AGENT FOR FIDELITY NATIONAL TITLE INSURANCE COMPANY, DATED APRIL 14, 2022.

SEE SHEET 2 FOR NOTES

David W Stonecypher
Digitally signed by David W Stonecypher
Date: 2024.11.08 10:58:00 -05'00'

REVISION: 11-8-24 UPDATED TITLE INFORMATION

DAVID WILLIAM STONECYPHER LICENSE No. LS6391 STATE OF FLORIDA REGISTERED LAND SURVEYOR

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY TO: VERTICAL BRIDGE REIT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS SUBSIDIARIES, AND THEIR RESPECTIVE SUCCESSORS AND/OR ASSIGNS; TORONTO DOMINION (TEXAS) LLC, AS ADMINISTRATIVE AGENT, FOR ITSELF AND ON BEHALF OF THE LENDERS PARTIES FROM TIME TO TIME TO THAT CERTAIN SECOND AMENDED AND RESTATED LOAN AGREEMENT DATED JUNE 17, 2016 WITH VERTICAL BRIDGE HOLDCO, LLC, AS BORROWER, AND VERTICAL BRIDGE HOLDCO PARENT, LLC, AS PARENT, AS MAY BE AMENDED, RESTATED, MODIFIED OR RENEWED, THEIR SUCCESSORS AND ASSIGNS AS THEIR INTERESTS MAY APPEAR; AND FIDELITY NATIONAL TITLE INSURANCE COMPANY; AND TOWER AGENCY, LLC; AND STRATEGIC MARKET SERVICES-FNT; AND VB BTS II, LLC, ITS AFFILIATES, SUBSIDIARIES & LENDERS.

THIS SURVEY HAS BEEN DIGITALLY SIGNED AND SEALED BY DAVID W. STONECYPHER, PSM, ON 11/08/2024.

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

STONECYPHER SURVEYING INC.
1225 NW 16TH AVENUE GAINESVILLE, FLORIDA 32601
Tel.: (352) 379-0948
Email: dws@stone-survey.com
WWW.STONE-SURVEY.COM
Professional Surveying & Mapping Certificate of Authorization No.: LB 7810

BOOK/PAGE	52/38	SCALE	1"=100'
DRAWN	DWS	DATE	JUNE 13, 2023
CHECKED	DWS	PROJECT #	23-0053

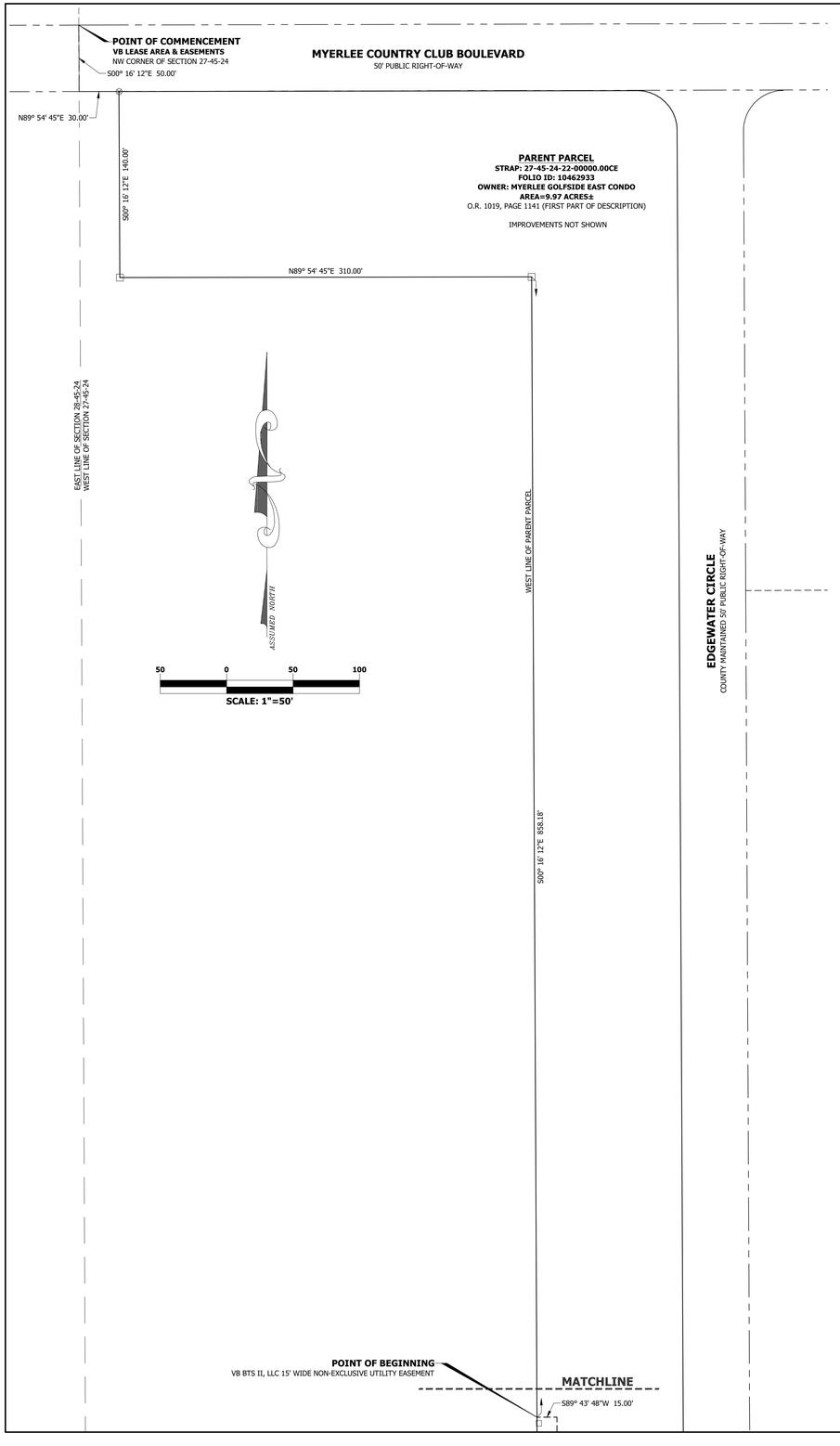
This map prepared by: 11-8-2024
DAVID W. STONECYPHER
PROFESSIONAL SURVEYOR & MAPPER FLA. LICENSE NO. 6391

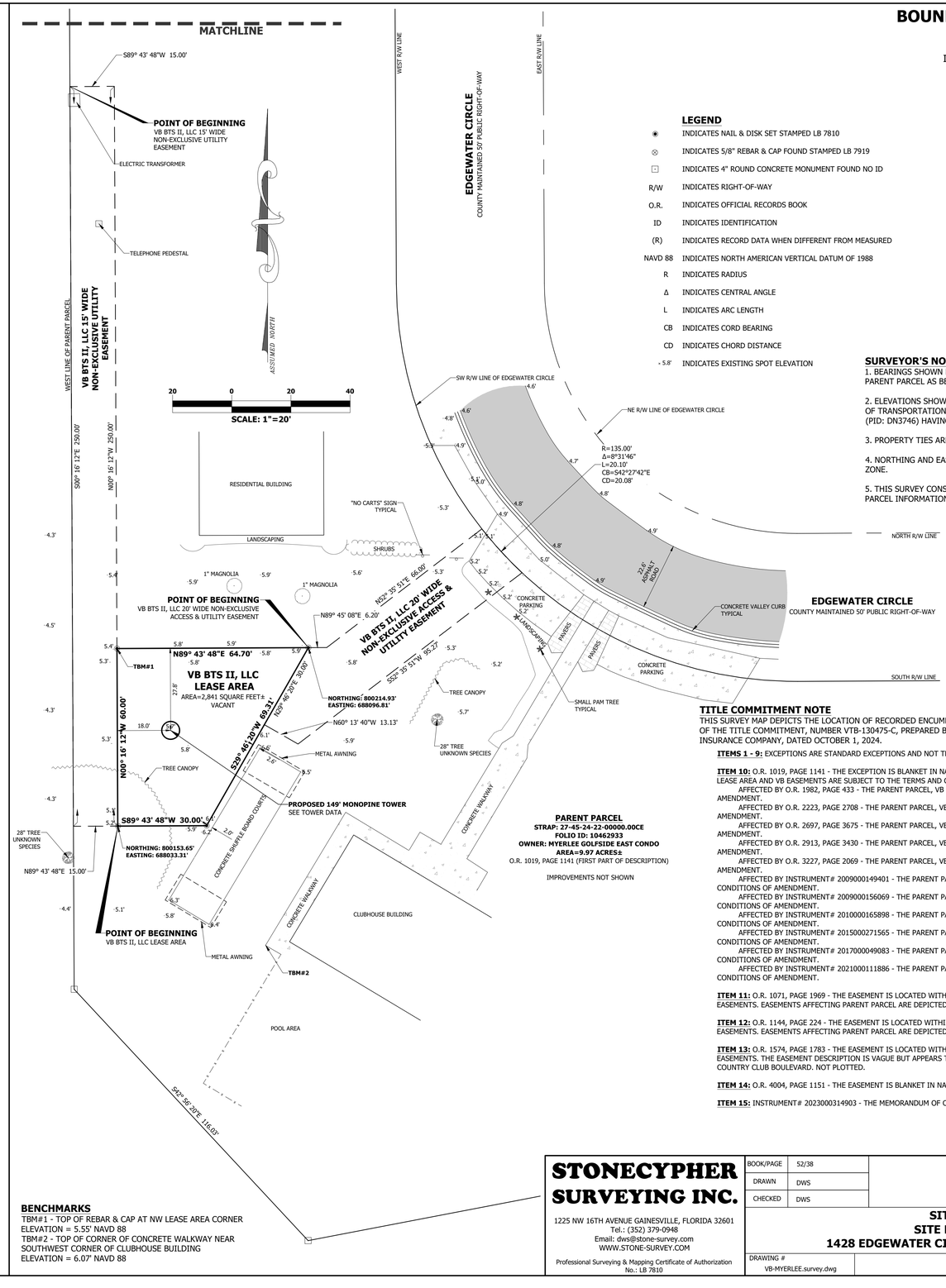
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SITE NUMBER: US-FL-7108
1428 EDGEWATER CIRCLE, FORT MYERS, FLORIDA 33919

DRAWING # VB-MYERLEE.survey.dwg	**VB BTS II, LLC**	SHEET # **1 OF 2**

BOUNDARY & TOPOGRAPHIC SURVEY OF VB BTS II, LLC LEASE AREA

IN SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST,
LEE COUNTY, FLORIDA





LEGEND

◉	INDICATES NAIL & DISK SET STAMPED LB 7810
⊗	INDICATES 5/8" REBAR & CAP FOUND STAMPED LB 7919
⊡	INDICATES 4" ROUND CONCRETE MONUMENT FOUND NO ID
R/W	INDICATES RIGHT-OF-WAY
O.R.	INDICATES OFFICIAL RECORDS BOOK
ID	INDICATES IDENTIFICATION
(R)	INDICATES RECORD DATA WHEN DIFFERENT FROM MEASURED
NAVD 88	INDICATES NORTH AMERICAN VERTICAL DATUM OF 1988
R	INDICATES RADIUS
Δ	INDICATES CENTRAL ANGLE
L	INDICATES ARC LENGTH
CB	INDICATES CORD BEARING
CD	INDICATES CHORD DISTANCE
- 5.8'	INDICATES EXISTING SPOT ELEVATION

SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON ARE ASSUMED AND REFERENCED TO THE WEST LINE OF THE PARENT PARCEL AS BEARING S00° 16' 12"E.

2. ELEVATIONS SHOWN HEREON ARE NAVD 88 AND REFERENCED TO THE FLORIDA DEPARTMENT OF TRANSPORTATION PERMANENT REFERENCE NETWORK (FPRN) AND NGS BENCHMARK L 719 (PID: DN3746) HAVING A PUBLISHED ELEVATION OF 5.07' NAVD 88.

3. PROPERTY TIES ARE PERPENDICULAR MEASURE UNLESS OTHERWISE NOTED.

4. NORTHING AND EASTING SHOWN HEREON ARE STATE PLANE COORDINATES, FLORIDA WEST ZONE.

5. THIS SURVEY CONSIST OF 2 SHEETS. SEE SHEET 2 FOR LEGAL DESCRIPTIONS, NOTES, PARENT PARCEL INFORMATION AND ADDITIONAL INFORMATION.

TITLE COMMITMENT NOTE

THIS SURVEY MAP DEPICTS THE LOCATION OF RECORDED ENCUMBRANCES, EASEMENTS, AND OTHER MATTERS LISTED IN THE SCHEDULE B-II OF THE TITLE COMMITMENT, NUMBER VTB-130475-C, PREPARED BY TOWER AGENCY, LLC, AS AN AGENT FOR FIDELITY NATIONAL TITLE INSURANCE COMPANY, DATED OCTOBER 1, 2024.

ITEMS 1 - 9: EXCEPTIONS ARE STANDARD EXCEPTIONS AND NOT THE TYPE TO BE DEPICTED HEREON.

ITEM 10: O.R. 1019, PAGE 1141 - THE EXCEPTION IS BLANKET IN NATURE. THE DOCUMENT DESCRIBES THE PARENT PARCEL. THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF DECLARATION OF CONDOMINIUM.
AFFECTED BY O.R. 1982, PAGE 433 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.
AFFECTED BY O.R. 2223, PAGE 2708 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.
AFFECTED BY O.R. 2697, PAGE 3675 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.
AFFECTED BY O.R. 2913, PAGE 3430 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.
AFFECTED BY O.R. 3227, PAGE 2069 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.
AFFECTED BY INSTRUMENT# 2009000149401 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.
AFFECTED BY INSTRUMENT# 2009000156069 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.
AFFECTED BY INSTRUMENT# 2010000165898 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.
AFFECTED BY INSTRUMENT# 2015000271565 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.
AFFECTED BY INSTRUMENT# 2017000049083 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.
AFFECTED BY INSTRUMENT# 2021000111886 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.

ITEM 11: O.R. 1071, PAGE 1969 - THE EASEMENT IS LOCATED WITHIN THE PARENT PARCEL, BUT IS NOT LOCATED WITHIN THE LEASE AREA OR ANY VB EASEMENTS. EASEMENTS AFFECTING PARENT PARCEL ARE DEPICTED HEREON.

ITEM 12: O.R. 1144, PAGE 224 - THE EASEMENT IS LOCATED WITHIN THE PARENT PARCEL, BUT IS NOT LOCATED WITHIN THE LEASE AREA OR ANY VB EASEMENTS. EASEMENTS AFFECTING PARENT PARCEL ARE DEPICTED HEREON.

ITEM 13: O.R. 1574, PAGE 1783 - THE EASEMENT IS LOCATED WITHIN THE PARENT PARCEL, BUT IS NOT LOCATED WITHIN THE LEASE AREA OR ANY VB EASEMENTS. THE EASEMENT DESCRIPTION IS VAGUE BUT APPEARS TO LIE IN THE NORTHERLY PORTION OF THE PARENT PARCEL ALONG MYERLEE COUNTRY CLUB BOULEVARD. NOT PLOTTED.

ITEM 14: O.R. 4004, PAGE 1151 - THE EASEMENT IS BLANKET IN NATURE. THE DOCUMENT DESCRIBES THE PARENT PARCEL.

ITEM 15: INSTRUMENT# 2023000314903 - THE MEMORANDUM OF OPTION TO LEASE DOCUMENT DESCRIBES THE PARENT PARCEL.

BENCHMARKS

TBM#1 - TOP OF REBAR & CAP AT NW LEASE AREA CORNER
ELEVATION = 5.55' NAVD 88
TBM#2 - TOP OF CORNER OF CONCRETE WALKWAY NEAR SOUTHWEST CORNER OF CLUBHOUSE BUILDING
ELEVATION = 6.07' NAVD 88

STONECYPHER SURVEYING INC.

