



DOCC

**LEE COUNTY**
SOUTHWEST FLORIDA

Division Of Planning

MEMORANDUM

To: Board of County Commissioners
From: Paul O'Connor, AICP, Director
Subject: 2002/2003 Regular Lee Plan Amendment Transmittal Hearings
Date: June 11, 2003

Attached are the Agenda, Staff Reports, and Supporting Data for the 2002/2003 Regular Lee Plan Amendment Transmittal Hearing. The hearing will be held on June 25, 2003 starting at 9:30 A.M. in the chambers.

The Agenda starts with Consent items that are recommended for transmittal to the Department of Community Affairs for their review and comment. Planning Staff and the Local Planning Agency concur in their recommendations on these amendments. The Agenda includes one Administrative item, the Estero 60 Future Land Use Map amendment. Staff and the LPA are not recommending transmittal of this proposed amendment. The Agenda concludes with the proposed Caloosahatchee Shores Community Plan.

If you have any questions regarding any of these amendments, please feel free to call me directly at 479-8309.

cc: Mary Gibbs, AICP, Director of Community Development
Tim Jones, Assistant County Attorney
Lisa Pierce, Minutes
Lee Cares
Planning File

**2002/2003 REGULAR LEE PLAN AMENDMENTS
TRANSMITTAL HEARING**

COMMISSION CHAMBERS, 2120 MAIN STREET

JUNE 25, 2003

9:30 A.M.

AGENDA

1. CALL TO ORDER; CERTIFICATION OF AFFIDAVIT OF PUBLICATION

2. CONSENT AGENDA

- **Public Comment on Consent Agenda**
- **Consent Items to be Pulled for Discussion by the Board**
- **Motion on the Balance of Items**
- **Consideration of Items Pulled for Discussion**

A. CPA 2002-06 – Outlying Suburban Residential Allocations

Amend Table 1(b), Planning Community Year 2020 Allocations, by correcting the Outlying Suburban Allocation for the Alva Community.

B. CPA 2002-08 – Conservation Lands

Amend the Future Land Use Map series, Map 1, by updating the Conservation Lands land use categories.

C. CPA 2002-11 – Buckingham Potable Water

Amend Goal 17, Buckingham, of the Future Land Use Element by adding language that allows water lines to be extended to serve the Buckingham Rural Community Preserve on a voluntary basis, with costs of extension to be paid by the petitioner. Amend Map 6, Future Water Service Areas, to show all of the Buckingham Rural Community Preserve to be within the Future Water Service Areas of the County. Amend Map 7, Future Sewer Service Areas, to add certain public facility sites (Gulf Coast Center and Tice Fire Station) to the Future Sanitary Sewer Service Area Map.

D. CPA 2002-13 – Financially Feasible Transportation Map

Amend the Transportation Maps of the Future Land Use Map Series and any related policy references to reflect the latest Lee County MPO 2020 Financially Feasible Transportation Plan map.

E. CPA 2002-15 – Constrained Roads

Update Table 2(a), Constrained Roads/State and County Roads, to eliminate Old 41, which is now a City of Bonita Springs road.

F. CPA 2002-19 – Capital Improvements Program

Amend the Capital Improvements Element (Tables 3 & 4) to reflect the latest adopted Capital Improvement Program.

G. CPA 2002-22 – Policy 100.2.3 Text Update

Amend Policy 100.2.3 of the Housing Element by replacing the outdated reference to the approval process of "Special Permit" with the current process of "Special Exception."

3. ADMINISTRATIVE AGENDA

A. CPA 2002-02 – Estero 60

Amend the Future Land Use Map series for a portion of a specified parcel of land located in Section 20, Township 46 South, Range 25 East to change the classification shown on Map 1, the Future Land Use Map, from "Rural" to "Outlying Suburban." Amend Lee Plan Policy 1.1.6 by limiting the density in the reclassified area to 2 dwelling units per acre. Also, amend Table 1(a), Note 6 to require central sewer service for development in the subject property.

4. COMMUNITY PLAN AGENDA

A. CPA 2002-04 – Caloosahatchee Shores Community Plan

Amend the Future Land Use Element of the Lee Plan, text and Future Land Use Map series to incorporate the recommendations of the Caloosahatchee Shores Community Planning effort, establish a new Goal, Vision Statement and subsequent Objectives and Policies.

5. ADJOURN

These meetings are open to the public and all interested parties are encouraged to attend. Interested parties may appear and be heard with respect to all proposed actions. Pursuant to Florida Statutes Section 163.3184(7), persons participating in the Comprehensive Plan Amendment process, who provide their name and address on the record, will receive a courtesy informational statement from the Department of Community Affairs prior to the publication of the Notice of Intent to find a plan amendment in compliance.

If a person decides to appeal any decision made by the board, agency or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. Further information may be obtained by contacting the Lee County Division of Planning at 479-8585.

In accordance with the Americans with Disabilities Act, reasonable accommodations will be made upon request. If you are in need of a reasonable accommodation, please contact Janet Miller at 479-8585 Extension 5910.

**CPA2002-02
ESTERO-60
PRIVATELY INITIATED
AMENDMENT
TO THE**

LEE COUNTY COMPREHENSIVE PLAN

THE LEE PLAN

**Privately Sponsored Application
and Staff Analysis**

**BoCC Public Hearing Document
for the
June 25th, 2003 Public Hearing**

*Lee County Planning Division
1500 Monroe Street
P.O. Box 398
Fort Myers, FL 33902-0398
(941) 479-8585*

March 24, 2003

**LEE COUNTY
DIVISION OF PLANNING
STAFF REPORT FOR
COMPREHENSIVE PLAN AMENDMENT
CPA2002-02**



Text Amendment



Map Amendment

	This Document Contains the Following Reviews:
✓	Staff Review
✓	Local Planning Agency Review and Recommendation
	Board of County Commissioners Hearing for Transmittal
	Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report
	Board of County Commissioners Hearing for Adoption

STAFF REPORT PREPARATION DATE: March 17, 2003

PART I - BACKGROUND AND STAFF RECOMMENDATION

A. SUMMARY OF APPLICATION

1. APPLICANT:

**ESTERO 60 ACRE LAND TRUST
REPRESENTED: BY WAYNE ARNOLD,
Q. GRADY MINOR AND ASSOCIATES**

2. REQUEST:

Amend the Future Land Use Map series for a portion of a specified parcel of land located in Section 20, Township 46 South, Range 25 East to change the classification shown on Map 1, the Future Land Use Map, from "Rural" to "Outlying Suburban." Also, to amend Lee Plan Policy 1.1.6 by limiting the density in the reclassified area to 2 dwelling units per acre. Also, amend Table 1(a), Note 6 to require central sewer service for development in the subject property. The applicant proposes the following text amendment:

Policy 1.1.6: The Outlying Suburban areas are characterized by their peripheral location in relation to established urban areas. In general, these areas are rural in nature or contain existing low-density development. Some, but not all, of the requisite infrastructure needed for higher density development is generally planned or in place. It is intended that these areas will develop at lower residential densities than other Future Urban Areas. As in the Suburban Areas, higher densities,

commercial development greater than neighborhood centers, and industrial land uses are not permitted. The standard density range is from 1 dwelling unit per acre (1 du/acre) to three dwelling units per acre (3 du/acre). Bonus densities are not allowed. In the Outlying Suburban area North Fort Myers east of I-75, a portion of San Carlos Groves in San Carlos/Estero planning community, and in the Buckingham area (see Goal 17), the maximum density permitted is two dwelling units per acre (2 du/acre).

Table 1(a), Note 6: In the Outlying Suburban category north of the Caloosahatchee River and east of Interstate-75, north of Pondella Road and south of Pine Island Road (SR 78); Lots 6-11, San Carlos Groves Tract, Section 20, Township 46 S, Range 25 E of the San Carlos/Estero area; and in the Buckingham area (See Goal 17), the maximum density shall be 2 du/acre. For lots 6-11, San Carlos Groves Tract, Section 20, Township 46 S, Range 25 E of the San Carlos/Estero area, connection to a central sanitary sewer system shall be required if residential development occurs at a density exceeding 1 dwelling unit per acre, and clustering shall be utilized if residential development occurs at a density exceeding 1 unit per acre to enhance open spaces and buffers and to provide for an appropriate flow way. Compliance with the above clustering standards shall be demonstrated through the use of the planned development zoning district.

B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. **RECOMMENDATION:** Planning staff recommends that the Board of County Commissioners not transmit this proposed amendment. Staff recommends that Map 1, the Future Land Use Map, not be amended to change the future land use designation of this parcel from the "Rural" land use category to the "Outlying Suburban" land use category. Staff also recommends that Lee Plan Policy 1.1.6 and Table 1(a), Note 6 not be amended.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** In addition to the various conclusions contained in this Staff Analysis, staff offers the following as the basis and recommended findings of fact:
 - The requested land use category is not adjacent to the site.
 - The need for additional urban area within the County has not been justified by the applicant.
 - Based on the 2020 FSUTMS model run, even with all planned improvements, U.S. 41 will operate at LOS F in the year 2020. The proposed increase in density would add 59 trips in the P.M. peak hour. This would worsen an already burdened section of major roadway.
 - Access to the property is through an existing residential area to the east. Furthermore, the access road is substandard and the access is problematic where the Right of Way intersects existing roads.

- All portions of the property less than 7.4 feet in elevation meet the criteria of the Coastal high Hazard Area.
- Access is further limited by the north-south configured slough flow-way on the eastern edge of the property.
- This slough could act as a conduit for storm surges coming up from Mullock Creek.
- This property is within the Tidal Surge area depicted on Lee Plan Map 9: Defined 100-year Flood Plains.
- The property abuts the Estero Scrub Preserve, a state-owned conservation area, to the south and west.
- Increasing residential density from one unit per acre to two units per acre would generate approximately 38 public school students, creating a need for up to two new classrooms in the district. The schools in the South Region that would serve this development are operating at or above permanent student capacity levels.
- The proposal would add 2.4 minutes to the hurricane evacuation time.
- The proposal would double the number of vehicles evacuating in a hurricane from 58 to 116 and the number of people evacuating from 109 to 218.
- The proposal would double the number of people seeking shelter in a Category 2 hurricane from 23 to 46.
- The proposal would double the amount of hurricane shelter space needed in a category 2 hurricane from 460 square feet to 920.
- The majority of the property contains high quality native uplands.
- The property contains habitat for Lee County listed species.
- The proposed amendment is inconsistent with Lee Plan Policies 75.1.4 and 5.1.2 which seek to limit development in the Coastal High Hazard Area.
- A nearly identical proposal was denied by the Board of County Commissioners in January 2002.
- Remaining upland portions of the property are essentially an island surrounded by the Coastal High Hazard Area.

C. BACKGROUND INFORMATION

1. EXISTING CONDITIONS

SIZE OF PROPERTY: 60.324 acres.

PROPERTY LOCATION: The site is generally located at the end of Pine Road, west of U.S. 41 in Estero.

EXISTING USE OF LAND: The subject property is currently vacant.

CURRENT ZONING: AG-2.

CURRENT FUTURE LAND USE CLASSIFICATIONS: Rural, Urban Community and Wetlands.

2. INFRASTRUCTURE AND SERVICES

WATER & SEWER: The subject property is located in the Gulf Environmental Services, Inc., franchise area for potable water service. Conversations with personnel at the water utility indicate that adequate flow and pressure are available. The nearest water main is a 10 inch line running along the south side of Pine Road from US 41 to the western end of Pine Road, terminating approximately 670 feet from the property. Staff has confirmed with personnel at Gulf Environmental Services Inc. that the water treatment plant for the area has sufficient capacity for the proposed additional 60 units.

The subject property is also located in the Gulf Environmental Services, Inc., franchise area for sanitary sewer service. According to the application, "Sanitary sewer will be extended to the site and utilized." The nearest sewer line is a force main on the east side of US 41 and connecting to it would require an investment in infrastructure for new lines and force pumps. Planning staff notes that Lee Plan Standards 11.1 and 11.2 provide for mandatory connections when certain development thresholds are achieved. The proposed density increase would fall below the 2.5 units per acre threshold for mandatory connection to sanitary sewer lines. However, the applicant has proposed language that would make sewer connections mandatory for the subject property.

On June 30th 2003 Lee County Utilities will take over services from Gulf Environmental Services. Staff does not anticipate any difficulties or changes in the level of service from this change.

FIRE: The property is located in the San Carlos Fire Protection and Rescue Service District.

TRANSPORTATION: The subject property currently has access to an unimproved dirt trail which is covered by easements connecting it to Pine Road, on the west side of U.S. 41.

SOLID WASTE FRANCHISE: Gulf Disposal Inc.

PART II - STAFF ANALYSIS

A. STAFF DISCUSSION

INTRODUCTION

The applicant, Estero 60 Acre Land trust, represented by Wayne Arnold, is requesting a change of future land use designation on the Future Land Use Map from "Rural" to "Outlying Suburban" for 51.63 acres of a 60.324 acre parcel of land (attachments 1A and 1B). The applicant is also requesting an amendment to the Lee Plan that would limit the property to a maximum density of two units per acre and would require that any future development to connect to central sewer services. The site is located west of the current terminus of Pine Road west of U.S. 41 in Estero, in Section 20, Township 46 South, Range 25 East. If the amendment is approved the permissible density would increase from a maximum standard density of 1 du/acre to 2 du/ac, a 100 percent increase.

This proposal is nearly identical to proposed Lee Plan Amendment PAM98-06. That proposed amendment was denied by the Lee County Board of County Commissioners in January 2002. The only difference between PAM98-06 and this proposed amendment is the additional proposed language requiring the subject property to connect to central sewer service and the use of clustering and the planned development process.

COMPREHENSIVE PLAN BACKGROUND

In 1984, Lee County adopted its first official Future Land Use Map (FLUM) as an integral part of its comprehensive plan. On that map, the subject property was shown as being located in the "Rural" and "Urban Community" land use categories. Only that portion of the property lying to the east of Mullock Creek was designated Urban Community which accounts for only a small triangle in the extreme southeast corner. Subsequent Future Land Use Map amendments and administrative interpretations redesignated the slough system on the eastern side of the property and other scattered spots to Wetlands. This created 7.86 acres of Wetland designation and resulted in an even a smaller portion (.5 acre) of the property being designated Urban Community. There are approximately 51.63 acres currently designated Rural on the property. The future land use designations of this property were not affected by the Estero/Corkscrew Road Area Study of 1987.

ADJACENT ZONING AND USES

Immediately to the north of this parcel are 9 vacant acres of a 31 acre parcel in the Shady Acres RV Park, with AG-2, MH-2, and RV-3 zoning. North of that parcel is a subdivided portion of Shady Acres with MH-1 zoning. These parcels are designated as Rural, Wetlands, and/or Urban Community. Immediately to the east of the subject parcel are several parcels zoned AG-2 and RS-3. Some are vacant, and others have low density residential uses. These parcels are designated Wetlands and Urban Community. Two parcels have churches on them. The first church is a Congregation of Jehovah's Witnesses on the north side of Pine Road. Further east on the south side of Pine Road is Crossway Baptist Church. To the south and the west is the Estero Scrub Preserve, a conservation area and part of the state-owned Estero Aquatic Preserve. To the east is a 10 acre vacant parcel that is part of a slough system feeding into Mullock Creek. This parcel is part of an ongoing land swap between the Trustees for Internal Improvement Trust Fund (TIITF) and the parcels owner. The 10 acre parcel is being given to the state in exchange for TIITF-owned land along US41. The 10 acres will then become part of the Estero Scrub Preserve. The significance of this swap is that if it goes through it will cause the subject property to become bordered by the Estero Scrub

Preserve on three sides. This will further isolate the property from nearby residential land. As of this report, the swap is still pending.

TRANSPORTATION ISSUES

Proposed Lee Plan Amendment PAM 98-06 was a part of the 2001-02 Regular Plan Amendment Cycle. The Lee County Department of Transportation (DOT) reviewed that request and provided Planning staff written comments dated December 14, 1998 (see Attachment 2). The Department of Transportation raised four questions/comments which are relevant to this proposed amendment. The property will use Pine Road to access U.S. 41. DOT notes that, based on the 2020 FSUTMS model run, U.S. 41 will operate at LOS F in the year 2020, even with all of the planned transportation improvements in place. In a memo dated February 6, 2001, DOT staff states that a density increase of 1 unit/acre to 2 units per acre will result in an additional 59 trips in the P.M. peak hour, but this will not change the future road network plans. Although the number of trips generated will not be very large, it will exacerbate an already bad situation. Planning staff questions the validity of doubling the density on this property when it is known that there is a future LOS problem on a major roadway link affected by this property.

DOT also raises a potential problem with north bound traffic exiting the property making a U-turn at the intersection of U.S. 41 and Breckenridge.

Pine Road itself is a substandard roadway, measuring only about 20 feet wide with soft shoulders and a drainage ditch on the north side.

An additional concern is the configuration of the access from Pine Road. Several access points intersect at this point. This includes the easement to the subject property, Allaire Lane to the south, Pine Road to the east, the entrance way to the residential property to the southwest, an unimproved approach running north from the intersection, and access ways from the residence to the northwest and the Jehovah's Witness church northeast of the intersection.

Mass Transit

The application provided the following regarding Mass transit during the PAM 98-06 plan amendment:

"The subject site has no facilities directly servicing the property. The Lee Tran provides service from U.S.41 and Constitution to the north. Lee County has no plans for the area until residential developments of the type generating mass transit needs are in place. Consequently, revisions to the Mass Transit Sub-Element or Capital Improvements element are unnecessary."

In a memo dated February 20, 2003, Steve Myers of LeeTran reaffirmed that the proposed amendment will have no effect on existing or planned LeeTran services (see Attachment 2).

PUBLIC SAFETY ISSUES

The applicant and Planning staff requested letters from the public safety and service providers (see Attachment 2). The purpose of these letters is to determine the adequacy of existing or proposed support facilities.

Emergency Management - Hurricane Evacuation/Shelter Impacts

Lee County Emergency Management (EM) staff reviewed proposed Lee Plan Amendment PAM98-06 and provided written comments dated February 20, 2001 (see Attachment 2). These comments are relevant to this proposed amendment. Many portions of the subject property meet the criteria for the Category 1 evacuation area. Doubling the allowable density on a property located in a Category 1 evacuation area, according to the Southwest Florida Regional Planning Council's Hurricane Evacuation Study, would add 2.4 minutes to the exiting evacuation time. The increased density would also double the number of people seeking shelter in a category 2 hurricane from 23 to 46 and double the amount of shelter space needed from 460 square feet to 920. Likewise, the number of evacuating vehicles would double from 58 to 116 and the number of evacuating people would double from 109 to 218.

Fire Service Impact

The subject parcel is located within the San Carlos Fire Protection and Rescue Service District. In a May 29, 2001 conversation with staff, Chief Ippolito of the San Carlos Fire Protection and Rescue Service District stated his objection to the proposed increase in Density due to the single access and the substandard nature of Pine Road. This concern was reaffirmed in a conversation with San Carlos Fire Protection staff on March 14, 2003.

Emergency Medical Services (EMS) Impact

EMS staff reviewed proposed Lee Plan Amendment PAM98-06 and provided written comments. Those comments are relevant to this proposed amendment. In a letter dated October 15, 1998, the EMS Program Manager stated:

"If the above named parcel is changed to Outlying Suburban from Rural, I estimate a maximum build out population of 376 persons (2.09 persons in each dwelling unit /3 dwelling units per acre) The Residents could generate 45 calls annually for EMS resources."

"Without a site plan showing ingress/egress corridors, I cannot assess if there may be an impact to EMS response time reliability. However, the current average EMS response time for the San Carlos area is six (6) minutes. The impact of this increased demand for EMS services should not pose a problem if additional ambulances/personnel are acquired according to current budgetary plans."

Planning staff is concerned that an average response time of six minutes is excessive. The Lee Plan's non-regulatory EMS standard, as contained in Policy 70.1.3, provides for "a five and one half (5½) minute average response time."

Public Safety Conclusion

From the above reviews, planning staff concludes that the requested land use change will have an impact on public safety service providers by increasing the demand on existing and future facilities.

SCHOOL IMPACTS

Staff of the School District of Lee County have reviewed the proposal and provided written comments dated February 26, 2003 (see Attachment 2). In a personal communication with planning staff on March 4, 2003 School District staff confirmed that the proposed amendment to Outlying Suburban would increase the potential density to two units per acre, or 120 units. These units would generate approximately 38

public school students, creating a need for up to two new classrooms in the district. The schools in the South Region that would serve this development are operating at or above permanent student capacity levels. Those schools that exceed permanent student capacity levels are operating through the use of portable classroom buildings. The growth generated by this development will require either the addition of permanent student and auxiliary space or the placement of portable buildings. Either action imposes a fiscal impact on the District that would need to be addressed in the permitting process through school impact fees.

VEGETATION & WILDLIFE

The 60-acre parcel contains approximately 43 acres of high quality scrubby pine flatwoods, 0.7 acres of pine/oak scrub, 5 acres of pine flatwoods with melaleuca, 8 acres of melaleuca dominated wetlands, 1.7 acres of FPL transmission line easement, 1.2 acres of borrow pit/pond, and 0.8 acres of disturbed area. The property abuts the Estero Scrub Preserve along the entire length of the western and southern property lines.

The melaleuca dominated slough system crossing the eastern portion of the property is degraded vegetatively, however, the conveyance and stormwater storage capacity are important to this portion of the County. Restoration of the slough system would be beneficial to water quality, water storage, and wildlife. In fact, the state has begun restoration of this slough system to the south on the Estero Scrub Preserve property.

The property consists of habitat that may support Lee County listed species. The potential listed species include gopher tortoise, eastern indigo snake, gopher frog, southeastern American kestrel, red-cockaded woodpecker, Florida panther, Big Cypress fox squirrel, Florida black bear, fakahatchee burmanian, satinleaf, beautiful paw-paw, Florida coontie, American alligator, roseate spoonbill, limpkin, little blue heron, reddish egret, snowy egret, tricolored heron, and Everglades mink. Gopher tortoise burrows and scat were observed by Craig Schmittler, South Florida Water Management District, and Boylan Environmental Consultants staff.

COMMUNITY PARKS IMPACT

The application provides the following concerning this issue:

"The subject site is found in District 4 of the Lee County Park Impact Fee regulations. The closest facility to the site is the Three Oaks Community Park. Lee County has plans to construct an additional facility in Estero."

In a memo from the Development Services Division dated May 16, 2001, County staff states,

"The potential increased population is 126 residents. These residents will require 0.75 acres of regional parks to meet the required level of service (LOS) and 1.01 acres to meet the desired LOS standard. There is sufficient acreage of regional parks to meet the required LOS standard beyond the year 2004. However, the desired LOS will probably not be met in 2004."

"The residents will require 2.2 acres of community parks to meet the required LOS standard and 2.52 acres to meet the desired LOS standard. There is sufficient acreage to meet the required LOS standard throughout the year 2004. However, the desired LOS standard was not met in 1997. The only new park or addition planned in Community Park Impact Fee District 4 is a 3-acre addition"

at Bay Oaks Park on Ft Myers Beach which is not large enough to meet the desired LOS in 1998 or later."

Although the proposed amendment would not create a park acreage deficit, it would make the goal of attaining the desired level of park space more difficult to achieve.

DRAINAGE/SURFACE WATER MANAGEMENT

The application provides the following discussion concerning this issue:

"Surface water management will be provided by a series of lakes, connecting culverts and out falls structures. All will be permitted through the South Florida Water management District and will comply with their rules and regulations."

According to staff from Lee County Division of Natural Resources, surface water flows affecting this site are from northeast to southwest. While it may be perceived that flow go toward Mullock Creek, the system is very small and constricted. Staff believes the water flows crossing this site should be routed through this sites' water management system and outfall toward the FPL grade with culverts to allow the water flow to continue to the southwest through the State preserve.

COASTAL ISSUES

Coastal issues are relevant to this application. The 1991 "Hurricane Storm Tide Atlas for Lee County," prepared by the Southwest Florida Regional Planning Council, shows that approximately 2.2 acres of the subject property are located within the Category 1 storm surge zone. However, due to the generalized nature of the Storm tide atlas, 2.2 acres is a low estimate and does not accurately indicate the extent to which the subject property would be affected by coastal flooding. In particular, staff is concerned that the slough on the eastern side of the property would act as a conduit for storm surges coming up from Mullock Creek. These surges could not only flood part of the subject parcel, but would also lay across the only access way from the subject property to hurricane evacuation routes. According to communications with Dan Trescott of the Regional Planning Council, those portions of the subject property lower than 7.4 feet meet the criteria for the category 1 storm surge and should be in the Coastal High Hazard Area. This includes the Northwest corner of the property, the eastern portion of the northern half of the property as well as the southeast corner of the property (See Attachment 4). The topographic map of the subject property reveals that the slough areas are less than 7.4 feet in elevation and therefore should be within the Coastal High Hazard Area. The subject site is in the "Coastal Planning Area" as defined by the Lee Plan. All of the subject property is in the FIRM A Zone. The site is also within the Tidal Surge area of a 100-year storm according to Lee Plan Map 9: Defined 100-year Flood Plains (See Attachment 5). The site has a history of flooding as indicated on the Flood History Map supplied by Emergency Management Staff (See Attachment 6).

Lee Plan Policy 75.1.4 states:

"Through the Lee Plan amendment process, land use designations of undeveloped areas within coastal high hazard areas shall be considered for reduced density categories (or assignment of

minimum allowable densities where density ranges are permitted) in order to limit the future population exposed to coastal flooding.”

The applicant is seeking to increase residential density over and above that which is currently permitted by the Rural designation of the subject property. The end result, if approved, is increased density and the concurrent increase in population placed in an area subject to storm surge. Staff finds that doubling the number of permitted units on the subject property is inconsistent with the statement of “assignment of minimum allowable densities” in this policy.

In addition, Lee Plan Policy 5.1.2. states:

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

Staff finds that doubling the number of permitted units on the subject property is inconsistent with this policy. Furthermore, the applicant has not included any analysis or justification that the subject property (a portion of which is located in the Coastal High Hazard Area) is an appropriate location to increase densities from that currently envisioned and permitted by the Lee Plan.

In a memo dated February 13, 2003, John D Wilson of the Division of Public Safety states:

“As I understand it, the proposed request potentially increases the density from one du/acre to two du/acre. The upper northwest segment of the property is located in the defined Coastal High Hazard Area (see attached map). If approved, the amendment would increase the property’s potential residential density for that area, which appears contrary to the intent of Lee Plan Policy 75.1.4.”

