



**LEE COUNTY**  
SOUTHWEST FLORIDA

**BOARD OF COUNTY COMMISSIONERS**

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September 12, 2001

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Ray Eubank, Community Program Administrator  
Florida Department of Community Affairs  
Division of Community Planning  
Bureau of Local Planning  
2555 Shumard Oak Boulevard  
Tallahassee, FL. 32399-2100

Re: Amendments to the Lee Plan  
Transmittal Submission Package for the 2000/2001 Regular Amendment Cycle

Dear Mr. Eubank:

In accordance with the provisions of F.S. Chapter 163.3184 and of 9J-11.006, this submission package constitutes the transmittal of the proposed 2000/2001 Regular Amendment Cycle to the Lee Plan. The Local Planning Agency held public hearings for these plan amendments on the following dates: January 22, 2001; February 26, 2001; March 26, 2001; April 23, 2001; June 4, 2001, June 25, 2001 and, July 23, 2001. The Board of County Commissioners transmittal hearing for the plan amendments was held on August 29, 2001. Per 9J-11.006(1)(a)(3), Lee County is requesting that the Department review the proposed amendments and provide an Objections, Recommendations, and Comments (ORC) Report. The proposed amendments are not applicable to an area of critical state concern. The Board of County Commissioners has stated its intent to hold an adoption hearing upon receipt of the ORC Report.

A summary of the plan amendment content and effect is attached to this letter. The name, title, address, telephone number, facsimile number, and email address of the person for the local government who is most familiar with the proposed amendments is as follows:

Mr. Paul O'Connor, AICP  
Lee County Planning Division Director  
P.O. Box 398  
Fort Myers, Florida 33902-0398  
(941)479-8585  
Fax (941)479-8319  
Email: [oonnops@leegov.com](mailto:oonnops@leegov.com)

Included with this package, per 9J-11.006, are six copies of the adopted amendment, and supporting data and analysis. By copy of this letter and its attachments I certify that these amendments have been sent to the Regional Planning Council, the Florida Department of Transportation (FDOT),

P.O. Box 398, Fort Myers, Florida 33902-0398 (941) 335-2111  
Internet address <http://www.lee-county.com>

AN EQUAL OPPORTUNITY AFFIRMATIVE ACTION EMPLOYER

the Department of Environmental Protection, Florida Department of State, Florida Fish and Wildlife Conservation Commission, the Department of Agriculture and Consumer Services, Division of Forestry, and the South Florida Water Management District.

Sincerely,  
**DEPT. OF COMMUNITY DEVELOPMENT**  
**Division of Planning**



Paul O'Connor, AICP  
Director

All documents and reports attendant to this transmittal are also being sent, by copy of this cover, to:

Wayne Daltry  
Executive Director  
Southwest Florida Regional Planning Council

Mike Rippe, District Director  
FDOT District One

Executive Director  
South Florida Water Management District

Plan Review Section  
Department of Environmental Protection

Florida Department of State

Florida Fish and Wildlife Conservation Commission

The Department of Agriculture and Consumer Services, Division of Forestry

## **2000/2001 LEE PLAN AMENDMENT CYCLE**

### **SUMMARY OF PLAN AMENDMENT CONTENT AND EFFECT**

- PAM 98-06** Amends 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, amends Lee Plan Policy 1.1.6 and Table 1(a), Note 6.
- PAT 99-14** Amends the Community Facilities and Services Element by modifying Policy 39.1.4 to reflect the current status of Lee County Division of Natural Resources in completing the identified basin studies and providing technical floodplain information and analysis. Given that the identified basin studies have been completed, the amendment proposes that the references to the basin studies be removed from Policy 39.1.4. Policy 39.1.4 has been amended to contain references to the appropriate government agencies that will be assisting Lee County in the development of new floodplain information.
- PAT 99-20** Reevaluates the allocations of Table 1(b), Planning Community Year 2020 Allocations, for consistency with existing and approved developments.
- Amends Map 16, Planning Communities, of the Future Land Use Map series to revise the Planning Community boundaries to reflect the incorporation of Bonita Springs and on going "grass roots" planning efforts.
1. CPA2000-04 Amends the Planning Community Year 2020 Allocation Table, Table 1(b), to provide sufficient allocations to accommodate the proposed residential component of the Orange River property. This request was included in PAT 99-20, as part of the analysis for the Fort Myers Planning Community. The specific request of this privately initiated amendment were not transmitted.
  2. CPA2001-01 Amends the Planning Community Year 2020 Allocation Table, Table 1(b), to provide sufficient allocations to accommodate the proposed residential component of the Bonita Beach Road Residential Planned Development. This request was included in PAT 99-20, as part of the analysis for the Bonita Springs Planning Community. The specific request of this privately initiated amendment were not transmitted.
- CPA2000-02** Amends Map 12 of the Future Land Use Map Series to delete the Boca Grande Pass Marina from the Water Dependent Overlay (WDO) zone, and,

amends Goal 15 of the Lee Plan by adding the following Objective and Policy:

**Objective 15.5: Port Facility. The Water Dependent Overlay for South Boca Grande is limited to the Port Facility south of Belcher Road.**

**Policy 15.5.1: The commercial and industrial uses permitted in the Port District (excluding those specific uses approved pursuant to resolutions Z-86-166, Z-93-009, and Z-99-054) are not permitted within that portion of the boundaries of the Boca Bay Community with the zoning designation of Port District.**

**CPA2000-03**

Amends the Future Land Use Map series, Map 1, the Future Land Use Map, to change the Future Land Use designation from Mixed Use Interchange and General Interchange to Outlying Suburban for approximately 152.37 +/- acres of land generally located in the northwest quadrant of the interchange of I-75 and Daniels Parkway. The amendment also deletes Policy 1.3.6, the Mixed Use Interchange descriptor policy, and reclassifies approximately 2 +/- acres that would remain in the Mixed Use Interchange category as General Interchange. Also, amends the Planning Communities Acreage Allocation Table 1(b), for the Daniels Parkway Planning Community, to remove 68 residential acres from the Mixed Use Interchange category and add 68 residential acres to the Outlying Suburban category.

**CPA2000-06**

Amends Map 1 of the Future Land Use Map series for land near Eagle Road, Section 24, Township 43S, Range 23E, from Open Lands to Rural. In addition, the amendment adds a Footnote to Table 1 (a) clarifying an exception to the Rural category for the area limiting the density in this area to 1 du/2.25 acres. Staff believes that the Rural category is a more suitable designation for the site than the Open Lands category given the existing density of residential uses and the character of the area. The area will remain designated as a non-urban area without increases in the allowable commercial and industrial intensities and the request will have a minimal impact on public service providers.

**CPA2000-07**

Amends the Future Land Use Map Series by adding a map delineating an area in Sections 13 and 24, Township 44 South, Range 24 East and Sections 17, 18, 19, and 20 Township 44 South, Range 25 East as an urban infill area. In addition, amends Objective 1.7, Special Treatment Areas, of the Future Land Use Element by adding a new policy describing urban infill areas of the County.

The state of Florida may have money available, for both planning and implementation, for Urban Infill and Redevelopment Grants. The City of Fort Myers Planning staff have identified an area along Martin Luther King Boulevard that has already qualified for a planning grant. The area contains both incorporated and unincorporated properties. The proposed plan

amendment, identifying the area for the planning study, is required in order to qualify for and receive the grant funding. At this time the grant application has been submitted and the City has been approved for the planning grant funding. The Board of County Commissioners, when they co-signed the grant application, committed to a plan amendment that would identify the subject property as an Urban Infill area.

**CPA2000-08**

Amends the Future Land Use Map (FLUM) series, Map 1, to more closely reflect the Town of Fort Myers Beach adopted Future Land Use Map. The categories used in the Fort Myers Beach Future Land Use Map are intended for different purposes than the Lee County Future Land Use categories. The Town's categories are targeted specifically for conditions on Estero Island, whereas the County categories were created for use in the entire County and have to address a broader range of conditions. As such, there are no exact matches between the two. Some Fort Myers Beach Categories such as Boulevard and Pedestrian Commercial have only approximate matches with Lee County FLUM categories.

**CPA2000-09**

Amends the Future Land Use Series, Map 1, by updating the Conservation Lands land use categories to include lands purchased by Lee County with the Conservation 2020 program and one property bought by the State of Florida (TIITF). New language was added to Policy 1.4.6 which states, "2020 lands designated as conservation are also subject to more stringent use provisions of 2020 Program or the 2020 ordinances." The Conservation Lands designation will give the County a competitive edge in obtaining grants, such as the Florida Community Trust, Greenways and Trails grant programs, through demonstrating Lee County's commitment to preserving natural areas as large parcels. The Conservation 2020 Program objective is to put into the public domain private lands that will sustain native plant and animal populations, help protect people and property from flooding, help replenish our underground drinking water supply, it will also help to improve or sustain the water quality of our coastal bays, inlets, and sounds, provide eco-tourism opportunities, and provide local environmentally-oriented recreational and educational opportunities.

**CPA2000-10**

Amends the Future Land Use Element by adding Research and Development as a permitted use under Policy 1.2.2, the Airport Commerce descriptor policy. The Research and Development land use is consistent with the uses that are already permitted in the Airport Commerce land use category. Providing for this use in Airport Commerce allows the County to better use the airport to attract new business in order to promote economic growth and diversification. Research and Development uses would benefit from a location proximate to the airport, the University, and I-75.

**CPA2000-11**

Amends the Future Land Use Element by modifying Policy 6.1.2.6 to clarify that extension of the interstate interchange use is not by right, but is permissive and subject to County review and approval.

Policy 6.1.2.6 states that “any contiguous property under one ownership **may** be developed as part of the interstate interchange...” This language does not guarantee that the interchange uses will be extended, nor does it state that the expansion of interchange uses is a choice made solely by the developer. The policy provides that certain criteria must be met in order to qualify for the expansion of the interchange, and once those criteria have been met, then the County has the ability to decide whether or not to allow it. The decision of whether or not to allow an interchange to be expanded should be made at the full discretion of the Board of County Commissioners given the potential impacts to the surrounding existing and future land uses. The existing language of Policy 6.1.2.6 does not make it clear enough that the County has full discretion over the expansion of the interchange uses. Staff has proposed amended language to the policy to help clarify this issue.

**CPA2000-13**

Amends the future Land Use Element by adding a policy to Goal 16, Private Recreational Facilities in the DR/GR, specifying minimum indigenous preserve area requirements. The purpose of the 200 acre indigenous preservation requirement for golf courses within the DR/GR is to protect water recharge, stormwater storage, and wildlife habitat. The criteria for achieving the indigenous preservation within these DR/GR developments should be stricter than areas within other Land Use Categories due to the sensitivity and importance of these lands to the general public. Policy 16.8 does not currently contain all the pertinent information for establishing minimum indigenous preservation criteria. It is important to amend Policy 16.8.12(2) of the Lee Plan to include minimum standards for indigenous preservation areas to insure the intent of the design criteria under Goal 16 is achieved.

**CPA2000-14**

Amends the Future Land Use Element by modifying Policy 16.3.9 to clarify the maintenance area intensity limitations. Policy 16.3.9 is ambiguous in its limitation on golf course maintenance areas. The 25,000 square feet per 18 hole regulation was intended to apply to the area of the maintenance building. Staff’s examination of the regulation, however, reveals that the limitation needs to be expanded to also include an acreage limitation that can accommodate other maintenance functions that may fall outside the primary maintenance building. The combination of the two limitations would prevent future confusion over the intent of the policy.

**CPA2000-15**

Amends the Future Land Use Element by modifying Policy 16.3.8.3 to clarify the setbacks from adjacent existing and planned residential uses. The LDC clearly states that the setback from golf course maintenance facilities to residential uses is measured from the edge of the “development area” to the residential property line. The proposed amendment to Lee Plan policy 16.3.8.3 is a reflection of the existing LDC regulation.

