Planned Development

North Brook (Stoneybrook North/Heritage Creek)

Development Type: DCI

Status: Approved/W Amendments

Bayshore Planning Community

Project Approvals

Category Sub Category	Acres Totals/Sub Category	Units Totals/Sub Category	Square Feet Totals/Sub Category
Conservation	118.80		0
Wetlands/Conservation	118.80		0
Public	349.82		0
Other Public *Misc. Open Space and Buffers*	161.55		
Residential Amenities *Recreation Facility*	11.07		0
Surfacewater Management	177.20		0
Residential	272.47	1,275	0
Total Residential	272.47	1,275	0
Project Total	*741.09*	*1,275*	*0*

Project Hearings

Resolution #	Case Number	Hearing Date	Status	
Z-22-015 Go To E-Connect Click For Resolution Click For Case	DCI2021-00012	08/17/2022	Approved	Revised MCP, exhibits E & F, and updated conditions
ADD2020-00046 Go To E-Connect Click For Resolution Click For Case	ADD2020-00046	08/20/2020	Approved	Administrative amendment to the master concept plan and schedule of uses, update certain conditions of approval and corresponding exhibits, and correct certain typographical errors in prior zoning actions affecting property located along both sides of Pritchett Parkway
ORD 18-02	ADD2017-00099	01/16/2018	Approved	Establishment of Brightwater CDD

Go To E-Connect Click For Resolution Click For Case				
ADD2015-00134 Go To E-Connect Click For Resolution Click For Case	ADD2015-00134	10/20/2015	Approved	Reconfigure the internal developments, lakes and roadways including recreation facility tract L.
ORD 14-23 Go To E-Connect Click For Resolution Click For Case	ADD2014-00074	12/16/2014	Approved	Establishment of Stoneybrook North CDD
ADD2013-00083 Go To E-Connect Click For Resolution Click For Case	ADD2013-00083	11/13/2014	Approved	Reconfigure the development tracts and addition of two more connections to Pritchett Parkway
Withdrawn Go To E-Connect Click For Resolution Click For Case	DCI2011-00035	02/29/2012	Withdrawn	Extension of MCP for 5 years, due to litigation.
Withdrawn Go To E-Connect Click For Resolution Click For Case	DCI2008-00037	01/21/2009	Withdrawn	Extension of MCP for 5 years, due to litigation.
Z-02-070 Go To E-Connect Click For Resolution Click For Case	DCI2001-00038	02/16/2004	Approved	Rezone 741.22 acres from AG-2, CPD, and RVPD to RPD
ORD 18-02 Go To E-Connect	ADD2023-00050		Pending	Updated property development regulations for two-family attached & townhouse

DCI2001-00038	Actual total approved number of acres is 741.22, but MCP breakdown of use acreage shows a total of 757.6 acres (MCP math says 741.72)

Last Updated - 05/20/2004

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RESOLUTION NUMBER Z-02-070

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

WHEREAS, US Home Corporation filed an application on behalf of the property owners, Pritchett Development Company Ltd.; Kathy Lynne R. Pritchett, Trustee; Peter Kainz; Bank of America, N.A., R. E. Services - Pritchett; and Ernest A. Hansen, Trustee (½ Interest) and Frances Hansen, Trustee (½ Interest), to rezone 741.22± acres from Agricultural (AG-2), Commercial Planned Development (CPD), & Recreational Vehicle Planned Development (RVPD) to Residential Planned Development (RPD), in reference to Heritage Creek, a/k/a Stoneybrook North; and,

WHEREAS, public hearings were advertised and held on December 11, 2002; and continued and held on February 12 and 13, 2003; April 23 and 24, 2003; June 18 and 19, 2003; July 31, 2003; and August 1 and 8, 2003; with the record held open for written submissions until August 25, 2003; before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2001-00038; and

WHEREAS, a second public hearing was advertised and held on February 16, 2004, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

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

SECTION A. REQUEST

The applicant filed a request to rezone 741.22± acres from from AG-2, CPD, and RVPD to RPD, to permit the development of a maximum of 1,525 residential units including a mixture of single-family, duplex, townhouse, two-family attached and multi-family units all not to exceed 35 feet in height. The property is located in the Outlying Suburban, Wetlands and General Interchange Land Use Categories and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. The development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "Stoneybrook North Master Concept Plan," prepared by Wilson Miller, dated March 10, 2004, printed March 17, 2004, and stamped "Received Mar 17 2004 Permit Counter," except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of local development order approval, except as may be granted by deviation

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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

Administrative Offices
Agriculture - SUBJECT TO Condition 24
Accessory uses and structures
Club, Private (Limited to Tract K)
    Food and beverage service, limited
    Health Club and Spa
    Parking lot, accessory
    Rental or leasing establishment, Group I - limited to
        bicycles, tennis rackets and other small
        equipment for use by members of the private club
Specialty Retail Shop, Group I
Communication Tower - limited to one on the north
    side of Tract K and limited to a maximum of 35 feet in height
Dwelling Unit - limited to a maximum of 1,275 units consisting of:
    Conventional Single-family Residence
        (May be constructed on all R-1 and R-1A residential tracts)
        See Note 1.
    Two-family attached (Limited to Tracts I-1, I-2 & J)
        See Note 1.
    Conventional Single-family Detached Residential lots located on
        the northern boundary of the project in Tracts F-1 and F-3,
        must be no less than 7,500 square feet in area within 500 feet
        of the northern boundary.
Entrance Gate and Gatehouse, in compliance with §34-1748
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Real Estate Sales Office (Temporary sales office limited
    to Tract K and limited to the sale of lots
    or units within the development only)
Recreation Facilities, Personal
Recreation Facilities, Private on-site
    Parking lot, accessory
Residential Accessory Uses
Signs, including one existing billboard located on the southwest side
    of Lake L1, all in compliance with LDC Chapter 30 except
    as approved by deviation
Temporary uses (§34-3041)

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Note 1: Single-family dwelling units may be constructed on all R-1 and R-1A residential tracts. Two-family attached dwelling units may be constructed only on R-1A residential tracts (Tracts I-1, I-2 and J).

b. Site Development Regulations

LAND USES	Minimum Lot			Minimum Setback (ft.)							Max. Bldg. Height (ft.)	Min. Bld. Separation (ft.)	Max Lot Coverage (%)
					Rear (ft.)			Front (ft.)					
	Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Side Including Corner Lots (ft.) *	Lots	Wetland	Acc.	Front Entry Garage	Bldg. or Side Entry Garage	Water Body (ft.)			
Single-family Detached	4,000†	40	100	5	20	20	5	20	12	25	35 or 2 stories	10	45
Two-family Attached	3,500 per unit	35 per unit	100	0 or 10	20	20	5	20	12	25	35 or 2 stories	10	45
Clubhouse	20,000	80	100	10	20	20	5	n/a	20	25	35 or 2 Stories	20	45
Accessory Recreation Buildings	n/a	n/a	n/a	n/a	20	20	n/a	n/a	n/a	n/a	35 or 1 story	20	n/a

* Applies to lots of all widths and to corner lots. Each lot, including corner lots, will have only one front yard.
† Lots located within 500 feet of the northern boundary of the project on Tracts F-1 and F-3, must be no less than 7,500 square feet in area.

3. DELETED

4. The Tract M recreational area must include at a minimum, one multi-purpose field, a playground and picnic area. Facilities for the safe passage of pedestrians cyclists from one side of Pritchett Parkway to the other as determined by the Director of Development Services at the time of local development order submittal must be provided

5. No residential lots may be located within 250 feet of the existing High Point sewage treatment plant property lines until the sewage treatment plant is no longer in operation. If the High Point sewage treatment plant is still in operation when the plat is approved for any lots located in Tracts F-2 and Tract G, the Applicant must include a 30-foot- wide Type F buffer around the perimeter of the High Point sewage treatment plant property lines, excluding the easement that provides access to the plant.

6. Common area open space must be designed to incorporate as many of the native heritage trees and Sabal palms as possible. Any healthy Sabal palms with a minimum eight foot clear trunk must be salvaged if conditions (e.g., no rock) and sequence of construction allows. If the sequence of construction does not allow the

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on-site relocation of Sabal palms, effort must be made to identify an off-site recipient site. Sabal palms that are located in wet areas typically do not respond well to transplanting and will not be subject to this condition. The salvage efforts must be coordinated with the Lee County Division of Environmental Sciences staff whether used on-site or otherwise. Any Sabal palms being relocated must be moved in a horticulturally correct manner per Lee County Extension Services brochure Lee 8/2000A and attached as **Exhibit D**. Prior to local development order approval, the preserved trees and any relocated palms must be delineated on the plans. Preserved trees and relocated Sabal palms will receive protected tree credits per §10-420(h).

7. Gopher Tortoises:

   A detailed protected species management plan for gopher tortoises, Big Cypress fox squirrels, and wading birds must be submitted with the initial development order for any portion of this project. The gopher tortoise management plan must include either a permanent fence or a continuous hedge of native shrubs where the gopher tortoise preserve abuts the road and park to protect the tortoises from the vehicular traffic and active recreation area.

   A pedestrian/bicycle trail, with a maximum four-foot width, is permissible within the gopher tortoise preserve. The trail must be designed to avoid impacting existing gopher tortoise burrows and large native trees. Two (2) access points to the trail may be incorporated into the fence, provided the openings are designed to minimize the potential for tortoises to disperse from the preserve. Details of the trail and fence must be included in the development order plans.

8. Prior to any local development order approval, an open space table must be included that details the residential unit type with lot size per tract, required open space, provided open space, required indigenous preservation and provided indigenous preservation. The project must preserve at a minimum the approximately 100.1 acres of conservation area including the wetland creation area. If more than 500 acres of the project is developed with residential tracts (including roads and lakes) requiring open space, then the development order must delineate the additional required indigenous preservation for the Lee County Division of Environmental Sciences staff review and approval.

9. The use of cypress mulch is prohibited in preserve areas.

10. The maximum width of all boardwalks within the preserve areas may not exceed the minimum width requirements set forth by the Americans with Disabilities Act.

11. All boardwalks within the preserve areas must be designed to avoid mature native trees and protected species burrows, nests, or dens. The final layout of the boardwalks must be field verified by the Lee County Division of Environmental Sciences staff prior to construction. Minor adjustments to minimize impacts to native vegetation may be required.

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12. The construction of gazebos or viewing platforms within conservation areas is limited to no more than two (2) structures, each having a footprint no larger than 200 square feet.

13. Prior to site work for any recreational use that requires the removal of vegetation within a conservation area, a development order showing impacts to the conservation area must be submitted for review and approval by Environmental Sciences and other applicable County Staff.

14. Prior to local development order approval, the development order plans must include littoral planting areas in substantial compliance with the "Stoneybrook North Littoral Planting Exhibit," stamped "Received Apr 07 2003 Community Development," and attached as **Exhibit E**.

    All lake littoral zones must be constructed as depicted in Cross-Section B-B. Littoral planting quantities must be consistent with the "Littoral Planting Exhibit, Stoneybrook North" and accompanying table stamped "Received May 29 2003 Community Development," and attached as **Exhibit F**. The planting area along the northern ditch expansion must also provide native wetland plants installed three-feet on center.

15. The Communication Tower as denoted on the Master Concept Plan must be of a monopole design and limited to 35 feet in height. The tower and its associated maintenance buildings must be designed to minimize impacts to birds.

16. Lake littoral plantings within Tract K must be calculated at one littoral plant per linear foot of lake shoreline. One 10-foot-tall tree or two (2) three-gallon shrubs may be substituted for 10 herbaceous plants. Trees and shrubs may used to count toward up to 50 percent of the required lake littoral planting requirements. A minimum of two (2) native wetland tree species and four (4) native herbaceous plant species must be installed in the Lake L1 (contained within Tract K).

17. The placement of any required vegetation within a utility, power, or drainage easement must be clearly delineated on an Alternate Landscape Betterment Plan as per §10-419 and submitted with the local development order. The placement of vegetation within any easement must be approved by Lee County Environmental Sciences staff and any other affected Division (Utilities, Zoning, etc.). If the easement is to an entity other than Lee County, then written approval of the location of vegetation from any affected easement holder must be submitted to Lee County Environmental Sciences staff as part of the development order. Approval from all affected parties must be obtained prior to approval of the local development order.

18. Lake bulkheads are limited to roads and the clubhouse area. Bulkheads are not permitted along residential boundaries.

    Prior to local development order approval, the plans must show the location of the bulkheads to confirm that no more than 20 percent of each lake shoreline consists of bulkhead or rip-rap. Lakes where bulkheads are proposed must be designed to

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provide one linear foot of compensatory littoral zone with an 8:1 slope for each linear foot of bulkhead. For lakes that utilize bulkheads, littoral plants must be calculated at two (2) plants per linear foot of shoreline clustered within the 8:1 slope portion of the lake.

The development order must include a typical cross-section detail of bulkhead and rip-rap areas on the paving, grading and landscape plan.

19. Transportation Concurrency for this project will be measured pursuant to the Lee Plan and LDC standards in place at the time of the development order. This must include evaluating Bayshore Road from Nalle Road to I-75 for transportation concurrency. Prior to development order approval, the developer must demonstrate that the Level of Service (LOS) will not fall below the adopted level of service on the identified links. In determining that level of service, only road improvements with committed funding, as provided in FAC 9J-2.045, may be considered.

20. The developer must provide intersection improvements to the intersection of Bayshore Road and Pritchett Parkway. At a minimum, the developer will construct a southbound right turn lane as a site-related improvement, and not eligible for road impact fee credits. In cooperation with the Florida Department of Transportation and the County, the developer may realign Pritchett Parkway to address future operational problems caused by project traffic.

21. The developer must construct an eight-foot-wide bicycle path or two (2) five-foot-wide sidewalks along Pritchett Parkway from Bayshore Road to Rich Road. Whether the portions of the bicycle/pedestrian improvements constructed 1) between Bayshore Road and the southernmost site entrance, and 2) between Rich Road and the northernmost site entrance, will be eligible for road impact fee credits will be determined through negotiations between the Staff and the Applicant when there is sufficient information to make such a determination.

22. Blasting is prohibited on this project site.

23. The excavation of material from the lake areas does not constitute construction materials mining as defined under Section 552.30, Florida Statutes.

24. AGRICULTURAL USES:

Agriculture is not approved as a permanent use in the Schedule of Uses for this property. All agricultural uses must cease upon approval of the requested rezoning, EXCEPT as follows:

a) Existing bona fide agricultural uses, as shown in attached **Exhibit H**, may continue until approval of a local development order for the area of the project containing those uses.

b) Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be

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maintained, i.e., mowed, but not cleared or expanded. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.

c) The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must cease by December 31st of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.

25. Deleted.

26. Development along Popash and Bayshore Creeks:

General Conditions:

a. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), the applicant must submit the following information for review and approval by the Lee County Natural Resources Division:

1) If the development parameters change from those modeled and approved during the rezoning, then developer must provide an HEC-RAS model pursuant to the same modeling parameters established during the rezoning process for the Popash and Bayshore Creeks demonstrating that the revised development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms.

2) Show the location and extent of the existing and proposed cross sections from the HEC-RAS model on the Development Order plans, as well as, defining the existing top of bank station/elevation, overbank elevations, roadway elevations, and bridge dimensions and elevations. Sufficient details or sections showing continuity and capacity of flows in the overbank must be clearly demonstrated.

3) All plans and documents related to the above must include the statement: "This is to certify that I am a duly qualified engineer licensed to practice in the State of Florida. It is to further certify that these design plans, drawings, and associated technical calculations and/or data demonstrate that no adverse effects to the existing flood elevations will occur as a result of this development."

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4) The above information must be submitted to the South Florida Water Management District (SFWMD) for review, consideration, and inclusion in their permit files.

5) The developer or its assigns must dedicate a drainage/maintenance easement to Lee County for Popash and Bayshore Creeks for all portion(s) of the channel and its overbanks included in the HEC-RAS modeling and that lie within its property limits. The easement may be part of any conservation easement dedicated to Lee County and the South Florida Water Management District (SFWMD), but must be consistent with the maintenance activities anticipated and outlined in these conditions. The easement must also give the county the right, but not the obligation for maintenance and provide for maintenance access along the creeks. As a part of the easement, the developer agrees to a monthly maintenance schedule to include initial and ongoing maintenance for these creeks that is to include removal of all exotics including, but not limited to, grape vines (above three feet in height above ground) and rosary pea, any deposited debris, fencing, fallen trees, or eroded vegetation. The basic ground cover within the easement area is to remain in its current grassed condition. The relocation of onsite Sabal palms from other parts of the property to the easement area is permissible, but must not be collocated closer than a ten (10) foot spacing. No saw palmetto or shrubbery of any type is to be planted within the easement area. The easement must be reviewed and approved by the County Attorney and Natural Resources during the platting process. This same drainage/maintenance easement language must be contained within the Community Development District (CDD) or Home Owners Association (HOA) documents.

6) All modifications and exotic vegetation removal outlined herein for Popash and Bayshore Creeks must be completed before the issuance of the first Certification of Completion for the first Development Order.

7) The east-west ditch proposed along the northerly boundary of the development must have no interconnection between Popash and Bayshore Creeks.

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Popash Creek:

b. Prior to issuance of the first Development Order (or any early work, clearing, filling permits) containing the bridge crossing, the developer must provide complete construction plans for the bridge for review and approval by the Lee County Natural Resources Division and be in accordance with the following:

1) The bridge crossing of Popash Creek must be a pile-supported structure.

2) No more than two (2) rows of pilings (or supports) are permitted in the overbank and none may be closer than 10 feet to the existing top of bank. Each row must be perpendicular to the direction of flood flows and each must have a maximum dimension of twenty-four (24) inches.

3) The low chord of the bridge must be at or above the 100-year floodwater surface elevation and the abutments for the bridge may not be closer than 50 feet to the existing top of bank. Additionally, the low chord must be at least two (2) feet above the highest overbank elevation within the 50-foot offset areas (total of 100 feet ±).

4) No berming, filling, planting, or other above ground construction/amenities are permitted within 50 feet of the existing top of banks for Popash Creek, unless permitted elsewhere in these conditions by Lee County Natural Resources.

Bayshore Creek:

c. All modifications and exotic vegetation removal outlined below for Bayshore Creek must be completed before the issuance of the first Certification of Completion for the first Development Order.

1) The spoil is to be removed down to an elevation of 18.0 feet NGVD and then sloped in conjunction with the perimeter berm along Bayshore Creek for that portion upstream of Prichett Parkway and within the 50-foot offset from the existing top of bank.

2) No berming, filling, planting, or other above ground construction/amenities are permitted within 50 feet of the existing top of bank for Bayshore Creek, unless permitted elsewhere in these conditions by Lee County Natural Resources.

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27. In light of the potential for the existing High Point Wastewater Treatment Plant (WWTP) to continue operation, the developer must disclose the existence, location and operation of the sewage treatment plant to any purchasers of property immediately adjacent to a line 250 feet from the perimeter boundary of the WWTP site (excluding that portion of the site containing the access road into the WWTP site).

    Any and all agreements for the sale of property immediately adjacent to the 250-foot dimension must include this disclosure statement. The following disclosure statement must appear in bold face and conspicuous type that is larger than the type in the remaining text of the contract:

    > *"Lot owners immediately adjacent to the line, 250 feet from the perimeter boundary of the WWTP site within the Stoneybrook North (f/k/a Heritage Creek) Planned Development, must acknowledge the presence of the High Point Wastewater Treatment Plant."*

28. The maintenance of Popash and Bayshore Creeks within the property limits, which is required in Condition 26, will be assured by the provision of a surety for the annual cost of maintenance. Evidence of the surety must be provided to the County prior to certificate of completion of the first development order for the drainage infrastructure for the project.

29. In an effort to cooperate in achieving the reduction of the regional flooding problem, the applicant must provide a drainage easement to Lee County for the drainage ditch along the north boundary of the property. This easement is for the purpose of allowing the existing ditch to accept the quantity of stormwater that is approved pursuant to a South Florida Water Management District permit addressing the regional flooding problem.

30. Except as otherwise noted on the MCP, perimeter buffers around the outside perimeter of the property will require 10 trees per 100 linear feet and a double staggered hedge. The hedge will be installed at 36 inches high and maintained at 60 inches high. Seventy-five (75) percent of the shrubs and 50 percent of the trees will be native species.

31. Lighting

    a. This project must comply with the recently adopted "Outdoor Lighting Standards" adopted in §34-625.

    b. Outdoor ballfield lights for the baseball field located on Tract K are prohibited.

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c. Outdoor recreational lighting for any multi-purpose courts or fields located on Tract K (with the exception of ballfields where lighting is prohibited) and Tract M must be on timers and must meet the requirements of §34-625 and must be done in a fashion to minimize light pollution, glare and light trespass. Lighting impacts will be measured at the boundary of Tracts K and M, and not at the boundary of any adjacent lakes or preserve areas.

32. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table 1(b).

SECTION C. DEVIATIONS:

1. Deviation (1) - Withdrawn

2. Deviation (2) - Withdrawn

3. Deviation (3) seeks relief from §10-418(2)b which requires the installation of one (1) native wetland herbaceous plant per linear foot of lake shoreline and where trees and shrubs can be substituted for up to 25 percent of the total number of herbaceous plants required; to allow the required plantings to include up to 50 percent trees in the Tract K lake (Lake L1). This deviation is APPROVED, SUBJECT TO Condition 16.

4. Deviation (4) - Withdrawn

5. Deviation (5) - Withdrawn

6. Deviation (6) - Withdrawn

7. Deviation (7) seeks relief from §10-329(e)(4) which requires excavations to be sloped at a ratio of four (4) horizontal to one (1) vertical to a water depth of four feet below the dry season water table and a ratio of two (2) horizontal to one (1) vertical thereafter; to allow 40 percent of the lake bank slopes within the development to utilize vertical bulkheads and/or rip rap. This deviation is APPROVED, SUBJECT TO Condition 18.

8. Deviation (8) - Withdrawn

9. Deviation (9) - Withdrawn

10. Deviation (10) - Withdrawn

11. Deviation (11) - Withdrawn

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12. Deviation (12) seeks relief from §34-1954(a)(1) which requires administrative approval of locations for model homes in new developments; to allow model homes by right in the locations within the development as shown on the MCP. This deviation is APPROVED.

13. Deviation (13) seeks relief from §34-1954(f) which requires parking for model homes or model units to be located on the same premises and in compliance with the type of dwelling unit being displayed; to permit the development of accessory parking for model homes as low turnover and therefore permit development of these lots with alternative surfaces. This deviation is APPROVED, SUBJECT TO the following conditions:

    1. The entrance apron into each parking lot would be paved.

    2. The handicapped parking space(s) in each lot would be paved.

    3. The Applicant will keep the portion of the street in front of each model free from gravel or shell that may be tracked out the model home parking area(s) by departing vehicles.

14. Deviation (14) seeks relief from §30-153(2)(a)(iv) which limits the text of additional subdivision or residential development identification signs to the subdivision or project name; to allow the additional signs for this project to include the notation "A US Home Community," in addition to the name of the development. This deviation is APPROVED, SUBJECT TO the following condition:

    The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15, which was stamped "Received Apr 07 2003 Community Development" and attached as **Exhibit G**.

15. Deviation (15) seeks relief from §30-152(2)(d) which limits the size of project entrance signs and which limits the size and number of additional project signs to allow all of the permitted square footage for the number of permitted signs to be combined into the main project entrance sign and a deviation from §30-94(h) which restricts double faced signs with opposing faces to an interior angle of less than 30 degrees; to allow the Heritage Creek project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall. This deviation is APPROVED, SUBJECT TO the following condition:

    The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15 which was stamped "Received Apr 07 2003 Community Development" and attached as **Exhibit G**.

16. Deviation (16) - Withdrawn

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SECTION D. EXHIBITS AND STRAP NUMBER:

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

Exhibit A: The legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: The Master Concept Plan
Exhibit D: Lee County Extension Services brochure Lee 8/2000A
Exhibit E: Stoneybrook North Littoral Planting Exhibit
Exhibit F: Littoral Planting Exhibit Stonebrook North (with accompanying table)
Exhibit G: Deviations
Exhibit H: Agricultural Uses Exhibit

The applicant has indicated that the STRAP numbers for the subject property are:
15-43-25-00-00001.0000; 15-43-25-00-00001.0010; 16-43-25-00-00001.0060; 16-43-25-00-00001.006A; 16-43-25-00-00001.006B; 16-43-25-00-00001.006C; 16-43-25-00-00001.0100; 16-43-25-00-00002.0000; 16-43-25-00-00003.0000; 16-43-25-00-00003.0010; 16-43-25-00-00003.0020; 16-43-25-00-00003.0030; 16-43-25-00-00003.0040; 16-43-25-00-00003.0050; 16-43-25-00-00003.0070; 16-43-25-00-00003.0080; 21-43-25-00-00001.1000; 21-43-25-00-00002.0000; 21-43-25-00-00006.0020

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.

2. The rezoning, as approved:

   a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and

   b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and

   c. is compatible with existing or planned uses in the surrounding area; and

   d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and

   e. will not adversely affect environmentally critical areas or natural resources.

3. The rezoning satisfies the following criteria:

   a. the proposed use or mix of uses is appropriate at the subject location; and

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b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and

c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Andrew W. Coy, seconded by Commissioner Robert P. Janes, and, upon being put to a vote, the result was as follows:

Robert P. Janes	Aye
Douglas R. St. Cerny	Absent
Ray Judah	Nay
Andrew W. Coy	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 16th day of February, 2004.

ATTEST:
CHARLIE GREEN, CLERK

BY: Cindy Morrison
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

SEAL
BOARD OF COUNTY COMMISSIONERS LEE COUNTY, FLORIDA

Approved as to form by:

_____
County Attorney's Office

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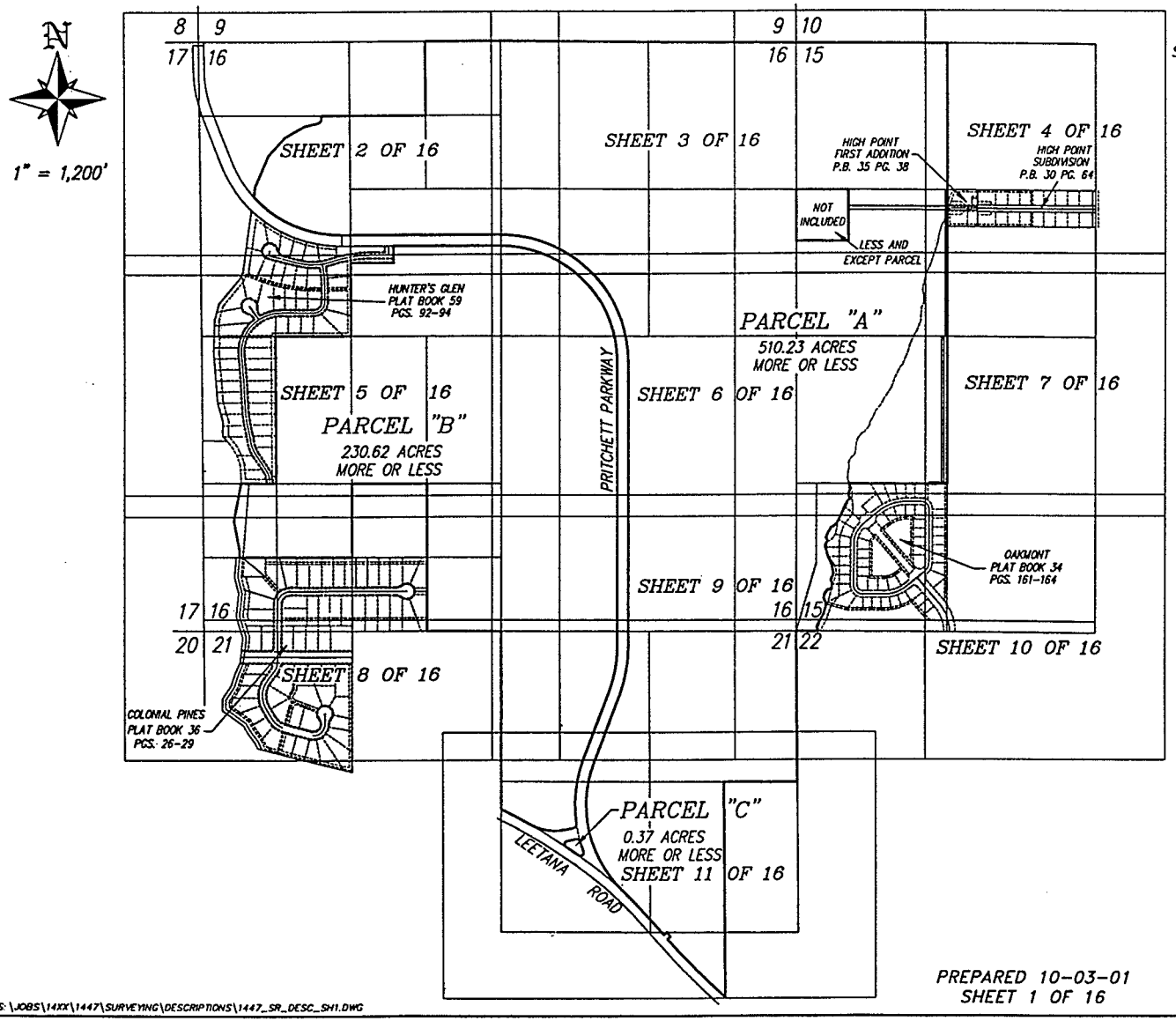
EXHIBIT A

SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

(STONEYBROOK NORTH)



LEGEND:

O.R.	INDICATES OFFICIAL RECORDS BOOK
PG.	INDICATES PAGE.
P.O.B	INDICATES POINT OF BEGINNING
P.O.C.	INDICATES POINT OF COMMENCEMENT
R/W	INDICATES RIGHT-OF-WAY
(1)	INDICATES CURVE NUMBER 1 FROM THE CURVE TABLE
L1	INDICATES LINE NUMBER 1 FROM THE LINE TABLE
SUBDIV.	INDICATES SUBDIVISION

NOTES:

1.) PARCEL SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS OF RECORD.

2.) BEARINGS ARE BASID ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

3.) PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

PERMIT COUNTER
$2000 - 10002

SEE SHEETS 13 THROUGH 16 FOR DESCRIPTIONS.

THIS SKETCH OF DESCRIPTIONS IS NOT A BOUNDARY SURVEY

STATE OF FLORIDA NO. 4009

Richard M. Ritz

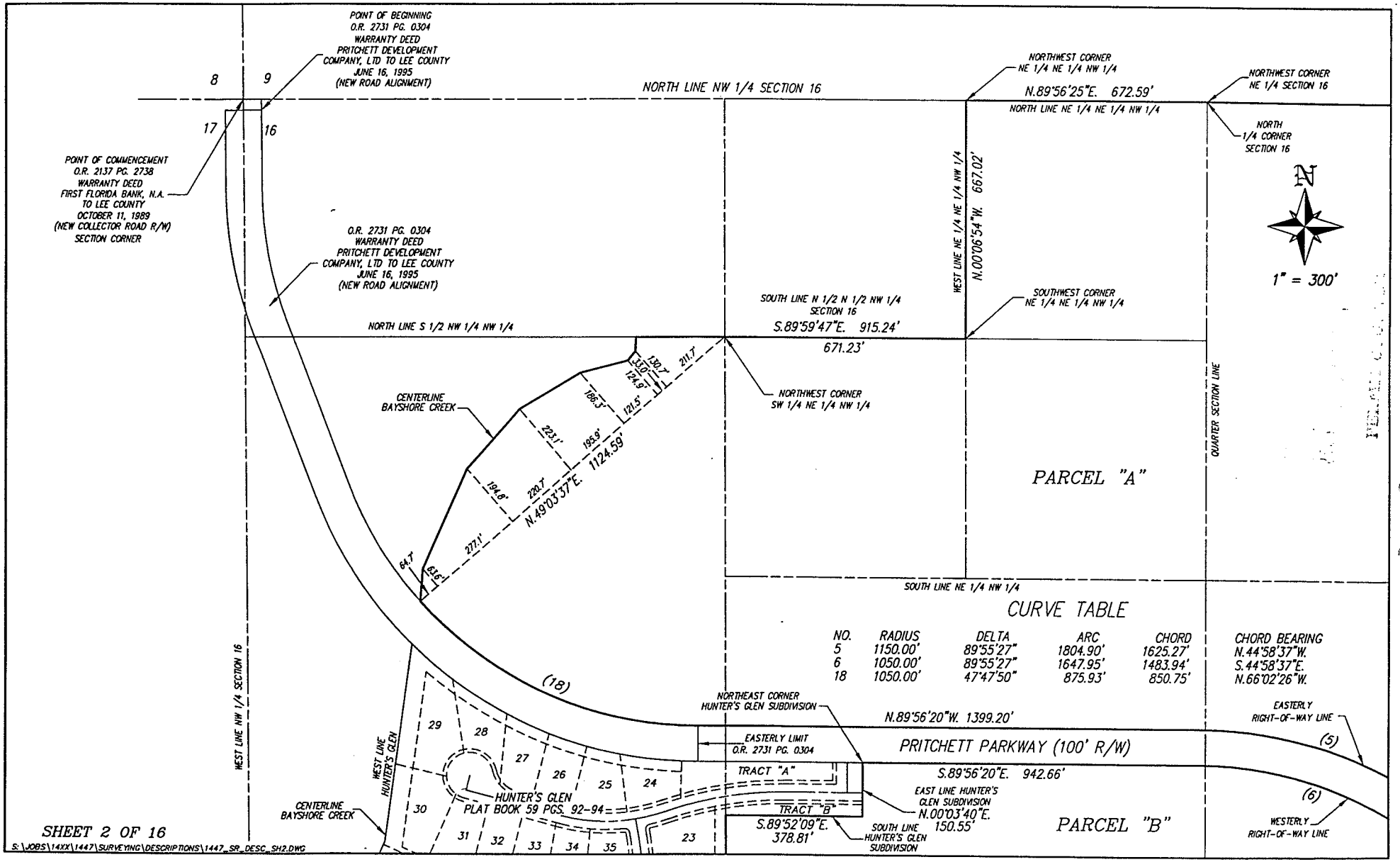
RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

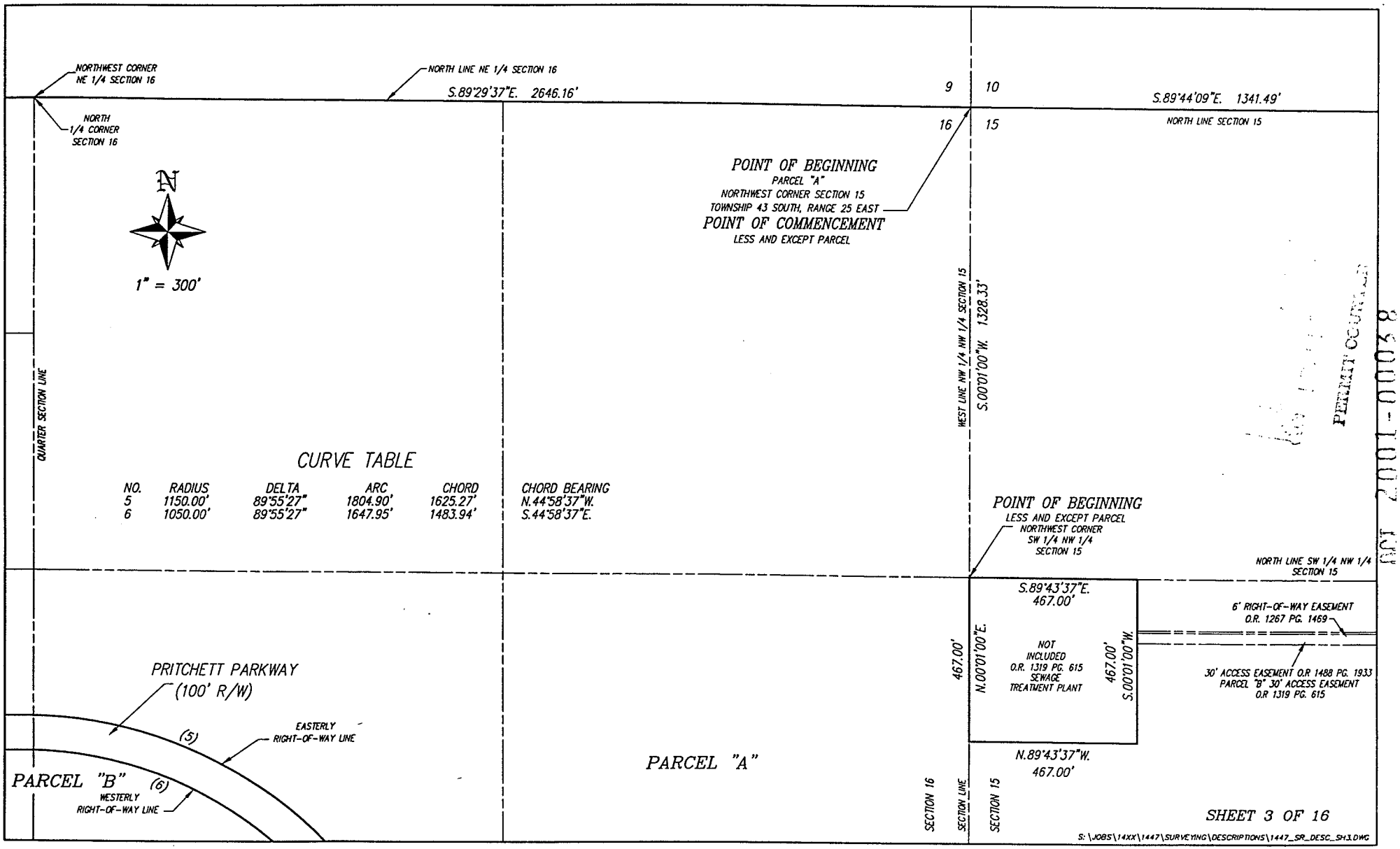
PREPARED 10-03-01
SHEET 1 OF 16

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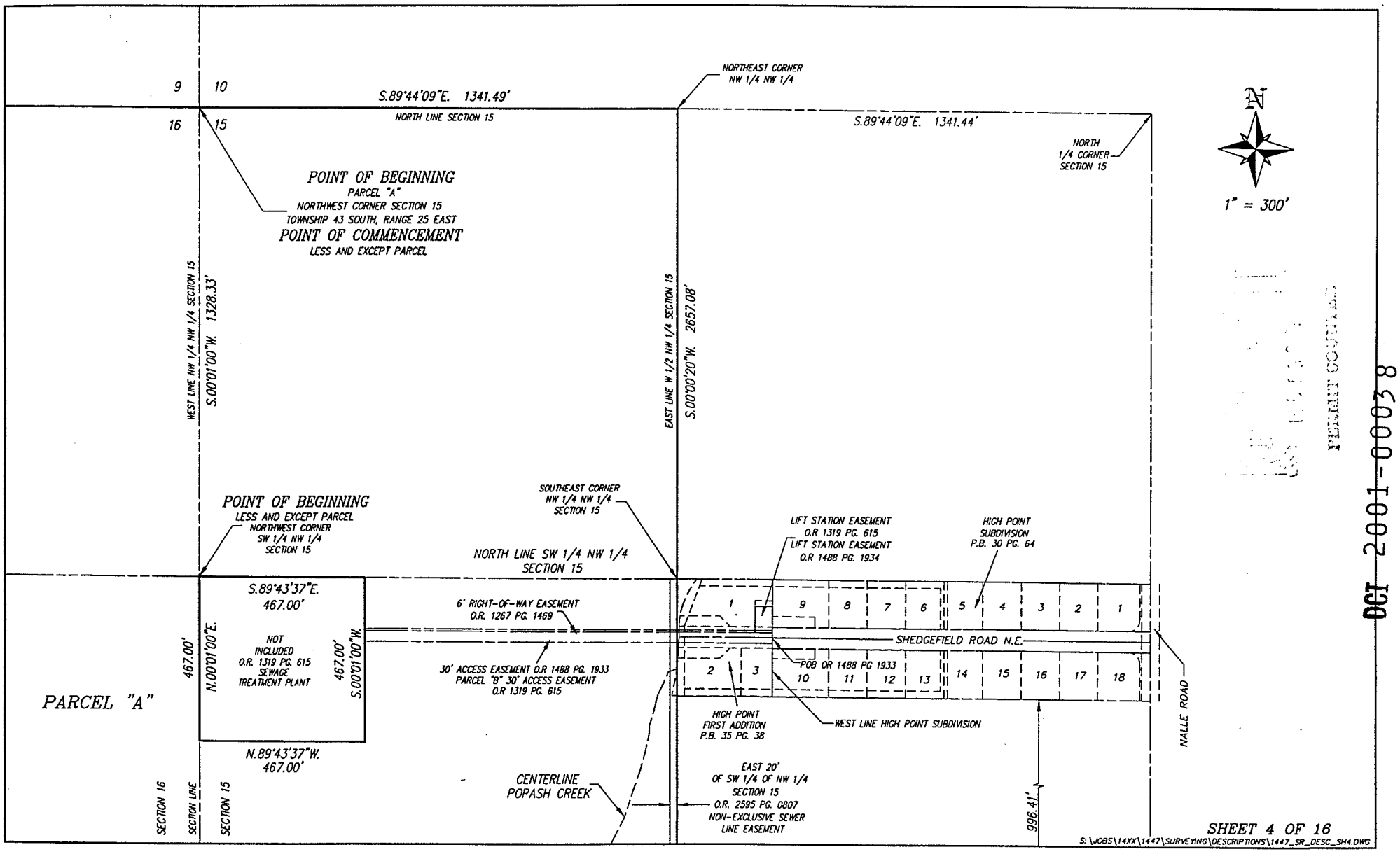
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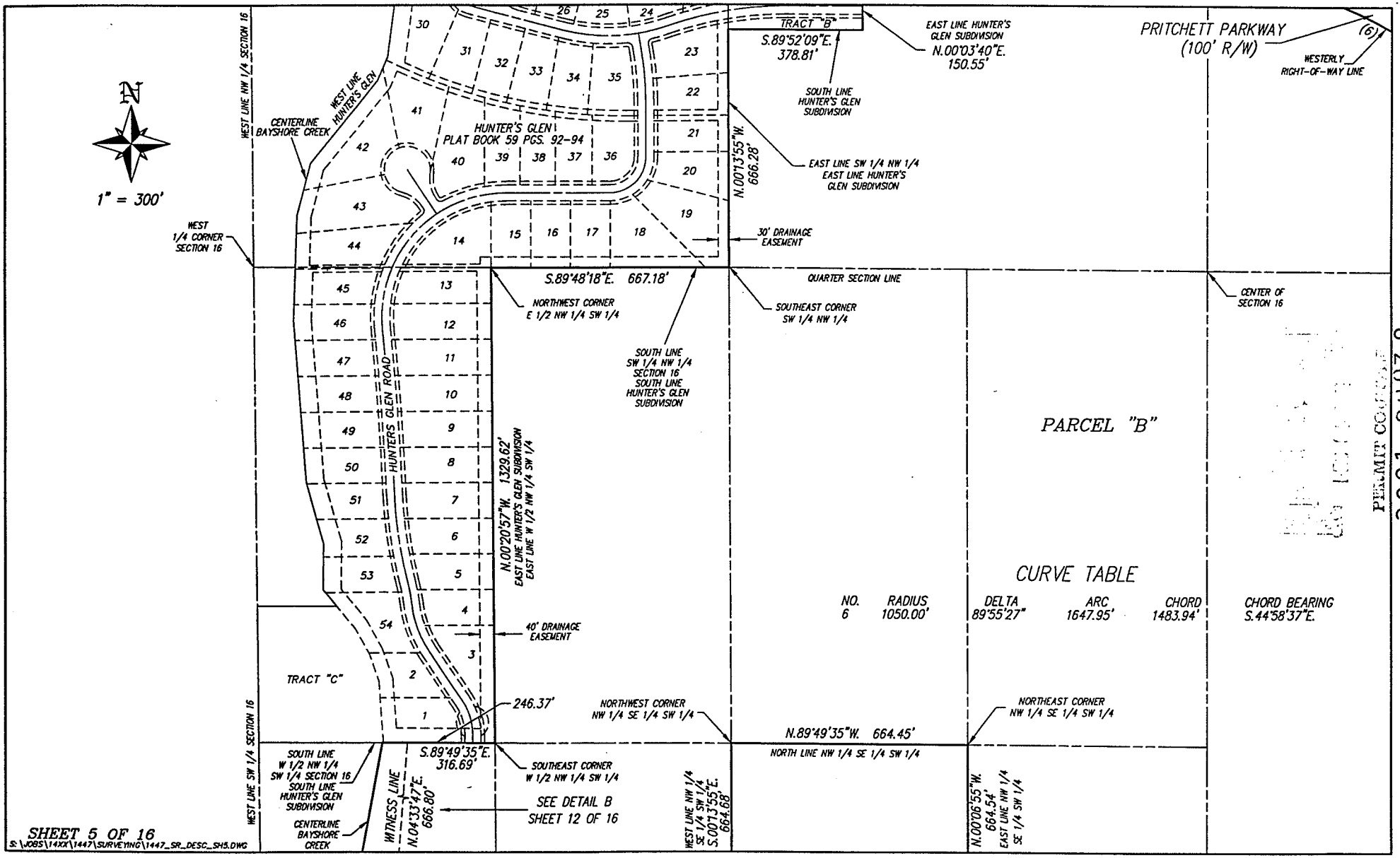


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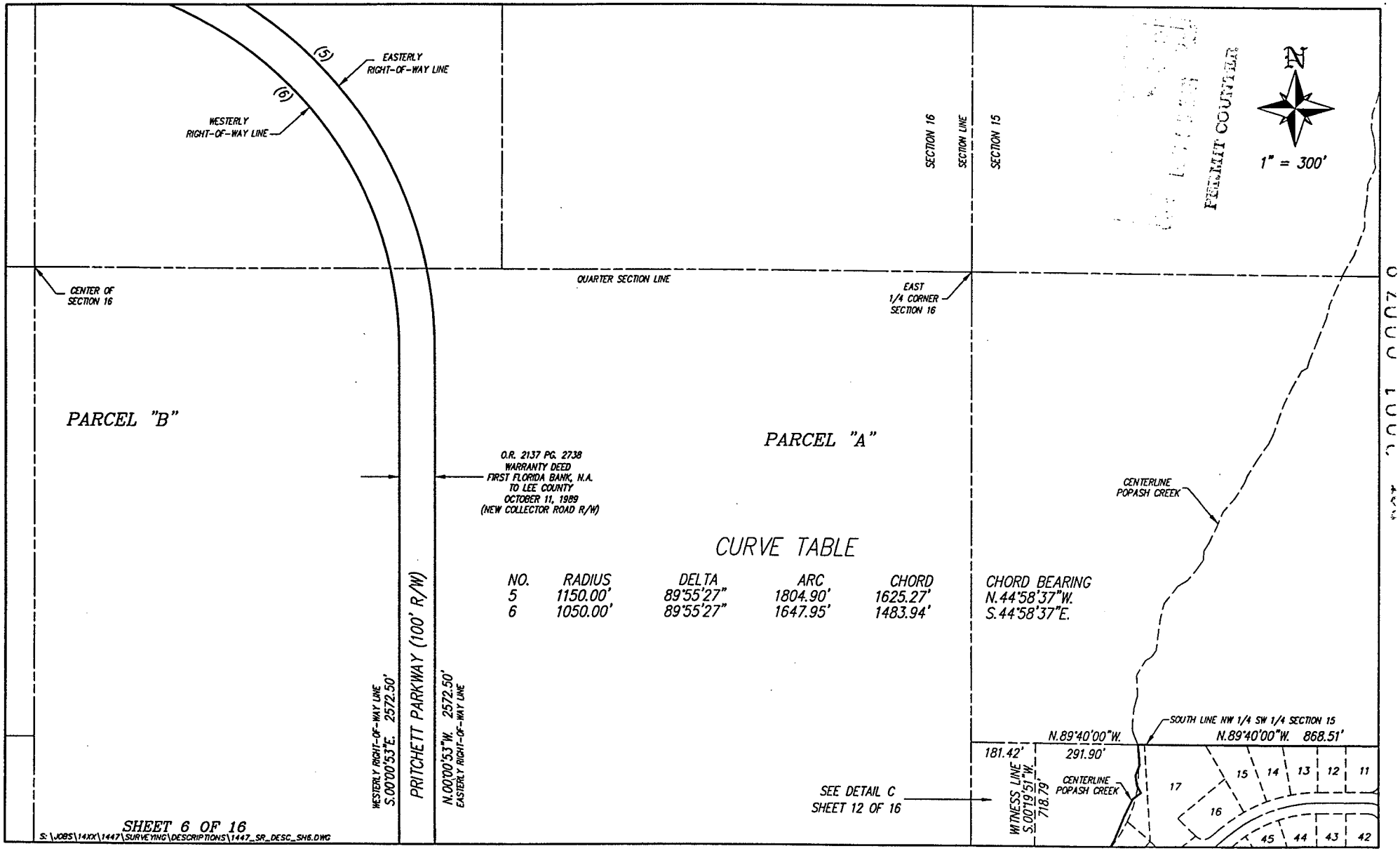


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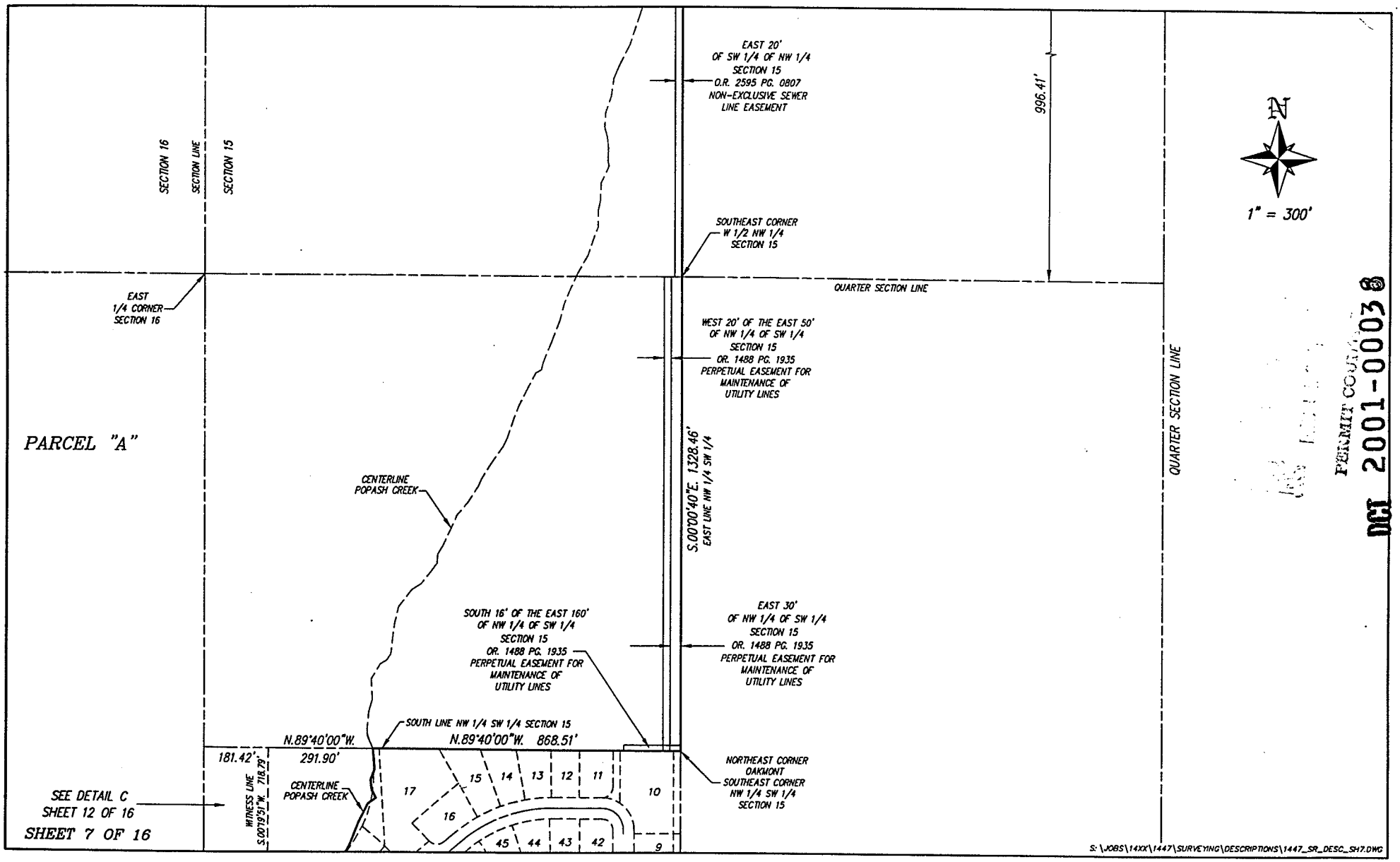
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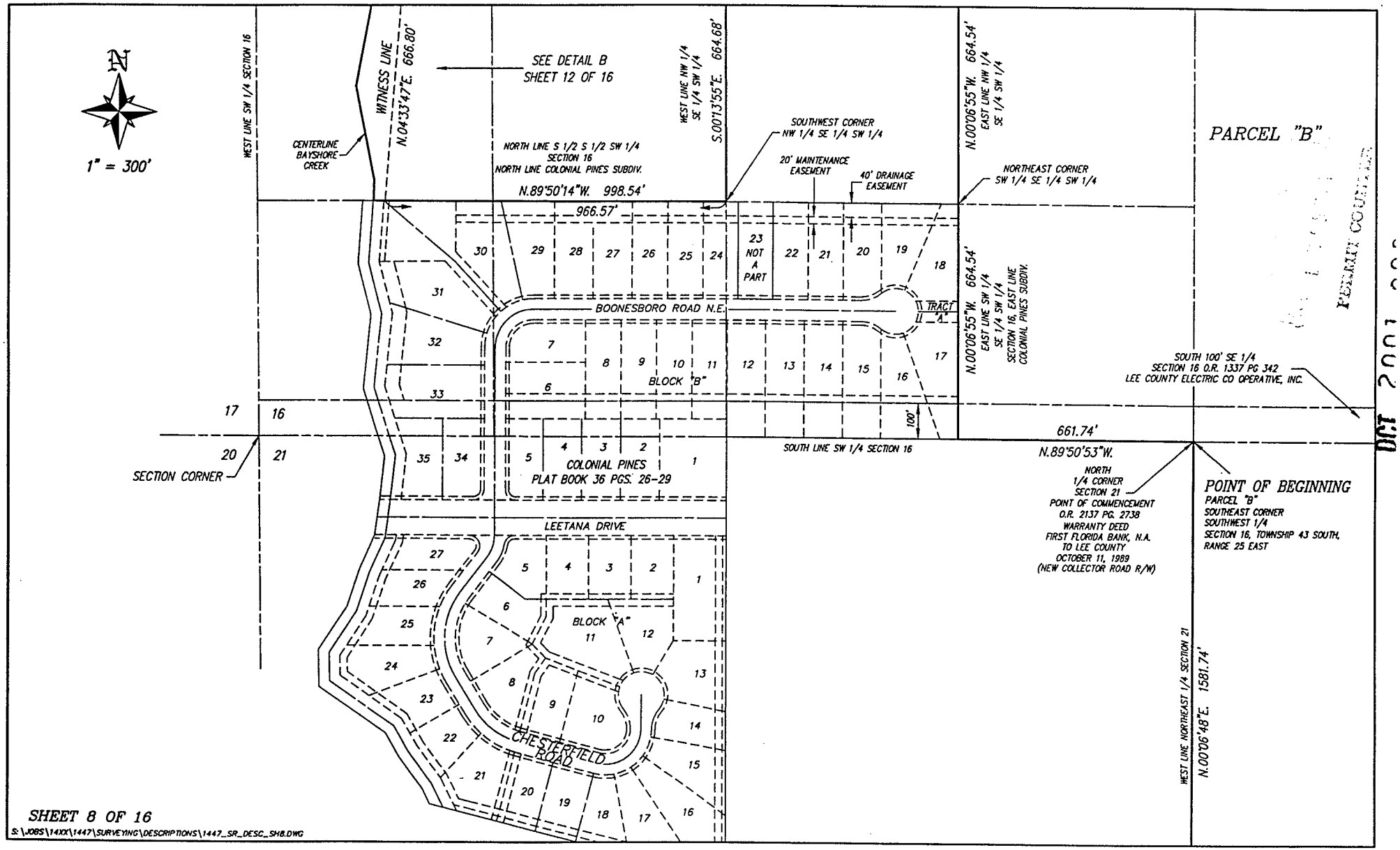
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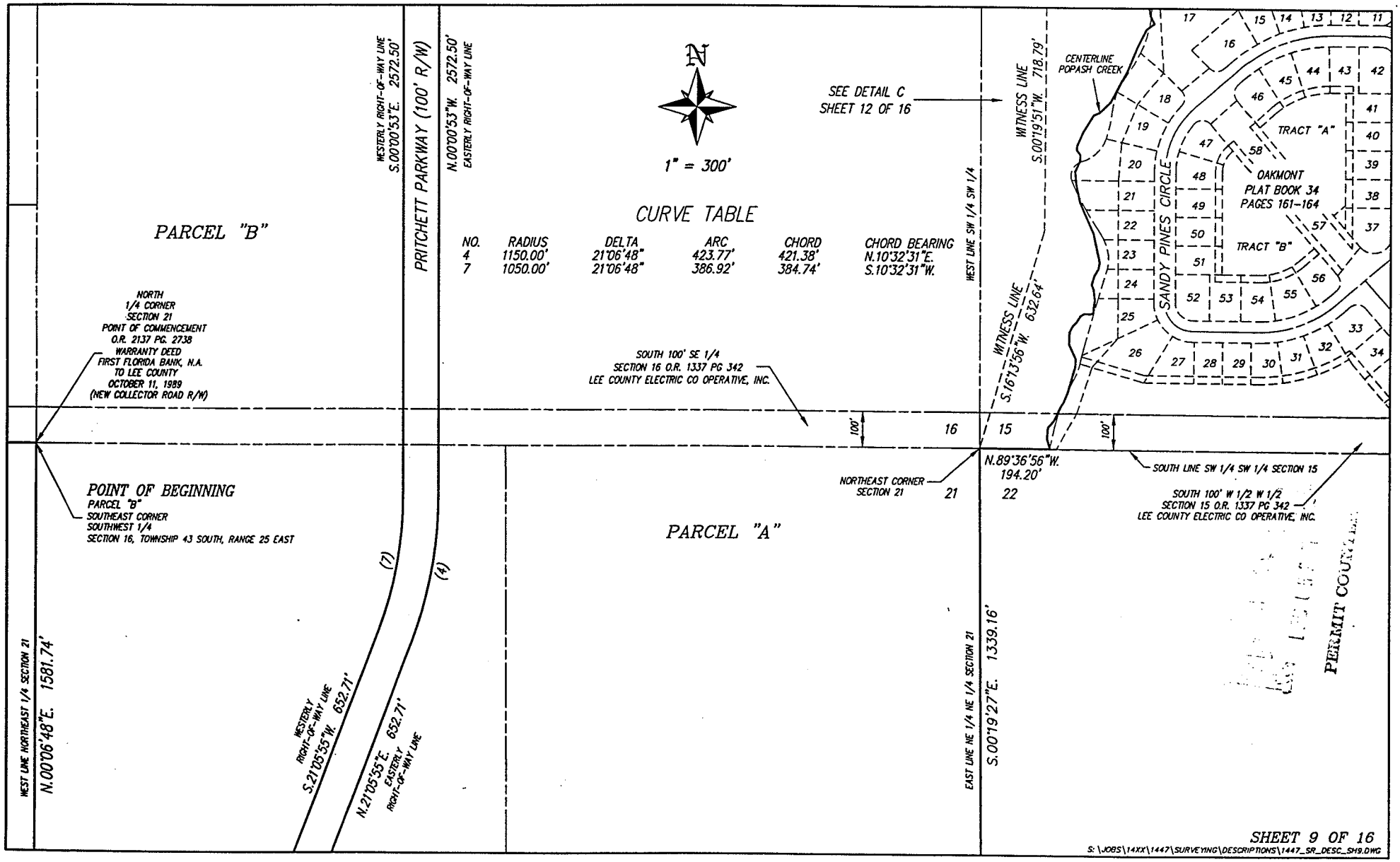
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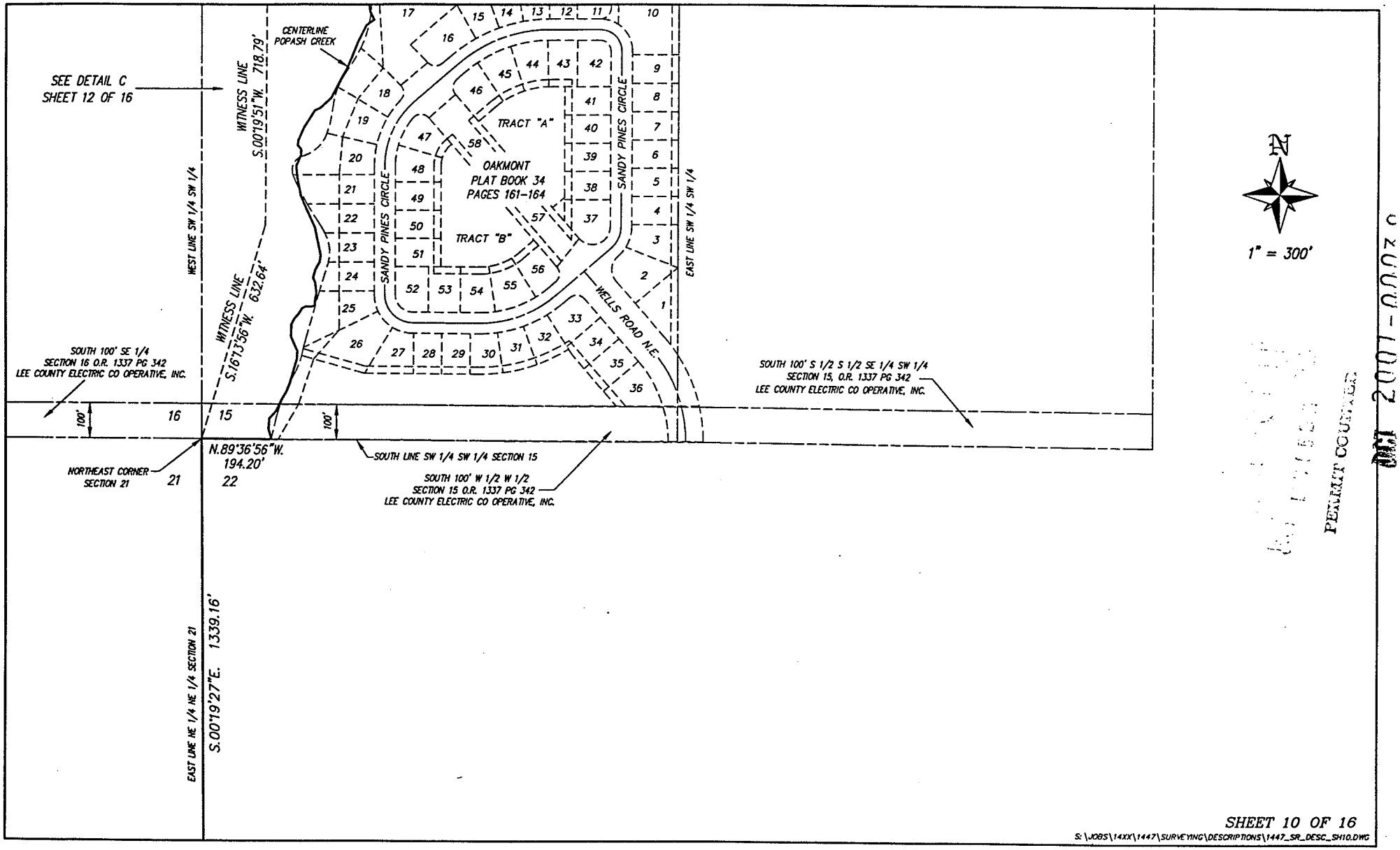
SHEET 8 OF 16

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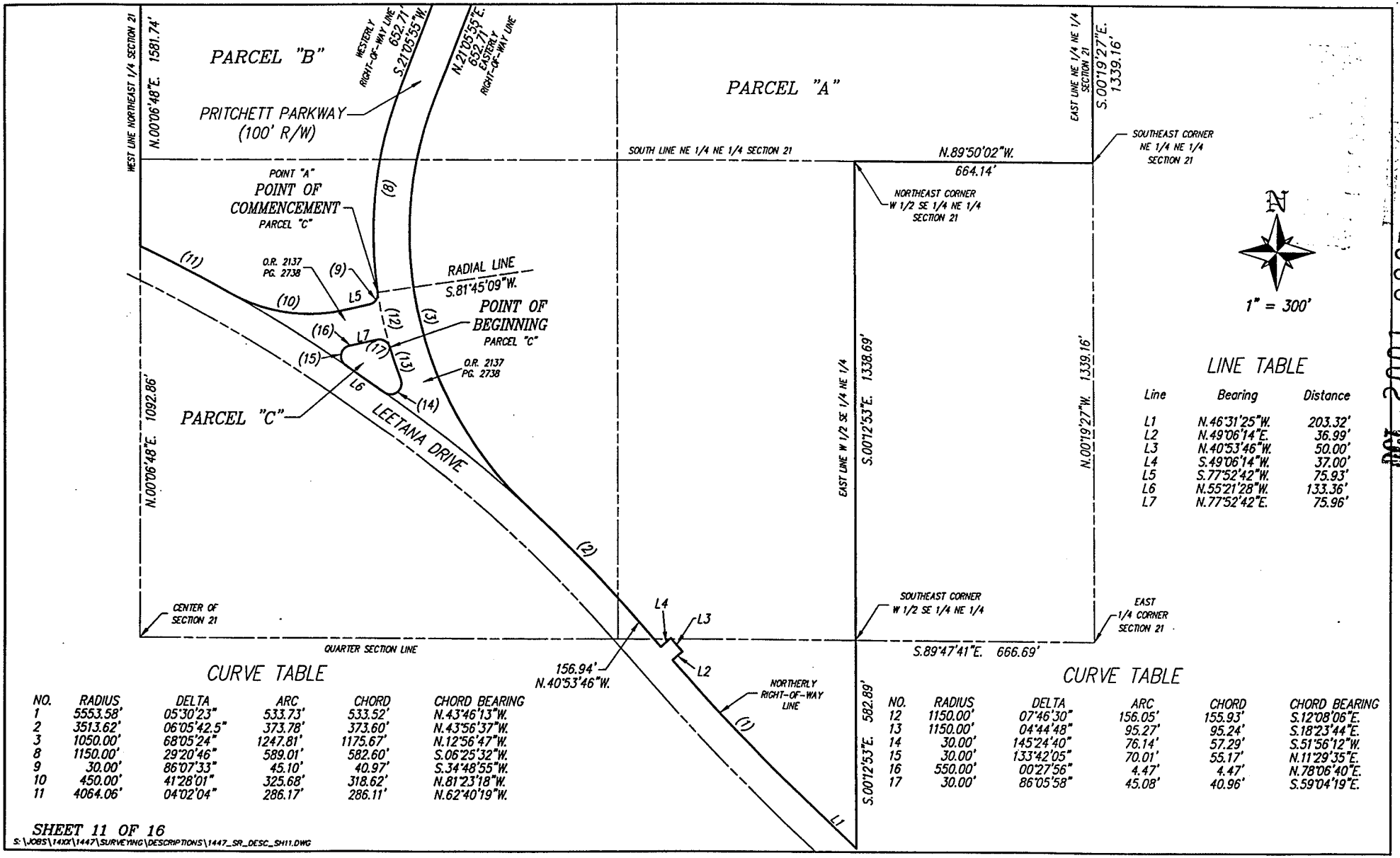


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SHEET 10 OF 16

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LINE TABLE

Line	Bearing	Distance
L1	N.46°31'25"W.	203.32'
L2	N.49°06'14"E.	36.99'
L3	N.40°53'46"W.	50.00'
L4	S.49°06'14"W.	37.00'
L5	S.77°52'42"W.	75.93'
L6	N.55°21'28"W.	133.36'
L7	N.77°52'42"E.	75.96'

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	5553.58'	05°30'23"	533.73'	533.52'	N.43°46'13"W.
2	3513.62'	06°05'42.5"	373.78'	373.60'	N.43°56'37"W.
3	1050.00'	68°05'24"	1247.81'	1175.67'	N.12°56'47"W.
8	1150.00'	29°20'46"	589.01'	582.60'	S.06°25'32"W.
9	30.00'	86°07'33"	45.10'	40.97'	S.34°48'55"W.
10	450.00'	41°28'01"	325.68'	318.62'	N.81°23'18"W.
11	4064.06'	04°02'04"	286.17'	286.11'	N.62°40'19"W.

CURVE TABLE

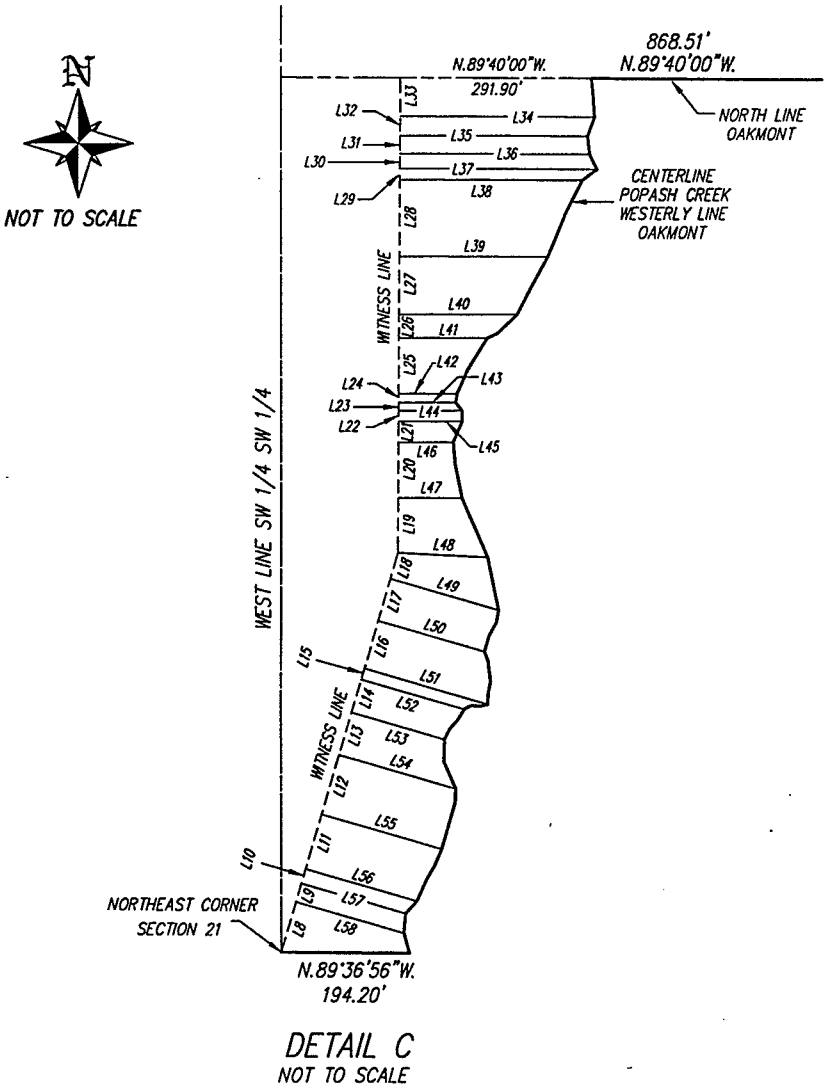
NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
12	1150.00'	07°46'30"	156.05'	155.93'	S.12°08'06"E.
13	1150.00'	04°44'48"	95.27'	95.24'	S.18°23'44"E.
14	30.00'	145°24'40"	76.14'	57.29'	S.51°56'12"W.
15	30.00'	133°42'05"	70.01'	55.17'	N.11°29'35"E.
16	550.00'	00°27'56"	4.47'	4.47'	N.78°06'40"E.
17	30.00'	86°05'58"	45.08'	40.96'	S.59°04'19"E.