“The remaining section of the property is east of the county’s defined Coastal High Hazard Area and as such, the density increase requested is not consistent with the Lee Plan’s aim to minimize density increases in hazardous areas. By the same token, the county receives credit for low density zoning from the Federal Emergency Management Agency’s Community Rating System (CRS) program. The request, if granted, would remove this acreage from the amount the county currently receives credit for this particular activity.”

In the event of a category two hurricane, doubling the density of this property would also double the number of evacuating people from 109 to 218. Likewise, the number of evacuating vehicles would double from 58 to 116 and the number of people seeking shelter would double from 23 to 46.

POPULATION ACCOMMODATION ANALYSIS

There are approximately 51.63 acres currently designated Rural on the property. Under the current designation, 51 dwelling units could be constructed in the Rural area. This Rural area accommodates 106 persons on the FLUM (51 X 2.09 persons per unit). There is .5 acre designated Urban community on this property. Under that designation, a maximum of 3 dwelling units could be built in that area. This equates to a population accommodation capacity of 6 persons (3 units X 2.09 persons per unit). There are 7.86 acres designated Wetland on the subject property. Since a minimum of 20 acres of Wetland is needed for

a single unit, no dwelling units can be constructed in this area. Under current designation, 54 units total can be constructed on the subject property for a population accommodation capacity of 112 persons.

The proposed plan amendment would redesignated the Rural areas to Outlying Suburban with a maximum density of 2 units per acre. This would allow a maximum of 103 units to be built on the outlying suburban land. This would increase the Population accommodation capacity to 215 persons. The Urban Community and Wetland areas would be unaffected and would still allow 3 units and zero units respectively. This would create a total of 106 dwelling units on the subject property and a population accommodation capacity of 221 persons under the proposed amendment. This would increase the population accommodation on the Future Land Use Map by 109 persons.

APPROPRIATENESS ANALYSIS

The request is to redesignate 51.63 acres of a 60.324 acre parcel of land from a non-urban designation to a Future Urban designation. The applicant has not shown that the proposed land use category is appropriate for the subject site. The requested land use category, Outlying Suburban, is not adjacent to the site. As such, the proposed amendment represents "spot" planning. In addition, the proposal would also create approximately 51 acres of additional future urban area. Lee County currently has sufficient land designated future urban area and the applicant has not provided sufficient justification for more urban land at this time.

In 1989, The secretary of the Florida Department of Community Affairs defined sprawl as "premature, low-density development that 'leapfrogs' over land that is available for urban development." The subject property is in a rural designation and is situated just outside a future urban area designated Urban Community on the Future Land Use Map. The urban area between the subject property and US 41 currently contains low density residential and vacant parcels (attachment 3). As such, the proposed amendment would fit this definition of urban sprawl.

The site abuts a state-owned preservation area and as such the lower density non-urban category is more appropriate. Lee County has proposed no urban services for this site. Increasing the density would place a greater demand on a substandard local road and on US 41, which will be already overloaded by the year 2020. The applicant has not stated a clear planning basis for the requested change. Staff finds that the application's supporting documentation is insufficient to warrant this change.

B. CONCLUSIONS

This proposed plan amendment is almost identical to previous Lee Plan amendment PAM98-06 that was denied by the Lee County Board of County Commissioners in January 2002. The only difference between the two applications is the new proposed language that would require connection to central sewer service and the use of clustering and the Planned Development Process. The issues and concerns that planning staff had with PAM98-06 are still relevant and have not been sufficiently addressed by the applicant. Staff's main concern is the presence of the slough flow-way on the eastern edge of the property and the property's vulnerability to flooding. Planning staff finds that there is no justification for the proposed amendment to Map 1, the Future Land Use Map, to change the subject property from the non-urban category of Rural to the urban category of Outlying Suburban. The proposed plan amendment does not remedy or mitigate any undesirable condition nor does it enhance or create any desirable conditions. Staff believes that the increased density is inappropriate for the area.

C. STAFF RECOMMENDATION

Planning staff recommends that the Board of County Commissioners not transmit this proposed amendment. Staff recommends that Map 1, the Future Land Use Map, not be amended to change the future land use designation of this parcel from the "Rural" land use category to the "Outlying Suburban" land use category. Staff also recommends that Lee Plan Policy 1.1.6 and Table 1(a), Note 6 not be amended as requested. This recommendation is based upon the previously discussed issues and conclusions of this analysis. See the finding of facts in Part I of this report.

PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION

DATE OF PUBLIC HEARING: March 24, 2003

A. LOCAL PLANNING AGENCY REVIEW

Both planning staff and the applicant gave presentations. One LPA member asked if any specific clustering were being proposed. The applicant replied that there were no specific plans for the property but that the RPD process would be used. An LPA member stated that it would be possible for the applicant to get the desired number of units on a smaller piece of land at higher density, allowing much of the property to be preserved. The applicant replied that it was necessary to redesignate the entire property to achieve the proposed density of 2 units an acre.

Another LPA member asked for an update on an abutting 10-acre parcel known as the Smith Parcel. The applicant described the parcel as 7 acres of slough and 3 acres of upland. The applicant stated that a developer was due to purchase the property on April 15th and then swap it to the state in exchange for another parcel in the area.

Three residents of the neighborhood abutting the subject property spoke at the meeting. Among the concerns they expressed were:

- The increased number of people that would be exposed to flooding, storm surges and hurricanes.
- The increased danger of entering US 41 from Pine Road.
- The destruction of wildlife habitats.
- The increased traffic would increase the danger to neighborhood children and pets.

One citizen stated that there is a 30-40 signature petition on file at the commissioners office opposing the proposed expansion.

Board members asked if there were any plans to signalize the Pine Road/ US 41 intersection or if the additional 60 units would warrant a median. Staff replied that they did not know of any plans to signalize the intersection and it would not be possible to accommodate a median at that location.

Two board members expressed concern over increased urban area in the County and felt that the traffic issue had not been addressed. Another member felt that the applicant was reasonable in their efforts and that in the long run, the County was better off with a clustered development served by sewer.

One member stated that although the applicant had made an effort to sell the property to the state, he moved that the LPA find the proposed amendment inconsistent with the Lee Plan and recommend that the Board of County Commissioners not transmit the proposed amendment. This motion was seconded.

B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY

1. RECOMMENDATION:

The LPA recommends that the Board of County Commissioners **not** transmit this amendment.

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

The LPA found that despite the applicants efforts to meet planning staffs requests, the proposed plan amendment was inconsistent with the Lee Plan.

C. VOTE:

NOEL ANDRESS	NAY
MATT BIXLER	AYE
SUSAN BROOKMAN	AYE
DAN DELISI	NAY
RONALD INGE	ABSENT
GORDON REIGELMAN	AYE

**PART IV - BOARD OF COUNTY COMMISSIONERS
HEARING FOR TRANSMITTAL OF PROPOSED AMENDMENT**

DATE OF TRANSMITTAL HEARING: June 25, 2003

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION

ANDREW COY

RAY JUDAH

BOB JANES

DOUG ST. CERNY

**PART V - DEPARTMENT OF COMMUNITY AFFAIRS OBJECTIONS,
RECOMMENDATIONS, AND COMMENTS (ORC) REPORT**

DATE OF ORC REPORT: _____

A. DCA OBJECTIONS, RECOMMENDATIONS AND COMMENTS:

B. STAFF RESPONSE

**PART VI - BOARD OF COUNTY COMMISSIONERS
HEARING FOR ADOPTION OF PROPOSED AMENDMENT**

DATE OF ADOPTION HEARING: _____

A. BOARD REVIEW:

B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:

1. BOARD ACTION:

2. BASIS AND RECOMMENDED FINDINGS OF FACT:

C. VOTE:

JOHN ALBION

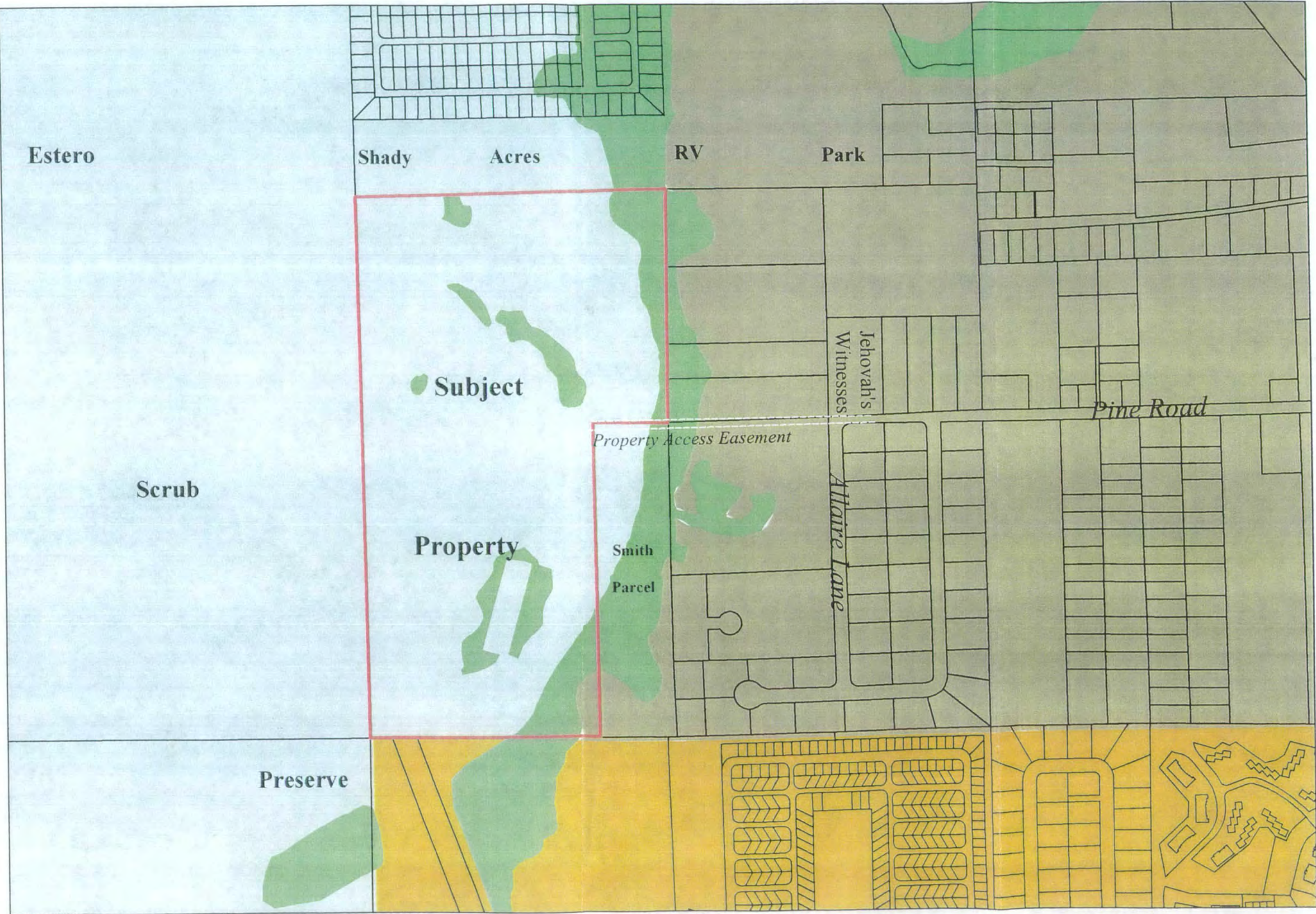
ANDREW COY

RAY JUDAH

BOB JANES

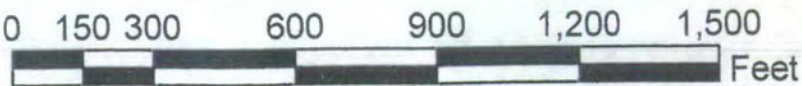
DOUG ST. CERNY

CPA2002-02
Current Future
Land Use Map

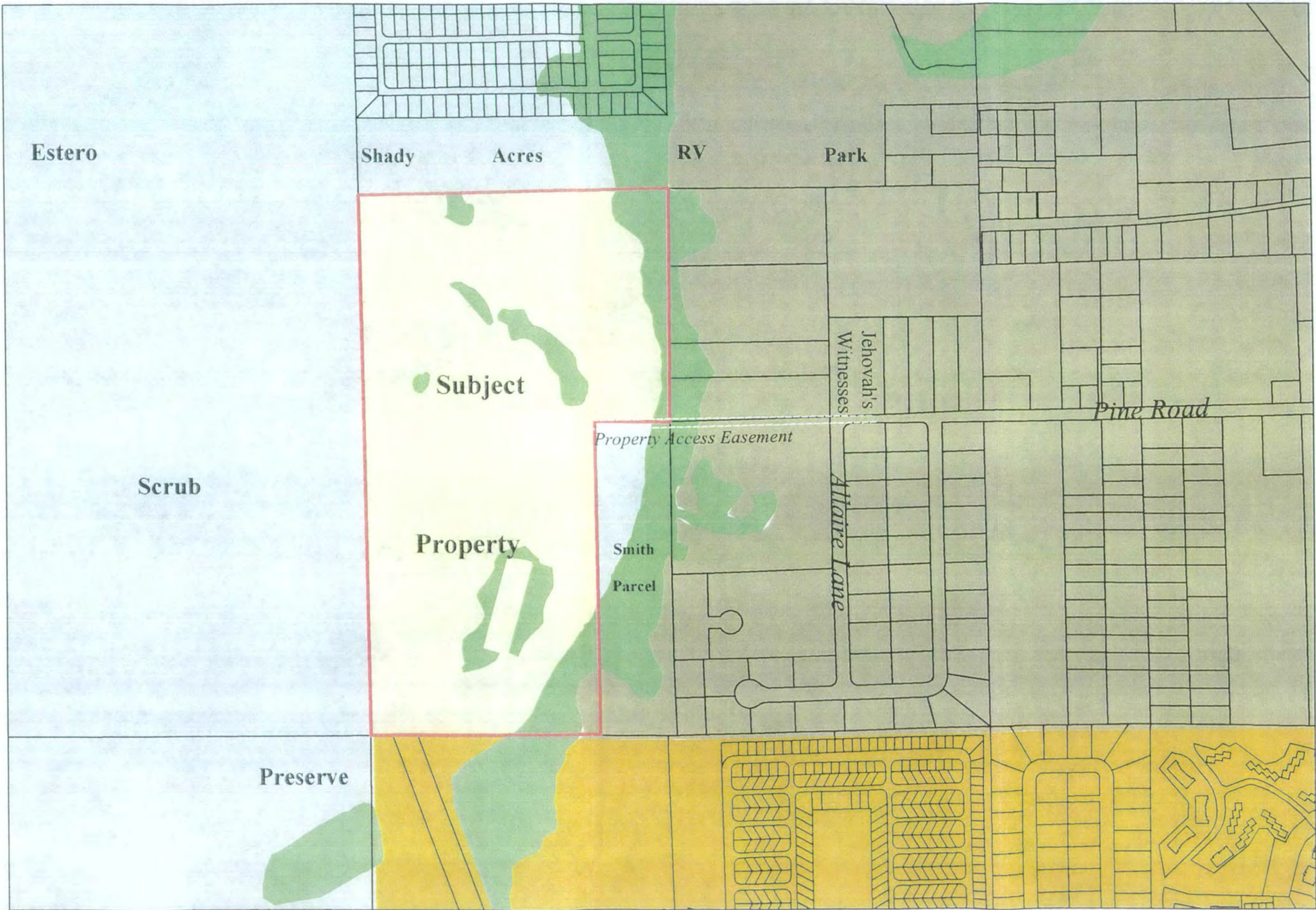


FLUM Designations

- Rural
- Suburban
- Urban Community
- Wetlands
- Outlying Suburban

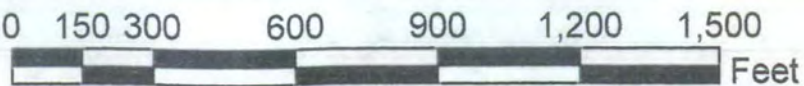


CPA2002-02
 Proposed Future
 Land Use Map



FLUM Designations

	Rural
	Suburban
	Urban Community
	Wetlands
	Outlying Suburban



Attachment 2:
Memorandums and Communications
from Lee County Service Providers

To: M. Noble



LEE COUNTY
SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: _____

John E. Manning
District One

February 26, 2001

Douglas R. St. Cemy
District Two

Mr. Paul O'Conner

Ray Judah
District Three

Director, Division of Planning

P.O. Box 398

Andrew W. Coy
District Four

Fort Myers, FL 33902-0398

John E. Albion
District Five

RE: Your request for review of PAM 98-06 and CPA 2000-03

Donald D. Stilwell
County Manager

Dear Mr. O'Conner:

James G. Yaeger
County Attorney

Emergency Management has reviewed the referenced documents. The results of our review are enclosed.

Diana M. Parker
County Hearing Examiner

If you have questions, please contact me at 477-3614.

**Sincerely,
DIVISION OF PUBLIC SAFETY
Emergency Management Program**

**John M. Campbell
Chief of Planning**

2 encl.

LEE COUNTY
RECEIVED
01 FEB 26 PM 1:45
COM. L. DEV/
PUB. WORKS. CNTR.
SECOND FLOOR

ATTACHMET 2A

MEMORANDUM
FROM THE
DIVISION OF PUBLIC SAFETY
EMERGENCY MANAGEMENT

DATE: February 20, 2001

TO: Paul O'Connor
Director, Division of Planning

From: John M. Campbell
Chief of Planning
Emergency Management

REVIEW AND RECOMMENDATIONS

Project: PAM 98-06 Change 60 Acres from Rural to Outlying Suburban Designation
Request: Rural to Outlying Suburban, PAM 98-06
Location: 4800 Pine Road, Estero (STRAP # 20462501000090000)
Applicant: Estero 60 Acre Land Trust
Agent: Bob Thinnis: O. Grady Minor & Associates

1. HURRICANE VULNERABILITY

According to the National Weather Service's storm surge model "SLOSH" which reflects a composite of maximum extent of flooding that may be caused for each hurricane category, this site is subject to storm surge flooding as shown below:

<u>Category of Hurricane</u>	<u>Sustained Wind (MPH)</u>	<u>SLOSH Surge Height Landfalling/Exiting</u>	
Tropical Storm	39 - 73	Dry	Dry
Cat. 1	74 - 95	Dry	Dry
Cat. 2	96 - 110	12.4	Dry
Cat. 3	111 - 130	16.5	10.8
Cat. 4/5	131 - 155	23.1	14.4

Evacuation of this site may be necessary prior to landfall of a category two (2) hurricane. The saltwater storm surge height could be approximately 12.4 feet above Mean Sea Level (MSL) from a land falling category two (2) hurricane. Flooding could occur because the natural ground elevation in this tract of land is between 8 and 10 feet. Storm surge flooding depth on this site could average 3 feet with the landfall of a category two (2) hurricane. It should be noted that this information does not take into account the freshwater flooding that could occur from rainfall usually associated with these storms. The property is shown on the National Flood Insurance Rate Map (FIRM), Community Panel 125124 0455 B to be in flood zone A-14 with a first floor elevation of 11 feet required. Should it become necessary to evacuate the proposed location, either due to flooding or hurricane winds, or a combination of both, the associated impacts on evacuation time and shelter space are calculated below:

Hurricane Vulnerability Continued

(Note: Computation of shelter impact and evacuation route impact is based on Lee County Ordinance Number: 00-14, Land Development Code, dated July 27, 2000 for the year 2020 build-out and corresponding number of occupants per household of 2.09. The number of vehicles per household is estimated at 1.1 based on the 1995 SFRPC Hurricane Evacuation Study.)

52 single family Dwelling Units (DU) allowed under current rural designation:

52 DUs X 2.09 people/unit = 109 people evacuating

52 DUs X 1.1 vehicles/unit = 58 evacuating vehicles

The Lee Plan, policy 79.2.1 establishes the number of evacuating people at 21 percent of the population at risk. Lee County public shelter standards are defined as twenty (20) square feet per person. Shelter space requirements based on these criteria are calculated below.

109 people X 21% = 23 people seeking shelter

23 people X 20 square feet = 460 square feet of shelter space is required to mitigate this number of dwelling units in this development.

104 Dwelling Units (DU) proposed under the amended text for the Outlying Suburban designation: All figures above will be doubled:

218 people evacuating

115 vehicles evacuating

46 people seeking shelter

920 square feet of shelter space

The ultimate point restricting evacuation is U.S. Highway 41, which has an evacuation capacity of 2,891 vehicles per peak hour level of service. The impact of an addition of 115 vehicles as proposed under the amended text is calculated below:

115 vehicles divided by 2891 vehicle/peak hour x 60 minutes = 2.4 minutes additional time added to the exiting evacuation time.

Hurricane Vulnerability Continued

2. Emergency Medical Service

The proposed development site is within the area of jurisdiction in which the Lee County Emergency Medical Service (EMS) provides service. The Lee County EMS is a State licensed advanced life support (ALS) provider and operates under the provisions of chapter 401 of the Florida Statutes.

Response time cannot be guaranteed due to any number or a combination of environmental and operational factors. Additionally, the absence of maps showing ingress and egress route makes it impractical to estimate response times. However, the average EMS response time for the San Carlos area is currently six (6) minutes. It is estimated that the amended build out population of 218 people will generate an additional 27 calls annually for EMS resources.

3. Fire Protection

This site is within the service jurisdiction of the Estero Fire District.

4. Hazardous Material Management

If the developer/end user decides to store hazardous materials on this property, procedures must be established for notifying local and State officials if a release occurs.

5. Recommendations

The following recommendations are presented in order to mitigate future hurricane damage and/or loss of life, as well as to ensure compliance with comprehensive plan objectives.

A. General Hurricane Mitigation

1. The Applicant shall initiate the establishment of a homeowner's or resident's association. The organization shall provide an educational program on an annual basis, in conjunction with the staff of Emergency Management, which will provide literature, brochures and speakers for Hurricane Awareness/Preparedness seminars. The intent of this recommendation is to provide a mechanism to educate residents concerning the actions they should take to mitigate the dangers inherent in these hazards. (Reference

Recommendations Continued

Goal 71, Objective 71.1, Policy 71.2, Goal 79, Objective 79.1, 79.1.1, Goal 80, Policy 80.1.3; Lee County Comprehensive Plan – 1999)

- 2 The applicant is required to comply with Lee County Ordinance 00-14, Land Development Code, dated July 26, 2000, Article XI, section 2-481, as it applies to mitigation for the development impacts on emergency public shelters and evacuation routes. Mitigation options must be selected and approved by the Director of Public Safety prior to award of a Development Order.

B. Emergency Medical Service

1. The applicant shall provide for the emergency medical service impacts generated by the proposed development as defined by the Lee County Development Code Chapter Two, Division 5. (Reference Goal 43, Objective 43.2, Policy 43.3.2; Lee County Comprehensive Land Use Plan – 1999)
2. If access to this development is through a security gate or similar device, which is not manned twenty-four hours a day, it must be equipped with an override switch installed in a glass-covered box to be use by drivers of emergency vehicles to gain entry.

C. Fire Protection

The applicant shall provide for the fire protection impacts generated by the proposed development as defined by the Lee County Development Code, Chapter Two, Division 5. (Reference 43, Objective 43.2.2; Goal 45, Objective 45.3, 45.3.2, Lee County Comprehensive Land Use Plan – 1999).

References:

Lee County Comprehensive Land Use Plan – 1999

Lee County Land Development Code, Ord. 00-14 – 2000

Hurricane Behavioral Analysis For Lee County – 1991

SWFLA Regional Hurricane Evacuation Plan – 1995

Super Fund Amendments and Reauthorization Act – 1986

Administrative Code AC 7-7 - 1998

98-06

LEE COUNTY
SOUTHWEST FLORIDA
BOARD OF COUNTY COMMISSIONERS

LEE COUNTY
RECEIVED

98 OCT 20 AM 9:25

Writer's Direct Dial Number: 335-1604

COMM. DEV./
PUB. WRKS. CNTR.
SECOND FLOOR

E. Manning
One

October 15, 1998

J. R. St. Cemy
Two

W. W. Coy
Four

E. Albion
Five

D. D. Stillwell
Manager

G. Yaeger
Attorney

M. Parker
Hearing
ner

Bob Thimes, AICP
Q. Grady Minor & Associates. P. A.
3800 Via Del Rey
Bonita Springs, Florida 34143

Re: Letter of Adequacy / Availability for Parcel
Strap No. 20-46-25-01-00009.0000, 4800 Pine Road 60 ± acres

Dear Mr. Thimes:

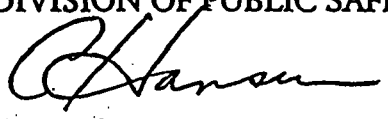
If the above named parcel is changed to outlying suburban from rural, I estimate a maximum build out population of 376 persons (2.09 persons in each dwelling unit / 3 dwelling units per acre). The residents could generate 45 calls annually for EMS resources.

Without a site plan showing ingress / egress corridors, I cannot assess if there may be an impact to EMS response time reliability. However, the current average EMS response time for the San Carlos area is six (6) minutes. The impact of this increased demand for EMS services should not pose a problem if additional ambulances / personnel are acquired according to current budgetary plans.

If you would like to discuss this further, please call me at the above referenced number.

Respectfully submitted,

DIVISION OF PUBLIC SAFETY



H.C. "Chris" Hansen
EMS Program Manager

cc: Chief Ippilito, San Carlos Park FD
Matt Noble, County Planning
DPS Administration

k:\users\chrish\impact\qgma.let



THE SCHOOL DISTRICT OF LEE COUNTY

2055 CENTRAL AVENUE • FORT MYERS, FLORIDA 33901-3916 • (239) 334-1102

JEANNE S. DOZIER
CHAIRMAN • DISTRICT 2
ELINOR C. SCRICCA, PH.D.
VICE CHAIRMAN • DISTRICT 5
ROBERT D. CHILMONIK
DISTRICT 1
JANE E. KUCKEL, PH.D.
DISTRICT 3
STEVEN K. TEUBER
DISTRICT 4
JOHN W. SANDERS, ED.D.
SUPERINTENDENT
KEITH B. MARTIN
BOARD ATTORNEY

February 26, 2003

Mr. Paul O'Connor, AICP
Director, Division of Planning
P. O. Box 398
Ft. Myers, FL 33902

Re: Request for Determination of Adequacy
Proposed Lee Plan Amendment, PAM CPA 2002-02, Pine Road

Dear Paul:

This letter is in response to your request for a determination of adequacy from the Lee County School District on a plan amendment submitted to Lee County. The proposal is a FLUM amendment to a change from Rural to Outlying suburban on 60 acres with a maximum density of 2 units per acre.