Certain vacant parcels in the DR/GR may be considered potential residential properties based on the property’s size, use, the zoning of surrounding

properties, the size of surrounding properties, and the ownership patterns in the area.

Golf course maintenance facilities present a negative visual appearance to the public when located immediately adjacent to public rights-of-way. The visual appearance along public roadways is a legitimate public interest. Additional standards for golf course maintenance areas are needed so that the public is not subjected to the negative visual impact that is brought about by these facilities. This impact should be kept internal to the development.

**CPA2000-17**

Amends the Future Land Use Element by removing Goal 13, Bonita Springs, and relocates policies which should continue to apply to the remaining unincorporated areas of Bonita Springs. The amendment evaluates the affect of the incorporation of the City of Bonita Springs and the provisions of Lee Plan Goal 13. The amendment proposes to delete from the Lee Plan those provisions in Goal 13 that will be responsibility of the City of Bonita Springs. The provisions of Goal 13 that do apply to the areas in south Lee County outside of the city limits are proposed to be retained and relocated. The amendment also adds a map, Map 13, depicting an irrigation well overlay to the Future Land Use Map series.

**CPA2000-19**

Amends the Lee Plan, text and Future Land Use Map series, to incorporate the recommendations of the Estero Community Planning Effort, establishing a Goal and subsequent Objectives and Policies specific to the Estero Community. The proposed goals, objectives, and policies are the result of a year long planning process. They directly reflect the vision that the Estero Community has for its future growth and development. Staff believes that this amendment should be viewed as a first step in a continuous process that addresses planning needs in Estero. Many issues have been addressed through this amendment, but there are others, such as those policies (or portions thereof) that staff has recommended for deletion, that will require more consideration in the future. The initial establishment of Goal 19 of the Lee Plan is the important first step that will open the door to address other land use planning issues in Estero as they arise. The Community identified a desire to maintain a "small town" feel and avoid high-rise residential uses while protecting existing neighborhoods from encroachment of potentially incompatible uses. The community has a desire to limit "tourist oriented uses," certain "detrimental uses," and high intensity uses along specific corridors. At the same time, the community expressed a desire for small-scale neighborhood commercial development.

**CPA2000-21**

This is a general update of the transportation element. The changes include a modification of Policy 22.1.4 to update the references to particular versions of the Highway Capacity Manual and the FDOT Level of Service Manual, a modification of Policy 26.1.3 to distinguish between traffic control devices and plans, an expansion of Goal 27 to include operations and maintenance among the aspects of transportation improvements that require coordination

with other governmental entities, addition of the new City of Bonita Springs to the list of cities in which the County declares a position of interest on land use decisions in Policy 27.1.3, and update of Policy 21.1.1 and the transportation map series to reflect the most recent MPO 2020 highway and transit plans.

**CPA2000-22**

Amends the Conservation and Coastal Management Element by adding a policy under Goal 78, Policy 78.1.6, stating that Lee County encourages the efforts of the South Florida Water Management District in establishing a Caloosahatchee Water Management Plan for the Caloosahatchee River. The South Florida Water Management District, the delegating entity over Southwest Florida's waterways, is establishing a Caloosahatchee Water Management Plan for the Caloosahatchee River through the participation of several studies and plans. Natural Resource staff and Planning staff recommend adding the proposed Policy to the Conservation and Coastal Management element of the Lee Plan supporting the effort.

**CPA2000-23**

Amends the Conservation and Coastal Management Element by adding a Policy under Goal 78, Policy 78.2.2, stating the County will review the Comprehensive Conservation and Management Plan for the Greater Charlotte Harbor Watershed by the year 2002. The Charlotte Harbor National Estuary Program has issued a draft Comprehensive Conservation and Management Plan for the Greater Charlotte Harbor Watershed. Natural Resource staff and Planning staff recommend adding the proposed Policy to the Conservation and Coastal Management element of the Lee Plan stating the County will review the plan in order to identify goals, objectives and policies relating to the recommendations of the drafted plan.

**CPA2000-25**

Amends the Parks, Recreation and Open Space Element by adding a new Objective and/or policies to Goal 52, Development Requirements, clarifying the purpose of open space in non-residential projects. The purpose of open space in a development is to provide pervious land area to achieve appropriate buffering, visual relief, landscaping, surface water treatment, and preservation of existing native trees and plant communities. Open space in non-residential developments serves these functions as it does in residential developments. Goal 52 of the Lee Plan currently does not treat all types of open space equally, addressing only residential open space. In addition, a new objective is proposed to require innovative open space design at the time of zoning review. This is consistent with other provisions of the Lee Plan and with the LDC. The purpose of the open space design is to assess the natural features of the site early in the development process, thereby incorporating the existing native vegetation in a manner that provides visual relief and buffers adjacent uses. Goal 52 of the Lee Plan should be modified to recognize the importance of open space and innovative design that incorporates natural features within developments.



- CPA2000-26** Prior changes to the Transportation Element of the Lee Plan eliminated references to "backlogged" roads because they had all been addressed in one fashion or another, and clarified some references related to "constrained" roads. These changes were not reflected in the Capital Improvements Element, where Policy 70.1.3 still includes "backlogged" and "constrained" roads references that are now inconsistent with language in the Transportation Element. The amendment eliminates the "backlogged" roads reference and updates the "constrained" roads reference in Policy 70.1.3.
- CPA2000-27** Amends the Capital Improvements Element (Tables 3 & 4) to reflect the latest adopted Capital Improvement Program. Lee Plan Policy 70.1.1 requires a Capital Improvements Program to be prepared and adopted on an annual basis. Florida Statute 163.3177(3)(b) requires that the Capital Improvements Element of the comprehensive plan be amended annually to reflect the modifications of the adopted Capital Improvement Program (CIP). This amendment incorporates the most recently adopted CIP in the Capital Improvements Element.
- CPA2000-29** Adds a definition for the term "Natural Resource Extraction" to the Lee Plan Glossary. In addition, amends the Future Land Use Element by adding the term "Natural Resource Extraction" to Goal 10 and its Objectives and Policies, where applicable, clarifying that natural resources other than minerals are subject to Goal 10 requirements. Principal resources sought in Lee County are sand, gravel, limestone, oil and gas which include both organic and inorganic materials. It should be ensured that all mined materials, organic and inorganic, are included under the language of Goal 10. The improved term, "Natural Resource Extraction," should be placed in the Lee Plan Glossary to support the new term.
- CPA2000-31** Amends Policy 1.7.1, Airport Noise Zones, of the Future Land Use Element by removing language pertaining to the dedication of noise and aviation easements to Lee County within noise zones 2 and 3. Also amends the Lee Plan by deleting Policy 32.2.6. pertaining to the Aviation Easements Program. In addition, amends the Lee Plan Glossary by removing the definition of the term aviation easement as it will no longer apply in the Lee Plan. The proposed amendment has no effect on existing or future land uses.

**CPA2000-23  
BoCC SPONSORED  
AMENDMENT  
TO THE**

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**LEE COUNTY COMPREHENSIVE PLAN**

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**THE LEE PLAN**

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**DCA Transmittal Document**

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

**August 29, 2001**

**LEE COUNTY  
DIVISION OF PLANNING  
STAFF REPORT FOR  
COMPREHENSIVE PLAN AMENDMENT  
CPA2000-23**

☒

**Text Amendment**

☐

**Map Amendment**

<input checked="" type="checkbox"/>	<b>This Document Contains the Following Reviews:</b>
<input checked="" type="checkbox"/>	<b>Staff Review</b>
<input checked="" type="checkbox"/>	<b>Local Planning Agency Review and Recommendation</b>
<input checked="" type="checkbox"/>	<b>Board of County Commissioners Hearing for Transmittal</b>
	<b>Staff Response to the DCA Objections, Recommendations, and Comments (ORC) Report</b>
	<b>Board of County Commissioners Hearing for Adoption</b>

STAFF REPORT PREPARATION DATE: June 18, 2001

**PART I - BACKGROUND AND STAFF RECOMMENDATION**

**A. SUMMARY OF APPLICATION**

**1. APPLICANT:**

LEE COUNTY BOARD OF COUNTY COMMISSIONERS  
REPRESENTED BY LEE COUNTY DIVISION OF PLANNING

**2. REQUEST:**

Evaluate adding a Policy to the Lee Plan stating that by the year 2002 the County will review the Comprehensive Conservation and Management Plan for the Greater Charlotte Harbor Watershed, identifying key action plans, objectives and policies relating to Pine Island Sound, Matlacha Pass, Estero Bay, and the Caloosahatchee system. Potential new language based on the Charlotte Harbor NEP Plan:

*By the year 2002 the County will review the Comprehensive Conservation and Management Plan for the Greater Charlotte Harbor Watershed in order to identify key action plans, objectives and policies that relate to Pine Island Sound, Matlacha Pass, the Estero Bay, the tidal Caloosahatchee and attendant watersheds. The review will assess County upland and coastal development management practices and public land acquisition programs as they related to the findings and recommendations of the Charlotte Harbor Plan. Particular emphasis will be placed on evaluating the effectiveness of County watershed programs as they relate to watershed conservation and public land acquisition programs, watershed management needs prioritization and water quality monitoring.*

## **B. STAFF RECOMMENDATION AND FINDINGS OF FACT SUMMARY:**

**1. REVISED STAFF RECOMMENDATION:** Planning staff recommends that the Board of County Commissioners transmit the following Policy as part of the proposed amendment based upon the recommendations of the LPA:

**POLICY 78.2.2:** ~~By the year 2005~~ The County will review the Comprehensive Conservation and Management Plan for the Greater Charlotte Harbor Watershed ~~by the year 2002~~ in order to identify key action plans, objectives and policies that relate to Pine Island Sound, Matlacha Pass, the Estero Bay, the tidal Caloosahatchee and attendant watersheds. The review will assess County upland and coastal development management practices and public land acquisition programs as they related to the findings and recommendations of the Charlotte Harbor Plan. Particular emphasis will be placed on evaluating the effectiveness and improvement of County watershed programs as they relate to watershed conservation and public land acquisition programs, watershed management needs prioritization and water quality monitoring.

**2. ORIGINAL STAFF RECOMMENDATION:**

**POLICY 78.2.2:** By the year 2005 the County will review the Comprehensive Conservation and Management Plan for the Greater Charlotte Harbor Watershed in order to identify key action plans, objectives and policies that relate to Pine Island Sound, Matlacha Pass, the Estero Bay, the tidal Caloosahatchee and attendant watersheds. The review will assess County upland and coastal development management practices and public land acquisition programs as they related to the findings and recommendations of the Charlotte Harbor Plan. Particular emphasis will be placed on evaluating the effectiveness of County watershed programs as they relate to watershed conservation and public land acquisition programs, watershed management needs prioritization and water quality monitoring.

**3. BASIS AND RECOMMENDED FINDINGS OF FACT:**

- The Charlotte Harbor National Estuary Program has issued a draft Comprehensive Conservation and Management Plan for the Greater Charlotte Harbor Watershed.
- The proposed Policy states the County will review the plan in order to identify key action plans, objectives and policies relating to the recommendations of the drafted plan.
- The proposed Policy should be placed under Goal 78, Estuarine Water Quality, of the Conservation and Coastal Management element of the Lee Plan.

## **C. BACKGROUND INFORMATION**

This amendment was initiated by the Board of County Commissioners on September 19, 2000. The amendment stems from a suggested improvement to the Lee Plan by an LPA member. This issue was brought up during a public hearing in which the upcoming amendment cycle was being discussed and suggestions taken. The proposal was for staff to evaluate adding a Policy stating that the County will review the Charlotte Harbor NEP Plan and identify goals, objectives and policies relating to the program within a specified time frame.