SHEET 11 OF 16

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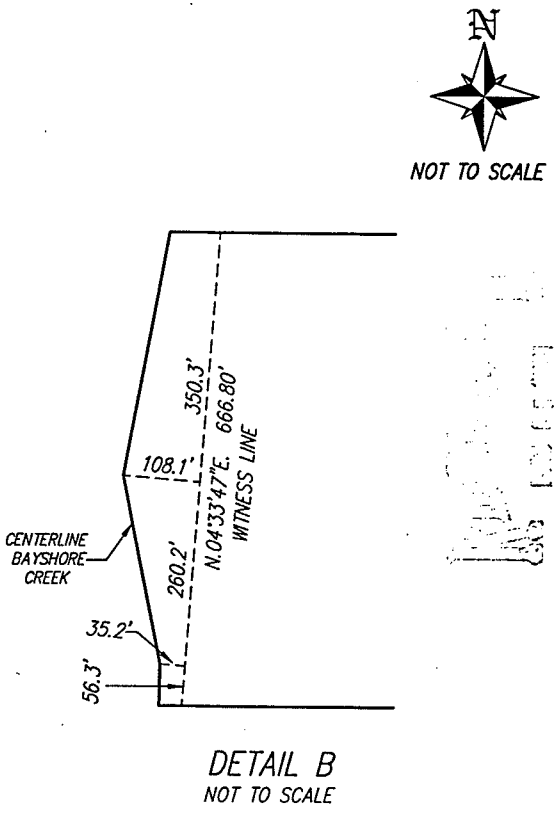
DETAIL C
NOT TO SCALE

LINE TABLE

Line	Bearing	Distance
L8	N.16°13'56"E.	79.4'
L9	N.16°13'56"E.	29.6'
L10	N.16°13'56"E.	23.1'
L11	N.16°13'56"E.	86.7'
L12	N.16°13'56"E.	94.4'
L13	N.16°13'56"E.	67.3'
L14	N.16°13'56"E.	52.6'
L15	N.16°13'56"E.	17.2'
L16	N.16°13'56"E.	75.4'
L17	N.16°13'56"E.	66.6'
L18	N.16°13'56"E.	40.3'
L19	N.00°19'51"E.	83.1'
L20	N.00°19'51"E.	83.7'
L21	N.00°19'51"E.	31.8'
L22	N.00°19'51"E.	16.0'
L23	N.00°19'51"E.	12.6'
L24	N.00°19'51"E.	13.2'
L25	N.00°19'51"E.	84.6'
L26	N.00°19'51"E.	35.8'
L27	N.00°19'51"E.	87.0'
L28	N.00°19'51"E.	116.4'
L29	N.00°19'51"E.	16.7'
L30	N.00°19'51"E.	22.7'
L31	N.00°19'51"E.	27.4'
L32	N.00°19'51"E.	29.4'
L33	N.00°19'51"E.	58.4'
L34	S.89°40'09"E.	297.3'
L35	S.89°40'09"E.	286.4'
L36	S.89°40'09"E.	289.9'
L37	S.89°40'09"E.	301.4'
L38	S.89°40'09"E.	279.0'
L39	S.89°40'09"E.	227.1'
L40	S.89°40'09"E.	181.1'
L41	S.89°40'09"E.	135.2'
L42	S.89°40'09"E.	89.7'
L43	S.89°40'09"E.	88.0'
L44	S.89°40'09"E.	97.6'
L45	S.89°40'09"E.	97.8'
L46	S.89°40'09"E.	84.3'
L47	S.89°40'09"E.	97.7'
L48	S.87°00'59"E.	137.8'
L49	S.73°46'04"E.	172.6'
L50	S.73°46'04"E.	169.4'
L51	S.73°46'04"E.	196.7'
L52	S.73°46'04"E.	164.5'
L53	S.73°46'04"E.	148.4'
L54	S.73°46'04"E.	185.7'
L55	S.73°46'04"E.	191.1'
L56	S.73°46'04"E.	176.0'
L57	S.73°46'04"E.	164.7'
L58	S.73°46'04"E.	170.2'

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DETAIL SHEET



DETAIL B
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Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF
PARCELS OF LAND
LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

TRACTS OR PARCELS OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 15, 16 AND 21 TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°44'09"E. ALONG THE NORTH LINE OF SAID SECTION 15 FOR 1341.49 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.00°00'20"W. ALONG THE EAST LINE OF SAID FRACTION FOR 2657.08 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.00°00'40"E. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 FOR 1328.46 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION THE SAME BEING THE NORTHEAST CORNER OF OAKMONT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34 AT PAGES 161 THROUGH 164 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°40'00"W. ALONG THE SOUTH LINE OF SAID FRACTION AND THE NORTH LINE OF SAID OAKMONT FOR 868.51 FEET TO AN INTERSECTION WITH THE CENTERLINE OF POPASH CREEK AND THE WESTERLY LINE OF SAID OAKMONT; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE AND SAID WESTERLY LINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 THE SAME BEING THE SOUTHWEST CORNER OF SAID OAKMONT; THENCE N.89°36'56"W. ALONG SAID SOUTH LINE FOR 194.20 FEET TO THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°19'27"E. ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21 FOR 1339.16 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N.89°50'02"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 664.14 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.00°12'53"E. ALONG THE EAST LINE OF SAID FRACTION FOR 1338.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE CONTINUE S.00°12'53"E. 582.89 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.46°31'25"W. ALONG SAID NORTHERLY LINE FOR 203.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5553.58 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°30'23.2" FOR 533.73 FEET; THENCE N.49°06'14"E. ALONG SAID NORTHERLY LINE FOR 36.99 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 50.00 FEET; THENCE S.49°06'14"W. ALONG SAID NORTHERLY LINE FOR 37.00 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 156.94 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3513.62 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 06°05'42.5" FOR 373.78 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 1050.00 FEET; THENCE

10511 Six Mile Cypress Pkwy, Suite 101, Ft Myers, Florida 333912 • (941) 939-5490 • Fax (941) 939-2923

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NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 68°05'24" FOR 1247.81 FEET; THENCE N.21°05'55"E. ALONG SAID EASTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 423.77 FEET; THENCE N.00°00'53"W. ALONG SAID EASTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1804.90 FEET; THENCE N.89°56'20"W. ALONG SAID EASTERLY LINE FOR 1399.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°47'50" FOR 875.93 FEET; TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK; THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°59'47"E. ALONG SAID SOUTH LINE FOR 915.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE N.00°06'54"W. ALONG THE WEST LINE OF SAID FRACTION FOR 667.02 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID FRACTION; THENCE N.89°56'25"E. ALONG SAID NORTH LINE FOR 672.59 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE S.89°29'37"E. ALONG THE NORTH LINE OF SAID SECTION FOR 2646.16 FEET TO THE **POINT OF BEGINNING.**

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL

COMMENCING AT NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°01'00"W. ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15 FOR 1328.33 FEET TO THE POINT OF BEGINNING THE SAME BEING THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.89°43'37"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 467.00 FEET; THENCE S.00°01'00"W. FOR 467.00 FEET; THENCE N.89°43'37"W. FOR 467.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID FRACTION; THENCE N.00°01'00"E. ALONG THE WEST LINE OF SAID FRACTION FOR 467.00 FEET TO THE POINT OF BEGINNING.

PARCEL "A" CONTAINS 510.23 ACRES MORE OR LESS.

AND: PARCEL "B"

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.89°50'53"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 661.74 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 THE SAME BEING A POINT ON THE EAST LINE OF COLONIAL PINES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 36 AT PAGES 26 THROUGH 29 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°06'55"W. ALONG SAID EAST LINE FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND SAID COLONIAL PINES; THENCE N.00°06'55"W. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N.89°49'35"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 664.45 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE S.00°13'55"E. ALONG THE EAST LINE OF SAID FRACTION FOR 664.68 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION THE SAME BEING AN INTERSECTION WITH THE NORTH LINE OF SAID COLONIAL PINES; THENCE N.89°50'14"W. ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 AND THE NORTH LINE OF SAID COLONIAL PINES FOR 998.54 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE

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CREEK; THENCE NORTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, THE SAME BEING THE SOUTH LINE OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S.89°49'35"E. ALONG SAID SOUTH LINE FOR 316.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND SAID HUNTER'S GLEN; THENCE N.00°20'57"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 1329.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND SAID HUNTER'S GLEN; THENCE S.89°48'18"E. ALONG SAID SOUTH LINE FOR 667.18 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°13'55"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 666.28 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN; THENCE S.89°52'09"E. ALONG SAID SOUTH LINE FOR 378.81 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°03'40"E. ALONG SAID EAST LINE FOR 150.55 FEET TO THE NORTHEAST CORNER OF SAID HUNTER'S GLEN, THE SAME BEING AN INTERSECTION WITH THE WESTERLY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE S.89°56'20"E. ALONG SAID WESTERLY LINE FOR 942.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1647.95 FEET; THENCE S.00°00'53"E. ALONG SAID WESTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 386.92 FEET; THENCE S.21°05'55"W. ALONG SAID WESTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 29°20'46" FOR 589.01 FEET TO **POINT "A"** THE SAME BEING AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°07'33" FOR 45.10 FEET; THENCE S.77°52'42"W. ALONG SAID NORTHERLY LINE FOR 75.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 41°28'01" FOR 325.68 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF LEETANA DRIVE (86 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 4064.06 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°02'04" FOR 286.17 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.00°06'48"E. ALONG SAID WEST LINE FOR 1581.74 FEET TO THE **POINT OF BEGINNING.**

PARCEL "B" CONTAINS 230.62 ACRES MORE OR LESS.

AND: PARCEL "C"

COMMENCING AT THE AFOREMENTIONED **POINT "A"** THE SAME BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.81°45'09"W.; THENCE; SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°46'30" FOR 156.05 FEET TO THE **POINT OF BEGINNING;** THENCE CONTINUE SOUTHERLY ALONG SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) THROUGH A CENTRAL ANGLE OF 04°44'48" FOR 95.27 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.55°21'28"W. ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE

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SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 550.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 00°27'56" FOR 4.47 FEET; THENCE N.77°52'42"E. ALONG SAID SOUTHERLY LINE FOR 75.96 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°05'58" FOR 45.08 FEET TO THE **POINT OF BEGINNING.**

PARCEL "C" CONTAINS 0.37 ACRES MORE OR LESS.

PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

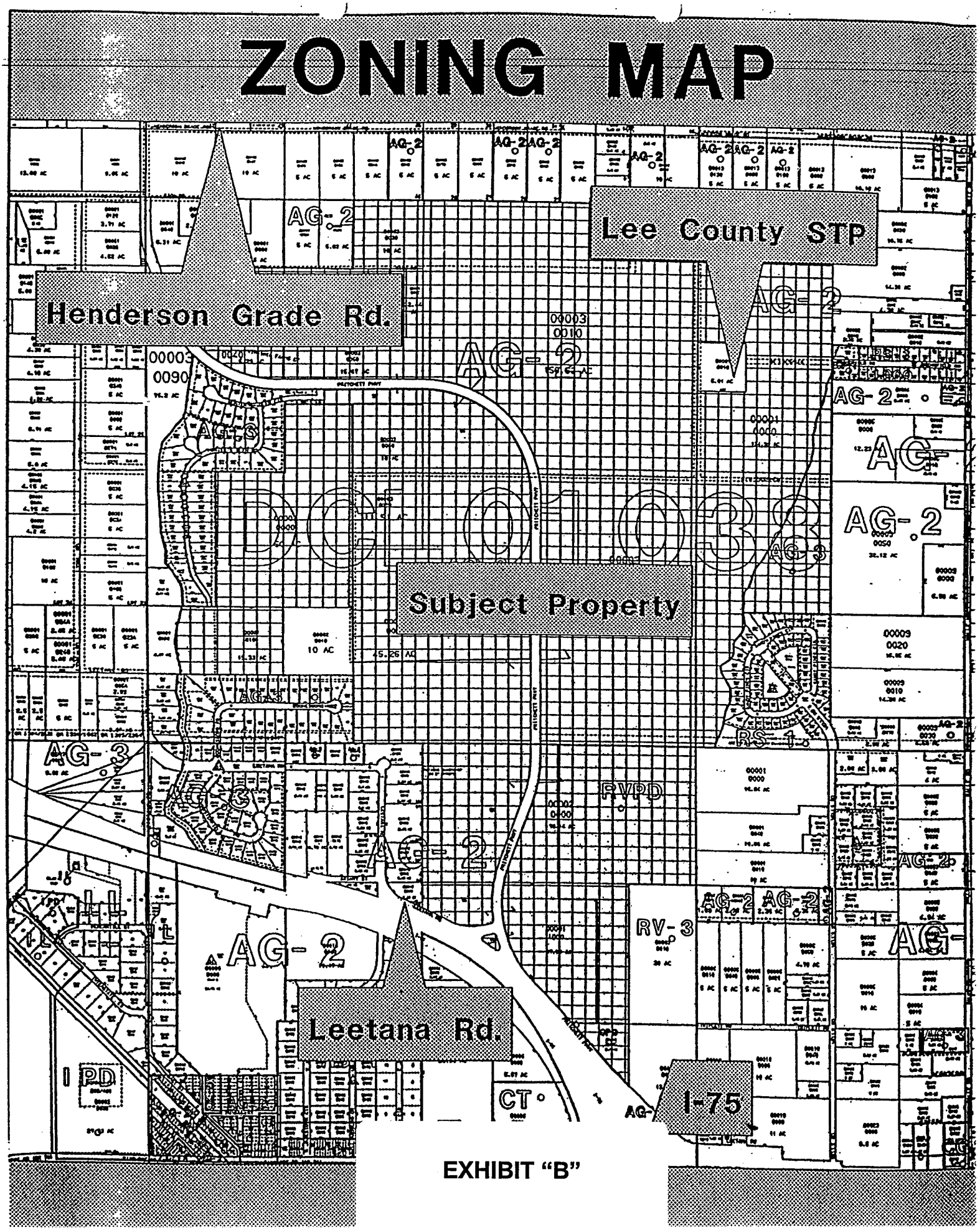
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

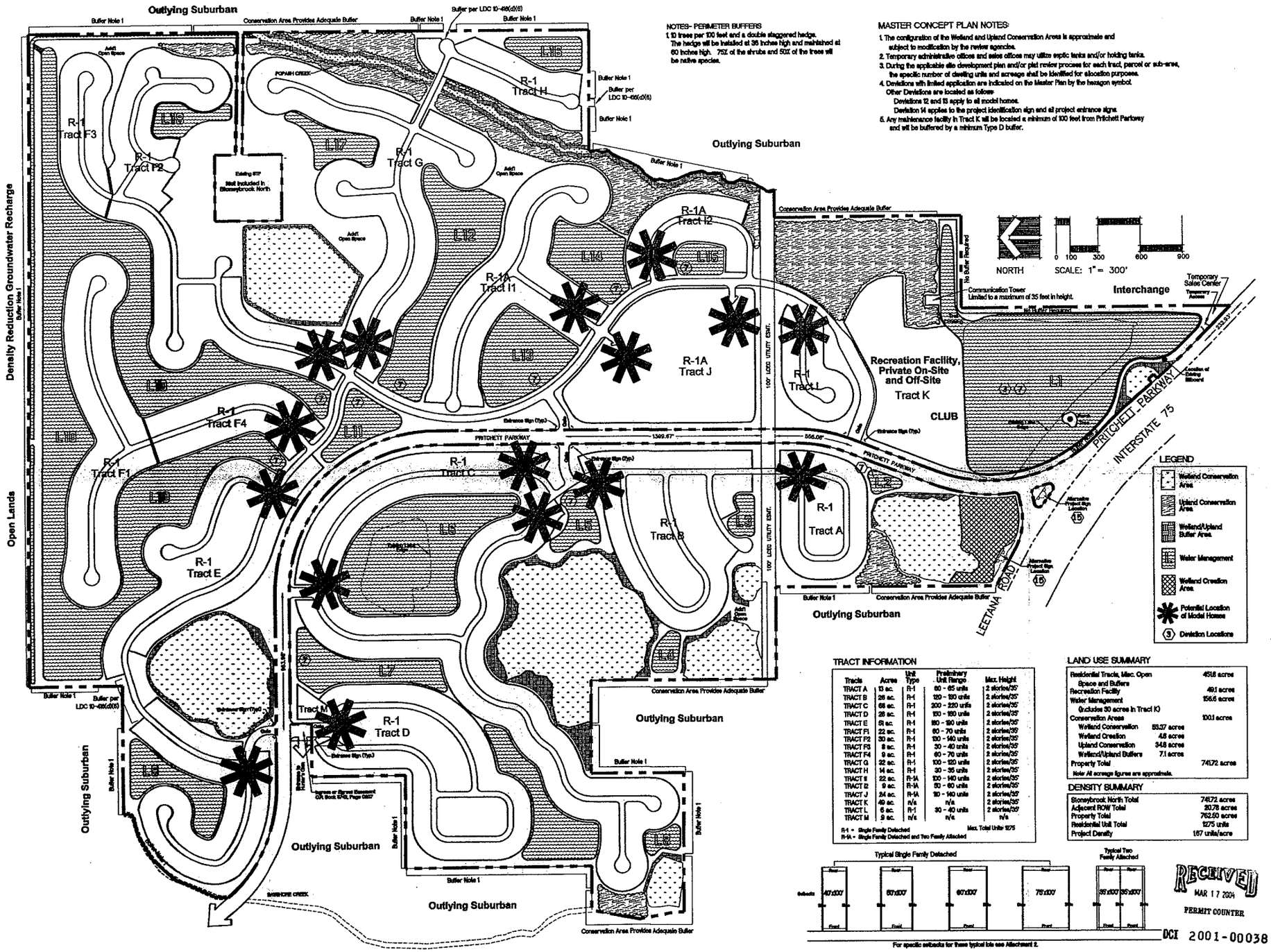
DESCRIPTION PREPARED 10-03-01

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S:\Jobs\14xx\1447\SURVEYING\DESCRIPTIONS\1447_SR_DESC_SH1-SH12.dwg

Applicant's Legal Checked
by _____ 11/26/02


ZONING MAP
Lee County STP
Henderson Grade Rd.
Subject Property
Leetana Rd.
I-75
AG-2
AG-3
RS-1
RVPD
RV-3
CT
I PD
EXHIBIT "B"

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NOTES- PERIMETER BUFFERS

1.10 trees per 100 feet and a double staggered hedge. The hedge will be installed at 36 inches high and maintained at 60 inches high. 75% of the shrubs and 50% of the trees will be native species.

MASTER CONCEPT PLAN NOTES:

1. The configuration of the Wetland and Upland Conservation Areas is approximate and subject to modification by the review agencies.
2. Temporary administrative offices and sales offices may utilize septic tanks and/or holding tanks.
3. During the applicable site development plan and/or plat review process for each tract, parcel or sub-area, the specific number of dwelling units and acreage shall be identified for allocation purposes.
4. Deviations with limited application are indicated on the Master Plan by the hexagon symbol. Other Deviations are located as follows:
   Deviations 12 and 13 apply to all model homes.
   Deviation 14 applies to the project identification sign and all project entrance signs.
5. Any maintenance facility in Tract K will be located a minimum of 100 feet from Pritchett Parkway and will be buffered by a minimum Type D buffer.

TRACT INFORMATION

Tracts	Acres	Unit Type	Preliminary Unit Range	Max. Height
TRACT A	13 ac.	R-1	60 - 65 units	2 stories/35'
TRACT B	28 ac.	R-1	120 - 130 units	2 stories/35'
TRACT C	66 ac.	R-1	200 - 220 units	2 stories/35'
TRACT D	28 ac.	R-1	110 - 130 units	2 stories/35'
TRACT E	51 ac.	R-1	180 - 190 units	2 stories/35'
TRACT F1	22 ac.	R-1	60 - 70 units	2 stories/35'
TRACT F2	30 ac.	R-1	100 - 140 units	2 stories/35'
TRACT F3	8 ac.	R-1	30 - 40 units	2 stories/35'
TRACT F4	9 ac.	R-1	60 - 70 units	2 stories/35'
TRACT G	32 ac.	R-1	100 - 120 units	2 stories/35'
TRACT H	14 ac.	R-1	30 - 35 units	2 stories/35'
TRACT I	32 ac.	R-1A	100 - 140 units	2 stories/35'
TRACT I2	9 ac.	R-1A	50 - 60 units	2 stories/35'
TRACT J	34 ac.	R-1A	80 - 140 units	2 stories/35'
TRACT K	49 ac.	n/a	n/a	2 stories/35'
TRACT L	6 ac.	R-1	30 - 40 units	2 stories/35'
TRACT M	9 ac.	n/a	n/a	n/a

R-1 = Single Family Detached
R-1A = Single Family Detached and Two Family Attached
Max. Total Units 1275

LAND USE SUMMARY

Residential Tracts, Misc. Open Space and Buffers		451.8 acres
Recreation Facility		49.1 acres
Water Management (includes 30 acres in Tract K)		156.6 acres
Conservation Areas		100.1 acres
Wetland Conservation	85.37 acres	
Wetland Creation	4.8 acres	
Upland Conservation	34.8 acres	
Wetland/Upland Buffers	7.1 acres	
Property Total		741.72 acres

Note: All acreage figures are approximate.

DENSITY SUMMARY

Stoneybrook North Total	741.72 acres
Adjacent ROW Total	20.78 acres
Property Total	762.50 acres
Residential Unit Total	1275 units
Project Density	1.67 units/acre

Typical Single Family Detached

Typical Two Family Attached

For specific setbacks for these typical lots see Attachment 2.

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WilsonMiller

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Landscape Architects • Transportation Consultants

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E-mail: FortMyers@wilsonmiller.com • Web-Site: www.wilsonmiller.com

STONEYBROOK NORTH
MASTER CONCEPT PLAN
PREPARED FOR : US HOME CORPORATION

EXHIBIT "C"

APPROVED
Master Concept Plan
Strap # Z-02-070 Page 1 of 1
Subject to conditions in Resolution Z-02-070
Case # DCI2001-00038

PRINTED
MAR 17 2004
Wilson-Miller, Inc.
4571 Colonial Boulevard
Ft. Myers, Florida 33912

SEC 15,16 TWP 43S RGE 25E
Designed by:
Drawn by: S.W.P./1078
Checked by:
Approved by:
Date: March 10, 2004
Scale: 1" = 300'
PIN: 03642-000-000 PZPSR
File #: D-3642-02

Sheet 1 of 1

ADD2024-00183 Lee County ePlan

UNIVERSITY OF FLORIDA

Horticulture

LEE COUNTY EXTENSION SERVICE

TRANSPLANTING SABAL PALMS
Step-by-Step Instructions

Lee 8/2000A

Stephen H. Brown
Lee County Horticulture Agent

Rick Joyce
Deputy Director, Lee County Planning Division

Introduction

The native cabbage or sabal palm (*Sabal palmetto)* is the official state tree of Florida and is a prominent feature in Florida's landscape. The palm is highly adaptive, tough, tolerant of a wide range of soils, and is hurricane resistant. When planted six to ten feet on center, sabal palms provide desirable shade. Sabal palms, including large-sized palms, can be transplanted with high success if a few simple precautions are taken. This fact sheet provides specific proven techniques to increase the success of sabal palm transplanting.

Step-by-Step Transplant Instructions

1. Use gasoline powered tree spade or heavy steel shanked digging spade with a clean well-honed cutting edge to dig the largest possible root ball. Usually to 18 inches from the edge of the trunk.
2. Remove the palm from ground. Take care not to damage the hidden bud located within the center of the canopy.
3. Using clean sharp hand spades, trim the root ball into circular shape 13 to 16 inches from the outer edge of the trunk.
4. Two methods of pruning fronds for landscape transplant (select one):
   a. Remove oldest (brown) fronds. Tie the remaining fronds tightly together with a biodegradable twine. Do not disturb the bud.
   b. Remove all fronds otherwise known as "hurricane" or "cigar cut." This recommended pruning technique gives the highest rate of establishment but must be carefully done.
5. Secure the palm on a flat bed truck and transport it to the planting site. Make sure the center of the bud is well protected.
6. Keep the root ball moist between removal and installation.
7. Prepare planting hole 1-2 times the diameter of the trunk but at the same depth as the root ball.
8. Back-fill the planting hole with the same soil that had been removed. There is no need to amend the planting hole, but if it is amended, use a fill similar to that of the planting hole. The amendment should not exceed 25 percent by volume of the soil removed from the hole.
9. Carefully set the palm into the planting hole. Make sure it is planted the same depth as it was in the field. Planting too deeply will cause root suffocation and lead to nutritional deficiencies, root rot, and frequently the death of the palm.
10. Secure and stake the palm as illustrated in the diagram. DO NOT DRIVE NAILS DIRECTLY INTO THE PALM.

(Continued on the back.)

The Extension Service is part of a publicly funded statewide educational network that provides information and scientific knowledge to area residents, businesses and government leaders. The University of Florida, Extension Service offers the latest research and technology in more than 200 subjects related to horticulture, energy/conservation, agriculture, youth development and family and consumer sciences. Last year, the Lee County Extension Service provided assistance to more than 70,000 people and provided 463 classes and workshops on everything from family financial planning to pesticide training.

The Lee County Extension Service is an Equal Employment Opportunity - Affirmative Action Employer that provides research, educational information and other services without regard to race, color, sex, age, handicap or national origin.

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11. Establish a water-retaining ring around the palm three feet from the trunk. The ring should slope gently toward the trunk.

12. Fill the ring with mulch to a depth of three inches. Keep the mulch at least three inches away from the trunk.

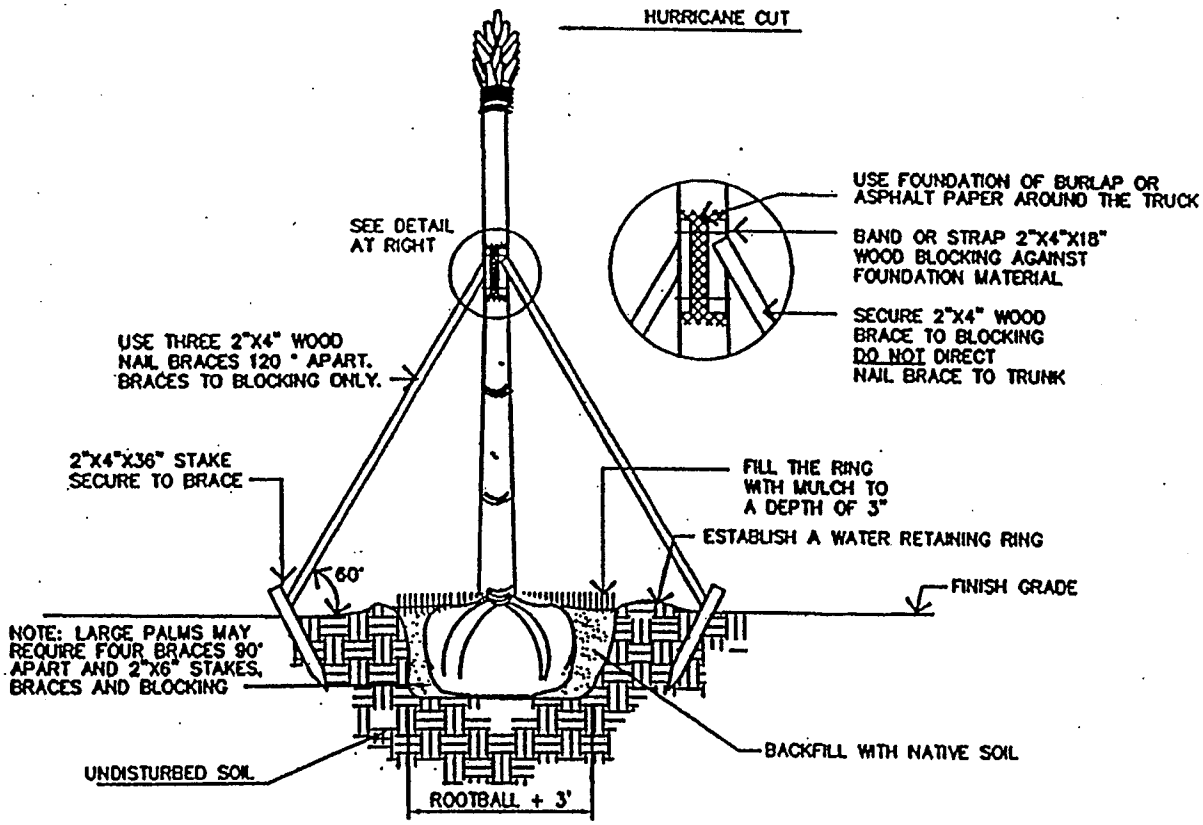
13. Irrigation:
    a. Palms with fronds remaining: Fill the ring with 50 gallons of water three times weekly.
    b. Palms with hurricane cut: Fill the ring with 20 to 25 gallons of water three times weekly.

14. In both cases, after four weeks, reduce irrigation to twice weekly. Water twice weekly for four weeks, and then reduce irrigation to once weekly for an additional four weeks. Twelve weeks after planting, cease irrigation if the palm appears healthy. However, during drought, water once a week for up to two years. For each inch of rain, skip one scheduled irrigation treatment.

15. As soon as new growth begins to appear, loosen tied fronds. This will happen between 3-6 months after transplanting, depending on the time of year and the health of the palm.

16. Begin fertilization after new growth begins. Fertilize three to four times per year with a 2-1-3-ratio fertilizer at a rate of one to two pounds per 100 square feet. For best results use a slow release formulation.

17. Remove staking and burlap or asphalt paper rap after successful palm establishment. Removal usually occurs approximately one year after palm installation.



PLANTING AND STAKING SABAL PALM

NOT TO SCALE

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STONEYBROOK
NORTH
LITTORAL PLANTING EXHIBIT

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors

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COMMUNITY DEVELOPMENT

N

0 300 600 900
GRAPHIC SCALE 1"=300 FT

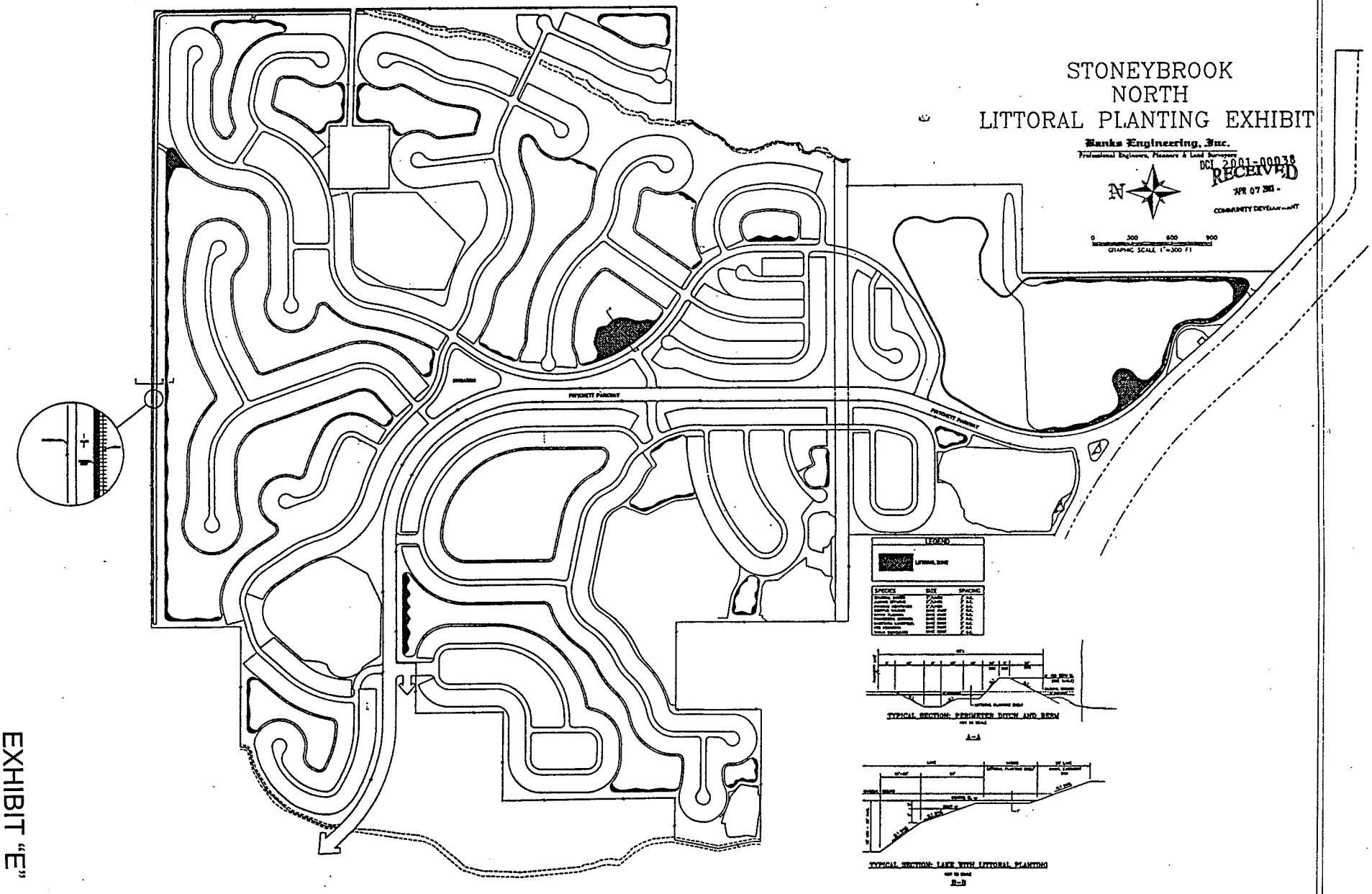


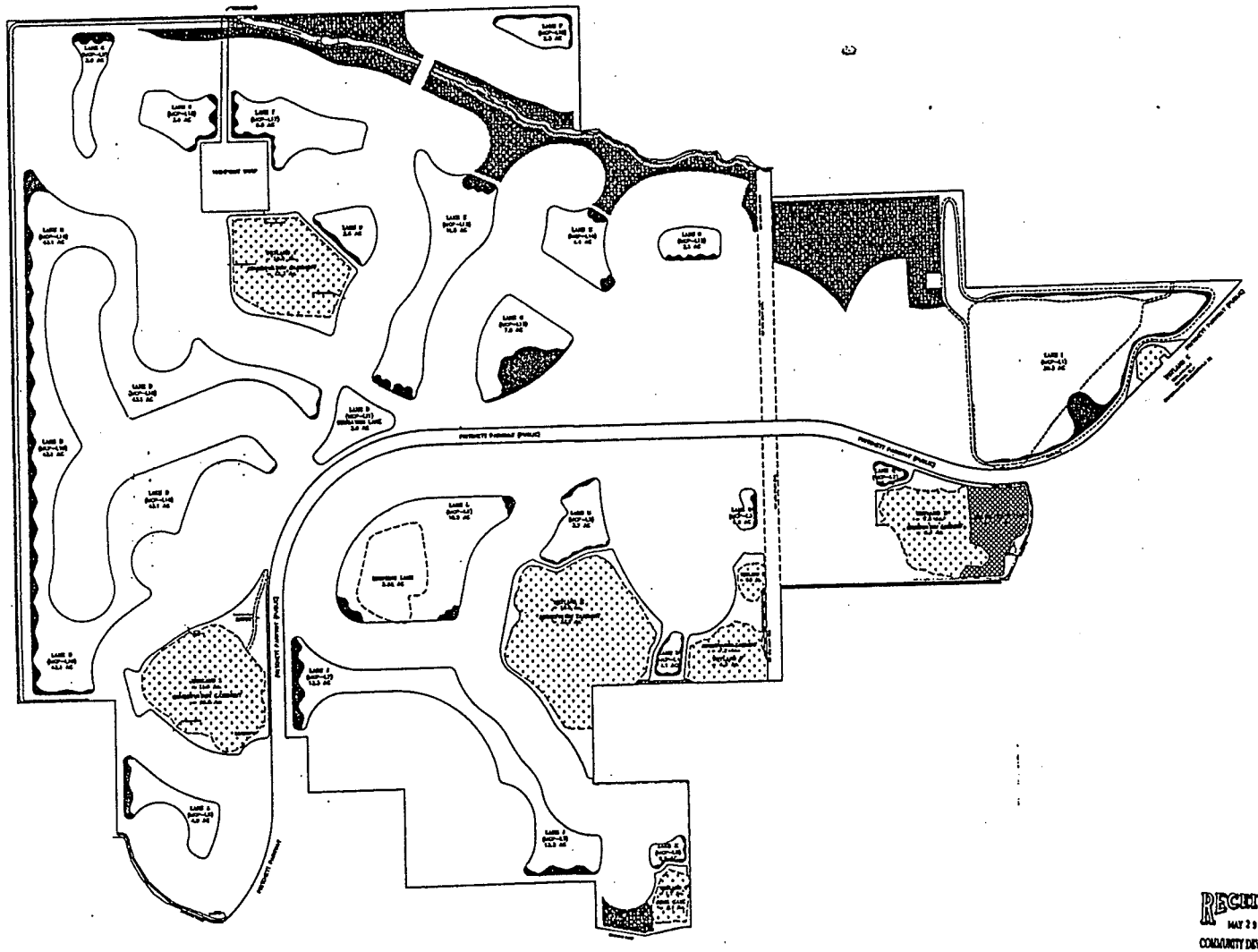
EXHIBIT "E"

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EXHIBIT "F" - Page One of Two

STONEYBROOK NORTH
LAKE PERIMETER (LF)
LITTORAL AREA (AC)

LAKE A 2,404 LF 0.50 AC	LAKE K 820 LF 0.17 AC
LAKE B 18,105 LF 3.74 AC	LAKE L 3,541 LF 0.73 AC
LAKE C 2,104 LF 0.43 AC	LAKE M 1,781 LF 0.37 AC
LAKE D 1,662 LF	LAKE N 856 LF 1.10 AC
LAKE E 4,255 LF 0.88 AC	LAKE O 783 LF 0.16 AC
LAKE F 1,394 LF 0.34 AC	LAKE Q 670 LF 0.22 AC
LAKE G 2,131 LF 2.11 AC	LAKE R 1,174 LF 0.24 AC
LAKE H 1,819 LF 0.38 AC	LAKE S 1,794 LF 0.37 AC
LAKE I 6,422 LF 2.49 AC	LAKE T 2,643 LF 0.55 AC
LAKE J 6,870 1.42 AC	LAKE U 1,334 LF 0.28 AC



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U.S HOME CORPORATION

Banks Engineering, Inc.

LITTORAL PLANTING EXHIBIT
STONEYBROOK NORTH
LEE COUNTY, FLORIDA

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LAKE ID	LINEAR FEET	PLANTS REQUIRED	LIT ZONE AC.	PLANTS PROPOSED at 3' O.C.
A	2,404	2,404	0.50	2,420
B	18,105	18,105	3.74	18,105
C	2,104	2,104	0.43	2,104
D	1,662	0*	0.00	0
E	4,255	4,255	0.88	4,259
F	1,394	1,394	0.34	1,646
G	2,131	2,131	2.11	10,212
H	1,819	1,819	0.38	1,839
I	6,422	6,422	2.49	12,052
J	6,870	6,870	1.42	6,873
K	820	820	0.17	823
L	3,541	3,541	0.73	3,541
M	1,781	1,781	0.37	1,791
N	856	856	1.10	5,324
O	783	783	0.16	783
Q	670	670	0.22	1,065
R	1,174	1,174	0.24	1,174
S	1,794	1,794	0.37	1,794
T	2,643	2,643	0.55	2,662
U	1,334	1,334	0.28	1,355
TOTALS	**62,562**	**60,900**	**16.48**	**79,821**

* Lake D is an irrigation lake that is not included in the stormwater management system. No littoral plantings are proposed for lake D.

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Stoneybrook North
(fka Heritage Creek)
April 2, 2003

DEVIATION LOCATIONS

The locations for the Deviations for Stoneybrook North with limited application are indicated on the Master Plan. Other Deviations are located as follows:

Deviations 8, 12 and 13 apply to residential tracts.
Deviation 14 applies to the project identification sign and the entrance signs.
Deviation 7 applies to the internal lakes.

DEVIATION 1

This Deviation is WITHDRAWN by the applicant. Last year's LDC changes addressed the issue.

DEVIATION 2

This Deviation is WITHDRAWN by the applicant. Last year's LDC changes addressed the issue.

DEVIATION 3

Deviation from LDC Section 10-418 (a)(2)(b) which requires a minimum number of native wetland herbaceous plants of one (1) plant per linear foot of lake shoreline and that native wetland trees or shrubs may be substituted for up to 25 percent of the total number of herbaceous plants required to allow the required number of plantings to be 50% trees in the Tract K lake only.

Justification

The twenty acre borrow pit near the project entrance is proposed to include a golf aqua driving range as a recreational amenity for the subject property. This lake's use as an aqua driving range is incompatible with the usual lake perimeter wetland plantings. With the physical constraints of the subject property an aqua range was the only possible solution for a driving range. In an aqua range the balls float and are retrieved by scooping them out with nets from the lake edge. The usual low-level wetland vegetation along the aqua range's shoreline would interfere with this retrieval would result in unavoidable damage and possibly destruction of the plants. The applicant is requesting this deviation to allow the option of locating wetland trees in lieu of some of the smaller plant varieties. There is no impact to the public from this change.

DEVIATION 4

Deviation 4 seeks relief from the LDC Section 10-291(3) which requires, where practical, any residential development of at least 5± acres to provide two (2) or more means of ingress and egress, to allow only one means of ingress and egress for those development parcels which are surrounded by golf course, water body or conservation area or any combination of these. These tracts are Tract A, Tract D, Tract F1 and F2, Tract G, Tract H, Tract I-1, and Tract L. During the Development Order review process emergency access will be provided as deemed necessary.

Justification

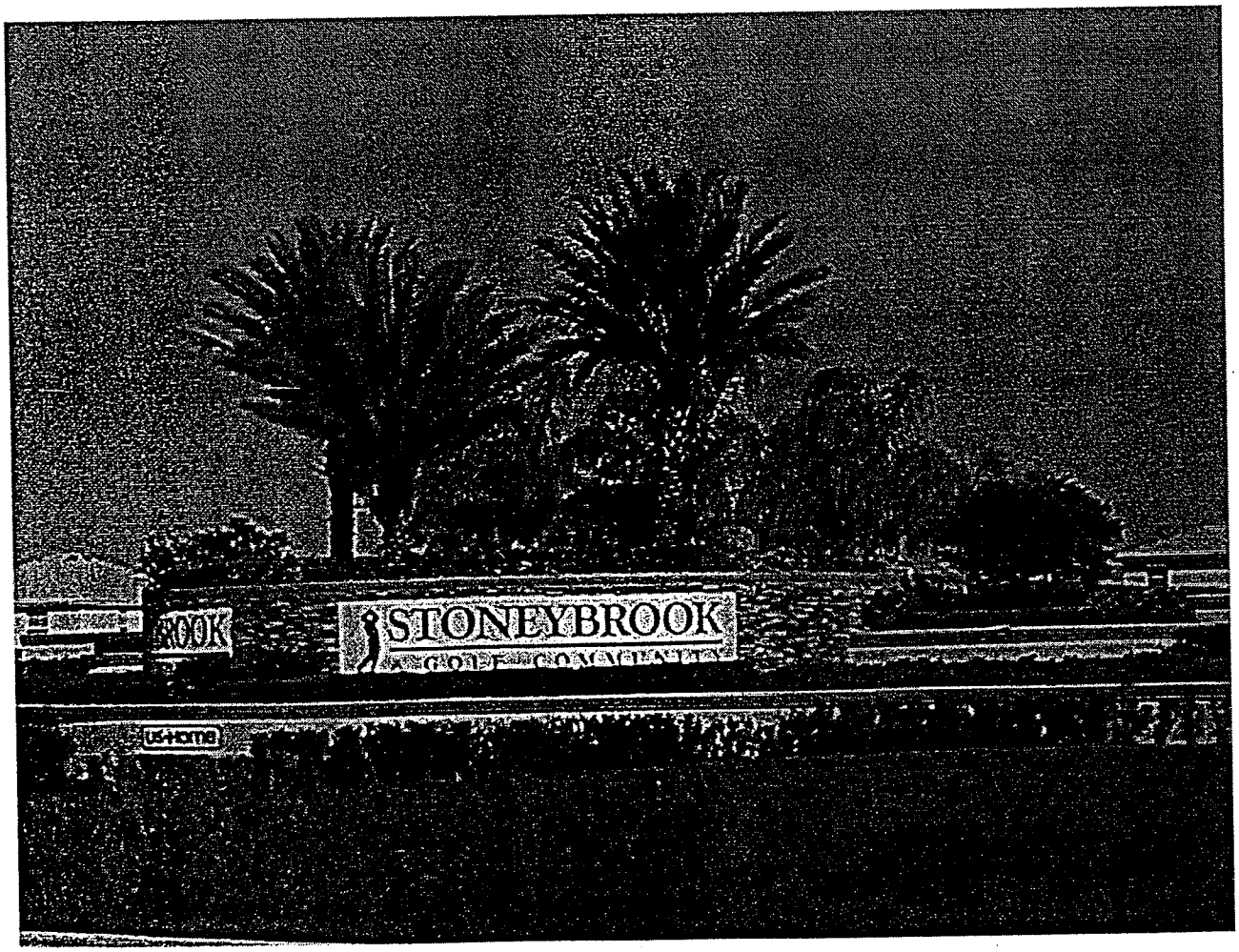
On a project-wide basis, the Heritage Creek development meets the requirements of LDC Section 10-281 as it provides many access points onto Pritchett Parkway. Both the east and west side of the project also meet this requirement. The applicant has heard clearly from the surrounding property owners that connections to their roadways are not desirable and we have

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DEVIATION 14
Deviation requesting relief from the LDC Section 30-153(2)(a)(iv) requirement that limits the text of additional identification signs to the name of the subdivision or residential development, to allow sign text for both the entrance signs and the project sign to include the notation "A US Home Community" or "US Home" in addition to the name of the residential development. Specific Information on the entrance signs and the project sign are attached as Attachment 5.

Justification
A critical component of project identification for a new residential development is identifying the developer. This deviation was approved recently for US Home's Stoneybrook community. The part of the signage identifying the developer is small, low key and attractive. The developer proposes the same kind of signage for Heritage Creek.

DEVIATION 15
Deviation requesting relief from the LDC Section 30-152 d.2 requirement that limits the face of each permitted main entrance identification sign in developments of more than 25 units to 105 square feet in area and a deviation requesting relief from the LDC Section 30-94(h) which requires that double-faced signs with opposing faces having an interior angle less than 30 degrees to allow the Heritage Creek project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall as illustrated in a comparable sign approved by Lee County for US Home's Stoneybrook development.



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Justification
Regarding the proposed sign size:
Lee County allows a 105 square foot project sign to be located at the development's main entrance. In addition, one additional permanent wall or ground-mounted sign of 105 square feet is permitted along each boundary line of the development, which exceeds 2,000 feet in length. The Heritage Creek development has a total of 4244 linear feet of frontage on the east side of Pritchett Parkway and a total of 5035 linear feet on the west side of Pritchett Parkway. With this considerable frontage the development would be allowed two additional 105 square foot double-faced signs. The applicant's request is to combine the two additional identification signs and the sign that would be allowed at the project's main entrance into the sign illustrated above. This sign would have two sides with each side totaling approximately 150 square feet.

	Allowable Main Project Sign	**Heritage Creek Main Project Sign**
Main Project Sign	105 sq ft x 2 sides	
Additional Signs (with a development with frontage which exceeds 2,000 feet in length)	105 sq ft x 2 sides (east side of Pritchett Pkwy) +105 sq ft x 2 sides (west side of Pritchett Pkwy)	
Total	**315 sq ft x 2 sides**	**150 sq ft x 2 sides**

The total square footage of sign face requested for Heritage Creek's main project sign is about half the square footage allowed by Lee County.

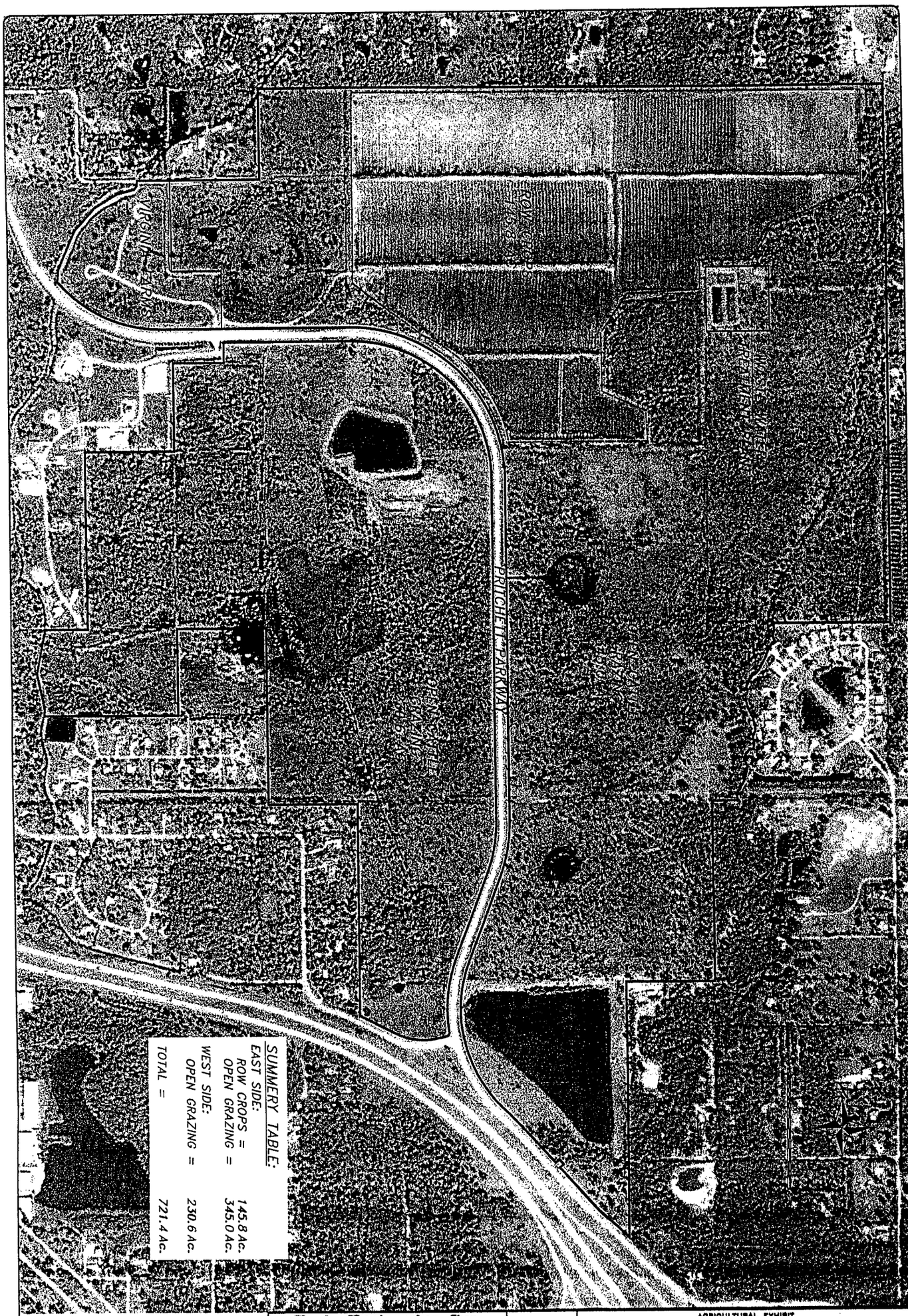
Regarding the interior angle of the proposed sign
This request is to allow a more visually attractive sign in an unusual location. From I-75 it would be difficult to see the text on the usual back to back sign. Locating the sign on a curvilinear wall open us the opportunity for better visibility

This sign would be located on Pritchett Parkway which in this location runs parallel to I-75. Visibility to the traveling public is from I-75. Because of the distance between this sign and the travel lanes on I-75 (approximately 200 feet), it would be difficult to see much less read a Project Sign that was either parallel or perpendicular to I-75. A similar sign for the Stoneybrook development works very well further south on I-75 where the sign is closer to I-75. This deviation enhances the project by decreasing the total number of signs allowed for the development while at the same time notifying the traveling public better of the Heritage Creek development. This is a very attractive sign and its construction will cause no negative impact on the public.

DEVIATION 16
Deviation requesting relief from the LDC Section 10-416(d)(6) requirement that if roads, drives, or parking areas are located less than 125 feet from an existing residential subdivision or residential lots, a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 linear feet to allow the two cul-de sacs in Tract H and the short roadway segment in Tract E to be located as illustrated on the Master Concept Plan together with the buffers proposed on the Master Concept Plan.

Justification
There are three components of this request:
a. The two cul-de sacs in Tract H.
Tract H is a very small tract with limited design flexibility. Each of these cul-de sac's ROW is located a minimum of 50 feet from the property line. With between 20 and 30

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Manks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ◆ NAPLES ◆ SARASOTA
10511 BIX ISLE CYPRESS PARKWAY - SUITE 101
FORT MYERS, FLORIDA 33913
PHONE: (239) 939-5490 FAX: (239) 939-2523
ENGINEERING LICENSE # EB 8489
SURVEY LICENSE # LB 5890

AGRICULTURAL EXHIBIT
STONEYBROOK NORTH
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
08-14-2003	1447Ag	Exhibit	CMD	CMD		1"=300'	1	1	43-25 13,16,21

APPLICANT'S EXHIBIT
#2
Dr. Jan Thomas SP

Exhibit "H" - Sheet One of One

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RESOLUTION NUMBER Z-02-070

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

WHEREAS, US Home Corporation filed an application on behalf of the property owners, Pritchett Development Company Ltd.; Kathy Lynne R. Pritchett, Trustee; Peter Kainz; Bank of America, N.A., R. E. Services - Pritchett; and Ernest A. Hansen, Trustee (½ Interest) and Frances Hansen, Trustee (½ Interest), to rezone 741.22± acres from Agricultural (AG-2), Commercial Planned Development (CPD), & Recreational Vehicle Planned Development (RVPD) to Residential Planned Development (RPD), in reference to Heritage Creek, a/k/a Stoneybrook North; and,

WHEREAS, public hearings were advertised and held on December 11, 2002; and continued and held on February 12 and 13, 2003; April 23 and 24, 2003; June 18 and 19, 2003; July 31, 2003; and August 1 and 8, 2003; with the record held open for written submissions until August 25, 2003; before the Lee County Zoning Hearing Examiner, who gave full consideration to the evidence in the record for Case #DCI2001-00038; and

WHEREAS, a second public hearing was advertised and held on February 16, 2004, before the Lee County Board of Commissioners, who gave full and complete consideration to the recommendations of the staff, the Hearing Examiner, the documents on record and the testimony of all interested persons.

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

SECTION A. REQUEST

The applicant filed a request to rezone 741.22± acres from from AG-2, CPD, and RVPD to RPD, to permit the development of a maximum of 1,525 residential units including a mixture of single-family, duplex, townhouse, two-family attached and multi-family units all not to exceed 35 feet in height. The property is located in the Outlying Suburban, Wetlands and General Interchange Land Use Categories and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

1. The development of this project must be consistent with the one-page Master Concept Plan (MCP) entitled "Stoneybrook North Master Concept Plan," prepared by Wilson Miller, dated March 10, 2004, printed March 17, 2004, and stamped "Received Mar 17 2004 Permit Counter," except as modified by the conditions below. This development must comply with all requirements of the Lee County LDC at time of local development order approval, except as may be granted by deviation

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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

Administrative Offices
Agriculture - SUBJECT TO Condition 24
Accessory uses and structures
Club, Private (Limited to Tract K)
    Food and beverage service, limited
    Health Club and Spa
    Parking lot, accessory
    Rental or leasing establishment, Group I - limited to
        bicycles, tennis rackets and other small
        equipment for use by members of the private club
Specialty Retail Shop, Group I
Communication Tower - limited to one on the north
    side of Tract K and limited to a maximum of 35 feet in height
Dwelling Unit - limited to a maximum of 1,275 units consisting of:
    Conventional Single-family Residence
        (May be constructed on all R-1 and R-1A residential tracts)
        See Note 1.
    Two-family attached (Limited to Tracts I-1, I-2 & J)
        See Note 1.
    Conventional Single-family Detached Residential lots located on
        the northern boundary of the project in Tracts F-1 and F-3,
        must be no less than 7,500 square feet in area within 500 feet
        of the northern boundary.
Entrance Gate and Gatehouse, in compliance with §34-1748
Essential Services
Essential Service Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Real Estate Sales Office (Temporary sales office limited
    to Tract K and limited to the sale of lots
    or units within the development only)
Recreation Facilities, Personal
Recreation Facilities, Private on-site
    Parking lot, accessory
Residential Accessory Uses
Signs, including one existing billboard located on the southwest side
    of Lake L1, all in compliance with LDC Chapter 30 except
    as approved by deviation
Temporary uses (§34-3041)

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Note 1: Single-family dwelling units may be constructed on all R-1 and R-1A residential tracts. Two-family attached dwelling units may be constructed only on R-1A residential tracts (Tracts I-1, I-2 and J).

b. Site Development Regulations

LAND USES	Minimum Lot			Minimum Setback (ft.)							Max. Bldg. Height (ft.)	Min. Bld. Separation (ft.)	Max Lot Coverage (%)
					Rear (ft.)			Front (ft.)					
	Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Side Including Corner Lots (ft.) *	Lots	Wetland	Acc.	Front Entry Garage	Bldg. or Side Entry Garage	Water Body (ft.)			
Single-family Detached	4,000†	40	100	5	20	20	5	20	12	25	35 or 2 stories	10	45
Two-family Attached	3,500 per unit	35 per unit	100	0 or 10	20	20	5	20	12	25	35 or 2 stories	10	45
Clubhouse	20,000	80	100	10	20	20	5	n/a	20	25	35 or 2 Stories	20	45
Accessory Recreation Buildings	n/a	n/a	n/a	n/a	20	20	n/a	n/a	n/a	n/a	35 or 1 story	20	n/a

* Applies to lots of all widths and to corner lots. Each lot, including corner lots, will have only one front yard.
† Lots located within 500 feet of the northern boundary of the project on Tracts F-1 and F-3, must be no less than 7,500 square feet in area.

3. DELETED

4. The Tract M recreational area must include at a minimum, one multi-purpose field, a playground and picnic area. Facilities for the safe passage of pedestrians cyclists from one side of Pritchett Parkway to the other as determined by the Director of Development Services at the time of local development order submittal must be provided

5. No residential lots may be located within 250 feet of the existing High Point sewage treatment plant property lines until the sewage treatment plant is no longer in operation. If the High Point sewage treatment plant is still in operation when the plat is approved for any lots located in Tracts F-2 and Tract G, the Applicant must include a 30-foot- wide Type F buffer around the perimeter of the High Point sewage treatment plant property lines, excluding the easement that provides access to the plant.

6. Common area open space must be designed to incorporate as many of the native heritage trees and Sabal palms as possible. Any healthy Sabal palms with a minimum eight foot clear trunk must be salvaged if conditions (e.g., no rock) and sequence of construction allows. If the sequence of construction does not allow the

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on-site relocation of Sabal palms, effort must be made to identify an off-site recipient site. Sabal palms that are located in wet areas typically do not respond well to transplanting and will not be subject to this condition. The salvage efforts must be coordinated with the Lee County Division of Environmental Sciences staff whether used on-site or otherwise. Any Sabal palms being relocated must be moved in a horticulturally correct manner per Lee County Extension Services brochure Lee 8/2000A and attached as **Exhibit D**. Prior to local development order approval, the preserved trees and any relocated palms must be delineated on the plans. Preserved trees and relocated Sabal palms will receive protected tree credits per §10-420(h).

7. Gopher Tortoises:

   A detailed protected species management plan for gopher tortoises, Big Cypress fox squirrels, and wading birds must be submitted with the initial development order for any portion of this project. The gopher tortoise management plan must include either a permanent fence or a continuous hedge of native shrubs where the gopher tortoise preserve abuts the road and park to protect the tortoises from the vehicular traffic and active recreation area.

   A pedestrian/bicycle trail, with a maximum four-foot width, is permissible within the gopher tortoise preserve. The trail must be designed to avoid impacting existing gopher tortoise burrows and large native trees. Two (2) access points to the trail may be incorporated into the fence, provided the openings are designed to minimize the potential for tortoises to disperse from the preserve. Details of the trail and fence must be included in the development order plans.

8. Prior to any local development order approval, an open space table must be included that details the residential unit type with lot size per tract, required open space, provided open space, required indigenous preservation and provided indigenous preservation. The project must preserve at a minimum the approximately 100.1 acres of conservation area including the wetland creation area. If more than 500 acres of the project is developed with residential tracts (including roads and lakes) requiring open space, then the development order must delineate the additional required indigenous preservation for the Lee County Division of Environmental Sciences staff review and approval.

9. The use of cypress mulch is prohibited in preserve areas.

10. The maximum width of all boardwalks within the preserve areas may not exceed the minimum width requirements set forth by the Americans with Disabilities Act.

11. All boardwalks within the preserve areas must be designed to avoid mature native trees and protected species burrows, nests, or dens. The final layout of the boardwalks must be field verified by the Lee County Division of Environmental Sciences staff prior to construction. Minor adjustments to minimize impacts to native vegetation may be required.

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12. The construction of gazebos or viewing platforms within conservation areas is limited to no more than two (2) structures, each having a footprint no larger than 200 square feet.

13. Prior to site work for any recreational use that requires the removal of vegetation within a conservation area, a development order showing impacts to the conservation area must be submitted for review and approval by Environmental Sciences and other applicable County Staff.

14. Prior to local development order approval, the development order plans must include littoral planting areas in substantial compliance with the "Stoneybrook North Littoral Planting Exhibit," stamped "Received Apr 07 2003 Community Development," and attached as **Exhibit E**.

    All lake littoral zones must be constructed as depicted in Cross-Section B-B. Littoral planting quantities must be consistent with the "Littoral Planting Exhibit, Stoneybrook North" and accompanying table stamped "Received May 29 2003 Community Development," and attached as **Exhibit F**. The planting area along the northern ditch expansion must also provide native wetland plants installed three-feet on center.

15. The Communication Tower as denoted on the Master Concept Plan must be of a monopole design and limited to 35 feet in height. The tower and its associated maintenance buildings must be designed to minimize impacts to birds.

16. Lake littoral plantings within Tract K must be calculated at one littoral plant per linear foot of lake shoreline. One 10-foot-tall tree or two (2) three-gallon shrubs may be substituted for 10 herbaceous plants. Trees and shrubs may used to count toward up to 50 percent of the required lake littoral planting requirements. A minimum of two (2) native wetland tree species and four (4) native herbaceous plant species must be installed in the Lake L1 (contained within Tract K).

17. The placement of any required vegetation within a utility, power, or drainage easement must be clearly delineated on an Alternate Landscape Betterment Plan as per §10-419 and submitted with the local development order. The placement of vegetation within any easement must be approved by Lee County Environmental Sciences staff and any other affected Division (Utilities, Zoning, etc.). If the easement is to an entity other than Lee County, then written approval of the location of vegetation from any affected easement holder must be submitted to Lee County Environmental Sciences staff as part of the development order. Approval from all affected parties must be obtained prior to approval of the local development order.

18. Lake bulkheads are limited to roads and the clubhouse area. Bulkheads are not permitted along residential boundaries.

    Prior to local development order approval, the plans must show the location of the bulkheads to confirm that no more than 20 percent of each lake shoreline consists of bulkhead or rip-rap. Lakes where bulkheads are proposed must be designed to

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provide one linear foot of compensatory littoral zone with an 8:1 slope for each linear foot of bulkhead. For lakes that utilize bulkheads, littoral plants must be calculated at two (2) plants per linear foot of shoreline clustered within the 8:1 slope portion of the lake.

The development order must include a typical cross-section detail of bulkhead and rip-rap areas on the paving, grading and landscape plan.

19. Transportation Concurrency for this project will be measured pursuant to the Lee Plan and LDC standards in place at the time of the development order. This must include evaluating Bayshore Road from Nalle Road to I-75 for transportation concurrency. Prior to development order approval, the developer must demonstrate that the Level of Service (LOS) will not fall below the adopted level of service on the identified links. In determining that level of service, only road improvements with committed funding, as provided in FAC 9J-2.045, may be considered.

20. The developer must provide intersection improvements to the intersection of Bayshore Road and Pritchett Parkway. At a minimum, the developer will construct a southbound right turn lane as a site-related improvement, and not eligible for road impact fee credits. In cooperation with the Florida Department of Transportation and the County, the developer may realign Pritchett Parkway to address future operational problems caused by project traffic.

21. The developer must construct an eight-foot-wide bicycle path or two (2) five-foot-wide sidewalks along Pritchett Parkway from Bayshore Road to Rich Road. Whether the portions of the bicycle/pedestrian improvements constructed 1) between Bayshore Road and the southernmost site entrance, and 2) between Rich Road and the northernmost site entrance, will be eligible for road impact fee credits will be determined through negotiations between the Staff and the Applicant when there is sufficient information to make such a determination.

22. Blasting is prohibited on this project site.

23. The excavation of material from the lake areas does not constitute construction materials mining as defined under Section 552.30, Florida Statutes.

24. AGRICULTURAL USES:

Agriculture is not approved as a permanent use in the Schedule of Uses for this property. All agricultural uses must cease upon approval of the requested rezoning, EXCEPT as follows:

a) Existing bona fide agricultural uses, as shown in attached **Exhibit H**, may continue until approval of a local development order for the area of the project containing those uses.

b) Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be

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maintained, i.e., mowed, but not cleared or expanded. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.

c) The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must cease by December 31st of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided to the Office of the County Attorney.

25. Deleted.

26. Development along Popash and Bayshore Creeks:

General Conditions:

a. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), the applicant must submit the following information for review and approval by the Lee County Natural Resources Division:

1) If the development parameters change from those modeled and approved during the rezoning, then developer must provide an HEC-RAS model pursuant to the same modeling parameters established during the rezoning process for the Popash and Bayshore Creeks demonstrating that the revised development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms.

2) Show the location and extent of the existing and proposed cross sections from the HEC-RAS model on the Development Order plans, as well as, defining the existing top of bank station/elevation, overbank elevations, roadway elevations, and bridge dimensions and elevations. Sufficient details or sections showing continuity and capacity of flows in the overbank must be clearly demonstrated.

3) All plans and documents related to the above must include the statement: "This is to certify that I am a duly qualified engineer licensed to practice in the State of Florida. It is to further certify that these design plans, drawings, and associated technical calculations and/or data demonstrate that no adverse effects to the existing flood elevations will occur as a result of this development."

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4) The above information must be submitted to the South Florida Water Management District (SFWMD) for review, consideration, and inclusion in their permit files.

5) The developer or its assigns must dedicate a drainage/maintenance easement to Lee County for Popash and Bayshore Creeks for all portion(s) of the channel and its overbanks included in the HEC-RAS modeling and that lie within its property limits. The easement may be part of any conservation easement dedicated to Lee County and the South Florida Water Management District (SFWMD), but must be consistent with the maintenance activities anticipated and outlined in these conditions. The easement must also give the county the right, but not the obligation for maintenance and provide for maintenance access along the creeks. As a part of the easement, the developer agrees to a monthly maintenance schedule to include initial and ongoing maintenance for these creeks that is to include removal of all exotics including, but not limited to, grape vines (above three feet in height above ground) and rosary pea, any deposited debris, fencing, fallen trees, or eroded vegetation. The basic ground cover within the easement area is to remain in its current grassed condition. The relocation of onsite Sabal palms from other parts of the property to the easement area is permissible, but must not be collocated closer than a ten (10) foot spacing. No saw palmetto or shrubbery of any type is to be planted within the easement area. The easement must be reviewed and approved by the County Attorney and Natural Resources during the platting process. This same drainage/maintenance easement language must be contained within the Community Development District (CDD) or Home Owners Association (HOA) documents.

6) All modifications and exotic vegetation removal outlined herein for Popash and Bayshore Creeks must be completed before the issuance of the first Certification of Completion for the first Development Order.

7) The east-west ditch proposed along the northerly boundary of the development must have no interconnection between Popash and Bayshore Creeks.

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Popash Creek:

b. Prior to issuance of the first Development Order (or any early work, clearing, filling permits) containing the bridge crossing, the developer must provide complete construction plans for the bridge for review and approval by the Lee County Natural Resources Division and be in accordance with the following:

1) The bridge crossing of Popash Creek must be a pile-supported structure.

2) No more than two (2) rows of pilings (or supports) are permitted in the overbank and none may be closer than 10 feet to the existing top of bank. Each row must be perpendicular to the direction of flood flows and each must have a maximum dimension of twenty-four (24) inches.

3) The low chord of the bridge must be at or above the 100-year floodwater surface elevation and the abutments for the bridge may not be closer than 50 feet to the existing top of bank. Additionally, the low chord must be at least two (2) feet above the highest overbank elevation within the 50-foot offset areas (total of 100 feet ±).

4) No berming, filling, planting, or other above ground construction/amenities are permitted within 50 feet of the existing top of banks for Popash Creek, unless permitted elsewhere in these conditions by Lee County Natural Resources.

Bayshore Creek:

c. All modifications and exotic vegetation removal outlined below for Bayshore Creek must be completed before the issuance of the first Certification of Completion for the first Development Order.

1) The spoil is to be removed down to an elevation of 18.0 feet NGVD and then sloped in conjunction with the perimeter berm along Bayshore Creek for that portion upstream of Prichett Parkway and within the 50-foot offset from the existing top of bank.

2) No berming, filling, planting, or other above ground construction/amenities are permitted within 50 feet of the existing top of bank for Bayshore Creek, unless permitted elsewhere in these conditions by Lee County Natural Resources.

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27. In light of the potential for the existing High Point Wastewater Treatment Plant (WWTP) to continue operation, the developer must disclose the existence, location and operation of the sewage treatment plant to any purchasers of property immediately adjacent to a line 250 feet from the perimeter boundary of the WWTP site (excluding that portion of the site containing the access road into the WWTP site).

    Any and all agreements for the sale of property immediately adjacent to the 250-foot dimension must include this disclosure statement. The following disclosure statement must appear in bold face and conspicuous type that is larger than the type in the remaining text of the contract:

    > *"Lot owners immediately adjacent to the line, 250 feet from the perimeter boundary of the WWTP site within the Stoneybrook North (f/k/a Heritage Creek) Planned Development, must acknowledge the presence of the High Point Wastewater Treatment Plant."*

28. The maintenance of Popash and Bayshore Creeks within the property limits, which is required in Condition 26, will be assured by the provision of a surety for the annual cost of maintenance. Evidence of the surety must be provided to the County prior to certificate of completion of the first development order for the drainage infrastructure for the project.

29. In an effort to cooperate in achieving the reduction of the regional flooding problem, the applicant must provide a drainage easement to Lee County for the drainage ditch along the north boundary of the property. This easement is for the purpose of allowing the existing ditch to accept the quantity of stormwater that is approved pursuant to a South Florida Water Management District permit addressing the regional flooding problem.

30. Except as otherwise noted on the MCP, perimeter buffers around the outside perimeter of the property will require 10 trees per 100 linear feet and a double staggered hedge. The hedge will be installed at 36 inches high and maintained at 60 inches high. Seventy-five (75) percent of the shrubs and 50 percent of the trees will be native species.

31. Lighting

    a. This project must comply with the recently adopted "Outdoor Lighting Standards" adopted in §34-625.

    b. Outdoor ballfield lights for the baseball field located on Tract K are prohibited.

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c. Outdoor recreational lighting for any multi-purpose courts or fields located on Tract K (with the exception of ballfields where lighting is prohibited) and Tract M must be on timers and must meet the requirements of §34-625 and must be done in a fashion to minimize light pollution, glare and light trespass. Lighting impacts will be measured at the boundary of Tracts K and M, and not at the boundary of any adjacent lakes or preserve areas.

32. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocations Table, Map 16 and Table 1(b).

SECTION C. DEVIATIONS:

1. Deviation (1) - Withdrawn

2. Deviation (2) - Withdrawn

3. Deviation (3) seeks relief from §10-418(2)b which requires the installation of one (1) native wetland herbaceous plant per linear foot of lake shoreline and where trees and shrubs can be substituted for up to 25 percent of the total number of herbaceous plants required; to allow the required plantings to include up to 50 percent trees in the Tract K lake (Lake L1). This deviation is APPROVED, SUBJECT TO Condition 16.

4. Deviation (4) - Withdrawn

5. Deviation (5) - Withdrawn

6. Deviation (6) - Withdrawn

7. Deviation (7) seeks relief from §10-329(e)(4) which requires excavations to be sloped at a ratio of four (4) horizontal to one (1) vertical to a water depth of four feet below the dry season water table and a ratio of two (2) horizontal to one (1) vertical thereafter; to allow 40 percent of the lake bank slopes within the development to utilize vertical bulkheads and/or rip rap. This deviation is APPROVED, SUBJECT TO Condition 18.

8. Deviation (8) - Withdrawn

9. Deviation (9) - Withdrawn

10. Deviation (10) - Withdrawn

11. Deviation (11) - Withdrawn

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12. Deviation (12) seeks relief from §34-1954(a)(1) which requires administrative approval of locations for model homes in new developments; to allow model homes by right in the locations within the development as shown on the MCP. This deviation is APPROVED.

13. Deviation (13) seeks relief from §34-1954(f) which requires parking for model homes or model units to be located on the same premises and in compliance with the type of dwelling unit being displayed; to permit the development of accessory parking for model homes as low turnover and therefore permit development of these lots with alternative surfaces. This deviation is APPROVED, SUBJECT TO the following conditions:

    1. The entrance apron into each parking lot would be paved.

    2. The handicapped parking space(s) in each lot would be paved.

    3. The Applicant will keep the portion of the street in front of each model free from gravel or shell that may be tracked out the model home parking area(s) by departing vehicles.

14. Deviation (14) seeks relief from §30-153(2)(a)(iv) which limits the text of additional subdivision or residential development identification signs to the subdivision or project name; to allow the additional signs for this project to include the notation "A US Home Community," in addition to the name of the development. This deviation is APPROVED, SUBJECT TO the following condition:

    The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15, which was stamped "Received Apr 07 2003 Community Development" and attached as **Exhibit G**.

15. Deviation (15) seeks relief from §30-152(2)(d) which limits the size of project entrance signs and which limits the size and number of additional project signs to allow all of the permitted square footage for the number of permitted signs to be combined into the main project entrance sign and a deviation from §30-94(h) which restricts double faced signs with opposing faces to an interior angle of less than 30 degrees; to allow the Heritage Creek project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall. This deviation is APPROVED, SUBJECT TO the following condition:

    The proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15 which was stamped "Received Apr 07 2003 Community Development" and attached as **Exhibit G**.

16. Deviation (16) - Withdrawn

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SECTION D. EXHIBITS AND STRAP NUMBER:

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

Exhibit A: The legal description of the property
Exhibit B: Zoning Map (with the subject parcel indicated)
Exhibit C: The Master Concept Plan
Exhibit D: Lee County Extension Services brochure Lee 8/2000A
Exhibit E: Stoneybrook North Littoral Planting Exhibit
Exhibit F: Littoral Planting Exhibit Stonebrook North (with accompanying table)
Exhibit G: Deviations
Exhibit H: Agricultural Uses Exhibit

The applicant has indicated that the STRAP numbers for the subject property are:
15-43-25-00-00001.0000; 15-43-25-00-00001.0010; 16-43-25-00-00001.0060; 16-43-25-00-00001.006A; 16-43-25-00-00001.006B; 16-43-25-00-00001.006C; 16-43-25-00-00001.0100; 16-43-25-00-00002.0000; 16-43-25-00-00003.0000; 16-43-25-00-00003.0010; 16-43-25-00-00003.0020; 16-43-25-00-00003.0030; 16-43-25-00-00003.0040; 16-43-25-00-00003.0050; 16-43-25-00-00003.0070; 16-43-25-00-00003.0080; 21-43-25-00-00001.1000; 21-43-25-00-00002.0000; 21-43-25-00-00006.0020

SECTION E. FINDINGS AND CONCLUSIONS:

1. The applicant has proven entitlement to the rezoning by demonstrating compliance with the Lee Plan, the LDC, and any other applicable code or regulation.