1225 NW 16TH AVENUE GAINESVILLE, FLORIDA 32601
Tel.: (352) 379-0948
Email: dws@stone-survey.com
WWW.STONE-SURVEY.COM

Professional Surveying & Mapping Certificate of Authorization No.: LB 7810

BOOK/PAGE	52/38		SCALE	AS SHOWN
DRAWN	DWS		DATE	JUNE 13, 2023
CHECKED	DWS		PROJECT #	23-0053

SITE NAME: MYERLEE
SITE NUMBER: US-FL-7108
1428 EDGEWATER CIRCLE, FORT MYERS, FLORIDA 33919

DRAWING # VB-MYERLEE.survey.dwg	**VB BTS II, LLC**	SHEET # **2 OF 2**

VERTICAL BRIDGE SITE NAME:

MYERLEE

VERTICAL BRIDGE SITE NUMBER:

US-FL-7108

1428 EDGEWATER CIRCLE
FORT MYERS, FL 32703

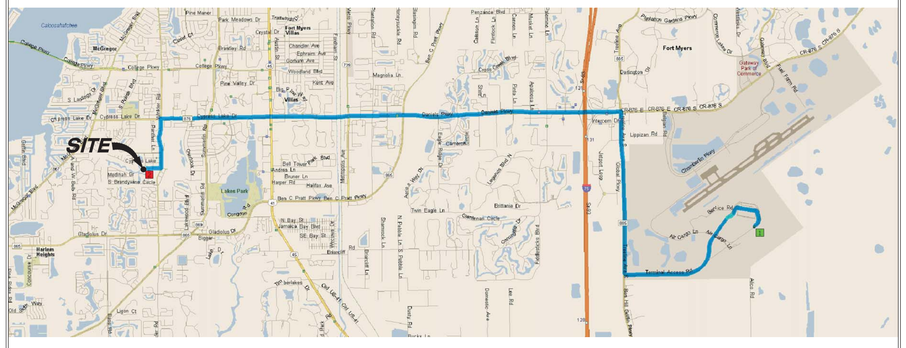
PROPOSED 149' (AGL) MONOPOLE

ZONING DRAWINGS

PROJECT SUMMARY

SITE NAME:	MYERLEE
SITE NUMBER:	US-FL-7108
SITE OWNER/LANDLORD:	MYERLEE GOLFSIDE EAST CONDO
TAX MAP PROPERTY ID:	27-45-24-22-00000.00CE
SITE ADDRESS:	1428 EDGEWATER CIRCLE FORT MYERS, FL 32703
911 ADDRESS:	–
JURISDICTION:	LEE COUNTY
TOWER OWNER:	VB BTS II, LLC 750 PARK OF COMMERCE DR, SUITE 200 BOCA RATON, FL 33487 CONTACT: TERYLE WIEGEL PHONE: (425) 761-4323
NAD83	
LATITUDE:	26° 32' 06.27" (26.5350750°)
LONGITUDE:	-81° 54' 08.93" (-81.9024806°)
ELEVATION:	5.7
APPLICANT:	VB BTS II, LLC 750 PARK OF COMMERCE DR, SUITE 200 BOCA RATON, FL 33487 CONTACT: TERYLE WIEGEL PHONE: (425) 761-4323
CO-APPLICANT:	T-MOBILE 5901 BENJAMIN CENTER DR, SUITE 110 A-B TAMPA, FL 33634 CONTACT: BETH FASSLER PHONE: (740) 310-4983
OCCUPANCY TYPE:	UNMANNED
A.D.A. COMPLIANCE:	FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION

LOCATION MAP



NO SCALE

DRAWING INDEX

SHEET #	SHEET DESCRIPTION
T-1	TITLE SHEET
GN-1	NOTES
1-2	SURVEY
CP-1	CONCEPT PLAN
PUD-1	PUD CONDITIONS
FLU-1	FLUCCS VEGETATION MAP
C-1.0	AERIAL MAP
C-1.0.1	SURFACE WATER MANAGEMENT PLAN
C-1.0.2	PROTECTED SPECIES EXHIBIT
C-1.1	OVERALL SITE PLAN
C-1.2	ENLARGED COMPOUND LAYOUT
C-1.2.1	DRIVEWAY CONNECTION DETAIL
C-1.3	TOWER ELEVATION PLAN
C-2.0	FENCE DETAILS
C-2.1	ENGINEERING DETAILS
C-2.2	SIGNAGE DETAILS
L-1 – L-2	LANDSCAPE PLAN

DESIGN INFORMATION

A&E FIRM: B+T GROUP
1717 S. BOULDER,
SUITE 300
TULSA, OK 74119
MIKE A. SPEEDIE, PE
(918) 587-4630

ELECTRIC PROVIDER: T.B.D.
XXX-XXX-XXXX

SURVEYOR: STONECYPHER SURVEYING INC.
1225 NW 16TH AVENUE
GAINESVILLE, FL 32601
PH. (352) 379-0948

TELCO PROVIDER: T.B.D.
XXX-XXX-XXXX

DRIVING DIRECTIONS

DEPART FLORIDA INT'L AIRPORT [11000 TERMINAL ACCESS RD, FORT MYERS FL
BEAR LEFT (NORTH) ONTO LOCAL ROAD(S) 0.2 MI SHORT TERM PARKING
MERGE ONTO LOCAL ROAD(S) 0.3 MI
MERGE ONTO LOCAL ROAD(S) 0.1 MI
MERGE ONTO TERMINAL ACCESS RD 0.2 MI
KEEP STRAIGHT ONTO TERMINAL ACCESS RD [TERMINAL EXIT] 1.8 MI I-75 / EXIT
TAKE LOCAL ROAD(S) ONTO CR-885 [TREELINE AVE S] 2.5 MI CR-876 / I-75 N / DANIELS PKY
ROAD NAME CHANGES TO LOCAL ROAD(S) 32 YDS
TURN LEFT (WEST) ONTO DANIELS PKWY 5.3 MI
ROAD NAME CHANGES TO LOCAL ROAD(S) 21 YDS
ROAD NAME CHANGES TO CR-876 [CYPRESS LAKE DR] 1.7 MI
TURN LEFT (SOUTH) ONTO WINKLER RD 0.8 MI
TURN RIGHT (WEST) ONTO EDGEWATER CIRCLE 0.2 MI
TURN LEFT (SOUTH-WEST) ONTO LOCAL ROAD(S) 43 YDS
ARRIVE 26.53508'N 81.9024'W

CODE COMPLIANCE

ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE CURRENT EDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES:

CODE TYPE	CODE
BUILDING/DWELLING	FBC 2020 7TH EDITION
STRUCTURAL	FBC 2020 7TH EDITION
MECHANICAL	FMC 2020 7TH EDITION
ELECTRICAL	NEC 2020 7TH EDITION
TIA	TIA-222-H
WIND SPEED	170 MPH

PROJECT DESCRIPTION

THE PROPOSED PROJECT INCLUDES:

- CONSTRUCT (1) NEW 149' (AGL) MONOPOLE TOWER
- CONSTRUCT FENCED GRAVEL UTILITY COMPOUND WITH LOCKING ACCESS GATE, 60.0'X64.7'X69.3'X30.0' WITHIN A 60.0'X64.7'X69.3'X30.0' LEASE AREA.
- INSTALL (1) H-FRAME W/ UTILITY EQUIPMENT.
- INSTALL NEW POWER & TELCO UTILITY SERVICES.
- CONSTRUCT 12' WIDE GRAVEL ACCESS ROAD

DO NOT SCALE DRAWINGS

ALL DRAWINGS CONTAINED HEREIN ARE FORMATTED FOR 11X17. CONTRACTOR SHALL VERIFY ALL PLANS AND EXISTING DIMENSIONS AND CONDITIONS ON THE JOB SITE AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

CALL FLORIDA ONE CALL
(800) 432-4770
CALL 3 WORKING DAYS
BEFORE YOU DIG!

B+T GRP

VERTICAL BRIDGE
MYERLEE
VB #: US-FL-7108
TMO #: ----
1428 EDGEWATER CIRCLE
FORT MYERS, FL 32703
LEE COUNTY

PID #: 27-45-24-22-00000.00CE
PROPOSED 149' (AGL) MONOPOLE

PROJECT NO:	G0168095.001.01
CHECKED BY:	DLS

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION
1	8/23/23	BCT	FINAL
2	6/21/24	DS/MS	FINAL
3	7/01/24	DLS	FINAL
4	10/22/24	MAS	FINAL

B&T ENGINEERING, INC.
1717 S. BOULDER AVENUE
TULSA, OK 74119
COA: 27496

CHAD TUTTLE, P.E.
B&T ENGINEERING, INC
This Item has been digitally signed and sealed by Chad Tuttle on the date adjacent to the seal.
Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

CHAD E. TUTTLE LICENSE No. 57199 STATE OF FLORIDA PROFESSIONAL ENGINEER

11/8/2024

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

TITLE SHEET

SHEET NUMBER:
T-1

DCI2024-00010 Lee County ePlan
Additional info dated 11-14-2024

ACCOMMODATION OF FUTURE COLLOCATIONS:

a. ANTENNA–SUPPORTING STRUCTURE SHOULD BE DESIGNED TO ACCOMMODATE FUTURE COLLOCATIONS

b. THE APPLICANT MUST SUBMIT A SHARED USE PLAN THAT COMMITS THE OWNER OF THE PROPOSED ANTENNA–SUPPORTING STRUCTURE TO ACCOMMODATING FUTURE COLLOCATIONS WHERE REASONABLE AND FEASIBLE INSIGHT OF THE CRITERIA SET FORTH IN THE SECTION.

LIGHTING:

a. EXCEPT FOR SECURITY LIGHTING AND SITE LIGHTING, OTHER TYPES OF LIGHTS, SIGNALS OR ILLUMINATION WILL BE PERMITTED ON AN ANTENNA–SUPPORTING STRUCTURE OF ANCILLARY APPURTENANCES WHERE LIGHTING IS REQUIRED BY THE FAA, FCC, THE COUNTY, OR THE LEE COUNTY MOSQUITO CONTROL DISTRICT.

b. SECURITY LIGHTING, SECURITY LIGHTING AND SITE LIGHTING MAY BE PLACED IN ASSOCIATION WITH AN APPROVED EQUIPMENT ENCLOSURE. SITE LIGHTING MUST REMAIN UNLIT EXCEPT WHEN AUTHORIZED PERSONNEL ARE PRESENT AT THE FACILITY. SECURITY LIGHTING AND SITE LIGHTING MUST BE SHIELDED TO PREVENT LIGHT TRESPASS.

c. REQUIRED LIGHTING:

1. ALL ANTENNA–SUPPORTING STRUCTURES 150 FEET OR GREATER IN HEIGHT ABOVE GROUND LEVEL MUST BE ARTIFICIALLY LIGHTED AND MAINTAINED PURSUANT TO THE TECHNICAL REQUIREMENTS OF THE FEDERAL AVIATION ADMINISTRATION'S CURRENT ADVISORY CIRCULAR 70/7460–1K, OBSTRUCTION MARKING AND LIGHTING, AS AMENDED, OR OTHER APPROPRIATE AVIATION AUTHORITY. UNLESS PRE–EMPTED BY FAA OR FCC REGULATIONS, ALL LIGHTING MUST BE APPROVED IN CONJUNCTION WITH THE DEVELOPMENT ORDER FOR THE FACILITY.

2. IF THE HEIGHT OF THE STRUCTURE UNDER CONSTRUCTION EQUALS OR EXCEEDS THE HEIGHT AT WHICH PERMANENT OBSTRUCTION LIGHTS ARE REQUIRED BY THE FAA, FCC OR THE DIVISION OF DEVELOPMENT SERVICES, TEMPORARY HIGH OR MEDIUM INTENSITY FLASHING LIGHTS MUST BE INSTALLED AT THE LEVEL IN ACCORDANCE WITH ADVISORY CIRCULAR 70/7460–1K, OBSTRUCTION MARKING AND LIGHTING, AS AMENDED.

SIGNAGE:

- (1) SIGNS ON ANTENNA–SUPPORTING STRUCTURES, ANCILLARY APPURTENANCES, EQUIPMENT ENCLOSURES, OR ANY FENCE OR WALL ARE PROHIBITED UNLESS PERMITTED IN ACCORDANCE WITH THIS SUBSECTION.
- (2) IF HIGH VOLTAGE IS NECESSARY FOR OPERATION OF PROPOSED WIRELESS COMMUNICATIONS FACILITIES, "HIGH VOLTAGE–DANGER" AND "NO TRESPASS" WARNING SIGNS NOT GREATER THAN ONE SQUARE FOOT IN AREA MUST BE PERMANENTLY ATTACHED TO THE FENCE OR WALL AT INTERVALS OF NOT LESS THAN 40 FEET AND UPON THE ACCESS GATE, OR AS OTHERWISE REQUIRED BY THE FAA OR FCC.
- (3) A SIGN NOT GREATER THAN ONE SQUARE FOOT IN AREA MUST BE ATTACHED TO THE ACCESS GATE THAT INCLUDES THE FOLLOWING INFORMATION:
  a. FEDERAL REGISTRATION NUMBER, IF APPLICABLE;
  b. NAME OF PROPERTY OWNER, FACILITY OWNER, PROVIDERS, AND CONTACT PERSON; AND
  c. AN EMERGENCY CONTACT NUMBER FOR THE CONTACT PERSON.

DISCONTINUED USE:

- (a) NOTICE OF DISCONTINUED USE. THE OWNER OF AN ANTENNA–SUPPORTING STRUCTURE 750 FEET OR GREATER IN HEIGHT, THE USE OF WHICH HAS BEEN DISCONTINUED FOR A PERIOD OF ONE YEAR, ON AN ANNUAL BASIS MUST PROVIDE THE DIRECTOR WITH AN AFFIDAVIT OF AN INTENTION CONTINUE THE USE, INCLUDING A DESCRIPTION OF THE OWNER'S EFFORTS TO KEEP THE FACILITY IN USE. IF THE AFFIDAVIT IS NOT PROVIDED THE DIRECTOR MAY MAKE A PRELIMINARY DETERMINATION OF DISCONTINUED USE. FOR ANY OTHER ANTENNA–SUPPORTING STRUCTURE, THE USE OF WHICH IS DISCONTINUED FOR A PERIOD OF 180 DAYS, THE DIRECTOR MAY MAKE A PRELIMINARY DETERMINATION OF DISCONTINUED USE. IN MAKING SUCH A DETERMINATION, THE DIRECTOR MAY REQUEST DOCUMENTATION AND AFFIDAVITS FROM THE PROPERTY OWNER REGARDING THE STRUCTURE'S USAGE INCLUDING EVIDENCE THAT USE OF THE STRUCTURE'S USAGE, INCLUDING EVIDENCE THAT USE OF STRUCTURE'S USAGE, INCLUDING EVIDENCE THAT USE OF STRUCTURE IS IMMINENT. THE FAILURE OF A PROPERTY OWNER TO PROVIDE UPDATED CONTACT INFORMATION ON THE OWNER OF THE ANTENNA–SUPPORTING STRUCTURE FOR TWO CONSECUTIVE YEARS WILL BE PRESUMPTIVE EVIDENCE OF DISCONTINUED USE. IF THE DIRECTOR DETERMINES THAT THE USE OF AN ANTENNA–SUPPORTING STRUCTURE OR ANTENNA HAS BEEN DISCONTINUED, THE DIRECTOR WILL PROVIDE THE PROPERTY WITH A WRITTEN NOTICE OF DISCONTINUED USE BY CERTIFIED MAIL.
- (b) DECLARATION OF DISCONTINUED USE. IF THE PROPERTY OWNER FAILS TO RESPOND TO THE NOTICE OF DISCONTINUED USE OR TO ADEQUATELY DEMONSTRATE THAT THE USE OF THE ANTENNA OR ANTENNA–SUPPORTING STRUCTURE IS NOT DISCONTINUED WITHIN 90 DAYS, SUCH FAILURE WILL BE EVIDENCE OF DISCONTINUED USE. BASED ON THE FOREGOING, OR ON ANY OTHER REVENANT EVIDENCE PROVIDED TO THE DIRECTOR, THE DIRECTOR MAY MAKE A FINAL DETERMINATION OF DISCOUNTED USE, WHEREUPON A DECLARATION USE WILL BE ISSUED TO THE PROPERTY OWNER BY CERTIFIED MAIL.
- (c) REMOVAL OF FACILITY. WITHIN 120 DAYS OF DECLARATION OF DISCONTINUED USE, THE PROPERTY OWNER MUST EITHER: (1) REACTIVATE THE USE OF THE ANTENNA OR ANTENNA–SUPPORTING STRUCTURE AS WIRELESS COMMUNICATIONS FACILITY OR TRANSFER OWNERSHIP OF THE ANTENNAS OR ANTENNA–SUPPORTING STRUCTURE TO ANOTHER OWNER WHO WILL MAKE USE OF THE FACILITY; OR (2) DISMANTLE AND REMOVE THE FACILITY. IF TRANSFER OF OWNERSHIP OCCURS, THE NEW OWNER MUST SUPPLY THE DIRECTOR WITH AN AFFIDAVIT ATTESTING THE ANTENNAS OF ANTENNA–SUPPORTING STRUCTURE WILL BE IN USE WITHIN 120 DAYS OF THE TRANSFER IN ACCORDANCE WITH (1), ABOVE. IF THE FACILITY REMAINS DISCONTINUED UPON THE EXPIRATION OF THE 120 DAYS, THE COUNTY MAY ENTER UPON THE PROPERTY AND REMOVE THE FACILITY, WITH ALL COSTS TO BE BORNE BY THE PROPERTY OWNER. THE COUNTY MAY USE THE FUNDS POSTED IN THE SURETY FOR THIS PURPOSE.