## PART II - STAFF ANALYSIS

### A. STAFF DISCUSSION

In 1995 Governor Lawton Chiles nominated Charlotte Harbor as an estuary of national significance. Charlotte Harbor was accepted as one of the 27 watersheds in the National Estuary Program. The mission of the Charlotte Harbor Program was to bring together local organizations into a management conference and write a Comprehensive Conservation and Management Plan for the watershed. The Citizens' Advisory Committee (CAC), Technical Advisory Committee (TAC), Management Committee, and the Policy Committee make up the management conference, each serving a specific purpose. Today the management plan has been completed and the conference will begin working on implementing the plan. The completed management plan addresses the natural resources of the entire study area.

Goal 78, Estuarine Water Quality, and its Objectives and Policies address the management of estuarine systems water quality, wildlife diversity, productivity, and best use. Goal 78, Objective 78.2, and the policies that follow are reproduced below:

**GOAL 78: ESTUARINE WATER QUALITY.** *To manage estuarine ecosystems so as to maintain or improve water quality and wildlife diversity; to reduce or maintain current pollution loading and system imbalances in order to conserve estuarine productivity; and to provide the best use of estuarine areas. (Amended by Ordinance No. 94-30)*

**OBJECTIVE 78.1: WATER QUALITY MONITORING.** *Establish baseline conditions in all .....*

**OBJECTIVE 78.2: WATERSHED MANAGEMENT PLANS.** *By 1996, establish procedures for reviewing all new upland development in terms of its impacts on estuarine systems. Prepare estuarine watershed management plans which maximize stormwater retention and treatment, with priority to the Estero Bay watershed. (Amended by Ordinance No. 94-30)*

**POLICY 78.2.1:** *The county's estuarine watershed management agency will be responsible for:*

- 1. Preparing management plans for estuarine watersheds, with priority to the watershed of Estero Bay, a critical estuary undergoing development impacts.*
  - 2. Recommending modifications to the Sanibel causeway in order to improve estuarine water quality.*
  - 3. Reviewing the feasibility of changing canal patterns and retrofitting existing stormwater collection systems in order to reduce the impact of freshwater on estuaries.*
  - 4. Assessing the adequacy of disaster preparedness plans for coastal oil storage facilities.*
- (Amended by Ordinance No. 94-30)*

Staff has evaluated the Goal and its Objectives and Policies and coordinated with the Lee County Division of Natural Resources regarding the proposed language. Both Natural Resources staff and Planning staff have concluded that the proposed Policy should be adopted into the Lee Plan. Staff suggests that the Policy states "By the year 2005" rather than the original request of 2002 in order to allow sufficient time for staff to properly carry out the full review that the Policy will require.

Goal 78 and Objective 78.2 provide specific language for the establishment of watershed management plans with priority to the watershed of Estero, modifications to the Sanibel causeway, canal patterns and stormwater collection, and disaster preparedness plans. Staff finds that the proposed language should be placed under this Goal and Objective in the Lee Plan.



**B. CONCLUSIONS**

The Charlotte Harbor National Estuary Program has issued a draft Comprehensive Conservation and Management Plan for the Greater Charlotte Harbor Watershed. Natural Resource staff and Planning staff recommend adding the proposed Policy to the Conservation and Coastal Management element of the Lee Plan stating the County will review the plan in order to identify goals, objectives and policies relating to the recommendations of the drafted plan.

**C. STAFF RECOMMENDATION**

Planning staff recommends that the Board of County Commissioners transmit the proposed plan amendment as shown under Part I.B.1. of this staff report.

### **PART III - LOCAL PLANNING AGENCY REVIEW AND RECOMMENDATION**

DATE OF PUBLIC HEARING: June 25, 2001

#### **A. LOCAL PLANNING AGENCY REVIEW**

Staff presented the amendment before the LPA on June 25, 2001. Natural Resources staff was also present and available to answer any questions. One member of the LPA had concerns over the length of time that would pass with the 2005 time frame. Natural Resources staff explained that there is a problem with evaluating the policies of the Comprehensive Conservation and Management Plan for the watershed in a short time frame due to the fact that it could take years of data collection to come to any conclusions, which some of the policies in the management plan would require.

The LPA also had concerns with proposed language. One member felt the language did not translate properly and offered revised language. Another member provided further suggestions in the revision of the language. A motion was made and passed replacing the year 2005 with the year 2003 and revising the proposed policy as shown below:

**POLICY 78.2.2:** ~~By the year 2005~~ The County will review the Comprehensive Conservation and Management Plan for the Greater Charlotte Harbor Watershed by the year 2003 in order to identify key action plans, objectives and policies that relate to Pine Island Sound, Matlacha Pass, the Estero Bay, the tidal Caloosahatchee and attendant watersheds. The review will assess County upland and coastal development management practices and public land acquisition programs as they related to the findings and recommendations of the Charlotte Harbor Plan. Particular emphasis will be placed on evaluating the effectiveness and improvement of County watershed programs as they relate to watershed conservation and public land acquisition programs, watershed management needs prioritization and water quality monitoring.

#### **B. LOCAL PLANNING AGENCY RECOMMENDATION AND FINDINGS OF FACT SUMMARY**

1. **RECOMMENDATION:** The LPA recommends that the Board of County Commissioners transmit this amendment with the revisions noted above.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The LPA accepted the findings of fact as advanced by the staff.

**C. VOTE:**

<b>NOEL ANDRESS</b>	<u>AYE</u>
<b>SUSAN BROOKMAN</b>	<u>AYE</u>
<b>BARRY ERNST</b>	<u>AYE</u>
<b>RONALD INGE</b>	<u>ABSENT</u>
<b>GORDON REIGELMAN</b>	<u>AYE</u>
<b>VIRGINIA SPLITT</b>	<u>ABSENT</u>
<b>GREG STUART</b>	<u>AYE</u>



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

DATE OF TRANSMITTAL HEARING: August 29, 2001

**A. BOARD REVIEW:**

Several members of the Board expressed concern over the 2003 time frame and recommended that it be changed to the year 2002.

**B. BOARD ACTION AND FINDINGS OF FACT SUMMARY:**

1. **BOARD ACTION:** The Board of County Commissioners voted to transmit the proposed plan amendment with the additional changes noted above.
2. **BASIS AND RECOMMENDED FINDINGS OF FACT:** The Board accepted the findings of fact advanced by staff and the LPA.

**C. VOTE:**

JOHN ALBION	<u>AYE</u>
ANDREW COY	<u>AYE</u>
BOB JANES	<u>AYE</u>
RAY JUDAH	<u>AYE</u>
DOUG ST. CERNY	<u>AYE</u>

**D. BoCC TRANSMITTED LANGUAGE:**

**POLICY 78.2.2:** ~~By the year 2005~~ The County will review the Comprehensive Conservation and Management Plan for the Greater Charlotte Harbor Watershed ~~by the year 2002~~ in order to identify key action plans, objectives and policies that relate to Pine Island Sound, Matlacha Pass, the Estero Bay, the tidal Caloosahatchee and attendant watersheds. The review will assess County upland and coastal development management practices and public land acquisition programs as they related to the findings and recommendations of the Charlotte Harbor Plan. Particular emphasis will be placed on evaluating the effectiveness and improvement of County watershed programs as they relate to watershed conservation and public land acquisition programs, watershed management needs prioritization and water quality monitoring.

**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**

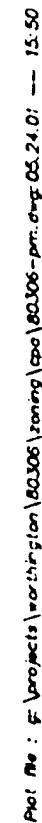
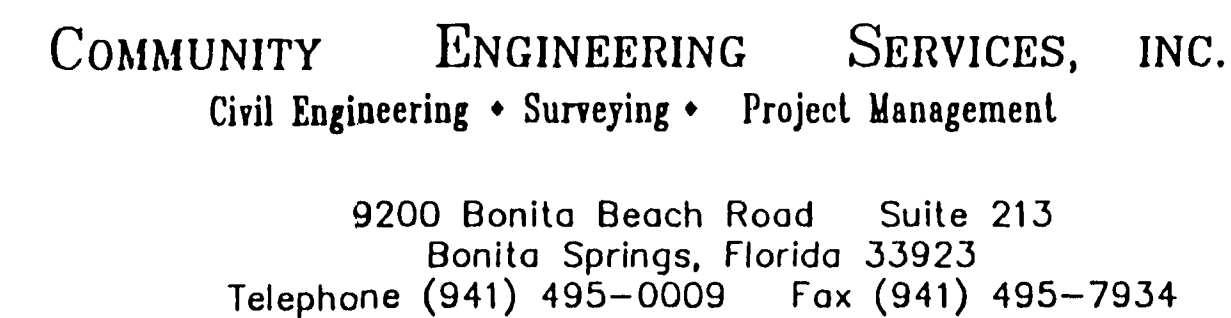
**ANDREW COY**

**BOB JANES**

**RAY JUDAH**

**DOUG ST. CERNY**

_____
_____
_____
_____
_____
_____

[illegible]

scale:  $1''=300'$

SHEET

1 OF 1

date \_\_\_\_\_



**Boylan Environmental Consultants, Inc.**

Wetland & Wildlife Surveys, Environmental Permitting,  
Impact Assessments  
11000 Metro Pkwy., Suite 4, Ft. Myers, Florida 33912

South Florida Water Management District  
Wetland Jurisdictional Determination

Project: The Renaissance

*Craig D. Schmittle* 8-25-2000  
Craig Schmittle Date

WETLANDS		APPROX. ACREAGE
FLUCCS		
211H	WET PASTURE	29.80
411H	FLATWOOD WETLANDS	3.46
424H	MELALEUCA WETLANDS	62.29
500	DITCHES - OPEN WATER	27.86
621	CYPRESS	30.09
621/424	CYPRESS - MELALEUCA	3.17
624	PINE - CYPRESS	4.70
624/424	PINE - CYPRESS - MELALEUCA	16.20
645	WET PRAIRIE	1.15
740H	DISTURBED WETLANDS	2.35
TOTAL		143.61

UPLANDS		APPROX. ACREAGE
FLUCCS		
100	RESIDENTIAL	1.77
211	IMPROVED PASTURE	253.20
320	WAX MYRTLE	10.79
321	PALMETTO	12.14
411	PINE FLATWOODS	26.33
424	MELALEUCA	1.45
432	MIXED HARDWOODS	1.62
437	AUSTRALIAN PINE	0.40
740	DISTURBED	0.98
743	SOIL	0.09
800	ROADS	14.68
TOTAL		335.45