2. The rezoning, as approved:

   a. meets or exceeds all performance and locational standards set forth for the potential uses allowed by the request; and

   b. is consistent with the densities, intensities and general uses set forth in the Lee Plan; and

   c. is compatible with existing or planned uses in the surrounding area; and

   d. will not place an undue burden upon existing transportation or planned infrastructure facilities and will be served by streets with the capacity to carry traffic generated by the development; and

   e. will not adversely affect environmentally critical areas or natural resources.

3. The rezoning satisfies the following criteria:

   a. the proposed use or mix of uses is appropriate at the subject location; and

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b. the recommended conditions to the concept plan and other applicable regulations provide sufficient safeguard to the public interest; and

c. the recommended conditions are reasonably related to the impacts on the public interest created by or expected from the proposed development.

4. Urban services, as defined in the Lee Plan, are, or will be, available and adequate to serve the proposed land use.

5. The approved deviations, as conditioned, enhance achievement of the planned development objectives, and preserve and promote the general intent of LDC Chapter 34, to protect the public health, safety and welfare.

The foregoing resolution was adopted by the Lee County Board of Commissioners upon the motion of Commissioner Andrew W. Coy, seconded by Commissioner Robert P. Janes, and, upon being put to a vote, the result was as follows:

Robert P. Janes	Aye
Douglas R. St. Cerny	Absent
Ray Judah	Nay
Andrew W. Coy	Aye
John E. Albion	Aye

DULY PASSED AND ADOPTED this 16th day of February, 2004.

ATTEST:
CHARLIE GREEN, CLERK

BY: Cindy Morrison
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Chairman

SEAL
BOARD OF COUNTY COMMISSIONERS LEE COUNTY, FLORIDA

Approved as to form by:

_____
County Attorney's Office

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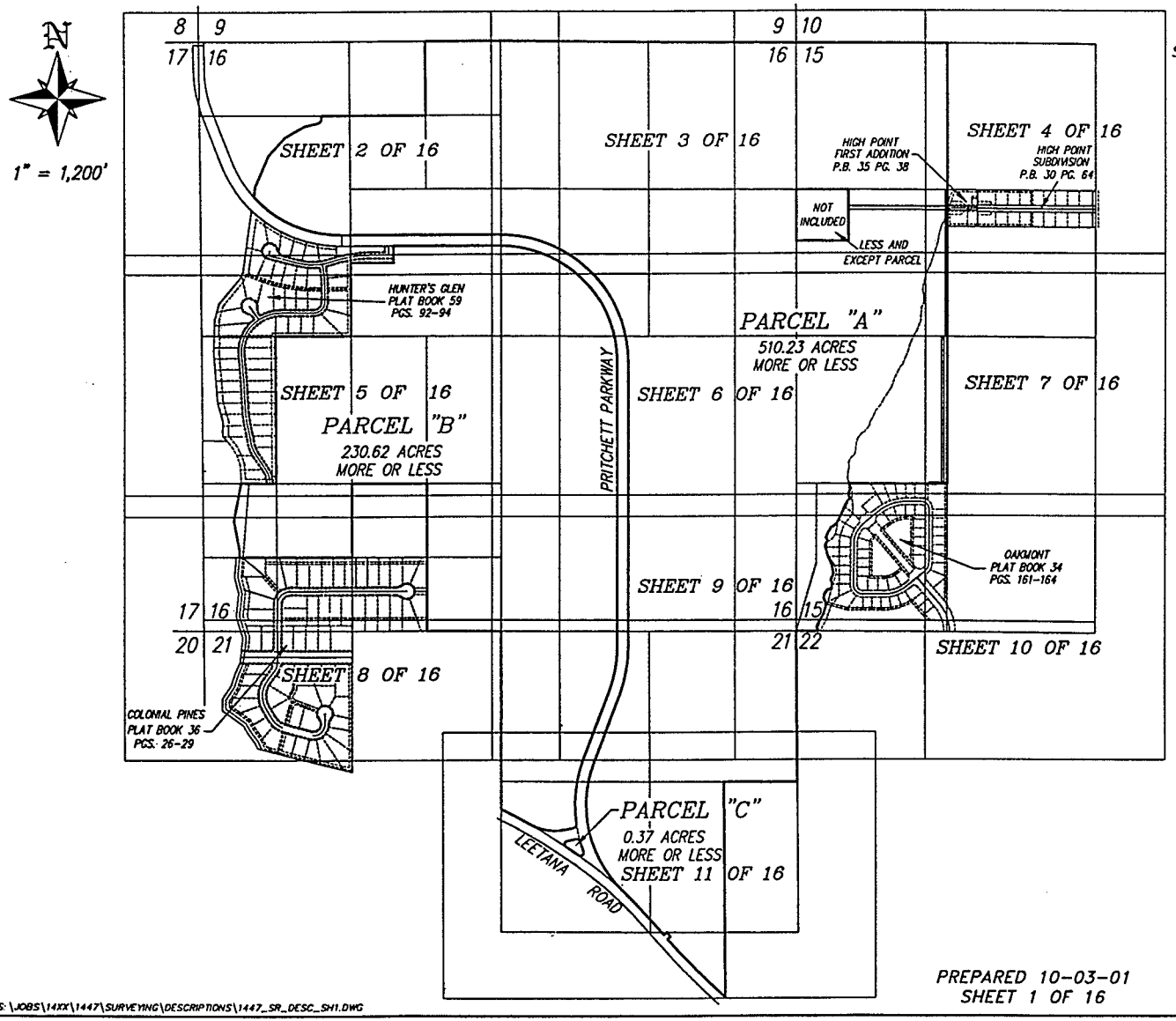
EXHIBIT A

SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

(STONEYBROOK NORTH)



LEGEND:

O.R.	INDICATES OFFICIAL RECORDS BOOK
PG.	INDICATES PAGE.
P.O.B	INDICATES POINT OF BEGINNING
P.O.C.	INDICATES POINT OF COMMENCEMENT
R/W	INDICATES RIGHT-OF-WAY
(1)	INDICATES CURVE NUMBER 1 FROM THE CURVE TABLE
L1	INDICATES LINE NUMBER 1 FROM THE LINE TABLE
SUBDIV.	INDICATES SUBDIVISION

NOTES:

1.) PARCEL SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS OF RECORD.

2.) BEARINGS ARE BASID ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

3.) PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

PERMIT COUNTER
$2000 - 10002

SEE SHEETS 13 THROUGH 16 FOR DESCRIPTIONS.

THIS SKETCH OF DESCRIPTIONS IS NOT A BOUNDARY SURVEY

STATE OF FLORIDA NO. 4009

Richard M. Ritz

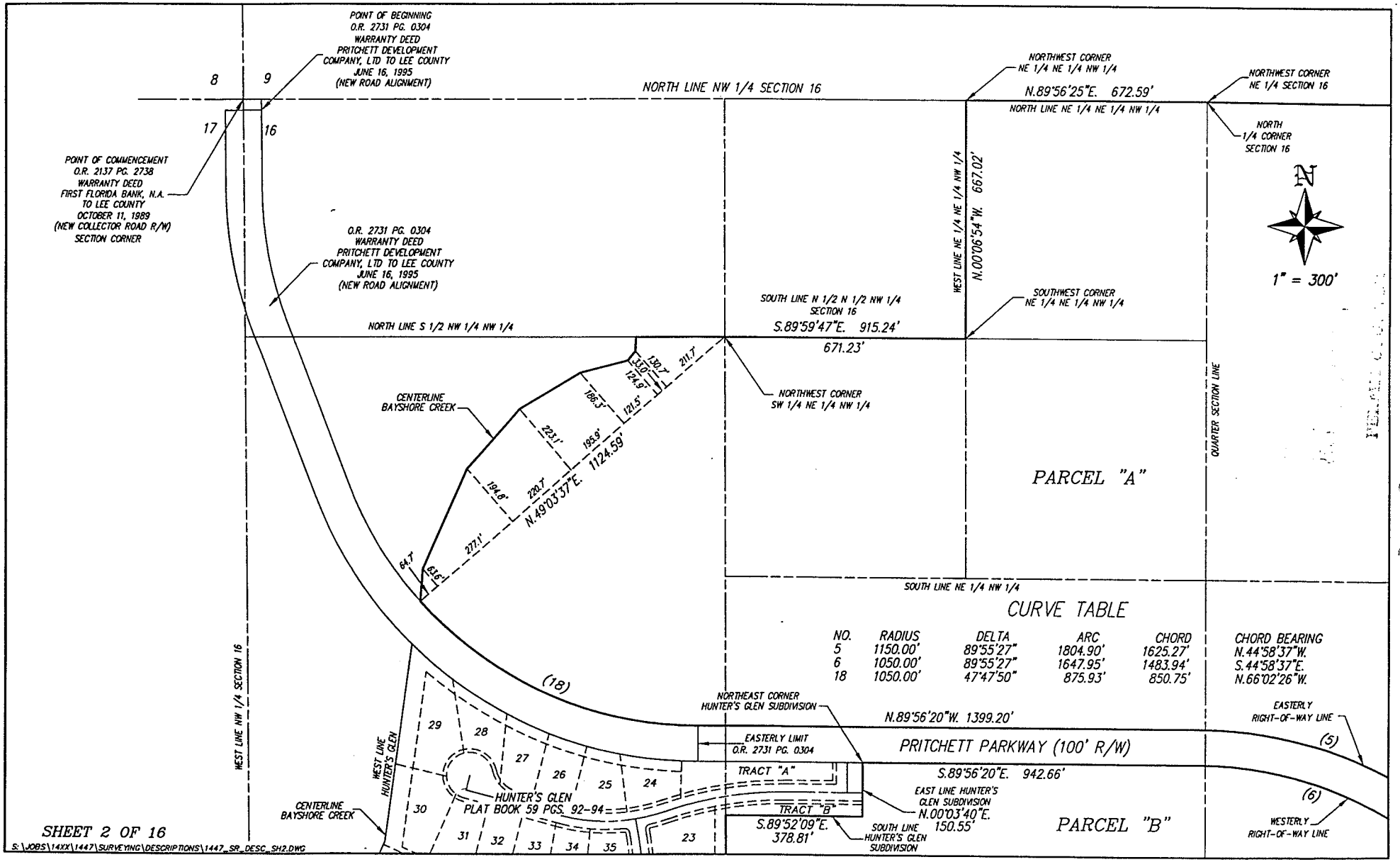
RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

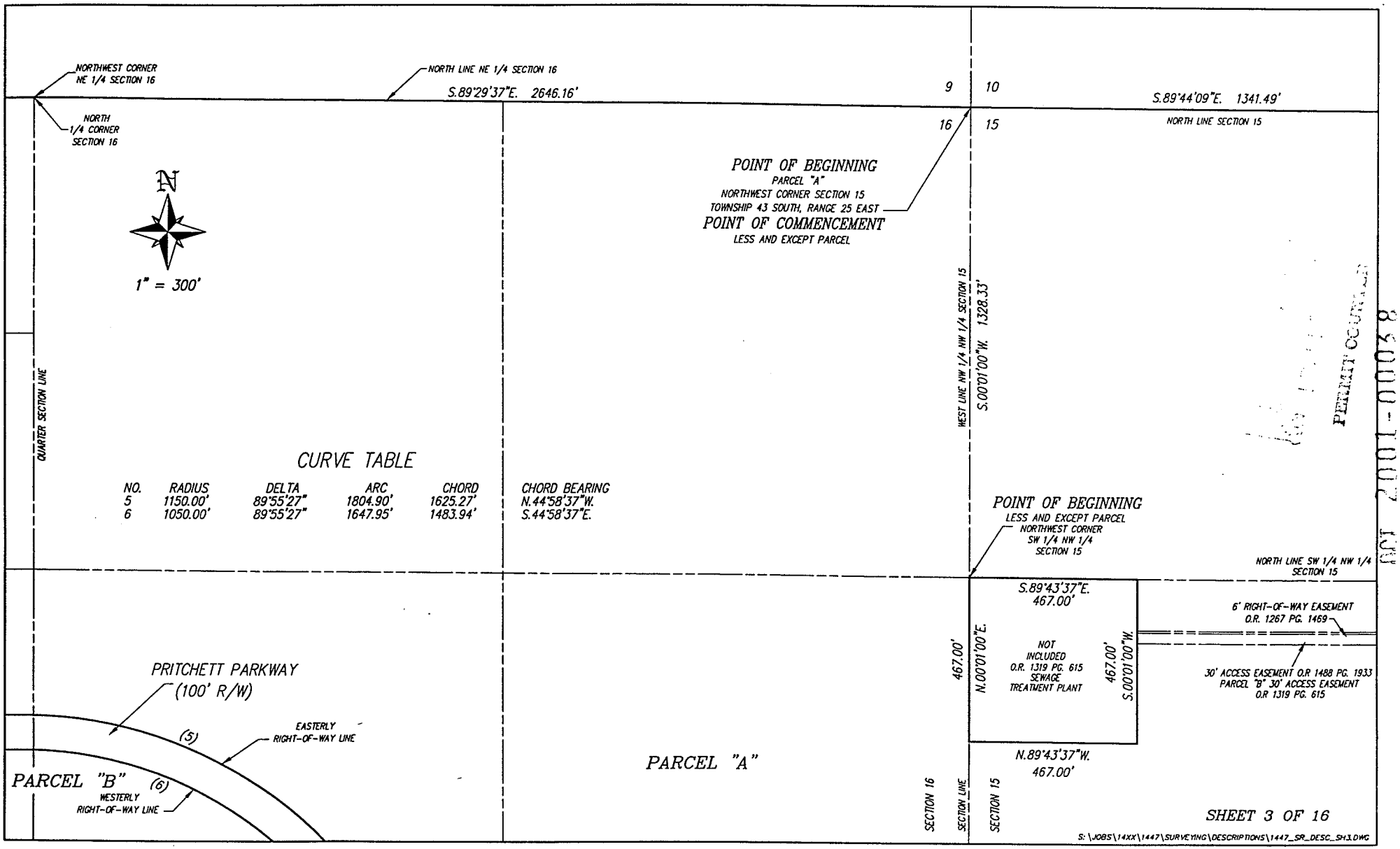
PREPARED 10-03-01
SHEET 1 OF 16

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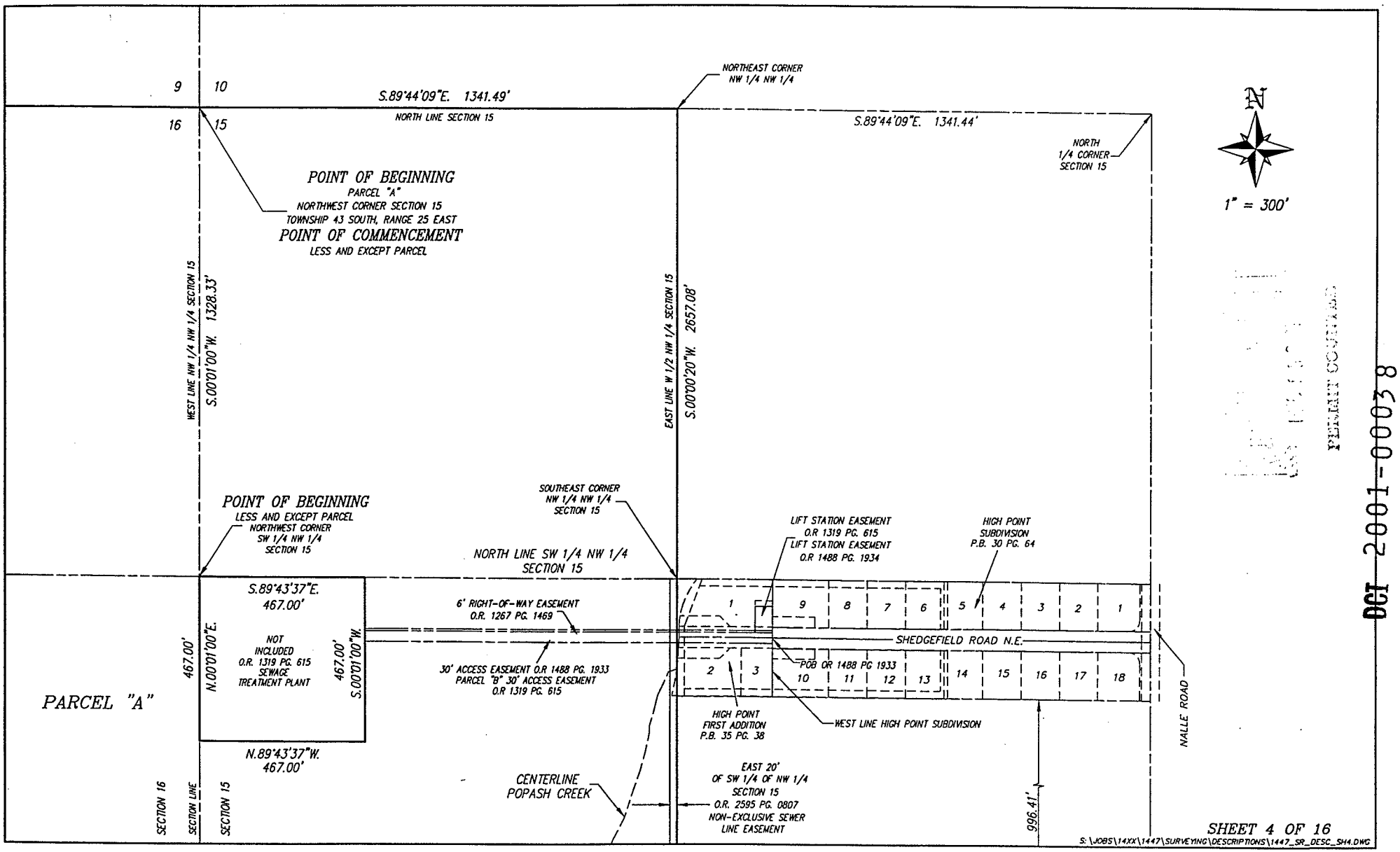
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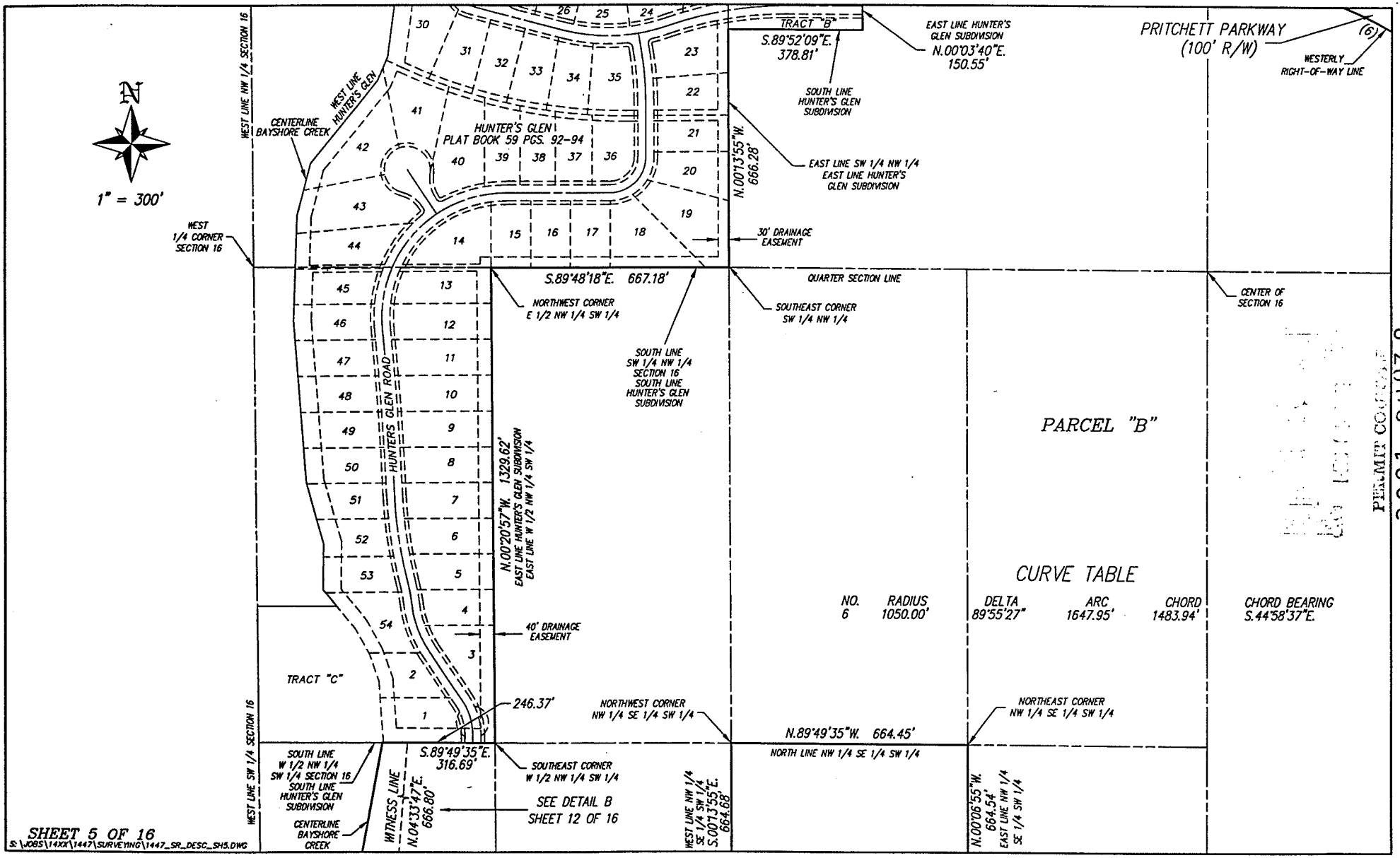


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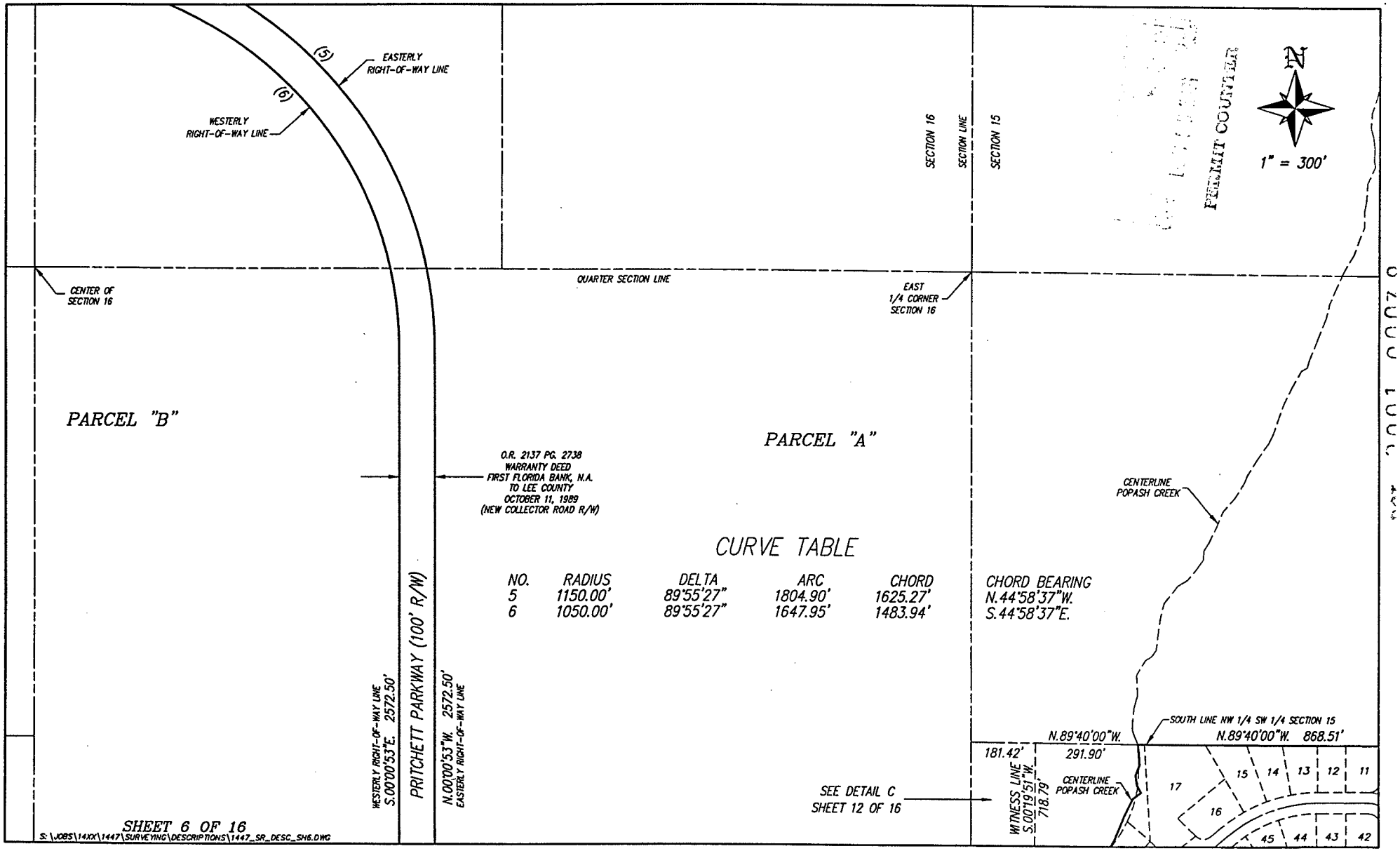


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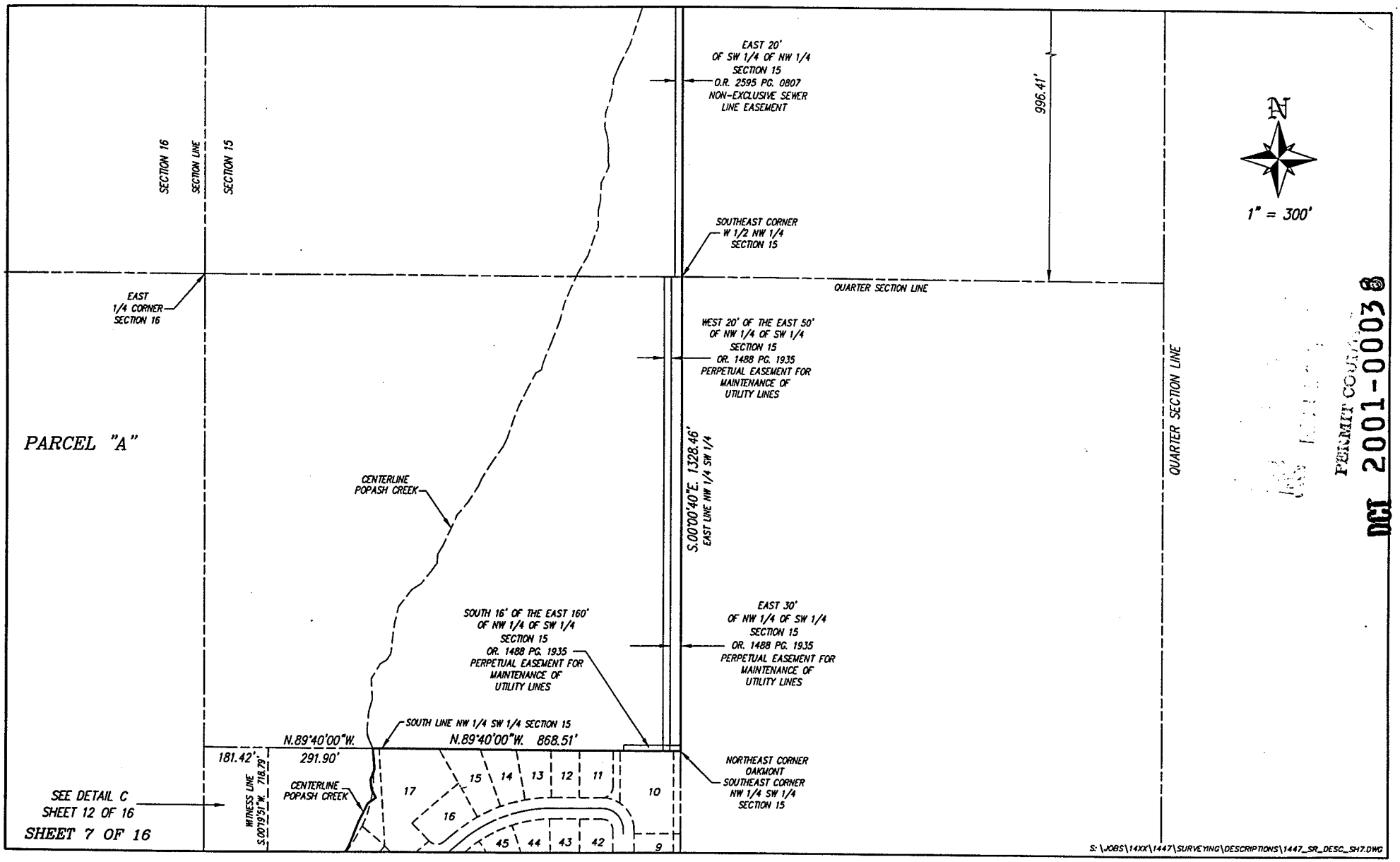
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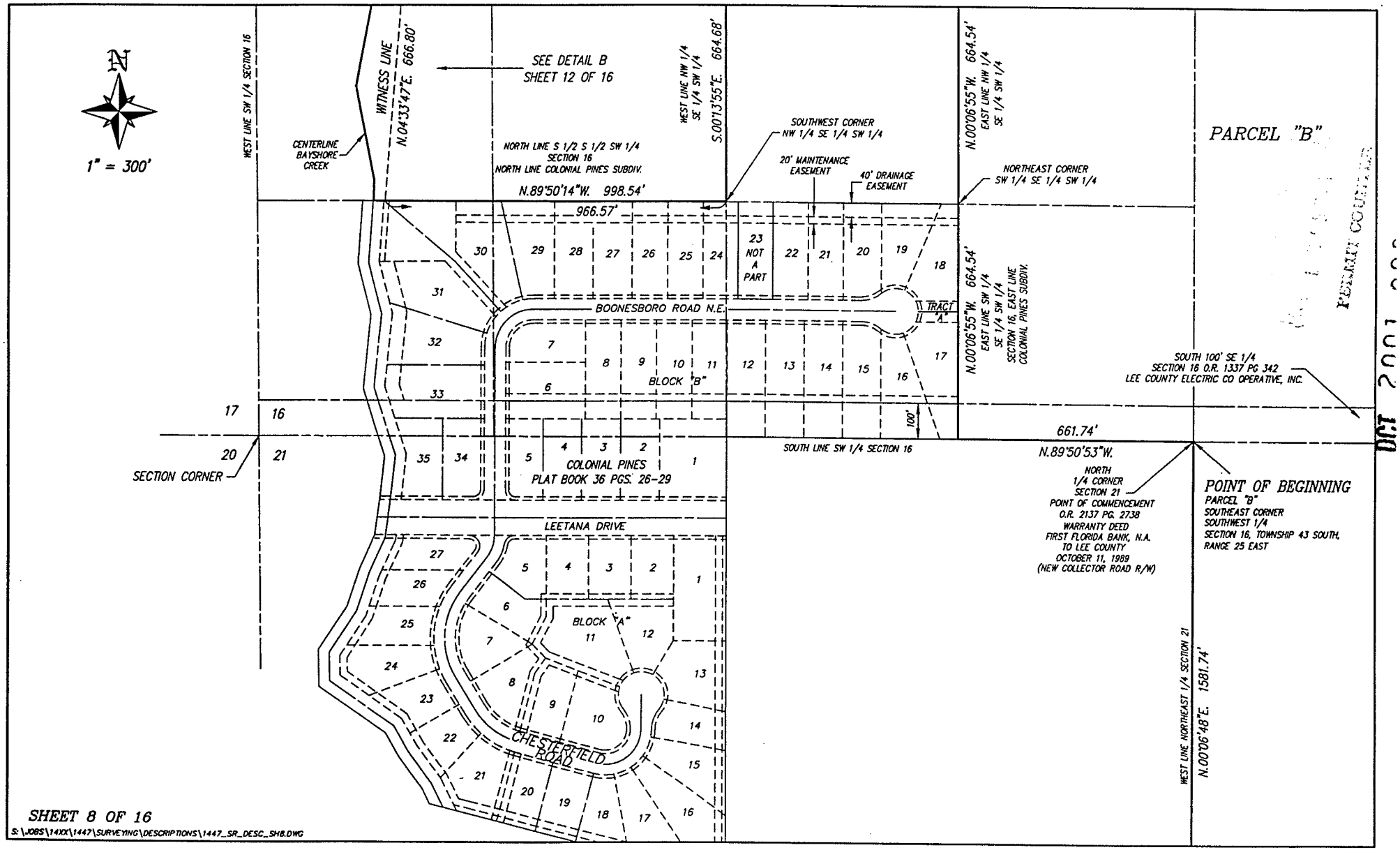
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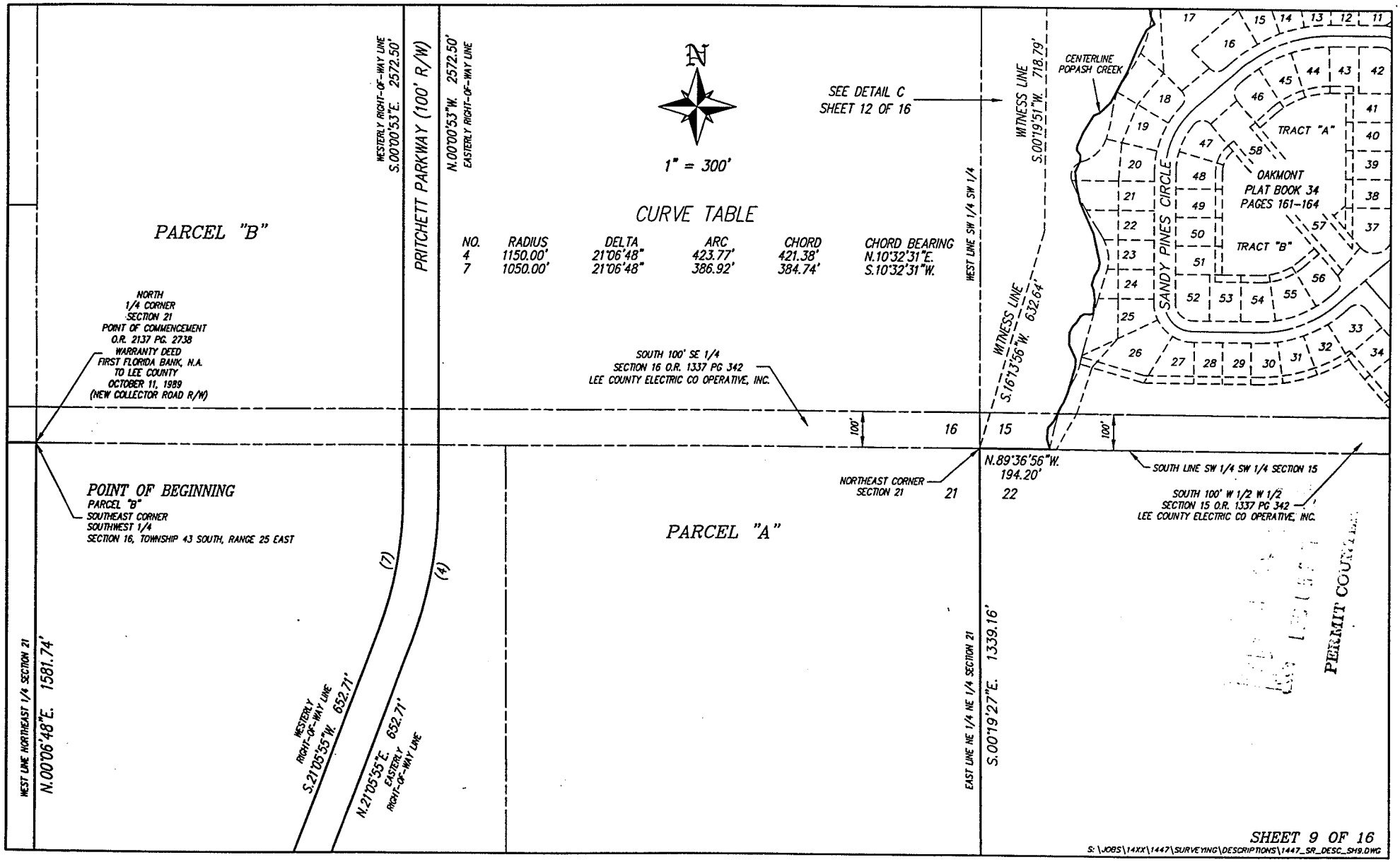
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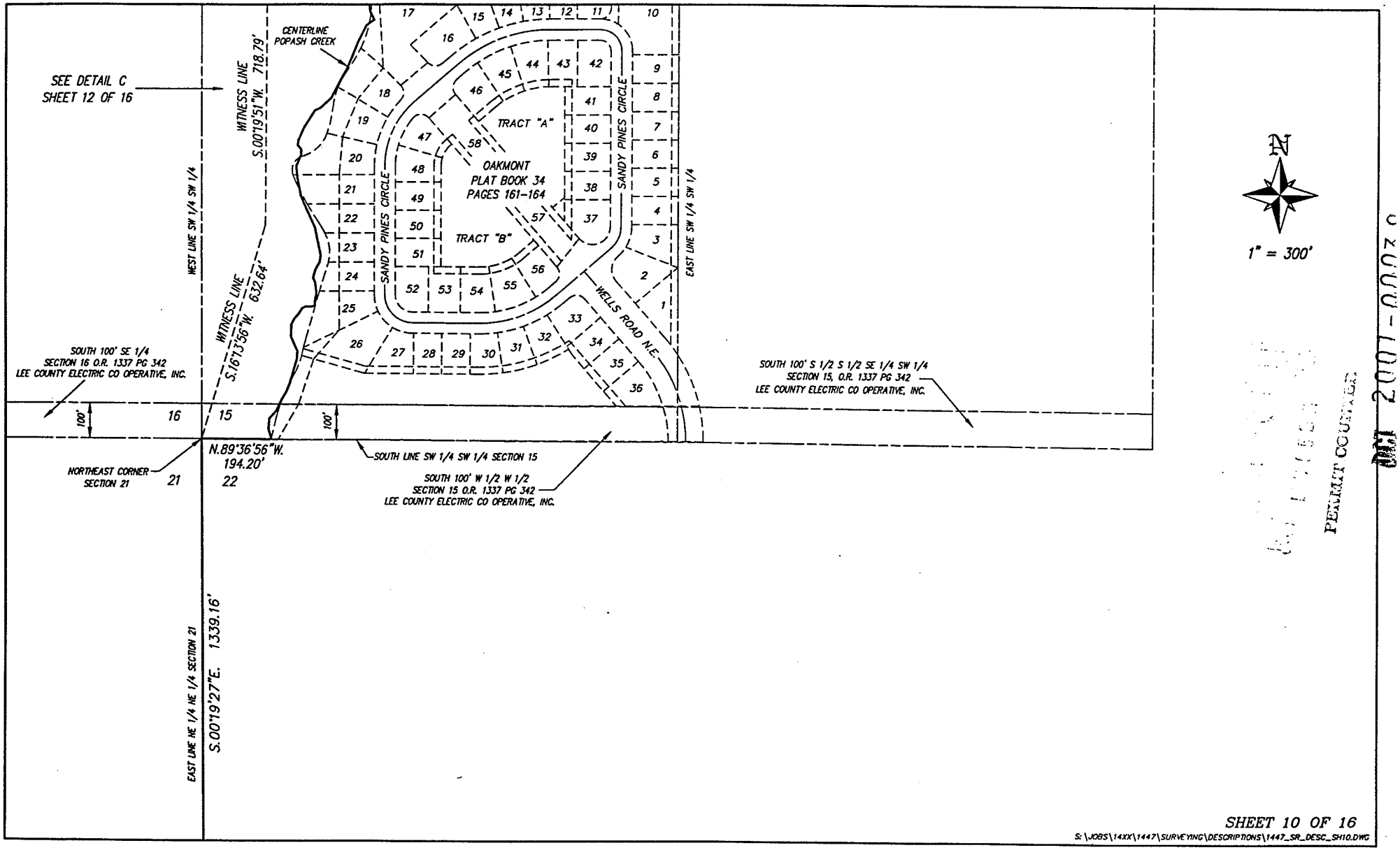
SHEET 8 OF 16

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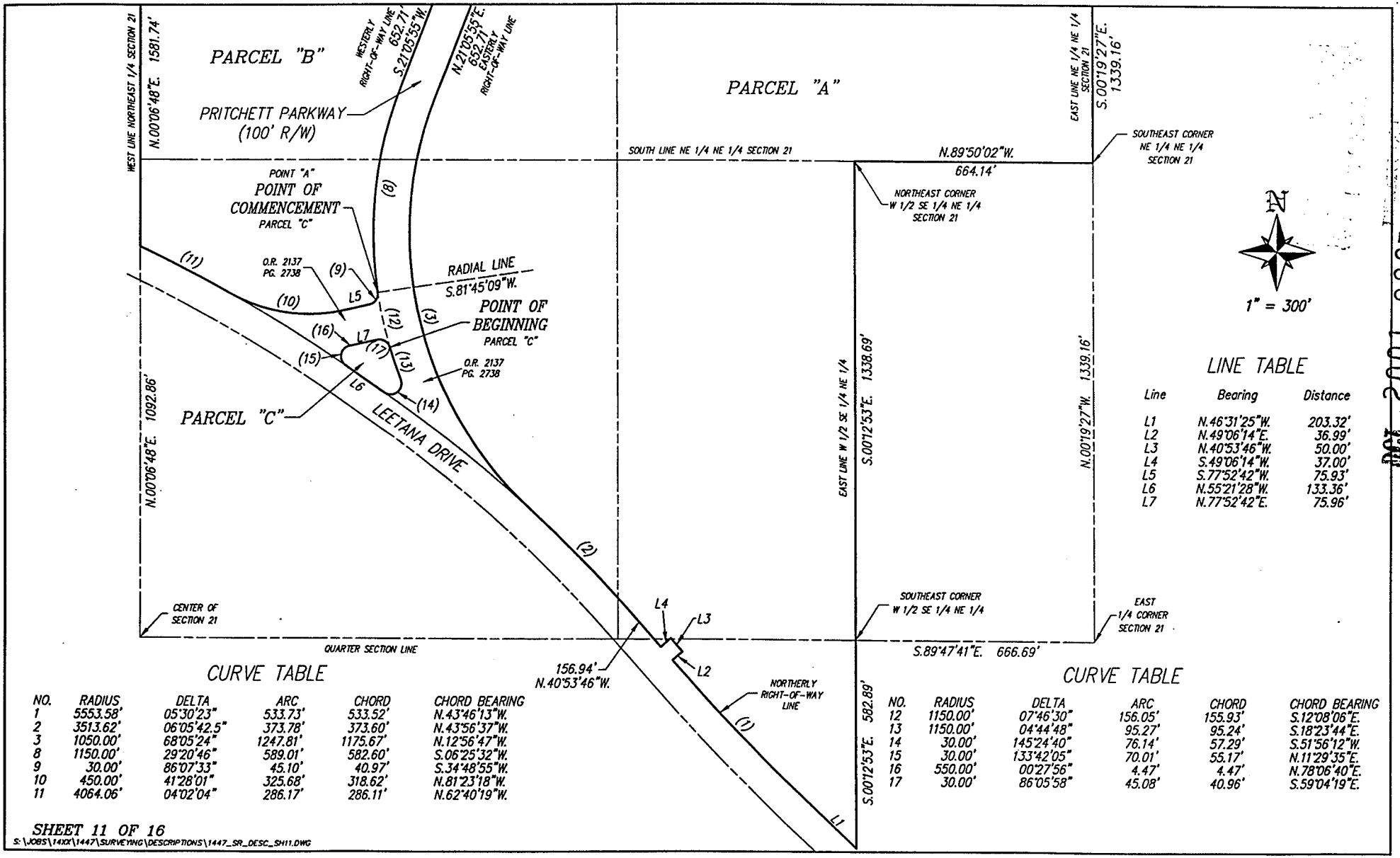


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SHEET 10 OF 16

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LINE TABLE

Line	Bearing	Distance
L1	N.46°31'25"W.	203.32'
L2	N.49°06'14"E.	36.99'
L3	N.40°53'46"W.	50.00'
L4	S.49°06'14"W.	37.00'
L5	S.77°52'42"W.	75.93'
L6	N.55°21'28"W.	133.36'
L7	N.77°52'42"E.	75.96'

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	5553.58'	05°30'23"	533.73'	533.52'	N.43°46'13"W.
2	3513.62'	06°05'42.5"	373.78'	373.60'	N.43°56'37"W.
3	1050.00'	68°05'24"	1247.81'	1175.67'	N.12°56'47"W.
8	1150.00'	29°20'46"	589.01'	582.60'	S.06°25'32"W.
9	30.00'	86°07'33"	45.10'	40.97'	S.34°48'55"W.
10	450.00'	41°28'01"	325.68'	318.62'	N.81°23'18"W.
11	4064.06'	04°02'04"	286.17'	286.11'	N.62°40'19"W.

CURVE TABLE

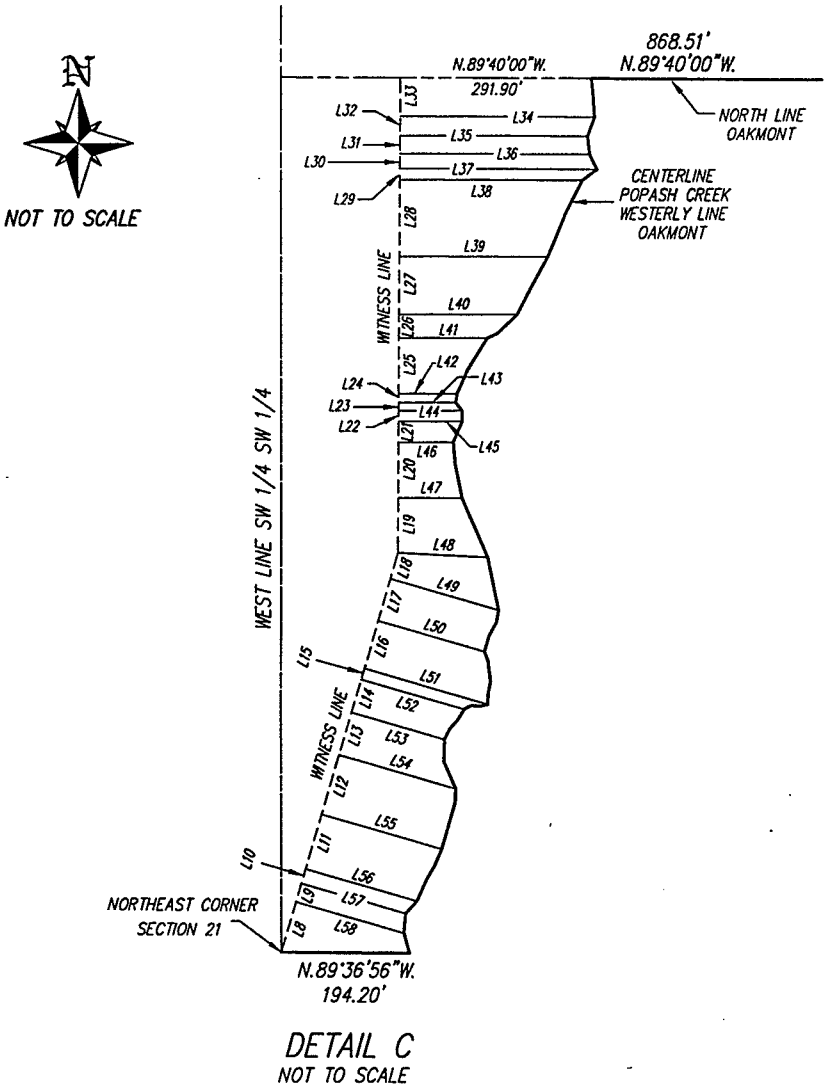
NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
12	1150.00'	07°46'30"	156.05'	155.93'	S.12°08'06"E.
13	1150.00'	04°44'48"	95.27'	95.24'	S.18°23'44"E.
14	30.00'	145°24'40"	76.14'	57.29'	S.51°56'12"W.
15	30.00'	133°42'05"	70.01'	55.17'	N.11°29'35"E.
16	550.00'	00°27'56"	4.47'	4.47'	N.78°06'40"E.
17	30.00'	86°05'58"	45.08'	40.96'	S.59°04'19"E.

SHEET 11 OF 16

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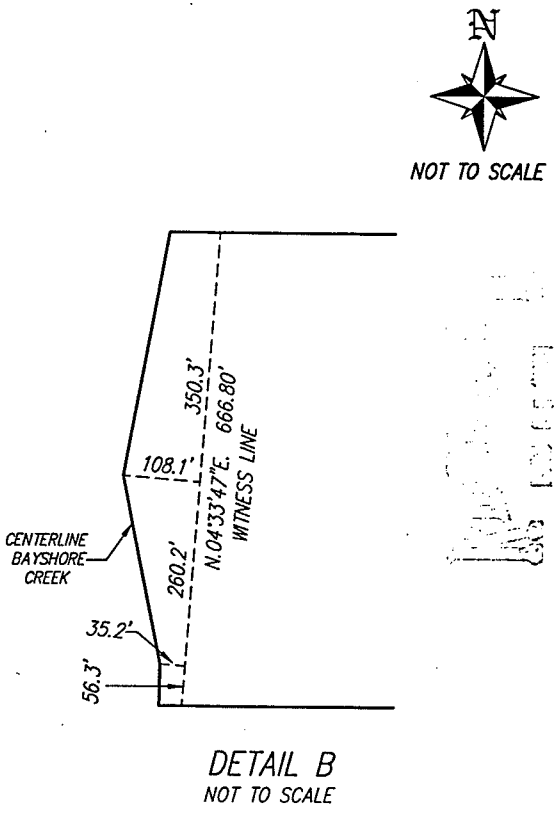
DETAIL C
NOT TO SCALE

LINE TABLE

Line	Bearing	Distance
L8	N.16°13'56"E.	79.4'
L9	N.16°13'56"E.	29.6'
L10	N.16°13'56"E.	23.1'
L11	N.16°13'56"E.	86.7'
L12	N.16°13'56"E.	94.4'
L13	N.16°13'56"E.	67.3'
L14	N.16°13'56"E.	52.6'
L15	N.16°13'56"E.	17.2'
L16	N.16°13'56"E.	75.4'
L17	N.16°13'56"E.	66.6'
L18	N.16°13'56"E.	40.3'
L19	N.00°19'51"E.	83.1'
L20	N.00°19'51"E.	83.7'
L21	N.00°19'51"E.	31.8'
L22	N.00°19'51"E.	16.0'
L23	N.00°19'51"E.	12.6'
L24	N.00°19'51"E.	13.2'
L25	N.00°19'51"E.	84.6'
L26	N.00°19'51"E.	35.8'
L27	N.00°19'51"E.	87.0'
L28	N.00°19'51"E.	116.4'
L29	N.00°19'51"E.	16.7'
L30	N.00°19'51"E.	22.7'
L31	N.00°19'51"E.	27.4'
L32	N.00°19'51"E.	29.4'
L33	N.00°19'51"E.	58.4'
L34	S.89°40'09"E.	297.3'
L35	S.89°40'09"E.	286.4'
L36	S.89°40'09"E.	289.9'
L37	S.89°40'09"E.	301.4'
L38	S.89°40'09"E.	279.0'
L39	S.89°40'09"E.	227.1'
L40	S.89°40'09"E.	181.1'
L41	S.89°40'09"E.	135.2'
L42	S.89°40'09"E.	89.7'
L43	S.89°40'09"E.	88.0'
L44	S.89°40'09"E.	97.6'
L45	S.89°40'09"E.	97.8'
L46	S.89°40'09"E.	84.3'
L47	S.89°40'09"E.	97.7'
L48	S.87°00'59"E.	137.8'
L49	S.73°46'04"E.	172.6'
L50	S.73°46'04"E.	169.4'
L51	S.73°46'04"E.	196.7'
L52	S.73°46'04"E.	164.5'
L53	S.73°46'04"E.	148.4'
L54	S.73°46'04"E.	185.7'
L55	S.73°46'04"E.	191.1'
L56	S.73°46'04"E.	176.0'
L57	S.73°46'04"E.	164.7'
L58	S.73°46'04"E.	170.2'

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DETAIL SHEET



DETAIL B
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Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF
PARCELS OF LAND
LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

TRACTS OR PARCELS OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 15, 16 AND 21 TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°44'09"E. ALONG THE NORTH LINE OF SAID SECTION 15 FOR 1341.49 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.00°00'20"W. ALONG THE EAST LINE OF SAID FRACTION FOR 2657.08 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.00°00'40"E. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 FOR 1328.46 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION THE SAME BEING THE NORTHEAST CORNER OF OAKMONT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34 AT PAGES 161 THROUGH 164 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°40'00"W. ALONG THE SOUTH LINE OF SAID FRACTION AND THE NORTH LINE OF SAID OAKMONT FOR 868.51 FEET TO AN INTERSECTION WITH THE CENTERLINE OF POPASH CREEK AND THE WESTERLY LINE OF SAID OAKMONT; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE AND SAID WESTERLY LINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 THE SAME BEING THE SOUTHWEST CORNER OF SAID OAKMONT; THENCE N.89°36'56"W. ALONG SAID SOUTH LINE FOR 194.20 FEET TO THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°19'27"E. ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21 FOR 1339.16 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N.89°50'02"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 664.14 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.00°12'53"E. ALONG THE EAST LINE OF SAID FRACTION FOR 1338.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE CONTINUE S.00°12'53"E. 582.89 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.46°31'25"W. ALONG SAID NORTHERLY LINE FOR 203.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5553.58 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°30'23.2" FOR 533.73 FEET; THENCE N.49°06'14"E. ALONG SAID NORTHERLY LINE FOR 36.99 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 50.00 FEET; THENCE S.49°06'14"W. ALONG SAID NORTHERLY LINE FOR 37.00 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 156.94 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3513.62 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 06°05'42.5" FOR 373.78 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 1050.00 FEET; THENCE

10511 Six Mile Cypress Pkwy, Suite 101, Ft Myers, Florida 333912 • (941) 939-5490 • Fax (941) 939-2923

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NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 68°05'24" FOR 1247.81 FEET; THENCE N.21°05'55"E. ALONG SAID EASTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 423.77 FEET; THENCE N.00°00'53"W. ALONG SAID EASTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1804.90 FEET; THENCE N.89°56'20"W. ALONG SAID EASTERLY LINE FOR 1399.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°47'50" FOR 875.93 FEET; TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK; THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°59'47"E. ALONG SAID SOUTH LINE FOR 915.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE N.00°06'54"W. ALONG THE WEST LINE OF SAID FRACTION FOR 667.02 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID FRACTION; THENCE N.89°56'25"E. ALONG SAID NORTH LINE FOR 672.59 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE S.89°29'37"E. ALONG THE NORTH LINE OF SAID SECTION FOR 2646.16 FEET TO THE **POINT OF BEGINNING.**

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL

COMMENCING AT NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°01'00"W. ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15 FOR 1328.33 FEET TO THE POINT OF BEGINNING THE SAME BEING THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.89°43'37"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 467.00 FEET; THENCE S.00°01'00"W. FOR 467.00 FEET; THENCE N.89°43'37"W. FOR 467.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID FRACTION; THENCE N.00°01'00"E. ALONG THE WEST LINE OF SAID FRACTION FOR 467.00 FEET TO THE POINT OF BEGINNING.

PARCEL "A" CONTAINS 510.23 ACRES MORE OR LESS.

AND: PARCEL "B"

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.89°50'53"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 661.74 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 THE SAME BEING A POINT ON THE EAST LINE OF COLONIAL PINES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 36 AT PAGES 26 THROUGH 29 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°06'55"W. ALONG SAID EAST LINE FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND SAID COLONIAL PINES; THENCE N.00°06'55"W. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N.89°49'35"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 664.45 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE S.00°13'55"E. ALONG THE EAST LINE OF SAID FRACTION FOR 664.68 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION THE SAME BEING AN INTERSECTION WITH THE NORTH LINE OF SAID COLONIAL PINES; THENCE N.89°50'14"W. ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 AND THE NORTH LINE OF SAID COLONIAL PINES FOR 998.54 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE

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CREEK; THENCE NORTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, THE SAME BEING THE SOUTH LINE OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S.89°49'35"E. ALONG SAID SOUTH LINE FOR 316.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND SAID HUNTER'S GLEN; THENCE N.00°20'57"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 1329.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND SAID HUNTER'S GLEN; THENCE S.89°48'18"E. ALONG SAID SOUTH LINE FOR 667.18 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°13'55"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 666.28 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN; THENCE S.89°52'09"E. ALONG SAID SOUTH LINE FOR 378.81 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°03'40"E. ALONG SAID EAST LINE FOR 150.55 FEET TO THE NORTHEAST CORNER OF SAID HUNTER'S GLEN, THE SAME BEING AN INTERSECTION WITH THE WESTERLY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE S.89°56'20"E. ALONG SAID WESTERLY LINE FOR 942.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1647.95 FEET; THENCE S.00°00'53"E. ALONG SAID WESTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 386.92 FEET; THENCE S.21°05'55"W. ALONG SAID WESTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 29°20'46" FOR 589.01 FEET TO **POINT "A"** THE SAME BEING AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°07'33" FOR 45.10 FEET; THENCE S.77°52'42"W. ALONG SAID NORTHERLY LINE FOR 75.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 41°28'01" FOR 325.68 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF LEETANA DRIVE (86 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 4064.06 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°02'04" FOR 286.17 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.00°06'48"E. ALONG SAID WEST LINE FOR 1581.74 FEET TO THE **POINT OF BEGINNING.**

PARCEL "B" CONTAINS 230.62 ACRES MORE OR LESS.

AND: PARCEL "C"

COMMENCING AT THE AFOREMENTIONED **POINT "A"** THE SAME BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.81°45'09"W.; THENCE; SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°46'30" FOR 156.05 FEET TO THE **POINT OF BEGINNING;** THENCE CONTINUE SOUTHERLY ALONG SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) THROUGH A CENTRAL ANGLE OF 04°44'48" FOR 95.27 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.55°21'28"W. ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE

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SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 550.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 00°27'56" FOR 4.47 FEET; THENCE N.77°52'42"E. ALONG SAID SOUTHERLY LINE FOR 75.96 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°05'58" FOR 45.08 FEET TO THE **POINT OF BEGINNING.**

PARCEL "C" CONTAINS 0.37 ACRES MORE OR LESS.

PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

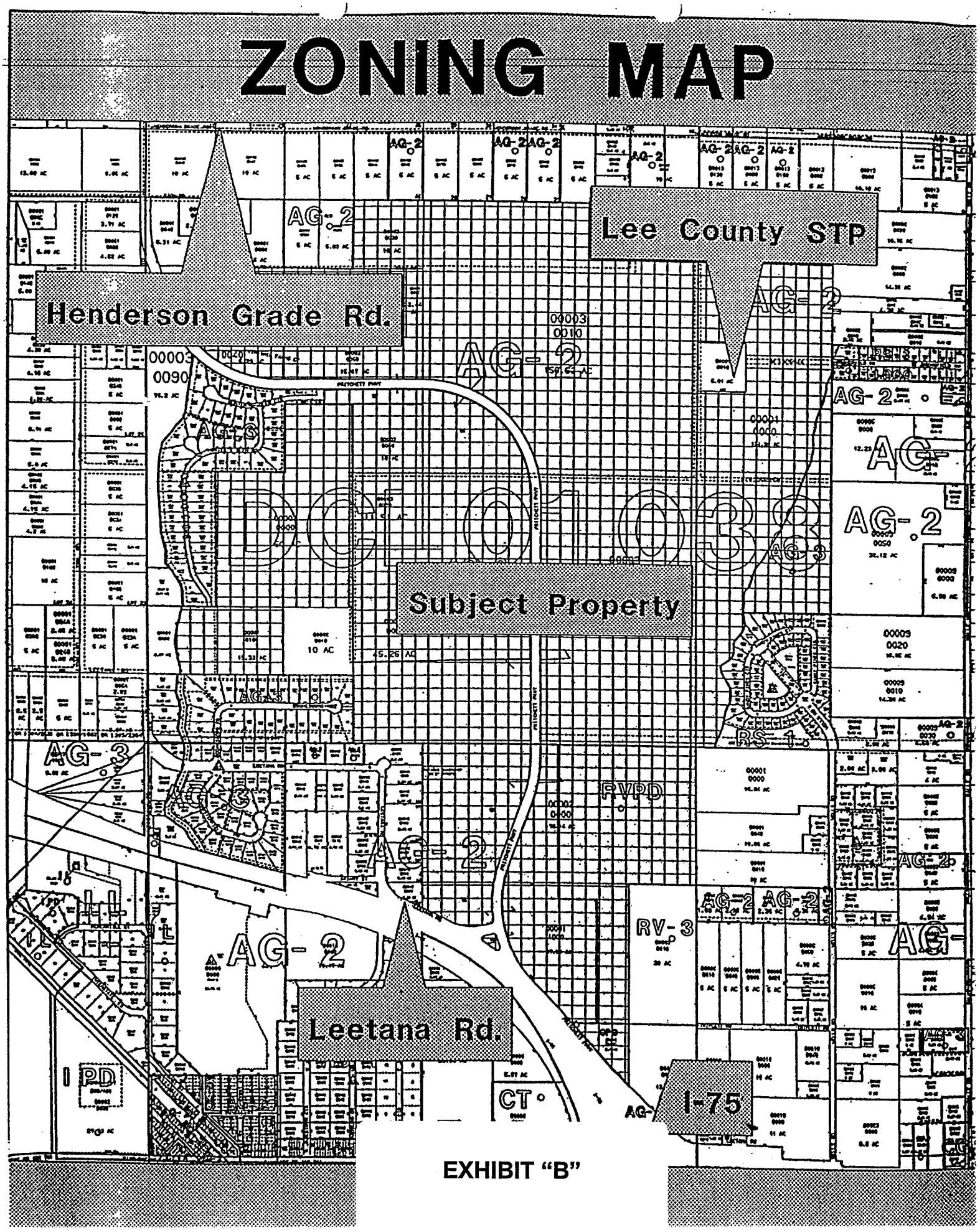
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

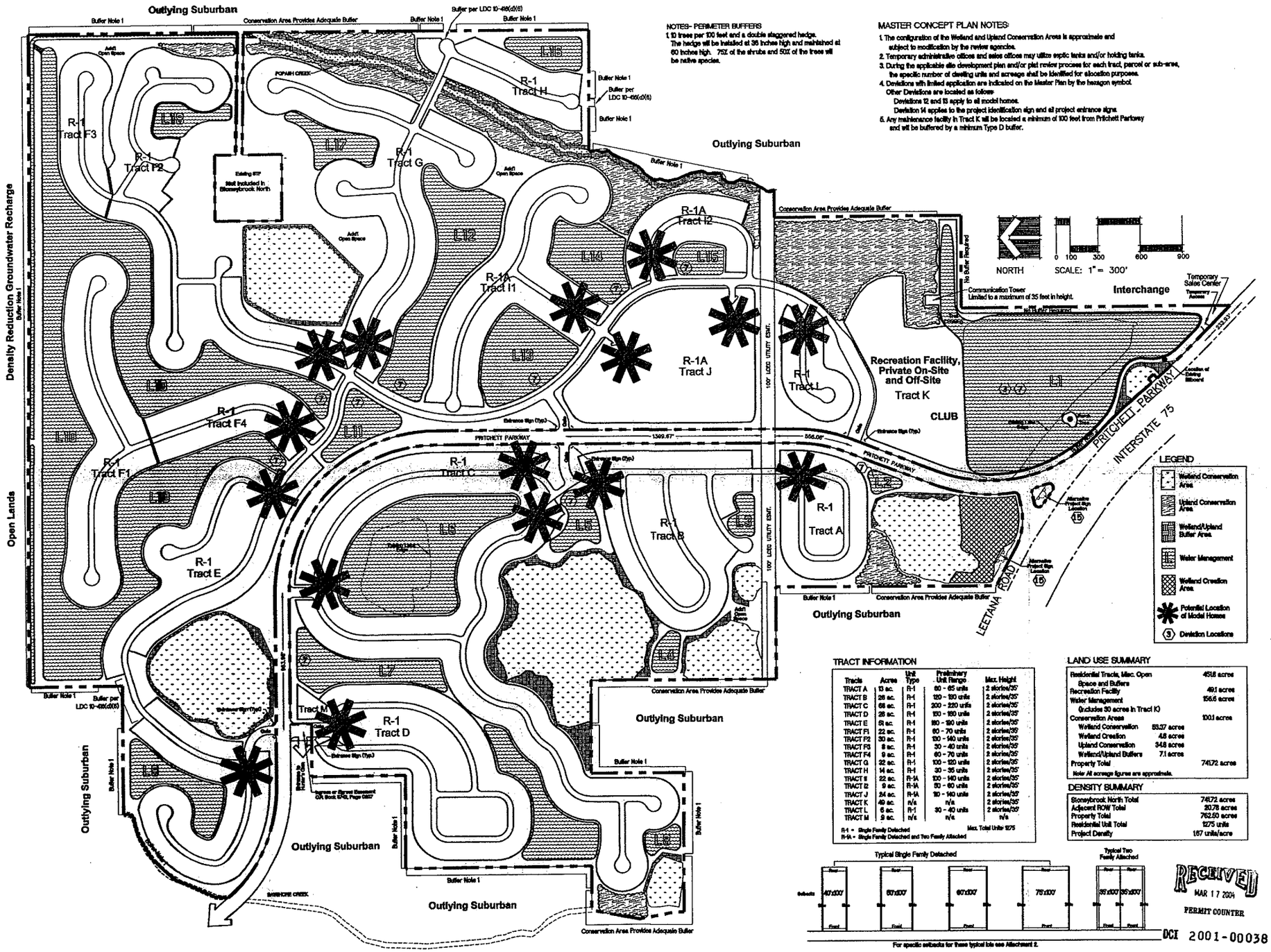
DESCRIPTION PREPARED 10-03-01

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Applicant's Legal Checked
by _____ 11/26/02


ZONING MAP
Lee County STP
Henderson Grade Rd.
Subject Property
Leetana Rd.
I-75
AG-2
AG-3
RS-1
RVPD
RV-3
CT
I PD
EXHIBIT "B"

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NOTES- PERIMETER BUFFERS

1.10 trees per 100 feet and a double staggered hedge. The hedge will be installed at 36 inches high and maintained at 60 inches high. 75% of the shrubs and 50% of the trees will be native species.

MASTER CONCEPT PLAN NOTES:

1. The configuration of the Wetland and Upland Conservation Areas is approximate and subject to modification by the review agencies.
2. Temporary administrative offices and sales offices may utilize septic tanks and/or holding tanks.
3. During the applicable site development plan and/or plat review process for each tract, parcel or sub-area, the specific number of dwelling units and acreage shall be identified for allocation purposes.
4. Deviations with limited application are indicated on the Master Plan by the hexagon symbol. Other Deviations are located as follows:
   Deviations 12 and 13 apply to all model homes.
   Deviation 14 applies to the project identification sign and all project entrance signs.
5. Any maintenance facility in Tract K will be located a minimum of 100 feet from Pritchett Parkway and will be buffered by a minimum Type D buffer.

TRACT INFORMATION

Tracts	Acres	Unit Type	Preliminary Unit Range	Max. Height
TRACT A	13 ac.	R-1	60 - 65 units	2 stories/35'
TRACT B	28 ac.	R-1	120 - 130 units	2 stories/35'
TRACT C	66 ac.	R-1	200 - 220 units	2 stories/35'
TRACT D	28 ac.	R-1	110 - 130 units	2 stories/35'
TRACT E	51 ac.	R-1	180 - 190 units	2 stories/35'
TRACT F1	22 ac.	R-1	60 - 70 units	2 stories/35'
TRACT F2	30 ac.	R-1	100 - 140 units	2 stories/35'
TRACT F3	8 ac.	R-1	30 - 40 units	2 stories/35'
TRACT F4	9 ac.	R-1	60 - 70 units	2 stories/35'
TRACT G	32 ac.	R-1	100 - 120 units	2 stories/35'
TRACT H	14 ac.	R-1	30 - 35 units	2 stories/35'
TRACT I	32 ac.	R-1A	100 - 140 units	2 stories/35'
TRACT I2	9 ac.	R-1A	50 - 60 units	2 stories/35'
TRACT J	34 ac.	R-1A	80 - 140 units	2 stories/35'
TRACT K	49 ac.	n/a	n/a	2 stories/35'
TRACT L	6 ac.	R-1	30 - 40 units	2 stories/35'
TRACT M	9 ac.	n/a	n/a	n/a

R-1 = Single Family Detached
R-1A = Single Family Detached and Two Family Attached
Max. Total Units 1275

LAND USE SUMMARY

Residential Tracts, Misc. Open Space and Buffers		451.8 acres
Recreation Facility		49.1 acres
Water Management (includes 30 acres in Tract K)		156.6 acres
Conservation Areas		100.1 acres
Wetland Conservation	85.37 acres	
Wetland Creation	4.8 acres	
Upland Conservation	34.8 acres	
Wetland/Upland Buffers	7.1 acres	
Property Total		741.72 acres

Note: All acreage figures are approximate.

DENSITY SUMMARY

Stoneybrook North Total	741.72 acres
Adjacent ROW Total	20.78 acres
Property Total	762.50 acres
Residential Unit Total	1275 units
Project Density	1.67 units/acre

Typical Single Family Detached

Typical Two Family Attached

For specific setbacks for these typical lots see Attachment 2.

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DCI 2001-00038

WilsonMiller

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Landscape Architects • Transportation Consultants

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E-mail: FortMyers@wilsonmiller.com • Web-Site: www.wilsonmiller.com

STONEYBROOK NORTH
MASTER CONCEPT PLAN
PREPARED FOR : US HOME CORPORATION

EXHIBIT "C"

APPROVED
Master Concept Plan
Strap # Z-02-070 Page 1 of 1
Subject to conditions in Resolution Z-02-070
Case # DCI2001-00038

PRINTED
MAR 17 2004
Wilson-Miller, Inc.
4571 Colonial Boulevard
Ft. Myers, Florida 33912

SEC 15,16 TWP 43S RGE 25E
Designed by:
Drawn by: S.W.P./1078
Checked by:
Approved by:
Date: March 10, 2004
Scale: 1" = 300'
PIN: 03642-000-000 PZPSR
File #: D-3642-02

Sheet 1 of 1

ADD2024-00183 Lee County ePlan

UNIVERSITY OF FLORIDA

Horticulture

LEE COUNTY EXTENSION SERVICE

TRANSPLANTING SABAL PALMS
Step-by-Step Instructions

Lee 8/2000A

Stephen H. Brown
Lee County Horticulture Agent

Rick Joyce
Deputy Director, Lee County Planning Division

Introduction

The native cabbage or sabal palm (*Sabal palmetto)* is the official state tree of Florida and is a prominent feature in Florida's landscape. The palm is highly adaptive, tough, tolerant of a wide range of soils, and is hurricane resistant. When planted six to ten feet on center, sabal palms provide desirable shade. Sabal palms, including large-sized palms, can be transplanted with high success if a few simple precautions are taken. This fact sheet provides specific proven techniques to increase the success of sabal palm transplanting.

Step-by-Step Transplant Instructions

1. Use gasoline powered tree spade or heavy steel shanked digging spade with a clean well-honed cutting edge to dig the largest possible root ball. Usually to 18 inches from the edge of the trunk.
2. Remove the palm from ground. Take care not to damage the hidden bud located within the center of the canopy.
3. Using clean sharp hand spades, trim the root ball into circular shape 13 to 16 inches from the outer edge of the trunk.
4. Two methods of pruning fronds for landscape transplant (select one):
   a. Remove oldest (brown) fronds. Tie the remaining fronds tightly together with a biodegradable twine. Do not disturb the bud.
   b. Remove all fronds otherwise known as "hurricane" or "cigar cut." This recommended pruning technique gives the highest rate of establishment but must be carefully done.
5. Secure the palm on a flat bed truck and transport it to the planting site. Make sure the center of the bud is well protected.
6. Keep the root ball moist between removal and installation.
7. Prepare planting hole 1-2 times the diameter of the trunk but at the same depth as the root ball.
8. Back-fill the planting hole with the same soil that had been removed. There is no need to amend the planting hole, but if it is amended, use a fill similar to that of the planting hole. The amendment should not exceed 25 percent by volume of the soil removed from the hole.
9. Carefully set the palm into the planting hole. Make sure it is planted the same depth as it was in the field. Planting too deeply will cause root suffocation and lead to nutritional deficiencies, root rot, and frequently the death of the palm.
10. Secure and stake the palm as illustrated in the diagram. DO NOT DRIVE NAILS DIRECTLY INTO THE PALM.

(Continued on the back.)

The Extension Service is part of a publicly funded statewide educational network that provides information and scientific knowledge to area residents, businesses and government leaders. The University of Florida, Extension Service offers the latest research and technology in more than 200 subjects related to horticulture, energy/conservation, agriculture, youth development and family and consumer sciences. Last year, the Lee County Extension Service provided assistance to more than 70,000 people and provided 463 classes and workshops on everything from family financial planning to pesticide training.

The Lee County Extension Service is an Equal Employment Opportunity - Affirmative Action Employer that provides research, educational information and other services without regard to race, color, sex, age, handicap or national origin.