This proposal would permit the addition of 120 dwelling units. These units could generate approximately 37 public school students, based on an estimated student generation rate of .31 per dwelling unit. This would create the need for up to two classrooms in the District along with ancillary facilities and staff.

If you have any further questions or comments, please give me a call.

Sincerely,

Stephanie Keyes, Facilities Planner
Construction and Planning

LEE COUNTY
RECEIVED
03 FEB 27 AM 8:56
CONTH. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

MEMORANDUM


from the
TRANSIT DIVISION



Your Ride Is Here.

DATE: February 20, 2003

TO: Paul O'Connor, AICP

FROM: Steve Myers 

RE: CPA 2002-02 – Privately Initiated Lee Plan Future Land Use Map Amendment

Lee Tran staff has reviewed the above referenced Lee Plan amendment and has determined that the proposed amendment to the future land use map would have no impacts on existing or planned services Lee Tran provides, nor would it have any impact to the budget of Lee County's transit division.

If you have any further questions regarding this amendment, please call me at 277-5012.

LEE COUNTY
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03 FEB 21 AM 11:13

COMM. DEV/
PUB. WRKS. CNTR.
SECOND FLOOR

To: P Blackwell

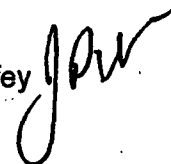
LEE COUNTY
RECEIVED

03 FEB 14 AM 9:02

COMM. DEV/
PUB. WORKS. CNTR.
SECOND FLOOR

Memo

To: Paul O'Connor, AICP, Planning Director
From: John D. Wilson, Director, Division of Public Safety
Date: February 13, 2003
Subject: CPA 2002-02



As I understand it, the proposed request potentially increases the density from one du/acre to two du/acre. The upper northwest segment of the property is located in the defined Coastal High Hazard Area (see attached map). If approved, the amendment would increase the property's potential residential density for that area, which appears contrary to the intent of Lee Plan Policy 75.1.4.

The remaining section of the property is east of the county's defined Coastal High Hazard Area and as such, the density increase requested is not inconsistent with the Lee Plan's aim to minimize density increases in hazardous areas. By the same token, the county receives credit for low density zoning from the Federal Emergency Management Agency's Community Rating System (CRS) program. The request, if granted, would also remove this acreage from the amount the county currently receives credit for this particular activity.

In and by itself, the requested density increase would not jeopardize the twenty percent discount rate that flood insurance policy holders in the 100 year flood plain currently enjoy as a result of the county maintaining programs that mitigate flood disaster potential. However, continued incremental zoning density increase such as these could impact the amount of credit we receive for low density zoning in the future.

Enclosure

JDW:cmm

cc: Michael, Bridges, Deputy Director
David Saniter, Emergency Programs Manager

March 14, 2003

Peter Blackwell, Planner
Lee County Department of
Community Development
Division of Planning
P.O. 398
Fort Myers, Florida 33902-0398

RE: Estero 60 CPA 2002-02

Dear Peter:

As you requested, we have evaluated the Estero 60 CPA 2002-02 site for its Hurricane Evacuation Zone designation based on the most recent National Hurricane Center Storm Surge Model call Sea Lake and Overland Surges from Hurricanes (SLOSH) and the most recent 2001 Southwest Florida Regional Hurricane Evacuation Study Update produced by the Southwest Florida Regional Planning Council. The site is in the Hendry Creek 1,2,3 Hurricane Evacuation Zone as shown on Map 3 (see Attached) page II-B-7 of the Lee County Landfalling Section. A close evaluation of the grid square map from the SLOSH model print out for this site shows that a Category 1 landfalling hurricane will produce a 7.4 foot storm tide. Any land area on the site below 7.4 feet will be included in the Coastal High Hazard Area (CHHA) as defined by Chapter 9J-5.003 Florida Administrative Code, which defines the CHHA as the Category 1 hurricane evacuation zone established by the SWFRPC Hurricane Evacuation Study. Therefore, because the site ranges from 6.2 to 7.8 feet we must conclude that the average elevation of the site is in the CHHA. If you have any questions, please let me know.

Sincerely,

SOUTHWEST FLORIDA REGIONAL PLANNING COUNCIL

Daniel L. Trescott
Principal Planner

cc: Bernad Piawah, DCA/BLP
John Wilson, Lee County Public Safety Director

interoffice MEMORANDUM

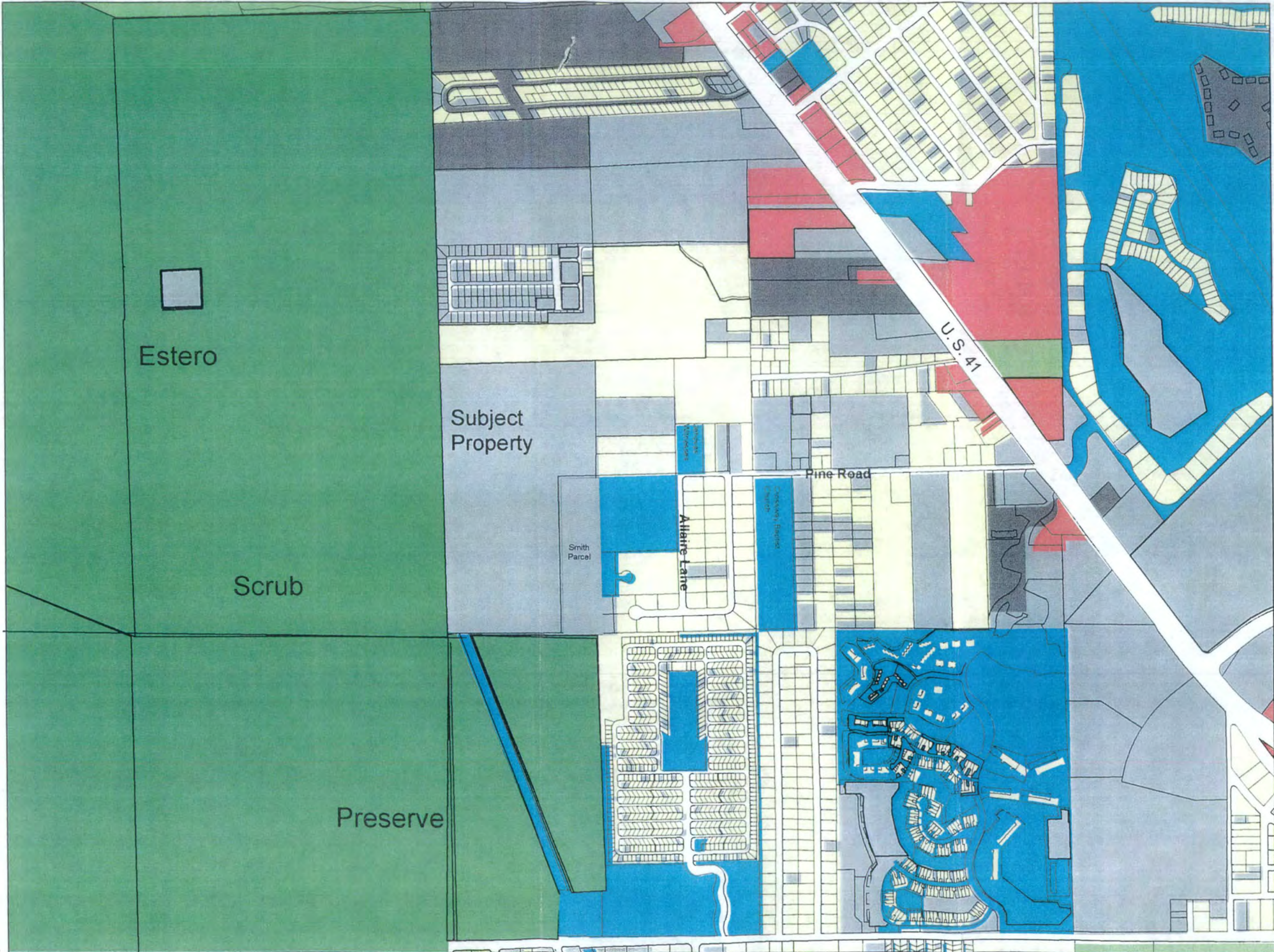
to: Peter Blackwell
from: Michael Carroll
subject: CPA2002-00002
date: March 14, 2003

The Estero 60 Land Trust has requested an amendment to the Comprehensive Land Use Plan to change the designation of 60+/- acres beyond the west end of Pine Road in the San Carlos Park area . They have requested a change from Rural to Outlying Suburban with a maximum density of two units per acre. If the change were to be approved the maximum number of homes would increase from 60 to 120.

With the change to a maximum of 120 single family homes we would expect to see 1,226 trips per day or an increase of 578 in daily traffic, 103 trips per hour in the am peak hour or an increase of 42 trips/hour, and 126 trips per hour in the pm peak hour or an increase of 58 trips/hour. Pine Road intersects U.S. 41 about 240' north of the intersection at the Vintage Pkwy/Breckenridge Rd/US 41. The Pine Road intersection has no median opening and is therefore limited to right-in/right-out movements. U-turn movements are made at Vintage Parkway for those trips headed north at a median opening about 420' to the north. U-turn movements will increase whenever the property is developed under either land use designation

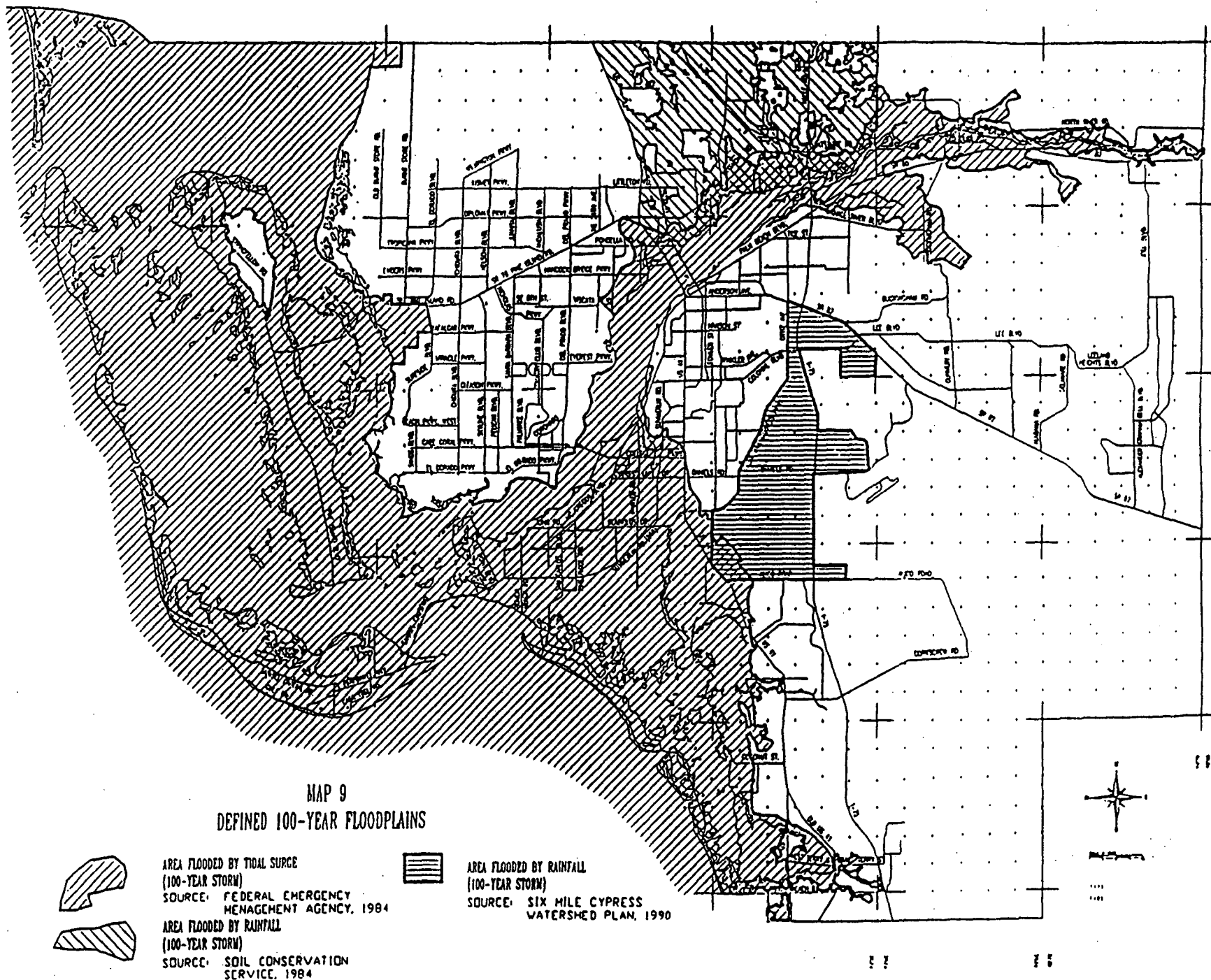
U.S. 41 provided Level of Service C during the 100th highest hour and it is estimated that LOS D was provided in 2002. If all projects and building permits that have been approved are constructed and generate traffic as expected the Level of Service will eventually fall to F. This section of U.S. 41 will be the last to be widened to six lanes. Lee County has loaned gas tax money to FDOT to advance the design work on this section and the purchase of additional Right-of-Way is tentatively funded in the 2006/2007 fiscal year.

CPA2002-02:
Existing Land Use



- Mixed Use/ No Data
- Agriculture
- Commercial
- Public
- Residential
- Vacant
- Estero Scrub Preserve





Q. GRADY MINOR & ASSOCIATES, P.A.
Civil Engineers II Land Surveyors II Planners

LETTER OF TRANSMITTAL

RECEIVED

SEP 26 2002

Om Kw

COMMUNITY DEVELOPMENT

CPA 2002 - 00002

Date: September 26, 2002

Project: Estero 60 Acre Land Trust
STRAP Number 20-46-25-01-00009.0000

Location: Estero, Lee County

TO: Ms Mary Gibbs, Director,
Lee County Department of Community Development
P.O. Box 398
Ft Myers, FL 33902-0398

Items transmitted via: Hand Delivery

We are sending you the following items:

- 6 – Application For A Comprehensive Plan Amendment w/ exhibits
- 1 – Check # 2751 in the amount of \$2,120.00 made payable to the BOCC

Remarks:

Signed: *Bob Thinnnes*

Bob Thinnnes, AICP

cc: A.P. DeSalvo, Trustee



LEE COUNTY
SOUTHWEST FLORIDA

Lee County Board of County Commissioners
Department of Community Development
Division of Planning
Post Office Box 398
Fort Myers, FL 33902-0398
Telephone: (941) 479-8585
FAX: (941) 479-8519

APPLICATION FOR A COMPREHENSIVE PLAN AMENDMENT

(To be completed at time of intake)

DATE REC'D: 9/26/02

REC'D BY: am ku

APPLICATION FEE: \$2120.00

TIDEMARK NO: CPA 2002-00002

THE FOLLOWING VERIFIED:

Zoning AG-2 ☒

Commissioner District ☒ 03

Designation on FLUM ☒

(To be completed by Planning Staff)

Plan Amendment Cycle: ☒ Normal ☐ Small Scale ☐ DRI ☐ Emergency

Request No: _____

APPLICANT PLEASE NOTE:

Answer all questions completely and accurately. Please print or type responses. If additional space is needed, number and attach additional sheets. The total number of sheets in your application is: _____

Submit 6 copies of the complete application and amendment support documentation, including maps, to the Lee County Division of Planning. Additional copies may be required for Local Planning Agency, Board of County Commissioners hearings and the Department of Community Affairs' packages.

I, the undersigned owner or authorized representative, hereby submit this application and the attached amendment support documentation. The information and documents provided are complete and accurate to the best of my knowledge.

9-24-02
DATE

A.P. DeSalvo
SIGNATURE OF OWNER OR AUTHORIZED REPRESENTATIVE

A.P. DeSalvo, Trustee
Estero 60 Acre Land Trust

I. APPLICANT/AGENT/OWNER INFORMATION

Estero 60 Acre Land Trust; A.P. DeSalvo, Trustee
APPLICANT
3960 Via Del Rey
ADDRESS
Bonita Springs Florida 34134
CITY STATE ZIP
(239) 947-6800 (239) 947-3891
TELEPHONE NUMBER FAX NUMBER

D. Wayne Arnold, AICP; Q. Grady Minor & Associates, P.A.
AGENT*
3800 Via Del Rey
ADDRESS
Bonita Springs Florida 34134
CITY STATE ZIP
(239) 947-1144 (239) 947-0375
TELEPHONE NUMBER FAX NUMBER

Estero 60 Acre Land Trust; A.P. DeSalvo, Trustee
OWNER(s) OF RECORD
3960 Via Del Rey
ADDRESS
Bonita Springs Florida 34134
CITY STATE ZIP
(239) 947-6800 (239) 947-3891
TELEPHONE NUMBER FAX NUMBER

Name, address and qualification of additional planners, architects, engineers, environmental consultants, and other professionals providing information contained in this application.

* This will be the person contacted for all business relative to the application.

II. REQUESTED CHANGE (Please see Item 1 for Fee Schedule)

A. TYPE: (Check appropriate type)

☐ Text Amendment

☒ Future Land Use Map Series Amendment
(Maps 1 thru 19)

List Number(s) of Map(s) to be amended

Map # 1

B. SUMMARY OF REQUEST (Brief explanation):

Change existing Rural classification to outlying suburban.

Surrounding land use classifications and existing land use densities

are equal to or greater than outlying suburban. Rural is not consistent

with surrounding area.

**III. PROPERTY SIZE AND LOCATION OF AFFECTED PROPERTY
(for amendments affecting development potential of property)**

A. Property Location:

1. Site Address: 4800 Pine Road

2. STRAP(s): 20-46-25-01-00009.0000

B. Property Information

Total Acreage of Property: 60.32 ±

Total Acreage included in Request: 60.32 ±

Area of each Existing Future Land Use Category: _____

Total Uplands: 52.52 ± Acres

Total Wetlands: 7.8 ± Acres

Current Zoning: Ag-2

Current Future Land Use Designation: Rural, wetlands, urban community

Existing Land Use: Vacant

- C. State if the subject property is located in one of the following areas and if so how does the proposed change effect the area:

Lehigh Acres Commercial Overlay: N/A

Airport Noise Zone 2 or 3: N/A

Acquisition Area: N/A

Joint Planning Agreement Area (adjoining other jurisdictional lands): N/A

Community Redevelopment Area: N/A

- D. Proposed change for the Subject Property:

Rural to outlying suburban

- E. Potential development of the subject property:

1. Calculation of maximum allowable development under existing FLUM:

Residential Units/Density 1.0 du/ac.

Commercial intensity N/A

Industrial intensity N/A

2. Calculation of maximum allowable development under proposed FLUM:

Residential Units/Density 3.0 du/ac

Commercial intensity N/A

Industrial intensity N/A

IV. AMENDMENT SUPPORT DOCUMENTATION

At a minimum, the application shall include the following support data and analysis. These items are based on comprehensive plan amendment submittal requirements of the State of Florida, Department of Community Affairs, and policies contained in the Lee County Comprehensive Plan. Support documentation provided by the applicant will be used by staff as a basis for evaluating this request. To assist in the preparation of amendment packets, the applicant is encouraged to provide all data and analysis electronically. (Please contact the Division of Planning for currently accepted formats)

A. General Information and Maps

NOTE: For each map submitted, the applicant will be required to provide a reduced map (8.5" x 11") for inclusion in public hearing packets.

The following pertains to all proposed amendments that will affect the development potential of properties (unless otherwise specified).

1. Provide any proposed text changes.
2. Provide a Future Land Use Map showing the boundaries of the subject property, surrounding street network, surrounding designated future land uses, and natural resources.
3. Map and describe existing land uses (not designations) of the subject property and surrounding properties. Description should discuss consistency of current uses with the proposed changes.
4. Map and describe existing zoning of the subject property and surrounding properties.
5. The legal description(s) for the property subject to the requested change.
6. A copy of the deed(s) for the property subject to the requested change.
7. An aerial map showing the subject property and surrounding properties.
8. If applicant is not the owner, a letter from the owner of the property authorizing the applicant to represent the owner.

B. Public Facilities Impacts

NOTE: The applicant must calculate public facilities impacts based on a maximum development scenario (see Part II.H.).

1. Traffic Circulation Analysis

The analysis is intended to determine the effect of the land use change on the Financially Feasible Transportation Plan/Map 3A (20-year horizon) and on the Capital Improvements Element (5-year horizon). Toward that end, an applicant must submit the following information:

Long Range – 20-year Horizon:

- a. Working with Planning Division staff, identify the traffic analysis zone (TAZ) or zones that the subject property is in and the socio-economic data forecasts for that zone or zones;

- b. Determine whether the requested change requires a modification to the socio-economic data forecasts for the host zone or zones. The land uses for the proposed change should be expressed in the same format as the socio-economic forecasts (number of units by type/number of employees by type/etc.);
- c. If no modification of the forecasts is required, then no further analysis for the long range horizon is necessary. If modification is required, make the change and provide to Planning Division staff, for forwarding to DOT staff. DOT staff will rerun the FSUTMS model on the current adopted Financially Feasible Plan network and determine whether network modifications are necessary, based on a review of projected roadway conditions within a 3-mile radius of the site;
- d. If no modifications to the network are required, then no further analysis for the long range horizon is necessary. If modifications are necessary, DOT staff will determine the scope and cost of those modifications and the effect on the financial feasibility of the plan;
- e. An inability to accommodate the necessary modifications within the financially feasible limits of the plan will be a basis for denial of the requested land use change;
- f. If the proposal is based on a specific development plan, then the site plan should indicate how facilities from the current adopted Financially Feasible Plan and/or the Official Trafficways Map will be accommodated.

Short Range – 5-year CIP horizon:

- a. Besides the 20-year analysis, for those plan amendment proposals that include a specific and immediated development plan, identify the existing roadways serving the site and within a 3-mile radius (indicate laneage, functional classification, current LOS, and LOS standard);
- b. Identify the major road improvements within the 3-mile study area funded through the construction phase in adopted CIP's (County or Cities) and the State's adopted Five-Year Work Program;

Projected 2020 LOS under proposed designation (calculate anticipated number of trips and distribution on roadway network, and identify resulting changes to the projected LOS);

- c. For the five-year horizon, identify the projected roadway conditions (volumes and levels of service) on the roads within the 3-mile study area with the programmed improvements in place, with and without the proposed development project. A methodology meeting with DOT staff prior to submittal is required to reach agreement on the projection methodology;
- d. Identify the additional improvements needed on the network beyond those programmed in the five-year horizon due to the development proposal.

2. Provide an existing and future conditions analysis for:
 - a. Sanitary Sewer
 - b. Potable Water
 - c. Surface Water/Drainage Basins
 - d. Parks, Recreation, and Open Space.

Analysis should include (but is not limited to) the following:

- Franchise Area, Basin, or District in which the property is located;
- Current LOS, and LOS standard of facilities serving the site;
- Projected 2020 LOS under existing designation;
- Projected 2020 LOS under proposed designation;
- Improvements/expansions currently programmed in 5 year CIP, 6-10 year CIP, and long range improvements; and
- Anticipated revisions to the Community Facilities and Services Element and/or Capital Improvements Element (state if these revisions are included in this amendment).

3. Provide a letter from the appropriate agency determining the adequacy/provision of existing/proposed support facilities, including:
 - a. Fire protection with adequate response times;
 - b. Emergency medical service (EMS) provisions;
 - c. Law enforcement;
 - d. Solid Waste;
 - e. Mass Transit; and
 - f. Schools.

In reference to above, the applicant should supply the responding agency with the information from Section's II and III for their evaluation. This application should include the applicant's correspondence to the responding agency.

C. Environmental Impacts

Provide an overall analysis of the character of the subject property and surrounding properties, and assess the site's suitability for the proposed use upon the following:

1. A map of the Plant Communities as defined by the Florida Land Use Cover and Classification system (FLUCCS).
2. A map and description of the soils found on the property (identify the source of the information).
3. A topographic map with property boundaries and 100-year flood prone areas

indicated (as identified by FEMA).

4. A map delineating wetlands, aquifer recharge areas, and rare & unique uplands.
5. A table of plant communities by FLUCCS with the potential to contain species (plant and animal) listed by federal, state or local agencies as endangered, threatened or species of special concern. The table must include the listed species by FLUCCS and the species status (same as FLUCCS map).

D. Impacts on Historic Resources

List all historic resources (including structure, districts, and/or archeologically sensitive areas) and provide an analysis of the proposed change's impact on these resources. The following should be included with the analysis:

1. A map of any historic districts and/or sites, listed on the Florida Master Site File, which are located on the subject property or adjacent properties.
2. A map showing the subject property location on the archeological sensitivity map for Lee County.

E. Internal Consistency with the Lee Plan

1. Discuss how the proposal affects established Lee County population projections, Table 1(b) (Planning Community Year 2020 Allocations), and the total population capacity of the Lee Plan Future Land Use Map.
2. List all goals and objectives of the Lee Plan that are affected by the proposed amendment. This analysis should include an evaluation of all relevant policies under each goal and objective.
3. Describe how the proposal affects adjacent local governments and their comprehensive plans.
4. List State Policy Plan and Regional Policy Plan goals and policies which are relevant to this plan amendment.

F. Additional Requirements for Specific Future Land Use Amendments

1. Requests involving Industrial and/or categories targeted by the Lee Plan as employment centers (to or from)
 - a. State whether the site is accessible to arterial roadways, rail lines, and cargo airport terminals,
 - b. Provide data and analysis required by Policy 2.4.4,

- c. The affect of the proposed change on county's industrial employment goal specifically policy 7.1.4.

2. Requests moving lands from a Non-Urban Area to a Future Urban Area

a. Demonstrate why the proposed change does not constitute Urban Sprawl. Indicators of sprawl may include, but are not limited to: low-intensity, low-density, or single-use development; 'leap-frog' type development; radial, strip, isolated or ribbon pattern type development; a failure to protect or conserve natural resources or agricultural land; limited accessibility; the loss of large amounts of functional open space; and the installation of costly and duplicative infrastructure when opportunities for infill and redevelopment exist.

3. Requests involving lands in critical areas for future water supply must be evaluated based on policy 2.4.2.

4. Requests moving lands from Density Reduction/Groundwater Resource must fully address Policy 2.4.3 of the Lee Plan Future Land Use Element.

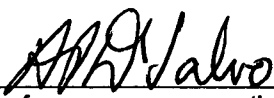
G. Justify the proposed amendment based upon sound planning principles. Be sure to support all conclusions made in this justification with adequate data and analysis.