TOTAL UPLANDS = +/- 335.45 ACRES  
TOTAL ACOE & SFWMD WETLANDS = +/- 143.61 ACRES  
OPEN WATER = +/- 27.86 ACRES

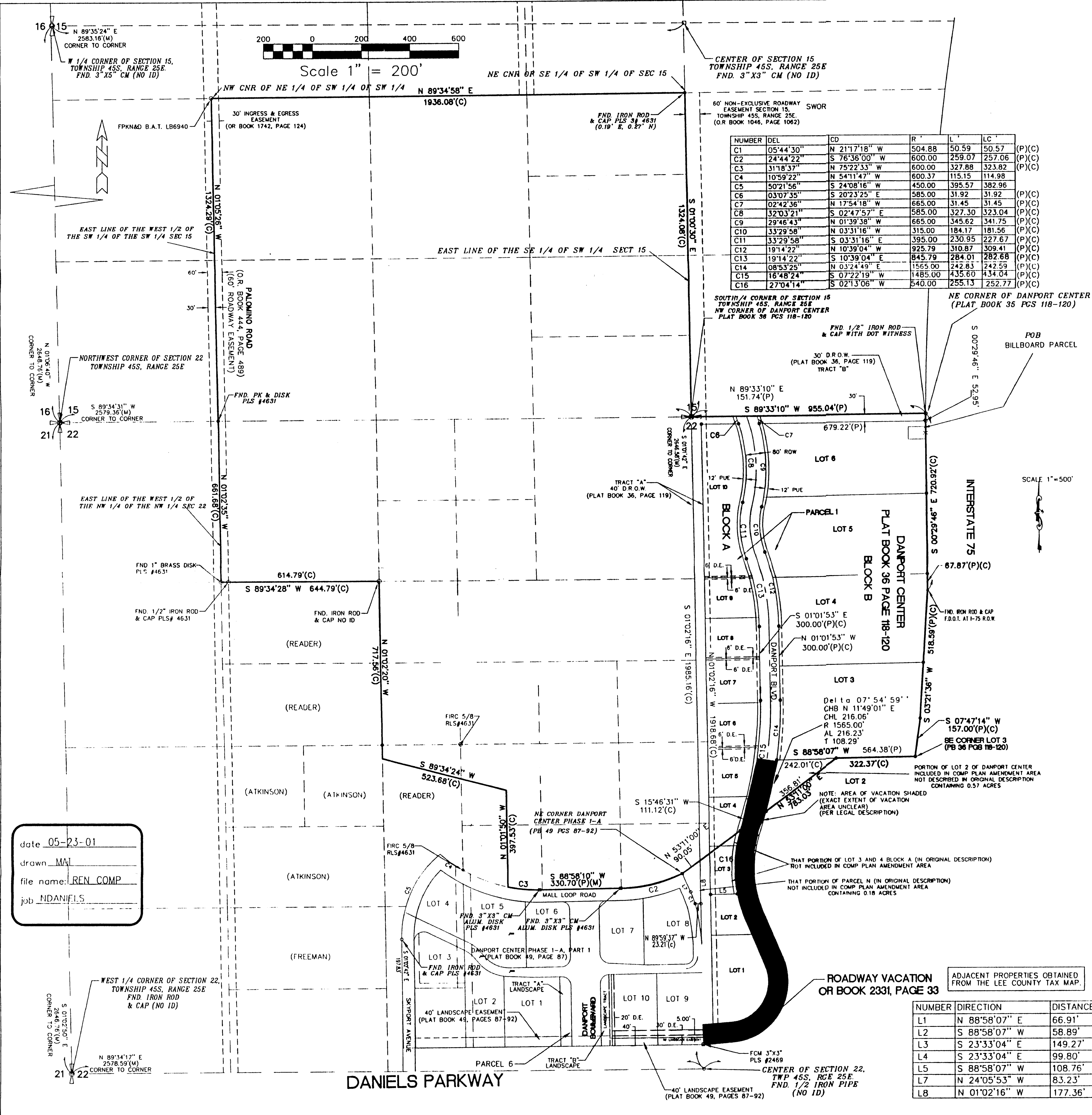
JD Conducted  
2-99

Wetlands  
OSW, Swales

NOV 6 2000

File: \\Bac\Bac\Bac\The Renaissance\2000\16152130





BOUNDARY SKETCH  
TO  
ACCOMPANY LEGAL DESCRIPTION  
FOR  
RENAISSANCE  
COMP PLAN AMENDMENT AREA

A PORTION OF SECTIONS 15 & 22, TWP 45S, RGE 25E  
LEE COUNTY, FLORIDA

ACREAGE BREAKDOWN  
TOTAL AREA = 152.37 ACRES

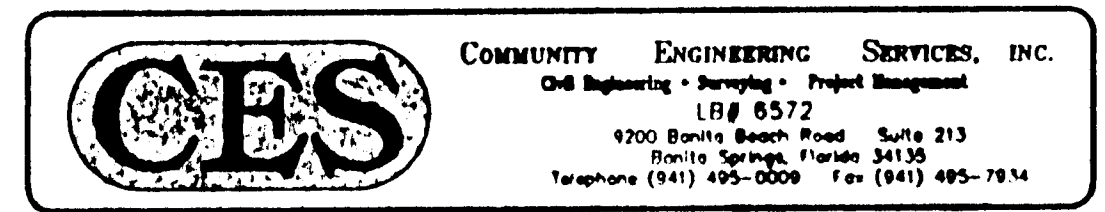
LEGAL DESCRIPTION AS PREPARED BY SURVEYOR  
(SEE ATTACHED)

SURVEYORS NOTES

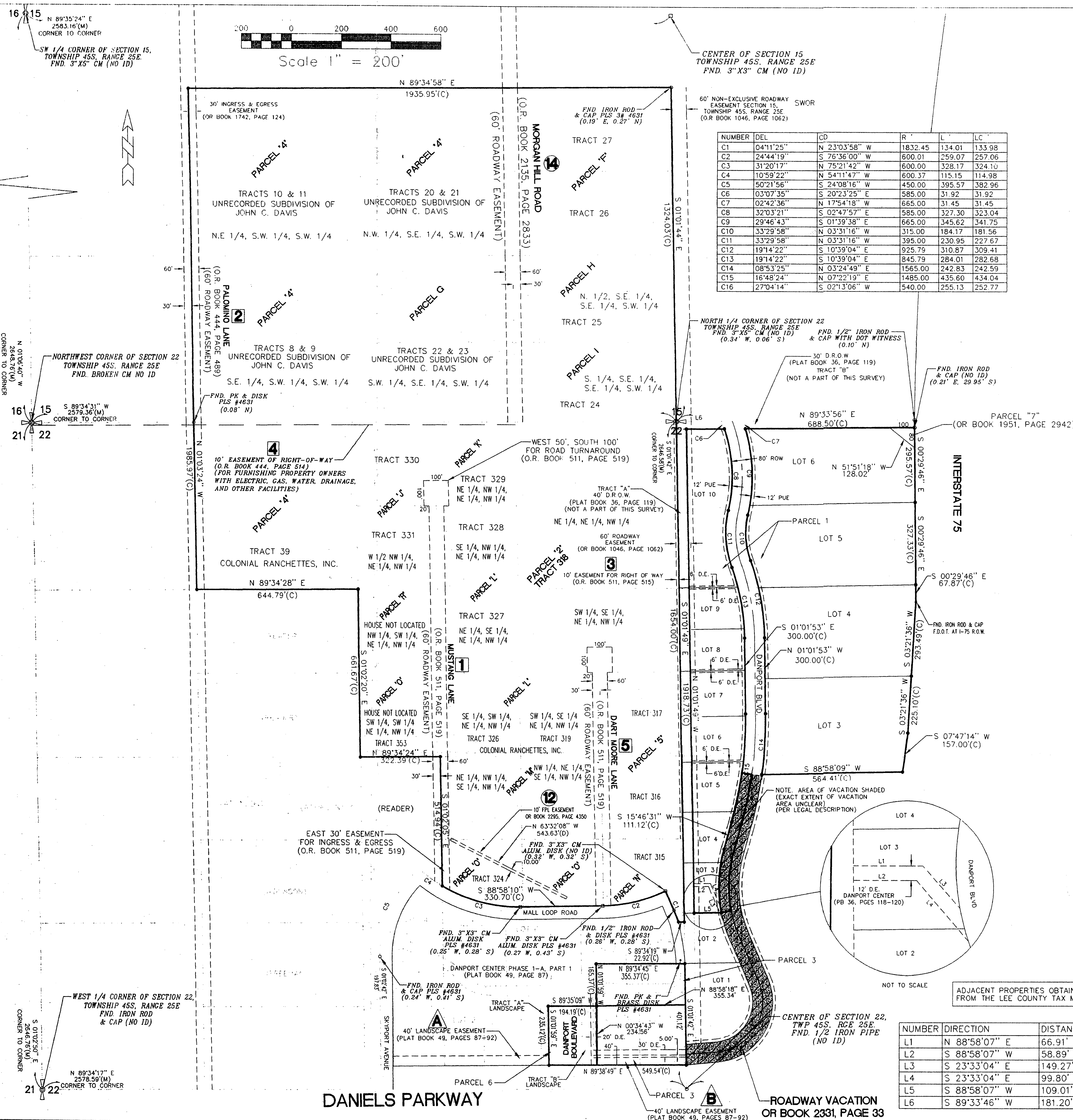
1. THE BEARINGS SHOWN ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST ONE QUARTER OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, BEING NORTH 89°35'24" EAST.
2. THIS LEGAL DESCRIPTION OR SURVEY SKETCH IS NOT VALID UNLESS THE LEGAL DESCRIPTION THAT ACCOMPANIES SKETCH BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
3. THE PURPOSE OF THIS SURVEY SKETCH IS TO DELINEATE THE BOUNDARIES OF CERTAIN PORTIONS OF LAND THAT DESCRIBED THE MPD AREA AS NOTED

LEGEND

- NO ID= NO IDENTIFICATION  
(D) = DEED  
PRM = PERMANENT REFERENCE MONUMENT  
FND = FOUND  
(C) = CALCULATED  
(M) = MEASURED  
(P) = PLAT  
(DS) = DEED SURVEY PER CPD/RPD DOCUMENTS  
NGVD = NATIONAL GEODETIC VERTICAL DATUM  
USGS = UNITED STATES GEODETIC SURVEY  
R/W = RIGHT OF WAY  
CD = CHORD BEARING  
LC = CHORD LENGTH  
L = ARC LENGTH  
R = RADIUS  
F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION  
F.P.L. = FLORIDA POWER & LIGHT  
F.P.L. = FLORIDA POWER & LIGHT
- MPD = MASTER PLANNED DEVELOPMENT  
DEL = DELTA  
PG. = PAGE  
O.R. = OFFICIAL RECORDS BOOK  
Δ = DELTA ANGLE  
CM = CONCRETE MONUMENT  
POC = POINT OF COMMENCEMENT  
POB = POINT OF BEGINNING  
PLS = PROFESSIONAL LAND SURVEYOR  
EOP = EDGE OF PAVEMENT  
CNR = CORNER  
SEC = SECTION  
AC = ACRES  
FCM = FOUND CONCRETE MONUMENT  
● = SET 1/2" IRON REBAR & CAP (1B#6572 OR PSM#529)  
■ = SET CONCRETE MONUMENT  
○ = FOUND IRON REBAR & CAP  
□ = FOUND CONCRETE MONUMENT







**BOUNDARY DESCRIPTION**  
(PROVIDED BY CLIENT)

**LOTS 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10, BLOCK A, LOT 3, 4, 5 and 6, BLOCK B, DANFORTH CENTER, A SUBDIVISION LYING IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, AND RECORDED IN PLAT BOOK 45 AT PAGES 118, 119, AND 120, OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA, LESS AND EXCEPT THAT PORTION OF LOT 6, BLOCK B, AS CONVEYED IN O.R. BOOK 1951, PAGE 2942, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.**

**PARCEL 2**  
TRACT 318 OF COLONIAL RANCHETTES, INC., UNIT #3, AN UNRECORDED SUBDIVISION, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
THE NORTHEAST QUARTER (NE  $\frac{1}{4}$ ) OF THE NORTHEAST QUARTER (NE  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) AND THE NORTH HALF (N  $\frac{1}{2}$ ) OF THE SOUTHEAST QUARTER (SE  $\frac{1}{4}$ ) OF THE NORTHEAST QUARTER (NE  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.

**PARCEL 3**  
THE SOUTH HALF (S  $\frac{1}{2}$ ) OF THE NORTHWEST QUARTER (NE  $\frac{1}{4}$ ) OF THE SOUTHEAST QUARTER (SE  $\frac{1}{4}$ ) OF THE SOUTHWEST QUARTER (SW  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, LESS AND EXCEPT THAT PORTION OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, LESS ROAD RIGHT-OF-WAY FOR 1-1/2 INTERCHANGE.

**PARCEL 4**  
THE SOUTHEAST QUARTER (SE  $\frac{1}{4}$ ) OF THE SOUTHWEST QUARTER (SW  $\frac{1}{4}$ ) OF THE SOUTHWEST QUARTER (SW  $\frac{1}{4}$ ) OF THE SOUTHWEST QUARTER (SW  $\frac{1}{4}$ ) OF THE SOUTHWEST QUARTER (SW  $\frac{1}{4}$ ) OF THE SOUTHWEST QUARTER (SW  $\frac{1}{4}$ ) OF THE SOUTHWEST QUARTER (SW  $\frac{1}{4}$ ) OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, AND TRACT 39 OF COLONIAL RANCHETTES, INC., AN UNRECORDED SUBDIVISION MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
THE NORTH QUARTER (NE  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.