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11. Establish a water-retaining ring around the palm three feet from the trunk. The ring should slope gently toward the trunk.

12. Fill the ring with mulch to a depth of three inches. Keep the mulch at least three inches away from the trunk.

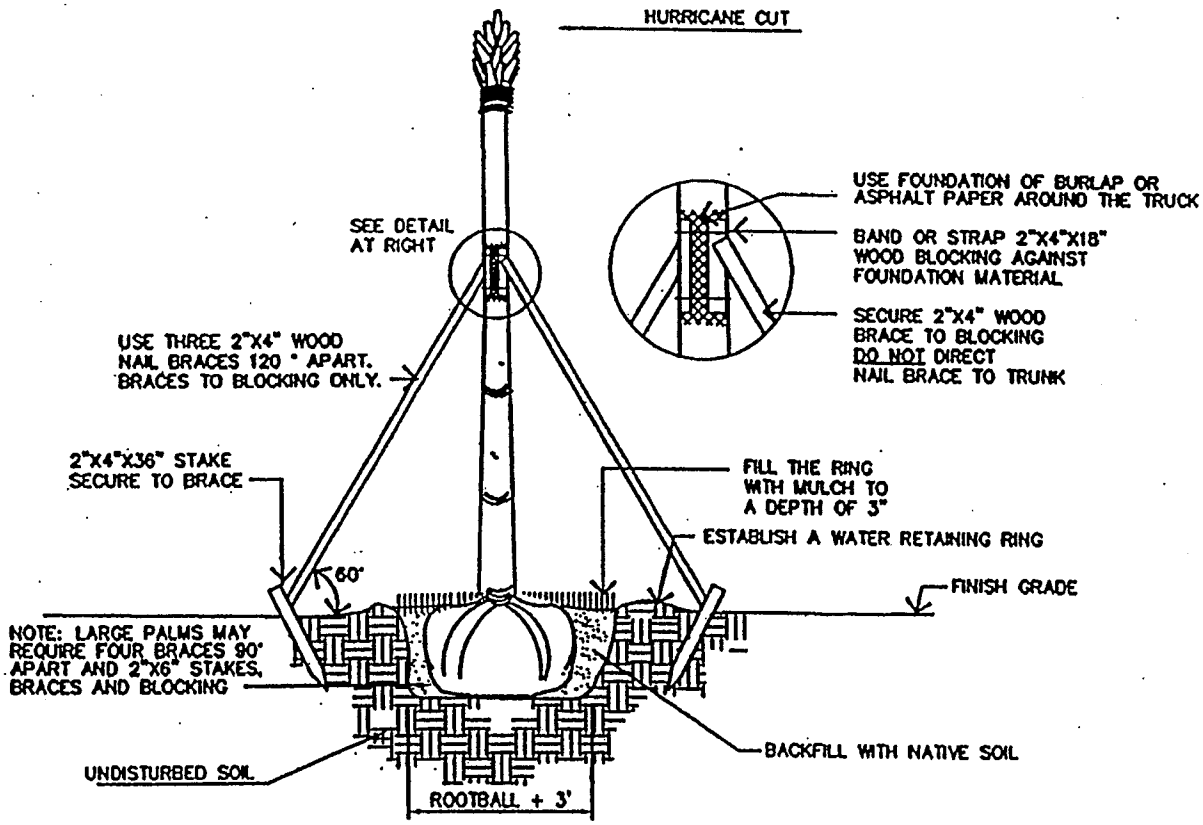
13. Irrigation:
    a. Palms with fronds remaining: Fill the ring with 50 gallons of water three times weekly.
    b. Palms with hurricane cut: Fill the ring with 20 to 25 gallons of water three times weekly.

14. In both cases, after four weeks, reduce irrigation to twice weekly. Water twice weekly for four weeks, and then reduce irrigation to once weekly for an additional four weeks. Twelve weeks after planting, cease irrigation if the palm appears healthy. However, during drought, water once a week for up to two years. For each inch of rain, skip one scheduled irrigation treatment.

15. As soon as new growth begins to appear, loosen tied fronds. This will happen between 3-6 months after transplanting, depending on the time of year and the health of the palm.

16. Begin fertilization after new growth begins. Fertilize three to four times per year with a 2-1-3-ratio fertilizer at a rate of one to two pounds per 100 square feet. For best results use a slow release formulation.

17. Remove staking and burlap or asphalt paper rap after successful palm establishment. Removal usually occurs approximately one year after palm installation.



PLANTING AND STAKING SABAL PALM

NOT TO SCALE

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STONEYBROOK
NORTH
LITTORAL PLANTING EXHIBIT

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors

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COMMUNITY DEVELOPMENT

N

0 300 600 900
GRAPHIC SCALE 1"=300 FT

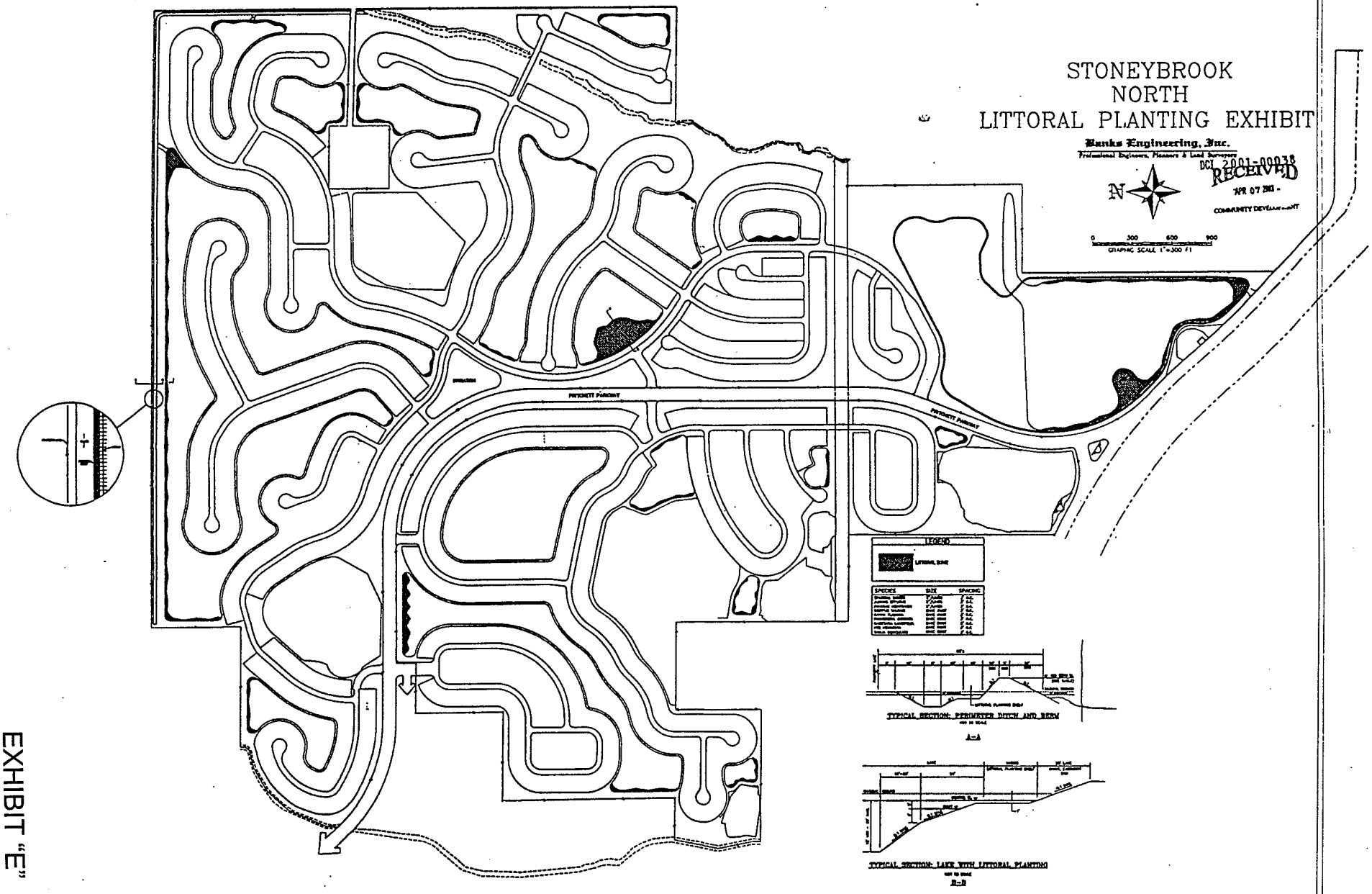


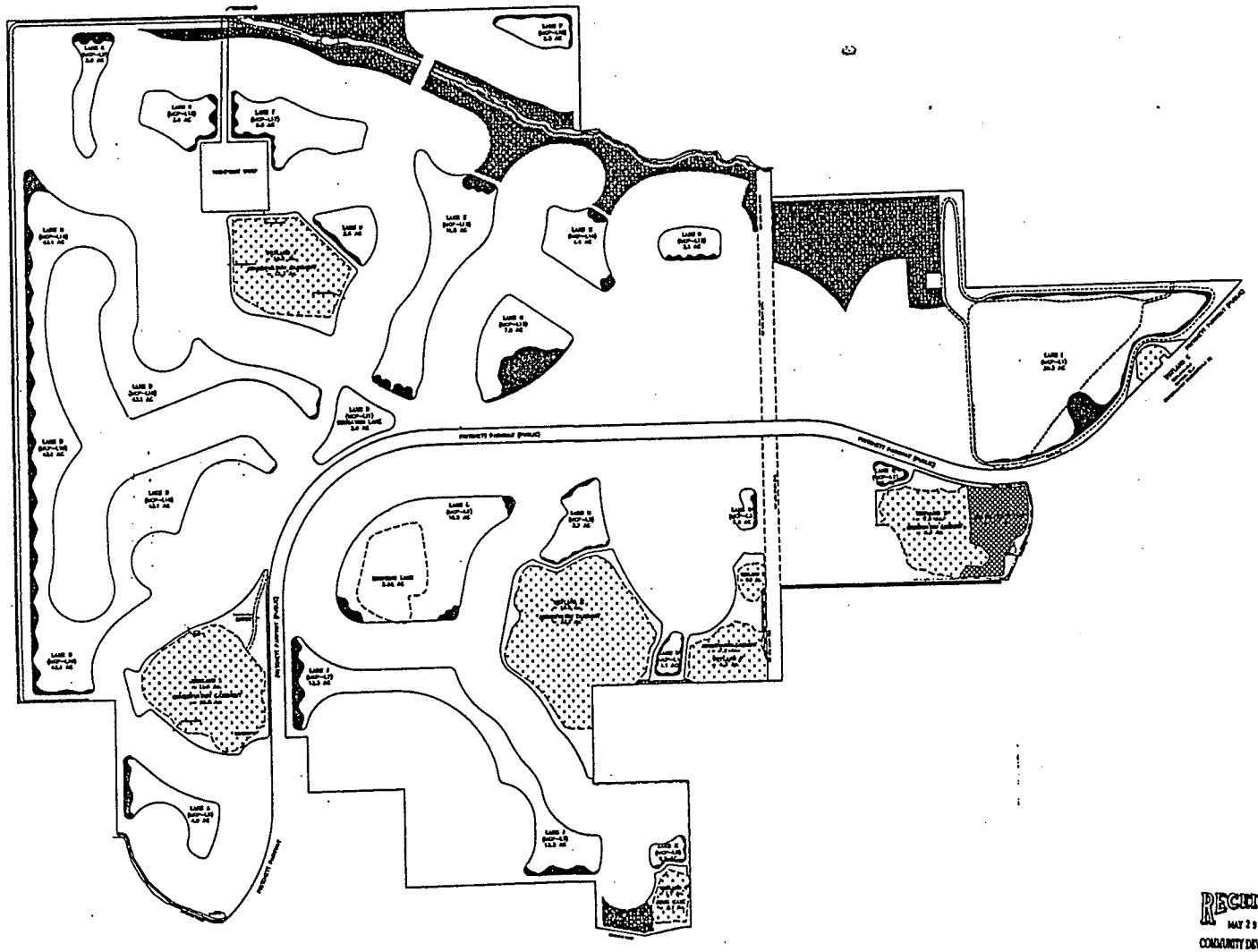
EXHIBIT "E"

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EXHIBIT "F" - Page One of Two

STONEYBROOK NORTH
LAKE PERIMETER (LF)
LITTORAL AREA (AC)

LAKE A 2,404 LF 0.50 AC	LAKE K 820 LF 0.17 AC
LAKE B 18,105 LF 3.74 AC	LAKE L 3,541 LF 0.73 AC
LAKE C 2,104 LF 0.43 AC	LAKE M 1,781 LF 0.37 AC
LAKE D 1,662 LF	LAKE N 856 LF 1.10 AC
LAKE E 4,255 LF 0.88 AC	LAKE O 783 LF 0.16 AC
LAKE F 1,394 LF 0.34 AC	LAKE Q 670 LF 0.22 AC
LAKE G 2,131 LF 2.11 AC	LAKE R 1,174 LF 0.24 AC
LAKE H 1,819 LF 0.38 AC	LAKE S 1,794 LF 0.37 AC
LAKE I 6,422 LF 2.49 AC	LAKE T 2,643 LF 0.55 AC
LAKE J 6,870 1.42 AC	LAKE U 1,334 LF 0.28 AC



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U.S HOME CORPORATION

Banks Engineering, Inc.

LITTORAL PLANTING EXHIBIT
STONEYBROOK NORTH
LEE COUNTY, FLORIDA

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LAKE ID	LINEAR FEET	PLANTS REQUIRED	LIT ZONE AC.	PLANTS PROPOSED at 3' O.C.
A	2,404	2,404	0.50	2,420
B	18,105	18,105	3.74	18,105
C	2,104	2,104	0.43	2,104
D	1,662	0*	0.00	0
E	4,255	4,255	0.88	4,259
F	1,394	1,394	0.34	1,646
G	2,131	2,131	2.11	10,212
H	1,819	1,819	0.38	1,839
I	6,422	6,422	2.49	12,052
J	6,870	6,870	1.42	6,873
K	820	820	0.17	823
L	3,541	3,541	0.73	3,541
M	1,781	1,781	0.37	1,791
N	856	856	1.10	5,324
O	783	783	0.16	783
Q	670	670	0.22	1,065
R	1,174	1,174	0.24	1,174
S	1,794	1,794	0.37	1,794
T	2,643	2,643	0.55	2,662
U	1,334	1,334	0.28	1,355
TOTALS	**62,562**	**60,900**	**16.48**	**79,821**

* Lake D is an irrigation lake that is not included in the stormwater management system. No littoral plantings are proposed for lake D.

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Stoneybrook North
(fka Heritage Creek)
April 2, 2003

DEVIATION LOCATIONS

The locations for the Deviations for Stoneybrook North with limited application are indicated on the Master Plan. Other Deviations are located as follows:

Deviations 8, 12 and 13 apply to residential tracts.
Deviation 14 applies to the project identification sign and the entrance signs.
Deviation 7 applies to the internal lakes.

DEVIATION 1

This Deviation is WITHDRAWN by the applicant. Last year's LDC changes addressed the issue.

DEVIATION 2

This Deviation is WITHDRAWN by the applicant. Last year's LDC changes addressed the issue.

DEVIATION 3

Deviation from LDC Section 10-418 (a)(2)(b) which requires a minimum number of native wetland herbaceous plants of one (1) plant per linear foot of lake shoreline and that native wetland trees or shrubs may be substituted for up to 25 percent of the total number of herbaceous plants required to allow the required number of plantings to be 50% trees in the Tract K lake only.

Justification

The twenty acre borrow pit near the project entrance is proposed to include a golf aqua driving range as a recreational amenity for the subject property. This lake's use as an aqua driving range is incompatible with the usual lake perimeter wetland plantings. With the physical constraints of the subject property an aqua range was the only possible solution for a driving range. In an aqua range the balls float and are retrieved by scooping them out with nets from the lake edge. The usual low-level wetland vegetation along the aqua range's shoreline would interfere with this retrieval would result in unavoidable damage and possibly destruction of the plants. The applicant is requesting this deviation to allow the option of locating wetland trees in lieu of some of the smaller plant varieties. There is no impact to the public from this change.

DEVIATION 4

Deviation 4 seeks relief from the LDC Section 10-291(3) which requires, where practical, any residential development of at least 5± acres to provide two (2) or more means of ingress and egress, to allow only one means of ingress and egress for those development parcels which are surrounded by golf course, water body or conservation area or any combination of these. These tracts are Tract A, Tract D, Tract F1 and F2, Tract G, Tract H, Tract I-1, and Tract L. During the Development Order review process emergency access will be provided as deemed necessary.

Justification

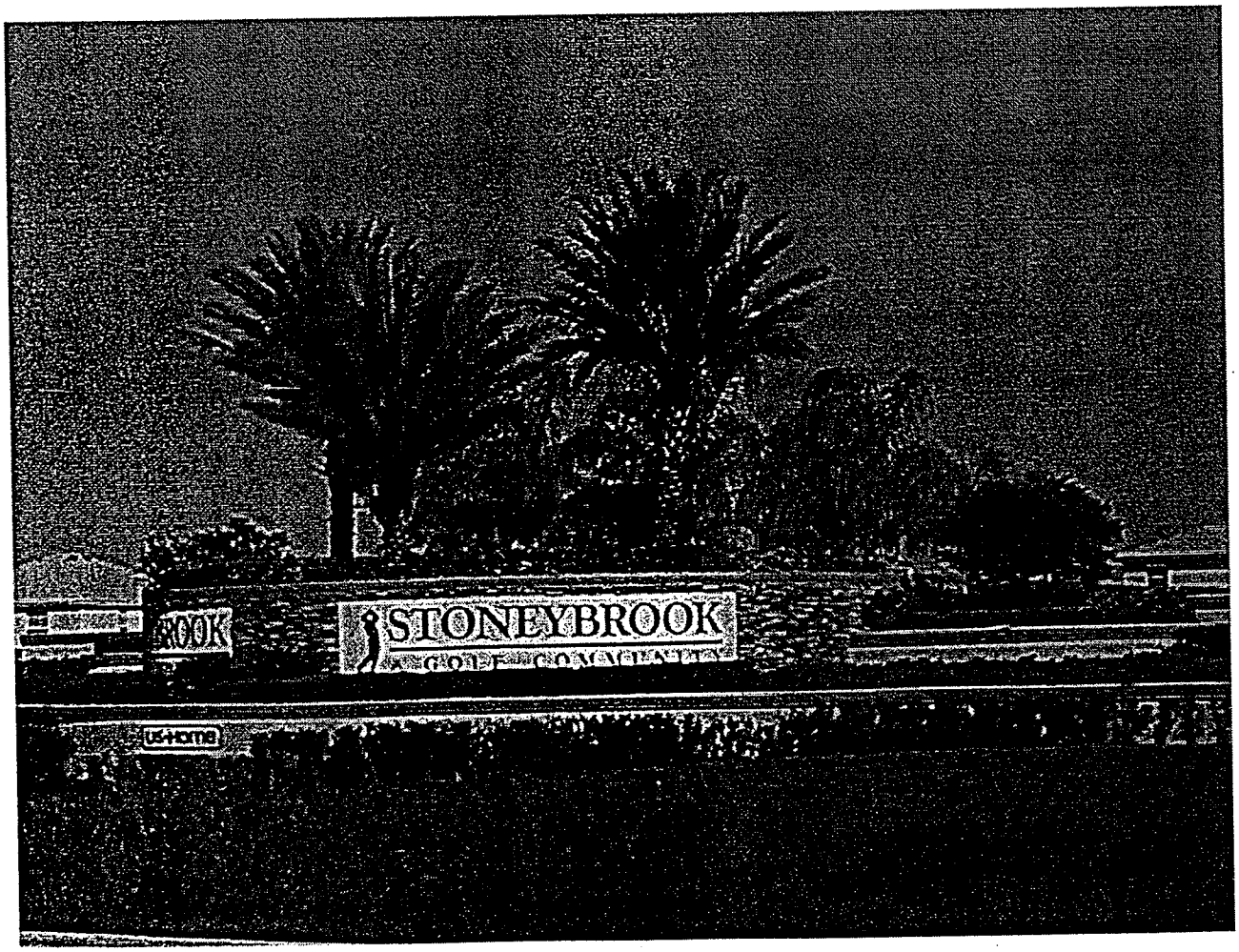
On a project-wide basis, the Heritage Creek development meets the requirements of LDC Section 10-281 as it provides many access points onto Pritchett Parkway. Both the east and west side of the project also meet this requirement. The applicant has heard clearly from the surrounding property owners that connections to their roadways are not desirable and we have

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DEVIATION 14
Deviation requesting relief from the LDC Section 30-153(2)(a)(iv) requirement that limits the text of additional identification signs to the name of the subdivision or residential development, to allow sign text for both the entrance signs and the project sign to include the notation "A US Home Community" or "US Home" in addition to the name of the residential development. Specific Information on the entrance signs and the project sign are attached as Attachment 5.

Justification
A critical component of project identification for a new residential development is identifying the developer. This deviation was approved recently for US Home's Stoneybrook community. The part of the signage identifying the developer is small, low key and attractive. The developer proposes the same kind of signage for Heritage Creek.

DEVIATION 15
Deviation requesting relief from the LDC Section 30-152 d.2 requirement that limits the face of each permitted main entrance identification sign in developments of more than 25 units to 105 square feet in area and a deviation requesting relief from the LDC Section 30-94(h) which requires that double-faced signs with opposing faces having an interior angle less than 30 degrees to allow the Heritage Creek project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall as illustrated in a comparable sign approved by Lee County for US Home's Stoneybrook development.



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Justification
Regarding the proposed sign size:
Lee County allows a 105 square foot project sign to be located at the development's main entrance. In addition, one additional permanent wall or ground-mounted sign of 105 square feet is permitted along each boundary line of the development, which exceeds 2,000 feet in length. The Heritage Creek development has a total of 4244 linear feet of frontage on the east side of Pritchett Parkway and a total of 5035 linear feet on the west side of Pritchett Parkway. With this considerable frontage the development would be allowed two additional 105 square foot double-faced signs. The applicant's request is to combine the two additional identification signs and the sign that would be allowed at the project's main entrance into the sign illustrated above. This sign would have two sides with each side totaling approximately 150 square feet.

	Allowable Main Project Sign	**Heritage Creek Main Project Sign**
Main Project Sign	105 sq ft x 2 sides	
Additional Signs (with a development with frontage which exceeds 2,000 feet in length)	105 sq ft x 2 sides (east side of Pritchett Pkwy) +105 sq ft x 2 sides (west side of Pritchett Pkwy)	
Total	**315 sq ft x 2 sides**	**150 sq ft x 2 sides**

The total square footage of sign face requested for Heritage Creek's main project sign is about half the square footage allowed by Lee County.

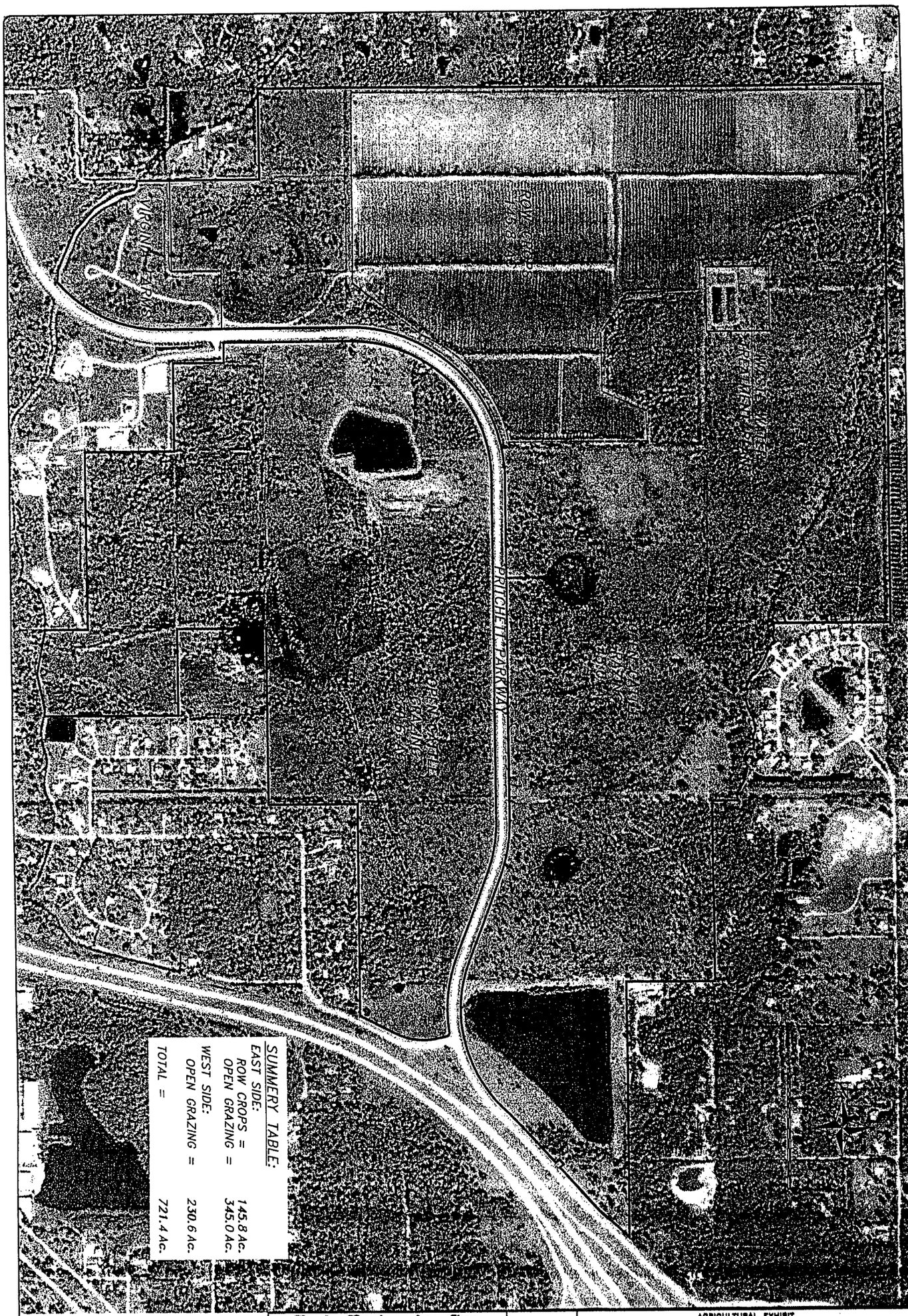
Regarding the interior angle of the proposed sign
This request is to allow a more visually attractive sign in an unusual location. From I-75 it would be difficult to see the text on the usual back to back sign. Locating the sign on a curvilinear wall open us the opportunity for better visibility

This sign would be located on Pritchett Parkway which in this location runs parallel to I-75. Visibility to the traveling public is from I-75. Because of the distance between this sign and the travel lanes on I-75 (approximately 200 feet), it would be difficult to see much less read a Project Sign that was either parallel or perpendicular to I-75. A similar sign for the Stoneybrook development works very well further south on I-75 where the sign is closer to I-75. This deviation enhances the project by decreasing the total number of signs allowed for the development while at the same time notifying the traveling public better of the Heritage Creek development. This is a very attractive sign and its construction will cause no negative impact on the public.

DEVIATION 16
Deviation requesting relief from the LDC Section 10-416(d)(6) requirement that if roads, drives, or parking areas are located less than 125 feet from an existing residential subdivision or residential lots, a solid wall or combination berm and solid wall not less than eight feet in height must be constructed not less than 25 feet from the abutting property and landscaped (between the wall and the abutting property) with a minimum of five trees and 18 shrubs per 100 linear feet to allow the two cul-de sacs in Tract H and the short roadway segment in Tract E to be located as illustrated on the Master Concept Plan together with the buffers proposed on the Master Concept Plan.

Justification
There are three components of this request:
a. The two cul-de sacs in Tract H.
Tract H is a very small tract with limited design flexibility. Each of these cul-de sac's ROW is located a minimum of 50 feet from the property line. With between 20 and 30

ADD2024-00183 Lee County ePlan



Manks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ◆ NAPLES ◆ SARASOTA
10511 BIX ISLE CYPRESS PARKWAY - SUITE 101
FORT MYERS, FLORIDA 33913
PHONE: (239) 939-5490 FAX: (239) 939-2523
ENGINEERING LICENSE # EB 8489
SURVEY LICENSE # LB 5890

AGRICULTURAL EXHIBIT
STONEYBROOK NORTH
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF	FILE NO. (S-T-R)
08-14-2003	1447Ag	Exhibit	CMD	CMD		1"=300'	1	1	43-25 13,16,21

APPLICANT'S EXHIBIT
#2
Dr. Jan Thomas SP

Exhibit "H" - Sheet One of One

ADD2015-00134 Lee County ePlan

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, North Brook Holdings LLC filed an application for an administrative amendment to a Residential Planned Development, RPD on a project known as Stoneybrook North for the following amendment:

- **Adopt a revised Master Concept Plan showing reconfiguration of the internal development tracts, lakes, roadways, open space and update the recreational facilities internal to the development; and**
- **Amend the Schedule of Uses; and**
- **Adopt new Exhibits E and F revising the lake littoral exhibits.**

WHEREAS, the property is located along both sides of Pritchett Parkway, described more particularly as:

LEGAL DESCRIPTION: In Sections 15, 16 & 21, Township 43 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT “A”

WHEREAS, the property was originally rezoned in case number Z-02-070 (with a subsequent amendment in ADD2013-00083); and

WHEREAS, the subject property is designated as Sub-Outlying Suburban on the Future Land Use Map of the Lee County Comprehensive Plan (Lee Plan); and

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

WHEREAS, the applicant desires to increase the size of the recreational area and allow another ancillary use to the private club; and

WHEREAS, the changes also result in changes to the Master Concept Plan and lake littoral exhibits; and

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

WHEREAS, the Zoning Section staff find the proposed changes are interior to the development, do not increase the allowed density or intensity of the development; do not decrease required and approved buffers or open space; do not result in underutilizing any public resources or infrastructure; do not reduce total open space, buffering, landscaping or preservation areas; and do not otherwise adversely impact on surrounding land uses.

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for the following amendments to the Residential Planned Development is **APPROVED, subject to the following conditions:**

AMENDMENTS:

- **Adopt a revised Master Concept Plan showing reconfiguration of the internal development tracts, lakes, roadways, open space and update the recreational facilities internal to the development; and**
- **Amend the Schedule of Uses; and**
- **Adopt new Exhibits E and F revising the lake littoral exhibits.**

CONDITIONS:

1. **The terms and conditions of the original zoning resolution, Resolution Number Z-02-070 as amended by ADD2013-00083, remain in full force and effect, except as amended herein.**

2. **Condition 2 of ADD2013-00083 is hereby amended adopting a new Master Concept Plan and Exhibits E and F. Development must be in compliance with the amended one page Master Concept Plan and Exhibits E and F, for Stoneybrook North attached hereto as Attachment A.**

3. **Condition 3 of ADD2013-00083 (which amended Condition 2.a. of Resolution Number Z-02-070) is hereby amended. The approved Schedule of uses for this planned development are found in Attachment B.**

4. **Condition 4 of ADD2013-00083 (which amended Condition 4 of Resolution Z-02-070) is hereby amended as follows:**

   The Tract ~~L~~ K recreational area must include at a minimum, one multi-purpose field, a playground, and picnic area, or recreational water feature. Facilities for the safe passage of pedestrians & cyclists from one side of Pritchett Parkway to the other as determined by the Director of Development Services at the time of local development order submittal must be provided.

5. **Condition 5 of ADD2013-00083 (which amended Condition 14 of Resolution Number Z-02-070) is hereby amended as follows:**

   Prior to local development order approval, the development order plans must include littoral planting areas in substantial compliance with the "Stoneybrook North Littoral Planting Exhibit," attached as Exhibit E found in Attachment A to this action. ~~stamped "Received Apr 07 2003 Community Development," and attached as Exhibit C (named as Littoral Planting Exhibit (EXHIBIT "E").~~

   All lake littoral zones must be constructed as depicted in Cross-Section B-B. Littoral planting quantities must be consistent with the "Littoral Planting Exhibit, Stoneybrook North" and accompanying table attached as Exhibit F found in Attachment A to this action. ~~stamped "Received May 29 2003 Community Development," and attached as Exhibit C (named as Littoral Planting Exhibit "F" Stoneybrook North).~~ The planting area along the northern ditch expansion must also provide native wetland plants installed three-feet on center.

6. **Condition 16 is Resolution Number Z-02-070 is amended as follows:**

   16. **Lake littoral plantings within Tract ~~K~~ M must be calculated at one littoral plant per linear foot of lake shoreline. One 10-foot-tall tree or two (2) three-gallon shrubs may be substituted for 10 herbaceous plants. Trees and shrubs may be used to count toward up to 50 percent of the required lake littoral planting requirements. A minimum of two (2) native wetland tree species and four (4) native herbaceous plant species must be installed in the Lake 1 (contained within Tract ~~K~~ M).**

7. **Condition 31 of Resolution Number Z-02-070 is herby amended as follows:**

   31. **Lighting**
      a. **This project must comply with the recently adopted "Outdoor Lighting Standards" adopted in LDC §34-625.**
      b. **Outdoor ballfield lights for ~~the~~ any baseball field located on Tract K are prohibited.**

8. **Deviation (3) (Resolution Z-02-070) seeks relief from §10-418(2)b which requires the installation of one (1) native wetland herbaceous plant per linear foot of lake shoreline and where trees and shrubs can be substituted for up to 25 percent of the total number of herbaceous plants required; to allow the required plantings to include up to 50 percent trees in the Tract ~~K~~ M lake (Lake L1). This deviation is APPROVED, SUBJECT TO Condition 16.**

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

Duly passed, adopted, and electronically signed on 10/20/2015 by

Pam Houck, Zoning Manager
Department of Community Development

Attachments:
A. Amended Master Concept Plan and Exhibits E and F
B. Amended Schedule of Uses

ADD2015-00134 Lee County ePlan

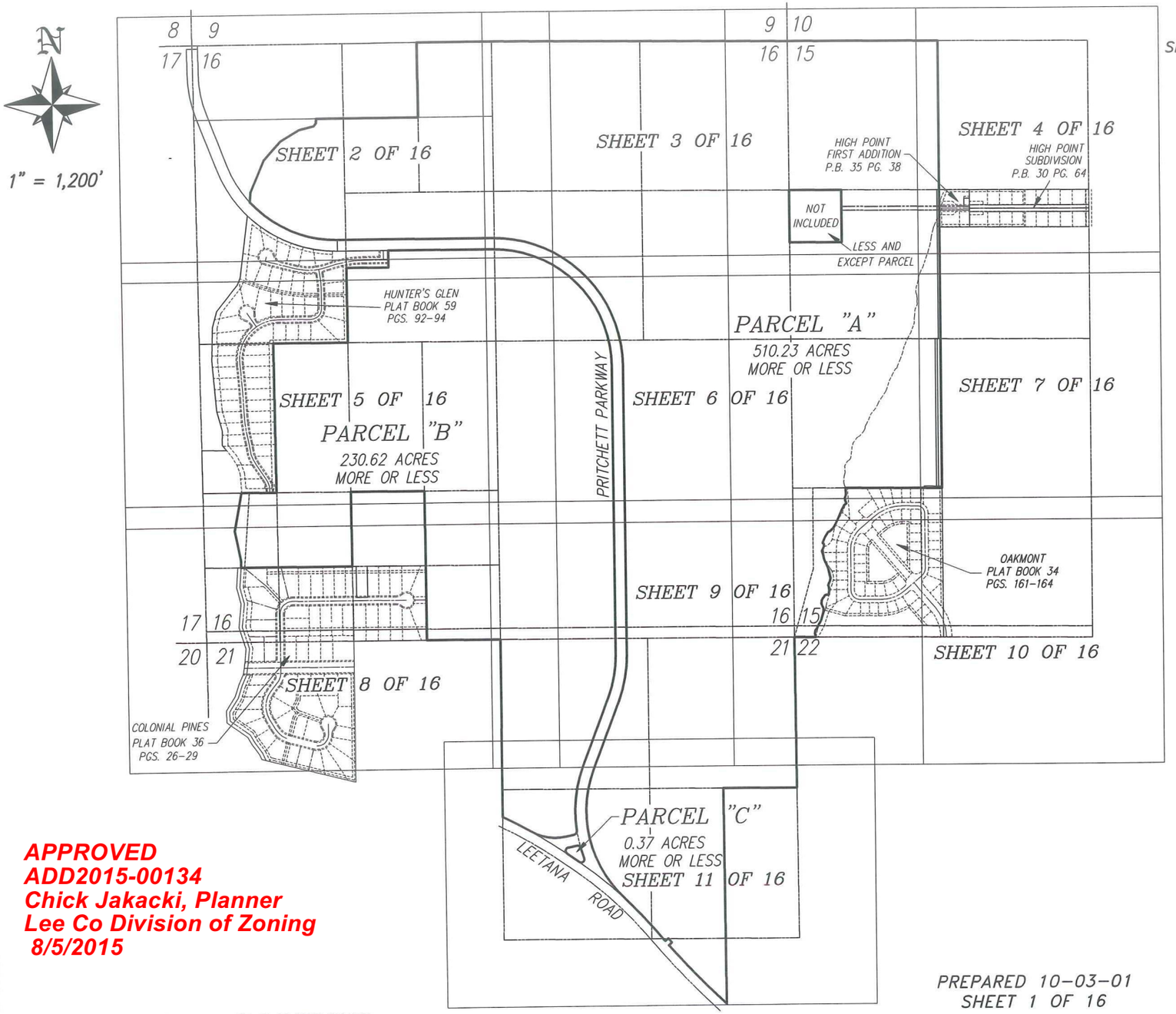
EXHIBIT A

SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

(STONEYBROOK NORTH)



LEGEND:

O.R.	INDICATES OFFICIAL RECORDS BOOK
PG.	INDICATES PAGE.
P.O.B	INDICATES POINT OF BEGINNING
P.O.C.	INDICATES POINT OF COMMENCEMENT
R/W	INDICATES RIGHT-OF-WAY
(1)	INDICATES CURVE NUMBER 1 FROM THE CURVE TABLE
L1	INDICATES LINE NUMBER 1 FROM THE LINE TABLE
SUBDIV.	INDICATES SUBDIVISION

NOTES:

1.) PARCEL SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS OF RECORD.

2.) BEARINGS ARE BASID ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

3.) PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

SEE SHEETS 13 THROUGH 16 FOR DESCRIPTIONS.

THIS SKETCH OF DESCRIPTIONS IS NOT A BOUNDARY SURVEY

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4909

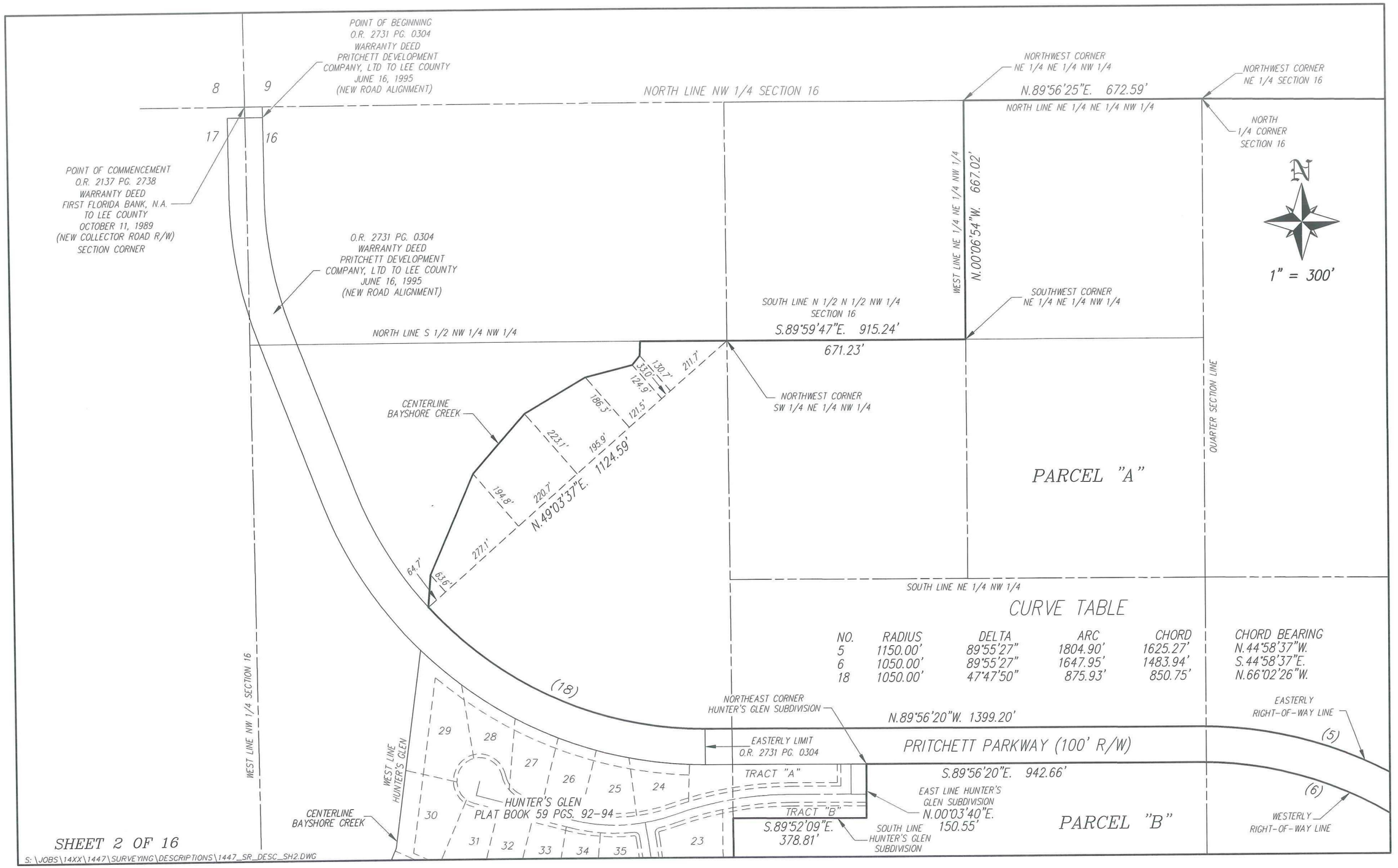
- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

APPROVED
ADD2015-00134
Chick Jakacki, Planner
Lee Co Division of Zoning
8/5/2015

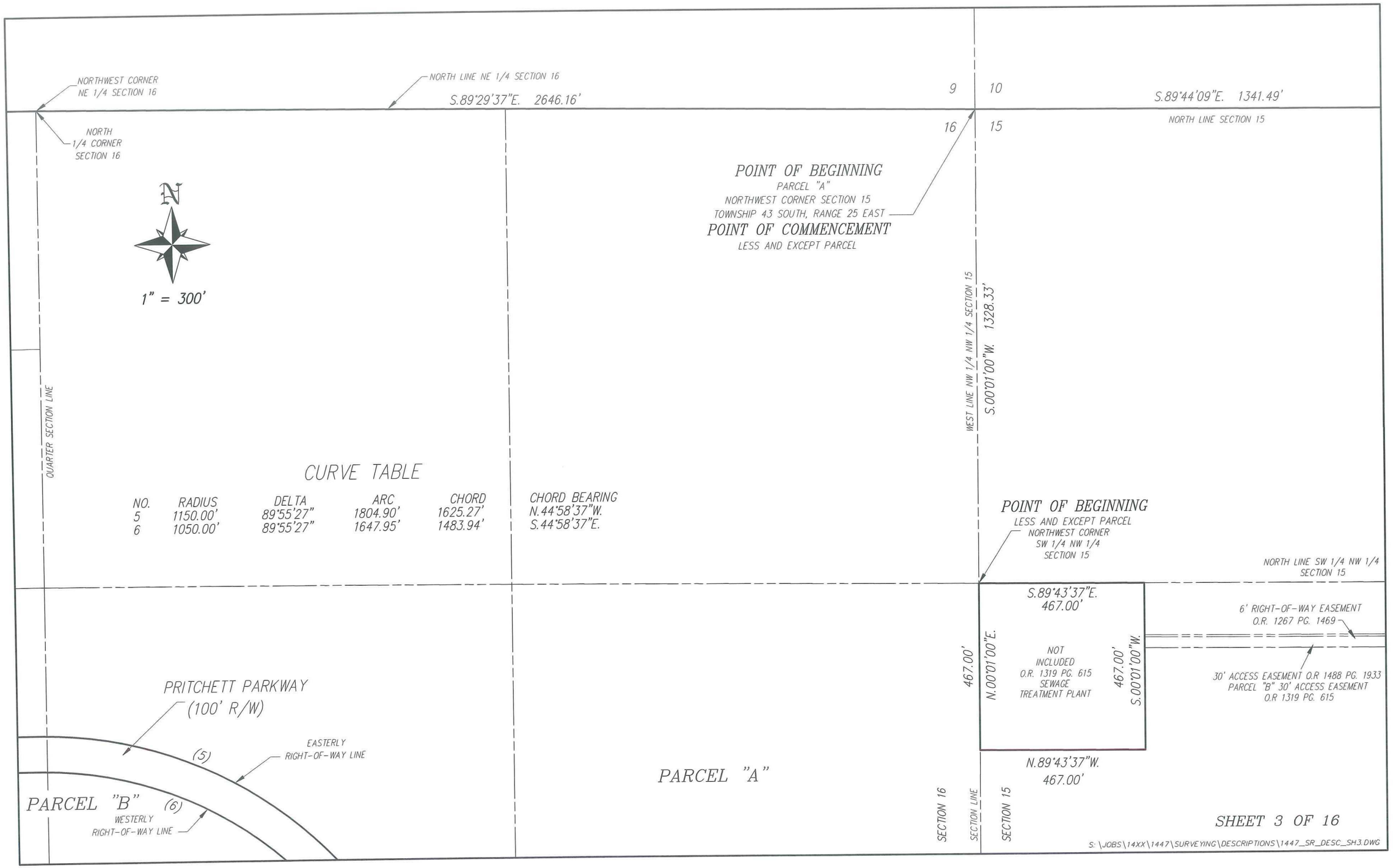
PREPARED 10-03-01
SHEET 1 OF 16

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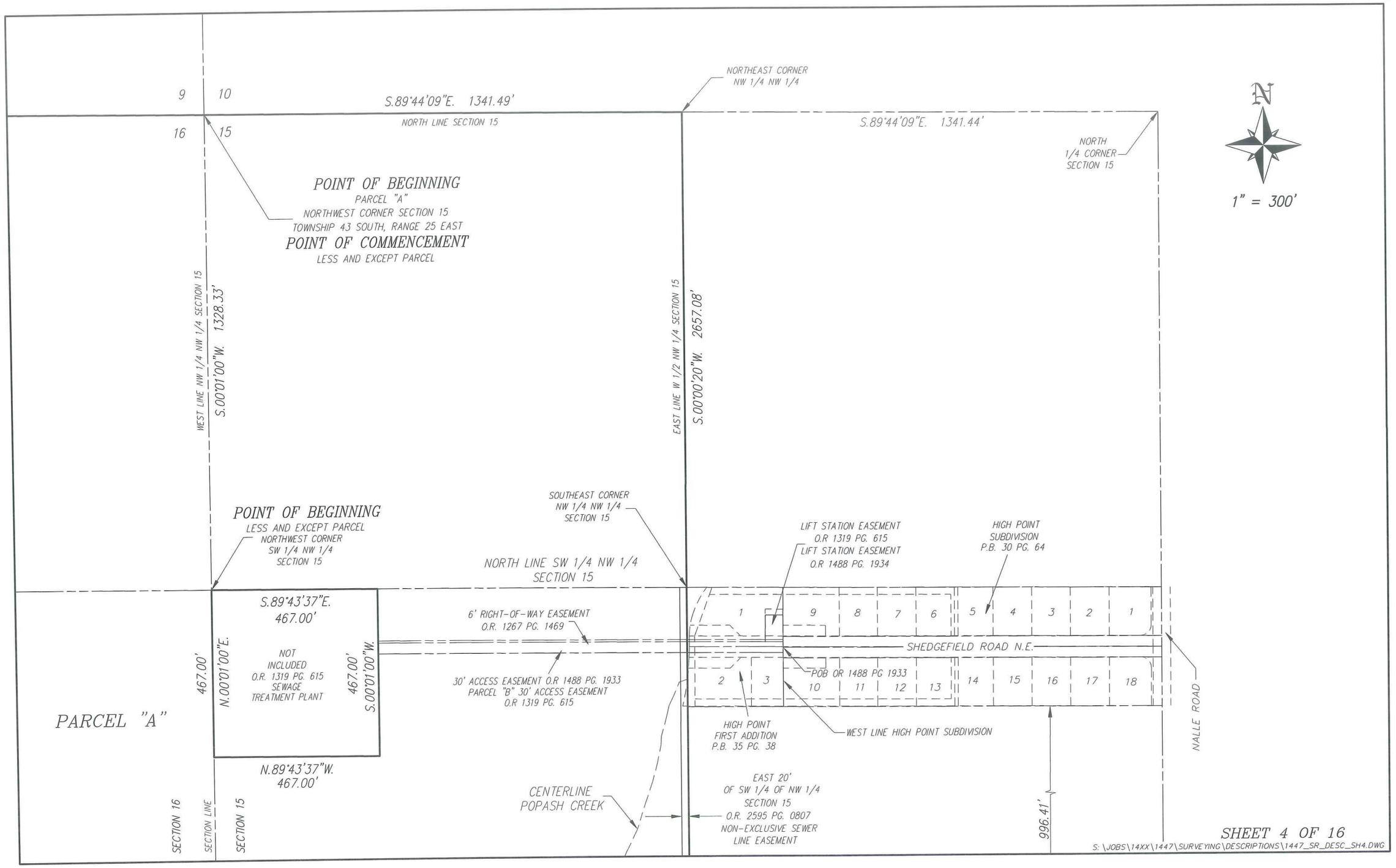
ADD2025-00183 Lee County ePlan



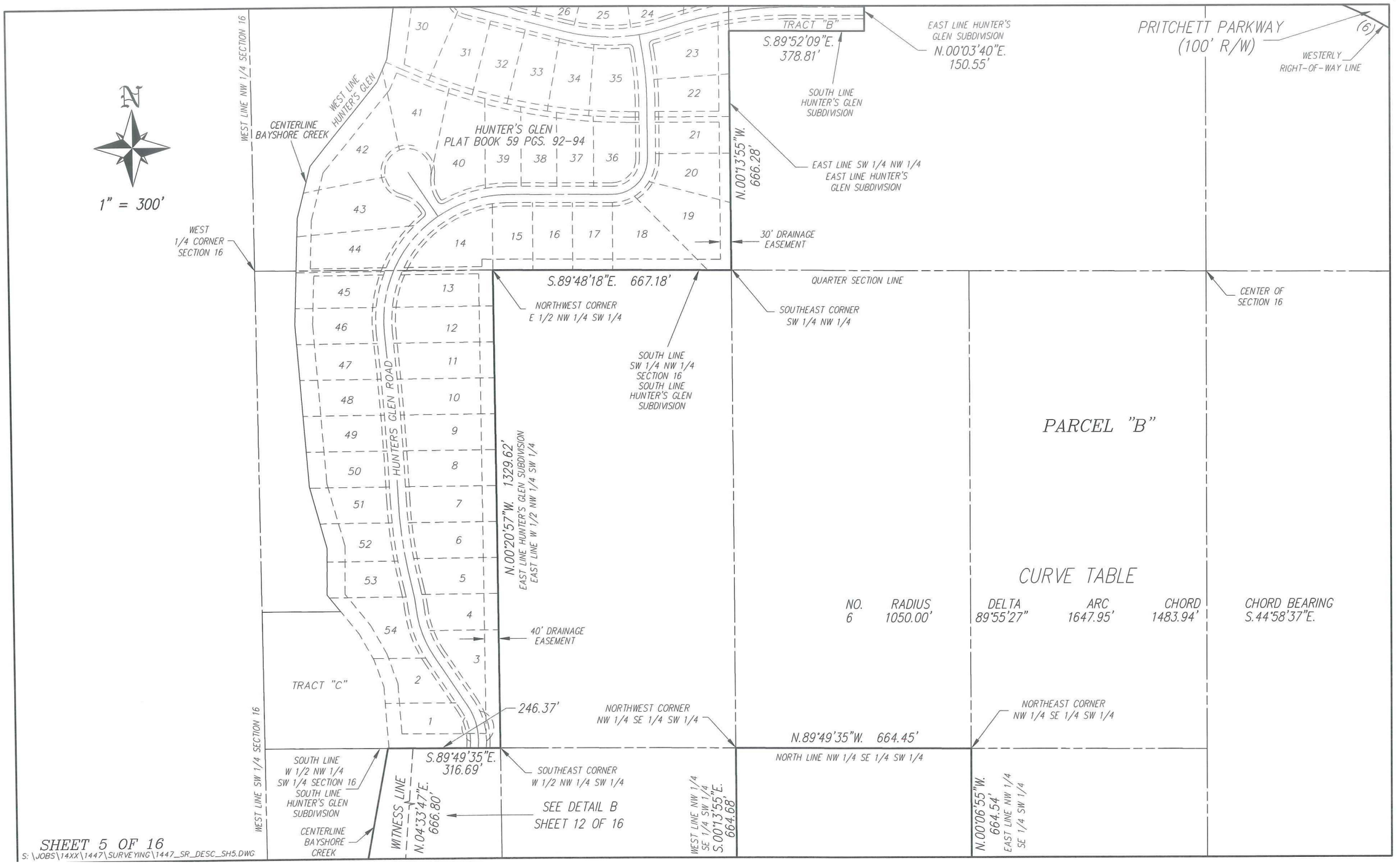
ADD2025-00183 Lee County ePlan



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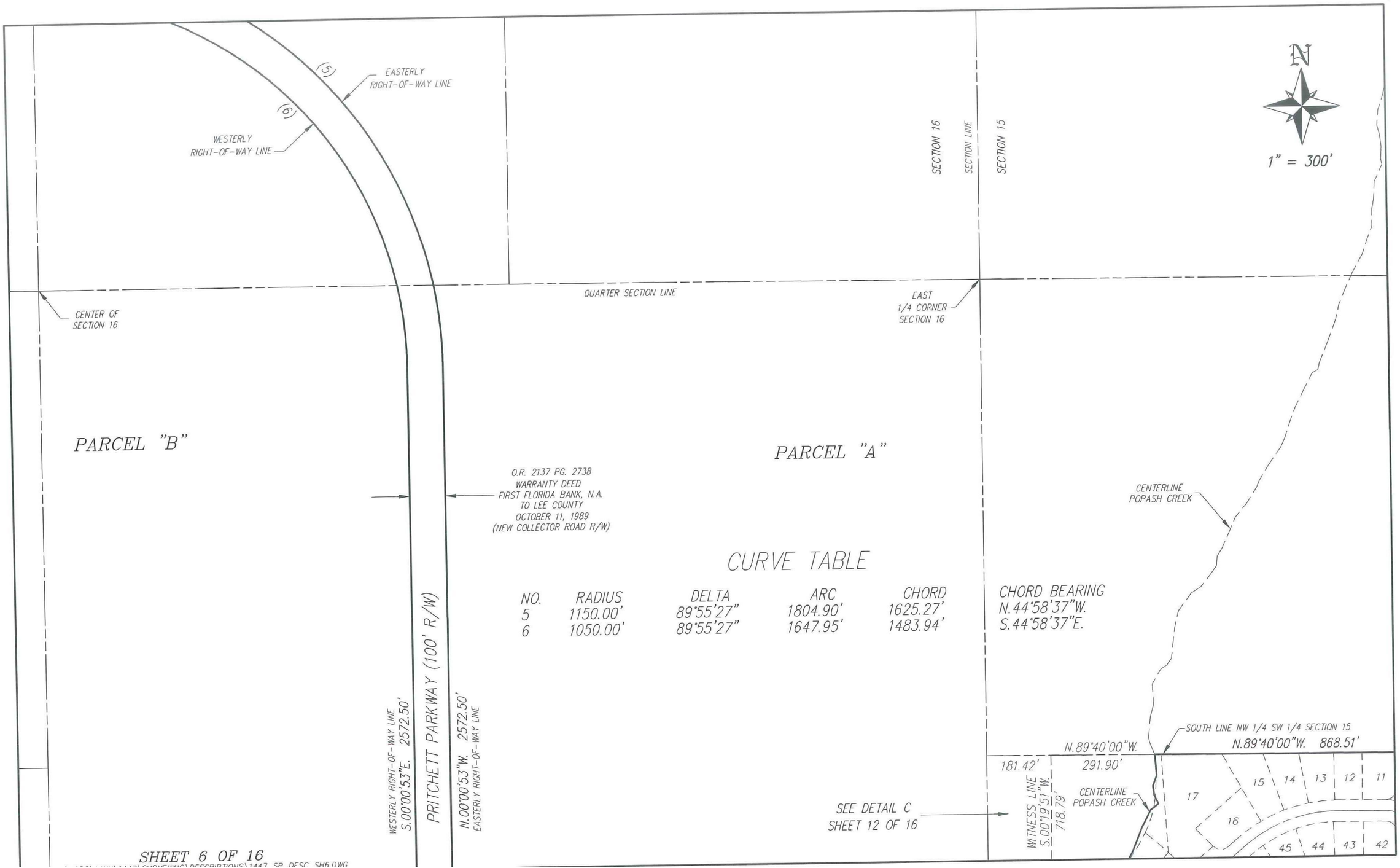


CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
6	1050.00'	89°55'27"	1647.95'	1483.94'	S.44°58'37"E.

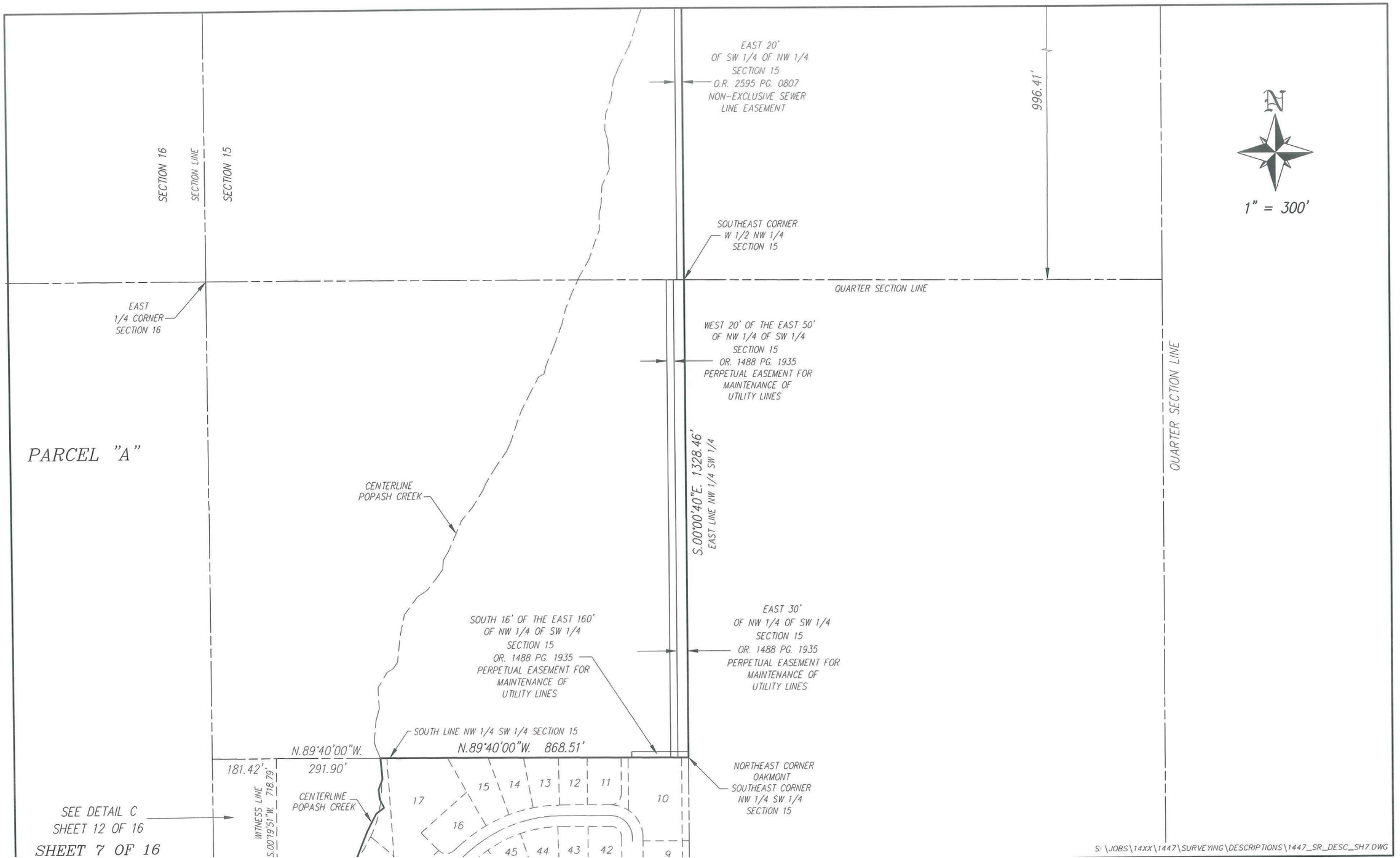
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ADD2025-00183 Lee County ePlan

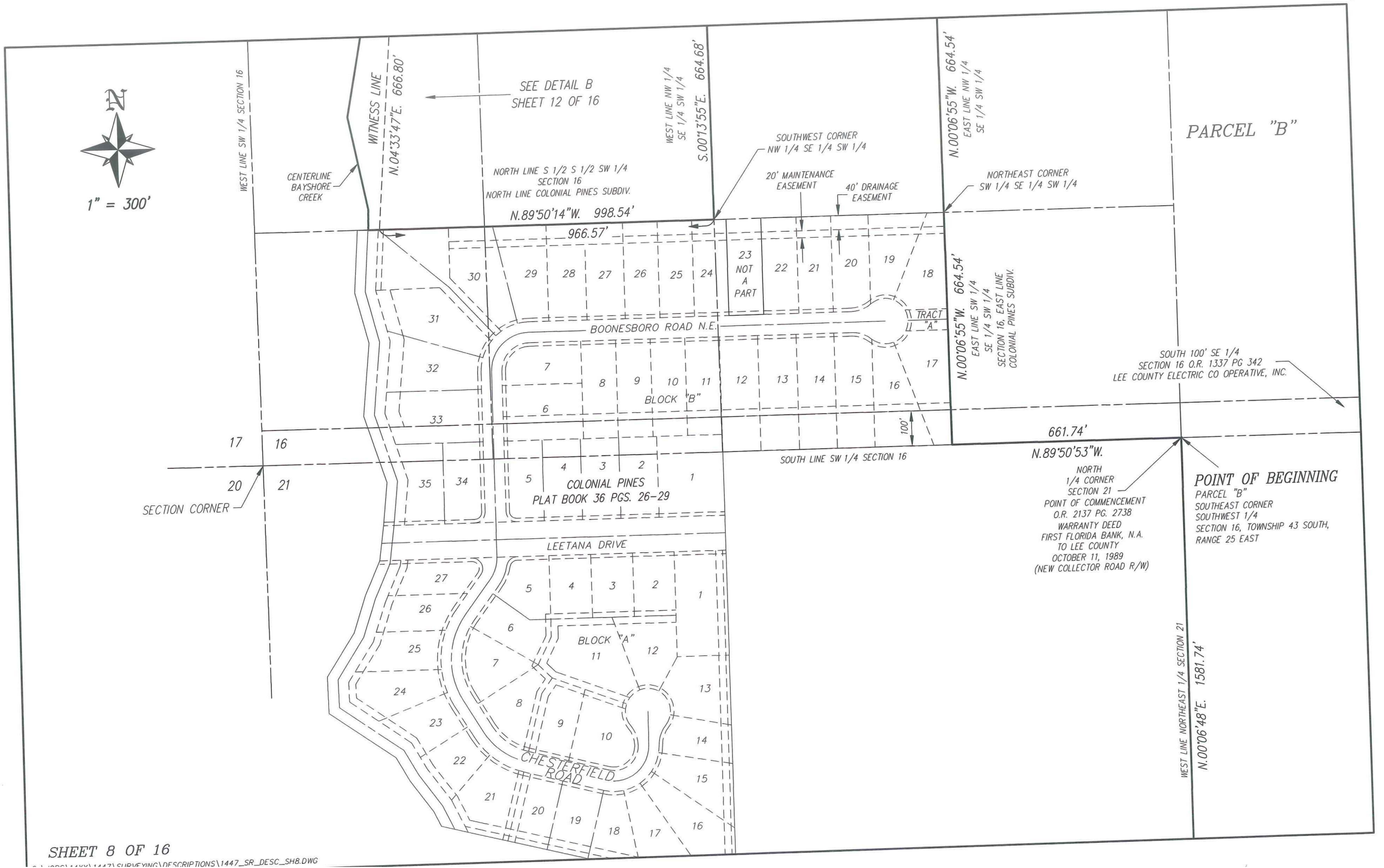


SHEET 6 OF 16

ADD2025-00183 Lee County ePlan

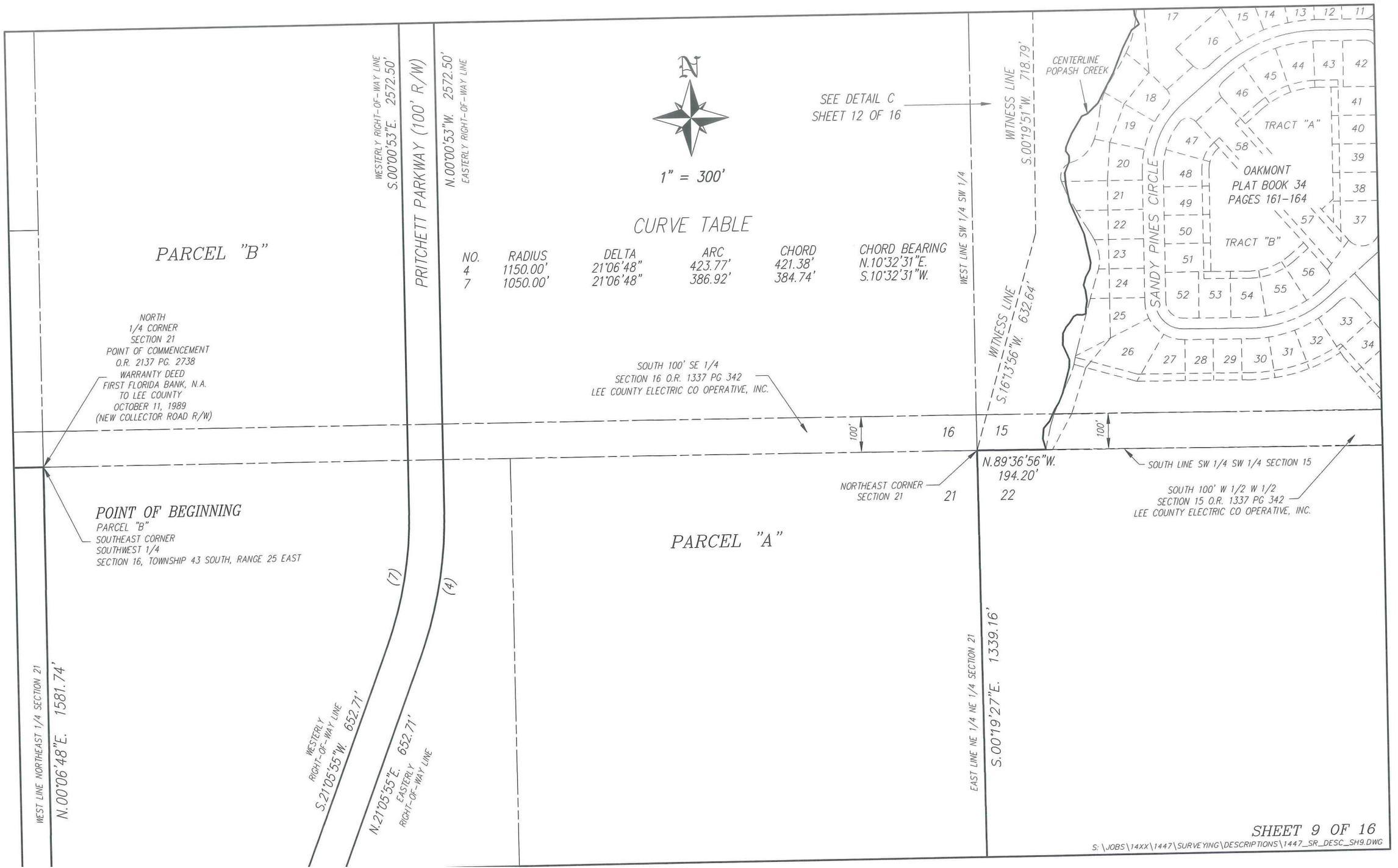


ADD2025-00183 Lee County ePlan



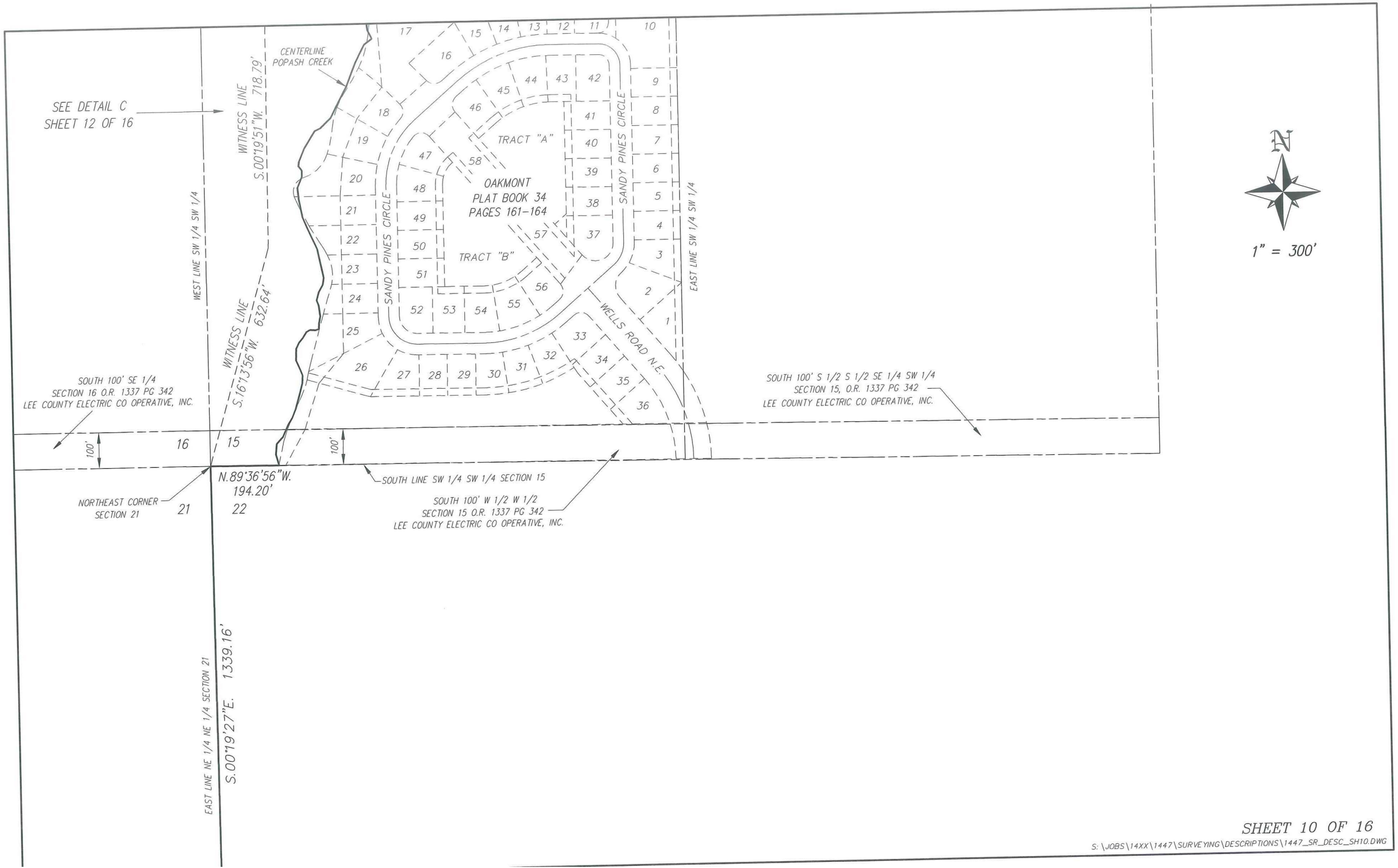
SHEET 8 OF 16

ADD2025-00183 Lee County ePlan



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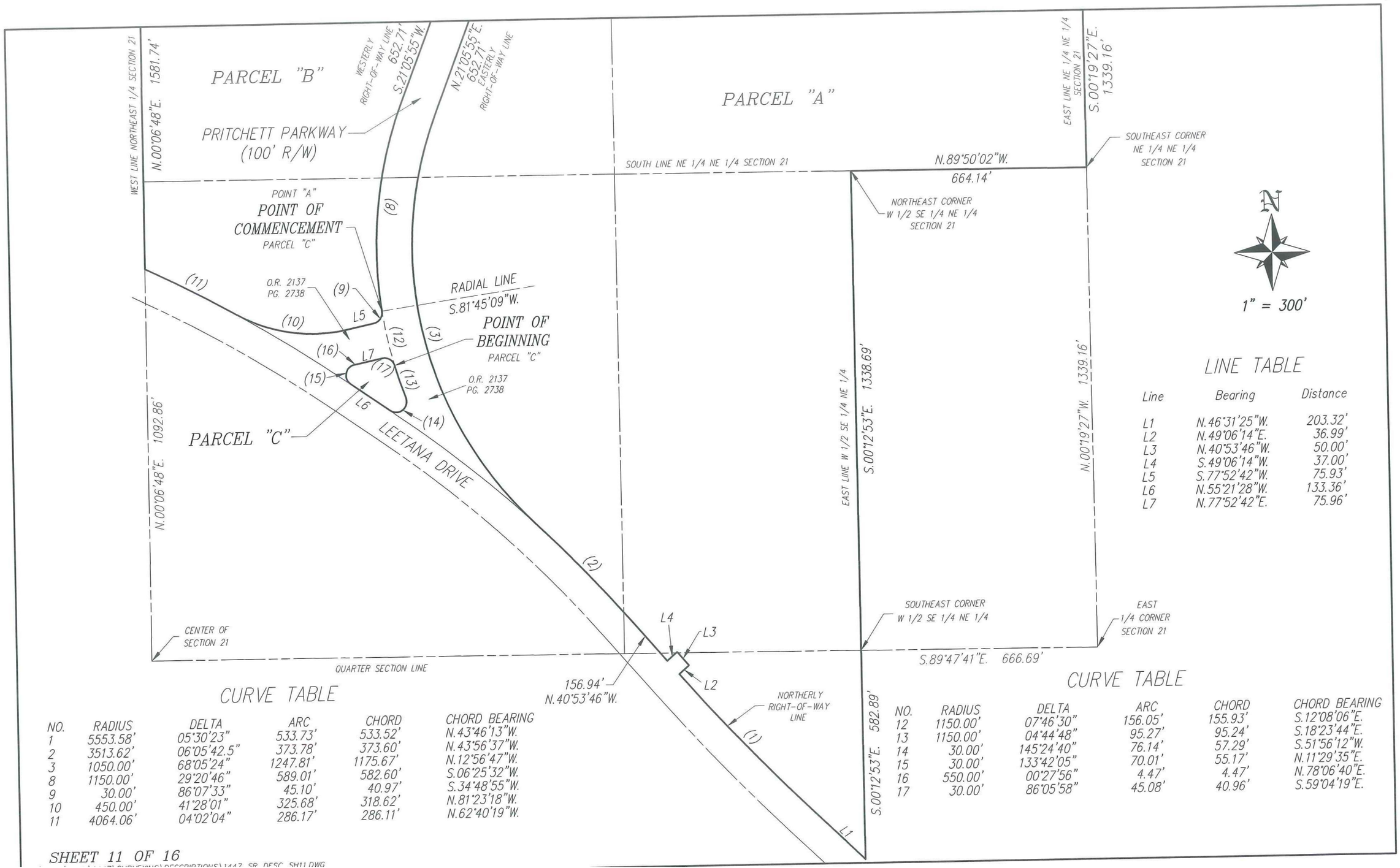
ADD2025-00183 Lee County ePlan



SHEET 10 OF 16

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ADD2025-00183 Lee County ePlan



LINE TABLE

Line	Bearing	Distance
L1	N.46°31'25"W.	203.32'
L2	N.49°06'14"E.	36.99'
L3	N.40°53'46"W.	50.00'
L4	S.49°06'14"W.	37.00'
L5	S.77°52'42"W.	75.93'
L6	N.55°21'28"W.	133.36'
L7	N.77°52'42"E.	75.96'

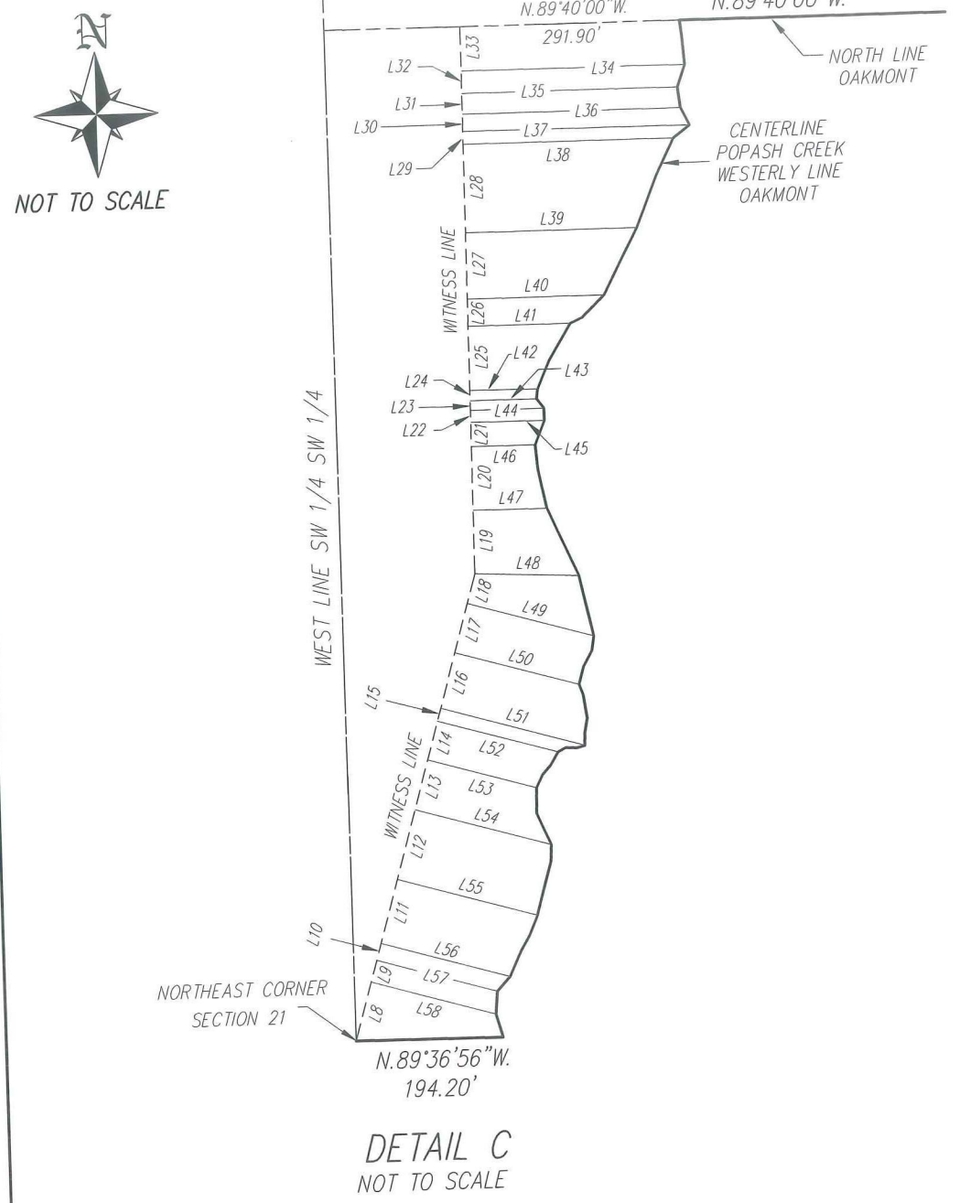
CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	5553.58'	05°30'23"	533.73'	533.52'	N.43°46'13"W.
2	3513.62'	06°05'42.5"	373.78'	373.60'	N.43°56'37"W.
3	1050.00'	68°05'24"	1247.81'	1175.67'	N.12°56'47"W.
8	1150.00'	29°20'46"	589.01'	582.60'	S.06°25'32"W.
9	30.00'	86°07'33"	45.10'	40.97'	S.34°48'55"W.
10	450.00'	41°28'01"	325.68'	318.62'	N.81°23'18"W.
11	4064.06'	04°02'04"	286.17'	286.11'	N.62°40'19"W.