Item 1: Fee Schedule

Map Amendment Flat Fee	\$500.00 each
Map Amendment > 20 Acres	\$500.00 and \$20.00 per 10 acres up to a maximum of \$2,255.00
Text Amendment Flat Fee	\$1,250.00 each

AFFIDAVIT

I, A.P. DeSalvo, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data, or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.



Signature of owner or owner-authorized agent

9-24-02

Date

A.P. DeSalvo, Trustee
Estero 60 Acre Land Trust

ANDREW P. DESALVO

Typed or printed name

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 04TH day of SEPTEMBER 2002
by ANDREW P. DESALVO, who is personally known to me or who has produced
as identification.

(SEAL)



Sharon Umphenour
Commission # DD 076492
Expires Dec. 4, 2005
Bonded Thru
Atlantic Bonding Co., Inc.

Sharon Umphenour

Signature of notary public

Printed name of notary public

AFFIDAVIT

I, ANDREW P. DESALVO, certify that I am the owner or authorized representative of the property described herein, and that all answers to the questions in this application and any sketches, data, or other supplementary matter attached to and made a part of this application, are honest and true to the best of my knowledge and belief. I also authorize the staff of Lee County Community Development to enter upon the property during normal working hours for the purpose of investigating and evaluating the request made through this application.

AP Desalvo, Trustee
Signature of owner or owner-authorized agent

9-24-02
Date

ANDREW P. DESALVO
Typed or printed name

STATE OF FLORIDA)
COUNTY OF LEE)

The foregoing instrument was certified and subscribed before me this 24th day of SEPTEMBER 2002, by ANDREW P. DESALVO, who is personally known to me or who has produced _____ as identification.

(SEAL)



Sharon Umphenour
Commission # DD 076492
Expires Dec. 4, 2005
Bonded Thru
Atlantic Bonding Co., Inc.

Sharon Umphenour
Signature of notary public

Printed name of notary public

LIST OF CONSULTANTS

Rae Ann Boylan
Boylan Environmental Consultants, Inc.
11000 Metro Parkway, Suite 4
Fort Myers, FL 33912
(239) 418-0671

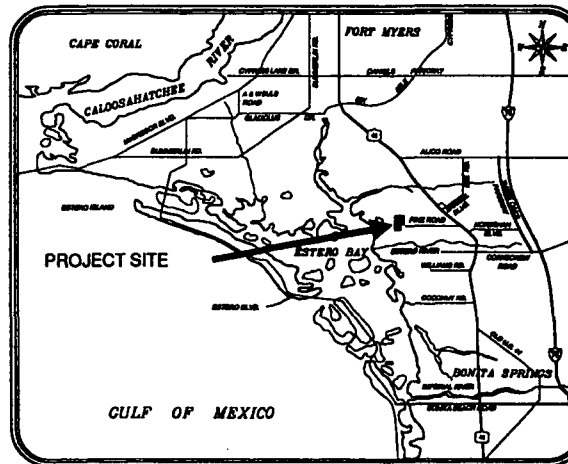
ESTERO 60 ACRE LAND TRUST

COMPREHENSIVE PLAN AMENDMENT

LOCATED IN:
SECTION 20, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
ESTERO, LEE COUNTY, FLORIDA

OWNER/ DEVELOPER

ESTERO 60 ACRES LAND TRUST
3960 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134



LOCATION MAP

INDEX OF EXHIBITS

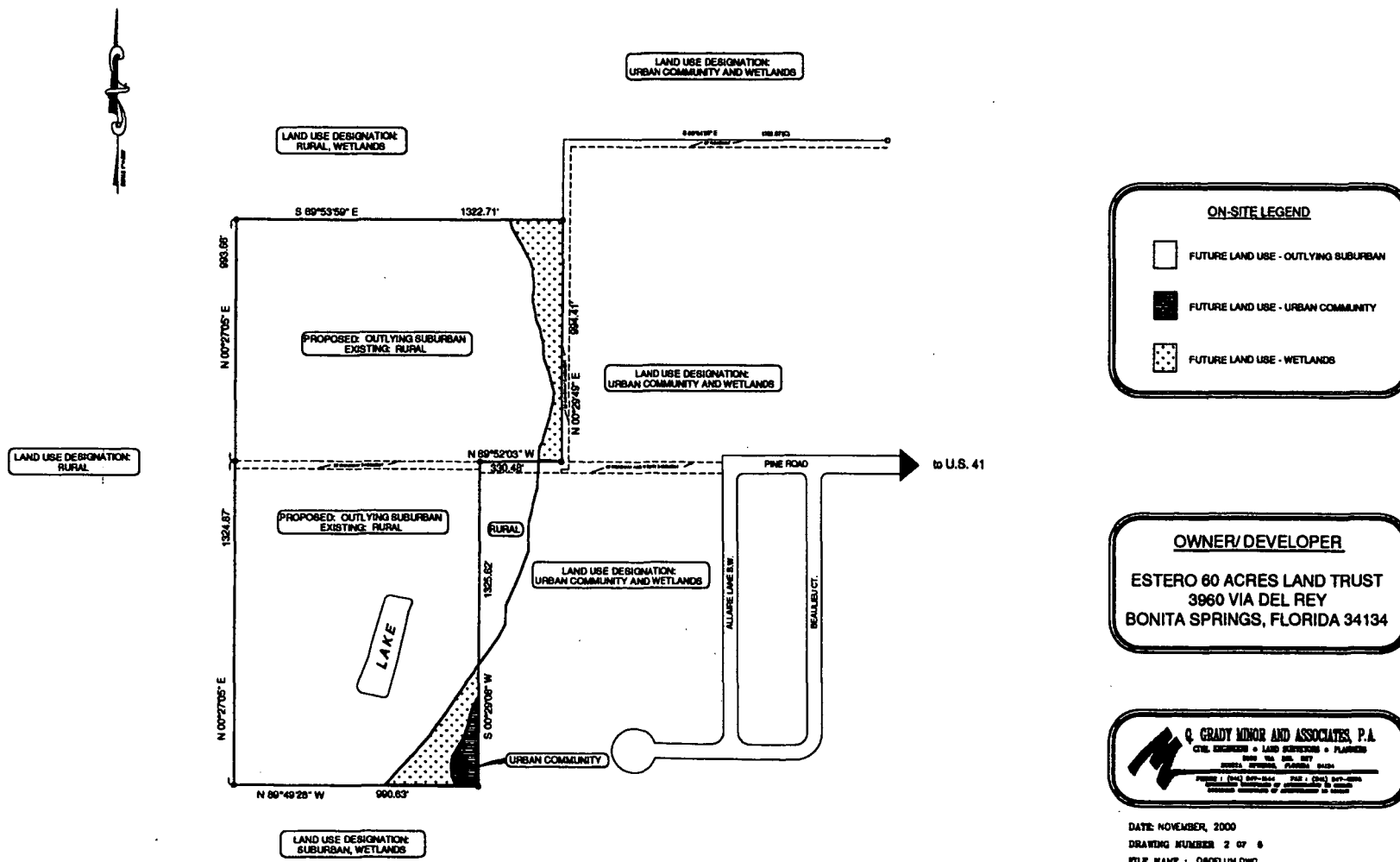
<u>DWG. No.</u>	<u>DESCRIPTION</u>
1	COVER SHEET AND INDEX OF EXHIBITS
2	FUTURE LAND USE MAP PROPOSED
3	EXISTING LAND USE & ZONING MAP
4	SOILS MAP
5	ARCHAEOLOGICAL AND TOPOGRAPHIC MAP
6	WETLAND MAP



DATE: NOVEMBER, 2000
REVISION DATE:
FILE: DISCOVERY
DRAWING NUMBER: 1 OF 6

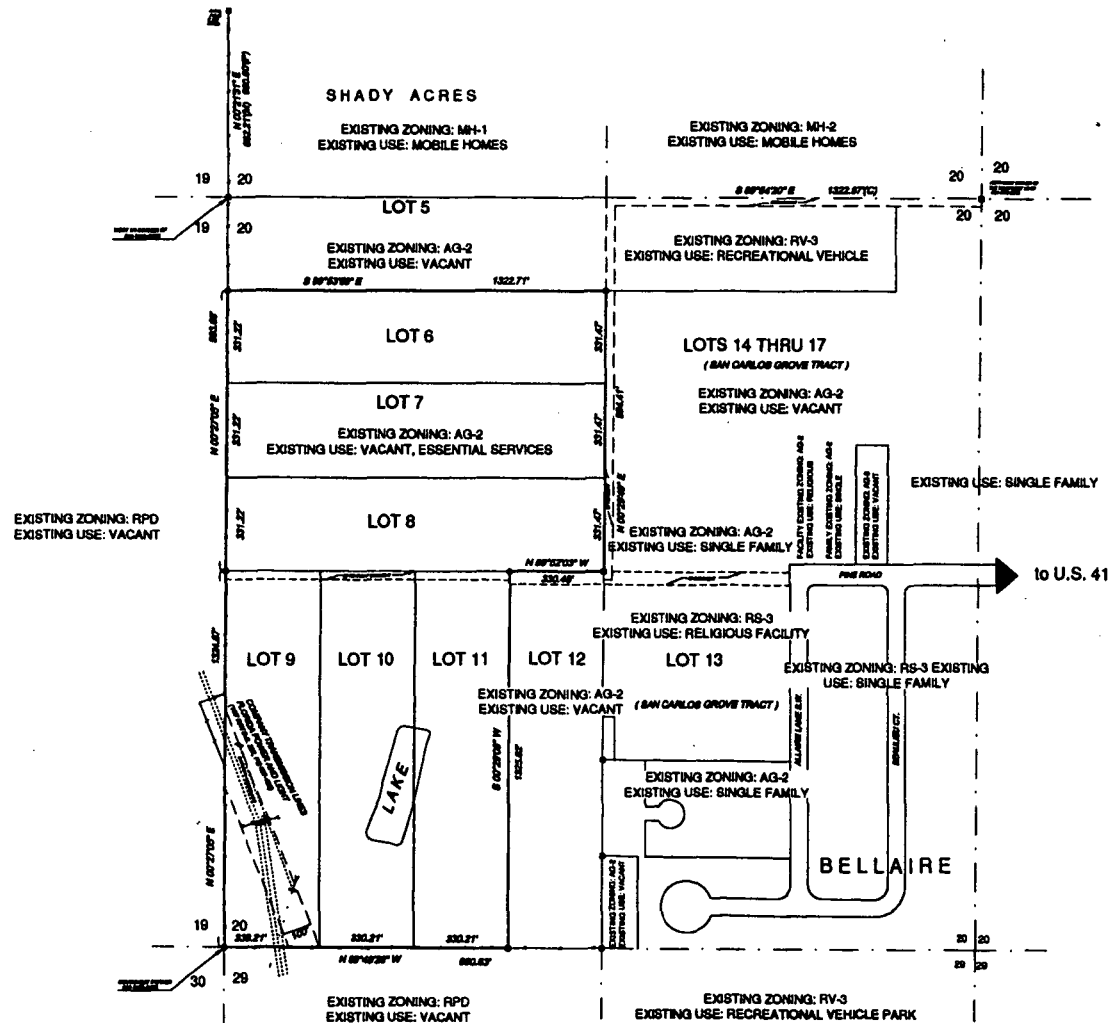
ESTERO 60 ACRE LAND TRUST

FUTURE LAND USE MAP (EXISTING & PROPOSED)



ESTERO 60 ACRE LAND TRUST

EXISTING LAND USE AND ZONING MAP



OWNER/ DEVELOPER

ESTERO 60 ACRES LAND TRUST
3960 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134

Q. GRADY MIBOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
1988 REG. NO. 1257
SUCCESSION, FIDELITY, INTEGRITY
P.O. BOX 1044 • PALM BEACH, FLORIDA 33402
TELEPHONE: 561-833-1111 • FAX: 561-833-1111
E-MAIL: QGRADY@AOL.COM

DATE: NOVEMBER, 2000
DRAWING NUMBER: 3 OF 6
FILE NAME: D0601204.DWG

ESTERO 60 ACRE LAND TRUST

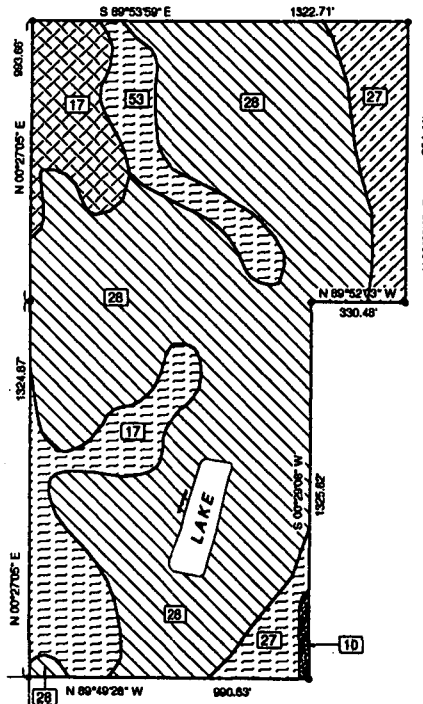
SOILS MAP



SOIL CLASSIFICATION

- 10 - POMPANO FINE SAND
- 17 - DAYTONA SAND
- 27 - POMPANO FINE SAND, DEPRESSIONAL
- 28 - IMMOKALEE SAND
- 53 - MYAKKA FINE SAND, DEPRESSIONAL

SOILS DETERMINATION FROM SOIL SURVEY OF LEE COUNTY,
FLORIDA; SOIL CONSERVATION SERVICE, UNITED STATES
DEPARTMENT OF AGRICULTURE.



OWNER/ DEVELOPER

ESTERO 60 ACRES LAND TRUST
3960 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134

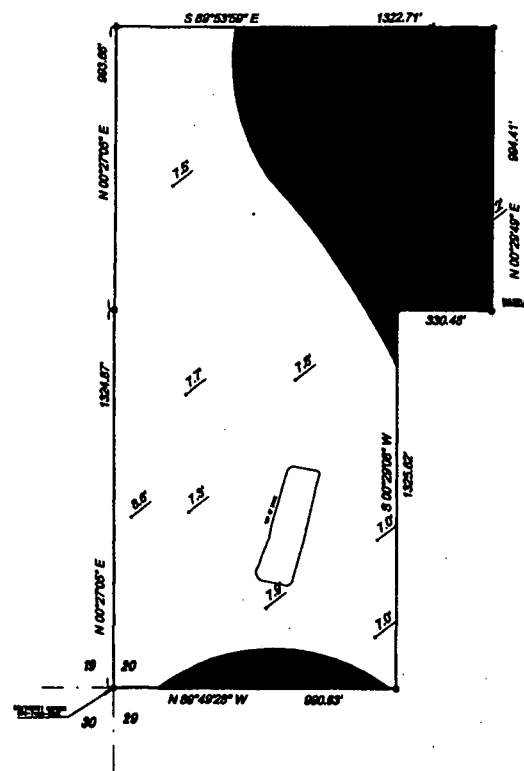


Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
SINCE 1948
10001 W. U.S. 90, SUITE 100
FORT MYERS, FLORIDA 33907
PHONE: (813) 939-1111 FAX: (813) 939-1111
FEDERAL REGISTER OF PROFESSIONAL ENGINEERS

DATE: SEPTEMBER, 2000
DRAWING NUMBER: 4 OF 8
FILE NAME: 060501.DWG

ESTERO 60 ACRE LAND TRUST

ARCHAEOLOGICAL AND TOPOGRAPHIC MAP



LEGEND

1.5

N.G.V.D. 1929



SENSITIVITY LEVEL 2

ENTIRE PARCEL WITHIN 100 YEAR FLOOD BOUNDARY

NOTES

ELEVATION DETERMINATION TAKEN FROM LEE COUNTY AERIAL PHOTOGRAPH. ELEVATIONS COMPILED BY PHOTOGRAMMETRIC METHODS BY HAMRICK AERIAL SURVEYS, INC. DATE OF MAPPING, SEPTEMBER 1981. ELEVATIONS BASED ON USC & GS DATUM.

SENSITIVITY ZONE DETERMINATION TAKEN FROM LEE COUNTY ARCHAEOLOGICAL SENSITIVITY MAP.

100-YEAR FLOOD BOUNDARY TAKEN FROM FIRM (FLOOD INSURANCE RATE MAP), COMMUNITY PANEL NUMBER 125124 0455 B, EFFECTIVE DATE, SEPTEMBER 19, 1984.

OWNER/ DEVELOPER

ESTERO 60 ACRES LAND TRUST
3980 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134



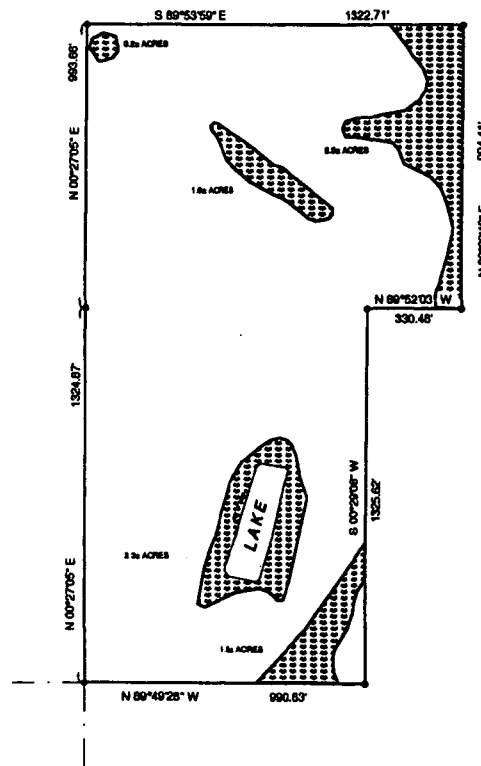
Q. CRADY MONOR AND ASSOCIATES, P.A.

CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
MEM. AM. C.E. 1977
MEM. F.S. 1981
OFFICE: MIAMI, FLORIDA 33134
PHONE: (305) 897-0441 FAX: (305) 897-0442
TELETYPE: (305) 897-0443

DATE: NOVEMBER, 2000
DRAWING NUMBER: 5 OF 6
FILE NAME: 060TOPOM.DWG

ESTERO 60 ACRE LAND TRUST

WETLAND MAP



WETLAND DETERMINATION PROVIDED BY :
BOYLAN ENVIRONMENTAL CONSULTANTS, INC.

LEGEND



MELALEUCA WETLAND

OWNER/ DEVELOPER

ESTERO 60 ACRES LAND TRUST
3960 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134



Q. GRADY MINOR AND ASSOCIATES, P.A.

CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS

2000 VIA DEL REY

BONITA SPRINGS, FLORIDA 34134

PHONE 1 (304) 697-6644 FAX 1 (304) 697-6645

MEMBER ASSOCIATION OF PROFESSIONAL LAND SURVEYORS

DATE: NOVEMBER, 2000

DRAWING NUMBER: 5 OF 6

FILE NAME: D00WETLAND.DWG

6.00-REC.
~~3572.10-DOCS~~
3572.10-DOCS

4481863

OR3019 P60677

This Document Prepared By and Return to:
RALPH A. RICHARDSON
Attorney at Law
27725 Old 41 Road, Ste. 104
Bonita Springs, FL 34135

Parcel ID Number: 20-46-25-01-00009.0000 WOL
Certificate #1 TIN:
Certificate #2 TIN:

Personal Representative's Deed

This Indenture, is made this 24th day of September, 1998, by and between
PAUL F. SMITH, individually, a single person, and

as Personal Representative of the Estate of MABEL T. STEPHENS, a/k/a MABEL STEPHENS, Grantor, and
A. P. DeSALVO, as Trustee a/k/a MABEL T. STEVENS

whose post office address is: 3960 Via Del Ray, Bonita Springs, Florida 34134

of the County of Lee State of Florida, Grantor.
Witnesseth: Grantor, pursuant to Order Authorizing Sale dated August 27th, 1998, and in consideration of the sum
of One Dollar (\$1.00) paid to Grantor by Grantee, receipt of which is acknowledged, grants, bargains and sells to Grantee, and Grantee's heirs,
successors and assigns forever, the real property in Lee County, Florida described as

Lots 6 - 11, of that certain subdivision known as SAN CARLOS GROVE
TRACT, according to the map or plat thereof on file and recorded in
the office of the Clerk of the Circuit Court in Plat Book 4, page 75,
public records of Lee County, Florida.

Subject to restrictions, reservations and easements of record, if
any, and taxes subsequent to 1997.

RECORDED BY
JOANNE MILLER, D.C.

Documentary Tax Pd. 3572.10
Intangible Tax Pd.
CHARLIE GREEN, CLERK, LEE COUNTY
Training Officer Deputy Clerk

CHARLIE GREEN, CLERK
LEE COUNTY, FL
OCT - 2 PM 3:19

Together with all and singular the tenements, hereditaments, and appurtenances belonging or in anywise appertaining to the real property.
To Have And To Hold the same to Grantee, and Grantee's heirs, successors and assigns, in fee simple forever.
And Grantor does covenant to and with the Grantee, and Grantee's heirs, successors and assigns, that in all things preliminary to and in and about
this conveyance Order Authorizing Sale dated August 27th, 1998, and the laws of the State of Florida have been
followed and complied with in all respects.

In Witness Whereof, the undersigned, as personal representative of the estate of said decedent, has executed this instrument under seal on
the date aforesaid.

Signed, sealed and delivered in our presence:

Ralph A. Richardson
Printed Name: Ralph A. Richardson
Witness

Terrell L. Houston
Printed Name: Terrell L. Houston
Witness

Paul F. Smith (Seal)
PAUL F. SMITH, as Personal Representative
P.O. Address: POST OFFICE BOX 434
ESTERO, FLORIDA 33928
Paul F. Smith (Seal)
PAUL F. SMITH, Individually
P.O. Address: POST OFFICE BOX 434
ESTERO, FLORIDA 33928

STATE OF Florida
COUNTY OF Lee

The foregoing instrument was acknowledged before me this 24th day of September, 1998 by
PAUL F. SMITH

as personal representative of the estate of MABEL T. STEPHENS
He is personally known to me or he has produced his

Warren C. Keller
Notary Public
My Comm. Expires 12/31/99
Lee County, FL

Warren C. Keller
Printed Name: Warren C. Keller
Notary Public

SECTION IV.B.1. TRAFFIC CIRCULATION

The property is served by Pine Road, a two-lane local road. The right-of-way width varies. Much of the property along Pine Road is currently vacant. Traffic counts are not available for Pine Road, but would be expected to be well above LOS C volumes. The proposed project is expected to add less than 200 peak hour trips to the local road. Addition of this volume of traffic would not be expected to reduce the level of service for the roadway. It is not expected that the requested designation would require any revisions to Traffic Circulation or Capital Improvements elements.

SUMMARY OF TRIP GENERATION CALCULATION
FOR 180 DWELLING UNITS OF SINGLE FAMILY DWELLINGS
9-22-98

	AVERAGE RATE	STANDARD DEVIATION	ADJUSTMENT FACTOR	DRIVE WAY VOLUME
AVG WKDY 2-WAY VOL	9.89	0.00	1.00	1780
7-9 AM PK HR ENTER	0.19	0.00	1.00	34
7-9 AM PK HR EXIT	0.56	0.00	1.00	102
7-9 AM PK HR TOTAL	0.75	0.00	1.00	135
4-6 PM PK HR ENTER	0.65	0.00	1.00	117
4-6 PM PK HR EXIT	0.36	0.00	1.00	66
4-6 PM PK HR TOTAL	1.01	0.00	1.00	182
SATURDAY 2-WAY VOL	10.09	0.00	1.00	1816
PK HR ENTER	0.51	0.00	1.00	92
PK HR EXIT	0.44	0.00	1.00	78
PK HR TOTAL	0.95	0.00	1.00	171
SUNDAY 2-WAY VOL	8.77	0.00	1.00	1578
PK HR ENTER	0.47	0.00	1.00	85
PK HR EXIT	0.42	0.00	1.00	75
PK HR TOTAL	0.89	0.00	1.00	160

Note: A zero rate indicates no rate data available

The above rates were calculated from these equations:

24-Hr. 2-Way Volume: $LN(T) = .92LN(X) + 2.707, R^2 = .96$
 7-9 AM Peak Hr. Total: $T = .7(X) + 9.477$
 $R^2 = .89, .25 \text{ Enter}, .75 \text{ Exit}$
 4-6 PM Peak Hr. Total: $LN(T) = .901LN(X) + .527$
 $R^2 = .91, .64 \text{ Enter}, .36 \text{ Exit}$
 AM Gen Pk Hr. Total: $T = .704(X) + 12.09$
 $R^2 = .89, .25 \text{ Enter}, .75 \text{ Exit}$
 PM Gen Pk Hr. Total: $LN(T) = .887LN(X) + .605$
 $R^2 = .91, .64 \text{ Enter}, .36 \text{ Exit}$
 Sat. 2-Way Volume: $LN(T) = .956LN(X) + 2.54, R^2 = .92$
 Sat. Pk Hr. Total: $T = .886(X) + 11.065$
 $R^2 = .9, .54 \text{ Enter}, .46 \text{ Exit}$
 Sun. 2-Way Volume: $T = 8.832(X) + -11.604, R^2 = .94$
 Sun. Pk Hr. Total: $T = .756(X) + 23.815$
 $R^2 = .86, .53 \text{ Enter}, .47 \text{ Exit}$

Source: Institute of Transportation Engineers
Trip Generation, 6th Edition, 1997.

TRIP GENERATION BY MICROTRANS

**SECTION IV.B.2.a.
SANITARY SEWER**

The property lies within the franchise area of Gulf Environmental Services, Inc. There are no sanitary sewer facilities within one quarter mile of this site, therefore, this site will utilize individual on-site septic systems per Florida Administrative Code Chapter 64E-6, Standards for Onsite Sewage Treatment and Disposal Systems.

**SECTION IV.B.2. b.
POTABLE WATER**

Potable water is available to the site. The franchise area is Gulf Environmental Services, Inc. Conversations with personnel at the water utility indicate that adequate flow and pressure are available.

SECTION IV.B.2.c.
DRAINAGE/SURFACE WATER MANAGEMENT

Surface water management will be provided by a series of lakes, connecting culverts and outfall structure. All will be permitted through the South Florida Water Management District and will comply with their rules and regulations.

SECTION IV.B. 2.d.
PARKS, RECREATION AND OPEN SPACE

The subject site is found in District 4 of the Lee County Park Impact Fee regulations. The closest facility to the site is the Three Oaks Community Park. Lee County has plans to construct an additional facility in Estero.