**PARCEL 5**  
TRACT #316 OF COLONIAL RANCHETTES, INC., UNIT #3, AN UNRECORDED SUBDIVISION, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
THE NORTHEAST QUARTER (NE  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST; AND TRACT #317 OF COLONIAL RANCHETTES, INC., UNIT #3, AN UNRECORDED SUBDIVISION, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
THE SOUTHEAST QUARTER (SE  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.

**PARCEL 6**  
THE EAST 1/4 182 FEET OF THE SOUTHWEST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF THE SOUTHWEST  $\frac{1}{4}$  OF THE NORTHWEST  $\frac{1}{4}$  OF SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, LESS RIGHT-OF-WAY FOR DANFORTH CENTER, A SUBDIVISION LYING IN THE NORTHWEST QUARTER OF SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, AND RECORDED IN PLAT BOOK 36, AT PAGES 118, 119 AND 120 OF THE PUBLIC RECORDS OF LEE COUNTY, FLORIDA. SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 6, BLOCK B, THENCE RUN N09°09'45"E EAST ALONG THE EAST LINE OF LOT 6, BLOCK B FOR 500.00 FEET; THENCE RUN N07°53'55"W WEST FOR 12813.15 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 6, BLOCK B; THENCE RUN NORTH 89°13'56"E EAST ALONG SAID NORTH LINE FOR 100.00 FEET TO THE POINT OF BEGINNING.  
TOGETHER WITH EASEMENTS FOR INGRESS AND EGRESS OVER THOSE PROPERTIES DESCRIBED IN O.R. BOOK 511, PAGE 519, AND AS SET FORTH IN AN INSTRUMENT RECORDED IN O.R. BOOK 1742, PAGES 124 AND 125, PUBLIC RECORDS OF LEE COUNTY, FLORIDA, SAID ROADWAY EASEMENTS BEING IDENTICAL TO THOSE OF LOT 6, BLOCK B AND DARTMORE LANE (LATS TO PARCELS 2, 3, 4, 5, AND 6).

**PARCEL 7**  
TRACTS 26 AND 27 IN AN UNRECORDED SUBDIVISION OF JOHN C. DAVIS ACCORDING TO THE PLAT BY GERALD W. SMITH, SURVEYED, DATED NOVEMBER 10, 1966, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
THE NORTHWEST QUARTER (NE  $\frac{1}{4}$ ) OF THE SOUTHWEST QUARTER (SW  $\frac{1}{4}$ ) OF THE SOUTHWEST QUARTER (SW  $\frac{1}{4}$ ) OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, SUBJECT TO EASEMENTS FOR ROADWAY PURPOSES OVER AND ACROSS THE WEST 30 FEET THEREOF; TOGETHER WITH INGRESS AND EGRESS OVER AND ACROSS ROAD EASEMENT DESCRIBED AS FOLLOWS:  
THE WEST 30 FEET (E  $\frac{1}{2}$ ) OF THE WEST HALF (E  $\frac{1}{2}$ ) OF THE EAST HALF (E  $\frac{1}{2}$ ) OF THE WEST HALF (E  $\frac{1}{2}$ ) OF SECTION 15, AND THE EAST 30 FEET OF THE WEST HALF (E  $\frac{1}{2}$ ) OF THE WEST HALF (E  $\frac{1}{2}$ ) OF THE WEST HALF (E  $\frac{1}{2}$ ) OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST; AND ALSO INGRESS AND EGRESS OVER AND ACROSS THE NORTH 60 FEET OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST.

**PARCEL 8**  
THE SOUTHWEST QUARTER (SW  $\frac{1}{4}$ ) OF THE SOUTHWEST QUARTER (SW  $\frac{1}{4}$ ) OF THE SOUTHWEST QUARTER (SW  $\frac{1}{4}$ ) OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.

**PARCEL 9**  
THE NORTH HALF (N  $\frac{1}{2}$ ) OF THE SOUTHWEST QUARTER (SW  $\frac{1}{4}$ ) OF THE SOUTHWEST QUARTER (SW  $\frac{1}{4}$ ) OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, SUBJECT TO EASEMENT FOR RIGHT-OF-WAY PURPOSES OVER WEST THIRTY (30) FEET THEREOF; AND ALSO INGRESS AND EGRESS OVER AND ACROSS ROAD EASEMENTS AS DESCRIBED IN O.R. BOOK 511, PAGE 519, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

**PARCEL 10**  
TRACT 327 AND 328 OF COLONIAL RANCHETTES, INC., UNIT #3, AN UNRECORDED SUBDIVISION, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
THE NORTHWEST QUARTER (NE  $\frac{1}{4}$ ) OF THE SOUTHWEST QUARTER (SW  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NE  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, LESS AND EXCEPT THAT PORTION OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, TOGETHER WITH INGRESS AND EGRESS OVER AND ACROSS ROAD EASEMENTS AS DESCRIBED IN O.R. BOOK 511, PAGE 519, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

**PARCEL 11**  
TRACTS 320 AND 325 OF COLONIAL RANCHETTES, INC., UNIT #3, AN UNRECORDED SUBDIVISION, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
TRACT 320: THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NE  $\frac{1}{4}$ ) OF THE SOUTHWEST QUARTER (SW  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NE  $\frac{1}{4}$ ) OF THE SOUTHWEST QUARTER (SW  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, SUBJECT TO EASEMENT FOR ROADWAY PURPOSES OVER AND ACROSS THE EASTERN THIRTY (30) FEET THEREOF; AND  
TRACT 325: THE NORTHWEST QUARTER (NE  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NE  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NE  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NE  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NE  $\frac{1}{4}$ ) OF SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, LESS AND EXCEPT THAT PORTION THEREOF INCLUDED IN THE PLAT OF DANFORTH CENTER, PHASE 1-4, PART 1, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 49, PAGES 87 THROUGH 92, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

**PARCEL 12**  
THE SOUTHWEST QUARTER (SW  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NE  $\frac{1}{4}$ ) OF THE SOUTHWEST QUARTER (SW  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NE  $\frac{1}{4}$ ) OF SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, LESS AND EXCEPT THAT PORTION THEREOF INCLUDED IN THE PLAT OF DANFORTH CENTER, PHASE 1-4, PART 1, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 49, PAGES 87 THROUGH 92, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

**PARCEL 13**  
THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA.

**PARCEL 14**  
TRACT 329 OF COLONIAL RANCHETTES, INC., UNIT #3, AN UNRECORDED SUBDIVISION, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, LESS AND EXCEPT THAT PORTION THEREOF INCLUDED IN THE PLAT OF DANFORTH CENTER, PHASE 1-4, PART 1, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 49, PAGES 87 THROUGH 92, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

**PARCEL 15**  
TRACT 319 AND 326 OF COLONIAL RANCHETTES, INC., UNIT #3, AN UNRECORDED SUBDIVISION, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
TRACT 319: THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA, LESS AND EXCEPT THAT PORTION OF THE NORTHWEST QUARTER (NW  $\frac{1}{4}$ ) OF SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, TOGETHER WITH INGRESS AND EGRESS OVER AND ACROSS ROAD EASEMENTS AS DESCRIBED IN O.R. BOOK 511, PAGE 519, PUBLIC RECORDS OF LEE COUNTY, FLORIDA.

**PARCEL 16**  
TRACTS 327 AND 328 OF COLONIAL RANCHETTES, INC., UNIT #3, AN UNRECORDED SUBDIVISION, MORE PARTICULARLY DESCRIBED AS FOLLOWS:  
THE NORTHWEST QUARTER (NE  $\frac{1}{4}$ ) OF THE SOUTHWEST QUARTER (SW

SURVEYORS NOTES

1. THE BEARINGS SHOWN ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST ONE QUARTER OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, BEING NORTH 89°35'24" EAST.
2. THE TRACT IS SITUATED IN SPECIAL FLOOD HAZARD AREA "ZONE B" (NO BASE FLOOD ELEVATION) PER THE FEDERAL EMERGENCY AGENCY FLOOD INSURANCE RATE MAP #12154 0350. AS SHOWN ON THE MAP INDEX DATE (MAP REVISED) SEPTEMBER 19, 1984 THE TRACT IS SUBJECT TO ALL RESERVATIONS, RESTRICTIONS, AND RIGHTS OF WAY OF RECORD.
3. DATE OF FIELD SURVEY: 07-18-00.
4. ABOVEGROUND AND UNDERGROUND IMPROVEMENTS WERE NOT LOCATED AS PART OF THIS SURVEY UNLESS OTHERWISE SHOWN BY NOTATION.
5. ALL BUILDINGS, SURFACE AND SUBSURFACE IMPROVEMENTS ON AND ADJACENT TO THE SITE ARE NOT NECESSARILY SHOWN HEREON.
6. THIS MAP IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
7. THE PURPOSE OF THIS SURVEY IS TO DELINEATE THE BOUNDARIES OF CERTAIN PORTIONS OF LAND AS DESCRIBED.
8. THE EXPECTED USE OF THE LAND, AS CLASSIFIED IN THE MINIMUM TECHNICAL STANDARDS (61617-6 FAC), IS "COMMERCIAL/HIGH RISK". THE MINIMUM RELATIVE DATE ACCURACY FOR THIS TYPE OF BOUNDARY SURVEY IS 1 FOOT IN 10,000 FEET. THE ACCURACY OF THE BEARINGS AND CALCULATION OF A CLOSED GEOMETRIC FIGURE WAS FOUND TO EXCEED THIS REQUIREMENT.
9. SURVEY BASED ON INFORMATION CONTAINED IN TITLE COMMITMENT NO. FM740438 BY COMMONWEALTH LAND TITLE INSURANCE COMPANY, DATED MARCH 15, 2000.

### EXCEPTIONS

- 12) = A POWER LINE EASEMENT OVER AND ACROSS PART OF THE NW 1/4 OF SEC. 22, TWP. 45S, R0E. 22E. (D.R. BOOK 229S PAGE 4350)
- 13) = 60' ROADWAY EASEMENT, INGRESS AND EGRESS OR BOOK 213S, PAGE 2833
- 14) = 40' LANDSCAPE EASEMENT (PLAT BOOK 49, PAGES 81-92)
- 15) = 40' LANDSCAPE EASEMENT (PLAT BOOK 49, PAGES 87-92)
- 16) = INGRESS AND EGRESS AND ACROSS ROADWAY EASEMENT AS DESCRIBED IN (D.R. BOOK 51S, PAGES 316-319)
- 17) = WEST 30' OF THE W 1/2 OF THE W 1/2 OF THE E 1/2 OF SEC. 15, AND THE E 1/2 OF SEC. 22.
- 18) = 10' ROADWAY EASEMENT PER OR BOOK 51S, PAGE 515.
- 19) = N 60' INGRESS AND EGRESS, ROADWAY EASEMENT, OR BOOK 444, PAGE 514.
- 20) = N 60' INGRESS AND EGRESS, ROADWAY EASEMENT, OR BOOK 51S, PAGE 519.

## ACREAGE


PARCEL 1 LYING EAST OF DANPROT BLVD. = 19.53 ACRES  
PARCEL 1 LYING WEST OF DANPROT BLVD. = 7.80 ACRES  
PARCELS 3 & 6 = 4.32 ACRES  
VACATION PARCEL = 0.51 ACRES ±  
ALL OTHER PARCELS = 120.79 ACRES  
TOTAL ACREAGE = 152.95 ACRES

BOUNDARY SURVEY  
OF  
DANIELS-175 ASSOCIATION, LTD.

A PORTION OF SECTION 15 & 22, TWP 45S, RGE 25E

LEE COUNTY, FLORIDA

CERTIFICATIONS:  
COMMONWEALTH LAND TITLE INSURANCE COMPANY  
WORTHINGTON HOLDINGS, LLC.