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
12	1150.00'	07°46'30"	156.05'	155.93'	S.12°08'06"E.
13	1150.00'	04°44'48"	95.27'	95.24'	S.18°23'44"E.
14	30.00'	145°24'40"	76.14'	57.29'	S.51°56'12"W.
15	30.00'	133°42'05"	70.01'	55.17'	N.11°29'35"E.
16	550.00'	00°27'56"	4.47'	4.47'	N.78°06'40"E.
17	30.00'	86°05'58"	45.08'	40.96'	S.59°04'19"E.

ADD2025-00183 Lee County ePlan



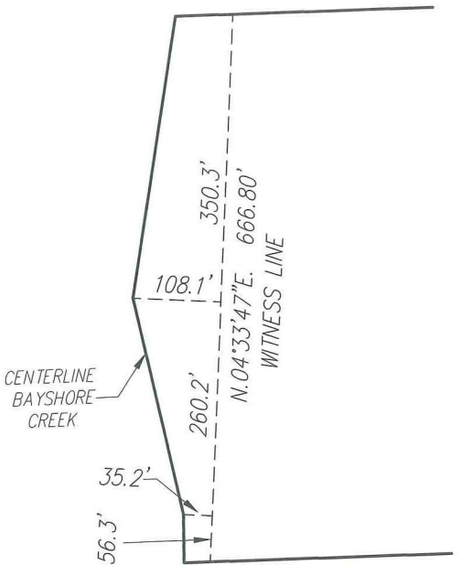
DETAIL C
NOT TO SCALE

LINE TABLE

Line	Bearing	Distance
L8	N.16°13'56"E.	79.4'
L9	N.16°13'56"E.	29.6'
L10	N.16°13'56"E.	23.1'
L11	N.16°13'56"E.	86.7'
L12	N.16°13'56"E.	94.4'
L13	N.16°13'56"E.	67.3'
L14	N.16°13'56"E.	52.6'
L15	N.16°13'56"E.	17.2'
L16	N.16°13'56"E.	75.4'
L17	N.16°13'56"E.	66.6'
L18	N.16°13'56"E.	40.3'
L19	N.00°19'51"E.	83.1'
L20	N.00°19'51"E.	83.7'
L21	N.00°19'51"E.	31.8'
L22	N.00°19'51"E.	16.0'
L23	N.00°19'51"E.	12.6'
L24	N.00°19'51"E.	13.2'
L25	N.00°19'51"E.	84.6'
L26	N.00°19'51"E.	35.8'
L27	N.00°19'51"E.	87.0'
L28	N.00°19'51"E.	116.4'
L29	N.00°19'51"E.	16.7'
L30	N.00°19'51"E.	22.7'
L31	N.00°19'51"E.	27.4'
L32	N.00°19'51"E.	29.4'
L33	N.00°19'51"E.	58.4'
L34	S.89°40'09"E.	297.3'
L35	S.89°40'09"E.	286.4'
L36	S.89°40'09"E.	289.9'
L37	S.89°40'09"E.	301.4'
L38	S.89°40'09"E.	279.0'
L39	S.89°40'09"E.	227.1'
L40	S.89°40'09"E.	181.1'
L41	S.89°40'09"E.	135.2'
L42	S.89°40'09"E.	89.7'
L43	S.89°40'09"E.	88.0'
L44	S.89°40'09"E.	97.6'
L45	S.89°40'09"E.	97.8'
L46	S.89°40'09"E.	84.3'
L47	S.89°40'09"E.	97.7'
L48	S.87°00'59"E.	137.8'
L49	S.73°46'04"E.	172.6'
L50	S.73°46'04"E.	169.4'
L51	S.73°46'04"E.	196.7'
L52	S.73°46'04"E.	164.5'
L53	S.73°46'04"E.	148.4'
L54	S.73°46'04"E.	185.7'
L55	S.73°46'04"E.	191.1'
L56	S.73°46'04"E.	176.0'
L57	S.73°46'04"E.	164.7'
L58	S.73°46'04"E.	170.2'

DETAIL SHEET





DETAIL B
NOT TO SCALE

ADD2025-00183 Lee County ePlan

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF
PARCELS OF LAND
LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

TRACTS OR PARCELS OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 15, 16 AND 21 TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°44'09"E. ALONG THE NORTH LINE OF SAID SECTION 15 FOR 1341.49 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.00°00'20"W. ALONG THE EAST LINE OF SAID FRACTION FOR 2657.08 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.00°00'40"E. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 FOR 1328.46 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION THE SAME BEING THE NORTHEAST CORNER OF OAKMONT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34 AT PAGES 161 THROUGH 164 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°40'00"W. ALONG THE SOUTH LINE OF SAID FRACTION AND THE NORTH LINE OF SAID OAKMONT FOR 868.51 FEET TO AN INTERSECTION WITH THE CENTERLINE OF POPASH CREEK AND THE WESTERLY LINE OF SAID OAKMONT; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE AND SAID WESTERLY LINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 THE SAME BEING THE SOUTHWEST CORNER OF SAID OAKMONT; THENCE N.89°36'56"W. ALONG SAID SOUTH LINE FOR 194.20 FEET TO THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°19'27"E. ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21 FOR 1339.16 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N.89°50'02"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 664.14 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.00°12'53"E. ALONG THE EAST LINE OF SAID FRACTION FOR 1338.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE CONTINUE S.00°12'53"E. 582.89 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.46°31'25"W. ALONG SAID NORTHERLY LINE FOR 203.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5553.58 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°30'23.2" FOR 533.73 FEET; THENCE N.49°06'14"E. ALONG SAID NORTHERLY LINE FOR 36.99 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 50.00 FEET; THENCE S.49°06'14"W. ALONG SAID NORTHERLY LINE FOR 37.00 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 156.94 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3513.62 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 06°05'42.5" FOR 373.78 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 1050.00 FEET; THENCE

10511 Six Mile Cypress Pkwy, Suite 101, Ft Myers, Florida 333912 • (941) 939-5490 • Fax (941) 939-2923

NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 68°05'24" FOR 1247.81 FEET; THENCE N.21°05'55"E. ALONG SAID EASTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 423.77 FEET; THENCE N.00°00'53"W. ALONG SAID EASTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1804.90 FEET; THENCE N.89°56'20"W. ALONG SAID EASTERLY LINE FOR 1399.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°47'50" FOR 875.93 FEET; TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK; THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°59'47"E. ALONG SAID SOUTH LINE FOR 915.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE N.00°06'54"W. ALONG THE WEST LINE OF SAID FRACTION FOR 667.02 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID FRACTION; THENCE N.89°56'25"E. ALONG SAID NORTH LINE FOR 672.59 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE S.89°29'37"E. ALONG THE NORTH LINE OF SAID SECTION FOR 2646.16 FEET TO THE **POINT OF BEGINNING**.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL

COMMENCING AT NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°01'00"W. ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15 FOR 1328.33 FEET TO THE POINT OF BEGINNING THE SAME BEING THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.89°43'37"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 467.00 FEET; THENCE S.00°01'00"W. FOR 467.00 FEET; THENCE N.89°43'37"W. FOR 467.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID FRACTION; THENCE N.00°01'00"E. ALONG THE WEST LINE OF SAID FRACTION FOR 467.00 FEET TO THE POINT OF BEGINNING.

PARCEL "A" CONTAINS 510.23 ACRES MORE OR LESS.

AND: PARCEL "B"

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.89°50'53"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 661.74 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 THE SAME BEING A POINT ON THE EAST LINE OF COLONIAL PINES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 36 AT PAGES 26 THROUGH 29 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°06'55"W. ALONG SAID EAST LINE FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND SAID COLONIAL PINES; THENCE N.00°06'55"W. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N.89°49'35"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 664.45 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE S.00°13'55"E. ALONG THE EAST LINE OF SAID FRACTION FOR 664.68 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION THE SAME BEING AN INTERSECTION WITH THE NORTH LINE OF SAID COLONIAL PINES; THENCE N.89°50'14"W. ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 AND THE NORTH LINE OF SAID COLONIAL PINES FOR 998.54 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE

CREEK; THENCE NORTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, THE SAME BEING THE SOUTH LINE OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S.89°49'35"E. ALONG SAID SOUTH LINE FOR 316.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND SAID HUNTER'S GLEN; THENCE N.00°20'57"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 1329.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND SAID HUNTER'S GLEN; THENCE S.89°48'18"E. ALONG SAID SOUTH LINE FOR 667.18 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°13'55"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 666.28 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN; THENCE S.89°52'09"E. ALONG SAID SOUTH LINE FOR 378.81 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°03'40"E. ALONG SAID EAST LINE FOR 150.55 FEET TO THE NORTHEAST CORNER OF SAID HUNTER'S GLEN, THE SAME BEING AN INTERSECTION WITH THE WESTERLY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE S.89°56'20"E. ALONG SAID WESTERLY LINE FOR 942.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1647.95 FEET; THENCE S.00°00'53"E. ALONG SAID WESTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 386.92 FEET; THENCE S.21°05'55"W. ALONG SAID WESTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 29°20'46" FOR 589.01 FEET TO **POINT "A"** THE SAME BEING AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°07'33" FOR 45.10 FEET; THENCE S.77°52'42"W. ALONG SAID NORTHERLY LINE FOR 75.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 41°28'01" FOR 325.68 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF LEETANA DRIVE (86 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 4064.06 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°02'04" FOR 286.17 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.00°06'48"E. ALONG SAID WEST LINE FOR 1581.74 FEET TO THE **POINT OF BEGINNING**.

PARCEL "B" CONTAINS 230.62 ACRES MORE OR LESS.

AND: PARCEL "C"

COMMENCING AT THE AFOREMENTIONED **POINT "A"** THE SAME BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.81°45'09"W.; THENCE; SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°46'30" FOR 156.05 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTHERLY ALONG SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) THROUGH A CENTRAL ANGLE OF 04°44'48" FOR 95.27 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.55°21'28"W. ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE

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SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 550.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 00°27'56" FOR 4.47 FEET; THENCE N.77°52'42"E. ALONG SAID SOUTHERLY LINE FOR 75.96 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°05'58" FOR 45.08 FEET TO THE **POINT OF BEGINNING**.

PARCEL "C" CONTAINS 0.37 ACRES MORE OR LESS.

PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

DESCRIPTION PREPARED 10-03-01

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Outlying Suburban

Buffer Note 1 | Conservation Area Provides Adequate Buffer | Buffer Note 1 | Buffer per LDC 10-416(d)(6) | Buffer Note 1

POPASH CREEK

R-1 Tract N

R-1 Tract H

R-1 Tract G

R-1 Tract F

R-1 Tract I

R-1 Tract C

R-1 Tract B

R-1 Tract A

R-1 Tract E

R-1 Tract D

R-1A Tract J

Tract K

Tract M

R-1A

Existing STP
Not included in Stoneybrook North

Density Reduction Groundwater Recharge
Buffer Note 1

Open Lands

Buffer Note 1 | Buffer per LDC 10-416(d)(6) | Buffer Note 1

Buffer Note 1 | FLOODWAY | Conservation Area Provides Adequate Buffer

Outlying Suburban

500' FROM NEAREST EXTERNAL RESIDENTIAL PROPERTY

INDOOR & OUTDOOR C.O.P. LIMITS

Recreation Facility Private On-Site Club

INDOOR & OUTDOOR C.O.P. LIMITS

100' LCEC UTILITY ESMT.

No Buffer Required

Communication Tower Limited to a maximum of 35 feet in height.

No Buffer Required

Interchange

Trail Crossing

Location of Existing Billboard

Perch Tree

Existing Lake Edge

PRITCHETT PARKWAY

INTERSTATE 75

Alternative Project Sign Location 15

Alternative Project Sign Location 15

LEETANA ROAD

Entrance Sign (Typ.) | Gate | ±1,655' | ±1,262' | ±703'

Entrance Sign (Typ.) | Gate | Entrance Sign (Typ.)

Entrance Sign (Typ.) | Gate | ±1,207'

Existing Lake Edge

Entrance Sign (Typ.)

PRITCHETT PARKWAY | ±986'

Entrance Sign (Typ.) | Gate

Entrance to Future Gate

Ingress or Egress Easement O.R. Book 3742, Page 0207

Buffer Note 1 | Buffer per LDC 10-416(d)(6)

Buffer Note 1 | Buffer Note 1

Outlying Suburban

Buffer Note 1 | Buffer Note 1 | Buffer Note 1

Outlying Suburban

Buffer Note 1 | Buffer Note 1

BAYSHORE CREEK | FLOODWAY

Outlying Suburban

Conservation Area Provides Adequate Buffer

Buffer Note 1 | Conservation Area Provides Adequate Buffer

Outlying Suburban

Conservation Area Provides Adequate Buffer

1. 10 trees per 100 feet and a double staggered hedge. The hedge will be installed at 36 inches high and maintained at 60 inches high. 75% of the shrubs and 50% of the trees will be native species.

1. The configuration of the Wetland and Upland Conservation Areas is approximate and subject to modification by the review agencies.
2. Temporary administrative offices and sales offices may utilize septic tanks and/or holding tanks.
3. During the applicable site development plan and/or plat review process for each tract, parcel or sub-area, the specific number of dwelling units and acreage shall be identified for allocation purposes.
4. Deviations with limited application are indicated on the Master Plan by the hexagon symbol. Other Deviations are located as follows:
   Deviations 12 and 13 apply to all model homes.
   Deviation 14 applies to the project identification sign and all project entrance signs.
5. Any maintenance facility in Tract K will be located a minimum of 100 feet from Pritchett Parkway and will be buffered by a minimum Type D buffer.

0 300 600 900
GRAPHIC SCALE 1" = 300'

LEGEND

- Wetland Conservation Area
- Upland Conservation Area
- Wetland/Upland Buffer Area
- L — Water Management
- Wetland Creation Area
- Potential Location of Model Homes
- # — Deviation Locations
- FLOODWAY

TRACT INFORMATION

TRACTS	ACRES	UNIT TYPE	PRELIMINARY UNIT RANGE	MAX. HEIGHT
TRACT A	9.11 AC.	R-1	50-60 UNITS	2 STORIES/35'
TRACT B	15.07 AC.	R-1	110-130 UNITS	2 STORIES/35'
TRACT C	29.22 AC.	R-1	160-190 UNITS	2 STORIES/35'
TRACT D	30.74 AC.	R-1	200-230 UNITS	2 STORIES/35'
TRACT E	11.64 AC.	R-1	70-80 UNITS	2 STORIES/35'
TRACT F	43.42 AC.	R-1	150-180 UNITS	2 STORIES/35'
TRACT G	26.94 AC.	R-1	130-150 UNITS	2 STORIES/35'
TRACT H	20.40 AC.	R-1	120-140 UNITS	2 STORIES/35'
TRACT I	31.31 AC.	R-1	90-120 UNITS	2 STORIES/35'
TRACT J	9.75 AC.	R-1A	220-280 UNITS	2 STORIES/35'
TRACT K	19.02 AC.	REC	Recreational Facility Private on Site Club	2 STORIES/35'
TRACT L	N/A	LAKES	Various Lake Tracts	N/A
TRACT M	17.09 AC.	R-1A	110-170 UNITS	2 STORIES/35'
TRACT N	10.37 AC.	R-1	9-10 UNITS	2 STORIES/35'
TOTAL	273.96 AC.			

R-1 = SINGLE FAMILY DETACHED
R-1A = SINGLE FAMILY DETACHED AND TWO FAMILY ATTACHED
MAX. TOTAL UNITS 1275

ATTACHMENT A

LAND USE SUMMARY

RESIDENTIAL TRACTS, MISC. OPEN SPACE AND BUFFERS	432.0 ACRES
RECREATION FACILITY	19.42 ACRES
WATER MANAGEMENT	166.02 ACRES
CONSERVATION AREAS	124.3 ACRES
WETLAND CONSERVATION	63.5 ACRES
WETLAND CREATION	4.5 ACRES
UPLAND CONSERVATION	41.7 ACRES
WETLAND/UPLAND BUFFERS	14.6 ACRES
PROPERTY TOTAL	741.72 ACRES

NOTE: ALL ACREAGE FIGURES ARE APPROXIMATE

DENSITY SUMMARY

STONEYBROOK NORTH TOTAL	741.72 ACRES
ADJACENT ROW TOTAL	20.78 ACRES
PROPERTY TOTAL	762.50 ACRES
RESIDENTIAL UNIT TOTAL	1275 UNITS
PROJECT DENSITY	1.67 UNITS/ ACRE

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FORT MYERS, FLORIDA 33966
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ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690
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NO.	DATE	REVISION DESCRIPTION	BY
4	10/2/2015	REVISED TRACT 'M' AND LAND USE TABLE PER COUNTY COMMENTS	EMH
3	9/4/2015	MODIFIED SITE LAYOUT	EMH
2	7/27/2015	MODIFIED SITE LAYOUT	EMH
1	9/10/2014	REVISED SITE LAYOUT	SDJ

MASTER CONCEPT PLAN
STONEYBROOK NORTH
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
5/6/2014	11447	_MCP	EMH	EMH	SWM	1"=300'	1

S:\JOBS\11447\PLANNING\ENGINEERING\11447-PH-ONE_MASTER.DWG 10/5/2015 1:29 PM STACY HEWITT

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

SCHEDULE OF USES
ADD2015-00134

Administrative Offices
Agriculture – SUBJECT TO Condition 24
Accessory uses and structures
Club, Private (Limited to Track ~~L~~ **K**)
Consumption on premises (LDC Section 34-1261 et seq.) Indoor and Outdoor
Food and beverage service, limited
Health Club and Spa
Parking lot, accessory
Rental or leasing establishment, Group I – limited to bicycles, tennis rackets and other small equipment for use by members of the private club
Specialty Retail Shop, Group I
Communication Tower – limited to one on the north side of Tract ~~L~~ **K** and limited to a maximum of 35 feet in height
Dwelling Unit – limited to a maximum of 1,275 units consisting of:
Conventional Single-family Residence
(May be constructed on all R-1 residential tracts)
See Note 1.
Two-family attached (Limited to Tracts J and ~~K~~ **M**)
See Note 1.
Conventional Single-family Detached Residential lots located on the northern boundary of the project in Tracts F and G, must be no less than 7,500 square feet in area within 500 feet of the northern boundary.
Entrance Gate and Gatehouse, in compliance with §34-1748
Essential Services
Essential Services Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model
Display Group
Real Estate Sales Office (Temporary sales office limited to Tract ~~L~~ **K** and limited to The sale of lots or units within the development only)
Recreation Facilities, Personal
Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs, including one existing billboard located on the southwest side of Lake L1, all in Compliance with LDC Chapter 30 except as approved by deviation

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ATTACHMENT B

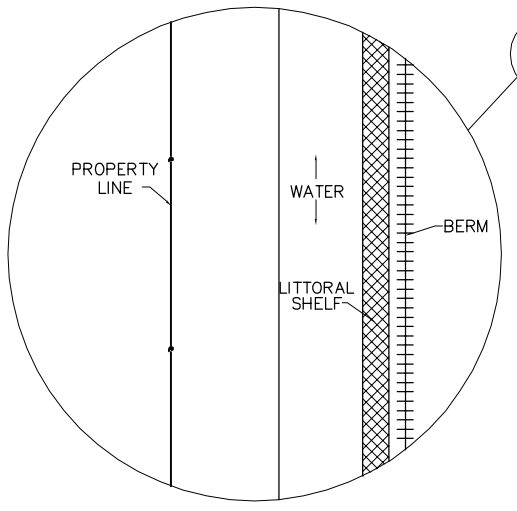
Temporary uses (§34-3041)

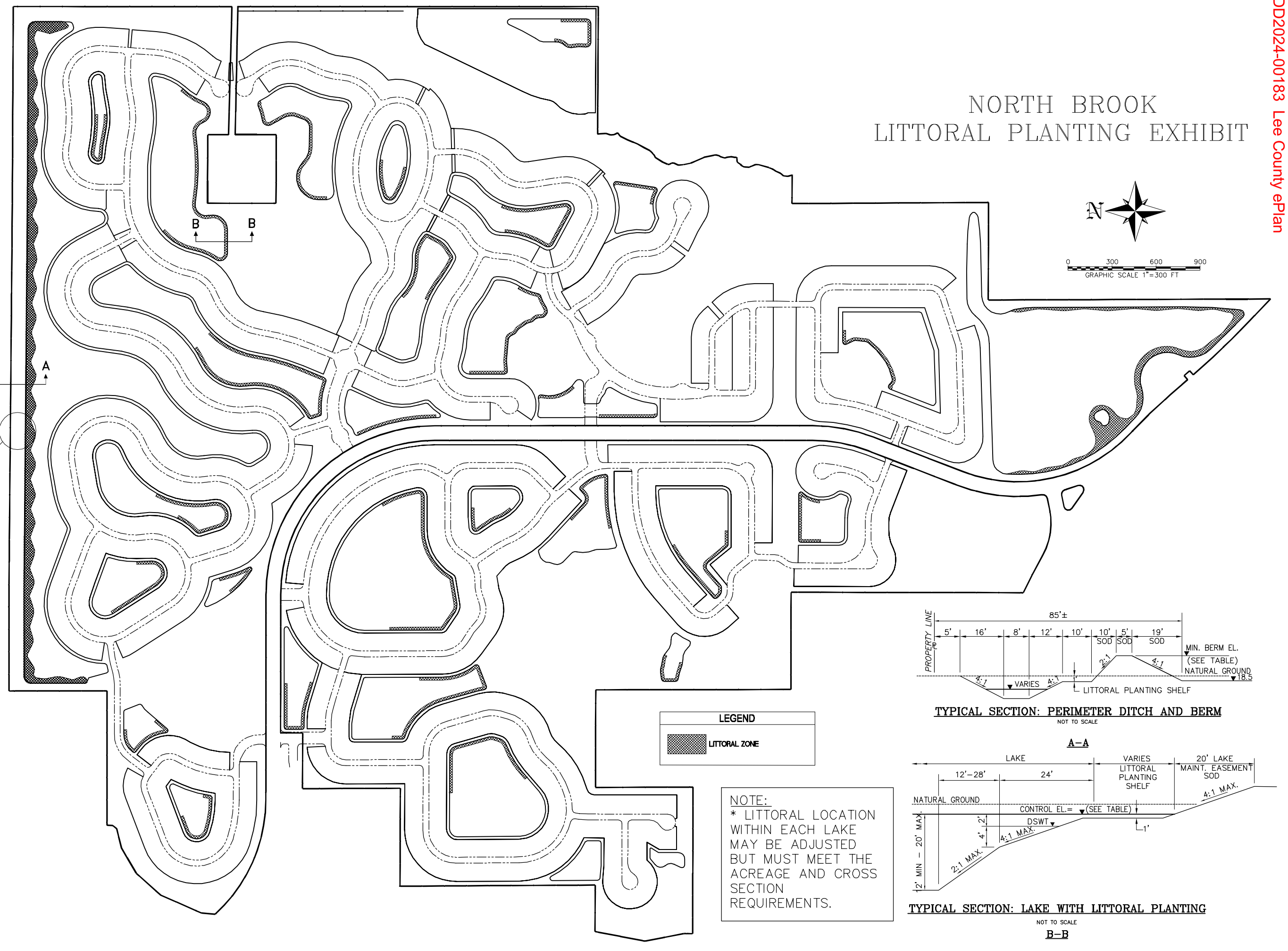
Note1: Single-family dwelling units may be constructed on all R-1 and R-1A residential tracts. Two-family attached dwelling units may be constructed only on R-1A residential tracts (Tracts J and ~~K~~ **M**).

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NORTH BROOK
LITTORAL PLANTING EXHIBIT





N

0 300 600 900
GRAPHIC SCALE 1"=300 FT

LEGEND

LITTORAL ZONE

NOTE:
* LITTORAL LOCATION WITHIN EACH LAKE MAY BE ADJUSTED BUT MUST MEET THE ACREAGE AND CROSS SECTION REQUIREMENTS.

TYPICAL SECTION: PERIMETER DITCH AND BERM
NOT TO SCALE

A–A

TYPICAL SECTION: LAKE WITH LITTORAL PLANTING
NOT TO SCALE

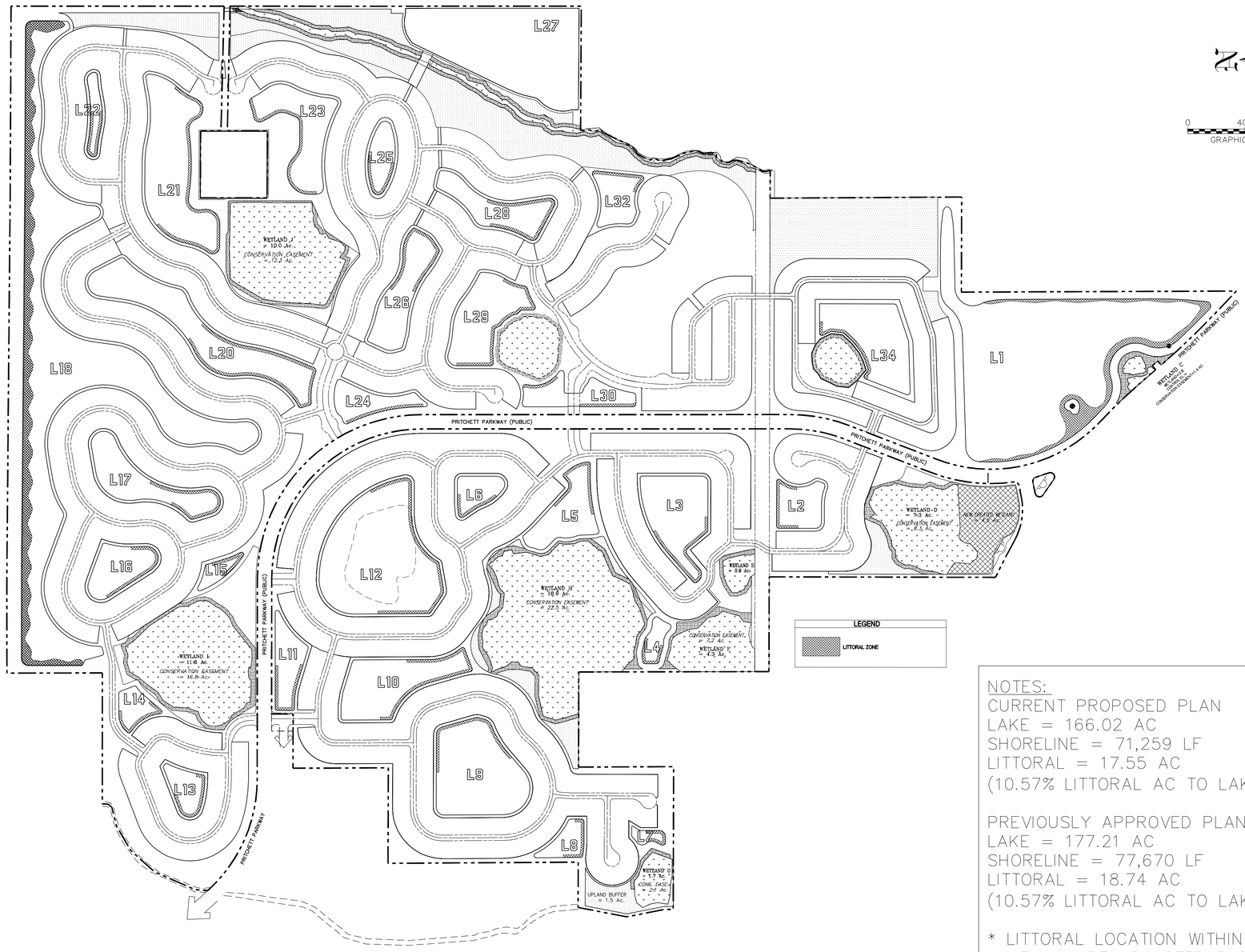
B–B

EXHIBIT "E"

ADD2025-00183 Lee County ePlan

LAKE PERIMETER LITTORAL AREA				
LAKE #	LAKE AREA (AC)	LAKE PERIMETER (LF)	LITTORAL (AC)	PLANTS PROPOSED AT 3' O.C.
1	30.21	6576	1.40	6,776
2	2.25	1302	0.27	1,302
3	5.33	2192	0.45	2,192
4	0.91	866	0.18	866
5	3.57	1902	0.39	1,902
6	1.54	1046	0.22	1,046
7	0.48	665	0.14	665
8	1.29	1068	0.22	1,068
9	8.12	2269	0.47	2,269
10	5.65	2440	0.50	2,440
11	2.38	1628	0.34	1,628
12	13.45	3002	0.62	3,002
13	1.54	1066	0.22	1,066
14	1.30	982	0.20	982
15	0.80	901	0.19	901
16	2.83	1413	0.29	1,413
17	4.36	2449	0.51	2,449
18	29.86	13480	5.57	26,960
20	8.59	4104	0.85	4,104
21	8.85	3247	0.67	3,247
22	0.99	1270	0.26	1,270
23	4.90	2542	0.53	2,542
*24	2.16	1630	0.34	*
25	1.69	1165	0.24	1,165
26	4.03	2121	0.44	2,121
28	3.52	2126	0.44	2,126
29	5.12	2096	0.43	2,096
30	2.68	2074	0.43	2,074
32	2.21	1355	0.28	1,355
34	5.59	2282	0.47	2,282
TOTAL	166.20	71,259	17.55	83,309

* LAKE 24 IS AN IRRIGATION LAKE THAT IS NOT INCLUDED IN THE STORMWATER MANAGEMENT SYSTEM. NO LITTORAL PLANTINGS ARE REQUIRED FOR LAKE 24.



NOTES:
CURRENT PROPOSED PLAN
LAKE = 166.02 AC
SHORELINE = 71,259 LF
LITTORAL = 17.55 AC
(10.57% LITTORAL AC TO LAKE AC)

PREVIOUSLY APPROVED PLAN
LAKE = 177.21 AC
SHORELINE = 77,670 LF
LITTORAL = 18.74 AC
(10.57% LITTORAL AC TO LAKE AC)

* LITTORAL LOCATION WITHIN EACH LAKE MAY BE ADJUSTED BUT MUST MEET THE ACREAGE AND CROSS SECTION REQUIREMENTS.

EXHIBIT "F"

BANKS ENGINEERING
Professional Engineers, Planners, & Land Surveyors
Serving The State Of Florida
10511 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33966
PHONE: (239) 939-5490 FAX: (239) 939-2523
CERTIFICATE OF AUTHORIZATION #
SURVEY LICENSE # LB 6690
WWW.BANKSENG.COM

NO.	DATE	REVISION DESCRIPTION	BY
3	10/2/2015	REVISED SITE LAYOUT	EMH
2	8/20/2015	REVISED SITE LAYOUT	EMH
1	8/13/2015	REVISED SITE LAYOUT	SSV

LITTORAL PLANTING EXHIBIT - "F"
NORTH BROOK
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
8/13/2015	1447PH1	-EXH-F		EMH		1"=400'	1

S:\JOBS\1447\1447PH1\ENGINEERING\DRAWS\1447-EXHIBIT-F_LITTORAL.DWG 10/5/2015 1:32 PM STACY HEWITT

ADD2020-00046 Lee County ePlan

ADMINISTRATIVE AMENDMENT
LEE COUNTY, FLORIDA

WHEREAS, Banks Engineering, Inc., on behalf of North Brook Holdings, LLC filed an application for an administrative amendment to the Stoneybrook North Residential Planned Development to amend the Master Concept Plan and Schedule of Uses, update certain conditions of approval and corresponding exhibits, and correct certain typographical errors in prior zoning actions affecting property located along both sides of Pritchett Parkway, described more particularly as:

LEGAL DESCRIPTION: In Sections 15, 16 & 21, Township 43 South, Range 25 East, Lee County, Florida:

ATTACHED AS EXHIBIT “A”

WHEREAS, the property was originally rezoned in case number Z-02-070 and was subsequently amended by ADD2013-00083, ADD2014-00074 and ADD2015-00134; and

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

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

WHEREAS, the applicant has filed a request to amend the Master Concept Plan to realign internal roads, reconfigure certain lakes and open spaces areas, eliminate a shared access serving the subject property and the property to the west located on the south side of Pritchett Parkway, depict an existing well facility along the western property boundary, update the conservation areas, and amend the Tract Information and Land Use Summary tables to reflect these changes (see Exhibit “B”); and

WHEREAS, the applicant has filed a request to amend the schedule of uses to permit two-family attached dwelling units on Tracts A, B, J and M as identified on the Master Concept Plan (see Exhibit “C”); and

WHEREAS, two-family attached dwelling units were approved on tracts identified as R-1A on the approved Master Concept Plan by Resolution Z-02-070, and the location of these units within the development was amended by ADD2015-00134; and

WHEREAS, the requested revision to the schedule of uses will permit the development of two-family attached dwelling units on either side of Pritchett Parkway (see Exhibit “C”); and

WHEREAS, no changes to the maximum number of dwelling units per tract is proposed by this request, and the reallocation of two-family attached units within the development will not result in any off-site impact; and

WHEREAS, ADD2013-00083 deleted the site development regulations for two-family attached dwelling units, and the applicant has filed a request to reinstate these site development regulations to govern the development of two-family attached dwelling units consistent with the approved schedule of uses; and

WHEREAS, the applicant has filed a request to amend Condition 14 of Resolution Z-02-070, as amended by Condition 5 of ADD2013-00083, to reflect the proposed revisions to the Master Concept Plan and associated littoral planting exhibits (see Exhibit "C"); and

WHEREAS, the applicant has submitted revised littoral planting exhibits consistent with the revised Master Concept Plan and with the littoral planting requirements of the Land Development Code (see Exhibit "D"); and

WHEREAS, the applicant has filed a request to remove Condition 6 of Resolution Z-02-070, which establishes Sabal palm salvage and relocation requirements, to reflect current Land Development Code requirements (see Exhibit "C"); and

WHEREAS, a code enforcement violation was issued in response to the removal of Sabal palms from the subject property without the requisite permits and the property owner entered into a compliance agreement to abate the violation, which was subsequently recorded in the Public Records of Lee County in Instrument #2008000308389 (see Exhibit "E"); and

WHEREAS, the property owner failed to comply with the conditions of the recorded compliance agreement, and a second violation was issued for the subject property in 2015 (ENV2015-00009); and

WHEREAS, the property owner has abated violation ENV2015-00009 and submitted a letter of substantial compliance for the landscape portion of DOS2015-00083, which includes the conditions of the compliance agreement, on February 12, 2020 (see Exhibit "F"); and

WHEREAS, the Temporary Certificate of Compliance was extended for a period of 120 days by County staff on June 4, 2020; and

WHEREAS, the applicant has filed a request to amend Condition 7 of Resolution Z-02-070 to clarify the location of the gopher tortoise preserve required by this resolution (see Exhibit "C"); and

WHEREAS, the applicant has filed a request to amend Condition 8 of Resolution Z-02-070 to reflect updated conservation areas and remove reference to a previously approved wetland creation area located west of the intersection of Pritchett Parkway and Leetana Road (see Exhibits "B" and "C"); and

WHEREAS, the wetland creation area will remain in conservation but has been classified as an upland conservation area (see Exhibit “B”); and

WHEREAS, the applicant has filed a request to amend Condition 26.a.1) of Resolution Z-02-070 to clarify expectations regarding water modeling requirements (see Exhibit “C”); and

WHEREAS, Condition 26.a1) of Resolution Z-02-070 requires the developer to provide updated water modeling data to the Division of Natural Resources when modifications to the development parameters are proposed; and

WHEREAS, two administrative zoning actions (ADD2013-00083 and ADD2015-00134) have been previously approved by the County without satisfaction of this condition; and

WHEREAS, the applicant has submitted documentation demonstrating the limited location and parameters of water modeling associated with the development (see Exhibit “G”); and

WHEREAS, neither the previously approved zoning actions nor the subject request affect the locations analyzed by prior water modeling and, therefore, do not warrant the submittal of updated water modeling data; and

WHEREAS, Natural Resources staff has reviewed the requested modification and recommends that Condition 26.a.1) remain unchanged while acknowledging that the documentation submitted by the applicant satisfies the condition for the subject request; and

WHEREAS, the initial review of the request by County staff identified the need for two additional deviations from the roadway design and construction standards and natural waterway buffer requirements of the Land Development Code; and

WHEREAS, the applicant subsequently submitted a request for two additional deviations and has provided adequate justification in support of the requested deviations (see Exhibit “H”); and

WHEREAS, County staff has identified additional modifications to prior zoning actions to reflect amendments to the Land Development Code and the reorganization of County staff; and

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

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

NOW, THEREFORE, IT IS HEREBY DETERMINED that the application for administrative approval for an administrative amendment to the Stoneybrook North Residential Planned Development is **APPROVED subject to the following conditions:**

1. **This approval codifies and supersedes previously approved ADD2013-00083 and ADD2015-000134. The terms and conditions of Resolution Z-02-070 remain in full force and effect, except as modified herein.**

2. **Condition 1 of Resolution Z-02-070, as amended by ADD2013-00083 and ADD2015-00134, is hereby amended as follows:**

   Development must be in compliance with the amended Master Concept Plan entitled Master Concept Plan, Stoneybrook North, prepared by Banks Engineering, Inc., dated May 6, 2014 and last revised July 17, 2020, a copy of which is attached hereto as Exhibit "B."

3. **Condition 2.a. of Resolution Z-02-070, as amended by ADD2013-00083 and ADD2015-00134, is hereby amended as follows:**

   Administrative Offices
   Agriculture – SUBJECT TO Condition 24 of Resolution Z-02-070
   Accessory uses and structures
   Club, Private (Limited to Track K)
      Consumption on premises (LDC Section 34-1261 et seq.) Indoor and Outdoor
      Food and beverage service, limited
      Health Club and Spa
      Parking lot, accessory
      Rental or leasing establishment, Group I – limited to bicycles, tennis rackets and other small equipment for use by members of the private club
   Specialty Retail Shop, Group I
   Communication Tower – limited to one on the north side of Tract K and limited to a maximum of 35 feet in height
   Dwelling Unit – limited to a maximum of 1,275 units consisting of:
      Conventional Single-family Residence
         (May be constructed on all R-1 residential tracts, see Note 1)
      Two-family attached
         (Limited to Tracts A, B, J and M, see Note 1)
   Conventional Single-family Detached Residential lots located on the northern boundary of the project in Tracts F and G must be no less than 7,500 square feet in area within 500 feet of the northern boundary.
   Entrance Gate and Gatehouse, in compliance with §34-1748
   Essential Services
   Essential Services Facilities, Group I
   Excavation, water retention
   Fences, walls
   Home occupation
   Model Home, Model Unit and Model Display Group

Real Estate Sales Office (Temporary sales office limited to Tract K and limited to the sale of lots or units within the development only)
Recreation Facilities, Personal
Recreation Facilities, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs, including one existing billboard located on the southwest side of Lake L1, all in compliance with LDC Chapter 30 except as approved by deviation
Temporary uses (§34-3041)

Note 1: Single-family dwelling units may be constructed on all R-1 and R-1A residential tracts. Two-family attached dwelling units may be constructed only on R-1A residential tracts (Tracts A, B, J and M).

4. **Condition 4 of Resolution Z-02-070, as amended by ADD2013-00083 and ADD2015-00134, is hereby restated as follows:**

   The Tract K recreational area must include at a minimum, one multi-purpose field, a playground, and picnic area, or recreational water feature. Facilities for the safe passage of pedestrians and cyclists from one side of Pritchett Parkway to the other as determined by the Director of Development Services at the time of local development order submittal must be provided.

5. **Condition 6 of Resolution Z-02-070 is hereby amended as follows:**

   Common area open space must be designed to incorporate as many of the native heritage trees and Sabal palms as possible. Prior to local development order approval, the preserved trees and any relocated palms must be delineated on the plans. Preserved trees and relocated Sabal palms will receive protected tree credits per §10-420(j).

6. **Condition 7 (Gopher Tortoises) of Resolution Z-02-070 is hereby amended as follows:**

   A detailed protected species management plan for gopher tortoises, Big Cypress fox squirrels, and wading birds must be submitted with the initial development order for any portion of this project. The gopher tortoise management plan must include either a permanent fence or a continuous hedge of native shrubs where the gopher tortoise preserve abuts the road and park to protect the tortoises from the vehicular traffic and active recreation area.

   A pedestrian/bicycle trail, with a maximum four-foot width, is permissible within the gopher tortoise preserve located east of Tract M and south of the LCEC easement. The trail must be designed to avoid impacting gopher tortoise burrows and large native trees. Two (2) access points to the trail may be incorporated into the fence, provided the openings are designed to minimize the potential for tortoises to disperse from the preserve. Details of the trail and fence must be included in the development order plans.

7. **Condition 8 of Resolution Z-02-070 is hereby amended as follows:**

   Prior to any local development order approval, an open space table must be included that details the residential unit type with lot size per tract, required open space, provided open space, required indigenous preservation and provided indigenous preservation. The project must preserve at a minimum the approximately 100.1 acres of conservation area. If more than 500 acres of the project is developed with residential tracts (including roads and lakes) requiring open space, then the development order must delineate the additional required indigenous preservation for Lee County Development Services Section staff review and approval.

8. **Condition 11 of Resolution Z-02-070 is hereby amended as follows:**

   All boardwalks within the preserve areas must be designed to avoid mature native trees and protected species burrows, nests, or dens. The final layout of the boardwalks must be field verified by Lee County Development Services Section staff prior to construction. Minor adjustments to minimized impacts to native vegetation may be required.

9. **Condition 13 of Resolution Z-02-070 is hereby amended as follows:**

   Prior to site work for any recreational use that requires the removal of vegetation within a conservation area, a development order showing impacts to the conservation area must be submitted for review and approval of Development Services and other applicable County staff.

10. **Condition 14 of Resolution Z-02-070, as amended by ADD2013-00083 and ADD2015-00134, is hereby amended as follows:**

    Prior to local development order approval, the development order plans must include littoral planting areas in substantial compliance with the littoral planting exhibit entitled Northbrook Littoral Planting Exhibit, attached hereto as Exhibit "D."

    All lake littoral zones must be constructed as depicted in Cross Section B-B. Littoral planting quantities must be consistent with the exhibit entitled Littoral Planting Exhibit "F", North Brook, attached hereto as Exhibit "D." The planting area along the northern ditch expansion must also provide native wetland plants installed three feet on-center.

11. **Condition 16 of Resolution Z-02-070, as amended by ADD2015-00134, is hereby restated as follows:**

    Lake littoral plantings within Tract M must be calculated at one littoral plant per linear foot of lake shoreline. One 10-foot-tall tree or two (2) three-gallon shrubs may be substituted for 10 herbaceous plants. Trees and shrubs may be used to count toward up to 50 percent of the required lake littoral planting requirements. A minimum of two (2) native wetland tree species and four (4) native herbaceous plant species must be installed in the Lake 1 (contained within Tract M).

12. Condition 17 of Resolution Z-02-070 is hereby amended as follows:

The placement of any required vegetation within a utility, power, or drainage easement must be clearly delineated on an Alternate Landscape Betterment Plan as per §10-419 and submitted with the local development order. The placement of vegetation within any easement must be approved by Lee County Development Services staff and any other affected Division (Utilities, Zoning, etc.). If the easement is to an entity other than Lee County, then written approval of the location of vegetation from any affected easement holder must be submitted to Lee County Development Services staff as part of the development order. Approval from all affected parties must be obtained prior to approval of the local development order.

13. Condition 30 of Resolution Z-02-070 is hereby amended as follows:

Except as otherwise noted on the MCP, perimeter buffers around the outside perimeter of the property will require 10 trees per 100 linear feet and a double staggered hedge. The hedge will be installed at 36 inches high and maintained at 60 inches high for areas annotated with Buffer Note 1 or installed at 48 inches high and a minimum of 20 feet from the property line for areas annotated with Buffer Note 2 except as modified by Deviation 18.

14. Condition 31 of Resolution Z-02-070, as amended by ADD2015-00134, is hereby amended as follows:

a. Outdoor ballfield lights for any baseball field located on Tract K are prohibited.

b. Outdoor recreational lighting for any multi-purpose courts or fields located on Tract K (with the exception of ballfields where lighting is prohibited) and Tract M must be on timers. Lighting impacts will be measured at the boundary of Tracts K and M, and not at the boundary of any adjacent lakes or preserve areas.

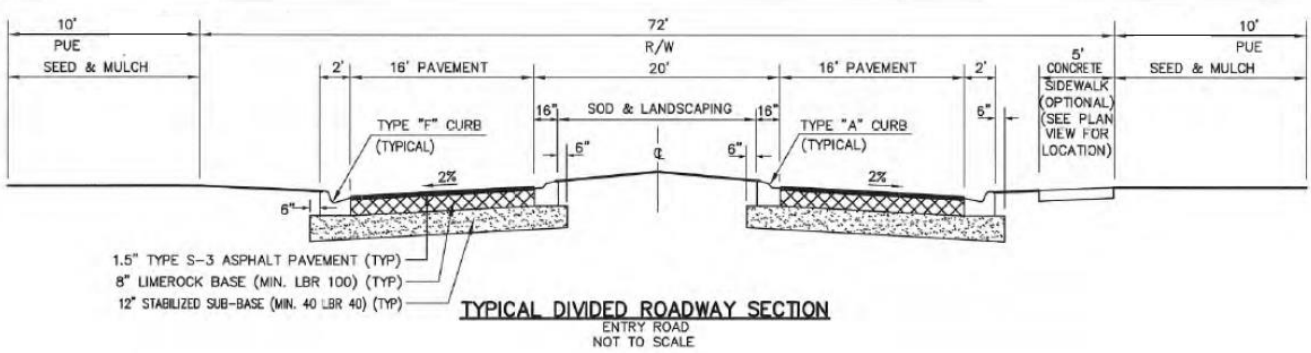
15. Deviation 3 of Resolution Z-02-070, as amended by ADD2015-00134, is hereby restated as follows:

Deviation (3) seeks relief from §10-418(2)d, which requires the installation of native wetland herbaceous plants at a calculation of 25 percent of the total linear feet of shoreline multiplied by the 20-foot-wide planted littoral shelf and divided by four to obtain two-foot-on-center spacing, and where trees and shrubs can be substituted for up to 25 percent of the total number of herbaceous plants required; to allow the required plantings to include up to 50 percent trees in the Tract M lake (Lake L1). This deviation is APPROVED, SUBJECT TO Condition 16 of Resolution Z-02-070, as amended by ADD2015-00134 and restated herein.

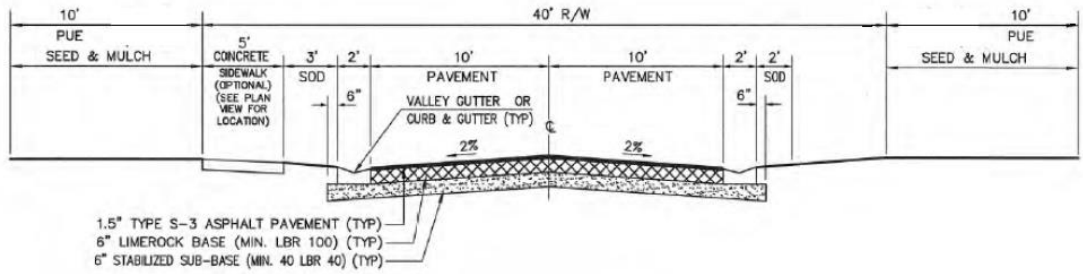
16. Deviation (7) of Resolution Z-02-070 is hereby amended as follows:

Deviation (7) seeks relief from §10-329(d)(4), which requires excavations to be sloped at a ratio not greater than six (6) horizontal to one (1) vertical from the top of bank to a water depth of two feet below the dry season water table and a ratio of two (2) horizontal to one (1) vertical thereafter; to allow 40 percent of the lake bank slopes within the development to utilize vertical bulkheads or rip rap. This deviation is APPROVED, SUBJECT TO Condition 18 of Resolution Z-02-070.

17. **Deviation 17 seeks relief from LDC Section 10-296(e)(2)h.5.ii. and iii., which require Residential Suburban Local Streets to have a 5-foot planting strip and 5-foot pedestrian facility on both sides of the road, to allow internal roadways to be designed and constructed in accordance with the following cross sections approved by DOS2015-00083, as amended:**



TYPICAL DIVIDED ROADWAY SECTION
ENTRY ROAD
NOT TO SCALE



TYPICAL ROADWAY SECTION
40' R/W LOCAL ROAD-20' PAVEMENT
NOT TO SCALE

This deviation is APPROVED, SUBJECT TO the following condition:

a. **The developer must provide a pedestrian way along one side of all streets internal to the development and must extend each pedestrian way from intersection to intersection**

18. **Deviation 18 seeks relief from LDC Section 10-416(d)(9), which requires a 50-foot-wide vegetated natural waterway buffer containing six native canopy trees and 50 native shrubs per 100 linear feet, which may be met through credits from the existing native vegetation within the waterway buffer area at a 1:1 credit ratio, to allow existing vegetation to remain to meet the buffer requirements and to allow areas to remain in their natural state if no vegetation exists with no planting plan required. This deviation is APPROVED, SUBJECT TO the following condition:**

a. **The areas at the northwestern corner of the property within the required natural waterway buffer depicted on the Master Concept Plan with annotations referencing Buffer Note 1 and Buffer Note 2 may not be planted.**

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

Duly passed, adopted, and electronically signed on 8/20/2020

Audra Ennis, Zoning Manager

List of Exhibits
Exhibit A: Legal Description
Exhibit B: Master Concept Plan
Exhibit C: Request Narrative
Exhibit D: Littoral Planting Exhibits “E” and “F”
Exhibit E: Recorded Compliance Agreement (Instrument 2008000308389)
Exhibit F: Landscape Architect Temporary Certificate of Compliance (DOS2015-00083)
Exhibit G: Water Model (HEC-RAS) Correspondence and Parameters
Exhibit H: Deviations and Justifications

ADD2020-00046 Lee County ePlan

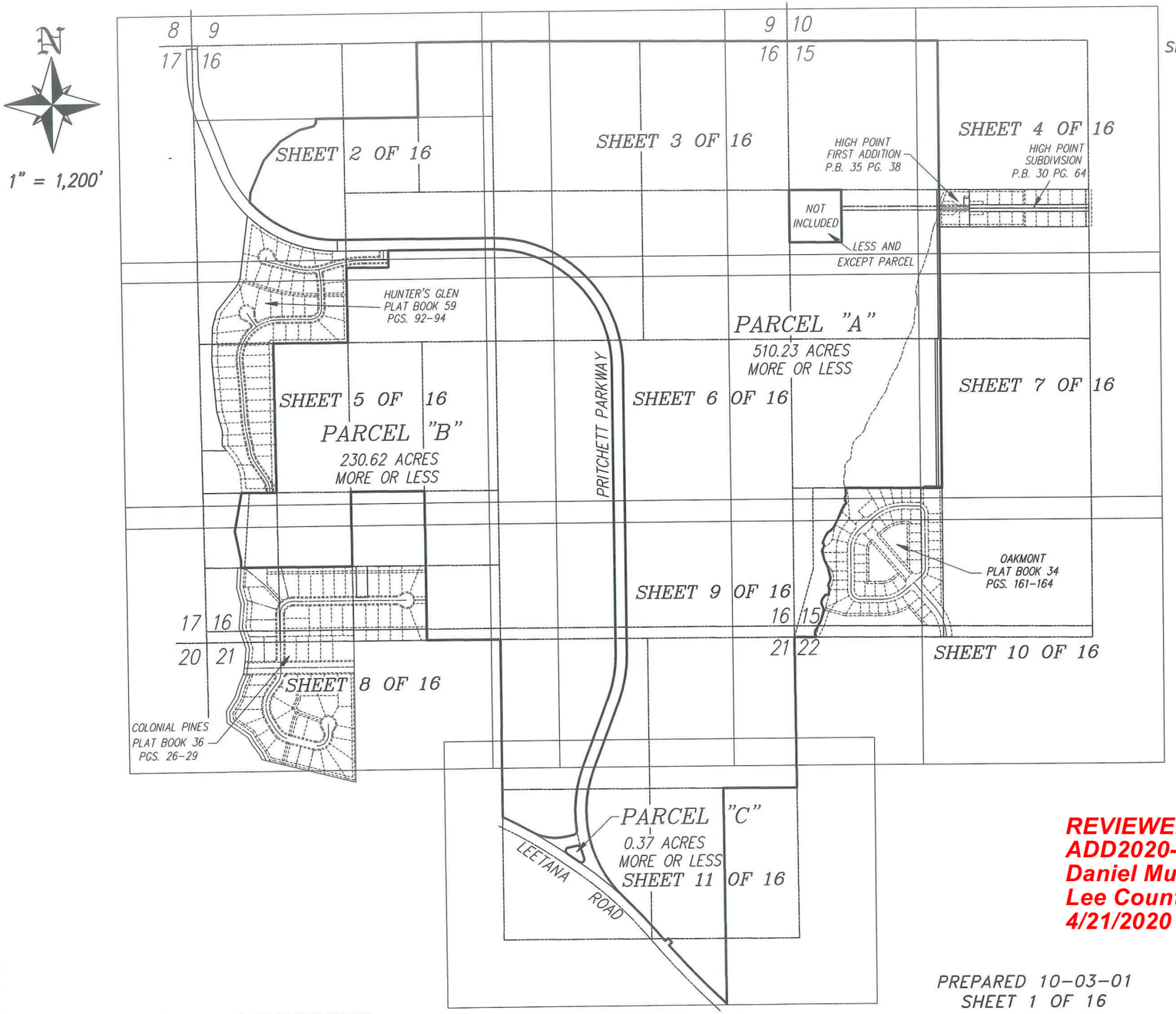
EXHIBIT A

SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

(STONEYBROOK NORTH)



LEGEND:

O.R.	INDICATES OFFICIAL RECORDS BOOK
PG.	INDICATES PAGE.
P.O.B	INDICATES POINT OF BEGINNING
P.O.C.	INDICATES POINT OF COMMENCEMENT
R/W	INDICATES RIGHT-OF-WAY
(1)	INDICATES CURVE NUMBER 1 FROM THE CURVE TABLE
L1	INDICATES LINE NUMBER 1 FROM THE LINE TABLE
SUBDIV.	INDICATES SUBDIVISION

NOTES:

1.) PARCEL SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS OF RECORD.

2.) BEARINGS ARE BASID ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

3.) PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

SEE SHEETS 13 THROUGH 16 FOR DESCRIPTIONS.

THIS SKETCH OF DESCRIPTIONS IS NOT A BOUNDARY SURVEY

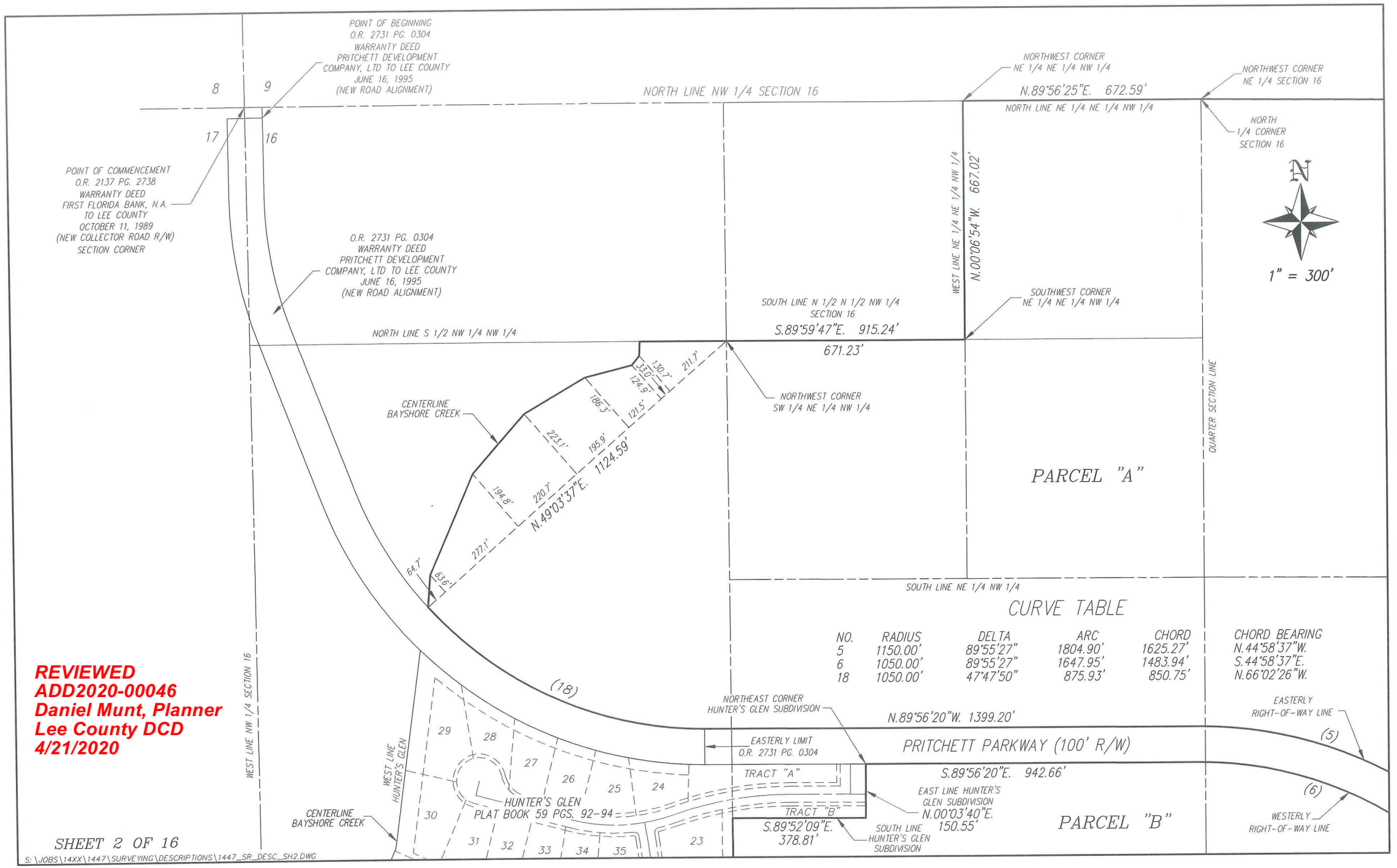
RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009

- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

REVIEWED
ADD2020-00046
Daniel Munt, Planner
Lee County DCD
4/21/2020

PREPARED 10-03-01
SHEET 1 OF 16

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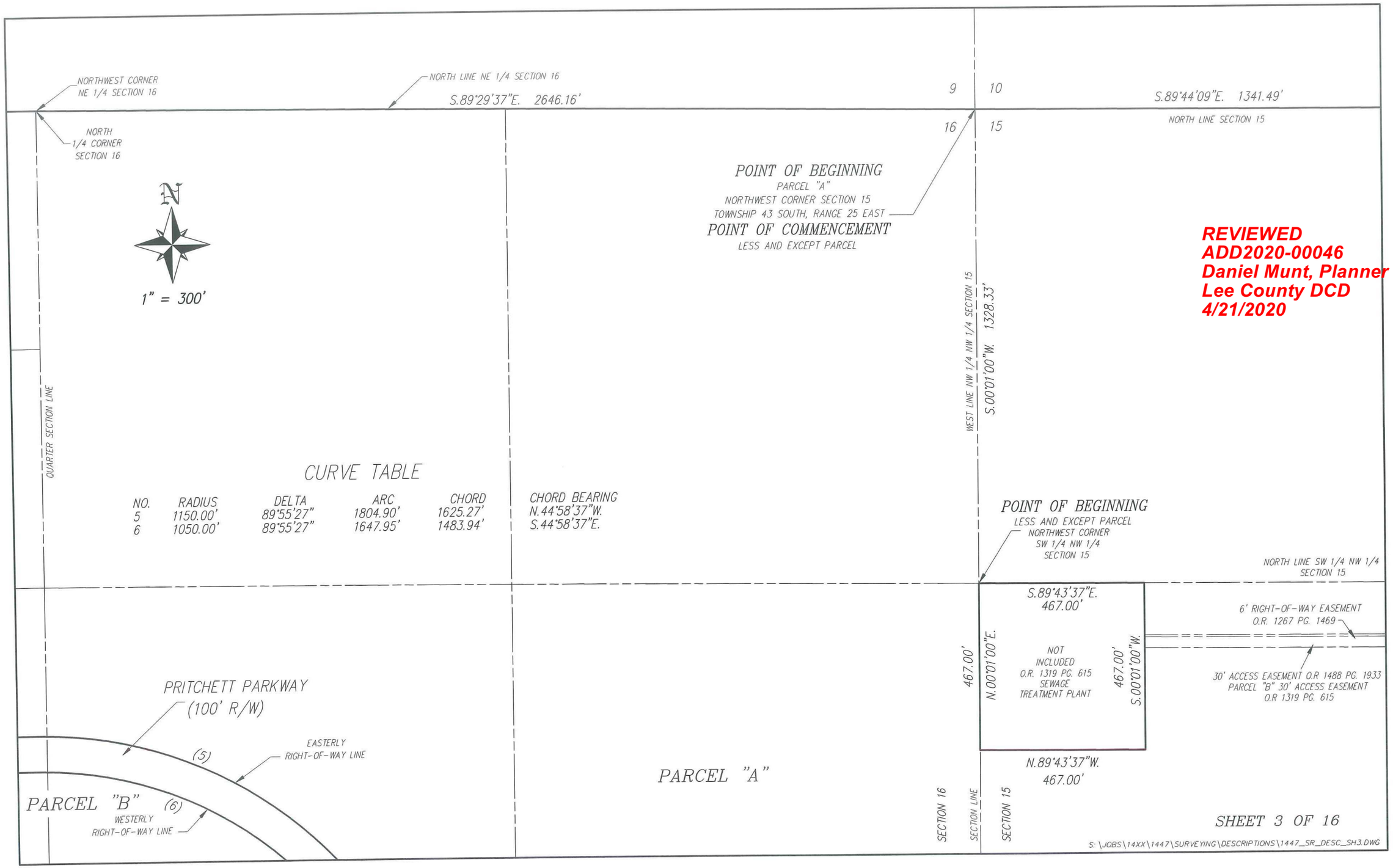


REVIEWED
ADD2020-00046
Daniel Munt, Planner
Lee County DCD
4/21/2020

SHEET 2 OF 16

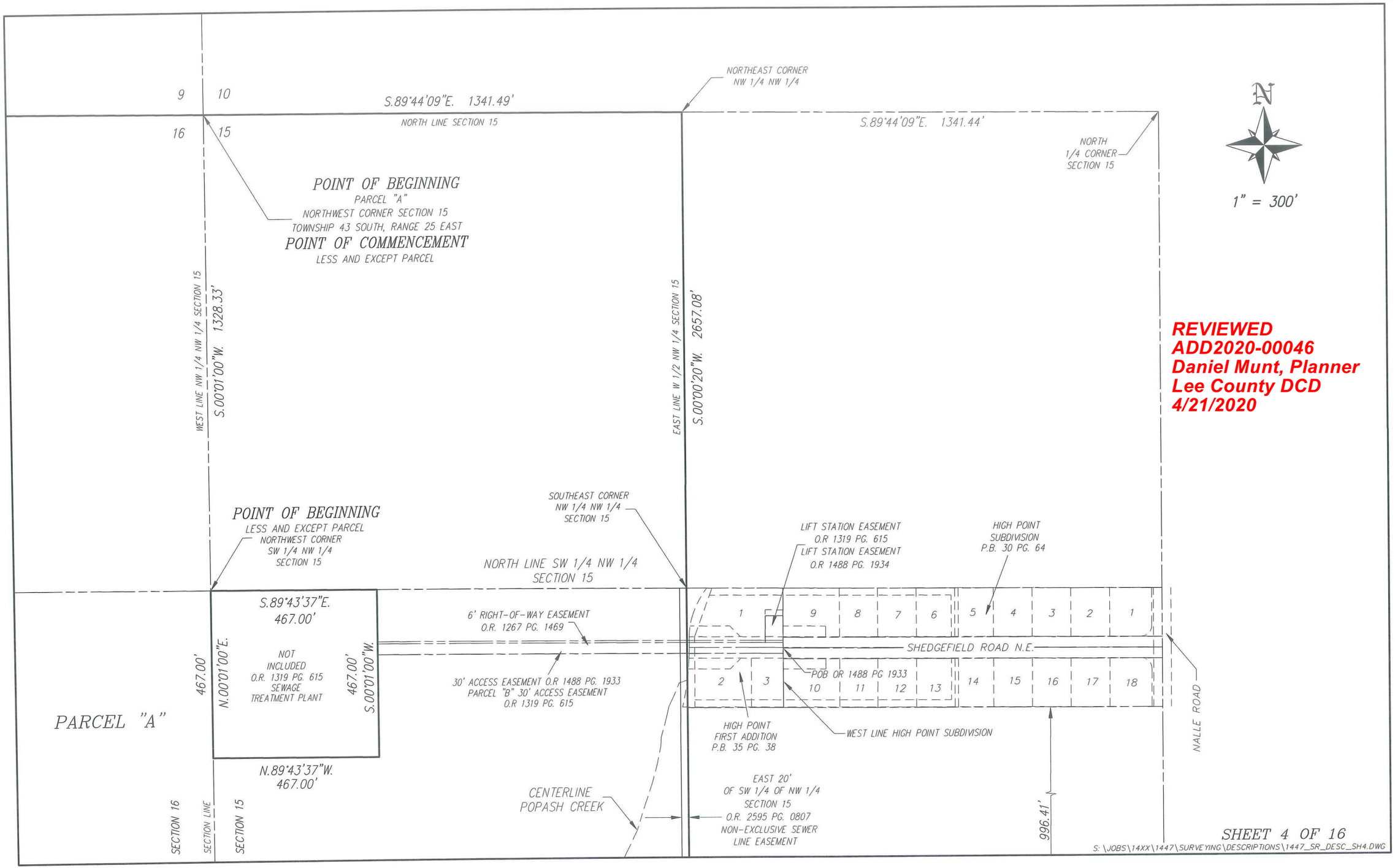
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ADD2020-00046 Lee County ePlan