(TAPING)

- THE DEVELOPER OF A WIRELESS COMMUNICATION FACILITY MUST INSTALL TAPING AROUND THE ANTENNA–SUPPORTING STRUCTURE IN CONFORMANCE WITH THE FOLLOWING

1. THE TAPE MUST BE SIX–INCHES 3m DIAMOND GRADE tm VIP REFLECTIVE SHEETING, SERIES 3990
2. THE TAPING MUST START AT 20 FEET ABOVE THE SURFACE.
3. THE TAPING MUST BE AT TEN–FOOT INTERVALS.
4. THE TAPE MUST BE WRAPPED AROUND THE SUPPORT POLE AND OVERLAP BY ONE INCH FOR A GOOD SEAL

B+T GRP

vertical bridge

VERTICAL BRIDGE
MYERLEE
VB #: US-FL-7108
TMO #: ----
1428 EDGEWATER CIRCLE
FORT MYERS, FL 32703
LEE COUNTY

PID #: 27-45-24-22-00000.00CE

PROPOSED 149' (AGL) MONOPOLE

PROJECT NO:	**G0168095.001.01**
CHECKED BY:	**DLS**

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B&T ENGINEERING, INC.
1717 S. BOULDER AVENUE
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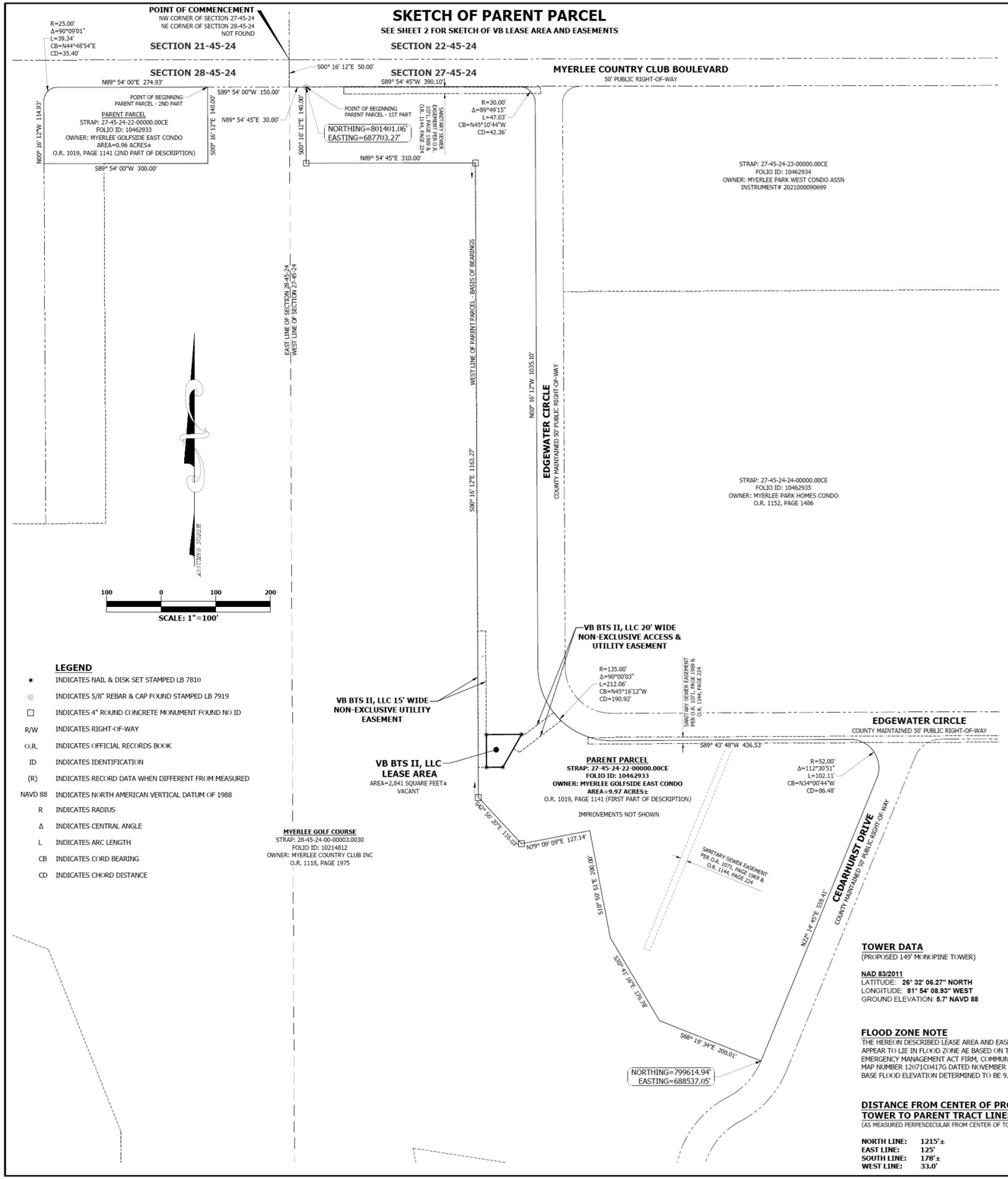
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NOTES

SHEET NUMBER:
GN-1

SKETCH OF PARENT PARCEL

SEE SHEET 2 FOR SKETCH OF VB LEASE AREA AND EASEMENTS



LEGEND

●	INDICATES NAIL & DISK SET STAMPED LB 7810
⊗	INDICATES 5/8" REBAR & CAP FOUND STAMPED LB 7919
□	INDICATES 4" ROUND CONCRETE MONUMENT FOUND NO ID
R/W	INDICATES RIGHT-OF-WAY
O.R.	INDICATES OFFICIAL RECORDS BOOK
ID	INDICATES IDENTIFICATION
(R)	INDICATES RECORD DATA WHEN DIFFERENT FROM MEASURED
NAVD 88	INDICATES NORTH AMERICAN VERTICAL DATUM OF 1988
R	INDICATES RADIUS
Δ	INDICATES CENTRAL ANGLE
L	INDICATES ARC LENGTH
CB	INDICATES CORD BEARING
CD	INDICATES CHORD DISTANCE

TOWER DATA

(PROPOSED 149' MONOPINE TOWER)

NAD 83/2011
LATITUDE: **26° 32' 06.27" NORTH**
LONGITUDE: **81° 54' 08.93" WEST**
GROUND ELEVATION: **5.7' NAVD 88**

FLOOD ZONE NOTE

THE HEREON DESCRIBED LEASE AREA AND EASEMENTS APPEAR TO LIE IN FLOOD ZONE AE BASED ON THE FEDERAL EMERGENCY MANAGEMENT ACT FIRM, COMMUNITY PANEL MAP NUMBER 12071C0417G DATED NOVEMBER 17, 2022. BASE FLOOD ELEVATION DETERMINED TO BE 9.0' NAVD 88.

DISTANCE FROM CENTER OF PROPOSED TOWER TO PARENT TRACT LINES

(AS MEASURED PERPENDICULAR FROM CENTER OF TOWER)

NORTH LINE: 1215'±
EAST LINE: 125'
SOUTH LINE: 178'±
WEST LINE: 33.0'

BOUNDARY & TOPOGRAPHIC SURVEY OF VB BTS II, LLC LEASE AREA

IN SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA

PARENT PARCEL DESCRIPTION (PER REFERENCED CERTIFICATE OF TITLE & O.R. 1019, PAGE 1141)

AN INTEREST IN LAND, SAID INTEREST BEING OVER A PORTION OF THE FOLLOWING DESCRIBED PARENT PARCEL:

SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, BEING A PART OF SECTION 28 AND SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, AND FURTHER BOUNDED AND DESCRIBED AS FOLLOWS:

STARTING AT THE NORTHWEST CORNER OF AFORESAID SECTION 27; THENCE S 0° 16' 12" E ALONG THE WEST LINE OF AFORESAID SECTION 27 A DISTANCE OF 50.00 FEET; THENCE N 89° 54' 45" E, A DISTANCE OF 30.00 FEET TO A POINT AND THE PRINCIPAL PLACE OF BEGINNING; THENCE S 0° 16' 12" E A DISTANCE OF 140.00 FEET; THENCE N 89° 54' 45" E, A DISTANCE OF 310.00 FEET; THENCE S 0° 16' 12" E, A DISTANCE OF 1163.27 FEET; THENCE S 42° 56' 20" E, A DISTANCE OF 116.03 FEET; THENCE N 79° 09' 09" E, A DISTANCE OF 127.14 FEET; THENCE S 10° 50' 51" E, A DISTANCE OF 200.00 FEET; THENCE S 30° 41' 16" E, A DISTANCE OF 176.78 FEET; THENCE S 68° 19' 34" E, A DISTANCE OF 200.00 FEET; THENCE N 22° 14' 45" E, A DISTANCE OF 559.41 FEET; THENCE BY CURVE DEFLECTING TO THE LEFT A DISTANCE OF 102.12 FEET, SAID CURVE HAVING A RADIUS OF 52.00 FEET AND A CHORD THAT BEARS N 34° 00' 44" W, A DISTANCE OF 86.48 FEET; THENCE S 89° 43' 48" W, A DISTANCE OF 436.53 FEET; THENCE BY A CURVE DEFLECTING TO THE RIGHT A DISTANCE OF 212.06 FEET, SAID CURVE HAVING A RADIUS OF 135.00 FEET AND A CHORD THAT BEARS N 45° 16' 12" W, A DISTANCE OF 190.92 FEET; THENCE N 0° 16' 12" W, A DISTANCE OF 1035.10 FEET; THENCE BY A CURVE DEFLECTING TO THE LEFT A DISTANCE OF 47.03 FEET, SAID CURVE HAVING A RADIUS OF 30.00 FEET AND A CHORD THAT BEARS N 45° 10' 44" W, A DISTANCE OF 42.36 FEET; THENCE S 89° 54' 45" W, A DISTANCE OF 390.10 FEET TO THE PLACE OF BEGINNING.

ALSO STARTING AT THE NORTHEAST CORNER OF SECTION 28; THENCE S 0° 16' 12" E ALONG THE EASTERLY LINE OF THE AFORESAID SECTION 28, A DISTANCE OF 50.0 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF MYERLEE COUNTRY CLUB BOULEVARD; THENCE S 89° 54' W ALONG THE AFORESAID RIGHT-OF-WAY LINE A DISTANCE OF 150.0 FEET TO A POINT AND THE PRINCIPAL PLACE OF BEGINNING; THENCE S 0° 16' 12" E, A DISTANCE OF 140.0 FEET; THENCE S 89° 54' W, A DISTANCE OF 300.0 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF MYERLEE COUNTRY CLUB BOULEVARD; THENCE N 0° 16' 12" W ALONG THE AFORESAID RIGHT-OF-WAY LINE, A DISTANCE OF 114.93 FEET; THENCE BY A CURVE DEFLECTING TO THE RIGHT A DISTANCE OF 39.34 FEET, SAID CURVE HAVING A RADIUS OF 25.0 FEET AND A CHORD THAT BEARS N 44° 48' 54" E, A DISTANCE OF 35.41 FEET; THENCE N 89° 54' E ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF MYERLEE COUNTRY CLUB BOULEVARD A DISTANCE OF 274.93 FEET TO THE POINT OF BEGINNING.

PARCEL ID NO.: 27-45-24-22-00000.00CE

THIS FURTHER BEING THE SAME PROPERTY CONVEYED TO MYERLEE GOLFSIDE EAST CONDOMINIUM ASSOCIATION, AN ASSOCIATION ORGANIZED PURSUANT TO CHAPTER 711, LAWS OF FLORIDA, 1971, AS TO MANAGEMENT RIGHTS, FROM L & M DEVELOPMENT CORP., A FLORIDA CORPORATION IN A DECLARATION OF CONDOMINIUM OF MYERLEE GOLF EAST CONDOMINIUM DATED JUNE 23, 1974 AND RECORDED JUNE 24, 1974 IN BOOK 1019 PAGE 1141 IN LEE COUNTY, FLORIDA.

VB BTS II, LLC LEASE AREA DESCRIPTION

A PARCEL OF LAND LYING IN SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; THENCE S00° 16' 12"E ALONG THE WEST LINE OF SAID SECTION 27 FOR 50.00 FEET; THENCE N89° 54' 45"E FOR 30.00 FEET; THENCE S00° 16' 12"E FOR 140.00 FEET; THENCE N89° 54' 45"E FOR 310.00 FEET; THENCE S00° 16' 12"E FOR 858.18 FEET; THENCE CONTINUE S00° 16' 12"E FOR 250.00 FEET; THENCE N89° 43' 48"E FOR 15.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE N00° 16' 12"W FOR 60.00 FEET; THENCE N89° 43' 48"E FOR 64.70 FEET; THENCE S29° 46' 20"W FOR 69.31 FEET; THENCE S89° 43' 48"W FOR 30.00 FEET TO THE POINT OF BEGINNING. SAID PARCEL OF LAND SITUATE, LYING AND BEING IN LEE COUNTY, FLORIDA, CONTAINING 2,841 SQUARE FEET MORE OR LESS.

VB BTS II, LLC 20' WIDE NON-EXCLUSIVE ACCESS & UTILITY EASEMENT DESCRIPTION

A 20-FEET WIDE NON-EXCLUSIVE EASEMENT STRIP OF LAND FOR THE PURPOSES OF ACCESS AND UTILITIES LYING IN SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; SAID EASEMENT STRIP OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; THENCE S00° 16' 12"E ALONG THE WEST LINE OF SAID SECTION 27 FOR 50.00 FEET; THENCE N89° 54' 45"E FOR 30.00 FEET; THENCE S00° 16' 12"E FOR 140.00 FEET; THENCE N89° 54' 45"E FOR 310.00 FEET; THENCE S00° 16' 12"E FOR 858.18 FEET; THENCE CONTINUE S00° 16' 12"E FOR 250.00 FEET; THENCE N89° 43' 48"E FOR 15.00 FEET; THENCE N00° 16' 12"W FOR 60.00 FEET; THENCE N89° 43' 48"E FOR 64.70 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT STRIP OF LAND; THENCE CONTINUE N89° 45' 08"E FOR 6.20 FEET; THENCE N52° 35' 51"E FOR 66.00 FEET, TO A NON-TANGENT POINT ON A CURVE AND AN INTERSECTION WITH THE SOUTHWEST RIGHT-OF-WAY LINE OF EDGEWATER CIRCLE (A COUNTY MAINTAINED 50' RIGHT-OF-WAY); THENCE SOUTHEASTERLY FOR 20.10 FEET ALONG SAID RIGHT-OF-WAY LINE AND ALONG THE ARC OF A CURVE, CONCAVE TO THE NORTHEAST, HAVING A RADIUS OF 135.00 FEET, CENTRAL ANGLE OF 8° 31' 46", SUBTENDED BY A CHORD HAVING A LENGTH OF 20.08 FEET AND BEARING S42° 27' 42"E; THENCE S52° 35' 51"W FOR 95.27 FEET; THENCE N60° 13' 40"W FOR 13.13 FEET; THENCE N29° 46' 20"E FOR 30.00 FEET TO THE POINT OF BEGINNING.

VB BTS II, LLC 15' WIDE NON-EXCLUSIVE UTILITY EASEMENT DESCRIPTION

A 15-FEET WIDE NON-EXCLUSIVE EASEMENT STRIP OF LAND FOR THE PURPOSES OF UTILITIES LYING IN SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; SAID EASEMENT STRIP OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST, LEE COUNTY, FLORIDA; THENCE S00° 16' 12"E ALONG THE WEST LINE OF SAID SECTION 27 FOR 50.00 FEET; THENCE N89° 54' 45"E FOR 30.00 FEET; THENCE S00° 16' 12"E FOR 140.00 FEET; THENCE N89° 54' 45"E FOR 310.00 FEET; THENCE S00° 16' 12"E FOR 858.18 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED EASEMENT STRIP OF LAND; THENCE CONTINUE S00° 16' 12"E FOR 250.00 FEET; THENCE N89° 43' 48"E FOR 15.00 FEET; THENCE N00° 16' 12"W FOR 250.00 FEET; THENCE S89° 43' 48"W FOR 15.00 FEET TO THE POINT OF BEGINNING.

SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON ARE ASSUMED AND REFERENCED TO THE WEST LINE OF THE PARENT PARCEL AS BEARING S00° 16' 12"E.
2. THE BOUNDARY & TOPOGRAPHIC SURVEY SHOWN HEREON IS BASED ON ACTUAL FIELD MEASUREMENTS AND OBSERVATIONS DATED JUNE 13, 2023.
3. THIS SURVEY MAP OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
4. CENTER OF PROPOSED TOWER LATITUDE, LONGITUDE AND ELEVATION SHOWN HEREON WERE ESTABLISHED FROM RTK GPS OBSERVATIONS REFERENCED TO THE FLORIDA DEPARTMENT OF TRANSPORTATION PERMANENT REFERENCE NETWORK (FPRN). THE VALUES FOR THE PROPOSED TOWER LATITUDE, LONGITUDE AND ELEVATION SHOWN HEREON EXCEED FAA "1-A" ACCURACY REQUIREMENTS. ELEVATIONS SHOWN HEREON ARE NAVD 88 AND REFERENCED TO THE FLORIDA DEPARTMENT OF TRANSPORTATION PERMANENT REFERENCE NETWORK (FPRN) AND NGS BENCHMARK L 719 (PID: DN3746) HAVING A PUBLISHED ELEVATION OF 5.07' NAVD 88.
5. THE PURPOSE OF THIS SURVEY IS TO SET MONUMENTATION FOR A PROPOSED TOWER SITE LEASE AREA AND PROVIDE LEGAL DESCRIPTIONS FOR SAID LEASE AREA AND ASSOCIATED EASEMENTS. THIS IS NOT A SURVEY OF THE PARENT TRACT.
6. MEASURED BEARINGS AND DISTANCES WERE IN SUBSTANTIAL AGREEMENT WITH RECORD DATA UNLESS OTHERWISE NOTED.
7. PROPERTY TIES ARE PERPENDICULAR MEASURE UNLESS OTHERWISE NOTED.
8. BASED UPON OUR FIELD WORK AND THE TITLE COMMITMENT, THE VB BTS II, LLC LEASE AREA HAS ACCESS TO EDGEWATER CIRCLE (A COUNTY MAINTAINED 50' WIDE PUBLIC RIGHT-OF-WAY) BY MEANS OF THE VB BTS II, LLC 20' WIDE NON-EXCLUSIVE ACCESS & UTILITY EASEMENT SHOWN IN THIS SURVEY, WHICH EASEMENT AREA LIES ENTIRELY WITHIN THE PARENT TRACT. NO EASEMENTS OR OTHER RIGHTS OF THIRD PARTIES DISCLOSED IN TO THIS SURVEYOR PRECLUDE ACCESS OVER THE PARENT TRACT FROM THE VB BTS II, LLC LEASE AREA TO EDGEWATER CIRCLE (THE PUBLIC RIGHT-OF-WAY).
9. THE VB BTS II, LLC LEASE AREA AND THE VB BTS II, LLC 20' WIDE NON-EXCLUSIVE ACCESS & UTILITY EASEMENT AND THE VB BTS II, LLC 15' WIDE NON-EXCLUSIVE UTILITY EASEMENT ARE LOCATED ENTIRELY WITHIN THE DESCRIBED PARENT TRACT.
10. THIS SURVEYOR HAS REVIEWED THE TITLE COMMITMENT, NUMBER VTB-130475-C, PREPARED BY TOWER AGENCY, LLC, AS AN AGENT FOR FIDELITY NATIONAL TITLE INSURANCE COMPANY, DATED OCTOBER 1, 2024. ALL PLOTTABLE MATTERS OF RECORD TITLE IDENTIFIED IN THAT COMMITMENT PERTINENT TO THE PARENT TRACT HAVE BEEN SHOWN OR NOTED HEREON.
11. AT THE TIME OF THIS SURVEY, THERE WERE NO VISIBLE ENCROACHMENTS AFFECTING THE VB BTS II, LLC LEASE AREA OR THE VB BTS II, LLC 20' WIDE NON-EXCLUSIVE ACCESS & UTILITY EASEMENT OR THE VB BTS II, LLC 15' WIDE NON-EXCLUSIVE UTILITY EASEMENT EXCEPT AS DEPICTED HEREON.
12. ACCORDING TO THE LEE COUNTY GOVERNMENT WEBSITE (LEEGOV.COM), EDGEWATER CIRCLE IS A COUNTY MAINTAINED PUBLIC ROAD. THE WIDTH OF EDGEWATER CIRCLE IS BASED ON THE GAP BETWEEN METES AND BOUNDS DESCRIPTIONS OF THE LANDS ON EACH SIDE OF EDGEWATER CIRCLE. RECORDING INFORMATION FOR EDGEWATER CIRCLE WAS NOT FOUND BY NOR PROVIDED TO THIS SURVEYOR.
13. THE BOUNDARY SURVEY DEPICTED HEREON IS BASED ON THE CERTIFICATE OF TITLE PROVIDED BY LISA M. SUPER, ESQ. PER THE OPINION OF TITLE LETTER DATED NOVEMBER 6, 2024.
14. THIS SURVEY CONSIST OF 2 SHEETS. SEE SHEET 2 FOR LEASE AREA AND EASEMENT DATA AND TOPOGRAPHIC INFORMATION AND ADDITIONAL INFORMATION.