  
 \_\_\_\_\_  
 ROGER H. HARRAH      STATE OF FLORIDA      LS#5294

DATE SIGNED: Jul 19 2000

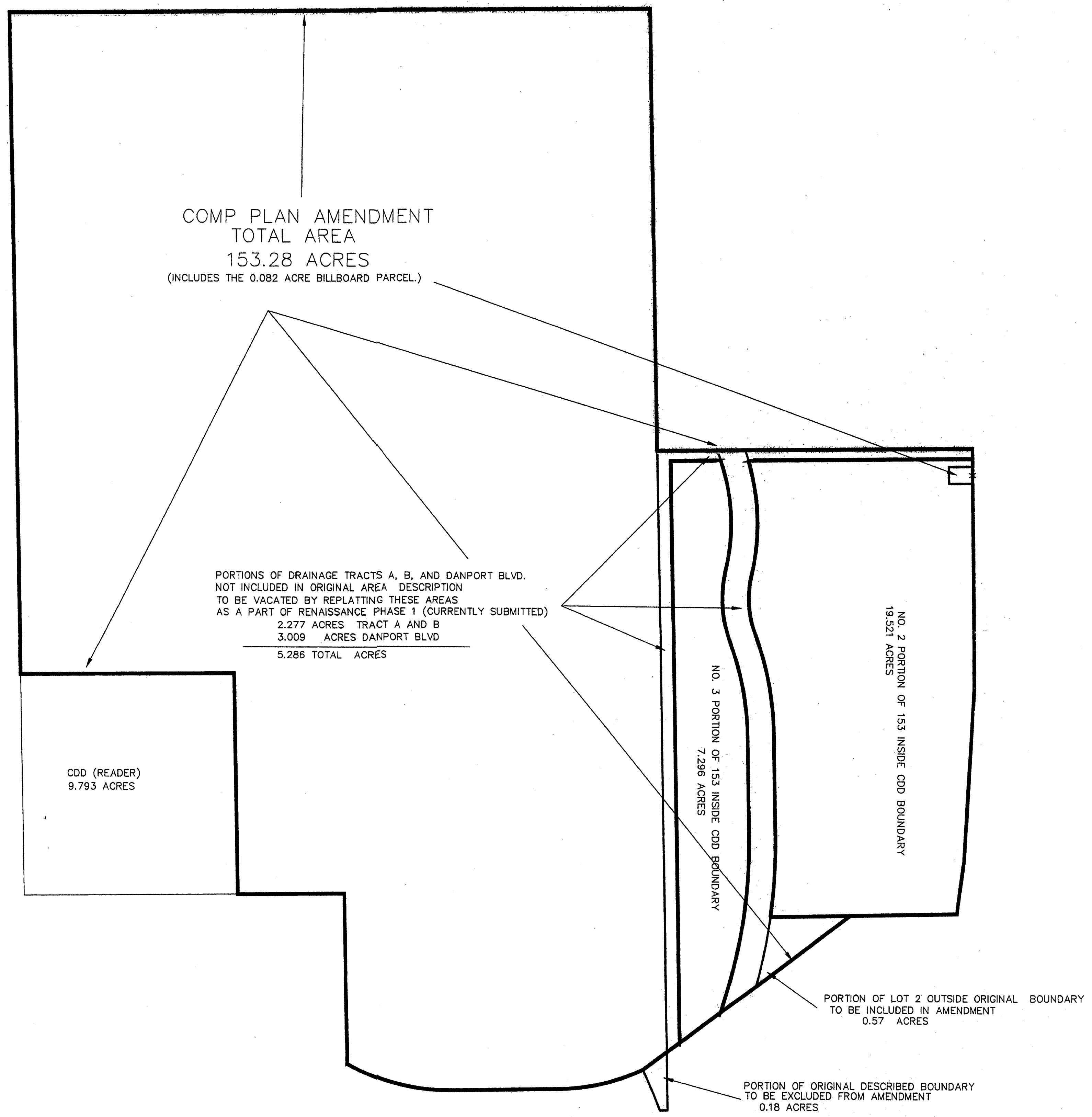
## A.5







511.728 ACRES



COMP PLAN AMENDMENT  
TOTAL AREA  
153.28 ACRES  
(INCLUDES THE 0.082 ACRE BILLBOARD PARCEL.)

PORTIONS OF DRAINAGE TRACTS A, B, AND DANPORT BLVD.  
NOT INCLUDED IN ORIGINAL AREA DESCRIPTION  
TO BE VACATED BY REPLATTING THESE AREAS  
AS A PART OF RENAISSANCE PHASE 1 (CURRENTLY SUBMITTED)  
2.277 ACRES TRACT A AND B  
3.009 ACRES DANPORT BLVD  
5.286 TOTAL ACRES

CDD (READER)  
9.793 ACRES

NO. 2 PORTION OF 153 INSIDE CDD BOUNDARY  
19.521 ACRES

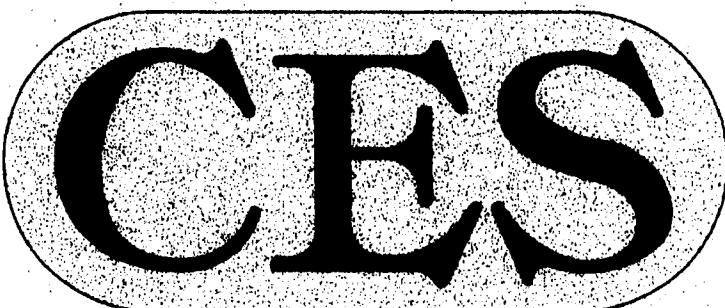
NO. 3 PORTION OF 153 INSIDE CDD BOUNDARY  
7.296 ACRES

PORTION OF LOT 2 OUTSIDE ORIGINAL BOUNDARY  
TO BE INCLUDED IN AMENDMENT  
0.57 ACRES

PORTION OF ORIGINAL DESCRIBED BOUNDARY  
TO BE EXCLUDED FROM AMENDMENT  
0.18 ACRES

PLEASE NOTE THAT THE AREAS AS SHOWN ARE BASED ON  
ACTUAL SURVEY DATA AND MAY VARY FROM THOSE AREAS AS  
INDICATED ON PARCEL INFORMATION ON RECORD IN OFFICES OF LEE COUNTY FLORIDA.

date 032901	No.	Date	Revisions
drawn			
file name: AMEND_KEY			
job CDD/153			

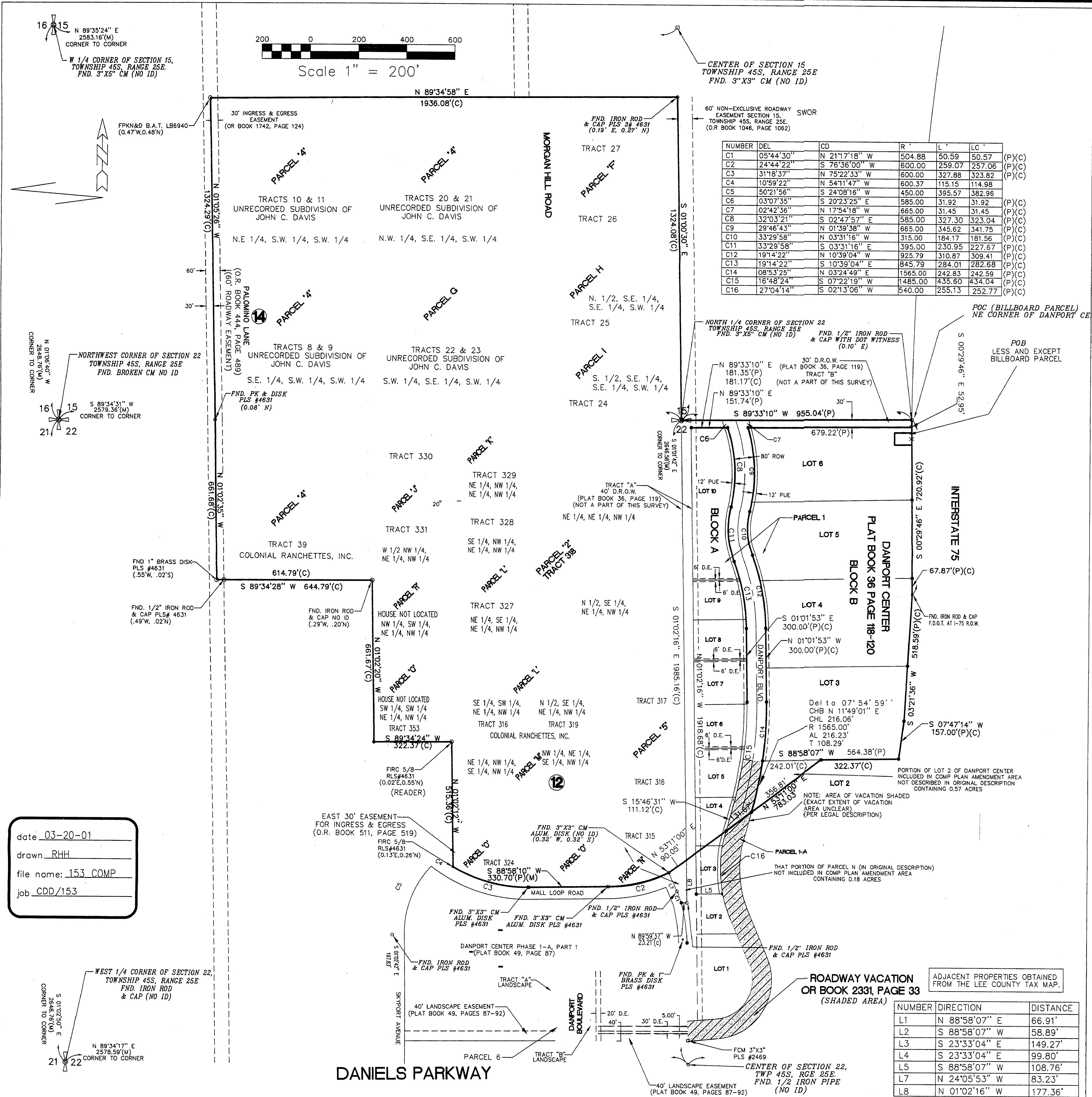


COMMUNITY ENGINEERING SERVICES, INC.  
Civil Engineering • Surveying • Project Management  
9200 Bonita Beach Road Suite 213  
Bonita Springs, Florida 33923  
Telephone (941) 495-0009 Fax (941) 495-7934