LEE COUNTY

SOUTHWEST FLORIDA

BOARD OF COUNTY COMMISSIONERS

Writer's Direct Dial Number: 335-1604

John E. Manning
District One

Douglas R. St. Cerny
District Two

Ray Judah
District Three

Andrew W. Coy
District Four

John E. Albion
District Five

Donald D. Stilwell
County Manager

James G. Yaeger
County Attorney

Diana M. Parker
County Hearing
Examiner

October 15, 1998

Bob Thimes, AICP
Q. Grady Minor & Associates. P. A.
3800 Via Del Rey
Bonita Springs, Florida 34143

Re: Letter of Adequacy / Availability for Parcel
Strap No. 20-46-25-01-00009.0000, 4800 Pine Road 60 ± acres

Dear Mr. Thimes:

If the above named parcel is changed to outlying suburban from rural, I estimate a maximum build out population of 376 persons (2.09 persons in each dwelling unit / 3 dwelling units per acre). The residents could generate 45 calls annually for EMS resources.

Without a site plan showing ingress / egress corridors, I cannot assess if there may be an impact to EMS response time reliability. However, the current average EMS response time for the San Carlos area is six (6) minutes. The impact of this increased demand for EMS services should not pose a problem if additional ambulances / personnel are acquired according to current budgetary plans.

If you would like to discuss this further, please call me at the above referenced number.

Respectfully submitted,

DIVISION OF PUBLIC SAFETY

H.C. "Chris" Hansen
EMS Program Manager

cc: Chief Ippilito, San Carlos Park FD
Matt Noble, County Planning
DPS Administration

k:\users\chrish\impact\lgma.let

Office of the Sheriff



John J. McDougall

**State of Florida
County of Lee**

February 19, 1999

Q. Grady Minor & Associates, P.A.
Mr. Bob Thinnes, AICP
3800 Via Del Rey
Bonita Springs, Florida 34134

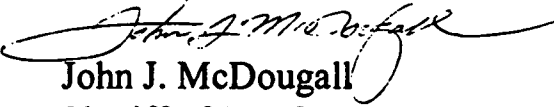
RE: 4800 Pine Road, 60 + Acres
STRAP No. 20-46-25-01-00009.0000

Dear Mr. Thinnes:

Due to severe budget constraints coupled with the growth of the county, my office operates at full capacity. It is policy of the Lee County Sheriff's Office to support community growth and we will do everything possible to accommodate the law enforcement needs.

We anticipate that we will receive the reasonable and necessary funding to support growth in demand. We therefore believe that the Lee County Sheriff's Office will be able to serve your project as it builds out.

Sincerely,


John J. McDougall
Sheriff of Lee County

Cc: file





THE SCHOOL DISTRICT OF LEE COUNTY

2055 CENTRAL AVENUE • FORT MYERS, FLORIDA 33901-3988 • (941) 334-1102 • FAX (941) 337-8378

September 23, 1998

Mr. Bob Thinnies
Q. Grady Minor & Associates, P.A.
3800 Via Del Rey
Bonita Springs, FL 34134

Re: Request for Determination of Adequacy
Proposed Lee Plan Amendment, Estero, Section 20, Township 46 S., Range 25 E.

Dear Mr. Thinnies:

This letter is in response to your request for a determination of adequacy from the Lee County School District on a plan amendment you have submitted to Lee County. The proposed 60 acre existing Rural parcel could contain up to 60 dwelling units at one unit per acre. The proposed amendment to Outlying Suburban would increase the potential density to three units per acre, or 180 units. These units would generate approximately 38 public school students, creating a need for up to 2 new classrooms in the District.

The schools in the South region that would serve this development are operating at or above permanent student capacity levels. Those schools that exceed permanent student capacity levels are operating through the use of portable classroom buildings. The growth generated by this development will require either the addition of permanent student and auxiliary space or the placement of portable buildings. Either action imposes a fiscal impact on the District that should be addressed by the applicant.

If you have any further questions or comments, please give me a call.

Sincerely,

Stephanie Keyes, Facilities Planner
Facilities Management and Capital Projects

cc: Frederick Gutknecht, Director, Facilities Management and Capital Projects
Don Easterly, Program Manager
Dr. Ande Albert, Assistant Superintendent for Business/Administrative

DR. DOUGLAS SANTINI
CHAIRMAN • DISTRICT 1

PATRICIA ANN RILEY
VICE CHAIRMAN • DISTRICT 3

KATHERINE BOREN
DISTRICT 4

BILL GROSS
DISTRICT 5

LANNY MOORE, SR.
DISTRICT 2

BRUCE HARTER, PH.D.
SUPERINTENDENT

KEITH B. MARTIN
BOARD ATTORNEY

JAMES E. BAKER
STAFF ATTORNEY

SECTION IV. D.D.

Q. GRADY MINOR & ASSOCIATES, P.A.
Civil Engineers ■ Land Surveyors ■ Planners

Q. GRADY MINOR, P.E.
MARK W. MINOR, P.E.
C. DEAN SMITH, P.E.
DAVID W. SCHMITT, P.E.

ALAN V. ROSEMAN
ROBERT W. THINNES, A.I.C.P.
ERIC V. SANDOVAL, P.S.M.

September 21, 1998

Mr. Tom Bard
Fire Inspector
8013 Sanibel Boulevard
Fort Myers, FL 33912

RE: 4800 Pine Road, 60± Acres
STRAP No. 20-46-25-01-00009.0000

Dear Mr. Bard:

Our office is in the process of submitting an application to Lee County to amend the Lee County Future Land Use Map for the above referenced property. The existing land use classification is Rural and the proposed classification is Outlying Suburban. The Rural category permits 1.0 dwelling units per acre while the Outlying Suburban permits 3.0 dwelling units per acre.

The application requires that a letter be provided from your agency determining the adequacy of existing or proposed support facilities. Respectfully request your office provide our office with a letter of determination of those existing or proposed facilities. For your convenience, we are enclosing a copy of a Lee County tax map.

If you have any questions or need of any additional information, please do not hesitate to contact our office.

Very truly yours,



Bob Thinnes, AICP


BT:jw

Enclosure

F:D60

Pine Road 60
S 20 / T 46S / R 25E

Protected Species Survey

Boylan 
Environmental
Consultants, Inc.

*Wetland & Wildlife Surveys, Environmental Permitting,
Impact Assessments*

11000 Metro Parkway, Suite 4
Fort Myers, Florida, 33912
Phone: (941) 418-0671 Fax: (941) 418-0672

December 11, 2001

INTRODUCTION

Environmental scientists from Boylan Environmental Consultants, Inc conducted field investigations on the +/- 60.32 acre property during the week of July 9 and December 10, 2001 to identify the presence of protected species and potential occupied habitat. Specifically, the July survey periods covered the upland, palmetto prairie dominated areas and the December survey the melaleuca slough on the east. The weather conditions in July were full sun on one day and overcast the other with temperatures in the lower 90°'s and in the upper 70°'s in December

The project site is located at the end of Pine Road, west of U.S. 41 in Estero in Section 20, Township 46 South, Range 25 East, Lee County.

METHODOLOGY

The survey was comprised of a several step process. First, vegetation communities or land-uses on the study area are delineated on an aerial photograph using the Florida Land Use, Cover and Forms Classification System (FLUCCS). Next, the FLUCCS codes are cross-referenced with a Potential Protected Species List. This protected species list names the species which have a probability of occurring in any particular FLUCCS community. The table at end of the report lists the FLUCCS communities found on the parcel and the corresponding species which have a probability of occurring in them.

Overlapping transects were walked with specific attention placed on locating Gopher Tortoise burrows in the uplands and potential fox squirrel nests in the wetlands.

SITE CONDITIONS

Listed below are the vegetation communities or land-uses identified on the site. The following descriptions correspond to the mappings on the attached FLUCCS map. See Florida Land Use, Cover and Forms Classification System (Department of Transportation 1985) for definitions.

321/411, Saw Palmetto – Slash Pine (43.32 acres)

This community is dominated by saw palmetto in the understory and slash pine in the canopy; canopy coverage is approximately 20% or less. Other predominant vegetation includes melaleuca, tarflower, pennyroyal, wiregrass, and saltbush. There are two small clumps of areas containing numerous live oak in the south; these areas are too small to map. This community is considered uplands by Lee County and the SFWMD.

321/421, Saw Palmetto – Dog Hair Melaleuca (5.07 acres)

This community is dominated by saw palmetto in the understory and dog hair melaleuca in the midcanopy. Other vegetation includes wiregrass, saltbush, and yellow – eyed grass. This community is considered uplands by Lee County and the SFWMD.

424, Melaleuca (0.35 acres)

This community is an isolated melaleuca patch in the northwest portion of the site. Groundcover is virtually non – existent. This community is considered uplands by Lee County and the SFWMD.

424H, Melaleuca Wetlands (7.80 acres)

This community is comprised of five isolated melaleuca wetlands interspersed with in the uplands and the large melaleuca slough on the east side of the parcel. The isolated wetlands are dominated by melaleuca in the canopy and mid canopy with yellow – eyed grass and swamp fern in the understory. The large melaleuca slough to the east is dominated by melaleuca in the canopy with random cypress, slash pine, and cabbage palm. Understory species consist of swamp fern where present. This community is considered wetlands by Lee County and the SFWMD.

500, Other Surface Water (1.23 acres)

A Borrow area located in the south – central portion of the site.

740, Disturbed Areas (0.74 acres)

This community has previously been cleared and is located adjacent to the FPL easement and ditch located in the southwest portion of the parcel.

743, Berm (0.08 acres)

A fill road or Berm is located in the northern portion of the melaleuca slough. This berm has effectively separated the slough. There is a 20" (or so) culvert on the east side of the slough that connects the slough but it is in need of repair. This berm has effectively altered the natural flow of water through the slough. This community is considered uplands by Lee County and the SFWMD.

832, FPL Easement (1.73 acres)

An FPL easement bisects the southwest corner of the property. This community is considered uplands by Lee County and the SFWMD.

SPECIES PRESENCE

The various listed species that may occur in the FLUCCS communities have been tabulated on the attached table.

Approximately 23 active and 17 inactive tortoise burrows have been flagged onsite. The FWC recently started using a 0.40 acre conversion factor (formerly 0.30) applied to active and inactive tortoise burrows in arriving at the number of expected tortoise on site; when an application for a Gopher Tortoise Incidental Taker Permit is submitted. Applying this factor to our survey, approximately 16 tortoises would be expected to be inhabiting the site ($0.40 * 40 = 16$).

Approximately 5 potential fox squirrel nests were located in melaleuca trees in the melaleuca slough.

Table. Protected species list cross referenced with onsite FLUCCS categories.

FLUCCS	Potential Listed Species	% Coverage	Present	Absent	Density	Visibility (ft)
321/411	Beautiful Pawpaw	95+		X	-	20
	Big Cypress Fox Squirrel	95+		X	-	20
	Eastern Indigo Snake	95+	X***		-	20
	Fakahatchee Burmannia	95+		X	-	20
	Florida Black Bear	95+		X	-	20
	Florida Coontie	95+		X	-	20
	Florida Panther	95+		X	-	20
	Gopher Frog	95+	X***		-	20
	Gopher Tortoise	95+	X		0.37 tortoise / acre*	20
	Red-Cockaded Woodpecker	95+		X	-	20
	Satinleaf	95+		X	-	20
	Southeastern American Kestrel	95+		X	-	20
	Twisted Air Plant	95+		X	-	20
321/424	Beautiful Pawpaw	95+		X	-	20
	Big Cypress Fox Squirrel	95+		X	-	20
	Eastern Indigo Snake	95+		X	-	20
	Fakahatchee Burmannia	95+		X	-	20
	Florida Black Bear	95+		X	-	20
	Florida Coontie	95+		X	-	20
	Florida Panther	95+		X	-	20
	Gopher Frog	95+		X	-	20
	Gopher Tortoise	95+		X	-	20
	Red-Cockaded Woodpecker	95+		X	-	20
	Satinleaf	95+		X	-	20
	Southeastern American Kestrel	95+		X	-	20
	Twisted Air Plant	95+		X	-	20
424	Big Cypress Fox Squirrel	95+		X	-	
424H	Big Cypress Fox Squirrel	95+	X**	X	NA	
500	American Alligator	95+		X	-	100
	Everglades Mink	95+		X	-	100
	Limpkin	95+		X	-	100
	Little Blue Heron	95+		X	-	100
	Reddish Egret	95+		X	-	100
	Roseate Spoonbill	95+		X	-	100
	Snowy Egret	95+		X	-	100
	Tricolored Heron	95+		X	-	100
	Florida Panther	95+		X	-	100
	Florida Black Bear	95+		X	-	100
740	Gopher Tortoise	95+		X	-	100
743	Gopher Tortoise	95+		X	-	100
832	None	95+		X	-	100

*Based on 16 tortoise in 43.32 acres (FLUCCS 321/411)

**No fox squirrels were observed, only potential nests in melaleuca trees

***No gopher tortoise or eastern indigo snakes were observed; because of gopher tortoise burrows, the potential exists for them to inhabit the site



743
832

BERM
FPL EASEMENT

0.08
1.73

60.32 ACRES

- ▣ ACTIVE TORTOISE BURROW, 23
- ⊗ INACTIVE TORTOISE BURROW, 17
- Ⓜ ABANDONED TORTOISE BURROW, 3
- × POTENTIAL NESTS IN MELALEUCA, 5


$(23 + 17) * 0.40 = 16$ EXPECTED GOPHER TORTOISE

PINE
LISTED

Boylan
Environmental
Consultants, Inc.
Field & Wildlife Surveys, Environmental Permitting
Impact Assessments
11000 Metro Parkway, Suite 4, Ft. Myers, 33912 (941) 418-0671

Pine Road 60
S 20 / T 46S / R 25E

**Habitat Management Plan for
Listed Species**

Boylan 
Environmental
Consultants, Inc.

*Wetland & Wildlife Surveys, Environmental Permitting,
Impact Assessments*

11000 Metro Parkway, Suite 4
Fort Myers, Florida, 33912
Phone: (941) 418-0671 Fax: (941) 418-0672

December 11, 2001

INTRODUCTION

Environmental scientists from Boylan Environmental Consultants, Inc conducted field investigations on the +/- 60.32 acre property the weeks of July 9 and December 10, 2001 to identify the presence of protected species and potential occupied habitat. The survey documented Gopher Tortoise and the potential for Big Cypress Fox Squirrels on site. Because of gopher tortoise burrows, the potential exists for the Gopher Frog and the Eastern Indigo Snake.

In addition, the Bald Eagle and the Florida Black Bear have been documented on adjacent sites or are presumed to inhabit adjacent sites. This plan is intended to minimize impacts to these species by implementing the following (brief – conceptual) plans.

The subject parcel is located at the end of Pine Road, west of U.S. 41 in Estero in Section 20, Township 46 South, Range 25 East, Lee County.

GOPHER TORTOISE

A Gopher Tortoise Incidental Take permit would be obtained from the Florida Fish & Wildlife Conservation Commission (FWC).

In addition, prior to construction, tortoise would be relocated to the "Tortoise Relocation – Preserve" as shown on attached Exhibit 1. The preserve, along with all other upland and wetland preserves would be maintained in perpetuity to insure exotic and nuisance species constitute less than 1% coverage immediately following an exotic removal activity and no more than 5% in between removal activities.

FOX SQUIRREL

Immediately prior to construction or mitigation activities, the areas will be re - checked for the presence of Big Cypress Fox Squirrel nests. If "*actively nesting*" nests are found, 150' buffers would be maintained around the nest trees until the nest(s) are deemed active. When deemed inactive, the (melaleuca) nest tree would be taken down in conjunction with either construction or wetland mitigation activities. It is anticipated the melaleuca slough, would have exotics removed and subsequently replanted with desirable wetland vegetation. The wetland mitigation details are not known at this time and could only be known at time of ERP permitting.

EASTERN INDIGO SNAKE

Standard protection measures would be established as follows:

1. An eastern indigo snake protection/education plan shall be developed by the applicant or requestor for all construction personnel to follow. The plan shall be provided to the Service for review and

to identify eastern indigo snakes could use the protection/education plan to instruct construction personnel before any clearing activities occur.). Informational signs should be posted throughout the construction site and contain the following information:

- a. A description of the eastern indigo snake, its habits and protection under Federal Law;
 - b. Instructions not to injure, harm, harass or kill this species;
 - c. Directions to cease clearing activities and allow the eastern indigo snake sufficient time to move away from the site on its own before resuming clearing; and.
 - d. Telephone numbers of pertinent agencies to be contacted if a dead eastern indigo snake is encountered. The dead specimen should be thoroughly soaked in water, then frozen.
2. If not currently authorized through an Incidental Take Statement in association with a Biological Opinion, only individuals who have been either authorized by a Section 10(a)(1)(A) permit issued by the Service, or by the State of Florida through the Florida Fish and Wildlife Conservation Commission for such activities, are permitted to come in contact with or relocate an eastern indigo snake.
 3. If necessary, eastern indigo snakes shall be held in captivity only long enough to transport them to a release site; at no time shall two snakes be kept in the same container during transportation.
 4. An eastern indigo snake monitoring report must be submitted to the appropriate Florida Field Office within 60 days of the conclusion of clearing phases. The report should be submitted whether or not eastern indigo snakes are observed. The report should contain the following information;
 - a. any sightings of eastern indigo snakes
 - b. summaries of any relocated snakes if relocation was approved for the project (e.g., locations of where and when they were found and relocated);
 - c. other obligations required by the Florida Fish and Wildlife Conservation Commission, as stipulated in the permit.

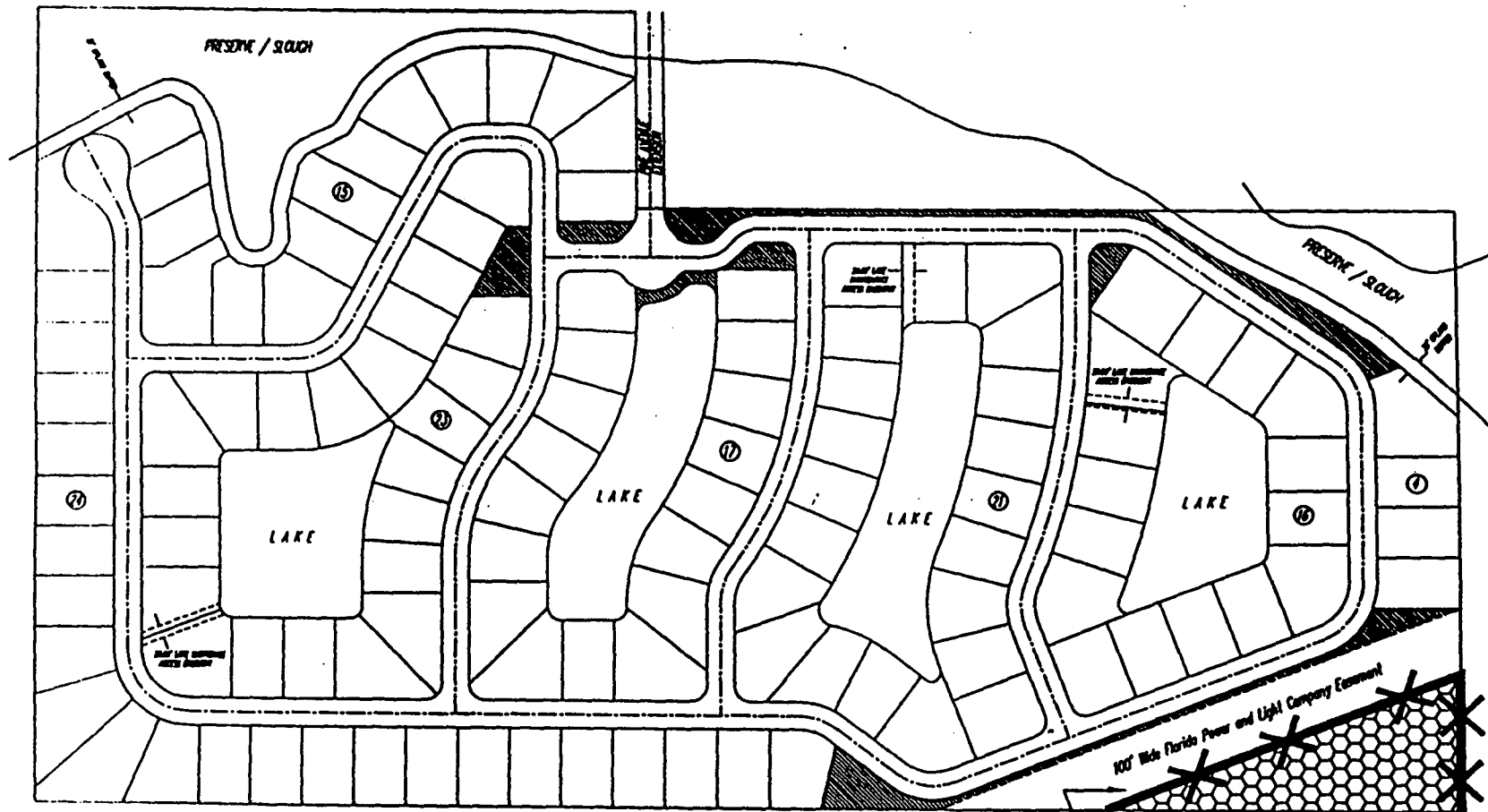
See attached Exhibit 2 for the Eastern Indigo Snake Protection plan.

BALD EAGLE

All construction and mitigation activities within 1500' of the nest tree (located south of the subject parcel) would occur during the non – nesting season, October 1 through May 15. The portion of the Pine Road parcel that falls within the 1500' is shown in Exhibit 3 and is considered the Eagle's Secondary Zone. This is the suggested guideline set forth by the US Fish and Wildlife Service in "*Habitat Management Guidelines For the Bald Eagle in the Southeast Region.*"

FLORIDA BLACK BEAR

- 1) Signage will be place around the preserve areas. This signage (language) would prohibit hand - feeding of wildlife, including birds. This would eliminate leftover food scraps throughout the property. There would be signs stating "Feeding of Animals is Prohibited."
- 2) There would be no beehives, livestock (including fowl), or stables meant to house animals located on site.
- 3) If picnic areas are located on-site, signage would be placed in the vicinity reminding people to remove all food scraps and refuse when leaving.



TORTOISE FENCE DEPICTED BY BOLD LINE AND X



TORTOISE RELOCATION -
PRESERVE AREA

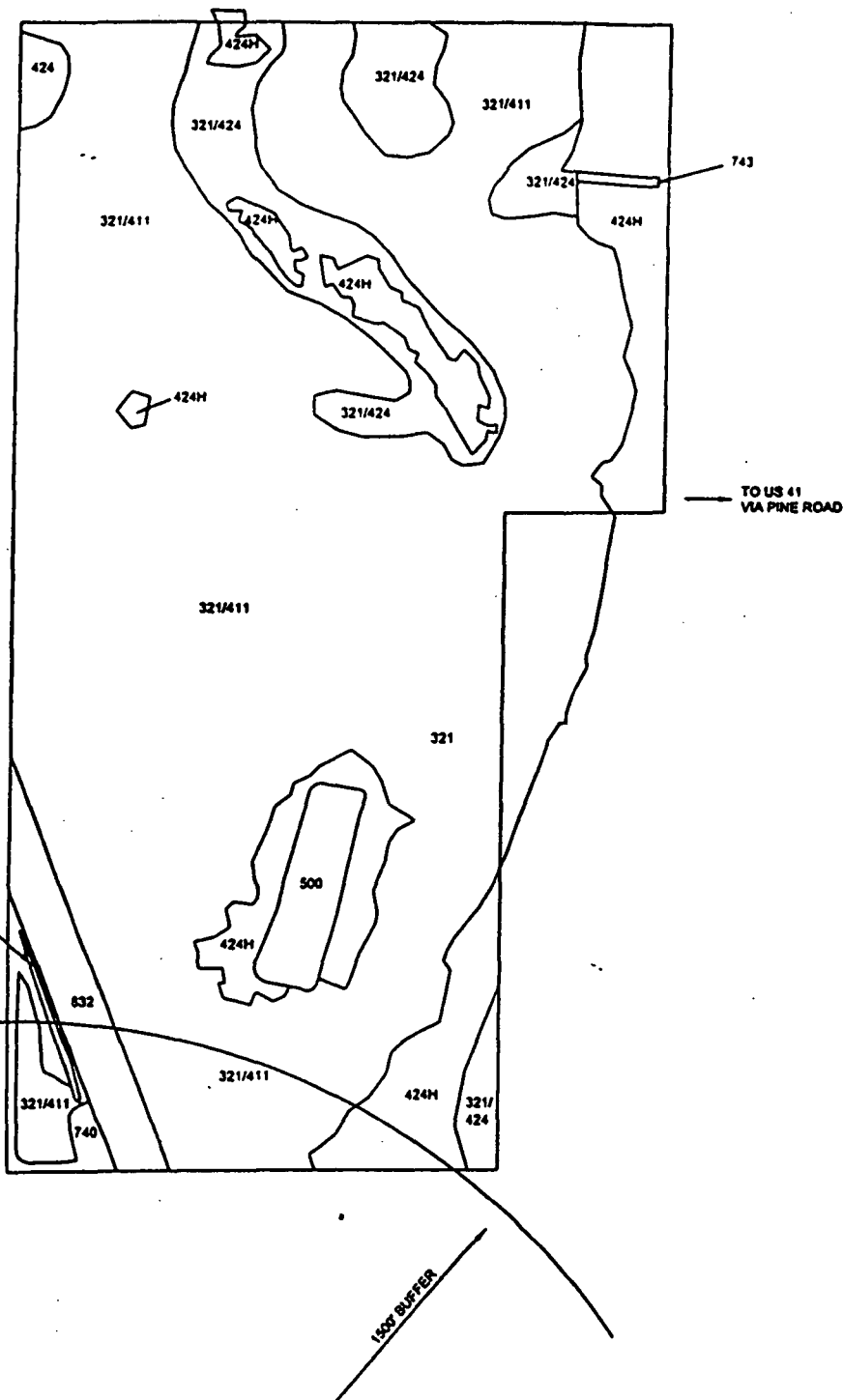
JOB # 9852
SCALE TORTOISE FENCE
FILE 1"=300'

PINE ROAD

COUNTY LEE
SEC 20

Boylan
Environmental
Consultants, Inc.