TITLE COMMITMENT NOTE

THIS SURVEY MAP DEPICTS THE LOCATION OF RECORDED ENCUMBRANCES, EASEMENTS, AND OTHER MATTERS LISTED IN THE SCHEDULE B-II OF THE TITLE COMMITMENT, NUMBER VTB-130475-C, PREPARED BY TOWER AGENCY, LLC, AS AN AGENT FOR FIDELITY NATIONAL TITLE INSURANCE COMPANY, DATED APRIL 14, 2022.

SEE SHEET 2 FOR NOTES

David W Stonecypher

Digitally signed by David W Stonecypher
Date: 2024.11.08 10:58:00 -05'00'

REVISION: 11-8-24 UPDATED TITLE INFORMATION

DAVID WILLIAM STONECYPHER LICENSE No. LS6391 STATE OF FLORIDA

SURVEYOR'S CERTIFICATION

I HEREBY CERTIFY TO: VERTICAL BRIDGE REIT, LLC, A DELAWARE LIMITED LIABILITY COMPANY, ITS SUBSIDIARIES, AND THEIR RESPECTIVE SUCCESSORS AND/OR ASSIGNS; TORONTO DOMINION (TEXAS) LLC, AS ADMINISTRATIVE AGENT, FOR ITSELF AND ON BEHALF OF THE LENDERS PARTIES FROM TIME TO TIME TO THAT CERTAIN SECOND AMENDED AND RESTATED LOAN AGREEMENT DATED JUNE 17, 2016 WITH VERTICAL BRIDGE HOLDCO, LLC, AS BORROWER, AND VERTICAL BRIDGE HOLDCO PARENT, LLC, AS PARENT, AS MAY BE AMENDED, RESTATED, MODIFIED OR RENEWED, THEIR SUCCESSORS AND ASSIGNS AS THEIR INTERESTS MAY APPEAR; AND FIDELITY NATIONAL TITLE INSURANCE COMPANY; AND TOWER AGENCY, LLC; AND STRATEGIC MARKET SERVICES-FNT; AND VB BTS II, LLC, ITS AFFILIATES, SUBSIDIARIES & LENDERS.

THIS SURVEY HAS BEEN DIGITALLY SIGNED AND SEALED BY DAVID W. STONECYPHER, PSM, ON 11/08/2024.

PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

STONECYPHER SURVEYING INC.
1225 NW 16TH AVENUE GAINESVILLE, FLORIDA 32601
Tel.: (352) 379-0948
Email: dws@stone-survey.com
WWW.STONE-SURVEY.COM
Professional Surveying & Mapping Certificate of Authorization No.: LB 7810

BOOK/PAGE	52/38	SCALE	1"=100'
DRAWN	DWS	DATE	JUNE 13, 2023
CHECKED	DWS	PROJECT #	23-0053

This map prepared by: 11-8-2024
DAVID W. STONECYPHER
PROFESSIONAL SURVEYOR & MAPPER FLA. LICENSE NO. 6391

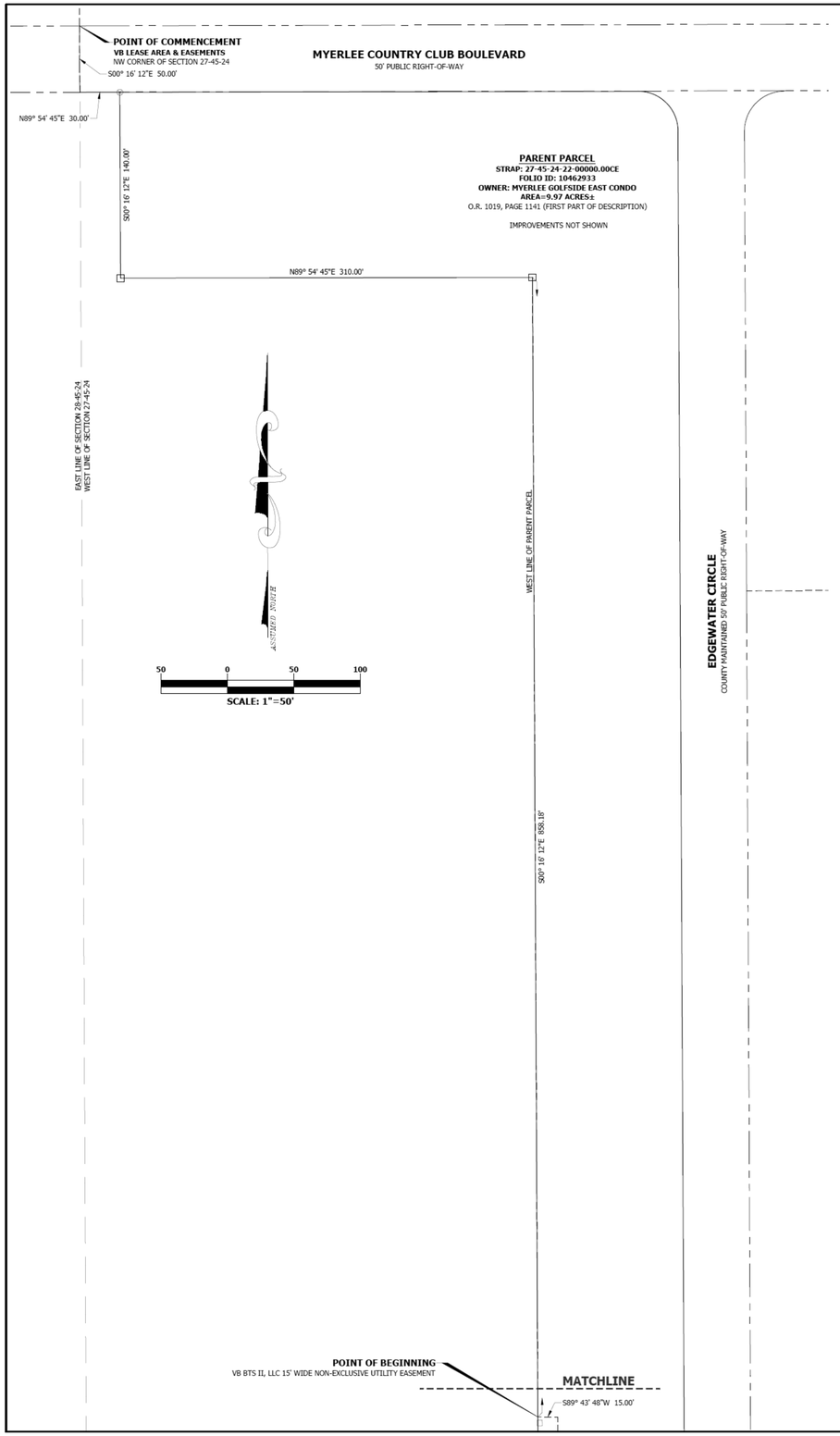
SITE NAME: MYERLEE
SITE NUMBER: US-FL-7108
1428 EDGEWATER CIRCLE, FORT MYERS, FLORIDA 33919

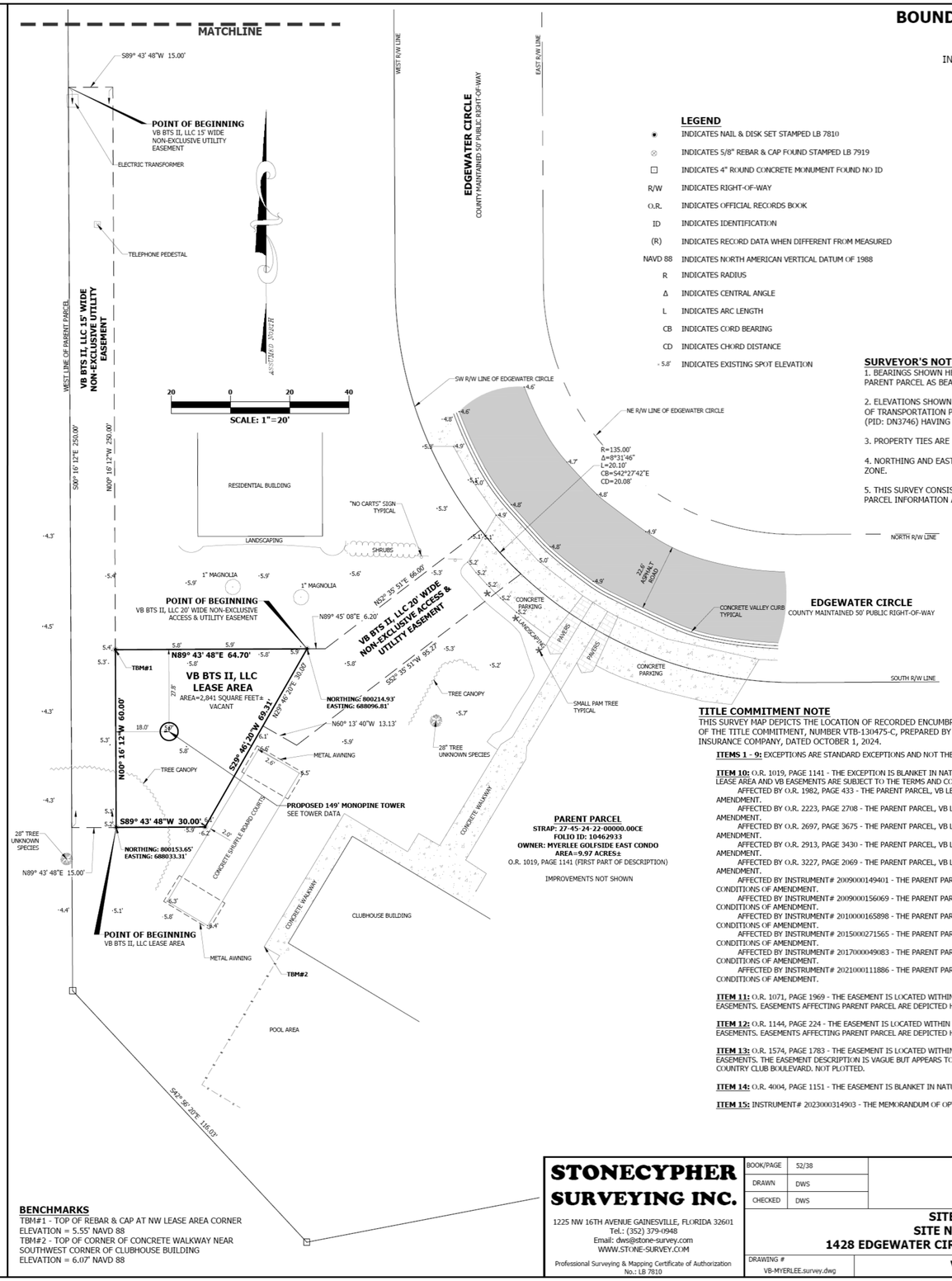
DRAWING # VB-MYERLEE.survey.dwg	VB BTS II, LLC	SHEET # 1 OF 2

FOR REFERENCE ONLY - DIGITALLY SIGNED UNDER SEPARATE COVER

BOUNDARY & TOPOGRAPHIC SURVEY OF VB BTS II, LLC LEASE AREA

IN SECTION 27, TOWNSHIP 45 SOUTH, RANGE 24 EAST,
LEE COUNTY, FLORIDA





LEGEND

●	INDICATES NAIL & DISK SET STAMPED LB 7810
⊘	INDICATES 5/8" REBAR & CAP FOUND STAMPED LB 7919
□	INDICATES 4" ROUND CONCRETE MONUMENT FOUND NO ID
R/W	INDICATES RIGHT-OF-WAY
O.R.	INDICATES OFFICIAL RECORDS BOOK
ID	INDICATES IDENTIFICATION
(R)	INDICATES RECORD DATA WHEN DIFFERENT FROM MEASURED
NAVD 88	INDICATES NORTH AMERICAN VERTICAL DATUM OF 1988
R	INDICATES RADIUS
Δ	INDICATES CENTRAL ANGLE
L	INDICATES ARC LENGTH
CB	INDICATES CORD BEARING
CD	INDICATES CHORD DISTANCE
- 5.8'	INDICATES EXISTING SPOT ELEVATION

SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON ARE ASSUMED AND REFERENCED TO THE WEST LINE OF THE PARENT PARCEL AS BEARING S00° 16' 12"E.
2. ELEVATIONS SHOWN HEREON ARE NAVD 88 AND REFERENCED TO THE FLORIDA DEPARTMENT OF TRANSPORTATION PERMANENT REFERENCE NETWORK (FPRN) AND NGS BENCHMARK L 719 (PID: DN3746) HAVING A PUBLISHED ELEVATION OF 5.07' NAVD 88.
3. PROPERTY TIES ARE PERPENDICULAR MEASURE UNLESS OTHERWISE NOTED.
4. NORTHING AND EASTING SHOWN HEREON ARE STATE PLANE COORDINATES, FLORIDA WEST ZONE.
5. THIS SURVEY CONSIST OF 2 SHEETS. SEE SHEET 2 FOR LEGAL DESCRIPTIONS, NOTES, PARENT PARCEL INFORMATION AND ADDITIONAL INFORMATION.

PARENT PARCEL
STRAP: 27-45-24-22-00000.00CE
FOLIO ID: 10462933
OWNER: MYERLEE GOLFSIDE EAST CONDO
AREA=9.97 ACRES±
O.R. 1019, PAGE 1141 (FIRST PART OF DESCRIPTION)
IMPROVEMENTS NOT SHOWN

TITLE COMMITMENT NOTE

THIS SURVEY MAP DEPICTS THE LOCATION OF RECORDED ENCUMBRANCES, EASEMENTS, AND OTHER MATTERS LISTED IN THE SCHEDULE B-II OF THE TITLE COMMITMENT, NUMBER VTB-130475-C, PREPARED BY TOWER AGENCY, LLC, AS AN AGENT FOR FIDELITY NATIONAL TITLE INSURANCE COMPANY, DATED OCTOBER 1, 2024.

ITEMS 1 - 9: EXCEPTIONS ARE STANDARD EXCEPTIONS AND NOT THE TYPE TO BE DEPICTED HEREON.

ITEM 10: O.R. 1019, PAGE 1141 - THE EXCEPTION IS BLANKET IN NATURE. THE DOCUMENT DESCRIBES THE PARENT PARCEL. THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF DECLARATION OF CONDOMINIUM.
AFFECTED BY O.R. 1982, PAGE 433 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.
AFFECTED BY O.R. 2223, PAGE 2708 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.
AFFECTED BY O.R. 2697, PAGE 3675 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.
AFFECTED BY O.R. 2913, PAGE 3430 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.
AFFECTED BY O.R. 3227, PAGE 2069 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.
AFFECTED BY INSTRUMENT# 2009000149401 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.
AFFECTED BY INSTRUMENT# 2009000156069 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.
AFFECTED BY INSTRUMENT# 2010000165898 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.
AFFECTED BY INSTRUMENT# 2015000271565 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.
AFFECTED BY INSTRUMENT# 2017000049083 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.
AFFECTED BY INSTRUMENT# 2021000111886 - THE PARENT PARCEL, VB LEASE AREA AND VB EASEMENTS ARE SUBJECT TO THE TERMS AND CONDITIONS OF AMENDMENT.

ITEM 11: O.R. 1071, PAGE 1969 - THE EASEMENT IS LOCATED WITHIN THE PARENT PARCEL, BUT IS NOT LOCATED WITHIN THE LEASE AREA OR ANY VB EASEMENTS. EASEMENTS AFFECTING PARENT PARCEL ARE DEPICTED HEREON.

ITEM 12: O.R. 1144, PAGE 224 - THE EASEMENT IS LOCATED WITHIN THE PARENT PARCEL, BUT IS NOT LOCATED WITHIN THE LEASE AREA OR ANY VB EASEMENTS. EASEMENTS AFFECTING PARENT PARCEL ARE DEPICTED HEREON.

ITEM 13: O.R. 1574, PAGE 1783 - THE EASEMENT IS LOCATED WITHIN THE PARENT PARCEL, BUT IS NOT LOCATED WITHIN THE LEASE AREA OR ANY VB EASEMENTS. THE EASEMENT DESCRIPTION IS VAGUE BUT APPEARS TO LIE IN THE NORTHERLY PORTION OF THE PARENT PARCEL ALONG MYERLEE COUNTRY CLUB BOULEVARD. NOT PLOTTED.

ITEM 14: O.R. 4004, PAGE 1151 - THE EASEMENT IS BLANKET IN NATURE. THE DOCUMENT DESCRIBES THE PARENT PARCEL.