COMP PLAN AMENDMENT AREAS

PARCEL KEY MAP

scale: 1"=200' 1"=10'	date
SHEET	
1 of 1	



BOUNDARY SKETCH OF DESCRIPTION  
FOR  
COMP PLAN AMENDMENT AREA

A PORTION OF SECTION 15 & 22, TWP 45S, RGE 25E  
LEE COUNTY, FLORIDA

ACREAGE BREAKDOWN

TOTAL AREA = 153.28 ACRES

BILL BOARD PARCEL AS LESS AND EXCEPTED IN LEGAL DESCRIPTION = 0.082 ACRES

LEGAL DESCRIPTION AS PREPARED BY SURVEYOR

LEGAL DESCRIPTION  
FOR  
153 COMP PLAN AMENDMENT AREA

A PARCEL OF LAND LYING IN SECTIONS 15 AND 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, SAID LAND BEING SITUATED WEST OF I-75 AND NORTH OF DANIELS ROAD AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTH 1/4 CORNER OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST; SAID POINT ALSO BEING THE NORTHWEST CORNER OF DANPORT CENTER PLAT BOOK 36, PAGES 118 THROUGH 120, THENCE ALONG THE NORTH LINE OF SAID PLAT AND THE SOUTH LINE OF SECTION 15, N 89°33'10" E, A DISTANCE OF 955.04' TO A POINT MARKING THE NORTHEAST CORNER OF SAID PLAT AND ALSO BEING ON THE WEST RIGHT OF WAY OF INTERSTATE 75, THENCE ALONG SAID RIGHT OF WAY AND SAID PLAT THE FOLLOWING BEARINGS AND DISTANCE CALLS:  
THENCE S 0°29'46" E, A DISTANCE OF 720.92' TO A POINT;  
THENCE S 0°21'36" W, A DISTANCE OF 518.59' TO A POINT;  
THENCE S 0°47'14" W, A DISTANCE OF 157.00' TO A POINT MARKING THE SOUTHEAST CORNER OF LOT 3 OF DANPORT CENTER AS RECORDED IN PLAT BOOK 36 PAGES 118 THROUGH 120, THENCE WITH THE SOUTH LINE OF SAID LOT 3,  
S 88°58'07" W, A DISTANCE OF 322.37' TO A POINT; THENCE LEAVING SAID RIGHT OF WAY AND CONTINUING ON SAID PLAT,  
THENCE S 53°11'00" W, A DISTANCE OF 783.03' TO A POINT MARKING THE NORTHEAST CORNER OF DANPORT CENTER PHASE 1A AS RECORDED IN PLAT BOOK 49 PAGES 87 THROUGH 92, THENCE WITH THE NORTH LINE OF SAID PLATTED LANDS AROUND A CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 24°44'22", AN ARC DISTANCE OF 259.07', RADIUS OF 600.00', WITH A CHORD BEARING OF S 76°36'00" W, A DISTANCE OF 257.06' TO A POINT;  
THENCE S 88°58'10" W, A DISTANCE OF 330.70' TO A POINT;  
THENCE AROUND A CURVE TO THE RIGHT THROUGH A CENTRAL ANGLE OF 31°18'37", AN ARC DISTANCE OF 327.88', HAVING A RADIUS OF 600.00',  
WITH A CHORD BEARING OF N 75°22'33" W, A DISTANCE OF 323.82' TO A POINT;  
THENCE LEAVING SAID PLAT AND RUNNING N 01°02'12" W, A DISTANCE OF 515.36' TO A POINT;  
THENCE S 89°34'24" W, A DISTANCE OF 322.37' TO A POINT;  
THENCE N 01°02'20" W, A DISTANCE OF 661.67' TO A POINT;  
THENCE S 89°34'28" W, A DISTANCE OF 644.79' TO A POINT ON THE EAST LINE OF THE WEST 1/4 OF THE NORTHWEST 1/4 OF THE NORTHWEST 1/4, AND BEING NEAR THE CENTERLINE OF PALOMINO LANE,  
THENCE N 01°02'35" W, A DISTANCE OF 1323.36' TO A POINT;  
THENCE N 01°05'26" W, A DISTANCE OF 1324.29' TO A POINT;  
THENCE LEAVING SAID EAST LINE AND RUNNING N 89°34'58" E, A DISTANCE OF 1936.08' TO A POINT;  
THENCE S 01°00'09" E, A DISTANCE OF 1324.08' TO THE POINT OF BEGINNING.

CONTAINING 153.28 ACRES MORE OR LESS.

LESS AND EXCEPT A BILLBOARD PARCEL DESCRIBED AS FOLLOWS:

A PORTION OF LAND LYING IN SECTION 22, TOWNSHIP 45 SOUTH, RANGE 25 EAST, LEE COUNTY, FLORIDA; BEING PART OF THE DANPORT CENTER AS RECORDED IN PLAT BOOK 36, PAGES 118 THROUGH 120 OF THE OFFICIAL RECORDS OF LEE COUNTY, FLORIDA, SAID LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE DANPORT CENTER, PLAT BOOK 36, PAGES 118-120, THE POINT ALSO BEING ON THE WEST RIGHT OF WAY OF INTERSTATE 75, THENCE ALONG THE EAST LINE OF SAID PLAT AND SAID RIGHT OF WAY, S 0°29'46" E, A DISTANCE OF 52.95' TO A POINT MARKING THE NORTHEAST CORNER OF A PROPOSED BILLBOARD PARCEL AND BEING THE TRUE POINT OF BEGINNING

CERTIFICATION FOR LEGAL DESCRIPTION

*Roger H. Barra*  
ROGER H. BARRA STATE OF FLORIDA LS#5294  
DATE SIGNED: 03-29-01

SURVEYORS NOTES

- THE BEARINGS SHOWN ARE BASED ON THE SOUTH LINE OF THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 45 SOUTH, RANGE 25 EAST, BEING NORTH 89°32'24" EAST.
- THE TRACT IS SITUATED IN SPECIAL FLOOD HAZARD AREA "ZONE B" (NO BASE FLOOD ELEV) PER THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP #125124 0350 B, AS SHOWN ON THE MAP INDEX DATED (MAP REVISED) SEPTEMBER 19, 1984.
- THE TRACT IS SUBJECT TO ALL RESERVATIONS, RESTRICTIONS, AND RIGHTS OF WAY OF RECORD.
- THIS SURVEY SKETCH IS FOR PURPOSES AS STATED AND IS NOT INTENDED TO IMPLY OWNERSHIP OF THE SUBJECT AREA.
- NO IMPROVEMENTS WERE LOCATED AS A PART OF THIS SURVEY.
- THIS SKETCH AND DESCRIPTION IS NOT VALID UNLESS IT BEARS THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- THE PURPOSE OF THIS SURVEY IS TO DELINEATE THE BOUNDARIES OF A CERTAIN PORTION OF LAND AS DESCRIBED FOR COUNTY ZONING PURPOSES.
- THE EXPECTED USE OF THE LAND, AS CLASSIFIED IN THE MINIMUM TECHNICAL STANDARDS (61G17-6 FAC), IS "COMMERCIAL RISK". THE MINIMUM RELATIVE DISTANCE ACCURACY FOR THIS TYPE OF BOUNDARY SURVEY IS 1 FOOT IN 10,000 FEET. THE ACCURACY OBTAINED BY MEASUREMENT AND CALCULATION OF A CLOSED GEOMETRIC FIGURE WAS FOUND TO EXCEED THIS REQUIREMENT.

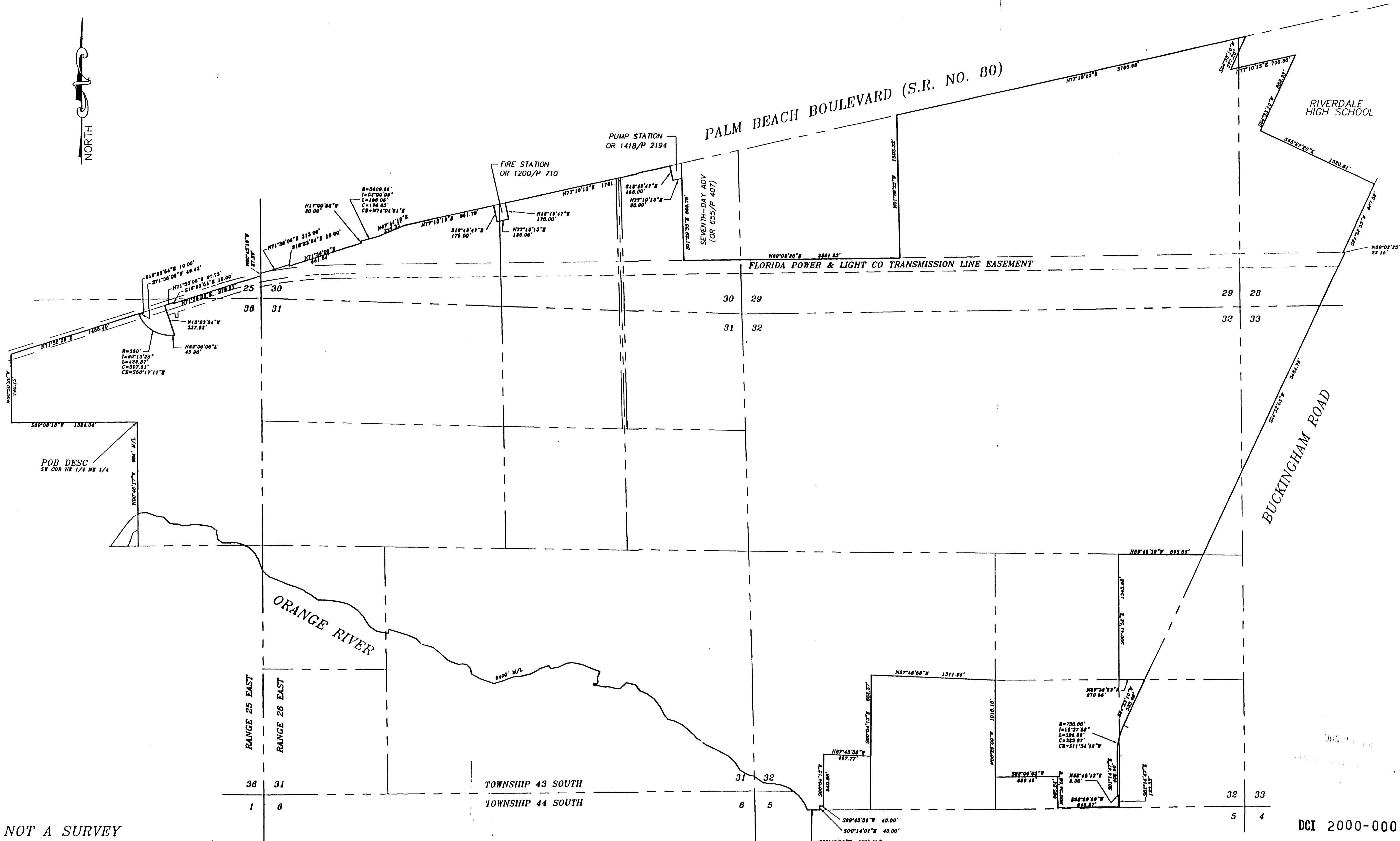
LEGEND	
NO ID = NO IDENTIFICATION	DEL = DELTA
(S) = SOUTH	PC = POINT
PLS = PLAT	OR = OFFICIAL RECORDS BOOK
PLS = PLAT	DA = DELTA ANGLE
(M) = MEASURED	CM = CONCRETE MONUMENT
(P) = PLAT	POC = POINT OF COMMENCEMENT
(B) = BEARING	POB = POINT OF BEGINNING
NGVD = NATIONAL GEODETIC VERTICAL DATUM	PLS = PLAT
USGS = UNITED STATES GEOLOGIC SURVEY	PLS = PLAT
R/W = RIGHT OF WAY	PLS = PLAT
AC = ADJACENT	PLS = PLAT
CC = CHORD BEARING	PLS = PLAT
LC = CHORD LENGTH	PLS = PLAT
L = ARC LENGTH	PLS = PLAT
R = RADIUS	PLS = PLAT
F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION	PLS = PLAT
F.L.U. = FLORIDA POWER & LIGHT	PLS = PLAT

NUMBER	DIRECTION	DISTANCE
L1	N 88°58'07" E	66.91'
L2	S 88°58'07" W	58.89'
L3	S 23°33'04" E	149.27'
L4	S 23°33'04" E	99.80'
L5	S 88°58'07" W	108.76'
L7	N 24°05'53" W	83.23'
L8	N 01°02'16" W	177.36'



COMMUNITY ENGINEERING SERVICES, INC.  
Civil Engineering - Surveying - Project Management  
LB# 6572  
9200 Bonita Beach Road Suite 213  
Bonita Springs, Florida 34135  
Telephone (941) 495-0029 Fax (941) 495-7934

date 03-20-01  
drawn\_RHH  
file name: 153 COMP  
job\_CDD/153



THIS IS NOT A SURVEY

*W. Britt Pomeroy, Jr.*  
W. BRITT POMEROY, JR. (FOR THE FIRM - LB#642)  
PROFESSIONAL LAND SURVEYOR  
FLORIDA CERTIFICATE NO. 4448