APPROXIMATE LOCATION OF EAGLE'S
NEST 1200' SOUTH OF SUBJECT PARCEL'S
SOUTHWEST CORNER

321/411
321/424
424
424H*
500
740
743
832

SAW PALMETTO - SLASH PINE (<20% CANOPY)
SAW PALMETTO - DOG HAIR MELALEUCA
MELALEUCA
MELALEUCA WETLANDS
OTHER SURFACE WATER
DISTURBED AREAS
BERM
FPL EASEMENT

Boylan
Environmental
Consultants, Inc.
Wetland & Wildlife Surveys, Environmental Permitting,
Impact Assessments
11000 Metro Parkway, Suite 4 Ft. Myers, 33912 (941) 418-0571

COUNTY	LEE
SEC	20
TWP	46S
RNG	25E
REVISIONS	

PINE ROAD 60
EAGLE BUFFER MAP

B# 9852	17E 12-11-01
ALL 1"-400'	
3E EAGLE BUFFER	
LAWN BY JOK	

Exhibit 2

EASTERN INDIGO SNAKE

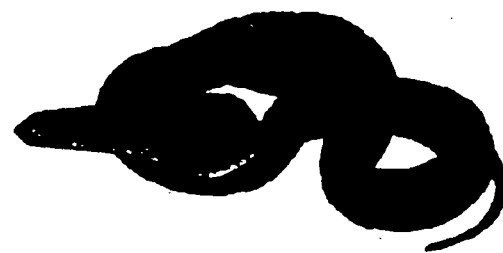
PROTECTION PLAN

The Eastern Indigo Snake is a large, fairly shiny blue-black snake. They are non-venomous. The average adult indigo snake is 6 feet in length.

The Indigo snake is active during daylight hours. It nests in gopher tortoise burrows and in hollow logs. The diet of the snake consists of other snakes, small mammals such as rats and mice, along with frogs, lizards and other amphibians.

The Indigo snake may be confused with the common black racer. It is also black, however this snake is usually slender and fast moving, with a white chin:

The Common Black
Racer



Eastern Indigo Snake
Drymarchon corais couperi

If an Eastern Indigo snake is observed on site:

Cease all construction activities and notify the construction supervisor, then contact Boylan Environmental Consultants (941) 418-0671. While leaving the snake unharmed, maintain sight of the snake until a biologist arrives. The snake will then be allowed sufficient time to move away from the construction site on its own before resuming construction activities.


The Eastern Indigo snake is protected by both State and Federal Regulations. It is illegal to harass, harm, pursue, hunt, shoot, wound, kill, molest, trap, capture, collect, transport, or attempt to engage in any such conduct (collectively defined as "taking"). These rules apply to the snake, parts thereof or their nests or eggs.

Under Chapter 39, Florida Administrative Code 39-4.002 the penalties are as follows: Punishable as a second degree misdemeanor, with up to \$500.00 fine and/or 60 days imprisonment for first offenses, additional penalties thereafter.

Under the Endangered Species Act the penalties are as follows: Maximum fine of \$25,000.00 for civil penalties and maximum fine of \$50,000.00 and/or imprisonment for up to

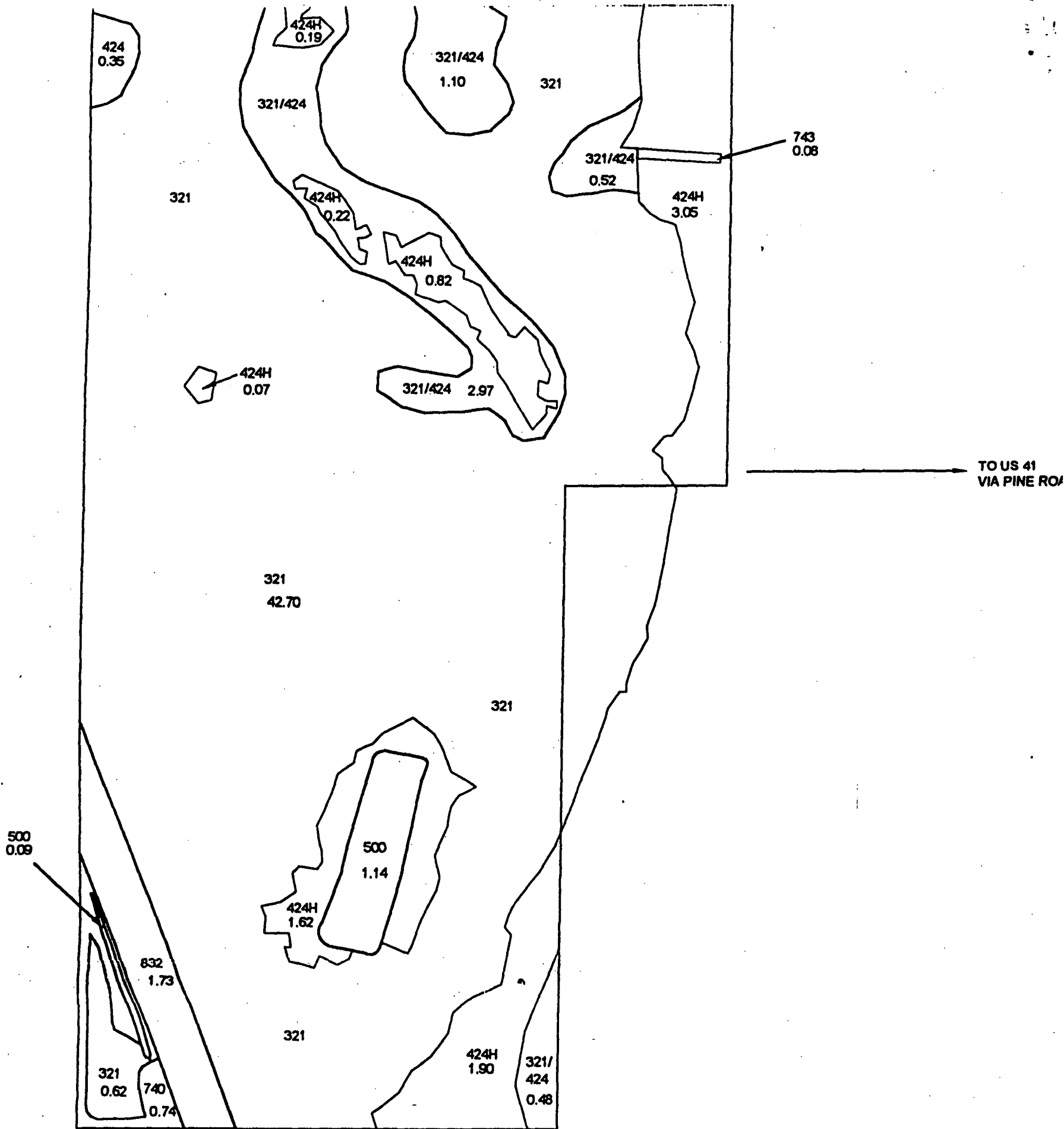
Pine Road 60
S 20 / T 46S / R 25E

Protected Species Survey

Boylan 
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Consultants, Inc.
*Wetland & Wildlife Surveys, Environmental Permitting,
Impact Assessments*

11000 Metro Parkway, Suite 4
Fort Myers, Florida, 33912
Phone: (941) 418-0671 Fax: (941) 418-0672

December 11, 2001



		APPROX. ACREAGE
321	SAW PALMETTO	43.32 up
321/424	SAW PALMETTO - DOG HAIR MELALEUCA	5.07 up
424	MELALEUCA	0.35 up
424H*	MELALEUCA WETLANDS	7.80 wet
500	OTHER SURFACE WATER	1.23
740	DISTURBED AREAS	0.74 up
743	BERM	0.08 up
832	FPL EASEMENT	1.73 up
		<hr/> 60.32 ACRES

WETLAND LINES BASED ON GPS:
+/- 15' IN ISOLATED MELALEUCA "HOLES"
+/- 30' ALONG EASTERN MELALEUCA FLOWWAY
DUE TO HEAVY CANOPY

PROJECT NAME

JD# _____

Craig Schmittler

Date

South Florida Water Management District Wetland Jurisdictional Determination

Boylan
Environmental
Consultants, Inc.

Wetland & Wildlife Surveys, Environmental Permitting,
Impact Assessments



JOB # 9852
SCALE 1"= 200
FILE GPS WETLANDS2
DRAWN BY JDK
DATE 2-7-01
COUNTY LEE
SEC 30
TWP 46

SECTION IV. E. COMPREHENSIVE PLAN

POPULATION

The site being 60 ± acres in area with 52 ± acres as upland will yield, with the proposed future land use designation, a maximum of 120 dwelling units. Because of the relative low number of dwelling units, there will be no negative affect upon the County-wide population projection/accommodation.

YEAR 2020 OVERLAY

The subject property is located within Planning Community 13 (San Carlos/Estero) as depicted on Map 16, Planning Communities, in The Lee Plan, 1998 Codification as amended through 1998. Table 1(b), Planning Community Year 2020 Allocations, of the Lee Plan, provides the acreage allocations for each planning community. These allocations include residential by future land use category, general commercial and industrial and non-regulatory allocations. The Outlying Suburban category has 81 acres allocated for residential while 280 acres are allocated in the Rural category for residential use. Currently, the total number of residential dwelling units allocated for both categories would be 523 dwelling units, based upon gross acreage. The proposed land use change would add 52 ± acres to the Outlying Suburban for an additional 156 residential dwelling units. The total unincorporated County acreage for Planning Area 13 would increase from 5,376 to 5,532 or three percent (3%).

LOCAL GOVERNMENTS

The subject site is located within the jurisdictional limits of Lee County and not within the jurisdictional limits of any local governments. Therefore, the proposal has no effect upon any local government.

FUTURE LAND USE ELEMENT

The subject property is located in Section 20, Township 46 South, Range 25 East and currently has a Future Land Use Map designation of Urban Community, Rural and wetland. The proposed map amendment will change the Rural designation to Outlying Suburban. The wetland and Urban Community will remain unchanged. The Outlying Suburban category is being further limited with respect to density to a maximum of two dwelling units per acre. This is similar to the restrictions currently in place in north Fort Myers and in the Buckingham area. Policy 1.1.6 of the Future Land Use Element and Table 1(a) will be modified as follows:

Policy 1.1.6: of Objective 1.1: Future Urban Areas, Outlying Suburban states in part that "areas are characterized by their peripheral location in relation to established urban areas. In general, these areas are rural in nature or contain existing low-density development. Some, but not all, of the requisite infrastructure needed for higher density development is generally planned or in place. It is intended that these areas will develop at lower residential densities than other Future Urban Areas. As in the Suburban areas, higher densities, commercial development greater than neighborhood centers, and industrial land uses are not permitted. The standard density range is from one dwelling unit per acre (1 du/acre) to three dwelling units per acre (3 du/acre)".

The subject property is adjacent to existing areas that are urban in nature. Surrounding densities to the north, east and south range from 3.0 to 18.0 dwelling units per acre. The recently approved project to the west and south may be developed at a density of 3.0 dwelling units/acre. U.S. 41 (S.R. 45) is located less than 3/4 mile to the east of the subject site. Access to this arterial is provided by Pine Road and recorded access easements. Gulf Environmental Services has utility service available at U.S. 41 and Pine Road and would be available for future extension. Therefore, infrastructure is available. The requested Outlying Suburban category would only be developed at a maximum of 2.0 dwelling units per acres which is at a lower density than the other Future Urban and Suburban areas within the general vicinity to the north, east and south. The requested classification is clearly located at a peripheral location relative to established urban areas.

The existing FLUM designation, Rural, is listed in Objective 1.4 as a non-Urban Area. The definition of Rural as found in Objective 1.4.1 is as follows: "The Rural areas are to remain predominantly rural--that is, low density residential, agricultural uses, and minimal non-residential land uses that are needed to serve the rural community. These areas are not to be programmed to receive urban-type capital improvements and they can anticipate a continued level of public services below that of the urban areas". Those elements characteristic of an urban area are found within the subject property as has been documented within this application. Because of these urban elements such as density, infrastructure, use, urban services and compatibility, it is unreasonable to expect this property to remain in the Rural category when, in fact, the application of the Rural category to this property is not consistent with Policy 1.4.1. The Rural incompatibility and inconsistency is sustained because agricultural and non-residential uses are not compatible or consistent with the surrounding residential communities, and, further, there exist no rural community in the area for this Rural designation to serve.

Objective 2.1: Development Location encourages compact growth pattern via the rezoning process to contain urban sprawl and its effects, and, further, encourages rezoning large tracts of land that have been "by-passed in favor of development more distant from services and existing communities". The subject property is an enclave of low density surrounded by higher densities, by-passed in favor of projects more distant from services and existing communities.

Objective 2.2: Development Timing directs new growth to those areas with public facilities to insure compact and contiguous growth patterns. The subject parcel is less than 3/4 of a mile from an arterial road (.S.41), has sewer and water available from Gulf Environmental Services and has access to U.S. 41 (S.R. 45) via Pine Road and existing recorded easements. Community facilities and services such as schools, EMS, police and fire protection are available.

PLANNING DIVISION

M E M O R A N D U M



LEE COUNTY

SOUTHWEST FLORIDA

to: Board of County Commissioners

from: Jim Mudd, AICP, Principal Planner *JM*

subject: Caloosahatchee Shores Community Plan

date: June 6, 2003

The Local Planning Agency held three public hearings for the Caloosahatchee Shores proposed Lee Plan amendments. Those meetings were held on March 24, April 28 and May 28, 2003. Because of the need to keep an historical record of the proceedings, the staff report has become somewhat difficult to understand; therefore, staff has enclosed along with the staff report a "clean" summary of the LPA recommendation for transmittal.

With the exception of Policy 13.5.2, staff is in agreement with the LPA recommendation for transmittal. DOT staff does not recommend transmittal of that policy.

Also enclosed are the following:

- Map 1 that is referenced in GOAL 13: CALOOSAHATCHEE SHORES
- Attachment 1 that is referenced in Policy 13.2.5
- Maps of current future land use designations and proposed amendments
- Caloosahatchee Shores Community Plan

**Local Planning Agency recommendation for transmittal of the
Caloosahatchee Shores Comprehensive Plan Amendment, CPA2002-04**

VISION STATEMENT:

4. Fort Myers Shores - This Community is located south of the Caloosahatchee river, east of Hickey Creek, and north of the Orange river; and, along I-75 west of the Buckingham Rural Community Preserve, north of SR 82 and east of the City of Fort Myers. This community contains two distinct areas: Caloosahatchee Shores, located east of I-75 and Palm Beach Boulevard, located west of I-75. This area also has a mixture of future land use designations. The majority of the land is designated Suburban, Outlying Suburban, Rural, or Urban Community; however, there are some lands designated Intensive Development, Central Urban, Public Facilities, Industrial Interchange Area and General Interchange.

~~The population of the fort Myers Shores community is also expected to grow from a 1996 population of 12,000 to approximately 14,000. However, that amount of commercial building is expected to nearly double by 2020 and the amount of industrial land is expected to increase by 10 fold. Currently, this community contains commercial outlets which accommodate the needs of its residents as well as those from neighboring communities such as Alva and Buckingham. There are two major shopping areas in this community to satisfy resident's primary commercial needs. The residents of this community still utilize commercial establishments in the more urbanized areas for much of their commercial needs. During the life of this plan this community will develop as a commercial/employment center for the adjacent communities which will retain their rural character. (Added by Ordinance No. 99-15)~~

Caloosahatchee Shores: This community is located south of the Caloosahatchee River, west of Hickey's Creek, and north of the Orange river; and along I-75 east to the Buckingham Rural Preserve, north of SR82 and west to I-75. This community contains three neighborhoods: Fort Myers Shores, Olga, and the Riverdale neighborhood around the intersection of Buckingham Road and SR 80. The Caloosahatchee Shores planning community has a more rural character, but is anticipated to grow substantially over the life of this plan . This area also has a mixture of future land use designations. The majority of land use designations are Suburban, Outlying Suburban, Rural or Urban Community; however, there are some lands designated public facility and industrial interchange.

Due to the rapid rise in population and limitations on commercial development in surrounding communities, the amount of commercial buildings will more than double by 2020. Currently, this community contains commercial outlets which accommodate the needs of its residents as well as those from neighboring communities such as Alva, Bayshore and Buckingham. Shopping areas in this community are concentrated along the SR 80 corridor with specific commercial nodes for higher intensity development to satisfy residents primary commercial needs. During the life of this plan, Fort Myers Shores will continue to develop a

commercial/employment center for the adjacent communities.

Palm Beach Boulevard: The Palm Beach Blvd. Community actually encompasses part of the City of Fort Myers and is bounded by Billy's Creek on the west and south, I-75 on the east, and Caloosahatchee River on the north. This is one of the older urban areas of Lee County and Fort Myers, and it has experienced significant demographic and economic change over the last decade. The future vision is of an attractive, mixed-use community with an abundance of employment and shopping opportunities. Palm Beach Blvd. will be improved with medians and landscaping, and an effort will be made to renovate and beautify aging commercial centers along the corridor. Opportunities for mixed use developments within obsolete commercial centers and a general upgrading of the housing stock will be a priority.

GOAL 13: CALOOSAHATCHEE SHORES: To protect the existing character, natural resources and quality of life in Caloosahatchee Shores, while promoting new development, redevelopment and maintaining a more rural identity for the neighborhoods east of I-75 by establishing minimum aesthetic requirements, planning the location and intensity of future commercial and residential uses, and providing incentives for redevelopment, mixed use development and pedestrian safe environments. This Goal and subsequent objectives and policies apply to the Caloosahatchee Shores boundaries as depicted on Map 1, page 2 of 5 in the Appendix.

OBJECTIVE 13.1: COMMUNITY CHARACTER. The Caloosahatchee Shores community will draft and submit regulations, policies and discretionary actions affecting the character and aesthetic appearance of the Caloosahatchee Shores for Lee County to consider for adoption and enforcement to help create a visually attractive community.

POLICY 13.1.1: By the end of 2004, the Caloosahatchee Shores community will draft and submit regulations for Lee County to review and consider for amendment or adoption as Land Development Code regulations that provide for enhanced landscaping, signage and architectural standards consistent with the Community Vision.

POLICY 13.1.2: In order to maintain the Old Florida rural identity for the Caloosahatchee Shores Community, commercial developments are encouraged to use vernacular Florida architectural styles for all buildings. The use of Mediterranean styles of architecture is discouraged.

POLICY 13.1.3: Lee county is discouraged from approving any deviation that would result in a reduction of landscaping, buffering, signage guidelines or compliance with architectural standards.

OBJECTIVE 13.2: COMMERCIAL LAND USES. Existing and future county regulations, land use interpretations, policies, zoning approvals, and administrative actions should be undertaken in an effort to promote the goal of commercial redevelopment along

SR 80 and increased commercial opportunities to service the needs of the Caloosahatchee Shores community and surrounding areas. County regulations must should attempt to ensure that commercial areas maintain a unified and pleasing aesthetic/visual quality in landscaping, architecture, lighting and signage. Commercial land uses must be designed to be compatible with and further the historic character and identity of existing rural Old Florida and Florida Vernacular styles of architecture and the historic identity of Olga.

POLICY 13.2.1: To service the retail needs of Caloosahatchee Shores and the surrounding rural communities, the intersection of SR 80 and SR 31, north of SR 80 and east and west of SR 31 are designated as commercial nodes to allow for greater commercial intensity. Commercial nodes are intended for development or redevelopment at Community Commercial levels as defined in Policy 6.1.2 of the Lee Plan.

POLICY 13.2.2: In order to protect the rural residential character of Buckingham Road, new retail uses along Buckingham Road outside the commercial node identified on Map 19, will be discouraged.

POLICY 13.2.3: Minor commercial uses, public facilities, and recreational areas are encouraged at or near the intersection (within 660 feet of the adjoining rights of way of the intersection roads) of Old Olga Road and South Olga Drive. Minor commercial uses that are intended to service the needs of the immediate neighbors, are designated through landscaping, architectural standards and pedestrian facilities to be visually and functionally compatible with surrounding residential uses, and are designed to promote the vision of a pedestrian oriented village, are encouraged and are not required to meet the retail site location standards in Policy 6.1.2 at this intersection.

POLICY 13.2.4: Commercial developments within the Caloosahatchee Shores Community must provide interconnect opportunities with adjacent commercial uses in order to minimize access points onto primary road corridors; and residential developments should provide interconnect opportunities with commercial areas, including but not limited to bike paths, pedestrian access ways and equestrian trails.

POLICY 13.2.5: To promote the redevelopment of commercial uses along SR 80, Commercial uses are encouraged to increase lot depth and size by extending north of SR 80 to First Street. Lee County will encourage the use of First Street as a reverse frontage Road to provide access. This policy hereby adopts Attachment #1 as a conceptual redevelopment plan for this corridor.

OBJECTIVE 13.3: RESIDENTIAL USES: Lee County will protect and enhance the residential character of the Caloosahatchee Shores Community by strictly evaluating adjacent uses, natural resources, access and recreational or open space.

POLICY 13.3.1: By the end of 2004, the Caloosahatchee Shores community will draft and submit regulations and policies for Lee County to review and consider for amendment or adoption as regulations in the Land Development Code to provide for greater buffering between distinctly different adjacent commercial and residential properties, modified however when a project is of mixed use nature.

OBJECTIVE 13.4: MIXED USE DEVELOPMENT. Lee County will encourage mixed-use developments in specific areas of the Caloosahatchee Shores planning area through a variety of incentives.

POLICY 13.4.1: With the exception of mixed-use projects, residential uses fronting SR 80 and Buckingham Road are limited to no more than four dwelling units per acre.

POLICY 13.4.2: Mixed-use developments, as defined in the Lee Plan, and mixed-use developments containing both commercial and residential uses within the same structure and a that provide for an integration of commercial with residential uses with pedestrian linkages re strongly encouraged at the commercial nodes of SR 80 and SR 31 and SR 80 and Buckingham Road, as well as the commercial strip between First Street and SR 80 in Fort Myers Shores. With the exception of SR 80 and SR 31, which will be allowed densities consistent with the Urban Community future land use designation, mixed-use developments will be limited to six dwelling units per acre at those locations.

- Bicycle & Pedestrian facilities will be provided throughout the development. Connections between all uses are required to facilitate these alternative modes of transportation. When possible, connections to adjacent developments will be provided.
- Vehicular connections between residential and non-residential uses will be provided to facilitate the internal capture of trips. When possible, connections to adjacent developments will be made to provide alternative access to the non-residential components of this development other than the arterial interchange of SR 80 and SR 31. Non-residential components at SR 80 and Buckingham Road should, when possible, provide alternative access off of Buckingham Road and Non-residential components at SR 80 and First Street should, when possible, provide alternative access off of First Street.

POLICY 13.4.3: Any existing or future regulation in the Land Development Code that is shown by the applicant of a planned development to inhibit the development of a mixed-use project will be given strong consideration for a waiver. By the end of 2004, the Caloosahatchee Shores community will draft and submit regulations and policies for Lee County to review and consider for amendment or adoption as Land Development Code regulations that encourage mixed-use developments.

OBJECTIVE 13.5: COMMUNITY FACILITIES/PARKS. Lee County will work with the Caloosahatchee Shores Community to provide and facilitate the provision of a broad mix of Community Facilities.

POLICY 13.5.1: The Caloosahatchee Shores Community will work with Lee County, the State of Florida and the National Parks Service to provide appropriate passive recreational opportunities, parks, nature, pedestrian and equestrian trails, potentially enhanced by public/private partnerships. This may include easy access, parking, trails, and other non-intrusive uses.

POLICY 13.5.2: Where practicable, Bikeways, pedestrian ways and equestrian trails along collector or arterial roads should be separated from the edge of pavement.

Policy 13.5.2 was recommended for transmittal by the LPA at the April 28 public hearing and DOT staff agreed to that language at that time. After further consideration, DOT staff recommended at the May 28 LPA public hearing that Policy 13.5.2 not be transmitted. The LPA recommendation for transmittal has not changed.

POLICY 13.5.3: Lee County will work with the community and private landowners to identify opportunities to maintain and enhance public access to the Caloosahatchee River, including access through the Florida Power and Light Plant. All new development of commercial, industrial or public facility properties along the Caloosahatchee River are strongly encouraged to provide for public access to the riverfront.

POLICY 13.5.4: Lee County will work with the community to ensure that the development of new parks or enhancement of existing parks meets the recreational needs of the community and are integrated into the surrounding developments and open space areas. The concept would be for a park to act as a hub, connected to other open space/recreational opportunities through pedestrian bicycle or equestrian linkages, either along public rights of way or through adjacent developments.

POLICY 13.5.5: Lee County Department of Parks and Recreation will work with the residents of the Caloosahatchee Shores to publicize and increase the usage of existing public parks and recreation facilities.

OBJECTIVE 13.6: PUBLIC PARTICIPATION. Lee County will encourage and solicit public input and participation prior to and during the review and adoption of county regulations, Land Development Code provisions, Lee Plan provisions, and zoning approvals.

POLICY 13.6.1: As a courtesy, Lee County will register citizen groups and civic organizations within the Caloosahatchee Shores Planning Community that desire notification of pending review of Land Development Code amendments and Lee Plan amendments. Upon registration, Lee County will provide registered groups with

documentation regarding these pending amendments. This notice is a courtesy only and is not jurisdictional. Accordingly, the county's failure to mail or to timely mail the notice, or failure of a group to receive mailed notice, will not constitute a defect in notice or bar a public hearing from occurring as scheduled.

POLICY 13.6.2: The Caloosahatchee Shores Community will establish a "document clearing house", where copies of selected zoning submittal documents, staff reports, Hearing Examiner recommendations and resolutions will be provided for public inspection. The County's failure to provide or to timely provide documents to the document clearing house, or failure of the document clearing house to receive documents, will not constitute a defect in notice or bar a public hearing from occurring as scheduled.

POLICY 13.6.3: The owner or agent for any Planned Development request within the Caloosahatchee Shores Community must conduct one public informational session where the agent will provide a general overview of the project for any interested citizens. Lee County encourages zoning staff to participate in such public workshops. This meeting must be conducted before the application can be found sufficient. The applicant is fully responsible for providing the meeting space and providing security measures as needed.