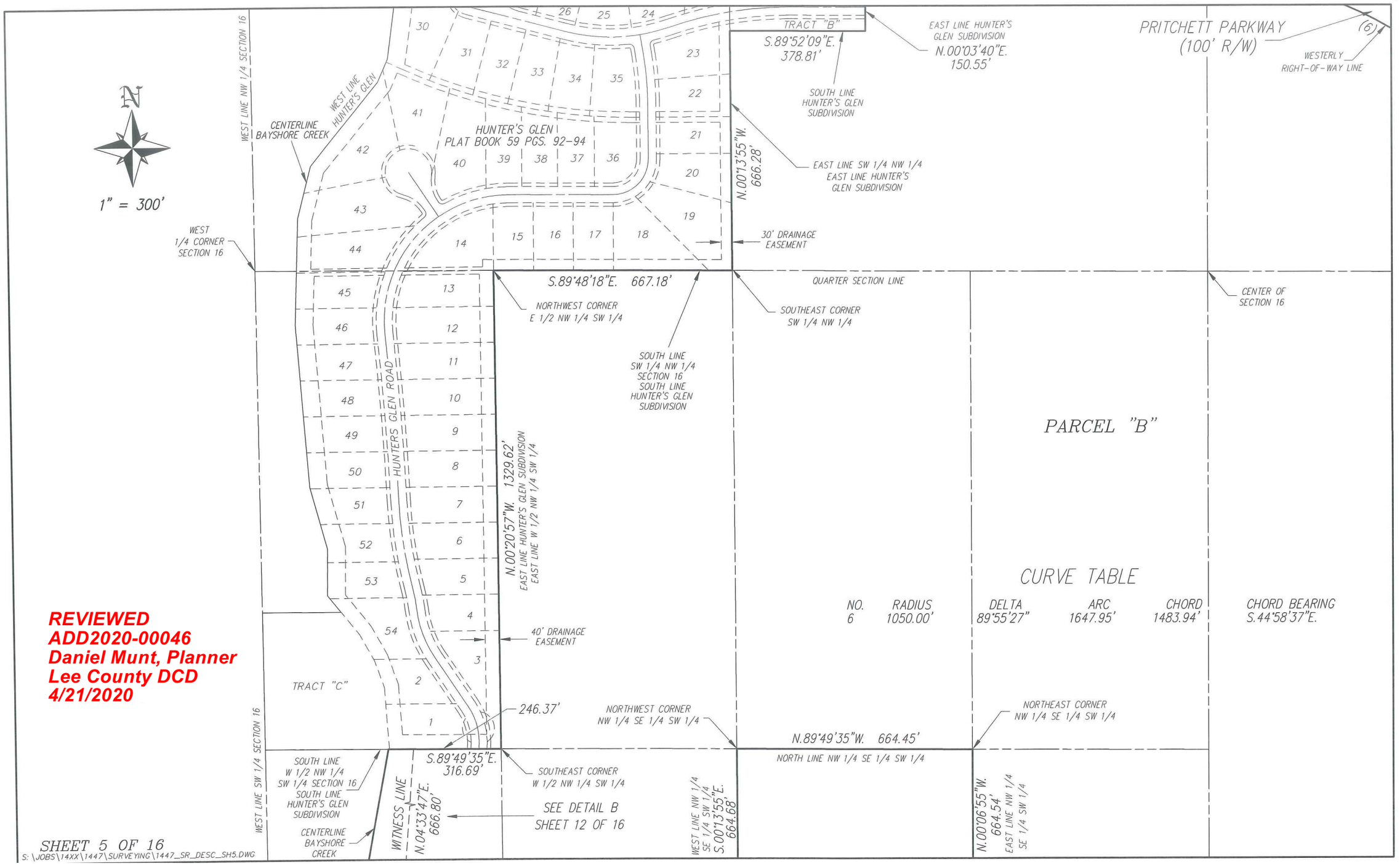
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Daniel Munt, Planner
Lee County DCD
4/21/2020

ADD2020-00046 Lee County ePlan



SHEET 4 OF 16

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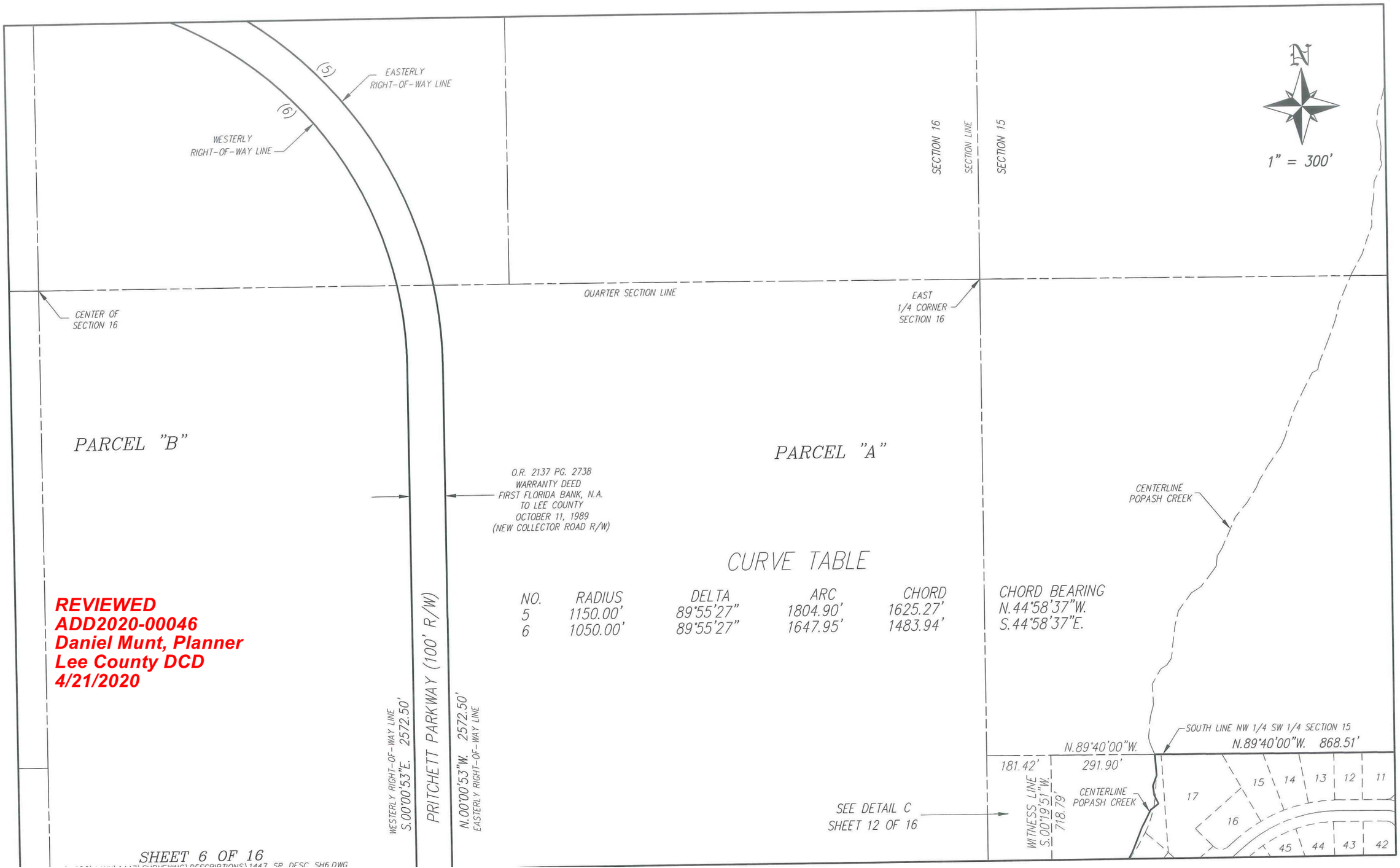


CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
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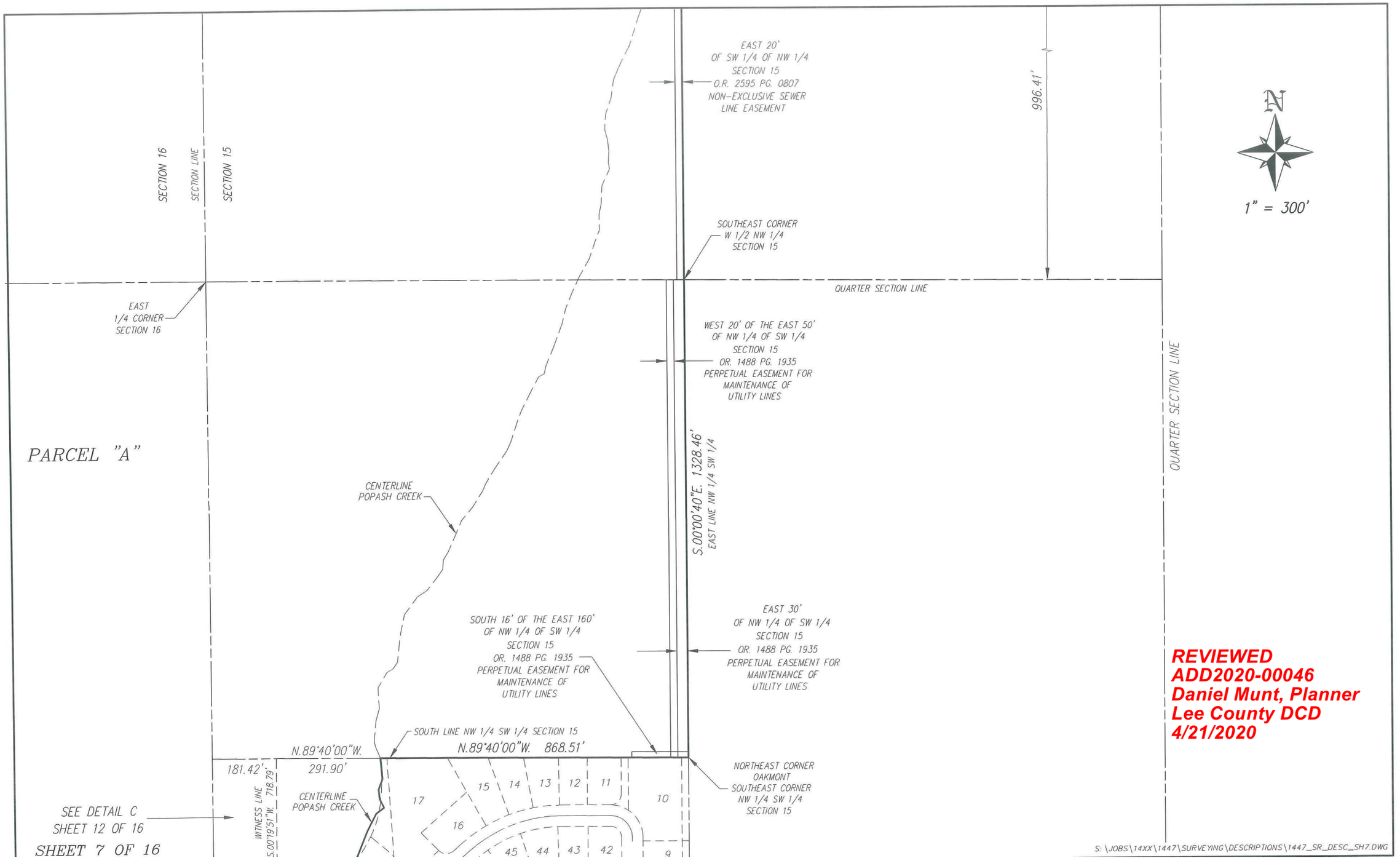
REVIEWED
ADD2020-00046
Daniel Munt, Planner
Lee County DCD
4/21/2020

ADD2020-00046 Lee County ePlan



SHEET 6 OF 16

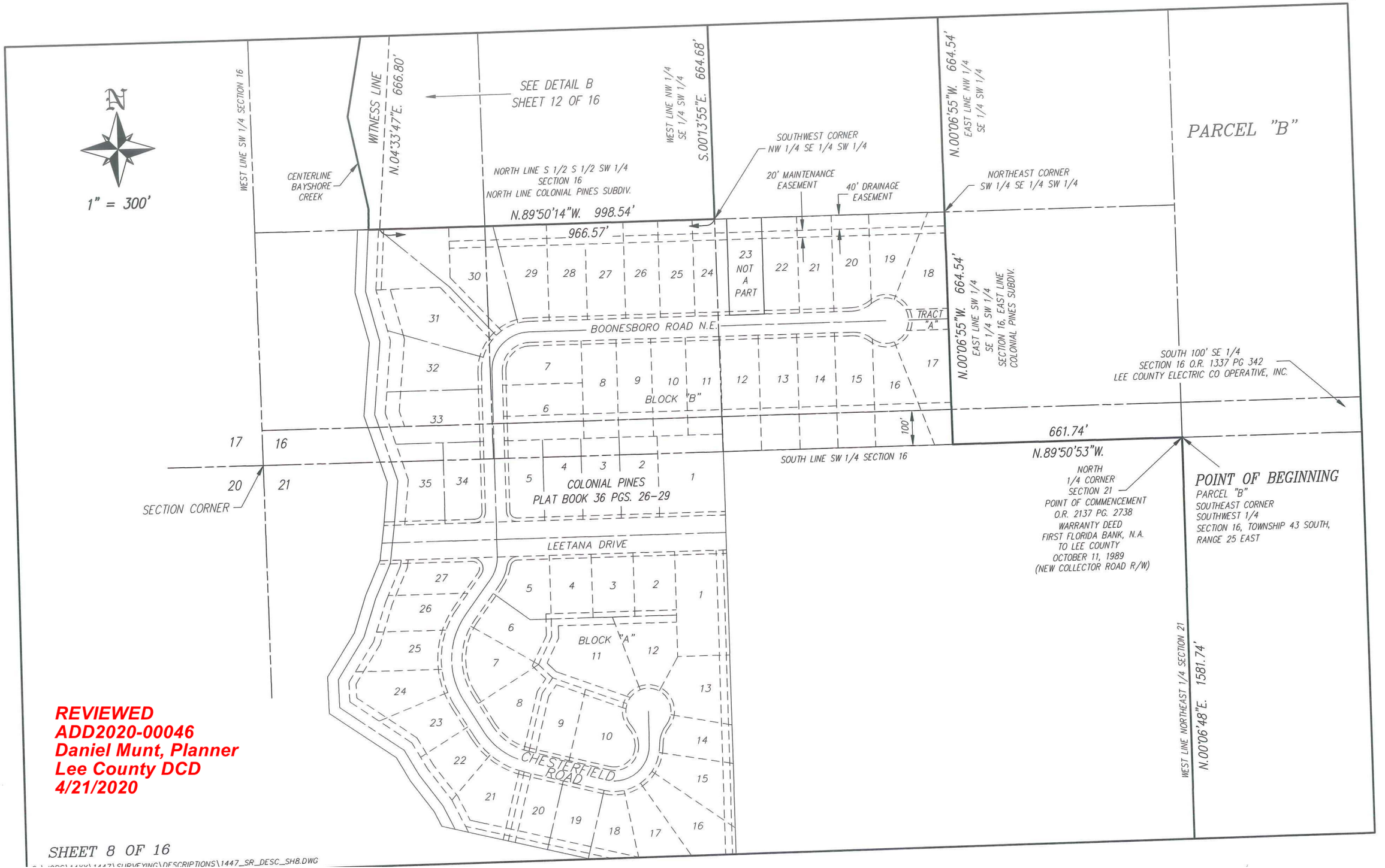
ADD2020-00046 Lee County ePlan



REVIEWED
ADD2020-00046
Daniel Munt, Planner
Lee County DCD
4/21/2020

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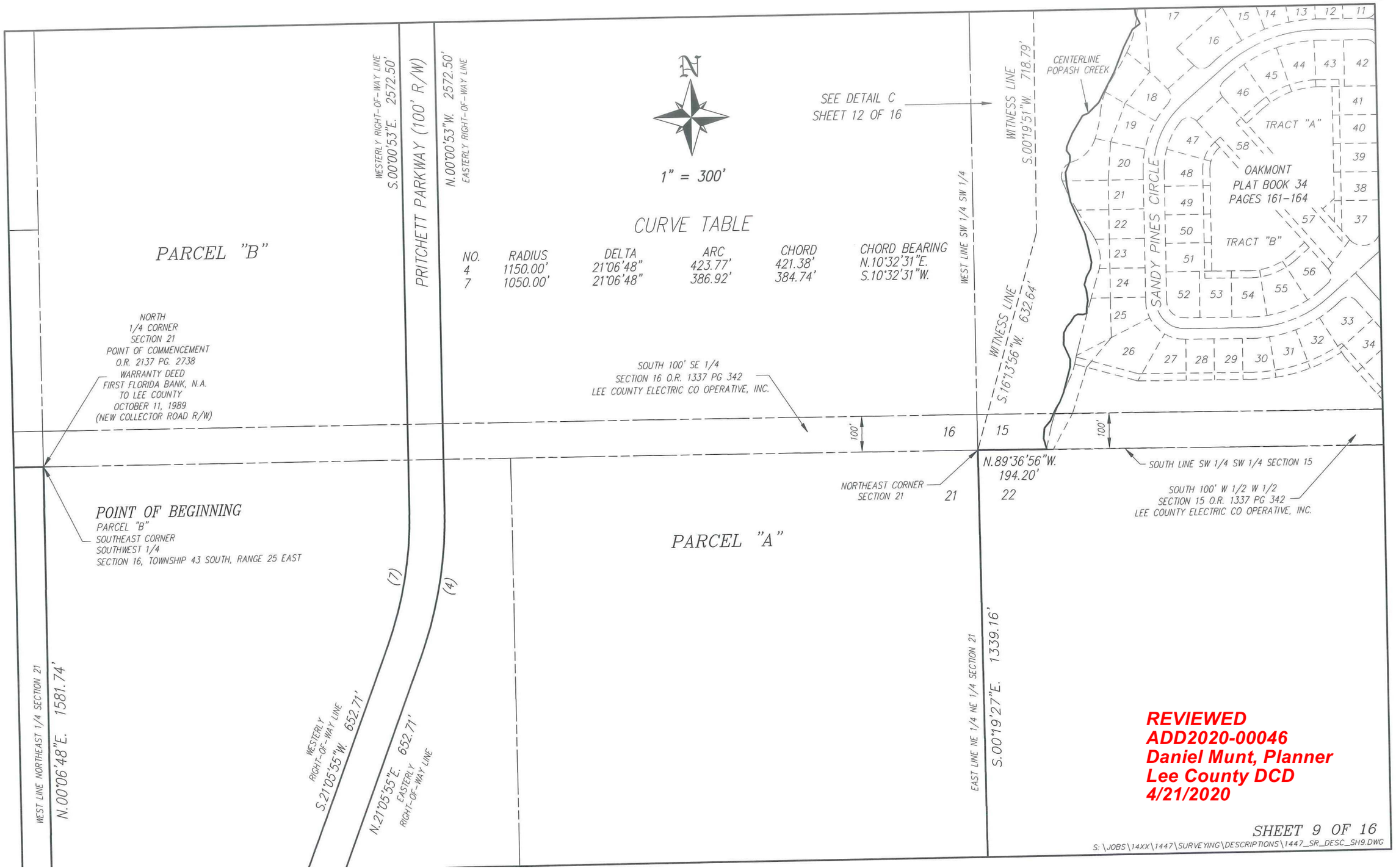
ADD2020-00046 Lee County ePlan



REVIEWED
ADD2020-00046
Daniel Munt, Planner
Lee County DCD
4/21/2020

SHEET 8 OF 16

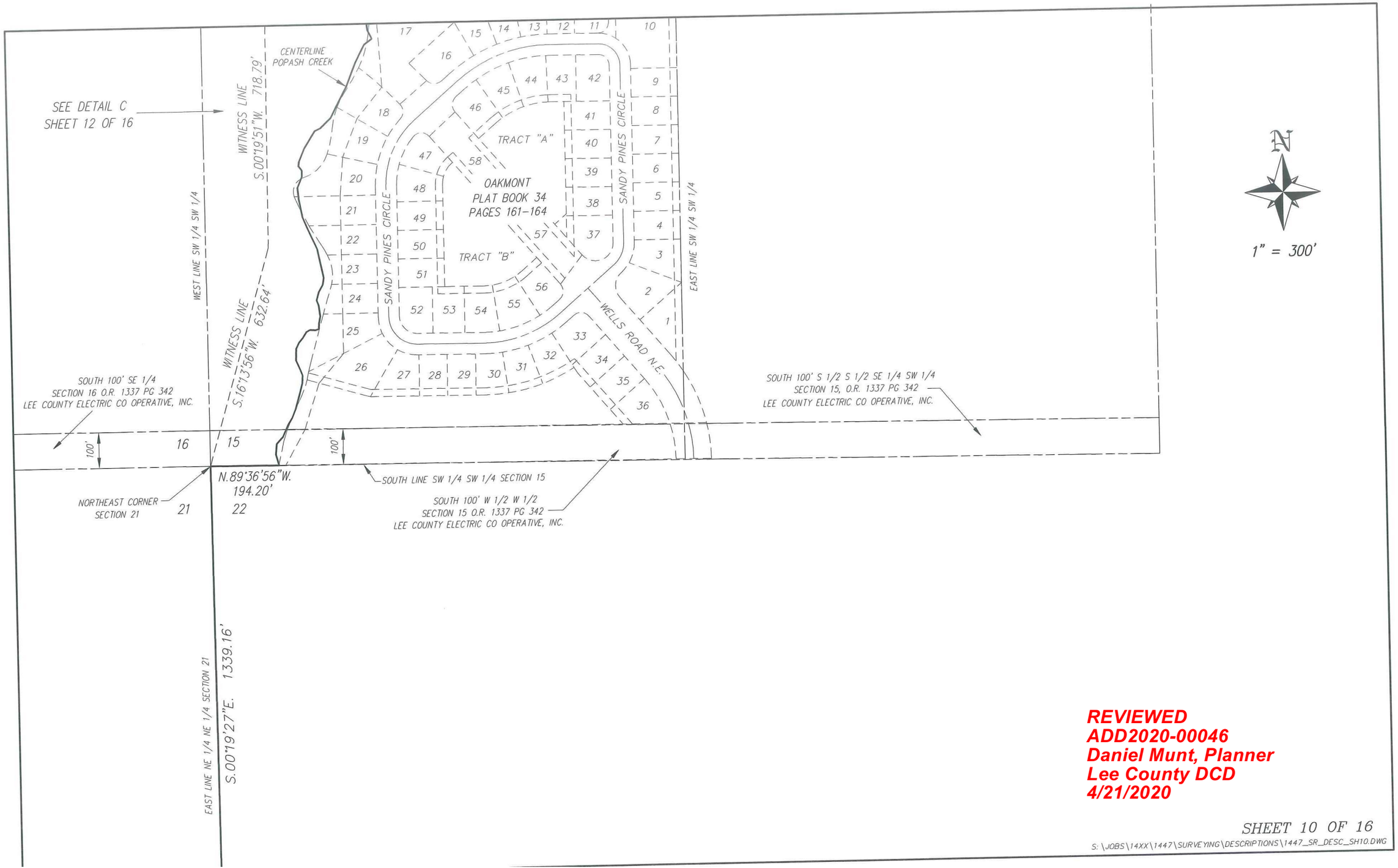
ADD2020-00046 Lee County ePlan



REVIEWED
ADD2020-00046
Daniel Munt, Planner
Lee County DCD
4/21/2020

SHEET 9 OF 16

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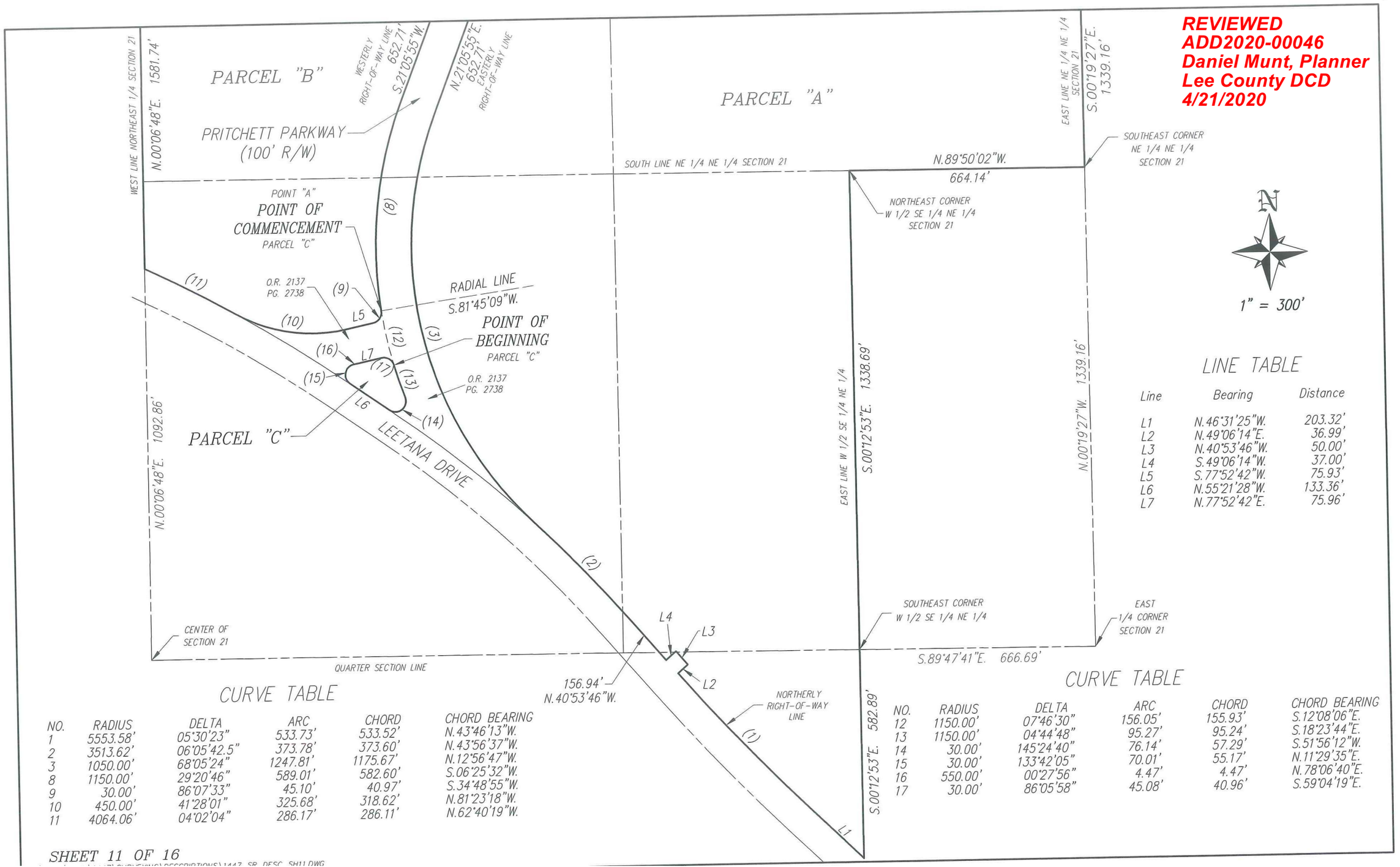


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LINE TABLE

Line	Bearing	Distance
L1	N.46°31'25"W.	203.32'
L2	N.49°06'14"E.	36.99'
L3	N.40°53'46"W.	50.00'
L4	S.49°06'14"W.	37.00'
L5	S.77°52'42"W.	75.93'
L6	N.55°21'28"W.	133.36'
L7	N.77°52'42"E.	75.96'

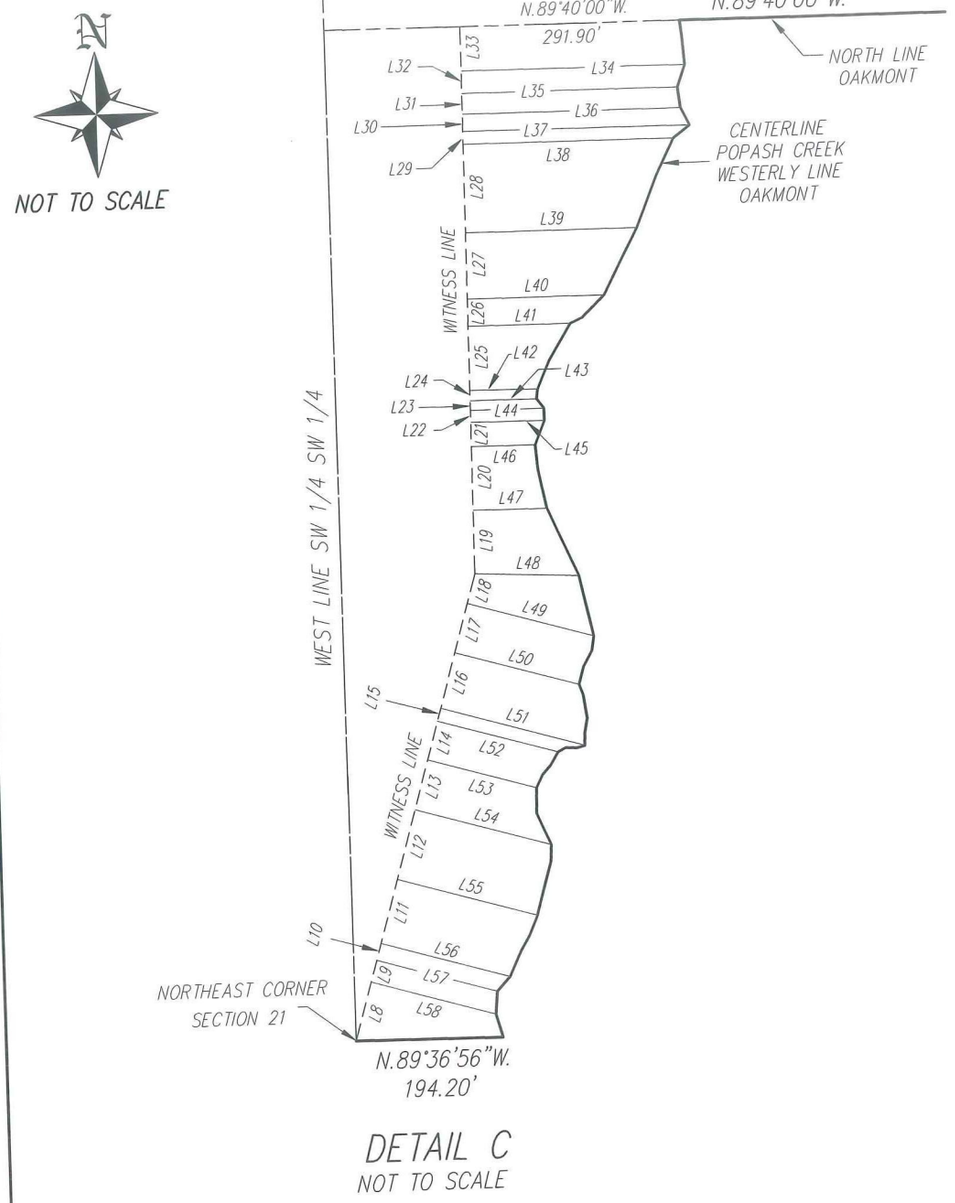
CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	5553.58'	05°30'23"	533.73'	533.52'	N.43°46'13"W.
2	3513.62'	06°05'42.5"	373.78'	373.60'	N.43°56'37"W.
3	1050.00'	68°05'24"	1247.81'	1175.67'	N.12°56'47"W.
8	1150.00'	29°20'46"	589.01'	582.60'	S.06°25'32"W.
9	30.00'	86°07'33"	45.10'	40.97'	S.34°48'55"W.
10	450.00'	41°28'01"	325.68'	318.62'	N.81°23'18"W.
11	4064.06'	04°02'04"	286.17'	286.11'	N.62°40'19"W.

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
12	1150.00'	07°46'30"	156.05'	155.93'	S.12°08'06"E.
13	1150.00'	04°44'48"	95.27'	95.24'	S.18°23'44"E.
14	30.00'	145°24'40"	76.14'	57.29'	S.51°56'12"W.
15	30.00'	133°42'05"	70.01'	55.17'	N.11°29'35"E.
16	550.00'	00°27'56"	4.47'	4.47'	N.78°06'40"E.
17	30.00'	86°05'58"	45.08'	40.96'	S.59°04'19"E.

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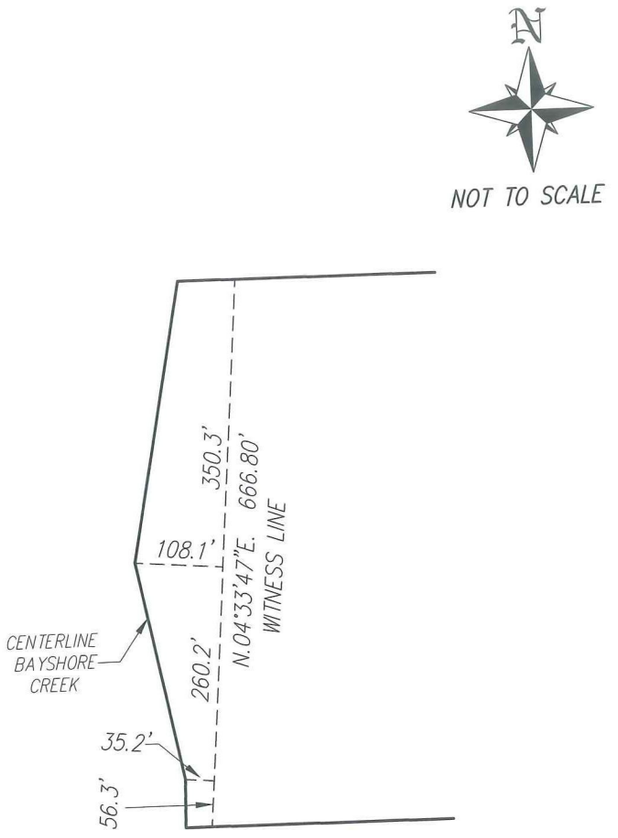


DETAIL C
NOT TO SCALE

LINE TABLE

Line	Bearing	Distance
L8	N.16°13'56"E.	79.4'
L9	N.16°13'56"E.	29.6'
L10	N.16°13'56"E.	23.1'
L11	N.16°13'56"E.	86.7'
L12	N.16°13'56"E.	94.4'
L13	N.16°13'56"E.	67.3'
L14	N.16°13'56"E.	52.6'
L15	N.16°13'56"E.	17.2'
L16	N.16°13'56"E.	75.4'
L17	N.16°13'56"E.	66.6'
L18	N.16°13'56"E.	40.3'
L19	N.00°19'51"E.	83.1'
L20	N.00°19'51"E.	83.7'
L21	N.00°19'51"E.	31.8'
L22	N.00°19'51"E.	16.0'
L23	N.00°19'51"E.	12.6'
L24	N.00°19'51"E.	13.2'
L25	N.00°19'51"E.	84.6'
L26	N.00°19'51"E.	35.8'
L27	N.00°19'51"E.	87.0'
L28	N.00°19'51"E.	116.4'
L29	N.00°19'51"E.	16.7'
L30	N.00°19'51"E.	22.7'
L31	N.00°19'51"E.	27.4'
L32	N.00°19'51"E.	29.4'
L33	N.00°19'51"E.	58.4'
L34	S.89°40'09"E.	297.3'
L35	S.89°40'09"E.	286.4'
L36	S.89°40'09"E.	289.9'
L37	S.89°40'09"E.	301.4'
L38	S.89°40'09"E.	279.0'
L39	S.89°40'09"E.	227.1'
L40	S.89°40'09"E.	181.1'
L41	S.89°40'09"E.	135.2'
L42	S.89°40'09"E.	89.7'
L43	S.89°40'09"E.	88.0'
L44	S.89°40'09"E.	97.6'
L45	S.89°40'09"E.	97.8'
L46	S.89°40'09"E.	84.3'
L47	S.89°40'09"E.	97.7'
L48	S.87°00'59"E.	137.8'
L49	S.73°46'04"E.	172.6'
L50	S.73°46'04"E.	169.4'
L51	S.73°46'04"E.	196.7'
L52	S.73°46'04"E.	164.5'
L53	S.73°46'04"E.	148.4'
L54	S.73°46'04"E.	185.7'
L55	S.73°46'04"E.	191.1'
L56	S.73°46'04"E.	176.0'
L57	S.73°46'04"E.	164.7'
L58	S.73°46'04"E.	170.2'

DETAIL SHEET



DETAIL B
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Professional Engineers, Planners & Land Surveyors
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DESCRIPTION
OF
PARCELS OF LAND
LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

TRACTS OR PARCELS OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 15, 16 AND 21 TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°44'09"E. ALONG THE NORTH LINE OF SAID SECTION 15 FOR 1341.49 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.00°00'20"W. ALONG THE EAST LINE OF SAID FRACTION FOR 2657.08 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.00°00'40"E. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 FOR 1328.46 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION THE SAME BEING THE NORTHEAST CORNER OF OAKMONT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34 AT PAGES 161 THROUGH 164 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°40'00"W. ALONG THE SOUTH LINE OF SAID FRACTION AND THE NORTH LINE OF SAID OAKMONT FOR 868.51 FEET TO AN INTERSECTION WITH THE CENTERLINE OF POPASH CREEK AND THE WESTERLY LINE OF SAID OAKMONT; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE AND SAID WESTERLY LINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 THE SAME BEING THE SOUTHWEST CORNER OF SAID OAKMONT; THENCE N.89°36'56"W. ALONG SAID SOUTH LINE FOR 194.20 FEET TO THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°19'27"E. ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21 FOR 1339.16 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N.89°50'02"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 664.14 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.00°12'53"E. ALONG THE EAST LINE OF SAID FRACTION FOR 1338.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE CONTINUE S.00°12'53"E. 582.89 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.46°31'25"W. ALONG SAID NORTHERLY LINE FOR 203.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5553.58 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°30'23.2" FOR 533.73 FEET; THENCE N.49°06'14"E. ALONG SAID NORTHERLY LINE FOR 36.99 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 50.00 FEET; THENCE S.49°06'14"W. ALONG SAID NORTHERLY LINE FOR 37.00 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 156.94 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3513.62 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 06°05'42.5" FOR 373.78 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 1050.00 FEET; THENCE

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NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 68°05'24" FOR 1247.81 FEET; THENCE N.21°05'55"E. ALONG SAID EASTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 423.77 FEET; THENCE N.00°00'53"W. ALONG SAID EASTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1804.90 FEET; THENCE N.89°56'20"W. ALONG SAID EASTERLY LINE FOR 1399.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°47'50" FOR 875.93 FEET; TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK; THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°59'47"E. ALONG SAID SOUTH LINE FOR 915.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE N.00°06'54"W. ALONG THE WEST LINE OF SAID FRACTION FOR 667.02 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID FRACTION; THENCE N.89°56'25"E. ALONG SAID NORTH LINE FOR 672.59 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE S.89°29'37"E. ALONG THE NORTH LINE OF SAID SECTION FOR 2646.16 FEET TO THE **POINT OF BEGINNING**.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL

COMMENCING AT NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°01'00"W. ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15 FOR 1328.33 FEET TO THE POINT OF BEGINNING THE SAME BEING THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.89°43'37"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 467.00 FEET; THENCE S.00°01'00"W. FOR 467.00 FEET; THENCE N.89°43'37"W. FOR 467.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID FRACTION; THENCE N.00°01'00"E. ALONG THE WEST LINE OF SAID FRACTION FOR 467.00 FEET TO THE POINT OF BEGINNING.

PARCEL "A" CONTAINS 510.23 ACRES MORE OR LESS.

AND: PARCEL "B"

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.89°50'53"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 661.74 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 THE SAME BEING A POINT ON THE EAST LINE OF COLONIAL PINES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 36 AT PAGES 26 THROUGH 29 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°06'55"W. ALONG SAID EAST LINE FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND SAID COLONIAL PINES; THENCE N.00°06'55"W. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N.89°49'35"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 664.45 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE S.00°13'55"E. ALONG THE EAST LINE OF SAID FRACTION FOR 664.68 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION THE SAME BEING AN INTERSECTION WITH THE NORTH LINE OF SAID COLONIAL PINES; THENCE N.89°50'14"W. ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 AND THE NORTH LINE OF SAID COLONIAL PINES FOR 998.54 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE

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CREEK; THENCE NORTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, THE SAME BEING THE SOUTH LINE OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S.89°49'35"E. ALONG SAID SOUTH LINE FOR 316.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND SAID HUNTER'S GLEN; THENCE N.00°20'57"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 1329.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND SAID HUNTER'S GLEN; THENCE S.89°48'18"E. ALONG SAID SOUTH LINE FOR 667.18 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°13'55"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 666.28 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN; THENCE S.89°52'09"E. ALONG SAID SOUTH LINE FOR 378.81 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°03'40"E. ALONG SAID EAST LINE FOR 150.55 FEET TO THE NORTHEAST CORNER OF SAID HUNTER'S GLEN, THE SAME BEING AN INTERSECTION WITH THE WESTERLY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE S.89°56'20"E. ALONG SAID WESTERLY LINE FOR 942.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1647.95 FEET; THENCE S.00°00'53"E. ALONG SAID WESTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 386.92 FEET; THENCE S.21°05'55"W. ALONG SAID WESTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 29°20'46" FOR 589.01 FEET TO **POINT "A"** THE SAME BEING AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°07'33" FOR 45.10 FEET; THENCE S.77°52'42"W. ALONG SAID NORTHERLY LINE FOR 75.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 41°28'01" FOR 325.68 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF LEETANA DRIVE (86 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 4064.06 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°02'04" FOR 286.17 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.00°06'48"E. ALONG SAID WEST LINE FOR 1581.74 FEET TO THE **POINT OF BEGINNING**.

PARCEL "B" CONTAINS 230.62 ACRES MORE OR LESS.

AND: PARCEL "C"

COMMENCING AT THE AFOREMENTIONED **POINT "A"** THE SAME BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.81°45'09"W.; THENCE; SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°46'30" FOR 156.05 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTHERLY ALONG SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) THROUGH A CENTRAL ANGLE OF 04°44'48" FOR 95.27 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.55°21'28"W. ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE

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SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 550.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 00°27'56" FOR 4.47 FEET; THENCE N.77°52'42"E. ALONG SAID SOUTHERLY LINE FOR 75.96 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°05'58" FOR 45.08 FEET TO THE **POINT OF BEGINNING**.

PARCEL "C" CONTAINS 0.37 ACRES MORE OR LESS.

PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

DESCRIPTION PREPARED 10-03-01

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4/21/2020

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EXHIBIT B

BUFFER NOTES:
1. 10 trees per 100 feet and a double staggered hedge. The hedge will be installed at 36 inches high and maintained at 60 inches high. 75% of the shrubs and 50% of the trees will be native species.
2. Same as buffer note 1 with hedges installed at 48 inches high and a minimum of 20 feet from property line.

NOTES:
1. The configuration of the Wetland and Upland Conservation Areas is approximate and subject to modification by the review agencies.
2. Temporary administrative offices and sales offices may utilize septic tanks and/or holding tanks.
3. During the applicable site development plan and/or plat review process for each tract, parcel or sub-area, the specific number of dwelling units and acreage shall be identified for allocation purposes.
4. Deviations with limited application are indicated on the Master Plan by the hexagon symbol. Other Deviations are located as follows: Deviations 12 and 13 apply to all model homes. Deviation 14 applies to the project identification sign and all project entrance signs.
5. Any maintenance facility in Tract K will be located a minimum of 100 feet from Pritchett Parkway and will be buffered by a minimum Type D buffer.

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NO.	DATE	REVISION DESCRIPTION	BY
6	7/17/2020	REVISED PER COUNTY COMMENTS	EMH
5	6/2/2020	REVISED PER COUNTY COMMENTS	EMH
4	10/2/2015	REVISED TRACT 'M' AND LAND USE TABLE PER COUNTY COMMENTS	EMH
3	9/4/2015	MODIFIED SITE LAYOUT	EMH
2	7/27/2015	MODIFIED SITE LAYOUT	EMH
1	9/10/2014	REVISED SITE LAYOUT	SDJ

MASTER CONCEPT PLAN
STONEYBROOK NORTH
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
5/6/2014	1447	_MCP	EMH	EMH	SWM	1"=300'	1

LEGEND
- Wetland Conservation Area
- Upland Conservation Area
- Wetland/Upland Buffer Area
- L — Water Management
- Conceptual Additional Open Space
- Potential Location of Model Homes
- (#) Deviation Locations
- FLOODWAY
- 50' MIN. OFFSET Top of Creek Bank

LAND USE SUMMARY

RESIDENTIAL TRACTS	255.06 ACRES
ROADWAY	54.53 ACRES
WATER MANAGEMENT	167.91 ACRES
	477.50 ACRES
RECREATION FACILITIES	24.09 ACRES
WETLAND CONSERVATION	63.5 ACRES
UPLAND CONSERVATION	57.3 ACRES
WETLAND/UPLAND BUFFERS	14.6 ACRES
OPEN SPACE	104.23 ACRES
PROPERTY TOTAL	741.22 ACRES

NOTE: ALL ACREAGE FIGURES ARE APPROXIMATE
TOTAL CONSERVATION AREA TO BE GREATER THAN 100.1 ACRES

DENSITY SUMMARY

STONEYBROOK NORTH TOTAL	741.22 ACRES
ADJACENT ROW TOTAL	20.78 ACRES
PROPERTY TOTAL	762 ACRES
RESIDENTIAL UNIT TOTAL	1275 UNITS
PROJECT DENSITY	1.67 UNITS/ACRE

TRACT INFORMATION

TRACTS	ACRES	UNIT TYPE	PRELIMINARY UNIT RANGE	MAX. HEIGHT
TRACT A	9.11 AC.	R-1A	50-60 UNITS	2 STORIES/35'
TRACT B	15.07 AC.	R-1A	110-130 UNITS	2 STORIES/35'
TRACT C	29.22 AC.	R-1	160-190 UNITS	2 STORIES/35'
TRACT D	30.74 AC.	R-1	200-230 UNITS	2 STORIES/35'
TRACT E	11.64 AC.	R-1	70-80 UNITS	2 STORIES/35'
TRACT F	43.42 AC.	R-1	150-180 UNITS	2 STORIES/35'
TRACT G	26.94 AC.	R-1	130-150 UNITS	2 STORIES/35'
TRACT H	20.40 AC.	R-1	120-140 UNITS	2 STORIES/35'
TRACT I	31.31 AC.	R-1	90-120 UNITS	2 STORIES/35'
TRACT J	9.75 AC.	R-1A	220-280 UNITS	2 STORIES/35'
TRACT K	19.02 AC.	REC	Recreational Facility Private on Site Club	2 STORIES/35'
TRACT L	N/A	LAKES	Various Lake Tracts	N/A
TRACT M	17.09 AC.	R-1A	110-170 UNITS	2 STORIES/35'
TRACT N	10.37 AC.	R-1	9-10 UNITS	2 STORIES/35'

TOTAL RES. 255.06 AC.

R-1 = SINGLE FAMILY DETACHED
R-1A = SINGLE FAMILY DETACHED AND TWO FAMILY ATTACHED
MAX. TOTAL UNITS 1275

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ADD2020-00046 Lee County ePlan

EXHIBIT C

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

Stoneybrook North
Minor Administrative Amendment to Planned Development
Narrative of Request

ADD2020-00046
Revised June 2020

Background

The applicant is requesting a minor administrative amendment to the approved North Brook (Stoneybrook North/Heritage Creek) Residential Planned Development (RPD) located along both sides of Pritchett Parkway. The original approved zoning resolution Z-02-070 has been administratively amended two times as follows:

Administrative Amendment ADD2013-00083 was approved to reconfigure the development tracts and add two more vehicular connections to Pritchett Parkway:

- New Master Concept Plan
- Updated tract numbering in Schedule of Uses and Condition 4
- Updated Condition 14 new littoral planting exhibits E & F

Administrative Amendment ADD2015-00134 was approved to reconfigure the internal development tracts, lakes, roadways, open space and update recreational facilities internal to the development, amend the schedule of uses and update the littoral exhibits:

- New Master Concept Plan
- Amended Condition 4 of ADD2013-00083
- Amended Condition 5 of ADD2013-00083 new littoral planting exhibits E & F
- Updated tract numbering in condition 16 of Z-02-070
- Amended Condition 31 of Z-02-070
- Updated tract numbering in deviation 3

The subject property is located in the Outlying Suburban, Wetlands and General Interchange future land use categories within the Bayshore Planning Community.

Request Summary

The applicant is seeking to administratively amend the planned development to update the internal layout of the Master Concept Plan (MCP) and associated exhibits to reflect

10511 Six Mile Cypress Parkway • Suite 101 • Fort Myers, Florida 33966
Phone 239-939-5490 • www.bankseng.com • Fax 239-939-2523
Engineering License No. EB 6469 • Surveying License No. LB 6690

the current development plan and update conditions that are outdated due to the current Land Development Code. The requested updates are outlined in detail below:

- Amend the MCP to realign the roads, lakes and open space areas within the development to be consistent with the current development plan, including:
  - Eliminating the westernmost access connection to Pritchett Parkway from Tract D shared with Hunter's Glen.
  - Depict 0.92 acre Lee County well site adjacent to the LCEC easement in Tract A
  - Update the Conservation Areas
  - Amend the Tract Information table and Land Use Summary Table accordingly.
- Amend a typographical error in ADD2013-00083 Condition 3 at the bottom of page 2:
  - ~~Condition 2.b. is amended to delete two-family attached from the Table for the Site Development Regulations.~~
- Amend Schedule of Uses approved by ADD2015-00134 Condition 3, Attachment B as follows:
  - Two-family attached (Limited to Tracts **A, B,** J and M) See Note 1.
  - Note 1: Single-family dwelling units may be constructed on all R-1 and R-1A residential tracts. Two-family attached dwelling units may be constructed only on R-1A residential tracts (Tracts **A, B,** J and M)
- Amend Condition 5 and Attachment A of ADD2015-00134 to provide the attached updated exhibits to be consistent with the revised MCP:
  - North Brook Littoral Panting Exhibit "E"
  - North Brook Littoral Panting Exhibit "F"
- Amend Condition 6 shown in strike-through below to remove language that was removed from the LDC by Ordinance No. 16-19 and update the protected tree credit reference.
  - Common area open space must be designed to incorporate as many of the native heritage trees and Sabal palms as possible. ~~Any healthy Sabal palms with a minimum eight foot clear trunk must be salvaged if conditions (e.g., no rock) and sequence of construction allows. If the sequence of construction does not allow the on-site relocation of Sabal palms, effort must be made to identify an off-site recipient site. Sabal palms that ar located in wet areas typically do not respond well to transplanting and will not be subject to this condition. The salvage efforts must be coordinated with the Lee County Division of Environmental Sciences staff whether used on-site or otherwise. Any Sabal palms being relocated must be moved in a horticulturally correct manner per Lee County Extension Services brochure Lee 8/2000A and attached as **Exhibit D**.~~ Prior to local development order approval, the preserved trees and any relocated palms must be delineated on the plans. Preserved trees and relocated Sabal palms will receive protected tree credits per §10-420(~~h~~**i**).
- Clarify Condition 7 in regards to the location of the referenced gopher tortoise preserve.
  - Gopher Tortoises:

A detailed protected species management plan for gopher tortoises, Big Cypress fox squirrels, and wading birds mut be submitted with the initial development order for any portion of this project. The gopher tortoise management plan must include either a permanent fence or a continuous hedge of native shrubs where the gopher tortoise preserve abuts the road and park to protect the tortoises from the vehicular traffic and active recreation area.

A pedestrian/bicycle trail, with a maximum four-foot width, is permissible within the gopher tortoise **preserve located east of Tract M and south of the LCEC easement**. The trail must be designed to avoid impacting gopher tortoise burrows and large native trees. Two (2) access points to the trail may be incorporated into the fence, provided the openings are designed to minimize the potential for tortoises to disperse from the preserve. Details of the trail and fence must be included in the development order plans.

- Amend Condition 8 to reflect the updated conservation areas and remove reference to the wetland creation area. This area will be conceptual additional open space.
    - Prior to any local development order approval, an open space table must be included that details the residential unit type with lot size per tract, required open space, provided open space, required indigenous preservation and provided indigenous preservation. The project must preserve at a minimum the approximately 100.1 acres of conservation area ~~**including the wetland creation area**~~. If more than 500 acres of the project is developed with residential tracts (including roads and lakes) requiring open space, then the development order must delineate the additional required indigenous preservation for the Lee County Division of Environmental Sciences staff review and approval.
- The applicant respectfully requests rewording of condition 26.a.1) language to clarify the intent. All changes to the projects design have been internal, the development outer perimeter continues to remain well outside of the HEC-RAS modeled, FEMA approved floodway limits. Consistent with the Natural Resources memo dated July 7, 2003 and applicant document dated June 26, 2003, documentation demonstrated that the HEC-RAS model "analyzed an encroachment of 50 feet only on the project side of the creeks. This is conservative as the Master Concept Plan shows a minimum 50-foot setback from the top of creek banks." A red line has been added to the MCP depicting a 50-foot minimum setback to the creek top of bank (copy provided). The depicted development limits remain clearly well outside of the 50-foot setback line for Popash and Bayshore Creeks. Please see also attached following exhibits from the DCI2001-00038 zoning file.
    - Memorandum from Alvin Block to Hearing Examiner dated July 8, 2003 with attachments:
        - Memorandum from Natural Resources, dated July 7, 2003
        - Correspondence from Banks Engineering, received on June 26, 2003

Additionally, Please note the very first portion of Condition 26 reads, “a. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), the applicant must submit the following information for review and approval by the Lee County Natural Resources Division:…” This condition was complied with prior to the issuance of the first development order and the proposed improvement development parameters have not deviated from the parameters established during the zoning.

The applicant respectfully requests rewording of the condition language to clarify the intent. Proposed revision to Condition 26.a.1):

- “If the development parameters change from those modeled and approved during the rezoning **(50-feet from top of creek bank)**, then developer must provide an HEC-RAS model pursuant to the same modeling parameters established during the rezoning process for the Popash and Bayshore Creeks demonstrating that the revised development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms.”

The request is specific to portions of the development located in the interior of the planned development. There are no changes proposed to the external buffering provided. The north boundary continues to provide the 85-foot perimeter ditch and berm separation provided in section A-A on Exhibit E. There are no external impacts resulting from the proposed reconfiguration nor the updated conditions and exhibits.

LDC Consistency/Minimal Modification

LDC Section 34-380(a) provides that amendments to an approved master concept plan or its attendant documentation may be requested at any time during the development of or useful life of a planned development. LDC Section 34-380(b) provides that the Director may administratively approve an amendment to a planned development in accord with section 34-174. LDC Section 34-174(i)(2) provides that the Director must find the request complies with the following required findings/review criteria for an administrative amendment to a planned development: a. Does not increase height, density or intensity of the development, except as permitted in chapter 2; b. Does not result in the substantial underutilization of public resources and public infrastructure committed to the support of the development; c. Does not result in a reduction of total open space provided on the master concept plan by more than ten percent; d. Does not decrease the amount of indigenous native vegetation preservation or open space areas below the amount required by the Code; e. If changes to the buffer or landscaping areas are proposed, equivalent or better (by comparison with the approved Master Concept Plan) landscaping or buffering is provided; f. Does not adversely impact surrounding land uses; and g. Is consistent with all applicable provisions of the Lee Plan and land development regulations in effect at the time of the amendment request.

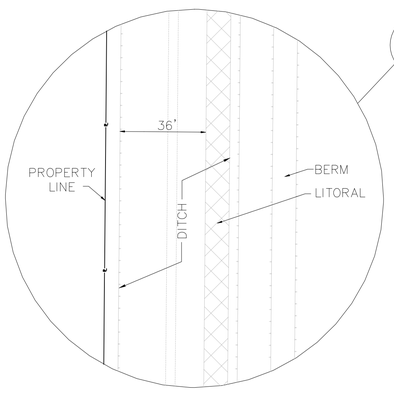
The request is consistent with the administrative amendment requirements contained in LDC Section 34-174(i)(2). The request is to update the internal layout of the Master Concept Plan (MCP) and accompanying exhibits to reflect the current development plan

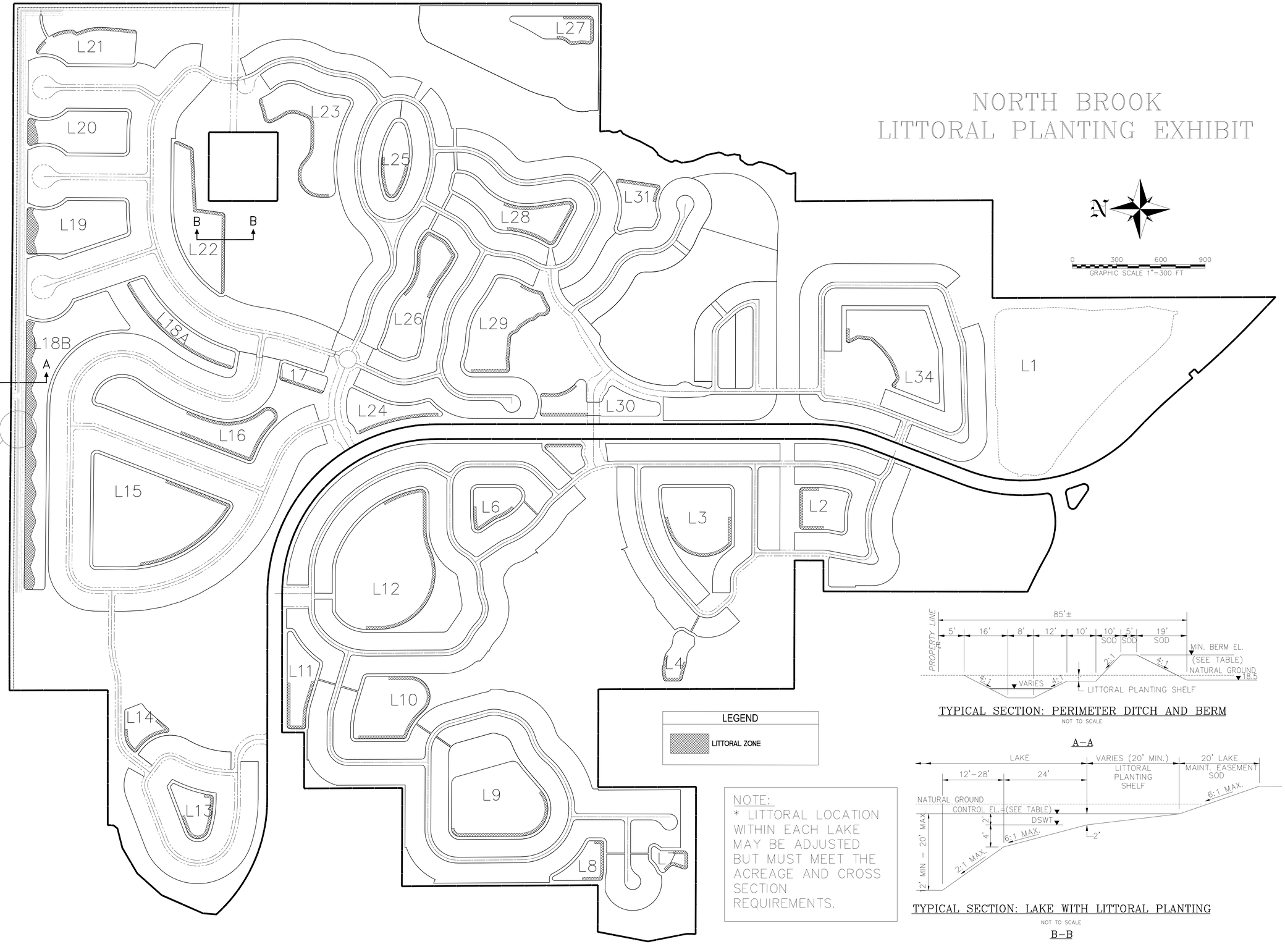
and update conditions that are outdated due to the current Land Development Code. The request does not include any change to the allowable intensity, so it does not increase height, density or intensity of the development. The requested revisions do not result in the substantial underutilization of public resources and public infrastructure committed to the support of the development. The requested revisions do not result in a reduction of total open space provided on the master concept plan by more than ten percent and do not decrease the amount of indigenous native vegetation preservation or open space areas below the amount required by the Code. No changes are proposed to the buffer or landscaping areas. The requested changes are internal to the development and do not adversely impact surrounding land uses. The request is consistent with all applicable provisions of the Lee Plan and land development regulations in effect at the time of the amendment request. The requested amendment is the minimum necessary to the already approved planned development to allow the project to proceed with development. The approved deviations continue to enhance the achievement of the objectives of the planned development; and preserve and promote the general intent to protect the public health, safety and welfare. The proposed modifications do not result in any change to the project's consistency with the Lee Plan and the LDC. For these reasons, the applicant respectfully submits that this minor administrative amendment request should be approved.

ADD2020-00086 Lee County ePlan

EXHIBIT D

NORTH BROOK
LITTORAL PLANTING EXHIBIT





N

0 300 600 900
GRAPHIC SCALE 1"=300 FT

LEGEND

LITTORAL ZONE

NOTE:
* LITTORAL LOCATION WITHIN EACH LAKE MAY BE ADJUSTED BUT MUST MEET THE ACREAGE AND CROSS SECTION REQUIREMENTS.

TYPICAL SECTION: PERIMETER DITCH AND BERM
NOT TO SCALE

A–A

TYPICAL SECTION: LAKE WITH LITTORAL PLANTING
NOT TO SCALE

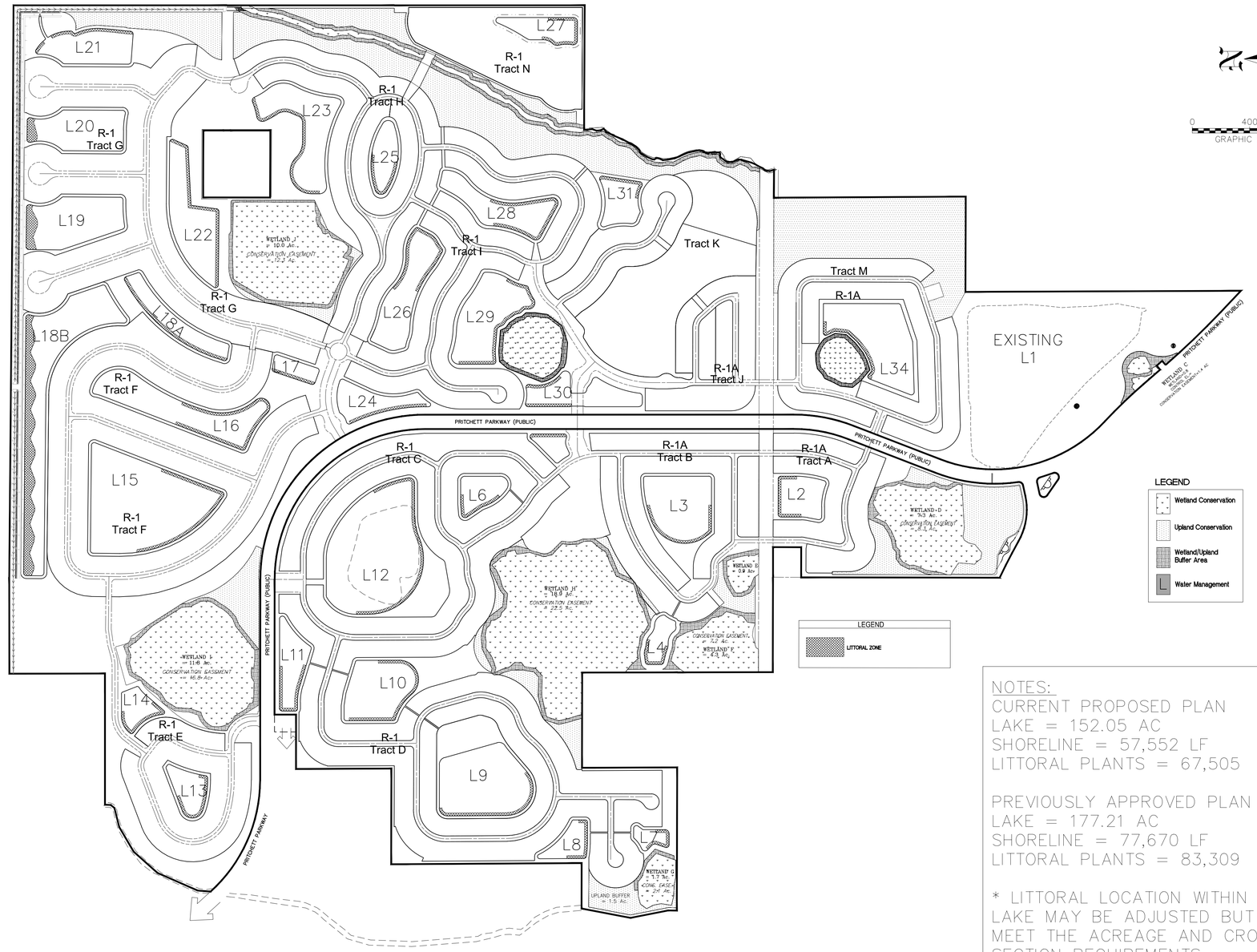
B–B

EXHIBIT "E"

ADD2020-00086 Lee County ePlan

LAKE PERIMETER LITTORAL AREA				
LAKE #	LAKE AREA (AC)	LAKE PERIMETER (LF)	LITTORAL (AC)	PLANTS PROPOSED
1*	15.86	4077	EXISTING 0.00	N/A 0
2	2.25	1168	0.13	1,461
3	4.43	1670	0.19	2,089
4	1.09	923	0.11	1,155
5	0.80	778	0.09	974
6	1.54	1045	0.12	1,307
7	0.67	750	0.09	939
8	1.29	1068	0.12	1,336
9	6.29	1972	0.23	2,466
10	4.13	1626	0.19	2,034
11	2.20	1541	0.18	1,927
12	11.31	2673	0.31	3,342
13	1.54	1065	0.12	1,332
14	1.30	982	0.11	1,229
15	10.50	2835	0.33	3,545
16	5.58	2943	0.34	3,680
17	0.88	849	0.10	1,062
18A	29.86	1991	0.23	2,490
18B	9.33	4963	0.57	6,205
19	4.70	1904	0.22	2,381
20	8.59	1815	0.21	2,270
21	8.85	1969	0.23	2,462
22	0.99	2440	0.28	3,051
23*	4.90	2542	0.53	2,542
24*	2.16	1630	0.19	906
25*	1.69	1165	0.24	1,165
26*	4.03	2121	0.44	2,121
27	2.08	1363	0.16	1,705
28*	3.52	2126	0.44	2,126
29*	5.12	2096	0.43	2,096
30*	2.68	2074	0.43	2,074
31*	4.90	1183	0.24	1,183
34	5.59	2282	0.26	2,854
TOTAL	152.05	57,552	7.83	67,505
PROPOSED LAKES ONLY				

* DENOTES EXISTING LAKE





NOTES:
CURRENT PROPOSED PLAN
LAKE = 152.05 AC
SHORELINE = 57,552 LF
LITTORAL PLANTS = 67,505

PREVIOUSLY APPROVED PLAN
LAKE = 177.21 AC
SHORELINE = 77,670 LF
LITTORAL PLANTS = 83,309

* LITTORAL LOCATION WITHIN EACH LAKE MAY BE ADJUSTED BUT MUST MEET THE ACREAGE AND CROSS SECTION REQUIREMENTS.

EXHIBIT "F"

BANKS ENGINEERING
Professional Engineers, Planners, & Land Surveyors
Serving The State Of Florida
10511 SIX MILE CYPRESS PARKWAY
FORT MYERS, FLORIDA 33966
PHONE: (239) 936-1302 FAX: (239) 939-2523
ENGINEERING LICENSE # EB 8469
SURVEY LICENSE # LB 6690
WWW.BANKSENG.COM

NO.	DATE	REVISION DESCRIPTION	BY
4	6/5/2020	REVISED PER COUNTY COMMENTS	DMH
3	10/2/2019	REVISED SITE LAYOUT	DMH
2	8/20/2019	REVISED SITE LAYOUT	DMH
1	6/10/2019	REVISED SITE LAYOUT	DMH

LITTORAL PLANTING EXHIBIT - "F"
NORTH BROOK
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
6/5/2020	1447PH1	-EXH-F		EMH		1"=400'	1

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ADD2020-00086 Lee County ePlan

EXHIBIT E

INSTR # 2008000308389, Doc Type AGR, Pages 11, Recorded 11/25/2008 at 11:45 AM, Charlie Green, Lee County Clerk of Circuit Court, Rec. Fee $95.00 Deputy Clerk TKING

This Instrument Prepared by:

Lee County Attorneys Office
Post Office Box 398
Fort Myers, Florida 33902-0398

STRAP Numbers: 15-43-25-00-00001.0000
16-43-25-00-00003.0000
16-43-25-00-00003.0010
21-43-25-00-00002.0000

This space for Recording

COMPLIANCE AGREEMENT

This Compliance Agreement is made and entered into this 11th day of November, 2008, by and between ***Lee County***, a political subdivision of the State of Florida, whose address is Post Office Box 398, 2115 Second Street, Fort Myers, Florida 33902 ("County") and NORTH BROOK HOLDNGS, LLC., ("North Brook") whose address is 2502 N. ROCKY POINT DRIVE ,STE 1050, TAMPA, FL 33607.

RECITALS

WHEREAS, North Brook is the owner of the property located at 9100 Sedgefield Rd. North Fort Myers, Florida 33172; 17640 Pritchett Pkwy North Fort Myers 33917; 18800 Pritchett Pkwy North Fort Myers 33917; 18700 Pritchett Pkwy North Fort Myers 33917 (collectively referred to herein as the "Property"), more particularly described in attached Exhibit "A"; and

WHEREAS, the Property is subject to zoning resolution Z-02-070; and

WHEREAS, upon a complaint registered by a neighbor of the Property, the inspection revealed that cabbage palms had been removed from the Property contrary to zoning and Lee County Land Development Code regulations; and

WHEREAS, North Brook has leased the Property to a tenant who was authorized to use the Property for agricultural uses that included cattle grazing and cultivation of hay and uses incidental to those, but did not include the removal of any trees or other vegetation from the Property; and

WHEREAS, North Brook was not aware of, and did not authorize, the removal of the cabbage palms from the property, and has worked cooperatively

ADD2020-00086 Lee County ePlan

with Lee County to address and resolve the removal of the palms by immediately initiating a meeting onsite with the County staff and fully cooperating in the staff's investigation of the complaint; and

WHEREAS, North Brook immediately acknowledged and does recognize that, as the property owner, it is responsible to resolve the removal; and

WHEREAS, North Brook agrees that the removal of cabbage palms is not in compliance with the Property's zoning approval found under zoning resolution Z-02-070 and Chapter 14 of the Lee County Land Development Code (Removal of Native Trees without a permit) and therefore North Brook agrees to restore the trees consistent with County regulations; and

WHEREAS, County and North Brook wish to resolve the dispute over the removal of cabbage palms in a way that is mutually beneficial and achieves compliance with County regulations.

NOW, THEREFORE, in consideration of the foregoing and the mutual promises and covenants set forth herein, the sufficiency of which is hereby acknowledged, the Parties stipulate and agree as follows:

1. The above recitals are true and correct and the substantive provisions and terms are incorporated herein.

2. North Brook will not permit the removal of cabbage palms from the Property in violation of zoning resolution Z-02-070.

3. In order to abate the removal of the approximately 99 cabbage palms which took place on property which it owns, but which occurred without North Brook's permission or authorization, North Brook nonetheless agrees to take the following actions:

   a. Incorporate into Development Order Number DOS2007-00098 ("Development Order") for the Property, the planting of two hundred ninety-seven (297) cabbage palm (*Sabal palmetto*) trees on the parcel specified above. The restoration plantings identified and provided in Exhibit B are in addition to any trees or shrubs otherwise required to be planted by the LDC. Normally under LDC 14-384 the replacement stock is required to be nursery grown and not less than six (6) feet in height. North Brook agrees to use larger replacement cabbage palms with a minimum of six feet (6') of clear trunk at time of planting. However, at its option, North Brook may relocate those 6' to 8' clear trunk replacement palms from onsite or, based upon availability, from a site approved by Lee County Division of Environmental Sciences (DES) staff at the time of replacement. Replacement palms are computed on a three for one

ADD2020-00086 Lee County ePlan

basis according to the agreed upon total number of unlawfully removed trees (99) per LDC Section 14-384.

b. All of the replacement plantings must be guaranteed 80% survivability for a period of no less than five years. If any of the trees die, they must be replaced within 60 days of filing with Lee County the annual monitoring report showing their mortality. Replacement vegetation may not be planted over any property line or within any utility or County easement.

c. Attached as Exhibit B is a restoration plan showing the location of replacement materials and the planting standards.

d. An annual monitoring report must be submitted to Lee County Division of Environmental Sciences for five (5) years, annually on or before the anniversary date of the initial planting. The annual monitoring reports must describe the conditions of the restored area and provide the following information:

i. Mortality, reasonably assumed causes for mortality, growth of the vegetation and other factors that would show the functional health of the restored area must be included in the monitoring report.

ii. Photos showing the condition of the restored area on, or near, the date of submission of each annual monitoring report must accompany the monitoring report. Photo locations should be the same throughout the duration of the monitoring report.

iii. When restoration is required, monitoring reports are necessary to ensure that the restoration efforts have been successful. To verify the success of the restoration efforts and the accuracy of the monitoring reports, periodic inspections by County staff are necessary.

4. Failure to submit an annual monitoring report will be deemed a breach of this Agreement. However, the parties recognize and agree that the Property is being developed as a residential community which will have operating entities such as Homeowner Associations or a Community Development District which become ultimately responsible for complying with all of the various permits and agreements to which the Property is subject, and the responsibilities contained herein may be transferred to such an entity at the appropriate time in the development of the community.

5. The Development Order must delineate the location, specifications, and the quantity of the restoration cabbage palms on the plans.

ADD2020-00086 Lee County ePlan

6. Restoration of Cabbage Palms must be completed as follows: 99 cabbage palms will be planted no later than May 31, 2010 and the remaining 198 cabbage palms will be planted no later than May 31, 2011 or all 297 cabbage palms will be planted within 180 days of the issuance of the Vegetation Removal Permit following the approval of the Development Order, whichever occurs first. To assure sufficient time to address any disputed plantings, upon restoration North Brook will request DES to inspect at least 30 days before the deadline and DES will complete the inspection within ten (10) days of the request.