ITEM 15: INSTRUMENT# 2023000314903 - THE MEMORANDUM OF OPTION TO LEASE DOCUMENT DESCRIBES THE PARENT PARCEL.

BENCHMARKS

TBM#1 - TOP OF REBAR & CAP AT NW LEASE AREA CORNER
ELEVATION = 5.55' NAVD 88
TBM#2 - TOP OF CORNER OF CONCRETE WALKWAY NEAR SOUTHWEST CORNER OF CLUBHOUSE BUILDING
ELEVATION = 6.07' NAVD 88

STONECYPHER SURVEYING INC.
1225 NW 16TH AVENUE GAINESVILLE, FLORIDA 32601
Tel.: (352) 379-0948
Email: dws@stone-survey.com
WWW.STONE-SURVEY.COM
Professional Surveying & Mapping Certificate of Authorization No.: LB 7810

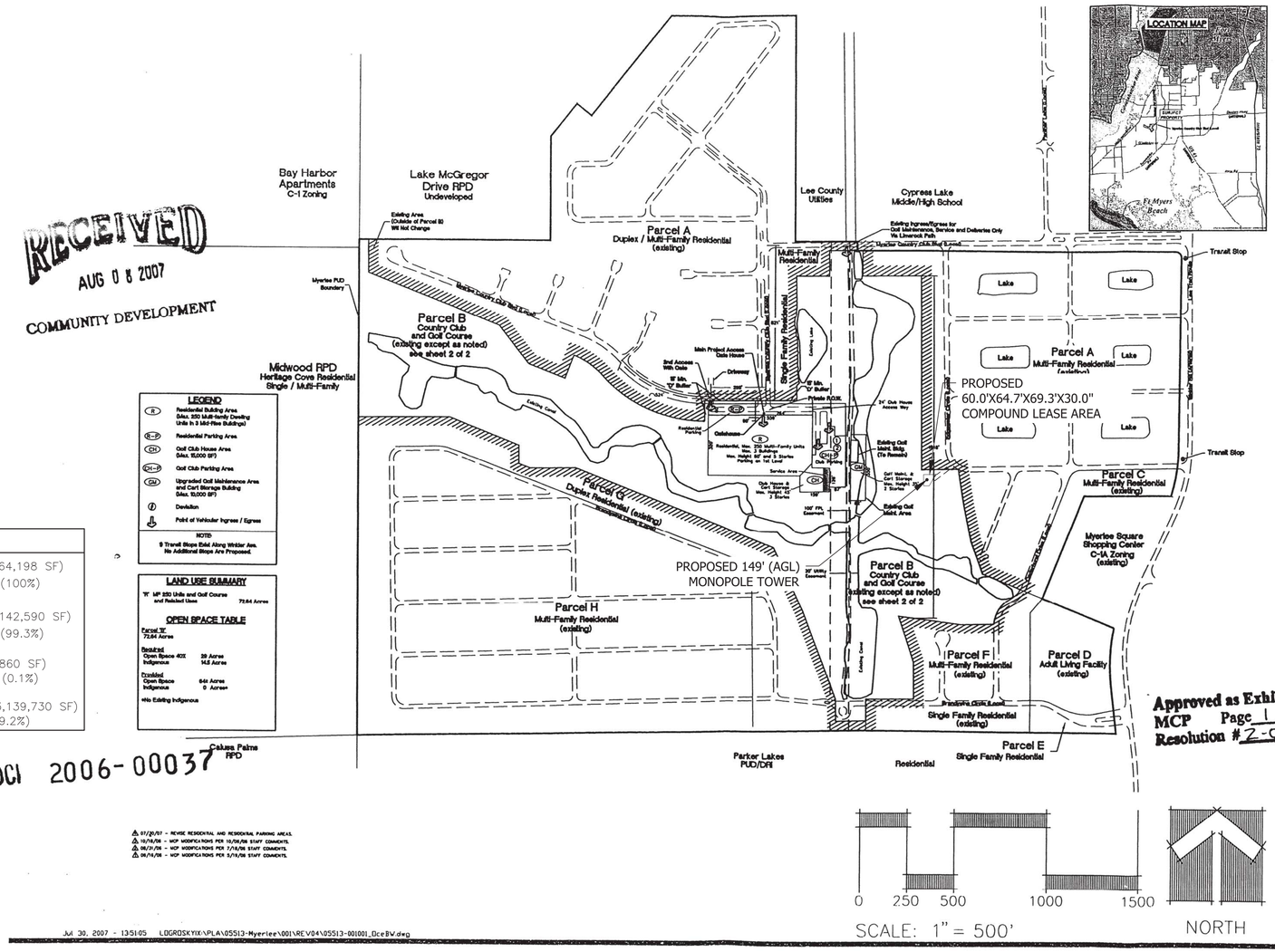
BOOK/PAGE	52/38			SCALE	AS SHOWN
DRAWN	DWS			DATE	JUNE 13, 2023
CHECKED	DWS			PROJECT #	23-0053

SITE NAME: MYERLEE
SITE NUMBER: US-FL-7108
1428 EDGEWATER CIRCLE, FORT MYERS, FLORIDA 33919

DRAWING # VB-MYERLEE.survey.dwg	**VB BTS II, LLC**	SHEET # **2 OF 2**

FOR REFERENCE ONLY - DIGITALLY SIGNED UNDER SEPARATE COVER

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COMMUNITY DEVELOPMENT



LEGEND

R	Residential Building Area. (Max. 250 Multi-family Dwelling Units in 3 Mid-Rise Buildings)
R-P	Residential Parking Area.
CH	Golf Club House Area (Max. 15,000 SF)
CH-P	Golf Club Parking Area
CM	Upgraded Golf Maintenance Area and Cart Storage Building (Max. 15,000 SF)
	Deviation
	Point of Vehicular Ingress / Egress

NOTES
9 Transit Stops Exist Along Winkler Ave. No Additional Stops Are Proposed.

LAND USE SUMMARY

"R" MF 250 Units and Golf Course and Related Uses — 72.64 Acres

OPEN SPACE TABLE

Parcel "B" 72.64 Acres

Required		
Open Space 40%		29 Acres
Indigenous		14.5 Acres
Provided		
Open Space	64± Acres	
Indigenous	9 Acres+	

+No Existing Indigenous

OPEN SPACE		
TOTAL PARCEL B AREA	= 72.64 AC	(3,164,198 SF) (100%)
CURRENT OPEN SPACE	= 72.14 AC	(3,142,590 SF) (99.3%)
NEW TOWER COMPOUND	= 0.07 AC	(2,860 SF) (0.1%)
POST DEVELOPMENT OPEN SPACE	= 72.07 AC	(3,139,730 SF) (99.2%)

DCI 2006-00037

Approved as Exhibit C
MCP Page 1 of 2
Resolution # Z-07-001

07/30/07 - REVISE RESIDENTIAL AND RESIDENTIAL PARKING AREAS.
10/18/06 - MCP MODIFICATIONS PER 10/06/06 STAFF COMMENTS.
08/21/06 - MCP MODIFICATIONS PER 7/18/06 STAFF COMMENTS.
06/14/06 - MCP MODIFICATIONS PER 5/19/06 STAFF COMMENTS.

Jul 30, 2007 - 13:51:05 L:\OGROSKYIX\PLA\05513-Myerlee\001\REV04\05513-001001_DceBW.dwg

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MYERLEE COUNTRY CLUB & GOLF COURSE
EXHIBIT IV-F
MASTER CONCEPT PLAN FOR
PARCEL B OF THE MYERLEE PUD
PREPARED FOR: MYERLEE COUNTRY CLUB, INC.

EXHIBIT "C"
The Master Concept Plan

SEC 28 TWP 45S RGE 24E	
Designed by:	
Drawn by:	DWP/686
Checked by:	SJO/626
Approved by:	
Date:	03/15/06
Scale:	1"=500'
PIN: 05513-000-000 22100	
File #:	B-05513-001
Sheet	1 of 2

B+T GRP

vertical bridge

VERTICAL BRIDGE
MYERLEE
VB #: US-FL-7108
TMO #: ----
1428 EDGEWATER CIRCLE
FORT MYERS, FL 32703
LEE COUNTY

PID #: 27-45-24-22-00000.00CE

PROPOSED 149' (AGL) MONOPOLE

PROJECT NO:	G0168095.001.01
CHECKED BY:	DLS

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION
1	8/23/23	BCT	FINAL
2	6/21/24	DS/MS	FINAL
3	7/01/24	DLS	FINAL
4	10/22/24	MAS	FINAL

B&T ENGINEERING, INC.
1717 S. BOULDER AVENUE
TULSA, OK 74119
COA: 27496

CHAD TUTTLE, P.E.
B&T ENGINEERING, INC
This Item has been digitally signed and sealed by Chad Tuttle on the date adjacent to the seal. Printed copies of this document are not considered signed and sealed and the signature must be verified on any electronic copies.

CHAD E. TUTTLE LICENSE No. 57199 STATE OF FLORIDA PROFESSIONAL ENGINEER

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

CONCEPT PLAN

SHEET NUMBER:
CP-1

SECTION B. CONDITIONS:

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

1. The development of the proposed project on this portion of the Myerlee development must be consistent with the 2-page Master Concept Plan (MCP) entitled "Myerlee Country Club and Golf Course," dated 03/15/06, last revised 07/30/07, date stamped "Received Aug 08 2007 Community Development," and attached hereto as Exhibit C, except as modified by the conditions below. This development must comply with all requirements of the LDC at time of local development order approval, except as may be granted by deviation as part of this planned development. If changes to the MCP are subsequently pursued, appropriate approvals will be necessary.

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

   a. Schedule of Uses
   Uses allowed in this portion of the development are limited to the following:

Accessory Uses and Structures
Administrative offices
Club: Country and Private as limited on the approved MCP
Consumption on Premises - limited to the clubhouse (including outdoor seating) and golf course
Dwelling Unit: Multiple-family Building
Essential Services
Essential Service Facilities, Group I
Parking, accessory
Signs, in conformance with Chapter 30 of the LDC
One Monopole Wireless Communication Facility, 149' in height above ground level, exclusive of lighting rod.

   b. Site Development Regulations

MYERLEE PUD PARCEL B

	MULTI-FAMILY "R" MAX of 250 UNITS	RESIDENTIAL ACCESSORY STRUCTURES	RECREATIONAL ACCESSORY STRUCTURES	GOLF COURSE ACCESSORY STRUCTURE	MAINTENANCE FACILITY "GM" MAX.10,000 SF
AREA (SF)	N/A	N/A	N/A	N/A	N/A
DEPTH (FT)	N/A	N/A	N/A	N/A	N/A
WIDTH (FT)	N/A	N/A	N/A	N/A	N/A
SIDE (FT)	15	5	15	5	5
REAR (FT)	10	5	20	5	5
FRONT/ROAD (FT)	20	10	20	10	10
WATER BODY (FT)	20	0	0	0	0
GOLF COURSE (FT)	0	0	0	0	0
MAX. HEIGHT (FT)	60	45	45	45	35
MAX. NO. OF FLOORS	5	3	3	3	2
MIN. BLDG. SEPARATION	40	N/A	15	10	10
MAX. LOT COVERAGE	60	N/A	N/A	N/A	N/A

The Monopole Wireless Communication Facility may be constructed to 149'm exclusive of lighting rod.

The maximum lot coverage is based on the percentage of coverage on the development parcel, not on the entire land area of the described project which includes the golf course.

Accessory Use and Structure setbacks must comply with LDC §§34-1171, *et seq.* and 34-2194.

SECTION C. DEVIATIONS:

1. Deviation (1) seeks relief from the §34-2017(b)(1) requirement of paved surfacing for all parking spaces supporting the clubhouse, to allow the provision of 58 paved parking spaces and 28 grassed parking spaces in support of the clubhouse. This deviation is APROVED, SUBJECT to the condition that parking is consistent with the "Club House Parking Detail" plan depicted on Page 2 of the MCP.

2. Deviation (2) seeks relief from the §34-2020 requirement that meeting halls and other places for group assembly provide one parking space per 100 square feet, to allow the clubhouse parking area to provide a total of 86 parking spaces (as provided for in Deviation 1). This deviation is APPROVED, SUBJECT TO the condition that the clubhouse does not exceed a maximum of 15,000 square feet of floor area. In this instance, floor area also includes any areas devoted to outdoor seating.

Deviation 3:

Deviation three seeks relief from §34-1447(c)(1) in the amount of 32', allowing a southern tower setback of 117' in lieu of 149' and one deviation from 34-1447(c)(1) in the amount of 125', allowing a western tower setback of 28' in lieu of 149'. both deviation requests are technical in nature as the neighboring parcel to the South and West is a golf course. Therefore, the sound planning objective of providing 100% tower height separation from the nearest residential properties in those directions is met several times over as the nearest residential structures to the South and West are located 789' and 858' respectively.

Deviation 4:

One deviation four seeks relief from §34-1447(b) in the amount of 74' to allow a 149' tall structure in lieu of the 75' height cap.

Deviation 5:

Deviation 5 sees relief from §34-1447(d)(4)c.1 to allow the landscape buffer on the Southeast side of the compound to be shifted approximately 20' away from the compound fence, to allow the continued operation of the existing Shuffle Board Court, which is immediately adjacent to the compound fence.

B+T GRP

verticalbridge

VERTICAL BRIDGE
MYERLEE
VB #: US-FL-7108
TMO #: ----
1428 EDGEWATER CIRCLE
FORT MYERS, FL 32703
LEE COUNTY

PID #: 27-45-24-22-00000.00CE
PROPOSED 149' (AGL) MONOPOLE

PROJECT NO:	**G0168095.001.01**
CHECKED BY:	**DLS**

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION
1	8/23/23	BCT	FINAL
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4	10/22/24	MAS	FINAL

B&T ENGINEERING, INC.
1717 S. BOULDER AVENUE
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COA: 27496

CHAD TUTTLE, P.E.
B&T ENGINEERING, INC
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CHAD E. TUTTLE LICENSE No. 57199 STATE OF FLORIDA PROFESSIONAL ENGINEER

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PUD CONDITIONS

SHEET NUMBER:
PUD-1



FLUCCS
VEGETATION TABLE

DISTURBANCE LOCATION	FLUCCS CODE
ACCESS/UTILITY ESMT	182132
TOWER COMPOUND	182132
LANDSCAPE BUFFER	182132
FLUCCS VEGETATION CODE DEFINITIONS:	
182132–LOW INTENSITY URBAN GRASS (LANDS THAT ARE USED FOR GOLF COURSES)	

N

0' 40' 80' 120' 160' 1"=80'

CALL FLORIDA ONE CALL
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CALL 3 WORKING DAYS
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B+T GRP

vertical bridge

VERTICAL BRIDGE
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CHAD E. TUTTLE LICENSE No. 57199 STATE OF FLORIDA PROFESSIONAL ENGINEER

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FLUCCS VEGETATION MAP

SHEET NUMBER:
FLU-1



NEAREST RESIDENTIAL STRUCTURES

NORTH:	226'± (D4)
EAST:	268'±
SOUTH:	798'±
WEST:	858'±

ADDITIONAL RESIDENCES:
CONDOMINIUM: 228' NORTHEAST (D3)
CONDOMINIUM: 226' NORTHEAST (D4)

NO RESIDENTIAL STRUCTURES PRESENT WITHIN 66' OF PROPOSED TOWER.
D1= 66'±
D2= 214'±
D3= 228'±

NOTE: ALL DIMENSIONS SHOWN ARE FROM THE OUTER EDGE OF PROPOSED TOWER.

IMPERVIOUS AREA

TOTAL 'PARCEL B' AREA = 3,164,198 SF (72.64 AC)

EXISTING IMPERVIOUS AREA (PARCEL B)
BUILDINGS/GOLF CART PATHS = 168,503 SF (5.3%)

NEW IMPERIOUS AREA

GRAVEL COMPOUND	=	2,860 SF
GRAVEL DRIVEWAY	=	1,096 SF
TOTAL NEW AREA	=	3,956 SF (0.13%)

TOTAL POST DEVELOPMENT
IMPERVIOUS AREA = 172,459 SF (5.5%)

STORMWATER RUNOFF

Q = C*I*A

PRE-DEVELOPMENT:

Cw = 0.4766
I = 0.305 IN/HR PER NOAA ATLAS 14 10YR, 24HR STORM EVENT
A = 72.64 AC

Qpre = 0.4766 * 0.305 * 72.64
= 10.56 CFS

POST-DEVELOPMENT

Cw = 0.4773
I = 0.305 IN/HR PER NOAA ATLAS 14 10YR, 24HR STORM EVENT
A = 72.64 AC

Qpost = 0.4773 * 0.305 * 72.64
= 10.57 CFS

Qpost − Qpre < 0.1 CFS

NET INCREASE IN STORMWATER DISCHARGE IS DE MINIMIS (LESS THAN 0.1 CFS).

CALL FLORIDA ONE CALL
(800) 432-4770
CALL 3 WORKING DAYS
BEFORE YOU DIG!