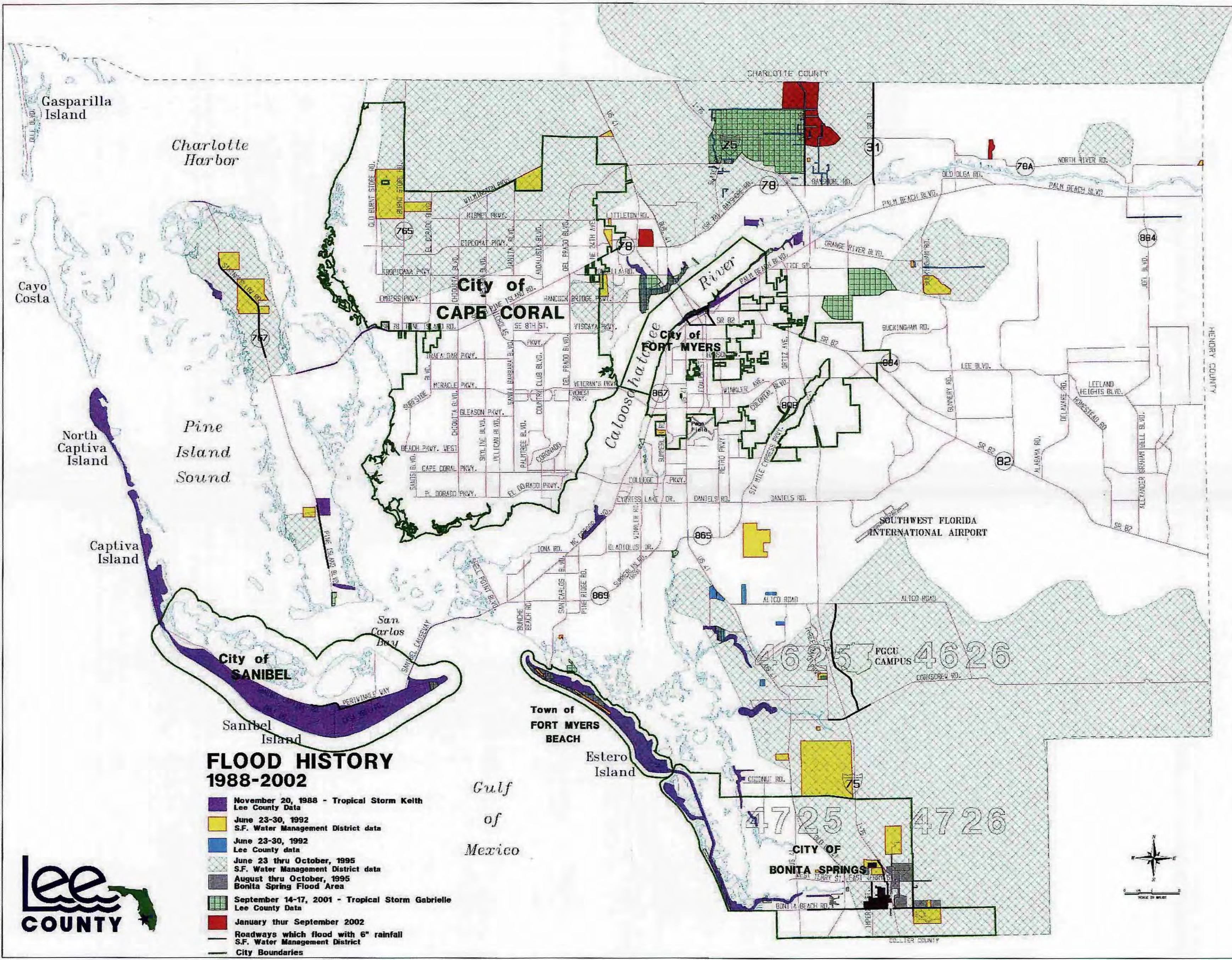
Density - The number of residential dwelling or housing units per gross acre (du/acre). Densities specified in this plan are gross residential densities. For the purpose of calculating gross residential density, the total acreage of a development includes those lands to be used for residential uses, and includes land within the development proposed to be used for streets and street rights of way, utility right-of-way, public and private parks, recreation and open space, schools, community centers, and facilities such as police, fire and emergency services, sewage and water, drainage, and existing man-made water bodies contained within the residential development. Lands for commercial, office, industrial uses, natural water bodies, and other non-residential uses must not be included. Within the Caloosahatchee Shores community in the areas identified by Policy 13.4.2 commercial development that includes commercial and residential uses within the same project or the same building do not have to exclude the commercial lands from the density calculation.

PROPOSED FUTURE LAND USE MAP AMENDMENTS

The LPA recommended transmittal of the proposed a Future Land Use amendment for lands located south of Drawdy Road and east of Buckingham Road containing approximately 75 acres from the Suburban Future Land Use Category and the Rural Future Land Use Category to the Outlying Suburban future land use category, limited to 3 dwelling units per acre, and for approximately 946 acres located south of the above mentioned tract of land and east of Buckingham Road from the Rural Future Land Use Category and the Suburban Future Land Use Category to the Outlying Suburban Future Land Use Category, limited to 2 dwelling units per acre. The net result of this Future Land Use category amendment would be a reduction of approximately 823 allowable

residential units.

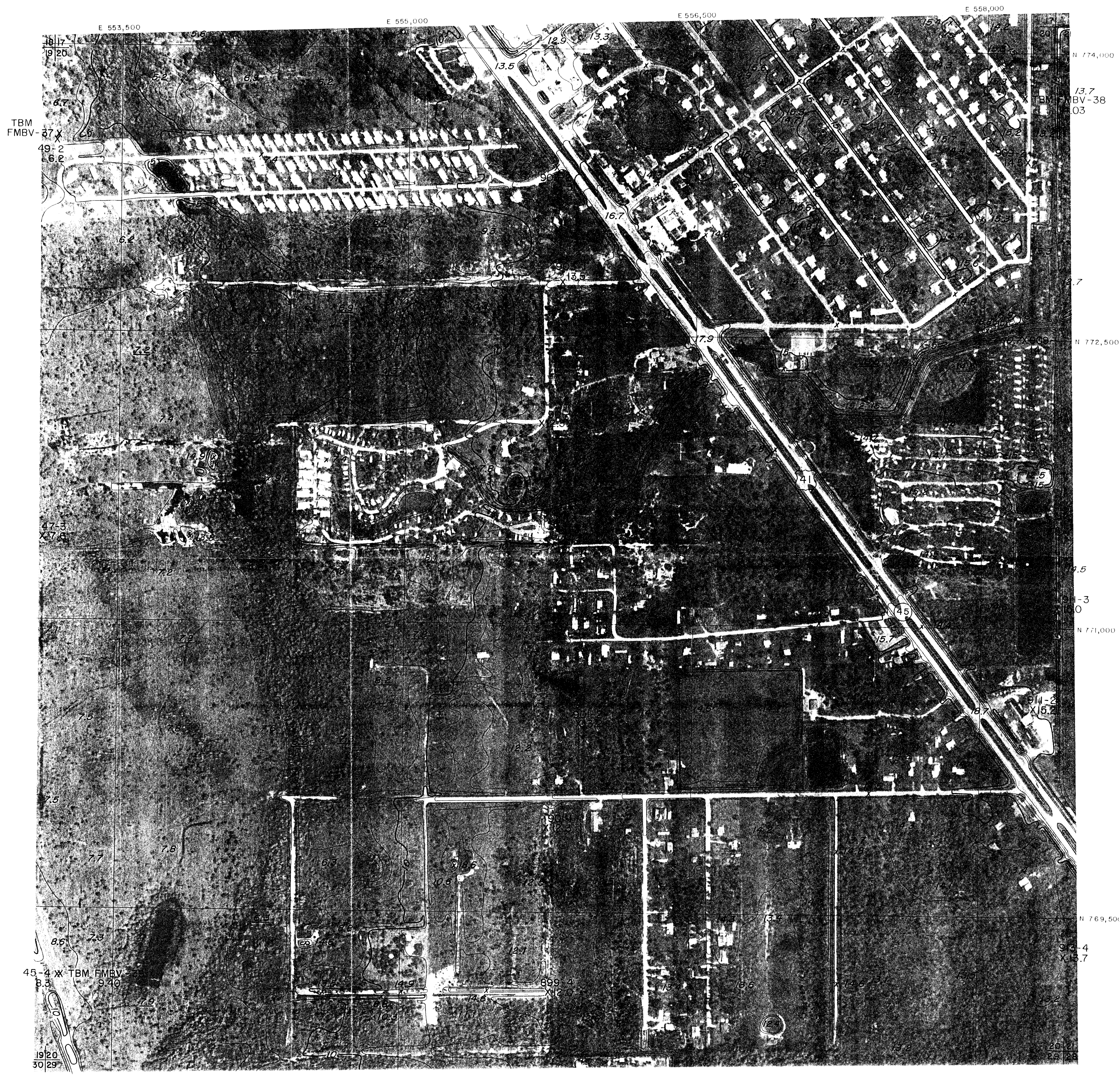
The LPA also recommended transmittal of the proposed Future Land Use amendment for five tracts of land located immediately east and west of SR 31 and immediately north of State Route 80 containing approximately 42 acres from the Suburban Future Land Use Category to the Urban Community Future Land Use Category and recommends adding those tracts of land to Map 19 of the Lee Plan, Commercial Site Location Standards.



**FLOOD HISTORY
1988-2002**

- November 20, 1988 - Tropical Storm Keith
Lee County Data
- June 23-30, 1992
S.F. Water Management District data
- June 23-30, 1992
Lee County data
- June 23 thru October, 1995
S.F. Water Management District data
- August thru October, 1995
Bonita Spring Flood Area
- September 14-17, 2001 - Tropical Storm Gabrielle
Lee County Data
- January thru September 2002
- Roadways which flood with 6" rainfall
S.F. Water Management District
- City Boundaries



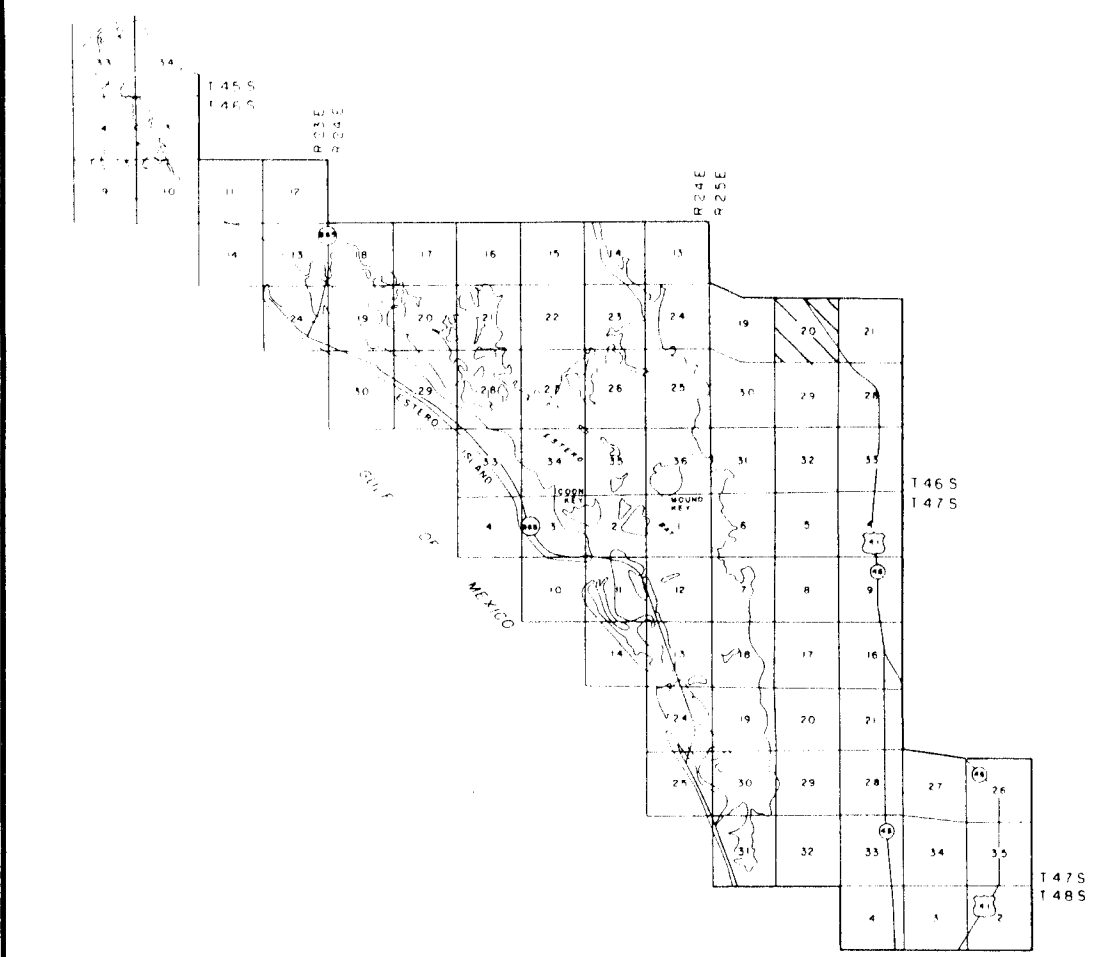


COMPILED BY PHOTOGRAMMETRIC METHODS
 BY
HAMRICK • *Aerial Surveys, Inc.*
 CLEARWATER FLORIDA

LEGEND

HORIZONTAL CONTROL	△
TRAVERSE STATIONS	4-5-2 ○
VERTICAL CONTROLS	9.13 X
SECTION CORNERS	2 1
CONTOURS	11 12
DEPRESSION CONTOURS	5
SPOT ELEVATIONS	10
T. B. M.	12.5
	TBM X
	7.2

Attachment 4



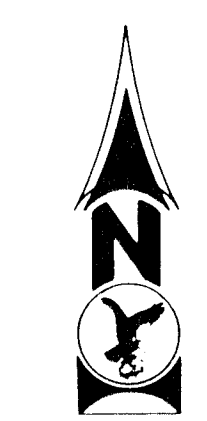
NOTE: ACCURACY - IT IS INTENDED THAT THIS MAPPING COMPLY WITH U.S. NATIONAL MAP ACCURACY STANDARDS. HOWEVER, SUCH ACCURACY OR ANY OTHER LEVEL OF ACCURACY IS NOT GUARANTEED BY LEE COUNTY, FLORIDA.

THE LAND LINE INFORMATION SHOWN HERE ON IS COMPILED FROM THE BEST AVAILABLE DATA AND DOES NOT NECESSARILY REPRESENT TRUE LAND LINE LOCATION.

DASHED CONTOURS AND UNDERLINED ELEVATIONS INDICATE STANDARD VERTICAL ACCURACY REDUCED BY HEAVY FOLIAGE COVER.

GRIDS BASED ON FLORIDA STATE PLANE COORDINATE SYSTEM WEST ZONE.

ELEVATIONS BASED ON U.S.C.G.S. DATUM.

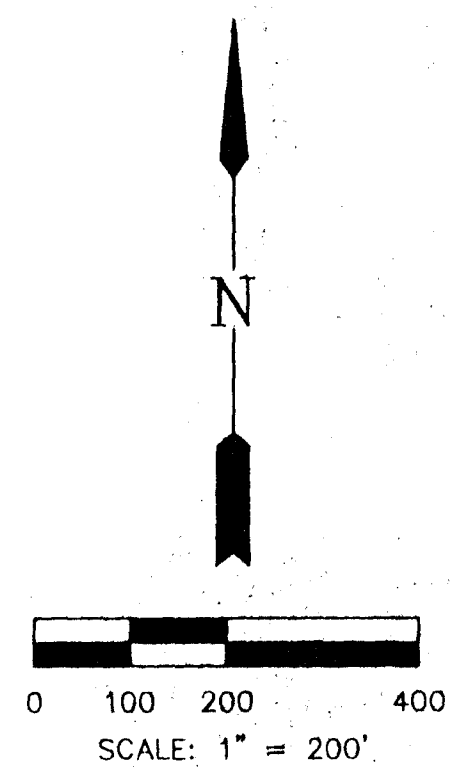
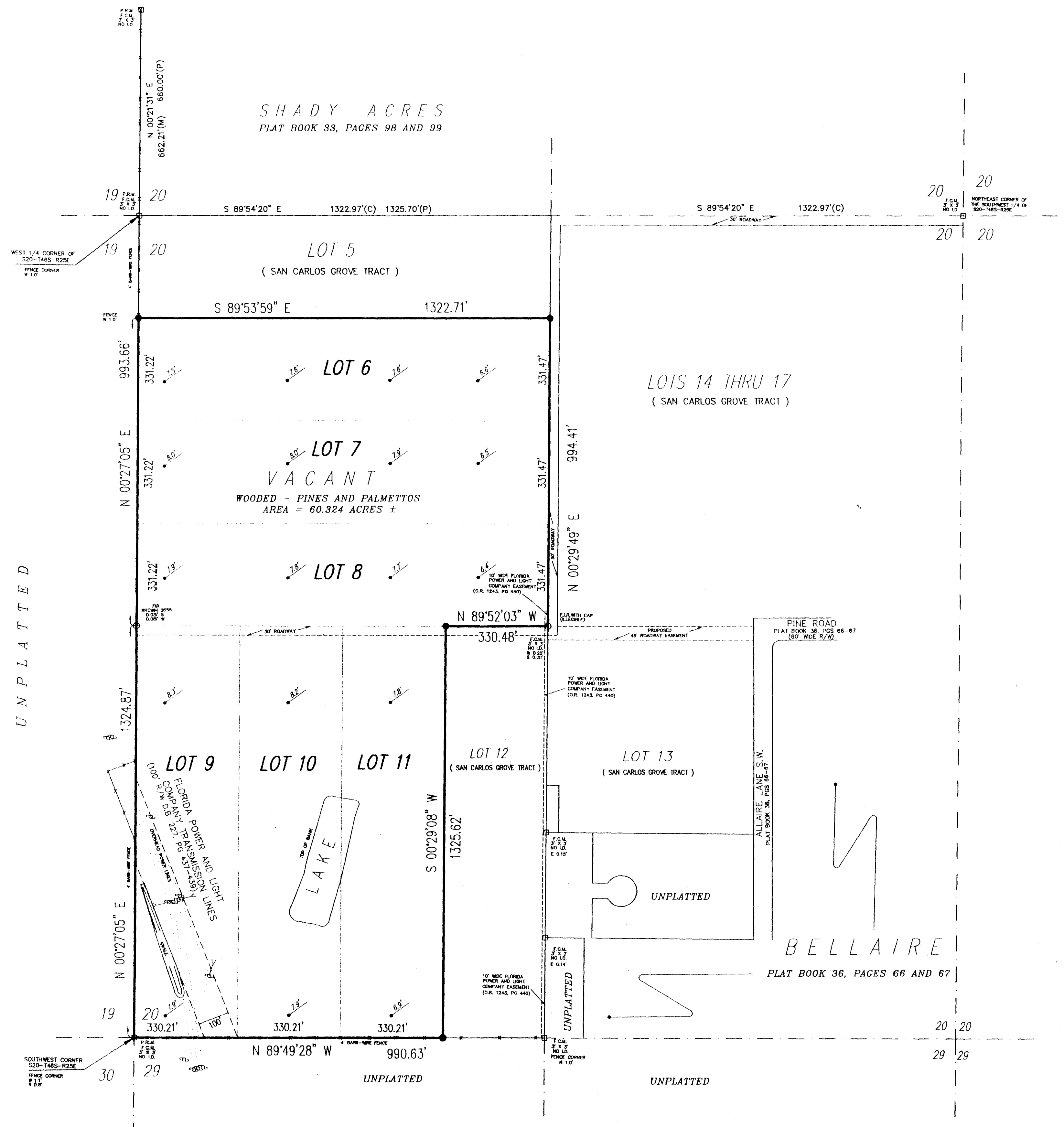


300 0 300 600 900
 SCALE 1" = 300' CONTOUR INTERVAL 1'

DATE OF PHOTOGRAPHY 6 NOV 80
 DATE OF MAPPING SEPT. 81

LEE COUNTY
 FLORIDA

SECTION 20 T 46 S R 25 E



PROPERTY DESCRIPTION

LOTS 6, 7, 8, 9, 10 AND 11, OF THAT CERTAIN SUBDIVISION KNOWN AS SAN CARLOS GROVE TRACT, ACCORDING TO THE MAP OR PLAT THEREOF ON FILE AND RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF LEE COUNTY, FLORIDA, IN PLAT BOOK 4, PAGE 75, CONTAINING 60.324 ACRES, MORE OR LESS.

NOTES

- BEARINGS SHOWN HEREON REFER TO THE SOUTHERLY LINE OF SHADY ACRES, REPLAT OF SAN CARLOS GROVE TRACT, W 1/2 OF LOT 4 PLAT BOOK 33, PAGE 98, AS BEING S 89°54'20" E.
- THIS PROPERTY IS SUBJECT TO EASEMENTS, RESERVATIONS AND OR RESTRICTIONS OF RECORD.
- IMPROVEMENTS OTHER THAN THOSE SHOWN WERE NOT LOCATED.
- THIS SURVEY IS NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- DIMENSIONS SHOWN HEREON ARE IN FEET AND DECIMALS THEREOF.
- ENVIRONMENTAL CONCERNS, ENDANGERED WILDLIFE AND JURISDICTIONAL WETLANDS, IF ANY, HAVE NOT BEEN SHOWN ON THIS SURVEY.
- THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE A14, HAVING A BASE FLOOD ELEVATION OF 11.0', PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP # 125124 0455 B, DATED SEPTEMBER 19, 1984.
- ELEVATIONS REFER TO THE NATIONAL GEODETIC VERTICAL DATUM OF 1929. (N.G.V.D. '29)
- THIS SURVEY DOES NOT REFLECT OR DETERMINE OWNERSHIP.
- THIS CERTIFICATION IS ONLY FOR THE LANDS DESCRIBED HEREON. IT IS NOT A CERTIFICATION OF TITLE, ZONING, SETBACKS, OR FREEDOM OF ENCUMBRANCES.
- THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF ABSTRACT OF TITLE AND ALL MATTERS OF TITLE SHOULD BE REFERRED TO AN ATTORNEY AT LAW.
- THIS PROPERTY CONTAINS SEVERAL DIRT TRAILS THAT ARE NOT SHOWN ON THIS SURVEY.

CERTIFIED TO:

A.P. DeSALVO, TRUSTEE
RALPH A. RICHARDSON
ATTORNEYS' TITLE INSURANCE FUND, INC.

CERTIFICATION:

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY OF THE HEREON DESCRIBED PROPERTY WAS SURVEYED UNDER MY DIRECTION ON 02/17/99. THIS SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS IN SECTION 61G17-6, F.A.C. PURSUANT TO SECTION 472.027 FLORIDA STATUTES.

Q. GRADY MINOR AND ASSOCIATES, P.A.

SIGNED 02/18/99

Eric V. Sandoval
ERIC V. SANDOVAL

P.S.M. #5223
STATE OF FLORIDA

LEGEND

P.C.P.	PERMANENT CONTROL POINT
P.R.M.	PERMANENT REFERENCE MONUMENT
F.I.R.	FOUND IRON ROD
S.I.R.	SET 5/8" IRON ROD WITH CAP, L.B. #5151
F.C.M.	FOUND CONCRETE MONUMENT
S.C.M.	SET 4" X 4" CONCRETE MONUMENT, L.B. #5151
C.L.P.	CONCRETE LIGHT POLE
FND.	FOUND
S	SECTION
T	TOWNSHIP
R	RANGE
(P)	PLAT
(M)	MEASURED
(C)	CALCULATED
P.B.	PLAT BOOK
P.G.	PAGE
W.P.P.	WOOD POWER POLE
GUY	ANCHOR GUY WIRE
R.C.P.	REINFORCED CONCRETE PIPE
U.T.S.	UNITED TELEPHONE SERVICE
M/H	MANHOLE
F/H	FIRE HYDRANT
F.P.L.	FLORIDA POWER & LIGHT
W/M	WATER METER
C.B.	CATCH BASIN
C.P.P.	CONCRETE POWER POLE
CATV	CABLE TELEVISION
O.R.	OFFICIAL RECORDS BOOK
D.B.	DEED BOOK

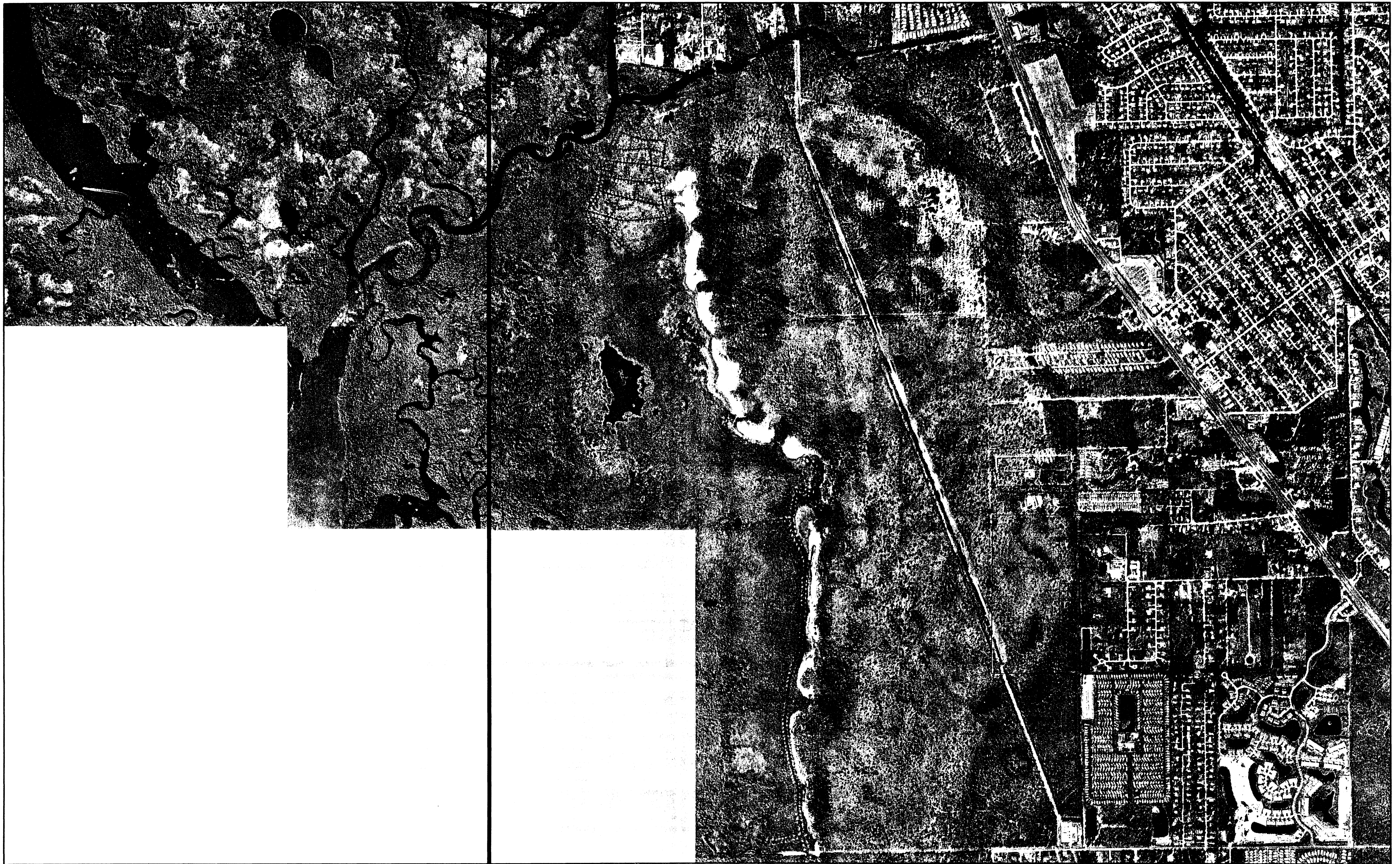
PRINTED
SEP 26 2002

Q. GRADY MINOR & ASSOCIATES, P.A.
CIVIL ENGINEERS-LAND SURVEYORS

Field Book / Page	209/21-22
Crew Chief	L.C.
Drawn By	C.D.O.
Job Code	060
Scale	1" = 200'
Date	
Description	
By	

Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS • LAND SURVEYORS • PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE: (941) 947-1144 FAX: (941) 947-0375
CERTIFICATE OF AUTHORIZATION NUMBER 18 6161

BOUNDARY AND TOPOGRAPHIC SURVEY
SAN CARLOS GROVE TRACT - LOTS 6 THRU 11
PLAT BOOK 4, PAGE 75
SECTION 20, TOWNSHIP 46 SOUTH, RANGE 28 EAST
LEE COUNTY, FLORIDA
DATE: FEBRUARY, 1999 DRAWING NUMBER: C-101



NOTE: AERIAL IS TO AN APPROXIMATE SCALE OF 1" = 600'
NOTE: AERIAL FLOWN DATE: FEBRUARY, 1998

OWNER/DEVELOPER

Revision	Date	Description	By

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DESIGNED BY:	SJU
DRAWN BY:	SJU
APPROVED:	QGM
JOB CODE:	E60CP
SCALE:	1" = 600'



Q. GRADY MINOR AND ASSOCIATES, P.A.
CIVIL ENGINEERS ■ LAND SURVEYORS ■ PLANNERS
3800 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134
PHONE : (841) 947-1144 FAX : (841) 947-0375
ENGINEERING CERTIFICATE OF AUTHORIZATION EB 0006161
SURVEYING CERTIFICATE OF AUTHORIZATION LB 0005151

ESTERO 60 ACRES

DATE:
DECEMBER 2001

FILE NAME:
BAYAERI

DRAWING NUMBER 1 OF 1

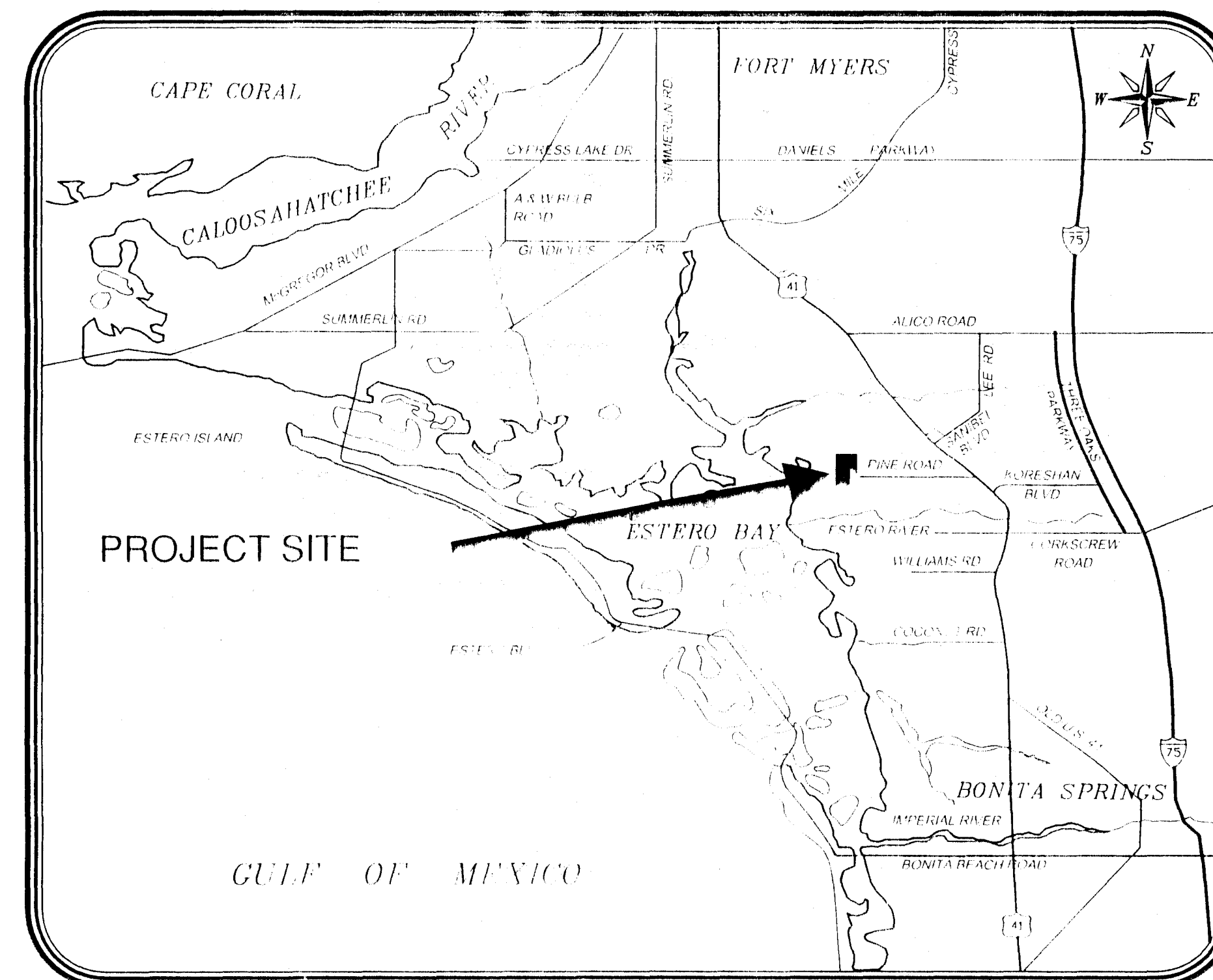
ESTERO 60 ACRE LAND TRUST

COMPREHENSIVE PLAN AMENDMENT

LOCATED IN:
SECTION 20, TOWNSHIP 46 SOUTH, RANGE 25 EAST,
ESTERO, LEE COUNTY, FLORIDA

OWNER/ DEVELOPER

ESTERO 60 ACRES LAND TRUST
3960 VIA DEL REY
BONITA SPRINGS, FLORIDA 34134



LOCATION MAP

INDEX OF EXHIBITS

<u>DWG. No.</u>	<u>DESCRIPTION</u>
1	COVER SHEET AND INDEX OF EXHIBITS
2	FUTURE LAND USE MAP PROPOSED
3	EXISTING LAND USE & ZONING MAP
4	SOILS MAP
5	ARCHAEOLOGICAL AND TOPOGRAPHIC MAP
6	WETLAND MAP

PREPARED BY:

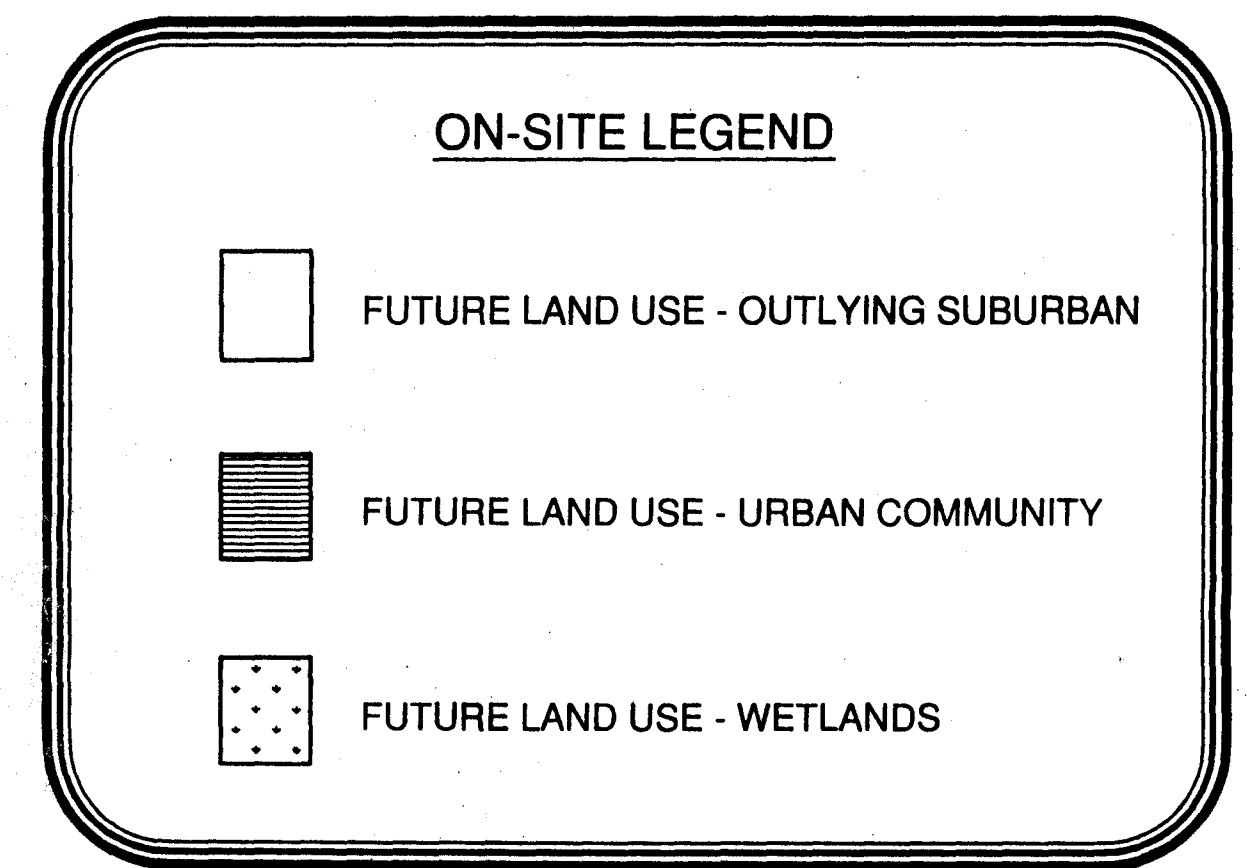


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DATE : DECEMBER 1994
REVISION DATE :
FILE : D60E0001
DRAWING NUMBER : 101

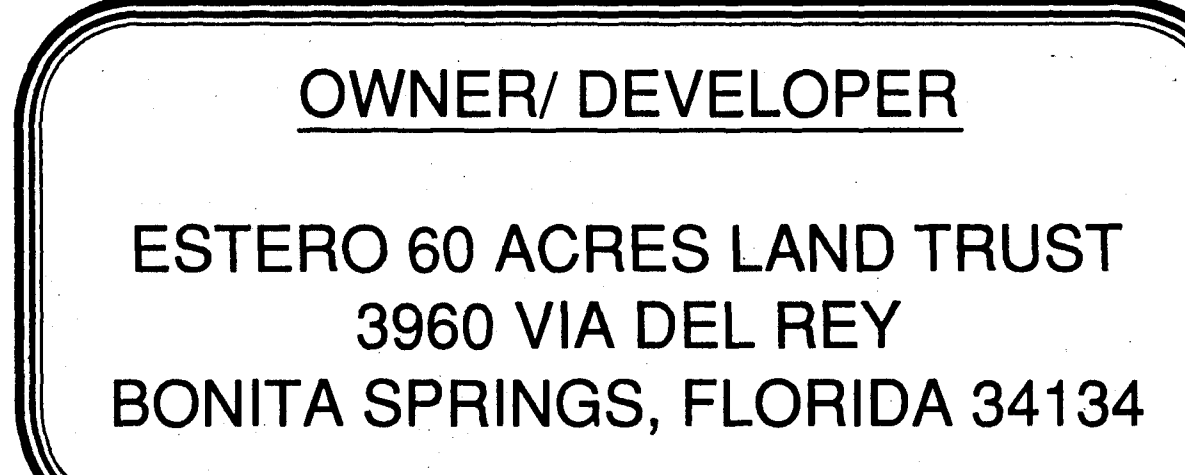
SCALE 1" = 200'



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FILE NAME : D60FLUM.DWG

SCALE 1" = 200'



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DRAWING NUMBER 3 OF 6
FILE NAME : D60ELUZH.DWG



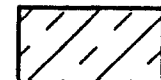
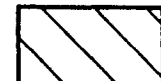
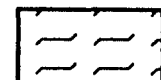
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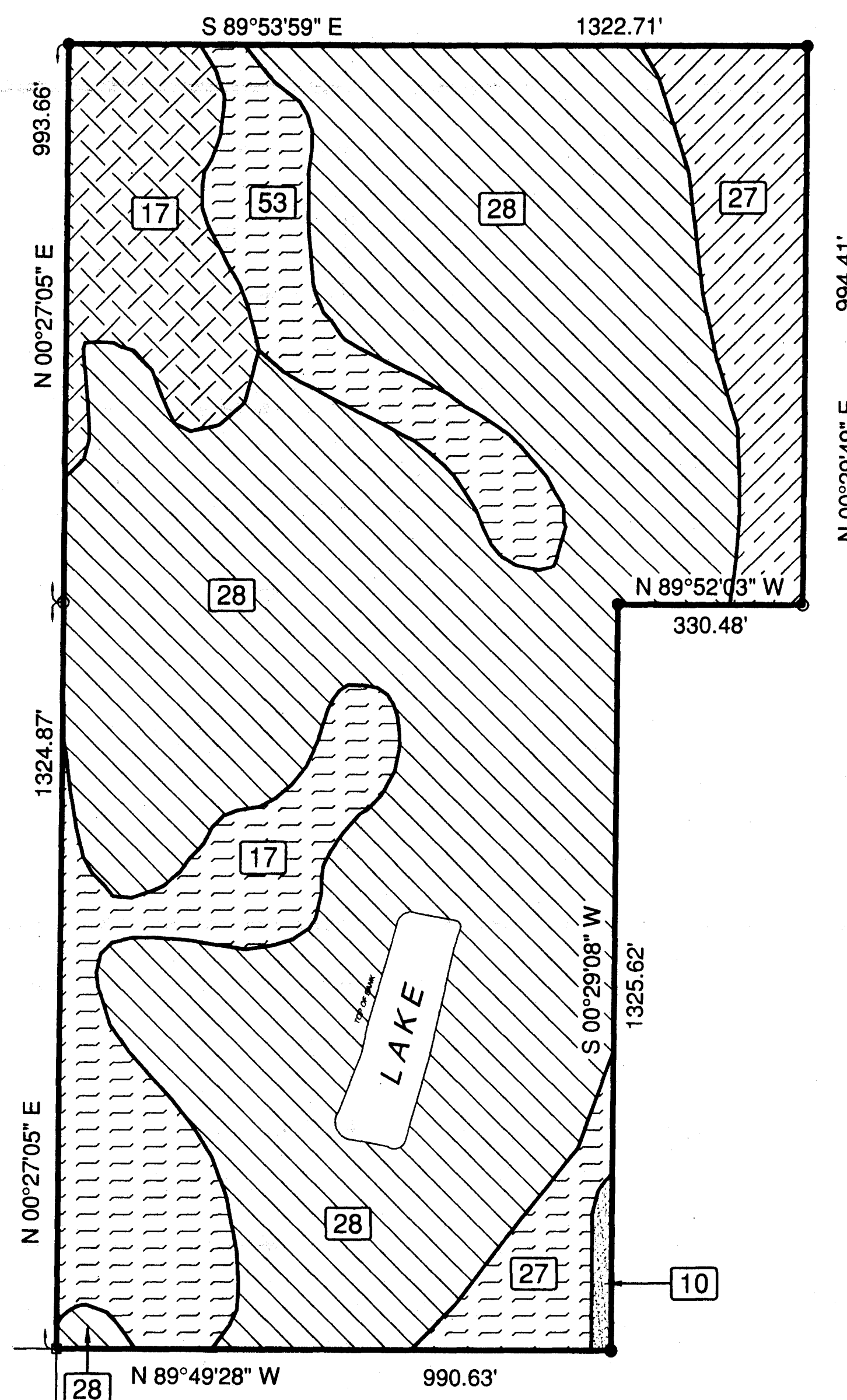
SOILS MAP



SOIL CLASSIFICATION

-  10 - POMPARNO FINE SAND
-  17 - DAYTONA SAND
-  27 - POMPARNO FINE SAND, DEPRESSIONAL
-  28 - IMMOKALEE SAND
-  53 - MYAKKA FINE SAND, DEPRESSIONAL

SOILS DETERMINATION FROM SOIL SURVEY OF LEE COUNTY,
FLORIDA; SOIL CONSERVATION SERVICE, UNITED STATES
DEPARTMENT OF AGRICULTURE.



OWNER/ DEVELOPER

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ENGINEERING CERTIFICATE OF AUTHORIZATION NO. 0006161
SURVEYING CERTIFICATE OF AUTHORIZATION LB 0006161

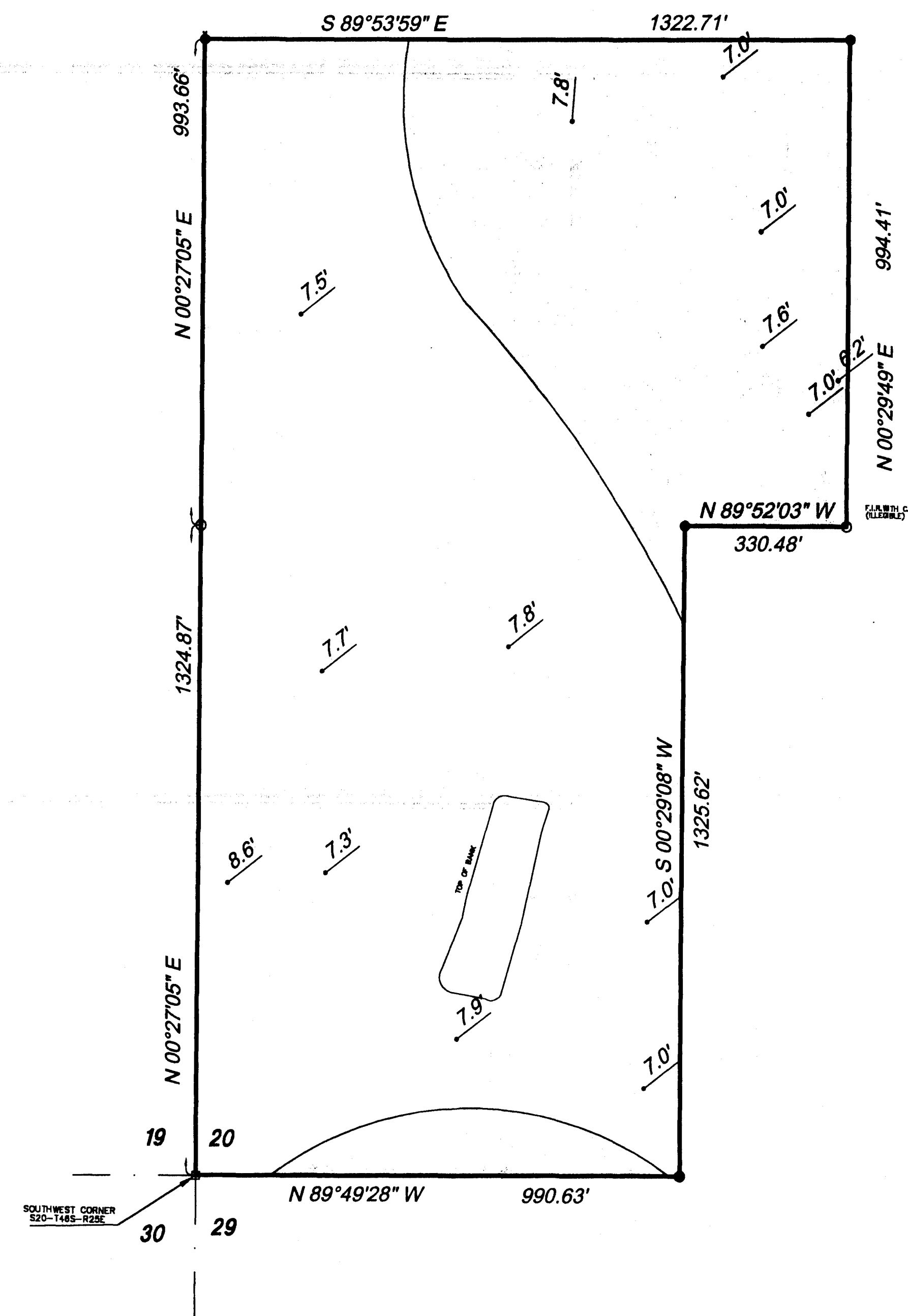
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DATE: SEPTEMBER, 2000
DRAWING NUMBER 4 OF 6
FILE NAME : D60SOIL.DWG

ESTERO 60 ACRE LAND TRUST

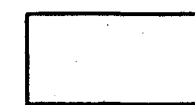
ARCHAEOLOGICAL AND TOPOGRAPHIC MAP



LEGEND

7.5'

N.G.V.D. 1929



SENSITIVITY LEVEL 2

ENTIRE PARCEL WITHIN 100 YEAR FLOOD BOUNDARY

NOTES

ELEVATION DETERMINATION TAKEN FROM LEE COUNTY AERIAL PHOTOGRAPH, ELEVATIONS COMPLIED BY PHOTOGRAMMETRIC METHODS BY HAMRICK AERIAL SURVEYS, INC. DATE OF MAPPING, SEPTEMBER 1981. ELEVATIONS BASED ON USC & GS DATUM.

SENSITIVITY ZONE DETERMINATION TAKEN FROM LEE COUNTY ARCHAEOLOGICAL SENSITIVITY MAP.

100-YEAR FLOOD BOUNDARY TAKEN FROM FIRM (FLOOD INSURANCE RATE MAP), COMMUNITY- PANEL NUMBER 125124 O455 B, EFFECTIVE DATE, SEPTEMBER 19, 1984.

OWNER/ DEVELOPER

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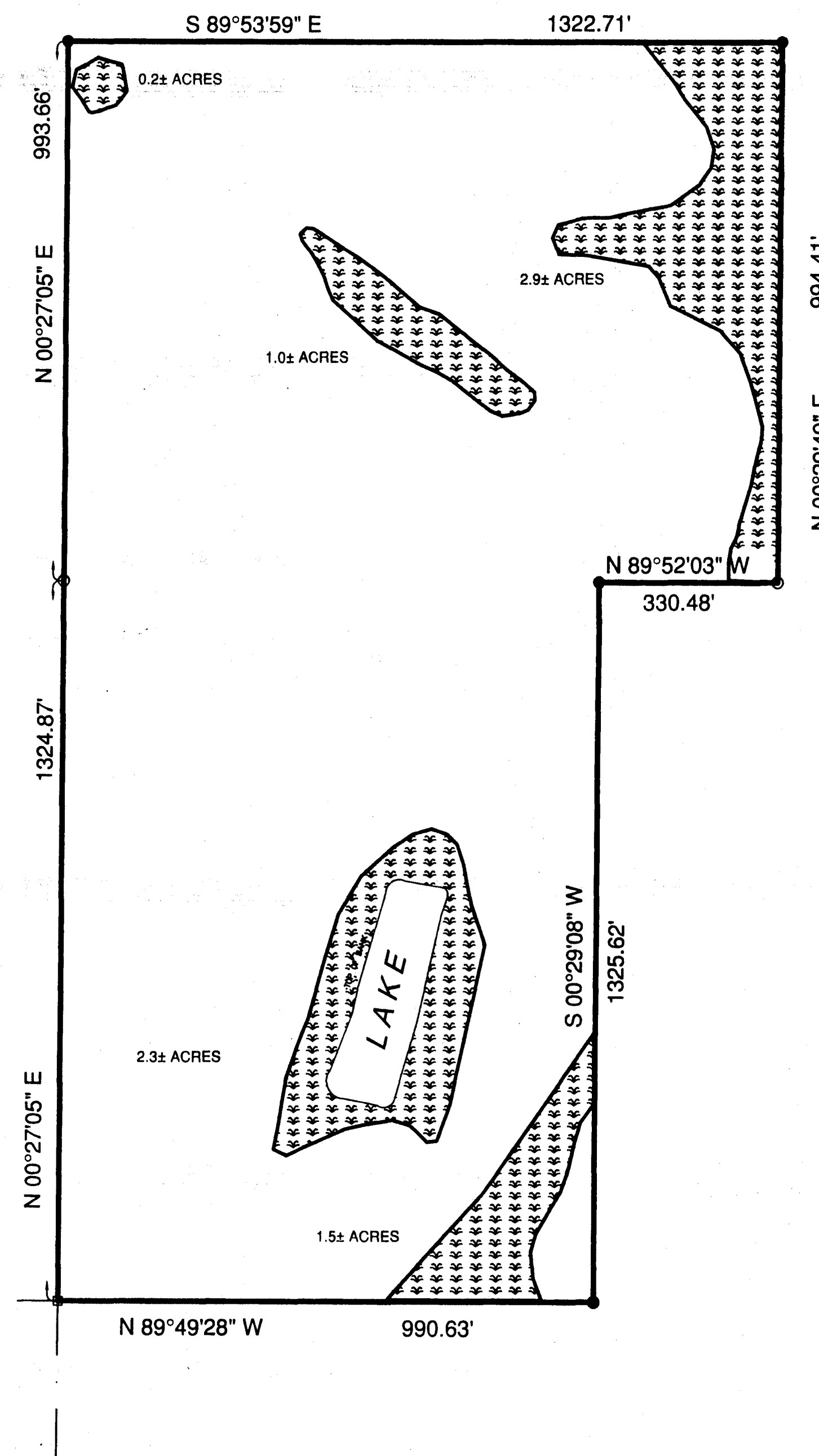
DATE: NOVEMBER, 2000

DRAWING NUMBER 5 OF 6

FILE NAME : D60TOPOM.DWG

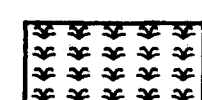
ESTERO 60 ACRE LAND TRUST

WETLAND MAP



WETLAND DETERMINATION PROVIDED BY :
BOYLAN ENVIRONMENTAL CONSULTANTS, INC.

LEGEND



MELALEUCA WETLAND

OWNER/ DEVELOPER

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DATE: NOVEMBER, 2000

DRAWING NUMBER 6 OF 6

FILE NAME : D60WETM.DWG