7. In the event that North Brook has not abated the removal in accordance with the terms provided herein, North Brook shall be assessed a daily fine of $50. Said fine shall be imposed from the effective date of this Agreement and will constitute a lien on the subject property and will continue to accrue on a daily basis until all conditions of this Agreement have been met and the removal abated. If a breach of this Agreement occurs, the parties understand and agree that the County is entitled and may seek compliance with the terms and conditions of this Agreement either through a code enforcement action or in a court of competent jurisdiction by any and all remedies allowed by law with the prevailing party entitled to recover attorney's fees and costs.

8 In the event that North Brook is unable to meet the requirements within the time provided herein and has acted diligently and in good faith North Brook may request additional time to come into compliance. Any request for an extension of time must be made in writing and received by the County before the date the action is required.

9. This Agreement is binding upon the heirs, assigns, and successors in ownership of the Property, including any successor Homeowner Association or Community Development District.

10. This Agreement constitutes the entire Agreement between the parties. Any modification of this Agreement must be in writing and executed with the same formality.

11. The effective date of this Compliance Agreement is the date of execution by Lee County.

ADD2020-00046 Lee County ePlan

IN WITNESS WHEREOF, the Parties have executed this Compliance Agreement intending to be bound as of the date first set forth above.

NORTH BROOK HOLDINGS, LLC
BY:NORTH BROOK INTERMEDIATE LLC
2502 N. ROCKY POINT DRIVE, SUITE 1050
TAMPA FL 33607

BY: _____
John M. Ryan, Managing Member

_____
1st Witness Signature
Michael S. Lawson
Type or print name of 1st witness
_____
2nd Witness Signature
Sara M. Roberts
Type or print name of 2nd Witness

STATE OF FLORIDA
COUNTY OF HILLSBOROUGH

The foregoing instrument was acknowledged before me this 4 day of November, 2008, by John M. Ryan as Managing Member of North Brook Intermediate, LLC, Managing Member of North Brook Holdings, LLC. He is personally known to me or has produced

_____
as identification.

KATHLEEN NICHOLSON
Notary Public - State of Florida
My Commission Expires May 19, 2009
Commission # DD 430982
Bonded By National Notary Assn.
(Stamp or Seal)

_____
(Signature of Notary)

Kathleen Nicholson
(Name typed, printed, or stamped)

LEE COUNTY, Florida

By: Mary Gibbs
Mary Gibbs, Director
Department of Community Development

Approved as to form:
By: _____
Michael D. Jacob
Assistant County Attorney

Date: 11-12-08

ADD2020-00086 Lee County ePlan

EXHIBIT "A"

LEGAL DESCRIPTION

ADD2020-00086 Lee County ePlan

Banks Engineering, Inc.

Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA ♦ PORT CHARLOTTE

DESCRIPTION
OF
PARCELS OF LAND
LYING IN
SECTIONS 15, 16 AND 21,
TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

EXHIBIT "A"

(STONEYBROOK NORTH)

TRACTS OR PARCELS OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 15, 16 AND 21 TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°44'09"E. ALONG THE NORTH LINE OF SAID SECTION 15 FOR 1341.49 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.00°00'20"W. ALONG THE EAST LINE OF SAID FRACTION FOR 2657.08 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.00°00'40"E. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 FOR 1328.46 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION THE SAME BEING THE NORTHEAST CORNER OF OAKMONT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34 AT PAGES 161 THROUGH 164 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°40'00"W. ALONG THE SOUTH LINE OF SAID FRACTION AND THE NORTH LINE OF SAID OAKMONT FOR 868.51 FEET TO AN INTERSECTION WITH THE CENTERLINE OF POPASH CREEK AND THE WESTERLY LINE OF SAID OAKMONT; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE AND SAID WESTERLY LINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 THE SAME BEING THE SOUTHWEST CORNER OF SAID OAKMONT; THENCE N.89°36'56"W. ALONG SAID SOUTH LINE FOR 194.20 FEET TO THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°19'27"E. ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21 FOR 1339.16 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N.89°50'02"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 664.14 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.00°12'53"E. ALONG THE EAST LINE OF SAID FRACTION FOR 1338.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE CONTINUE S.00°12'53"E. 582.89 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.46°31'25"W. ALONG SAID NORTHERLY LINE FOR 203.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5553.58 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°30'23.2" FOR 533.73 FEET; THENCE N.49°06'14"E. ALONG SAID NORTHERLY LINE FOR 36.99 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 50.00 FEET; THENCE S.49°06'14"W. ALONG SAID NORTHERLY LINE FOR 37.00 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 156.94 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3513.62 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 06°05'42.5" FOR 373.78 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 1050.00 FEET; THENCE NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 68°05'24" FOR 1247.81 FEET; THENCE N.21°05'55"E. ALONG SAID EASTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 423.77 FEET; THENCE N.00°00'53"W. ALONG SAID EASTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1804.90 FEET; THENCE N.89°56'20"W. ALONG SAID EASTERLY LINE FOR 1399.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°47'50" FOR 875.93 FEET; TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK; THENCE NORTHEASTERLY

10511 Six Mile Cypress Pkwy, Suite 101, Ft Myers, Florida 33912 • (239) 939-5490 • Fax (239) 939-2923

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EXHIBIT "A"

ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°59'47"E. ALONG SAID SOUTH LINE FOR 915.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE N.00°06'54"W. ALONG THE WEST LINE OF SAID FRACTION FOR 667.02 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID FRACTION; THENCE N.89°56'25"E. ALONG SAID NORTH LINE FOR 672.59 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE S.89°29'37"E. ALONG THE NORTH LINE OF SAID SECTION FOR 2646.16 FEET TO THE **POINT OF BEGINNING**.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL

COMMENCING AT NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°01'00"W. ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15 FOR 1328.33 FEET TO THE **POINT OF BEGINNING** THE SAME BEING THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.89°43'37"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 467.00 FEET; THENCE S.00°01'00"W. FOR 467.00 FEET; THENCE N.89°43'37"W. FOR 467.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID FRACTION; THENCE N.00°01'00"E. ALONG THE WEST LINE OF SAID FRACTION FOR 467.00 FEET TO **THE POINT OF BEGINNING**.

PARCEL CONTAINS 510.23 ACRES MORE OR LESS.

AND: PARCEL "B"

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.89°50'53"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 661.74 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 THE SAME BEING A POINT ON THE EAST LINE OF COLONIAL PINES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 36 AT PAGES 26 THROUGH 29 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°06'55"W. ALONG SAID EAST LINE FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND SAID COLONIAL PINES; THENCE N.00°06'55"W. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N.89°49'35"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 664.45 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE S.00°13'55"E. ALONG THE WEST LINE OF SAID FRACTION FOR 664.68 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION THE SAME BEING AN INTERSECTION WITH THE NORTH LINE OF SAID COLONIAL PINES; THENCE N.89°50'14"W. ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 AND THE NORTH LINE OF SAID COLONIAL PINES FOR 998.54 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK; THENCE NORTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, THE SAME BEING THE SOUTH LINE OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S.89°49'35"E. ALONG SAID SOUTH LINE FOR 316.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND SAID HUNTER'S GLEN; THENCE N.00°20'57"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 1329.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND SAID HUNTER'S GLEN; THENCE S.89°48'18"E. ALONG SAID SOUTH LINE FOR 667.18 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°13'55"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 666.28 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN; THENCE S.89°52'09"E. ALONG SAID SOUTH LINE FOR 378.81 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°03'40"E. ALONG SAID EAST LINE FOR 150.55 FEET TO THE NORTHEAST CORNER OF SAID HUNTER'S GLEN, THE SAME BEING AN INTERSECTION WITH THE WESTERLY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE S.89°56'20"E. ALONG SAID WESTERLY LINE FOR 942.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1647.95 FEET; THENCE S.00°00'53"E. ALONG SAID WESTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE

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EXHIBIT "A"

SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 386.92 FEET; THENCE S.21°05'55"W. ALONG SAID WESTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 29°20'46" FOR 589.01 FEET TO **POINT "A"** THE SAME BEING AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°07'33" FOR 45.10 FEET; THENCE S.77°52'42"W. ALONG SAID NORTHERLY LINE FOR 75.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 41°28'01" FOR 325.68 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF LEETANA DRIVE (86 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 4064.06 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°02'04" FOR 286.17 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.00°06'48"E. ALONG SAID WEST LINE FOR 1581.74 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 230.62 ACRES MORE OR LESS.

AND: PARCEL "C"

COMMENCING AT THE AFOREMENTIONED **POINT "A"** THE SAME BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.81°45'09"W.; THENCE; SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°46'30" FOR 156.05 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTHERLY ALONG SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) THROUGH A CENTRAL ANGLE OF 04°44'48" FOR 95.27 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.55°21'28"W. ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 550.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 00°27'56" FOR 4.47 FEET; THENCE N.77°52'42"E. ALONG SAID SOUTHERLY LINE FOR 75.96 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°05'58" FOR 45.08 FEET TO THE **POINT OF BEGINNING**.

PARCEL CONTAINS 0.37 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

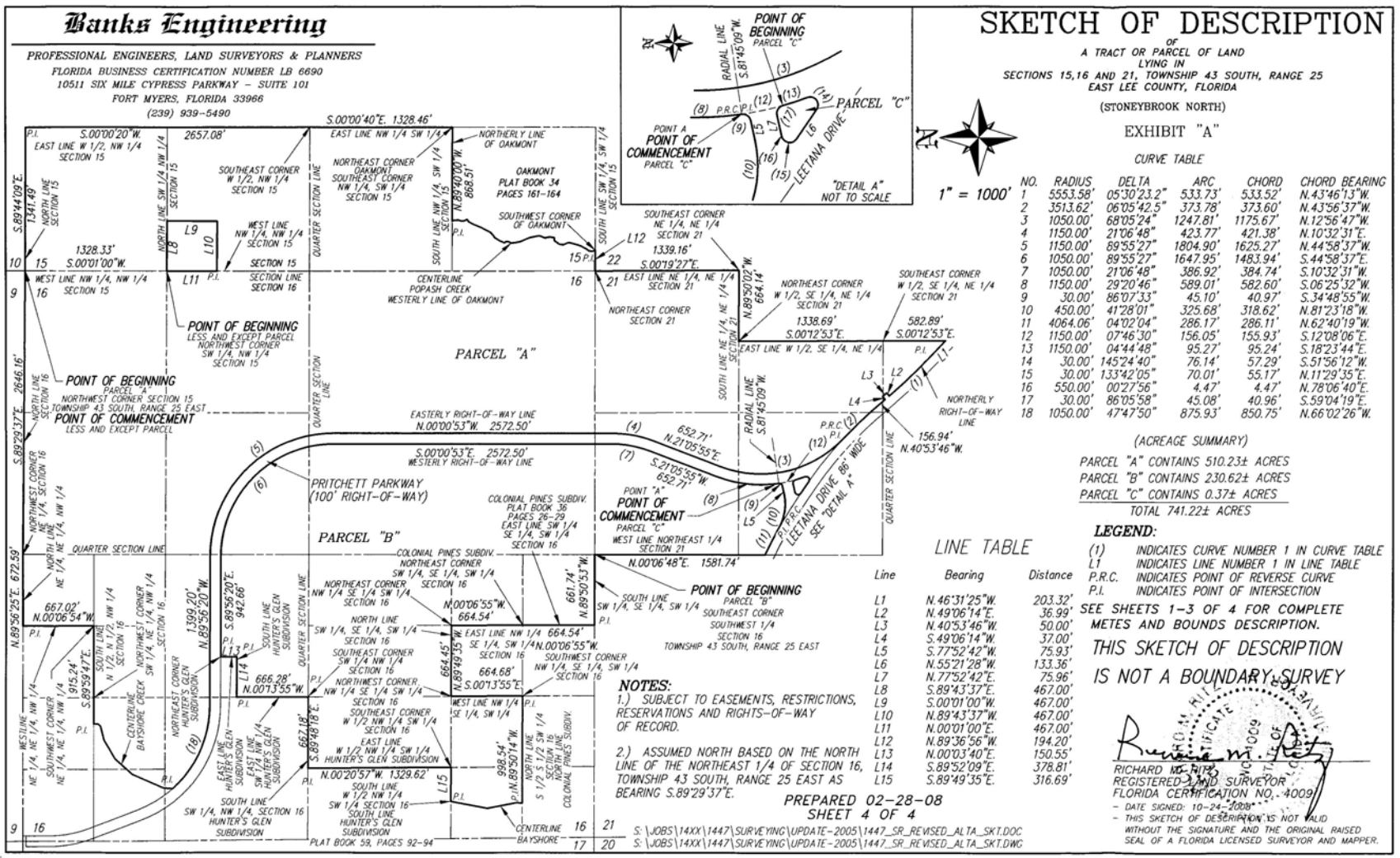
ASSUMED NORTH BASED ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

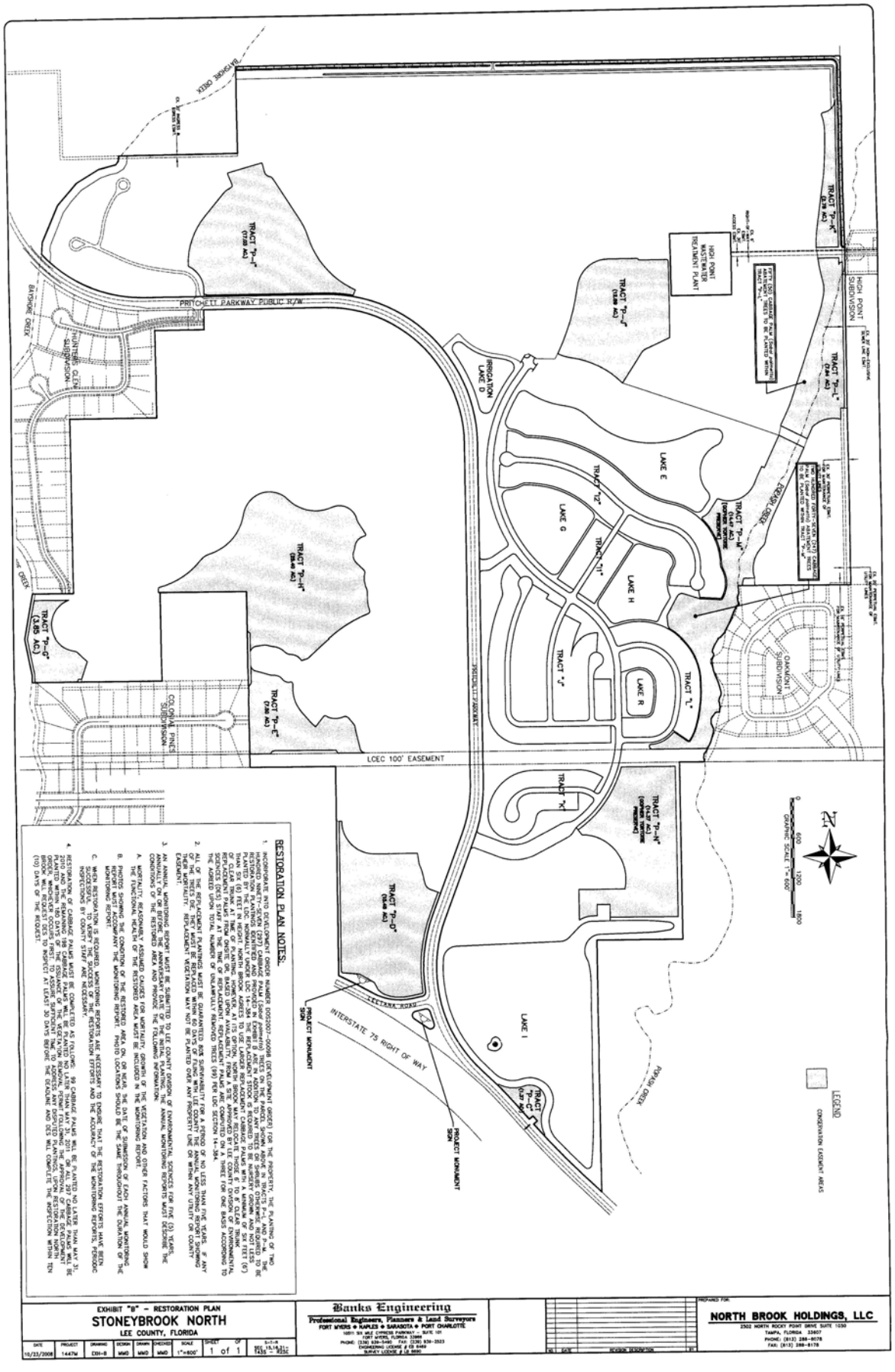
DESCRIPTION PREPARED FEBRUARY 28, 2008

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4009
DATE SIGNED: OCTOBER 24, 2008

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INSTR # 2008000308389 Page Number: 10 of 11
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RESTORATION PLAN NOTES:

1. PRIOR TO OR INTO DEVELOPMENT ORDER NUMBER (050301-0009B (DEVELOPMENT ORDER) FOR THE PROPERTY, THE PLANTING OF TWO HUNDRED NINETY-SEVEN (297) CABBAGE PALM (*Sabal palmetto*) TREES ON THE PARCEL SHOWN ABOVE IN RESTORATION PLANTING ASSEMBLY UNDER LDO 14-384. THE REPLACEMENT STOCK IS REQUIRED TO BE NURSERY GROWN AND NOT LESS THAN SIX (6) FEET IN HEIGHT. NORTH BROOK AGREES TO USE LARGER REPLACEMENT PALMS THAN REQUIRED BY LDO 14-384 WHERE IT IS FEASIBLE TO DO SO. THE REPLACEMENT PALMS WILL BE A MINIMUM OF TWELVE (12) FEET IN HEIGHT WITH A CLEAR TRUNK OF SIX (6) FEET. THE REPLACEMENT PALMS WILL BE PLANTED IN THE LOCATIONS SHOWN ON THE RESTORATION PLAN. THE LOCATION OF REPLACEMENT PALMS FROM ONSITE OR, BASED UPON AVAILABILITY, FROM A SITE APPROVED BY LEE COUNTY DIVISION OF ENVIRONMENTAL SCIENCES (DES) STAFF AT THE TIME OF REPLACEMENT. REPLACEMENT PALMS MAY BE USED AS A CREDIT FOR ONE (1) PALM PER LDC SECTION 14-384 THE AGREED UPON TOTAL NUMBER OF UNLAWFULLY REMOVED TREES (99) PER LDC SECTION 14-384.
2. ALL OF THE REPLACEMENT PLANTINGS MUST BE WITHIN 60 DAYS OF FILING WITH LEE COUNTY THE ANNUAL MONITORING REPORT SHOWING THEIR MORTALITY. REPLACEMENT VEGETATION MAY NOT BE PLANTED OVER ANY PROPERTY LINE OR WITHIN ANY UTILITY OR COUNTY EASEMENT.
3. AN ANNUAL MONITORING REPORT MUST BE SUBMITTED TO LEE COUNTY DIVISION OF ENVIRONMENTAL SCIENCES FOR FIVE (5) YEARS, BEGINNING ONE YEAR AFTER THE INITIAL PLANTING. THE ANNUAL MONITORING REPORTS MUST DESCRIBE THE CONDITIONS OF THE RESTORED AREA AND PROVIDE THE FOLLOWING INFORMATION:
   A. MORTALITY, REASONABLY ASSUMED CAUSES FOR MORTALITY, GROWTH OF THE VEGETATION AND OTHER FACTORS THAT WOULD SHOW THE FUNCTIONAL HEALTH OF THE RESTORED AREA MUST BE INCLUDED IN THE MONITORING REPORT.
   B. PHOTOS SHOWING THE CONDITION OF THE RESTORED AREA ON OR NEAR THE DATE OF EACH ANNUAL MONITORING REPORT. PHOTO LOCATIONS SHOULD BE THE SAME THROUGHOUT THE DURATION OF THE MONITORING REPORT.
   C. WHEN RESTORATION IS REQUIRED, MONITORING REPORTS ARE NECESSARY TO ENSURE THAT THE RESTORATION EFFORTS HAVE BEEN SUCCESSFUL. MONITORING REPORTS ARE ALSO NECESSARY TO VERIFY THE SUCCESS OF THE RESTORATION EFFORTS AND THE ACCURACY OF THE MONITORING REPORTS, PERIODIC INSPECTIONS BY COUNTY STAFF ARE NECESSARY.
4. RESTORATION OF CABBAGE PALMS MUST BE COMPLETED AS FOLLOWS: 99 CABBAGE PALMS WILL BE PLANTED NO LATER THAN MAY 31, 2010, OR ALL 297 CABBAGE PALMS WILL BE PLANTED NO LATER THAN MAY 31, 2011. THE DEVELOPER MUST NOTIFY DES IN WRITING WITHIN 180 DAYS OF THE ISSUANCE OF THE VEGETATION REMOVAL PERMIT THAT THE REQUIRED PALMS WILL BE PLANTED WITHIN THE TIME FRAMES SPECIFIED ABOVE. ANY DISPUTED PLANTINGS UPON RESTORATION NORTH BROOK WILL REQUEST DES TO INSPECT AT LEAST 30 DAYS BEFORE THE DEADLINE AND DES WILL COMPLETE THE INSPECTION WITHIN TEN (10) DAYS OF THE REQUEST.

EXHIBIT "B" – RESTORATION PLAN
STONEYBROOK NORTH
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET	OF
10/23/2008	1447W	EXH-B	MWD	MWD	MWD	1"=600'	1	of 1

Banks Engineering
Professional Engineers, Planners & Land Surveyors
FORT MYERS ◆ NAPLES ◆ SARASOTA ◆ PORT CHARLOTTE
10511 SIX MILE CYPRESS PARKWAY – SUITE 101
FORT MYERS, FLORIDA 33966
(239) 939-1020 – FAX: (239) 939-2523
ENGINEERING LICENSE # EB 0469
SURVEY LICENSE # LB 6690

PREPARED FOR:
NORTH BROOK HOLDINGS, LLC
2502 NORTH ROCKY POINT DRIVE SUITE 1030
TAMPA, FLORIDA 33607
PHONE: (813) 288-8078
FAX: (813) 288-8178

EXHIBIT F

LEE COUNTY
SOUTHWEST FLORIDA

LETTER OF SUBSTANTIAL COMPLIANCE
TEMPORARY CC ONLY (120 Days)
LANDSCAPE ARCHITECT

TO: Lee County Division of Development Services

RE: Project Name : NORTHBROOK PHASE -PHASE 1 w/ sub phases: Northern Ditch Expansion; Preserve Tracts P-A,P-J,P-L,P-M; Bayshore Creek Improvements north and south of Pritchett Parkway; Pritchett Parkway Improvements

D.O. Number: DOS 2015-00083

Building Permit Number: _____

Request for: x Initial Inspection (no fee) ___ Re-Inspection (fee required)

An on-site inspection was performed by myself (or my authorized representative) on 1/23/20 (Date)

_____ I have determined that all work has been completed to the specifications of the approved development order plans.

__X__ I hereby certify that the development is in substantial compliance [as the term is defined in the LDC Section 10-183(B)] with the approved Development Order. **Littoral plantings to be replanted as needed, exotic removal to be completed., tortoise fencing to be removed or repaired.**

_____ Attached hereto is a list of minor changes from the approved Development Order plans, which are Minor Changes pursuant to the Land as per the Land Development Code. The changes are highlighted on the site plans which have been signed and sealed by the development's Landscape Architect. These changes are submitted as a Minor Change for approval by the Director of Development Services prior to inspection.

With the approval of the listed minor changes, I certify that the development is in substantial compliance with the approved Development Order.

Executed by the above development's Landscape Architect on **2/12/20** (Date) by:

SEAL

Digitally signed by Gregory J. Diserio, RLA
DN: cn=Gregory J. Diserio, RLA, o=David M Jones Jr and Associates Inc, ou=Landscape Architect, email=Gdiserio@dmjafl.com, c=US
Date: 2020.02.12 11:39:51 -05'00'

Gregory J. Diserio, RLA
(Landcape Architect of Record)

RLA #840
(Florida Landscape Architect. Number)
Email: Gdiserio@dmjafl.com
2221 McGregor Boulevard, Fort Myers, Florida 33901
(Address)
(239) 337-5525 *(Phone)* **(239) 337-4494** *(Fax)*

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EXHIBIT G

MEMORANDUM
FROM THE
DEPARTMENT OF
COMMUNITY DEVELOPMENT - ZONING DIVISION

DATE: July 8, 2003

TO: Hearing Examiner

FROM: Alvin Block, AICP
Principal Planner

RE: DCI2001-00038, Heritage Creek

The Natural Resources Division and the Division of Environmental Sciences have completed another site visit since the last hearing date. Attached you will find a Memorandum from the Natural Resources Division providing their recommended conditions, if the zoning approval is granted. This Natural Resources Division memorandum of July 7, 2003 replaces a memo previously prepared on June 17, 2003.

The Applicant's engineering firm supplied a document on June 26, 2003 entitled Stoneybrook North/Heritage Creek, HEC-RAS Model. This document is also attached.

Environmental Science advises that their comments and recommendations remain unchanged from Staff report for the June 18th and 19th hearing dates, as revised by their Memorandum dated June 17, 2003.

The remaining staff recommendations are unchanged and may be found in the Revised Staff Report prepared for the June 18th and 19th hearing dates.

attachments: Memorandum from Natural Resources, dated July 7, 2003
Correspondence with attachment from Banks Engineering, received on June 26, 2003.

cc: Zoning/DCI Files
John Fredyma, Assistant County Attorney
Steve Hartsell, Applicant's agent
Ralf Brookes, attorney

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MEMORANDUM
DEPARTMENT OF PUBLIC WORKS
NATURAL RESOURCES DIVISION

TO: Chip Block
Development Services Division

FROM: Bradley S. Vance

RECEIVED
JUL 07 2003
ZONING

RE: **HERITAGE CREEK (DCI2001-00038)**

DATE: July 7, 2003

Below are our conditions for the above project. The following conditions reflect the assumptions, methodologies, and input parameters associated with the modeling and the development activities anticipated and associated with the channel and overbanks for Popash and Bayshore Creeks.

GENERAL

1. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), the applicant must submit the following information for review and approval by the Lee County Natural Resources Division:

a. If the development parameters change from those modeled and approved during the rezoning, then developer must provide an HEC-RAS model pursuant to the same modeling parameters established during the rezoning process for the Popash and Bayshore Creeks demonstrating that the revised development will not induce any rise to the existing flood elevations, nor any increases in velocities, nor any transfer in overbank flows for the 10-, 25-, and 100-year storms.

b. Show the location and extent of the existing and proposed cross sections from the HEC-RAS model on the Development Order plans, as well as, defining the existing top of bank station/elevation, overbank elevations, roadway elevations, and bridge dimensions and elevations. Sufficient details or sections showing continuity and capacity of flows in the overbank must be clearly demonstrated.

c. All plans and documents related to the above must include the statement: "This is to certify that I am a duly qualified engineer licensed to practice in the State of Florida. It is to further certify that these design plans, drawings, and associated technical calculations and/or data demonstrate that no adverse affects to the existing flood elevations will occur as a result of this development".

d. The above information must be submitted to the South Florida Water Management District (SFWMD) for review, consideration, and inclusion in their permit files.

e. The developer or its assigns must dedicate a drainage/maintenance easement to Lee County for Popash and Bayshore Creeks for all that portion(s) of the channel and its overbanks included in the HEC-RAS modeling and that lie within its property limits. The easement may be apart of any conservation easement dedicated to Lee County and the South Florida Water Management District (SFWMD), but must be consistent with the maintenance activities anticipated and outlined in these conditions. The easement must also give the county the right, but not the obligation of maintenance and provide for maintenance access along the creeks. As a part of the easement, the developer agrees to a monthly maintenance schedule to include an initial and ongoing maintenance for these creeks that is to include removal of all exotics including, but not limited to, grape vines (above three feet in height above ground) and rosary pea, any deposited debris, fencing, fallen trees, or eroded vegetation. The basic ground cover within the easement area is to remain in its current grassed condition. The relocation of onsite sabal palms from other parts of the property to the easement area is permissible, but must not be collocated closer than a ten (10) foot spacing. No saw palmetto or shrubbery of any type is to be planted within the easement area. Said easement must be reviewed and approved by the County Attorney and Natural Resources during the platting process. This same drainage/maintenance easement language must be contained within the Community Development District or Home Owners Association documents (eg: CDD, HOA, etc).

f. All modifications and exotic vegetation removal outlined herein for Popash and Bayshore Creeks must be completed before the issuance of the first Certification of Completion for the first Development Order.

g. The east-west ditch proposed along the northerly boundary of the development must not provide for an interconnection between Popash and Bayshore Creeks.

POPASH CREEK

2. Prior to issuance of the first Development Order (or any early work, clearing, filling permits), containing the bridged crossing, the developer must provide complete construction plans for the bridge for review and approval by the Lee County Natural Resources Division and be in accordance with the following:

a. The bridge crossing of Popash Creek must be a pile supported structure.

b. No more that 2 rows of pilings (or supports) are permitted in the overbank and none may be closer than 10 feet to the existing top of bank. Each row must be perpendicular to the direction of flood flows and each must have a maximum dimension of twenty-four inches (24").

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c. The low chord of the bridge must be at or above the 100-year floodwater surface elevation and the abutments for the bridge may not be closer than fifty feet (50') to the existing top of bank. Additionally, the low chord must be at least two feet (2') above the highest overbank elevation within the fifty foot offset areas (total of 100'+).

d. No berming, filling, planting, or other above ground construction/amenities are permitted within fifty feet (50') of the existing top of banks for Popash Creek, except as elsewhere permitted in these conditions by Lee County Natural Resources.

BAYSHORE CREEK

3. All modifications and exotic vegetation removal outlined below for Bayshore Creek must be completed before the issuance of the first Certification of Completion for the first Development Order.

a. Along Bayshore Creek for that portion upstream of Prichett Parkway and within the fifty (50) foot offset from the existing top of bank, the spoil is to be removed down to an elevation of 18.0 feet NGVD and then sloped in conjunction with the perimeter berm.

b. No berming, filling, planting, or other above ground construction/amenities are permitted within fifty feet (50') of the existing top of bank for Bayshore Creek, except as elsewhere permitted in these conditions by Lee County Natural Resources.

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Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

June 26, 2003

Mr. Alvin "Chip" Block
Lee County Planning Department
1500 Monroe Street
Fort Myers, Florida 33901

Reference: **Stoneybrook North/Heritage Creek HEC-RAS Model** DCI - 2001 - 00038

Dear Chip:

Attached are the HEC-RAS model output files for Popash and Bayshore Creeks. Based upon a field review with the applicant, consultants and County staff, the models analyzed an encroachment of 50 feet only on the project side of the creeks. This is conservative as the Master Concept Plan shows a *minimum* 50 foot setback from the top of creek banks. The roughness coefficients, representing the state of vegetation which impedes flow along the creeks were entered as follows:

Bayshore Creek Existing Channel	0.060
Bayshore Creek Existing Overbank	0.110
Popash Creek Existing Channel	0.050
Popash Creek Existing Overbank	0.150
Bayshore Creek Proposed Channel	0.050
Bayshore Creek Proposed Overbank	0.075
Popash Creek Proposed Channel	0.040
Popash Creek Proposed Overbank	0.100

The complete electronic files have been e-mailed to Lee County Natural Resources, attention Brad Vance, P.E.

Sincerely,
BANKS ENGINEERING, INC.

6/26/03
Samuel W. Marshall, P.E
Project Manager

RECEIVED
JUN 26 2003
PERMIT COUNTER

CC: Brad Vance
Deno Benetis
Steve Hartsell
Z:\JOBS\14xx\1447\Documents\1447-Vance-HeritageCreek-002.doc

EXHIBIT H

BANKS ENGINEERING

Professional Engineers, Planners & Land Surveyors

Stoneybrook North RPD

Administrative Amendment to Planned Development

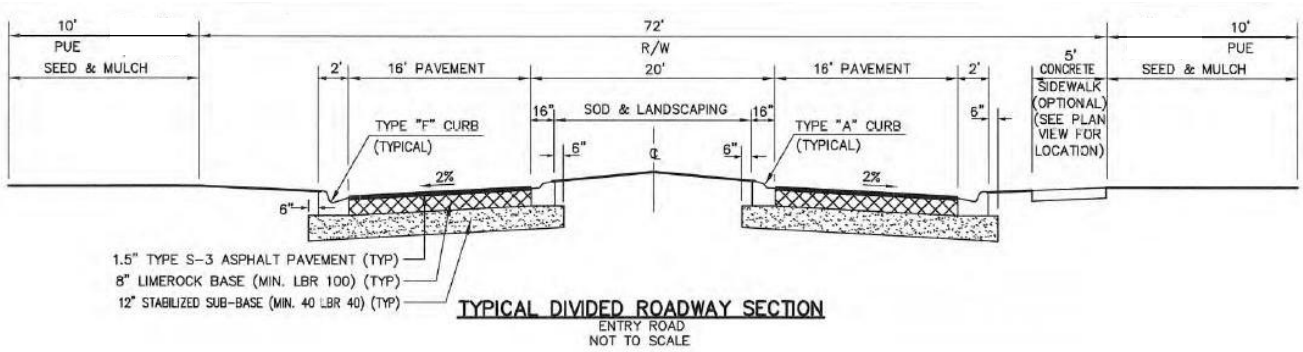
ADD2020-00046

Revised July 2020

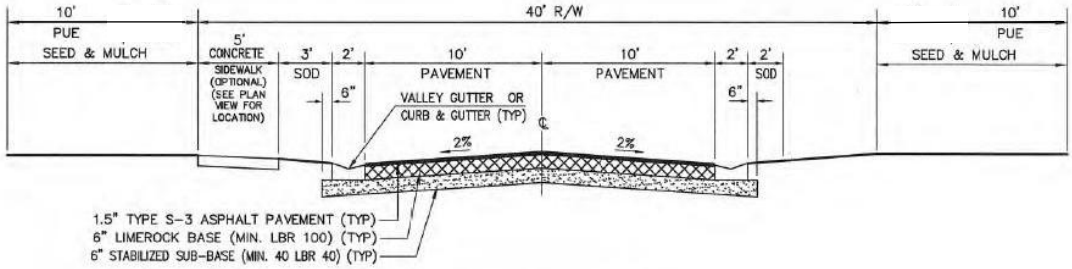
Schedule of Deviations and Justifications

No proposed changes to existing approved Deviations.

New Deviation 17: A request to deviate from the Land Development Code (LDC) Section 10-296 (e)(2)h.5, Table 15 and cross-section which requires Residential Suburban Local Streets to have a 5-foot planting strip and 5-foot pedestrian facility on both sides of the road; to allow the below cross-section approved by DOS2015-00083.



TYPICAL DIVIDED ROADWAY SECTION
ENTRY ROAD
NOT TO SCALE



TYPICAL ROADWAY SECTION
40' R/W LOCAL ROAD-20' PAVEMENT
NOT TO SCALE

Justification: The nature of this request is based on the existing approvals for previous portions of the development prior to changes to this section of the code. This planned development was designed and planned as a master community with several inter-related

10511 Six Mile Cypress Parkway • Suite 101 • Fort Myers, Florida 33966
Phone 239-939-5490 • www.bankseng.com • Fax 239-939-2523
Engineering License No. EB 6469 • Surveying License No. LB 6690

conditions to accomplish the design. The project includes utilities in the rights-of-ways which would create conflicts if planting strips were to be provided within the right-of-way. Approval of this deviation would enhance the achievement of the objectives of the planned development and will preserve and promote the general intent to protect the public health safety and welfare.

New Deviation 18: A request to deviate from the Land Development Code (LDC) Section 10-416(d)(9) requirement for a 50-foot wide vegetative buffer abutting natural waterways, to allow existing vegetation to remain to meet the buffer requirements and to allow area to remain in natural state if no vegetation exists with no planting plan required.

Justification: The nature of this request is based on the existing conditions of approval for this planned development. The existing conditions of approval focused on flood protection such as Condition 26.a.5). which requires the basic ground cover to remain in its current grassed condition and that no shrubbery of any type be planted. Although the applicant respectfully submits that Bayshore Creek is a man-altered waterway and not a natural waterway, existing condition 26.c. has a 50-foot wide spoil removal requirement that conflicts with the new buffer requirement. Popash Creek is specifically addressed in Condition 26.c which allows no planting. The existing drainage easement limits planting and disturbing these natural areas. The existing conditions of approval allow for preserve areas in existing recorded easements with no additional planting required. This planned development was designed and planned as a master community with several inter-related conditions to accomplish the design. Approval of this deviation would enhance the achievement of the objectives of the planned development and will preserve and promote the general intent to protect the public health safety and welfare.

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RESOLUTION NUMBER Z-22-015

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

WHEREAS, North Brook Holdings, LLC filed an application on behalf of the property owner, Stoneybrook North Community Development District, to amend the existing Brightwater Residential Planned Development (RPD) f/k/a Stoneybrook North, in reference to Brightwater RPD; and

WHEREAS, a public hearing before the Lee County Zoning Hearing Examiner, Amanda L. Rivera, was advertised and held on April 28, 2022; and

WHEREAS, the Hearing Examiner gave full consideration to the evidence in the record for Case #DCI2021-00012 and recommended APPROVAL of the Request; and

WHEREAS, a second public hearing was advertised and held on August 17, 2022 before the Lee County Board of Commissioners; and,

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

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

SECTION A. REQUEST

The Applicant filed a request to amend the existing Brightwater RPD f/k/a Stoneybrook North to:

1. Reconfigure tracts;
2. Relocate dwelling units to the interior;
3. Add 'Dwelling Unit, Townhouse' to the approved schedule of uses;
4. Add Brightwater Country Club and allow limited non-resident access to the Crystal Lagoon amenity;
5. Add 225 dwelling units [increase maximum dwelling units from 1,275 to 1,500];
6. Convert 590 single-family dwelling units to senior adult housing;
7. Incorporate voluntary enhancements;
8. Allow fill material to be moved across Pritchett Parkway; and
9. Add two deviations.

The property is located in the General Interchange, Sub-Outlying Suburban and Wetlands Future Land Use Categories and is legally described in attached Exhibit A. The request is APPROVED, SUBJECT TO the conditions and deviations specified in Sections B and C below.

SECTION B. CONDITIONS:

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

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1. Master Concept Plan (MCP) and Development Intensity

a. MCP. Development must be consistent with the two-page MCP entitled "Master Concept Plan Brightwater RPD F/K/A, Stoneybrook North," prepared by Banks Engineering, Inc., last revised August 17, 2022 (Exhibit C), except where modified by the conditions below.

b. Lee Plan and LDC. Development must comply with the LDC and Lee Plan at the time of local development order approval, except where deviations are approved herein. Subsequent amendments to this zoning resolution and MCP may be subject to further development approvals.

c. Development Parameters. The RPD is permitted a maximum of 1,475 dwelling units, limited to the maximum calculated development density/intensity with respect to new trip generation utilizing the following development scenario based on the Institute of Transportation Engineers (ITE) report in effect at time of development order:

i. 885 detached single-family dwelling units, or a combination of detached single-family, townhouse, or two-family attached, with the trip generation equivalent to 910 single-family dwelling units;

ii. 590 detached or two-family attached senior adult dwelling units; and

iii. Brightwater Country Club (See Condition 34).

2. Uses and Site Development Regulations

a. Schedule of Uses

NOTE: Dwelling units are limited to a maximum 1,475 units (including North Brook Phase One's existing 258 units).

- R-1 – Single-Family Residence;
- R-1A – Single-Family Residence or Two-Family Attached; and
- TH – Townhouse, Single-Family Residence, or Two-Family Attached.

Tracts A, B, F1, J1, & M

Administrative Offices
Agriculture, *subject to* Condition 24
Accessory uses and structures
Dwelling Unit
    Single-family Residence
    Two-family attached
    NOTE: Tracts A & B (along with B-1, C & D) are limited to adult senior housing (590 units - See Condition 33)
Entrance Gate and Gatehouse
Essential Services
Essential Services Facilities, Group I
Excavation, water retention

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Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Recreation Facilities, Personal, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs
Temporary uses

Tract B-1

Administrative Offices
Agriculture, *subject to* Condition 24
Accessory uses and structures
Club, Private
- Consumption on premises (LDC §34-1261 *et seq.*) Indoor and Outdoor (See Deviation 21)
- Food and beverage service, limited
- Health Club and Spa
- Parking lot, accessory
- Rental or leasing establishment, Group I – limited to bicycles, tennis rackets and other small equipment for use by members of the private club
- Specialty Retail Shop, Group I

Dwelling Unit
- Single-family Residence
- Two-family attached
- NOTE: Tract B-1 (along with Tracts A, B, C & D) is limited to adult senior housing (590 units - See Condition 33)

Entrance Gate and Gatehouse
Essential Services Essential Services Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Recreation Facilities, Personal, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs
Temporary uses

Tracts C, D, E, F, F1, G, H, & I

Administrative Offices
Agriculture, *subject to* Condition 24
Accessory uses and structures
Dwelling Unit
- Single-family Residence
- NOTE 1: Tracts C & D (along with A, B, & B1) are limited to adult senior housing (590 units - See Condition 33)

Entrance Gate and Gatehouse

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Essential Services
Essential Services Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Recreation Facilities, Personal, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs
Temporary uses

Tract J

Administrative Offices
Agriculture, *subject to* Condition 24
Accessory uses and structures
Dwelling Unit Conventional
    Single-family Residence
    Two-family attached
    Townhouse
Entrance Gate and Gatehouse, in compliance with LDC §34-1748
Essential Services Essential Services Facilities, Group I
Excavation, water retention
Fences, walls
Home occupation
Model Home, Model Unit and Model Display Group
Recreation Facilities, Personal, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs, in compliance with LDC Chapter 30 or as approved by deviation
Temporary uses, in compliance with LDC §34-3041

Tract K

Administrative Offices
Agriculture, *subject to* Condition 24
Accessory uses and structures
Brightwater Country Club (See condition 34)
    Consumption on premises (LDC §34-1261 *et seq.*) Indoor and Outdoor (See Deviation 21)
    Food and beverage service, limited
    Health Club and Spa
    Parking lot, accessory
    Rental or leasing establishment, Group I – limited to bicycles, tennis rackets and other small equipment for use at the Brightwater Country Club
Specialty Retail Shop, Group I
Communication Tower, limited to one on the north side of Tract K at a maximum 35 feet height
Entrance Gate and Gatehouse

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Essential Services
Essential Services Facilities, Group I
Excavation, water retention
Fences, walls
Real Estate Sales Office (Temporary sales office limited to Tract K and limited to the sale of lots or units within the development only)
Recreation Facilities, Personal, Private on-site
Parking lot, accessory
Residential Accessory Uses
Signs
Temporary uses

Tracts E1, N, and O

Drainage Excavation, water retention
Fences/Walls
Park, Group I, limited to nature preserve/passive or active recreation (No active recreation on Tract N)
Signs (limited to existing billboard located on the southwest side of Tract O, Lake L1)
Recreation Facilities, Personal, Private on-site, limited to nature preserve or passive recreation

Parcels L-1 through L-34 (Lake Parcels)

Excavation, water retention

b. Site Development Regulations

See Exhibit D

3. Deleted.

4. Track K. The Tract K recreational area must include at a minimum: one multi-purpose field, a playground, and picnic area; or recreational water feature. Developer must provide facilities for safe passage of pedestrians/cyclists from one side of Pritchett Parkway to the other at the time of local development order, as determined by the Director of Development Services.

5. High Point Sewage Plant. No residential lots may be located within 250 feet of the existing High Point sewage treatment plant property lines until the sewage treatment plant is no longer in operation. If the High Point sewage treatment plant is still in operation when the plat is approved for lots located on Tract G or H, Developer must include a 30-foot-wide Type F buffer around the perimeter of the plant's property lines, excluding the access easement.

6. Tree Preservation. Common area open space must be designed to incorporate as many native heritage trees and Sabal palms as possible. Preserved trees/ relocated palms must be delineated on development order plans. Preserved trees and relocated Sabal palms will receive protected tree credits per LDC §10-420(j).

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7. Protected Species. A detailed protected species management plan for gopher tortoises, Big Cypress fox squirrels, and wading birds must be submitted with the initial development order for any portion of the RPD. The gopher tortoise management plan must include either a permanent fence or a continuous native shrub hedge where the gopher tortoise preserve abuts the road/park to protect tortoises from vehicular traffic and active recreation area.

   A pedestrian/bicycle trail with a maximum four-foot width is permissible within the gopher tortoise preserve located east of Tract M and south of the LCEC easement. The trail must be designed to avoid impacting gopher tortoise burrows and large native trees. Two access points to the trail may be incorporated into the fence, provided the openings are designed to minimize the potential for tortoises to disperse from the preserve. Details of the trail and fence must be included in development order plans.

8. Open Space. Developer must provide an open space table detailing the residential unit type with lot size per tract, required open space, provided open space, required indigenous preservation and provided indigenous preservation with development order application. The RPD must preserve at least 100.1± acres of conservation area. If more than 500 acres is developed with residential tracts (including roads and lakes) requiring open space, the development order must delineate additional required indigenous preservation for Lee County Development Services staff approval.

9. Cypress Mulch Prohibited. Cypress mulch is prohibited in preserve areas.

10. ADA Compliance. Preserve area boardwalk width may not exceed the minimum lot width requirements set forth by the Americans with Disabilities Act.

11. Boardwalks. Boardwalks within preserve areas must be designed to avoid mature native trees and protected species burrows, nests, or dens. Final layout of the boardwalks must be field verified by Lee County Development Services prior to construction. Minor adjustments to minimize impacts to native vegetation may be required.

12. Gazebos. Construction of gazebos or viewing platforms within conservation areas is limited to no more than two structures. Each gazebo/platform may have a footprint not larger than 200 square feet.

13. Vegetation Removal. Prior to site work for recreational use that requires vegetation removal within a conservation area, a development order showing impacts to the conservation area must be submitted for review and approval of Development Services and other applicable County staff.

14. Littoral Plantings. Development order plans must include littoral planting areas in substantial compliance with the LDC. The planting area along the northern ditch expansion must also provide native wetland plants installed three feet on center.

15. Communication Tower. The Communication Tower denoted on the MCP must be of a monopole design limited to 35 foot height. The tower and associated maintenance buildings must be designed to minimize impacts to birds.

16. Lake 1. Lake 1 is existing and does not require additional plantings. Changes to Lake 1 in Tract O requires the following within the limits of the shoreline proposed to be revised:

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a. Littoral plantings within Tract O must be calculated at one littoral plant per linear foot of lake shoreline;

b. One 10-foot-tall tree or two three-gallon shrubs may be substituted for 10 herbaceous plants;

c. Trees and shrubs may be used to count toward up to 50 percent of the required lake littoral planting requirements;

d. A minimum of two native wetland tree species and four native herbaceous plant species must be installed in Lake 1 (contained within Tract O).

17. Vegetation within Easements. The placement of required vegetation within a utility, power, or drainage easement must be clearly delineated on an Alternate Landscape Betterment Plan per LDC §10-419 and submitted with the local development order. The placement of vegetation within any easement must be approved by Lee County Development Services staff and other affected Division (Utilities, Zoning, etc.). If the easement is granted to an entity other than Lee County, written approval of the location of vegetation from any affected easement holder must be submitted to Lee County Development Services staff as part of the development order. Approval from all affected parties must be obtained prior to local development order approval.

18. Bulkheads. Lake Bulkheads are limited to roads and the clubhouse area. Bulkheads are not permitted along residential boundaries and are subject to the following conditions:

a. Development order plans must show the location of bulkheads to confirm that no more than 20 percent of each lake shoreline consists of bulkhead or rip-rap. Lakes where bulkheads are proposed must be designed to provide one linear foot of compensatory littoral zone with an 8:1 slope for each linear feet of bulkhead. For lakes that utilize bulkheads, littoral plants must be calculated at two plants per linear foot of shoreline clustered within the 8:1 slope portion of the lake.

b. The development order must include a typical cross-section detail of a bulkhead and rip-rap areas on the paving, grading, and landscape plan.

19. Deleted.

20. Intersection Improvements. Developer must provide intersection improvements to the intersection of Bayshore Road and Pritchett Parkway. Developer must coordinate with Lee County Department of Transportation and Florida Department of Transportation to find an acceptable improvements to the intersection that meet Florida Administrative Code (FAC) 14-97 standards.

21. Pedestrian/Bicycle Paths. Developer must construct an eight-foot-wide bicycle path or two five-foot-wide sidewalks along Pritchett Parkway from Bayshore Road to Rich Road. Staff and Developer will determine whether portions of the bicycle/pedestrian improvements constructed 1) between Bayshore Road and the southernmost site entrance, and 2) between Rich Road and the northernmost site entrance, will be eligible for road impact fee credits when there is sufficient information to make such a determination.

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22. Deleted.

23. Deleted.

24. Agricultural Uses:

Agriculture is not approved as a permanent use in the Schedule of Uses for this property. Agricultural uses must cease upon approval of the requested rezoning, EXCEPT as follows:

a. Existing bona fide agricultural uses may continue until approval of a local development order for the area of the project containing those uses.

b. Additional clearing of trees or other vegetation in agricultural areas is prohibited. Existing areas of bona fide agricultural use may be maintained, i.e. mowed, but not cleared or expanded. This prohibition is not intended to preclude County approved requests for the removal of invasive exotic vegetation.

c. The property owner must terminate the agricultural tax exemption for any portion of the property that receives a local development order. The agricultural use must cease by December 31st of the calendar year in which the local development order is issued. The exemption termination must be filed with the Property Appraiser's Office by December 31st of the calendar year in which the local development order is issued. A copy of the exemption termination must be provided title of the Office of the County Attorney.

25. Deleted.

26. Popash/Bayshore Creeks Development.

a. Prior to issuance of a development order (or early work, clearing, filling permits), Developer must submit the following information for approval by the Division of Lee County Natural Resources:

i. The HEC-RAS model was based upon the absence of development within 50 feet from the top of creek bank. No development is proposed within 50 feet from top of creek bank with the exception of an at-grade walking path. If development is later proposed within 50 feet of the top of creek bank, Developer must provide an updated HEX-RAS model pursuant to the same modeling parameters established during the rezoning process for Popash and Bayshore Creeks demonstrating that the development will not induce any rise to existing flood elevations, or any increases in velocities or transfer in overbank flows for the 10-, 25-, and 100-year storms.

ii. The location and extent of the existing and proposed cross sections from the HEC-RAS model on the development order plans, as well as the defined existing top of bank/elevation, overbank elevations, roadway elevations, and bridge dimensions and elevations. Sufficient details or sections showing continuity and capacity of flows in the overbank must be clearly demonstrated.

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iii. All plans and documents related to the above must include the statement: "This is to certify that I am a duly qualified engineer licensed to practice in the State of Florida. It is to further Certify that these design plans, drawings, and associated technical calculations and/or data demonstrate that no adverse effects to the existing flood elevations will occur as a result of this development."

iv. The above information must be submitted to the South Florida Water Management District (SFWMD) for review, consideration, and inclusion in their permit files.

v. Developer or its assigns must dedicate a drainage/maintenance easement to Lee County for Popash and Bayshore Creeks for all portion(s) of the channel and its overbanks included in the HEC-RAS modeling and that lie within the property limits. The easement may be part of any conservation easement dedicated to Lee County and the SFWMD, but must be consistent with the maintenance activities anticipated and outlined herein. The easement must also give the county the right, but not the obligation for maintenance and provide for maintenance access along the creeks. As a part of the easement, Developer agrees to a monthly maintenance schedule to include initial and ongoing maintenance for these creeks that must include removal of all exotics including, but not limited to, grape vines (above three feet in height above ground) and rosary pea, any deposited debris, fencing, fallen trees, or eroded vegetation. The basic ground cover within the easement areas is to remain in its current grassed condition. The relocation of onsite Sabal palms from other parts of the property onto the easement area is permissible, but must not be collocated closer than a ten (10) foot spacing. No saw palmetto or shrubbery of any type is to be planted within the easement area. The easement must be reviewed and approved by the County Attorney and Division of Natural Resources during the platting process. The same drainage/maintenance easement language must be contained within the Community Development District (CDD) or Homeowners Association (HOA) documents.

vi. All modifications and exotic vegetation removal outlined herein for Popash and Bayshore Creeks must be completed before issuance of the first development order.

vii. The east-west ditch proposed along the northerly boundary of the development must have no interconnection between Popash and Bayshore Creeks.

Popash Creek:

b. Prior to issuance of the development order (or any early work, clearing, filling permits) containing the bridge crossing, Developer must provide complete construction plans for the bridge for review and approval by the Division of Lee County Natural Resources in accordance with the following:

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i. The bridge crossing of Popash Creek must be a pole-supported structure.

ii. No more than two rows of pilings/supports are permitted in the overbank and none may be closer than 10 feet to the existing top of bank. Each row must be perpendicular to the direction of the flood flows and each must have a maximum dimension of twenty-four inches.

iii. The low chord of the bridge must be at or above the 100-year floodwater surface elevation and the abutments for the bridge may not be closer than 50 feet to the existing top of bank. Additionally, the low chord must be at least two feet above the highest overbank elevation within the 50-foot offset areas (total of 100 feet ±).

iv. No berming, filling, planting, or other above ground construction/amenities are permitted within 50 feet of the existing top of banks for Popash Creek, unless permitted elsewhere in these conditions by the Lee County Division of Natural Resources.

Bayshore Creek:

c. All modifications and exotic vegetation removal outlined below for Bayshore Creek must be completed before the issuance of the first Certification of Completion for the first development order:

i. The spoil is to be removed down to an elevation of 18.0 feet NGVD and then sloped in conjunction with the perimeter berm along Bayshore Creek for that portion upstream of Pritchett Parkway and within the 50-foot offset from the existing top of bank.

ii. No berming, filling, planting, or other above ground construction/amenities are permitted within 50 feet of the existing top of bank for Bayshore Creek, unless permitted elsewhere in these conditions by Lee County Natural Resources.

27. Treatment Plant Disclosure. Developer must disclose the existence, location, and operation of the sewage treatment plant to purchasers of property immediately adjacent to a line 250 feet from the perimeter boundary of the WWTP site (excluding that portion of the site containing the access road into the WWTP site). Agreements for the sale of property immediately adjacent to the 250-foot dimension must include the following disclosure statement. This disclosure statement must appear in bold face and conspicuous type that is larger than the type in the remaining text of the contract:

"Lot owners immediately adjacent to the line, 250 feet from the perimeter boundary of the WWTP site within the Brightwater RPD F/K/A Stoneybrook North (f/k/a Heritage Creek) Planned Development, must acknowledge the presence of the High Point Wastewater Treatment Plant."

28. Surety. The maintenance of Popash and Bayshore Creeks within the property limits as required in Condition 26, will be assured by the provision of a surety for the annual cost of maintenance. Evidence of the surety must be provided to the County prior to the issuance

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of a Certificate of Compliance for the first development order for the drainage infrastructure for the project.

29. Drainage Easement. To cooperate in achieving reduction of the regional flooding problem, Developer must provide a drainage easement to Lee County for the drainage ditch along the north boundary of the property. The easement is to allow the existing ditch to accept the quantity of stormwater approved pursuant to a SFWMD permit addressing the regional flooding problem.

30. Perimeter Buffers. Except as otherwise noted on the MCP, perimeter buffers around the outside of the property require 10 trees per 100 linear feet and a double staggered hedge. The hedge must be installed at 36 inches high and maintained at 60 inches high for areas annotated with Buffer Note 1 or installed at 48 inches high and a minimum of 20 feet from the property line for areas annotated with Buffer Note 2, except as modified by Deviation 18.

31. Lighting.

    a. Outdoor ballfield lights for baseball fields located on Tract K are prohibited.

    b. Outdoor recreational lighting for amenities located on Tract K or B-1 (with the exception of ballfields where lighting is prohibited) and Tract B-1 must be on timers. Lighting impacts must be measured at the boundary of Tracts K and B-1, and not at the boundary of adjacent lakes or preserve areas.

32. Future Approvals. Approval of this rezoning does not guarantee local development order approval. Future development order approvals must satisfy the requirements of the Lee Plan Planning Communities Map and Acreage Allocations Table, Map 2-A and Table 1(b).

33. 590 Senior Housing Units. Declaration of covenants and restrictions must be provided as an amendment to the Phase 2 development order to reflect 590 dwelling units limited to adult senior housing within Tracts A, B, B1, C & D. Amendment to this condition or relevant documentation must be considered through additional zoning process.

34. Brightwater Country Club. Brightwater Country Club consists of the building(s) and associated recreational facilities constructed in conjunction with the Brightwater Crystal Lagoon, open to members and their guests for a membership fee, and also includes daily non-resident reservation based system. Resident memberships in the Brightwater Country Club must be included in every purchase of a Brightwater home.

    a. Access to Brightwater Crystal Lagoon must be fully gated;

    b. Non-resident access to the Brightwater Country Club amenities and recreational facilities requires a reservation on a reservation portal website. Daily reservations to non-residents will be limited based upon parking availability in the parking lot adjacent to the Brightwater Country Club which will be monitored and controlled by Staff of the Brightwater Country Club;

    c. Signage is required on Pritchett Parkway to notify the public that no parking is permitted on Pritchett Parkway;

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d. The Brightwater Country Club parking lot (limited to Tract K) must provide a minimum of 180 parking spaces and a maximum of 400 parking spaces (including golf carts) of which a minimum of 33% shall be resident only spaces (including golf carts). Parking limited to Brightwater RPD residents only will be clearly marked and signed; and

e. Golf cart parking areas are available for exclusive use of Brightwater homeowners.

35. Fill Crossing Pritchett Parkway. Developer must comply with LDC §10-329 at development order approval. Access points for fill transported across Pritchett Parkway must be limited to a single location on both sides of Pritchett Parkway. Erosion control measures for Pritchett Parkway and the crossing area must be detailed in the development order for staff approval.

36. Voluntary Enhancements.

a. Tract E1 (±9.73 acres). Residential uses are removed from and density is transferred internal to site.

b. Tract N (±10.37 acres). Residential uses are removed from and density is transferred internal to site.

c. Tract O (±14.43 acres). Residential uses are removed from and density is transferred internal to site.

d. Tract D. Prior to construction certification of the westernmost lots abutting the Hunter's Glen property line, Developer must provide:

i. An easement to allow for Hunter's Glen's construction (at their option) of a turnaround for emergency, solid waste, and resident vehicles for the Hunter's Glen subdivision. Developer has the right (but not the obligation) to construct this improvement.

ii. An easement and stubbed water mains to allow for Hunter's Glen's construction (at their option) of fire hydrants as enhancement to Hunter's Glen subdivision fire protection. Developer has the right (but not the obligation) to construct this improvement.

e. Tract A's development order must demonstrate increased open space separation to lots (varying 35'± to 82'± setback between lot lines and perimeter) along western perimeter boundary as shown on the MCP.

f. Tract M. Prior to construction certification of easternmost lots in Tract M, Developer must provide a utility easement for Seminole Campground to allow (at their option):

i. Connection to central sewer to take the Seminole Campground WWTP off-line; and

ii. Opportunity for water main looping for increased fire protection. Developer has the right (but not the obligation) to construct this improvement.

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37. Water Quality Monitoring Program. Each development order must reference the "Brightwater Site-Wide Construction Water Quality Monitoring Program" on file with case number DOS2018-00034-A01, which may be amended as needed to address current circumstances without requiring a zoning amendment.

38. Popash Creek Sidewalk. Developer must amend and demonstrate on development order plans that the constructed sidewalk within the natural waterway buffer and indigenous open space abutting Popash Creek complies with LDC §§ 10-415(d)(2)(d) and 10-416(d)(11)(b).

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

SECTION C. DEVIATIONS:

1. Deviation (1) – Withdrawn

2. Deviation (2) – Withdrawn

3. Littoral Shelf. Deviation (3) seeks relief from the LDC §10-418(2)d, requirement to provide the installation of native wetland herbaceous plants at a calculation of 25 percent of the total linear feet of shoreline multiplied by the 20-foot-wide planted littoral shelf and divided by four to obtain two-foot-on-center spacing, and where trees and shrubs can be substituted for up to 25 percent of the total number of herbaceous plants required; to allow the required plantings to include up to 50 percent trees in the Tract O lake (Lake L1). This deviation is APPROVED, SUBJECT TO condition 16.

4. Deviation (4) – Withdrawn

5. Deviation (5) – Withdrawn

6. Deviation (6) – Withdrawn

7. Deviation (7) seeks relief from the LDC §10-329(d)(4), requirement to provide excavations to be sloped at a ratio not greater than six (6) horizontal to one (1) vertical from the top of bank to a water depth of two feet below the dry season water table and a ratio of two (2) horizontal to one (1) vertical thereafter; to allow 40 percent of the lake bank slopes within the development to utilize vertical bulkheads or rip rap. This deviation is APPROVED, SUBJECT TO condition 18

8. Deviation (8) – Withdrawn

9. Deviation (9) – Withdrawn

10. Deviation (10) – Withdrawn

11. Deviation (11) – Withdrawn

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12. Model Homes. Deviation (12) seeks relief from the LDC §34-1954(a)(1) requirement to provide administrative approval of locations for model homes in new developments; to allow model homes by right in the locations within the development as shown on the MCP. This deviation is APPROVED.

13. Model Home Parking. Deviation (13) seeks relief from the LDC §34-1954(f) requirement to provide parking for model homes or model units to be located on the same premises and in compliance with the type of dwelling unit being displayed; to permit the development of accessory parking for model homes as low turnover and therefore permit development of these lots with alternative surfaces. This deviation is APPROVED, SUBJECT TO the following conditions:

    a. The entrance apron into each parking lot would be paved;

    b. the handicapped parking space(s) in each lot would be paved; and

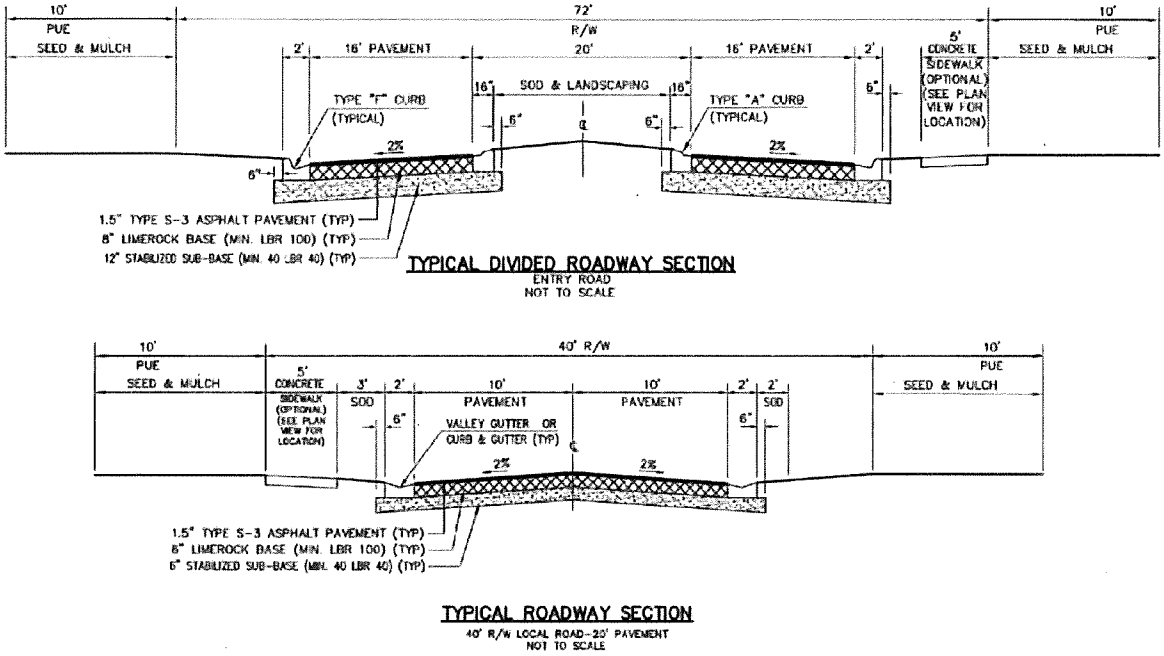
    e. the Applicant will keep the portion or the street in front of each model free from gravel or shell that may be tracked out of the model home parking area(s) by departing vehicles.

14. Subdivision Signs. Deviation (14) seeks relief from the LDC §30-153(2)(a)(iv) which limits the text of additional subdivision or residential development identification signs to the subdivision or project name; to allow the additional signs for this project to include the notation "A [Developer's Name] Community," in addition to the name of the development. This deviation is APPROVED, SUBJECT TO the proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15, stamped "Received Apr 07 2003 Community Development."

15. Entrance Sign. Deviation (15) seeks relief from the LDC §30-152(2)(d) which limits the size of project entrance signs and which limits the size and number of additional project signs to allow all of the permitted square footage for the number of permitted signs to be combined into the main project entrance sign and a deviation from LDC §30- 94(h) which restricts double faced signs with opposing faces to an interior angle of less than 30 degrees; to allow the [Community Name] project sign to have two sign faces of approximately 130 square feet in size and be located on a curvilinear wall. This deviation is APPROVED, SUBJECT TO the proposed project sign must be in substantial compliance with the rendering submitted in conjunction with the justification for Deviations 14 and 15 stamped "Received Apr 07 2003 Community Development."

16. Deviation (16) – Withdrawn

17. Planting Strip/Pedestrian Facility. Deviation (17) seeks relief from the LDC §§ 10-296(e)(2)h.5.ii. and iii., requirement to provide Residential Suburban Local Streets to have a 5-foot planting strip and 5-foot pedestrian facility on both sides of the road, to allow internal roadways to be designed and constructed in accordance with the following cross sections approved by DOS2015-00083, as amended:



This deviation is APPROVED, SUBJECT TO Developer must provide a pedestrian way along one side of all streets internal to the development and must extend each pedestrian way from intersection to intersection.

18. Waterway Buffer. Deviation (18) seeks relief from the LDC §10-416(d)(9), requirement to provide a 50-foot-wide vegetated natural waterway buffer containing six native canopy trees and 50 native shrubs per 100 linear feet, which may be met through credits from the existing native vegetation within the waterway buffer area at a 1:1 credit ratio, to allow existing vegetation to remain to meet the buffer requirements and to allow areas to remain in their natural state if no vegetation exists with no planting plan required. This deviation is APPROVED, SUBJECT TO the areas at the northwestern corner of the property within the required natural waterway buffer depicted on the MCP with annotations referencing Buffer Note 1 and Buffer Note 2 may not be planted.

19. Deviation (19) - Withdrawn

20. Street Terminus. Deviation (20) seeks relief from the LDC §10-296(k)(1), requirement to provide dead-end streets to provide a circular turnaround, to allow a dead-end street in Tract E as shown on the MCP. This deviation is APPROVED, SUBJECT TO at the time of development order submittal, Developer must provide a letter of no objection to the dead-end roadway in Tract E from the fire department having jurisdiction.

21. Consumption on Premises. Deviation (21) seeks relief from the LDC §34-1264 to allow outdoor consumption on premises to be located 466'± feet from a dwelling unit under separate ownership. This deviation is APPROVED, SUBJECT TO the following conditions:

    a. This deviation is only applicable to consumption on premises in conjunction with the Brightwater Country Club use in the COP area delineated on the MCP.

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b. Live music or amplified sound is prohibited on the exterior portions of Consumption on Premises area after 10PM.

SECTION D. EXHIBITS:

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

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

SECTION E. FINDINGS AND CONCLUSIONS:

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

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

   a. Complies with the Lee Plan. *See,* Lee Plan Goals 2, 4, 5, 18, 39, 60, 77, 124, 135, Objectives 1.5, 2.1, 2.2, 5.1, 18.1,18.3, and Policies 1.1.11, 1.3.2, 1.5.1, 2.2.1, 5.1.2, 5.1.5, 5.1.10, 115.1.2; Lee Plan Maps 1A-B, 2A.

   b. Complies with the LDC and other County regulations or qualifies for deviations. *See*, LDC Chapters 10 and 34;

   c. Is compatible with existing and planned uses in the area. *See,* Lee Plan Policies 1.1.11, 1.3.2, 2.1.1, 2.1.2, 2.2.1, 5.1.5, 135.1.9; LDC §§ 34-411(c), (i), and (j).

   d. Provides sufficient access to support the proposed development intensity, with expected impacts on transportation facilities address by existing County regulations or conditions of approval;

   e. Will not adversely affect environmentally critical areas and natural resources. *See,* Lee Plan Goals 77, Objectives 4.1, 77.1, Policy 1.5.1, Standard 4.1.4, LDC §34-411(h).

   f. Will be served by urban services. *See,* Lee Plan Glossary, Map 4A-B, Goal 2; Objectives 2.1, 2.2, 4.1, 53.1, 56.1; Policies 2.2.1, and Standards 4.1.1 and 4.1.2; LDC §34-411(d).

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

3. The proposed mix of uses is appropriate at the proposed location. *See,* Lee Plan Objective 18.1, Policies 1.1.11, 1.3.2, 2.1.1, 5.1.5, and 135.1.9.

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

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5. As conditioned herein, the deviations:

a. Enhance the objectives of the planned development; and

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

SECTION F. SCRIVENER'S ERRORS

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

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

Adopted by unanimous consent.

Kevin Ruane	Aye
Cecil L Pendergrass	Aye
Raymond Sandelli	Absent
Brian Hamman	Aye
Mike Greenwell	Aye

DULY PASSED AND ADOPTED this 17th day of August 2022.

ATTEST:
KEVIN KARNES, CLERK

BY: _____
Deputy Clerk

BOARD OF COUNTY COMMISSIONERS
OF LEE COUNTY, FLORIDA

BY: _____
Cecil L Pendergrass, Chair

BOARD OF COUNTY COMMISSIONERS SEAL LEE COUNTY, FLORIDA

APPROVED AS TO FORM FOR THE
RELIANCE OF LEE COUNTY ONLY

_____
David W. Halverson
Assistant County Attorney
County Attorney's Office

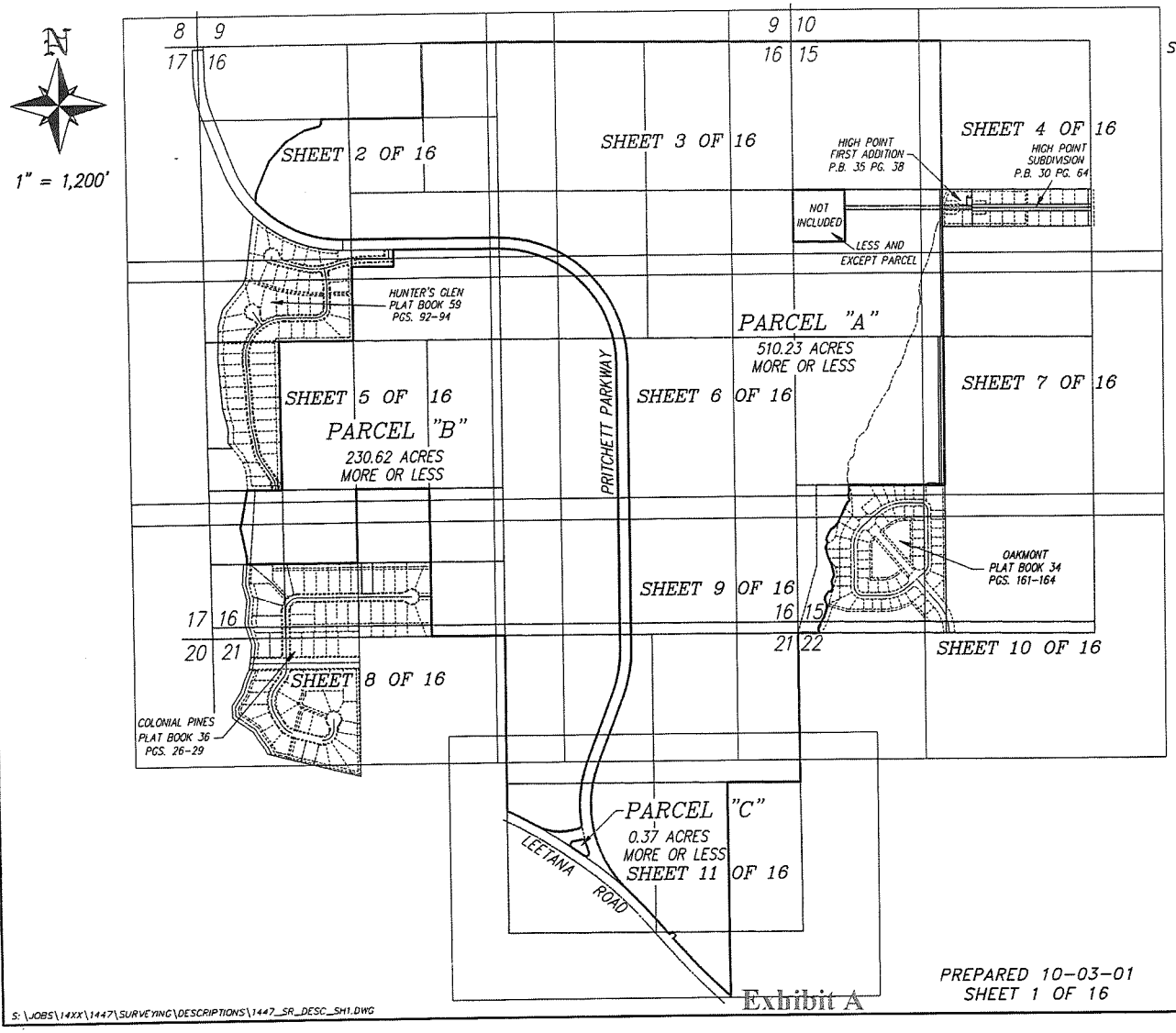
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2022 AUG 25 PM 3:43

SKETCH OF DESCRIPTIONS

OF

PARCELS OF LAND LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

(STONEYBROOK NORTH)



LEGEND:

O.R.	INDICATES OFFICIAL RECORDS BOOK
PG.	INDICATES PAGE.
P.O.B	INDICATES POINT OF BEGINNING
P.O.C.	INDICATES POINT OF COMMENCEMENT
R/W	INDICATES RIGHT-OF-WAY
(1)	INDICATES CURVE NUMBER 1 FROM THE CURVE TABLE
L1	INDICATES LINE NUMBER 1 FROM THE LINE TABLE
SUBDIV.	INDICATES SUBDIVISION

NOTES:

1.) PARCEL SUBJECT TO EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS AND RESERVATIONS OF RECORD.