N

0' 100' 200' 300' 400' 1"=200'

B+T GRP

verticalbridge

VERTICAL BRIDGE
MYERLEE
VB #: US-FL-7108
TMO #: ----
1428 EDGEWATER CIRCLE
FORT MYERS, FL 32703
LEE COUNTY

PID #: 27-45-24-22-00000.00CE

PROPOSED 149' (AGL) MONOPOLE

PROJECT NO:	**G0168095.001.01**
CHECKED BY:	**DLS**

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION
1	8/23/23	BCT	FINAL
2	6/21/24	DS/MS	FINAL
3	7/01/24	DLS	FINAL
4	10/22/24	MAS	FINAL

B&T ENGINEERING, INC.
1717 S. BOULDER AVENUE
TULSA, OK 74119
COA: 27496

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AERIAL MAP

SHEET NUMBER:
C-1.0

DCI2024-00010 Lee County ePlan
Additional info dated 11-14-2024

SURFACE WATER MANAGEMENT PLAN

DESCRIPTION:

THE EXISTING STORMWATER RUNOFF PATTERN FOR THE PROPOSED LEASE AREA CONSISTS OF SURFACE FLOWS GENERALLY RUNNING TO THE INTERIOR OF THE GOLF COURSE/FAIRWAY. THE AREA OF THE PROPOSED GRAVEL DRIVEWAY GENERALLY DRAINS TO THE STREET. AS THE ABOVE RUNOFF CALCULATIONS SHOW, THERE IS NO MEASURABLE INCREASE IN RUNOFF EITHER TO THE GOLF COURSE OR STREET RESULTING FROM THIS PROPOSED SITE IMPROVEMENT. ONSITE RETENTION IS NOT REQUIRED OR PROVIDED.

THE PROPOSED DRAINAGE CONCEPT IS TO MATCH THE EXISTING FLOW PATTERNS. NO RE-ROUTING OF STORMWATER IS PROPOSED.

THIS SITE HAS BEEN DEVELOPED AS A GOLF COURSE WITH THE CENTER OF THE GOLF COURSE CONTAINING A LARGE POND/RETENTION AREA. STORMWATER SURFACE FLOWS FROM THE PROPOSED CELL TOWER COMPOUND CURRENTLY FLOW TOWARD THIS RETENTION AREA. SURFACE FLOWS ALONG THE PROPOSED GRAVEL DRIVEWAY LOCATION CURRENTLY FLOW EAST TO THE STREET AND WILL CONTINUE TO DO SO. NO MEASURABLE ADDITIONAL RUNOFF FROM THIS CELL TOWER SITE DEVELOPMENT WILL BE ADDED EITHER TO THE GOLF COURSE RETENTION BASIN OR DRAINING TO THE STREET. THEREFORE NO NEW RETENTION OR DRAINAGE EASEMENTS ARE REQUIRED.

THIS SITE HAS BEEN DEVELOPED AS A GOLF COURSE. THERE ARE NO NATURAL FEATURES. PROPOSED SITE GROUND IMPROVEMENTS WILL CONSIST OF GROUND EQUIPMENT AND DRIVEWAY PLACED ON GRADE, WITH NO EXCAVATION FOR RETENTION BASINS PROPOSED THAT MAY INTERFERE WITH THE EXISTING WATER TABLE. REMOVED TURF WILL BE REPLACED OUTSIDE OF THE COMPOUND AND DRIVEWAY WITH DECORATIVE PALM TREES AND HEDGES.

THE PROPOSED LEASE AREA IS NOT IN A FEMA MAPPED FLOODPLAIN. ANY GROUND TELECOM EQUIPMENT WILL BE PLACED WITHIN CABINETS ON CONCRETE PADS A MINIMUM 12" ABOVE EXISTING ADJACENT GRADES FOR PROTECTION AGAINST THE 100-YEAR STORM FLOOD EVENT.

PROTECTED SPECIES:

AN ANALYSIS OF PROTECTED SPECIES WAS PERFORMED THAT CONCLUDED THAT THERE ARE NO KNOWN PROTECTED SPECIES OCCUPYING THE PROPOSED CELL TOWER LEASE AREA OR THE OVERALL GOLF COURSE PARCEL 'B'. THE NEAREST OBSERVED BALD EAGLE NEST LIES APPROXIMATELY 0.7 MILES WEST-SOUTHWEST OF THE PROPOSED DEVELOPMENT. THE NEAREST OBSERVED WOOD STORK COLONY LIES APPROXIMATELY 10.4 MILES NORTH-NORTHEAST OF THE PROPOSED DEVELOPMENT. MAPS OF BOTH HABITATS ARE INCLUDED ON SHEET C-1.0.2.

PHASED DEVELOPMENT:

THIS PROJECT IS PROPOSED AS A SINGLE PHASE.

REGIONAL IMPACT:

THE PARENT PARCEL HAS PREVIOUSLY BEEN FULLY DEVELOPED. THE PROPOSED SITE IMPROVEMENTS DETAILED IN THIS PLAN CONSIST ONLY OF A CELL TOWER AND GROUND EQUIPMENT WITHIN A FENCED COMPOUND. THE COMPOUND SHALL BE SCREENED BY PERIMETER LANDSCAPING IN COMPLIANCE WITH THE LEE COUNTY DEVELOPMENT CODE, THERE WILL BE NO MEASURABLE IMPACT ON THE REGION IN TERMS STORMWATER RUNOFF OR QUALITY. THE PROPOSED SITE IMPROVEMENTS ARE LIMITED TO THE CELL TOWER AND EQUIPMENT AND WILL CONTAIN NO HABITABLE STRUCTURES.

B+T GRP

vertical bridge

VERTICAL BRIDGE

MYERLEE

VB #: US-FL-7108
TMO #: ----
1428 EDGEWATER CIRCLE
FORT MYERS, FL 32703
LEE COUNTY

PID #: 27-45-24-22-00000.00CE

PROPOSED 149' (AGL) MONOPOLE

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CHECKED BY:	**DLS**

ISSUED FOR:

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1717 S. BOULDER AVENUE
TULSA, OK 74119
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SURFACE WATER MANAGEMENT PLAN

SHEET NUMBER:

C-1.0.1

EagleWatch Map



6/20/2024, 11:55:36 AM

Bald Eagle Nest Locations

- This nest was not monitored by the Audubon Eagle Watch Program last season

1:9,028

0 0.05 0.1 0.2 mi

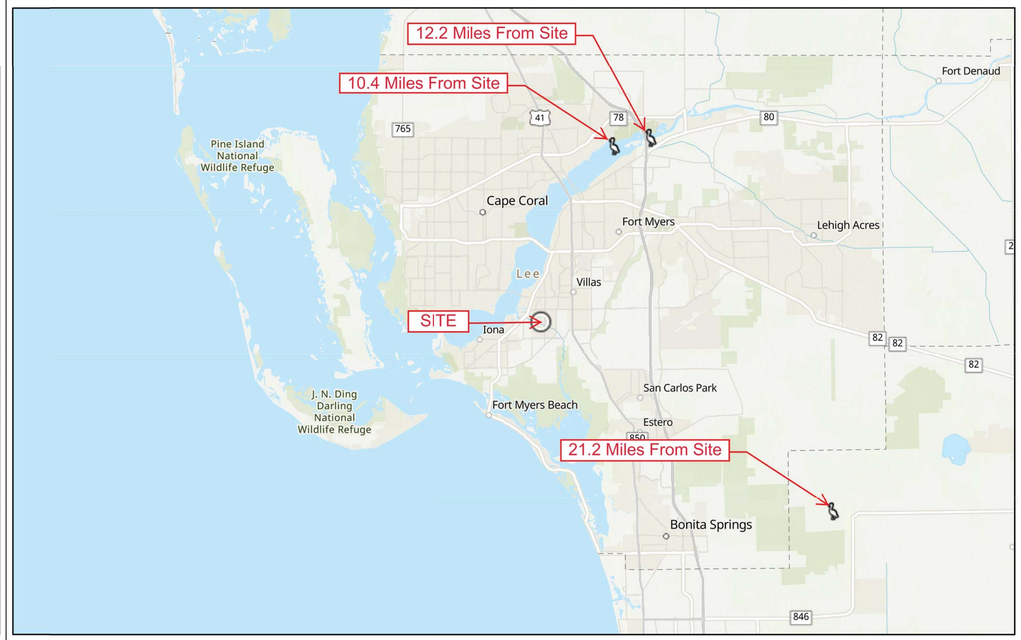
0 0.1 0.2 0.4 km

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ArcGIS Web AppBuilder

Lee County, FL, Maxar | Esri Community Maps Contributors, University of South Florida, County of Lee, FL, FDEP, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA,

Wood Stork Colonies Map - Myerlee



6/20/2024

Florida Woodstork Nesting Colonies

World Hillshade

1:432,742

0 3.25 6.5 13 mi

0 5 10 20 km

University of South Florida, County of Lee, FL, FDEP, Esri, TomTom, Garmin, SafeGraph, FAO, METI/NASA, USGS, EPA, NPS, USFWS, Esri, NASA,

B+T GRP

vertical bridge

VERTICAL BRIDGE

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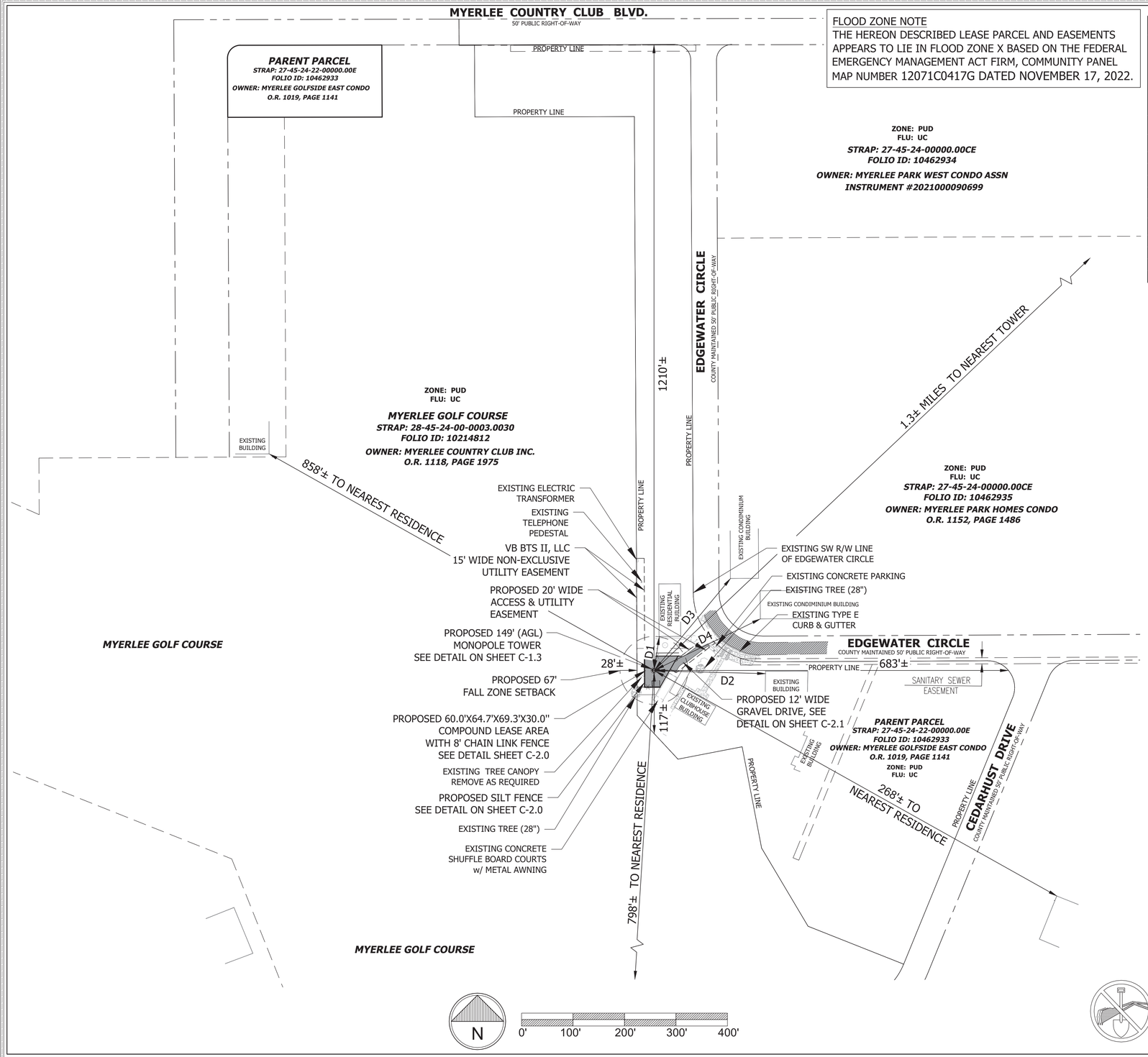
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PROTECTED SPECIES EXHIBIT

SHEET NUMBER:

C-1.0.2



FLOOD ZONE NOTE

THE HEREON DESCRIBED LEASE PARCEL AND EASEMENTS APPEARS TO LIE IN FLOOD ZONE X BASED ON THE FEDERAL EMERGENCY MANAGEMENT ACT FIRM, COMMUNITY PANEL MAP NUMBER 12071C0417G DATED NOVEMBER 17, 2022.

TOWER DATA

PROPOSED 149' (AGL) MONOPOLE TOWER

NAD 83
LATITUDE: 26° 32' 06.27" (26.5350750°)N
LONGITUDE: −81° 54' 08.93" (−81.9024806°)W
GROUND ELEVATION: 5.7

TOWER SETBACKS

PARENT TRACT	REQUIRED	PROVIDED	RELIEF
NORTH (N)	149'	1210' ±	0' ±
EAST (E)	149'	683' ±	0' ±
SOUTH (S)	149'	117' ±	32' ±
WEST (W)	149'	28' ±	121' ±

COMPOUND SETBACKS

PARENT TRACT	REQUIRED	PROVIDED	RELIEF
NORTH (N)	20'	1188'±	0'±
EAST (E)	20'	111'±	0'±
SOUTH (S)	15'	70'±	0'±
WEST (W)	15'	15'±	0'±

NEAREST RESIDENTIAL STRUCTURES:

NORTH: 226'± (D4)
EAST: 268'±
SOUTH: 798'±
WEST: 858'±

ADDITIONAL RESIDENCES:
CONDOMINIUM: 228' NORTHEAST (D3)
CONDOMINIUM: 226' NORTHEAST (D4)

NO RESIDENTIAL STRUCTURES PRESENT WITHIN 66' OF PROPOSED TOWER.
D1= 66'±
D2= 214'±
D3= 228'±

NOTE: ALL DIMENSIONS SHOWN ARE FROM THE OUTER EDGE OF PROPOSED TOWER.

TOWER SEPARATION

NEAREST EXISTING TOWER IS 1.3 MILES± NORTH–NORTHEAST OF NEW TOWER (PER PLAN).

CALL FLORIDA ONE CALL
(800) 432-4770
CALL 3 WORKING DAYS BEFORE YOU DIG!

B+T GRP

verticalbridge

VERTICAL BRIDGE
MYERLEE
VB #: US-FL-7108
TMO #: ----
1428 EDGEWATER CIRCLE
FORT MYERS, FL 32703
LEE COUNTY

PID #: 27-45-24-22-00000.00CE

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OVERALL SITE PLAN

SHEET NUMBER:
C-1.1

PROPERTY LINE

VB BTS II, LLC
15' WIDE NON-EXCLUSIVE
UTILITY EASEMENT

1188'± TO P/L

PROPOSED 8'
CHAIN LINE FENCE
SEE DETAIL SHEET C-2.0

EXISTING MAGNOLIA
TREE (1")

PROPOSED 12' WIDE
GRAVEL ROAD, #57 STONE
SEE DETAIL SHEET C-2.1

MATCHLINE
SEE SHEET C-1.2.1

PROPOSED SILT FENCE
SEE DETAIL SHEET C-2.0

64.7'

111'± TO P/L

2.0'
2.0'
5.0'
2.0'

FUTURE CARRIER
(10'x15')

FUTURE CARRIER
(10'x15')

PROPOSED 12'
DOUBLE SWING GATE
SEE DETAIL SHEET C-2.0

PROPOSED
60.0'X64.7'X69.3'X30.0'
FENCE AREA

24.8'

PARKING AREA

16'

PROPOSED 149' (AGL) MONOPOLE TOWER
LAT: 26° 32' 06.27" (26.5350750°)
LONG: -81° 54' 08.93" (-81.9024806°)
SEE DETAIL ON SHEET C-1.3

PROPOSED
H-FRAME

15.0' TO P/L

15.0'

60.0'

4'
3'
12'
10'

PROPOSED
60.0'X64.7'X69.3'X30.0'
#57 STONE COMPOUND
SEE DETAIL SHEET C-2.1

PROPOSED 20' WIDE
ACCESS & UTILITY
EASEMENT

R=30.0"

R=20.0"

EXISTING TREE (28")

PROPOSED 8"
CHAIN LINE FENCE
SEE DETAIL SHEET C-2.0

PROPERTY LINE

15.0'

PROPOSED
T-MOBILE CARRIER
LEASE AREA

10.0'

14.0'

2.0'

30.0'

39.3'

EXISTING
CONCRETE SHUFFLE BOARD COURTS
W/ METAL AWNING

PROPOSED SILT FENCE
SEE DETAIL SHEET C-2.0

EXISTING STRANGLER FIG
TREE (28") TO BE
REMOVED PER ARBORIST
REPORT DATED
SEPTEMBER 9, 2024

70'± TO P/L

PARENT PARCEL
STRAP: 27-45-24-22-00000.00E
FOLIO ID: 10462933
OWNER: MYERLEE GOLFSIDE EAST CONDO
O.R. 1019, PAGE 1141

NEW 15'
LANDSCAPE
EASEMENT

EXISTING
CONCRETE/ SIDEWALK

EXISTING
CLUBHOUSE BUILDING

SURFACE WATER
RUNOFF LINES

0' 5' 10' 15' 20' 1"=10'