DATE SIGNED: 9-19-00

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

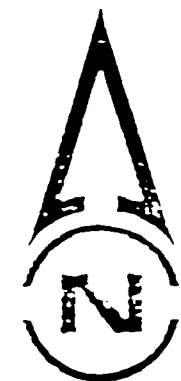
DCI 2000-00069

SKETCH TO ACCOMPANY DESCRIPTION  
PARCEL IN  
SECTIONS 25 & 36, T. 43 S., R. 25 E.  
SECTIONS 28, 29, 30, 31, 32 & 33, T. 43 S., R. 26 E.  
LEE COUNTY, FLORIDA

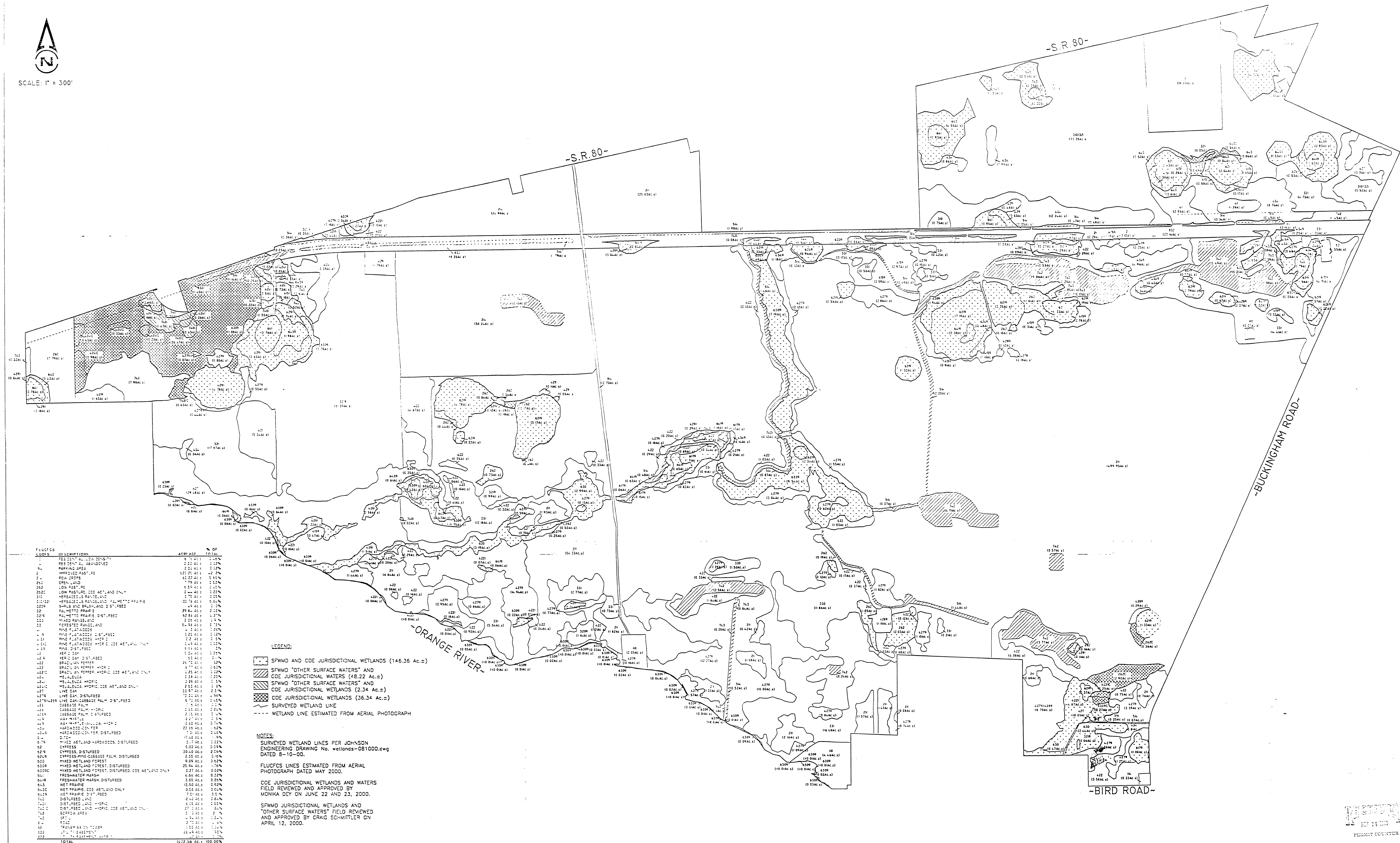
JOHNSON ENGINEERING, INC.				
ENGINEERS, SURVEYORS AND ECOLOGISTS				
2158 JOHNSON STREET, P.O. BOX 1550, FORT MYERS, FLORIDA 33902-1550, PHONE (941) 334-0046				
DATE	PROJECT NO.	FILE NO.	SCALE	SHEET
Sept., 2000	991536	25-43-25	1" = 500'	1 OF 1

J:\951536\Sketch\_Desc\_Jenny.dwg Mon Sep 18 13:11:37 2000 mcp





SCALE: 1" = 300'



LEGEND:

- SPWMD AND COE JURISDICTIONAL WETLANDS (146.35 AC.±)
- SPWMD "OTHER SURFACE WATERS" AND COE JURISDICTIONAL WATERS (48.22 AC.±)
- SPWMD "OTHER SURFACE WATERS" AND COE JURISDICTIONAL WETLANDS (2.34 AC.±)
- COE JURISDICTIONAL WETLANDS (36.34 AC.±)
- SURVEYED WETLAND LINE
- WETLAND LINE ESTIMATED FROM AERIAL PHOTOGRAPH

NOTES:

SURVEYED WETLAND LINES PER JOHNSON ENGINEERING DRAWING No. wetlands-081000.dwg DATED 8-10-00.

FLUCFCS LINES ESTIMATED FROM AERIAL PHOTOGRAPH DATED MAY 2000.

COE JURISDICTIONAL WETLANDS AND WATERS FIELD REVIEWED AND APPROVED BY MONIKA DEY ON JUNE 22 AND 23, 2000.

SPWMD JURISDICTIONAL WETLANDS AND "OTHER SURFACE WATERS" FIELD REVIEWED AND APPROVED BY CRAIG SCHMITTLER ON APRIL 12, 2000.

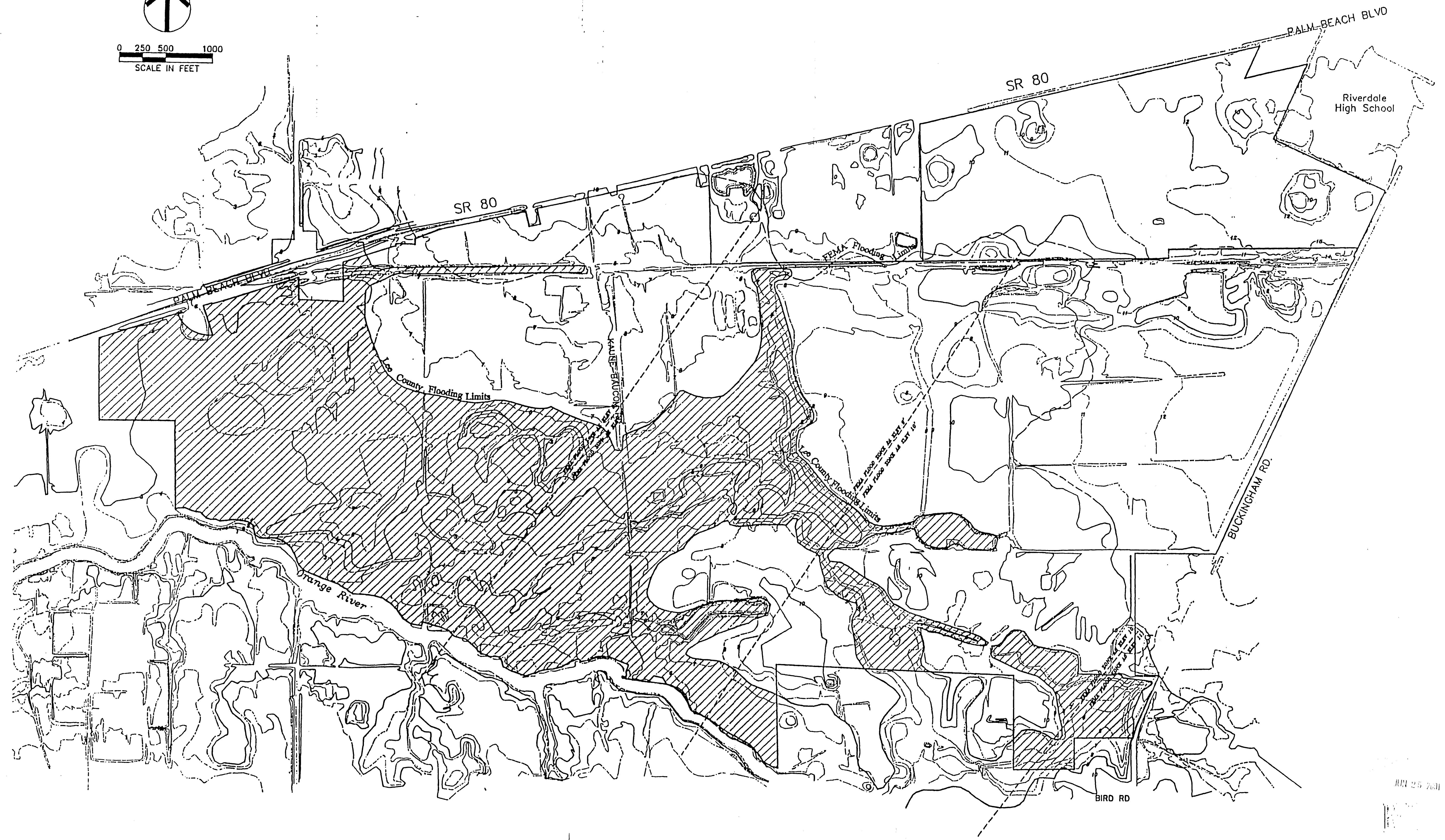
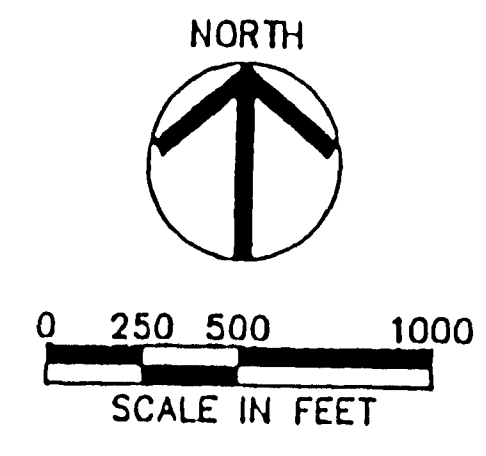
REVISIONS	DESIGNED BY	DATE	HORIZONTAL SCALE
REVISED WETLANDS 11 AND 14	A.W.	9/14/00	1"=300'
REVISED BOUNDARY ALONG RIVER	K.C.P.	9/14/00	VERTICAL SCALE
	P.A.F.	9/14/00	N/A
			SEC./TWP./RNG.
			25.36/43S/25E
			29.30.31.32/43S/26E

PASSARELLA and ASSOCIATES, INC.  
Consulting Ecologists  
4575 Via Royale Suite 201 Ft. Myers, FL 33919

BAUCOM PROPERTY  
FLUCFCS AND WETLANDS MAP

EXHIBIT C.1
DRAWING No.:
99BBP402FW-1
SHEET No.:
1





1' CONTOUR BASED ON LEE COUNTY AERIAL DATA OF VARIOUS DATES.

EXHIBIT C.3 OCT 2000-00069

Lee County, Florida

Topographic Map  
and Flooding Limits

JOHNSON ENGINEERING, INC.  
ENGINEERS, SURVEYORS AND ECOLOGISTS  
2158 JOHNSON STREET, P.O. BOX 1350, FORT MYERS, FLORIDA 33902-1350, PHONE (813) 334-0048

DATE	PROJECT NO.	FILE NO.	SCALE
09/23/99	19991536	28-44-26	1" = 500'