2.) BEARINGS ARE BASID ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

3.) PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

SEE SHEETS 13 THROUGH 16 FOR DESCRIPTIONS.

THIS SKETCH OF DESCRIPTIONS IS NOT A BOUNDARY SURVEY

RICHARD M. RITZ
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATION NO. 4909

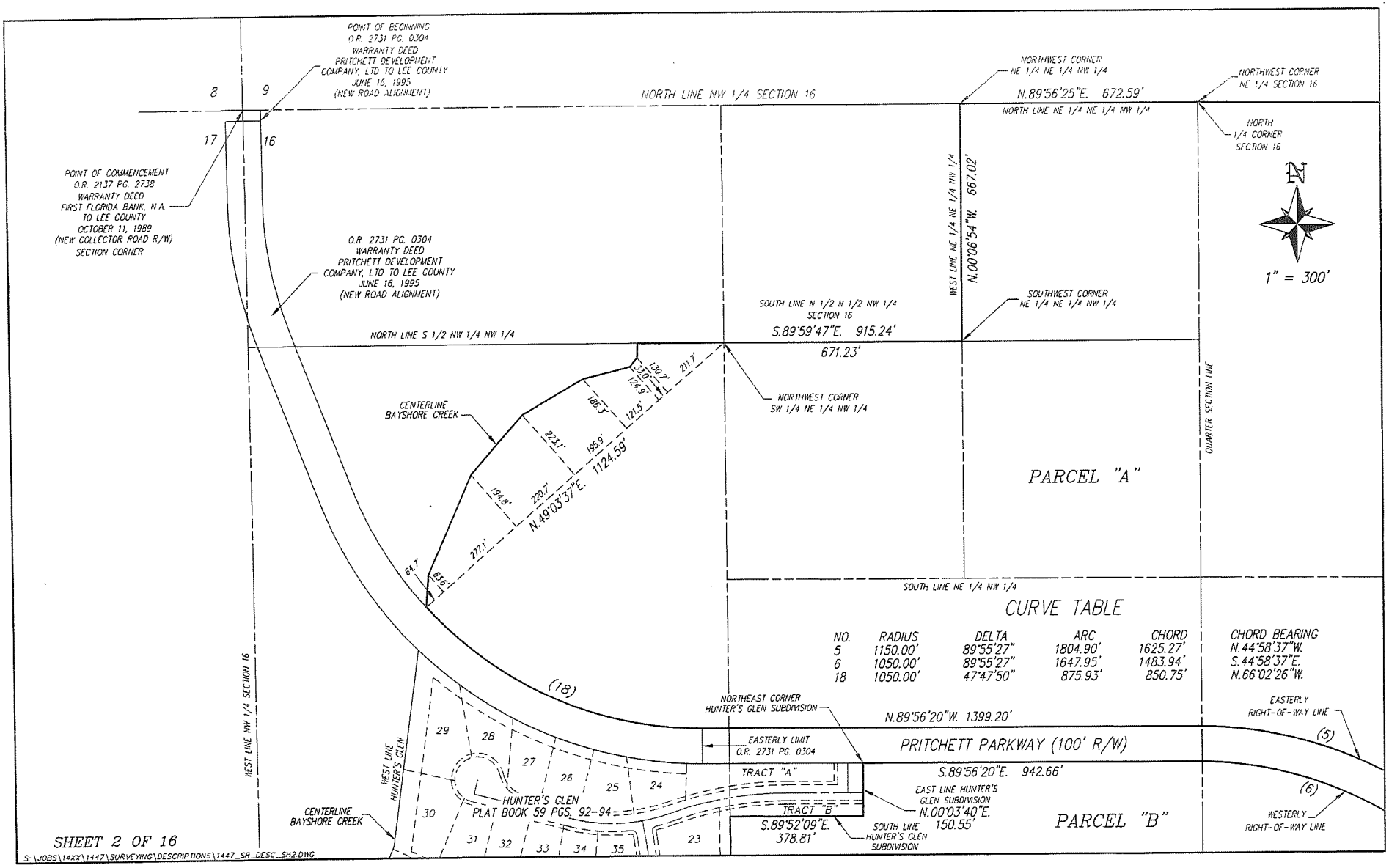
- THIS SKETCH OF DESCRIPTION IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PREPARED 10-03-01
SHEET 1 OF 16

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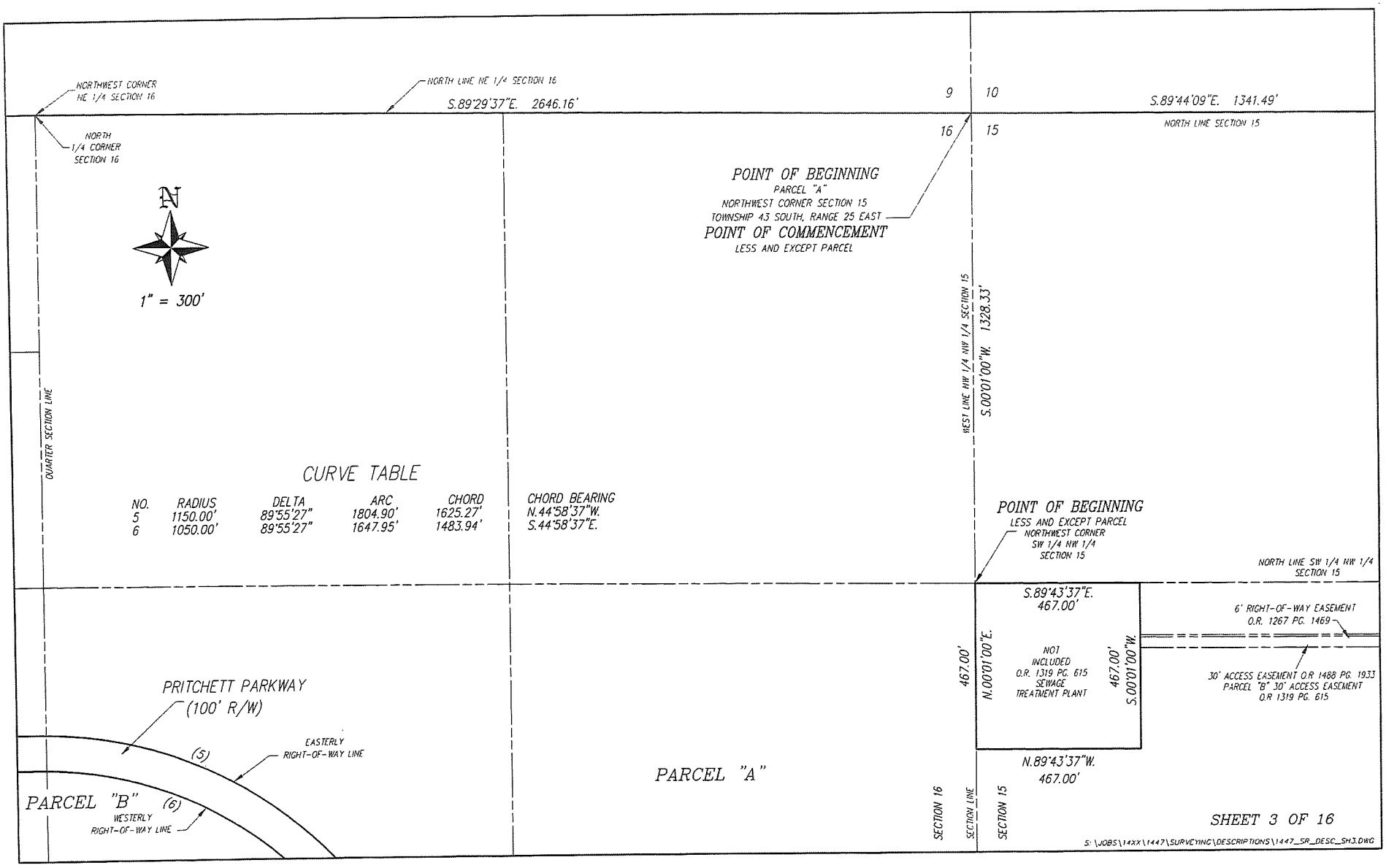
DCI2021-00012 Lee County ePlan

Original application dated 04-07-2021



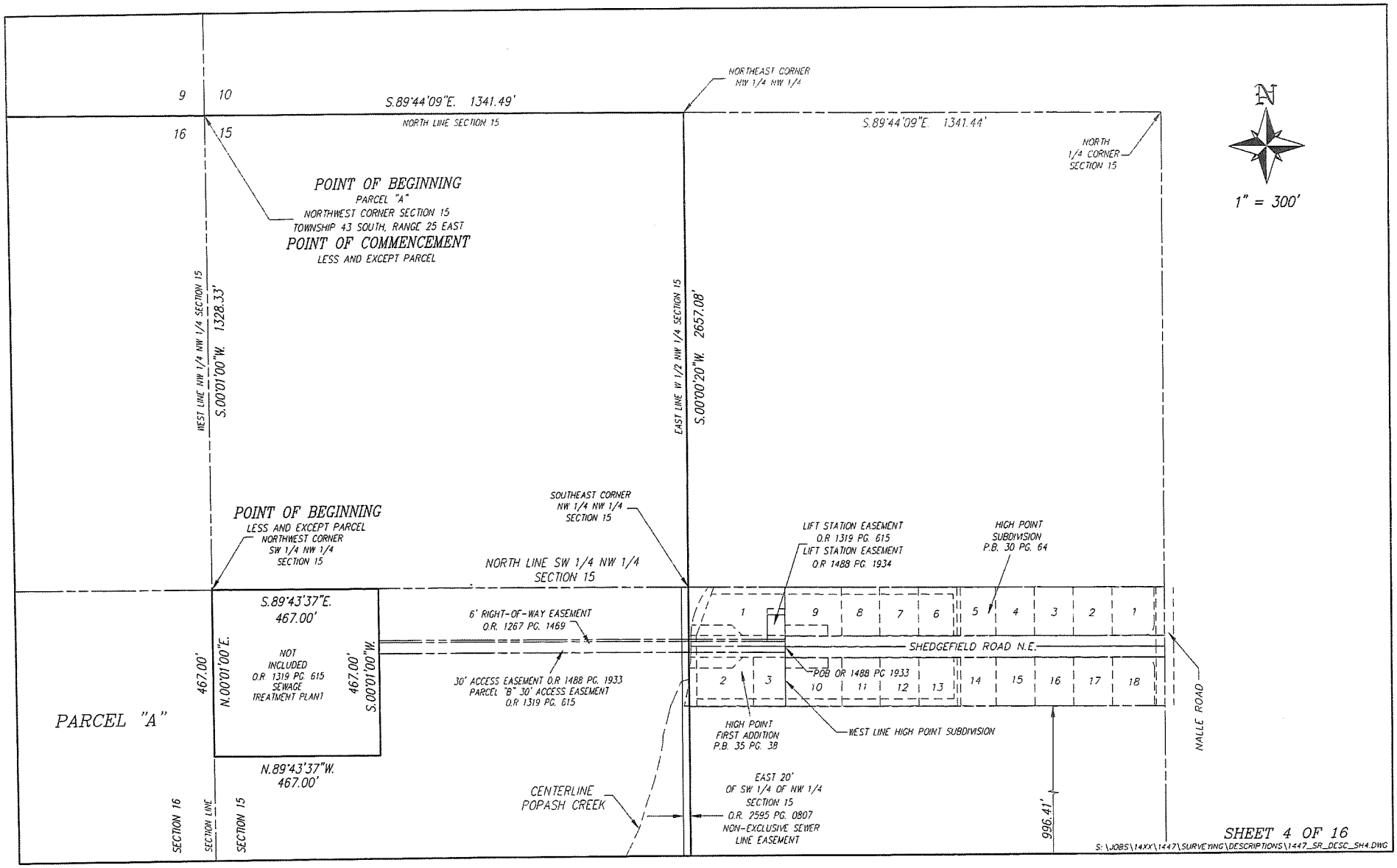
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Original application dated 04-07-2021



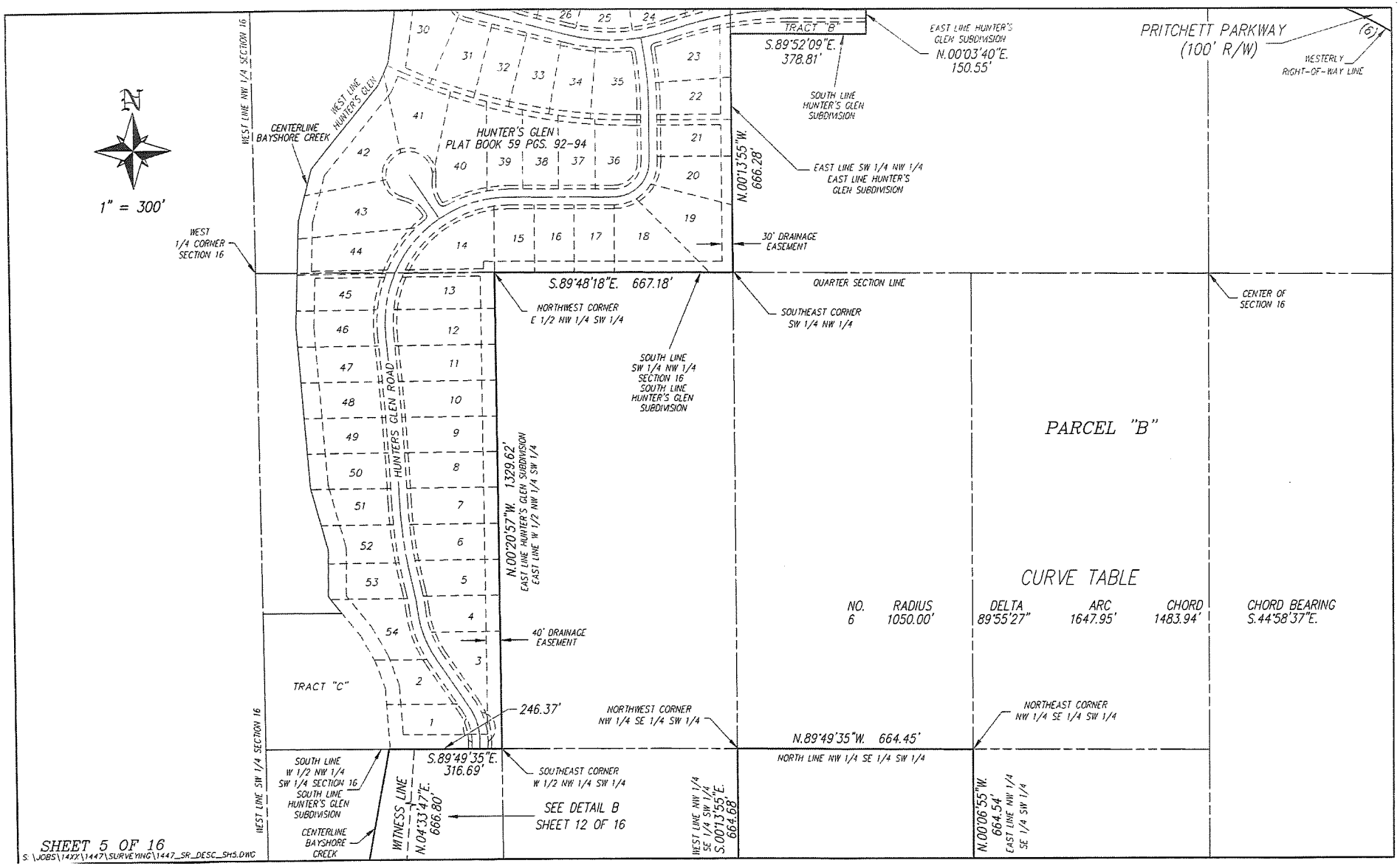
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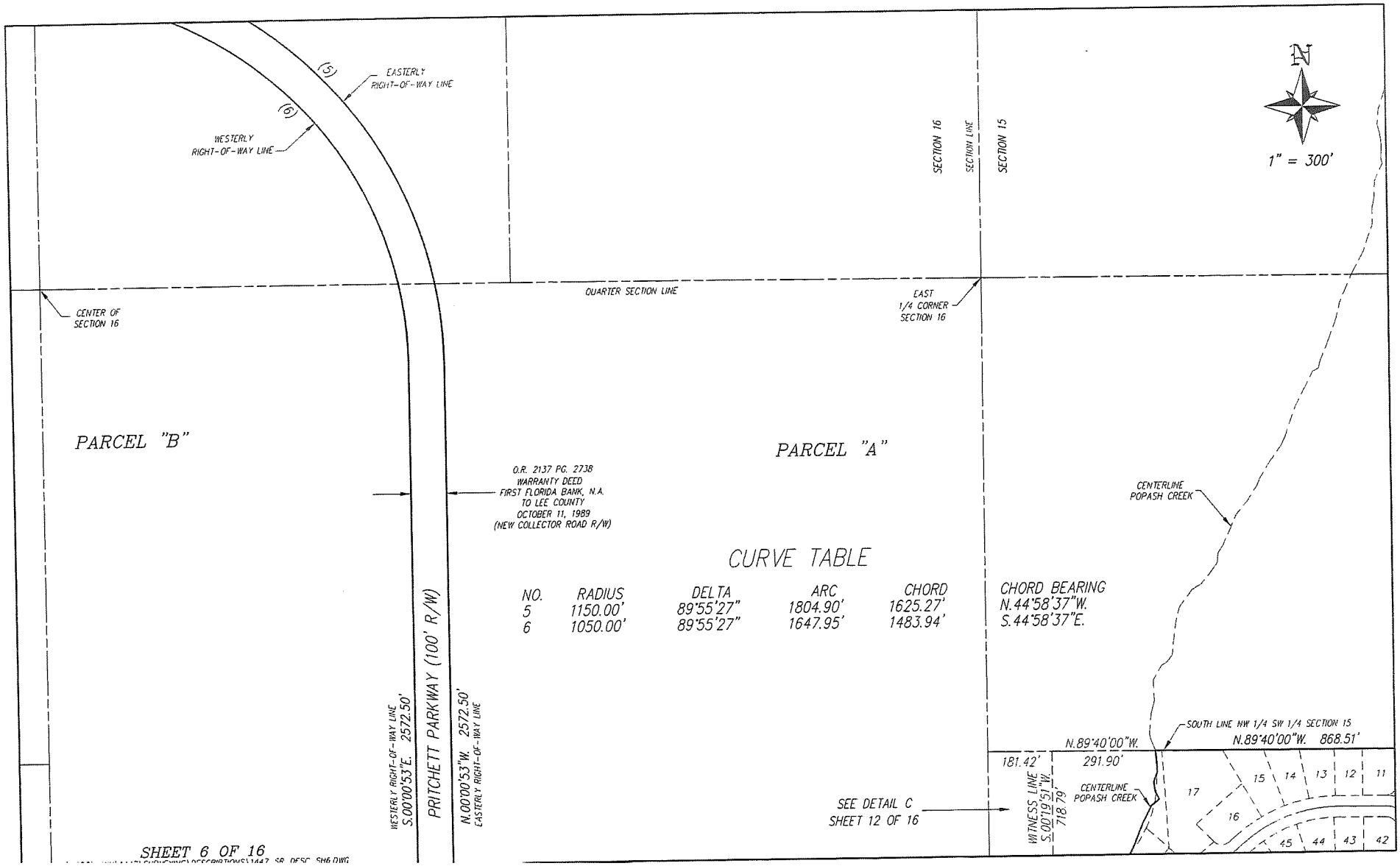
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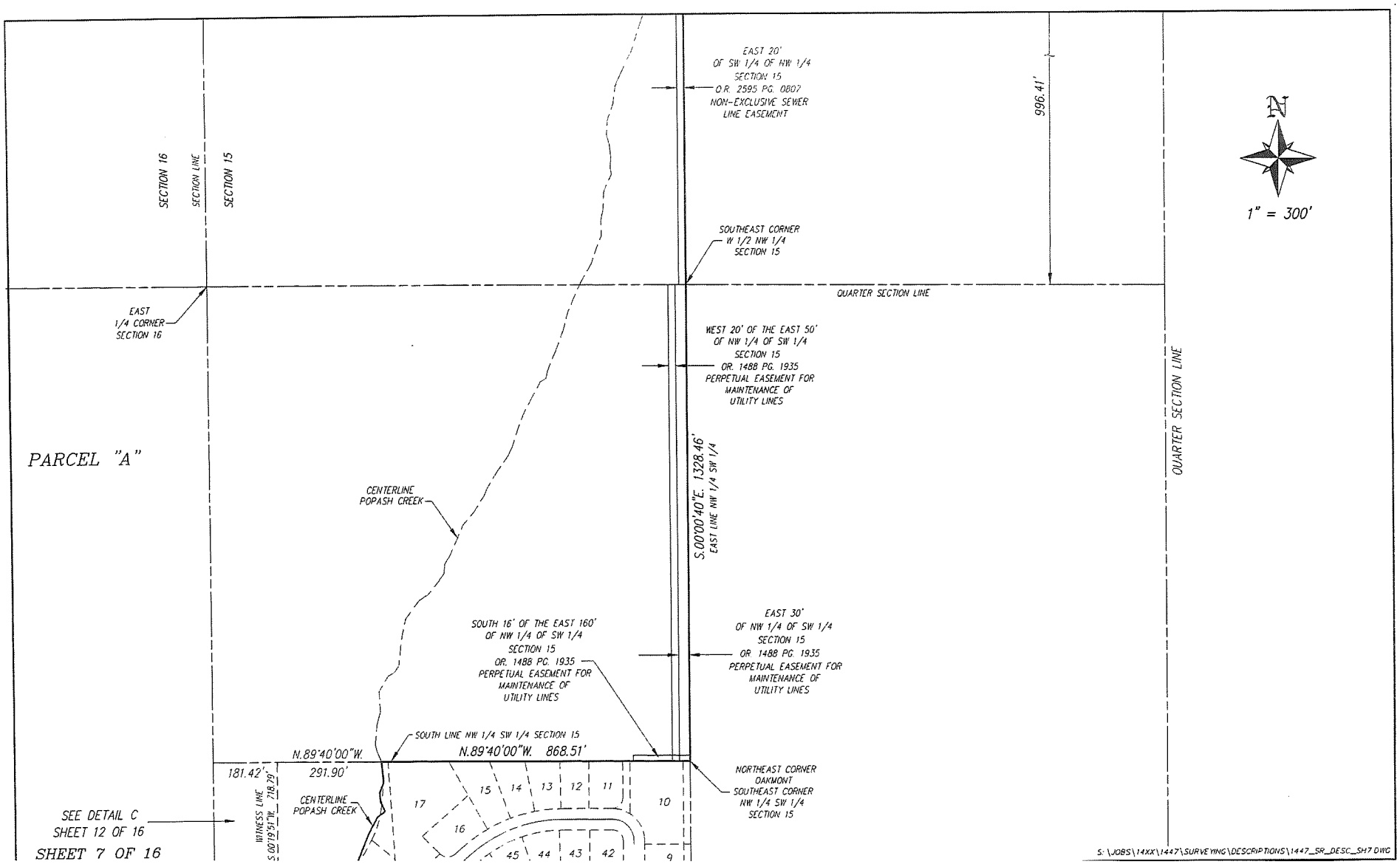
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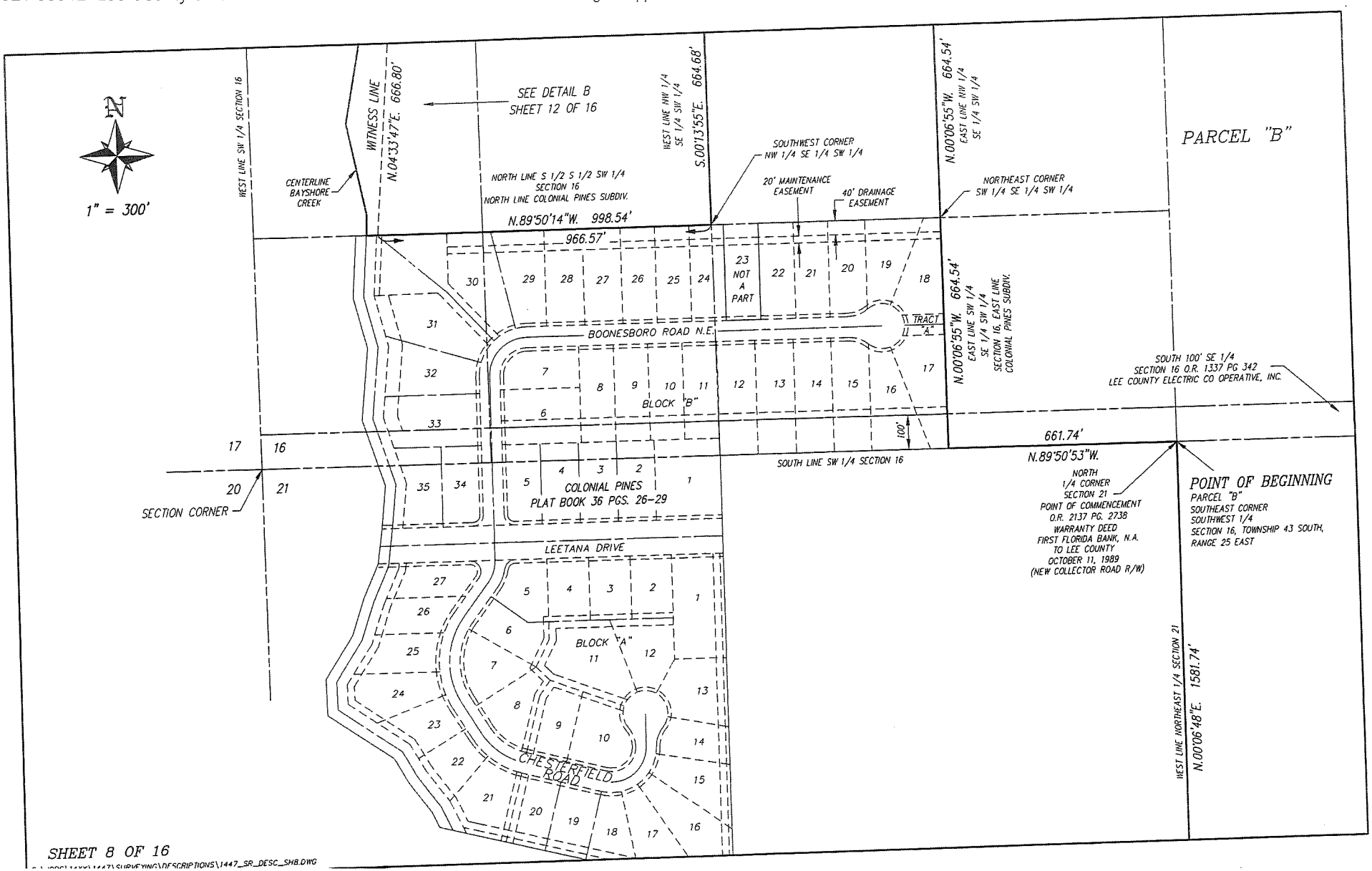
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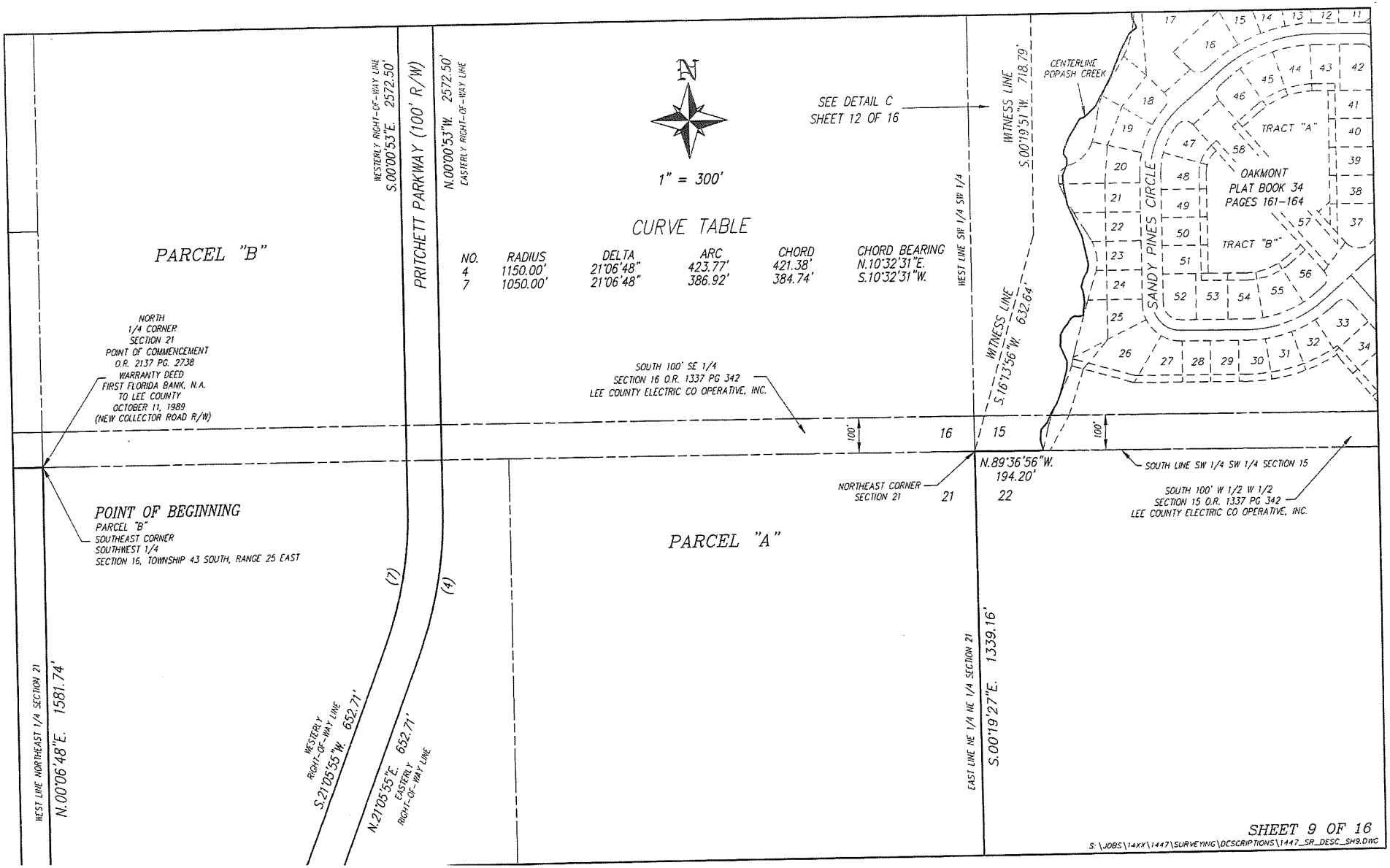
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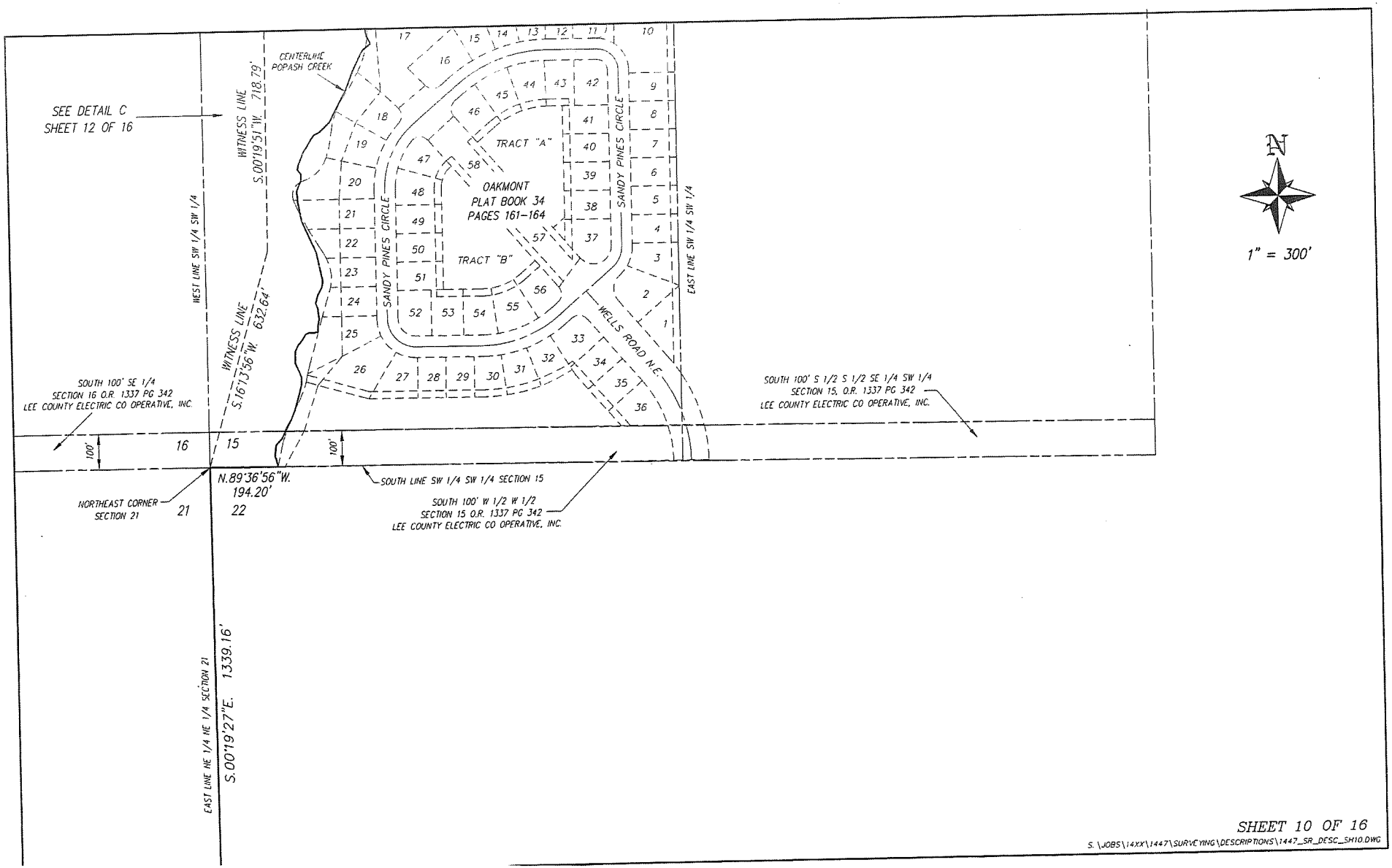
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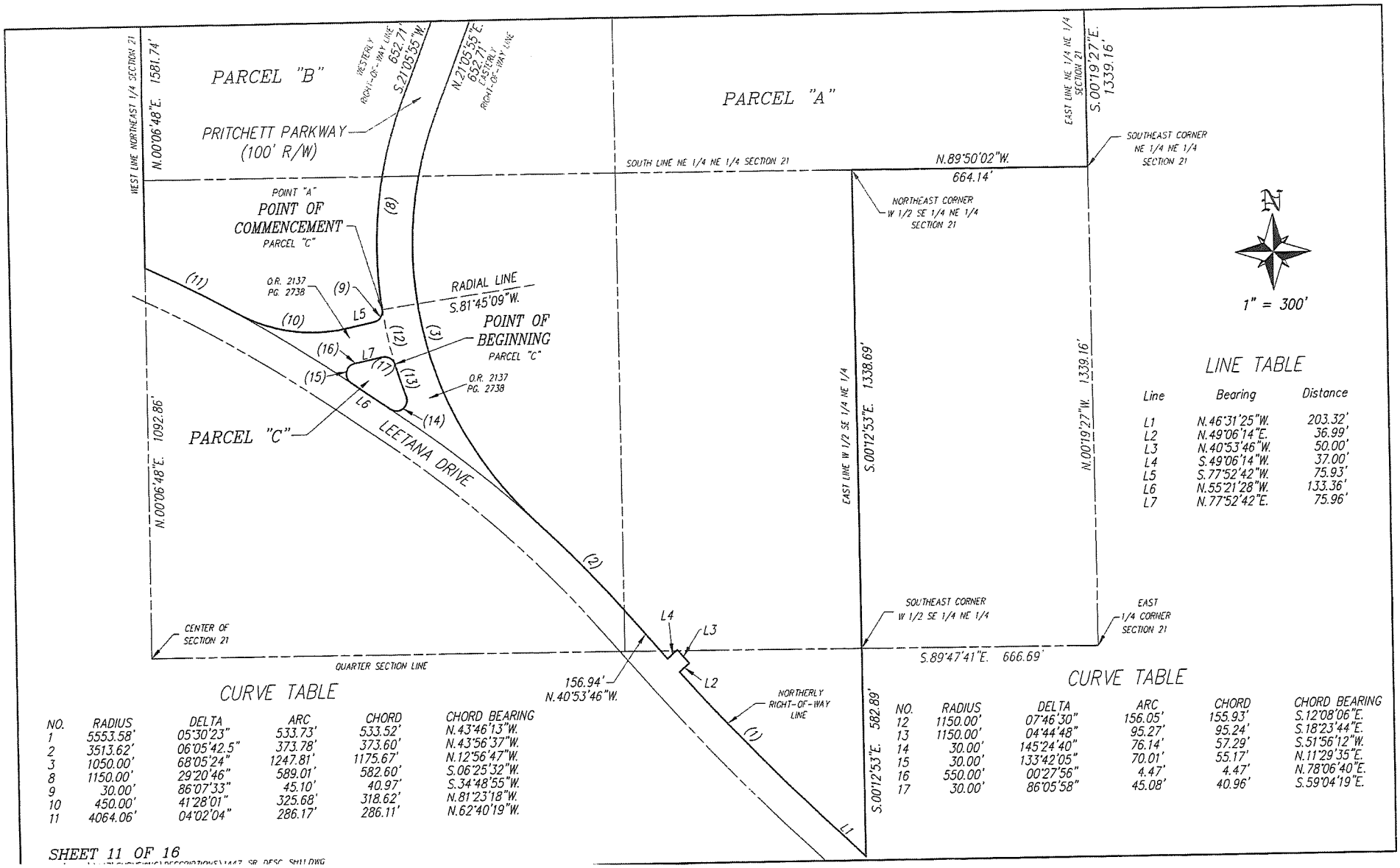
DCI2021-00012 Lee County ePlan

Original application dated 04-07-2021



DCI2021-00012 Lee County ePlan

Original application dated 04-07-2021



LINE TABLE

Line	Bearing	Distance
L1	N.46°31'25"W.	203.32'
L2	N.49°06'14"E.	36.99'
L3	N.40°53'46"W.	50.00'
L4	S.49°06'14"W.	37.00'
L5	S.77°52'42"W.	75.93'
L6	N.55°21'28"W.	133.36'
L7	N.77°52'42"E.	75.96'

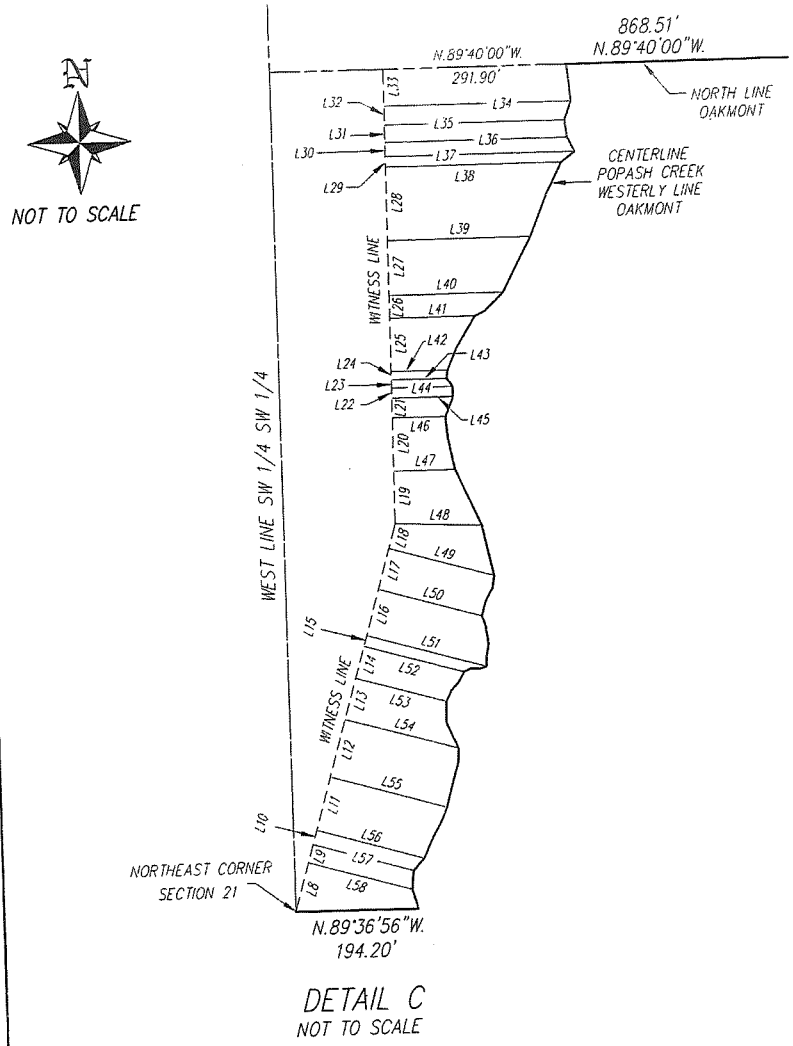
CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
1	5553.58'	05°30'23"	533.73'	533.52'	N.43°46'13"W.
2	3513.62'	06°05'42.5"	373.78'	373.60'	N.43°56'37"W.
3	1050.00'	68°05'24"	1247.81'	1175.67'	N.12°56'47"W.
8	1150.00'	29°20'46"	589.01'	582.60'	S.06°25'32"W.
9	30.00'	86°07'33"	45.10'	40.97'	S.34°48'55"W.
10	450.00'	41°28'01"	325.68'	318.62'	N.81°23'18"W.
11	4064.06'	04°02'04"	286.17'	286.11'	N.62°40'19"W.

CURVE TABLE

NO.	RADIUS	DELTA	ARC	CHORD	CHORD BEARING
12	1150.00'	07°46'30"	156.05'	155.93'	S.12°08'06"E.
13	1150.00'	04°44'48"	95.27'	95.24'	S.18°23'44"E.
14	30.00'	145°24'40"	76.14'	57.29'	S.51°56'12"W.
15	30.00'	133°42'05"	70.01'	55.17'	N.11°29'35"E.
16	550.00'	00°27'56"	4.47'	4.47'	N.78°06'40"E.
17	30.00'	86°05'58"	45.08'	40.96'	S.59°04'19"E.

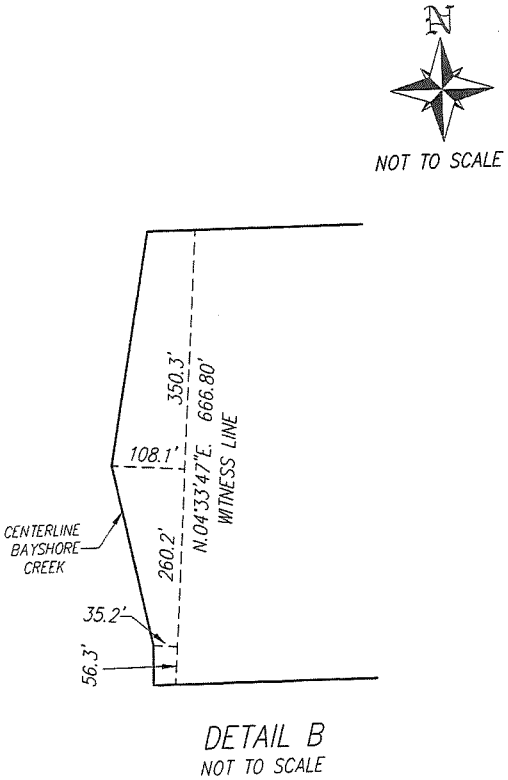
SHEET 11 OF 16



LINE TABLE

Line	Bearing	Distance
L8	N.16°13'56"E.	79.4'
L9	N.16°13'56"E.	29.6'
L10	N.16°13'56"E.	23.1'
L11	N.16°13'56"E.	86.7'
L12	N.16°13'56"E.	94.4'
L13	N.16°13'56"E.	67.3'
L14	N.16°13'56"E.	52.6'
L15	N.16°13'56"E.	17.2'
L16	N.16°13'56"E.	75.4'
L17	N.16°13'56"E.	66.6'
L18	N.16°13'56"E.	40.3'
L19	N.00°19'51"E.	83.1'
L20	N.00°19'51"E.	83.7'
L21	N.00°19'51"E.	31.8'
L22	N.00°19'51"E.	16.0'
L23	N.00°19'51"E.	12.6'
L24	N.00°19'51"E.	13.2'
L25	N.00°19'51"E.	84.6'
L26	N.00°19'51"E.	35.8'
L27	N.00°19'51"E.	87.0'
L28	N.00°19'51"E.	116.4'
L29	N.00°19'51"E.	16.7'
L30	N.00°19'51"E.	22.7'
L31	N.00°19'51"E.	27.4'
L32	N.00°19'51"E.	29.4'
L33	N.00°19'51"E.	58.4'
L34	S.89°40'09"E.	297.3'
L35	S.89°40'09"E.	286.4'
L36	S.89°40'09"E.	289.9'
L37	S.89°40'09"E.	301.4'
L38	S.89°40'09"E.	279.0'
L39	S.89°40'09"E.	227.1'
L40	S.89°40'09"E.	181.1'
L41	S.89°40'09"E.	135.2'
L42	S.89°40'09"E.	89.7'
L43	S.89°40'09"E.	88.0'
L44	S.89°40'09"E.	97.6'
L45	S.89°40'09"E.	97.8'
L46	S.89°40'09"E.	84.3'
L47	S.89°40'09"E.	97.7'
L48	S.87°00'59"E.	137.8'
L49	S.73°46'04"E.	172.6'
L50	S.73°46'04"E.	169.4'
L51	S.73°46'04"E.	196.7'
L52	S.73°46'04"E.	164.5'
L53	S.73°46'04"E.	148.4'
L54	S.73°46'04"E.	185.7'
L55	S.73°46'04"E.	191.1'
L56	S.73°46'04"E.	176.0'
L57	S.73°46'04"E.	164.7'
L58	S.73°46'04"E.	170.2'

DETAIL SHEET



ADD2024-00183 Lee County ePlan

Banks Engineering, Inc.
Professional Engineers, Planners & Land Surveyors
FORT MYERS ♦ NAPLES ♦ SARASOTA

DESCRIPTION
OF
PARCELS OF LAND
LYING IN
SECTIONS 15, 16 AND 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST
LEE COUNTY, FLORIDA

TRACTS OR PARCELS OF LAND SITUATED IN THE STATE OF FLORIDA, COUNTY OF LEE, LYING IN SECTIONS 15, 16 AND 21 TOWNSHIP 43 SOUTH, RANGE 25 EAST, BEING FURTHER DESCRIBED AS FOLLOWS:

PARCEL "A"

BEGINNING AT THE NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°44'09"E. ALONG THE NORTH LINE OF SAID SECTION 15 FOR 1341.49 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.00°00'20"W. ALONG THE EAST LINE OF SAID FRACTION FOR 2657.08 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE S.00°00'40"E. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 FOR 1328.46 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION THE SAME BEING THE NORTHEAST CORNER OF OAKMONT, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 34 AT PAGES 161 THROUGH 164 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.89°40'00"W. ALONG THE SOUTH LINE OF SAID FRACTION AND THE NORTH LINE OF SAID OAKMONT FOR 868.51 FEET TO AN INTERSECTION WITH THE CENTERLINE OF POPASH CREEK AND THE WESTERLY LINE OF SAID OAKMONT; THENCE SOUTHWESTERLY ALONG SAID CENTERLINE AND SAID WESTERLY LINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 15 THE SAME BEING THE SOUTHWEST CORNER OF SAID OAKMONT; THENCE N.89°36'56"W. ALONG SAID SOUTH LINE FOR 194.20 FEET TO THE NORTHEAST CORNER OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°19'27"E. ALONG THE EAST LINE OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21 FOR 1339.16 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE N.89°50'02"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 664.14 FEET TO THE NORTHEAST CORNER OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SAID SECTION 21; THENCE S.00°12'53"E. ALONG THE EAST LINE OF SAID FRACTION FOR 1338.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION; THENCE CONTINUE S.00°12'53"E. 582.89 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.46°31'25"W. ALONG SAID NORTHERLY LINE FOR 203.32 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 5553.58 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 05°30'23.2" FOR 533.73 FEET; THENCE N.49°06'14"E. ALONG SAID NORTHERLY LINE FOR 36.99 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 50.00 FEET; THENCE S.49°06'14"W. ALONG SAID NORTHERLY LINE FOR 37.00 FEET; THENCE N.40°53'46"W. ALONG SAID NORTHERLY LINE FOR 156.94 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 3513.62 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 06°05'42.5" FOR 373.78 FEET TO AN INTERSECTION WITH THE EASTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 1050.00 FEET; THENCE

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NORTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 68°05'24" FOR 1247.81 FEET; THENCE N.21°05'55"E. ALONG SAID EASTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 423.77 FEET; THENCE N.00°00'53"W. ALONG SAID EASTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID EASTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1804.90 FEET; THENCE N.89°56'20"W. ALONG SAID EASTERLY LINE FOR 1399.20 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 47°47'50" FOR 875.93 FEET; TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE CREEK; THENCE NORTHEASTERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE NORTH 1/2 OF THE NORTH 1/2 OF THE NORTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.89°59'47"E. ALONG SAID SOUTH LINE FOR 915.24 FEET TO THE SOUTHWEST CORNER OF THE NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16; THENCE N.00°06'54"W. ALONG THE WEST LINE OF SAID FRACTION FOR 667.02 FEET TO AN INTERSECTION WITH THE NORTH LINE OF SAID FRACTION; THENCE N.89°56'25"E. ALONG SAID NORTH LINE FOR 672.59 FEET TO THE NORTHWEST CORNER OF THE NORTHEAST 1/4 OF SAID SECTION 16; THENCE S.89°29'37"E. ALONG THE NORTH LINE OF SAID SECTION FOR 2646.16 FEET TO THE **POINT OF BEGINNING.**

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL

COMMENCING AT NORTHWEST CORNER OF SECTION 15, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE S.00°01'00"W. ALONG THE WEST LINE OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15 FOR 1328.33 FEET TO THE POINT OF BEGINNING THE SAME BEING THE NORTHWEST CORNER OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 15; THENCE S.89°43'37"E. ALONG THE NORTH LINE OF SAID FRACTION FOR 467.00 FEET; THENCE S.00°01'00"W. FOR 467.00 FEET; THENCE N.89°43'37"W. FOR 467.00 FEET TO AN INTERSECTION WITH THE WEST LINE OF SAID FRACTION; THENCE N.00°01'00"E. ALONG THE WEST LINE OF SAID FRACTION FOR 467.00 FEET TO THE POINT OF BEGINNING.

PARCEL "A" CONTAINS 510.23 ACRES MORE OR LESS.

AND: PARCEL "B"

BEGINNING AT THE SOUTHEAST CORNER OF THE SOUTHWEST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.89°50'53"W. ALONG THE SOUTH LINE OF SAID FRACTION FOR 661.74 FEET TO AN INTERSECTION WITH THE EAST LINE OF THE SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 THE SAME BEING A POINT ON THE EAST LINE OF COLONIAL PINES, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 36 AT PAGES 26 THROUGH 29 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA; THENCE N.00°06'55"W. ALONG SAID EAST LINE FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION AND SAID COLONIAL PINES; THENCE N.00°06'55"W. ALONG THE EAST LINE OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 FOR 664.54 FEET TO THE NORTHEAST CORNER OF SAID FRACTION; THENCE N.89°49'35"W. ALONG THE NORTH LINE OF SAID FRACTION FOR 664.45 FEET TO THE NORTHWEST CORNER OF SAID FRACTION; THENCE S.00°13'55"E. ALONG THE EAST LINE OF SAID FRACTION FOR 664.68 FEET TO THE SOUTHWEST CORNER OF SAID FRACTION THE SAME BEING AN INTERSECTION WITH THE NORTH LINE OF SAID COLONIAL PINES; THENCE N.89°50'14"W. ALONG THE NORTH LINE OF THE SOUTH 1/2 OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF SAID SECTION 16 AND THE NORTH LINE OF SAID COLONIAL PINES FOR 998.54 FEET TO AN INTERSECTION WITH THE CENTERLINE OF BAYSHORE

CREEK; THENCE NORTHERLY ALONG SAID CENTERLINE TO AN INTERSECTION WITH THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION 16, THE SAME BEING THE SOUTH LINE OF HUNTER'S GLEN, A SUBDIVISION ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 59 AT PAGES 92 THROUGH 94 OF THE PUBLIC RECORDS OF LEE COUNTY FLORIDA; THENCE S.89°49'35"E. ALONG SAID SOUTH LINE FOR 316.69 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND SAID HUNTER'S GLEN; THENCE N.00°20'57"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 1329.62 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SAID SECTION 16 AND SAID HUNTER'S GLEN; THENCE S.89°48'18"E. ALONG SAID SOUTH LINE FOR 667.18 FEET TO THE SOUTHEAST CORNER OF SAID FRACTION AND AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°13'55"W. ALONG THE EAST LINE OF SAID FRACTION AND SAID HUNTER'S GLEN FOR 666.28 FEET TO AN INTERSECTION WITH THE SOUTH LINE OF SAID HUNTER'S GLEN; THENCE S.89°52'09"E. ALONG SAID SOUTH LINE FOR 378.81 FEET TO AN INTERSECTION WITH THE EAST LINE OF SAID HUNTER'S GLEN; THENCE N.00°03'40"E. ALONG SAID EAST LINE FOR 150.55 FEET TO THE NORTHEAST CORNER OF SAID HUNTER'S GLEN, THE SAME BEING AN INTERSECTION WITH THE WESTERLY LINE OF PRITCHETT PARKWAY (100 FEET WIDE); THENCE S.89°56'20"E. ALONG SAID WESTERLY LINE FOR 942.66 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 89°55'27" FOR 1647.95 FEET; THENCE S.00°00'53"E. ALONG SAID WESTERLY LINE FOR 2572.50 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 1050.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 21°06'48" FOR 386.92 FEET; THENCE S.21°05'55"W. ALONG SAID WESTERLY LINE FOR 652.71 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET; THENCE SOUTHERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 29°20'46" FOR 589.01 FEET TO **POINT "A"** THE SAME BEING AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF SAID PRITCHETT PARKWAY AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°07'33" FOR 45.10 FEET; THENCE S.77°52'42"W. ALONG SAID NORTHERLY LINE FOR 75.93 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 450.00 FEET; THENCE WESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 41°28'01" FOR 325.68 FEET TO AN INTERSECTION WITH THE NORTHERLY LINE OF LEETANA DRIVE (86 FEET WIDE) AND A POINT OF REVERSE CURVE HAVING A RADIUS OF 4064.06 FEET; THENCE NORTHWESTERLY ALONG SAID CURVE AND SAID NORTHERLY LINE THROUGH A CENTRAL ANGLE OF 04°02'04" FOR 286.17 FEET TO AN INTERSECTION WITH THE WEST LINE OF THE NORTHEAST 1/4 OF SECTION 21, TOWNSHIP 43 SOUTH, RANGE 25 EAST; THENCE N.00°06'48"E. ALONG SAID WEST LINE FOR 1581.74 FEET TO THE **POINT OF BEGINNING**.

PARCEL "B" CONTAINS 230.62 ACRES MORE OR LESS.

AND: PARCEL "C"

COMMENCING AT THE AFOREMENTIONED **POINT "A"** THE SAME BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 1150.00 FEET AND TO WHICH POINT A RADIAL LINE BEARS S.81°45'09"W.; THENCE; SOUTHERLY ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 07°46'30" FOR 156.05 FEET TO THE **POINT OF BEGINNING**; THENCE CONTINUE SOUTHERLY ALONG SAID CURVE AND THE WESTERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) THROUGH A CENTRAL ANGLE OF 04°44'48" FOR 95.27 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHWESTERLY ALONG SAID CURVE AND SAID WESTERLY LINE THROUGH A CENTRAL ANGLE OF 145°24'40" FOR 76.14 FEET TO AN INTERSECTION WITH THE NORTHERLY RIGHT-OF-WAY LINE OF LEETANA DRIVE (86 FEET WIDE); THENCE N.55°21'28"W. ALONG SAID NORTHERLY LINE FOR 133.36 FEET TO AN INTERSECTION WITH THE

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SOUTHERLY RIGHT-OF-WAY LINE OF PRITCHETT PARKWAY (100 FEET WIDE) AND THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE NORTHERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 133°42'05" FOR 70.01 FEET TO A POINT OF REVERSE CURVE HAVING A RADIUS OF 550.00 FEET; THENCE EASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 00°27'56" FOR 4.47 FEET; THENCE N.77°52'42"E. ALONG SAID SOUTHERLY LINE FOR 75.96 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 30.00 FEET; THENCE SOUTHEASTERLY ALONG SAID CURVE AND SAID SOUTHERLY LINE THROUGH A CENTRAL ANGLE OF 86°05'58" FOR 45.08 FEET TO THE **POINT OF BEGINNING**.

PARCEL "C" CONTAINS 0.37 ACRES MORE OR LESS.

PARCELS CONTAIN 741.22 ACRES MORE OR LESS.

SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS-OF-WAY OF RECORD.

BEARINGS ARE BASED ON THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 16, TOWNSHIP 43 SOUTH, RANGE 25 EAST AS BEARING S.89°29'37"E.

DESCRIPTION PREPARED 10-03-01



DCI2021-00012

Zoning

ATTACHMENT B

Subject Property

N
W E
S

0 1,000 2,000 3,000
Feet

Lee County
Southwest Florida

Exhibit B

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Additional info dated 08-19-2022

Sub-Outlying Suburban

Buffer Note 1

Conservation Area Provides Adequate Buffer

No Buffer Required

TRACT N
PROPOSED TRANSFER OF RESIDENTIAL DEVELOPMENT (10± UNITS) TO INTERIOR OF DEVELOPMENT

POPASH CREEK

BUFFER NOTES:

1. 10 trees per 100 feet and a double staggered hedge. The hedge will be installed at 36 inches high and maintained at 60 inches high. 75% of the shrubs and 50% of the trees will be native species.
2. Same as buffer note 1 with hedges installed at 48 inches high and a minimum of 20 feet from property line.

NOTES:

1. The configuration of the Wetland and Upland Conservation Areas is approximate and subject to modification by the review agencies.
2. Temporary administrative offices and sales offices may utilize septic tanks and/or holding tanks.
3. During the applicable site development plan and/or plat review process for each tract, parcel or sub-area, the specific number of dwelling units and acreage shall be identified for allocation purposes.
4. Deviations with limited application are indicated on the Master Plan by the hexagon symbol. Other Deviations are located as follows: Deviations 12 and 13 apply to all model homes. Deviation 14 applies to the project identification sign and all project entrance signs.
5. Any maintenance facility in Tract K will be located a minimum of 100 feet from Pritchett Parkway and will be buffered by a minimum Type D buffer.

Density Reduction Groundwater Resource

Open Lands

Existing STP
Not included in Stoneybrook North

TRACT G
R-1

TRACT H
R-1

TRACT I
R-1

TRACT J
TH

TRACT J1
R-1A

TRACT K
Recreation Facility / Country Club

TRACT M
R-1A

TRACT O
PROPOSED TRANSFER OF RESIDENTIAL DENSITY TO INTERIOR OF DEVELOPMENT

TRACT F
R-1

TRACT F1
R-1A

TRACT A
R-1A

TRACT B
R-1A

TRACT B1
Recreation Facility w/ Indoor & Outdoor COP
R-1A

TRACT C
R-1

TRACT D
R-1

TRACT E
R-1

TRACT E1
PROPOSED TRANSFER OF RESIDENTIAL DEVELOPMENT (35± UNITS) TO INTERIOR OF DEVELOPMENT

L1 L2 L3 L4 L5 L6 L7 L8 L9 L10 L11 L12 L13 L15 L16 L18 L19 L20 L21 L22 L23 L24 L25 L26 L28 L29 L30 L31 L32 L34

COP WITHIN 465' OF NEAREST RESIDENTIAL PROPERTY EXTERNAL TO RPD

INDOOR & OUTDOOR C.O.P. LIMITS

ACCESS

100' LCEC UTILITY EASMT.

FLOODWAY

Communication Tower Limited to a maximum of 35 feet in height.

General Interchange

PRITCHETT PARKWAY

INTERSTATE 75

LEETANA ROAD

Location of Existing Billboard

Existing Lake Edge

Perch Tree

Alternative Project Sign Location

Entrance Sign (Typ.)

Gate

Lee County Well Facility 0.92 ac±

Ingress or Egress Easement O.R. Book 5742, Page 0207

BAYSHORE CREEK

AREA FOR HUNTER'S GLEN POTENTIAL CUL-DU-SAC

Conservation Area Provides Adequate Buffer

Sub-Outlying Suburban

No Buffer Required

50' MIN.

Buffer Note 1

Buffer Note 2

0 300 600 900
GRAPHIC SCALE 1"= 300'

LEGEND

- Wetland Conservation Area
- Upland Conservation Area
- Wetland/Upland Buffer Area
- L — Water Management
- Potential Location of Model Homes
- # — Deviation Locations
- FLOODWAY
- 50' MIN. OFFSET Top of Creek Bank
- Internal Density Recipient Areas

Approved as Exhibit C
MCP Page 1 of 2
Resolution # Z-22-015

TRACT INFORMATION

TRACTS	ACRES	UNIT TYPE	PRELIMINARY UNIT RANGE	MAX. HEIGHT
*TRACT A	9.07 AC.	R-1A	50-80 UNITS	2 STORIES/35'
*TRACT B	16.70 AC.	R-1A	110-130 UNITS	2 STORIES/35'
*TRACT B1	5.07 AC.	REC/ALT R-1A	REC FACILITY / 10-30 UNITS	2 STORIES/35'
*TRACT C	30.48 AC.	R-1	160-190 UNITS	2 STORIES/35'
*TRACT D	24.46 AC.	R-1	200-230 UNITS	2 STORIES/35'
TRACT E	5.75 AC.	R-1	20-45 UNITS	2 STORIES/35'
TRACT E1	9.73 AC.	N/A	N/A	N/A
TRACT F & F1	44.40 AC.	R-1/R-1A	200-300 UNITS	2 STORIES/35'
TRACT G	30.30 AC.	R-1	130-150 UNITS	2 STORIES/35'
TRACT H	20.30 AC.	R-1	120-140 UNITS	2 STORIES/35'
TRACT I	24.07 AC.	R-1	90-120 UNITS	2 STORIES/35'
TRACT J	11.99 AC.	TH	110-130 UNITS	2 STORIES/35'
TRACT J1	3.38 AC.	R-1A	10-20 UNITS	1 STORY/35'
TRACT K	22.35 AC.	REC	Recreational Facility / Country Club	2 STORIES/35'
TRACT L	N/A	LAKES	Various Lake Tracts	N/A
TRACT M	17.24 AC.	R-1A	110-170 UNITS	2 STORIES/35'
TRACT N	10.37 AC.	N/A	N/A	N/A
TRACT O	14.43 AC.	N/A	N/A	N/A

TOTAL RES. 243.2 AC.
ALL ACREAGES ARE APPROXIMATE

R-1 = SINGLE FAMILY DETACHED
R-1A = SINGLE FAMILY DETACHED AND TWO FAMILY ATTACHED
TH = TOWNHOMES, TWO FAMILY ATTACHED, OR SINGLE FAMILY DETACHED
* = SENIOR ADULT HOUSING

MAX. TOTAL UNITS 1,475

LAND USE SUMMARY

RESIDENTIAL TRACTS	243.2 ACRES
ROADWAY	52.3 ACRES
WATER MANAGEMENT	172.5 ACRES
TOTAL	468.0 ACRES
RECREATION FACILITIES	22.5-27.6 ACRES
WETLAND CONSERVATION	63.5 ACRES
UPLAND CONSERVATION	57.3 ACRES
WETLAND/UPLAND BUFFERS	14.6 ACRES
PROPERTY TOTAL	741.22 ACRES

*NOTE:
RESIDENTIAL/ROADWAY/LAKE ACREAGE ARE APPROXIMATE

DENSITY SUMMARY

BRIGHTWATER RPD		741.22 ACRES
ADJACENT ROW TOTAL (FROM ORIG. ZONING)		20.78 ACRES
GENERAL INTERCHANGE:	MAX 14 UPA x 3.45 AC=	48 UNITS
SUB-OUTLYING SUBURBAN:	MAX 2 UPA x 674.27 AC=	1,349 UNITS
PRESERVED FRESHWATER WETLANDS:	MAX 2 UPA x 63.5=	127 UNITS
TOTAL MAXIMUM DWELLING UNITS:		1,524 OR 2.06 UNITS/ACRE
RESIDENTIAL UNIT TOTAL PROPOSED		1,475 UNITS
PROJECT DENSITY		1.99 UNITS/ACRE

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ENGINEERING LICENSE # EB 6469
SURVEY LICENSE # LB 6690
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NO.	DATE	REVISION DESCRIPTION	BY
7	8/17/2022	REDUCED BY 25 D.U.	EMH
6	4/27/2022	WITHDREW DEVIATION 19 AND ADDED DRAINAGE EASEMENTS	EMH
5	4/22/2022	REVISED TRACT J & J1	EMH
4	6/14/2021	DCI2021-00012 1ST SUFFICIENCY RESPONSE	EMH
3	3/19/2020	MODIFIED SITE LAYOUT	EMH
2	9/27/2015	MODIFIED SITE LAYOUT	EMH
1	8/27/2014	REVISED SITE LAYOUT	EMH

MASTER CONCEPT PLAN

BRIGHTWATER RPD F/K/A STONEYBROOK NORTH

LEE COUNTY, FLORIDA

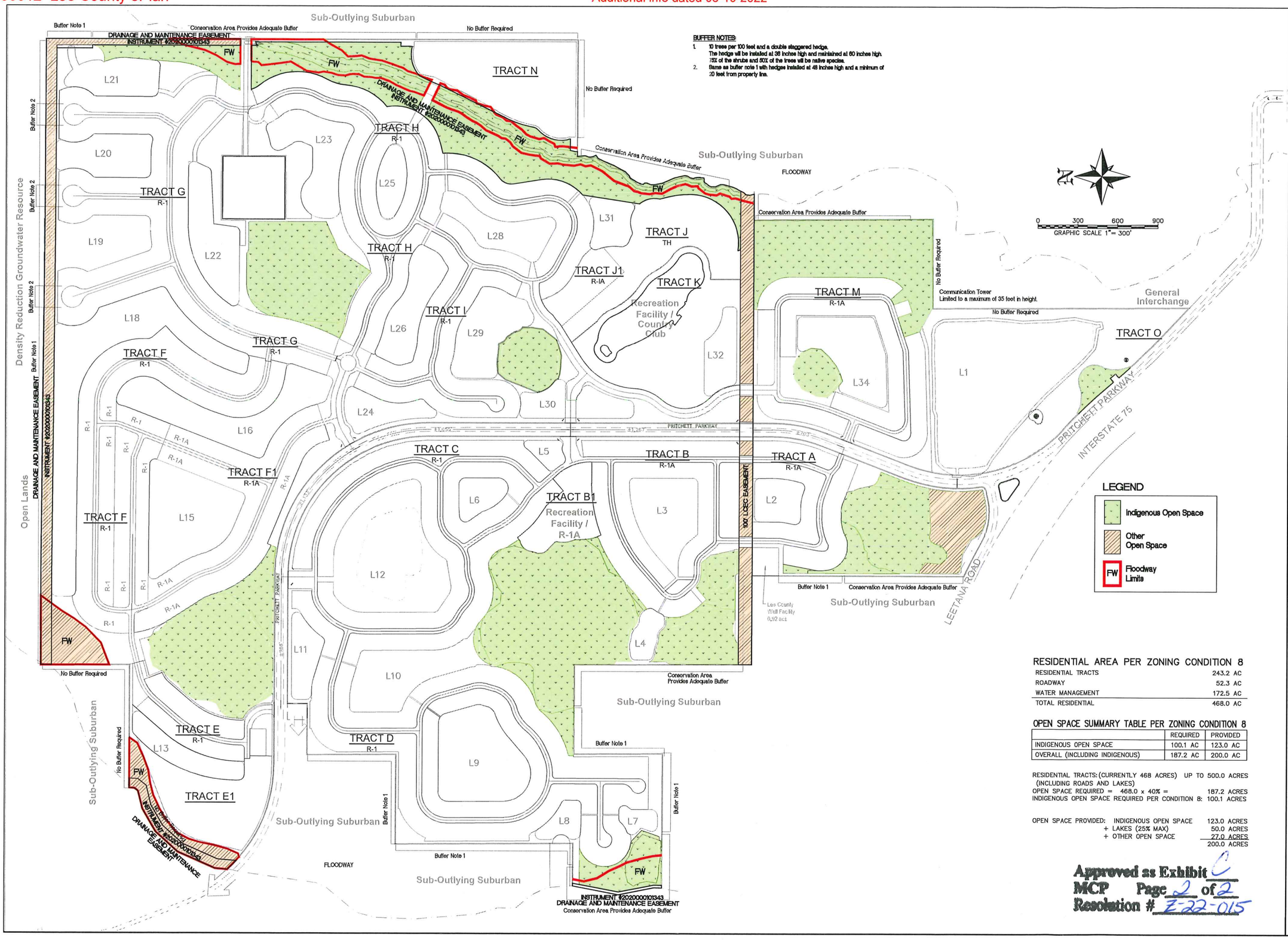
DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
8/16/2021	14447	_MCP	EMH	EMH	SWM	1"=300'	1 OF 2

S:\2014\14447\DOCUMENTS\DRAWINGS\MCP\14447 MCP_BRIGHTWATER 8-16-2022 8:34 AM EMH.DWG

ADD2024-00183 Lee County ePlan

DCI2021-00012 Lee County ePlan

Additional info dated 08-19-2022



BUFFER NOTES:

1. 10 trees per 100 feet and a double staggered hedge. The hedge will be installed at 36 inches high and maintained at 60 inches high. 75% of the shrubs and 50% of the trees will be native species.
2. Same as buffer note 1 with hedges installed at 48 inches high and a minimum of 20 feet from property line.

LEGEND

- Indigenous Open Space
- Other Open Space
- FW Floodway Limits

RESIDENTIAL AREA PER ZONING CONDITION 8

RESIDENTIAL TRACTS	243.2 AC
ROADWAY	52.3 AC
WATER MANAGEMENT	172.5 AC
TOTAL RESIDENTIAL	468.0 AC

OPEN SPACE SUMMARY TABLE PER ZONING CONDITION 8

	REQUIRED	PROVIDED
INDIGENOUS OPEN SPACE	100.1 AC	123.0 AC
OVERALL (INCLUDING INDIGENOUS)	187.2 AC	200.0 AC

RESIDENTIAL TRACTS: (CURRENTLY 468 ACRES) UP TO 500.0 ACRES (INCLUDING ROADS AND LAKES)
OPEN SPACE REQUIRED = 468.0 x 40% = 187.2 ACRES
INDIGENOUS OPEN SPACE REQUIRED PER CONDITION 8: 100.1 ACRES

OPEN SPACE PROVIDED: INDIGENOUS OPEN SPACE 123.0 ACRES
+ LAKES (25% MAX) 50.0 ACRES
+ OTHER OPEN SPACE 27.0 ACRES
200.0 ACRES

Approved as Exhibit C
MCP Page 2 of 2
Resolution # Z-22-015

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NO.	DATE	REVISION DESCRIPTION	BY
7	8/17/2022	REDUCED BY 25 D.U.	EMH
6	4/22/2022	REVISED TRACTS A AND ADDED DRAINAGE EASEMENTS	EMH
5	4/22/2022	REVISED TRACTS J AND J1	EMH
1	4/22/2022	ADD AS PAGE 2 TO MCP	EMH

CONCEPTUAL OPEN SPACE EXHIBIT
BRIGHTWATER RPD F/K/A STONEYBROOK NORTH
LEE COUNTY, FLORIDA

DATE	PROJECT	DRAWING	DESIGN	DRAWN	CHECKED	SCALE	SHEET
8/16/2021	1447	_MCP	EMH	EMH	SWM	1"=300'	2 OF 2

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ATTACHMENT C-3

Property Development Regulations

	Minimum Lot			Minimum Setback (ft.)							Max Building height (Ft.)	Min. Bldg Separation (Ft.)	Max Lot Coverage (%)
					Rear (ft.)			Front (ft.)					
LAND USES	Area (sq. ft.)	Min. Width (ft.)	Min. Depth (ft.)	Side Including Corner Lots (Ft.)*	Lots	Wetlands	Acc.	Front Entry Garage	Bldg. or Side Entry Garage	Water Body (ft.)			
Single-Family Detached	4,000†	40	100	5	20	20	5	20	12	25	35 or 2 stories ***	10	45
Two-Family Attached	3,500 per unit	35 per unit	100	0 or 10**	20	20	5	20	12	25	35 or 2 stories ***	10	45
Townhouse	2,000	22	80	0 or 10**	20	20	5	20	15	25	35	10	N/A
Clubhouse	20,000	80	100	10	20	20	5	20	20	25	35 or 2 stories	20	45
Accessory Recreation Buildings	N/A	N/A	N/A	N/A	20	20	N/A	N/A	N/A	N/A	35 or 1 story	20	N/A

* Applies to lots of all widths ad to corner lots. Each lot, including corner lots, will have only front yard.

† Lots located within 500 feet of the northern boundary of the project on ~~Tracts F-1 and F-3~~ F and G must be no less than 7,500 square feet in area.

**Townhouses and two-family attached must provide a minimum of 10 feet building separation where units are not adjoining.

*** Tract J1: 35 or 1-story

Exhibit D

Revised April 27, 2022