N

B+T GRP

vertical bridge

VERTICAL BRIDGE
MYERLEE
VB #: US-FL-7108
TMO #: ----
1428 EDGEWATER CIRCLE
FORT MYERS, FL 32703
LEE COUNTY

PID #: 27-45-24-22-00000.00CE
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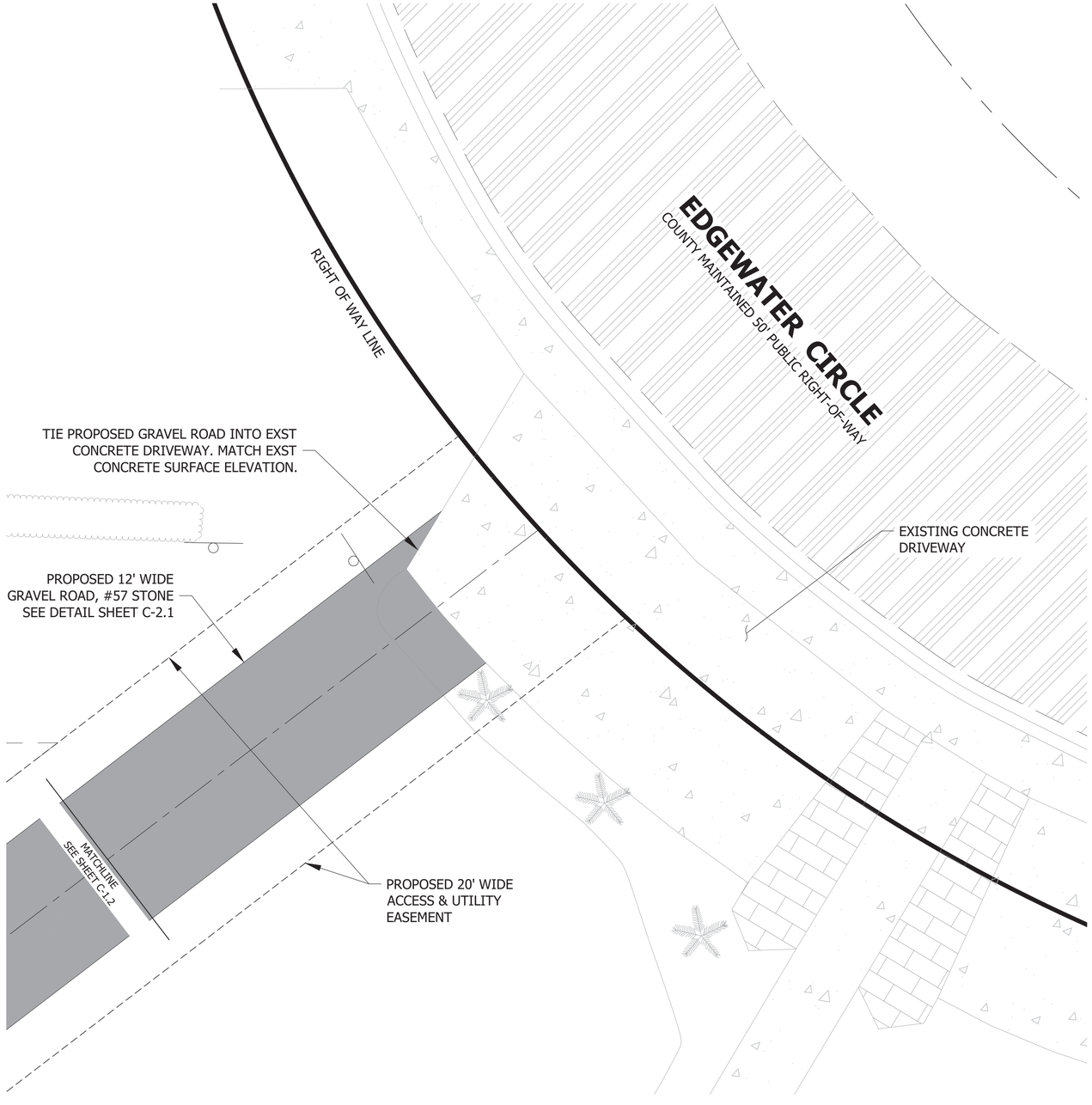
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ENLARGED COMPOUND LAYOUT

SHEET NUMBER:
C-1.2



0' 5' 10' 15' 20' 1"=10'

N

B+T GRP

vertical bridge

VERTICAL BRIDGE

MYERLEE

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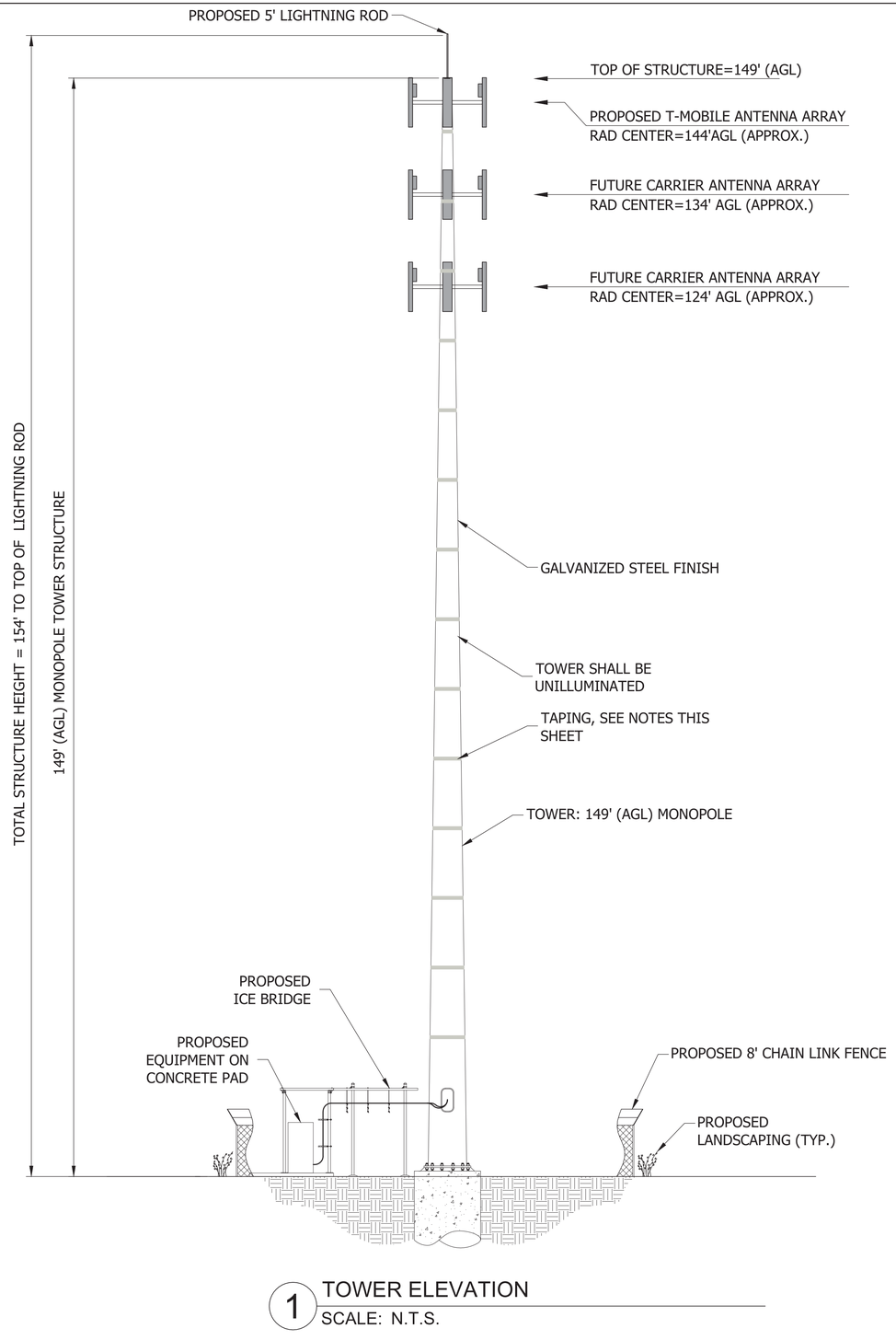
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DRIVEWAY CONNECTION LAYOUT

SHEET NUMBER:

C-1.2.1



1 TOWER ELEVATION
SCALE: N.T.S.

NOTES: (TAPING)

- THE DEVELOPER OF A WIRELESS COMMUNICATION FACILITY MUST INSTALL TAPING AROUND THE ANTENNA-SUPPORTING STRUCTURE IN CONFORMANCE WITH THE FOLLOWING

1. THE TAPE MUST BE SIX-INCHES 3m DIAMOND GRADE tm VIP REFLECTIVE SHEETING, SERIES 3990
2. THE TAPING MUST START AT 20 FEET ABOVE THE SURFACE.
3. THE TAPING MUST BE AT TEN-FOOT INTERVALS.
4. THE TAPE MUST BE WRAPPED AROUND THE SUPPORT POLE AND OVERLAP BY ONE INCH FOR A GOOD SEAL

B+T GRP

verticalbridge

VERTICAL BRIDGE

MYERLEE

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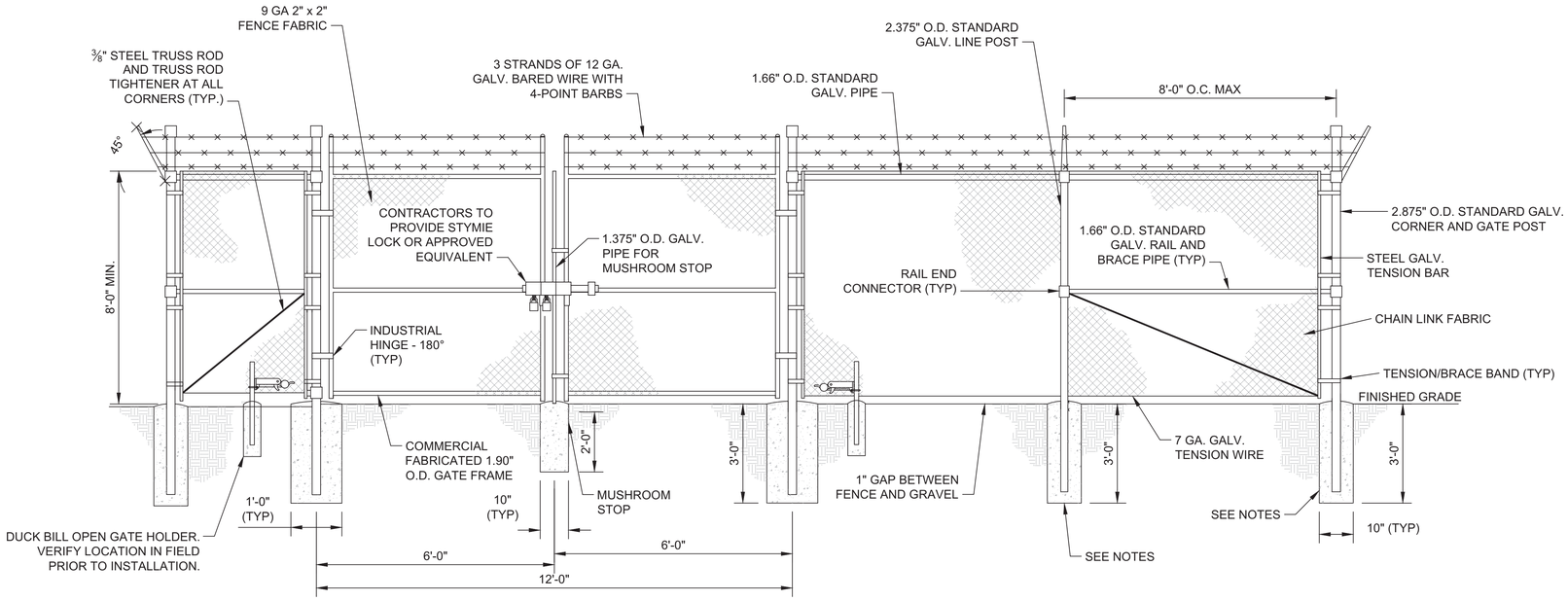
TOWER ELEVATION PLAN

SHEET NUMBER:

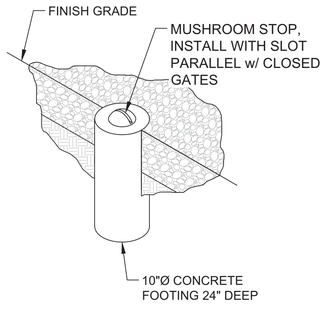
C-1.3

FENCE NOTES

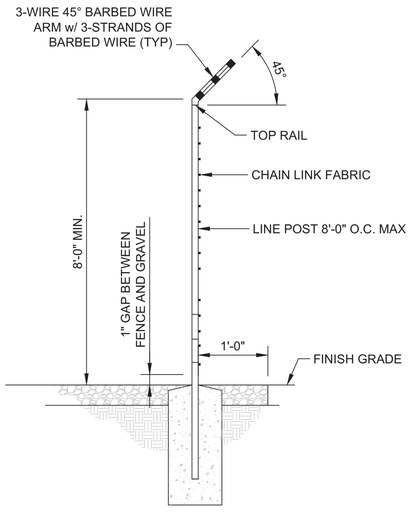
1. USE 3,000-PSI CONCRETE, FULLY CONSOLIDATED AROUND THE POST.
2. WHERE THE POST IS SET IN ROCK OR CONCRETE, CORE A HOLE 12" DEEP AND 1" LARGER IN DIAMETER THAN THE POST. SET THE POST AND GROUT IN PLACE USING NON-SHRINK GROUT.
3. ALL POSTS MUST BE PLUMB AND ALIGNED WITH ONE ANOTHER IN BOTH HORIZONTAL AND VERTICAL PLANES.
4. CORNERS AND GATEPOSTS FOR CHAIN LINK FENCES SHALL EXTEND ABOVE THE TOP STRAND OF BARBED WIRE TO PROVIDE TENSIONING FOR THE BARBED WIRE.
5. PROVIDE MIDRAILS AND BRACING AT ALL CORNER POSTS WHERE THE FENCE CHANGES DIRECTION BY MORE THAN 30 DEGREES.
6. THE GRADE OF THE SITE AND INSTALLATION OF THE FENCE SHALL PROVIDE FOR NO MORE THAN A 1" GAP BETWEEN THE BOTTOM OF THE FENCE MATERIAL AND FINISH GRADE.
7. CONTRACTOR SHALL PROVIDE HOLD OPEN DEVICES FOR ALL GATES AT THE SPECIFIED OPEN POSITIONS, DRIVEN PIPE TYPE RECEIVERS ARE NOT AUTHORIZED.
8. CONTRACTOR SHALL ALSO PROVIDE A MUSHROOM TYPE RECEIVER AT THE CLOSE POSITION.



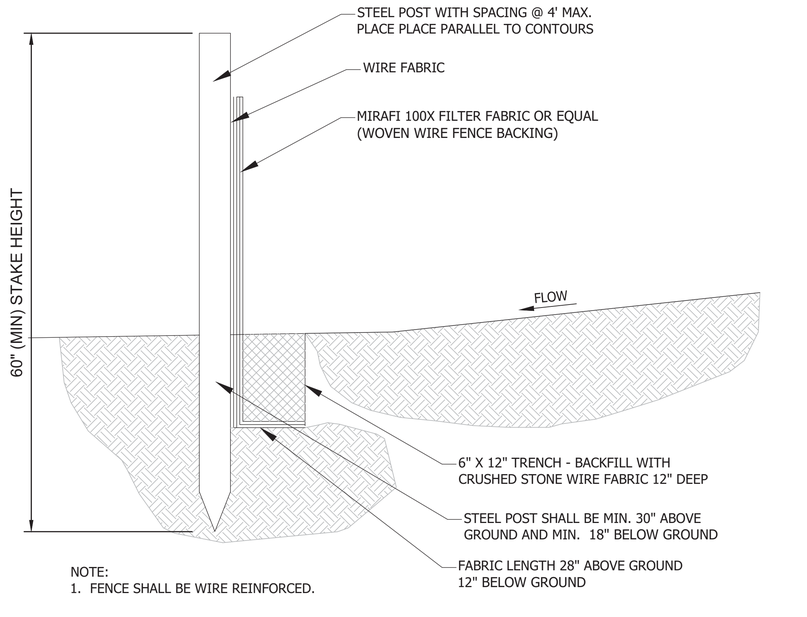
1 TYPICAL FENCE AND GATE DETAIL
SCALE: N.T.S.



2 MUSHROOM STOP
SCALE: N.T.S.



3 SECTION AT FENCE
SCALE: N.T.S.



NOTE:
1. FENCE SHALL BE WIRE REINFORCED.

4 SILT FENCE DETAIL
SCALE: N.T.S.

B+T GRP

vertical bridge

VERTICAL BRIDGE
MYERLEE
VB #: US-FL-7108
TMO #: ----
1428 EDGEWATER CIRCLE
FORT MYERS, FL 32703
LEE COUNTY

PID #: 27-45-24-22-00000.00CE

PROPOSED 149' (AGL) MONOPOLE

PROJECT NO:	**G0168095.001.01**
CHECKED BY:	**DLS**

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION
1	8/23/23	BCT	FINAL
2	6/21/24	DS/MS	FINAL
3	7/01/24	DLS	FINAL
4	10/22/24	MAS	FINAL

B&T ENGINEERING, INC.
1717 S. BOULDER AVENUE
TULSA, OK 74119
COA: 27496

CHAD TUTTLE, P.E.
B&T ENGINEERING, INC

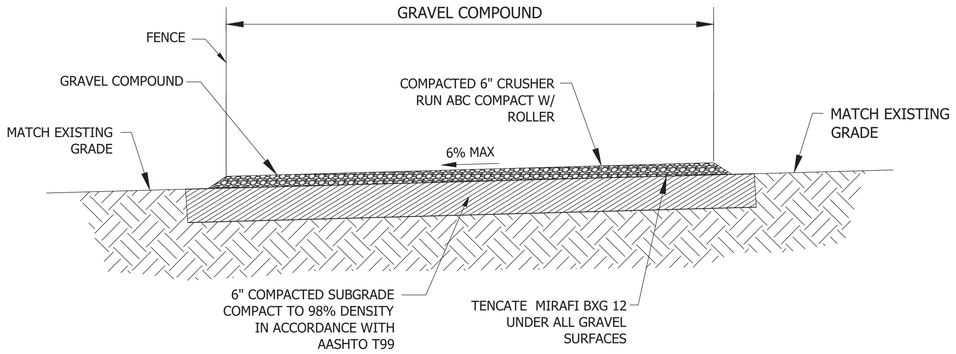
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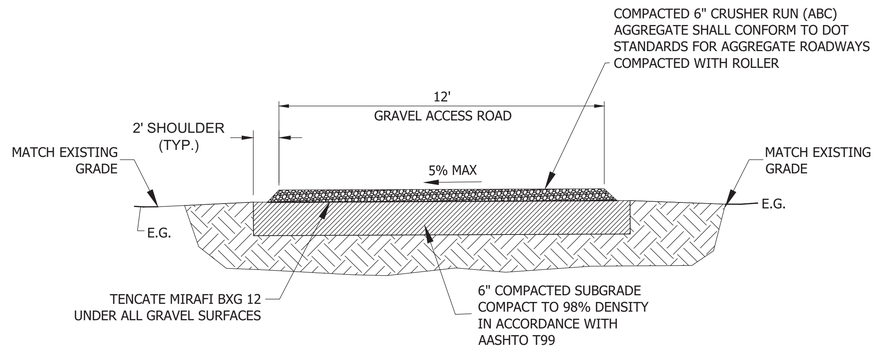
FENCE DETAILS

SHEET NUMBER:
C-2.0



1 ON GRADE GRAVEL COMPOUND SECTION

SCALE: N.T.S.



NOTES:

1. THE CONTACTOR MUST EITHER SUPER-ELEVATE OR CROWN ALL ROAD SECTIONS.
2. THE MAXIMUM SUPER-ELEVATION SHALL NOT EXCEED 6% CROSS SLOPE.

2 ON GRADE GRAVEL ROAD SECTION

SCALE: N.T.S.

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ENGINEERING DETAILS

SHEET NUMBER:

C-2.1

NOTES:

1. SIGNS SHALL BE FABRICATED FROM CORROSION RESISTANT PRESSED METAL, AND PAINTED WITH LONG LASTING UV RESISTANT COATINGS.
2. SIGNS (EXCEPT WHERE NOTED OTHERWISE) SHALL BE MOUNTED TO THE TOWER, GATE AND FENCE USING A MINIMUM OF 9 GAUGE ALUMINUM WIRE, HOG RINGS (AS UTILIZED IN FENCE INSTALLATIONS) OR BRACKETS WHERE NECESSARY. BRACKETS SHALL BE OF SIMILAR METAL AS THE STRUCTURE TO AVOID GALVANIC CORROSION.
3. ADDITIONAL E911 ADDRESS SIGNS ARE REQUIRED AT EACH ACCESS ROAD GATE LEADING TO THE COMPOUND AS WELL AS ON THE COMPOUND GATE ITSELF.
4. ADDITIONAL FCC REGISTRATION # SIGNS ARE REQUIRED AT EACH ACCESS ROAD GATE LEADING TO THE COMPOUND AS WELL AS ON THE COMPOUND GATE ITSELF. SIGN SHALL MEASURE (20" LONG x 4" TALL). THE LETTERS SHALL BE 1" AND THE NUMBERS SHALL BE 2".
5. RECOMMENDED SOURCES FOR OBTAINING SIGNAGE:

   ST. CLAIR SIGNS
   3184 WADE HAMPTON BOULEVARD
   TAYLORS, SC 29687
   (864) 244-0040

   RF EXPOSURE SIGNS
   RICHARD TELL ASSOCIATES
   3433 RINGSTAR ROAD, SUITE 3
   NORTH LAS VEGAS, NV 89030
   (702) 645-3338

   EXCEL SIGN & DECAL
   1509 NORTH MILPITAS BLVD.
   MILPITAS, CA 95035
   (408) 942-8881

6. NO ADVERTISING SIGNS INCLUDING COMMERCIAL, ADVERTISING, LOGOS, POLITICAL SIGNS, FLYERS, FLAGS OR BANNERS WHETHER OR NOT POSTED TEMPORARILY, SHALL BE PERMITTED ARE WARNING, DANGER, OR OTHER SIGNS DESIGNED TO MAINTAIN PUBLIC SAFETY.

ATTENTION

THE SITE SHALL ONLY CONTAIN SIGNAGE AS MANDATED BY THE FCC.

1'-8"

4"

FCC TOWER REGISTRATION NO.:

TBD

(4) WHITE BACKGROUND WITH BLACK LETTERING
QUANTITY: (2)
TO BE MOUNTED ON: COMPOUND ACCESS GATE
ACCESS DRIVE GATE
(SEE NOTE 4)

NOTE:
NUMBER SHOWN IS GENERIC, CONTRACT CONSTRUCTION MANAGER FOR ACTUAL FCC TOWER REG. #.

1'-6"

1'-0"

T-Mobile

IN CASE OF EMERGENCY
CALL: (800) 937-8997

SITE DESIGNATION: US-FL-7108

EMERGENCY SIGN
(RED METAL W/ WHITE LETTERING)

3'-0"

2'-0"

vertical bridge

SITE NAME: MYERLEE
SITE ID: US-FL-7108

1428 EDGEWATER CIRCLE
FORT MYERS, FL 32703

FOR LEASE INFORMATION
CALL: ###-###-####

24 HOUR EMERGENCY SERVICE
CALL: ###-###-####

CONTRACTOR SHALL VERIFY ADDRESS PRIOR TO ORDERING SIGNAGE.

RED LETTERS (ALL OTHERS BLACK)

CONTRACTOR TO COORDINATE NUMBERS (TYP)

11"

8½"

NOTICE

RF Controlled Area Beyond This Point

Radio fequency ("RF") emissions may exceed FCC Standards for general public exposure. Only authorized workers permitted to enter.

For your safety:
Obey all posted signs.
Maintain minimums distance of 7 feet from all antennas.
Do not step in front of antennas.

For further information, please call ###-###-#### and reference Site Number: US-FL-7108

CONTRACTOR TO COORDINATE NUMBERS (TYP)

RF NOTICE SIGN
(WHITE METAL SIGN W/BLACK LETTERING)

TYPICAL SIGNS AND SPECIFICATIONS

SCALE: N.T.S.

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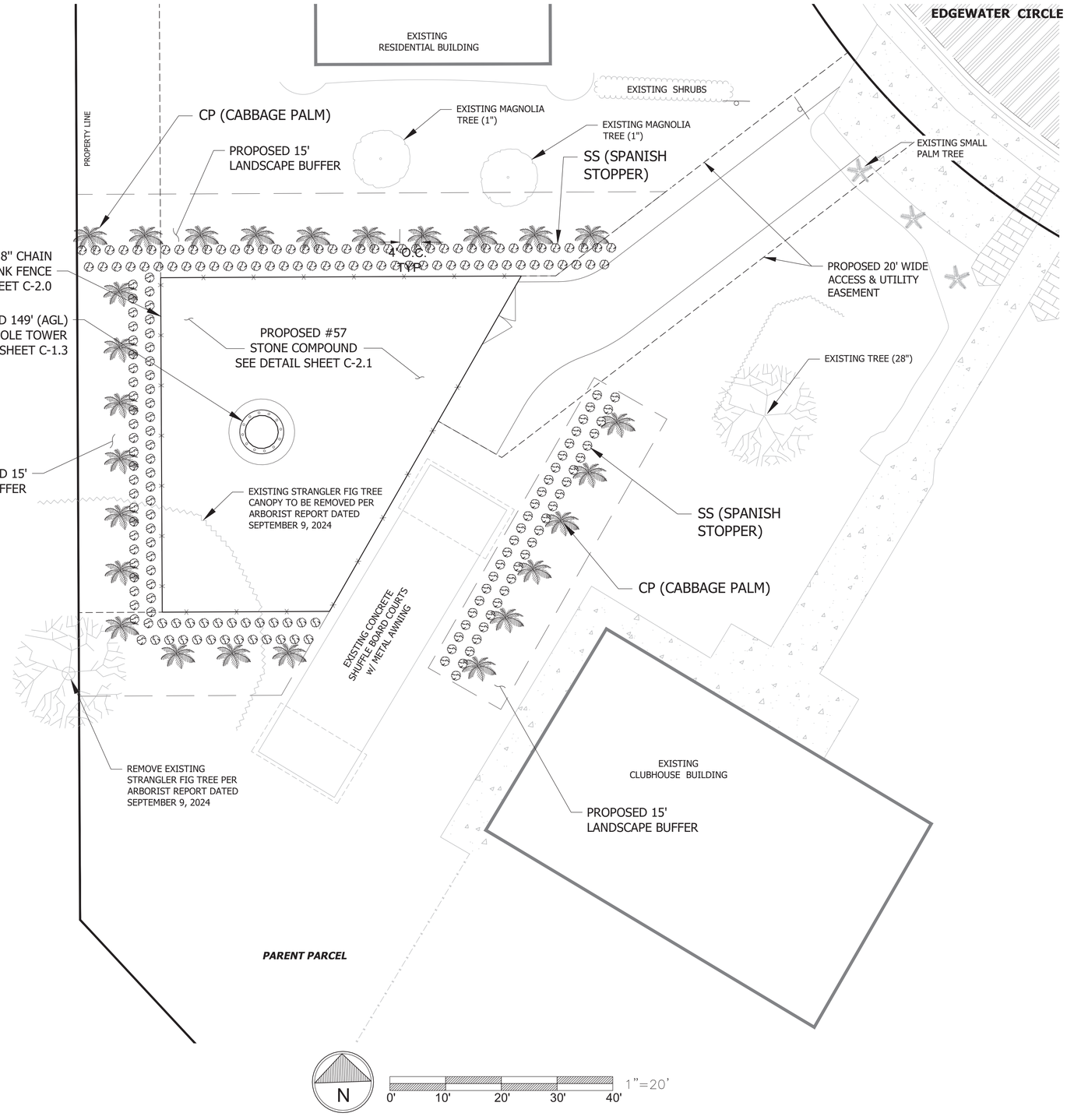
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SIGNAGE DETAILS

SHEET NUMBER:
C-2.2



LANDSCAPE NOTES:

1. SEE SHEET GN-1 FOR LEGEND, ABBREVIATIONS & GENERAL NOTES.

2. NO EXISTING TREES ARE PRESENT WITHIN THE PROPOSED NEW CONSTRUCTION AREA.

3. SEE SHEET L-2 FOR LANDSCAPE PLANTING DETAILS.

4. TREES AND SHRUBS SHALL BE WARRANTED FOR 1 YEAR AGAINST DEATH, UNSATISFACTORY GROWTH, DISEASE AND INSECT INFESTATION.

5. CONTRACTOR SHALL APPLY WATER TO TREES AND SHRUBS UNTIL THEY ARE ESTABLISHED AND CAN SURVIVE ON THEIR OWN PER THE MANUAL WATERING SCHEDULE ON SHEET L-2.

6. SUBSTITUTION OF PLANT MATERIAL WILL NOT BE PERMITTED UNLESS AUTHORIZED BY THE OWNER OR OWNER'S REPRESENTATIVE.

7. SEE PLANTING DETAILS ON L-2 FOR OTHER INSTALLATION NOTES.

0. THE CONTRACTOR SHALL FIELD VERIFY THE LOCATION OF ALL EXISTING ABOVE GROUND IMPROVEMENTS.

9. THE CONTRACTOR IS RESPONSIBLE FOR ANY NECESSARY RELOCATION OR REPAIR DUE TO DAMAGE CAUSED DURING CONSTRUCTION.

11. CONTRACTOR TO PROTECT EXISTING TREES IN PLACE.

CALL FLORIDA ONE CALL
(800) 432-4770
CALL 3 WORKING DAYS
BEFORE YOU DIG!

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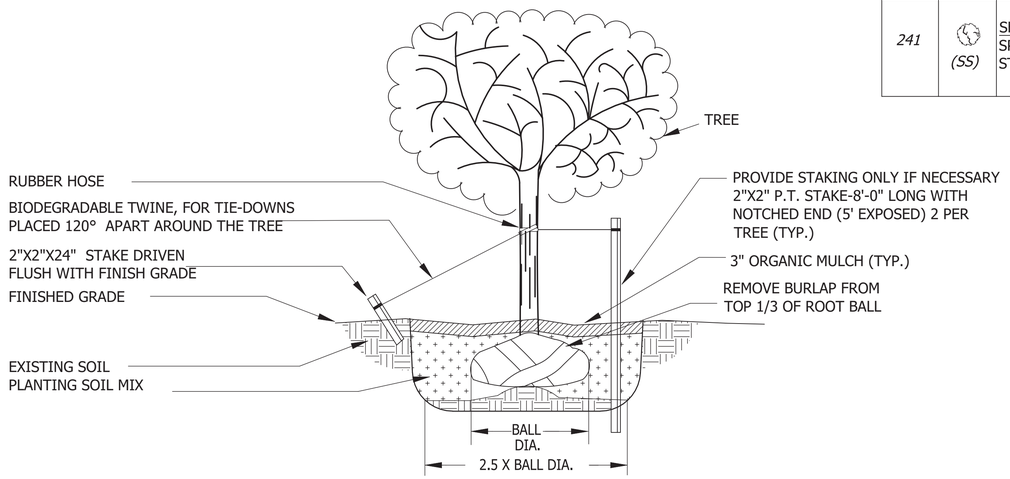
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LANDSCAPE PLAN

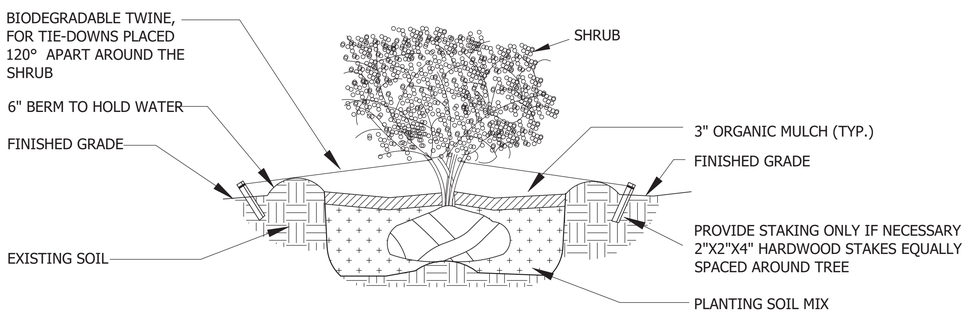
SHEET NUMBER:
L-1

PLANT SCHEDULE

QTY.	SYM.	COMMON NAME	BOTANICAL NAME	SIZE	REMARKS
26	(CP)	TREE CABBAGE PALM	SABAL PALMETTO	TREES MUST BE A MIN. OF 10' IN HEIGHT, HAVE A 2" CALIPER AND 4' SPREAD AT TIME OF INSTALLATION. PALMS MUST HAVE A MIN. OF 10' OF CLEAR TRUNK AT PLANTING AND 2" DIA. AT BREAST HEIGHT (DBH) AT THE TIME OF PLANTING	PLANT 10' O.C. MIN.
241	(SS)	SHRUB SPANISH STOPPER	EUGENIA SEREGATA	30" MIN. HEIGHT AT PLANTING. MUST BE 36" HEIGHT WITHIN 12 MONTHS OF PLANTING. HEDGE MUST BE MAINTAINED AT A MINIMUM 6' HEIGHT, EQUIVALENT TO THE 6' FENCE HEIGHT	PLANT 36" O.C.



1 TREE PLANTING DETAIL
SCALE: N.T.S.



2 SHRUB PLANTING DETAIL
SCALE: N.T.S.

AUTOMATED IRRIGATION SYSTEM:

1. ALL LANDSCAPE AREAS, INCLUDING PARKING LOT ISLANDS, WILL BE ADEQUATELY SLEEVED FOR IRRIGATION. THIS REQUIREMENT MUST BE INCLUDED ON THE GRADING/PAVING PLAN SHEET.

2. MOISTURE DETECTION DEVICES MUST BE INSTALLED IN ALL AUTOMATIC SPRINKLER SYSTEMS TO OVERRIDE THE SPRINKLER ACTIVATION MECHANISM DURING PERIODS OF INCREASED RAINFALL.

3. A MOISTURE (RAIN) SENSOR WILL BE INCLUDED IN THE IRRIGATION SYSTEM AND LOCATED ON THE SITE SO THAT IT WILL RECEIVE DIRECT RAINFALL, NOT IMPEDED BY OTHER OBJECTS.

4. THE IRRIGATION SYSTEM WILL BE DESIGNED TO ELIMINATE THE APPLICATION OF WATER TO IMPERVIOUS ARES, INCLUDING ROADS, DRIVES AND OTHER VEHICLE AREAS.

5. THE IRRIGATION SYSTEM WILL BE DESIGNED TO AVOID IMPACTS ON EXISTING NATIVE VEGETATION THAT WILL BE RETAINED ON THE DEVELOPMENT SITE.

PLANTING NOTES:

1. MULCH WITH 4" MIN. ORGANIC MULCH.

2. LANDSCAPE CONTRACTOR TO GUARANTEE AND MAINTAIN TREES AND SHRUBS FOR 180 DAYS.

3. ALL TRIMMING OF EXISTING TREES TO BE PERFORMED BY LICENSED ARBORIST.
4. ALL NEW PLANT MATERIAL WILL BE FLORIDA GRADE #1 OR BETTER, HEALTHY, DISEASE FREE, AND PEST FREE.

5. ALL PROPOSED LANDSCAPING IS REQUIRED AND SHALL BE PROPERLY MAINTAINED TO ENSURE GOOD HEALTH & VITALITY.

6. SEED, MULCH AND FERTILIZE ALL DISTURBED AREAS.

7. REFER TO LANDSCAPE PLAN, SHEET L-1 FOR PLANTING LOCATION.

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LANDSCAPE DETAILS

SHEET NUMBER:
L-2